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Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF CHANGING)
THE COMPREHENSIVE PLAN)
MAP DESIGNATION FROM)
FORESTRY TO GENERAL)
COMMERCIAL AND CHANGING)
THE ZONING DESIGNATION)
FROM FORESTRY/RANGE (FR))
TO GENERAL COMMERCIAL)
(CG) ON 5 ACRES.)

ORDINANCE 44.128

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, quasi-judicial public hearings were held on July 25, 2017 and January 23, 2018 and also September 26, 2017, which lacked property owner notices, and a Revised 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 and the proposed findings of fact provided in the Application and Revised Staff Report, Klamath County Planning Commission recommended denial of the amendment of the Comprehensive Plan Map, and Zoning Map; and, said recommendation was forwarded to the Klamath County Board of Commissioners; and

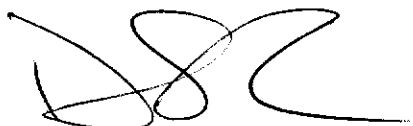
WHEREAS, the Klamath County Board of Commissioners, not agreeing with the recommendation for denial by the Planning Commission, voted to approve the proposed amendment to the Comprehensive Plan Map and Zoning Map; and

NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the amendments to the Klamath County Comprehensive Plan and Zoning Map as proposed in File No. CLUP/ZC 6-17, which are attached hereto and marked as Exhibit "A," and incorporated herein by reference, are hereby adopted with the following condition of approval. (This Ordinance replaces Ordinance 44.120 previously recorded as document 2017-011214).

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.

DATED this 25 day of January 2018.

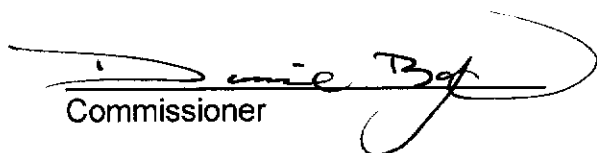
FOR THE BOARD OF COMMISSIONERS



Chair



Commissioner



Commissioner



County Counsel

Approved as to form

1/25/2018

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.

Changing the Plan Map designation from
Forestry to General Commercial and

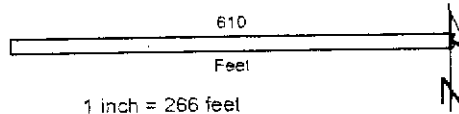
Changing the zoning designation from
Forestry/Range to General Commercial

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

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