

ARTICLE 46 - SURFACE MINING ZONE (SM)

(Effective 3/23/84)

Section 46.10 - Purpose and Intent

The purpose of this zone is to allow surface mining and processing that meets specified criteria; to protect the public from the noise, dust, vibrations, danger, and unsightliness that often relates to surface mining and processing; and to rehabilitate surface mining and processing sites and return them to the character and use of the former plan designation or base zone. The Surface Mining Zone can be used to implement the Surface Mining designation or can be used as an overlay zone in areas not planned or zoned Forest.

Section 46.15 - Applicability

The Surface Mining Zone may be used only outside of the Hood River Urban Growth Boundary in areas designated Surface Mining and in all zones except zones so specified in the Zoning Ordinance text (all Residential and Commercial Zones).

Section 46.20 - Procedures

- A. Where the Surface Mining Zone is used as an overlay zone or to implement the Surface Mining Plan designation, the uses prescribed in 46.25 shall be permitted subject to the standards of this article and all other applicable federal, state and local statutes, rules and ordinances. In the case of an overlay zone, the zoning symbol shall constitute the "base zone" and a SM suffix shall constitute the combining zone indicating the added uses and standards provided in this article.
- B. In order to apply the SM Combining Zone or SM Zone onto any land for the purpose of initiating or expanding an operation described in Section 46.25, the owner of such land shall provide the Planning Commission with an application which shall include, at a minimum the following:
 1. All information requested by the Oregon Department of Geology and Mineral Industries for new operations;
 2. A map showing all properties and land uses within 100 yards of the land to be zoned SM;
 3. A site plan showing the location of all buildings and structures, a transportation and parking arrangement which facilitates safe and convenient circulation and adequate parking, the location of all mining and processing operations including storage of materials and equipment, and the location of all fences, plantings, and/or berms; and
 4. A description of the fence, planting and/or berm screening and all gates.
- C. The Planning Commission will hold a public hearing pursuant to Article 60 to consider any application for the SM Combining Zone. Additional limitations on use

and/or dimensional standards may be imposed at the hearing in order to achieve the purpose and intent of this combining zone.

Section 46.25 - Permitted Uses

The following uses are permitted:

- A. Any use permitted in the base zone.
- B. Extraction from deposits of sand, gravel, rock, earth, or minerals.
- C. Sand, gravel, rock, earth, or mineral processing.
- D. One residence for caretaker, owner, or operator.
- E. Stockpiling.
- F. Asphalt paving mix plant.
- G. Cement concrete plant.
- H. Rock crushing.
- I. Accessory building, structure, or use.

Section 46.30 - Limitations on Use

- A. All operational and rehabilitation requirements described in ORS 517.019-.990, OAR 632-30-000 through 060, and all other applicable federal and state statutes and rules shall apply.
- B. Screening. In order to mitigate potential sight, dust, and noise intrusion, as well as danger to trespassers, a site obscuring fence, dense conifer planting (trees shall be at least two feet tall at time of planting), or landscaped berm no less than six feet in height shall be maintained along the entire length of all mining or processing site boundaries adjacent to residential or commercial land uses, or any arterials or collectors. Openings in the fence, planting, or berm will be allowed only where necessary for safe ingress and egress. A locking gate shall be constructed at all such openings.
- C. Termination. At the time of a Surface Mining Combining Zone application hearing, the Planning Commission shall determine termination date of allowed uses pursuant to Section 46.25 B. through I. At the termination date, the combining zone shall be relinquished. Henceforth, the base zone shall apply to the area.

Section 46.35 - Dimensional Standards

A. No building, structures, or use, which may cause nuisance due to noise, dust, vibrations, danger, or unsightliness shall be within 200 feet of a residential or commercial zone or any arterial street.

B. All dimensional standards applicable to the base zone.

Section 46.40 - Site Development Standards

Compliance with the Site Development Standards required by the base zone (i.e., setbacks for front, rear, side and between buildings; off-street parking, minimum lot or parcel size, and vision clearance) or compliance with site development requirements of the predominant surrounding and adjacent zone.