



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

02/24/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Klamath County Plan Amendment
DLCD File Number 003-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, March 06, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Leslie Wilson, Klamath County
Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative

<paa> YA

PROF 2

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

FEB 17 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **Klamath County**

Local file number: **CLUP/ZC 6-08**

Date of Adoption: **12/15/2008**

Date Mailed: **2/12/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/30/2008

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".

Applicant requests a text amendment to the Klamath County Land Development Code Article 84 to amend the text to allow for manufactured home placement standards to accept a HUD equivalency standard in lieu of the HUD label without the need for a conditional use permit.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **Inside & Outside the UGB**

Acres Involved: **0**

Specify Density: Previous: **Single Family Residential**

New: **Same**

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 checked="" 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"/>	<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 #003-08 (16679)

DLCD file No. _____

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

DLCD & Klamath County, State Fire Marshal

Local Contact: **Leslie C. Wilson**

Phone: (541) 883-5121 Extension: 3079

Address: **305 Main Street**

Fax Number: **541-885-3644**

City: **Klamath Falls**

Zip: **97601-**

E-mail Address: **lwilson@co.klamath.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

**IN THE MATTER OF AMENDING ARTICLE)
84.010, KLAMATH COUNTY LAND)
DEVELOPMENT CODE, HEARINGS) ORDINANCE 45.72
OFFICER REVIEW PROCEDURE)
_____)**

WHEREAS, the Klamath County Board of Commissioners has the authority to amend the Land Development Code (KCLDC); and

WHEREAS, the Klamath County Planning Director desires to amend the Land Development Code; and

WHEREAS, a legislative public hearing was held on April 22, 2008; and, Staff Report was provided; and, public testimony was considered before the Klamath County Planning Commission; and, the Planning Commission recommended approval to amend the KCLDC; and, said recommendation was forwarded to the Klamath County Board of Commissioners; and

WHEREAS, the Klamath County Board of Commissioners have held a public hearing and have determined that it is in the best interest of Klamath County to amend Article 84.010, Standards for Manufactured Homes, of the Klamath County Land Development Code by Order of the Klamath County Board of Commissioners;

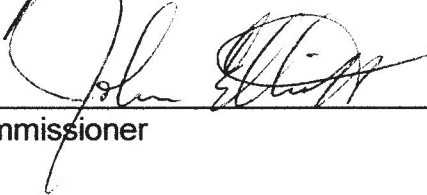
NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the amendments to the adopted Klamath County Land Development Code which are attached hereto, marked Exhibit "A", "Article 84 Amendment to Section 84.010," and incorporated herein by reference are hereby adopted.

DATED this 15 day of Dec., 2008.

FOR THE BOARD OF COMMISSIONERS




Chairman



Commissioner

Out of office

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 by 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 84 Amendment to Section 84.010

84.010 – STANDARDS FOR MANUFACTURED HOMES

Manufactured dwellings placed on individual lots in zones identified in Chapter 50, shall meet construction standards in accordance with Oregon Revised Statutes, Chapter 446 and Klamath County Code Chapter 703 and the following standards:

Manufactured dwellings are divided into three classes. Each class contains standards for compliance.

A. Minimum standards for manufactured homes sited inside the Klamath Falls Urban Growth Boundary shall:

1. Be a double section or larger multi-section unit; and
2. The home shall be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than twenty-four (24) inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than twenty four inches of the enclosing material shall be exposed on the uphill side of the home; and
3. Have utilities connected subject to the requirements of the Klamath County Building Department and manufacturer's specifications; and
4. The home must bear the HUD label; and
5. Have roofing materials of a type customarily used on site-constructed residences. The home shall have a pitched roof with a nominal slope of at least three feet in height for each twelve feet in width; and
6. Have siding materials of a type customarily used on site-constructed residences such as horizontal vinyl, wood, or aluminum lap-siding; and
7. Have a garage or carport at least 200 square feet in size, constructed before occupancy, of like materials. The garage or carport must be sited on the same lot as the dwelling.

B. Minimum standards for manufactured homes sited outside the Klamath Falls Urban Growth Boundary shall:

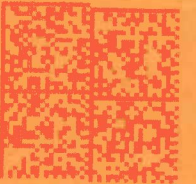
1. Be placed on a foundation, or support system approved by the building official; Skirting is required and shall be placed prior to final electrical approval; and
2. The home must bear the HUD label; and

Exhibit #A

3. Have utilities connected subject to the requirements of the Klamath County Building Department and manufacturer's specifications.
- C. Manufactured homes NOT meeting the above minimum standards may be sited by Type I Administrative Review per Article 22.030 outside the Klamath Falls UGB if sited in Klamath County as of February 1, 1999; or, within designated Manufactured/Mobile Home Parks; or, for Temporary Uses as defined by Article 42.**
1. If placed on a foundation or support system approved by the building official; skirting is required and shall be placed prior to final electrical approval; and
 2. Bear the Oregon Insignia of Compliance; or if to be placed on private property, be certified as "substantially equivalent," including but not limited to upgraded electrical circuitry, to a HUD labeled home as certified by the State of Oregon Building Codes Division; and
 3. Have utilities connected subject to the requirements of the Klamath County Building Department and manufacturer's specifications.

Klamath County
Planning Department
305 Main Street
Klamath Falls, OR 97601

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPT OF LAND CONSERVATION &
DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM OR 97301-2540



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