City of Carpinteria
Special City Council
Meeting Agenda
Tuesday, March 26, 2024

Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013

5:30 p.m. Special Meeting
In-Person and Virtual Participation Options

Attendance/Viewing Options:

- Attend the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- View the meeting live through the City's website (https://carpinteria.ca.us/city-hall/agendas-meetings).
- View the meeting on Government Access Television Channel 21 (broadcast live and rebroadcast on the Wednesday and the Saturday following the meeting at 8:00 p.m. and 5:00 p.m., respectively).
- Call 669-900-9128 (and enter Webinar ID 849 5178 9727) to listen to the meeting.
- Join the City's Zoom webinar by CLICKING HERE. Alternatively, you can join the Zoom webinar by logging on to www.zoom.us, downloading the application, selecting "Join Meeting", and entering Webinar ID 849 5178 9727.
- Spanish interpretation will be available at the in-person meeting and through the City's Zoom webinar.

Public Comments

- Provide a live public comment in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- Provide a live comment through the City's Zoom webinar platform (through the link provided above). To make public comments through this platform please use the "raise your hand" feature to notify staff that you would like to make a public comment during designated public comment times. Once it is your turn to provide a public comment, staff will unmute your microphone and you will be given a designated amount of time to provide your comment. At the end of your comment, staff will once again mute your microphone.
- Submit a written comment (on a specific agenda item) to be distributed to Council Members by **12:00 P.M. on the day of the meeting** by either submitting your comment via (1) email to PublicComment@carpinteriaca.gov, or (2) the **eComment** link on the City's agenda website https://carpinteriaca.gov/city-

hall/agendas-meetings/). Please reference the agenda item to which your comment pertains. Although written comments become part of the record, they will not be read aloud at the meeting.

Please note that the City will make every effort to make the meeting accessible virtually; however, if one of the above virtual attendance/viewing or public comment options is unavailable due to technological issues, you are invited to take advantage of one of the other participation options outlined above (including attending and providing public comment in-person in the City Council Chambers). Additional options may be made available at the meeting.

Levine Act Warning

Applicants and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Council Member may accept, solicit, or direct a contribution of more than $250 from any party or agent for 12 months following the date a final decision is rendered by the City. This prohibition commences when an application has been filed, or the proceeding is otherwise initiated. A party to a City proceeding—which includes both applicants and agents—shall disclose on the record of the proceeding any contribution of more than $250 made to any Council Member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Council Member during the proceeding and for 12 months following the date a final decision is rendered by the City. Prior to rendering a decision on a City proceeding, any Council Member who received contribution of more than $250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any Council Member receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Council Member shall be permitted to participate in the proceeding. If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING:

The City Council will hold a public hearing on the following matter:

1. Consideration of an appeal of the Planning Commission's decision to approve Project 23-2221-DP/CDP/ARB, for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development consisting of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue, under the provisions of the Commercial Planned Development ("CPD") and Planned Residential Development ("PRD-13") Zone Districts; and approval of an Exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA") Guidelines. The project is located at 4745 Carpinteria Avenue and is identified as Assessor's Parcel No. 003-251-021.

   Recommendation: Adopt the attached Resolution with Findings for Approval of Project 23-2221-DP/CDP/ARB, thereby approving the project; and accept a categorical exemption pursuant to §15332 of the CEQA Guidelines.

   a. Ex Parte Disclosures
   b. Staff Report
   c. Public Hearing
   d. City Council Determination

PUBLIC COMMENT WILL BE HEARD CONCERNING ONLY THE AGENDIZED ITEM FOR THIS SPECIAL MEETING

ADJOURNMENT

The next regular City Council meeting will be held April 8, 2024 at 5:30 p.m.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 755-4403 or the California Relay Service at (866) 735-2929. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

Materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office, located at 5775 Carpinteria Avenue, Carpinteria, CA 93013 or by going to the City's website at https://carpinteriaca.gov/city-hall/agendas-meetings/.

This agenda was posted on Wednesday, March 20, 2024, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
March 26, 2024

ITEM FOR COUNCIL CONSIDERATION

Consideration of an appeal of the Planning Commission's decision to approve Project 23-2221-DP/CDP/ARB, for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development consisting of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue, under the provisions of the Commercial Planned Development ("CPD") and Planned Residential Development ("PRD-13") Zone Districts; and approval of an Exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA") Guidelines. The project is located at 4745 Carpinteria Avenue and is identified as Assessor's Parcel No. 003-251-021.

STAFF RECOMMENDATION

Adopt the attached Resolution with Findings for Approval of Project 23-2221-DP/CDP/ARB, thereby approving the project; and accept a categorical exemption pursuant to §15332 of the CEQA Guidelines.

Sample Motion: I move that the City Council adopt Resolution No. 6295 and the attached Findings for Approval of Project 23-2221-DP/CDP/ARB, thereby approving the project; and accepting a categorical exemption pursuant to §15332 of the CEQA Guidelines.

BACKGROUND

Proposed Project Description

The requested Development Plan and Coastal Development Permit would allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198

square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element located toward the center of the project would be approximately 35 feet, seven inches from finished grade.

The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street. Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both ground floor covered porch and private second floor deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact" spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking area would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for an additional six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater treatment for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping also would be

provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The project utilizes the state's Density Bonus Law (Gov. Code, §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current General Plan and zoning designation in exchange for designating a certain number of the apartment units as deed restricted for households meeting certain income levels and at certain affordable rents. Specifically, the project calls for setting aside three units for households that fall within the low-income level (up to 80% of the area median income ("AMI")[1]) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included in the project figures described above. The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the project requests the use of concessions or incentives, and/or waivers or reductions of development standards from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reduction of development standards: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City (i.e., up to 35 feet, 7 inches); and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property (i.e., 69% coverage for this portion of the property).

A copy of the proposed plans for the project are included as Exhibit 2 to Attachment A of this report and incorporated herein by reference.

Project History and Previous Reviews

In December 2022, the project applicant presented an initial concept for a commercial / residential mixed-use development for consideration by the City Council, Planning Commission and Architectural Review Board ("ARB"). The conceptual proposal elicited mixed reactions from City decision-makers, with most acknowledging that the site was an appropriate location for a mixed-use infill project, but many sharing concerns about the overall intensity of the contemplated development and neighborhood compatibility.

[1] For context, the California Department of Housing and Community Development ("HCD") annually revise and publish the income limits for each category. In 2023, the lower income threshold for a one-person household is $82,950 per year. (See HCD, 2023 State Income Limits, p. 11 (Jun. 6, 2023) https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf.) For 2023, the rent for a designated lower income unit cannot exceed 30% of the lower income limit, or $2,072 per month.

In April 2023, a formal Development Plan and Coastal Development Permit application was submitted for the subject mixed-use development proposal. While similar in concept to the December 2022 joint conceptual review proposal, a handful of key revisions were made to the project design including changes to the mix of one- and two-bedroom units, a reduction of commercial square footage, and a reorganization of the project massing.

Over the course of an additional conceptual review and two preliminary review meetings with the ARB, the project was further revised and refined in an effort to respond to ARB and public comments, primarily related to building massing and articulation, street facades, and neighborhood compatibility. Some of the more significant changes included efforts to break up the project's massing, multiple height reductions to the Ninth Street façade (reducing overall height by ~1-foot), and enhancing the entry elements of the Carpinteria Avenue frontage.

Ultimately, the ARB recommended preliminary approval at their October 26, 2023 meeting on a 3-1 vote (Boardmember O'Connor opposed; Boardmember Johnson absent). As part of their adopted motion, the Board included comments recommending the applicant continue to try to scale down the mass of the Ninth Street façade. The Board also wished to express their concern to the Planning Commission about the size, scale, and bulk of future projects seeking to leverage similar state housing laws.

A more detailed accounting of joint-conceptual review meeting and the ARB's three meetings is provided as part of the Background discussion of the attached February 5, 2024 Planning Commission staff report (Attachment B). Copies of the adopted Action Minutes from each of the ARB meetings are included as attachments to the Planning Commission staff report.

Planning Commission Review

The Carpinteria Planning Commission considered the 4745 Carpinteria Avenue Mixed Use Project (Project 23-2221-DP/CDP/ARB) at their February 5, 2024 meeting. Generally, the Commission was supportive of the proposed project, noting they agreed this was an appropriate site for a mixed-use infill project within the City's downtown area. Commissioners did, however, share some concerns over particular aspects of the project, including privacy and solar shading considerations related to the interior courtyards and walkways; building height and prominence of the third level; and the potential future installation of over-the-air reception devices such as satellite dishes, television or radio antennas exceeding the City's 30-foot height limit. Commissioners also expressed a desire to see the three dedicated affordable units be subject to a longer affordability covenant, if possible, and raised the need for an onsite manager's unit.

Approximately seven members of the public spoke at the meeting, all of whom raised various concerns over aspects of the project, including its consistency with certain

General Plan/Coastal Plan policies, overall building height, traffic and parking impacts, how zoning standards are applied to the project, and general neighborhood compatibility.

The Planning Commission ultimately approved the project (vote: 4-0-1, Commissioner Salant abstained) subject to several project revisions and additional conditions, which the project developer voluntarily accepted to gain the Commission's support for the project. The agreed upon project revisions and additional conditions included: 1.) stepping in the west-facing third floor units an additional three feet; 2.) working with the Architectural Review Board (ARB) to address privacy and solar shading of interior courtyard areas and adjacent living areas; 3.) provision of an on-site manager's unit; 4.) extension of the affordability covenant on the three affordable units from the standard 55 years to a 99-year term; 5.) provision of free wi-fi internet service for all residents of the development; and 6.) a prohibition on any roof-mounted satellite dishes or similar appurtenances on portions of the building above 30 feet in height.

The complete staff report presented to the Planning Commission for the proposed project is provided as Attachment B to this report and incorporated herein by reference. The staff report provides a detailed project description, relevant discussion about the project's setting, a detailed history of the planning review process up to the Planning Commission hearing, a comprehensive analysis of the project's consistency with applicable zoning regulations and General Plan/Coastal Plan policies, a detailed discussion about the project's eligibility for a CEQA categorical exemption, and an estimate of the City Development Impact Fees that would be due for the proposed project.

A copy of the draft Minutes from the February 5th Planning Commission meeting is included as Attachment D. A copy of the Planning Commission Action Letter which memorializes the Commission's final action is provided as Attachment C. Both Attachments C and D are incorporated herein by reference.

Appeal of Planning Commission Action

At the February 12, 2024 City Council meeting, staff reported out the Planning Commission's approval of the project as part of the City Manager's Report section of the agenda. After receiving public comments which raised concerns regarding potential traffic impacts and potential General Plan/Coastal Plan consistency, the Council voted 4-0-1 (Councilmember Solarzano recused) to appeal the project to themselves. In explaining the reasons for voting to appeal the Planning Commission's action, Mayor Clark suggested he shared some of the public commenters' concerns about General Plan/Coastal Plan consistency, and thought it appropriate to have one of the City's first projects to utilize some of the state's incentivized housing laws, be reviewed by the Council in the interest of better understanding how local zoning regulations, state housing laws, and the California Coastal Act all relate and intersect in the context of housing projects. Mayor Clark further commented that while he believes that the City needs more housing and the site is a good location for a housing project, the project

may require further refinement and offered that an appeal of the project would provide the Council an opportunity to be further educated on how to "harmonize" the City's General Plan/Coastal Plan with State Housing Law for this and future housing projects. Councilmember Lee agreed with Mayor Clark and made the motion to appeal the project.

A Copy of the approved Minutes from the February 12th City Council meeting is included as Attachment E and incorporated herein by reference.

STANDARD OF REVIEW

Pursuant to Carpinteria Municipal Code ("CMC") §14.78.040 (Appeals to the City Council), consideration of an appeal by the City Council shall not be limited to the grounds stated in the appeal. In other words, the Council may hold a "de novo" hearing, and may consider the entirety of the project and render a decision on the appeal without reference to any previous decisions rendered by the Planning Commission. In taking an action on the project, the Council shall affirm, reverse, or modify the decision of the Planning Commission.

The Council should review the project for consistency with the objectives and policies of the City's General Plan/Coastal Land Use Plan, and the applicable implementation programs (e.g., CMC Title 14, Zoning; and the Creeks Preservation Program). In light of recent state housing laws that in some cases limit a local jurisdiction's discretion over qualifying projects (discussed in more detail, below), the Council also must harmonize the requirements of state housing law with the California Coastal Act (and its local implementation through the City's Local Coastal Program ("LCP"), with the goal being to implement or comply with both to the maximum extent possible.

Due to the project's location with the Coastal Appeals ("CA") Overlay district, the final local action rendered by the City is subject to appeal to the California Coastal Commission ("CCC"). In the event the City's final local action is appealed to the CCC, the Commission may dismiss the appeal (finding no substantial issue) or take the appeal up for consideration. If the CCC takes up the appeal, they would take over decision-making authority for the project and the Commission's final action would supersede that of the City.

DISCUSSION

The discussion sections, below, provide an analysis of the project's consistency with key policy issues based on comments received from the public and City Council at the February 12, 2024 meeting wherein the Council voted to appeal the approval of the project to themselves. These issues include 1.) State Housing Law; 2) the project's relationship to the City's Housing Element; 3.) Neighborhood Compatibility and "Small Beach Town" character; and 4.) Traffic and Circulation. A more complete zoning and policy consistency analysis of the project is provided in the attached Planning Commission staff report (see Attachment B).

State Housing Laws

In response to a statewide housing crisis, the state legislature has taken increasingly aggressive steps in recent years to streamline and incentivize the production of housing, with a particular emphasis on rental housing for workforce and lower-income households. Many of the housing laws passed in recent years seek to limit local jurisdiction's discretion over qualifying housing projects, thereby enhancing certainty for developers and potentially streamlining what can be a lengthy entitlement process in some jurisdictions. In some cases, these laws also allow for a developer to accommodate more units on a property than a local jurisdiction's zoning or land use regulations would otherwise allow. Often, the Legislature ties the benefits offered to residential developers to requiring certain concessions, such as setting aside a share of units for deed-restricted lower-income households and/or requiring certain labor targets be met (e.g., prevailing wage, etc.).

Two of these state housing laws, Density Bonus Law, and the Housing Accountability Act, are particularly relevant to the proposed project and are discussed in more detail below to provide context about the design of the proposed project, the scope of the City's discretionary review, and the interplay between these laws and the Coastal Act.

Density Bonus Law

The proposed project seeks to utilize state's Density Bonus Law to provide more apartment units onsite than the City's General Plan and zoning would otherwise allow for, and to make use of various concessions or incentives and/or waivers or reductions of development standards to allow for deviation from local zoning standards, in exchange for setting aside a specified percentage of the units for targeted affordability rates for a defined period of time. More specifically, the project calls for setting aside 16.67% of the 18 base units (i.e., three units) for low-income households (up to 80% AMI) at affordable rents for a minimum period of 99 years in exchange for 1.) a 29.0% bonus density (i.e., six additional units, rounded up from 5.22 units), 2.) use of one concession or incentive for exceedance of maximum building height; and 3.) one waiver or reduction of development standards for exceedance of PRD zone district maximum lot coverage. The project also seeks to utilize the automatically-granted reduced residential parking ratios allowed for under Density Bonus Law.

Density Bonus Law requires that a local jurisdiction grant a density bonus at an amount commensurate with the percentage of base units set aside for the targeted income category, and as prescribed in the law. Further, Density Bonus Law requires that a qualifying application be granted a specified number of concessions or incentives to reduce local development standards based on the percentage of units set aside for the targeted income category. Density Bonus Law also allows applicants making use of its provisions to request additional waivers or reductions from local zoning standards, as needed, to help facilitate construction of the project and production of affordable

housing. In addition, Density Bonus Law specifies vehicle parking ratios based on the number of bedrooms in each unit.

Calculating Density Bonus. Density Bonus Law stipulates that the base density upon which the calculations are made is to be based on the maximum allowed density under the General Plan, which in the case of the subject property is a maximum of 20 dwelling units per acre for the CPD District.[2] Accordingly, a maximum density of 20 dwelling units per acre for the 0.87-acre site would allow for up to 18 units. The required number of income-restricted units that would need to be provided to comply with Density Bonus Law is then calculated as a percentage of this base density.[3] Here, the applicant proposes to provide 16.67% of the base units, or three units, as affordable to low-income households in exchange for a density bonus of 29 percent. This density bonus allows the applicant to construct 6 additional units (5.22 units rounded up) on the property for a total of 24 units.[4]

Incentives or Concessions. As a project setting aside at least 10% of the base units for low-income rental units, the proposed project would be eligible for use of one concession or incentive.[5] Density Bonus Law provides that the City "shall grant the concession or incentive requested by the applicant" unless the City can make certain written findings, based on substantial evidence (which are discussed further below).[6] As such, the project seeks to utilize the granted concession for: exceeding the maximum allowed building height. With respect to the requested exceedance of the City's maximum allowed building height, the proposed project would exceed the City's maximum allowed height limit of 30 feet by approximately six feet, reaching a maximum height of 35 feet, seven inches at the upper roof ridge of the third-level apartment units. Importantly, the two-story commercial portions of the building along the Carpinteria Avenue frontage would remain below the City's 30-foot height limit at approximately 25 feet 5 inches and 26 feet 11 inches, respectively. Likewise, the two-story elements along the project's Ninth Street frontage would also be kept below the 30-foot height limit at approximately 27 feet, 4 inches for the apartment unit located above the Ninth Street garage entrance (Unit 6), and 26 feet for the "townhouse" units.

Waivers or Reductions of Development Standards. Additionally, Density Bonus Law allows the applicant of a project which provides affordable units to request a waiver or reduction of any development standard that would "physically preclude" construction of the project, if not approved.[7] As such, the applicant is requesting a waiver to exceed the PRD zone district maximum lot coverage allowance. The requested exceedance of the PRD zone district's maximum allowed building coverage limit would apply (only) to the portion of the project located in the PRD-13 zone district (i.e., the property's southeast corner). The PRD zone allows for a maximum lot coverage of 50%; whereas the

[2] Gov. Code, § 65915(o)(6).
[3] See Gov. Code, § 65915(b)(1), (f)(1).
[4] Gov. Code, § 65915(f)(1).
[5] See Gov. Code, § 65915(d).
[6] Gov. Code, § 65915(d).
[7] Gov. Code, § 65915(e).

contemplated proposal calls for a lot coverage figure of approximately 69% of the PRD-zoned portion of the property. As such, the proposed project effectively requests a 19% reduction in the lot coverage development standard.

Discretion to Deny Requested Incentives/Concessions and/or Waivers or Reductions of Development Standards. Density Bonus Law provides that for qualifying projects, concessions/incentives or waivers ***must*** be granted unless the local jurisdiction makes a written finding, based upon substantial evidence.[8] For a concession/incentive, the potential findings include that: 1.) the concession/incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted affordable units; 2.) the concession/incentive would have a specific, adverse impact upon public health and safety, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households; or 3.) the concession/incentive would be contrary to state or federal law. For waivers or reductions in development standards, the potential findings include: findings 2.) or 3.) above. The local agency also must produce the substantial evidence to support these findings.[9]

Granting of the requested concession/incentive to exceed the maximum building height, and waiver or reduction in development standards to exceed the maximum PRD zone lot coverage, would help to facilitate construction of the additional units granted under Density Bonus Law, which in turn help to reduce costs on construction of affordable units. Staff has not identified a specific adverse effect to public health or safety, or to a registered landmark, that would result from the increased height and lot coverage. Likewise, the granting of the requested concession/incentive and waiver or reduction in development standards would not be contrary to any state or federal law for the reasons discussed below and in the Planning Commission staff report (Attachment B).

Parking Ratios. Density Bonus Law also automatically grants qualifying projects reduced residential parking rates. Specifically, Density Bonus projects are only required to provide residential parking at a maximum rate of one space per one-bedroom unit, and one and one-half spaces per two-bedroom unit, inclusive of required parking for visitors and persons with a disability.[10] Using these automatically granted reduced residential parking rates, the project as a whole, would be required to provide a minimum of 51 parking spaces.

As proposed, the project provides a total of 53 parking spaces and therefore exceeds the minimum number of spaces required by Density Bonus Law. However, if the applicant desired to utilize some or all of the project's commercial space for a restaurant

[8] See Gov. Code, § 65915(d), (e) (emphasis added).
[9] Gov. Code, § 65915(d)(4), (e); *Bankers Hill 150 v. City of San Diego* (2022) 74 Cal.App.5th 755, 770m 774, review denied (May 11, 2022).
[10] See Gov. Code, § 65915(p).

or a similar higher intensity use, additional parking beyond the calculated minimums may be required. The project also may be eligible for coverage under another recently-adopted state law, AB 2097, which precludes a local agency from requiring or imposing a minimum number of parking spaces for qualifying projects located within one-half-mile of certain types of public transit. Accordingly, any additional parking required for a particular type of commercial use potentially could be waived through the application of AB 2097 or reduced under other applicable local or state laws, if the subject property is found to be eligible under these laws.[11]

Further, and as previously discussed, Density Bonus Law allows for an applicant to request additional waivers or reductions to development standards that would otherwise have the effect of physically precluding the construction of a density bonus-qualifying project. While no such additional waivers or reductions have been requested at this time, such waivers or reductions could theoretically be requested for additional relief from, for example, the City's setbacks and/or parking requirements. For example, the project could request a waiver or reduction in development standards rather than a modification for the City's compact space requirements.

Coastal Act Harmonization. Density Bonus Law provides that it does not supersede or in any way alter or lessen the effect or application of the California Coastal Act ("Coastal Act"), and that any density bonus, concessions, waivers or reductions of development standards and parking ratios to which the applicant is entitled under Density Bonus Law shall be permitted in a manner that is consistent with both Density Bonus Law and the Coastal Act.[12] Density Bonus Law also acknowledges that the granting of a density bonus and incentive or concession further does not require a local coastal plan amendment to allow coastal jurisdictions to implement Density Bonus Law without the need to process a LCP amendment.[13]

The Coastal Act also acknowledges the importance and need for state laws that promote affordable housing. Public Resources Code § 30007 states "Nothing in [the Coastal Act] shall exempt local governments from meeting the requirements of state and federal law with respect to providing low- and moderate-income housing, replacement housing, relocation benefits, or any other obligation related to housing imposed by existing law or any law hereafter enacted." The CCC also has the obligation to "encourage housing opportunities for persons of low and moderate income."[14] The Subsequent guidance from the CCC has indicated that efforts should be made by local jurisdictions to "harmonize" the requirements of applicable state housing laws and the Coastal Act. Therefore, consideration must be given as to whether any aspects of the proposed project would potentially create significant conflicts with or contradict Coastal Act priority land uses (e.g., visitor-serving commercial) or coastal resources (e.g.,

[11] Any proposed commercial use which requires additional parking under the CMC would still require review and approval of a Development Plan Revision and CDP, regardless of the application of AB 2097 or other laws.
[12] Gov. Code, § 65915(m).
[13] Gov. Code, § 65915(f)(5), (j)(1).
[14] Pub. Res. Code, § 30604(f).

environmentally sensitive habitat areas ("EHSA"), creeks, public coastal access, coastal views, etc.), and if so, how those conflicts might be mitigated or resolved in a manner that appropriately harmonizes both laws (e.g., through the protection of coastal resources without reducing the density of a qualifying housing project absent certain conditions).[15]

As a mixed-use project located in the urbanized core of the City, and which incorporates much needed rental housing, along with the provision for future visitor-serving commercial uses incorporated into the project, and with careful siting of the project in compliance with the Franklin Creek buffer, staff believes that the proper balancing or "harmonization" of Density Bonus Law and protection of coastal resources, has been achieved through the design review and planning process.[16] The project also does not seek to maximize all potential benefits available to it under Density Bonus Law, which could raise additional consistency issues with the Coastal Act. The Planning Commission staff report (Attachment B) and specific issue area discussion below provides additional details on staff's consistency analysis.

Housing Accountability Act

The Housing Accountability Act ("HAA") (Gov. Code, § 65589.5) also establishes limitations on a city's ability to deny, reduce the density of or make infeasible qualifying housing projects that are consistent with objective, local standards and contribute toward meeting housing needs.

The HAA applies to "housing development project[s]", which include developments with residential units only, mixed use projects with at least two-thirds of the square footage designated for residential use, or transitional or supportive housing.[17] Here, the HAA applies to the project because it is a mixed-use development with more than two-thirds of square footage dedicated to residential uses (i.e., 85.8% residential square footage and 14.2% commercial square footage).

Under the HAA, a local agency may require an applicant to comply with *objective*, quantifiable, written development standards, conditions, and policies that are consistent with meeting the local agency's regional housing needs.[18] The HAA defines "objective" as a standard one involving "no personal or subjective judgment" and that is "uniformly

[15] See Gov. Code, §§ 65915(m), 65589.5(e), (j).
[16] See, e.g., Pub. Res. Code, § 30007.5 ("The Legislature further finds and recognizes that *conflicts may occur between one or more policies of the division.* The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, *the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall*, than specific wildlife habitat and other similar resource policies." (Emphasis added.)).
[17] Gov. Code, § 65589.5(h)(2). Projects that do not meet these criteria do not receive benefits under the HAA.
[18] Gov. Code, § 65589.5(f)(1) (emphasis added). See discussion below regarding the project's relationship to the City's Housing Element.

verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official."[19] In addition, if substantial evidence shows that a reasonable person would find a project consistent with an objective standard, then the project is deemed consistent.[20]

The HAA also requires the City to notify an applicant within a certain period of time (in this case, 30 days) if the project is consistent, compliant and in conformity with applicable plan, program, policy, ordinance, standard, requirement or other similar provision of the City's General Plan and Zoning Code.[21] Otherwise, the project is deemed consistent, compliant and in conformity with applicable, objective standards.[22] Importantly, the grant of a density bonus, incentive, concession, waiver or reduction of development standards under Density Bonus Law is not grounds for finding the housing development project inconsistent, not in compliance or not in conformity with applicable standards.[23]

Here, staff has not identified any inconsistency, noncompliance or nonconformity with applicable and objective City standards that have not otherwise been modified by Density Bonus Law or potentially eliminated due to other housing laws.

For projects that comply with applicable, objective general plan, zoning and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, the local agency must make the following findings to deny or condition the project at a lower density:[24]

1. The housing development project would have a "specific, adverse impact" upon the public health or safety unless the housing development project is disapproved or approved at a lower density; and
2. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon a condition that it be developed at a lower density.[25]

As used above, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies or conditions as of the date the application was deemed complete.[26] The Legislature also declared that conditions that would have a "specific, adverse impact upon the public health and safety … arise infrequently."[27] As discussed further

[19] Gov. Code, § 65589.5(h)(9).
[20] Gov. Code, § 65589.5(f)(4)
[21] Gov. Code, § 65589.5(j)(2).
[22] Gov. Code, § 65589.5(j)(2).
[23] Gov. Code, § 65589.5(j)(3).
[24] Under the HAA, "lower density" means "any condition that have the same effect or impact on the ability to the project to provide housing." (Gov. Code, § 65589.5(j)(8).)
[25] Gov. Code, § 65589.5(j)(1).
[26] Gov. Code, § 65589.5(j)(1)(A).
[27] Gov. Code, § 65589.5(a)(3).

below, staff has not identified aspects off the project that may constitute a specific, adverse impact on public health and safety that cannot be mitigated.

With respect to subjective standards, the HAA does not bar local agencies from imposing conditions of approval provided that those conditions do not require the project to be developed at a lower density, unless the local agency makes findings described above.[28] For example, in *California Renters Legal Advocacy & Education Fund v. City of San Mateo*, the Court stated that a city could impose appropriate conditions of approval to mitigate any effects that the height differential may have on the surrounding neighborhood under the city's design guidelines so long as those conditions do not reduce the density of the project.[29]

The HAA also requires the City to make specified findings to deny or condition a qualifying affordable housing project (i.e., 20% of the total units sold or rented to lower-income households; or 100% of the units sold or rented to moderate- or middle-income households).[30] Because the project does not propose either 20% of the total units for lower income households or 100% of the units for moderate income households, these findings requirements do not apply to the City Council's consideration of the project.

The HAA applies to qualifying housings projects within the City, however, the HAA does not relieve the City from complying with the Coastal Act.[31] Currently, the law and courts have provided limited direction as to how a coastal city should proceed when a project qualifies for protection under the HAA, but is inconsistent with the Coastal Act or a local agency's certified local coastal program. However, case law generally supports "harmonization" of two statutory schemes – like the HAA and Coastal Act – in a manner that gives effect, when possible, to all the provisions of both schemes.[32]

Harmonization of the HAA and Coastal Act likely means that the City should endeavor to make the appropriate findings, discussed above, to deny or condition a project at a lesser density when a project conforms with applicable, objective Coastal Act and City certified LCP policies. The City likely still has some discretion to deny or condition a housing development project at a lesser density based on significant impacts to coastal resources based on subjective Coastal Act and City certified LCP policies (e.g., impacts to ESHA or creeks). However, these situations likely arise infrequently, especially given the Coastal Act's broader policies to "concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife

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[28] *California Renters Legal Advocacy & Education Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820, 846 ("CaRLA").
[29] *Id.*
[30] Gov. Code, § 65589.5(d).
[31] Gov. Code § 65589.5(e).
[32] See *Linovitz Capo Shores LLC v. California Coastal Com.* (2021) 65 Cal.App.5th 1106, 1117 ("[W]here two statutory schemes are involved, we must, where reasonably possible, harmonize statutes, reconcile seeming inconsistencies in them, and construe them to give force and effect to all of their provisions. … Accordingly, they must be read together and so construed as to give effect, when possible, to all the provisions thereof." (internal quotations and citations omitted).)

habitat and other similar resource policies."[33] Lastly, it is important to note that the City may still apply subjective standards to a housing development project under the HAA provided that those standards do not result in denial of the project or condition it at a lower density absent making the aforementioned findings above.

Based on staff's careful analysis of the proposed project and its consistency with both applicable land use and resource protection policies of the Coastal Act (and by extension, the City's LCP) and the HAA, staff believes the desired "harmonization" of both state laws has been achieved. More details on the consistency analyses are provided below and in the Planning Commission staff report in Attachment B.

Project Relationship to Housing Element

In January 2024, the City re-adopted its 2023-2031 Housing Element. The Housing Element outlines how the City will meet its Regional Housing Needs Assessment ("RHNA") allocation for the planning period, by income category, to meet the City's growth projections and address existing housing capacity issues as it relates to affordability, overcrowding and/or availability of housing. The City's RHNA for the 2023-2031 planning period requires the City to plan for a total of 901 housing units, broken down by income category, as shown in the top row (RHNA 2023-2031) of the table below excerpted from the City's adopted Housing Element:

Table II-1
Land Inventory Summary

	Income Category				Total
	Very Low	Low	Mod	Above	
RHNA 2023-2031	286	132	135	348	901
Completed, Approved & Pending Projects (Table B-3)	-	3	-	259	262
Net Remaining RHNA	415		135	89	639
Vacant Sites (Table B-4)	-		10	5	15
Underutilized Sites with R Overlay (Table B-5)	56		47	-	103
Other Underutilized Sites (Table B-6)	-		153	153	306
ADUs	84		8	48	140
Surplus (Shortfall)	(275)		83	117	(75)

Source: City of Carpinteria, 2023

The Housing Element must maintain an adequate supply of sites to accommodate the RHNA (Housing Element Program Category 1), across a mix of housing needs. This is accomplished by demonstrating available capacity under existing zoning and land use regulations and/or pursuing necessary zoning or land use regulation amendments (e.g., rezones) to create additional capacity. In Housing Element Program 1, the City commits to rezone sufficient sites at 20 to 25 units per acre to meet its lower income housing obligation, and to review residential development standards, including but not limited to the City's 30-foot height limit, to ensure that allowable densities can be achieved. The

[33] Pub. Res. Code, § 30007.5; see also Pub. Res. Code, § 30007.

City must also assist in the development of adequate housing to specifically meet the needs of lower-income households (Housing Element Program Category 2). Identified Housing Element policies to support this Program include promoting infill development and mixed-use development in the City's downtown areas, and providing for a range of unit sizes (i.e., bedrooms) to meet the various needs of household types. Part of the City's identified strategy for implementing Program 2 involves updating and implementing its local Density Bonus regulations are periodically updated by state law.

As it relates to the City's current RHNA and Housing Element, the subject project site was identified as an existing pending project in the City's Housing Element, and is reflected in the second row (completed, approved and pending projects) in the above table. Through the use of Density Bonus Law, the contemplated project would provide six more dwelling units on this property than would otherwise be accommodated under the City's standard zoning and density. As a result, the proposed project would be providing the three low-income units and 21 of the above-moderate income units counted in the above table. Therefore, if the City Council, and/or Coastal Commission on appeal, denies the project or the applicant chooses not to move forward, the City would need to remove three low-income and 21 above-moderate income units from the above table when planning for meeting its RHNA obligations.

Importantly, the project is designed exclusively as a rental apartment project rather than privately owned condominiums, and consistent with many of the recently re-adopted Housing Element programs and policies, the proposed mixed-use infill development in the City's downtown core includes a mix of one- and two-bedroom rental housing units that may better meet the needs of the City's local workforce population.

Further, the applicant proposes to utilize Density Bonus Law provisions to: 1.) set aside three of the units for long-term (i.e., 99 years) affordability for low-income households; and 2.) allow for the provision of additional dwelling units through a higher residential density than the City's zoning regulations would otherwise allow for (equivalent to ~28 dwelling units/acre). Accordingly, this project represents an opportunity to achieve a high-density infill project in the City's downtown that would provide additional, and important, workforce housing, including three dedicated low-income units.

Neighborhood Compatibility and "Small Beach Town" character

At the time of the City Council's appeal of the project, several public comments were made suggesting that the proposed project is inconsistent with General Plan/Coastal Land Use Plan policies related to neighborhood compatibility and protection of views, among others. The following summary provides a high-level explanation and analysis of how staff arrived at its policy consistency conclusions presented in the Planning Commission staff report. The Planning Commission staff report contains a detailed analysis of staff's policy consistency findings (see Attachment B, pages 23 through 37).

When considering neighborhood compatibility and character, staff evaluates the proposed project's relationship not only to immediate adjoining development, but also its

context within the larger neighborhood or subarea district. In the case of the proposed project, the neighborhood is defined as the greater downtown area of the City. In light of some of the limitations placed on local jurisdiction's discretion related to the review and approval of qualifying housing projects by state housing laws, staff's policy consistency analysis also takes into account the need to harmonize these laws with the intentions of the City's certified LCP.

The City's community design objectives and policies encourage the gradual but careful transformation of Carpinteria Avenue into an integrated downtown street similar in character to Linden Avenue. These policies also call for enhancing commercial opportunities in the downtown to the benefit of both residents and visitors. The proposed mixed-use development can be found to be consistent with the intent of these objectives and policies. The project has been designed to include a mix of uses that are desired in the downtown (e.g., additional visitor-serving commercial space and workforce rental housing) with a frontage design that is appropriate to a downtown pedestrian-oriented setting (with wide sidewalks, large open storefronts, outdoor patio areas, and onsite parking mostly located away from the primary street façade). A two-story façade has been provided along the Carpinteria Avenue frontage in an effort to preserve the (mostly) one- and two-story character of the downtown. The provision of new commercial opportunities and rental workforce housing also helps to enhance the economic vitality of the City's downtown, providing not only additional commercial tenant spaces, but also 24 new units whose occupants provide additional year-round residents that can help support other local businesses and services.

The front building setback along Carpinteria Avenue for the commercial portion of the project would generally align with other commercial buildings on the street, built up to the sidewalk or allowing for a wider sidewalk to be installed. The residential portion of the building and covered parking garage below would be set back into the lot to both reinforce the "primary" commercial use of the site and to help soften the visibility and scale of the centrally-located three-story building mass. The commercial component has been designed to open onto Carpinteria Avenue and features large storefronts facing the street or overlooking the sidewalk, and a ground floor-level covered patio fronting on the sidewalk. These features are consistent with the desired frontage treatments for new development in the city's downtown core.

Along the Ninth Street frontage, the building's mass, scale and height have been restudied over several iterations in response to previous decision-maker comments. The massing of the Ninth Street frontage for the "townhouse" element has been brought down to two-stories in height (26 feet maximum) and features five units oriented to the street with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and private second floor deck. Individual units on the Ninth Street frontage have been slightly staggered and offset from one another, which allows for the introduction of varied exterior finishes/colors and helps to give each unit its own identity and scale. The entry to the parking garage is given a different architectural treatment to help further break up massing and provide it with a different identity from the attached residential units.

With respect to mountain views, the Coastal Act and the City's community design and open space, recreation and conservation policies afford strong protections of *public* views to the mountains and the ocean (emphasis added). The project site is situated with its primary frontage along Carpinteria Avenue and a secondary frontage on Ninth Street. Public ocean views are not available from this location and thus would not be impacted by redevelopment of the site. Existing public mountain views from Carpinteria Avenue would not be impacted by the project given its location on the south side of the road. Public views from Ninth Street towards the mountains are compromised by existing tall hedges and trees along the Ninth Street property frontage. Construction of any new structure more than one-story in height would further constrain these view corridors, such that the difference in public mountain view impacts between the proposed project and a lower height alternative design is negligible. The establishment of the required 50-foot setback from the Franklin Creek channel along the west side of the project site would, however, provide an opportunity to preserve and perhaps enhance a public mountain view corridor from near the terminus of Ninth Street and from the Ninth Street pedestrian bridge.

With respect to building height, the proposed project would exceed the City's 30-foot height limit by approximately five and seven inches, reaching a maximum height of 35 feet, seven inches at the upper roof ridge of the third-level apartment units, using its automatically-granted one concession from local development standards pursuant to state Density Bonus Law. Importantly, the two-story commercial portion of the building along the Carpinteria Avenue frontage would remain below the City's 30-foot height limit at approximately 25 feet 5 inches and 26 feet 11 inches, respectively. Likewise, the two-story elements along the project's Ninth Street frontage would also be kept below the 30-foot height limit at approximately 27 feet, 4 inches for the apartment unit located above the Ninth Street garage entrance (Unit 6), and 26 feet for the "townhouse" units. The third story element of the project is located towards the interior of the lot, such that the nearest portion of the project to reach the maximum building height of 35 feet seven inches is set back more than 50 feet from the Carpinteria Avenue property line and more than 65 feet from the Ninth Street property line.

Other examples of development within the City that exceed the 30-foot height limit are present in the downtown, and in some cases include three-story elements that are arguably equally or more visually prominent than what is proposed for the subject project. Specific examples include the Lavender Court mixed-use development (4646 Carpinteria Avenue) at approximately 32 feet, the main building of the Best Western Hotel (4558 Carpinteria Avenue) at approximately 32 feet (with architectural elements up to 55 feet in height), and the building at 890 Linden Avenue at approximately 34 feet in height.

Concerns have been raised by public commenters and some decision-makers about the potential precedential nature of the proposed project. While staff acknowledges that the proposed project is one of the first to seek to utilize some of newer state housing laws and the benefits or protections afforded by them, reliance on state housing laws in and

of itself does not establish a precedent for any future housing projects in the City. As discussed above, these housing laws are available to any qualifying housing project. Nonetheless, the City must continue to evaluate each project on its own merits for consistency with applicable zoning and land use regulations. Likewise, the "harmonization" or balancing exercise required of housing projects located within the coastal zone must be undertaken for each project on a case-by-case basis. As such, a decision on the outcome of the subject project does not establish a precedent that subsequent projects could reliably seek to benefit from.

Given the tension between the City's existing General Plan/Coastal Land Use Plan policies, which were rightfully enacted to preserve the City's unique "small beach town" character and to protect coastal resources, and the more recent actions by the state to aggressively promote the development of housing and limit local control, staff believes that the proper balancing or "harmonization" has been achieved. Put another way, the City cannot ignore state housing laws in deference to the existing subjective General Plan/Coastal Land Use Plan policies when reviewing a housing development project. However, the City must also ensure that all relevant General Plan/Coastal Land Use Plan policies are closely adhered to when not in direct conflict with state housing laws. Staff believes that the appropriate balance has been achieved with the proposed project.

Traffic and Circulation

Concerns have been raised by public commenters alleging that the proposed project would pose significant safety or traffic impacts to the surrounding area and adjoining development. Staff has carefully studied and reviewed these concerns and concluded that the project would not result in a significant safety or level of service impact related to traffic or circulation.

A project-specific traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled ("VMT") calculator and regional traffic models, and also looked at more traditional metrics for measuring impacts to roadway capacities and intersection operations such as average daily trip (184) and peak hour trip (11 AM/20 PM) estimates. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

It is important to note that a "significant impact" as defined by the California Environmental Quality Act ("CEQA") and the City's environmental thresholds does not mean that a project cannot result in an increase in traffic within the City. The CEQA Guidelines identify VMT as the most appropriate metric to evaluate a project's transportation impacts, primarily as a tool to reduce greenhouse gas emissions. This contrasts with the previously common methodology of analyzing a project's traffic impact related to Level of Service ("LOS") or intersection operability. VMT measures

how much actual vehicle travel a proposed project would create on local roadways, whereas LOS measures the traffic congestion levels on those roadways.

Beyond the impacts related to greenhouse gas emissions, increases in VMT also impact human health and the natural environment. Human health is impacted as increases in vehicle travel leads to more vehicle crashes, poorer air quality, and increases in chronic diseases associated with reduced physical activity. Increases in vehicle travel negatively affects the natural environment because increased VMT leads to construction of new and/or expanded roadways which consumes energy, water, and open space. This increase in impermeable surfaces raises the flood risk and pollutant transport into local waterways. For these reasons, mixed use projects within the City's downtown commercial core, and within immediate or close proximity to alternative transportation infrastructure, are desirable because residents of the project would be centrally located near employment, businesses, and services, which reduces reliance on automobiles for short trips and errands. Such projects also increase activity and vitality in the downtown district.

Separate from the notion of a "significant" traffic impact, commenters raised concerns regarding the traffic safety of the project. Concerns with respect to the placement of the Carpinteria Avenue driveway entrance were raised by members of the public during both the ARB and Planning Commission deliberations, and at the February 12, 2024 City Council meeting. Specifically, concerns about the speed of traffic on Carpinteria Avenue, the curve in Carpinteria Avenue to the west of the project site impairing line of sight, and the proximity of the proposed building to both the Carpinteria Avenue roadway and the adjacent property's driveway immediately east of the project site were raised throughout the project review.

While the issue of traffic speed is not easily solved (especially for vehicles exceeding the posted speed limit), the issue of the safety of the driveway's location can be addressed through the use of an extended red curb on either side of the Carpinteria Avenue driveway at the appropriate length to ameliorate line-of-site traffic safety concerns. This type of review is routinely conducted at the building and engineering permit plan check stage by Public Works engineering staff. However, in response to concerns raised at the at the February 12, 2024 City Council meeting, CDD staff has conferred with Public Works staff and requested a detailed review of the project plans, with specific emphasis on the review of the proposed driveway off of Carpinteria Avenue and any related safety concerns. Public Works staff indicated that with the implementation of a six-foot red curb on each side of the proposed Carpinteria Avenue driveway, the project would meet the City's engineering standards and would be safe from a traffic engineering design perspective.

It is also important to note that, despite previous statements suggesting that the proposed building's proximity to Carpinteria Avenue would negatively impair the immediate easterly neighbor's (4749 Carpinteria Avenue) line of sight exiting their driveway, the proposed project appears to instead be an improvement over the existing site conditions. In the existing condition, a tall dense hedge has been established at the

back of sidewalk, within the City right-of-way, along the entire project frontage and that comes right up to the shared property line with the easterly neighbor. In proposed project, however, would remove this hedge in its entirety. The new mixed-use building would instead be set back a minimum of five feet from the Carpinteria Avenue property line, with the portion of the building located closest to the easterly neighbor being set back 12 feet or more from the front property line. The proposed project is comparably set back from the Carpinteria Avenue property line as the established building at 4749 Carpinteria Avenue, which is also set back five to 10 feet from the front property line. Staff has not determined that the traffic and circulation impacts raised by public commenters constitute a specific, adverse impact on public health and safety under the HAA. Further, for the reasons explained above, staff believes that potential public health and safety impacts related to traffic and circulation can be mitigate through conditions.

In light of the foregoing analysis provided in this staff report, and as presented in the staff report and Notice of Exemption prepared for the Planning Commission hearing of February 5, 2024 (see Attachment B, Section IV and Attachment F), herein incorporated by reference, and as further reflected in the Findings for Approval included as Attachment A, Exhibit 1 to this staff report, staff believes that the project can be found consistent with applicable City General Plan/Coastal Land Use Plan and Zoning Code/Local Coastal Plan standards. Therefore, staff is recommending that the Council affirm the Planning Commission's decision to approve the project.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As noted above, the project is located within the CA Overlay district, therefore the final local action rendered by the City is subject to appeal to the CCC. In the event the City's final local action is appealed to the CCC, the CCC may dismiss the appeal (finding no substantial issue) or take the appeal up for consideration. If the CCC takes up the appeal, they would take over decision-making authority for the project and the CCC's final action would supersede that of the City Council.

In the event that the CCC finds there is no substantial issue and the City Council's decision constitutes final action on the project, the City could face a legal challenge from the applicant or a third party.

If the City Council denies the project, the applicant or a third party could make claims that the City Council's decision violates the HAA, Density Bonus Law or other state housing laws. The City would incur legal costs to defend the lawsuit. If the applicant or third party succeeds in their lawsuit, the court may require the City to pay the applicant or third party's attorney's fees.[34] In addition, if the City does not comply with court orders requiring compliance with the HAA, the court may impose fines of up to $10,000 per unit or, in particularly egregious cases, $50,000 per unit.[35]

[34] Gov. Code, § 65589.5(k)(1)(A)(ii).
[35] Gov. Code, § 65589.5(k)(1)(B).

If instead the City Council approves the project, an aggrieved party may file a lawsuit challenging the City's approval of the project based on violations of state housing law, the Coastal Act, or other claims. The City would incur legal costs to defend the lawsuit. If the aggrieved party succeeds in their lawsuit, however, recent amendments to the HAA suggest that the court should give "due weight" to the policies of the HAA when it determines whether to grant a party challenging a housing development project its attorney's fees.[36] Although this provision is untested in court, it may make a court less likely to award attorney's fees to housing project opponents.

OPTIONS

The Council can:

- Make the required Findings for Approval of the project, thereby approving the project; and accepting a categorical exemption pursuant to §15332 of the CEQA Guidelines (staff's recommendation); or
- Deny the project, thereby reversing the Planning Commission's decision, and direct staff to revise the Findings and return to a future hearing; or
- Request that the applicant modify the project and approve the project with conditions; and accepting a categorical exemption pursuant to §15332 of the CEQA Guidelines.

PRINCIPAL PARTIES EXPECTED AT MEETING

Justin Klentner, owner
Edward DeVicente, project architect
Michael Stroh, project architect
Neighbors
Interested Parties

ATTACHMENTS

Attachment A -	Resolution No. 6295 Exhibit 1 - Findings for Approval Exhibit 2 - Proposed Plans Exhibit 3 - Conditions of Approval
Attachment B -	Staff report packet prepared for the February 5, 2024 Planning Commission Meeting and all attachments
Attachment C -	Planning Commission Action Letter dated February 6, 2024
Attachment D -	Minutes from February 5, 2024 Planning Commission Hearing
Attachment E -	Minutes from February 12, 2024 City Council Meeting
Attachment F -	CEQA Notice of Exemption

[36] Gov. Code, § 65589.5(p)(1).

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Signature

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Signature

Reviewed by: Michael Ramirez, City Manager
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Signature

Attachment A
Resolution 6295

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

RESOLUTION NO. 6295

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, APPROVING A REQUEST BY EDWARD DEVICENTE, DMHA ARCHITECTURE, ON BEHALF OF JUSTIN KLENTNER, OWNER, FOR A DEVELOPMENT PLAN AND COASTAL DEVELOPMENT PERMIT (PROJECT 23-2221- DP/CDP/ARB) FOR THE 4745 CARPINTERIA AVENUE MIXED USE DEVELOPMENT PROJECT LOCATED AT 4745 CARPINTERIA AVENUE (APN 003-251-021).

WHEREAS, Edward DeVicente, Architect, on behalf of Justin Klentner, filed an application on April 14, 2023, to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development consisting of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue; and

WHEREAS, the application was subsequently deemed complete and accepted by the City of Carpinteria ("City") as being consistent with the applicable submittal requirements on November 28, 2023; and

WHEREAS, a similar mixed-use proposal was previously reviewed at a conceptual level during a joint meeting of the City Council-Planning Commission-Architectural Review Board ("ARB") on December 19, 2022 wherein feedback was provided to the applicant; and

WHEREAS, the ARB considered the proposed project at a conceptual review level at their May 25, 2023 meeting, and at a preliminary review at their August 31, 2023 and October 26, 2023 meetings, culminating in an ARB recommendation for preliminary approval with comments; and

WHEREAS, applicant is applying provisions of the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units which exceed the City's maximum density under the current general plan and zoning designations in exchange for designating three of the units as low-income-restricted rentals; and

WHEREAS, applicant is requesting concessions or incentives and/or waivers or reduction of development standards under the provisions of Density Bonus Law to allow the project building height and lot coverage to exceed the City's maximum height and lot coverage under the current general plan and zoning designation to facilitate the construction of the project; and

WHEREAS, applicant is requesting use of the specified parking ratios under provisions of Density Bonus Law to allow the project to provide 53 total parking spaces for the onsite commercial and residential uses, including visitor spaces; and

WHEREAS, the Planning Commission conducted a noticed public hearing and received evidence regarding the application for the Development Plan and Coastal Development Permit; and

WHEREAS, the Planning Commission considered a request for a modification of the zoning district requirements for allowance of fifteen percent (15%) of the project parking spaces to be of compact size as specified in Chapter 14.54; and

WHEREAS, on February 5, 2024 the Planning Commission made the required findings and approved the Development Plan and Coastal Development Permit for Project 23-2221-DP/CDP/ARB; and

WHEREAS, on February 12, 2024 the City Council acted to appeal the Planning Commission's decision, raising issues including traffic, General Plan/Coastal Plan consistency, and the applicability of State housing laws, about which it would like to receive further information; and

WHEREAS, the City Public Works Department has reviewed the project plans and has recommended conditions of approval to ensure the proposed project would meet all required traffic design and engineering standards; and

WHEREAS, the City Public Works Department has reviewed the project traffic study, General Plan/Coastal Plan policies and the Zoning Code standards that are relevant to the project; and

WHEREAS, the City Council has conducted a noticed public hearing on March 26, 2024 and received evidence regarding the application for the Development Plan and Coastal Development Permit; and

WHEREAS, the City Council finds that the project is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15332 (in-fill development projects).

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct, and incorporated herein by reference.

SECTION 2. The Carpinteria City Council herby resolves that the Development Plan and Coastal Development Permit are approved, making the findings for approval outlined in Exhibit 1, and subject to the Conditions of Approval provided in Exhibit 3, both of which are incorporated herein by reference.

SECTION 3. The Carpinteria City Council hereby accepts the Notice of Exemption prepared for the project, attached hereto as Attachment F and incorporated herein by reference, as having satisfied the requirements of CEQA.

PASSED, APPROVED AND ADOPTED on this 26th day of March, 2024, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____
Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a special meeting of the City Council of the City of Carpinteria held on March 26, 2024.

_____
Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

_____
Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Attachment A
Exhibit 1:
Findings for Approval

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

RESOLUTION NO. 6295

FINDINGS
PROJECT 23-2221-DP/CDP/ARB
4745 Carpinteria Avenue Mixed Use Project

FINDINGS PURSUANT TO GOVERNMENT CODE, LOCAL COASTAL PLAN, GENERAL PLAN, AND TITLE 14 OF THE CARPINTERIA MUNICIPAL CODE

1.0 Administrative Findings

The City Council hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the City Council, Planning Commission, and Architectural Review Board and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Development Plan and Local Coastal Development Permit has been properly conducted as follows:

a. An application for a Development Plan and Coastal Development Permit was submitted on April 14, 2023, and deemed complete and accepted by the City as being consistent with the applicable submittal requirements on November 28, 2023. Said application and all related material have been available for public review at City offices since the date of submittal.

b. The application has been evaluated and found to conform to the applicable zone district and to be consistent with the applicable City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

c. The project has been reviewed by the City's Architectural Review Board at duly noticed public meetings which included, but is not limited to, mailed notice to all property owners within 300 feet and occupants within 100 feet of the subject property.

d. The project has been reviewed by the City's Planning Commission at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet and all occupants within 100 feet of the subject property and publication in the local newspaper, the Coastal View News.

e. The project has been reviewed by the City Council at a duly noticed public hearing that included, but is not limited to, mailed notice to all property owners within 300 feet of the subject property, residents within 100 feet of the property, and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

As presented in the staff report and Notice of Exemption prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the City Council finds that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-fill Development Projects) of the Guidelines for the Implementation of the California Environmental Quality Act as the project includes redevelopment of a project site substantially surrounded by urban uses and that meets all of the statutory criteria required for use of the In-fill Development Projects exemption.

1.3 Development Plan Findings

Pursuant to Carpinteria Municipal Code §14.68.030(9), the Planning Commission or City Council shall determine that all of the following criteria have been met prior to approving or approving with conditions a Development Plan:

1. *The proposed development is in conformance with the provisions of the applicable zoning district, Local Coastal Plan and implementation programs, and General Plan.*

   As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is consistent with the City's General Plan/Coastal Plan. The project site's General/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a mixture of retail, service, office, and residential uses as would be typical of a mixed-use project.

   The project is also consistent with the City's applicable Zoning designations and development standards. The project site is split-zoned with the majority of the property zoned Commercial Planned Development ("CPD"), and remaining portion zoned Planned Residential Development ("PRD-13"). The CPDD zone designation allows for commercial development including a variety of office,

retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The proposed development is also in conformance with the applicable Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply with the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height, and required parking. The project qualifies for Density Bonus Law by setting aside three units of the eighteen base units for low-income households at affordable rents for a period of 99 years in exchange for a 29.0% bonus density (i.e., six additional units). The project also proposes use of one concessions or incentive to exceed the maximum building height; and one waiver or reduction of development standards to exceed the PRD zone district maximum lot coverage. The project also calls for utilizing the reduced residential parking requirements stipulated in state Density Bonus Law to reduce the overall required number of residential parking spaces.

The project also calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirements. As reflected on the project plans, the applicant proposes to designate eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to the development standards as to the design (size) of the parking spaces. The City's Zoning standards do not include standardized provisions for the use of compact-sized spaces, however, by satisfying the required number of parking spaces (as modified under the provisions of Density Bonus Law), and satisfying at least one of the required criteria for approval of a Modification (i.e., provision of affordable housing units), the project would comply with the zone district parking requirements. The project further may otherwise qualify for parking reductions under other provisions of state housing law.

2. *The proposed development is sited and designed to avoid risks to life and property due to geologic, flood, or fire hazards and that the proposed density of development is consistent with these objectives.*

As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of

February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is sited and designed to avoid risks to life and property, and is consistent with the contemplated density for this site as shown in the City's Land Use Map, and as modified through application of state Density Bonus Law. The project site is located in an area that, according to the Safety Element of the City's General Plan/Coastal Land Use Plan, has high potential for both liquefaction and expansive soils. As such, a site-specific geotechnical study was prepared for the project which provides recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building permit review process, would ensure that the proposed development is safe from a geologic perspective. Additionally, the development is designed to comply with FEMA regulations and the City's floodplain management ordinance to ensure the development is safe from flood hazards. Further, the project site is not identified as being located in an area prone to tsunami or sea level rise hazards. Finally, the site is not located within a mapped high fire severity area and with the application of current building and fire codes as part of the building permit review process, the project would be safe from fire hazards.

3. *The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not cause substantial environmental damage. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. The western portion of the project site borders Franklin Creek, which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered potential habitat area and the creek channel and adjacent buffer are considered important coastal resources that shall be protected. As such, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel. This creek setback "buffer" area is required to be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and protect the adjacent creek from untreated runoff. Furthermore, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project. Lastly, standard construction phase conditions of approval are included to ensure temporary impacts related to dust, erosion/sedimentation, spills/water quality, air quality/emissions, and noise would be avoided or minimized.

4. *The proposed development will not conflict with any recorded easements acquired by the public at large for access through the property or use of the property or any easements granted to any public agency or required as a condition of approval.*

   The proposed development will not conflict with any recorded public access easements as no recorded pubic access easements affect the property, nor are public easements required to effectuate project approval.

5. *The proposed development will not adversely affect necessary community services and values including but not limited to traffic circulation, sewage disposal, fire protection, water supply, and police protection.*

   As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled ("VMT") calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, including integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces, for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation. Additionally, City Public Works staff have reviewed the project plans and confirmed that with the implementation of a six-foot red curb on each side of the proposed Carpinteria Avenue driveway, the project would meet the City's engineering standards and would be safe from a traffic engineering design perspective.

   The project site is presently served by all utilities and services, and the described project can continue to be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating the ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

6. *The proposed development will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood.*

   As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use

project will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood. Through successive project design iterations in response to comments received during the City's architectural review process, the project's Ninth Street elements have been reduced in height from the original application submittal. In addition, even with the parking reductions incorporated into the project as allowed under state Density Bonus Law, the project provides in excess of the minimum number of required on-site parking spaces allowable under state law. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan.

As discussed in more detail in the General Plan / Coastal Plan Neighborhood Policy analysis below, the proposed in-fill project is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood by the City's General Plan/Coastal Land Use Plan.

Downtown mixed-use developments that provide opportunities for both new/expanded commercial development in the downtown and much needed new workforce housing help to achieve the intent of the above Land Use Element policies. Such developments concentrate workforce housing near job centers and existing businesses, and in close proximity to essential services (including, but not limited to, transit). Higher density mixed use developments also help to foster a livelier and more vital downtown district by introducing additional year-round residents to the area to supplement seasonal tourism and support enhanced opportunities for use of alternative transportation.

The proposed development will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

The redevelopment of the site with a multi-story mixed-use development creates an opportunity to gain additional utility out of a rare large, but under-developed site in the City's Downtown "T" district.

Cumulatively, this new square footage would provide expanded opportunities for new visitor-serving commercial development to be introduced at the west end of

the downtown core, and present an opportunity to provide compatible commercial activity in this part of the downtown. To maintain consistency with the intent of these policies, future commercial tenants of the ground floor space, at minimum, would need to be visitor-serving in nature.

The site's location within the Downtown "T" on Carpinteria Avenue would also allow the project to utilize existing transit and alternative transportation infrastructure. Carpinteria Avenue is improved with class II bicycle lanes and continuous sidewalks leading into the downtown, and MTD's line 20 bus service runs along Carpinteria Avenue with stops in close proximity to the project site. The City's train station platform is located approximately one-half-mile away.

1.4 Development Plan Modification Findings

Pursuant to Carpinteria Municipal Code §14.50.120, in reviewing a Development Plan, the Planning Commission or City Council may consider modification of requirements of the base zoning district in which the proposed development is located, including building height, yard setback, parking, building coverage or landscaping, if it is determined that such modification is necessary to accommodate an innovative project which will result in at least one of the following public benefits:

1. Energy efficient heating/cooling; or
2. Provision of affordable housing units through a mix of housing types, innovative design and construction techniques, or other means; or
3. Provision of a larger amount of open space or landscaping than the minimum requirements of the district.

As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the project calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirement. As reflected on the project plans, the applicant designates eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to development standards as to the design (size) of the parking spaces. As currently designed, the parking area serves as a "podium" over which the majority of the project is constructed, thus maximizing the available site area for open space and landscaping. Allowing for the compact spaces further allows for the provision of more parking spaces and/or a smaller development footprint for the parking area. Given the alternatives allowed by the state Density Bonus Law, the fact that the project may also qualify for coverage under AB 2097 to eliminate parking entirely, and because the project provides three dedicated low-income affordable housing units and innovative design, the Planning Commission can make the required Findings #2 and 3, as provided in the Municipal Code.

1.5 Coastal Development Permit Finding

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's certified Local Coastal Program, it has been found that the permit requested may be issued based on the following findings:

1. *The proposed development is in conformity with the City's certified Local Coastal Program.*

   As presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is in conformity with the applicable provisions of the City's certified Local Coastal Program. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan's Visitor-Serving Commercial ("VC") and General Commercial ("GC") land use designations.

   The project is also consistent with the City's Commercial Planned Development ("CPD") and Planned Residential Development ("PRD-13") zoning designations. The CDP zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

   The proposed development is also in conformance with the Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height and required parking, and as further modified through approval of a Development Plan Modification to allow for 15% of the provided onsite parking to utilize compact-size spaces.

An analysis of the project's conformity with the Objectives and Policies of the City's certified Local Coastal Program is presented in the staff report prepared for the City Council hearing of March 26, 2024 and the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference. As discussed in these staff reports, the project has been found to be consistent with the applicable objectives and policies of the Land Use; Community Design; Circulation; Open Space, Recreation & Conservation; Safety; Noise; Public Facilities; and Housing Elements of the City's General Plan/Coastal Land Use Plan. Therefore, this finding can be made.

Attachment A
Exhibit 2:
Reduced Plan Set

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

4745 CARPINTERIA AVE

PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES

CODE COMPLIANCE

VICINITY MAP

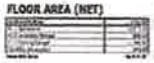
PROJECT SCOPE

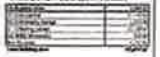
PROJECT INFORMATION

PROJECT DIRECTORY

SHEET INDEX

LOCAL JURISDICTION STAMPS & NOTES

FLOOR AREA (NET)

GROSS BUILDING AREA



UNIT AREA

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23CS05

NO.	DESCRIPTION	DATE

G001

COVER SHEET

DMHA
ARCHITECTURE + PLANNING

NOT FOR CONSTRUCTION

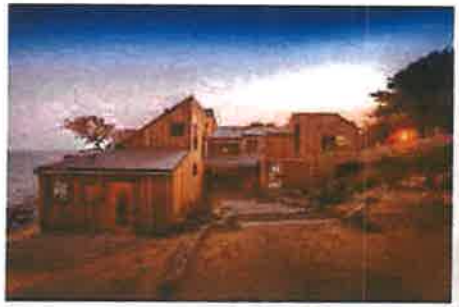
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 22C168

NO.	DESCRIPTION	DATE

G011

SITE PHOTOS



DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

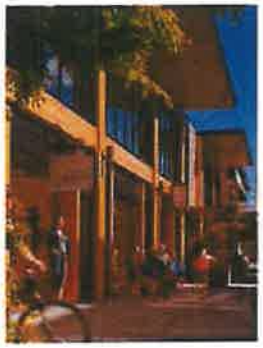
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23C020

NO.	DESCRIPTION	DATE
	Development Application Submittal	04/14/2025

G012

ARCHITECTURAL LOOK AND FEEL



COMMERCIAL AREA: EXTERIOR

COMMERCIAL AREA: SEATING AND BACK WALL

NOT FOR CONSTRUCTION

DMHA

ARCHITECTURE + INTERIOR DESIGN

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

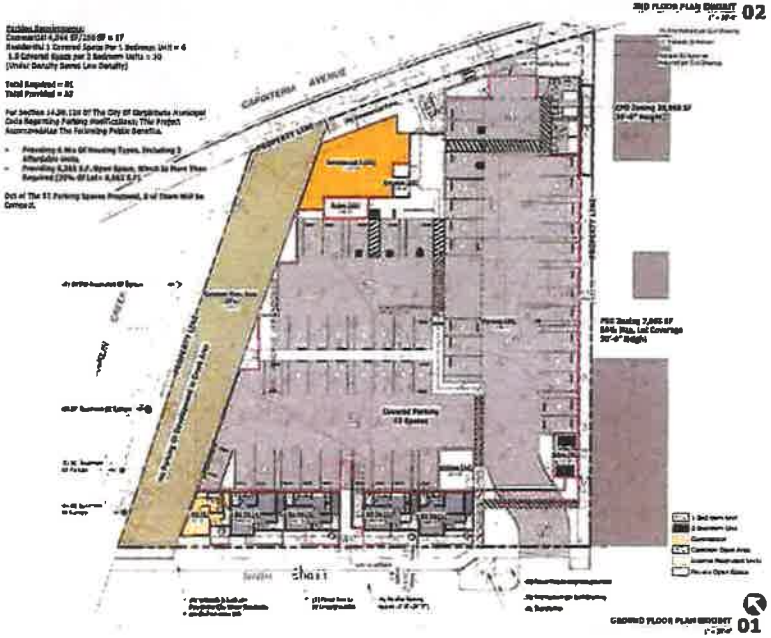
PROJECT #: 220180

NO.	DESCRIPTION	DATE

G013

ARCHITECTURAL LOOK AND FEEL

3RD FLOOR PLAN EXHIBIT 02



GROUND FLOOR PLAN EXHIBIT 01

3RD FLOOR PLAN EXHIBIT 03

NOT FOR CONSTRUCTION

DMHA
ARCHITECTURE + INTERIOR DESIGN

4745 Carpinteria Avenue Mixed Use Development

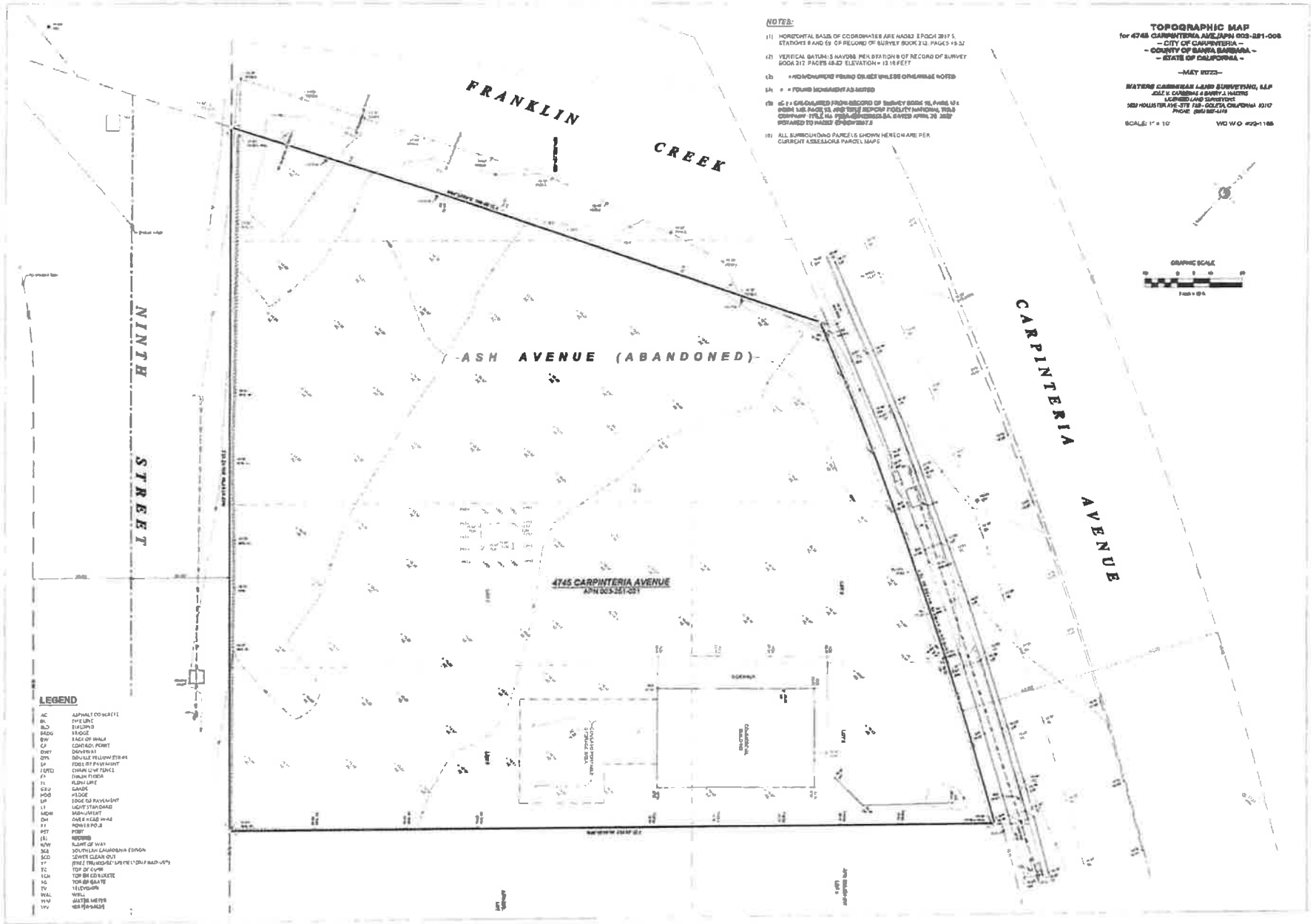
4745 Carpinteria Ave, Carpinteria CA 93013

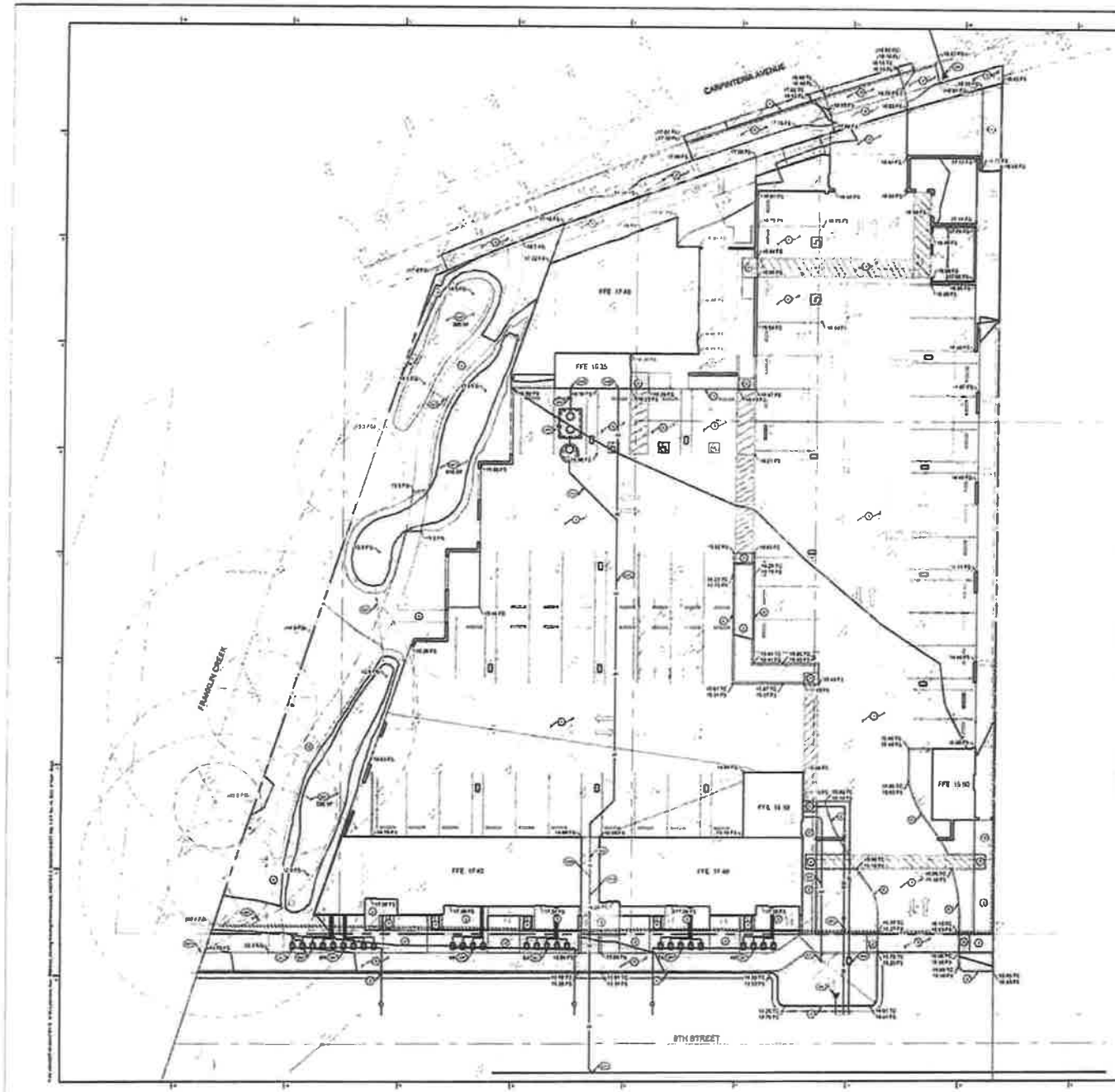
PROJECT #: 224109

NO.	DESCRIPTION	DATE

G101

PLANNING EXHIBIT


FRANKLIN CREEK
NINTH STREET
ASH AVENUE (ABANDONED)
CARPINTERIA AVENUE
4745 CARPINTERIA AVENUE
APN 003-251-021
NOTES:
(1) HORIZONTAL BASIS OF COORDINATES ARE NAD83 EPOCH 2017.5, STATIONS 9 AND 69 OF RECORD OF SURVEY BOOK 212, PAGES 49-52
(2) VERTICAL DATUM IS NAVD88, PER STATION 9 OF RECORD OF SURVEY BOOK 212 PAGES 49-52 ELEVATION = 13.18 FEET
(3) = MONUMENTS FOUND UNLESS OTHERWISE NOTED
(4) ○ = FOUND MONUMENT AS NOTED
(5) (C) = CALCULATED FROM RECORD OF SURVEY BOOK 19, PAGE 12, BOOK 146, PAGE 13, AND TITLE REPORT FIDELITY NATIONAL TITLE COMPANY TITLE NO. FSBA-6219003813A DATED APRIL 20, 2022 PREPARED TO PARCEL CP-6219003813
(6) ALL SURROUNDING PARCELS SHOWN HEREON ARE PER CURRENT ASSESSORS PARCEL MAPS
LEGEND
AC ASPHALT CONCRETE
BL BUILDING
BLDG BRIDGE
BW BACK OF WALK
CP CONTROL POINT
DWY DRIVEWAY
DPS DOUBLE PILLOW STRAW
EP EDGE OF PAVEMENT
F (DFD) CHAIN LINK FENCE
FF FINISH FLOOR
FL FLOW LINE
GRD GRADE
HDG HEDGE
LIP EDGE OF PAVEMENT
LT LIGHT STANDARD
MON MONUMENT
OH OVER HEAD WIRE
PP POWER POLE
PST POST
(R) RECORD
R/W RIGHT OF WAY
SCE SOUTHERN CALIFORNIA EDISON
SCO SEWER CLEAN OUT
TC TOP OF CURB
TCR TOP OF CONCRETE
TG TOP OF GRATE
TV TELEVISION
WAL WALL
WM WATER METER
WV WATER VALVE
TOPOGRAPHIC MAP
for 4745 CARPINTERIA AVE/APN 003-251-008
– CITY OF CARPINTERIA –
– COUNTY OF SANTA BARBARA –
– STATE OF CALIFORNIA –
–MAY 2022–
WATERS CARIBBEAN LAND SURVEYING, LLP
JULIE K. CARIBBEAN & BARRY J. WATERS
LICENSED LAND SURVEYORS
1650 HOLLISTER AVE. STE 128 - GOLETA, CALIFORNIA 93117
PHONE (805) 967-4419
SCALE: 1" = 10'
WO W.O. #22-1185
GRAPHIC SCALE



GENERAL NOTES:

ALL EXISTING UTILITIES SHOWN ARE BASED ON THE BEST AVAILABLE INFORMATION. CONTRACTOR TO POTHOLE ALL POINTS OF CONNECTION AND LENGTH ALONG ALIGNMENT. MATERIAL TYPE AND LOCATION SHALL BE VERIFY BY CONTRACTOR. IF THESE ARE ANY DISCREPANCIES FROM PLANS WITH ANY OF THESE ITEMS, CONTACT OF HOME SHALL BE NOTIFIED IMMEDIATELY.

RIGHT OF WAY CONSTRUCTION NOTES:

1. CONSTRUCT CONCRETE CURB AND GUTTER PER APWA STANDARD PLAN NO. 2 (1-FT 4.5)
2. CONSTRUCT CONCRETE CURB AND APWA STANDARD PLAN OR STYLE 4.6
3. CONSTRUCT CONCRETE SIDEWALK PER APWA STANDARD PLAN 113
4. CONSTRUCT CONCRETE DRIVEWAY APRON PER APWA STANDARD PLAN 105.2

SITE IMPROVEMENT NOTES:

1. CONSTRUCT CONCRETE DRIVEWAY SECTION
2. CONSTRUCT CONCRETE WALKWAY SECTION
3. CONSTRUCT PAVED PLANTER SECTION
4. CONSTRUCT GRAVEL WALKWAY SECTION
5. CONSTRUCT 6-INCH CONCRETE CURB
6. CONSTRUCT 4-INCH CONCRETE CURB
7. CONSTRUCT CONCRETE STAIRS
8. CONSTRUCT PCB 2.5 MIN. 3 MIN. 3% FALL
9. INSTALL TRUNCATED DOME 4 INCH MIN.

STORM DRAIN CONSTRUCTION NOTES:

1. CONSTRUCT AREA DRAIN
2. DOWNSPOUT STUB-OUT PER PLANS
3. CONSTRUCT 12" CLASS III RCP

ELECTRICAL NOTES:

1. ELECTRICAL SERVICE CONDUIT PER ELECTRICAL PLANS
2. CONFIRM 24" X 24" PAD MOUNTED TRANSFORMER

SANITARY SEWER CONSTRUCTION NOTES:

1. INSTALL 4" SDR 35 SANITARY SEWER LATERAL PER CARPINTERIA SANITARY DISTRICT PLATE NO. 402
2. INSTALL SEWER CLEANOUT PER CARPINTERIA SANITARY DISTRICT PLATE NO. 407
3. SEWER POINT OF CONNECTION AT BUILDING - SEE MECHANICAL PLANS

WATER CONSTRUCTION NOTES:

1. INSTALL METER AND SERVICE LINE FOR RESIDENTIAL SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-1B1, W-111, AND W-120
2. INSTALL 3/4 INCH METER AND SERVICE LINE FOR COMMERCIAL SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-1B1, W-111 AND W-120
3. INSTALL 2-INCH METER AND SERVICE LINE FOR HORSE BARN SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-1B1, W-111, AND W-120
4. INSTALL 3/4 INCH METER REDUCED PRESSURE BACKFLOW PREVENTER AND SERVICE LINE FOR LANDSCAPE SERVICE PER DETAILS (PUBLIC WORKS STANDARD DETAILS W-101 W-111 AND W-113)
5. INSTALL FIRE HYDRANT AND CONNECTION PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAIL W-115

EARTHWORK INFORMATION:

SITE AREA	8.87 AC
AREA DISTURBED	8.87 AC
CUT QUANTITY	200 CUBIC YARDS
FILL QUANTITY	500 CUBIC YARDS
NET QUANTITY	300 CUBIC YARDS IMPORT

NOTE: THE ABOVE QUANTITIES ARE FOR PLANNING AND PERMITTING PURPOSES ONLY. SHRINKAGE, BENCHING FOR AND FLARING FACTORS, LOSS DUE TO CLEARING AND DEMOLITION OPERATIONS, AND TRENCHING FOR UTILITIES AND FOUNDATIONS ARE NOT INCLUDED. ENGINEER'S EARTHWORK QUANTITIES ARE BASED ON THE APPROXIMATE DIFFERENCE BETWEEN EXISTING GRADES AND PROPOSED FINISH GRADES TOP OF SUBGRADE. NO ADJUSTMENTS ON THE PLANS HAS BEEN MADE REGARDING TO ANY OF THE ITEMS AND LIABILITY THE CONTRACTOR SHALL PERFORM HIS OWN CALCULATIONS AND SHALL BASE THE AMOUNT OF EARTHWORK AND IMPORT/EXPORT FOR ESTIMATING. THE CONTRACTOR SHALL MAKE HIS OWN SOILS REPORT AND MAKE HIS OWN DETERMINATION OF ALL SOILS MATERIALS CAUSING EXPORT AND PROPER DISPOSAL OF EXCESS EARTH MATERIALS.

DIGALERT

HORIZONTAL SCALE: 0" = 10'

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

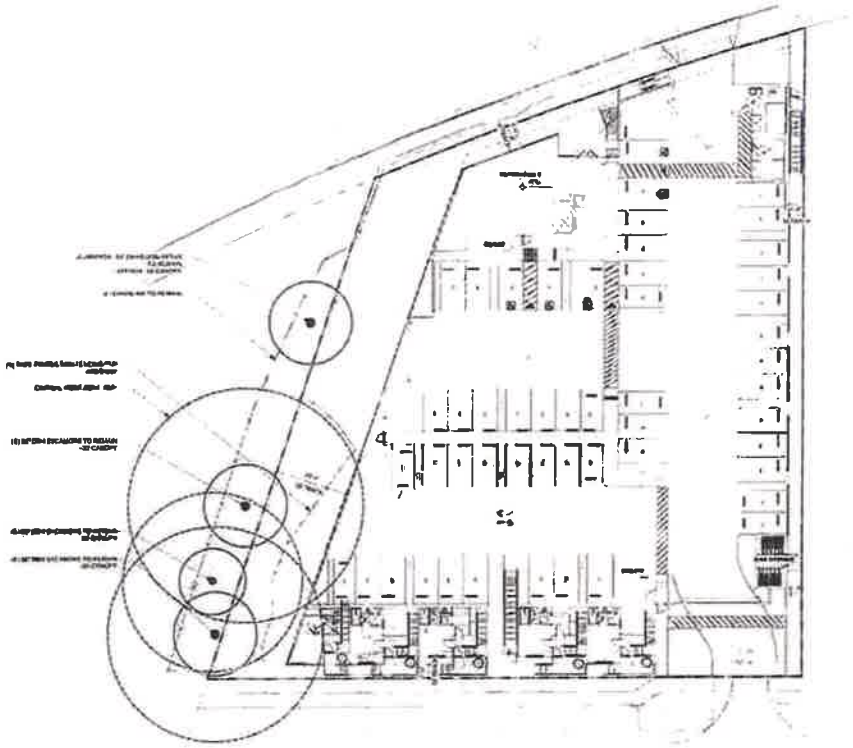
Ashley Vance ENGINEERING, INC.

CIVIL • STRUCTURAL

4745 CARPINTERIA
4745 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

GRADING AND DRAINAGE PLAN

C-2.1



TREE PROTECTION NOTES:

TREE TOTALS:

ABBREVIATIONS:

EX	EXISTING
PR	NEW
PA	PLANTING AREA
DG	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LF	LINEAL FEET
SF	SQUARE FEET

4745 Carpinteria Ave
Carpinteria, CA

Tree Disposition + Demolition Plan

L0.1

ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE

Arborist is a consultant who is hired to give unbiased, knowledgeable, impartial and professional recommendations on matters pertaining to trees. Consultation, investigation, inspection, and preparation of reports, plans, and specifications may be required to fulfill the terms of an agreement. Arborist cannot be responsible for the correction of defects or conditions of trees or other landscape elements that were not observed during the course of his/her inspection. Arborist cannot guarantee that all hazardous conditions will be discovered or that the failure of a tree will not occur. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborist cannot, and does not, guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Trees, plants, and soils interact at various levels and in complex ways. Arborist's education and experience include the study of trees, plants, and soils, but Arborist is not an expert in other related disciplines such as engineering, geology, hydrology, or landscape architecture. Therefore, Arborist's opinions, recommendations, and findings should be considered as limited to the practice of arboriculture.

Arborist has performed the services, made the findings, and arrived at the conclusions and opinions in accordance with generally accepted arboricultural practices.

Arborist's reports, opinions, recommendations, and findings are based on the conditions and circumstances as they existed at the time of the inspection. If conditions change or additional information becomes known to Arborist, Arborist reserves the right to change his/her findings, opinions, or recommendations.

Signed: Bill Spiewak
Bill Spiewak
Registered Consulting Arborist #324
American Society of Consulting Arborists

Board Certified Master Arborist #0108
International Society of Arboriculture
Qualified Tree Risk Assessor

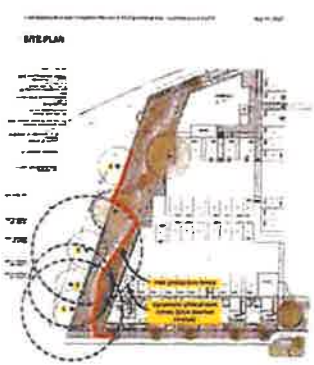
Slope Grade Examples (in reading order): more-used-along area

Replacement #1 - with time more sales and more requires. Monitor height of leader may call mentoring the system progress. Improved pruning to trees.

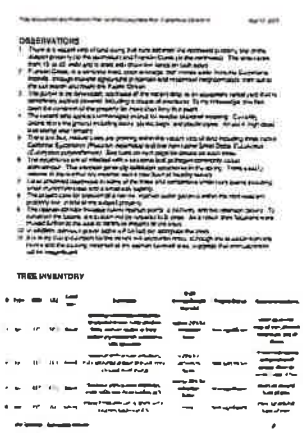
Replacement #2 - new protecting fabric, top and mulching

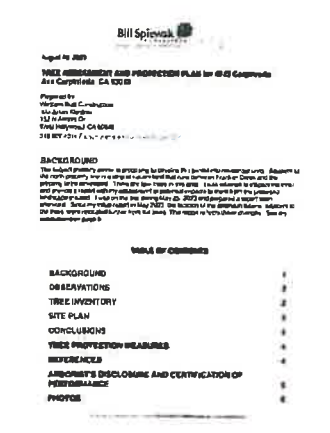
Replacement #3 - new protecting fabric, top and mulching, and measure area

Google image of the site. Trees #1 to #4 are identified



Tree protection fencing
Replacement #1 - with time more sales and more requires. Monitor height of leader may call mentoring the system progress. Improved pruning to trees.





Bill Spiewak

August 4th 2021

TREE ASSESSMENT AND PROTECTION PLAN for 4745 Carpinteria Ave Carpinteria CA 93013

Prepared for:
Wenjuan Ruth Cunningham
Mr. Ayhan Kargilioo
112 N Amelia Dr
Simi Valley, CA 93065
310 867 4241 / [redacted]

BACKGROUND

This subject property owner is proposing to develop the property with two new single family residences. Adjacent to the north property line is a single-car carport and that runs between Fourth on Davis and the property at the centerline. There are two trees in this area. I was retained to evaluate the trees and provide a report with my assessment of potential impacts to them by the proposed landscape improvements. I visited on the site on Monday March 29, 2021 and prepared a report that referenced. Since my initial report in May 2021 the location of the driveway has changed. Additional site trees were identified on the front lot line. This report is now shown changes. See my addendum on page 9.

TABLE OF CONTENTS

BACKGROUND 1
OBSERVATIONS 1
TREE INVENTORY 1
SITE PLAN 2
CONCLUSIONS 4
TREE PROTECTION MEASURES 5
REFERENCES 6
ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE 6
PHOTOS 6

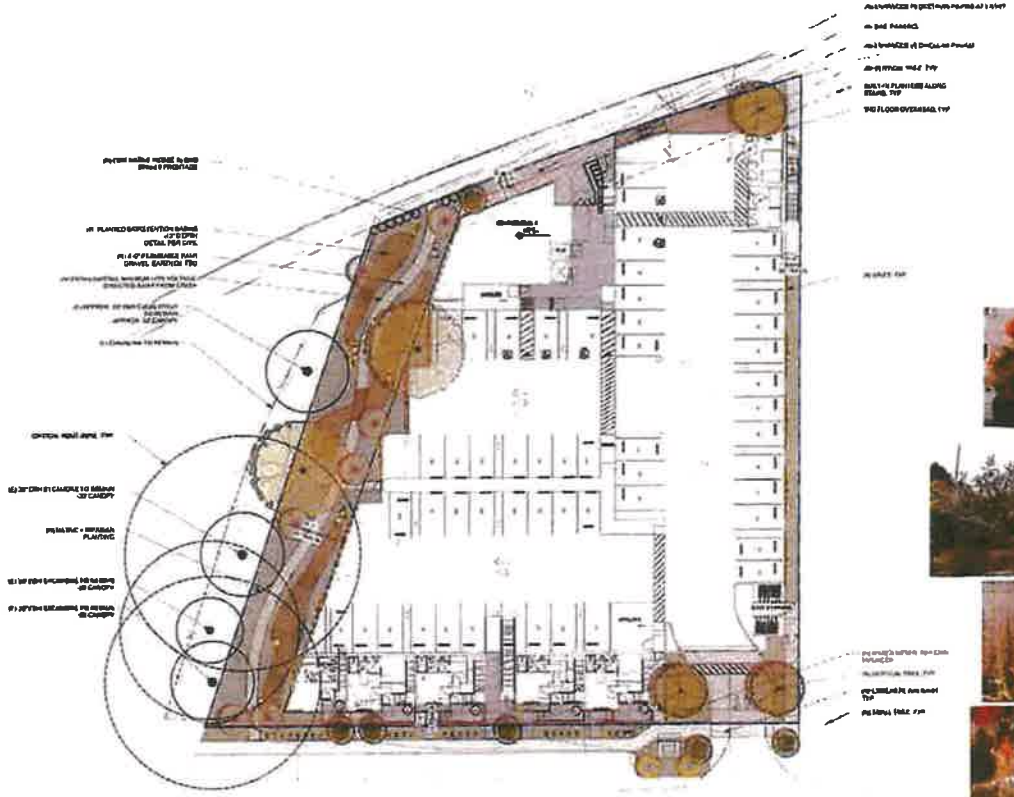
PARRY!

Project Manager
[redacted]
[redacted]

4745 Carpinteria Ave
Carpinteria, CA

Arborist Report

L0.2



ABBREVIATIONS:

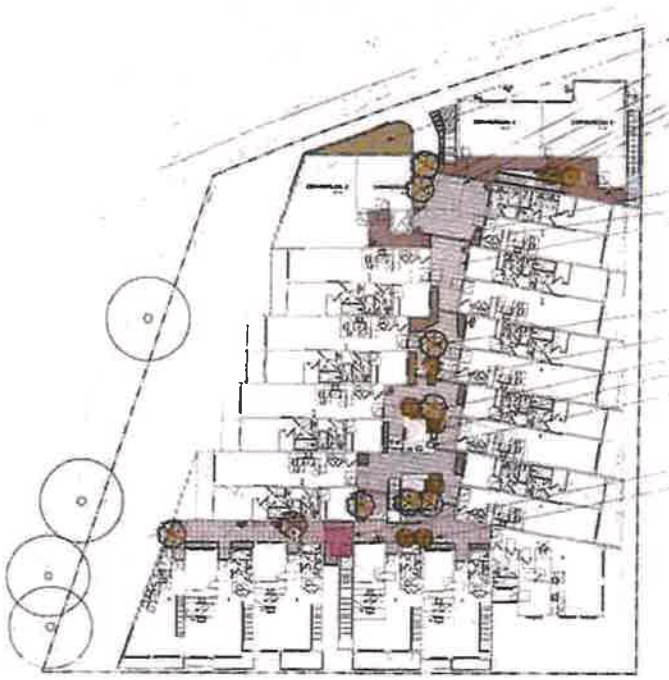
LANDSCAPE AREA:

PRELIMINARY PLANT PALETTE

4745 Carpinteria Ave
Carpinteria, CA

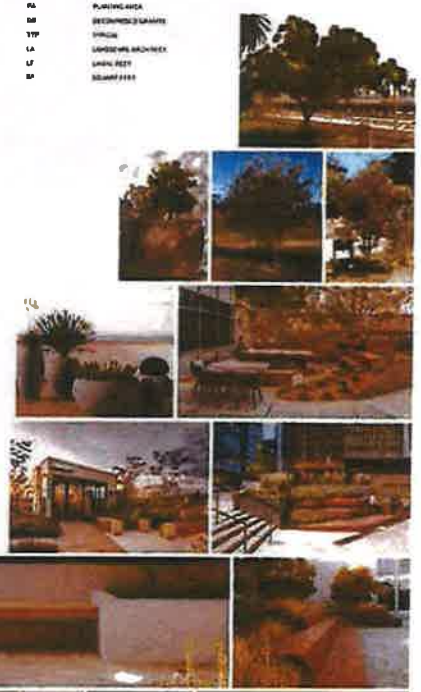
Preliminary Landscape
Plan - Ground Floor

L1



PRELIMINARY PLANT PALETTE

ABBREVIATIONS:



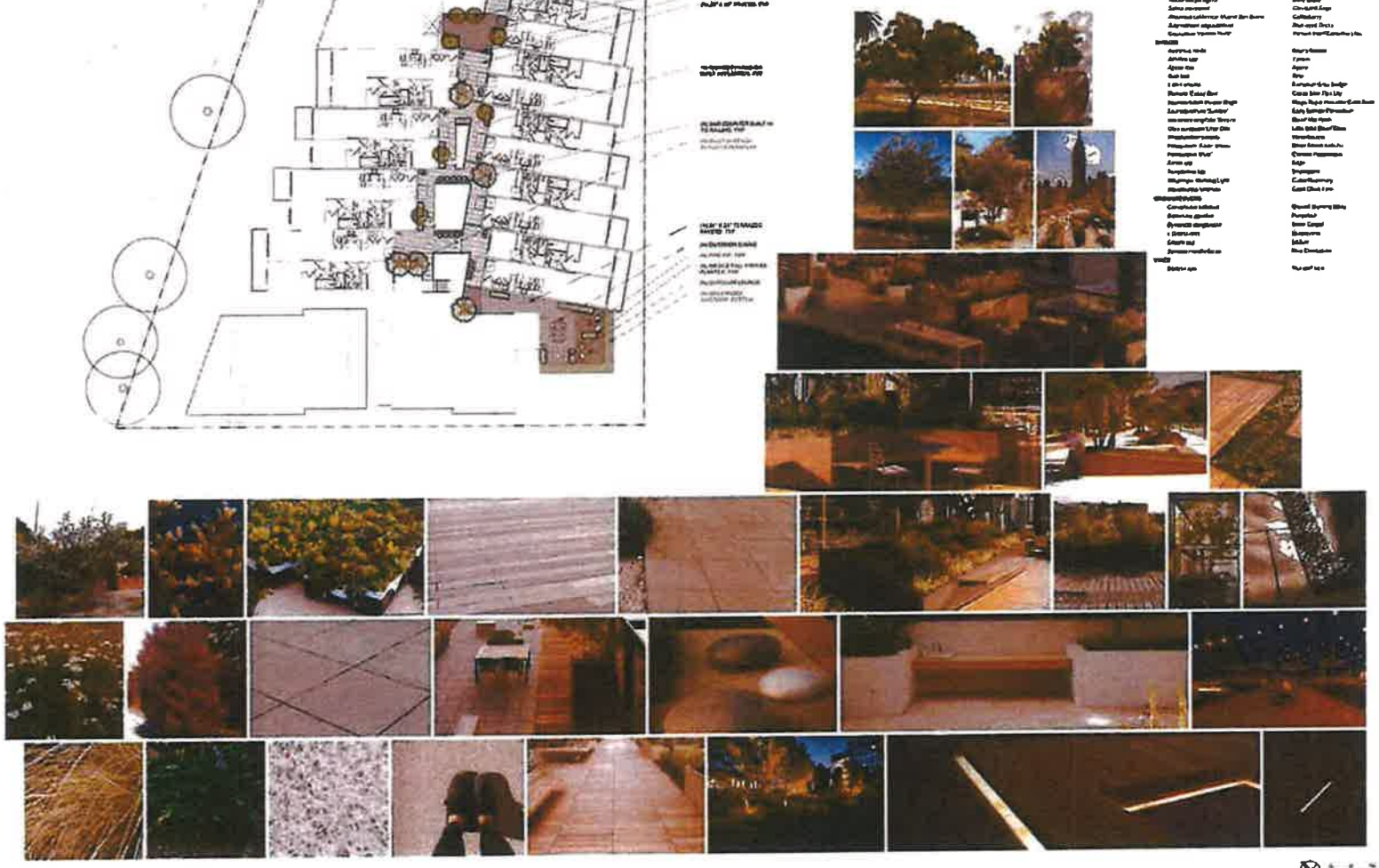
4745 Carpinteria Avs.
Carpinteria, CA

Preliminary Landscape
Plan - 2nd Floor

L1.1

ABBREVIATIONS:

PRELIMINARY PLANT PALETTE



4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape Plan - 3rd Floor

L1.2

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

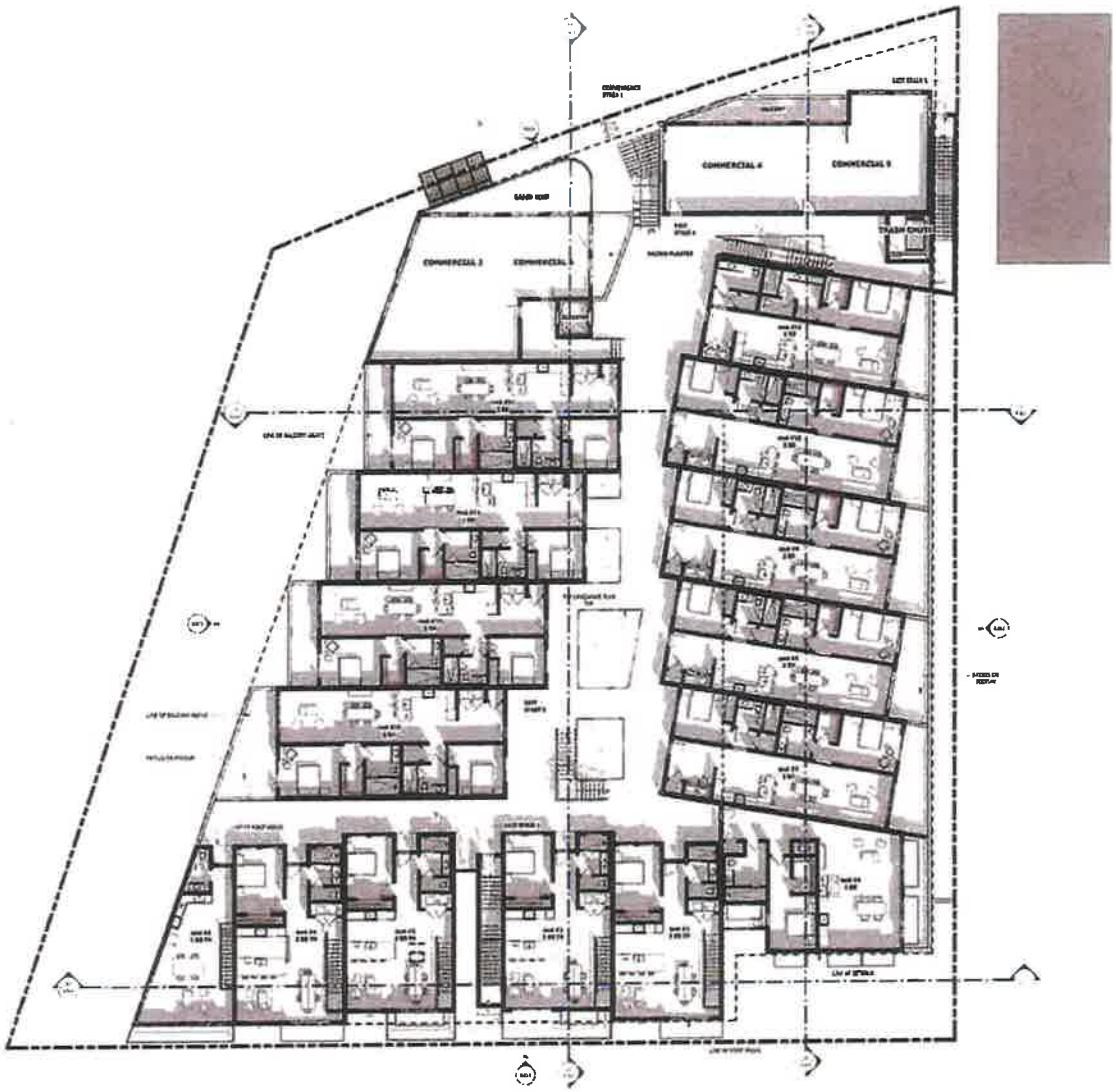
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C150

NO.	DESCRIPTION	DATE
	Development Review Revised Submittal	10/24/23
	Development Review Submittal	08/04/23

A101

OVERALL 1ST FLOOR PLAN



DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

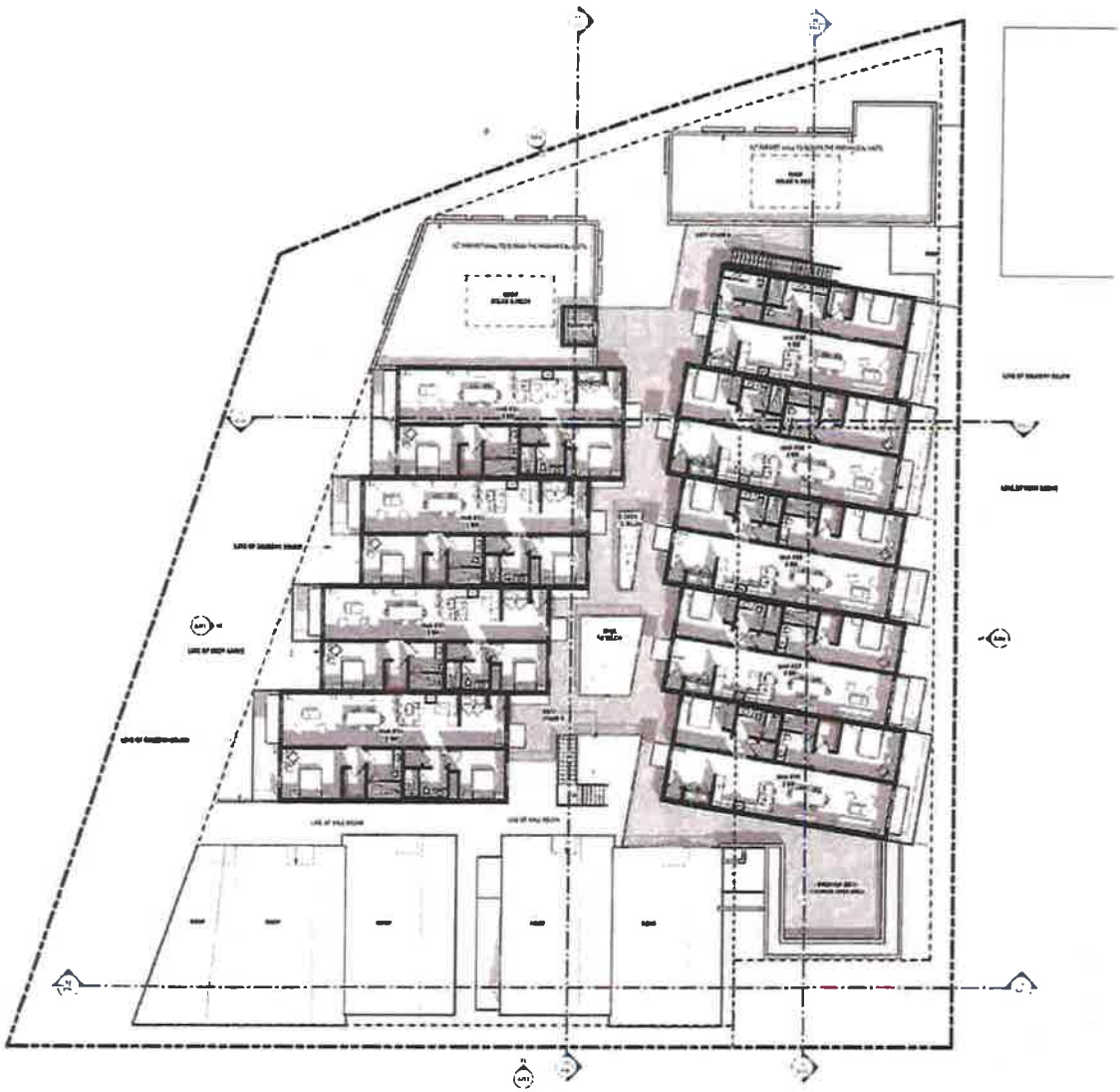
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 220148

NO.	DESCRIPTION	DATE

A102

OVERALL 2ND FLOOR PLAN



DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development
4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A103
OVERALL 3RD FLOOR PLAN

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

A104

OVERALL WEST ELEVATION 04

OVERALL EAST ELEVATION 03

WINE RISE AT PARKING

OVERALL NORTH ELEVATION- CARPINTERIA AVE 02

OVERALL SOUTH ELEVATION- 8TH STREET 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

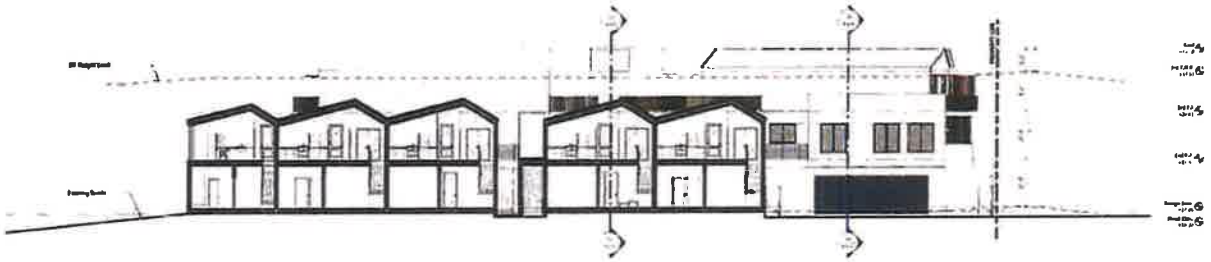
4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

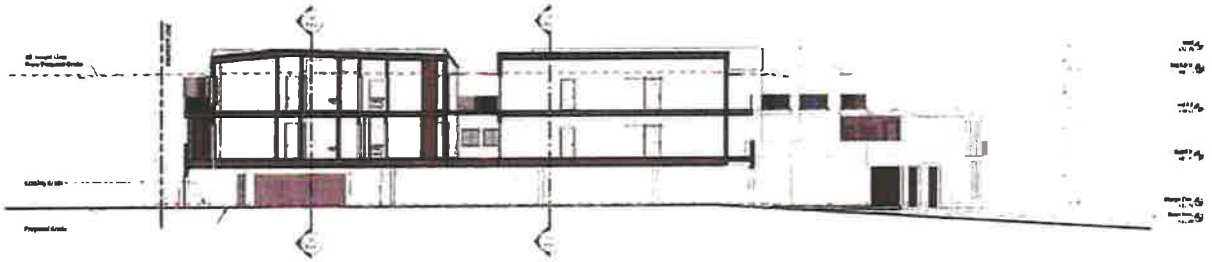
A201

OVERALL EXTERIOR ELEVATIONS

N/S SECTION 04



E/W SECTION 03



E/W SECTION 02

N/S SECTION 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A301

OVERALL BUILDING SECTIONS

MANUFACTURER: RAYNOR
STYLE: SIDELIGHT SECURITY SCREEN DOOR
MODEL: SUNSHINE
FINISH: BRONZE ANODIZED

STEEL ROD), UP- SWING DOOR 18

HANDRAIL:
1 1/2" O.D. - 1.5" SCH. 40 STEEL PIPE AS INTER GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

METAL RAILING/HANDRAIL WITH WIRE MESH INFILL 12

HANDRAIL:
1 1/2" O.D.- 1 5" SCH.-40 STEEL PIPE AS INTER GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

MANUFACTURER: VERSATILE INC
MODEL: GRADE TREADS
...AND BLACK- 1804
STYLE/#: FRENCH STAIR

PRECAST CONCRETE STAIR TREAD 08

STAINLESS STEEL METAL ROOF
MANUFACTURER: FLY FLEXX
MODEL: INSANITY
COLOR: MIST BLACK MM
GAUGE: 26
FINISH: SUPERCHERGED

STAINLESS STEEL ROOF 04

EMA RELAY LOW
TYPE: EMA DOOR LIGHT
EXTERIOR ARMORED SERIES
LIGHT BAR: LED- 30MM
FINISH: SATIN COATED BLACK

EXTERIOR DOWNLIGHTS 17

MANUFACTURER: EQUITONE
STYLE: LT 60

MANUFACTURER: EQUITONE
STYLE: LT 60

EXTERIOR WALL- FIBER CEMENT BOARD 15

GLASS ALUMINUM SWING DOOR AND WINDOW
MANUFACTURER: MEDINA PACIFIC
FINISH: BLACK
GLASS / FINISH: TEMPERED- CLEAR

EXTERIOR SIDING DOOR AND WINDOW 11

PREFABRICATED METAL STAIRS
STYLE: 56
GAUGE/#: 16
FINISH: BLACK STEEL

EXTERIOR STAIR AT COMMERCIAL- STEEL 07

METAL CANOPY
- WHITE METAL AT LEVEL 3
- 8FT OF WINDOWS AT 3RD FLOOR
FINISH: POWDER COATED BLACK

EXTERIOR METAL DOOR AND WINDOW CANOPY 03

MANUFACTURER: TBD
STYLE/#: TBD
FINISH: TBD

MANUFACTURER: TBD
STYLE/#: TBD
FINISH: TBD

MANUFACTURER: TBD
STYLE/#: TBD
FINISH: WHITE OAK

WOOD SIDING AT 8TH ST AND WEST SIDE UNITS 14

MANUFACTURER: CEMCO
STYLE: MODERNAC SMOKE SWING
FINISH: BLACK
GLASS FINISH: TEMPERED- CLEAR

COMMERCIAL- HYDRAULIC SMOKE SWING DOOR 10

MANUFACTURER: STEPSTONE INC
STYLE: LIGHT CHARCOAL
#SHADE: 1804
FINISH: FRENCH GRAY - 804

EXTERIOR PAVER 06

BOARD FORMED CONCRETE WALL

INTERIOR BOARD FORMED CONCRETE 02

CONCRETE STAIRS

CONCRETE STAIRS 16

METAL SIDING

EXTERIOR METAL SIDING AT COMMERCIAL 13

MANUFACTURER: TILE TECH PAVER
STYLE: PORCELAIN PAVER
FINISH: GRAY

ARCHIVE GRAY AREA- ROOF DECK- PEDESTAL PAVER 09

MANUFACTURER: LEA CLAY BRICK TILE
FINISH: CLAY CHINA

LARGE BOX- CEDAR TRIM 05

MANUFACTURER: LA CANTA
BRICK: MEDIUM E-42
FINISH: SMOOTH- TRAVEL FINISH

EXTERIOR WALLS - ELEVATOR TOWER INTERIOR STUCCO 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

1020 Bath ????
??? Santa Barbara, CA 93101

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220228

NO.	DESCRIPTION	DATE

A801

MATERIAL BOARD

02

01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A901

5TH ST VIEW

KEYPLAN 02

9TH ST VIEW- ACROSS THE STREET 01
NOT TO SCALE

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C168

NO.	DESCRIPTION	DATE

A902

9TH ST VIEW

KEYPLAN 02

97TH ST VIEW FROM SOUTH WEST 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

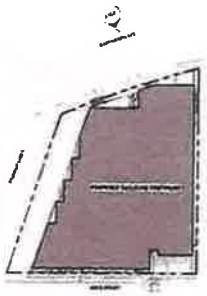
NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

NO.	DESCRIPTION	DATE

A903

97TH ST VIEW



KEYPLAN 02

COMMERCIAL VIEW - FROM CARPINTERIA AVE 01
NOT TO SCALE

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

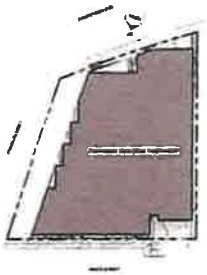
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A904

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01
NOT TO SCALE

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

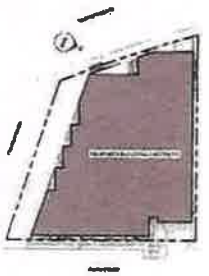
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23C100

NO.	DESCRIPTION	DATE

A905

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

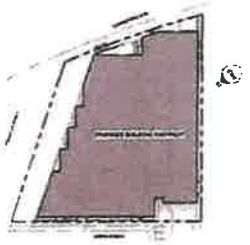
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 202309

NO.	DESCRIPTION	DATE

A906

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

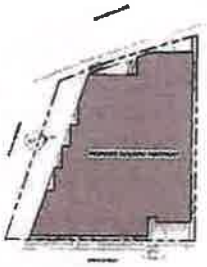
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 23C08

NO.	DESCRIPTION	DATE

A907

EAST SIDE VIEW



WEST SIDE VIEW 1

DMHA
ARCHITECTURE + INTERIOR DESIGN

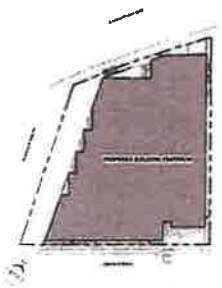
NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

NO.	DESCRIPTION	DATE

A908

WEST SIDE VIEW



KEYPLAN 02

OVERALL SOUTH WEST - TOP VIEW 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A909

SOUTH WEST VIEW

KEYPLAN 02

ONEBALL SOUTH WEST- TOP VIEW 01

DMHA

ARCHITECTURE + PLANNING + DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A910

SOUTH EAST VIEW

Attachment A
Exhibit 3:
Recommended Conditions of Approval

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

CITY COUNCIL HEARING
PROJECT 23-2221-DP/CDP/ARB
4745 CARPINTERIA AVE (APN 003-251-021)
MARCH 26, 2024

ATTACHMENT A, EXHIBIT 3: CONDITIONS OF APPROVAL 4745 CARPINTERIA AVE MIXED-USE PROJECT

The Conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

PROJECT DESCRIPTION

1. This Development Plan and Coastal Development Permit are based upon and limited to compliance with the project description, the hearing exhibits (Attachment A, Exhibit 2 to the staff report dated March 26, 2024) and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

   The project description is as follows:

   Request for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches from finished grade.

   The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street.

Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and a second floor private deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact" spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater measures for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping would also be provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The proposal calls for utilizing the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current zoning designation in exchange for designating a certain number of the apartment units as income-restricted rentals. Specifically, the project calls for setting aside three units for households that fall within the low-income level (50% to 80% of the area median income ("AMI")) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included the project figures described above.

The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the proposal requests the use of incentives or concessions from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reductions in development standards to: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City; and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the City.

PROJECT SPECIFIC CONDITIONS

AESTHETICS

2. The design, scale and character of the project architecture and landscape shall be compatible and blend harmoniously with vicinity development and consistent with the City's "small beach town" character. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the applicant shall setback the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions. The applicant further shall study revisions to the plans to reduce the overall height of the project, and privacy considerations for the portions of the units facing the interior courtyards. **Plan Requirement and Timing:** The applicant shall submit plans for the project for final review by the Architectural Review Board prior to approval of any Building Permit for physical development. **Monitoring:** Community Development Department staff (CDD) shall review submitted plans, provide direction to the ARB regarding this condition, and site inspect during the construction phase.

3. All materials and colors used in construction and all landscape materials shall be as represented to the City and any deviation will require the express review and approval of the Community Development Department.

4. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject

parcel and prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures shall be reviewed and approved by CDD with input from the ARB. **Monitoring**: CDD and ARB shall review final plans for compliance with this measure prior to approval of a building permit for structures. Building Inspector shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final plans.

5. Interior building lighting shall be limited outside of business hours to that necessary for emergency or security purposes. Interior building lighting shall be outfitted with timers, motion sensors or similar technologies to ensure that the lighting is turned off when not in use. **Plan Requirements and Timing:** Specifications for automatic lighting controls and any interior security/emergency lighting shall be depicted on the plans submitted for Building Permit review, to be reviewed and approved by CDD prior to Building Permit Issuance. **Monitoring:** CDD shall review the construction plans for compliance with this measure prior to Building Permit issuance and shall inspect the project site prior to occupancy clearance.

6. All mechanical equipment including, but not limited to, heating and air conditioning units, and trash receptacle areas, shall be completely screened from surrounding properties and shall be either enclosed within a building or parapet, or located in a fenced rear yard area. **Plan Requirements**: The locations of all exterior mechanical equipment shall be depicted on a Roof and/or Mechanical Equipment Plan to be reviewed and approved by CDD with input from the ARB. **Monitoring:** CDD and ARB shall review the Roof and/or Mechanical Equipment Plan for compliance with this measure prior to approval of a Building Permit for the development. Building Inspector shall inspect structures upon completion to ensure that mechanical equipment has been installed consistent with the approved Plan.

7. Final plans shall include the location of all above ground and vaulted appurtenances including, but not limited to, utility vaults, utility meters, fire backflow prevention systems, and check valves. The location of such appurtenances shall be approved by CDD and may be required to be located and/or screened to as to minimize aesthetic impacts.

8. Owner shall not install any over-the-air reception devices (OTARD), such as satellite dishes, television or radio antenna or other communication or transmission devices, on the building, in common areas or on roofs located more than thirty (30) feet above finished grade. All other OTARD devices located on the building, in common areas, on roofs or on the property shall include reasonable screening to prevent impacts to surrounding properties consistent with applicable Federal Communication Commission regulations.

9. No signage is approved under this Development Plan. Applicants shall develop and submit for City review and approval, a comprehensive sign program for the development. **Plan Requirements**: The sign program shall depict the allowed sign types, materials, sizes and locations for signage for all commercial tenant spaces, as well as any proposed identification signage for the development, and shall be consistent with the City's sign regulations as specified in CMC §14.58. **Timing:** The Sign Program shall be submitted to,

and approved, by the Community Development Department prior to Occupancy Clearance. CDD may refer the program to the Architectural Review Board for review. **Monitoring:** CDD staff shall review all tenant signage applications for consistency with the approved sign program.

BIOLOGY

10. The applicant shall implement the recommended tree protection measures outlined in the arborist report prepared by Bill Spiewak dated August 10, 2023, and listed below, during demolition/construction activities within the project site. Such measures shall include, but not be limited to, the following:
    a. Fence off all trees from construction at the critical root zone or where practical with six-foot high chain link or orange construction fence with metal stakes;
    b. No activities or storage of construction materials shall be allowed within the fenced areas unless approved by CDD;
    c. Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted;
    d. All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying;
    e. Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor;
    f. Compaction of the root zone shall be avoided by spreading three to four inches of mulch. If necessary, plywood or equivalent shall be placed on top;
    g. During hot, dry periods, the foliage may need to be washed with high pressure water to remove construction dust;
    h. Project arborist shall be notified prior to any activities within the critical root zone;
    i. Leave existing hardscape (i.e., asphalt) in place as long as practicable to aid with the protection of the root system;
    j. Utilize caissons and grade beams for any foundation work close to the trees (stay at least 15 feet from the trunks of the trees); and
    k. Final landscaping around trees shall be compatible in water demand to these specific trees' needs with minimal trenching for lighting and irrigation.

    Plan Requirements/Timing: This condition shall be printed on all final building and grading plans. Tree protection measures shall be implemented prior to- and during construction as applicable. **Monitoring:** CDD shall coordinate with the project arborist prior to initiation of construction to ensure tree protection measures are in place. CDD shall spot check in the field to ensure ongoing compliance with this measure.

11. All ground disturbances and vegetation removal within the 50-foot setback of Franklin Creek shall be limited to the demolition, grading for site preparation, landscaping and storm water improvements depicted on the approved project plans. **Plan Requirements:** The 50-foot setback area shall be shown on all grading plans. **Timing:** Protective fencing

shall be installed along the 50-foot setback prior to any earth movement. **Monitoring:** CDD shall perform site inspections throughout all grading and construction activities.

12. The applicant shall implement a creek buffer restoration plan. The plan shall include, but not be limited to, the following measures:
    a. Landscaping shall be with native and non-invasive plantings only.
    b. Only low voltage lighting shall be installed. Lighting shall be directed away from the creek corridor.
    c. Only wildlife permeable fencing shall be installed within the creek buffer area.
    d. Non-native species shall be removed from the creek buffer area.
    e. The plantings shall be in place and any non-natives removed prior to issuance of occupancy clearance.

    Plan Requirements: Prior to issuance of a Grading or Building Permit, the applicant shall submit a creek buffer restoration plan, prepared by a CDD approved biologist, to CDD for review and approval. **Timing:** Restoration work shall commence prior to issuance of occupancy clearance. **Monitoring:** CDD staff shall site inspect the restoration area. Maintenance shall be confirmed through site inspections.

13. To minimize construction impacts, the applicant shall prepare and submit a Construction Mitigation Plan to Community Development for review and approval. Such plans, which must be prepared by a City-approved professional biologist, arborist or landscape architect, shall include, but not be limited to, the following required measures:

    Pre-Construction:
    a. The limits of the construction area shall be clearly shown on the plans and fenced or flagged on the construction site. All construction activities shall stay within these limits;
    b. Prior to commencement of construction activities, protective fencing shall be erected around the outermost limits of the protected zones of native trees and adjacent to the construction area. Such fencing shall remain in place until all construction is complete. For the purposes of this project, the protected zone of a native tree shall extend five feet from the tree dripline or 15 feet from the trunk of the tree, whichever is greater;
    c. No construction, grading, staging or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any onsite or adjacent native trees;
    d. Construction activities shall be scheduled to avoid the breeding seasons of sensitive wildlife species located within 300 feet of the proposed improvements;
    e. Construction Phase Requirements from the City's Water Quality Protection Regulations shall be implemented to minimize impacts related to runoff, erosion and water quality;
    f. The use of herbicides shall be minimized by using manual removal methods to eliminate undesired vegetation whenever possible.

    Post-Construction:

g. Permanent native landscaping shall be provided to developed areas;

h. The planting of any landscape plants listed on the California Exotic Pest Plant Council's Lists of Exotic Pest Plants of Greatest Ecological Concern in California is prohibited in any environmentally sensitive habitat areas ("ESHA") or creek setback area;

i. Project applicant and any and all successors shall provide informational materials to future occupants that ensure protective standards/conditions of approval are recognized and complied with throughout the life of the project;

j. Post-Construction Requirements from the City's Water Quality Protection Regulations will be implemented to minimize impacts to runoff, erosion, and water quality;

k. All new fencing shall be wildlife permeable as defined by the following criteria:
    a. Fences shall have a wooden (not wire) rail at the top;
    b. Fences shall be less than 40 inches high; and,
    c. Fences shall have a space greater than 14 inches between the ground and the bottom rail.

l. All exterior lighting shall be minimized, restricted to low intensity features, shielded and directed away from creek ESHA to minimize impacts to wildlife. Permitted lighting shall conform to the following standards:
    i. The minimum necessary to light walkways used for entry and exit to the structure, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Community Development Director;
    ii. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent;
    iii. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent;
    iv. A light, not to exceed 60 watts or the equivalent, at the entrance to any non-residential accessory structures; and,
    v. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities and no lighting for aesthetic purposes is allowed.

Plan Requirements and Timing: Prior to issuance of a Grading or Building Permit, the applicant shall submit a Construction Mitigation Plan, prepared by a CDD approved biologist, arborist or landscape architect to CDD for review and approval. All requirements shall be specified on grading and building plans and graphically depicted if feasible. Protective fencing shall be installed prior to start of grading or construction. **Monitoring:** CDD shall site inspect throughout grading and construction activities.

LANDSCAPE

14. Prior to the issuance of any Building Permits, the applicant shall post a landscape security bond of $500.00 and comply with the following requirements:
    a. All landscaping and irrigation plans shall be prepared by a State licensed landscape architect or similar professional as determined appropriate by CDD.
    b. The landscaping shall be maintained in good condition for the life of the project. After landscaping has become established at three years and found to be in good condition, the security will be released.
    c. Landscaping shall be drought resistant, low water species.
    d. Where feasible, locally adapted native plants shall be required.
    e. Prior to Occupancy Clearance, all landscaping and planting shall be installed; and,
    f. Specimen trees shall be appropriate to the site and shall be maintained in good condition so as to attain a full and healthy mature appearance.

15. The project landscaping outside of the creek buffer area shall consist of drought-tolerant, native and/or Mediterranean type species. Landscaping shall be compatible with the character of the surroundings and the architectural style of the structural development. **Plan Requirements:** Prior to issuance of a Grading or Building Permit, the applicant shall enter into an agreement with the City to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit the final landscape and irrigation plan to CDD for review and approval. **Timing:** Prior to occupancy clearance, landscape and irrigation shall be installed. **Monitoring:** Prior to occupancy clearance, CDD shall verify installation and check maintenance as needed. Release of performance security requires CDD approval.

16. In compliance with the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird)) as amended by the May 29, 2015 Information Bulletin 2015-03 from the Department of Housing and Community Development and Chapter 15.90 of the City's Municipal Code: Water Efficient Landscaping, a Landscape Documentation Package containing the following elements shall be prepared by a design professional: PROJECT INFORMATION; WATER EFFICIENT LANDSCAPE WORKSHEET; SOIL MANAGEMENT REPORT; LANDSCAPE DESIGN PLAN; IRRIGATION DESIGN PLAN; and GRADING DESIGN PLAN. The preparation of a Certificate of Completion containing the following elements shall also be prepared by a design professional: CERTIFICATION OF INSTALLATION (per the approved plan); FINAL SOILS INFORMATION; IRRIGATION SCHEDULING PARAMETERS; MAINTENANCE SCHEDULES; and IRRIGATION AUDIT REPORT. **Plan Requirements and Timing:** Prior to approval of a Building Permit, the applicant shall submit a Landscape Documentation Package to the CDD for review and approval. The CDD shall send a copy of the Documentation Package the Carpinteria Valley Water District. The applicant shall enter into an agreement with the City to install required landscaping and irrigation and maintain required landscaping for the life of the project. Subsequent to installation of the approved Grading, Landscape and Irrigation Plans, the applicant shall submit a Certificate of Completion to CDD for review and approval. The Landscape Documentation Package and Certificate of Completion forms are available at the CDD, and are required to be approved

by the CDD prior to Occupancy Clearance. **Monitoring:** CDD shall conduct site visits to ensure installation and maintenance of landscape and irrigation.

CULTURAL RESOURCES

17. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a CDD-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the City Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and shall spot check in the field for compliance.

18. If human remains are uncovered during ground disturbing activities, the applicant shall immediately halt work and contact the Santa Barbara County Coroner to evaluate the remains. CDD shall be contacted immediately after contact or attempted contact with the County Coroner and all excavation activities on the project site shall cease. If the County Coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified and no further excavation activity shall occur on the site until consultation is complete with the most likely descendant, the Coroner and the CDD staff. Authorization to resume construction shall only be given by the City after consultation with the most likely descendent and shall include implementation of all appropriate measures to protect any possible burial sites or human remains. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and shall spot check in the field.

GRADING

19. Grading and erosion and sediment control plans shall be designed to minimize erosion and shall include the following:
    a. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins and spot grading shall be used to reduce erosion and siltation during grading and construction activities.
    b. All entrances/exits to the construction site shall be stabilized (e.g., using rumble plates, gravel beds or other best available technology) to reduce transport of sediment offsite. Any sediment or other materials tracked offsite shall be removed the same day as they are tracked using dry cleaning methods.
    c. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters and excavated inlet sediment traps.

d. Graded areas shall be revegetated within three weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

Plan Requirements: The grading and erosion and sediment control plan shall be submitted for review and approved by CDD and Public Works ("PW") prior to issuance of a Grading Permit. The plan shall be designed to address erosion and sediment control during all phases of development of the site. The applicant shall notify CDD and PW prior to commencement of grading. **Timing:** Components of the grading plan shall be implemented prior to occupancy clearance. Erosion and sediment control measures shall be in place throughout grading and development of the site until all disturbed areas are permanently stabilized. **Monitoring:** CDD shall inspect revegetation and ensure compliance with plan. Grading inspector shall monitor installation and maintenance of erosion control measure throughout all grading and construction activities.

20. Drainage shall be consistent with approved drainage plans. **Plan Requirements:** Prior to issuance of a Grading Permit, a drainage plan shall be submitted to CDD and Public Works for review and approval. The plan shall include the location(s) of all proposed pipelines, the entire length of all proposed pipelines, trees located within 15 feet of the pipeline, pipe diameters, locations where the pipe(s) would surface in the creek and amount of water that would flow from each pipeline. **Timing:** The components of the drainage plan shall be implemented prior to commencement of construction of structures. **Monitoring:** CDD shall site inspect during grading.

GEOLOGY

21. The recommendations outlined in the project specific geotechnical investigation shall be followed in the construction of the subject project and the applicants shall be required to have the project engineering geologist onsite to observe all excavations prior to placement of compacted soil, gravel backfill, or rebar and concrete. **Plan Requirements/Timing:** Two copies of the preliminary foundation investigation shall be submitted with the building plans for building permit plan check. Applicable plan sheets (i.e., grading, foundation, etc.) shall be in substantial compliance with the recommendations outlined in the soils report. The project engineering geologist shall be onsite during excavation, recompaction and foundation preparation work, as applicable. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

NOISE

22. All noise attenuation measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to ensure that interior noise levels do not exceed 45 CNEL in habitable rooms. The measures shall include, but not be limited to, the following noise attenuation features:
    a. Provide mechanical ventilation so that windows may be left closed by

occupants. This can be achieved passively with z-ducts, fresh air ducts or approved equal.

b. All exterior walls shall meet a Sound Transmission Class (STC) rating of at least 46.
c. All windows and sliding glass doors shall be rated STC 26 (assumed to be standard dual pane windows required per Title 24 energy standards) or higher.
d. All entry doors shall be insulated against weather and sound with non-porous seals. Caulk entry door thresholds as they are placed.
e. Use permanently non-hardening sealant around perimeter of window frames.
f. Window assemblies shall be constructed with effective non-porous gaskets or weatherstripping to minimize air infiltration and sound leakage.
g. Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.
h. Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.

Plan Requirements/Timing: All sound attenuation measures shall be incorporated into the building plans submitted for building permit plan check. Applicable plan sheets (i.e., mechanical, windows and doors, etc.) shall be in substantial compliance with the measures outlined in the acoustical study. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

23. Construction activity shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits and/or citations. **Monitoring:** Building Inspector shall spot check and respond to complaints.

24. In addition to the construction hour limitations, all construction noise reduction measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to limit short-term noise impacts during construction, including, but not limited to:

    a. **Mufflers.** During all phases of demolition and construction, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
    b. **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptors.
    c. **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.

d. **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.

e. **Electrically- and Hydraulically-Powered Tools and Facilities**. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools.

f. **Noise Disturbance Coordinator**. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.

Plan Requirements: A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits. **Monitoring:** Building Inspector shall spot check and respond to complaints.

25. The use of amplified sound equipment in the outdoor courtyard areas and unit deck or porch areas shall be limited so as to not constitute a public nuisance or violate any applicable City noise ordinances. **Monitoring:** CDD shall periodically inspect to ensure compliance. CDD and/or Sheriff Office deputies shall respond to any filed noise complaints.

SOLID WASTE

26. The permittee shall develop and implement a Solid Waste Management Program. The program shall include, but is not limited to, the following measures:
    a. Provision of *One (1) Four-cubic yard* bin for storage of recyclable materials within the project site.
    b. Development of a Source Reduction Plan (SRP) describing the recommended program(s) and the estimated reduction of solid waste disposed by the project.
    c. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to CDD review and approval.

    Plan Requirement: The applicant shall submit a Solid Waste Management Program to CDD for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to occupancy clearance and throughout the life of

the project. **Monitoring:** CDD shall site inspect during construction, prior to occupancy, and after occupancy to ensure solid waste management components are established and implemented.

27. Sixty-five percent (65%) or more of all construction and demolition debris generated shall be diverted from the landfill, as mandated by Carpinteria Municipal Code. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During demolition and grading, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on demolition plans. Applicant shall submit a Waste Management Plan (WMP) prior to demolition and provide Public Works with a completed WMP, including receipts for recycled materials to demonstrate compliance with the City's Construction and Demolition Program's 65% mandatory diversion rates. **Timing:** Materials shall be recycled as necessary throughout demolition and grading activities. **Monitoring:** Public Works shall review and approve a completed WMP prior to issuance of a Building Permit.

28. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by CDD staff. **Plan Requirements and Timing:** Prior to Building Permit issuance, applicant shall designate and provide to CDD the name and phone number of a contact person to monitor trash/waste and organize a clean-up crew. Trash control shall occur throughout all grading and construction activities. **Monitoring:** CDD shall inspect periodically throughout grading and construction activities.

AIR QUALITY

29. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site by following the dust control measures listed below. During clearing, grading, earth moving, excavation or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
    a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 miles per hour. Reclaimed water should be used whenever possible.
    b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
    c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped form the point of origin.

d. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

Plan Requirements: All requirements shall be shown on the grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors shall spot check and ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

30. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements:** The name and telephone number of such persons shall be provided to the APCD and the Community Development Department. **Timing:** The dust monitor shall be designated prior to issuance of a Grading or Building Permit. **Monitoring:** CDD shall contact the designated monitor as necessary to ensure compliance with dust control measures.

31. The following Diesel Exhaust Control Measures should be implemented during construction activities:
    a. Diesel construction equipment meeting the California Air Resources Board's current emission standards for off-road heavy-duty diesel engines shall be used.
    b. The engine size of construction equipment shall be the minimum practical size.
    c. The number of construction equipment operation simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
    d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
    e. Construction equipment operating onsite shall be equipped with two-to-four-degree engine timing retard or pre-combustion chamber engines.
    f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
    g. Catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating onsite.
    h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
    i. State law requires that idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.

    Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors

shall spot check and ensure compliance onsite. APCD shall respond to complaints, as applicable.

WATER QUALITY

32. Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination. **Plan Requirements and Timing:** Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the plans submitted to the Community Development Department for review prior to issuance of a Building Permit. **Monitoring:** CDD staff shall site inspect prior to the commencement and as needed during all grading and construction activities.

33. During construction, washing of concrete trucks, paint, equipment or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks or wetlands. The location of the washout area shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to CDD, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of a Grading or Building Permit. The washout area shall be in place and maintained throughout construction. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area.

STORM WATER

34. The project shall provide for onsite retention of storm water runoff, infiltration, and recharge where feasible. Feasibility shall be determined by CDD and Public Works. Retention basin(s) shall be maintained for the life of the project by the landowner. Recharge systems shall be developed in conjunction with Public Works and CDD. **Plan Requirements:** A drainage plan showing the location and design of the retention basins shall be submitted to CDD and Public Works for review and approval. Long term maintenance requirements shall be specified in a maintenance program submitted by the landowner. **Timing:** Retention and/or recharge basins shall be installed (landscaped and irrigated subject to CDD and Public Works approval) prior to occupancy clearance. **Monitoring:** CDD shall site inspect for installation and maintenance of landscaping. Public Works approval is required on final grading/drainage plans, and CDD approval is required for release of the performance security.

35. The applicant shall follow the County of Santa Barbara Stormwater Technical Guide to implement Post-Construction Runoff Control Measures (PCRs) to effectively prevent the entry of pollutants from the project site into the storm drain system during and after development. **Plan Requirements**: The applicant shall implement a Storm Water Control

Plan (SWCP) that includes the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural PCRs to address identified pollutants; a proposed Operation and Maintenance Plan; a method for ensuring maintenance of all PCRs over the life of the project; and certification by a licensed civil engineer, architect, or landscape architect. The approved measures shall be shown on all building plans. **Timing:** Prior to issuance of a Grading or Building Permit, the SWCP shall be submitted to Public Works. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. The terms of the Operation and Maintenance Plan shall be followed to maintain facilities. **Monitoring:** Public Works shall site inspect prior to occupancy clearance to ensure measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

UTILITIES

36. This Development Plan and Coastal Development Permit does not constitute approval for the installation of new and/or repair of existing underground utilities. All modifications to, or installations of new utilities shall be under separate permit(s) from the appropriate utility providers and the Public Works Department for any work within the public right-of-way. Utility provider permission for excavation shall precede issuance of any permits for construction within the public right-of-way.

HOUSING

37. The applicant shall provide Three (3) low income dwelling units (16.67% of project units) available for rent at prices affordable to households earning up to 80% of Area Median Income (AMI) consistent with the provisions of Government Code §§ 65915-65918 (Density Bonus Law). **Requirements and Timing**: Prior to issuance of the building permit, the applicant shall execute and record an *Affordable Housing Regulatory Agreement* (Agreement), which shall include a Restrictive Covenant (Covenant). The Agreement and Covenant shall be based on the City's model documents and subject to the review and approval of CDD and the City Attorney. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the units shall remain affordable for a period of 99 years, beginning upon date of issuance of the occupancy clearance for said units. The running of the covenant shall toll during any period of violation.

    The Agreement shall include, but not be limited to, the following information about the project:

    a. The total number of units approved for the housing development, including the number of affordable dwelling units and manager's unit;
    b. A description of the household income group to be accommodated by the housing development and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with California Department of Housing and Community Development and Housing and Urban Development guidelines;

c. The marketing plan for the affordable units;
b. The location, unit sizes (square feet) and number of bedrooms of the affordable dwelling units;
c. Tenure of the use restrictions for affordable dwelling units for a period of 99 years;
d. A schedule for completion and occupancy of the affordable dwelling units;
e. A description of the additional incentives and concessions being provided by the City;
f. A description of the remedies for breach of the agreement by the owners, developers and/or successors in interest of the project;
g. Other provisions to ensure successful implementation and compliance with the City's Density Bonus ordinance, Government Code §§ 65915-65918 (Density Bonus Law), and California Department of Housing and Community Development and Housing and Urban Development guidelines; and
h. Other provisions to ensure compliance with applicable local, state, and federal tenant protection regulations.

In addition, the Agreement shall provide for the following conditions governing the use of affordable dwelling units during the applicable restriction period:

a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable dwelling units for qualified tenants;
b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance.
c. Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying the affordable dwelling unit and which identifies the bedroom size and monthly rent or cost of each unit; and
d. The applicable use restriction period shall comply with the time limits for continued availability as specified above.

38. Owner shall provide direct connections to high-speed internet service, including wireless access (e.g., Wi-Fi), to each residential unit and all residential tenants at no charge. The City acknowledges that Owner does not operate a high-speed internet service and thus is not responsible to configure a tenant's personal computer or other similar devices and temporary internet services outages may occur outside the control of the Owner. Owner may require residential tenants to comply with reasonable restrictions on the use of the internet service consistent with applicable federal, state and local laws and regulations. Tenants shall have the right to alternative internet service at the tenant's own expense.

39. Owner shall designate at least One (1) on-site manager that resides in the project consistent with applicable California Department of Housing and Community Development and Housing and Urban Development guidelines.

40. None of the dwelling units shall be operated as short-term vacation rentals or otherwise leased for a period of less than 30 days.

PARKING

A minimum of 53 parking spaces (45 standard spaces and 8 "compact" spaces) shall be maintained onsite for the life of the project. Parking spaces shall remain available for the use of residents and customers only. In addition, bicycle parking for a minimum of 12 bicycles shall be provided onsite and maintained for the life of the project. Additional bicycle parking shall be provided in the public right-of-way in a manner generally consistent with that depicted on the approved site, civil, and landscape plans, subject to final approval of the design and layout by the Public Works Department. **Plan Requirements:** Parking spaces and bicycle racks shall be shown on the plans submitted for Building Permit and Engineering Permit review. **Timing:** Parking spaces shall be striped and maintained (as needed) and bicycle racks installed prior to Final Occupancy clearance. **Monitoring:** CDD and PW shall periodically inspect the site for ongoing compliance.

41. The applicant shall develop and implement a Construction Parking, Staging and Traffic Management Plan. The purpose of the Plan is to minimize parking and traffic impacts to the surrounding residential neighborhood during construction of the project. The plan shall include, but is not limited to, the following measures:
    a. Development of a construction vehicle parking plan depicting the location of on-site construction vehicle parking. If all construction vehicle parking on-site is not feasible throughout the construction phase, the applicant shall implement a construction employee shuttle program documenting the location of offsite construction employee parking and shuttle schedule.
    b. Development of a construction equipment, material staging and storage plan confirming that all construction equipment and materials will be located on-site and not within any City right-of-way.
    c. Development of a construction traffic management plan accounting for the temporary location and movement of construction delivery trucks, large equipment, cranes, and similar construction related activities.

    Plan Requirement: The applicant shall submit a Construction Parking, Staging and Traffic Management Plan to CDD and Public Works for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to issuance of a Building Permit. **Monitoring:** CDD shall site inspect during construction to ensure compliance with all aspects of the Plan.

DEVELOPMENT PLAN CONDITIONS

42. Approval of the Development Plan and Coastal Development Permit shall expire two (2) years after approval by the City Council unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension.

43. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Building Permit.

44. No permits for development shall be issued except in conformance with the approved Development Plan and Coastal Development Permit. The size, shape, arrangement, use and location of buildings, walkways, parking areas and landscaped areas shall be developed in conformity with the approved Development Plan marked Attachment A, Exhibit 2, dated March 26, 2024, and with the agreed upon modification to increase the setback the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions during the February 5, 2024 Planning Commission meeting. Substantial conformity shall be determined by the Community Development Department Director.

45. On the date a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.

46. To allow time for the utility companies to locate and mark their facilities for the contractor, the applicant shall telephone Underground Service Alert (USA) toll free at 1-800-227-2600 a minimum of 48 hours prior to the start of construction. For best response, provide as much notice as possible, up to 10 working days.

47. Existing and proposed easements for all utilities shall be located and described on the engineering plans or the architectural drawings prior to issuance of building permits.

CITY RULES & REGULATIONS/LEGAL REQUIREMENTS

48. Future commercial uses of all tenant spaces shall be consistent with project zoning, including, but not limited to, the base zone district requirements and any applicable overlay districts, including Visitor-serving Commercial allowed uses. Approval of a Building Permit for all future tenant improvements within the commercial spaces is required. In addition, issuance of a Carpinteria Business License and Occupancy Clearance shall be obtained for all future tenants to confirm respective uses are consistent with allowed uses under zoning prior to initiating business. Individual uses may be conditioned for hours of operation, noise, or similar measures, as needed, to address potential nuisance issues and land use compatibility.

49. No provision of alcohol service, live entertainment or dancing are permitted as part of this approval. Should the applicant or any future tenant(s) choose to provide any of these services or activities, the proper licenses and approvals must first be obtained from the City. **Plan Requirements/Timing:** Prior to initiating alcohol service, live entertainment or dancing, applicant and/or tenant shall apply to the City (and/or respective State agency) for all necessary licenses and approvals. **Monitoring:** CDD staff shall ensure all

necessary licenses/permits are obtained prior to initiating any of the enumerated ancillary uses.

50. All future food and beverage tenants shall comply with the City's ban on food dispenser containers made entirely or in part from non-recyclable plastic (including but not limited to expanded polystyrene (eps) containers), including the annual self-reporting requirements as outlined in CMC §8.50, and the City's ban on single use plastic and paper bags as outlined in CMC §8.51.

51. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Building Permit. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the City Council. Before any Permits will be issued by the Community Development Department, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Community Development.

52. All Conditions of Approval and mitigation measures shall be printed in their entirety on applicable pages of construction or building plans submitted to CDD. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.

53. Prior to issuance of a Building Permit, the applicant shall provide a signed copy of the Conditions or Approval on a form acceptable to Community Development. Such form may be obtained from the CDD office.

54. Prior to issuance of a Building Permit, the applicant shall pay all applicable CDD permit processing fees in full. Any outstanding plan check or inspection fees incurred during construction shall be paid in full prior to occupancy clearance.

55. The applicant shall pay the statutory school fees in effect at the time of issuance of Building Permits to the Carpinteria Unified School District. **Plan Requirements and Timing:** The applicant shall submit final square footage calculations and the required fee payment to the School District prior to issuance of Building Permits. **Monitoring:** CDD shall ensure payment is made prior to issuance of a Building Permit.

56. In accordance with Chapter 15.80 of the Carpinteria Municipal Code, the applicant shall pay Development Impact Fees to the City prior to Building Permit issuance. The amount of the fees will be determined at the time permits are issued.

57. Any change of use in the proposed buildings or structures shall be subject to environmental analysis and appropriate review by the City, including Building Code compliance.

58. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

59. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.

60. All requirements of the City (including but not limited to public improvements as defined in the City Municipal Code (CMC), Section 15.16.110) and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

61. The standards defined within the City's adopted model Building Codes (UBC; NEC; UMC; UFC; UPC; UHC) relative to the building and occupancy shall apply to this project.

62. Any minor changes may be approved by the City Manager and/or Community Development Director. Any major changes will require the filing of a modification application to be considered by the City Council.

63. No building permits shall be issued for this project prior to meeting all required terms and conditions listed herein. When not specified herein, all conditions shall be satisfied prior to issuance of a building permit or prior to occupancy when allowed by the Community Development Director.

64. If, at any time, the City determines that there has been, or may be, a violation of the findings or conditions of this Development Plan and Coastal Development Plan, or of the Municipal Code regulations, a public hearing may be held before the City Council to review this permit. At said hearing, the City Council may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City. The applicant shall reimburse the City for all costs associated with gaining compliance with the original conditions of approval.

65. In the event that any Condition of Approval imposing a fee, exaction, dedication or other mitigation measure is challenged by Applicant/Owner/Permittee in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Condition of Approval is invalidated by a court of law, the entire project shall be reviewed by the City and substitute Conditions of Approval may be imposed.

66. The owner/applicant ("Owner") hereby agrees to defend, indemnify and hold harmless the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any claim, action or proceeding ("Claims") against the City and the City's Agents to attack, review, set aside, void or annul, in whole or in part, the City's approval of the Development Plan and Coastal Development Permit (the "Project"), or any condition

attached thereto, or any proceedings, acts or determinations taken, done or made prior to the approval that were part of the approval process. Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorneys' fees or court costs made in connection with any Claim. Owner further agrees to pay any and all City costs, permits, attorneys' fees, engineering fees, license fees and taxes arising out of or concerning the Project, whether incurred prior to or subsequent to the date of approval and that the City's costs shall be reimbursed prior to this approval becoming valid. These commitments of defense and indemnification are material conditions of the approval of the Project. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorneys' fees, expenses and costs of that independent defense.

67. Written authorization to proceed and consent to conditions of approval by the legal owner of the property shall be provided to the City prior to building permit issuance.

SPECIAL DISTRICT CONDITION LETTERS

68. Compliance with the attached Departmental and District letters is required as follows:
    a. Carpinteria Sanitary District, dated May 3, 2023.
    b. City of Carpinteria Public Works Department, dated November 27, 2023.
    c. Carpinteria Valley Water District Intent to Serve Letter, dated November 10, 2023.
    d. Carpinteria Valley Water District Condition Letter, dated November 10, 2023.
    e. Carpinteria-Summerland Fire Protection District, dated July 29, 2023.

Approved by the City Council on March 26, 2024.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT.

_____

Applicant/Property Owner Date

Attachment B
February 5, 2024 Planning Commission
Staff Report Packet

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

AGENDA ITEM #1
PROJECT 23-2221-DP/CDP/ARB

PLANNING COMMISSION STAFF REPORT

MEETING DATE: February 5, 2024

ITEM FOR CONSIDERATION

4745 Carpinteria Avenue Mixed Use Development

23-2221-DP/CDP/ARB

Request for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches; and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act (CEQA).

Report prepared by: Brian Banks, Principal Planner
Community Development Department

SIGNATURE

Reviewed by: Nick Bobroff, Director
Community Development Department

SIGNATURE

Owner: Justin Klentner

Applicant: Edward DeVicente
DMHA Architecture

Project Location: 4745 Carpinteria Avenue

APN: 003-251-021

Zoning: Commercial Planned Development (CPD) / Planned Residential Development (PRD-13)

General Plan Designation: Visitor-Serving Commercial (VC) / General Commercial (GC)

I. RECOMMENDATION

Adopt the attached Resolution No. PC-24-001, thereby approving Project 23-2221-DP/CDP/ARB to demolish all existing structures and to construct a three-story mixed-use (commercial / residential) development comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue; and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA").

II. PROPOSED PROJECT DESCRIPTION

Development Plan

The requested Development Plan would allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches from finished grade.

The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street. Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both ground floor covered porch and private second floor deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact"

spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking area would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for an additional six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater treatment for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping also would be provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The proposal calls for utilizing the state's Density Bonus Law (Gov. Code, §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current General Plan and zoning designation in exchange for designating a certain number of the apartment units as deed restricted for households meeting certain income levels and at certain affordable rents. Specifically, the project calls for setting aside three units for households that fall within the low-income level (up to 80% of the area median income ("AMI")) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included in the project figures described above. The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the proposal requests the use of concessions/incentives and/or waivers or reductions of development standards from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reduction of development standards: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City (i.e., up to 35 feet, 7 inches); and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property (i.e., 69% coverage for this portion of the property).

Coastal Development Permit

A Coastal Development Permit is required to allow the proposed development as described above.

Proposed plans are included as Attachment A, Exhibit 2.

III. BACKGROUND

Site Characteristics and Background

The 0.87-acre (38,053 square feet) site is located at the western edge of the City's downtown core on Carpinteria Avenue. The project site is defined as a "through lot" with street frontages along both Carpinteria Avenue (to the front) and Ninth Street (to the rear). The project site is bordered by the Franklin Creek channel along its western boundary. To the east, the project site is adjacent a commercial property (Pacific Auto Body) along the Carpinteria Avenue frontage, and a multi-family apartment complex (4760 Ninth Street) along the Ninth Street frontage. To the north, across Carpinteria Avenue from the subject property sits a pair of smaller multi-family residential developments, and the entrance to the "All Around Irrigation" commercial property. To the south, across Ninth Street, sits half of the Arbor Trailer Park development and a two-unit apartment development (4751/4755 Ninth Street). The other half of the Arbor Trailer Park is located across Franklin Creek from the subject property.

Presently, the project site is occupied and used by "Sun Coast Rentals" as an equipment rental business and storage yard. A small 850 square foot commercial building and approximately 650 square feet of outbuildings are located near the northeast corner of the property, nearest the driveway entrance on Carpinteria Avenue. The remainder of the site is used for open storage of equipment, machinery, and vehicle parking.

The project site has a mix of land use and zoning designations: The site is split-designated Visitor-serving Commercial ("VC") and General Commercial ("GC") on the City's General Plan/Coastal Plan Land Use Map (see Figure 1, below), with the VC designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The property is identified in the Community Design Element of the General Plan/Coastal Land Use Plan as being located within Community Design Subarea 2a: the Downtown Core District.

Figure 1. Land Use Designations

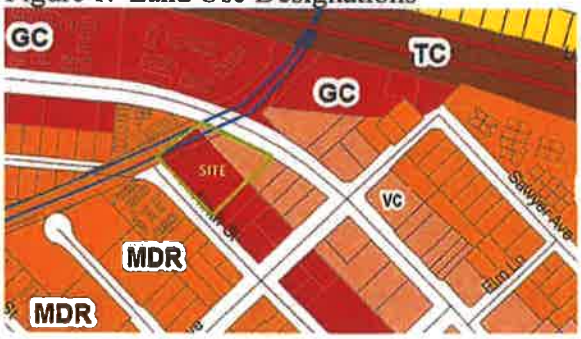
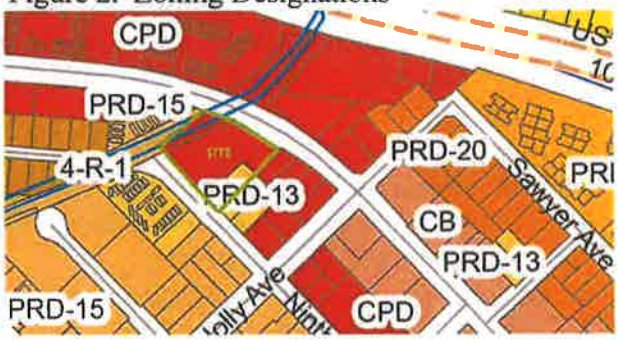


Figure 2. Zoning Designations



The property is also split-zoned: the majority (approximately eighty percent) of the property is zoned Commercial Planned Development ("CPD"), however the southeastern corner of the property along Ninth Street and adjacent a multi-family residential development is zoned Planned Residential Development ("PRD-13") (see Figure 2, above). The property is also subject to the following overlay

districts: 1.) Visitor-serving Commercial ("V") Overlay for the portion of the property designated VC on the land use map; 2.) Flood Hazard ("FH") Overlay due to the property's location within the 100-year floodplain (zone AE) according to current Federal Emergency Management Agency ("FEMA") flood insurance rate map ("FIRM") for the area; and 3.) Coastal Appeals ("CA") Overlay due to the property's adjacency to Franklin Creek and its location within the California Coastal Commission's ("CCC") appeals jurisdictional area.

Project History and Previous Reviews

Joint City Council, Planning Commission, and Architectural Review Board Concept Review
A similar concept proposal for the redevelopment of the subject property into a mixed-use development was reviewed by the Architectural Review Board ("ARB"), Planning Commission ("PC") and City Council ("CC") at a special December 19, 2022 joint meeting. The original conceptual proposal elicited mixed reactions from City decision-makers. While most of the decision-makers agreed that the site was appropriately-located for a mixed-use rental development, and appreciated the provision of the large creek buffer, there were several concerns raised with the mix of rental unit types, the overall height and intensity of development, the amount of parking provided onsite, and the visual and neighborhood compatibility impacts of the proposal along both project frontages. Several decision-makers expressed a preference for a greater number of smaller, one-bedroom units and encouraged the applicant to explore opportunities to further reduce overall building height, through lower plate heights and/or further sinking the ground-level parking podium into the site.

A copy of the approved Minutes from the December 19, 2022 joint ARB-PC-CC meeting is included as Attachment B, Exhibit 1, and a copy of the original joint-review conceptual plans is included as Exhibit 2.

Conceptual Architectural Review Board Review

Following formal project application submittal in April 2023, the project was presented to the ARB for conceptual review at their May 25, 2023 meeting. While the overall project concept was unchanged (i.e., a three-story 24-apartment unit residential/commercial mixed-use development), the project had been changed in several important ways compared to the previous conceptual submittal considered by the ARB, PC and CC back in December 2022. Key changes included:

- Mix of proposed apartment unit types changed from 13 one-bedroom units and 11 two-bedroom units to 2 one-bedroom units and 22 two-bedroom units;
- Commercial square footage was reduced from approximately 6,000 square feet to approximately 4,300 square feet;
- Building massing was reorganized to preserve a two-story façade along both the Carpinteria Avenue and Ninth Street frontages;
- Provision of open space areas for the apartment units was reorganized; providing greater amounts of private open space (decks) located along the outward-facing exterior of the building in lieu of smaller shared or common central courtyard areas; and,

- Building architecture and materials/finishes were updated to a simpler, more contemporary style, using materials such as wood siding, plaster, large windows and storefronts, and metal roofs.

The formal project submittal did not make any meaningful reductions to overall building height, nor did the project provide a larger share of the desired smaller one-bedroom units. While the revised project did successfully reduce building height and mass of the street-facing building facades; the overall maximum building height remained at approximately 36 feet (i.e., 35 feet, 7 inches). With respect to the mix of unit types, rather than increasing the share of one-bedroom units, the revised project instead transitioned to provide nearly all two-bedroom units (citing the applicant's concerns over marketability and affordability).

Several neighbors from Ninth Street and Carpinteria Avenue spoke at the meeting and/or provided written comments ahead of the meeting. Common themes among public commenters included concerns about how the proposed project would impact the surrounding residential communities, effects on already limited on-street parking in the area; privacy and view considerations; and potential impact to nearby wildlife (e.g., raptors).

The three Boardmembers present appreciated the applicant's efforts to address previous comments provided at the joint ARB-PC-CC meeting and generally acknowledged the changes as headed in the right direction in terms of architecture, massing, and design. The Boardmembers urged the applicant team to continue to consider ways to further soften and animate the architecture to give it a more residential feel and less of a commercial or industrial character. They also encouraged the applicant team to continue working with the neighbors, particularly along Ninth Street to address concerns about frontage improvements, on-street parking, and related concerns.

A copy of the approved Minutes from the May 25, 2023 conceptual review ARB meeting is included as Attachment C, Exhibit 1, and a copy of the previous conceptual plans is included as Exhibit 2.

Preliminary Architectural Review Board Review

In response to the ARB conceptual review comments, the project returned to the ARB for review at the preliminary level on August 31, 2023. The version of the project presented at the meeting reflected a refinement of the original concept that was shown to the Board previously on May 25, 2023. Key changes included:

- Re-alignment and re-study of the second and third floor roofs and decks to further animate the side elevations;
- Reduction of the height of the Ninth Street portion of the project by six inches; and,
- Further development of the architectural and colors / materials of the different building elements.

Approximately 10 neighbors spoke at the meeting, most of whom are residents of the nearby Arbor Trailer Park. Nearly all of the commenters still felt the project was too large and too intensive for the site, and worried about impacts to already limited on-street parking in the area, as well as potential

privacy and view impacts. Approximately five public comment letters were also submitted ahead of the meeting that reflected many of the comments made during the hearing.

Boardmember reactions to the project were mixed. Boardmember Stein was strongly opposed to the project in its current form and intensity, and expressed an inability to support the project. Boardmember Blakemore also could not support the project, however she indicated she may be able to support the project if design revisions were incorporated to better fit the neighborhood character. Boardmembers Johnson and Little were, in general, more receptive to the project, but still felt that it would benefit from further refinement and articulation, and that more needed to be done to introduce more variation in terms of colors, materials, and massing.

A motion for preliminary approval with comments failed on a split 2-2 vote (Johnson and Little in favor; Blakemore and Stein opposed). At the request of the applicant, the motion was left as a split vote while they considered their options for either returning to the ARB at a later date for continued preliminary review or proceeding to the Planning Commission without a formal recommendation from the Board.

A copy of the approved Minutes from the August 31st preliminary review ARB meeting is included as Attachment D, Exhibit 1. Photographs of the story poles erected on August 18, 2023 for the ARB meeting are included in Exhibit 2, and a copy of the previous preliminary plans is included as Exhibit 3.

Continued Preliminary Architectural Review Board Review

Following further discussions amongst the project applicant team and City staff, the applicant opted to return to the ARB for continued preliminary review on October 26, 2023, with revised plans that attempted to respond to the Board's comments from the August 31st meeting. Key changes included:

- The mix of unit types was updated to provide two additional one-bedroom units in exchange of two of the (previous) two-bedroom units for a total of 4 one-bedroom units and 20 two-bedroom units;
- The square footage of the commercial tenant spaces was slightly adjusted downward to allow for a more prominent entry stair to the second floor on the Carpinteria Avenue frontage;
- The vehicle gate on the Carpinteria Avenue driveway was recessed farther back into the garage to be less visually prominent and allow more room for vehicle queueing between the gate and public sidewalk;
- On the Ninth Street elevation, each of the townhome units was offset from the neighboring unit by approximately two feet to allow each unit to be clad in different color siding to break up monotony and introduce more of a residential character to the façade;
- On the side elevations, further animation was introduced by slightly varying the offsets between units and using more variety in the layouts and dimensions of the units' decks;
- Subtle roof overhangs were reintroduced; and,
- The layout and location of the proposed onsite bioretention facilities were redesigned to reduce potential impacts to the mature trees on the adjacent flood control property.

Overall, the changes partially addressed the previous comments from the Board related to introducing additional animation and variety into the architecture, as well as through enhancing the Carpinteria Avenue-facing entry. However, the project changes did not result in any reductions to building height despite a previous suggestion from the Board to consider reducing the third-floor plate heights.

Approximately nine neighbors spoke at the meeting, most of whom resided in the immediate vicinity of the project. Nearly all the commenters still felt the project was too large and too intensive for the site, and worried about impacts to already limited on-street parking in the area, as well as potential privacy and view impacts. Approximately three public comment letters/emails were also submitted ahead of the meeting that reflected many of the public comments made during the hearing.

At the invitation of the Director, City Attorney Mack Carlson presented a brief overview of State Housing laws, including Density Bonus Law and related limits on ARB and staff's discretion when reviewing housing projects. Mr. Carlson highlighted applicable housing laws and context because the project is afforded certain protections under the Housing Accountability Act and Density Bonus Law. Mr. Carlson related that the ARB has narrow grounds to deny or request modifications/conditions that would result in lesser unit density, but the ARB does still does have latitude to consider the design elements and make recommendations so long as the comments do not seek to condition the project to reduce housing density. Finally, Mr. Carlson answered questions that certain public commenters had related to affordability thresholds and how the affordable rent is calculated and restricted/monitored. Mr. Carlson and Mr. Bobroff then answered several questions from the ARB members related to the state housing laws and how they are applied to the project.

Boardmember reactions to the revised project continued to be mixed, however, several Boardmembers acknowledged that the most recent project revisions were an improvement. Boardmember O'Connor complimented the applicant on the changes to the Carpinteria Avenue entrance, the proposed undergrounding of the power lines on the Ninth Street side of the project, and the staggering of the Ninth Street units. However, Boardmember O'Connor expressed that the 50 ft creek buffer should be deducted from the lot size calculation, thereby reducing the density, while also noting that the project is meeting "the letter of the law." Boardmember Little noted that the project revisions on the Ninth Street frontage including the setbacks and offsetting, awnings, and textures were a "huge improvement," although he suggested that if the roof heights could be reduced by even as little as 1 ft, it could soften the impact of the project. He explained that while he liked the idea to open up the Carpinteria Avenue stairway, the design did not feel very "beachy," and still looked too commercial. Vice Chair Blakemore commented that she agreed with Boardmember Little's comments and she appreciated the project revisions and that the landscaping was very nice. However, she commented that the Carpinteria Avenue frontage could be further softened, and expressed concerns about parking, especially the size and arrangement of the spaces and drive aisles within the parking garage. Chair Stein noted that the project "had come a long way" and noted the location is a good spot for housing, but more one-bedroom units are needed. However, he expressed frustration that what the State Law allows is not realistic for a small City and that neighborhood compatibility and traffic safety along Carpinteria Avenue remained a concern. Chair Stein asked if there was still a way to reduce height on the Ninth Street side, but appreciated the colors and how the elevations had been broken up.

A motion for preliminary approval with comments failed on a split 2-2 vote (Blakemore and Stein in favor; Little and O'Connor opposed). After the initial motion, the applicant advised that he is willing to continue to refine the architectural design to address the ARB's comments if the project can proceed to the Planning Commission for a decision on the overall project scope and its consistency with applicable ordinance regulations and land use policies. A discussion commenced with the applicant Team, the ARB members, the Community Development Director, and City Attorney as to options to revise or propose a new motion. At the request of the applicant, the motion was left as a split vote while they considered their options for either returning to the ARB at a later date for continued preliminary review or proceeding to the Planning Commission without a formal recommendation from the Board. A revised motion was then made to recommend preliminary approval with the ARB's comments, with specific emphasis on scaling-down the mass of Ninth Street frontage and noting the ARB's concerns about the size, bulk, and scale of future projects that the Planning Commission should consider. The second motion for preliminary approval with comments passed 3-1 (Stein, Blakemore and Little in favor and O'Connor opposed).

The plans have been updated to address the Board's comments from that meeting, specifically to lower the overall height of the townhomes fronting Ninth Street approximately six additional inches, resulting in an overall height reduction on the Ninth Street portion of the project of approximately one-foot from the August 31, 2023 preliminary ARB meeting plans.

A copy of the approved Minutes from the October 26, 2023 continued preliminary review ARB meeting is included as Attachment E, Exhibit 1, and a copy of the previous continued review preliminary plans is included as Exhibit 2.

IV. ENVIRONMENTAL

This project can be found to be categorically exempt from environmental review pursuant to Section 15332 (In-fill Development Projects) of the Guidelines for the implementation of the California Environmental Quality Act ("CEQA"). Class 32 Exemptions consists of projects that are categorized as "in-fill" development provided the project is: a) consistent with the City's General/Coastal Plan and Zoning Code; b) is located within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and; e) the site can be adequately served by all required utilities and public services.

The proposed mixed-use project is consistent with the City's General Plan/Coastal Plan. The project site's General Plan/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC-designated area occupying approximately one-third of the property located along the Carpinteria Avenue frontage and the GC-designated portion of the property located on the remaining southerly two-thirds of the property. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a broader range of commercial uses, in additional to residential development, as would be typical of a mixed-use project.

The project also is consistent with the City's applicable Zoning designations and regulations. As previously noted, the project site is split-zoned with the majority of the property zoned Commercial Planned Development ("CPD"), and the remaining portion zoned Planned Residential Development ("PRD-13"). The CPD zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The vertical mixed-use arrangement, which would provide a visitor-serving commercial use on the ground floor facing Carpinteria Avenue, and allow for additional commercial and residential uses above, would also be consistent with the site's partial Visitor-serving Commercial Overlay designation. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district as modified by Density Bonus Law[1].

The approximately 0.87-acre project site is currently developed with a commercial equipment and tool rental business and is substantially surrounded by urban uses, and devoid of any sensitive habitat. Additionally, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel, which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered potential habitat area. This creek setback "buffer" area would be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans.

Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. A traffic study, prepared by a qualified traffic engineer, was prepared for the project and provided to the City's contract traffic engineering consultant for peer-review. The City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in a significant environmental impact due to traffic. Additionally, an acoustical and construction noise study was prepared by a qualified consultant, which studied project-related impacts to both interior and exterior noise levels. The study concluded that with the incorporation of certain construction materials and techniques, interior noise levels of the project would not result in a significant impact on project residents. Similarly, with the incorporation of standard City construction noise conditions of approval (e.g., construction hour restrictions, equipment mufflers and silent alarms, specified equipment staging areas and an on-site "noise disturbance coordinator"), the project would comply with the City's General Plan/Coastal Plan Noise Element policies, would not result in noise in excess of the City's environmental thresholds, and would therefore not have a significant exterior noise impact. Further, the project would not result in a significant effect on air quality because the completed project's emission would be less than the screening significance level of air quality pollutants and greenhouse gas emissions as established by the Santa Barbara Air Pollution Control District ("APCD"). Finally, the project complies with the City's stormwater regulations and

[1] *Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1347-1350.

incorporates Low Impact Development ("LID") measures to treat stormwater, and would incorporate standard construction-phase water quality measures, and thus would not result in significant impacts to water quality.

The site can be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating an ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

As the project is consistent with the requirements of CEQA Guidelines Section 15332, a CEQA exemption is appropriate. Further, none of the specific or general exceptions to the Class 32 exemption apply here.

A detailed analysis is provided within the proposed CEQA Notice of Exemption included as Attachment F.

V. ANALYSIS

Carpinteria Municipal Code

The subject property is split-zoned CPD and PRD-13, and is subject to the V, FH and CA overlay districts. Applicable zoning requirements and allowable uses for each of the districts are discussed below:

The majority of the subject property (30,968 square feet) is zoned CPD. Permissible uses in the CPD zone district (CMC §14.20), subject to approval of a Development Plan and Coastal Development Permit by the Planning Commission, include a variety of office, retail, service, and wholesale businesses, as well as "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The proposed project would place all of the commercial square footage and some of the residential component of the project within the portion of the property zoned CPD. Accordingly, the contemplated mixed-use (commercial/residential) project could be found consistent with the types of uses permissible in this zone district.

The southeastern corner of the subject property, totaling approximately 7,085.5 square feet in area, is zoned PRD-13. Permissible uses in the PRD zone district (CMC §14.14), subject to approval of a Development Plan and Coastal Development Permit by the Planning Commission, include multifamily residential developments (such as apartment complexes). The proposed portion of the building within the PRD-13-zoned corner of the lot would include ground-level parking and two levels of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The following table describes the proposal's conformance to the applicable CPD zone district (CMC § 14.20) and PRD-13 zone district (CMC §14.14) development standards.

Standard	Requirement/Allowance	Proposal
CPD Setbacks (min.)- (CMC 14.20.090)		
Front (Carpinteria Ave)	35 feet from centerline of street or 5 feet from property line, whichever is greater.	46 feet from centerline of street; 5 feet from property line.
Side (east)	0 feet from property line	5 feet from property line
Side (west)	50 feet min. from top of creek bank	50 feet from top of creek bank
Rear (Ninth Street)	35 feet from centerline of street or 5 feet from property line, whichever is greater.	35 feet from centerline of street; 5 feet from property line.
PRD Setbacks (min.)- (CMC 14.14.060)		
Front (Ninth Street)	50 feet from centerline of street or 20 feet from property line, whichever is greater	50 feet from centerline; 20 feet from property line
Side (east)	5 feet from property line	5 feet
Side (west)	5 feet from property line	N/A
Rear	15 feet from property line	N/A
Distance Between Buildings- PRD (CMC 14.14.070)	Min. ½ sum of building heights	N/A
Building Coverage- PRD (CMC 14.14.080)	50% max. (1,417 sq. ft.)	~69 % (4,847 sq. ft.)**
Building Height- CPD (CMC 14.20.100) PRD (CMC 14.14.090)	30 feet max. 30 feet max.	Project Total: 35 feet, seven inches**
Open Space & Landscaping- CPD (CMC 14.20.060)	5% min. to 20% max. as established by Planning Commission (1,548 sq. ft. – 6,194 sq. ft.)	15% (4,705 sq. ft.)
PRD (CMC 14.14.110)		22% (1,560 sq. ft.)

	20% min. common and/or public open space (1,417 sq. ft.)	
District Density CPD PRD-13 (CMC 14.14.100)	 20 dwelling units/acre max. (14 units)** 13 dwelling units/acre max. (2 units)** Project Total: 16 units**	Project Total: 24 units**
Parking (CMC 14.54.040)*	Commercial: 1 space per 250 sq. ft. (17 spaces) Residential: 1-bedroom units (1 covered space ea.) (4 spaces) 2-bedroom units (2 covered spaces ea.) (40 spaces) Visitor spaces (1 per 3 dwelling units) (8 spaces) Project Total: 69 spaces	Project Total: 53 covered spaces**

*See zoning discussions, below
**See Density Bonus discussion, below

Landscape / Common Open Space Coverage

Different landscape or common open space coverage requirements apply to the portions of the subject property zoned CPD and PRD-13, respectively. The majority of the site, which is zoned CPD, has a minimum landscape coverage requirement that can be set between 5% and 20% of the lot area at the discretion of the Planning Commission; whereas the portion of the property zoned PRD-13 has a fixed minimum common open space requirement of 20%. As reflected in the table above, the proposed project would exceed the minimum landscape or common open space requirements for each zone district portion of the site.

When analyzed as an overall project, approximately 16.5% of the site (6,265 sq. ft.) would be provided as open space. The required creek 50-foot creek buffer alone constitutes approximately 14.1% of the site which would remain as common open space, and the third-level rooftop deck provides another approximately 2.4% of open area. Likewise, when analyzed an overall project, approximately 25% of the site (9,436 sq. ft.) would be provided as landscaped area. In addition to landscaping with the common open space, additional landscape areas are provided along project frontages, on the ground floor commercial patio rooftop, and within the central courtyards of the second and third-level residential areas.

Parking Requirements and Modification Request

The project calls for utilizing the reduced residential parking requirements stipulated in Density Bonus Law to reduce the overall required number of residential parking spaces (discussed in more

detail, below). The project also calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirement.

The City's Zoning standards do not include standardized provisions for the use of compact-sized spaces, however, there are numerous examples of compact spaces having been allowed for a certain percentage of a development's required onsite spaces (typically up to ~30% of total spaces) throughout the City. As reflected on the project plans, the applicant wishes to designate eight of the 53 total spaces (~15%) as compact spaces and therefore requests approval of a Modification to the development standards. While in theory the applicant could request a waiver or reduction under Density Bonus Law to allow the use of compact parking spaces, considering the modest percentage of compact spaces requested and the precedent of the use of compact spaces in other developments within the City, the applicant has chosen to seek a Modification.[2]

The Carpinteria Municipal Code (CMC) §14.50.120 provides the following provision to allow modifications to zoning district requirements: *"In reviewing a development plan, the planning commission or city council may consider modification of requirements of the base zoning district in which the proposed development is located, including building height, yard setback, parking, building coverage or landscaping, if it is determined that such modification is necessary to accommodate an innovative project which will result in at least one of the following public benefits:*

1. *Energy efficient heating/cooling; or*
2. *Provision of affordable housing units through mix of housing types, innovative design and construction techniques, or other means; or*
3. *Provision of a larger amount of open space or landscaping than the minimum requirements of the district."*

As previously discussed, the project satisfies the minimum number of parking spaces allowed under the reduced residential parking requirements stipulated in Density Bonus Law without the applicant requesting further concessions/incentives or waivers or reductions in development standards to reduce the number of total spaces potentially further. As such, the requested Modification to allow eight of the 53 total spaces (~15%) as compact spaces rather than standard spaces would maximize the number of total spaces available for the project to the extent allowed by law. As currently designed, the parking area serves as a "podium" over which the majority of the project is constructed, thus maximizing the available site area for open space and landscaping. Given the alternatives allowed by the state Density Bonus Law, the fact that the project may also qualify for coverage under AB 2097 to eliminate parking entirely[3] or other local and state housing laws that

[2] As discussed below, Density Bonus Law allows an applicant to request a waiver or reduction in development standards that will have the effect of physically precluding construction of the development at the densities or with the incentives/concessions permitted unless the local agency can make certain findings (e.g., specific adverse impact to public health and safety that cannot be mitigated). (Gov. Code, § 65915(e)(1).)

[3] Assembly Bill 2097 (AB 2097) is a California law that prohibits public agencies or cities from imposing a minimum automobile parking requirement on most development projects located within a half-mile radius of a major transit stop (the Carpinteria train station is potentially within a half-mile of the project site). The Coastal Commission further acknowledges that AB 2097 constrains its authority to impose or enforce parking minimums within the coastal zone. The applicant, however, has not sought to apply AB 2097 to this project; thus staff has not performed a complete analysis of its applicability.

would reduce the amount of onsite parking[4], and because the project provides affordable housing units and innovative design, staff believes that the Planning Commission can make the required Finding #2 as provided in the Municipal Code. Additionally, because the proposed project exceeds the minimum required open space for both the CPD and PRD zoned portions of the project site, staff believes that the Planning Commission can make the required Finding #3 as well.

Zoning Overlay Districts

As previously noted, the project is subject to the Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts. Projects located in overlay districts must comply with additional development standards beyond those required of the base zoning district(s).

The V overlay district applies to the portion of the property designated for Visitor-serving Commercial uses on the City's Land Use Map. This area affects the approximately northerly third of the property fronting Carpinteria Avenue, and limits the use of this area for commercial development that will serve visitors to the City as well as local residents. Examples of the types of uses permissible in the V overlay include hotels, motels, restaurants, and service and retail commercial uses normally associated with the needs of visitors and which may also serve local residents. The visitor-serving commercial use(s) must function as the primary use of the property, either in terms of square footage and/or by being situated and designed such that it both appears and functions as the primary use of the parcel from its primary street frontage. Further, in the V overlay, non-visitor-serving commercial uses are restricted to upper-level floors only. The proposed visitor-serving commercial use(s) are consistent with the requirements of the V overlay, provided (future) commercial tenants are of a visitor-serving nature.

The FH overlay applies to properties designated as being located within a flood hazard area according to the current Flood Insurance Rate Map ("FIRM") issued from the Federal Emergency Management Agency ("FEMA"). Presently, the subject property is mapped as being located within the 100-year floodplain (zone AE) according to the current FIRM for the area. Projects located within the FH overlay must comply with the City's floodplain management requirements (i.e., CMC § 15.50, Flood Damage Protection). Examples of the types of applicable requirements may include, but not be limited to, placement of habitable or conditioned living space outside of, or above, projected 100-year flood elevations, and designing flood prone areas for periodic flooding (e.g., flood vents, etc.) In compliance with the City's floodplain management requirements, the applicant's civil engineering consultants prepared a detailed flood study using FEMA and Santa Barbara Flood Control maps, and a site-specific topographic survey, to determine a "Base Flood Elevation" ("BFE") of 16.2 feet in elevation for the project site. As required by FEMA, the City's floodplain management ordinance, and building code requirements, all habitable portions of the project are elevated above the 16.2-foot BFE. Likewise, the ground-level parking podium has been designed to allow for potential periodic flooding using "flood vent" openings at ground level along the side elevations (covered by a landscape lattice).

[4] For example, the project could seek to rely on conjunctive use parking allowed under Carpinteria Municipal Code Section 14.54.060 or a share parking agreement under AB 894 (2023), which allows for shared parking agreements to meet minimum parking requirements under certain conditions.

The CA overlay applies to properties located within the appeals jurisdiction of the California Coastal Commission ("CCC"). The subject property is located within the CA overlay due to its immediate adjacency to Franklin Creek. Properties located within the CA overlay are subject to special permit procedures, including but not limited to, the ability for the project's final local action (by the Planning Commission or City Council, on appeal) to be appealed to the CCC by an aggrieved party or by the Commission itself. In the event an appeal is taken up by the CCC, the Commission would have the ability to take over permit authority for the project unless a determination of no substantial issue is made.

Density Bonus

The proposed project seeks to utilize provisions allowed for under the state's Density Bonus Law to provide more apartment units onsite than the City's zoning would otherwise allow for, and to make use of various concessions or incentives, and/or waivers or reductions of development standards allowed for under Density Bonus Law to allow for deviation from local zoning standards, in exchange for setting aside a specified percentage of the units for targeted affordability rates for a defined period of time. More specifically, the proposal calls for setting aside 16.67% of the 18 base units (i.e., 3 units) for low-income households (up to 80% AMI) at affordable rents for a minimum period of 55 years in exchange for a 29.0% bonus density (i.e., six additional units, rounded up from 5.22 units) and use of one concession or incentive for exceedance of maximum building height; and one waiver or reduction of development standards for exceedance of PRD zone district maximum lot coverage. The project also seeks to utilize the automatically-granted reduced residential parking rates for a Density Bonus project.

Density Bonus Law requires that a local jurisdiction grant a density bonus at an amount commensurate with the percentage of base units set aside for the targeted income category, and as prescribed in the law. Further, Density Bonus Law requires that a qualifying application be granted a specified number of concessions or incentives to reduce local development standards based on the percentage of units set aside for the targeted income category. Density Bonus Law also allows applicants making use of its provisions to request additional waivers or reductions from local zoning standards, as needed, to help facilitate construction of the project and production of affordable housing. In addition, Density Bonus Law specifies vehicle parking ratios based on the number of bedrooms in each unit.

Density Bonus Law stipulates that the base density upon which the calculations are made is to be based on the maximum allowed density under the General Plan, which in the case of the subject property is a maximum of 20 dwelling units per acre. Accordingly, a maximum density of 20 dwelling units per acre for the 0.87-acre site would allow for up to 18 units. The required number of income-restricted units that would need to be provided to comply with Density Bonus Law is then calculated as a percentage of this base density. Here, the applicant proposes to provide 16.67% of the base units, or three units, as affordable to low-income households in exchange for the corresponding benefits under Density Bonus Law.

As a project setting aside at least 10% of the base units for low-income rental units, the proposed project would be eligible for use of a concession or incentive. As such, the project seeks to utilize the granted concession for: exceeding the maximum allowed building height. Additionally, Density

Bonus Law allows the applicant of a project which provides affordable units to request a waiver or reduction of any development standard that would physically preclude construction of the project, if not approved. As such, the applicant is requesting a waiver to exceed the PRD zone district maximum lot coverage allowance.

With respect to the requested exceedance of the City's maximum allowed building height, the proposed project would exceed the City's maximum allowed height limit of 30 feet by approximately six feet, reaching a maximum height of 35 feet, seven inches at the upper roof ridge of the third-level apartment units. Importantly, the two-story commercial portions of the building along the Carpinteria Avenue frontage would remain below the City's 30-foot height limit at approximately 25 feet 5 inches and 26 feet 11 inches, respectively. Likewise, the two-story elements along the project's Ninth Street frontage would also be kept below the 30-foot height limit at approximately 27 feet, 4 inches for the apartment unit located above the Ninth Street garage entrance (Unit 6), and 26 feet for the "townhouse" units.

The requested exceedance of the PRD zone district's maximum allowed building coverage limit would apply (only) to the portion of the project located in the PRD-13 zone district (i.e., the property's southeast corner). The PRD zone allows for a maximum lot coverage of 50%; whereas the contemplated proposal calls for a lot coverage figure of approximately 69% of the PRD-zoned portion of the property.

State Density Bonus Law provides that for qualifying projects, concessions/incentives or waivers must be granted unless the local jurisdiction makes a written finding, based upon substantial evidence. For a concession/incentives, the potential finding include that: (1.) the concession/incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted units; (2.) the concession/incentive would have a specific, adverse impact upon public health and safety, or on any real property that is listed in the California Register of historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households; or (3.) the concession/incentive would be contrary to state or federal law. For waivers or reductions in development standards, the potential findings include: finding (2.) or (3.) above. The local agency also must produce the substantial evidence to support these findings.

Granting of the requested concession/incentive to exceed the maximum building height, and waiver or reduction in development standards to exceed the maximum PRD zone lot coverage, would help to facilitate construction of the additional units granted under Density Bonus Law, which in turn help to reduce costs on construction of affordable units. Staff has not identified a specific adverse effect to public health or safety, or a registered landmark, because of in the increased height and lot coverage; and the granting of the requested concession/incentive and waiver or reduction in development standards would not be contrary to any state or federal law.

Density Bonus Law also automatically grants qualifying projects reduced residential parking rates. Specifically, Density Bonus projects are only required to provide residential parking at a maximum rate of one space per one-bedroom unit, and one and one-half spaces per two-bedroom unit, inclusive of required parking for visitors and persons with a disability. Using these automatically granted

reduced residential parking rates, the project as a whole would be required to provide a minimum of 51 parking spaces.

As proposed, the project provides a total of 53 parking spaces and therefore exceeds the minimum number of spaces required by Density Bonus Law. However, if the applicant desired to utilize some or all of the project's commercial space for a restaurant or a similar higher intensity use, additional parking beyond the calculated minimums may be required. In such a scenario, the applicant could consider use of an additional waiver or reduction (discussed below) under Density Bonus Law to reduce the required amount of commercial parking associated with the project. The project may also be eligible for coverage under another recently-adopted state law, AB 2097, which precludes a local agency from requiring a minimum number of parking spaces for qualifying projects located within one-half-mile of certain types of public transit. Accordingly, any additional parking required for a particular type of commercial use potentially could be waived through the application of AB 2097 or reduced under other applicable local or state laws, if the subject property is found to be eligible under these laws[5].

Further, and as previously discussed, Density Bonus Law allows for an applicant to request additional waivers or reductions to development standards that would otherwise have the effect of physically precluding the construction of a density bonus-qualifying project. While no such additional waivers or reductions have been requested at this time, such waivers or reductions could theoretically be requested for additional relief from, for example, the City's setbacks and/or parking requirements.

Finally, Density Bonus Law provides that it does not supersede or in any way alter or lessen the effect or application of the California Coastal Act (Coastal Act), and that any density bonus, concessions, waivers or reductions of development standards and parking ratios to which the applicant is entitled under Density Bonus Law must be permitted in a manner that is consistent with both Density Bonus Law and the Coastal Act. Subsequent guidance from the California Coastal Commission has indicated that efforts should be made by local jurisdictions to "*harmonize*" the requirements of applicable state housing laws and the Coastal Act. Therefore, consideration must be given as to whether any aspects of the proposed project would potentially conflict with or contradict Coastal Act priority land uses (e.g., visitor-serving commercial) or coastal resources (e.g., ESHA, creeks, public coastal access, coastal views, etc.), and if so, how those conflicts might be mitigated or resolved in a manner that appropriately harmonizes both laws (e.g., through the protection of coastal resources without reducing the density of a project absent certain conditions).[6] As a mixed-use project located in the urbanized core of the city, and which incorporates much needed rental housing, along with the provision for future visitor-serving commercial uses incorporated into the project, and with careful siting of the project in compliance with the Franklin Creek buffer, staff believes that the proper balancing or "harmonization" of Density Bonus Law and protection of coastal resources, has been achieved through the design review and planning process.

[5] Any proposed commercial use which requires additional parking under the CMC would still require review and approval of a Development Plan Revision and CDP, regardless of the application of AB 2097 or other laws.
[6] See, Gov. Code, §§ 65915(m), 65589.5(e), (j).

Housing Accountability Act

The Housing Accountability Act ("HAA") (Gov. Code, § 65589.5) establishes limitations on a city's ability to deny, reduce the density of or make infeasible qualifying housing projects that are consistent with local standards and contribute toward meeting housing needs.

The HAA applies to "housing development project[s]", which include development with residential units only, mixed use projects with at least two-thirds of the square footage designated for residential use, or transitional or supportive housing. (Gov. Code, § 65589.5(h)(2).) Here, the HAA applies to the project because it is a mixed use development with more than two-thirds of square footage dedicated to residential uses (i.e., 85.8% residential square footage and 14.2% commercial square footage).
The HAA requires the City to notify an applicant within a certain period of time (in this case, 30 days) if the project is consistent, compliant and in conformity with applicable plan, program, policy, ordinance, standard, requirement or other similar provision of the City's General Plan and Zoning Code. (Gov. Code, § 65589.5(j)(2).) Otherwise, the project is deemed consistent, compliant and in conformity with applicable standards.[7] Also, the grant of a density bonus, incentive, concession, waiver or reduction of development standards under Density Bonus Law is not grounds for finding the housing development project inconsistent, not in compliance or not in conformity with applicable standards. (Gov. Code, § 65589.5(j)(3).) Here, staff has not identified any inconsistency, noncompliance or nonconformity with applicable and objective City standards that have not otherwise been modified by Density Bonus Law.

For projects that comply with applicable, objective general plan, zoning and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, the local agency must make one of the following findings to deny or condition the project at a lesser density:[8]

1. The housing development project would have a "specific, adverse impact" upon the public health or safety unless the housing development project is disapproved or approved at a lower density; and
2. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon a condition that it be developed at a lower density. (Gov. Code, § 65589.5(j)(1).)

As used above, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies or conditions as of the date the application was deemed complete. The Legislature also declared that conditions that would have a "specific, adverse impact upon the public health and safety … arise infrequently." (Gov. Code, § 65589.5(a)(3).) Staff has not identified aspects off the project that may constitute a specific, adverse impact on public health and safety that cannot be mitigated.

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[7] A housing development project shall be deemed consistent, compliant and in conformity with applicable standards, if there is substantial evidence that would allow a reasonable person to conclude that the project complies with applicable standards. (Gov. Code, § 65589.5(f)(4).)

[8] For the purposes of the HAA, "objective" means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official. (Gov. Code, § 65589.5(h)(9).)

With respect to subjective standards, the HAA does not bar local agencies from imposing conditions of approval provided that those conditions do not require the project to be developed at a lower density, unless the local agency makes findings described above. (*California Renters Legal Advocacy & Education Fund v. City of San Mateo* (2021) 68 Cal.App.5th 820, 846 ("*CaRLA*".) For example, in the *CaRLA* case, the Court opined that a city could impose appropriate conditions of approval to mitigate any effects that the height differential may have on the surrounding neighborhood under the city's design guidelines as long as those conditions do not reduce the density of the project.

The HAA also requires the City to make specified findings to deny or condition a qualifying affordable housing project (i.e., 20% of the total units sold or rented to lower-income households; or 100% of the units sold or rented to moderate- or middle-income households). Because the project does not propose either 20% of the total units for lower income households or 100% of the units for moderate income households, these findings requirements do not apply to the Planning Commission's consideration of the project.

The HAA applies to qualifying housings projects within the City, the Act does not relieve the City from complying with the Coastal Act. (Govt. Code § 65589.5(e).) As a result, the law is unsettled as to whether the City has the authority to deny a project without making the required health and safety findings when a project is determined to be inconsistent with the Coastal Act.[9] However, case law generally supports "harmonization" of two statutory schemes – like the HAA and Coastal Act – in a manner that give effect, when possible, to all the provisions of both schemes.[10]

For the reasons explained further below, staff believes that the project can be found consistent with applicable City General Plan/Coastal Land Use Plan and Zoning Code/Local Coastal Plan standards.

Development Plan Approval

In order to approve a Development Plan for the project, the Planning Commission must make all of the findings for approval provided for in CMC 14.68.030, which are listed below:

a. *The proposed development is in conformance with the provisions of the applicable zoning district, Local Coastal Plan and implementation programs, and General Plan.*

[9] Currently, the law and courts have provided limited direction as to how a coastal city should proceed when a project qualifies for protection under the HAA, but is inconsistent with the Coastal Act or a local agency's certified local coastal program. Presumably, the City has discretion to deny a housing development project or condition it to make it consistent with clear, objective Coastal Act policies. The one appellate court that has considered the interplay between the HAA and Coastal Act stated that if it were to consider the question of a conflict between the HAA and Coastal Act, it would likely find that the HAA is subordinate to the Coastal Act based on the portion of the statute cited above. (*Kalnel Gardens, LLC v. City of Los Angeles* (2016) 3 Cal.App.5th 927, 944, fn. 9.) However, since answering this question was not necessary to the court's decision, the decision would not constitute controlling authority in litigation.

[10] See *Linovitz Capo Shores LLC v. California Coastal Com.* (2021) 65 Cal.App.5th 1106, 1117 ("[W]here two statutory schemes are involved, we must, where reasonably possible, harmonize statutes, reconcile seeming inconsistencies in them, and construe them to give force and effect to all of their provisions. … Accordingly, they must be read together and so construed as to give effect, when possible, to all the provisions thereof." (internal quotations and citations omitted).)

b. *The proposed development is sited and designed to avoid risks to life and property due to geologic, flood, or fire hazards and that the proposed density of development is consistent with these objectives.*
c. *The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*
d. *The proposed development will not conflict with any recorded easements acquired by the public at large for access through the property or use of the property or any easements granted to any public agency or required as a condition of approval.*
e. *The proposed development will not adversely affect necessary community services and values including but not limited to traffic circulation, sewage disposal, fire protection, water supply, and police protection.*
f. *The proposed development will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood.*

The proposed development is in conformance with the provisions of the applicable CPD and PRD-13 zoning districts. As previously noted, the project is subject to the Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeal ("CA") Overlay districts and would comply with the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions of Density Bonus Law with respect to allowed density, lot coverage, height and parking.

The proposed visitor-serving commercial use(s) and vertical mixed-use arrangement are consistent with the requirements of the V overlay, provided (future) ground floor commercial tenants are of a visitor-serving nature. Additionally, as required by the FH overlay, all habitable portions of the project are elevated above the 16.2-foot BFE and the parking garage is outfitted with sufficient flood vents, in compliance with FEMA regulations, the City's floodplain management ordinance, and building code requirements. Finally, in compliance with the CA overlay, the required special permit procedures and noticing to the California Coastal Commission will be implemented as a part of the project's public hearing procedures and noticing.

With the approval of the requested Modification to allow for 15% of the parking spaces to be compact-sized, the project would be consistent with all applicable requirements of Title 14, Zoning, as modified under the provisions provided by state Density Bonus Law.

As discussed in more detail in the General Plan / Coastal Plan Neighborhood Policy analysis below, the proposed in-fill project is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood by the City's General Plan/Coastal Land Use Plan.

The proposed development is sited and designed to avoid risks to life and property. The project site is located in an area that, according to the Safety Element of the City's General Plan/Coastal Land Use Plan, has high potential for both liquefaction and expansive soils. As such, a site-specific geotechnical study was prepared for the project which provides recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building permit review process, would ensure that the proposed development is safe from a geologic perspective. Additionally, and as

previously noted, the development is designed to comply with FEMA regulations and the City's floodplain management ordinance to ensure the development is safe from flood hazards. The project is not located in area vulnerable to tsunami risk or sea level rise. Finally, the site is not located within a mapped high fire severity area and with the application of current building and fire codes (e.g., fire alarm and sprinkler systems, new fire hydrants, etc.) as part of the building permit review process, the project would be safe from fire hazards.

The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. However, the western portion of the project site boarders Franklin Creek, and while channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, the creek channel and adjacent buffer are considered important coastal resources that shall be protected. As such, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel. This creek setback "buffer" area is required to be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and project the adjacent creek from untreated runoff. Finally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project.

The proposed development will not conflict with any recorded public access easements as no recorded pubic access easements affect the property, nor are public easements required to effectuate project approval.

The proposed development will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation. Additionally, the site can be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating an ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

As discussed in more detail in the General Plan / Coastal Plan Neighborhood Policy analysis below, the project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan.

Additional supporting evidence is provided in the Findings for Approval, included as Attachment A, Exhibit 1 to this report. Given the above, staff believes all of the necessary findings can be made.

General Plan / Coastal Plan Neighborhood Policies

As referenced in the Site Characteristics and Background section, the project site has split General Plan/Coastal Plan designations of Visitor-serving Commercial ("VC") and General Commercial ("GC"), and is located within Subarea 2a, Downtown Core District, as identified in the Community Design Element.

The following is a list of applicable policies contained in the City's General Plan/Coastal Land Use Plan that pertain to the proposed project, grouped by theme. Analysis is provided to demonstrate project consistency with all applicable policies.

Land Use

Objective LU-1: *Establish the basis for orderly, well planned urban development while protecting coastal resources and providing for greater access and recreational opportunities for the public.*

Objective LU-3: *Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the City's edge.*

Policy LU-3d: *Establish a commercial sector that balances the retail and service needs of citizens and tourists.*

Policy LU-3e: *Direct commercial development toward the center of town and in established commercial nodes. Exceptions include visitor-serving commercial uses in the Bluffs III sub-area, and commercial uses of a character, size and location that are intended solely to serve a specific neighborhood and thereby reduce vehicle trips.*

Policy LU-3f: *Encourage the remodeling and revitalization of neighborhoods and commercial areas in accordance with principles established in the Community Design Element.*

Policy LU-3g: *Provide for a range of business activities that bring vitality, revenue, and employment to Carpinteria and are compatible with its small town character.*

The proposed project is a commercial-residential mixed-use development on the western edge of the City's downtown core in place of an existing equipment rental business. The project represents an opportunity for higher density infill development, including both expanded visitor-serving commercial leasable space and one- and two-bedroom workforce rental housing, including three low-income-restricted affordable units, on an under-utilized site on the Carpinteria Avenue corridor. Downtown mixed-use developments that provide opportunities for both new/expanded commercial development in the downtown and much needed new workforce housing help to achieve the intent of the above Land Use Element policies. Such developments concentrate workforce housing near job centers and existing businesses, and in close proximity to essential services (including, but not limited to, transit). Higher density mixed use developments also help to foster a livelier and more

vital downtown district by introducing additional year-round residents to the area to supplement seasonal tourism and support enhanced opportunities for use of alternative transportation.

The redevelopment of the site with a multi-story mixed-use development creates an opportunity to gain additional utility out of a rare large, but under-developed site in the City's Downtown "T" district. While three-story construction is controversial in the City, the proposed project has attempted to preserve a two-story façade along both the Carpinteria Avenue and Ninth Street frontages, while also providing a meaningful number of new housing units and meeting the project's minimum required parking (as adjusted by Density Bonus Law) in a manner that reflects the (desired) character for the downtown Carpinteria Avenue corridor (i.e., transitioning Carpinteria Avenue into an integrated downtown street similar to Linden Avenue- see Policy CDS2A-c, below).

Visitor-serving Commercial Development

Objective LU-5: *Maintain availability of agriculture, coastal -dependent industry and visitor-serving commercial development including hotels/motels, restaurants and commercial recreation uses.*

Policy LU-5a: *The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.*

Policy LU-5c: *The City shall prohibit the removal or conversion of visitor-serving development unless it will be replaced by development offering comparable visitor-serving opportunities.*

The project site is presently occupied by a long-time tenant operating an equipment rental business with a large outdoor yard devoted to the storage and parking of various equipment, machinery and/or vehicles available for hire. Arguably, the existing use provides an important service to the community, but caters more to residents than visitors despite the property's (partial) visitor-serving commercial designation.

The proposed mixed-use project includes approximately 4,044 square feet of commercial leasable space, situated along the site's Carpinteria Avenue frontage, and distributed between two floors. The ground floor would be oriented directly to the sidewalk on Carpinteria Avenue, including a covered patio space, and the second floor would be distributed among four possible tenant spaces overlooking Carpinteria Avenue. Cumulatively, this new square footage would provide expanded opportunities for new visitor-serving commercial development to be introduced at the west end of the downtown core, and present an opportunity to activate or reinvigorate commercial activity in this part of the downtown. To maintain consistency with the intent of these policies, future commercial tenants of the ground floor space, at minimum, would need to be visitor-serving in nature.

Mixed Use Development

Policy LU-3a: *New development shall occur contiguous to existing developed areas of the city. Higher density in certain residential neighborhoods and for residential uses in commercial districts*

shall be provided as a means to concentrate development in the urban core consistent with zoning designations, particularly where redevelopment of existing structures is proposed.

Policy LU-6a: *The City may consider and permit mixed use (i.e., residential/commercial or residential/industrial) on parcels designated on Figure LU-1 for commercial or industrial use. Such mixed use may be considered if the City has found that either the allowance would encourage rehabilitation of important existing housing stock, or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that mixed use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site.*

Implementation Policy 2: *When residential development is proposed on parcels designated for commercial or industrial use, the residential density shall not exceed the highest residential density permitted in the city's land use categories; i.e., 20 units/acre including any bonus density allowances. The City shall determine the appropriate residential density for a commercial/industrial-designated parcel proposed for residential use on all or a portion of the parcel and shall consider, but not be limited to, the following factors:*

a. *Availability and cost of providing local services and infrastructure; e.g., sewer, water, and schools, and transportation and parking availability.*
b. *Unique site characteristics such as size, shape, topography, and easements*
c. *The existence on site or adjacent to the site of Environmentally Sensitive Habitat area.*
d. *The need for protection or enhancement of other coastal resources; e.g., viewsheds, coastal access, recreation, visitor-serving commercial and other coastal dependent or coastal related uses.*

When mixed-use development is proposed in a common building, determination of the allowable density shall include, in addition to the criteria above, consideration of the intensity of the commercial/industrial use including characteristics such as parking demand, vehicle trip generation, noise and vibration, that could affect compatibility of the residential use with the commercial/industrial component.

In all cases, commercial or industrial use shall be the primary use of a site designated for mixed-use development. A commercial or industrial use of a developed site shall be found by the City to be the primary use if it is greater in area than the residential component and/or is situated and designed such that it both appears and functions as the primary use of the parcel from its primary street frontage.

Policy LU-6c: *Parcels designated coastal-dependent industrial or visitor-serving commercial shall not be considered for mixed use or residential use, with the exception that second-story mixed use or residential use shall be allowed on visitor-serving commercial parcels in the Downtown Core District.*

Policy CDS2A-a: *Encourage and carefully regulate the development of two- and three-story mixed-use building along Linden and Carpinteria Avenues, to define a vital, lively, and valuable center for the city while prioritizing visitor-serving commercial uses.*

Policy CDS2A-b: *Ensure that intensified land uses within the subarea support a lively place to visit, live, work and shop, and that the scale and character of the District remain consistent with the city's "small beach town" image.*

The proposed project is a mixed-use development containing 4,044 square feet of commercial space and 24 rental apartment units (4 one-bedroom units and 20 two-bedroom units). Assuming the maximum allowed residential density of the General Plan / Coastal Land Use Plan pursuant to Density Bonus Law, the project achieves an overall maximum base density of 18 units per acre. The proposal seeks to utilize Density Bonus Law to increase the allowable density onsite to approximately 28 units per acre, which in the case of the subject property would accommodate 24 units, in exchange for setting aside 17% of the base units (i.e., three units) as low-income-restricted affordable units.

Broadly speaking, a "high density" mixed use, rental development such as the proposed project is appropriately located in the City's downtown commercial core where residents of the project would be centrally located near employment, businesses and services, and can in turn help to increase activity and vitality in the downtown district through an increase in year-round residents and reduce reliance on automobiles for short trips and errands A mix of relatively small one and two-bedroom rental housing units is generally appropriate for the type of "workforce" housing desired in the downtown, and in exchange for the granting of a density bonus, would include three low-income-restricted affordable units.

Consistent with the above provisions for mixed-use development in visitor-serving commercial areas, the commercial square footage has been located and configured along the Carpinteria Avenue frontage to appear and function as the "primary" use of the property. The residential component of the mixed-use project would be located behind and/or above the commercial areas, such that it would read as being secondary as viewed from Carpinteria Avenue. Examples of similar approved mixed-use projects in the downtown core along Carpinteria Avenue include the M3 and Benon-Goldberg Mixed Use projects. Viewed from Ninth Street, at the rear of the property, the site would have a more residential character with the project elements fronting Ninth Street being two-stories in height, which is more appropriate to the residential setting of the adjacent parcels along Ninth Street. Through the design review process, and with the help of the ARB, the Ninth Street façade has been refined and better articulated to be of a more residential scale and character.

Two- and especially three-story development in the downtown is sensitive for the community, and redevelopment of this site is no different. While there are other two- and even partial three-story developments in the general vicinity, the introduction of a new multi-story mixed use development on this site will unavoidably be prominently visible given the relatively low intensity of the site's existing use and its adjacency to the (open) Franklin Creek channel and surrounding smaller scale residential and commercial developments. The applicant has made a concerted effort to respond to previous concerns raised by decision-makers to preserve a two-story façade along the Carpinteria Avenue and Ninth Street frontages and to further reduce the visual prominence of the third-story

element by setting it farther back into the lot's interior and articulating the development's exposed western (creek-facing) elevation.

Downtown Core and "Small Beach Town" Character

Objective CD-1: *The size, scale and form of buildings, and their placement on a parcel should be compatible with adjacent and nearby properties, and with the dominant neighborhood or district development pattern.*

Policy OSC-13b: *Require new development or redevelopment in the downtown section of Carpinteria to conform with the scale and character of the existing community and consistent with the city's theme of a small beach-oriented community.*

Objective CD-2: *Architectural designs based on historic regional building types should be encouraged to preserve and enhance the unique character of the city.*

Policy CD-7d: *Courtyard housing types, with multiple small units fronting onto a common courtyard or garden, are encouraged as an alternative to apartment "blocks" or more massive buildings within mixed-use districts.*

The contemplated proposal calls for a three-story mixed-use building with a total square footage of approximately 64,053 square feet and a maximum building height of nearly 36 feet. The building includes a two-story commercial component situated along Carpinteria Avenue and behind it, a three-story apartment complex placed around and atop a ground level parking garage. Through the application of concessions/incentives, waivers or reductions of development standards and automatic reductions granted using Density Bonus Law, the proposed project would exceed the maximum allowed height limitations by approximately six feet, exceed the PRD-zone lot coverage maximums for a portion of the project site, and provide less than the required minimum amount of parking. An additional minor deviation from parking requirements to allow a portion of the parking as compact spaces is proposed and previously discussed.

During the initial joint CC-PC-ARB conceptual review special meeting, many of the City decision-makers commented on the need to balance the desire for new commercial and workforce rental housing in the City's downtown with efforts to preserve the "small beach town" character of the area. Specific suggestions were made to look at ways to further reduce the visibility and prominence of the third level, particularly along the two street frontages, and to break up massing and scale through increased building articulation on exposed elevations.

Following conceptual review, the project was reviewed at a preliminary level two additional times by the ARB, resulting in further refinements to the project in an effort to reduce the prominence of the project, with special focus on the Ninth Street elements. As a result, the ARB provided a recommendation for preliminary approval with specific emphasis on scaling-down the mass of the Ninth Street frontage and acknowledging the ARB's concern about the size, bulk, and scale of future

projects that the Planning Commission should consider.[11] The plans have been updated to address the Board's comments from that meeting, specifically by lowering the overall height of the townhomes fronting Ninth Street approximately six additional inches, resulting in an overall height reduction on the Ninth Street portion of the project of approximately one-foot compared to the ARB's first conceptual review of the project.

Objective CDS2A-2: *Preserve and enhance the downtown's historic status as the center of commercial activity of the city by encouraging a range of uses that serve both residents and visitors.*

Policy CDS2A-a: *Encourage and carefully regulate the development of two- and three-story mixed-use building along Linden and Carpinteria Avenues, to define a vital, lively, and valuable center for the city while prioritizing visitor-serving commercial uses.*

Policy CDS2A-b: *Ensure that intensified land uses within the subarea support a lively place to visit, live, work and shop, and that the scale and character of the District remain consistent with the city's "small beach town" image.*

Policy CDS2A-c: *Encourage the gradual but systematic transformation of Carpinteria Avenue from a highway commercial strip to an integrated downtown street similar in character to Linden Avenue.*

Objective CD-7: *Enhance and maintain the Linden Avenue downtown core, the Carpinteria Avenue commercial core, the Eugenia Professional office area, the Casitas Village, Shepard's place Shopping Center, and the Cindy Lane-Mark Avenue industrial park districts.*

Policy CD-7a: *Retail and commercial uses should generally have large transparent "storefront" windows for display of merchandise to pedestrians. Blank sections of walls on street frontages are strongly discouraged.*

The above objectives and policies encourage the gradual but careful transformation of Carpinteria Avenue into an integrated downtown street similar in character to Linden Avenue. These policies also call for enhancing commercial opportunities in the downtown to the benefit of both residents and visitors. The proposed mixed-use development could be found to be consistent with the intent of these objectives and policies. The project has been designed to include a mix of uses that are desired in the downtown (e.g., additional visitor-serving commercial space and workforce housing) with a frontage design that is appropriate to a downtown pedestrian-oriented setting (with wide sidewalks, large open storefronts, outdoor patio areas, and onsite parking mostly located away from the primary street façade). A two-story façade has been provided along the Carpinteria Avenue frontage in an effort to preserve the (mostly) one- and two-story character of the downtown. Onsite parking to meet the commercial area's minimum required base parking as partially modified by Density Bonus Law is included within the ground-level parking garage. Provided the overall scale, mass, height and

[11] The Planning Commission must review the project under existing City General Plan and Local Coastal Plan standards. Should the Planning Commission have concerns about size, bulk, and scale of future projects those concerns should be addressed as part of the development review for those projects or through legislative action by the City Council to amend the applicable standards.

aesthetics of the building can be supported by the Planning Commission, staff believes the proposed project is consistent with these objectives and policies.

Objective CD-10: *Areas with attractive frontage designs should be maintained. New development should be carefully planned with frontage areas which maintain and enhance the quality of Carpinteria's streetscape.*

Policy CD-10a: *Minor variations in front yard building alignments within a block are encouraged. Relatively steady setback patterns clearly define the public space of the street and reinforce small town character.*

Policy CD-10c: *Commercial and mixed-use frontages should generally have wide sidewalks adequate to encourage customers and residents to walk, shop and linger in the public right-of-way. Commercial buildings should have large windows and entries on the street at the ground level. Residential ground floor uses should be set up or back from the street enough to afford privacy within the dwelling.*

The front building setback along Carpinteria Avenue for the commercial portion of the project would generally align with other commercial buildings on the street, built up to the sidewalk or allowing for a wider sidewalk to be installed. The residential portion of the building and covered parking garage below would be set back into the lot to both reinforce the "primary" commercial use of the site and to help soften the visibility and scale of the three-story building mass. The commercial component has been designed to open onto Carpinteria Avenue and features large storefronts facing the street or overlooking the sidewalk, and a ground floor-level covered patio fronting on the sidewalk. These features are consistent with the desired frontage treatments for new development in the city's downtown core.

Along the Ninth Street frontage, the building's mass, scale and height have been restudied in response to previous decision-maker comments. The massing of the Ninth street frontage has been brought down to two-stories in height and features five units oriented to the street with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and private second floor deck. Individual units on the Ninth Street frontage have been slightly staggered and offset, which allows for the introduction of varied exterior finishes/colors and helps to give each unit its own identity. The entry to the parking garage is given a different architectural treatment to help further break up massing and provide it with a different identity from the attached residential units. As such, staff believes the proposed project is consistent with these objectives and policies.

Objective CDS2A-1: *Preserve and strengthen the visual and physical connections between the downtown and the beach, mountains, and other neighborhoods.*

Policy CDS2A-d: *Enhance the pedestrian character of the District's streets, plazas, paseos, parks and lanes.*

Policy C-7b: *Develop safe and direct pedestrian accessibility between residential areas, schools, parks, and shopping areas in both new and existing urban areas.*

CDS2A Implementation Policy 26: *The provision of small spaces with benches, fountains, public art and other special elements that encourage people to gather and linger in public should be encouraged, particularly where they support businesses, such as sidewalk cafes.*
CDS2A Implementation Policy 27: *Gardens or plazas should be located adjacent to viable commercial uses or designed for a specific active uses, such as a children's play area.*

The proposed mixed-use project has been designed with a significant amount of open space despite the overall size of the development. The required 50-foot setback from the Franklin Creek channel would, by itself, constitute approximately 14% of the site, and provide an area for passive recreational use and storm water treatment within an enhanced riparian buffer zone. Areas for decorative planters and landscaping have been provided around the remaining perimeter of the site and in centralized areas of the residential courtyards and deck on the second and third levels.

The commercial element of the project, located along the Carpinteria Avenue frontage, includes wide sidewalks/walkways around the building and a ground floor covered patio area fronting the street. These types of spaces could be used to accommodate outdoor café seating or similar amenities which would be in keeping with the above policies. At the direction of the ARB, the stair entry from Carpinteria Avenue to the upper building floors was restudied and made into a more grand entry statement, which helps to enhance the architectural design and draw pedestrians into the development. The residential portion of the project would make use of centralized courtyards and a portion of the building rooftop to provide outdoor common area amenities for residents of the development. Small private ground floor porches and/or upper floor decks are also proposed for each of the residential units, oriented out toward the perimeter of the site.

Public Parking and Infrastructure

Policy LU-3h: *Develop land uses that encourage the thoughtful layout of transportation networks, minimize the impacts of vehicles in the community, and encourage alternative means of transportation.*

Policy LU-3i: *Ensure the provision of adequate services and resources, including parking, public transit and recreational facilities, to serve proposed development.*

CDS2A Implementation Policy 29: *On-street parking and public parking requirements for coastal access shall be considered in deciding the required amount of off-street parking. Parking lots are discouraged on street frontages and are strongly discouraged on corner lots.*

Policy C-3l: *Provide sufficient parking and loading space in commercial and industrial areas to minimize interference with efficient traffic circulation.*

Per the City's Zoning Code, the contemplated mix of uses would require a minimum of 69 parking spaces, not accounting for any additional parking that may be required for certain higher intensity commercial uses (e.g., restaurants). However, as part of the applicant's utilization of Density Bonus Law, the project makes use of reduced residential parking requirements, which in this case have allowed the provided parking to be reduced to 53 spaces. These 53 spaces would serve both the onsite commercial and residential uses, including visitor spaces. As discussed previously, these 53 spaces

would meet the project's minimum required parking as adjusted by Density Bonus Law. In the event the project requires additional parking (due to restaurant seating, for example), the applicant could request to utilize an additional waiver or reduction granted by Density Bonus Law to reduce the amount of required onsite commercial parking or may seek coverage under the parking relief granted by AB 2097 (if applicable) or other applicable state and local laws. As previously noted, the project also calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirement.

The onsite parking would be accessed from either the primary driveway on Carpinteria Avenue or a secondary driveway on Ninth Street. Room for six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements, where on-street parking demands have been historically high. While this proposed layout would formalize and improve pedestrian accessibility along Ninth Street, it would no doubt result in a net loss of "on-street" parking capacity compared to the informal use of the property's Ninth Street frontage for parking currently. The project provides both secure onsite bicycle parking within the parking podium for residents, as well as additional bicycle parking along the Carpinteria Avenue frontage to serve the commercial spaces.

The site's location within the Downtown "T" on Carpinteria Avenue would also allow the project to utilize existing transit and alternative transportation infrastructure. Carpinteria Avenue is improved with class II bicycle lanes and continuous sidewalks leading into the downtown, and MTD's line 20 bus service runs along Carpinteria Avenue with stops in close proximity to the project site. The City's train station platform is located approximately one-half-mile away.

Objective PF-5: *To provide a high quality and broad range of public services, facilities and utilities to meet the needs of all present and future residents of the Carpinteria Planning Area.*

Policy PF-5b: *The City will require proposed new developments to pay a fair share of the cost of needed public facilities and services. Further, in areas of the city designated for non-residential use but where residential use may be permitted, the City shall monitor total residential development and report annually to the School, Fire, Water and Sanitary districts to permit proper facilities planning by these special districts.*

Policy PF-5c: *The City will ensure that new development will not adversely impact services and facilities provided to existing development.*

The site can be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating an ability to serve the project with the application of appropriate conditions of approval on the project.

Policy OSC-6f: *All development shall be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the*

following progression: (1) Site Design BMPs, (2) Source Control BMPs, and (3) Treatment Control BMPs.

The proposed project would remove all existing buildings and hardscape areas, and redevelop the entire site. As such, the project qualifies as a "Tier 4" storm water project (projects with 22,500 square feet or more of impervious surfaces). Such projects must implement the following stormwater design measures:

- Implement Low Impact Development (LID) Measures:
  - Limit disturbance of natural drainage features;
  - Limit clearing, grading and soil compaction;
  - Minimize impervious surfaces;
  - Minimize runoff by dispersing runoff to landscape or using permeable pavements.
- Treat runoff with an approved and appropriately sized LID treatment system prior to discharge from the site;
- Prevent offsite discharge from events up to the 95th percentile rainfall event using Stormwater Control Measures.
- Control peak flows to not exceed pre-project flows for the 2-year through 10-year storm events.

The proposed project's storm water plan has been reviewed by Public Works staff and was confirmed to comply with the City's storm water requirements. The project's storm water plan incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development (LID) measures to treat stormwater and project the adjacent creek from untreated runoff.

Public View Corridors

Objective CD-3: *The design of the community should be consistent with the desire to protect views of the mountains and the sea (California Coastal Act of 1976 §30251).*

Objective OSC-13: *Preserve Carpinteria's visual resources.*

Policy OSC-13a: *Preserve broad, unobstructed views from the nearest public street to the ocean, including but not limited to Linden Avenue, Bailard Avenue, Carpinteria Avenue, and U.S. Highway 101. In addition, design and site new development on or adjacent to bluffs, beaches, streams, or the Salt Marsh to prevent adverse impacts on these visual resources. New development shall be subject to all of the following measures:*

a. *Height and siting restrictions to avoid obstruction of existing views of visual resources from the nearest public areas.*
b. *In addition to the bluff setback required for safety, additional bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Blufftop structures shall be set back from the bluff edge sufficiently far to ensure that the structure does not infringe on views from the beach except in areas where existing structures already impact public views from the beach. In such cases, the new structure shall not be greater in height than adjacent structures and shall not encroach seaward beyond a plane*

created by extending a straight line ("stringline") between the nearest building corners of the existing buildings on either side of the proposed development. Patios, balconies, porches and similar appurtenances, shall not encroach beyond a plane created by extending a straight line between the nearest corners closest to the beach from the existing balconies, porches or similar appurtenances on either side of the proposed development. If the stringline is grossly inconsistent with the established line of seaward encroachment, the Planning Commission or City Council may act to establish an encroachment limit that is consistent with the dominant encroachment line while still limiting seaward encroachment as much as possible.

c. *Special landscaping requirements to mitigate visual impacts.*

Objective CDS2A-1: *Preserve and strengthen the visual and physical connections between the downtown and the beach, mountains, and other neighborhoods.*

The project site is situated with its primary frontage along Carpinteria Avenue and a secondary frontage on Ninth Street. Public ocean views are not available from this location and thus would not be impacted by redevelopment of the site. Public mountain views are available along Carpinteria Avenue, but are of marginal quality and constrained to mainly looking down the street corridor or as glimpses over and between existing developments. The project's location on the south side of Carpinteria Avenue is not expected to further interfere with these (limited) views.

Public views from Ninth Street towards the mountains are similarly compromised by existing landscaping and development. Construction of a new two- and three-story mixed-use building would further constrain these view corridors, although the adjacent Franklin Creek channel and the project's required 50-foot setback from said channel would provide an opportunity to preserve and perhaps enhance a mountain view corridor from near the terminus of Ninth Street and from the Ninth Street pedestrian bridge. Additionally, there are opportunities to create new view corridors from new trails proposed to be constructed within the creek channel setback and right-of-way.

Creek Setback

Objective OSC-6: *Preserve the natural environmental qualities of creekways and protect riparian habitat.*

Policy OSC-6a: *Support the preservation of creeks and their corridors as open space, and maintain and restore riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities.*

OSC-6-Implementation Policy 25: *A setback of 50 feet from top of the upper bank of creeks or existing edge of riparian vegetation (dripline), whichever is further, shall be established and maintained for all development. This setback may be increased to account for site-specific conditions. The following factors shall be used to determine the extent of an increase in setback requirements:*

a. *Soil type and stability of the stream corridor*
b. *How surface water filters into the ground*
c. *Types and amount of riparian vegetation and how such vegetation contributes to soil stability and habitat value*

d. Slopes of the land on either side of the stream
e. Location of the 100 year floodplain boundary, and
f. Consistency with other applicable adopted plans, conditions, regulations and/or policies concerning protection of resources.

Where existing buildings and improvements, conforming as to use but nonconforming as to the minimum creek setback established herein, are damaged or destroyed by fire, flood, earthquake or other natural disaster, such buildings and improvements may be reconstructed to the same or lesser size and in the same general footprint location, provided that reconstruction shall be inaugurated by the submittal of a complete construction application within 24 months of the time of damage and be diligently carried to completion.

OSC-6-Implementation Policy 26: *Prior to issuance of a development permit, all projects shall conform with the applicable habitat protection policies including but not limited to the General Plan/Local Coastal Plan, Open Space Bluffs Master Program, Creek Preservation Ordinance, and the Zoning Ordinance.*

The western portion of the project site borders Franklin Creek, and while channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, the creek channel and adjacent buffer are considered important coastal resources that shall be protected. As such, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel. This creek setback "buffer" area is required to be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Limited opportunities for passive recreational use within the creek setback, such as the proposed walking path, are permissible Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and protect the adjacent creek from untreated runoff. Finally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project.

Public Safety

Objective S-1: *Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from fault surface rupture in the planning area, from ground shaking due to an earthquake along a fault in the planning area or in the region, from seismically-induced liquefaction in the planning area, and from seismically-induced tsunamis.*

Objective S-3: *Minimize the potential risks and reduce the loss of property and the economic and social dislocations resulting from expansive soils, soil settlement, subsidence, and hydrocompaction.*

According to Figures S-2 and S-3 of the City's General Plan/Coastal Land Use Plan, the project site is located in an area that is potentially vulnerable to a high risk of liquefaction and expansive soils. As such, a site-specific geotechnical study was prepared for the project which provides recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building

permit review process, would ensure that the proposed development is safe from a geologic perspective.

Objective S-4: *Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from flooding.*

The project site is currently located in a flood hazard area (zone AE) according to the current FEMA FIRM for the area. As previously noted, the development is designed to comply with FEMA regulations and the City's floodplain management ordinance to ensure the development is safe from flood hazards. Finally, the site is not located within a mapped high fire severity area and with the application of current building and fire codes as part of the building permit review process, the project would be safe from fire hazards. The project site was not identified as being vulnerable to possible future sea level rise in the City's draft Sea Level Rise Vulnerability document, nor is the property identified as being vulnerable to tsunami risk.

Objective S-5: *Minimize the potential risks and reduce the loss of life, property and economic and social dislocation resulting from urban and wildland fires.*

Policy S-5a: *All new structures must adhere to the Carpinteria-Summerland Fire Protection District Ordinance and the Santa Barbara County Fire Department Ordinances, where applicable.*

The project site is not located within an identified high fire hazard area. Nevertheless, the project plans have been reviewed by the Fire District to ensure compliance with applicable Fire District Ordinance requirements, including but not limited to fire prevention, emergency access, the installation of new public fire hydrants on each street frontage and the provisions of sprinkler/alarm systems within the development.

Noise

Objective N-3: *The City will minimize the adverse effects of traffic generated noise from City streets on residential and other sensitive land uses.*

N-3-Implementation Policy 1: *The City will use the land use/noise compatibility matrix shown on Figure N-3 to determine the appropriateness of land uses relative to roadway noise.*

N-3-Implementation Policy 2: *An acoustical study showing the ability to meet state noise insulation standards will be required for any development proposed in an area where noise exceeds the "normally acceptable" level shown on Figure N-3.*

According to Figures N-1 and N-2 (Existing and Future Noise Contours) of the City's General Plan/Coastal Land Use Plan, the project site is located in an area with expected noise levels in the 60-65 dBA range. The City's Land Use Compatibility Matrix (Figure N-3 in the General Plan/Coastal Land Use Plan) identifies commercial uses as "normally acceptable" within this noise range and multifamily residential uses as being "conditionally acceptable" within this range. Accordingly, an acoustical and construction noise study was provided to the City by a qualified consultant, which studied project-related impacts to both interior and exterior noise levels. With the incorporation of certain construction materials and techniques recommended in the study, including the specified

windows, doors, mechanical ventilation and sealant details, interior noise levels of the project would ensure interior residential noise thresholds are not exceeded.

Objective N-5: *The City will minimize the effects of nuisance noise effects on sensitive land uses.*

Policy N-5a: *The City will address nuisance noise on a case-by-case basis and develop appropriate mitigation measures such as scheduling of events or activities during hours when effects would be minimal.*

The project site is bordered by commercial uses to the east on Carpinteria Avenue and by the Franklin Creek channel to the west. To the south (rear) and southeast, behind the project site, are located a mix of residential uses. The greater surrounding area also contains residential units that are located within one block of the project site. The project site itself would also include new residential units in immediate proximity to the onsite commercial uses. In general, the downtown core is an appropriate and desired location for commercial uses, including those integrated into a mixed-use development. The provision of outdoor useable areas for both commercial tenants and residents of the development are encouraged and appropriate for the downtown setting.

Nevertheless, these types of anticipated uses and amenities can create the potential for nuisance noise impacts that could negatively affect some of the surrounding existing and proposed residential land uses. For example, outdoor patios or upper floor decks could create land use compatibility concerns during the evening hours. These types of operational nuisance noise impacts can be addressed through limitations on uses (e.g., restricted use hours, limitations on outdoor events, etc.) as incorporated in the recommended conditions of approval included as Attachment A, Exhibit 3.

The acoustical and construction noise study concluded that with the incorporation of standard City construction noise conditions of approval (e.g., construction hour restrictions, equipment mufflers and silent alarms, specified equipment staging areas and assignment of an on-site "noise disturbance coordinator"), the project would comply with the City's General/Coastal Plan Noise Element policies with respect to exterior noise standards.

Housing Element

On January 22, 2024, the City Council re-adopted the City's 2023-2031 Housing Element. The updated Housing Element was reviewed by State Department of Housing and Community Development ("HCD") and found to be in "substantial compliance" with state housing law once adopted on January 8, 2024. The Housing Element includes a number of housing goals, policies and programs intended to identify the City's housing needs and a variety of strategies and programs to address those needs. The following Housing Element program categories, goals and policies are relevant to the proposed project.

Program Category #1. *Make Sites Available to Accommodate the RHNA.*

Goals:

- *Maintain an adequate supply of appropriately zoned land and take all necessary actions to support the production of at least 901 housing units in the City to accommodate the RHNA allocation for the 2023-2031 period.*
- *Maintain a jobs-housing balance or ratio within the 0.75 to 1.25 range suggested by the Santa Barbara County Association of Governments.*

Policies:

- **Adequate Sites:** *Provide sufficient sites in the General Plan/Coastal Plan and Zoning Code and associated Land Use and Zoning Maps to accommodate the housing needs allocated to the City in the Regional Housing Needs Allocation (RHNA) Plan.*
- **Housing Types:** *In the General Plan/Coastal Plan and implementing ordinances, provide for a mix of housing types consistent with the City's needs, including single-family detached and multi-family housing.*

Program Category #2. *Assist in the Development of Adequate Housing to Meet the Needs of Extremely-Low-, Very-Low-, Low-, and Moderate-Income Households.*

Goals:

- *Attain a housing supply that meets a variety of housing needs.*
- *Attain a housing supply that meets the needs of extremely-low-, very-low-, low- and moderate-income households.*

Policies:

- **Infill Development:** *Promote infill housing development through land use policies and by deferring or reducing development impact fees where the City wants to encourage infill development.*
- **Downtown Mixed Use:** *Encourage studio and one bedroom units above commercial uses in the downtown district to reduce parking needs and facilitate affordability.*

Consistent with many of the above-listed Housing Element programs, goals and policies, the proposed mixed-use development in the City's downtown core includes a mix of one and two-bedroom workforce rental housing units. Further, the applicant proposes to utilize Density Bonus Law provisions to: 1.) set aside three of the units for long-term (i.e., 55 years) affordability for low-income households; and 2.) allow for the provision of additional dwelling units through a higher residential density than the City's zoning regulations would otherwise allow for (equivalent to ~28 dwelling units/acre). Accordingly, this project represents an opportunity to achieve a high-density infill project in the City's downtown that would provide additional important workforce housing.

The project site has been identified as an opportunity site in the City's Housing Element for infill residential development (See Housing Element, Tab. B-3). With the use of state Density Bonus Law, the contemplated project would be above the minimum desired density identified in the Housing Element. The majority of the units would be available as market rate rental housing units, although three of the units would be set aside for low-income-restricted households. With respect to unit size, Program Category #2, above, specifically encourages the provision of smaller studio and one-bedroom apartments in the downtown as a strategy to provide more affordable housing opportunities. The proposed project includes four one-bedroom apartments, with the remaining 20 units as two-bedroom units.

VI. DEVELOPMENT IMPACT FEES

A series of ordinances and resolutions adopted by the City Council require the payment of various development impact fees. If the project were approved as submitted, it would be subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid. The Fees are updated annually in July.

The developer of a project that is required to pay development impact fees may apply to the City Council for a reduction, adjustment or waiver of any of those fees based on the absence of any reasonable relationship or nexus between the impacts of the proposed development and either the amount of the fee(s) charged or the type of facilities to be financed. The application must be in writing and must be submitted to the city clerk either ten days prior to the public hearing on the development permit for the project, or if no development permit is required, at the time of building permit application.

Estimated Development Impact Fees

Fee Type	Fee Per Unit/Sq. Ft. Unless noted otherwise	Total Fee
Streets and Thoroughfares	$957.06/$2.12	$31,536.36
Highway Interchanges & Bridges	$4,886.60/$10.84	$161,082.84
Traffic Control Facilities	$392.75/$0.87	$12,941.67
General Facilities & Equipment	$1,068.68/$0.87	$27,224.31
Storm Drainage Facilities	$1,174.11/$0.99	$32,179.23
Parks and Recreational Facilities	$4,259.24	$102,221.76
Aquatics Facilities	$266.65	$6,399.60
Open Space Acquisition Fees	$6.04/sq. ft.	$24,407.64
TOTAL		**$397,993.41**

Other Estimated Fees

Fee Type	Fee Per Unit Unless noted otherwise	Total Fee
Carp.-Summerland Fire District Fire Protection Certificate Fire Mitigation Fee (res.) Fire Mitigation Fee (com.)	 $229.00 $2004.76 (res.) $4.35/sq. ft. (com.)	 229.00 $48,114.24 $17,591.40
Carpinteria Sanitary District Development Impact Fee (res.) Development Impact Fee (com.)	 $6,576 -	 $157,824.00 $23,741.48
Carpinteria Water District* Capital Cost Recovery Fees	$TBD/meter $43,862 (fire service)	$TBD $43,862
School District	$3.48/ habitable sq. ft. (31,026 sq. ft.)	$107,970.48

	$0.56/ non- habitable sq. ft. (4,044 sq. ft.)	$2,264.64
New Construction Tax	$0.0450 per sq. ft	$181.85
Landscape Bond	$500.00	$500.00
TOTAL**		**$402,279.09**

* A decision on the need for individual meters vs. a "master meter" is under review by the Water District. Therefore, the total Water District fee has not been determined.
** Total does not include any required meter fee as determined by the Water District.

VII. ACTION OPTIONS

1. Approve Project 23-2221-DP/CDP to allow a new three-story mixed-use (commercial / residential) development totaling approximately 64,053 square feet including a 24-unit apartment complex built around and atop a ground-level concrete parking podium and two-story commercial building fronting Carpinteria Avenue; accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA"); and adopt the Findings in Exhibit 1, Attachment A and Conditions of Approval as proposed in Exhibit 3, (staff's recommendation)

2. Direct the applicant to prepare project revisions and return to the next Commission meeting.

3. Conceptually deny the project as proposed, and continue the item with direction for staff to return with findings for denial to the Planning Commission's next meeting.

VIII. ATTACHMENTS

Attachment A- Resolution PC-24-001
Exhibit 1 – Findings for Approval
Exhibit 2 – Plan Set
Exhibit 3 – Recommended Conditions of Approval

Attachment B- Exhibit 1 – Minutes from the December 19, 2022 Joint ARB-PC-CC Meeting
Exhibit 2 – December 19, 2022 joint ARB-PC-CC Meeting Plan Set

Attachment C- Exhibit 1 – Minutes from the May 25, 2023 Conceptual ARB Meeting
Exhibit 2 – May 25, 2023 Conceptual ARB meeting Plan Set

Attachment D- Exhibit 1 – Minutes from the August 31, 2023 Preliminary ARB Meeting
Exhibit 2 – August 18, 2023 Preliminary ARB meeting Story Pole Photographs
Exhibit 3 – August 31, 2023 Preliminary ARB meeting Plan Set

Attachment E- Exhibit 1 – Minutes from the October 26, 2023 Continued Preliminary ARB Meeting
Exhibit 2 – October 26, 2023 Continued Preliminary ARB meeting Plan Set

Attachment F- CEQA Notice of Exemption

Attachment A
Resolution PC-24-001

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

RESOLUTION NO. PC-24-001

A RESOLUTION OF THE CITY OF CARPINTERIA PLANNING COMMISSION APPROVING A DEVELOPMENT PLAN AND COASTAL DEVELOPMENT PERMIT FOR PROJECT 23-2221- DP/CDP/ARB FOR THE 4745 CARPINTERIA AVENUE MIXED USE DEVELOPMENT PROJECT. THE PROJECT IS LOCATED AT 4745 CARPINTERIA AVENUE (APN 003-251-021), REQUESTED BY EDWARD DEVICENTE, DMHA ARCHITECTURE.

WHEREAS, the Carpinteria Planning Commission has considered an application for a Development Plan and Coastal Development Permit filed by Edward DeVicente, Architect, on behalf of Justin Klentner, on April 14, 2023, to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development consisting of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue; and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on November 28, 2023; and

WHEREAS, a similar mixed-use proposal was previously reviewed at a conceptual level during a joint meeting of the City Council-Planning Commission-Architectural Review Board on December 19, 2022 wherein feedback was provided to the applicant; and

WHEREAS, the ARB considered the proposed project at a conceptual review level at their May 25, 2023 meeting, and at a preliminary review at their August 31, 2023 and October 26, 2023 meetings, culminating in an ARB recommendation for preliminary approval with comments; and

WHEREAS, applicant has made good faith effort to respond to and revise plans to address the City of Carpinteria Architectural Review Board comments; and

WHEREAS, the Planning Commission has conducted a noticed public hearing and received evidence regarding the application for the Development Plan and Coastal Development Permit; and

WHEREAS, applicant is applying provisions of the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units which exceed the City's maximum density under the current zoning designation in exchange for designating three of the units as low-income-restricted rentals; and

WHEREAS, applicant is requesting concessions or incentives and/or waivers or reduction of development standards under the provisions of Density Bonus Law to allow the project building height and lot coverage to exceed the City's maximum height and lot coverage under the current zoning designation to facilitate the construction of the project; and

WHEREAS, applicant is requesting use of the specified parking ratios under provisions of Density Bonus Law to allow the project to provide 53 total parking spaces for the onsite commercial and residential uses, including visitor spaces; and

WHEREAS, the Planning Commission has considered a request for a modification of the zoning district requirements for allowance of fifteen percent (15%) of the project parking spaces to be of compact size as specified in Chapter 14.54; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15332 (in-fill development projects); and

WHEREAS, the Planning Commission has reviewed the policies of the General Plan/Coastal Land Use Plan and the Zoning Code standards that are applicable and relevant to the project.

NOW THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The Development Plan, including a Modification to allow compact parking spaces, and Coastal Development Permit are approved, making the Findings for approval outlined in Exhibit 1;

2. The Notice of Exemption prepared for the project (Attachment F to the staff report) is accepted as having satisfied the requirements of CEQA; and

3. The Development Plan and Coastal Development Permit consistent with the plans shown in Exhibit 2 are approved subject to the project conditions of approval set forth in Exhibit 3.

PASSED, APPROVED AND ADOPTED this 5th day of February 2024, by the following called vote:

AYES: Commissioners:

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Jane L. Benefield, Chair

ATTEST:

Nick Bobroff, Secretary

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Planning Commission of the City of Carpinteria held the 5th day of February 2024.

Attachment A
Exhibit 1:
Findings for Approval

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

ATTACHMENT A
EXHIBIT 1: FINDINGS FOR APPROVAL

CITY OF CARPINTERIA PLANNING COMMISSION HEARING
PROJECT 23-2221-DP/CDP/ARB
FEBRUARY 5, 2024

4745 CARPINTERIA AVENUE MIXED USE DEVELOPMENT
4745 CARPINTERIA AVENUE
REQUESTED BY EDWARD DEVICENTE, DMHA ARCHITECTURE

FINDINGS PURSUANT TO GOVERNMENT CODE, LOCAL COASTAL PLAN, GENERAL PLAN, AND TITLE 14 OF THE CARPINTERIA MUNICIPAL CODE

1.0 Administrative Findings

The Planning Commission hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the Planning Commission and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Development Plan and Local Coastal Development Permit has been properly conducted as follows:

a. An application for a Development Plan and Coastal Development Permit was submitted on April 14, 2023, and deemed complete and accepted by the City as being consistent with the applicable submittal requirements on November 28, 2023. Said application and all related material have been available for public review at City offices since the date of submittal.

b. The application has been evaluated and found to conform to the applicable zone district and to be consistent with the applicable City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

c. The project has been reviewed by the City's Architectural Review Board at duly noticed public meetings which included, but is not limited to, mailed notice to all property owners within 300 feet and occupants within 100 feet of the subject property.

d. The project has been reviewed by the City's Planning Commission at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet and all occupants within 100 feet of the subject property and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

As presented in the staff report and Notice of Exemption prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the Planning Commission finds that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-fill Development Projects) of the Guidelines for the Implementation of the California Environmental Quality Act as the project includes redevelopment of a project site substantially surrounded by urban uses and that meets all of the statutory criteria required for use of the In-fill Development Projects exemption.

1.3 Development Plan Findings

Pursuant to Carpinteria Municipal Code §14.68.030(9), the Planning Commission shall determine that all of the following criteria have been met prior to approving or approving with conditions a Development Plan:

1. *The proposed development is in conformance with the provisions of the applicable zoning district, Local Coastal Plan and implementation programs, and General Plan.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is consistent with the City's General Plan/Coastal Plan. The project site's General/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a mixture of retail, service, office, and residential uses as would be typical of a mixed-use project.

   The2project is also consistent with the City's applicable Zoning designations and development standards. The project site is split-zoned with the majority of the property zoned Commercial Planned Development ("CPD"), and remaining portion zoned Planned Residential Development ("PRD-13"). The CDP zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential

elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The proposed development is also in conformance with the applicable Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply with the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height, and required parking. The project qualifies for Density Bonus Law by setting aside three units of the eighteen base units for low-income households at affordable rents for a period of 55 years in exchange for a 29.0% bonus density (i.e., six additional units). The project also proposes use of one concessions or incentive to exceed the maximum building height; and one waiver or reduction of development standards to exceed the PRD zone district maximum lot coverage. The project also calls for utilizing the reduced residential parking requirements stipulated in state Density Bonus Law to reduce the overall required number of residential parking spaces.

The project also calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirements. As reflected on the project plans, the applicant proposes to designate eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to the development standards as to the design (size) of the parking spaces. The City's Zoning standards do not include standardized provisions for the use of compact-sized spaces, however, by satisfying the required number of parking spaces (as modified under the provisions of Density Bonus Law), and satisfying at least one of the required criteria for approval of a Modification (i.e., provision of affordable housing units), the project would comply with the zone district parking requirements.

2. *The proposed development is sited and designed to avoid risks to life and property due to geologic, flood, or fire hazards and that the proposed density of development is consistent with these objectives.*

As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is sited and designed to avoid risks to life and property, and is consistent with the contemplated density for this site as shown in the City's Land Use Map, and as modified through application of state Density Bonus Law. The project site is located in an area that, according to the Safety Element of the City's General Plan/Coastal Land Use Plan, has high potential for both liquefaction and expansive soils. As such, a site-specific geotechnical study was prepared for the project which provides

recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building permit review process, would ensure that the proposed development is safe from a geologic perspective. Additionally, the development is designed to comply with FEMA regulations and the City's floodplain management ordinance to ensure the development is safe from flood hazards. Further, the project site is not identified as being located in an area prone to tsunami or sea level rise hazards. Finally, the site is not located within a mapped high fire severity area and with the application of current building and fire codes as part of the building permit review process, the project would be safe from fire hazards.

3. *The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not cause substantial environmental damage. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. The western portion of the project site borders Franklin Creek, which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered potential habitat area and the creek channel and adjacent buffer are considered important coastal resources that shall be protected. As such, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel. This creek setback "buffer" area is required to be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and protect the adjacent creek from untreated runoff. Additionally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project. Lastly, standard construction phase conditions of approval are included to ensure temporary impacts related to dust, erosion/sedimentation, spills/water quality, air quality/emissions, and noise would be avoided or minimized.

4. *The proposed development will not conflict with any recorded easements acquired by the public at large for access through the property or use of the property or any easements granted to any public agency or required as a condition of approval.*

   The proposed development will not conflict with any recorded public access easements as no recorded pubic access easements affect the property, nor are public easements required to effectuate project approval.

5. *The proposed development will not adversely affect necessary community services and values including but not limited to traffic circulation, sewage disposal, fire protection, water supply, and police protection.*

As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled ("VMT") calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, including integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces, for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

The project site is presently served by all utilities and services, and the described project can continue to be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating the ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

6. *The proposed development will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood.*

As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood. Through successive project design iterations in response to comments received during the City's architectural review process, the project's Ninth Street elements have been reduced in height from the original application submittal. In addition, even with the parking reductions incorporated into the project as allowed under state Density Bonus Law, the project provides in excess of the minimum number of required on-site parking spaces allowable under state law. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan.

As discussed in more detail in the General Plan / Coastal Plan Neighborhood Policy analysis below, the proposed in-fill project is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood by the City's General Plan/Coastal Land Use Plan.

Downtown mixed-use developments that provide opportunities for both new/expanded commercial development in the downtown and much needed new workforce housing help to achieve the intent of the above Land Use Element policies. Such developments concentrate workforce housing near job centers and existing businesses, and in close proximity to essential services (including, but not limited to, transit). Higher density mixed use developments also help to foster a livelier and more vital downtown district by introducing additional year-round residents to the area to supplement seasonal tourism and support enhanced opportunities for use of alternative transportation.

The proposed development will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

The redevelopment of the site with a multi-story mixed-use development creates an opportunity to gain additional utility out of a rare large, but under-developed site in the City's Downtown "T" district.

Cumulatively, this new square footage would provide expanded opportunities for new visitor-serving commercial development to be introduced at the west end of the downtown core, and present an opportunity to provide compatible commercial activity in this part of the downtown. To maintain consistency with the intent of these policies, future commercial tenants of the ground floor space, at minimum, would need to be visitor-serving in nature.

The site's location within the Downtown "T" on Carpinteria Avenue would also allow the project to utilize existing transit and alternative transportation infrastructure. Carpinteria Avenue is improved with class II bicycle lanes and continuous sidewalks leading into the downtown, and MTD's line 20 bus service runs along Carpinteria Avenue with stops in close proximity to the project site. The City's train station platform is located approximately one-half-mile away.

1.4 Development Plan Modification Findings

Pursuant to Carpinteria Municipal Code §14.50.120, in reviewing a Development Plan, the Planning Commission or City Council may consider modification of requirements of the base zoning district in which the proposed development is located, including building height, yard setback, parking, building coverage or landscaping, if it is determined that

such modification is necessary to accommodate an innovative project which will result in at least one of the following public benefits:

1. *Energy efficient heating/cooling; or*
2. *Provision of affordable housing units through a mix of housing types, innovative design and construction techniques, or other means; or*
3. *Provision of a larger amount of open space or landscaping than the minimum requirements of the district.*

As referenced in the Development Plan Findings above, and as presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the project calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirement. As reflected on the project plans, the applicant designates eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to development standards as to the design (size) of the parking spaces. As currently designed, the parking area serves as a "podium" over which the majority of the project is constructed, thus maximizing the available site area for open space and landscaping. Allowing for the compact spaces further allows for the provision of more parking spaces and/or a smaller development footprint for the parking area. Given the alternatives allowed by the state Density Bonus Law, the fact that the project may also qualify for coverage under AB 2097 to eliminate parking entirely, and because the project provides three dedicated low-income affordable housing units and innovative design, the Planning Commission can make the required Findings #2 and 3, as provided in the Municipal Code.

1.5 Coastal Development Permit Finding

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's certified Local Coastal Program, it has been found that the permit requested may be issued based on the following findings:

1. *The proposed development is in conformity with the City's certified Local Coastal Program.*

   As referenced in the Development Plan Findings above, and as presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is in conformity with the City's certified Local Coastal Program. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan's Visitor-Serving Commercial ("VC") and General Commercial ("GC") land use designations.

   The project is also consistent with the City's Commercial Planned Development ("CPD") and Planned Residential Development ("PRD-13") zoning designations. The CDP zone designation allows for commercial development including a variety of

office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The proposed development is also in conformance with the Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height and required parking, and as further modified through approval of a Development Plan Modification to allow for 15% of the provided onsite parking to utilize compact-size spaces.

An analysis of the project's conformity with the Objectives and Policies of the City's certified Local Coastal Program is presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference. As discussed in the staff report, the project has been found to be consistent with the applicable objectives and policies of the Land Use; Community Design; Circulation; Open Space, Recreation & Conservation; Safety; Noise; Public Facilities; and Housing Elements of the City's General Plan/Coastal Land Use Plan. Therefore, this finding can be made.

Attachment A
Exhibit 2:
Reduced Plan Set

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

4745 CARPINTERIA AVE

PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES

CODE COMPLIANCE

VICINITY MAP

PROJECT SCOPE

PROJECT INFORMATION

PROJECT DIRECTORY

SHEET INDEX

FLOOR AREA (NET)

GROSS BUILDING AREA

UNIT AREA

LOCAL JURISDICTION STAMPS & NOTES

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C150

NO.	DESCRIPTION	DATE

G001

COVER SHEET

DMHA

ARCHITECTURE + INTERIOR DESIGN

625 Mid 7th
116 Calle Cesar Chavez #103
Santa Barbara, CA 93103

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE
	Development Application Submittal	08/26/2025

G011

SITE PHOTOS

COMMON OPEN AREA- METAL STAIRS AND RAILING

EXTERIOR MASSING AND MATERIAL

DMHA

ARCHITECTURE | INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

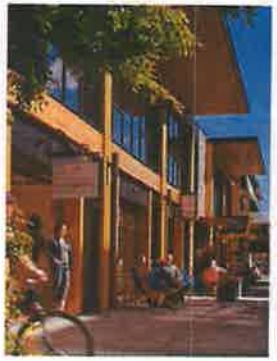
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C105

NO.	DESCRIPTION	DATE

G012

ARCHITECTURAL LOOK AND FEEL



COMMERCIAL AREA- EXTERIOR

COMMERCIAL AREA- SEATING AND DOOR SYSTEM

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

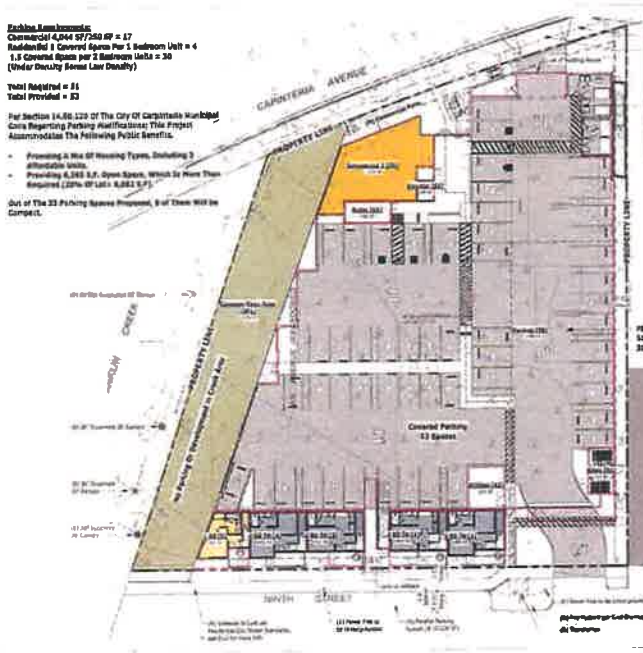
PROJECT #: 22C108

NO.	DESCRIPTION	DATE

G013

ARCHITECTURAL LOOK AND FEEL

3RD FLOOR PLAN EXHIBIT 03



GROUND FLOOR PLAN EXHIBIT 01

2ND FLOOR PLAN EXHIBIT 02

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

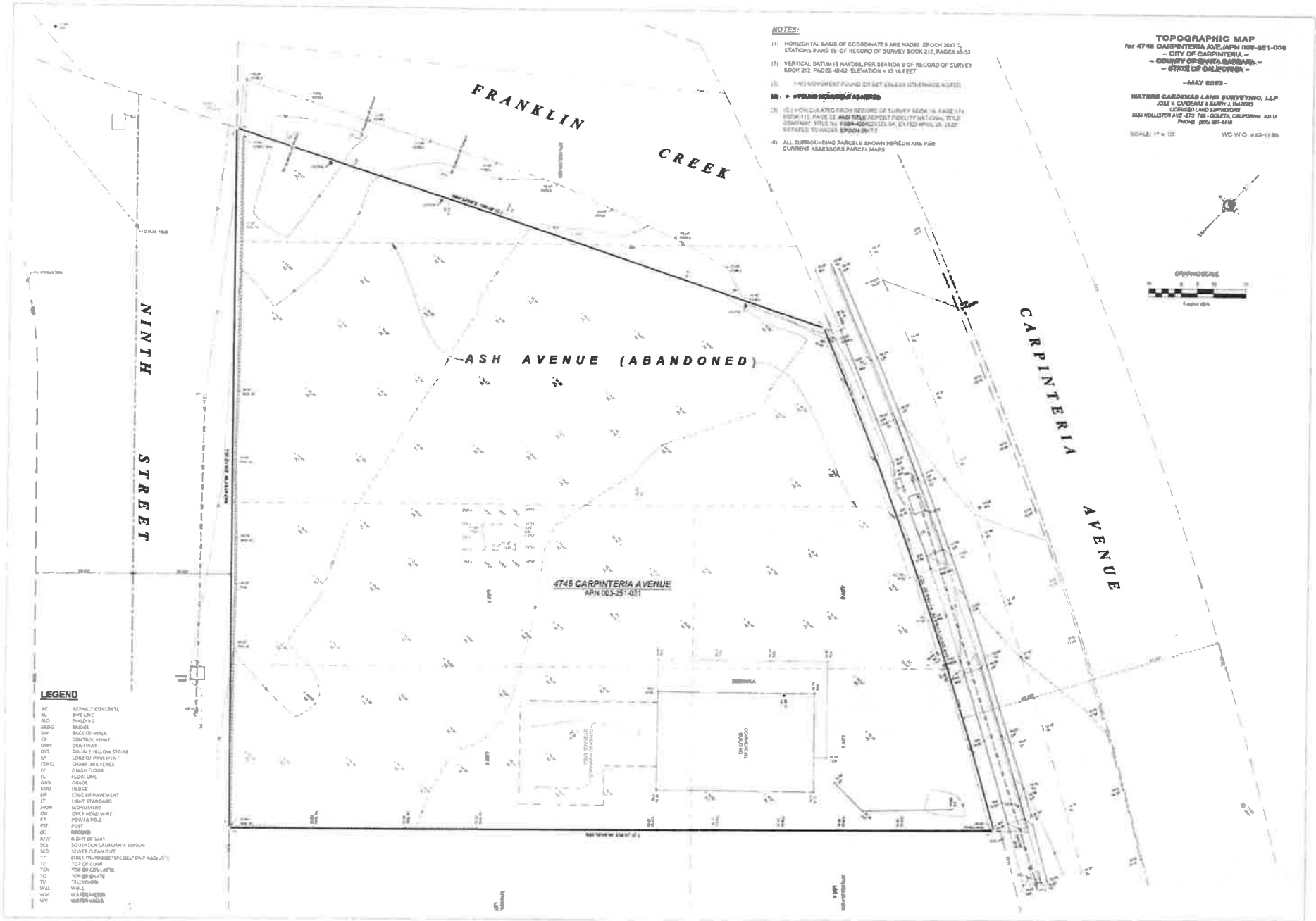
4745 Carpinteria Ave, Carpinteria CA 93013

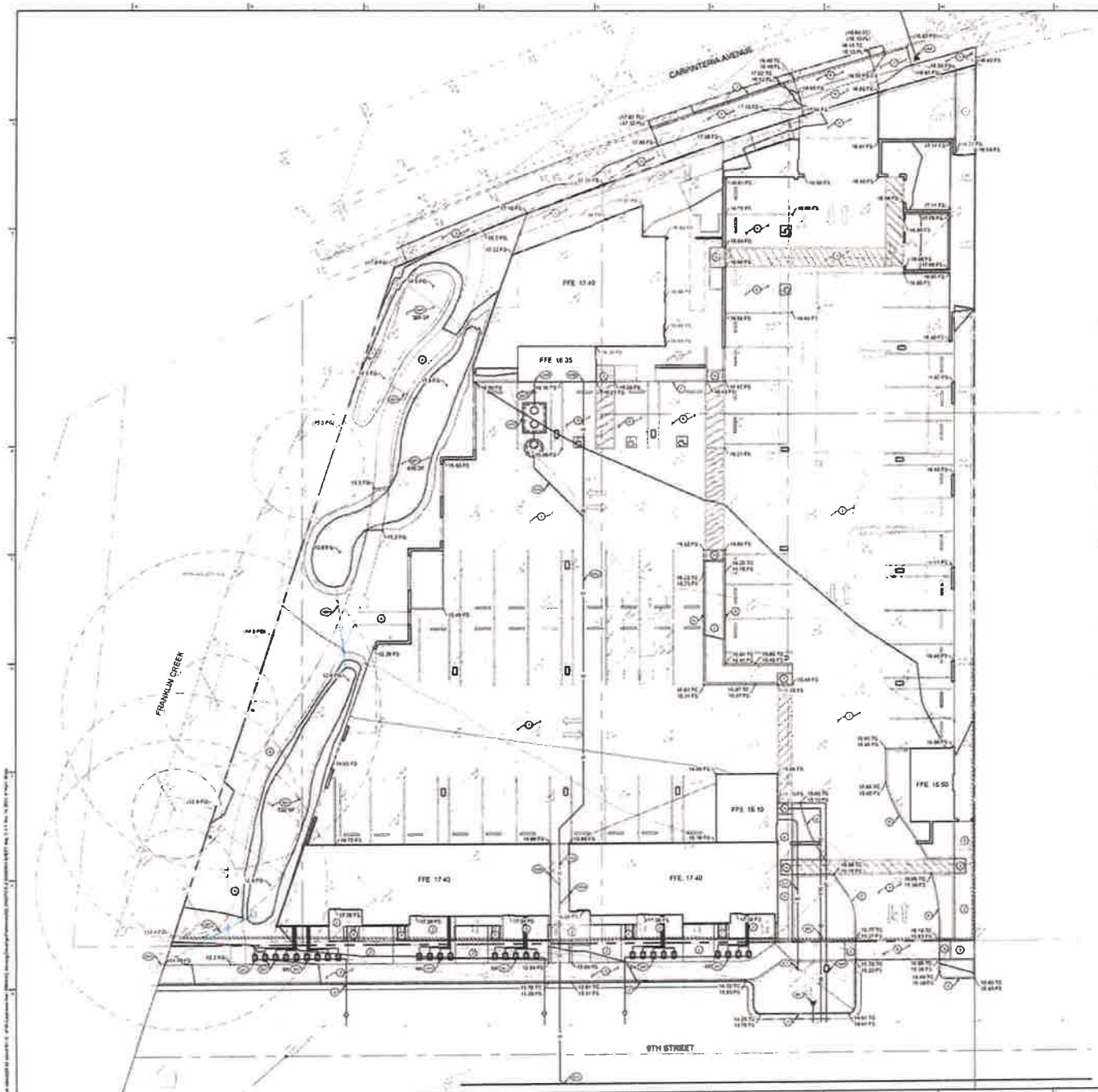
PROJECT #: 22C109

NO.	DESCRIPTION	DATE
	Development Application Submittal	04/14/2023
	Incompleteness Submittals	06.21.2023
	2nd Set of Submittals Made	09.27.2023

G101

PLANNING EXHIBIT


FRANKLIN CREEK
NINTH STREET
ASH AVENUE (ABANDONED)
CARPINTERIA AVENUE
4745 CARPINTERIA AVENUE
APN 005-251-021
NOTES:
(1) HORIZONTAL BASIS OF COORDINATES ARE NAD83, EPOCH 2017.5, STATIONS P AND 59 OF RECORD OF SURVEY BOOK 212, PAGES 48-52
(2) VERTICAL DATUM IS NAVD88, PER STATION 8 OF RECORD OF SURVEY BOOK 212 PAGES 48-52 ELEVATION = 13.16 FEET
(3) [illegible]
(4) [illegible]
(5) [illegible]
(6) ALL SURROUNDING PARCELS SHOWN HEREON ARE PER CURRENT ASSESSORS PARCEL MAPS
LEGEND
AC ASPHALT CONCRETE
BL BIKE LINE
BLD BUILDING
BRDG BRIDGE
BW BACK OF WALK
CP CONTROL POINT
DWY DRIVEWAY
DYS DOUBLE YELLOW STRIPE
EP EDGE OF PAVEMENT
FENCE CHAIN LINK FENCE
FF FINISH FLOOR
FL FLOW LINE
GRD GRADE
HDG HEDGE
LIP EDGE OF PAVEMENT
LT LIGHT STANDARD
MON MONUMENT
OH OVER HEAD WIRE
PP POWER POLE
PST POST
(R) RECORD
ROW RIGHT OF WAY
SCE SOUTHERN CALIFORNIA EDISON
SCO SEWER CLEAN OUT
TF [illegible]
TC TOP OF CURB
TCR TOP OF CONCRETE
TG TOP OF GRATE
TV TELEVISION
WELL WELL
WM WATER METER
WV WATER VALVE
TOPOGRAPHIC MAP
for 4745 CARPINTERIA AVE./APN 005-251-036
– CITY OF CARPINTERIA –
– COUNTY OF SANTA BARBARA –
– STATE OF CALIFORNIA –
– MAY 2023 –
WATERS CARDENAS LAND SURVEYING, LLP
JOSE V. CARDENAS & BARRY J. WATERS
LICENSED LAND SURVEYORS
3551 HOLLISTER AVE.-375 TAR - GOLETA, CALIFORNIA 93117
PHONE (805) 687-4418
SCALE: 1" = 10'
WC W O 423-11-05
GRAPHIC SCALE
1 inch = 40 ft.



GENERAL NOTES:

ALL EXISTING UTILITIES SHOWN ARE BASED ON THE BEST AVAILABLE INFORMATION. CONTRACTOR TO POTHOLE ALL POINTS OF CONNECTION AND VERIFY ALL CLEARANCES. MATERIAL DEPTH AND LOCATION SHALL BE VERIFIED BY CONTRACTOR. IF THERE ARE ANY DIFFERENCES FROM PLAN WITH ANY OF THESE TERMS ENGINEER OF WORK SHALL BE NOTIFIED IMMEDIATELY

RIGHT OF WAY CONSTRUCTION NOTES:

1. CONSTRUCT CONCRETE CURB AND GUTTER PER SBPWC STANDARD PLAN 130 3 TYPE A24
2. CONSTRUCT CONCRETE CURB PER SBPWC STANDARD PLAN 130-3 TYPE A1-6
3. CONSTRUCT CONCRETE SIDEWALK PER SBPWC STANDARD PLAN 113-2
4. CONSTRUCT CONCRETE DRIVEWAY APRON PER SBPWC STANDARD PLAN 105-2

SITE CONSTRUCTION NOTES:

1. CONSTRUCT CONCRETE SWIMMING POOL DECK
2. CONSTRUCT CONCRETE WALKWAY SECTION
3. CONSTRUCT PAVER WALKWAY SECTION
4. CONSTRUCT GRAVEL WALKWAY SECTION
5. CONSTRUCT RAISED CONCRETE CURB
7. CONSTRUCT 6" HIGH CONCRETE CURB
8. CONSTRUCT CONCRETE STAIRS
9. CONSTRUCT PRIVACY WALL RAISED PLANTING BOWL
10. INSTALL TRUNCATED DOME PER SBPWC STD

STORM DRAIN CONSTRUCTION NOTES:

- CONSTRUCT BIO-RETENTION BASIN
- CONSTRUCT GRADE 300 RIPRAP OUTLET
- CONSTRUCT 12" CLASS 100 PVC DELIVERY

ELECTRICAL NOTES:

- ELECTRICAL SERVICE CONDUIT PER ELECTRICAL PLANS
- CONNECT TO EXISTING TRANSFORMER

SANITARY SEWER CONSTRUCTION NOTES:

- INSTALL SEWER WYE AND CONNECT 6" LATERAL TO EXISTING MAIN PER CARPINTERIA SEWER DISTRICT PLATE 108
- INSTALL 6" SDR35 MAIN TO SEWER LATERAL PER CARPINTERIA SEWER DISTRICT PLATES 104 AND 105
- INSTALL SEWER CLEANOUT PER CARPINTERIA SEWER DISTRICT PLATE 110
- SEWER POINT OF CONNECTION AT BUILDING - SEE MECHANICAL PLANS
- INSTALL SEWAGE INTERCEPTOR AND OBSERVATION MANHOLE

WATER CONSTRUCTION NOTES:

- INSTALL METER AND SERVICE LINE FOR RESIDENTIAL SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-101, W-111, AND W-120
- INSTALL 3/4-INCH METER AND SERVICE LINE FOR COMMERCIAL SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-101, W-111 AND W-120
- INSTALL 3/4-INCH METER AND SERVICE LINE FOR HOUSE SERVICE ON METER MANIFOLD PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-101, W-111 AND W-120
- INSTALL 3/4 INCH METER, REDUCED PRESSURE BACKFLOW PREVENTER AND SERVICE LINE FOR LANDSCAPE SERVICE PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAILS W-101 W-111 AND W-115
- INSTALL 4-INCH FIRE LINE SERVICE PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAIL W-114
- INSTALL FIRE HYDRANT AND CONNECTION PER CARPINTERIA VALLEY WATER DISTRICT STANDARD DETAIL W-105

EARTHWORK INFORMATION:

SITE AREA	0.87 AC
AREA DISTURBED	0.35 AC
CUT QUANTITY	700 CUBIC YARDS
FILL QUANTITY	550 CUBIC YARDS
NET QUANTITY	150 CUBIC YARDS EXPORT

NOTE: THE ABOVE QUANTITIES ARE FOR PLANNING AND PERMITTING PURPOSES ONLY. SHRINKAGE, CONSOLIDATION AND SUBSIDENCE THAT MAY OCCUR DUE TO CLEARING AND DEMOLITION OPERATIONS, AND TRENCHING FOR UTILITIES AND FOUNDATIONS ARE NOT INCLUDED. ESTIMATED EARTHWORK QUANTITIES ARE BASED ON THE APPROXIMATE DIFFERENCE BETWEEN EXISTING GRADES AND PROPOSED FINISHED GRADES OR PHOTOMAT SUBGRADES, AS INDICATED ON THE PLANS, AND SHOULD NOT BE RELIED ON TO PREPARE BIDS OR ESTIMATES. THE CONTRACTOR SHALL PERFORM HIS EARTHWORKS ESTIMATE FOR THE PURPOSE OF PREPARING A LUMP SUM BID PRICE FOR EXCAVATION. THE BID PRICE SHALL INCLUDE COSTS FOR ANY NECESSARY EXPORT AND PLACEMENT OF EARTH MATERIALS OR THE EXPORT AND PROPER DISPOSAL OF EXCESS EARTH MATERIALS

DIGALERT
UNDERGROUND SERVICE ALERT

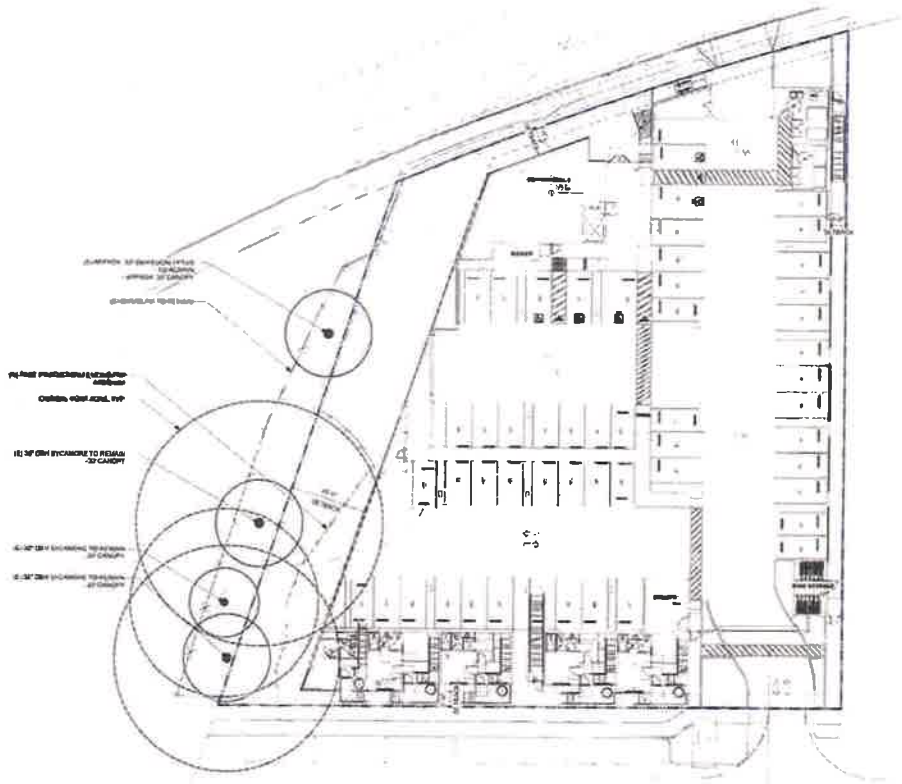
Ashley Vance ENGINEERING, INC.
210 East Cota Street
Santa Barbara, CA 93101
(805) 963-2345
www.ashleyvance.com

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

4745 CARPINTERIA
4745 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

GRADING AND DRAINAGE PLAN

C-2.1



TREE PROTECTION NOTES:

- AVOIDING OR MINIMIZING PHYSICAL LOSS OF SOIL AND ROOTS THAT CAN AFFECT THE HEALTH AND STABILITY OF TREES
- AVOIDING COMPACTION OF SOIL WITHOUT ROOTS THAT DAMAGES SOIL STRUCTURE AND CAN IMPACT THE GROWTH OF ROOTS

TREE TOTALS:

ABBREVIATIONS:

(E)	EXISTING
(N)	NEW
PA	PLANTING AREA
DG	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LF	LINEAL FEET
SF	SQUARE FEET

PERRY

4745 Carpinteria Ave
Carpinteria, CA

Tree Disposition + Demolition Plan

L0.1

ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve unforeseen injuries and property damage, and arborists typically carry liability insurance to protect their clients and themselves. However, it is not possible to predict or prevent all risks. Hiring an arborist does not eliminate the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

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Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

I, Bill Spiewak, certify:
That I have personally inspected the trees on the property referred to in this report and have stated my findings accurately.
The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and recognized professional practices.

Signed: Bill Spiewak
Bill Spiewak
Registered Consulting Arborist #381
American Society of Consulting Arborists

Board Certified Master Arborist #0163
International Society of Arboriculture
Qualified Tree Risk Assessor

CONCLUSIONS

- Installation of the riparian plants (tube) and container plants should not impact the existing ecosystem or eucalyptus trees (protected tree) because they have been established.
- The Habitat buffer adjacent to Wetland 2 better alignment environment for tree more than the existing asphalt covered parking lot.
- Tree Protection Measures must be removed when building are riparian buffer portion.
- The grass around the steps in the vacant area should be cleaned up. Dangerous grass and tall and debris around the base of trees should be removed. Apply 3" to 4" of fresh wood chips over the vacant area to improve soil condition.

TREE PROTECTION MEASURES

1. There is one tree on the northern property line with three of trees will not impact with workers or equipment. Prune as needed.
2. Demolition of the asphalt pavement must be done with care so as not to damage underlying roots in adjacent trees when working within the dripline (or canopy) of the protected tree.
3. Avoid using heavy machinery that damage the fine root of protecting eucalyptus trees.
4. When necessary, explore whether the tunnel path, one of the locations trees should belong at the edges of the work area, as shown on the site plan. Only consider installing the Habitat buffer near where trees protection zone.
5. Immediately mitigation on the subject area, establish the lower and water. The area will be contained with temporal zone.
6. Attempt to avoid the roots of the protected trees should be cut loose or prevent to surface and to a young growth. Shovel cut and dig by hand.
7. When excavating for the installation events, extend around around the area. If the amount side of the trees requires a vertical cut, shore the walls of the trench cut an slope sloping down to the base.
8. If roots are encountered cut roots 1.5" and greater with a sharp tree pruning saw to the root growth. Use a hand pruner hand saw, sloping upward or horizontally also to cut roots cleanly.
9. Root protection from contamination by mortar, chemical or processing fluids shall be used as used.
10. When roots are cut, the newly exposed root profile must be kept moist to encourage an area conducive to new root growth and seal to prevent the loss of water from the soil.
11. Use caution when or whatever root shall to avoid damage or cuts of the customers.

REFERENCES

- ANSI (American National Standards Institute) A300 Part 5 - Management of Tree and Shrub During Site Planning, Site Development, and Construction, 2012
- Best Management Practices: Managing Trees During Construction. Second Edition International Society of Arboriculture. Champaign, Illinois. 2016.
- Harris R. W., and Matheny N. P., and Clark, J. R., 2004. Arboriculture: Integrated Management of Landscape Trees, Shrubs, and Vines. fourth Edition. Prentice Hall
- Matheny and Clark, Trees and Development: A technical guide to Preservation of Trees During Land Development ISA, 1998

SITE PLAN

OBSERVATIONS

1. There is a vacant piece of land along the runs between the northwest property line of the subject property into the southeast and Pioneer Creek on the northwest. The area varies from 15 to 27 meter long to east and northwest facing on both sides.
2. Pioneer Creek, is a complete west, open drainage, that moves water from the Commerce Institute, through complete agricultural properties and residential neighborhoods, then out to the sun marsh and inlets into Pacific Ocean.
3. The portion of the surrounded, southeast of the restaurant, is an easement owner and that is commercial business (tenants), including a couple of structures. To the knowledge, this has been the complaint of the property for more than forty five years.
4. The vacant area appears overmanaged around for mostly unplanted growing. Currently, plants from the ground including native, pioneer types, and pioneer plants. No such high dead and standing wood (snags).
5. There are tree, mature trees are growing within the vacant (3) of land including three native California Sycamore's (Platanus racemosa) and one non-native Green Shoe Eucalyptus (Eucalyptus polyanthemos). See table on next page for details on each tree.
6. The investigation is an analysis within a one-acre wall (perimeter) commercial based environment. The trees are generally well-kept and maintained by the business. The trees are generally maintained adequately in the spring. There usually required by the summer dry weather and it does flourish of healthy leaves.
7. Leaves showing disease(s) in some of the trees and sometimes unfavorably plants including small (mushroom) trees and a small scale sapling.
8. The project care for trees part of a narrow, medium buffer planting within the northwestern property line, inside of the subject property.
9. The riparian corridor trusted (within riparian plants), a walkway, and two mountain lakes. To maintain the beauty, an easement will be required for 5 years. As a result, their locations were moved further to the east to maintain impacts to old trees.
10. In addition, perimeter green paths of 1.5 feet will separate the uses.
11. It is likely that there might be the owners will substantial impact, although the distance from the fence and the existing perimeter of the asphalt surround area, sufficient that construction will be insignificant.

TREE INVENTORY

#	Trunk Diameter (DBH)	Canopy Spread	Condition	Health	Structure	Recommendation
1	24"	30'	Good	Healthy with minor deadwood	Good structure, slight lean	Monitor annually
2	18"	22'	Fair	Moderate dieback in upper canopy	Co-dominant stems at 10'	Crown reduction recommended
3	30"	35'	Good	Healthy	Good structure	Monitor annually
4	12"	15'	Poor	Significant dieback, thinning canopy	Weak attachments	Removal recommended
5	20"	25'	Fair	Moderate vigor	Minor deadwood	Deadwood removal

TABLE OF CONTENTS

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CONCLUSIONS	4
TREE PROTECTION MEASURES	4
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ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE	5
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Bill Spiewak
Consulting Arborist

August 10, 2023

TREE ASSESSMENT AND PROTECTION PLAN for 4745 Carpinteria Ave Carpinteria, CA 93013

Prepared for:
Western Built Construction
c/o Jason Western
15J N Amalfi Dr
Pmd Hollywood, CA 90049
310 827 4911 F

BACKGROUND

The subject property owner is proposing to construct (5) parcel one residential unit. Adjacent to the north property line is a strip of vacant land that runs between Franklin Creek and the property to be developed. There are four trees in this area. I was retained to inspect the trees and provide a report with my assessment of potential impacts to them from the proposed landscape renovation. I met on the site during May 26, 2023 and prepared a report soon afterwards. Since my initial report in May 2023, the location of the driveway curve appears to be more, more mitigated further from the trees. The report reflects these changes. See my

PHOTOS

PARRY!

Project Manager
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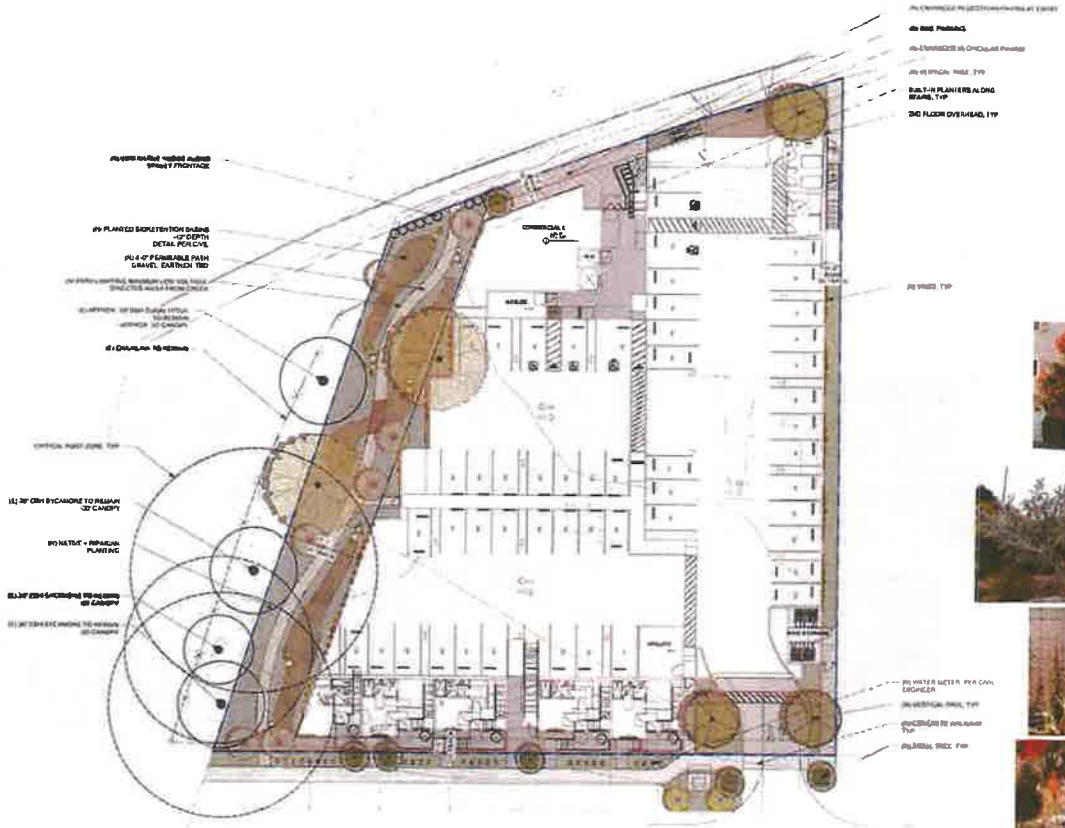
4745 Carpinteria Ave
Carpinteria, CA

PROJECT

SHEET CONTENTS
Arborist Report

L0.2



ABBREVIATIONS:

PA	PLANTING AREA
TYP	TYPICAL
LF	LINEAR FEET
SF	SQUARE FEET

LANDSCAPE AREA:

	sf/sf
	sf (xx) sf
	sf sf
TOTAL LANDSCAPE AREA	sf (xx) sf

GREEN SETBACK NOTE
PER CITY OF CARPINTERIA PRE SERVATION PROGRAM FINAL DOCUMENT SEPT. 2005 THERE SHALL BE NO BARRIERS PLANTED LOW VOLTAGE LIGHTING SHALL SHINE AWAY FROM CREEK AND WILDLIFE PERMEABLE FENCING SHALL BE IMPLEMENTED ADDITIONALLY THE BUFFER AREA SHALL BE PLANTED/RESTORED WITH APPROPRIATE RIPARIAN NATIVE PLANTINGS

PRELIMINARY PLANT PALETTE

BOTANICAL NAME	COMMON NAME
VERTICAL TREES	
Archontophoenix cunninghamiana	King Palm
Washingtonia filifera	Califonia Fan
Washingtonia robusta	Mexican Fan
Dracaena draco	Dragon Tree
Syagrus romanzoffiana	Queen Palm
SMALL UPRIGHT TREES	
Agonis flexuosa	Peppermint Tree
Cercis sp.	Redbud
Olea europaea 'Fruitless'	Fruitless Olive
Ulmus parvifolia	Evergreen Elm
SMALL TREES / LARGE SHRUBS	
Arbutus unedo/'Marina'	Strawberry Tree
Chitalpa tashkentensis	Pink Dawn
NATIVE TREES	
Cercis occidentalis	Western Redbud
Platanus racemosa	Western Sycamore
Umbellularia californica	California Bay
NATIVE SHRUBS	
Arctostaphylos densiflora	Sentry Manzanita
Ceanothus gloriosus	Point Reyes Ceanothus
Garrya elliptica	Coast Silk Tassel
Keckiella cordifolia	Heartleaf Keckiella
Leymus condensatus 'Canyon Prince'	Canyon Prince Wild Rye
Mimulus aurantiacus	Sticky Monkey Flower
Muhlenbergia rigens	Deer Grass
Salvia clevelandii	Cleveland Sage
Rhamnus californica 'Mound San Bruno'	Coffeeberry
Ribes speciosum x sanguineum	Red-red Grass
Ceanothus 'Concha Point'	Hardy Point California Lilac
SHRUBS	
Anigozanthos hybrids	Kanga Brown
Arbutus spp.	Kanga
Agave spp.	Agave
Aloe spp.	Aloe
Cistus hybrids	Campmor Cistus Sunset
Heteromeles arbutifolia	Cistus Sans Flec Lay
Leucadendron 'Safari Sunset'	Magic Royal Hawaiian Cane Bush
Leucophyllum langmaniae 'Rosada'	Sunny Bonnet Princesstun
Olea europaea x sylvestris 'Wilsonii'	Dwarf Mail Fruit
Phormium 'Jenny Dixon'	Little Dixie Dwarf Olive
Pennisetum 'Eaton'	Whitebrusher
Salvia spp.	Silver Bloom Ashotus
Simmondsia spp.	Chinese Pennisetum
Westringia 'Morning Light'	Sage
Xylosma hirsutum	Breakdust
GROUNDCOVERS	Dwarf Rosemary
Carpobrotus edulis	Dwarf Chaun Fern
Drosanthemum speciosum	
Myoporum parvifolium 'Putah Creek'	Evergreen Rosemary Bush
Rosmarinus officinalis 'Prostratus'	Rosmarinus
Trachelospermum jasminoides	Creeping Myoporum
Verbena peruviana	Dwarf Rosemary
VINES	Trachelospermum
Distictis spp.	Trumpet Vine

PARRY

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4745 Carpinteria Ave
Carpinteria, CA

Preliminary Landscape
Plan - Ground Floor

L1

PRELIMINARY PLANT PALETTE

BOTANIC NAME	COMMON NAME
VERTICAL TREES	
	Hong Kong
	Brisbane Box
	Tree Aeonium/ Whiteflower Tree
	Fotuhead Tree
	Queen Palm
SMALL UPRIGHT TREES	
	Mediterranean Fan
	Cabbage
	Fruitless Olive
	Weeping Fig
SMALL TREES / LARGE SHRUBS	
	Peruvian Pepper
	Purple Leaf Plum
	Mondell pine
RATING TREES	
	Western Redbud
	Western Sycamore
	California Bay
RATING SHRUBS	
	Variegated Pittosporum
	Australian Willow
	Coyote Bush
	California Fuchsia
	California Lilac
	Compact Purple Hop Bush
	Yellow Bird of Paradise
	Hollyleaf Cherry
	Catalina Ironwood
	Blue Elderberry
	Toyon
SHRUBS	
	Bush Anemone
	Yarrow
	Agave
	Aloe
	Fortnight Lily, Society
	Canna Blue Flag Lily
	Mega Rosa Hybridizer Coral Bush
	Fairy Seahorse Pincushion
	Island Mallow
	Little Ollie Dwarf Olive
	Rosemary
	Dwarf Coyote Bush
	Dwarf Pink Yarrow
	Sage
	Bougainvillea
	Lavender
	Island Snapdragon
GROUNDCOVERS	
	Ground Morning Glory
	Kurapia
	Dwarf Carpet
	Creeping
	Sedum
	Blue Chalksticks
VINES	
	Trumpet Vine

ABBREVIATIONS:

EXG	EXISTING
NEW	NEW
PA	PLANTING AREA
DG	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LF	LINEAL FEET
SF	SQUARE FEET

PARRY

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4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 2nd Floor

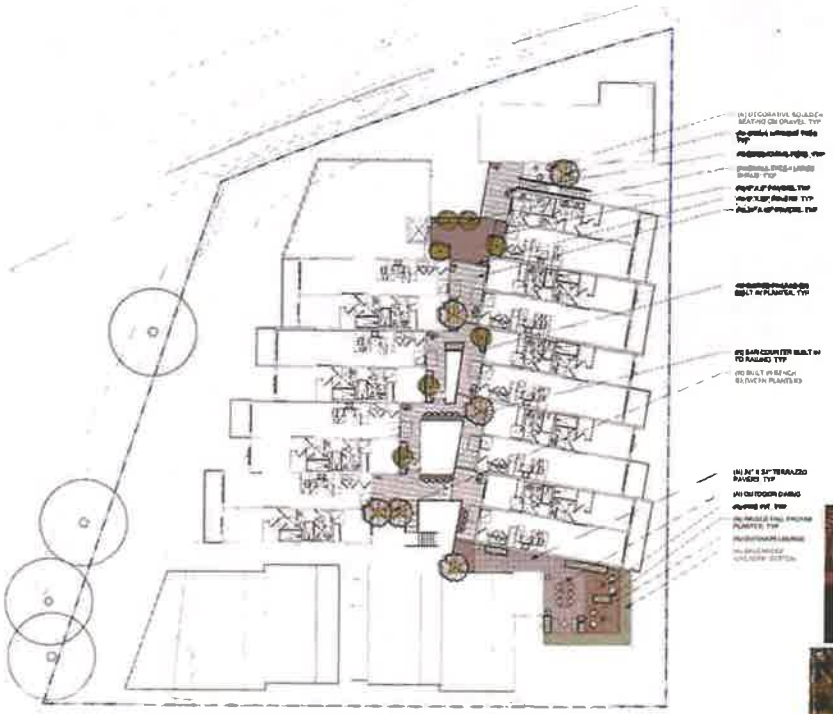
L1.1

ABBREVIATIONS:

(E)	EXISTING
(N)	NEW
PA	PLANTING AREA
DG	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LC	LANDSCAPE CONTRACTOR
SI	SIMILAR

PRELIMINARY PLANT PALETTE

BOTANIC NAME	COMMON NAME
VERTICAL TREES	
Arbutus 'Marina'	Marina Strawberry Tree
Cupressus sempervirens	Italian Cypress
Magnolia grandiflora 'Little Gem'	Little Gem Magnolia
Olea europaea 'Swan Hill'	Fruitless Olive
Pyrus calleryana 'Aristocrat'	Aristocrat Flowering Pear
SMALL UPRIGHT TREES	
Agonis flexuosa	Peppermint Tree
Citrus sp.	Citrus
Olea europaea 'Montra'	Montra Olive
Syringa x persica	Wisteria Tree
SMALL TREES / LARGE SHRUBS	
Acacia pravissima	Wattle
Dodonaea viscosa 'Purpurea'	Purple Hopseed Hop Bush
Grevillea 'Moonlight'	Moonlight Grevillea
NATIVE TREES	
Cercis occidentalis	Western Redbud
Prunus ilicifolia	Western Sycamore
Umbellularia californica	California Bay
NATIVE SHRUBS	
Artemisia californica	Sticky Wormwood
Carpenteria californica	Bush Anemone
Ceanothus prostratus	California Field Sedge
Epilobium canum	California Fuschia
Heuchera 'Canyon Prince'	Canyon Prince Coral Bell
Mimulus aurantiacus	Sticky Monkey Flower
Muhlenbergia rigens	Deer Grass
Salvia clevelandii	Cleveland Sage
Xylosma congestum 'Compacta'	Compacta
Zauschneria 'Select Red'	Red Hybrid Zauschneria
GRASSES	
Agrostis pallens	Dune Bentgrass
Festuca rubra	Red Fescue
Leymus condensatus 'Canyon Prince'	Canyon Prince Wild Rye
Muhlenbergia rigens	Deer Grass
GROUNDCOVERS	
Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita
Ceanothus 'Yankee Point'	Yankee Point California Lilac
Dymondia margaretae	Dymondia
Fragaria chiloensis	Beach Strawberry
Lonicera japonica 'Halliana'	Hall's Honeysuckle
Rosmarinus officinalis 'Prostratus'	Dwarf Rosemary
VINES	
Distictis buccinatoria	Blood-Red Trumpet Vine



PARRY

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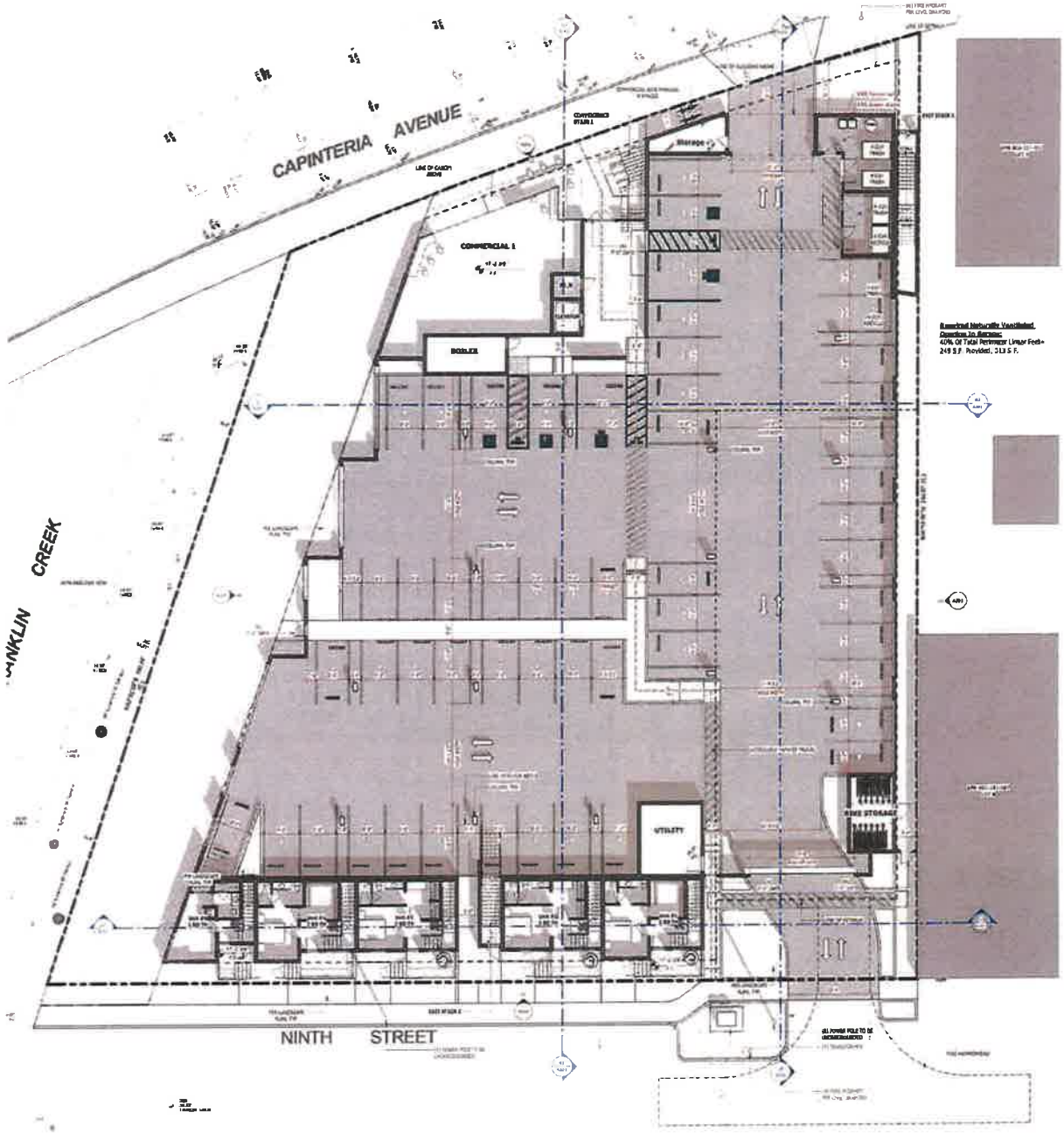
4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 3rd Floor

L1.2



DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

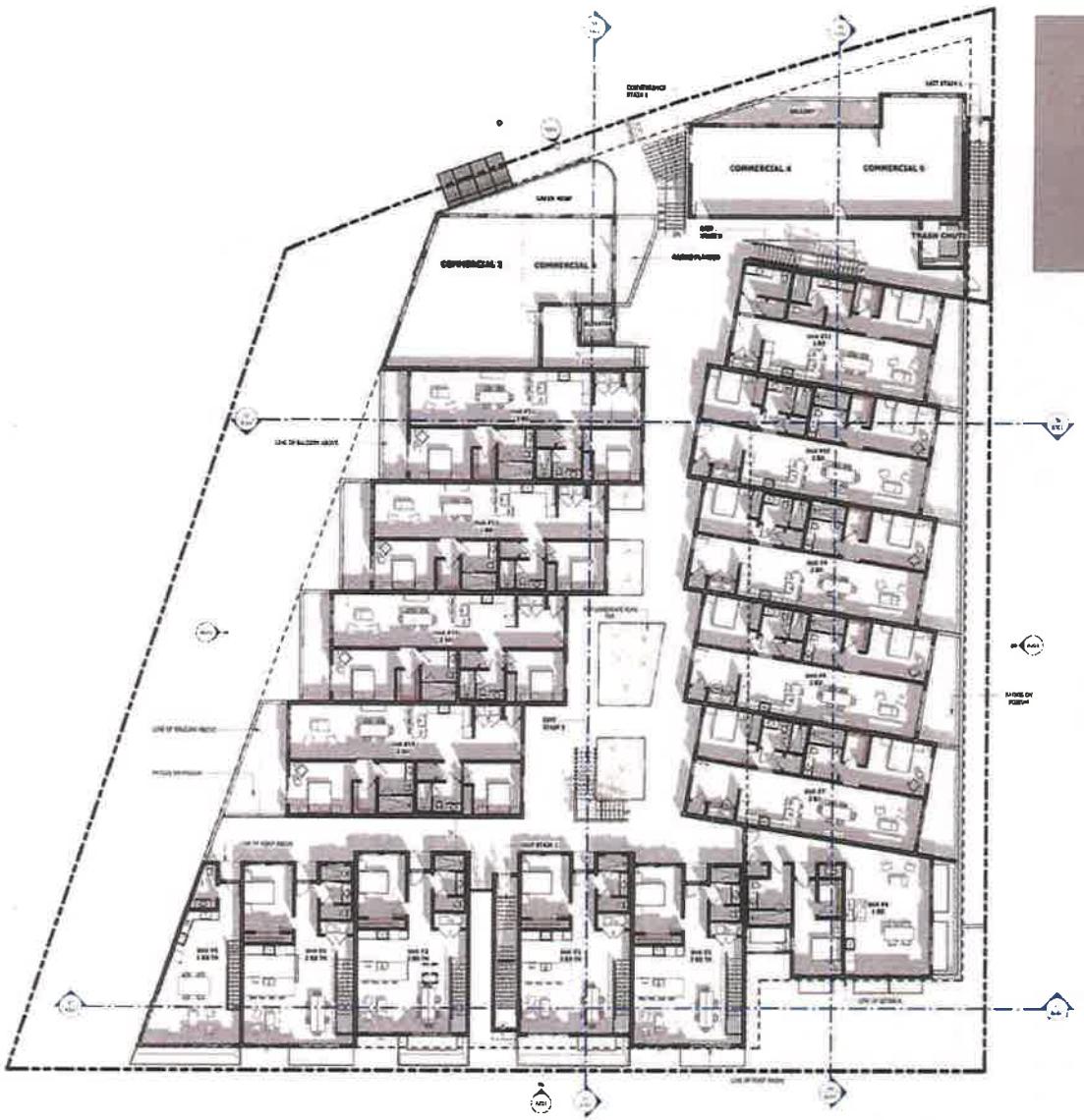
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23C106

NO.	DESCRIPTION	DATE

A101

OVERALL 1ST FLOOR PLAN



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ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

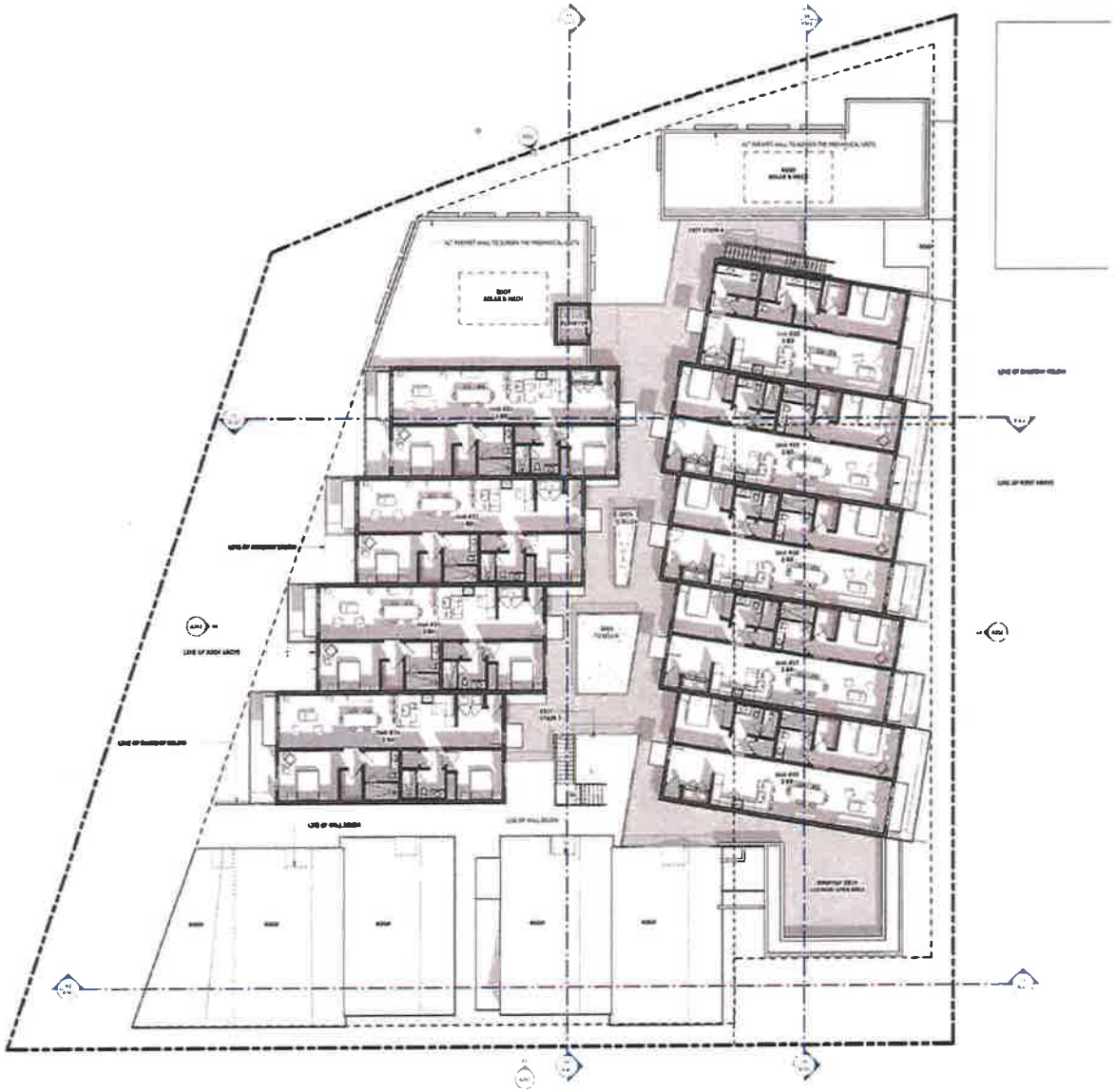
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 22CL08

NO.	DESCRIPTION	DATE

A102

OVERALL 2ND FLOOR PLAN



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ARCHITECTURE + INTERIOR DESIGN

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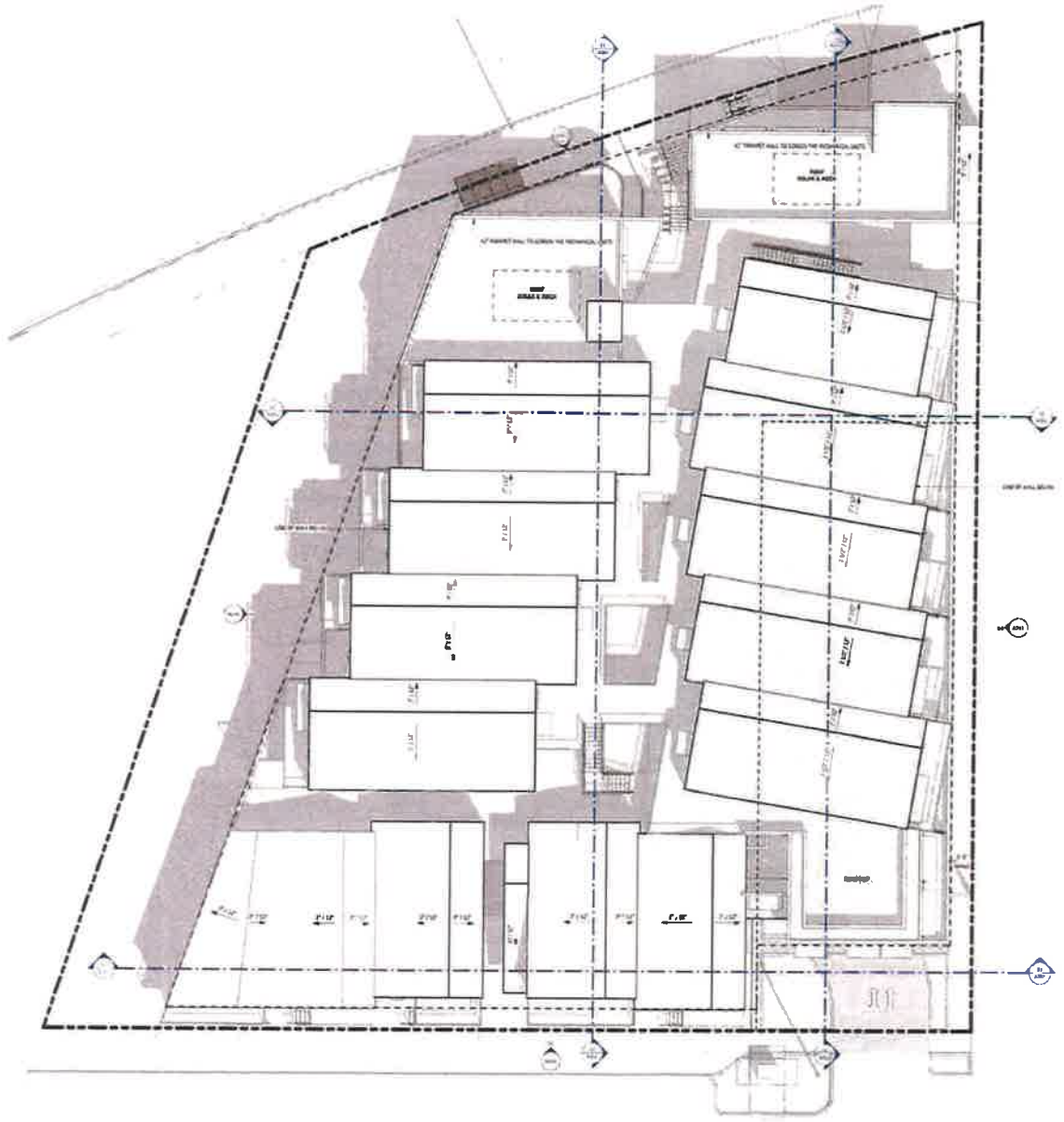
4745 Carpinteria Avenue Mixed Use Development
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A103
OVERALL 3RD FLOOR PLAN



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4745 Carpinteria Avenue Mixed Use Development
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C169

NO.	DESCRIPTION	DATE

A104
OVERALL ROOF PLAN

OVERALL WEST ELEVATION 04

OVERALL EAST ELEVATION 03

WIRE MESH AT PATIOS

OVERALL NORTH ELEVATION- CARPINTERIA AVE 02

UNIT DOOR CANOPY

OVERALL SOUTH ELEVATION- 8TH STREET 01

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4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

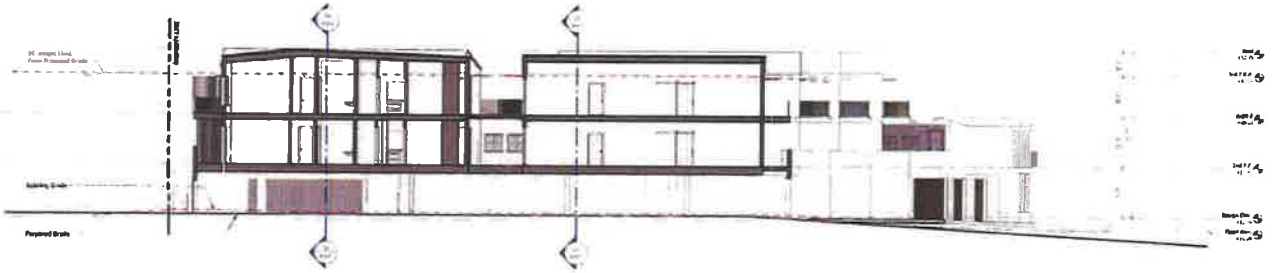
NO.	DESCRIPTION	DATE

A201

OVERALL EXTERIOR ELEVATIONS

N/S SECTION 04

E/W SECTION 03



E/W SECTION 02

N/S SECTION 01

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4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A301

OVERALL BUILDING SECTIONS

MANUFACTURER: RAYNOR
STYLE: ROLLING SECURITY GRILLE DOOR
MODEL: DAVAGRILLE
FINISH: BRONZE ANODIZED

GARAGE ROOL UP- CYCLLE DOOR 18

GUARDRAIL:
1 1/2" O.D - 1.5" SCH, 40 STEEL PIPE AS ASTIR GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

HANDRAIL:
1 1/2" O.D - 1.5" SCH, 40 STEEL PIPE AS ASTIR GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

METAL RAILING/GAURDRAIL WITH WIREMESH INFILL 12

MANUFACTURER: STEP STONE INC.
MODEL: SHADE PEWTER
.ARDBLAST- 1804
FINISH: FRENCH GRAY

PRECAST CONCRETE STAIR TREAD 08

STANDING SEAM METAL ROOF
MANUFACTURER: RS METAL
MODEL: IMAGE II
COLOR: MATT BLACK 100
GUAGE 24
FINISH: BONDERIZED

STANDING SEAM ROOF 04

WALL 45LB/LED 1200
TYPE: WALL WASH LIGHT
REFLECTOR: ANODIZED ALUMINUM
LIGHT SOURCE: 3000K
FINISH: POWER-COATED BLACK

EXTERIOR DOWNLIGHTS 17

MANUFACTURER: EQUITONE
STYLE: LT 80

MANUFACTURER: EQUITONE
STYLE: LT 80

EXTERIOR WALL- FIBER CEMENT BOARD 15

CLAD ALUMINUM SIDING DOOR AND WINDOW
MANUFACTURER: SIERRA PACIFIC
FINISH: BLACK
GLASS FINISH: TEMPERED- CLEAR

EXTERIOR SIDING DOOR AND WINDOW 11

PERFORATED METAL SCREEN
STYLE: MA
NUMBER: MA
FINISH: BLACK STEEL

EXTERIOR STAIR AT COMMERCIAL- RISER 07

METAL CANOPY
- GATE ENTRY AT LEVEL 2
- 8TH ST WINDOWS AT 2ND FLOOR

FINISH: POWDER COATED BLACK

EXTERIOR METAL DOOR AND WINDOW CANOPY 03

MANUFACTURER: TBD
STYLE:TBD
FINISH: BLUE

MANUFACTURER: TBD
STYLE:TBD
FINISH: BLUE

MANUFACTURER: TBD
STYLE:TBD
FINISH: WHITE OAK

WOOD SIDING AT 8TH ST AND WEST SIDE UNITS 14

MANUFACTURER: CRAFTEX
STYLE: HYDRAULIC SINGLE SWING
FINISH: BLACK
GLASS FINISH: TEMPERED- CLEAR

COMMERCIAL- HYDRAULIC SINGLE SWING DOOR 10

MANUFACTURER: STEPSTONE INC
STYLE: LIGHT SANDBLAST
NUMBER: 1804
FINISH: FRENCH GRAY - 804

EXTERIOR PAVER 06

BOARD FORMED CONCRETE WALL

EXTERIOR BOARD FOMED CONCRETE 02

CONCRETE STAIRS

CONCRETE STAIR 16

METAL SIDING

EXTERIOR METAL SIDING AT COMMERCIAL 13

MANUFACTURER: ELA TILE PAVER
STYLE: PEDESTAL PAVER- PORCELAIN
FINISH: GRAY

COMMON OPEN AREA- ROOF DECK- PEDESTAL PAVER 09

MANUFACTURER: ESL SOLLY WOOD TILE
FINISH: CLEAR CEDAR

UNDER EAVE- CEDAR T&G 05

MANUFACTURER: LA HABRA
NUMBER: HACIENDA X-63
FINISH: SMOOTH- TROWEL FINISH

EXTERIOR WALLS - ELEVATOR TOWER EXTERIOR STUCCO 01

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NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22X189

NO.	DESCRIPTION	DATE

A801

MATERIAL BOARD

KEYPLAN 02

6TH ST VIEW- FROM SOUTH EAST
NOT TO SCALE 01

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NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220100

NO.	DESCRIPTION	DATE
	Development Application Submittal	09/01/2023
	Completeness Response	10/27/2023

A901

6TH ST VIEW

KEYPLAN 02

9TH ST VIEW- ACROSS THE STREET 01
NOT TO SCALE

DMHA
ARCHITECTURE + INTERIOR DESIGN

[redacted] #777
111 E. Cota Street, Unit #102
Santa Barbara, CA 93101

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22-108

NO.	DESCRIPTION	DATE
	[redacted]	[redacted]

A902

9TH ST VIEW

KEYPLAN 02

9TH ST VIEW - FROM SOUTH WEST 01

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NOT FOR CONSTRUCTION

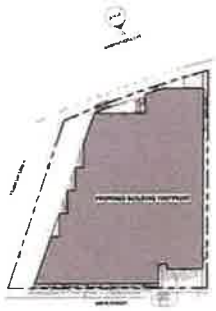
4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 22C508

NO.	DESCRIPTION	DATE

A903

9TH ST VIEW



KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01
NOT TO SCALE

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A904

COMMERCIAL VIEW

KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01
NOT TO SCALE

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

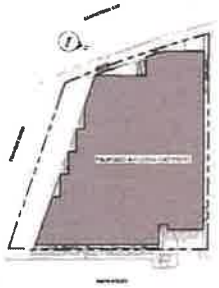
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT # : 22C108

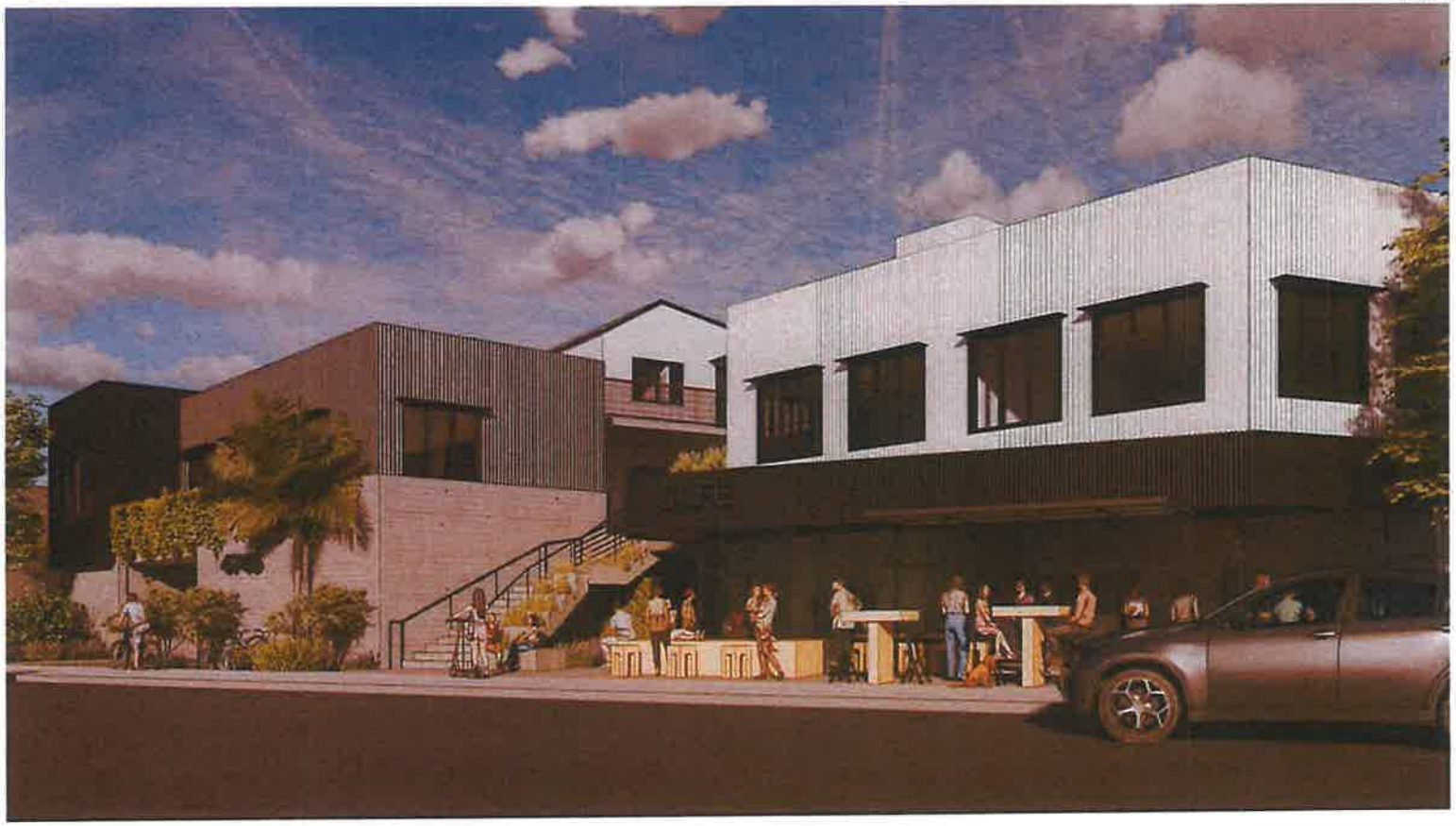
NO.	DESCRIPTION	DATE

A905

COMMERCIAL VIEW



KEYPLAN 02



COMMERCIAL VIEW- FROM CARPINTERIA AVE 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

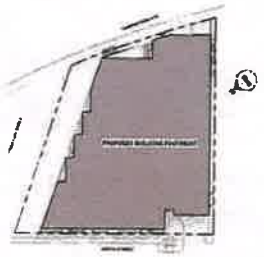
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22CS08

NO.	DESCRIPTION	DATE

A906

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW- FROM CARPINTERIA AVE. 01
NOT TO SCALE

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

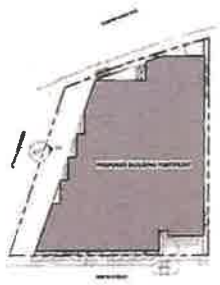
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A907

EAST SIDE VIEW



SITE PLAN 02

WEST SIDE VIEW 1

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A908

WEST SIDE VIEW

KEYPLAN 02

OVERALL SOUTH WEST - TOP VIEW 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

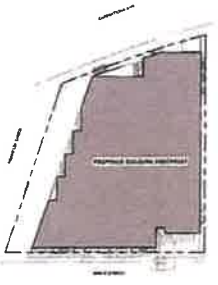
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A909

SOUTH WEST VIEW



KEYPLAN 02

OVERALL SOUTH WEST- TOP VIEW 01

DMHA
ARCHITECTURE + MISSION DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE
	Development Application Submittal	6/15/2023

A910

SOUTH EAST VIEW

Attachment A
Exhibit 3:
Recommended Conditions of Approval

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

PLANNING COMMISSION HEARING
PROJECT 23-2221-DP/CDP/ARB
4745 CARPINTERIA AVE (APN 003-251-021)
FEBRUARY 5, 2024

ATTACHMENT A, EXHIBIT 3: CONDITIONS OF APPROVAL 4745 CARPINTERIA AVE MIXED-USE PROJECT

The Conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

PROJECT DESCRIPTION

1. This Development Plan and Coastal Development Permit are based upon and limited to compliance with the project description, the hearing exhibits (Attachment A, Exhibit 2 to the staff report dated February 5, 2024) and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

   The project description is as follows:

   Request for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches from finished grade.

   The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street.

Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and a second floor private deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact" spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater measures for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping would also be provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The proposal calls for utilizing the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current zoning designation in exchange for designating a certain number of the apartment units as income-restricted rentals. Specifically, the project calls for setting aside three units for households that fall within the low-income level (50% to 80% of the area median income ("AMI")) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included the project figures described above.

The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the proposal requests the use of incentives or concessions from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reductions in development standards to: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City; and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the City.

PROJECT SPECIFIC CONDITIONS

AESTHETICS

2. The design, scale and character of the project architecture and landscape shall be compatible and blend harmoniously with vicinity development and consistent with the City's "small beach town" character. **Plan Requirement and Timing:** The applicant shall submit plans for the project for final review by the Architectural Review Board prior to approval of any Building Permit for physical development. **Monitoring:** Community Development Department staff (CDD) shall review submitted plans, provide direction to the ARB regarding this condition, and site inspect during the construction phase.

3. All materials and colors used in construction and all landscape materials shall be as represented to the City and any deviation will require the express review and approval of the Community Development Department.

4. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures shall be reviewed and approved by CDD with input from the ARB. **Monitoring**: CDD and ARB shall review final plans for compliance with this measure prior to approval of a building permit for structures. Building Inspector shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final plans.

5. Interior building lighting shall be limited outside of business hours to that necessary for emergency or security purposes. Interior building lighting shall be outfitted with timers, motion sensors or similar technologies to ensure that the lighting is turned off when not in use. **Plan Requirements and Timing:** Specifications for automatic lighting controls and any interior security/emergency lighting shall be depicted on the plans submitted for Building Permit review, to be reviewed and approved by CDD prior to Building Permit Issuance. **Monitoring:** CDD shall review the construction plans for compliance with this measure prior to Building Permit issuance and shall inspect the project site prior to occupancy clearance.

6. All mechanical equipment including, but not limited to, heating and air conditioning units, and trash receptacle areas, shall be completely screened from surrounding properties and shall be either enclosed within a building or parapet, or located in a fenced rear yard area. **Plan Requirements**: The locations of all exterior mechanical equipment shall be depicted on a Roof and/or Mechanical Equipment Plan to be reviewed and approved by CDD with input from the ARB. **Monitoring:** CDD and ARB shall review the Roof and/or Mechanical Equipment Plan for compliance with this measure prior to approval of a Building Permit for the development. Building Inspector shall inspect structures upon completion to ensure that mechanical equipment has been installed consistent with the approved Plan.

7. Final plans shall include the location of all above ground and vaulted appurtenances including, but not limited to, utility vaults, utility meters, fire backflow prevention systems, and check valves. The location of such appurtenances shall be approved by CDD and may be required to be located and/or screened to as to minimize aesthetic impacts.

8. No signage is approved under this Development Plan. Applicants shall develop and submit for City review and approval, a comprehensive sign program for the development. **Plan Requirements**: The sign program shall depict the allowed sign types, materials, sizes and locations for signage for all commercial tenant spaces, as well as any proposed identification signage for the development, and shall be consistent with the City's sign regulations as specified in CMC §14.58. **Timing:** The Sign Program shall be submitted to, and approved, by the Community Development Department prior to Occupancy Clearance. CDD may refer the program to the Architectural Review Board for review. **Monitoring:** CDD staff shall review all tenant signage applications for consistency with the approved sign program.

BIOLOGY

9. The applicant shall implement the recommended tree protection measures outlined in the arborist report prepared by Bill Spiewak dated August 10, 2023, and listed below, during demolition/construction activities within the project site. Such measures shall include, but not be limited to, the following:
    a. Fence off all trees from construction at the critical root zone or where practical with six-foot high chain link or orange construction fence with metal stakes;

b. No activities or storage of construction materials shall be allowed within the fenced areas unless approved by CDD;
c. Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted;
d. All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying;
e. Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor;
f. Compaction of the root zone shall be avoided by spreading three to four inches of mulch. If necessary, plywood or equivalent shall be placed on top;
g. During hot, dry periods, the foliage may need to be washed with high pressure water to remove construction dust;
h. Project arborist shall be notified prior to any activities within the critical root zone;
i. Leave existing hardscape (i.e., asphalt) in place as long as practicable to aid with the protection of the root system;
j. Utilize caissons and grade beams for any foundation work close to the trees (stay at least 15 feet from the trunks of the trees); and
k. Final landscaping around trees shall be compatible in water demand to these specific trees' needs with minimal trenching for lighting and irrigation.

Plan Requirements/Timing: This condition shall be printed on all final building and grading plans. Tree protection measures shall be implemented prior to- and during construction as applicable. **Monitoring:** CDD shall coordinate with the project arborist prior to initiation of construction to ensure tree protection measures are in place. CDD shall spot check in the field to ensure ongoing compliance with this measure.

10. All ground disturbances and vegetation removal within the 50-foot setback of Franklin Creek shall be limited to the demolition, grading for site preparation, landscaping and storm water improvements depicted on the approved project plans. **Plan Requirements:** The 50-foot setback area shall be shown on all grading plans. **Timing:** Protective fencing shall be installed along the 50-foot setback prior to any earth movement. **Monitoring:** CDD shall perform site inspections throughout all grading and construction activities.

11. The applicant shall implement a creek buffer restoration plan. The plan shall include, but not be limited to, the following measures:
    a. Landscaping shall be with native and non-invasive plantings only.
    b. Only low voltage lighting shall be installed. Lighting shall be directed away from the creek corridor.
    c. Only wildlife permeable fencing shall be installed within the creek buffer area.
    d. Non-native species shall be removed from the creek buffer area.
    e. The plantings shall be in place and any non-natives removed prior to issuance of occupancy clearance.

Plan Requirements: Prior to issuance of a Grading or Building Permit, the applicant shall submit a creek buffer restoration plan, prepared by a CDD approved biologist, to CDD for review and approval. **Timing:** Restoration work shall commence prior to issuance of occupancy clearance. **Monitoring:** CDD staff shall site inspect the restoration area. Maintenance shall be confirmed through site inspections.

12. To minimize construction impacts, the applicant shall prepare and submit a Construction Mitigation Plan to Community Development for review and approval. Such plans, which must be prepared by a City-approved professional biologist, arborist or landscape architect, shall include, but not be limited to, the following required measures:

Pre-Construction:

a. The limits of the construction area shall be clearly shown on the plans and fenced or flagged on the construction site. All construction activities shall stay within these limits;

b. Prior to commencement of construction activities, protective fencing shall be erected around the outermost limits of the protected zones of native trees and adjacent to the construction area. Such fencing shall remain in place until all construction is complete. For the purposes of this project, the protected zone of a native tree shall extend five feet from the tree dripline or 15 feet from the trunk of the tree, whichever is greater;

c. No construction, grading, staging or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any onsite or adjacent native trees;

d. Construction activities shall be scheduled to avoid the breeding seasons of sensitive wildlife species located within 300 feet of the proposed improvements;

e. Construction Phase Requirements from the City's Water Quality Protection Regulations shall be implemented to minimize impacts related to runoff, erosion and water quality;

f. The use of herbicides shall be minimized by using manual removal methods to eliminate undesired vegetation whenever possible.

Post-Construction:

g. Permanent native landscaping shall be provided to developed areas;

h. The planting of any landscape plants listed on the California Exotic Pest Plant Council's Lists of Exotic Pest Plants of Greatest Ecological Concern in California is prohibited in any environmentally sensitive habitat areas ("ESHA") or creek setback area;

i. Project applicant and any and all successors shall provide informational materials to future occupants that ensure protective standards/conditions of approval are recognized and complied with throughout the life of the project;

j. Post-Construction Requirements from the City's Water Quality Protection Regulations will be implemented to minimize impacts to runoff, erosion, and water quality;

k. All new fencing shall be wildlife permeable as defined by the following criteria:
    a. Fences shall have a wooden (not wire) rail at the top;
    b. Fences shall be less than 40 inches high; and,
    c. Fences shall have a space greater than 14 inches between the ground and the bottom rail.

l. All exterior lighting shall be minimized, restricted to low intensity features, shielded and directed away from creek ESHA to minimize impacts to wildlife. Permitted lighting shall conform to the following standards:
    i. The minimum necessary to light walkways used for entry and exit to the structure, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Community Development Director;
    ii. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent;
    iii. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent;
    iv. A light, not to exceed 60 watts or the equivalent, at the entrance to any non-residential accessory structures; and,
    v. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities and no lighting for aesthetic purposes is allowed.

Plan Requirements and Timing: Prior to issuance of a Grading or Building Permit, the applicant shall submit a Construction Mitigation Plan, prepared by a CDD approved biologist, arborist or landscape architect to CDD for review and approval. All requirements shall be specified on grading and building plans and graphically depicted if feasible. Protective fencing shall be installed prior to start of grading or construction. **Monitoring:** CDD shall site inspect throughout grading and construction activities.

LANDSCAPE

13. Prior to the issuance of any Building Permits, the applicant shall post a landscape security bond of $500.00 and comply with the following requirements:
    a. All landscaping and irrigation plans shall be prepared by a State licensed landscape architect or similar professional as determined appropriate by CDD.
    b. The landscaping shall be maintained in good condition for the life of the project. After landscaping has become established at three years and found to be in good condition, the security will be released.
    c. Landscaping shall be drought resistant, low water species.
    d. Where feasible, locally adapted native plants shall be required.
    e. Prior to Occupancy Clearance, all landscaping and planting shall be installed; and,

f. Specimen trees shall be appropriate to the site and shall be maintained in good condition so as to attain a full and healthy mature appearance.

14. The project landscaping outside of the creek buffer area shall consist of drought-tolerant, native and/or Mediterranean type species. Landscaping shall be compatible with the character of the surroundings and the architectural style of the structural development. **Plan Requirements:** Prior to issuance of a Grading or Building Permit, the applicant shall enter into an agreement with the City to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit the final landscape and irrigation plan to CDD for review and approval. **Timing:** Prior to occupancy clearance, landscape and irrigation shall be installed. **Monitoring:** Prior to occupancy clearance, CDD shall verify installation and check maintenance as needed. Release of performance security requires CDD approval.

15. In compliance with the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird)) as amended by the May 29, 2015 Information Bulletin 2015-03 from the Department of Housing and Community Development and Chapter 15.90 of the City's Municipal Code: Water Efficient Landscaping, a Landscape Documentation Package containing the following elements shall be prepared by a design professional: PROJECT INFORMATION; WATER EFFICIENT LANDSCAPE WORKSHEET; SOIL MANAGEMENT REPORT; LANDSCAPE DESIGN PLAN; IRRIGATION DESIGN PLAN; and GRADING DESIGN PLAN. The preparation of a Certificate of Completion containing the following elements shall also be prepared by a design professional: CERTIFICATION OF INSTALLATION (per the approved plan); FINAL SOILS INFORMATION; IRRIGATION SCHEDULING PARAMETERS; MAINTENANCE SCHEDULES; and IRRIGATION AUDIT REPORT. **Plan Requirements and Timing:** Prior to approval of a Building Permit, the applicant shall submit a Landscape Documentation Package to the CDD for review and approval. The CDD shall send a copy of the Documentation Package the Carpinteria Valley Water District. The applicant shall enter into an agreement with the City to install required landscaping and irrigation and maintain required landscaping for the life of the project. Subsequent to installation of the approved Grading, Landscape and Irrigation Plans, the applicant shall submit a Certificate of Completion to CDD for review and approval. The Landscape Documentation Package and Certificate of Completion forms are available at the CDD, and are required to be approved by the CDD prior to Occupancy Clearance. **Monitoring:** CDD shall conduct site visits to ensure installation and maintenance of landscape and irrigation.

CULTURAL RESOURCES

16. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a CDD-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the City Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall

check plans prior to issuance of a Grading or Building Permit and shall spot check in the field for compliance.

17. If human remains are uncovered during ground disturbing activities, the applicant shall immediately halt work and contact the Santa Barbara County Coroner to evaluate the remains. CDD shall be contacted immediately after contact or attempted contact with the County Coroner and all excavation activities on the project site shall cease. If the County Coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified and no further excavation activity shall occur on the site until consultation is complete with the most likely descendant, the Coroner and the CDD staff. Authorization to resume construction shall only be given by the City after consultation with the most likely descendent and shall include implementation of all appropriate measures to protect any possible burial sites or human remains. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and shall spot check in the field.

GRADING

18. Grading and erosion and sediment control plans shall be designed to minimize erosion and shall include the following:
    a. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins and spot grading shall be used to reduce erosion and siltation during grading and construction activities.
    b. All entrances/exits to the construction site shall be stabilized (e.g., using rumble plates, gravel beds or other best available technology) to reduce transport of sediment offsite. Any sediment or other materials tracked offsite shall be removed the same day as they are tracked using dry cleaning methods.
    c. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters and excavated inlet sediment traps.
    d. Graded areas shall be revegetated within three weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

    Plan Requirements: The grading and erosion and sediment control plan shall be submitted for review and approved by CDD and Public Works ("PW") prior to issuance of a Grading Permit. The plan shall be designed to address erosion and sediment control during all phases of development of the site. The applicant shall notify CDD and PW prior to commencement of grading. **Timing:** Components of the grading plan shall be implemented prior to occupancy clearance. Erosion and sediment control measures shall be in place throughout grading and development of the site until all disturbed areas are permanently stabilized. **Monitoring:** CDD shall inspect revegetation and ensure

compliance with plan. Grading inspector shall monitor installation and maintenance of erosion control measure throughout all grading and construction activities.

19. Drainage shall be consistent with approved drainage plans. **Plan Requirements:** Prior to issuance of a Grading Permit, a drainage plan shall be submitted to CDD and Public Works for review and approval. The plan shall include the location(s) of all proposed pipelines, the entire length of all proposed pipelines, trees located within 15 feet of the pipeline, pipe diameters, locations where the pipe(s) would surface in the creek and amount of water that would flow from each pipeline. **Timing:** The components of the drainage plan shall be implemented prior to commencement of construction of structures. **Monitoring:** CDD shall site inspect during grading.

GEOLOGY

20. The recommendations outlined in the project specific geotechnical investigation shall be followed in the construction of the subject project and the applicants shall be required to have the project engineering geologist onsite to observe all excavations prior to placement of compacted soil, gravel backfill, or rebar and concrete. **Plan Requirements/Timing:** Two copies of the preliminary foundation investigation shall be submitted with the building plans for building permit plan check. Applicable plan sheets (i.e., grading, foundation, etc.) shall be in substantial compliance with the recommendations outlined in the soils report. The project engineering geologist shall be onsite during excavation, recompaction and foundation preparation work, as applicable. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

NOISE

21. All noise attenuation measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to ensure that interior noise levels do not exceed 45 CNEL in habitable rooms. The measures shall include, but not be limited to, the following noise attenuation features:
    a. Provide mechanical ventilation so that windows may be left closed by occupants. This can be achieved passively with z-ducts, fresh air ducts or approved equal.
    b. All exterior walls shall meet a Sound Transmission Class (STC) rating of at least 46.
    c. All windows and sliding glass doors shall be rated STC 26 (assumed to be standard dual pane windows required per Title 24 energy standards) or higher.
    d. All entry doors shall be insulated against weather and sound with non-porous seals. Caulk entry door thresholds as they are placed.
    e. Use permanently non-hardening sealant around perimeter of window frames.
    f. Window assemblies shall be constructed with effective non-porous gaskets

or weatherstripping to minimize air infiltration and sound leakage.

g. Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.

h. Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.

Plan Requirements/Timing: All sound attenuation measures shall be incorporated into the building plans submitted for building permit plan check. Applicable plan sheets (i.e., mechanical, windows and doors, etc.) shall be in substantial compliance with the measures outlined in the acoustical study. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

22. Construction activity shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits and/or citations. **Monitoring:** Building Inspector shall spot check and respond to complaints.

23. In addition to the construction hour limitations, all construction noise reduction measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to limit short-term noise impacts during construction, including, but not limited to:

    a. **Mufflers.** During all phases of demolition and construction, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.

    b. **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptors.

    c. **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.

    d. **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.

    e. **Electrically- and Hydraulically-Powered Tools and Facilities**. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. To the extent feasible, hydraulic equipment shall be

used instead of pneumatic impact tools.

f. **Noise Disturbance Coordinator**. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.

Plan Requirements: A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits. **Monitoring:** Building Inspector shall spot check and respond to complaints.

24. The use of amplified sound equipment in the outdoor courtyard areas and unit deck or porch areas shall be limited so as to not constitute a public nuisance or violate any applicable City noise ordinances. **Monitoring:** CDD shall periodically inspect to ensure compliance. CDD and/or Sheriff Office deputies shall respond to any filed noise complaints.

SOLID WASTE

25. The permittee shall develop and implement a Solid Waste Management Program. The program shall include, but is not limited to, the following measures:
    a. Provision of *One (1) Four-cubic yard* bin for storage of recyclable materials within the project site.
    b. Development of a Source Reduction Plan (SRP) describing the recommended program(s) and the estimated reduction of solid waste disposed by the project.
    c. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to CDD review and approval.

    Plan Requirement: The applicant shall submit a Solid Waste Management Program to CDD for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to occupancy clearance and throughout the life of the project. **Monitoring:** CDD shall site inspect during construction, prior to occupancy, and after occupancy to ensure solid waste management components are established and implemented.

26. Sixty-five percent (65%) or more of all construction and demolition debris generated shall be diverted from the landfill, as mandated by Carpinteria Municipal Code. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During demolition and grading, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on demolition plans. Applicant shall

submit a Waste Management Plan (WMP) prior to demolition and provide Public Works with a completed WMP, including receipts for recycled materials to demonstrate compliance with the City's Construction and Demolition Program's 65% mandatory diversion rates. **Timing:** Materials shall be recycled as necessary throughout demolition and grading activities. **Monitoring:** Public Works shall review and approve a completed WMP prior to issuance of a Building Permit.

27. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by CDD staff. **Plan Requirements and Timing:** Prior to Building Permit issuance, applicant shall designate and provide to CDD the name and phone number of a contact person to monitor trash/waste and organize a clean-up crew. Trash control shall occur throughout all grading and construction activities. **Monitoring:** CDD shall inspect periodically throughout grading and construction activities.

AIR QUALITY

28. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site by following the dust control measures listed below. During clearing, grading, earth moving, excavation or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
    a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 miles per hour. Reclaimed water should be used whenever possible.
    b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
    c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped form the point of origin.
    d. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

    Plan Requirements: All requirements shall be shown on the grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors shall spot check and ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

29. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements:** The name and telephone number of such persons shall be provided to the APCD and the Community Development Department. **Timing:** The dust monitor shall be designated prior to issuance of a Grading or Building Permit. **Monitoring:** CDD shall contact the designated monitor as necessary to ensure compliance with dust control measures.

30. The following Diesel Exhaust Control Measures should be implemented during construction activities:
    a. Diesel construction equipment meeting the California Air Resources Board's current emission standards for off-road heavy-duty diesel engines shall be used.
    b. The engine size of construction equipment shall be the minimum practical size.
    c. The number of construction equipment operation simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
    d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
    e. Construction equipment operating onsite shall be equipped with two-to-four-degree engine timing retard or pre-combustion chamber engines.
    f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
    g. Catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating onsite.
    h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
    i. State law requires that idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.

    Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors shall spot check and ensure compliance onsite. APCD shall respond to complaints, as applicable.

WATER QUALITY

31. Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination. **Plan Requirements and Timing:** Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the plans submitted to the Community Development Department for review prior to issuance of a

Building Permit. **Monitoring:** CDD staff shall site inspect prior to the commencement and as needed during all grading and construction activities.

32. During construction, washing of concrete trucks, paint, equipment or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks or wetlands. The location of the washout area shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to CDD, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of a Grading or Building Permit. The washout area shall be in place and maintained throughout construction. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area.

STORM WATER

33. The project shall provide for onsite retention of storm water runoff, infiltration, and recharge where feasible. Feasibility shall be determined by CDD and Public Works. Retention basin(s) shall be maintained for the life of the project by the landowner. Recharge systems shall be developed in conjunction with Public Works and CDD. **Plan Requirements:** A drainage plan showing the location and design of the retention basins shall be submitted to CDD and Public Works for review and approval. Long term maintenance requirements shall be specified in a maintenance program submitted by the landowner. **Timing:** Retention and/or recharge basins shall be installed (landscaped and irrigated subject to CDD and Public Works approval) prior to occupancy clearance. **Monitoring:** CDD shall site inspect for installation and maintenance of landscaping. Public Works approval is required on final grading/drainage plans, and CDD approval is required for release of the performance security.

34. The applicant shall follow the County of Santa Barbara Stormwater Technical Guide to implement Post-Construction Runoff Control Measures (PCRs) to effectively prevent the entry of pollutants from the project site into the storm drain system during and after development. **Plan Requirements**: The applicant shall implement a Storm Water Control Plan (SWCP) that includes the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural PCRs to address identified pollutants; a proposed Operation and Maintenance Plan; a method for ensuring maintenance of all PCRs over the life of the project; and certification by a licensed civil engineer, architect, or landscape architect. The approved measures shall be shown on all building plans. **Timing:** Prior to issuance of a Grading or Building Permit, the SWCP shall be submitted to Public Works. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. The terms of the Operation and Maintenance Plan shall be followed to maintain facilities. **Monitoring:** Public Works shall site inspect prior to occupancy clearance to

ensure measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

UTILITIES

35. This Development Plan and Coastal Development Permit does not constitute approval for the installation of new and/or repair of existing underground utilities. All modifications to, or installations of new utilities shall be under separate permit(s) from the appropriate utility providers and the Public Works Department for any work within the public right-of-way. Utility provider permission for excavation shall precede issuance of any permits for construction within the public right-of-way.

HOUSING

36. The applicant shall provide Three (3) low income dwelling units (16.67% of project units) available for rent at prices affordable to households earning up to 80% of Area Median Income (AMI) consistent with the provisions of Government Code §§ 65915-65918 (Density Bonus). **Requirements and Timing**: Prior to issuance of the building permit, the applicant shall execute and record an *Affordable Housing Regulatory Agreement*, which shall include a Restrictive Covenant. The Agreement and Covenant shall be based on the City's model documents and subject to the review and approval of CDD and the City Attorney. The units shall remain affordable for a period of 55 years, beginning upon date of issuance of the occupancy clearance for said units. The running of the covenant shall toll during any period of violation.

    The Agreement shall include, but not be limited to, the following information about the project:

    a. The total number of units approved for the housing development, including the number of affordable dwelling units;
    b. A description of the household income group to be accommodated by the housing development and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with California Department of Housing and Community Development and Housing and Urban Development Guidelines;
    c. The marketing plan for the affordable units;
    b. The location, unit sizes (square feet) and number of bedrooms of the affordable dwelling units;
    c. Tenure of the use restrictions for affordable dwelling units for a period of 55 years.
    d. A schedule for completion and occupancy of the affordable dwelling units;
    e. A description of the additional incentives and concessions being provided by the City;

f. A description of the remedies for breach of the agreement by the owners, developers and/or successors in interest of the project; and
g. Other provisions to ensure successful implementation and compliance with the City's Density Bonus regulations and Government Code §§65915-65918 (Density Bonus Law).
h. Other provisions to ensure compliance with applicable local, state, and federal tenant protection regulations.

In addition, the Agreement shall provide for the following conditions governing the use of affordable dwelling units during the applicable restriction period:

a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable dwelling units for qualified tenants;
b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance.
c. Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying the affordable dwelling unit and which identifies the bedroom size and monthly rent or cost of each unit; and
d. The applicable use restriction period shall comply with the time limits for continued availability as specified above.

37. None of the dwelling units shall be operated as short-term vacation rentals or otherwise leased for a period of less than 30 days.

PARKING

A minimum of 53 parking spaces (45 standard spaces and 8 "compact" spaces) shall be maintained onsite for the life of the project. Parking spaces shall remain available for the use of residents and customers only. In addition, bicycle parking for a minimum of 12 bicycles shall be provided onsite and maintained for the life of the project. Additional bicycle parking shall be provided in the public right-of-way in a manner generally consistent with that depicted on the approved site, civil, and landscape plans, subject to final approval of the design and layout by the Public Works Department. **Plan Requirements:** Parking spaces and bicycle racks shall be shown on the plans submitted for Building Permit and Engineering Permit review. **Timing:** Parking spaces shall be striped and maintained (as needed) and bicycle racks installed prior to Final Occupancy clearance. **Monitoring:** CDD and PW shall periodically inspect the site for ongoing compliance.

38. The applicant shall develop and implement a Construction Parking, Staging and Traffic Management Plan. The purpose of the Plan is to minimize parking and traffic impacts to the surrounding residential neighborhood during construction of the project. The plan shall include, but is not limited to, the following measures:
    a. Development of a construction vehicle parking plan depicting the location of on-site construction vehicle parking. If all construction vehicle parking on-site is not

feasible throughout the construction phase, the applicant shall implement a construction employee shuttle program documenting the location of offsite construction employee parking and shuttle schedule.

b. Development of a construction equipment, material staging and storage plan confirming that all construction equipment and materials will be located on-site and not within any City right-of-way.
c. Development of a construction traffic management plan accounting for the temporary location and movement of construction delivery trucks, large equipment, cranes, and similar construction related activities.

Plan Requirement: The applicant shall submit a Construction Parking, Staging and Traffic Management Plan to CDD and Public Works for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to issuance of a Building Permit. **Monitoring:** CDD shall site inspect during construction to ensure compliance with all aspects of the Plan.

DEVELOPMENT PLAN CONDITIONS

39. Approval of the Development Plan and Coastal Development Permit shall expire two (2) years after approval by the Planning Commission unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension.

40. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Building Permit.

41. No permits for development shall be issued except in conformance with the approved Development Plan and Coastal Development Permit. The size, shape, arrangement, use and location of buildings, walkways, parking areas and landscaped areas shall be developed in conformity with the approved Development Plan marked Attachment A, Exhibit 2, dated February 5, 2024. Substantial conformity shall be determined by the Community Development Department Director.

42. On the date a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.

43. To allow time for the utility companies to locate and mark their facilities for the contractor, the applicant shall telephone Underground Service Alert (USA) toll free at 1-800-227-2600 a minimum of 48 hours prior to the start of construction. For best response, provide as much notice as possible, up to 10 working days.

44. Existing and proposed easements for all utilities shall be located and described on the engineering plans or the architectural drawings prior to issuance of building permits.

CITY RULES & REGULATIONS/LEGAL REQUIREMENTS

45. Future commercial uses of all tenant spaces shall be consistent with project zoning, including, but not limited to, the base zone district requirements and any applicable overlay districts, including Visitor-serving Commercial allowed uses. Approval of a Building Permit for all future tenant improvements within the commercial spaces is required. In addition, issuance of a Carpinteria Business License and Occupancy Clearance shall be obtained for all future tenants to confirm respective uses are consistent with allowed uses under zoning prior to initiating business. Individual uses may be conditioned for hours of operation, noise, or similar measures, as needed, to address potential nuisance issues and land use compatibility.

46. No provision of alcohol service, live entertainment or dancing are permitted as part of this approval. Should the applicant or any future tenant(s) choose to provide any of these services or activities, the proper licenses and approvals must first be obtained from the City. **Plan Requirements/Timing:** Prior to initiating alcohol service, live entertainment or dancing, applicant and/or tenant shall apply to the City (and/or respective State agency) for all necessary licenses and approvals. **Monitoring:** CDD staff shall ensure all necessary licenses/permits are obtained prior to initiating any of the enumerated ancillary uses.

47. All future food and beverage tenants shall comply with the City's ban on food dispenser containers made entirely or in part from non-recyclable plastic (including but not limited to expanded polystyrene (eps) containers), including the annual self-reporting requirements as outlined in CMC §8.50, and the City's ban on single use plastic and paper bags as outlined in CMC §8.51.

48. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Building Permit. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permits will be issued by the Community Development Department, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Community Development.

49. All Conditions of Approval and mitigation measures shall be printed in their entirety on applicable pages of construction or building plans submitted to CDD. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.

50. Prior to issuance of a Building Permit, the applicant shall provide a signed copy of the Conditions or Approval on a form acceptable to Community Development. Such form may be obtained from the CDD office.

51. Prior to issuance of a Building Permit, the applicant shall pay all applicable CDD permit processing fees in full. Any outstanding plan check or inspection fees incurred during construction shall be paid in full prior to occupancy clearance.

52. The applicant shall pay the statutory school fees in effect at the time of issuance of Building Permits to the Carpinteria Unified School District. **Plan Requirements and Timing:** The applicant shall submit final square footage calculations and the required fee payment to the School District prior to issuance of Building Permits. **Monitoring:** CDD shall ensure payment is made prior to issuance of a Building Permit.

53. In accordance with Chapter 15.80 of the Carpinteria Municipal Code, the applicant shall pay Development Impact Fees to the City prior to Building Permit issuance. The amount of the fees will be determined at the time permits are issued.

54. Any change of use in the proposed buildings or structures shall be subject to environmental analysis and appropriate review by the City, including Building Code compliance.

55. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

56. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.

57. All requirements of the City (including but not limited to public improvements as defined in the City Municipal Code (CMC), Section 15.16.110) and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

58. The standards defined within the City's adopted model Building Codes (UBC; NEC; UMC; UFC; UPC; UHC) relative to the building and occupancy shall apply to this project.

59. Any minor changes may be approved by the City Manager and/or Community Development Director. Any major changes will require the filing of a modification application to be considered by the Planning Commission.

60. No building permits shall be issued for this project prior to meeting all required terms and conditions listed herein. When not specified herein, all conditions shall be satisfied prior to issuance of a building permit or prior to occupancy when allowed by the Community Development Director.

61. If, at any time, the City or Planning Commission determines that there has been, or may be, a violation of the findings or conditions of this Development Plan and Coastal Development Plan, or of the Municipal Code regulations, a public hearing may be held before the Planning Commission to review this permit. At said hearing, the Planning

Commission may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City. The applicant shall reimburse the City for all costs associated with gaining compliance with the original conditions of approval.

62. In the event that any Condition of Approval imposing a fee, exaction, dedication or other mitigation measure is challenged by Applicant/Owner/Permittee in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Condition of Approval is invalidated by a court of law, the entire project shall be reviewed by the City and substitute Conditions of Approval may be imposed.

63. The owner/applicant ("Owner") hereby agrees to defend, indemnify and hold harmless the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any claim, action or proceeding ("Claims") against the City and the City's Agents to attack, review, set aside, void or annul, in whole or in part, the City's approval of the Development Plan and Coastal Development Permit (the "Project"), or any condition attached thereto, or any proceedings, acts or determinations taken, done or made prior to the approval that were part of the approval process. Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorneys' fees or court costs made in connection with any Claim. Owner further agrees to pay any and all City costs, permits, attorneys' fees, engineering fees, license fees and taxes arising out of or concerning the Project, whether incurred prior to or subsequent to the date of approval and that the City's costs shall be reimbursed prior to this approval becoming valid. These commitments of defense and indemnification are material conditions of the approval of the Project. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorneys' fees, expenses and costs of that independent defense.

64. Written authorization to proceed and consent to conditions of approval by the legal owner of the property shall be provided to the City prior to building permit issuance.

SPECIAL DISTRICT CONDITION LETTERS

65. Compliance with the attached Departmental and District letters is required as follows:
    a. Carpinteria Sanitary District, dated May 3, 2023.
    b. City of Carpinteria Public Works Department, dated November 27, 2023.
    c. Carpinteria Valley Water District Intent to Serve Letter, dated November 10, 2023.
    d. Carpinteria Valley Water District Condition Letter, dated November 10, 2023.
    e. Carpinteria-Summerland Fire Protection District, dated July 29, 2023.

Approved by the Planning Commission on February 5, 2024.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT.

_____

Applicant/Property Owner Date

CARPINTERIA
Sanitary District

5300 Sixth Street
Carpinteria, CA 93013
Phone (805) 684-7214 • Fax (805) 684-7213

May 3, 2023

Via Email: nickb@carpinteriaca.gov

Mr. Nick Bobroff
Community Development Department
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, California 93013

RE: Project No. 23-2221-DP/CDP
4745 Carpinteria Avenue (APN: 003-251-018)
Applicant: Western Built Construction – Justin Klentner

Dear Mr. Bobroff:

Thank you for the opportunity to provide comments on the subject project. The Carpinteria Sanitary District (District) has reviewed the application package and conceptual plans provided for the proposed mixed use project, which includes 22 new residential apartment units and 4,304 square feet of commercial space.

The District recommends that the following conditions be incorporated into the review/approval process to address sewer system improvements:

1. Any sewer improvements shall conform to approved District construction standards for materials and methods. The applicant shall submit detailed engineered drawings to the District showing all proposed sewer improvements for review and approval.

2. The preliminary utility plans show a single connection to the District's existing sewer main in 9th Street. This may be acceptable for the proposed development (single ownership and not condominiums). Exact configuration will be determined in the design review process described in Item 1 above.

3. The applicant shall provide the District with an estimate of peak wastewater flow from the proposed development. The hydraulic capacity of downstream sewer conveyance infrastructure in Holly Avenue is limited. The District may require modeling of the District sewer network to verify available capacity to serve the project.

4. A Sewer Construction Permit is required for sewer improvements serving the proposed project. The permit shall be procured and applicable fees paid prior to issuance of Building permits. During construction, it is the applicant's responsibility to notify the District of any modifications to or variation from the approved engineered drawings.

5. A Development Impact Fee (DIF) for the project shall be paid to the District prior to issuance of a Sewer Construction Permit. The applicable DIF shall be determined by

6. the District according to Ordinance No. 18, or the then current District ordinance at the time of permit issuance. Credit for the existing non-residential connection will be included in the DIF calculation.

7. District sewer service charges (SSCs) are calculated per District ordinance and collected through the County of Santa Barbara property tax rolls on an annual basis. Prior to obtaining a Certificate of Occupancy (COO), the applicant shall pay applicable pro-rated SSCs due for the period between COO issuance and the following June 30th.

If you have any questions or comments regarding any of the conditions provided, please contact me at (805) 684-7214 extension 112, or by email at craigm@carpsan.com.

Sincerely,
CARPINTERIA SANITARY DISTRICT

Craig Murray, P.E.
General Manager

cc: Lance Lawhon (lancel@carpsan.com)

CARPINTERIA
Sanitary District

5300 Sixth Street
Carpinteria, CA 93013

Phone (805) 684-7214 · Fax (805) 684-7213

January 17, 2024

Via Email: Brian.Banks@carpinteriaca.gov

Mr. Brian Banks
Community Development Department
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, California 93013

RE: Project No. 23-2221-DP/CDP
4745 Carpinteria Avenue (APN: 003-251-018)
Applicant: Western Built Construction – Justin Klentner

Dear Mr. Banks:

Thank you for the opportunity to provide comments on the subject project. The Carpinteria Sanitary District (District) has reviewed the application package and conceptual plans provided for the proposed mixed-use project, which includes 24 new residential apartment units and 4,304 square feet of commercial space.

The District recommends that the following conditions be incorporated into the review/approval process to address sewer system improvements:

1. Any sewer improvements shall conform to approved District construction standards for materials and methods. The applicant shall submit detailed engineered drawings to the District showing all proposed sewer improvements for review and approval.

2. The preliminary utility plans show a single connection to the District's existing sewer main in 9th Street. This may be acceptable for the proposed development (single ownership and not condominiums). Exact configuration will be determined in the design review process described in Item 1 above.

3. The applicant shall provide the District with an estimate of peak wastewater flow from the proposed development. The hydraulic capacity of downstream sewer conveyance infrastructure in Holly Avenue is limited. The District may require modeling of the District sewer network to verify available capacity to serve the project.

4. A Sewer Construction Permit is required for sewer improvements serving the proposed project. The permit shall be procured and applicable fees paid prior to issuance of

Building permits. During construction, it is the applicant's responsibility to notify the District of any modifications to or variation from the approved engineered drawings.

5. Development Impact Fees (DIF) for the project will be required. The existing building on the site has an existing sewer connection to the District and the project DIF fees will be credited for that connection. The project will receive a DIF credit of $11,871.31 for the existing 1,500 square foot building. The proposed mixed-use development, less the DIF credit, has an estimated DIF fee of $23,741.48. The fees will be determined when the District reviews the finalized construction plans.

6. District sewer service charges (SSCs) are calculated per District Ordinance 17 and collected through the County of Santa Barbara property tax rolls on an annual basis. Prior to obtaining a Certificate of Occupancy (COO), the applicant shall pay applicable pro-rated SSCs due for the period between COO issuance and the following June 30th. For each new EDU being served. The estimated SSC for the proposed project is $18,665.52.

If you have any questions or comments regarding any of the conditions provided, please contact me at (805) 684-7214 extension 113, or by email at lancel@carpsan.com.

Sincerely,
CARPINTERIA SANITARY DISTRICT

Lance Lawhon

Lance Lawhon
Engineering Technician

Attachment: Development Fee Calculation

CITY OF CARPINTERIA, CALIFORNIA

Public Works Department
Memorandum

To: Nick Bobroff, Principal Planner
Community Development Department

From: John L. Ilasin, Public Works Director/City Engineer /s/

Date: November 27, 2023

Subject: 4745 Carpinteria Avenue, Project No. 23-2221-DP/CDP

The Public Works Department has reviewed the project submittal dated April 26, 2023, and has the following conditions of approval:

CONDITIONS OF APPROVAL

1. An Engineering Permit shall be obtained from the City Engineer for any improvements or other encroachment work within the public right-of-way.

2. All improvements within the public right-of-way shall be completed to the satisfaction of the City Engineer prior to the issuance of a Certificate of Occupancy.

3. Record drawings or as-built plans shall be submitted to the City Engineer at time of final inspection for all work covered by an Engineering Permit. The record drawings or as-built plans shall be the original construction tracings or permanent mylar copies of a quality acceptable by the City Engineer.

4. A Transportation Permit shall be obtained from the City Engineer for operating or moving any vehicle or combination of vehicles or special mobile equipment in any of the acts as listed in Carpinteria Municipal Code Section 12.12.010.

5. All existing private property encroachments shall be removed from the City of Carpinteria public right-of-way.

6. Improvements shall include concrete curbs, gutters, and sidewalks; and street trees along the property frontage on Ninth Street.

7. Improvements shall include removal of existing driveway approach at the property frontage on Carpinteria Avenue and replacement with concrete curb, gutter, and sidewalk.

8. Improvements shall include new concrete driveway approaches at the following property frontage locations for conformance with current Americans with Disabilities Act (ADA) standards:

Carpinteria Avenue
Ninth Street

9. Improvements shall include application of microsurfacing for the entirety of Ninth Street between Holly Avenue and the Ninth Street terminus.

10. Improvements shall include the removal and replacement of any lifted or damaged sidewalks, curbs, and gutters along the property frontage on Carpinteria Avenue.

11. All new and existing utility services shall be installed underground from the closest point of connection or utility pole and completed prior to any paving required for the project. No new utility poles shall be installed.

12. Stormwater control plans shall be in conformance with the County of Santa Barbara Technical Guide for Low Impact Development.

13. A Maintenance Agreement for permanent stormwater quality best management practices shall be submitted to the City Engineer for review and approval. The Maintenance Agreement shall include, at minimum, the following elements: (1) Operations and Maintenance Plan; (2) Legal description and plat of property; (3) Site plan of all permanent stormwater quality best management practices; (4) Property owner's printed name, signature, and date of signing; and (5) Notary public acknowledgement.

14. Improvements in areas of special flood hazards as shown in the latest effective flood insurance rate map shall be constructed in conformance with the City floodplain management regulations (Carpinteria Municipal Code Chapter 15.50).

15. Construction and demolition debris generated shall be reported in conformance with the Construction and Demolition Debris Recycling Program. Sixty-five percent (65%) or more of all construction and demolition debris shall be diverted from the landfill. The Construction and Demolition Debris Recycling Program forms shall be completed and submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.

16. Construction and demolition debris shall be separated on site into reuse, recycling, or disposal. Separate bins or containers for recycling of construction and demolition debris shall be provided on site.

17. Self-hauled disposal receipts from transfer stations shall be submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.

18. Any self-hauled construction and demolition debris shall be reported in writing to the City Engineer. A contract waste hauler may be allowed for disposal of construction and demolition debris subject to the approval of the City Engineer.

End of Comments

Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

November 10, 2023

Justin Klentner
152 N Almont Dr.
West Hollywood, CA 90048

SUBJECT: **Request for Intent to Serve Letter regarding proposed project at 4745 Carpinteria Avenue (the "Project")**

Dear Applicant,

In response to your request, this letter will serve as confirmation that Carpinteria Valley Water District (the "District") currently has sufficient water supply to serve the Project, subject to qualifications indicated below.

The Project proposes to redevelop 4745 Carpinteria Avenue into a new mixed-use development. Per density bonus law, this project set aside 17% of the 18 base units for low-income households, which would equate to three income-restricted units, and would grant the project tup to a 30.5% density bonus (six additional units), which would equal 24 units. The project consists of 23,094 GSF of 18 two-bedroom units, 5,752 GSF of 4 two-bedroom townhouses facing 9th St., 2,155 GSF of 2 one-bedroom units, 4,304 GSF of 2 story commercial/retail, and 22,500 GSF concrete parking podium. 53 proposed parking spaces: 18 commercial and 35 residential.

Permit #: 23-2221-DP/CDP

While the District currently has sufficient water to supply the Project's proposed use, it is important to note that the District has declared a Stage 1 Drought Emergency (see Ordinance 22-1, *www.cvwd.net*), which remains in effect. As a result, while there are currently meters available to service the Project, the District will continue to monitor its water supply, and may be forced to consider declaring more severe stages of drought or imposing further water restrictions or a moratorium on new and/or expanded connections.

Accordingly, the confirmation conveyed by this letter is subject to the following conditions and caveats:

1. If the intensity of the proposed use increases, this letter is void and you will need to file a new request for an "Intent to Serve" letter. Subsequent issuance of a new Intent to Serve letter is not assured.
2. This letter is only valid for the Subject Project.
3. You must obtain all permits and approvals for the Project as required by local, state and federal law.

4. This "Intent to Serve" letter is conditional upon, and shall not be in force or effect until, the Project receives final approval from the applicable land use agency.
5. Upon the expiration of any land use and or building permits for the Project, this "Intent to Serve" confirmation shall be void and you shall be required to submit a new request for confirmation of the District's intent to serve the Project, which shall be subject to any drought conditions, restrictions and/or moratoriums then in effect.
6. If new meters are required for the Project, issuance of said meters shall be subject to applicable fees, including, but not limited to, Capital Cost Recovery fees, Construction costs and other related costs, and Water Supply Impact fees.
7. The District reserves the right to participate in or comment on any analysis or review of the Project performed by any agency under the California Environmental Quality Act (CEQA), even if said participation or comment may detrimentally impact the resulting CEQA review or analysis. This letter does not constitute analysis or approval under CEQA.
8. You must renew this letter annually after the date of this letter to keep the District apprised of Project status and developments.
9. This letter has a Project specific Conditions Letter attached that will be considered to be included in the conditions above.

Should you have any questions please do not hesitate to contact the District at 805-684-2816.

Very truly yours,
Carpinteria Valley Water District

Spencer Seale
Field Engineering Technician

cc: TCM to account
Brian King, District Engineer

Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

November 10, 2023

Justin Klentner
152 N Almont Dr.
West Hollywood, CA 90048

SUBJECT: **4745 CARPINTERIA AVE; APN 003-251-021; ACCOUNT NUMBER 08-082152-02; PROJECT NUMBER 23-2221-DP/CDP; MIXED-USE DEVELOPMENT (APARTMENTS + TOWNHOMES + COMMERCIAL SPACE); INTENT TO SERVE WITH CONDITIONS**

To Whom It May Concern,

Please be advised, this parcel is within the jurisdiction of Carpinteria Valley Water District and therefore is entitled to District water service in accordance with District Rules and Regulations. Currently the District is in a Stage 1 Drought Emergency; for more information on Ordinance 22-1, please visit the District website www.cvwd.net.

This letter is good for one year from the date of the letter.

The subject property is currently served by a 0.75" commercial water meter and does not have a backflow protection device immediately downstream of the water meter (Account #08-082152-02). Based on the grading and drainage plans dated April 14th, 2023, the District has the following conditions:

- Include the District on the City's building permit issuance and final sign off routing sheets.
- Include the District on the City's final sign off for occupancy.
- The project must have a meter for each dwelling unit and the project must be plumbed accordingly and note which meter is servicing each dwelling unit. Water demand calculations must be provided to the District in order to determine the meter sizes prior to sign off of the building permit.
- Commercial units will require commercial water meter(s) for the project.
- Unless utilized for the project, the existing 0.75" commercial water meter and service line on Carpinteria Avenue is to be abandoned and shown on water utility plan.
- The property will require a dedicated landscape meter or meters to water landscaped areas. The irrigation meter(s) will require an appropriately sized reduced pressure principle backflow assembly (RP) per Standard Detail W-115. Calculated water demand will determine landscape meter size, as to be approved by District.
- Provide landscape plan that displays water system layout prior to issuance of building permit.
- Provide a complete Civil plan set prior to issuance of building permit.
- Once meters are installed, accounts will be open and owner will be responsible for monthly fees, charges, and account deposit.

- The owner is responsible for all Capital Cost Recovery Fees and Construction Deposits as outlined in Appendix B and Appendix C of the District's Rules and Regulations. Construction Deposits required prior to signing the Building Permit. Capital Cost Recovery Fees due prior to the installation of water meters.
- The owner is responsible for all Water Supply Impact Fees for the project prior to the installation of water meters if such fees apply.
- If fire sprinklers are required, fire demand calculations must be supplied to the District prior to building permit issuance to ensure the meter size is adequate. If the water meter must be upsized to meet fire sprinkler demand, the owner is responsible for all fees and deposits associated with upsizing the water meter.
- If fire sprinklers are required, the owner is responsible for installing a reduced-pressure principle backflow assembly (RP) at the water meter per District standard detail W-115-01. Any deviations from the standard detail must be approved by the District prior to installation. Fire sprinkler demand calculations would need to consider the pressure loss across the backflow assembly. The backflow assembly must have a passing test performed by a certified backflow tester and submitted to the District prior to final sign off. Backflow device installation and testing fees are the responsibility of the owner and the backflow assembly would be added to the District's Cross-Connection Control Program and require annual testing.
- If an independent fire system is required, the owner must install a double-check detector assembly (DCDA) approved by the District and the Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR). Fire demand calculations would need to consider the pressure loss across the backflow assembly. The backflow assembly must have a passing test performed by a certified backflow tester and submitted to the District prior to final sign off. Backflow device installation and testing fees are the responsibility of the owner and the backflow assembly would be added to the District's Cross-Connection Control Program and require annual testing.
- If other fire improvements are required for the project, the owner is responsible for all fees, deposits, and development costs associated with these improvements, including, but not limited to, fire hydrants, independent fire services, water meter upgrades, backflow assembly installations, plans, facility upgrades, and main extensions.

Should changes to the plans, including landscaping, irrigation, or water fixtures occur we require an additional opportunity to review revised plans.

If you have any questions, please feel free to contact me at spencer@cvwd.net or 805-684-2816x124.

Very truly yours,
Carpinteria Valley Water District

Spencer Seale
Field Engineering Technician

S:\Development\4745 Carpinteria Avenue\2023 Klentner Mixed Use\20231110_INTENT_CONDITIONS_23-2221-DP-CDP.docx

cc: TCM to account
Brian King, District Engineer

CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

4745 Carpinteria Ave Carpinteria CA 93013, April 26, 2023

Location	34.400926, -119.521728
Status	Planning Complete
Submittal Date:	April 26, 2023
Project Address/Location:	4745 Carpinteria Ave Carpinteria CA 93013
APN:	003-251-021
Project Description:	Mixed Use Project Commercial/Residential
Applicant:	Western Built Construction/Justin Klentner
Applicant Address:	152 N. Almont Dr West Hollywood CA 90048
Applicant Phone Number:	310-927-4011
Applicant Email:	justin@westernbuiltconstruction.com
Submittal Type:	Planning

Planning/Conceptual Design

Date Review Completed:	May 25, 2023
Permit Number:	23-2221 CDP/DP
Planner:	Nick Bobroff
Plan Checker:	Michael LoMonaco
Actions Taken:	Letter sent

PROJECT CONDITIONS:

Access Requirements:

All required access ways (public or private) shall be installed and made serviceable prior to vertical construction or stacking of lumber for construction, or storage of combustible materials.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. The Fire Marshal may extend this length for sprinklered structures.

Entry gates require an approved Knox entry system. It shall be installed in an accessible location.

Building address numbers shall be visible from the street. Numbers shall be a minimum 4" high 1" stroke on a contrasting background for residential structures. 8" high 2" stroke minimum on commercial structures.

Application for address changes or additional addresses shall be submitted to CSFPD Fire Prevention Bureau.

Additional Comments: 9th street is a dead end street. A fire department turnaround is required. It is recommended to use the 9th street entry driveway as part of the required turnaround. Contact the Fire Prevention Bureau for further clarification.

Water Requirements:

Fire hydrants capable of supplying the required fire flow for fire protection shall be provided for all buildings or portions of buildings which have been or are hereafter constructed within this project.

A current fire flow form shall be submitted to Carpinteria-Summerland Fire Protection District. Contact the Carpinteria Valley Water District to schedule having the test performed.

Fire hydrants shall be installed within 250 feet driving distance of all structures. The hydrant(s) shall be of the type approved by the Fire District and acceptable to the Carpinteria Valley Water District. The fire hydrant and mains supplying the same shall be installed in accordance with the current CFC and CSFPD standards. The minimum gallons per minute at 20 PSI shall be determined by the fire flow requirements in the current CFC.

Prior to vertical construction or stacking of lumber for construction the fire protection water system shall be installed flushed and approved by the Fire District to assure compliance with the standards expressed herein.

Additional Comments: Two new hydrants will be required. One on the Carpinteria Ave. side of the project on the south side of the street. The second will be installed on the 9th street side of the project. Exact location to be determined with Carpinteria Valley Water District.

Fire Protection Systems Requirements:

All new buildings and structures shall be protected by an approved automatic fire sprinkler system.

FDCs shall be located within 150' of a fire hydrant capable of providing the required fire flow.

Prior to installation plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to this office for approval.

A fire alarm or sprinkler monitoring system shall be installed or modified. Prior to installation plans for the system shall be designed by a qualified person and submitted to this office for approval.

CARPINTERIA~SUMMERLAND
FIRE PROTECTION DISTRICT

Smoke detectors and carbon monoxide alarms must be installed in all residences in accordance with the current National Electric Code Per the provisions of the California Building and Fire Codes.

Prior to occupancy all alarm systems that are monitored shall be tested.

Prior to occupancy portable fire extinguishers shall be mounted such that the maximum travel distance from any area will meet the standard or be less than 75 feet.

Additional Requirements:

Illuminated exit signs and emergency exit lighting shall be provided in accordance with the provisions of the current California Fire Code.

Any future changes including further division, intensification of use, or increase in hazard classification may require additional conditions in order to comply with applicable fire district development standards.

Fees:

Pursuant to County ordinance Chapter 15 & Carpinteria Municipal Code Chapter 8.26 Section 8.26.030 - Imposition of fire protection mitigation fees: The applicant will be required to pay a fee for the purpose of mitigating the increased fire protection needs generated by the development. The amount of the fee is as follows:

D. Multiple Family Residential Development. A fee of $2004.76 per Dwelling Unit will be assessed on all Multiple Family Residential development.

H. Retail/Service/Office Use Development. A fee of $4.35 per square foot of floor space will be assessed on all new Retail/ Commercial/ Office Uses development.

PURSUANT to CSFPD Ordinance 2019-01 imposition of fire protection fees for service: The applicant may be required to pay fees for additional plans reviews and/ or additional field inspections. The amount of the fee is as follows: A. Two Hundred Twenty-Four ($224.00) Dollars for Additional Plan Review Fees will be assessed as additional plan reviews are completed. B. Two Hundred Ten ($210.00) Dollars per hour for Field Inspections will be assessed for additional inspections.

Checks shall be made payable to: Carpinteria-Summerland Fire Protection District (CSFPD) and delivered to Fire District Headquarters at 1140 Eugenia Place, Suite A Carpinteria, California 93013. Money orders and cashiers' checks will be accepted. Cash payment will not be accepted. Credit and debit cards can be used online. The link can be found at Carpfire.com

CARPINTERIA~SUMMERLAND
FIRE PROTECTION DISTRICT

Inspector's Signature

Signed 6/29/2023, 11:55:44 AM PDT

The above conditions apply to this project as submitted. Future changes including, but not limited, to further division, intensification of use, or increase in hazard classification, may require additional conditions in order to comply with applicable development standards in effect at the time of the change. If you have questions please do not hesitate to contact this office at (805) 684-4591

Attachment B
Exhibit 1:
Minutes from the December 19, 2022 Joint ARB-PC-CC Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

City of Carpinteria
Special Joint City Council, Planning Commission and Architectural Review Board Meeting Minutes
Monday, December 19, 2022

In-Person and Virtual

CALL TO ORDER

Mayor Clark called the meeting to order at 5:30 pm.

ROLL CALL

City Councilmembers present:	Councilmember Roy Lee Councilmember Wade T. Nomura Councilmember Mónica Solórzano Mayor Al Clark
City Councilmembers absent:	Vice Mayor Natalia Alarcon
Planning Commissioners present:	Commissioner David Allen Commissioner John Callender Commissioner John Moyer Vice Chair Glenn LaFevers Chair Jane Benefield
Architectural Review Boardmembers present:	Boardmember Richard Johnson Boardmember Patrick O'Connor Boardmember Jim Reginato Chair Brad Stein
Architectural Review Boardmembers absent:	Vice Chair Amy Blakemore
Staff members present:	Dave Durflinger, City Manager Mack Carlson, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria Brian C. Barrett, City Clerk Nick Bobroff, Principal Planner Steve Goggia, Community Development Director

PLEDGE OF ALLEGIANCE: NONE

CITY COUNCIL BUSINESS

The City Council, Planning Commission and Architectural Review Board met to discuss the following subject matter:

Conceptual review of a mixed-use commercial/residential development on a 0.87-acre lot located in the City's Downtown Core at 4745 Carpinteria Avenue (APN 003-251-021). Project No. 22-2193-CON.

Recommendation: Receive public comment and provide conceptual review and comments on the subject mixed use development proposal.

Councilmember Solórzano recused herself due to her real property being within 500 feet of the project and left the Council Chambers at 5:33 pm and did not return for the remainder of the meeting.

Principal Planner Bobroff and Community Development Director Goggia presented the staff report and PowerPoint presentation.

Michael Stroh with DMHA Architecture and Justin Klentner, prospective buyer and developer presented the developer's presentation.

PUBLIC COMMENT WILL BE HEARD CONCERNING ONLY THE AGENDIZED ITEM FOR THIS SPECIAL MEETING

Speakers in-person: Mike Wondolowski, Joseph Viens, John Nicoli, and Karen (no last name provided)

Emails distributed: Mike Wondolowski and Steve McMahon

Mayor Clark opened up comment from the Architectural Review Board.

Boardmember Reginato appreciated that the project includes warehousing, liked the project appearance from Carpinteria Avenue and the 50-foot setback near Franklin Creek and saving the trees. He suggested that the parking be lowered so the entire project can be lowered, the apartments be stepped back a bit, Ninth Street façade is too much, and preferred smaller housing units broken into smaller sections so Ninth Street residents can see the mountains. He noted that parking would be an issue for a visitor serving business such as a restaurant and would impact nearby businesses along Carpinteria Avenue. He also recommended mitigating the project height by losing volume ceilings on the top units, put as much soil on the project as possible, install eV charging stations in parking areas, do not install natural gas on the site, and place more studio units and less two bedroom units to reduce the project scale.

Boardmember O'Connor observed that it will be a challenge to create a beach feel with a three-story building and suggested lowering the parking level. He identified that the project will impact parking and questioned how the egress into the businesses on the second floor will work in the courtyard and asked if there was an opportunity for greenspace in the second floor courtyard.

Boardmember Johnson noted caution with high-density living. He liked the animation of the project elevations that are being proposed, but remarked that the wedding cake concept should apply to all four sides. He didn't mind the 36-foot height as long as it's located in the middle of the property and commented that the developer should focus on the exterior exposure concept to allow for 360-degree potential views to the community around the project instead of focusing on the interior courtyard as the entry and open space.

Chair Stein expressed concern over issues with parking and traffic and that the project was out of scale with the neighborhood on Ninth Street and Linden Avenue. He commented that the project has some consistency with applicable City regulations; however, the project is not compatible with the Downtown core and small beach character, nor is it compatible with surrounding residential development on Ninth Street. He recommended the developer make the property earn what will be built so there won't have to be an excessive number of housing units. He remarked that the City needs housing, but the housing needs to fit in Carpinteria.

Mayor Clark opened up comment from the Planning Commission.

Vice Chair LaFevers felt the mixed-use was appropriate for the site. He identified that there should be flexibility in exploring the amount of commercial versus residential use for the project, if the proposed commercial is a restaurant that will exacerbate the issues with parking, he supported having apartments instead of condos, and felt that the project location was appropriate for rental units. He remarked that there was room for creativity when designing the substructure parking. He was not overly concerned with the lot coverage as that could be given up for consideration to tier and step back, nor was he concerned with height as long as it is appropriately balanced. He suggested reducing the size of the units to help reduce the overall massing and that Carpinteria might be better served with small more affordable units.

Commissioner Callender explained that the project can have a certain amount of leeway in the early conceptual review as it's an opportunity to discover what the applicant has in mind and see if it is consistent with what the City has in mind and how the law is applied. He said the City and developer need to be on the same page and figure out what is the overall approach in terms of the project scope. He liked the restoration of the riparian habitat as part of the project. In regards to parking impacts, he expressed that the community take on a more community-wide strategy to address parking issues rather

than saddling it on individual project applicants to meet an outdated set of requirements spelling out how much of the community should be devoted to automobiles. He saw difficulty in reconciling this project with the City's General Plan with regard to preserving mountain views as he felt the existing Ninth Street residents would be disadvantaged by this project.

Commissioner Allen commented that it was important for the community to understand the impact of State law on local governments. He agreed on looking at a community-wide vision for dealing with parking issues. He advocated to stick to the 30-foot height, lower the parking level and stepping back the units, look at affordability by design for rental housing, and make smaller housing units. He appreciated that the project included creek restoration and suggested a long-term restoration into the channel. He observed that the rear parking can fit more than 10 spaces and recommended that for any new development with a lot of people that residents have free wi-fi and internet connectivity.

Commissioner Moyer appreciated the improvements proposed by the project. He preferred smaller housing units and step back the units. He observed that the Ninth Street elevations show the bulkiness of the project and that this is the beginning of the conversation about a project that could have great benefit to the City.

Chair Benefield recommended the project have an onsite manager living there as it's a rental property. She remarked that there is a need for communication between the developer and the City and that each needs to understand the other. She commented that she would like to see this project move forward with many changes and identified that there is a need for housing and a need for an overall parking discussion and discussion with the developer. She was in favor of the overall project concept presented.

Mayor Clark opened up comment from the City Council.

Councilmember Lee expressed concern about the impact to Ninth Street residents from this project such as traffic, congestion, and public safety. He preferred to see more two and three bedroom units for families.

Councilmember Nomura suggested taking a look at opportunities/options for how this project is going to work and fit and to keep in mind what aspects of this project will set precedence in the future. He expressed concern about where the parking for the commercial space will go. He appreciated having underground parking with two-stories of residential above it and the 50-foot setback and recommended adding a walking path along the creek to connect to Ninth Street. He also suggested moving the courtyard away from the center and bring it towards Ninth Street, he felt the proposed central location of the courtyard could create issues such as echoing. He commented that parking will be a challenge and requested the developer look at the design.

Mayor Clark identified the need for the developer to balance keeping Carpinteria a small town and also provide housing. He noted that the developer should look at smaller more affordable housing units, including low income housing. He recommended the developer do more density, but at the same time, respect the neighborhood and town in developing this project.

Mayor Clark asked if the applicant had any comments or questions.

Justin Klentner, prospective buyer and developer summarized that he wants to work with the City and find common ground among all stakeholders.

ADJOURNMENT

Mayor Clark adjourned the meeting at 7:38 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

Attachment B
Exhibit 2:
Reduced Plan Set from the December 19, 2022 Joint ARB-PC-CC Meeting

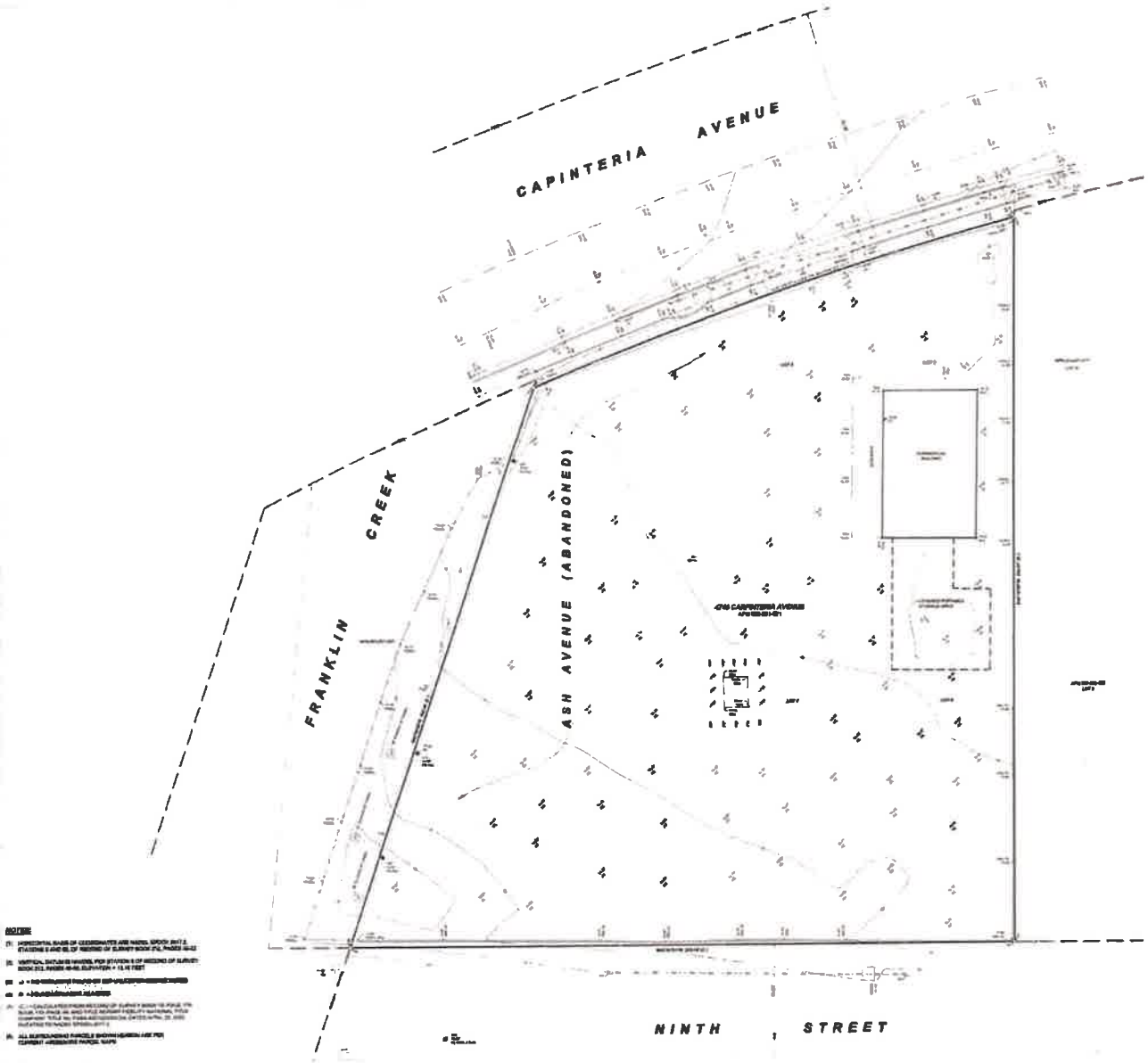
4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

4745 CARPINTERIA AVENUE

PROPOSED MIXED USE DEVELOPMENT

805.965.7777
1 N. Calle Cesar Chavez #102
Santa Barbara, CA 93103
DMHA



A3

4745 Carpinteria Avenue Mixed Use Development

SITE SURVEY

805.963.7777
176 N. Calle Cesar Chavez #103
Santa Barbara, CA 93103
DMHA

4746 Carpinteria Avenue Mixed Use Development

GROUND LEVEL

805.963.7777
11 N. Calle Cesar Chavez #103
Santa Barbara, CA 93103
DMHA

LOT COVERAGE AT PRD ZONE IS APPROX.
4,847 SF/7,085 SF
=69% (DOES NOT COMPLY)

EACH SECOND LEVEL UNIT SHOWN AS APPROX.
24' X 40' (960 SF)

AS-OF-RIGHT DENSITY:
38,053 SF (20 DUA) = 18 UNITS

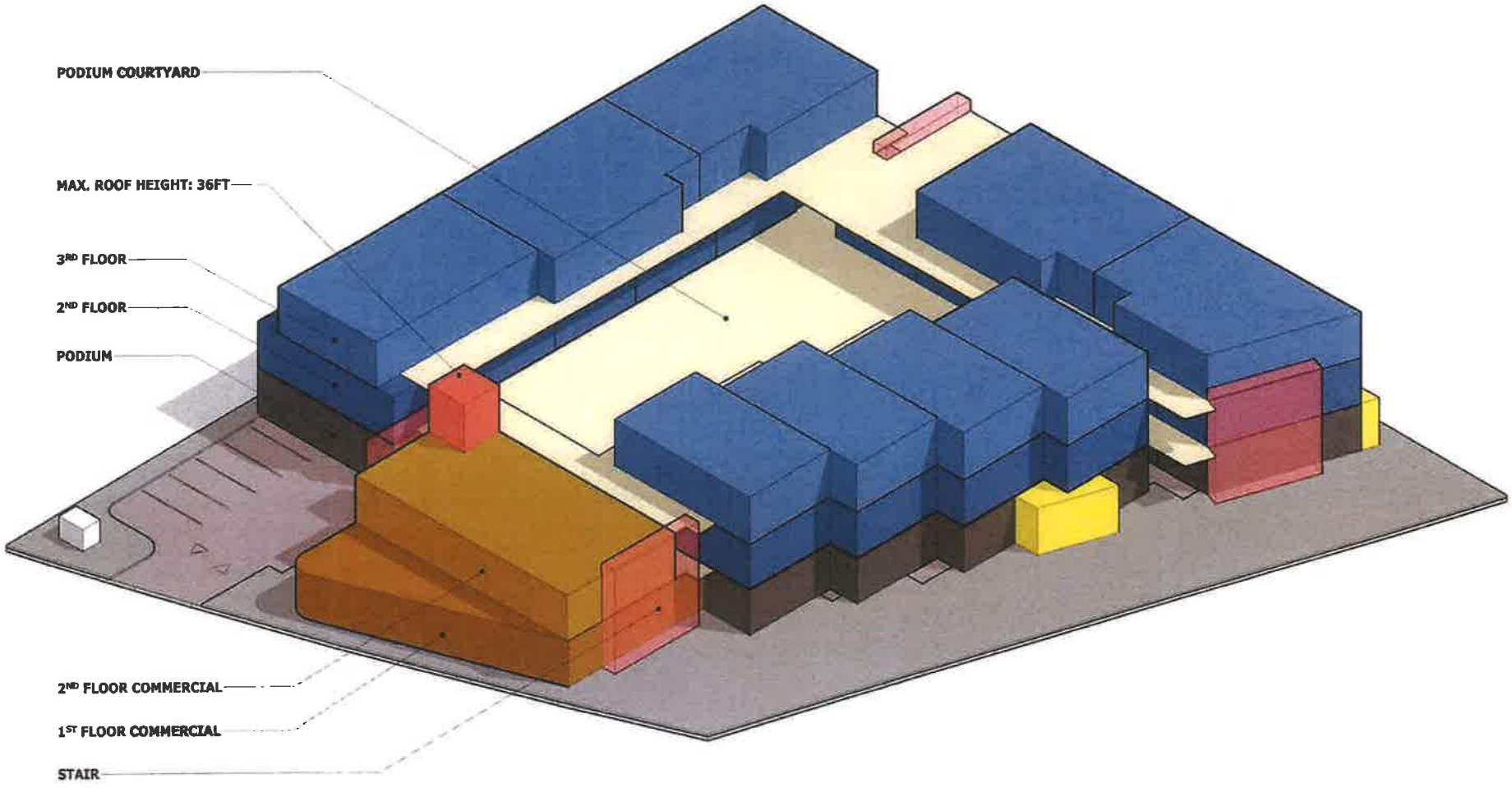
BONUS DENSITY:
39% OF UNITS AT MODERATE INCOME GRANTS
34% BONUS DENSITY + (3) INCENTIVES
BONUS DENSITY ACHIEVED: 6 ADDITIONAL UNITS (24 TOTAL)
MODERATE INCOME UNIT TOTAL: 10 UNITS
INCENTIVES USED: PARKING MODIFICATION + HEIGHT (3RD STORY) + PRD ZONE LOT COVERAGE

805.965.7777
1 N. Calle Cesar Chavez #103
Santa Barbara, CA 93103
DMHA

UNITSS 21-24 ARE SHOWN APPROX. 24' X 40' (960 SF)

UNITS 16-18 AND 19-20 ARE SHOWN APPROX. 34' X 48' (1,632 SF).

805 965 7777
1 N Calle Cesar Chavez #102
Santa Barbara, CA 93103



4748 Carpinteria Avenue Mixed Use Development

ISOMETRIC VIEW

805 963 7777
1 N Calle Cesar Chavez #102
Santa Barbara, CA 93103

805 965 7777
1 N. Calle Cesar Chavez #102
Santa Barbara, CA 93103

805.965.7777
1 N. Calle Cesar Chavez #103
Santa Barbara, CA 93103
DMHA

Attachment C
Exhibit 1:
Minutes from the May 25, 2023 Conceptual Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

CITY OF CARPINTERIA
5775 Carpinteria Avenue
Carpinteria California 93013

ARCHITECTURAL REVIEW BOARD
Meeting Date: May 25, 2023

ACTION MINUTES

The meeting was called to order at 5:30 p.m. by Acting Chair Johnson.

ROLL CALL

Boardmembers present: Richard Johnson (selected by present Boardmembers as "Acting Chair")
Richard Little
Patrick O'Connor

Boardmembers absent: Brad Stein, Chair
Amy Blakemore, Vice Chair

OTHERS PRESENT: Approximately 40 members of the public were in attendance.

PUBLIC COMMENT: None

PROJECT REVIEW

1) Project: Rolph Residence Addition and Remodel, Project 22-2182-ARB/CDP
Address: 4715 Aragon Drive
Applicant: Alex Pujo, architect, for Mark Rolph
Planner: Syndi Souter

Request of Alex Pujo, architect, for Mark Rolph, to consider project 22-2182-ARB/CDP for continued preliminary review of a request to construct 852 square-feet of additions to the first floor of the existing residence, a new 408 square-foot covered patio with a jacuzzi and outdoor kitchen, exterior alterations to the existing garage, an interior remodel, and demolition of an existing bedroom and detached garage. The resultant residence would be 2,875 square feet in size and the maximum roof ridge height of the residence would remain unchanged at 22 feet. The property is a 9,147 square-foot parcel zoned Single Family Residential (7-R-1) and shown as APN 003-600-036, addressed as 4715 Aragon Drive.

No ex parte communications were disclosed.

Syndi Souter described the revisions to the project since the last meeting. The proposed second story addition was eliminated, the existing garage would remain with a new pitched roof, and the colors and materials for the exterior were revised in response to the prior ARB comments.

Alex Pujo (architect), presented the project and said that they had scaled back the project. He added that the new roof over the garage would match the pitch of the existing house roof, most of the new addition is in the back and out of public views, and the exterior materials would match the existing with new doors and windows throughout.

Mark Rolph (applicant/owner), shared that the new shed roof over the master bedroom window would match the existing shed roof over the front entry. He added that all of the new windows would be double-pane. Boardmember Johnson inquired about the color of the windows and the applicant responded that they would be Milgard black.

Public Comment:
Two public comment letters from Nancy Garrison were submitted prior to the ARB meeting. The letters are summarized below. Copies of the letters are on file with the Community Development Department.

Both of Nancy Garrison's letters suggested that the ridge of the garage roof could be rotated 90° to provide better mountain views from the south. Her second letter also suggested a pitched roof dormer over the new master bedroom window instead of a shed roof dormer.

Boardmember Discussion:
Boardmember Little commented that he was pleased to see the reduction in scope. He asked whether the applicant had given any consideration to turning the new gable roof over the garage 90° as suggested in the public comment letters. Mr. Pujo responded that the new garage roof was designed to match the existing roof.

Boardmember Johnson asked if the story poles had been revised to reflect the new garage design, and staff replied that they had not. A discussion began between the applicant, Boardmembers, and staff regarding the neighbor's idea to rotate the roof ridge by 90°.

Boardmember O'Connor commented that it appeared the neighbors' previous concerns had been addressed and that they were now generally comfortable with the project as presented.

ACTION: Motion by Boardmember O'Connor, seconded by Boardmember Little, to recommend preliminary approval to the Community Development Director as presented.

VOTE: 3-0

2) Project: Mickelson Residence Addition, Remodel, & Accessory Structure, Project 22-2195-ARB/CDP
Address: 5518 Calle Arena
Applicant: Johnny Hirsh, designer, for Laura Mickelson
Planner: Syndi Souter

Request of Johnny Hirsh, designer, agent for Laura Mickelson to consider project 22-2195-ARB/CDP for preliminary review of a request to construct a new 713 square-foot addition at the rear of the existing 1,184 square-foot single-family residence and construction of a new 300 square-foot gym/storage room accessory structure. The proposal includes demolition of an existing 369 square-foot sunroom in the area of the proposed addition. The project would include exterior alterations to the existing residence, an interior remodel, new landscaping, and new hardscape. The property is a 7,405 square-foot site, zoned Single Family Residential (6-R-1), and shown as APN 003-381-030, addressed as 5518 Calle Arena.

No ex parte communications were disclosed.

Syndi Souter presented the project and described the proposed scope of work. She explained that the property presently has three driveways off of Calle Arena, and the proposal would remove the two extra driveways. She described the proposed seven-foot-tall horizontal batten privacy fencing with

gates at the sides and rear of the property, the three-foot-tall vertical batten fence at the front of the property, the proposed eyebrow trellis constructed from horizontal battens, and the proposed landscaping plan. Boardmember Johnson asked about the landscaping material between the property lines and the accessory building, and staff responded that it was pea gravel. Boardmember Johnson also confirmed that the lot coverage, FAR, and drainage plan were acceptable to staff.

Johnny Hirsh (project designer), described the existing residence as, "charming, yet tired," and that the proposal was modest and would be an improvement to the neighborhood. He shared that many neighbors are supportive of the project. He responded to the public comment letters and clarified that the sheds on the side of the garage would be removed and that the neighbor's fence would not be altered. He added that the property has a lot of concrete surfaces and that one of the project goals is to remove as much of the concrete as possible. Boardmember O'Connor noted the raised floor elevation for the addition and asked about the drainage pattern of the site. Mr. Hirsh responded that a civil engineer would review the plans prior to construction, and that the project would increase permeability on site to minimize run-off.

Natasha Elliot (landscape designer), presented the landscaping plan and reiterated the goal to remove and break up the existing concrete to increase permeability on site. She shared that the inspiration for the plant palate came primarily from the Salt Marsh and Tomol Park. Boardmember Little inquired about the design for the eastern driveway removal, and shared his preference for it to mimic the permeable pavers proposed for the western driveway. Ms. Elliot explained that the stripe design was meant to mimic the boardwalk planks. Staff added that paving in front yards is limited by policies in the Municipal Code, and that the eastern driveway should be further reduced to more of a walkway scale. Boardmember Johnson commented that the eastern driveway should be eliminated because it is unnecessary.

Laura Mickelson (applicant/owner), added that the current site drainage is problematic due to the amount of concrete, and the water either pools or runs off. She did, however, note that there were no water leaks or flooding during the heavy rains of this past winter. Additionally, she thanked the neighbors attending the meeting for their support of the project, and thanked her project team.

Public Comment:
Susan Mailheau and Randall Moon commented that they thought the design was beautiful, but they had questions about the location of the new perimeter fence in relation to their fence along the property line. Staff explained that the new fence would run parallel to their fence on the respective sides of the property line. Mr. Moon shared that there had been historical drainage problems along the common property line that the prior owner of the Mickelson property fixed. Ms. Mailheau asked about the height of the fence. Boardmember Johnson suggested that the applicant should mock-up the seven-foot-tall fence with string so the neighbors can see the proposed height.

Roxanne Barbieri shared that she supports the project and thinks the proposal is charming and appropriate for the neighborhood and Carpinteria.

Jamie McElvain stated that he had reviewed the plans and was 100% supportive of the project. He added that the renovations would make a dramatic improvement to the property and neighborhood, and the modest proposal would add to the eclectic look of the street. He suggested that the project should be fast-tracked through the process.

Chuck McQuary commented that he liked the small scale of the project and the minimal impact of the project to the neighbors and neighborhood.

Public Comment letters were submitted ahead of the meeting by five parties. Summaries of the letters are provided below. Copies of the letters are kept on file with the Community Development Department.

Stan & Ellen Froyd submitted a letter of support for the project.

Jan Guerrero shared that she had reviewed the plans and was pleased with the project.

Randall Moon &Susan Mailheau submitted a letter commenting on the non-conforming setbacks, the proposed fencing, privacy concerns with the proposed west-facing windows, and a request for story poles.

Randall Moon submitted an addendum to his first letter requesting that all wired utilities serving the project be installed underground.

Josh Louda & Cara McShane submitted a letter expressing their support for the project.

Boardmember Discussion:

Boardmember Little expressed general support for the project, noting that in particular he liked that much of the character of the existing house had been preserved. He asked why the cedar battens were not used more extensively or carried to the corners on the front elevation. He confirmed with staff that the utilities would be undergrounded as part of the project. Mr. Hirsh responded that the cedar battens were added as a simple accent to break up the massing of the stucco.

Boardmember O'Connor commented that he liked that the proposal was not massive and how the legal nonconforming elements of the existing structure were being handled and subtly improved, noting that in general his preference is for legal nonconformities to be removed and replaced by current conforming improvements. He noted that drainage for the accessory building should be included in the civil plans. He thought the proposed landscaping was gorgeous.

Acting Chair Johnson pointed out that the elevations did not appear to be drawn correctly with respect to the grade differences. He also suggested the roof plan could be simplified with a larger cricket between the house and garage. He expressed general support for trellis detail, fencing, and colors. He noted the proposed landscape plan was nice but he did not like the appearance of the "second" driveway and suggested this be narrowed or further broken up to appear and function more as a walkway feature.

ACTION: Motion by Boardmember Little, seconded by Acting Chair Johnson, to recommend preliminary approval with comments attached to the Community Development Director.

VOTE: 3-0

3) Project: 700 Linden Sign Program, Project 21-2090-ARB/SIGN
Address: 700 Linden Avenue
Applicant: Mike Stroh, DMHA Architects, for CHT, LLC
Planner: Nick Bobroff

Request of Mike Stroh, DMHA Architects, architect/agent for CHT, LLC to consider project 21-2090-ARB/SIGN for preliminary review of a comprehensive sign program for the 700 Linden multi-tenant commercial development currently under construction. The proposed comprehensive sign program would provide specifications on the permissible types, locations, sizes, and designs of tenant signage and other building signage, murals and graphics for the entire multi-tenant commercial development. The property is a 0.69-acre site, zoned Central Business ("CB") district with a Visitor-serving Commercial ("V") overlay district, and shown as APN 003-313-001, addressed as 700 Linden Avenue.

No ex parte communications were disclosed.

Nick Bobroff presented the proposed sign program and described the particulars of the various allowed sign types and locations. He noted that the sign program complies with the minimum standards of the Zoning Code and, in general, staff was in support of the sign program as presented. Staff did, however, seek input from the Board on the overall amount of signage allowed under the sign program for the development as a whole, and whether the different buildings that comprise the development warranted greater differentiation in terms of allowed sign standards.

Michael Stroh and Ryan Mills (project architects) explained the reasoning and inspiration behind the sign program. They explained a general desire to let the sign types and designs relate to the architecture without overwhelming it. They noted that the sign program shows general areas on the building(s) where signage would be expected to be located by a tenant, rather than the allowed area for signage. To address variety between the buildings while still allowing for a cohesive theme, the different buildings (or portions thereof) allow for different sign types (e.g., wall signs, window signs, blade signs, awning signs, etc.).

Public Comment:
Joseph Viens expressed concerns with noise from outdoor music or similar events related to the rooftop bar or other restaurant uses within the development.

Boardmember Discussion:
Acting Chair Johnson described it as a well thought out sign program. He described it as being understated and appropriate for the design of the buildings. He suggested that signage font styles and sizing be kept consistent throughout to avoid allowing the signage to look too "busy."

Boardmembers Little and O'Connor were in concurrence with their support for the sign program.

ACTION: Motion by Boardmember O'Connor, seconded by Boardmember Little, to recommend preliminary/final approval to the Community Development Director as submitted.

VOTE: 3-0

4) Project: Klentner Mixed-Use Development, Project 23-2221-DP/CDP
Address: 4745 Carpinteria Avenue
Applicant: Michael Stroh, DMHA Architects, for CHT, LLC
Planner: Nick Bobroff

Request of Michael Stroh, DMHA Architects, agent/architect for Justin Klentner, to consider project 23-2221-DP/CDP for conceptual review of a new commercial / residential mixed-use development. The contemplated proposal calls for removing all existing site improvements and constructing a three-story mixed-use building comprised of 4,303 square feet of commercial space, 24 apartment units (2 one-bedroom units and 22 two-bedroom units), and a 53-space ground level parking garage. Total project square footage would be approximately 57,805 square feet and reach a maximum height of approximately 36 feet. The project seeks to utilize state density bonus provisions in exchange for setting aside a percentage of the apartment units for low-income affordable housing. The property is identified as APN 003-251-021, and addressed as 4745 Carpinteria Avenue (presently occupied by "Sun Coast Rentals").

No ex parte communications were disclosed.

Nick Bobroff described the proposed project and explained how the design of the project had evolved in response to comments provided at the previous joint City Council- Planning Commission-Architectural Review Board conceptual review meeting in December 2022. He noted that while, overall, staff believed a number of important changes had been addressed, the project was still at a conceptual stage and feedback was being sought on a number of different topics including, but not limited to, architectural style and materials, neighborhood compatibility, size/bulk/scale/massing, the mix of unit types, and frontage designs.

Michael Stroh and Ryan Mills, both of DMHA Architects, and Justin Klentner (owner/applicant) presented the project to the Board and provided a detailed explanation of how the project had been revised to respond to comments from the initial joint-conceptual review. They also attempted to answer various questions from the public related to street improvements and on-street parking, particularly along Ninth Street.

Public Comment:
John Nicoli, Property Manager for Arbor Trailer Park, asked if the plans show 10 on-street parking spaces on Ninth Street. He also asked why the project needs a driveway on Ninth Street, commenting that it would significantly impact the residents of Ninth Street. He described the project as being very overbearing, impactful and onerous on Ninth Street residents, and suggested the increased traffic on Ninth Street would be troublesome because it is already very dense and busy. He also expressed concern that the proposed Ninth Street frontage improvements would eliminate or interfere with street improvements completed by Arbor Trailer Park and the (only) street light on this portion of Ninth Street.

Susan Hathaway expressed concerns with privacy impacts for nearby residents from the new upper floor apartments and private deck areas. She expressed disappoint over the loss of residents' mountain views as a result of this project and anticipated increased traffic in the area.

Beth Anderson was concerned that second- and third-level decks facing the creek could impact nesting raptors that utilize the existing trees along the Franklin Creek channel. She also urged the developers to not utilize any solid fuels in the new building.

Joseph Viens did not feel the project fit the neighborhood. He cited concerns over impacting wildlife in the area, and parking impacts along Ninth Street. He felt like this was yet another project catering to out-of-town tourists rather than Carpinteria citizens and that it would add to increasing the busyness and noise of this residential area. He acknowledged that the state is pushing for housing throughout the state, including in Carpinteria, but encouraged City decision-makers to push back.

Jose Lopez noted he lives directly across from the project on Ninth Street and that he was primarily concerned with impacts to parking and safety/traffic on Ninth Street, noting many of the area kids use Ninth Street as a play area.

Karen Aragaki described herself as not being opposed to the project, but had a number of reservations with the proposal as currently shown. She did not feel that three-story development was appropriate on Carpinteria Avenue. She was also concerned with the types of commercial uses that would be allowed to occupy the commercial portions of the project and whether such uses may bring additional impacts to the area. After reviewing the revised proposal, she indicated that she preferred the previous design that provided larger interior courtyard areas for residents rather than individual private decks around the perimeter. She felt that animating and articulating the development's two street frontages is important, but that animating the Franklin Creek side of the development is less important in the interest of buffering nearby residents. She ended with a suggestion to the developer to design the project as if he lived next door.

John Gonzalez expressed concerns over the impact of additional parking demands for limited spaces on Carpinteria Avenue, citing existing overflow parking impacts. He described the project as being too big for the block. He also cited concerns with water availability and the need for more green spaces and open spaces for residents of the development.

Carlena McKhemey felt the project included too many units and not enough parking. She asked whether the project can be redesigned to face away from Ninth Street and Franklin Creek.

Catherine Decker asked about the size of the units and anticipated rents.

Public Comment letters were submitted prior to the meeting by Beth Anderson, Karen Aragaki, and two anonymous individuals. The letters are summarized below. Copies of the letters are on file with the Community Development Department.

A letter from Beth Anderson urged that the use of commercial spaces should be restricted to not allow for the sale of alcohol, tobacco or cannabis products. She also advocated for no burning of solid fuels in the development, and no residential open spaces for residents on the Franklin Creek side of the development.

A letter from Karen Aragaki suggested no revisions had been made to the project since the last review and that the project could be supported if more consideration was given to immediate residents, citing concerns over three stories, impacts to parking on nearby streets, potential for impacts to the creek and wildlife, concerns over the impacts of certain types of commercial businesses and vacation rentals.

The letter concluded that the project area is too dense and all new dense housing should be built instead in single family neighborhoods where there is more space between dwellings.

Anonymous letter no. 1 was submitted via Granicus expressing a desire to not allow any solid burning fuels as part of the project, a preference for there being no residential open spaces along the Franklin Creek-side of the building, and a desire to see the commercial spaces associated with the development being prohibited from the sale of any alcohol, tobacco or cannabis products.

Anonymous letter no. 2 was also submitted via Granicus and largely mirrored many of the same concerns in Ms. Aragakai's letter, above.

Boardmember Discussion:
Boardmember O'Connor observed that many of the comments from the previous joint-conceptual review had been addressed. He felt that the Ninth Street frontage in particular was much improved but that more could be done to improve its architecture. He really liked the bioswale idea for stormwater treatment and encouraged the applicants to incorporate as many trees as possible into the site plan. He understood that the architecture and finishes were still being developed, but he encouraged the team to think "beachy." He also asked that the neighboring house on Ninth Street be better detailed on the rendering(s) so it was clear to the viewer.

Boardmember Little encouraged the applicant to continue to work with the neighbors to develop and implement a plan for Ninth Street that would better address the neighborhood's concerns. He thought the architecture felt too industrial still and should be further softened. He also felt the Carpinteria Avenue frontage felt too generically commercial in its appearance.

Acting Chair Johnson appreciated the efforts to revise and refine the project. He encouraged the applicants to explore ways to animate each of the units or given each a little bit of their own unique identities through differences in colors, materials, window types or sizes, roof shapes, and/or details. He liked the massing overall, but suggested the second- and third-level units could be animated further by either turning them slightly more or pulling some of them further in/out to break up massing. He suggested that wood exterior finishes feels like an appropriate direction as the architecture and finishes continue to be developed. He urged the applicants to consider how the project should feel to the community in terms of affecting overall livability of the area.

ACTION: Public comment received and conceptual-level comments provided to the applicant.

VOTE: N/A

OTHER BUSINESS:
New ARB Boardmember Richard Little

CONSENT CALENDAR: None.

MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL: None

MATTERS PRESENTED BY BOARDMEMBERS/STAFF:

- Dawidziak Residence, Driveway Gate and Flag Pole: Staff presented the new as-built driveway gate and revised flag pole as part of the underway remodel project. Staff explained the flag pole

would be approximately two feet taller than previously recommended by the Board, but that the Director had approved it. The ARB had no reservations with the as-built changes as presented.

ADJOURNMENT

Acting Chair Johnson adjourned the meeting at 9:03 p.m. to the next scheduled meeting to be held at 5:30 pm on Thursday, June 29, 2023. All Boardmembers present indicated they expected to be present.

_____
Chair, Architectural Review Board

ATTEST:

_____
Secretary, Architectural Review Board

Attachment C
Exhibit 2:
Reduced Plan Set from the May 25, 2023 Conceptual Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

4745 CARPINTERIA AVE

PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES

CODE COMPLIANCE

VICINITY MAP

SHEET INDEX

PROJECT SCOPE

PROJECT INFORMATION

PROJECT DIRECTORY

LOCAL JURISDICTION STAMPS & NOTES

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 202108

NO. DESCRIPTION DATE

G001

COVER SHEET

GENERAL SPECIFICATIONS

EROSION CONTROL NOTES

08 - QUALITY CONTROL

09 - TEMPORARY SERVICES

10 - CONTRACT CLOSE-OUT

11 - FINAL CLEANING

BEST MANAGEMENT PRACTICES

WATERPROOFING GENERAL NOTES

00 - CONTRACT REQUIREMENTS

01 - GENERAL REQUIREMENTS

02 - SELECTIVE DEMOLITION

03 - MODIFICATION PROCEDURES

04 - COORDINATION OR SCHEDULE

05 - REGULATORY REQUIREMENTS

06 - SPECIALTY REQUIREMENTS

07 - SUBMITTALS

ARCHITECTURAL SYMBOLS

Sheet Reference

Section

Level

Detail Section

Detail Callout

Elevation

Area Tag

Door Tag

Window Tag

Wall Type

Material Tag

Revision Tag

Roof Pitch

Signage Reference

Temporary Safety Glazing

Dimension to Core Structure

Dimension to Finish Face

Fire Extinguisher

Indication of accessible clearances per details provided on sheet G701

ABBREVIATIONS

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #:

NO. DESCRIPTION DATE

G002

SYMBOLS, ABBREVIATIONS & NOTES

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220146

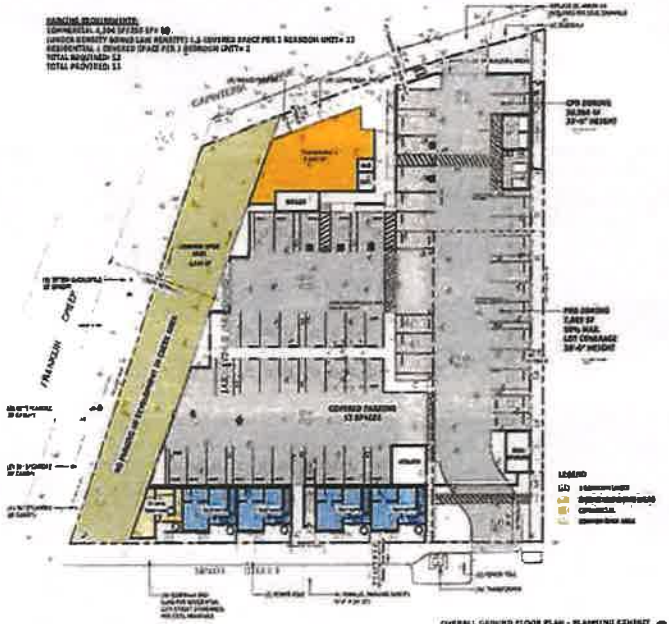
NO.	DESCRIPTION	DATE

G011

SITE PHOTOS

OVERALL SECOND LEVEL FLOOR PLAN - PLANNING EXHIBIT 02

OVERALL THIRD LEVEL FLOOR PLAN - PLANNING EXHIBIT 03



OVERALL GROUND FLOOR PLAN - PLANNING EXHIBIT 01

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

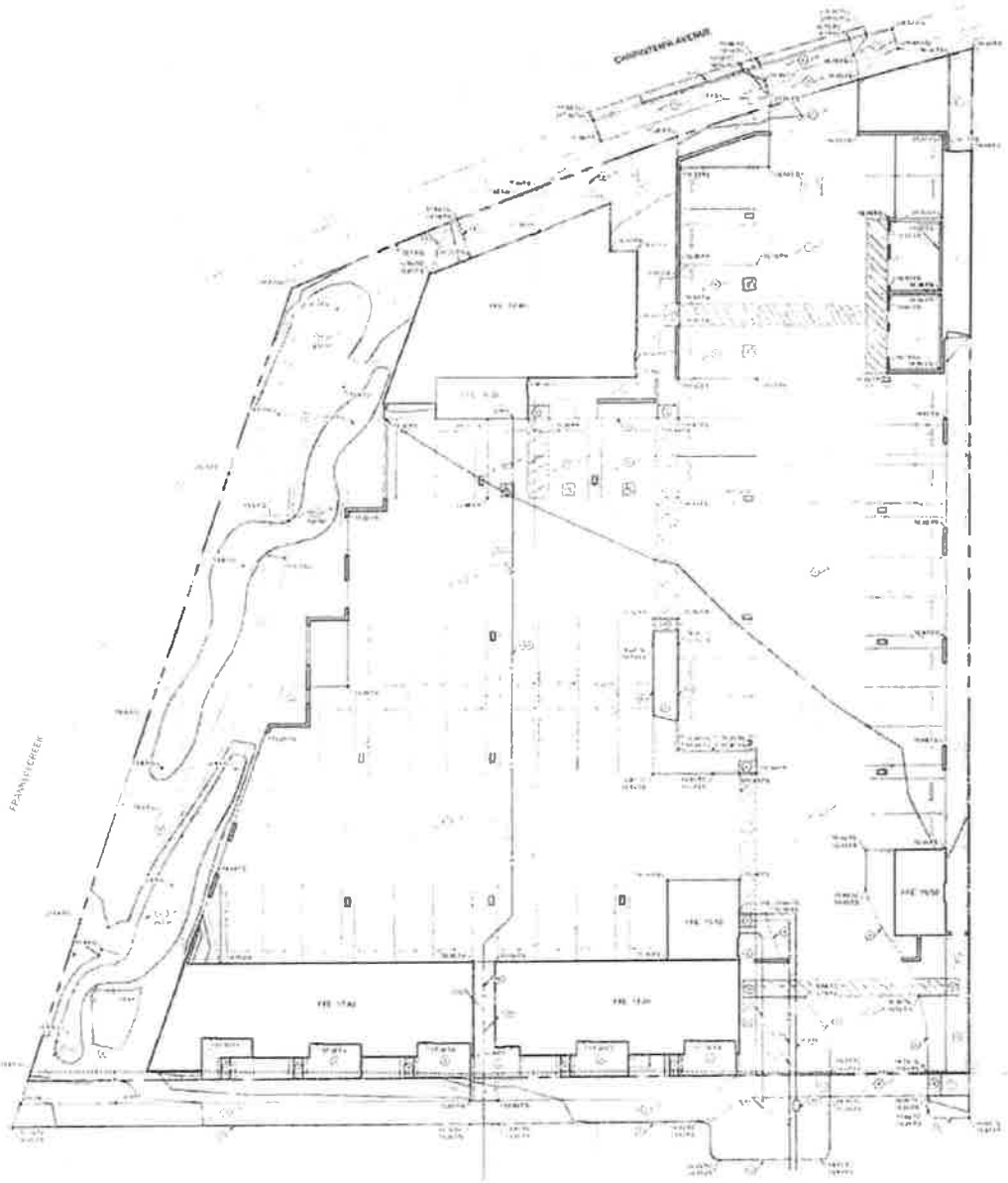
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C158

NO.	DESCRIPTION	DATE

G012

PLANNING EXHIBIT



GENERAL NOTES

RIGHT OF WAY CONSTRUCTION NOTES

SITE CONSTRUCTION NOTES

STORM DRAIN CONSTRUCTION NOTES

ELECTRICAL NOTES

SANITARY SEWER CONSTRUCTION NOTES

WATER CONSTRUCTION NOTES

CUT THICKNESS AND EARTHWORK

DIGALERT

Ashley Vance ENGINEERING, INC

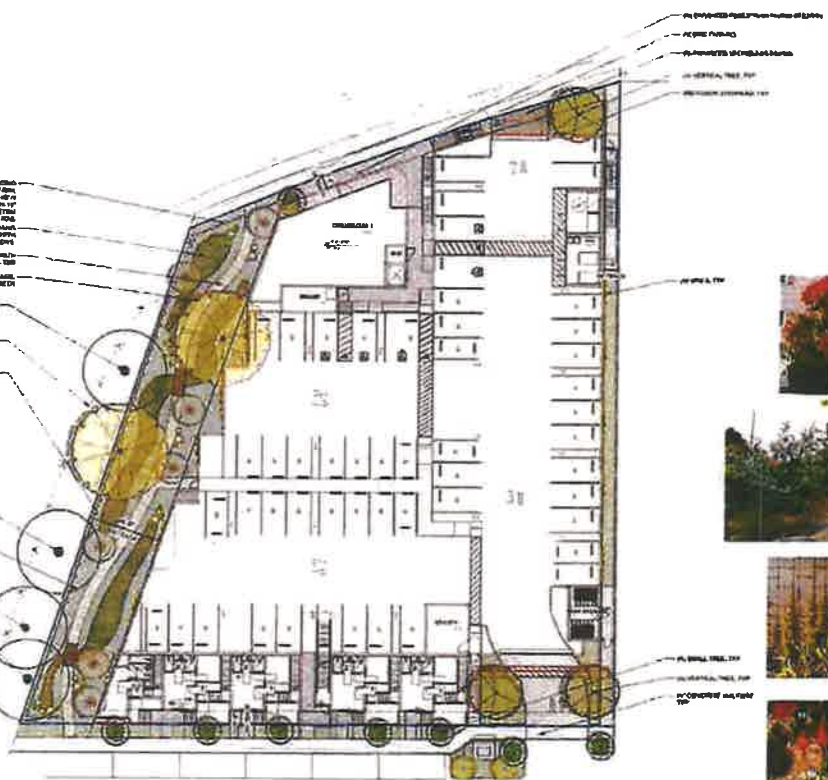
PLAN REVIEW SET NOT FOR CONSTRUCTION

4745 CARPINTERIA
4745 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

GRADING AND DRAINAGE PLAN

C-2.1



ABBREVIATIONS:

PRELIMINARY PLANT PALETTE

4745 Carpinteria Ave
Carpinteria, CA

Preliminary Landscape Plan - Ground Floor

L1

PRELIMINARY PLANT PALETTE

ABBREVIATIONS:

EL	EXISTING
N	NEW
PA	PLANTING AREA
SU	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LF	LINEAL FEET
SF	SQUARE FEET

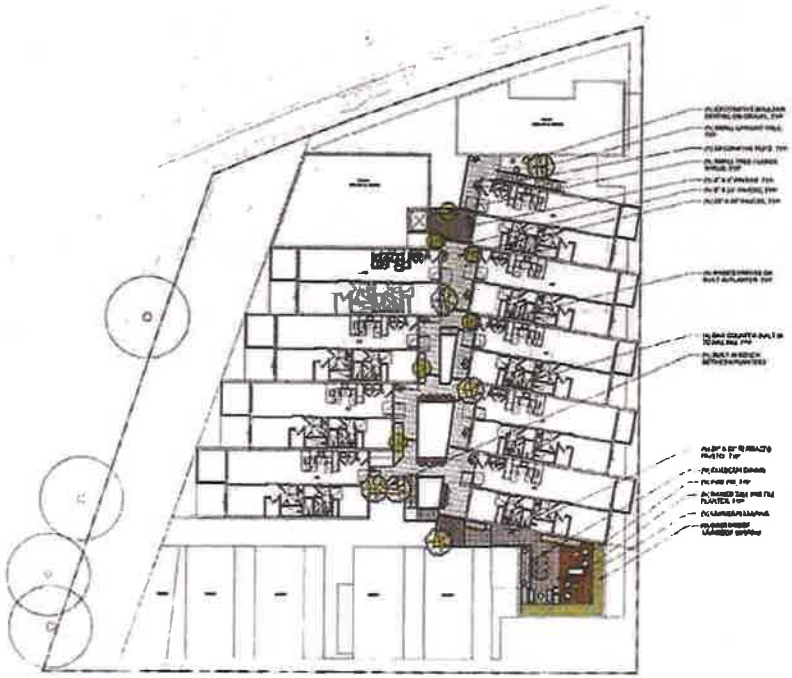
4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape Plan - 2nd Floor

L1.1

ABBREVIATIONS:

PRELIMINARY PLANT PALETTE

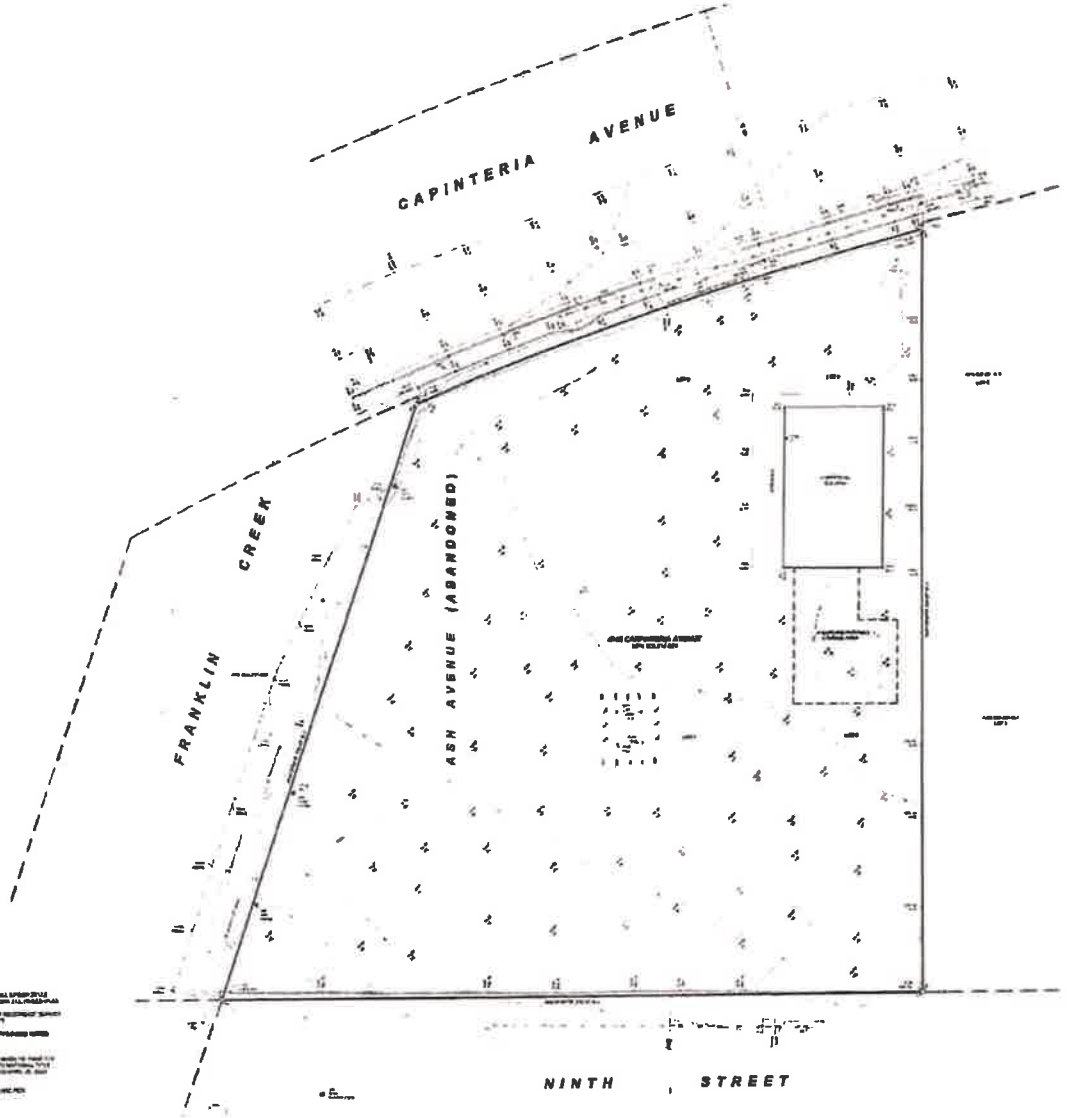


PARKT

4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 3rd Floor

L1.2



DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A100

EXISTING SURVEY

OVERALL GROUND FLOOR PLAN 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

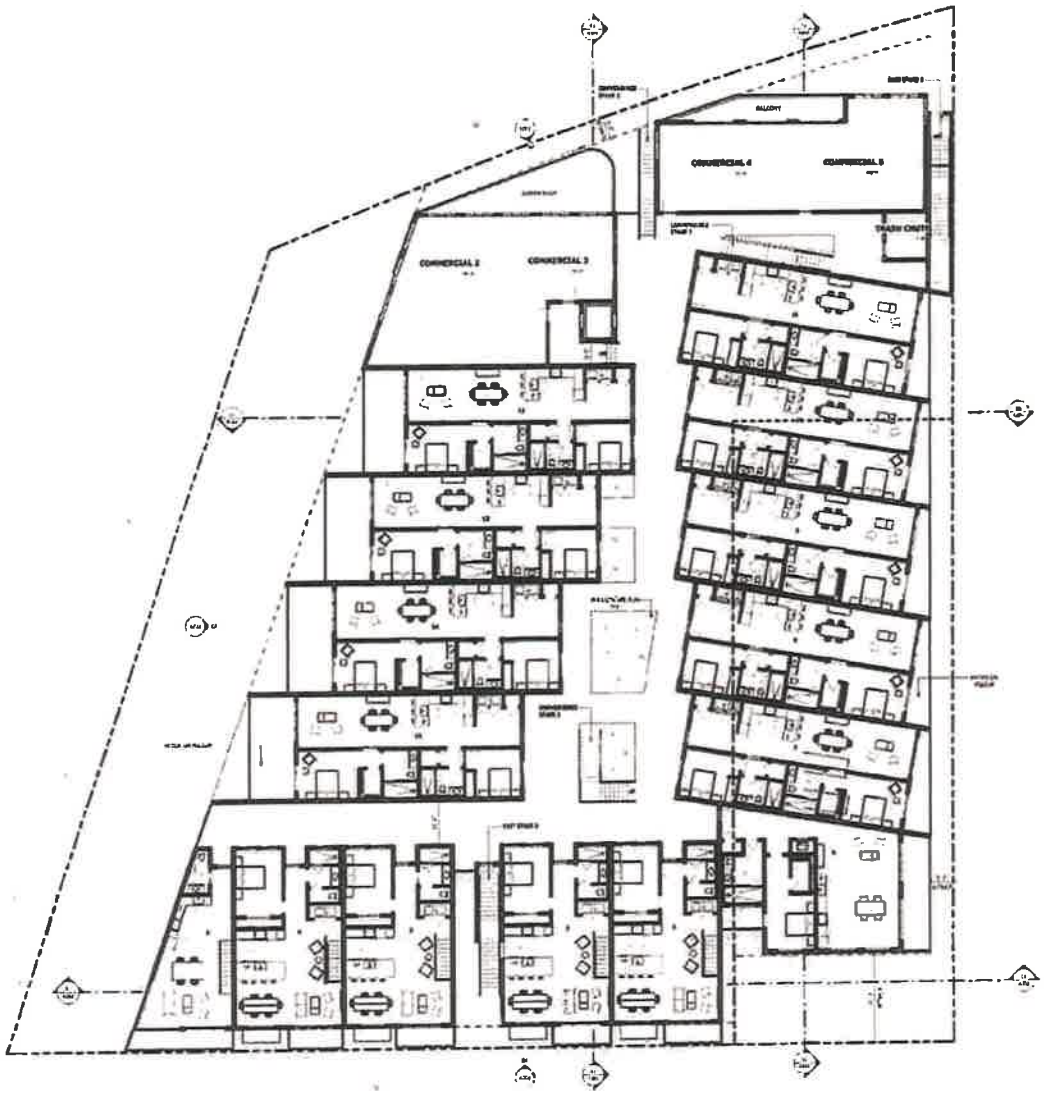
4745 Carpinteria Avenue Mixed Use Development
4745 Carpinteria Ave, Carpinteria, CA 93013

PROJECT #: 22C109

NO.	DESCRIPTION	DATE
	Development Application Submittal	04.13.2023

A101

OVERALL GROUND FLOOR PLAN



SECOND LEVEL FLOOR PLAN- SITE BY 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

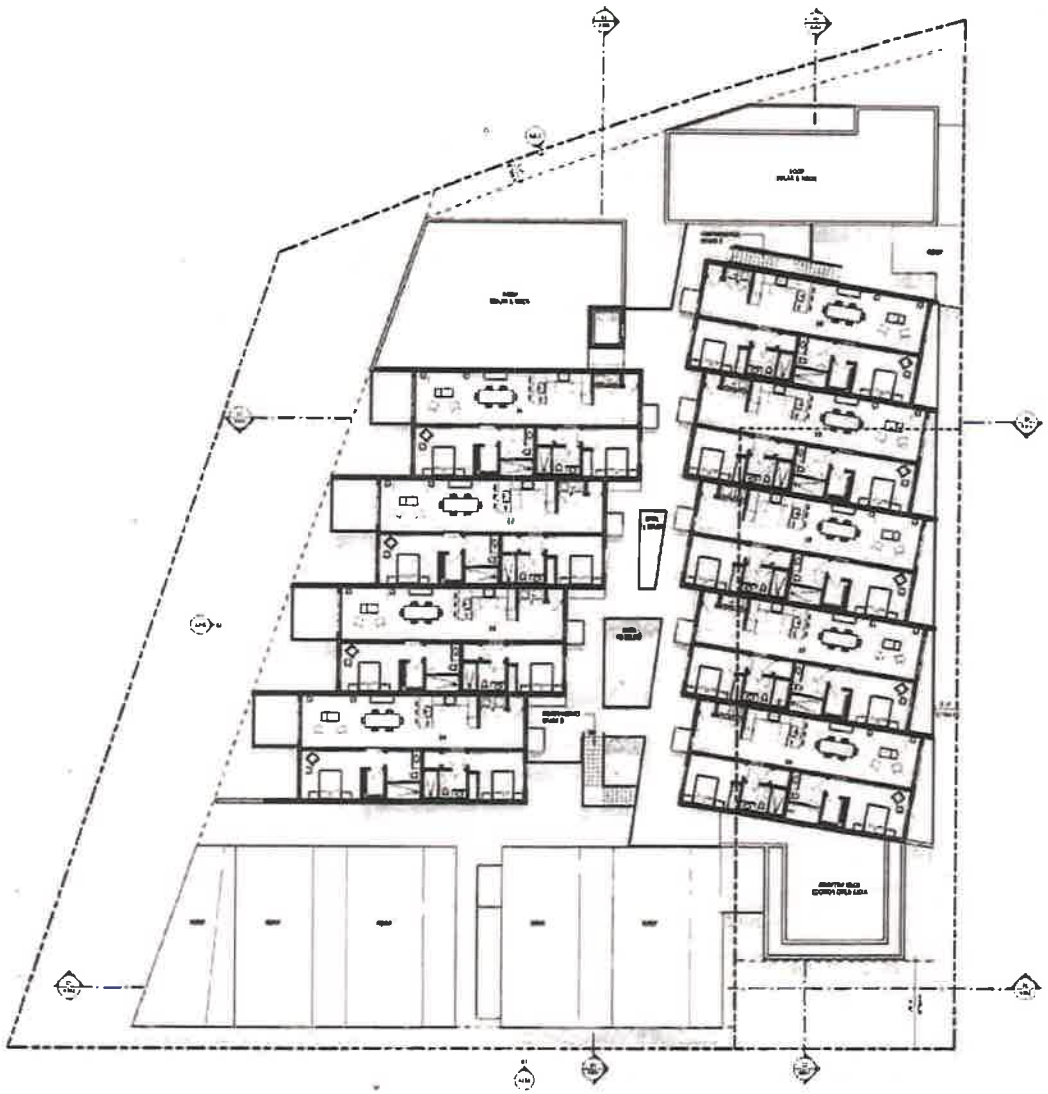
4745 Carpinteria Ave., Carpinteria CA 93013

PROJECT #: 23C108

NO.	DESCRIPTION	DATE

A102

OVERALL SECOND FLOOR PLAN



OVERALL THIRD LEVEL FLOOR PLAN 01

DMHA

805 966 7777
N. Calle Cesar Chavez #402
Santa Barbara, CA 93103

NOT FOR CONSTRUCTION

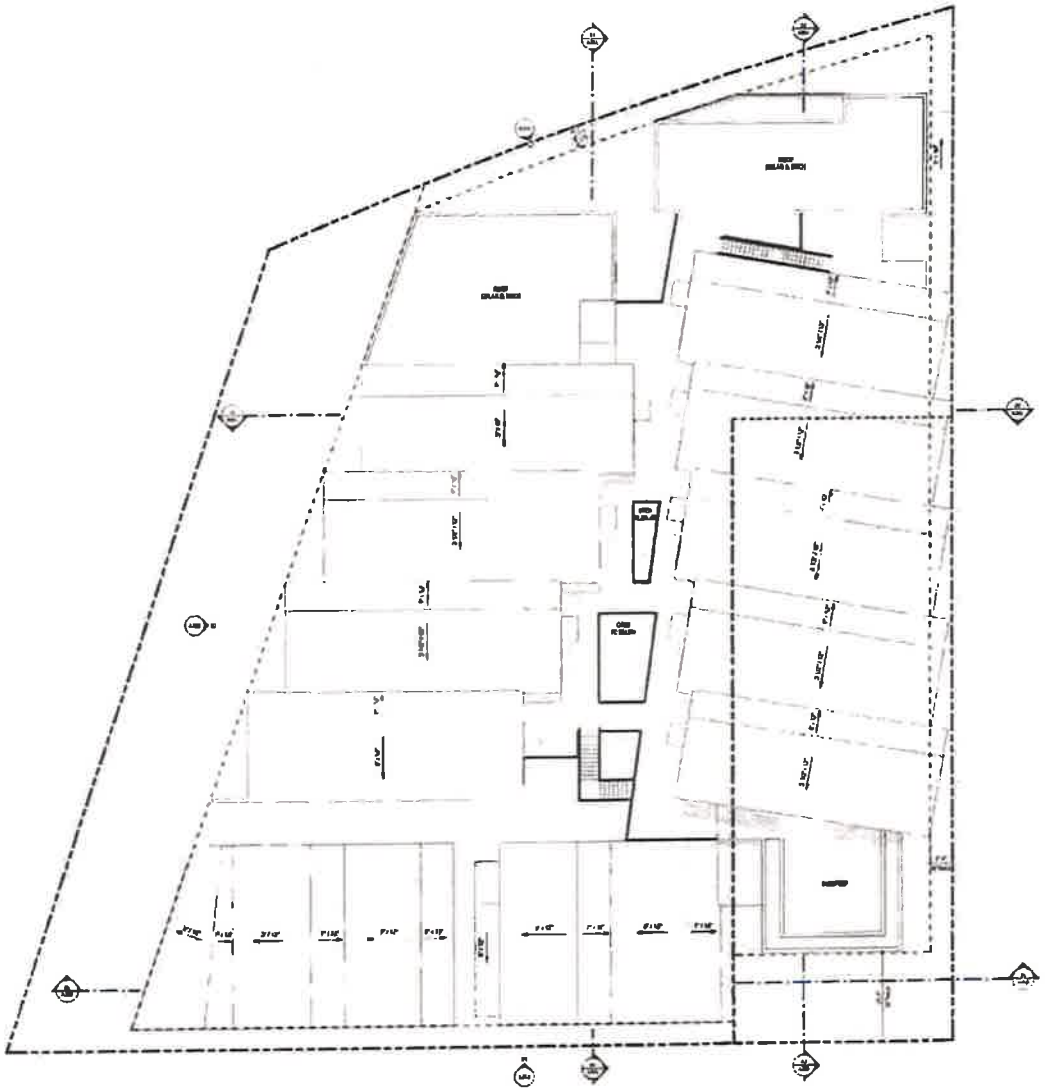
4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A103

OVERALL THIRD FLOOR PLAN



ROOF PLAN 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

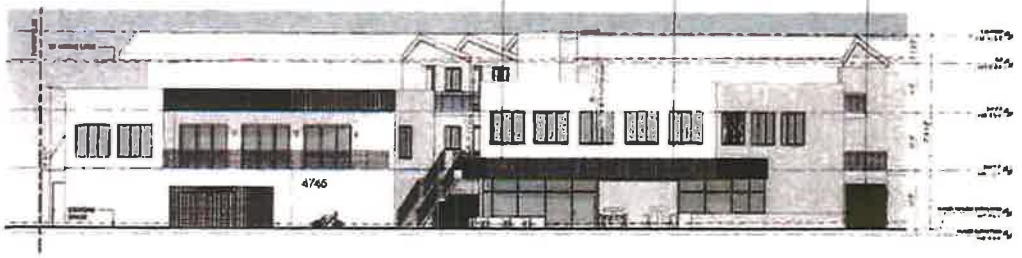
4745 Carpinteria Ave, Carpinteria, CA 93013

PROJECT #: 22C100

NO.	DESCRIPTION	DATE

A104

ROOF PLAN



NORTH ELEVATION 02

UNIT DOOR CANOPY

SOUTH ELEVATION 01

DMHA

MOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 20C108

NO.	DESCRIPTION	DATE

A201

EXTERIOR ELEVATIONS

02

01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

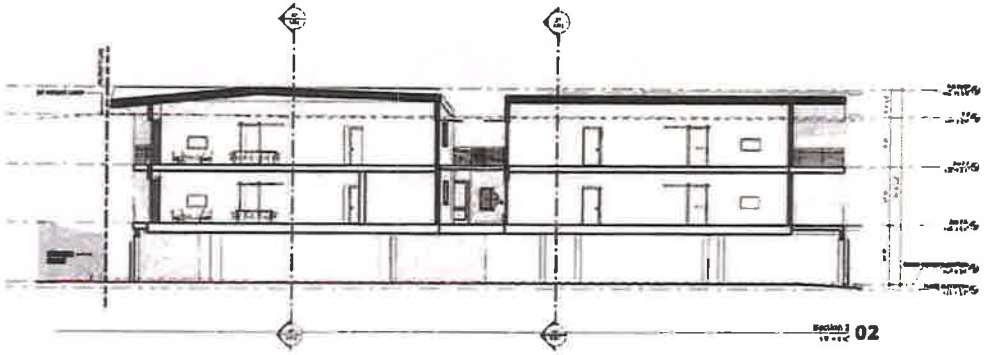
4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A202

EXTERIOR ELEVATIONS

INSULATION SCHEDULE



Section 2 02

Section 1 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

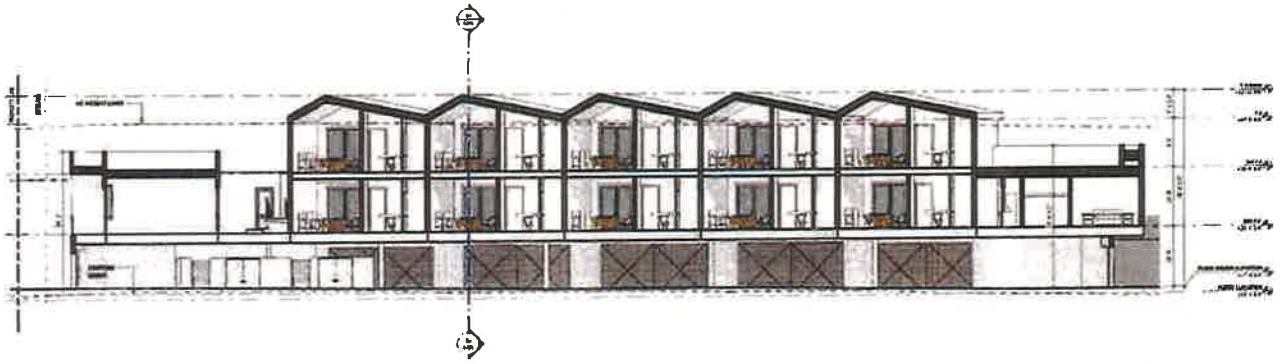
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220240

NO.	DESCRIPTION	DATE
	Development Application Submittal	09/19/2023

A301

BUILDING SECTIONS



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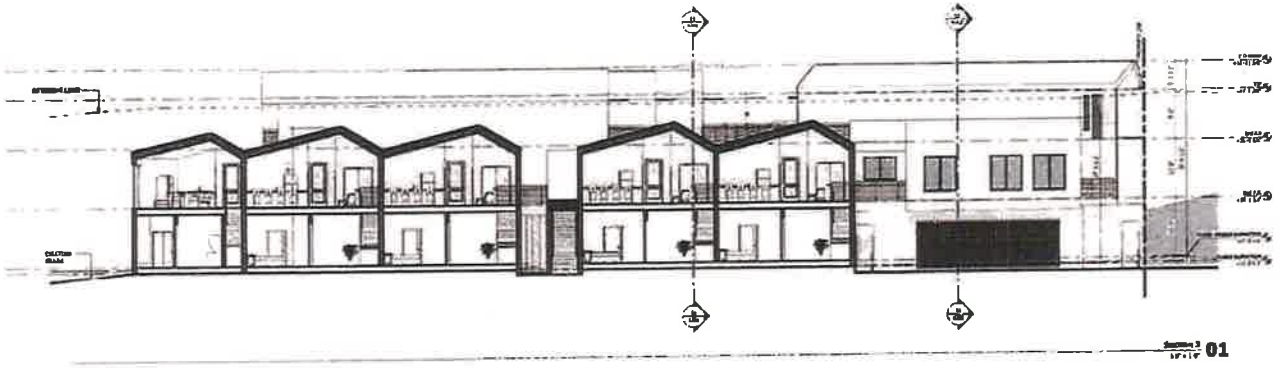


01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 2021104

NO.	DESCRIPTION	DATE

A302

BUILDING SECTIONS

Exterior Materials and Material

DMHA

[redacted]

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

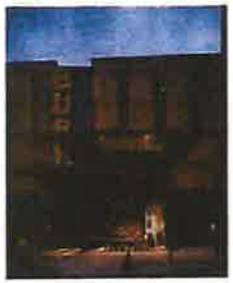
PROJECT #: 22C106

NO.	DESCRIPTION	DATE
	Development Application Submittal	10/14/2022

A701

ARCHITECTURAL LOOK AND FEEL

COMMERCIAL AREA- EXTERIOR



COMMERCIAL AREA- SEATING AND DOOR DETAIL

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 221508

NO.	DESCRIPTION	DATE
	Design Review Submittal Submittal	09.01.2021

A702

ARCHITECTURAL LOOK AND FEEL

5TH ST VIEW - FROM SOUTH EAST

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C530

NO.	DESCRIPTION	DATE

A901

5TH ST VIEW

9TH ST VIEW- ACROSS THE STREET

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria Ca 93013

NO.	DESCRIPTION	DATE
	Development Application Submittal	

A902

9TH ST VIEW

9TH ST VIEW- FROM SOUTH WEST

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A903

9TH ST VIEW

COMMERCIAL VIEW- FROM CARPINTERIA AVE

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

ISSUED for REVIEW

NO. DESCRIPTION DATE

A904

COMMERCIAL VIEW

COMMERCIAL VIEW- FROM CARPINTERIA AVE

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave., Carpinteria CA 93013

PROJECT #: 120106

NO. DESCRIPTION DATE

Development Submittal Submittal 04.14.2021

A905

COMMERCIAL VIEW

EAST SIDE VIEW

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 20C168

NO. DESCRIPTION DATE

A907

EAST SIDE VIEW

WEST SIDE AND 5TH ST VIEW

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 120106

NO.	DESCRIPTION	DATE

A908

WEST SIDE VIEW

Attachment D
Exhibit 1:
Minutes from the August 31, 2023 Preliminary Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

CITY OF CARPINTERIA
5775 Carpinteria Avenue
Carpinteria California 93013

ARCHITECTURAL REVIEW BOARD
Meeting Date: August 31, 2023

ACTION MINUTES

The meeting was called to order at 5:31 p.m. by Chair Stein.

ROLL CALL

Boardmembers present: Brad Stein, Chair
Amy Blakemore, Vice Chair
Richard Johnson
Richard Little

Boardmembers absent: Patrick O'Connor

OTHERS PRESENT: Approximately 40 members of the public were in attendance.

PUBLIC COMMENT: None

PROJECT REVIEW

1) Projects: 5030 Carpinteria Avenue, LLC, Project 23-2236-CDP/ARB
Address: 5030 Carpinteria Avenue
Applicant: Jon-Ryan Schlobohm
Planner: Marysol Smith

Request of Jon-Ryan Schlobohm, applicant, to consider Project 23-2236-CDP/ARB for preliminary review of an exterior remodel of an existing commercial multi-tenant building, including various building and site improvements. Proposed interior work is limited to a partial reorganization of the floor plan and other suite improvements. The property is a 12,632 square foot parcel zoned Central Business District (CB) and shown as APNs 004-041-007 and -008, addressed as 5030 Carpinteria Avenue.

Recusals: None

Ex Parte Communications Disclosure: None

Staff Comments: Marysol Smith briefly presented the scope of the project, which includes primarily exterior changes, deferring a detailed description to the Applicant. The project meets all zoning requirements. She described items for ARB consideration, including preservation and enhancement of the downtown area, exterior colors and materials, landscaping, and lighting.

Applicant Comments: Jon-Ryan Schlobohm, agent, introduced the project by saying the project's main goal is to enhance the building and bring more activity to downtown Carpinteria. Mr. Schlobohm showed the Board some additional potential design features not included on the submitted plans. He noted the air conditioning unit would be moved to the top of the building with screening.

Public Comment: One Public Comment letter was submitted on August 31, 2023 by Patrick O'Connor as a private citizen. A copy of the letter is on file with the Community Development Department. Mr. O'Connor wrote that he is generally supportive of the project and would support preliminary approval. He asked for clarification regarding the elevations and plan drawings, if the interior improvements included any structural modifications, and if the Downtown "T" Committee had been consulted

regarding the renovation. He suggested that the vertical brick feature on the building's front should be removed, and noted that the awning and pathway are nice improvements.

An anonymous speaker asked if the plans shown were the first set of plans drawn for the project, which Chair Stein confirmed they were. The speaker said they liked the design.

Boardmember Discussion:
Chair Stein asked why galvanized metal had not been chosen as a material on the western face. Mr. Schlobohm responded that wood and brick was chosen to maintain the nostalgic, old-town character. He recommended that a high-quality wood be used for the wooden features.

Boardmember Little asked for clarification on the intention for the sidewalk between the parking lot and building. Mr. Schlobohm said that the sidewalk would run the entire length of that side, and the parking lot would be "pinched in" four feet to accommodate that sidewalk, which would provide pedestrian access to two tenant spaces. Nick Bobroff also noted that the parking spaces will be re-angled as well. Boardmember Little also asked if there was a plan to brighten the skylights in the existing hallway, and Mr. Schlobohm said there was not a plan to change the skylights, but that the hallway could be painted a lighter color.

Boardmember Johnson commented that the open trellises above the storefronts would not protect the entrances, to which Mr. Schlobohm noted the intent was to let light through. He suggested that the of the trellis members not be so small so as to minimize the potential for boards warping over time, and said that he liked the wall planters and exterior lighting. He also asked if there would be a gutter on the Carpinteria Avenue overhang, and Mr. Schlobohm confirmed there would be.

Vice Chair Blakemore said she really likes the wall sconce planters, but would be hard to maintain and the heat might kill plants in them— in-ground planting may be better. She said in the future, it would be good to include landscaping to screen the trash enclosure. She also reminded the applicant to use an agave sub-species that is less "pokey". Overall, Vice Chair Blakemore really liked the proposal.

ACTION: Motion by Boardmember Stein, seconded by Boardmember Blakemore, to recommend preliminary/final approval of the project with comments.

VOTE: 4-0

2) Project: Klentner Mixed-Use Development, Project 23-2221-DP/CDP
Address: 4745 Carpinteria Avenue
Applicant: Michael Stroh, DMHA Architects, for Justin Klentner
Planner: Nick Bobroff

Request of Michael Stroh, DMHA Architects, agent/architect for Justin Klentner, to consider project 23-2221-DP/CDP for preliminary review of a new commercial / residential mixed-use development. The contemplated proposal calls for removing all existing site improvements and constructing a three-story mixed-use building comprised of 4,202 square feet of commercial space, 24 apartment units (2 one-bedroom units and 22 two-bedroom units), and a 53-space ground level parking garage. Total project square footage would be approximately 56,999 square feet and reach a maximum height of approximately 36 feet. The project seeks to utilize state

density bonus provisions in exchange for setting aside a percentage of the apartment units for low-income affordable housing. The property is identified as APN 003-251-021, and addressed as 4745 Carpinteria Avenue (presently occupied by "Sun Coast Rentals").

Ex Parte Communications Disclosure: None.

Staff Comments: Nick Bobroff presented the project. He gave a general project description, and presented images and renderings provided by the architect. Images of the story poles, viewed from all angles, were also displayed. Mr. Bobroff explained the lot's overlapping zoning and land use designations, which include commercial and residential. He also clarified how the proposed project uses State Density Bonus law to add 6 additional units, bringing the unit total to 24, up from the 18 that would be allowed per zoning. The density bonus also reduces parking requirements, and grants concessions for height and lot coverage. He reminded the Board that the City is required to harmonize the Coastal Act with Density Bonus and other State housing directives. The proposed project aligns with goals for infill development and mixed-use to add housing units in the City's downtown.

Mr. Bobroff explained this project was previously seen by the ARB, Planning Commission and City Council in December 2022 at an early conceptual level, and had a formal ARB conceptual review in May 2023. He presented a recap of previous ARB suggestions for the project, including softening the architecture toward a more residential feel. Images were displayed to highlight how the applicant changed the design from the conceptual review to the present preliminary review.

Applicant Comments: Michael Stroh and Ryan Mills of DMHA Architecture, and Katie Klein of Parryi Landscape introduced themselves to the Board. Mr. Stroh explained the changes made in response to the December 2022 early conceptual review, notably in regards to massing on 9th Street and Franklin Creek. He also explained the changes made since the May 2023 conceptual review, which further align the design with nearby buildings and add animation to the elevations. Mr. Stroh and Mr. Mills reviewed the 3D renderings of the streetscapes with the Board in detail, emphasizing their efforts to minimize the buildings' bulk as seen from the street. Ms. Klein then reviewed the landscape architecture for the creekside buffer area and smaller green spaces within the building complex, noting that green areas and trees were implemented wherever possible.

Justin Klentner, project applicant, noted that he was not against undergrounding utility poles and wires. However, he sees the project as a "give and take" scenario where Carpinteria needs the housing units, and not everything desired can be completed at once. He noted that he has lived in Carpinteria for a long time, and understands the importance of infill development and improving the area for both current residents and residents of the proposed project. Answering a question from Boardmember Little, Mr. Klentner explained that there is not enough right-of-way width on 9th Street to create head-in parking, but that parallel parking spots, sidewalk infill and improved landscaping could be implemented. He noted that the project has not truly "maximized" the size and density of the project per State law and that the project could be larger, but that he chose the proposed size and density in accordance with local style and character. He also said he is open to further working on the design to make it more "Carp Cottage" style.

Public Comment:
Glenn Butelo, a resident of Arbor Trailer Park, expressed concerns with the project's impact on parking.

Beth Anderson, a resident of Arbor Trailer Park, was primarily concerned with gas barbeques on decks and the rooftop patio. The architects noted that gas barbeques are prohibited by State law on patios and balconies.

John Gonzalez, tenant at neighboring 4749 Carpinteria Ave for 42 years, expressed concerns with the noise and traffic flow at the proposed Carpinteria Ave driveway entrance. He also wondered about trash collection traffic, and the ability of vehicles to safely enter and exit his driveway that abuts the project property line.

Carol Kernahan, a resident of Arbor Trailer Park, was unhappy with the proposed balconies, which would look into her bedroom window and block the view of the sunrise. She requested information on State density bonus law, and questioned why density bonus allowances would be "pushed" in a small town. Ms. Kernahan inquired why the third floor unit roofs are peaked. She hoped that Carpinteria Avenue's transition toward a Linden Ave-like design does not eliminate housing. She noted that she appreciates the large setbacks of the Village Gardens buildings across Carpinteria Ave, another three story multifamily development.

Chuy Curez expressed agreement with prior comments on the project's height.

Karen Aragaki, a nearby resident, was concerned with parking availability on nearby streets and feels the City needs to take charge of the ongoing parking issue. She preferred the original "donut" configuration of the project (common open space provided in the interior of the site), and was concerned with privacy issues caused by the balconies.

Joseph Viens liked the project and the creekside greenbelt. He was concerned with street safety and how tourists will impact traffic and safety in the area, especially with the proposed project's commercial spaces. He felt that Carpinteria Avenue cannot support the tourist traffic, and that street parking issues will increase.

Kathleen Lord expressed that neighborhood compatibility is missing in this project. She noted that having balconies looking into neighbors' windows is not being neighborly.

Catherine Decker, at 4755 Carpinteria Ave, expressed concerns that the project's Carpinteria Avenue garage door will open and close at night and be very loud.

Carlena McKnerney felt the project is too big and too tall, and would prefer the residential be comprised of one bedroom apartments and studios.

Public Comment letters were submitted by five people and are summarized below. Copies of the letters are on file with the Community Development Department. All were submitted on August 31, 2023.

Patrick O'Connor digitally submitted comments on the project as a private citizen. He wrote that he supports the project and the housing it provides, but would not recommend preliminary approval with

its current design. He feels the applicant has appropriately addressed feedback for size and bulk of the third story and along 9th Street, although the proposed intensity and density of the project is concerning. The mixed zoning of the parcel, he noted, introduces complications, but over 80% of the parcel is zoned CPD and yet the majority of the project will be residential. He felt that the lot coverage and open space calculations were taking advantage of the less strict requirements for commercial space and was not attuned to the primarily residential use of the proposed project. He wrote that he understands the limitations placed on the City by State density bonus law, but that the project's "scale, intensity, and neighborhood effects warrant a more nuanced view." He stated he does not support the exceedance of PRD lot coverage requirements using density bonus law. He recommended a reduction of lot coverage and increased open space along the 9th Street side.

Connie Thompson expressed disapproval for the project proposed at over two stories.

Van Latham wrote that after seeing the story poles, the project feels too massive for the site, and that the scale should match the "small town nature of Carpinteria."

Steve McMahon wrote that the project has the right idea of minimizing traffic and being close to services, but that it has "too much profit built in" and should be "tapered down" where adjacent to other properties. McMahon added that the City should engage the developer in a transportation mitigation measure such as shuttles or e-bike charging stations.

Carol Kernahan submitted a list of questions and comments for the Board, including questions about the number of parking spaces designated for commercial versus residential, truck loading spaces, the types of businesses that will be allowed in the commercial spaces, and the enforcement of the 25 MPH speed limit on 9th Street.

Boardmember Discussion:
Chair Stein asked about the percentage of the lot zoned specifically for residential, which Mr. Bobroff answered was approximately 13%. Chair Stein opined that in the CPD zone, although mixed-use is permitted, the City is not obligated to approve a residential-commercial mixed use project. He asked if the utility poles and wires would be removed and undergrounded, and the applicant said they were not currently proposed to be removed. Chair Stein also expressed his dislike for larger housing projects that take advantage of state law, citing the small-town identity of Carpinteria. He felt that the project is not suited to Carpinteria, and that its main goal is to make a profit, rather than to fit in the neighborhood. He said the design is not neighborhood-compatible in style and size, and that it should be reduced in all respects. He also noted that the construction period for the project would further impact parking in the area.

Boardmember Little wondered about the impact of two bedroom versus one bedroom units on parking demand. He commented that the design does not feel very "beachy," and wondered if the roof pitch or second story massing could be changed to improve 9th Street residents' view of the mountains.

Boardmember Johnson asked if the public would have access to the proposed Creekside path on private property, and Mr. Bobroff clarified that discussion is happening between the County, Public Works, and the applicant to design a trail along the creek, potentially in both the flood control area and private property. Boardmember Johnson asked if Fire and Emergency access were ok, and Mr. Klentner confirmed that the design allows fire trucks and crew to appropriately access the site. Boardmember Johnson felt that the project cannot be adequately represented by story poles, and that a

three-story building cannot fit the "Carp cottage scale" no matter the design. He suggested the third story plate be reduced by one foot. He praised the "serrated" and angled units and liked the interior courtyard, although the second story residents will not receive much direct sunlight. He suggested that more variation be introduced in the east and west sides of the project, perhaps by stepping in some portions, as "cookie cutter" designs do not fit Carpinteria style. Material or color variation could also help introduce variation. He further suggested the Carpinteria Ave staircase be made more grand and inviting. He expressed appreciation for the applicants in taking on a larger project with affordable housing.

Vice Chair Blakemore inquired if the actual amount of landscaping would match the landscape plans or the architectural drawings, and the applicant confirmed it would match the landscape plans. Vice Chair Blakemore questioned the parking garage layout and maneuverability within the garage. She agreed that the design feels too "cookie cutter" for Carpinteria, but applauded the landscape architecture. She felt that the project is too "aggressive" and "maxed out" for the available space. She noted that the designated low-income unit above the 9th Street garage door and below the rooftop deck is poorly situated, and would be impacted by activities both above and below the unit.

ACTION: Motion by Boardmember Johnson, seconded by Boardmember Little, to recommend preliminary approval of the project with comments.

VOTE: 2-2* (Blakemore and Stein opposed).

*At the applicant's request, the split 2-2 motion was left in place to allow the applicant to decide whether to proceed to the Planning Commission without a recommendation from the ARB or to return to the ARB at a later date with revised plans.

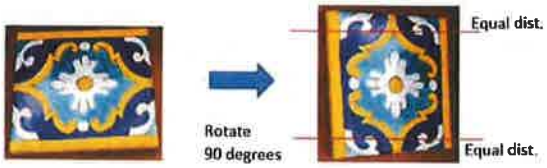
OTHER BUSINESS: None

CONSENT CALENDAR: None

MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL: None

MATTERS PRESENTED BY BOARDMEMBERS/STAFF: None

- Dow Building Staircase Rebuild Tile Selection: In April of this year, the Architectural Review Board reviewed and approved the tile design to be used as part of the staircase reconstruction project at the Dow Building at 4916 Carpinteria Avenue (Building Permit No. 13744). In the field, it was discovered that the tile size purchased is too large for the dimensions of the new staircase and would either have to be cut (changing the design of the tile) or new tile would have to be purchased. The applicant requested guidance from the Board on how to best solve the problem. The Board agreed with staff that the best option would be to rotate the purchased tile by 90 degrees and cut each tile symmetrically (on the sides without the yellow stripe) to fit the designated space. The resulting visible tile design after installation should be symmetrical.



- Pacific Shores Exterior Siding Update (4840 Sandyland): Pacific Shores, a five-unit two-building complex, is requesting to comprehensively update siding, trim and building colors to replace existing deteriorating siding. They propose to update the building colors to a dark grey with accents in a soft white color. The siding would be upgraded to board and batt on top of the belly band and smooth lap siding on the bottom. The Board expressed support for the exterior improvements. They recommended the gutters, along the trim boards, also be updated to white to match the trim. Boardmember Little suggested that if the rooftop-mounted satellite dishes are no longer utilized, they be removed.

ADJOURNMENT

Chair Stein adjourned the meeting at 8:14 p.m. to the next scheduled meeting to be held at 5:30 pm on Thursday, September 14, 2023.

_____
Chair, Architectural Review Board

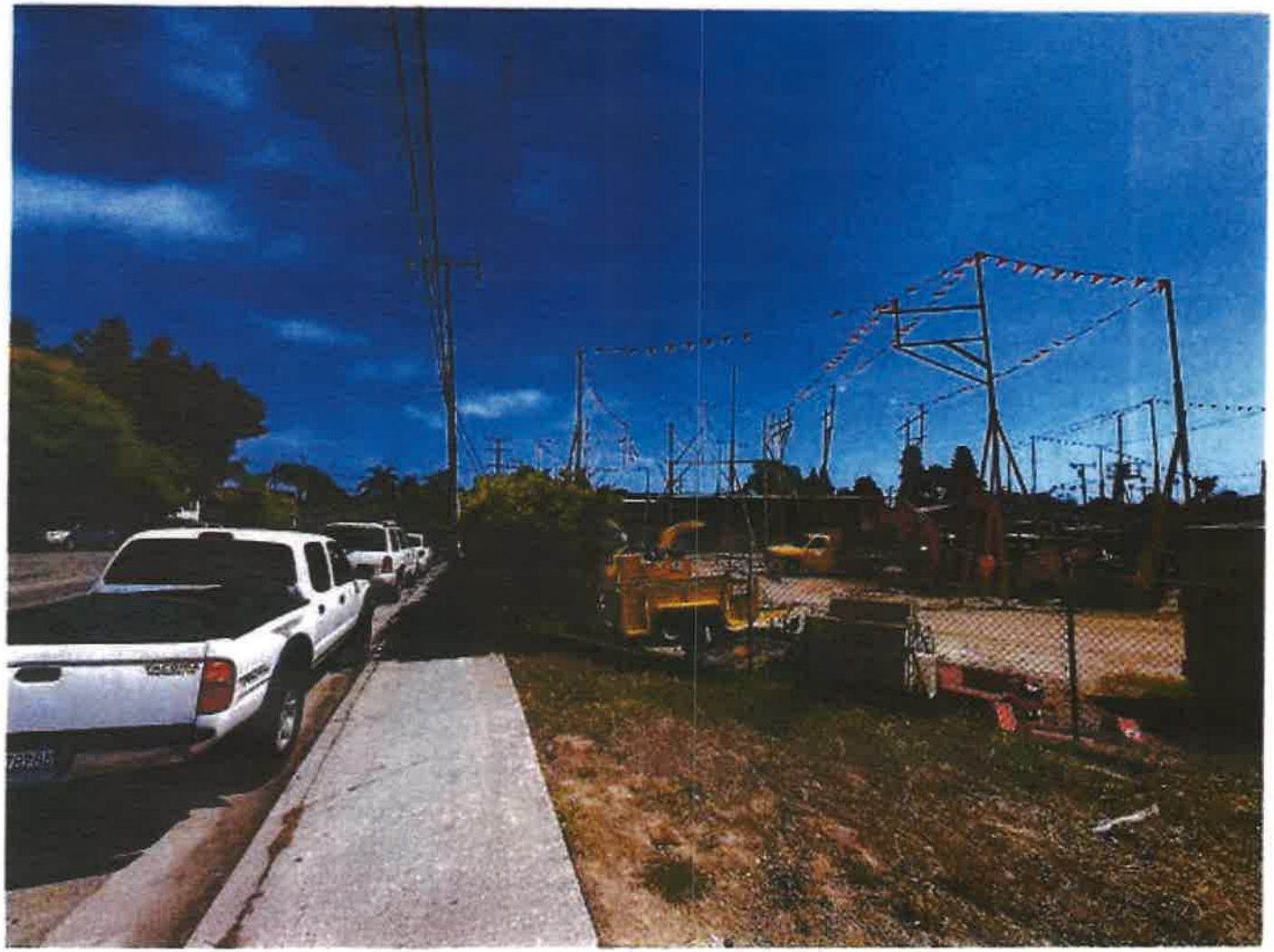
ATTEST:

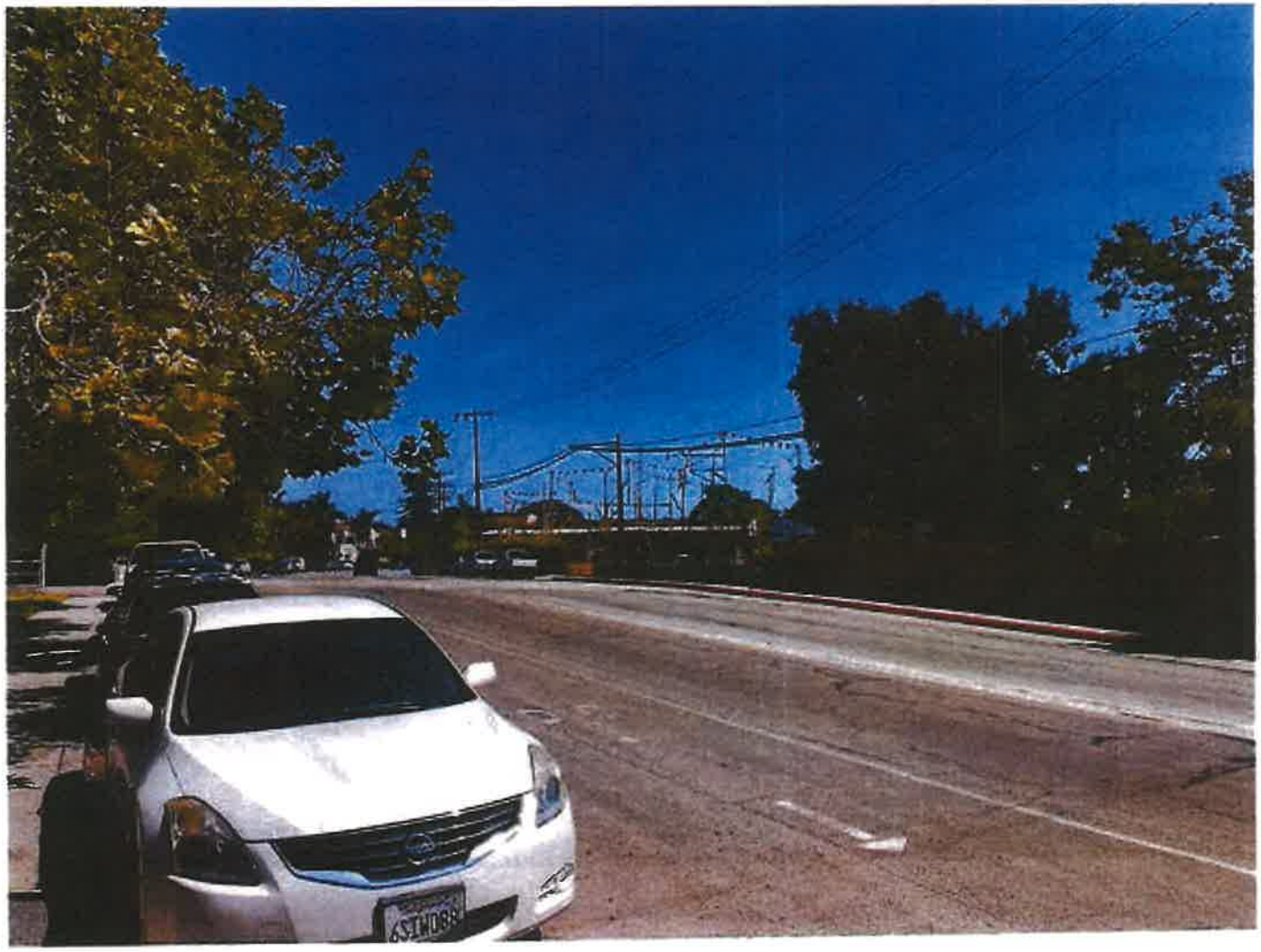
_____
Secretary, Architectural Review Board

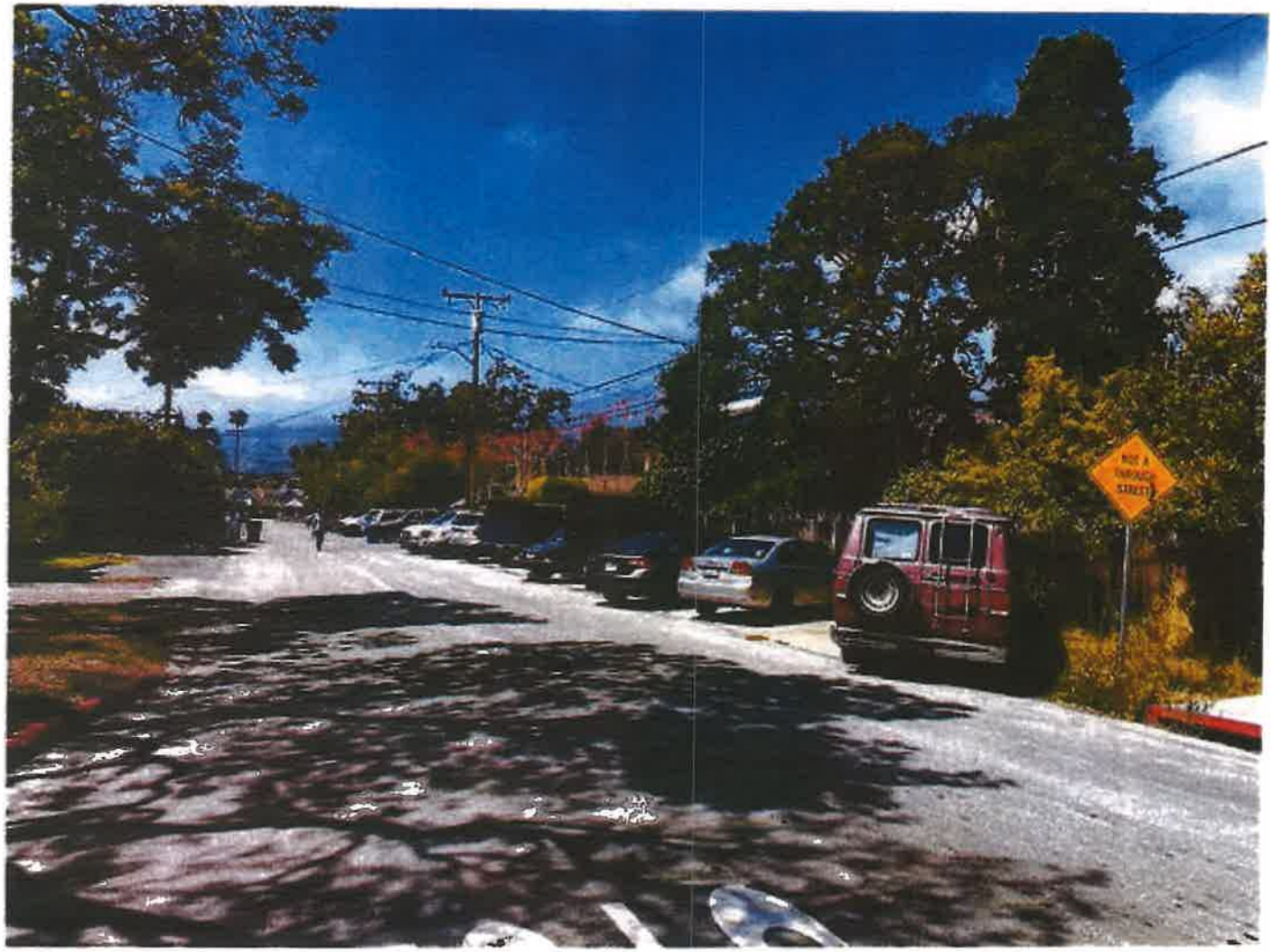
Attachment D
Exhibit 2:
August 18 Story Pole Photographs for the Preliminary Review ARB Meeting

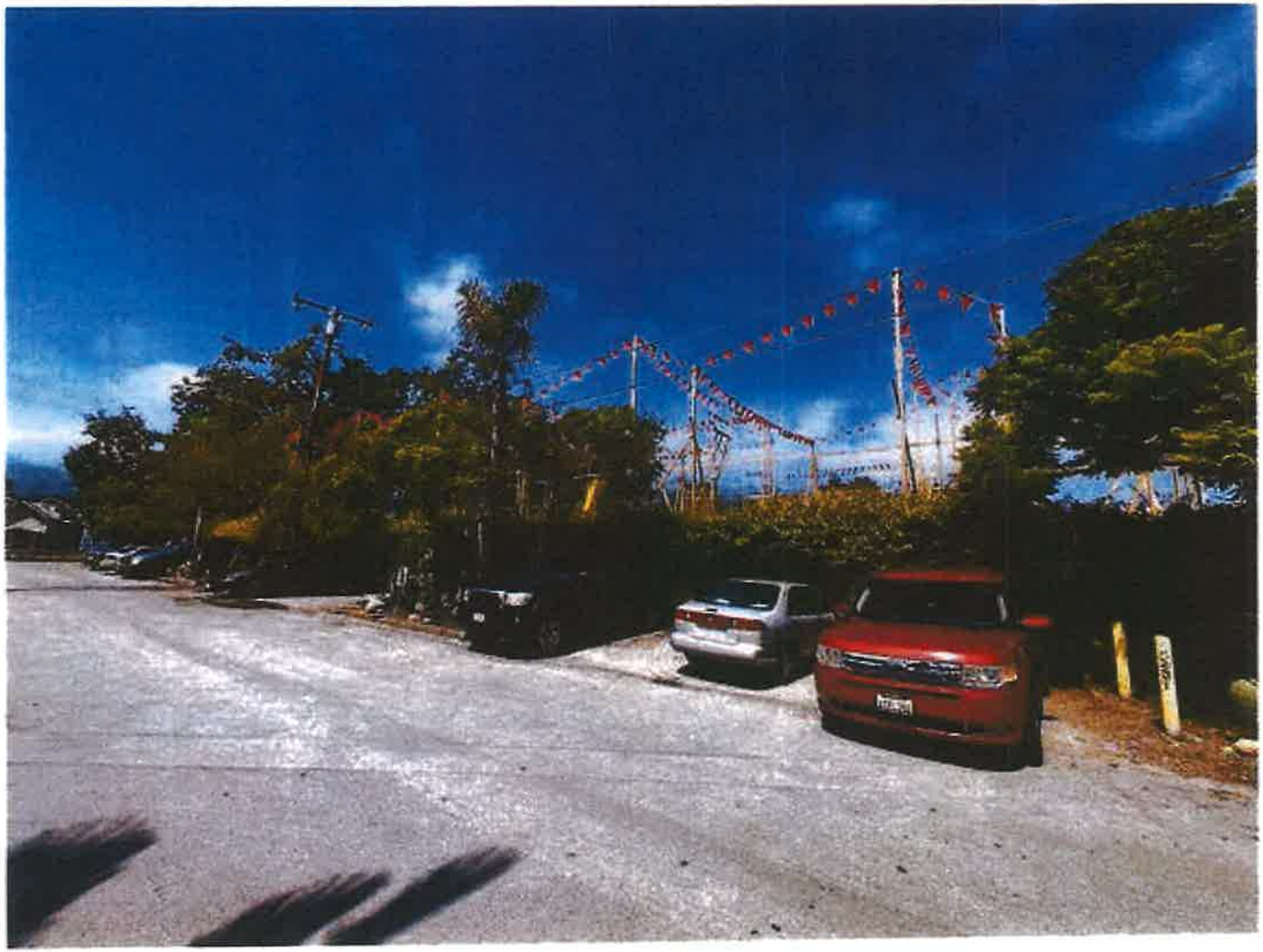
4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024









Attachment D
Exhibit 3:
Reduced Plan Set from the August 31, 2023 Preliminary Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

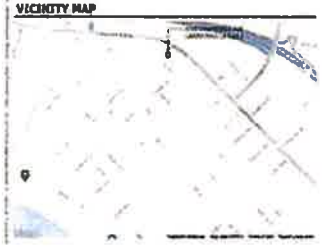
4745 CARPINTERIA AVE

PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES

CODE COMPLIANCE

VICINITY MAP



PROJECT DIRECTORY

SHEET INDEX

PROJECT SCOPE

PROJECT INFORMATION

LOCAL JURISDICTION STAMPS & NOTES

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22CL08

NO.	DESCRIPTION	DATE

G001

COVER SHEET

NOT FOR CONSTRUCTION

DMHA

4745 Carpinteria Avenue Mixed Use Development

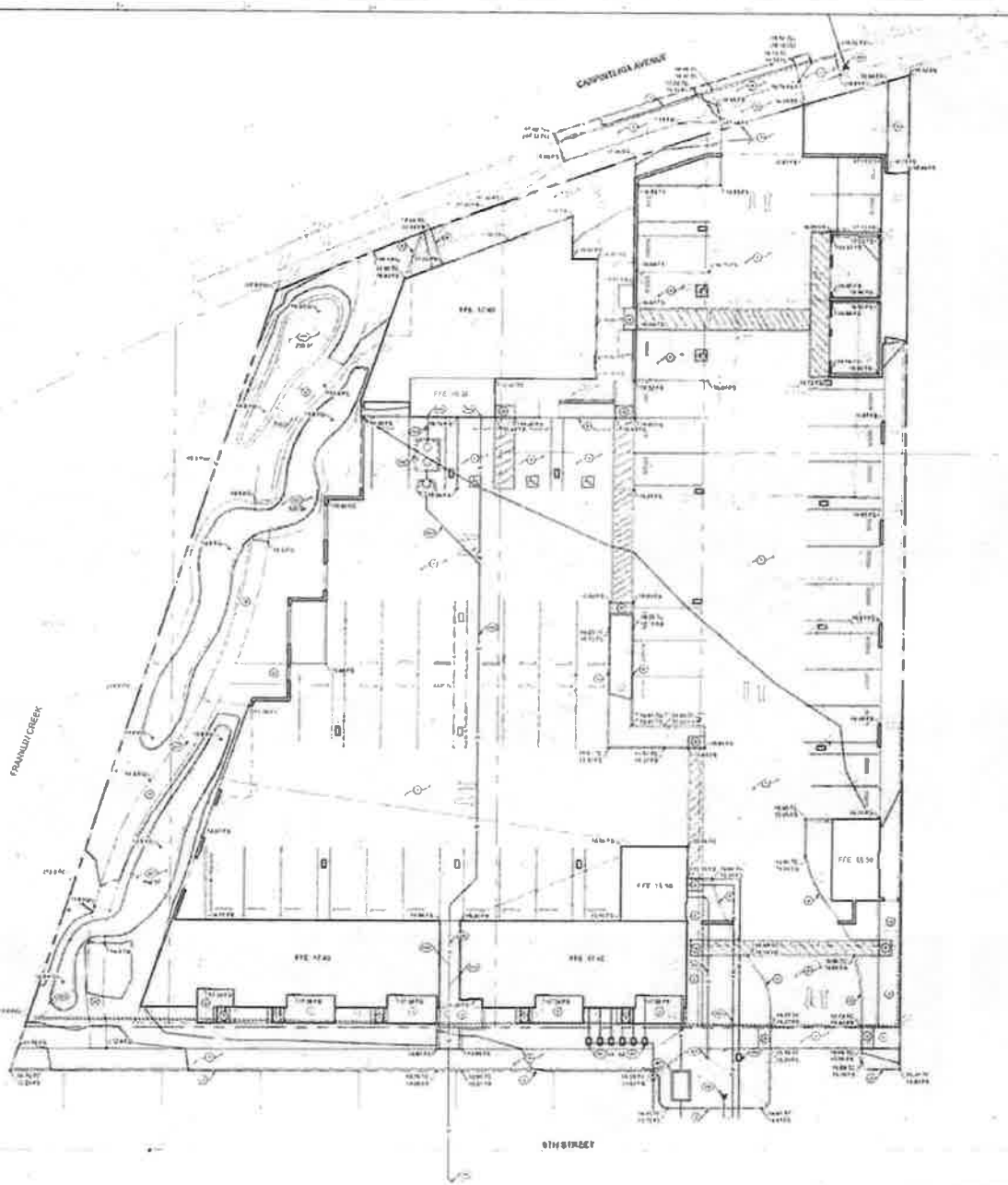
4745 Carpinteria Ave, Carpinteria Ca 93013

PROJECT #: 220108

NO.	DESCRIPTION	DATE

G011

SITE PHOTOS



GENERAL NOTES

FRONT OF BAY CONSTRUCTION NOTES

SITE CONSTRUCTION NOTES:

STORM DRAIN CONSTRUCTION NOTES

ELECTRICAL NOTES:

SANITARY SEWER CONSTRUCTION NOTES

WATER CONSTRUCTION NOTES:

EARTHWORK INFORMATION

SITE AREA 6.88 AC
AREA DISTURBED 6.64 AC

Ashley & Vance ENGINEERING, INC.
CIVIL • STRUCTURAL

PLAN REVIEW SET NOT FOR CONSTRUCTION

4745 CARPINTERIA
4745 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

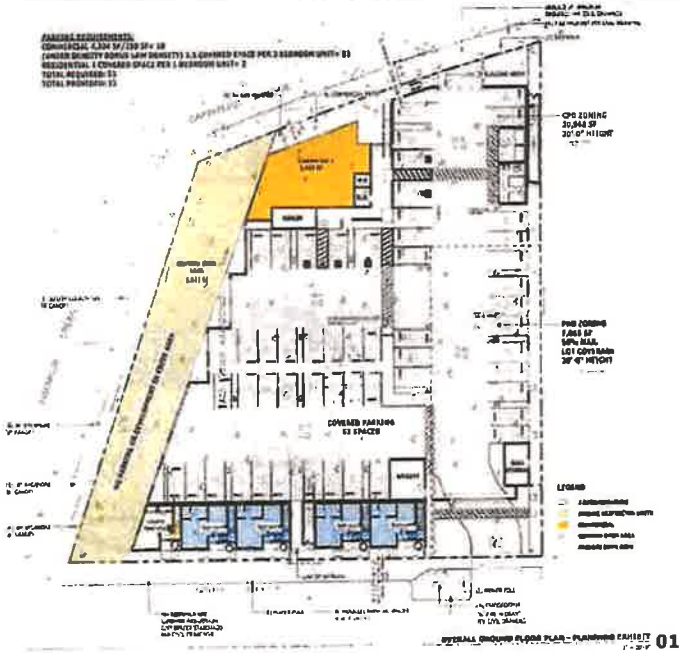
PRELIMINARY PLANS - NOT FOR CONSTRUCTION

GRADING AND DRAINAGE PLAN

C-2.1

OVERALL SECOND LEVEL FLOOR PLAN - PLANNING EXHIBIT 02

OVERALL THIRD LEVEL FLOOR PLAN - PLANNING EXHIBIT 03



OVERALL GROUND FLOOR PLAN - PLANNING EXHIBIT 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 2YC180

NO.	DESCRIPTION	DATE

G012

PLANNING EXHIBIT

ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE

CONCLUSIONS

TREE PROTECTION MEASURES

REFERENCES

SITE PLAN

OBSERVATIONS

TREE INVENTORY

Bill Spiewak

TREE ASSESSMENT AND PROTECTION PLAN for 4745 Carpinteria Ave, Carpinteria, CA

BACKGROUND

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BACKGROUND
OBSERVATIONS
TREE INVENTORY
SITE PLAN
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ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE
PHOTOS

PHOTOS

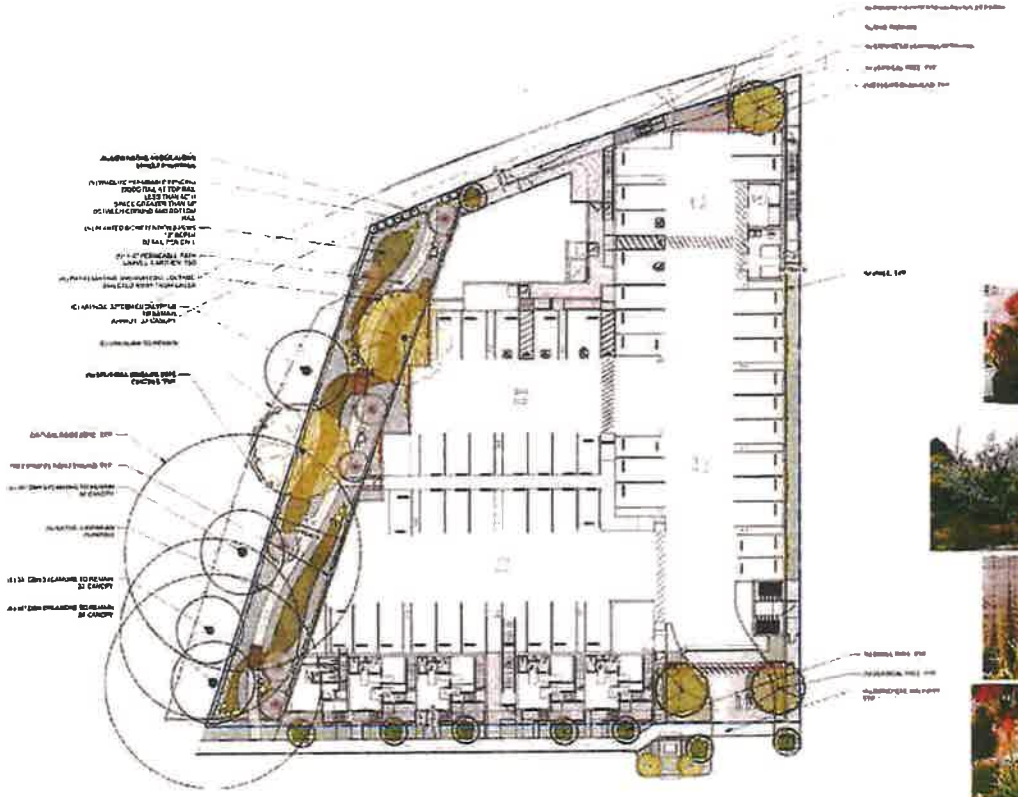
PHOTOS

PARKY

4745 Carpinteria Ave
Carpinteria, CA

Arborist Report

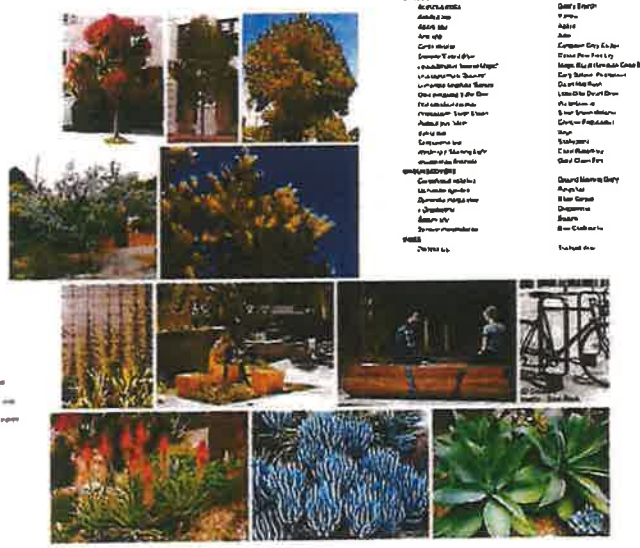
L0.1



ABBREVIATIONS:

LANDSCAPE AREA:

PRELIMINARY PLANT PALETTE



PARRYT

4745 Carpinteria Ave
Carpinteria, CA

Preliminary Landscape
Plan - Ground Floor

L1

PRELIMINARY PLANT PALETTE

ABBREVIATIONS:

PARRYT

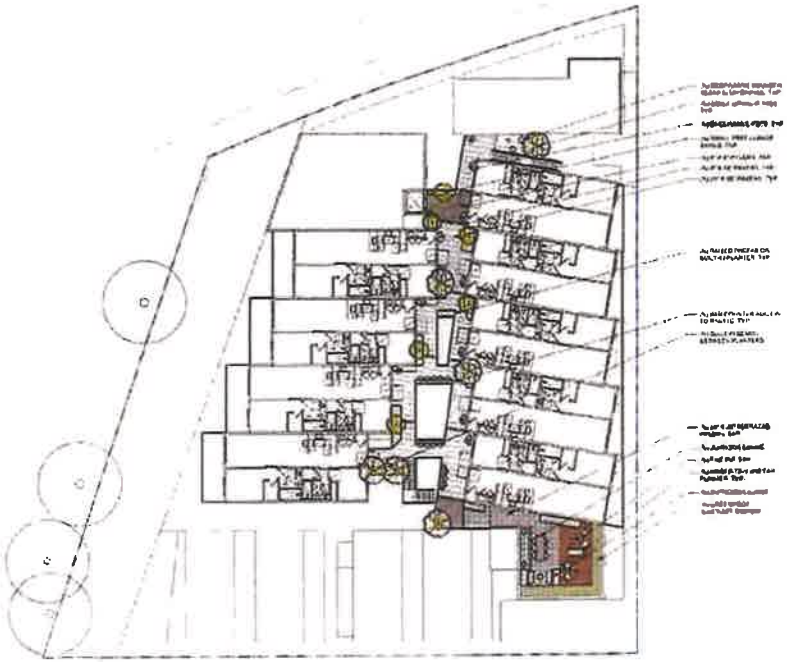
4745 Carpinteria Ave.
Carpinteria, CA

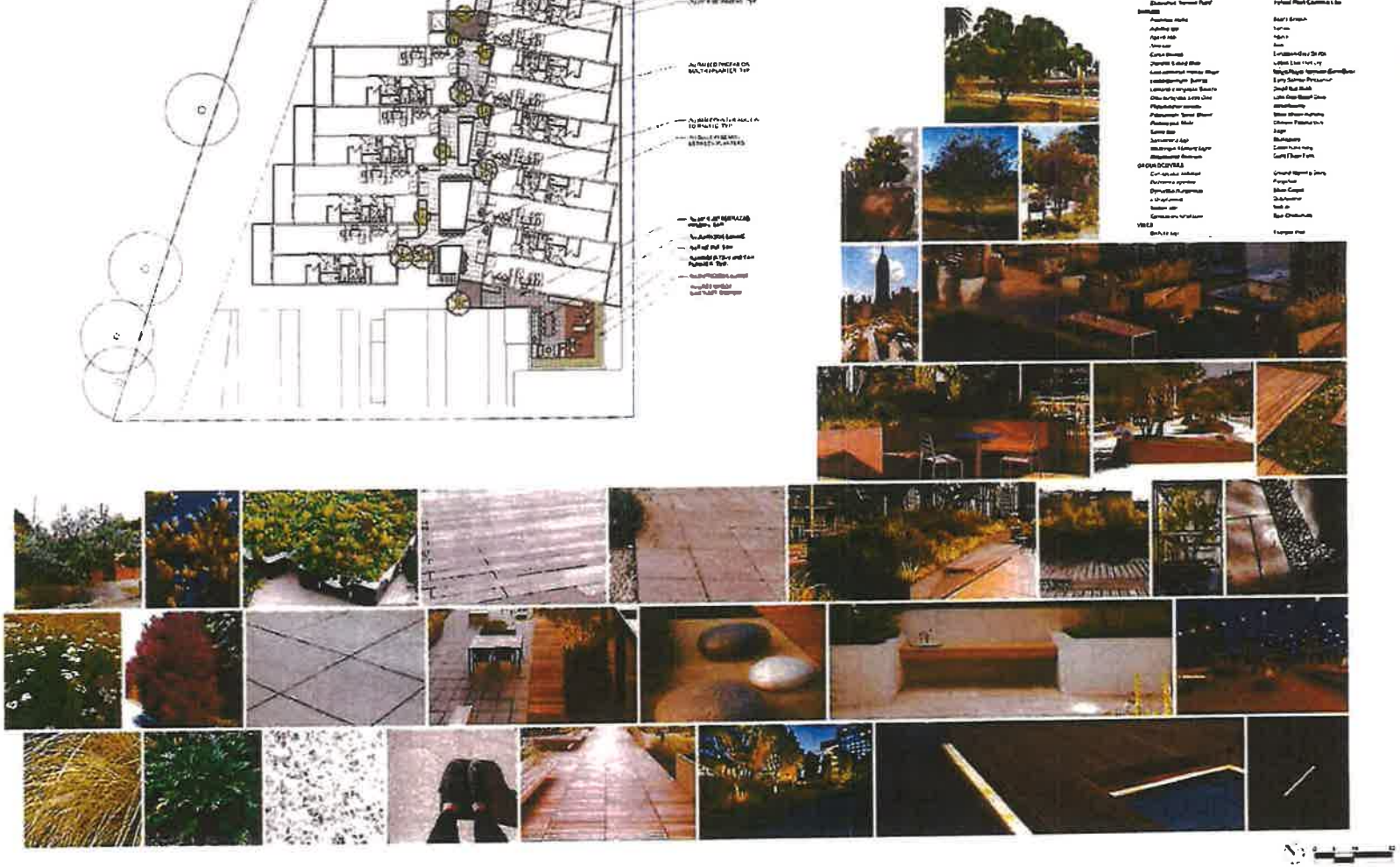
Preliminary Landscape
Plan - 2nd Floor

L1.1

ABBREVIATIONS:

PRELIMINARY PLANT PALETTE



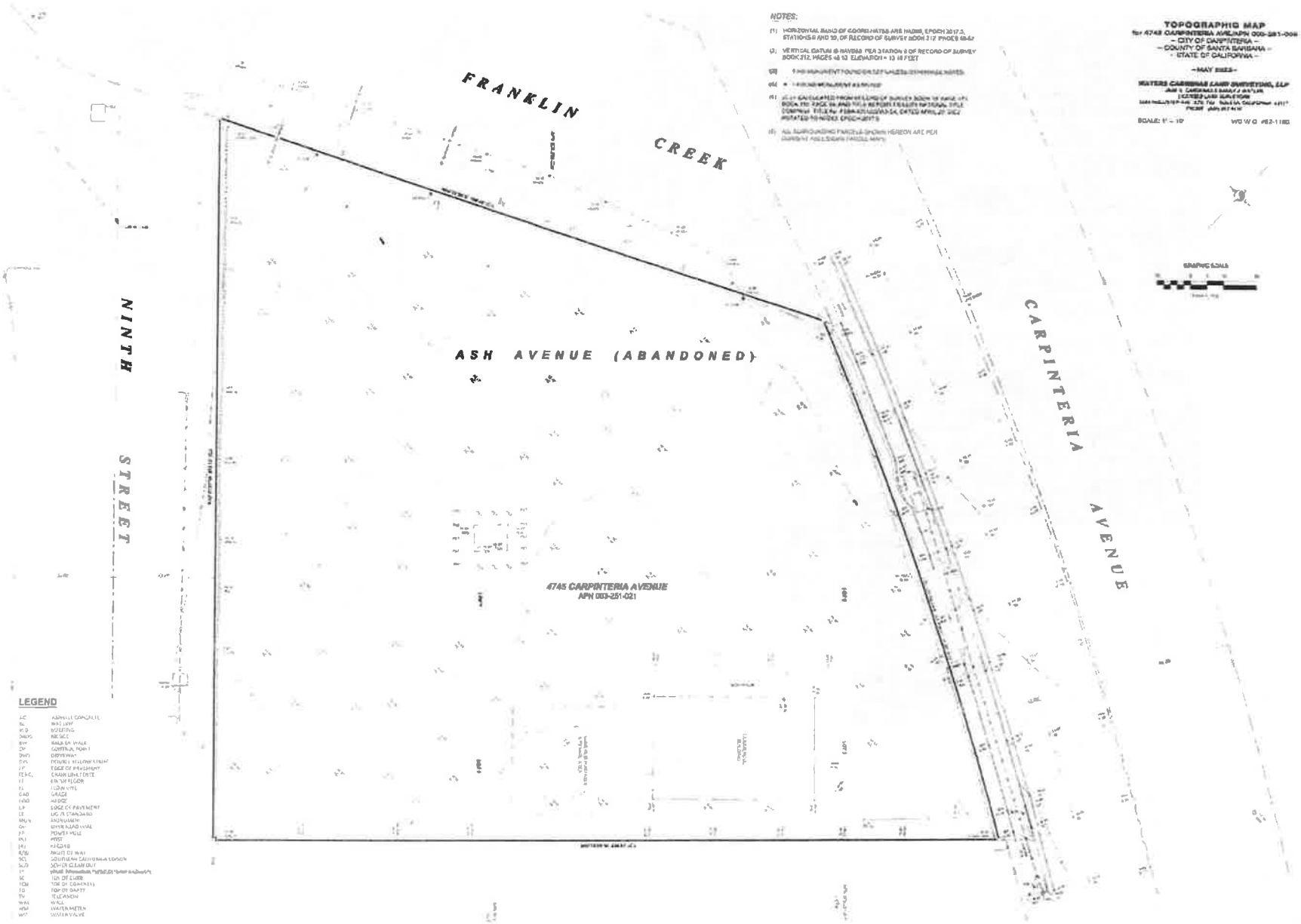


PARKYI

4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 3rd Floor

L1.2



TOPOGRAPHIC MAP

for 4745 CARPINTERIA AVE./APN 003-251-021

– CITY OF CARPINTERIA –

– COUNTY OF SANTA BARBARA –

– STATE OF CALIFORNIA –

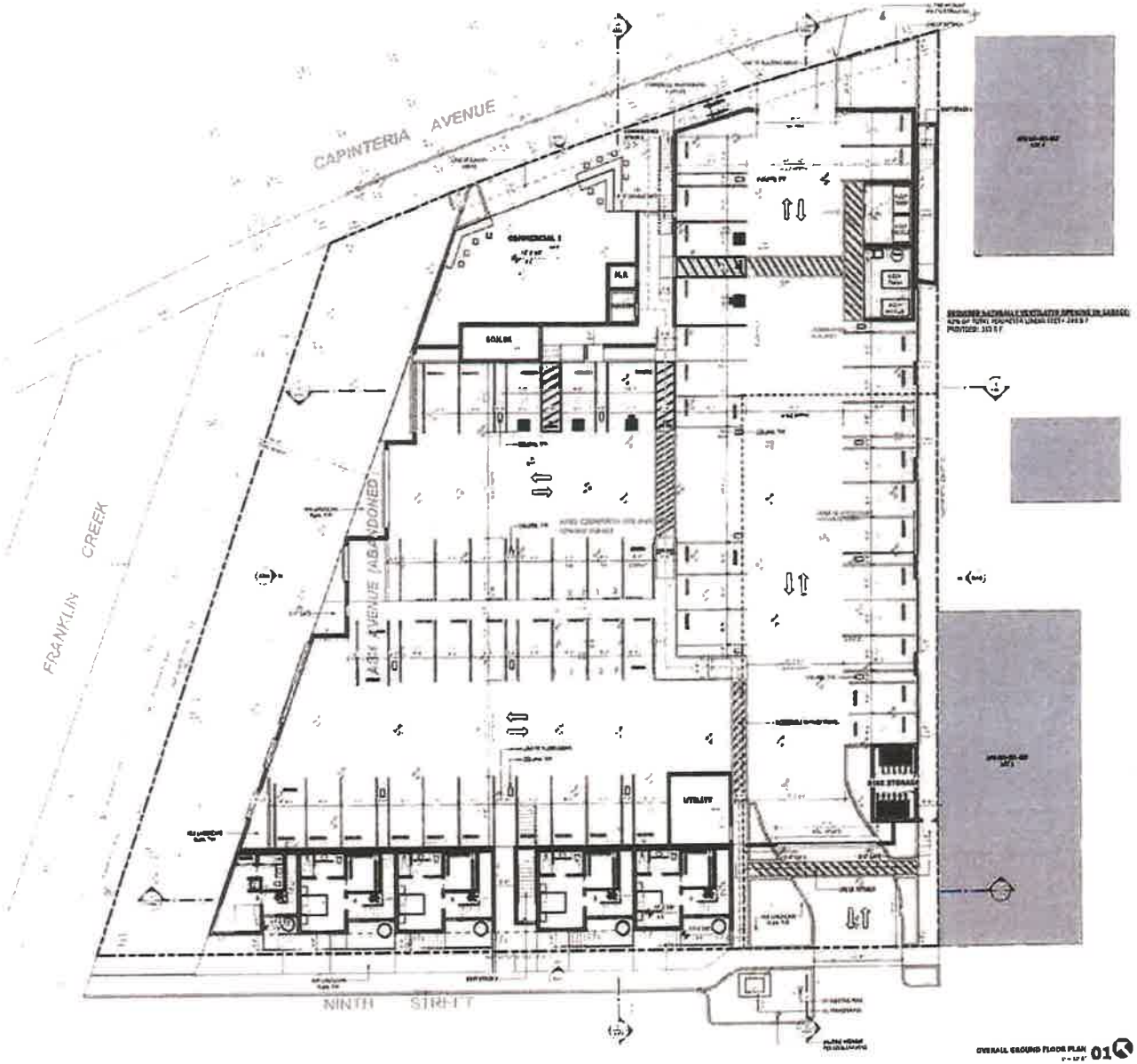
– MAY 2022 –

WATERS CARBONNE LAND SURVEYING, LLP

LICENSED LAND SURVEYOR

SCALE: 1" = 10'

W.O. W.O. #22-1180



DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

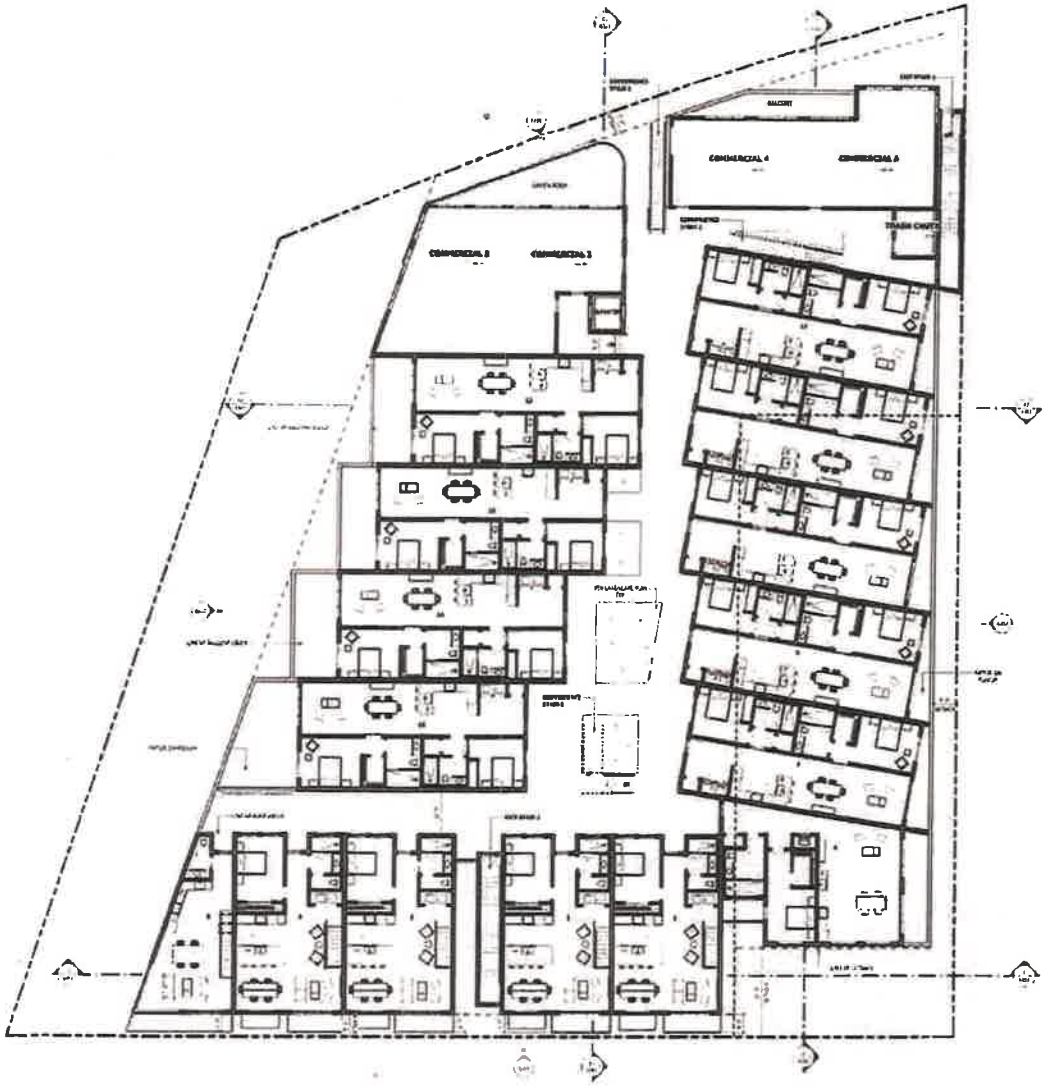
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C186

NO. DESCRIPTION DATE

A101

OVERALL GROUND FLOOR PLAN



SECOND LEVEL FLOOR PLAN- 9TH ST 01

DMHA

NOT FOR CONSTRUCTION

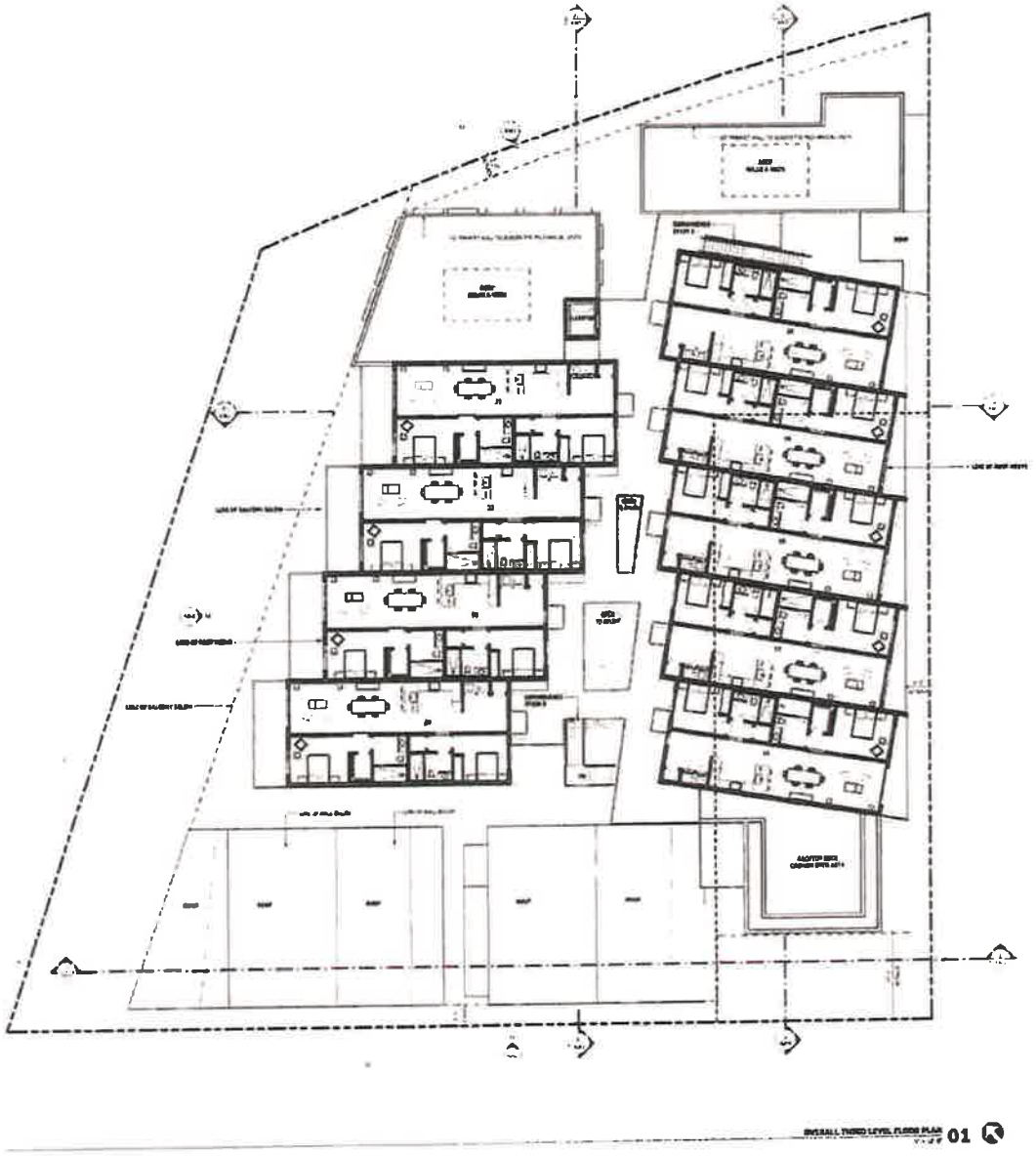
4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A102

OVERALL SECOND FLOOR PLAN



OVERALL THIRD LEVEL FLOOR PLAN 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

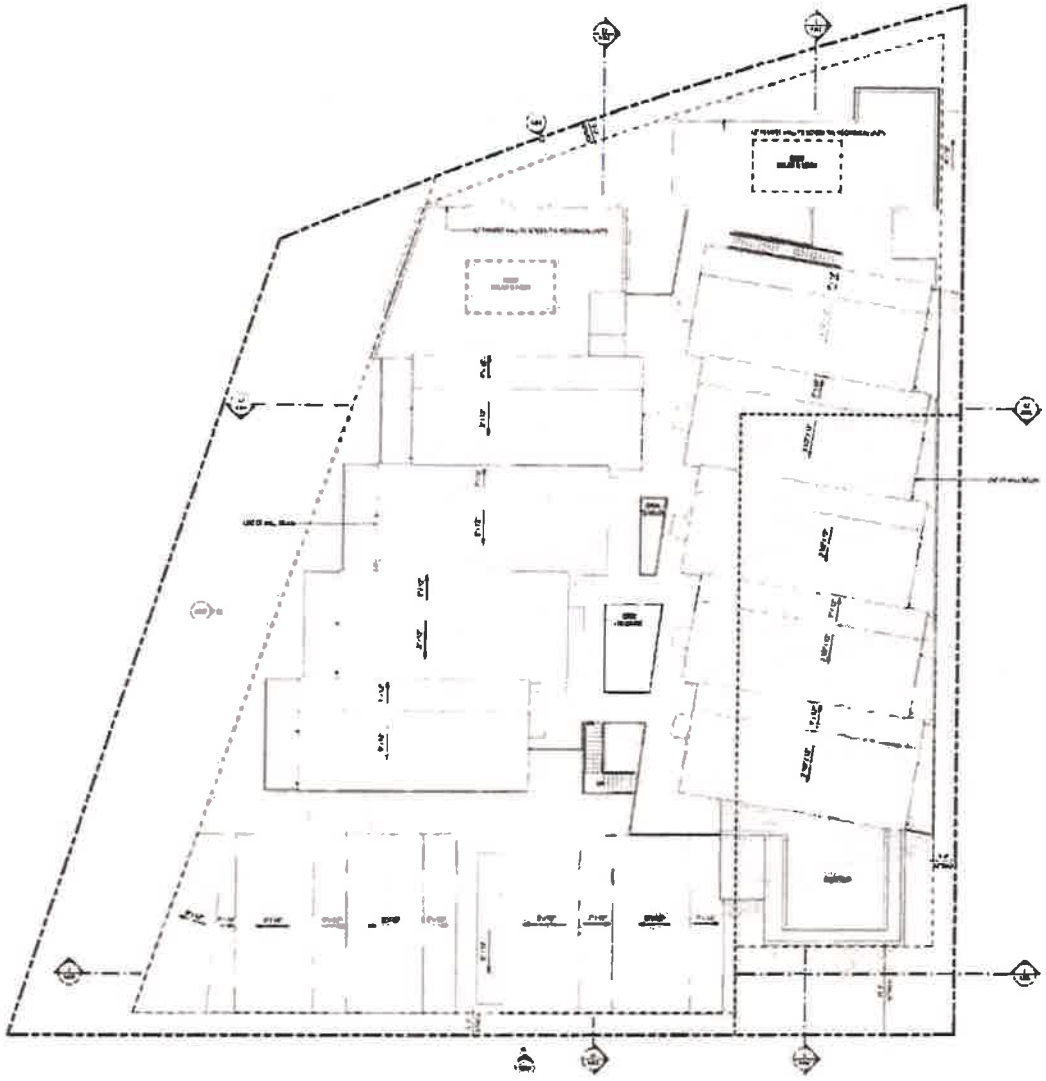
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22CL08

NO.	DESCRIPTION	DATE

A103

OVERALL THIRD FLOOR PLAN



ROOF PLAN 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

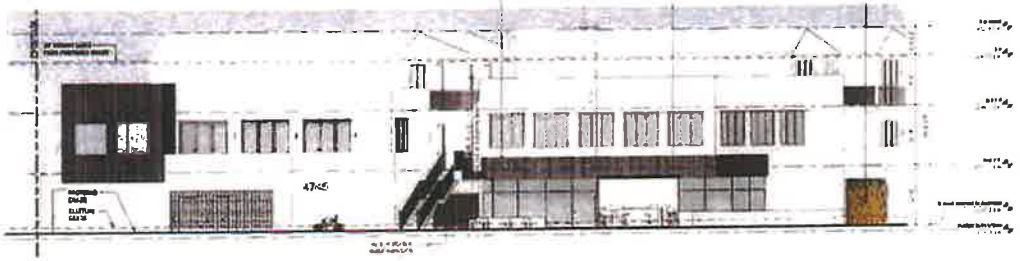
PROJECT #: 22C128

NO. DESCRIPTION DATE

A104

ROOF PLAN

POST MESH AT PATIO



NORTH ELEVATION- CARPINTERIA AVE 02

UNIT DOOR CANOPY

SOUTH ELEVATION- 8TH STREET 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

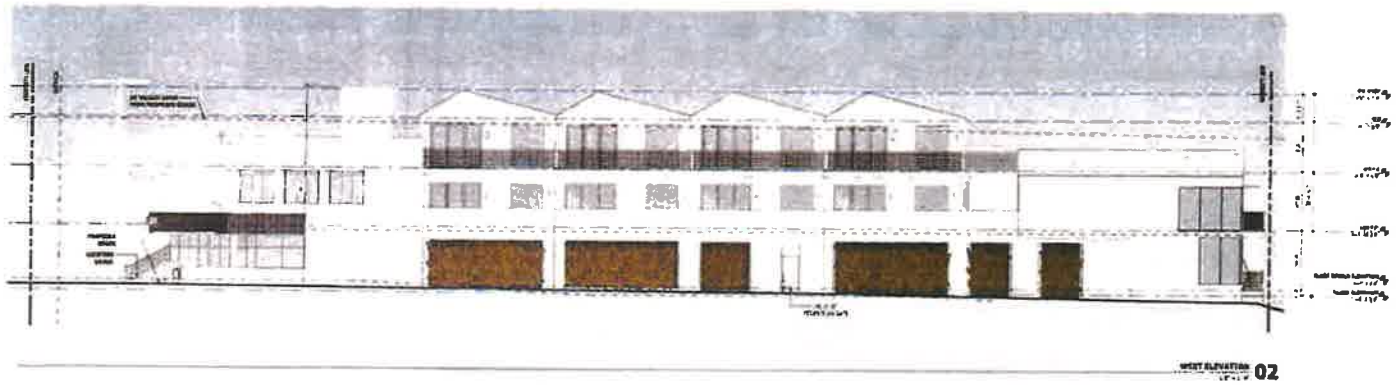
4745 Carpinteria Ave, Carpinteria Ca 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A201

EXTERIOR ELEVATIONS



WEST ELEVATION 02

EAST ELEVATION 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

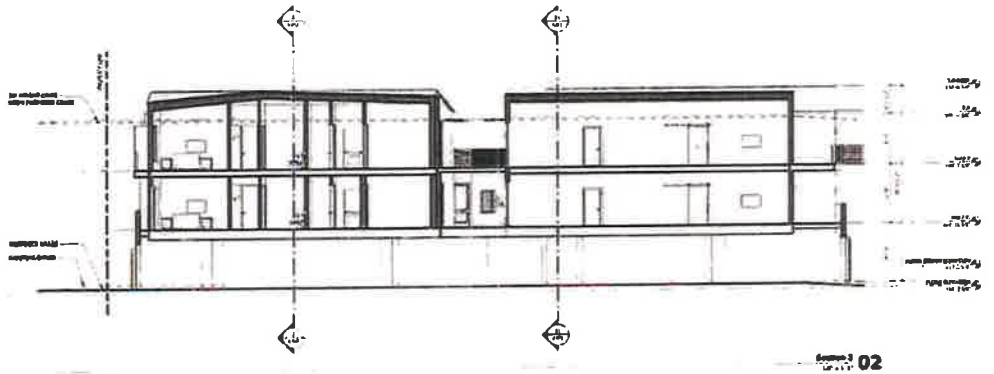
PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A202

EXTERIOR ELEVATIONS

INSULATION SCHEDULE



Section 2 02

Section 1 01

DMHA

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

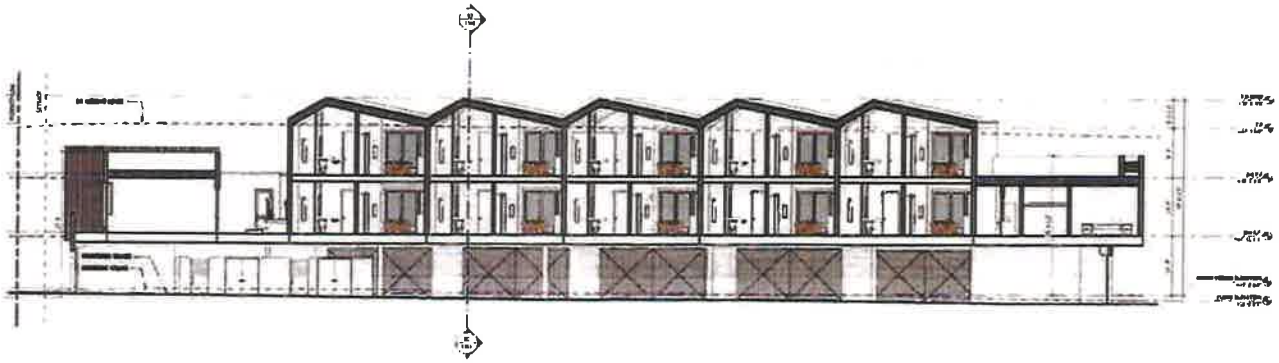
PROJECT #: 191308

NO.	DESCRIPTION	DATE

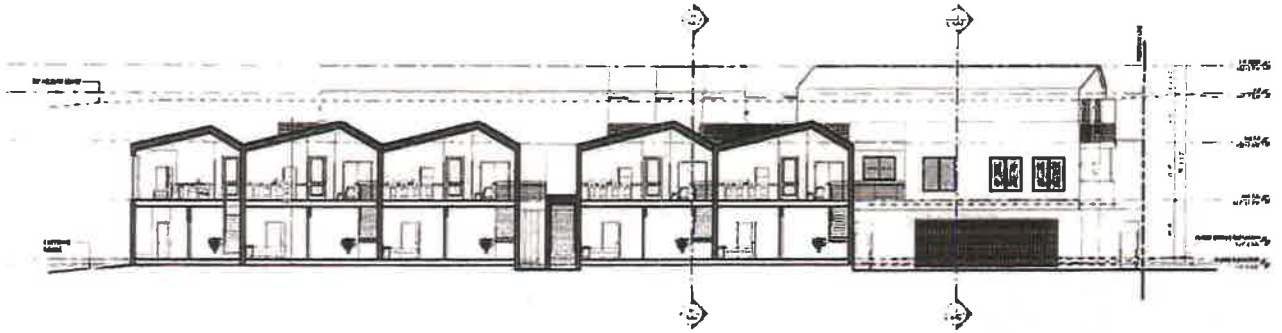
A301

BUILDING SECTIONS

NOT FOR CONSTRUCTION



Section 4 2



Section 3 1

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

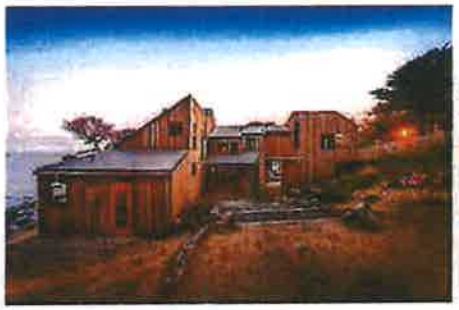
4745 Carpinteria Ave, Carpinteria CA 93013

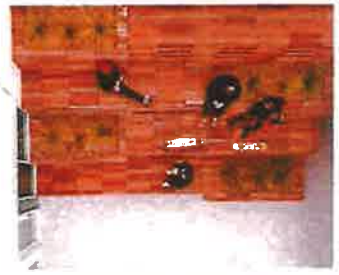
PROJECT #: 230108

NO. DESCRIPTION DATE

A302

BUILDING SECTIONS





DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

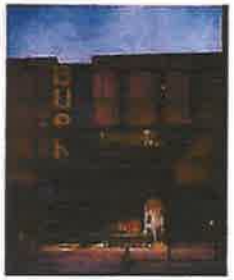
PROJECT #: 131108

NO. DESCRIPTION DATE

A701

ARCHITECTURAL LOOK AND FEEL

COMMERCIAL AREA- EXTERIOR



COMMERCIAL AREA- SEATING AND BAR SYSTEM

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C108

NO.	DESCRIPTION	DATE

A702

ARCHITECTURAL LOOK AND FEEL

MANUFACTURER: RATCHET
STYLE: ROLLING SECURITY GRILLE DOOR
MODEL: DURAGRILLE
FINISH: BRONZE ANODIZED

GARAGE ROLL UP- GRILLE DOOR 19

GUARDRAIL:
1 1/2" O.D., 15" SCH. 40 STEEL PIPE AS ASTER GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

HANDRAIL:
1 1/2" O.D., 15" SCH. 40 STEEL PIPE AS ASTER GUARD RAIL/RAILING WITH WIRE MESH INFILL
FINISH: BLACK

METAL RAILING/GAURDRAIL WITH STRETCH INFILL 12

MANUFACTURER: STEP STONE INC
MODEL: BRIDGE PAVERS
STYLE: LIMO EARTHCAST - 1804
FINISH: FRENCH GRAY

PRECAST CONCRETE STAIR TREAD 08

STANDING SEAM METAL ROOF
MANUFACTURER: MS METAL
MODEL: 12X48 LS
COLOR: MATT BLACK 268
THICKNESS:
FINISH: GALVANIZED

STANDING SEAM ROOF 04

MANUFACTURER: TBD
STYLE: TBD
COLOR: OAK

WOOD SIDING AT COMMERCIAL AREA 18

MANUFACTURER: TBD
STYLE: TBD
FINISH: WHITE OAK

WOOD SIDING AT 2 ND. ST AND EAST SIDE UNITS 15

CLAD ALUMINUM SWING DOOR AND WINDOW
MANUFACTURER: SIERRA PACIFIC
FINISH: BLACK
GLASS FINISH: TEMPERED- CLEAR

EXTERIOR SWING DOOR AND WINDOW 11

PERFORATED METAL SCREEN
STYLE: NS
THICKNESS: 3/4
FINISH: BLACK STEEL

EXTERIOR STAIR AT COMMERCIAL- 1804 07

METAL CANOPY
- SHOP 2 ENTRY AT LEVEL 2
- SHOP 1 WINDOWS AT 2ND FLOOR

FINISH: POWDER COATED BLACK

EXTERIOR METAL DOOR AND WINDOW CANOPY 03

TYPE EM
LEGA 23023-OUTDOOR LIGHTING
TYPE: RECESSED WALL LUMINAIRE
WIDTH: 6 1/4"
HEIGHT: 2 3/4"
LIGHT SOURCE: LED- 3000K
FINISH: DARK BRONZE

TYPE SM
MODEL NO:
TYPE: WALL SCONCE
LIGHT SOURCE: LED- 3000K
WIDTH: 5"
HEIGHT: 5"
FINISH: SEMI BRONZE

TYPE SC
MODEL 453/LED 1270
TYPE: WALL SCONCE LIGHT
REFLECTOR: ANODIZED ALUMINUM
LIGHT SOURCE: LED- 3000K
FINISH: POWDER-COATED BLACK

EXTERIOR DOWNLIGHT- TYPE SM, SW 17

EXTERIOR DOWNLIGHTS- TYPE SM 14

MANUFACTURER: CRISPIN
STYLE: HYDRAULIC SINGLE SWING
FINISH: BLACK
GLASS FINISH: TEMPERED- CLEAR

COMMERCIAL- HYDRAULIC SINGLE SWING DOOR 10

MANUFACTURER: STEPSTONE INC
STYLE: LIGHT SANDBLAST
MODEL: 1804
FINISH: FRENCH GRAY - 604

EXTERIOR PAVER 06

BOARD FORMED CONCRETE WALL

EXTERIOR BOARD FORMED CONCRETE 02

CONCRETE STAIR 16

METAL SIDING

EXTERIOR METAL SIDING AT COMMERCIAL 13

MANUFACTURER: TILE TECH PAVER
STYLE: PEDESTALISTED- PORCELAIN
FINISH: GRAY

COURTYARD OPEN AREA- ROOF DECK- PEDESTAL PAVER 09

MANUFACTURER: USA QUILT WOODEN TILE
FINISH: CLEAR CEDAR

UNDER EAVE- CEDAR T&G 05

MANUFACTURER: LA HACIENDA
MODEL: HACIENDA 2-CM
FINISH: SMOOTH- TRUEST FINISH

EXTERIOR WALLS - ELEVATOR TOWER EXTERIOR STUCCO 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

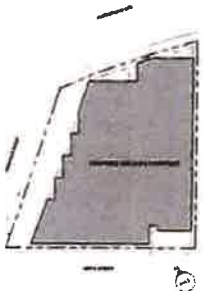
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C136

NO.	DESCRIPTION	DATE
1	PLANNING SUBMITTAL	10/14/22

A706

EXTERIOR MATERIAL BOARD



KEYPLAN 02

9TH ST VIEW - FROM SOUTH EAST
NOT TO SCALE 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT # 12CLDN

NO.	DESCRIPTION	DATE
1		

A901

9TH ST VIEW

KEYPLAN 02

9TH ST VIEW- ACROSS THE STREET 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22CL08

NO.	DESCRIPTION	DATE

A902

9TH ST VIEW

SITEPLAN 02

9TH ST VIEW - FROM SOUTH WEST 01
NOT TO SCALE

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

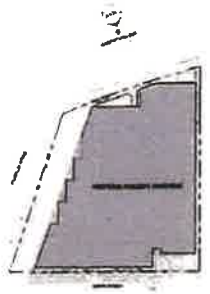
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220108

NO.	DESCRIPTION	DATE

A903

9TH ST VIEW



KEYPLAN 02

COMMERCIAL VIEW - FROM CARPINTERIA AVE 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

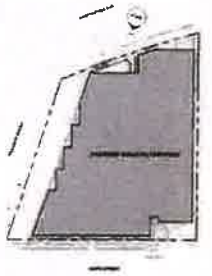
4745 Carpinteria Ave., Carpinteria CA 93013

PROJECT #: 220130

NO.	DESCRIPTION	DATE

A904

COMMERCIAL VIEW



02

COMMERCIAL VIEW- FROM CARPINTERIA AVE 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

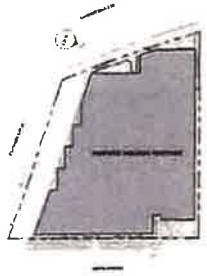
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C100

NO.	DESCRIPTION	DATE

A905

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW - FROM CARPINTERIA AVE 01

DMHA
ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

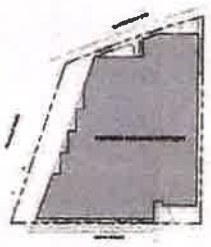
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C08

NO.	DESCRIPTION	DATE

A906

COMMERCIAL VIEW



02

COMMERCIAL VIEW- FROM CARPINTERIA AVE
NOT TO SCALE 01

DMHA

4745 Carpinteria Avenue Mixed Use Development

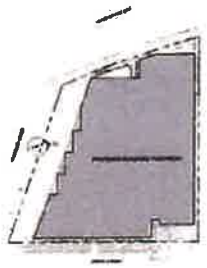
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 192108

NO.	DESCRIPTION	DATE

A907

EAST SIDE VIEW



KEYPLAN 02

WEST SIDE VIEW 1

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

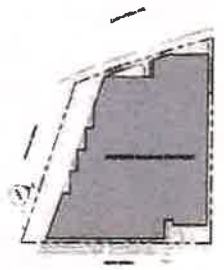
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C088

NO.	DESCRIPTION	DATE

A908

WEST SIDE VIEW



SITEPLAN 02

OVERALL SOUTH WEST - TOP VIEW 01

DMHA

ARCHITECTURE + INTERIOR DESIGN

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

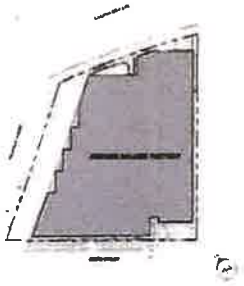
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C106

NO.	DESCRIPTION	DATE
1		

A909

OVERALL SOUTH WEST VIEW



02

OVERALL SOUTH EAST SIDE- TOP VIEW 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria, CA 93013

NO.	DESCRIPTION	DATE

A910

OVERALL SOUTH EAST VIEW

OVERALL TOP VIEW 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23C100

NO.	DESCRIPTION	DATE

A911

OVERALL SITE VIEW

Attachment E
Exhibit 1:
Minutes from the October 26, 2023 Continued Preliminary Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

CITY OF CARPINTERIA
5775 Carpinteria Avenue
Carpinteria California 93013

ARCHITECTURAL REVIEW BOARD
Meeting Date: October 26, 2023

ACTION MINUTES

The meeting was called to order at 5:31 p.m. by Chair Stein.

ROLL CALL

Boardmembers present: Brad Stein, Chair
Amy Blakemore, Vice Chair
Richard Little
Patrick O'Connor

Boardmembers absent: Richard Johnson

OTHERS PRESENT: Approximately 13 members of the public were in attendance.

PUBLIC COMMENT: None

PROJECT REVIEW

1) Projects: Davis Residence Remodel, Project 23-2228-ARB/CDP
Address: 5459 Shemara Street
Applicant: Gabriel Zamora, Architect, for Emma Davis
Planner: Marysol Smith

Request of Gabriel Zamora, architect, for Emma Davis to consider Project 23-2228-ARB/CDP for preliminary/final review of a request to comprehensively remodel the exterior of an existing single family residence and to construct a new covered front porch and a new trellis over the garage. The project also includes an interior remodel and comprehensive site improvements. The property is an 8,712 square foot parcel zoned Single Family Residential (8-R-1) shown as APN 001-272-009 and addressed as 5459 Shemara Street.

Ex Parte Communications Disclosure: None

Staff Comments:
Marysol Smith described the proposed scope of work. Staff requested feedback from the Board on the proposed garden border wall in the front yard, the covered front porch and trellis, and on the expansion of hardscaping in the front yard.

Applicant Comments: Gabriel Zamora, Architect, highlighted the driving factors for the project. The intent of the project is to help open the house up more to the gardens, calling for slightly more privacy in the front yard, which they home would be achieved by the proposed border wall and plantings. The house-side of the border wall would be infilled the minimum necessary to meet the existing grade of the yard, which slopes downward towards the sidewalk. Careful attention to existing front yard treatments in the neighborhood guided their proposal. Although the neighborhood features a variety of treatments, several properties have different types of border walls at different heights. Mr. Zamora further clarified that the new hardscaping in the front yard would have a similar paver style to what is already installed over the driveway and would be installed to allow for permeability.

Public Comment: None.

Boardmember Discussion:
Boardmember O'Connor commented that the project was nicely designed and is compatible with the neighborhood. He supports the project as proposed.

Boardmember Little expressed support for the feature in front of the garage as it helps soften the look. He shared he has experience building rock walls and observed that the rock wall proposed would be dry stacked. He recommends instead to incorporate some mortar to help improve stability. Overall he supports the project.

Boardmember Blakemore noted that the project would use both Santa Barbara Sandstone and Bouquet Canyon Flagstone. She recommends considering an alternative flagstone variety, such as Sweetwater, Cherokee or Fossil Creek, for enhanced compatibility with the color of the Santa Barbara Sandstone. The water use/irrigation calculations need to be restudied. The Zoysia Turf is not a low water use plant and the water feature in the backyard was not accounted for in the hydrozone table. She confirmed that the plant selection for the top of the border wall in the front yard is appropriate (it is a type of salvia that will stay low). She requested that the specifications for the pavers be shared with Staff, with input from the Board, to ensure the design is compatible. Boardmember Blakemore expressed support for the project and identified the project as an asset to the neighborhood.

Boardmember Stein agreed with all the previous comments. The design of the border wall can be found to be appropriate given the plant selection. He had no objection to the additional permeable paving in the front yard. Overall he supports the project and finds it to be compatible with the neighborhood.

ACTION: Motion by Boardmember Little, seconded by Boardmember Blakemore, to recommend preliminary/final approval with their comments attached.

VOTE: 4-0 (Boardmember Johnson Absent)

2) Projects: Klentner Mixed-Use Development, Project 23-2221-DP/CDP
Address: 4745 Carpinteria Avenue
Applicant: Michael Stroh, DMHA Architects, for Justin Klentner
Planner: Nick Bobroff / Brian Banks

Request of Michael Stroh, DMHA Architects, agent/architect for Justin Klentner, to consider project 23-2221-DP/CDP for continued preliminary review of a new commercial / residential mixed-use development. The contemplated proposal calls for removing all existing site improvements and constructing a three-story mixed-use building comprised of 4,202 square feet of commercial space, 24 apartment units (4 one-bedroom units and 20 two-bedroom units), and a 53-space ground level parking garage. Total project square footage would be approximately 57,188 square feet and reach a maximum height of approximately 36 feet. The project seeks to utilize state density bonus provisions in exchange for setting aside a percentage of the apartment units for low-income affordable housing. The property is identified as APN 003-251-021, and addressed as 4745 Carpinteria Avenue (presently occupied by "Sun Coast Rentals").

Ex Parte Communications Disclosure: None

Staff Comments:
Nick Bobroff described the proposed scope of work. He presented a summary of project revisions in response to the previous ARB comments at the August 31, 2023 preliminary review meeting, including revisions to the unit mix, elevations and landscaping along the Franklin Creek property line. Images were displayed to highlight the revisions, including how the applicant responded to the Carpinteria Avenue and 9th Street frontages.

Mr. Bobroff noted that along the Carpinteria Avenue frontage, the square footage of the commercial tenant spaces were slightly adjusted downward to allow for a larger, more prominent entry stair to the second floor, and that the vehicle gate on the Carpinteria Avenue driveway was also recessed farther back into the garage.

On the Ninth Street elevation, Mr. Bobroff noted how each of the townhome units was offset from the neighboring unit to further animate the 9th Street frontage, which also created an opportunity for each unit to be clad in different color siding, to help with more of a residential character to the façade.

On the side elevations, he noted that further animation was introduced by slightly varying the offsets between units and using more variety in the layouts and dimensions of the units' decks and that subtle roof overhangs have also been reintroduced.

Mr. Bobroff also presented more information on the project's proposed colors, materials and architectural details in response to previous ARB comments.
Finally, Mr. Bobroff explained how the proposed revisions to the landscape scheme, principally related to changes to the layout and location of the proposed onsite bioretention facilities to create a larger buffer from the dripline of the large sycamore trees along the creek.

Applicant Comments: Michael Stroh and Ryan Mills of DMHA Architecture, Katie Klein of Parryi Landscape, and the project applicant, Justin Klentner, introduced themselves to the Board. Mr. Stroh explained the changes made in response to the August 31, 2023 Preliminary ARB review comments. Mr. Stroh related that two additional one-bedroom units were incorporated to replace two two-bedroom units and that the overall size of the commercial units was reduced, which allowed for a more open frontage and stairway on the Carpinteria Avenue frontage.

Ryan Mills summarized the evolution of the 9th Street portion of the project including slightly pushing-back some of the units from the street, in addition to revisions to colors/materials, decks, and awnings to create a variety along the frontage and to allow for additional landscape areas. Mr. Mills then summarized the principal changes along the Carpinteria Ave portion of the project, which included reducing the ground floor commercial units and pushing-back from the sidewalk which allowed for a greater opening on the frontage and stairway in response to previous ARB comments.

Ms. Klein then provided a brief overview of the proposed landscape revisions, including how incorporation of proposed trees and their location will help screen the Creekside (west) elevation and the incorporation of evergreen species to ensure that there would not be bare trees in the winter.

Public Comment:
Betty Songer, a resident on Calle Pacific, asked questions related to how the number of affordable units was determined, the length of time the affordable units would be restricted, and what the rental rates would be for the proposed units.

Amrita Salm, expressed concern that the project is large and that neighborhood compatibility is an issue. She further expressed that the project feels "suburban" and the scale of the project removes the "small town feeling" of the area. She also questioned if the project was proposed as condominiums or rental units and what the rental rates would be.

Gary Campopiano, a resident of 8th Street, commented that the project's type of housing was needed, but the height of the project was concerning. He further expressed that parking in the immediate area is "a nightmare" that would be exacerbated by the proposed project.

John Nicoli, Manager of the Arbor Trailer Park, expressed concern about the loss of parking on 9th Street. He also commented that the City needs to find a comprehensive solution to the 9th Street parking situation and the project should not move forward without a solution. Mr. Nicoli commented that he did appreciate meeting with the applicant to discuss the project and related impacts to the 9th Street residents, but that there should be a "team effort" with the applicant, City and 9th Street residents.

Bob Franco, a resident at 4745 Carpinteria Ave, related that he grew up in the neighborhood and expressed concerns that the project would result in a loss of mountain views and access to sunlight, especially to the residents of 9th Street. He further commented that the project is out of proportion and is offensive to the character of the community. As a side comment, he noted that it was difficult to hear the proceedings and the speaker volume needs to be amplified for the public to be able to clearly hear the meeting.

John Gonzalez, a resident at 4749 Carpinteria Ave and immediately adjacent to the project, expressed concerns about the project's impact on traffic safety on Carpinteria Ave, specifically related to cars existing from the development on to Carpinteria Ave, which he related is already a problem due to the curve and traffic speeds.

Catherine Decker, a resident at 4677 Carpinteria Ave, noted that there are currently 16 cars that currently park on 9th Street and the project would result in a loss of parking on the street. She expressed that assigned parking would be beneficial. Ms. Decker commented that she felt the applicant did make some nice adjustments to the project.

Kathleen Lord commented that the 9th Street portion of the project could be designed as more of a transition from larger portions of the project the to the existing neighborhood and for the applicant to think not just about the neighborhood, but the community and that architectural style is less important than the massing. Ms. Lord also commented that the project would benefit the community more if it proposed more one-bedroom or studio units rather than two-bedroom units.

Gail Marshall commented that Carpinteria has a certain ambiance that the proposed project doesn't have, and that Carpinteria is a small City and proposed projects should be small as a result. She questioned how the project could be made smaller while still complying with the State's housing

mandates (such as lowering plate heights) and how the General Plan update would impact new development projects.

Three Public Comment Letters/Emails were submitted and summarized below. Copies of the letters were presented to the ARB members at the hearing and on file with the Community Development Department.

John Gobbel wrote that he was opposed to the project in its current form and that the City should not provide any special allowances above the current zoning standards which would "overdevelop" the City and that the project should be scaled down out of concerns related to lack of parking, lack of water availability, pollution, and traffic congestion. Finally, Mr. Gobbel expressed that a beach cottage or Spanish style architecture would be more in keeping with classic Carpinteria architecture.

Salley Graham, a resident on the 4700 block of 9th Street, wrote to protest the size and scale of the project. She questioned if any consideration had been given to the current 9th Street residents with respect to the availability of parking and expressed that parking is already difficult and will become even more of a challenge as a result of the project. Finally, Ms. Graham expressed concern that the project would result in the loss of views of mature trees and open sky and how that would impact the lives of neighbors.

Van Latham, a resident at 1750 Santa Monica Road, wrote to express concern about the project. He related that the story poles "did tell the story" and that the project is too massive/tall, especially for the 9th Street residents. He also lamented the loss of a business that caters to working class citizens and replaced by "upscale" retail and housing.

City Attorney Comments: At the invitation of the Director, City Attorney Mack Carlson presented a brief overview of State Housing laws, including State Densit Bonus law and related limits on ARB and staff's discretion when reviewing housing projects. Mr. Carlson highlighted applicable housing laws and context because the project is afforded certain protections under the Housing Accountability Act and State Density Bonus law. Mr. Carlson related that the ARB has narrow grounds to deny or request modifications/conditions that would result in lesser unit density, but the ARB does still does have latitude to consider the design elements and make recommendations so long as the comments do not seek to condition the project to reduce housing density. Finally, Mr. Carlson answered questions that certain public commenters had related to affordability thresholds and how the affordable rent is calculated and restricted/monitored.

Mr. Carlson and Mr. Bobroff answered several questions from the ARB members related to the state housing laws and how they are applied to the project.

Boardmember Discussion:
Boardmember O'Connor complimented the applicant on the changes to the Carpinteria Avenue entrance, the proposed undergrounding of the power lines on the 9th Street side of the project, and the staggering of the 9th Street units. Boardmember O'Connor expressed that the lot coverage calculation is flawed and that the 50 ft creek buffer should be accounted for, while also noting that the project is meeting "the letter of the law." Boardmember O'Connor commented that the applicant does not have to use the less restrictive calculation and that is what creates the "tension" with the project density.

Boardmember Little noted that the project revisions on the 9th Street frontage including the setbacks and offsetting, awnings, and textures was a "huge improvement" although he wondered if the roof heights could be reduced by even as little as 1 ft, it could soften the impact of the project. He commented that while he did like the idea to open the Carpinteria Avenue stairway, the design does not feel very "beachy," and still looks too commercial. Boardmember Little noted that the ARBs "hands are tied" with respect to size and density and that makes it difficult and while he expressed that housing is needed, he questioned if there is a way to reduce the size and make the Carpinteria Avenue side "beachier" it would be greatly appreciated.

Vice Chair Blakemore commented that she completely agreed with Boardmember Little's comments and they we are "between a rock and a hard place" considering what State housing laws allow. Vice Chair Blakemore commented that she appreciated the project revisions and that the architecture is much better, however she commented that the Carpinteria Avenue frontage is skewing more contemporary and could be softened to make it more "Carpinteria." She further expressed concerns about parking, especially the size and arrangement within the parking garage that might not actually work as designed. Finally, Vice Chair Blakemore commented that the landscaping was very nice.

Chair Stein noted that the project "had come a long way" however he expressed frustration that what the State Law allows is not realistic for a small City like Carpinteria with such limited room. Chair Stein commented that traffic on Carpinteria Avenue is a concern, as are the public comments related to neighborhood compatibility. He wondered if there was still a way to reduce the 9th Street side, but appreciated the colors and how the elevations have been broken up. He further commented that the appreciated the eclectic look along Carpinteria Avenue and everything along the corridor cannot look the same. Chair Stein noted the location is a good spot for housing but more one-bedroom units are needed and neighborhood compatibility remains a concern.

ACTION: Motion by Boardmember Little, seconded by Vice Chair Blakemore, to recommend preliminary approval of the project with comments.

VOTE: 2-2* (Little and O'Conner opposed).

*After the initial motion, the applicant advised that he is willing to continue to refine the architectural design to address the ARB's comments if the project can proceed to the Planning Commission for a decision on the overall project scope and its consistency with applicable ordinance regulations and land use policies. A discussion commenced with the applicant Team, the ARB members, the Planning Director, and City Attorney as to options to revise or propose a new motion.

2nd ACTION: A Revised Motion by Chair Stein, seconded by Vice Chair Blakemore, recommend preliminary approval with the ARB's comments, with specific emphasis on scaling-down the mass of 9th Street frontage and the noting the ARB's concern about the size, bulk, and scale of future projects that the Planning Commission should consider.

2nd VOTE: 3-1 (O'Conner opposed).

OTHER BUSINESS:

CONSENT CALENDAR:

3. Action Minutes of the Architectural Review Board Meeting of August 17, 2023

ACTION: Motion by Boardmember O'Conner, seconded by Boardmember Blakemore, to adopt the Minutes as proposed.

VOTE: 4-0-1 (Johnson absent)

4. Action Minutes of the Architectural Review Board Meeting of August 31, 2023

ACTION: Motion by Boardmember Blakemore, seconded by Boardmember Little, to adopt the Minutes as proposed.

VOTE: 3-0-1 (O'Conner abstain; Johnson absent)

5. Action Minutes of the Architectural Review Board Meeting of September 14, 2023

ACTION: Motion by Boardmember O'Conner, seconded by Boardmember Blakemore, to adopt the Minutes as amended.

VOTE: 3-0-1 (Stein abstain; Johnson absent)

MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL: None

MATTERS PRESENTED BY BOARDMEMBERS/STAFF:

- Stern Exterior and Landscape Changes (5476 Cameo Rd): This project involves a comprehensive exterior remodel as well as re-landscaping the property. There would be no additions or changes to the roofline. The exterior walls would be finished in smooth trowel plaster and would feature overlaid Ipe slat walls in select areas. The side yard gates would match with Ipe on metal framing. The Board expressed support for the project's scope, color and materials, and landscaping.

Attachment E
Exhibit: 2
Reduced Plans from the October 26, 2023 Continued Preliminary Review ARB Meeting

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

4745 CARPINTERIA AVE

PROPOSED MIXED USE DEVELOPMENT

GENERAL NOTES

CODE COMPLIANCE

VICINITY MAP

SHEET INDEX

PROJECT SCOPE

PROJECT INFORMATION

PROJECT DIRECTORY

LOCAL JURISDICTION STAMPS & NOTES

DMHA

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

G001

COVER SHEET

PLANNING SUBMITTAL

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

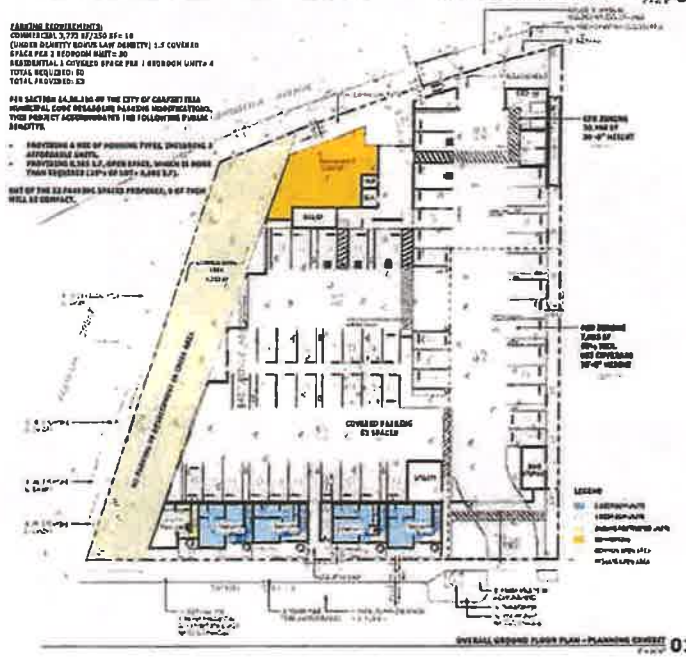
PROJECT #: 22CL09

NO.	DESCRIPTION	DATE

G011

SITE PHOTOS

OVERALL SECOND LEVEL FLOOR PLAN- PLANNING EXHIBIT 02



OVERALL GROUND FLOOR PLAN - PLANNING EXHIBIT 01

OVERALL THIRD LEVEL FLOOR PLAN -PLANNING EXHIBIT 03

DMHA

NOT FOR CONSTRUCTION

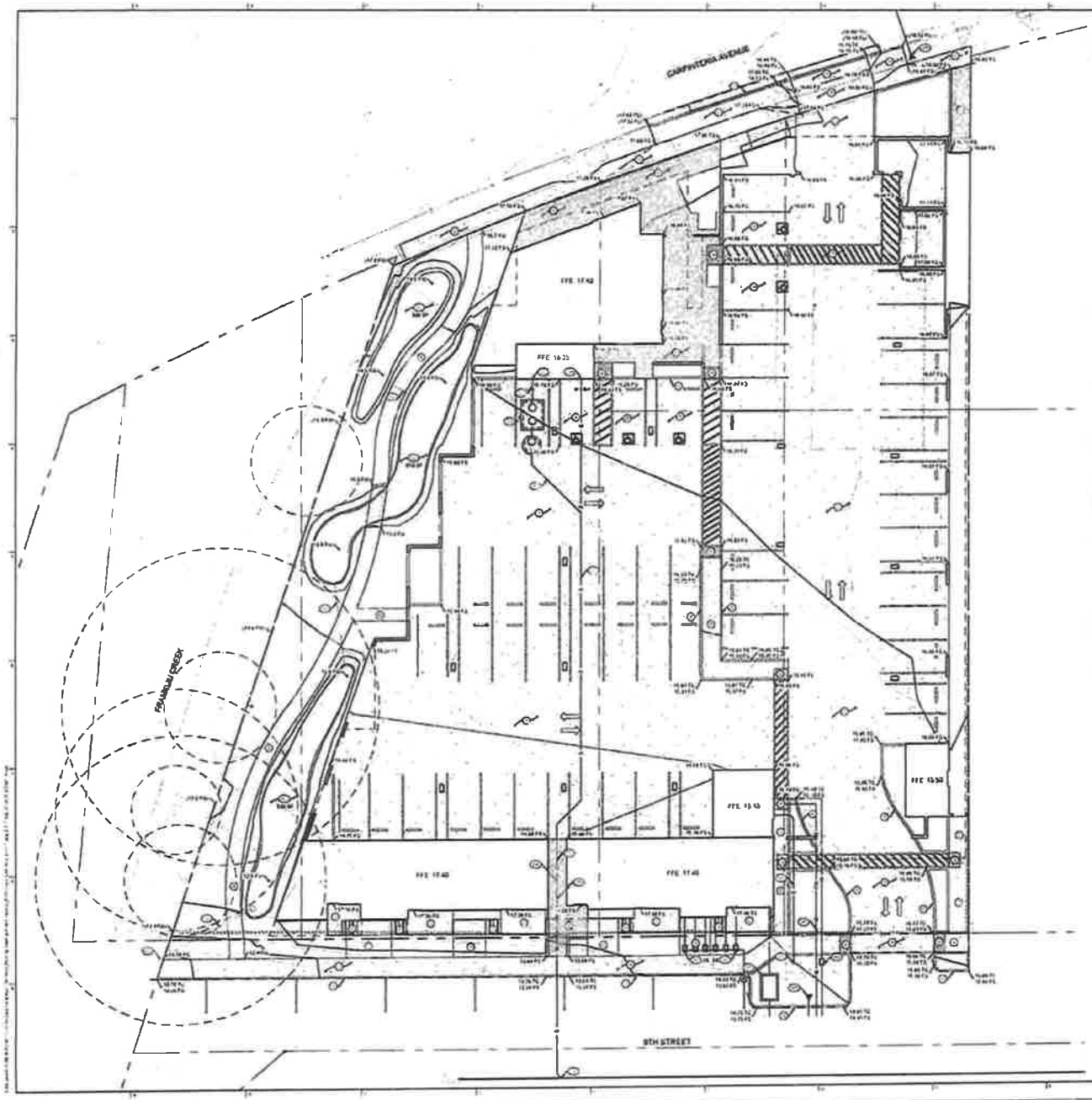
4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

No.	DESCRIPTION	DATE

G012

PLANNING EXHIBIT



GENERAL NOTES:

RIGHT OF WAY CONSTRUCTION NOTES:

SITE CONSTRUCTION NOTES:

STORM DRAIN CONSTRUCTION NOTES:

ELECTRICAL NOTES:

SANITARY SEWER CONSTRUCTION NOTES:

WATER CONSTRUCTION NOTES:

EARTHWORK INFORMATION:

SITE AREA	0.92 AC
AREA DISTURBED	0.85 AC
CUT QUANTITY	300 CUBIC YARDS
FILL QUANTITY	350 CUBIC YARDS
NET QUANTITY	250 CUBIC YARDS IMPORT

NOTE: THE ABOVE QUANTITIES ARE FOR PLANNING AND PERMITTING PURPOSES ONLY. SHRINKAGE, CONSOLIDATION AND ASSUMED FACTORS USED DUE TO CLEARING AND DEMOLITION, EXCAVATION AND TRENCHING OPERATIONS ARE NOT INCLUDED. ESTIMATED EARTHWORK QUANTITIES ARE BASED ON THE APPROXIMATE DIFFERENCE BETWEEN EXISTING AND PROPOSED FINISHED GRADES OR PRESENT SURFACES AS INDICATED ON THE PLANS AND DO NOT REFLECT ADDITIONS TO THESE FACTORS. THEREFORE THE CONTRACTOR SHALL PERFORM AN EARTHWORK ESTIMATE FOR THE PURPOSE OF PREPARING A BID SUBSEQUENCE FOR EARTHWORK. THE BID PRICE SHALL INCLUDE COSTS FOR ANY SITE GRADING REQUIRED AND PLACEMENT OF EARTH MATERIALS OR THE REMOVAL AND PROPER DISPOSAL OF EXCESS EARTH MATERIALS

DIGALERT

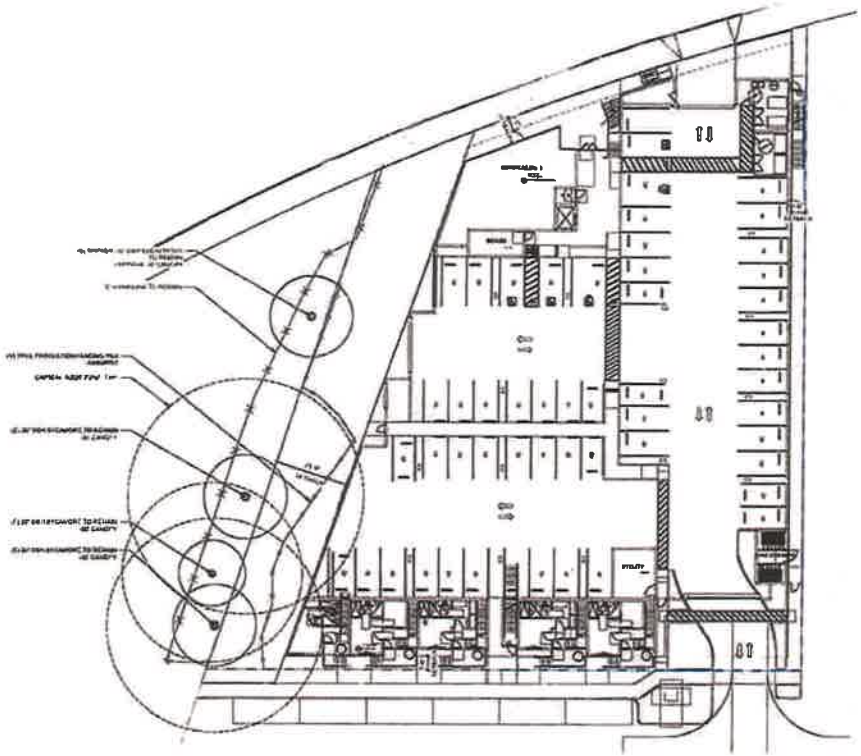
Ashley Vance ENGINEERING, INC.

4745 CARPINTERIA
4745 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

GRADING AND DRAINAGE PLAN

C-2.1



TREE PROTECTION NOTES:

TREE TOTALS:

ABBREVIATIONS:

EX	EXISTING
NEW	NEW
PA	PLANTING AREA
DG	DECOMPOSED GRANITE
TYP	TYPICAL
LA	LANDSCAPE ARCHITECT
LF	LINEAL FEET
SF	SQUARE FEET

4745 Carpinteria Ave
Carpinteria, CA

Tree Disposition +
Demolition Plan

L0.1

ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE

CONCLUSIONS

TREE PROTECTION MEASURES

REFERENCES

SITE PLAN

OBSERVATIONS

TREE INVENTORY

Bill Spiewak

TREE ASSESSMENT AND PROTECTION PLAN for 4745 Carpinteria Ave Carpinteria, CA 93013

BACKGROUND

TABLE OF CONTENTS

BACKGROUND	1
OBSERVATIONS	2
TREE INVENTORY	3
SITE PLAN	3
CONCLUSIONS	4
TREE PROTECTION MEASURES	4
REFERENCES	5
ARBORIST'S DISCLOSURE AND CERTIFICATION OF PERFORMANCE	5
PHOTOS	5

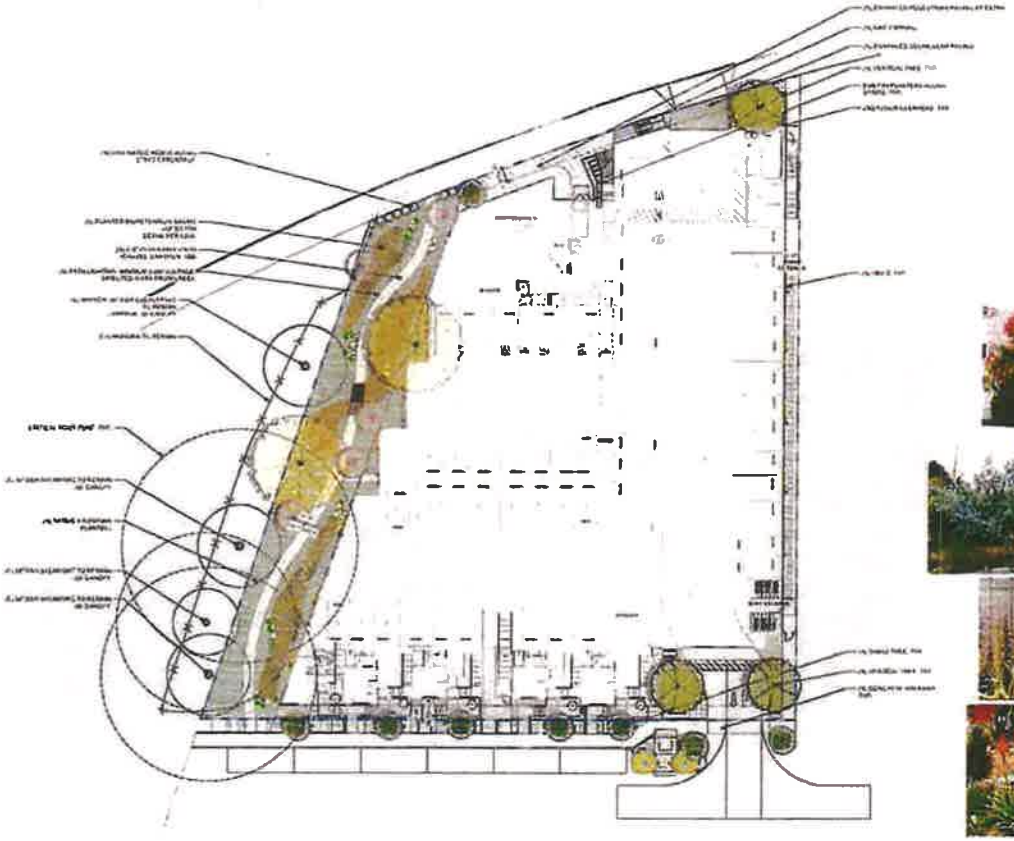
PHOTOS

PARRY

4745 Carpintera Ave
Carpinteria, CA

Arborist Report

L0.2



ABBREVIATIONS:

(E)	EXISTING
(N)	NEW
PA	PLANTING AREA
SG	SOLDIERPOSTS GRANITE
VIF	VERIFY
LA	LANDSCAPE ARCHITECT
T	METAL STEP
SF	SQUARE FEET

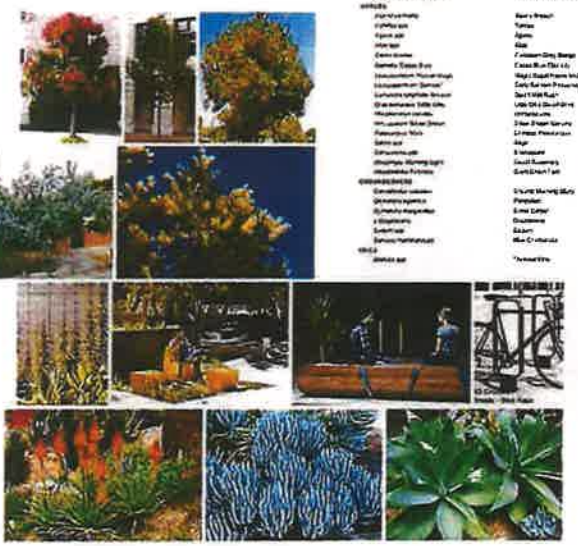
LANDSCAPE AREA:

[illegible]	[illegible] SF
[illegible]	[illegible] SF
[illegible]	[illegible] SF
[illegible]	[illegible] SF

[illegible] SETBACK NOTED
[illegible]

PRELIMINARY PLANT PALETTE

[illegible]	[illegible]
VERTICAL PALMS	
[illegible]	Big Palm
[illegible]	Mexican Fan
[illegible]	Saint Andrew Dwarf Date Palm
[illegible]	Canary Island Date Palm
[illegible]	Queen Palm
SMALL UNDERSTORY TREES	
[illegible]	Mayeri Tree
[illegible]	Olive
[illegible]	Australian Willow
[illegible]	Bottle Tree
SMALL TREES & LARGE SHRUBS	
[illegible]	Red Banana
[illegible]	Purple Leaf Plum
[illegible]	Bloodgood Japanese Maple
LARGE SHRUBS	
[illegible]	Western Redbud
[illegible]	Western Sycamore
[illegible]	California Bay
LARGE SHRUBS	
[illegible]	Silver Mound
[illegible]	Coast Ceanothus
[illegible]	California Fuchsia
[illegible]	California Wild Rose
[illegible]	Toyon
[illegible]	Coast Live Oak
[illegible]	Manzanita
[illegible]	Bluerose Sage
[illegible]	Tomales Point California Lilac
SHRUBS	
[illegible]	Bush Anemone
[illegible]	Yarrow
[illegible]	Agave
[illegible]	Aloe
[illegible]	Coast Live Oak
[illegible]	Dwarf Coyote Brush
[illegible]	Dwarf Bottlebrush
[illegible]	Dwarf Myoporum
[illegible]	Dwarf Pittosporum
[illegible]	Lily of the Nile
[illegible]	Red Yucca
[illegible]	Ground Cover
[illegible]	Dwarf Coyote Brush
GROUNDCOVER	
[illegible]	Creeping Rosemary
[illegible]	Dwarf Myoporum
[illegible]	Dwarf Pittosporum
[illegible]	Lily of the Nile
[illegible]	Red Yucca
[illegible]	Ground Cover
VINES	
[illegible]	Trumpet Vine

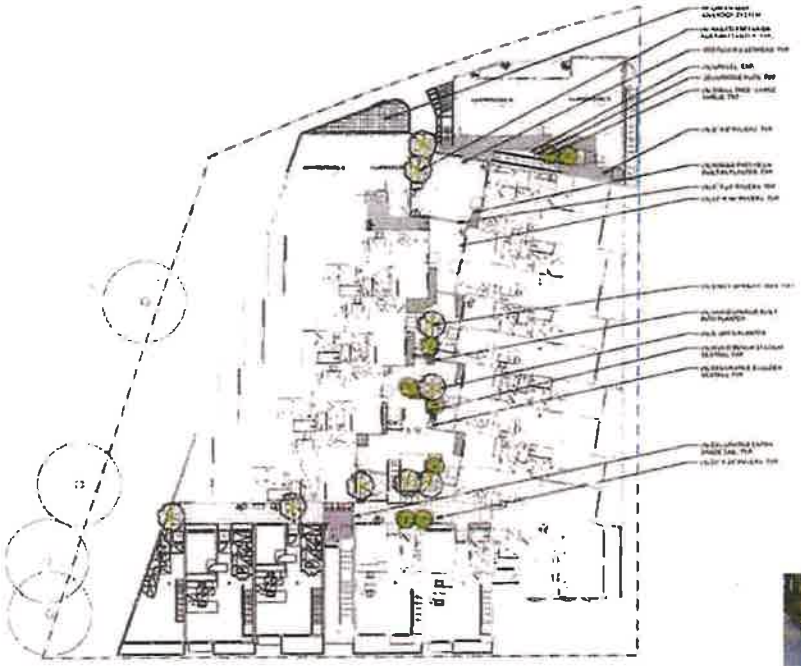


PARKER

4745 Carpinteria Ave
Carpinteria, CA

Preliminary Landscape Plan - Ground Floor

L1



PRELIMINARY PLANT PALETTE

ABBREVIATIONS:

PARRY

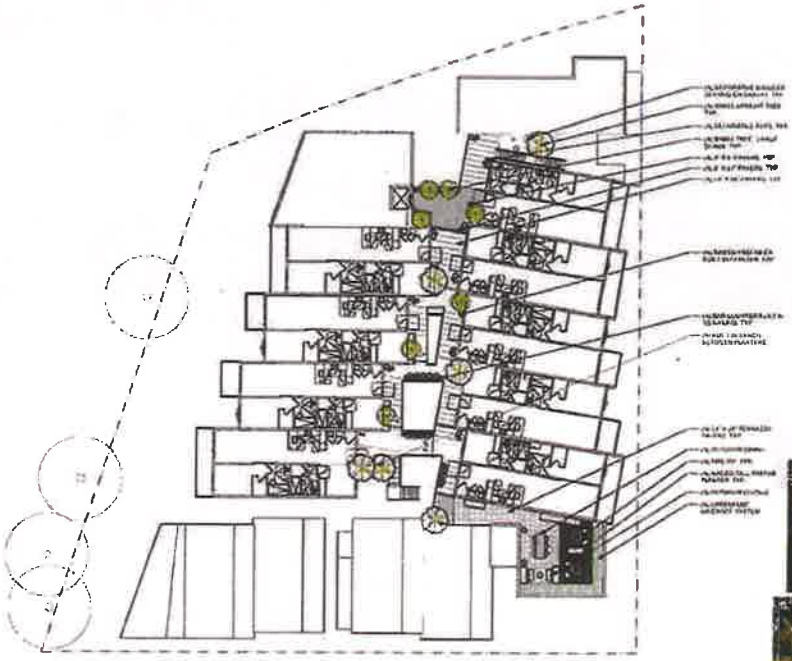
4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 2nd Floor

L1.1

ABBREVIATIONS:

PRELIMINARY PLANT PALETTE

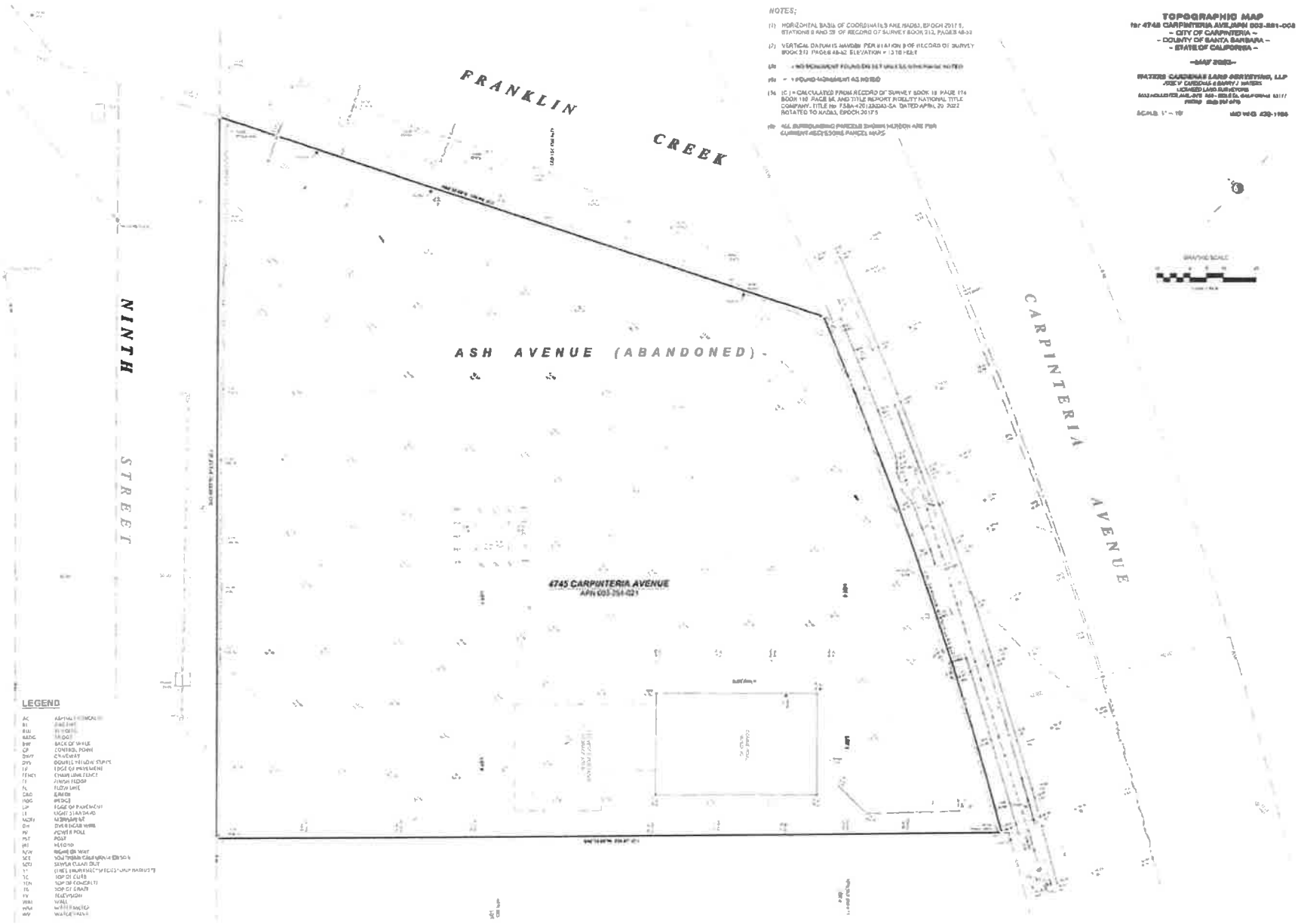


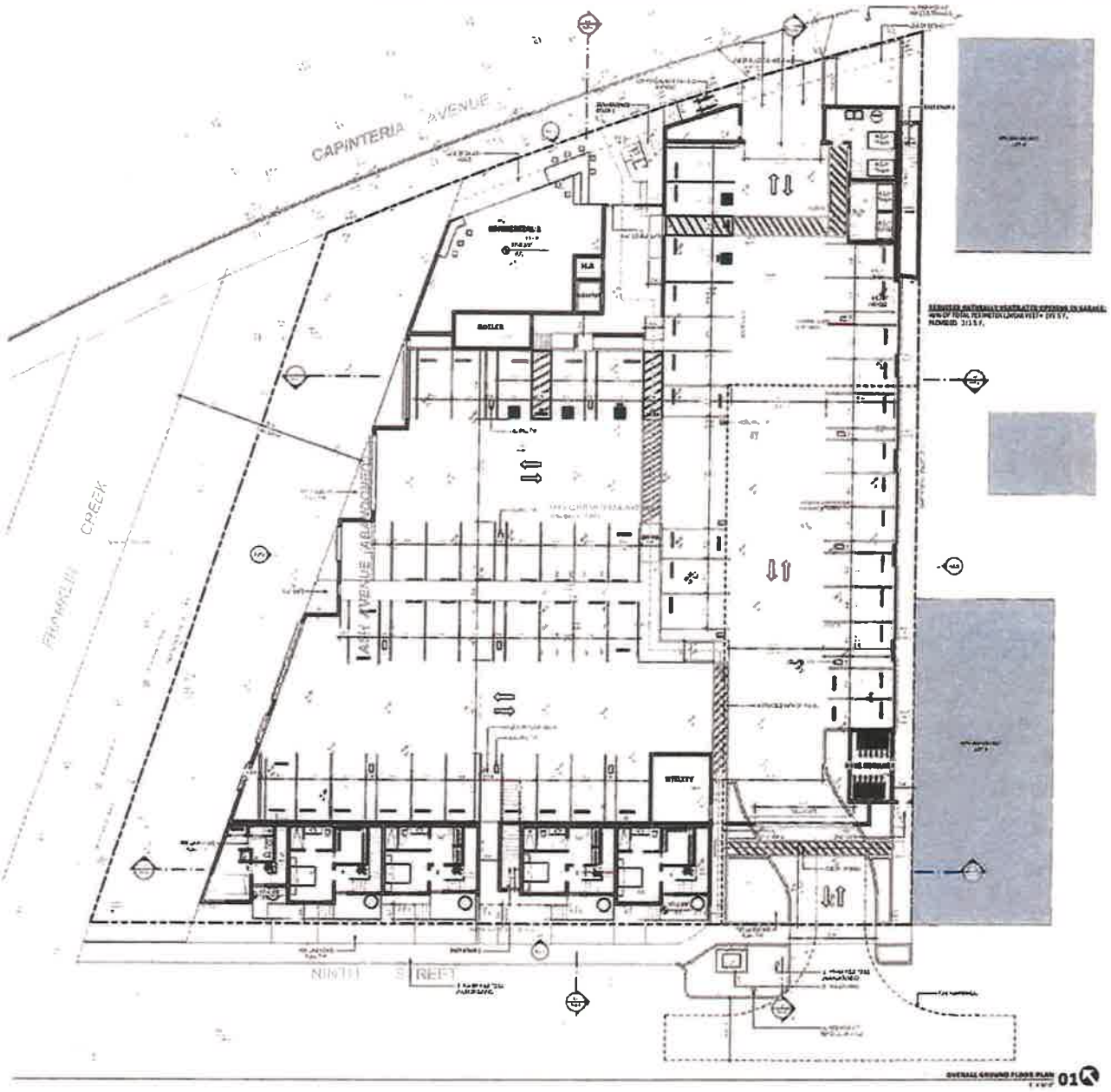
PARRY

4745 Carpinteria Ave.
Carpinteria, CA

Preliminary Landscape
Plan - 3rd Floor

L1.2


FRANKLIN CREEK
NINTH STREET
ASH AVENUE (ABANDONED)
CARPINTERIA AVENUE
4745 CARPINTERIA AVENUE
APN 003-254-021
NOTES;
(1) HORIZONTAL BASIS OF COORDINATES ARE NAD83, EPOCH 2017.5, STATIONS 8 AND 28 OF RECORD OF SURVEY BOOK 212, PAGES 48-52
(2) VERTICAL DATUM IS NAVD88 PER STATION 8 OF RECORD OF SURVEY BOOK 212, PAGES 48-52, ELEVATION = 13.16 FEET
(3a) = FOUND 4x4 CONCRETE MONUMENT AS NOTED
(3b) = FOUND 1/2" REBAR AS NOTED
(3c) (C) = CALCULATED FROM RECORD OF SURVEY BOOK 18, PAGE 174 BOOK 180, PAGE 96, AND TITLE REPORT FIDELITY NATIONAL TITLE COMPANY, TITLE No. FSBA-4201-2202243-SA, DATED APRIL 20, 2022 ROTATED TO NAD83, EPOCH 2017.5
(3d) ALL SURROUNDING PARCELS SHOWN HEREON ARE PER CURRENT ASSESSORS PARCEL MAPS
LEGEND
AC ASPHALT CONCRETE
BO BOLLARD
BW BLOCK WALL
CALTRANS CALTRANS
BOC BACK OF CURB
CP CONTROL POINT
DWY DRIVEWAY
DYS DOUBLE YELLOW STRIPE
EP EDGE OF PAVEMENT
FENCE CHAIN LINK FENCE
FF FINISH FLOOR
FL FLOW LINE
GAR GARAGE
HDG HEDGE
LP EDGE OF PAVEMENT
LS LIGHT STANDARD
MONUMENT MONUMENT
PP POWER POLE
PST POST
RT RETAINING WALL
SCE SOUTHERN CALIFORNIA EDISON
SCO SEWER CLEAN OUT
TC TOP OF CURB
TCN TOP OF CONCRETE
TG TOP OF GRATE
TV TELEVISION
WALL WALL
WM WATER METER
WV WATER VALVE
TOPOGRAPHIC MAP
for 4745 CARPINTERIA AVE, APN 003-251-003
~ CITY OF CARPINTERIA ~
~ COUNTY OF SANTA BARBARA ~
~ STATE OF CALIFORNIA ~
~MAP INDEX~
WATERS CARDENAS LAND SURVEYING, LLP
JOSEPH CARDENAS & BARRY J. WATERS
LICENSED LAND SURVEYORS
5533 HOLLISTER AVE., STE. 202 - SANTA BARBARA, CALIFORNIA 93111
PHONE (805) 967-2970
SCALE: 1" = 10'
SHEET NO. 1 OF 1 SHEET



DMHA

4745 Carpinteria Avenue Mixed Use Development

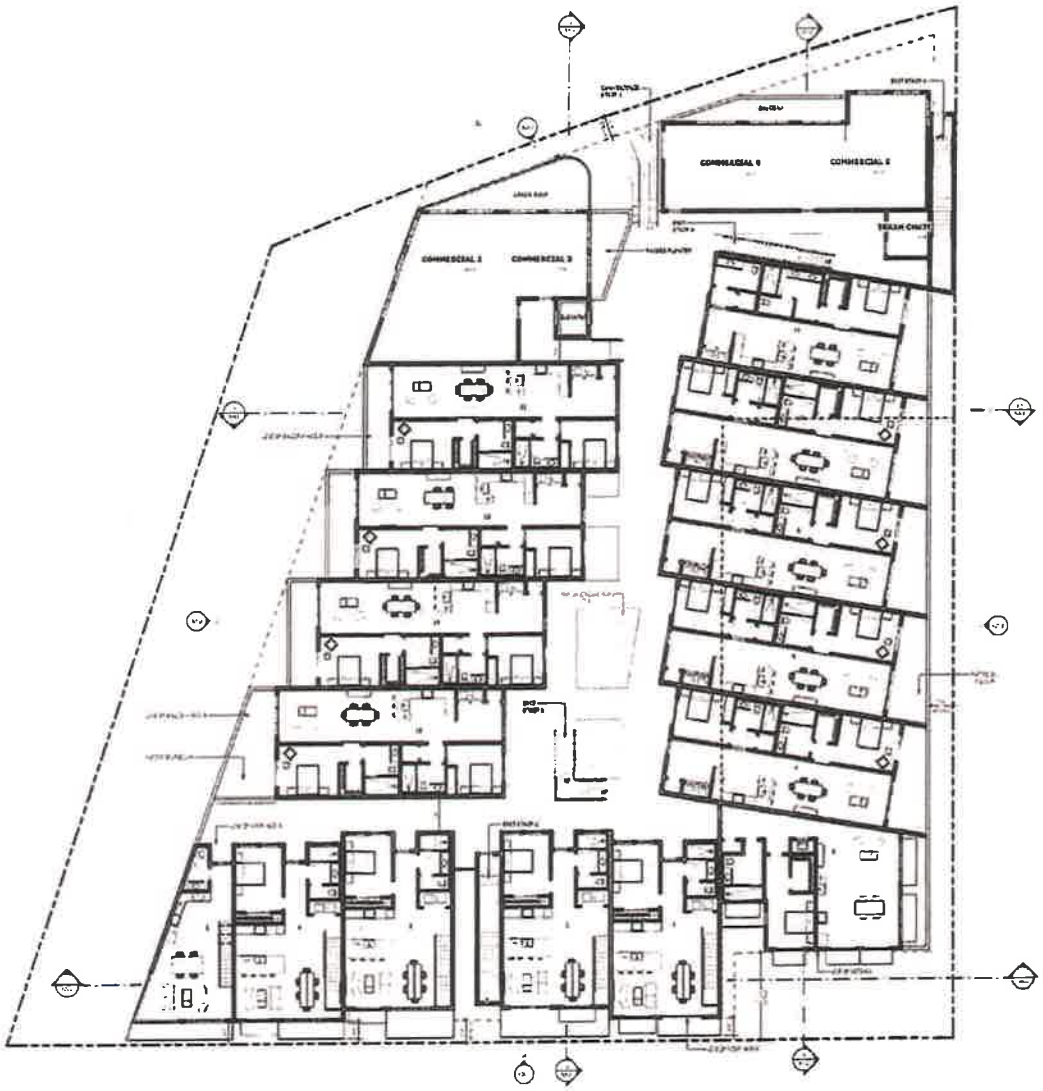
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 221108

NO.	DESCRIPTION	DATE
1	Development Application Submittal	10/21/22
2	Completeness Response	04/14/23

A101

OVERALL GROUND FLOOR PLAN



01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

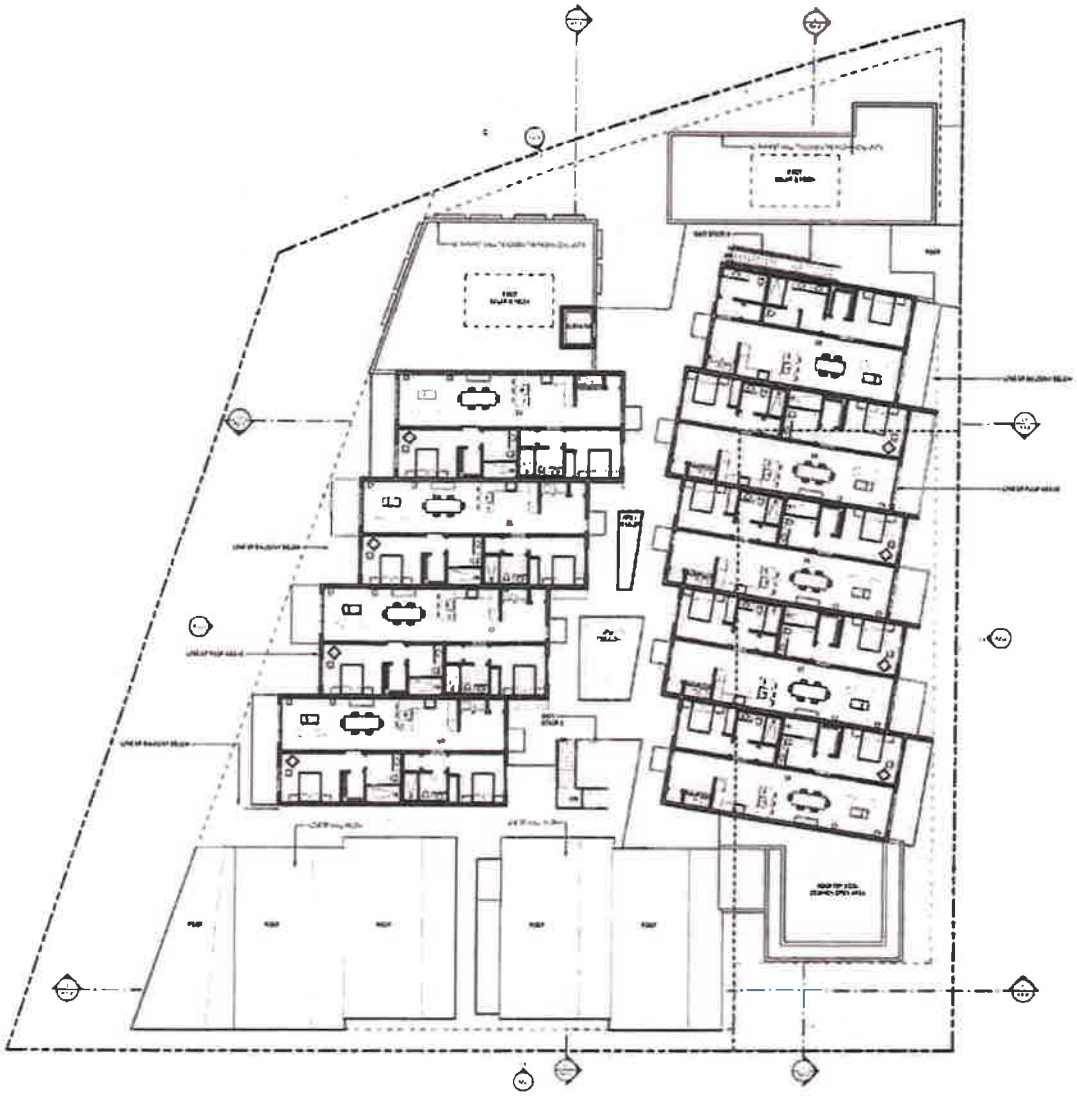
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 23C109

NO.	DESCRIPTION	DATE

A102

OVERALL SECOND FLOOR PLAN



OVERALL THIRD LEVEL FLOOR PLAN 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

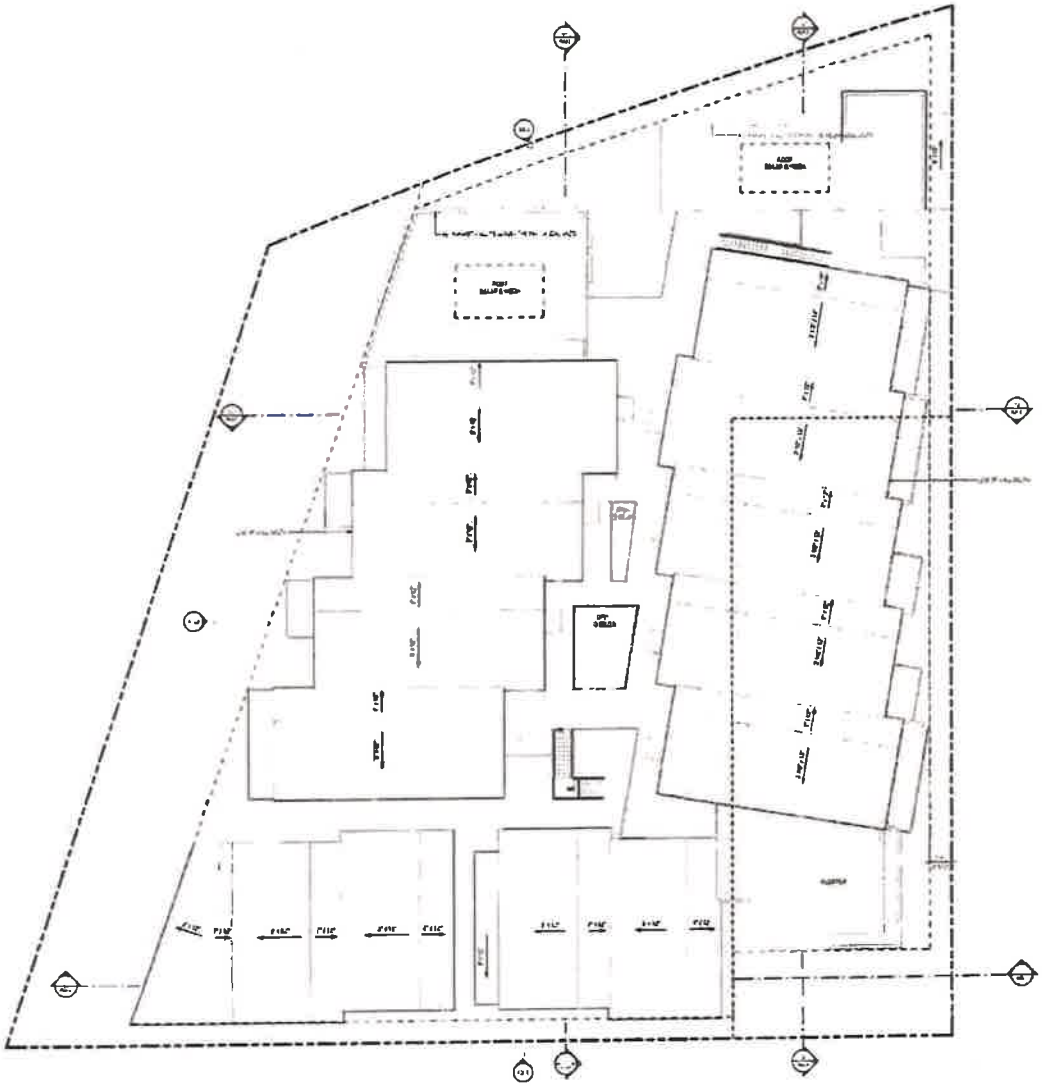
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 326109

NO.	DESCRIPTION	DATE
1	Second round Coastal & Subcontract	07/26/21
2	Preliminary Response	07/26/21

A103

OVERALL THIRD FLOOR PLAN



ROOF PLAN 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A104

ROOF PLAN

02

01

DMHA

NOT FOR CONSTRUCTION

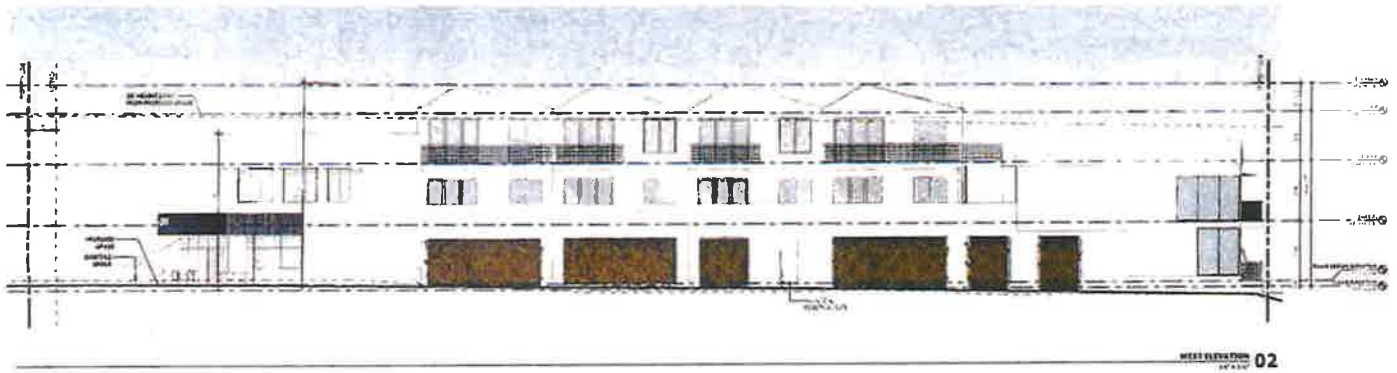
4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A201

EXTERIOR ELEVATIONS



WEST ELEVATION 02

EAST ELEVATION 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

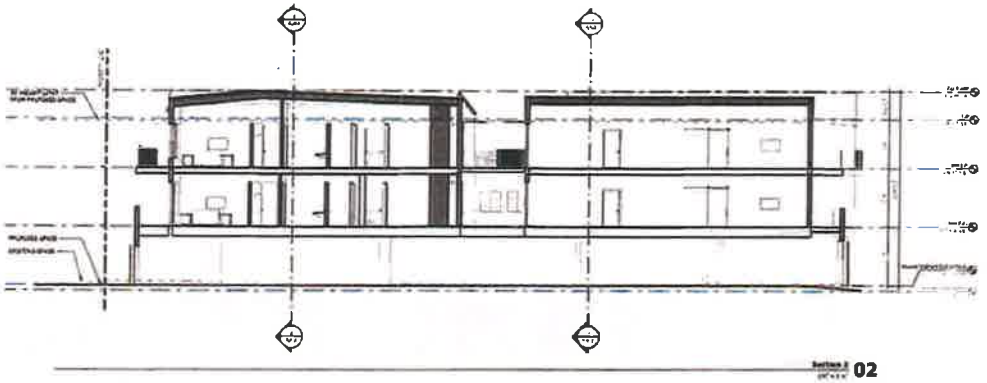
PROJECT #: 22C106

NO.	DESCRIPTION	DATE

A202

EXTERIOR ELEVATIONS

INSULATION SCHEDULE



02

01

DMHA

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

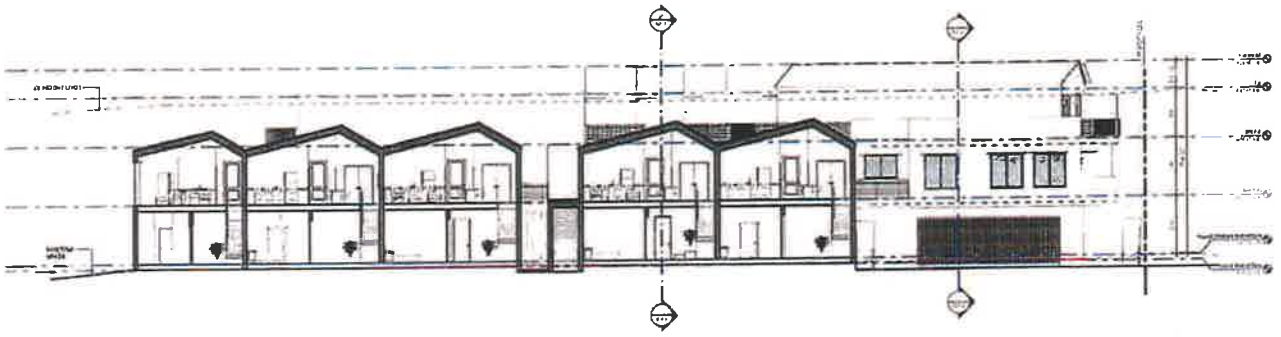
PROJECT #: 22CSA8

NO.	DESCRIPTION	DATE

A301

BUILDING SECTIONS

2



1

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE

A302

BUILDING SECTIONS

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave., Carpinteria CA 93013

PROJECT #: 22C106

NO. DESCRIPTION DATE

A701

ARCHITECTURAL LOOK AND FEEL

COMMERCIAL AREA- EXTERIOR

COMMERCIAL AREA- SEATING AND FOOD SYSTEM

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

A702

ARCHITECTURAL LOOK AND FEEL

DMHA

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

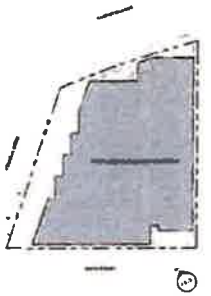
PROJECT #: 23C109

NO.	DESCRIPTION	DATE
1	PLANNING SUBMITTAL	08/04/25
2	PLANNING RESUBMITTAL	10/31/25

A706

EXTERIOR MATERIAL BOARD

PLOT DATE: 10/31/2025 8:30:11 AM



02

01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

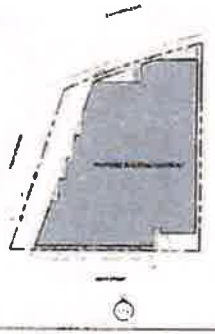
4745 Carpinteria Ave., Carpinteria CA 93013

PROJECT #: DMC200

NO.	DESCRIPTION	DATE

A901

9TH ST VIEW



02

01

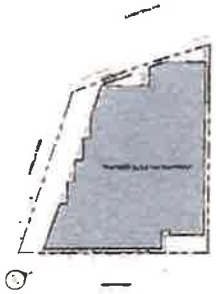
DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

A902

9TH ST VIEW



02

01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

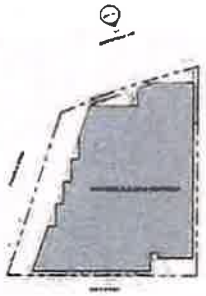
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22CA00

NO.	DESCRIPTION	DATE
1		

A903

9TH ST VIEW



02

01

DMHA

NOT FOR CONSTRUCTION

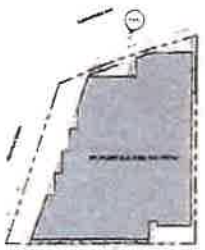
4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

NO.	DESCRIPTION	DATE
1		

A904

COMMERCIAL VIEW



02

01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

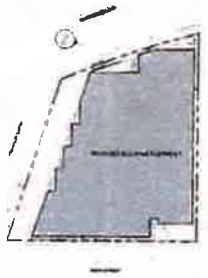
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 170180

NO.	DESCRIPTION	DATE

A905

COMMERCIAL VIEW



KEYPLAN 02

COMMERCIAL VIEW - FROM GRAPEVINE AVE 01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

PROJECT #: 23C106

NO.	DESCRIPTION	DATE

A906

COMMERCIAL VIEW

02

01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 220309

NO.	DESCRIPTION	DATE
2		

A907

EAST SIDE VIEW

02

1

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave. Carpinteria CA 93013

PROJECT #: 180309

NO.	DESCRIPTION	DATE

A908

WEST SIDE VIEW

02

01

DMHA

NOT FOR CONSTRUCTION

4745 Carpinteria Avenue Mixed Use Development

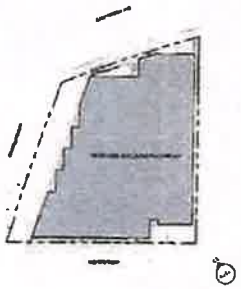
4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 22C289

NO.	DESCRIPTION	DATE
1	Development Application Submittal	[illegible]

A909

OVERALL SOUTH WEST VIEW



02

01

DMHA

4745 Carpinteria Avenue Mixed Use Development

4745 Carpinteria Ave, Carpinteria CA 93013

PROJECT #: 210289

NO.	DESCRIPTION	DATE
1	Planning Submittal	07.29.22

A910

OVERALL SOUTH EAST VIEW

NOT FOR CONSTRUCTION

Attachment F
CEQA Notice of Exemption

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

February 5, 2024

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

From: (Public Agency): City of Carpinteria
5775 Carpinteria Ave
Carpinteria, CA 93013
(Address)

Project Title: 4745 Carpinteria Avenue Mixed Use Project

Project Applicant: Edward DeVicente, DMHA Architecture

Project Location - Specific:

4745 Carpinteria Avenue, Carpinteria, CA 93013 (APN 003-251-021)

Project Location - City: Carpinteria Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

The proposed mixed-use development would be comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet.

Name of Public Agency Approving Project: City of Carpinteria

Name of Person or Agency Carrying Out Project: Justin Klentner, owner

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: §15332 (In-fill Development Projects)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project includes only the construction of an in-fill mixed use project with grading and landscaping, wherein the project is consistent with the City's GP/LCP & Zoning Code, is within city limits on a project site of no more than five acres substantially surrounded by urban uses, and the project site has no value as habitat for endangered, rare or threatened species. See attachment for additional analysis.

Lead Agency
Contact Person: Brian Banks, Principal Planner Area Code/Telephone/Extension: (805) 755-4414

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: Principal Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

☐

CEQA Notice of Exemption Additional Analysis Attachment
4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

This project can be found to be categorically exempt from environmental review pursuant to 15332 (In-fill Development Projects) of the Guidelines for the implementation of the California Environmental Quality Act (CEQA). Class 32 Exemptions consists of projects that are categorized as "in-fill" development provided the project is: a) consistent with the City's General/Coastal Plan and Zoning Code; b) is located within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and; e) the site can be adequately served by all required utilities and public services.

a) The project is consistent with the City's General/Coastal Plan. The project site's General/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC-designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The VC General/Coastal Plan designation is intended to provide for uses that serve visitors to the City in addition to uses that serve City residents. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a mixture of retail, service and office uses as would be typical of a mixed-use project. Further, the property is identified in the Community Design Element of the General Plan/Coastal Land Use Plan as being located within Community Design Subarea 2a: the Downtown Core District. This district encourages two and three-story mixed-use projects that are pedestrian-oriented and which transform the existing Carpinteria Avenue highway commercial strip to an integrated downtown street similar in character to Linden Avenue to further define a "downtown core."

   The project is consistent with the City's applicable Zoning designations and regulations. The project site is split-zoned: the majority (approximately eighty percent) of the property is zoned Commercial Planned Development ("CPD"), with the southeastern corner of the property along Ninth Street and adjacent a multi-family residential development is zoned Planned Residential Development ("PRD-13"). The CPD zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-13-zoned

are of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district as modified by Density Bonus Law[1].

b) The project site is located within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site located entirely with the city limits, is approximately 0.87-acres in size, and is substantially surrounded by urban uses including both residential and commercial development.

c) The project site has no value as habitat for endangered, rare, or threatened species. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. Additionally, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered habitat a area. This creek setback "buffer" area would be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and project the adjacent creek from untreated runoff. Finally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. A traffic study prepared by a qualified traffic engineer was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in a significant environmental impact due to traffic. Further, an acoustical and construction noise study was provided to the City by a qualified consultant, which studied project related impacts to both interior and exterior noise levels. The study concluded that with the incorporation of standard City construction noise conditions of approval (e.g., construction hour restrictions, equipment mufflers and silent alarms, specified equipment staging areas and on-site "noise disturbance coordinator"), the project would comply with the City's General/Coastal Plan Noise Element policies, would not result in noise in excess of the City's environmental thresholds, and would therefore not have a significant noise impact. Additionally, with construction materials and techniques proposed for the project, including the specified windows, doors, mechanical ventilation and sealant details, interior noise levels of the project would not result in a significant impact on project residents.

[1] *Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1347-1350.

Further, the project would not result in a significant effect on air quality because the completed project's emission would be less than the screening significance level of air quality pollutants and greenhouse gas emissions as established by the Santa Barbara Air Pollution Control District (APCD) (i.e., reactive organic compounds (ROC), nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter (PM_{10} and $PM_{2.5}$)), and short-term construction related impacts would be adequately addressed through project conditions of approval. Finally, the project complies with the City's stormwater regulations and incorporates Low Impact Development ("LID") measures to treat stormwater, and thus would not result in significant impacts to water quality.

e) The site can be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

Finally, none of the specific or general exceptions to the Class 32 exemption apply here. The project would not result in damage to a scenic resource within an official state scenic highway, is not located on a listed hazardous waste or contamination site and the project would not result in a substantial adverse change in the significance of a historical resource. Furthermore, the project will not result in a significant effect on the environment due to an unusual circumstance. Finally, cumulatively significant impacts from projects of the same type in the same place over time will not result. Accordingly, none of the exceptions set forth in CEQA apply and the categorical exemption for In-fill Development Projects is properly relied upon.

Attachment C
Planning Commission Action Letter
February 6, 2024

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

CITY of CARPINTERIA, CALIFORNIA

February 6, 2024

Michael Stroh, DMHA Architects
1 N Calle Cesar Chavez, Suite 102
Santa Barbara, CA 93103

Re: Notification of Planning Commission Action
4745 Carpinteria Avenue Mixed Use Development, 23-2221-DP/CDP
4745 Carpinteria Avenue (APN 003-251-021)

Dear Mr. Stroh:

On February 5, 2024, the Planning Commission took action on the following item:

Request for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches from finished grade.

The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street. Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and a second floor private deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact" spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater measures for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping would also be provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The proposal calls for utilizing the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current zoning designation in exchange for designating a certain number of the apartment units as income-restricted rentals. Specifically, the project calls for setting aside three units for households that fall within the low-income level (50% to 80% of the area median income ("AMI")) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included the project figures described above. The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the proposal requests the use of incentives or concessions from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reductions in development standards to: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City; and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property.

The Planning Commission approved the project with the following Findings and revisions to the Conditions of Approval:

2. The design, scale and character of the project architecture and landscape shall be compatible and blend harmoniously with vicinity development and consistent with the City's "small beach town" character. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the applicant shall set back the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions. The applicant further shall study revisions to the plans to reduce the overall height of the project, and privacy considerations for the portions of the units facing the interior courtyards. **Plan Requirement and Timing:** The applicant shall submit plans for the project for final review by the Architectural Review Board prior to approval of any Building Permit for physical development. **Monitoring:** Community Development Department staff (CDD) shall review submitted plans, provide direction to the ARB regarding this condition, and site inspect during the construction phase.

36. The applicant shall provide Three (3) low income dwelling units (16.67% of project units) available for rent at prices affordable to households earning up to 80% of Area Median Income (AMI) consistent with the provisions of Government Code §§ 65915-65918 (Density Bonus Law). **Requirements and Timing:** Prior to issuance of the building permit, the applicant shall execute and record an *Affordable Housing Regulatory Agreement* (Agreement), which shall include a Restrictive Covenant (Covenant). The Agreement and Covenant shall be based on the City's model documents and subject to the review and approval of CDD and the City Attorney. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, ~~T~~the units shall remain affordable for a period of 99 ~~55~~ years, beginning upon date of issuance of the occupancy clearance for said units. The running of the covenant shall toll during any period of violation.

The Agreement shall include, but not be limited to, the following information about the project:

a. The total number of units approved for the housing development, including the number of affordable dwelling units and manager's unit;

b. A description of the household income group to be accommodated by the housing development and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with California Department of Housing and Community Development and Housing and Urban Development guidelines;
c. The marketing plan for the affordable units;
d. The location, unit sizes (square feet) and number of bedrooms of the affordable dwelling units;
e. Tenure of the use restrictions for affordable dwelling units for a period of ~~55~~ 99 years;
f. A schedule for completion and occupancy of the affordable dwelling units;
g. A description of the additional incentives and concessions being provided by the City;
h. A description of the remedies for breach of the agreement by the owners, developers and/or successors in interest of the project;
i. Other provisions to ensure successful implementation and compliance with the City's Density Bonus ~~regulations~~ ordinance, ~~and~~ Government Code §§ 65915-65918 (Density Bonus Law), and California Department of Housing and Community Development and Housing and Urban Development guidelines; and
j. Other provisions to ensure compliance with applicable local, state, and federal tenant protection regulations.

In addition, the Agreement shall provide for the following conditions governing the use of affordable dwelling units during the applicable restriction period:

a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable dwelling units for qualified tenants;
b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance.
c. Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying the affordable dwelling unit and which identifies the bedroom size and monthly rent or cost of each unit; and
d. The applicable use restriction period shall comply with the time limits for continued availability as specified above.

41. No permits for development shall be issued except in conformance with the approved Development Plan and Coastal Development Permit. The size, shape, arrangement, use and location of buildings, walkways, parking areas and landscaped areas shall be developed in conformity with the approved Development Plan marked Attachment A, Exhibit 2, dated February 5, 2024, and with the agreed upon modification to increase the setback from the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard

dimensions during the February 5, 2024 Planning Commission meeting. Substantial conformity shall be determined by the Community Development Department Director.

The Planning Commission approved the project with the following additions to the Findings and Conditions of Approval:

8. Owner shall not install any over-the-air reception devices (OTARD), such as satellite dishes, television or radio antenna or other communication or transmission devices, on the building, in common areas or on roofs located more than thirty (30) feet above finished grade. All other OTARD devices located on the building, in common areas, on roofs or on the property shall include reasonable screening to prevent impacts to surrounding properties consistent with applicable Federal Communications Commission regulations.

38. Owner shall provide direct connections to high-speed internet service, including wireless access (e.g., Wi-Fi), to each residential unit and all residential tenants at no charge. The City acknowledges that Owner does not operate a high-speed internet service and thus is not responsible to configure a tenant's personal computer or other similar devices and temporary internet services outages may occur outside the control of the Owner. Owner may require residential tenants to comply with reasonable restrictions on the use of the internet service consistent with applicable federal, state and local laws and regulations. Tenants shall have the right to alternative internet service at the tenant's own expense.

39. Owner shall designate at least One (1) on-site manager that resides in the project consistent with applicable California Department of Housing and Community Development and Housing and Urban Development guidelines.

This decision to approve the project is appealable to the City Council. The appeal period is ten days commencing on February 6, 2024, and ending on February 15, 2024, at 5:00 p.m. Because the project is within the Coastal Appeals Overlay, the project approval is also subject to a 10-working day CCC appeal period which commences after the 10-day local appeal period has expired. No appeal fee is required for projects located within the CA Overlay.

In accordance with Chapter 15.80 of the Carpinteria Municipal Code ("CMC"), the applicant shall pay Development Impact Fees (DIFs). The amount of the fees as detailed in the staff report prepared for the Planning Commission hearing is estimated to be $397,933.41 with other fees estimated to be $ 123,145.97. CMC §15.80.090 requires payment of DIFs for commercial projects prior to the issuance of a Building Permit; residential DIFs are allowed to be collected consistent with Government Code section 66007(a), which states that DIFs for residential projects shall be collected on the date of final inspection or issuance of a certificate of occupancy, whichever occurs first, except as provided in Government Code section 66007(b)(1). Fee amounts are updated no less frequently than in July of each year; thus, when final fee

calculations are made at the time the fees are paid, the fee amounts may vary from the estimate given at the initial development approval. Fees are always considered an estimate until the date of payment. The 90-day period during which you may file a protest regarding the imposition of these fees pursuant to Government Code §66020(a) commenced on February 6, 2024.

Conditions of Approval for the project are attached to this letter for your records. **A separate copy of the last page of the Conditions of Approval is also attached. Please sign and return this page to the Community Development Department.** Should you have any questions or need further information regarding this action letter or the project, please contact Brian Banks at (805) 755-4414.

Sincerely,

Nick Bobroff, Director
Community Development Department

Attachment: Planning Commission Resolution with Attachments

cc: Justin Klentner, Owner
IDAG members
Project file, 23-2221-DP/CDP/ARB

RESOLUTION NO. PC-24-001

A RESOLUTION OF THE CITY OF CARPINTERIA PLANNING COMMISSION APPROVING A DEVELOPMENT PLAN AND COASTAL DEVELOPMENT PERMIT FOR PROJECT 23-2221- DP/CDP/ARB FOR THE 4745 CARPINTERIA AVENUE MIXED USE DEVELOPMENT PROJECT. THE PROJECT IS LOCATED AT 4745 CARPINTERIA AVENUE (APN 003-251-021), REQUESTED BY EDWARD DEVICENTE, DMHA ARCHITECTURE.

WHEREAS, the Carpinteria Planning Commission has considered an application for a Development Plan and Coastal Development Permit filed by Edward DeVicente, Architect, on behalf of Justin Klentner, on April 14, 2023, to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development consisting of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue; and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on November 28, 2023; and

WHEREAS, a similar mixed-use proposal was previously reviewed at a conceptual level during a joint meeting of the City Council-Planning Commission-Architectural Review Board on December 19, 2022 wherein feedback was provided to the applicant; and

WHEREAS, the ARB considered the proposed project at a conceptual review level at their May 25, 2023 meeting, and at a preliminary review at their August 31, 2023 and October 26, 2023 meetings, culminating in an ARB recommendation for preliminary approval with comments; and

WHEREAS, applicant has made good faith effort to respond to and revise plans to address the City of Carpinteria Architectural Review Board comments; and

WHEREAS, the Planning Commission has conducted a noticed public hearing and received evidence regarding the application for the Development Plan and Coastal Development Permit; and

WHEREAS, applicant is applying provisions of the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units which exceed the City's maximum density under the current zoning designation in exchange for designating three of the units as low-income-restricted rentals; and

WHEREAS, applicant is requesting concessions or incentives and/or waivers or reduction of development standards under the provisions of Density Bonus Law to allow the project building height and lot coverage to exceed the City's maximum height and lot coverage under the current zoning designation to facilitate the construction of the project; and

WHEREAS, applicant is requesting use of the specified parking ratios under provisions of Density Bonus Law to allow the project to provide 53 total parking spaces for the onsite commercial and residential uses, including visitor spaces; and

WHEREAS, the Planning Commission has considered a request for a modification of the zoning district requirements for allowance of fifteen percent (15%) of the project parking spaces to be of compact size as specified in Chapter 14.54; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15332 (in-fill development projects); and

WHEREAS, the Planning Commission has reviewed the policies of the General Plan/Coastal Land Use Plan and the Zoning Code standards that are applicable and relevant to the project.

NOW THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The Development Plan, including a Modification to allow compact parking spaces, and Coastal Development Permit are approved, making the Findings for approval outlined in Exhibit 1;

2. The Notice of Exemption prepared for the project (Attachment F to the staff report) is accepted as having satisfied the requirements of CEQA; and

3. The Development Plan and Coastal Development Permit consistent with the plans shown in Exhibit 2 are approved subject to the project conditions of approval set forth in Exhibit 3.

PASSED, APPROVED AND ADOPTED this 5th day of February 2024, by the following called vote:

AYES: Commissioners: Benefield, La Fevers, Moyer and Allen

NOES: Commissioner(s): None

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s): Salant

Jane L. Benefield, Chair

ATTEST:

Nick Bobroff, Secretary

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Planning Commission of the City of Carpinteria held the 5th day of February 2024.

ATTACHMENT A
EXHIBIT 1: FINDINGS FOR APPROVAL

CITY OF CARPINTERIA PLANNING COMMISSION HEARING
PROJECT 23-2221-DP/CDP/ARB
FEBRUARY 5, 2024

4745 CARPINTERIA AVENUE MIXED USE DEVELOPMENT
4745 CARPINTERIA AVENUE
REQUESTED BY EDWARD DEVICENTE, DMHA ARCHITECTURE

FINDINGS PURSUANT TO GOVERNMENT CODE, LOCAL COASTAL PLAN, GENERAL PLAN, AND TITLE 14 OF THE CARPINTERIA MUNICIPAL CODE

1.0 Administrative Findings

The Planning Commission hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the Planning Commission and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Development Plan and Local Coastal Development Permit has been properly conducted as follows:

a. An application for a Development Plan and Coastal Development Permit was submitted on April 14, 2023, and deemed complete and accepted by the City as being consistent with the applicable submittal requirements on November 28, 2023. Said application and all related material have been available for public review at City offices since the date of submittal.

b. The application has been evaluated and found to conform to the applicable zone district and to be consistent with the applicable City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

c. The project has been reviewed by the City's Architectural Review Board at duly noticed public meetings which included, but is not limited to, mailed notice to all property owners within 300 feet and occupants within 100 feet of the subject property.

d. The project has been reviewed by the City's Planning Commission at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet and all occupants within 100 feet of the subject property and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

As presented in the staff report and Notice of Exemption prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the Planning Commission finds that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-fill Development Projects) of the Guidelines for the Implementation of the California Environmental Quality Act as the project includes redevelopment of a project site substantially surrounded by urban uses and that meets all of the statutory criteria required for use of the In-fill Development Projects exemption.

1.3 Development Plan Findings

Pursuant to Carpinteria Municipal Code §14.68.030(9), the Planning Commission shall determine that all of the following criteria have been met prior to approving or approving with conditions a Development Plan:

1. *The proposed development is in conformance with the provisions of the applicable zoning district, Local Coastal Plan and implementation programs, and General Plan.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is consistent with the City's General Plan/Coastal Plan. The project site's General/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a mixture of retail, service, office, and residential uses as would be typical of a mixed-use project.

   The project is also consistent with the City's applicable Zoning designations and development standards. The project site is split-zoned with the majority of the property zoned Commercial Planned Development ("CPD"), and remaining portion zoned Planned Residential Development ("PRD-13"). The CDP zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential

elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The proposed development is also in conformance with the applicable Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply with the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height, and required parking. The project qualifies for Density Bonus Law by setting aside three units of the eighteen base units for low-income households at affordable rents for a period of 55 years in exchange for a 29.0% bonus density (i.e., six additional units). The project also proposes use of one concessions or incentive to exceed the maximum building height; and one waiver or reduction of development standards to exceed the PRD zone district maximum lot coverage. The project also calls for utilizing the reduced residential parking requirements stipulated in state Density Bonus Law to reduce the overall required number of residential parking spaces.

The project also calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirements. As reflected on the project plans, the applicant proposes to designate eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to the development standards as to the design (size) of the parking spaces. The City's Zoning standards do not include standardized provisions for the use of compact-sized spaces, however, by satisfying the required number of parking spaces (as modified under the provisions of Density Bonus Law), and satisfying at least one of the required criteria for approval of a Modification (i.e., provision of affordable housing units), the project would comply with the zone district parking requirements.

2. *The proposed development is sited and designed to avoid risks to life and property due to geologic, flood, or fire hazards and that the proposed density of development is consistent with these objectives.*

As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is sited and designed to avoid risks to life and property, and is consistent with the contemplated density for this site as shown in the City's Land Use Map, and as modified through application of state Density Bonus Law. The project site is located in an area that, according to the Safety Element of the City's General Plan/Coastal Land Use Plan, has high potential for both liquefaction and expansive soils. As such, a site-specific geotechnical study was prepared for the project which provides

recommendations for foundation design and construction techniques. These recommendations and techniques, along with the application of current building and seismic codes as part of the building permit review process, would ensure that the proposed development is safe from a geologic perspective. Additionally, the development is designed to comply with FEMA regulations and the City's floodplain management ordinance to ensure the development is safe from flood hazards. Further, the project site is not identified as being located in an area prone to tsunami or sea level rise hazards. Finally, the site is not located within a mapped high fire severity area and with the application of current building and fire codes as part of the building permit review process, the project would be safe from fire hazards.

3. *The proposed development will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not cause substantial environmental damage. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. The western portion of the project site borders Franklin Creek, which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered potential habitat area and the creek channel and adjacent buffer are considered important coastal resources that shall be protected. As such, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel. This creek setback "buffer" area is required to be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and protect the adjacent creek from untreated runoff. Additionally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project. Lastly, standard construction phase conditions of approval are included to ensure temporary impacts related to dust, erosion/sedimentation, spills/water quality, air quality/emissions, and noise would be avoided or minimized.

4. *The proposed development will not conflict with any recorded easements acquired by the public at large for access through the property or use of the property or any easements granted to any public agency or required as a condition of approval.*

   The proposed development will not conflict with any recorded public access easements as no recorded pubic access easements affect the property, nor are public easements required to effectuate project approval.

5. *The proposed development will not adversely affect necessary community services and values including but not limited to traffic circulation, sewage disposal, fire protection, water supply, and police protection.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled ("VMT") calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, including integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces, for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

   The project site is presently served by all utilities and services, and the described project can continue to be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating the ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

6. *The proposed development will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood.*

   As presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project will not be detrimental to the peace, health, safety, comfort, convenience, property values, or general welfare of the neighborhood. Through successive project design iterations in response to comments received during the City's architectural review process, the project's Ninth Street elements have been reduced in height from the original application submittal. In addition, even with the parking reductions incorporated into the project as allowed under state Density Bonus Law, the project provides in excess of the minimum number of required on-site parking spaces allowable under state law. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan.

   As discussed in more detail in the General Plan / Coastal Plan Neighborhood Policy analysis below, the proposed in-fill project is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood by the City's General Plan/Coastal Land Use Plan.

Downtown mixed-use developments that provide opportunities for both new/expanded commercial development in the downtown and much needed new workforce housing help to achieve the intent of the above Land Use Element policies. Such developments concentrate workforce housing near job centers and existing businesses, and in close proximity to essential services (including, but not limited to, transit). Higher density mixed use developments also help to foster a livelier and more vital downtown district by introducing additional year-round residents to the area to supplement seasonal tourism and support enhanced opportunities for use of alternative transportation.

The proposed development will not adversely affect necessary community services. A traffic study prepared by a qualified traffic engineer, was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in an adverse impact to traffic circulation.

The redevelopment of the site with a multi-story mixed-use development creates an opportunity to gain additional utility out of a rare large, but under-developed site in the City's Downtown "T" district.

Cumulatively, this new square footage would provide expanded opportunities for new visitor-serving commercial development to be introduced at the west end of the downtown core, and present an opportunity to provide compatible commercial activity in this part of the downtown. To maintain consistency with the intent of these policies, future commercial tenants of the ground floor space, at minimum, would need to be visitor-serving in nature.

The site's location within the Downtown "T" on Carpinteria Avenue would also allow the project to utilize existing transit and alternative transportation infrastructure. Carpinteria Avenue is improved with class II bicycle lanes and continuous sidewalks leading into the downtown, and MTD's line 20 bus service runs along Carpinteria Avenue with stops in close proximity to the project site. The City's train station platform is located approximately one-half-mile away.

1.4 Development Plan Modification Findings

Pursuant to Carpinteria Municipal Code §14.50.120, in reviewing a Development Plan, the Planning Commission or City Council may consider modification of requirements of the base zoning district in which the proposed development is located, including building height, yard setback, parking, building coverage or landscaping, if it is determined that

such modification is necessary to accommodate an innovative project which will result in at least one of the following public benefits:

1. *Energy efficient heating/cooling; or*
2. *Provision of affordable housing units through a mix of housing types, innovative design and construction techniques, or other means; or*
3. *Provision of a larger amount of open space or landscaping than the minimum requirements of the district.*

As referenced in the Development Plan Findings above, and as presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the project calls for utilizing a mix of both standard-size and compact-size parking spaces to meet its parking requirement. As reflected on the project plans, the applicant designates eight of the 53 total spaces (~15%) as compact spaces and therefore sought approval of a Modification to development standards as to the design (size) of the parking spaces. As currently designed, the parking area serves as a "podium" over which the majority of the project is constructed, thus maximizing the available site area for open space and landscaping. Allowing for the compact spaces further allows for the provision of more parking spaces and/or a smaller development footprint for the parking area. Given the alternatives allowed by the state Density Bonus Law, the fact that the project may also qualify for coverage under AB 2097 to eliminate parking entirely, and because the project provides three dedicated low-income affordable housing units and innovative design, the Planning Commission can make the required Findings #2 and 3, as provided in the Municipal Code.

1.5 Coastal Development Permit Finding

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's certified Local Coastal Program, it has been found that the permit requested may be issued based on the following findings:

1. *The proposed development is in conformity with the City's certified Local Coastal Program.*

   As referenced in the Development Plan Findings above, and as presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference, the proposed mixed-use project is in conformity with the City's certified Local Coastal Program. The project is an in-fill development on a site that is substantially surrounded by urban uses and is consistent with the type and intensity of development anticipated in urbanized areas of the City's downtown neighborhood and the City's General Plan/Coastal Land Use Plan's Visitor-Serving Commercial ("VC") and General Commercial ("GC") land use designations.

   The project is also consistent with the City's Commercial Planned Development ("CPD") and Planned Residential Development ("PRD-13") zoning designations. The CDP zone designation allows for commercial development including a variety of

office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-zoned area of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district.

The proposed development is also in conformance with the Visitor-serving Commercial ("V"), Flood Hazard ("FH") and Coastal Appeals ("CA") Overlay districts and would comply the additional development standards for each, in addition to complying with the base zone district standards as modified under the provisions provided by state Density Bonus Law with respect to density, lot coverage, building height and required parking, and as further modified through approval of a Development Plan Modification to allow for 15% of the provided onsite parking to utilize compact-size spaces.

An analysis of the project's conformity with the Objectives and Policies of the City's certified Local Coastal Program is presented in the staff report prepared for the Planning Commission hearing of February 5, 2024, and herein incorporated by reference. As discussed in the staff report, the project has been found to be consistent with the applicable objectives and policies of the Land Use; Community Design; Circulation; Open Space, Recreation & Conservation; Safety; Noise; Public Facilities; and Housing Elements of the City's General Plan/Coastal Land Use Plan. Therefore, this finding can be made.

PLANNING COMMISSION HEARING
PROJECT 23-2221-DP/CDP/ARB
4745 CARPINTERIA AVE (APN 003-251-021)
FEBRUARY 5, 2024

ATTACHMENT A, EXHIBIT 3: CONDITIONS OF APPROVAL
4745 CARPINTERIA AVE MIXED-USE PROJECT

The Conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

PROJECT DESCRIPTION

1. This Development Plan and Coastal Development Permit are based upon and limited to compliance with the project description, the hearing exhibits (Attachment A, Exhibit 2 to the staff report dated February 5, 2024) and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

   The project description is as follows:

   Request for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development. The proposed mixed-use development would be comprised of a 24-unit 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet. Maximum building height to the top of the proposed three-story element would be approximately 35 feet, seven inches from finished grade.

   The 24-unit apartment complex would be comprised of 4 one-bedroom units, 16 two-bedroom units, and 4 two-bedroom "townhouse" units facing Ninth Street. The 4 one-bedroom units would range in size from 996 – 1,163 square feet; the 16 two-bedroom units would range in size from 1,122 – 1,310 square feet; and the 4 two-bedroom "townhome" units would range in size from 1,472 – 1,486 square feet. The four "townhouse" units and one of the one-bedroom units (Unit 5) would be two-story units fronting on Ninth Street.

Of the remaining units, Units 6 through 15 would be second floor flats and Units 16 through 24 would be third floor flats. The "townhouse" units would be provided with either a ground floor covered porch (Unit 1 and Unit 4) or both a ground floor covered porch and a second floor private deck (Units 2, 3 and 5). All other units would be provided with second- or third-level private decks oriented toward the perimeter of the property.

The proposed two-story commercial building would be located along the property's Carpinteria Avenue frontage and would contain a ground level commercial space of 1,303 square feet and an upper-level commercial space of 2,741 square feet. The commercial square footage is proposed to be divided into (up to) five tenant suites, with a single ground floor space and the remaining four spaces on the second floor. The ground floor commercial space would feature a covered patio area along the Carpinteria Avenue frontage.

The ground-level covered parking podium would provide a total of 53 parking spaces onsite to serve both the proposed commercial and residential elements of the project, and would rely upon a mix of "standard" and "compact" spaces. The applicant is requesting approval of a Development Plan Modification to allow eight of the total parking spaces provided onsite to be designated "compact" spaces (15% of the total number of spaces). Bicycle storage, trash enclosures, and utility/mechanical closets would be provided within the covered parking podium area. Vehicular access to the parking would be provided from a "primary" driveway on Carpinteria Avenue and a "secondary" driveway entrance from Ninth Street, at the rear of the project site. Room for six parallel spaces would be provided in the Ninth Street right-of-way for public on-street parking as part of the required project frontage improvements.

Open space and landscaping for the project would be provided along the west side of the property within the required 50-foot setback buffer from the adjacent Franklin Creek channel. The buffer area would feature bioretention swales that can doubly serve as part of the restored protective creek buffer and stormwater measures for the proposed development. A meandering walking path would lead through the buffer, connecting Ninth Street and Carpinteria Avenue. Spaces for ornamental landscaping would also be provided along the project's two street frontages and along the interior side property line. Additional open space and landscape areas for the use of apartment residents would be provided in centralized courtyard spaces on the second and third levels, in a "rooftop" deck space in the rear corner of the third level, and on a "green roof" space above the ground floor commercial space's covered patio.

The proposal calls for utilizing the state's Density Bonus Law (Gov. Code §§ 65915-65918) ("Density Bonus Law") to allow for the inclusion of additional dwelling units beyond what the City's maximum density would allow for under the current zoning designation in exchange for designating a certain number of the apartment units as income-restricted rentals. Specifically, the project calls for setting aside three units for households that fall within the low-income level (50% to 80% of the area median income ("AMI")) in exchange for a density bonus of six additional units. These additional granted units and the low-income restricted units are included the project figures described above.

The three low-income restricted units are proposed as one-bedroom units (Units 5, 6 and 11).

Pursuant to Density Bonus Law, the proposal requests the use of incentives or concessions from the local jurisdiction's development standards to facilitate the construction of the project and/or to accommodate the increased density. Specifically, the project proposes to utilize the reduced required parking rates for residential developments subject to density bonus provisions, and to request the two following concessions/incentives and/or waivers or reductions in development standards to: 1.) Allow for increased building height beyond the 30-foot maximum allowed by the City; and 2.) Allow for building lot coverage in excess of the 50% maximum limit for the Planned Residential Development ("PRD-13") zoned portion of the property.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the City.

PROJECT SPECIFIC CONDITIONS

AESTHETICS

2. The design, scale and character of the project architecture and landscape shall be compatible and blend harmoniously with vicinity development and consistent with the City's "small beach town" character. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the applicant shall setback the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions. The applicant further shall study revisions to the plans to reduce the overall height of the project, and privacy considerations for the portions of the units facing the interior courtyards. **Plan Requirement and Timing:** The applicant shall submit plans for the project for final review by the Architectural Review Board prior to approval of any Building Permit for physical development. **Monitoring:** Community Development Department staff (CDD) shall review submitted plans, provide direction to the ARB regarding this condition, and site inspect during the construction phase.

3. All materials and colors used in construction and all landscape materials shall be as represented to the City and any deviation will require the express review and approval of the Community Development Department.

4. Any exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject

parcel and prevent spill-over onto adjacent parcels. **Plan Requirements:** The locations of all exterior lighting fixtures shall be reviewed and approved by CDD with input from the ARB. **Monitoring**: CDD and ARB shall review final plans for compliance with this measure prior to approval of a building permit for structures. Building Inspector shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final plans.

5. Interior building lighting shall be limited outside of business hours to that necessary for emergency or security purposes. Interior building lighting shall be outfitted with timers, motion sensors or similar technologies to ensure that the lighting is turned off when not in use. **Plan Requirements and Timing:** Specifications for automatic lighting controls and any interior security/emergency lighting shall be depicted on the plans submitted for Building Permit review, to be reviewed and approved by CDD prior to Building Permit Issuance. **Monitoring:** CDD shall review the construction plans for compliance with this measure prior to Building Permit issuance and shall inspect the project site prior to occupancy clearance.

6. All mechanical equipment including, but not limited to, heating and air conditioning units, and trash receptacle areas, shall be completely screened from surrounding properties and shall be either enclosed within a building or parapet, or located in a fenced rear yard area. **Plan Requirements**: The locations of all exterior mechanical equipment shall be depicted on a Roof and/or Mechanical Equipment Plan to be reviewed and approved by CDD with input from the ARB. **Monitoring:** CDD and ARB shall review the Roof and/or Mechanical Equipment Plan for compliance with this measure prior to approval of a Building Permit for the development. Building Inspector shall inspect structures upon completion to ensure that mechanical equipment has been installed consistent with the approved Plan.

7. Final plans shall include the location of all above ground and vaulted appurtenances including, but not limited to, utility vaults, utility meters, fire backflow prevention systems, and check valves. The location of such appurtenances shall be approved by CDD and may be required to be located and/or screened to as to minimize aesthetic impacts.

8. Owner shall not install any over-the-air reception devices (OTARD), such as satellite dishes, television or radio antenna or other communication or transmission devices, on the building, in common areas or on roofs located more than thirty (30) feet above finished grade. All other OTARD devices located on the building, in common areas, on roofs or on the property shall include reasonable screening to prevent impacts to surrounding properties consistent with applicable Federal Communication Commission regulations.

9. No signage is approved under this Development Plan. Applicants shall develop and submit for City review and approval, a comprehensive sign program for the development. **Plan Requirements**: The sign program shall depict the allowed sign types, materials, sizes and locations for signage for all commercial tenant spaces, as well as any proposed identification signage for the development, and shall be consistent with the City's sign regulations as specified in CMC §14.58. **Timing:** The Sign Program shall be submitted to,

and approved, by the Community Development Department prior to Occupancy Clearance. CDD may refer the program to the Architectural Review Board for review. **Monitoring:** CDD staff shall review all tenant signage applications for consistency with the approved sign program.

BIOLOGY

10. The applicant shall implement the recommended tree protection measures outlined in the arborist report prepared by Bill Spiewak dated August 10, 2023, and listed below, during demolition/construction activities within the project site. Such measures shall include, but not be limited to, the following:
    a. Fence off all trees from construction at the critical root zone or where practical with six-foot high chain link or orange construction fence with metal stakes;
    b. No activities or storage of construction materials shall be allowed within the fenced areas unless approved by CDD;
    c. Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted;
    d. All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying;
    e. Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor;
    f. Compaction of the root zone shall be avoided by spreading three to four inches of mulch. If necessary, plywood or equivalent shall be placed on top;
    g. During hot, dry periods, the foliage may need to be washed with high pressure water to remove construction dust;
    h. Project arborist shall be notified prior to any activities within the critical root zone;
    i. Leave existing hardscape (i.e., asphalt) in place as long as practicable to aid with the protection of the root system;
    j. Utilize caissons and grade beams for any foundation work close to the trees (stay at least 15 feet from the trunks of the trees); and
    k. Final landscaping around trees shall be compatible in water demand to these specific trees' needs with minimal trenching for lighting and irrigation.

    Plan Requirements/Timing: This condition shall be printed on all final building and grading plans. Tree protection measures shall be implemented prior to- and during construction as applicable. **Monitoring:** CDD shall coordinate with the project arborist prior to initiation of construction to ensure tree protection measures are in place. CDD shall spot check in the field to ensure ongoing compliance with this measure.

11. All ground disturbances and vegetation removal within the 50-foot setback of Franklin Creek shall be limited to the demolition, grading for site preparation, landscaping and storm water improvements depicted on the approved project plans. **Plan Requirements:** The 50-foot setback area shall be shown on all grading plans. **Timing:** Protective fencing

shall be installed along the 50-foot setback prior to any earth movement. **Monitoring:** CDD shall perform site inspections throughout all grading and construction activities.

12. The applicant shall implement a creek buffer restoration plan. The plan shall include, but not be limited to, the following measures:
    a. Landscaping shall be with native and non-invasive plantings only.
    b. Only low voltage lighting shall be installed. Lighting shall be directed away from the creek corridor.
    c. Only wildlife permeable fencing shall be installed within the creek buffer area.
    d. Non-native species shall be removed from the creek buffer area.
    e. The plantings shall be in place and any non-natives removed prior to issuance of occupancy clearance.

    Plan Requirements: Prior to issuance of a Grading or Building Permit, the applicant shall submit a creek buffer restoration plan, prepared by a CDD approved biologist, to CDD for review and approval. **Timing:** Restoration work shall commence prior to issuance of occupancy clearance. **Monitoring:** CDD staff shall site inspect the restoration area. Maintenance shall be confirmed through site inspections.

13. To minimize construction impacts, the applicant shall prepare and submit a Construction Mitigation Plan to Community Development for review and approval. Such plans, which must be prepared by a City-approved professional biologist, arborist or landscape architect, shall include, but not be limited to, the following required measures:

    Pre-Construction:
    a. The limits of the construction area shall be clearly shown on the plans and fenced or flagged on the construction site. All construction activities shall stay within these limits;
    b. Prior to commencement of construction activities, protective fencing shall be erected around the outermost limits of the protected zones of native trees and adjacent to the construction area. Such fencing shall remain in place until all construction is complete. For the purposes of this project, the protected zone of a native tree shall extend five feet from the tree dripline or 15 feet from the trunk of the tree, whichever is greater;
    c. No construction, grading, staging or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any onsite or adjacent native trees;
    d. Construction activities shall be scheduled to avoid the breeding seasons of sensitive wildlife species located within 300 feet of the proposed improvements;
    e. Construction Phase Requirements from the City's Water Quality Protection Regulations shall be implemented to minimize impacts related to runoff, erosion and water quality;
    f. The use of herbicides shall be minimized by using manual removal methods to eliminate undesired vegetation whenever possible.

    Post-Construction:

g. Permanent native landscaping shall be provided to developed areas;
h. The planting of any landscape plants listed on the California Exotic Pest Plant Council's Lists of Exotic Pest Plants of Greatest Ecological Concern in California is prohibited in any environmentally sensitive habitat areas ("ESHA") or creek setback area;
i. Project applicant and any and all successors shall provide informational materials to future occupants that ensure protective standards/conditions of approval are recognized and complied with throughout the life of the project;
j. Post-Construction Requirements from the City's Water Quality Protection Regulations will be implemented to minimize impacts to runoff, erosion, and water quality;
k. All new fencing shall be wildlife permeable as defined by the following criteria:
    a. Fences shall have a wooden (not wire) rail at the top;
    b. Fences shall be less than 40 inches high; and,
    c. Fences shall have a space greater than 14 inches between the ground and the bottom rail.
l. All exterior lighting shall be minimized, restricted to low intensity features, shielded and directed away from creek ESHA to minimize impacts to wildlife. Permitted lighting shall conform to the following standards:
    i. The minimum necessary to light walkways used for entry and exit to the structure, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Community Development Director;
    ii. Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent;
    iii. The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent;
    iv. A light, not to exceed 60 watts or the equivalent, at the entrance to any non-residential accessory structures; and,
    v. No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities and no lighting for aesthetic purposes is allowed.

Plan Requirements and Timing: Prior to issuance of a Grading or Building Permit, the applicant shall submit a Construction Mitigation Plan, prepared by a CDD approved biologist, arborist or landscape architect to CDD for review and approval. All requirements shall be specified on grading and building plans and graphically depicted if feasible. Protective fencing shall be installed prior to start of grading or construction. **Monitoring:** CDD shall site inspect throughout grading and construction activities.

LANDSCAPE

14. Prior to the issuance of any Building Permits, the applicant shall post a landscape security bond of $500.00 and comply with the following requirements:
    a. All landscaping and irrigation plans shall be prepared by a State licensed landscape architect or similar professional as determined appropriate by CDD.
    b. The landscaping shall be maintained in good condition for the life of the project. After landscaping has become established at three years and found to be in good condition, the security will be released.
    c. Landscaping shall be drought resistant, low water species.
    d. Where feasible, locally adapted native plants shall be required.
    e. Prior to Occupancy Clearance, all landscaping and planting shall be installed; and,
    f. Specimen trees shall be appropriate to the site and shall be maintained in good condition so as to attain a full and healthy mature appearance.

15. The project landscaping outside of the creek buffer area shall consist of drought-tolerant, native and/or Mediterranean type species. Landscaping shall be compatible with the character of the surroundings and the architectural style of the structural development. **Plan Requirements:** Prior to issuance of a Grading or Building Permit, the applicant shall enter into an agreement with the City to install required landscaping and water-conserving irrigation systems and maintain required landscaping for the life of the project. The applicant shall also submit the final landscape and irrigation plan to CDD for review and approval. **Timing:** Prior to occupancy clearance, landscape and irrigation shall be installed. **Monitoring:** Prior to occupancy clearance, CDD shall verify installation and check maintenance as needed. Release of performance security requires CDD approval.

16. In compliance with the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird)) as amended by the May 29, 2015 Information Bulletin 2015-03 from the Department of Housing and Community Development and Chapter 15.90 of the City's Municipal Code: Water Efficient Landscaping, a Landscape Documentation Package containing the following elements shall be prepared by a design professional: PROJECT INFORMATION; WATER EFFICIENT LANDSCAPE WORKSHEET; SOIL MANAGEMENT REPORT; LANDSCAPE DESIGN PLAN; IRRIGATION DESIGN PLAN; and GRADING DESIGN PLAN. The preparation of a Certificate of Completion containing the following elements shall also be prepared by a design professional: CERTIFICATION OF INSTALLATION (per the approved plan); FINAL SOILS INFORMATION; IRRIGATION SCHEDULING PARAMETERS; MAINTENANCE SCHEDULES; and IRRIGATION AUDIT REPORT. **Plan Requirements and Timing:** Prior to approval of a Building Permit, the applicant shall submit a Landscape Documentation Package to the CDD for review and approval. The CDD shall send a copy of the Documentation Package the Carpinteria Valley Water District. The applicant shall enter into an agreement with the City to install required landscaping and irrigation and maintain required landscaping for the life of the project. Subsequent to installation of the approved Grading, Landscape and Irrigation Plans, the applicant shall submit a Certificate of Completion to CDD for review and approval. The Landscape Documentation Package and Certificate of Completion forms are available at the CDD, and are required to be approved

by the CDD prior to Occupancy Clearance. **Monitoring:** CDD shall conduct site visits to ensure installation and maintenance of landscape and irrigation.

CULTURAL RESOURCES

17. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a CDD-qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the City Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and shall spot check in the field for compliance.

18. If human remains are uncovered during ground disturbing activities, the applicant shall immediately halt work and contact the Santa Barbara County Coroner to evaluate the remains. CDD shall be contacted immediately after contact or attempted contact with the County Coroner and all excavation activities on the project site shall cease. If the County Coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified and no further excavation activity shall occur on the site until consultation is complete with the most likely descendant, the Coroner and the CDD staff. Authorization to resume construction shall only be given by the City after consultation with the most likely descendent and shall include implementation of all appropriate measures to protect any possible burial sites or human remains. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and shall spot check in the field.

GRADING

19. Grading and erosion and sediment control plans shall be designed to minimize erosion and shall include the following:
    a. Methods such as geotextile fabrics, erosion control blankets, retention basins, drainage diversion structures, siltation basins and spot grading shall be used to reduce erosion and siltation during grading and construction activities.
    b. All entrances/exits to the construction site shall be stabilized (e.g., using rumble plates, gravel beds or other best available technology) to reduce transport of sediment offsite. Any sediment or other materials tracked offsite shall be removed the same day as they are tracked using dry cleaning methods.
    c. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters and excavated inlet sediment traps.

d. Graded areas shall be revegetated within three weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.

Plan Requirements: The grading and erosion and sediment control plan shall be submitted for review and approved by CDD and Public Works ("PW") prior to issuance of a Grading Permit. The plan shall be designed to address erosion and sediment control during all phases of development of the site. The applicant shall notify CDD and PW prior to commencement of grading. **Timing:** Components of the grading plan shall be implemented prior to occupancy clearance. Erosion and sediment control measures shall be in place throughout grading and development of the site until all disturbed areas are permanently stabilized. **Monitoring:** CDD shall inspect revegetation and ensure compliance with plan. Grading inspector shall monitor installation and maintenance of erosion control measure throughout all grading and construction activities.

20. Drainage shall be consistent with approved drainage plans. **Plan Requirements:** Prior to issuance of a Grading Permit, a drainage plan shall be submitted to CDD and Public Works for review and approval. The plan shall include the location(s) of all proposed pipelines, the entire length of all proposed pipelines, trees located within 15 feet of the pipeline, pipe diameters, locations where the pipe(s) would surface in the creek and amount of water that would flow from each pipeline. **Timing:** The components of the drainage plan shall be implemented prior to commencement of construction of structures. **Monitoring:** CDD shall site inspect during grading.

GEOLOGY

21. The recommendations outlined in the project specific geotechnical investigation shall be followed in the construction of the subject project and the applicants shall be required to have the project engineering geologist onsite to observe all excavations prior to placement of compacted soil, gravel backfill, or rebar and concrete. **Plan Requirements/Timing:** Two copies of the preliminary foundation investigation shall be submitted with the building plans for building permit plan check. Applicable plan sheets (i.e., grading, foundation, etc.) shall be in substantial compliance with the recommendations outlined in the soils report. The project engineering geologist shall be onsite during excavation, recompaction and foundation preparation work, as applicable. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

NOISE

22. All noise attenuation measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to ensure that interior noise levels do not exceed 45 CNEL in habitable rooms. The measures shall include, but not be limited to, the following noise attenuation features:
    a. Provide mechanical ventilation so that windows may be left closed by

occupants. This can be achieved passively with z-ducts, fresh air ducts or approved equal.

b. All exterior walls shall meet a Sound Transmission Class (STC) rating of at least 46.
c. All windows and sliding glass doors shall be rated STC 26 (assumed to be standard dual pane windows required per Title 24 energy standards) or higher.
d. All entry doors shall be insulated against weather and sound with non-porous seals. Caulk entry door thresholds as they are placed.
e. Use permanently non-hardening sealant around perimeter of window frames.
f. Window assemblies shall be constructed with effective non-porous gaskets or weatherstripping to minimize air infiltration and sound leakage.
g. Provide airtight construction at all exterior walls with acoustical or other non-hardening sealant at floor plates.
h. Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.

Plan Requirements/Timing: All sound attenuation measures shall be incorporated into the building plans submitted for building permit plan check. Applicable plan sheets (i.e., mechanical, windows and doors, etc.) shall be in substantial compliance with the measures outlined in the acoustical study. **Monitoring:** Building Inspector shall review and approve building plans and shall site inspect during construction, prior to occupancy clearance.

23. Construction activity shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits and/or citations. **Monitoring:** Building Inspector shall spot check and respond to complaints.

24. In addition to the construction hour limitations, all construction noise reduction measures specified in the Acoustical and Construction Noise Study prepared by Rincon Consultants, dated August 1, 2023, shall be implemented to limit short-term noise impacts during construction, including, but not limited to:

    a. **Mufflers.** During all phases of demolition and construction, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
    b. **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptors.
    c. **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.

d. **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.

e. **Electrically- and Hydraulically-Powered Tools and Facilities**. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. To the extent feasible, hydraulic equipment shall be used instead of pneumatic impact tools.

f. **Noise Disturbance Coordinator**. The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.

Plan Requirements: A sign stating this restriction shall be provided to the applicant and posted onsite. **Timing:** The sign shall be in place prior to the beginning of and throughout all construction activities. Violations may result in suspension of permits. **Monitoring:** Building Inspector shall spot check and respond to complaints.

25. The use of amplified sound equipment in the outdoor courtyard areas and unit deck or porch areas shall be limited so as to not constitute a public nuisance or violate any applicable City noise ordinances. **Monitoring:** CDD shall periodically inspect to ensure compliance. CDD and/or Sheriff Office deputies shall respond to any filed noise complaints.

SOLID WASTE

26. The permittee shall develop and implement a Solid Waste Management Program. The program shall include, but is not limited to, the following measures:
    a. Provision of *One (1) Four-cubic yard* bin for storage of recyclable materials within the project site.
    b. Development of a Source Reduction Plan (SRP) describing the recommended program(s) and the estimated reduction of solid waste disposed by the project.
    c. Implementation of a program to purchase materials that have recycled content for project construction and/or operation (i.e., plastic lumber, office supplies, etc.). To ensure compliance, the applicant shall develop an integrated solid waste management program, including recommended source reduction, recycling, composting programs, and/or a combination of such programs, subject to CDD review and approval.

Plan Requirement: The applicant shall submit a Solid Waste Management Program to CDD for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to occupancy clearance and throughout the life of

the project. **Monitoring:** CDD shall site inspect during construction, prior to occupancy, and after occupancy to ensure solid waste management components are established and implemented.

27. Sixty-five percent (65%) or more of all construction and demolition debris generated shall be diverted from the landfill, as mandated by Carpinteria Municipal Code. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt). During demolition and grading, separate bins for recycling of construction materials and brush shall be provided onsite. **Plan Requirements:** This requirement shall be printed on demolition plans. Applicant shall submit a Waste Management Plan (WMP) prior to demolition and provide Public Works with a completed WMP, including receipts for recycled materials to demonstrate compliance with the City's Construction and Demolition Program's 65% mandatory diversion rates. **Timing:** Materials shall be recycled as necessary throughout demolition and grading activities. **Monitoring:** Public Works shall review and approve a completed WMP prior to issuance of a Building Permit.

28. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite prior to commencement of grading or construction activities. Waste shall be picked up weekly or more frequently as directed by CDD staff. **Plan Requirements and Timing:** Prior to Building Permit issuance, applicant shall designate and provide to CDD the name and phone number of a contact person to monitor trash/waste and organize a clean-up crew. Trash control shall occur throughout all grading and construction activities. **Monitoring:** CDD shall inspect periodically throughout grading and construction activities.

AIR QUALITY

29. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site by following the dust control measures listed below. During clearing, grading, earth moving, excavation or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
    a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 miles per hour. Reclaimed water should be used whenever possible.
    b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
    c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped form the point of origin.

d. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

Plan Requirements: All requirements shall be shown on the grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors shall spot check and ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

30. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements:** The name and telephone number of such persons shall be provided to the APCD and the Community Development Department. **Timing:** The dust monitor shall be designated prior to issuance of a Grading or Building Permit. **Monitoring:** CDD shall contact the designated monitor as necessary to ensure compliance with dust control measures.

31. The following Diesel Exhaust Control Measures should be implemented during construction activities:

    a. Diesel construction equipment meeting the California Air Resources Board's current emission standards for off-road heavy-duty diesel engines shall be used.
    b. The engine size of construction equipment shall be the minimum practical size.
    c. The number of construction equipment operation simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
    d. Construction equipment shall be maintained in tune per the manufacturer's specifications.
    e. Construction equipment operating onsite shall be equipped with two-to-four-degree engine timing retard or pre-combustion chamber engines.
    f. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
    g. Catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed on equipment operating onsite.
    h. Diesel powered equipment should be replaced by electric equipment whenever feasible.
    i. State law requires that idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units should be used whenever possible.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction activities. **Monitoring:** CDD shall ensure measures are on plans. Grading and Building Inspectors

shall spot check and ensure compliance onsite. APCD shall respond to complaints, as applicable.

WATER QUALITY

32. Construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. shall be stored, handled, and disposed of in a manner which minimizes the potential for storm water contamination. **Plan Requirements and Timing:** Bulk storage locations for construction materials and any measures proposed to contain the materials shall be shown on the plans submitted to the Community Development Department for review prior to issuance of a Building Permit. **Monitoring:** CDD staff shall site inspect prior to the commencement and as needed during all grading and construction activities.

33. During construction, washing of concrete trucks, paint, equipment or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks or wetlands. The location of the washout area shall be clearly noted at the construction site with signs. **Plan Requirements:** The applicant shall designate a washout area, acceptable to CDD, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of a Grading or Building Permit. The washout area shall be in place and maintained throughout construction. **Monitoring:** CDD shall check plans prior to issuance of a Grading or Building Permit and staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area.

STORM WATER

34. The project shall provide for onsite retention of storm water runoff, infiltration, and recharge where feasible. Feasibility shall be determined by CDD and Public Works. Retention basin(s) shall be maintained for the life of the project by the landowner. Recharge systems shall be developed in conjunction with Public Works and CDD. **Plan Requirements:** A drainage plan showing the location and design of the retention basins shall be submitted to CDD and Public Works for review and approval. Long term maintenance requirements shall be specified in a maintenance program submitted by the landowner. **Timing:** Retention and/or recharge basins shall be installed (landscaped and irrigated subject to CDD and Public Works approval) prior to occupancy clearance. **Monitoring:** CDD shall site inspect for installation and maintenance of landscaping. Public Works approval is required on final grading/drainage plans, and CDD approval is required for release of the performance security.

35. The applicant shall follow the County of Santa Barbara Stormwater Technical Guide to implement Post-Construction Runoff Control Measures (PCRs) to effectively prevent the entry of pollutants from the project site into the storm drain system during and after development. **Plan Requirements**: The applicant shall implement a Storm Water Control

Plan (SWCP) that includes the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural PCRs to address identified pollutants; a proposed Operation and Maintenance Plan; a method for ensuring maintenance of all PCRs over the life of the project; and certification by a licensed civil engineer, architect, or landscape architect. The approved measures shall be shown on all building plans. **Timing:** Prior to issuance of a Grading or Building Permit, the SWCP shall be submitted to Public Works. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. The terms of the Operation and Maintenance Plan shall be followed to maintain facilities. **Monitoring:** Public Works shall site inspect prior to occupancy clearance to ensure measures are constructed in accordance with the approved plan and periodically thereafter to ensure proper maintenance.

UTILITIES

36. This Development Plan and Coastal Development Permit does not constitute approval for the installation of new and/or repair of existing underground utilities. All modifications to, or installations of new utilities shall be under separate permit(s) from the appropriate utility providers and the Public Works Department for any work within the public right-of-way. Utility provider permission for excavation shall precede issuance of any permits for construction within the public right-of-way.

HOUSING

37. The applicant shall provide Three (3) low income dwelling units (16.67% of project units) available for rent at prices affordable to households earning up to 80% of Area Median Income (AMI) consistent with the provisions of Government Code §§ 65915-65918 (Density Bonus Law). **Requirements and Timing**: Prior to issuance of the building permit, the applicant shall execute and record an *Affordable Housing Regulatory Agreement* (Agreement), which shall include a Restrictive Covenant (Covenant). The Agreement and Covenant shall be based on the City's model documents and subject to the review and approval of CDD and the City Attorney. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the units shall remain affordable for a period of 99 years, beginning upon date of issuance of the occupancy clearance for said units. The running of the covenant shall toll during any period of violation.

    The Agreement shall include, but not be limited to, the following information about the project:

    a. The total number of units approved for the housing development, including the number of affordable dwelling units and manager's unit;
    b. A description of the household income group to be accommodated by the housing development and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with California Department of Housing and Community Development and Housing and Urban Development guidelines;

c. The marketing plan for the affordable units;
b. The location, unit sizes (square feet) and number of bedrooms of the affordable dwelling units;
c. Tenure of the use restrictions for affordable dwelling units for a period of 99 years;
d. A schedule for completion and occupancy of the affordable dwelling units;
e. A description of the additional incentives and concessions being provided by the City;
f. A description of the remedies for breach of the agreement by the owners, developers and/or successors in interest of the project;
g. Other provisions to ensure successful implementation and compliance with the City's Density Bonus ordinance, Government Code §§ 65915-65918 (Density Bonus Law), and California Department of Housing and Community Development and Housing and Urban Development guidelines; and
h. Other provisions to ensure compliance with applicable local, state, and federal tenant protection regulations.

In addition, the Agreement shall provide for the following conditions governing the use of affordable dwelling units during the applicable restriction period:

a. The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable dwelling units for qualified tenants;
b. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance.
c. Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying the affordable dwelling unit and which identifies the bedroom size and monthly rent or cost of each unit; and
d. The applicable use restriction period shall comply with the time limits for continued availability as specified above.

38. Owner shall provide direct connections to high-speed internet service, including wireless access (e.g., Wi-Fi), to each residential unit and all residential tenants at no charge. The City acknowledges that Owner does not operate a high-speed internet service and thus is not responsible to configure a tenant's personal computer or other similar devices and temporary internet services outages may occur outside the control of the Owner. Owner may require residential tenants to comply with reasonable restrictions on the use of the internet service consistent with applicable federal, state and local laws and regulations. Tenants shall have the right to alternative internet service at the tenant's own expense.

39. Owner shall designate at least One (1) on-site manager that resides in the project consistent with applicable California Department of Housing and Community Development and Housing and Urban Development guidelines.

40. None of the dwelling units shall be operated as short-term vacation rentals or otherwise leased for a period of less than 30 days.

PARKING

A minimum of 53 parking spaces (45 standard spaces and 8 "compact" spaces) shall be maintained onsite for the life of the project. Parking spaces shall remain available for the use of residents and customers only. In addition, bicycle parking for a minimum of 12 bicycles shall be provided onsite and maintained for the life of the project. Additional bicycle parking shall be provided in the public right-of-way in a manner generally consistent with that depicted on the approved site, civil, and landscape plans, subject to final approval of the design and layout by the Public Works Department. **Plan Requirements:** Parking spaces and bicycle racks shall be shown on the plans submitted for Building Permit and Engineering Permit review. **Timing:** Parking spaces shall be striped and maintained (as needed) and bicycle racks installed prior to Final Occupancy clearance. **Monitoring:** CDD and PW shall periodically inspect the site for ongoing compliance.

41. The applicant shall develop and implement a Construction Parking, Staging and Traffic Management Plan. The purpose of the Plan is to minimize parking and traffic impacts to the surrounding residential neighborhood during construction of the project. The plan shall include, but is not limited to, the following measures:
    a. Development of a construction vehicle parking plan depicting the location of on-site construction vehicle parking. If all construction vehicle parking on-site is not feasible throughout the construction phase, the applicant shall implement a construction employee shuttle program documenting the location of offsite construction employee parking and shuttle schedule.
    b. Development of a construction equipment, material staging and storage plan confirming that all construction equipment and materials will be located on-site and not within any City right-of-way.
    c. Development of a construction traffic management plan accounting for the temporary location and movement of construction delivery trucks, large equipment, cranes, and similar construction related activities.

    Plan Requirement: The applicant shall submit a Construction Parking, Staging and Traffic Management Plan to CDD and Public Works for review and approval prior to issuance of a Building Permit. **Timing:** Program components shall be implemented prior to issuance of a Building Permit. **Monitoring:** CDD shall site inspect during construction to ensure compliance with all aspects of the Plan.

DEVELOPMENT PLAN CONDITIONS

42. Approval of the Development Plan and Coastal Development Permit shall expire two (2) years after approval by the Planning Commission unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision-maker with jurisdiction over the project may, upon good cause shown, grant a time extension.

43. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Building Permit.

44. No permits for development shall be issued except in conformance with the approved Development Plan and Coastal Development Permit. The size, shape, arrangement, use and location of buildings, walkways, parking areas and landscaped areas shall be developed in conformity with the approved Development Plan marked Attachment A, Exhibit 2, dated February 5, 2024, and with the agreed upon modification to increase the setback the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions during the February 5, 2024 Planning Commission meeting. Substantial conformity shall be determined by the Community Development Department Director.

45. On the date a subsequent Development Plan is approved for this site, any previously approved but unbuilt plans shall become null and void.

46. To allow time for the utility companies to locate and mark their facilities for the contractor, the applicant shall telephone Underground Service Alert (USA) toll free at 1-800-227-2600 a minimum of 48 hours prior to the start of construction. For best response, provide as much notice as possible, up to 10 working days.

47. Existing and proposed easements for all utilities shall be located and described on the engineering plans or the architectural drawings prior to issuance of building permits.

CITY RULES & REGULATIONS/LEGAL REQUIREMENTS

48. Future commercial uses of all tenant spaces shall be consistent with project zoning, including, but not limited to, the base zone district requirements and any applicable overlay districts, including Visitor-serving Commercial allowed uses. Approval of a Building Permit for all future tenant improvements within the commercial spaces is required. In addition, issuance of a Carpinteria Business License and Occupancy Clearance shall be obtained for all future tenants to confirm respective uses are consistent with allowed uses under zoning prior to initiating business. Individual uses may be conditioned for hours of operation, noise, or similar measures, as needed, to address potential nuisance issues and land use compatibility.

49. No provision of alcohol service, live entertainment or dancing are permitted as part of this approval. Should the applicant or any future tenant(s) choose to provide any of these services or activities, the proper licenses and approvals must first be obtained from the City. **Plan Requirements/Timing:** Prior to initiating alcohol service, live entertainment or dancing, applicant and/or tenant shall apply to the City (and/or respective State agency) for all necessary licenses and approvals. **Monitoring:** CDD staff shall ensure all

necessary licenses/permits are obtained prior to initiating any of the enumerated ancillary uses.

50. All future food and beverage tenants shall comply with the City's ban on food dispenser containers made entirely or in part from non-recyclable plastic (including but not limited to expanded polystyrene (eps) containers), including the annual self-reporting requirements as outlined in CMC §8.50, and the City's ban on single use plastic and paper bags as outlined in CMC §8.51.

51. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Building Permit. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permits will be issued by the Community Development Department, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Community Development.

52. All Conditions of Approval and mitigation measures shall be printed in their entirety on applicable pages of construction or building plans submitted to CDD. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.

53. Prior to issuance of a Building Permit, the applicant shall provide a signed copy of the Conditions or Approval on a form acceptable to Community Development. Such form may be obtained from the CDD office.

54. Prior to issuance of a Building Permit, the applicant shall pay all applicable CDD permit processing fees in full. Any outstanding plan check or inspection fees incurred during construction shall be paid in full prior to occupancy clearance.

55. The applicant shall pay the statutory school fees in effect at the time of issuance of Building Permits to the Carpinteria Unified School District. **Plan Requirements and Timing:** The applicant shall submit final square footage calculations and the required fee payment to the School District prior to issuance of Building Permits. **Monitoring:** CDD shall ensure payment is made prior to issuance of a Building Permit.

56. In accordance with Chapter 15.80 of the Carpinteria Municipal Code, the applicant shall pay Development Impact Fees to the City prior to Building Permit issuance. The amount of the fees will be determined at the time permits are issued.

57. Any change of use in the proposed buildings or structures shall be subject to environmental analysis and appropriate review by the City, including Building Code compliance.

58. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

59. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.

60. All requirements of the City (including but not limited to public improvements as defined in the City Municipal Code (CMC), Section 15.16.110) and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

61. The standards defined within the City's adopted model Building Codes (UBC; NEC; UMC; UFC; UPC; UHC) relative to the building and occupancy shall apply to this project.

62. Any minor changes may be approved by the City Manager and/or Community Development Director. Any major changes will require the filing of a modification application to be considered by the Planning Commission.

63. No building permits shall be issued for this project prior to meeting all required terms and conditions listed herein. When not specified herein, all conditions shall be satisfied prior to issuance of a building permit or prior to occupancy when allowed by the Community Development Director.

64. If, at any time, the City or Planning Commission determines that there has been, or may be, a violation of the findings or conditions of this Development Plan and Coastal Development Plan, or of the Municipal Code regulations, a public hearing may be held before the Planning Commission to review this permit. At said hearing, the Planning Commission may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City. The applicant shall reimburse the City for all costs associated with gaining compliance with the original conditions of approval.

65. In the event that any Condition of Approval imposing a fee, exaction, dedication or other mitigation measure is challenged by Applicant/Owner/Permittee in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any Condition of Approval is invalidated by a court of law, the entire project shall be reviewed by the City and substitute Conditions of Approval may be imposed.

66. The owner/applicant ("Owner") hereby agrees to defend, indemnify and hold harmless the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any claim, action or proceeding ("Claims") against the City and the City's Agents to attack, review, set aside, void or annul, in whole or in part, the City's approval of

the Development Plan and Coastal Development Permit (the "Project"), or any condition attached thereto, or any proceedings, acts or determinations taken, done or made prior to the approval that were part of the approval process. Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorneys' fees or court costs made in connection with any Claim. Owner further agrees to pay any and all City costs, permits, attorneys' fees, engineering fees, license fees and taxes arising out of or concerning the Project, whether incurred prior to or subsequent to the date of approval and that the City's costs shall be reimbursed prior to this approval becoming valid. These commitments of defense and indemnification are material conditions of the approval of the Project. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorneys' fees, expenses and costs of that independent defense.

67. Written authorization to proceed and consent to conditions of approval by the legal owner of the property shall be provided to the City prior to building permit issuance.

SPECIAL DISTRICT CONDITION LETTERS

68. Compliance with the attached Departmental and District letters is required as follows:
    a. Carpinteria Sanitary District, dated May 3, 2023.
    b. City of Carpinteria Public Works Department, dated November 27, 2023.
    c. Carpinteria Valley Water District Intent to Serve Letter, dated November 10, 2023.
    d. Carpinteria Valley Water District Condition Letter, dated November 10, 2023.
    e. Carpinteria-Summerland Fire Protection District, dated July 29, 2023.

Approved by the Planning Commission on February 5, 2024.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT.

_____

Applicant/Property Owner Date

CARPINTERIA
Sanitary District

5300 Sixth Street
Carpinteria, CA 93013
Phone (805) 684-7214 • Fax (805) 684-7213

May 3, 2023

Via Email: nickb@carpinteriaca.gov

Mr. Nick Bobroff
Community Development Department
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, California 93013

RE: Project No. 23-2221-DP/CDP
4745 Carpinteria Avenue (APN: 003-251-018)
Applicant: Western Built Construction – Justin Klentner

Dear Mr. Bobroff:

Thank you for the opportunity to provide comments on the subject project. The Carpinteria Sanitary District (District) has reviewed the application package and conceptual plans provided for the proposed mixed use project, which includes 22 new residential apartment units and 4,304 square feet of commercial space.

The District recommends that the following conditions be incorporated into the review/approval process to address sewer system improvements:

1. Any sewer improvements shall conform to approved District construction standards for materials and methods. The applicant shall submit detailed engineered drawings to the District showing all proposed sewer improvements for review and approval.

2. The preliminary utility plans show a single connection to the District's existing sewer main in 9th Street. This may be acceptable for the proposed development (single ownership and not condominiums). Exact configuration will be determined in the design review process described in Item 1 above.

3. The applicant shall provide the District with an estimate of peak wastewater flow from the proposed development. The hydraulic capacity of downstream sewer conveyance infrastructure in Holly Avenue is limited. The District may require modeling of the District sewer network to verify available capacity to serve the project.

4. A Sewer Construction Permit is required for sewer improvements serving the proposed project. The permit shall be procured and applicable fees paid prior to issuance of Building permits. During construction, it is the applicant's responsibility to notify the District of any modifications to or variation from the approved engineered drawings.

5. A Development Impact Fee (DIF) for the project shall be paid to the District prior to issuance of a Sewer Construction Permit. The applicable DIF shall be determined by

6. the District according to Ordinance No. 18, or the then current District ordinance at the time of permit issuance. Credit for the existing non-residential connection will be included in the DIF calculation.

7. District sewer service charges (SSCs) are calculated per District ordinance and collected through the County of Santa Barbara property tax rolls on an annual basis. Prior to obtaining a Certificate of Occupancy (COO), the applicant shall pay applicable pro-rated SSCs due for the period between COO issuance and the following June 30th.

If you have any questions or comments regarding any of the conditions provided, please contact me at (805) 684-7214 extension 112, or by email at craigm@carpsan.com.

Sincerely,
CARPINTERIA SANITARY DISTRICT

Craig Murray, P.E.
General Manager

cc: Lance Lawhon (lancel@carpsan.com)

CARPINTERIA
Sanitary District

5300 Sixth Street
Carpinteria, CA 93013

Phone (805) 684-7214 · Fax (805) 684-7213

January 17, 2024

Via Email: Brian.Banks@carpinteriaca.gov

Mr. Brian Banks
Community Development Department
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, California 93013

RE: Project No. 23-2221-DP/CDP
4745 Carpinteria Avenue (APN: 003-251-018)
Applicant: Western Built Construction – Justin Klentner

Dear Mr. Banks:

Thank you for the opportunity to provide comments on the subject project. The Carpinteria Sanitary District (District) has reviewed the application package and conceptual plans provided for the proposed mixed-use project, which includes 24 new residential apartment units and 4,304 square feet of commercial space.

The District recommends that the following conditions be incorporated into the review/approval process to address sewer system improvements:

1. Any sewer improvements shall conform to approved District construction standards for materials and methods. The applicant shall submit detailed engineered drawings to the District showing all proposed sewer improvements for review and approval.

2. The preliminary utility plans show a single connection to the District's existing sewer main in 9th Street. This may be acceptable for the proposed development (single ownership and not condominiums). Exact configuration will be determined in the design review process described in Item 1 above.

3. The applicant shall provide the District with an estimate of peak wastewater flow from the proposed development. The hydraulic capacity of downstream sewer conveyance infrastructure in Holly Avenue is limited. The District may require modeling of the District sewer network to verify available capacity to serve the project.

4. A Sewer Construction Permit is required for sewer improvements serving the proposed project. The permit shall be procured and applicable fees paid prior to issuance of

Building permits. During construction, it is the applicant's responsibility to notify the District of any modifications to or variation from the approved engineered drawings.

5. Development Impact Fees (DIF) for the project will be required. The existing building on the site has an existing sewer connection to the District and the project DIF fees will be credited for that connection. The project will receive a DIF credit of $11,871.31 for the existing 1,500 square foot building. The proposed mixed-use development, less the DIF credit, has an estimated DIF fee of $23,741.48. The fees will be determined when the District reviews the finalized construction plans.

6. District sewer service charges (SSCs) are calculated per District Ordinance 17 and collected through the County of Santa Barbara property tax rolls on an annual basis. Prior to obtaining a Certificate of Occupancy (COO), the applicant shall pay applicable pro-rated SSCs due for the period between COO issuance and the following June 30th. For each new EDU being served. The estimated SSC for the proposed project is $18,665.52.

If you have any questions or comments regarding any of the conditions provided, please contact me at (805) 684-7214 extension 113, or by email at lancel@carpsan.com.

Sincerely,
CARPINTERIA SANITARY DISTRICT

Lance Lawhon

Lance Lawhon
Engineering Technician

Attachment: Development Fee Calculation

CITY OF CARPINTERIA, CALIFORNIA

Public Works Department
Memorandum

To: Nick Bobroff, Principal Planner
Community Development Department

From: John L. Ilasin, Public Works Director/City Engineer /s/

Date: November 27, 2023

Subject: 4745 Carpinteria Avenue, Project No. 23-2221-DP/CDP

The Public Works Department has reviewed the project submittal dated April 26, 2023, and has the following conditions of approval:

CONDITIONS OF APPROVAL

1. An Engineering Permit shall be obtained from the City Engineer for any improvements or other encroachment work within the public right-of-way.

2. All improvements within the public right-of-way shall be completed to the satisfaction of the City Engineer prior to the issuance of a Certificate of Occupancy.

3. Record drawings or as-built plans shall be submitted to the City Engineer at time of final inspection for all work covered by an Engineering Permit. The record drawings or as-built plans shall be the original construction tracings or permanent mylar copies of a quality acceptable by the City Engineer.

4. A Transportation Permit shall be obtained from the City Engineer for operating or moving any vehicle or combination of vehicles or special mobile equipment in any of the acts as listed in Carpinteria Municipal Code Section 12.12.010.

5. All existing private property encroachments shall be removed from the City of Carpinteria public right-of-way.

6. Improvements shall include concrete curbs, gutters, and sidewalks; and street trees along the property frontage on Ninth Street.

7. Improvements shall include removal of existing driveway approach at the property frontage on Carpinteria Avenue and replacement with concrete curb, gutter, and sidewalk.

8. Improvements shall include new concrete driveway approaches at the following property frontage locations for conformance with current Americans with Disabilities Act (ADA) standards:

Carpinteria Avenue
Ninth Street

9. Improvements shall include application of microsurfacing for the entirety of Ninth Street between Holly Avenue and the Ninth Street terminus.

10. Improvements shall include the removal and replacement of any lifted or damaged sidewalks, curbs, and gutters along the property frontage on Carpinteria Avenue.

11. All new and existing utility services shall be installed underground from the closest point of connection or utility pole and completed prior to any paving required for the project. No new utility poles shall be installed.

12. Stormwater control plans shall be in conformance with the County of Santa Barbara Technical Guide for Low Impact Development.

13. A Maintenance Agreement for permanent stormwater quality best management practices shall be submitted to the City Engineer for review and approval. The Maintenance Agreement shall include, at minimum, the following elements: (1) Operations and Maintenance Plan; (2) Legal description and plat of property; (3) Site plan of all permanent stormwater quality best management practices; (4) Property owner's printed name, signature, and date of signing; and (5) Notary public acknowledgement.

14. Improvements in areas of special flood hazards as shown in the latest effective flood insurance rate map shall be constructed in conformance with the City floodplain management regulations (Carpinteria Municipal Code Chapter 15.50).

15. Construction and demolition debris generated shall be reported in conformance with the Construction and Demolition Debris Recycling Program. Sixty-five percent (65%) or more of all construction and demolition debris shall be diverted from the landfill. The Construction and Demolition Debris Recycling Program forms shall be completed and submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.

16. Construction and demolition debris shall be separated on site into reuse, recycling, or disposal. Separate bins or containers for recycling of construction and demolition debris shall be provided on site.

17. Self-hauled disposal receipts from transfer stations shall be submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.

18. Any self-hauled construction and demolition debris shall be reported in writing to the City Engineer. A contract waste hauler may be allowed for disposal of construction and demolition debris subject to the approval of the City Engineer.

End of Comments

Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

November 10, 2023

Justin Klentner
152 N Almont Dr.
West Hollywood, CA 90048

SUBJECT: **Request for Intent to Serve Letter regarding proposed project at 4745 Carpinteria Avenue (the "Project")**

Dear Applicant,

In response to your request, this letter will serve as confirmation that Carpinteria Valley Water District (the "District") currently has sufficient water supply to serve the Project, subject to qualifications indicated below.

The Project proposes to redevelop 4745 Carpinteria Avenue into a new mixed-use development. Per density bonus law, this project set aside 17% of the 18 base units for low-income households, which would equate to three income-restricted units, and would grant the project tup to a 30.5% density bonus (six additional units), which would equal 24 units. The project consists of 23,094 GSF of 18 two-bedroom units, 5,752 GSF of 4 two-bedroom townhouses facing 9th St., 2,155 GSF of 2 one-bedroom units, 4,304 GSF of 2 story commercial/retail, and 22,500 GSF concrete parking podium. 53 proposed parking spaces: 18 commercial and 35 residential.

Permit #: 23-2221-DP/CDP

While the District currently has sufficient water to supply the Project's proposed use, it is important to note that the District has declared a Stage 1 Drought Emergency (see Ordinance 22-1, *www.cvwd.net*), which remains in effect. As a result, while there are currently meters available to service the Project, the District will continue to monitor its water supply, and may be forced to consider declaring more severe stages of drought or imposing further water restrictions or a moratorium on new and/or expanded connections.

Accordingly, the confirmation conveyed by this letter is subject to the following conditions and caveats:

1. If the intensity of the proposed use increases, this letter is void and you will need to file a new request for an "Intent to Serve" letter. Subsequent issuance of a new Intent to Serve letter is not assured.
2. This letter is only valid for the Subject Project.
3. You must obtain all permits and approvals for the Project as required by local, state and federal law.

4. This "Intent to Serve" letter is conditional upon, and shall not be in force or effect until, the Project receives final approval from the applicable land use agency.
5. Upon the expiration of any land use and or building permits for the Project, this "Intent to Serve" confirmation shall be void and you shall be required to submit a new request for confirmation of the District's intent to serve the Project, which shall be subject to any drought conditions, restrictions and/or moratoriums then in effect.
6. If new meters are required for the Project, issuance of said meters shall be subject to applicable fees, including, but not limited to, Capital Cost Recovery fees, Construction costs and other related costs, and Water Supply Impact fees.
7. The District reserves the right to participate in or comment on any analysis or review of the Project performed by any agency under the California Environmental Quality Act (CEQA), even if said participation or comment may detrimentally impact the resulting CEQA review or analysis. This letter does not constitute analysis or approval under CEQA.
8. You must renew this letter annually after the date of this letter to keep the District apprised of Project status and developments.
9. This letter has a Project specific Conditions Letter attached that will be considered to be included in the conditions above.

Should you have any questions please do not hesitate to contact the District at 805-684-2816.

Very truly yours,
Carpinteria Valley Water District

Spencer Seale
Field Engineering Technician

cc: TCM to account
Brian King, District Engineer

Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

November 10, 2023

Justin Klentner
152 N Almont Dr.
West Hollywood, CA 90048

SUBJECT: **4745 CARPINTERIA AVE; APN 003-251-021; ACCOUNT NUMBER 08-082152-02; PROJECT NUMBER 23-2221-DP/CDP; MIXED-USE DEVELOPMENT (APARTMENTS + TOWNHOMES + COMMERCIAL SPACE); INTENT TO SERVE WITH CONDITIONS**

To Whom It May Concern,

Please be advised, this parcel is within the jurisdiction of Carpinteria Valley Water District and therefore is entitled to District water service in accordance with District Rules and Regulations. Currently the District is in a Stage 1 Drought Emergency; for more information on Ordinance 22-1, please visit the District website www.cvwd.net.

This letter is good for one year from the date of the letter.

The subject property is currently served by a 0.75" commercial water meter and does not have a backflow protection device immediately downstream of the water meter (Account #08-082152-02). Based on the grading and drainage plans dated April 14th, 2023, the District has the following conditions:

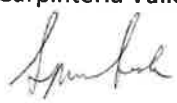
- Include the District on the City's building permit issuance and final sign off routing sheets.
- Include the District on the City's final sign off for occupancy.
- The project must have a meter for each dwelling unit and the project must be plumbed accordingly and note which meter is servicing each dwelling unit. Water demand calculations must be provided to the District in order to determine the meter sizes prior to sign off of the building permit.
- Commercial units will require commercial water meter(s) for the project.
- Unless utilized for the project, the existing 0.75" commercial water meter and service line on Carpinteria Avenue is to be abandoned and shown on water utility plan.
- The property will require a dedicated landscape meter or meters to water landscaped areas. The irrigation meter(s) will require an appropriately sized reduced pressure principle backflow assembly (RP) per Standard Detail W-115. Calculated water demand will determine landscape meter size, as to be approved by District.
- Provide landscape plan that displays water system layout prior to issuance of building permit.
- Provide a complete Civil plan set prior to issuance of building permit.
- Once meters are installed, accounts will be open and owner will be responsible for monthly fees, charges, and account deposit.

- The owner is responsible for all Capital Cost Recovery Fees and Construction Deposits as outlined in Appendix B and Appendix C of the District's Rules and Regulations. Construction Deposits required prior to signing the Building Permit. Capital Cost Recovery Fees due prior to the installation of water meters.
- The owner is responsible for all Water Supply Impact Fees for the project prior to the installation of water meters if such fees apply.
- If fire sprinklers are required, fire demand calculations must be supplied to the District prior to building permit issuance to ensure the meter size is adequate. If the water meter must be upsized to meet fire sprinkler demand, the owner is responsible for all fees and deposits associated with upsizing the water meter.
- If fire sprinklers are required, the owner is responsible for installing a reduced-pressure principle backflow assembly (RP) at the water meter per District standard detail W-115-01. Any deviations from the standard detail must be approved by the District prior to installation. Fire sprinkler demand calculations would need to consider the pressure loss across the backflow assembly. The backflow assembly must have a passing test performed by a certified backflow tester and submitted to the District prior to final sign off. Backflow device installation and testing fees are the responsibility of the owner and the backflow assembly would be added to the District's Cross-Connection Control Program and require annual testing.
- If an independent fire system is required, the owner must install a double-check detector assembly (DCDA) approved by the District and the Foundation for Cross-Connection Control and Hydraulic Research (FCCCHR). Fire demand calculations would need to consider the pressure loss across the backflow assembly. The backflow assembly must have a passing test performed by a certified backflow tester and submitted to the District prior to final sign off. Backflow device installation and testing fees are the responsibility of the owner and the backflow assembly would be added to the District's Cross-Connection Control Program and require annual testing.
- If other fire improvements are required for the project, the owner is responsible for all fees, deposits, and development costs associated with these improvements, including, but not limited to, fire hydrants, independent fire services, water meter upgrades, backflow assembly installations, plans, facility upgrades, and main extensions.

Should changes to the plans, including landscaping, irrigation, or water fixtures occur we require an additional opportunity to review revised plans.

If you have any questions, please feel free to contact me at spencer@cvwd.net or 805-684-2816x124.

Very truly yours,
Carpinteria Valley Water District



Spencer Seale
Field Engineering Technician

S:\Development\4745 Carpinteria Avenue\2023 Klentner Mixed Use\20231110_INTENT_CONDITIONS_23-2221-DP-CDP.docx

cc: TCM to account
Brian King, District Engineer

CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

4745 Carpinteria Ave Carpinteria CA 93013, April 26, 2023

Location	34.400926, -119.521728
Status	Planning Complete
Submittal Date:	April 26, 2023
Project Address/Location:	4745 Carpinteria Ave Carpinteria CA 93013
APN:	003-251-021
Project Description:	Mixed Use Project Commercial/Residential
Applicant:	Western Built Construction/Justin Klentner
Applicant Address:	152 N. Almont Dr West Hollywood CA 90048
Applicant Phone Number:	310-927-4011
Applicant Email:	justin@westernbuiltconstruction.com
Submittal Type:	Planning

Planning/Conceptual Design

Date Review Completed:	May 25, 2023
Permit Number:	23-2221 CDP/DP
Planner:	Nick Bobroff
Plan Checker:	Michael LoMonaco
Actions Taken:	Letter sent

PROJECT CONDITIONS:

Access Requirements:

All required access ways (public or private) shall be installed and made serviceable prior to vertical construction or stacking of lumber for construction, or storage of combustible materials.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. The Fire Marshal may extend this length for sprinklered structures.

Entry gates require an approved Knox entry system. It shall be installed in an accessible location.

Building address numbers shall be visible from the street. Numbers shall be a minimum 4" high 1" stroke on a contrasting background for residential structures. 8" high 2" stroke minimum on commercial structures.

Application for address changes or additional addresses shall be submitted to CSFPD Fire Prevention Bureau.

Additional Comments: 9th street is a dead end street. A fire department turnaround is required. It is recommended to use the 9th street entry driveway as part of the required turnaround. Contact the Fire Prevention Bureau for further clarification.

Water Requirements:

Fire hydrants capable of supplying the required fire flow for fire protection shall be provided for all buildings or portions of buildings which have been or are hereafter constructed within this project.

A current fire flow form shall be submitted to Carpinteria-Summerland Fire Protection District. Contact the Carpinteria Valley Water District to schedule having the test performed.

Fire hydrants shall be installed within 250 feet driving distance of all structures. The hydrant(s) shall be of the type approved by the Fire District and acceptable to the Carpinteria Valley Water District. The fire hydrant and mains supplying the same shall be installed in accordance with the current CFC and CSFPD standards. The minimum gallons per minute at 20 PSI shall be determined by the fire flow requirements in the current CFC.

Prior to vertical construction or stacking of lumber for construction the fire protection water system shall be installed flushed and approved by the Fire District to assure compliance with the standards expressed herein.

Additional Comments: Two new hydrants will be required. One on the Carpinteria Ave. side of the project on the south side of the street. The second will be installed on the 9th street side of the project. Exact location to be determined with Carpinteria Valley Water District.

Fire Protection Systems Requirements:

All new buildings and structures shall be protected by an approved automatic fire sprinkler system.

FDCs shall be located within 150' of a fire hydrant capable of providing the required fire flow.

Prior to installation plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to this office for approval.

A fire alarm or sprinkler monitoring system shall be installed or modified. Prior to installation plans for the system shall be designed by a qualified person and submitted to this office for approval.

Smoke detectors and carbon monoxide alarms must be installed in all residences in accordance with the current National Electric Code Per the provisions of the California Building and Fire Codes.

Prior to occupancy all alarm systems that are monitored shall be tested.

Prior to occupancy portable fire extinguishers shall be mounted such that the maximum travel distance from any area will meet the standard or be less than 75 feet.

Additional Requirements:

Illuminated exit signs and emergency exit lighting shall be provided in accordance with the provisions of the current California Fire Code.

Any future changes including further division, intensification of use, or increase in hazard classification may require additional conditions in order to comply with applicable fire district development standards.

Fees:

Pursuant to County ordinance Chapter 15 & Carpinteria Municipal Code Chapter 8.26 Section 8.26.030 - Imposition of fire protection mitigation fees: The applicant will be required to pay a fee for the purpose of mitigating the increased fire protection needs generated by the development. The amount of the fee is as follows:

D. Multiple Family Residential Development. A fee of $2004.76 per Dwelling Unit will be assessed on all Multiple Family Residential development.

H. Retail/Service/Office Use Development. A fee of $4.35 per square foot of floor space will be assessed on all new Retail/ Commercial/ Office Uses development.

PURSUANT to CSFPD Ordinance 2019-01 imposition of fire protection fees for service: The applicant may be required to pay fees for additional plans reviews and/ or additional field inspections. The amount of the fee is as follows: A. Two Hundred Twenty-Four ($224.00) Dollars for Additional Plan Review Fees will be assessed as additional plan reviews are completed. B. Two Hundred Ten ($210.00) Dollars per hour for Field Inspections will be assessed for additional inspections.

Checks shall be made payable to: Carpinteria-Summerland Fire Protection District (CSFPD) and delivered to Fire District Headquarters at 1140 Eugenia Place, Suite A Carpinteria, California 93013. Money orders and cashiers' checks will be accepted. Cash payment will not be accepted. Credit and debit cards can be used online. The link can be found at Carpfire.com

CARPINTERIA~SUMMERLAND
FIRE PROTECTION DISTRICT

Inspector's Signature

Signed 6/29/2023, 11:55:44 AM PDT

The above conditions apply to this project as submitted. Future changes including, but not limited, to further division, intensification of use, or increase in hazard classification, may require additional conditions in order to comply with applicable development standards in effect at the time of the change. If you have questions please do not hesitate to contact this office at (805) 684-4591

Attachment D
Planning Commission Minutes
February 5, 2024

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

MINUTES, PLANNING COMMISSION
CITY OF CARPINTERIA
CARPINTERIA, CALIFORNIA

February 5, 2024
Regular Meeting
5:30 P.M.

CALL TO ORDER and ROLL CALL The meeting was called to order at 5:30 p.m. by Chair Benefield. **Commissioners Present:** Jane L. Benefield, Chair Glenn La Fevers, Vice-Chair David Allen John Moyer Katherine Salant **Others Present:** Nick Bobroff, Community Development Director Brian Banks, Principal Planner Mack Carlson, Legal Counsel, Brownstein, Hyatt, Farber & Schreck	CALL TO ORDER & ROLL CALL
PLEDGE OF ALLEGIANCE - Chair Benefield led the flag salute.	PLEDGE
INTRODUCTIONS, PRESENTATIONS, ANNOUNCEMENTS - None	ANNOUNCEMENTS
PUBLIC COMMENT - None	PUBLIC COMMENT
CONSENT CALENDAR 1) Minutes of the regular Planning Commission meeting held November 6, 2023 MOTION Upon a motion by Commissioner La Fevers, seconded by Commissioner Moyer, the Planning Commission voted 4-0-1 (Benefield, La Fevers, Moyers and Salant in favor; Allen abstained) to approve the regular Planning Commission meeting minutes of November 6, 2023, as presented.	CONSENT CALENDAR
NEW PUBLIC HEARING 2) 4745 Carpinteria Avenue Mixed-Use Project Project #: 23-2221-DP/CDP Address: 4745 Carpinteria Avenue Applicant: Edward DeVicente, DMHA Architecture Planner: Brian Banks Hearing on the request of Edward DeVicente, DMHA Architecture, to consider Project 23-2221-DP/CDP (application filed April 14, 2023) for a Development Plan and Coastal Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently	NEW PUBLIC HEARING

occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building; and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act (CEQA) Guidelines. The application involves APN 003-251-021, addressed as 4745 Carpinteria Avenue.

DISCLOSURE OF EX-PARTE COMMUNICATIONS
Commissioner La Fevers visited the site and saw story poles, and Commissioner Allen said he did the same. Chair Benefield visited the site and spoke with John Nicoli, Carlena McKnerney and Catherine Decker. Commissioner Salant visited the site and spoke with one neighbor from the trailer park, as well as the Sun Coast Rentals manager. Commissioner Moyer visited the site.

Principal Planner Brian Banks presented the staff report. He said staff was recommending approval of the project and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act ("CEQA").

Commissioner Salant gave a presentation where she pointed out her concerns about the project. She analyzed the character of the neighborhood's eating establishments and said the project's commercial area that could accommodate a café has a patio with very limited outdoor seating. She also analyzed the space between apartment buildings, pointing out that they are too close together in some areas, resulting in bedrooms with very little privacy and corridors with no sunlight. She made suggestions for how the buildings could be re-designed to offer more space between them and allow sunlight. One of her ideas for creating more space included converting apartments from two bathrooms to one. She also suggested that a wall in front be broken up or replaced by a hedge.

Principal Planner Brian Banks proceeded to answer commissioners' questions about the project. Topics included plate heights, Flood Zone requirements impacting the potential to lower grading of the parking garage, trash enclosures in the garage, providing Wi-Fi for all residents, conditions restricting rooftop structures such as satellite dishes, details about green elements and soils testing, whether there will be an onsite manager, and whether diagonal parking can continue on Ninth Street.

Legal Counsel Mack Carlson provided information on restricting satellite dishes or over-the-air reception devices. He clarified there is ability to regulate but private properties have certain rights they retain. He explained

projects with 16 units or more require an on-site manager, and the devices are something the landlord or manager can regulate, with limits established regarding reasonable locations for them (for example, allowing devices on a balcony vs. a roof).

Commissioner Salant questioned why flat roofs were not considered and said it would be an easy way to reduce building heights. She said a good designer can make anything look good.

Mr. Banks continued with project details in response to questions on deck sizes, the feasibility of adding ADUs, and the rooftop deck.

Commissioner Allen expressed support for Commissioner Salant's ideas to explore converting two-bathroom units to one-bathroom ones, as well as using a different roof pitch.

BREAK – Chair Benefield called for a 5-minute break.

PUBLIC HEARING OPENED - Chair Benefield opened the public hearing. Eleven people came forth to speak and the following are highlights:

Project applicant Ed DeVicente, on behalf of Justin Klentner, owner, stated that they have been working to address project comments and have met with the Ninth Street neighbors. He said Michael Stroh and Katie Klein would answer questions.

Michael Stroh, architect, explained that the floor heights were a result of the project being in a Flood Zone, and the garage cannot be lowered further. Regarding the roof heights, he said they had originally proposed to use flat roofs, but Richard Johnson of the ARB suggested a pitched roof design. Stroh said he believes they have made the roofs look great, and there is not a significant part of the building that exceeds height limits. He detailed changes that had been made to the facades on Ninth Street, including the addition of porches. Regarding the paseos being narrow, he explained they do solar and shadow studies, and layouts within the units can be changed to allow the bedrooms more privacy. About the commercial footage, it was reduced to allow more parking and amenities to fit in the parking garage. With respect to fire safety on Ninth Street, he explained that they created an area (a fire truck hammerhead) where the fire truck can back in and out using the garage entrance, which results in not having to pave over a large area at the end of Ninth Street.

Katie Klein, landscape architect, provided specifics about the landscaping plan. She said they created as much green space as possible, with mature

trees being protected in the riparian area. She said they did a circulation analysis and added planters wherever there are windows to enhance privacy. They also planted trees wherever there is sky. In response to questions about the depth of the planters, she explained they vary between 3 and 5 feet deep.

Project owner Justin Klentner described himself as a local resident and builder, emphasizing that he is not here to rush in and rush out. He said they listened to the concerns of Ninth Street residents and worked with them, noting that as a result, telephone phones on the Ninth Street frontage are now proposed to be undergrounded. He added that he is happy to provide free Wi-Fi and not allow antennas. Regarding rumors that he overpaid for the lot, he said he did so it would not go to an outsider who would build and leave. He clarified that he wanted the project to contain more two-bedroom apartments, but several one-bedroom units were provided at the request of the City. He said there will be low-income units and a manager on-site. He said he doesn't know at this point if the commercial space will be a café, but if there needs to be more room for one they could re-design it.

Amrita Salm expressed that the project is not consistent with the General Plan/Coastal Plan. She pointed out what she felt were inconsistencies in the Staff Report with respect to protecting mountain views, compatibility with surrounding neighborhood structures in size and scale, and traffic and safety on Carpinteria Avenue and Ninth Street. She said you can hardly turn around on Ninth Street, and parking spaces are being eliminated. She said the units are too big and we should accommodate as many people as we can. She also expressed concern about roof heights.

Patrick O'Connor expressed that he believes unbuildable space should not be part of lot coverage. He explained the project has mixed zoning (split zoning), with the Ninth Street side PRD, not commercial. As a result, the setback on Ninth Street has adopted a commercial setback of 5 feet when it should be 15 feet. He said there is the opportunity to challenge these things as a council and staff, and we should.

Jim Campos said the project will loom over his cottages located on the west side of Ninth Street. He spoke about the concrete flood channel built after the 1969 Flood and how it impacted the west side of Ninth Street, with property owners losing their yards. He said this project impacts the same property owners. He noted they have experienced issues obtaining home insurance due to the proximity of the flood channel, and the developer might also face insurance issues.

Carol Kernahan, owner of a trailer next door, lamented that because of the

project, she will open her blinds and not see the sunrise. She asked, among other things, for details about the 50-foot Flood Control channel setback on Ninth Street. It was explained that half of the setback is under Flood Control and half is owned by the applicant.

John Gonzalez, the property owner on Carpinteria Avenue adjacent to the project, pointed out that he and his neighbors are set back 16 and 17 feet, respectively, while the project will be set back 5 feet. He expressed the difficulty he will experience when exiting his property, describing it as a safety concern. In addition to blocked visibility, the road curves at Franklin Creek which impacts the view of oncoming traffic. He thinks the project is too big, noting people will lose views from Ninth Street. He said although he feels for the developer, he does not live in the neighborhood.

John Nicoli, manager of Arbor Trailer Park, explained how its residents park on Ninth Street and the proposed parallel parking will eliminate spaces. He said Holly Ave is very crowded too, and parking issues are much worse in the evening than at noon. He said the city must be diligent in taking care of Ninth Street residents and reconfigure the street, with the project dovetailing its rehabilitation. He expressed that Ninth Street property owners have paid taxes for a long time and have been promised its rehabilitation for 25 years, but it has never happened.

O'Hara Haggerty has lived at the end of Ninth Street for 27 years in front of the bridge. She spoke about the congestion that already exists and how with more congestion, it's going to be very tough.

Commissioner Salant commented that Carpinteria Avenue does indeed curve and expressed concern about the safety of the parking garage entrance.

Mr. Gonzalez said not only will he be impacted, but so will his neighbor and the development. He described it as a mess that will be compounded.

Commissioner Salant suggested that there be entering only from Carpinteria Avenue and exiting only from Ninth Street.

PUBLIC HEARING CLOSED
Chair Benefield closed the public hearing.

Commissioner Moyer expressed support for the project. He said with state mandates easing parking regulations, this project is at its peak right now, and we don't want it to come back with less parking. He said street safety will be an issue we have to deal with, noting that we all must give up something to continue living here. He suggested cutting out the back and

forth and getting the project off the table.

Commissioner Allen noted the constraints the city has due to the state mandates. He believes it's an appropriate location for housing, with its mixed use. He said that parking issues are going to get worse and worse due to state laws. He understands how the unit numbers are generated and is okay with it. He's happy with setting back the third story elements from Carpinteria Avenue and Ninth Street. He'd also like to see setting it back on the second floor with the units on the west. He wants support for Wi-Fi and no rooftop structures on the third story, and he would like this in the Conditions of Approval. He said they cannot do anything about Ninth Street parking, but he would like to signal to the City Council to improve it.

Commissioner Salant reiterated that a good designer can make anything work. She said most of the discussion is focused on outside in and we need to address inside out due to privacy issues and bedroom windows. Density bonus is good but shouldn't compromise privacy. She expressed concern about the bend in the road on Carpinteria Avenue and said as a pedestrian you cannot even see the traffic. Regarding Ninth Street improvements, they should be spelled out and incorporated into the project so it will really happen. If the city said they will do it, then they should.

Commissioner La Fevers said he likes the project, and it is an appropriate place for mixed use that is heavily focused on housing. He likes rental housing as opposed to condominium or ownership options and feels it is needed. He appreciates the developer trying to make it a better project for the community. He agrees with most, if not all, of Commissioner Allen's comments. The two-story elements on Carpinteria Ave and Ninth Street softened the three-story project, but if there is additional opportunity to reduce the third story units, he would support that. He's somewhat inclined to push for more one-bedrooms, but it's not a necessity if the developer feels he has the best mix. He would support additional conditions regarding rooftop structures and would like staff's opinions on extending affordability covenants from 55 years to 100 years. He asked for information on the traffic report about safety on Carpinteria Avenue. He would be leery of tying this project into Ninth Street improvements and feels the primary focus should be the project.

Chair Benefield said she agrees with most of Commissioner La Fevers' comments. She feels the hammer that came down from the state works for Los Angeles but doesn't work well in a small town. She believes any housing is good housing and this project has a lot of good things, but she'd like a reduction in the two-bedroom units to create a better layout. She wants to see more detail and traffic reports. She says she is capitulating to the legal action the city cannot afford, so despite the project not adhering to

the General Plan, she is adhering to the Density Bonus Law, the Housing Accountability Act and chipping away at RHNA numbers. Regarding Ninth Street, she feels it shouldn't be tied to the project, but we need to become proactive in getting that project completed. She noted it has been in the Work Program for years. She said she would like this project to return with the details worked out.

Principal Planner Brian Banks addressed concerns about the traffic on Carpinteria Avenue. He said Public Works reviewed the traffic study and it underwent a peer review with our traffic engineer. However, he did not know if the study included the driveway issues.

Community Development Director Nick Bobroff added the study did include line of sight issues, and the consulting traffic engineer agreed with the findings of the study. He said Public Works can be involved in refinement that includes red lining curbs as the project gets developed further.

Commissioner Allen stated that he understands the issues expressed by Mr. Gonzalez, but he does not feel the project should be redesigned. He spoke about how commercial areas often have buildings close to sidewalks and are often unsafe. He acknowledged it will likely be less safe and will require more care.

City Attorney Mack Carlson brought up the ability to extend the affordability covenants. He explained State law allows a longer covenant if there is a city ordinance addressing it, but we do not have one extending it for more than the state-mandated 55-year term. He does not feel it is feasible to craft a condition when we do not know the parameters of future projects.

Regarding Ninth Street, Mr. Bobroff explained the applicant met with the residents and Public Works Department, and offered to take on a larger part of its improvements at his expense in exchange for a reduction on Development Impact Fees. However, it was decided he should focus on his portion for improvements, while the city should pursue the portions of its responsibility on its own timeline.

Mr. Klentner said he is happy to sign a covenant agreeing for the low-income units to be deed restricted for 100 years, and he wants the project to move forward so he can work out details in the next phase.

City Attorney Mack Carlson clarified that his comments related to imposing conditions unilaterally on the applicant, but the applicant can voluntarily agree to restrict the units for a longer term. He also clarified that

the maximum duration of such a covenant is limited to 99 years.

Mr. Klentner reiterated that he wants to move into the next phase. He will do what he can do to save inches, reduce height, and explore the possibility of shaving square footage from the west side units (2 or 3 feet). He has been doing all he can do for two years now, and he wants to feel safe moving forward.

Principal Planner Brian Banks commented there is a balancing act we can do. He explained Staff would be comfortable with requirements that are worked out with the ARB or Public Works for their expert opinion, but things that aren't under their purview would result back in Mr. Klentner's hands.

Commissioner Salant said she is not persuaded that the paseo is not going to be a tunnel, and she is not comfortable giving approval.

Community Development Director Nick Bobroff explained the Planning Commission can add conditions, or the applicant can agree to certain details. It can also go back to the ARB for a post-Planning Commission approval.

Mr. Klentner and Mr. Stroh explained they could move the west side units back three feet over the second story units. About the interior units, he said pending further study, they can try to further address privacy concerns.

MOTION
Commissioner Moyer moved to approve Project 23-2221-DP/CDP to allow a new three-story mixed use (commercial/residential) development totaling approximately 64,053 square feet including a 24-unit apartment complex built around and atop a ground-level concreate parking podium and two-story commercial building fronting Carpinteria Avenue; accept a categorical exemption pursuant to 15332 of the California Environmental Quality ("CEQA"); and adopt the Findings in Exhibit 1, Attachment A and Conditions of Approval as proposed in Exhibit 3, (staff's recommendation).

Commissioner Allen seconded the motion for discussion. He requested inclusion of the following conditions: 1) that Wi-Fi be provided to the tenants, 2) that structures not be placed on roofs that are over 30 feet high, 3) that a manager be on-site, 4) the affordability covenant be extended to 99 years, and 5) that the third-floor west-side units be moved three feet eastward.

City Attorney Mack Carlson requested that the city attorney's staff work with staff to draft the Conditions of Approval.

Commissioner Salant asked for a condition that the interior units provide more privacy for the bedrooms. Commissioner Moyer said that as explained by the applicant, he believes they plan to address privacy issues through changes in the layout of the units. Community Development Director Nick Bobroff suggested one option is to amend the motion to direct the applicant to solve the layout riddle of creating privacy for the bedrooms. The motion passed 4-0-1 by the following roll call vote: Commissioner Moyer voted yes, Commissioner La Fevers voted yes, Commissioner Salant abstained, Commissioner Allen voted yes, and Chair Benefield voted yes.	
OTHER BUSINESS 3) Election of Planning Commission Chair and Vice-Chair Upon a motion by Commissioner Allen, seconded by Commissioner Moyer, the Planning Commission voted 5-0 to appoint Commissioner La Fevers as Chair. Upon a motion by Commissioner La Fevers, seconded by Commissioner Moyer, the Planning Commission voted 5-0 to appoint Commissioner Allen as Vice-Chair. 4) Appointment of Planning Commissioner to City's General Plan Update Committee Commissioner Allen expressed his desire to resign from the committee, and Chair Benefield volunteered to serve. The Planning Commission voted 5-0 to appoint her. Upon a motion by Commissioner Moyer, seconded by Commissioner La Fevers, the Planning Commission voted 5-0 to appoint Commissioner Salant to the committee.	OTHER BUSINESS
MATTERS PRESENTED BY COMMISSIONERS Commissioner Allen said that he and the Open Space Advisory Board urge the City Council to prioritize funding for reinstating an additional Code Compliance officer position.	MATTERS PRESENTED
DIRECTOR'S REPORT 5) Architectural Review Board Meeting Minutes of October 26, 2023	DIRECTOR'S REPORT

and December 14, 2023 6) City Calendar for the month of February 2024 7) Planning Activity Report as of January 31, 2024 8) Building Permit Report as of January 31, 2024 Community Development Director Nick Bobroff reviewed the materials.	
ATTENDANCE OF PLANNING COMMISSIONERS FOR THE NEXT MEETING OF MONDAY, March 4, 2024 – All present indicated they could attend.	ATTENDANCE FOR NEXT MEETING
ADJOURNMENT – Chair Benefield adjourned the meeting at 8:45 p.m. _____ Secretary, Planning Commission **ATTEST:** _____ Chair, Planning Commission	ADJOURNMENT

Attachment E
City Council Minutes
February 12, 2024

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

City of Carpinteria
City Council Minutes
Regular Meeting
Monday, February 12, 2024

In-Person and Virtual

CALL TO ORDER

Mayor Clark called the meeting to order at 5:30 pm.

ROLL CALL

Councilmembers present:	Councilmember Roy Lee Councilmember Wade T. Nomura Councilmember Mónica J. Solórzano Vice Mayor Natalia Alarcon Mayor Al Clark
Staff members present:	Michael Ramirez, City Manager Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria Sydne Rennie, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria (present via Zoom) Brian C. Barrett, City Clerk Teresa Ilasin, Management Analyst II Nick Bobroff, Community Development Director John L. Ilasin, Public Works Director Stephon Downes, Management Analyst I Mindy Fogg, Principal Planner Aida Thau, Management Analyst II Josefina Arechiga, Assistant Engineer

PLEDGE OF ALLEGIANCE

Mayor Clark led those present in the salute to the flag.

COUNCILMEMBER(S) REQUEST FOR REMOTE PARTICIPATION UNDER AB 2449:

There were no Councilmember requests for remote participation under AB 2449.

AGENDA MODIFICATIONS: NONE

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Presentation of Proclamation Designating February 2024 as Black History Month. *(Proclamation previously approved at January 22, 2024 Council meeting.)*

There was no public comment.

Mayor Clark and the Council presented the proclamation to Dianne Travis-Teague with Pacifica Graduate Institute who provided remarks.

2. Resolution No. 6289, Congratulating Contract Building Inspector Roy W. Harthorn on His Retirement and Commending and Thanking Him for 26 Years of Loyal and Dedicated Service to the City of Carpinteria. *(Requires approval prior to presentation of resolution.)*

Speakers in-person: Dave Durflinger

Motion by Councilmember Nomura, seconded by Councilmember Lee, to adopt Resolution No. 6289. Upon voice vote, the motion carried unanimously.

Mayor Clark and the Council presented Resolution No. 6289 to Mr. Harthorn who provided remarks.

3. Plaque Honoring Former City Manager Dave Durflinger's Service.

City Manager Ramirez reported on the plaque unveiling ceremony held in front of the flag pole at the main entrance to City Hall earlier this afternoon to recognize former City Manager Dave Durflinger's service and he showed a photo from the event.

4. Presentation of Employee Service Awards.

Management Analyst II Ilasin recognized the following employees for their years of service to the City:

Five-Year Recognition

- Dan Chepley, Chief Building Inspector
- Tim Gray, Maintenance Worker II
- Robert Howard, Public Works Supervisor
- John Ilasin, Public Works Director
- Licette Maldonado, Administrative Services Director
- Henry Menendez, Code Compliance Officer II
- Maria Olivas, Office Assistant II

- Marysol Smith, Associate Planner

Ten-Year Recognition
- Brian Barrett
- Erin Maker

Fifteen-Year Recognition
- Nick Bobroff, Community Development Director
- Manny Gonzalez, Senior Parks and Facilities Maintenance Technician
- David Hernandez, Code Compliance Supervisor
- David Huff, Public Works Lead
- Anthony Vega, Maintenance Worker II

Thirty-Five Year Recognition
- Lorena Esparza, Administrative Assistant II

City Manager Ramirez handed out service awards to recognized employees except for Henry Menendez who was unable to attend.

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES

Mayor Clark temporarily adjourned the meeting at 6:05 pm.

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

Mayor Clark reconvened the meeting at 6:37 pm.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

Lieutenant Butch Arnoldi with the Santa Barbara County Sheriff's Department provided an update on crime in the City.

CITY MANAGER'S REPORT

a. Senior Services Programming

City Manager Ramirez reported on the Senior Barn Dance.

b. City Employee Updates

City Manager Ramirez provided an update on the following recruitments: Assistant City Manager; Parks, Recreation and Community Services Director; Recreation and Community Services Coordinator; and Aquatics Superintendent.

c. Updates on Capital Improvement Projects

None.

d. Updates on Development Applications

None.

e. Other City/Community Updates

City Manager Ramirez reported on the Junior Lifeguards Program, the Annual Work Plan Meeting #2 scheduled on February 26th, and the tree removal on the 5700 block of Via Real.

f. Planning Commission Actions – City Council may vote to appeal a decision of the Planning Commission to itself by majority vote (CMC 14.78.040(2))

Councilmember Solórzano recused herself on the Planning Commission Actions due to her residence being within 500 feet of the project voted on at the February 5, 2024 Planning Commission meeting and left the Council Chambers at 6:50 pm.

Community Development Director Bobroff reported on the Planning Commission actions from its meeting of February 5th.

Speakers in-person: Amrita Salm and Mike Wondolowski representing the Carpinteria Valley Association

Speakers via Zoom: Brad Stein

Motion by Councilmember Lee, seconded by Councilmember Nomura, for the City Council to appeal the decision of the Planning Commission at its meeting of February 5, 2024 regarding the 4745 Carpinteria Avenue Mixed Use Development Project. Upon voice vote, the motion carried unanimously with Councilmember Solórzano absent due to her recusal.

Community Development Director Bobroff announced that staff would prepare the staff report packet and return to an upcoming Council meeting.

Councilmember Solórzano returned to the dais at 7:10 pm.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Speakers in-person: Will Carleton, Ron Seigel (was not present to speak), Stephen Marcussen, Rick Olmstead, Nick Boden, Davis Mersereau, and Luci Rogers

Emails distributed: Amber Kaplan representing the Library Advisory Commission

Community Development Director Bobroff responded to Mr. Boden's comments regarding the process and timeline for his project on Linden Avenue. He also responded to Mr. Carleton's comments regarding the Rincon Multi-Use Trail Project and Mr. Marcussen's comments regarding live entertainment and live music.

City Manager Ramirez also responded to Mr. Marcussen's comments regarding live entertainment, live music, and anonymous service requests.

Mayor Clark recessed to a break at 7:41 pm and reconvened the meeting at 7:47 pm.

CONSENT CALENDAR:

There was no public comment.

Motion by Councilmember Lee, seconded by Councilmember Nomura, to approve the Consent Calendar Item Nos. 5 through 6. Upon voice vote, the motion carried unanimously.

5. Approve the minutes of the regular meeting held January 22, 2024 and the special meeting held January 29, 2024.

6. Receive and file the Expenditures for the period beginning January 15, 2024 and ending February 2 , 2024.

ADMINISTRATIVE MATTERS:

7. Accept Proposal from VIDIFLO, LLC in the Amount of $32,221.37 for Replacement of the Government Access Television (GATV) Equipment.

   Recommendation: Accept Proposal from VIDIFLO, LLC in the amount of $32,221.37 for replacement of the Government Access Television (GATV) equipment. *(This motion requires a roll call vote.)*

City Clerk Barrett presented the staff report.

There was no public comment.

Motion by Councilmember Nomura, seconded by Councilmember Solórzano, to accept the proposal from VIDIFLO, LLC in the amount of $32,221.37 for the replacement of the Government Access Television (GATV) equipment. The roll call vote on the motion was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano,

Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

8. Request Letter to Cox Communications to Provide Public, Education, and Government (PEG) Channels in Hi-Definition (HD).

   Recommendation: Approve and authorize the Mayor to sign a letter to COX Communications requesting COX provide hi-definition (HD) to public, education, and government (PEG) channels.

City Clerk Barrett presented the staff report.

There was no public comment.

Motion by Councilmember Nomura, seconded by Councilmember Solórzano, to approve and authorize the Mayor to sign and transmit a letter to COX Communications requesting COX provide hi-definition (HD) to public, education, and government (PEG) channels. Upon voice vote, the motion carried unanimously.

PUBLIC HEARING:

9. Continuation of Public Hearing for Approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29.

   Recommendation: Open the public hearing, receive public comment, keep public hearing open, and continue the public hearing for approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 to the March 11, 2024 Council meeting.

Public Works Director Ilasin introduced Management Analyst I Downes who provided the staff report.

Mayor Clark opened the public hearing at 8:01 pm and there was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to continue the public hearing for approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 to the March 11, 2024 Council meeting. Upon voice vote, the motion carried unanimously.

10. Approval and adoption of Resolution No. 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code (CMC) Chapter 7.04.

    Recommendation: Adopt Resolution No. 6290 (Attachment A), establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04.

Community Development Director Bobroff introduced Principal Planner Fogg who presented the staff report and PowerPoint presentation.

Mayor Clark opened the public hearing at 8:12 pm and being there was no public comment, closed the public hearing at 8:12 pm.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to approve and adopt Resolution No. 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04. Upon voice vote, the motion carried unanimously.

CONSIDERATION OF ANY ITEMS REMOVED FROM CONSENT CALENDAR AND/OR OTHER AGENDA ITEMS REQUESTED TO BE ADVANCED: NONE

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

11. Approval of standardized design for single-use dog parks within the City of Carpinteria (City), including at Monte Vista Park, and associated budget appropriation.

    Recommendation: Approval of a (1) standardized design for single-use dog parks within the City including for the Monte Vista Pilot Project, and (2) a budget appropriation of $12,000 from the General Fund Reserve to the Park Maintenance Fund for construction of the Monte Vista Pilot Project. *(This motion requires a roll call vote.)*

Management Analyst II Thau and Assistant Engineer Arechiga presented the staff report and PowerPoint presentation.

Speakers in-person: Lorraine McIntire and Van Fleisher both representing C-DOG, and Sandra Duncan

Emails distributed: Mike and Debi Stoker

The City Council provided the following feedback on the fence height and the two recommended locations to consider establishing additional dedicated dog parks:

Councilmember Lee:	Six foot fence; City Hall and Casitas Pass
Councilmember Solórzano:	Six foot fence; Casitas Pass (City Hall location not big enough)
Vice Mayor Alarcon:	Six foot fence; City Hall and Casitas Pass
Councilmember Nomura:	Six foot fence; City Hall and Casitas Pass
Mayor Clark:	Six foot fence; Casitas Pass (City Hall location not big enough)

Motion by Councilmember Lee, seconded by Councilmember Nomura, to approve the standardized design for future single-use dog parks, including the design for the Monte Vista Pilot Project and authorize a budget appropriation of $12,000 from the General Fund Reserve to the Park Maintenance Fund for construction of the Monte Vista Pilot Project.

Management Analyst II Thau sought clarification if Council was approving the design for the shared (small and large dog) dog park or the separated small dog and large dog spaced dog park. The Council approved both designs.

The roll call vote on the motion was as follows:

AYES:	Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES:	None
ABSENT:	None
ABSTAIN:	None

The motion carried unanimously.

12. Approve the first reading of Ordinance No. 777, an Ordinance of the City Council of the City of Carpinteria, amending Carpinteria Municipal Code Section 2.52 pertaining to abandoned and unattended personal property.

    Recommendation: (1) Approve the first reading of Ordinance No. 777, amending CMC Section 2.52, as read by title only; (2) Find that approval and adoption of Ordinance No. 777 is exempt from CEQA pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the CEQA Guidelines. *(This motion requires reading of ordinance title and a roll call vote.)*

Legal Counsel Acos and Rennie provided the staff report and PowerPoint presentation.

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to (1) approve the first reading of Ordinance No. 777, amending CMC Section 2.52, as read by title only; and (2) find that approval and adoption of Ordinance No. 777 is exempt from CEQA pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the CEQA Guidelines.

City Clerk Barrett read aloud the ordinance title into the record.

The roll call vote on the motion was as follows:

AYES:	Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES:	None
ABSENT:	None
ABSTAIN:	None

The motion carried unanimously.

LEGISLATIVE UPDATE:

City Manager Ramirez provided the usual attachment from the League of California Cities.

Councilmember Solórzano asked if the City had sent a letter regarding the State ballot initiative. City Manager Ramirez believed a letter had been sent and noted that staff would check and let the Council know.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Solórzano reported on her attendance at:

- Santa Barbara Metropolitan Transit District Board meeting on February 6th where the Board reviewed mid-year fiscals and second quarter performance reports; noted ridership is up
- Harbor Seal Advisory Committee meeting on January 24th where the Committee reviewed the Harbor Seal Rookery Report of 2023, talked about educational measures such as signs and the Carpinteria Seal Watch website, and discussed beach closure and protection measures
- Councilmember Solórzano was unable to attend BEACON meeting; however, Mayor Clark attended and he noted that discussion was centered on the recent storm results.

Vice Mayor Alarcon reported on her attendance at the Santa Barbara Joint Affordable Housing Task Force and the Santa Barbara County Elected Leaders Forum to Address Homelessness and she would report back at the next Council meeting.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers are expected to be in attendance at the February 26th regular City Council meeting.

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:13 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

Attachment F
CEQA Notice of Exemption

4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

March 26, 2024

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

From: (Public Agency): City of Carpinteria
5775 Carpinteria Ave
Carpinteria, CA 93013
(Address)

Project Title: 4745 Carpinteria Avenue Mixed Use Project

Project Applicant: Edward DeVicente, DMHA Architecture

Project Location - Specific:

4745 Carpinteria Avenue, Carpinteria, CA 93013 (APN 003-251-021)

Project Location - City: Carpinteria Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

The proposed mixed-use development would be comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building fronting Carpinteria Avenue. All existing site improvements would be removed to facilitate the proposed development. Cumulative square footage for the proposed project would total approximately 64,053 square feet.

Name of Public Agency Approving Project: City of Carpinteria

Name of Person or Agency Carrying Out Project: Justin Klentner, owner

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: §15332 (In-fill Development Projects)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project includes only the construction of an in-fill mixed use project with grading and landscaping, wherein the project is consistent with the City's GP/LCP & Zoning Code, is within city limits on a project site of no more than five acres substantially surrounded by urban uses, and the project site has no value as habitat for endangered, rare or threatened species. See attachment for additional analysis.

Lead Agency
Contact Person: Brian Banks, Principal Planner Area Code/Telephone/Extension: (805) 755-4414

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: Principal Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

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CEQA Notice of Exemption Additional Analysis Attachment
4745 Carpinteria Avenue Mixed Use Development
23-2221-DP/CDP/ARB

This project can be found to be categorically exempt from environmental review pursuant to 15332 (In-fill Development Projects) of the Guidelines for the implementation of the California Environmental Quality Act (CEQA). Class 32 Exemptions consists of projects that are categorized as "in-fill" development provided the project is: a) consistent with the City's General/Coastal Plan and Zoning Code; b) is located within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) the project site has no value as habitat for endangered, rare or threatened species; d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and; e) the site can be adequately served by all required utilities and public services.

a) The project is consistent with the City's General/Coastal Plan. The project site's General/Coastal Plan Land Use is split-designated as Visitor-Serving Commercial ("VC") and General Commercial ("GC"), with the VC-designated approximately one-third of the property located along the Carpinteria Avenue frontage and the remaining GC-designated portion of the property located on the remaining southerly two-thirds of the property. The VC General/Coastal Plan designation is intended to provide for uses that serve visitors to the City in addition to uses that serve City residents. The proposed commercial elements of the project would allow for uses such as restaurants or retail business, consistent with the VC designation. The GC General/Coastal Plan designation allows for a mixture of retail, service and office uses as would be typical of a mixed-use project. Further, the property is identified in the Community Design Element of the General Plan/Coastal Land Use Plan as being located within Community Design Subarea 2a: the Downtown Core District. This district encourages two and three-story mixed-use projects that are pedestrian-oriented and which transform the existing Carpinteria Avenue highway commercial strip to an integrated downtown street similar in character to Linden Avenue to further define a "downtown core."

   The project is consistent with the City's applicable Zoning designations and regulations. The project site is split-zoned: the majority (approximately eighty percent) of the property is zoned Commercial Planned Development ("CPD"), with the southeastern corner of the property along Ninth Street and adjacent a multi-family residential development is zoned Planned Residential Development ("PRD-13"). The CPD zone designation allows for commercial development including a variety of office, retail, service, and wholesale businesses, as well as residential development with "dwelling units integrated into the overall commercial development" (i.e., mixed-use developments). The project would place all the commercial elements and a portion of the residential elements of the project within the portion of the property zoned CPD, consistent with the types of uses permissible in this zone district. The PRD zone designation allows for a variety of residential densities, housing types and designs, including multifamily residential developments (such as apartment complexes). The proposed portion of the project site within the PRD-13-zoned

are of the lot would include ground-level parking and two levels (above) of residential apartments. Such uses would be consistent with the types of land uses permissible in this zone district as modified by Density Bonus Law[1].

b) The project site is located within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site located entirely with the city limits, is approximately 0.87-acres in size, and is substantially surrounded by urban uses including both residential and commercial development.

c) The project site has no value as habitat for endangered, rare, or threatened species. The project site is currently developed with a commercial equipment and tool rental business with the entirety of the site disturbed and devoid of any sensitive habitat. Additionally, consistent with the City's Creeks Preservation Program, the proposed project includes the required 50-foot setback from the adjacent Franklin Creek channel which, though channelized and not designated as Environmentally Sensitive Habitat Area ("ESHA") on the City's General/Coastal Plan maps, is considered habitat a area. This creek setback "buffer" area would be protected in perpetuity as part of the project and restored as riparian and/or upland habitat as incorporated into the project plans. Additionally, the project incorporates vegetated bioswales that would be used to capture, treat and retain stormwater runoff from the project site, and other Low Impact Development ("LID") measures to treat stormwater and project the adjacent creek from untreated runoff. Finally, the project incorporates tree protection measures to ensure that the offsite native sycamore trees west of the project site along the creek corridor are protected during construction of the project.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. A traffic study prepared by a qualified traffic engineer was provided by the applicant as part of the project review. The study utilized the County's Vehicle Miles Travelled (VMT) calculator and regional traffic models in addition to an analysis of certain project-specific elements including the mixed-use design, integration of affordable rental units, location in close proximity to transit stops, and the inclusion of electric vehicle charging and parking spaces for the analysis. The study was provided to the City's contract traffic engineering consultant for peer-review, and the City's consultant confirmed the study was adequate and agreed with its conclusions that the project would not result in a significant environmental impact due to traffic. Further, an acoustical and construction noise study was provided to the City by a qualified consultant, which studied project related impacts to both interior and exterior noise levels. The study concluded that with the incorporation of standard City construction noise conditions of approval (e.g., construction hour restrictions, equipment mufflers and silent alarms, specified equipment staging areas and on-site "noise disturbance coordinator"), the project would comply with the City's General/Coastal Plan Noise Element policies, would not result in noise in excess of the City's environmental thresholds, and would therefore not have a significant noise impact. Additionally, with construction materials and techniques proposed for the project, including the specified windows, doors, mechanical ventilation and sealant details, interior noise levels of the project would not result in a significant impact on project residents.

[1] *Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1347-1350.

Further, the project would not result in a significant effect on air quality because the completed project's emission would be less than the screening significance level of air quality pollutants and greenhouse gas emissions as established by the Santa Barbara Air Pollution Control District (APCD) (i.e., reactive organic compounds (ROC), nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter (PM_{10} and $PM_{2.5}$)), and short-term construction related impacts would be adequately addressed through project conditions of approval. Finally, the project complies with the City's stormwater regulations and incorporates Low Impact Development ("LID") measures to treat stormwater, and thus would not result in significant impacts to water quality.

e) The site can be adequately served by all required utilities and public services. The project was reviewed by the Carpinteria Valley Water District, Carpinteria Sanitary District and Carpinteria-Summerland Fire Protection District, with each indicating ability to serve the project. Electrical, natural gas, and telecommunication services are all available at the site.

Finally, none of the specific or general exceptions to the Class 32 exemption apply here. The project would not result in damage to a scenic resource within an official state scenic highway, is not located on a listed hazardous waste or contamination site and the project would not result in a substantial adverse change in the significance of a historical resource. Furthermore, the project will not result in a significant effect on the environment due to an unusual circumstance. Finally, cumulatively significant impacts from projects of the same type in the same place over time will not result. Accordingly, none of the exceptions set forth in CEQA apply and the categorical exemption for In-fill Development Projects is properly relied upon.