BEFORE THE BOARD OF COUNTY COMMISSIONERS 50976 FOR KLAMATH COUNTY, OREGON

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

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ORDINANCE NO. 44.8

WHEREAS, on February 16, 1984, Klamath County adopted Ordinance No. 44.2 relating to the adoption of a Comprehensive 6 7 Land Use Plan; and 8

WHEREAS, on January 10, 1985, the Klamath County Board of Commissioners adopted a resolution initiating the process for 9 Urban Growth Boundary revisions as required by the Klamath Falls 10 Urban Growth Boundary Management Agreement; and 11 12

WHEREAS, the Klamath Falls Planning Commission considered revisions to the Klamath Falls Urban Growth Boundary and made 13 recommendation to the Klamath Falls City Council public hearing 14 15 having been held on February 11, 1985; and 16

WHEREAS, the Klamath County Planning Commission considered revisions to the Klamath Falls Urban Growth Boundary and made 17 recommendation to the Klamath County Board of Commissioners 18 public hearing having been held on February 26, 1985; and 19

20 WHEREAS, the Klamath County Board of Commissioners, in a 21 joint hearing with the Klamath Falls City Council, considered the 22 recommendations of their respective Planning Commissions relative 23 to certain further amendments to the Klamath Falls Urban Growth Boundary, public hearing having been held on April 30, 1985; and WHEREAS, notice of this meeting was published in the Herald and News, a newspaper of general circulation, on April 18, and April 19, 1985;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THE ORDINANCE NO. 44.8 Page 1 of 2 Pages

COUNTY OF KLAMATH, STATE OF OREGON, ORDAINS AS FOLLOWS:

1. The amendments to the adopted Klamath County Comprehensive Land Use Plan which are attached hereto, marked as Exhibit "A", "Amendments to the Klamath Falls Urban Growth Boundary Justification Paper, The Northeast Quadrant," and incorporated herein by reference, are hereby adopted.

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

ENACTED AND ORDAINED by the Board of County Commissioners of Klamath County, Oregon, this 30 day of Aperl, 1985

BOARD OF COUNTY COIMISSIONERS

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Commissioner ο'n

ATTEST:

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27 28 Jim Rogers, Commissioner

Thoplace ... Recording Secretary

APPROVED AS TO FOR1: Robert D. Boivin, County Counsel ORDINANCE NO. 44.3 Page 2 of 2 Pages



EXHIBIT "A"

This amendment is to replace pages 14, 15, 16, and the fourth paragraph of page 19, the Northeast Quadrant of the Klamath Falls Urban Growth Boundary justification Paper adopted by Klamath County on February 16, 1984. (Ordinance 44.2, 1.1C Urban Packet).

NORTHEAST QUADRANT

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1. NEED TO ACCOMMODATE LONG-RANGE URBAN POPULATION GROWTH. See general discussion of Southeast Quadrant.

2. NEED FOR HOUSING, EMPLOYMENT OPPORTUNITIES, AND LIVEABILITY. See general discussion of Southeast Quadrant.

3. ORDERLY AND ECONOMIC PROVISION FOR PUBLIC FACILITIES AND SERVICES. See general discussion on Southeast Quadrant.

The projected availability of public facilities was a major consideration of the Urban Growth Boundary alternative for this area. Lands to the north in Area I, located close to the old OIT Campus and northerly extension of the city limits, and lands adjacent to the city limits to the south of Area I were included within the proposed Urban Growth Boundary.

To the north the Urban Growth Boundary generally follows the proposed 20-year city sewer service boundary and the ownership line of a Planned Unit Development. When this area was used as a Marine Barracks and later as the OTI Campus, both sewerage and water systems served the area. The treatment plant and sewer lines were constructed to the 40's. The sewage treatment plant itself is not operational and would have to be completely reconstructed to become operational. Some sewer lines remain in place and could possibly be used although they have not recently been tested.

The water service to the area is active. This area includes the committed Tanglewood Subdivision and the preliminary plat of the area lying east of Old Fort Road. This area is currently served by City water. The size of the tank is adequate to serve a much larger area. The 300,000 gallon tank could serve a population of approximately 5,000 according to the City Public Works Department. Ten inch and twelve inch water lines and the Hogsback Tank are also proposed just in the south of this area. The developers have an agreement with the City to handle sewage from this area after it has been pumped into the City system.

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The land included to the south of Area I lies from a half mile to two miles north of the 20-year projected sewer service 10884 area. Waterlines along Beverly Drive are also located approximately two miles south of the proposed Urban Growth Boundary line. Proposed waterlines along Old Fort Road and extending northward along Burns Street could help to service this area. Old Fort Road, a county road would need to be improved if this area were developed. Currently the county does plan to upgrade this road. This area is served by Klamath County Fire District #1. Power lines serve the majority of the area although intensified development will require

MAXIMUM EFFICIENCY OF LAND USES. The area added to the Urban Growth Boundary to the north around the old OIT: Campus is an extension of the city limits as is the southerly addition. Medium and high density residential uses are located near the East Side Bypass with quick access to the Klamath Falls downtown

5. ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES. See general discussion in Southeast Quadrant. RETENTION OF AGRICULTURAL LANDS. Soil classes in the southerly portion to be included are primarily Class IV to the west and Class VI to the east. The northerly area is predominantly Class VI and VII soils with a Class V Timber Site Productivity

The southerly area is used for rangeland with some residential development in the area. The northerly area is also used for rangeland or is vacant. The majority of the northerly area is zoned Planned Unit Development with an approved preliminary plat on land

Intensive agricultural uses are not situated to the north due to poor soil types (Class VI and VII) and the fact that these are neither irrigated or irrigable lands. Light agricultural uses to the south of Area I may be impacted to a greater degree; however, location close to the urban area and the poor quality of resource land make this a logical location of future development.

7. COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES. The proposed plat for the Planned Unit Development indicates that a buffered open area of approximately 100 acres will extend from north to south across the easterly portion of the property. The land to the west across Old Fort Road lying outside of the boundary is zoned Planned Unit Development and is planned for development in the future. This land is of low resource value and is not in any type of resource use. Due to the lack of intensive farming practices such as agricultural spraying, farm equipment use, and irrigation; major residential/agricultural conflicts will be avoided. The record on the hearing on the proposed Planned Unit Development which forms the northerly border of the proposed Urban Growth Boundary indiates no testimony regarding conflicts with agricultural uses.

The proposed Urban Growth Boundary for Klamath County is considered to be a reasonable boundary which protects surrounding resource lands and promotes the cost-effective extension of public facilities and services while adequately accommodating all types of land uses, densities, and housing type choices. The rural county lifestyle evident even within the urban area is provided for without major impacts on surrounding resource land.

It also should be emphasized that the proposed boundary is dynamic in nature and subject to revision at plan update in order to accommodate the changing needs of the community.

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7. COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES. The proposed plat for the Planned Unit Development indicates that a buffered open area of approximately 100 acres will extend from north to south across the easterly portion of the property. The land to the west across Old Fort Road lying outside of the boundary is zoned Planned Unit Development and is planned for development in the future. This land is of low is planned for development in the future. Due to the resource value and is not in any type of resource use. Due to the lack of intensive farming practices such as agricultural spraying, farm equipment use, and irrigation; major residential/agricultural farm equipment use, and irrigation the northerly border of the Planned Unit Development which forms the northerly border of the proposed Urban Growth Boundary indiates no testimony regarding conflicts with agricultural uses.

The proposed Urban Growth Boundary for Klamath County is considered to be a reasonable boundary which protects surrounding resource lands and promotes the cost-effective extension of public facilities and services while adequately accommodating all types of facilities, densities, and housing type choices. The rural county land uses, densities, and housing type choices. The rural county lifestyle evident even within the urban area is provided for without major impacts on surrounding resource land.

It also should be emphasized that the proposed boundary is dynamic in nature and subject to revision at plan update in order to accommodate the changing needs of the community.

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AN ORDINANCE AMENDING ORDINANCE NO. 44.2 AND ADOPTING AMENDIANCE TO THE COMPREHENSIVE LAND USE PLAN 2 FOR KLAMATH COUNTY, AND DECLARING AN EMERGENCY 3 5-10888 4 ORDINANCE NO. 44.9 WHEREAS, on February 16, 1984, Klamath County adopted 5 Ordinance No. 44.2 relating to the adoption of a Comprehensive 6 Land Use Plan; and 7 WHEREAS, On January 10, 1985, the klamath County Board of 8 Commissioners adopted a resolution initiating the process for 9 3 Urban Growth Boundary revisions as required by the Klamath Falls 10 3 2 Urban Growth Boundary Management Agreement; and 11 ~ 12 WHEREAS, the Klamath Falls Planning Commission considered ŝ revisions to the Klamath Falls Urban Growth Boundary and made 13 85 recommendation to the Klamath Falls City Council Public hearing 14 having been held on February 11, 1985; and 15 | 16 WHEREAS, the Klamath County Planning Commission considered revisions to the Klamath Falls Urban Growth Boundary and made 17 recommendation to the Klamath County Board of Commissioners 18 Public hearing having been held on February 26, 1985; and 19 20 WHEREAS, the Klamath County Board of Commissioners, in a joint hearing with the Klamath Falls City Council, considered the 21 recommendations of their respective Planning Commissions relative 22 to certain further amendments to the Klamath Falls Urban Growth 23 Boundary, public hearing having been held on April 30, 1985; and 24 25 WHEREAS, notice of this meeting was Published in the <u>Herald</u> and News, a newspaper of general circulation, on April 18 and 26 April 19, 1985; 27 28 NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS FOR THE ORDINANCE NO. 44.9 Page 1 of 2 Pages

COUNTY OF KLAMATH, STATE OF OREGON, ORDAINS AS FOLLOWS: . 1 2 10889 The amendments to the adopted Klamath County Comprehen-Sive Land Use Plan which are attached hereto, marked as Exhibit 3 "B", "Amendments to the Klamath Falls Urban Growth Boundary 4 Justification Paper, The Southeast Quadrant," and incorporated herein by reference, are hereby adopted. 6 7 Emergency Clause. This Ordinance, being enacted in the exercise of the police power of the Board of County Commissioners 8 and for the purpose of declaring an emergency and being necessary 9 for the immediate preservation of the public peace, health, and 10 safety, and general welfare of the citizens of Klamath County, an 11 emergency is declared to exist, and this Ordinance shall be in 12 13 14 ENACTED AND ORDAINED by the Board of County Commissioners Of Klamath County, Oregon, this 30 15 16 day of Apresc, 1985. BOARD OF COUNTY COMMISSIONERS 17 18 19 20 21 ioner 22 Jim Rogers, Commissioner ATTEST: 23 24 anna Recording Secretary 25 APPROVEN 26 AS 27 Rolle Boivin, County Counsel rt D. 28 ORDINANCE NO. 44.9 Page 2 of 2 Pages



EXHIBIT "B"

This amendment is to replace pages 2, 3, 4, 5, 6, 7, 8, 18, and the first three paragraphs of page 19 of the Klamath Falls Urban Growth Boundary justification paper adopted by Klamath County on February 16, 1984.

(Ordinance 44.2, 1.1C Urban Packet)

SOUTHEAST QUADRANT

1. NEED TO ACCOMMODATE LONG-RANGE URBAN POPULATION GROWTH. 10891 Lands justified by locational factors provide adequate residential, commercial, industrial and public land to accommodate the anticipated 19,365 additional population projected for the year 2000. current Urban Area population is 35,475. The

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NEED FOR HOUSING, EMPLOYMENT OPPORTUNITIES, AND LIVABILITY. The southeast quadrant provides level land in multiple ownership surrounded by development and close to existing public facilities and services. This combination of characteristics is essential to providing affordable housing within the Basin.

Large vacant areas within the city limits; specifically the Hogsback and the Pine Valley areas identified as areas II and V in the DLCD Staff Report, have steep slopes, will require large expenditures for the extension of facilities and services, and are owned by only a few property owners. Even if plans for these areas include multifamily and mobile home uses, the costs of construction in these areas will be higher than construction on the level areas of the southeast quadrant.

According to the statistics derived from Oregon Department of Human Resources, county growth in income lagged behind state growth in income and, in per capita terms, Klamath County residents were poorer relative to the rest of the state in 1977 than in 1970. The 1976 distribution of income in Klamath County indicates that approximately 39% of the population had incomes of 0 - \$6,999; 29% between \$7,000 and \$14,999; 23% from \$15,000 to \$24,999; 7% between \$25,000 and \$49,999; 1% over \$50,000. As Goal 10 states, plans shall encourage housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon households.

According to the County Comprehensive Plan during the next 20 years, the number of single-family housing starts is projected

to decline and the number of mobile homes is projected to increase. Skyrocketing costs have already placed single family homes beyond the financial reach of 64% of the households in Klamath County. County zoning in the southeast quadrant provides residential zoning allowing mobile homes outright and mobile home parks and mobile home subdivisions by conditional use permit.

The Land Needs Analysis contained in this document indicates that there exists an adequate supply of vacant building land within the Klamath Falls Urban Growth Boundary to accommodate the necessary variety and price range of housing types at densities appropriate for the county lifestyle with adequate provision for vacant, buildable Commercial and industrial lands.

3. ORDERLY AND ECONOMIC PROVISION FOR PUBLIC FACILITIES AND SERVICES. In order to prevent unwarranted public expense of Supplying public facilities to new development in areas where the Public facilities are not appropriate, the county has adopted a Policy which states that "development proposals shall not be approved unless the types and levels of public facilities and services required are available or planned in the area." These required levels of facilities in the urban area include provisions for municipal water and sewage facilities, drainage, fire protection, adequate road standards and electricity, plus coordination with other public facility service plans.

An Urban Growth Boundary is established to insure that these facilities and services are extended in the most cost-effective and efficient manner. An Urban Growth Boundary directing potential growth also makes planning for public facilities and services feasible so that construction of facilities and services precedes their need, thereby avoiding public health hazard problems. for an orderly and an economic extension of public facilities and services also helps to insure a reasonable level of taxation and to Planning improve the livability of the area.

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For these reasons, the consideration of the projected service 10893 area locations of sewer and water facilities was a major factor in determining the location of the U.G.B. The County and City used data available in the City of Klamath Falls Trunk Sewer Master Plan (May, 1981), the City Water Distribution Analysis (September, 1978), and the Klamath Basin Wastewater Facilities Plan (June, 1977) in order to project future service areas. The Trunk Sewer Master Plan and the Straam Water Distribution System Report are recognized as the official sewer and water plans for the urban area.

SEWER FACILITIES

When projecting the future service area of the South Suburban Sanitary District, the County and City considered these factors: 1) system capability; 2) proposed facility improvements; 3) the past rate of service area growth; 4) the most cost-efficient location of future service areas; and 5) the integration of sewer service with other essential facilities and services.

Since its formation in 1957, the South Suburban Sanitary District has nearly doubled in size and currently serves approximately 18,000 persons. Average flow to the treatment plant has increased from approximately 1 million gallons per day to approximately 2 million gallons per day at present.

In the five-year period from 1977 to 1982, the South Suburban Sanitary District has added approximately 630 acres to their service area boundary. Projecting this figure to the year 2000, approximately 2,268 acres could be added to the boundary if the growth rate remains relatively stable. The projected service area boundary included within the U.G.B. consists of approximately 2000

The District currently has line capacity to service approximately 6,800 additional service units. Of this total, 1000-1500 of these service units are in this area. According to the South

Water service to this quadrant is another major concern when urbanization is considered. City water to this area is served by the Conger Well Field located on Conger Avenue and the Henley well. As Oregon Water Company expanded in the South Suburban area, water lines from the Conger wells were not installed with adequate size to service the southeast area. The Henley well is currently committed to develop-Ment in the Northeast corner of Section 13, Township 39, Range 9, and is now nearing its service capacity. Larger size lines and

WATER FACILITIES

At present, the Kingsley Sewer Treatment Plant has a 500,000 gal/day capacity. The daily average is 310,000 gals/day. Agreements with the Air Force and Air National Guard require that 74 percent of 370,000 gals/day be reserved for their use. This leaves 130,000 gals/day for City use. The average daily City use is 80,600 gals/day which leaves 49,400 gals/day for the remainder of the Urban Boundary in the Southeast area.

The Klamath Basin Wastewater Facilities Plan identifies several alternatives which range from construction of a new sewage treatment facility to upgrading of the lagoon system with cooperative approaches involving the intertying of the South Suburban Sanitary District and city sewer system at Spring Street.

Suburban Sanitary District, areas lying in Sections 6 and the northwesterly portion of Section 7 in Township 39, Range 10, could be served Within the 20-year planning period. Recent district annexation includes the Skyline View area in Section 6. Areas in the southwest quarter of Section 7 could also be considered logical future service areas. Current line capacities at the end of Altamont Drive and near Washburn Way could potentially provide for approximately 3500 new service units to serve lands zoned for heavy industrial uses and some residential lands. There is a potential for additional development in Sections 15 and 23, Township 39, Range 9. Due to the airport hazard overlying zone and county ballparks in this area, the potential number of residential units is relatively low, leaving greater potential for serving the

additional sources of water would be needed to assist the Conger and 10895 Henley wells in supplying an additional water to this area.

In December 1979, the City Council adopted a water policy. This policy states that service outside the City is to be granted to the extent of surplus water. There is no surplus water in the

City water service to the area lying on both sides of Highway 140 west of the junction of Highway 140 and Highway 39 is under consideration. A 12-inch waterline is proposed to extend along Hilyard Street approximately 14 miles. The Pine Grove well is a Phase II project as identified in the Stream Water Distribution System Analysis which will offer additional water supply to the east.

Drainage problems within the urban area will increase with continued development which decreases the soil area which absorbs runoff. Runoff from the north and east primarily drains into existing drainage and canal systems; from the west drainage is into the Link River and Lake Ewauna. In order to resolve drainage problems within the urban area, all proposed major development must submit drainage plans approved by the Public Works Department. The County Land Development Code also requires drainage and grading plans, when necessary. Drainage districts have been formed in some areas to resolve drainage problems on a broader scale. The Klamath County Drainage Service District has recently been formed to serve this southeastern area.

OTHER FACILITIES

Other urban facilities and services are available in this area. The area is served by Klamath County Fire District No. 1. The roadway system in this area would be adequate to support buildout of lands included within this quadrant according to the Department of Public Works. Access is provided by State Highways 39 and 140. arterials are Summers Lane, Altamont, Homedale, and the Southside The major

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The Southside Bypass extends through Section 13 and is proposed to extend eastward along the south line of Section 18 and to connect ... with Highway 140 and west to connect with Highways 66 and 97. This " transportation corridor along with existing rail and air facilities will make the southeast quadrant attractive to proposed industrial use. The County has adopted a policy to identify appropriate industrial and commercial sites, to support efforts to establish technical industry in the area, and to maintain a sufficient amount of industrial land in large parcels to encourage economic diversity and development in the community. At the first plan update, the County will consider some areas in the southeast quadrant for industrial zoning.

Electrical facilities serve this area and are located to provide for the most cost-efficient extension of additional service.

As indicated by the Klamath County Atlas, Klamath County schools located in this area have some additional student (or enrollment) capacity. This additional capacity is considered to be adequate to accommodate anticipated population increases in the area. In the urban area, school boundaries can be shifted to accommodate population increase in relation to school capacity. When the need for school expansion occurs, bonds or serial levies are submitted to voters.

4. MAXIMUM EFFICIENCY OF LAND USES. As previously stated, this area provides for the most efficient and cost-effective extension of facilities and services. The relatively level topography reduces construction costs incurred on steeper slopes insuring an adequate supply of housing at reasonable costs. Most of the area planned for medium density residential uses lies in this quadrant.

Industrial lands are situated close to both railroad and major highways and currently exist in large blocks. Different commercial zones provide for neighborhood needs and the commercial needs of higher density areas. Commercial zones are located in outlying areas, in neighborhoods, near the airport, and along major arterials and collectors.

5.

ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES. The economic and energy consequences of the proposed Urban Growth 10897 Boundary are an attempt to insure the most cost-efficient extension . of public facilities and services and a resulting conservation of energy resources. Future development is encouraged in close proximity to the currently developed urban area, thereby encouraging energy conservation by centralizing the majority of location of goods, services, and employment opportunities. Industrial areas lying to the Southwest of the Southeast Quadrant also have some geothermal poten-

Lands of resource value which are not located in urbanizable areas where facilities could be logically and economically extended and which are not impacted by urban development have been excluded and could add to the economic base of the county through agricultural production.

The Urban Growth Boundary encourages the mitigation of environmental impacts to urban and urbanizable lands by adequate provision for public facilities which serve to protect air, water, and land resources quality. Environmentally sensitive areas within the Urban Growth Boundary have been identified in the Goal 5 process and have been protected through Goal 5 policies and provisions.

The social consequences of the Urban Growth Boundary involve an assurance that the rural lifestyle of the county can be maintained while surrounding resource lands are preserved. The County's and City's land needs analysis indicates the existance of a more than adequate supply of buildable lands in the area.

6.

RETENTION OF AGRICULTURAL LAND. Lands within the proposed boundary which remain in agricultural uses lie in Section 23, Township 39, Range 9. Urban development to the north, south, and west surround Section 13 making future agricultural use less feasible. These lands will continue to be used for agriculture and will be planned and zoned for agricultural uses until industrial needs are established. Although these areas are primarily Class III and IV

soils, their location, ability to be served by public facilities and services (i.e. roads, etc.), and surrounding levels of development eventually may preclude their use for intensive agricultural activity.

7. COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRI-CULTURAL ACTIVITIES. The Urban Growth Boundary decided upon in this area, the southeast area, follows Highway 39 south until it crosses the "A" Canal. It then follows the canal to the City limits of Klamath Falls. From there, it follows the City limits line to the Southside Bypass. It then follows the Bypass and the City limits (approximately half a mile due west) until it comes at right angles with the airport boundary and it then drops due south until it joins the airport boundary. As described above, existing man-made elements buffer and separate the agricultural land adjacent to the south of the Urban Growth Boundary. soils, their location, ability to be served by public facilities and services (i.e. roads, etc.), and surrounding levels of development eventually may preclude their use for intensive agricultural activity.

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7. COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRI-CULTURAL ACTIVITIES. The Urban Growth Boundary decided upon in this area, the southeast area, follows Highway 39 south until it crosses the "A" Canal. It then follows the canal to the City limits of Klamath Falls. From there, it follows the City limits line to the Southside Bypass. It then follows the Bypass and the City limits (approximately half a mile due west) until it comes at right angles with the airport boundary and it then drops due south until it joins the airport boundary. As described above, existing man-made elements buffer and separate the agricultural land adjacent to the south of the Urban Growth Boundary.

