



COUNTY OF SANTA BARBARA

Planning and Development

# Santa Barbara County Zoning Ordinance No. 661



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## TABLE OF CONTENTS

|              |   |   |
|--------------|---|---|
| ARTICLE I.   | GENERAL PROVISIONS (Repealed February 6, 1984, Ord. 3430)   |   |
| ARTICLE II.  | DEFINITIONS (Repealed February 6, 1984, Ord. 3430)  |   |
| ARTICLE III. | DESIGNATION AND ESTABLISHMENT OF DISTRICTS AND COMBINING REGULATIONS (Repealed February 6, 1984, Ord. 3430) |   |
| ARTICLE IV.  | ADOPTING ZONING MAPS.....   | 1 |
| ARTICLE V.   | SPECIFIC DISTRICT REGULATIONS .....   | 1 |
| Section 1.   | A-1-X Residential-Agricultural District (Repealed June 21, 2016, Ord. 4974)                                 |   |
| Section 2.   | R-1 One-Family Residential District (Repealed February 6, 1984, Ord. 3430)                                  |   |
| Section 3.   | R-2 Two-Family Residential District (Repealed February 6, 1984, Ord. 3430)                                  |   |
| Section 4.   | R-4 Multiple Dwelling District (Repealed June 21, 2016, Ord. 4974)  |   |
| Section 5.   | C-2 Limited. Commercial District (Repealed February 6, 1984, Ord. 3430)                                     |   |
| Section 6.   | C-3 General Commercial District (Repealed February 6, 1984, Ord. 3430)                                      |   |
| Section 7.   | M-1 Light Industrial District (Repealed February 6, 1984, Ord. 3430)  |   |
| Section 8.   | M-2 Heavy Industrial District (Repealed February 6, 1984, Ord. 3430)  |   |
| Section 9.   | REC Recreational District (Repealed February 6, 1984, Ord. 3430)  |   |
| Section 10.  | U Unlimited Agriculture District.....   | 1 |
| Section 11.  | A-I-X Exclusive Agricultural District (Repealed June 21, 2016, Ord. 4974)                                   |   |
| Section 12.  | DCM Design Commercial Manufacturing District (Repealed June 21, 2016, Ord. 4974)                            |   |
| Section 13.  | E-4 District (Superseded, See Ord. 661, Article III, Section 1.1)   |   |
| Section 14.  | M-1-B Restricted Light Industrial District (Repealed June 21, 2016, Ord. 4974)                              |   |
| Section 15.  | M-1-X Exclusive Light Industrial District (Repealed June 21, 2016, Ord. 4974)                               |   |
| Section 16.  | M-1-A Limited Light Industrial District (Repealed June 21, 2016, Ord. 4974)                                 |   |
| Section 17.  | CH Highway Commercial District (Repealed February 6, 1984, Ord. 3430)                                       |   |
| Section 18.  | E-3-B District (Superseded, See Ord. 661, Article III, Section 1.1)   |   |
| Section 19.  | E-1 One-Family Estate District (Repealed February 6, 1984, Ord. 3430)                                       |   |
| Section 20.  | R-3 Multiple Dwelling District (Repealed June 21, 2016, Ord. 4974)  |   |
| Section 21.  | R-3-TRI Three-Family Residential District (Repealed June 21, 2016, Ord. 4974)                               |   |
| Section 22.  | RRA Rural Residential Agriculture District. (Repealed June 21, 2016, Ord. 4974)                             |   |
| Section 23.  | WA Watershed Agricultural District (Repealed June 21, 2016, Ord. 4974)                                      |   |
| Section 24.  | R-A Suburban Agricultural-Residential District (Repealed June 21, 2016, Ord. 4974)                          |   |
| Section 25.  | AG General Agricultural District .....  | 2 |
| Section 26.  | P Planned Development Districts (Repealed June 21, 2016, Ord. 4974)   |   |
| Section 27.  | AL Limited Agricultural District.....   | 4 |
| Section 28.  | CM Heavy Commercial District(Repealed June 21, 2016, Ord. 4974)   |   |
| Section 29.  | SC Shopping Center Zoning. (Repealed February 6, 1984, Ord. 3430)   |   |
| Section 30.  | DM - Design Manufacturing Districts (Repealed June 21, 2016, Ord. 4974)                                     |   |
| Section 31.  | DR Design Residential District. (Repealed February 6, 1984, Ord. 3430)                                      |   |
| Section 32.  | PI Professional and Institutional Zone (Repealed February 6, 1984, Ord. 3430)                               |   |
| Section 33.  | PDC Planned Development Community District (Repealed June 21, 2016, Ord. 4974)                              |   |
| Section 34.  | EX-1 One Family Exclusive Residential Estate District (Repealed February 6, 1984, Ord. 3430)                |   |
| Section 35.  | C-2-L Limited Commercial District (Repealed June 21, 2016, Ord. 4974)                                       |   |
| Section 36.  | AGI Intensive General Agricultural Distric (Repealed June 21, 2016, Ord. 4974)                              |   |
| Section 37.  | SR-4 Student Residential District (Repealed June 21, 2016, Ord. 4974)                                       |   |
| Section 38.  | SR-2 Student Residential District (Repealed June 21, 2016, Ord. 4974)                                       |   |
| Section 39.  | BD Beach Development District (Repealed February 6, 1984, Ord. 3430)  |   |

|               |   |   |
|---------------|---|---|
| ARTICLE VI    | COMBINING REGULATIONS .....   | 5 |
| Section 1.    | O Oil Drilling.....   | 5 |
| Section 2.    | F Airport Approach Area (Repealed February 6, 1984, Ord. 3430)                              |   |
| Section 3.    | D Design Supervision (Repealed February 6, 1984, Ord. 3430)                                 |   |
| Section 4.    | T Trailer Park Zone (Repealed June 21, 2016, Ord. 4974)                                     |   |
| Section 5.    | S Public Utility(Repealed June 21, 2016, Ord. 4974)   |   |
| Section 6.    | OX Exclusive Controlled Oil Drilling and Producing Site (Repealed June 21, 2016, Ord. 4974) |   |
| Section 7.    | K Conversion Area(Repealed June 21, 2016, Ord. 4974)  |   |
| Section 8.    | HT Hillside Terrain(Repealed June 21, 2016, Ord. 4974)                                      |   |
| Section 9.    | FH Flood Hazard(Repealed June 21, 2016, Ord. 4974)  |   |
| Section 10.   | ASL Agricultural Service Limited(Repealed June 21, 2016, Ord. 4974)                         |   |
| ARTICLE VII.  | GENERAL REGULATIONS (Repealed February 6, 1984, Ord. 3430)                                  |   |
| ARTICLE VIII. | NONCONFORMING STRUCTURES AND USES (Repealed February 6, 1984, Ord. 3430)                    |   |
| ARTICLE IX.   | EXCEPTIONS (Repealed February 6, 1984, Ord. 3430)   |   |
| ARTICLE X.    | VARIANCES (Repealed February 6, 1984, Ord. 3430)  |   |
| ARTICLE XI.   | CONDITIONAL USE PERMITS (Repealed February 6, 1984, Ord. 3430)                              |   |
| ARTICLE XII.  | PERMITS, PLATS AND FEES (Repealed February 6, 1984, Ord. 3430)                              |   |
| ARTICLE XIII. | AMENDMENTS (Repealed February 6, 1984, Ord. 3430)   |   |
| ARTICLE XIV.  | LEGAL PROCEDURE AND PENALTIES (Repealed February 6, 1984, Ord. 3430)                        |   |
| ARTICLE XV.   | VALIDITY (Repealed February 6, 1984, Ord. 3430)   |   |

## **Ordinance No. 661**

An Ordinance establishing land use classifications within a certain described portion of the unincorporated territory of the County of Santa Barbara, being a precise unit of a master plan and being an official plan of said county; establishing and creating districts in which the uses of land, the use, height and bulk of buildings, structures and improvements and the area of open spaces about buildings, structures and improvements are regulated; providing for the enforcement, adjustment and amendment thereof; requiring permits for land uses and buildings, structures and improvements constructed and used; defining terms; and prescribing penalties for the violation of any of the provisions thereof.

The Board of Supervisors of the County of Santa Barbara do ordain as follows:

### **ARTICLE IV. ADOPTING ZONING MAPS**

Zoning maps delineating the boundaries of districts set forth in this Ordinance No. 661 and designating by symbols and notations the uses of land, buildings, and structures and other matters within said districts, but excluding any area bearing the designation "ORD. 453" or "ORD. 538," when made a part of Section 35-101 of the Santa Barbara County Code shall thereupon be and become a part of this Ordinance No. 661 with the same force and effect as if the boundaries, location, and lines of the district and territory therein delineated and all notations, references, and other information set forth and shown on said maps were specifically and fully set out and described herein.

### **ARTICLE V. SPECIFIC DISTRICT REGULATIONS**

#### **Section 10. U, Unlimited Agriculture District.**

##### ***Section 10.1 Uses Permitted.***

- a) Single-family dwellings.
  - 1) Single-family dwellings of a permanent character placed in permanent locations.
  - 2) Mobile Homes certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 USC Sec. 5401 et seq.) on a foundation system pursuant to Health and Safety Code Sec. 18551, provided that the mobile home has a roof overhang unless waived by being the Board of Architectural Review because the absence of a roof overhang would be appropriate and of good design in relation to other structures on the site and in the immediately affected surrounding area, non-reflective roofing and siding, and siding to the ground.
- b) All uses included in the definition of the word "Agriculture" as defined in this ordinance.
- c) The production of oil, gas and other hydrocarbon substances but not including oil refineries, or processing plants.
- d) Kennels, subject to issuance of a Conditional Permit, as provided in Article XI.
- e) Commercial livestock feed yard, subject to issuance of a Conditional Permit, as provided in Article XI.
- f) Family Care Homes Small, subject to issuance of a Use Permit pursuant to Article XII of this ordinance, and Family Care Homes Large, subject to issuance of a Conditional Permit pursuant to Article XI of this ordinance.
- g) Uses, buildings and structures accessory and customarily incidental to the above uses and not involving the maintenance of a commercial enterprise on the premises.

##### ***Section 10.2 Building Site Area Required.***

- a) If the zoning of the property does not contain a minimum building site area designation in addition to the "U" zone designation, each dwelling unit shall be located on a building site containing not less than 10 acres of land, except that a dwelling unit may be located upon a smaller building site if such site is shown

as a parcel of land either on a subdivision recorded in the Office of the County Recorder or on a lot split approved by the County Planning Commission. The Planning Commission may approve subdivisions and lot splits containing parcels of less than 10 acres if it finds that the division complies with the requirements for issuance of a Conditional Permit as set forth in subparagraphs 1), 2), and 3) of paragraph b) of Section 3 of Article XI of this ordinance.

- b) If the zoning of the property contains a minimum building site area designation in addition to the "U" zone designation, each main dwelling unit shall be located on a building site having a minimum lot area, inclusive of road or right-of-way, as indicated below for the symbol shown on the Official County Zoning Map:

| Zoning Symbol | Minimum Lot Area |
|---------------|------------------|
| 10 U          | 10 acres         |
| 15 U          | 15 acres         |
| 20 U          | 20 acres         |
| 40 U          | 40 acres         |
| 50 U          | 50 acres         |
| 80 U          | 80 acres         |
| 100 U         | 100 acres        |

**Section 10.3**

The "U" District shall automatically be applicable to all unincorporated territory of the County of Santa Barbara, not specifically, otherwise permanently zoned.

**Section 10.4 Front, Side, and Rear Yard Required.**

No buildings or structure shall be located within 80 feet of the centerline of any street nor within 25 feet of the sideline of the lot on which it is located, provided however, that parcels containing less than one acre shall be subject to the regulations of the R-1 District. There shall be a rear yard with a depth of not less than 25 feet on each building site.

**Section 10.5 Building Height Limit.**

No building or structure shall contain more than two and one-half stories nor exceed a height of 35 feet.

**Section 10.6 Distance Required Between Buildings on the Same Building Site and Parking Space Required.**

None.

**Section 25. AG General Agricultural District.**

**Section 25.1 Uses Permitted.**

- a) All types of agriculture and farming.
- b) All noncommercial residential uses customarily incidental to and subordinate to agricultural and farming operations, including farm labor camps and boarding and lodging houses providing housing only for employees working on the premises on which such structures are located, but not including commercial trailer parks, motels or hotels, but including mobile homes certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401 et seq.) on a foundation system, pursuant to Health and Safety Code Sec. 18551, provided that the mobile home has a roof overhang unless waived by the Board of Architectural Review because the absence of a roof overhang would be appropriate and of good design in relation to other structures on the site and in the immediately affected surrounding area, nonreflective roofing and siding, and siding on the ground.
- c) Sale of agricultural products produced on the premises where such sale is conducted.
- d) Public stables or riding arena.
- e) Animal hospitals.

- f) Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the approval of a permit to conduct surface mining operations and/or a reclamation plan, pursuant to Section 6 of Article XII, PERMITS, PLATS AND FEES.
- g) Oil and gas drilling and production facilities as defined here in shall be permitted in "AG" Districts, except that a Conditional Use Permit as provided in Article XI shall be required for any such facilities located within 1,000 feet of the boundary of any zone district in which oil and gas drilling and production facilities are prohibited or are permitted subject to conditions. Such Conditional Use Permit shall specify the conditions deemed necessary to insure compatibility of said drilling and production facilities with the uses of the District abutting the "AG" District.

For the purposes of this section oil and gas drilling and production facilities are defined as follows:

All facilities necessary:

- a) To drill four and produce oil, gas and other hydrocarbons from a well bore
- b) To separate oil, water and gas from each other
- c) To prepare such projects for shipping and storage
- d) To recycle, repressure rise or inject such products or other substances for underground disposal, for underground storage, and in connection with secondary recovery operations, and
- e) To provide storage facilities for such products pending disposal thereof under (a) through (d) hereof and to temporarily store other substances used in (a) through (d) hereof. It shall not include refineries nor "tank farms" nor any other use not accessory or incidental to drilling and production facilities as hereinabove defined nor any operations not reasonably required to be performed at or within the vicinity of the wellhead.
- h) Kennels and animal grooming facilities, subject to issuance of a Conditional Permit, as provided in Article XI.
- i) Farm labor camps for employees not working on the premises on which such buildings are located, subject to issuance of a Conditional Permit, as provided in Article XI.
- j) Family Care Homes Small, subject to issuance of a Use Permit pursuant to Article XII of this ordinance, and Family Care Homes Large, subject to issuance of a Conditional Permit pursuant to Article XI of this Ordinance.
- k) Uses, buildings and structures accessory and customarily incidental to the above uses and not involving a commercial enterprise on the premises.

**Section 25.2 Building Site Area Required.**

Each main building, together with its permitted accessory buildings and structures shall be located upon a building site having a lot area not less than that indicated below for the symbol shown on the zoning map:

| Zoning Symbol | Minimum Lot Area |
|---------------|------------------|
| 5 AG          | 5 Acres          |
| 10 AG         | 10 Acres         |
| 20 AG         | 20 Acres         |
| 40 AG         | 40 Acres         |
| 50 AG         | 50 Acres         |
| 100 AG        | 100 Acres        |

**Section 25.3 Building Height Limit; Parking Space Required; Front, Sides and Rear Yard Regulations, and Distance Required between Buildings on the Same Building Site.**

None, except that no building or structure shall be located within 50 feet of the centerline of any street.

## **Section 27. AL-Limited Agricultural District.**

### ***Section 27.1 Uses Permitted.***

- a) Agriculture and farming subject to the limitations hereinafter provided in this section.
- b) Small animal and poultry raising shall be limited to reasonable family use on a noncommercial basis. The commercial production of poultry and all forms of livestock not specifically permitted in this section is prohibited.
- c) Commercial raising of horses, mules, donkeys, ponies, cattle and sheep provided not to exceed one such animal unit shall be permitted for each 20,000 square feet of the area of the parcel of land upon which the same are kept.
- d) Dwellings only for occupancy by:
  - 1) The owner, lessee, or lessor of the land upon which such dwellings are located.
  - 2) The bona fide employees of said owner, lessee, or lessor, and
  - 3) The families and nonpaying guests of said owner, lessee, lessor, or employees; and providing one dwelling may contain a kitchen for each building site, but if the building site is zoned to require at least a 20 acre building site, one dwelling may contain a kitchen for each 20 acres within the building site, provided, further, that dwellings containing kitchens shall be located a minimum of 50 feet from any other such dwellings.
  - 4) Such dwellings may be mobile homes certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Sec. 5401 et. seq.) on a foundation system, pursuant to Health and Safety Code Sec. 18551 and provided that the mobile home has a roof overhang unless waived by the Board of Architectural Review because the absence of a roof overhang would be appropriate and of good design in relation to other structures on the site and in the immediately affected surrounding area, non-reflected roofing and siding, and siding to the ground.
- e) Sale of agricultural products produced on the premises.
- f) Animal hospitals and clinics for the treatment of horses, mules, donkeys, ponies, cattle and sheep, subject to issuance of a Conditional Use Permit as provided in Article XI of this Ordinance, provided the number of such animals kept overnight in the parcel on which the animal hospital or clinic is located does not exceed the number of such animals otherwise permitted on the parcel pursuant to paragraph c) of this Section 27.1.
- g) Farm labor camps for employees working on or off the premises on which such buildings are located, subject to issuance of a Conditional Permits, as provided in Article XI.
- h) Family Care Homes Small, subject to issuance of a Use Permit pursuant to Article XII of this ordinance, and Family Care Homes Large, subject to issuance of a Conditional Permit pursuant to Article XI of this ordinance.
- i) Uses, buildings and structures accessory and customarily incidental to the above uses.

### ***Section 27.2 Building Height Limit.***

No building or structure shall contain more than two and one-half stories nor exceed a height of 35 feet.

### ***Section 27.3 Building Site Area Required.***

Each main building with its permitted accessory buildings and structures shall be located upon a building site having a minimum lot width of 250 feet of and a gross lot area, inclusive of road wide right-of-way, not less than that indicated below for the symbols shown on the zoning map:



| Zoning Symbol | Minimum Lot Area |
|---------------|------------------|
| 5 AL          | 5 Acres          |
| 10 AL         | 10 Acres         |
| 15 AL         | 15 Acres         |
| 20 AL         | 20 Acres         |
| 40 AL         | 40 Acres         |
| 50 AL         | 50 Acres         |
| 100 AL        | 100 Acres        |

**Section 27.4 Front Yard Required.**

No building or structure shall be located within 80 feet of the centerline of any street.

**Section 27.5 Side Yard Required.**

No building or structure shall be located within 25 feet of the sideline of any street.

**Section 27.6 Rear Yard Required.**

There shall be a rear yard with a depth of not less than 25 feet on each building site.

**ARTICLE VI. COMBINING REGULATIONS**

**Section 1. O - Oil Drilling Combining Regulations.**

**Section 1.1 Governing Regulations.**

- a) No structure used in producing oil, gas or other hydrocarbon substances, or structure accessory thereto shall, within any areas subject to Oil Drilling Combining Regulations, be erected, moved, enlarged or rebuilt the unless and until a permit as hereinafter specified shall first have been secured therefore. Nothing contained herein shall be construed to relieve any persons, firm or corporation of the provisions of Ordinance No. 672 of the County of Santa Barbara or any ordinance amending or superseding said ordinance.
- b) Application for a permit for any structure used in producing oil or gas or structure accessory thereto in an area subject to Oil Drilling Combining Regulations shall be made to the Planning Commission and shall be accompanied by such information as may be required by the Planning Commission for an intelligent review of the proposed structure and its use. Permits issued under the provisions of this Article shall be subject to the conditions of Section 1.2 hereof.
- c) Notwithstanding the provisions of Section 3 or Article III, district regulations establishing yard requirements for structures appurtenant to oil drilling operations shall not govern over the regulations of this Article.
- d) Permits issued under the provisions of this section may include permission to erect, move, structurally alter, enlarge or rebuild any or all structures included in the application.

**Section 1.2 Permit Conditions.**

Permits issued under the provisions of this Article shall be subject to the following conditions, which conditions are deemed necessary to the safety, health, comfort, convenience and general welfare of persons residing or working in the neighborhood and to the preservation of the value and utility of property and improvements in said area.

- a) That no oil or gas borehole shall be drilled within 300 feet of any State Highway right-of-way line within a setback of 100 feet from the right-of-way line of any road shown on any subdivision or record of survey map filed in the office of the County Recorder prior to the issuance of a permit for such borehole, provided however that in the event the distance between the right-of-way lines of two parallel or nearly parallel roads, or between the right-of-way line of a road and a railroad right-of-way line, topographic barrier or boundary line of an area within which oil drilling is prohibited, is less than 200 feet, such a

setback may be reduced to not less than 50 feet.

- b) That no more than one drilling site shall be permitted for each 10 acres of total land area subject to the O-Oil Drilling Combining Regulations, provided, however, that such limitation shall not apply to the territory within 250 feet of the mean high tide line of the Pacific Ocean. For the purpose of this Section, a drilling site shall be defined as a surface area of not more than one acre within which any number of oil or gas boreholes may be drilled.
- c) That within one 120 days after the drilling of each well has been completed and production started, the derrick and all other drilling equipment shall be removed from the site.
- d) That any derrick erected for servicing operations shall be of the portable type, provided, however, that upon presentation of proof that the well is of such depth that a portable-type derrick will not properly service such well, the Board of Supervisors may approve a permanent type derrick. Derricks erected for servicing operations shall be removed upon completion of such operations.
- e) That all tools, pipe and other equipment including leased storage tanks, except the derrick or drilling mast, used in connection with production operations shall be screened and the site landscaped, and that such screening and landscaping be approved by the Planning Commission.
- f) No piers for oil drilling purposes shall be permitted to be attached to any upland site above the average mean high tide line and no pier approach for such purposes shall be constructed on any upland site. Nothing herein contained shall be deemed to limit or control the use for oil and gas drilling and operating purposes of piers in their connecting approaches which are in existence at the effective date hereof.
- g) That reasonable firefighting equipment as required and approved by the County Fire Warden may be maintained on the premises and all times during drilling and production operations.
- h) Permanent structures and equipment shall be painted a neutral color so as to blend in with natural surroundings.
- i) That any scarring of hillsides resulting from construction operations shall be reasonably landscaped or replanted to native shrubs as required by the Planning Commission.
- j) That no plant for the refining of petroleum products from such operations shall be permitted.
- k) That sanitary facilities be installed if, in the opinion of the County Health Officer, such facilities are necessary, and that such facilities be installed any manner approved by the County Health Officer.
- l) That all drilling and production operations shall be conducted in such a manner as to eliminate as far as practicable, dust, noise, vibration and obnoxious odors, in accordance with the best accepted practices incident to drilling for and production of oil, gas and other hydrocarbon substances.
- m) That, in the event oil or gas is not processed in paying quantities, all material, equipment and structures used in the drilling operations shall be completely removed from the site and the well properly abandoned within 120 days after drilling operations cease.
- n) That, after a well has been brought into production, upon completion of drilling, redrilling or conditioning operations, and on abandonment of any well, all earthen sumps shall be drained and backfilled level with the natural grade, provided, however, that subject to the above conditions, a new sump may be constructed upon resumption of conditioning or redrilling operations.
- o) That failure to comply with any of the above conditions attached to the permit for the structure shall result in forfeiture to the County of Santa Barbara of the \$1,000 bond furnished to the County under Ordinance No. 672 or any amendment thereto, and the principal and/or surety shall pay to the County of Santa Barbara the sum of \$1,000 under said bond.
- p) That no building or structure shall be erected or maintained within 20 feet of any dwelling existing at the time of issuance of the permit for such buildings or structure.

### ***Section 1.3 Special Conditions.***

In order to promote the public health, safety, morals and welfare, the Planning Commission may for good cause determine and find that the conduct of oil and gas drilling and producing operations proposed under a particular

application for permit pursuant to this Article justifies and requires the imposition of further Special Conditions in addition to those imposed by Subsection 1.2 above, and may thereupon include in the permit such of the following Special Conditions as it deems appropriate. If applicant is unwilling to accept a permit containing such adding conditions, he will be entitled to a public hearing before the Commission to review the Special Conditions proposed to be imposed. Such hearing shall be set for a date not earlier than 10 days nor later than 30 days after the request is made. Notice thereof shall be published once in a newspaper of general circulation published in the County of Santa Barbara; and applicant shall be given written notice of such hearing at least five days prior thereto.

Within five days of the conclusion of such hearing, the Commission shall, based upon good cause therefore, find and determine which, if any, of such Special Conditions shall remain imposed under the permit, and shall notify applicant of such determination forthwith.

Appeals from any action taken hereunder by the Commission may be taken to the Board of Supervisors by the applicant pursuant to Section 2 of Article XIV of Ordinance No. 661.

Such Special Conditions may be in substitution of any of the conditions set forth in Article VI, Section 1, Subsection 1.2 of Ordinance No. 661, and/or addition to the conditions referred to in Subsection 1.2. When a regulation contained in Subsection 1.2 conflicts with a Special Condition imposed by the Planning Commission under Subsection 1.3, the Special Conditions shall control.

The Special Conditions which may be imposed shall be as follows:

- 1) Each producing well drilled from an upland site shall be completed in such manner that all production equipment and facilities shall be recessed, covered or otherwise screened from view in a manner approved by the Planning Commission.
- 2) All permanent operating sites shall be landscaped with shrubs or fenced so as to screen from public view, as far as reasonably possible, the tanks, pumps or other permanent equipment. Such landscaping or shrubs or fencing shall be kept in good condition to the satisfaction of the Planning Commission.
- 3) Except in case of emergency, no materials, equipment, and, tools or pipe used for drilling operations shall be delivered to or removed from the drilling site in a residential or congested area between the hours of 6 p.m. and 8 a. m. of any day. Outside of residential or congested areas, such deliveries to shall not be made or removed from a drilling site between the hours of 6 p.m. and 6 a.m. on any date, except in an emergency.
- 4) Except in an emergency, no oil shall be removed by truck from a drilling site located in a residential or congested area to between the hours of 6 p.m. and 8 a. m. Outside a residential or congested area, no oil shall be removed by truck from a drilling site between the hours of 6 p.m. and 6 a.m. of any day, except in an emergency.
- 5) The permittee shall immediately suspend any drilling and production operations, except those which are corrective, protective, or mitigative, in the event of any disaster or of oil pollution of ocean or domestic waters caused in any manner or resulting from operations under a permit. Such drilling and production operations shall not be resumed until adequate corrective measures have been taken and authorization for resumption of preparations has been made by the Planning Commission or Planning Department.
- 6) Derricks and major items of drilling equipment shall be enclosed with soundproofing materials in accordance with applicable safety regulations and standards.
- 7) The pumping units of producing wells shall be installed in soundproof pits.
- 8) All waste substances such as drilling muds, oil, brine or acids produced or used in connection with oil drilling operations or oil production shall be retained in watertight receptors from which they may be piped or hauled for terminal disposal in a dumping area specifically approved for such disposal by the Planning Commission.
- 9) Within 60 days after the drilling of each well has been completed, and said well placed in production, or abandoned, the derrick and all other drilling equipment shall be entirely removed from the premises unless such derrick and appurtenant equipment is to be used within a reasonable time limit, determined by the

Planning Commission, for the drilling of another well on the same controlled drilling site.

- 10) All oil drilling and production operations shall be conducted in such a manner as to eliminate as far as practicable dust, and noise, vibration and noxious odors, and the site or structures thereon shall not be permitted to become dilapidated, unsanitary or unsafe. All operations shall be in accordance with the best accepted oil practices incident to drilling for and production of oil, gas and other hydrocarbons. Proven technological improvements and methods of production shall be adopted as they from time to time become available if capable of reducing factors of nuisance and annoyance.
- 11) Drilling shall not be permitted within 300 feet of a residence without the consent of the Planning Commission.
- 12) Drilling shall not be permitted within 150 feet of any public highway without the consent of the Planning Commission.
- 13) Whenever it is impossible or highly impracticable for applicant to locate the oil or gas and borehole in conformity with the distance limitations contained in Subsections 1.2 (a) and/or 1.3 (10) and (11) of Section 1 of Article VI, by reason of limited drilling area between state highways, public roads, right-of-way lines of roads, topographic barriers or boundary lines of areas within which oil drilling is prohibited, the Planning Commission or Planning Department may permit a deviation from such distance requirements, and may in the permit granted fix such lesser limiting distances within which applicant shall be permitted to drill.
- 14) Not more than two production tanks shall be installed for each producing well, neither one of which shall have a rated capacity in excess of 1,000 barrels in a residential and/or congested area; provided, however, set production tanks shall be required to have firewalls. The number of production tanks for each producing well located outside a residential or congested area may not exceed more than three production tanks having a capacity not exceeding 2,000 barrels each; provided, however, that where a producing well is located in a hazardous fire area, said tanks shall be required to have firewalls.
- 15) Permittee shall agree in writing on behalf of himself or his successors or assigns to be bound by such or all of the terms and conditions as prescribed by the Planning Commission hereunder; provided, however, that such agreement in writing shall not be construed to prevent applicant or his successor or assign from applying for good cause at any time for elimination of some of the conditions prescribed and imposed by the Planning Commission hereunder.

***Section 1.4 Conditional Permit for Processing Facilities.***

- A. Installation of structures, equipment or facilities necessary and incidental to dehydration and/or separation of oil, gas, condensate and other liquid products from gas, or water for the purpose of shipping and transporting recycling, repressuring, or reinjection of said oil, gas, condensate and/or water for underground disposal or underground storage in connection with secondary recovery operations in a producing oil and gas field may be permitted as a Conditional Permit subject to the requirements of Article XI, Section 3, of this ordinance, provided the Planning Commission further finds that:
  - 1) Proximity to a producing oil or gas field requires establishment of such facilities in the area in order to extract the resources of the field.
  - 2) The distance between the producing field and an area in which she said facilities would be allowed without a permit is such that the cost of transporting oil or gas over that distance would be excessive.
  - 3) Such a plant can be so located, designed, constructed and operated that it will not materially affect adversely the health and safety of persons residing, working in, or traveling through the neighborhood, will not be injurious to property or improvements in the neighborhood, and will not be materially detrimental to the public health and welfare by reason of smoke, dust, odor, fumes, noise, vibration, unsightly buildings and/or structures or other similar causes.
  - 4) The type of facilities and equipment proposed to be constructed or installed and the methods to be used for said separation and/or dehydration will be of a type utilizing reasonable methods least likely to adversely affect the health and safety of persons residing, working in, or traveling through

the neighborhood and least likely to be injurious to property and improvements in the neighborhood or detrimental to the public health and welfare by reason of smoke, dust, odor, fumes, noise, vibration, unsightly buildings and/or structures, or other similar causes. Oil and/or gas storage facilities in excess of those unreasonably and necessarily incidental to the principal functions of the permitted facilities shall be not permitted pursuant to this subsection. Nothing herein shall be deemed to permit the refining of petroleum products.

- B. Applications for a permit for such facilities shall be accompanied by:
- 1) A plot plan showing contours, location, use, size and height of all proposed buildings and structures; location and width of all roads; off-street parking areas; landscaping and screening areas including types of plant material; fencing.
  - 2) Photographs of the site taken from all directions from which the public or adjacent property owners might view the site.
  - 3) Elevations of all proposed buildings and structures, or perspective views thereof.
  - 4) Written, narrative description of the purpose of the plant, and measures to be taken to reduce any detrimental effects on the surrounding property or the general health, safety and welfare of the community.
  - 5) A written, verified summary of facts that the applicant intends to prove at the public hearing which shall disclose that the applicant will be able to present competent evidence to prima facie prove that the proposed facility will be able to meet all the findings and the requirements specified in Paragraph A of this section.
- C. Any permit granted pursuant to this subsection shall be subject to the following conditions:
- 1) Compliance with all representations and material to the approval of the permit made by the applicant at the public hearing or public hearings on the granting of the permit.
  - 2) Compliance with all applicable existing and future state and local laws and regulations.
- D. The Commission may subject the permit to conditions designed to reduce the detrimental present and future effects on the health and safety of persons residing, working in, or traveling through the neighborhood and to reduce present and future injury to property and improvements in the neighborhood and the detrimental present and future effects of the permitted facilities to the public health and safety by reason of smoke, dust, odor, fumes, noise, vibration, unsightly buildings and/or structures, or other similar causes. Said conditions may include but shall not be limited to the following:
- 1) Minimum specifications governing the type of equipment and machinery installed and the methods to be used for any or all of the functions to be performed by the permitted facilities of any part thereof.
  - 2) Paving of all roads and parking areas.
  - 3) Construction of adequate offsite parking for all employees and visitors.
  - 4) Planting of mature trees and shrubs and installation of fencing to screen off and conceal buildings and structures.
  - 5) Architectural design to improve the appearance of buildings and structures.
  - 6) Construction methods used to install or repair the facilities.
  - 7) The facilities shall at all times be kept as close as is reasonably possible to the original condition, less wear and tear.
- E. On a permit issued pursuant to this subsection, the Commission may waive any applicable limitations prescribed by the specific district regulations imposed by the basic zoning of the district as to height, yard, parking, and distance between buildings.
- F. On application of the permittee, the Commission may allow modification or substitution in any of the conditions imposed by Paragraph D. of this subsection without holding a public hearing thereon, provided

such modification or substitution does not change the essential character and purpose of the original condition.

- G. Any permit issued pursuant to this subsection shall be subject to the provisions of Article XI, Section 5, of this ordinance.