

Sezelski's notes for May 9, 1972 BIS meeting  
On Waives - History of Regulation

Prior to August 1937 a quarry existed on the Permanent Property.

The zoning Ord was 1st adopted in August 1937

∴ the quarry has been treated as a non conforming use. This is a lawful use. Although the general rule is that a non conforming use may not be expanded. There is case law as to quarry operations that hold that the operation can expand through the entire original parcel - it cannot expand to additional parcels.

The County does not regulate non conforming uses ~~by~~ except through abandonment.

Some ordinances terminate such uses after a reasonable amortization period commensurate with the investment involved.

Present zoning Ordinance 36-1 requires a use permit for the "Commercial excavation of natural materials". This use permit may be issued in any zoning district.

Aug 1961 P/C adopted Standards

## Cement Plant

May 8, 1939 a use permit was granted Permarite Corp on property of approximately 1300 acres

### Fee Conditions

- 1) Plant be constructed in accordance with County ordinances & dust to be controlled in the manner specified in the application

This agreed to the applicants statement that the plant would be equipped with Cottrell Dust Precipitating equipment

\$50,000 bond was posted to secure this agreement

- 2) Any violation of the provisions or other provisions of law or ordinance would constitute cause for BIS to suspend the use permit
- 3) Failure to suspend would forfeit bond.

In 1950 and in 1955 modifications of this permit were granted to add an additional kiln.

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In 1955 the Bay Area Air Pollution Control District acquired jurisdiction

BIS met with Kaiser on Sept 2, 1966  
at which Kaiser agreed to supply county  
with their long range plans for mining  
the ridge area

On March 24, 1967 Kaiser wrote to the County