

Combining Designations

22.14.040 - Energy and Extractive Resource Area (EX)

A. Purpose and applicability. The Energy and Extractive Resource Area (EX) combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. **The state geologist has designated a mineral resource area of statewide or regional significance** pursuant to Sections 2710 et seq. of the Public Resources Code (The Surface Mining and Reclamation Act);
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the Land Use Element from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

B. Processing requirements. When located in an EX area, all proposed land uses required to have land use permit approval by Section 22.06.030 (Allowable Land Uses and Permit Requirements), Article 4 (Standards for Specific Land Uses), or by planning area standards in Article 9, are subject to the requirements of this Section.

1. Permit required.

- a. **Resource extraction.** The land use permit requirements for oil wells or mining operations shall be as determined by Chapters 22.34 and 22.36.
- b. **Electric generating facilities.** The land use permit requirements for new electric generation facilities and modifications to existing facilities are determined by Chapter 22.32.
- c. **All other land uses.** **Proposed land uses not directly related to energy or extraction operations are subject to Minor Use Permit approval, unless the project would otherwise be required by this Title to have Conditional Use Permit approval.**

2. Application content.

- a. **Resource extraction:** As required by Chapters 22.34 and 22.36.

b. **Electric generating facilities:** As required by Chapter 22.32.

c. **All other land uses.** Where a land use other than resource extraction or power generation is proposed in an EX area, the permit application shall include a **mineral resource report** prepared by a geologist or mining engineer that evaluates:

- (1) The estimated extent and commercial value of any mineral resources located on the site or known to be within the vicinity of the proposed uses;
- (2) The feasibility of extracting the identified mineral resources within a reasonable time before development of the proposed use;
- (3) The feasibility of conducting resource extraction operations at the same time as the proposed use.

3. Required findings. **Approval of any use other than energy production or resource extraction may be granted when the finding is made that the proposed use will not adversely affect the continuing operation or expansion of the energy or extraction use.**

D. Development standards. Resource extraction operations shall be established and operated in compliance with the standards of Chapters 22.36 and 22.36. Electric generating facilities shall comply with Chapter 22.32. Development standards for other land uses shall be established through the land use permit review and approval process.

[Amended 1986, Ord. 2250; 1989, Ord. 2409; 1992, Ord. 2553; 1994, Ord. 2696] [22.07.040 to 044]