

2015-012698

Klamath County, Oregon



00178939201500126980050057

11/20/2015 01:40:19 PM

Fee: \$62.00

City of Klamath Falls  
Returned at Counter

**Ordinance No. 15-11**

**A SPECIAL ORDINANCE ANNEXING  
A PROPERTY, TOTALING 20 ACRES OF EXCLUSIVE FARM USE  
ZONED PROPERTY (Bureau of Reclamation)**

**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 July 27, 2015 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, held a public hearing on August 17, 2015, 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; and

**WHEREAS**, the City Council adopted the findings of the Planning Commission attached hereto and incorporated by this reference as Exhibit B;

**NOW THEREFORE**

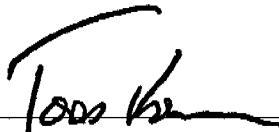
**THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:**

There is hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached as Exhibit A, and described Klamath County Assessor Map and Tax Lot R-3909-02100-00800-000 and legally described as follows:

That portion of the SE1/4 of the NE ¼ and the NE ¼ of the SE ¼ of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of the portion platted as Land Partition 11-06. ALSO EXCEPTING therefrom that part lying within roads and highways. The zoning designation of the property will be Exclusive Farm Use.

Passed by the Council of the City of Klamath Falls, Oregon, the 8<sup>th</sup> day of September, 2015.


Presented to the Mayor, approved and signed this 9<sup>th</sup> day of September, 2015.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Recorder

STATE OF OREGON                    }  
COUNTY OF KLAMATH            } ss.  
CITY OF KLAMATH FALLS         }

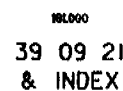
I, Elisa D. Olson, Recorder for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon at the meeting on the 8<sup>th</sup> day of September, 2015 and therefore approved and signed by the Mayor and attested by the City Recorder.

  
\_\_\_\_\_  
City Recorder

FOR  
ONLY

39 09 21  
& INDEX

Г-400:



## **Exhibit B FINDINGS**

**Criterion:** The annexation conforms to the Comprehensive Plan.

- 1) The annexation will not encroach upon agricultural ground.

**Response:** This annexation will annex lands zoned Exclusive Farm Use (EFU) and developed with the administrative office and maintenance facility for the Bureau of Reclamation. After annexation, the property in question will remain zoned EFU. Because the zoning and use of land will remain the same after annexation, the proposed annexation will not encroach on agricultural ground.

- 2) The annexation will not encroach upon forestland.

**Response:** This annexation will not encroach upon forestland. This property in question is several miles from any forestland. Addressing forestland is not applicable for this annexation.

- 3) The annexation will help conserve open space and protect natural resources.

**Response:** This property is already developed with an administrative office for a federal agency. Conservation of open space and protection of natural resource is not applicable.

- 4) The annexation will not adversely affect the quality of the community's air, water, and land resources.

**Response:** The property in question is already developed. By annexing this property, it will help preserve the community water by allowing the treatment of waste water generated by property in question at the City waste water facility. The City's waste water facility treats waste water to a superior level than a traditional septic system.

- 5) The annexation will not endanger life or property from natural disasters or hazards.

**Response:** The property in questions has been developed for many years with no adverse effects to the community. This annexation will not endanger life or property from natural disaster or hazard.

- 6) The annexation will help satisfy the citizen's recreation needs.

**Response:** Not applicable

- 7) The annexation will help satisfy the community's housing need.

**Response:** Not applicable. The property is already zoned for EFU; 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:** Not applicable, this property is already developed.

- 9) The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.  
**Response:** OAR 660-011-0060(9b) states: "The extension of an existing sewer system will serve land that, by operation of federal law, is not subject to the statewide planning Goal 11 and, if necessary, Goal 14." Because this administrative rule allows lands under the operation of federal law to be served by a sewer system, this criteria is not applicable.
- 10) The annexation will help provide a safe, convenient and economic transportation system.  
**Response:** Not applicable. The property in questions is already developed.
- 11) The annexation will aid in conserving energy.  
**Response:** Not applicable. The property in questions is already developed.
- 12) The annexation will promote an orderly and efficient transition from rural to urban land uses.  
**Response:** Not applicable. The property in question is outside of the urban growth boundary and is rural in nature. Annexation will only change the city limit boundary. Annexation will not change the UGB boundary. Even if the property is annexed into the City limits, the property in question will still be classified as rural and zoned EFU.

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