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LEGAL COUNSEL

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK
COMMISSIONERS' JOURNAL
CJ 2010-2943
11/29/2010 10:09:32 AM

2010-2943

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code *
18.100.090 and Title 18, the Deschutes County * ORDINANCE NO. 2010-031
Zoning Map, to Change the Zone Designation for *
Certain Property From Exclusive Farm Use to Rural *
Residential with a Limited Use Combining Zone To *
Allowing the Storage, Crushing, Processing, Sale and *
Distribution of Minerals. *

WHEREAS, 4-R Equipment, LLC applied for a Deschutes County Comprehensive Plan and Plan Map amendment and a Deschutes County Code ("DCC") zoning Code Zoning Map amendment to rezone certain property from Exclusive Farm Use (EFU) to Rural Industrial (RI) with a new Limited Use Combining Zone (LU); and

WHEREAS, after notice was give in accordance with applicable law, public hearings were held on May 11, 2010 and June 8, 2010 before the Deschutes County Hearings Officer and, on July 23, 2010 the Hearings Officer recommended approval of the zone change; and

WHEREAS, the Board of County Commissioners considered this matter after a duly noticed public hearing on October 4, 2010 and concluded that the proposed changes are consistent with the County's Comprehensive Plan and that the public will benefit from changes to the land use regulations; and

WHEREAS, on this same date, the Board of County Commissioners ("Board") adopted Ordinance 2010-030 amending DCC Title 23, changing the plan designation of the property from Agriculture (AG) to Rural Industrial (RI); and

WHEREAS, a change to the Deschutes County zoning code and Zoning Map is necessary to implement the amendment adopted in Ordinance; now, therefore,

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

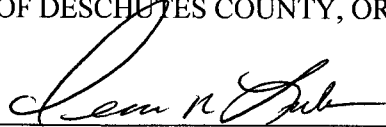
Section 1. AMENDING. DCC 18.100.090, Limited Use Combining Zone – Deschutes Junction, as described in Exhibit "A," attached and incorporated by reference herein with new language underlined and deleted language set forth in ~~strikethrough~~, for the property described in Exhibit "D" attached to Ordinance 2010-030 and incorporated by reference herein and depicted on the map set forth as Exhibit "B", attached and incorporated by reference herein.

Section 2. AMENDMENT. DCC Title 18, Zoning Map, is amended to change the zone designation from Exclusive Farm Use (EFU) to Rural Industrial (RI) with a new Limited Use Combining Zone (LU) for certain property described in Exhibit "D" attached to Ordinance 2010-030 and incorporated by reference herein and depicted on the map set forth as Exhibit "B", and incorporated by reference herein.

Section 3. FINDINGS. The Board adopts as its findings in support of this decision, Exhibit "F", attached to Ordinance 2009-030 and incorporated by reference herein.

Dated this 22nd of November, 2010

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

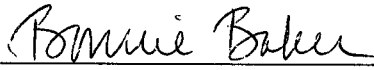


DENNIS R. LUKE, Chair

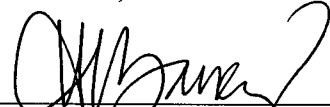


ALAN UNGER, Vice Chair

ATTEST:



Recording Secretary



TAMMY BANEY, Commissioner

Date of 1st Reading: 1st day of NOV., 2010.

Date of 2nd Reading: 22nd day of NOV., 2010.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Dennis R. Luke	✓	—	—	—
Alan Unger	✓	—	—	—
Tammy Baney	✓	—	—	—

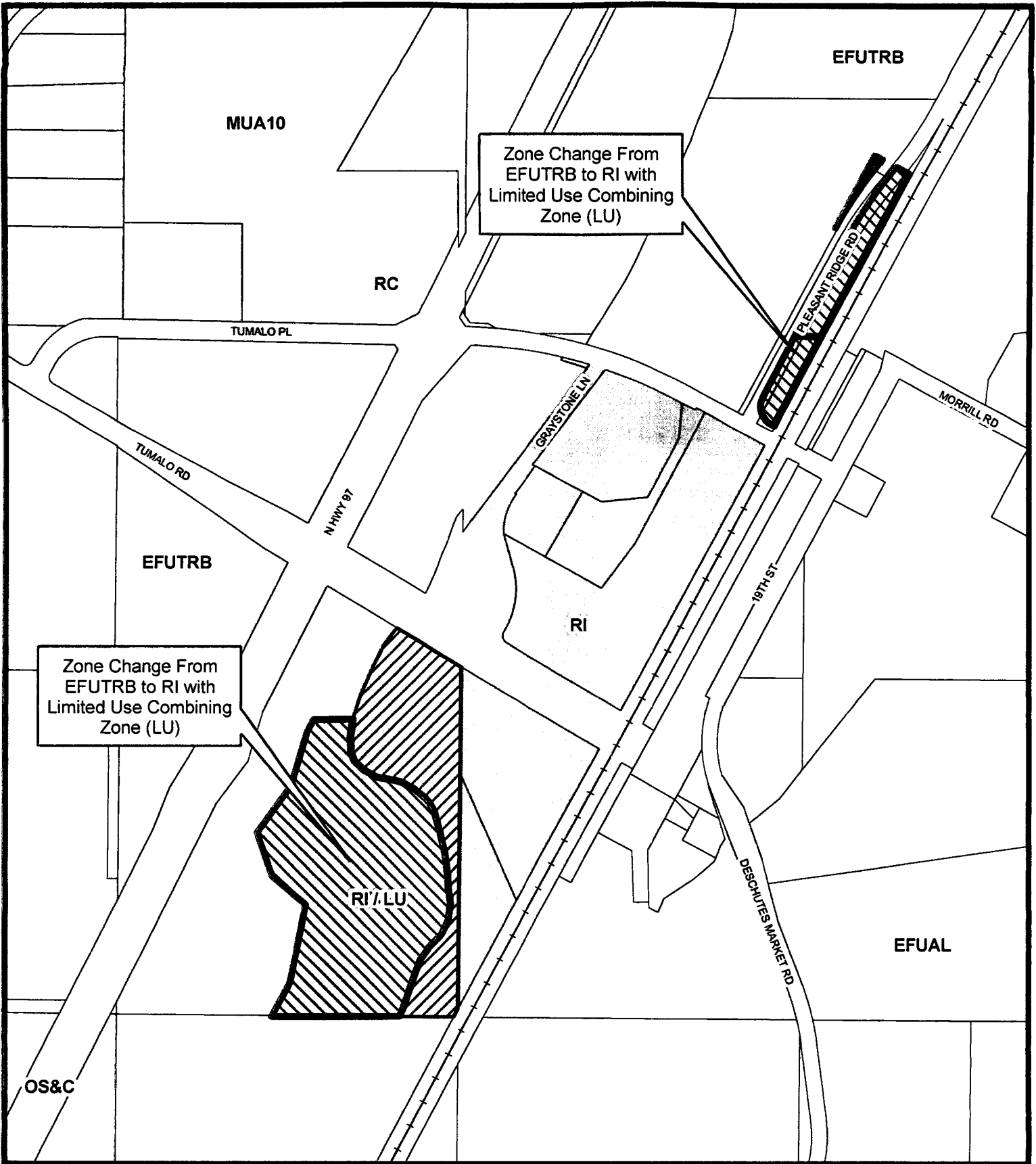
Effective date: 22nd day of Feb., 2010.
2011

18.100.090 Limited Use Combining Zone – Deschutes Junction




- A. For the property at Deschutes Junction that is described in Exhibit “C” and identified on Exhibit “D”, attached to Ordinance 2009-007 and incorporated by reference herein, the storage, crushing, processing, sale and distribution of minerals and their accessory uses are permitted outright and do not require site plan review.
- B. For the property at Deschutes Junction that is described in Exhibit “D” identified on Exhibit “E”, attached to Ordinance 2010-030 and incorporated by reference herein, the storage, crushing, processing, sale and distribution of minerals are subject to conditional use and site plan approval.

(Ord. 2010-031 §1, 2010; Ord. 2009-008 §2, 2009)

(Zoning Map amended by Ord. 2010-031 §2, 2010; Ord. 2009-008 §2, 2009; Ord. 95-016 §1, 1995; Ord. 94-011 §1, 1994)



Legend

-  Subject Property
- County Zoning**
- EFUAL - Alfalfa Subzone
- EFUTRB - Tumalo/Redmond/Bend Subzone
- MUA10 - Multiple Use Agricultural
- OS&C - Open Space & Conservation
- RI - Rural Industrial
- RC - Rural Commercial
-  Existing Limited Use Combining Zone
-  New Limited Use Combining Zone

PROPOSED ZONING MAP

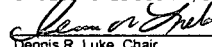
4-R Equipment, LLC & Jack Robinson and Sons, Inc.


Exhibit "B"
to Ordinance 2010-031

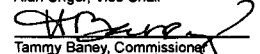



September 28, 2010

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


Dennis R. Luke, Chair


Alan Unger, Vice Chair


Tammy Barney, Commissioner


ATTEST: Recording Secretary

Dated this 22 day of October, 2010
Effective Date: October Not 2010