

BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGONIN THE MATTER OF CLUP)
AND ZONE CORRECTION FOR)
KLAMATH WOODLANDS, INC.)ORDER NO. 90-0511. NATURE OF THE REQUEST:

Application was made for a Land Use and Zone Correction from Agriculture to Industrial and from EFU-CG (Exclusive Farm Use-Cropland Grazing) to IH (Heavy Industrial) on approximately forty-six (46) acres. This request, located north and west of the community of Modoc Point, was heard before the Planning Commission and Board of Commissioners for approval, addressing DLCD's concerns as well as findings addressing OAR 660-04-025.

2. NAMES OF THOSE WHO PARTICIPATED:

Applicants offered testimony in support of the application. The Planning Department was represented by Carl Shuck, Planning Director. The recording secretary was Karen Burg. Legal assistance was given by Michael L. Spencer, County Legal Counsel.

3. LEGAL DESCRIPTION:

The subject property is located in Portion of Section 15 of Township 36, Range 7, being Tax Lots 100, 300, and 900. Tax Lots 100 and 300 are in Section 15CA of Township 36, Range 7.

4. RELEVANT FACTS:

The site historically has been used as a logging operation and mill site for approximately 50 years. The site is approximately 46 acres in size and continues to be used for logging operations and wood processing.

5. FINDINGS:

A. Site for the existing mill site at Modoc Point was originally established prior to the Depression for logging operations. The mill was established at the site as a means of utilizing inferior logs. The mill processed short logs that were not cut to log industry standards.

B. The mill produced railroad ties and poles which were sold in the area and delivered elsewhere. The mill site consisted of the mill, a pole peeler, storage sheds, maintenance shop building, office, log decks, and railroad siding (see attached aerial photo).

C. Existing public facilities and services to the site and area are electricity and telephone. Individual well provides water for the site with septic tank and lines providing septic. Southern Pacific Railroad runs north-south along the eastern most edge of the existing mill site property. East of the railroad is U. S. Highway 97 which runs parallel with

the railroad. The Modoc Point Highway, State Highway 427, which crosses the site for access, runs southeast to northwest. Also accessing onto the site is a spur from the Southern Pacific Railroad.

D. The industrial type use was inventoried in 1978 in Klamath County's survey; however, proper zoning for industrial use did not reflect its proper use. In order for existing uses to maintain processing of wood products and similar related uses, the Limited Use Overlay zone is to be applied per Section 52.007 of the Land Development Code.

E. Per the Limited Use Overlay Zone, the overlay zone is being applied through a request for a plan and rezoning process of the underlying plan and zone designation. Public Notice regarding application for change was sent out to surrounding property owners and agencies of concern. This Order does specify the permitted use as being an Industrial site for processing of wood products and similar related uses.

F. All evidence submitted, Exhibits A-E, and offered testimony show that there definitely have been existing uses on the approximate 46 acres and does not take in additional resource land.

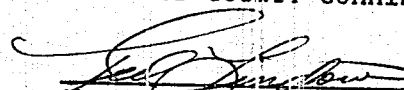
G. The lands in area and adjacent to the mill site vary in use. North and to the west are lands that are zoned EFU-CG. Upper Klamath Lake is to the south. Southeast of mill site is a small residential area with partial development which is known as Modoc Point. Zoning is R-1 for Modoc Point; however, due to lot size there is only partial development. Lot size is approximately 7200 square feet. Lot to the north of site is approximately 47.8 acres and is owned by Gienger Investments. The lot to the west is approximately 29.8 acres and is zoned EFU-CG and is owned by Gienger Investments.

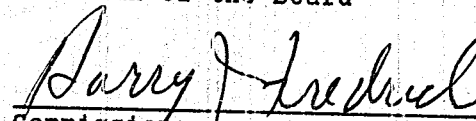
ORDER:

Therefore, it is hereby ordered that the request of Klamath Woodlands, Inc., for a map correction be approved.

DATED THIS 9th DAY OF November, 1989.

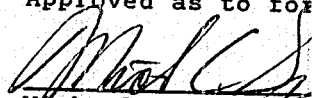
BOARD OF COUNTY COMMISSIONERS


Chairman of the Board


Commissioner

Commissioner

Approved as to form and content:


Michael L. Spencer, County Legal Counsel

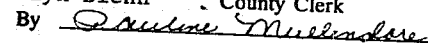
MAP CORRECTION - KLAMATH WOODLANDS, INC.
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 15th day
of Nov. A.D., 19 89 at 9:53 o'clock A M., and duly recorded in Vol. M89
of Deeds on Page 22072.

FEE none

Evelyn Biehn, County Clerk

By 

Ret: Commissioners Journal