

**Sec. 35-290. Pipelines.**

***Sec. 35-290.1. Applicability.***

The specific regulations contained within this section shall apply to:

1. All oil transmission and distribution pipelines.
2. All gas transmission and distribution lines excluding public utility gas lines less than 12 inches in diameter.
3. Wastewater pipelines excluding those incidental to and located within an onshore oil production lease area.
4. All pipelines associated with offshore oil and gas production.
5. Facilities related to the above pipelines (e.g., pumping stations, etc.).

This section shall not apply to pipelines that are incidental to oil and gas production operations covered by regulations in Sec. 35-295. (Oil drilling and Production).

For all districts in which oil and gas pipelines or related facilities are permitted uses, the district regulations shall be inapplicable to said use.

***Sec. 35-290.2. Permitted Districts.***

Pipelines shall be a permitted use in all zone districts.

***Sec. 35-290.3. Processing.***

No permits for development including grading shall be issued except in conformance with an approved Final Development Plan, as provided in Sec. 35-317. (Development Plans), and with Sec. 35-314. (Land Use Permits).

The following information, in place of that listed in Sec. 35-317., must be filed with a Preliminary or Final Development Plan application:

1. A brief statement of the proposed project.
2. A plot plan showing:
  - a. Property, easement, and pipeline right-of-way boundaries.
  - b. Proposed road construction or modification.
  - c. Area to be used for construction.
  - d. Area to be used for access and maintenance during pipeline operation.
  - e. Existing roads, water courses and pipelines within the pipeline right-of-way.
  - f. Location and type of existing and proposed structures within 50 feet of the pipeline right-of-way.

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- g. Proposed alteration of surface drainages.
3. A contour map showing existing and proposed contours.
4. Measures to be used to prevent or reduce nuisance effects, such as noise, dust, odor, smoke, fumes, vibration, glare, and to prevent danger to life and property.
5. A revegetation and site restoration plan shall be prepared by the applicant which includes provisions for restoration of any biologically important habitats which will be disturbed by construction or operational procedures. Said plan shall be subject to approval by the Planning and Development Department during project review.
6. Any other reasonable information as deemed necessary by the Planning and Development Department.
7. In addition, for oil and gas pipelines, an updated emergency response plan that addresses the potential consequences and actions to be taken in the event of hydrocarbon leaks or fires shall be submitted. The emergency response plan shall be approved by the County's Emergency Services Coordinator and Fire Department unless said plan has received previous approval by the Public Utilities Commission.

***Sec. 290.4. Findings Required for Approval of Development Plans.*** (Amended by Ord. 3586, 08/25/86)

In addition to the findings for Development Plans set forth in Sec. 35-317.7. (Development Plans), no Preliminary or Final Development Plan which proposes new pipeline construction outside of industry facilities shall be approved unless the Planning Commission also makes the findings that:

- a. Use of available or planned common carrier and multiple-user pipelines is not feasible; and
- b. Pipelines will be constructed, operated, and maintained as common carrier or multiple-user pipelines unless the Planning Commission determines it is not feasible. Applicants have taken into account the reasonable, foreseeable needs of other potential shippers in the design of their common carrier and multiple-user pipelines. Multiple-user pipelines provide equitable access to all shippers with physically compatible stock on a nondiscriminatory basis; and,
- c. New pipelines are routed in approved corridors that have undergone comprehensive environmental review unless the Planning Commission determines that such corridors are not available, safe, technically feasible, or the environmentally preferred route for the proposed new pipeline; and

- d. When a new pipeline route is proposed, it is environmentally preferable to all feasible alternative routes; and,
- e. When a new pipeline is proposed, the project's environmental review has analyzed the cumulative impacts that might result from locating additional pipelines in that corridor in a future; and
- f. Concurrent or "shadow" construction has been coordinated with other pipeline projects that are expected to be located in the same corridor where practical.

***Sec. 35-290.5. Development Standards.***

- 1. The following standards shall apply to all pipeline projects:
  - a. Except in an emergency, no materials, equipment, tools, or pipes shall be delivered to or removed from a pipeline construction site through streets within any residential zone district between the hours of 9:00 p.m. and 7:00 a.m. of the next day.
  - b. After completion of back-filling and compacting of the pipeline ditch, the site shall be returned to grade where practical and the excess soil shall be removed to an appropriate disposal site.
  - c. During construction of the pipeline, there shall be no permanent blocking of surface drainages.
  - d. A pipeline corridor shall be sited so as to avoid significant impacts to resources (e.g., aquatic habitats, archaeological areas) to the maximum extent feasible.
  - e. Where pipeline segments carrying hydrocarbon liquids pass through sensitive resource areas (e.g., aquatic habitats) as identified by the project environmental review, provisions identified in the environmental review shall be applied to minimize the amount of liquids released in the sensitive areas in the event of a spill. The potential for damage in those areas shall be minimized by considering spill volumes, duration, and trajectories in the selection of a pipeline corridor. In addition, appropriate measures for spill containment and cleanup (e.g., catch basins to contain a spill) shall be included as part of the required emergency response plan.
  - f. Permits for new pipeline construction shall require engineering of pipe placement and burial within a corridor to minimize incremental widening of the corridor during subsequent pipeline projects, unless the proposed route is determined to be unacceptable for additional pipelines. *(Amended by Ord. 3586, 08/25/86)*

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2. In addition, the following standards may be applied to the extent deemed necessary by the Planning Commission.
  - a. A performance security shall be provided in an amount sufficient to ensure completion of all requirements of the approved revegetation and restoration plan and shall be released upon satisfactory completion.
  - b. Disturbed areas shall be jointly inspected by the applicant and County staff one year after completion of construction to assess the effectiveness of the revegetation and restoration program. This inspection shall continue on an annual basis to monitor progress in returning the site to pre-construction conditions or until no additional monitoring is deemed necessary to the Planning and Development Department. Inspection results shall be submitted annually to the Planning and Development Department, and additional treatment of the site will be applied as deemed necessary by said department.
  - c. Above ground sections of the pipeline and related facilities excepting those emplaced on a temporary basis for a testing period not to exceed one year, shall be visually compatible with the present and anticipated surrounding by use of any or all of the following measures where applicable: buffer strips; depressions, natural or artificial; screen planting and landscaping continually maintained; and camouflage and/or blending colors.
  - d. Proposed facilities shall be designed and housed such that the noise generated by the facilities as measured at the property boundaries shall be equal to or below the existing noise level of the surrounding area except under temporary testing or emergency situations. 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 Comprehensive Plan Noise Element.