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2011-009894

Klamath County, Oregon



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08/30/2011 10:35:12 AM

Fee: NO FEE

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF KLAMATH COUNTY**

IN THE MATTER OF FILE NUMBER CLUP/ZC 2-11

FINAL ORDER

WHEREAS, the property owners, Timothy and Jami Gray, requested approval of an amendment to the rural community boundary of Dairy, an amendment to the Comprehensive Plan designation from Forestry to Rural Service Community, and associated zoning from Forestry/Range (FR) to Rural Community Industrial (RUC-I) on approximately 2.1 acres; and

WHEREAS, the subject property is described as Tax Lot 3500 in Section V34B, of Township 38 South, Range 11, East Willamette Meridian, Map Tax No. R-3811-V34B0-03500-000; and,

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing, held on July 26, 2011, before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the rural community boundary amendment, Comprehensive Plan amendment, and associated zone change in due form for consideration; and

WHEREAS, based on testimony entered, and consideration of the whole record, and making the proposed Findings of Fact in the application submittal and Staff Report their own, the Klamath County Planning Commission concluded the application was in conformance with State Law, Klamath County Land Development Code and Comprehensive Plan, and forwarded a unanimous recommendation of Approval for Planning File CLUP/ZC 2-11 to the Board of County Commissioners; and

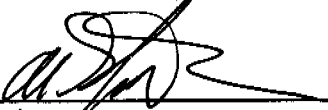
WHEREAS, based on testimony entered, and after consideration of the whole record; and, with a unanimous recommendation from the Klamath County Planning Commission, the Klamath County Board of Commissioners, acting within their authority, accepted the Planning Commission's recommendation, and unanimously APPROVED Planning File CLUP/ZC 2-11.


**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF KLAMATH COUNTY
ORDERS AS FOLLOWS:**


The Klamath County Planning Director shall draft, for adoption by the Board of County Commissioners, an ordinance amending the Rural Community Boundary to include the site within the unincorporated community of Dairy, amending the Comprehensive Plan from Forestry to Rural Service Community, with an associated Zone Change from Forestry/Range (FR) to Rural Community Industrial (RUC-I), as shown on attached Exhibit A.

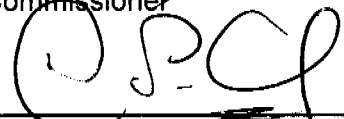
Dated this 2nd day of August, 2011

FOR THE BOARD OF COMMISSIONERS


Chairman


Commissioner


Commissioner


County Counsel
Approved as to form

NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days following the date of the mailing of this order. Contact LUBA for information as how to file this appeal (LUBA by phone (503) 373-1265 or mail at 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.

EXHIBIT A

