



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: August 10, 2015
Jurisdiction: City of Klamath Falls
Local file no.: 1-A-15
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/06/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 46 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

**D
A
T
E

S
T
A
M
P**

DEPT OF

AUG 06 2015

**LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: *City of Pleasant Hills*

Local file number: *Annexation V A-15*

Date of Adoption: *8-4-2015*

Date Mailed: *8-4-2015*

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Annexation of 1.61 acres into city limits

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

Zone Map Changed from:

General Commercial

to:

to:

General Commercial

Location: *3909-4AD-100*

Acres Involved: *1*

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Erik Nobel Phone: (541) 883-5254 Extension:
Address: 226 S 5th St Fax Number: - -
City: K Falls, OR Zip: 97601 E-mail Address: Nobel@c.klamath-falls.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Ordinance No. 15-10

**A SPECIAL ORDINANCE ANNEXING
PROPERTY, TOTALING 1.61 ACRES OF GENERAL
COMMERCIAL ZONED PROPERTY (OC & E TRAIL)**

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; and

WHEREAS, a public hearing was held on June 22, 2015 pursuant to applicable laws, at which time all evidence and objection with reference to said proposed annexation were considered by the Planning Commission; and

WHEREAS, the City Council, hearing notices having been duly given, held a public hearing on July 20, 2015, on the recommendation of and including the record of the Planning Commission concerning the annexation; and

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 are met; and

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

NOW THEREFORE

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

There are hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached hereto as Exhibit A, and described Klamath County Assessor Map and Tax Lot R-3909-004AD-00100-000.

The zoning designation of the property will be General Commercial.

Passed by the Council of the City of Klamath Falls, Oregon, the 3rd day of August, 2015.

Presented to the Mayor, approved and signed this 4th day of August, 2015.



Mayor

ATTEST:



City Recorder

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

I, _____, Recorder for the City of Klamath Falls, Oregon, do hereby certify 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 3rd day of August, 2015 and therefore approved and signed by the Mayor and attested by the City Recorder.

City Recorder

**Exhibit A
VICINITY MAP
NO SCALE**

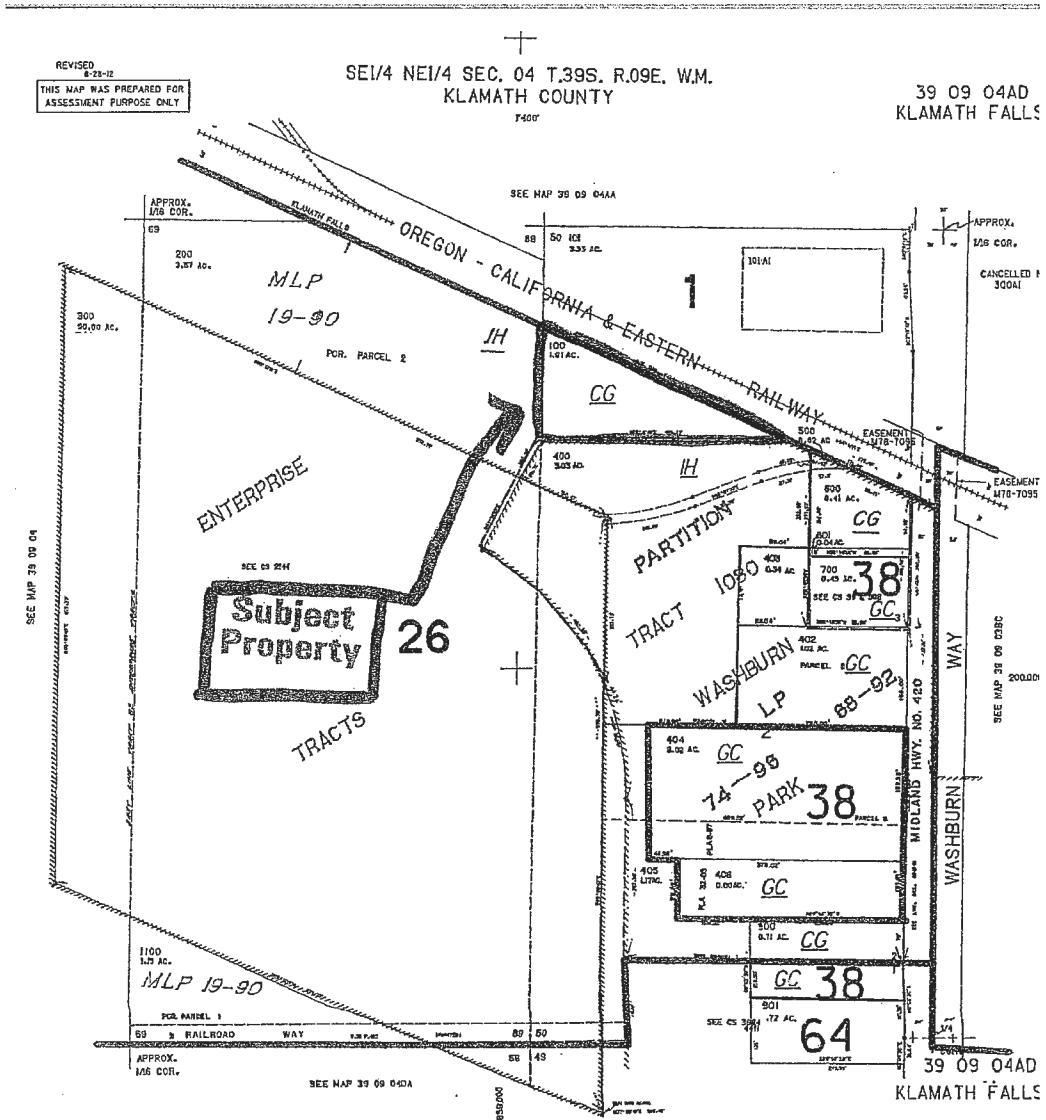


Exhibit B
FINDINGS

I. RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND 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 the City. The property is surrounded by general commercial zoned property.

2) The annexation will not encroach upon forestland.

Response: This annexation will not encroach upon forestland. This property is already in a developed area surrounded by property zoned General Commercial.

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 for the Oregon Parks to obtain domestic water which will help facilitate the maintenance of the OC&E trail.

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.

5) The annexation will not endanger life or property from natural disasters or hazards.

Response: The property in questions is already developed as the maintenance facility for the OC&E Trail. No addition development is proposed with this annexation. 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: Yes, this annexation will help facilitate the maintenance of the OC&E trail, which is a popular recreation facility in the City and the County.

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: Not applicable, this property is already developed.

- 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 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.

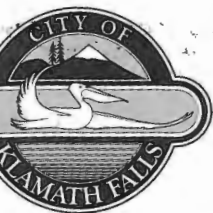
- 11) *The annexation will aid in conserving energy.*

Response: This annexation will aid in conserving energy. Once redeveloped, it will help create “in-fill” 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 and Industrial developments.

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



CITY OF KLAMATH FALLS, OREGON

P.O. BOX 237 - ZIP CODE 97601-0361

MEDFORD OR 975

04 AUG 2015 PM 1 T



ZIP 97601
011D11632941

DEPT OF

AUG 06 2015

LAND CONSERVATION
AND DEVELOPMENT

Plan Amendment Specialist
DLCD
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

97301\$2540

