

Ordinance No. 06- 05

**A SPECIAL ORDINANCE ANNEXING LOT ONE OF TRACT 1293
LOCATED ON THE SOUTHEAST CORNER OF LAVERNE AND
WASHBURN WAY, AND THE INTERSECTION OF LAVERNE AND
WASHBURN WAY INTO THE CITY OF KLAMATH FALLS**

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

WHEREAS, a public hearing was held on January 9, 2006, 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 February 6, 2006, 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, and the adjacent intersection as shown on the map attached hereto as Exhibit A, and described as:

Lot 1 of Tract 1293 in the NW 1/4 , SW 1/4, Section 10, Township 39S, Range 9E, of the Willamette Meridian , Klamath County, Oregon, and being currently shown on the Klamath County Assessors Map R-3909-10CB Tax Lot 1400;
Washburn Way between the northern and southern right-of-way lines of Laverne Avenue


The zoning designation for this property is General Commercial.

Passed by the Council of the City of Klamath Falls, Oregon, the 21st day of February, 2006

Presented to the Mayor, approved and signed this 22nd day of February, 2006

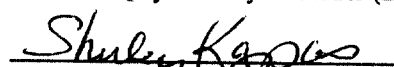
Mayor

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 21st day of February, 2006 and therefore approved and signed by the Mayor and attested by the City Recorder (~~Deputy-Recorder~~).


City Recorder (~~Deputy Recorder~~)

Ordinance No. 06-05 , Page 2 of 4

Exhibit B
FINDINGS

RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND

PROPOSED FINDINGS: *This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 13.105 to 13.104, regarding Annexation.*

1) *The annexation will not encroach upon agricultural ground.*

Response: This annexation will not encroach on agricultural lands. This property is zoned for general commercial uses. This property is already in a developed area and adjacent to county general commercial properties to the north, east, and south, and heavy industrial to the west.

2) *The annexation will not encroach upon forestland.*

Response: This annexation will not encroach upon forestland. This property is zoned for general commercial uses. This property is already in a developed area and adjacent to county general commercial properties to the north, east, and south, and heavy industrial to the west.

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

Response: This annexation will help conserve open space. This annexation will make it possible to develop existing general commercial within the Urban Growth Boundary, preserving open space and natural resources outside of the UGB.

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

Response: The property in question is in a developed area. The development of the property will not affect quality of the community air, water, and land resources. The development of the land will improve the property and the area.

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

Response: The topography of the lot is flat, so the development of this land poses no threat to the area. This annexation will not endanger life or property from natural disaster or hazard.

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

Response: This annexation will not enhance nor distract from citizen's recreation needs, therefore is not applicable.

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

Response: Not applicable. The property is already zoned for general commercial use; therefore the annexation of the property will not increase or detract from the community's housing needs.

8) *The annexation will diversify and improve the community economy.*

Response: This annexation will provide the community with general commercial property. Development of this lot will provide economic opportunities for individuals in the building industry, and once developed employment opportunities will exist at the South Valley Bank & Trust. Commercial and personal finance needs of citizens will be satisfied more conveniently.

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

Response: This annexation will create a timely, orderly and efficient arrangement of public facilities and services. There are services already available to adjacent properties.

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

Response: This annexation will help provide a safe, convenient and economic transportation system. The property proposed for annexation fronts Washburn Way, a major arterial in the Klamath Falls Urban area.

11) The annexation will aid in conserving energy.

Response: This annexation will aid in conserving energy. Once developed, it will help create "in-fill" within the urban area, and therefore use of existing public facilities and services.

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

Response: The property in question is in an area developed with urban land uses. This area contains commercial and industrial developments and a few dwellings on urban sized lots.

Finding This annexation conforms to the Comprehensive Plan based on the analysis. This criterion is met.