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Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF GRANTING)
 AN EXCEPTION TO STATEWIDE)
 PLANNING GOAL 3 AND)
 ADDING THE LIMITED USE)
 OVERLAY TO THE SUBJECT 78)
 ACRE PROPERTY TO ALLOW A)
 SOLAR POWER GENERATING)
 FACILITY ON MORE THAN 20)
 ACRES OF ARABLE LAND.)

ORDINANCE 44.107

WHEREAS, the Klamath County Board of Commissioners has the authority and desires to grant an exception to Statewide Planning Goal 3 and add the Limited Use Overlay to the subject property; 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 quasi-judicial public hearing was held on January 26, 2016, 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 exception to Statewide Planning Goal 3 and the addition of the Limited Use Overlay to the subject property to allow the proposed use; 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 grant the exception and add the Limited Use Overlay to the subject property; and

NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the exception to Statewide Planning Goal 3 is approved and adding the Limited Use Overlay to the subject property, as shown on the attached map marked as Exhibit "A," and incorporated herein by reference is hereby adopted.

DATED this 12 day of Feb, 2016.

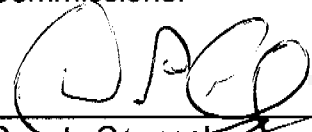
FOR THE BOARD OF COMMISSIONERS


Chairman

Not Present

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.

EXHIBIT A
FILE # CLUP 6-15

EFU-C

MICKA RD

EFU-C

NR

EFU-C

Subject Site
Limited Use Overlay to
apply to this Property.

DE MERRITT RD

EFU-C

EFU-C

EFU-C

HIGHWAY 50

Malin

MAIN ST

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S IH

Klamath County

-Vicinity-

2,200

Feet

1 inch = 967 feet

Date Printed: 12-21-15

This map is for planning purposes only. This map has been prepared for internal use by Klamath County only. Accuracy and completeness is not guaranteed to any other agency, public or private.