

## BOARD OF COUNTY COMMISSIONERS

## KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION)  
FOR COMPREHENSIVE LAND USE PLAN )  
CHANGE AND ZONE CHANGE 80-6 )  
BY DUANE BLACKMAN )

O R D E R

THIS MATTER having come on for hearing upon the application of Duane Blackman for a Comprehensive Land Use Plan change from Urban Density to Light Manufacturing and a zone change from A (Agricultural) to M-2 (Medium Manufacturing) by the Klamath County Planning Commission, on real property described as Township 39, Range 9, NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 12, being Tax Lots, 2000, 1900, 1600 and 701. 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

80 JUN 9 AM 11 51

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

3 FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN CHANGE

4 1. The Board of Commissioners found properties for  
5 change in zone to be located south of the OC&E Railroad and  
6 west of Highway 39, all being in the Hager area.

7 2. The Board of Commissioners found parcels for  
8 change in Comprehensive Land Use Plan and zone to have existing  
9 access from State Highway 39.

10 3. The Board of Commissioners found that the four (4)  
11 parcels for change in zone added up to an additional twelve (12)  
12 acres and therefore proposed use be adequate and also in  
13 conjunction with adjoining property that is zoned M-2.

14 4. The Board of Commissioners also found site to be  
15 in a favorable location as there is a railroad abutting  
16 property as well as a major highway.

17 5. The Board of Commissioners found that notification  
18 had been sent out to the surrounding property owners as well  
19 as to those agencies of concern, therefore addressing L.C.D.C  
20 Goal No. 1.

21 6. The Board of Commissioners found that the  
22 effect of change on surrounding properties would not affect  
23 those properties as the trend in the area was a mixture of  
24 Commercial and Light Manufacturing, therefore addressing  
25 L.C.D.C. Goal No. 2.

26 7. The Board of Commissioners found site for change  
27 in Comprehensive Land Use Plan and zone would conform to the  
28 existing use as the previous Comprehensive Land Use Plan and

1 zoning did not conform as was land being used as an agricultural  
2 unit, therefore addressing L.C.D.C. Goal No. 3.

3 8. The Board of Commissioners found parcels for  
4 change in zone would help the economy in that the applicant  
5 will be able to utilize parcels in conjunction with existing  
6 uses and also be able to expand existing use, therefore  
7 addressing L.C.D.C. Goal No. 9.

8 9. The Board of Commissioners found parcels to  
9 have public facilities such as electricity, telephone service.  
10 Site is also within a fire district and also the South  
11 Suburban Sanitary District, therefore addressing L.C.D.C.  
12 Goal No. 11.

13 10. The Board of Commissioners found site for  
14 change in Comprehensive Land Use Plan and zone has an  
15 existing access, which access to Highway 39 appears to be  
16 able to carry the kind of traffic that would be generated  
17 from use, therefore addressing L.C.D.C. Goal No. 12.

18 11. The Board of Commissioners found site to be  
19 close to the urban area and close to resources of energy.  
20 The surrounding area is a mixture of Commercial and Manufacturing  
21 and some Residential, therefore addressing L.C.D.C.  
22 Goals No. 13 and 14.

23 CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN  
24 CHANGE:

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

28 2. The property affected by the proposed Comprehen-

1 sive Land Use Plan change is properly related to streets and  
2 highways to adequately serve the type of traffic generated by  
3 such uses that may be permitted therein.

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

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

12 5. That the proposed Comprehensive Land Use Plan  
13 change is in keeping with land uses and improvements, trends  
14 in land development, density of land development, and pro-  
15 spective needs for development in the affected area.

16 FINDINGS OF FACT FOR ZONE CHANGE:

17 1. The Board of Commissioners found properties for  
18 change in zone to be located south of the OC&E Railroad and  
19 west of Highway 39, all being in the Hager area.

20 2. The Board of Commissioners found parcels for  
21 change in Comprehensive Land Use Plan and zone to have existing  
22 access from State Highway 39.

23 3. The Board of Commissioners found that the four (4)  
24 parcels for change in zone added up to an additional twelve (12)  
25 acres and therefore proposed use be adequate and also in  
26 conjunction with adjoining property that is zoned M-2.

27 4. The Board of Commissioners also found site to be  
28 in a favorable location as there is a railroad abutting

1 property as well as a major highway.

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

6 6. The Board of Commissioners found that the  
7 effect of change on surrounding properties would not affect  
8 those properties as the trend in the area was a mixture of  
9 Commercial and Light Manufacturing, therefore addressing  
10 L.C.D.C. Goal No. 2.

11 7. The Board of Commissioners found site for change  
12 in Comprehensive Land Use Plan and zone would conform to the  
13 existing use as the previous Comprehensive Land Use Plan and  
14 zoning did not conform as was land being used as an agricultural  
15 unit, therefore addressing L.C.D.C. Goal No. 3.

16 8. The Board of Commissioners found parcels for  
17 change in zone would help the economy in that the applicant  
18 will be able to utilize parcels in conjunction with existing  
19 uses and also be able to expand existing use, therefore  
20 addressing L.C.D.C. Goal No. 9.

21 9. The Board of Commissioners found parcels to  
22 have public facilities such as electricity, telephone service.  
23 Site is also within a fire district and also the South  
24 Suburban Sanitary District, therefore addressing L.C.D.C.  
25 Goal No. 11.

26 10. The Board of Commissioners found site for  
27 change in Comprehensive Land Use Plan and zone has an  
28 existing access, which access to Highway 39 appears to be

1 able to carry the kind of traffic that would be generated  
2 from use, therefore addressing L.C.D.C. Goal No. 12.

3 11. The Board of Commissioners found site to be  
4 close to the urban area and close to resources of energy.  
5 The surrounding area is a mixture of Commercial and Manufacturing  
6 and some Residential, therefore addressing L.C.D.C.  
7 Goals No. 13 and 14.

8 CONCLUSIONS OF LAW FOR ZONE CHANGE:

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

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

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

19 4. The proposed change of zone is in keeping with  
20 any land use plans duly adopted and does, in effect, represent  
21 the highest, best, and most appropriate use of the land affected.

22 5. That the proposed change of zone is in keeping  
23 with land uses and improvements, trends in land development,  
24 density of land development, and prospective needs for develop-  
25 ment in the affected area.

26 NOW, THEREFORE, it is hereby ordered that the appli-  
27 cation for the Comprehensive Land Use Plan change from Urban  
28 Density to Light Manufacturing and zone change from A

19500

(Agricultural) to M-2 (Medium Manufacturing) for Duane Blackman on the subject property is hereby granted.

DONE AND DATED THIS 5<sup>th</sup> DAY OF June, 1980.

Alvin A. Cheyne  
Chairman of the Board  
Neil Burrows  
County Commissioner  
Harold L. Kyrne  
County Commissioner

AS APPROVED 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 9<sup>th</sup> day of June A. D. 19 80 at 11:51 o'clock A., and

duly recorded in Vol. 480, of Deeds on Page 10494

Wm D. MILNE, County Clk.

By: Leona A. [Signature]

No Fee