

2018-012049

Klamath County, Oregon



10/02/2018 01:31:37 PM

Fee: NO FEE

## BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBERS CLUP 10-18 & CUP 18-18

FINAL ORDER

WHEREAS, Beaver Pumice, LLC, applicant, requested approval to add a new pumice mining site to the Goal 5 (Significant Resources) Inventory on 640 acres of a 89,973 acre parcel and be granted Conditional Use Permit approval; and

WHEREAS, the subject property is described as Tax Lot 500 in Section 8 of Township 29 South, Range 8 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on September 25, 2018 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Comprehensive Plan Amendment and Conditional Use Permit in due form for consideration; and

WHEREAS, based on testimony entered and consideration of the whole record, and taking the responses to each criterion in the Burden of Proof Statements as Findings of Fact in the application submittal and making the Findings in the Staff Report their own and with the proposed Conditions of Approval, 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 10-18 and CUP 18-18 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 APPROVED the request of Planning File CLUP 10-18 and CUP 18-18 subject to the following Conditions of Approval.

### Conditions of Approval

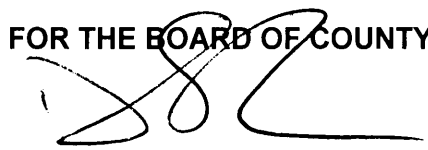
- 1. All projects that have the ability to disturb the ground, need Cultural Resource Surveys completed. During mining operations, all discovered cultural sites need to be flagged and avoided, and any ground disturbing activities in or around significant areas need to be culturally monitored. Protection activities should include the protection of culturally significant botanicals also.*
- 2. ODOT will need to have a trip generation estimate so as to review the current access permit (U-permit 23264 – CHAMPS permit 23098) for a possible change of use. The current permit was issued for forest products and living quarters.*

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 to add the property shown on attached Exhibit A to the Goal 5 Inventory and the Significant Resources Overlay of the official Zoning Map.

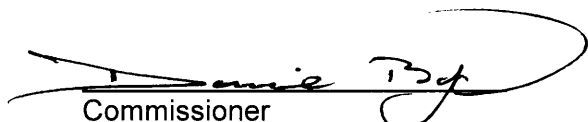
Dated this 27 day of September, 2018


FOR THE BOARD OF COUNTY COMMISSIONERS

  
Chair

Not Present

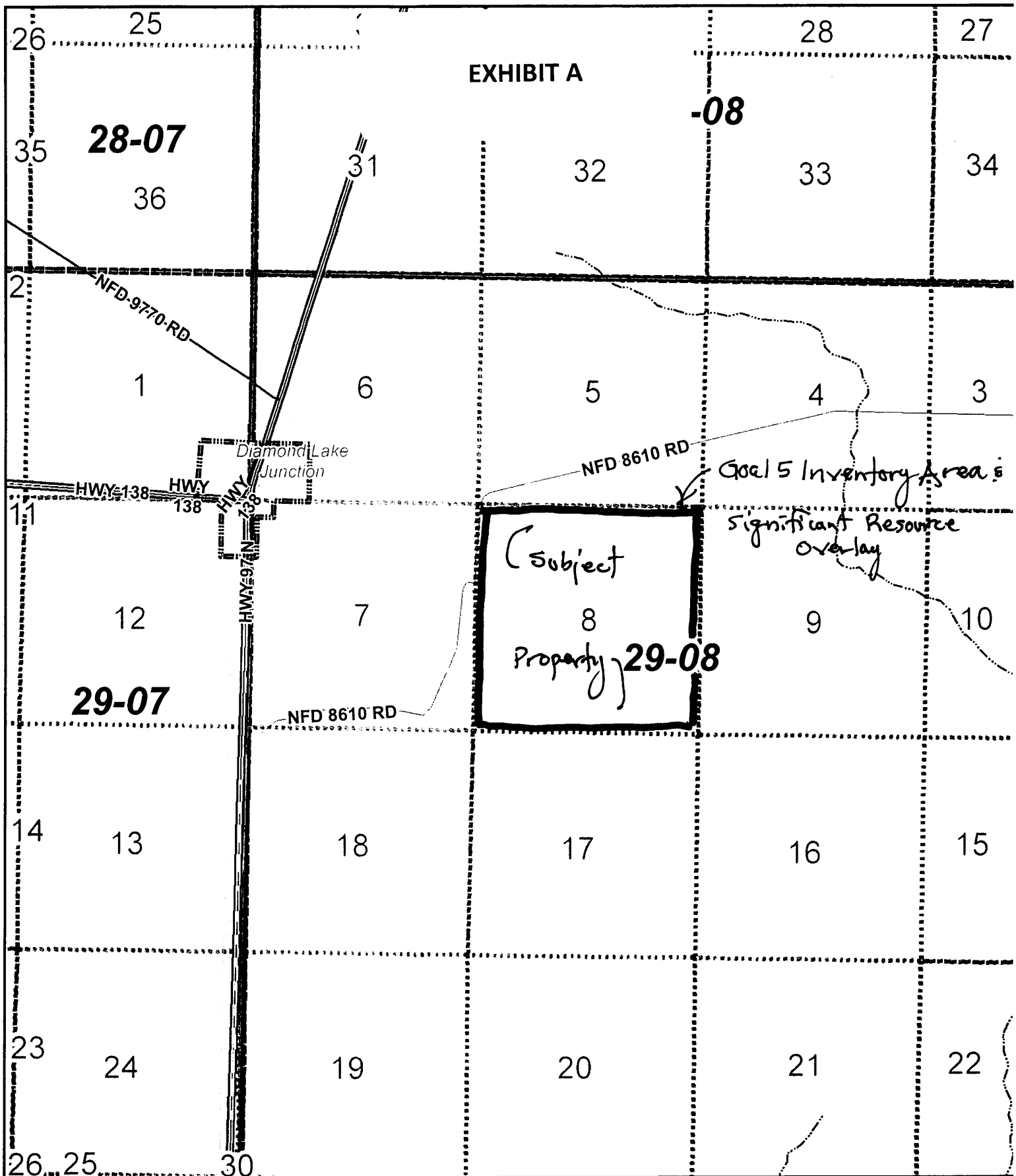
Commissioner

  
Commissioner

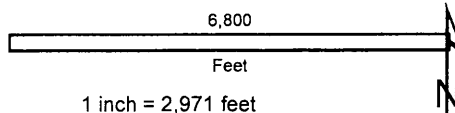
  
County Counsel  
Approved as to form

### 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 mail at 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.



**Klamath County**  
- Vicinity -



Date Printed: 8-20-18

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.