



City of Culver City

Staff Report

File #: 22-431, Version: 1

Item #: A-3.

CC - Adoption of an Ordinance Approving Zoning Code Amendment P2021-0036-ZCA, Amending Culver City Municipal Code Title 17: Zoning Code, Section 17.610.010.D - Nonconforming Oil Use, to Terminate Nonconforming Oil and Gas Uses by November 24, 2026.

Meeting Date: October 25, 2021

Contact Person/Dept: Heather Baker, Assistant City Attorney;
Melanie Doran Traxler, Contract Project Manager

Phone Number: (310) 253-5660
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Fiscal Impact: Yes No

General Fund: Yes No

Public Hearing: **Action Item:** **Attachments:**

Commission Action Required: Yes No **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (10/20/2021).

Department Approval: Carol Schwab (10/19/2021)

RECOMMENDATION

Staff recommends the City Council adopt an Ordinance approving Zoning Code Amendment P2021-0036-ZCA, amending Culver City Municipal Code ("CCMC") Title 17: Zoning Code ("Zoning Code"), Section 17.610.010.D, Nonconforming Oil Use, to terminate nonconforming oil and gas uses by November 24, 2026 ("Oil Termination Ordinance" or "Ordinance"), and waive further reading.

BACKGROUND/DISCUSSION

On June 17, 2021, the City Council introduced an Ordinance approving Zoning Code Amendment P2021-0036-ZCA, amending Zoning Code Section 17.610.010.D, Nonconforming Oil Use, to terminate nonconforming oil and gas uses by July 28, 2026. Subsequent to its introduction, and after considering all public comments submitted, City staff made revisions to the Ordinance, which necessitated a reintroduction of the Ordinance at a new public hearing. Such modifications included a new date of November 24, 2021 for the prohibition of new or expanded oil and gas activity, and a new date for termination of nonconforming oil and gas uses by November 24, 2026.

On October 18, 2021, the City Council, by a vote of 4 - 1, reintroduced the proposed Oil Termination Ordinance, including the text of the Zoning Code Amendment and related environmental determination.

The Oil Termination Ordinance is presented for adoption by the City Council.

ENVIRONMENTAL REVIEW

The adoption of the proposed Oil Termination Ordinance, including the approval of the proposed Zoning Code Amendment, is exempt from CEQA review pursuant to all applicable categorical and statutory exemptions, including but not limited to the “common sense” exemption under CEQA Guidelines Section 15061(b)(3) and the following categorical exemption classes under CEQA Guidelines Section 15061(b)(2): Class 1 - Existing Facilities, Class 4 - Alterations to Land and Class 8 - Actions by Regulatory Agencies for the Protection of the Environment.

FISCAL ANALYSIS

Implementation of the Oil Termination Ordinance will require oversight and inspections by City staff and the Director’s review of Termination Program and Schedule documents, which are required to be submitted by the Operator(s) by November 24, 2022. As a result, implementation of the Oil Termination Ordinance will require allocation of budget and staff resources to facilitate such review. At the June 17, 2021 meeting, the City Council directed City staff to study and return to City Council with a fee resolution establishing an appropriate “Termination Fee” that reflects the City’s reasonable costs for an expanded staff role under the Oil Termination Ordinance. A fee resolution will be presented to City Council for consideration at a future meeting.

ATTACHMENTS

1. 2021-10-25_ATT 1_Proposed Oil Termination Ordinance

MOTIONS

That the City Council:

Adopt an Ordinance approving Zoning Code Amendment P2021-0036-ZCA, amending Culver City Municipal Code Title 17: Zoning Code, Section 17,610.010.D - Nonconforming Oil Use, to Terminate Nonconforming Oil and Gas Uses by November 24, 2026, and waive further reading.