

1999 SEP 15 AM 11: 58

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF KLAMATH COUNTY, OREGON**

**IN THE MATTER OF CLUP 8-99
FOR OREGON PARKS AND RECREATION DEPT. ORDER
FOR COLLIER PARK**

1. NATURE OF THE APPLICATION:

The applicant has requested a Comprehensive Land Use Plan (CLUP) change to amend the Klamath County Comprehensive Plan. A Master Plan for Collier Park was adopted by the State in 1990. This Plan outlines several future changes and modifications for Collier Park. Oregon Administrative Rules (OARs) 736 Division 70, requires State Parks to coordinate their adopted master plans with local and regional government. Oregon Parks and Recreation Department has requested that Klamath County amend their comprehensive plan to acknowledge the Collier Park Master Plan.

2. NAMES OF THOSE INVOLVED:

A Hearing on this application was conducted on AUGUST 24, 1999. The applicant's representative Karen Swirsky from David Evans and Associates appeared and entered testimony on behalf of the application. Kevin Russell represented the Planning Department. Members of the Board of County Commissioners who participated in this Hearing were: M. Steven West, Al Switzer, and William R. Garrard. The County Planning Commission, with a quorum present, participated in an advisory manner. A Notarized list of those who participated is on file at the Planning Department.

3. LOCATION:

Located 3 miles north of the City of Chiloquin, on Highway 97.

Twp. 34S., R7E., SW1/2 of SW ¼ of Sec. 3; NW ¼ of Sec. 9; N1/2 of Section 10,
W1/2 of NW ¼ of SW ¼ of Sec. 11

4. FINDINGS OF FACT:

The Collier State Park Master Plan was adopted by the State in 1990. This plan recognizes a variety of improvements and changes for Collier Park, which will enhance recreational opportunities and preserve the existing historic artifacts and structures. Oregon Administrative Rules 736, Division 70 directs State Parks to

coordinate with local governments to acknowledge park master plans in local government's plans and ordinances.

5. HISTORIC USE:

The land for Collier State Park was donated to the State in 1945. Its location is well established on Highway 97, a major travel route. The Park has a yearly attendance of around 280,000, of which roughly 10% are overnight visitors. The park is utilized to house a variety of artifacts that reflect the local history of logging in and around Klamath County. In addition, a rest area and trails run through the park. The proposed improvements to the Park, as discussed in the 1990 Master Plan, would not alter the basic existing use of the Park as a museum site, picnic and fishing area, highway rest area, and overnight campground.

6. EXCEPTION DOCUMENTATION:

No Exception Statement was required from the Statewide Planning Goals.

7. COMPREHENSIVE PLAN CHANGE REVIEW CRITERIA – ARTICLE 49:

Under the Klamath County Land Development Code (Article 49.030) a comprehensive plan change is subject to review criteria that demonstrates that the request is in compliance with Statewide Planning Goals and the policies of the Klamath County Comprehensive Plan. The review criteria is as follows:

1. THE PROPOSED AMENDMENT IS SUPPORTED BY SPECIFIC STUDIES OR OTHER FACTUAL INFORMATION WHICH DOCUMENTS THE PUBLIC NEED FOR THE CHANGE.

Oregon Administrative Rule 776, Division 70, requires that State Parks coordinate their park master plans with local government's comprehensive plans. The Collier State Park Master Plan was approved by the State to meet all applicable goals and criteria related to park planning and development.

THE PROPOSED AMENDMENT COMPLIES WITH THE POLICIES OF THE COMPREHENSIVE PLAN.

GOAL 4 (Policy 4) - The County shall regulate development of non-forest uses in forest areas.

GOAL 5 (Policy 7) – The County shall encourage preservation and restoration of historic sites and structures whenever possible.

GOAL 5 (Policy 4) – Encourage protection and management of its significant resources in mutual cooperation with the appropriate Federal and State agencies.

GOAL 5 (Policy 19) - The County shall encourage the identification and preservation of unique open space for the enjoyment of present and future generations.

GOAL 8 (Policy 10) - Maintenance and improvement of those public park and campground facilities located in Forestry and EFU designated lands shall be allowed.

***THE PROPOSED AMENDMENT COMPLIES WITH THE OREGON
STATEWIDE PLANNING GOALS.***

GOAL 1 – PUBLIC INVOLVEMENT

GOAL 4 - FOREST LANDS

B (2) – "...Forest lands should be available for recreation and other uses that do not hinder growth."

**GOAL 5 - OPEN SPACE, SCENIC, AND HISTORIC AREAS, AND
NATURAL RESOURCES.**

B (8) – State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.

9. OTHER CONSIDERATIONS:

1. The subject property does not lie within a designated Goal 5 resource as defined by the Klamath County Comprehensive Plan.
2. The Collier State Park Master Plan has already been adopted by the State.

10. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission has recommended APPROVAL of this application. The Board has fully considered the recommendation, Exhibits A-E and testimony entered.

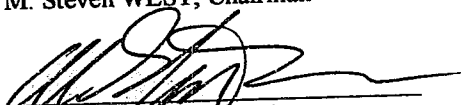
11. CONCLUSION AND ORDER:

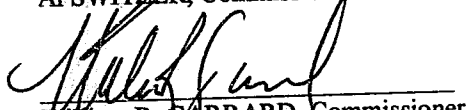
The Board of Commissioners finds the Collier State Park Master Plan identifies several well suited improvements and enhancements to the park. The development of the property will meet a demonstrated need for the specified uses. Proper notice of the application and the hearing was given. The intent of the Oregon Statewide Planning Goals has been met.

THEREFORE, pursuant to a motion made by William R. Garrard and seconded by Al Switzer, it is hereby ordered to amend the Comprehensive Land Use Plan to include the changes noted as Exhibit E of CLUP 8-99 this request IS APPROVED.


DATED this 8th ^{September} ~~August~~ day of ~~August~~, 1999.


M. Steven WEST, Chairman


Al SWITZER, Commissioner


William R. GARRARD, Commissioner

Approved as to form:


Reginald R. Davis
County Counsel

30 Aug 99

NOTICE OF APPEAL RIGHTS

You are hereby notified this decision may be appealed to the Land Use Board of Appeals within 21 days following the date of the mailing of this ORDER. Contact the Land Use Board of Appeals for information as how to file this appeal. Failure to do so in a timely manner may affect your rights.

PROPOSED CHANGES TO THE KLAMATH COUNTY
COMPREHENSIVE PLAN

36799

COMPREHENSIVE PLAN

Goal 4: Forestry

Revise Policy 2 as follows:

- A. Forestry: Lands included within this zone are primarily those commercial forest land owned by the Federal Government and timber companies, generally in very large holdings. Also, in this zone are smaller ownerships which meet the criteria described in Policy 1(4) above.

Included within this definition is the 655.62-acre parcel of land known as Collier State Park as governed by the 1991 Collier State Park Master Plan.

Add the following to the Rationale of Policy 2:

- To recognize the improvements described in the 1991 Collier State Park Master Plan as permitted nonforest uses within Collier State Park within the Forest zone.

Revise Policy 4 as follows:

Implementation:

- Development shall be limited to forestry or agriculture related activities except for such nonforest development as provided for in the Land Development Code, and except the for the uses described for Collier State Park in the 1991 Collier State Park Master Plan.

State of Oregon, County of Klamath
Recorded 9/15/99, at 11:58 a m.
In Vol. M99 Page 36795
Linda Smith.
County Clerk Fee\$ NF

Return to Commissioner's Journal

Exhibit E
File # CLUP 8/99