

## BOARD OF COUNTY COMMISSIONERS

## KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION )  
FOR COMPREHENSIVE LAND USE PLAN )  
CHANGE AND ZONE CHANGE No. 78-32, )  
BY ADAH BROWN )

O R D E R

THIS MATTER having come on for hearing upon the application of Adah Brown for a Comprehensive Land Use Plan change from Suburban Density as shown on Klamath County Exhibit E, the Comprehensive Land Use Plan Map to Agriculture and a Zone Change from AF (Agricultural/Forestry) to A (Agriculture), by the Klamath County Planning Commission, on real property described as Township 39S, Range 10 EWM, Section 10 and 15, Tax Lots 700, 2800, 300. Public hearings having been heard by the Klamath County Planning Commission on August 29, 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 November 2, 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  
2  
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 of  
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  
2 agriculture, meaning that the Comprehensive Land Use Plan of  
3 agriculture, was bringing those portions under Suburban Density  
4 into 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 Compre-  
11 hensive 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  
24 any property or the permitted uses thereof within the affected  
25 area.

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

✓ 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, represents 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 af-  
13 fected by the change of zone was properly related to streets and  
14 highways, those streets being either Pine Grove or Klamath Falls-  
15 Lakeview Highway. Pine Grove and Klamath Falls-Lakeview Highway  
16 are both paved and appear to be able to carry the kind of traffic  
17 that 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 prop-  
24 erties in that proposed use would be agriculture, which use is  
25 already 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 LCDC 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  
6 Agriculture, meaning that the change from Suburban Density to  
7 Agriculture was bringing these portions under Suburban Density  
8 into conformance with the existing Comprehensive Land Use Plan Map  
9 that being Agriculture, thus addressing LCDC 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 LCDC 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 al-  
18 lowed 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 with  
3 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 applica-  
6 tion for the Comprehensive Land Use Plan change from Suburban  
7 Density to Agriculture and zone Change from AF (Agriculture-  
8 Forestry) to A (Agriculture) for Adah Brown on the subject property  
9 is hereby granted.

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

11  
12 Wm. L. Brown  
13 Chairman

14 Harold L. Kyrre  
15 Member

16 Harold J. H.  
17 Member

18 APPROVED AS TO FORM:  
19 Boivin, Boivin and Aspell

20 By: Wm. L. Brown

21 STATE OF OREGON; COUNTY OF KLAMATH; ss.

22 Filed for record ~~XXXXXX~~

23 this 3rd day of January A. D. 1979 at 3:45 o'clock PM, and

24 duly recorded in Vol. 1172 of DEEDS on Page 187

25 no fee

26 Wm D. MILNE, County Clerk

27 By: Jaqueline D. Milne