

Chapter 690
MINING ACTIVITY BUFFER OVERLAY ZONE (MABOZ)

- 690.01 Purpose**
- 690.02 Applicability**
- 690.03 Purpose of the Mining Activity Buffer Overlay**
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690.01 Purpose. The purpose of this chapter is to specify the applicability and limitations of the Mining Activity Buffer Overlay Zone.

690.02 Applicability. The requirements and standards of this section shall apply to any property within the Mining Activity Buffer Overlay Zone, in addition to those specified in the underlying zone(s). In the event of a conflict between the requirements and standards of this section and those of the underlying zones, the provisions of this section shall govern.

690.03 Description and Purpose of the Mining Activity Buffer Overlay.

- A. The Mining Activity Buffer Overlay Zone will mitigate identified impacts relating to a plan amendment for a specific mining site.
- B. The purpose of the Mining Activity Buffer Overlay Zone is to fully disclose the presence of the significant mineral resource prior to residential development in order to protect the resource site from potential complaints from property owners of nearby residentially-zoned property.

690.04 Mining Activity Buffer Overlay Zone Requirements. When the Mining Activity Buffer Overlay Zone is applied, the uses permitted in the underlying zone shall remain unchanged. Any change in those uses and general activities must be made through the plan/land use regulation amendment process outlined in Chapter 260.

- A. **Surrounding Properties.** The following measures shall be taken to reduce the impact of surrounding residential uses on the mining operation:
 - a. **Acknowledgement of Mining Activity.** All future residential development of properties located within the identified impact area shall commence only after an Acknowledgement of Mining Activity has been signed by the property owner, is on file with the Baker County Planning Department and has been recorded in the Baker County Clerk's Office.
- B. **Mine Site.** The following measures shall be taken to reduce the impact of the mining operation on surrounding residential uses:

- a. Site Design Review. Approval of a Site Design Review application shall be required prior to mining activity on the Mine Site property. This application shall implement review of standards adopted to mitigate conflicting uses identified in the Comprehensive Plan. The following standards shall be met:
 - i. A 50 foot setback from the mining site and mineral processing, as defined by this Ordinance, to all residentially-zoned properties
 - ii. A 25 foot setback from the mining site and mineral processing to all federally-managed lands
 - iii. A 25 foot setback from the mining site and mineral processing to all waterways and wetlands

- b. Operation and Reclamation Plan. An Operation and Reclamation Plan shall be required and the following standards shall be met:
 - i. Hours of operation shall be from 8am to dusk
 - ii. DEQ permits relating to air and water quality shall be obtained, as required
 - iii. Benching, reclamation and seeding shall be required to prevent erosion control
 - iv. Clear access shall be required for adequate fire apparatus access
 - v. Weed management shall be coordinated with the Baker County Weedmaster
 - vi. Reclamation, including grading, benching, seeding and re-vegetation, shall be required

- c. Maintenance of All Required Permits. In order to mitigate conflicts, all applicable permits shall be required to be obtained and maintained.

