

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 858

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An Ordinance amending the Sectional Zoning Maps by applying the Protected Aggregate and Mineral Resource (PAM) zoning overlay district to lands in and adjacent to the Angell Brothers protected mineral and aggregate site, located in the West Hills Rural Area west of Highway 30 and the Sauvie Island bridge, and declaring an emergency.

Multnomah County Ordains as follows:

Section I. Findings.

WEST HILLS RECONCILIATION REPORT

(A) On September 8, 1995, the Multnomah County Board of Commissioners adopted Ordinance #830, which adopted the "West Hills Reconciliation Report" as part of the Multnomah County Comprehensive Framework Plan.

(B) The "West Hills Reconciliation Report" includes significance determinations, ESEE analyses, protection programs, and other requirements for implementing Goal 5 of the Oregon Statewide Planning Program specified in ORS 660-16 Division 33 in regards to the Angell Brothers mineral and aggregate site in the West Hills rural area.

(C) On March 7, 1996, the Oregon Land Conservation and Development Commission acknowledged this ordinance as consistent with state planning law.

(D) The "West Hills Reconciliation Report" defines the Angell Brothers significant mineral and aggregate resource site as the 397 acre property which is owned by Linnton Rock Corp. (See Page IV-4, "West Hills Reconciliation Report.")

(E) The "West Hills Reconciliation Report" defines the impact area around the Angell Brothers sig-

1 nificant mineral and aggregate resource site as an area 1200 feet from the perimeter of the significant min-
 2 eral and aggregate resource site, plus additional lands which are part of the Burlington Bottoms property
 3 owned by the Bonneville Power Administration (see Pages IV-10 and IV-17 through IV-19 of the “West
 4 Hills Reconciliation Report.”

5 (F) The “West Hills Reconciliation Report” designates the Angell Brothers mineral and aggregate
 6 site as a “3-C” resource under Goal 5 of the Oregon Statewide Planning Program, which requires a balance
 7 between protection of the mineral and aggregate site and protection of conflicting uses.

8 (G) In its Program to Achieve the Goal, which states how Multnomah County will protect the Angell
 9 Brothers mineral and aggregate site, the “West Hills Reconciliation Report” describes limitations on areas to
 10 be mined within the protected mineral and aggregate site and describes limitations on conflicting uses with-
 11 in the impact area around the protected mineral and aggregate site (see Pages VI-20 through VI-23 of the
 12 “West Hills Reconciliation Report.”

13 PROTECTED AGGREGATE AND MINERAL (PAM) SUB-DISTRICT

14 (F) On October 27, 1994, the Multnomah County Board of Commissioners adopted Ordinance #800,
 15 which among other matters added Section 11.15.6750 through Section 11.15.6795, the Protected Aggregate
 16 and Mineral Sites PAM zoning overlay district.

17 (G) The stated purposes of the PAM Zoning Overlay district (Zoning Code Section 11.15.6750) are
 18 1) to provide a mechanism to identify and, where appropriate, protect significant aggregate and mineral
 19 resource sites, 2) to allow surface mining subject to uniform operating standards, and 3) to regulate conflicts
 20 with surface mining activities.

21 (H) In order to implement the protection of the Angell Brothers mineral and aggregate site and the
 22 protection of the surrounding impact area as stated in the “West Hills Reconciliation Report,” the PAM over-
 23 lay zoning district must be applied to the Angell Brothers site and to the impact area.

24 FINDINGS NECESSARY UNDER ZONING CODE SECTION 11.15.8230(D)

25 (I) Granting the request is in the public interest

26 The zoning change is in the public interest because it provides protection for both the Angell

1 Brothers mineral and aggregate site and properties within the impact area and because it
 2 implements a decision, reached through an extensive and exhaustive public process, to adopt
 3 the "West Hills Reconciliation Report."

4 (J) There is a public need for the requested change and that need will be best served by changing the
 5 classification of the property in question as compared with other available property.

6 The zoning change meets the public need because it protects the Angell Brothers significant
 7 mineral and aggregate site from conflicting uses, allowing it to provide needed aggregate sup-
 8 plies for local customers (such aggregate material will be less expensive than alternative sup-
 9 plies because of its close proximity to local customers, thus reducing transportation costs),
 10 and it protects surrounding properties from negative impacts associated with mining activi-
 11 ties on the Angell Brothers protected aggregate site, thereby ensuring that the aggregate mine
 12 can continue to meet public needs for aggregate material.

13 (K) The proposed action fully accords with the applicable elements of the Comprehensive Plan.

14 The zoning change is in full accord with the West Hills Reconciliation Report, a portion of
 15 the Multnomah County Comprehensive Framework Plan. It is also in accord with Policy 16-
 16 B of the Multnomah County Comprehensive Framework Plan, which states that "IT IS THE
 17 COUNTY'S POLICY TO PROTECT AND ENSURE APPROPRIATE USE OF MINERAL
 18 AND AGGREGATE RESOURCES OF THE COUNTY, AND MINIMIZE CONFLICT
 19 BETWEEN SURFACE MINING ACTIVITIES AND SURROUNDING LAND USES."
 20 Adoption of this zoning change will protect the Angell Brothers site for mining and will min-
 21 imize conflict with existing and future land uses on surrounding properties.

22 (L) The factors listed in ORS 215.055 have been considered.

23 ORS 215.055 was repealed in 1977 -- therefore no findings are necessary.

24 Section II. Amendment of Zoning Code.

25 The following Sectional Zoning Maps, as adopted November 15, 1962, including all subsequent
 26 amendments thereto as of the effective date of this Ordinance, are hereby amended by the addition

1 of the PAM-Extraction Area and PAM-Impact Area zoning overlay districts on certain lands as con-
2 tained in Exhibit A -- "Proposed Sectional Zoning Map Amendments, C -96," consisting of pages
3 of Sectional Zoning Maps and on file with the Multnomah County Department of Environmental
4 Services, Division of Planning and Development: Numbers 48,49,50,51,52A,52C,63,64,
5 65,66,67,69,80,81,84.

6
7 Section III Adoption

8 This ordinance being necessary for the health, safety, and general welfare of the people of
9 Multnomah County, an emergency is declared and the ordinance shall take effect upon its execution by the
10 County Chair, pursuant to section 5.50 of the Charter of Multnomah County,

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12 ADOPTED THIS July 2, 1996, being the date of its first reading before the Board of
13 County Commissioners of Multnomah County.

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BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

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18 By *Beverly Stein*
19 Beverly Stein
20 Multnomah County Chair

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26 REVIEWED:

LAWRENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

27

28 By *Sandra N. Duffy*
SANDRA N. DUFFY, CHIEF ASSISTANT COUNSEL

SECTIONAL
ZONING
MAPS
ZC 1-96

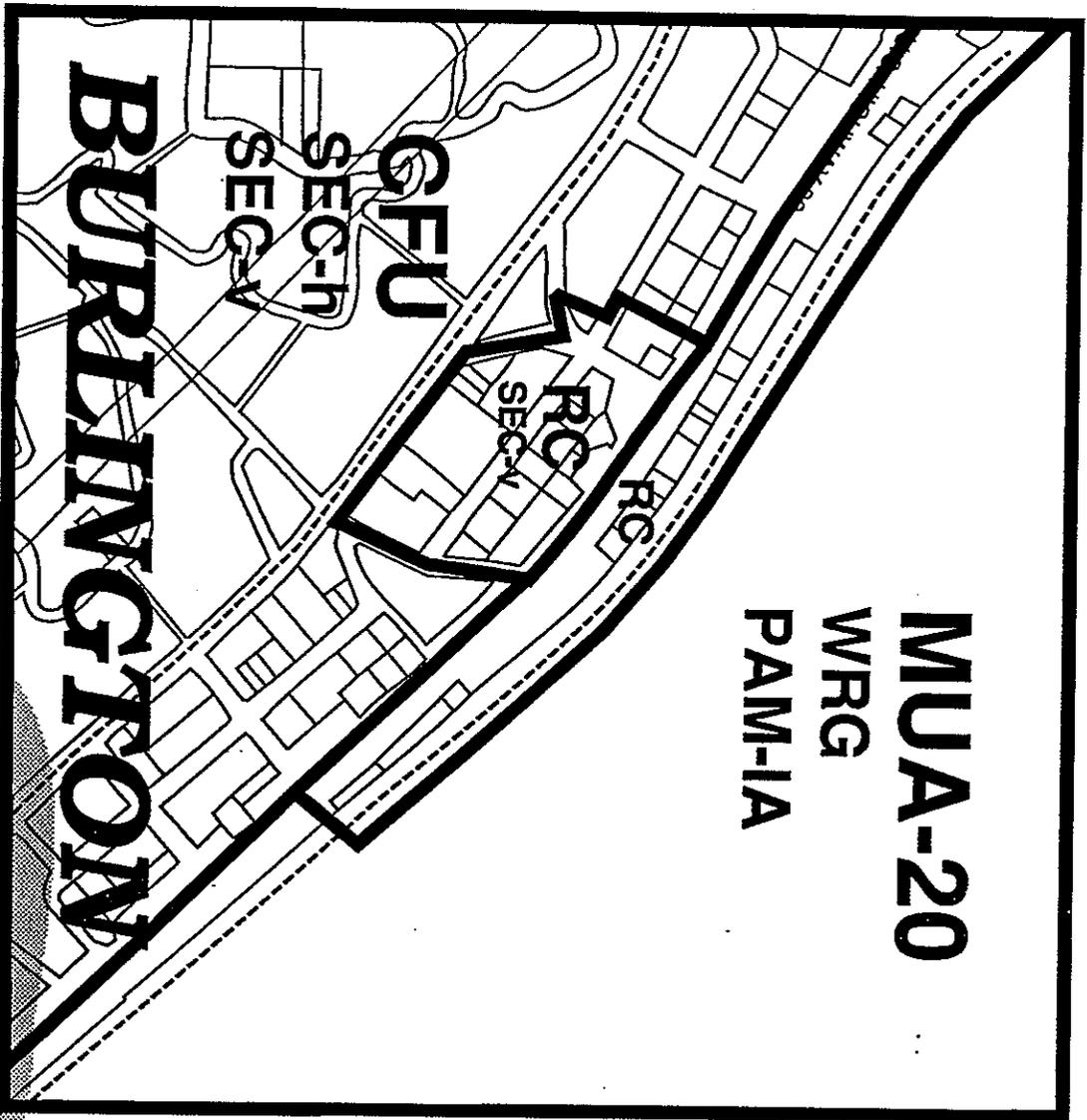
NW 1/4 2N1W20

MAP 48

 SEC-s Overlay

1" = 500'

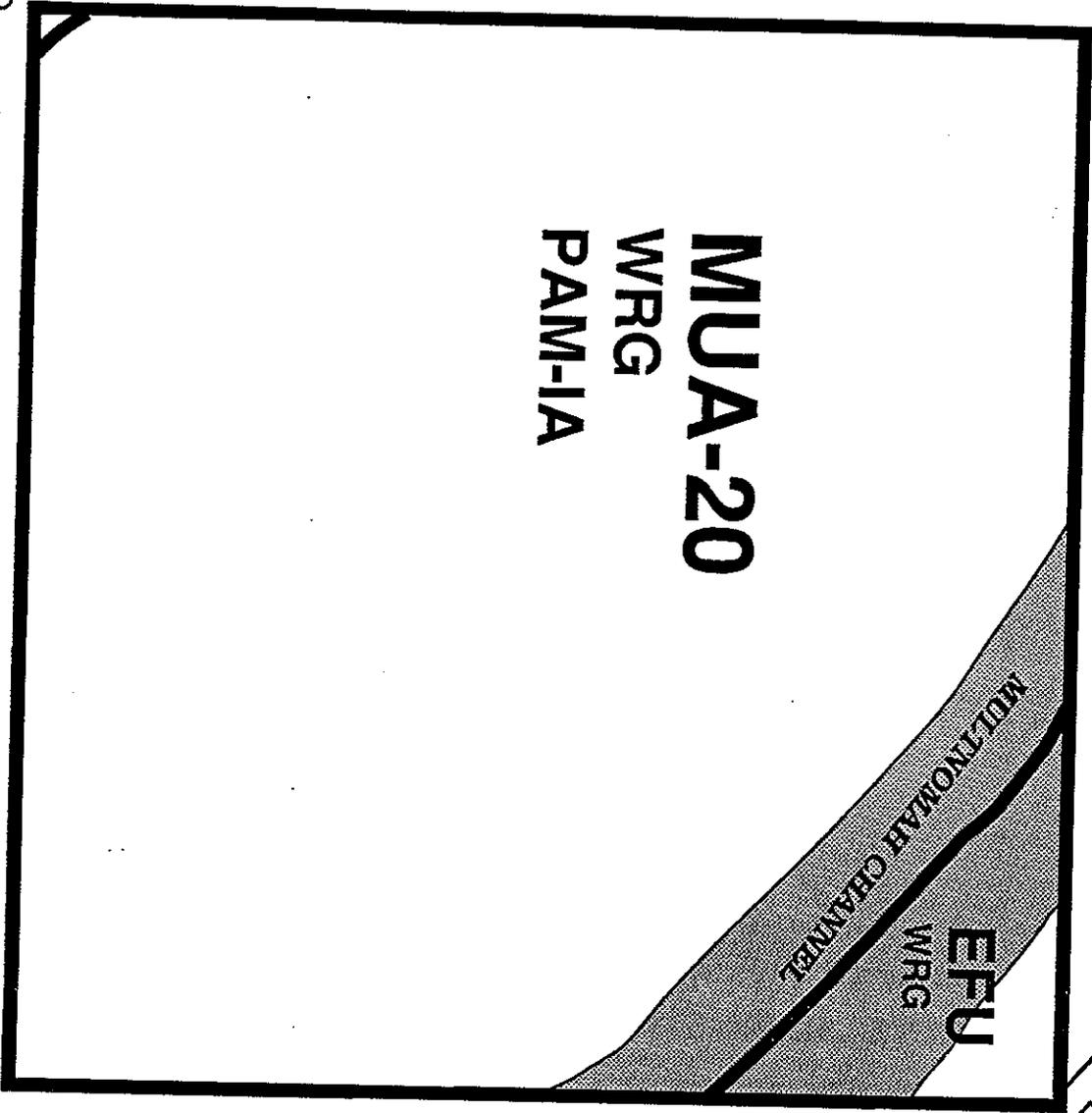
 RAILROAD TRACKS



NE 1/4 2N1W20

MAP 49

1" = 500'



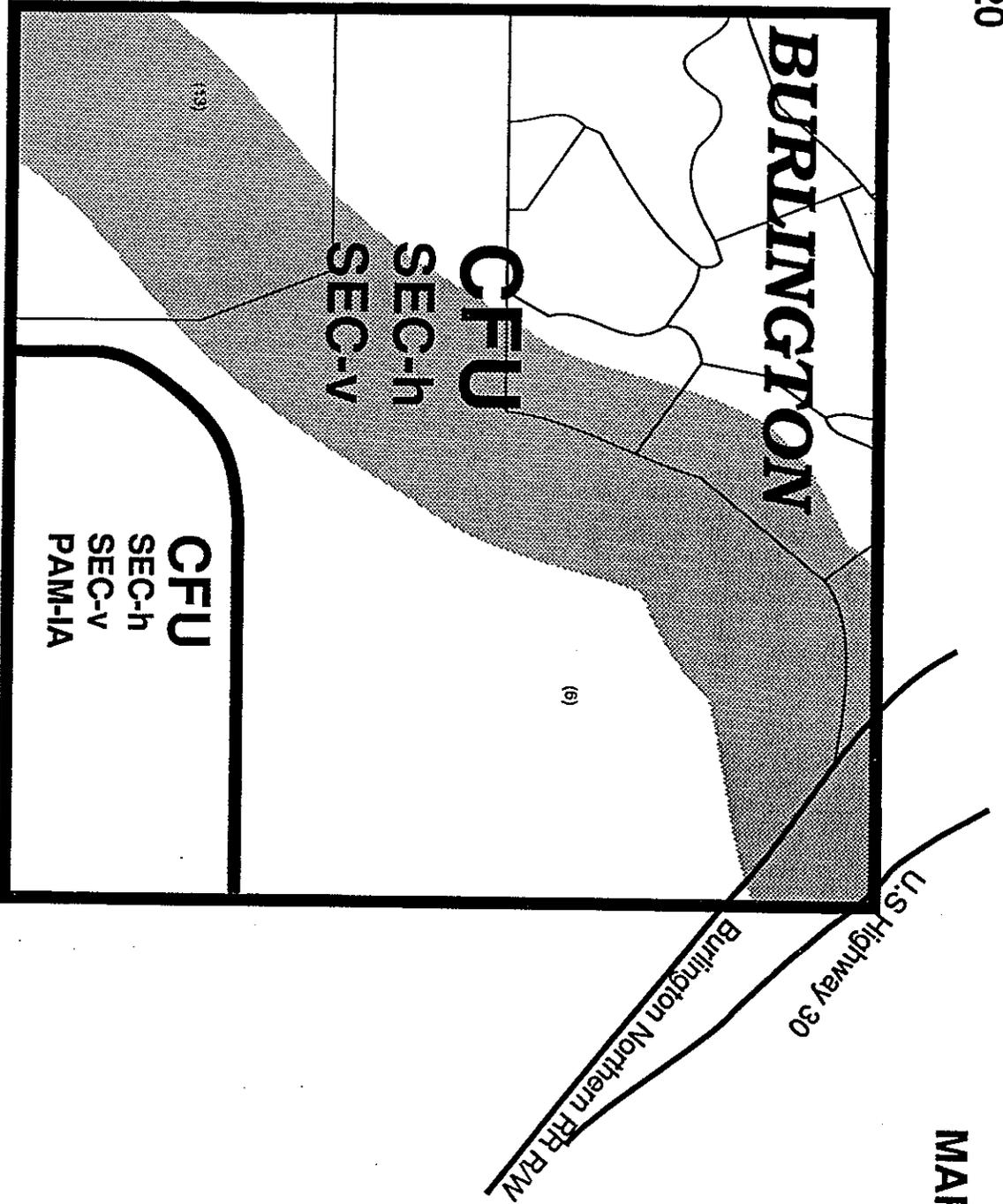
U.S. HIGHWAY 30
CFU
SEC-h
SEC-v

SW1/4 2N1W20

MAP 50

SEC-s Overlay

1" = 500'

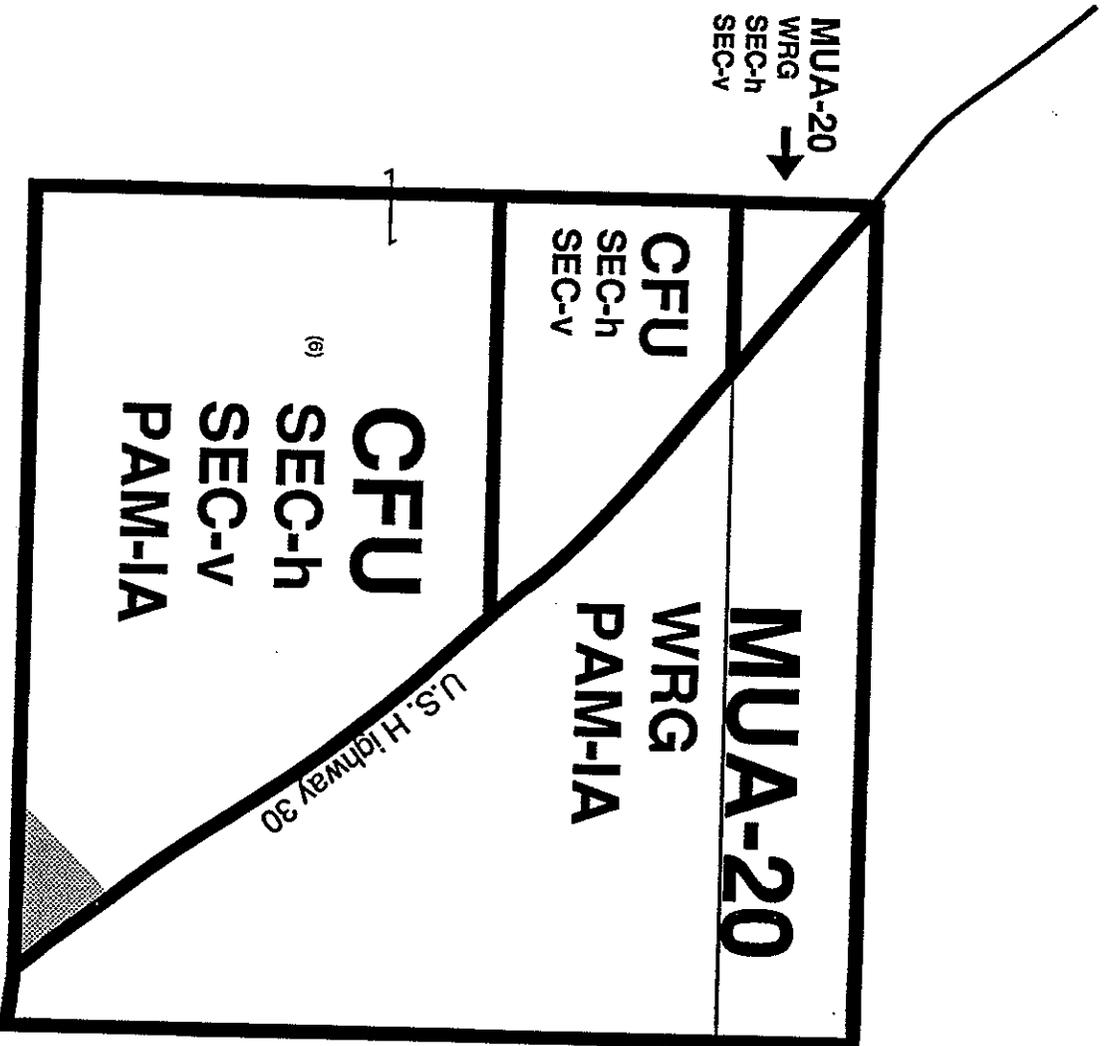


SE1/4 2N1W20

MAP 51

 SEC-s Overlay

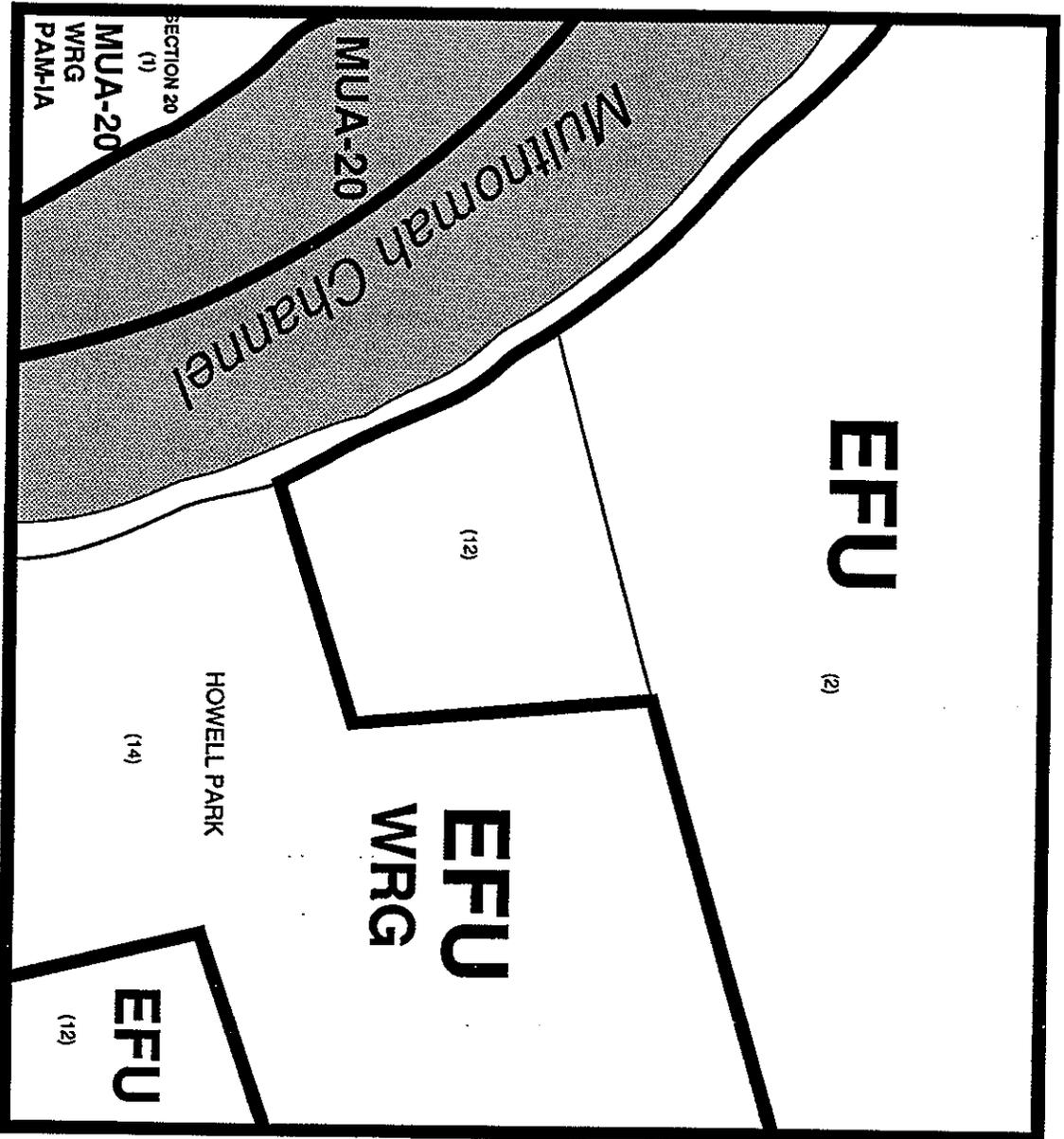
1" = 500'



NW1/4 2N1W21

MAP 52-A

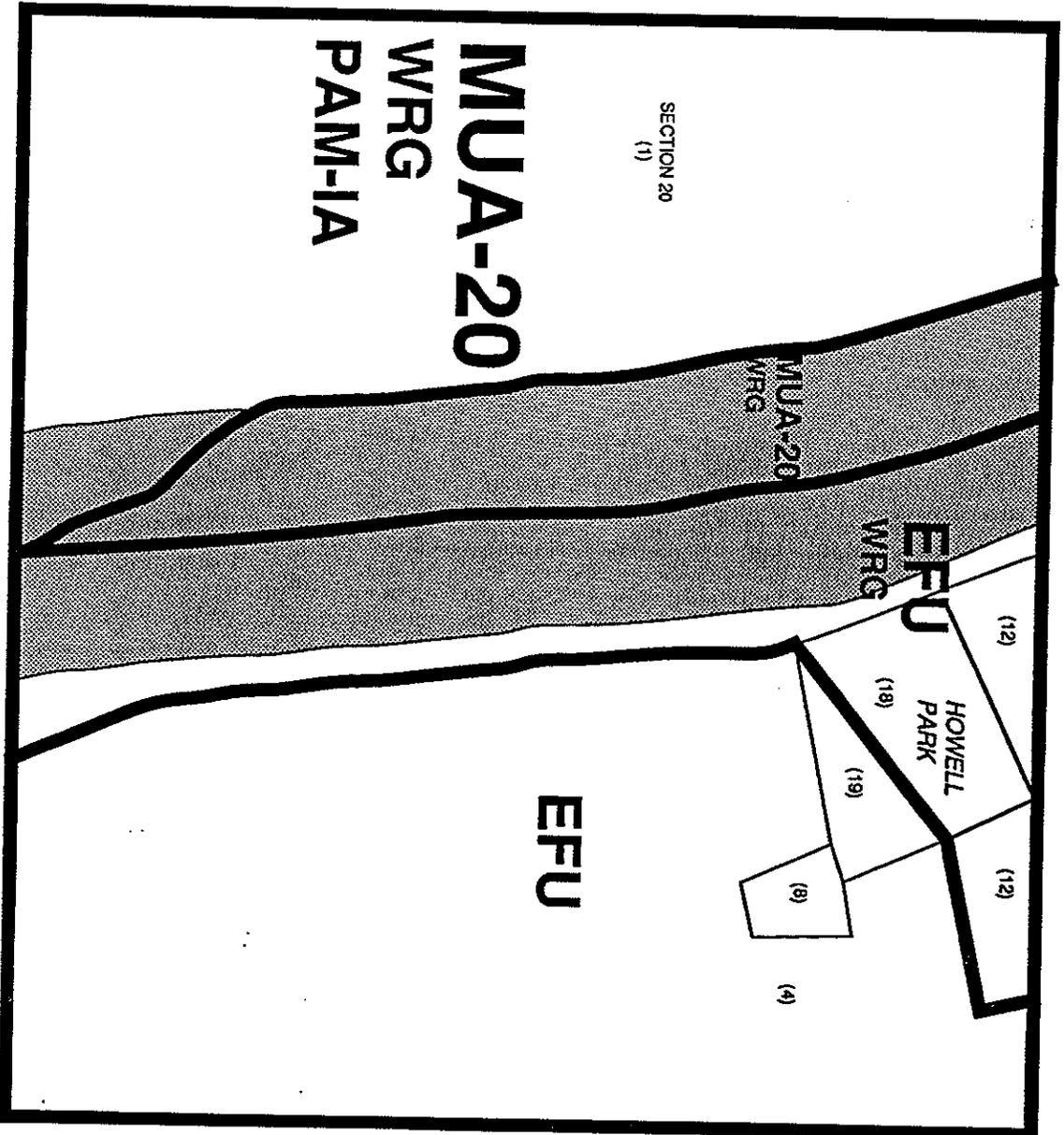
1" = 500'



SW 1/4 2N1W21

MAP 52-C

1" = 500'

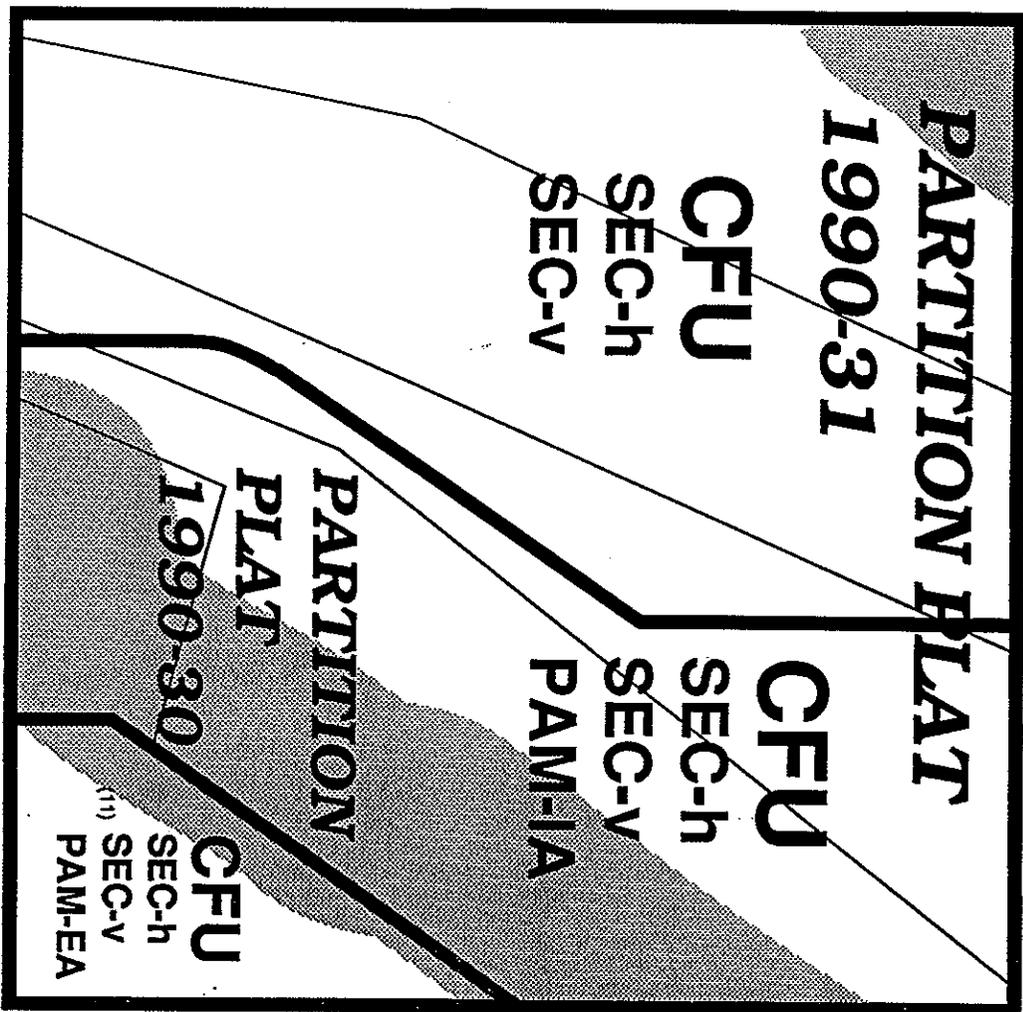


NW1/4 2N1W29

MAP 63

 SEC-s Overlay

1" = 500'

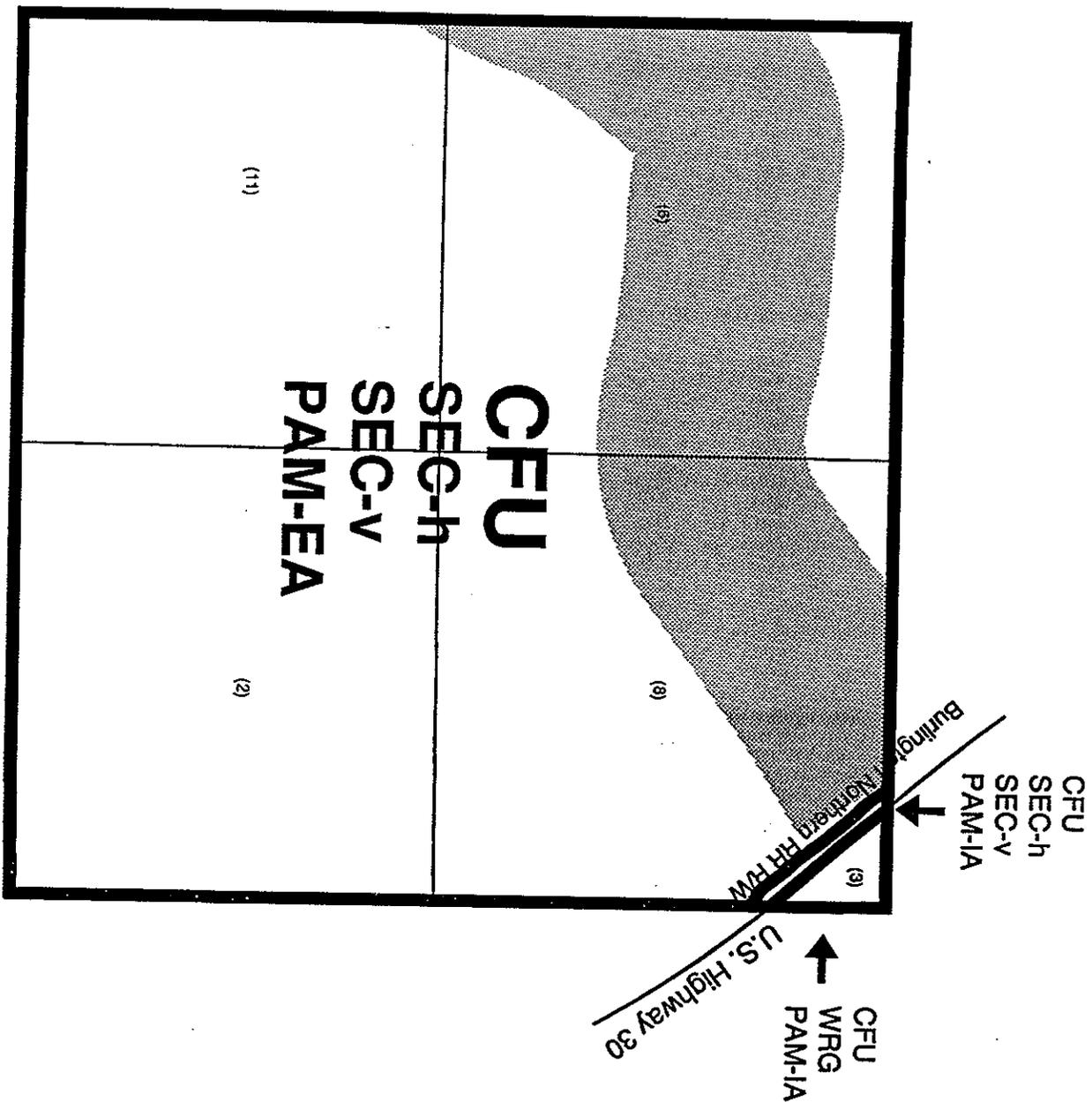


NE1/4 2N1W29

MAP 64

 SEC-s Overlay

1" = 500'

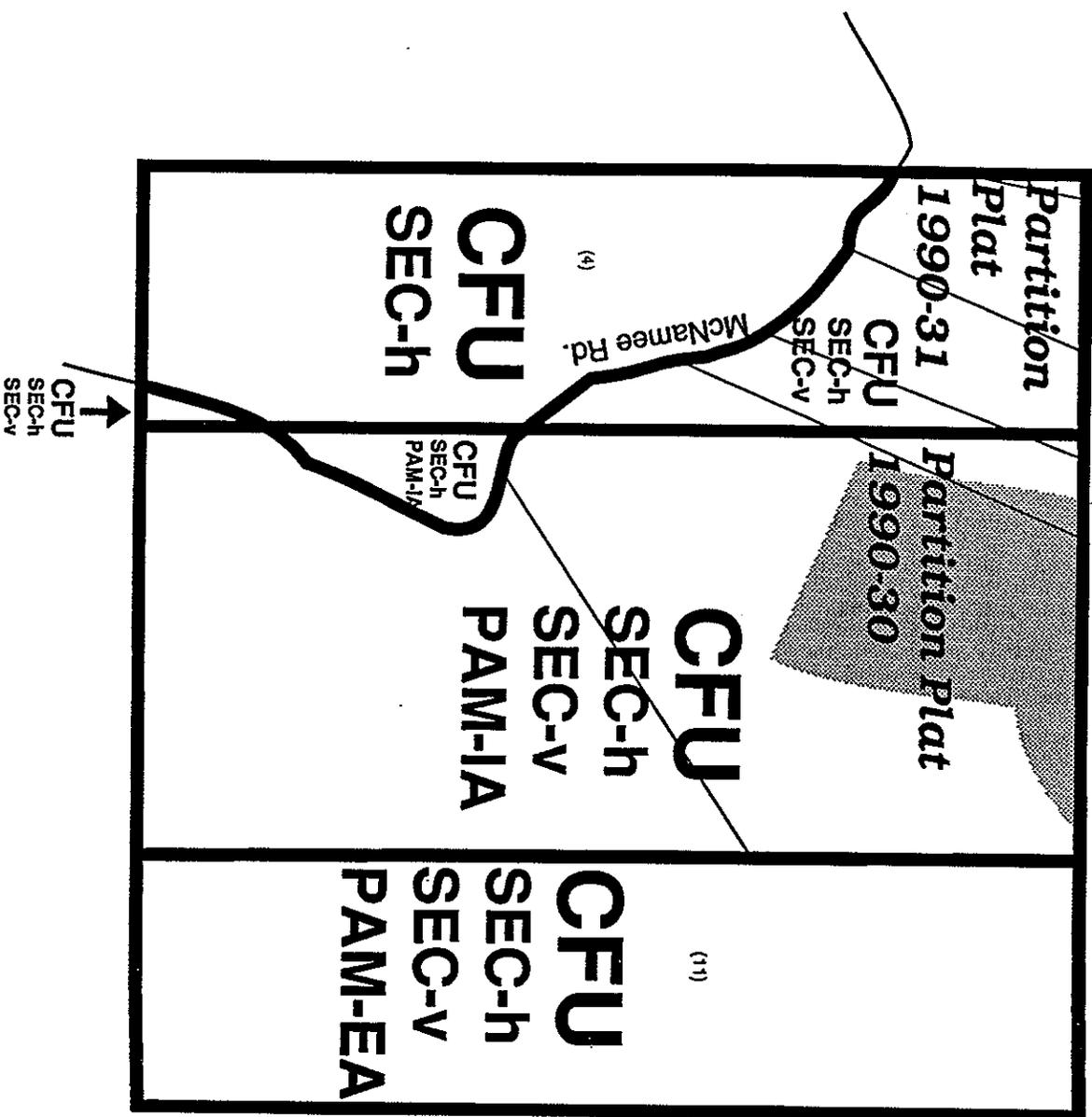


SW1/4 2N1W29

MAP 65

 SEC-s Overlay

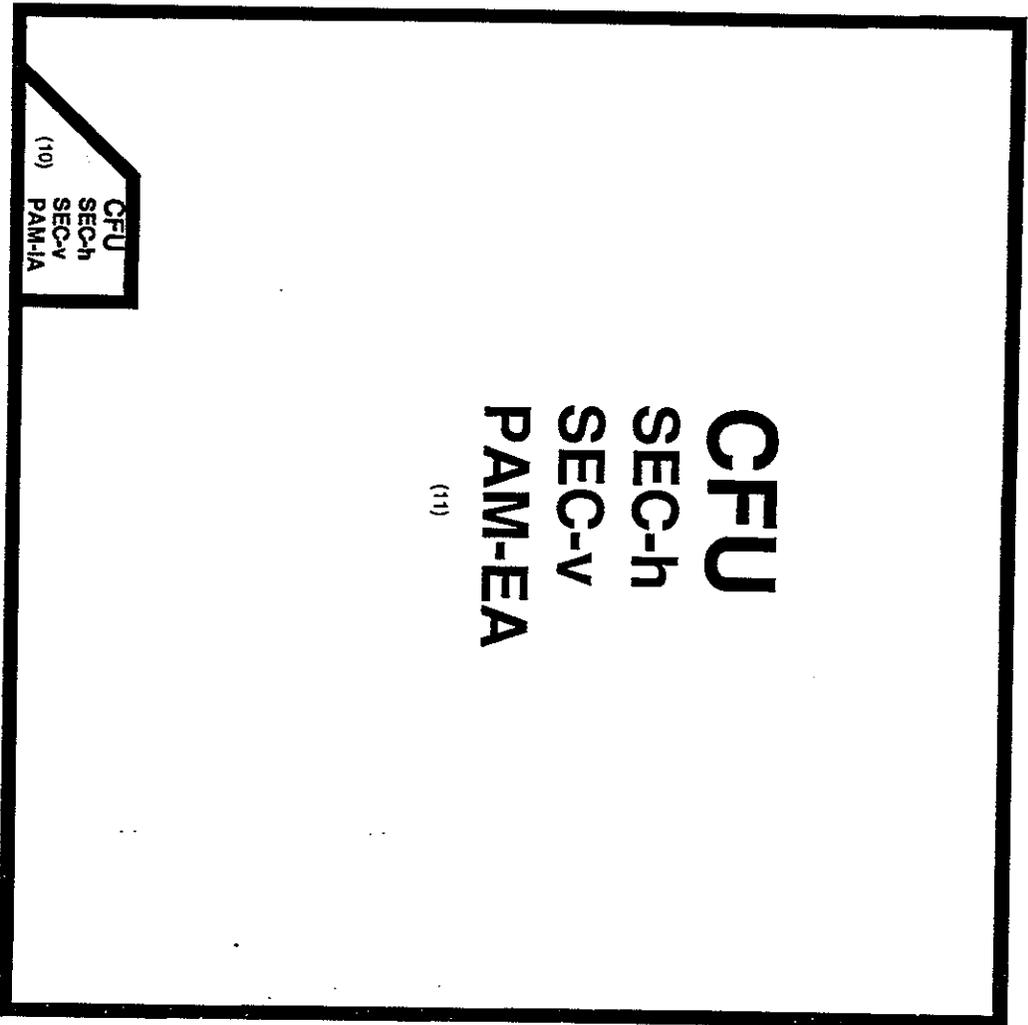
1" = 500'



SE 1/4 2N1W29

MAP 66

1" = 500'

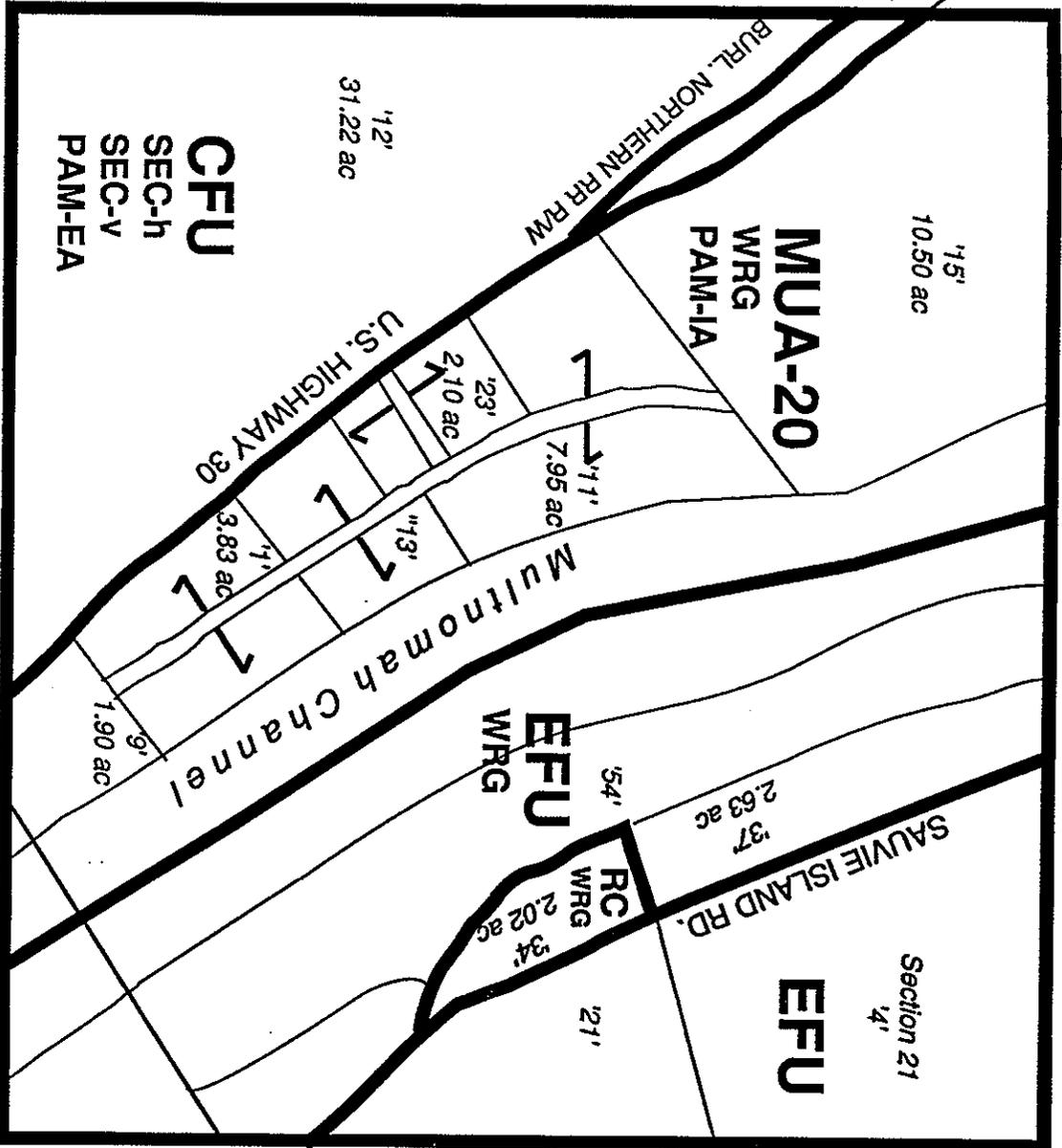


NW1/4 2N1W28

MAP 67

1" = 500'

CFU
SEC-h
SEC-v
PAM-1A



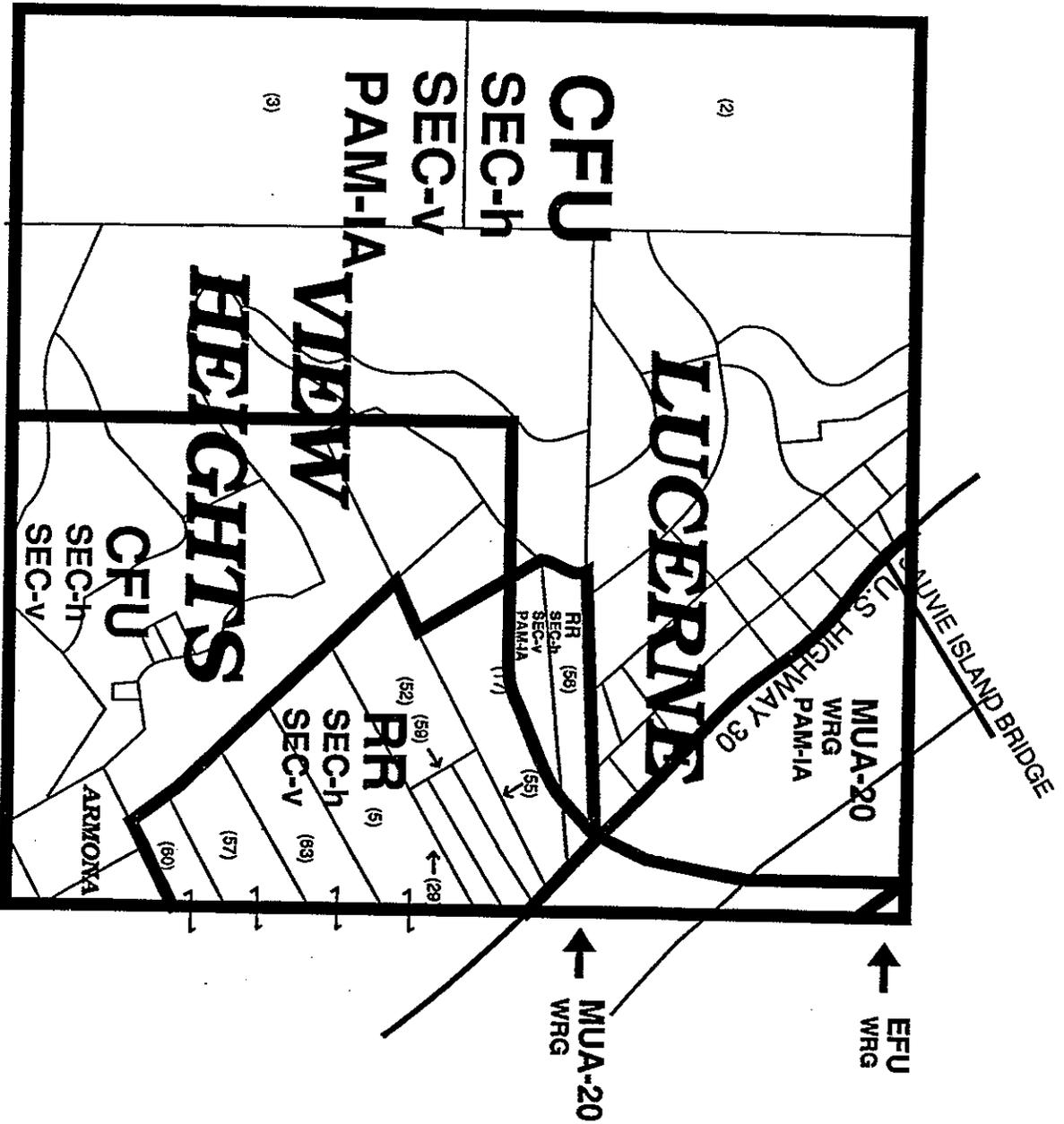
CFU
SEC-h
SEC-v
PAM-EA

SW1/4 2N1W28

MAP 69

 SEC-s Overlay

1" = 500'

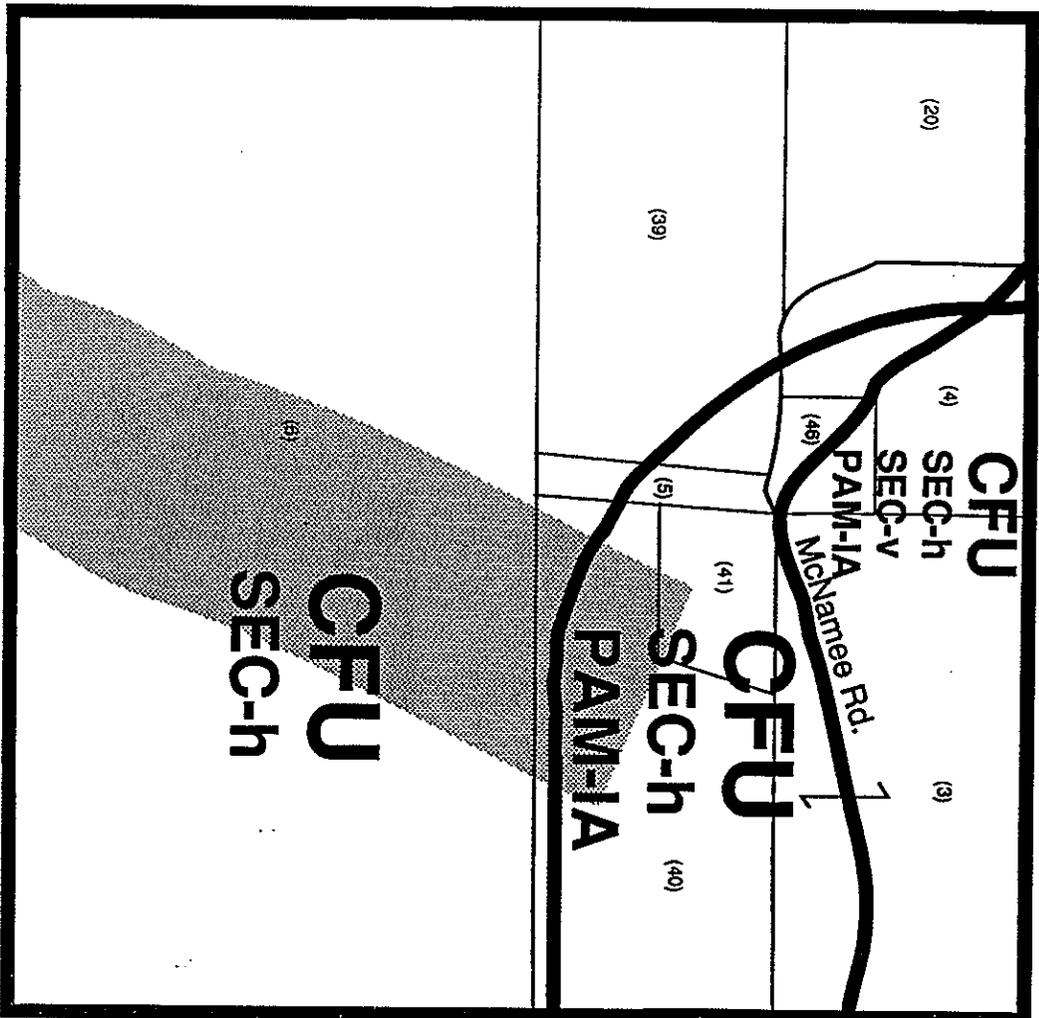


NW 1/4 2N1W32

MAP 80

 SEC-s Overlay

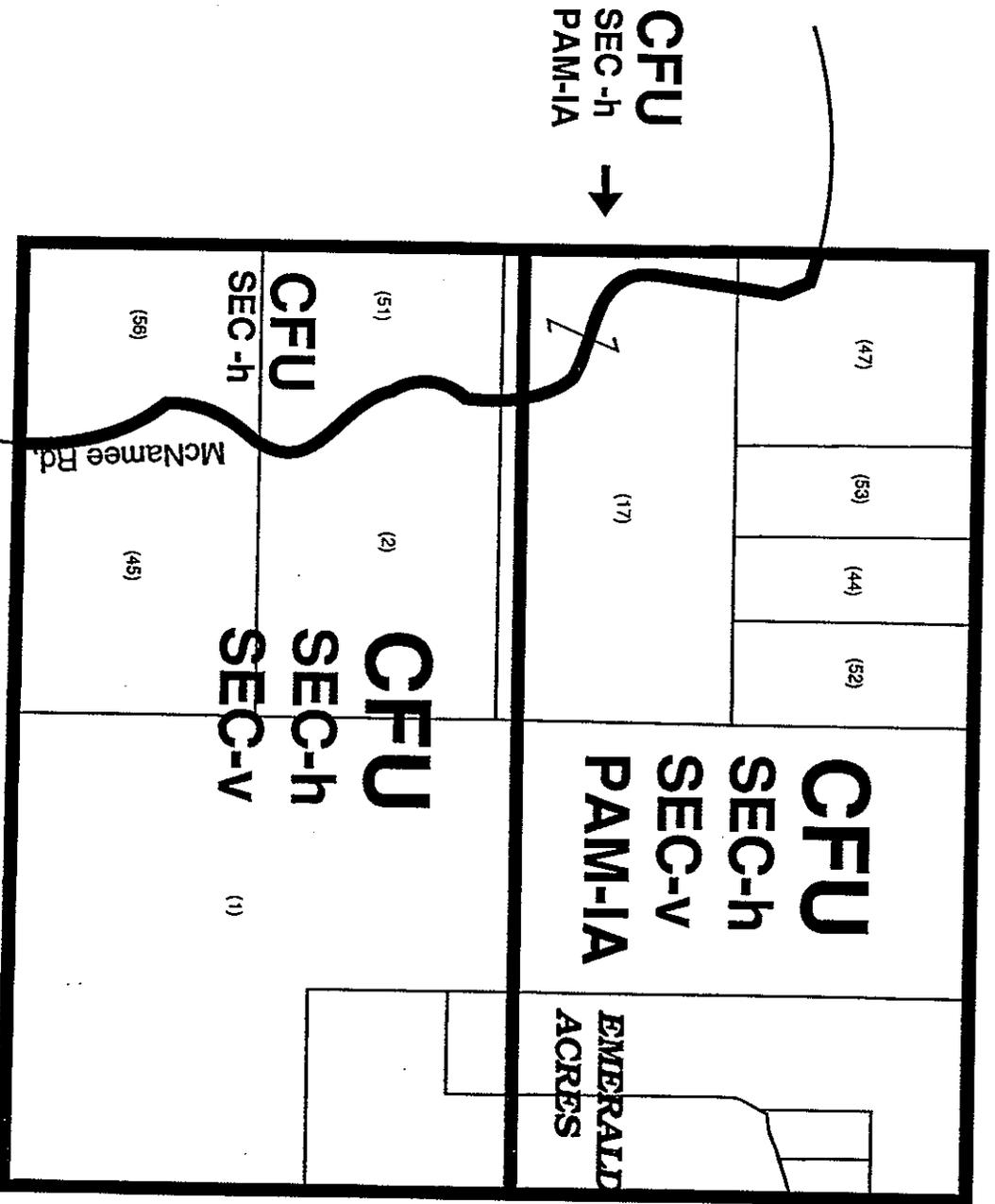
1" = 500'



NE 1/4 2N1W32

MAP 81

1" = 500'



NW 1/4 2N1W33

MAP 84

1" = 500'

