

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 No. 78-31,) O R D E R
6 BY BASIL BROWN)

7 THIS MATTER having come on for hearing upon the appli-
8 cation of Basil Brown for a Comprehensive Land Use Plan Change from
9 Suburban Density as shown on Klamath County Exhibit E, the Compre-
10 hensive Land Use Plan Map to Agriculture and a Zone Change from
11 AF (Agricultural-Forestry) to A (Agricultural), by the Klamath
12 County Planning Commission, on real property described as Township
13 39S, Range 10 EWM, Section 10 and 15, being Tax Lot 2900 and 200.
14 Public hearings having been heard by the Klamath County Planning
15 Commission on August 29, 1978, wherefrom the testimony, reports,
16 and information produced at the hearing by the applicant, members
17 of the Planning Department Staff and other persons in attendance,
18 the Planning Commission recommended approval to the Board of
19 County Commissioners. Following action by the Planning Commission
20 a public hearing before the Board of County Commissoiners was
21 regularly held on November 2, 1978, wherefrom the testimony at said
22 hearing it appeared that the record below was accurate and complete
23 and it appears from the testimony, reports and exhibits introduced
24 at the hearing before the Planning Commission that the application
25 for a change of Comprehensive Land Use Plan and Zone Change for the
26 subject property should be granted.

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

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

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

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

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

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

28 7. The Board of Commissioners found that a portion of

1 all properties were under the Comprehensive Land Use Plan of agri-
 2 culture, meaning that the change from Suburban Density to Agri-
 3 culture was bringing those portions under Suburban Density into
 4 conformance with the existing Comprehensive Land Use Plan map,
 5 that being Agriculture, thus addressing L.C.D.C. Goal No. 2, Land
 6 Use Planning.

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

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

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

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

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

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

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

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

5 FINDINGS OF FACT FOR ZONE CHANGE:

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

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

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

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

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

27 6. The Board of Commissioners found that property
28 owners had been notified of scheduled hearing, thus addressing

1 L.C.D.C. Goal No. 1, Citizen Involvement.

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

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

13 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

28 5. That the proposed change of zone is in keeping with

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

NOW, THEREFORE, it is hereby ordered that the appli-
cation for the Comprehensive Land Use Plan change from Suburban
Density to Agriculture and Zone Change from AF (Agricultural/
Forestry) to A (Agricultural) for Basil Brown on the subject
property, is hereby granted.

DONE AND DATED THIS 29 DAY OF December, 1978.

Will Brown
CHAIRMAN

Harold L. Wynne
MEMBER

Long Gift
MEMBER

APPROVED AS TO FORM:
Boivin, Boivin & Aspell

By: *Robert Brown*

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~on~~ January 1979 at 9:45 o'clock A.M. on
this 1st day of January A. D. 1979 of DEEDS
duly recorded in Vol. 479 of DEEDS on Page 101

No Fee

Wm D. Milne
Wm D. MILNE, County Clerk