

96-07641

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LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

96 FEB 28 AM 8:27  
MARY SUE PENNOLLO  
COUNTY CLERK

An Ordinance Amending Title \*  
18 of the Deschutes County \*  
Code, Chapter 18.60, to \*  
permit Private Schools as \*  
Conditional Uses in the RR-10 \*  
Zone, and Declaring an Emergency. \*

0149-1188

ORDINANCE NO. 96-021

WHEREAS, an application for a text amendment has been submitted by Morning Star Christian School; and

WHEREAS, after notice was given, a public hearing was held before the Deschutes County Planning Commission on January 25, 1996; and

WHEREAS, the Board of County Commissioners has determined that the language of the Deschutes County Zoning Ordinance needs to be clarified to ensure that private schools may be allowed as conditional uses in the Rural Residential Zone; and

WHEREAS, after notice was given and hearing conducted in accordance with applicable law, the Board of County Commissioners have considered the proposed amendment; now, therefore:

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

Section 1. ADOPTION OF AMENDMENTS TO SECTION 18.60.030 OF THE DESCHUTES COUNTY CODE. Section 18.60.030 of the Deschutes County Code, is amended to read as shown in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2. ADDITIONS AND DELETIONS. Additions are set forth in bold face type and deletions are bracketed.

Section 3. SEVERABILITY. The provisions of this ordinance are severable. If any section, sentence, clause, or phrase of this ordinance is adjudged to be invalid by a court of competent jurisdiction that decision shall not

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affect the validity of the remaining portions of this Ordinance.

0149-1139

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 28 day of February, 1996.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

  
NANCY POPE SCHLANGEN, Chair

  
BARRY H. SLAUGHTER, Commissioner

ATTEST:

  
Anita Mutchie  
Recording Secretary

  
ROBERT L. NIPPER, Commissioner

## EXHIBIT A

**18.60.030. Conditional uses permitted.**

The following uses may be allowed subject to chapter 18.128 of this title:

A. Public park, [school,] playground, recreation facility or community center owned and operated by a government agency or nonprofit community organization.

B. Dude ranch.

C. Home occupation.

D. Personal use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal use landing strip as used in this section means an airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by invited guests. 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.

E. Planned development.

F. Cluster development.

G. Recreation-oriented facility requiring large acreage such as off-road vehicle track or race track, but not including a rodeo grounds.

H. Landfill when a written tentative approval by Department of Environmental Quality (DEQ) of the site is submitted with the application.

I. Cemetery.

J. Time-share unit or the creation thereof.

K. Hydroelectric facility, subject to sections 18.116.130 and 18.128.040(V).

L. Bed and breakfast inn.

M. Golf course.

N. 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).

O. Church.

P. Public Uses.

Q. Semipublic Uses.

R. Commercial horse stables.

S. Private or public school, including all buildings essential to the operation of such a school.