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IN THE MATTER OF THE APPLICATION)
 FOR COMPREHENSIVE LAND USE PLAN)
 CHANGE AND ZONE CHANGE No. 78-55,)
 FOR CHARLES THORPE)

: O R D E R

THIS MATTER having come on for hearing upon the appli-
 cation of Charles Thorpe for a Comprehensive Land Use Plan
 Change from Recreational-Residential to General Commercial and a
 Zone Change from AF (Agricultural-Forestry) to C-2 (Community-
 Commercial), by the Klamath County Planning Commission, on real
 property described as Township 39S, Range 8 EWM, SW $\frac{1}{4}$ of Section
 31, Tax Lot 102. Public hearings having been heard by the
 Klamath County Planning Commission on December 19, 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 January 16, 1979,
 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

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1 No. 17, the Klamath County Zoning Ordinance:

2 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN:

3 1. The Board of Commissioners found site for Compre-
4 hensive Land Use Plan change and Zone Change to be located west
5 of Highway 66, being the Greensprings Highway and approximately
6 500 feet south of Clover Creek Road.

7 2. The Board of Commissioners found site for change
8 in Comprehensive Land Use Plan and Zone to be approximately 6
9 acres in size and triangle in shape.

10 3. The Board of Commissioners found site for change in
11 Comprehensive Land Use Plan and Zone to be adequate for proposed
12 use and could meet all property development standards of the C-2
13 (Commercial Community) Zone.

14 4. The Board of Commissioners found proposed use and
15 density as planned by applicant to meet all property development
16 standards of the C-2 (Commercial Community) Zone.

17 5. The Board of Commissioners found that site for
18 change in the Comprehensive Land Use Plan and Zone had adequate
19 access off of Puckett Road and also an ingress and egress opening
20 off of Highway 66.

21 6. The Board of Commissioners found that the property
22 owners in the surrounding area had been contacted and also the
23 Keno Area Committee had been contacted and they were in favor
24 of the proposed change, thus addressing L.C.D.C. Goal No. 1,
25 Citizen Involvement.

26 7. The Board of Commissioners found that proposed
27 site for change in Comprehensive Land Use Plan and Zone to
28 commercial would compliment the area and also was a logical site

1 for the commercial use, thus addressing L.C.D.C. Goal No. 2, Land
2 Use Planning.

3 8. The Board of Commissioners found that the proposed
4 site for change in Comprehensive Land Use Plan and Zone would not
5 have an adverse effect on abutting properties, as uses in the
6 surrounding area was a Subdivision to the west and a Church to
7 the north. The site was also split by a State Highway and a
8 County Road on the east and west property lines.

9 9. The Board of Commissioners found that the proposed
10 use that being commercial, would be advantages to the area and
11 not for agriculture as was zoned. Site for agriculture pursuits
12 would not have been feasible on the approximately 6 acres and
13 testimony shows soil not adequate for farming, thus addressing
14 L.C.D.C. Goal No. 3, Agriculture.

15 10. The Board of Commissioners found that the proposed
16 use would provide jobs for the area and also stimulate the
17 economy of the area, thus addressing L.C.D.C. Goal No. 9, Economy
18 of the State.

19 11. The Board of Commissioners found that site for
20 change of Comprehensive Land Use Plan and Zone had proper public
21 facilities, such as water, electricity, telephone service, thus
22 addressing L.C.D.C. Goal No. 11, Public Facilities and Services.

23 12. The Board of Commissioners found that State Highway
24 66, Greensprings Highway, provided transportation to and from
25 site for change of Comprehensive Land Use Plan and Zone, thus
26 addressing L.C.D.C. Goal No. 12, Transportation.

27 13. The Board of Commissioners found that proposed use
28 would eliminate some of the traveling to Klamath Falls from the

1 Keno area and help save on gas, thus help conserve gas and also
2 conserve energy, thus addressing L.C.D.C. Goal No. 13, Energy
3 Conservation.

4 14. The Board of Commissioners found that the area is
5 urbanized, thus addressing L.C.D.C. Goal No. 14, Urbanization.

6 15. The Board of Commissioners found that Public Works
7 has given this approval of two accesses off of Puckett Road,
8 being 40 feet accesses, and John Gunter of the State Highways
9 Division has given one access onto State Highway 66 and also
10 there would be a 45 foot buffer zone provided on both sides of
11 the Weyerhaeuser 100 line.

12 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN:

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

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

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

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

28 5. That the proposed change of Comprehensive Land Use

1 Plan is in keeping with any land use plans duly adopted and does,
2 in effect, represent the highest, best and most appropriate use
3 of the land affected.

4 FINDINGS OF FACT FOR ZONE CHANGE:

5 1. The Board of Commissioners found site for change of
6 zone to be located west of Highway 66, being the Greensprings
7 Highway and approximately 500 feet south of Clover Creek Road.

8 2. The Board of Commissioners found site for change
9 in zone to be approxiamtely 6 acres in size and triangle in shape.

10 3. The Board of Commissioners found site for change in
11 zone to be adequate for proposed use and could meet all property
12 development standards of the C-2 (Commercial Community) Zone.

13 4. The Board of Commissioners found proposed use and
14 density as planned by applicant to meet all property development
15 standards of the C-2 (Commercial Community) Zone.

16 5. The Board of Commissioners found that site for
17 change in zone had adequate access off of Puckett Road and also
18 an ingress and egress opening off of Highway 66.

19 6. The Board of Commissioners found that the property
20 owners in the surrounding area had been contacted and also the
21 Keno Area Committee had been contacted and they were in favor
22 of the proposed change, thus addressing L.C.D.C. Goal No. 1,
23 Citizen Involvement.

24 7. The Board of Commissioners found that proposed site
25 for change in zone to commercial would compliment the area and
26 also was a logical site for the commercial use, thus addressing
27 L.C.D.C. Goal No. 2, Land Use Planning.

28 8. The Board of Commissioners found that the proposed
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1 site for change in zone would not have an adverse effect on abut-
2 ting properties, as uses in the surrounding area was a Subdivision
3 to the west and a Church to the north. The site was also split
4 by a State Highway and a County Road on the east and west property
5 lines.

6 9. The Board of Commissioners found that the proposed
7 use that being commercial, would be advantages to the area and
8 not for agriculture as was zoned. Site for agriculture pursuits
9 would not have been feasible on the approximately 6 acres and
10 testimony shows soil not adequate for farming, thus addressing
11 L.C.D.C. Goal No. 3, Agriculture.

12 10. The Board of Commissioners found that the proposed
13 use would provide jobs for the area and also stimulate the
14 economy of the area, thus addressing L.C.D.C. Goal No. 9, Economy
15 of the State.

16 11. The Board of Commissioners found that site for
17 change of zone had proper public facilities, such as water,
18 electricity, telephone service, thus addressing L.C.D.C. Goal
19 No. 11, Public Facilities and Services.

20 12. The Board of Commissioners found that State High-
21 way 66, Greensprings Highway, provided transportation to and
22 from the site for change of zone, thus addressing L.C.D.C.
23 Goal No. 12, Transportation.

24 13. The Board of Commissioners found that the proposed
25 use would eliminate some of the traveling to Klamath Falls from
26 the Keno area and help save on gas, thus help conserve gas and
27 also conserve energy, thus addressing L.C.D.C. Goal No. 13,
28 Energy Conservation.

1 14. The Board of Commissioners found that the area is
2 urbanized, thus addressing L.C.D.C. Goal No. 14, Urbanization.

3 15. The Board of Commissioners found that Public Works
4 has given this approval of two accesses off of Puckett Road,
5 being 40 feet accesses, and John Gunter of the State Highways
6 Division has given one access onto State Highway 66 and also
7 there would be a 45 foot buffer zone provided on both sides of
8 the Weyerhaeuser 100 line.

9 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

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

24 5. That the proposed change of zone is in keeping with
25 any land use plans duly adopted and does, in effect, represent
26 the highest, best and most appropriate use of the land affected.

27 NOW, THEREFORE, it is hereby ordered that the appli-
28 cation for the Comprehensive Land Use Plan change from Recreational-
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1 Residential to General Commercial and Zone Change from AF (Agri-
 2 cultural-Forestry) to C-2 (Community Commercial) for Charles
 3 Thorpe on the subject property, is hereby granted.

4 DONE AND DATED THIS 28th DAY OF February, 1979.

6 BOARD OF COUNTY COMMISSIONERS

9 David L. Kypure
 10 CHAIRMAN OF THE BOARD

11 Chris A. Payne
 12 COUNTY COMMISSIONER

13 Pete Kuonen
 14 COUNTY COMMISSIONER

15 APPROVED AS TO FORM:
 16 Boivin, Boivin & Aspell

17 By: Robert D. Boivin
 18 COUNTY LEGAL COUNSEL

19 STATE OF OREGON,)
 20 County of Klamath)

21 Filed for record at request of

22 Klamath County
 23 on this 6th day of March A.D. 19 79
 24 at 10:18 o'clock A M, and duly
 25 recorded in Vol. M79 of Deeds
 26 Page 4941

27 Wm D. MILNE County Clerk

28 By Benjamin H. Hetch Deputy

Fee None