

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION
FOR COMPREHENSIVE LAND USE PLAN
CHANGE AND ZONE CHANGE 73-81 FOR
BILLIE CHAMBERS

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O R D E R

THIS MATTER having come on for hearing upon the application of Billie Chambers for a Comprehensive Land Use Plan change from Urban Density to Multiple Density and a zone change from RA (Residential Agriculture) to RD 1500 (Multiple Density) by the Klamath County Planning Commission, on real property described as Township 39, Range 9, Section 10, Tax Lot 8, Lots 10-13, 3rd Addition Altamont Acres. Public hearings having been heard by the Klamath County Planning Commission on October 11, 1977 and October 25, 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 December 12, 1977, wherefrom the testimony at said hearing it appeared that the record below was accurate and complete and it appears from the testimony, reports and exhibits introduced at the hearing before the Planning Commission that the application for a change of Comprehensive Land Use Plan and Zone Change for the subject property should be granted.

The Board of County Commissioners makes the following Findings of Fact and Conclusions of Law as required by Ordinance No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN CHANGE:

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3 1. The Board of Commissions found, per record, that
4 site was located west of Altamont and north of Onyx Avenue, Onyx
5 Avenue being an undeveloped street.
- 6 2. The Board of Commissioners found that parcel size
7 for Multiple Density Residential is 2.3 acres in size, therefore,
8 adequate in size and shape.
- 9 3. The Board of Commissioners found that Comprehensive
10 Land Use Plan change would not have an adverse effect on abutting
11 properties in that there were other multiple units in the area.
- 12 4. The Board of Commissioners found proposed Compre-
13 hensive Land Use Plan change was in keeping with the trend of
14 the area as multiple units were pointed out as being in the sur-
15 rounding area.
- 16 5. The Board of Commissioners found, per record, before
17 the Planning Commission that property owners in the surrounding
18 area had been notified of scheduled hearings, thus addressing LCDC
19 Goal No. 1, Citizen Involvement.
- 20 6. The Board of Commissioners found that site has
21 similar uses in the surrounding area, that being apartments, thus
22 addressing LCDC Goal No. 2, Land Use Planning.
- 23 7. The Board of Commissioners found site had water
24 available, as well as sewer availability, thus addressing LCDC
25 Goal No. 6, Air, Water and Land Resource.
- 26 8. The Board of Commissioners found site not to be
27 subject to natural disasters and hazards, thus addressing LCDC
28 Goal No. 7, Area Subject to Natural Disaster and Hazards.
9. The Board of Commissioners found site for

1 Comprehensive Land Use Plan for Multiple Uses, would have an
2 economical impact on the property and also change the economy of
3 the area, thus addressing LCDC Goal No. 9, Economy of the State.

4 10. The Board of Commissioners found site for Compre-
5 hensive Land Us Plan, that being for Multiple Use, would allow a
6 type of housing that is in demand in the area, thus addressing
7 LCDC Goal No. 10, Housing.

8 11. The Board of Commissioners found site for proposed
9 Comprehensive Land Use Plan change had electricity as well as
10 telephone services and was within the Suburban Fire District,
11 also the City School District and also had water, sewer services,
12 thus addressing LCDC Goal No. 11, Public Facilities and Services.

13 12. The Board of Commissioners found that site for
14 Comprehensive Land Use Plan had access off of Altamont Drive,
15 which is a paved street and per record, appeared Altamont Drive
16 could handle the type of traffic that would be generated by
17 proposed use, that being Multiple Use.

18 13. The Board of Commissioners found site for Compre-
19 hensive Land Use Plan change would be within any urban growth
20 boundary lines that will be established at a later date when all
21 land use data has been completed, thus addressing LCDC Goal No.
22 14, Urbanization.

23 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
24 CHANGE:

25 1. The property affected by the change of Comprehensive
26 Land Use Plan is adequate in size and shape to facilitate those
27 uses normally allowed in conjunction with such zoning;

28 2. The property affected by the proposed change of
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1 Comprehensive Lane Use Plan is properly related to streets and
 2 highways to adequately serve the type of traffic generated by
 3 such uses that may be permitted therein;

4 3. The proposed change of Comprehensive Land Use Plan
 5 will have no adverse effect or only limited adverse effect on any
 6 property or the permitted uses thereof within the affected area.

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

11 5. That the proposed change of Comprehensive Land Use
 12 Plan is in keeping with any land use plans duly adopted and does,
 13 in effect, represent the highest, best and most appropriate use of
 14 the land affected.

15 FINDINGS OF FACT FOR ZONE CHANGE:

16 1. The Board of Commissioners found, per record, that
 17 site was located west of Altamont and north of Onyx Avenue, Onyx
 18 Avenue being an undeveloped street.

19 2. The Board of Commissioners found that parcel size
 20 for Multiple Density Residential is 2.3 acres in size, therefore,
 21 adequate in size and shape.

22 3. The Board of Commissioners found that change of zone
 23 would not have an adverse effect on abutting properties in that
 24 there were other multiple units in the area.

25 4. The Board of Commissioners found proposed change of
 26 zone was in keeping with the trend of the area as multiple units
 27 were pointed out as being in the surrounding area.

28 5. The Board of Commissioners found, per record, before
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1 the Planning Commission that property owners in the surrounding
2 area had ben notified of scheduled hearings, thus addressing LCDC
3 Goal No. 1, Citizen Involvement.

4 6. The Board of Commissioners found that site has
5 similar uses in the surrounding area, that being apartments, thus
6 addressing LCDC Goal No. 2, Land Use Planning.

7 7. The Board of Commissioners found site had water
8 available, as well as sewer favailability, thus addressing LCDC
9 Goal No. 6, Air, Water and Land Resource.

10 8. The Board of Commissioners found site not to be
11 subject to natural disasters and hazards, thus addressing LCDC
12 Goal No. 7, Area Subject to Natural Disaster and Hazards.

13 9. The Board of Commissioners found site for change of
14 zone for Multiple Uses, would have an economical impact on the
15 property and also change the economy of the area, thus addressing
16 LCDC Goal No. 9, Economy of the State.

17 10. The Board of Commissioners found site for change
18 of zone, that being for Multiple Use, would allow a type of housing
19 that is in demand in the area, thus addressing LCDC Goal No. 10,
20 Housing.

21 11. The Board of Commissioners found site for proposed
22 change of zone had electricity as well as telephone services and
23 was within the Suburban Fire District, also the City School Dis-
24 trict and also had water, sewer services, thus addressing LCDC
25 Goal No. 11, Public Facilities and Services.

26 12. The Board of Commissioners found that site for
27 change of zone had access off of Altamont Drive, which is a paved
28 street and per record, appeared Altamont Drive could handle the

1 the type of traffic that would be generated by proposed use, that
2 being Multiple Use.

3 13. The Board of Commissioners found site for change
4 of zone would be within any urban growth boundary lines that will
5 be established at a later date when all land use data has been
6 completed, thus addressing LCDC Goal No. 14, Urbanization.

7 CONCLUSIONS OF LAW FOR CHANGE OF ZONE:

8 1. The property affected by the change of zone is
9 adequate in size and shape to facilitate those uses normally al-
10 lowed in conjunction with such zoning;

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

15 3. The proposed change of zone will have no adverse ef-
16 fect or only limited adverse effect on any property or the per-
17 mitted uses thereof within the affected area.

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

22 5. That the proposed change of zone is in keeping
23 with any land use plans duly adopted and does, in effect, repre-
24 sent the highest, best and most appropriate use of the land
25 affected.

26 NOW, THEREFORE, it is hereby ordered that the applica-
27 tion for the Comprehensive Land Use Plan change from Urban Density
28 to Multiple Density and zone change from RA (Residential

1 Agriculture) to RD 1500 (Multiple Density) for Billie Chambers
2 on the subject property is hereby granted.
3

4 DONE AND DATED THIS 29 DAY OF December, 1978.
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6 Wm. Kuonen
Chairman

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8 Harold L. Kuonen
Member

9
10 Leggett
Member

11
12 APPROVED AS TO FORM:
13 Boivin, Boivin and Aspell

14 By: Robert Boivin

15
16 STATE OF OREGON; COUNTY OF KLAMATH; ss.

17 filed for record ~~at Klamath Falls~~

18 this 3rd day of January, A. D. 1979 at 8:00 o'clock A. M., and
19 duly recorded in Vol. 1179, of DEEDS

20 no fee

21 Wm D. MILNE, County Clerk

22 By: Patricia Milne