

BEFORE THE BOARD OF COUNTY COMMISSIONERS

Klamath County, Oregon

IN THE MATTER OF APPLICATION)
FOR CLUP MAP CHANGE FOR ZONE) O R D E R
CHANGE No. 77-33, JAMES ROGERS)

THIS MATTER having come on for hearing upon the application of James Rogers for an amendment to the Comprehensive Land Use Plan Map change accompanying Zone Change No. 77-33, for a change from Agricultural to Light Industrial on the Comprehensive Land Use Plan Map. A public hearing having been heard by the Klamath County Planning Commission on January 24, 1978, 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 March 7, 1978, wherefrom the testimony, reports and information produced at the hearing, it appeared that the record below was accurate and complete of Comprehensive Land Use Plan for certain real property described as a portion of Lots 17424, Township 35S, Range 7 E.W.M., Section 28, Tax Lot 1100 and generally located east of State Highway 97 and north of Day School Road should be granted.

The Board of County Commissioners makes the following Findings of Fact and Conclusions of Law as required:

FINDINGS OF FACT:

1. On January 24, 1978, it was pointed out to the Planning

1 Commission by the Planning Department staff that subject parcel
2 for change in the Comprehensive Land Use Plan from Agricultural to
3 Light Industrial is 11.7 acres in size.

4 2. On January 24, 1978, the subject parcel, being Tax Lot
5 1100, was pointed out to the Planning Commission as being located
6 east of the Dalles-California Highway and south of Tax Lot 100,
7 being where a large vacant manufacturing plant is located.

8 3. The topography and vegetation of the subject parcel had
9 been pointed out to the Planning Commission that the land is
10 relatively flat and covered with sagebrush and dry grass and no
11 trees.

12 4. It was pointed out to the Planning Commission that access
13 to the proposed site would be off of the Dalles-California High-
14 way, being Highway 97.

15 5. It was also pointed out that Highway 97 is a major high-
16 way and that the State Highway Department felt that there would
17 be no problem with the existing access and it was also pointed out
18 that Highway 97 could handle the quantity of traffic that would
19 be generated by the proposed use.

20 6. The applicant produced a Plot Plan, which was marked as
21 Applicant's Exhibit No. 2, indicated to the Planning Commission
22 that applicants proposed site was large enough for storage and
23 proposed buildings as well as for future developments.

24 7. Testimony produced at the Planning Commission hearing on
25 January 24, 1978, indicated that there was properties to the north
26 of proposed site already designated as Industrial and therefore
27 there would be no adverse effects on property within the affected
28 area.

1 8. A letter dated, 19 January, 1978, from the Chilquin
2 Area Committee recommending approval and therefore Goal No. 1
3 of LCDC was addressed. This letter was marked as Applicant's
4 Exhibit No. 3.

5 9. Testimony from applicant indicated to the Planning Commis-
6 sion that with approval of the Comprehensive Land Use Plan change
7 from Agricultural to Light Industrial would provide for jobs and
8 therefore Goal No. 9 of LCDC Economy of the State was addressed.

9 10. Testimony from applicant, indicated to the Planning
10 Commission that people were interested in modular homes and that
11 also there were no outlets in the Klamath area for modular homes,
12 therefore indicating a need for such proposed change of Compre-
13 hensive Land Use Plan from Agricultural to Light Industrial.

14 11. Testimony from applicant indicated that there were people
15 waiting for such construction of modular homes, therefore address-
16 ed Goal No. 10 of LCDC, Housing.

17 CONCLUSIONS OF LAW:

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

21 2. The property affected by the proposed Comprehensive Land
22 Use Plan change is properly related to streets and highways to
23 adequately serve the type of traffic generated by such uses that
24 may be permitted therein.

25 3. The proposed Comprehensive Land Use Plan change will have
26 no adverse effect or only limited adverse effect on any property
27 or the permitted uses thereof within the affected area.

28 4. That the proposed Comprehensive Land Use Plan change is

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1 in keeping with any land use plans duly adopted and does, in
2 effect, represent the highest, best and most appropriate use of
3 the land affected.

4 5. That the proposed Comprehensive Land Use Plan change
5 is in keeping with land uses and improvements, trends in land
6 development, density of land development and prospective needs
7 for development in the affected area.

8 NOW, THEREFORE, IT IS HEREBY ORDERED that the application for
9 Comprehensive Land Use Plan Map Change for James Rogers from Agri-
10 cultural to Light Industrial on certain real property described as
11 portion of Lots 17424, Township 35S, Range 7 E.W.M., Section 28,
12 Tax Lot 1100 is hereby granted.

13 DONE AND DATED THIS 14 day of September, 1978.

14
15
16
17 Neil Kuonen
18 Neil Kuonen
19 Chairman

20
21 Floyd Wynne
22 Floyd Wynne
23 Commissioner

24
25 Lloyd Gift
26 Lloyd Gift
27 Commissioner

28 APPROVED AS TO FORM:
By: John A. Boivin
County Legal Counsel

ORDER No. 77-33

STATE OF OREGON; COUNTY OF KLAMATH; CL.

I hereby certify that the within instrument was received and filed for record on the 19th day of
September A.D., 19 78 at 9:24 o'clock A.M., and duly recorded in Vol. 43 478,
of Deeds on Page 20612.

FEE None

WM. D. MILNE, County Clerk
By: Deborah S. Delosh Deputy