

## 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 78-34 BY )  
6 COIE BROWN )

O R D E R

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

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 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 LCDC 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 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 address-  
 12 ing 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 such  
 21 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 for  
 28 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 of  
4 the land affected.

5           FINDING 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 Coie Brown on the subject property  
 8 is hereby granted.

9 DONE AND DATED THIS 29 DAY OF December 1978.

11 Robert L. Brown  
 12 Chairman

13 Harold L. Nigam  
 14 Member

15 Lloyd Giff  
 16 Member

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

19 By: Robert L. Brown

20 STATE OF OREGON; COUNTY OF KLAMATH; ss.

21 Filed for record ~~on~~ ~~XXXXXX~~

22 this 3rd day of January A. D. 1979 at 8:16 o'clock AM. or

23 duly recorded in Vol M 72, of REEDS on Page 199

24 no fee

25 W. D. MILNE, County Clerk

26 By: Robert L. Brown