

95-14555

REVIEWED
Bww
LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

MAY -4 PM 3:28
RY SUE PENHOLLOW
COUNTY CLERK

An Ordinance Amending Chapter 18.16 *
of the Deschutes County Code, Providing *
for Certain Roads, Highways and Other *
Transportation Facilities and *
Improvements in the Exclusive Farm *
Use Zone (EFU), and Declaring an *
Emergency. *

0145-1360

ORDINANCE NO. 95-025

WHEREAS, the Land Conservation and Development Commission filed new administrative rules OAR 660-33-135 on March 1, 1994, relative to requirements for Agricultural Lands; and

WHEREAS, the newly adopted rules were made effective upon filing; and

WHEREAS, the county recently amended Chapter 18.16, Exclusive Farm Use (EFU) Zones, on March 1, 1995, via Ordinance No. 94-026; and

WHEREAS, the newly adopted ordinance did not include provisions for certain road and highway-related facilities and improvements that are allowed under applicable state statute and administrative rules; and

WHEREAS, the Board finds it is in the public interest to provide for these road and highway-related facilities and improvements in the EFU zones; and

WHEREAS, public hearings have been held on the proposed amendments consistent with state and county law; and

WHEREAS, the Deschutes County Planning Commission recommended adoption of the amendments as proposed; now therefore,

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

Section 1. ADOPTION OF AMENDMENTS TO SECTION 18.16.030 OF THE DESCHUTES COUNTY CODE. Section 18.16.030 of the Deschutes County Code, as amended, is further amended to add the following:

"DD. Roads, highways and other transportation facilities, and improvements not otherwise allowed under this Chapter, if an exception to Goal 3, Agricultural Lands, and to any other applicable goal is first granted under state law."

KEYPUNCHED
MAY 05 1995

MICROFILMED
MAY 10 1995

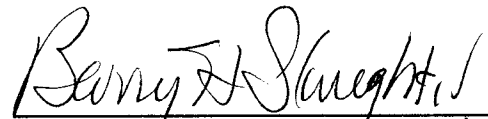
Section 2. SEVERABILITY. The provisions of this ordinance are severable. If any sentence, clause, or phrase of this ordinance is found to be invalid by a court of competent jurisdiction that decision shall not affect the validity of the remaining portions of this ordinance.


Section 3. CORRECTIONS. This ordinance may be corrected by order of the Board of County Commissioners to cure editorial and clerical errors and to insert appropriate legislative history references.

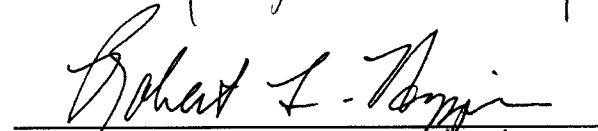
Section 4. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

DATED this 3 day of May, 1995.

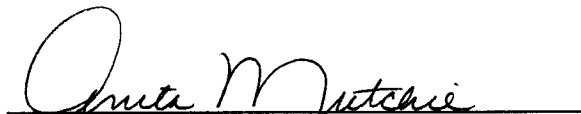
BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON


BARRY H. SLAUGHTER, Chair


NANCY POPE SCHLANGEN, Commissioner


ROBERT L. NIPPER, Commissioner

ATTEST:


Anita M. Mitchell
Recording Secretary