

JOSEPHINE COUNTY PLANNING OFFICE



Wm. Bruce Bartow  
PLANNING DIRECTOR

510 N.W. 4th ST., GRANTS PASS, OR 97526

# TRANSMITTAL

**To:** INTERESTED AGENCIES

**Date:** April 15, 1992

**Content:**

Conditional Use Application  
for Rock Crushing

**From:** PLANNING

The attached land use application will be considered before the  
PLANNING COMMISSION on May 18, 1992. It  
would be appreciated if your comments regarding this application  
are submitted to our office in time for their inclusion in the  
staff report. Please have these comments to our office by  
May 4, 1992.

Thank you!

18. Will the advantages of the proposed use outweigh the disadvantages to the immediate neighborhood? Yes  
 Explain We are supplying a necessary resource as stated in JC Resource Book these identified aggregates must be protected for future generations. We employ displaced timber workers previously employed in forestry jobs. Improve the economy of the state & county. High demand for crushed quarry rock.
19. In resource zones, a conditional use requires findings that the use will not be injurious to property and improvement in the area of the request. In your opinion, does your request meet this test? yes Explain how? The quarry has existed prior to 1960's and development has grown. Forest uses take priority over other uses, and rock crushing is a compatible use with forestry. Development has continued in this area along with the development of this quarry operation.
20. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the area where the proposed use would be located. The use will not have a significant detrimental effect to persons residing or working in the area because the use is confined to the quarry area. Operations to be conducted during normal business hours. Nearest residence is over 350ft away, next residence is 600ft away through heavy timber.
21. That the use is compatible with resource uses in the nearby area in that the nearest resource uses are 300 plus feet away and will therefore not be affected by the proposed use.
22. The use will not cause any reduction in resource quality of the neighboring parcels. Explain Resource in neighboring parcels are forestry, rock crushing is a compatible use in conjunction with forest use. Rock processing has been conducted since 1960's to present with no reduction in resource quality to date.
23. The proposed use will not interfere with or prohibit any agricultural or forestry uses on adjacent lands. Explain Forestry uses require convenient rock sources for building of roads. Increased forestry activity has created demands for convenient rock locations such as this quarry. It will help forest uses.
24. That the use does not materially alter the stability of the overall land use pattern in the area and that the area utilized for the conditional use shall be limited to the size necessary for the proposed use. The existing uses in the area are forestry, agriculture, rock processing, residential.
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25. The proposal involves 3-10 acres which is the minimum amount of land necessary for the use, and would not be sufficient in size to alter the stability of the overall land use pattern. Why? Overall land use is FC, this land is unsuitable by commercial forestry because of the North slope, dry, rocky soils - it is a shale quarry. SEE SCS Forest management plan: Forest production is fair to poor on this parcel.

Property values have continued to increase.

9. Erosion control and reclamation of the site shall be accomplished in accordance with the standards of this regulation, and any applicable permit from the Oregon State Department of Geology and Mineral Industries and the Department of Environmental Quality.

Has an erosion control and reclamation plan been developed? Not required. Quarry has been in operation prior to 1972, DOGAMI will not require reclamation at this time.  
Has it been submitted to the Planning Office for review? not applicable.

10. Have you applied for permits from the Oregon State Department of Geology and Mineral Industries and/or the Department of Environmental Quality? Yes - in file - DOGAMI  
Permit has been in effect prior to 1972. Crusher Owner will secure
11. If excavation is required, it shall be away from the property line a distance adequate to maintain a fence on the property line if needed, and such additional distance as is necessary to allow a normal safe angle of repose during the operation plan pursuant to Section ~~3.075~~, the standards of this Regulation for the depth <sup>14.136</sup> of final excavation. Excavation will be No property lines affected, feet from property lines. Quarry is on 42 acre parcel.
12. Will excavation meet the slope standards identified in the operation plan? yes How? Benched per DOGAMI STANDARDS.

13. Can you assure that the proposed development is compatible with the agricultural and/or forestry uses on any adjoining lands and that it will not adversely impact those agricultural or forestry uses? Yes Is the proposed development setback a sufficient distance so that it will not cause an adverse impact? Yes What distance will the setback be? 1988 ft.  
*Increased forest activity has created demands for concrete rock locations in this area, for road building.*  
site was designed a significant aggregate site with 300' setbacks, no building allowed.

14. Where the proposed development is located in a resource zone, are the soils on the property rated for agricultural or forest use? Forest use, IRR 3.77 - 3.59

15. The proposed site is unsuitable for agricultural or forest uses because 35%-70% slopes North facing, all rock, very dry + steep. this is a shale Quarry.

16. Will impacts result to residents on adjoining properties? minimal impacts, All dust + noise controls will be below DEQ standards. Building of a 30' plus berm of dirt + leaving trees.

17. If impacts will result from the proposed use, why adjoining property owners should bear the inconvenience of a change in land use? No change in land use, the site has been a rock quarry prior to 1960's. County Public works has crushed at this site prior to 1972. Crusher was at this site in 1990 with no complaints from property owners. Crushing improves the marketability of this material. There is a high demand for crushed quarry aggregate.

26. Does other mining or rock processing already exist in this area/? Explain yes, Applegate Aggregate, Marble Mt. Quarry, Copeland, numerous outcroppings of shale rock in area.
27. That a disclosure statement is signed and recorded with the County which recognizes that agricultural and forest uses for the land zoned forest conservation have priority over all land uses. Has the statement been signed? Is it a part of your submittal? yes. See SCS Forest Management plan in File.
28. Does your site plan show the entire property? yes Does it show the total area to be mined? yes Have you shown the location on the site of all temporary structures, equipment, parking, routes for hauling, etc? yes.

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SITE PLAN

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A Site Plan must be submitted with this application. The Site Plan shall show as appropriate those items listed in Section 15.218, included with this application. A larger sheet may be used if necessary to meet the scale required by the development.

The plan needs to be drawn to scale and show the entire property of the subject tax lot, with structures noted. A detail plan is recommended for the crushing site to show location of crusher, office, parking, and other improvements. (The detailed plan may be on a separate piece of paper, and should be to a scale that will provide a visual picture of the operation.)

Scale:

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24. Where an attachment or minor addition to an existing building or structure is proposed, the site plan shall indicate the relationship of said proposal to the existing development. The Planning Director may determine that it need not include other data required in subsections 1 through 23.

QUESTIONS OR STATEMENTS REQUIRING RESPONSES

1. The road will be maintained in a dust free condition within 200 feet of residences or a public road. List all road materials to be used to meet this requirement Quarry has direct access to Cheney Cr Rd. A public, County maintained road. Nearest residence is 350' away from Quarry.
2. How do you propose to limit other annoyances to adjoining, occupied, public or private property, State Scenic Waterways and adjacent public roads? Noise + dust will be controlled by meeting State DEQ standards. Building a 50' high berm of dirt along the front of the quarry and operating during normal business hours. Leaving of existing trees along front of quarry.
3. Will screening be provided? yes Do you propose a fence or vegetation? currently vegetation + dirt Berm Height over 30' plus Site Obscuring? maple trees will be left, no one can see crusher in quarry
4. Is this parcel and surrounding parcels in or near State Scenic Waterways? NO
5. Safe parking shall be available on site for employees, customers and visitors to the mining site. Has safe parking been provided? yes How many spaces? 6 Type of surface? crushed rock How marked? Sign
6. The use is over 350' feet from any adjoining residential use and will therefore not have a significant effect on those uses. Other residences are over 600' ft through dense woodland.
7. A safety fence to control access to the pit may be required at least 10 feet outside a pit that is within 200 feet of a public street, or road, or of a residence that is located off the property wherever the mining takes place. Will a safety fence be provided to control access? No, but we have a cable across the quarry access road, our insurance does not require a fence in this rural location.
8. Is the pit more than 200 feet from a public street or road or residence? yes. The nearest (No fence required) residence is over 350 ft. From pit, which has it's own fence around. Other residences are over 600'.

vehicles, other uses of the streets, such as parking, bike or pedestrian routes.

7. Location, dimensions and uses for all existing and proposed easements on and/or serving the parcel.
8. Location and layout of off-street parking, surfacing, internal circulation pattern, and loading facilities, including number of spaces and dimensions.
9. Location and layout of existing and proposed public and private utilities on and adjoining the site, including septic systems.
10. Location of walkways and bikepaths.
11. Location of required landscaping. See Section 14.132.
12. Location of walls and fences and indication of their height and materials of their construction.
13. Exterior lighting and area covered by illumination from lighting standards and devices.
14. Location, size and height of exterior signs and outdoor advertising.
15. Areas for trash and garbage disposal. See Section 14.134 (Solid Waste).
16. Security considerations.
17. Location of natural features such as creeks, drainage ways, ponds, irrigation ditches, etc.
18. Location of 100-year floodway and floodplain.
19. Fire Hazard. See Section 14.133.
20. Any other such architectural or engineering data as may be required to permit necessary findings that the provisions of this Ordinance are complied with.
21. If phased development, show boundary limits of each proposed phase.
22. Adjoining land uses including approximate distances to adjacent structures.
23. Airport overlay requirements. See Section 14.122 through 14.129.

# JOSEPHINE COUNTY PLANNING OFFICE



WM. BRUCE BARTOW  
PLANNING DIRECTOR  
510 N.W. 4th ST., GRANTS PASS, OR 97526

FEE \$ 165. PD

## PERMIT APPLICATION FORM

UGB  
 COUNTY

- APPEAL
- CHANGE OF NON-CONFORMING USE
- COMPREHENSIVE PLAN CHANGE
- CONDITIONAL USE
- DWELLING GROUP
- LOT OF RECORD
- MINOR LAND PARTITION
- PARCEL LESS THAN 120 ACRES-EF
- PARCEL LESS THAN 120 ACRES-FC
- PARTITION OFF AN EASEMENT

- TENTATIVE PLAN -- SUBDIVISION, MAJOR PARTITION, PUD (CIRCLE ONE)
- FINAL PLAT -- SUBDIVISION, MAJOR PARTITION, PUD (CIRCLE ONE)
- URBAN GROWTH BOUNDARY CHANGE
- VARIANCE
- ZONE CHANGE
- COMMERCIAL SITE REVIEW
- INDUSTRIAL SITE REVIEW
- MULTI-FAMILY SITE REVIEW

OWNER(S): DENNIS & SHERI WALTMAN TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: 700 CHENEY CREEK RD

APPLICANT(S): \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

ATTORNEY/REPRESENTATIVE: DANIEL HUGHES 474-2678

MAILING ADDRESS: \_\_\_\_\_

LEGAL: TOWNSHIP 37 RANGE 6 SECTION 18 TAX LOT(S) 800

TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_ TAX LOT(S) \_\_\_\_\_

PROPERTY LOCATION: 700 CHENEY CREEK RD

EXISTING ZONING: FC COMP PLAN \_\_\_\_\_

APPLICABLE ORDINANCES: ZONING

PARCEL: ACRES 80 WIDTH \_\_\_\_\_ DEPTH \_\_\_\_\_

OTHER INFORMATION/APPLICATIONS SUBMITTED \_\_\_\_\_

SUBDIVISION/MAJOR PARTITION/MINOR LAND PARTITION/PUD INFORMATION ONLY

NUMBER OF LOTS: \_\_\_\_\_ SIZE OF LOTS \_\_\_\_\_

PROPOSED USE OF LOTS: \_\_\_\_\_

8/4/82



I, \_\_\_\_\_, have filed an application for \_\_\_\_\_ with the Josephine County Planning Office to be considered for scheduling before the appropriate review bodies, and have appended the following items in support of my request:

- 1.
- 2.
- 3.
- 4.
- 5.

My signature below affirms that I have discussed my application with \_\_\_\_\_, of the Planning Department staff, and that I understand the following:

- a. That although the Planning Department staff has rendered an opinion and may prepare a staff report concerning the legal criteria relevant to an application of this nature, I have the ultimate burden of addressing and submitting evidence relative to my application and this responsibility exists independent from any such statements or reports by the Planning Office or staff.
- b. That I may retain legal counsel to assist me in the presentation of my application and that it may be in my best interest to do so.
- c. That if I have any questions or require additional information I may contact the Planning Department staff and discuss the application with them, but that such discussions and/or information will not include legal advice, and shall not become binding upon the County in any respect.
- d. That this notarized statement will be appended to the staff report presented to the hearing body and that it will be forwarded to the Citizen Advisory Committee for the area in which the subject property is located.
- e. That if the development proposed is located within the Urban Growth Boundary it is subject to any laws and ordinances that may also apply.
- f. That the application may be returned to me for additional information before scheduling.

Daniel J. Hughes  
Applicant

NOTARIZATION REQUIRED FOR PUBLIC HEARING ITEMS ONLY

STATE OF OREGON )  
County of Josephine) <sup>ss.</sup>

On this 12 day of March, 1992, personally came before me, a Notary Public in and for said County and State, the above named, Daniel Hughes, who executed the written instrument and acknowledged to me that h/she executed the same freely and voluntarily.

James J. Dukes  
Notary Public, State of Oregon  
COMMISSION NO. 012286  
MY COMMISSION EXPIRES MAR 30, 1996  
8-20-96

8/4/82

ROCK PROCESSING AND CRUSHING AND ASPHALT BATCHING  
Conditional Use Permit.

SECTIONS 3.025(3); 4.025(1); 5.020(4); 8.025(5); 14.137; 15.213  
to 15.219

FEE \*165. FEE PD \*165.- DATE SUBMITTED 3-5-92

PROPERTY OWNER Dennis + Sheri Waltman PHONE 479-7217  
Address 700 Cheney Cr Rd. Grants Pass, OR 97527

APPLICANT SAME PHONE \_\_\_\_\_  
Address \_\_\_\_\_

ATTORNEY/REPRESENTATIVE Daniel F. Hughes 479-2678

PROPERTY LOCATION 1110 Cheney Cr Rd 37-6-18 #800

ZONING EO AC COMP PLAN Forest Commercial

Ordinance Sections \_\_\_\_\_

LEGAL DESCRIPTION T37 R 6 Section 18 Tax lot 800  
Acreage 72 acres Width 1300' Depth 2600'

DESCRIBE IN DETAIL THE NATURE OF THE OPERATION request for  
a rock crusher at existing Rock Quarry.

CRITERIA

SECTION 14.137 Cement and Asphalt Batching.

Cement and Asphalt Batching, rock processing and crushing,  
subject to the following standards:

- a. No plant shall operate without an approved Air Contaminant Discharge Permit, issued by the State Department of Environmental Quality.
- b. No cement or asphalt batching plant shall operate for a period greater than 180 days at a single site.

- c. If screening of the processing site may be necessary to obscure the view or minimize dust or other annoyance from adjoining occupied property and adjacent public streets, demonstration that such screening will be provided.
  - d. Commitment that if a malfunction of the air pollution control equipment occurs, the plant shall be shut down within 1 hour of the malfunction, and shall not resume operation until the problem has been resolved.
  - e. Dust from other sources, such as the pit floor or gravel piles shall be controlled to the greatest extent feasible.
  - f. Equipment shall be operated only between the hours of 6:00 a.m. and 10:00 p.m.
  - g. The proposed development is compatible with and shall not adversely impact agricultural or forestry use on any adjoining land.
  - h. The proposed development is located on land generally unsuitable for agricultural or forestry uses for developments located in resource zones.
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#### SECTION 15.218 Site Plan.

When in the judgment of the Planning Director a site plan review is necessary to adequately determine compliance with the standards of this Ordinance, the developer shall submit to the Director a site plan for total parcel development. The site plan shall be drawn to scale and shall indicate the following as appropriate, upon request of the Planning Director.

1. Location of parcel by address and legal description, dimension, size in acres and orientation of the parcel.
2. Scale, north arrow, date of preparation.
3. Location, size, height and dimensions of existing and proposed buildings and structure, including distances between buildings and setbacks to property lines.
4. Indication of the proposed use of buildings shown on the site.
5. Grading and slopes where they affect relationship of the buildings shown on the site.
6. Location of existing and proposed roadway improvements, including right-of-way, points of entry and exit for motor