

**CHAPTER 10 OF TITLE VI
OIL AND GAS PRODUCTION**

6.10.10 PURPOSE AND INTENT..... 10-1
6.10.20 UNRESTRICTED DRILLING 10-1
6.10.30 DRILLING BY MINISTERIAL PERMIT 10-2
6.10.40 DRILLING BY CONDITIONAL USE PERMIT 10-2
6.10.50 DEVELOPMENT STANDARDS AND CONDITIONS..... 10-3
6.10.60 APPLICATION CONTENTS 10-5
6.10.70 PERMIT REVOCATION AND MODIFICATION..... 10-6

6.10.10 **PURPOSE AND INTENT**

The purposes of this Chapter is to promote the economic recovery of oil, gas, and other hydrocarbon substances in a manner compatible with surrounding land uses and to protect the public health and safety by establishing reasonable limitations, safeguards, and controls on exploration, drilling, and production of hydrocarbon resources. The procedures and standards contained in this Chapter shall apply to all exploration, drilling and production activities related to oil, gas, and other hydrocarbon substances carried out in the City.

6.10.20 **UNRESTRICTED DRILLING**

No review or permit shall be required for the drilling of any steam injection well, steam drive well, service well, or any well intended for the exploration and development or production of oil, gas, and other hydrocarbon substances, or for any related accessory equipment, structures, or facility in the A (Agricultural) *or* NR (Natural Resources) zone districts; or in Section 6.3.50.2 (Permitted Uses in the PE zone district) of the City provided that;

1. All drilling installations and operations comply with the requirements of State law and with applicable fire and safety ordinances and regulations of the City.
2. Drilling shall not be commenced within one hundred (100) feet of any existing residence without the written consent of the owner thereof.
3. Signs shall be limited to directional, warning, and identification signs in connection with oil, gas, or other hydrocarbon drilling and development operations.
4. Disposal of nonhazardous oilfield liquid waste and production water is considered an accessory facility only if the facility complies with the following:
 - a. The nonhazardous oilfield liquid waste or production water is produced and disposed of within the same designated oilfield; or
 - b. The nonhazardous oilfield liquid waste or production water disposed of outside the designated oilfield of origin is produced by and disposed of solely and only by the same individual, corporation, or entity.
5. Height limits shall be in accordance with Section 6.11.120 (Height Limitations) except that no height limit shall apply to derricks and other equipment used during the exploration and drilling phase of development not in conflict with Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration, Department of Transportation, or any corresponding rules or regulations of the Federal Aviation Administration, as amended.

6.10.30 **DRILLING BY MINISTERIAL PERMIT**

1. No well for use as an injection well and no well for the exploration for or development or production of oil or gas or other hydrocarbon substances may be drilled, and no related accessory equipment, structure, or facility may be installed in an Industrial zone district until an application for plot plan review has been submitted to an approved by the Planning director as consistent with the standards set out in this Chapter. In approving application for plot plan review, the Planning Director may waive any standards set out in this Chapter if it is determined that such waiver will not result in material detriment to the public welfare or to the property of other persons located in the vicinity.
2. Disposal of nonhazardous oilfield liquid waste or production water is considered an accessory facility complies with the following:
 - a. The nonhazardous oilfield liquid waste or production water disposed of outside the designated oilfield or origin is produced by and disposed of solely and only by the same individual, corporation or entity.
 - b. The nonhazardous oilfield liquid waste or production water disposed of outside the designated oilfield or origin is produced by and disposed of solely and only by the same individual, corporation or entity.

6.10.40 **DRILLING BY CONDITIONAL USE PERMIT**

1. No well for use as an injection well and no well for the exploration, development or production of oil, gas, or other hydrocarbon substances may be drilled, and no related accessory or ancillary equipment, structure, or facilities thereto, of oil, gas, or other hydrocarbon substances may be drilled or installed in any zone district other than the A, NR, I Zone Districts or in a DI Zone District where the DI Zone District is combined with an application for a tentative tract map upon which tentative tract map conditions of approval relating to the screening and landscaping of the DI Zone District is approved by the City Council; or within a PE Overlay Zone District in accordance with the provisions of Section 6.10.20 of this Chapter, until an application for a Conditional Use Permit has been submitted to and approved by the Planning Commission, consistent with the provisions of Section 6.2.50 (Conditional Use Permits) of this Title. The Planning Commission may waive any condition set forth in the development standards and conditions if it determines that there will be no material detriment to the public welfare or safety of persons and property located in the vicinity of such a well.
2. Disposal of nonhazardous oilfield liquid waste and production water is considered an accessory facility only if the facility complies with the following:

- a. The nonhazardous oilfield liquid waste or production water is produced and disposed of within the same designated oilfield; or
 - b. The nonhazardous oilfield liquid waste or production water disposed of outside the designated oilfield of origin is produced by and disposed of solely and only by the same individual, corporation, or entity.
3. If a producing well or service well is not completed upon land subject to said conditional use permit within twelve (12) months from the date of issuance of the conditional use permit, or within any extended period thereof, the conditional use permit shall expire and the premises shall be restored as nearly as practicable to its original condition. No permit shall expire while the permittee is continuously conducting drilling, re-drilling, completing or abandoning operations, or related operations, in a well on the lands covered by such permit, where operations were commenced while said permit was otherwise in effect. Continuous operations are operations not suspended more than thirty (30) consecutive days. If, at the expiration of the twelve (12) month period, the permittee has not completed the drilling program on the lands covered by such permit, the Planning Commission may, upon a written request of the permittee, extend the permit for the additional time requested by the permittee for the completion of such drilling program.

6.10.50**DEVELOPMENT STANDARDS AND CONDITIONS**

All wells drilled, pursuant to the provisions of this Chapter, for the exploration and development, production, storage, transmission, and treatment, and any accessory or ancillary equipment, structure or facilities thereto, of oil, gas, and other hydrocarbon substances shall comply with the following standards, unless otherwise provided in this Chapter.

1. No oil or gas well shall be drilled within one hundred (100) feet of the right-of-way of any public highway, proposed public highway, Official Plan line, or Specific Plan Line, within one hundred (100) feet of any building not necessary to the operation of the well, within one hundred fifty (150) feet of any dwelling, assembly, institution, or school, or within fifty (50) feet of any building utilized for commercial purposes constructed prior to the commencement of such drilling without the written consent of the owner of such structure.
2. All drilling and production activities shall conform to all applicable fire and safety regulations. Fire fighting apparatus, materials, and equipment required by the City shall be maintained on the site at all times during drilling and production operations.
3. No signs, other than directional and warning signs and those required for identification of a well, shall be constructed, erected, maintained, or placed on

the premises or any part thereof, except those required by law or by ordinance to be displayed in connection with the drilling or maintenance of a well.

4. Sanitary toilet and/or washing facilities, if required by the Kern County Health Department or other governmental agencies, shall be installed and maintained in a clean and sanitary condition during drilling operations, and at such other times as specified by these agencies.
5. Proven technological improvements generally accepted and used in drilling and production methods shall be employed as they become available if they are capable of reducing nuisances or annoyances.
6. All derricks, boilers, and other drilling equipment employed, pursuant to the provisions of this Chapter, to drill any well hole or to repair, clean out, deepen, or redrill any completed well shall be removed within ninety (90) days after completion of production tests following completion of such drilling or after abandonment of any well, unless such derricks, boilers, and drilling equipment are to be used within a reasonable time, as determined by the Planning Director, for the drilling of another approved well(s) on the premises.
7. Within ninety (90) days after any well has been placed in production, or after its abandonment, earthen sumps used in drilling and/or production (unless such sumps are to be used within a reasonable time as determined by the Planning Director for the drilling of another well(s)) shall be filled and the drilling site restored as nearly as practicable to a uniform grade. Temporary earthen sumps may be used for clean-out or remedial work on an existing well or other production facility. However, these sumps shall be filled and the site restored as nearly as practicable to a uniform grade within ninety (90) days after the cleanout or other remedial work is completed. Such restoration work shall comply with all applicable regulations of the California Division of Oil, Gas and Geothermal Resources.
8. Any derrick used for servicing operations shall be of the portable type, unless proof is provided that the well is of such depth or has some other characteristics such that a portable type derrick will properly service such well. In that instance, the Planning Director may approve the use of a standard type of derrick.
9. Whenever oil or gas is produced into and shipped from tanks located on the premises, such tanks, whenever located within five hundred (500) feet of any dwelling or commercial building, shall be surrounded by shrubs or trees, planted and maintained to provide attractive landscaping or be fenced in such a manner as to, insofar as practicable, screen such tanks from public view. Such fencing shall comply with the requirements of the California Division of Oil, Gas and Geothermal Resources.

10. Whenever a well is located within five hundred (500) feet from an existing dwelling unit, except in case of emergency, no materials, equipment, tools, or pipe used for either drilling or production operations shall be delivered to or removed from the drilling site, except between the hours of 8:00 a.m. and 8:00 p.m., unless otherwise required by the California Division of Oil, Gas and Geothermal Resources.
11. Pumping wells shall be operated by electric motors or muffled internal combustion engines.
12. The height of all pumping units shall not exceed thirty-five (35) feet and shall be properly maintained and kept in a neat condition.
13. All vehicle parking and maneuvering areas shall be treated and maintained with oiled sand or a similar dust binding material.
14. After production begins and a pump is installed on the wellhead, a fence at least six (6) feet in height shall be installed around the pump site or drilling island for public safety. This fence shall be constructed or chain link with wood or metal slats or other screening requirement shall apply only to those pump sites located within five hundred (500) feet of any residentially zoned district. Such fencing shall comply with the requirements of the California Division of Oil, Gas and Geothermal Resources.
15. All required Federal, State, County, and City rules and regulations shall be complied with at all times including, but not limited to, the rules and regulations of the following agencies:
 - a. California Department of Oil, Gas and Geothermal Resources.
 - b. Kern County Fire Department
 - c. Kern County Health Department
 - d. Regional Water Quality Control Board
 - e. San Joaquin Valley Unified Air Pollution Control District

6.10.60**APPLICATION CONTENTS**

An application for a conditional use permit shall include the following:

1. Name and address of applicant
2. Name(s) and address(es) of the property owner(s)
3. Assessor's parcel number(s)

4. Legal description of the property
5. A plot plan or site development plan drawn at the scale specified by the Planning Director, which includes the following information:
 - a. Topography and proposed grading
 - b. Location of all proposed well holes and related accessory equipment, structures, and facilities to be installed and any abandoned wells if such are known to exist.
 - c. Location of all existing dwellings and buildings used for other purposes, located within three hundred (300) feet of the proposed well holes, identification of the use of each structure, and distances between well holes and existing buildings
 - d. North arrow.
6. Narrative description of the proposed development, including:
 - a. Acreage or square footage of the property
 - b. Nature of hydrocarbon development activity
 - c. Description of equipment to be used
 - d. Distance to all existing buildings
 - e. Phasing or development schedule
7. Additional information may be required, as part of an application for a conditional use permit, as provided in Section 6.2.50 of this Title.

6.10.70**PERMIT REVOCATION AND MODIFICATION**

Any permit issued pursuant to this Chapter may be revoked or modified pursuant to Section 6.2.200 (Revocation of Permits) of this Title.