



NOTICE OF DECISION ON A TYPE II LAND USE PERMIT

Decision: Approved with Conditions

Permit Type: Time Extension

File No. Z0188-23-TE

Proposal: Application for a time extension of land use file Z0110-19-C, a conditional use permit to host events such as weddings and family reunions. The conditional use permit was approved in 2019, but the approval has not yet been implemented. The applicant is requesting a 2-year time extension to implement the approval of land use file Z0110-19 and is not proposing any changes to the previously approved permit.

Decision Date: July 20, 2023

Deadline for Filing Appeal: August 1, 2023, at 4:00 pm

Unless appealed, this decision is effective on July 20, 2023 at 4:00 pm.

Issued By: Melissa Lord, Planner II, MLord@Clackamas.us

Assessor's Map & Tax Lot(s): T3S R3E Section 15A Tax Lot 00600

Site Address: 21977 S Patrick Way, Estacada, OR 97023

Applicant: Lisa Alves

Owner of Property: Lisa and Gregory Alves

Zoning: Farm Forest 10-Acre (FF-10)

Community Planning Organization (CPO) for Area:
Redland-Viola-Fischer's CPO, Lance Ward, landward@aol.com

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: The submitted application is available for review online at <https://accela.clackamas.us/citizenaccess/>. 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. The complete application file is available for inspection at no cost by contacting the Planner listed on the first page of this decision. Copies of all documents may be purchased at the rate of \$2.00 per page for 8 1/2" x 11" or 11" x 14" documents, \$2.50 per page for 11" x 17" documents, \$3.50 per page for 18" x 24" documents and \$0.75 per sq ft with a \$5.00 minimum for large format documents.

APPEAL RIGHTS: Any party disagreeing with this decision, or the conditions of approval, may appeal this decision to the Clackamas County Land Use Hearings Officer. An appeal must include a completed County Appeal Form and a \$250.00 filing fee and must be **received** by the Planning and Zoning Division by the appeal deadline identified on the first page of this decision.

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.

The County Appeal Form is available at www.clackamas.us/planning/supplemental.html. Any party or parties appealing this decision may withdraw their appeal at any time prior to the hearing or final decision by the Hearings Officer. A party wishing to maintain individual appeal rights may file an individual appeal and pay the \$250.00 fee, even if an appeal by another party or parties has been filed.

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.

APPLICABLE APPROVAL CRITERIA: This application is subject to Clackamas County Zoning and Development Ordinance (ZDO) Section(s) 316, 1005, 1006, 1007, 1203, 1307, and 1310.

PUBLIC AND AGENCY COMMENTS:

Notice was sent to applicable agencies and owners of property within 750 feet. No comments were received by the Planning and Zoning Division regarding this land use application.

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.

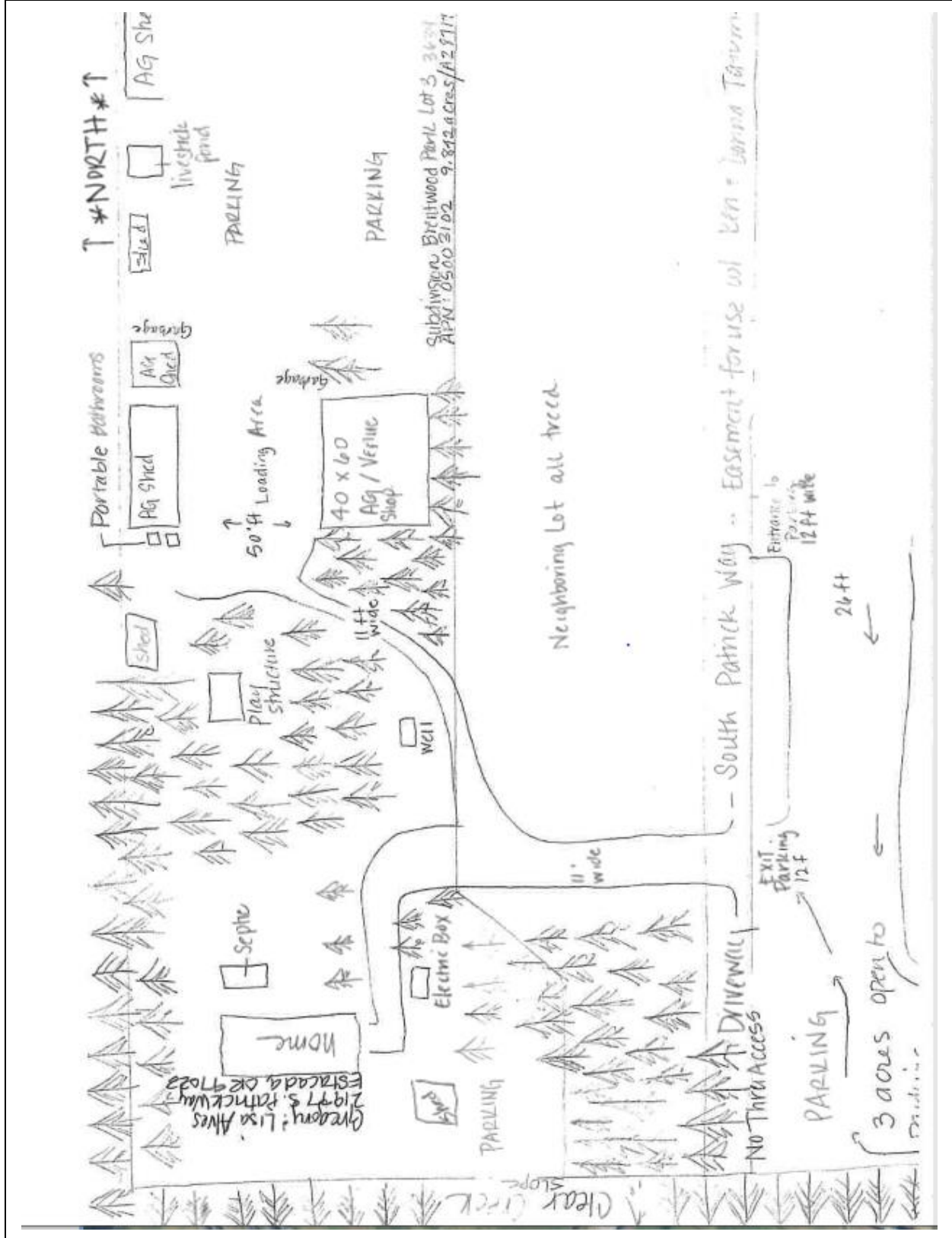
Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or email DRenhard@clackamas.us.

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

Location Map



Site Plan



CONDITIONS OF APPROVAL

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

1. Approval of this land use permit is based on the submitted written narrative and plan(s) filed with the County on May 1, 2023, additional materials submitted on June 6, 2023, and all elements of the previously issued land use decisions (Z0110-19) including conditions of approval.

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 this document(s) and the limitation of any approval resulting from the decision described herein.

2. 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. Therefore, this Decision authorizes a two-year time extension from the date of this decision. **The new approval period expires July 19, 2025).**

FINDINGS

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. **PROJECT OVERVIEW:** Application for a time extension of land use file Z0110-19-C, a conditional use permit to host events such as weddings and family reunions.

The conditional use permit was approved in 2019, but the approval has not yet been implemented. The applicant is requesting a 2-year time extension to implement the approval of land use file Z0110-19 and is not proposing any changes to the previously approved permit.

2. **ZDO Section 1310 – Type II Time Extensions**

1. *Section 1310.01(A)(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: The original land use decision expires on July 3, 2023. This land use application was submitted on May 1, 2023. There have been no requests to modify the original land use approval pursuant to ZDO Sec. 1309. This criterion is met.
2. *Section 1310.01(A)(2)*The proposed development as originally approved, or as modified pursuant to Section 1309, Modification, 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)(4)
 - The application was deemed complete on June 6, 2023. There have been no substantive changes made to the relevant subsections of ZDO Section 806, 1005, 1006, 1007, and 1203, since the initial approval, and no material changes to ZDO Sections 316 (FF-10) or 1307 (Procedures). There have been no comments submitted that otherwise show the applicant cannot meet the current ZDO provisions. This standard is met.
 3. *Section 1310.01(A)(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
 - Staff has not identified any changes to the subject property or the immediate vicinity that would cause reconsideration of the original decision. This criteria is met.
 4. *Section 1310.03* 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.
 - The original land use application, file Z0110-19, was issued on July 3, 2019 and expired four years after, on July 3, 2023. This time extension decision is written on July 19, 2023 which is after July 3. Therefore, this time extension decision shall be valid for two years from the date of this decision.