

96-10206

REVIEWED  
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LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, the \*  
Deschutes County Zoning Ordinance, \*  
to Adopt Changes to the Text of Chapter \*  
18.64, Rural Service Center, to Add an \*  
Amended List of Uses Allowed in the \*  
Spring River Rural Service Center and \*  
Declaring an Emergency. \*

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MARY SUE PERKINS  
COUNTY CLERK

ORDINANCE NO. 96-023

WHEREAS, by Ordinance 90-009 and 90-010 the Board of County Commissioners approved a plan amendment and zone change to create the Spring River Service Center (Rural Service Center) and took an exception from Goal 14; and

WHEREAS, the establishment of the Rural Service Center was subject to certain use restrictions to assure compliance with Goal 14, which restrictions were accomplished by use of a Limited Combining Zone; and

WHEREAS, Robert Klaver proposes to add an additional use to the list of uses allowed in the Rural Service Center;

WHEREAS, the addition of new uses in the Spring River Rural Service Center requires that a plan amendment and a reasons exception be adopted and that the attributes of the zone as applied to the property be changed; now, therefore,

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

Section 1. Amendment to Rural Service Center Chapter. Chapter 18.64 of Title 18 is amended to add a new section 18.64.120 as set forth in Exhibit A and incorporated herein by reference.

Section 2. Findings. This ordinance is supported by the decision of the Hearing Officer dated February 23, 1996, attached to Ordinance 96-022 as Exhibit C, and which is incorporated herein by reference.

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 affect the validity of the remaining portions of this ordinance.

Section 4. Codification. County Legal Counsel shall have the authority to format the provisions contained herein in a manner that will integrate them into the County Code consistent with the Deschutes County Form and Style Manual for Board Documents. Such codification shall include the authority to make such changes, to make changes in numbering systems and to make such numbering changes consistent with interrelated code sections. In addition, as part of codification of

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these ordinances, County Legal Counsel may insert appropriate legislative history reference. Any legislative history references included herein are not adopted as part of the substance of this ordinance, but are included for administrative convenience and as a reference. They may be changed to correct errors and to conform to proper style without action of the Board of County Commissioners.

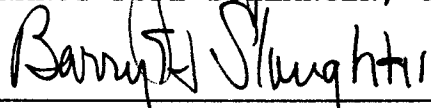
Section 5. *Repeal of Ordinances as Affecting Existing Liabilities.* The repeal, express or implied, of any ordinance, ordinance provision, code section, or any map or any line on a map incorporated therein by reference, by this amending ordinance shall not release or extinguish any duty, condition, penalty, forfeiture, or liability previously incurred or that may hereafter be incurred under such ordinance, unless a provision of this amending ordinance shall so expressly provide, and such ordinance repealed shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such duty, condition, penalty, forfeiture, or liability, and for the purpose of authorizing the prosecution, conviction and punishment of the person or persons who previously violated the repealed ordinance.

Section 6. *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 20th day of March, 1996.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

  
NANCY POPE SCHLANGEN, Chair

  
BARRY H. SLAUGHTER, Commissioner

ATTEST:

  
Anita M. Mitchell  
Recording Secretary

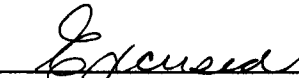
  
ROBERT L. NIPPER, Commissioner

Exhibit A  
to Ordinance 96-023

"18.64.120      **Uses Allowed in Spring River Rural Service  
Center/Limited Use Combining Zone.**

A. *Uses*

In the Spring River Rural Service Center/Limited Use Combining Zone, uses shall be allowed as follows:

1. *Permitted Uses.* The following uses and their accessory uses are allowed outright:

- a. Fishing supplies and equipment.
- b. Snowmobiling accessories.
- c. Marine accessories.
- d. General store.
- e. Hardware store.
- f. Convenience store with gas pumps.
- g. Fast food restaurant, cafe, or coffee shop.
- h. Recreational rental equipment store.
- i. Excavation business.
- j. Landscaping business/service.

2. *Conditional Uses.* The following uses may be allowed, subject to Chapter 18.128 of this title:

- a. Full service gas station with automobile repair services.
- b. Welding shop.

B. *Definitions.* For the purposes of this section, the use "landscaping business/service" includes designing landscapes, site grading and preparation, placing boulders, planting trees and shrubbery, installing sod, installing irrigation systems and equipment, installing fencing, and landscape maintenance, but does not include on-site cultivation of plants or plant materials or any on-site retail sales."