

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JULY 9, 2019

Item 3 - Zoning Interpretation Hearing (ZI-19;6-2). Request by Gerry Ninnis/Goose Hill Rock quarry for a Zoning Ordinance Interpretation pursuant to Amador County Code Section 19.24.040, “A,” Agricultural district regulations, regarding whether or not the “A” district’s conditional use of “recreation” extends to Recreational Vehicle Parks.

Applicant: Gerry Ninnis/Goose Hill Rock (Doug Ketron, representative)
Supervisory District: 2
Location: 6080 Jackson Valley Road, Ione, CA (APN: 012-040-049).

A. General Plan Designation: AG, Agriculture-General (40 acre minimum parcel size)

B. Present Zoning: “X,” Special Use District

C. Background: The Surface Mining and Reclamation Act of 1975 (SMARA) requires that mined lands are returned to an end use consistent with the mine’s Reclamation Plan. The current Reclamation Plan for the Goose Hill Rock surface mine requires the mined land to be reclaimed as wetlands, wildlife habitat, and water storage. The property owners wish to eventually construct a Recreational Vehicle Park on the portion of the property originally to be reclaimed as wetlands and wildlife habitat.

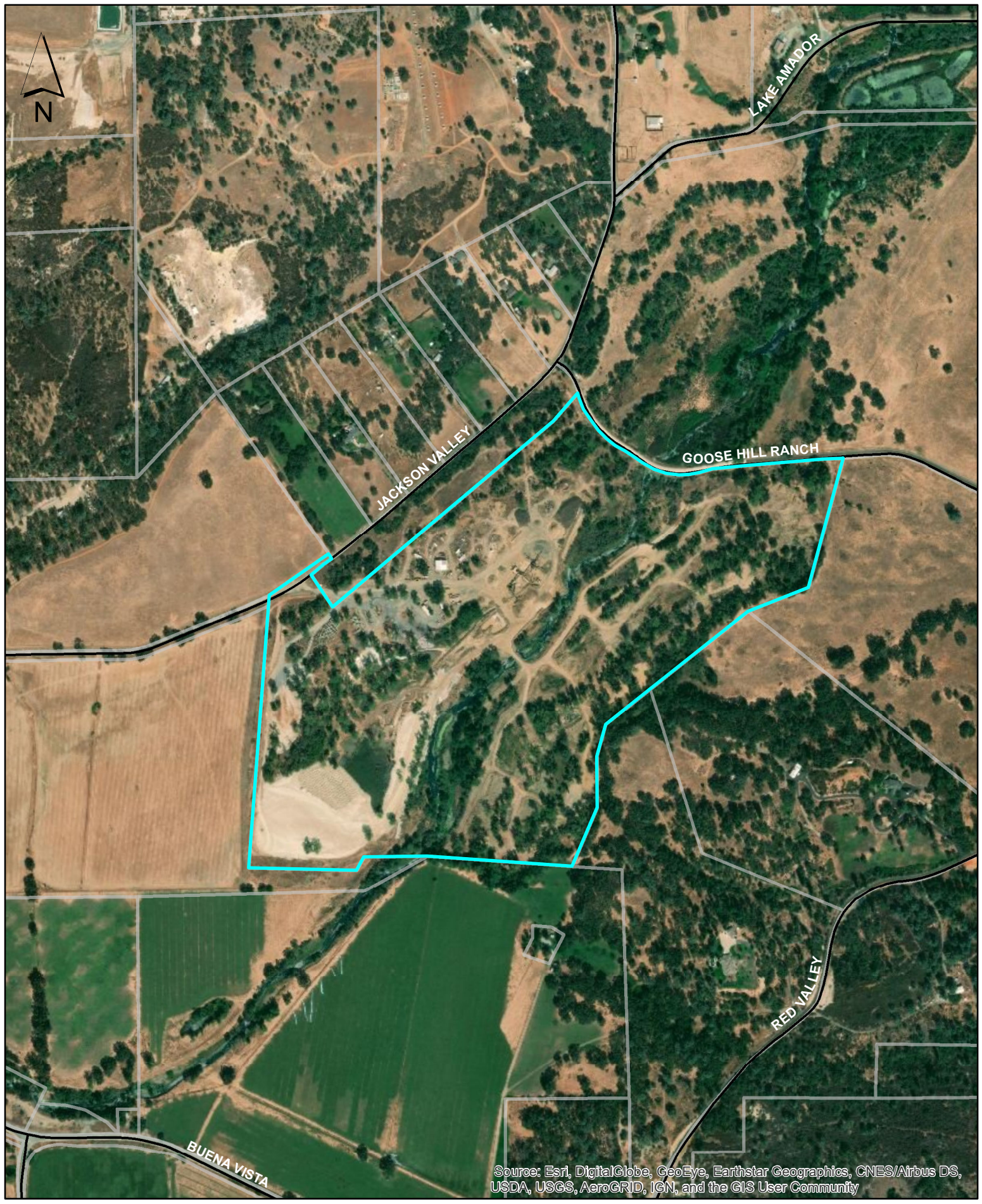
The “X,” Special Use District, zoning of the property is no longer compatible with the property’s General Plan designation of A-G, Agriculture-General. Therefore, in order to apply for an RV Park in the future, the applicant would have to apply for a Zone Change to a district which allows such a use AND is compatible with the A-G General Plan designation. The “A,” Agricultural district is the only district compatible with the A-G General Plan designation which allows recreation use, and only with a Use Permit. (Other districts compatible with A-G are “AG,” Exclusive Agriculture, “RE,” Residential Estates, “R1A,” Single-family Residential and Agricultural, and “MR,” Mineral Resources.) Prior to pursuing a Reclamation Plan amendment, Zone Change, and Use Permit, the applicants are requesting an interpretation as to whether “recreation” extends to Recreational Vehicle Parks and is consistent with the intent of County Code Section 19.24.040, “A,” Agricultural district conditional uses.

D. Planning Commission Action: The Planning Commission may either:

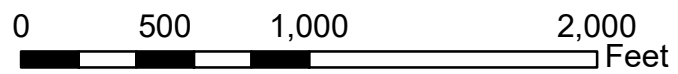
1. Find that “recreation” extends to Recreational Vehicle Parks and is consistent with the intent of County Code Section 19.24.040, “A,” Agricultural district conditional uses.
2. Find that “recreation” does not extend to Recreational Vehicle Parks and is not consistent with the intent of County Code Section 19.24.040, “A,” Agricultural district conditional uses.

E. Findings: If the Planning Commission moves to find that Recreational Vehicle Parks are consistent with the “A,” Agricultural district conditional, the action must be based on specific findings (*please specify in the motion*) which are supported by materials or statements presented during the hearing.

Goose Hill Rock - Aerial

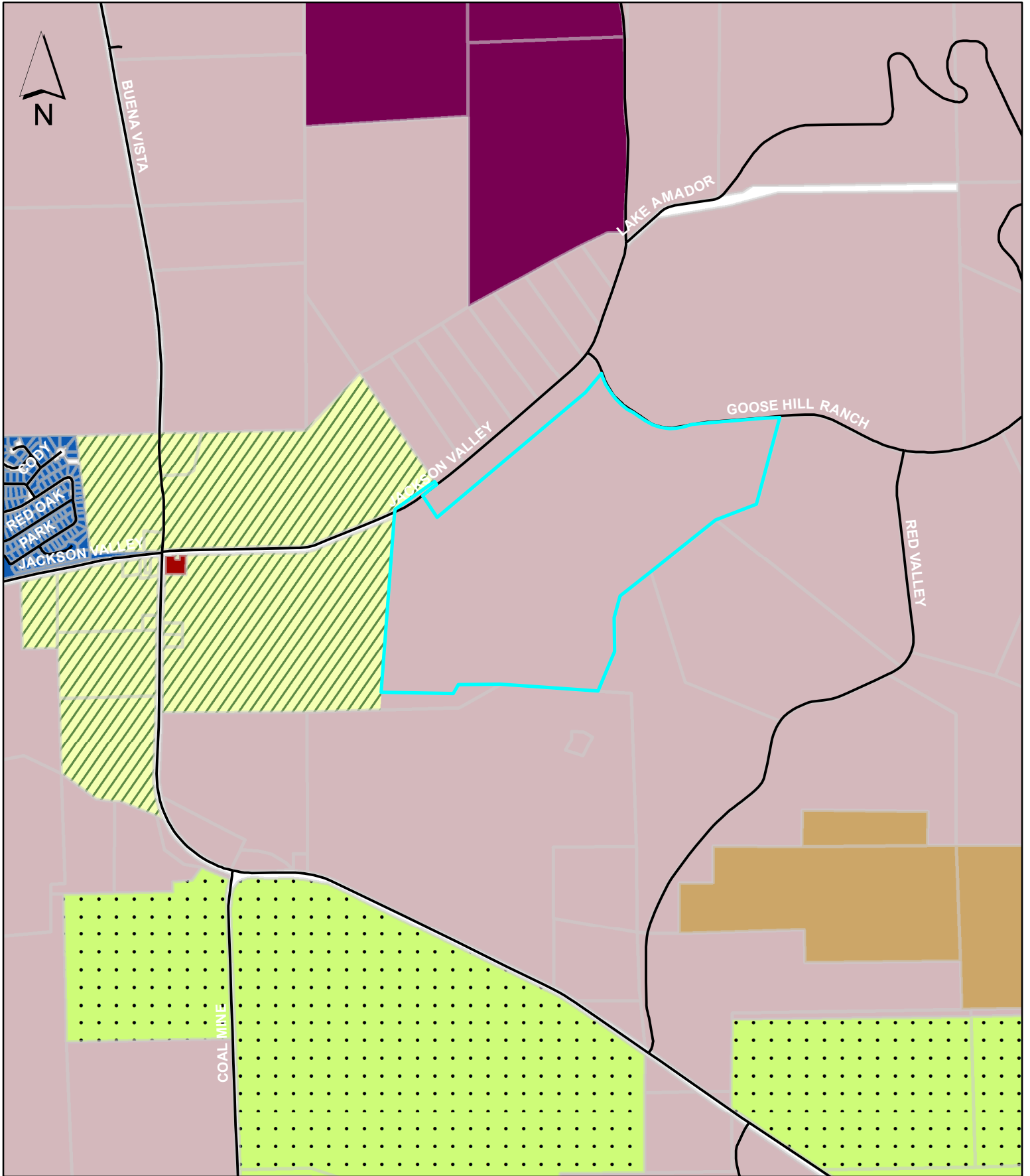


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



 Parcel Boundaries

Goose Hill Rock - Zoning

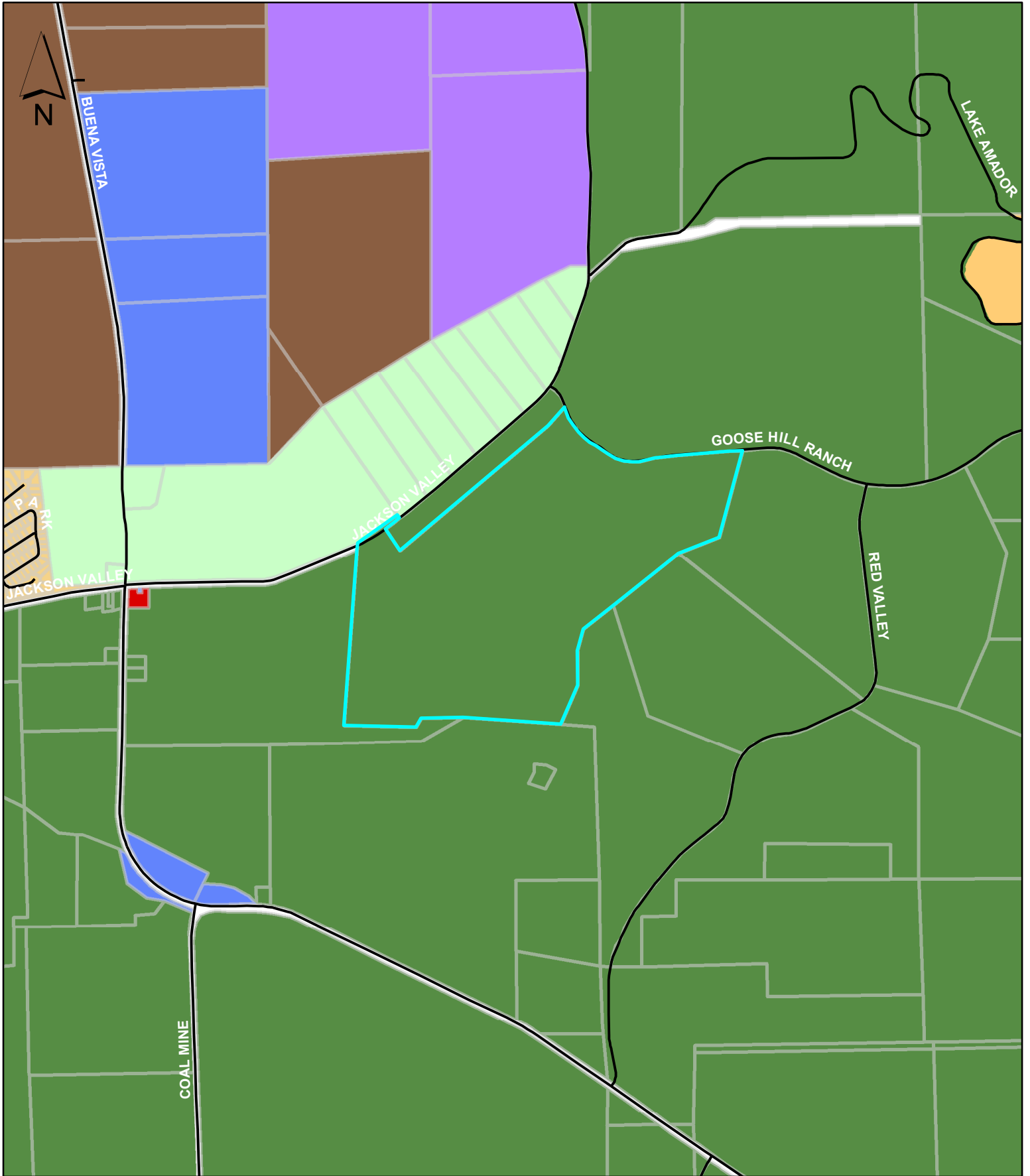


Zoning

0 500 1,000 2,000 3,000 Feet



Goose Hill Rock - General Plan Designation



General Plan

0 500 1,000 2,000 3,000 Feet



D. R. KETRON, PE

Mining & Civil Engineering
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June 19, 2019

Chuck Beatty, Planning Director
Amador County Planning Department
810 Court Street
Jackson, CA 95642

Re: Goose Hill Mine

Dear Mr. Beatty:

Both the State Surface and Mining Act and the County mining code require that surface lands disturbed by mining must be reclaimed to a beneficial use subsequent to the cessation of mining. Each surface mine must have an approved reclamation plan and a financial assurance to provide for this reclamation. The current reclamation plan for the Goose Hill Mine requires the land to be turned to wetland/riparian habitat and open space grazing suitable for the raising of cattle.

The property occupied by the Goose Hill aggregate mine is currently zoned X. The County endeavors to eliminate this zone designation. Preparing the land for the raising of cattle is compatible with an agricultural zoning. It is therefore proposed that the land use designation be revised from Zone X to Zone A.

Additionally, it is desired to construct on a portion of the property a park for recreational vehicles with the remainder suitable for grazing and riparian habitat. Of the 105 acres, perhaps one-half would be occupied by this recreational use with the additional one-half remaining as open space.

The questions to be put before the Planning Commission include the efficacy of rezoning the property to an agricultural Zone A, and a request for an interpretation as to whether or not a recreational vehicle park is included as a form of "recreation" allowed with a use permit within the agricultural A zone.

It is anticipated that grading and land preparation for subsequent beneficial use may be done under the provisions of the approved reclamation plan. Construction of additional facilities would require obtaining the proper permits from the County.

When considering a subsequent beneficial use pursuant to the mining and reclamation ordinances, it is well to determine the economic benefits of that use. In the case of a park for recreational vehicles, there would be a substantial return to the public over that from the grazing of cattle from property tax on improvements and income from transient-occupancy taxes.

Should you have any question concerning this matter, please feel free to call or write at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "D. R. Ketron". The signature is stylized with a large, sweeping initial "D" and a long, horizontal stroke extending to the right.

D. R. Ketron

cc: Gerry Ninnis