

2017-004555

Klamath County, Oregon



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05/02/2017 09:33:11 AM

Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF CHANGING)
THE COMPREHENSIVE PLAN)
MAP DESIGNATION FROM)
RURAL TO RURAL SERVICE)
CENTER AND CHANGE THE)
ZONING DESIGNATION FROM R-)
1 (RURAL RESIDENTIAL - 1)
ACRE MINIMUM LOT SIZE TO)
RUC-C (RURAL COMMUNITY)
COMMERCIAL) ON)
APPROXIMATELY 5 ACRES.)

ORDINANCE 44.114

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 August 23, 2016 and April 25, 2017, 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 amendment of the Comprehensive Plan Map, and Zoning Map; and, said recommendation was forwarded to the Klamath County Board of Commissioners; and

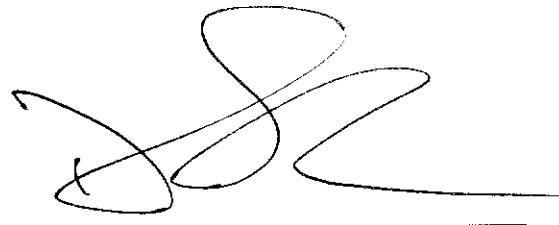
WHEREAS, the Klamath County Board of Commissioners voted to approve the Planning Commission recommendation to amend the Comprehensive Plan Map and Zoning Map; and

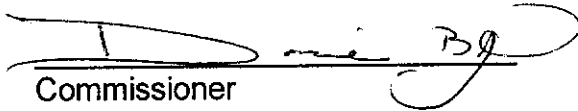
NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the amendments to the Klamath County Comprehensive Plan Map and Zoning Map, which are attached hereto and marked as Exhibit "A," and incorporated herein by reference are hereby adopted, with the condition that access for the proposed use is granted by the Oregon Dept. of Transportation.


DATED this 25th day of April, 2017.

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 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.

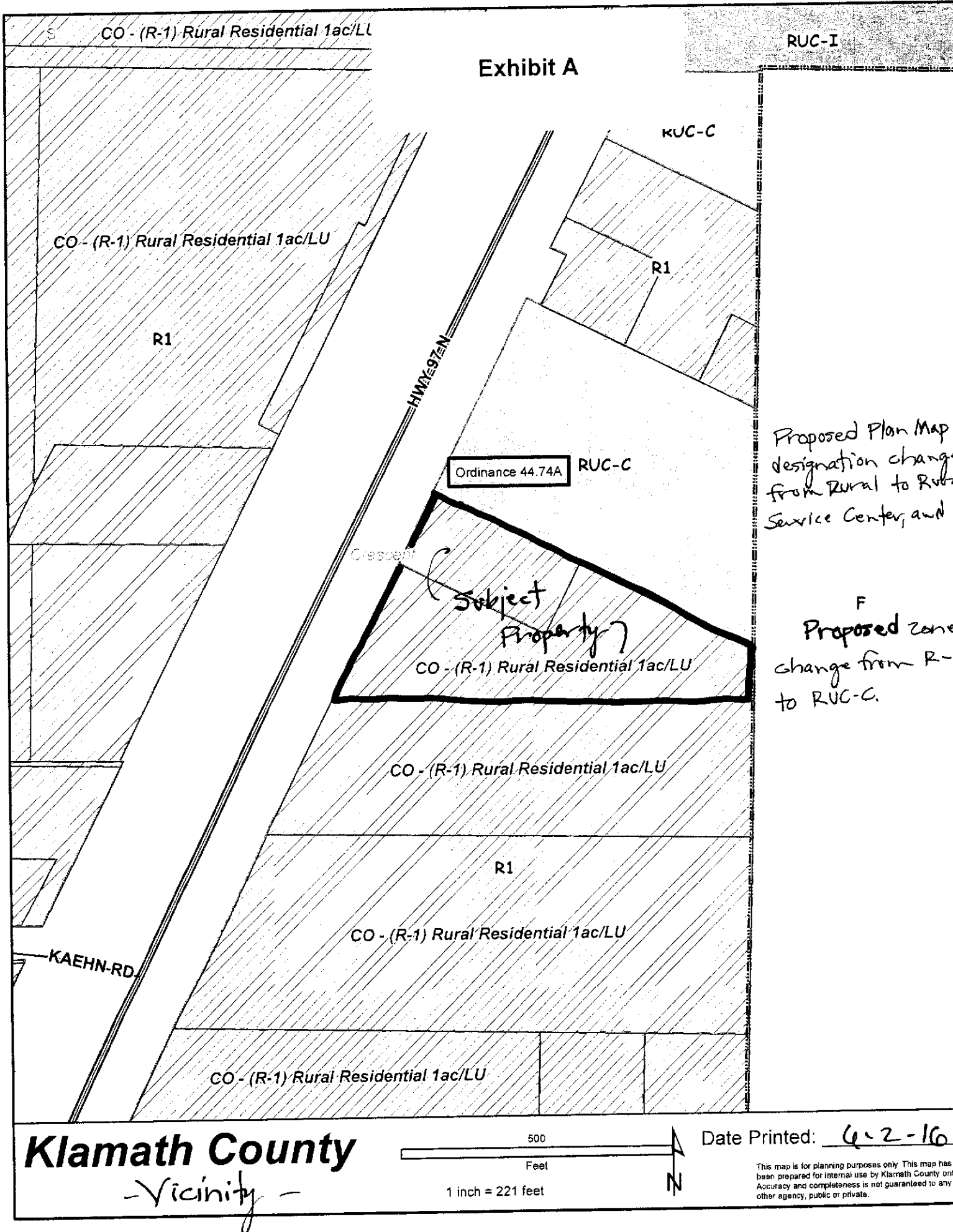


Exhibit A

RUC-I

RUC-C

R1

Ordinance 44.74A

RUC-C

CO-(R-1) Rural Residential 1ac/LU

CO-(R-1) Rural Residential 1ac/LU

R1

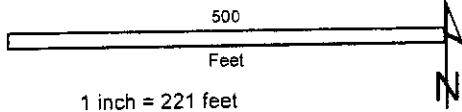
CO-(R-1) Rural Residential 1ac/LU

CO-(R-1) Rural Residential 1ac/LU

Proposed Plan Map designation change from Rural to Rural Service Center, and

F
Proposed zone change from R-1 to RUC-C.

Klamath County
-Vicinity-



Date Printed: 6-2-16

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.

BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP/ZC 6-16

FINAL ORDER

WHEREAS, Bruce and Donna Hall, applicants, requested approval of an amendment to the Comprehensive Plan designation from Rural to Rural Service Center and change the zoning designation from R-1 (Rural Residential – 1 acre minimum lot size) to RUC-C (Rural Community Commercial) on approximately 5 acres; and

WHEREAS, the subject property is described as Tax Lots 700 and 701 in Section 36DA of Township 24 South, Range 8 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on August 23, 2016 and April 25, 2017 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 6-16, with the Condition of Approval, 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 unanimously APPROVED the request of Planning File CLUP/ZC 6-16 with the condition that access for the proposed use is granted by the Oregon Dept. of Transportation.

**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 with the condition that access for the proposed use is granted by the Oregon Dept. of Transportation.

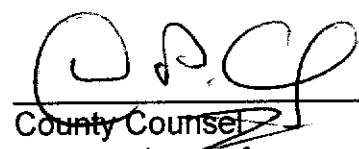
Dated this 25th day of April, 2017

FOR THE BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner


County Counsel
Approved as to form

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CO - (R-1) Rural Residential 1ac/LL

RUC-I

Exhibit A

RUC-C

CO - (R-1) Rural Residential 1ac/LU

R1

HWD-97=N

Ordinance 44.74A

RUC-C

Crescent

Subject Property

CO - (R-1) Rural Residential 1ac/LU

CO - (R-1) Rural Residential 1ac/LU

R1

CO - (R-1) Rural Residential 1ac/LU

CO - (R-1) Rural Residential 1ac/LU

KAEHN RD.

Proposed Plan Map designation change from Rural to Rural Service Center, and

F
Proposed zone change from R-1 to RUC-C.

Klamath County

-Vicinity-

500

Feet

1 inch = 221 feet

Date Printed: 6-2-16

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