

CITY of CARPINTERIA, CALIFORNIA



July 8, 2026

Carpinteria Group LLC
c/o Ben Eilenberg, Manager
1519 E Chapman Ave, #101
Fullerton, CA 92831

Via email to: carpinteriagroup@gmail.com

RE: Fourth Determination of Project Application Incompleteness
5115 Ogan Road Residential Project; Project #25-2358-DP/CDP/TPM/ARB
5115 Ogan Road; APN 003-161-022 ("Property")

Dear Mr. Eilenberg:

We are in receipt of your June 10, 2026 email resubmitting by reference your prior November 25, 2025 project application submittal.

We acknowledge that your email asserts that this "prior" application was "complete," and that the required items described in the City's Third Determination of Application Incompleteness dated December 23, 2025 are subject to active litigation. However, we continue to find that your application remains **incomplete**, pending submittal of those additional items detailed in the Third Determination of Application Incompleteness letter, which is attached hereto and incorporated by reference herein. Those items must be submitted before the application can be found complete and application processing can begin.

Additionally, please be advised that the Frontier Lot Split (Case No. 24-2317-TPM/CDP), referenced in your application, was closed on May 21, 2026 due to the applicant's inactivity. As you may be aware, following receipt of the submitted parcel map application on November 14, 2024 and the application being found incomplete on December 12, 2024, the City and the applicant engaged in numerous informal consultations regarding some of the issues raised in the incompleteness determinations. However, those issues were not resolved, and the applicant did not resubmit the application following the December 12, 2024 incompleteness determination. On March 20, 2026, the City gave the applicant notice of the requirements remaining to be met and a 60-day deadline to resubmit. On May 14, 2026, the City again provided written notice of the upcoming deadline to provide required items. Ultimately, the applicant chose not to resubmit the application, the deadline to resubmit passed, and on May 21, 2026 the City notified the applicant that its parcel

5775 CARPINTERIA AVENUE • CARPINTERIA, CA 93013-2603
(805) 684-5405 • FAX (805) 684-5304
www.carpinteriaca.gov

map application was terminated. In the May 21 notice, the City notified the applicant that it had until June 1, 2026 to appeal the decision pursuant to Carpinteria Municipal Code section 14.78.030. The appeal deadline has passed, and no appeal was submitted. Accordingly, Case No. 24-2317-TPM/CDP is no longer active and thus may not be relied upon by your pending application.

Finally, the City received a claim from Carpinteria Group LLC on May 5, 2026, stating that Frontier California Inc., the owner of the Property, had canceled its purchase agreement with Carpinteria Group LLC and that "Plaintiff will lose its ability to develop the split off parcel." On June 2, 2026, Carpinteria Group LLC filed a lawsuit against the City, Frontier, and Frontier's agent Blu Croix, seeking damages for "the fair market value benefit of Plaintiff's bargain under the Agreement, lost development profits, and all out-of-pocket costs incurred in reliance on the Agreement." These statements suggest that you no longer have Frontier's consent as the Property's owner for your application. On May 13, 2026, the City's legal counsel wrote to your legal counsel, raising this issue and requesting written proof that you still have Frontier's consent to proceed with the application. No response to that request has been received. Accordingly, it is unclear whether your June 10, 2026 resubmittal includes a valid owner consent. Please provide written confirmation that you have Frontier California Inc.'s landowner consent for the resubmittal of this application.

Pursuant to Government Code section 65941.1(e)(2), please submit the information required for a complete application within 90 days of receipt of this incompleteness determination. Please note that failure to provide the required information within this period may result in expiration of the application. If you believe that your application was incorrectly determined to be incomplete, you may appeal the determination by submitting an appeal and the required fee to the City's Community Development Department within 10 calendar days of the date this incompleteness determination was sent. (Gov. Code, § 65943(c); Carpinteria Municipal Code § 14.78.030(1).)

Please contact me if you have any questions.

Sincerely,



Bret McNulty, Principal Planner
Community Development Department

Encl: Third Determination of Project Application Incompleteness, Project #25-2358-DP/TPM/CDP/ARB, dated December 23, 2025

Cc: Case File, #25-2358-DP/TPM/CDP/ARB
Kelley Stewart, Frontier California, Inc.
IDAG Members

CITY of CARPINTERIA, CALIFORNIA



December 23, 2025

Carpinteria Group LLC
c/o Ben Eilenberg, Manager
1519 E Chapman Ave, #101
Fullerton, CA 92831

Via email to: carpinteriagroup@gmail.com

RE: Third Determination of Project Application Incompleteness
5115 Ogan Road Residential Project; Project #25-2358-DP/CDP/TPM/ARB
5115 Ogan Road; APN 003-161-022

Dear Mr. Eilenberg:

Thank you for the November 25, 2025 submittal of the third (revised) application for 5115 Ogan Road Residential Project and responses to the Community Development Department's (CDD) application incompleteness letter dated October 29, 2025 (collectively, the "Resubmittal"). We also acknowledge your comments regarding the City's response to your invocation of Government Code Section 65589.5(h)(6)(D).

We have reviewed your Resubmittal and found it to be **incomplete** pending submittal of additional information which is required before application processing can begin. The additional information is requested to ensure that the application contains all the required information in the City's Application Submittal Checklist¹ for staff's review under the Permit Streamlining Act (Gov. Code, §§ 65920 et seq.).

This letter first includes responses to the various legal issues raised in the Resubmittal including the contentions regarding Government Code Section 65589.5(e) and *New Commune DTLA LLC v. City of Redondo Beach*. Additionally, this letter includes recommendations to provide additional information that will be necessary to accurately assess the proposed project's consistency with applicable State and City regulations, including, but not limited to, the Carpinteria Municipal Code (CMC), the California Planning and Zoning Law (Gov. Code, §§ 65000 et seq.), and the California Coastal Act (Public Resources Code, §§ 30000 et seq.), as implemented by the City of Carpinteria

¹ Available starting on Page 11 at this link: https://carpinteriaca.gov/wp-content/uploads/2020/03/cd_development-permit-packet_2019.pdf.

General Plan/Coastal Land Use Plan (GP/CLUP) which contains the City's certified Local Coastal Program (LCP).

In order to facilitate review of your next submittal, please include a letter detailing how each item was addressed by referencing where changes have been made in the plan sheets and supplemental documentation. Review of your project will pause until we receive from you the requested items listed below. When we receive the additional items, the review of your application for completeness will resume. During review of submitted items, staff may identify additional new or previously unknown issues that trigger additional requests for clarifications, corrections, or supplemental information.

Please be aware, in regard to application completeness, should no further action be taken by you after 90 days from the receipt of this letter, your application will be considered withdrawn.

...

A. RESPONSE TO "INITIAL ITEMS"

1. Coastal Development Permit / Local Coastal Plan Amendment:

In the Resubmittal, you assert that the Project is deemed consistent with Local Coastal Plan and thus a Local Coastal Plan Amendment is not required pursuant to Government Code Section 65589.5(f)(6)(D)(iii). However, as noted in the City's October 29, 2025 incomplete determination, Government Code Section 65589.5(e) limits the force of the Housing Accountability Act—stating that it shall not be construed to relieve the local agency from comply with the California Coastal Act.

The Resubmittal quotes this section in its entirety and argues that the provision only applies to congestion management program and that the City acted in bad faith by not including the portion of the statute related to congestion management. However, you appear to miss or otherwise ignore the word "or" in the statute that separates the portion of the provision related to congestion management programs from the portion related to the Coastal Act.² Section 65589.5(e) provides that "[n]othing in this section shall be construed to relieve the local agency from complying with the congestion management program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act of 1976 (Division 20 (commencing with Section 3000) of the Public Resources Code)." Accordingly, this section applies to more than congestion management programs and, in fact, does provide that the Housing Accountability Act shall not be interpreted to relieve the City from complying with the California Coastal Act.³

² *In re E.A.* (2018) 24 Cal.App.5th 648, 661 ("[T]he plain and ordinary meaning of the word 'or,' when used in statute, is to designate separate, disjunctive categories.").

³ See also *Kalnel Gardens, LLC v. City of Los Angeles* (2016) 3 Cal.App.5th 927, 951, fn. 9 ("Because the HAA similarly provides that it shall not be construed to relieve local agencies from complying with the Coastal Act (§ 65589.5, subd. (e)), if we were to reach that issue we would likely conclude that it too was subordinate to the Coastal Act.").

As you note, the City also cited to the Superior Court decision in *New Commune DTLA LLC v. City of Redondo Beach* (Sup. Ct. No. 23STCP00426) for the proposition that “[t]he [Applicant] cannot ignore the City’s certified LCP under the auspices of HAA’s builders remedy[.]” In the Resubmittal, you assert that this decision has been overturned and again accuse the City of acting in bad faith by including the citation. However, again, your response appears to be based upon a misreading. The decision you note as being overturned is Sup. Ct. No. 22TRCP00203, which is an entirely different case from the one cited in the City’s letter and, furthermore, is silent on this issue altogether. The case cited by the City, Sup. Ct. No. 23STCP00426, is still pending on appeal as of the date of this letter. Accordingly, the decision you cite has no bearing on the City’s position.

2. Additional Items on Review

The Resubmittal also takes issue with the City’s inclusion in its incomplete letters of the provision that “staff may identify additional new or previously unknown issues that trigger additional requests for clarifications, corrections, or supplemental information.” This statement, however, is taken directly from State law which provides that “[t]he 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.”⁴ To clarify, such additional requests may not be a condition for deeming the application incomplete, but the City may request additional information in the course of processing the application and undertaking environmental review.⁵

B. REVIEW FOR APPLICATION COMPLETENESS

1. Permits and Entitlements:

The Resubmittal checklist submitted November 25, 2025 includes a request for (1) Architectural Board of Review, (2) a Coastal Development Permit, (3) a Development Plan (4) a Subdivision (Tract/Parcel Map), and (5) a Fire Protection Certification Application. However, as noted in the prior incompleteness letters, the Resubmittal checklist you submitted fails to include requests for the following entitlements:

- a. Local Coastal Plan Amendment:** The Coastal Act provides clearly that a coastal development permit may only be issued within the Coastal Zone if the proposed development is in conformity with the certified Local Coastal Plan (“LCP”).⁶ Pub. Res. Code, § 30604(b). As detailed in our previous incompleteness letters for this, pursuant to the City of Carpinteria Local Coastal Plan/General Plan and Municipal Code Title 14, Zoning, Multifamily Residential use is not allowed in the Public Facility (PF) Land Use Designation or

⁴ Gov. Code, § 65944(a).

⁵ Gov. Code, § 65944(a); CEQA Guidelines Section 15060; See *Old Golden Oaks LLC v. County of Amador* (2025) 111 Cal.App.5th 794, 801 (“To be sure, the county may still seek environmental information from Old Golden Oaks both before and after the completion of the application.”).

⁶ As discussed above, the assertion in the Resubmittal that a Local Coastal Plan Amendment is not required is based on a misreading of Government Code Section 65589.5(e) and a mis-citing of the relevant case law.

the Public Utility (UT) Zone District applicable to the project site without approval of a Local Coastal Plan Amendment to change the site's land use and zoning designations to designations that would allow for multifamily residential use. Please submit a revised application that includes a Local Coastal Plan Amendment to comply with the relevant Coastal Land Use Plan policies and Local Coastal Plan zoning provisions. See also attached comment from California Coastal Commission staff dated December 15, 2025. Please submit a revised application and deposit in the amount of \$15,000.00, as requested in the City's July 18, 2025 and October 29, 2025 letters for processing of the LCP Amendment.

- b. Tentative Parcel Map (TPM):** As discussed in the first and second incompleteness letters dated July 18, 2025 and October 29, 2025, there is an in-progress application, case no. 24-2317 CDP/TPM, that is being processed by a different applicant/agent on behalf of the property owner. Despite appearing to rely on this in-progress application by including plan sheet V-01 depicting the proposed subdivision survey, you have not yet submitted a letter from the TPM applicant and the property owner authorizing Carpinteria Group LLC to be substituted as applicant for this subdivision application. Accordingly, inclusion of these materials is insufficient. Please provide a letter from the TPM applicant and the property owner authorizing Carpinteria Group LLC to be substituted as applicant for this subdivision application. Alternatively, please submit a TPM and Parcel Map Application and supporting information, in compliance with the requirements of CMC Title 16, Subdivisions and listing Carpinteria Group LLC as the applicant/agent. An additional deposit of \$11,000 must accompany a TPM application.

In the Resubmittal, you assert that the Submittal Checklist does not require a Tentative Parcel Map. This is incorrect. Section A of the Submittal Checklist requires certification that all questions on the Application are "fully and honestly answered[.]" In the submitted application, you include detailed property information including site area, dimensions, existing uses, etc. which describe a parcel that has yet to be created by a subdivision. As stated above, however, you also failed to include a Parcel Map Application and submit the TPM application. Accordingly, please either (1) provide the information requested above, or (2) revise the Application to instead apply to the entirety of the *existing* legal property.

2. Plans:

- a. Utility Plan & Utility Service Requirements.** In the Resubmittal you state that the requested utility information and sewer utility intent to serve letter is not required in the Submittal Checklist. This is incorrect. Again, Section A of the Submittal Checklist requires certification that all questions on the Application are "fully and honestly answered[.]" In Section 16 of the Project Application, you indicated that the Project would have no substantial change in demand for municipal services (police, fire, water, sewage, etc.). Based on the City's review, however, it is unclear whether this is accurate. Accordingly, the requested information is required pursuant to Item B of the Submittal Checklist and to substantiate the assertions made in the Application. Finally, these materials are

required as a component of a “Complete project description,” which is set forth as Item A of the Submittal Checklist.

Thank you for adding additional utility information to the other plan sheets. However, we require that the requested utility information be provided on a separate utility plan sheet showing the locations of the routing of the electricity to the project, the location of all utility meters and equipment, including transformers, backflow prevention devices, and other similar types of utility.

- b. Water and Sewer.** The Resubmittal also fails to include any information demonstrating that there are adequate utilities to serve the Project, as was requested in the prior incompleteness letters. See the attached comments from the Carpinteria Valley Water District (CVWD) and the Carpinteria Sanitary District (CSD) which reiterate and elaborate on their comments on your prior resubmittals. The CVWD is continuing to inform us that the District has not issued a Will Serve Letter for your Project. The Will Serve Letter you provided was not for the proposed service to the 130-unit building. Rather, it is only applicable to the TPM application, which is a separate in-progress application submitted by a different applicant. The CVWD also reiterated that they require you to apply for an Intent to Serve Application that includes a Water Utility Plan Set and Demand Calculations for residential, irrigation and fire flows. Please include in your future resubmittal an Intent to Serve Letter from CVWD to demonstrate that the Project would not require a substantial change in demand for municipal services.
- c. Stormwater Management Plan.** In your Resubmittal response, you assert that the Project only requires a Tier 3 Storm Water Management Program because it only creates 21,900 square feet (sf) of *new* impervious surface area, which is below the 22,500-sf threshold. However, as stated in Item 7 of the Application Submittal Checklist, projects that “create **or replace**” greater than 22,500 sf of impervious area are classified as Tier 4 by the City. Pursuant to your Application materials, the Project will create 21,900 sf of impervious surface area and will replace 2,530 sf of impervious surface area. Therefore, the Project will create or replace a total of 24,430 sf and, therefore, a Tier 4 Storm Water Management Program is required. Accordingly, please provide the required plans, checklists, and documentation for a Tier 4 Storm Water Management Program. The stormwater plan sheets should apply to the entire site (i.e., the proposed parcel and the remainder parcel) and be correlated to the Conceptual Grading Plan (see also items in Public Works letter in B.1 below). This item remains incomplete as the Tier 3 Stormwater Management Plan provided with the Resubmittal utilizes an incorrect threshold.
- d. Easements.** As mentioned in our prior incompleteness letters, pursuant to Application item 5 and Submittal Checklist items A and B, you must provide letters from utilities regarding potential future easements to determine the scope of a complete project

description and to verify whether there will be any future easements or restrictions that will impact the Project. Please send letters to Southern California Edison, Southern California Gas Company, Frontier Communications, and Cox Communications and request they provide any easement requirements to the City (CMC §16.12.150.C.5). Note: Southern California Edison provided their project submittal requirements on July 11, 2025 and their information was attached to your first incompleteness letter.

3. Payment of Processing Fees:

Please note that per the Project Application, you signed as the Financially Responsible Party and are therefore required to pay all costs associated with processing the application. Per the Application, agreeing to payment of all processing fees and consultant costs “is a condition precedent to a determination of application completeness.” The Application further provides that “**prior to processing of this application: 1) Financially Responsible Party must pay in full any and all outstanding City fees and exactions due and owing to the City related to this or any of Property Owner’s or financially responsible party’s other real property.**” Accordingly, the application will not be complete until all outstanding processing fees are paid. We understand that you have requested information related to the outstanding processing fees and that the City is working with you to provide this information.

C. RECOMMENDED INFORMATION / ITEMS NECESSARY TO REVIEW PROJECT FOR CONSISTENCY WITH LOCAL, STATE, AND FEDERAL REGULATIONS

As noted in our previous letters, please be advised that the following items would still be needed to accurately assess whether the proposed project is consistent, compliant and in conformity with applicable federal, State, and City laws, regulations, and policies. Additionally, please submit the Resubmittal signature pages with the updated date of submittal and, to ensure that the Project can be reviewed in an efficient and cost-effective manner, please provide complete, consistent, and legible materials.

1. **Plan Set.** The plan set cover sheet continues to incorrectly identify the applicable land use designation and zoning standards applicable to the site. Please revise this information to reflect the correct information. To clarify, first please change the Land Use Designation on the Plan set cover sheet to (PF) Public Facility and provide the correct setbacks, heights, parking, and lot coverage applicable in the existing (UT) Public Utility District. This information is readily available on our website at https://library.municode.com/ca/carpinteria/codes/code_of_ordinances?nodeId=TIT14ZO_CH14.36UTPUUTDI and has been provided to you previously. Please also specify in your Project Description the proposed density and setbacks.
2. **Utility Plan.** The general project description item on Sheet A0.02 states that the Project is proposed to be “all-electric.” Please either remove the proposed gas line connection

shown or revise Sheet A0.02 to remove the text describing the project as all-electric, as well as from all application materials.

Please be advised that the CSD has determined that at this time they have treatment capacity to serve your project and are requiring that you arrange to perform modeling of the District sewer network to identify potential capacity limitations.

- 3. Public Works.** Per the letter from the Public Works Department (dated 7/14/2025), please provide the following items as part of the revised project application:
 - a. Engineer's estimate (i.e. probable construction costs of improvements) (CMC §§ 16.17.040, 8.36.130, and 12.04.110).
 - b. Hydraulic and hydrology report or study and/or calculations (CMC Chapter 8.10)
 - c. Stormwater Control Plan (CMC Chapter 8.10).
 - d. Stormwater Facilities Operation and Maintenance Plan (CMC Chapter 8.10).
 - e. Stormwater Runoff BMP Access and Maintenance Agreement (CMC Chapter 8.10).
 - f. Soils or geotechnical engineering report (2022 California Building Code Chapter 18 and Appendix J).
 - g. Engineering geology report for identified seismic and slope stability hazards (i.e. potential liquefaction) and soils hazards (i.e. potential expansive soils) (2022 California Building Code Chapter 18 and Appendix J).
 - h. Traffic impact study or analysis (CMC §10.12.010).
- 4. Environmental Review.** The proposed project will be subject to the California Environmental Quality Act (CEQA). Once the project application has been deemed complete, a more in-depth review of the project's environmental effects can begin. Depending on the level of environmental review, it may require contracting with a qualified environmental consultant to complete the necessary analysis and shall be funded by the applicant. Please be advised, several environmental topic areas have been identified that have a potential for being impacted by the project. These issues include aesthetics, biological resources, cultural resources, circulation and traffic, geological resources and soils, and public services, and will be studied in the CEQA analysis required for the project. Please note that as part of any environmental scoping effort, additional potential impacts may be identified that could require further study in support of the CEQA document.
- 5. Biological Resources Report.** A biological resources report that evaluates the project's potential effects on sensitive biological resources is needed to assess the project's consistency with local coastal policies. See also the attached email from California Coastal Commission staff.
- 6. Lighting, Glare and Photometrics Study.** The scale of the proposed building has the potential to emit light and glare effects over a wide area of the City and surrounding areas. Please submit a Lighting, Glare and Photometrics Study prepared a qualified consultant. The study must detail how the project will affect the area and identify mitigating actions.

The report must identify and address potential impacts to residential single-family homes to the north and east, and beyond Linden Ave. to the west. It must also include the residential and commercial uses across Highway 101 to the south, the Linden Ave. downtown core, Carpinteria Beach and designated open space/nature preserves. Provide a cut sheet(s) for all exterior lighting fixtures. Provide information on the proposed window types including heat index, reflective and glare ratings. The proposed study and lighting sheets must be provided before scheduling your project for an Architectural Review Board (ARB) Preliminary Review meeting.

7. **Traffic Study.** As mentioned above, please provide a Traffic Study for the proposed development, prepared by a qualified traffic engineer. The study should include an analysis of project-related traffic (including Level of Service analysis for area intersections), road segment volume to capacity analysis, circulation, safety/line of sight, parking, and Vehicle Miles Traveled (VMT) to inform the CEQA analysis.
8. **Inter-Departmental Agency Group (IDAG) Review and Comments/Conditions.** The second and third project submittals were routed to IDAG members on 10/10/2025 and 12/10/25 for their review, comments, and conditions. To date, we have received comments from the California Coastal Commission, the CVWD, the CSD, the Santa Barbara Air Pollution Control District, the City of Carpinteria Public Works Department, and E.J. Harrison & Sons. The most recent letters are attached hereto. As other departments/agencies respond, additional information or conditions may be requested.
9. **Plan Notes/Correction.** Several of the issues identified in our previous incompleteness letters have been addressed in your Resubmittal. However, the following errors, omissions, or inconsistencies are still found in the proposed plans as revised:
 - a. The revised sheets provide additional information regarding the proposed road and hardscape surface materials in the project description and include depictions of the proposed road access improvements and the proposed ingress and egress areas for vehicles, pedestrians, and deliveries for both the proposed parcel and the remainder parcel. The driveway and pedestrian access to the north side of the building exit directly onto Ogan Road. Please provide feasible driveway and pedestrian entrances that do not cross the City right-of-way (ROW) onto an unimproved frontage to Ogan Road or otherwise note where improvements and encroachment permits within the City ROW would be required. Please note that balconies cannot extend over the City ROW and must be removed from all plan sheets where depicted (Sheets A1.02, A1.03, and A1.04). See also item "d" below.
 - b. Prepare photo simulations of the project in context of the existing land uses and include views from the adjacent Linden Ave. mixed use commercial and residential downtown, Carpinteria Beach, the Bluffs Open Space, and Carpinteria Marsh Recreational areas that are adjacent to the project. In addition to the photo simulations described herein, the California Coastal Commission, South Central

Coast District, comments require additional photo simulation perspectives. See their attached comments for details.

- c. As discussed in the first two incompleteness letters, the revised conceptual grading plan contains proposed circulation improvements that remain difficult to assess for feasibility in this context given the conflicts created between egress and ingress from resident vehicles entering and exiting the building, deliveries, and trash removal. Provide a separate traffic design plan on smaller cut sheets for better legibility depicting the proposed circulation improvements for the project and demonstrate that conflicts are not being created. The new sheets should be revised to depict locations and elevations of proposed ingress and egress, and internal driveways for vehicles and deliveries and paving and grassy paver driveways, as well as loading and unloading zones adequate to provide access to residents and trash collection vehicles, and the containers required by E.J. Harrison & Sons. To elaborate, the first-floor ceiling is 10-feet above finish grade and would be too low to allow delivery and trash collection vehicles from entering the building. It is not clear how such traffic would be facilitated based on the alignment of the entrances and exits and the limited turning radius at the end of the proposed driveway. The Circulation Plan sheets must show and label proposed bicycle, pedestrian, and handicapped access, both streetside and internal to the new building and exterior to the new and the existing building. Streetside improvements for curb, gutter, curb cuts, wayfinding signs, sightline analyses, and proposed new perimeter sidewalk and bike path improvements must be shown. These plans should be integrated with the revised grading and landscaping plans (CMC §§ 10.12.010 and 14.54.050).
- d. Buildings cannot extend over property lines. Decks and balconies need to be depicted consistently and no walls, balconies, decks, or other protruding structures are to be placed across or outside of property lines or intrude into easements.
- e. Also in the Resubmittal, a new Plan Cross Section sheet has been added that provides no information about its purpose or explanation of what it refers to on the grading plan sheet. Please revise the sheet to further clarify its purpose (e.g., finished grade).
- f. The revised grading and drainage plan does not incorporate the foundation recommendations in the revised preliminary geotechnical report or the underground detention structure. Both versions of the preliminary geotechnical report provided with your Resubmittal describe a need for deep soil mixing or stone columns which would require significant excavation and soils treatment for the foundations for the building. This is not reflected in the grading plan set or the cut and fill calculations, nor is this information included in your response to application item A.4, which states the project will require 190 cubic yards of cut and 150 cubic yards of fill.
- g. In our previous letter, we asked that you provide solar access plans per item J of the Application Submittal Checklist. The west solar access line is shown correctly and demonstrates that the design of the project is not in compliance with the

[City's Solar Access Guidelines](#). The north solar access line rendering is incorrectly drawn and both elevations still show conflicting information regarding shadows and angles of light.

10. Project Description Inconsistency Items. The project description in the application and plan set cover sheet has been updated. However, it still does not align with the information in the plan set. Both the project description and the plan set require revisions to resolve internal inconsistencies. These inconsistencies include, but are not limited to, the following:

- a. The proposed project density (units/acre).
- b. The Building Floor Area net and gross building square footages on the plan sheets have been revised and will need to be further revised for consistency with actual dimensions. There are minor differences that show gross equal to net that will be corrected if necessary during building permit review.
- c. The range of rents and sale prices being proposed for the project and the economic affordability levels for all the units.
- d. The parking spaces depicted on Sheet AP.1 conflicts with area needed for hauling garbage and making deliveries and needs to be reconciled.
- e. The proposed parking ratio would need to be adjusted to reflect any changed parking.
- f. The proposed exterior and interior vehicular circulation, vehicle turn around, pedestrian, bicycle, and handicap access, building ingress and egress, driveways, loading areas, and circulation.
- g. Gross floor area in some areas is equal to net floor area. This is not correct and the calculations will need to be revised.
- h. The proposed fire escape routes and trash chute system appear to conflict with the proposed circulation and parking.
- h. The tables on the Cover Sheet may need to be revised and recalculated for the individual floors should be expected during consistency review to account for structural requirements.

11. Existing Land Use Information. The existing onsite conditions and adjacent uses discussions in the application do not accurately portray the baseline land use condition as it exists today. Accordingly, you may be required to address all inaccuracies including, but not limited to:

- a. The incorrect dimensions of the property in its current configuration, prior to approval of the proposed subdivision.
- b. Please correct the items (Application Checklist Items B.1 and C.1) that erroneously state the site is undeveloped and assumes that a separate lot has already been created. The site is currently developed with the existing Frontier Communications building, parking spaces, and storage areas and landscaping. Please list these on the application in the appropriate location.

- c. The circulation system surrounding the existing parcel is not discussed in the project setting description or on the site plans. Please include a summary of the existing adjacent roadways, including intersecting roads, dimensions and types, bike paths, sidewalks, lighting, and include the roundabout, highway entrance, and the streetside landscaping improvements installed during development of the adjacent roundabout.
- d. It is unclear from reviewing the proposed plans how the project would affect circulation for the remainder parcel (Frontier Communications facility). Please describe and show any necessary improvements to the remainder parcel to maintain vehicular access to the site, including but not limited to, compliance with driveways, onsite parking, internal circulation, and emergency access requirements.
- e. Describe the direction of existing site drainage and cite the Conceptual Grading Plan and clarify if Plan Sheet C-3 Cross Section is related to that information.
- f. Revise Plan Sheet C-3 to remove item 29 from the General Notes. The City will not construct improvements for the project.
- g. The application provides inaccurate information about the onsite trees. Per application checklist Item 6, the existing site has a number of mature trees and specimen trees that must be assessed by a qualified arborist prior to any tree removals. Certain trees and nesting birds are protected under local and federal regulations. Please provide a report from a qualified arborist that includes recommendations for trees to be retained and removed as well as protections during construction of the project. The arborist report recommendations will inform the environmental review of the project, consistent with the requirements of the Carpinteria General Plan/Coastal Land Use Plan and CEQA. Please see [list of qualified consulting biologists](#).
- h. The search of the On-Site Hazardous Waste Substance List prepared by the State Office of Planning and Research is not included in your Resubmittal. Please include the Hazardous Waste Substance List with your next submittal. Please note, the On-site Hazardous Materials List must include the existing parcel and detailed information regarding the existing underground storage tank(s) at the Frontier Communications Building and permits.

D. ADVISORY INFORMATION

Based on our third review of your application, we put forth the following advisory statements.

1. **Coastal Development Permit (CDP).** The revised application included a request for a CDP on the cover checklist. However, in response to the first incompleteness letter, you state that the local CDP will be processed solely through the City rather than through the California Coastal Commission. Pursuant to the California Public Resources Code (PRC) §30600, a Coastal Development Permit is required for this project. While the Project is not located within the Coastal Appeals Jurisdiction, a Local Coastal Program Amendment is required for

this Project, which the Coastal Commission will need to approve (see additional discussion above and below). Therefore, Coastal Commission approval will be required for the Project.

- 2. Additional Studies.** Though not required as part of a complete application, additional studies will be needed as part of the environmental review process and to determine consistency with applicable State and City regulations. Based on staff's initial review of the proposed project, the following studies are anticipated to be required in order to assess the project's consistency with policies and regulations, and its potential environmental effects:

- a. Air Quality and Greenhouse Gas Emissions
- b. Cultural Resources, per Application Checklist Item 20.
- c. Night Lighting Plan
- d. Solar Shading Study
- e. Noise Study
- f. Photo Simulations

Additional information and studies may be requested as needed to complete environmental review of the proposed project under CEQA. (See Gov. Code, § 65944(c).)

- 3. Public Works.** The advisory comments below are cursory in context by the Public Works Department in order to provide for information to the project applicant regarding anticipated conditions of approval by the Public Works Department. The advisory comments are not exhaustive and depends on the entitlement process. The advisory comments are not required to be addressed in the completeness review.
- a. An Engineering Permit is to be obtained from the City Engineer for the grading, onsite, and offsite improvements and other encroachment work within the City's public right-of-way and/or public property.
 - b. A Transportation Permit is to 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.
 - c. As a component of the off-site improvements associated with the project, microsurfacing is to be applied for the entire pavement width along the frontages of Ogan Road and Via Real, respectively.
 - d. All new and existing utility services are to 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 are to be installed.
 - e. The project is located within one mile of U.S. Highway 101. As such, the California Department of Transportation (Caltrans) is also to be consulted with by the project. Written correspondence from Caltrans is to be submitted concerning Caltrans' review of any effect on U.S. Highway 101 (e.g. freeway on- and off-ramps, Caltrans-owned facilities, overcrossings, etc.).
 - f. 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).

- g. 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.
 - h. 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.
 - i. Self-hauled disposal receipts from transfer stations shall be submitted to the City Engineer prior to the issuance of a Certificate of Occupancy.
 - j. 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.
 - k. As part of the off-site improvements associated with the project, new sidewalks, curbs, and gutters shall be placed along the Ogan Road property frontage.
 - l. Provide a comprehensive plan that includes all existing easements. All proposed work shall be conducted without encroaching on any designated road easements.
 - m. All proposed infrastructure, including storm drains and irrigation systems, is required to be submitted for evaluation and shall adhere to the standards established by the city engineer.
 - n. Existing street lighting shall be safeguarded throughout the construction process. Should any damage occur, repairs will be promptly conducted.
4. **Development Impact Fees.** Your project, if approved, will be subject to the payment of development impact fees. The total amount of these fees will be estimated during the processing of this application. If you feel that the project should not be subject to such fees, based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed, you may appeal to the City Council for a reduction, adjustment, or waiver of any of those fees. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted, or waived. The actual amount of the required fees shall be determined in accordance with ordinances and resolutions in effect when the fees are paid, except as may be modified by state law. Fees may not be paid prior to project approval. The fee amounts are subject to yearly adjustments.
5. **Architectural Review Board.** Once the project application is deemed complete, we will schedule the project for review by the Architectural Review Board (ARB) during application processing. At least two weeks prior to the ARB hearing date, story poles must be installed and certified. Since use of story poles is problematic due to the scale of this project, and in order to accommodate review, we are requiring visual simulations. This item remains incomplete. The elevations that are provided in the Resubmittal are inaccurate representations of the project within the context of the existing setting. Please provide

visual simulations of the project separate from the elevations. Staff will ask for ARB input on massing and placement, architecture, neighborhood compatibility, landscaping, signs, fencing, and other design considerations. In order to schedule an ARB meeting, exterior lighting and photometric plans demonstrating compliance with night sky requirement, individual landscaping, irrigation, and lighting plans and elevations and colors shall be submitted.

6. **Anticipated Processing.** The proposed project requires review and approval of a Development Plan, Coastal Development Permit, and Parcel Map. The Planning Commission is the review authority for the Development Plan, Coastal Development Permit, and Parcel Map, subject to an appeal to the City Council. Additionally, the proposed project requires an LCPA which requires review and approval by the Planning Commission, the City Council, and the California Coastal Commission, followed by an adoption hearing by the City Council. Certification and adoption of the LCPA must be completed prior to granting of any entitlements for the proposed project.
7. **Tribal Cultural Resources Consultation.** Once the project application is deemed complete, the City will initiate the Assembly Bill (AB) 52 consultation process with local Tribal representatives for their input on any Tribal Cultural Resources that may be impacted by the project. If the proposed project requires an LCP Amendment, it also may require tribal consultation under Senate Bill (SB) 18 (2004).
8. **Department/Agency Letters.** The following departments/agencies have submitted comments and/or condition letters applicable to the Resubmittal. Attached to this letter are the comments/letters received since the City's last Incompleteness letter sent October 29, 2025. All other items sent with the City's prior incompleteness letters are incorporated herein by reference. Additional letters and conditions will be forwarded to you when we receive them.
 - California Coastal Commission, South Central Coast District, Comments email, dated October 15, 2025 and December 15, 2025
 - CVWD Comments/Intent to Serve Requirements and Application Form Email, dated October 21, 2025 and December 11, 2025
 - CSD/Conditions Letter, dated July 11, 2025 and October 22, 2025; and CSD Email dated December 11, 2025
 - City of Carpinteria Public Works Department Conditions Letter, dated July 14, 2025
 - Santa Barbara County Air Pollution Control District Comments/Requirements emails, dated July 14, 2025, and
 - E.J. Harrison & Sons Comments/Conditions/Application emails, dated July 2, 2025 and October 12, 2025
9. **SB 330 Preliminary Application Timeline.** Pursuant Government Code section 65941.1(e)(2), you must submit the specific information needed to complete the proposed project application within 90 days of receiving this letter. If you do not submit this

information within the 90-day period, then your preliminary application shall expire and have no further force or effect.

10. **Builder's Remedy.** We understand from your application that you may wish to rely on the protections of the so-called Builder's Remedy. The City will continue to evaluate whether the Project complies with the requirements of Government Code Section 65941.1 and the qualifications for a Builder's Remedy project under the Housing Accountability Act (Gov. Code, § 65589.5) throughout the entitlement process. Please be advised that the Housing Accountability Act also states that "[n]othing in this section shall be construed to relieve the local agency from complying with . . . the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code)." (Gov. Code, § 65589.5(e).).

Please note that a letter that describes newly submitted materials must accompany revised and/or additional materials and/or changes made to previously submitted materials. Please provide a digital copy of all revised plans, renderings, documents, and requested reports in PDF format with your resubmittal. Additionally, as noted above in item A.2, please provided one half-sized set, two 11" x 17" sets, and two full-sized sets of plans with your resubmittal. If we do not receive the information requested above within 90 days of the date of this letter, the City will consider the application withdrawn. If you have a deposit on account, we will refund any unused portion.

Please call to set up an appointment with us when you are ready to submit this information. If you have any questions regarding this letter, please call me at (805) 755-4414 or email me at bretm@carpinteriaca.us.

Sincerely,



Bret McNulty, Principal Planner
Community Development Department

Encl: Recent Department/Agency Letters and Communications

- California Coastal Commission
- Carpinteria Valley Water District
- Carpinteria Sanitary District

Cc: Case File, #25-2358-DP/TTM/CDP/ARB
Kelley Stewart, Frontier California, Inc.
IDAG Members

From: Fearer, Sam@Coastal
To: [Bret McNulty](#)
Cc: Phelps, Jacqueline@Coastal
Subject: RE: IDAG Review Request, 3rd Application Submittal Frontier Communications 130 unit, 18-Story Residential Tower
Date: Monday, December 15, 2025 2:15:18 PM
Attachments: [image002.png](#)

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Hi Bret,

Thank you for your email. The message below comprises our comments on the subject proposal:

Dear Mr. Bobroff,

Commission staff has received the December 10, 2025 Revised Application – 3rd Submittal Review Request and has reviewed all submittal materials linked therein. We appreciate this opportunity to provide comments for your consideration. The subject project would require a Development Plan (DP), Coastal Development Permit (CDP), and a Vesting Tentative Parcel Map (TPM) for a proposed lot split and the construction of a new 130-unit housing development located at 5115 Ogan Road.

The December 10, 2025 Revised Application – 3rd Submittal Review Request provided a general project description and included certain supporting materials. However, in order to evaluate the subject project's consistency with both the Coastal Act and LCP, additional application materials are needed. Staff would like to reiterate concerns with the proposed project previously shared in our comments submitted to the City on October 15, July 9 and September 24, 2025. Staff continues to recommend that the applicant submit all requested informational items as previously shared with the City, including the following:

Density

- It appears that the subject application includes a request to waive development standards pursuant to the Housing Accountability Act (HAA). This law contains a Coastal Act savings clause stating that nothing in the law shall be construed to relieve the local agency from complying with the Coastal Act (Gov. Code Section 65589.5(e), meaning that projects utilizing HAA should be consistent with the Certified LCP/Coastal Act. Where feasible, these laws should be harmonized.

LCP Amendments

- Where applicable, application materials should provide a list of all LCP amendments that would be required to ensure conformance of the proposed project with the certified LCP. This

includes, but is not limited to, land use and zoning designations and height restrictions.

Height, Visual Resources, and Community Character

- The LCP and Coastal Act require that the scenic and visual qualities of coastal areas are protected and that permitted development is compatible with the character of surrounding areas. In order to determine consistency of the subject project, the following materials should be included within the application materials:
 - A visual analysis with photosimulations of the proposed development from multiple locations and perspectives. The analysis should clearly describe and depict all proposed impacts to protected long-range views (e.g. mountain, foothill, ocean, horizon) and short-range views (e.g. natural open space, beach, windrows, native grass lands, coastal scrub, coastal bluffs).
 - An alternatives analysis assessing potential visual impacts (nighttime lighting, daytime glare) of proposed building construction (majority glass exterior) compared to alternative construction.

Hazards

- The Coastal Act requires that new development minimize adverse impacts, including through the assurance of structural stability and minimization of risks to life and property. Application materials should include a final geotechnical survey, foundation plans, confirmation of Fire Department review and approval, and a description of proposed evacuation and emergency response plans for the proposed project.

Traffic, Parking, and Circulation

- Application materials should include traffic and parking studies for the proposed project, analyzing impacts of the proposed development upon local traffic patterns, circulation, and street parking availability.
- Application materials should also provide reference to the specific legal code utilized to justify the proposed reduced parking standards.

Biological Surveys

- Application materials should provide current and comprehensive biological surveys for the subject parcels. Surveys should include mapping and description of ESHA, streams, wetland, sensitive species, native communities, raptors, nesting birds, or monarch butterflies. Surveys should analyze impacts of proposed development (grading, construction, noise, light) upon biological resources, including an analysis of potential impacts of the proposed building construction (majority glass exterior) upon avian populations. Furthermore, the survey should identify any areas where the proposed development would encroach within ESHA or ESHA buffer areas and include an analysis of ESHA that may have historically existed on the project site.

Grading and Stormwater Management

Application materials should provide complete stormwater management and grading plans for the proposed project that include all proposed pre- and post-construction best management practices (BMPs) for the protection of water quality.

Archaeological Surveys

- Application materials should provide current and comprehensive archaeological surveys for the subject parcels. Surveys should analyze impacts of proposed grading upon such resources.

Thank you for your consideration of our comments. We look forward to reviewing this project in whole, upon receipt of a final project application. Please feel free to contact me if you have any questions.

Best,

Sam Fearer

Coastal Program Analyst

California Coastal Commission | South Central Coast District

89 South California Street, Ventura, CA 93001

sam.fearer@coastal.ca.gov | (805) 585-1800



From: Bret McNulty <bretm@carpinteriaca.gov>

Sent: Wednesday, December 10, 2025 4:31 PM

To: John Ilasin <JohnI@carpinteriaca.gov>; Mitchell Perkins <mitchellp@carpinteriaca.gov>; Lance Lawhon <lancel@carpsan.com>; craigm@carpsan.com; 'Michael LoMonaco (m.lomonaco@csfd.net)' <m.lomonaco@csfd.net>; Brian King <Brian@cvwd.net>; fireprevention@csfd.net; Phelps, Jacqueline@Coastal <Jacqueline.Phelps@coastal.ca.gov>; Fearer, Sam@Coastal <sam.fearer@coastal.ca.gov>

Cc: Mindy Fogg <mindyf@carpinteriaca.gov>

Subject: RE: IDAG Review Request, 3rd Application Submittal Frontier Communications 130 unit, 18-Story Residential Tower

Importance: High

Hello all,

My apologies, the review dates are incorrect. Please provide your comments by Wednesday, December 17, 2025 at 5:00 p.m.

Thank you,



Bret McNulty

Principal Planner | Community Development Department
City of Carpinteria | 5775 Carpinteria Avenue
Carpinteria, CA 93013
Direct Line: (805) 755-4414 | bretm@carpinteriaca.gov

From: Bret McNulty

Sent: Wednesday, December 10, 2025 4:24 PM

To: John Ilasin <JohnI@carpinteriaca.gov>; Mitchell Perkins <mitchellp@carpinteriaca.gov>; 'Lance Lawhon' <lancel@carpsan.com>; 'craigm@carpsan.com' <craigm@carpsan.com>; 'Michael LoMonaco' (m.lomonaco@csfd.net)' <m.lomonaco@csfd.net>; Brian King <Brian@cvwd.net>; 'fireprevention@csfd.net' <fireprevention@csfd.net>; Phelps, Jacqueline@Coastal <Jacqueline.Phelps@coastal.ca.gov>; 'Fearer, Sam@Coastal' <sam.fearer@coastal.ca.gov>

Cc: Mindy Fogg <mindyf@carpinteriaca.gov>

Subject: IDAG Review Request, 3rd Application Submittal Frontier Communications 130 unit, 18-Story Residential Tower

Dear IDAG Members,

Thank you, for your continued comments on the Frontier Communications 130 unit, 18-Story Residential Tower proposed to be located at 5115 Ogan Road in the City of Carpinteria (Project No. 25-2358-DP/CDP/TPM/ARB) (Project). We have received a 3rd Application submittal for the project with revisions. We ask that you review the new submittal items and provide us with comments to me by **Wednesday, December 18, 2025** via email at bretm@carpinteriaca.gov.

We understand this is a short turn around and appreciate any response you can provide in this timeframe. We also need to provide our comments before Christmas due to the Permit Streamlining Act requirements..

Please do not hesitate to reach out to me if you have any questions.

Thank you,



Bret McNulty

Principal Planner | Community Development Department
City of Carpinteria | 5775 Carpinteria Avenue
Carpinteria, CA 93013
Direct Line: (805) 755-4414 | bretm@carpinteriaca.gov

From: [Spencer Seale](#)
To: [Bret McNulty](#)
Cc: [Brian King](#); [Mindy Fogg](#)
Subject: RE: [External] 5115 Ogan Incompleteness Letter - Applicant Housing Accountability Act Notice / City Response Letter
Date: Thursday, December 11, 2025 9:36:04 AM
Attachments: [image002.png](#)

****EXTERNAL EMAIL****

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Hey Bret,

Just to be clear, the District has NOT issued an intent to serve letter for the tower project. In fact, they have not even submitted an application with us.

We issued a letter for their lot line adjustment, which has no impact on the water system.

Thanks,



Spencer Seale, P.E.
Associate Engineer
Carpinteria Valley Water District
1301 Santa Ynez Ave.
Carpinteria, CA 93013
(805) 331-0087

From: Bret McNulty <bretm@carpinteriaca.gov>
Sent: Wednesday, October 22, 2025 8:30 AM
To: Spencer Seale <spencer@cvwd.net>
Cc: Brian King <Brian@cvwd.net>; Mindy Fogg <mindyf@carpinteriaca.gov>
Subject: RE: [External] 5115 Ogan Incompleteness Letter - Applicant Housing Accountability Act Notice / City Response Letter

Hi Spencer,

We received your review. We will forward your comments to the applicant.
Let me know if you need additional information.

Thank you,

Request For

Letter of Intent to Serve



After completing form, save or print, and submit to
Carpinteria Valley Water District
Attention: Engineering
1301 Santa Ynez Ave, Carpinteria, CA 93013
or info@cvwd.net

Date:

1. Account Number:

If there is an existing meter on site this should not be blank

2. Assessor's Parcel Number:

3. City/ County project number: REQUIRED, Request Incomplete Without.

4. Project Address:

5. Type of Project: Select type of project

6. Owner Information:

a. Name:

b. Mailing Address:

7. Project Manager Information:

a. Name:

b. Mailing Address:

c. E-mail:

d. Phone:

8. Project Description:



9. Attach your full plan set. **No exceptions.** Attach your fire sprinkler demand calculations, if required. The District will use these documents to size new meters and to determine whether you need to increase your meter or fire sprinkler capacity. Before you can get a building permit, the District must finalize your meter size(s) and fire service line size(s).
10. All projects must complete the tables below with the specific project information the District needs to estimate indoor and outdoor water demand. Only complete the tables relevant to your project. Leave all other tables blank.

All information you provide in these tables should reflect the finished project, not current conditions on the parcel. Further, make sure you are representing the full finished project, not just the proposed changes. For example, if there are two dwelling units on your property and you are proposing to add one dwelling unit then you should report three dwelling units in the table below.
11. After completing the form, print and submit to info@cvwd.net



Only complete the tables relevant to your project. Leave the other tables blank. All information provided should **reflect the finished project**, not what currently exists on the parcel and not just the specific proposed changes.

INDOOR information

Commercial

The categories in the table come from the City of Santa Barbara's Updated Water Demand Factors 2021.

(<https://santabarbaraca.gov/sites/default/files/documents/Public%20Works/Water%20Supply/Water%20Demand%20Factor%20Report%20-%202021.pdf>)

Business Category	Units (sqft or # of hotel rooms)	Quantity
Select a category	Select units based on land use category	
Select a category	Select units based on land use category	
Select a category	Select units based on land use category	
Select a category	Select units based on land use category	
Select a category	Select units based on land use category	
Select a category	Select units based on land use category	

Residential (includes residences on agricultural properties)

Report the total number of dwelling units when the **project is finished**. Make sure to include the number of **accessory dwelling units and junior accessory**.

Type of dwelling unit	Is this unit attached to another unit?	Number of dwelling units
Select type dwelling unit	Yes or No	
Select type dwelling unit	Yes or No	
Select type dwelling unit	Yes or No	

WELL information

Identify all private wells that will provide water to the proposed project.

Well name	Well number	Year well was drilled	Parcels served by well (<i>list all</i>)	Average annual well production in AF (<i>if known</i>)

OUTDOOR information

Agricultural

Report all agricultural crop types and crop acreage on the parcel(s) when the **project is finished**.

Crop type	Proposed area	Proposed structure
Select crop type	Acres	Select type of structure
Select crop type	Acres	Select type of structure
Select crop type	Acres	Select type of structure

Continued on next page

OUTDOOR information

Non-Agricultural (residential, commercial, public authority, or industrial)

Complete the MWELo table below. This table should capture **all irrigated area on your property after the proposed project is complete**. Include fruit trees and edible gardens that are part of the residential or commercial landscaping as long as they cover **less than 1 acre**. If the property has fruit trees or edible gardens that cover more than one acre use the "Agricultural" table above.

Follow the guidance below if you are completing this worksheet *without the aid of a professional landscaping service*,

Plant descriptions: Use the categories very low, low, medium, and high water use as shown in the example planting descriptions below. You do not need to report each plant type. We recommend identifying the most common plant types on your property and looking them up in the WUCOLs list on our website.

Plant factors: Assume the high end of the plant factor range for each category or use the WUCOLS list to determine the appropriate plant factor.

Irrigation method: Select the most common irrigation method for each planting description row. Categorize hand watering as overhead spray.

Area estimate: Roughly estimate the total area associated with each planting description row. You may use Google Earth which is free to download and has tools for measuring areas. See this guidance document: <https://support.google.com/earth/answer/9010337?hl=en&co=GENIE.Platform%3DDesktop>

MWELo Table

Planting Description ^a	Plant Factor (PF) ^b	Irrigation Method ^c	Irrigation Efficiency (IE) ^d	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	ETWU <i>44.9 x 0.62 x ETAF x Area</i>
TOTAL - Estimated Total Water Use (ETWU)							

^a EXAMPLE Planting Descriptions

^b Plant Factor

^c Irrigation method

^d Irrigation Efficiency

Very low water use plants

0-0.1

Overhead spray

0.75

Low water use plants

0.1-0.3

Drip

0.81

Medium water use plants

0.4-0.6

High water use plants

0.7-1.0

Water features (e.g., pools, fountains)

1.0



CARPINTERIA
Sanitary District

5300 Sixth Street
Carpinteria, CA 93013

Phone (805) 684-7214 · Fax (805) 684-7213

December 15, 2025

Bret McNulty
City of Carpinteria
Community Development Department
5775 Carpinteria Avenue
Carpinteria, California 93013

**Subject: Project No. 25-2358 – DP/CDP/TTM /ARB
5115 Ogan Road Apartments
5115 Ogan Road (APN 003-161-022)**

Thank you for the opportunity to provide comments on the subject project. The proposed project will construct one hundred and thirty (130) new apartments on a 0.59-acre parcel. The Carpinteria Sanitary District (District) recommends that the following preliminary conditions be incorporated into the review/approval process to address sewer system improvements:

1. The District has an 8-inch public sewer main that runs east-west in Ogan Road. The District will require the applicant to perform modeling of the District sewer network to identify potential capacity limitations. The District suggests a meeting on this topic with the applicant and/or their agent to discuss the requirements for sewer system capacity evaluation.
2. At this time, the District's wastewater treatment facility has sufficient capacity to treat wastewater generated by this project. However, sewer service is extended on a first come, first served basis and we cannot guarantee availability in the future.
3. All sewer improvements shall conform to approved District construction standards for materials and methods.
4. A sewer construction permit is required for any and all work on the building sewer or lateral sewers serving the property. The permit shall be procured and applicable fees paid prior to issuance of Building permits. The applicant shall submit engineered drawings to the District showing any and all proposed sewer connections, alterations or additions. During the construction phase, it is the applicant's and contractor's responsibility to notify the District of any sewer improvements or modifications not noted on the approved plans.
5. The District shall inspect all installed sewer pipes and fittings prior to placing trench backfill. Failure to request or obtain an inspection will require complete re-excavation

December 15, 2025

Bret McNulty

Page 2 of 2

and reconstruction of the work. All sewer improvements shall be pressure tested in accordance with District standard procedures prior to final acceptance.

6. A Development Impact Fee (DIF) shall be paid to the District for each newly constructed residential "equivalent dwelling unit" (EDU) and commercial structure. The DIF has increased on July 1, 2025 to **\$6,806** per residential EDU. Annual adjustments are made on July 1st of each year based on a construction cost index. One hundred and thirty (130) apartments are proposed for the project. The current total DIF for the proposed project will be **\$ 884,780**. The DIF payment is due at the time a sewer construction permit is issued.
7. District sewer service charges (SSC's) are collected through the County of Santa Barbara property tax rolls on an annual basis. Prior to obtaining a Certificate of Occupancy, the applicant shall pay District applicable SSC's due for the period between building occupancy and the following June 30th. If you have any questions regarding the comments provided by the District, please contact me at (805) 684-7214, ext. 113, or lancel@carpsan.com.

Sincerely,

CARPINTERIA SANITARY DISTRICT

Lance Lawhon

Lance Lawhon
Engineering Technician