

2007-019987

Klamath County, Oregon



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Fee: \$41.00

Ordinance No. 07-21

**A SPECIAL ORDINANCE ANNEXING 1.86 ACRES OF GENERAL
COMMERCIAL ZONED PROPERTY EAST OF WASHBURN WAY
IDENTIFIED ON MAP R-3909-03BC TAX LOTS 1200 AND 1300**

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

WHEREAS, a public hearing was held on August 13, 2007 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 September 4, 2007, 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:

A tract of land being a portion of Lot 2, Block 3 of "tract 1080 – Washburn Park", situated in the SW ¼ NW ¼ of Section 3, T39S, R9EW, Klamath County, Oregon, Being more particularly described as follows:

The northerly 202.24 feet of said lot 2 containing 1.86 acres more or less.

The zoning designation of the property will be General Commercial.

Passed by the Council of the City of Klamath Falls, Oregon, the 1st day of October, 2007.

Presented to the Mayor, approved and signed this 2nd day of October, 2007.



Mayor

ATTEST:

Shirley Kappas
City Recorder, Deputy

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 October, 2007 and therefore approved and signed by the Mayor and attested by the City Recorder.

Shirley Kappas
City Recorder (Deputy Recorder)

[illegible]

**Exhibit B
FINDINGS**

I. RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND 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.

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 the City General Commercial properties to the west, and south. Adjacent property to the north and east is zoned Heavy Industrial in the County.

2) The annexation will not encroach upon forestland.

Response: This annexation will not encroach upon forestland. This property is already in a developed area and adjacent to the General Commercial zoned properties to the west, and south. Adjacent property to the north and east is zoned Heavy Industrial in the County.

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 properties 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.

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 relatively flat, so 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: 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.

Response: Not applicable. The property is already zoned for general commercial use; therefore the annexation of the property will not have an effect on the community's housing needs.

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

Response: This property is already developed, however the owners desires to redevelop the property. Redevelopment of the property will provide employment opportunities for individual in the building industries and then once developed employment opportunities from the new businesses.

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

Response: The 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 in question abuts 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 redeveloped, 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 uses. This area contains Commercial and Industrial developments.

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