

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA APPROVING A LOCAL  
COASTAL PROGRAM AMENDMENT FOR AN  
APPLICATION OF OLIVE OIL & GAS LP, 1298  
COAST VILLAGE ROAD (MST2004-00493)

WHEREAS, the City accepted an application from Lenvik & Minor, Agent for Olive Oil & Gas LP, in order to process a request for a Local Coastal Program Amendment for a property located at 1298 Coast Village Road;

WHEREAS, the Planning Commission initiated annexation of the subject parcel on April 7, 2005;

WHEREAS, the Architectural Board of Review held a concept project review on November 14, 2005;

WHEREAS, the Planning Commission held a concept project review work session on February 16, 2006;

WHEREAS, the Planning Commission held a duly noticed public period to receive comments on the Draft Mitigated Negative Declaration from November 14, 2007 to December 13, 2007, and took comments from two (2) people;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on March 13, 2008, and 73 people spoke regarding the Project. After substantial discussion, the Planning Commission continued its consideration until March 20, 2008 to review information received and make a decision on the project;

WHEREAS, on March 20, 2008, Planning Commission approved the project, made recommendations to City Council and adopted environmental findings pursuant to CEQA;

WHEREAS, on March 28, 2008 John and Sandy Wallace and Save Coast Village Road appealed the Planning Commission approval of the project and March 31, 2008 Friends of Outer State Street and Delfina Mott, also appealed the Planning Commission approval of the project;

WHEREAS, on July 15, 2008, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council denied the appeal and adopted the Mitigated Negative Declaration, including incorporation of the mitigation measures into the project conditions of approval;

WHEREAS, the City Council held a duly noticed public hearing on July 15, 2008 to consider a Local Coastal Program amendment proposed in conjunction with the project, and concluded that the Local Coastal Program amendment is consistent with the goals and objectives of the City's General and Local Coastal Plans;

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map and Local Coastal Program; and

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including the adopted Mitigated Negative Declaration, the project, and all staff reports.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Santa Barbara as follows:

**Section 1.** The Local Coastal Program of the City of Santa Barbara is amended to rezone the northerly portion of APN 009-230-043 to C-1/S-D-3 (Limited Commercial/ Coastal Overlay Zone).

**Section 2.** The City Council makes the following findings with respect to amending the City's Local Coastal Plan:

A. Final Mitigated Negative Declaration Adoption:

1. The City Council has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review process.
2. The City Council finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project will have a significant effect on the environment.
3. The City Council finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
4. The City Council finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project. The Planning Commission hereby adopts the Final Mitigated Negative Declaration for the project.

5. The City Council hereby adopts a mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects.
6. The location and custodian of the documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.

B. Local Coastal Program Amendment:

1. The amendment is consistent with the policies of the California Coastal Act.
2. The amendment is consistent with the City of Santa Barbara Local Coastal Plan Map.
3. The amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because there will be no access and minimal effects on public recreation.

**Section 3.** This resolution shall not take effect unless and until the Rezone Ordinance (City Ordinance No. \_\_\_ as introduced on July 15, 2008) has been duly adopted by the City Council.