

Ordinance 2266 – Noble Amendment 1 (Second Reading) – Setbacks

Purpose: To increase the proposed setback for new oil and gas development to a uniform 2,000' and to delete provisions regarding site eligibility that would no longer be needed (Section 21-3235(5) (“Initial Assessment Process & Site Eligibility Determination”).

Motion: I move to amend Ordinance 2266 in Exhibit D and Exhibit F, by striking subsection 21-3235(5) and substituting a new subsection 21-5266(6) as shown in the document titled “Noble Amendment 1 (Second Reading) – Setbacks.”

*The amendment must be read in full when considered on second reading.

[red text shows modifications for reference]

BEGIN

Sec. 21-5266. Subsurface Extraction

(6) Setbacks and Floodplain Restriction.

- (a) No Oil and Gas Production Site may be located within ~~2000'~~2000' of the following existing conditions:
 - (i) Any ~~existing~~ residential use, ~~or~~platted residential property, ~~or property zoned for residential use, including properties zoned Agricultural over 10 acres in size;~~
 - (ii) ~~a school facility or child care center~~ child care center as defined by the COGCC;
 - (iii) ~~any facility classified as a High Occupancy Building Unit, as defined by the COGCC;~~
 - (iv) Any Public Park or public recreation facility, not including trails or city designated open space;
 - (v) Outdoor venues, playgrounds, permanent sports fields, amphitheaters, or other similar place of outdoor public assembly;
 - (vi) Senior living or assisted living facilities;
 - (vii) Public Water Supply Wells; and
 - (viii) Reservoirs.
- (b) ~~No Oil and Gas Production Site may be located within 1,500' of ten (10) or more existing residential or platted residential properties, or any building classified as a High Occupancy Building Unit, as defined by the COGCC.~~
- (c) ~~No Oil and Gas Production Site may be located within 2,000' of a school facility or child care center child care center as defined by the COGCC;~~
- (c) No Oil and Gas Facilities may be located in the Floodplain.
- (d) Measurements shall be taken from the edge of the proposed Production Site to the parcel boundary. For agricultural properties over 10 acres in size with residential uses, the measurement shall be taken from the nearest edge of any occupied dwelling unit.

END