



00211005201700112130030039

10/03/2017 11:40:28 AM

Fee: NO FEE

Return to Commissioner's Journal

**BEFORE THE KLAMATH COUNTY
BOARD OF COMMISSIONERS****IN THE MATTER OF FILE NUMBER CLUP/ZC 6-17****FINAL ORDER**

WHEREAS, Leon Whistler, applicant, requested approval of an amendment to the Comprehensive Plan designation from Forestry to General Commercial and change the zoning designation from Forestry-Range (FR) to General Commercial (CG) on 5 acres; and

WHEREAS, the subject property is described as a 5 acre portion of Tax Lot 300 in Section 3 of Township 36 South, Range 10 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of public hearings held on July 25, 2017 and September 26, 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 revised application submittal and Revised 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 6-17, with the Condition of Approval to establish and Limited Use Overlay, to the Board of County Commissioners; and

WHEREAS, based on testimony entered and after consideration of the whole record; and with a recommendation for approval 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 6-17 with the following Condition of Approval.

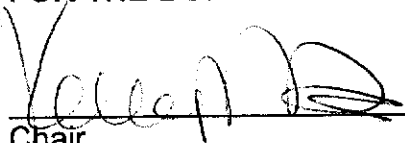
- 1. A Limited Use Overlay shall be placed on the 5 acres that only allows the additional uses to include a fueling station and laundromat with shower facilities in conjunction with the existing store. Any additional uses will require a future amendment to the Limited Use Overlay.*


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

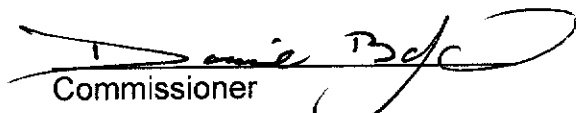
The Klamath County Planning Director shall draft for adoption by the Board of County Commissioners an ordinance amending the Klamath County Comprehensive Plan - General Land Use Plan Map and Zoning Map to reflect the proposed revision to the plan designation and zoning change as shown on attached Exhibit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


Dated this 26th day of Sept, 2017

FOR THE BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner


County Counsel
Approved as to form 9/27/2017

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

Changing the Plan Map designation from
Forestry to General Commercial and

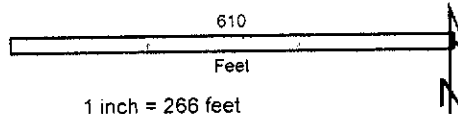
Changing the zoning designation from
Forestry/Range to General Commercial

SPRAGUE RIVER DR

SPRAGUE RIVER RD

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA, USGS, AeroGRID, IGN, and the GIS User Community

Klamath County



Date Printed: 6-19-17

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.