WHEREAS, on the 24th day of June, 2014, Resolution No. 2014-306 was adopted by the Board of Supervisors, initiating amendments to Mariposa County Code Title 17 to implement General Plan provisions for processing mining permits and to make text in County Code Title 17 consistent with text in the State Surface Mining and Reclamation Act (SMARA) and County Code Title 18, Chapter 18.02; and

WHEREAS, this project is known as Zoning Ordinance Amendment No. 2014-078; and

WHEREAS, following initiation action, Zoning Ordinance Amendment No. 2014-078 was routed to the Agricultural Advisory Committee for review at a publicly noticed meeting; and

WHEREAS, the Agricultural Advisory Committee recommended approval of Zoning Ordinance Amendment No. 2014-078 at their meeting on the 31st day of July, 2014; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 5th day of September 2014; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet, the proposed environmental determination and testimony presented by the public; and

WHEREAS, the Planning Commission of the County of Mariposa did adopt Planning Commission Resolution No. 2014-009, recommending to the Mariposa County Board of Supervisors that they approve Zoning Ordinance Amendment No. 2014-078; and

WHEREAS, Planning Staff did identify an omission in the ordinance text as reviewed and approved by the Planning Commission on September 5, 2014; and

WHEREAS, Government Code Section 65857 requires the Planning Commission to review the amended text; and

WHEREAS, a duly noticed Planning Commission public hearing to consider the amended text was scheduled for the 17th day of October 2014; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all the information in the public record, including a staff memorandum, a draft resolution with amended text, an amended environmental determination and testimony presented by the public; and
WHEREAS, on the 17th day of October, 2014 Resolution No. 2014-014 was adopted by the Planning Commission, recommending Board of Supervisor’s approval of Zoning Ordinance Amendment No. 2014-078; and

WHEREAS, a duly noticed Board of Supervisors public hearing was scheduled for the 25th day of November, 2014; and

WHEREAS, the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS, a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and

WHEREAS, the Board of Supervisors did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet and testimony presented by the public; and

WHEREAS, on the 25th day of November, 2014 Resolution No. 2014-610 was adopted by the Board of Supervisors, approving Zoning Ordinance Amendment No. 2014-078 with amended text (based on public input) and findings; and

WHEREAS, on the 16th day of December, 2014 Resolution No. 2014-610 was rescinded by the Board of Supervisors. The Board of Supervisors referred the amended text for Zoning Ordinance Amendment No. 2014-078 back to the Agricultural Advisory Committee and the Planning Commission. This action was based on text amendments made by the Board of Supervisors at their hearing on the 25th day of November 2014. The Board of Supervisors extended the required reporting period for the Planning Commission’s review from forty (40) calendar days to ninety-one (91) calendar days; and

WHEREAS, on the 22nd day of January, 2015 the Agricultural Advisory Committee recommended abandoning Zoning Ordinance Amendment No. 2014-078 and initiating and approving new amendments to the General Plan and Zoning Ordinance; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the reconsideration of Zoning Ordinance Amendment No. 2014-078 on the 6th day of March, 2015; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report packet, the Agricultural Advisory Committee’s recommendations, Options 1 and 2, the proposed environmental determination and testimony presented by the public.

NOW BE IT THEREFORE RESOLVED THAT, the Planning Commission does hereby recommend that the Board of Supervisors:

1. Abandon Zoning Ordinance Amendment No. 2014-078;

2. Initiate a new General Plan/Zoning Ordinance Amendment with text as shown in Attachments 1 through 15; and
3. Approve the General Plan/Zoning Ordinance Amendment with findings, including an environmental determination.

**BE IT RESOLVED THAT** all other text in Title 17 of County Code and the General Plan shall remain unchanged.

**BE IT THEREFORE FINALLY RESOLVED THAT** the recommendation for project approval is based on the following findings supported by substantial evidence in the public record:

1. **Finding:** The General Plan and Zoning amendments are in the general public interest, and will not have a significant adverse effect on the general public health, safety, peace, and welfare.

   **Evidence:** The public will benefit by having the text in the General Plan and County Code Title 17 consistent with text in the State Surface Mining and Reclamation Act (SMARA) and County Code Title 18, Chapter 18.02. The amendments reflect current Board policy and will have no effect on the general public health, safety, peace, and welfare.

2. **Finding:** The amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making.

   **Evidence:** These amendments will improve the Mariposa County General Plan by ensuring that county policies are current, and that county zoning regulations implement specific policies of the General Plan and do not conflict with it. It is important for adopted county policies and codes to be internally consistent.

3. **Finding:** That such an amendment conforms to the requirements of state law and county policy.

   **Evidence:** This project has been processed in accordance with State Law. The project, and the amended policies in the General Plan, reflect public input received through the public hearing process. The project ensures the text of the zoning ordinance implements the General Plan.

4. **Finding:** This project to amend the General Plan and Zoning Ordinance is exempt from environmental review pursuant to the General Rule Exemption, Section 15061, of CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

   The project will amend the General Plan and County Code to make all future mining operations subject to a discretionary review process. The discretionary review is an action taken by the county to assure an appropriate review process for mining, which enables consideration of both project specific and site specific aspects of the project. The mining permit, reclamation plan, and discretionary review process are all subject to environmental review pursuant to CEQA; the project and site specific environmental impacts of each future mining project will be thoroughly reviewed. New development standards for mining operations are included in code.
ON MOTION BY Commissioner Donn Harter, seconded by Commissioner Heather Bernikoff, this resolution duly passed and adopted this 6th day of March 2015 by the following vote:

AYES: Donn Harter, Heather Bernikoff, Les Marsden

NOES: Larry Harris, Mark Becker

ABSENT:

ABSTAIN:

[Signature]

Les Marsden, Chairman
Mariposa County Planning Commission

Attest:

[Signature]

Susan Hunter, Secretary to the Planning Commission
ATTACHMENT 1
Amendments to General Plan

5 LAND USE

5.2 General Plan Implementation

Goal 5-5: Designate land areas to maintain the County’s agricultural/working landscape.

Policy 5-5a: Maintenance of the agricultural/working landscape shall recognize the economic use of these lands, as well as their scenic and open space functions.

Implementation Measure 5-5a(1): The Land Use element shall identify lands within which the economic uses for the production, extraction, or harvesting of food, fiber, and minerals shall be the primary purpose.

Timing: Short-term
Responsibility: Mariposa County Planning Department.
Fiscal Impact: Ongoing.
Consequences: This Measure enables the Agriculture/Working Landscape land use classification.

5.3 LAND USE CLASSIFICATIONS

5.3.02 RESIDENTIAL LAND USE CLASSIFICATION

A. Purpose

The Residential land use classification identifies lands for single family dwellings in a rural setting outside the Planning Area land use classification.

B. Extent of Uses

Residential land uses include single-family dwellings, vacation homes, and agriculture. Typical accessory uses are related to personal recreation, home-based business activities, other uses related to agriculture, and uses consistent with rural character. Churches and mining are allowed subject to a discretionary permit.

C. Zoning Consistency

The following zoning districts are consistent with the purpose of the Residential land use classification:

- Agriculture Exclusive
- Mountain General
- Mountain Home
- Mountain Transition
The Board of Supervisors has determined that for parcels within the Residential Land Use Classification on the Land Use Diagram, the existing zoning assigned to that parcel, as of December 1, 2006, is consistent with the Residential land use classification.

5.3.04 AGRICULTURE/WORKING LANDSCAPE LAND USE CLASSIFICATION

A. Purpose

The Agriculture/Working Landscape land use classification defines lands for the production or harvesting of food, fiber, and timber, and minerals on large parcels of 160 acres or greater in size. These lands and their historically and economically important activities are a major contributing factor to the County’s character. The Agriculture/Working Landscape classification incorporates both the County's traditional ranch lands and timberlands at the mid-elevations of the County west of Yosemite National Park. This land use classification identifies lands where the primary use is the production of agriculture, or timber, or mining for economic benefit, which incidentally have scenic value and appear as open space areas. Agriculture/Working Landscape lands are different from lands in public ownership and lands primarily used for resource protection, which are identified in the Natural Resources land use classification.

B. Extent of Uses

The primary uses in the Agriculture/Working Landscape land use classification include single-family dwellings on large parcels, agritourism uses in conjunction with the primary agriculture production use of the property, agriculture, and timber, production and harvesting, and mining activities requiring large acreages for production activities, and processing. Secondary or accessory uses which may be permitted with an appropriately-noticed public review process include feed lots, lumber mills, mining and other uses associated with the primary uses that are known to have characteristics which require site specific compatibility review. Lands under Williamson Act contract are subject to the terms and conditions of the contract.

In addition to the traditional uses within the classification, the County permits through a discretionary review (conditional use permit) churches and organizational camps. In addition, the County permits through a discretionary review (conditional use permit) the creation of resort or visitor uses, which are secondary to the primary uses of agriculture, and timber, and mining production. Agritourism is a permitted use when in conjunction with the primary agriculture production use of the property. Such agritourism uses support the County’s goal of encouraging agriculture and regional visitor businesses. Review criteria for the agritourism use will include but not be limited to biosecurity, compatibility for neighboring agriculture uses, and availability of proper infrastructure. A reclassification to Rural Economic/Resort is required to approve a resort or visitor-oriented ranch as the primary use in the Agriculture/Working Landscape land use classification. Agritourism uses in the Agriculture/Working Landscape should be compatible with the surrounding primary uses.
F. Criteria for New Lands to Be Included

This section shall not be considered in the processing of a General Plan Amendment application to transfer agriculture land within the Agriculture/Working Landscape land use designation for lands within other land use classifications pursuant to General Plan Goal 10-2, Policy 10-2a, and Implementation Measure 10-2a(4), and pursuant to adopted criteria.

Lands proposed for Agricultural use:

The application must be presented with a recommendation by the Agricultural Advisory Committee indicating the proposed agricultural use requires the policy protections of the Agriculture/Working Landscape classification and, if applicable, meets standards for Williamson Act contracts.

Lands proposed for timber Management:

Minimum 160 acres and compliance with state regulation.

Lands proposed for mineral resource production:

The proposal must be accompanied by either an application for a mining mineral resource permit, reclamation plan, and Conditional Use permit, or a report from the California State Geologic Survey showing the land area is within a CSGS mineral resource classification rated 1 or 2.

5.3.05 NATURAL RESOURCE LAND USE CLASSIFICATION

A. Purpose

The Natural Resource land use classification defines lands for open space, recreation, ecosystem conservation, watershed protection, environmental protection, conservation of natural resources, and protection of public health and safety.

B. Extent of Uses

The primary uses in the Natural Resource land use classification include lands in public ownership, single-family dwellings on large parcels of 40 acres or greater in size, ranches, farms, vineyards, public access, timber management and harvesting, natural resource-compatible recreation access, and land conservation uses or easements. An ecotourism resort or mining project may be permitted with a discretionary approval. Churches and organizational camps are allowed subject to a discretionary permit.

C. Zoning Consistency

The following base zoning districts are consistent with the purpose of the Natural Resource land use classification:

- Agriculture Exclusive
- General Forest
- Mountain General
- Public Domain
- Public Sites
The Board of Supervisors has determined that parcels within the Natural Resource Land Use Classification on the Land Use Diagram, the existing zoning assigned to that parcel, as of December 1, 2006, is consistent with the Natural Resources land use classification.

11 CONSERVATION AND OPEN SPACE

11.1.03 Mineral Resources
Mariposa County is situated astride the southern extreme of the mineralized fault belt running through the Central Sierra Mountains, which is commonly referred to as the "Mother Lode." While it is generally recognized that the richest portion of the Mother Lode Fault System is north of Mariposa County, the County has a historic record of precious metal mining production and it is believed that valuable deposits of ore still exist in the County.

Mariposa County has two active slate quarries—Bear Creek Slate Quarry, located on Old Toll Road and Yosemite Slate Quarry, located off of Highway 140 on Agua Fria Road. With the exception of sand and gravel extraction and processing, most mines in the County are now closed or only intermittently active.

There is a need for mining of construction materials and the resources are available in the County. As residential development occurs, the County is going to need more local sources for slate, gravel, sand, and other construction material.

11.2 General Plan Implementation

Goal 11-3: Provide for the reasonable development of mineral resources.

Policy 11-3a: Mining occurs in balance with adjoining uses and resources compatibility.

Implementation Measure 11-3a(1): Require a conditional use permit for mining activity except where a land use designation permits such use, and allow small scale mining through an administrative use permit.
Timing: Short-term
Responsibility: Mariposa County Planning Department.
Fiscal Impact: None.
Consequences: Code revision.

Implementation Measure 11-3a(2): Incorporate standards for the exploration, development, and reclamation activities associated with mineral resource projects.
Timing: Intermediate-term
Responsibility: Mariposa County Planning Department.
Fiscal Impact: Allocation of Staff resources.
Consequences: Code revision.
ATTACHMENT 2
Amendments to Chapter 17.20

Chapter 17.20

MOUNTAIN HOME ZONE (MHZ)

Sections:

17.20.010 Mountain home zone (MHZ).

17.20.010 Mountain home zone (MHZ).
The MHZ as designated on the Mariposa County land use map, is applied to land best suited for moderate residential densities based upon suitability of terrain, location adjacent to population centers and services areas. This land use classification is provided to accommodate the major portion of the rural homestead growth of the county.

A. Development standards for MHZ. Development standards for the MHZ shall be as follows:

1. Uses:
   a. Permitted uses: Residential and those applicable uses listed under Chapter 17.108 of this Title. (Ord. 704 Sec.1, 1988).
   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.

C. Conditional uses: Churches, subject to parking standards as required in Section 17.108.120(F) of this Title; private schools, except as permitted by Section 17.108.060(I); and mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code, mineral or construction material processing, quarrying or aggregate processing shall be allowed by use permit issued for one (1) year. The permit shall be renewed if conditions are met and the site is maintained in accordance with the Surface Mining Act, Mariposa County Code and Water Quality Control Board Standards and renewal of the use permit does not significantly interfere with residential uses. Processed, stockpiled material can be removed after permit to process has expired provided that terms of the reclamation plan are met. (Ord. 816 Sec.V, 1991).

C. Prohibited uses: All uses listed in section 17.108.200 of this Title and other uses not listed above are prohibited, except similar uses in compliance with Section 17.108.120 and 17.108.030 of this Title. (Ord. 1086 Sec.I, 2011; Ord. 912 Sec.II, 1997).

2. Minimum parcel or lot size: No parcel of real property shall be divided or split into two (2) or more parcels by voluntary transfer, court action or other conveyance, where any one (1) of the parcels so created will be less than five (5) acres in gross area.
3. **Density**: One (1) single family residence per five (5) acres. (Ord. 704 Sec.1, 1988).
ATTACHMENT 3
Amendments to Chapter 17.24

Chapter 17.24

MOUNTAIN TRANSITION ZONE (MTZ)

Sections:

17.24.010 Mountain Transition Zone (MTZ).

17.24.010 Mountain transition zone (MTZ).

The Mountain Transition Zone (MTZ) as designated on the Mariposa County land use map, is applied to lands with limited development potential.

A. Development standards for MTZ. Development standards for the MTZ shall be as follows:

1. Uses:
   a. Permitted uses: Residential, and those applicable uses listed under Chapter 17.108. (Ord. 704 Sec.1, 1988).
   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.

C. Conditional uses: Churches, subject to parking standards as required in Section 17.108.120(F) of this Title; private schools, except as permitted by section 17.108.060(I); and mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code. (Ord. 816 Sec.VI, 1991).

C. Prohibited uses: All uses listed in section 17.108.200 of this Title and other uses not listed above are prohibited, except similar uses in compliance with Section 17.108.120 and 17.108.030 of this Title. (Ord. 1086 Sec.I, 2011; Ord. 912 Sec.II, 1997).

2. Minimum parcel or lot size: No parcel of real property in the MTZ shall be divided or split into two (2) or more parcels by voluntary transfer, court action, or other conveyance where any one (1) of the parcels so created will be less than twenty (20) acres or one-half of one legal quarter-quarter section in gross area.

3. Density: One (1) single family residence per twenty (20) acres or one-half of a legal quarter-quarter section. (Ord. 704 Sec.1, 1988).
ATTACHMENT 4
Amendments to Chapter 17.28

Chapter 17.28

MOUNTAIN GENERAL ZONE (MGZ)

Sections:

17.28.010 Mountain general zone (MGZ).

17.28.010 Mountain general zone (MGZ).

The Mountain General Zone (MGZ) as designated on the Mariposa County land use map, is applied to lands characterized by terrain that is less suitable for moderate or high residential densities or intense use, or is remote from established service centers. Due to the requirement for larger parcel sizes, diverse uses with minimum potential for use conflicts are possible within this classification.

A. Development standards for MGZ.

Development standards for the MGZ shall be as follows:

1. Uses:
   a. Permitted uses: Residential $^\text{LT}$ non-commercial recreation; mining and rock processing in conformance with Surface Mining Act, county code and those applicable uses listed under Chapter 17.108 of this Title. (Ord. 704 Sec.1, 1988).
   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.
   c. Conditional uses: Churches, subject to parking standards as required in Section 17.108.120(F) of this Title; private schools, except as permitted by Section 17.108.060(I); membership or public parks and camps which require no permanent facilities; guest ranches, hunting clubs, public stables and riding trails; and mining, which may include mineral or construction material processing, when conducted in conformance with the State Surface Mining and Reclamation Act and County Code. (Ord. 816 Sec.VII, 1991).
   c. Prohibited uses: All uses listed in section 17.108.200 of this Title and other uses not listed above are prohibited, except similar uses in compliance with Section 17.108.120 and 17.108.030 of this Title. (Ord. 1086 Sec.I, 2011; Ord. 912 Sec.II, 1997).

2. Minimum parcel or lot size: No parcel of real property in the MGZ shall be divided or split into two (2) or more parcels by voluntary transfer, court action or other convey-ance where any one (1) of the parcels so created will be less than forty (40) acres or a legal quarter-quarter section in gross area.

3. Density: Two (2) single family residences per forty (40) acres or a legal quarter-quarter section. (Ord. 704 Sec.1, 1988).
ATTACHMENT 5
Amendments to Chapter 17.32

Chapter 17.32

GENERAL FOREST ZONE (GFZ)

Sections:

17.32.010 General forest zone (GFZ).

17.32.010 General forest zone (GFZ).

The General Forest Zone (GFZ) as designated on the Mariposa County land use map, is applied to lands under private ownership located primarily within the boundaries of national forest lands that are best suited for low density residential, timber management, agriculture and mining.

A. Development standards for GFZ.

1. Uses:

   a. Permitted uses: Residential, sustained yield timber management; mining, rock and mineral processing in compliance with the Surface Mining Act and county code; non-commercial recreation, and those applicable uses listed under Chapter 17.108 of this Title. (Ord. 704 Sec.1, 1988).

   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.

   c. Conditional uses: Employee housing; churches, subject to parking standards as required in Section 17.108.120(F) of this Title; private schools, except as permitted by section 17.108.060(I); membership or public parks and camps which require no permanent facilities; guest ranches, hunting clubs, public stables, and riding trails; and mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code. (Ord. 816 Sec.VIII, 1991).

   c. Prohibited uses: All uses listed in section 17.108.200 of this Title and other uses not listed above are prohibited, except similar uses in compliance with Section 17.108.120 and 17.108.030 of this Title. (Ord. 1086 Sec.I, 2011; Ord. 912 Sec.II, 1997).

2. Minimum parcel or lot size: No parcel of real property in the GFZ shall be divided or split into two (2) or more parcels by voluntary transfer, court action or other conveyance where any one (1) of the parcels so created will be less than forty (40) acres or a legal quarter-quarter section in gross area.

3. Density: Two (2) single family residences per forty (40) acres or a legal quarter-quarter section. (Ord. 704 Sec.1, 1988).
ATTACHMENT 6
Amendments to Chapter 17.36

Chapter 17.36

MOUNTAIN PRESERVE ZONE (MPZ)

Sections:

17.36.010 Mountain preserve zone (MPZ).

17.36.010 Mountain preserve zone (MPZ).
The Mountain Preserve Zone (MPZ) as designated on the Mariposa County land use map, is applied to lands that are suitable for extremely low density residential development due to terrain and lack of accessibility. These lands are under private ownership within or adjacent to publicly owned lands, with brush and grass cover, and some timber.

A. Development standards for the MPZ. Development standards for the MPZ shall be as follows:

1. Uses:
   a. Permitted uses: Residential, non-commercial recreation, mining, milling or mineral processing when in conformance with the Surface Mining Act and county code, and those applicable uses listed under Chapter 17.108. (Ord. 704 Sec.1, 1988).
   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.

2. Conditional uses: Employee housing; private schools, except as permitted by section 17.108.060(I); and mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code. (Ord. 816 Sec.IX, 1991).

3. Prohibited uses: All uses listed in section 17.108.200 of this title and other uses not listed above are prohibited, except similar uses in compliance with section 17.108.120 and 17.108.030 of this title. (Ord. 1086 Sec.1, 2011; Ord. 912 Sec.II, 1997).

2. Minimum parcel or lot size: No parcel of real property in the MPZ shall be divided or split into two (2) or more parcels by voluntary transfer, court action or other conveyance where any one (1) of the parcels so created will be less than one hundred sixty (160) acres or a legal quarter section in gross area.

3. Density: Two (2) single family residences per one hundred sixty (160) acres or a legal quarter section. (Ord. 704 Sec.1, 1988).
ATTACHMENT 7
Amendments to Chapter 17.40

Chapter 17.40

AGRICULTURE EXCLUSIVE ZONE (AEZ)

Sections:

17.40.010 Agriculture exclusive zone (AEZ).

17.40.010 Agriculture exclusive zone (AEZ).

The Agriculture Exclusive Zone (AEZ) as designated on the Mariposa County land use map, is applied to land considered to be most desirable for agriculture use. The purpose is to preserve the agricultural industry of Mariposa County as a viable economic activity.

A. Development standards for the AEZ. Development standards for the AEZ shall be as follows, with the express provision that any agritourism or agri-nature tourism use shall comply with all federal, state and local laws and regulations. In this code, agritourism and agri-nature tourism are subject to the same standards and regulations:

1. Uses:

   a. Permitted uses: Ranching and commercial vineyards and orchards, nurseries, greenhouses, wineries, processing plants for products grown on-site (not including dairies), seasonal sale of agricultural products grown on-site from roadside stands or produce stands, permanent facilities for sale of and/or tasting rooms for agricultural products produced or processed on-site in accordance with the standards established by Section 17.108.070, u-pick operations, collaborative sales of agricultural products in accordance with state and federal standards, agricultural homestays in accordance with standards established by Section 17.40.010.A.4 and in conjunction with the primary agriculture production use of the property, Bed and Breakfasts and Transient Rentals which are managed by permanent on-site managers in accordance with the standards of section 17.108.180; collaborative agri-nature tourism events, horseback riding as an agritourism use, commercial row crops and other similar agricultural uses when conducted in a manner consistent with proper and accepted customs, standards, and practices, except those listed as administrative or conditional uses below; low density residential and employee housing in accordance with the density standards of this chapter; accessory buildings and accessory uses, barns, private stables, farm equipment shelters, and other out buildings; home enterprises, rural home industry, public schools, public parks and other public facilities, such as volunteer fire departments, utility transmission and distribution lines, towers, poles and substations; mining, rock and mineral processing when in compliance with the Surface Mining and Reclamation Act; private airstrips and heliports for personal use by the property owner; and agricultural activities.
associated with a 4-H and/or FFA project or projects; and those applicable uses listed under Chapter 17.108. Limited agritourism and agri-nature tourism uses and activities pursuant to the definitions for agritourism and agri-nature tourism and in accordance with the development standards established by Section 17.40.010.A.4 shall be permitted......

(remainder of text in this section unchanged)

b. Administrative Use Permit uses:
   i. Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.
   ii. Larger and more frequent agritourism and agri-nature tourism uses...
      ↔ • A daily use...
      ↔• The use or activity...
      ↔• Submittal of...

(remainder of text in this section unchanged)

c. Conditional uses: Intensive commercial agricultural uses including but not limited to the following: commercial hog ranches, livestock feed lots when confinement is for the purpose of finishing livestock for market, and commercial poultry farming; fertilizer plants or yards; animal sales yards; dairies; dairy processing plants; experimental agricultural operations determined by the planning director that the operation could impact other agricultural operations in the county, including, but not limited to, those associated with the agri-biotech industry and genetic technologies; dormitory style housing facilities for employees; slaughter houses; mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code; very large and frequent agritourism uses and activities pursuant to the definition for agritourism for groups of 36 or more persons per day for ongoing activities up to more than 250 people per week and in accordance with the development standards established by Section 17.40.010.A.4; commercial hunting, hunting dog trials when fire arms are discharged, and game bird clubs; commercial target or shooting ranges, including archery; dude or guest ranches, riding clubs, commercial stables or animal boarding facilities and similar activities (which are not established as part of an agritourism operation or as a Rural Home Industry operation and meeting the standards and provisions listed in Section 17.108.080 and pertinent standards in 17.108.070); private schools, except as permitted by Section 17.108.060(I); churches; and recreational camps or religious organization camps; Transient Rentals with no on-site manager in accordance with the standards of Section 17.108.180; Glamping in accordance with the standards established by Section17.108.180, except as modified by the standards herein. In addition to other conditions placed on them by the planning commission, slaughter houses shall have a minimum setback of fifteen hundred (1500) feet from state highways and adjacent higher density
land use classifications or property lines. Agricultural activities associated with a 4-H and/or FFA project or projects shall not be subject to a conditional use permit.

(remainder of text in this section unchanged)
ATTACHMENT 8
Amendments to Chapter 17.48

Chapter 17.48

INDUSTRIAL MINING ZONE (IMZ)

Sections:

17.48.010 Industrial mining zone (IMZ).

17.48.010 Industrial mining zone (IMZ).
The Industrial Mining Zone (IMZ) as designated on the Mariposa County zoning map, is applied to land areas where mining operations have been developed on a large scale. This classification is also applied to land having significant mineral re-sources.

A. Development standards for the IMZ. Development standards for the IMZ shall be as follows:

1. Uses:
   a. Permitted uses: Residential; and those applicable uses listed under Chapter 17.108 of this Title.
   b. Administrative Use Permit uses: Small scale mining in compliance with applicable standards and regulations pursuant to Section 17.108.110.
   c. Conditional uses: Employee housing; and mining, which may include mineral or construction material processing, in conformance with the State Surface Mining and Reclamation Act and County Code.
   c. Prohibited uses: All uses listed in section 17.108.200 of this title and other uses not listed above are prohibited. (Ord. 1086 Sec. II, 2011).

2. Minimum parcel or lot size: No parcel of real property in the IMZ shall be divided or split into two (2) or more parcels by court action or other conveyance where any one (1) of the parcels so created will be less than twenty (20) acres or a legal one-half of a quarter-quarter section in gross area.

3. Density: One (1) single family residence per twenty (20) acres or a legal one half (1/2) quarter-quarter section. (Ord. 704 Sec.1, 1988).
ATTACHMENT 9
Amendments to Chapter 17.108

Chapter 17.108
SUPPLEMENTARY STANDARDS

17.108.110 Mineral or construction material processing site standards

A. The following standards shall apply to all mining and small scale mining:

1. Minimum setback required: Processing may not be established on a site that is less than five hundred (500) feet from an adjacent property line unless otherwise approved under the provisions of a conditional use permit. Minimum setback requirements may be waived by the planning commission where a processing plant is located within either an MPZ or an AEZ. The planning commission shall require written notification of contiguous property owners prior to waiving any setback requirements as provided above.

2. Nothing in this section should be construed to be in conflict with the applicable surface mining regulations of federal and state law or county ordinance. (Ord. 704, Sec. 1, 1988).

B. The following standards shall apply to all small scale mining, through an Administrative Use Permit:

1. Small scale mining shall obtain all county, state and federal agency permits required, based on the characteristics of the project, prior to commencement of work on-site.

2. Erosion and sediment control shall be proposed and maintained during all phases of the project.

3. The boundaries of the approved work area shall be marked on-site prior to commencement of work; shall be inspected and documented by staff; and shall be maintained for the life of the project.

4. The project shall be subject to regular inspections by staff; the interval of which may be as often as quarterly and no less than annually.

5. Written reporting shall be submitted to staff, to document quantities of material processed; the interval for required reporting may be as often as monthly and no less than annually.

6. Upon completion of work, the work site area shall be reclaimed. Reclamation shall include re-grading and re-contouring of the disturbed site to blend with surrounding natural topography. Following re-grading work, the site shall be re-vegetated (minimum seeding and straw).

7. All costs associated with processing of the Administrative Use Permit, including conduct of inspections and review of reporting, shall be the responsibility of the project proponent.

8. If a small scale mining site is abandoned prior to completion of the required reclamation, the property owner shall be responsible for completing the required reclamation work.
ATTACHMENT 10

Amendments to Chapter 17.148

Chapter 17.148

DEFINITIONS

Sections:

17.148.010 Definitions of terms and phrases.

Mineral or construction material processing:
The mechanized crushing, classifying, or processing of mined materials or ores for the purpose of extracting and producing materials, earth or construction materials on a site or lot.

Mining:
The removal of minerals, earth or construction materials from the earth, by methods including pits, tunnels, quarries, shafts, drifts, stopes, adits, winzes, cross-cuts, raises, overburden removal, mining by the auger method, dredging, etc., and all necessary appurtenances thereto, for the purpose of resource extraction where the operation involves either the removal of more than one thousand (1,000) cubic yards of mineral, ores, and overburden, or involves the disturbance of more than one (1) acre of surface area. Mining includes a surface exploration activity; a surface mining operation; a sub-surface mining operation; or a sand, gravel (aggregate), or cobble mining operation which exceeds the thresholds established herein. Mining includes surface work incidental to a surface or sub-surface mine, in-place distillation or retorting or leaching, and the production and disposal of mining waste.

Mineral or construction material processing:
The mechanized crushing, classifying, or processing of mined materials or ores for the purpose of extracting and producing materials, earth or construction materials on a site or lot.

Mining, small scale:
Prospecting for, or the extraction of minerals for commercial purposes and the removal of mineral, ores and overburden in total amounts of less than one thousand (1,000) cubic yards in any one location of one acre or less when conducted in compliance with all applicable regulations and permits.