



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED:	5/26/2022	
MEETING DATE:	6/8/2022	AGENDA 5 ITEM:
PROJECT NUMBER:	PRJ2020-000246	
PROJECT NAME:	Oil Well Ordinance	
PLAN NUMBER(S):	RPPL2020000624	
SUPERVISORIAL DISTRICT:	1-5	
PROJECT LOCATION:	Countywide	
PROJECT PLANNER:	Adrienne Ng, Regional Planner ordinance@planning.lacounty.gov	

RECOMMENDATION

The Department of Regional Planning staff (“staff”) recommends that the Regional Planning Commission (Commission) adopt the attached resolution recommending approval to the County of Los Angeles Board of Supervisors of the Oil Well Ordinance, Plan No. RPPL2020000624.

Staff recommends the following motion:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE EXEMPTIONS QUALIFY PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I ALSO MOVE THAT THE REGIONAL PLANNING COMMISSION ADOPT THE ATTACHED RESOLUTION RECOMMENDING APPROVAL TO THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS OF THE OIL WELL ORDINANCE, PLAN NO. RPPL2020000624.

PROJECT DESCRIPTION**A. Summary**

Plan Number RPPL2020000624 is the Oil Well Ordinance (Ordinance), a project that amends Title 22 (Planning and Zoning) of the Los Angeles County Code to prohibit new oil wells and production facilities, designate existing oil wells and production facilities as nonconforming due to use, and establish consistent regulations for existing oil wells and production facilities during the amortization period. The Ordinance applies to the unincorporated areas of Los Angeles County, except for the Baldwin Hills Community Standards District, areas designated as a specific plan, and uses operating under a valid discretionary permit. The Ordinance (Exhibit A), Board Resolution (Exhibit B), and Notice of Exemption (Exhibit C) are attached to this report.

B. Background

On September 15, 2021, the County of Los Angeles Board of Supervisors (Board) approved a motion titled "Protecting Communities Near Oil and Gas Drilling Operations in Los Angeles County." The motion directs the Department of Regional Planning (Department) to: "prohibit all new oil and gas extraction wells in all zones, including those allowed or planned for under existing discretionary permits, and designate all existing oil and gas extraction activities, including those allowed or planned for under existing discretionary permits, as legal nonconforming uses in all zones." The Ordinance implements the Board's vision to prioritize and protect the public health, safety, and welfare of residents living near oil wells and begin the process of a just transition away from fossil fuels and decarbonization of the economy.

Also, the Board approved two related motions on September 15, 2021 titled: "Developing an Oil Well Cleanup Pilot Program for Los Angeles County" and "Developing a Comprehensive Strategy for a Just Transition Away from Fossil Fuels for Los Angeles County." The three motions assigned several County agencies, including the Office of Oil and Gas at Public Works, Department of Public Health, Fire Department, and the Chief Sustainability Office, to work on these directives.

Prior to September 15, 2021, staff produced a draft ordinance responding to an earlier Board motion from March 29, 2016: "Proactive Planning and Enforcement of Oil and Gas Facilities Operating in Unincorporated Los Angeles County." The September 15, 2021 motions supersede the March 29, 2016 motion. A summary of the efforts to address the March 29, 2016 motion is attached to this report for your Commission's information (Exhibit E).

C. Location

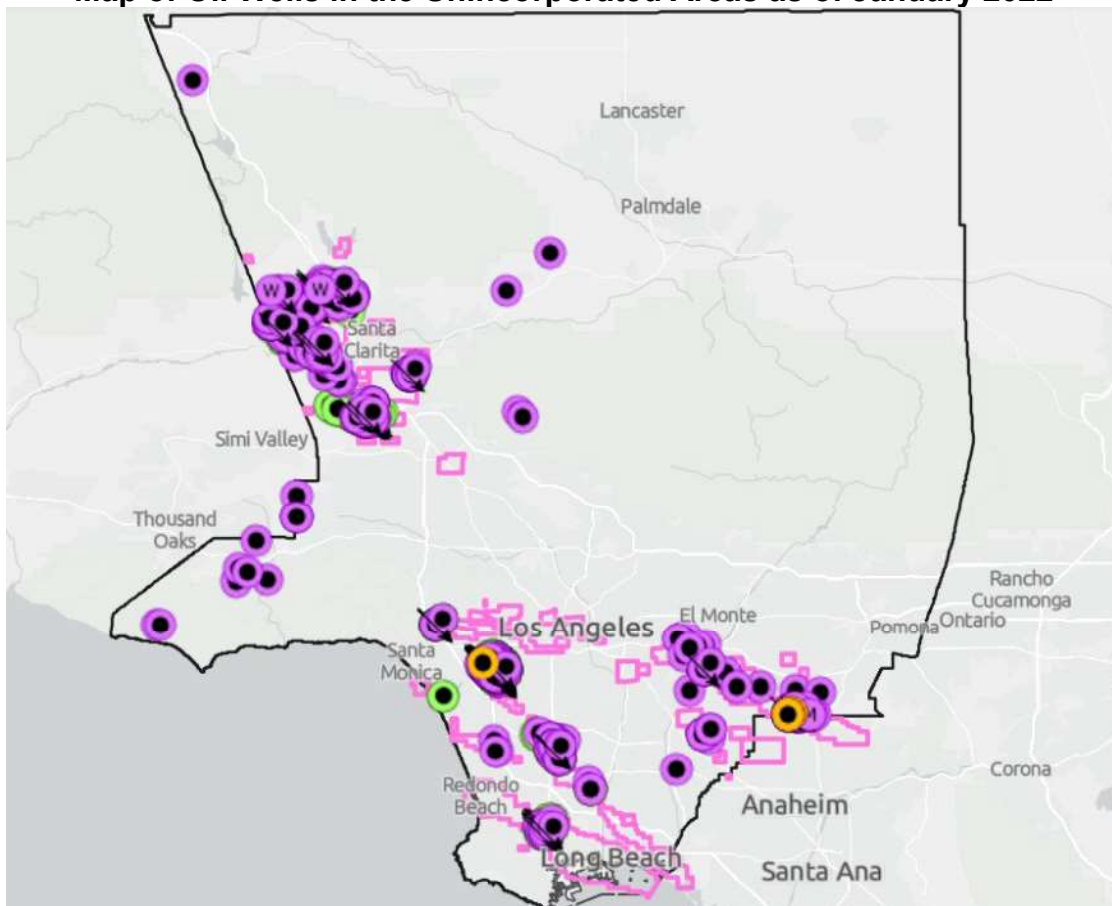
According to CalGEM data from January 2022, there are 1,547 active or idle oil wells in the unincorporated areas of Los Angeles County. The Ordinance affects approximately 473 existing oil wells. The remaining 1,074 oil wells are within the Baldwin Hills Community Standards District, in an area designated as a specific plan, or are operating

under a valid discretionary permit. The number and location of oil wells in the unincorporated areas are summarized below:

Oil Wells in the Unincorporated Areas (January 2022)							
Supervisory District	Total Wells in the Unincorporated Areas	Affected by the Ordinance	Oil Wells to be Addressed Separately From This Ordinance ¹			New – Permit for drilling issued by CalGEM	
			Specific Plan	Discretionary Permit	Baldwin Hills Community Standards District		
1	91	16	-	75	-	8	
2	1006	92	2	57	855	1	
3	26	26	-	-	-	-	
4	30	30	-	-	-	-	
5	394	309	55	30	-	-	
All Districts	1547	473	57	162	855	9	

1. The Ordinance does not apply to the Baldwin Hills Community Standards District, areas designated as a specific plan, or uses operating under a valid discretionary permit. DRP will address these in future efforts.

Map of Oil Wells in the Unincorporated Areas as of January 2022



D. Major Elements and Key Components

The Ordinance has three major elements and key components:

Prohibit New Oil Wells and Production Facilities

The Ordinance prohibits new oil wells and production facilities in 33 zones in Title 22 by adding "oil wells and production facilities" as a use "not permitted." The Ordinance also prohibits new oil wells and production facilities by amending the East Los Angeles Community Standards District and the Florence-Firestone Community Standards District to remove "oil wells and appurtenances, to the same extent and under all of the same conditions as permitted in Zone A-2" from the list of uses allowed in Zone M-1.

Designate Existing Oil Wells and Production Facilities as Nonconforming Due to Use

By adding "oil wells and production facilities" as a use "not permitted" in Title 22, the Ordinance designates existing, legally established oil wells and production facilities as nonconforming due to use. Chapter 22.172 (Nonconforming Uses, Buildings and Structures) contains regulations for the continuation, addition, repair, and termination of status for nonconforming uses. According to Sections 22.172.050.B and 22.172.050.B.1.f, nonconforming uses shall be discontinued and removed from their sites within 20 years of becoming nonconforming.

Establish Regulations for Existing Oil Wells and Production Facilities

The Ordinance adds consistent regulations to Title 22 for existing oil wells and production facilities, including: well and site signage, comment and complaint log, requirements for site maintenance, bonds for existing wells, and standards for well plugging and abandonment and restoration. These regulations ensure that existing oil wells and production facilities operate under a consistent set of development and performance standards and increase transparency in operations until the uses are discontinued and removed.

The Ordinance specifies a schedule for the effective date for regulations. Regulations for site maintenance, well plugging and abandonment, and restoration become effective on the date the Ordinance becomes effective. Regulations for well and site signage and the comment and complaint log become effective one year after the Ordinance goes into effect. Regulations for bonds become effective two years after the Ordinance goes into effect.

E. General Plan Consistency

The Ordinance is consistent with and supportive of the goals, policies, and principles of the General Plan, including:

- Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.
- Policy LU 7.8: Promote environmental justice in the areas bearing disproportionate impacts from stationary pollution sources.
- Policy LU 9.1: Promote community health for all neighborhoods.
- Policy LU 9.4: Encourage patterns of development that protect the health of sensitive receptors.

F. Regulatory Agencies and Regulations

The Department and Title 22 are responsible for land use and zoning regulations in the unincorporated areas of Los Angeles County. In addition, there are numerous federal, state, regional, and local agencies that regulate oil wells and production facilities in California and in Los Angeles County. A summary of regulatory agencies and regulations is attached to this report for your Commission's information (Exhibit F).

G. Amendment to Title 12

Staff collaborated with the Department of Public Health on an amendment to Title 12 (Environmental Protection). The amendment to Title 12 removes the exception for oil wells and production facilities from the County's noise and vibration regulations. The amendment to Title 12 does not require action by your Commission and is attached to this report for your Commission's information (Exhibit D).

ENVIRONMENTAL ANALYSIS

The project (Ordinance) is exempt from the provisions of the California Environmental Quality Act (CEQA) and County CEQA Guidelines pursuant to CEQA Guidelines sections 15061(b)(3), 15061(b)(2), 15301 (Class 1), and 15308 (Class 8). Staff recommends that your Commission find the project exempt from CEQA and the County CEQA Guidelines. A Notice of Exemption was prepared for the project (Exhibit C).

OUTREACH AND ENGAGEMENT

A. County Department Comments and Recommendations

The Fire Department, Department of Parks and Recreation, and Public Works reviewed the Ordinance and had no comments. Staff sent the Ordinance to the Department of Public Health for review and did not receive a response.

B. Project Outreach and Engagement

On May 5, 2021, staff emailed 905 stakeholders to announce that the Ordinance is available for review online and that a public hearing is scheduled for June 8, 2022. Pursuant to Chapter 22.244 (Ordinance Amendments) and Section 22.222.180 of the County Code, the notice of public hearing was published in 14 local newspapers, including the Spanish-language newspaper La Opinión. Ordinance materials were posted on the Department's website and promoted through social media. Furthermore, the Department provided language access support in Spanish and Chinese, prepared translated project summary sheets (Exhibit G), and encouraged email or voicemail comments in multiple languages.

Of the numerous directives in the three motions adopted by the Board on September 15, 2021, this Ordinance implements one aspect of one motion. There are future opportunities for community engagement as County agencies work to implement all three Board motions. As directed by the September 15, 2021 Board motions, several County

agencies will collaborate to build and ensure a robust, meaningful, and inclusive community engagement program that prioritizes frontline communities during the phase out, remediation, and visioning of future land uses.

C. Public Comments

No comments were received on the Ordinance at the time of this report.

Related to the Ordinance, staff received 521 form letters from persons living near the Inglewood Oil Field. These letters were in support of “a quick and just end to all drilling throughout LA County within five years” and "making oil and gas drilling a nonconforming use; expediting the phase-out period county-wide, including in the Inglewood Oil Field; and implementing a just transition to help workers." The form letters are attached to this report (Exhibit H).

Report
Reviewed By:  _____
A. Bruce Durbin, Supervising Regional Planner

Report
Approved By:  _____
Connie Chung, Deputy Director

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Title 22 Ordinance
EXHIBIT B	Board Resolution
EXHIBIT C	Notice of Exemption
EXHIBIT D	Amendment to Title 12
EXHIBIT E	Summary of Work: March 29, 2016 Board Motion
EXHIBIT F	Summary of Regulatory Agencies
EXHIBIT G	Project Summaries (English, Spanish, and Chinese)
EXHIBIT H	Public Comments