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BEFORE THE BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF APPLICATION )  
FOR ZONE CHANGE NO. 76-3 )  
FOR KLAMATH COUNTY )

O R D E R

THIS MATTER having come on for hearing upon the application No. 76-3 by KLAMATH COUNTY for a Zone Change from A (Agricultural) to SP-10 (Regional Recreation) zone on real property described as being the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 27, Township 38, Range 9 of Klamath County, Oregon, and approximately 40 acres in size generally located  $\frac{1}{2}$  mile southeast of Old Fort Road where it intersects the Plat of Vista Gardens, and a public hearing on the application having been heard by the Klamath County Planning Commission on June 1, 1976, where from the testimony, reports and information produced at the hearing by the applicant, members of the Klamath County Planning Department Staff and others in attendance, the Planning Commission recommended to the Board of Commissioners for approval of the application. Following action by the Planning Commission, a public hearing was regularly held before the Board of County Commissioners on June 15, 1976, where from reviewing the record, the testimony, reports and information produced at the hearing it appeared that the record was accurate and complete and that the application should be granted, the Board of County Commissioners make the following findings of fact and conclusions of law in accordance with Ordinance No. 17, the Klamath County Zoning Ordinance.

Findings of Fact:

1. The 40-acre lot is adequate in size and shape to facilitate Regional Recreation area.
2. Proposed property has current access from Old Fort Road. There will be no increase in traffic. The proposed change of Washburn Way will provide additional access to the Regional Recreation area.
3. The Regional Recreational area will have no adverse or limited effect on adjacent area.
4. The proposed zone change is in keeping with land improvements and needs for recreational uses in the County.
5. The proposed 40-acre lot zone change is in keeping with the highest and best end use for the affected land.
6. The proposed site is not being used and the adjoining property to the west is reaching its practical capacity with present life being two to four years, which is the existing landfill site.



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7. Five other locations had been investigated and rejected for various reasons.

8. If a new site is not established, a health and cost situation could become quite difficult for the County.

9. As the proposed site approaches its maximum utilization, the site could provide for a real need for a future recreational use, in a recognized suburban development area.

Conclusions of Law:

1. The property affected by the change of zone is adequate in size and shape to facilitate those uses normally allowed in conjunction with such zoning.

2. The property affected by the proposed change of zone is properly related to streets and highways to adequately serve the type of traffic generated by such uses that may be permitted therein.

3. The proposed change of zone will have no adverse effect or only limited adverse effect on any property or the permitted uses thereof within the affected area.

4. That the proposed change of zone is in keeping with land uses and improvements, trends in land development, density of land development, and prospective needs for development in the affected area.

5. That the proposed change of zone is in keeping with any land use plans duly adopted and does, in effect represent the highest, best and most appropriate use of the land affected.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of KLAMATH COUNTY for a change of zone from A (Agricultural) to SP-10 (Regional Recreation) on that real property described as being the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 38, Range 9, of Klamath County, Oregon, and approximately 40 acres in size generally located  $\frac{1}{4}$  mile southeast of Old Fort Road where it intersects the Plat of Vista Gardens, is hereby granted.

DONE AND DATED THIS 20th day of July, 1976.

Raymond P. Thorne  
Chairman

David G. Pitt  
County Commissioner

APPROVED AS TO FORM:  
Boivin and Boivin  
County Legal Counsel:

By David Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 20th day of  
JULY 1976 at 2:13 o'clock P M., and duly recorded in Vol. M 76,  
of DEEDS on Page 11015.

FEE NONE

WM. D. MILNE, County Clerk,

By Hazel Gray Deputy