



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 3, 2024  
**AGENDA DATE:** July 10, 2024  
**PROJECT ADDRESS:** 128 Oliver Road (PLN2024-00048)

**TO:** Dan Gullet, Principal Planner, Staff Hearing Officer  
**FROM:** Planning Division  
Megan Arciniega, Senior Planner  
Holly Garcin, Assistant Planner, [HGarcin@SantaBarbaraCA.gov](mailto:HGarcin@SantaBarbaraCA.gov)

### **I. PROJECT DESCRIPTION**

The 7,423-square-foot parcel located in the Coastal Zone Appealable Jurisdiction is currently developed with a 1,333-square-foot single-story single-unit residence and a legal non-conforming 348-square-foot detached garage. Proposal to construct an attached 749-square-foot two-story one-bedroom Accessory Dwelling Unit (ADU) including a 66-square-foot balcony. The proposed total of 2,430 square feet of development on a 7,423-square-foot lot is 80% of the maximum required Floor-to-Lot Area Ratio (FAR). A Coastal Exemption will be processed for the remaining project elements. Refer to Exhibit A for the Project Plans and Photographs and Exhibit B Applicant Letter, respectively.

### **II. REQUIRED APPLICATIONS**

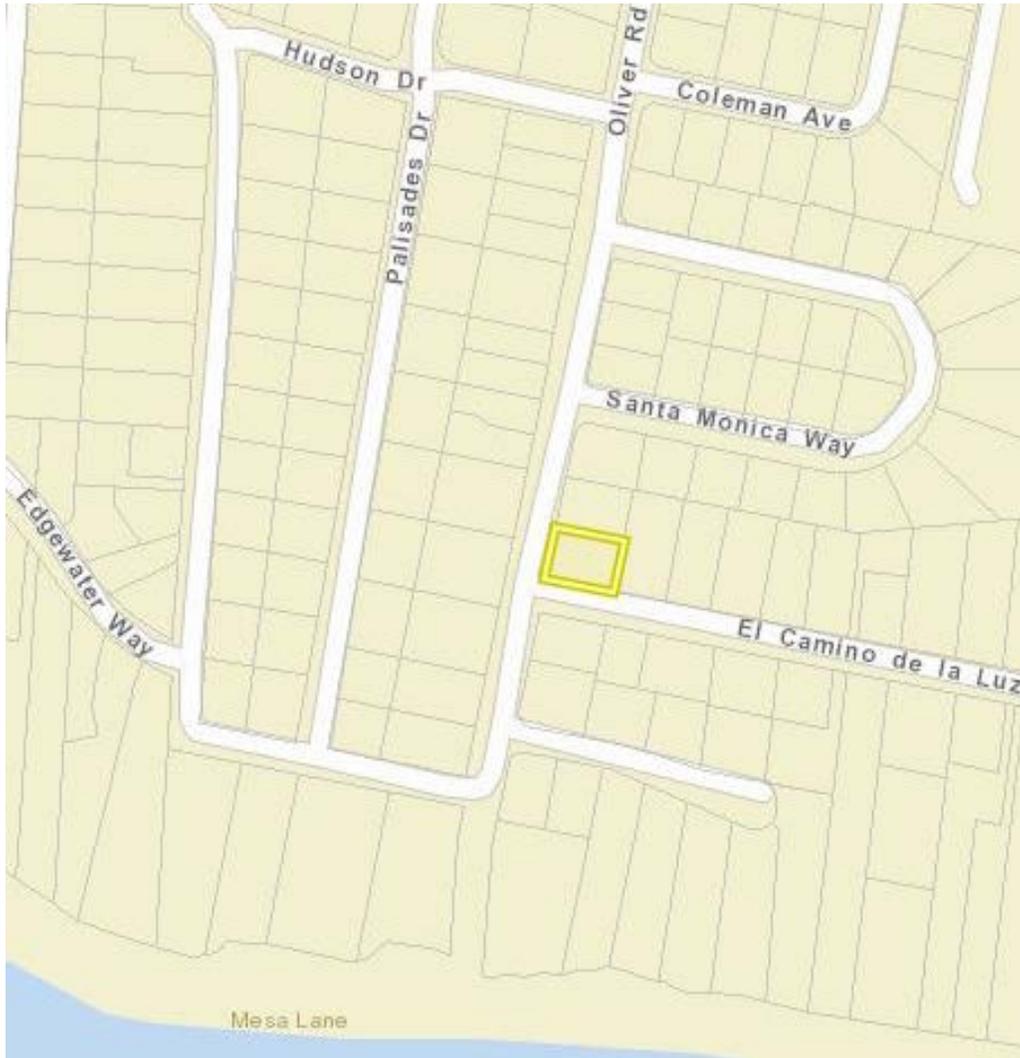
The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

- A. A Coastal Development Permit to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone Santa Barbara Municipal Code (SBMC) §28.44.060).

**Application Deemed Complete:** June 24, 2024  
**Date Action Required:** August 23, 2024

### **III. RECOMMENDATION**

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the Coastal Land Use Plan. Therefore, staff recommends that the Staff Hearing Officer approves the project, making the findings outlined in Section VIII of this report, and subject to the conditions of approval in Exhibit C.



Vicinity Map – 128 Oliver Road

#### IV. **BACKGROUND**

Accessory Dwelling Units (ADUs) in the City’s coastal zone are governed by Santa Barbara Municipal Code (SBMC) Chapter 28.86. All ADUs in the coastal zone require approval of a Coastal Development Permit by the Staff Hearing Officer but do not require a public hearing (SBMC §28.44.110.C). Written comments regarding the application will be considered by the Staff Hearing Officer prior to making a decision on the project. The Staff Hearing Officer’s decision may be appealed to the California Coastal Commission within 10 working days of the decision.

V. **SITE INFORMATION AND PROJECT STATISTICS**

A. **SITE INFORMATION**

<b>Applicant:</b>	Jason Reyes and Mark Macy, Macy Architecture	
<b>Property Owner:</b>	Silverman Paz Family Trust	
<b>Site Information</b>		
<b>Assessor's Parcel Number (APN):</b>	045-100-002	
<b>Zoning District:</b>	E-3/S-D-3 (One-Family Residence/Coastal Overlay). (SBMC Title 28)	
<b>Coastal Land Use Plan:</b>	Residential (Max 5 du/ac)	
<b>Lot Size:</b>	0.17 acres; approx. 7,423 sq. ft.	
<b>Avg. Slope:</b>	4%	
<b>Adjacent Zoning and Land Uses</b>		
<b>North:</b>	E-3/S-D-3	Residential
<b>East:</b>	E-3/S-D-3	Residential
<b>South:</b>	Public Road, E-3/S-D-3	El Camino de la Luz, Residential
<b>West:</b>	Public Road, E-3/S-D-3	Oliver Road, Residential

B. **PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
<b>Existing Primary Residence</b>	1,333 sq. ft.	No Change
<b>Detached Garage</b>	348 sq. ft.	No Change
<b>Proposed ADU</b>	N/A	749 sq. ft.
<b>Floor Area Ratio</b>	1,681 sq. ft. = 56% of Maximum Required FAR*	2,430 sq. ft. = 80% of Maximum Required FAR*
* = ADU included in FAR square footage per SBMC §28.86.055.C.		

**VI. POLICY AND ZONING CONSISTENCY ANALYSIS**

**A. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement	Complies?
<b>Accessory Dwelling Unit Setbacks</b>		
-Front	20 feet	✓
-Interior	4 feet	✓
<b>Building Height</b>	30 feet	✓
<b>Parking</b>	Primary Residence: 2 covered spaces ADU: 0 spaces	Primary Residence: ✓ ADU: ✓
<b>Open Yard</b>	800 square feet	✓

As identified in the table above, the project complies with Zoning Ordinance requirements for the zone.

**B. ACCESSORY DWELLING UNIT STANDARDS**

The project complies with the City’s ADU requirements, as outlined in SBMC Chapter 28.86. Some of the key regulations are discussed in more detail below.

**1. REQUIRED FEATURES (SBMC §28.86.050)**

The proposed ADU contains all of the required residential elements (kitchen, bathroom, living room, separate sleeping room), has independent exterior access, and exceeds the 400-square-foot minimum unit size.

**2. MAXIMUM FLOOR AREA (SBMC §28.86.055.B.)**

The proposed ADU is attached to the existing primary residence but the floor area is permissible because it is less than 800 square feet.

**3. FLOOR AREA RATIO (SBMC §28.86.055.C)**

As shown in the Project Statistics table above, the Floor-to-Lot Area Ratio for all development on site is 80% of the Maximum Required FAR. Therefore, the project is consistent with FAR zoning standards.

**4. ARCHITECTURAL REVIEW (SBMC §28.86.060)**

The proposed ADU complies with all required ministerial design criteria.

The balcony was granted Single Family Design Board Administrative review/approval. See Section VII of this report.

**5. PARKING (SBMC §28.86.080)**

The proposed ADU is located within a half-mile (2,640 feet) of a public transit stop and is outside of any Key Public Access Areas as delineated in Figure 3.1-2 of the Coastal Land Use Plan. Therefore, no parking is required for the ADU.

The existing parking (two car garage) for the primary residence will remain.

### **C. COASTAL CONSISTENCY**

The project site is located in the Coastal Zone and must be found consistent with the California Coastal Act and the City's Local Coastal Program, including the Land Use Plan (LUP), which implements the California Coastal Act. Staff finds that the project is consistent with applicable Coastal Act and LUP policies (refer to Exhibit D for applicable policies), as identified in the Recommended Findings in Section VIII below.

### **VII. DESIGN REVIEW**

The ADU is exempt from design review per California Government Code §65852.2. However, the project includes a 66-square-foot balcony at the second-story of the ADU, which although dedicated to the ADU is considered a non-essential element of the building and is therefore subject to Single Family Design Review Board (SFDB) review per SBMC §22.69.020.

Staff review concluded that the balcony qualified for administrative SFDB approval pursuant to the SFDB General Design Guidelines given that: the balcony is modest in size (66-square-feet); is compatible in design, materials, style, colors, and scale to match the existing and proposed development; a 5-foot-tall privacy screen is proposed on the east elevation of the balcony as to provide privacy from the neighboring residential zoned lot; the balcony does not face the lot to the east but faces the street; the footprint/mass of the balcony is sited over the existing to remain garage and does not cantilever beyond existing development; the balcony is sited on the secondary street frontage and as far away from the public most viewed point (primary street frontage and corner of the lot) as possible; therefore, the proposed balcony would not be more noticeable than the structure it is attached to and when viewed from public locations, the balcony is not likely to be more noticeable than other balconies/decks in the immediate area. The project was granted SFDB Administrative Approval on May 28, 2024.

### **VIII. RECOMMENDED FINDINGS**

The Staff Hearing Officer finds the following:

#### **A. ENVIRONMENTAL REVIEW**

The project is exempt from further environmental review under Section 15303 [New Construction or Conversion of Small Structures Facilities] of the California Environmental Quality Act (CEQA) Guidelines, which allows for construction of a second dwelling unit in a residential zone.

No significant project-specific or cumulative environmental impacts are expected as a result of the project. The project does not have the potential to damage scenic highways or historic resources, and the project site is not identified as a hazardous waste site. Therefore, none of the categorical exceptions (per Guidelines Section 15300.2) apply.

#### **B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)**

1. The ADU project is consistent with the policies of the California Coastal Act and the project will not have significant adverse effects to the coast or coastal resources. The project site is located in an existing, developed single-family neighborhood with adequate public services including public transportation, fire prevention, police, and utility services. The project will not result in any adverse effects related to coastal resources, including public views, public access to the coast, or coastal bluff erosion. Both parking and open space minimum requirements will be maintained for the primary residence. The

project is consistent with Coastal Act policies 30250 (Location; existing developed area), 30251 (Scenic and visual qualities) and 30252 (Maintenance and enhancement of public access) because the project site is not located on a coastal bluff or adjacent to any designated public access points for the coast, and there are no mapped biological, archaeological, or visual resources on the site.

The project is consistent with Coastal Act policy 30253 (Minimization of adverse impacts) because the project site is not located in an area of high geologic, flood, or fire hazard. The project site is not located along any bluffs or cliffs, and does not require construction of any protective device that would impact existing landforms. The proposed ADU is located partially above the existing garage and on a flat portion at the center of the lot and the project will not contribute to geologic instability or destruction of the site because the area has withstood existing development of similar size and scale and the project would be constructed in accordance with California Building Code requirements for the geologic and soil conditions of the site.

2. The ADU project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. The proposed ADU complies with the zoning ordinance in terms of setbacks, parking and height, and complies with all requirements of the City's ADU Ordinance, as identified in Section VI of the staff report dated June 19, 2024. The proposed ADU is compatible with neighborhood development because the surrounding neighborhood includes a mix of attached one- and two-story buildings, and therefore the proposed development will be consistent with the surrounding typology. The project will not impact public access to the coast because it is on an existing developed lot with no separate access to the bluff or the beach. The project site is not located on a coastal bluff or any visually-, biologically-, or archaeologically-sensitive area.

The proposed ADU is a 749-square-foot one-bedroom unit with no designated on-site parking space; the unit is also considered accessory to the primary residence and hence, it would most likely be more affordable than a standard market rate unit within the City. Adequate parking is provided for the primary residence and the ADU does not require parking due to its location near a bus stop.

The project includes new or replaced impervious area between 500 and 1,999 square feet, and therefore must comply with the City's Tier 2 post-construction storm water requirements which will be required as part of the building permit plan check and inspection process.

Exhibits:

- A. Project Plans and Photographs
- B. Applicant's Letter
- C. Draft Conditions of Approval
- D. Applicable Coastal Policies

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630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x 4562







#1 - LOOKING EAST @ PROJECT SITE (PRIMARY DWELLING)



#5 - LOOKING NORTH @ PROJECT SITE (DETACHED GARAGE)



#9 - LOOKING EAST @ 136 OLIVER ROAD



#2 - LOOKING NORTH @ PROJECT SITE (PRIMARY DWELLING)



#6 - LOOKING EAST @ PROJECT SITE (DETACHED GARAGE)



#10 - LOOKING WEST @ 121 OLIVER ROAD



#3 - LOOKING WEST @ PROJECT SITE (PRIMARY DWELLING)



#7 - LOOKING NORTH @ PROJECT SITE (DETACHED GARAGE)



#11 - LOOKING SOUTH @ 2035 EL CAMINO DE LA LUZ



#4 - LOOKING SOUTH @ PROJECT SITE (PRIMARY DWELLING)



#8 - LOOKING WEST @ PROJECT SITE (DETACHED GARAGE)



#12 - LOOKING NORTH @ 2030 EL CAMINO DE LA LUZ



1 SITE MAP / DIAGRAM  
A0.03 1" = 30'-0"



STAMP

CONSULTANTS

PROJECT  
**SILVERMAN-PAZ ADU**

128 OLIVER ROAD  
SANTA BARBARA, CA 9309  
APN 045-00-002

ISSUES/REVISIONS

03/02/2024	
05/22/2024	
06/02/2024	

SHEET TITLE  
**SITE PHOTOGRAPHS**

DATE	04/27/2024
PHASE	PLANNING APPROVAL
SCALE	AS NOTED

SHEET  
**A0.03**

(E) LOT COVERAGE	
BUILDING FOOTPRINT	2085 SF
HARDSCAPE (IMPERMEABLE)	1206 SF
LANDSCAPE (PERMEABLE)	4132 SF
<b>TOTAL LOT</b>	<b>7423 SF</b>

(E) / (N) OPEN YARD	
REAR YARD	800 SF
800 SF MIN. REQ'D	
15'-0" x 15'-0" MIN. DIM.	

- KEYNOTES**
- UTILITY POLE
  - FIRE HYDRANT
  - OAK TREE
  - CONCRETE DRIVEWAY
  - CONCRETE COURTYARD
  - PAVED PATHWAY
  - FENCE & GATE TO BE REMOVED
  - PLANTER
  - GRASS, TYP.
  - NEIGHBORING FENCE
  - WOOD FENCE "RAIL" (+3'-6" MAX. HEIGHT)
  - BBO TO BE REMOVED
  - ROOF OVERHANG, TYP.
  - PORTION OF PAVING TO BE REMOVED
  - ROOF TO BE REMOVED TO ACCOMMODATE 2ND STORY OF PROPOSED 2-STORY ADU  
- SEE SH1 A2.2
  - ORANGE TREE
  - AVOCADO TREE

**WALL LEGEND**  
 (N) WALL

**M A R C H  
A R C H  
I T E C  
T U R E**

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APN 045-100-002

ISSUES/REVISIONS

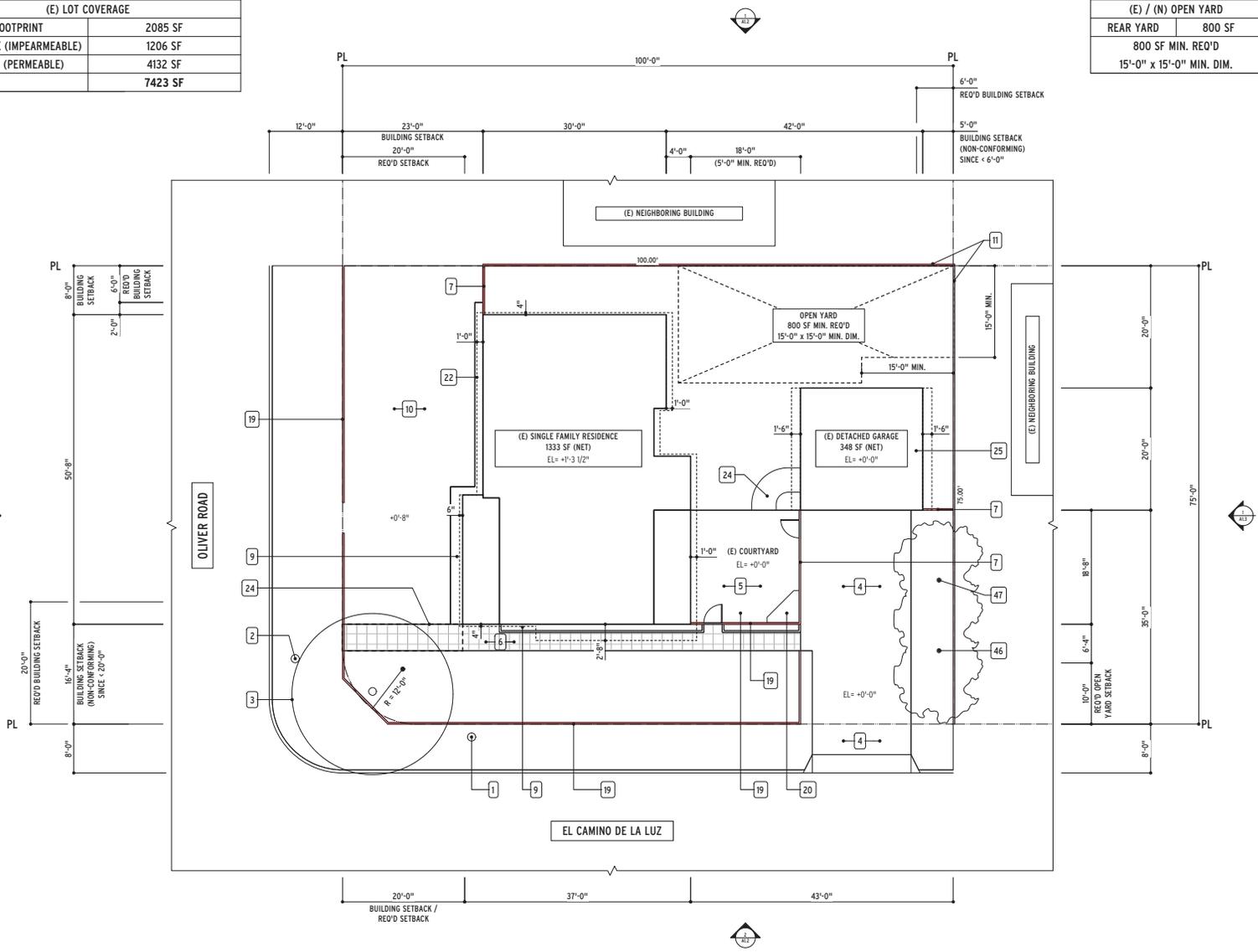
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2	05/22/2024	
3	06/02/2024	

SHEET TITLE

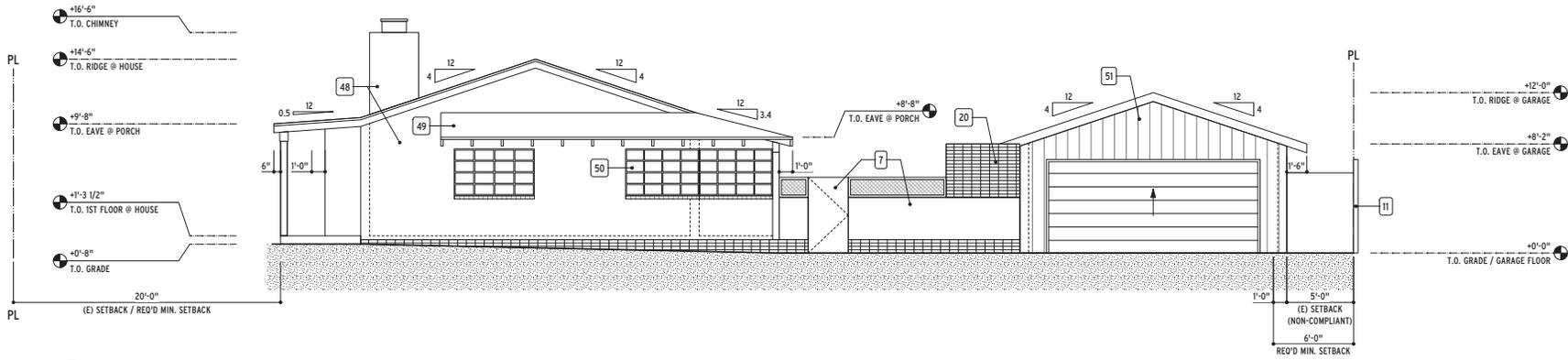
EXISTING SITE PLAN / DEMO PLAN
DATE: 04/22/2024
PHASE: PLANNING APPROVAL
SCALE: AS NOTED

SHEET **A1.0**

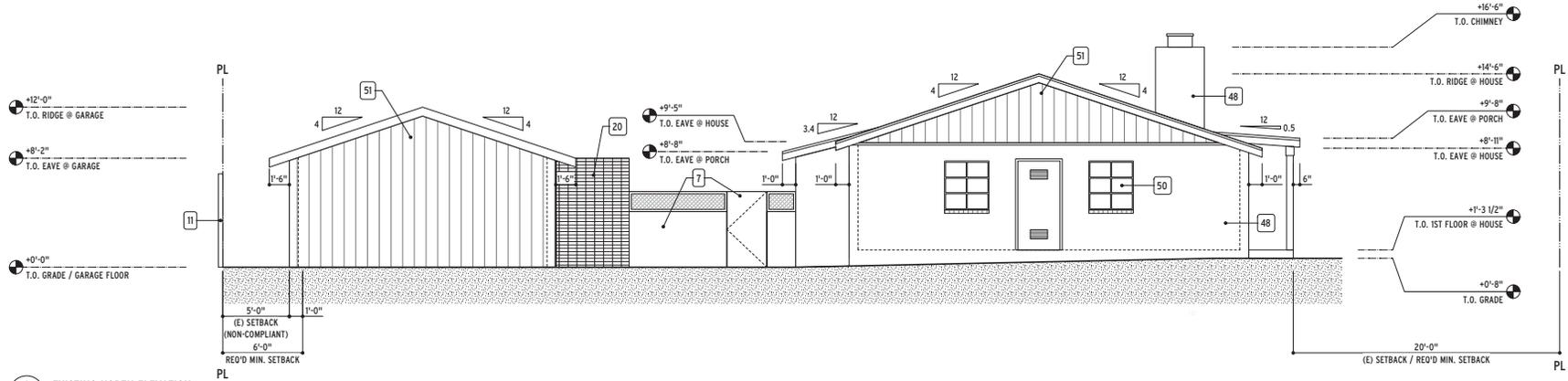
**1** EXISTING SITE PLAN / DEMO PLAN  
1/8" = 1'-0"







2 EXISTING SOUTH ELEVATION  
 A1.2 1/4" = 1'-0"



1 EXISTING NORTH ELEVATION  
 A1.2 1/4" = 1'-0"

- KEYNOTES**
- 7. FENCE & GATE TO BE REMOVED
  - 11. NEIGHBORING FENCE
  - 20. BBO TO BE REMOVED
  - 48. STUCCO PARGING - OVER CMU
  - 49. ASPHALT SHINGLES ("REDDISH-BROWN"), TYP.
  - 50. METAL WINDOWS (PTD. "GREEN")
  - 51. BOARD & BATTEN (PTD. "WHITE"), TYP.

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STAMP

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**SILVERMAN-PAZ ADU**

128 OLIVER ROAD  
 SANTA BARBARA, CA 93099  
 APN: 045-001-002

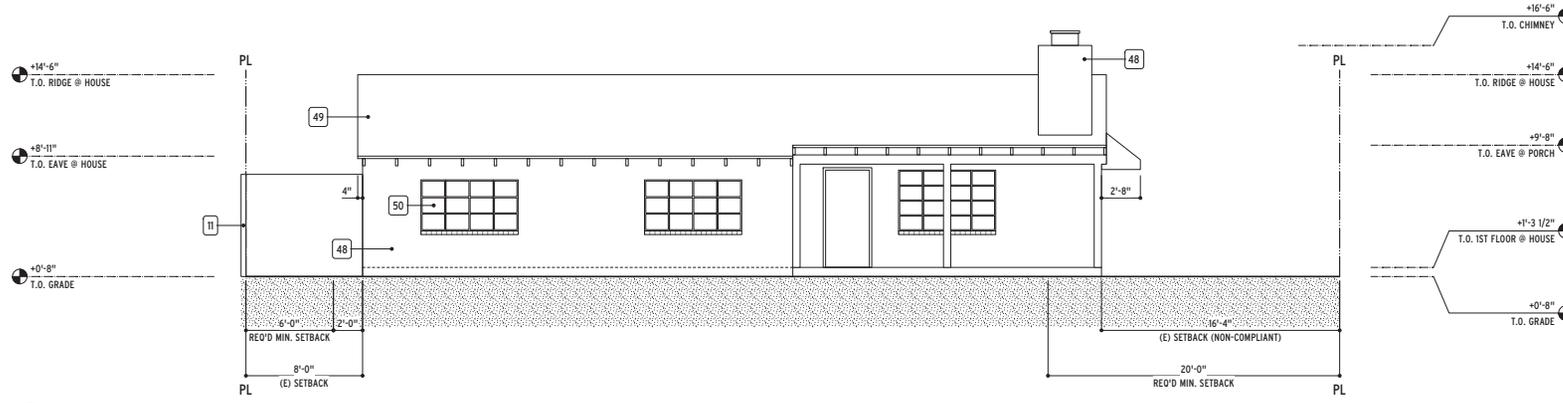
ISSUES/REVISIONS

Δ	03/02/2024
Δ	05/22/2024
Δ	06/02/2024

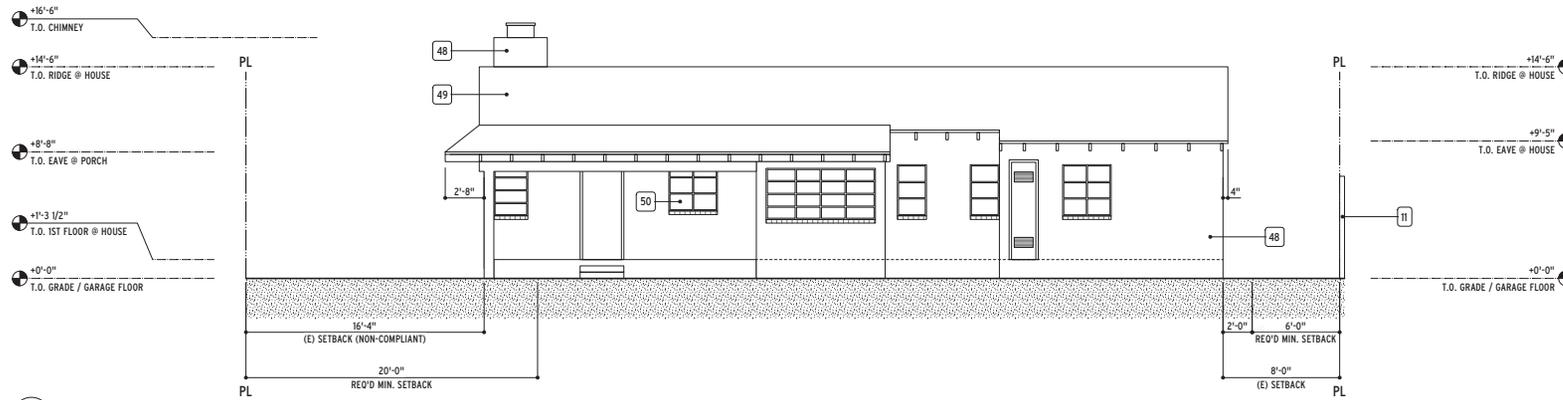
SHEET TITLE  
**EXISTING EXTERIOR ELEVATIONS  
 (NORTH & SOUTH)**

DATE	04/02/2024
PHASE	PLANNING APPROVAL
SCALE	AS NOTED

**A1.2**



2 EXISTING WEST ELEVATION  
 A1.3 1/4" = 1'-0"



1 EXISTING EAST ELEVATION  
 A1.3 1/4" = 1'-0"

**KEYNOTES**

- 11. NEIGHBORING FENCE
- 48. STUCCO PARING - OVER CMU
- 49. ASPHALT SHINGLES ("REDDISH-BROWN"), TYP.
- 50. METAL WINDOWS (PTD. "GREEN")

STAMP

CONSULTANTS

PROJECT  
**SILVERMAN-PAZ ADU**

128 OLIVER ROAD  
 SANTA BARBARA, CA 9309  
 APN: 045-00-002

ISSUES/REVISIONS

Δ	03/02/2024
Δ	05/22/2024
Δ	06/02/2024

SHEET TITLE  
**EXISTING EXTERIOR ELEVATIONS  
 (EAST & WEST)**

DATE	04/27/2024
PHASE	PLANNING APPROVAL
SCALE	AS NOTED

SHEET  
**A1.3**

(N) LOT COVERAGE	
BUILDING FOOTPRINT	2393 SF
HARDSCAPE (IMPERMEABLE)	1145 SF
LANDSCAPE (PERMEABLE)	3885 SF
<b>TOTAL LOT</b>	<b>7423 SF</b>

STORMWATER MANAGEMENT	
PROPOSED NEW IMPERVIOUS AREA	370 SF
PROPOSED REDEVELOPED IMPERVIOUS AREA	0 SF
<b>TOTAL LOT</b>	<b>370 SF</b>

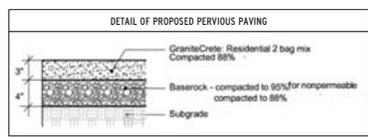
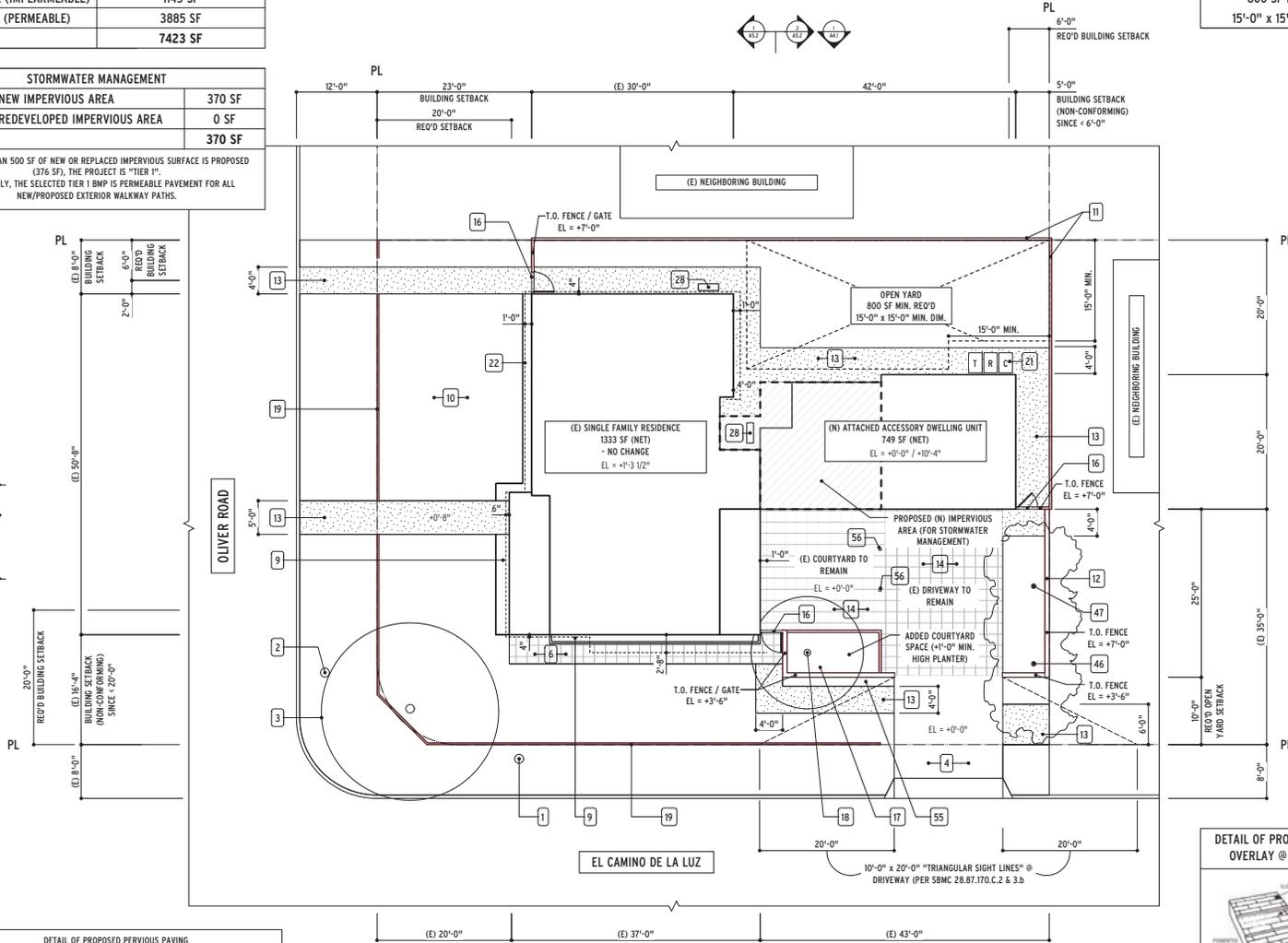
SINCE LESS THAN 500 SF OF NEW OR REPLACED IMPERVIOUS SURFACE IS PROPOSED (370 SF), THE PROJECT IS "TIER 1". ACCORDINGLY, THE SELECTED TIER 1 BMP IS PERMEABLE PAVEMENT FOR ALL NEW/PROPOSED EXTERIOR WALKWAY PATHS.

(E) / (N) OPEN YARD	
REAR YARD	800 SF
800 SF MIN. REQ'D	
15'-0" x 15'-0" MIN. DIM.	

- KEYNOTES**
- (E) UTILITY POLE
  - (E) FIRE HYDRANT
  - (E) OAK TREE TO REMAIN
  - (E) CONCRETE DRIVEWAY
  - (E) PAVED PATHWAY
  - (E) PLANTER TO BE REMAIN
  - (E) GRASS, TYP.
  - (E) NEIGHBORING FENCE
  - (N) PERMEABLE PAVING
  - (N) COSMETIC OVERLAY ATOP (E) CONCRETE PAVING
  - (N) WOOD GATE & FENCE
  - (N) +1'-0" HIGH PLANTER
  - (N) TREE T.B.D.
  - (E) WOOD FENCE "RAIL" (+3'-6") MAX. HEIGHT
  - TRASH / RECYCLING / COMPOST STORAGE AREA
  - EDGE OF ROOF ABOVE, TYP.
  - (N) ELECTRIC HEAT PUMP CONDENSING UNIT
  - (E) ORANGE TREE TO REMAIN
  - (E) AVOCADO TREE TO REMAIN
  - (N) +0'-0" PLANTER
  - (N) 4.5" DIAMETER MTL. BOLLARD

**WALL LEGEND**

(N) WALL



**1** PROPOSED SITE PLAN  
A2.0 1/8" = 1'-0"



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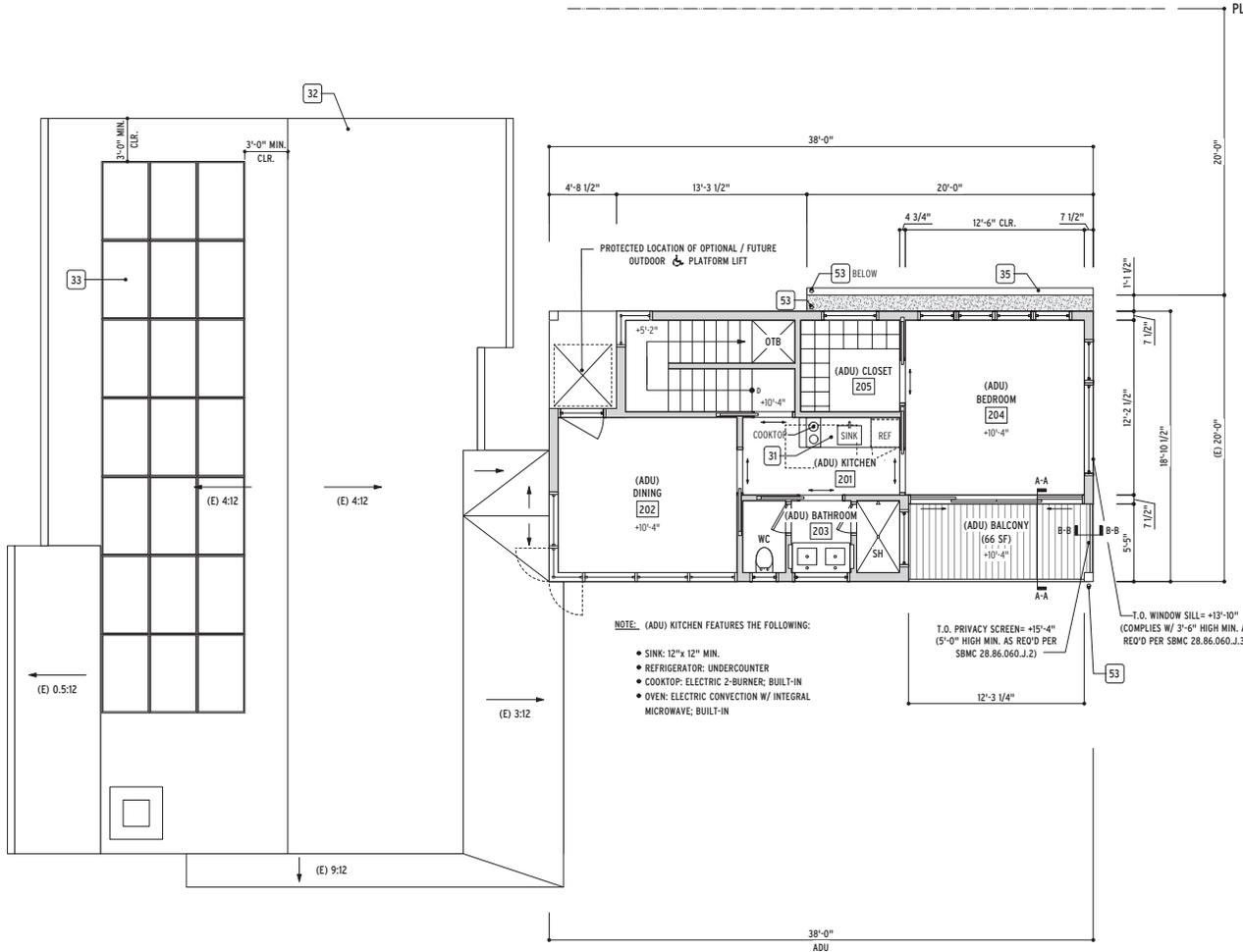
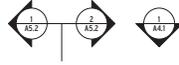
**ISSUES/REVISIONS**

1	03/04/2024	
2	05/22/2024	
3	06/02/2024	

**SHEET TITLE:** PROPOSED SITE PLAN  
**DATE:** 04/02/2024  
**PHASE:** PLANNING APPROVAL  
**SCALE:** AS NOTED

**SHEET:** A2.0





**KEYNOTES**

- NOTE: ADU KITCHEN EQUIPPED W/ SINK, UNDER COUNTER REFRIGERATOR, 2-BURNER COOKTOP & CONVECTION/MICROWAVE OVEN ABOVE
- RE-ROOF W/ (N) ASPHALT SHINGLES TO MATCH EXISTING ("REDDISH-BROWN")
- PHOTOVOLTAIC PANELS, TYP.
- SHT. METAL GUTTER
- DOWNSPOUT

**WALL LEGEND**

(N) WALL

**SECTION THRU BALCONY**  
1/2" = 1'-0"

GUARDRAIL - COMPRISED OF 2" x 3/8" STEEL FLAT BAR HORIZONTAL BAILS & VERTICAL PICKETS (H.D.G. & PTD.)

3/4" EXT. GRADE M.D.F. PANEL (PTD.)

4" CLR. BETWEEN PICKETS

5'-0" HIG.

3'-6" WID.

4" CLR. BETWEEN PICKETS

3/4" EXT. GRADE M.D.F. PANEL (PTD.)

COLUMN

**SECTION THRU PRIVACY SCREEN**  
1/2" = 1'-0"

GUARDRAIL - COMPRISED OF 2" x 3/8" STEEL FLAT BAR HORIZONTAL BAILS & VERTICAL PICKETS (H.D.G. & PTD.)

3/4" EXT. GRADE M.D.F. PANEL (PTD.)

5'-0" HIG.

3'-6" WID.

2 3/4" HIG.

3/4" HIG.

**M A R C Y  
A R C H  
I T E C  
T U R E**

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APN: 045-100-002

**ISSUES/REVISIONS**

1	03/04/2024	
2	05/22/2024	
3	06/02/2024	

**PROPOSED SECOND FLOOR PLAN**

DATE	04/27/2024
PHASE	PLANNING APPROVAL
SCALE	AS NOTED

**SHEET TITLE**

**A2.2**

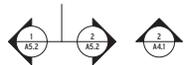
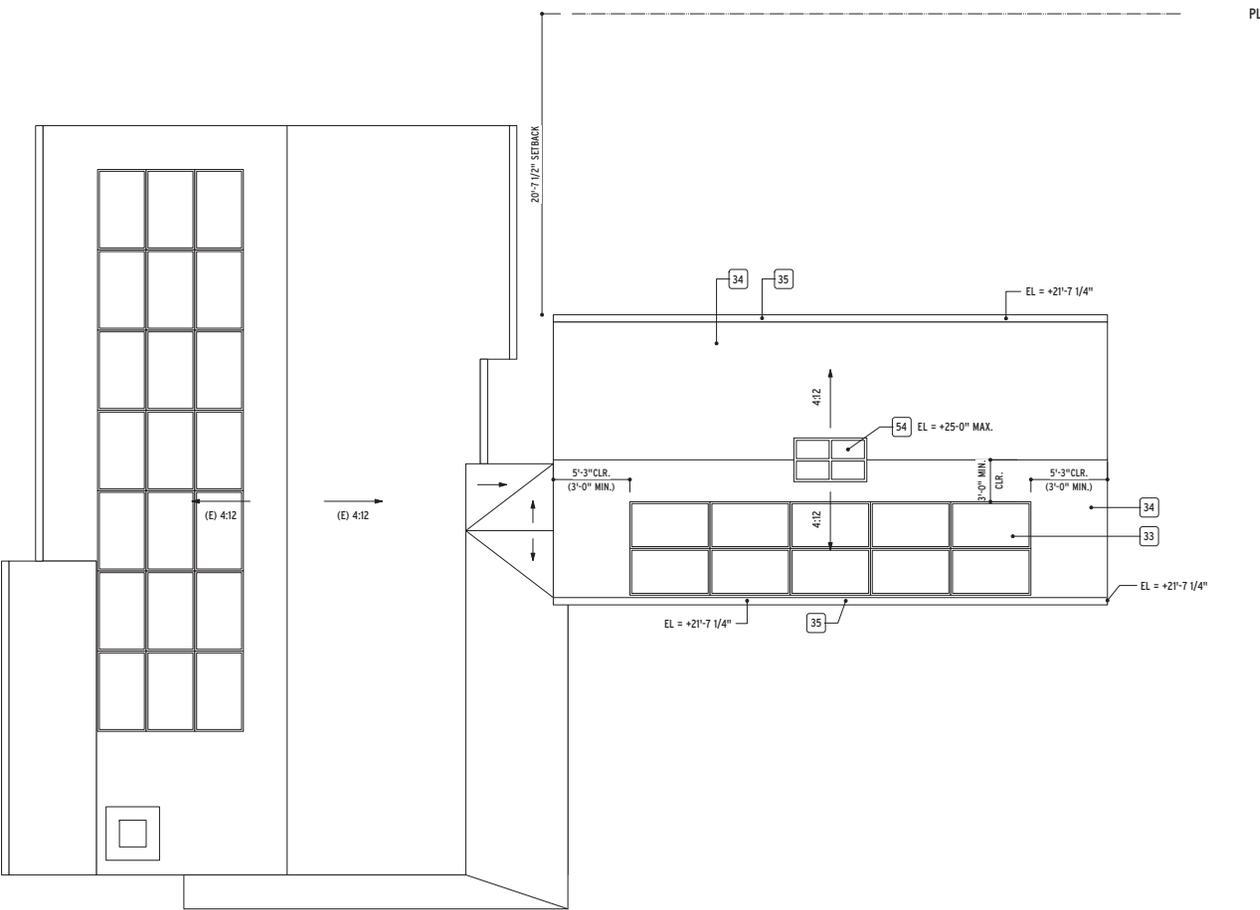
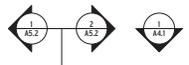
**PROPOSED SECOND FLOOR PLAN**

1/4" = 1'-0"



**2** PROPOSED SECOND FLOOR PLAN  
1/4" = 1'-0"

**A2.2**



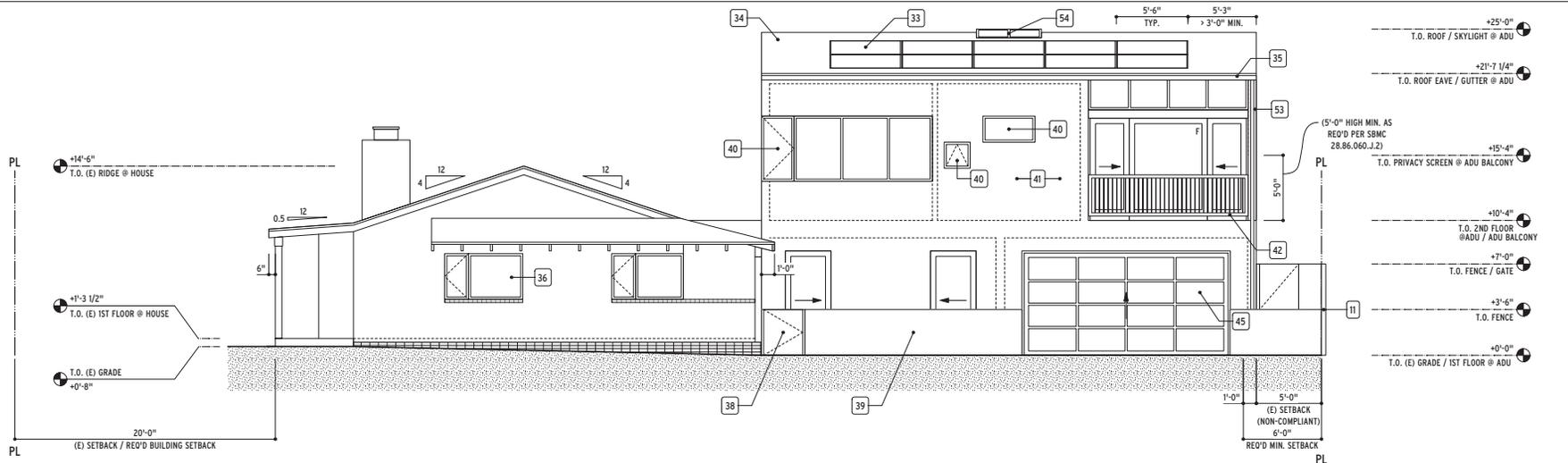
- KEYNOTES**
- 33. PHOTOVOLTAIC PANELS, TYP.
  - 34. ASPHALT SHINGLES TO MATCH (E) ROOF ("REDDISH-BROWN")
  - 35. SHT. METAL GUTTER
  - 54. (N) SKYLIGHT (GLASS)

**WALL LEGEND**  
 (N) WALL

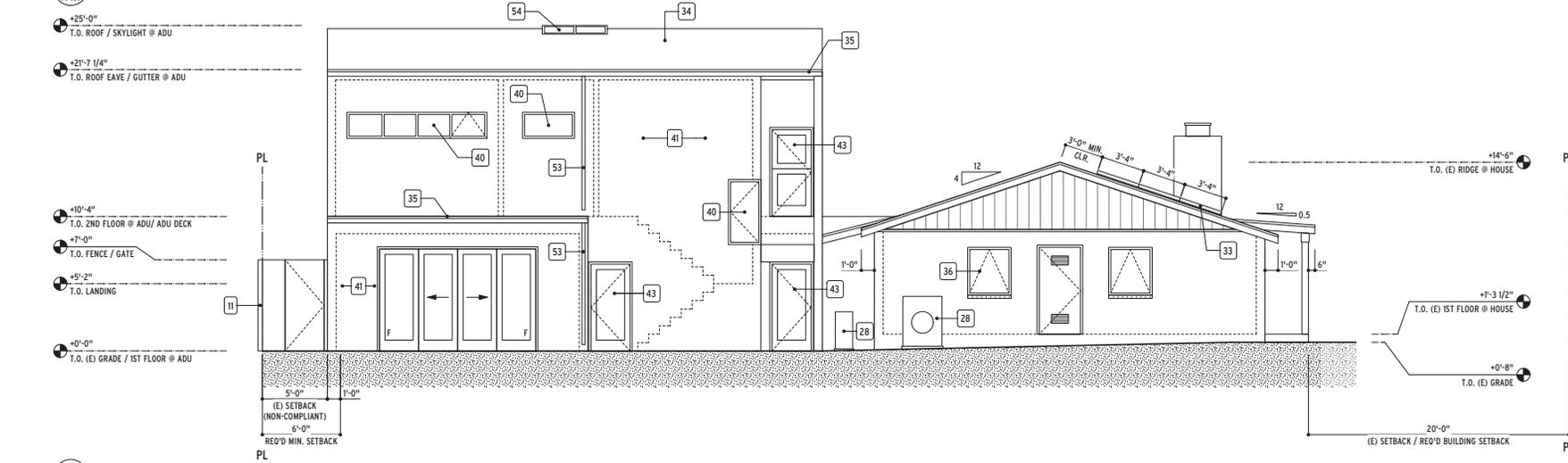


**1** PROPOSED ROOF PLAN  
**A2.3** 1/4" = 1'-0"

SHEET	SHEET TITLE		ISSUES/REVISIONS	PROJECT	CONSULTANTS	STAMP
	PROPOSED ROOF PLAN					
DATE	04/27/2024	PHASE	PLANNING APPROVAL	SILVERMAN-PAZ ADU 128 OLIVER ROAD SANTA BARBARA, CA 93091 APN 0451004002	MARC Y ARCH ITEC ITURE	466 Geary Street, Suite 500 San Francisco, CA 94102 Tel: 415.551.7600 Fax: 415.551.7601 www.marcynarchitecture.com
SCALE	AS NOTED					



**2** PROPOSED SOUTH ELEVATION  
A4.1 1/4" = 1'-0"



**1** PROPOSED NORTH ELEVATION  
A4.1 1/4" = 1'-0"

**KEYNOTES**

- 11. (E) NEIGHBORING FENCE
- 28. (N) ELECTRIC HEAT PUMP CONDENSING UNIT
- 33. PHOTOVOLTAIC PANELS, TYP.
- 34. ASPHALT SHINGLES TO MATCH (E) ROOF ("REDDISH-BROWN")
- 35. SH1. METAL GUTTER
- 36. (N) ALUMINUM REPLACEMENT WINDOW ("GREEN" OR "DARK-BRONZE"), TYP.
- 38. COMPOSITE WOOD GATE
- 39. CMU FENCE (STUCCO-PARGED CMU +3'-6" HIGH) - TO MATCH (E) RESIDENCE ("WHITE")
- 40. ALUMINUM WINDOW / DOOR ("GREEN" OR "DARK-BRONZE" TO MATCH (E) RESIDENCE), TYP.
- 41. STUCCO ("WHITE" TO MATCH (E) RESIDENCE), TYP.
- 42. METAL GUARDRAILING (PTD.), TYP.
- 43. (N) REPLACEMENT DOOR ("GREEN" OR "DARK-BRONZE"), TYP.
- 45. (N) SECTIONAL GARAGE DOOR ("GREEN" OR "DARK-BRONZE")
- 53. DOWNSPOUT
- 54. (N) SKYLIGHT (GLASS)

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 www.macyarchitecture.com

**M A C Y  
A R C H  
I T E C  
T U R E**

STAMP

CONSULTANTS

PROJECT  
**SILVERMAN-PAZ ADU**

128 OLIVER ROAD  
SANTA BARBARA, CA 93099  
APN 0451001002

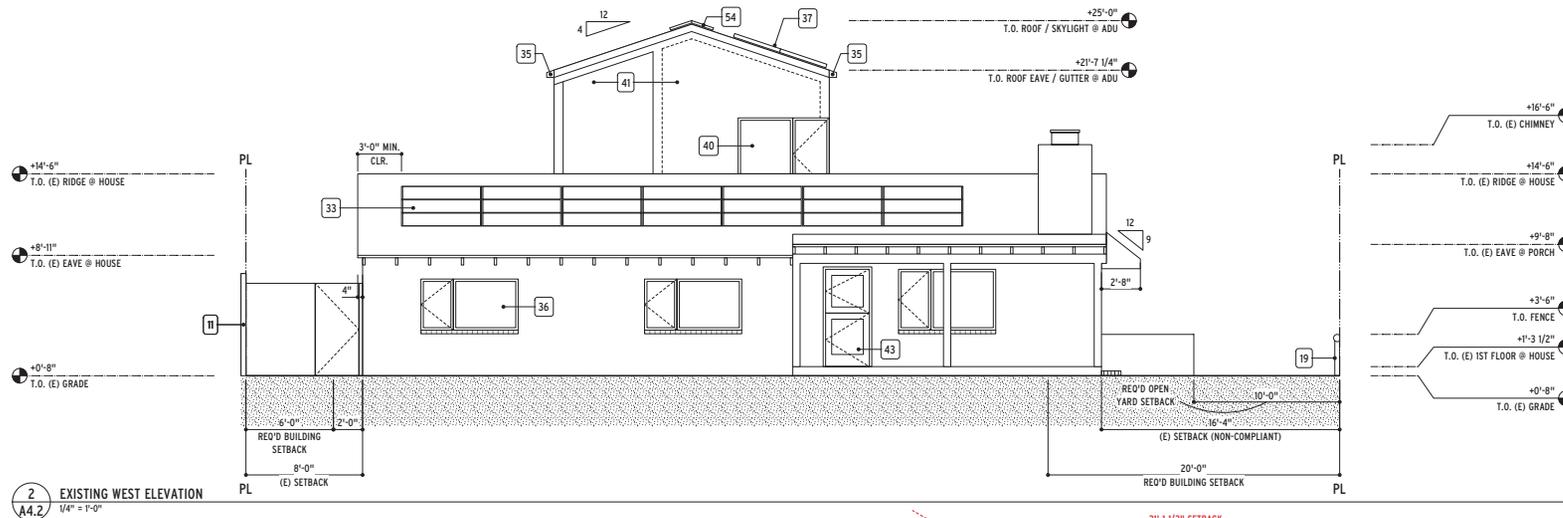
ISSUES/REVISIONS

NO.	DATE	DESCRIPTION
1	03/04/2024	ISSUES/REVISIONS
2	05/02/2024	ISSUES/REVISIONS
3	06/02/2024	ISSUES/REVISIONS

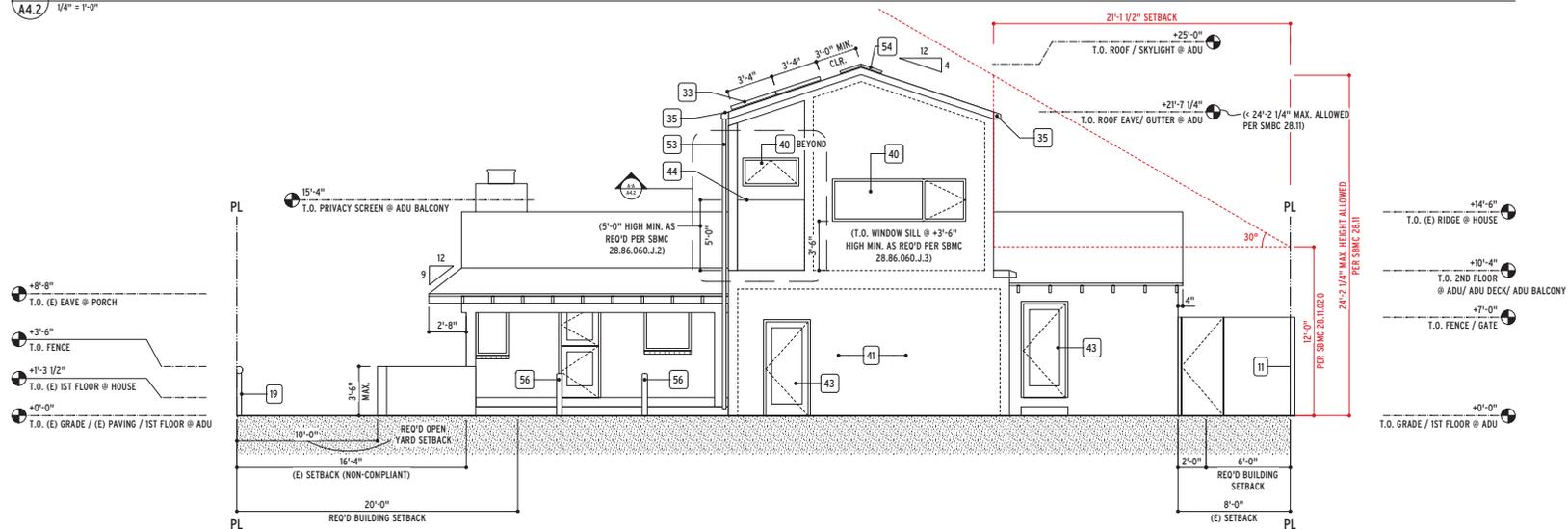
SHEET TITLE  
**PROPOSED EXTERIOR ELEVATIONS (NORTH & SOUTH)**

DATE	PHASE	SCALE
04/02/2024	PLANNING APPROVAL	AS NOTED

**A4.1**



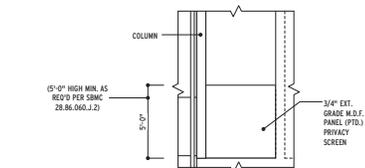
**2** EXISTING WEST ELEVATION  
1/4" = 1'-0"



**1** PROPOSED EAST ELEVATION  
1/4" = 1'-0"

**KEYNOTES**

- |  |   |
|--|---|
| 11. (E) NEIGHBORING FENCE  | 41. STUCCO ("WHITE" TO MATCH (E) RESIDENCE, TYP.          |
| 19. (E) WOOD FENCE "RAIL" (+3'-6" MAX. HEIGHT)                                     | 43. (N) REPLACEMENT DOOR ("GREEN" OR "DARK-BRONZE"), TYP. |
| 33. PHOTOVOLTAIC PANELS, TYP.  | 44. 5'-0" HIGH SOLID PRIVACY SCREEN @ BALCONY             |
| 35. SHT. METAL GUTTER  | 53. DOWNSPOUT   |
| 36. (N) ALUMINUM REPLACEMENT WINDOW ("GREEN" OR "DARK-BRONZE"), TYP.               | 54. (N) SKYLIGHT (GLASS)                                  |
| 37. SHT. MTL. COPING / FLASHING, TYP.  | 56. (N) 4.5" DIAMETER MTL. BOLLARD                        |
| 40. ALUMINUM WINDOW / DOOR ("GREEN" OR "DARK-BRONZE" TO MATCH (E) RESIDENCE), TYP. |   |



**A-A** ELEVATION OF PROPOSED BALCONY PRIVACY SCREEN  
1/4" = 1'-0"

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STAMP

CONSULTANTS

PROJECT: SILVERMAN-PAZ ADU  
128 OLIVER ROAD  
SANTA BARBARA, CA 93099  
APN: 045-00-002

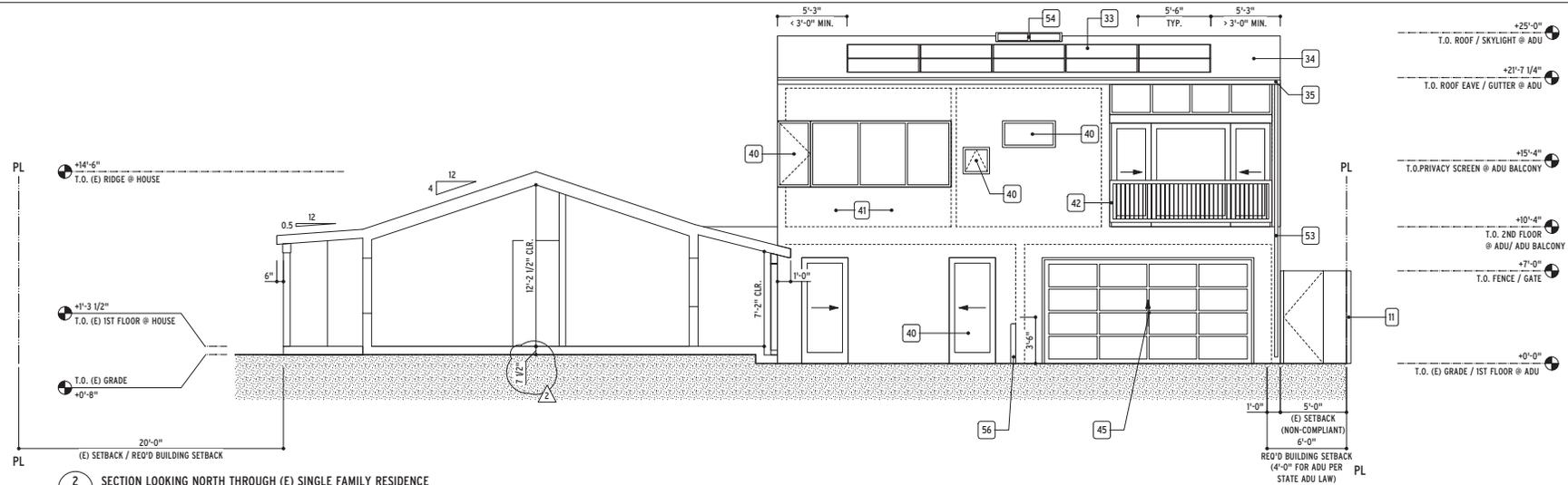
ISSUES/REVISIONS

03/04/2024	05/22/2024	06/02/2024

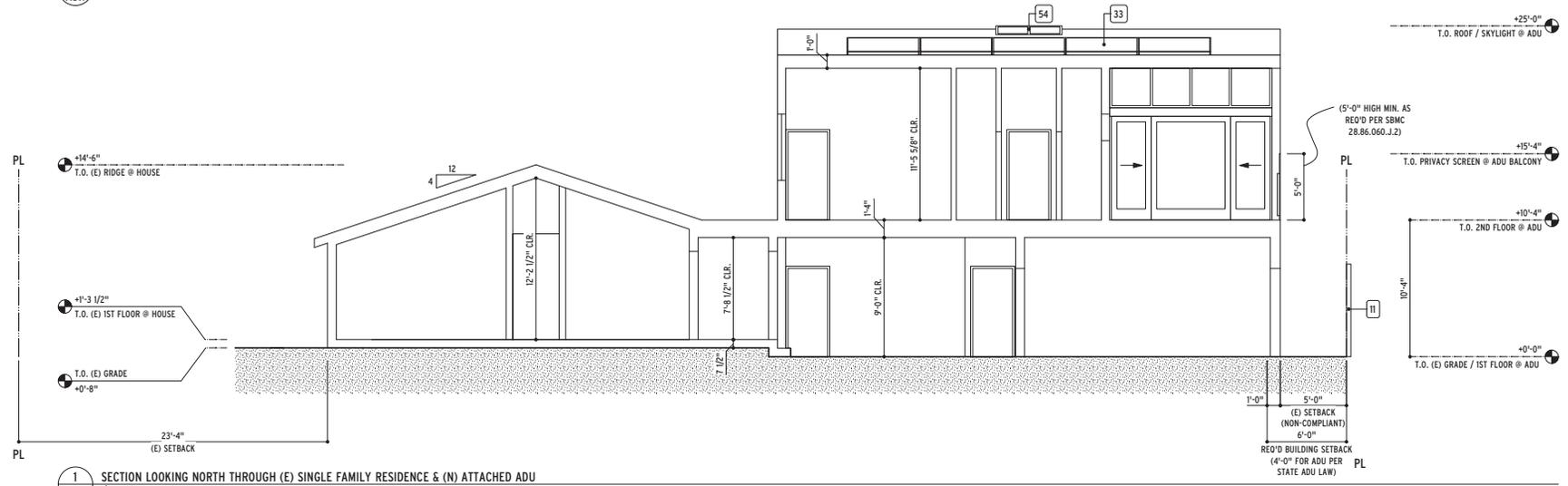
SHEET TITLE: PROPOSED EXTERIOR ELEVATIONS (EAST & WEST)

DATE: 06/02/2024  
PHASE: PLANNING APPROVAL  
SCALE: AS NOTED

**A4.2**



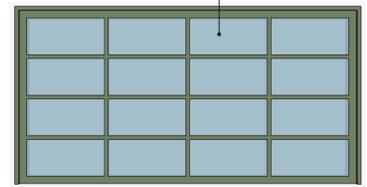
**2** SECTION LOOKING NORTH THROUGH (E) SINGLE FAMILY RESIDENCE  
1/4" = 1'-0"



**1** SECTION LOOKING NORTH THROUGH (E) SINGLE FAMILY RESIDENCE & (N) ATTACHED ADU  
1/4" = 1'-0"

- KEYNOTES**
- 11. (E) NEIGHBORING FENCE
  - 33. PHOTOVOLTAIC PANELS, TYP.
  - 34. ASPHALT SHINGLES TO MATCH (E) ROOF ("REDDISH-BROWN")
  - 35. SHT. METAL GUTTER
  - 40. ALUMINUM WINDOW / DOOR ("GREEN" OR "DARK-BRONZE" TO MATCH (E) RESIDENCE), TYP.
  - 41. STUCCO ("WHITE" TO MATCH (E) RESIDENCE), TYP.
  - 42. METAL GUARDRAILING (PTD.), TYP.
  - 45. (N) SECTIONAL GARAGE DOOR ("GREEN" OR "DARK-BRONZE")
  - 53. DOWNSPOUT
  - 54. (N) SKYLIGHT (GLASS)
  - 56. (N) 4.5" DIAMETER MTL. BOLLARD

CONCEPTUAL IMAGE OF PROPOSED GARAGE DOOR — OBSCURE / TRANSLUCENT GLAZING



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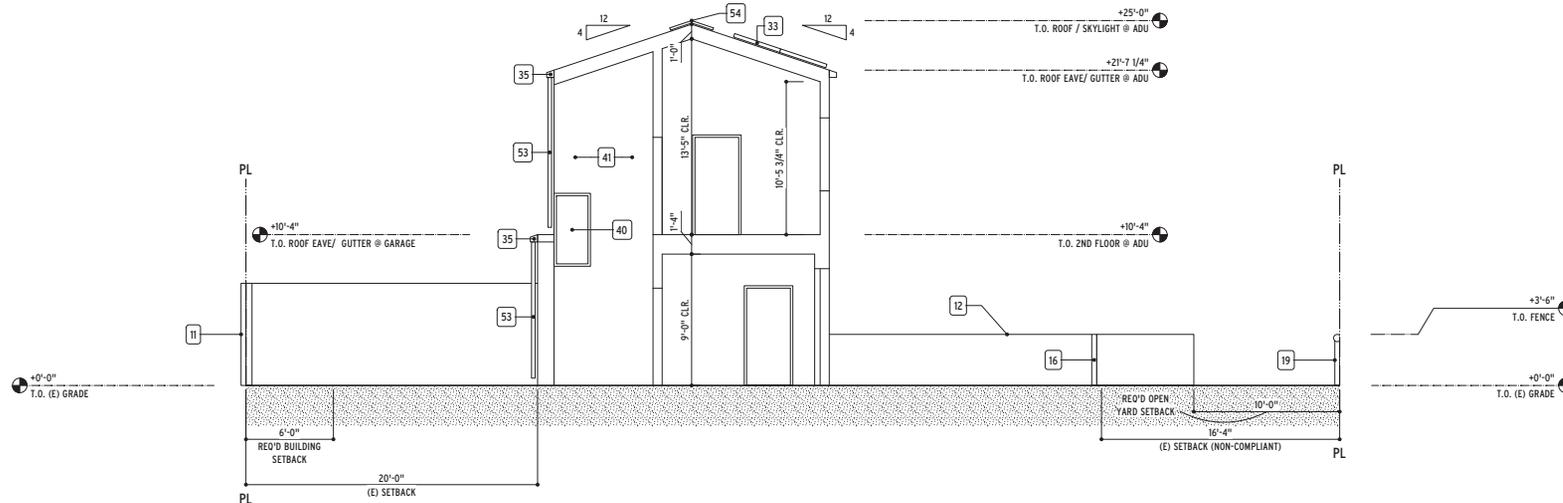
PROJECT: **SILVERMAN-PAZ ADU**  
128 OLIVER ROAD  
SANTA BARBARA, CA 9309  
APN: 045-00-002

ISSUES/REVISIONS

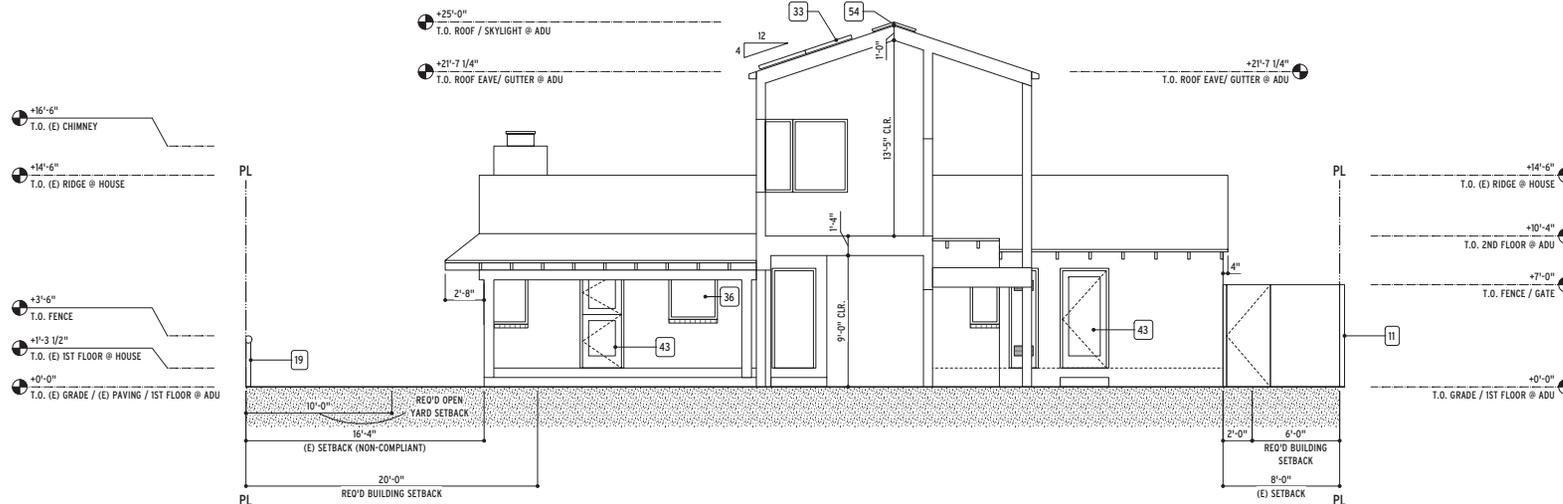
03/04/2024	05/22/2024	06/02/2024
DATE	PHASE	PLANNING APPROVAL
	SCALE	AS NOTED

SHEET TITLE: **SECTIONS LOOKING NORTH**

SHEET: **A5.1**



**2** SECTION LOOKING EAST THROUGH (E) SINGLE FAMILY RESIDENCE & (N) ATTACHED ADU  
 A5.2 1/4" = 1'-0"



**1** SECTION LOOKING WEST THROUGH (E) SINGLE FAMILY RESIDENCE & (N) ATTACHED ADU  
 A5.2 1/4" = 1'-0"

**KEYNOTES**

- 11. (E) NEIGHBORING FENCE
- 12. (N) +3'-6" FENCE
- 16. (N) WOOD GATE & FENCE
- 19. (E) WOOD FENCE "RAIL" (+3'-6" MAX. HEIGHT)
- 33. PHOTOVOLTAIC PANELS, TYP.
- 35. SHT. METAL GUTTER
- 36. (N) ALUMINUM REPLACEMENT WINDOW ("GREEN" OR "DARK-BRONZE"), TYP.
- 40. ALUMINUM WINDOW / DOOR ("GREEN" OR "DARK-BRONZE" TO MATCH (E) RESIDENCE), TYP.
- 41. STUCCO ("WHITE" TO MATCH (E) RESIDENCE), TYP.
- 43. (N) REPLACEMENT DOOR ("GREEN" OR "DARK-BRONZE"), TYP.
- 53. DOWNSPOUT
- 54. (N) SKYLIGHT (GLASS)

STAMP

CONSULTANTS

PROJECT  
**SILVERMAN-PAZ ADU**

128 OLIVER ROAD  
 SANTA BARBARA, CA 9309  
 APN: 045-00-002

ISSUES/REVISIONS

03/04/2024	
05/22/2024	
06/02/2024	

SHEET TITLE  
**SECTIONS LOOKING EAST & WEST**

DATE	04/02/2024
PHASE	PLANNING APPROVAL
SCALE	AS NOTED

SHEET

**A5.2**

June 12, 2024

SILVERMAN-PAZ ADU – 128 Oliver Road 93109 – APN 045-100-002 – PLN 2024-00048

## **Applicant Letter**

Dear Staff Hearing Officer,

The property is located at the northeast corner of Oliver Road and El Camino de la Luz. It contains a legal non-conforming 1-story single-family residence (1333 sf) with detached legal non-conforming 2-car garage (348 sf) built in 1950.

The proposed Project entails the creation of an attached 2-story ADU- inclusive of its associated integral/ attached outdoor spaces (i.e., 2<sup>nd</sup>-story balcony) that are only accessible from the ADU -- along with a number of improvements to the residence as follows:

1. Remodeling of kitchen and bathrooms.
2. New flooring.
3. Installation of roof insulation (furred out and finished from the interior; no work at the exterior.)
4. Replacement of exterior doors and windows (factory-finished metal similar to existing.)
5. Installation of wall insulation (furred out and finished from the interior; no work at the exterior.)
6. Re-roofing (with asphalt shingles to match existing.)
7. Installation of photovoltaic panels at roof (along with associated inverter and battery storage.)
8. New fence with associated pedestrian gates – not exceeding 3’-6” in height – along the secondary frontage of El Camino de la Luz.
9. New walkways with permeable paving (satisfying “Tier I” stormwater requirements.)
10. Cosmetic topping at existing (impermeable) paved areas.
11. Replacement of gas-fired furnace and water heater with electric heat-pump units.

The proposed ADU has at least 4-foot side and rear yard setbacks and a maximum height of 25-feet.

The ADU has a total area of 749 sf and is therefore, it is not subject to impact fees.

The Project will not result in a “demolition/rebuild” or “Substantial Redevelopment.”

No discretionary reviews are required.

Per the Coastal Commission Memo entitled “Updates Regarding the Implementation of New ADU Laws” dated 01/21/22, a non-discretionary Coastal Development Permit will be required since the Project involves the creation of an ADU. Therefore, we are requesting a Coastal Development Permit.

Sincerely,



Mark Macy

Principal

[markm@macyarchitecture.com](mailto:markm@macyarchitecture.com)

(415) 551-7633

**DRAFT STAFF HEARING OFFICER CONDITIONS OF APPROVAL**

128 OLIVER ROAD  
COASTAL DEVELOPMENT PERMIT  
JULY 10, 2024

I. In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **General Conditions.**

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on July 10, 2024, is limited to an Accessory Dwelling Unit and associated improvements for the Accessory Dwelling Unit shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall allow for the continuation of any historic flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Areas Available for Parking.** All parking areas and access thereto shall be kept open and available in the manner in which it was designed and permitted.
4. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
5. **Approval Limitations.**
  - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
  - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Staff Hearing Officer.
  - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Staff Hearing Officer Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
6. **Litigation Indemnification Agreement.** The Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors (“City’s Agents”) from any third party legal challenge to the City’s approval of the Project, including, but not limited to, challenges filed pursuant to

the California Environmental Quality Act (collectively “Claims”). Applicant/Owner further agrees to indemnify and hold harmless the City and the City’s Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City’s sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City’s Agents from independently defending any Claim. If the City or the City’s Agents decide to independently defend a Claim, the City and the City’s Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

**B. Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

**1. Public Works Department.**

a. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner’s signature.

b. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements shall be obtained by the Owner.

**2. Community Development Department.**

a. **Recorded Agreement.** Prior to zoning clearance on a building permit for the proposed Accessory Dwelling Unit, the property owner shall execute a Covenant stating the following: (1) The Accessory Dwelling Unit will not be sold separately from the existing primary residence. (2) The Accessory Dwelling Unit shall not be rented for less than 31 days. When a building permit application is submitted, City Administrative Staff will prepare the Covenant and send an email from [ADUCovenant@SantaBarbaraCA.gov](mailto:ADUCovenant@SantaBarbaraCA.gov) letting the applicant know that the Covenant has been created. Written instructions will be provided to you on how to complete the procedure. The permit will not be issued until the

final agreement is recorded. **Certificate of Occupancy will not be granted without the Covenant being recorded.**

- b. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full-size drawing sheet as part of the drawing sets. The following statement shall be signed prior to issuance of any permits:

The undersigned have read and understand the required conditions, and agree to abide by all conditions.

Signed:

---

Property Owner

Date

- C. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

- 1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor's name and telephone number to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed six square feet if in a single family zone.
- 2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Public Works Director with a Public Works permit.
- 3. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the

remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

D. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

II. Time Limits:

**NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Staff Hearing Officer action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
2. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.

**APPLICABLE COASTAL ACT AND COASTAL LAND USE PLAN POLICIES**

128 OLIVER ROAD; PLN2024-00048

**Coastal Act Policies**

**ARTICLE 6  
DEVELOPMENT**

**Section 30250 Location; existing developed area**

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

(Amended by Ch. 1090, Stats. 1979.)

**Section 30251 Scenic and visual qualities**

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

**Section 30252 Maintenance and enhancement of public access**

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

**Section 30253 Minimization of adverse impacts**

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
  - (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
  - (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
  - (d) Minimize energy consumption and vehicle miles traveled.
  - (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.
- (Amended by Ch. 179, Stats. 2008)

**Coastal Land Use Plan Policies**

**Policy 2.1-17** Land Use Categories and Map Designations. The land use categories and designations in Tables 2.1-1 through 2.1-5 establish the type, density, and intensity of land uses within the City's Coastal Zone. Figure 2.1-1 *Local Coastal Program Land Use Map* depicts the land use designation for each property and is intended to provide a graphic representation of policies relating to the location, type, density, and intensity of all land uses in the Coastal Zone. Allowable densities are stated as maximums but may be increased pursuant to an approved Coastal Development Permit that includes density bonus, inclusionary housing, or a lot area modification for affordable housing. However, compliance with the other policies of the Coastal LUP may limit the maximum allowable density of development. Accessory dwelling units are considered accessory uses and are not included as "units" when calculating allowable density.

**Policy 3.1-29** Off-Street Parking for New Development and Substantial Redevelopment.

- A. Parking standards in the Zoning Ordinance are designed to ensure sufficient off-street parking is provided for new development and substantial redevelopment so as to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. Off-street parking for new development and substantial redevelopment, therefore, shall be consistent with the Zoning Ordinance.
- B. Zoning modifications to allow reduced off-street parking in the West Beach, Lower State, and East Beach Component Areas shall only be approved if a project specific evaluation of parking demand shows that the reduced parking will provide for the anticipated parking demand generated by the development. In determining parking demand, the following may be considered: proximity to transit facilities; mix of uses in the immediate area; offsite parking agreements; and provisions of a transportation demand management plan where it is demonstrated that the plan's measures will sufficiently reduce the demand for parking.

- Policy 4.1-20** Native Tree Protection. Development shall be sited and designed to preserve to the extent feasible native trees within ESHAs, wetlands, creeks, and required habitat buffers that have at least one trunk measuring four inches (4”) in diameter or greater at four feet six inches (4’6”) above grade in height. Removal or encroachment into the root zone of these native trees shall be prohibited except where no other feasible alternative exists. If there is no feasible alternative that can prevent tree removal or encroachment, then the alternative that would result in the least adverse impacts to native trees and that would not result in additional adverse impacts to other coastal resources shall be required. Adverse impacts to native trees shall be fully mitigated as required by the Coastal LUP, with priority given to on-site mitigation. Mitigation shall not substitute for implementation of the feasible project alternative that would avoid impacts to native trees.
- Policy 4.2-22** Storm Water Management. All development shall be planned, sited, and designed to protect the water quality and hydrology of coastal waters in accordance with the requirements of the City’s Storm Water Management Program, approved by the Central Coast Regional Water Quality Control Board under California’s statewide National Pollutant Discharge Elimination System (NPDES) Phase II Small Municipal Separate Storm Sewer System (MS4) Storm Water Permit (Order No. 2013-0001 DWQ, effective July 1, 2013, or any amendment to or re-issuance thereof).
- Policy 4.3-2** Restore and Enhance Visually Degraded Areas. Development shall, where feasible, restore and enhance visual quality in visually degraded areas.
- Policy 4.3-3** Design Review. Development in the Coastal Zone shall be reviewed by the Architectural Board of Review, Historic Landmarks Commission, or Single Family Design Board in accordance with established rules and procedures, as applicable. If any of the rules, procedures, or actions of these design review boards/commissions conflict with the policies of the Coastal LUP, the policies of the Coastal LUP shall take precedence.
- Policy 4.3-4** Visual Evaluation Requirement. A site-specific visual evaluation shall be required for new development and substantial redevelopment that has the potential to impact scenic resources or public scenic views. The visual evaluation shall be used to evaluate the magnitude and significance of changes in appearance of scenic resources or public scenic views as a result of development.
- Policy 4.3-5** Protection of Scenic Resources and Public Scenic Views. Development shall be sited and designed to avoid impacts to scenic resources and public scenic views. If there is no feasible alternative that can avoid impacts to scenic resources or public scenic views, then the alternative that would result in the least adverse impact to scenic resources and public scenic views that would not result in additional adverse impacts to other coastal resources shall be required.

Methods to mitigate impacts could include, but not be limited to: siting development in the least visible portion of the site, managing building orientation, breaking up the mass of new structures, designing structures to blend into the natural setting, restricting the building maximum size, reducing maximum height standards, clustering building sites and development, requiring a view corridor, eliminating accessory structures not requisite to the primary use, minimizing grading, minimizing removal of native vegetation, incorporating landscape elements or screening, incorporating additional or increased setbacks, stepping the height of buildings so that the heights of building elements are lower closer to public viewing areas and increase with distance from the public viewing area.

Mitigation shall not substitute for implementation of the feasible project alternative that would avoid impacts to visual resources, public scenic views, or public viewing areas.

**Policy 4.3-6** Obstruction of Scenic View Corridors. Development shall not obstruct public scenic view corridors of scenic resources, including those of the ocean viewed from the shoreline and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City.

**Policy 4.3-7** Compatible Development. Development shall be sited and designed to be visually compatible with the character of surrounding areas and where appropriate, protect the unique characteristics of areas that are popular visitor destination points for recreational uses.

**Policy 4.3-8** Mitigating Impacts to Visual Resources. Avoidance of impacts to visual resources through site selection and design alternatives, if feasible, is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts, shall not substitute for project alternatives including resiting, or reducing the height or bulk of structures. When landscaping is required to screen the development, it shall be maintained for the life of the development for that purpose.

**Policy 4.3-9** Minimize Excavation, Grading and Earthwork. Minimize alteration of natural landforms to ensure that development is subordinate to surrounding natural features such as drainage courses, prominent slopes and hillsides, and bluffs. Site and design new development and substantial redevelopment to minimize grading and the use of retaining walls, and, where appropriate, step buildings to conform to site topography.

**Policy 4.3-13** Tree Protection and Replacement.

- A. Trees qualifying as ESHA shall be fully protected as required by the Biological Resources protection policies (Policy 4.1-1 et seq.).
- B. For non-ESHA trees:
  - i. Development shall be sited and designed to preserve and protect, to the extent feasible, mature trees (trees four inches in diameter or greater at four feet six inches above grade in height) and trees important to the visual quality of the property;

- ii. Mature or visually important trees should be integrated into the project design rather than removed or impacted through encroachment into the root zones; and
- iii. Where the removal of mature or visually important trees cannot be avoided through the implementation of project alternatives or where development encroachments into the root zone result in the loss or worsened health of the trees, the removed tree(s) shall be replaced on a minimum 1:1 basis. This standard can also be increased up to 10:1 depending on the type of tree removed, lot size, and size and expected survival rate of replacement trees.

**Policy 4.3-14** Minimize Removal of Native Vegetation.

- A. Native vegetation that meets the definition of ESHA, creek, or wetland, shall be fully protected as required by the Biological Resource policies (Policy 4.1-1 et seq.).
- B. Development shall minimize removal of non-ESHA native vegetation.

**Policy 4.4-4** Paleontological and Archaeological Resource Consideration and Protection.

Potential damage to paleontological and archaeological resources shall be considered when making land-use decisions. Project alternatives and conditions offering the most protection feasible to important paleontological or important or unique archaeological resources shall be implemented.

**Policy 4.4-7** Archaeological Resources Evaluation Requirement.

Development proposed in any area known or suspected to contain archaeological resources, or identified as archaeologically sensitive on the City of Santa Barbara's Archaeological Resources Sensitivity Map, shall be evaluated to identify the potential for important or unique archaeological resources at the site and whether the proposed development may potentially have adverse impacts on those resources if present at the site.

**Policy 5.1-18** Hazard Risk Reduction. New development and substantial redevelopment shall do all of the following, over the expected life of the development, factoring in the effects of sea level rise:

- A. Minimize risks to life and property from high geologic, flood, and fire hazards;
- B. Assure stability and structural integrity; and
- C. Neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

**Policy 5.1-20** Avoid or Minimize the Effects of High Geologic Hazards. New development and substantial redevelopment in areas of potential fault rupture, groundshaking, liquefaction, tsunami, seiche, slope failure, landslide, soil erosion, expansive soils, radon, or high groundwater shall be sited, designed, constructed, and operated (including adherence to recommendations contained in any site specific geologic evaluation required) to ensure that the development minimizes risks to life and property, assures stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area over its expected life, factoring in the effects of sea level rise.