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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 80-11)
BY TRITON INDUSTRIES)

O R D E R

THIS MATTER having come on for hearing upon the appli-
cation of Triton Industries for a Comprehensive Land Use Plan
change from Public to General Commercial and a zone change from
F (Forestry) to C-5 (Commercial Highway) by the Klamath County
Planning Commission, on real property described as Township 35,
Range 7, NE $\frac{1}{4}$ of Section 4, Tax Lot 200. Public hearings having
been heard by the Klamath County Planning Commission on
March 11, 1980, 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 May 2, 1980, 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:

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FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN CHANGE

1
2 1. The Board of Commissioners found that site for
3 change of Comprehensive Land Use Plan and Zone was located on
4 north side of State Highway 422 and approximately 100 feet east
5 of State Highway 97 and south of Chiloquin Airport.

6 2. The Board of Commissioners found site to be
7 triangular in shape and approximately seven (7) acres in size,
8 therefore being adequate for the proposed use, that being
9 mobile home sales.

10 3. The Board of Commissioners found testimony that
11 access to site is off of State Highway 422. State Highway
12 appears to be adequate to handle the anticipated traffic
13 volume from proposed use.

14 4. The Board of Commissioners found that notification
15 had been sent out to the surrounding property owners as well
16 as to those agencies of concern and also Chiloquin Area
17 Committee, therefore addressing L.C.D.C. Goal No. 1.

18 5. The Board of Commissioners found site for change
19 in Comprehensive Land Use Plan and zone had no trees of
20 commercial value, thus addressing L.C.D.C. Goal No. 4.

21 6. The Board of Commissioners found site for change
22 in Comprehensive Land Use Plan and zone not to be in or near
23 any fish or wildlife area therefore addressing L.C.D.C.
24 Goal No. 5.

25 7. The Board of Commissioners found site would have
26 individual well for water and also would have individual
27 septic tank, therefore addressing L.C.D.C. Goal No. 6.

28 8. The Board of Commissioners found per testimony

1 from applicant that there is a need for mobile home sales in
2 the Chiloquin area and that use would increase the economy
3 of the area and also increase employment, therefore addressing
4 L.C.D.C Goal No. 9.

5 9. The Board of Commissioners found that proposed
6 use that being the sale of mobile homes is a type of housing
7 and testimony indicates this would increase the type of housing
8 in the area, therefore addressing L.C.D.C. Goal No. 10.

9 10. The Board of Commissioners found public facilities
10 to site were electricity, telephone. Site was also within
11 the Chiloquin Fire District, therefore addressing L.C.D.C.
12 Goal No. 11.

13 11. The Board of Commissioners found site to have
14 access off State Highway 422, which State Highway is paved,
15 and also appears to be able to handle the traffic that would
16 be generated from proposed use, therefore addressing L.C.D.C.
17 Goal No. 12.

18 12. The Board of Commissioners found site to be
19 close to the City of Chiloquin which has sources of energy
20 such as gas electricity, therefore addressing L.C.D.C.
21 Goal No. 13.

22 13. The Board of Commissioners found site to be close
23 to the City of Chiloquin plus being in an area where there are
24 mixtures of commercial use, recreational use and also some
25 urban development, therefore addressing L.C.D.C. Goal No. 14.

26 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN
27 CHANGE:

28 1. The property affected by the Comprehensive Land
Use Plan change is adequate in size and shape to facilitate

1 those uses normally allowed in conjunction with such zoning.

2 2. The property affected by the proposed Comprehen-
3 sive Land Use Plan change is properly related to streets and
4 highways to adequately serve the type of traffic generated by
5 such uses that may be permitted therein.

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

10 4. That the proposed Comprehensive Land Use Plan
11 change is in keeping with any land use plans duly adopted and
12 does, in effect, represent the highest, best and most appropriate
13 use of the land affected.

14 5. That the proposed Comprehensive Land Use Plan
15 change is in keeping with land uses and improvements, trends in
16 land development, density of land development, and prospective
17 needs for development in the affected area.

18 FINDINGS OF FACT FOR ZONE CHANGE:

19 1. The Board of Commissioners found that site for
20 change of Comprehensive Land Use Plan and Zone was located on
21 north side of State Highway 422 and approximately 100 feet east
22 of State Highway 97 and south of Chiloquin Airport.

23 2. The Board of Commissioners found site to be
24 triangular in shape and approximately seven (7) acres in size,
25 therefore being adequate for the proposed use, that being
26 mobile home sales.

27 3. The Board of Commissioners found testimony that
28 access to site is off of State Highway 422. State Highway

1 appears to be adequate to handle the anticipated traffic
2 volume from proposed use.

3 4. The Board of Commissioners found that notification
4 had been sent out to the surrounding property owners as well
5 as to those agencies of concern and also Chiloquin Area
6 Committee, therefore addressing L.C.D.C. Goal No. 1.

7 5. The Board of Commissioners found site for change
8 in Comprehensive Land Use Plan and Zone had no trees of
9 commercial value, thus addressing L.C.D.C. Goal No. 4.

10 6. The Board of Commissioners found site for change
11 in Comprehensive Land Use Plan and Zone not to be in or near
12 any fish or wildlife area therefore addressing L.C.D.C.
13 Goal No. 5.

14 7. The Board of Commissioners found site would have
15 individual well for water and also would have individual
16 septic tank, therefore addressing L.C.D.C. Goal No. 6.

17 8. The Board of Commissioners found per testimony
18 from applicant that there is a need for mobile home sales in
19 the Chiloquin area and that use would increase the economy
20 of the area and also increase employment, therefore addressing
21 L.C.D.C. Goal No. 9.

22 9. The Board of Commissioners found that proposed
23 use that being the sale of mobile homes is a type of housing
24 and testimony indicates this would increase the type of housing
25 in the area, therefore addressing L.C.D.C. Goal No. 10.

26 10. The Board of Commissioners found public facilities
27 to site were electricity, telephone. Site was also within
28 the Chiloquin Fire District, therefore addressing L.C.D.C.

1 Goal No. 11.

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2 11. The Board of Commissioners found site to have
3 access off State Highway 422, which State Highway is paved,
4 and also appears to be able to handle the traffic that would
5 be generated from proposed use, therefore addressing L.C.D.C.

6 Goal No. 12.

7 12. The Board of Commissioners found site to be
8 close to the City of Chiloquin which has sources of energy
9 such as gas electricity, therefore addressing L.C.D.C.

10 Goal No. 13.

11 13. The Board of Commissioners found site to be close
12 to the City of Chiloquin plus being in an area where there are
13 mixtures of commercial use, recreational use and also some
14 urban development, therefore addressing L.C.D.C. Goal No. 14.

15 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

26 4. The proposed change of zone is in keeping with
27 any land use plans duly adopted and does, in effect, represent
28 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 affect area.

NOW, THEREFORE, it is hereby ordered that the application for the Comprehensive Land Use Plan change from Public to General Commercial and zone change from F (Forestry) to C-5 (Commercial Highway) for Triton Industries on the subject property is hereby granted.

DONE AND DATED THIS 6th DAY OF June, 1980.

David G. Heyne
CHAIRMAN OF THE BOARD

Wesley Brown
COUNTY COMMISSIONER

David L. Heyne
COUNTY COMMISSIONER

APPROVED AS TO FORM:
Boivin & Boivin

By: Robert Boivin
County LEGAL COUNSEL

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 9th day of June A. D. 19 80 at 10:58 o'clock AM., and

fully recorded in Vol. NSO, of Deeds on Page 10458.

Wm D. MILNE, County Clerk

By: David L. Heyne

No Fee