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03/12/2018 09:51:11 AM

Fee: NO FEE

BOARD OF COUNTY COMMISSIONERS**KLAMATH COUNTY, OREGON**

IN THE MATTER OF GRANTING)
AN EXCEPTION TO STATEWIDE)
PLANNING GOAL 4 -)
FORESTRY TO ALLOW A)
SEWAGE TREATMENT FACILITY)
TO BE LOCATED IN THE)
FORESTRY ZONE FOR THE)
RURAL COMMUNITY OF)
CRESCENT.)

ORDINANCE 44.132

WHEREAS, the Klamath County Board of Commissioners has the authority and desires to grant an exception to Statewide Planning Goal 4 – Forestry to allow a sewage treatment facility to be located in the Forestry zone for the rural community of Crescent; and

WHEREAS, the Klamath County Planning Department provided written notice of the public hearings as required in KC Land Development Code Article 31; and

WHEREAS, quasi-judicial public hearings were held on September 26, 2017 and February 27, 2018 (Remand), 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 Applicant's Supplemental Submittal (Remand) and Staff Report and concluded the application was in conformance with the OAR requirements for an exception including OAR 660-004-0020 Goal 2, Part II(c) and forwarded a recommendation of Approval of the request, with one condition of approval, to the Klamath County Board of Commissioners; and

WHEREAS, the Klamath County Board of Commissioners voted to accept the Planning Commission's recommendation to grant the exception; and


NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the exception in File No. CLUP 8-17 is granted subject to the following Condition of Approval.

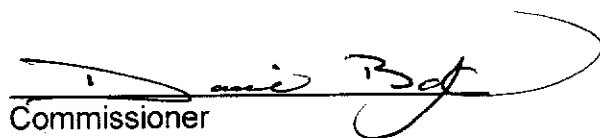
1. Any changes to the siting of the setbacks, storage pond, lagoons, primary irrigation area or secondary irrigation area reflected in the Proposed Site Plan, submitted with the applications, shall require County land use approval.

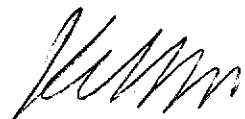
This Ordinance supersedes previously adopted Ordinance 44.122.

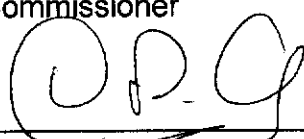
DATED this 6th day of March, 2018.

FOR THE BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner

 3/6/18
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.