



Oregon
Theodore R. Kulongoski, 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

11/18/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: Klamath County Plan Amendment
DLCD File Number 005-10

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: Tuesday, November 30, 2010

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Leslie Wilson, Klamath County
Jon Jinings, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner
Thomas Hogue, DLCD Regional Representative

<paa> YA

FORM 2

DLCD

Notice of Adoption

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

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF
NOV 12 2010
LAND CONSERVATION
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **Klamath County**

Local file number: **Ord. 44.88 (CLUP 5-09)**

Date of Adoption: **11/3/2010**

Date Mailed: **11/9/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 10/26/2010

☒ 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".

Amendment to the Klamath County Comprehensive Plan Part 1 - Policies & Part 2 - Plan Atlas for an incorporation of a joint jurisdictional (City of Klamath Falls & Klamath County) "Economic Opportunity Analysis" limited to the Klamath Falls Urban Area.

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: **Klamath County**

Acres Involved: **0**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19
☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐

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: **Bill Adams, Planning Director**

Phone: (541) 883-5121 Extension: 3079

Address: **305 Main Street**

Fax Number: 541-885-3644

City: **Klamath Falls**

Zip: **97601-**

E-mail Address: **badams@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.

***BEFORE THE BOARD OF COMMISSIONERS
FOR THE COUNTY OF KLAMATH***

ORDINANCE 44.88

**IN THE MATTER OF AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN &
ATLAS TO ADD POLICIES NECESSARY TO ADOPT A KLAMATH FALLS URBAN
GROWTH AREA – GOAL 9 ECONOMIC NEEDS STUDY**

PART 1 (POLICIES) & PART 2 (ATLAS)

Part 1

Goal 9 (15) New Urban Policies

Part 2

Adoption of the Klamath Falls Urban Growth Area
GOAL 9 ECONOMIC OPPORTUNITIES ANALYSIS
&
LONG-TERM URBAN LAND NEED ASSESSMENT

WHEREAS, the Klamath County Planning Department requests, as part of the Comprehensive Plan and Land Development Code Update Program, to amend the County Plan; specifically, Part 1 (Goal 9) and Part 2 (an Urban Goal 9 Study); and

WHEREAS, these amendments are and will be applied subject to all applicable provisions of the Klamath County Comprehensive Plan and Land Development Code; and

WHEREAS, the Klamath County Planning Department submitted no request for an exception to Statewide Planning Goals and presented the request in due form for consideration; and

WHEREAS, the Klamath County Planning Department published proper public and agency hearing notice as required by Code and State Law; and

WHEREAS, the Klamath County Planning Commission held a joint public hearing on October 26, 2010 before the Board of County Commissioners; and

WHEREAS, based on testimony entered and consideration of the whole record, including the proposed Findings of Fact identified in the Staff Report, the Klamath

County Planning Commission concluded the application was in conformance with Article 49, a legislative amendment, of the Klamath County Land Development Code and Comprehensive Plan, and forwarded a unanimous recommendation of Approval for Planning File CLUP 5-10 (ORD. 44.88) to the Board of County Commissioners; and

WHEREAS, based on testimony entered and consideration of the whole record, including the proposed Findings of Fact identified in the Staff Report and recommendation by the Planning Commission, the Board of County Commissioners, on October 26, 2010 APPROVED amending the Klamath County Comprehensive Plan Part I (Policies) and Part II (Atlas) by the adoption of Ordinance 44.88.

NOW, THEREFORE, THE BOARD OF COMMISSONERS OF KLAMATH COUNTY ORDAINS AS FOLLOWS:

SECTION 1

1. The Board recognizes that the Economic Elements of the Comprehensive Plan was last amended by Ordinance 44.02, February 16, 1984.
2. Subsequent ongoing planning efforts of the County indicate a need to adopt an Urban Economic Opportunities Needs Analysis & Long-Term Need Assessment to facilitate future planned development.
3. The Board takes note that from time to time such changes to the planning documents are necessary for the benefit of the residents of Klamath County, Oregon.
4. Under provisions of the Klamath County Land Development Code, legal responsibilities for public notification; and, the Planning Commission has conducted one or more public hearings on the proposed amendment(s) and has submitted its recommendation to the Board. The Board finds that this Ordinance is based on that recommendation and any modifications made by the Board, as a result of the public hearing process.

5. The Board finds and takes public notice that it is in receipt of all matters and information necessary to consider this Ordinance in an adequate manner, and that this Ordinance complies with the Statewide Planning goals and other relevant standards and criteria set forth in Chapters 195, 197, and 215 of the Oregon Revised Statutes, and the Klamath County Land Development Code.

SECTION 2

The following hereto shall be incorporated herein and hereby adopted as the Klamath Falls Urban Growth Area – **Goal 9** 2009 Economic Opportunities Analysis and Long-Term Need Assessment in full; whereby all text, is shown in *ITALICS* and no text be deleted as follows:

The following Urban Comprehensive Plan Goals (1-5) and Policies & Implementation Statements shall be applicable only within the Klamath Falls Urban Growth Area:

KF-UGB GOAL #1

TO ACTIVELY STIMULATE ECONOMIC DEVELOPMENT AND GROWTH THAT WILL DIVERSIFY AND STRENGTHEN THE MIX OF ECONOMIC ACTIVITY IN THE LOCAL MARKETPLACE AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR LOCAL RESIDENTS.

Policy 1-1:

Klamath County will continually strive to strengthen the community's industry, business, financial, medical, tourist and retail activities and to capitalize on its comparative advantages in the local and regional marketplace.

Implementation 1-1(a)

Identify opportunities and incentives to encourage value-adding, family-wage business to expand or locate in the community.

Implementation 1-1(b)

Support the retention and attraction of firms with high wage rates for all industries, but also encourage the attraction and retention of firms with high wage rates within their respective industry classifications.

Implementation 1-1(c)

Participate in a joint public/private business development program to provide retention services and identify opportunities for the growth of existing businesses and the attraction of new firms to the community, in order to diversify the mix of employment opportunities.

Implementation 1-1(d)

In recruiting new companies to the area, market comparative advantages, such as utilities, renewable energy, sales tax benefits, enterprise zone and education/research infrastructure.

Implementation 1-1(e)

Work with O.I.T and Klamath Community College to strategically encourage labor-training programs that match personnel needs of firms now operating and those new industries which the community aspires to bring in.

Implementation 1-1(f)

Work with O.I.T and Klamath Community College to encourage retraining programs to transitions the current workforce to match skills needed in the firms operating in the community and those new industries which the community aspires to bring in.

Implementation 1-1(g)

Maintain good relations and frequent contact with to market the Klamath Falls Airport and Kingsely Air Base, in effort to identify companies seeking to locate in the area.

Implementation 1-1(h)

Foster regional economic development relationships to identify spill-over opportunities from economic growth in targeted industries in Bend and/or Medford which cannot be accommodated.

Implementation 1-1(i)

Target medium-scale general manufacturers as part of a comprehensive recruiting plan.

Implementation 1-1(j)

Foster relationships with the medical community to create opportunities for additional local health care services.

Implementation 1-1(k)

Coordinate County economic development program(s) with the citizens within the Klamath Falls Urban Growth Area, and community development based organizations, the City of Klamath Falls and other local regional, state, and federal agencies.

KF-UGB GOAL #2

TO RETAIN AND SUPPORT THE EXPANSION OF EXISTING BUSINESSES WITHIN THE KLAMATH FALLS URBAN GROWTH AREA

Policy 2-1:

Klamath County and the City of Klamath Falls shall seek ways to partner with the business, medical and educational communities to implement the Economic Element and advance common objectives.

Implementation 2-1(a)

Identify opportunities and incentives to encourage industry related to the area's competitive advantages.

Implementation 2-1(b)

Increase the retention of retail commerce by providing opportunities and incentives to increase the diversity of the communities' retail landscape.

Implementation 2-1(c)

Partner with regional and state agencies as well as national industry groups to identify new potential for an emerging renewable energy industry.

Policy 2-2:

Klamath County recognizes that the expansion and/or redevelopment of existing employment sites is often more challenging than the development of vacant sites and both the City and County shall consider ways to encourage the expansion and/or redevelopment of existing employment sites.

Implementation 2-2(a)

Consider adopting regulations that differentiate between the development of vacant sites and the expansion and/or redevelopment of existing sites.

Policy 2-3:

The County will coordinate with federal and state agencies, the City of Klamath Falls, and other stakeholders to plan its employment land base in ways that best balance the needs of business and the environment.

KF-UGB GOAL #3

ASSURE AN ADEQUATE COMMERCIAL AND INDUSTRIAL LAND BASE TO ACCOMMODATE THE TYPES AND AMOUNT OF ECONOMIC DEVELOPMENT AND GROWTH ANTICIPATED IN THE FUTURE, WHILE ENCOURAGING EFFICIENT USE OF LAND AND PUBLIC FACILITIES WITHIN THE KLAMATH FALLS URBAN GROWTH AREA.

Policy 3-1:

Klamath County will rely upon its Medium Employment Growth Scenario in the Economic Element (20-year Employment Projections), Land Demand Projections, and Site Demand Projections when planning its employment land base.

Policy 3-2:

The County shall consider short-term (five-year) employment land demand(s) to be equal to one quarter (25 percent) of the Klamath Falls Urban Growth Area, an amount of land projected to be demanded over the twenty-year planning horizon.

Implementation 3-2(a)

Update the buildable lands inventory every five years to ensure adequate employment sites are available.

Policy 3-3:

Klamath County will maintain a Short-Term Supply of employment land consistent with the Economic Opportunities Analysis in the Economic Element.

Policy 3-4:

Klamath County will meet subregional land needs by maintaining a Short-Term Supply of employment land consistent with subregional demand estimates.

Policy 3-5:

Klamath County recognizes important differences among sites with respect to the site characteristics demanded by respective industry.

Implementation 3-5(a)

Assure demand projections for medium and large Commercial, Industrial and Office sites are captured in aggregate land demand projections.

Implementation 3-5(b)

The County shall protect large commercial and industrial sites by limiting land divisions except where part of larger development.

Implementation 3-5(c)

Consider the transportation infrastructure needs of target industry opportunities when preparing Transportation System Plans updates and corridor plans to implement the City's Goal 9 objectives.

Policy 3-6:

Klamath County may assist in the identification of sites for businesses that have unique requirements.

Policy 3-7:

Klamath County shall place limits on commercial uses that are or can be permitted in industrial zones.

Policy 3-8:

Klamath County shall encourage higher density industrial and/or commercial development forms than has historically been exhibited in the city and better reflect emerging targeted industries and businesses.

Policy 3-9:

Klamath County shall designate lands in the vicinity of the Airport for uses that will take advantage of airport services (e.g., Air/Rail Transportation Zone/Overlay Ordinance 44.46).

KF-UGB GOAL #4

TO DEVELOP LOCATION CRITERIA AND SITE DEVELOPMENT STANDARDS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT WHICH ENCOURAGE EFFICIENT USE OF PUBLIC FACILITIES, PARTICULARLY THE KLAMATH FALLS URBAN GROWTH AREA TRANSPORTATION SYSTEMS.

Policy 4-1:

Klamath County shall encourage integrated commercial centers, rather than individual linear developments.

Implementation 4-1(a)

Encourage the creation of master planned (PUD) employment districts that integrate industrial and/or commercial uses.

Implementation 4-1(b)

Encourage utilizing Special Area Plans, master planned employment districts, Neighborhood Plans and Planned Unit Development to integrate and mix residential development with employment development patterns. This may take the form of mixed-use overlay zones.

Implementation 4-1(c)

The county shall work with Basin Transit Service to increase level of service.

KF-UGB GOAL #5

THE LIVABILITY OF A COMMUNITY IS AN IMPORTANT FACTOR IN THE LOCATION CHOICE OF BUSINESSES. KLAMATH COUNTY SHALL CONTINUE TO STRIVE, MAINTAIN, AND ENHANCE THE LIVABILITY OF THE COMMUNITY.

Policy 5-1:

Klamath County recognizes that community amenities and quality of life considerations factor highly into the site location choice of business seeking to start new or relocate.

Implementation 5-1(a)

Support all School District's pursuit of improvements in excellence and learning.

Implementation 5-1(b)

Continue collaboration with community organizations to enhance the Klamath Falls Urban Growth Area's image and quality of life.

Implementation 5-1(c)

Encourage additional industrial and commercial development in areas that will not have a detrimental effect on living conditions.

Implementation 5-1(d)

Klamath County shall continue to promote and preserve open space within the community and surrounding urban areas.

Implementation 5-1(e)

Klamath County recognizes the importance of child care and shall support efforts to develop child care services for the labor force.

SECTION 3

The Klamath Falls Urban Growth Area (KF-UGA) Economic Opportunities Analysis and Long-Term Urban Land Need Assessment (KF-UGA EOA) shall be incorporated into the Klamath County Comprehensive Plan Part II (Atlas) into Part Two identified as the Comprehensive Master Plan Technical Data; and, shall incorporate into Section VI; and, therefore published between pages VI-38 and VII-1.

SECTION 4

All other Comprehensive Plan provisions that have been adopted by prior ordinance, that are not expressly amended or repealed herein, shall remain in full force and effect.

SECTION 5

All applications received prior to the effective date hereby affixed shall be processed in accordance with ORS 215.427 (2009 Edition).

SECTION 6

If any portion of this Ordinance, including the exhibits, shall for any reason be held invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect, and any provision of a prior land use ordinance amended or repealed by the stricken portion of this Ordinance shall be revived and again be considered in full force and effect.

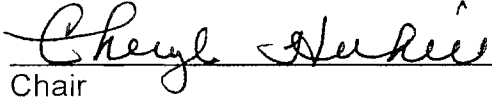
SECTION 7

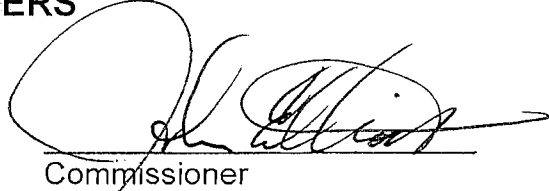
The County Counsel in joint coordination with the Community Development Department – Planning Division, hereafter known as the Planning Department are authorized to prepare planning documents to reflect the changes adopted under Section 2 of this Ordinance, including deleting and adding textual material and maps, renumbering pages or sections, and making any technical changes not affecting the substance of these amendments as necessary to conform to the Klamath County Comprehensive Plan format.


SECTION 8

This Ordinance shall take effect thirty (30) days after adoption.

FOR THE BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner


Reviewed by County Counsel

Dated this 3 day of November, 2010

BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP 5-10

FINAL ORDER

WHEREAS, the Klamath County Community Development Department - Planning Division, hereafter know as Applicant, requested approval of a Legislative Amendment to the COMPREHENSIVE PLAN, Part I – Policies & Part II – Atlas for the purpose of adopting the July 21, 2009 version of the Johnson/Gardner City of Klamath Falls/Klamath County Economic Opportunities Analysis and Long-Term Urban Land Need Assessment (KF-UGA EOA); and

WHEREAS, the subject jurisdictional boundary is described as that area within the Klamath Falls Urban Growth Area (KF-UGA); and,

WHEREAS, the APPLICANT provided proper notice prescribed by law for a legislative hearing held on October 26, 2010 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, based on testimony entered and consideration of the whole record, including the proposed Findings of Fact identified in the Staff Report, the Klamath County Planning Commission concluded the request for amendment was in conformance with Article 49 of the Klamath County Land Development Code and Comprehensive Plan; including Oregon State Statute and Administrative Rules; the Commission adopted said Findings of Fact as their own; and, forwarded a indisputable recommendation of APPROVAL to amend the Comprehensive Plan Parts I & II referenced as Planning File CLUP 5-10 to the Board of County Commissioners; and

WHEREAS, based on testimony entered and consideration of the whole record, including the Planning Commission adopted Findings of Fact identified in the Staff Report, the Board of County Commissioners APPROVED Planning File CLUP 5-10, adopting the City of Klamath Falls/Klamath County Economic Opportunities Analysis and Long-Term Urban Land Need Assessment.

NOW, THEREFORE, THE BOARD OF COMMISSONERS OF KLAMATH COUNTY
ORDERS AS FOLLOWS:

The Klamath County Planning Director shall prepare an Ordinance for Board signature amending the Comprehensive Plan to include:

SECTION ONE

The following Goals (1-5) and Policies shall be applicable within the Klamath Falls Urban Growth Area:

KF-UGB GOAL #1

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Policy 1-1:

Klamath County will continually strive to strengthen the community's industry, business, financial, medical, tourist and retail activities and to capitalize on its comparative advantages in the local and regional marketplace.

Implementation 1-1(a)

Identify opportunities and incentives to encourage value-adding, family-wage business to expand or locate in the community.

Implementation 1-1(b)

Support the retention and attraction of firms with high wage rates for all industries, but also encourage the attraction and retention of firms with high wage rates within their respective industry classifications.

Implementation 1-1(c)

Participate in a joint public/private business development program to provide retention services and identify opportunities for the growth of existing businesses and the attraction of new firms to the community, in order to diversify the mix of employment opportunities.

Implementation 1-1(d)

In recruiting new companies to the area, market comparative advantages, such as utilities, renewable energy, sales tax benefits, enterprise zone and education/research infrastructure.

Implementation 1-1(e)

Work with O.I.T and Klamath Community College to strategically encourage labor-training programs that match personnel needs of firms now operating and those new industries which the community aspires to bring in.

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Work with O.I.T and Klamath Community College to encourage retraining programs to transitions the current workforce to match skills needed in the firms operating in the community and those new industries which the community aspires to bring in.

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Continue collaboration with community organizations to enhance the Klamath Falls Urban Growth Area's image and quality of life.

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Encourage additional industrial and commercial development in areas that will not have a detrimental effect on living conditions.

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Klamath County shall continue to promote and preserve open space within the community and surrounding urban areas.

Implementation 5-1(e)

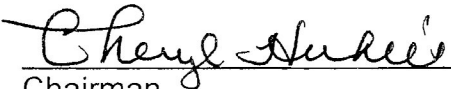
Klamath County recognizes the importance of child care and shall support efforts to develop child care services for the labor force.


SECTION TWO


The Klamath Falls Urban Growth Area (KF-UGA) Economic Opportunities Analysis and Long-Term Urban Land Need Assessment (KF-UGA EOA) shall be incorporated into the Klamath County Comprehensive Plan Part II (Atlas) into Part Two identified as the Comprehensive Master Plan Technical Data; and, shall incorporate a new Section identified as Section XIII; and, therefore published between pages XIII-1 to XIII-146 of Part Two.

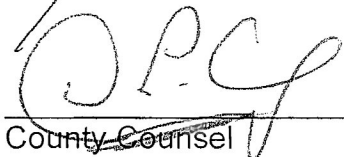
Dated this 3 day of November, 2010

FOR THE BOARD OF COMMISSIONERS


Chairman


Commissioner


Commissioner


County Counsel
Approved as to form

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



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