



Ordinance No. 06- 13

08/11/2006 03:55:18 PM

Fee: \$41.00

**A SPECIAL ORDINANCE ANNEXING LOT THREE, BLOCK 6 TRACT 1080, OF THE WASHBURN PARK SUBDIVISION LOCATED ON THE WEST SIDE OF WASHBURN WAY BETWEEN CROSBY AVENUE AND HILYARD AVENUE 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 April 24, 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 May 15, 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:

A tract of land situated in Lot 3, Block 6 tract 1080, Washburn Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows: Beginning at the Northeast corner of said Lot 3 as marked by a ½ inch iron pin; thence South 00°04'50" West along the Westerly right of way line of Washburn Way 7.7 feet to the Point of Beginning; thence continuing South 00°04'50" West 212.3 feet; thence North 89°55'10" West parallel to the North line of said Lot 3, 250.00 feet; thence North 00°04'50" East 212.3 feet, which point is 7.7 feet South of the North line of Lot 3; thence South 89°55'10" East parallel to the North line of said Lot 3, 250.00 feet to the point of beginning on the Westerly right of way line of said Washburn Way, with bearings based on said Tract 1080, Washburn Park.

The zoning designation for this property is General Commercial.

Passed by the Council of the City of Klamath Falls, Oregon, the 5th day of June, 2006

Presented to the Mayor, approved and signed this 6th day of June, 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 5th day of June, 2006 and therefore approved and signed by the Mayor and attested by the City Recorder (~~Deputy Recorder~~).

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

Unofficial  
Copy

Exhibit A  
VICINITY MAP  
NO SCALE

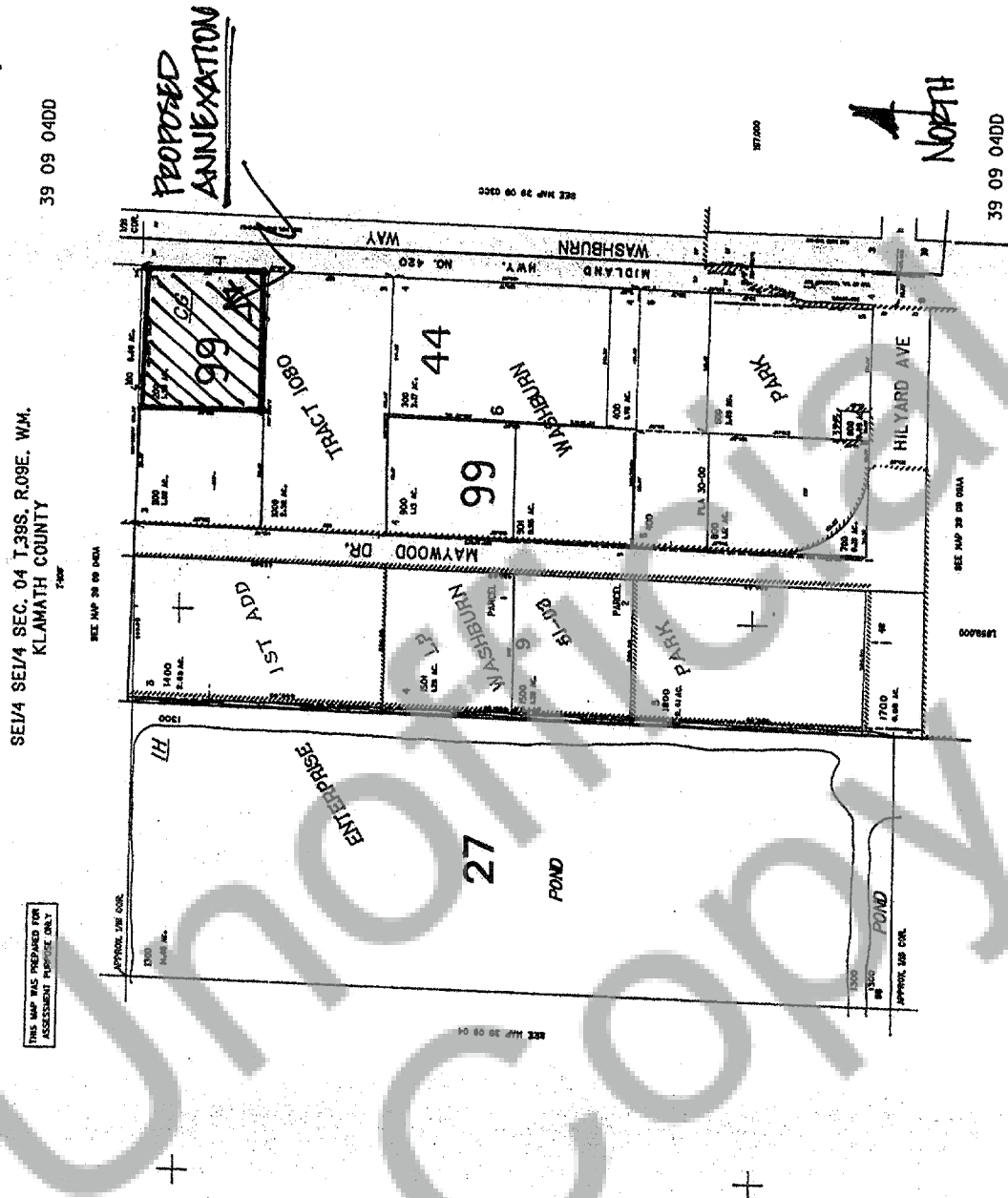


Figure 1 The annexed area is cross hatched.

**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.*  
Staff 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 and west. Adjacent property to the east and south are zoned General Commercial in the City.
- 2) *The annexation will not encroach upon forestland.*  
Staff 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 general commercial properties in all directions. No forestry operations take place in the area.
- 3) *The annexation will help conserve open space and protect natural resources.*  
Staff Response: This annexation will help conserve open space. This annexation will make it possible to develop existing general commercial within the Urban Growth Boundary.
- 4) *The annexation will not adversely affect the quality of the community's air, water, and land resources.*  
Staff 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.*  
Staff 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. Nor will the proposed retail or professional offices affect any natural disaster or hazard.
- 6) *The annexation will help satisfy the citizen's recreation needs.*  
Staff 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.*  
Staff 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 communities commercial needs.
- 8) *The annexation will diversify and improve the community economy.*  
Staff 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 new retail stores. The communities Commercial needs will be met.
- 9) *The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.*

Staff 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.*

Staff 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. The annexation reduces commercial sprawl as the area proposed would be connected by Washburn Way. Once developed, the property could be accessed by Washburn Way or via the frontage easement. Adjacent properties are developed and adequately served by Basin Transit Service.

11) *The annexation will aid in conserving energy.*

Staff 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*

Staff 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.

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