

Richards Ranch: Appeal of Incompleteness Determination and other Director Determinations

County Board of Supervisors
April 8, 2025

Brownstein



Richard's Ranch Proposed Project

Mixed Use Project

153,523 square feet commercial

750 residential units (20% deed-restricted affordable)





18-Plex



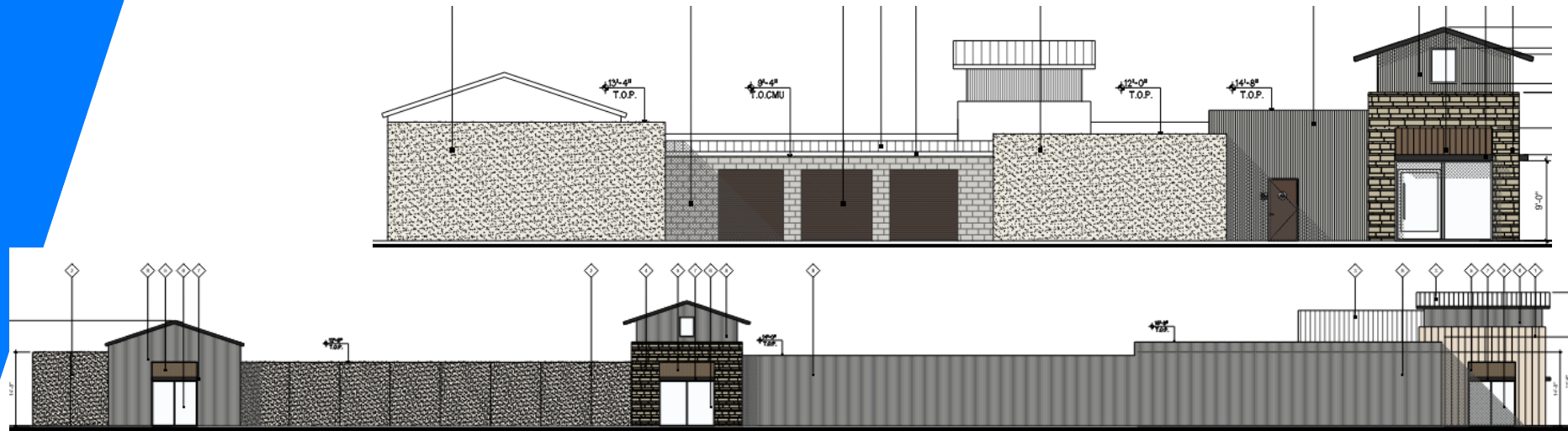
24-Plex



Resident Clubhouse

Courtyard Buildings





Self-Storage



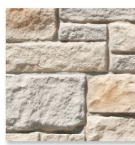
SOUTH ELEVATION
Carwash



1 BOARD AND BATTEN
Hardie Panel Smooth and
Hardie Trim Batten Smooth
by JamesHardie



2 THREE COAT PLASTER
Color to match "Grease Vibe"
- SW 7051
by Sherwin Williams



4 STONE WALL CLADDING
Natural stacked stone veneer exterior
wall cladding, Texas Rubble - Texas
Cream, by Coramato



5 WOODLIKE COMPOSITE WALL
PANELS
Architectural wall panels,
Vintagewood Cedar, by Nichia



3 STANDING SEAM ME
"Freight Series"
Cathedral Series, small
bottom 1" x 1/2" x 1/2" C.C.
Empire Series roof light
by MBCI



6 STOREFRONT GLAZI
Clear, Tempered Glass



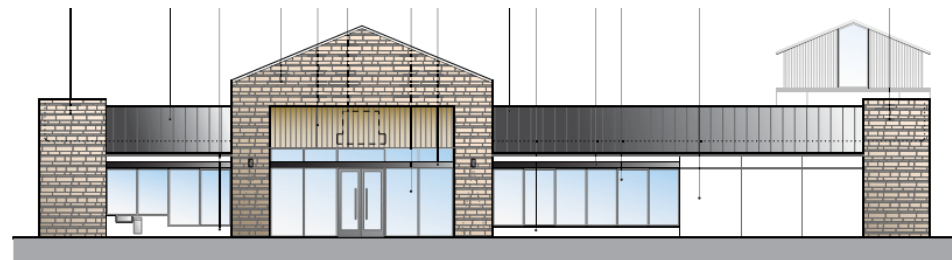
7 METAL FINISH
"Tricorn Black" - SW 6258
by Sherwin Williams



8 CORRUGATED METAL
Western Wave - 7/8" wave
panel in Bone White
by Bonderized



Pad J



C-Store

Appeal Issues

Incompleteness Determination














- 1) Application is deemed complete as a matter of law
- 2) No basis to deem application incomplete

Loss of Builder's Remedy and HAA Protections

- 3) Applicant not limited to two 90-day cycles
- 4) Not a 20 percent change in square footage

Denying our appeal = denying an affordable housing project under the HAA.

Background: This County Needs Workforce Housing

Workforce Housing Income					
Workforce Category	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate "Missing Middle" Income
Area Median Income %	< 30%	30% - 50%	51% - 80%	81% - 120%	121% - 200%
Household Income (<= 4 people) ¹	< \$48,800	< \$81,300	< \$130,350	< \$142,900	< \$238,200
Occupation Examples ²	 Agriculture workers			 Architects	
	 Retail workers			 Engineers	
	 Hospitality workers			 Public Safety Workers	
	 Teachers			 School Principals	
	 Nurses			 Doctors	
	 Firefighters				
	 Public Administration				
	 Law Enforcement				

¹<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2024.pdf>

Background: This County Is Behind In Production

Table 7 North County 2023 to 2031 RHNA Projection Period Residential Units by Income Category (Issued Building Permits)					
Year	Very Low	Low	Moderate	Above Moderate	Total
2023	0	68	9	80	157
2024	0	85	10	15	110
RHNA	564	243	229	486	1,522
Remaining	564	90	210	391	1,255

Table 7 lists the number of building permits that the County issued for new residential units in the North County. The final row in each of the tables also lists the County's 2023- 2031 RHNA for each sub-region.

In the North County of Santa Barbara, these building permits consisted of 3 manufactured homes, 1 agricultural employee dwelling, 94 ADUs, and 12 one-family dwellings.

Of the 110 units in the North County – [**none are deed-restricted**]

- 85 units, or approximately 77%, qualified as affordable to **low-income** households;
- 10 units, or approximately 9%, qualified as affordable to **moderate-income** households; and
- 15 units, or approximately 14%, qualified as affordable to **above moderate**-income households.

Background: Richards Ranch is a Builder's Remedy Project Protected under the HAA

The Legislature has mandated that:

“The Housing Accountability Act **must be interpreted** to ‘afford the **fullest possible weight** to the interest of, and the **approval and provision of, housing.**’ (*Save Lafayette v. City of Lafayette* (2022) 85 Cal.App.5th 842, 855.)”

Jha v. City of Los Angeles, L.A.S.C. Case No. 23STCP03499 (Jul. 24, 2024)

Appeal Issue 4: Project has not lost its SB 330 vesting due to square footage

Director Determination cites to a clerical error.
In fact, the Project remains unchanged.

Plus, AB 1893 revised 20% rule (Gov. Code § 65589.5(f)(7)(B))
Director Determination's "gotcha" approach — violates the HAA

September 2023



January 2025



Appeal Issue 3 – County cannot take SB 330 vesting for failure to be determined complete in two 90-day cycles – violates HCD Guidance

HCD to Los Gatos February 2025

RE: Town of Los Gatos – 980 University Avenue Project – Notice of Potential Violation

On August 30, 2024, the California Department of Housing and Community Development (HCD) issued a Letter of Technical Assistance (letter) (enclosed) to the Town of Los Gatos (Town) regarding compliance with the Permit Streamlining Act (PSA) (Gov. Code, §§ 65941.1, 65943) and the State Density Bonus Law (SDBL) (Gov. Code, § 65915). In the August 30, 2024 letter, HCD advised the Town that, under the PSA, the 90-day period for a developer to resubmit an application after an incompleteness determination resets with each incompleteness determination. However, on October 23, 2024, the Town informed an applicant for a development at 980 University Avenue (Project) that it interprets the PSA to provide a single 90-day period to achieve completeness and will treat applications not meeting this deadline as expired. As a result, and consistent with HCD's August 30, 2024 letter, HCD hereby notifies the Town that its failure to not reset the 90-day period after each incompleteness determination would be in potential violation of state housing law.

Appeal Issue 3 – HCD Guidance

HCD to Beverly Hills, August 2024

Vesting under Government Code Section 65941.1

HCD would also like to inform the City of other obligations under Government Code section 65941.1 that were discussed at the June 27, 2024 hearing:

1. If the City determines that the application for the development project is not complete pursuant to Government Code section 65943, the development proponent is required to submit the specific information needed to complete the application within 90 days of receiving the agency's written identification of the necessary information.⁸ HCD reminds the City, however, that the 90-day deadline resets after each incompleteness determination. A project with multiple incompleteness letters and responses may have multiple 90-day periods.

Appeal Issue 3 – Jha v. City of Los Angeles, L.A.S.C. Case No. 23STCP03499 (Jul. 24, 2024)

“The court agrees with Jha that **multiple iterations of the 90-day submission/30-day review are permissible under section 65941.1(d)(2).** ...

The City’s interpretation makes it **more difficult for applicants to maintain vesting rights and directly conflicts with the Legislature’s clear mandate to interpret its provisions in favor of housing development.**”

Appeal Issues 1 & 2: Permit Streamlining Act

Gov. Code, § 65921: “The Legislature finds and declares that there is a statewide need to ensure **clear understanding of the specific requirements which must be met in connection with the approval of development projects and to expedite decisions on such projects.**”

Gov. Code § 65943 Summary:

- 1) If public agency fails to provide a written response to the applicant within “30 calendar days” after receipt of application or resubmittal, application “shall be deemed complete”
- 2) Limits agency to application checklist for incompleteness
- 3) Prohibits agency from adding incomplete items after first letter
- 4) Consistency items ≠ Completeness
- 5) CEQA items ≠ Completeness

Appeal Issue 2 – application should have been found complete

Permit Streamlining Act:

Limits agency to items on the agency's application checklist for incompleteness. Cannot use consistency items.

- **“If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist.”**

Prohibits agency from adding incomplete items after first letter.

- **In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete.**

Appeal Issue 2

- Government Code section 65944(b) clarifies that an application submittal “**shall not be construed as requiring** an applicant to submit with an initial application the **entirety of the information** which a public agency may require in order to take final action on the application.”
- Government Code section 65944(c) discusses processing after an application is deemed complete, indicating that the **public agency continues to have the ability to “request and obtain information which may be needed in order to comply with the provisions of [the California Environmental Quality Act (CEQA)].”**

Notwithstanding, the January Submittal was responsive – Floor Plans

1. **Floor Plans.** The previous Incompleteness Letters dated June 28, 2024, and October 23, 2024, requested floor plans for the proposed convenience store, car washes (2), and drive through restaurant as indicated on the Plan Set Checklist. The applicant's January 21, 2025, resubmittal did not provide floor plans that correspond to the convenience store, carwashes (2), and drive through restaurant that are proposed under the scope of the current County application.

The current application includes a proposed 4,512 sq. ft. (48 ft. x 94 ft.) convenience store with an attached 848 sq. ft. (16 ft. x 53 ft.) carwash. The floor plan depicted on Sheet A7 is for a 3,854 sq. ft. convenience store (47 ft. x 82 ft.) with no attached carwash shown. No floor plan for the proposed 848 sq. ft. attached carwash has been provided. Additionally, the current application includes a proposed 3,596 sq. ft. freestanding carwash. The floor plan depicted on Sheet A8 is for an approximately 3,800 sq. ft. freestanding carwash, the footprint and orientation of which does not correspond with the proposed 3,596 sq. ft. freestanding carwash. Lastly, the current application includes a proposed 3,419 sq. ft. (34 ft.-10 in. x 98 ft.) drive through restaurant. The floor plan depicted on sheet A9 is for an approximately 4,045 sq. ft. (42 ft.-7 in. x 95 ft.) drive through restaurant.

Changes to the exact footprint and size are regularly made after completeness determination and prior to hearing.

Here, the difference in square footages across the cited structures is 1,488 SF which amounts to **less than 0.4% of the project total.**

Corrections are allowed at completeness, after completeness, and project revisions through processing are the standard, not the exception.

Floor Plans – “C” Store

C-Store plus attached carwash and gas station (Northwest Parcel)	Convenience store plus attached carwash and gas station	4,500 SF store + 848 SF carwash	18'0" to 29'0" max
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C-STORE PLAN • 5,187 SF



C-STORE PLAN • 5,187 SF Total

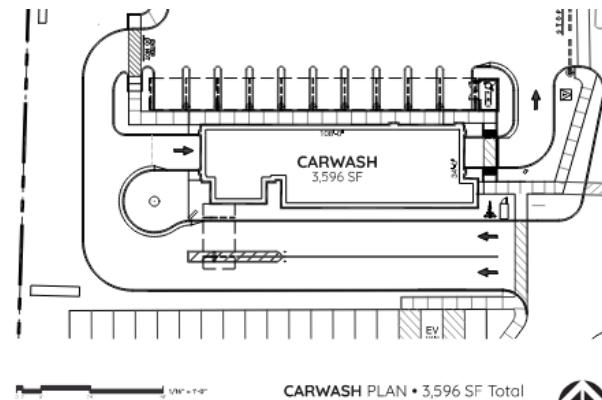
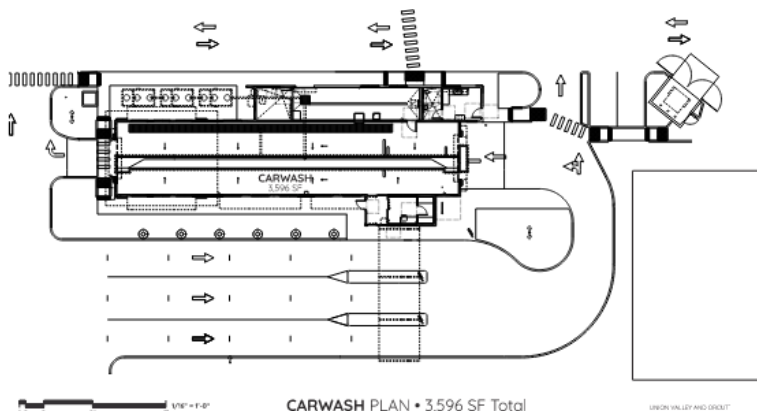
Floor Plans - Carwash

County does not have any development standards related to the insides of a carwash.

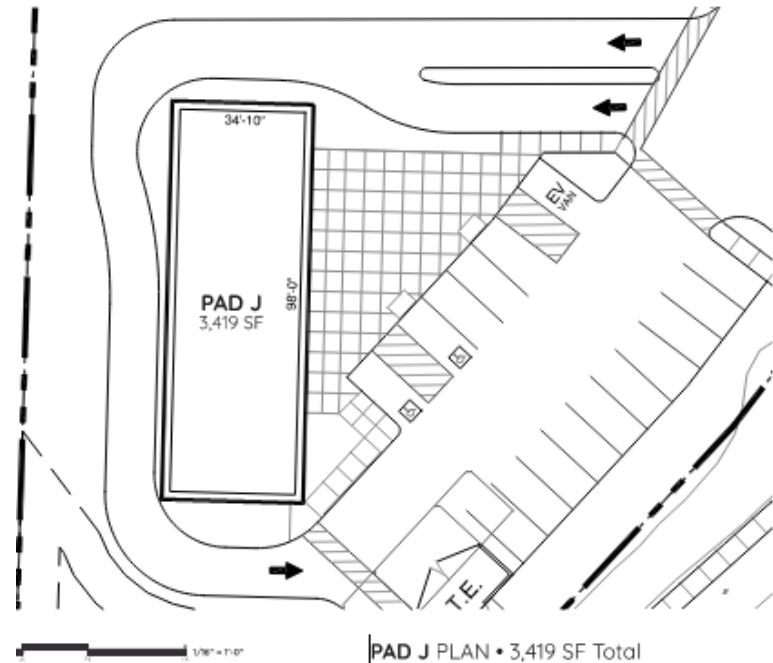
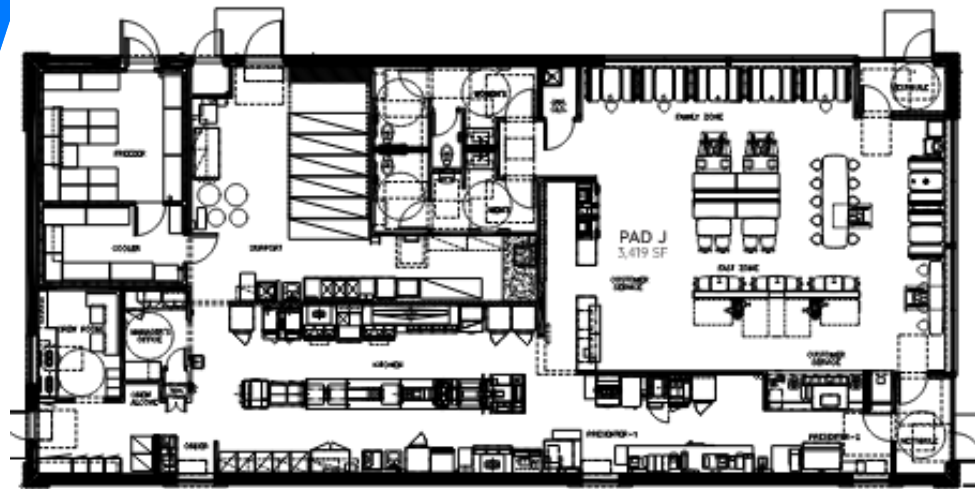
Northwest Parcel – Attached Carwash



Southwest Parcel – Detached Carwash



Floor Plans – “Pad J” Drive-Thru Restaurant



Minor adjustments to building size would not appreciably change project processing. The Project could easily be conditioned to ensure parking requirements are met. Site is adequate in size to absorb such changes.

Corrections

*Public Works did not
have a checklist*

Public Works Letter of June 28, 2024

The County's completeness review is limited to items on a public checklist – **Public Works had no applicable checklist (as of 12/23)**

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3000 FAX 805/568-3222



Memorandum

June 28, 2024

TO: Alia Vosburg, Project Planner


FROM: William Robertson, AICP, PTP
Transportation Planning Supervisor
Transportation Division
Traffic Section

SUBJECT: Richard's Ranch

Attached you will find Public Works, Transportation's draft comments and conditions for the above-mentioned project. All comments are draft in nature and may change based on further staff review, outside agency comments and/or a change to the project plans/description.

If you have any questions, please contact me at 805-803-8785.

Sincerely,


William T. Robertson

06/28/2024
Date

cc:

Gary Smart, T.E., Traffic Section Manager, County of Santa Barbara, Public Works Department
C:\Box\Traffic\Transportation Planning\Development Review\Digital File Cabinet\107-250-019\24DVP-00018
C:\Box\Traffic\Transportation Planning\Development Review\Digital File Cabinet\107-250-019\24TRM-00003

Public Works Transportation

Comment and Conditions

1. Richards Ranch

24TRM-00003, 24DVP-00018

107-250-019, 107-250-220, 107-250-021, 107-250-022

- a) Prior to completeness, full width of County Right of Way shall be shown on the plans with all encroachments (poles, signs, fire hydrants, driveways, etc.)
- b) Prior to completeness, a full drainage study shall be done for all roadways that demonstrate post development flows are less than or equal to pre-development flows. The study shall show how much roadway is open for travel in each flow event.
- c) Prior to completeness, a traffic study shall be provided, to County Traffic Study Guidelines. The study shall include a VMT analysis, to CAPCOA guidelines, that clearly documents all reduction strategies with formulas. Other items to include shall be: queueing analysis for all driveways and drive-thru's, sight distance analysis for all driveways, all County stop and signal warrant nomographs plotted with values, collision analysis for all roadways and mixed-use reduction worksheets to NCHRP 684 guidelines.
- d) Prior to completeness, full roadway PIP's shall be provided that clearly show full right of way width, all encroachments, curbs, gutter, sidewalk, parkway, islands, signing, striping and centerline radii with all items dimensioned.

~~e) Prior to completeness, all driveway profiles shall be provided in conformance with the Santa Barbara County Engineering Design Standards, Plate 4-060~~

- f) Prior to hearing, the driveways, per parcel, shall be a minimum of 25 feet in width and no greater than 40 feet in combined width in conformance with the Santa Barbara County Engineering Design Standards, Plate 4-040
- g) Prior to hearing, the driveway spacing shall be designed in conformance with the Santa Barbara County Engineering Design Standards, Plate 4-050, case #2.
- h) Prior to hearing, all sidewalk shall be designed in conformance with the Santa Barbara County Engineering Design Standards, Plate 5-040.
- i) Prior to hearing, all drive aisles shall meet a minimum width of 24 feet and be in conformance with the LUDC for parking dimensions.
- j) Prior to zoning clearance, sight distance shall meet AASHTO requirements at all driveways for the appropriately posted roadway speed and shall be plotted on the site landscape plan.
- k) Prior to hearing, all site water being discharged to the Right of Way shall be bioswale treated in accordance with the Santa Barbara County Engineering Design Standards.
- l) Prior to occupancy clearance, traffic mitigation fees will be required based on the most current adopted fee schedule.
- m) Prior to zoning clearance, the applicant shall receive an approved encroachment permit for all work within the County Right of Way.
- n) Prior to hearing, the applicant shall show an on-site turnaround's for an SU-30, single unit truck, vehicle. Backing maneuver
- o) Prior to hearing, all road Resolution.

Public Works Letter of Feb 20, 2025

1. Richards Ranch

24TRM-00003, 24DVP-00018

107-250-019, 107-250-220, 107-250-021, 107-250-022

- a) **Prior to completeness**, full width of County Right of Way shall be shown on the plans with all encroachments (poles, signs, fire hydrants, driveways, etc.) **Missing full width Caltrans ROW. No dimensioned roadway plans are provided for both State and County roadways. There is not sufficient information to review the project against adopted standards.**
- b) **Prior to completeness**, a full drainage study shall be done for all roadways that demonstrate post development flows are less than or equal to pre-development flows. The study shall show how much roadway is open for travel in each flow event. **No information is provided for the public ROW as requested. Please provide calculations for the Public Roads and show how much travel lane is open for use under each identified flow event.**
- c) **Prior to completeness**, a traffic study shall be provided, to County Traffic Study Guidelines. The study shall include a VMT analysis, to CAPCOA guidelines, that clearly documents all reduction strategies with formulas. Other items to include shall be: queueing analysis for all driveways and drive-thru's, sight distance analysis for all driveways, all County stop and signal warrant nomographs plotted with values, collision analysis for all roadways and mixed-use reduction worksheets to NCHRP 684 guidelines. **As stated in many previous comments, the department does not agree with the determination that this project is mixed use as per the definition of NCHRP 684. Once a vehicle uses a public road, per NCHRP 684, the project ceases to be a mixed-use project. Each quadrant of this development would qualify as a separate mixed-use zone but for roadway purposes and reductions, the project does not qualify. With that said, the applicant has provided a robust analysis that does not prevent them from being deemed incomplete on this item but it is inconsistent with County Traffic Study Guidelines. There are still numerous items identified above that have not been provide thus this is not a study the department will support at the current time.**
- d) **Prior to completeness**, full roadway PIP's shall be provided that clearly show full right of way width, all encroachments, curbs, gutter, sidewalk, parkway, islands, signing, striping and centerline radii with all items dimensioned. **No dimensioned roadway plans were provided in the project folder. At a minimum a sheet shall be provided with all of the above information if full PIP's are provided at a later time. There is not sufficient information to review the project against adopted standards.**
- e) **Prior to completeness**, all driveway profiles shall be provided in conformance with the Santa Barbara County Engineering Design Standards, Plate 4-060. **Individual driveway profiles are not provided as requested but a standard detail has been. There is not sufficient information to review the project against adopted standards.**

All red text is new text.

a) Full width of right of way is shown on project plans. First time mentioning Caltrans ROW. All prior letters refer to County ROW.

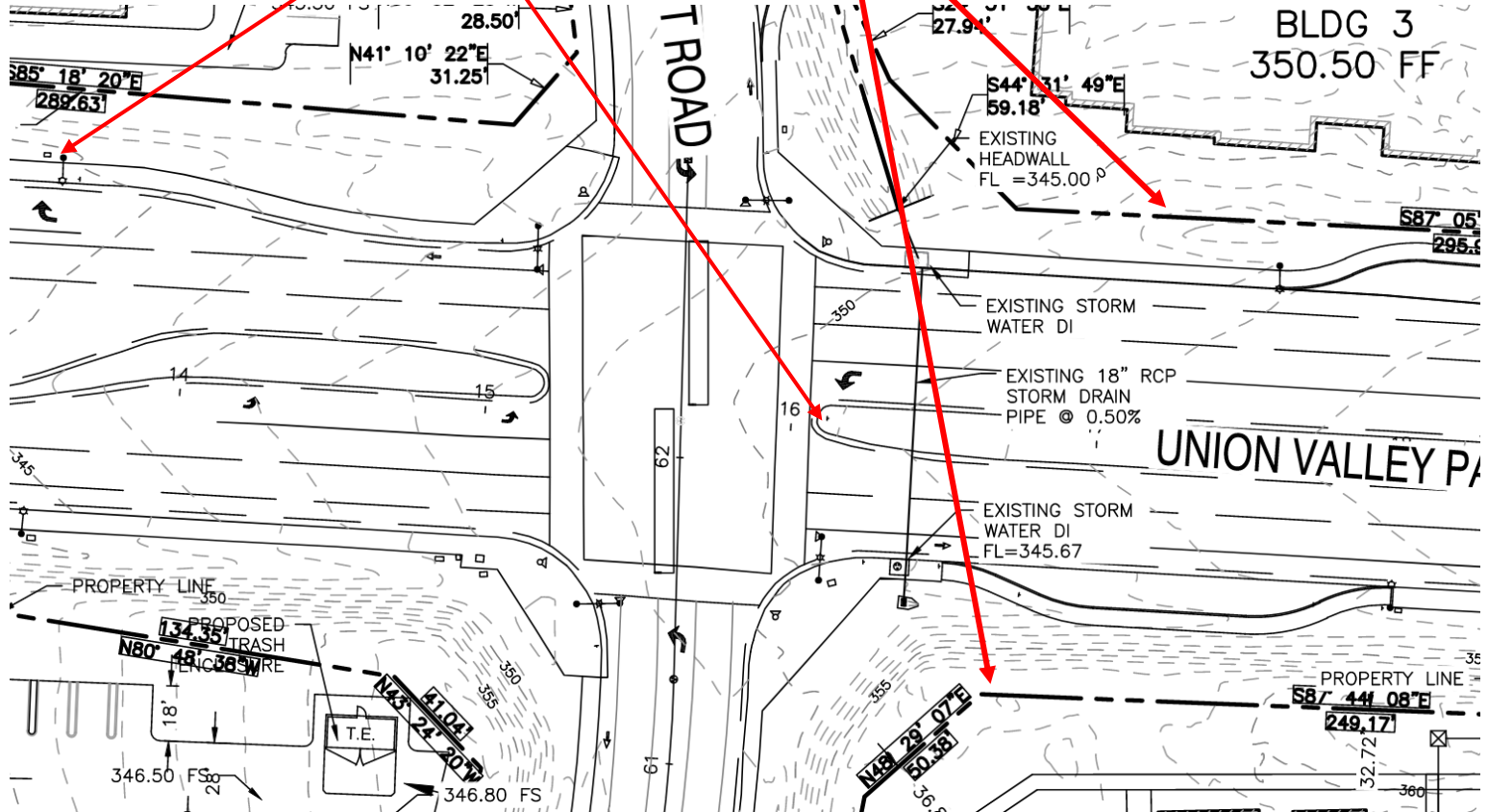
b) Drainage study was provided for project roadways.

c) Numerous traffic studies have been prepared, and an update memo was provided. Despite the comment, it is the first time we're seeing the interpretation that the project is not mixed use.

d) Falsely states no dimensioned roadway plans were provided. PIPs for UVP and Orcutt were provided.

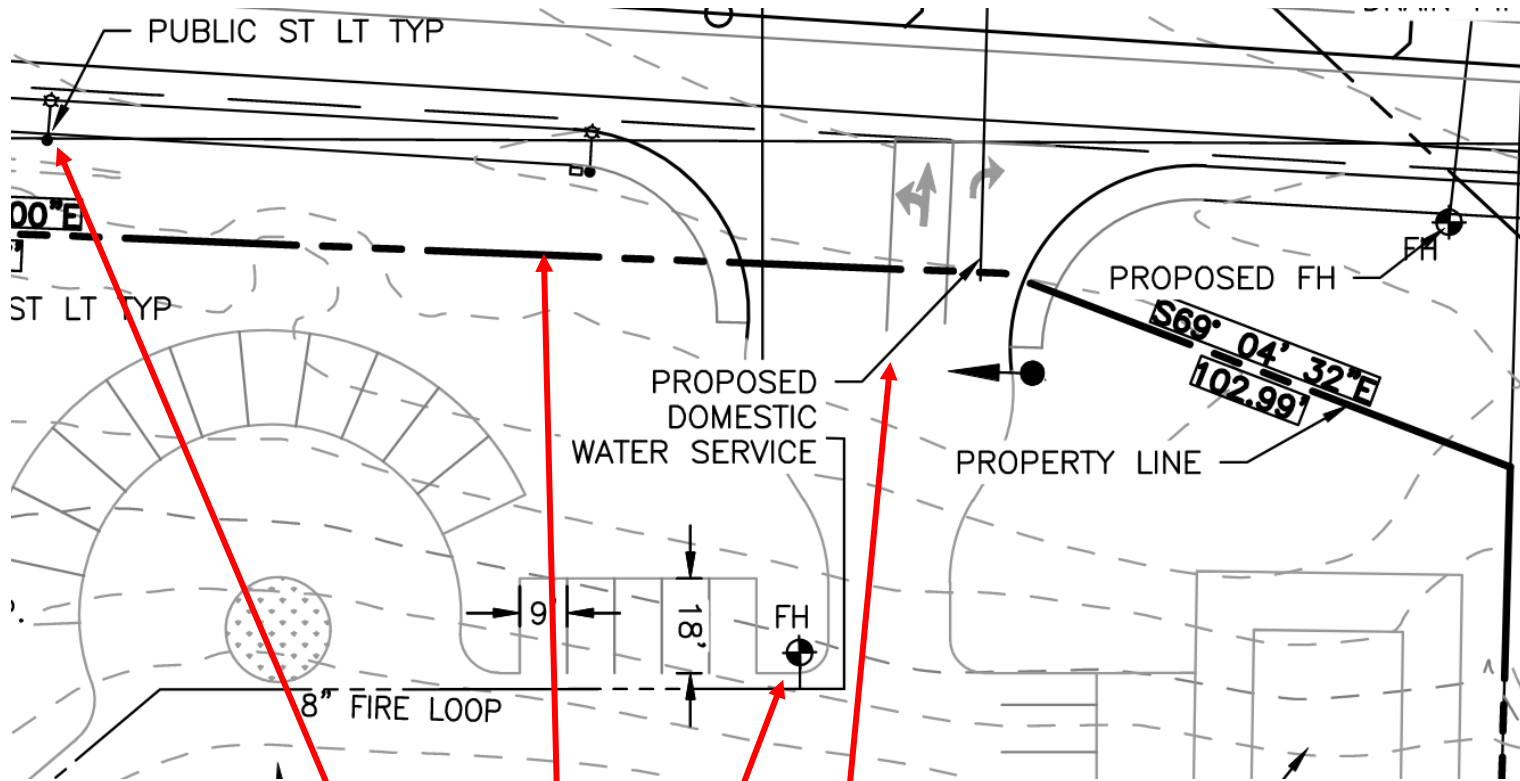
e) Requires driveway profiles to be consistent with County standard. County's standard is provided on plans with statement of intent.

- a) **Prior to completeness**, full width of County Right of Way shall be shown on the plans with all encroachments (poles, signs, fire hydrants, driveways, etc.)



Responsive

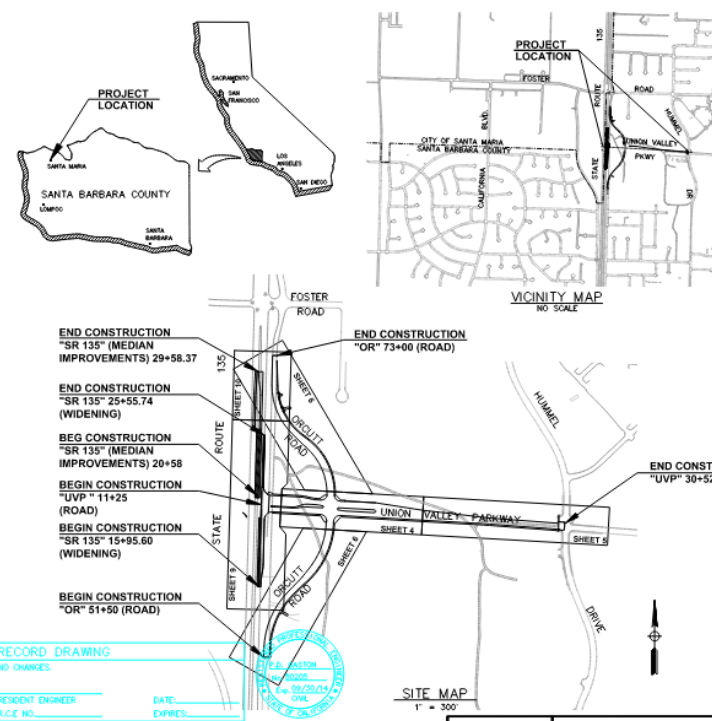
Public Works Letter of Feb 20, 2025 - Item a) Right of Way



- a) Prior to completeness, full width of County Right of Way shall be shown on the plans with all encroachments (poles, signs, fire hydrants, driveways, etc.)

Responsive

Public Works Letter of June 28, 2024 – item a)

CITY OF SANTA MARIA DEPARTMENT OF PUBLIC WORKS UNION VALLEY PARKWAY EXTENSION STATE ROUTE 135 TO HUMMEL DRIVE BID NO. 2012/02		RECORD DRAWINGS		SHEET INDEX																																																																																																																																																													
		SHEET INDEX <table border="1"><thead><tr><th>SHEET NUMBER</th><th>DESCRIPTION</th><th>SHEET NUMBER</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td>1</td><td>TITLE SHEET</td><td>24-25</td><td>UTILITY PLAN</td></tr><tr><td>2-3</td><td>TYPICAL CROSS SECTIONS</td><td>26</td><td>STATE CONSTRUCTION - "SR 135" - PHASE 1</td></tr><tr><td>4-5</td><td>PLAN AND PROFILE - "SR 135"</td><td>27</td><td>STATE CONSTRUCTION - "SR 135" - PHASE 2</td></tr><tr><td>6</td><td>PLAN - "OR"</td><td>28</td><td>STATE CONSTRUCTION - "SR 135" - PHASE 3</td></tr><tr><td>7-8</td><td>PROFILE - "OR"</td><td>29</td><td>DETAIL PLAN - CIRCULITY ROAD</td></tr><tr><td>9</td><td>PLAN - "SR 135"</td><td>30-33</td><td>PAVEMENT ELEVATION AND FINISHES - BASE BD</td></tr><tr><td>10</td><td>PROFILE - "SR 135"</td><td>34-36</td><td>PAVEMENT ELEVATION AND FINISHES - ASPHALT BD</td></tr><tr><td>11-12</td><td>CONSTRUCTION DETAILS</td><td>37-38</td><td>PAVEMENT ELEVATION AND FINISHES - BASE BD</td></tr><tr><td>13</td><td>CONTOUR GRADING PLAN - "SR 135"</td><td>39-40</td><td>PAVEMENT ELEVATION AND FINISHES - ASPHALT BD</td></tr></tbody></table>		SHEET NUMBER	DESCRIPTION	SHEET NUMBER	DESCRIPTION	1	TITLE SHEET	24-25	UTILITY PLAN	2-3	TYPICAL CROSS SECTIONS	26	STATE CONSTRUCTION - "SR 135" - PHASE 1	4-5	PLAN AND PROFILE - "SR 135"	27	STATE CONSTRUCTION - "SR 135" - PHASE 2	6	PLAN - "OR"	28	STATE CONSTRUCTION - "SR 135" - PHASE 3	7-8	PROFILE - "OR"	29	DETAIL PLAN - CIRCULITY ROAD	9	PLAN - "SR 135"	30-33	PAVEMENT ELEVATION AND FINISHES - BASE BD	10	PROFILE - "SR 135"	34-36	PAVEMENT ELEVATION AND FINISHES - ASPHALT BD	11-12	CONSTRUCTION DETAILS	37-38	PAVEMENT ELEVATION AND FINISHES - BASE BD	13	CONTOUR GRADING PLAN - "SR 135"	39-40	PAVEMENT ELEVATION AND FINISHES - ASPHALT BD	CONSTRUCTION NOTES <p>All construction, except where noted, shall be done in accordance with the Santa Barbara County Standard Drawings and May 2006 Standard Specifications and California Department of Transportation (Caltrans) Standard Plans as listed below:</p> <table border="1"><thead><tr><th>SECTION</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td>2-020 & 2-025 (SB COUNTY)</td><td>TYPE A DROP INLET</td></tr><tr><td>2-030 & 2-035 (SB COUNTY)</td><td>TYPE B DROP INLET</td></tr><tr><td>2-040 & 2-045 (SB COUNTY)</td><td>TYPE C DROP INLET</td></tr><tr><td>3-010 (SB COUNTY)</td><td>RADIUS CURB DRAINAGE TYPE 1</td></tr><tr><td>3-100 (SB COUNTY)</td><td>CURB, RUTTER AND CROSS SLOPE</td></tr><tr><td>3-110 (SB COUNTY)</td><td>PAVEMENT CONSTRUCTION</td></tr><tr><td>3-120 (SB COUNTY)</td><td>PAVEMENT CONSTRUCTION</td></tr><tr><td>4-010 & 4-020 (CALTRANS)</td><td>PAVEMENT MARKINGS</td></tr><tr><td>4-030 & 4-040 (CALTRANS)</td><td>PAVEMENT MARKINGS</td></tr><tr><td>4-050 & 4-060 (CALTRANS)</td><td>PAVEMENT MARKINGS</td></tr><tr><td>4-070 & 4-080 (CALTRANS)</td><td>PAVEMENT MARKINGS</td></tr><tr><td>4-090 & 4-100 (CALTRANS)</td><td>PAVEMENT MARKINGS</td></tr><tr><td>4-110 & 4-120 (CALTRANS)</td><td>PAVEMENT 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GENERAL NOTES <ol style="list-style-type: none">All work shall be done in accordance with the latest edition standard specifications and plans of the County of Santa Barbara and the May 2006 standard plans and specifications of the State of California Department of Transportation, where not covered by the former, and shall be completed to the satisfaction of the City Engineer.All plans must be signed by the City Engineer within the past year, and all work must be performed to the satisfaction of the City Engineer and California Department of Transportation.All work in the State right of way is subject to the terms and conditions of Caltrans Encroachment Permit 0510-NRP-0690 and any associated permit riders.The contractor shall contact Underpass Service Alert (U.S.A.) at least two working days prior to beginning of construction at 1-800-422-4133 per Government Code 4216 & 4217. Caltrans facilities are not covered by U.S.A. call Caltrans inspector to coordinate layout of Caltrans electrical systems.The contractor shall practice safety at all times and shall furnish, erect and maintain such fences, barricades, lights and signs necessary to give adequate protection to the public at all times. Temporary traffic control shall be approved by the City Engineer and California Department of Transportation.Contractor to locate, protect and repair at his expense, any utilities damaged by his forces.All traffic control devices shall be installed and conform to the latest edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD).Contractor shall provide a traffic control plan to public works and two weeks prior to commencement of work and prior to issuance of encroachment permit.Water for this project shall be metered at the nearest feasible fire hydrant to construction and charged to the contractor.Disposal fees will be charged to the contractor at the City landfill site for any deposit of debris generated by this project.Contractor shall obtain an encroachment permit from Caltrans and Santa Barbara County Public Works Department prior to performing any work within public right of way or easement.All streets, alleys, vehicular ways, sidewalks, and bus routes shall be kept clean and clear of debris, dirt and dust in a manner acceptable to the city and county, at a minimum these areas shall be cleaned at the end of each work day. Failure to do so will result in a "STOP WORK" notice. Stop notice will not be released until the area has been adequately cleaned.Contractor to obtain a permit from Department of Industrial Relations, Division of Occupational Safety & Health. Call OSHA at 1-818-901-5403 for further information. (Health & Safety Code 17922.5).All compaction test results within right-of-way and easements shall be submitted directly to the City Public Works Department Engineering Division by approved testing company at time of first availability of results.Contractor is responsible for preservation and/or perpetuation of all existing monuments which control subdivisions, tracts, boundaries, streets, highways, or other rights-of-way, easements or provide survey control which will be disturbed or removed due to contractor's work. Contractor shall provide a minimum of 10 working days notice to project engineer/surveyor prior to disturbance or removal of existing monuments. Project engineer/surveyor shall coordinate with contractor to reset monuments or provide permanent witness monuments and file the required documentation with the County Surveyor pursuant Business and Professions Code 5771.All state right-of-way monuments or control points shall be protected during construction and replaced by the contractor if damaged by contractor's operations, at the contractor's own cost. Monument re-establishment shall be coordinated with Nick Talarian at (805) 540-3220.Project abbreviations shall be per Caltrans Standard Plans A10A and A10B (Acronyms and Abbreviations).All underground utilities shall be installed prior to construction of street improvements.These plans shall include all re-build revisions prior to the acceptance of improvement by City and by California Department of Transportation.Contractor to refer to Soil Engineering Report by Earth Systems Pacific dated March 28, 2011, document number SL-16016-SB.		CITY OF SANTA MARIA DEPARTMENT OF PUBLIC WORKS <p>SCALE: AS NOTED DATE: 12/07/12 DRAWN BY: M. HERRERA CHECKED BY: S. CLEMENTE UNION VALLEY PARKWAY EXTENSION FROM SR 135 TO HUMMEL DRIVE TITLE SHEET</p> <p>REVISIONS: 01 of 50 FILE NUMBER: I-1950.01</p>																																																																																																																																																															

Public Works Letter of June 28, 2024 – item a) Plans of ROW

BOARD OF SUPERVISORS

Agenda

October 27, 2009

2) PUBLIC WORKS

09-00880

HEARING - Consider recommendations regarding the Union Valley Parkway Extension/Interchange Project, County Project Nos. 863011 and 864010, Fourth District, as follows: (EST. TIME: 45 MIN.)

a) Consider the environmental effects set forth in the Environmental Impact Report/Environmental Assessment (05-463800) in this matter pursuant to CEQA Guideline 15096(f);

b) Approve the portion of the project within County jurisdiction and pursuant to CEQA Guideline 15096(g)(1), determine that the EIR adequately mitigates or avoids the direct or indirect environmental effects of the portion of the project undertaken by the County, including County actions necessary for roadway construction and acquisition of right of way within the County's jurisdiction, and for the execution of an easement deed;

c) Determine that the subset of the environmental mitigation monitoring program is adequate and adopt this portion of the program that is subject to County action to construct roadway within County jurisdiction pursuant to CEQA Guideline 15096(g)(2);

d) Adopt the findings, consistent with the above determinations, pursuant to CEQA Guidelines 15091, 15093 and 15096(h);

e) Direct issuance of a Notice of Determination that the EIR prepared by the City of Santa Maria has been considered by your Board pursuant to CEQA Guideline 15096(i);

f) Authorize the County Public Works Department to proceed with negotiations for the acquisition of easement interests and temporary rights of entry with adjacent property

Union Valley Parkway
was decided in 2009.

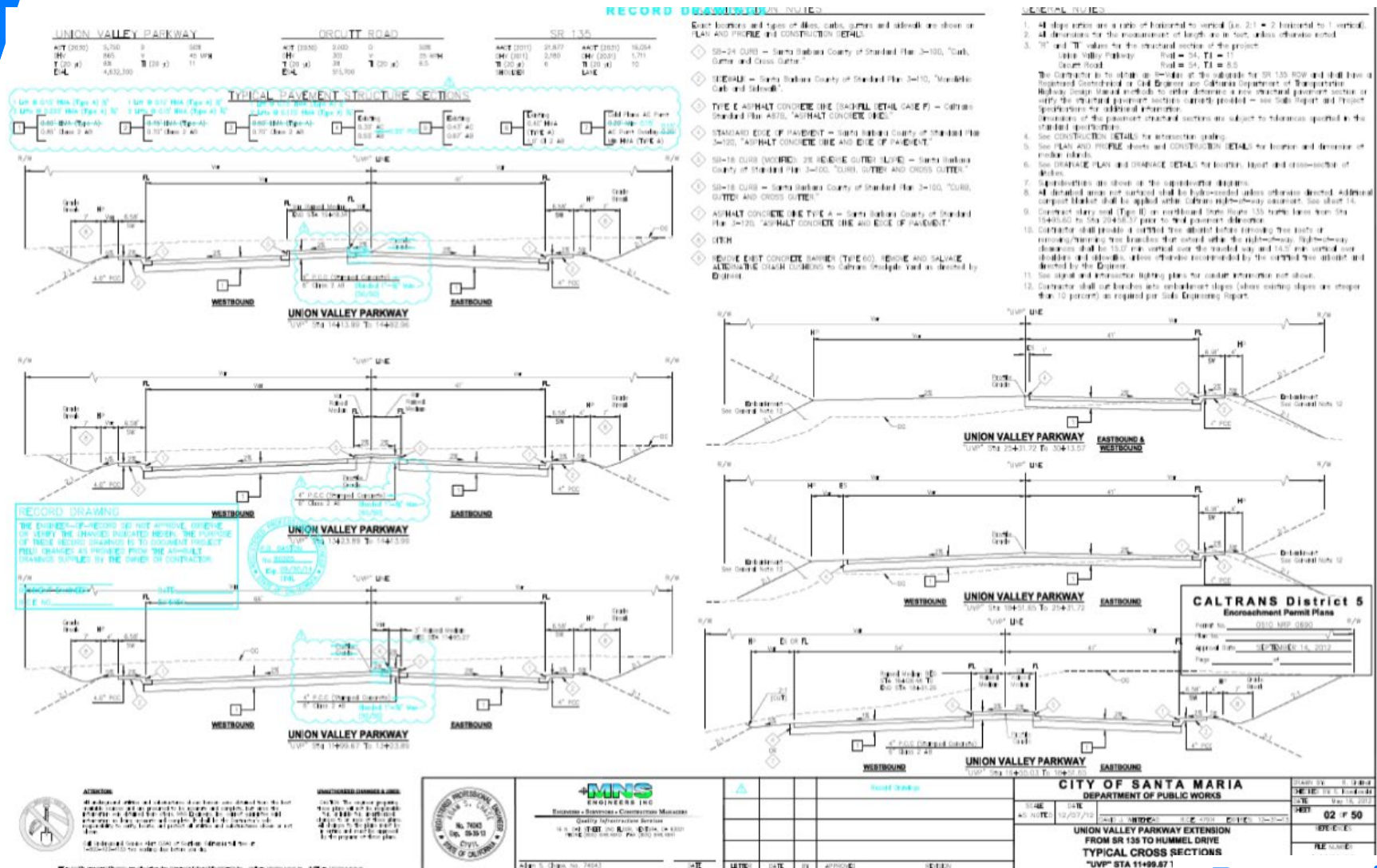
Responsive

APN 107-250-012

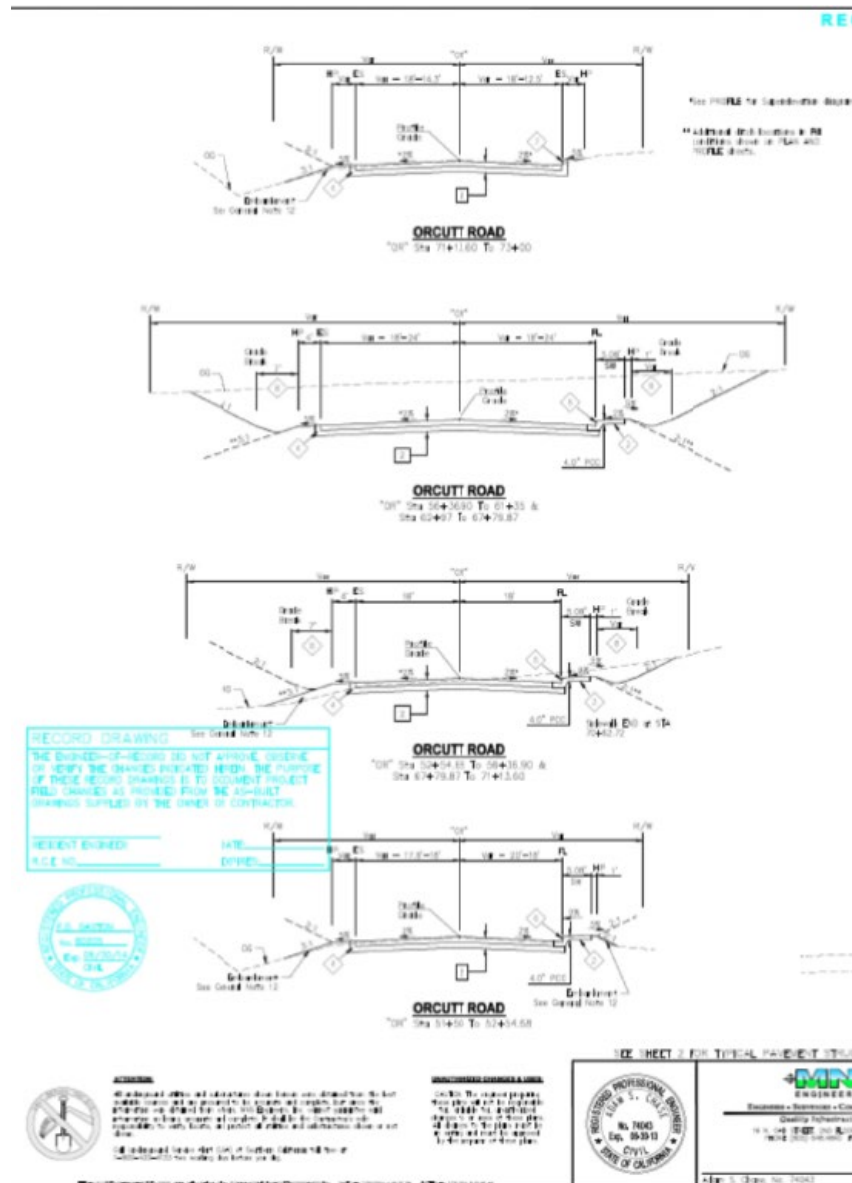


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Union Valley Parkway as-builts



Public Works Letter of June 28, 2024 – item a)



Orcutt Road as-builts

Public Works Letter of June 28, 2024 – item b) Drainage Analysis

BETHEL ENGINEERING
2624 Airpark Drive
Santa Maria, California 93455
(805) 934-5767 FAX (805) 934-3448

JOB Richard's Ranch (2142)
PAGE 1 of 18
CALCULATED BY AMP DATE 01/07/25
CHECKED BY RJG DATE 01/07/25

FLOOD CONTROL: DRAINAGE STUDY

for

Richard's Ranch
UNION VALLEY PARKWAY @ HIGHWAY 135
A.P.N. 107-250-019, 020, 021 AND 022
SANTA MARIA, CA.



BETHEL ENGINEERING
2624 Airpark Drive
Santa Maria, California 93455
(805) 934-5767 FAX (805) 934-3448

JOB Richard's Ranch (2142)
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Responsive

Public Works Letter of June 28, 2024 – Item c) Traffic Study

RICHARDS RANCH PROJECT
CITY OF SANTA MARIA, CALIFORNIA

UPDATED TRAFFIC AND CIRCULATION STUDY



October 7, 2022

ATE #21069

MD3 Investments
San Luis Obispo, CA



ASSOCIATED TRANSPORTATION ENGINEERS
100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8309



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • main@atesb.com

Since 1978

Richard L. Pool, P.E.
Scott A. Schell

January 20, 2025

21069L06

Michael Stoltley
MD3 Investments
P.O. Box 13914
San Luis Obispo, CA 93406

TRIP GENERATION COMPARISON, SITE ACCESS AND VMT ANALYSIS FOR THE RICHARDS RANCH PROJECT, SANTA BARBARA COUNTY

Associated Transportation Engineers (ATE) has prepared the following trip generation comparison, site access and VMT analysis for the Richards Ranch Project. The study updates the previous analysis completed by ATE for the Project based on the updated Project statistics.

INTRODUCTION

ATE previously prepared a traffic, circulation and VMT study for the Richards Ranch Project that was proposed for annexation to the City of Santa Maria (the "2024 Santa Maria Project"). ATE also completed additional trip generation estimates for the 2024 Santa Maria Project that were included in the EIR published by the City of Santa Maria.

The Richards Ranch Project has filed an application with the County of Santa Barbara for a Builder's Remedy Project ("County Builder's Remedy Project") and the Project statistics have been modified. Figure 1 (attached), shows the updated site plan for the County Builder's Remedy Project. The following analysis compares the trip generation estimates between the 2024 Santa Maria Project and the County Builder's Remedy Project. Additionally, the analysis provides a discussion of the Project site access driveways and street improvements. The analysis also contains an updated "Vehicle Miles Traveled" (VMT) analysis for the County Builder's Remedy Project using the County's adopted impact criteria.

City of Santa Maria

Union Valley Parkway Extension/Interchange Project

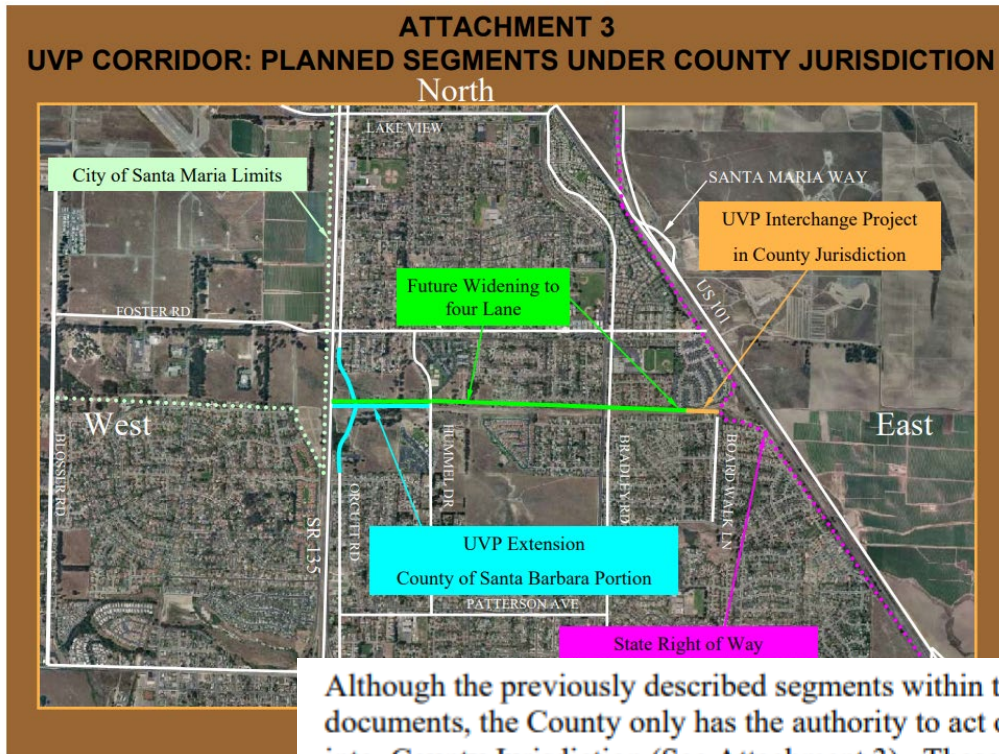
Final Environmental Impact Report/ Environmental Assessment

Environmental Assessment # 05-463800
State Clearinghouse #2003101063

Submitted by

Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, CA 93401

Public Works Letter of June 28, 2024 – Item d) Public Improvement Plans (PIP)



Although the previously described segments within the UVP corridor are identified in many County documents, the County only has the authority to act on those segments that are within, or will encroach into, County Jurisdiction (See Attachment 3). These include a short portion of the UVP Interchange Project from US 101 to approximately 400 feet west of Boardwalk Lane; the portion of the UVP Extension Project between Hummel Drive and SR 135; and portions of the Future Widening to Four Lane between SR 135 and HWY 101. The Future Widening to Four Lane is not currently scheduled for construction but was included in the environmental review in order to adequately determine the cumulative impacts of the planned corridor. The Board of Supervisors is being requested to approve all portions of the project within County jurisdiction.

Responsive

Public Works Letter of June 28, 2024 – item d)

CITY OF SANTA MARIA

DEPARTMENT OF PUBLIC WORKS

UNION VALLEY PARKWAY EXTENSION

STATE ROUTE 135 TO HUMMEL DRIVE

BID NO. 2012/02

SHEET NUMBER	DESCRIPTION	SHEET NUMBER	DESCRIPTION
1	TITLE SHEET	14	CONTOUR GRADING PLAN - "OR"
2-3	TYPICAL CROSS SECTIONS	15	CONTOUR GRADING PLAN - "SR135"
4-5	PLAN AND PROFILE - "VUP"	16	CONTOUR GRADING PLAN - "VUP"
6	PLAN - "OR"	17	DRAINAGE PLAN - "OR"
7-8	PROFILE - "OR"	18	DRAINAGE PLAN - "SR135"
9-10	PLAN - "SR 135"	19	DRAINAGE PLAN - "SYSTEM 1-3"
11-12	CONSTRUCTION DETAILS	20	DRAINAGE PROFILES - SYSTEMS 4-6, 10
13	CONTOUR GRADING PLAN - "VUP"	21-23	DRAINAGE DETAILS

PROJECT LOCATION

VICINITY MAP
NO SCALE

END CONSTRUCTION "SR 135" (MEDIAN IMPROVEMENTS) 29+58.37

END CONSTRUCTION "OR" 73+00 (ROAD)

END CONSTRUCTION "SR 135" 25+55.74 (WIDENING)

BEG CONSTRUCTION "SR 135" (MEDIAN IMPROVEMENTS) 20+58

BEGIN CONSTRUCTION "VUP" 11+25 (ROAD)

BEGIN CONSTRUCTION "SR 135" 15+95.60 (WIDENING)

BEGIN CONSTRUCTION "OR" 51+50 (ROAD)

SITE MAP
1" = 300'

RECORD DRAWING
NO CHANGES

RESIDENT ENGINEER: DATE: 02/20/12
R.C.E. NO. EXPIRES:

ATTENTION:
All underground utilities and subsurface structures shown herein were obtained from the best available sources and are presented to be accurate and complete, but where the information was obtained from others, WPA Engineers, Inc. cannot guarantee the information is being accurate and complete. It shall be the contractor's responsibility to verify, locate and protect all utilities and subsurface structures or not shown.

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, construction changes or for any of those changes that may be made by the contractor in the field and which are not approved by the engineer or those plans.

MNS ENGINEERS INC.
14 N. SAN JUAN STREET, SUITE 200, SANTA MARIA, CA 93450
PHONE: (805) 928-7642 FAX: (805) 928-7643

Public Works Letter of June 28, 2024 – item e)

[illegible]

10'-0" WIDE DRIVEWAY

3'-0" SIDEWALK

3'-0" SIDEWALK

16'-0" TOTAL WIDTH

S/V

F/L

EP

PLAN C

NOTES: REFER TO 4-608 AND SHEET 1 FOR ADDITIONAL NOTES.

5. THE SIDEWALK BEHIND THE DRIVEWAY APRON SHALL BE AT LEAST 4" WIDE WITH A 2% MAX CROSS-SLOPE.

OTHER NOTES:

REFER TO APWA STANDARD PLANS REGARDING TYPE A AND B DRIVEWAYS.

WHEN PLAN A (TYPE B OF APWA STANDARD PLANS) DRIVEWAY IS IMPRACTICAL, MODIFIED TYPE B DRIVEWAY OF APWA STANDARD PLANS PLAN C SHALL SERVE AS AN ALTERNATE.

CITY OF SANTA BARBARA, CA - DEPARTMENT OF PUBLIC WORKS - TRANSPORTATION		APPROVED BY:
4-040	DRIVEWAY DETAILS	<i>[Signature]</i>
SHEET 2 OF 2	REVISION DATE:	DATE OF PUBLIC MEET:

NOTES: REFER TO SHEET 4-803 FOR ADDITIONAL NOTES

1. USE TABLE 1 FOR SPACING WHERE A SINGLE DRIVEWAY SERVES EACH PARCEL.
2. CASE 1 IS FOR DRIVEWAYS FOR SINGLE FAMILY RESIDENCES ON RESIDENTIAL STREETS. CASE 8 IS FOR ALL OTHER DRIVEWAYS.
3. THE NEAREST EDGE OF ANY DRIVEWAY FLARE MUST BE AT LEAST 5' FROM THE CENTERLINE OF A PAVED HIGHWAY, UTILITY POLE, DRAIN DITCH AND/OR APPURTENANCES. FLARE SLOPE, INSTALLATION, OR LIGHT STANDARDS, AND MUST ALSO BE AT LEAST 5' FROM THE NEAREST PROJECTION OF SIGN INSTALLATION.
4. SPACING SHALL BE VISIBLE POSSIBLE.
5. VISIBLE DRIVEWAYS SHALL REQUIRE AN APPROVED DESIGN.
6. DR AS APPROVED BY THE COUNTY TRAFFIC ENGINEER.

TABLE 1

CASE	A	B	C
1	5' MIN	10' MIN TO 30' MAX	3' MIN
2	25' MIN (6)	25' MIN TO 40' MAX (5)	7' MIN (4)

COUNTY OF SANTA BARBARA, CA - DEPARTMENT OF PUBLIC WORKS - TRANSPORTATION

APPROVED BY

4-050

DRIVEWAY SPACING

REVISION DATE



DESIGNER OF PUBLIC WORKS

DATE

The diagram illustrates a sag vertical curve. A horizontal line represents the ground surface, with a vertical curve (V.C.) indicated by a dashed line. A sight triangle is shown with a height of 10' and a base of 100'. The curve is labeled with '10' MAX' and '100' MAX'. A red arrow points to the '100' MAX' label.

[illegible]

COUNTY STANDARDS

THE UNDERSIGNED, COUNTY ENGINEER, DOES HEREBY ADVISE THAT ANY WORK SHALL BE DISAPPROVED IN ACCORDANCE WITH SANTA BARBARA CO. ORDINANCE NO. 4701.

NOTE: DELIVERY ENTRANCE TO CONFORM WITH COUNTY STANDARDS OR BE SUBJECT TO DISCRETION AND APPROVAL OF AN OFFICIAL DESIGN DECISION.

1/16/2025

DESIGNED BY: G.C.

DRAWN BY: R.A.S.

REVISIONS:


DATE DESCRIPTION:

APPROVED: _____ DATE _____

BY: _____ S.B. CO. DIRECTOR OF PUBLIC WORKS

TENTATIVE TRACT MAP FOR RICHARD'S RANCH

COUNTY OF SANTA BARBARA, CALIFORNIA



BETHEL ENGINEERS

DATE: _____ SCALE: _____

AS SHOWN

NOTE: DRIVEWAY ENTRANCE TO CONFORM WITH COUNTY STANDARDS OR BE SUBJECT TO SUBMISSION AND APPROVAL OF AN OFFICIAL DESIGN EXCEPTION.

1/10/2025

DESIGNED BY:	
G.C.	
CHECKED BY:	
R.J.G.	
REVISIONS	
DATE	DESCRIPTION

TENTATIVE TRACT MAP FOR RICHARD'S RANCH

COUNTY OF SANTA BARBARA, CALIFORNIA

Appeal Issue 1: The County missed its deadline; The application is complete as a matter of law.

Appeal Issue 1:

Permit Streamlining Act

- 1) If public agency fails to provide a written response to the applicant within “**30 calendar days**” after receipt of application or resubmittal, application “**shall be deemed complete**”.
- Not later than **30 calendar days** after receipt of the submitted materials described in subdivision (a), the public agency shall determine in writing whether the application as supplemented or amended by the submitted materials is complete and shall immediately transmit that determination to the applicant.
- If the written determination is not made **within that 30-day period**, the application together with the submitted materials **shall be deemed complete** for purposes of this chapter.

Gov. Code § 65943(a) and (b).

Appeal Issue 1 – Staff miscounted 30-day deadline, so Application deemed complete as a matter of law

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
January 19	20 MLK Holiday "First Day"	21 1	22 2	23 3	24 4	25 5
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26 6	27 7	28 8	29 9	30 10	31 11	February 1 12
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
2 13	3 14	4 15	5 16	6 17	7 18	8 19
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9 20	10 21	11 22	12 23	13 24	14 25	15 26
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
16 27	17 28 Presidents Day	18 29	19 30 County Response Due	20 31 County Response Received	21	22

- Application materials submitted to County's Accella system on January 20, 2025
- That started the County's clock of "30 calendar days"
- Different from "business days"
- Staff asserts the 30th day was 2/20 (admitting that all the weekends and Presidents Day 2/17 holiday count as calendar days)

Appeal Issue 1 – Staff miscounted 30-day deadline, so Application deemed complete as a matter of law

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Appeal Issue 1 – Staff miscounted 30-day deadline, so Application deemed complete as a matter of law

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
January 19	20	21	22	23	24	25
	MLK Holiday "First Day"	1	2	3	4	5

Staff Report p. 7 misleadingly asserts: "However, California Rule of Court 1.10, which is relied on in other contexts to count days, **excludes holidays** and provides that the days are calculated by excluding the first day and including the last."

Gov. Code §6800; Civ. Code §12 control counting: "The time in which any act provided by law is to be done is computed by **excluding the first day**, and **including the last**, **unless the last day is a holiday**, and then it is also excluded."

Cal. Rule of Court 1.10(a) Computation of time [Same as the Gov. and Civil Codes]

"The time in which any act provided by these rules is to be performed is computed by **excluding the first day** and including the last, **unless the last day is a Saturday, Sunday, or other legal holiday**, and then it is also excluded.

Director wants this Planning Commission to exclude Monday and Tuesday.

Appeal Issue 1: Staff claims it did not "receive" the resubmittal until Tuesday

Gov. Code, § 65921: "The Legislature finds and declares that there is a statewide need to ensure **clear understanding of the specific requirements** which must be met in connection with the approval of development projects and to expedite decisions on such projects."

Planning 24DVP-00018:

Development Plan for Residential New Structure

Record Status: In Review

Record Info ▼

Payment

Date in Accela still says 1/20/2025

Attachments

The maximum file size allowed is 250 MB.

.ade;.adp;.bat;.chm;.cmd;.com;.cpl;.exe;.hta;.htm;.html;.ins;.isp;.jar;.js;.jse;.lib;.lnk;.mde;.msc;.msp;.mst;.php;.pif;.scr;.sct;.shb;.sys;.vb;.vbe;.vbs;.vxd;.wsc;.wsf;.wsh;.zip;.mht;.mhtml are disallowed file types to upload.

File Name	Description	Record Type	Type	Size	Date	Action
4_Storm Water Control Plan (Tier 4)(32310633.1).pdf		Development Plan for Residential New Structure		817.25 KB	01/20/2025	Actions ▼
5_Trip Generation Comparison, Site Access and VMT Analysis.pdf		Development Plan for Residential New Structure		12.24 MB	01/20/2025	Actions ▼
6_UVP As_built by MNS.pdf		Development Plan for Residential New Structure		31.43 MB	01/20/2025	Actions ▼
7_Applicable Checklists.pdf		Development Plan for Residential New Structure		760.10 KB	01/20/2025	Actions ▼
8_BHFS Letter to HCD_2024.11.12 TA Request County re Government Code Section 65941.1 - Final(31800839.1).pdf		Development Plan for Residential New Structure		299.75 KB	01/20/2025	Actions ▼

< Prev 1 2 3 4 5 6 7 8 9 10 ... Next >

Add

Select

Appeal Issue 1 – Staff miscounted 30-day deadline, so Application deemed complete as a matter of law.

County can shut down Accela if it does not want to receive materials.



Travis Seawards
Deputy Director
Development Review Division
Planning & Development Department
County of Santa Barbara
123 E. Anapamu St.
Santa Barbara, CA 93101
805-568-2518
tseawards@countyofsb.org
<https://www.countyofsb.org/160/Planning-Development>

The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024, through Wednesday, Jan. 1, 2025, in observance of the County's holiday closure. *Note: Accela permit applications will not be accepted during the holiday closure.* Please submit applications through Accela no later than 5 p.m. on Monday, Dec. 23, 2024. Accela will resume accepting applications on Jan. 2, 2025, at 8 a.m.

The County's Planning & Development Department offices will be closed on Nov. 28th and 29th in observance of Thanksgiving. Building and Planning Counters will be closed at noon on Wednesday, Nov. 27 and all day Tuesday, Dec. 24th. Offices will be closed from Wednesday, Dec. 25, 2024 through Wednesday, Jan. 1, 2025 in observance of the County's holiday closure. *Note: Accela permit applications will not be accepted during the holiday closure.* Please submit applications through Accela no later than 5 p.m. on Monday, Dec. 23, 2024. Accela will resume accepting applications on Jan. 2, 2025 at 8 a.m.

Appeal Issue 1: Staff claims it did not "receive" the resubmittal until Tuesday

Gov. Code, § 65921: "The Legislature finds and declares that there is a statewide need to ensure **clear understanding of the specific requirements** which must be met in connection with the approval of development projects and to expedite decisions on such projects."

- Are applicants expected to track all the County's holidays?
- What if the project planner is out sick?
- What if the project planner is on holiday?
- What if the project planner does not log into Accela one day?
- What if the project planner is busy on other projects and so does not see the new materials in Accela for a few days?

This approach does not match the PSA's Legislative intent because it is impossible for an applicant to know when the materials are "received." An applicant should be able to rely on the date in Accela. That was January 20.

- The City of Santa Barbara also uses Accela and it counts the "first day" as the day the materials are uploaded, even if they are on a Saturday or when the City is closed over the holidays.

*This Project is being
treated differently
(worse)*

The County regularly allows applicants to confirm the Project Description upon Determination of Completeness

Please review this description carefully. If you believe the project description is incorrect or does not include components that you intend to include as part of the project, please contact us immediately. Further review of the project will be limited to this project description unless you provide us with corrections within five (5) days of receipt of this letter. We reserve the right to request additional information to clarify any changes or additions that are made to the project description in response to this letter, as our completeness determination is based upon the material provided with your application.

Please review this description carefully. If you believe the project description is incorrect or does not include components that you intend to include as part of the project, please contact us immediately. We reserve the right to request additional information to clarify any changes or additions that are made to the project description in response to this letter, as our completeness determination is based upon the material provided with your application.

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The County regularly allows applicants to confirm the Project Description upon Determination of Completeness

65944.

(a) After a public agency accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not specified in the list prepared pursuant to Section 65940. **The agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.**

(b) The provisions of subdivision (a) shall not be construed as requiring an applicant to submit with an initial application the entirety of the information which a public agency may require in order to take final action on the application. Prior to accepting an application, each public agency shall inform the applicant of any information included in the list prepared pursuant to Section 65940 which will subsequently be required from the applicant in order to complete final action on the application.

(c) This section shall not be construed as limiting the ability of a public agency to request and obtain information which may be needed in order to comply with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

State Housing Law protects the Project

The Housing Crisis Act of 2019 (SB 330) enacted Government Code section 65941.1 because "[l]engthy permitting processes and approval times, fees and costs for parking, and other requirements further exacerbate cost of residential construction," and also out of a desire to "to expedite the permitting of housing in regions suffering the work housing shortages and highest rates of displacement." **SB 330 further includes amendments to the Housing Accountability Act that add protections for preliminary applications, which must be construed broadly and given the "fullest possible weight to the interest of, and the approval and provision of, housing."** Gov. Code, § 65589.5(a)(2)(L), (o).

We ask the Board to uphold the appeal and ensure compliance with State Law

Specifically, to find that the application is

- 1) complete both as a matter of law and
- 2) complete based on applicant responses
- 3) the County cannot invalidate the application's vesting to the SB 330 Preliminary Application based on square footage.
- 4) The County must allow additional 90-day review periods (with vesting preserved).

If the County continues on its current path, it risks significant violations of the HAA in bad faith.

Questions?