

REVIEWED  
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LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

0120-0590

An Ordinance Amending Title 18 of \*  
the Deschutes County Code, the \*  
Deschutes County Zoning Ordinance, \*  
adding Utility Facilities and \*  
Schools as Conditional Uses in \*  
the MUA-10 Zone, and Declaring an \*  
Emergency. \*

93 JAN 28 PM 7:54  
MARY SHEPHERD  
COUNTY CLERK

93-02967  
ORDINANCE NO. 93-001

WHEREAS, a clerical error was made during codification of Title 18 which inadvertantly deleted Utility Facilities and Schools as uses permitted in the MUA-10 Zone.

WHEREAS, Utility Facilities and Schools are appropriate uses in the MUA-10 Zone when certain conditions can be met.

WHEREAS, it is more effective to list the uses permitted in the MUA-10 Zone within that section of the ordinance rather than making reference to the EFU Zone.

WHEREAS, the Deschutes County Planning Commission, after review conducted in accordance with applicable law, has recommended approval of the proposed Text Amendment to Title 18.

WHEREAS, after notice was given and hearing conducted in accordance with applicable law, the Board of County Commissioners have considered the Planning Commissioner's recommendation; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON ORDAINS as follows:

Section 1. Section 18.32.020 of Title 18 is amended as follows (with deletions bracketed and additions bold and underlined):

18.32.020 Uses Permitted Outright.

The following uses and their accessory uses are permitted outright: (Ord. 91-020 ss 1, 1991)

[A. Uses permitted outright in the EFU zones, except where such uses are listed as conditional uses under Section 18.32.030.]

A. Farm use as defined in this title.

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- B. Single family dwellings and accessory uses.
- C. Manufactured homes in accordance with Section 18.116.070. (Ord. 91-038 ss 1, 1991; Ord. 91-005 ss 18, 1991; Ord. 91-002, ss 6, 1991)
- D. Propagation or harvesting of a forest product.

Section 2.                      Section 18.32.030                      Conditional Uses  
Permitted.

Section 18.32.030 of Title 18 is amended as follows:

The following uses may be allowed subject to Chapter 18.128 of this title: (Ord. 91-038 ss 1, 1991).

- A. Public use.
- B. Semi-public use.
- C. Commercial activities in conjunction with farm use.
- D. Dude Ranch.
- E. Kennel or animal hospital.
- F. Guest house.
- G. Manufactured home as a secondary accessory farm dwelling, subject to the requirements set forth in Section 18.116.070. (Ord. 91-005 ss 19, 1991).
- H. Exploration for minerals. (Ord. 91-002 ss 7, 1991; Ord. 90-014 ss 27, 1990).
- I. Private parks, playgrounds, hunting and fishing preserves, campgrounds, motorcycle tracks, rodeo or livestock arenas and other recreational uses.
- J. Personal use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. No aircraft may be based on a personal-use landing strip other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal use landing strip lawfully existing as of September 1, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division. (Ord. 91-038 ss 1, 1991; Ord. 91-020 ss 1, 1991).
- K. Golf courses.

- L. Home occupations. (Ord. 91-020 ss 1, 1991).
- M. A facility for primary processing for forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 215.203(2). Such a facility may be approved for one-year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar method of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in this section, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.
- (Nonfarm related single-wide...repealed by Ord. 91-005 ss 20, 1991; Ord. 80-206 ss 3, 1980).
- N. Destination resorts.
- O. Planned developments.
- P. Cluster developments.
- Q. Landfills when a written tentative approval by Department of Environmental Quality (DEQ) of the site if submitted with the conditional use application.
- R. Time-share unit or the creation thereof. (Ord. 83-033 ss 2, 1983).
- S. Hydroelectric facility, subject to Sections 18.116.130 and 18.128.040(V). (Ord. 86-018 ss 7, 1986).
- T. Storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or portland cement concrete, when such uses are in conjunction with the maintenance or construction of public roads or highways. (Ord. 90-014 ss 35, 1990).
- U. Bed and breakfast inn. (Ord. 91-038 ss 1, 1991).
- V. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to Sections 18.120.050 and 18.128.040(W). (Ord. 91-038 ss 1, 1991).
- W. Churches, subject to Chapter 18.124 and Section 18.128.040(D) of this Code.

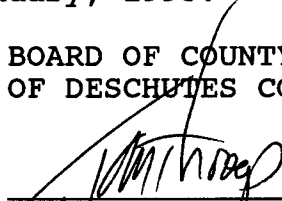
X. Private or Public Schools, including all buildings essential to the operation of such a school.


Y. Utility facility necessary to serve the area, subject to the provisions of Chapter 18.124 of this Code.

Section 3. This ordinance is supported by the staff report attached hereto as Exhibit "A" and by this reference incorporated herein.

DATED this 27<sup>th</sup> day of January, 1993.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

  
\_\_\_\_\_  
TOM THROOP, Chair

  
\_\_\_\_\_  
NANCY POPE SCHLANGEN,  
Commissioner

Excused  
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B. H. SLAUGHTER, Commissioner

ATTEST:

Marlene M. Heck  
Recording Secretary