



**NOTICE OF DECISION ON A TYPE II LAND USE PERMIT**

**Decision:** Approved with Conditions

**Permit Type:** Time Extension

**File No.** Z0045-26

**Applicant's Proposal:** Time extension to the land use approval period for Z0545-21 that originally approved the applicant to install a 10 acre of solar facility. The time extension was requested to allow the applicant time to finalize the building permits before the original land use approval expired.

**Decision Date:** March 18, 2026

**Deadline for Filing Appeal:** March 30, 2026, at 4:00 pm.

**Issued By:** Joy Fields, Principal Planner, [jfields@clackamas.us](mailto:jfields@clackamas.us), 503-742-4510

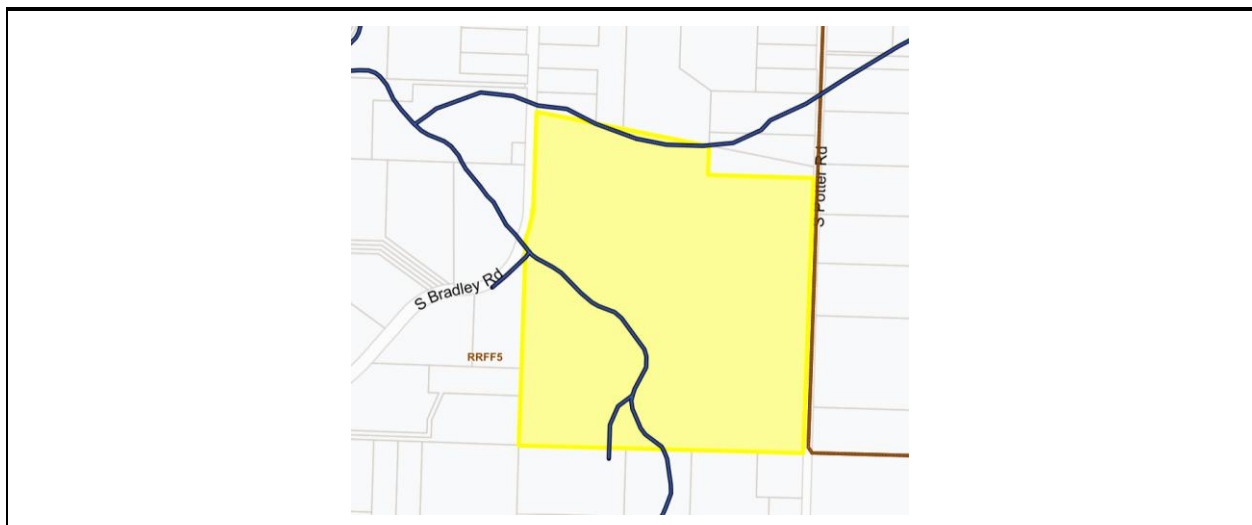
**Applicant:** Bradley Solar 2 LLC

**Owner of Property:** Annette K Steiner Trust

**Zoning:** Rural Residential Farm Forest 5-Acre (RRFF-5)

**Assessor's Map & Tax Lot(s):** T02S R02E Section 36 Tax Lot 00800

**Site Address:** 17423 S POTTER RD , OREGON CITY, OR 97045



**Community Planning Organization (CPO) for Area:**

CPO-Redland/Viola/Fischer's Mill; Lance Ward; Redland-CPO@ccgmail.net; 503.631.2550

Community Planning Organizations (CPOs) are part of the county's community involvement program. They are advisory to the Board of County Commissioners, Planning Commission and Planning and Zoning Division on land use matters affecting their communities. CPOs are notified of proposed land use actions and decisions on land within their boundaries and may review these applications, provide recommendations or file appeals. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact Clackamas County Community Engagement at 503-655-8751.

**Opportunity to Review the Record and Decision:** The complete decision, including findings and conditions of approval, and the submitted application are available for review online at <https://aca-prod.accela.com/CLACKAMAS>. Select the **Planning** tab and enter the file number to search. Select **Record Info** and then select **Attachments** from the dropdown list, where you will find the submitted application. A copy of the decision, application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost by contacting the Planner listed above. Copies of all documents may be purchased at a cost established by the County fee schedule.

**Appeal Rights:** **This decision will not become final or effective until the period for filing an appeal with the County has expired without the filing of an appeal.** Any person who is adversely affected or aggrieved or who is entitled to written notice of the decision pursuant to Subsection 1307.09(C) of the Clackamas County Zoning and Development Ordinance may appeal this decision to the Clackamas County Land Use Hearings Officer by filing a written appeal. An appeal must include a completed Appeal Form available at [www.clackamas.us/planning/supplemental.html](http://www.clackamas.us/planning/supplemental.html) and a \$250.00 filing fee and must be **received** by the Planning and Zoning Division by the appeal deadline identified above.

Appeals may be submitted in person during office hours (8:00 am to 4:00 pm Monday through Thursday, closed Friday and holidays). Appeals may also be submitted by email or US mail.

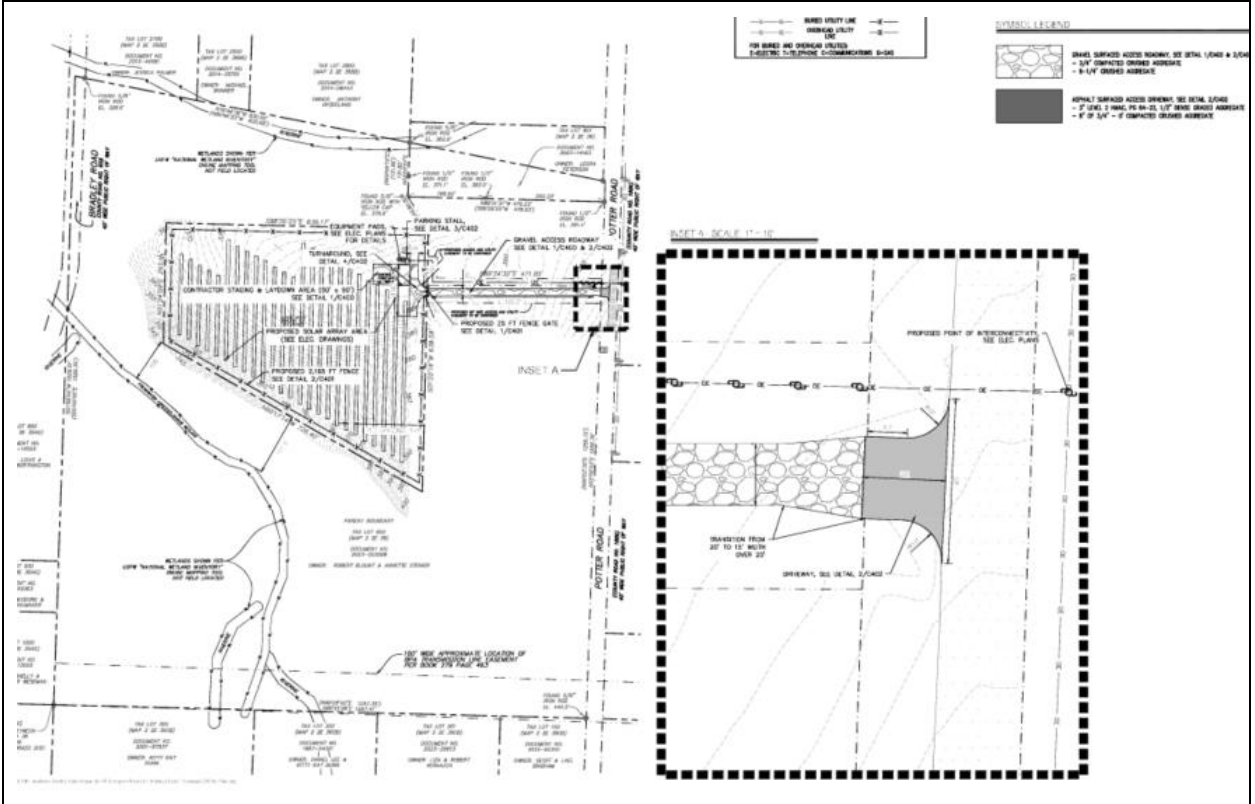
A person who is mailed written notice of this decision cannot appeal this decision directly to the Land Use Board of Appeals under ORS 197.830.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

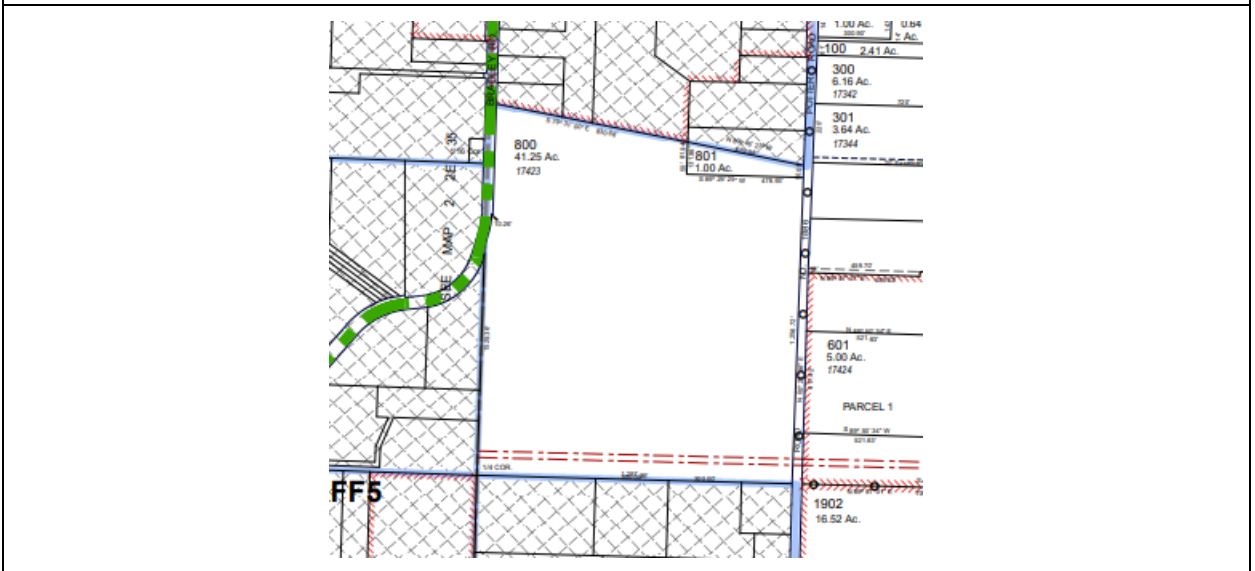
*Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email [DRenhard@clackamas.us](mailto:DRenhard@clackamas.us).*

*503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? | 翻译或口译? | Cán Biên dịch hoặc Phiên dịch? | 번역 또는 통?*

# Site Plan



## Tax Map 22E36 Excerpt (Last amended 2019)



## PERMIT EXPIRATION

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Pursuant to ZDO Subsection 1203.05, approval of a time extension is valid for two years from the date of the final decision. Unless an appeal is filed, the date of the final decision is the “decision date” listed above. **During this 2-year period, a building for a new primary structure that was the subject of the application shall be obtained and maintained. If no building permit is required, all other necessary County development permits shall be obtained and maintained, or the approval will become void.**

This is the only notice you will receive of this deadline.

## CONDITIONS OF APPROVAL

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The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parentheses. At all times, the use shall be sited and conducted in compliance with these conditions of approval. Noncompliance may result in code enforcement action or revocation of this permit.

1. Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on February 12, 2026 and additional materials submitted February 23<sup>rd</sup>, and 24<sup>th</sup>, 2026. No work shall occur under this permit other than which is specified within these documents, unless otherwise required or specified in the conditions below. It shall be the responsibility of the property owner(s) to comply with these documents and the limitation of any approval resulting from the decision described herein.
2. The Conditions of Approval from file Z0545-21 must be completed for compliance with the original decision.

## APPLICABLE APPROVAL CRITERIA

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This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 202, 316, 1310, and 1307.

## **PUBLIC AND AGENCY COMMENTS**

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Notice was sent to applicable agencies and owners of property within 2,640 feet. Comments received relating to the applicable approval criteria listed above are addressed in the Findings Section. No comments from the public were received.

## **FINDINGS**

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The findings below identify the standards and criteria that are relevant to this decision, state the facts relied upon in rendering the decision, and explain the justification for the decision.

### **1. Background/Overview of Applicant's Proposal:**

In 2021 the applicant received approval through Z0545-21 to install a 10 acre passive solar power generation facility on the 41 acre property located at 17423 S. Potter Rd..

Between the approval and today the applicant has applied for a permit from the Transportation and Engineering Program through file SC007125 for the driveway and parking improvements, and have applied for the necessary electrical permits through E1852725.

This time extension is requested to allow the property owner to finalize the development permits to ensure implementation of the original decision.

None of the items in the original decision are being modified or approved for modification through this time extension approval.

### **2. ZDO Section 316, Rural Residential Farm Forest 5-Acre (RRFF-5)**

- A. ZDO Table 316-1 lists "*Utility Facilities Not Otherwise Listed in Table 316-1*" as a conditional use.

**Finding:** The application approval period for Z0545-21 is being extended through Z0045-26. Conditional uses are subject to the criteria in ZDO 1203 and the applicable 1000s. The 2021 land use approval reviewed the criteria in ZDO 316, the applicable 1000s, and 1203. The proposed use and the findings from Z0545-21 remain unchanged by this Time Extension. **These criteria are not applicable.**

### **3. Section 1310, TIME EXTENSION**

*1310.01 APPROVAL CRITERIA A time extension may be permitted only when specified elsewhere in this Ordinance for specific land use permit types.*

*A. Type II Time Extensions: Except as set forth in Subsection 1310.02, a time extension requires review as a Type II application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:*

*1. The time extension application shall be submitted prior to, but not sooner than one year prior to, the expiration of the initial approval period for the land use permit. However, if the land use permit was modified pursuant to Section 1309, Modification, the application for a time extension shall be submitted prior to, but not sooner than one year prior to, the expiration of the approval period for the modification;*

**Finding:** Land use file Z0545-21 was approved by the Hearings Officer on March 7, 2022 and there was a 4-year approval period as identified in General Condition of approval #4. The time extension request being reviewed through Z0045-26 was received by the Planning and Zoning Program on February 12, 2026. Therefore, the time extension application was submitted prior to the expiration of the initial approval period for Z0545-21. **This criterion is met.**

*2. The proposed development as originally approved, or as modified pursuant to Section 1309, shall be consistent with the relevant provisions of this Ordinance in effect on the date the application for a time extension is submitted, provided that the application is complete when submitted or is made complete pursuant to Subsection 1307.07(E)(5); and*

**Finding:** Land use file Z0545-21 was consistent with the Ordinance and Comprehensive Plan in effect when the land use approval was granted. A review of the decision against our current Ordinance and Comprehensive Plan finds that the land use application considered and the decision is still consistent with current standards. Although there have been minor amendments to change the language from “Public Utility Facilities” to “Utility Facilities”, the proposed solar facility will generate and convey power and is represented by both definitions. **This criterion is met.**

*3. There shall have been no changes on the subject property or in the surrounding area that would be cause for reconsideration of the original decision.*

**Finding:** The aerial image from 2025 and the tax map from 2025 show the property is in the same dimensions and use as when it was approved for a solar facility in 2021. The tax map has not been modified since 2019. The aerial shows that farm use with scattered rural residential use is still the predominant use of the adjacent properties and the area as it was in 2021. Therefore, there are no changes on the subject property or the surrounding area that would cause the reconsideration of the original decision. **This criterion is met.**

*B. Type I Time Extensions: Notwithstanding Subsection 1310.01(A), a time extension authorized by Subsections 401.10(B), 406.11(B), or 407.10 for one of the following types of residential development located outside of an urban growth boundary requires review as a Type I application pursuant to Section 1307, and the*

*time extension application shall be submitted prior to the expiration of the initial approval period for the land use permit:*

**Finding:** The application Z0045-26 is being processed as a Type II Time Extension. **These criteria are not applicable.**

*1310.02 PROCEDURE If more than one land use permit (e.g. a partition and a variance) was approved for the same, or substantially similar, proposed development, time extension requests for these land use permits may be consolidated as one application, at the applicant's discretion.*

**Finding:** The original application with the approval period being extended by this review was a single application with file number Z0545-21. **This criterion is informational only.**

*1310.03 APPROVAL PERIOD Approval of a time extension application approved under Section 1310 is valid for two years from the date of the final written decision on the time extension, or for two years from the date of expiration of the initial approval period for the land use permit, whichever is longer.*

**Finding:** The original land use file number Z0545-21 expired March 7, 2026. Therefore, this time extension decision will have the longer approval period. Z0045-26 will expire March 7, 2028. **This criterion is informational only.**