



188142

# Fossil Fuel Terminal Zoning Amendments

City Council Public Hearing  
November 16, 2016



Bureau of Planning and Sustainability  
Innovation. Collaboration. Practical Solutions.



# Proposed zoning code amendments

- **Define Bulk Fossil Fuel Terminals as a regulated land use.**
- **Prohibit Bulk Fossil Fuel Terminals in all base zones.**
- **Existing Bulk Fossil Fuel Terminals would become limited uses that can continue to operate.**

# Proposed Amendments

Amendment #1 - Technical Correction to Exception #4 to clarify that truck only terminals are not Bulk Fossil Fuels Terminals.

Amendment #2 - Clarification to Exception #7 that fuel storage for airports, marine servicing facilities and rail yards are not Bulk Fossil Fuel Terminals.

Amendment #3 - Clarification of the Fossil Fuel definition by specifying that non-fuel petroleum-based products, such as asphalt and lubricants, are not fossil fuels.

# Proposed Amendments

## Amendment #4 - Additional directions

- d. The Bureau of Planning and Sustainability shall report to City Council no later than December 31, 2019 on the implementation of this ordinance.
- e. City Bureaus, including BDS, PBEM and Fire, shall work with the State of Oregon to develop policy options to require seismic upgrades of storage tanks within a firm deadline for replacement of older, unsafe tanks.

# Proposed Amendments

Amendment #5 - Change description of limited use to include reference to storage tank capacity.

Amendment #6 - Delete provision that allows for up to 10% expansion for seismic replacement of storage tanks.

Amendment #7 - Add provision that allows for up to 10% expansion for the exclusive storage of fuel that is blended to achieve compliance with the Clean Fuels Program.

Amendment #8 - Adopt revised Ordinance and Findings based on amendments.

# Defining fossil fuel

**Fossil fuels** are petroleum products (such as crude oil and gasoline), coal, methanol, and gaseous fuels (such as natural gas and propane) that are made from decayed plants and animals that lived millions of years ago and are used as a source of energy.

**Exclusions:** Denatured ethanol and similar fuel additives, biodiesel/renewable diesel with less than 5% fossil fuel content, and petroleum-based products used primarily for non-fuel uses such as asphalt, plastics, lubricants, fertilizer, roofing and paints.

# New land use category: Bulk Fossil Fuel Terminals

## Bulk Fossil Fuel Terminals:

- Marine, railroad, or pipeline transport access; and
- Transloading facilities (such as train-to-ship) or storage capacity exceeding 2 million gallons.

## Exclusions:

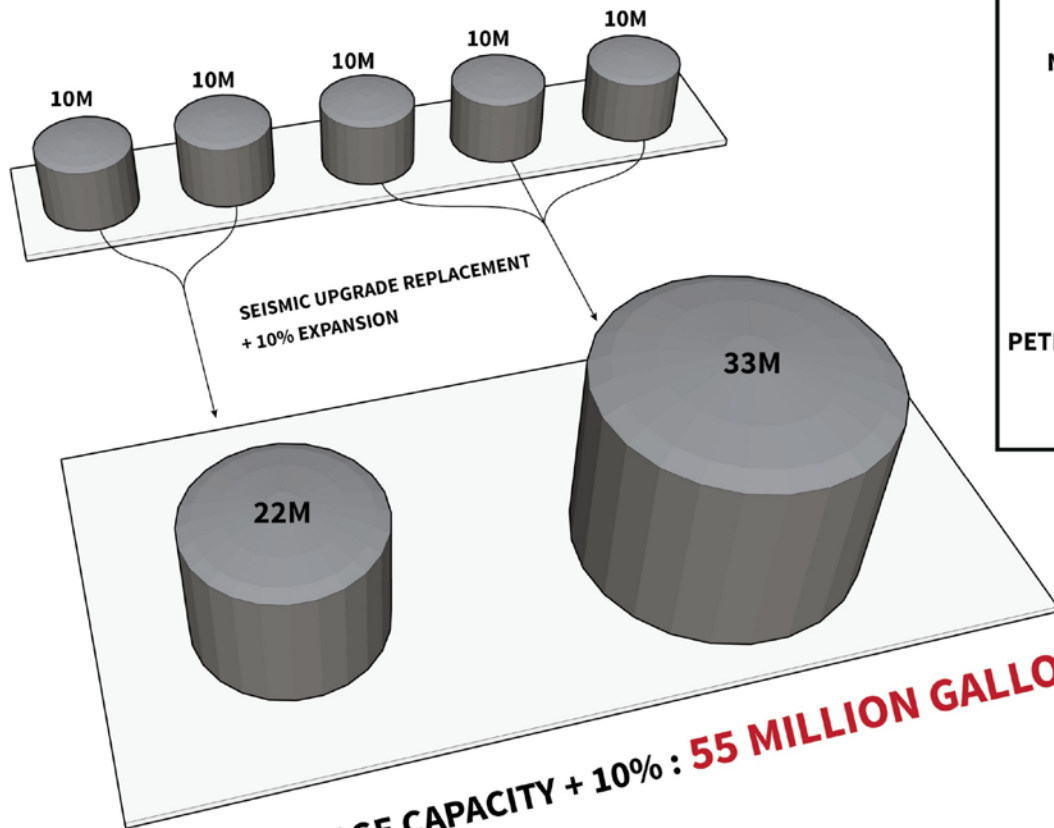
- Distributors with access exclusively by truck;
- End-user facilities, including filling stations and firms that store fossil fuels for use as an input;
- Airports, marine and rail servicing facilities.

# Regulating existing terminals

- Limited Use
- Storage capacity expansion limited to 10 percent of current capacity.
- Replacement of existing tanks for seismic upgrade needed to expand
- No land use review for expansion
- Public notice and meeting required



# Regulating existing terminals



**NOT INCLUDED IN CAPACITY LIMIT:**

- NON-FOSSIL FUELS  
ETHANOL
- NON-FUEL PETRO-CHEMICALS  
ASPHALT ROOFING LUBRICANTS

# Future code changes on seismic resilience



PBEM's 2016 Critical Energy Infrastructure Hub Study future actions.

Seismic safety requirements are addressed in state building codes.

Advocate for state-level code changes to improve seismic resilience and require seismic upgrades.