



BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF APPROVING)
A ZONING MAP AMENDMENT)
TO APPLY A LIMITED USE)
OVERLAY DESIGNATION TO)
68,302 ACRES OF PROPERTY)
RECENTLY DESIGNATED WITH)
THE DESTINATION RESORT)
OVERLAY DESIGNATION.)

ORDINANCE 44.99

WHEREAS, the Klamath County Board of Commissioners has the authority and desires to amend the Official Klamath County Zoning Map; and

WHEREAS, the Klamath County Planning Department provided written notice of the public hearing as required in KC Land Development Code Article 31; and

WHEREAS, a legislative public hearing was held on July 22, 2014, and a Staff Report was provided, and public testimony was considered before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, based on testimony entered and in consideration of the whole record, the Klamath County Planning Commission adopted as its own the findings of fact provided in the Application and Staff Report and recommended approval of the Zoning Map amendment to add the Limited Use Overlay Zone to 68,302 acres recently designated with the Destination Resort Overlay designation; and said recommendation was forwarded to the Klamath County Board of Commissioners; and

WHEREAS, the Klamath County Board of Commissioners voted to approve the Planning Commission recommendation to amend the Zoning Map by adding the Limited Use Overlay to 68,302 acres; and

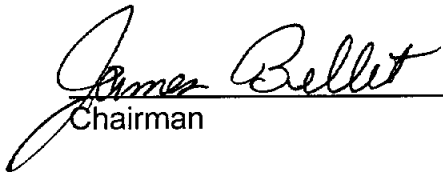
NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the Limited Use Overlay is added to 68,302 acres of property on the adopted Klamath County Zoning Map for those areas recently designated with the Destination Resort Overlay and attached hereto, marked as Exhibit "A," and incorporated herein by reference with the following Condition of Approval.

1. *This amendment shall not allow any new uses allowed by the Destination Resort Overlay designation until such time as the County removes the Limited Use Overlay in a subsequent post-acknowledgment plan proceeding that determines compliance with the then-applicable provision of the Oregon Transportation Planning Rule (OAR 660-012-0060). The County shall consider this change using the County's procedures and criteria applicable to post-acknowledgment plan amendments set for in the KCLDC.*


Return to Commissioner's Journal

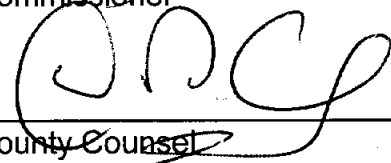
DATED this 24th day of July, 2014.

FOR THE BOARD OF COMMISSIONERS


Chairman

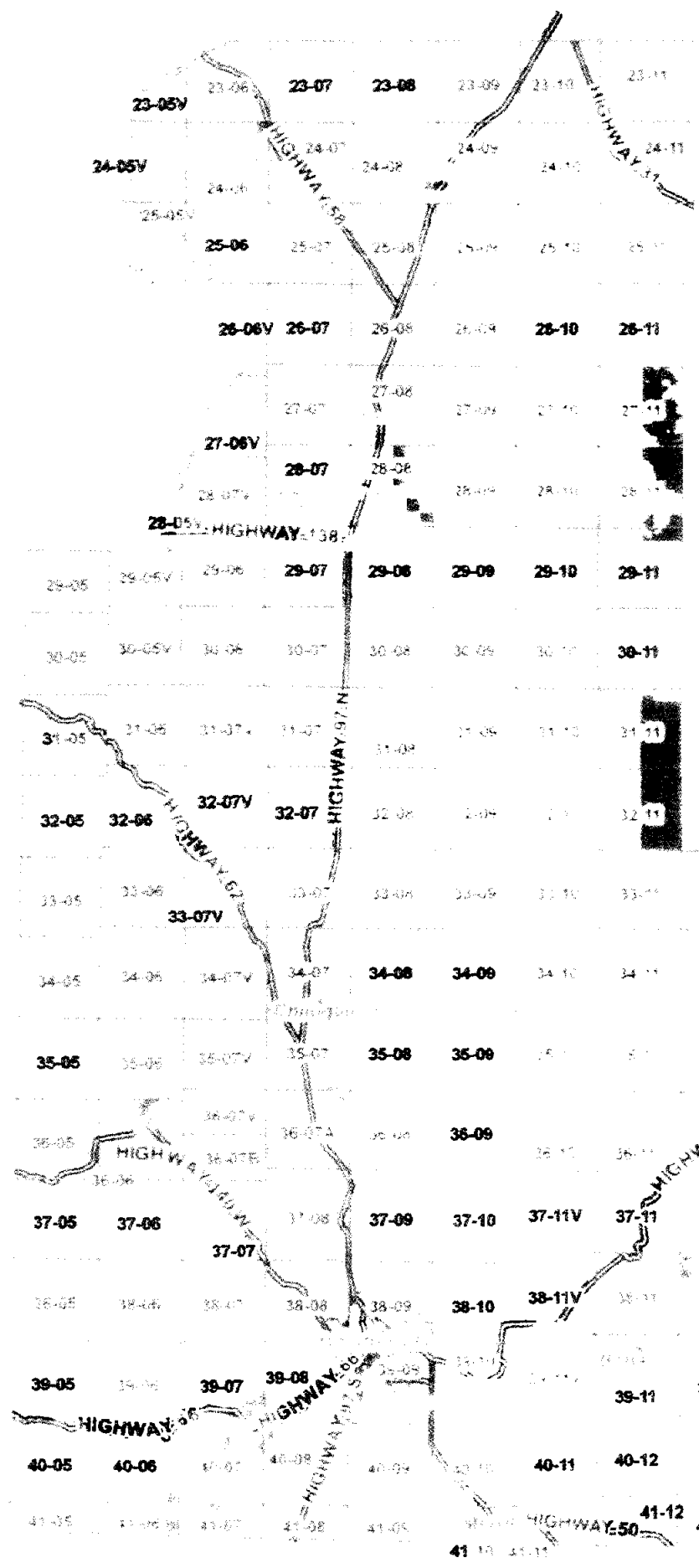

Commissioner


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 1-503-373-1265 or by mail at 550 Capitol Street NE, Suite 235, Salem Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.



Klamath County, Oregon
Destination Resort Overlay (DRO)

Proposed New Destination Resort Eligible Lands

1 in = 10 miles

0 5 10 15 20

N

000 44

EXHIBIT A
CLUP/ZC 3-14

TRACTS LISTS

1. T40S R6E, S3/4 of Section 36.
2. T41S R6E, Section 12.
3. T28S R7E, NE1/4 of SE1/4 Section 19; NW1/4 of SW1/4 Section 20.
4. T28S R7E, NE1/4 of SE1/4 Section 20; NW1/4 of SW1/4 Section 21; T28S R7E, SE1/4 of NW1/4, Section 21.
5. T28S R7E, NE1/4 of SW1/4, Section 28.
6. T28S R7E, SE1/4 of SE1/4, Section 32; and T29S R7E, N1/2 of NW1/4, Section 4.
7. T28S R7E, N1/2 of SE1/4 of NE1/4, Section 34.
8. T35S R7E, S1/2 of NW1/4 Section 16, NE1/4 of NW1/4 Section 16, N1/2 of NW1/4 of NW1/4 Section 16.
9. T35S R7E, S1/2 of SE1/4 Section 35; E1/2 of SE1/4 of SW1/4 Section 35; NW1/4 of SW1/4 of SW1/4 Section 36; SE1/4 of SW1/4 of SW1/4 Section 36.
10. T36S R7E, E1/2 of SW1/4 Section 1; W1/2 of SE1/4 Section 1; SE1/4 of NW1/4 Section 1.
11. T39S R7E, S1/2 of SW1/4 Section 27; SW1/4 of SE1/4 Section 27; Section 34; NW1/4 of NW1/4 Section 35; SW1/4 Section 35; and SW1/4 of SE1/4 Section 35.
12. T39S R7E, NE1/4 of NE1/4 Section 35.
13. T40S R7E, NW1/4 of SW1/4 Section 7.
14. T40S R7E, NE1/4 of Section 10; W1/2 of Section 10.
15. T40S R7E, E1/2 of SW1/4 Section 33; SW1/4 of SE1/4 Section 33; T41S R7E, N1/2 of NW1/4 Section 4; and NE1/4 Section 4.
16. Intentionally deleted.
17. Intentionally deleted.
18. T41S R7E, W1/2 of SE1/4 Section 9; NE1/4 of NW1/4 Section 16; SW1/4 of NE1/4 Section 16 (north of California-Oregon state border).
19. T28S R8E, Section 3; Section 10; W1/2 Section 15; W1/2 of E1/2 Section 15; NE1/4 of NE1/4 Section 15; and NE1/4 of SE1/4 Section 15.
20. T28S R8E, E1/2 Section 23; E1/2 of W1/2 Section 23; W1/2 of SW1/4 Section 23; Section 26; N3/4 of Section 36.

NOTE: Parcels contiguous by one point or more are considered one tract.
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REPLACEMENT
EXHIBIT 17

EXHIBIT 3

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21. T32S R8E, NW1/4 of NE1/4 Section 2; W1/2 of NE1/4 of NE1/4 Section 2; E1/2 of SW1/4 of NE1/4 Section 2; W1/2 of SE1/4 of NE1/4 Section 2; portion of taxlot 200 within the E1/2 of SE1/4 of NE1/4 Section 2.
22. T39S R8E, W1/2 of SW1/4 Section 23; NW1/4 of NW1/4 Section 26.
23. T27S R11E, S1/2 of SW1/4 Section 1; NW1/4 of SW1/4 Section 1; S3/4 Section 2; NE1/4 of NW1/4 Section 2; S3/4 Section 3; NW1/4 of NE1/4 Section 3; NW1/4 of NW1/4 Section 3; S3/4 Section 10; N1/2 of NE1/4 Section 10; NW1/4 of NW1/4 Section 10; W1/2 Section 11; W1/2 of SE1/4 Section 11; NE1/4 of SE1/4 Section 11; NW1/4 Section 12; NW1/4 of NE1/4 Section 12; SW1/4 Section 13; SW1/4 of NW1/4 Section 13; SW1/4 of SE1/4 Section 13; S1/2 Section 14; NW1/4 Section 14; Section 15; N1/2 Section 22; SE1/4 Section 22; NE1/4 of SW1/4 Section 22; Section 23; W1/2 Section 24; SE1/4 Section 24; NW1/4 Section 25; N1/2 of SW1/4 Section 25; SW1/4 of SW1/4 Section 25; N3/4 Section 26; SW1/4 of SE1/4 Section 26; S1/2 of SW1/4 Section 26; S1/2 of N1/2 Section 27; NE1/4 of NE1/4 Section 27; N1/2 of S1/2 Section 27; S1/2 of SE1/4 Section 27; SE1/4 of SW1/4 Section 27; N1/2 of NE1/4 Section 34; N3/4 Section 35; S1/2 of SE1/4 Section 35; SE1/4 of SW1/4 Section 35; Section 36; and T28S R11E, Section 1; Section 2; Section 3; E1/2 of SE1/4 Section 10; E1/2 of NE1/4 Section 10; NW1/4 of NE1/4 Section 10; Section 11; Section 12; Section 13; Section 14; N1/2 of NE1/4 Section 23; NE1/4 Section 24; N1/2 of NW1/4 Section 24; SE1/4 of NW1/4 Section 24.
24. T28S R11E, E1/2 Section 34; E1/2 of SW1/4 Section 34; NW1/4 of SW1/4 Section 34; SE1/4 of NW1/4 Section 34; SE1/4 of SE1/4 Section 35; Section 36; and T29S R11E, Section 1; S1/2 Section 2; NE1/4 Section 2; SE1/4 of NW1/4 Section 2; SW1/4 Section 3; S1/2 of SE1/4 Section 3; NE1/4 of SE1/4 Section 3; N1/2 of NE1/4 Section 3; SE1/4 of NE1/4 Section 3.
25. T31S R11E, S1/2 Section 3; Section 10, Section 11; Section 12; Section 13; Section 14; Section 15; Section 22; Section 23; Section 24; Section 25; Section 26; Section 27; Section 34; Section 35; Section 36; and T32S R11E, Section 1; Section 2; Section 3; Section 10; Section 11; Section 12; Section 13; Section 14; Section 15; Section 22; Section 23; Section 24; Section 25; Section 26; Section 27; Section 34; Section 35; Section 36.

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26. T36S R11E, S1/2 of NW1/4 of SW1/4 Section 19; N1/2 of SW1/4 of SW1/4 Section 19.
27. T38S R11E, SE1/4 of SE1/4 Section 1; and T38S R12E, SW1/4 Section 6; S1/2 of NW1/4 Section 6; S1/2 of NE1/4 Section 6; NE1/4 of NE1/4 Section 6; S3/4 Section 7; N1/2 of NW1/4 Section 7; NW1/4 of NE1/4 Section 7.
28. Intentionally deleted.
29. Intentionally deleted.
30. Intentionally deleted.
31. Intentionally deleted.
32. Intentionally deleted.
33. T33S R13E, W1/2 of SE1/4 Section 2.
34. T34S R13E, NE1/4 of SW1/4 Section 22.
35. Intentionally deleted.
36. T39S R14E, NE1/4 of SE1/4 Section 1; N1/2 of NE1/4 Section 1; SE1/4 of NE1/4 Section 1; N1/2 of NW1/4 Section 1; NW1/4 of SW1/4 Section 1; S1/2 of SW1/4 Section 1; Section 2; N1/2 of NW1/4 Section 3; N1/2 of NE1/4 Section 3; SW1/4 of NE1/4 Section 3; NE1/4 of SE1/4 Section 3; NE1/4 of NE1/4 Section 4; NE1/4 Section 11; NE1/4 of NW1/4 Section 11; NE1/4 of NW1/4 Section 12; SW1/4 of NW1/4 Section 12; W1/2 of SW1/4 Section 12.
37. T40S R14.5E, NW1/4 of SW1/4 Section 12.
38. T41S R14.5E, SW1/4 of SE1/4 Section 11; S1/2 of SW1/4 Section 13; NW1/4 of SW1/4 Section 13; N1/2 of NW1/4 Section 13; SW1/4 of NW1/4 Section 13; S1/2 of NE1/4 Section 13; NW1/4 of NE1/4 Section 13; W1/2 of SE1/4 Section 13; NE1/4 Section 14; E1/2 of SE1/4 Section 14; S1/2 of NE1/4 Section 24; NW1/4 of NE1/4 Section 24.
39. T33S R15E, Section 1; Section 2; Section 3; Section 4; Section 9; Section 10; Section 11; Section 12; N1/2 of N1/2 Section 13.
40. T33S R15E, SW1/4 of NE1/4 Section 27; NW1/4 of SE1/4 Section 27; S1/2 of SW1/4 Section 27; NE1/4 of SW1/4 Section 27; N1/2 of NW1/4 Section 27; SE1/4 of NW1/4 Section 27; W1/2 Section 34.
41. T35S R15E, Section 3; N3/4 Section 10; SW1/4 of SE1/4 Section 10; S1/2 of SW1/4 Section 10; NW1/4 Section 11; NW1/4 of SW1/4 Section 11; S1/2 of S1/2 Section 11; SW1/4 of NW1/4 Section 13; Section 14; Section 15; Section 22; W1/2 Section 23;

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NW1/4 of NE1/4 Section 23; W1/2 Section 26; NW1/4 of NE1/4 Section 26; W1/2 of SE1/4 Section 26; Section 27; Section 34; NW1/4 Section 35; S1/2 of SW1/4 Section 35; NW1/4 of SW1/4 Section 35.

42. T36S R15E, N1/2 Section 22; SE1/4 Section 22; Section 23; Section 24; N3/4 Section 25; NE1/4 Section 26; N1/2 of NW1/4 Section 26; SE1/4 of NW1/4 Section 26.

43.

a. T38S R15E, E1/2 of SW 1/4 Section 11; SE1/4 of SE1/4 Section 11; NW1/4 of SE1/4 Section 11; SE1/4 of NW1/4 Section 13; W1/2 of SE1/4 Section 13; NE1/4 of SW1/4 Section 13; S1/2 of SW1/4 Section 13; NE1/4 of NW1/4 Section 14; N1/2 of NE1/4 Section 14; SE1/4 of NE1/4 Section 14; SE1/4 Section 14; W1/2 of NW1/4 Section 24; NE1/4 Section 24; NW1/4 of SW1/4 Section 24.

b. SW1/4 of NW1/4 Section 15; NW1/4 of SE1/4 Section 15; N1/2 of SW1/4 Section 15; SW1/4 of SW1/4 Section 15.

c. W1/2 of NE1/4 Section 27.

d. N1/2 Section 34; NE1/4 of SE1/4 Section 34; SW1/4 of NW1/4 Section 35; NW1/4 of SW1/4 Section 35; S1/2 of SW1/4 Section 35.

44. T38S R15E, S1/2 of NE1/4 Section 35; E1/2 of SE1/4 Section 35; W1/2 of NE1/4 Section 36; W1/2 of SW1/4 Section 36; NW1/4 Section 36.

45. T39S R15E, S1/2 of S1/2 Section 22; SW1/4 of NW1/4 Section 23; W1/2 of SW1/4 Section 23; NW1/4 of NW1/4 Section 26; S1/2 of NW1/4 Section 26; E1/2 of NE1/4 Section 27.

46. T39S R15E, NE1/4 of NW1/4 Section 35.

47. T39S R15E, SE1/4 of NE1/4 Section 35.

48. T40S R15E, S1/2 of SE1/4 Section 16.

49. T40S R15E, NW1/4 of NW1/4 Section 18.

50. T40S R15E, NE1/4 of NW1/4 Section 19; SW1/4 of NE1/4 Section 19.

51. T40S R15E, N1/2 of N1/2 Section 34.

52. T40S R15E, SW1/4 of SE1/4 Section 34.

53. T40S R15E, Section 36.

54. T41S R15E, SW1/4 of SW1/4 Section 2.

55. T41S R15E, NW1/4 of SE1/4 Section 3.

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56. T41S R15E, SE1/4 of SW1/4 Section 4; N1/2 of N1/2 Section 8; NW1/4 of NW1/4
Section 9.
57. T41S R15E, SW1/4 of NW1/4 Section 11.
58. T41S R15E, SE1/4 of NW1/4 Section 18; E1/2 of SW1/4 Section 18; NE1/4 of NW1/4
Section 19.

NOTE: Parcels contiguous by one point or more are considered one tract.
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