

KLAMATH COUNTY, OREGON

Klamath County Planning
Findings of Fact and Order

Evidence was presented on behalf of the Department and on behalf of the applicant. There was one adjacent property owner present. Exhibits were offered, received, and made

Klamath County Exhibit A, Staff Report
 Klamath County Exhibit B, Plot Plan
 Klamath County Exhibit C, Assessor Sheet
 Klamath County Exhibit D, Letter from Highway Division
 Klamath County Exhibit E, Letter from City Planner
 Klamath County Exhibit F, Letter and attachments from
 Health Department

the Klamath County Health Department

The hearing was then closed, and based upon the evidence submitted at the hearing, the Hearings Officer made the following Conclusions of Law:

1 CONCLUSIONS OF LAW (as to the Comprehensive Land Use Plan
2 Change):

3 1. The proposed change is in compliance with the state-
4 wide planning goals.

5 2. The proposed change is in conformance with all
6 policies of the Klamath County Comprehensive Plan.

7 3. The proposed change is supported by factual infor-
8 mation which documents the need for public change.

9 4. The granting of this Comprehensive Land Use Plan
10 Change is consistent with the goals of the L.C.D.C.

11 CONCLUSIONS OF LAW (as to Zone Change):

12 1. The change of zone is in conformance with the
13 Comprehensive Plan, and all other provisions of the Land
14 Development Code.

15 2. The property affected by the change in zone is
16 adequate in size and shape to facilitate those uses that are
17 normally allowed in conjunction with such zoning.

18 3. The property affected by the proposed change of zone
19 is properly related to streets to adequately serve the type of
20 traffic generated by such uses that may be permitted thereon.

21 4. The proposed change of zone will have no adverse
22 effect on the appropriate use and development of abutting
23 properties.

24 5. The granting of this zone change is consistent with
25 the goals of the L.C.D.C.

26 FINDINGS OF FACT (for both):

27 The requested Comprehensive Land Use Plan Change and
28 Zone Change have been granted based on the following findings

1 of fact:

2 1. The applicant owns the Motel 8 and Mallard Campground
3 which now occupy Tax Lot 5600 (see Exhibit C herein). The
4 applicant has purchased adjoining Tax Lot 3400 and proposes to
5 use part of it to expand the campground. A house, duplex and
6 accessory building occupy the western part of the property near
7 Highway 97. The eastern part of the property was in pasture, but
8 has been fenced and graded in preparation for the development.
9 The surrounding area is a mixture of highway oriented commercial
10 uses and rural residential homesites one to two acres in size.
11 Two motels, restaurants, gas stations and a grocery store are
12 all within one-quarter mile.

13 2. The property in question is rectangular in shape,
14 being approximately 500' x 180'.

15 3. The property is in an area extensively developed for
16 commercial and residential uses. Neither agricultural land
17 nor forest land would be affected by this request.

18 4. There are no inventoried Goal 5 resources on or near
19 the property involved in this request.

20 5. The property is within the Klamath Disposal Company's
21 solid waste collection franchise area, served by the county
22 landfill on Old Fort Road.

23 6. The septic system on the property is subject to the
24 inspection and approval of the Klamath County Health Department.

25 7. The eastern part of the property has been subject to
26 seasonal high water. A drainage district has been formed in
27 the Wocus area and ditches and pumps have been installed to
28 serve this and other properties in the area.

8. The property fronts on Highway 97, the major north-south arterial for central Oregon. The highway has two traffic lanes and a left turn lane. The Highway Division has approved access to the property (see Exhibit D).

9. The proposed zone change would allow for expansion of a recreation-oriented business serving travelers on Highway 97.

10. The proposed use of the property is consistent with a semi-rural type of area.

11. No one testified in opposition to the granting of either the Zone Change or the Comprehensive Land Use Plan Change, and there was no evidence presented that there would be any adverse effects on the appropriate use and development of abutting properties.

The Hearings Officer, based on the foregoing Findings of Fact, accordingly orders as follows:

The real property described as

"being generally located between State Highway 97 and Wocus Road and just east and south of Motel 8, and more particularly described as being located in Township 38, Range 9, Section 7, Tax Lot 3400,"

is hereby granted a Comprehensive Land Use Plan Change and Zone Change in accordance with the terms of the Klamath County Zoning Ordinance No. 45.2, and, henceforth, will be zoned Commercial Highway.

Entered at Klamath Falls, Oregon, this 2nd day of November, 1984.

KLAMATH COUNTY HEARINGS DIVISION

Return:
Commissioners Journal

Jim Spindor
Jim Spindor, Hearings Officer

CLUP & ZC 11-84
Page 4

STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for record on the 6th day of November A.D., 1984 at 3:07 o'clock P M, and duly recorded in Vol M84, of Deeds on page 18880.

EVELYN BIEHN, COUNTY CLERK

by: Lam Smith, Deputy

Fee: \$ None