

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING MODIFICATIONS
AS SUGGESTED BY THE CALIFORNIA COASTAL
COMMISSION TO THE COUNTY'S AMENDMENT TO THE
LOCAL COASTAL PROGRAM PRIMARILY REGARDING
COASTAL-DEPENDENT AND COASTAL-RELATED
INDUSTRIAL FACILITIES

RESOLUTION NO. 92-498
CASE NOS. 90-GP-11
& 90-OA-18

WITH REFERENCE TO THE FOLLOWING:

A. On November 19, 1991, your Board adopted, by Resolution 91-670 and Ordinance 3947, amendments to the Santa Barbara County Local Coastal Program, and submitted said amendments to the California Coastal Commission for certification pursuant to section 35-180.6 of Article II, Chapter 35 of the Santa Barbara County Code.

B. On May 13, 1992 and June 11, 1992, the California Coastal Commission considered said amendments (California Coastal Commission Case No. 3-91) and, by a vote of 9-0, approved the amendments with suggested modifications.

C. On July 14, 1992, your Board deferred the modifications as suggested by the Coastal Commission to the Santa Barbara County Planning Commission for consideration pursuant to section 35-180.5 of Article II, Chapter 35 of the Santa Barbara County Code.

D. On July 22, 1992, the Santa Barbara County Planning Commission decided, by a vote of 3-0-1, that the suggested modifications did not require a public hearing before it, as the modifications did not substantively differ from that amendments which the Planning Commission unanimously recommended to your Board in 1991.

E. It is now deemed in the interest of orderly development in the County and important to the preservation of the health, safety, and general welfare of the residents of the County, and good planning practice to adopt the modifications to the Local Coastal Program amendment as suggested by the California Coastal Commission and specified below, indicating the modifications as suggested by the California Coastal Commission with a double underline for additions and a strike out ——— for deletions to the previously adopted amendments.

1. Amend the previously adopted amendments to Appendix B, *LAND USE DEFINITIONS*, by revising the definitions of *Coastal-Dependent Industry* and *Coastal-Related Industry* to read as follows:

Coastal-Dependent Industry -- the intent of this land use designation is to recognize that certain industrial uses are coastal-dependent industrial uses. Coastal-Dependent Industrial Uses are those industrial uses which require a site on, or adjacent to, the sea to be able to function at all. Determination of what types of uses qualify as coastal-dependent industry shall be made on a case-by-case basis because the project-specific variables so directly influence such determination. Examples of coastal-dependent industrial uses, as identified in Section 30001.2 of the Coastal Act, include offshore petroleum and gas development, commercial fishing facilities and ports (i.e., those industrial components of commercial fishing facilities and port/harbor areas). Additional examples of coastal-dependent industrial uses which could be determined to be coastal-dependent based on the project-specific variables include: only those

oil and gas processing facilities, marine terminals, industrial piers and staging areas, port and harbor areas, fishing facilities, ocean-oriented aquaculture including fish hatcheries, and areas for deploying oil spill cleanup equipment. ~~that require a site on or adjacent to the sea to be able to function at all.~~ Uses that are not strictly coastal-dependent, but either need access to the ocean under special conditions (for example, thermal power plants sited to take advantage of ocean cooling water) or are directly dependent on a coastal-dependent use (such as processing facilities which do not require a site on or adjacent to the sea to be able to function at all) are classified as Coastal-Related Industry (see definition below). Policies governing these uses are specified in section 3.6.

Coastal-Related Industry -- the intent of this designation is to recognize that ~~although~~ certain industrial uses are coastal-related industrial uses. Coastal-Related Industrial Uses are those industrial uses which are directly dependent on coastal-dependent development or uses. ~~they do not strictly qualify as coastal-dependent uses.~~ Determination of what types of uses qualify as coastal-related industry rather than coastal-dependent industry ~~must~~ shall be made on a case-by-case basis since ~~several of the project-specific variables may~~ so directly influence such determination. Examples of coastal-related industry include those industrial and energy facilities which directly support coastal dependent uses as offshore oil platforms, but may not require a site on or adjacent to the sea to function at all. Policies governing these uses are specified in Section 3.6.

2. Amend the previously adopted amendments to the Land Use Plan Section 3.6, Subsection 3.6.1, *COASTAL ACT POLICIES, OIL AND GAS DEVELOPMENT*, to read as follows:

~~Coastal-Dependent Oil development, whether coastal dependent or coastal-related, must also meet the provisions of section 30262 which, among other things, requires consolidation of facilities and sites to the maximum extent feasible.~~

3. Amend the previously adopted amendments to the Land Use Plan Section 3.6, Subsection 3.6.4, *LAND USE PROPOSALS*, subtitle, *OTHER COASTAL-DEPENDENT INDUSTRIAL FACILITIES*, to read as follows:

The Coastal Act recognizes the importance of coastal-dependent activities, and gives priority to uses which require a site on or adjacent to the sea (section 30255), such as certain aquacultural operations. However, the Act also encourages both non-coastal-dependent and coastal-dependent industrial activities to locate or expand within existing sites (Sections 30250 and 30260, respectively).

4. Amend the previously adopted amendments by adding to the Land Use Plan Section 3.6.4, *LAND USE PLAN PROPOSALS*, subtitle, *OIL AND GAS PROCESSING FACILITIES* the following revision to Policy 6-8:

If an onshore pipeline for transporting crude oil to refineries is determined to be technically and economically feasible, proposals for expansion, modification, or construction of new ~~coastal-dependent~~ oil and gas processing facilities shall be conditioned to require transportation of oil through the pipeline when constructed, unless such condition would not be feasible for a particular shipper

5. Amend the previously adopted amendments to the Land Use Plan Section 4.6.2, *PLANNING ISSUES*, Subtitle, *INDUSTRIAL AND ENERGY DEVELOPMENT*, by adding the following sentences to the end of each of the following paragraphs in subsection 4.6.2:

ARCO Dos Pueblos Facility. ... This site has been rezoned to Agriculture (AG-II), converting the facility to a legal non-conforming use in conformance with policies to consolidate processing sites in the South Coast Consolidation Planning Area.

Shell Molino Facility. ... This site has been rezoned to Agriculture (AG-II), converting the facility to a legal non-conforming use in conformance with policies to consolidate processing sites in the South Coast Consolidation Planning Area.

Chevron's Oil and Gas Processing Facility at Gaviota. ... Both the processing facility and the site are designated as one of two consolidated processing facilities and sites in the South Coastal Consolidation Planning Area to serve offshore production.

6. Amend the previously adopted amendments to Subsection 3.6.3, OIL AND GAS DEVELOPMENT, Subtitle, EXISTING COUNTY REGULATIONS FOR OIL AND GAS DEVELOPMENT IN THE COASTAL ZONE, to read as follows:

In 1990, the County adopted the study entitled, *Siting Gas Processing Facilities, Siting and Screening Criteria*, which is not also incorporated into the Coastal Plan ~~by reference~~. That study establishes the North County Consolidation Planning Area to support current and future gas production.

7. Amend the Santa Barbara County Coastal Zoning Ordinance (Article II of Chapter 35 of the Santa Barbara County Code) per the Ordinance attached to this Resolution as Exhibit A.

F. This Board has held a duly noticed public hearing, as required by Section 65353 of the Government Code, on the proposed amendments, at which hearing the amendments were explained and comments invited from the persons in attendance.

G. This Board has found these amendments to be consistent with the Local Coastal Program and the California Coastal Act, and now wishes to submit these amendments to the California Coastal Commission for review and approval.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. This Board certifies that these amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.
3. A certified copy of the Resolution shall be transmitted to the California Coastal Commission.
4. The Chair of this Board and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution and to show the above mentioned action by the Board of Supervisors.

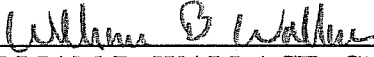
PASSED, APPROVED, AND ADOPTED this 1st day of September, 1992 by the following vote:

AYES: Supervisors Ochoa, Rogers, Wallace, Owens, Stoker

NOES: None

ABSENT: None

ABSTENTIONS: None



WILLIAM B. WALLACE, Chair
Board of Supervisors, County of Santa Barbara

ATTEST:

ZANDRA CHOLMONDELEY
CLERK OF THE BOARD



By: Deputy Clerk

APPROVED AS TO FORM:

DAVID NAWI
COUNTY COUNSEL



By: Deputy County Counsel

POLICY\LCPFIN.RES