



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

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**DEVELOPMENT PERMIT APPLICATION:
MINING AND PROCESSING OF AGGREGATE
Application Fee: \$5000.00**

Application Check List (for departmental use only)

Date Received: _____ Receipt number: _____ Fee paid: _____

Application accepted by: _____ Completeness reviewed by: _____

Date deemed complete: _____ Final action time limit date: _____

File number assigned: _____ Planner assigned: _____

Other applications included: _____ Plan text amendment _____ Setback variance
 _____ Easement recognition _____ Other _____

_____ Proposed mining area is included in the following LCC Chapter 905 inventory:

_____ Appendix 4 (Non-significant site)

_____ Appendix 5 (Significant site without conflicting uses)

_____ Appendix 6 (Significant site with all conflicts minimized)

_____ Appendix 8 (Significant site protected by Goal 5)

_____ Appendix 10 (Significant site not protected by Goal 5)

_____ Not in Plan inventory, Plan text amendment is included

_____ Verification of ownership _____ Property is an authorized unit of land

_____ Complete site development plan _____ Complete impact area map

_____ Truck route plan approved by County Roadmaster

_____ Reclamation plan filed with DOGAMI

_____ Proposal is located within:

UGA _____ Planning area _____

Fire District _____ A.O./Airport notification area _____

Floodplain _____ Hazard Area _____ Wetland _____

Wildlife Habitat _____ Riparian Habitat _____ Fish Habitat _____

S.B.H.O. _____ Historic _____ Greenway _____

THIS FORM MUST BE FILLED OUT COMPLETELY, IN INK OR TYPE WRITTEN

I. Property Owner/Applicant Information

- A. Applicant(s) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____
- B. Property owner(s) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____
- C. Applicant's representative (if any) _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____
- D. Extraction and Processing Operator _____
Address _____
City _____ State _____ Zip Code _____
Phone number (home) _____ (work) _____

II. Property Information

- A. Legal description of property: Township _____ Range _____ Section(s) _____
Tax Lot(s) _____
- B. Property size _____ Size of mining site _____
- C. Site Address (if any): _____

- D. Zoning designation _____ Comp Plan designation _____
- E. Nearest city or town _____ Distance _____
Nearest cross road _____ Distance _____
- F. Adjacent tax lots in same ownership:
Township _____ Range _____ Section _____ Tax Lot(s) _____ Size _____
Township _____ Range _____ Section _____ Tax Lot(s) _____ Size _____
- G. Name of Fire Protection District _____

III. Land Use Information (attach a separate sheet(s) if necessary)

A. Describe the current land uses on the property. _____

B. Describe any houses, barns, buildings, structures, fences, wells, septic systems or other improvements that are on the property. **(Show these improvements on your site plan.)**

C. Describe any natural features on the property such as drainage ways, creeks, streams, swales, wetlands, ponds, steep slopes or hills. **(Show these features on your site plan.)**

D. How is access to be provided to the proposed mining area? (Select one)

1. County road name _____
2. Local Access road name _____
3. State Highway name _____
4. Volume _____ and Page _____ of recorded easement to a public road **(attach copy)**

IV. Proposed Mining and Processing Development Plan (attach a separate sheet(s) if necessary)

A. What are the proposed extraction area dimensions? **Indicate the dimensions on the site plan.**

B. What is the total area of the proposed mining and processing operation? _____

C. Will the operation be seasonal or year-round? _____
If the operation is seasonal, what are the proposed months of operation? _____

D. What days of the week will the quarry operate? _____

E. What hours of the day will the quarry operate? _____

F. How many employees will be on-site? _____

G. List the number and type(s) of equipment to be located on-site.

Indicate the location of equipment on the site plan.

H. List the number and type of structures that will be on-site.

Indicate the location of structures on the site plan.

I. Will the mining operation employ blasting? Yes No

If yes, what are the expected frequency and the proposed timeframes? _____

J. Will the mining operation employ crushing equipment? Yes No

If yes, what are the proposed months, days of the week, and hours of the day? _____

Indicate the location of any crushing equipment on the site plan.

K. Explain the types and frequency of the dust control measures to be utilized on-site in the:

Crushing Areas: _____

Stockpiling Areas: _____

Haul Roads: _____

L. Are asphaltic or concrete batching a proposed use on this site? Yes No

If yes, what are the proposed months, days of the week, and hours of the day? _____

Indicate the location of any batching equipment on the site plan.

M. Would material from this site be hauled to another site for processing? () Yes () No

If yes: (1) What is the location of the processing site? _____

(2) Describe the haul route to the processing site. _____

(3) What are the anticipated number of truck trips per day to the processing site?

(4) **Attach a copy of documents** authorizing the processing of material from this resource site at the other processing site.

N. Describe measures, if any, required by federal or state agencies to meet applicable environmental quality standards and minimize impacts on fish and wildlife habitat. **Indicate on your site plan** the location of any buffers, screens, or physical alterations to the property to be implemented to meet these standards.

O. Describe the proposed on-site haul road. **Show the haul road on the site plan**, including the distance to the nearest property boundary and the access point onto the public road.

1. What is the distance on the haul road from the public road to the mining site? .

2. How wide will the haul road surface be? _____

3. If over an easement, what is the width of the easement? _____

4. Will any water bodies be crossed by the haul road? _____

5. If crossing any water bodies, will the crossing be by bridge or culvert(s)? _____

6. Will the haul road intersect with a public road at an existing access point or will this be a new access point? _____

7. Describe how the county road apron will be maintained and kept clear of debris.

P. What is the estimated number of truck trips per day during:

Heaviest activity _____ Normal Operation _____ Lowest activity _____

IV. Decision Criteria

- A. A development permit authorizing mining of aggregate is required for mining more than 1,000 cubic yards of material or excavation preparatory to mining of a surface area of more than one acre. A permit for mining of aggregate shall be issued only for a site included on an inventory in an acknowledged comprehensive plan [ORS 215.298(2)].

Please indicate on which inventory the resource site is included in the Comprehensive Plan. **Attach a copy** of the appropriate inventory listing showing inclusion of the resource site.

- _____ Appendix 4 of LCC Chapter 905 (Non-significant sites)
- _____ Appendix 5 of LCC Chapter 905 (Significant sites without conflicting uses)
- _____ Appendix 6 of LCC Chapter 905 (Significant sites with all conflicts minimized)
- _____ Appendix 8 of LCC Chapter 905 (Significant sites protected by Goal 5)
- _____ Appendix 10 of LCC Chapter 905 (Significant sites not protected by Goal 5)

If the resource site is not on one of the inventories of LCC Chapter 905, a separate application shall be included for an amendment to the Comprehensive Plan text, and, if required by LCC Chapter 939, an amendment to the Land Development Code Zoning Map [(LCC 939.050(B)(3)].

- B. The development site must have the physical characteristics needed to support the use. Those characteristics include, but are not limited to, suitability for a sewage treatment system and an adequate supply of potable water [LCC 933.310(B)(1)].

Does the mining site have approval for a sewage treatment system? () Yes () No

If yes, **attach a copy** of the approved septic site evaluation with the application.

If no, what provisions are proposed for on-site sewage disposal? _____

Does the mining site have an adequate supply of potable water? () Yes () No

If yes, attach a copy of the water quality and quantity test results.

If no, what provisions are proposed to supply potable water on-site? _____

- C. The development can not be located within a mapped geologic hazard area or within a 100-year floodplain unless it is demonstrated that the proposal can be designed and engineered to comply with accepted hazard-mitigation requirements [LCC 933.310(B)(2)].

Will the proposed mining or processing areas be located within an area subject to flooding, landslides or other natural hazards? () Yes () No

If yes, explain how the proposal will be designed and engineered to comply with accepted hazard-mitigation requirements: _____

- D. The proposal can not have a significant adverse impact on sensitive fish or wildlife habitat [LCC 933.310(B)(3)].

Is the proposal located within a sensitive fish or wildlife habitat area? () Yes () No

Will the proposal have a significant adverse impact on fish or wildlife habitat?() Yes () No

If not, explain why not: _____

- E. The proposed use can not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use [LCC 933.310(B)(4)].

Describe any farm and forest uses within 1500 feet of the mining area boundary, and their locations relative to the proposed mining area boundaries. For example, if it's farm use, describe whether it is row crops, pasture, hay, or other farm use. If it's livestock, describe whether it is cattle, sheep, horses, poultry or other farm animals. (Attach another sheet(s) if necessary.)

Indicate the location of existing farm and forest uses on a map attached to this application.

North: _____

South: _____

East: _____

West: _____

Will the proposal force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use? () Yes () No

If not, why not? _____

If yes, describe the impacts on surrounding farm or forest practices. _____

Describe proposed measures, such as berms, screening, setbacks, or other operational characteristics that will minimize **existing and potential** mining impacts on farm and forest practices on surrounding lands. **Show the location of such measures on the site plan.**

F. If in the forest area of the F/F or in the FCM zoning districts, the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel [LCC 933.310(B)(5)].

Is the property forested or in a forested area? () Yes () No

If yes, explain why the proposal will not increase fire hazard, fire suppression costs, or risks to fire suppression personnel. **Indicate on your site plan** any special site development characteristics designed to reduce fire hazards, if applicable. _____

G. The location, size, design and operating characteristics of the proposed development will be made reasonably compatible with and have minimal impact on the livability and appropriate development of nearby property. The proposed use will be reviewed with respect to scale, bulk, coverage, density, the availability of necessary public facilities and utilities, traffic generation, road capacity and safety and to other related impacts of the proposal [LCC 933.310(B)(6)].

Describe the location and number of homes, businesses, and accessory structures within 1500 feet of the mining area boundary. Attach a separate sheet(s) if necessary.

Indicate the tax lot number for each structure identified.

Indicate the location of all existing development on a map attached to this application.

North: _____

South: _____

East: _____

West: _____

Explain how the mining operation will be conducted to ensure it will be compatible with and have minimal impact on the livability and appropriate development of nearby property. Include information on screening, blast design, setbacks, hours of operation, dust control, and other proposed operational characteristics that will ensure compatibility.

Attach another sheet if necessary.

Indicate applicable site development measures on the site plan.

VI. Attachments

YOU MUST SUBMIT THE FOLLOWING ATTACHMENTS WITH THIS APPLICATION

- _____ A. Evidence that the resource site is on one of the inventories in LCC Chapter 905, including a copy of the inventory listing and a pre-1985 air photo of the proposed mining site.
- _____ B. A detailed site plan depicting the proposed development. The site plan shall be submitted on paper not larger than 8½ inches by 14 inches and shall be drawn to scale. The site plan shall include the following:
 - _____ 1. The name and address of the extraction operator or property owner.
 - _____ 2. The location of the property (township, range, section, and tax-lot[s]).
 - _____ 3. The location on the property, the size, and the dimensions of the mining area.
 - _____ 4. The areas proposed for crushing, batching, and stockpiling of aggregate or topsoil.
 - _____ 5. The location, size and nature of proposed buildings and equipment.
 - _____ 6. The location and size of berms to be used.
 - _____ 7. The locations and types of vegetative screening to be used.
 - _____ 8. Phasing of mining activity, if applicable.
 - _____ 9. The location of on-site haul roads and proposed access point(s);
 - _____ 10. If a setback variance is proposed, provisions for a safety fence(s) as required under LCC 934.354.
 - _____ 11. Measures, if any, required by federal or state agencies to meet applicable environmental quality standards and minimize impacts on fish and wildlife habitat.
- _____ C.
 - 1. An aerial photograph of the resource site that was photographed less than 12 months prior to submission of the application; or
 - 2. An older photograph of the resource site if accompanied by a signed declaration by the applicant stating that no substantial changes have occurred.
- _____ D.
 - 1. A reclamation plan approved by the Oregon Department of Geology and Mineral Industries (DOGAMI) that results in the proposed final use; or
 - 2. Oregon Division of State Lands (DSL) conditions of operation.
- _____ E. A surface water management plan as required by DOGAMI or DSL.
- _____ F. A reproducible map, submitted on paper not larger than 8½ inches by 14 inches and drawn to scale, that depicts the general land area within a one-mile radius of the mining area boundary and identifies:
 - _____ 1. The property under the applicant's control;
 - _____ 2. The areas proposed for extraction, processing, and storage of aggregate or topsoil;
 - _____ 3. The location of on-site haul roads and proposed access point(s);
 - _____ 4. The location of all land uses within 1500 feet of the resource site boundaries;

- _____ 5. The location of all homes, businesses, roads, railroads, and utility facilities within 1500 feet of the resource site.
- _____ G. A truck haul plan approved by the Linn County Roadmaster that includes provisions for all routing, paving and access to the resource site and to and from any other approved site if material is hauled to another site for processing.
- _____ H.
 - 1. Evidence that the Roadmaster has made a finding that the development will not have significant adverse impacts on the quality of county roads or local access roads in the area, or
 - 2. Verification that a performance security meeting the requirements of LCC 933.110 has been filed.
- _____ I. A traffic impact assessment within one mile of the entrance to the mining site.
- _____ J. If material would be hauled to another site for processing, a copy of documents authorizing the processing of material from this resource site at the other processing site.
- _____ K. A copy of the easement of road access to the proposed mining site, if applicable.
- _____ L. A copy of a site evaluation or certificate of satisfactory completion for an on-site sewage disposal system, if applicable.
- _____ M. Evidence of an adequate supply of potable water, if applicable.

VII. Owner/Applicant Certifications

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.

Owner/applicant signature _____ Date _____
 Owner/applicant signature _____ Date _____

VIII. Verification of Ownership

Only the owner of the property is authorized to complete this section.

- A. I hereby certify that this application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.
- B. I have the following legal interest in the property:
 - _____ owner of record
 - _____ land sales contract purchaser
 - _____ holder of a recorded exclusive option to purchase
- C. Property Owner Signature _____ Date _____

PLEASE NOTE: County Code does not allow an application to be reviewed unless the owner has first authorized it. The assessor's office records are used to verify the ownership.

The Linn County Assessor's Office records indicate that:

Township____, Range____, Section(s)_____, Tax Lot(s)_____

is owned or is being purchased by: _____

If more than one owner is included, please list all other owners.

Other owners:

(1)_____

(3)_____

(2)_____

(4)_____

Assessor or Planning Staff Signature

Date

APPLICATION CHECK LIST
AGGREGATE RESOURCE EXTRACTION AND PROCESSING

The application includes the following:

- _____ A. The name and address of the extraction operator, property owner and applicant.
- _____ B. Extraction operator, property owner and applicant signatures.
- _____ C. The location of the property (township, range, section, and tax-lot[s]).
- _____ D. Verification of ownership.
- _____ E. Evidence that the resource site is on one of the inventories in LCC Chapter 905, or a separate application is included for an amendment to the Comprehensive Plan text, and, if required by LCC Chapter 939, an amendment to the Land Development Code Zoning Map.
- _____ F. A detailed site plan depicting the proposed development. The site plan shall be submitted on paper not larger than 8½ inches by 14 inches and shall be drawn to scale. The site plan shall include the following:
 - _____ 1. The name and address of the extraction operator or property owner.
 - _____ 2. The location of the property (township, range, section, and tax-lot[s]).
 - _____ 3. The location on the property, the size, and the dimensions of the mining area.
 - _____ 4. The areas proposed for crushing, batching and stockpiling of aggregate or topsoil.
 - _____ 5. The location, size and nature of proposed buildings and equipment.
 - _____ 6. The location and size of berms to be used.
 - _____ 7. The locations and types of vegetative screening to be used.
 - _____ 8. Phasing of mining activity, if applicable.
 - _____ 9. The location of on-site haul roads and proposed access point(s);
 - _____ 10. If a setback variance is proposed, provisions for a safety fence(s) as required under LCC 934.354.
 - _____ 11. Measures, if any, required by federal or state agencies to meet applicable environmental quality standards and minimize impacts on fish and wildlife habitat.
- _____ G. A copy of the easement of road access to the mining area, if applicable.
- _____ H. A copy of a site evaluation or certificate of satisfactory completion for an on-site sewage disposal system, if applicable.
- _____ I. Evidence of an adequate supply of potable water, if applicable.
- _____ J. (a) An aerial photograph of the resource site that was photographed less than 12 months prior to submission of the application; or
(b) An older photograph of the resource site if accompanied by a signed declaration by the applicant stating that no substantial changes have occurred.
- _____ K. If a setback variance is proposed, provisions for a safety fence(s) as required under LCC 934.354.

- _____ L. Measures to meet applicable environmental quality standards and minimize impacts on fish and wildlife habitat if required by federal or state agencies.
- _____ M. The proposed final use, as permitted in LCC 933.190.
- _____ N. Either:
 - _____ 1. A reclamation plan approved by the Oregon Department of Geology and Mineral Industries (DOGAMI) that results in the proposed final use; or
 - _____ 2. Oregon Division of State Lands (DSL) conditions of operation.
- _____ O. A surface water management plan as required by DOGAMI or DSL.
- _____ P. Information on the past and present use of the land including agricultural and forest resource uses.
- _____ Q. Information on the location and types of vegetative screening to be used.
- _____ R. Information on the types, sizes and location of equipment to be used.
- _____ S. A detailed description of the full extent and nature of the operation, such as blasting, ripping, crushing, mixing, or asphaltic batching and compounding.
- _____ T. The proposed months, days and hours of the mining operation.
- _____ U. A traffic impact assessment within one mile of the entrance to the mining site.
- _____ V. Evidence that the Roadmaster has approved a truck haul plan including all routing, paving and access to the resource site and to and from any other approved site if material is hauled to another site for processing.
- _____ W. Either:
 - _____ 1. Evidence that the Roadmaster has made a finding that the development will not have significant adverse impacts on the quality of county roads or local access roads in the area; or
 - _____ 2. Verification that a performance security meeting the requirements of LCC 933.110 has been filed.
- _____ X. A reproducible map, submitted on paper not larger than 8½ inches by 14 inches and drawn to scale, that depicts the general land area within a one-mile radius of the mining area boundary and identifies:
 - _____ 1. The property under the applicant’s control;
 - _____ 2. The areas proposed for extraction, processing, and storage of topsoil or aggregate;
 - _____ 3. The location of on-site haul roads and proposed access point(s);
 - _____ 4. The location of all land uses within 1500 feet of the resource site boundaries;
 - _____ 5. The location of all homes, businesses, roads, railroads, and utility facilities within 1500 feet of the resource site.
- _____ Y. Proposals to minimize any conflicts with existing uses preliminarily identified by the applicant within a 1,500-foot impact area.
- _____ Z. A complete description of proposals, if any, to haul material to another site for processing.

STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, i.e. landscaping, off-street parking, topography and drainage plans.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

SITE PLAN REQUIREMENTS:

- (1) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 800') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

Attach sample plot plan (see sample plotplan on Planning and Building webpage),