BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION FOR COMPREHENSIVE LAND USE PLAN CHANGE 80-44 AND ZONE CHANGE 80-44 BY HUGH KNIGHT

O R D E R

THIS MATTER having come on for hearing upon the application of Hugh Knight for a Comprehensive Land Use Plan change from Agriculture to Light Industrial and a zone change from AF (Agriculture Forestry) to M-2 (Medium Manufacturing Industrial), by the Klamath County Planning Commission, on real property described as a portion of Township 35, Range 7, Section 33 and a portion of Tax Lot 300. Public hearings having been heard by the Klamath County Planning Commission on September 30, 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 November 3, 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. The Board of County Commissioners found that the parcel of land, 3½ acres in size, located at the southwest corner of Highway 97 and Day School Road, 6 miles south of Chiloquin, Oregon, is adequate in size and shape to serve the proposed use for a precision machine shop.

2. The Board of County Commissioners found that the Planning Department sent notification to the surrounding property owners, concerned agencies, and the Chiloquin Area Committee, thereby addressing LCDC Goal 1.

3. The Board of County Commissioners found that the existing Comprehensive Land Use Plan is Agriculture and the zoning is AF (Agriculture-Forestry). The applicant's request, which is a change to the M-2 (Medium Manufacturing Industrial) zone and the Light Industrial Comprehensive Land Use Plan, does not appear to effect any adverse change on surrounding properties and conforms to the land use trends in the area, thereby addressing LCDC Goal 2 and Ordinance 17.

4. The Board of County Commissioners found that the 3½ acre site appears not to be an agricultural unit and has no forestry class, thereby addressing LCDC Goals 3 and 4.

5. The Board of County Commissioners found that the proposed use could help the economy of the area.

6. The Board of County Commissioners found that the site for change has electricity, telephone, school, and fire protection services.

7. The Board of County Commissioners found that the

property is large enough to allow access from Day School Road, a paved county road, thereby addressing LCDC Goal 12 and Ordinance 17.

CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN CHANGE:

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

2. The property affected by the proposed Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change 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 Comprehensive Land Use Plan change 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.

FINDINGS OF FACT FOR ZONE CHANGE:

1. The Board of County Commissioners found that the parcel of land, 3½ acres in size, located at the southwest corner of Highway 97 and Day School Road, 6 miles south of Chiloquin, Oregon, is adequate in size and shape to serve the proposed use

for a precision machine shop.

2. The Board of County Commissioners found that the Planning Department sent notification to the surrounding property owners, concerned agencies, and the Chiloquin Area Committee, thereby addressing LCDC Goal 1.

3. The Board of County Commissioners found that the existing Comprehensive Land Use Plan is Agriculture and the zoning is AF (Agriculture-Forestry). The applicant's request, which is a change to the M-2 (Medium Manufacturing Industrial) zone and the Light Industrial Comprehensive Land Use Plan, does not appear to effect any adverse change on surrounding properties and conforms to the land use trends in the area, thereby addressing LCDC Goal 2 and Ordinance 17.

4. The Board of County Commissioners found that the 3½ acre site appears not to be an agricultural unit and has no forestry class, thereby addressing LCDC Goals 3 and 4.

5. The Board of County Commissioners found that the proposed use could help the economy of the area.

6. The Board of County Commissioners found that the site for change has electricity, telephone, school, and fire protection services.

7. The Board of County Commissioners found that the property is large enough to allow access from Day School Road, a paved county road, thereby addressing LCDC Goal 12 and Ordinance 17.

CONCLUSIONS OF LAW FOR ZONE CHANGE:

1. The property affected by the change of zone is adequate

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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. That 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. 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 Agriculture to Light Industrial and zone change from AF (Agriculture-Forestry) to M-2 (Medium Manufacturing Industrial) for Hugh Knight on the subject property is hereby granted.

DONE AND DATED THIS 7th DAY OF January, 1981. ~~1980.~~

Chairman

Member

APPROVED AS TO FORM:
Boivin & Boivin

By: Robert Boivin

Member

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STATE OF OREGON; COUNTY OF KLAMATH; ss.
I hereby certify that the within instrument was received and filed for record on the 12th day of January A.D., 19 81 at 2:58 o'clock P M., and duly recorded in Vol M81 of Deeds on page 573.

Fee $ None

EVELYN BIEHN
~~ACTING~~ COUNTY CLERK
by Loretta A. Peterson deputy