

Printed to Commissioner's Journal

2010-003407

Klamath County, Oregon



03/17/2010 11:28:09 AM

Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

**IN THE MATTER OF AMENDING)
THE KLAMATH COUNTY)
COMPREHENSIVE PLAN TO)
PROVIDE FOR A PROCESS TO)
UPDATE THE DESTINATION)
RESORT MAP (CLUP 10-09)**

ORDINANCE 44.83

WHEREAS, the Klamath County Board of Commissioners has the authority to create, amend, modify, or repeal county law or code by Ordinance; and

WHEREAS, the Klamath County Board of Commissioners desires to amend the Comprehensive Plan to meet the requirements of ORS 197.455 (2) to include a process for future updates of the County's Destination Resort Map; and

WHEREAS, The Klamath County Planning Director requested a legislative hearing and provided written notice of the public hearing consistent with the County Land Development Code and state statute; and

WHEREAS, a legislative public hearing was held on February 23, 2010; and a Staff Report with Findings (for file CLUP 10-09) and public testimony was considered before the Klamath County Planning Commission; and

WHEREAS, on February 23, 2010, based on testimony entered and in consideration of the whole record, the Klamath County Planning Commission recommended approval of the proposed legislative amendment herein, and said recommendation was forwarded to the Klamath County Board of Commissioners; and

WHEREAS, the Klamath County Board of Commissioners have held said required public hearing on February 23, 2010 and has determined that it is in the best interest of Klamath County to amend the Comprehensive Plan as recommended by the Klamath County Planning Commission.

NOW, THEREFORE, THE BOARD OF COMMISSONERS OF KLAMATH COUNTY ORDERS BY ORDINANCE AS FOLLOWS:

- 1. The Klamath County Comprehensive Plan Goal 8, Policy 11 is hereby amended to include a process for updating the County Destination Resort Map, as provided in Exhibit "A", attached hereto.***

DATED this 12 day of March, 2010.

FOR THE BOARD OF COMMISSIONERS

Cheryl Stuchlik
Chairman

[Signature]
Commissioner

Out of Office Today

Commissioner

C.D.G. 3/11/10
~~County Counsel~~
Approved as to form

EXHIBIT A

AMENDMENT TO KLAMATH COUNTY COMPREHENSIVE PLAN GOAL 8 POLICY 11 IMPLEMENTATION:

1st bullet (Underline is new language)

- The County shall map all areas within Klamath County that are eligible for destination resort siting. In addition to the areas required by statute to be eliminated from eligibility, the County will also eliminate from eligibility the following lands: (1) publicly owned lands (i.e., lands owned by the federal government, the state, Klamath County, and any city government; and (2) lands zoned Open Space and Conservation (OS&C). The County shall also exclude from eligibility sites in which the lands are predominantly classified as being in Fire Regime Condition Class 3, unless the county approves a wildfire protection plan that demonstrates the site can be developed without being at a high overall risk of fire.

2nd Bullet (~~Strikethrough~~ is deleted language; Underline is new language):

- The map of eligible sites shall become part of the Comprehensive Plan and Land Development Code and shall be an overlay zone designated Destination Resort Overlay (DRO). ~~The map shall not be revised except in connection with periodic review.~~

The process for collecting and processing concurrently all map amendments made within a thirty (30) month planning period as required by ORS 197.455(2) shall be as follows:

The County Planning Director shall collect all Destination Resort map amendments enacted within the prior 30 month period and shall forward such map amendments, along with any requests for additional map amendments, to the Klamath County Planning Commission which shall hold a public hearing on the additional map amendments and shall make a recommendation to the Board of County Commissioners. The County's process shall utilize the procedures of Article 48 or Article 49 of the Land Development Code for amendments to the Comprehensive Plan; and as described in Goal 2 policy 1 of the Comprehensive Plan. Thirty (30) days prior to a public hearing considering future Destination Resort map amendments the County shall advertise such hearings in the newspaper of general circulation within the County. The County shall initiate this map amendment process no earlier than May 2010 and every 30 months thereafter, depending on map amendment requests. Should the County receive multiple map amendment requests, the County shall consolidate those requests into a single process and file.