

2008-001951

Klamath County, Oregon



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Fee: \$46.00

Ordinance No. 08-01

**A SPECIAL ORDINANCE ANNEXING PARCELS 2 AND 3 OF LAND  
PARTITION 43-97, LOCATED EAST OF BROADMORE STREET, AND WEST  
OF AVALON, TOTALING 4.01 ACRES PROPERTY ZONED HEAVY  
INDUSTRIAL.**

**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 November 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 December 17, 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 will be in compliance with the Community Development Ordinance and the Comprehensive Plan once the attached conditions (Exhibit C) are met; 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 parcel 2 and 3 of Land Partition 43-97, located east of Broadmore Street and west of Avalon. This annexation is subject to the conditions set forth in Exhibit C.

The zoning designation of the property will be Industrial.

Passed by the Council of the City of Klamath Falls, Oregon, the 7<sup>th</sup> day of January, 2008.

Presented to the Mayor, approved and signed this 8<sup>th</sup> day of January, 2008.

  
Mayor

ATTEST:

Shirley Kappas  
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 7<sup>th</sup> day of January, 2008 and therefore approved and signed by the Mayor and attested by the Deputy Recorder.

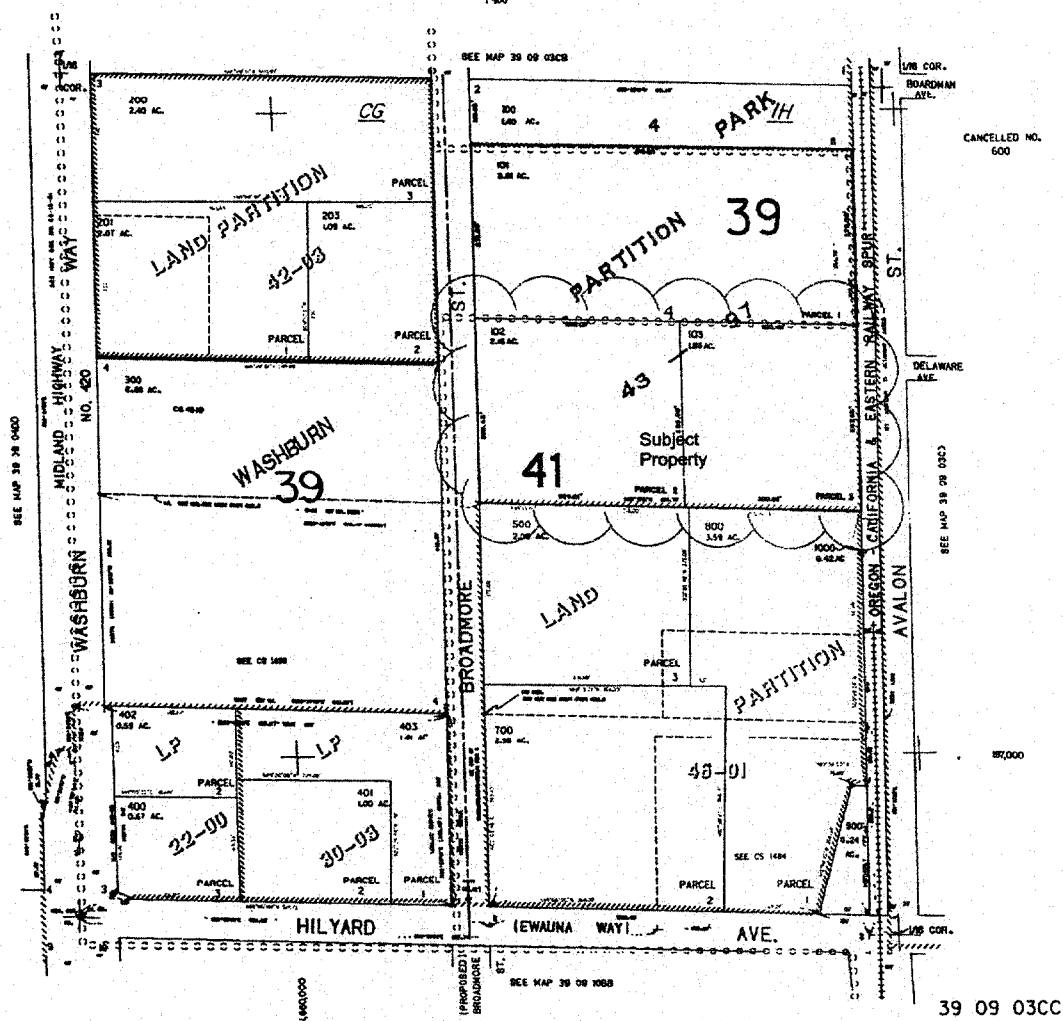
Shirley Kappas  
City Recorder (Deputy Recorder)

# Exhibit A VICINITY MAP NO SCALE

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SW1/4 SW1/4 SEC. 03 T.39S. R.09E. W.M.  
KLAMATH COUNTY

39 09 03CC



**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 Heavy Industrial uses. This property is already in a developed area and adjacent to the properties zoned General Commercial to the north and west, Industrial to the south and east, and residential to the east.

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

Response: This annexation will not encroach on forest lands. This property is zoned for Heavy Industrial uses. This property is already in a developed area and adjacent to the properties zoned General Commercial to the north and west, Industrial to the south and east, and residential to the east.

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 industrial 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 is not expected to affect the quality of the community air, water, and land resources.

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 is not expected to pose any threat to the area. This annexation is not expected to 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 industrial; 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 providing the community with industrial related employment. It is possible that a new business would occupy Parcel 3, diversifying and improving the community economy.

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. If Parcel 3 requires water from the city, a main line extension is necessary on Avalon Street.

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

Response: Not applicable. The streets in this area are developed.

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

Response: This annexation will aid in conserving energy. This 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 Industrial developments.

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

Exhibit C

**CONDITIONS**

- 1) The applicant shall bring parcel 2 into compliance with the City Standards within six months of the date on the annexation ordinance.
- 2) The applicant shall bring parcel 3 into compliance with City Standards prior to the structure being occupied.
- 3) The applicant shall submit plans to City Planning for review and approval prior to any paving, landscaping, installation of signage, or construction.
- 4) The applicant shall contact City Engineering to determine if a site construction permit is required.
- 5) If a site construction permit is required then the applicant shall obtain the permit prior to the start of any construction.
- 6) The applicant shall contact South Suburban Sanitary District regarding potential System Development Charges.
- 7) Parcel 3 will be required to construct a water main line extension, on Avalon, to receive water service to this site. The applicant shall discuss details with the City Engineering office prior to designing the water main extension