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09/06/2006 10:47:12 AM

Fee: \$41.00

Ordinance No. 06-26

A SPECIAL ORDINANCE ANNEXING LOT 8 OF LAKESHORE GARDEN

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 June 26, 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 August 7, 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 are hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached hereto as Exhibit A, and described as Lot 8 of Lakeshore Gardens

The zoning designation of the property will be Single Family Residential.

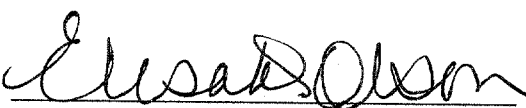
Passed by the Council of the City of Klamath Falls, Oregon, the 21st day of August, 2006.

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



Mayor

ATTEST:



City 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 August, 2006 and therefore approved and signed by the Mayor and attested by the City Recorder.

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

Figure 1 The annexed area is cross hatched.

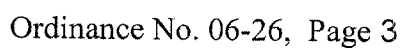


Exhibit B FINDINGS

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 13.105 to 13.140, regarding Annexations.

Criterion *The annexation conforms to the Comprehensive Plan.*

1) The annexation will not encroach upon agricultural ground.

Staff Response: This annexation will not encroach on agricultural lands. The closest property zoned for agricultural use is approximately 1.5 miles to the south. The adjacent property to the south is zoned Single Family within in the City, and is developed with single family residential homes.

2) The annexation will not encroach upon forestland.

Staff Response: This annexation will not encroach upon forestland. This property is within the Urban Growth Boundary.

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 residential lots within the Urban Growth Boundary. This "in fill" will preserve lands dedicated to open space.

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

Staff Response: The mere act of annexation will not adversely affect the quality of the community's air, water and land resource. The proposed project is within planned road networks.

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

Staff Response: This annexation will not endanger life or property from natural disasters or hazards; nor will the proposed single family residential development.

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

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

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

Staff Response: The annexation of this lot will allow the lot to be divided, providing the City with one additional residential lot.

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

Staff Response: Not applicable, this annexation will not enhance nor detract from community economy. This property is already developed with a single family home.

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

Staff Response: The lot is currently served with city water and sewer from Lakeshore Drive.

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. Lakeshore Drive already exists, which will serve this development.

11) The annexation will aid in conserving energy.

Staff Response: This annexation will aid in conserving energy. The proposed subdivision is located within an area already developed with infrastructure. The development of this property will use these existing services, and therefore conserve energy.

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

Staff Response: The property in question is not close to any rural land use therefore this is not criteria is not applicable.

Finding: The annexation conforms to the Comprehensive Plan. This criterion is met.