

City of Klamath Falls
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2018-008662

Klamath County, Oregon



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ORDINANCE NO. 18-04

07/20/2018 03:46:15 PM

Fee: \$112.00

**A SPECIAL ORDINANCE ANNEXING A 15.26 ACRE PROPERTY,
ZONED GENERAL COMMERCIAL AND LOCATED AT 2133 WASHBURN WAY**

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 13, 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:

There is hereby annexed to the City of Klamath Falls that certain property as depicted and legally described in the attached Exhibit B; the property is further described by the Klamath County Assessor as Map Number R-3909-3BC, Tax Lots 100, 300, and 1100.

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, Nickole 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 developed, however it is the owner's desires to redevelop the property. Redevelopment 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 Washburn Way, 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.

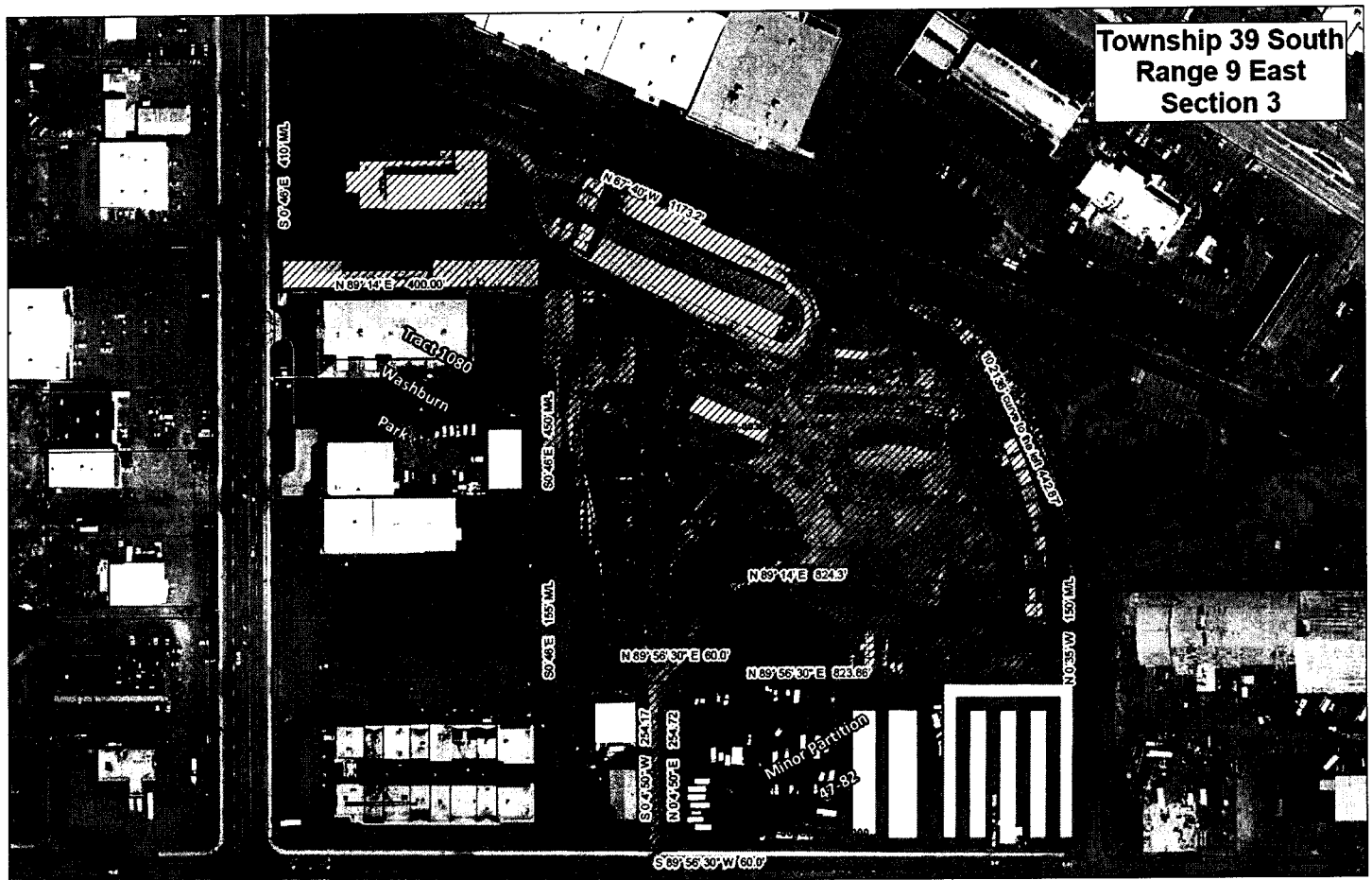
12) The annexation will promote an orderly and efficient transition from rural to urban land uses.

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.

Exhibit "B"

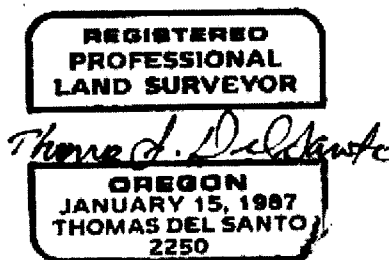
Map and Legal Descriptions



**ANNEXATION BOUNDARY DESCRIPTION
OF TAX LOT 100
AS SHOWN ON KLAMATH COUNTY ASSESSOR MAP
39 09 03CB (Revised 04-19-2011)**

A TRACT OF LAND SITUATED IN THE NW1/4 SW1/4 OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

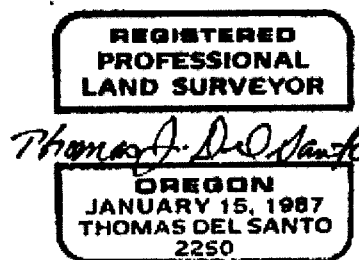
Beginning at the northeast corner of Parcel 1, as shown on Minor Partition No. 47-82 filed in the office of the Klamath County Surveyor, said corner being the intersection of the north line of said Parcel 1 with the west right of way line of the Oregon-California & Eastern Railway Spur; thence north, along said west right of way line, to its intersection with the north boundary line of Tract/Lot 34 as shown on the plat of Enterprise Tracts on file at the City of Klamath Falls Engineering Division; thence west, along said north boundary line, to its intersection with the east lot line of Lot 2, Block 3, Tract 1080-Washburn Park recorded in the Klamath County Clerk's Office; thence south, along said east lot line, to an angle point of the east and north lot line of said Lot 2; thence east, along said north lot line, to the northwest corner of Lot 3, Block 3 of said Tract 1080-Washburn Park; thence continuing east, along the north lot line of said Lot 3, to the northwest corner of Parcel 3 as shown on said Minor Partition No. 47-82; thence continuing east, along the north boundary line of said Minor Partition, to the northeast corner of said Parcel 1 and point of beginning, containing 2.96 acres more or less.



**ANNEXATION BOUNDARY DESCRIPTION
OF TAX LOT 300
AS SHOWN ON KLAMATH COUNTY ASSESSOR MAP
39 09 03CB (Revised 04-19-2011)**

**A TRACT OF LAND SITUATED IN THE NW1/4 SW1/4 OF SECTION 3, TOWNSHIP
39 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH
COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at the northwest corner of Parcel 3, as shown on Minor Partition No. 47-82 filed in the office of the Klamath County Surveyor, said corner also being a 5/8-inch rebar at the northeast corner of property surveyed and shown on County Survey #2354 filed in the office of the Klamath County Surveyor; thence N89deg 56' 30"W, along the north boundary of said County Survey #2354, 60.00 feet to a 5/8-inch rebar; thence S00deg 04' 50"W, along the west boundary line of said County Survey #2354, to a 5/8-inch rebar on the north right of way line of Crosby Avenue; thence S89deg 25' 10"E, along said north right of way line, 60.00 feet to a 5/8-inch rebar at the southwest corner of said Parcel 3; thence N00deg 04' 50"E, along the west boundary line of said Parcel 3, 254.72 feet to the northwest corner of said Parcel 3 and point of beginning, containing 0.35 acres more or less.



**ANNEXATION BOUNDARY DESCRIPTION
OF TAX LOT 1100
AS SHOWN ON KLAMATH COUNTY ASSESSOR MAP
39 09 03BC (Revised 03-11-2015)**

A TRACT OF LAND SITUATED IN THE SW1/4 NW1/4 OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point of intersection of the east right of way line of Washburn Way (aka. Midland Hwy. No. 420) with the south right of way line of the Oregon-California & Eastern Railway (main line); thence south, along said east right of way line, to the north lot line of Lot 2, Block 3, Tract 1080-Washburn Park recorded in the Klamath County Clerk's Office; thence east, along said north lot line, 400 feet more or less to the northeast lot corner of said Lot 2; thence south, along the east lot line of said Lot 2, 450 feet more or less to the south boundary line of Tract/Lot 44, Enterprise Tracts on file at the City of Klamath Falls Engineering Division; thence east, along said south boundary line to the common corner of Tract/Lot 44 and 35 of said Enterprise Tracts; thence continuing east, along the south boundary line of said Tract/Lot 35 to the west right of way line of the Oregon-California & Eastern Railway Spur; thence northwesterly on a curve to the left, along said west right of way line, to its intersection with the south right of way line of said Oregon-California & Eastern Railway (main line); thence northwesterly, along said south right of way line to the point of beginning, containing 11.95 acres more or less.

