

**CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 15 - \_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THE CITY COUNCIL TO ADOPT TEXT AMENDMENT NO. 19-15, AN OIL AND GAS ORDINANCE FOR REGULATION OF PETROLEUM FACILITIES AND OPERATIONS, BY ADDING CHAPTER 5 TO ARTICLE IX, CONSISTING OF SECTIONS 9500 THROUGH 9537, AMENDING SECTIONS 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, AND 9151.12, AND REPEALING SECTIONS 9128.6, 9138.10 AND 9148.2 OF THE CARSON MUNICIPAL CODE; AND RECOMMENDING APPROVAL OF A FINDING OF A CLASS 8 CATEGORICAL EXEMPTION UNDER CEQA GUIDELINES §15308**

WHEREAS, all oil and gas operations have the potential for significant and immediate impacts on the health, safety, and welfare of the citizens of Carson through increased noise, odor, dust, traffic, and other disturbances, as well as the potential to significantly impact the City's air, water, soil, biological quality, geology, storm water and wastewater infrastructure, transportation, noise exposures, emergency response plans, aesthetic values, environmental and community resources; and

WHEREAS, the City of Carson zoning and land use standards and regulations on oil and gas drilling have not been updated in several years, and have not been updated prior to various changes in oil and gas production practices and changes to state statutes and regulations; and

WHEREAS, the City Council held a variety of public meetings regarding these and related issues associated with petroleum operations on March 18, 2014, April 15, 2014, April 29, 2014, and May 20, 2014; and

WHEREAS, on March 18, 2014, the City Council adopted Urgency Ordinance No. 14-1534U entitled "An Interim Urgency Ordinance of the City of Carson, California, Establishing a 45-Day Temporary Moratorium on the Drilling, Redrilling or Deepening of any Wells Within the Jurisdiction of the City of Carson that are Associated with Oil and/or Gas Operations, and Declaring the Urgency thereof," and

WHEREAS, on May 20, 2014, the City Council directed City Staff to commence a complete and comprehensive review to update the Municipal Code regarding oil and gas operations and to study and address all modern-day drilling issues and applications; and

WHEREAS, City Staff were also directed to have at least two workshops with the community to receive community input and feedback; and

WHEREAS, the Community Development Department has also initiated a proposed text amendment to facilitate this review; and

WHEREAS, the City of Carson has reviewed and studied revisions as necessary to the City's laws, rules, procedures and fees related to petroleum operations and facilities, to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to develop oil and gas drilling and extraction facilities in the City, with the preservation of the health, safety and welfare of the communities surrounding the oil and gas drilling and extraction facilities in the city including exposure to nuisances; and

WHEREAS, as part of this review process, the City of Carson has engaged in significant community outreach regarding this matter, including sending mailed notices of community meetings and Planning Commission hearing to the approximately 30,000 addresses in the city, publishing notices in the newspaper, and holding three community meetings regarding oil and gas operation issues; and

WHEREAS, City of Carson Staff prepared a proposed Oil and Gas Ordinance, including modifications to the Carson Zoning Ordinance, made it available on the City's Oil Code webpage, on February 11, 2015, and received public feedback during the community meeting on February 18, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Oil and Gas Ordinance, including modifications to the Carson Zoning Ordinance, at a duly noticed meeting at 6:30 a.m. on February 24, 2015, at the Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC, 801 East Carson Street, Carson, CA 90745; and

WHEREAS, public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, after closing public testimony, the Planning Commission of the City of Carson continued the item to its regular meeting of April 14, 2015; and

WHEREAS, informal informational sessions were held with various members of the Planning Commission throughout the day on March 30, 2015; and

WHEREAS, City of Carson Staff refined provided additional refinements and made the updated proposed Oil and Gas Ordinance and other studies, reports and documents available on April 7, 2015; and

WHEREAS, the City of Carson engaged in additional community outreach and met with interested members of the community, environmental groups, and oil and gas interests on April 8 and 28, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the updates to the proposed Oil and Gas Ordinance, at a duly noticed meeting at 6:30 a.m. on April 14, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, the public comment portion was reopened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson closed the public comment portion and continued the item to its regular meeting of May 12, 2015, with direction to City Staff to further revise the proposed Oil and Gas Ordinance and engage in further discussions with interested groups; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the revisions to the proposed Oil and Gas Ordinance at a duly noticed meeting at 6:30 a.m. on May 12, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, the public comment portion was reopened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson closed the public comment portion and continued the item to its regular meeting of June 9, 2015, with direction to City Staff to further revise the proposed Ordinance and engage in further discussions with interested groups; and

WHEREAS, the City of Carson engaged in additional community outreach and had an additional meeting with representatives of oil and gas interests on May 26, 2015; and

WHEREAS, City of Carson Staff refined provided additional refinements and made the updated proposed Oil and Gas Ordinance and other studies, reports and documents available on June 1, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Oil and Gas Ordinance at a duly noticed meeting at 6:30 a.m. on June 9, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, the public comment portion was reopened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson closed the public comment portion and continued the item to its regular meeting of July 28, 2015, with direction to City Staff to further revise the proposed Ordinance, set up small group workshops with the Commissioners, engage in additional community outreach, and provide additional information to the Planning Commission; and

WHEREAS, the City of Carson held separate meetings with members of the community and industry stakeholders on July 6, 2015, three small group workshops with members of the Planning Commission throughout the day on July 7, 2015, and a teleconference was held with petroleum industry stakeholders on July 14, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Oil and Gas Ordinance at a duly noticed meeting at 6:30 a.m. on July 28, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, the public comment portion was reopened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson closed the public comment portion and continued the item to its regular meeting of September 8, 2015, with direction to City Staff to further revise the proposed Ordinance, set up small group workshops with the Commissioners and City Manager, engage in additional community outreach, and provide additional information to the Planning Commission; and

WHEREAS, the City of Carson engaged in additional outreach by holding additional small group workshops with members of the Planning Commission on August 24 and August 25, 2015, met with petroleum industry stakeholders on August 27 with petroleum industry stakeholders, and met with an environmental group representative on September 2, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently held a duly noticed meeting at 6:30 a.m. on September 8, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, upon recommendation by Staff, the Planning Commission of the City of Carson continued the item to its regular meeting of October 13, 2015, without reopening the public comment portion, to allow for noise studies, as well as to allow the City Manager to hold additional meetings with members of the community, industry stakeholders and other interested parties regarding the Ordinance; and

WHEREAS, the City of Carson engaged in additional community outreach and had an additional meetings with representatives of oil and gas, environmental and community group interests at various times on September 15<sup>th</sup>, 24<sup>th</sup>, and 29<sup>th</sup> of 2015; and

WHEREAS, Planning Commissioners were provided with the opportunity to tour existing oil and gas operations within the City of Carson in October of 2015; and

WHEREAS, the City mailed notices of the Planning Commission hearing on October 13, 2015, to the addresses in the city and published a notice in the newspaper regarding the same; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Oil and Gas Ordinance at a duly noticed meeting at 6:30 a.m. on October 13, 2015, at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California, 90745; and

WHEREAS, the public comment portion was reopened, and public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, after closing the public comment period, the Planning Commission provided direction to Staff and directed Staff to return with a written resolution consistent with that direction for consideration on November 24, 2015; and

WHEREAS, Planning Commission of the City of Carson has reviewed Text Amendment No. 19-15, including all associated amendments and repeals of the relevant portions of the Carson Municipal Code in order to enact the Oil and Gas Ordinance, for consistency with the General Plan and all applicable Specific Plans; and

WHEREAS, after reopening and closing the public comment period, and considering public testimony and receiving information, the Planning Commission of the City of Carson desires to recommend approval of Zone Text Amendment No. 19-15, which implements an Oil and Gas Ordinance including modifications to the Carson Zoning Ordinance, to the City Council of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson has also reviewed and also desires to recommend approval of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment, to the City Council of the City of Carson; and

WHEREAS, it is the intent of the recommendation of the Planning Commission of the City of Carson that petroleum operations shall be permitted within the City of Carson, except where expressly prohibited, subject to the application the Carson Municipal Code and all other applicable laws, regulations and requirements; and

WHEREAS, it is a purpose of said recommendation of adoption to protect the health, safety, public welfare, physical environment and natural resources of the City of Carson by the reasonable regulation of petroleum facilities and operations.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** Text Amendment No. 19-15 was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines (the Guidelines), and the environmental regulations of the City. The Planning Commission hereby recommends finding and determination by the City Council that the

adoption of Text Amendment No. 19-15 is exempt from CEQA pursuant to Section 15308 of the Guidelines for actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Such a finding and determination is warranted as the proposed Ordinance addresses the maintenance, restoration, enhancement and protection of the environment and the public health, safety, welfare of the citizens of Carson as related to potential impacts from petroleum operations and facilities within the City. The variety of environmental issues addressed include air, water, soil, geology, storm water and wastewater infrastructure, transportation, noise, emergency response, aesthetic issues, and petroleum operations near potentially sensitive receptors. The Ordinance does not provide for the relaxation of standards as compared to the current regulations in the Carson Municipal Code. Instead, the Ordinance strengthens environmental standards related to petroleum operations and facilities, and thereby advances the protection of environmental resources within the City of Carson. No exception to the exemption under CEQA Guideline Section 15300.2 applies.

**Section 2.** The Planning Commission of the City of Carson has reviewed Text Amendment No. 19-15, including all associated amendments and repeals of the relevant portions of the Carson Municipal Code in order to enact the Oil and Gas Ordinance, and hereby finds it is consistent with the General Plan and all applicable Specific Plans.

**Section 3.** The Planning Commission of the City of Carson, based on its own independent judgment, finds that Text Amendment No. 19-15 promotes and protects the health, safety, welfare, and quality of life of City residents, including protection against nuisances, and adopts the Findings of Fact, attached as Exhibit “A” and incorporated in full by reference, any one of which findings would be sufficient to support adoption of this Text Amendment.

**Section 4.** The Planning Commission hereby recommends approval to the City Council of an Ordinance of to adopt Text Amendment No. 19-15 implementing an Oil and Gas Ordinance for regulation of petroleum facilities and operations by adding Chapter 5 to Article IX, consisting of sections 9500 through 9537, amending sections 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, and 9151.12, and repealing sections 9128.6, 9138.10 and 9148.2 of the Carson Municipal Code, a recommended draft of which is attached as Exhibit B.

**Section 5.** As an additional item, the Planning Commission hereby recommends the City Council consider an Environmental Compliance Officer to monitor and address environmental impacts from all sources, whether related to oil and gas operations or not. Such an Environmental Compliance Officer is not part of the recommended ordinance, which is limited to oil and gas operations, but such an official could work in conjunction with the Environmental Compliance Coordinator or other designated official to enforce the Oil and Gas ordinance.

**Section 6.** As an additional item, the Planning Commission hereby recommends the City Council consider review of a lower noise level for nighttime construction activities and recommends the City Council initiate an update of the City’s noise ordinance to address this issue.

**Section 7.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Carson.

**PASSED, APPROVED AND ADOPTED THIS 24<sup>th</sup> DAY OF NOVEMBER , 2015.**

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**CHAIRMAN**

**ATTEST:**

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**SECRETARY**

## **EXHIBIT “A”**

### **FINDINGS OF FACT**

The Planning Commission of the City of Carson, based on its own independent judgment, finds that Text Amendment No. 19-15 promotes and protects the health, safety, welfare, and quality of life of City residents and reduces nuisances as set forth in these Findings of Fact, any one of which findings would be sufficient to support a recommendation to adopt this Text Amendment, and any one of which may rely upon evidence presented in the other, including as follows:

#### **I. Limited Water Supplies Should Be Preserved**

##### **A. Extreme Drought Conditions Throughout State Result In Water Shortages**

The City, region and State of California are experiencing extreme drought conditions, and have been struggling to preserve potable water resources for most of the decade. On June 12, 2008, the Governor issued Executive Order S-06-08 calling for a State of Emergency regarding water shortages and availability. The State of Emergency was again called on February 27, 2009. Additionally, the Water Conservation Bill of 2009 SBX7-7 was passed, which requires every urban water supplier that either provides over 3,000 acre-feet of water annually, or serves more than 3,000 urban connections, to assess the reliability of its water sources over a 20-year planning horizon, and report its progress on 20% reduction in per-capita urban water consumption by the year 2020. Executive Order S-06-08 was not rescinded until March 30, 2011. Even then the Governor urged Californians to continue to conserve water.

Shortly thereafter extreme drought conditions once again resulted in water shortages. On January 17, 2014 the Governor again proclaimed a State of Emergency regarding water shortages and availability. On April 25, 2014, the Governor issued an executive order to speed up actions necessary to reduce harmful effects of the drought, and called on all Californians to redouble their efforts to conserve water. On December 22, 2014, Governor Brown issued Executive Order B-28-14, citing to the January 17, 2014 Proclamation and the April 25, 2014 Proclamation, and extending the operation of those proclamations until May 31, 2016.

During this period of time the State Water Resources Control Board (SWRCB) has been adopting new water conservation regulations. On July 15, 2014, SWRCB adopted emergency regulations prohibiting all individuals from engaging in certain water use practices and require mandatory conservation-related actions of public water suppliers during the current drought emergency. On March 17, 2015, the SWRCB amended and re-adopted the emergency drought conservation regulations, and they became effective on March 27, 2015.

Following the lowest snowpack ever recorded and with no end to the drought in sight, on April 1, 2015, the Governor directed the SWRCB to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. This is the first time in state history such drastic steps have ever been ordered due severe drought conditions. The SWRCB continues to adopt new water and emergency conservation regulations for all of California to address systemic water shortages.



## B. Oil and Gas Operations Can Impact Water Quality and Resources

Oil and gas operations have the potential to impact water quality, surface water and groundwater supplies.

Without the appropriate regulations, or a mechanism to confirm compliance with existing regulations, oil and gas operations can result in an increased level of freshwater pollution or groundwater contamination in the immediate area, or cause regulatory water standards at an existing water production well to be violated. Impacts can occur through a variety of sources, whether through construction, operations, abandonment or redevelopment to another use. Until the appropriate facilities have been built, construction activities can result in storm water pollution. Produced water and wastewater, if not properly contained, transported and disposed, can contaminate both surface water and groundwater supplies. Water quality can also be impacted by operations, and the appropriate steps cannot be taken to address the issue unless water quality is sufficiently monitored for both surface and groundwater monitoring locations. Oil and gas are located at varying depths, often below underground sources of drinking water. The well bore, however, must be drilled through these drinking water sources in order to gain access to the oil and gas. Depending on field conditions, chemicals and natural gas can escape the well bore if it is not properly sealed and cased. While there are state requirements for well casing and integrity, accidents and failures can still occur.<sup>1</sup> Wellbore leakage can lead to the deterioration of the quality of groundwater.<sup>2</sup> Inadequately abandoned wells risk surface and subsurface contamination, which can impact water quality, surface water and groundwater supplies.

Without the adequate financial assurances, there may be insufficient funding available to ensure regulatory compliance, enforcement, and safety measures are implemented to protect the environment including water supplies.

Contamination of surface water and groundwater supplies is nuisance, requiring substantial infrastructure and expense to render such water potable – if at all. Given the City's heavy reliance on groundwater, groundwater contamination could have devastating impacts on the local economy and water supplies. Vulnerable water supplies should be preserved municipal and other critical uses.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential pollution and water quality impacts and nuisances activities from oil and gas operations, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life.

## C. Oil and Gas Operations Can Impact Limited Water Supplies

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<sup>1</sup> Cooley, Heather and Kristina Donnelly. "Hydraulic Fracturing and Water Resources: Separating the Frack from the Fiction," Pacific Institute, June 2012, p. 17.

<sup>2</sup> "Towards a Road Map for Mitigating the Rates and Occurrences of Long-Term Wellbore Leakage," University of Waterloo, Geofirma Engineering Ltd., May 22, 2014.

Oil and gas operations can use significant amounts of fresh water in a relatively short period of time. Depending on the nature of the operation, water usage can exceed hundreds of thousands of gallons of water per day. Additionally, water and material deliveries to an oil and gas site are typically made by diesel trucks operating on a 24-hour basis. Potential land use and nuisance activities from these operations include water shortages from drought conditions, traffic, air emissions, noise, vibration, potential contamination of surface and subsurface water, and aesthetics.

The 2010 Urban Water Management Plan for the California Water Service Company - Dominguez District, which includes the City of Carson, sets district-specific targets of 193 gallons per capita day (gpcd) by 2015, and 171 gpcd by 2020.<sup>3</sup> In order to achieve these targets, as well as other state-mandated targets during this drought emergency, water conservation is imperative.

Excessive use of fresh water for oil and gas operations could result in a significant impact on water resources for both the City and the surrounding area. Imposing requirements for use of reclaimed and other sources of non-potable water preserves, as well as best management practices for water conservation, helps preserve limited water supplies municipal and other critical uses.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against excessive use of potable water and impacts on potable water sources, for the benefit of the public health, safety, welfare, and quality of life of City residents and also reduces associated nuisances.

## II. Transportation of Water Required for Operations Creates Land Use and Nuisance Activities

Oil and gas operations generate a significant amount of truck traffic. All of the materials and equipment needed for activities associated with bringing a well into production are typically transported to the site by trucks. Additionally, wastewater and waste materials from certain operations is usually removed by tanker truck to the disposal site or to another well for reuse. Much of the truck traffic is concentrated over the first 50 days following well development.<sup>4</sup> Wastewater disposal may require additional trips.

Transport associated with oil and gas operations through the City to well locations will result in potential adverse land use and nuisance activities including traffic loads, increased risk of truck accidents including releases chemical or wastewater spills, air emissions, noise, traffic congestion, degraded road quality, vibration, and aesthetics - each of which is detrimental to the public health, safety and welfare.

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<sup>3</sup> The 2010 Urban Water Management Plan for the California Water Service Company - Dominguez District, [http://www.water.ca.gov/urbanwatermanagement/2010uwmps/CA%20Water%20Service%20Co%20-%20Dominguez%20District/\\_DOM\\_UWMP\\_2010.pdf](http://www.water.ca.gov/urbanwatermanagement/2010uwmps/CA%20Water%20Service%20Co%20-%20Dominguez%20District/_DOM_UWMP_2010.pdf).

<sup>4</sup> Cooley, Heather and Kristina Donnelly. "Hydraulic Fracturing and Water Resources: Separating the Frack from the Fiction," Pacific Institute, June 2012, p. 25.

Hauling water for oil and gas operations from outside the City also impacts water resources. The City relies on groundwater water sources tracked by the Water Replenishment District. The City is primarily located within the West Coast Basin area, which underlies 160 square miles in Los Angeles County. Additionally, the City is located adjacent to the Central Basin, which also underlies much of the Los Angeles area west of the City. Both of these basins are located in areas subject to extreme drought conditions, and transporting water from other portions of a shared basin will also impact water resources available to the City and surrounding areas. Likewise, hauling water from other regions within the state, or even adjacent states, would be taking water resources from other areas experiencing extreme drought conditions and water shortages.

The City and the surrounding area rely upon groundwater and surface water supplies to provide potable and other types of water for its residences and businesses. Regardless of where water is proposed to be acquired for petroleum operations, transporting the water to and through the City to well locations will result in potential land use and nuisance activities from these operations including water shortages from drought conditions, traffic, air emissions, noise, vibration, potential contamination of surface and subsurface water, and aesthetics.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential land use, impacts and nuisances activities from oil and gas operations, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life.

### III. Surface Spills and Leaks

All extraction activities come with some risk of surface or groundwater contamination from the accidental or intentional release of wasted. Fluids released into the ground from spills or leaks can run off into surface water and/or seep into the groundwater.

Spills can occur at any stage during the drilling lifecycle. Accidents and equipment failure during on-site mixing of the fluids can release chemicals into the environment. Above-ground storage pits, tanks, or embankments can fail. Vandalism and other illegal activities can also result in spills and improper wastewater disposal. Given the large volume of truck traffic associated with petroleum operations, truck accidents can also lead to chemical or wastewater spills.<sup>5</sup>

A recent study noted that reported wellbore leakage in active onshore drilling ranged from approximately 7% to 64% across a wide variety of locations.<sup>6</sup> The likelihood of leakage is significant given the potentially high level of risk that can associate with petroleum operations. Leakage can impact groundwater, air quality, cause odors, contaminate soil, and result in a variety of other nuisance, health, safety and welfare issues.

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<sup>5</sup> Cooley, Heather and Kristina Donnelly. "Hydraulic Fracturing and Water Resources: Separating the Frack from the Fiction," Pacific Institute, June 2012, p. 27, see also Bailin, Deborah, P. Rogerson, J. Agatstein, J. Imm and P. Phartiyal, "Toward an Evidence Based Fracking Debate: Science, Democracy, and Community Right to Know in Unconventional Oil and Gas Development," Union of Concerned Scientists, October 2013, p. 10.

<sup>6</sup> See "Towards a Road Map for Mitigating the Rates and Occurrences of Long-Term Wellbore Leakage," University of Waterloo, Geofirma Engineering Ltd., May 22, 2014.

Given the uncertainty of the frequency, severity, cause and impact of spills associated with petroleum operations, regulations designed to mitigate potential impacts, and provide assurance adequate financial resources are available to address the impacts, are warranted given the severity of the risks associated with such operations.

#### IV. Air Pollution, Particulate Matter and Odors

Odors, air pollution and particulate matter can be produced as a result of oil and gas operations, whether from mobile or stationary sources. These impacts are not localized, but can be spread by natural air flow caused by weather or physically generated outside a site by truck and other traffic. Odors have been known impact locations around an oil and gas site at distances of approximately 1,500 feet.

Air quality in the City and region already falls below state standards for some of the pollutants related to production activities. Enactment of the Oil and Gas Ordinance provides a regulatory framework to reduce these risks. Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential air pollution, particulate matter and odor impacts and nuisances activities from oil and gas operations, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life of City.

#### V. Deleterious Public Health Effects

Development and production of oil and gas operations involve multiple sources of physical stressors such as noise, light, vibrations, toxicants, and impacts on air emissions. Many chemicals used during drilling and other stages of gas operations may have long-term health effects not immediately expressed.<sup>7</sup> Enactment of the Oil and Gas Ordinance provides a regulatory framework to reduce these risks, including setbacks from residential and other sensitive uses. Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential deleterious public health effects from oil and gas operations, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life of City residents.

#### VI. Oil and Gas Operations Impact Aesthetics

Oil and gas operations utilize unsightly derricks and rigs for drilling, re-drilling, workovers and other operations. This impact can be compounded by the large trucks and traffic traveling on the City's roadways through the community, dust, and light pollution from stadium-type lighting from around-the-clock drilling rigs. These aesthetic impacts are contrary to the urban nature of the City, are a nuisance and create a risk to the public, health and safety.

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<sup>7</sup> Colborn, Theo, C. Kwiatkowski, K. Schultz and M. Bachran, "Natural Gas Operations from a Public Health Perspective," Human Ecological Risk Assessment, September 2011, pp. 1309-1056; See also "Chemicals Used in Hydraulic Fracturing," United States House of Representatives Committee on Energy and Commerce, April, 2011, p. 1.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential deleterious aesthetic impacts from oil and gas operations, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life of City residents.

#### VII. Oil and Gas Operations Are Incompatible With Residential Uses

The City is urbanized<sup>8</sup> with a large residential population. The City's population in 2010 was 91,714 people,<sup>9</sup> in an area of approximately 19.2 miles.<sup>10</sup> Oil and gas development projects are industrial operations that are incompatible with residential uses and quality of life. Petroleum operations often generate noise, odor, visual effects, significant heavy truck traffic, and other impacts noted in these Findings that are incompatible with residential areas. For these reasons, all petroleum operations should be directed away from areas with residential land use designations, and other sensitive uses, and the operations regulated to reduce adverse impacts on residents and the community. Requiring additional measures as operations are located closer to residential and sensitive uses reduces the impacts caused by those incompatible operations upon residential uses. These can include landscaping, walls, sanitation, noise barriers and noise reduction devices, odor monitoring, air monitoring and other control issues.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential incompatible impacts with residential uses, including those articulated herein, for the benefit of the public health, safety, welfare, and quality of life of City residents.

#### VIII. Oil and Gas Operations, Closure, Abandonment and Other Uses

Land uses change. Over the past several decades the City of Carson has been changing from industrial uses to more residential and commercial uses. Former oil and gas operations sites are being utilized for other uses, including commercial and residential uses. These types of sites pose unique challenges to redevelopment, including potential contamination, locations of and impacts of abandoned facilities, potential for well leaks and the need for remedial access to address the same.

Prior to redevelopment or re-use of the site for another use, closed or abandoned sites that have not been properly cleaned and remediated can contribute to adverse impacts and nuisances including aesthetics, air quality, odor, graffiti, vandalism, weeds, contaminants, trash, and other items noted in the administrative record. Wells and sites can be left in an unsafe condition without being properly abandoned. Financial assurances posted with other agencies are often insufficient to address remediation and compliance efforts.

Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential impacts and nuisances caused by site abandonment and re-development, including those

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<sup>8</sup> City of Carson 2004 General Plan, 2014-2021 Housing Element, p. 7.

<sup>9</sup> U.S. Census Bureau, 2015, Quick Facts –Carson California,  
<http://quickfacts.census.gov/qfd/states/06/0611530.html>.

<sup>10</sup> City of Carson 2004 General Plan, p. I-3.

articulated herein, for the benefit of the public health, safety, welfare, and quality of life of City residents.

IX. Need for Financial Assurances and Identification of Responsible Parties

Accidents happen, and the nature of oil and gas operations can cause unique and potentially significant impacts upon the community not associated with other uses as has been noted in the administrative record. Financial assurances, to the extent they may be required by other agencies, are often insufficient to assure the impacts have been fully addressed. This leaves the public to pay either through unaddressed impacts on the community (aesthetics, odors, noise, risk of contamination, etc.) or to provide money to address the issue. Additionally, without the appropriate mechanisms in place, it can be difficult or impossible to effectively identify responsible parties. Based on these considerations and other impacts found in the administrative record, the Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential impacts and nuisances caused by insufficient financial assurance and identification issues for the benefit of the public health, safety, welfare, and quality of life of City residents.

X. Need for Enforcement, Compliance Monitoring, and Oversight Mechanisms

Regulations are only as stringent as their enforcement, compliance monitoring, and oversight mechanisms. Without adequate enforcement and oversight, there is an uneven playing field, bad operators are effectively rewarded to the detriment of good operators, and the community as a whole suffers. Given the complexity of oil and gas operations, the potential for significant environmental and other impacts upon the community identified in these Findings including nuisances, as well as the finite public resources available to address those impacts, strong enforcement and oversight mechanisms are warranted. The Planning Commission finds Text Amendment No. 19-15 promotes and protects against potential impacts and nuisances caused by inadequate enforcement, compliance monitoring and oversight mechanisms for the benefit of the public health, safety, welfare, and quality of life of City residents.

**EXHIBIT B TO  
PLANNING COMMISSION RESOLUTION**

**TEXT AMENDMENT NO. 19-15**

AN ORDINANCE TO ADOPT TEXT AMENDMENT NO. 19-15 IMPLEMENTING AN OIL AND GAS ORDINANCE FOR REGULATION OF PETROLEUM FACILITIES AND OPERATIONS BY ADDING CHAPTER 5 TO ARTICLE IX, CONSISTING OF SECTIONS 9500 THROUGH 9537, AMENDING SECTIONS 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, AND 9151.12, AND REPEALING SECTIONS 9128.6, 9138.10 AND 9148.2 OF THE CARSON MUNICIPAL CODE

**Section 1.** Chapter 5 (Oil and Gas ordinance of the City of Carson) is hereby added to Article IX of the Carson Municipal Code, in its entirety, as noted in Exhibit “1” attached hereto and incorporated herein.

**Section 2.** Article IX, Chapter 1, Part 2, Division 1, Section 9121.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

**9121.1 Uses Permitted.**

Uses are permitted in the residential zones as indicated in the following table:

**USES PERMITTED IN RESIDENTIAL ZONES**

Legend

- X. Automatically permitted use.
- L. Automatically permitted use provided special limitations and requirements are satisfied as noted herein or in Division 8 of this Part.
- D. Use permitted subject to approval of the Director.
- LD. Use permitted provided special limitations and requirements are satisfied as noted herein or in Division 8 of this Part, and subject to approval of the Director.
- C. Use permitted upon approval of a conditional use permit.
- CC. Use permitted upon approval of the City Council as prescribed under other provisions of the Carson Municipal Code.

All residential projects that include affordable and/or senior citizen households, as defined in CMC 9126.91,

shall be subject to the requirements contained in CMC 9172.23 (Site Plan and Design Review) except temporary uses set forth in this Section.

|  | <b>ZONES</b> |           |           |
|--|--------------|-----------|-----------|
|  | <b>RA</b>    | <b>RS</b> | <b>RM</b> |
| <b>Permanent Residential Uses:</b>   |              |           |           |
| Single-family dwellings on lots 50 feet wide or greater.   | X            | X         | X         |
| Single-family dwellings on lots less than 50 feet wide are subject to CMC 9126.9 and 9172.23.  | L            | L         | L         |
| Mobile home (provided the mobile home is certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 et seq.) and is located on a permanent foundation system pursuant to Section 18551 of the California Health and Safety Code. The Director shall ensure roofing material, roof overhang, and siding material will be architecturally compatible with surrounding residences.) | L            | L         | L         |
| Multiple-family dwellings on lots 50 feet wide or greater. (See CMC 9123 and 9128.51 – 9128.55.)   |              |           | C         |
| Multiple-family dwellings on lots less than 50 feet wide are subject to CMC 9126.9, 9172.23, 9123 and 9128.51 – 9128.55.   |              |           | C         |
| Residential condominium. (See CMC 9123 and 9128.11 – 9128.17.) Residential stock cooperatives.   |              |           | C         |
| Mobile home park. (See CMC 9123 and <u>9128.2.</u> )   | C            | C         | C         |
| Group quarters for members of a religious order (convent, rectory, monastery, etc.).   |              |           | X         |
| Boarding or rooming house, fraternity or sorority house, dormitory and similar group quarters. (See CMC 9123.)   |              |           | C         |
| Small family home community care facility.   | X            | X         | X         |
| Community residential care facility other than a small family home; community day care facility. (See CMC 9123.) (Added by Ord. 81-566, § 3;   |              |           | C         |



|  | <b>ZONES</b> |           |           |
|--|--------------|-----------|-----------|
|  | <b>RA</b>    | <b>RS</b> | <b>RM</b> |
| Ord. 89-889, § 1)  |              |           |           |
| Single-room occupancy (SRO) housing. (See CMC 9128.7.)   |              |           | L         |
| Supportive housing.  | X            | X         | X         |
| Transitional housing.  | X            | X         | X         |
| <b>Permanent Nonresidential Uses:</b>  |              |           |           |
| Public, elementary or secondary school.  | X            | X         | X         |
| Private elementary or secondary school. (See CMC 9123.)  |              |           | C         |
| Church, temple or other place of religious worship:  |              |           |           |
| Located on an arterial street.   |              |           | X         |
| Located on a collector street.   |              |           | C         |
| Cultivation of plants including nursery, orchard, vineyard, field crops, flowers, greenhouses, bathhouses, etc. (no mushroom farms, no retail sales.)  | X            |           |           |
| Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural or historical information will be obtained from the site.  | D            | D         | D         |
| Electric distribution substation, pumping station, water well, water reservoir. (See CMC 9123.)  | C            | C         | C         |
| Automobile parking lot. (See CMC 9123.)  |              |           | C         |
| Automobile parking structure for a large-scale multifamily development or serving a church, temple, or other place of religious worship where the lot is adjacent to an arterial street. (See CMC 9123.)                                   |              |           | C         |
| Access to other property lawfully used for purposes not permitted on subject property, provided the Director finds no available alternative access is preferable and the residential character of the area will not be adversely affected. | D            | D         | D         |

## ZONES

### RA RS RM

Oil wells (See CMC 9500 - 9537 [Oil and Gas ordinance].)

#### Temporary Uses:

|   |   |   |   |
|---|---|---|---|
| Mobile home occupied by the owner of the premises during construction of a dwelling, for a period not exceeding 6 months. The Director may approve time extensions of up to 6 months each provided he finds construction is proceeding in good faith. | L | L | L |
|---|---|---|---|

|   |   |   |   |
|---|---|---|---|
| Mobile home occupied by the owner of the premises as a replacement for a dwelling damaged or destroyed by a major disaster so declared by the Governor of California. Such use is limited to a period of 1 year or until a permanent dwelling is occupied, whichever is less. The Director may approve a time extension of up to 1 year provided he finds reconstruction is proceeding in good faith. | L | L | L |
|---|---|---|---|

|  |   |   |   |
|--|---|---|---|
| Contractor's office and/or storage of construction materials and equipment at a construction site, during the period of construction and not to exceed 60 days thereafter. In the event construction is suspended for a period of 6 months, such use and material shall be terminated and removed. | L | L | L |
|--|---|---|---|

|   |   |   |   |
|---|---|---|---|
| Real estate tract office, limited to the sale of property in the tract where such office is located, for a period not exceeding 2 years. The Director may approve a time extension of up to 1 year if sales are proceeding in good faith. | L | L | L |
|---|---|---|---|

|  |    |    |    |
|--|----|----|----|
| Subdivisional directional sign. (See CMC 9128.31 – 9128.35.) | LD | LD | LD |
|--|----|----|----|

|  |    |    |    |
|--|----|----|----|
| Carnival, mechanical rides, pony rides, and similar uses. (See CMC 63119 and 63119.1.) | CC | CC | CC |
|--|----|----|----|

|               |    |    |    |
|---------------|----|----|----|
| Tent revival. | CC | CC | CC |
|---------------|----|----|----|

|  |  |  |    |
|--|--|--|----|
| Fireworks stand. (See CMC 3101.0 through 3101.10.) |  |  | CC |
|--|--|--|----|

#### Wireless Telecommunications Facilities:

## ZONES

### RA RS RM

Major wireless telecommunications facilities,  
subject to the requirement of CMC 9138.16.

C C C

Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code.

**Section 3.** Article IX, Chapter 1, Part 2, Division 1, Section 9121.12 (Uses Permitted on Organic Refuse Landfill Sites), Subsection A(2) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

2. Construction of structures which are unoccupiable, such as signs, flagpoles, walls, fences and towers, but not including storage tanks.

**Section 4.** Article IX, Chapter 1, Part 2, Division 3, Section 9123 (Conditional Use Criteria) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

### 9123 Conditional Use Criteria

In addition to the general criteria for the approval of a Conditional Use Permit pursuant to CMC 9172.21(d)(1), special criteria and limitations as indicated below shall be considered in acting upon a Conditional Use Permit in a residential zone:

|  |   |
|--|---|
| Residential condominium; residential stock cooperative:  | Ability to comply with the provisions of CMC 9128.11– 9128.17.  |
| Mobile home park:  | Ability to comply with the provisions of CMC 9128.2.  |
| Fraternity or sorority house, dormitory:                 | The location shall be conveniently accessible in relation to the college or other institution attended by residents.  |
| Community care facility, long-term health care facility: | The facility shall become licensed pursuant to Division 2 of the California Health and Safety Code or, if exempt from licensure, shall meet standards equivalent to those prescribed by State law for similar facilities. |
| Private elementary or secondary                          | The site shall have frontage on an arterial street.   |

school:

Electric distribution substation, pumping station, water well, water reservoir:

The facility shall be necessary for the safe or efficient functioning of a public utility system.

The location in a residential zone shall be necessary to serve the residential uses in the vicinity and no suitable alternate location shall be available in a nonresidential zone.

Automobile parking lot:

Pedestrian and vehicular access to such a lot shall be other than through an existing or potential residential area unless the use of the lot is restricted to serving adjacent residential uses or uses directly related to nearby residential uses.

The parking lot shall be within four hundred (400) feet walking distance from the principal use which it serves.

Automobile parking structure:

The parking structure shall be located on the same lot as the large-scale multifamily development or church, temple, or other place of religious worship.

Multiple-family dwelling:

Ability to comply with the provisions of CMC 9128.51– 9128.55.

**Section 5.** Article IX, Chapter 1, Part 2, Division 8, Section 9128.6 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety and reserved as follows:

**9128.6 Oil Wells. (Reserved)**

**~~A. Oil Production Equipment.~~**

~~1. Each well that is to have its period of production extended beyond the amortization date established in CMC 9182.22(a) shall have its aboveground pump replaced with a submersible “downhole” pumping mechanism. The pumpjack assembly, along with its motor and fuel system, shall be removed from the site within thirty (30) days of the completion of the operation.~~

~~2. All pipelines associated with the well shall be placed underground.~~

~~3. No equipment shall be stored on the site which is not essential to the everyday operation of the oil well located thereon.~~

#### ~~B. Structures.~~

- ~~1. Equipment enclosures shall be constructed on the oil well sites for the well mechanisms. The enclosures shall be the only oil-related structures placed on the site.~~
- ~~2. The enclosures shall be vandal and graffiti resistant and shall be painted in colors compatible with the surrounding residential area.~~
- ~~3. The enclosures shall be removable for servicing of the well and shall not exceed six (6) feet in height.~~
- ~~4. Well enclosures shall incorporate sound deadening materials in order to reduce noise from the operation of the wells.~~

#### ~~C. Fences, Walls and Hedges.~~

- ~~1. All oil well pumps and related facilities shall be enclosed with a fence not less than five (5) feet high mounted on steel posts with three (3) strands of barbed wire mounted at a forty-five (45) degree angle from the top of the fence. If a new fence is proposed or required, such fence shall incorporate green vinyl coating of the fence mesh and wood or metal strips. The fence shall not be greater than two (2) inch mesh and not less than eleven (11) gauge wire. There shall be no aperture below the fence large enough to permit any child to crawl under.~~
- ~~2. The fence enclosure around the pump and related facilities shall include a twenty-five (25) foot buffer. The fence shall be locked at all times and constructed in a manner to prevent the public from coming closer than twenty-five (25) feet to the pumping facilities. Pursuant to the approval of the Conditional Use Permit, the location of the fence may be modified subject to compliance with applicable State and Fire Codes.~~

#### ~~D. Parking, Loading and Driveways.~~

- ~~1. Each well shall be served by at least one (1) driveway approach, constructed to current City of Carson standards. The driveway shall be located so that traffic across the landscaping is minimized.~~
- ~~2. A concrete slab shall be provided within the well site to be used for the parking of heavy maintenance equipment during well maintenance.~~

#### ~~E. Signs.~~

- ~~1. Each well shall be marked with a sign which lists the name of the company owning the well, the well number, and a telephone number for twenty-four (24) hour emergency notification. The sign shall not exceed six (6) square feet in area~~

~~and shall be located so that it is clearly visible from the street where the access drive is located.~~

~~2. The sign shall be kept in good legible condition at all times.~~

~~3. No sign other than that described in subsection (E)(1) of this Section shall be allowed.~~

~~F. Utilities.~~

~~1. Each well site shall be served by water for landscape irrigation. If available, reclaimed water shall be used for the landscape irrigation.~~

~~2. Electrical power shall be routed underground from the nearest source.~~

~~G. Landscaping.~~

~~1. The landscaping shall meet the requirements of CMC 9168.1 through 9168.5 relating to water efficient landscaping.~~

~~2. The well enclosure shall be landscaped for screening purposes. The remainder of the site shall be landscaped to make the site compatible with surrounding residential areas.~~

~~3. On lots or parcels less than ten thousand (10,000) square feet in area, not including parkways or rights of way, a minimum of twenty (20) percent of the area shall be landscaped.~~

~~4. On all lots or parcels more than ten thousand (10,000) square feet in area, not including parkways and rights of way, the minimum area to be landscaped shall be twenty (20) percent of the first ten thousand (10,000) square feet and fifteen (15) percent of the remainder.~~

~~5. Every lot or parcel less than ten thousand (10,000) square feet in area is to have at least two (2) twenty four (24) inch box trees and four (4) five (5) gallon size trees or larger located to harmonize with the rest of the landscaping and to best enhance the appearance of the site. At least one (1) additional fifteen (15) gallon size tree is to be included for each fifteen hundred (1,500) square feet over ten thousand (10,000) square feet. Additional landscaping may be required.~~

~~6. All landscaping shrubs are to be at least fifteen (15) gallon size set on five (5) foot centers or five (5) gallon size set on three (3) foot centers in significant numbers and in such arrangement as to best enhance the appearance of the lot or parcel.~~

- ~~7. The landscaped area of the lot shall be irrigated with an underground automated sprinkler system.~~
- ~~8. The landscaping, irrigation, fences and site improvements shall be maintained at all times.~~
- ~~9. The landscape plan shall be prepared by a licensed landscape architect.~~
- ~~10. Landscaping for wells located within a mobile home park shall be considered on a case-by-case basis.~~

#### ~~H. Well Maintenance.~~

- ~~1. Wells shall be maintained in a safe operating condition at all times in conformance with current safety and emission requirements.~~
- ~~2. Nonemergency well maintenance shall be limited to the hours of 8:00 a.m. to 6:00 p.m. on weekdays.~~

#### ~~I. Performance Bond.~~

- ~~1. A faithful performance bond in the amount of \$5,000 shall be filed with the City by each oil operator for each well for which a Conditional Use Permit is obtained.~~
- ~~2. Such bonds shall remain in full force and effect with respect to each well until such time as such well becomes abandoned in compliance with the California Administrative Code and Public Resources Code. In lieu of these bonding requirements, an oil well operator may submit proof of a valid Blanket Oil and Gas Well Indemnity Bond filed with the State of California; provided, that said bond exceeds the surety obligation which would have been imposed by the City.~~

#### ~~J. Safety.~~

- ~~1. All drilling and producing operations shall conform to all applicable fire and safety regulations.~~
- ~~2. The entire property on which the oil well is located shall be kept free of debris, pools of oil, water or other liquids, weeds, brush and trash.~~
- ~~3. Land within twenty five (25) feet of the well shall be kept free of dry weeds, grass, rubbish or other combustible material at all times.~~
- ~~4. Adequate protection shall be provided to control and prevent a blowout of a well. Protection equipment shall meet Federal, State and other applicable jurisdiction requirements.~~

~~5. All equipment and design must be approved by the County Fire Department prior to approval of the Conditional Use Permit.~~

~~K. Noise:~~

~~1. Noise from wells shall be in compliance with the Noise Control Ordinance.~~

~~2. Any mitigation measures necessary to reduce the noise from the operation of the wells to an acceptable level shall be incorporated in the conditions of approval for the Conditional Use Permit.~~

**Section 6.** Article IX, Chapter 1, Part 3, Division 1, Section 9131.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

**9131.1 Uses Permitted**

Uses are permitted in the commercial zones as indicated in the following table:

**USES PERMITTED IN COMMERCIAL  
ZONES**

Legend

- X. Automatically permitted use.
- L. Automatically permitted use provided special limitations and requirements are satisfied as noted herein or in Division 8 of this Part.
- D. Use permitted subject to the approval of the Director.
- LD. Use permitted provided special limitations and requirements are satisfied as noted herein, in Division 8 of this Part and in Division 8 of Part 2, and subject to the approval of the Director.
- C. Use permitted upon approval of a conditional use permit.
- CC. Use permitted upon approval of the City Council as prescribed, under other provisions of the Carson Municipal Code.

All commercial uses permitted by this Part shall be subject to the requirements



## USES PERMITTED IN COMMERCIAL ZONES

contained in CMC 9172.23, Site Plan  
and Design Review, except temporary  
uses. (See CMC 9131.1). (Ord. 84-704)

### ZONES

CN CR CG CA MU- MU-  
CS SB

#### **Retail Sales:\***

\* Alcoholic beverage sales, food services, and vehicle services are listed under separate headings.

|   |   |   |   |  |   |   |
|---|---|---|---|--|---|---|
| Department stores, variety stores, and specialized stores for apparel, items for personal use, household items, plants and flowers, and supplies and small equipment for businesses, including antiques** but no other secondhand items. Swap meets and flea markets, as defined in CMC 9191.670, are prohibited. | X | X | X |  | X | X |
|---|---|---|---|--|---|---|

\*\* Incidental restoration permitted.

|  |   |  |   |  |  |  |
|--|---|--|---|--|--|--|
| Indoor mini-mart, auction house. (Ord. 86-763U, § 1; Ord. 87-813, § 1) | C |  | C |  |  |  |
|--|---|--|---|--|--|--|

|   |  |   |   |  |  |  |
|---|--|---|---|--|--|--|
| Building materials other than ornamental brick, stone, tile, or flagstone. (Incidental storage of sand, gravel, or rock limited to 2,000 tons total.) |  | L | L |  |  |  |
|---|--|---|---|--|--|--|

|   |  |  |  |   |  |  |
|---|--|--|--|---|--|--|
| Ornamental brick, stone, tile or flagstone. (See CMC 9133.) |  |  |  | C |  |  |
|---|--|--|--|---|--|--|

|                                  |  |  |  |   |  |  |
|----------------------------------|--|--|--|---|--|--|
| Monuments, tombstones, statuary. |  |  |  | X |  |  |
|----------------------------------|--|--|--|---|--|--|

|                 |  |  |  |   |  |  |
|-----------------|--|--|--|---|--|--|
| Feed and grain. |  |  |  | X |  |  |
|-----------------|--|--|--|---|--|--|

|                              |  |  |  |   |  |  |
|------------------------------|--|--|--|---|--|--|
| Secondhand store, pawn shop. |  |  |  | X |  |  |
|------------------------------|--|--|--|---|--|--|

#### **Retail Services:\***

\* Alcoholic beverage services, food services, and vehicle services are listed under separate headings.

#### **Personal Services:**

|  |   |   |   |  |   |   |
|--|---|---|---|--|---|---|
| Barber shop, beauty shop, reducing salon, manicure parlor. | X | X | X |  | X | X |
|--|---|---|---|--|---|---|

|   |   |   |   |  |   |   |
|---|---|---|---|--|---|---|
| Clothing services – laundry or dry cleaning | X | X | X |  | X | X |
|---|---|---|---|--|---|---|

|  | ZONES |    |    |    |           |           |
|--|-------|----|----|----|-----------|-----------|
|  | CN    | CR | CG | CA | MU-<br>CS | MU-<br>SB |
| agency, self-service laundry or dry cleaning, hand laundry, sponging and pressing, tailor, dressmaker, seamstress, shoe repair.                  |       |    |    |    |           |           |
| Animal services – dog clip and wash, veterinary office or clinic (no animal hospital or kennel). (See CMC 9131.13(D).)                           | X     | X  | X  |    | C         | C         |
| Animal hospital or clinic  | X     | X  | X  |    |           |           |
| Mortuary. (See CMC 9133.)  |       |    | C  |    |           |           |
| Adult business. (See CMC 9133 and 9138.9; in MUR overlay district, see CMC 9131.13(D).)  |       | C  | C  |    |           |           |
| Massage service. (See CMC 63134, 63135, 9133 and 9138.91.)   | C     | C  | C  |    | C         |           |
| Tattoo service. (See CMC 9133 and 9138.92.)  |       | C  | C  |    | C         |           |
| Mechanical and repair services:  |       |    |    |    |           |           |
| Locksmith,* watch repair, small appliance repair, radio and television repair, computer repair, bicycle repair.                                  | X     | X  | X  |    | X         | X         |
| Fix-it shop.*  | X     |    | X  |    |           | X         |
| Furniture redecorating, restoration and upholstering; glass repair, installation or glazing; screen repair; plumbing shop; lawnmower sharpening. |       |    | X  |    |           | X         |
| *Incidental lawnmower sharpening permitted.  |       |    |    |    |           |           |
| Parcel delivery service.   |       | X  | X  |    |           | X         |
| Graphic arts services:   |       |    |    |    |           |           |
| Copying, addressographing, mimeographing, photostating, instant printing, blueprinting, silk screening, photography,** picture framing.***       | X     | X  | X  |    | X         | X         |
| Photo-finishing, film developing.  |       |    | X  |    |           |           |
| **Incidental photo-finishing and film developing permitted.  |       |    |    |    |           |           |
| ***Incidental frame construction permitted.  |       |    |    |    |           |           |
| <b>Studios:</b>  |       |    |    |    |           |           |

|  | <b>ZONES</b> |           |           |           |                   |                   |
|--|--------------|-----------|-----------|-----------|-------------------|-------------------|
|  | <b>CN</b>    | <b>CR</b> | <b>CG</b> | <b>CA</b> | <b>MU-<br/>CS</b> | <b>MU-<br/>SB</b> |
| Costume design, interior decoration, photography, writing, drama, dance, music, arts and crafts (including stained glass).   | X            | X         | X         |           | X                 | X                 |
| Stained glass assembly.  |              |           | X         |           |                   |                   |
| Radio, television, recording.  |              | X         | X         |           |                   |                   |
| Motion pictures – indoor. (See CMC 9133.)  |              |           | C         |           |                   |                   |
| <b>Offices:</b>  |              |           |           |           |                   |                   |
| Business, professional, financial, insurance, real estate, utility payments, telegraph, telephone answering service, messenger service, advertising, newspaper or publishing (no printing), ticket agency, travel agency, employment agency, collection agency, detective agency, security service, bail bondsman, check cashing. (See CMC 9138.17 and 9138.18.) | X            | X         | X         |           | L                 | L                 |
| Payday loans. (See CMC 9182.28.)   | C            | C         | C         |           |                   |                   |
| Drive-through banks.   | X            | X         | X         |           | C                 |                   |
| Wholesale business, manufacturer's agent, broker (no storage or deliveries other than samples).  | L            | L         | L         |           |                   | X                 |
| <b>Food Sales and Service:*</b>  |              |           |           |           |                   |                   |
| *Alcoholic beverage sales and services are listed under separate headings.   |              |           |           |           |                   |                   |
| Restaurant* (including refreshment stands, soda fountain). (See CMC 9133, 9138.17 and 9138.18.)  | X            | X         | X         | C         | X                 | X                 |
| Drive-in or drive-through restaurants. (See CMC 9133 and 9138.17.)   | X            | X         | X         | C         | C                 |                   |
| Restaurant, coffee shop, snack shop with outdoor dining space within the limits of the restaurant frontage, provided there is a 7-foot minimum clear path of travel on the sidewalk without obstruction.   |              |           |           |           | X                 | X                 |
| Food store – grocery, fish, meat, fruits and vegetables, retail bakery, pastry, candy, health  | X            | X         | X         |           | X                 | X                 |

## ZONES

CN CR CG CA MU- MU-  
CS SB

food, take-out food, tobacco shop.

|  |   |   |   |  |   |   |
|--|---|---|---|--|---|---|
| Poultry shop (no live poultry or slaughtering).                  | L | L | L |  |   |   |
| Food catering (only direct retail sales or retail distribution). | X |   | X |  | X | X |
| Dog or cat food catering (retail only).                          |   |   | X |  | X | X |

### **Alcoholic Beverage Sales and Services:**

|   |   |   |   |  |   |   |
|---|---|---|---|--|---|---|
| Alcoholic beverage sales in conjunction with a department store or supermarket. | X | X | X |  | X | X |
|---|---|---|---|--|---|---|

|  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| Alcoholic beverage sales in conjunction with variety store, drug store, mini-market, drive-through market, food store or grocery store excluding a supermarket, take-out food, liquor store (subject to the requirements of CMC 9138.5). | C | C | C | C | C | C |
|--|---|---|---|---|---|---|

|  |   |   |   |  |   |  |
|--|---|---|---|--|---|--|
| Alcoholic beverage sales and service in conjunction with cocktail lounge, bar, indoor theater, or an eating establishment other than a bona fide restaurant. (See CMC 9138.5 and 9138.17). | C | C | C |  | C |  |
|--|---|---|---|--|---|--|

|   |   |   |   |  |  |  |
|---|---|---|---|--|--|--|
| Alcoholic beverage sales and service in conjunction with an arcade, pool hall, billiards, card room, or a bowling alley. (See CMC 9138.4 and 9138.5.) | C | C | C |  |  |  |
|---|---|---|---|--|--|--|

|  |  |  |  |  |  |   |
|--|--|--|--|--|--|---|
| Alcoholic beverage sales and service in conjunction with Class I entertainment per CMC 63125. (See CMC 9138.18.) |  |  |  |  |  | C |
|--|--|--|--|--|--|---|

|   |   |   |   |  |   |  |
|---|---|---|---|--|---|--|
| Night club. (See CMC 9138.5 and 9138.17). | C | C | C |  | C |  |
|---|---|---|---|--|---|--|

|   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|
| Alcoholic beverage sales and service in conjunction with a bona fide restaurant. (See CMC 9138.18). | X | X | X | X | X | X |
|---|---|---|---|---|---|---|

### **Vehicle Sales and Service:\***

\*See CMC 9131.13(D) for properties in an MUR overlay district.

Sales:

|  |   |   |   |   |  |  |
|--|---|---|---|---|--|--|
| Automobile service station, subject to the requirements of CMC 9138.12. (See | L | L | L | C |  |  |
|--|---|---|---|---|--|--|

|   | ZONES |    |    |    |           |           |
|---|-------|----|----|----|-----------|-----------|
|   | CN    | CR | CG | CA | MU-<br>CS | MU-<br>SB |
| CMC 9133.)  |       |    |    |    |           |           |
| Sale of diesel fuel and LPG as an ancillary use at an automobile service station. (See CMC 9138.12 and 9182.21.)      | C     | C  | C  | C  |           |           |
| Automobile laundry, subject to the requirements of CMC9138.13. (For existing uses in the MU-CS Zone, see CMC9182.21.) | C     | C  | C  |    | C         |           |
| Automobile parts (new).*  | X     | X  | X  |    |           | X         |
| Motorcycles or motorscooters (new).* (See CMC 9138.15.)   |       | X  | X  | L  |           |           |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (new).* (See CMC 9138.15.)                       |       | L  | L  | L  |           |           |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as accessory use).* (See CMC 9138.15.)   |       |    | L  | L  |           |           |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as primary use).* (See CMC 9138.15.)     |       |    |    | C  |           |           |
| Recreation vehicles, over 2-ton capacity (new).* (See CMC9133 and 9138.15.)   |       | X  | C  | L  |           |           |
| Recreation vehicles, over 2-ton capacity (used – as accessory use).* (See CMC 9133 and 9138.15.)                      |       |    | C  | L  |           |           |
| Travel trailers or trailers, not over 2-ton capacity (new).*  |       | L  | L  |    |           |           |
| Travel trailers or trailers, not over 2-ton capacity (used).*   |       |    | L  |    |           |           |
| Trucks, trailers, over 2-ton capacity (new).*   |       | X  | C  |    |           |           |
| Trucks, trailers, over 2-ton capacity (used).*  |       |    | C  |    |           |           |
| Recreation vehicles, rental and leasing. (See CMC9138.15(C).)   |       |    |    | L  |           |           |
| Boats and accessory equipment.  |       | C  | L  |    |           |           |
| Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers,                            |       | L  | L  | C  |           |           |

## ZONES

**CN CR CG CA MU- MU-  
CS SB**

motorcycles or motorscooters, and related equipment and miscellaneous goods. (See CMC9138.21.)

\*See CMC 9132.2 for incidental uses permitted. Also subject to the provisions of CMC 9138.2.

### Rental and Leasing:

All vehicles up to 2-ton capacity. L

All vehicles over 2-ton capacity. C

Repair of all vehicles up to 2-ton capacity (no boats):

Minor and major repair as defined in CMC 9138.11 (only as a primary use on properties fronting Avalon Boulevard). (See CMC 9133, 9138.15, and 9138.2.) C

Minor repair as defined in CMC 9138.11 and subject to the provisions of CMC 9138.2. L L C

Major repair as defined in CMC 9138.11 and subject to the provisions of CMC 9138.15 (for CA Zone only).\* (See CMC9133.) L C C

### Transportation-Related Uses:

Automobile parking lot or parking building (no long-term vehicle storage, no storage of inoperable vehicles). X X X X X

Shared parking facilities. (See CMC 9133.) C C C C C C

Passenger station – bus or rail; taxi stand. X X X X

Heliports, helistops. C C

Access to other property lawfully used for purposes not permitted on subject property:

Access to residential use. X X X D X X

Access to nonresidential use, provided the Director finds no available alternative access is preferable and the character of the area will not be adversely affected. D D

## ZONES

**CN CR CG CA MU- MU-  
CS SB**

### **Communications and Utilities:**

|  |   |    |    |   |   |  |
|--|---|----|----|---|---|--|
| Post office.   | X | X  | X  |   |   |  |
| Oil wells. (See CMC 9500 - 9537 [Oil and Gas ordinance].)  |   | C* | C* |   |   |  |
| *Development agreement may also be required for 3 or more total wells (See CMC 9502.)  |   |    |    |   |   |  |
| Telephone exchange.  |   |    |    | X |   |  |
| Amateur radio station.   | X | X  | X  |   |   |  |
| Gas distribution meter or control station (landscaping or screening required to the satisfaction of the Director).   | L | L  | L  | L |   |  |
| Gas measurement station (not less than 300 feet from any residential zone, public school, public park, hospital or long-term health care facility). (See CMC 9133.)  | C | C  | L  |   |   |  |
| Electric distribution substation. (In the CG Zone, landscaped yard areas to the satisfaction of the Director to be provided adjacent to street rights-of-way. Facilities to be enclosed by solid fence or wall in accordance with applicable regulations of the State of California and other local regulations.) (See CMC9133.) | C | C  | L  |   |   |  |
| Pumping station, water well. (In the CG Zone, landscaping of site and screening of facilities required to the satisfaction of the Director.) (See CMC 9133.)   | C | C  | L  |   | C |  |
| Water reservoir. (See CMC 9133.)   | C | C  | C  |   |   |  |

### **Education:**

|   |   |   |   |  |   |   |
|---|---|---|---|--|---|---|
| Elementary or secondary school – public or private; professional school; business school; barber or beauty school; school of arts, crafts, dance, photography, writing, drama or music. | X | X | X |  | X | X |
| Physical training school – gymnastics, martial arts.  | X | X | X |  | X | X |
| Swimming school – indoor or outdoor.  |   | X | X |  |   |   |

## ZONES

CN CR CG CA MU- MU-  
CS SB

### Recreation:\*

\*Alcoholic beverage sales and services are listed under separate headings.

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| Indoor team training facility. (See CMC 9162.21 and 9191.303.)  | X | X | X |   |   |
| Pool hall, billiards, card room. (See CMC 9138.17 and 9138.18.)   | X | X | X | C | C |
| Bowling alley. (See CMC 9131.13(D).)  | X | X | X |   | C |
| Bowling alley as an accessory use.  | X | X | X | C | C |
| Health club.  | X | X | X | C |   |
| Arcade (subject to the requirements of CMC 9138.4).   | C | C | C |   |   |
| Public park or playground.  | X | X | X |   |   |
| Driving skill course.   |   | C | C |   |   |
| Indoor rink – roller skating, skateboards, ice skating.   | X | X | X |   |   |
| Outdoor rink – roller skating, skateboarding, ice skating.  |   | X |   |   |   |
| Lawn bowling, croquet courts.   |   | X | X |   |   |
| Small private recreational facilities. (Site limited to one acre or less in the CR Zone.)<br>May include buildings, park, playground and picnic area. |   | L | X |   |   |
| Large private recreational facilities – indoor or outdoor facilities (but not more than 1,000 spectator seats total):                                 |   |   |   |   |   |
| Gymnasium.  | X | X | X | C | C |
| Badminton, handball, racquetball, squash courts.  | X |   | X |   |   |
| Swimming pool.  |   | X | X |   |   |
| Tennis court, volleyball court, polo field, athletic field, miniature golf.   |   |   | X |   |   |
| Golf driving range, pitch-and-putt course, golf course, subject to the limitations of   |   |   | L |   |   |



## ZONES

CN CR CG CA MU- MU-  
CS SB

CMC 9138.3.

### **Public Assembly:\***

\*Alcoholic beverage sales and services are listed under separate headings.

|   |   |   |   |  |  |
|---|---|---|---|--|--|
| Church, temple, or other place of religious worship. (In the CR Zone, see CMC 9138.22 and 9182.25; in an MUR overlay district, see CMC 9131.13(D).) | X | L | X |  |  |
|---|---|---|---|--|--|

|   |  |   |   |  |  |
|---|--|---|---|--|--|
| Auditorium, meeting hall, wedding chapel. |  | X | X |  |  |
|---|--|---|---|--|--|

|   |   |   |   |  |  |
|---|---|---|---|--|--|
| Community center, lodge hall, private club. | X | X | X |  |  |
|---|---|---|---|--|--|

|  |   |   |   |  |  |
|--|---|---|---|--|--|
| Indoor theater (motion picture or live stage), night club. | X | X | X |  |  |
|--|---|---|---|--|--|

|   |  |   |  |  |  |
|---|--|---|--|--|--|
| Outdoor theater (live stage, not a drive-in). |  | X |  |  |  |
|---|--|---|--|--|--|

### **Public and Quasi-Public Uses:**

|  |   |   |   |   |  |
|--|---|---|---|---|--|
| Fire station, police station, library, museum. | X | X | X | X |  |
|--|---|---|---|---|--|

|   |   |   |   |  |  |
|---|---|---|---|--|--|
| Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural or historical information will be obtained from the site. | D | D | D |  |  |
|---|---|---|---|--|--|

### **Health Services:**

|   |  |  |  |   |  |
|---|--|--|--|---|--|
| Hospital – general acute care, acute psychiatric; long-term health care facility. (See CMC 9133.) |  |  |  | C |  |
|---|--|--|--|---|--|

|  |   |   |   |  |  |
|--|---|---|---|--|--|
| Medical or dental laboratory. (In the CN or CR Zones only permitted as an incidental use in a medical/dental office building or clinic.) | L | L | X |  |  |
|--|---|---|---|--|--|

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| Medical or dental office or clinic, public health center. | X | X | X | X | X |
|---|---|---|---|---|---|

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| Optical services (for the fitting, grinding or mounting of eyeglasses). | X | X | X | X | X |
|---|---|---|---|---|---|

|  |   |   |   |   |   |
|--|---|---|---|---|---|
| Pharmacy. (See CMC 9138.17 and 9138.18.) | X | X | X | X | X |
|--|---|---|---|---|---|

|   |   |   |   |   |  |
|---|---|---|---|---|--|
| Drive-through pharmacy. (See CMC 9131.13(D) and 9138.17.) | X | X | X | C |  |
|---|---|---|---|---|--|

|                    |  |  |  |   |  |
|--------------------|--|--|--|---|--|
| Ambulance service. |  |  |  | C |  |
|--------------------|--|--|--|---|--|

|   | ZONES |    |    |    |           |           |
|---|-------|----|----|----|-----------|-----------|
|   | CN    | CR | CG | CA | MU-<br>CS | MU-<br>SB |
| <b>Day Care:</b>  |       |    |    |    |           |           |
| Community day care facility.  | X     | X  | X  |    | C         | C         |
| <b>Residential Uses:</b>  |       |    |    |    |           |           |
| Multiple-family residential and residential condominiums within the Mixed-Use Residential (MUR) overlay district, the Mixed-Use Carson Street district, and the Mixed-Use Sepulveda Boulevard district on lots with a minimum 100-foot street frontage. | C     | C  | C  |    | C         | C         |
| Mixed-use (commercial/residential) development within the Mixed-Use Residential (MUR) overlay district, the Mixed-Use Carson Street district, and the Mixed-Use Sepulveda Boulevard district on lots with a minimum 100-foot street frontage.           | C     | C  | C  |    | C         | C         |
| Live/work residential units. (See CMC 9138.17 and 9138.18.)   |       |    |    |    | C         | C         |
| Mobile home park. (See CMC 9128.2.)   | C     | C  | C  |    | C         |           |
| Group quarters for members of a religious order (convent, rectory, monastery, etc.).  |       |    | X  |    |           |           |
| Boarding or rooming houses, fraternity or sorority house, dormitory, residential hotel or similar group quarters, motel units with kitchens. (See CMC 9133.)  |       |    | C  |    |           |           |
| Residential community care facility.  |       |    | C  |    | C         | C         |
| Single-room occupancy (SRO) housing. (See CMC 9128.7.)  |       |    |    |    | L         | L         |
| Supportive housing.   |       |    |    |    | X         | X         |
| Transitional housing.   |       |    |    |    | X         | X         |
| <b>Transient Hotel:</b>   |       |    |    |    |           |           |
| Transient hotel, motel.   | C     | C  | C  |    |           |           |
| <b>Agricultural Uses:</b>   |       |    |    |    |           |           |
| Cultivation and/or sale of plants including nursery,* orchard, vineyard, field crops, flowers, greenhouses, bathhouses and similar  |       |    | X  |    |           |           |

## ZONES

CN CR CG CA MU- MU-  
CS SB

activities (no mushroom farm).

\* Incidental lawnmower sharpening permitted. Also repair and rental of garden tools.

### Signs:

Electronic message center signs. (See C C C C  
CMC 9136.7, also CMC 9138.15(E)(3)(c) for  
CA only.)

### Outdoor Advertising:

Outdoor advertising sign in the Electronic L  
Marquee Signage (EMS) overlay district,  
subject to the requirements of CMC 9138.71.

### Recycling Facilities:

Small collection recycling facility. (See L L L L  
CMC 9132.9 and 9138.6.)

### Communications Facilities:

Minor communications facilities, subject to the L L L L L L  
requirement of CMC 9138.16.

Major communications facilities, subject to the C C C C C C  
requirement of CMC 9138.16.

### Temporary Uses:

Election campaign office in a trailer. (Not L  
permitted earlier than 90 days before the  
election. To be removed within 14 days after  
the election.)

Office or other permitted commercial use in a L L L L L L  
trailer or other mobile unit. (Permitted for a  
period not exceeding 6 months during  
construction of a building on the same lot  
while a building permit is in effect. The  
Director may approve reasonable time  
extensions if he finds construction is  
proceeding in good faith.)

Storage of construction materials and L L L L L  
equipment at a construction site without the  
screening which would be required for

|   | <b>ZONES</b> |           |           |           |                   |                   |
|---|--------------|-----------|-----------|-----------|-------------------|-------------------|
|   | <b>CN</b>    | <b>CR</b> | <b>CG</b> | <b>CA</b> | <b>MU-<br/>CS</b> | <b>MU-<br/>SB</b> |
| permanent outdoor storage (only during the period a building permit is in effect).                      |              |           |           |           |                   |                   |
| Subdivision directional sign. (See CMC 9128.31 – 9128.35.)  | LD           | LD        | LD        |           | LD                | LD                |
| Sidewalk, parking lot and tent sales, and special events. (See CMC 9138.8.)                             | D            | D         | D         |           | D                 | D                 |
| Fireworks stand. (See CMC 3101.0 – 3101.10.)  | CC           | CC        | CC        |           | CC                | CC                |
| Carnival, mechanical rides, pony rides, outdoor festival and similar uses. (See CMC 63119 and 63119.1.) | CC           | CC        | CC        |           |                   |                   |
| Circus, rodeo. (See CMC 63120; and Animal Control Ordinance, CMC 3300 – 3301.)                          |              | CC        |           |           |                   |                   |
| Christmas tree sales, pumpkin sales.  | X            | X         | X         |           | D                 | D                 |
| Yard sales. (See CMC 4600 – 4606.)  | L            | L         | L         |           | L                 | L                 |
| Tent revival.   | CC           | CC        | CC        |           |                   |                   |

**Section 7.** Article IX, Chapter 1, Part 3, Division 3, Section 9133 (Conditional Use Criteria) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

### **9133 Conditional Use Criteria**

In addition to the general criteria for the approval of a conditional use permit pursuant to CMC 9172.21(D)(1), special criteria and limitations as indicated below shall be considered in acting upon a conditional use permit in a commercial zone:

*Retail sale of ornamental brick, stone, tile, flagstone:*

The size of the site, the amount of materials on hand, and the appearance thereof shall not create the character of an industrial or outdoor storage use.

*Adult business:*

The business shall satisfy the requirements of CMC 9138.9.

*Massage service:*

The business shall satisfy the requirements of CMC 9138.91 and 63134 et seq.

*Tattoo service:*

The business shall satisfy the requirements of CMC 9138.92.

*Mortuary:*

The use shall be compatible with surrounding uses.

*Motion picture studio:*

The activity shall be entirely within buildings.

The height and bulk of buildings shall not be excessive in relation to the site and surrounding development.

*Restaurants, including drive-thru, cafes, dinner houses, or establishments offering food for in-house or take out consumption in the CA Zone:*

Compliance with CMC 9138.15.

*Automobile laundry:*

Ability to comply with the provisions of CMC 9138.13.

*Sale, rental or lease of trucks or trailers over two (2) ton capacity (new or used):*

The number and size of vehicles on hand and the appearance thereof shall not create the character of a truck yard or industrial use.

*Major repair as defined in CMC 9138.11 for CA Zone only:*

Compliance with CMC 9138.15.

*Automobile service stations in the CA Zone:*

Compliance with CMC 9138.12 and 9138.15.

*Transmitter, receiver or repeater station – radio, television, microwave:*

No excessive electronic interference shall be generated.

No unusual or unnecessary hazards to aircraft shall be created.

The height and appearance of structures shall not be detrimental to the character of the surrounding area.

*Electric distribution substation, gas measurement station, pumping station, water well, water reservoir:*

The facility shall be necessary for the safe or efficient functioning of a public utility or pipeline system.

The location in a commercial zone shall be necessary to serve commercial or residential uses in the vicinity, or no suitable alternative location shall be available.

*Driving skill course:*

In addition to the provisions of CMC 9162.21(C), parking shall be provided at a ratio of fifteen (15) spaces per four hundred (400) yards of track, plus one (1) space per employee on the largest shift.

In addition to the provisions of CMC 9162.52, lawns or landscaping shall be installed on all unpaved areas of the site.

In addition to the provisions of CMC 9136.2, the track shall maintain a twenty-five (25) foot setback from any property line adjacent to another property or public street.

Adequate steps shall be taken to prevent excessive noise from emanating from the site.

*Hospital, long-term health care facility, community residential care facility:*

The facility shall become licensed pursuant to Division 2 of the California Health and Safety Code or, if exempt from licensure, shall meet standards equivalent to those prescribed by State law.

The surrounding area does not provide an environment detrimental to health care or residential care.

*Mobile home park:*

Ability to comply with the provisions of CMC 9128.2.

*Alcoholic beverage sales and services:*

Ability to comply with the provisions of CMC 9138.5.

*Shared parking facilities:*

Ability to comply with the provisions of CMC 9162.24.

*Arcades:*

Compliance with the provisions of CMC 9138.4.

*Boarding or rooming house, residential hotel, motel with kitchens:*

The surrounding area does not provide an environment detrimental to long-term residence.

*Fraternity or sorority house, dormitory:*

The surrounding area does not provide an environment detrimental to residence.

The location shall be conveniently accessible in relation to the college or institution attended by residents.

*Multiple-family residential, residential condominiums, mixed-use developments:*

Compliance with the provisions of CMC 9138.7, 9138.17 and 9138.18.

*Oil well:*

Ability to comply with the provisions of CMC 9500 - 9537 (Oil and Gas ordinance).

*Vehicle repair and service:*

Compliance with the provisions of CMC 9138.2.

*Vehicle repair and service (as primary use\*) for those properties fronting Avalon Boulevard and within the CA Zone only:*

Ability to comply with CMC 9138.15\* and 9138.2\*.

*Sales of used automobiles, recreation vehicles, and trucks not over two (2) ton capacity (as primary use) in the CA Zone only:*

The business shall occupy property a minimum of two (2) acres in area.

Ability to comply with CMC 9138.15.

*Automotive and equipment auction for those properties fronting Avalon Boulevard and within the CA zone:*

Ability to comply with CMC 9138.15 and 9138.2.

**Section 8.** Article IX, Chapter 1, Part 3, Division 8, Section 9138.10 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety and reserved as follows:

**9138.10-Oil Wells. (Reserved)**

#### ~~A. Oil Production Equipment.~~

- ~~1. Each well that is to have its period of production extended beyond the amortization date established in CMC 9182.22(a) shall have its aboveground pump replaced with a submersible "downhole" pumping mechanism. The pumpjack assembly, along with its motor and fuel system, shall be removed from the site within thirty (30) days of the completion of the operation.~~
- ~~2. All pipelines associated with the well shall be placed underground.~~
- ~~3. No equipment shall be stored on the site which is not essential to the everyday operation of the oil well located thereon.~~

#### ~~B. Structures.~~

- ~~1. Equipment enclosures shall be constructed on the oil well sites for the well mechanisms. The enclosures shall be the only oil related structures placed on the site.~~
- ~~2. The enclosures shall be vandal and graffiti resistant and shall be painted in colors compatible with the surrounding area.~~
- ~~3. The enclosures shall be removable for servicing of the well and shall not exceed six (6) feet in height.~~
- ~~4. Well enclosures shall incorporate sound deadening materials in order to reduce noise from the operation of the wells.~~

#### ~~C. Fences, Walls and Hedges.~~

- ~~1. All oil well pumps and related facilities shall be enclosed with a fence not less than five (5) feet high mounted on steel posts with three (3) strands of barbed wire mounted at a forty five (45) degree angle from the top of the fence. Such fence shall incorporate green vinyl coating of the fence mesh and wood or metal strips. The fence shall not be greater than two (2) inch mesh and not less than eleven (11) gauge wire. There shall be no aperture below the fence large enough to permit any child to crawl under.~~
- ~~2. The fence enclosure around the pump and related facilities shall include a twenty five (25) foot buffer. The fence shall be locked at all times and constructed in a manner to prevent the public from coming closer than twenty five (25) feet to the pumping facilities. Pursuant to the approval of the Conditional Use Permit, the location of the fence may be modified subject to compliance with applicable State and Fire Codes.~~



~~D. Parking, Loading and Driveways.~~

- ~~1. Each well shall be served by at least one (1) driveway approach, constructed to current City of Carson standards.~~
- ~~2. A concrete slab shall be provided within the well site to be used for the parking of heavy maintenance equipment during well maintenance.~~

~~E. Signs.~~

- ~~1. Each well shall be marked with a sign which lists the name of the company owning the well, the well number, and a telephone number for twenty four (24) hour emergency notification. The sign shall not exceed six (6) square feet in area and shall be located so that it is clearly visible from the street where the access drive is located.~~
- ~~2. The sign shall be kept in good legible condition at all times.~~
- ~~3. No sign other than that described in subsection (E)(1) of this Section shall be allowed.~~

~~F. Utilities.~~

- ~~1. Each well site shall be served by water for landscape irrigation. If available, reclaimed water shall be used for the landscape irrigation.~~
- ~~2. Electrical power shall be routed underground from the nearest source.~~

~~G. Landscaping.~~

- ~~1. The landscaping shall meet the requirements of CMC 9168.1 through 9168.5.~~
- ~~2. The required landscaping for the site will be determined during the Conditional Use Permit review. The well will be required to become compatible with and enhance the surrounding area.~~

~~H. Well Maintenance.~~

- ~~1. Wells shall be maintained in a safe operating condition at all times in conformance with current safety and emission requirements.~~
- ~~2. Nonemergency well maintenance shall be limited to the hours of 8:00 a.m. to 6:00 p.m. on weekdays.~~

~~I. Performance Bond.~~

~~1. A faithful performance bond in the amount of \$5,000 shall be filed with the City by each oil operator for each well for which a Conditional Use Permit is obtained.~~

~~2. Such bonds shall remain in full force and effect with respect to each well until such time as such well becomes abandoned in compliance with the California Administrative Code and Public Resources Code. In lieu of these bonding requirements, an oil well operator may submit proof of a valid Blanket Oil and Gas Well Indemnity Bond filed with the State of California; provided, that said bond exceeds the surety obligation which would have been imposed by the City.~~

~~J. Safety.~~

~~1. All drilling and producing operations shall conform to all applicable fire and safety regulations.~~

~~2. The entire property on which the oil well is located shall be kept free of debris, pools of oil, water or other liquids, weeds, brush and trash.~~

~~3. Land within twenty-five (25) feet of the well shall be kept free of dry weeds, grass, rubbish or other combustible material at all times.~~

~~4. Adequate protection shall be provided to control and prevent a blowout of a well. Protection equipment shall meet Federal, State and other applicable jurisdiction requirements.~~

~~5. All equipment and design must be approved by the County Fire Department prior to approval of the Conditional Use Permit.~~

~~K. Noise.~~

~~1. Any mitigation measures necessary to reduce the sound from the operation of the wells shall be incorporated in the conditions of approval for the Conditional Use Permit.~~

**Section 9.** Article IX, Chapter 1, Part 4, Division 1, Section 9141.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

**9141.1 Uses Permitted**

Uses are permitted in the industrial zones as indicated in the following table:

**USES PERMITTED IN INDUSTRIAL ZONES**

**Legend**

X. Automatically permitted use.

L. Automatically permitted use provided

## USES PERMITTED IN INDUSTRIAL ZONES

special limitations and requirements are satisfied as noted herein, in Division 8 of this Part and in Division 8 of Part 3.

- D. Use permitted subject to the approval of the Director.
- LD. Use permitted provided special limitations and requirements are satisfied as noted herein, in Division 8 of Part 2, and subject to the approval of the Director.
- C. Use permitted upon approval of a conditional use permit.
- CC. Use permitted upon approval of the City Council as prescribed under other provisions of the Carson Municipal Code.

All uses located less than one hundred (100) feet from any residential zone are subject to the provisions of CMC 9148.8 to determine if the use requires a conditional use permit.

Note: In the following list, industrial activities are classified by product, by materials used, and by processes employed. Since many industrial uses are complex in nature, it is necessary to consider all three (3) of the above-mentioned elements in classifying any specific industrial use. Uncertainties as to the proper classification for a specific use are to be resolved through Interpretations adopted in accordance with CMC 9172.24.

## ZONES

### ML

### MH

### Manufacturing of the Following Products:\*

\*Food manufacturing and processing activities are listed under a separate heading.

|   |   |   |
|---|---|---|
| Pharmaceuticals – drugs,<br>medicines, vitamin tablets. | X | X |
| Perfume, cosmetics, toiletries<br>(except soap).        | X | X |
| Soap, bleaching powder, glue.                           |   | C |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Novelties, buttons, brushes, toys, candles.  | X            | X         |
| Ceramics, pottery, statuary.   | X            | X         |
| Jewelry, watches, clocks, optical goods, musical instruments, scientific instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type. | X            | X         |
| Electric and gas fixtures, electric appliances, electric motors and generators, batteries (including rebuilding), signs (electric, neon, billboards, etc.).  | X            | X         |
| Furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades.   | X            | X         |
| Clothing, dry goods, draperies, bedding, rugs, upholstery, automobile seat covers, awnings, bags, rope, baskets.   | X            | X         |
| Chamois.   |              | C         |
| Ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol.  | X            | X         |
| Lacquer, synthetic enamel, polyurethane.   | C            | C         |
| Engines (no foundry).  | X            | X         |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Engines (with foundry).  | C            | C         |
| Automobiles, trailers, boats,<br>aircraft, heavy equipment.                                |              | X         |
| Tile (indoor kiln).  | X            | X         |
| Concrete block, brick, tile<br>(outdoor kiln).   |              | C         |
| Poisons (Class A and Class<br>B)* – pesticides, rodenticides,<br>insecticides, herbicides. |              | C         |

\* Classification according to the Los Angeles County Fire Department (R.M. Graziano's Tariff No. 25).

|  |  |   |
|--|--|---|
| Explosives – fireworks,<br>dynamite, ammunition,<br>weapons involving use or<br>testing with explosive<br>materials. |  | C |
|--|--|---|

**Manufacturing of Products  
from the Following  
Materials:**

|  |   |   |
|--|---|---|
| Textiles, wool, yarn, fur, felt,<br>canvas, leather, hair, feathers,<br>paper, cloth.        | X | X |
| Bone, horn, shells, cellophane,<br>casein (except glue).                                     | X | X |
| Wood, cork, fiberglass, clay,<br>glass (no blast furnace),<br>plastic (no pyroxylin).        | X | X |
| Hydrocyanic acid, tar, coal tar,<br>pyroxyline plastic, guncotton.                           |   | C |
| Aluminum, sheet metal,<br>ornamental iron, steel.  | X | X |
| Rubber (in ML Zone, rubber<br>is not to be melted and, where<br>a banbury mixer is used, the | L | X |

|   | ZONES |    |
|---|-------|----|
|   | ML    | MH |
| resulting dust is to be washed).  |       |    |
| Petroleum.  |       | C  |
| <b>Manufacturing of the Following Materials:</b>                                      |       |    |
| Dextrin.  | X     | X  |
| Cloth, textiles, upholstery, felt, canvas.  | X     | X  |
| Wallboard, fiberglass, glass (no blast furnace).                                      | X     | X  |
| Glass (with blast furnace).   |       | C  |
| Polyurethane foam.  | C     | C  |
| Cellophane, celluloid, cellulose.   |       | C  |
| Steel.  |       | C  |
| Gas acetylene, chlorine, ammonia, synthetic ammonia.                                  |       | C  |
| Acid, caustic soda, soda ash, lye, lime.  |       | C  |
| Gelatin, grease, tallow.  |       | C  |
| Cement, gypsum, terra cotta.  |       | C  |
| Kalsomine, lamp black, size, phenol, potash, pyroxylin plastic.                       |       | C  |
| Petroleum, petroleum cleaning compound, asphalt, tar, coal tar, creosote.             |       | C  |
| Organic peroxide.   |       | C  |
| Fertilizer.   |       | C  |
| Explosives – nitroglycerine, nitromethane, nitroethane, cellulose nitrate, gunpowder, |       | C  |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| blasting powder.   |              |           |
| <b>Industrial Activities<br/>Involving the Following<br/>Processes:</b>  |              |           |
| Sewing, weaving and knitting<br>of textiles, dyeing of yarn and<br>fabrics.  | X            | X         |
| Cleaning of fabrics, curtains,<br>carpets.   | X            | X         |
| Mattress renovation.   | X            | X         |
| Wool pulling.  |              | C         |
| Photo-finishing, film<br>developing and processing,<br>photoengraving, lithography,<br>block printing, silk screening,<br>printing, book binding.  | X            | X         |
| Glass silvering, optical<br>grinding, fitting and<br>mounting; glass blowing (no<br>blast furnace).  | X            | X         |
| Furniture redecorating and<br>restoration, antique<br>restoration, cabinet making,<br>wood carving.  | X            | X         |
| Plastic molding (including<br>hydraulic press).  | X            | X         |
| Tire retreading and recapping.   | X            | X         |
| Raw rubber processing (in ML<br>Zone, rubber is not to be<br>melted and, where a banbury<br>mixer is used, the resulting<br>dust is to be washed). | L            | X         |
| Rubber reclaiming.   |              | C         |
| Metal plating and finishing (in<br>ML Zone, no perchloric acid).   | L            | X         |

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| Metal engraving, metal fabrication (no snap riveting) metal spinning, tool tempering, welding.  | X            | X         |
| Foundry (no brass or bronze) – precision investment casting, die casting.   | X            | X         |
| Foundry (including brass or bronze) forging, drop forge, drop hammer, boiler works, smelter, blast furnace, coke oven, scrap metal processing, metal fabrication (including snap riveting).   |              | C         |
| Vehicle dismantling or wrecking, junk and salvage processing, subject to the requirements of CMC 9148.1.  |              | C         |
| Aircraft power plant testing.   |              | X         |
| Ore grinding and reduction.   |              | C         |
| Paper shredding.  |              | C         |
| Grinding, dressing or cutting of stone, granite or marble; sand washing.  | X            | X         |
| Aggregate batch plant, aggregate dryer, rock or asphalt crushing, asphalt plant, sandblasting. (In ML Zone, only permitted on property which also has an ORL Zone designation, and must be at least 1,000 feet, as measured from lot line to lot line, from any residential zone, and any conditional use permit shall be subject to final approval or other action by the City Council.) | C            | C         |



|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Starch mixing and bottling, paint spray booth, shellac mixing (no cooking), paint or enamel mixing (except lacquer, synthetic enamel, polyurethane). | X            | X         |
| Mixing of lacquers, synthetic enamel, polyurethane paint.  | C            | C         |
| Shellac mixing (with cooking).   |              | C         |
| Processing of coconut oil, cottonseed oil, linseed oil.  |              | C         |
| Oil canning and packaging (in ML Zone, not more than 100 barrels stored aboveground).  | L            | X         |
| Petroleum refining, oil reclaiming, coal or coal tar distillation.   |              | C         |
| Potash refining.   |              | C         |
| Bone distillation, fat rendering, offal reduction, curing or tanning of furs or hides, processing of animal by-products.                             |              | C         |
| Creosoting.  |              | C         |
| Fertilizer works, manure spreading and drying.   |              | C         |
| Use of organic peroxides,* nitromethane, nitroethane.  |              | C         |

\*Having a severity classification of 3 or greater according to tests prescribed by the Society of the Plastics Industry and acceptable to the Los Angeles County Fire Department.

|                  |   |   |
|------------------|---|---|
| Water treatment. | X | X |
|------------------|---|---|

**Resource Extraction:**

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| Borrow pit.   | C            | C         |
| Oil fields, oil wells, subject to the requirements of CMC 9500 - 9537 [Oil and Gas ordinance].  | C*           | C*        |
| *Development agreement may also be required for 3 or more total wells (See CMC 9502.)   |              |           |
| <b>Food Manufacturing and Processing:</b>   |              |           |
| Ice, soft drinks, beer, wine, malt products, dairy products, candy, confections, pastries, bread, oleomargarine, sodium glutamate, honey, nuts and similar food products (no lard, pickles, sauerkraut, or vinegar).    | X            | X         |
| Lard, pickles, sauerkraut, vinegar.   |              | C         |
| Box lunch preparation.  | X            | X         |
| Fruits and vegetables – packing, canning, processing or extracting or bottling of juices (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility). | L            | L         |
| Fish barbecuing or smoking (oven less than 10 cubic feet, no fish cleaning, retail sales only).   | L            | L         |
| Dressing of poultry or rabbits (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility)  |              | L         |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Slaughtering of animals.   |              | C         |
| Meat, fish, dog or cat food – packing, canning, processing.  |              | C         |
| Coffee roasting.   |              | C         |
| Cigars, cigarettes.  | X            | X         |
| Chewing tobacco.   |              | C         |
| <b>Service and Repair:</b>   |              |           |
| Linen, towel or uniform supply.  | X            | X         |
| Assaying, gas heater testing, pest control, cesspool cleaning service, plumbing contractor, roofing contractor, tree surgeon.  | X            | X         |
| Carpenter shop, machine shop, metal working shop, sheet metal shop, tinsmith, gunsmith (no weapons manufacture involving use or testing with explosive materials), blacksmith, lapidary shop, electrical motor and appliance repair. | X            | X         |
| Boat repair, vehicle repair (no limit on size of vehicle), equipment and machinery repair, subject to the limitations of CMC 9138.2 if within 300 feet of other than an industrial zone.   | L            | L         |
| Laboratory – product testing, product research.  | X            | X         |
| Laboratory – chemical, biological, anatomical.   | C            | C         |
| <b>Equipment Sale and Rental:</b>  |              |           |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Motor vehicles and heavy equipment of all types and sizes, contractor's equipment, agricultural equipment.   | X            | X         |
| <b>Auction:</b>  |              |           |
| Auction – indoor or outdoor (no swap meet or flea market).   | C            | C         |
| <b>Wholesale:</b>  |              |           |
| Wholesale activities of all types (except livestock and poultry).  | X            | X         |
| Poultry (in ML Zone, all activities within an enclosed building).  | L            | X         |
| <b>Storage:</b>  |              |           |
| Cold storage plant.  | X            | X         |
| Petroleum coke.  |              | C         |
| Warehousing of furniture, household goods, dry goods, clothing, textiles, durable goods, no perishable foods.  | X            | X         |
| Glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment.  | X            | X         |
| Polyurethane foam.   | C            | C         |
| Rock, sand, crushed aggregate and gravel:  |              |           |
| Not more than 2,000 tons.  | X            | X         |
| More than 2,000 tons. (In ML zone, only permitted on property which also has an ORL Zone designation and must be at least 1,000 feet, as measured from lot | C            | X         |

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| line to lot line, from any residential zone, and any conditional use permit shall be subject to approval or other action by the City Council.)                                    |              |           |
| Clay and clay products.   | X            | X         |
| Cement silo, grain elevator.  |              | X         |
| Petroleum and petroleum products (If associated with oil and gas production and related facilities, refer to CMC 9500 - 9537 [Oil and Gas ordinance] for governing requirements): |              |           |
| Not more than 2,500 barrels.  | X            | X         |
| More than 2,500 barrels.  |              | C         |
| Cargo container (Prohibited within 1,000 feet, as measured from lot line to lot line, of residentially zoned property or institutional uses).                                     |              | L         |
| Natural gas (If associated with oil and gas production and related facilities, refer to CMC 9500 - 9537 [Oil and Gas ordinance] for governing requirements):                      |              |           |
| Belowground – any amount.   | X            | X         |
| Aboveground:  |              |           |
| Not more than 500,000 cubic feet.   | X            | X         |

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| More than 500,000 cubic feet.   | C            |           |
| Oxygen, acetylene (subject to Fire Code requirements)   | X            | X         |
| Agricultural chemicals (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).                 | L            | L         |
| Liquid petroleum gas (If associated with oil and gas production and related facilities, refer to CMC 9500 - 9537 [Oil and Gas ordinance] for governing requirements): |              |           |
| Not more than 30,000 gallons.   | X            | X         |
| More than 30,000 gallons  |              | C         |
| Fuel yard (not covered elsewhere, including propane).   | X            | X         |
| Aircraft fuel and lubricant.  |              | C         |
| Explosives – dynamite (over 100 pounds), nitroglycerine, nitromethane, nitroethane, cellulose nitrate, gun powder, blasting powder.                                   |              | C         |
| Creosote, creosoted poles.  |              | C         |
| Fertilizer.   |              | C         |
| Junk, salvage, metal scrap, rags, bottles, nonferrous scrap (other than paper), subject to the requirements of CMC9148.1.   |              | C         |
| Waste paper, subject to the requirements of CMC 9148.1.   | C            | C         |

|  | <b>ZONES</b> |           |
|--|--------------|-----------|
|  | <b>ML</b>    | <b>MH</b> |
| Poison (Class A or Class B)*<br>– pesticides, rodenticides,<br>insecticides, herbicides. |              | C         |

\*Classification according to Los Angeles County Fire Department.  
(R.M. Graziano’s Tariff No. 25).

|   |  |   |
|---|--|---|
| Organic peroxides** – (more<br>than 50 pounds). |  | C |
|---|--|---|

\*\*Having a severity classification of 3 or greater according to tests  
prescribed by the Society of the Plastics Industry and acceptable  
to the Los Angeles County Fire Department.

|  |   |   |
|--|---|---|
| Motor vehicles (not including<br>impounding yard). | X | X |
|--|---|---|

|   |  |   |
|---|--|---|
| Vehicle impounding yard,<br>subject to the requirements of<br>CMC 9148.1. |  | C |
|---|--|---|

|           |  |   |
|-----------|--|---|
| Aircraft. |  | X |
|-----------|--|---|

**Transportation,  
Communications, Utilities  
and Public Service:**

|   |   |   |
|---|---|---|
| Service yard – public utility or<br>public service. | X | X |
|---|---|---|

|                        |   |   |
|------------------------|---|---|
| Jail farm, honor farm. | C | C |
|------------------------|---|---|

|  |   |   |
|--|---|---|
| Aircraft beacons and<br>navigational aids – operating. | X | X |
|--|---|---|

|                                 |   |   |
|---------------------------------|---|---|
| Blimp port, heliport, helistop. | C | C |
|---------------------------------|---|---|

|  |  |   |
|--|--|---|
| Railroad yard, repair shop,<br>roundhouse. |  | C |
|--|--|---|

|   |   |   |
|---|---|---|
| Truck terminal, subject to the<br>requirements of CMC 9148.9. | C | C |
|---|---|---|

|  |  |   |
|--|--|---|
| Truck yard, subject to the<br>requirements of CMC 9148.9 |  | C |
|--|--|---|

|                              |  |   |
|------------------------------|--|---|
| Transfer station for refuse, |  | C |
|------------------------------|--|---|

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| sewage treatment plant.   |              |           |
| Access to other property lawfully used for purposes not permitted on subject property.  | X            | X         |
| Intermodal container transfer facility.   |              | C         |
| <b>Education:</b>   |              |           |
| Trade school.   | X            | X         |
| <b>Recreation:</b>  |              |           |
| Arcade (subject to the requirements of CMC 9138.4)  | C            | C         |
| Archery range.  | C            | C         |
| Outdoor drive-in theater.   | C            | C         |
| Range for pistol, rifle, skeet, or trap shooting; turkey shoot.   |              | C         |
| Model airplane area (motor-driven or jet-propelled).  |              | C         |
| Fairgrounds, outdoor festival (permanent).  | C            | C         |
| Race track – horse, automobile, motorcycle.   |              | C         |
| Zoo.  |              | C         |
| <b>Agriculture:</b>   |              |           |
| Earthworm farm (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility). | L            | L         |
| Mushroom farm (must be at least 300 feet from any residential zone, public school, public park, hospital                                      |              | L         |



|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| or long-term health facility).  |              |           |
| Egg candling.   | X            | X         |
| <b>Studios:</b>   |              |           |
| Motion picture studio or set – indoor or outdoor.   | X            | X         |
| <b>Cemetery:</b>  |              |           |
| Cemetery, mausoleum, columbarium, crematory.  |              | C         |
| <b>Animal Services:</b>   |              |           |
| Horse stable, riding academy – commercial or private (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility). | C            | C         |
| Animal shelter, pound, kennel, training school.   | C            | C         |
| Animal hospital, animal research institute.   | X            | X         |
| Pet cemetery.   |              | C         |
| Electronic message center signs. (See CMC 9146.7.)  | C            | C         |
| <b>Outdoor Advertising:</b>   |              |           |
| Outdoor advertising sign, including electronic digital displays, subject to the requirements of CMC 9146.7.   | CC           | CC        |
| <b>Recycling Facilities:</b>  |              |           |
| Large collection recycling facility. (Subject to CMC9148.4.)  | L            | L         |
| Processing facility for   | L            | L         |

| <b>ZONES</b>   |               |
|--|---------------|
| <b>ML</b>  | <b>MH</b>     |
| recyclables, light. (Subject to CMC 9148.5.)   |               |
| Processing facility for recyclables, heavy. (Subject to CMC 9148.5.)   | C             |
| <b>Wireless Telecommunications Facilities (see CMC 9138.16):</b>   |               |
| Minor wireless telecommunications facilities, subject to the requirement of CMC 9138.16.   | L L           |
| Major wireless telecommunications facilities, subject to the requirement of CMC 9138.16.   | C C           |
| <b>Uses Permitted in Commercial Zones:</b>   |               |
| Any principal use permitted in any commercial zone, whether automatically (X), with limitation (L), or by conditional use permit (C), is automatically permitted in the industrial zones, subject to the same requirements specified for such use in the commercial zones, except the following: |               |
| <b>Residential:</b>  |               |
| Mobile home park.  | Not permitted |
| Group quarters for members of a religious order.   | Not permitted |
| Community residential care facility, boarding or rooming house, fraternity   | Not permitted |

|  | ZONES         |    |
|--|---------------|----|
|  | ML            | MH |
| or sorority house, dormitory, residential hotel or similar group quarters, motel units with kitchens.  |               |    |
| Emergency shelters, up to 30 occupants within the City.  | L             | L  |
| Emergency shelters, more than 30 occupants within the City.  | C             | C  |
| Transitional housing, supportive housing and single-room occupancy (SRO) housing.  | Not permitted |    |
| Transportation related uses:   |               |    |
| Shared parking facilities.   | C             | C  |
| Health services:   |               |    |
| Hospital, long-term health care facility, public health center.  | C             |    |
| Ambulance service.   | C             | C  |
| Public and quasi-public uses:  |               |    |
| Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural, or historical information will be obtained from the site. | D             | D  |
| Education:   |               |    |
| Elementary or secondary school public or private.  | Not permitted |    |
| Recreation:  |               |    |

|  | <b>ZONES</b>  |               |
|--|---------------|---------------|
|  | <b>ML</b>     | <b>MH</b>     |
| Golf driving range, pitch-and-putt course, golf course, subject to the limitations of CMC 9138.3.  | L             | L             |
| Arcade, subject to the requirements of CMC 9138.4.   | C             | C             |
| Retail services and offices:   |               |               |
| Adult business.  | Not permitted |               |
| Payday loans.  | CUP           | CUP           |
| Massage service.   | Not permitted |               |
| Tattoo service. (New uses not permitted. Existing uses prior to June 7, 2006, required a CUP and are subject to CMC 9138.92.)  | L             | Not permitted |
| Alcoholic beverage sales and services:   |               |               |
| Alcoholic beverage sales in conjunction with variety store, drug-store, mini market, drive-through market, food store, or grocery store excluding a supermarket, take-out food, liquor store, subject to requirements of CMC 9138.5. | C             | C             |
| Alcoholic beverage sales and services in conjunction with cocktail lounge, bar, arcade, pool hall, billiards, card room, bowling alley, indoor theater, night club and eating establishment other than a bona fide                   | C             | C             |

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| restaurant, subject to requirements of CMC 9138.5.  |              |           |
| <b>Vehicles sales and service:</b>  |              |           |
| Automobile service station, subject to the requirements of CMC 9148.3 and 9138.12.  | L            | L         |
| Automobile laundries, subject to the requirements of CMC 9148.3 and 9138.13.  | C            | C         |
| Miscellaneous retail petroleum outlet, subject to the requirements of CMC 9148.3 and 9138.14.   | L            | L         |
| Vehicle repair, subject to the limitations of CMC 9138.2 if within 300 feet of other than an industrial zone.   | L            | L         |
| Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers, not over 2-ton capacity, motorcycles or motorscooters, subject to the requirements of CMC 9138.21. | C            | C         |
| <b>Temporary Uses:</b>  |              |           |
| Election campaign office in a trailer. (Not permitted earlier than 90 days before the election. To be removed within 14 days after the election.)   | L            | L         |
| Office or other permitted   | L            | L         |

|   | <b>ZONES</b> |           |
|---|--------------|-----------|
|   | <b>ML</b>    | <b>MH</b> |
| commercial use in a trailer or other mobile unit. (Permitted for a period not exceeding 6 months during construction of a building on the same lot while a building permit is in effect. The Director may approve reasonable time extensions if he finds construction is proceeding in good faith.) |              |           |
| Storage of construction materials and equipment at a construction site without the screening which would be required for permanent outdoor storage (only during the period a building permit is in effect).   | L            | L         |
| Subdivision directional sign. (See CMC 9128.31 – 9128.35.)  | LD           | LD        |
| Fireworks stand, fireworks storage. (See CMC 3101.0 – 3101.10)  | CC           | CC        |
| Tent revival. (See Chapter 6 of Article III of the Carson Municipal Code.)  | CC           | CC        |
| Carnival, mechanical rides, pony rides, outdoor festival and similar uses. (See CMC 63119 and 63119.1.)   | CC           | CC        |
| Circus, rodeo. (See CMC 63120; and Animal Control Ordinance CMC 3300 – 3301.)   | CC           | CC        |
| Sidewalk, parking lot, and tent sales. (See CMC 9148.7.)  | D            | D         |

|   | <b>ZONES</b>  |           |
|---|---------------|-----------|
|   | <b>ML</b>     | <b>MH</b> |
| Yard sales. (See CMC 4600–4606.)              | L             | L         |
| <b>Uses Permitted in Manufacturing Zones:</b> |               |           |
| Auction house.                                | C             | C         |
| Indoor mini-mart.                             | Not permitted |           |

Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code.

**Section 10.** Article IX, Chapter 1, Part 4, Division 6, Section 9146.3 (Fences, Walls and Hedges) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

### **9146.3 Fences, Walls and Hedges**

A. Except as provided in Division 8 of this Part\*:

1. A solid masonry wall shall be constructed along the inside of any lot line (or upon the lot line with the consent of the adjoining property owner) if the lot line abuts a residential zone or if the lot line abuts an alley that borders a residential zone. In areas other than the required front yard area and any abutting future right-of-way area, such wall shall be a minimum of six (6) feet and a maximum of eight (8) feet in height. In a required front yard area and any abutting future right-of-way area, such wall may not exceed three and one-half (3-1/2) feet in height, except fencing material of any type may extend above the three and one-half (3-1/2) foot solid masonry portion to a height not exceeding eight (8) feet, provided such extended portion does not impair vision by obscuring more than ten (10) percent of the area in the vertical plane.
2. No fence, wall or hedge in an industrial zone shall exceed a height of fifty (50) feet.
3. The height of fences, walls and hedges shall be measured from the finished grade at each point along the fence, wall or hedge. Where there is a difference between the grade on the two (2) sides of the fence, wall or hedge, the higher grade shall be used. (Ord. 90-905, § 2)

\*Division 8 applies only to vehicle dismantling yards, junk and salvage yards, vehicle impounding yards, and retail petroleum outlets.

**Section 11.** Article IX, Chapter 1, Part 4, Division 6, Section 9146.7 (Signs), title and associated footnote, of the Carson Municipal Code is hereby amended to read, in relevant part, as follows:

**9146.7 Signs\***

...

\*See CMC 9526 for different sign regulations applicable to petroleum operations.

**Section 12.** Article IX, Chapter 1, Part 4, Division 8, Section 9148.2 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety and reserved as follows:

**9148.2 Oil Wells. (Reserved)**

~~Oil well drilling and subsequent operation and maintenance shall be subject to the following, except that, by a Conditional Use Permit or other discretionary approval, the Commission may waive or modify any one (1) or more of such conditions if it finds that such waiver or modification will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity.~~

~~A. An oil well installation may include such equipment, structures, and facilities as are necessary or convenient for all drilling and producing operations customarily required or incidental to usual oil field practice, including, but not limited to, the initial separation of oil, gas and water and for the storage, handling, recycling and transportation of such oil, gas and water to and from the premises. This subsection does not permit refineries or absorption plants.~~

~~B. Drilling shall not be within three hundred (300) feet of a public school, public park, hospital, long term health care facility, or any residence except the residence of the owner of the land on which the well is located and except a residence located on the land which, at the time of the drilling of the well, is under lease to the person drilling the well.~~

~~C. If the drilling is within five hundred (500) feet of a public school, public park, hospital, long term health care facility, or one (1) or more residences except the residence of the owner of the land on which the well is located and except a residence located on land which at the time of the drilling of the well is under lease to the person drilling the well, then:~~

- ~~1. All derricks used in connection with the drilling of the well shall be enclosed with fire resistive and soundproofing material.~~
- ~~2. All drilling and pumping equipment shall be operated by muffled internal combustion engines or by electric motors.~~



~~3. Materials, equipment, tools and pipe used for either drilling or producing operations at the well hole shall not be delivered to or removed from the drilling site except between the hours of 8:00 a.m. and 6:00 p.m. of any day, except in case of emergency.~~

~~D. The derrick used pursuant to this Section to drill any well hole or to repair, clean out, deepen or redrill any completed or drilling well, shall be removed within ninety (90) days after the completion of the operation or abandonment of any well.~~

~~E. Within ninety (90) days after abandonment of any well, earthen sumps used in drilling or production, or both, shall be filled and the drilling site restored as nearly as practical to its original condition.~~

~~F. All oil well pumps, sumps, production tanks and related facilities shall be enclosed with a fence not less than five (5) feet high mounted on steel posts with not less than three (3) strands of barbed wire around the top. Such fence shall be constructed of wood slats and woven wire fencing, or equivalent, of not greater than six (6) inch mesh.~~

~~G. When private roads to wells are constructed, that portion of such roads lying within two hundred (200) feet of an oiled or surfaced public street, or of an existing residence, shall be oiled or surfaced.~~

~~H. A well hole, derrick or tank shall not be placed within twenty five (25) feet of any public street or walkway.~~

~~I. A faithful performance bond in the amount of \$5,000 shall be filed with the City by each oil operator for each well drilled, redrilled or deepened or any such well in which the casing thereof is permanently altered in any manner by such operator, except that any one (1) oil operator shall not be required to post bonds in excess of \$50,000. Such bonds shall remain in full force and effect with respect to each well until such time as such well becomes abandoned in compliance with the California Administrative Code and Public Resources Code. In lieu of these bonding requirements, an oil operator may submit proof of a valid Blanket Oil and Gas Well Indemnity Bond filed with the State of California; provided, that said bond exceeds the surety obligation which would have been imposed by the City. (Ord. 80 518)~~

~~J. All drilling and producing operations shall conform to all applicable fire and safety regulations.~~

~~K. Not more than two (2) production tanks, neither to exceed one thousand (1,000) barrels capacity, shall remain on the premises following completion of production tests at each well; provided, however, that this condition shall not restrict the maintenance of additional tanks for shipping up to six thousand (6,000) barrels capacity.~~

~~L. Proven technological improvements in drilling and production methods shall be adopted as they may become available from time to time, if capable of reducing factors of nuisance and annoyance.~~

~~M. All drilling and production operations shall be conducted in such a manner as not to constitute a public nuisance.~~

~~N. Signs shall not be constructed, erected, maintained or placed on the premises or any part thereof, except those required by law or ordinance to be displayed in connection with the drilling or maintenance of the well.~~

~~O. Suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times during drilling operations.~~

**Section 13.** Article IX, Chapter 1, Part 5, Division 1, Section 9151.1 (Uses Permitted of the Carson Municipal Code is hereby amended to read, in relevant part, as follows:

**Section 9151.1 Uses Permitted**

Uses permitted in the Open Space Zone and are eligible for consideration as a Special Use (See CMC 9151.5 through 9151.7) as indicated in the following table:

**USES PERMITTED IN THE OPEN SPACE ZONE OR  
ELIGIBLE FOR CONSIDERATION AS A SPECIAL USE**

**Legend**

- X. Automatically permitted use.
- L. Automatically permitted use provided special limitations and requirements are satisfied as noted herein.
- D. Use permitted subject to the approval of the Director.
- C. Use permitted upon approval of a Conditional Use Permit.
- CC. Use permitted upon approval of the City Council as prescribed under other provisions of the Carson Municipal Code.
- S. Eligible for consideration as a Special Use to be permitted under additional regulations adopted pursuant to CMC 9151.6.

**ZONE**

**Special  
OS Use**

**General:**

|   | <b>ZONE</b> |                    |
|---|-------------|--------------------|
|   | <b>OS</b>   | <b>Special Use</b> |
| Major public use.   |             | S                  |
| Major private institution.  |             | S                  |
| <b>Education:</b>   |             |                    |
| University or college.  |             | S                  |
| <b>Recreation:</b>  |             |                    |
| Publicly owned outdoor recreation – parks, playgrounds, picnic grounds and recreational facilities, including incidental buildings (no motor-driven or jet-propelled model airplane area):  |             |                    |
| With not more than 1,000 spectator seats.   | X           | S                  |
| With more than 1,000 spectator seats.   | C           | S                  |
| Publicly owned recreation buildings not incidental to outdoor recreation.   | C           | S                  |
| Privately owned outdoor recreation – parks, playgrounds, picnic grounds and recreational facilities, including incidental buildings (no motor-driven or jet-propelled model airplane area). | C           | S                  |
| Archery range.  | C           |                    |
| Campground (including transient recreational vehicles), hostel.   | C           |                    |
| Trails – hiking, biking, equestrian.  | X           |                    |
| Golf course and club.   | C           | S                  |
| Golf pitch-and-putt course, driving range, miniature golf.  | C           |                    |
| Riding academy, stable – public, private or commercial.   | C           |                    |
| Outdoor festival or fairgrounds – permanent.  | C           | S                  |
| Stadium or sports arena, horse racing (no   | C           | S                  |

|   | <b>ZONE</b> |                    |
|---|-------------|--------------------|
|   | <b>OS</b>   | <b>Special Use</b> |
| motor vehicle racing).  |             |                    |
| Zoo   | C           | S                  |
| <b>Natural Resources:</b>   |             |                    |
| Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural or historical information will be obtained from the site. | D           | D                  |
| Ecological preserve for plant life and wildlife, conservation area, scenic area.  | X           |                    |
| Borrow pit.   | C           | S                  |
| Oil field or oil wells (See CMC 9502).  |             |                    |
| <b>Agriculture:</b>   |             |                    |
| Cultivation of plants including nursery, orchard, vineyards, field crops, flowers (no mushroom farm, no retail sales).  | X           |                    |
| Greenhouse, bathhouse   | C           |                    |
| <b>Cemetery:</b>  |             |                    |
| Cemetery, mausoleum, columbarium, crematory.  |             | S                  |
| <b>Transportation, Communications, Utilities:</b>   |             |                    |
| Blimp port.   | C           | S                  |
| Heliport, helistop.   | C           |                    |
| Right-of-way and line facilities for pipelines, power transmission line (no yard terminal, station or loading/unloading area).  | X           |                    |
| Power plant, water or sewage treatment plant, or other major utility plant.   |             | S                  |
| Electrical distribution substation, pumping station, water well, gas measurement or   | C           |                    |

|   | <b>ZONE</b> |                    |
|---|-------------|--------------------|
|   | <b>OS</b>   | <b>Special Use</b> |
| control station.  |             |                    |
| Water reservoir.  | C           | S                  |
| Flood control channel, detention basin.   | X           |                    |
| <b>Communications Facilities:</b>   |             |                    |
| Minor communications facilities, subject to the requirement of CMC 9138.16.   | L           | L                  |
| Major communications facilities, subject to the requirement of CMC 9138.16.   | C           | C                  |
| Parking lot (no parking structure).   | C           |                    |
| Access to other property lawfully used for purposes not permitted on subject property, provided the Director finds no available alternative access is preferable and the open space character of the area will not be adversely affected.   | D           |                    |
| <b>Temporary Uses:</b>  |             |                    |
| Contractor's office and/or storage of construction materials and equipment at a construction site during the period of construction and not to exceed 60 days thereafter. In the event construction is suspended for a period of 6 months, such use and material shall be terminated and removed. | L           | L*                 |
| Carnival, mechanical rides, pony rides, outdoor festival, and similar uses. (See CMC 63119 and 63119.1.)  | CC          | CC*                |
| Circus, rodeo. (See CMC 63120; and Animal Control Ordinance, CMC 3300 – 3301.)  | CC          | CC*                |
| Christmas tree sales, pumpkin sales.  | CC          | CC*                |
| Yard sales. (See CMC 4600 – 4606.)  | L           | L                  |
| Tent revival.   | CC          | CC                 |

\*May be permitted temporarily on a site for which a permanent Special Use has been authorized.

Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code.

**Section 14.** Article IX, Chapter 1, Part 5, Division 1, Section 9151.12 (Uses Permitted on Organic Refuse Landfill Sites), Subsection A(2) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

2. Construction of structures which are unoccupiable, such as signs, flagpoles, walls, fences and towers, but not including storage tanks.

**EXHIBIT 1**  
To  
Exhibit B To  
Planning Commission Resolution  
Text Amendment No. 19-15

# **Oil And Gas Ordinance Of The City Of Carson**

(Carson Municipal Code, Article IX, Chapter 5)

## CHAPTER 9500

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- 9537 Development Standards

# **CHAPTER 5**

## **OIL AND GAS CODE**

### **Part 1. Administrative Procedures**

#### **9500 Purpose**

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- A. This Chapter shall be known as the Oil and Gas ordinance of the City of Carson.
- B. It is the purpose of this ordinance, amongst other things, to protect the health, safety, public welfare, physical environment and natural resources of the city by the reasonable regulation of oil and gas facilities, equipment, and operations, including but not limited to: exploration; production; storage; processing; transportation; disposal; plugging abandonment and re-abandonment of wells; of operations and equipment accessory and incidental thereto and development and redevelopment of oil and gas sites. It is further the intent of the City that oil and gas operations shall be permitted within this city (except where expressly prohibited herein), subject to the application of this ordinance and all other applicable laws, regulations and requirements.
- C. It is not the intent of this ordinance to regulate public utility operations for the storage or distribution of natural gas under the jurisdiction of the California Public Utilities Commission (CPUC). Any well or site related operations, however, shall be subject to this ordinance.

#### **9501 Ordinance Applicability**

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- A. The regulations in this ordinance shall apply, insofar as specifically provided herein, to oil and gas production and related sites and facilities, equipment, structures, or appurtenances including, but not limited to:
1. Drilling, and abandonment operations of any new or existing well or re-entry of a previously abandoned well for the production of oil and gas.
  2. Sites, infrastructure, structures, equipment, and/or facilities necessary and incidental to processing of oil, produced water, gas, and condensate obtained from an oil and gas field, zone, subsurface lease or area.
  3. Injection wells and incidental equipment necessary for enhanced oil recovery or disposal of produced water.

4. Equipment and facilities necessary for enhanced oil recovery including water flooding, steam flooding, air injection, carbon dioxide injection, or introduction of polymers, or other techniques.
  5. Pipelines located within an oil and gas lease area that are necessary for oil and gas production operations.
  6. Pipelines that transport oil or gas to another location for sale or transfer to a third party.
  7. Storage tanks and equipment necessary or incidental to gathering, separation or treatment of oil, water, and gas, and/or temporary storage of separated fluids and gases, and transfer of the produced hydrocarbons to pipelines or tanker trucks.
  8. Oil spill containment and recovery equipment, and facilities including offices, storage spaces, and vehicles for the storage of floating oil and water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife cleanup and recovery equipment.
- B. All portions of this ordinance are applicable to new or existing oil and gas sites and operators if they have or are required to obtain a CUP. For oil and gas sites lawfully existing at the time of adoption of this ordinance which do not have or are not required to obtain a new CUP, only the following sections are applicable:

|           |   |
|-----------|---|
| 9506      | Well Drilling Permit  |
| 9507.4(B) | Modifications and Extensions  |
| 9510      | Facility Closure, Site Abandonment, and Site Restoration Procedures |
| 9521(C)   | Setbacks  |
| 9522      | Site Access and Operations  |
| 9523      | Lighting  |
| 9526      | Signage   |
| 9527      | Steaming  |
| 9530      | Safety Assurances and Emergency/Hazard Management (except 9530.4)   |

|      |  |
|------|--|
| 9531 | Environmental Resource Management (except 9531.3 and 9531.5.1) |
| 9532 | Standards for Wells (except subsection G)                      |
| 9535 | Operational Prohibitions                                       |
| 9536 | Prohibited Uses  |

Violations of these sections shall also be subject to enforcement mechanisms contained in this ordinance and Code.

To the extent the ordinance applies to existing oil and gas sites, it is not intended to apply in such manner as to interfere with any vested rights that have accrued to property owners.

C. The provisions of this ordinance which impose any limitation, prohibition, or requirement, or confer a right on the basis of the distance between a well or any other use or improvement and another zone classification, use or improvement, shall be applied solely with reference to zone classification uses and improvements within the City.

## **9502 Allowable Uses**

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Table 1-1 below specifies what City zoning designations allow for oil and gas sites and, if allowable, what type of authorization is required for the use.

**TABLE 1-1**

\* In addition to the zones listed in the table below, oil and gas sites shall be permitted in any specific plan area where such uses are specifically allowed in accordance with the requirements of this ordinance.

\*\*CUP indicates a requirement for a Conditional Use Permit, while DA indicates a development agreement.

| Zoning Designation                | Oil and Gas Facility/Site Permit Required by Zone |
|-----------------------------------|---|
| <b>Residential</b>                |   |
| RS Residential Single Family      | Prohibited  |
| RM Residential Multi-Family       | Prohibited  |
| RA Residential Agricultural       | Prohibited  |
| <b>Commercial</b>                 |   |
| CN Commercial Neighborhood Center | Prohibited  |
| CR Commercial Regional Center     | CUP or DA <sup>1</sup>                            |
| CG Commercial General             | CUP or DA <sup>1</sup>                            |
| CA Commercial Automotive          | Prohibited  |
| MU-CS Mixed Use-Carson Street     | Prohibited  |
| MU-SB Mixed Use-Sepulveda Blvd.   | Prohibited  |
| <b>Industrial</b>                 |   |
| ML Manufacturing Light            | CUP or DA <sup>1</sup>                            |
| MH Manufacturing Heavy            | CUP or DA <sup>1</sup>                            |
| Open Space & Special Uses         |   |
| Open Space                        | Prohibited  |
| Special Uses                      | Prohibited  |

<sup>1</sup> Development agreement provisions apply as specified in Section 9508.

### 9503 Definitions

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Unless the context otherwise requires, the definitions hereinafter set forth shall govern the construction of this ordinance.

**“Abandoned Well”** means a non-producing well DOGGR so designates after it has been demonstrated that all steps have been taken to protect underground or surface water suitable for irrigation or other domestic uses from the infiltration or addition of any detrimental substance, and to prevent the escape of all fluids to the surface.

**“Acid Well Stimulation Treatment”** is defined in the DOGGR Statutes and Regulations and means a well stimulation treatment that uses, in whole or in part, the application of one or more acids to the well or underground geologic formation. The acid well stimulation treatment may be at any applied pressure and may be used in combination with hydraulic fracturing treatments or other well stimulation treatments. Acid well stimulation treatments include acid matrix stimulation treatments and acid fracturing treatments.

**“Acid Fracturing”** is an acid well stimulation treatment that, in whole or in part, includes the pressurized injection of acid into an underground geologic formation in order to fracture the formation, thereby causing or enhancing, the production of oil or gas from a well.

**Acid Matrix Stimulation Treatment** is an acid well stimulation treatment conducted at pressures lower than the applied pressure necessary to fracture the underground geologic formation.

**“Acid Volume Threshold”** means a volume per treated foot of well stimulation treatment, calculated as per DOGGR consistent with DOGGR Statutes and Regulations.

**“Air injection”** is an enhanced oil recovery process utilizing compressed air that is injected into a reservoir. Oxygen in the gas reacts exothermically with some of the oil, producing highly mobile flue gas. The flue gas advances ahead of the reaction front and achieves an efficient displacement of the in situ oil.

**“API”** refers to the American Petroleum Institute.

**“ASTM”** ASTM shall mean the American Society of Testing and Materials.

**"City Manager"** is the City's administrative official, and the City Manager's designated assistants, inspectors and deputies having the responsibility for the enforcement of this ordinance. The City Manager is authorized to consult experts qualified in fields related to the subject matter of this ordinance and codes adopted by reference herein as necessary to assist in carrying out duties. The City Manager may also appoint such number of officers, inspectors, assistants and other employees and/or to appoint a Petroleum Administrator to assist in carrying out duties. If the City Manager determines it is necessary based on public health, safety or welfare, he or she may require any information as deemed reasonably necessary for a CUP or an abandonment application.

**"DOGGR"** is the Division of Oil, Gas and Geothermal Resources which is part of the Department of Conservation of the State of California. DOGGR oversees the drilling, operation, maintenance, and

plugging and abandonment of oil, natural gas, and geothermal wells.

**"DOGGR Statutes and Regulations"** are the California statutes and regulations related to or governing DOGGR, at California Public Resources Code, Division 3, and Oil and Gas and the California Code of Regulations, Title 14, Division 2.

**"Drill" or "Drilling"** is to bore a hole in the earth, usually to find and remove subsurface formation fluids such as oil and gas. Drilling, under this ordinance, includes re-drilling and re-working of wells.

**"Enforcement action"** is any administrative, injunctive, or legal action (either civil or criminal), to enforce, cite or prosecute a violation or efforts to abate or correct a violation (or dangerous or hazardous situation caused by a violation), including investigation, research, legal action, physical abatement, law enforcement and other necessary acts.

**"Enhanced oil recovery"** is the injection of steam, gas, or other chemical compounds into hydrocarbon reservoirs to stimulate the production of usable oil beyond what is possible through natural pressure and pumping at the wellhead.

**"EPA"** refers to the U.S. Environmental Protection Agency.

**"Existing"** as applied to oil and gas sites, wells or other facilities and operations, refers to and includes all that were lawfully in existence at the effective date of this ordinance

**"Exploratory Well"** is defined in the DOGGR Statutes and Regulations and means any well drilled to extend a field or explore a new, potentially productive reservoir.

**"Facilities"** include tanks, compressors, pumps, vessels, and other equipment or structures pertinent to oil field operations located at an oil and gas site.

**"Gas"** means any natural hydrocarbon gas coming from the earth.

**"Gas Plant"** means processing equipment for produced gas to separate, recover, and make useful natural gas liquids (condensate, natural gasoline [e.g., pentenes], and liquefied petroleum gas, etc.), to separate, remove, and dispose of other non-hydrocarbon substances, such as water, sulfur, carbon dioxide, ammonia, etc., and to produce utility-grade gas suitable for delivery and sale.

**"High risk operation"** means an oil or gas production, processing or storage facility which: (a) has been in violation of any applicable section of this ordinance for more than 30 consecutive days and resulted in the issuance of a notice of determination of fines pursuant to Section 9510.3.5 of this ordinance during the preceding twelve months; or (b) has had three separate unauthorized releases of oil, produced water and/or



other hazardous materials of a quantity not less than fifteen barrels (six hundred thirty gallons) other than within secondary containment for each incident during the preceding twelve months

**“Hydraulic Fracturing”** is defined in the DOGGR Statutes and Regulations and means a well stimulation treatment that, in whole or in part, includes the pressurized injection of hydraulic fracturing fluid into an underground geologic formation in order to fracture, or with the intent to fracture, the formation, thereby causing or enhancing, for the purposes of this ordinance, the production of oil or gas from a well.

**"Idle well"** is defined in the DOGGR Statutes and Regulations and is any well that has not produced oil or natural gas or has not been used for injection for six consecutive months of continuous operation during the last five or more years. An idle well does not include an active observation well.

**“Natural gas liquids” (NGLs)** include propane, butane, pentane, hexane and heptane, but not methane and ethane, since these hydrocarbons need refrigeration to be liquefied..

**“NFPA”** refers to the National Fire Protection Agency.

**“New Development”** means any of the following: 1) development of new buildings, structures or wells for oil and gas operations on a site that has either not previously been used for such activities, or where the previous use was abandoned, or a CUP expired or was revoked ; 2) the expansion by 3 or more wells at an existing site used for oil and gas operations and which conforms to setback requirements; 3) the placement or erection of tanks for holding produced substances or substances intended for subsurface injection in connection with oil and gas operations exceeding by 25% or more the capacity of existing tanks as of the effective date of this ordinance. New development does not include the like-kind replacement of facilities required for legally operating oil and gas operations that are damaged, failed, are at risk of failure, or are at the end of their useful life at an existing site.. New development does not include workovers or other maintenance for legally operating oil and gas operations, including replacement-in-kind, or re-drills of existing active or idle wells. Re-drills of abandoned wells are considered new wells under this ordinance.

**"New Well"** is defined by the DOGGR Statutes and Regulations as the drilling of a well that requires the submission of the DOGGR form OG105 - Notice of Intention to Drill New Well – Oil and Gas, as may be updated or amended. For the purposes of this ordinance, the re-drilling of an abandoned well is considered a new well.

**“Oil”** is a simple or complex liquid mixture of hydrocarbons that can be refined to yield gasoline, kerosene, diesel fuel, and various other products.

**“Oil and Gas Site”** or **"Site"** is a oil drilling site and all associated operations and equipment attendant to oil and gas production or injection operations including but not limited to, pipelines, tanks, exploratory

facilities (including exploratory wells), flowlines, headers, gathering lines, wellheads, heater treaters, pumps, valves, compressors, injection equipment, drilling facilities, and production facilities.

**"Oil and Gas Operations"** are all activities in connection with the exploration, drilling for and the production of oil and gas and other hydrocarbons, together with all incidental equipment and appurtenances thereto.

**"Operator"** means the person, who by virtue of ownership or under the authority of a lease or any other agreement, has the right to drill, operate, maintain, or control a well or production facility.

**"OSHA"** refers to the California Occupational Safety and Health Administration.

**"Person"** encompasses any individual, firm, association, corporation, joint venture or any other group or combination acting as an entity.

**"Petroleum"** is a substance occurring naturally in the earth in a solid, liquid, or gaseous state and composed mainly of mixtures of chemical compounds of carbon and hydrogen, with or without other nonmetallic elements such as sulfur, oxygen, and nitrogen.

**"Pipelines"** for the purposes of this ordinance, shall mean all flow lines associated with wells located within the City of Carson used for the transportation of petroleum or petroleum by-products or of materials used in the production of petroleum.

**"Produced water"** is a term used to describe the water that is produced along with crude oil and gas.

**"PSM"** refers to process safety management.

**"Redevelopment"** for the purposes of this ordinance is the development of all of a portion of a current or former oil or gas site to another authorized use other than petroleum operations.

**"Re-drilling"** is defined in the DOGGR Statutes and Regulations and is the deepening of an existing well or the creation of a partial new well bore including plugging of the original bore and casings and requires the submission of DOGGR form OG107 - Notice of Intention to Rework/Redrill Well, as may be updated or amended.

**"Re-entry"** is the process of cleaning a plugged and abandoned well by drilling, jetting, or other method.

**"Re-work"** is defined in the DOGGR Statutes and Regulations and means any operation subsequent to initial drilling that involves re-drilling, plugging, or permanently altering in any manner the casing of a well or its function and requires the filing of a notice of intent to rework/redrill a well with DOGGR. Altering a casing includes such actions as a change in well type, new or existing perforations in casing, running or

removing of cement liners, placing or drilling out any plug (cement, sand, mechanical), running a wireline tool that has the ability to drill through a cased borehole, or any other operation which permanently alters the casing of a well. For the purposes of this ordinance, re-work includes a well abandonment.

**"Refining"** shall mean any industrial process facility where crude oil is processed and refined into more useful products and sold to others without further treatment or processing.

**"Regional Water Quality Control Board"** shall mean the Los Angeles Regional Water Quality Control Board.

**"Secondary recovery"** means an improved recovery method of any type applied to a reservoir to produce oil not recoverable by primary recovery methods and would include water flooding, steam flooding and gas injection.

**"Secondary containment"** means containment, which is external to and separate from the primary containment, typically constructed of masonry block or poured concrete walls which incorporates an impervious barrier, including but not limited to dikes, berms, or retaining walls sufficiently impervious to contain oil.

**"Shut down" or "Shut Down Order"** is an order by the City Manager, California State Fire Marshall, or DOGGR official, to restrict or prohibit certain (or all) functions or operations at a facility or by an operator pursuant to authority of this ordinance.

**"SPCC"** refers to Spill Prevention, Control, and Countermeasures.

**"Steam Flooding"** is a thermal oil and gas recovery method in which steam is injected into a reservoir through injection wells and driven toward production wells. The steam reduces the viscosity of crude oil, causing it to flow more freely. The heat vaporizes lighter hydrocarbons; as they move ahead of the steam, they cool and condense into liquids that dissolve and displace crude oil. The steam provides additional gas drive. This method is also used to recover viscous oils. The technique is also called Continuous Steam Injection or Steam Drive. Consistent with Section 3157(b) of Public Resources Code Division 3, steam flooding is not considered to be a well stimulation treatment.

**"Cyclic Steaming"** shall mean a production method with alternating steam flooding and subsequent oil production from the same well. Consistent with Section 3157(b) of Public Resource Code Division 3, cyclic steaming is not considered to be a well stimulation treatment.

**"Structure"** means anything constructed or erected which requires location on the ground or is attached to something having a location on the ground, except outdoor areas such as walks, paved areas, tennis courts, and similar open recreation areas. This definition includes buildings, but does not include wells.

**“Supervisor”** means the DOGGR Supervisor.

**“Toxic Air Contaminants”** means an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health as defined in California Health and Safety Code Section 39655, as may be amended from time to time. Title 17, Section 93000, of the California Code of Regulations, lists substances defined as Toxic Air Contaminants.

**"USEPA"** refers to the United States Environmental Protection Agency.

**"Regional Water Quality Control Board"** shall mean the Los Angeles Regional Water Quality Control Board.

**“Waterflooding”** is a method of secondary recovery in which water is injected into the reservoir formation to displace residual oil. The water from injection wells physically sweeps the displaced oil to adjacent production wells. Consistent with Section 3157(b) of Public Resource Code Division 3, waterflooding is not considered to be a well stimulation treatment.

**"Well"** is defined in the DOGGR Statutes and Regulations and means any oil or gas well or well for the discovery of oil or gas; any well on lands producing or reasonably presumed to contain oil or gas; any well drilled for the purpose of injecting fluids or gas for stimulating oil or gas recovery, repressuring or pressure maintenance of oil or gas reservoirs, or disposing of waste fluids from an oil or gas field; any well used to inject or withdraw gas from an underground storage facility; or any well drilled within or adjacent to an oil or gas pool for the purpose of obtaining water to be used in production stimulation or repressuring operations.

**“Well stimulation treatment”** is defined in the DOGGR Statutes and Regulations and means a treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation is a short term and non-continual process for the purposes of opening and stimulating channels for the flow of hydrocarbons. Examples of well stimulation treatments include hydraulic fracturing, acid fracturing and acid matrix stimulation. Except for operations that meet the definition of “underground injection project” under 14 CCR Section 1761(a)(2), a treatment at pressures exceeding the formation fracture gradient shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. Except for operations that meet the definition of “underground injection project” under CCR Section 1761(a)(2), a treatment that involves emplacing acid in a well and that uses a volume of fluid equal to or greater than the Acid Volume Threshold for the operation shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatment does not include

steaming, water flooding or cyclic steaming and does not include routine well cleanout work; routine well maintenance; routine treatment for the purpose of removal of formation damage due to drilling; bottom hole pressure surveys; routine activities that do not affect the integrity of the well or the formation; the removal of scale or precipitate from the perforations, casing, or tubing; a gravel pack treatment that does not exceed the formation fracture gradient; or a treatment that involves emplacing acid in a well and that uses a volume of fluid that is less than the Acid Volume Threshold for the operation and is below the formation fracture gradient.

**“Workover** is the process of major maintenance or remedial treatments on an oil or gas well without changing the physical design of the well. Workovers include all operations that do not involve the initial drilling or re-working of wells and is regulated by DOGGR but without requirements for notices of intent or permits.

#### **9504 Consistency with Other Laws, Rules and Regulations**

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This ordinance, insofar as it regulates oil and gas operations also regulated by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), is intended to supplement such state regulations and to be in furtherance and support thereof. Some definitions in Section 9503 are based on DOGGR Statutes and Regulations and the intent of this ordinance is to utilize those definitions, as they may be amended from time to time by the California Legislature or by DOGGR, as applicable. In all cases where there is conflict with state laws or regulations, such state laws or regulations shall prevail over any contradictory provisions, or contradictory prohibitions or requirements, made pursuant to this ordinance. Additionally, the approving body, whether the City Manager, Planning Commission or City Council, may grant an exception or modification to the requirements of this ordinance to the minimal extent necessary to prevent a compensable taking. Such exception or modification shall be as consistent with the intent and purpose of this ordinance as possible given the specific factual circumstances of the particular project.

#### **9505 Appeals**

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Unless otherwise specified in this ordinance, any interested person may appeal a discretionary decision of the City Manager consistent with procedure set forth in Section 9173.4, except that references to “Director” shall be replaced with “City Manager,” and the Planning Commission’s decision is final with no right of appeal to the City Council. Section 9173.5 shall govern the statute of limitations. Mandatory requirements of this ordinance are not subject to appeal.

#### **9506 Well Drilling Permit**

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Prior to commencing drilling or re-working of any oil and gas well, the operator must receive a well drilling or re-work permit from DOGGR. Well permits from DOGGR shall be provided to the City

Manager prior to commencement of drilling or re-working activities.

## **9507 Required Procedures for Conditional Use Permits**

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- A. New development to which this ordinance applies (see Section 9501) shall be required to receive a Conditional Use Permit (CUP), from the City Planning Commission in order to receive authorization for, and proceed with, the construction and operation of new development. No permits shall be considered or approved without such permits being consistent with provisions of the CUP.
- B. All procedures for CUPs to which this ordinance applies shall be consistent with the Article IX, Chapter 1, Part 7 of the Code as well as with the following additional requirements:

### **9507.1 Conditional Use Permit (CUP) Filing Requirements**

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In addition to the filing requirements required by Section 9173.1 (Applications) of this Code, for projects within the City to which this ordinance is applicable, the following materials are also required as part of a CUP application for the consideration of the Planning Commission, or the City Council on appeal:

- A. A complete statement of the proposed project including, but not limited to, activities, facilities, and sites.
- B. A new or updated emergency response plan to deal with potential consequences and actions to be taken in the event of floods, earthquakes, hydrocarbon leaks or fires for the site. The emergency response plan shall be approved by the City's Public Safety and Community Services Manager and the Los Angeles County Fire Department.
- C. A phasing plan for the staging of development that includes the estimated timetable for project construction, operation, completion, restoration, and, where applicable, the location and amount of land reserved for future expansion.
- D. A site plan showing:
  - 1. Surface property, easement, rights-of-way and pipeline right-of-way boundaries within the site.
  - 2. Proposed access road constructions or modifications and connections with City streets and roads and any existing private roads.
  - 3. Areas to be used for construction.

4. Areas to be used for access and maintenance during pipeline operation within and adjacent to the site.
  5. Existing roads, and pipelines and pipeline rights-of-way, if any.
  6. Location and type of existing and proposed structures within 50 feet of pipeline right-of- way.
  7. Location of existing and proposed wells and oil or gas containing equipment and their measured distance from nearby uses, including the closest residential or school property line.
  8. Proposed alteration of surface drainages within the site.
  9. A contour map showing existing and proposed contours.
  10. A plan for parking on or off site.
  11. A map of all known, historic, or suspected active, idle and abandoned oil and gas wells or wellheads within the site and within 1,500 feet of the surface location of any existing or proposed new well within the site.
- E. Site operations plan containing process flow diagrams, piping and instrumentation diagrams, expected process flows (rates, pressures, composition, and shut-down/start-up procedures, quarterly/annual production, disposition, injection, and disposal).
- F. Plans with measures to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, air pollutants, and vibration) and to prevent danger to life, environmental quality, and property, consistent with the Development Standards in this ordinance.
- G. Estimates of the amount of cut and fill required by the proposed project.
- H. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, a plan for a community alert system (including new or utilizing existing systems, including but not limited to, those operated by the Police, Sheriff or Fire Department) to automatically notify area residences and businesses in the event of an emergency at an oil or gas site that would require residents to take shelter or take other protective actions.
- I. If any grading is proposed that results in the loss of vegetated, sandy, permeable ground areas, which could alter surface runoff at the site, a site-specific hydrologic analysis to evaluate anticipated changes in drainage patterns and associated increased runoff at the site.

- J. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, a quiet mode operation plan which includes, but is not limited to, the following noise reduction measures:
1. Using signalers for all backup operations instead of backup alarms and turning off backup alarms;
  2. Using radios instead of voice communication;
  3. Minimizing crane use and pipe handling operations, pipe offloading from trucks and board loading to the maximum extent feasible and nighttime loading only for safety reasons;
  4. Prohibiting material and supply deliveries to the Project Site, other than along designated truck routes, between the hours of 6 p.m. and 8 a.m. on weekdays and prohibiting deliveries on weekends and holidays, with exceptions only for safety; and
  5. Limiting process alarms and communications over the broadcast system to the maximum extent feasible during all operations and use only for safety reasons.
- K. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, a photometric analysis, which compares the baseline of the existing light measurements with the proposed light spill that will result from the oil and gas site.
- L. An Environmental Quality Assurance Program ("EQAP"). (Ref. Section 9531.1).

## **9507.2 Processing and Review**

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Processing of CUPs shall comply with California's Permit Streamlining Act requirements as consistent with Sections 9170 through 9179 of this Code.

- A. The applicant may apply for:
1. The drilling operations only;
  2. The production facilities only; or
  3. Both the drilling and production facilities.
- B. The City Manager will review the submitted application(s) for completeness in compliance with the filing requirements of Section 9507.1 and any other applicable sections of the Code, and shall refer the filed CUP to appropriate City departments or local and state agencies, as appropriate, for review and comment.



### **9507.3 Findings and Permitting Conditions**

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- A. In addition to the requirements of Section 9172.21D (Commission Findings and Decision), the Planning Commission shall approve a Conditional Use Permit only if it is able to make affirmative findings of the following criteria:
1. The proposed project shall be in conformance with requirements of other local, regional, or State entities;
  2. The project shall not be detrimental to the comfort, convenience, health, safety, and general welfare of the community, and will be compatible with the uses in the surrounding area;
  3. The project shall be in compliance with the Development Standards contained in Part 2 of this ordinance, commencing with Section 9521; and
  4. The project shall not result in an increased level of freshwater pollution or groundwater contamination in the immediate area or cause regulatory water standards at an existing water production well to be violated as defined in the California Code of Regulations, Title 22, Division 4, Chapter 15 and in the Safe Water Drinking Act, as they may be amended.
- B. As a condition of approval of a CUP, the Planning Commission shall consider and impose appropriate conditions as deemed reasonable and necessary to find consistency with the findings 1 through 5 above.

### **9507.4 Modifications and Extensions**

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- A. The provisions of Section 9172.21 shall apply for all modifications or extensions requested for oil and gas operations.
- B. Any existing oil and gas operation that does not have a CUP or development agreement for the operation shall be required to comply with this ordinance if any new development occurs at the existing oil and gas site.

### **9507.5 Change of Ownership/Operators Criteria**

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- A. Listing on Permit. Any person who operates an oil or gas site that is subject to this ordinance shall be listed as a permittee on the permit(s) issued for that facility.
- B. Acceptance of Permit. Prior to being listed on a permit, any operator of an oil or gas site that is subject to this ordinance shall provide the City with a letter from an authorized agent or officer of the operator formally accepting all conditions and requirements of the permit.

- C.      Permits Transferable. Any CUP issued to any oil and gas site authorized pursuant to this Code shall be transferable to a new operator provided that the new operator accepts and meets all of the conditions and requirements of the CUP and this ordinance.
- D.      Ongoing Notification. All operators, and guarantors shall, as an ongoing requirement, notify the City Manager in writing of any change in the information required by this Section within thirty days of such change.
- E.      Change of Operator. A change of operator shall require an application filed with the City within thirty days prior to a change of operator. Upon approval by the City Manager, such change of operator will become effective upon joint notice from the prior and new operators that the change of operator has become effective. An application is not required when the change of operator does not entail a substantive change to operations or personnel of the oil or gas site as determined by the City Manager.
- F.      Liability for Compliance with Permit Conditions. Any operator listed on a permit pursuant to this ordinance shall comply with all conditions of such permit. Failure to comply with such permit conditions shall subject the operator to the applicable penalty and enforcement provisions of this Code or other applicable ordinance for such permits.

Liability for Abandonment. The operator, as determined by the records of the City Manager, of a facility or site subject to this ordinance shall be responsible for the proper abandonment of the facility or site.

## **9508 Procedures for Development Agreements**

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Projects appropriate for development agreements are subject to the requirements of this Section, which establishes procedures for adoption. The procedures for development agreements will comply with Government Code Division 1, Chapter 4, Article 2.5 and the following additional requirements:

### **9508.1 Filing Requirements**

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- A.      Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person(s) who has a legal or equitable interest in the real property of the oil or gas site. The qualified applicant shall provide proof of ownership interest, proof of interest in the real property, and proof of the authority of the agent or representative, to act for the applicant. Said proof of interest and proof of authority shall be subject to review and approval by the City Attorney.
- B.      The City Manager shall prescribe the form for each application, notice and documents provided for or required under these regulations for the preparation and implementation of development agreements. The applicant shall complete and submit such an application form to the City Manager, along with a deposit for the estimated direct and indirect costs of processing the development agreement.

The applicant shall deposit any additional amounts for all costs and fees to process the development agreement, including all legal fees, within 15 days of request by the City Manager. Upon either completion of the application process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the costs of processing.

- C. The City Manager shall require an applicant to submit such information and supporting data as the City Manager considers necessary to process the application.
- D. A community benefit assessment to evaluate the benefits the DA will provide to the community.

## **9508.2 Processing and Review**

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- A. The City Manager shall endorse on the application the date it is received. An application or related document shall not be complete until an estimated deposit for the cost of processing has been paid to the City. If within 30 days of receiving the application the City Manager finds that all required information has not been submitted or the application is otherwise incomplete or inaccurate, the processing of the application and the running of any limits shall be suspended upon written notice to the applicant and a new 30 day period shall commence once the required material is received by the City Manager. If the City Manager finds that the application is complete it shall be accepted for filing and the Applicant so notified. The City Manager shall review the application and determine the additional requirements necessary to complete processing of the agreement. After receiving the required information and the application is determined to be complete, the City Manager shall prepare a staff report and recommendation to the Planning Commission and City Council stating whether or not the agreement as proposed or in an amended form would be consistent with policies of the City, this ordinance and any applicable general or specific plan. The City Attorney shall review the proposed development agreement as to legal form.
- B. Notice of a hearing regarding the development agreement shall be given by the City Manager and shall comply with the requirements of Government Code Section 65867, as may be amended, as well as in the manner set forth in Section 9173.22 Article IX, Chapter 1, Part 7 of the Code, except that the City Manager, not the Director, shall be responsible for providing notice.
- C. The Planning Commission shall review the proposed development agreement and provide a recommendation to the City Council to approve, approve with modifications or deny the proposed development agreement. If the Planning Commission fails to take action within 60 days of opening the hearing on the matter, such failure shall be deemed to have made a recommendation of denial to the City Council unless the applicant has requested an extension of time, either in writing or on the record, which has been approved by the Planning Commission prior to the running of the 60<sup>th</sup> day.

D. The proposed development agreement shall be set for hearing and consideration before the Council within 60 days of the recommendation of the Planning Commission, unless the applicant agrees in writing to an extension of time with the City Manager prior to the matter being heard by the Council.

E. Within 10 calendar days after the City enters into the development agreement, the City Clerk shall have the agreement recorded with the County Recorder. If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in Government Code Section 65868, or if the City terminates or modifies the agreement as provided in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the City Clerk shall have notice of such action recorded with the County Recorder.

### **9508.3 Findings and Development Agreement Conditions**

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A. After the City Council completes the public hearing, the Council may not approve the development agreement unless it finds that the provisions of the agreement:

1. Are consistent with the goals, objectives, and policies of the general plan and any applicable specific plan;
2. Are compatible with the uses authorized in, and the regulations prescribed for the zoned district in which the real property is located;
3. Will not be detrimental to the health, safety, environmental quality, and general welfare of the community;
4. Will not adversely affect the orderly development of property or the preservation of property values; and
5. Provides for a penalty for any violation of the development agreement consistent with the provisions of Section 9514.

### **9508.4 Modifications and Extensions**

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A. The provisions of Government Code Section 65868 shall apply for all modifications, extensions or other amendments of the terms of a development agreement subject to this ordinance.

B. Either party may propose an amendment or termination of an approved development agreement subject to the following:

1. The procedure for amending or terminating, the development agreement is the same as the procedure for entering into an agreement in the first instance.

2. The development agreement may be amended or cancelled only by the mutual consent of the parties, as provided in California Government Code section 65868.
- C. Nothing herein shall limit the City's ability to terminate or modify the agreement consistent with Government Code section 65865.1 or 65865.3 as may be amended.

## **9509 Periodic Review**

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The City may choose to conduct a comprehensive review of any oil or gas drilling permit, CUP or DA every five years from the date of approval to determine if the project and the associated CUP or DA are adequately mitigating significant environmental impacts caused by the drilling and operations. Nothing in this section shall limit the City's authority to conduct a review at more frequent intervals, engage in mitigation monitoring as required by CEQA, or otherwise act as directed or authorized by law.

- A. Within 30 days from the request by the City, the operator shall deposit to the City the funds necessary for the City to retain a third party entity to prepare a periodic review, which includes all records, drawings, specifications, permits from state agencies, and analysis of the effectiveness of this ordinance, enforcement activity, and any other issues associated with potentially adverse effects of and complaints about oil and gas site operations. A periodic review will be funded by the operator at most once every 5 year period following approval. If the periodic review identifies significant deficiencies in an oil and gas drilling permit, a CUP or DA that are resulting in unmitigated adverse impacts then the City Manager may identify these deficiencies and bring forward recommendations of corrective actions to the Planning Commission for consideration and prospective amendments of oil and gas drilling permits and CUPs, and to the Planning Commission for recommendation to the City Council for consideration and prospective amendments of DAs.
- B. A permit, CUP, or DA may also be reviewed by the City Manager at any time, if more than three violations occur within a twelve month period and the City Manager determines that resolution of the violations may be addressed by a new permit and/or an amendment to the CUP or DA. The City Manager shall make a recommendation of amendments to the Planning Commission for CUPs and permits, and the Planning Commission and City Council for DAs, as deemed necessary. Nothing in this Section shall preclude the City from taking any other enforcement action authorized by this Code
- C. Nothing in this Section shall limit the requirements of an operator with a DA to demonstrate to the City Manager good faith compliance with the terms of the agreement at least every 12 months as required by Government Code section 65865.1. If as a result of that review the City Manager believes there is substantial evidence that the operator has not complied in good faith with the terms or conditions of the agreement, the City Manager shall present the matter to the Commission for a recommendation to the City Council. The Commission shall set the matter for public hearing within 40 days of receipt of the

matter from the City Manager. If the Commission fails to act upon such request within a reasonable time, the Council may, by written notice, require the Commission to render its recommendation within 40 days. Failure to so report to the Council within the above time period shall be deemed to be a recommendation against modification or termination. After the Commission has rendered its recommendation, the matter shall be set for hearing before the City Council, who may terminate or modify the agreement if it finds and determines, on the basis of substantial evidence, that the operator or successor in interest has not complied in good faith with the terms and conditions of the DA.

## **9510 Facility Closure, Site Abandonment, and Site Restoration Procedures**

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The following provisions and procedures shall be implemented at the end of life of an oil and gas site, subject to a CUP, and govern the site (including well) facility closure and site restoration procedures:

### **9510.1 Purpose and Intent**

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- A. Section 9510 et seq. establishes procedures and provisions to achieve the timely abandonment of oil and gas related activities and land uses, and following the abandonment, the timely and proper removal of applicable oil and gas facilities (including wells, equipment and gas-related structures), reclamation and remediation of host sites, and final disposition of pipelines, in compliance with applicable laws and permits.
- B. The procedures ensure appropriate due process in differentiating idled from abandoned facilities and protecting the vested rights of permittees while also ensuring that sites with no reasonable expectation of restarting are removed, in compliance with the intent of abandonment permits. These procedures also ensure a process for abandoning or re-abandonment of portions of sites where oil and gas operations will continue on the site, as well as procedures for restoration and redevelopment of a site to other uses at the end of the economic life of oil and gas production.

### **9510.2 Applicability**

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Oil and gas sites and operations subject to Section 9510 and its subsections, shall include all permitted uses identified in Section 9501.A of this Code, regardless of whether these uses were permitted in compliance with this ordinance or any preceding ordinance. This includes, all pipeline systems, except for public utility natural gas transmission and distribution systems, that either transport or at one time transported natural gas, oil, produced water, or waste water that originated from a reservoir, regardless of whether these uses were permitted in compliance with this Code or any preceding ordinance.

### **9510.3 Application Process**

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The procedures for processing an abandonment and site restoration permit shall utilize the notice, hearing

and appeal process for a Conditional Use Permit as detailed in Article IX, Chapter 1, Part 7 of the Code, as refined herein by Section 9505. For any item required to be submitted less than 180 days in advance, the City Manager has the discretion to process and approve the application. Any person may submit an appeal to the City Manager or the Planning Commission within 15 days of the City Manager's notice of decision consistent with Section 9173.4. Mandatory requirements of the Code are not subject to appeal. All procedures shall be consistent with the following requirements:

### **9510.3.1 Requirement to File an Application**

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- A. Complete Abandonment of oil and gas operations: The operator shall submit an application to the City Manager upon intentional abandonment of the entire oil and gas operation or site. The application for abandonment and site restoration proceedings shall be submitted 180 calendar days prior to the planned shutdown of all the facilities.
- B. Partial Abandonment of oil and gas operations: If any portion of the oil or gas site is being abandoned, or if a well is being re-abandoned, the operator shall submit an application to the City Manager for partial abandonment of oil or gas operations. Said application shall be submitted not later than 30 calendar days prior to abandonment or re-abandonment of wells involving no more than 10% of the total number of wells on site or 10 wells, whichever is more; all other applications shall be submitted not later than 180 calendar days prior to abandonment, re-abandonment or restoration.
- C. Other Events Requiring an Application. The operator shall submit an application for abandonment, re-abandonment, and site restoration proceedings to the City Manager upon any of the following:
  - 1. Any event or condition designated in an existing City permit or entitlement that would require consideration of abandonment. The Application shall be submitted 90 days in advance of the event or condition. If the event or condition cannot be known until after it occurs, the application must be submitted within 15 days of the event or condition.
  - 2. Upon order of DOGGR. The application shall be submitted within 30 days of a DOGGR order to abandon, re-abandon, and restore the site, provided, however, that if the operator timely appeals such an order of the DOGGR, it shall have no obligation hereunder until 30 days after a final decision affirming such order.
- D. Nothing in this ordinance shall limit the City's police powers. The City may require those measures reasonably necessary to address specific site or operational conditions that threaten public health, morals, safety or general welfare, which measures could include partial or complete abandonment.

### **9510.3.2 Content of Application**

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The application shall be in a form and content specified by the City Manager and this Section. The application shall contain the following:

- A. Name, address, and contact information for the permittee.
- B. Name, address, and general description of the permitted land use.
- C. Gross and net acreage and boundaries of the subject property.
- D. Location of all structures, above and underground, proposed to be removed.
- E. Location of all structures, above and underground, proposed to remain in-place.
- F. Locations of all structures, above and underground, proposed for development, if any.
- G. Location of all wells, including active, idled, abandoned or re-abandoned wells, including distances from site boundaries, and existing structures. Each well shall include the DOGGR well name and number, as well as the American Petroleum Institute (API) well number. If available, the location of the wells shall be identified with the name of the operator and well designation.
- H. An American Land Title Association (A.L.T.A) survey of the site, showing all improvements, easements, rights-of-way, and other elements impacting the ownership of land.
- I. Location of all utilities on the subject property.
- J. Location of all easements on or adjacent to the subject property that may be affected by demolition or reclamation.
- K. To the extent known, the type and extent of all contamination and proposed remedial actions to the level of detail that can be assessed through environmental review. This information does not require a new or modified Phase 2 site assessment in advance of any requirement by the Fire Department or State agencies with regulatory oversight of site assessments.
- L. Location of areas of flood, geologic, seismic, and other hazards.
- M. Location of areas of archeological sites, habitat resources, prime scenic quality, water bodies, and significant existing vegetation.
- N. Location and use of all structures within 100 feet of the boundaries of the subject property.



- O. A proposed abandonment and restoration plan that details the activities for the proposed action, including the following details: hours of operation, estimated number of workers required on site to decommission facilities and structures or to otherwise abandon or re-abandon wells, disposition of equipment and structures proposed for decommissioning, projected method and routes of transporting equipment, structures, and estimated debris from the site to the place of disposition as well as the number of trips required, and an estimated schedule for decommissioning the facilities or completion of the work.
- P. A proposed waste-management plan to maximize recycling and minimize wastes.
- Q. Other permit applications that may be required by the Code to retain any existing structures, roadways, and other improvements to the property that were ancillary to the oil or gas operations and are proposed to be retained to support other existing or proposed uses of the property following abandonment of the oil or gas operations.
- R. A proposed grading and drainage plan.
- S. A proposed plan to convert the site to natural condition or convert to other proposed land use, including a detailed schedule for restoring the site. In the latter case, include other applicable permit applications required, if any, for the proposed land use.
- T. A statement of intent regarding the disposition of utilities that served the oil and gas operations, including fire protection, power, sewage disposal, transportation, and water.
- U. Measures proposed to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, smoke, traffic congestion, vibration) and to prevent danger to life and property.
- V. A copy of DOGGR approval to abandon, re-abandon or remediate well(s).
- W. A leak test report for each abandoned well on the site that meets the requirements of Section 9537.
- X. For abandonment or restoration in any circumstances where the permit is approved by the City Manager without Planning Commission action, proof of mailed notice of intent to seek a permit to abandon or restore to the owner of record on the latest assessment roll for neighboring parcels within 500 feet of the oil and gas site property boundaries. The notice shall generally describe the scope of the activity being proposed.
- Y. Any other information deemed reasonably necessary by the City Manager to address site-specific factors.

### 9510.3.3 Permitting Specifications

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- A. Application Filing. The City Manager shall process complete applications for permits after determining the applications to be complete in compliance with Section 9510.3.2 of this ordinance, and submit applications subject to initial Planning Commission review to the Planning Commission with a recommendation regarding approval if the findings in Section 9510.3.4 are met. An application shall not be complete unless the applicant has made a deposit for the estimated direct and indirect costs of processing the application. The applicant shall deposit any additional amounts for the costs to process the application, including legal review, within 15 days of request by the City Manager. Upon either completion of the permitting process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the direct and indirect costs of processing.
- B. Independent or concurrent processing of applications. For applications subject to initial Planning Commission review, the Planning Commission shall process complete applications for abandonment and site restoration permits independently of any other permit applications to develop the site in question, unless the City Manager makes the determination that the concurrent processing of abandonment and site restoration permits and development permits for the same site do not unduly hinder timely restoration of abandoned sites or result in long delays in securing approval of development permits.
- C. Demolition and restoration permit shall supersede. Upon approval of a demolition and restoration permit subject to initial approval by the Planning Commission, or upon abandonment of operations, whichever occurs later, the demolition and reclamation permit shall supersede any inconsistencies in the discretionary permit approved for construction and operation of the facilities.
- D. Conditions of Permit. In addition to any other requirements of this Code, any permit for abandonment, re-abandonment or restoration shall be subject to the following requirements regardless whether initially approved by the City Manager or the Planning Commission:
1. Oil well abandonment shall be performed by oil service company contractors licensed to do business in the city.
  2. All equipment and surface installations used in connection with the well which are not necessary, as determined by the City Manager or Planning Commission, for the operation or maintenance of other wells on the drill or operation site shall be removed from the site.
  3. The abandoned site or portions of the oil and gas site shall be restored to its original condition or as nearly as is practical given the nature of the location and continuing uses for an oil and gas site, so long as the restoration will not adversely impact ongoing oil and gas production operations.

4. All sumps, cellars, and ditches which are not necessary for the operation or maintenance of other wells on the oil or gas site shall be cleaned out and all oil, oil residue, drilling fluid, and rubbish shall be removed to reduce hydrocarbons to standards acceptable to federal, state, or local agencies. All sumps, cellars, and ditches shall be leveled or filled. Where such sumps, cellars, and ditches are lined with concrete, the operator shall cause the walls and bottoms to be broken up and all concrete shall be removed.
5. The portions of the site not necessary for continuing oil or gas site operations shall be cleaned and graded and left in a clean and neat condition free of oil, rotary mud, oil-soaked earth, asphalt, tar, concrete, litter, and debris.
6. All public streets, alleys, sidewalks, curbs and gutters, and other places constituting public property which may have been disturbed or damaged in connection with any operation, including operations for the abandonment or re-abandonment of the well shall be cleaned, and, except for ordinary wear and tear, shall be repaired and restored to substantially the same condition thereof as the same existed at the time of issuance of the permit, or at the time operations were first commenced in connection with the drilling, operation, or maintenance of the well.
7. A copy of written approval of DOGGR confirming compliance with all state abandonment proceedings for all abandoned facilities must be furnished to the City Manager.
8. Proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property.

#### **9510.3.4 Findings Required for Approval**

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In addition to the findings specified in 9172.21 of the Code, for permits the City Manager or Planning Commission shall also make affirmative findings based on the following criteria:

- A. The subject site will be restored and remediated to its pre-project conditions unless areas within the site are subject to approved development, in which case restoration and landscaping of these areas will conform to the permitted development. In cases where development is proposed but not yet permitted, restoration of affected areas to natural conditions may be waived by the Planning Commission; provided, the development is permitted within five years and the permittee has posted financial assurances acceptable to the City Manager to ensure restoration to natural conditions if the proposed development is not permitted.

B. The proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property

C. The permit conditions comply with Section 9510.3.3 and contain specific enforceable requirements to ensure the timely completion of any abandonment or re-abandonment of wells, restoration activities or cessation of other oil and gas site operations subject to the permit.

## **9511 Operational Noticing**

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A. Each operator shall submit copies of notices provided to or received from DOGGR, to the City Manager, within ten business days of transmission or receipt of such notices, as applicable. These shall include: designation of agents, notice of intent to drill a new well, division approvals (permit to conduct well operations, notice and permit to drill, permit to rework/redrill well (p-report), enhanced recovery project approval, water-disposal project approval, commercial water-disposal approval), notice of intention to rework/redrill well, notice of intention to abandon/re-abandon well, supplementary notices, report of property transfer forms and any inspection reports or notices of violation, as these notices may be updated or amended. All other DOGGR notices or other DOGGR communications shall be submitted at the discretion of the City Manager.

B. The operator of (or any person who acquires) any well, property, or equipment appurtenant thereto, whether by purchase, transfer, assignment, conveyance, exchange or otherwise, shall each notify the City Manager within ten business days of the transaction closing date. The notice shall contain the following:

1. The names and addresses of the person from whom and to whom the well(s) and property changed.
2. The name and location of the well(s) and property.
3. The date of acquisition.
4. The date possession changed.
5. A description of the properties and equipment transferred.
6. The new operator's agent or person designated for service of notice and his address.

C. The operator of any well shall notify the City Manager, in writing, of the idling of any well. The operator shall notify the City Manager in writing upon the resumption of operations of an idle well giving the date thereof.

- D. The operator shall report any violations of state or federal laws that occur on an oil and gas site to the City Manager within 30 days of their date of documentation by a state or federal agency.

## **9512 Complaints**

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All complaints related to activities regulated by this ordinance received by the operator shall be reported within one business day to the City Manager. If the complaint is received after normal business hours, it shall be reported to the City Manager the next business day. In addition, the operator shall maintain a written log of all complaints and provide that log to the City Manager on a quarterly basis.

## **9513 Injunctive Relief**

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In addition to any administrative remedies or enforcement provided in this Code, the City may seek and obtain temporary, preliminary, and permanent injunctive relief to prohibit violation or mandate compliance with this Code. All remedies and enforcement procedures set forth herein shall be in addition to any other legal or equitable remedies provided by law.

## **9514 Notice of Violation and Administrative Fines**

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- A. The operator shall also be subject to a fine for violation of any requirement of a CUP or this ordinance as determined by the City Manager, subject to the following:
1. Depending on the specific type and degree of the violation, the operator in violation may be penalized at a rate of up to \$10,000 per day, per violation, until it is cured, but in no event, in an amount beyond that authorized by state law. The City Manager will develop a violation fine schedule for Council approval to specifically identify the fines associated with oil or gas site violations. This violation fine schedule may also include nuisance violations.
  2. In the event of a violation of any of the City's permitting actions, a written notice of violation and the associated fine determination will be sent to the operator by the City Manager. The operator shall deposit the sum of \$5,000 per well, up to \$100,000, in an interest-bearing trust fund with the City within thirty days of the date of the second violation notice sent to the operator by the City Manager, to establish a draw down account. If the noted violation is not corrected within thirty calendar days to the satisfaction of the City Manager, or if steps satisfactory to the City Manager have not been initiated during that period to affect a cure or to seek modification of the condition, the fine amount cited in the written notice will be deducted from the account. The operator shall reimburse the City for any additional reasonable costs above the amount of the original deposit.

3. The operator has a right of appeal to the City Manager or Commission within 15 days of the written notice or contested determination of compliance. Decisions of the City Manager not appealed within 15 days become final. If the operator appeals to the City Manager or the Commission such that the decision is ultimately reversed and the operator is specifically designated the “prevailing party” by the City Manager or Commission, then the City shall refund the operator the deposit related to the challenged determination.

B. Nothing in this Section or ordinance shall limit the City’s ability to pursue other enforcement procedures, including CUP revocation proceedings, actions to enforce a DA, or other legal or equitable remedies provided by this Code or available under the law. Revocations of a permit or CUP may be done pursuant to Section 9172.28, except that the Commission may choose to amend rather than revoke, and the references to “Director” shall be replaced with “City Manager.”

## **9515 Nuisance Procedures**

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Any violation of this ordinance is hereby declared to be a public nuisance for the purposes of Section 5702, and may be abated pursuant to the procedures set forth in Article V, Chapter 7 (Property Maintenance) of this Code. The procedures for abatement shall not be exclusive, and shall not in any manner limit or restrict the City from otherwise enforcing this ordinance or abating public nuisances in any other manner as provided by law, including the institution of legal action by the City Attorney to abate the public nuisance at the request of the Director in charge of enforcing Article V, Chapter 7 of this Code.

### **9515.1 High-Risk Operations**

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A. Upon determination that any oil and gas production, processing or storage operation meets the definition of high risk operation from Section 9503, the City Manager shall give the operator written notice of the City Manager’s intent to determine the operation a high risk operation under this Section. The intent of this Section shall be to remediate the high-risk operation and bring the oil or gas site and the operator within normal, safe operating standards and protect the public safety, health and environment. The written notice of the intent to determine the operation a high-risk operation shall include:

1. Facts substantiating the determination; and
2. A notice regarding the right to appeal the determination to the Commission within 15 days. During the pendency of any such appeal, the City Manager’s determination shall remain in full force and effect until affirmatively set aside by the Commission. The Commission’s decision shall be supported by substantial evidence, and refusal by the operator to provide access to the operation to allow inspection or investigation to determine compliance as

authorized by this Code or other law shall be deemed evidence the definition of a high risk operation has been met.

B. Along with the determination of the site being a high risk operation, the City Manager may take either or both of the following actions:

1. An investigation of the causes leading up to the high risk determination;
2. Require a mandatory restoration plan to be submitted by the operator. Such plan shall include, but is not limited to:
  - i. A mandatory restoration schedule for bringing the site and operator within normal, safe operating standards. Such schedule does not supersede any timeline for abatement otherwise established for individual outstanding violations.
  - ii. An audit of overall site operation(s):
    - a. The audit shall be conducted by an independent third party approved by the City Manager. Costs associated with the audit shall be borne by the operator;
    - b. The audit shall identify and analyze the root causes leading to the high risk designation;
    - c. The audit shall further identify and analyze other potential areas in overall site operation that could impact the site's ability to operate within safe and normal standards (e.g. personnel training, operational policies, internal procedures, etc.);
    - d. Provide a plan for remediating all issues identified in the audit, including a mandatory schedule for remediating those issues. Such restoration plans shall be subject to approval by the City Manager.
    - e. The audit may be ordered in lieu of, or in addition to the investigation undertaken by the City Manager.
  - iii. Any other requirements the City Manager deems necessary to bring the site and operation within normal, safe operating standards for the purposes of protecting the public safety, health and environment.

- C. The operator of the high risk operation shall carry out the approved restoration plan and shall be responsible for paying all reasonable costs associated with the implementation of the plan, including:
1. City staff time in enforcing these provisions at an hourly rate that provides for full cost recovery of the direct and indirect costs. Staff time shall include, but is not limited to, the ongoing monitoring and verification of compliance with the approved restoration plan;
  2. Investigative, research (including legal research) and consulting costs associated with preparation of the restoration plan;
  3. Third party costs for investigation, consultation, engineering, clean-up, operator staff training, operations and all other related costs necessary to carry out the restoration plan;
  4. Any other costs necessary to remediate the high risk operation as ordered by the City Manager.
- D. At the sole discretion of the City Manager, at any time during which a site or operator is subject to this Section, the City Manager may require a bond be posted to cover the cost of remediating the causative problems of the high risk operation.
- E. The determination of high risk operations shall continue to apply until the goals and guidelines of the restoration plan established hereunder is achieved. The high risk operator shall notify the City Manager when a milestone in the restoration plan has been satisfied. The City Manager may conduct independent verification of the compliance upon such notification. The restoration plan may be amended from time to time as necessary to achieve the purposes of this Section. Upon a determination by the City that the goals and guidelines of the restoration plan have been achieved, the City shall notify the operator in writing that the site is no longer a high risk operation.
- F. Failure of the operator of a high risk operation to post a bond required under this Section, prepare the restoration plan within a reasonable timeframe as ordered by the City Manager, or to reasonably achieve the goals and guidelines of an approved restoration plan under this Section, may be cause for a shutdown of the high risk operation(s) or any other petroleum operations located in the City that are co-owned or co-operated by the high risk operator, at the discretion of the City Manager.
- G. The operator of a high risk operation shall compensate the City for any costs associated with the enforcement of this Section within 30 days of written demand by the City Manager. Any City costs associated with enforcement of this Section, which are not promptly paid by the operator shall be subject to enforcement by tax bill lien or other collection methods at the discretion of the City.
- H. The City may institute legal proceedings to require compliance provisions with this Section.



## **9516 Compliance Monitoring**

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A. Environmental Compliance Coordinator(s). The City may hire Environmental Compliance Coordinators as needed to oversee the monitoring and condition compliance requirements of the City's permitting actions subject to regulation under this ordinance, the costs of which shall be reimbursed by operator. The number of Environmental Compliance Coordinators shall be determined by the City and shall take into account the level of oil and gas operations associated with the project site. The Environmental Compliance Coordinator(s) shall be approved by, and shall report to, the City Manager consistent with the City Manager's authority under Section 2107 of this Code. The responsibilities of the Environmental Compliance Coordinator(s) shall be determined by the City for the project site and shall generally include:

1. Monitoring of oil and gas sites for compliance with this ordinance as it relates to construction, drilling, operational or abandonment and site restoration activities as determined by the City Manager.
2. Taking steps to ensure that the operator, and all employees, contractors and other persons working in the project site, have knowledge of, and are in compliance with all applicable provisions of the conditional use permit or development agreement.
3. Reporting responsibilities to the various City departments with oversight responsibility at the project site, as well as other agencies such as DOGGR, and SCAQMD.

B. Compliance Deposit Account. An applicant must establish a compliance deposit account with the City within 30 days of receiving authorization for a CUP or DA from the City. The compliance security deposit amounts shall be determined by the City Manager, and shall be based on the nature and extent of the compliance actions required.

## **9517 Financial Assurances Applicability**

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A. Sections 9518 through 9520 shall apply to any person who operates any oil or gas site involved in exploration, production, processing, storage or transportation of oil or gas extracted from reserves in the City of Carson:

B. This ordinance shall not apply to the change of operator of the following:

1. Sales gas pipelines operated by a public utility and regulated by the California Public Utilities Commission;

2. A change of ownership consisting solely of a change in percentage ownership of a site and which does not entail addition or removal of an owner or affect any financial guarantee or bonds for a permit, CUP, and/or DA.

## **9518 Operator's Financial Responsibilities**

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The applicant shall be fully responsible for all reasonable costs and expenses incurred by the City or any City contractors, consultants, or employees, in reviewing, approving, implementing, inspecting, monitoring, or enforcing this ordinance or any CUP, DA, or permit, including but not limited to, costs for permitting, permit conditions implementation, mitigation monitoring (including well abandonment and re-abandonment), reviewing and verifying information contained in reports, inspections, administrative support, and including the fully burdened cost of time spent by City employees, City Attorney, or third-party consultants and contractors on such matters.

## **9519 Securities and Bond Requirements**

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The operator or any contractor of any oil and gas operation subject to this ordinance shall provide, or cause to be provided, the securities and bond requirements described below

- A. The operator shall file a faithful performance bond with the City Manager consistent with the following bonding requirements:
  1. The City Manager shall determine the amount of the bond based on the total number of wells, proposed operations, size and nature of the property, appropriate environmental studies on the property, including a Phase I, II or Human Health Risk Assessment Reports and other relevant conditions related to the proposed wells or operations at a specific oil or gas site, and recognized commercial standards.
  2. The amount of the bond shall be sufficient to assure the completion of the abandonment, necessary re-abandonment, site restoration, to the extent not fully covered by DOGGR bonds, and remediation of contamination of the oil or gas site if the work had to be performed by the City in the event of forfeiture. The performance bond shall be inflation indexed to ensure the amount of the bond shall be sufficient to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas site. The bond shall be available within a time frame to allow the City to undertake related activities in a timely manner, including at least half for immediate access and use in the event of an emergency as determined by the City Manager.
  3. Prior to expansion of an oil or gas site, the operator shall apply to the City Manager for a determination of the amount of the bond necessary to ensure completion for both the existing

and expanded operations. In addition, every bond shall be re-assessed by the City Manager every 5 years to ensure the amount is sufficient to ensure the completion of the abandonment, site restoration, and remediation of contamination of the oil or gas site.

4. Upon application by the operator, the City Manager may reduce bonding amounts based upon change of physical circumstances, completion or partial completion of work, or significant reduction in cost to perform the work. In no event shall the amount of the bond be reduced to an amount insufficient to complete any remaining work, nor shall the bond be reduced due to economic hardship or similar considerations.
  5. After completion of all abandonment and site restoration requirements, the bond shall be maintained in a sufficient amount to ensure remediation of contamination at the oil or gas site for a period not less than 15 years.
  6. In no event shall the bonding amount required by the City be less than \$10,000 per well.
  7. The bond may be drawn only from a qualified entity without any economic interests or relationship with the operator and any related economic entities related thereto, and bonds must have a minimum rating of “A” as rated by either Standard & Poor's Financial Services LLC or Moody's Investors Service. The City Manager shall receive all pertinent information related to the bond and bonding entity prior to issuance of a final approved permit, CUP, or DA.
- B. In lieu of these bonding requirements, an operator may also submit any other legally adequate and binding financial mechanism, subject to City Attorney approval, to satisfy the monetary assurance requirements set by the City Manager to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas site.
- C. For any evaluation of bonding amounts by the City Manager in this Section, or evaluation of a financial mechanism proposed in lieu of a bond by the City Attorney, the operator shall deposit the estimated costs with the City Manager with the application, and shall also make any additional deposit(s) within 30 days of written request by the City Manager. The City Manager may retain consultants or other experts in the industry to assist in deriving a commercially reasonable bond amount.

## **9520 Operator Liability Insurance**

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The operator of any oil and gas operation subject to this ordinance shall provide, or cause to be provided, the insurance described below for each oil and gas site during the pendency of oil and gas operations. The operator or contractor must provide to the City sufficient documentation that the insurance complies with

the minimum requirements and coverage amounts of this Section before a permit may be issued.

A. General provisions regarding insurance:

1. The operator or any contractor shall pay for and maintain in full force and effect all policies of insurance described in this Section with an insurance company(ies) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide.
2. In the event any policy is due to expire, the operator or any contractor shall provide a new certificate evidencing renewal of such policy not less than 30 calendar days prior to the expiration date of the expiring policy. Upon issuance by the insurer, broker, or agent of a notice of cancellation in coverage, operator or any contractor shall file with the City Manager a new certificate and all applicable endorsements for such policy.
3. Liability policies shall name as "additional insured" the City, including its officers, officials, agents, employees and authorized volunteers.
4. All policies shall be endorsed to provide an unrestricted 30 calendar day written notice in favor of City of policy cancellation of coverage, except for: 1) non-payment, which shall provide a 10-day written notice of such cancellation of coverage, and 2) the Workers' Compensation policy which shall provide a 10 calendar day written notice of such cancellation of coverage.
5. The operator shall present to the City Manager copies of the pertinent portion of the insurance policies evidencing all coverage and endorsements required by this Section before the issuance of any permit subject to this ordinance, and the acceptance by the City of a policy without the required limits or coverage shall not be deemed a waiver of these requirements. The City may, in its sole discretion, accept a certificate of insurance in lieu of a copy of the pertinent portion of the policy pending receipt of such document by the City. After the issuance of the permit, the City may require the operator to provide a copy of the most current insurance coverage and endorsements for review at any time. The operator will be responsible for paying an administration fee to cover the costs of such review as may be established by the City's fee schedule.
6. Claims-made policies shall not be accepted except for excess policies and environmental impairment (or seepage and pollution) policies.

7. Insurance coverage shall be reviewed by the City Manager as required by Section 9509 to ensure adequate insurance is maintained.

B. Required insurance coverage:

1. Commercial or comprehensive general liability insurance:
  - i. Bodily injury and property damage coverage shall be a minimum combined single limit of \$2,000,000 per occurrence \$2,500,000 in the aggregate. This coverage must include premises, operations, blowout or explosion, products, completed operations, blanket contractual liability, underground property damage, underground reservoir (or resources) damage, broad form property damage, independent contractor's protective liability and personal injury.
  - ii. Environmental impairment (or seepage and pollution) coverage shall be either included in the comprehensive general liability coverage or as separate coverage. Such coverage shall not exclude damage to the lease site. If environmental impairment (or seepage and pollution) coverage is written on a "claims made" basis, the policy must provide that any retroactive date applicable precedes the effective date of the issuance of the permit. Coverage shall apply to sudden and accidental pollution conditions resulting from the escape or release of smoke, vapors, fumes, acids, alkalis, toxic chemicals, liquids, oil and gas, waste material, or other irritants, contaminants or pollutants. Such policy shall provide for minimum combined single limit coverage of \$2,000,000 per occurrence and \$2,500,000 in the aggregate. A discovery period for such peril shall not be less than ten years after the occurrence.
2. Commercial automobile liability insurance: Minimum combined single limit of \$1,000,000 per occurrence for bodily injury and property damage. The policy shall be at least as broad as the most current version of Insurance Services Office (ISO) Business Auto Coverage Form CA 00 01 and shall include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Section 1, subsection A.1 entitled "Any Auto")
3. Worker's compensation insurance: Maintain the minimum statutory requirements, coverage which shall not be less than \$1,000,000 for each occurrence.
4. Excess (or umbrella) liability insurance: Minimum limit of \$25,000,000 providing excess coverage for each of the perils insured by the preceding liability insurance policies, except for underground reservoir (or resources) damage.

5. Control of well insurance (only during drilling or re-working):
    - i. Minimum limit of \$40,000,000 per occurrence, with a maximum deductible of \$500,000 per occurrence.
    - ii. Policy shall cover the cost of controlling a well that is out of control, drilling or restoration expenses, and seepage and pollution damage. Damage to property in the operator's care, custody and control with a sub-limit of \$500,000 may be added.
  6. Self-Insurance: The operator shall have the option to self-insure if insurance is not commercially feasible to obtain and maintain in the commercial insurance market, as certified by a written report prepared by an independent insurance advisor of recognized national standing, for the following types of insurance required by this Subsection: Excess (or umbrella) liability insurance, control of well insurance, and environmental impairment (or seepage and pollution) coverage. The operator shall provide a certificate for self insurance subject to approval by the City Manager and Risk Management, and to the City Attorney for approval as to legal sufficiency. To the extent said insurance is limited to amounts less than that required by this ordinance, the operator must first obtain available insurance coverage to the extent it is commercially feasible, and then shall self insure for the remaining amount.
- C. Failure to maintain coverage: Upon failure of the operator, or contractors to provide that proof of insurance as required by this Section when requested, the City Manager may order the suspension of any outstanding permits and petroleum operations of the operator until the operator provides proof of the required insurance coverage.

## **Part 2. Development Standards for Petroleum Operations**

The following Sections of Part 2 apply only to those operations subject to a CUP or DA, except for those existing operations as noted in Section 9501.B.

### **9521 Setback Requirements**

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- A. The surface locations of wells and tanks within an oil and gas site shall not be located within:
  1. One thousand feet (1,000 feet) of the property boundaries of any public school, public park, clinic, hospital, long-term health care facility.
  2. One thousand feet (1,000 feet) of the property boundaries of any residence or residential zone, as established in this Code, except the residence of the owner of the surface land on which a

well might be located and except a residence located on the land which, at the time of the drilling of the well, is under lease to the person drilling the well.

3. One thousand feet (1,000 feet) of the property boundaries of the commercially designated zone CN, CA, MU-CS or MU-SB (see Table 1-1), as established by this Code.
4. Fifty feet (50 feet) of any dedicated public street, highway, public walkway, or nearest rail of a railway being used as such.

B. For all injection wells, the Applicant shall provide a copy of the area of review (AOR) study, consistent with the requirements of Title 14 California Code of Regulations Section 1724.7, as per DOGGR.

C. Legally existing oil and gas operations that do not meet the setback requirements and were conforming immediately before the effective date of this ordinance are not considered non-conforming uses and are not made subject to Article IX, Chapter 1, Part 8, Division 2 (Nonconformities) of this Code by this ordinance. Such operations may continue to lawfully operate to the extent the operations can demonstrate to the City vested rights as of the effective date of this ordinance, but are prohibited for expanding operations beyond those demonstrated vested rights. Vested rights for a particular well may be demonstrated by the existence of an installed conductor in a cellar for that well or any other method established by law. The operator can replace structures and equipment required for oil and gas operations that are damaged, have failed, are at risk of failure, or are at the end of their useful life. Said replacements shall be made with like-kind structures and equipment that does not expand capacity or structural footprint. If the operator can demonstrate that such structure or equipment is not reasonably available or appropriate for current operational practices, the City Manager may approve minor expansion of equipment or structure upon findings the proposed changes are minor and do not constitute or tend to produce an expansion or intensification of capacity for the site. For existing oil and gas facilities and operations that do not meet the setback requirements as of the effective date of this ordinance, drilling of new wells is prohibited unless the operator can demonstrate vested rights for each new well.

D. Consolidation and Relocation Incentives.

1. Existing Uses in Setback: For existing wells legally operating within the prohibited setback identified in Section 9521.A, an operator can exchange wells, either existing or vested, at a 1:2 ratio to another (new or existing) receiving site(s) without counting toward new development that would require a CUP or DA.

2. Existing Uses Outside Setback: For existing wells legally operating outside the prohibited setback, an operator can exchange only wells actually existing at the time of the ordinance (not vested or hypothetical wells) at a 1:1 ratio to another existing receiving site(s) without counting toward "new development" that would require a CUP or DA. The contributing site must be completely abandoned before wells can be constructed at any receiving site. The operator must completely abandon all surface rights to the contributing site (i.e., no future oil and gas operations to occur at the site) and provide acceptable proof to the City of the same. All receiving sites must exist and have active operations as of the date of approval of this ordinance.
3. For All Consolidation or Relocation: The operator must provide the City with notice of intent to transfer prior to abandonment of any well(s) or contributing site intended to be consolidated or relocated. Transfers may occur at any time after abandonment is complete and the rights may be "banked" and assigned to another operator upon notice to the City. No well can be transferred more than one time. The receiving well location or site must be located at least 1,000 feet from the property boundaries identified in Section 9521.A.1-3, and comply with Section 9521.A.4 outside of the prohibited setback. The receiving site cannot expand by more than 10 wells from any source or exchange, in addition to those existing or vested, without being considered new development. The receiving site must also extract petroleum from the same oil or gas field; consolidation or relocation between fields is prohibited for incentive purposes. All receiving sites must comply with Section 9501.B for sites not required to obtain a new CUP.

## **9522 Site Access and Operation**

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The following measures shall be implemented throughout the operation of any oil and gas site or project subject to this ordinance:

### **9522.1 Deliveries**

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For oil and gas sites located in non-industrial areas or for delivery routes, other than designated truck routes, that pass through or adjacent to prohibited zones as listed in Table 1-1, (a) deliveries to the oil or gas sites shall not be permitted after 6:00 p.m. and before 8:00 a.m., except in cases of emergency and (b) no deliveries shall be permitted on Saturdays, Sundays or legal holidays, except in cases of emergency.

### **9522.2 Construction Time Limits**

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Construction of permanent structures, workovers and other maintenance, including replacement in kind, shall not be permitted after 7:00 p.m. and before 7:00 a.m., or during Saturdays, Sundays, or legal holidays,



except in the event of an emergency as approved by the City Manager. The drilling or re-drilling of wells is not subject to construction time limits.

### **9522.3 Oil and Gas Site Parking**

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A. At all times during the construction and operation of any oil and gas site, parking facilities shall be provided for all vehicles associated with the oil or gas site at a rate of 1 parking space per shift-employee. If approved as part of a CUP or a DA, parking for vehicles of employees or workers engaged in any oil or gas site activities can also be provided by the operator at off-site parking lots or in parking facilities, other than public streets, at locations other than the oil or gas site. The operator shall prohibit personal parking on City streets by operator, permittees, contractors, or consultant staff. If the parking lot or parking facilities are not located within a reasonable walking distance of the controlled drill site, the operator shall provide transportation to and from the parking site for employees and workers.

B. At all times vehicular access to an oil and gas drill site shall be provided in accordance with the plans for vehicular access reviewed and approved by the City Engineer, except for operations existing prior to the effective date of this ordinance..

C. All entrances to an oil and gas site shall be equipped with sliding or swinging gates which shall be kept closed at all times except when authorized vehicles are entering or leaving the oil and gas site.

D. When traffic lanes on any public street are closed or impaired by the operator 's operations, flagmen, and safety officers as required by the L.A. County Sheriff's office shall be provided by the operator at all such times to control traffic and maintain traffic flow.

### **9523 Lighting**

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Except for oil and gas sites located within industrial zones, and located farther than 1,000 feet from any prohibited zone as listed in table 1-1, all lighting sources that may be introduced on a site in support of nighttime operations, at the onset and throughout all operations at an oil and gas site shall be screened and directed to prevent light or glare from passing beyond site boundaries. Outdoor lighting shall be restricted to only those lights that are required by Article VIII of this Code for lighting building exteriors and safety and security needs.

### **9524 Aesthetics**

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The following measures shall be implemented for all projects that are subject to this ordinance:

### **9524.1 Landscaping/Visual Resources**

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- A. Prior to any new development, the operator shall implement a landscaping plan prepared by a licensed landscape architect, that has been approved as part of a CUP or a DA, which provides adequate screening and blending of the facilities so that the site shall not appear unsightly or aesthetically deficient compared with the surrounding character of the area. Except for oil and gas sites located within industrial zones, all tanks shall not extend more than twenty feet above the surface of any site, unless otherwise approved in a CUP or DA.
- B. Within six months after the completion of activities related to the drilling or re-drilling of a well and the removal of the drilling well mast/rig, any oil and gas site shall be landscaped with suitable shrubbery and trees in accordance with a plan approved by the Planning Commission, unless the site is to be otherwise developed in such a manner that would preempt re-vegetation requirements.
- C. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, if any drilling masts are in place on an oil and gas site for a time period of more than one year and are visible from public viewing points, then the operator shall wrap all such masts to reduce their visibility prior to the onset of operations at an oil and gas site.

### **9524.2 Walls**

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Prior to commencement of operations at an oil or gas site the following development standards shall be satisfied:

- A. All oil and gas sites shall be enclosed with a wall not less than six feet (6 feet) high, which shall be of a material and texture that blends in with the surrounding environment and is not visually obtrusive. There shall be no aperture below the wall larger than one foot (1 foot) in height.
- B. The wall enclosure around the oil and gas site shall have a setback of twenty-five feet from all property lines. The gate or entrance through the wall shall remain locked at all times and constructed in a manner to prevent the public from coming closer than twenty-five feet to the pumping facilities. Pursuant to the approval of the CUP, the location of the wall may be modified subject to compliance with the California Fire Code as approved in a CUP or DA with modifications as applicable.
- C. The entire outside facing length of the wall must be coated with anti-graffiti paint or solutions.

### **9524.3 Sanitation**

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The oil and gas site shall be maintained in a clean, sanitary condition, free from accumulations of garbage, refuse, and other wastes.

#### **9524.4 Architecture**

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The architectural design of any oil or gas site buildings, equipment, drilling mechanisms or other associated structures shall be consistent with the character of the surrounding community and shall utilize finishing materials and colors which blend in with the surrounding environment and are not visually obtrusive.

#### **9525 Roads**

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The following policies specific to streets or other roads shall apply to all projects for which this ordinance is applicable:

##### **9525.1 Construction of Site Access Roads**

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Private roads and other excavations required for the construction of access roads shall be designed, constructed, and maintained to provide stability of fill, minimize disfigurement of the landscape, prevent deterioration of vegetation, maintain natural drainage, and minimize erosion. Prior to construction of any new road, the operator shall prepare and submit to the Department of Public Works for review and approval a private road construction plan. The operator shall thereafter comply with all provisions of the approved private road construction plan. All new private access roads leading off any surfaced public street or highway shall be paved with asphalt or concrete not less than three inches thick for the length of said access road from the public street or highway.

#### **9526 Signage**

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The following policies apply only to signs visible from the public right of way.

- A. Signage as required by DOGGR or law shall be kept in good legible condition at all times.
- B. No sign other than that described in this ordinance or required by law shall be allowed, other than informational signs, no smoking signs, and other signs as reasonably required for safe operation of the project.
- C. Identification signs shall be posted and maintained in good condition along the outer boundary line and along the walls adjoining the public roads that pass through the oil or gas site. Each identification sign shall prominently display current and reliable emergency contact information that will enable a person to promptly reach, at all times, a representative of the operator who will have the expertise to assess any potential problem and recommend a corrective course of action. Each sign shall also have the telephone number of the City department of planning or zoning enforcement section and the number of SCAQMD that can be called if odors are detected. For existing oil and gas sites, the signs shall be updated when they are replaced or repaired.

## **9527 Steaming**

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The installation of any surface equipment designed to produce steam shall be prohibited without the approval of the City Manager. The operator shall submit a steaming plan addressing equipment sizing and design to the City Manager for review and approval. The operator shall also submit well casing and cementing design specifications as required by DOGGR.

## **9528 Utilities**

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- A. Each oil or gas site shall be served by and utilize only reclaimed water, aside from potable water used for human consumption, unless the use of reclaimed water is deemed infeasible by the City Manager, in which case the following criteria apply:
1. The operator must prepare and submit a supply assessment study of all water resources available for use and submit the study for review to the City Manager.
  2. If the study indicates that potable water is the only feasible alternative then the operator may utilize such a water source only if the operator provides an equal and measurable benefit to the community for such use, as determined by the City Manager.
- B. New electrical power shall be routed underground from the nearest source adequate to meet the needs of the well site.

## **9529 On-Site Storage and Placement of Equipment**

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No equipment shall be stored or placed on the site, which is not either essential to the everyday operation of the oil or gas well located thereon or required for emergency purposes.

## **9530 Safety Assurances and Emergency/Hazard Management**

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The following measures shall be implemented throughout the operation of any oil or gas site or project subject to this ordinance:

### **9530.1 Fire Prevention Safeguards**

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- A. All oil and gas site operations shall conform to all applicable fire and safety regulations, codes, and laws.
- B. The oil and gas site shall be kept free of debris, pools of oil, water or other liquids, weeds, and trash.

- C. Land within twenty-five feet of the facilities shall be kept free of dry weeds, grass, rubbish or other combustible material at all times.
- D. All equipment, facilities, and design shall be approved by the Los Angeles County Fire Department, as applicable, prior to approval of a CUP or DA.

### **9530.2 Blowout Standards and Testing**

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The operator shall comply with DOGGR regulations for blowout prevention and will provide all equipment as stipulated in the DOGGR regulations during the drilling operations of any well.

### **9530.3 Earthquake Shutdown**

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- A. The operator shall immediately inspect all oil and gas-related facilities, equipment, and pipelines following any seismic event with a magnitude of 4.0 or greater with an epicenter within 10 kilometers (km) of the oil and gas site, magnitude 4.5 or greater within 30 km, or magnitude 6.0 within 100 km.
- B. The operator shall either, (1) Operate and maintain an accelerometer at the project site or (2) Obtain real time data from the USGS to determine the earthquake magnitude of any seismic event in the area. The operator shall immediately inspect all project site pipelines, facilities, equipment, storage tanks, and other infrastructure following any seismic event above the thresholds defined in 9530.3.A and promptly notify the City Engineer and the City Manager of the results of the inspection within 24 hours of the seismic event. Shall there be any structural damage or equipment failure as a result of any seismic event, the operator shall isolate and address any damage or equipment failure as appropriate to minimize environmental or safety impacts. The operator shall prepare and submit a written report of all inspections and findings to the City for review with one week of the seismic event.
- C. The operator shall not reinstitute operations at those portions of the project site and associated pipelines damaged by a seismic event until the damage has been repaired and confirmed by the operator to be structurally sound and safe for operation, and has passed any otherwise required inspection. Before returning any damaged structure, fixture or equipment to operation, the operator shall prepare and submit to the City Manager a written report of inspections and repairs of that structure, fixture or equipment, and the results of any required inspection.

### **9530.4 Storage Tank Monitoring**

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The operator shall install tank leak detection monitoring system that will indicate the physical presence of a leaked product underneath storage tanks on site that have the potential to result in soil contamination. The results of the monitoring shall be submitted to the City Manager upon request. The monitoring system required by 14 California Code of Regulations Section 1773.2 is sufficient. This section does not apply to

existing facilities.

### **9530.5 Safety Measures and Emergency Response Plan**

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The operator is responsible for compliance with safety and emergency response requirements.

- A. Copies of all Emergency Response Plans, Emergency Action Plans, Oil Spill Plans, inspections, reports and any emergency response drill training as required by DOGGR, CalEPA, OSHA, Los Angeles County Fire Department, SCAQMD or any other agency shall be submitted to the City.
- B. Safety Audit. The operator shall cause to be prepared an independent third-party audit, under the direction and supervision of the City, of all facilities, once constructed or within 1 year of the adoption of this ordinance, including the well pads, to ensure compliance with the California Fire Code (as may be adopted by the City with modifications as applicable), applicable API and NFPA codes, EPA RMP, OSHA PSM, DOGGR and SPCC and emergency response plans requirements. All audit items shall be implemented in a timely fashion, and the audit shall be updated annually, as directed by the City and the Los Angeles County Fire Department. The operator shall also cause to be prepared a seismic assessment, including walkthroughs, of equipment to withstand earthquakes prepared by a registered structural engineer in compliance with Local Emergency Planning Committee Region 1 CalARP guidance and the seismic assessment shall be updated, with walkthrough inspections, annually to ensure compliance with the codes and standards at the time of installation.
- C. Community Alert System. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, the operator shall implement a community alert notification system, or utilize an existing system operated by the Police, Sheriff or Fire Department, to automatically notify area residences and businesses in the event of an emergency at an oil or gas site that would require residents to take shelter or take other protective actions.

### **9530.6 Transportation of Chemicals and Waste On and Off-site**

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The operator shall implement the following measures throughout the operations of any oil and gas site subject to this ordinance:

- A. Solid Waste Disposal. Solid waste generated on the site shall be transported to a permitted landfill or hazardous waste disposal site as may be appropriate for the life of the operation. The operator shall provide written notice to the City Manager of the landfill or hazardous waste disposal facility being utilized.
- B. Site Waste Removal. The operator shall comply with the following provisions:

1. All drilling and workover waste shall be collected in enclosed bins. Any drilling and workover wastes that are not intended to be injected into a Class II Well, as permitted by DOGGR, shall be removed from the project site no later than thirty days following completion of the drilling and workover.
2. No site waste shall be discharged into any sewer unless permitted by the Sanitation District, or into any storm drain, irrigation system, stream, or creek, street, highway, or drainage canal. Nor shall any such wastes be discharged on the ground.

C. Storage of Hazardous Materials. The operator shall submit to the City Manager a copy of the Hazardous Material Business Plan, as reviewed by the Los Angeles County Fire Department, annually. This plan shall include a complete listing and quantities of all chemicals used onsite, and provide the location of where hazardous materials are stored at the site. Hazardous materials shall be stored in an organized and orderly manner, and identified as may be necessary to aid in preventing accidents, and shall be reasonably protected from sources of external corrosion or damage to the satisfaction of the Fire Chief of the Los Angeles County Fire Department or designee.

#### **9530.6.1 Natural Gas Liquids (NGLs)**

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Throughout the operation of any oil and gas site subject to this ordinance, NGLs, as defined by this code, shall be blended with crude oil for shipment by pipeline to the maximum extent allowable within the technical specifications of the pipeline. Oil transportation pipelines and gas processing facilities shall be designed to maximize the blending of NGLs into the crude oil stream.

#### **9530.6.2 Transportation Risk Management and Prevention Program (TRMPP)**

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If the transportation routes of any product from oil and gas development in the City passes through or adjacent to any prohibited zoning as listed in Table 1-1, excluding designated truck routes, the operator shall prepare and maintain a Transportation Risk Management and Prevention Program which shall be provided to the City Manager upon request. The TRMPP may contain the following components including, but not limited to:

- A. Provisions for conducting comprehensive audits of carriers biennially to assure satisfactory safety records, driver hiring practices, driver training programs, programs to control drug and alcohol abuse, safety incentive programs, satisfactory vehicle inspection and maintenance procedures, and emergency notification capabilities. The operator shall submit to the City any audits that were conducted each calendar year.
- B. Provisions for allowing only carriers which receive a satisfactory rating under the above audit process to transport oil and gas.

- C. Truck loading procedures for ensuring that the loading rack operator and the truck driver both conduct, and document in writing, a visual inspection of the truck before loading and procedures to specify actions to be taken when problems are found during the visual inspection.

### **9530.6.3 Pipeline Leak Detection**

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All new offsite DOT oil pipelines shall use a supervisory control and data acquisition (SCADA-type) monitoring system for leak detection; unless the City Manager determines that there is better available technology that shall be utilized instead. Flow meters used on the SCADA system shall be accurate to within one percent. If a leak is detected the operator shall be responsible for immediately reporting it to the City Manager.

## **9531 Environmental Resource Management**

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Throughout operation of an oil and gas site, the operator shall comply with the following environmental resource management policies:

### **9531.1 General Environmental Program**

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A. Environmental Quality Assurance Program ("EQAP"). The operator shall comply with all provisions of an environmental quality assurance program that has been accepted by the City Manager and approved as part of a CUP or DA. For oil and gas sites that are existing at the time of the adoption of this ordinance and are not required to have a CUP, completion of the requirements of section 9530.5.B satisfies the requirements of section 9531.1. The following provisions relate to the EQAP:

1. EQAP Requirements. The EQAP shall provide a detailed description of the process, individual steps, and submissions, the operator shall take to assure compliance with all provisions of this Section, including but not limited to, all of the monitoring programs called for by this Section.
2. Annual EQAP Reports. Within sixty days following the end of each calendar year, the operator shall submit to the City Manager an annual EQAP report that reviews the operator's compliance with the provisions of the EQAP over the previous year and addresses such other matters as may be requested by the City Manager. The annual EQAP report shall include the following:
  - i. A complete list and description of any and all instances where the provisions of the EQAP, or any of the monitoring programs referred to therein or in this Section, were not fully and timely complied with, and an analysis how compliance with such provisions shall be improved over the coming year.



ii. Results and analyses of all data collection efforts conducted by the operator over the previous year pursuant to the provisions of this Section.

3. EQAP Updates. Proposed updates to the EQAP shall be submitted to the City Manager for approval along with the annual EQAP report. The City Manager shall complete the review of EQAP updates as soon as practicable, and shall either approve the updated EQAP or provide the operator with a list of specific items that must be included in the EQAP prior to approval. The operator shall respond to any request for additional information within thirty days of receiving such request from the City Manager and shall modify the proposed EQAP update consistent with the City Manager's request.

B. Publically Available Monitoring Data. The operator shall be responsible for making current monitoring results and data available to the public unless otherwise required by law. The up-to-date monitoring data and results shall be maintained by the operator. The monitoring results and data shall include the following information:

1. Air quality data (if required to be collected);
2. Wind direction speed (if required to be collected);
3. Seismic events;
4. Water quality monitoring results for both surface and groundwater monitoring locations at an oil or gas site, or from nearby groundwater monitoring location(s) as authorized by the City Manager;
5. Pipeline testing and monitoring results;
6. Vibration (if required to be collected); and
7. Ambient noise levels (if required to be collected).

## **9531.2 Air Quality**

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The operator shall at all times conduct oil or gas site operations to prevent the unauthorized release, escape, or emission of dangerous, hazardous, harmful and/or noxious gases, vapors, odors, or substances, and shall comply with the following provisions:

- A. Odor Minimization. If the site is within 1,500 feet of any prohibited zoning as listed in Table 1-1, or if three (3) odor complaints from three (3) different citizens of the City have been confirmed by the SCAQMD or the City within any 12-month period, at all times the operator shall comply with the

provisions of an odor minimization plan that has been approved by the City Manager. The plan shall provide detailed information about the site and shall address all issues relating to odors from oil or gas operations. Matters addressed within the plan shall include setbacks, signs with contact information, logs of odor complaints, method of controlling odors such as flaring and odor suppressants, and the protocol for handling odor complaints. The odor minimization plan shall be reviewed and updated by the operator on an annual basis to determine if modifications to the plan are required. Any modifications to the odor minimization plan shall be submitted to the City Manager for review and approval. Any operator's submissions to the SCAQMD shall be provided to the City Manager and shall be consistent with Section 9531.2. An odor minimization plan is not required for facilities existing at the time of the adoption of this ordinance if the operator can demonstrate that the facility has not experienced a confirmed odor complaint within the previous 5 years.

B. Portable Flare for Drilling. If the well is within 1,500 feet of any prohibited zoning as listed in Table 1-1, and either the historical operations of the producing zone have exhibited a gas-oil ratio (scf/bbl) of more than 400 or no data is available on the producing zone targeted, the operator shall have a gas buster and a portable flare, approved by the SCAQMD, at the oil and gas site and available for immediate use to remove any gas encountered during drilling and abandonment operations from well muds prior to the muds being sent to the shaker table, and to direct such gas to the portable flare for combustion. The portable flare shall record the volume of gas that is burned in the flare. The volume of gas burned in the flare shall be documented in the operations logs. The operator shall notify the Fire Chief of the Los Angeles County Fire Department and the SCAQMD within forty-eight hours in the event a measurable amount of gas is burned by the flare, and shall specify the volume of gas that was burned in the flare. All other drilling and abandonment operations shall be conducted so that any measurable gas that is encountered can, and will, be retained in the wellbore until the gas buster and portable flare are installed on the rig, after which the gas will be run through the system to flare. The operator shall immediately notify the Fire Chief of the Los Angeles County Fire Department and the SCAQMD in the event any gas from operation is released into the atmosphere without being directed to and burned in the flare.

C. Odor Control for Drilling Operations. If the well is within 1,500 feet of any prohibited zoning as listed in Table 1-1 and either the historical operations of the producing zone have exhibited a gas-oil ratio of more than 400 (scf/bbl) or no data is available on the producing zone targeted, the operator shall use an enclosed mud system that directs all mud vapors through an odor capturing system, such as a carbon bed, to prevent odorous pollutants from passing the site boundaries and impacting the area. An odor suppressant spray system may be used on the mud shaker tables for all drilling operations to ensure that no odors from said operations can be detected at the outer boundary line of the oil and gas site.

- D. Closed Systems. The operator shall ensure that all produced water, gas and oil associated with production, processing, and storage, except those used for sampling only, are contained within closed systems at all times and that all pressure relief systems, including tanks, vent to a closed header and flare-type system to prevent emissions of pollutants. This subsection does not apply to existing facilities.
- E. No open pits are allowed.
- F. Off-Road Diesel Construction Equipment Engines. All off road diesel construction equipment shall comply with the following provisions:
1. Utilize California Air Resources Board ("CARB") EPA Certification Tier III or other methods approved by the CARB as meeting or exceeding the Tier III standard.
  2. Utilize a CARB Level 3 diesel catalyst. The catalyst shall be capable of achieving an eighty-five percent reduction for diesel particulate matter. Copies of the CARB verification shall be provided to the City Manager. Said catalysts shall be properly maintained and operational at all times when the off-road diesel construction equipment is in use. Use of an EPA Certification Tier 4i engine will also satisfy this requirement.
- G. Drill Rig Engines. All drilling rig diesel engines shall comply with the following provisions:
1. Utilize CARB/EPA Certification Tier III or better certified engines
  2. Utilize a CARB Level 3 diesel catalyst. The catalyst shall be capable of achieving an 85 percent reduction for diesel particulate matter. Copies of the CARB verification shall be provided to the City Manager. Said catalysts shall be properly maintained and operational at all times when the off-road diesel construction equipment is in use. Use of an EPA Certification Tier 4i engine will also satisfy this requirement.

### **9531.3 Greenhouse Gas Emissions and Energy Efficiency Measures**

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- A. The operator of an oil and gas site shall completely offset all emissions from the oil and gas site through participation in the statewide cap and trade program, if applicable, or obtaining credits from another program, such as the SCAQMD Regulation XXVII, as approved by the City Manager. On an annual basis, the operator shall provide the City Manager with documentation of the operator's participation in the program. This section does not apply to existing facilities.
- B. Throughout the oil and gas site life, as equipment is added or replaced, cost-effective energy conservation techniques shall be incorporated into project design.

#### **9531.4 Air Quality Monitoring and Testing Plan**

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If the site is within 1,500 feet of any prohibited zoning as listed in Table 1-1, at all times the operator shall comply with the provisions of an air monitoring plan that has been approved by the City Manager. During all well operations, including but not limited to drilling, re-drilling and workover operations, the operator shall continuously monitor for hydrogen sulfide, in a manner that allows for detection of pollutants from all wind directions, as approved by the City Manager. Total hydrocarbon vapors shall be monitored at drilling, workover and processing plant areas as specified in the approved plan. Such monitors shall provide automatic alarms that are triggered by the detection of hydrogen sulfide or total hydrocarbon vapors. The alarms shall be audible and/or visible to the person operating the equipment. Actions to be taken shall be as follows when specified alarm levels are reached:

- A. At a hydrogen sulfide concentration of equal to or greater than five parts per million but less than 10 parts per million, the operator shall immediately investigate the source of the hydrogen sulfide emissions and take prompt corrective action to eliminate the source. The corrective action taken shall be documented in the drilling or workover log. If the concentration is not reduced to less than five parts per million within four hours of the first occurrence of such concentration, the operator shall shut down the drilling or workover operations and equipment in a safe and controlled manner, until the source of the hydrogen sulfide emissions has been eliminated, unless shutdown creates a health and safety hazard.
- B. At a hydrogen sulfide concentration equal to or greater than 10 parts per million, the operator shall promptly shut down the drilling or workover operations and equipment in a safe and controlled manner until the source of the hydrogen sulfide emissions has been eliminated, unless shutdown creates a health and safety hazard. The corrective action taken shall be documented in the drilling or workover log. When an alarm is received, the operator shall promptly notify the Los Angeles County Fire Department, the City Manager, and the SCAQMD.
- C. At a total hydrocarbon concentration equal to or greater than 500 parts per million but less than 1,000 parts per million, the operator shall immediately investigate the source of the hydrocarbon emissions and take prompt corrective action to eliminate the source. The corrective action taken shall be documented in the drilling log for drilling or workover and in the log for the oil and gas site. If the concentration is not reduced to less than 500 parts per million within four hours of the first occurrence of such concentration, the operator shall shut down the drilling or workover, or site operations in a safe and controlled manner, until the source of the hydrocarbon emissions has been eliminated, unless shutdown creates a health and safety hazard.
- D. At a total hydrocarbon concentration equal to or greater than 1,000 parts per million, the operator shall promptly shut down the drilling or workover or operations in a safe and controlled manner, until the source of the hydrocarbon emissions has been eliminated, unless shutdown creates a health and safety

hazard. The corrective action taken shall be documented in the drilling log for drilling or workover and in the log. When an alarm is received, the operator shall promptly notify the Los Angeles County Fire Department - Health Hazardous Materials Division, and the SCAQMD.

E. The City Manager may also require additional monitoring at the closest residential receptor periodically for hydrogen sulfide, hydrocarbons or Toxic Air Contaminants. All the monitoring equipment shall keep a record of the levels of total hydrocarbons and hydrogen sulfide detected at each of the monitors, which shall be retained for at least five years. The operator shall, on a quarterly basis, provide a summary of all monitoring events where the hydrogen sulfide concentration was at five parts per million or higher and the total hydrocarbon concentration was at 500 parts per million or higher to the Fire Chief of the Los Angeles County Fire Department. At the request of the Fire Chief, the operator shall make available the retained records from the monitoring equipment.

## **9531.5 Water Quality**

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The operator shall at all times conduct operations to avoid any adverse impacts to surface and groundwater quality, and shall comply with the following provisions:

### **9531.5.1 Water Management Plan**

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The operator shall comply with all provisions of a potable water management plan that has been approved by the City Manager. The plan shall include best management practices, water conservation measures, and the use of a drip irrigation system. The water management plan shall be reviewed by the operator every three years to determine if modifications to the plan are required. Any modifications to the water management plan shall be submitted to the City Manager for review and approval. This Section does not apply to existing facilities.

### **9531.5.2 Stormwater Runoff**

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Construction Storm Water Pollution Prevention Plan ("SWPPP"). The operator shall maintain and implement all provisions of a storm water pollution prevention plan ("SWPPP") that has been submitted to the Regional Water Quality Control Board, if required. The operator shall provide the City Manager with a copy of the SWPPP, and any future modifications, revisions, or alterations thereof, or replacements therefore upon written or verbal request of the City Manager. The SWPPP shall be updated prior to new construction activities as required by the Regional Water Quality Control Board.

### **9531.5.3 Groundwater Quality**

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A. Prior to any new development, the operator shall prepare and submit a baseline study of all groundwater resources located within and beneath the project site or directly adjacent to the site, to

specifically include an analysis of the location and reservoir characteristics of all existing groundwater resources, a chemical analysis of the groundwater, and an overall assessment of the groundwater quality.

- B. The operator shall not inject any water spoils/wastewater derived from the any oil or gas operations into any non-exempt or DOGGR exempt freshwater aquifers.
- C. Within 30 days of request by the City, the operator shall deposit funds with the City necessary to retain a third party to prepare a hydrological analysis Groundwater Testing Program prior to any construction activities, or alternately, provide comparable analyses performed through the Groundwater Ambient Monitoring and Assessment Program or other reliable source as determined by the City Manager. Depending on the results of the geo-hydrological analyses the City Manager has the discretion to require the operator to install one or more groundwater monitoring wells to allow for confirmation that groundwater is not being affected by oil and gas activities. As part of the Groundwater Testing Program the operator is required to provide the City Manager with annual monitoring and testing results.
- D. The operator shall be responsible for obtaining a field/site study from DOGGR. If DOGGR does not provide this to the operator then the operator shall submit evidence detailing DOGGR's response to their field/site study request to the City Manager for review.
- E. The operator shall provide to the City Manager a copy of the DOGGR Annual Injection Project Review (if the operator is operating a water injection or water disposal well) upon written or verbal request by the City Manager. The operator shall provide to the City Manager the results of any DOGGR required cement casing integrity testing, including radial cement evaluation logs or equivalent upon written or verbal request by the City Manager, before any wells are put into production.

#### **9531.6 Noise Impacts**

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All facilities at an oil or gas site located within 1,000 feet of any prohibited zones, as indicated in Table 1-1, or if noise levels exceed City thresholds as confirmed by the City Manager, operations shall comply with the following provisions:

- A. All noise produced from the site shall conform to the noise thresholds specified in Sections 5500, 5501, 5502, and 5503 of the Code.
- B. Backup alarms on all vehicles operating within 1,000 feet of the prohibited zone in Table 1-1, shall be disabled between the hours of 6:00 p.m. and 8:00 a.m. During periods when the backup alarms are disabled, the operator shall employ alternative low-noise methods for ensuring worker safety during vehicle backup, such as the use of spotters.

- C. Any and all operations, construction, or activities on the site between the hours of 6:00 p.m. and 8:00 a.m. shall be conducted in conformity with a quiet mode operation plan that has been approved by the City Manager. The quiet mode operation plan shall be reviewed by the operator every year to determine if modifications to the plan are required. Any modifications to the quiet mode drilling plan shall be submitted to the City Manager for review and approval. Operations that are existing at the time this ordinance is adopted are exempt from the quiet mode plan submittal requirements but are required to comply with the quiet mode provisions listed in section 9507.1.J.
- D. All noise producing oil and gas site equipment shall be regularly serviced and repaired to minimize increases in pure tones and other noise output over time. The operator shall maintain an equipment service log for all noise-producing equipment.
- E. All construction equipment shall be selected for low-noise output. All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
- F. Unnecessary idling of construction equipment internal combustion engines is prohibited.
- G. The operator shall instruct employees and subcontractors about the noise provisions of this ordinance. The operator shall prominently post quiet mode policies at every oil and gas site if applicable.
- H. All oil operations on the oil and gas site shall be conducted in a manner that minimizes vibration. Additionally, vibration levels from oil or gas operations at the site, as measured from the perimeter of the oil or gas site, shall not exceed a velocity of 0.25 mm/s over the frequency range 1 to 100 Hz.
- I. For all oil and gas operations if noise levels exceed the levels prescribed in Section 5500, 5501, 5502, and 5503 of the Code or the vibration thresholds specified in Subsection (H) of this Section, including those outside of 1,000 feet as indicated above, within 30 days of request by the City Manager, the operator shall deposit funds for the City Manager to retain an independent qualified acoustical engineer to monitor (1) ambient noise levels and (2) vibration levels in the areas surrounding the oil or gas site as determined necessary by the City Manager. The monitoring shall be conducted unannounced and within a time frame specified by City Manager. Should noise or vibrations from the oil or gas site exceed the noise thresholds specified in Sections 5500, 5501, 5502, and 5503, of the Code or the vibration thresholds specified in Subsection (H) of this Section, operation can also be subject to enforcement under this ordinance including notices of violation per Section 9514. No new drilling permits, CUPs, or DAs shall be issued by the City until the operator in consultation with the City Manager identifies the source of the noise or vibration and the operator takes the steps necessary to assure compliance with thresholds specified in this ordinance. The results of all such monitoring shall be promptly posted on the website for the oil or gas site and provided to the City Manager.

## **9532 Standards for Wells**

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The operator shall comply with all of the following provisions:

- A. All DOGGR regulations related to drilling, workovers, operations and abandonment operations.
- B. No more than two rigs shall be present within the oil or gas site at any one time.
- C. All derricks and portable rigs and masts used for drilling and workovers shall meet the standards and specifications of the American Petroleum Institute as they presently exist or as may be amended.
- D. All drilling and workover equipment shall be removed from the site within ninety days following the completion of drilling or workover activities unless the equipment is to be used at the site within thirty days for drilling or workover operations.
- E. All drilling sites shall be maintained in a neat and orderly fashion.
- F. Belt guards shall be required over all drive belts on drilling and workover equipment. Guarding shall be as required by Title 8 of the California Code of Regulations, Section 6622, or as may be subsequently amended.
- G. Aboveground pumpjack assemblies are prohibited for new wells located in non-industrial areas, and new wells in non-industrial areas sites are restricted to the exclusive use of submersible downhole pumping mechanisms for extraction. However, any well already lawfully existing at the time of implementation of this ordinance using a pumpjack assembly may continue to do so. The requirements of this subsection are applicable to all oil and gas sites in all non-industrial zones except where the City Manager determines that the use of submersible downhole pumping mechanisms is infeasible due to technical reasons or other circumstances which would specifically preclude the use of such technology.

## **9533 Standards for Pipelines**

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The operator shall comply with the following provisions related to pipelines throughout operation of an oil or gas site:

### **9533.1 Pipeline Installations and Use**

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- A. Pipelines shall be used to transport oil and gas off-site to promote traffic safety and air quality, unless it can be demonstrated to the satisfaction of the City Manager that a pipeline is infeasible and that transportation of products do not pass through or adjacent to prohibited areas as defined in Table 1-1, except on designated truck routes. Trucking on a temporary basis is allowed with approval of the City Manager.



- B. The use of a pipeline for transporting crude oil or gas may be a condition of approval for expansion of existing facilities or construction of new facilities unless it can be demonstrated to the satisfaction of the City Manager that a pipeline is infeasible and that transportation of products do not pass through or adjacent to prohibited areas as defined in Table 1-1, except on designated truck routes.
- C. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental or economic reasons not to do so, as approved by the City Manager.
- D. New pipelines shall be routed to avoid residential, recreational areas, and schools if possible. Pipeline routing through recreational, commercial or special use zones shall be done in a manner that minimizes the impacts of potential spills by considering spill volumes, durations, and projected spill paths. New pipeline segments shall be equipped with automatic shutoff valves, or suitable alternatives approved by the City Manager, so that each segment will be isolated in the event of a break.
- E. Upon completion of any new pipeline construction, the site shall be restored to the approximate previous grade and condition. All sites previously covered with vegetation shall be reseeded with the same or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established, and to promote visual and environmental quality, unless there are approved development plans for the site, in which case re-vegetation would not be necessary.
- F. Gas from wells shall be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources, unless the AQMD approves the flaring of gas during the temporary operation of an well. Oil shall also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality.

### **9533.2 Pipeline Inspection, Monitoring, Testing and Maintenance**

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- A. Operators shall visually inspect all aboveground pipelines for leaks and corrosion on a monthly basis.
- B. The operator shall install a leak detection system for all offsite DOT regulated oil and gas pipelines. The leak detection system for oil shall include pressure and flow meters, flow balancing, supervisor control and data acquisition system, and a computer alarm and communication system in the event of a suspected leak. The leak detection system for gas pipelines shall include pressure sensors. The accuracy shall be defined once the system is established and tested and approved by the City

Manager. The City Manager may deviate from these requirements to address system specific operating requirements.

- C. Pipe clamps, wooden plugs or screw-in plugs shall not be used for any permanent repair approved by the City Manager.
- D. Pipeline abandonment procedures shall be submitted to the City Manager for review and approval prior to any pipeline abandonment.
- E. Copies of pipeline integrity test results required by any statute or regulation shall be maintained in a local office of the operator and posted online on the same website that provides the monitoring results required in Section 9531.1 for five years and shall also made available to the City, upon request. The City shall be promptly notified in writing by the operator of any pipeline taken out of service due to a test failure.

#### **9534 Temporary Buildings**

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During full production of an oil or gas site no temporary buildings are allowed to be constructed or maintained anywhere at the site.

#### **9535 (Reserved)**

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#### **9536 (Reserved)**

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### **Part 3. Development Standards for Site Abandonment and Redevelopment**

#### **9537 Development Standards**

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The following development standards shall be applied to all redevelopment projects within the footprint of an oil or gas site, including any building permit involving a current or former oil or gas site:

- A. Any demolition, abandonment, re-abandonment, or restoration shall be adequately monitored by a qualified individual, funded by the permittee or operator and retained by the City, to ensure compliance with those conditions designed to mitigate anticipated significant adverse effects on the environment and

to provide recommendations in instances where effects were not anticipated or mitigated by the conditions imposed on the permit or entitlement. Pre-restoration and post- restoration surveys of sensitive biological resources shall be employed as appropriate to measure compliance.

- B. The site shall be assessed for previously unidentified contamination.
  - 1. The permittee shall ensure that any discovery of contamination shall be reported to the City Manager and the Los Angeles County Fire Department.
- C. The permittee shall diligently seek all necessary permit approvals, including revisions to an entitlement or the demolition. Abandonment, re-abandonment and restoration permit, if any are required, in order to remediate the contamination.
- D. The permittee shall be responsible for any cost to remediate the contamination on the site. This ordinance is not intended to limit the permittee or operator's rights under the law to seek compensation from parties who have contributed to contamination of the site.
- E. The permittee shall ensure that appropriate notification has been recorded with the County Recorder to describe the presence and location of any contamination left in place under the authority of the Los Angeles County Fire Department.
- F. All abandoned or re-abandoned wells shall be leak tested subject to the following requirements:
  - 1. All abandoned wells located within on the oil and gas site must be tested for gas leakage and visually inspected for oil leakage. The operator shall apply to the City Manager for an inspection permit to witness the well testing. The leak test shall be completed utilizing a gas detection meter approved in advance by the City Manager, and shall be conducted by a state licensed geotechnical or civil engineer or a state registered environmental assessor, Class II, or the City Manager, or a designee, as determined necessary by the City Manager.
  - 2. The permittee shall prepare and submit a methane assessment report for each tested well prepared per the City of LA Department of Building and Safety "Site Testing Standards for Methane" (P/BC 2014-101), as may be amended. The operator may use the City's consultant to observe the leak test or be responsible for City consultant test fees. Following satisfactory test results as per the City of LA Department of Building and Safety standards, a well vent and vent cone shall be installed to the satisfaction of the City Manager and in compliance with the recommendations contained in the methane assessment report.
  - 3. The submitted methane assessment report shall be prepared by a state licensed geotechnical or civil engineer. A well shall be considered leaking if the leak test report indicates the meter

read is greater than Level II as defined by the City of LA Department of Building and Safety “Site Testing Standards for Methane”, which is set at 1,000 parts per million.

4. An approved methane assessment report is valid for 24 months from approval by the City Manager. If an abandonment permit has not been issued by this time, retesting shall be required. Following all testing and inspection, the test area shall be returned to its previous state to the satisfaction of the City building official.
5. If there has not been a change to the well, no leak test is required if a valid methane assessment report, accepted by the City Manager and showing no leaks in excess of the leak limit, has been completed for an abandoned or re-abandoned well within the prior 24 months.

G. Prior to any development or redevelopment of a current or former oil or gas site, or prior to abandoning or re-abandoning any well, the operator shall:

1. Obtain permit(s) and abandon all idled wells consistent with Section 9510.3 and provide a certificate of compliance to show that the wells and/or sites are abandoned consistent with standards recommended or required by DOGGR to the satisfaction of the City Manager. Permits shall not be required if the idled well is scheduled to produce oil or natural gas, or to be used for injection, as part of the development or redevelopment of a former oil or gas site and if said production or injection occurs within 5 years of issuance of a CUP or DA under this ordinance.
2. Obtain permit(s) consistent with Section 9510.3 to re-abandon all previously abandoned wells that do not meet standards recommended or required by DOGGR for abandonment in effect at the time of re-abandonment, and provide a certificate of compliance that the wells and/or sites are re-abandoned consistent with current conditions and standards recommended or required by DOGGR to the satisfaction of the City Manager. Permits shall not be required if re-entry of an abandoned well is scheduled to occur within 5 years of issuance of a CUP or DA under this ordinance, and if re-entry actually occurs within that period of time.
3. In lieu of Subsections (1) and (2), above, obtain a deferral covenant from the City requiring abandonment or re-abandonment to standards recommended or required by DOGGR, or equivalent standards as determined by the City Manager, at a specific time or upon the occurrence of a future event. The deferral covenant shall be approved as to form by the City Attorney, contain a provision to indemnify and hold harmless the City for damages related to wells not abandoned or re-abandoned consistent with standards recommended or required by DOGGR, and shall be recorded by the operator with the County Clerk prior to approval.

H. Other Development Standards:

1. Permanent structures, or other construction that would be difficult or expensive to demolish, shall not be located on top of any abandoned oil or gas well such that access for a well abandonment rig or other well maintenance equipment is constrained or inhibited from access to the well in the event of a future oil or gas leak, unless it can be demonstrated to the satisfaction of the City Manager that it is not feasible or, within an industrial zone, the developer proposing such construction provides written assurances to the satisfaction of the City Manager, to be included in the recorded declaration of covenant prescribed in Subsection 3, below, that they are aware of and accept the risks associated with such construction. Pervious improvements, such as landscaping and porous parking areas with adequate landscape buffers, may be located on top of an abandoned or re-abandoned well which has passed the leak test consistent with this Section.
2. Redevelopment of a Former Oil and Gas Site: If redevelopment of an oil and gas site for use other than an oil and gas operation is proposed at a completely or partially abandoned oil or gas site, the applicant shall submit an application to be processed as a Conditional Use Permit consistent for that use under Chapter 1, Article IX of this Code. Said application shall include the content required by Section 9510.3.2, and the Conditional Use Permit shall comply with the development standards of Section 9537.
3. Prior to issuance of a permit or entitlement for redevelopment of a former oil and gas site, the owner shall record a declaration of a covenant, in a form subject to the review and approval of the City Attorney, putting future owners and occupants on notice of the following: the existence of abandoned oil wells on the site; that the wells within the site have been leak tested and found not to leak; description of any methane mitigation measures employed; a statement as to whether or not access to these wells has been provided to address the fact that they may leak in the future causing potential harm; acknowledgment that the state may order the re-abandonment of any well should it leak in the future; acknowledgment that the state does not recommend building over wells; and releasing and indemnifying the City for issuing any project permit or entitlement for the project, along with notice of the assurances, if any, required by Subsection 1, above. The covenant shall run with the land, apply to future owners, and may only be released by the City.