



00184439201600032960060060

03/30/2016 11:13:36 AM

Fee: NO FEE

Return to Commissioner's Journal

BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP/ZC 4-15**FINAL ORDER**

WHEREAS, Jerry Peacore, applicant, requested approval of an amendment to the Comprehensive Plan designation from Industrial to General Commercial and associated zone change from Heavy Industrial (IH) to General Commercial (CG) on approximately 1.95 acres; and

WHEREAS, the subject properties are described as Tax Lot 1400 in Section 3CB of Township 39 South, Range 9 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on March 22, 2016 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 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 recommendation of Approval for Planning File CLUP/ZC 4-15 to the Board of County Commissioners; and

WHEREAS, based on testimony entered and after consideration of the whole record; and, with a recommendation from the Klamath County Planning Commission, the Klamath County Board of Commissioners acting within their authority accepted the Planning Commission's recommendation, and APPROVED the request of Planning File CLUP/ZC 4-15.

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

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

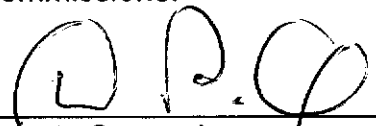
Dated this 29 day of March, 2016

FOR THE BOARD OF COMMISSIONERS


Chairman


Commissioner

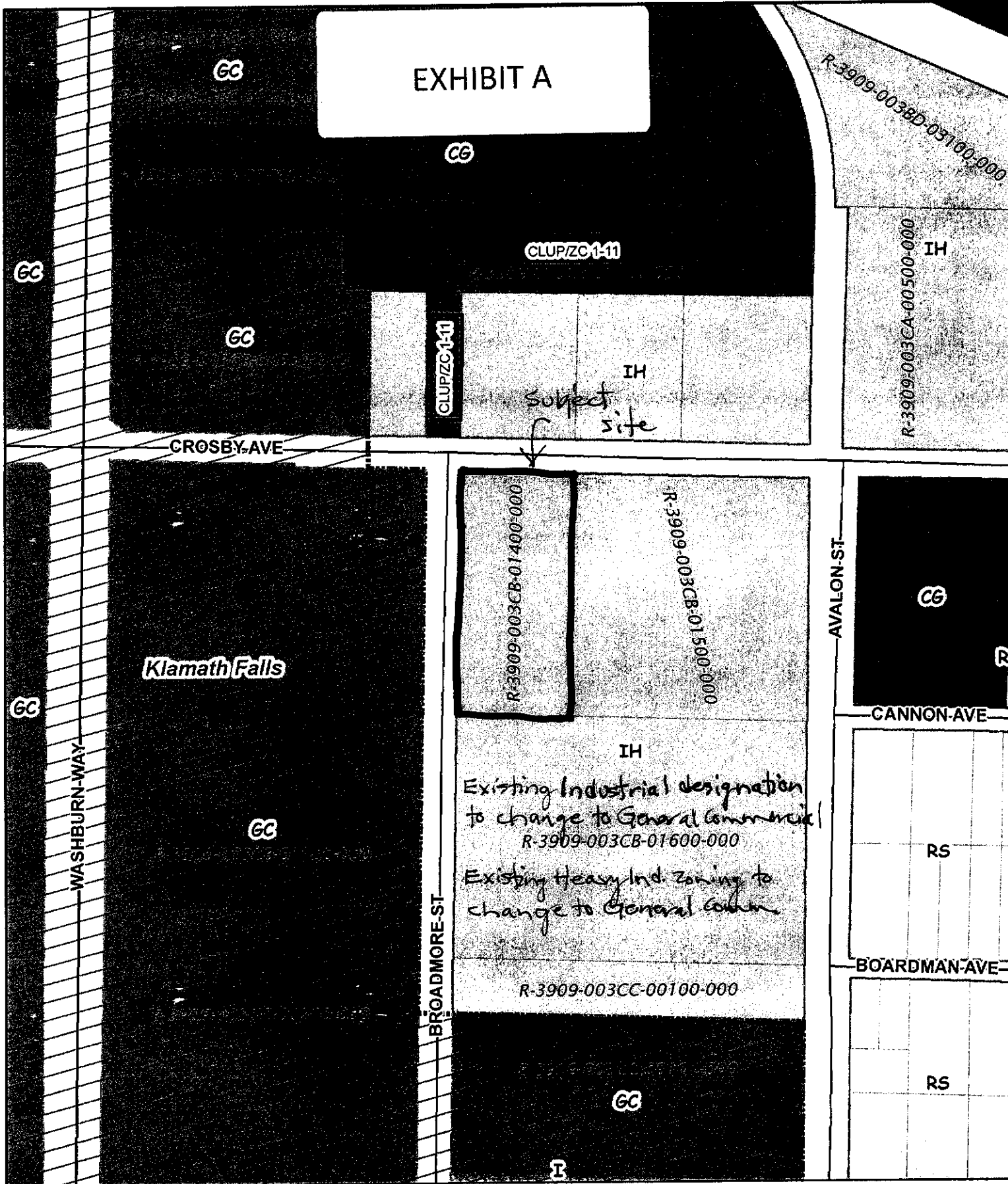

Commissioner


County Counsel
Approved as to form

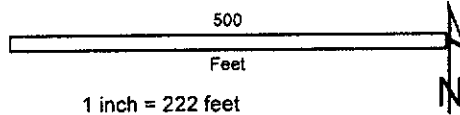
NOTICE OF APPEAL RIGHTS

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 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



Klamath County



Date Printed: 2-10-16

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.

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF CHANGING)
THE COMPREHENSIVE PLAN)
MAP DESIGNATION FROM)
INDUSTRIAL TO GENERAL)
COMMERCIAL AND)
ASSOCIATED ZONING FROM)
HEAVY INDUSTRIAL TO)
GENERAL COMMERCIAL (CG))
ON 1.95 ACRES OF PROPERTY.)

ORDINANCE 44.105

WHEREAS, the Klamath County Board of Commissioners has the authority and desires to amend the Comprehensive Plan Map, and 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 quasi-judicial public hearing was held on March 22, 2016, and a Staff Report was provided, and public testimony was considered before the Klamath County Planning Commission and Board of County Commissioners; and

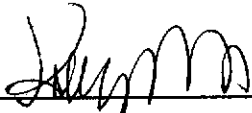
WHEREAS, based on testimony entered and in consideration of the whole record, the Klamath County Planning Commission adopted as its own the findings of fact provided in the Staff Report and recommended approval of the amendment of the Comprehensive Plan Map, and Zoning Map; and, said recommendation was forwarded to the Klamath County Board of Commissioners; and

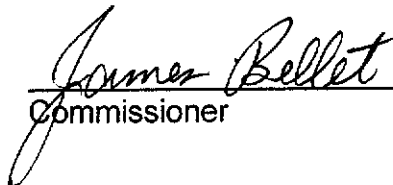
WHEREAS, the Klamath County Board of Commissioners voted to approve the Planning Commission recommendation to amend the Comprehensive Plan Map and Zoning Map; and

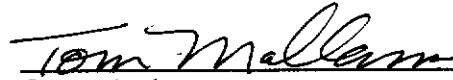
NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the amendments to the adopted Klamath County Comprehensive Plan and Zoning Map which are attached hereto and marked as Exhibit "A" and, incorporated herein by reference, are hereby adopted.

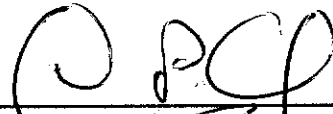
DATED this 29 day of March, 2016.

FOR THE BOARD OF COMMISSIONERS


Chairman


Commissioner

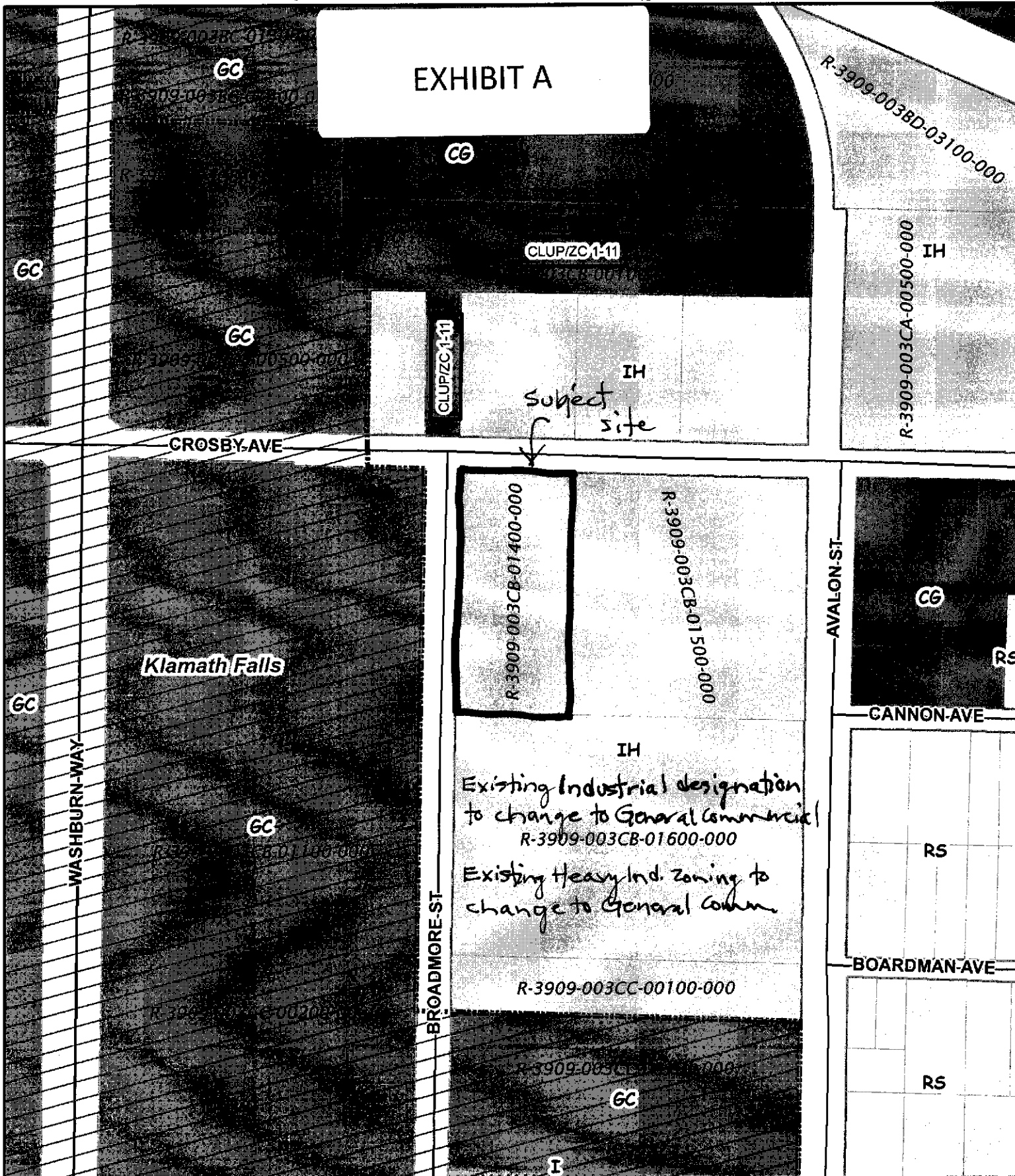

Commissioner


County Counsel
Approved as to form

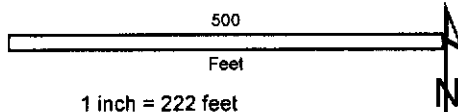
NOTICE OF APPEAL RIGHTS

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.

EXHIBIT A



Klamath County



Date Printed: 2-10-16

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.