

ATTACHMENT C-1: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE (LUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.5, OIL AND GAS, WIND ENERGY AND COGENERATION FACILITIES; TO PROHIBIT DRILLING NEW ONSHORE OIL AND GAS WELLS AND REVISE EXISTING REGULATIONS AND DEVELOPMENT STANDARDS FOR CONSISTENCY.

26ORD-00001

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Section 35.52.050, Oil Drilling and Production, of Chapter 35.52, Oil and Gas Facilities, is hereby amended to read as follows:

This Section describes oil drilling and production uses that are subject to regulation and provides standards for their location and operation.

A. Prohibition of Oil and Gas Drilling. As of the effective date of Ordinance No. XXXX, oil and gas drilling activities identified below are prohibited in all zones, except that the following prohibitions do not apply to activities permitted under a previously approved and vested Land Use Permit or Oil Drilling and Production Plan.

1. The drilling of a new oil and gas well is prohibited.
2. Reentering a previously abandoned well for the production of oil and gas is prohibited.
3. The prohibition regulations contained within Section 35.52.050.A shall not apply to natural gas wells required for public utility use, nor to injection wells necessary for gas reinjection or disposal of oil and gas production wastes.

AB. Applicability. The regulations contained within this Section shall apply to equipment, structures, and appurtenances necessary for the ~~exploration and~~ production of oil and gas resources from an onshore area including:

1. The drilling of a new well if authorized pursuant to an approved and vested Land Use Permit or Oil Drilling and Production Plan prior to the effective date of Ordinance No. XXXX.
2. Facilities for the ~~new~~ production of oil and gas from an existing well.
- ~~3. Reentering a previously abandoned well for the production of oil and gas.~~

- ~~4~~3. Structures, equipment, or facilities necessary and incidental to the separation of oil, gas, and water obtained from an onshore area (e.g., oil and gas separation plant).
- ~~5~~4. Injection wells and incidental equipment necessary for enhanced oil recovery or disposal of production wastes including equipment and facilities necessary for waterflooding, steam injection, air injection, carbon dioxide injection, or introduction of polymers or other agents.
- ~~6~~5. Pipelines that are incidental to production operations.
- ~~7~~6. Storage tanks necessary or incidental to oil and gas separation, or temporary storage of separated hydrocarbons, and equipment for transfer of the produced hydrocarbons to pipelines or tanker trucks.
- ~~8~~7. Proposed access roads.
- ~~9~~8. Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating air/water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife cleanup equipment.
- ~~10~~9. Collocated treatment and processing facilities located ~~on the drill site~~ in AG-II, M-2 and M-CR, zones determined by the Commission to be incidental to ~~proposed~~ production operations.
- ~~11~~10. Hydraulic fracturing of any ~~new or~~ existing well.

BC. Development standards for oil and gas drilling and production.

1. **Standards applicable to all drilling and production operations.** The following standards shall apply to all projects:
 - a. **Zone regulations not applicable.** The regulations in Article 35.2 (Zones and Allowable Land Uses), for the applicable zones in which oil and gas drilling and production are allowed, shall not apply to the oil and gas drilling and production activities and uses. See Table 5-1 (Allowed Uses and Permit/Plan Requirements for Oil and Gas Facilities) above.
 - b. **Setbacks.** In addition to the well spacing and setback requirements of County Code Chapter 25 (Petroleum Code), Section 25-21 (Spacing and location), oil or gas drilling or related facilities shall not be allowed within 500 feet of an occupied residence within a residential or commercial zone.
 - ~~c. **Maximum site size.** In order to minimize the area disturbed for drilling, the drill site shall not exceed one acre in size unless review authority finds that additional area is necessary.~~

- ~~d~~c. **Consolidation or collocation.** Oil and gas production and related facilities shall be consolidated or collocated to the maximum extent feasible in order to minimize the area of disturbance.
- ~~e~~d. **Grading.** Grading and alteration of natural drainage patterns shall be minimized to preserve the natural contour of the lands.
- ~~f~~e. **Outdoor lighting.** Lights shall be shielded to ensure that lighting is confined to the project site.
- ~~g~~f. **Noise.** Drilling or production operations that are within or adjacent to a lot zoned residential or commercial shall not exceed a maximum daytime noise level of 65 dB(A) and shall not be conducted between the hours of 9 p.m. and 7 a.m. of the next day, unless noise generating facilities are sufficiently insulated to reduce the outside night time level to 50 dB(A) at or beyond the project property boundary.
- ~~h~~g. **Noise sensitive locations.** Production facilities shall be designed and housed to ensure the noise generated by the facilities as measured at any noise sensitive location shall be equal to or below the existing noise level of ~~the~~ that noise sensitive location. Measures to reduce adverse impacts (due to noise, vibration, etc.) to the maximum extent feasible shall be used for facilities located adjacent to noise sensitive locations as identified in the Noise Element of the Comprehensive Plan (e.g., use of electrical hydraulic surface pumping units).
- ~~i~~h. **Truck operation hours and routes.** It shall be prohibited to operate trucks exceeding one and a half tons for use in oil and gas operations between the hours of 9 p.m. and 7 a.m. upon streets within a residential neighborhood. This prohibition shall not apply in an emergency as determined by the County Sheriff, Fire Department, or Petroleum Administrator. This regulation shall go into effect and apply to streets and parts of streets only after signs giving notice of the prohibition are posted at entrances to the affected streets or parts of streets. Truck routes shall be reviewed for proposed oil and gas facilities to ensure that oil field support traffic is not routed through residential neighborhoods, unless alternative routes do not exist.
- ~~j~~i. **Screening from designated scenic highway.** Production equipment and facilities shall be recessed, covered, or otherwise screened from view from a designated Scenic Highway that is indicated on the Scenic Highway Element Map.
- ~~k~~j. **Odors.** Noxious odors associated with the project shall not be detectible at the project property boundary.
- ~~k~~i. **Abandonment.** In addition to the requirements for abandonment and removal of equipment in County Code Chapter 25 (Petroleum Code) Sections 25-31 (Well abandonment and lease restoration procedure) and 25-32 (Removal of drilling

and service equipment), the site upon well abandonment shall be recontoured, reseeded, and landscaped to approximate original conditions or other conditions recommended by the applicant or property owner and approved by review authority. The Department shall determine compliance with this provision.

2. **Additional standards applicable to production operations.** In addition, the following development standards may be applied to production operations to the extent deemed necessary by the review authority:

- a. **Screening and landscaping.** Following drilling and testing of the reservoir, production equipment and facilities shall be recessed, covered, or otherwise screened from view. Trees or shrubbery shall be planted and maintained to develop attractive landscaping and to screen the site and production equipment, structures, tanks, and facilities on the site from public view, unless the equipment, structures, tanks, and facilities are screened from public view by reason of an isolated location, existing trees or shrubbery, intervening surface contours, or a wall constructed as required in this Subsection.
- b. **Prevention of access.** The site shall be enclosed with an adequate noncombustible type fence, wall, screen, or housing sufficient to prevent unauthorized access to the site and having a height of at least six feet, unless public access is prevented by reason of an isolated location.
- c. **Monitoring system.** A monitoring system to measure off-site impacts, including noise, vibration, odor, and air or water quality degradation, may be required as a condition of approval.
- d. **Exterior color.** Permanent structures and equipment shall be painted a neutral color in order to ensure they blend in with natural surroundings.

C.D. Criteria and standards for exemption of oil/gas ~~drilling~~ projects from approval of Oil Drilling and Production Plan. Only a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) shall be required for oil and gas ~~drilling~~ projects that meets all of the criteria and standards listed below. See Subsection 35.53.030.~~C.D.~~ (Alternative filing requirements for Land Use Permit applications) below. For oil and gas ~~drilling~~ projects that do not meet the listed criteria, approval of an Oil Drilling and Production Plan shall be required. Development or land uses authorized through a Land Use Permit or Oil Drilling and Production Plan shall be established only as approved by the review authority and in compliance with the project description and any conditions of approval, except where a change to the project is approved pursuant to Section 35.84.040 of this Code.

1. **Location.**

- a. The project is located on AG-II, M-2, or M-CR zoned property.
- b. The project is located within a State designated oil field.

- c. The project is located not closer than 100 feet to the top of the bank of a watercourse (shown as intermittent or perennial on U.S.G.S. 7.5 minute series topographic maps) or 200 feet from the top of the bank of the Santa Ynez, Santa Maria, Sisquoc, or Cuyama River.
 - d. The project is located not closer than 1,000 feet to a zone other than AG-II, M-2, or M-CR.
 - e. The project is not located on mapped historical or archaeological sites as maintained by the Department or identified during a site visit.
 - f. The project is not located within a Scenic Highway corridor as designated on the Scenic Highway Element Map.
 - g. The project, if over one-half acre in site size, is not located on prime agricultural lands. ~~However, if a drilling site of a project is less than one-half acre in size and the land is classified as prime agricultural land, the project may exceed the site size during the period of drilling operations but in no case for longer than 90 days. After drilling is complete, the site shall be restored for agricultural use. For the purposes of this provision, prime agricultural land shall mean land having a soil capability classification of I or II.~~
2. **Uses not proposed.**
- a. Oil drilling is not proposed.
 - ~~a~~b. Treatment or processing facilities are not proposed.
 - ~~b~~c. Water flooding or steam injection using fresh groundwater for enhanced oil recovery is not proposed.
 - ~~c~~d. Hydraulic fracturing is not proposed.
3. **Resource conservation.**
- a. The project shall not disturb mapped locations of rare or endangered, unusual or delicate habitats, prime examples of ecological communities, or scientific study areas, as maintained by the Department or identified during a site visit.
 - b. The project shall not cause disruption to mapped historical or archaeological sites as maintained by the Department or identified during a site visit.
4. **No other significant impacts.** The project shall not result in other potentially significant adverse impacts as determined by the Director.

SECTION 2:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code,

Section 35.53.010, Purpose, of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, is hereby amended to read as follows:

35.53.010 Purpose

A. Purpose. The purpose of this Chapter is to:

1. Provide filing requirements and procedures for the discretionary review of:
 - a. **Oil Drilling and Production Plans.** Oil Drilling and Production Plans for oil and gas ~~drilling and/or~~ production facilities that may, because of scale or location of development, have a potential to significantly impact natural resources or public health and safety.
2. Provide additional or alternative filing requirements for Development Plans, Specific Plans, and Land Use Permits for certain types of development regulated under Article 35.5 (Oil and Gas, Wind Energy and Cogeneration Facilities).

B. Intent. The intent of the requirements in this Chapter for the filing, processing, and review of ~~Exploration Plans, Production Plans, and~~ Oil Drilling and Production Plans and for the additional or alternative filing requirements for Development Plans, Specific Plans, and Land Use Permits is to ensure that impacts on natural resources from oil and gas ~~drilling and~~ production activities shall be minimized to the maximum extent feasible.

SECTION 3:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Section 35.53.020, Applicability, of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, is hereby amended to read as follows:

35.53.020 Applicability

- A. Applicability of Development Plans.** Development Plans shall be required in compliance with Table 5-1 (Allowed Uses and Permit/Plan Requirements for Oil and Gas Facilities), and Table 5-2 (Allowed Uses and Permit/Plan Requirements for Wind Energy Facilities).
1. **Plan approval required before issuance of permits.** A Development Plan shall be approved in compliance with the procedures in Section 35.82.080 (Development Plans) and with the additional filing requirements of Subsection 35.53.030.A (Additional filing requirements for Development Plan applications) before issuance of a Zoning Clearance or other permits for development, including grading regulated under Article 35.5 (Oil and Gas, Wind Energy and Cogeneration Facilities).
 2. **Property location required within boundaries of approved plan.** Only property included within the boundaries of an approved Development Plan shall be entitled to a

Land Use Permit for facilities and activities related to the exploration and production of oil and gas.

- B. **Applicability of Oil Drilling and Production Plans.** Oil Drilling and Production Plans shall be required in compliance with Table 5-1 (Allowed Uses and Permit/Plan Requirements for Oil and Gas Facilities).
1. **Plan approval required before issuance of permits.** An Oil Drilling and Production Plan shall be approved in compliance with the procedures in Section 35.53.040 (Application Filing, Processing, and Review for Oil Drilling and Production Plans) before issuance of a Zoning Clearance or other permits for oil and gas facilities development, including grading.
 2. **Property location required within boundaries of approved plan.** Only property included within the boundaries of an approved Oil Drilling and Production Plan shall be entitled to a Land Use Permit for facilities and activities for the ~~exploration and~~ production of oil and gas.
- C. **Review authority.** The review authority for Development Plans, ~~Exploration Plans,~~ ~~Production Plans,~~ and Oil Drilling and Production Plans is identified in Table 8-1 (Review Authority).

SECTION 4:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection C, Alternative filing requirements for Land Use Permit application, of Section 35.53.030, Filing Requirements for Permit, Development Plan, and Specific Plan Applications, of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, are hereby amended to read as follows:

35.53.030 Filing Requirements for Permit, Development Plan, and Specific Plan Applications

- C. **Alternative filing requirements for Land Use Permit application.** When applying for a Land Use Permit for oil ~~drilling and~~ production that meets the criteria noted in Subsection 35.52.050. ~~CD-~~ (Criteria and standards for exemption of oil/gas ~~drilling~~ projects from approval of Oil Drilling and Production Plan), the application submittal requirements in Section 35.82.110 (Land Use Permits) shall be inapplicable and only the following information shall be required as part of the Land Use Permit application.
1. Assessors Parcel Number.
 2. Name of the State Department of Oil and Gas designated oil field within which the project is located, if any.
 3. The type of facilities proposed, including any enhanced oil recovery facilities.

4. A U.S.G.S. map (7.5 minute series topographic) or facsimile showing the facility site, lease boundaries, proposed roads and pipelines.
5. A plot plan, drawn to scale, showing the facility site, property lines, proposed access roads, and water courses within 200 feet of the site.
6. Photographs of the site.
7. Other reasonable information as deemed necessary by the Department.

SECTION 5:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection C.1, Processing of Oil Drilling and Production Plans, of Section 35.53.040, Application Filing, Processing, and Review for Oil Drilling and Production Plans of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, are hereby amended to read as follows:

35.53.040 Application Filing, Processing, and Review for Oil Drilling and Production Plans

C. Processing of Oil Drilling and Production Plans.

1. The applicant may apply for:
 - ~~a. The drilling operations only;~~
 - ~~b~~a. The production facilities only; ~~or~~
 - ~~c. Both the drilling and production facilities.~~

SECTION 6:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection A, Processing of Oil Drilling and Production Plans, of Section 35.53.060, Application Conditions, Restrictions, and Modifications under Approved Plans of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, are hereby amended to read as follows:

35.53.060 Conditions, Restrictions, and Modifications under Approved Plans

A. Modifications of development standards under an approved Oil Drilling and Production Plan.

1. At the time an Oil Drilling and Production Plan is approved, the Commission may modify the development standards specified in Subsection 35.52.050.B (Development

standards for oil and gas drilling and production), when the Commission first finds that the modification is justified.

2. As a condition of approval of any Oil Drilling or Production Plan, the Commission may impose appropriate conditions as deemed reasonable and necessary to protect persons or property, to preserve the natural resources or scenic quality of the area, to preserve the public health, peace, safety, and general welfare, and to implement the purposes of this Development Code and/or the Comprehensive Plan.
- ~~3. If drilling only is requested in the Oil Drilling and Production Plan, the following time limits shall apply:~~
 - ~~a. If the drilling program is successful, a new Oil Drilling and Production Plan for the production phase shall be submitted within 12 months of initiating site preparation for the drilling. A time extension may be granted by the Commission for good cause shown.~~
 - ~~b. If the drilling program is unsuccessful, the well shall undergo plugging and abandonment and the Department shall be notified of the plugging and abandonment within 12 months of initiating site preparation for the drilling. A time extension may be granted by the Commission for good cause shown.~~

SECTION 7:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Subsection B, Post approval procedures, of Section 35.53.070, Post Review Procedures, of Chapter 35.53, Permit Requirements and Plan Applications, Processing, and Review, is hereby amended to read as follows:

- B. **Post approval procedures.** After the decision on an application for a Development Plan or Oil Drilling and Production ~~/Exploration~~ Plan the following post-approval procedures shall apply:
1. Procedures and requirements in Chapter 35.84 (Post Approval Procedures).
 2. Procedures and requirements related to appeals and revocation in Article 35.10 (Land Use and Development Code Administration).
 3. Procedures and requirements in County Code Chapter 25 (Petroleum Code).

SECTION 8:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code,

Section 35.55.030, Oil Drilling and Production – Findings for Oil Drilling and Production Plans, of Chapter 35.55, Findings for Oil and Gas Facilities, is hereby amended to read as follows:

35.55.030 Oil ~~Drilling and~~ Production – Findings for Oil Drilling and Production Plans

An Oil Drilling and Production Plan shall be approved only if all of the following applicable findings are first made:

- A. There are no feasible alternative locations for the proposed drilling of an onshore reservoir that are less environmentally damaging.
- B. Significant adverse environmental effects will be mitigated to the maximum extent feasible.
- C. The project will not be detrimental to health, safety, and general welfare of the neighborhood and will not be incompatible with uses of the surrounding area.
- D. The development is in conformance with the applicable provisions of this Development Code and the Comprehensive Plan.
- E. The site is able to accommodate ~~subsequent~~ oil and gas production, ~~should the proposed drilling program be successful~~.
- F. For projects requiring a Conditional Use Permit, the findings identified in [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) shall also apply.

SECTION 9:

ARTICLE 35.5, Oil and Gas, Wind Energy and Cogeneration Facilities, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Section 35.58.020, Applicability, of Chapter 35.58, Cogeneration Facilities, is hereby amended to read as follows:

35.59.020 Applicability

The regulations contained in this Chapter shall apply to cogeneration facilities where allowed in compliance with [Section 35.58.030 \(Allowed Zones and Permit/Plan Requirements\)](#) except for cogeneration facilities that are ancillary to the following land uses:

- A. Oil ~~drilling and~~ production subject to an Oil Drilling and Production Plan approved in compliance with [Section 35.52.050 \(Oil ~~Drilling and~~ Production\)](#).
- B. Treatment and processing facilities approved in compliance with [Section 35.52.060 \(Treatment and Processing Facilities\)](#).
- C. Refining facilities approved in compliance with [Section 35.52.070 \(Refining\)](#).
- D. Oil and gas pipelines approved in compliance with [Section 35.52.080 \(Oil and Gas Pipelines\)](#).

SECTION 10:

All existing indices, section references and numbering, and figure and table numbers contained in the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 11:

Except as amended by this ordinance, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 12:

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 13:

This ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

BOB NELSON, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEN
COUNTY COUNSEL

By _____
Deputy County Counsel