

1 BOARD OF COUNTY COMMISSIONERS

2 KLAMATH COUNTY, OREGON

3 IN THE MATTER OF THE APPLICATION)
4 FOR COMPREHENSIVE LAND USE PLAN)
5 CHANGE AND ZONE CHANGE 78-30 FOR)
6 ELIZABETH SANDERS)

O R D E R

7 THIS MATTER having come on for hearing upon the applica-
8 tion of Elizabeth Sanders for a Comprehensive Land Use Plan change
9 from Suburban Density as shown on Klamath County Exhibit E, the
10 Comprehensive Land Use Plan Map, to Agriculture and a Zone Charge
11 from AF (Agriculture Forestry) to A (Agriculture), by the Klamath
12 County Planning Commission, on real property described as Town-
13 ship 49, Range 9, Portion of Sections 10, 15 and 16, being Tax
14 Lots 800, 300, 500 and 2600. Public hearings having been heard
15 by the Klamath County Planning Commission on August 29, 1978,
16 wherefrom the testimony, reports and information produced at the
17 hearing by the applicant, members of the Planning Department Staff
18 and other persons in attendance, the Planning Commission recom-
19 mended approval to the Board of County Commissioners. Following
20 action by the Planning Commission, a public hearing before the
21 Board of County Commissioners was regularly held on November 2,
22 1978, wherefrom the testimony at said hearing it appeared that
23 the record below was accurate and complete and it appears from
24 the testimony, reports and exhibits introduced at the hearing
25 before the Planning Commission that the application for a change
26 of Comprehensive Land Use Plan and Zone Change for the subject
27 property should be granted.

28 The Board of County Commissioners makes the following
Findings of Fact and Conclusions of Law as required by Ordinance

1 No. 17, the Klamath County Zoning Ordinance:

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN
3 CHANGE:

4 1. The Board of Commissioners has determined that site
5 for change of Comprehensive Land Use Plan was generally located
6 east of Pine Grove Road and north of the Klamath Falls-Lakeview
7 Highway and west of the town of Olene.

8 2. The Board of Commissioners found the property af-
9 fected by the change of Comprehensive Land Use Plan was properly
10 related to streets and highways, those streets being either Pine
11 Grove or Klamath Falls-Lakeview Highway. Pine Grove and Klamath
12 Falls-Lakeview Highway are both paved and appear to be able to
13 carry the kind of traffic that would be generated by proposed use,
14 that being agriculture.

15 3. The Board of Commissioners found that site for
16 change of Comprehensive Land Use Plan was adequate in size in that
17 parcel and/or parcels were substandard in size per the existing
18 zone, that being the AF (Agriculture Forestry) Zone.

19 4. The Board of Commissioners found that site for
20 change in Comprehensive Land Use Plan would have no adverse effect
21 on surrounding properties in that proposed use would be agricul-
22 ture, which use is already established.

23 5. The Board of Commissioners found site for change in
24 Comprehensive Lane Use Plan found that agriculture uses was the
25 trend in the surrounding area.

26 6. The Board of Commissioners found that property
27 owners had been notified of scheduled hearings, thus addressing
28 LCDC Goal No. 1, Citizen Involvement.

1 7. The Board of Commissioners found that a portion of
2 all properties were under the Comprehensive Land Use Plan of
3 agriculture, meaning that the change from Suburban Density to
4 Agriculture was bringing those portions under Suburban Density in-
5 to conformance with the existing Comprehensive Land Use Plan map,
6 that being Agriculture, thus addressing L.C.D.C. Goal No. 2, Land
7 Use Planning.

8 8. The Board of Commissioners found that site for Com-
9 prehensive Land Use Plan change would be under agriculture uses,
10 thus addressing L.C.D.C. Goal No. 3, Agriculture.

11 9. The Board of Commissioners found change of Compre-
12 hensive Land Use Plan would allow housing on sites, thus addressing
13 L.C.D.C. Goal No. 10, Housing.

14 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE
15 PLAN CHANGE:

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

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

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

27 4. That the proposed change of Comprehensive Land Use
28 Plan is in keeping with land uses and improvements, trends in land
CLUP & ZC 78-30
Page 3

1 development, density of land development and prospective needs
2 for development in the affected area.

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

7 FINDINGS OF FACT FOR ZONE CHANGE:

8 1. The Board of Commissioners has determined that
9 site for change of zone was generally located east of Pine Grove
10 Road and north of the Klamath Falls-Lakeview Highway and west of
11 the town of Olene, Oregon.

12 2. The Board of Commissioners found the property affect-
13 ed by the change of zone was properly related to streets and high-
14 ways, those streets being either Pine Grove or Klamath Falls-Lake-
15 view Highway. Pine Grove and Klamath Falls-Lakeview Highway are
16 both paved and appear to be able to carry the kind of traffic that
17 would be generated by proposed use, that being agriculture.

18 3. The Board of Commissioners found that site for
19 change of zone was adequate in size in that parcel and/or parcels
20 were substandard in size per the existing zone, that being the
21 AF (Agricultural-Forestry) Zone.

22 4. The Board of Commissioners found that site for
23 change of zone would have no adverse effect on surrounding proper-
24 ties in that proposed use would be agriculture, which use is al-
25 ready established.

26 5. The Board of Commissioners found site for change of
27 zone found that agriculture uses was the trend in the surrounding
28 area.

1 6. The Board of Commissioners found that property
2 owners had been notified of scheduled hearing, thus addressing
3 L.C.D.C. Goal No. 1, Citizen Involvement.

4 7. The Board of Commissioners found that a portion of
5 all properties were under the Comprehensive Land Use Plan of Agri-
6 culture, meaning that the change from Suburban Density to Agri-
7 culture was bringing these portions under Suburban Density into
8 conformance with the existing Comprehensive Land Use Plan Map,
9 that being Agriculture, thus addressing L.C.D.C. Goal No. 12, Land
10 Use Planning.

11 8. The Board of Commissioners found that site for Com-
12 prehensive Land Use Plan Change and Zone Change would be under
13 Agriculture uses Comprehensive Land Use Plan wise and Zone wise,
14 thus addressing L.C.D.C. Goal No. 3, Agriculture.

15 CONCLUSIONS OF LAW FOR ZONE CHANGE:

16 1. The property affected by the change of zone is
17 adequate in size and shape to facilitate those uses normally allow-
18 ed in conjunction with such zoning;

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

23 3. The proposed change of zone will have no adverse
24 effect or only limited adverse effect on any property or the per-
25 mitted uses thereof within the affected area.

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

1 affected area.

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

5 NOW, THEREFORE, it is hereby ordered that the application
6 for the Comprehensive Land Use Plan change from Suburban Density
7 to Agriculture and Zone Change from AF (Agricultural-Forestry)
8 to A (Agriculture) for Elizabeth Sanders on the subject property,
9 is hereby granted.

10 DONE AND DATED THIS 29 DAY OF December, 1978.

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12
13 *Neil Brown*
CHAIRMAN

14
15
16 *Frank L. Brown*
MEMBER

17
18
19 *Lloyd Giff*
MEMBER

20 APPROVED AS TO FORM:
Boivin, Boivin & Aspell

21 By: *Robert Brown*

22
23 STATE OF OREGON; COUNTY OF KLAMATH; ss.

24 Filed for record ~~XXXXXX~~

25 this 3rd day of January A. D. 19 85
26 fully recorded in Vol. M 79, of DEEDS

on Page 31

27 no fee

Wm D. MILNE, County Clerk

By: *Jacqueline [Signature]*