

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Site Plan Review:

Wildwood Harvest LLC.

1. NATURE OF THE REQUEST

The applicant, WILDWOOD HARVEST LLC, has applied for a permit to build a 5000 square foot warehouse/processing facility on 15 acres zoned IH. This request was heard by the hearings officer August 7, 1998. The request was reviewed for conformance with Klamath County Land Development Code Article 53.4.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this application is Joan Marie Michelsen. The applicant appeared and offered testimony as did a number of witnesses. The planning department was represented by Kim Lundahl. The recording secretary was Karen Burg.

3. LOCATION OF PROPERTY

The property in question is west of the KNRR right of way South of the Crescent Lake Cutoff west of Crescent.

4. MATERIALS CONSIDERED

The materials considered consist of:

The staff report

The testimony from the applicant

The file and all exhibits

The testimony from the witnesses who testified August 7, 1998.

5. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- a. The development of this type of structure is included in the permitted uses for this zoning subject to the review process.
- b. Approval of the requested structure will not create conditions or circumstances that are contrary to the purposes or intent of county planning laws.
- c. The zoning of Heavy Industrial is intended to allow for large high impact developments on large parcels of land.
- d. In this case there is a mobile home park near the subject property.
- e. The development will cause additional dust and noise and other impacts on the park, however, it is not as significant an impact as some of the permitted uses would be.
- f. Fire protection will be provided
- g. There is no dwelling presently sited on this parcel.
- h. Road access is sufficient.
- i. There will be some impact as a result of this development, however it will be mitigated as much as feasible.
- j. Forestry uses/operations have occurred on the property in the recent past and there is an approved plan in place.

B. ORDER

Therefore, it is hereby ordered that the applicants request to develop a warehouse/processing facility for secondary forest products is approved subject to the following conditions:

- a. That approval is obtained for on-site sewage disposal and that the applicant provides proof of clearance from the Environmental Health Services Division and Building department within two (2) years following the date of this order, or obtain an extension of time, or this approval will be void.
- b. That the applicant provide the Klamath County Planning Department with a letter stating that an arrangement has been agreed upon with the Crescent fire department.
- c. That the applicant complies fully with fire safety and other siting standards of the Land Use Code as set out in Article 69 of the LDC.
- d. That the applicant resolve its difficulties with the Crescent Water Association and get hooked up to the system.
- e. That NO development other than compliance with the forestry plan occur on the site until water is available to the site via the Crescent Water Association.
- f. That NO development other than compliance with the forestry plan occur on the site until fire protection is available to the site and an agreement is reached with the fire department and proof of such is submitted to the county.
- g. A site plan, prepared pursuant to article 41, shall be reviewed and approved by the Planning Director prior to construction.
- h. The applicant shall plant 1.5 the amount of trees required as buffer or screening trees by the current forestry plan along the KIMRR right of way. This number of trees shall be no less than 170 trees. Said trees and stocking levels shall be maintained.
- i. The area between the building and the road shall be graveled as shown on Exhibit K.
- j. The applicant shall place and maintain signs on the building, and at each end of the property which say in substance "please drive slowly" the exact wording is up to the applicant."
- k. The applicant shall make all best efforts to restrict the traffic from and to the facility so that it occurs from 7:00 a.m. 10:00 p.m. Whenever possible the applicant shall restrict deliveries or shipments to these hours.

Dated this 10th day of August, 1998

[Signature]
 Jean-Marie Michelsen
 Hearings Officer

NOTICE OF APPEAL RIGHTS

You are hereby notified this application may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a Notice of Appeal as set out in Section 33.004 of the Klamath County Land Development Code together with the fee required within SEVEN DAYS (7) following the mailing date of this order.

ORDER - 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 11th day
 of August A.D., 19 98 at 1:57 o'clock P.M., and duly recorded in Vol. 1898
 of Deeds on Page 29525

FEE

No Fee

Return: Commissioners Journal

By Kathleen P. [Signature] Bernetha C. Letsch, County Clerk