

## 33.254 Mining and Waste-Related Uses

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### 33.254.010 Purpose

#### These regulations:

- Reduce the impacts and nuisances resulting from mining and waste-related uses on surrounding land uses;
- Reduce the transportation impacts from these uses;
- Ensure that land used for these purposes is restored so that it may be reused; and
- Provide security measures so that these land uses are not a safety hazard to other land uses or to nearby residents.

### 33.254.020 Limitations

- A. Accessory uses.** Concrete batching, asphalt mixing, rock crushing, or clay bulking in connection with a Mining use are prohibited except in IH and IG zones.
- B. Hazardous wastes.** The disposal of hazardous wastes, as defined by OAR 340.100 to 340.110, is prohibited.

### 33.254.030 Location and Vehicle Access

Uses must be located so that vehicle access is restricted to Major City Traffic Streets or to streets in Freight Districts, as designated in the Transportation Element of the Comprehensive Plan.

### 33.254.040 Operations

- A. On-site queueing.** The site layout must include adequate areas to accommodate the peak number of vehicles expected to come to the site at any one time.
- B. Processing of waste products.** In the case of Waste-Related uses other than landfills and composting operations, all activities relating to the receiving, sorting, processing, storage, transfer, and shipping of wastes must take place entirely within enclosed structures. The transfer of waste products from one vehicle or container to another vehicle or container and the cleaning of such vehicles or containers must be done within a containment area

designed to ensure that waste materials will be confined so as to not enter the groundwater or any water body.

- C. Liquid waste pretreatment.** The use, if other than a sewage treatment facility, must provide pretreatment of any liquids being discharged into the City's stormwater or sanitary disposal system. The pretreatment must meet the standards of the Bureau of Environmental Services.
- D. Posted information.** A sign must be posted near the entrance to the site, stating the telephone number(s) where a representative of the use may be reached at all times.

### **33.254.050 Traffic Impact Study**

A traffic impact study must be submitted for the proposed use. As part of the study, measures must be proposed for mitigating traffic impacts resulting from vehicles going to and from the site. The study must also include a plan and mechanisms to ensure that traffic, especially trucks, travel primarily on truck streets or Major City Traffic Streets when near the site. The traffic study must include information on proposed access points, hours of operation, types of vehicles, and number of trips.

### **33.254.060 Nuisance Mitigation Plan**

The applicant must submit a mitigation plan that addresses potential nuisance impacts which might be created by the proposed use. The plan must include the following components:

- A. Off-site impacts.** The plan must document that the use will comply with the off-site impact standards stated in Chapter 33.262;
- B. Litter.** For Waste-Related uses, the plan must address litter generated on the site and litter along roadways leading to the use that is generated by vehicles coming to the site. The plan must also address illegally dumped waste products near the site. The plan must provide for regular litter removal. The plan must also include means to limit litter from vehicles coming to site; and
- C. Dust, mud, and vector control.** The plan must provide mechanisms to limit impacts from dust, mud, and disease carrying organisms such as rats and mosquitoes.

### **33.254.070 Reclamation Plan for Landfills**

The applicant for a landfill use in the Waste-Related use category must submit a reclamation plan. The Bureau of Environmental Services and BDS will provide a technical review of the plan. Mining uses are subject to State requirements for reclamation plans.

- A. Contents of the reclamation plan.** The reclamation plan must include the following:
  - 1. Phasing and schedule of work to be conducted;
  - 2. Phasing and schedule of reclamation to be conducted;
  - 3. Materials to be used in the reclamation;
  - 4. The effect of the reclamation on surface and subsurface drainage patterns;
  - 5. Plans for future use of the land; and

6. A discussion of how the proposed reclamation plan is consistent with the future potential uses of the land, according to the zoning and the Comprehensive Plan designation.

- B. Performance guarantee.** The review body as part of the conditional use review may require the applicant to post a bond or other security with the City to ensure the completion of the reclamation plan. The security must comply with the regulations for performance guarantees stated in 33.700.050.

### **33.254.080 Setbacks, Landscaping, and Screening**

Waste-Related uses are subject to the following setback, landscaping, and screening requirements. Mining uses are subject to State requirements for setbacks, landscaping, and screening.

- A. Setback distance.** Waste-Related uses must be set back 100 feet from all property and street lot lines that abut C, E, or I zones. A 200 foot setback is required along all property and street lot lines that abut OS, CI, IR, or R zones.
- B. Landscaping and screening requirements.** The setback must be landscaped to at least the L1 standard. A fence at least 6 feet high must be provided on the interior side of the setback. The fence must be screened by a high hedge meeting the L3 standard. The landscaping standards are stated in Chapter 33.248, Landscaping and Screening. In addition, gates with fencing at least 6 feet high must be provided across all entrances. The property owner must maintain the fencing and gates in good repair.

### **33.254.090 Activities in Required Setbacks**

Extraction, movement, or stockpiling of mineral and aggregate resources or the disposal or storage of waste products within a required setback is prohibited. The tops and toes of cut and fill slopes must remain outside the required setback. Structures, exterior storage, and parking areas for trucks or equipment are not allowed within the required setbacks. Required setbacks includes all setbacks approved by the State for Mining uses.

### **33.254.100 Underground Utilities**

All underground lines and conduits on a mining or landfill site and within 50 feet of the site must be protected from damage from the use. This includes storm and sanitary sewers, and water, gas, and electric lines.

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*(Amended by: Ord. No. 174263, effective 4/15/00; Ord. No. 177028, effective 12/14/02; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18.)*

