

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 858

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

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

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

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

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

The zoning change is in full accord with the West Hills Reconciliation Report, a portion of the Multnomah County Comprehensive Framework Plan. It is also in accord with Policy 16-B of the Multnomah County Comprehensive Framework Plan, which states that "IT IS THE COUNTY'S POLICY TO PROTECT AND ENSURE APPROPRIATE USE OF MINERAL AND AGGREGATE RESOURCES OF THE COUNTY, AND MINIMIZE CONFLICT BETWEEN SURFACE MINING ACTIVITIES AND SURROUNDING LAND USES."

Adoption of this zoning change will protect the Angell Brothers site for mining and will minimize conflict with existing and future land uses on surrounding properties.

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

ORS 215.055 was repealed in 1977 -- therefore no findings are necessary.

Section II. Amendment of Zoning Code.

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

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

Section III Adoption

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

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

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



By

Beverly Stein
Beverly Stein
Multnomah County Chair

REVIEWED:

LAWRENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

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

SECTIONAL
ZONING
MAPS
ZC 1-96

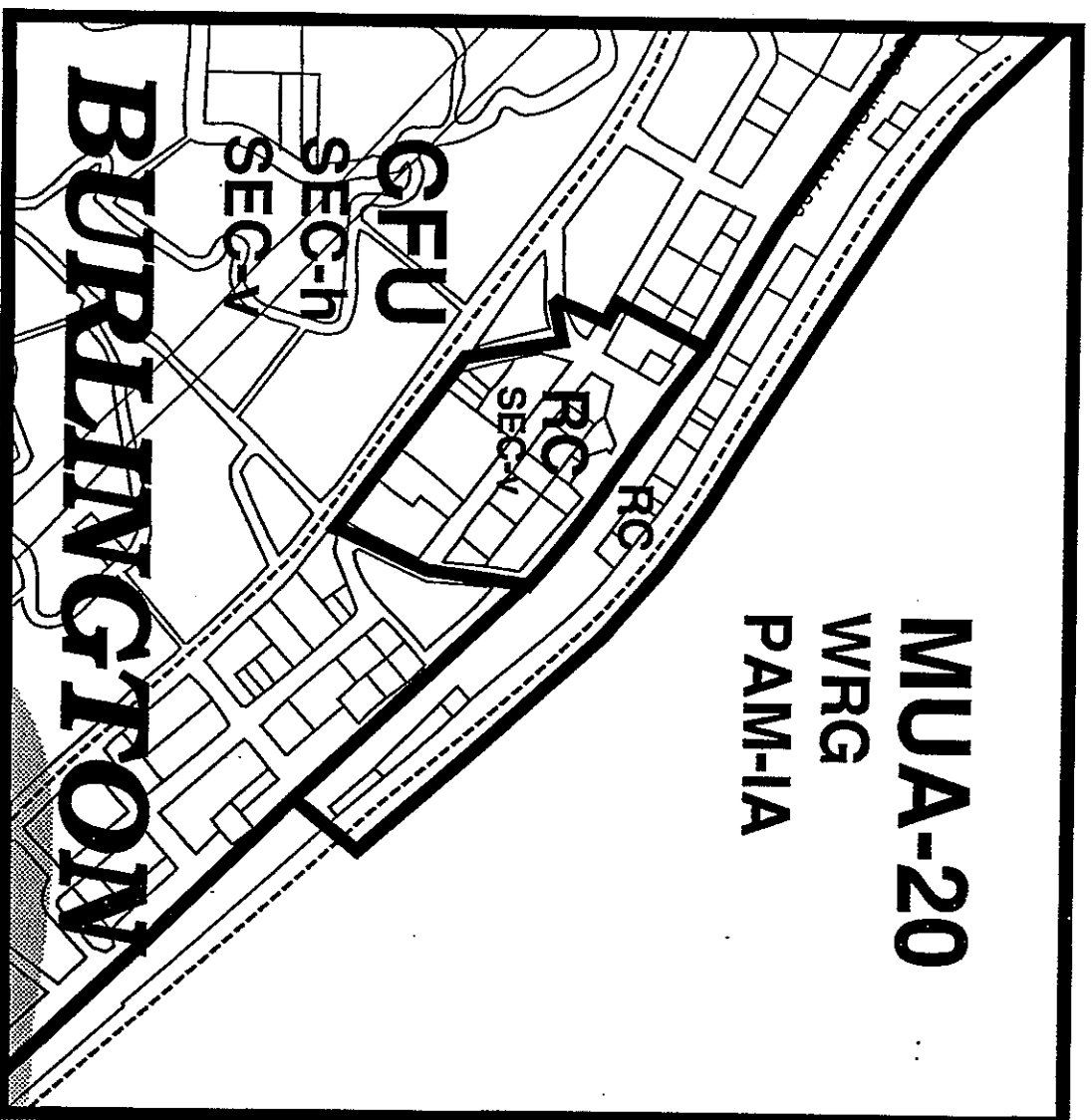
NW 1/4 2N1W20

MAP 48

 SEC-s Overlay

1" = 500'

 RAILROAD TRACKS

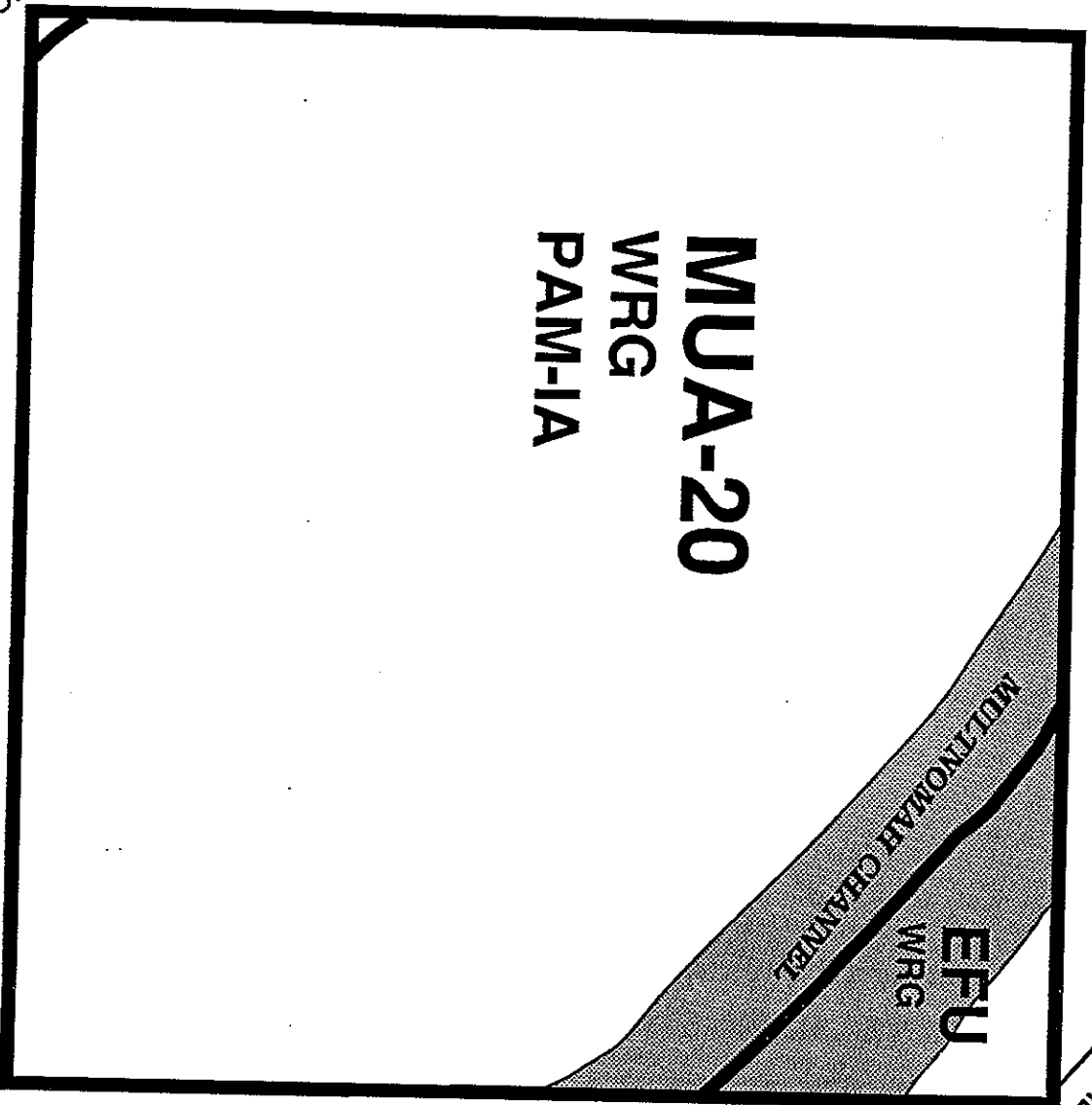


NE 1/4 2N1W20

MAP 49

1" = 500'

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

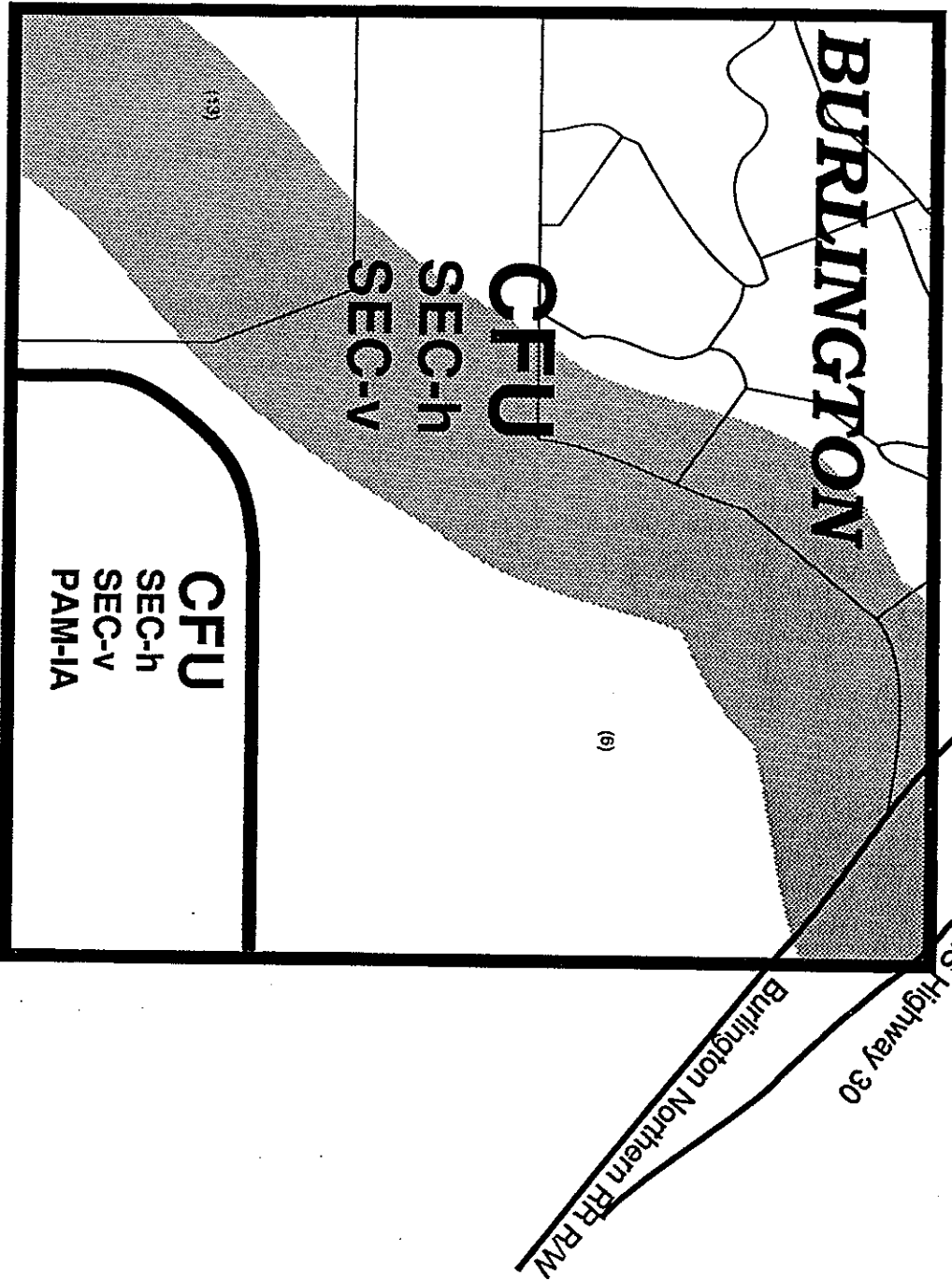


SW1/4 2N1W20

MAP 50

SEC-s Overlay

1" = 500'

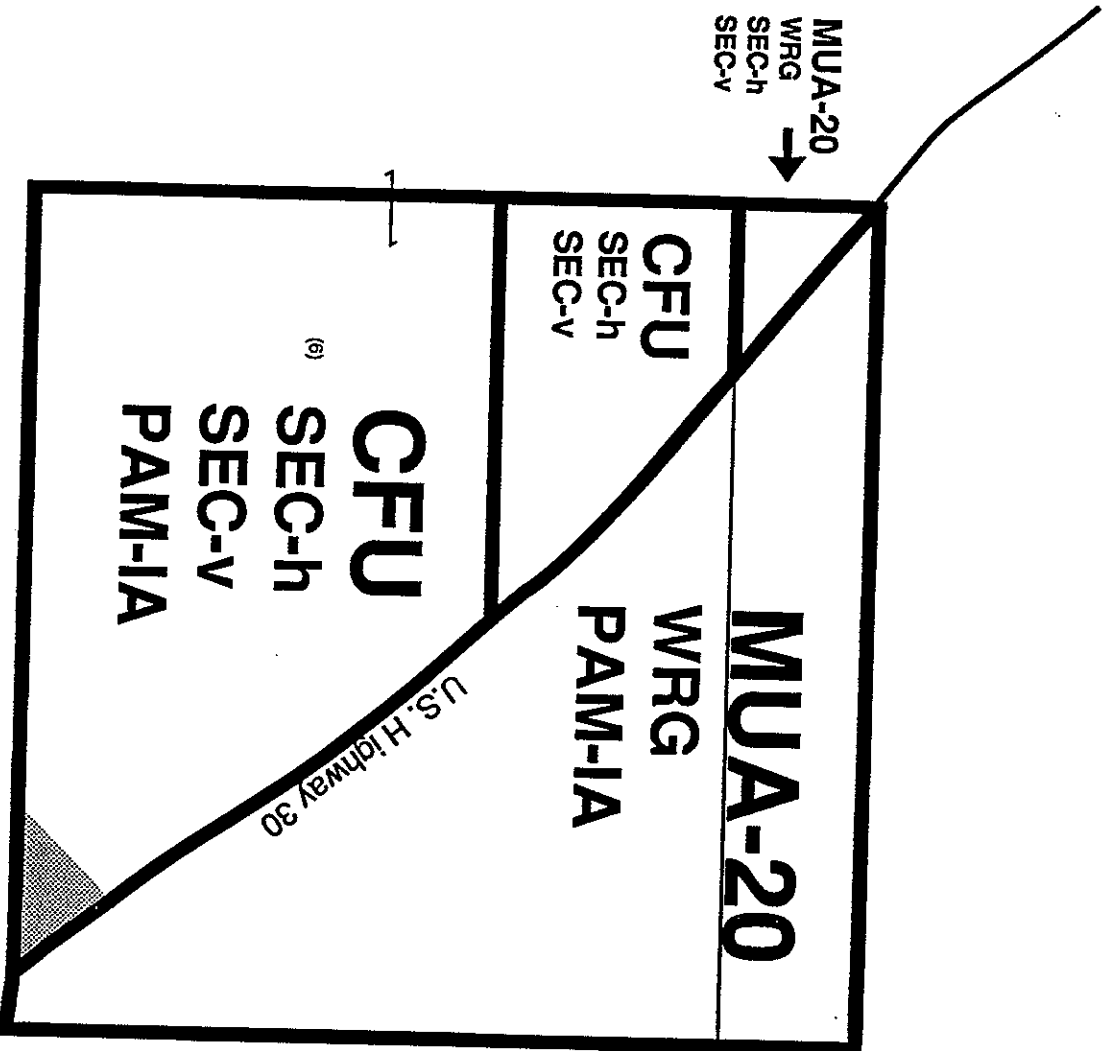


SE1/4 2N1W20

MAP 51

 SEC-s Overlay

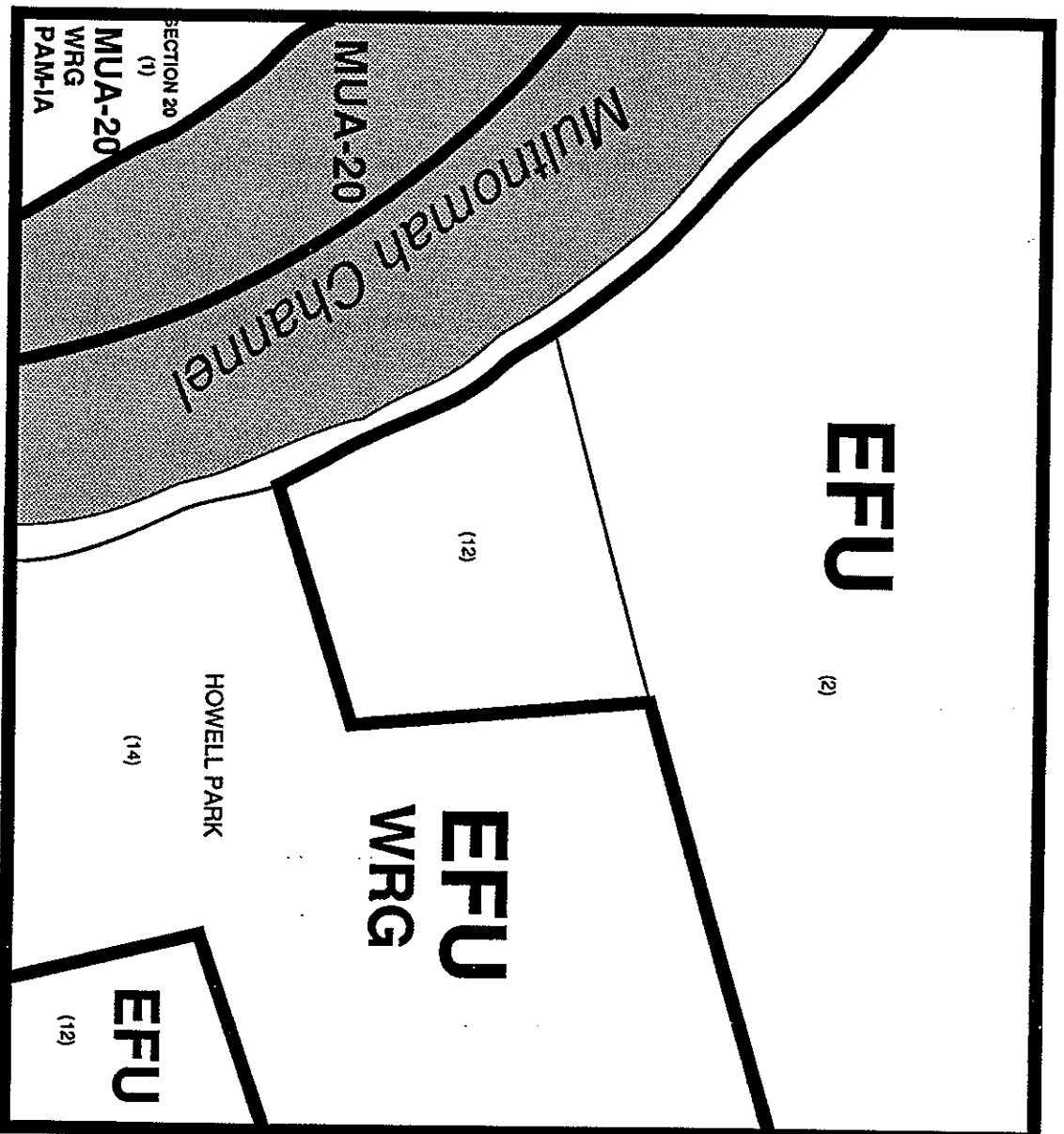
1" = 500'



NW1/4 2N1W21

MAP 52-A

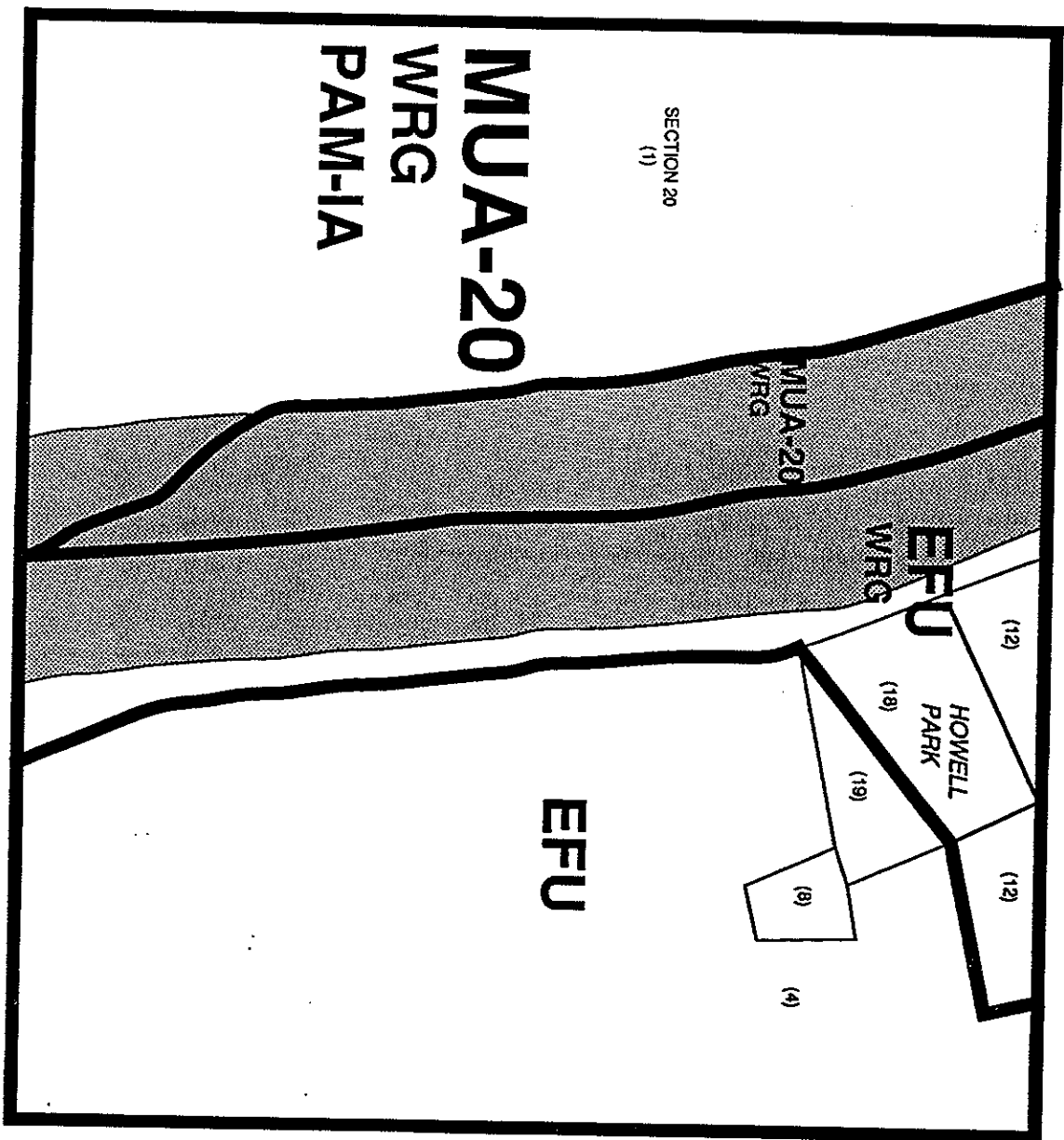
1" = 500'



SW 1/4 2N1W21

MAP 52-C

1" = 500'

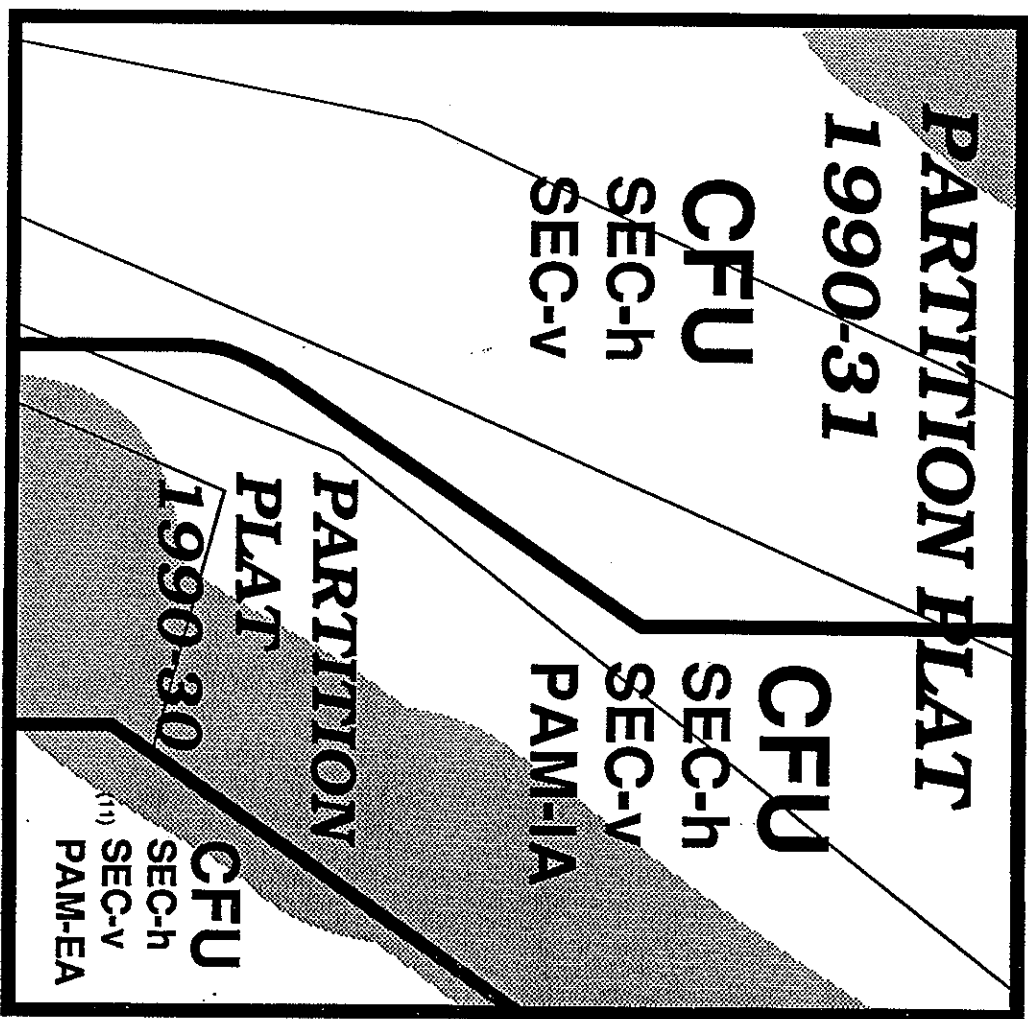


NW1/4 2N1W29

MAP 63

 SEC-s Overlay

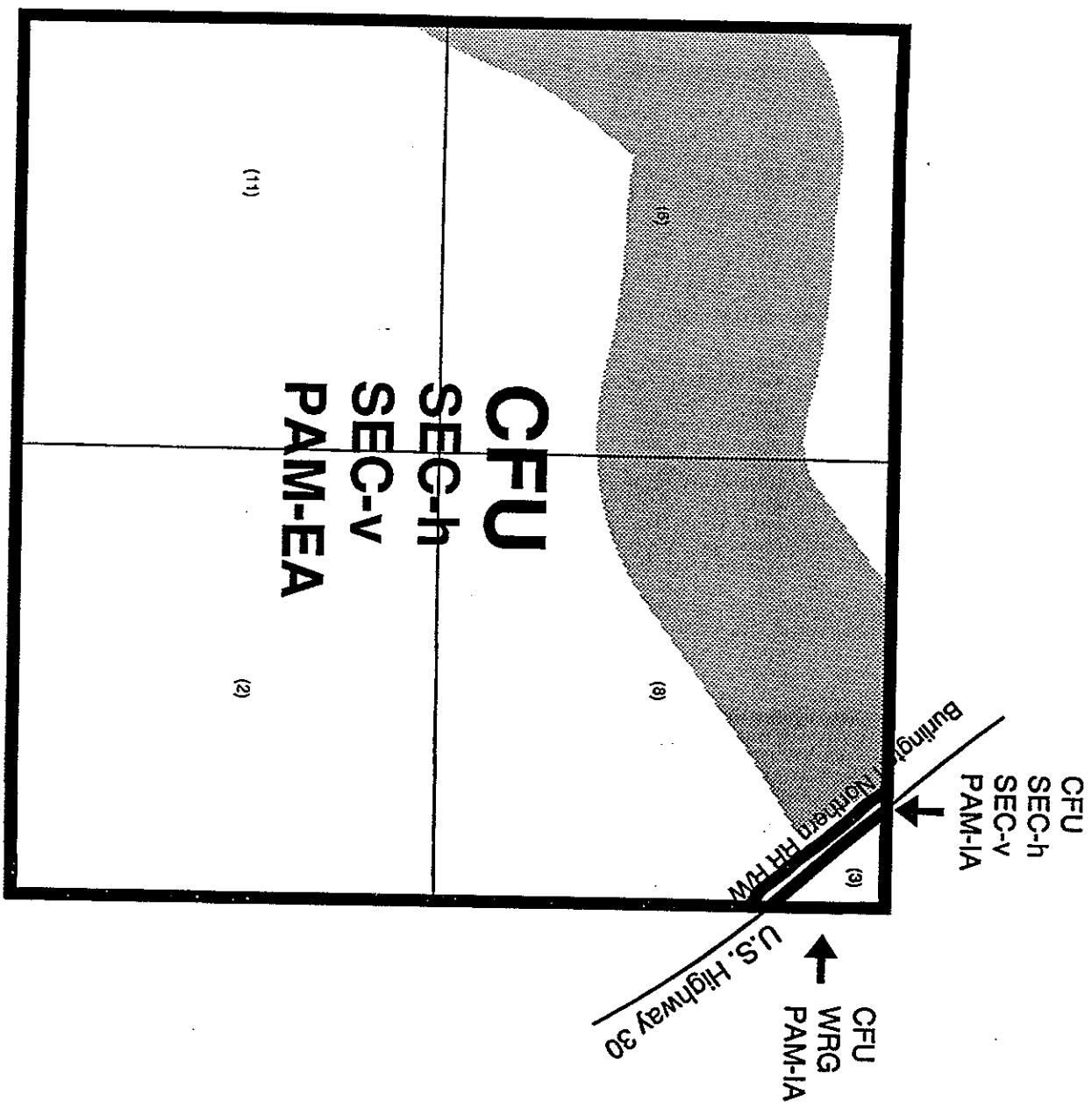
1" = 500'



NE1/4 2N1W29

 SEC-s Overlay

1" = 500'



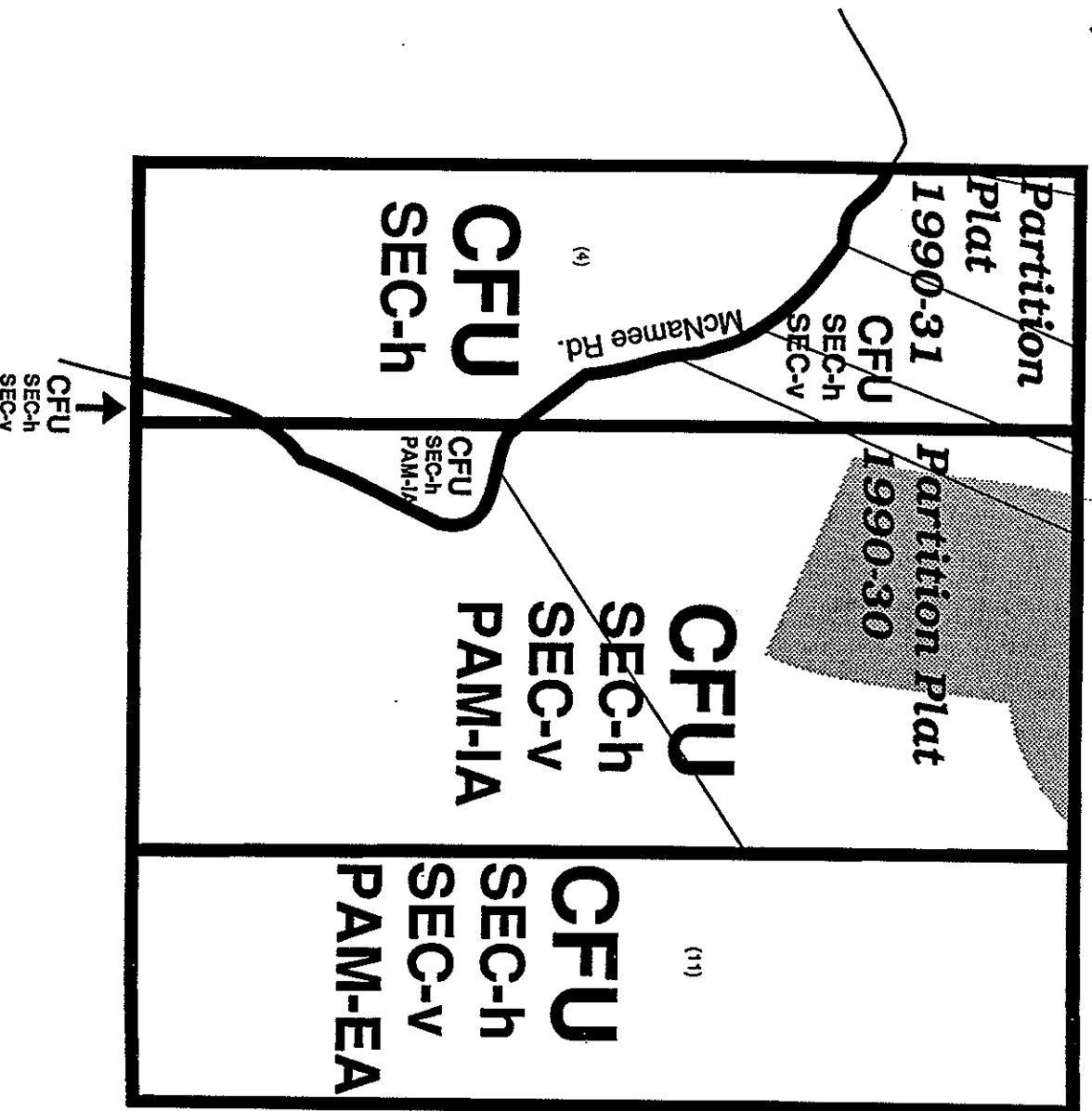
MAP 64

SW1/4 2N1W29

MAP 65

 SEC-s Overlay

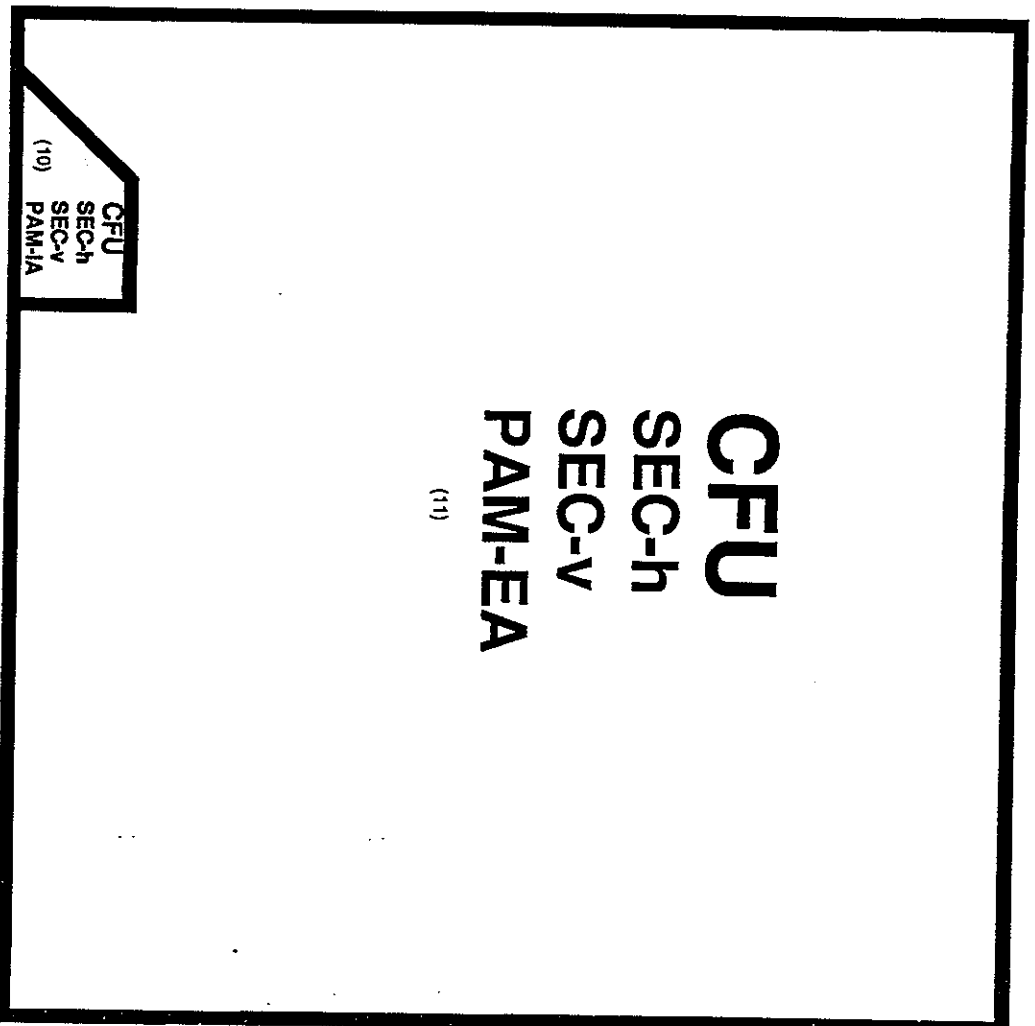
1" = 500'



SE 1/4 2N1W29

1" = 500'

MAP 66

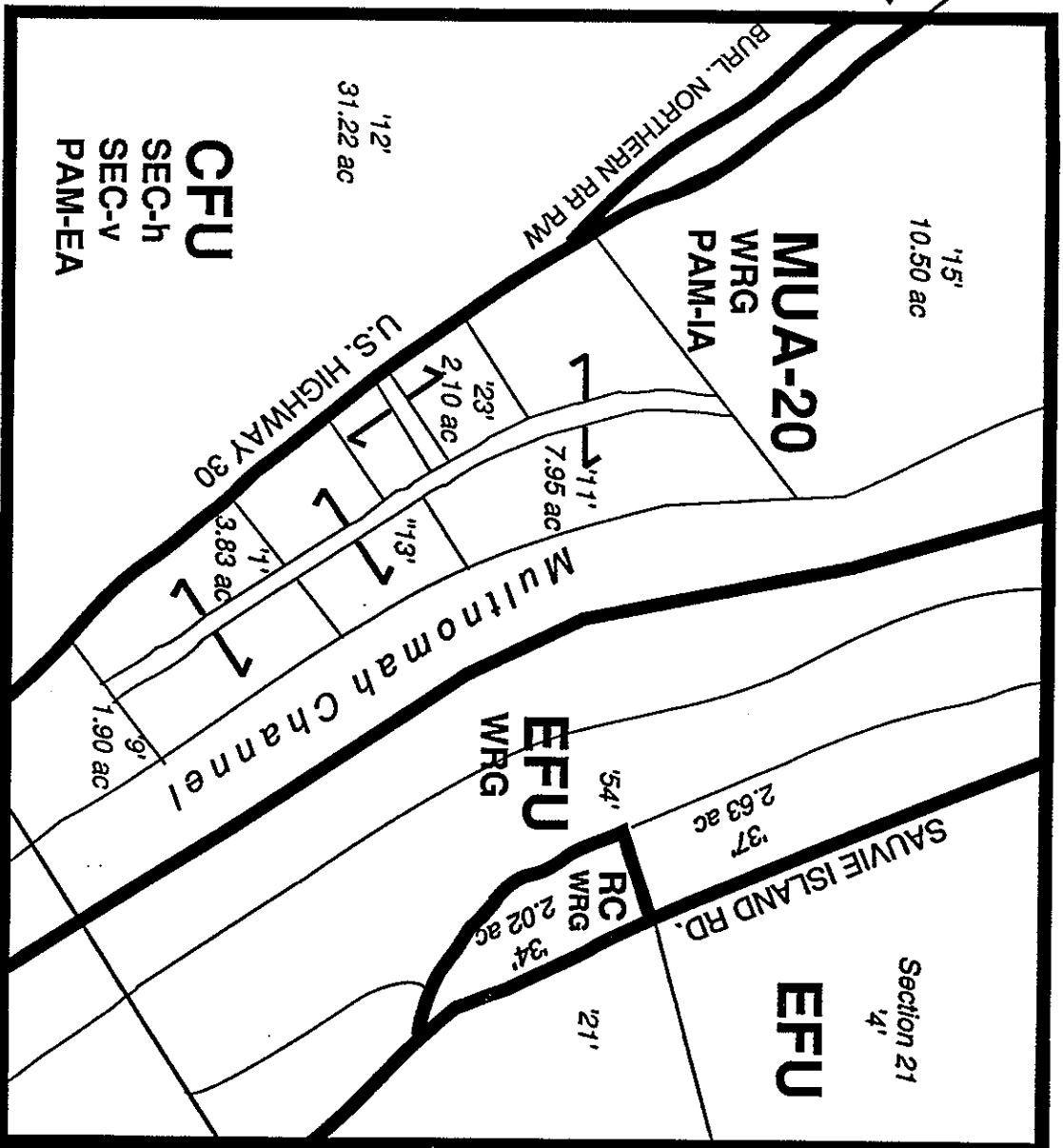


NW1/4 2N1W28

MAP 67

1" = 500'

CFU
SEC-h
SEC-v
PAM-1A

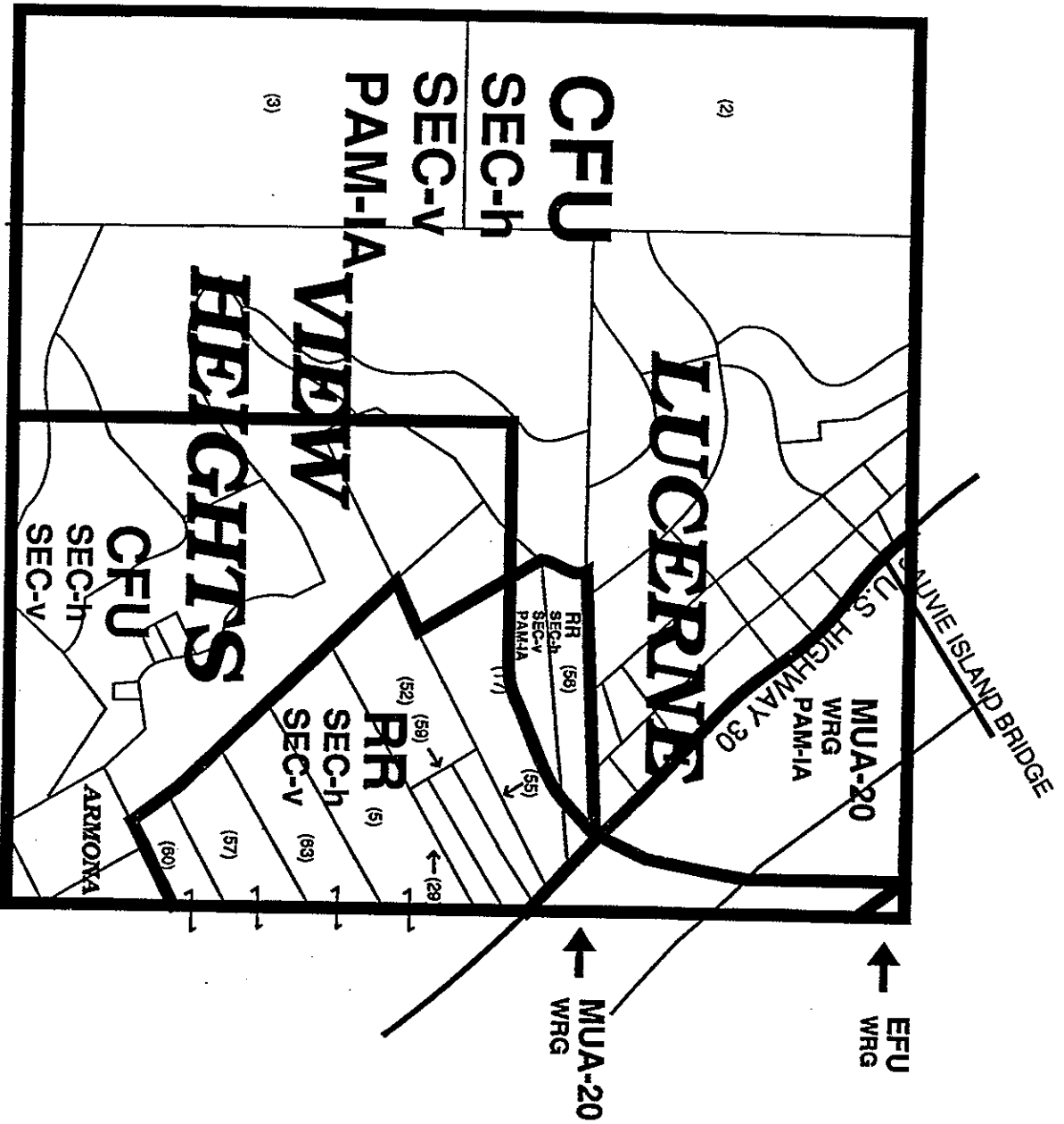


SW1/4 2N1W28

SEC-s Overlay

1" = 500'

MAP 69

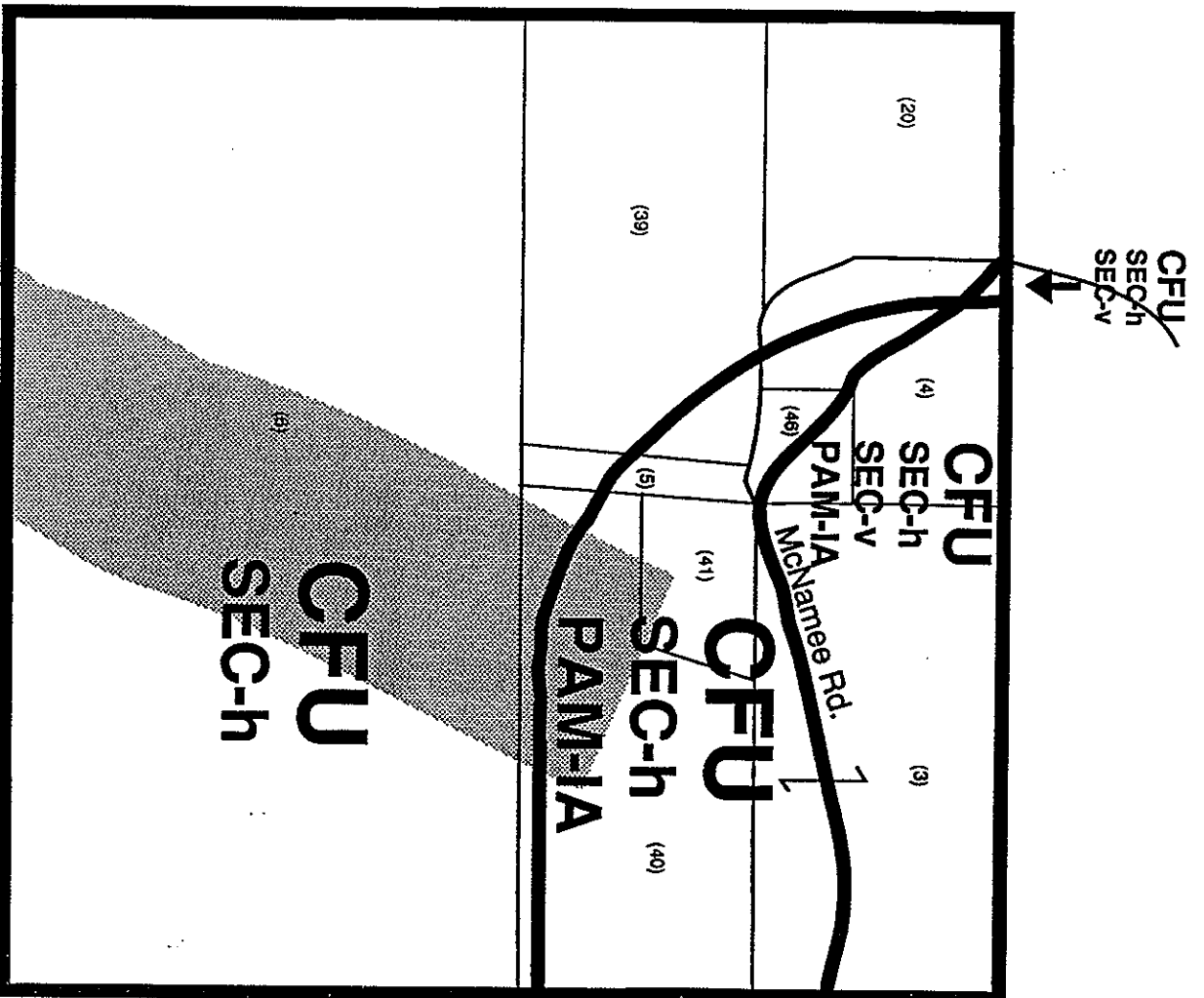


NW 1/4 2N1W32

MAP 80

 SEC-s Overlay

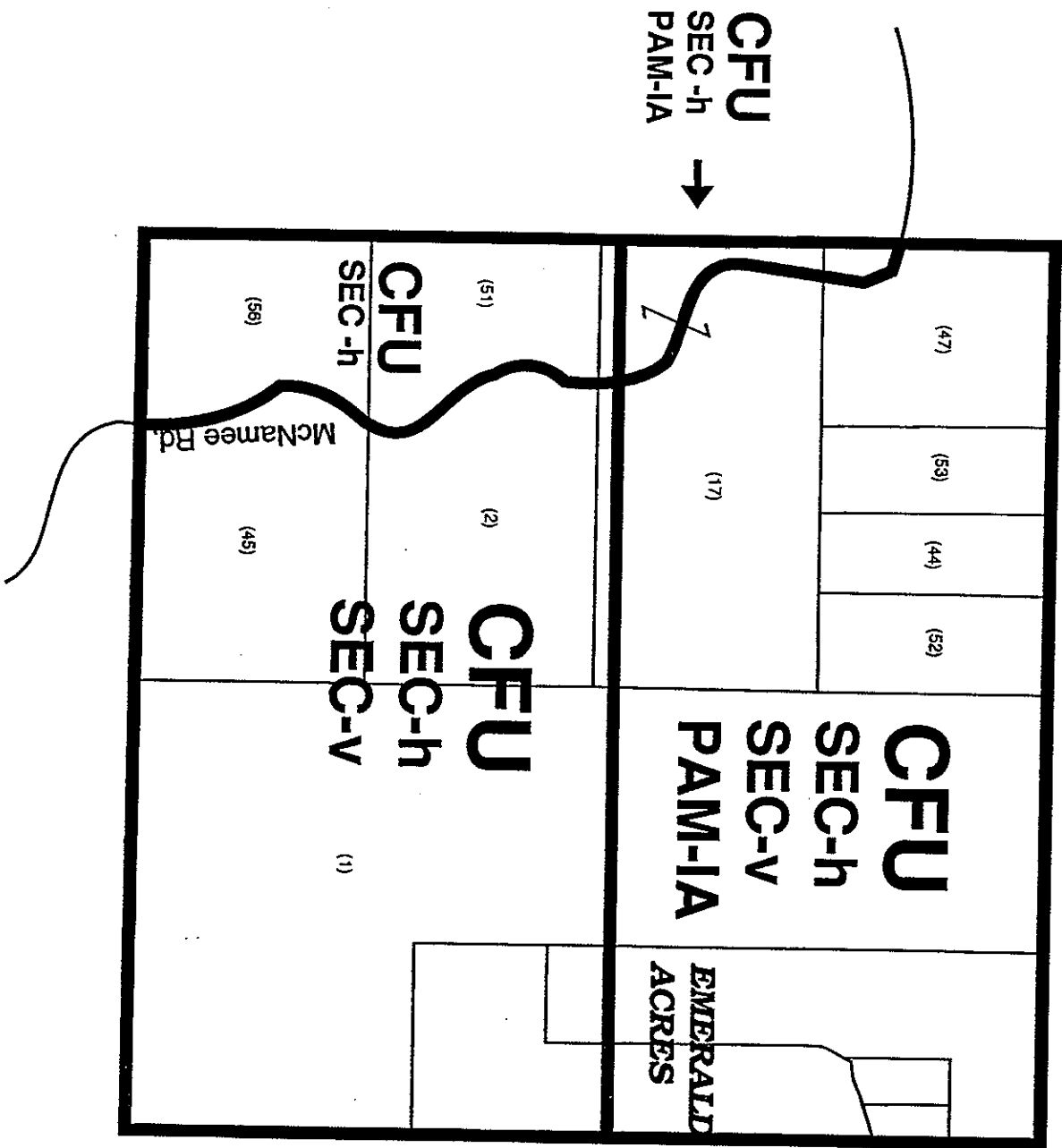
1" = 500'



NE 1/4 2N1W32

MAP 81

1" = 500'



NW 1/4 2N1W33

1" = 500'

MAP 84

