

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE 78-10 FOR)
REMO MELCHIORI)

O R D E R

THIS MATTER having come on for hearing upon the application of Remo Melchiori for a Comprehensive Land Use Plan change from Urban Density to Industrial - Light and a Zone Change from RA (Residential Agriculture) to M-1 (Light Manufacturing), by the Klamath County Planning Commission, on real property described as Township 38, Range 9, SE $\frac{1}{4}$ of Section 34, Tax Lot 4000. Public hearings having been heard by the Klamath County Planning Commission on August 1, 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 September 26, 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:

1 1. The Board of County Commissioners found site to be
2 2.3 acres in size, therefore meeting the Property Development
3 Standards of the M-1 Zone.

4 2. The Board of County Commissioners found that there
5 were other commercial uses in the area and with use being for
6 mini warehouses that such use would not have an adverse effect
7 on abutting properties.

8 3. The Board of County Commissioners found other com-
9 mercial activities and uses in area and therefore proposed use
10 appears to be the trend.

11 4. The Board of County Commissioners found, per testi-
12 mony from Applicant, that there was a definite need for mini
13 warehouses since those in existence are full.

14 5. The Board of County Commissioners found that adjacent
15 property owners had been notified giving them the opportunity to
16 give testimony at all hearings, thus addressing LCDC Goal No. 1,
17 Citizen Involvement.

18 6. The Board of County Commissioners found comprehen-
19 sive land use plan change for proposed use, mini warehouses, to
20 be in conformance with surrounding land uses, thus addressing
21 LCDC Goal No. 2, Land Use Planning.

22 7. The Board of County Commissioners found that pro-
23 posed use, mini warehouses, would improve the economic potential
24 of the property, thus addressing LCDC Goal No. 9, Economy of the
25 State.

26 8. The Board of County Commissioners found that site
27 for proposed use had public facilities such as electricity,
28 telephone, thus addressing LCDC Goal No. 11, Public Facilities

1 and Services.

2 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
3 CHANGE:

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

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

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

14 4. That the proposed change of comprehensive land use
15 plan is in keeping with land uses and improvements, trends in
16 land development, density of land development and prospective
17 needs for development in the affected area.

18 5. That the proposed change of comprehensive land use
19 plan is in keeping with any land use plans duly adopted and does,
20 in effect, represent the highest, best and most appropriate use
21 of the land affected.

22 FINDINGS OF FACT FOR ZONE CHANGE:

23 1. The Board of County Commissioners found site to be
24 2.3 acres in size, therefore meeting the Property Development
25 Standards of the M-1 Zone.

26 2. The Board of County Commissioners found that there
27 were other commercial uses in the area and with use being for
28 mini warehouses that such use would not have an adverse effect

1 on abutting properties.

2 3. The Board of County Commissioners found other com-
3 mercial activities and uses in area and therefore proposed use
4 appears to be the trend.

5 4. The Board of County Commissioners found, per testi-
6 mony from Applicant, that there was a definite need for mini
7 warehouses since those in existence are full.

8 5. The Board of County Commissioners found that adjacent
9 property owners had been notified giving them the opportunity to
10 give testimony at all hearings, thus addressing LCDC Goal No. 1,
11 Citizen Involvement.

12 6. The Board of County Commissioners found zone change
13 for proposed use, mini warehouses, to be in conformance with sur-
14 rounding land uses, thus addressing LCDC Goal No. 2, Land Use
15 Planning.

16 7. The Board of County Commissioners found that pro-
17 posed use, mini warehouses, would improve the economic potential
18 of the property, thus addressing LCDC Goal No. 9, Economy of the
19 State.

20 8. The Board of County Commissioners found that site
21 for proposed use had public facilities such as electricity,
22 telephone, thus addressing LCDC Goal No. 11, Public Facilities
23 and Services.

24 CONCLUSION OF LAW FOR ZONE CHANGE:

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

28 2. The property affected by the proposed change of

1 zone is properly related to streets and highways to adequately
2 serve the type of traffic generated by such uses that may be
3 permitted therein;

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

7 4. That the proposed change of zone is in keeping
8 with land uses and improvements, trends in land development,
9 density of land development and prospective needs for develop-
10 ment in the affected area.

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

15 NOW THEREFORE, it is hereby ordered that the application
16 for the Comprehensive Land Use Plan change from Urban Density to
17 Industrial Light and zone change from RA (Residential Agriculture)
18 to M-1 (Light Manufacturing) for Remo Melchiori on the subject
19 property is hereby granted.

20 DONE AND DATED THIS 29 DAY OF December, 19 78.

21 *Wm. D. Milne*
22 Chairman

23 *Harold L. Myron*
24 Member

25 *David J. Jett*
26 Member

27 STATE OF OREGON, COUNTY OF KLAMATH; ss. I, _____
28 APPROVED AS TO FORM: _____

Boivin, Boivin & Aspell
By: *Wm. D. Milne* this 3rd day of JANUARY A.D. 19 72 at _____ o'clock A.M., and
filed for record at _____