



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

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www.oregon.gov/LCD



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

Date: April 07, 2016
Jurisdiction: Klamath County
Local file no.: CLUP/ZC 1-16
DLCD file no.: 002-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/01/2016. 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 39 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



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

FOR DLCD USE

File No.: 002-16 {24227}

Received: 4/1/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: KLAMATH COUNTY

Local file no.: **CLUP 1-16**

Date of adoption: 3/29/16

Date sent: 4/1/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 1/15/16

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Mark Gallagher, Planning Director

Phone: 541-851-3668

E-mail: mgallagher@co.klamath.or.us

Street address: 305 Main St.

City: Klamath Falls

Zip: 97601-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from Rural to Transportation Commercial 9 acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): T33, R07, Sec V26, TL 601

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from Rural Residential - 5 ac. min.	to Transportation Commercial	Acres:
9		
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): T33S, R7E, SecV26, TL 601

List affected state or federal agencies, local governments and special districts: ODOT & Klamath County

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Final Order and Ordinance

2016-003295

Klamath County, Oregon



00184438201600032950060063

03/30/2016 11:12:36 AM

Fee: NO FEE

Return to Commissioner's Journal

BEFORE THE KLAMATH COUNTY BOARD OF COMMISSIONERS

IN THE MATTER OF FILE NUMBER CLUP/ZC 1-16

FINAL ORDER

WHEREAS, Tru-Line Surveying, Inc. (for Crater Lake RV Resorts, LLC), applicants, requested approval of an amendment to the Comprehensive Plan designation from Rural to Transportation Commercial and associated zone change from Rural Residential (R-5) to Transportation Commercial (CT) on approximately 9 acres; and

WHEREAS, the subject property is described as Tax Lot 601 in Section V26 of Township 33 South, Range 7 East Willamette Meridian; and

WHEREAS, the Klamath County Planning Department provided proper notice of a public hearing held on March 22, 2016 before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, the applicant submitted said request for the Comprehensive Plan amendment and associated zone change 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 application submittal and Staff Report their own, 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/ZC 1-16 to the Board of County Commissioners; and

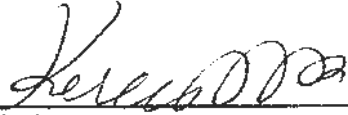
WHEREAS, based on testimony entered and after consideration of the whole record; and, with a recommendation from the Klamath County Planning Commission, the Klamath County Board of Commissioners acting within their authority, accepted the Planning Commission's recommendation, and unanimously APPROVED the request of Planning File CLUP/ZC 1-16.

**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 - General Land Use Plan Map and Zoning Map to reflect the proposed revision to the plan designation and zoning change as shown on attached Exhibit A.

Dated this 21 day of March, 2016

FOR THE BOARD OF COMMISSIONERS




Chairman



Commissioner



Commissioner



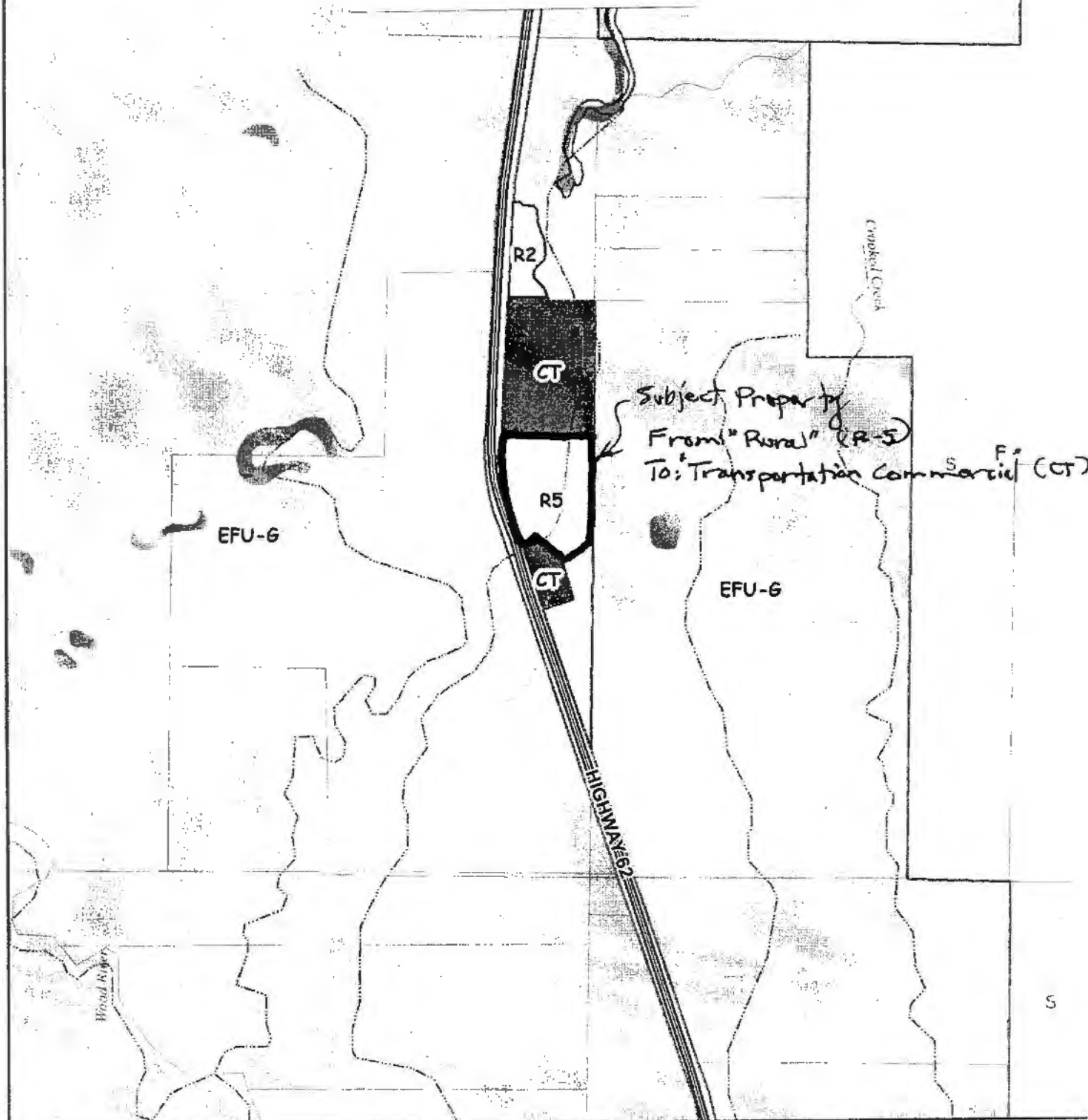
County Counsel
Approved as to form

NOTICE OF APPEAL RIGHTS

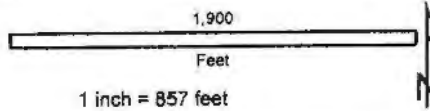
This decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days following the date of the mailing of this order. Contact LUBA for information as how to file this appeal (LUBA by phone 1-503-373-1265 or mail at 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552). Failure to do so in a timely manner may affect your rights.

EXHIBIT A

CR



Klamath County
-Vicinity-



Date Printed: 1-15-16

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.

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

**IN THE MATTER OF CHANGING
THE COMPREHENSIVE PLAN)
MAP DESIGNATION FROM)
RURAL TO TRANSPORTATION)
COMMERCIAL AND)
ASSOCIATED ZONING FROM)
RURAL RESIDENTIAL (R-5) TO)
TRANSPORTATION)
COMMERCIAL (CT) ON 9 ACRES)
OF PROPERTY.)**

ORDINANCE 44.111

WHEREAS, the Klamath County Board of Commissioners has the authority and desires to amend the Comprehensive Plan Map, and Official Klamath County Zoning Map; and

WHEREAS, the Klamath County Planning Department provided written notice of the public hearing as required in KC Land Development Code Article 31; and

WHEREAS, a quasi-judicial public hearing was held on March 22, 2016, and a Staff Report was provided, and public testimony was considered before the Klamath County Planning Commission and Board of County Commissioners; and

WHEREAS, based on testimony entered and in consideration of the whole record, the Klamath County Planning Commission adopted as its own the findings of fact provided in the Application and Staff Report and recommended approval of the amendment of the Comprehensive Plan Map, and Zoning Map; and, said recommendation was forwarded to the Klamath County Board of Commissioners; and

WHEREAS, the Klamath County Board of Commissioners voted to approve the Planning Commission recommendation to amend the Comprehensive Plan Map and Zoning Map; and


NOW, THEREFORE, the Klamath County Board of Commissioners ordains that the amendments to the Klamath County Comprehensive Plan and Zoning Map, which are attached hereto and marked as Exhibit "A," and incorporated herein by reference are hereby adopted.

DATED this _____ day of _____, 2016.

FOR THE BOARD OF COMMISSIONERS




Chairman



Commissioner



Commissioner



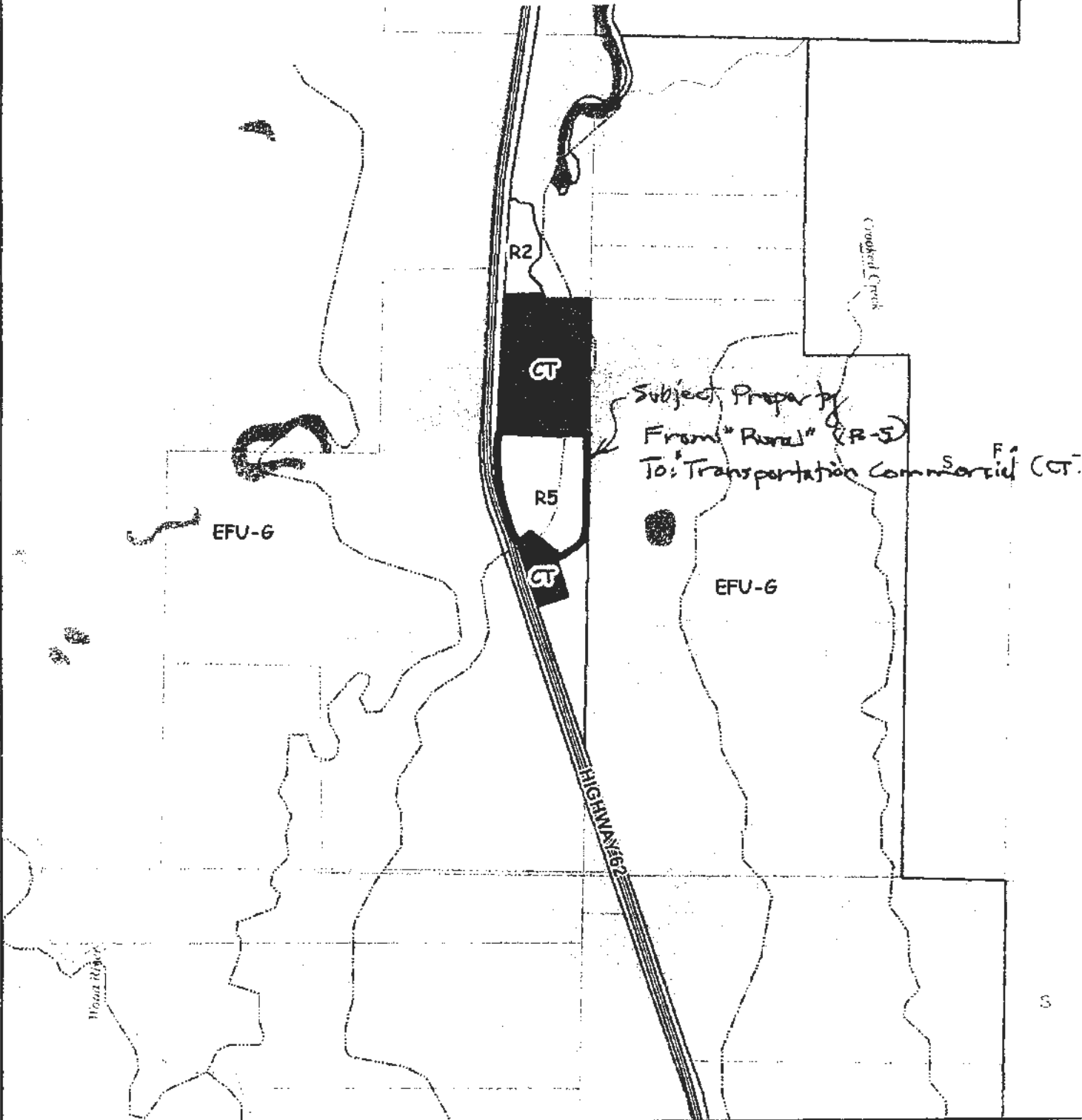
County Counsel
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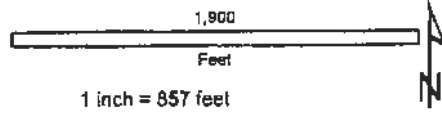
EXHIBIT A

CR



Subject Property
 From "Rural" (R-5)
 To: Transportation Commercial (CT)

Klamath County
 -Vicinity-



Date Printed: 1-15-16

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