

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)
FOR COMPREHENSIVE LAND USE PLAN)
CHANGE AND ZONE CHANGE 78-33 BY) O R D E R
BARTON BROWN)

THIS MATTER having come on for hearing upon the application of Barton Brown for a Comprehensive Land Use Plan change from Suburban Density, as shown on Klamath County Exhibit E, Comprehensive Land Use Plan Map, to Agriculture and a Zone Change from AF (Agriculture-Forestry) to A (Agriculture), by the Klamath County Planning Commission on real property described as Township 39, Range 10, Sections 15 and 16, Tax Lots 100, 700 and 800. 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. The Board of Commissioners has determined that site for change of Comprehensive Land Use Plan was generally located east of Pine Grove Road and north of the Klamath Falls-Lakeview Highway and west of the town of Olene, Oregon.

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

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

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

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

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

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 LCDC Goal No. 2, Land Use
6 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 LCDC Goal No. 3, Agriculture.

10 9. The Board of Commissioners found change of Compre-
11 hensive Land Use Plan would allow housing on site, thus addressing
12 LCDC Goal No. 10, Housing.

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

15 1. The property affected by the change of comprehen-
16 sive land use plan is adequate in size and shape to facilitate
17 those 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 area.

25 4. That the proposed change of comprehensive land use
26 plan is in keeping with land uses and improvements, trends in
27 land development, density of land development and prospective
28 needs 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 on the east of Pine Grove
8 Road and north of the Klamath Falls-Lakeview Highway and west of
9 the town of Olene, Oregon.

10 2. The Board of Commissioners found the property af-
11 fected by the change of zone was properly related to streets and
12 highways, those streets being either Pine Grove or Klamath Falls-
13 Lakeview Highway. Pine Grove and Klamath Falls-Lakeview Highway
14 are both paved and appear to be able to carry the kind of traffic
15 that 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 AF
19 (Agricultural-Forestry) Zone.

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

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

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

1 LCDC 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
4 Agriculture, meaning that the change from Suburban Density to
5 Agriculture was bringing these portions under Suburban Density
6 into conformance with the existing Comprehensive Land Use Plan
7 Map, that being Agriculture, thus addressing LCDC Goal No. 12,
8 Land Use Planning.

9 8. The Board of Commissioners found that site for
10 Comprehensive Land Use Plan Change and Zone Change would be under
11 Agriculture uses Comprehensive Land Use Plan-wise and Zone-wise,
12 thus addressing LCDC 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 al-
16 lowed 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
23 permitted uses thereof within the affected area.

24 4. That the proposed change of zone is in keeping with
25 land uses 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

1 with any land use plans duly adopted and does, in effect, repre-
 2 sent the highest, best and most appropriate use of the land
 3 affected.

4 NOW, THEREFORE, it is hereby ordered that the applica-
 5 tion for the Comprehensive Land Use Plan change from Suburban
 6 Density to Agriculture and Zone Change from AF (Agricultural-
 7 Forestry) to A (Agriculture) for Barton Brown on the subject prop-
 8 erty is hereby granted.

9 DONE AND DATED THIS 29 DAY OF December 19 78 .

10
 11 Wm. L. Brown
 12 Chairman

13
 14 Harold L. Nymore
 15 Member

16
 17 Lloyd Giff
 18 Member

19 APPROVED AS TO FORM:
 20 Boivin, Boivin And Aspell

21 By: Robert Brown

22 STATE OF OREGON; COUNTY OF KLAMATH; ss.
 23 Filed for record ~~at request of~~

24 this 3rd day of January 8:45 A. D. 1979 at o'clock A. M. on
 25 duly recorded in Vol. M. 79 of DEEDS

26 NO FEE

27 on Page 193

28 Wm D. MILNE, County Clerk

By: Joan Milne