

GOAL 2: LAND USE PLANNING

General Discussion

To establish a land use planning process for the County as a basis for all decisions and actions related to use of land and to ensure an adequate factual base for such decisions and actions.

City, county and special district plans and actions related to land use shall be consistent with the Comprehensive Plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems; inventories and other factual information for each applicable statewide planning goal; evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy, and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents, and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accordance with a schedule set forth in the plan.

Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review, and revision of plans and implementation ordinances.

Objectives

Develop detailed plans or specific programs to implement the recommendations and proposals of the Comprehensive Plan.

Keep the Comprehensive Plan current through annual minor revisions and a major review and update.

Develop the necessary management measures (urban growth boundaries, zoning and subdivision ordinances, codes, etc.) to ensure the implementation of the adopted Comprehensive Plan.

The County should be continually sensitive to the needs of its people, in activities of work, education, worship and recreation, so that they may gain the most from the potential of land use planning.

Definitions:

- Affected governmental units are those local governments, state and federal agencies, and special districts that have programs, land ownerships, or responsibilities within the area included in the plan.
- Affected persons are owners of record of real property located within the prescribed area subject to the proposed change.
- Comprehensive Plan is defined in ORS 197.015 (included in the definition of Comprehensive Plan).
- Implementation measures are the means used to carry out the plan. These are of two types: (1) management implementation measures such as ordinances, regulations, or project plans; and (2) site or area-specific implementation measures such as permits and grants for construction, construction of public facilities, or provisions of services.
- Plans guide land use decisions, including both comprehensive and single purpose plans of cities, counties, state and federal agencies, and special districts.

1. POLICY: The County shall establish the following plan revision and evaluation schedule:

A. Minor Changes (ongoing) Quasi-Judicial

- These changes may be proposed or initiated by an individual, private developer or by a federal, state or local government agency or district.
- These changes do not have significant effect beyond the immediate area of change.

B. Biennial Revisions, Legislative

- These types of revisions will be reviewed at least on a biennial basis commencing on the first month of every other year.
- These types of revisions may be ongoing if necessary.
- The Planning Commission will continually evaluate the plan goals, objectives and policies in reference to overall realistic achievement of the Comprehensive Plan.
- The acquisition and consideration of new information, such as inventory updates, new projections that were not available during initial plan development will also be considered.
- Recommendations for plan revision will be heard. This includes both mapping, inventory and policy changes.

Rationale:

- To provide for changing public policies and circumstances when public needs and desires change and when development occurs at a different rate than was contemplated by the plan.
- To provide a method of determining if plan means are accomplishing intended plan ends.
- To ensure that the County inventories and collects factual information for each applicable statewide planning goal.

Implementation:

Minor Changes (ongoing) Quasi-Judicial

- County staff shall prepare staff reports that will serve as the factual basis to evaluate the requested change.
- The proponent will bear the burden of proof for the proposed minor change.
- Minor changes do not include text or policy revisions.
- Minor changes include map changes that do not have any significant effect beyond the immediate area of change.

Biennial Revisions, Legislative

- The County shall complete inventoried (i.e., information that was not available during the initial plan development) of all factual information applicable to Oregon statewide planning Goals I through I4.
- These types of changes shall include both mapping, inventory or policy changes.

2. POLICY: Copies of the Plan shall be available to the public and to affected governmental units.

Rationale:

- To provide public access to the County plan.
- To provide information to special districts, city, county, state, and federal agencies.

Implementation:

- County plans shall be filed, but not recorded, in the Klamath County Clerk's Office, with copies available in the Klamath County Planning Department.
- A copy of the Land Development Code shall be available at the County library.

3. POLICY: The County shall work to coordinate all plans and programs with regional, state, and federal plans and policies.

Rationale:

- That the County will work to coordinate implementation measures with the plans of affected governmental units.

Implementation:

- The County shall cooperate in developing a program to review all County implementation measures for conformance with the plans of affected governmental units.

4. POLICY: The written policies, land use maps, urban growth boundaries, and rural community boundaries shall be changed only by formal amendment of the Comprehensive Plan. All proposed amendments shall be evaluated against the goals. Any such amendment that would result in a violation of one or more goals shall be subject to the exceptions process.

Rationale:

- To ensure that the Comprehensive Plan continues to conform to the goals and continues to be workable for the citizens of Klamath County.

Implementation:

- The County Planning Department shall prepare a staff report on goal compliance and, where a potential goal disagreement is identified, shall require the applicant to present the substantial reasons and facts for the exception. Findings on reasons and facts shall be adopted in conjunction with any adopted amendment.
- The Planning Department shall work with applicants in obtaining necessary data.

5. POLICY: The County shall acquire and consider required inventory information that was not available during initial plan development.

Rationale:

- To ensure that the County inventories and collects factual information for each applicable statewide planning goal.

Implementation:

- The County Planning Department shall complete inventories of factual information applicable to Oregon Statewide planning Goals 2 through 14.

6. POLICY: Zoning shall be consistent with the land use plan map.

All land inside the Klamath Falls Urban Growth Boundary, excluding the land within the city limits of Klamath Falls, is subject to the Klamath County Land Development Code and Urban Growth Boundary Management Agreement.

The land use plan map is a general representation of the acreage and layout of various land uses. It is not intended to be a specific representation of permitted land uses, except where a category permits only very limited uses or where boundaries clearly follow property lines, ownership lines, survey lines, or major physical features. The written policies of the Plan provide guidance in zoning.

Rationale:

- To ensure that land use regulation systematically advances the policies of the Comprehensive Plan.

Implementation:

- The County shall follow the land use plan map, and the written policies of the plan when preparing new zoning or when evaluating proposals for rezoning.

7. POLICY: To the extent feasible, the boundaries of zoning districts shall follow property lines except where the land use plan clearly requires otherwise. For zoning purposes, the land use plan shall be construed liberally, provided that the written policies of the plan are not thereby violated.

Rationale:

- To accommodate peculiar local conditions that could not be recognized in the preparation of the land use plan. In particular, to avoid the creation of lots which, because of awkward size, shape or orientation, result in inefficient land use.

Implementation:

- When land is rezoned to conform to the land use plan, staff shall deviate from the land use plan map when necessary to reflect peculiar local conditions.

8. POLICY: All legally existing land uses shall be allowed to continue as either conforming or nonconforming land uses.

Rationale:

- To protect individual property rights and investments.

Implementation:

- Provisions shall be made to allow all legally existing land uses to continue as either conforming or non-conforming land uses.

9. POLICY: Klamath County is expected to experience population increases as arrived at based on Cohort Survival Population Projections. The County shall provide support for this population increase by providing sufficient land, community facilities and other community resources.

Rationale:

- The Klamath Falls Basin area possesses geographical locational factors which will facilitate an increase in the population growth rate. The area possesses a large amount of land that is marginal agricultural land yet suitable for residential development. The area has good access to transportation facilities such as rail, airline and truck lines. The area has an air shed that has not been adversely affected by pollution. The geographical siting of the Klamath Falls Urban Area minimizes a possible problem with possible degradation of the air shed. The area has the natural resources, wildlife, wildfowl, climate and geothermal resources that have served as inducement to in-migration of new residents who wish to enjoy a rural lifestyle.

- Klamath Basin resources have been examined to determine the different type of growth patterns that are possible. Klamath Basin has economies that depend upon natural resource oriented industries such as timber, tourism and skiing. This area experiences its high growth rate primarily through the migration of new residents by the projection of historical population information. Future migration of population depends upon the lack of amenities in this area from which people are moving and upon the lifestyle and amenities offered by this County.
- The Board of County Commissioners adopted the following policy which uses the Cohort Survival Method to project the County's population to the year 2000; 20 years. This results in a population of 88,910 in that year, an increase of 50 percent over the Final 1980 Census Count for Klamath County of 59,117 people.
- The Board also determined that approximately 65 percent of that total will fall within the Klamath Falls Urban Growth Boundary, while 35 percent of that total will be located outside the Klamath Falls Urban Growth Boundary.

Implementation:

- The County will make available enough developable lands both inside the Klamath Falls Urban Growth Boundary and outside to accommodate this growth.
- Population increases that occur outside of the five City Urban Growth Boundaries may also be located within Rural Community and Rural Service Center Boundaries.

10. POLICY: A Planned Unit Development Overlay Zone or a Geothermal Resource Overlay Zone may be applied to any area designated on the plan map as:

NR	Non-Resource
CG	General Commercial
CT	Transportation Commercial
I	Industrial
R	Rural
UR	Urban Residential
RCR	Rural Community Residential

In order to approve application of the Planned Unit Development Overlay Zone or Geothermal Resource Overlay Zone to land designated for resource use, an exception to the applicable Statewide Planning Goals must be adopted through the plan amendment process.

Rationale:

- To provide for flexibility of uses in areas of the County designated for non-resource use in response to changing public needs, desires, and rates of development, through the zone change process.
- To ensure that the value to the County of P.U.D. or Geothermal Resource use of land designated for resource use outweighs the value to the County of its use as agriculture or forest land, through the plan amendment and goal exception processes.

Implementation:

- The Land Development Code allows for application of the P.U.D. Overlay Zone and Geothermal Resource Overlay Zone through the zone change procedure. If land proposed for application of these overlay zones is designated for agricultural or forest use, an exception to the applicable Statewide Planning Goals, through the plan amendment process, will be mandatory.
- Industrial and commercial uses are the primary uses intended in areas to which the Geothermal Resource Overlay Zone is applied. All residential development proposed within these areas will not be approved until the industrial or commercial land uses are in place.

11. POLICY: Lands which are not agricultural or forest lands as defined in Statewide Planning Goals 3 and 4 shall be designated Non-Resource (NR) and subject to the regulations of the Non-Resource (NR) zone contained in the Land Development Code.

Rationale:

- To identify and plan appropriate uses and densities for non-agricultural and non-forest lands compatible with adjacent resource and non-resource lands and commensurate with existing and proposed levels of services.

Implementation:

- Lands identified in Klamath County as non-resource consistent with the methods and findings contained in the County's "planning process for identifying and designating residential, commercial, and industrial lands," shall be planned Non-Resource (NR) and zoned Non-Resource (NR).

12. POLICY: The County shall, in addition to a zone change, require a plan amendment to change a Forest or EFU zone a different as well as a Non-resource zone.

Rationale:

- Because the application of the F, FR, EFU-C, EFU-CG, and NR zone to lands in Klamath County satisfies specific criteria which is supported by inventory information contained in the Atlas and other documents, a plan amendment is appropriate.

Implementation:

- The County shall use the plan amendment process as provided in Article 48 of the Land Development Code.

Klamath County Comprehensive Plan and Implementing Zones and Designations

<u>Plan (Designation)</u>	<u>Implementing Zone (Designation)</u>
Forestry (F)	Forestry (F) Forestry/Range (FR)
Agricultural (AG)	EFU-Grazing (EFU-G) EFU-Cropland/Grazing (EFU-CG) EFU-Cropland (EFU-C)
Non-Resource (NR)	Non-Resource (NR)
Rural (R)	Rural-1 (R-1) Rural-5 (R-5)
Rural Community Residential (RCR)	Rural Community Residential (RCR)
Urban Residential (UR)	Suburban Residential (RS) Low Density Residential (RL) Medium Density Residential (RM) High Density Residential (RH)
General Commercial (CG)	General Commercial (CG) Recreation Commercial (CR) Community Commercial (CC) Neighborhood Commercial (CN)
Transportation Commercial (CT)	Transportation Commercial (CT)
Industrial (I)	Light Industrial (IL) Heavy Industrial (IH)

Open Space and Conservation
(OS/C)

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(OS/C)

Overlay Zones:

Flood Hazard
Significant Resource
Approach Safety
Airport Noise
Planned Unit Development (PUD)
Geothermal Resource (GR)
Chemult Overlay
Destination Resort Overlay

Boundaries:

Urban Growth Boundary (UGB)
Rural Community Boundary (RCB)
Rural Service Center Boundary (RSC)

13. POLICY: The County shall encourage commercial/industrial development and identify potential industrial and commercial sites for uses that are compatible and related to airports in Klamath County.

Rationale:

- In the interest of public health and safety, it is the desire of Klamath County to limit the encroachment of residential development into critical areas, defined on the attached map, and flight patterns and pathways necessary for continual economic viability of the Klamath Falls International Airport. Therefore, any request for a CLUP/ZC, within the area delineated on the attached map, shall be limited to the Air/Rail Transportation Zone, Article 53.5.

Implementation:

- The County will develop an Airport/Railroad Transportation Development Zone.
- Lands proposed for rezoning that lay within the Airport/Transportation Development Zone will be restricted to commercial and industrial development. If land proposed for application of this development zone is designated for agricultural/forestry use, an exception to the applicable Statewide Planning Goals, through the plan amendment process, will be required.

Goal 2 Policy 13 Map

