

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION,
 FOR COMPREHENSIVE LAND USE PLAN)
 CHANGE AND ZONE CHANGE No. 78-5,)
 FOR DONALD BAILEY)

O R D E R

THIS MATTER having come on for hearing upon the appli-
 cation of Donald Bailey for a Comprehensive Land Use Plan change
 from Suburban Density to Light Industrial and a Zone Change from
 A (Agriculture) to M-1 (Light Manufacturing), by the Klamath
 County Planning Commission, on real property described as Township
 39S, Range 9 EWM, Section 15, Tax Lot 801 and 802. Public hear-
 ings having been heard by the Klamath County Planning Commission
 on April 25, 1978, wherefrom the testimony, reports, and informa-
 tion 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 May 17, 1978, 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:

1 1. The Board of County Commissioners found site for
2 Comprehensive Land Use Plan and Zone Change was located east of
3 Washburn Way and approximately 180 feet north of Johns Avenue.

4 2. The Board of County Commissioners found site for
5 Comprehensive Land Use Plan and Zone Change to be approximately
6 3 acres in size.

7 3. The Board of County Commissioners found site had
8 adequate access, which is off of Washburn Way. Washburn Way is
9 also a paved County road and appears to be able to carry the kind
10 of traffic that would be generated by such use, that being mini-
11 warehouse.

12 4. The Board of County Commissioners found per record
13 that there is a definite need for a type of storage, such as a
14 mini-warehouse.

15 5. The Board of County Commissioners found site for
16 Comprehensive Land Use Plan and Zone Change, that there were other
17 Industrial Zones in the area that being to the west.

18 6. The Board of County Commissioners found applicant
19 could meet all the required setbacks of the Zone requested that
20 being M-1 (Light Manufacturing-Industrial).

21 7. The Board of County Commissioners found L.C.D.C.
22 Goal No. 1, Citizen Involvement had been addressed, in that
23 property owners within 250 feet had been contacted and also no
24 one at the scheduled hearings testified in opposition.

25 8. The Board of County Commissioners found L.C.D.C.
26 Goal No. 9, Economy of the State had been addressed in that
27 proposed use will have an economic change on property.

28 9. The Board of County Commissioners found L.C.D.C.

1 Goal No. 11, Public Facilities and Services, had been addressed
2 in that site for Comprehensive Land Use Plan and Zone Change has
3 electricity to site as well as telephone service.

4 10. The Board of County Commissioners found L.C.D.C.
5 Goal No. 12, Transportation, was addressed in that Washburn Way
6 allows traffic to and from site.

7 11. The Board of County Commissioners found L.C.D.C.
8 Goal No. 14, Urbanization, was addressed in that site for Compre-
9 hensive Land Use Plan and Zone Change appear to be within any
10 urban growth boundary line that will be established at a later
11 date in time.

12 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
13 CHANGE:

14 1. The property affected by the change of comprehensive
15 land use plan is adequate in size and shape to facilitate those
16 uses normally allowed in conjunction with such zoning.

17 2. The property affected by the proposed change of
18 comprehensive land use plan is properly related to streets and
19 highways to adequately serve the type of traffic generated by
20 such uses that may be permitted therein;

21 3. The proposed change of comprehensive land use plan
22 will have no adverse effect or only limited adverse effect on any
23 property or the permitted uses thereof within the affected area.

24 4. That the proposed change of comprehensive land use
25 plan is in keeping with land uses and improvements, trends in land
26 development, density of land development and prospective needs
27 for development in the affected area.

28 5. That the proposed change of comprehensive land use

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

4 FINDINGS OF FACT FOR ZONE CHANGE:

5 1. The Board of County Commissioners found site for
6 Comprehensive Land Use Plan and Zone Change was located east of
7 Washburn Way and approximately 180 feet north of Johns Avenue.

8 2. The Board of County Commissioners found site for
9 Comprehensive Land Use Plan and Zone Change to be approximately
10 3 acres in size.

11 3. The Board of County Commissioners found site had
12 adequate access, which is off of Washburn Way. Washburn Way is
13 also a paved County road and appears to be able to carry the kind
14 of traffic that would be generated by such use, that being mini-
15 warehouse.

16 4. The Board of County Commissioners found per record
17 that there is a definite need for a type of storage, such as a
18 mini-warehouse.

19 5. The Board of County Commissioners found site for
20 Comprehensive Land Use Plan and Zone Change, that there were other
21 Industrial Zones in the area that being to the west.

22 6. The Board of County Commissioners found applicant
23 could meet all the required setbacks of the Zone requested that
24 being M-1 (Light Manufacturing-Industrial).

25 7. The Board of County Commissioners found L.C.D.C.
26 Goal No. 1, Citizen Involvement had been addressed, in that
27 property owners within 250 feet had been contacted and also no
28 one at the scheduled hearings testified in opposition.

1 8. The Board of County Commissioners found L.C.D.C.
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6 in that site for Comprehensive Land Use Plan and Zone Change has
7 electricity to site as well as telephone service.

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10 allows traffic to and from site.

11 11. The Board of County Commissioners found L.C.D.C.
12 Goal No. 14, Urbanization, was addressed in that site for Compre-
13 hensive Land Use Plan and Zone Change appear to be within any
14 urban growth boundary line that will be established at a later
15 date in time.

16 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

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

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

6 NOW, THEREFORE, it is hereby ordered that the application
7 for the Comprehensive Land Use Plan Change from Suburban Density
8 to Light Industrial and Zone Change from A (Agriculture) to
9 M-1 (Light Manufacturing) for Donald Bailey on the subject
10 property, is hereby granted.

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

12
13 Wm. Freeman
14 Chairman

15
16 Harold L. Myron
17 Member

18 Lloyd Giff
19 Member
20

21
22 APPROVED AS TO FORM:
23 Boivin, Boivin & Aspell

24 By: Robert L. Boivin

STATE OF OREGON,)
(County of Klamath)
Filed for record ~~XXXXXX~~

25 on 3rd day of January 1979
26 at 8:45 AM
27 recorded in Vol. 1172 DEEDS
28 P. 196

Lloyd B. H. County Clerk
Frederick J. H. H.
Fee none