

2007-003097

Klamath County, Oregon



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02/23/2007 10:58:55 AM

Fee: \$41.00

Ordinance No. 06-29

**A SPECIAL ORDINANCE ANNEXING PARCELS 1, 2, AND 3 OF LAND
PARTITION 45-96**

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 11, 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 October 2, 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:

Parcels 1, 2, and 3, of Land Partition 45-96

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

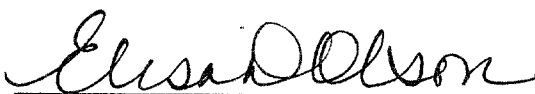
Passed by the Council of the City of Klamath Falls, Oregon, the 16th day of October, 2006.

Presented to the Mayor, approved and signed this 17th day of October, 2006.



Mayor

ATTEST:



City Recorder (Deputy Recorder)

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

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 16th day of October, 2006 and therefore approved and signed by the Mayor and attested by the City Recorder (Deputy Recorder).

Shirley Kappas
City Recorder (Deputy Recorder)

Exhibit A
VICINITY MAP
NO SCALE

Figure 1 The annexed area is cross hatched.

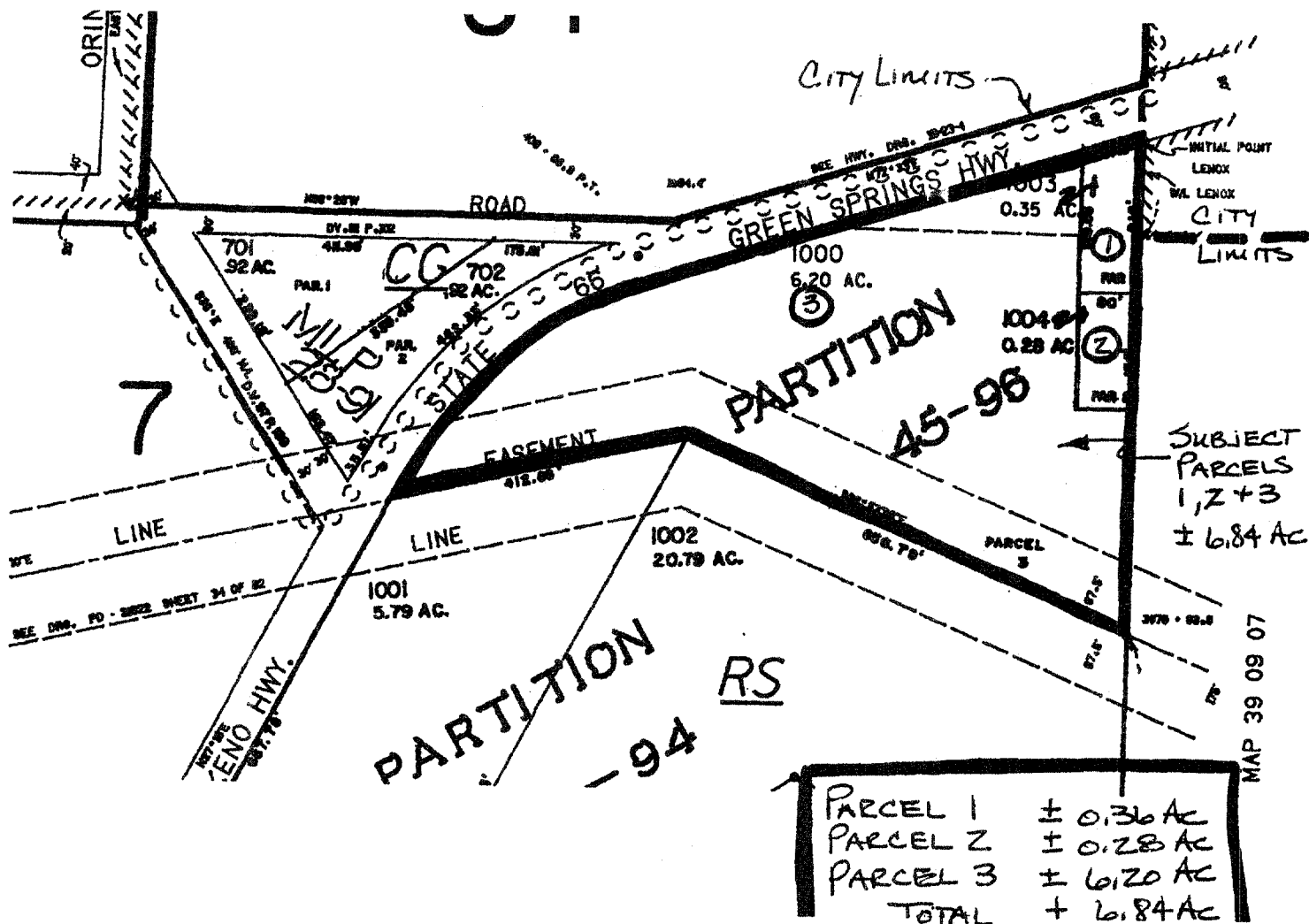


Exhibit B FINDINGS

I. 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 13.140, regarding Annexation.

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 away and to the South. The adjacent property to the south is zoned Single Family.

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 disaster 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 these lots will facilitate the development of the subdivision providing the City with additional residential lots.

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

Staff Response: Not applicable, this annexation will not enhance nor distract from community economy.

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

Staff Response: The land is adjacent to other land and City services within the City limits. It is logical to expand these services.

The Stewart Lennox area is experiencing a great deal of growth and development. This area has a large amount of vacant land. However, there are capacity issues regarding infrastructure for both waste and domestic water. It is estimated that availability of water is limited to an additional 40 Equivalent Residential Units (ERUs), and waste water is limited to an additional 400 ERUs. The domestic water ERUs can be increased by adding a storage tank and/or refitting the existing well site with new pumps and casing. The waste water system is currently being analyzed and the findings are expected by December, 2006. The city policy on connecting to water, the most limiting growth factor, is to offer service on a first-come first-serve basis with priority given to those properties

within the city limits. If this annexation is approved it does not guarantee the property owner can connect to the city's infrastructure.

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 in question abuts Hwy 66 which serves 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 close to the Urban Growth Boundary, the large lot size allowed by the Single Family zone will promote an orderly and efficient transition from rural to urban land uses.

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