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Ordinance No. 04- 10**A SPECIAL ORDINANCE ANNEXING 11.78 ACRES OF LAND LOCATED AT
THE NORTHEAST CORNER OF HOMEDALE ROAD AND THE
SOUTHSIDE BYPASS INTO THE CITY OF KLAMATH FALLS**

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 public hearing was held on September 13, 2004, pursuant to applicable laws, at which time all evidence and objection with reference to said proposed annexation were considered by the Planning Commission; and

WHEREAS, the City Council, hearing notices having been duly given, did hold a public hearing on October 18, 2004, on the recommendation of and including the record of the Planning Commission concerning the annexation; 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; and

WHEREAS, the City Council adopted the findings of the Planning Commission attached hereto and incorporated by this reference as Exhibit B;

NOW THEREFORE**THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:**

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

Parcel 1 of Land Partition 46-03

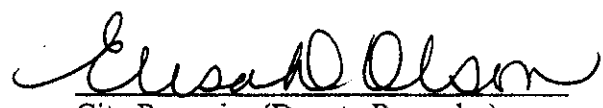
Passed by the Council of the City of Klamath Falls, Oregon, the 1st day of November, 2004

Presented to the Mayor, approved and signed this 3rd day of November, 2004



Mayor

ATTEST:



City Recorder (Deputy Recorder)

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

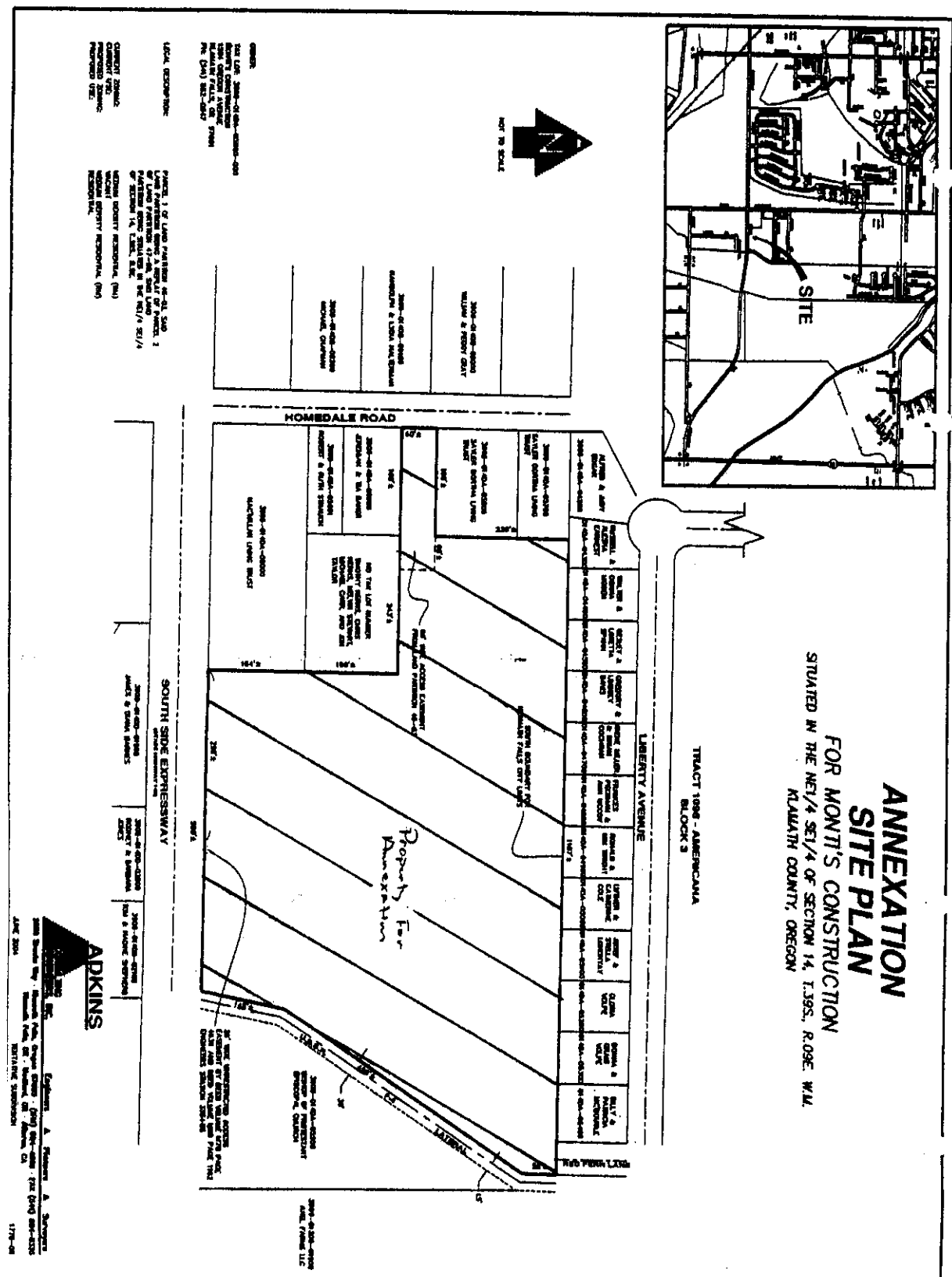
I, Shirley Kappas, Recorder (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon at the meeting on the 1st day of November, 2004 and therefore approved and signed by the Mayor and attested by the City Recorder (Deputy Recorder).



City Recorder (Deputy Recorder)

36 cc. City

Exhibit A
VICINITY MAP



**Exhibit B
FINDINGS**

Criterion #1

The annexation will not encroach upon agricultural ground

Finding

This annexation will not encroach on agricultural lands. This parcel is surrounded on two sides by small urban lots. On the south side, it abuts state highway 140, and on the east side, it abuts a Bureau of Reclamation drainage canal and a parcel owned by the Protestant Episcopal Church. The property owned by the Protestant Episcopal Church is zoned Medium Density Residential within Klamath County and it is within the Urban Growth Boundary.

Criterion #2

The annexation will not encroach upon forestland.

Finding

This annexation will not encroach upon forestland. This area has already been zoned for residential use. The closest property zoned for forestry use is over 5 miles away.

Criterion #3

The annexation will help conserve open space and protect natural resources.

Finding

This annexation will help conserve open space. This annexation will make it possible to develop property within the Urban Growth Boundary zoned for residential development. The development of this land will preserve lands dedicated to open space.

Criterion #4

The annexation will not adversely affect the quality of the community's air, water, and land resources.

Finding

This annexation will not adversely affect the community's air, water, and land resources. The redevelopment of this property will not affect the community's air, water or land resources due to the fact that much of the needed infrastructure is already in place or in close proximity to the property.

Criterion #5

The annexation will not endanger life or property from natural disasters or hazards.

Finding

This annexation will not endanger life or property from natural disaster or hazards. The proposed single family dwellings will not affect any natural disaster or hazard.

Criterion #6

The annexation will help satisfy the citizen's recreation needs.

Finding

Not applicable, this annexation will not enhance nor distract from citizen's recreation needs.

Criterion #7

The annexation will help satisfy the community's housing need.

Finding

The property will be divided into 47 lots for single-family dwellings. This annexation will help satisfy the community's housing needs.

Criterion #8

The annexation will diversify and improve the community economy.

Finding

This annexation will help improve the community's economy by providing new construction jobs.

Criterion #9

The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.

Finding

This annexation will create a timely, orderly and efficient arrangement of public facilities and services. The development of this property will utilize existing public facilities and services that are in the area

Criterion #10

The annexation will help provide a safe, convenient and economic transportation system.

Finding

This annexation will help provide a safe, convenient and economic transportation system. This proposed subdivision will connect to existing streets to promote connectivity within the urban area.

Criterion #11

The annexation will aid in conserving energy.

Finding

This annexation will aid in conserving energy. This development will help create "in-fill" within the urban area and will use existing public facilities and services.

Criterion #12

The annexation will promote an orderly and efficient transition from rural to urban land uses.

Finding

Not applicable, the site in question is already urban in nature.