

REPORT TO THE COMMITTEE ON RULES, LEGISLATION, AND
INTERGOVERNMENTAL RELATIONS
SANTA CRUZ ORDINANCE PROHIBITING OFFSHORE OIL DRILLING

The Rules Committee on February 3, 1986 asked us for information regarding the recently adopted People's Ordinance of the City of Santa Cruz entitled, "Opposing Oil and Gas Drilling Off the Coast of Central and Northern California." This is our response.

On November 5, 1985 the voters in the City of Santa Cruz overwhelmingly approved Ordinance No. 85-70. The ordinance was drafted by a citizens group which based its work on an ordinance from Santa Barbara County. The Santa Cruz City Attorney revised section 4, paragraph 2 removing an absolute prohibition on drilling and imposing a standard that "(n)o zoning changes to accommodate onshore support . . . shall be enacted without a vote" In effect, this clause prevents the Santa Cruz City Council from rezoning to facilitate offshore drilling activities. The ordinance does not rezone any land nor bar the use of existing property for oil drilling support, if it is in accordance with existing law and policy.

Under our current land use regulatory system, the City has not prohibited subterranean oil and gas lines located within the public rights-of-way. The fuel line from Los Angeles to San Diego was allowed by permit. The U.S. Navy fuel line from N.A.S. Miramar to Point Loma was reviewed only to see if it was within the public right-of-way and a permit was issued. Other than fuel lines, onshore support facilities must, of course, be located in an appropriate zone, usually industrial. We are not aware of any industrial zones which front the coast within the City of San Diego. There are several industrially zoned parcels which border on Unified Port District (UPD) property. UPD land, however, is not subject to City zoning regulation and is not included as a subject of this report.

Our discussions with the City of Santa Cruz disclosed another significant difference between the Santa Cruz situation and ours. In Santa Cruz there are no enclaves that are exempt from local legislation. A significant portion of San Diego's coastline includes State and Federal properties over which we have no zoning authority. A 1969 survey indicated that 30.86% of our coastline was in State ownership, 17.45% in Federal ownership, 38.96% in City ownership (this includes numerous streets where access is currently allowed) and only 12.73% in private

ownership.

So far as a similar San Diego ordinance would make a statement that the City of San Diego does not desire offshore oil drilling, it would be effective. It would also require a vote of the people before any rezoning to accommodate onshore support facilities for offshore drilling would be effective on coastal property subject to City zoning regulation. It would not, however, restrict or prohibit onshore activities in support of offshore oil drilling activity on lands within the jurisdictions of the UPD or State or Federal governments.

Respectfully submitted,

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