



REVIEWED  LEGAL COUNSEL
REVIEWED  CODE REVIEW COMMITTEE

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 18, the County *
Zoning Ordinance, of the Deschutes County Code, *
To Allow Disposal Sites for Commercial Composting *
In the Sunriver UUC Forest District, and *
Declaring an Emergency. *

ORDINANCE NO. 2001-040

WHEREAS, Sunriver Environmental LLC submitted an application for a legislative amendment to the Deschutes County Zoning Ordinance to allow a commercial composting facility as a conditional use in the Sunriver Urban Unincorporated Community (UUC) Forest District; and

WHEREAS, Sunriver Environmental LLC proposed the amendment to eventually obtain County approval to process commercial compost on property its owns in the Forest District, and

WHEREAS, Oregon Administrative Rules (OAR) Chapter 660, Division 6, allows land disposal sites, including composting facilities, as uses that require review in forest zones, and

WHEREAS, the Deschutes County Planning Commission conducted a work session on this matter that included a presentation from the applicant on composting and the applicant's goals for engaging in composting in the Sunriver Forest District, and

WHEREAS, the Deschutes County Planning Commission conducted a public hearing September 13, 2001 on the proposed amendment, and have now forwarded the proposed amendment to the Board of County Commissioners; and

WHEREAS, after notice was given and hearing conducted before the Board of County Commissioners in accordance with applicable law, the Board of County Commissioners has considered the proposed amendments; and

WHEREAS, the Board of County Commissioners finds the applicant has demonstrated that adding the proposed use to the Forest District will benefit the County by reducing the waste stream and encouraging composting, based on the record before the Board; now, therefore,

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

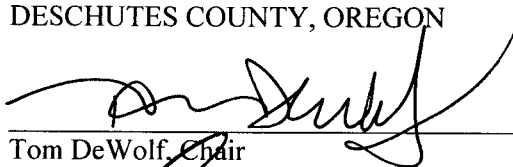
Section 1. AMENDMENT. Section 18.108.180, Forest F-District, of the Deschutes County Zoning Ordinance is amended to read as set forth in Exhibit "A," attached hereto and by this reference incorporated herein, with new language underlined and deleted language shown in ~~strikethrough~~.

Section 2. AMENDMENT. Section 18.128.120, Landfill, solid waste disposal site, of the Deschutes County Zoning Ordinance is amended to read as set forth in Exhibit "B," attached hereto and by this reference incorporated herein, with new language underlined and deleted language shown in ~~strikethrough~~.

Section 3. 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.

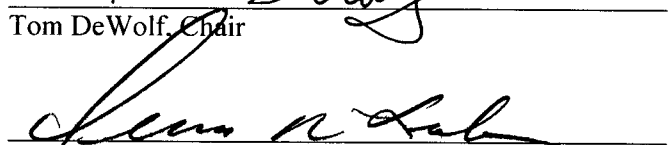
DATED this 5th day of Dec 2001.

BOARD OF COUNTY COMMISSIONERS OF
DESCHUTES COUNTY, OREGON



Tom DeWolf, Chair

ATTEST:



Dennis R. Luke, Commissioner



Recording Secretary



Michael M. Daly, Commissioner

EXHIBIT "A"

18.108.180. Forest - F District.

- A. Uses permitted outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of DCC 18.36, Forest Use-F1 Zone, and to applicable provisions of the comprehensive plan:
1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals and disposal of slash.
 2. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. As used here, temporary structures are those which are portable and/or not placed on a permanent foundation, and which are removed at the conclusion of the forest operation requiring its use.
 3. Physical alterations to commercial forest land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. Gravel extraction and processing not covered by DCC 18.108.180 is governed by DCC 18.52.
 4. Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources.
 5. Farm use as defined in ORS 215.203.
 6. Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups.
 7. Temporary portable facility for the primary processing of forest products. The facility shall not be placed on a permanent foundation and shall be removed at the conclusion of the forest operation requiring its use.
 8. Exploration for mineral and aggregate resources as defined in ORS 517.
 9. Towers and fire stations for forest fire protection.
 10. Widening of roads within existing rights of way in conformance with the transportation element of the comprehensive plan including public road and highway projects as described in ORS 215.283(1)(k) through (n).
 11. Water intake facilities, canals and distribution lines for farm irrigation and ponds.
 12. Uninhabitable structures accessory to fish and wildlife enhancement.
- B. Conditional uses permitted. The following uses and their accessory uses may be allowed in the Forest District, subject to applicable provisions of DCC 18.36, Forest Use-F1 Zone, and to applicable provisions of the comprehensive plan:
1. Television, microwave and radio communication facilities and transmission towers.
 2. Water intake facilities, related treatment facilities, pumping stations and distribution lines.
 3. Reservoirs and water impoundments.
 4. New electric transmission lines with right-of-way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g. electrical, gas, oil, geothermal) with rights of way 50 feet or less in width.
 5. Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations.
 6. Disposal site for solid waste, not including a land disposal site, for which the Oregon Department of Environmental Quality has granted a permit or a similar approval, together with equipment, facilities or

EXHIBIT "A"

buildings necessary for operation.
Uses permitted under this category
are limited to commercial
composting, subject to DCC
18.128.015 and 18.128.120.
(Ord. 2001-040 § 1, 2001; Ord. 2001-016
2, 2001; Ord. 98-016 § 2, 1998; Ord. 97-
078 § 2, 1997)

EXHIBIT "B"

18.128.120. Landfill, solid waste disposal site.

The Planning Director or Hearings Body may authorize a landfill or other solid waste disposal site as a conditional use, subject to the following standards:

- A. The proposed site shall not create a fire hazard, litter, insect or rodent nuisance, or air or water pollution in the area.
- B. The proposed site shall be located in or as near as possible to the area being served.
- C. The proposed site shall be located at least one-quarter mile from any existing dwelling, home or public road (except the access road).
- D. The proposed site shall be provided with a maintained all-weather access road.
- E. Applications for a conditional use permit to establish a commercial composting facility under this category shall also meet the following criteria:
 - 1. The proposed facility shall be effectively screened from adjacent residential uses and scenic roadways. The proposed facility may use existing topography and trees and/or introduced landscaped material.
 - 2. The proposed facility shall employ practices of material handling and processing that prevent noise and odors from impacting residences at least one-quarter mile from the site.
 - 3. The proposed facility shall employ practices of material handling and processing that control debris and dust and ensure material is contained on site.

(Ord. 2001-040 § 2, 2001; Ord. 2001-016 § 2, 2001; Ord. 95-075 § 1, 1995; Ord. 91-020 § 1, 1991)