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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 78-50 BY)
BOBBY L. AUSTIN, APPLICANT)

O R D E R

THIS MATTER having come on for hearing upon the application of Bobby L. Austin for a Comprehensive Land Use Plan change from Urban Density to Multiple Density and a Zone Change from RA (Residential-Agriculture) to RD 3,000 (Residential Multiple Family) by the Klamath County Planning Commission, on real property described as the West 1/2 of the Northwest 1/4 of Section 8, Township 39, Range 9, Klamath County, Oregon. Public hearings having been heard by the Klamath County Planning Commission on November 28, 1978 and January 24, 1979, 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 and January 25, 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

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1 Findings of Fact and Conclusions of Law as required by Ordinance
2 No. 17, the Klamath County Zoning Ordinance:

3 FINDINGS OF FACT FOR THE COMPREHENSIVE LAND USE
4 PLAN CHANGE

5 1. The Board of Commissioners found that the land use
6 in the surrounding area varied enough, such as multiple density
7 use to the northeast, commercial use to the southwest and semi-
8 public to the east, so that proposed use, that being multiple
9 uses, doesn't appear to be in conflict with other uses.

10 2. The Board of Commissioners found the site to be
11 approximately 14 acres in size, and therefore it meets the pro-
12 perty development standards of the RD 3,000 zone.

13 3. The Board of Commissioners found the site for
14 the proposed Comprehensive Land Use Plan change and Zone Change
15 to be located on the southside of Greensprings Drive and north
16 of Reams Golf Club, and therefore the site appeared to be in the
17 appropriate area.

18 4. The Board of Commissioners found that it appears
19 the applicant has adequate access to the site for the proposed
20 Comprehensive Land Use Plan change and Zone Change.

21 5. The Board of Commissioners found that the existing
22 Comprehensive Land Use Plan indicated there were other multiple
23 uses in the area, and therefore the proposed Comprehensive Land
24 Use Plan change and Zone Change will not have an effect on the
25 immediate and surrounding properties.

26 6. The Board of Commissioners found that per testi-
27 mony by the applicant, that there is a demand and need for such
28 use, that being multiple uses.

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1 7. The Board of Commissioners found that the adjacent
2 property owners had been notified in order to give testimony,
3 thus addressing LCDC Goal No. 1, Citizen Involvement.

4 8. The Board of Commissioners found that the site
5 for the change of Comprehensive Land Use Plan and Zone Change
6 would have positive impact on the economy in that the proposed
7 project would generate jobs in construction, thus addressing
8 LCDC Goal No. 9, the Economy of the State.

9 9. The Board of Commissioners found that a report
10 on housing need had been done by the Klamath Housing Authority,
11 which was submitted by the applicant and made part of the record,
12 thus addressing LCDC Goal No. 10, the Housing Goal.

13 10. The Board of Commissioners found that there were
14 some public facilities to the site, such as electricity, tele-
15 phone service, and also that once the applicant met DEQ standards
16 he would have sanitary facilities at the site, thus addressing
17 LCDC Goal No. 11, Public Facilities.

18 11. The Board of Commissioners found that there was an
19 existing access to the site and that once the site for the Com-
20 prehensive Land Use Plan change to Urban Density and Zone Change
21 to RD 3,000 was developed, access could handle the type of
22 traffic that would be generated by the proposed use.

23 12. The Board of County Commissioners found that the
24 Green Springs Highway, being paved, appears to be able to carry
25 the kind of traffic that would be generated by the proposed use,
26 thus addressing LCDC Goal No. 12, Transportation.

27 13. The Board of County Commissioners found that the
28 site for the change of Comprehensive Land Use Plan to Urban

1 Density was within an urban area, thus addressing LCDL Goal
2 No. 14, Urbanization.

3 CONCLUSIONS OF LAW FOR THE COMPREHENSIVE LAND USE
4 PLAN CHANGE

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

8 2. The property affected by the proposed change of
9 comprehensive land use plan is properly related to streets and
10 highways to adequately serve the type of traffic generated by
11 such uses that may be permitted therein;

12 3. The proposed change of comprehensive land use plan
13 will have no adverse effect or only limited adverse effect on any
14 property or the permitted uses thereof within the affected area.

15 4. That the proposed change of comprehensive land use
16 plan is in keeping with land uses and improvements, trends in
17 land development, density of land development, and prospective
18 needs for development in the affected area.

19 5. That the proposed change of comprehensive land use
20 plan is in keeping with any land use plans duly adopted and does,
21 in effect, represent the highest, best and most appropriate use
22 of the land affected.

23 FINDINGS OF FACT FOR THE ZONE CHANGE

24 1. The Board of Commissioners found that the land use
25 in the surrounding area varied enough, such as multiple density
26 use to the northeast, commercial use to the southwest and semi-
27 public to the east, so that proposed use, that being multiple
28 uses, doesn't appear to be in conflict with other uses.

1 2. The Board of Commissioners found the site to be
2 approximately 14 acres in size, and therefore it meets the pro-
3 perty development standards of the RD 3,000 zone.

4 3. The Board of Commissioners found the site for
5 the proposed Comprehensive Land Use Plan change and Zone Change
6 to be located on the southside of Greensprings Drive and north
7 of Reams Golf Club, and therefore the site appeared to be in the
8 a-appropriate area.

9 4. The Board of Commissioners found that it appears
10 the applicant has adequate access to the site for the proposed
11 Comprehensive Land Use Plan change and Zone Change.

12 5. The Board of Commissioners found that the existing
13 Comprehensive Land Use Plan indicated there were other multiple
14 uses in the area, and therefore the proposed Comprehensive Land
15 Use Plan change and Zone Change will not have an effect on the
16 immediate and surrounding properties.

17 6. The Board of Commissioners found that per testi-
18 mony by the applicant, that there is a demand and need for such
19 use, that being multiple uses.

20 7. The Board of Commissioners found that the a jacent
21 property owners had been notified in order to give testimony,
22 thus addressing LCDC Goal No. 1, Citizen Involvement.

23 8. The Board of Commissioners found that the site
24 for the change of Comprehensive Land Use Plan and Zone Change
25 would have positive impact on the economy, in that the proposed
26 project would generate jobs in c nstruction, thus addressing
27 LCDC Goal No. 9, the Economy of the State.

28 9. The Board of Commissioners found that a report

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1 on housing need had been done by the Klamath Housing Authority,
2 which was submitted by the applicant and made part of the record,
3 thus addressing LCDC Goal No. 10, the Housing Goal.

4 10. The Board of Commissioners found that there were
5 some public facilities to the site, such as electricity, tele-
6 phone service, and also that once the applicant met DEQ stan-
7 dards, he would have sanitary facilities at the site, thus
8 addressing LCDC Goal No. 11, Public Facilities.

9 11. The Board of Commissioners found that there was an
10 existing access to the site and that once the site for the Com-
11 prehensive Land Use Plan change to Urban Density and Zone Change
12 to RD 3,000 was developed, access could handle the type of
13 traffic that would be generated by the proposed use.

14 12. The Board of County Commissioners found that the
15 Green Springs Highway, being paved, appears to be able to carry
16 the kind of traffic that would be generated by the proposed use,
17 thus addressing LCDC Goal No. 12, Transportation.

18 13. The Board of Commissioners found that the site for
19 the change of Comprehensive Land Use Plan to Urban Density was
20 within an urban area, thus addressing LCDC Goal No. 14, Urban-
21 ization.

22 CONCLUSIONS OF LAW FOR THE ZONE CHANGE

23 1. The property affected by the Zone Change is ade-
24 quate in size and shape to facilitate those uses normally allowed
25 in conjunction with such zoning;

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

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1 permitted therein;

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

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

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

12 NOW THEREFORE, it is hereby ordered that the applica-
13 tion for the Comprehensive Land Use Plan change from Urban Den-
14 sity to Multiple Density and a Zone Change from RA (Residential-
15 agriculture) to RD 3,000 (Residential Multiple Family) on the
16 subject property is hereby approved.

17 DONE AND DATED THIS 12th DAY OF April, 1979.

18
19 Roy L. Nye
20 Chairman of the Board

21
22 Alvin A. Thayer
23 County Commissioner

24
25 Neil Kuonen
26 County Commissioner

27 APPROVED AS TO FORM:
28 Boivin, Boivin, and Aspell

By: [Signature]
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 16th day of
April A.D., 19 79 at 10:01 o'clock A M., and duly recorded in Vol. 179
of Deeds on Page 8219.

FEE None

WM. D. MILNE, County Clerk
By: Berntha Hetsch Deputy