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04/03/2014 09:22:08 AM

Fee: NO FEE

BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP/ZC 1-14

FINAL ORDER

WHEREAS, Train Mountain Institute, applicant, requested approval of an amendment for the following actions:

1. Amend the Comprehensive Plan to create a new Train Park land use designation.
2. Amend the Land Development Code by adding a new Train Park Zone.
3. Amend the Land Development Code Article 83.030 to allow Planned Unit Developments in the Train Park Zone.
4. Amend Comprehensive Plan, Goal 2, Policy 10 as to allow a PUD in a Train Park Zone.
5. Adopt an Exception to Goal 4 (Forestry) and Goal 14 (Urbanization) to change the Plan Map designation on 129.14 acres from Forestry to Train Park to allow a miniature railroad connected rural residential community.
6. Adopt an Exception to Goal 4 (Forestry) to change the Plan Map designation on 39.29 acres from Forestry to Train Park for the Train Park Support Area; and

WHEREAS, the subject properties are currently described as the following Map/tax lot numbers:

R-3507-006A0-00100
R-3507-00500-00300 (part), 00400 & 00900 (part)
R-3507-00400-01700 & 01800
R-3507-009A0-01600, 01700, 01800 & 01900; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on February 25, 2014, and the Planning Commission voted to continue the public meeting until March 25, 2014 for continued deliberations before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Comprehensive Plan amendment and associated Land Development Code text amendment 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 Revised Staff Report their own, and adding the additional findings of fact:

That Train Mountain park is unique and different than public parks; and

That sustainability of Train Mountain park requires a core of dedicated and experienced volunteers to maintain an institutional memory, oversee its operations, and provide leadership and supervision of facility maintenance. Public parks of similar size typically have paid personnel to carry out these functions.

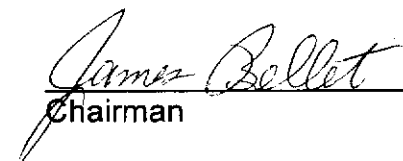
The Klamath County Board of County Commissioners concluded the application was in conformance with State Law, Klamath County Land Development Code and Comprehensive Plan, and acting within their authority unanimously APPROVED the requests of Planning File CLUP/ZC 1-14.

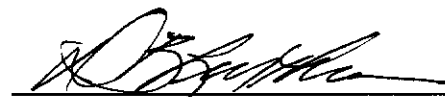
NOW, THEREFORE, THE KLAMATH COUNTY BOARD OF COMMISSIONERS ORDER AS FOLLOWS:

The Klamath County Planning Director shall prepare for adoption by the Board of County Commissioners an ordinance amending the Klamath County Comprehensive Plan text and Land Development Code text and General Land Use Plan Map to reflect the proposed revision to the plan designation as shown on attached Exhibit A.

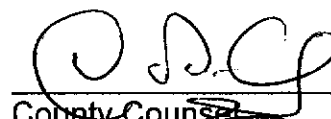
Dated this 1st day of April, 2014

FOR THE BOARD OF COMMISSIONERS


Chairman


Commissioner


Commissioner

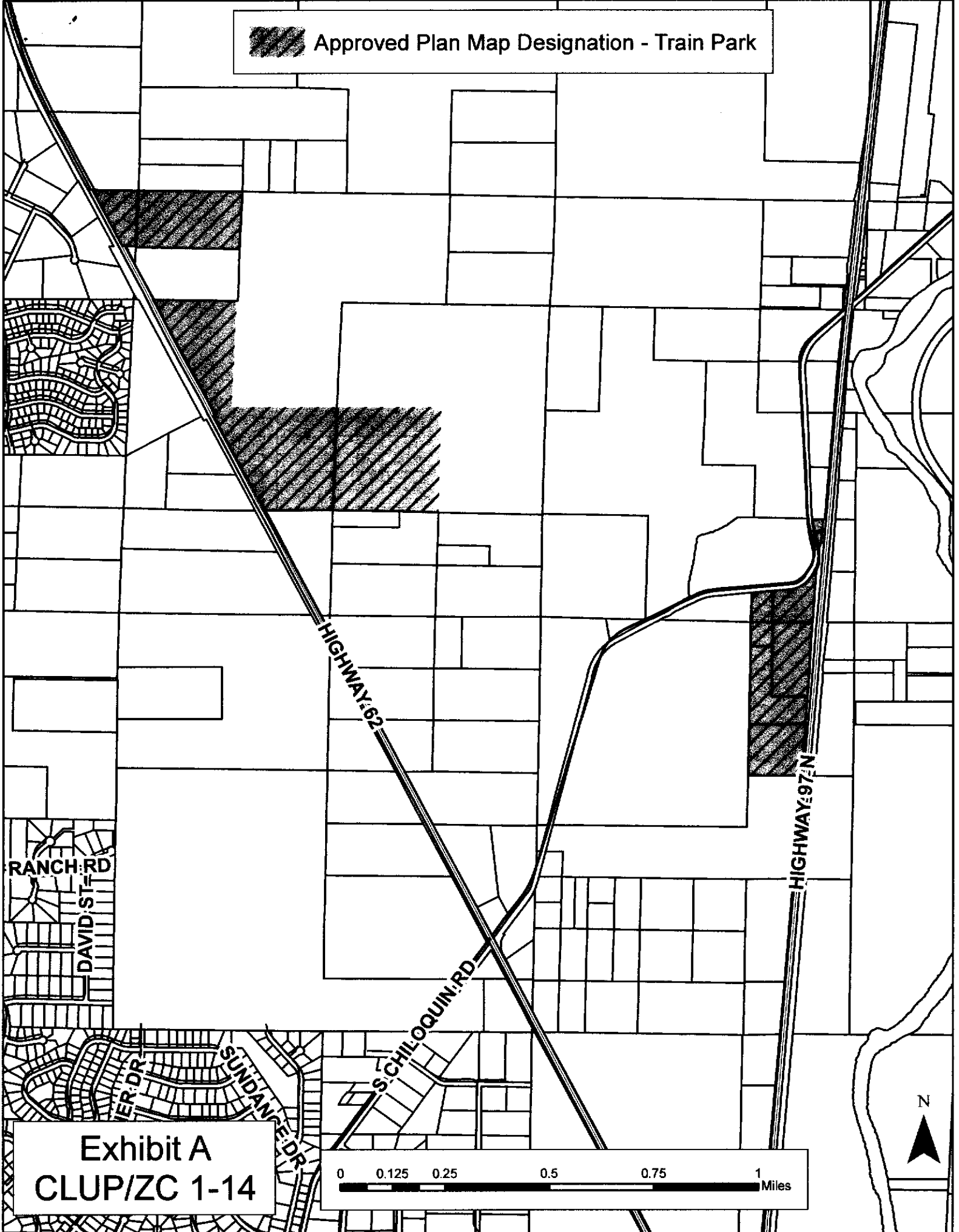
 3/31/2014
County Counsel
Approved as to form

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 1-503-373-1265 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.



Approved Plan Map Designation - Train Park



RANCH RD
DAVID ST

HIGHWAY 62

S CHILOQUIN RD

HIGHWAY 97N

SUNDA
ER DR

Exhibit A
CLUP/ZC 1-14

