

CALIFORNIA COASTAL COMMISSION

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PUBLIC NOTICE

April 20, 2007

To: Commissioners and Interested Persons

From: Alison Dettmer, Manager, Energy and Ocean Resources Unit
Gary Timm, South Central Coast District Manager
Robin Blanchfield, Coastal Energy Analyst

Subject: **Santa Barbara County Minor Amendment STB-MIN-2-07.** Proposed minor amendment to the County's certified Local Coastal Program to be heard at the Coastal Commission meeting on May 10, 2007 at the Crowne Plaza Los Angeles Harbor Hotel, 601 S. Palos Verdes Street, San Pedro, CA.

Amendment Description

The County of Santa Barbara ("County") is requesting an amendment to the Implementation Program/Coastal Zoning Ordinance portion of its certified Local Coastal Program ("LCP") to exempt certain types of oil and gas development structures from height limits where it is technically infeasible to adhere to them. These structures include: amine columns, oil/gas drilling rigs, oil/gas workover/pulling rigs, distillation columns, stripper columns, and flare stacks.

This amendment request was deemed complete and filed by the California Coastal Commission staff on January 4, 2007, pursuant to Coastal Act Section 30514(b) and Sections 13554 and 13555 of the Commission's Regulations (California Code of Regulations ("CCR"), Title 14, Division 5.5).

The proposed amendment will update the County's Coastal Zoning Ordinance (Article II, Chapter 35 of the Santa Barbara County Code ("Zoning Code")) with the following changes:

- (1) Amend Section 1-Division 2, *Definitions*, of Article II of the Zoning Code by adding definitions for amine column or tower, oil/gas drilling rig, oil/gas workover/pulling rig, distillation column or tower, stripper column or tower, and flare stack.

- (2) Amend Section 35-127 A.1, *Height*, under Section 2-Division 7, *General Regulations*, of the Zoning Code to exempt temporary oil/gas drilling rigs, oil/gas workover/pulling rigs, amine columns, distillation columns, stripper columns, and flare stacks from adherence to applicable height limits where adherence is technically infeasible.

Executive Director Determination

Based on the review of submitted materials, the Executive Director has determined that the proposed LCP amendment qualifies as a minor amendment. Section 13554(a) of the California Code of Regulations defines a minor amendment to a certified zoning ordinance as:

Changes in wording, which makes the use as designated in the zoning ordinance, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the [E]xecutive [D]irector of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

The purpose of the proposed amendment is to bring additional consistency between sections of the County's Coastal and Inland Zoning Ordinances. While the general regulations of these two ordinances set a maximum height limit of structures at 50 feet, other sections of these two ordinances identify permitted and conditionally permitted uses for certain structures that must exceed applicable height limits in order to function at all. In the coastal zone, these uses include exploration, production, processing and transportation of oil and gas.

On March 15, 2007 the Commission approved Major Amendment STB-MAJ-1-05, which corrected many inconsistencies between the County's Coastal and Inland Zoning Ordinance by amending Section 35-127, *Height*, of the Zoning Code with revised language and a specific methodology for calculating the height of a structure.

Proposed Minor Amendment STB-MIN-02-07 provides additional consistency by adding specific language to Section 35-127 that clearly exempts temporary oil/gas drilling rigs, oil/gas workover/pulling rigs, amine columns, distillation columns, stripper columns, and flare stacks from the maximum 50 foot height limits, when it is technically infeasible for them to meet the height limits.

The proposed amendment does not change past practice or interpretation of the zoning ordinance. The County previously approved the Point Arguello oil and gas processing facility at Gaviota with structures that substantially exceeded 50 feet in height.

The proposed language adds specificity to the coastal zoning ordinance by identifying under which circumstances specific types of oil and gas structures may be considered for exemption from the general height restrictions. The proposed amendment is consistent with the County's certified land use plan and does not change the kind, location, intensity, or density of use. Therefore, the Executive Director of the Coastal Commission has determined that the proposed

changes qualify as a minor amendment, as defined above.

Pursuant to 14 CCR Section 13555, the purpose of this notice is to advise interested parties that the Executive Director, has determined that the proposed amendment qualifies as a minor amendment, as defined in 14 CCR Section 13554(a), for the reasons stated above.

Procedures

Coastal Act Section 30503 requires public input in the preparation, approval and certification of any amendment to a certified LCP. Notice of the proposed amendment has been distributed to all known interested parties in accordance with 14 CCR Sections 13551 and 13552. Santa Barbara County held a Planning Commission hearing on August 27, 2006 and a Board of Supervisors hearing on September 26, 2006. At these hearings the County received verbal and written comments in support of the proposed amendment from concerned parties and members of the public. No objections were received.

In accordance with 14 CCR Section 13555, the Executive Director will report this “minor amendment” determination to the Coastal Commission at its next meeting on May 10, 2007 at the Crowne Plaza Los Angeles Harbor Hotel, in San Pedro, CA. At this meeting, the Executive Director will also report any objections to the determination that are received within ten working days of the posting of this notice.

The proposed minor amendment shall be deemed certified and become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(a)).

Notification and Objections

For any questions or additional information regarding the proposed LCP amendment or the Commission procedures, please contact Robin Blanchfield in the Coastal Commission’s Energy and Ocean Resources Unit at 415-904-5247, rblanchfield@coastal.ca.gov, or at the address listed in the letterhead.

If you wish to register an objection to this proposed LCP amendment, please do so by May 4, 2007.

Attachments

Exhibit A: Ordinance 4622: An Ordinance Amending the Santa Barbara County Code by Revising Article II of Chapter 35. titled “Coastal Zoning Ordinance,” as approved by the Board of Supervisors of the County of Santa Barbara on September 26, 2007

EXHIBIT A

ORDINANCE NO. 4622

AN ORDINANCE AMENDING THE SANTA BARBARA COUNTY CODE
BY REVISING ARTICLE II OF CHAPTER 35, TITLED "COASTAL ZONING ORDINANCE"

CASE No.: 06-ORD-0000-00007

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

Division 2 "Definitions" of Article II of the Santa Barbara County Code is hereby amended, by adding the following new definitions:

AMINE COLUMN OR TOWER: A tall, cylindrical vessel used to remove contaminants, such as hydrogen sulfide and carbon dioxide, from natural gas with the use of amines.

DISTILLATION COLUMN OR TOWER: A tall, cylindrical vessel in which a liquid or vapor mixture of two or more substances is separated into its component fractions of desired purity, by the application and removal of heat.

FLARE STACK: A tall, specially constructed vertical pipe or stack used to safely dispose of hydrocarbon vapors or, in an emergency, to dispose of process feed.

OIL/GAS DRILLING RIG: The derrick or mast, draw works, and attendant surface equipment used to drill for oil, natural gas, or both from underground reservoirs, and to drill injection wells for disposal of fluids into subsurface reservoirs. Drilling rigs are also used to complete (prepare for production) a well, or redrill or rework a well. The derrick consists of a large load-bearing structure, usually bolted construction of metal beams. In drilling, the standard derrick has four legs standing at the corners of the substructure and reaching to the crown block. The substructure is an assembly of heavy beams used to elevate the derrick and provide space underneath to install the blowout-preventive equipment, casing head, and other equipment.

OIL/GAS WORKOVER/PULLING RIG: The derrick or mast, draw works, and attendant surface equipment to service oil/gas or injection wells, including, among other things, running the pump and tubing, replacing parts, fixing casing, and plugging and abandoning a well. These rigs are typically mobile, wheel-based trucks capable of moving from one well to another.

STRIPPER COLUMN OR TOWER: A tall, cylindrical vessel used to physically remove contaminants from gas or liquid.

SECTION 2:

Division 7 "General Regulations" in Article II, Chapter 35 of the Santa Barbara County Code is hereby amended, by revising Section 35-127.A.1 to read:

Sec. 35-127. Height.

- A. The following shall apply to structures located outside the Summerland Planning Area.
1. The height of a structure shall be the vertical distance between the existing grade and the uppermost point of the structure directly above that grade except as provided in Section 35-127.A.2. The height of any structure shall not exceed the applicable height limit except as provided below.
 - a. Exceptions. The following structures may exceed the applicable height limit subject to compliance with the F Airport Approach Overlay District.
 - 1) Chimneys, church spires, elevator, mechanical and stair housings, flag poles, noncommercial antennas, towers, vents, and similar structures which are not used for human activity may be up to 50 feet in height in all zone districts where such excess heights are not prohibited by the VC View Corridor Overlay District. The use of towers or similar structures to provide higher ceiling heights for habitable space shall be deemed a use intended for human activity.
 - 2) Portions of a structure may exceed the height limit applicable to the subject structure by no more than three feet where the roof exhibits a pitch of 4 in 12 (rise to run) or greater.
 - 3) In order to provide for architectural character, architectural elements, whose aggregate area is less than or equal to 10 percent of the total roof area of the structure or 400 square feet, whichever is less, may exceed the height limit by no more than eight feet when approved by the Board of Architectural Review.
 - 4) Temporary drilling rigs necessary to explore for and develop oil and gas reservoirs or to operate the La Goleta gas storage reservoir (located on APN 071-210-001, as of June 30, 2006) may exceed the applicable height limit for a period of four years or less, provided the temporary use is completed in a diligent manner. Upon written request by the operator, the Director may grant up to two one-year extensions, provided that the operator is diligent in completing an established drilling program.
 - 5) Workover/pulling rigs necessary to service oil/gas and injection wells, or to operate the La Goleta gas storage reservoir (located on APN 071-210-001, as of June 30, 2006) may exceed the applicable height limit, provided that the use of these rigs is completed in a diligent manner.
 - 5) Amine columns, distillation columns, stripper columns, and flare stacks associated with oil and gas production, gas processing, or oil/gas transportation, as allowed in compliance with Division 9 of this Article, may exceed the applicable height limit where compliance would render such facilities technically infeasible.

SECTION 3:

Repeal Section 35-127.D of Division 7 (General Regulations).

SECTION 4:

Except as amended by this Ordinance, Divisions 2 and 7 of Article II of Chapter 35 of the Code of the County of Santa Barbara, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force thirty (30) days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of fifteen (15) days after its passage, this ordinance, or a summary of it, shall be published once, together with the names of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

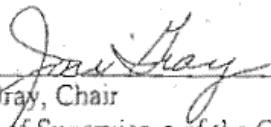
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this twenty-sixth day of September, 2006, by the following vote:

AYES: Supervisors Carbajal, Rose, Firestone, Gray, Centeno

NOES: None

ABSTAINED: None

ABSENT: None



Joni Gray, Chair
Board of Supervisors of the County of Santa Barbara
State of California

ATTEST:

MICHAEL F. BROWN
County Clerk of the Board

By 

Deputy Clerk of the Board

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By 

Deputy County Counsel