

50975

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR KLAMATH COUNTY, OREGON

ORDINANCE NO. 44.7A

AN ORDINANCE AMENDING ORDINANCE
NO. 44.2 AND ADOPTING AMENDMENTS
TO THE COMPREHENSIVE LAND USE PLAN
FOR KLAMATH COUNTY, AND DECLARING
AN EMERGENCY

WHEREAS, on February 16, 1984, Klamath County adopted
Ordinance No. 44.2 relating to the adoption of a Comprehensive
Land Use Plan; and

WHEREAS, on February 26, 1985, Klamath County adopted
Ordinance No. 44.7 relating to the adoption of revisions to a
Comprehensive Land Use Plan, specifically to exception areas; and

WHEREAS, on January 10, 1985, the Klamath County Board of
Commissioners adopted a resolution initiating the process for
Urban Growth Boundary revisions as required by the Klamath Falls
Urban Growth Boundary Management Agreement; and

WHEREAS, the Klamath Falls Planning Commission considered
revisions to the Klamath Falls Urban Growth Boundary and made
recommendations to the Klamath Falls City Council public hearing
having been held on February 11, 1985; and

WHEREAS, the Klamath County Planning Commission considered
revisions to the Klamath Falls Urban Growth Boundary and made
recommendation to the Klamath County Board of Commissioners
public hearing having been held on February 26, 1985; and

WHEREAS, the Klamath County Board of Commissioners, in a
joint hearing with the Klamath Falls City Council, considered
the recommendations of their respective Planning Commissions
relative to certain further amendments to the Klamath Falls Ur-
ban Growth Boundary, public hearing having been held on April 30,
1985; and

ORDINANCE NO. 44.7A
Page 1 of 2 Pages

85 JUL 12 AM 9 30

1 WHEREAS, notice of this meeting was published in the Herald
2 and News, a newspaper of general circulation, on April 18 and
3 April 19, 1985;

4 NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THE
5 COUNTY OF KLAMATH, STATE OF OREGON, ORDAINS AS FOLLOWS:

6 1. The amendments to the adopted Klamath County Comprehen-
7 sive Land Use Plan which are attached hereto, marked Exhibit "A",
8 "Amendments to the Exceptions Document," and incorporated herein
9 by reference, are hereby adopted.

10 Emergency Clause. This Ordinance, being enacted in the
11 exercise of the police power of the Board of County Commissioners
12 and for the purpose of declaring an emergency and being necessary
13 for the immediate preservation of the public peace, health, and
14 safety and general welfare of the citizens of Klamath County,
15 an emergency is declared to exist, and this Ordinance shall be
16 in effect on April 30, 1985.

17 ENACTED AND ORDAINED by the Board of County Commissioners
18 of Klamath County, Oregon, this 30th day of APRIL, 1985.

19 BOARD OF COUNTY COMMISSIONERS

20 Carroll Zon Gerbert
21 Carroll Zon Gerbert, Chairperson

22 Roger Hamilton
23 Roger Hamilton, Commissioner

24 ATTEST:

25 Jim Rogers, Commissioner

26 Donna Hohlmeier
27 Recording Secretary

28 APPROVED AS TO FORM:

Robert D. Boivin
Robert D. Boivin, County Counsel

EXHIBIT "A"

ROY
10869

SITE IDENTIFICATION

Site Name Country Gardens SubdivisionException Site No. 1 UrbanTownship 39Range 9Section 14DDPlan Designation (2/85) Urban Res. Plan Designation (After UGB Change) RuralZone Designation (2/85) RS Zone Designation (After UGB Change) R-1Average Lot Size: 1 ac. Lots in Separate Ownership AllTotal No. of Lots 30 Number of Lots Built On 26

FINDINGS OF FACT

Adjacent Uses:

To the immediate north, west and east are lands predominately in agricultural use, many of which are currently receiving farm use tax deferral. Slightly farther to the north (1/8 mile) is the city limits line of Klamath Falls, adjacent to which are extensively developed residential lands at urban densities.

To the immediate south is Tract 1111, a residential subdivision which consists of eight lots, five of which have an existing residence. (See exception Site 2 discussion for more information.)

Services:

Services available to this site include the following:

Power: Pacific Power and Light

Telephone: Pacific Northwest Bell

Domestic Water: City of Klamath Falls

Sewer: Individual septic systems

Access: Airway Drive and Homedale Road (paved County roads) provide access to the site; Logan Drive and Jennifer Lane (both paved) provide access within this site.

Fire: Klamath County Fire District #1

Ownership Pattern:

Lands contained within this site consist of 30 platted one acre lots, all of which are in separate ownership.

Lands which border this site's north, east and western edges are all in separate private ownership and range from 1/3 to thirteen acres in size.

Lands to the south are also all in separate private ownership with the average lot size being 5 acres.

Area Characteristics:

These sites are on the fringe of urban development, lying between urban development to the north and agricultural development to the south. These are for the most part, 1-5 acre parcels with a rural residential lifestyle.

10869A

Boundaries, Buffers from Resource Land:

North of this site is the Southside Bypass and the revised UGB. South of the site is Tract 1111 (see urban exception #2). West of the site is a drain canal and Homedale Road, a paved County road. East of the site is also a drain canal.

Physical Development:

There is extensive residential development located within this site. Twenty-six of the thirty, one-acre lots are built on. There is power and telephone facilities in use at the site. They have domestic water and individual septic tanks.

Other:

CONCLUSION:

This site is committed to rural residential use due to:

1. The extensive development already located within this subdivision;
2. Domestic water to the subdivision; and
3. The other existing facilities (i.e., power, phone, access, and fire protection).

1/8 COR BY CS 3395
1/8 COR BY CS 271

SEE MAP 39 09 14DA
SEE MAP DEC. 2010

SOUTHSIDE BY-PASS

JOHNS

10870

RD.
CANAL

DRAIN
I-C-A-1

HUMEDALE
USBR

AIRWAY

COUNTRY

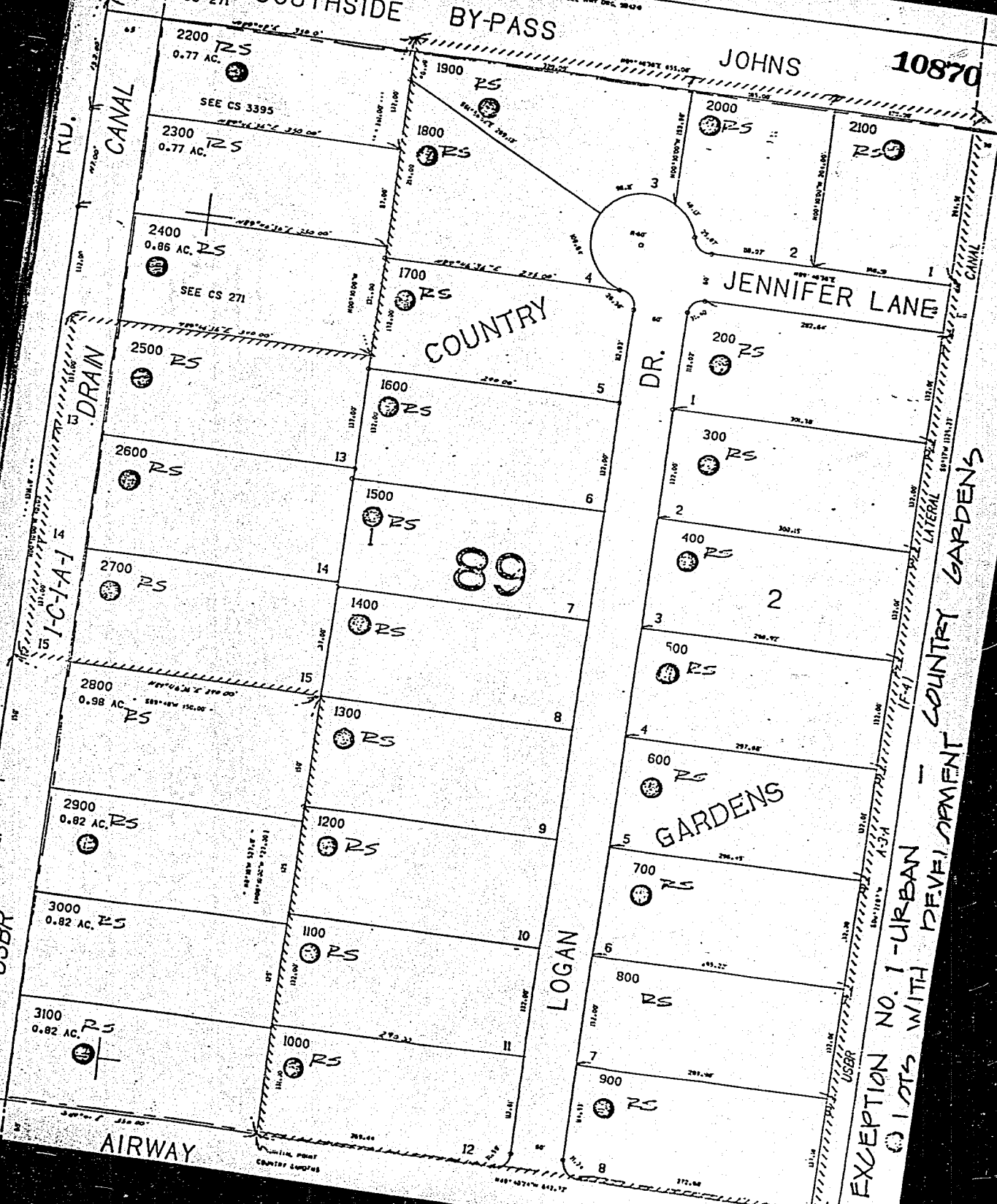
JENNIFER LANE

DR.

LOGAN

GARDENS

EXCEPTION NO. 1 - URBAN
LOTS WITH DEVELOPMENT - COUNTRY GARDENS



SITE IDENTIFICATION

10871

Exception Site No. 2 Urban Site Name Tract 1111
Township 39 Range 9 Section 23, 24
Plan Designation (2/85) Urban Res. Plan Designation (After UGB Change) Rural
Zone Designation (2/85) RS Zone Designation (After UGB Change) R-1
Average Lot Size: 5 ac. Lots in Separate Ownership All
Total No. of Lots 8 Number of Lots Built On 5

FINDINGS OF FACT**Adjacent Uses:**

To the immediate south and east are lands predominately in agricultural use, many of which are receiving farm tax deferral. To the immediate north is Country Gardens, a residential subdivision which consists of 30 lots, 26 of which have an existing subdivision. To the west is Ankeny Garden Tracts, another subdivision with 19 of 26 lots built on.

Services:

Services available to this site include the following:

Power: Pacific Power and Light
Telephone: Pacific Northwest Bell
Water: Individual wells
Sewer: Individual septic tanks

Fire: Klamath County Fire District #1

Access: Airway Drive, a paved County road, is adjacent to this site to the north. Homedale Road, also a paved County road is adjacent on the western border.

Ownership Patterns:

Lands contained within this site are approximately five acres in size, all of which are in separate ownership.

Lands to the north and west are all in separate, private ownership with the average lot size being 1-5 acres.

Lands which border the site to the south and west are also all in separate, private ownership and range from 5-40 acres in size.

Area Characteristics:

These sites are on the fringe of urban development, lying between urban development to the north and agricultural development to the south. These are for the most part, 1-5 acre parcels with a rural residential lifestyle.

10872

Boundaries, Buffers from Resource Land:
South and east of the site there two drain canals separating it from any neighboring resource land.

Physical Development:

Five of the eight lots within this subdivision are built on (see attached map). There are telephone and electric facilities utilized at this site, and the area has individual wells and septic systems.

Other:

CONCLUSION:

This site is committed to rural residential use due to:

1. The extensive development already located within this subdivision; and
2. The other existing facilities (i.e., power, phone, access, and fire protection).

MSL 928.20'

900 RS
20.28 AC.

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39 09 14DD

AIRWAY

DRIVE

USBR

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SITE IDENTIFICATION

10874

Exception Site No. 3 Urban Site Name Ankeny Garden Tracts
Township 39 Range 9 Section 24
Plan Designation (2/85) Urban Res. Plan Designation (After UGB Change) Rural
Zone Designation (2/85) RS Zone Designation (After UGB Change) R-1
Average Lot Size: 2 ac. Lots in Separate Ownership All
Total No. of Lots 34 Number of Lots Built On 19

FINDINGS OF FACT

Adjacent Uses:

North and south lands are used for agricultural purposes. The property to the north is under the farm tax deferral program. The property to the south is classified as farm ground, but is not receiving farm tax deferral. To the west of this site is another subdivision, Tract 1111, which has 5 of 8 lots built on, all of approximately 5 acres in size. To the east of this site is another committed area (see residential and industrial exception #4 urban) which has 10 of 13 lots built on.

Services:

Services to the site include the following:

Electric: Pacific Power and Light > This site is utilizing both the telephone and power facilities.
Telephone: Pacific Northwest Bell
Access: Airway Drive, a paved road, borders this site to the north. Nile Street, Patterson Street, and Redding Street are graveled roads 60' wide made to County standards (see map for location).
Fire: Klamath County Fire District #1

Ownership Patterns:

This site is a subdivision consisting of 34 lots all of approximately 2 acres in size. This site is surrounded by privately-owned parcels. West is a subdivision of 5 acre parcels. East is an area of 5 acre to 2 acre parcels with one 18 acre parcel. North is a 40 acre parcel, a 15 acre parcel, and two parcels under 3 acres. South is one 75 acre parcel.

Area Characteristics:

These sites are on the fringe of urban development, lying between urban development to the north and agricultural development to the south. These are for the most part, 1-5 acre parcels with a residential lifestyle.

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Boundaries, Buffers from Resource Land:

There are no natural boundaries separating this property from the adjacent agricultural lands to the south. Airway Drive separates this site from the agricultural lands to the north.

Physical Development:

Several of the property owners have bought two or more lots, creating actually only 26 lots, 19 of which have a residence on them. These lots are served by individual wells and septic tanks.

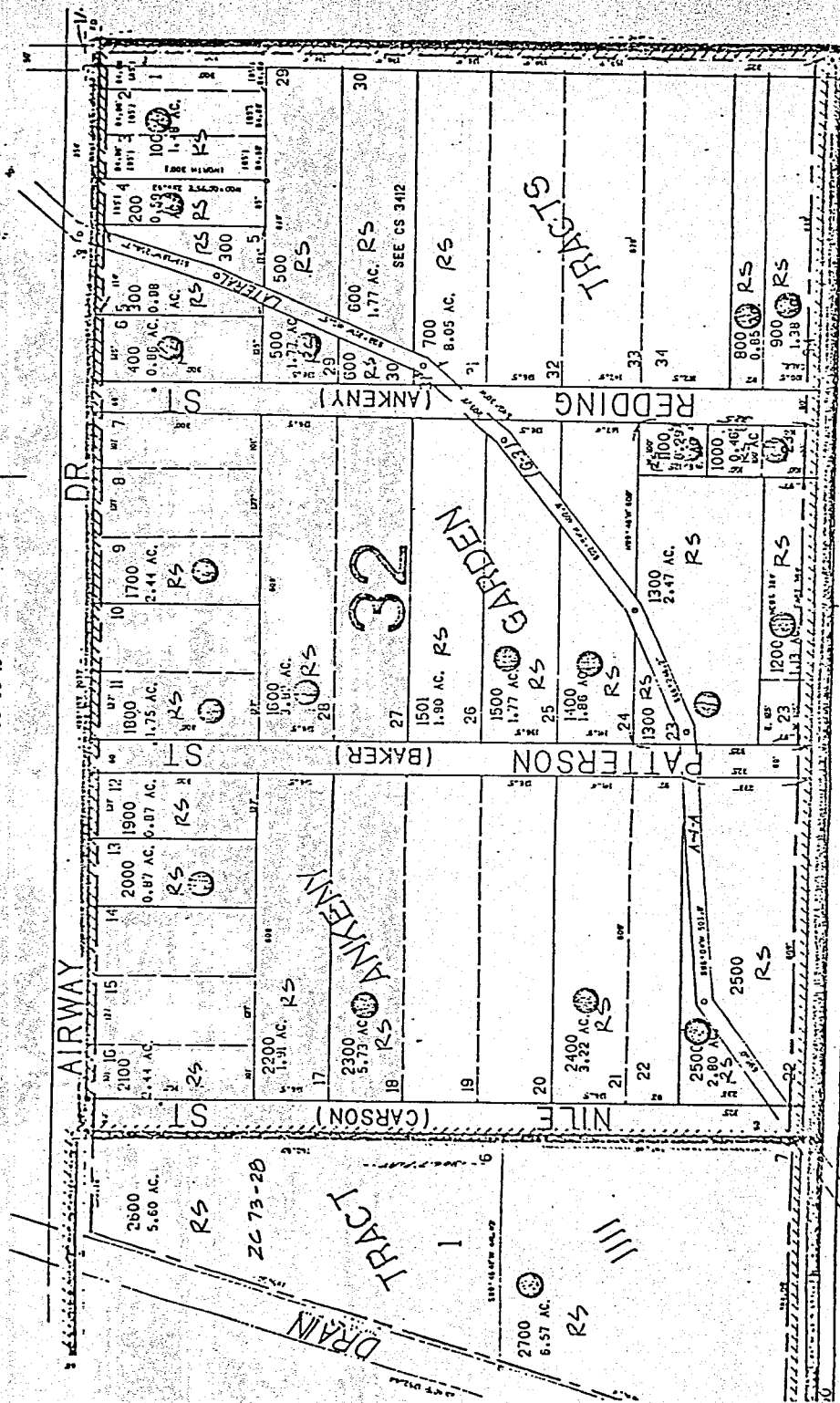
Other:

CONCLUSION:

These sites are committed to rural residential use due to:

1. The extensive residential development located within the subdivision, i.e., 19 of 26 lots built on; and
2. The services available at the site, power, phone, and the road access.

SEE MAP 39 09 13



EFU-C

52 AC.

SEE USOR TOWN MAP 1913

EXCEPTION NO. 3-URBAN
ANKENY GARDEN TRACTS
LOTS WITH DEVELOPMENT

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10801

SITE IDENTIFICATION

10877

Exception Site No. 4 Urban-(Res./Ind.) Site Name Area between Airway Drive, Southside Bypass, and the 1-C-1 (Dixon) Drain

Township 39 Range 9 Section 24A

Plan Designation (2/85) Urban Res. / Plan Designation (After UGB Change) Rural/Ind.

Zone Designation (2/85) RS Zone Designation (After UGB Change) R-1/II

Average Lot Size: 1 1/2 ac. Lots in Separate Ownership All/All

Total No. of Lots 11/2 Number of Lots Built On 8/2

FINDINGS OF FACT

Adjacent Uses: (Both Res./Ind.)

West of this site lies Ankeny Garden Tracts Subdivision (see Urban Exception #3). North, south, and east of the site, the use of the land is predominately agricultural, most of which is receiving farm tax deferral.

Services: (Both Res./Ind.)

Services to the site include the following:

Electric: Pacific Power and Light

Telephone: Pacific Northwest Bell

Fire: Klamath County Fire District #1

Access: Airway Drive, a paved road, borders these sites to the north. The Klamath Falls/Merrill Highway 39 borders the property on the east side.

Ownership Patterns: (Both Res./Ind.)

Lands within this site consist of 13 lots - 11 residential and 2 industrial pieces. Lands which border this site on the north, south, and east are in separate, private ownership and are 1-30 acres in size. Lands to the west are also in separate, private ownership and are approximately 2 acres in size (see Urban-3 Exception).

Area Characteristics: (Both Res./Ind.)

These sites are on the fringe of urban development, lying between urban development to the north and agricultural development to the south. These are for the most part, 1-5 acre parcels with a residential lifestyle.

Boundaries, Buffers from Resource Land: (Both Res./Ind.)

On the northern and eastern borders of this site are paved County roads. On the southern and western borders of this site are 30'-40' wide drain canals.

Physical Development: (Both Res./Ind.)

Residential: Eight of the eleven lots have an existing homesite on them. Power and telephone are used at this site, and the lots are presently served by individual wells and septic tanks.

Industrial: There are two "tax lots," but only one ownership of these sites exists. The site received a quasi-judicial zone change in 1983 for a tannery, which is in use at the present.

Other:

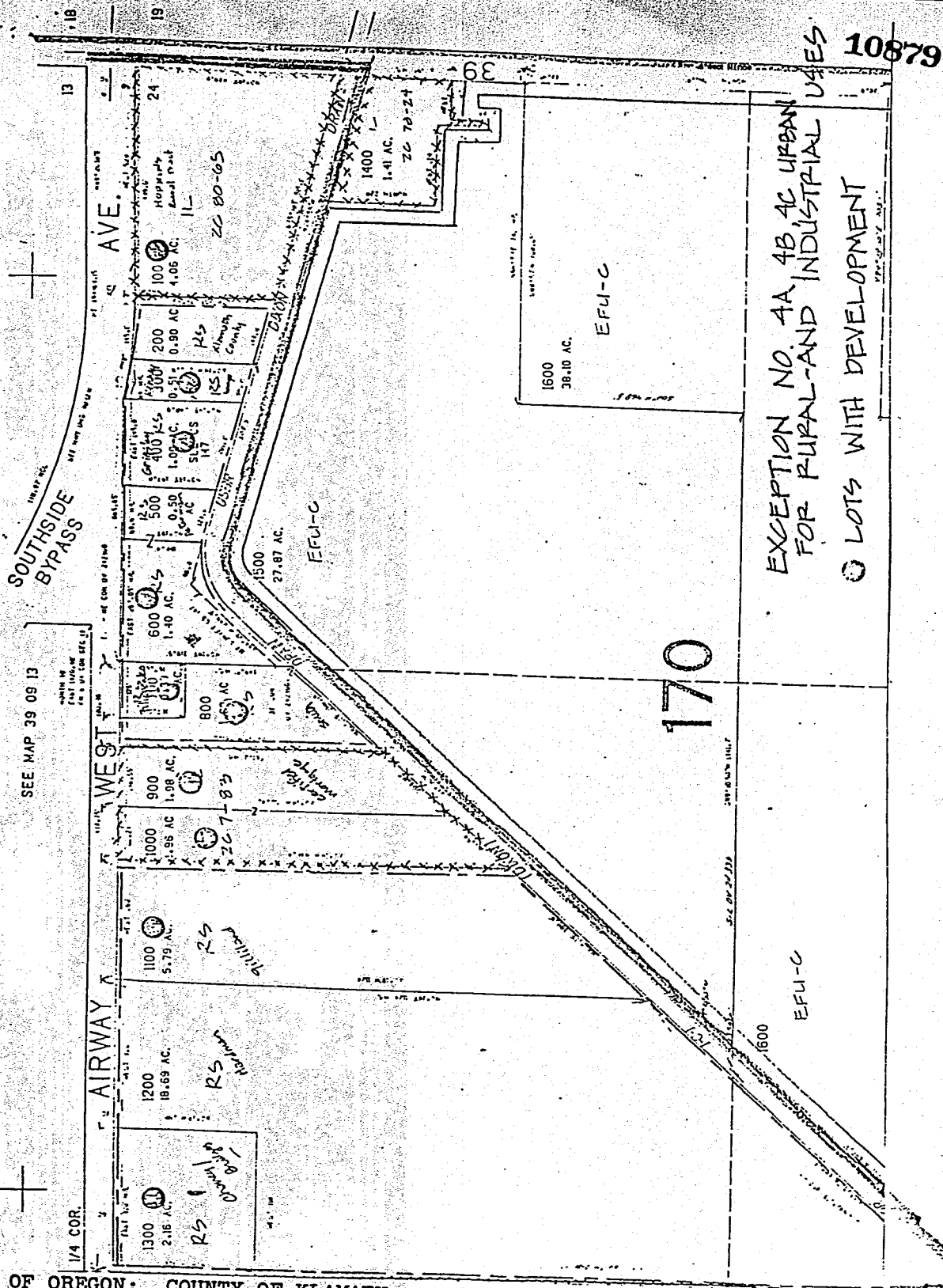
CONCLUSION:

Residential: These sites are committed to a Rural-1 designation due to the following:

1. The services available at the site (i.e., power, phone, access, and fire protection); and
2. The extensive physical development already existing on the site.

Industrial: These sites are committed to a Light Industrial designation due to the following:

1. The services available at the site (i.e., power, phone, access, and fire protection);
2. The extensive physical development already existing on the site; and
3. The zone changes approved on these sites for a tannery which is in use at the present.



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 July A.D., 19 85 at 9:30 o'clock A M
 and duly recorded in Vol M85 , of Deeds on page 10867 .

Fee: \$ None
 Commissioners Journal

EVELYN BIEHN, COUNTY CLERK
 by: Bernetha Helrich, Deputy