



MIKE McCALLISTER  
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

**NOTICE OF LAND USE APPLICATION IN YOUR AREA**

**Date:** 08/22/2018  
**Permit Number:** Z0404-18  
**Application:** Temporary Permit/Use Otherwise Prohibited  
**From:** Clackamas County Planning and Zoning  
**Notice Mailed To:** Property owners within 500 feet  
Community Planning Organizations (CPO)  
Interested Citizens and Agencies

**Application Proposal:**

TEMPORARY USE OTHERWISE PROHIBITED. The applicant proposes the temporary use of an existing dwelling on the property to be used as a day-use facility for families in need. Up to 14 people will use the home daily for preparing food, using bathrooms and living spaces. The families will not sleep on the property.

**Property Owner:** ROLLING HILLS FOUNDATION  
3550 SW BORLAND RD  
TUALATIN, OR 97062  
**Applicant:** ROLLING HILLS COMMUNITY CHURCH  
3550 SW BORLAND ROAD  
TUALATIN, OR 97062  
**Address:** 20425 SW STAFFORD RD  
TUALATIN, OR 97062  
**Location:** nearest intersection: SW Stafford Rd. & I-205  
**Legal Description:** 21E29A 00900 **Acres:** 4.85  
**Zone:** RRRF-5 RESIDENTIAL RURAL FARM FOREST 5 ACRES  
**Staff:** Nikki Cross 503-740-4513 **E-mail:** NCross@clackamas.us

**How to Comment on this Application:**

1. To be sure your comments will be considered prior to the decision, we need to have them within 20 days of the date of this notice.

**Permit Number:** Z0404-18

2. You may use the space provided below, mail a separate letter or e-mail the information. Please include the permit number, address the information to the staff member handling this matter, and focus your comments on the approval criteria for the application.

3. Return your mailed comments to: Clackamas County Planning and Zoning, 150 Beaver Creek Rd, Oregon City, OR 97045; FAX to (503) 742-4550.

**Community Planning Organization:** The following recognized Community Planning Organization (CPO) has been notified of this application. This organization may develop a recommendation on this application. You are welcome to contact this organization and attend their meeting. If this Community Planning Organization is currently inactive, and you are interested in becoming involved in Land Use Planning in your area, please contact the Citizen Involvement Office at (503) 655-8552.

STAFFORD TUALATIN VALLEY CPO  
SCHABER 503-707-9792  
19919 SW SCHABER LN  
TUALATIN OR 97062

**Decision Process:** In order to be approved, this proposal must meet the approval criteria in the Zoning and Development Ordinance, Section(s)  
1204, 316

The Ordinance criteria for evaluating this application can be obtained from this office or viewed at [www.clackamas.us/planning/zdo.html](http://www.clackamas.us/planning/zdo.html). You may view the submitted application at the following link, <https://accela.clackamas.us/citizenaccess/> within five days of the date of this notice, or at our office during weekday lobby hours, 8:00 am to 4:00 pm, Monday through Thursday and 8:00 am to 3:00 pm Friday.

A decision on this proposal will be made and a copy will be mailed to you. If you disagree with the decision you may appeal to the Land Use Hearings Officer who will conduct a public hearing. There is a \$250 appeal fee.

Comments:

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Your Name/Organization

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Telephone Number



Planning & Zoning  
 Development Services Building  
 150 Beaver Creek Road | Oregon City, OR | 97045  
 Phone: (503) 742-4500 | Fax: (503) 742-4550  
 E-mail: [zoninginfo@co.clackamas.or.us](mailto:zoninginfo@co.clackamas.or.us)  
 Web: <http://www.clackamas.us/transportation/planning/>

**LAND USE APPLICATION**

**DEEMED COMPLETE**

ORIGINAL DATE SUBMITTED: 08/16/2018  
 FILE NUMBER: Z0404-18-STU  
 APPLICATION TYPE: TEMPORARY USE OTHERWISE PROHIBITED

The Planning and Zoning Division staff deemed this application complete for the purposes of Oregon Revised Statutes (ORS) 215.427 on: 8/17/18

Nicole Cross  
 Signature

PLANNER 1  
 Title

NICOLE CROSS  
 Print Name

Comments: The application is complete.

**Check one:**

The subject property is located inside an urban growth boundary. The 120-day deadline for final action on the application pursuant to ORS 215.427(1) is:

The subject property is not located inside an urban growth boundary. The 150-day deadline for final action on the application pursuant to ORS 215.427(1) is:

1/14/19



**Land Use Application**

**For Staff Use Only**

Date received: 8/15/18 File number: 20404-18-STU  
 Application type: Temp Use otherwise Prohibited Fee: \$520 See Mike - waived fee  
 Zone: RRFFS CPO/Hamlet: Stafford-Tualatin  
 Violation #: Stafford

8/15/18  
 NC

**Applicant Information:**

What is proposed?  
 The proposal is for temporary use approval for a residence for 14 people, to live together as a family (many of them will be related). They will do everything a family does but sleep there.

Name of applicant: Rolling Hills Community Church

Mailing address: 3550 SW BORLAND ROAD

City Tualatin State OR Zip 97062

Applicant is (select one):  Property owner  Contract purchaser  Agent of the property owner or contract purchaser

Name of contact person (if other than applicant): Brian Harris

Mailing address of contact person: 22294 SW 106<sup>th</sup> AVE TUALATIN 97062

Applicant #s: Wk: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: harrisb14@

Contact person #s: Wk: 503-329-3015 Cell: 5033293015 Email: HARRISB14@GMAIL.COM

Other persons (if any) to be mailed notices regarding this application:  
WENDIE KELLINGTON PO BOX 159 LAKE OSWEGO 97034 Council

Name	Address	Zip	Relationship

Name	Address	Zip	Relationship
SITE ADDRESS:	<u>20425 SW STAFFORD ROAD</u>	<u>21E29A</u>	<u>0090001000</u>

TAX LOT #: \_\_\_\_\_ Tax Lot(s) 00900

Adjacent properties under same ownership: Total land area: \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Section \_\_\_\_\_ Tax lot(s) \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Section \_\_\_\_\_ Tax lot(s) \_\_\_\_\_

T \_\_\_\_\_ R \_\_\_\_\_ Section \_\_\_\_\_ Tax lot(s) \_\_\_\_\_

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Property owner or contract purchaser's name (print) Brian Harris Date 8/15/19 Owner or contract purchaser's signature John Gaffel

Applicant's name (print) \_\_\_\_\_ Date 8/15/2018 Applicant's signature \_\_\_\_\_





\* Please note it is not clear that our proposed use is prohibited. But we understand that have to go through either a PD interpretation or similar use determination process in order to decide whether the use is allowed or prohibited. Thus for purposes of this application we presume the use is prohibited but do not concede that because it is yet to be decided.

Thank you.

SUPPLEMENTAL APPLICATION
Temporary Use Otherwise Prohibited \*
May 2018

APPLICANT INFORMATION

Name \_\_\_\_\_ File No. 2040418 STU
Date \_\_\_\_\_

What is a temporary use otherwise prohibited?

The County Zoning & Development Ordinance (ZDO) allows a temporary permit for a use not listed as a primary, accessory, limited or conditional use in the applicable zoning district. This type of temporary permit is not allowed in the EFU, TBR and AG/F zoning districts.

What is needed for approval?

A Temporary Use Otherwise Prohibited MAY be permitted after evaluation according to criteria in the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to support the temporary permit request according to the criteria in Subsection 1204.01 of the ZDO. Please note approval of a County temporary permit generally does not supercede homeowners association or deed restrictions that may apply to your property.

What are the chances for approval?

Staff cannot predetermine the decision on this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the ZDO. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

Application process:

A Temporary Use Otherwise Prohibited may be approved for a period not to exceed one year. Continued use beyond the initial approval period requires the filing of a renewal application, which may be approved after evaluation according to criteria in the ZDO. New and renewal applications are subject to the Type II application process and public notice. Public comments received from the Community Planning Organization (CPO), nearby property owners, agencies and other interested parties may affect the decision on the application. Special conditions may be attached to any approvals. Any decision on this application can be appealed to the County Land Use Hearings Officer and then to the Oregon Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

How long will it take to get a final county decision on this application?

It takes approximately 6 to 8 weeks for an initial Planning Director decision, or 120 to 150 days if the initial decision is appealed to the Land Use Hearings Officer.

**Staff will attach the following pertinent information:**

\_\_\_\_\_ Land Use Application                      \_\_\_\_\_ Sample Plot Plan  
\_\_\_\_\_ ZDO Section 1204.01                      \_\_\_\_\_ ZDO Section that Regulates the Zoning District

**Complete applications require the following:**

1. Land Use Application Form: Information on applicant and land involved in the application.
2. Application Fee: \$\_\_\_\_\_ (Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.)
3. Plot Plan drawn to scale on 8.5" x 11" or 8.5" x 14" paper, showing the property and your proposal (buildings, setbacks, driveways, etc.).
4. Complete responses to the following:

*WAIVED PER  
MIKE McCLISTER*

A. Is the proposed use listed as a primary, accessory, limited or conditional use in the zoning district in which the subject property is located?

We believe that the proposed use is a residential use, but we recognize it is not a traditional residential uses in the sense that while it is the home for 14 people, those people will not sleep there. They will do everything else that typifies a residence - they will call it home; it will be their address; their children will have normalcy and the chance for things like play dates; they will watch and play with their children; take showers, get dressed; make lunches; do their laundry; read, rest and relax; kids will catch a school bus and be dropped off from the bus there. We are are working through the use's proper characterization with the county planning people. While that is happening we need to provide a place for the families to call home. \_\_\_\_\_

B. Why is there no reasonable alternative to the temporary use?

Without the temporary use permit we cannot be assured that the home we will provide for these 14 families is a lawful one, because planning staff questions whether the use is a "residential use". Because we are a non-profit, we cannot operate illegally. Without this temporary permission while we work through the land use options, these 14 people, including children, will be homeless with devastating social consequences. \_\_\_\_\_

C. Why will the permit be necessary for a limited time?

We are going to apply either for a planning director's interpretation that the use is a residential use or a similar use determination that may have to then go through a CUP process. When we obtain land use permission we will operate under the permission the county grants. \_\_\_\_\_

D. Why will the temporary use not include the construction of a substantial structure or require a permanent commitment of the land?

We will occupy an existing residence. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Why will the temporary use not have a materially adverse effect on the surrounding area?

No, the use operates just as a residence does. No neighbors object to the use.

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QUESTIONS? Call Glen Hamburg at (503) 742-4523 or [ghamburg@clackamas.us](mailto:ghamburg@clackamas.us).





20425 SW Stafford Rd, Tualatin

Info

Taxlots

Layers

**20425 SW STAFFORD RD,  
TUALATIN, OR, 97062**

Clackamas County

T2S R1E S29

Longitude: -122.706809, Latitude:  
45.372213

**TAXLOT INFORMATION**

Tax Lot ID: 21E29A.00900

R Number: 394816

Tax Lot Size: 4.72 acres

Building Area: 1776

Market Total Value: \$642,077.00

Land Use: RUR

Year Built: 1963

Sale Date: 199804

Sale Price: 500000

MORE+

**POLITICAL BOUNDARIES**

Jurisdiction: Unincorporated Clackamas County

Neighborhood: Stafford Tualatin

Voting Precinct: 321.00000000

Metro Council District: 2

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**LAND USE AND PLANNING**

These data were last updated on 2/19/2016

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30 m  
100 ft