

ORDINANCE NO. 00-23

**A SPECIAL ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF KLAMATH FALLS, LOCATED AT 2675 WASHBURN WAY
AND ESTABLISHING THE CITY ZONING DESIGNATION OF GENERAL
COMMERCIAL**

WHEREAS, there has been submitted to the City of Klamath Falls a written proposal for annexation of certain real property by the Klamath Falls City Council thereof, which property is hereinafter described; and

WHEREAS, a hearing was held on October 9, 2000, pursuant to applicable laws at which time all objections or remonstrances with reference to said proposed annexation was considered by the Planning Commission;

WHEREAS, the City Council hearing notice having been duly given, did hold a public hearing on November 6, 2000 on the annexation request; and

WHEREAS, the Council has adopted the findings of the Planning Commission, attached hereto and incorporated by this reference as Exhibit "B", determining the annexation to be in compliance with the Comprehensive Plan and Community Development Ordinance; and

WHEREAS, the Council did determine annexation of said property to be in the best interest of the City and the continuous territory; and

WHEREAS, The City of Klamath Falls adopted a Comprehensive Plan for the City on April 20, 1982, by virtue of Ordinance No. 6336; and

WHEREAS, pursuant to such record and hearing, the City Council has determined the annexation to be in compliance with the Community Development Ordinance and the Comprehensive Plan;

NOW THEREFORE,

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

There is hereby annexed to the City of Klamath Falls, a 5.56 acre parcel as shown on the map attached hereto as Exhibit "A" and further described as follows:

A tract of land situated in a portion of the Northwest $\frac{1}{4}$, Southwest $\frac{1}{4}$ Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Lot 2 of Block 5 of Tract 1080 - Washburn Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Passed by the Council of the City of Klamath Falls, Oregon, the 20 day of November, 2000.

Presented to the Mayor (Mayor Pro-tem), approved and signed this 21 day of November, 2000.



Mayor (Mayor Pro-tem)

ATTEST:

Eliana Olson
City Recorder (~~Deputy Recorder~~)

STATE OF OREGON }
COUNTY OF KLAMATH }
CITY OF KLAMATH FALLS } SS

I, *Shirley Kappas*, ~~Recorder~~ (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the 20 day of November, 2000 and thereafter approved and signed by the Mayor (~~Mayor Pro tem~~) and attested by the City Recorder (~~Deputy Recorder~~).

Shirley Kappas
~~City Recorder~~ (Deputy Recorder)

EXHIBIT "A"

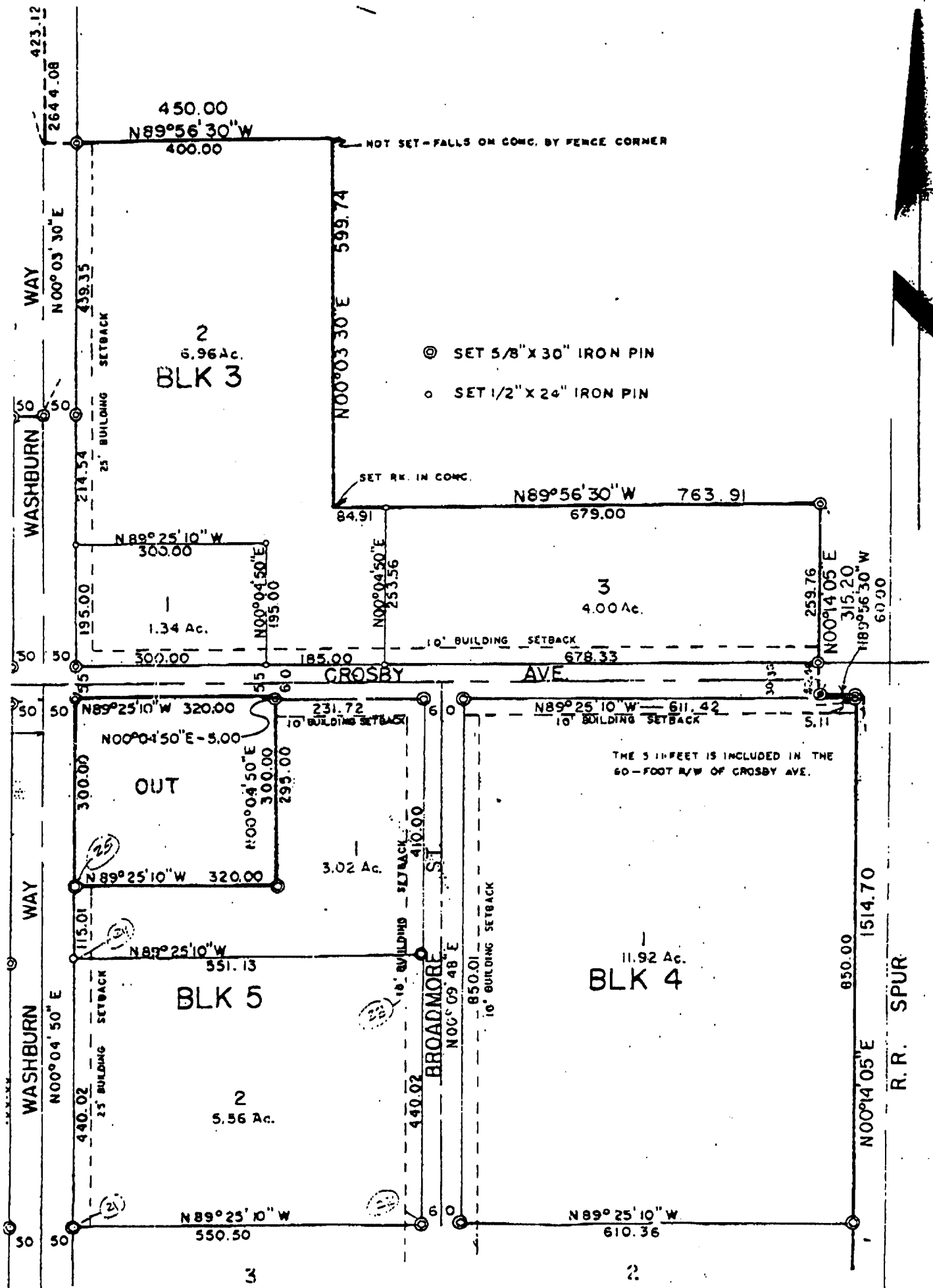


EXHIBIT "B"

FACTS AND FINDINGS

1. There are no viable agricultural lands on the property.
2. There are no forestlands on the property.
3. The annexation will permit the applicant to connect to the City's sewer system, eliminating the use of bare land for a septic system drain field. No open space or natural resource lands are being proposed as part of the application.
4. Almost 97% of the site will be covered with surfaces impermeable to water. Runoff from the site will collect residues and pollutants from the asphalt and other paved surfaces.
5. The property in question is not located in a natural disaster or hazard zone.
6. No recreational facilities are proposed for the site.
7. The annexation will increase the City's tax base annually in real and personal property tax revenue. The facility also represents significant investment into the community through construction and ongoing sales of automobiles.
8. The use of the annexed land will be commercial. The annexation and development of land within the UGB further supports the need for managed growth, instead of developing land outside the UGB.
9. The land is adjacent to other land and City services within the City limits. It is logical to expand these services.
10. The applicant is proposing one entrance/exit along Washburn Way, and two entrances/exits along Broadmore Street. The road system for the area is already in place.
11. The annexation itself does not impact energy conservation.
12. The land is essentially surrounded by City and County land developed for commercial uses.

FINDINGS: Based on the Staff Report and testimony, the criterion has been met; the annexation conforms to the Comprehensive Plan.

State of Oregon, County of Klamath
Recorded 12/01/00, at 11:04a.m.
In Vol. M00 Page 43211
Linda Smith,
County Clerk Fee\$ 36⁰⁰