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BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP 8-16**FINAL ORDER**

WHEREAS, Klamath County, applicant, proposed language amendments to Article 52.4 General Commercial, Article 52.8 Transportation Commercial and Article 53.2 Light Industrial of the Klamath County Land Development Code to change how and where Indoor Sports and Recreation facilities are allowed; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on September 27, 2016 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the 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 Staff Report their own, the Planning Commission forwarded a recommendation for approval to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners concluded the application was in conformance with State Law, Klamath County Comprehensive Plan and Land Development Code, and acting within their authority unanimously APPROVED the request of Planning File CLUP 8-16.

**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 Land Development Code text to reflect the proposed revisions as shown on attached Exhibit 1.

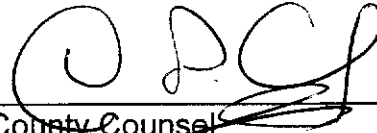
Dated this 6 day of October, 2016

FOR THE BOARD OF COMMISSIONERS


Chair


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.



Klamath County Planning Department

Klamath County Government Center
305 Main Street, Klamath Falls, Oregon 97601

Phone 1-541-883-5121 Option #4
Toll Free in Oregon 1-800-426-9763
Fax 1-541-885-3644

File No. CLUP 8-16 - Exhibit 1

Land Development Code Amendment Language – Indoor Sports and Recreation

Language to be deleted is enclosed in brackets and [struckout]. Language to be added is shown in **bold**. All other language is from the current Land Development Code. Breaks in code language are indicated by ...

ARTICLE 52.4 GENERAL COMMERCIAL

52.410 - PURPOSE

The purpose of this zone is to establish and maintain places for a full range of retail goods and services available to a large area.

52.420 - PERMITTED USES

The following uses shall be permitted subject to site plan review of Article 41, and all other applicable standards, criteria, rules, and statutes governing such uses:

- A. Administrative Service
- B. Emergency Services
- C. Essential Services
- D. Medical Services
- E. Parking Services
- F. Agricultural Supplies and Services
- G. Auto Sales/Rentals/Service
- H. Auto Repairs
- I. Auto Service Station
- J. Building and Garden Sales
- K. Entertainment Facilities
- L. Farm Equipment Sales/Rentals/Service
- M. Fleet Storage
- N. Food and Beverage Sales
- O. Food and Beverage Service
- P. General Merchandise Sales
- Q. Heavy Equipment Sales/Rentals/Service
- R. Home Furnishings and Appliances
- S. Manufactured Dwelling Sales
- T. Personal Services
- U. Professional Offices
- V. Repair
- W. Retail Sales
- X. Warehousing, Storage and Distribution - light
- Y. Custom Manufacturing
- Z. Accessory Buildings and Uses

- Aa. Mini Storage Facility
- Bb. Motels/Hotels within the Klamath Falls UGB
- Cc. Indoor Sports and Recreation**

52.430 - CONDITIONAL USES

The following uses may be permitted subject to standards listed in this article and if the provisions of Article 44 are satisfied:

- A. Community Assembly
- B. Schools
- C. Cultural Services
- D. Extensive Impact Services and Utilities
- E. Churches
- F. RV Parks
- G. Heavy Equipment Repairs
- H. Large Animal Veterinary Services
- ~~[I. Indoor Sports and Recreation]~~
- ~~[J.]~~ I. Kennel
- ~~[K.]~~ J. Truck Stop
- ~~[L.]~~ K. Auto Wrecking Yard
- ~~[M.]~~ L. Worker Residential
- ~~[N.]~~ M. Manufactured Home Park
- ~~[O.]~~ N. Towing Facility

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ARTICLE 52.8

TRANSPORTATION COMMERCIAL (CT)

52.810 - PURPOSE

The purpose of this zone is to establish and maintain places for sales and services primarily related to transportation and utility industries. The Transportation Commercial zone is appropriate for commercial uses associated with highway, rail or air transportation.

52.820 - PERMITTED USES

The following uses shall be permitted subject to site plan review of Article 41, and all other applicable standards, criteria, rules, and statutes governing such uses:

- A. Administrative Services
- B. Essential Services
- C. Medical Services
- D. Parking Services
- E. Auto Sales/Rentals/Services
- F. Auto Repairs
- G. Auto Service Station
- H. Fleet Storage
- I. Food and Beverage Sales
- J. Food and Beverage Service
- K. Heavy Equipment Repairs
- L. Heavy Equipment Sales/Rentals/Service
- M. Hotel/Motel
- N. Manufactured Dwelling Sales
- O. Repair Services
- P. Truck Stop

- Q. Warehousing, Storage and Distribution - light
- R. Emergency Services
- S. Accessory Buildings and Uses
- T. RV Parks
- U. Mini Storage Facility
- V. Indoor Sports and Recreation**

52.830 - CONDITIONAL USES

The following uses may be permitted subject to standards listed in this article and if the provisions of Article 44 are satisfied:

- A. Extensive Impact Services and Utilities
- B. Farm Equipment Sales/Rentals/Service
- ~~{C. Indoor Sports and Recreation}~~
- ~~{D.}~~ C. Warehousing, Storage and Distribution - heavy
- ~~{E.}~~ D. Auto Wrecking Yard
- ~~{F.}~~ E. Worker Residential
- ~~{G.}~~ F. Towing Facility

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ARTICLE 53.2 LIGHT INDUSTRIAL (IL)

53.210 - PURPOSE

The purpose of this zone is to establish and maintain places where manufacturing, storage and wholesale distribution can be undertaken in close proximity to one another without encroaching upon the character of the adjacent land uses. It is not the purpose of the Light Industrial zone to permit the processing of raw materials.

53.220 - PERMITTED USES

The following uses shall be permitted subject to site plan review of Article 41, and all other applicable standards, criteria, rules, and statutes governing such uses:

- A. Administrative Services
- B. Essential Services
- C. Parking Services
- D. Agricultural Packing and Processing
- E. Agricultural Supplies and Services
- F. Auto Sales/Rentals/Service
- G. Auto Repairs
- H. Building and Garden Sales
- I. Fleet Storage
- J. Heavy Equipment Repairs
- K. Heavy Equipment Sales/Rentals/Service
- L. Manufactured Dwelling Sales
- M. Warehousing, Storage and Distribution - heavy
- N. Warehousing, Storage and Distribution - light
- O. Custom Manufacturing
- P. General Manufacturing
- Q. Secondary Processing of Forest Products
- R. Mineral Processing, except Mining
- S. Accessory Buildings and Use
- T. Indoor Sports and Recreation**