

BEFORE THE KLAMATH COUNTY PLANNING COMMISSION AND
BOARD OF COMMISSIONERS OF KLAMATH COUNTY, OREGON

IN THE MATTER OF REQUEST FOR)
COMPREHENSIVE LAND USE PLAN AND)
ZONE CHANGE 9-89 FOR JOHN LUCAS)
_____)

ORDER #90-041

I. NATURE OF APPLICATION

A hearing was held on this application September 26, 1989, being a joint hearing before the Planning Commission and Board of Commissioners. The request was for a change of land use plan from General Commercial to Transportation Commercial and zone change from General Commercial (CG) to Highway Commercial (CH). This application was reviewed pursuant to Articles 47 and 48 of the Land Development Code, Ordinance 45.

II. NAMES OF THOSE INVOLVED

Reg LeQuieu, applicant's representative, and John Lucas, applicant, were present. No written or oral testimony was received in opposition. The Planning Department was represented by Carl Shuck, Planning Director. Karen Burg was the recording secretary. A quorum of the Planning Commission and the Board of Commissioners was present.

III. FINDINGS OF FACT

1. Site is located in a portion of Section 8, Township 39S, Range 9, being Tax Lot 700, with acreage of site being approximately 2.59 acres.

2. The contents of the file including Exhibits A-E and K were incorporated into the record as evidence.

3. The Planning Commission recommended approval of applicant's Exhibit K, Findings Document, to the Board of Commissioners with the Board of Commissioners approving exhibit.

4. Exhibit K addresses Sections 47.003 and 48.003 of the Klamath

County Land Development Code and applicable criteria for approval. Document addresses Goal 1 - Citizen Involvement, Goal 2 - Land Use Planning, Goal 9 - County Economy, Goal 10 - Housing, Goal 11 - Public Facilities, Goal 12 - Transportation, Goal 13 - Energy Conservation, and Goal 14 - Urbanization.

5. Notice was forwarded to the Department of Land Conservation and Development. No response was received from this agency.

6. The Board of Commissioners accepted and approved criteria of Section 47.003 and 48.003 as set out by applicant in the Findings Document.

IV. RELEVANT CRITERIA

A. The proposed change is in conformance with all relevant policies of the Klamath County Comprehensive Plan.

B. The proposed change is supported by specific studies or other factual information for that change.

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

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

E. The property affected by the proposed change is properly related to streets to adequately serve the type of traffic generated by such uses that may be permitted therein.

F. The proposed change will have no adverse effect on the appropriate use and development of abutting properties.

V. CONCLUSIONS

This application has satisfied the review criteria in that notice was given, all relevant Plan policies and review criteria have been complied with.

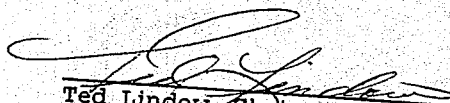
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VI. ORDER

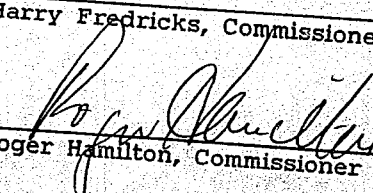
Therefore, the Board of Commissioners grants the recommendation of the Planning Commission and request for a Change of Land Use Plan from General Commercial to Transportation Commercial and Zone Change from General Commercial (CG) to Highway Commercial (CH), and Findings Document filed as Exhibit K in the application of CLUP/ZC 9-89.

DATED THIS 16th DAY OF October, 1989.

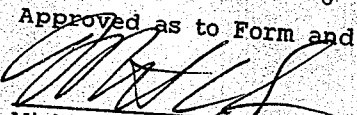
BOARD OF COUNTY COMMISSIONERS


Ted Lindow, Chairman of the Board

Harry Fredricks, Commissioner


Roger Hamilton, Commissioner

Approved as to Form and Content:


Michael L. Spencer, County Legal Counsel

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County
of Oct. A.D., 19 89 at 9:40 o'clock AM., and duly recorded in Vol. M89
of Deeds on Page 19893,
FEE none
Return: Commissioners Journal
By Evelyn Biehn County Clerk
By Pauline Muthersole