

Sec. 18-199. Mineral Conservation (MC) District.

(a) Purpose. There are areas within the City where commercial mineral resources exist that need to be conserved until they are able to be mined and the land restored to a condition that is usable for other uses. To conserve these known resources, a Mineral Conservation District is provided.

(b) General provisions.

(1) In areas designated as MC Districts, the only uses permitted by right are agricultural uses, parks and outdoor recreation uses, and mining uses. Utility and public service uses are permitted by SUP only.

(2) Temporary uses may be approved within MC Districts through the Development Permit review process.

(3) Buildings and structures associated with agricultural uses, parks and outdoor recreation uses, and mining uses in a MC District may be approved as temporary buildings and structures through the Development Permit review process.

(4) Buildings and structures associated with utility and public service uses in a MC District may be approved as permanent, or temporary buildings and structures through the Development Permit review process.

(5) Wireless telecommunication facilities are not permitted in Mineral Conservation Districts, except as provided in Sections 18-1103 and 18-1104 of this chapter.

(c) Initiation.

(1) A MC District may only be established where mineral resources exist that meet the requirements within State law for the establishment of such districts.

(2) Creation of a MC District shall follow procedures for the change in zoning district classification. Requests for the rezoning of property to a MC District may be initiated by property owners or by action of the Council.

(3) It is the responsibility of the property owner to establish that the property involved in a request for MC District designation meets the requirements of State law.

(d) Development within district.

(1) All development within a MC District shall first obtain a Development Permit as provided in Section 18-126.

(2) Once mineral resources have been recovered from a MC District and the land has been restored as required by applicable restoration plans, property owners may apply for rezoning to a district that permits other uses.

(3) Rezoning request may be made on portions of a MC District when:

a. Rezoning that portion to other uses would not adversely affect the continued extraction of the remaining mineral resources; and

b. The other use would not be adversely affected by mining activities in the remaining portions of the MC District.

(Code 1975, § 58-2.502; Ord. No. 2183, § 1, 8-10-92; Ord. No. 2524, § 3, 10-12-98)