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BOARD OF COUNTY COMMISSIONERS
Klamath Falls, Oregon

IN THE MATTER OF APPLICATION)
FOR COMPREHENSIVE LAND USE)
PLAN MAP CHANGE FOR ZONE CHANGE)
NO. 77-15, BILL BAILEY)

O R D E R

THIS MATTER having come on for hearing upon the application of Bill Bailey for an amendment to the Comprehensive Land Use Plan accompanying Zone Change 77-15, for a change from Suburban Density to Light Industrial on the Comprehensive Land Use Plan map. A public hearing having been heard by the Klamath County Planning Commission on August 9, 1977, wherefrom the testimony, reports and information produced at the hearing by the Applicant, members of the Planning Department Staff and other persons in attendance. The Planning Commission recommended approval to the Board of County Commissioners. Following action by the Planning Commission, a public hearing before the Board of County Commissioners was regularly held on September 26, 1977, wherefrom the testimony, it appeared that the record below was accurate and complete and it appears from the testimony, reports and information produced at the hearing below that the application for a change of Comprehensive Land Use Plan for certain real property described as being approximately 3 3/4 acres in size and generally located on the Southeast corner of Laverne Street and Midland Highway 420 and more particularly described as Lot 16 Ewauna Park, should be granted.

The Board of County Commissioners makes the following

1 Findings of Fact and Conclusions of Law as required by Ordinance
2 No. 17, the Klamath County Zoning Ordinance.

3 Findings of Fact:

4 1. On August 9, 1977, before the Planning Commission,
5 the Planning Department Staff indicated that Applicant, being
6 Bill Bailey, owned Lot 16 of Ewauna Park, which is the proposed
7 site for the Comprehensive Land Use Plan change.

8 2. Applicant testified that he did own Lot 16 and
9 that it was approximately 3 3/4 acres in size and was located
10 on the Southeast corner of Laverne Street and Midland Highway.

11 3. Planning Department Staff pointed out to the
12 Planning Commission, that the proposed site was also located in
13 Section 9, Township 39S Range 9E.W.M. as Klamath County Exhibit
14 "C", Assessor Map, indicated.

15 4. Testimony from the Applicant indicated to the
16 Planning Commission on August 9, 1977, that he had access from
17 Laverne Street as well as Old Midland Highway.

18 5. Testimony from Planning Department Staff indicated
19 to the Planning Commission, that other areas that were designated
20 as Industrial on the Comprehensive Land Use Plan map, Klamath
21 County Exhibit "E", were to the West and Southwest of the pro-
22 posed Comprehensive Land Use Plan change.

23 6. Testimony from Planning Department Staff as well as
24 the Applicant, indicated to the Planning Commission that the
25 3 3/4 acre parcel was large enough to support the proposed use,
26 that being for storage and building roof trusses, under the
27 Medium Manufacturing designation of the Comprehensive Land
28 Use Plan.

1 7. Testimony from Applicant indicated to the Planning
2 Commission, that the proposed use of the Comprehensive Land
3 Use Plan change would be compatible in that the Burlington
4 Northern switching yard was located to the Northeast of site
5 and that the switching yard makes more noise than any other
6 commercial uses around the surrounding area.

7 8. It was also pointed out to the Planning Commission
8 that to the North of proposed site was a livestock yard and
9 therefore felt that there would not be any adverse affect on
10 abutting properties.

11 9. Testimony from Applicant indicated to the Planning
12 Commission on August 9, 1977 that the proposed use for the site
13 was for manufacturing roof trusses and that the Applicant did
14 have a buyer for the property.

15 10. On the property, there was an existing hay barn,
16 which would be converted to a building which would be utilized
17 for the manufacturing of the trusses.

18 11. Goal No. 1 of L.C.D.C. pertains to this Comprehen-
19 sive Land Use Plan change, in that the Planning Department re-
20 ceived a letter from the Midland Area Committee, which was read
21 into the record.

22 12. The Midland Area Committee did recommend approval
23 of the Comprehensive Land Use Plan change as they felt this
24 area was a good area for manufacturing uses.

25 13. Goal 9 of L.C.D.C. pertains to this Comprehensive
26 Land Use Plan change in that this change allows the appropriate
27 development, that consistent with the economic fare.

28 14. This Comprehensive Land Use Plan would also allow

1 certain labor activity within the area, which again would
2 pertain to Goal No. 9.

3 15. Goal 14 which is urbanization, pertains to this
4 Comprehensive Land Use Plan map in that this change allows
5 employment opportunity within the Urban Growth Area.

6 Conclusions of Law:

7 1. The property affected by the Comprehensive Land
8 Use Plan change is adequate in size and shape to facilitate
9 those uses normally allowed in conjunction with such zoning.

10 2. The property affected by the proposed Comprehensive
11 Land Use Plan change is properly related to streets and high-
12 ways to adequately serve the type of traffic generated by such
13 uses that may be permitted therein.

14 3. The proposed Comprehensive Land Use Plan change
15 will have no adverse effect or only limited adverse effect on
16 any property or the permitted uses thereof within the affected
17 area.

18 4. That the proposed Comprehensive Land Use Plan change
19 is in keeping with land uses and improvements, trends in land
20 development, and prospective needs for development in the
21 affected area.

22 5. That the proposed Comprehensive Land Use Plan
23 change is in keeping with any land use plans duly adopted and
24 does, in effect, represent the highest, best and most appropriate
25 use of the land affected.

26 NOW, THEREFORE, IT IS HEREBY ORDERED that the
27 application for Comprehensive Land Use Plan map change for
28 Bill Bailey from Suburban Density to Light Industrial on certain

11475

1 real property described as Lot 16 of Ewauna Park, should be
2 granted.

3
4 DONE AND DATED THIS 30th day of May, 1978.

5
6 Neil Kuonen
7 Neil Kuonen
8 Chairman

9 Floyd L. Wynne
10 Floyd Wynne
11 Commissioner

12 Lloyd Gift
13 Lloyd Gift
14 Commissioner

15 APPROVED AS TO FORM:
16 Boivin, Boivin and Aspell
17 By: Thomas A. Boivin
18 County Legal Counsel

19 STATE OF OREGON; COUNTY OF KLAMATH; ss.
20 Filed for record at request of Klamath County
21 this 31st day of May A. D. 1978 at 8:58 clock AM., and
22 duly recorded in Vol. M78, of Deeds on Page 11471

23 Commissioners

24 By: Wm D. Milne
25 Wm D. MILNE, County Clerk

26 No Fee