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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION
FOR COMPREHENSIVE LAND USE PLAN
CHANGE AND ZONE CHANGE No. 78-49,
BY JUNE GRIMES

O R D E R

RECEIVED 9:00 AM
JAN 29 1979

THIS MATTER having come on for hearing upon the application of June Grimes for a Comprehensive Land Use Plan change from Suburban Density on northern portions of Tax Lot 600 and Tax Lot 400 and all of Tax Lot 2700 to Agriculture and a Zone Change from AF (Agricultural-Forestry) to A (Agricultural), on all parcels, by the Klamath County Planning Commission, on real property described as Township 39S, Range 10 EWM, Sections 16, 15 and 10, Tax Lot 1300, 600, 400 and 2700. Public hearings having been heard by the Klamath County Planning Commission on November 28, 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 December 21, 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

1 No. 17, the Klamath County Zoning Ordinance:

2364

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE
3 PLAN CHANGE:

4 1. The Board of Commissioners found site to be located
5 north of State Highway 140, Klamath Falls-Lakeview Highway and
6 east of Pine Grove Road and south of Highlands Subdivision.

7 2. The Board of Commissioners found sites for changes
8 in Comprehensive Land Use Plan and Zone to have access onto High-
9 way 140, being the Klamath Falls-Lakeview Highway.

10 3. The Board of Commissioners found each parcel for
11 proposed change in Comprehensive Land Use Plan and Zone met the
12 property development standards of the Agricultural use and zone,
13 that being one (1) acre in size,

14 4. The Board of Commissioners found parcels for change
15 in Comprehensive Land Use Plan and Zone that there were similar
16 uses in the area and that a good portion of the parcels were
17 already in conformance with the existing Comprehensive Land Use
18 Plan Map.

19 5. The Board of Commissioners found site for change
20 in Comprehensive Land Use Plan and Zone would not have an adverse
21 effect on surrounding properties as the surrounding properties
22 had a agricultural classification and also zoned A (Agricultural).

23 6. The Board of Commissioners found that surrounding
24 property owners had been notified of such hearings, thus address-
25 ing L.C.D.C. Goal No. 1, Citizen Involvement.

26 7. The Board of Commissioners found use of land was
27 that of Agriculture uses and there would be no change in use,
28 thus addressing L.C.D.C. Goal No. 2, Land Use Planning.

1 8. The Board of Commissioners found site for change
2 in Comprehensive Land Use Plan and Zone would remain under
3 agricultural use, thus addressing L.C.D.C. Goal No. 3, Agriculture.

4 9. The Board of Commissioners found site did not appear
5 to be subject to natural disasters or hazards, thus addressing
6 L.C.D.C. Goal No. 7, Natural Disasters and Hazards.

7 10. The Board of Commissioners found per testimony,
8 that the change in Comprehensive Land Use Plan and Zone would
9 aid in a housing need also change would aid in agriculture use,
10 thus addressing L.C.D.C. Goal No. 10, Housing.

11 11. The Board of Commissioners found that site for
12 change in Comprehensive Land Use Plan and Zone would have the
13 necessary easements recorded for public facilities, such as
14 electricity, telephone services, thus addressing L.C.D.C. Goal
15 No. 11, Public Facilities.

16 12. The Board of Commissioners found site for Compre-
17 hensive Land Use Plan and Zone had access onto the Klamath Falls-
18 Lakeview Highway, being 140 and also that Highway allows trans-
19 portation to and from site, thus addressing L.C.D.C. Goal No.
20 12, Transportation.

21 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE
22 PLAN CHANGE:

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

26 2. The property affected by the proposed Comprehensive
27 Land Use Plan change is properly related to streets and highways
28 to adequately serve the type of traffic generated by such uses

1 uses that may be permitted therein.

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

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

9 5. That the proposed Comprehensive Land Use Plan change
10 is in keeping with land uses and improvements, trends in land
11 development, density of land development, and prospective needs
12 for development in the affected area.

13 FINDINGS OF FACT FOR ZONE CHANGE:

14 1. The Board of Commissioners found site to be located
15 north of State Highway 140, Klamath Falls-Lakeview Highway and
16 east of Pine Grove Road and south of Highlands Subdivision.

17 2. The Board of Commissioners found sites for changes
18 in zone to have access onto Highway 140, being the Klamath Falls-
19 Lakeview Highway.

20 3. The Board of Commissioners found each parcel for
21 proposed change of zone met the property development standards
22 of the agricultural use and zone, that being one (1) acre parcels
23 in size.

24 4. The Board of Commissioners found parcels for change
25 of zone that there are similar uses in the area and that a good
26 portion of the parcels were already in conformance with the exist-
27 ing Comprehensive Land Use Plan Map.

28 5. The Board of Commissioners found site for change of

1 zone would not have an adverse effect on surrounding properties
2 as the surrounding properties had a agricultural classification
3 and also Zone A (Agricultural).

4 6. The Board of Commissioners found that surrounding
5 property owners had been notified of such hearings, thus address-
6 ing L.C.D.C. Goal No. 1, Citizen Involvement.

7 7. The Board of Commissioners found use of land was
8 that of agricultural uses and there would be no change in use,
9 thus addressing L.C.D.C. Goal No. 2, Land Use Planning.

10 8. The Board of Commissioners found site for change in
11 zone would remain under agricultural uses, thus addressing L.C.D.C.
12 Goal No. 3, Agriculture.

13 9. The Board of Commissioners found site did not appear
14 to be subject to natural disasters or hazards, thus addressing
15 L.C.D.C. Goal No. 7, Natural Disasters and Hazards.

16 10. The Board of Commissioners found per testimony,
17 that the change in zone would aid in a housing need also change
18 would aid in agricultural use, thus addressing L.C.D.C. Goal No.
19 10, Housing.

20 11. The Board of Commissioners found that site for
21 change of zone would have the necessary easements recorded for
22 public facilities, such as electricity, telephone services, thus
23 addressing L.C.D.C. Goal No. 11, Public Facilities.

24 12. The Board of Commissioners found site for change
25 of zone had access onto the Klamath Falls-Lakeview Highway,
26 being 140 and also that Highway allows transportation to and from
27 the site, thus addressing L.C.D.C. Goal No. 12, Transportation.

28 CONCLUSIONS OF LAW FOR ZONE CHANGE;

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

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

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

4. 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.

5. That the proposed change of zone is in keeping with land uses and improvements, trends in land development, density of land development, and prospective needs for development in the affected area.

NOW, THEREFORE, it is hereby ordered that the application for the Comprehensive Land Use Plan Change from Suburban Density on the northern portion of Tax Lot 600, Tax Lot 400 and all of Tax Lot 2700 to Agricultural and Zone Change from AF (Agricultural-Forestry) to A (Agricultural) for June Grimes on the subject property, is hereby granted.

DONE AND DATED THIS 24 DAY OF January, 1979.

Harold L. Wayne
CHAIRMAN OF THE BOARD COUNTY COMMISSIONER

Val Buonen
COUNTY COMMISSIONER

APPROVED AS TO FORM:
Boivin, Boivin & Aspell

By: *Harold L. Wayne*

CTUP & ZC 78-49

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 29 day of January A.D., 19 79 at 9:00 o'clock A M., and duly recorded in Vol. 179 of Deeds on Page 2363.

FEE \$None

WM. D. MILNE, County Clerk

By: *Bernetha Sketch* Deputy

Commissioner Journal