



## Legislation Details (With Text)

**File #:** 2010-0646      **Version:** 1

**Type:** Ordinance      **Status:** Died due to expiration of legislative council session

**File created:** 6/22/2010      **In control:** Committee on Land Use and Economic Development

**On agenda:**      **Final action:** 12/31/2011

**Enactment date:**      **Enactment #:**

**Effective date:**

**Title:** Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.101 to provide regulations for sites used for the purposes of oil and gas drilling

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**Indexes:** PGH. CODE ORDINANCES TITLE 09 - ZONING

**Code sections:**

**Attachments:** 1. 2010-0646.doc

Date	Ver.	Action By	Action	Result
6/30/2010	1	Standing Committee	Held for Cablecast Public Hearing	Pass
6/30/2010	1	Standing Committee	Referred for Report and Recommendation	Pass
6/22/2010	1	City Council	Read and referred	Pass

Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.101 to provide regulations for sites used for the purposes of oil and gas drilling.

### The Council of the City of Pittsburgh hereby enacts as follows:

**Section 1.** The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 911, Section 911.02, Use Table, as follows:

**Oil & Gas Drilling and Extraction**

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**Section 2.** The Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Regulations, is hereby amended at Chapter 911, Section 911.04.A.101, as follows:

#### **911.04.A.101 Oil and Gas Drilling and Extraction**

##### (a) Definitions

- (1) DRILLING - the digging or drilling of a well for the purposes of exploring for, developing or producing oil and/or gas or other hydrocarbons.
- (2) GAS - Any fluids, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarified state at standard temperature or pressure conditions

and/or gaseous components or vapors occurring in or derived from petroleum or natural gas.

(3) OIL and GAS WELL - Any well drilled or to be drilled or used for the intended or actual production of oil and/or gas

(4) OIL or GAS PRODUCTION - the drilling and/or extraction of oil or gas

(b) Oil and gas production shall be subject to the following conditions

(1) Included with the conditional use application shall be copies of all Oil and Gas Leases signed by property owner(s) who have title to the surface of the drill site.

(2) A copy of all permits (General, ESCGP-1) issued by the Pennsylvania Department of Environmental Protection (PA DEP) shall be included with the application and provided to the Director of Planning and the Director of Public Safety. In addition, the Director of Planning and Director of Public Safety shall be provided copies of all plans (erosion and sedimentation control, grading, etc) required by PA DEP. All required permits shall be maintained throughout the duration of the oil or gas production. Any suspension or revocation of permits by PA DEP shall be reported to the Director of Planning and the Director of Public Safety and shall constitute a violation of City of Pittsburgh's zoning approval and may result in the suspension or revocation of zoning approval;

(3) The operation shall be controlled in such a manner as to offer reasonable protection to the neighborhood against possible detrimental impacts, taking into consideration the physical relationship to surrounding properties and access to the site;

(a) The minimum site size for oil and gas production shall be no less than fifteen (15) acres

(b) The minimum distance from any residential or public structure shall be no less than one thousand (1,000) feet. Public structures include all buildings with a public function, which shall include but not be limited to schools, churches, recreation centers, and public utility facilities.

(4) The proposed operation shall meet all requirements of the Land Operations Ordinance;

(5) At the time of Conditional Use application, a survey of the proposed drill site with all permanent facilities (tanks or other surface installations) with locations and distances to property lines shall be filed with the application;

(a) The facility and all its operations shall comply with all applicable permits and requirements of the PA DEP, the United States Environmental Protection Agency, and any other governmental authority having jurisdiction over its operations and with all federal, state and local laws, ordinances and regulations promulgated to protect the environment or otherwise relating to environmental matters;

(6) An analysis of baseline chemicals present at the drill site must be included with application. Test samples shall be taken no more than ninety (90) days prior to the date of application and analyzed by a certified testing lab. Soil samples shall be taken from the furthest most points in each cardinal direction and water samples taken from all water supplies within a one thousand-foot radius of the drilling site.

(7) A plan submitted along with the application shall be provided to the Planning Director and the Director of Public Safety addressing the type of chemicals to be transported to and from the site, the number of vehicles that will access the site daily and the routes the vehicles will travel. The plan and proposed use of any street for incidental trucking operations shall have the approval of the Directors for the Departments of Public Safety, Planning and Public Works;

(a) Residential streets shall not be used for routing of vehicles serving the site at any stage of production;

(8) Applicant shall provide a list of all chemicals or waste products used or produced by the oil or gas drilling and extraction operation which will be submitted to the Director of Public Safety. The presence or use of chemicals not reported to the Director of Public Safety shall constitute a violation of City of Pittsburgh's zoning approval and may result in the suspension or revocation of zoning approval;

(9) Applicant shall provide a detailed emergency management plan to be approved by the Director of Public Safety. This plan must include protocol that will be followed by the applicant in emergency situations to include, but not be limited to hazardous material spills, gas leaks, fire, civil disturbance/demonstration, inclement weather/flood. Should City of Pittsburgh Public Safety personnel be required for plan execution, this must be clearly noted and training must be provided at the applicant's expense prior to the commencement of any oil or gas production.

(10) Lighting shall be arranged and designed so that no source of light is directed toward or shines upon any lots used or zoned for residential use. Lighting shall be designed to shield public streets and all other adjacent lands from distracting glare or hazardous interference of any kind.

(11) All oil and gas production shall minimize dust, vibration, noise or noxious odors and shall be in accordance with the best accepted practices incident to drilling for oil or gas in urban areas. All equipment used shall be constructed and operated so that vibrations, dust, odor, noise or other harmful or annoying effects are minimized by the operations carried on at the drill site to avoid injury to or annoyance of persons living in the vicinity.

(12) After all oil and gas production operations are completed, or suspended due to revocation of permit, the operator shall test for baseline chemicals in the soil and water supplies, clean the site and remediate any chemical imbalances (as compared to pre-drilling testing), complete all restoration activities and repair any damage to public property within sixty (60) days and to private property as described in the Oil and Gas Lease signed with the land owner(s).