



BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP 1-23**FINAL ORDER**

WHEREAS, Klamath County, applicant, proposed language amendments to Land Development Code Article 82 Camping; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on April 25, 2023 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Land Development Code text amendment in due form for consideration; and

WHEREAS, based on testimony entered and consideration of the whole record, and making the proposed findings of fact in the Staff Report their own, the Planning Commission forwarded a recommendation for approval to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners concluded the application was in conformance with State Law, Klamath County Comprehensive Plan and Land Development Code, and acting within their authority unanimously **APPROVED** the request of Planning File CLUP 1-23.

Finding of Facts

Land Development Code Article 49.030 Review Criteria

- A. An amendment to the Comprehensive Plan or Land Development Code may only be approved if it meets all applicable review criteria.***
- B. An amendment to the Comprehensive Plan or Land Development Code shall be reviewed against the following criteria:***
 - 1. The proposed amendment is supported by specific studies or other factual information, which documents the public need for the change;***

Finding

The proposed amendment is needed to better regulate camping in order to avoid many of the problems resulting from the prior amendment.

2. The proposed amendment complies with policies of the Comprehensive Plan and policies and standards of the Urban Area Transportation System Plan;

The proposed revisions are consistent with the following Goals and Policies of the Klamath County Comprehensive Plan:

Goal 1: Citizen Involvement

The amendment has followed the public hearing procedures for a legislative code amendment, which provides an opportunity for citizen input.

Goal 8: Recreation Needs

POLICY 1: When planning for lands and resources capable of accommodating multiple uses, the County shall encourage the provision of appropriate recreation opportunities.

Goal 9: County Economy

POLICY 11: The County shall encourage (in appropriate locations and in accordance with the plan) the development of resort and summer homes, and other needed accommodations, attractions, activities, and facilities that will encourage tourists to make Klamath County a destination point rather than a pass through point.

Finding

The proposed amendment is found to be consistent with these goals as it will allow greater recreation opportunities and allow citizens to stay longer in the County during their visits.

It has been determined that Goals 2-7 and 10-14 are inapplicable to the proposed amendment.

3. The proposed amendment complies with the Oregon Statewide Planning Goals, state statutes and administrative rules, including compliance with the TPR (OAR 660-012-0060). To document compliance with the TPR the applicant shall submit a Traffic Impact Study pursuant to Section 71.200.

Statewide Planning Goals

Finding

The application is found to be consistent with Goals 1, 8 and 9 of the Statewide Planning Goals for the same reasons stated above in review of the Comprehensive Plan Goals and Policies. Goals 2-7 and 10-14 have been determined to be inapplicable.

State Statutes

Finding

Oregon Revised Statutes (ORS) does not contain any language which prohibits the County from allowing the proposed camping provision. The proposed amendment language is consistent with the current requirements of ORS.

Oregon Administrative Rules

Finding

There are no Administrative Rules that address camping on private property, including OAR 660-012-0060 - Transportation Planning Rule, therefore they are inapplicable.

**NOW, THEREFORE, THE KLAMATH COUNTY BOARD OF COMMISSIONERS
ORDER AS FOLLOWS:**

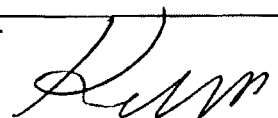
The Klamath County Planning Director shall prepare for adoption by the Board of County Commissioners an ordinance amending the Klamath County Land Development Code text to reflect the proposed revisions as shown on attached Exhibit A,.

Dated this 30 day of May, 2023

FOR THE BOARD OF COMMISSIONERS



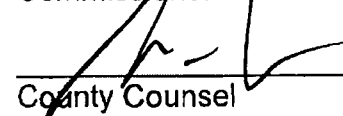
Chair



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.

EXHIBIT A
Article 82 – Camping

82.010 – PURPOSE

The purpose of this article is to establish standards for camping on private property, which is allowed in all zones, including inside Urban Growth Boundaries.

Camping is the occupancy of private property within a tent, tent-trailer, ~~shelter (not larger than 100 square feet)~~, vehicle, or recreational vehicle not within an authorized/designated camping facility.

Camping on public or private property beyond the time limits described in this section is prohibited, except for hunters with a current hunting license during an Oregon Dept. of Fish and Wildlife sanctioned hunting season.

82.020 – STANDARDS

A. Camping on private property is allowed for up to 21 days in any 6 month period. No permit is required for the first 7 days. A permit is required for any stay between 8 and 21 days and must be posted at the property entrance for the duration of the stay. A minimum of 14 days is required between camping stays. The total number of days counted is per all contiguous property under the same ownership.

B. Camping on private property during an Oregon Dept. of Fish and Wildlife sanctioned hunting season is allowed for up to 42 days in any 6 month period. No permit is required for the first 7 days. A permit is required for any stay between 8 and 42 days and must be posted at the property entrance for the duration of the stay. A minimum of 14 days is required between camping stays. The total number of days counted is per all contiguous property under the same ownership.

BC. Camping is limited to the property owner or those who have written permission from the property owner.

Outside of Urban Growth Boundaries, no more than a total of 2 vehicles, trailers with tow vehicles, or tents and a maximum of 12 people are allowed when a permit is required. Inside Urban Growth Boundaries, no more than 1 vehicle, trailer with tow vehicle or tent and a maximum of 4 people are allowed when a permit is required.

CD. Sewage disposal requires the following when a permit is required:

- a. Porta Potty, or Pit Privy (outhouse) ~~which requires a septic evaluation prior to installation.~~
- b. Self-contained Recreation Vehicle ~~Gray water disposal sump or recycled gray water.~~

Where there is a public sewer system or septic system, no connection is allowed when camping.

- DE. If a permit has not been issued and a complaint regarding camping for more than 7 days is received, the number of days counted toward camping will start at day 8 when the complaint is received.
- EF. RV's and any shelter or tent must meet the basic setbacks of the zone.
- FG. If garbage or trash accumulates at the site, including in trailers or vehicles, or is left at the site, the County may revoke the camping permit and/or not issue any future camping permits until the site is cleaned up.