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ORDINANCE NO. 18-03

07/20/2018 03:45:15 PM

Fee: \$102.00

**A SPECIAL ORDINANCE ANNEXING A 1.1-ACRE PROPERTY,
ZONED GENERAL COMMERCIAL AND LOCATED AT 2922 SOUTH SIXTH STREET**

WHEREAS, there has been submitted to the City of Klamath Falls a written proposal for annexation of certain real property, which property is hereinafter described;

WHEREAS, a public hearing was held on November 27, 2017 pursuant to applicable laws, at which time all evidence and objection with reference to said proposed annexation were considered by the Planning Commission;

WHEREAS, the City Council, hearing notices having been duly given, held a public hearing on May 21, 2018, on the recommendation of and including the record of the Planning Commission concerning the annexation;

WHEREAS, pursuant to such record and hearing the City Council has determined the annexation will be in compliance with the Community Development Ordinance and the Comprehensive Plan criteria have been met; and

WHEREAS, the City Council adopted the findings of the Planning Commission attached hereto and incorporated by this reference as Exhibit A; NOW THEREFORE,

THE CITY OF KLAMATH FALLS HEREBY ORDAINS AS FOLLOWS:

Thereby is hereby annexed to the City of Klamath Falls that certain parcel of land as depicted on attached Exhibit B and as legally described on attached Exhibit C; the parcel is further described by the Klamath County Assessor as Map Number R-3909-3BC, Tax Lot 1000.

The zoning designation of the annexed property will be General Commercial.

Passed by the Council of the City of Klamath Falls this 4th day of June, 2018.

Presented to the Mayor, approved and signed this 6th day of June, 2018.


Mayor

ATTEST:


City Recorder

STATE OF OREGON }
COUNTY OF KLAMATH } ss.
CITY OF KLAMATH FALLS }

I, Nicole Barrington, Recorder for the City of Klamath Falls, Oregon, do hereby verify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon at the meeting on the 4th day of June, 2018 and therefore approved and signed by the Mayor and attested by the City Recorder.


City Recorder

Exhibit "A"

Findings

RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND PROPOSED FINDINGS:

This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically, Sections 13.105 to 13.140 regarding Annexation.

Criterion: The annexation conforms to the Comprehensive Plan.

- 1) **The annexation will not encroach upon agricultural ground.**
Response: This annexation will not encroach on agricultural lands. This property is zoned for General Commercial uses. This property is already in a developed area and adjacent to City General Commercial zoning.
- 2) **The annexation will not encroach upon forestland.**
Response: This annexation will not encroach upon forestland. This property is already in a developed area and adjacent to the General Commercial zone.
- 3) **The annexation will help conserve open space and protect natural resources.**
Response: This annexation will help conserve open space. This annexation will make it possible to develop existing General Commercial properties within the Urban Growth Boundary. This "infill" will preserve lands dedicated to open space.
- 4) **The annexation will not adversely affect the quality of the community's air, water, and land resources.**
Response: The property in question is in a developed area. The development of the property will not affect quality of the community air, water, and land resources. The development of the land will improve the property and the area.
- 5) **The annexation will not endanger life or property from natural disasters or hazards.**
Response: The topography of the lot is relatively flat, so development of this land poses no threat to the area. This annexation will not endanger life or property from natural disaster or hazard.
- 6) **The annexation will help satisfy the citizen's recreation needs.**
Response: Not applicable, this annexation will not enhance nor distract from citizen's recreation needs.
- 7) **The annexation will help satisfy the community's housing need.**
Response: Not applicable. The property is already zoned for general commercial use; therefore, the annexation of the property will not have an effect on the community's housing needs.

8) **The annexation will diversify and improve the community economy.**

Response: This property is already partially developed; however, it is the owner's desire to develop the remainder of the property. Development of the property will provide employment opportunities for individuals in the building industries, and then once developed, employment opportunities from the new business.

9) **The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.**

Response: The annexation will create a timely, orderly, and efficient arrangement of public facilities and services. There are services already available to the site and adjacent properties.

10) **The annexation will help provide a safe, convenient and economic transportation system.**

Response: This annexation will help provide a safe, convenient and economic transportation system. The property in question abuts South Sixth Street, a major arterial in the Klamath Falls Urban area.

11) **The annexation will aid in conserving energy.**

Response: This annexation will aid in conserving energy. Once redeveloped, it will help create "infill" within the urban area, and therefore use of existing public facilities and services.

12) **The annexation will promote an orderly and efficient transition from rural to urban land uses.**

Response: The property in question is in an area developed with urban uses. This area contains commercial developments.

Proposed Finding: The annexation conforms to the Comprehensive Plan. This criterion is met.

3909-3BC-1000

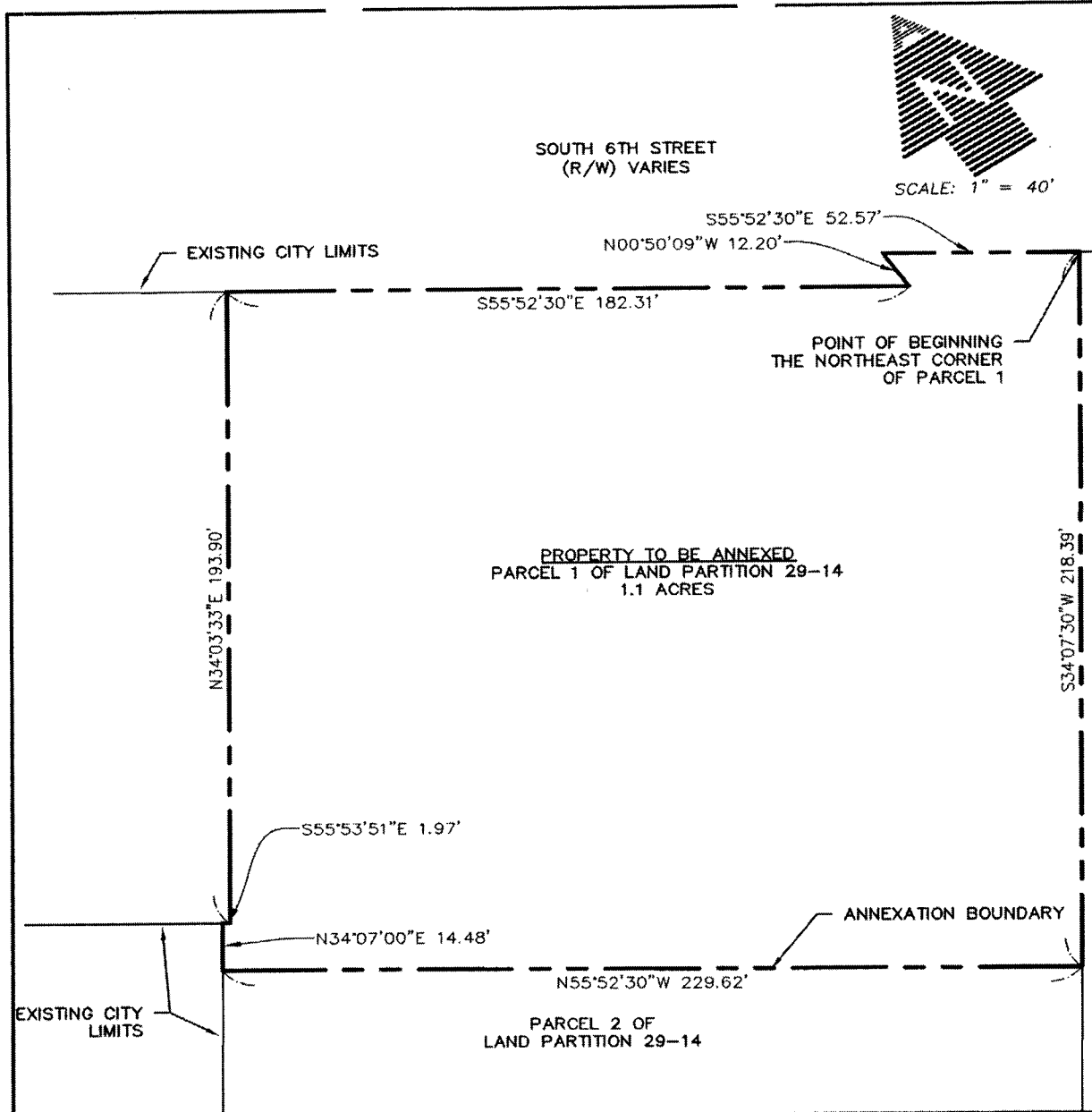


EXHIBIT B - ANNEXATION MAP



Engineers ▲ Planners ▲ Surveyors
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 Oregon · California

File:	ANNEXATION
Project No:	3084-04
Scale:	1"=40'
Date:	9/20/17
Designed By:	AAP
Checked By:	JMM
Sheet:	

Exhibit C
Annexation Area

Parcel 1 of Land Partition 29-14, located in the NW 1/4 of Section 3, Township 39 South, Range 9 East, Willamette Meridian, Klamath County, Oregon. Being more particularly described as follows:

Beginning at the Northeast corner of said Parcel 1, also lying on the South right-of-way of South Sixth Street; thence leaving said South right-of-way South $34^{\circ}07'30''$ West 218.39 feet; thence North $55^{\circ}52'30''$ West 229.62 feet; thence North $34^{\circ}07'00''$ East 14.48 feet; thence South $55^{\circ}53'51''$ East 1.97 feet; thence North $34^{\circ}03'33''$ East 193.90 feet to the Northwest corner of said Parcel 1, also lying on said South right-of-way; thence South $55^{\circ}52'30''$ East 182.31 feet; thence North $00^{\circ}50'09''$ West 12.20 feet; thence South $55^{\circ}52'30''$ East 52.57 feet to the point of beginning.