



NOTICE OF HEARING

April 4, 2024

Mountain Shadow LLC
PO Box 314
Everson, WA 97067

RE:: County of Clackamas v. Mountain Shadow LLC
File: V0036919

Hearing Date: May 9, 2024

Time: This item will not begin before 9:30am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Shane Potter, Code Compliance Specialist for Clackamas County at (503) 742-4465, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox
Attorney at Law
14725 NE 20th Street, #D-5
Bellevue, WA 98007
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



You must have access to the internet or to a telephone line to use the Zoom platform.

If you would like to present evidence at the Hearing please email or mail your evidence to Shane Potter at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Shane Potter at 503-742-4465 **within 3 calendar days of receipt of the Notice of Hearing**.

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/87583365055?pwd=U2ZMbFhUL1p6dFBwcXFNUUpPNFNvdz09>

Passcode: 556513

Or One tap mobile:

+14086380968,,87583365055# US (San Jose)

+16694449171,,87583365055# US

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592

Webinar ID: 875 8336 5055

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
for the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

FILE NO(S): V0036919

Petitioner,

v.

MOUNTAIN SHADOW LLC.,

Respondent.

COMPLAINT AND REQUEST FOR HEARING

I Shane Potter, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents' mailing address is: PO Box 314, Everson, WA 98264
8850 Bender Rd. Ste 202, Lynden, WA 98264.

2.

The address or location of the violation of law alleged in this complaint is: 67770 E Hwy 26, Welches, OR 97067, also known as T2S, R7, Section 32DD, Tax Lots 04200, 04300, and 04400, and is located in Clackamas County, Oregon.

3.

On or about the 25th day of November, 2020, and on or about the 12th day of January, 2023, the Respondent violated the following laws, in the following ways:

Title 12 of the Clackamas County Zoning and Development Ordinance (ZDO) Code Section 12.317.03 for placement of numerous residential units and camping

without obtaining land use approval. The property is zoned Hoodland Residential (HR). This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Enforcement Section of the of the Department of Transportation and Development.

5.

Notice of the violation was given to Respondent in the following manner: Violation notice dated November, 25, 2020, July 28, 2021, and August 8, 2022 and Citation and Complaint #1900369 - 1 on January 12, 2023. A copy of the notice documents are attached to this Complaint as Exhibits F, I, and N and P, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissions. Said range for a Priority 2 for a Zoning Code violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed.

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 20th day of March, 2024

A handwritten signature in black ink that reads "Shane Potter". The signature is written in a cursive style with a large, sweeping initial "S".

Shane Potter
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

MOUNTAIN SHADOW LLC.,

Respondent.

File No.: V0036919

STATEMENT OF PROOF

History of Events and Exhibits:

- | | |
|--------------------------------|---|
| July 1, 2019
Exhibit A | Clackamas County received a complaint regarding numerous recreational vehicle spaces added and occupied without land use approval and accumulation of solid waste. |
| July 9, 2019
Exhibit B | Planning staff provided a one sheet document showing the original land use approval for file Z0539-98-NCU that allows for three single family homes and six mobile home spaces on tax lots 04300 and 04400. |
| July 9, 2019
Exhibit C | Letter of allegation was mailed first class mail requesting contact within 10 days. The mail was not returned. |
| December 11, 2019
Exhibit D | Code Enforcement Specialist (CES) Shane Potter performed a site visit and took photos. There are two access points to the site both off of Hwy 26. There are numerous marked spots on site. Some solid waste exists along the back of the property along with construction occurring. There are numerous recreational vehicles throughout the site. |
| November 25, 2020
Exhibit E | The mailing address was updated for this file. |
| November 25, 2020
Exhibit F | Facts of the alleged violation were reviewed, the violation of a zoning violation verified, and Notice of Violation mailed containing a statement of the facts that support the finding a violation exists on the property for more spaces created without land use approval. The Notice of Violation was mailed via first class mail. The mail was not returned. |

March 18, 2021 Exhibit G	CES Potter performed a site visit and there remained numerous recreational vehicles on site.
July 27, 2021 Exhibit H	The mailing address was updated for this file.
July 28, 2021 Exhibit I	An updated Notice of Violation was mailed to the new address by first class mail. The mail was sent to the original mailing address, the registered agent and to another identified individual out of Everson Washington. The mail sent to the original address was returned. The mail sent to the other two mailing addresses were not returned.
August 9, 2021 through August 20, 2021 Exhibit J	Series of emails between CES Potter, Shadow Mountain LLC Manager Andrew Cramer, and Clackamas County Planners. The emails were addressing the allowed number of dwellings that can be located on the tax lots.
March 14, 2022 Exhibit K	The mailing address was updated for this file.
May 31, 2022 Exhibit L	CES Jennifer Kauppi performed a site visit. CES Kauppi stated that there was way more than 6 recreational vehicles on site.
July 11, 2022 Exhibit M	CES Potter performed a site visit. There remained numerous recreational vehicles in excess of the allowed amount for the site.
August 8, 2022 Exhibit N	An updated Notice of Violation was mailed to the new address by first class mail. The mail was sent to the original mailing address, the registered agent and to another identified individual out of Everson Washington. The mail was not returned.
October 11, 2022 Exhibit O	CES Kauppi performed a site visit. There were numerous recreational vehicles on site being occupied.
January 12, 2023 Exhibit P	Citation #1900369 – 1 for a zoning code violation. The citation was a Priority 2 zoning violation with a fine of \$400.00. The citation was mailed first class mail. The mail was not returned. The citation has not been paid.
February 6, 2023 Exhibit Q	Email from Andrew Cramer Manager for Shadow Mountain LLC submitting a land use application.

October 12, 2023 Exhibit R	The application was denied and the appeal period has ended with no appeal filed.
March 14, 2024 Exhibit S	CES Potter performed a site visit and there remained numerous recreational vehicles occupied on site.
March 20, 2024	Clackamas County referred this case to the Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Zoning and Development Ordinance exists on the subject property, the County would request a Continuing Order to be issued requiring the Respondent:

- Abate the violation within 60 days of a Continuing Order by removing all recreational vehicles not in compliance with the allowed uses on the site (total of 6 mobile home spaces).

The County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:

- Payment of Citation #1900369 – 1 for \$400.00.
- The imposition of civil penalties of up to \$2,500.00.
- The Administrative Compliance Fee calculated at \$75.00 per month from November 2020 totals \$3,000.00. The County is requesting a reduction of Administrative Compliance Fees in the amount of \$1,875.00 for a total amount due of \$1,125.00. This is a reasonable estimate of the cost of this enforcement matter.
- The administrative compliance fee to be imposed from November 2020.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
- The County would also ask that reimbursement be ordered for any expense the County incurs in collection of these monies.



150 Beaver Creek Rd
 Oregon City, OR 97045
 503-655-8671

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[Property Search](#) > [Search Results](#) > Property Summary

Property Account Summary

11/20/2020

Account Number	00738232	Property Address	67770 E HWY 26 , WELCHES, OR 97067
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General Information

Alternate Property #	27E32DD04200
Property Description	Section 32 Township 2S Range 7E Quarter DD TAX LOT 04200
Last Sale Price	\$0.00
Last Sale Date	04/23/2019
Last Sale Excise Number	351482
Property Category	Land &/or Buildings
Status	Active, Host Other Property, Locally Assessed
Tax Code Area	046-040
Remarks	

Property Characteristics

Neighborhood	70760: Area 06 manufactured home parks
Land Class Category	707: Manufactured Structure Park
Acreage	1.0
Change property ratio	7XX
Manf Structure Park	MT SHADOWS MBL HOME PK

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Parties

Role	Percent	Name	Address
Taxpayer	100	MOUNTAIN SHADOW LLC	31 AIRPORT BLVD STE G, S SAN FRANCISCO, CA 94080
Owner	100	MOUNTAIN SHADOW LLC	31 AIRPORT BLVD STE G, S SAN FRANCISCO, CA 94080

Property Values

Value Type	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016

AVR Total	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Exempt					
TVR Total	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Real Mkt Land	\$62,009	\$58,435	\$53,074	\$48,249	\$45,926
Real Mkt Bldg	\$43,300	\$40,780	\$37,080	\$33,660	\$32,030
Real Mkt Total	\$105,309	\$99,215	\$90,154	\$81,909	\$77,956
M5 Mkt Land	\$62,009	\$58,435	\$53,074	\$48,249	\$45,926
M5 Mkt Bldg	\$43,300	\$40,780	\$37,080	\$33,660	\$32,030
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Mkt Exception					
AV Exception					

Tax Rate

Description	Rate
Total Rate	14.1211

Tax Balance

Installments Payable

Tax Year	Installment	Earliest Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due
2019	Delinquent	05/15/2020	\$210.72	\$19.67	\$230.39	\$230.39
2020	1	11/15/2020	\$211.90	\$2.83	\$214.73	\$445.12
2020	2	02/15/2021	\$211.91	\$0.00	\$211.91	\$657.03
2020	3	05/15/2021	\$211.91	\$0.00	\$211.91	\$868.94

[View Detailed Statement](#)

Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Related Properties

01678802 is Located On this property

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
04/12/2019	04/23/2019 12:36:00	Taxpayer Changed	Property Transfer Filing No.: 351482 04/12/2019 by KARLYNW
04/12/2019	04/23/2019 12:36:00	Recording Processed	Property Transfer Filing No.: 351482, Warranty Deed, Recording No.: 2019-019233 04/12/2019 by KARLYNW
12/31/2015	01/30/2016	Taxpayer Changed	Property Transfer Filing No.: 290877 12/31/2015 by HALLEYWUN

	11:41:00		
12/31/2015	01/30/2016 11:41:00	Recording Processed	Property Transfer Filing No.: 290877, Warranty Deed, Recording No.: 2015-086041 12/31/2015 by HALLEYWUN
12/29/2010	01/13/2011 09:13:00	Taxpayer Changed	Property Transfer Filing No.: 211553 12/29/2010 by PAULAOAK
12/29/2010	01/13/2011 09:13:00	Recording Processed	Property Transfer Filing No.: 211553, Quit Claim Deed, Recording No.: 2010-083405 12/29/2010 by PAULAOAK
07/17/2008	07/31/2008 11:32:00	Recording Processed	Property Transfer Filing No.: 179406, Trustee Deed, Recording No.: 2008-050966 07/17/2008 by SHARYNROW
07/17/2008	07/17/2008 09:47:00	The situs address has changed	by LINDAPET
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	2001 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	2000 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	1999 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2006 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2005 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2004 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2003 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2002 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:34:00	Property Characteristic Changed	2007 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:34:00	Property Characteristic Changed	2008 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
03/13/2007	03/13/2007 16:41:00	The situs address has changed	by KATHYSWA
06/15/2006	06/15/2006 13:47:00	Annexation Completed For Property	Delete Co Svc 1b - cancel tca-annexed by 046-040 for 2006-Revise TCA Membership by JENMAYO
06/07/2006	06/20/2006 12:15:00	Taxpayer Changed	Property Transfer Filing No.: 142545 06/07/2006 by LYNNENEW
06/07/2006	06/20/2006 12:15:00	Recording Processed	Property Transfer Filing No.: 142545, Warranty Deed, Recording No.: 2006-051748 06/07/2006 by LYNNENEW
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 97-70596, 9/1/97, \$ 225000

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
02/12/2020 00:00:00	4792705	\$210.72	\$421.44	\$210.72	\$0.00
11/26/2019 00:00:00	4783170	\$210.71	\$632.15	\$210.71	\$0.00
04/17/2019 12:22:00	4610424	\$201.33	\$1,408.19	\$1,408.19	\$0.00
02/14/2019 00:00:00	4602822	\$201.33	\$402.66	\$201.33	\$0.00
11/21/2018 00:00:00	4579933	\$201.33	\$603.99	\$201.33	\$0.00
10/30/2017 12:45:00	4250454	\$590.03	\$4,128.19	\$4,005.35	\$0.00
11/22/2016 00:00:00	4201762	\$569.07	\$569.07	\$552.00	\$0.00
01/12/2016 10:18:00	4018141	\$368.66	\$2,579.54	\$2,567.04	\$0.00
11/17/2015 00:00:00	3994681	\$184.32	\$552.98	\$184.32	\$0.00
05/19/2015 00:00:00	3852368	\$179.61	\$179.61	\$179.61	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
04/09/2019	04/23/2019	04/12/2019	2019-019233	\$800,000.00	351482		X	MOUNTAIN SHADOW MHP LIMITED PARTNERSHIP	MOUNTAIN SHADOW LLC	No
12/30/2015	01/30/2016	12/31/2015	2015-086041	\$485,000.00	290877		X	MTN SHADOW LLC	MOUNTAIN SHADOW MHP LIMITED PARTNERS	No
12/29/2010	01/13/2011	12/29/2010	2010-083405	\$0.00	211553		X	EPELAND ROBERT R & DIXIE L	MTN SHADOW LLC	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179396		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179394		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/15/2008	07/31/2008	07/17/2008	2008-050966	\$668,136.00	179406		X	EPELAND ROBERT R & DIXIE L	GANN OWEN H	No
05/24/2006	06/20/2006	06/07/2006	2006-051748	\$550,000.00	142545		M	JJD ENTERPRISES INC	GANN OWEN H	No

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Version 4.0.2.9



After recording return to:
Mountain Shadow LLC
333 Mamaroneck Ave, #291
White Plains, NY 10605

Until a change is requested all tax
statements shall be sent to the
following address:
Mountain Shadow LLC
333 Mamaroneck Ave, #291
White Plains, NY 10605

File No.: 7000-3208337 (srm)
Date: March 19, 2019

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records Sherry Hall, County Clerk	2019-019233
	04/12/2019 12:38:01 PM
D-D Cnt=1 Stn=9 COUNTER1	
\$20.00 \$16.00 \$10.00 \$62.00	\$108.00

FIRST AMERICAN 3208337-LO

STATUTORY WARRANTY DEED

Mountain Shadow MHP Limited Partnership, an Oregon limited partnership, Grantor, conveys and warrants to **Mountain Shadow LLC, a Delaware limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

See attached Exhibit "A"

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$800,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

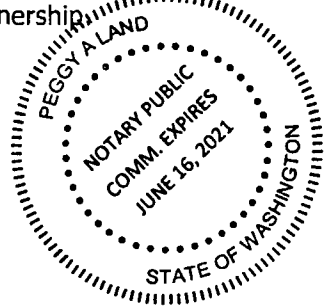
Dated this 9th day of April, 2019.

Mountain Shadow MHP LP, a limited partnership

By: [Signature] KC Real Estate LLC, as General Partner
By: [Signature]
Name: Andrew Cramer
Title: Manager

STATE OF ~~Oregon~~ Washington)
County of ~~Clackamas~~ Skagit)ss.

This instrument was acknowledged before me on this 9th day of April, 2019 by Andrew Cramer as Manager of KC Real Estate LLC, GP of Mountain Shadow MHP LP, on behalf of the limited partnership.



[Signature]
Notary Public for ~~Oregon~~ Washington
My commission expires: June 16, 2021

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL I:

PART OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 815 FEET NORTH AND 1,104 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 32, WHICH POINT IS ALSO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM NATHALIE WILLIAMS, ET VIR TO D. WAYNE WALKER RECORDED AUGUST 12, 1930 IN BOOK 207 PAGE 380, DEED RECORDS, AND THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 275.1 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE MT. HOOD LOOP HIGHWAY; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID HIGHWAY 230 FEET, MORE OR LESS, TO THE INTERSECTION OF THE WESTERLY LINE OF THE NATALIE WILLIAMS TRACT AS DESCRIBED IN DEED RECORDED IN BOOK 175 PAGE 445, DEED RECORDS WITH THE SOUTH LINE OF THE MT. HOOD LOOP HIGHWAY; THENCE SOUTH ALONG THE WEST LINE OF SAID WILLIAMS TRACT 350 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE LIONS CLUB OF MT. HOOD, RECORDED FEBRUARY 8, 1954, BOOK 478 PAGE 113, DEED RECORDS; THENCE EAST ALONG THE NORTH LINE OF SAID LIONS CLUB TRACT 216 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION IN PUBLIC ROADS.

PARCEL II:

PART OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS 884 FEET WEST AND 615 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, AND RUNNING THENCE WEST 220 FEET; THENCE NORTH 200 FEET; THENCE EAST 220 FEET; THENCE SOUTH 200 FEET TO THE POINT OF BEGINNING.

SAVING AND EXCEPTING A STRIP OF LAND ON THE EAST AND WEST SIDES 15 FEET WIDE WHICH STRIP IS RESERVED FOR ROAD PURPOSES.

PARCEL III:

PART OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 815 FEET NORTH AND 884 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE WEST 220.00 FEET TO A POINT; THENCE NORTH 275.1 FEET, MORE

OR LESS, TO A POINT IN THE SOUTH LINE OF THE MT. HOOD LOOP HIGHWAY; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID HIGHWAY 238.8 FEET TO A POINT; THENCE SOUTH 184.3 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE RIGHTS OF THE PUBLIC FOR ROAD PURPOSES IN AND TO A STRIP OF LAND 15 FEET IN WIDTH ALONG THE ENTIRE EAST SIDE OF THE ABOVE DESCRIBED TRACT.

ALSO EXCEPT A STRIP 15 FEET IN WIDTH ALONG THE ENTIRE WEST SIDE OF THE ABOVE DESCRIBED TRACT.

ALSO EXCEPT THAT PORTION CONVEYED BY DEED TO VIRGINIA LIDLEY, RECORDED SEPTEMBER 26, 1963 IN BOOK 629 PAGE 112, FEE NO. 21590, DEED RECORDS.

PARCEL IV:

THAT PORTION OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID SECTION, 774.00 FEET WEST FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF EVERGREEN PARK AS PER PLAT BOOK 21 PAGE 22, AND THE SOUTHERLY EXTENSION THEREOF, 615 FEET TO THE SOUTHWEST CORNER OF LOT 7, BLOCK 4, EVERGREEN PARK; THENCE WEST 110 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 200 FEET; THENCE WEST 220 FEET; THENCE NORTH 200 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM NATALIE WILLIAMS, ET VIR, TO D. WAYNE WALKER RECORDED AUGUST 12, 1930 IN BOOK 207 PAGE 380, DEED RECORDS; THENCE EAST 220 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A STRIP OF LAND 15 FEET IN WIDTH TO BE USED FOR ROAD PURPOSES DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE SOUTH 200 FEET; THENCE EAST 15 FEET; THENCE NORTH 200 FEET; THENCE WEST 15 FEET TO THE POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.

Business Name Search

[New Search](#)

[Printer Friendly](#)

Business Entity Data

03-13-2024
09:32

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1541124-95	FLLC	INA	DELAWARE	03-28-2019		
Entity Name	MOUNTAIN SHADOW LLC					
Foreign Name						

[New Search](#)

[Printer Friendly](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	67770 E HIGHWAY 26				
Addr 2					
CSZ	WELCHES	OR	97067	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	03-28-2019	Resign Date	
Of Record	003292-27	C T CORPORATION SYSTEM				
Addr 1	780 COMMERCIAL STREET SE SUITE 100					
Addr 2						
CSZ	SALEM	OR	97301	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	PO BOX 314			
Addr 2				
CSZ	EVERSON	WA	98247	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER		Resign Date	
Name	SANDRA	SOUTHWICK			
Addr 1	PO BOX 314				
Addr 2					
CSZ	EVERSON	WA	98247	Country	UNITED STATES OF AMERICA

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Name History






Business Entity Name	Name Type	Name Status	Start Date	End Date
MOUNTAIN SHADOW LLC	EN	CUR	03-28-2019	

Please [read](#) before ordering [Copies](#).

[New Search](#)

[Printer Friendly](#)

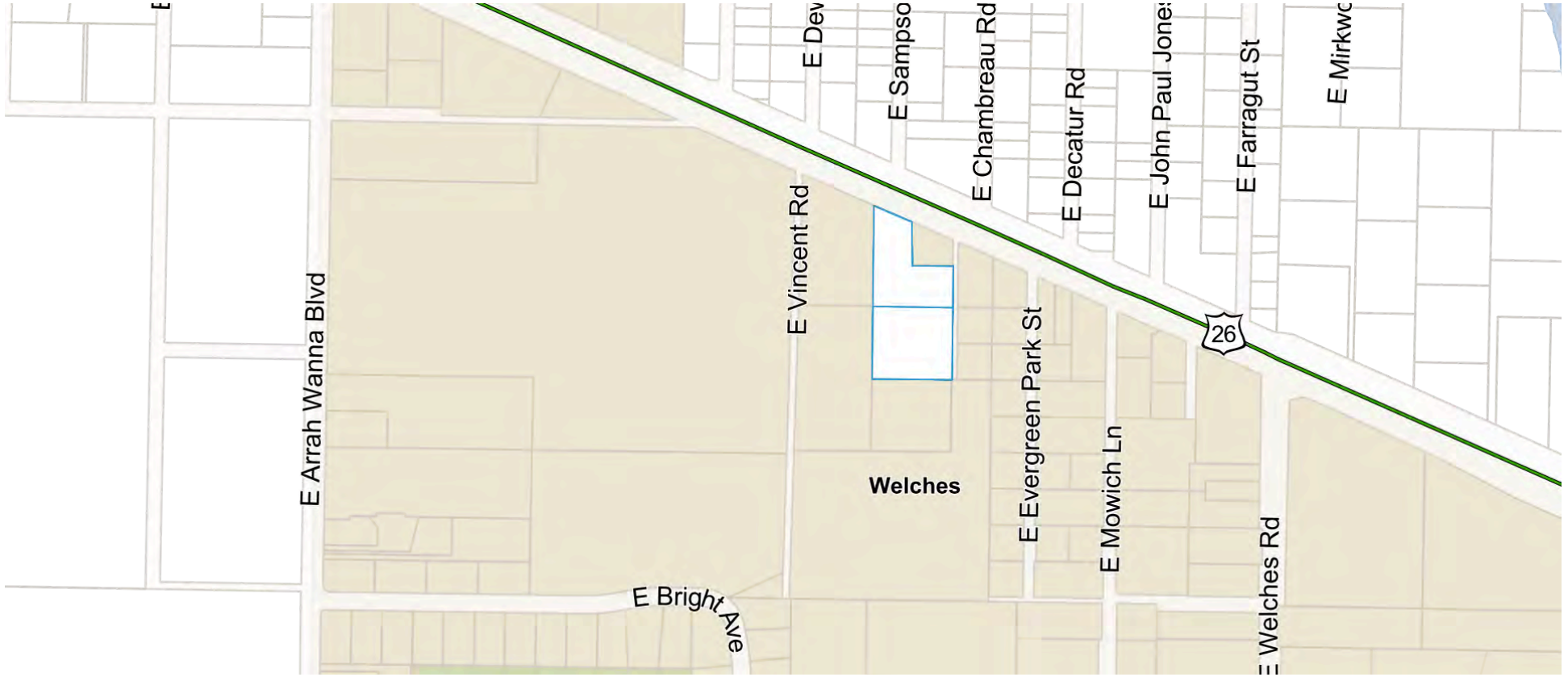
Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ADMINISTRATIVE REVOKE AUTHORITY	05-25-2023		SYS		
	AMENDED ANNUAL REPORT	02-18-2022		FI		
	AMENDED ANNUAL REPORT	04-08-2021		FI		
	REINSTATEMENT AMENDED	07-06-2020		FI		
	ADMINISTRATIVE REVOKE AUTHORITY	06-11-2020		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	02-20-2020		FI		
	APPLICATION FOR AUTHORITY	03-28-2019		FI	Agent	

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For comments or suggestions regarding the operation of this site, please contact : corporation.division@sos.oregon.gov

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2018 AERIAL



4400

2023 AERIAL

4600

5500

4700

5501

4300

4800

4801

EXHIBIT A PAGE 13 OF 13

NOTICE OF DECISION ON
ADMINISTRATIVE NONCONFORMING USE VERIFICATION -APPROVAL

CLACKAMAS COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
LAND USE AND ENVIRONMENTAL PLANNING DIVISION
902 Abernethy Road, Oregon City, OR 97045
Phone: 655-8521

TO: Applicant, Citizen Planning Organization, Agencies, and Property Owners within 500 feet of this application.

DATE: July 6, 1999

LAST DATE TO APPEAL: July 16, 1999

FILE NO.: Z0539-98-NCU

STAFF CONTACT: Rick McIntire

APPLICANT: Judie Dewane; P.O. Box 577; Welches, OR 97067

OWNER OF PROPERTY: JJD Enterprises, Inc.

LEGAL DESCRIPTION: T2S, R7E, Section 32DD, Tax Lots 4200, 4300, & 4400

SITE ADDRESS: 67770/67856 E Hwy 26, Welches, OR

house, ~~2 small cabins~~

3 sfrs

6 mh spaces on Tls 4300 + 4400 only



July 9, 2019

Mountain Shadow LLC
333 Mamaroneck Avenue, #291
White Plains, NY 10605

C T Corporation System
780 Commercial Street SE, Ste 100
Salem, OR 97301

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 317 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code

Site Address: 67770 E. Hwy 26, Welches, OR 97067
T2S, R7E, Section 32DD, Tax Lot 04400, 04300 and 04200

It has come to the attention of Clackamas County Code Enforcement that additional recreational vehicle spaces may have been added to above referenced property without land use approval.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 317 of the Clackamas County Code.

Additionally there may be an accumulation of solid waste including putrescible (household) waste on the above referenced property.

This may constitute a violation of the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

Please contact Shane Potter, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is Spotter@clackamas.us

Telephone number is 503-742-4465

**Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email swilliams@clackamas.us or call (503) 742-4696.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a swilliams@clackamas.us o llame al 503-742-4696.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты swilliams@clackamas.us или позвоните по телефону 503-742-4696.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 swilliams@clackamas.us 或致电 503-742-4696。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến swilliams@clackamas.us hoặc gọi điện thoại theo số 503-742-4696.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 swilliams@clackamas.us, 또는 전화 503-742-4696번으로 연락 주십시오.











150 Beaver Creek Rd
 Oregon City, OR 97045
 503-655-8671

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[Property Search](#) > [Search Results](#) > Property Summary

Property Account Summary

11/20/2020

Account Number	00738232	Property Address	67770 E HWY 26 , WELCHES, OR 97067
----------------	----------	------------------	------------------------------------

General Information

Alternate Property #	27E32DD04200
Property Description	Section 32 Township 2S Range 7E Quarter DD TAX LOT 04200
Last Sale Price	\$0.00
Last Sale Date	04/23/2019
Last Sale Excise Number	351482
Property Category	Land &/or Buildings
Status	Active, Host Other Property, Locally Assessed
Tax Code Area	046-040
Remarks	

Property Characteristics

Neighborhood	70760: Area 06 manufactured home parks
Land Class Category	707: Manufactured Structure Park
Acreage	1.0
Change property ratio	7XX
Manf Structure Park	MT SHADOWS MBL HOME PK

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Parties

Role	Percent	Name	Address
Taxpayer	100	MOUNTAIN SHADOW LLC	31 AIRPORT BLVD STE G, S SAN FRANCISCO, CA 94080
Owner	100	MOUNTAIN SHADOW LLC	31 AIRPORT BLVD STE G, S SAN FRANCISCO, CA 94080

Property Values

Value Type	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016

AVR Total	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Exempt					
TVR Total	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Real Mkt Land	\$62,009	\$58,435	\$53,074	\$48,249	\$45,926
Real Mkt Bldg	\$43,300	\$40,780	\$37,080	\$33,660	\$32,030
Real Mkt Total	\$105,309	\$99,215	\$90,154	\$81,909	\$77,956
M5 Mkt Land	\$62,009	\$58,435	\$53,074	\$48,249	\$45,926
M5 Mkt Bldg	\$43,300	\$40,780	\$37,080	\$33,660	\$32,030
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$45,019	\$43,708	\$42,435	\$41,199	\$39,999
Mkt Exception					
AV Exception					

Tax Rate

Description	Rate
Total Rate	14.1211

Tax Balance

Installments Payable

Tax Year	Installment	Earliest Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due
2019	Delinquent	05/15/2020	\$210.72	\$19.67	\$230.39	\$230.39
2020	1	11/15/2020	\$211.90	\$2.83	\$214.73	\$445.12
2020	2	02/15/2021	\$211.91	\$0.00	\$211.91	\$657.03
2020	3	05/15/2021	\$211.91	\$0.00	\$211.91	\$868.94

[View Detailed Statement](#)

Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Related Properties

01678802 is Located On this property

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
04/12/2019	04/23/2019 12:36:00	Taxpayer Changed	Property Transfer Filing No.: 351482 04/12/2019 by KARLYNW
04/12/2019	04/23/2019 12:36:00	Recording Processed	Property Transfer Filing No.: 351482, Warranty Deed, Recording No.: 2019-019233 04/12/2019 by KARLYNW
12/31/2015	01/30/2016	Taxpayer Changed	Property Transfer Filing No.: 290877 12/31/2015 by HALLEYWUN

	11:41:00		
12/31/2015	01/30/2016 11:41:00	Recording Processed	Property Transfer Filing No.: 290877, Warranty Deed, Recording No.: 2015-086041 12/31/2015 by HALLEYWUN
12/29/2010	01/13/2011 09:13:00	Taxpayer Changed	Property Transfer Filing No.: 211553 12/29/2010 by PAULAOAK
12/29/2010	01/13/2011 09:13:00	Recording Processed	Property Transfer Filing No.: 211553, Quit Claim Deed, Recording No.: 2010-083405 12/29/2010 by PAULAOAK
07/17/2008	07/31/2008 11:32:00	Recording Processed	Property Transfer Filing No.: 179406, Trustee Deed, Recording No.: 2008-050966 07/17/2008 by SHARYNROW
07/17/2008	07/17/2008 09:47:00	The situs address has changed	by LINDAPET
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	2001 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	2000 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:36:00	Property Characteristic Changed	1999 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2006 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2005 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2004 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2003 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:35:00	Property Characteristic Changed	2002 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:34:00	Property Characteristic Changed	2007 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
07/17/2008	07/17/2008 09:34:00	Property Characteristic Changed	2008 Manf Structure Park changed from to MT SHADOWS MBL HOME PK by KATHYSWA
03/13/2007	03/13/2007 16:41:00	The situs address has changed	by KATHYSWA
06/15/2006	06/15/2006 13:47:00	Annexation Completed For Property	Delete Co Svc 1b - cancel tca-annexed by 046-040 for 2006-Revise TCA Membership by JENMAYO
06/07/2006	06/20/2006 12:15:00	Taxpayer Changed	Property Transfer Filing No.: 142545 06/07/2006 by LYNNENEW
06/07/2006	06/20/2006 12:15:00	Recording Processed	Property Transfer Filing No.: 142545, Warranty Deed, Recording No.: 2006-051748 06/07/2006 by LYNNENEW
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 97-70596, 9/1/97, \$ 225000

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
02/12/2020 00:00:00	4792705	\$210.72	\$421.44	\$210.72	\$0.00
11/26/2019 00:00:00	4783170	\$210.71	\$632.15	\$210.71	\$0.00
04/17/2019 12:22:00	4610424	\$201.33	\$1,408.19	\$1,408.19	\$0.00
02/14/2019 00:00:00	4602822	\$201.33	\$402.66	\$201.33	\$0.00
11/21/2018 00:00:00	4579933	\$201.33	\$603.99	\$201.33	\$0.00
10/30/2017 12:45:00	4250454	\$590.03	\$4,128.19	\$4,005.35	\$0.00
11/22/2016 00:00:00	4201762	\$569.07	\$569.07	\$552.00	\$0.00
01/12/2016 10:18:00	4018141	\$368.66	\$2,579.54	\$2,567.04	\$0.00
11/17/2015 00:00:00	3994681	\$184.32	\$552.98	\$184.32	\$0.00
05/19/2015 00:00:00	3852368	\$179.61	\$179.61	\$179.61	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
04/09/2019	04/23/2019	04/12/2019	2019-019233	\$800,000.00	351482		X	MOUNTAIN SHADOW MHP LIMITED PARTNERSHIP	MOUNTAIN SHADOW LLC	No
12/30/2015	01/30/2016	12/31/2015	2015-086041	\$485,000.00	290877		X	MTN SHADOW LLC	MOUNTAIN SHADOW MHP LIMITED PARTNERS	No
12/29/2010	01/13/2011	12/29/2010	2010-083405	\$0.00	211553		X	EPELAND ROBERT R & DIXIE L	MTN SHADOW LLC	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179396		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179394		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/15/2008	07/31/2008	07/17/2008	2008-050966	\$668,136.00	179406		X	EPELAND ROBERT R & DIXIE L	GANN OWEN H	No
05/24/2006	06/20/2006	06/07/2006	2006-051748	\$550,000.00	142545		M	JJD ENTERPRISES INC	GANN OWEN H	No

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Version 4.0.2.9



November 25, 2020

Shadow Mountain LLC.
31 Airport Blvd Ste G
San Francisco, CA 94080

SUBJECT VIOLATION(S) OF:

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE
TITLE 12.317.03 – USES PERMITTED
2. CLACKAMAS COUNTY LAND USE FILE ZO539-98 NCU (NON
CONFORMING USE)

SITE ADDRESS: 67770 E Hwy 26, Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, SECTION 32DD, TAX LOTS 04200, 04300, and
04400

ZONING: HR (HOODLAND RESIDENTIAL)

**THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE
CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:**

1. In violation of the number of units on the above referenced tax lots as
approved through Land Use Approval ZO539-98 NCU.

On July 1, 2019 Clackamas County Code Enforcement received a complaint. A site inspection and overview of the land use approvals show several more units on site than were approved through the land use procedure.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

VIOLATION OF CONDITIONS OF APPROVAL ON LAND USE APPROVAL

There are numerous units throughout the tax lots above. There is a general area where all mailboxes are showing a total of 24 spaces. The land use approval (ZO539-98) shows approval for 3 single family residences and 6 mobile homes. There are more units in the development than were approved through the land use review. This violation occurs as a result of the approved use varying from the actual use on the site. Failing to comply with the approved use constitutes a violation of Clackamas County Ordinance Title 12.317.03. In order to abate the violation(s), you must complete the following **no later than December 30, 2020:**

1. Remove all unapproved units from the site and comply with the Land Use allowances as shown in ZO539-98, or
2. Contact Clackamas County planning to determine if a new application can be made for the additional units. You will need to go through a land use review with planning.
 - a. If the land use is approved submit the approval to me by email.
 - b. If the land use is denied remove all units that are in violation of the existing land use approval.
 - c. You must obtain a “Deemed Complete” application from Planning within 45 days from the date of this letter if you are going to submit for a land use review.

CONTACT INFORMATION

Code Enforcement Specialist – Shane Potter – If you have any other questions please feel free to contact me at 503-742-4465 or email at spotter@clackamas.us

Planning Department – If you have questions regarding the planning approval process or other planning related questions please call the Planning Department at 503-742-4500 or email at zoninginfo@clackamas.us

The departments listed above are taking applications electronically and encourage you to use this option. Please contact the department you are working with to obtain information on how to submit any documents you may need to submit for electronically.

Planning, Permitting and Code Enforcement Offices at the Development Services Building located at 150 Beaver Creek Road, Oregon City are open during the hours of: Monday through Thursday 8a.m. to 3p.m and on Fridays 8a.m. to 2p.m. However many departments are currently working remotely and we encourage you to contact the department and/or representative by phone or email.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County. You can also review the entire code by going to: <https://www.clackamas.us/code>

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.

Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered the County may file and record the order for payment in the County Clerk Lien Road.

Also, be advised that non-compliance with a Hearing Officer's Order may result in the matter being referred to County Counsel; for legal action in Circuit Court which may result in additional penalties or other sanctions.

Finally, recurrence of abated violations may result in the issuance of a citation without prior notice.













150 Beaver Creek Rd
 Oregon City, OR 97045
 503-655-8671

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[Property Search](#) > [Search Results](#) > Property Summary

Property Account Summary

7/27/2021

Account Number	00738250	Property Address	67770 E HWY 26 , WELCHES, OR 97067
----------------	----------	------------------	------------------------------------

General Information

Alternate Property #	27E32DD04400
Property Description	Section 32 Township 2S Range 7E Quarter DD TAX LOT 04400
Last Sale Price	\$0.00
Last Sale Date	04/23/2019
Last Sale Excise Number	351482
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	046-040
Remarks	

Property Characteristics

Neighborhood	70760: Area 06 manufactured home parks
Land Class Category	707: Manufactured Structure Park
Acreage	0.8
Change property ratio	7XX
Manf Structure Park	

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Parties

Role	Percent	Name	Address
Taxpayer	100	MOUNTAIN SHADOW LLC	PO BOX 314, EVERSON, WA 98247
Owner	100	MOUNTAIN SHADOW LLC	PO BOX 314, EVERSON, WA 98247

Property Values

Value Type	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017	Tax Year 2016
AVR Total	\$112,600	\$109,321	\$106,137	\$103,046	\$100,045
Exempt					

TVR Total	\$112,600	\$109,321	\$106,137	\$103,046	\$100,045
Real Mkt Land	\$155,074	\$146,136	\$132,729	\$120,663	\$114,853
Real Mkt Bldg	\$120,980	\$113,930	\$103,580	\$94,050	\$89,490
Real Mkt Total	\$276,054	\$260,066	\$236,309	\$214,713	\$204,343
M5 Mkt Land	\$155,074	\$146,136	\$132,729	\$120,663	\$114,853
M5 Mkt Bldg	\$120,980	\$113,930	\$103,580	\$94,050	\$89,490
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$112,600	\$109,321	\$106,137	\$103,046	\$100,045
Mkt Exception					
AV Exception					

Tax Rate

Description	Rate
Total Rate	14.1211

Tax Balance

No Charges are currently due. If you believe this is incorrect, please contact the Assessor's Office.

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Related Properties

No Related Properties Found

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
04/12/2019	04/23/2019 12:36:00	Taxpayer Changed	Property Transfer Filing No.: 351482 04/12/2019 by KARLYNW
04/12/2019	04/23/2019 12:36:00	Recording Processed	Property Transfer Filing No.: 351482, Warranty Deed, Recording No.: 2019-019233 04/12/2019 by KARLYNW
12/31/2015	01/30/2016 11:41:00	Taxpayer Changed	Property Transfer Filing No.: 290877 12/31/2015 by HALLEYWUN
12/31/2015	01/30/2016 11:41:00	Recording Processed	Property Transfer Filing No.: 290877, Warranty Deed, Recording No.: 2015-086041 12/31/2015 by HALLEYWUN
12/29/2010	01/13/2011 09:13:00	Taxpayer Changed	Property Transfer Filing No.: 211553 12/29/2010 by PAULAOAK
12/29/2010	01/13/2011 09:13:00	Recording Processed	Property Transfer Filing No.: 211553, Quit Claim Deed, Recording No.: 2010-083405 12/29/2010 by PAULAOAK
07/17/2008	07/31/2008 11:32:00	Recording Processed	Property Transfer Filing No.: 179406, Trustee Deed, Recording No.: 2008-050966 07/17/2008 by SHARYNROW
09/29/2006	09/29/2006 16:35:00	The situs address has changed	by LINDAPET

06/15/2006 13:47:00	06/15/2006 13:47:00	Annexation Completed For Property	Delete Co Svc 1b - cancel tca-annexed by 046-040 for 2006-Revise TCA Membership by JENMAYO
06/07/2006 12:15:00	06/20/2006 12:15:00	Taxpayer Changed	Property Transfer Filing No.: 142545 06/07/2006 by LYNNENEW
06/07/2006 12:15:00	06/20/2006 12:15:00	Recording Processed	Property Transfer Filing No.: 142545, Warranty Deed, Recording No.: 2006-051748 06/07/2006 by LYNNENEW
07/01/1999 12:00:00	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 97-70596, 9/1/97, \$ 225000

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
05/12/2021 00:00:00	5001899	\$530.01	\$530.01	\$530.01	\$0.00
11/23/2020 00:00:00	4966892	\$1,060.03	\$1,590.04	\$1,038.83	\$0.00
02/03/2020 00:00:00	4790009	\$1,602.20	\$1,602.20	\$2,226.20	\$0.00
04/17/2019 12:22:00	4610424	\$503.55	\$1,408.19	\$1,408.19	\$0.00
02/14/2019 00:00:00	4602821	\$503.57	\$1,007.12	\$503.57	\$0.00
11/21/2018 00:00:00	4579932	\$503.57	\$1,510.69	\$503.57	\$0.00
10/30/2017 12:45:00	4250454	\$1,475.79	\$4,128.19	\$4,005.35	\$0.00
11/22/2016 00:00:00	4201763	\$1,423.35	\$1,423.35	\$1,380.65	\$0.00
01/12/2016 10:18:00	4018141	\$921.98	\$2,579.54	\$2,567.04	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
04/09/2019	04/23/2019	04/12/2019	2019-019233	\$800,000.00	351482		X	MOUNTAIN SHADOW MHP LIMITED PARTNERSHIP	MOUNTAIN SHADOW LLC	No
12/30/2015	01/30/2016	12/31/2015	2015-086041	\$485,000.00	290877		X	MTN SHADOW LLC	MOUNTAIN SHADOW MHP LIMITED PARTNERS	No
12/29/2010	01/13/2011	12/29/2010	2010-083405	\$0.00	211553		X	EPELAND ROBERT R & DIXIE L	MTN SHADOW LLC	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179396		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/17/2008	07/31/2008	07/17/2008	2008-050966	\$668,135.00	179394		X	GANN OWEN H	EPELAND ROBERT R & DIXIE L	No
07/15/2008	07/31/2008	07/17/2008	2008-050966	\$668,136.00	179406		X	EPELAND ROBERT R & DIXIE L	GANN OWEN H	No
05/24/2006	06/20/2006	06/07/2006	2006-051748	\$550,000.00	142545		X	JJD ENTERPRISES INC	GANN OWEN H	No

[Printable Version](#)

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Version 4.0.2.9

Exhibit H Page 3 of 5



Business Name Search

New Search	Printer Friendly	Business Entity Data				07-27-2021 13:13
Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1541124-95	FLLC	ACT	DELAWARE	03-28-2019	03-28-2022	
Entity Name	MOUNTAIN SHADOW LLC					
Foreign Name						

New Search	Printer Friendly	Associated Names			
Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	67770 E HIGHWAY 26				
Addr 2					
CSZ	WELCHES	OR	97067	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	03-28-2019	Resign Date	
Of Record	003292-27	C T CORPORATION SYSTEM				
Addr 1	780 COMMERCIAL STREET SE SUITE 100					
Addr 2						
CSZ	SALEM	OR	97301	Country	UNITED STATES OF AMERICA	





Type	MAL	MAILING ADDRESS			
Addr 1	PO BOX 314				
Addr 2					
CSZ	EVERSON	WA	98247	Country	UNITED STATES OF AMERICA

Type	MGR	MANAGER			Resign Date	
Name	SANDRA		SOUTHWICK			
Addr 1	PO BOX 314					
Addr 2						
CSZ	EVERSON	WA	98247	Country	UNITED STATES OF AMERICA	

New Search	Printer Friendly	Name History			
Business Entity Name	Name	Name	Start Date	End Date	

	Type	Status		
MOUNTAIN SHADOW LLC	EN	CUR	03-28-2019	

Please [read](#) before ordering [Copies](#).

New Search	Printer Friendly	Summary History				
Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	04-08-2021		FI		
	REINSTATEMENT AMENDED	07-06-2020		FI		
	ADMINISTRATIVE REVOKE AUTHORITY	06-11-2020		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	02-20-2020		FI		
	APPLICATION FOR AUTHORITY	03-28-2019		FI	Agent	

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For comments or suggestions regarding the operation of this site, please contact : corporation.division@state.or.us

July 28, 2021

VIOLATION NO: V0036919

Shadow Mountain LLC.
31 Airport Blvd Ste G
San Francisco, CA 97067

C T Corporation System
780 Commercial St. SE, Ste 100
Salem, OR 97301

SUBJECT VIOLATION(S) OF:

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE TITLE 12.317.03 – USES PERMITTED
2. CLACKAMAS COUNTY LAND USE FILE Z0539-98 NCU (NON CONFORMING USE)

SITE ADDRESS: 67770 E Hwy 26, Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, SECTION 32DD, TAX LOTS 04200, 04300, and 04400

ZONING: HR (HOODLAND RESIDENTIAL)

THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:

1. Number of units (spaces) exceeds the Land Use Approval as stated in Z0539-98 NCU.

Clackamas County Code Enforcement received a complaint. Site inspections and review of the Land Use Approval file Z0539-98 confirms the violations exist on the site.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

VIOLATION OF NON CONFORMING USE APPROVAL – ZONING & PLANNING DIVISION

Land Use Approval Z0539-98 approved three (3) single family homes and six (6) mobile home spaces. The site visits show numerous units on site. One review showed upwards of twenty-four (24) units on tax lots 04300 and 04400. There remains more units than approved through the Land Use Approval. This constitutes a violation of Clackamas County Land Use Approval of file Z0539-98. This further violates Clackamas County Ordinance Title 12.317.03. In order to abate the violation(s), you must complete the following **no later than August 28, 2021:**

1. Remove all unapproved units from the site and comply with the Land Use Approval as shown in Z0539-98, or;

2. Contact Clackamas County Zoning and Planning Division to determine if a new application can be made for the additional units. You will need to go through a land use review with Zoning & Planning Division.

While Clackamas County Zoning and Planning Division may allow for additional time to obtain a "Complete Application" due to this being a code violation you must provide any additional information required by the Zoning and Planning Division within thirty (30) days of the date of their letter regarding an incomplete application.

CONTACT INFORMATION

Planning & Zoning Division – For items labeled Zoning & Planning Division above please call them at 503-742-4500 or email at zoninginfo@clackamas.us

Code Enforcement Specialist – Shane Potter – For all other questions please contact me at 503-742-4465 or email at spotter@clackamas.us

The departments listed above are taking applications electronically and encourage you to use this option. Please contact the department you are working with to obtain information on how to submit any documents you may need to submit for electronically.

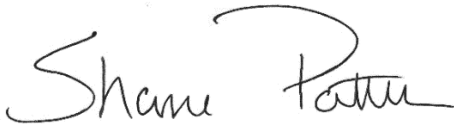
Planning, Permitting and Code Enforcement Offices at the Development Services Building located at 150 Beaver Creek Road, Oregon City are open during the hours of: Monday through Thursday 8a.m. to 4p.m. and Friday 8a.m. to 3p.m.

If you choose to come to the Development Services Building in order to provide the highest level of customer service, please bring a copy of this correspondence. You may also review the code by going to:

<https://www.clackamas.us/code>

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



CLACKAMAS
COUNTY

DEVELOPMENT SERVICES BUILDING
CODE ENFORCEMENT DIVISION
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

**RETURN SERVICE
REQUESTED**

**PRESORTED
FIRST CLASS**



U.S. POSTAGE >>> PITNEY BOWES



ZIP 97045 \$ 000.39⁸
02 1W
0001404531 JUL 28 2021

Shadow Mountain LLC
31 Airport Blvd Ste G
San Francisco, CA 97067

NIXIE 958 FE 1 0008/20/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 97045430250 *0129-00231-28-44

930410005521516

97067

ANR

0308 > 0308

Exhibit I Page 4 of 4

Potter, Shane

From: Andrew - <andrew@bridgeviewmgmt.com>
Sent: Monday, August 9, 2021 7:22 AM
To: ZoningInfo
Cc: Potter, Shane; Megan -
Subject: Mountain Shadow RV Park - LUZ0539-98

Warning: External email. Be cautious opening attachments and links.

To Whom it May Concern,

I am writing in response to the violation letter sent on July 28, 2021 (Order#V0036919). The above referenced property, address 67770 E Hwy 26, Welches OR, has been the subject of discussion between myself and Mr. Potter several times. In essence, the facts of the matter are as follows:

- 1) The above referenced land use decision permits three single family homes and 6 mobile home spaces, however makes NO reference to the amount of RV spaces allowed on the property.
- 2) At the time of this decision, recreational vehicle occupancy was not defined in Clackamas County, thus the amount of RV units was not considered during the land use process.
- 3) In 1999, Clackamas County created a more explicit definition of recreational vehicles, however existing "RV Parks" in the county were not required to submit any sort of site plans showing how many spaces were in use at the time of this decision.
- 4) Mountain Shadow RV Park has been an RV park since the early 1960s; the land use decision referenced above was implemented in 1998, at this time the decision was not a general land use decision, but an OVERLAY decision that allowed for the 3 single family homes and 6 full size mobile home spaces. This decision did not reflect the existing use (Recreational Vehicle Park) because, again, at the time of this decision, no such definition existed.
- 5) Currently Mountain Shadow RV Park consists of the following uses:
 - a. 1 single family residence
 - b. 1 full size manufactured home
 - c. Approximately 18 RV spaces, the occupancy of which changes frequently
- 6) As evidenced by the current density, we are well within the restrictions laid out in the land use decision, with the understanding that the existing RV spaces were not the subject of this land use decision.

In light of these facts, we propose the following as a solution:

- 1) Within sixty (60) days, Mountain Shadow RV Park management will submit to Clackamas county land use the following documents:
 - a. A current, scale site plan of the property detailing existing spaces, access, space numbering, and utility connections
 - b. An agreement to not alter, modify, expand, or change the use of the property for review by land use personnel
 - c. Any other reasonable submittal documents requested by Clackamas County land use.

It is worth noting that Mountain Shadow RV Park remains one of the VERY few affordable housing options left in the Mt Hood District; we look forward to preserving this critical housing need in a manner that is satisfactory for the county.

Please contact me if you have any questions

Sincerely,
Andrew Cramer
Manager
Mountain Shadow RV Park

Sent from [Mail](#) for Windows 10

Potter, Shane

From: Hamburg, Glen
Sent: Wednesday, August 11, 2021 3:10 PM
To: Potter, Shane
Subject: RE: Mountain Shadow RV Park - LUZ0539-98
Attachments: Z0539-98-NCU.pdf

Hi Shane,

Based at least on what I can figure out at least, there are several things in Andrew's email that are not quite accurate, which I'd be happy to discuss with you. Z0539-98-NCU (attached) was a Nonconforming Use Verification decision. It didn't authorize any new development or any change to an established land use; rather, it simply verified that certain uses described by the applicant and already on the property were, at that time, lawfully nonconforming. Specifically, the decision found that, at that time in the late 1990s, the following existing uses only on Tax Lots 4300 and 4400 were lawfully nonconforming:

- Three detached single-family dwelling units;
- A utility building; and
- Six mobile home spaces.

The decision does not verify any "RV spaces", but that doesn't mean much of anything that would be helpful to the property owner. Andrew's discussion of "general land use decisions" vs "overlay decisions" aren't a thing. The decision in Z0539-98-NCU was neither a "general land use decision" or an "overlay decision" (whatever those are) – it's a nonconforming use verification decision formally verifying that certain land uses the applicant mentioned at the time were lawful back then.

If someone wants/needs Planning & Zoning approval for anything not listed in the bullets above, or wants/needs to re-verify that any of the uses bulleted above are *still* lawfully nonconforming more than 20 years after the decision in Z0539-98-NCU, they need to make a new nonconforming use application.

Let me know if you have any details from Ben or others that state otherwise.

Regards,

Glen Hamburg

Senior Planner
Clackamas County Planning & Zoning
150 Beaver Creek Rd
Oregon City, OR 97045
Tel: 503.742.4523
General Schedule: Tuesday-Friday, 7am-5:30pm



The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

Potter, Shane

From: Potter, Shane
Sent: Friday, August 20, 2021 9:42 AM
To: 'Andrew -'
Subject: RE: Mountain Shadow RV Park - LUZ0539-98

Hi Andrew,

It would actually be a verification of a nonconforming use in this case since there was one it was just saying redo to include those. However, I would make contact with planning at 503-742-4500 and talk with Glen Hamburg as he is most familiar with this site. He can help you to determine if that is the correct action to take based off the conversation you and him have.

Sincerely,

Shane Potter
Clackamas County
Code Enforcement Specialist
503-742-4465
Spotter@clackamas.us
150 Beaver Creek Rd
Oregon City, OR 97045

Coming Soon in August 2021! We're excited to launch Development Direct -- our new one-stop digital services hub for Building Codes and Development Engineering. [Click here to learn more.](#)



150 Beavercreek Rd
Oregon City, OR 97045
503-655-8671

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[Property Search](#) > [Search Results](#) > Property Summary

Property Account Summary

3/16/2022

Account Number	00738241	Property Address	NO SITUS , ADDRESS, OR
----------------	----------	------------------	------------------------

General Information

Alternate Property #	27E32DD04300
Property Description	Section 32 Township 2S Range 7E Quarter DD TAX LOT 04300
Last Sale Price	\$0.00
Last Sale Date	04/23/2019
Last Sale Excise Number	351482
Property Category	Land &/or Buildings
Status	Active, Host Other Property, Locally Assessed
Tax Code Area	046-040
Remarks	

Property Characteristics

Neighborhood	70760: Area 06 manufactured home parks
Land Class Category	707: Manufactured Structure Park
Acreage	1.0
Change property ratio	7XX
Manf Structure Park	

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

Parties

Role	Percent	Name	Address
Taxpayer	100	MOUNTAIN SHADOW LLC	PO BOX 314, EVERSON, WA 98247
Owner	100	MOUNTAIN SHADOW LLC	PO BOX 314, EVERSON, WA 98247

Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
AVR Total	\$115,963	\$112,586	\$109,307	\$106,123	\$103,032
Exempt					
TVR Total	\$115,963	\$112,586	\$109,307	\$106,123	\$103,032
Real Mkt Land	\$164,459	\$155,074	\$146,136	\$132,729	\$120,663
Real Mkt Bldg	\$128,400	\$120,950	\$113,910	\$103,550	\$94,020
Real Mkt Total	\$292,859	\$276,024	\$260,046	\$236,279	\$214,683



















































August 8, 2022

Violation No.: V0036919

Mountain Shadow LLC.
PO Box 314
Everson, WA 98247

CLACKAMAS COUNTY CODES VIOLATED:

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE TITLE 12.317.03 – USES PERMITTED – Camping without land use approval
2. CLACKAMAS COUNTY ZONING AND PLANNING LAND USE APPROVAL FILE Z539-98 NCU (Non-Conforming Use) – Use of more spaces than what was approved.
3. CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE TITLE 12.1307.14 CONDITIONS OF APPROVAL

SITE ADDRESS: 67770 E Hwy 26, Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, SECTION 32DD TAX LOT(S) 04200, 04300, and 04400

We have sent two prior letters addressing this issue. This letter should serve as an updated letter addressing the violations on the site.

PLACEMENT OF NUMEROUS RECREATIONAL VEHICLES ON SITE WITHOUT LAND USE APPROVAL FOR A CAMPING FACILITY AND IN VIOLATION OF THE CONDITIONS OF APPROVAL BASED ON LAND USE DECISION Z0539-98 - PLANNING & ZONING DIVISION

The subject property is zoned HR (Hoodland Residential). The multiple recreational vehicles on site are in violation of having a camp ground without land use and also occupy more spots than what was approved for this site which is three single family homes and six mobile home spaces. To abate the violation please complete one of the following **not later than: September 8, 2022**

1. Remove all recreational vehicles and spaces in excess of six (6) from the site in compliance with Clackamas County Land Use Approval Z0539-98.
 - a. You must obtain proper building permits to properly remove/cap all water and electric connections that exist on site. You may also be required to obtain plumbing and electrical permits for any spaces created that did not first obtain such permits.

AND;

2. Remove all elements of the camping facility to come into compliance with the approvals for this site as stated in (1) above.

OR;

3. If you would like to maintain the current level of recreational vehicles on site you will need to work with the Clackamas County Planning and Zoning Division to determine the process you will need to take to come into compliance.
 - a. We first recommend contacting the Planning and Zoning Division at 503-742-4500 or by email at zoninginfo@clackamas.us to discuss the business(es) and determine if you will request an alteration to the current non-conforming use or if you choose to pursue a campground at the location.
 - b. By the deadline listed above you must have made application to the Planning and Zoning Division to submit the required land use approvals. You may be required to attend a pre-application conference prior to submitting the formal land use application.
 - i. If, after submittal, you are notified that the application is deemed incomplete you have no more than thirty (30) days to submit the required information/documents requested.
 - ii. If you obtain approval from the Planning and Zoning Division you must comply with all conditions of approval and uses related within that approval. You will then need to obtain all necessary permits for building and septic to address the new lots.
 - iii. If you do not obtain approval through the land use process you will be required to either comply with #1 above or bring the property back to its originally approved status.

AND;

- c. The applicant shall comply with all existing and/or future conditions of approval.

OR;


4. If the respondent wishes to explore other options to compliance please contact the Planning and Zoning Division at the contact information listed in this section.

If you have questions concerning permit requirements, online submittal process, or land use process, please contact the department listed above at the phone number or email listed, or stop by the offices located at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. or Friday 8:00 a.m. to 3:00 p.m.

If you choose to come to the Development Services Building please bring a copy of this correspondence in order for us to provide the highest level of customer service.

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement
Phone: 503-742-4465
spotter@clackamas.us

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.





































Citation No.: 1900369 - 1

Case No.: V0036919

ADMINISTRATIVE CITATION

Date Issued: January 12, 2023

Name and Address of Person(s) Cited:

Name: Mountain Shadow LLC.
Mailing Address: PO Box 314
City, State, Zip: Everson, WA 98247

Date Violation(s) Confirmed: October 11, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 67770 E Hwy 26, Welches, OR 97067

Legal Description: T2S, R7E SECTION 32DD, Tax Lot(s) 04400

Law(s) Violated

- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.317.03
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.1307.14

Description of the violation(s):

- 1) Violation of conditions of approval, having more lots than allowed by existing land use approval, and camping without land use approval

Maximum Civil Penalty \$2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75.00 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation Issued by: Shane Potter Date: January 12, 2023
Telephone No.: 503-742-4465 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
Clackamas County Code Enforcement Section
150 Beaver Creek Rd.
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: _____ Date: _____

Address: _____
City, State, Zip

Contact Number: _____ Email: _____

Potter, Shane

From: Andrew - <andrew@bridgeviewmgmt.com>
Sent: Monday, February 6, 2023 2:31 PM
To: ZoningInfo
Cc: Potter, Shane
Subject: RE: Non Conforming Use Application
Attachments: 1507 ALTA Sheets 1 & 2 - 4-2-19.pdf; NonConfUseApp_67770USHwy26_2.6.2023.pdf

Warning: External email. Be cautious opening attachments and links.

Hi Lizbeth,

Nice to be working with you again! I've attached the non conforming use application as well as supporting documentation...as far as the continual use I think its pretty self evident that the park has been in continual operation?

Regarding the supporting docs, if you review the photos you can clearly see that, even when this decision was made in 1999, there is clear notations of "trailer park" and trailer spaces laid out in the photos so this is and always has been an RV park.

Thanks, please let me know how I can arrange payment

Andrew

Sent from [Mail](#) for Windows

From: Potter, Shane <SPotter@clackamas.us>

Sent: Thursday, October 12, 2023 10:38 AM

To: Lind, Annabelle <ALind@clackamas.us>

Subject: Z0069-23 - 67770 E Hwy 26

Hi Annabelle,

I am checking to see if the land use appeal period is over for this file. I show that it was denied on 9/6/23. If it has expired with no appeal I will schedule a site visit and continue enforcement if they have not addressed the issue.

Sincerely,

Shane Potter

Code Enforcement Specialist

Code Enforcement

Department of Transportation and Development

150 Beaver Creek Rd., Oregon City, OR 97045

Primary Phone: 503-742-4465

spotter@clackamas.us

www.clackamas.us

Hours: M-F from 7:30 am until 4:00 pm (Lobby closed to the public on Fridays)

Potter, Shane

From: Lind, Annabelle
Sent: Thursday, October 12, 2023 10:40 AM
To: Potter, Shane
Subject: RE: Z0069-23 - 67770 E Hwy 26

Hi Shane,

You are correct. The decision was denied and no appeals were received.

Annabelle Lind

Planner II

Clackamas County Planning & Zoning

150 Beaver Creek Road

Oregon City, Oregon 97045

Tel: 503-742-4513

Personal Work Schedule: Tuesdays-Fridays

www.clackamas.us

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The Planning and Zoning public service telephone line at 503-742-4500 and email account at zoninginfo@clackamas.us are staffed, and the public service lobby is open, Monday through Thursday from 8:00 a.m. to 4:00 p.m.

Were you happy with the service you received today?



CLICK A SMILEY

Any opinion or advice provided herein is informational only, and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of the Zoning and Development Ordinance, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).



NOTICE OF DECISION ON A TYPE II LAND USE PERMIT

Decision: Denied

Permit Type: Nonconforming Use Verification

File No. Z0069-23-E

Proposal: The applicant requests a nonconforming use verification for 18 recreational vehicle spaces within a mobile home park. The mobile home park was last verified under land use file Z0538-98-NCU.

Decision Date: September 6, 2023

Deadline for Filing Appeal: September 18, 2023 at 4:00 pm

Unless appealed, this decision is effective on **September 18, 2023** at 4:00 pm.

Issued By: Annabelle Lind, Planner II, alind@clackamas.us

Assessor's Maps & Tax Lots:

T2S R7E Section 32DD Taxlot 4200, 4300 & 4400

Site Address: 67770 & 67856 E Hwy 26, Welches OR 97067

Applicant: Bridgeview Property Management – Andrew Cramer

Property Owners: Mountain Shadow LLC

Zoning: Hoodland Residential (HR)

Community Planning Organization (CPO) for Area:

HOODLAND CPO

Ryan Tercek-503-679-5313

ryan@weastcs.com

hoodlandcpo@gmail.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 the Community Involvement Office at 503-655-8552.

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 8.5" 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 square foot 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) Sections 202, 317, 1206, and 1307.

PUBLIC AND AGENCY COMMENTS:

Notice was sent to applicable agencies and owners of property within 300 feet of the subject property. One comment was received by an adjacent neighbor.

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?

Subject Property

2018 Aerial Image of Subject Property

CONNECTEXPLORER™

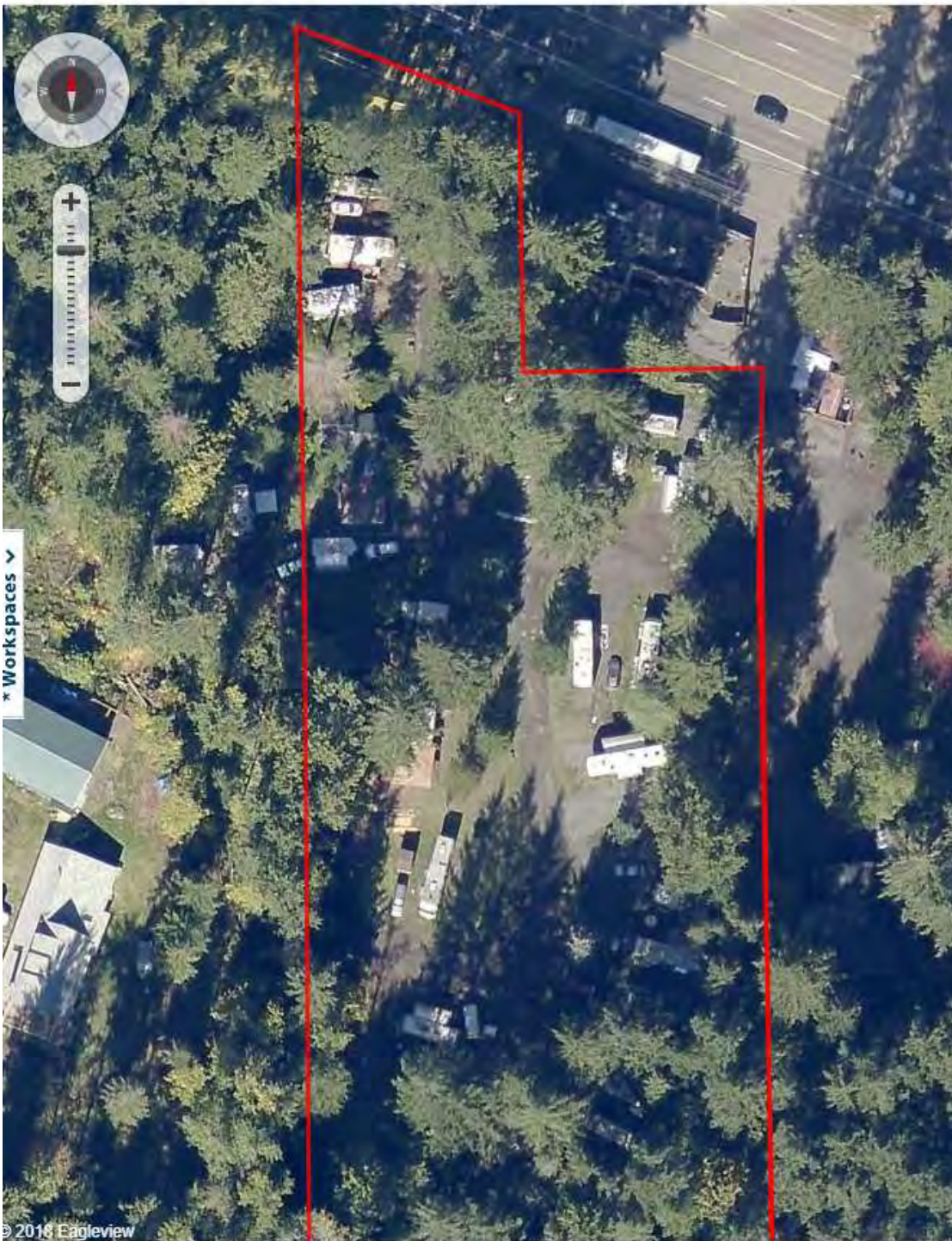


2018 Eagleview

map: Auto (Mosaic) ▾ Oct 2018 - Nov 2018 ▾ 10/04/2018 - 11/20/2018

2018 Aerial Image of Mobile Home Park Area

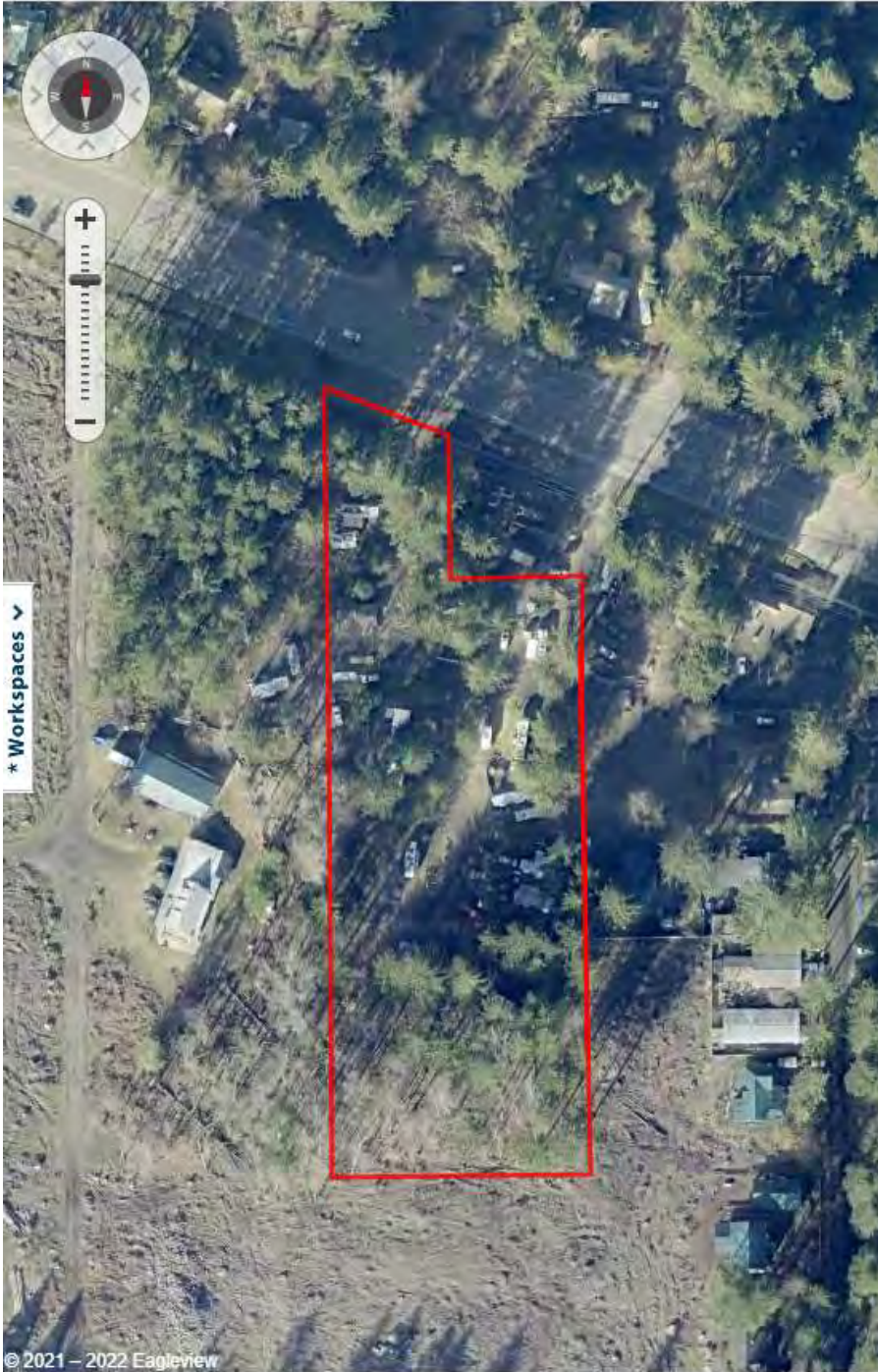
CONNECTEXPLORER™



map: Auto (Mosaic) ▾ Oct 2018 - Nov 2018 ▾ 10/04/2018 - 11/20/2018

2021-2022 Aerial Image of Subject Property

CONNECTEXPLORER™



© 2021 – 2022 Eagleview

map: Auto (Mosaic) ▾ Dec 2021 - Mar 2022 ▾ 12/14/2021 - 03/24/2022

2021 – 2022 Aerial Image of Mobile Home Park

CONNECTEXPLORER™

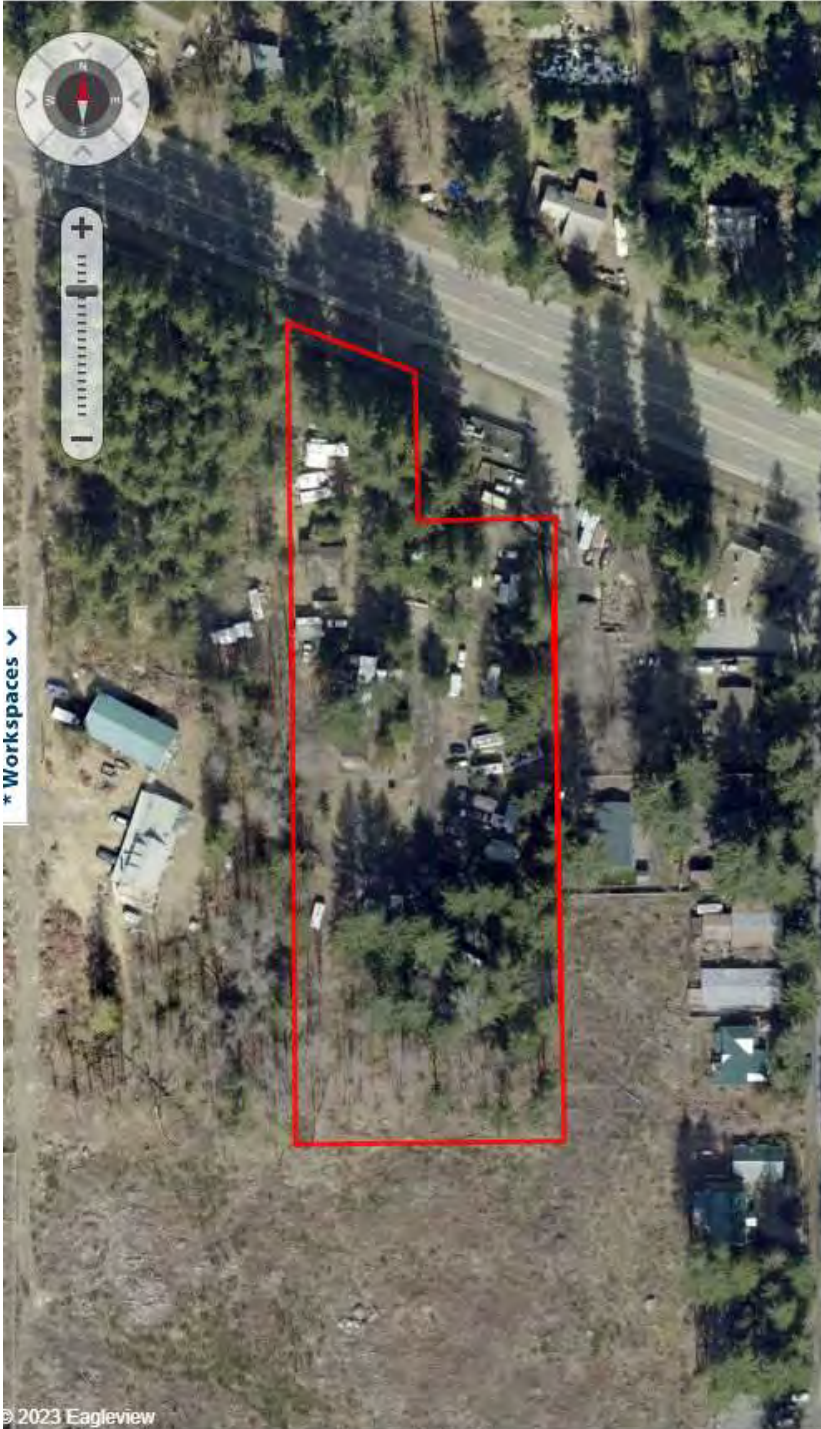


© 2021 – 2022 Eagleview

map: Auto (Mosaic) ▾ Dec 2021 - Mar 2022 ▾ 12/14/2021 - 03/24/2022

2023 Aerial Image of Subject Property

CONNECTEXPLORER™



© 2023 Eagleview
map: Auto (Mosaic) ▾ Jan 2023 - Apr 2023 ▾ 01/02/2023 - 04/28/2023

2023 Aerial Image of Mobile Home Park

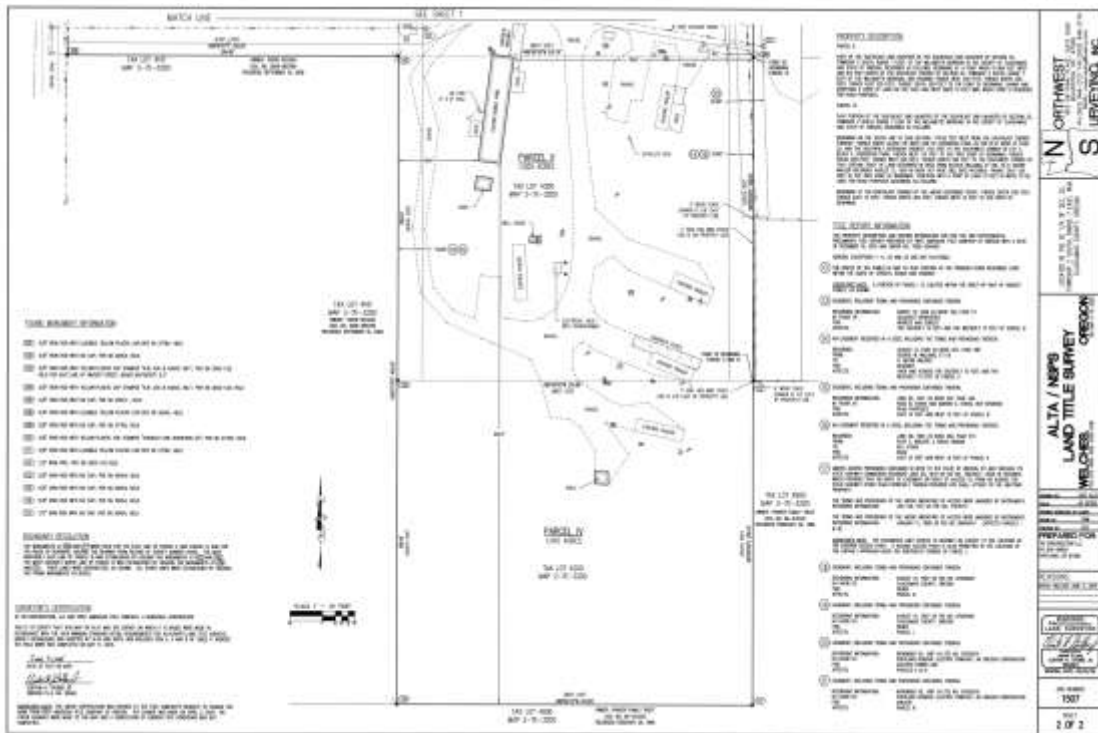
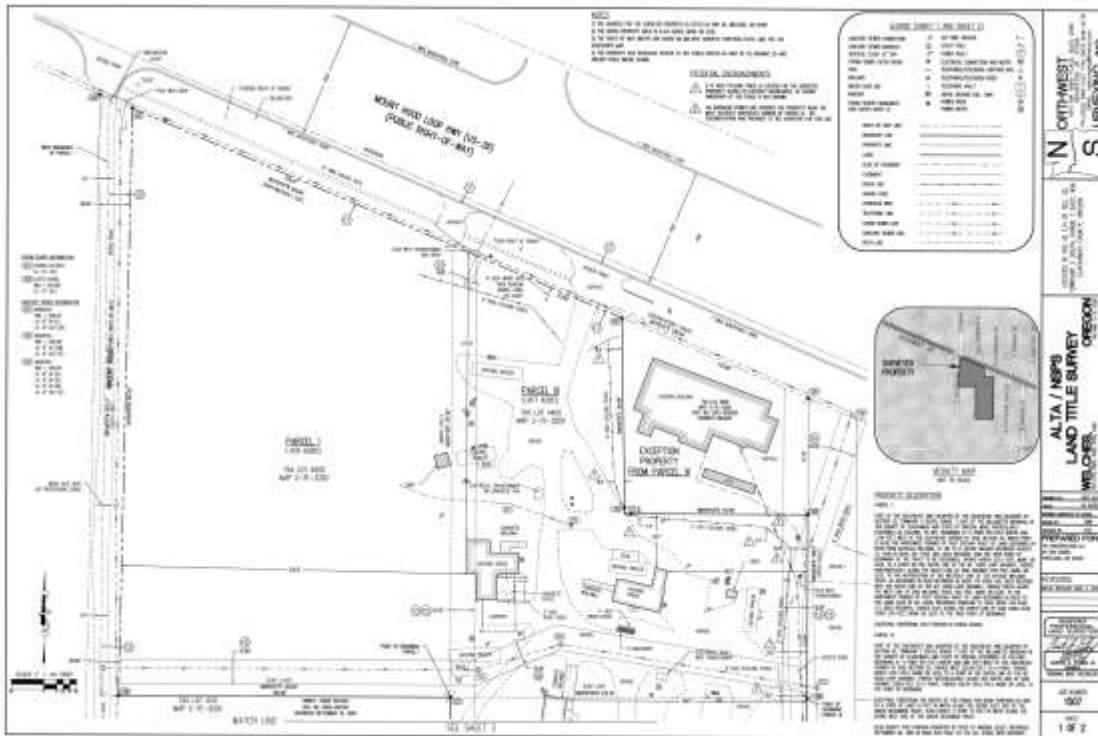
CONNECTEXPLORER™



© 2023 Eagleview

map: Auto (Mosaic) ▾ Jan 2023 - Apr 2023 ▾ 01/02/2023 - 04/28/2023

Submitted Main Steel Fabrication Building with Addition and Staging Building Plans



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. Background Information:

The subject property is approximately 2.80 acres and consists of map and tax lots 27E32DD 4200, 4300, and 4400. The applicant also owns the lot directly to the west (tax lot 4000), which is no part of this nonconforming use verification request.

In 1998 a nonconforming use verification (file # Z0538-98-NCU) determined the following uses/structures were lawfully established and continuously maintained from date of establishment to date of the 1998 verification request:

- Three single family dwellings
- Six mobile home spaces
- A utility building.
- The 1998 nonconforming use verification did not mention or include findings regarding recreational vehicle parking spaces.

Under this application, (Z0069-23) the applicant is requesting verification only for the lawful establishment and continued use of approximately 18 recreational vehicle spaces/sites on tax lots 4400 and 4200. The applicant is not requesting a nonconforming use verification for the uses and structures verified in the 1998 file Z0538-98 (listed above).

The property is currently zoned Hoodland Residential (HR) where recreational vehicle camping facilities are listed as Conditional Uses (as well as campgrounds).

The Zoning and Development Ordinance (ZDO) defines recreational vehicles as: A vehicle licensed by the State of Oregon, with or without motive power, that is designed for human occupancy and to be used temporarily for recreational, seasonal, or emergency purposes, and has a gross floor area not exceeding 400 square feet in the set-up mode. These shall include but are not limited to park trailers, travel trailers, pick up campers, motor homes, fifth wheel trailers, camping and tent trailers.

2. ZDO Section 202, Definitions:

This section of the ZDO provides definitions to terms used elsewhere in the ZDO. Section 202 defines a “nonconforming use” as:

“A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.”

As discussed throughout this decision staff finds that the applicant has not provided adequate documentation to demonstrate the lawful establishment and continued use of 18 recreational vehicle spaces/sites on tax lots 4200 and 4400. Without adequate documentation, staff cannot verify the 18 recreational vehicles spaces are a lawfully established nonconforming uses and that the 18 spaces/sites were regularly utilized and maintained.

3. ZDO Section 317, Hoodland Residential (HR):

ZDO Table 317-1, *Permitted Uses in the HR District*, of ZDO Section 317 lists recreational vehicle parks (and campgrounds) as conditional uses. The property was first zoned Recreation Residential (RR) in 1967. The RR zone in 1967 did not list recreational vehicle parks as allowed, primary, accessory or conditional uses.

The application materials indicate that the approximately 18 recreation vehicle spaces have existed since the 1960's.

3. ZDO Section 1206, Nonconforming Uses and Vested Rights

This section of the ZDO provides standards, criteria, and procedures under which a nonconforming use may be verified, continued, restored, replaced, maintained, altered, and changed. The applicant's request for verification and alteration of a nonconforming use is therefore subject to the criteria and standards of Section 1206 that are outlined and responded to with findings below:

1206.02 STATUS

A nonconforming use may be continued although not in conformity with the regulations for the zone in which the use is located. Nonconforming use status applies to the lot(s) of record on which the nonconforming use is located and may not be expanded onto another lot of record, except as provided under Subsection 1206.06(B)(3)(a) and (b) or, in the case of nonconforming premises for marijuana production, with an alteration approved pursuant to Subsection 1206.06(C). A change in ownership or operator of a nonconforming use is permitted.

Finding: The applicant does not propose to expand a nonconforming use onto another lot of record. The application does not concern marijuana production. **This criterion is met.**

1206.03 DISCONTINUATION OF USE

A. *If a nonconforming use is discontinued for a period of more than 12 consecutive months, the use shall not be resumed unless the resumed use conforms to the requirements of the Ordinance and other regulations applicable at the time of the proposed resumption.*

Finding: The applicant states the following in their application narrative:

- Approximate 18 recreational vehicle spaces have been in existence since the 1960's.
- Several land use decisions exist for the property, but only pertain to the housing units and not the recreational vehicle sites.
- The Mountain Shadow RV Park has been an RV park includes a single family dwelling, a manufactured home, and approximately 18 RV spaces.

The applicant did not specify the exact date or year the RV Park was established or the exact number of RV spaces/sites that have routinely been used and maintained. Documentation demonstrating establishment and continued use of the recreational vehicle spaces/sites was not submitted.

The applicant submitted aerial photographs, however, the photographs do not clearly depict established uses on the site due to tree cover. The aerial photographs in this decision (pages 4-9) demonstrate structures on site, but evidence submitted by the applicant does describe or delineate recreational vehicles spaces/sites from the residential dwellings and six mobile homes that were verified in the 1998 application.

The applicant submitted a site plan, however the site plan does not label or depict the location of the recreational vehicle spaces/sites. The application materials indicate the RV Park includes a single family dwelling and a manufacture home, however the site plan does not demonstrate the location of these structures or indicate if these dwellings are in addition to the three dwellings verified in the 1998 nonconforming use verification (Z0538-98).

The applicant submitted the previous land use applications and decisions for the property, however they only addressed the three dwellings and six mobile home spaces. The applicant did not submit documentation demonstrating continued use of the recreational vehicle spaces/sites such as guest log books, booking and reservation records, photographs on the recreational vehicle park, accounting or tax documents demonstrating rental income of the recreational vehicle spaces.

As described above, the applicant requested verification of the lawful establishment of eighteen (18) recreational vehicle sites, but did not provide evidence of when the recreational vehicle sites were established or that they have been in continuous use (or have not

been discontinued for more than 12 months), **therefore this criterion is not met.**

1206.04 RESTORATION OR REPLACEMENT

If a nonconforming use is damaged or destroyed by fire, other casualty, or natural disaster, such use may be restored, replaced, or re-established consistent with the nature and extent of the use or structure lawfully established at the time of loss, subject to the conditions set forth in ZDO Section 1206.04 A through C.

Finding: The applicant does not propose the restoration or replacement of a nonconforming use that was damaged or destroyed by fire, other casualty, or natural disaster. **This criterion is not applicable.**

1206.05 MAINTENANCE

Normal maintenance of a nonconforming use necessary to maintain a nonconforming use in good repair is permitted provided there are not significant use or structural alterations as determined by the Planning Director. Normal maintenance may include painting, roofing, siding, interior remodeling, re-paving of access roads and parking/loading areas, replacement of landscaping elements, etc.

Finding: This proposal does not involve normal maintenance of the proposed nonconforming use. This criterion is not applicable.

1206.06 ALTERATIONS AND CHANGES

A. ALTERATIONS REQUIRED BY LAW:

Finding: The applicant is not proposing any alteration in this land use application. **Subsection 1206.06(A) is not applicable.**

B. ALTERATIONS NOT REQUIRED BY LAW:

Except as provided in Subsection 1206.06(C), an alteration of a nonconforming structure or other physical improvements, or a change in the use, requires review as a Type II application pursuant to Section 1307, Procedures.

Finding: The applicant is not proposing any alterations with this nonconforming use verification. **Subsection 1206.06(B) is not applicable.**

C. *ALTERATIONS TO NONCONFORMING MARIJUANA PRODUCTION PREMISES NOT REQUIRED BY LAW*

Finding: This nonconforming use does not involve marijuana production on the premises. **Subsection 1206.06(C) is not applicable.**

1206.07 *VERIFICATION OF A NONCONFORMING USE*

Verification of nonconforming use status requires review as a Type II application pursuant to Section 1307, Procedures, and shall be subject to the following standards and criteria:

- A. *The nonconforming use lawfully existed at the time of the adoption of zoning regulations, or a change in zoning regulations, which prohibited or restricted the use, and the nonconforming use has not been subsequently abandoned or discontinued. Once an applicant has verified that a nonconforming use was lawfully established, an applicant need not prove the existence, continuity, nature, and extent of the nonconforming use for a period exceeding 20 years immediately preceding the date of application for verification; or*
- B. *The existence, continuity, nature, and extent of the nonconforming use for the 10-year period immediately preceding the date of the application is proven. Such evidence shall create a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of this Ordinance.*

Finding: The subject lots were first zoned in December 1967 when the Recreational Residential (RR) zone was adopted for this area of the County. The property was rezoned to Hoodland Residential (HR) on July 26, 1982. The use and development of properties in Hoodland Residential (HR) zone are subject to ZDO Section 317. The Hoodland Residential zone lists recreational vehicle camping facilities as a conditional uses. A search of County records confirms that prior land use applications for establishment of a recreational vehicle camping facility (or campground) were not obtained for the property.

The applicant's narrative states that Clackamas County created a more explicit definition of a recreational vehicle and existing "RV Parks" in the County were not required to submit any sort of site plan showing how many spaces were in use of time of the 1998

NCU verification/decision. The applicant also stated that Mountain Shadow RV Park has been an RV Park since the early 1960s and the land use decision referenced above (Z0538-98) implemented in 1998. The applicant's narrative did not provide additional information describing or supporting lawful establishment of a recreational vehicle camping facility. The application materials did not provide supporting evidence of the actual date of establishment or the actual number of recreation vehicle spaces/sites. The narrative states approximately 18 recreational vehicle spaces/sites existed since the early 1960's.

The application materials included 2000, 2003, 2005, 2010 and 2016 aerial photos and a site plan. However, these documents do not show the location of the eighteen (18) recreational vehicles spaces/sites on the subject property.

The aerial photographs in this decision (pages 4 through 9) demonstrate structures on site, but evidence submitted by the applicant does describe or delineate recreational vehicles spaces/sites from the residential dwellings and six mobile homes that were verified in the 1998 nonconforming use application.

The applicant submitted a site plan, however the site plan did not label or depict the location of the recreational vehicle spaces. The application materials indicate the RV Park includes a single family dwelling and a manufacture home, however the site plan did not demonstrate the location of these structures or indicate if these dwellings were in addition to the three dwelling verified in the 1998 nonconforming use verification.

The applicant submitted the previous land use applications and decisions for the property. However the previous applications and decisions only addressed three dwellings and six mobile home spaces. Verification of recreational vehicle spaces/sites was not part of the request or determination for the 1998 NCU verification (Z0538-98).

The applicant has not provided evidence such as development permits (i.e. service hook-ups, annual certificate of sanitation), booking/rental records, business or tax records, or site photographs demonstrating the establishment and continued use of approximately eighteen (18) recreational vehicle spaces/sites in the early 1960's on the property. The applicant did not provide site plans or aerial photographs depicting historical and existing conditions of the buildings and recreational vehicle spaces/sites.

Staff finds that the applicant has not provided supporting evidence for the verification of lawful establishment of eighteen (18) recreational vehicle spaces/sites in the early 1960's on the subject property. Therefore, staff is unable to verify the (18) recreational vehicle spaces/sites as a lawfully established nonconforming use. **This criterion is not met.**

4. ZDO Section 1307, Procedures:

This section provides standards and criteria for processing land use applications according to their type; this application is being processed as a **Type II Permit**, pursuant to Section 1307. No further written findings regarding Section 1307 are warranted.

























Mountain Shadow 2016

- Legend**
- 76
 - Chur
 - Clac
 - Feat
 - Feat
 - Hood
 - Little
 - Page



Mountain Shadow 2000

- Legend**
- 76
 - Chur
 - Clac
 - Feat
 - Feat
 - Hood
 - Little
 - Page





- Legend**
- 76
 - Chur
 - Clac
 - Feat
 - Feat
 - Hood
 - Little
 - Page

ckamas County Wastewater

Mountain Shadow 2005

Legend

- 76
- Chur
- Clac
- Feat
- Feat
- Hood
- Little
- Page



Mountain Shadow 2010

- Legend**
- 76
 - Chur
 - Clac
 - Feat
 - Feat
 - Hood
 - Little
 - Page





August 8, 2022

Violation No.: V0036919

Mountain Shadow LLC.
PO Box 314
Everson, WA 98247

CLACKAMAS COUNTY CODES VIOLATED:

1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE TITLE 12.317.03 – USES PERMITTED – Camping without land use approval
2. CLACKAMAS COUNTY ZONING AND PLANNING LAND USE APPROVAL FILE Z539-98 NCU (Non-Conforming Use) – Use of more spaces than what was approved.
3. CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE TITLE 12.1307.14 CONDITIONS OF APPROVAL

SITE ADDRESS: 67770 E Hwy 26, Welches, OR 97067

LEGAL DESCRIPTION: T2S, R7E, SECTION 32DD TAX LOT(S) 04200, 04300, and 04400

We have sent two prior letters addressing this issue. This letter should serve as an updated letter addressing the violations on the site.

PLACEMENT OF NUMEROUS RECREATIONAL VEHICLES ON SITE WITHOUT LAND USE APPROVAL FOR A CAMPING FACILITY AND IN VIOLATION OF THE CONDITIONS OF APPROVAL BASED ON LAND USE DECISION Z0539-98 - PLANNING & ZONING DIVISION

The subject property is zoned HR (Hoodland Residential). The multiple recreational vehicles on site are in violation of having a camp ground without land use and also occupy more spots than what was approved for this site which is three single family homes and six mobile home spaces. To abate the violation please complete one of the following **not later than: September 8, 2022**

1. Remove all recreational vehicles and spaces in excess of six (6) from the site in compliance with Clackamas County Land Use Approval Z0539-98.
 - a. You must obtain proper building permits to properly remove/cap all water and electric connections that exist on site. You may also be required to obtain plumbing and electrical permits for any spaces created that did not first obtain such permits.

AND;

2. Remove all elements of the camping facility to come into compliance with the approvals for this site as stated in (1) above.

OR;

3. If you would like to maintain the current level of recreational vehicles on site you will need to work with the Clackamas County Planning and Zoning Division to determine the process you will need to take to come into compliance.
 - a. We first recommend contacting the Planning and Zoning Division at 503-742-4500 or by email at zoninginfo@clackamas.us to discuss the business(es) and determine if you will request an alteration to the current non-conforming use or if you choose to pursue a campground at the location.
 - b. By the deadline listed above you must have made application to the Planning and Zoning Division to submit the required land use approvals. You may be required to attend a pre-application conference prior to submitting the formal land use application.
 - i. If, after submittal, you are notified that the application is deemed incomplete you have no more than thirty (30) days to submit the required information/documents requested.
 - ii. If you obtain approval from the Planning and Zoning Division you must comply with all conditions of approval and uses related within that approval. You will then need to obtain all necessary permits for building and septic to address the new lots.
 - iii. If you do not obtain approval through the land use process you will be required to either comply with #1 above or bring the property back to its originally approved status.

AND;

- c. The applicant shall comply with all existing and/or future conditions of approval.

OR;

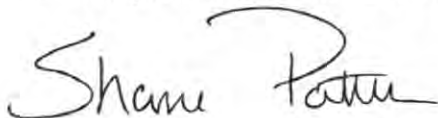
4. If the respondent wishes to explore other options to compliance please contact the Planning and Zoning Division at the contact information listed in this section.

If you have questions concerning permit requirements, online submittal process, or land use process, please contact the department listed above at the phone number or email listed, or stop by the offices located at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. or Friday 8:00 a.m. to 3:00 p.m.

If you choose to come to the Development Services Building please bring a copy of this correspondence in order for us to provide the highest level of customer service.

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement
Phone: 503-742-4465
spotter@clackamas.us

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: _____ File Number: _____

Land use application for:

NONCONFORMING USE

VERIFICATION, RESTORATION, REPLACEMENT, AND/OR ALTERATION/CHANGE

Application Fee: \$1,405
 (+ \$150 if an expanded notification area is required by ZDO Section 1307)

APPLICANT INFORMATION			
Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	ZIP:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	ZIP:

PROPOSAL
Brief description of proposal:

SITE INFORMATION		
Site address:	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:	
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

Printed names of all property owners:	Signatures of all property owners:	Date(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.

Applicant signature:	Date:
----------------------	-------

A. Review applicable land use rules:

This application is subject to the provisions of [Section 1206, Nonconforming Uses and Vested Rights](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$1,405, plus a \$150 notification surcharge if an expanded notification area is required by ZDO Section 1307**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Floor plans:** Attach detailed, accurate, and to-scale floor plans for all structures to be considered in this application. Label all rooms with their existing and proposed use, show all of their dimensions, include the square footage of each room, and identify all doors and partition walls.
- Building elevation diagrams:** Attach drawings of all structures to be considered in this application. The drawings must be to-scale and must show each side of the building and any windows, doors, or other appurtenances. Include all measurements (height, length, width, and area).
- Evidence of lawful establishment:** Attach evidence (e.g. building permits, tax records, dated photographs, dated aerial images, financial statements, signed affidavits, and previous land use approvals) substantiating that the nonconforming use to be verified, restored, replaced, and/or altered was lawfully established.

C. For verification of a nonconforming use:

If you are requesting verification of nonconforming use pursuant to ZDO Subsection 1206.07, answer the following questions here in Part C. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part C, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) for which you are seeking nonconforming use verification.

1. What is the nonconforming use? Describe the nonconforming use in detail, including buildings, vehicles, equipment, and materials used, days and hours of operation, the number of employees, and other operational and physical information, as applicable:

2. When did the nonconforming use first become nonconforming to the County's zoning regulations?

Date: _____

3. What *current* zoning regulations do/does the nonconforming use described in response to Question C.1 not conform to?

4. When was the nonconforming use described in response to Question C.1 established? Attach evidence that supports your response.

Date: _____

5. Describe any changes in the nonconforming use since being established, and identify, with supporting documentation, when those changes occurred:

6. Did the existence, continuity, nature, or extent of the nonconforming use discontinue for any 12-month period in the 20 years immediately preceding the date of this application?

- NO, and supporting documentation is attached.
- NO, and supporting documentation is attached to prove the existence, continuity, nature, and extend of the nonconforming use for the 10-year period immediately preceding the date of this application. Pursuant to ZDO Subsection 1206.07(B), this creates a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of the ZDO.
- YES, as explained in the box below:

D. For restoration or replacement of a nonconforming use:

If this application requests restoration or replacement of a nonconforming use, answer the following questions here in Part D. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part D, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) you are seeking to restore or replace.

1. What damaged or destroyed the nonconforming use?

Fire

Other casualty (i.e., an unfortunate or unforeseen happening), explained in the box below:

Natural disaster, explained in the box below:

2. When was the nonconforming use damaged or destroyed by the incident(s) identified in response to Question D.1?

Date: _____

3. Explain in the box below, and demonstrate in your attached site plan and other supporting documentation, how your proposed restoration or replacement will *not* alter or change the nature or extent of the nonconforming use as lawfully established prior to the incident(s) identified in response to Question D.1.

(Note: If you are requesting an alteration or change in the nature or extent of the nonconforming use, you must complete Part E of this application.)

4. Identify how the nonconforming use status of the existing use will be, or already has been, verified pursuant to ZDO Subsection 1206.07:

- Verification is being requested in Part C of this application.
- Verification was previously approved by the County within the last 12 months.

File No. of approved verification: Z_____

- Verification was previously approved by the County more than 12 months ago, and documentation is attached showing that the nonconforming use has not discontinued for 12 consecutive months since that approved verification.

File No. of approved verification: Z_____

E. For alteration/change of a nonconforming use:

If this application requests alteration or change of a nonconforming use, answer the following questions here in Part E. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part E, the “existing use” is the nonconforming land use(s), structure(s), and/or physical improvement(s) you are seeking to alter/change.

1. Describe the proposed alteration/change:

2. Explain how the alteration/change will, after the imposition of conditions of approval deemed necessary to ensure the mitigation of any adverse impacts, have no greater adverse impact on the neighborhood than the existing use:

3. Identify how the nonconforming use status of the existing use will be, or already has been, verified pursuant to ZDO Subsection 1206.07:

- Verification is being requested in Part C of this application.
- Verification was previously approved by the County within the last 12 months.

File No. of approved verification: Z_____

- Verification was previously approved by the County more than 12 months ago, and documentation is attached showing that the nonconforming use has not discontinued for 12 consecutive months since that approved verification.

File No. of approved verification: Z_____

4. Will the alteration/change expand the existing use from one lot of record to another?

- NO, the alteration/change will be on the same lot of record.
- YES, but the lot of record on which expansion is proposed, *and* the lot of record on which the existing use is currently located, have been part of the same tract continuously since the date the existing use became nonconforming, as evidenced by attached documentation.
- YES, but the expansion would allow only for facilities necessary to support the existing use, such as driveways, storm water management facilities, and on-site wastewater treatment systems. The alteration/change on the other lot of record are necessary to support the existing use for the following reasons:

FAQs

What is a nonconforming use?

A “nonconforming use” is a use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.

When is a Nonconforming Use permit required?

The County’s Zoning and Development Ordinance (ZDO) lists the uses, structures, and other physical improvements that are allowed in each zone. However, the ZDO also allows uses, structures, and other physical improvements to continue, even if they do not conform to current ZDO rules, provided they were legally established and meet other criteria.

Formal verification by the County that a nonconforming use/structure/improvement was legally established and meets the other criteria requires an application for nonconforming use verification using Part C of the Nonconforming Use permit application form.

The ZDO allows a verified nonconforming use to be restored or replaced if it was damaged or destroyed by fire, other casualty, or natural disaster, provided it is restored or replaced to the nature and extent of the nonconforming use as lawfully established prior to the incident, and subject to certain criteria. Requests for restoration or replacement are made using Part D of the Nonconforming Use permit application form. Restoration or replacement must be lawfully commenced, as defined by Subsection 1206.04(B) of the ZDO, within one year of the occurrence of the damage or destruction.

The ZDO also allows a verified nonconforming use to be altered or changed (e.g., expanded), subject to certain criteria; such requests are made using Part E of the Nonconforming Use permit application form. Per ZDO Subsection 1206.06(A), the alteration of any nonconforming use that is necessary to comply with any lawful requirement does not require a Nonconforming Use permit.

What is the permit application process?

Nonconforming Use permits are subject to a “Type II” land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director’s decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

Nonconforming use verifications, restorations, replacements, and/or alterations/changes *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

FAQs continued

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

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 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?



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: _____ File Number: _____

Land use application for:

NONCONFORMING USE

VERIFICATION, RESTORATION, REPLACEMENT, AND/OR ALTERATION/CHANGE

Application Fee: \$1,405

(+ \$150 if an expanded notification area is required by ZDO Section 1307)

APPLICANT INFORMATION			
Applicant name: Bridgeview Property Management	Applicant email: andrew@bridgeviewmgmt.com	Applicant phone: 503 438 8622	
Applicant mailing address: PO Box 314	City: Everson	State: WA	ZIP: 98247
Contact person name (if other than applicant): Andrew Cramer	Contact person email: andrew@bridgeviewmgmt.com	Contact person phone: 503 438 8622	
Contact person mailing address: PO Box 314	City: Everson	State: Wa	ZIP: 98247

PROPOSAL
Brief description of proposal: Pre-existing RV park has been in existence since the 1960s. Several land use decisions exist for the property but only pertain to the housing units (manufactured homes, homes) and not the RV sites.

SITE INFORMATION		
Site address: 67770 US Hwy 26 Welches OR	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: Township: <u>32</u> Range: <u>2S</u> Section: <u>7E</u> Tax Lot: <u>04400</u> Township: <u>32</u> Range: <u>2S</u> Section: <u>7E</u> Tax Lot: <u>04200</u> Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:	
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

Printed names of all property owners: Mountain Shadow LLC, Andrew Cramer Mgr	Signatures of all property owners:	Date(s):
<i>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.</i> Applicant signature: _____		Date: _____

A. Review applicable land use rules:

This application is subject to the provisions of [Section 1206, Nonconforming Uses and Vested Rights](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$1,405, plus a \$150 notification surcharge if an expanded notification area is required by ZDO Section 1307**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Floor plans:** Attach detailed, accurate, and to-scale floor plans for all structures to be considered in this application. Label all rooms with their existing and proposed use, show all of their dimensions, include the square footage of each room, and identify all doors and partition walls.
- Building elevation diagrams:** Attach drawings of all structures to be considered in this application. The drawings must be to-scale and must show each side of the building and any windows, doors, or other appurtenances. Include all measurements (height, length, width, and area).
- Evidence of lawful establishment:** Attach evidence (e.g. building permits, tax records, dated photographs, dated aerial images, financial statements, signed affidavits, and previous land use approvals) substantiating that the nonconforming use to be verified, restored, replaced, and/or altered was lawfully established.

C. For verification of a nonconforming use:

If you are requesting verification of nonconforming use pursuant to ZDO Subsection 1206.07, answer the following questions here in Part C. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part C, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) for which you are seeking nonconforming use verification.

1. What is the nonconforming use? Describe the nonconforming use in detail, including buildings, vehicles, equipment, and materials used, days and hours of operation, the number of employees, and other operational and physical information, as applicable:

1) The above referenced land use decision permits three single family homes and 6 mobile home spaces, however makes NO reference to the amount of RV spaces allowed on the property.

2) At the time of this decision, recreational vehicle occupancy was not defined in Clackamas County, thus the amount of RV units was not considered during the land use process.

3) In 1999, Clackamas County created a more explicit definition of recreational vehicles, however existing “RV Parks” in the county were not required to submit any sort of site plans showing how many spaces were in use at the time of this decision.

4) Mountain Shadow RV Park has been an RV park since the early 1960s; the land use decision referenced above was implemented in 1998, at this time the decision was not a general land use decision, but an OVERLAY decision that allowed for the 3 single family homes and 6 full size mobile home spaces. This decision did not reflect the existing use (Recreational Vehicle Park) because, again, at the time of this decision, no such definition existed.

5) Currently Mountain Shadow RV Park consists of the following uses:

- a. 1 single family residence
- b. 1 full size manufactured home
- c. Approximately 18 RV spaces, the occupancy of which changes frequently

6) As evidenced by the current density, we are well within the restrictions laid out in the land use decision, with the understanding that the existing RV spaces were not the subject of this land use decision.

2. When did the nonconforming use first become nonconforming to the County's zoning regulations?

Date: _____ 1999 _____

3. What *current* zoning regulations do/does the nonconforming use described in response to Question C.1 not conform to?

The current zoning regulations are in compliance but the total number of allowed RV spaces was not recorded during the initial (pre 1960) construction of the park

4. When was the nonconforming use described in response to Question C.1 established? Attach evidence that supports your response.

Date: _____

5. Describe any changes in the nonconforming use since being established, and identify, with supporting documentation, when those changes occurred:

None, the property has been in continual use as an RV park

6. Did the existence, continuity, nature, or extent of the nonconforming use discontinue for any 12-month period in the 20 years immediately preceding the date of this application?

- NO, and supporting documentation is attached.
- NO, and supporting documentation is attached to prove the existence, continuity, nature, and extend of the nonconforming use for the 10-year period immediately preceding the date of this application. Pursuant to ZDO Subsection 1206.07(B), this creates a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of the ZDO.
- YES, as explained in the box below:

D. For restoration or replacement of a nonconforming use:

If this application requests restoration or replacement of a nonconforming use, answer the following questions here in Part D. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part D, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) you are seeking to restore or replace.

1. What damaged or destroyed the nonconforming use?

Fire

Other casualty (i.e., an unfortunate or unforeseen happening), explained in the box below:

Natural disaster, explained in the box below:

2. When was the nonconforming use damaged or destroyed by the incident(s) identified in response to Question D.1?

Date: _____

3. Explain in the box below, and demonstrate in your attached site plan and other supporting documentation, how your proposed restoration or replacement will *not* alter or change the nature or extent of the nonconforming use as lawfully established prior to the incident(s) identified in response to Question D.1.

(Note: If you are requesting an alteration or change in the nature or extent of the nonconforming use, you must complete Part E of this application.)

4. Identify how the nonconforming use status of the existing use will be, or already has been, verified pursuant to ZDO Subsection 1206.07:

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- Verification was previously approved by the County within the last 12 months.

File No. of approved verification: Z_____

- Verification was previously approved by the County more than 12 months ago, and documentation is attached showing that the nonconforming use has not discontinued for 12 consecutive months since that approved verification.

File No. of approved verification: Z_____

E. For alteration/change of a nonconforming use:

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For the purposes of Part E, the “existing use” is the nonconforming land use(s), structure(s), and/or physical improvement(s) you are seeking to alter/change.

1. Describe the proposed alteration/change:

2. Explain how the alteration/change will, after the imposition of conditions of approval deemed necessary to ensure the mitigation of any adverse impacts, have no greater adverse impact on the neighborhood than the existing use:

3. Identify how the nonconforming use status of the existing use will be, or already has been, verified pursuant to ZDO Subsection 1206.07:

- Verification is being requested in Part C of this application.
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File No. of approved verification: Z _____

4. Will the alteration/change expand the existing use from one lot of record to another?

- NO, the alteration/change will be on the same lot of record.
- YES, but the lot of record on which expansion is proposed, *and* the lot of record on which the existing use is currently located, have been part of the same tract continuously since the date the existing use became nonconforming, as evidenced by attached documentation.
- YES, but the expansion would allow only for facilities necessary to support the existing use, such as driveways, storm water management facilities, and on-site wastewater treatment systems. The alteration/change on the other lot of record are necessary to support the existing use for the following reasons:

FAQs

What is a nonconforming use?

A “nonconforming use” is a use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.

When is a Nonconforming Use permit required?

The County’s Zoning and Development Ordinance (ZDO) lists the uses, structures, and other physical improvements that are allowed in each zone. However, the ZDO also allows uses, structures, and other physical improvements to continue, even if they do not conform to current ZDO rules, provided they were legally established and meet other criteria.

Formal verification by the County that a nonconforming use/structure/improvement was legally established and meets the other criteria requires an application for nonconforming use verification using Part C of the Nonconforming Use permit application form.

The ZDO allows a verified nonconforming use to be restored or replaced if it was damaged or destroyed by fire, other casualty, or natural disaster, provided it is restored or replaced to the nature and extent of the nonconforming use as lawfully established prior to the incident, and subject to certain criteria. Requests for restoration or replacement are made using Part D of the Nonconforming Use permit application form. Restoration or replacement must be lawfully commenced, as defined by Subsection 1206.04(B) of the ZDO, within one year of the occurrence of the damage or destruction.

The ZDO also allows a verified nonconforming use to be altered or changed (e.g., expanded), subject to certain criteria; such requests are made using Part E of the Nonconforming Use permit application form. Per ZDO Subsection 1206.06(A), the alteration of any nonconforming use that is necessary to comply with any lawful requirement does not require a Nonconforming Use permit.

What is the permit application process?

Nonconforming Use permits are subject to a “Type II” land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director’s decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

Nonconforming use verifications, restorations, replacements, and/or alterations/changes *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

FAQs continued

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

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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?



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: _____ File Number: _____

Land use application for:

NONCONFORMING USE

VERIFICATION, RESTORATION, REPLACEMENT, AND/OR ALTERATION/CHANGE

Application Fee: \$1,405

(+ \$150 if an expanded notification area is required by ZDO Section 1307)

APPLICANT INFORMATION			
Applicant name: Bridgeview Property Management	Applicant email: andrew@bridgeviewmgmt.com	Applicant phone: 503 438 8622	
Applicant mailing address: PO Box 314	City: Everson	State: WA	ZIP: 98247
Contact person name (if other than applicant): Andrew Cramer	Contact person email: andrew@bridgeviewmgmt.com	Contact person phone: 503 438 8622	
Contact person mailing address: PO Box 314	City: Everson	State: Wa	ZIP: 98247

PROPOSAL
Brief description of proposal: Pre-existing RV park has been in existence since the 1960s. Several land use decisions exist for the property but only pertain to the housing units (manufactured homes, homes) and not the RV sites.

SITE INFORMATION		
Site address: 67770 US Hwy 26 Welches OR	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: Township: <u>32</u> Range: <u>2S</u> Section: <u>7E</u> Tax Lot: <u>04400</u> Township: <u>32</u> Range: <u>2S</u> Section: <u>7E</u> Tax Lot: <u>04200</u> Township: _____ Range: _____ Section: _____ Tax Lot: _____	Land area:	
Adjacent properties under same ownership: Township: _____ Range: _____ Section: _____ Tax Lot: _____ Township: _____ Range: _____ Section: _____ Tax Lot: _____		

Printed names of all property owners: Mountain Shadow LLC, Andrew Cramer Mgr	Signatures of all property owners: 	Date(s): <u>6/8/2023</u>
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.		
Applicant signature: 		Date: <u>6/8/2023</u>

A. Review applicable land use rules:

This application is subject to the provisions of [Section 1206, Nonconforming Uses and Vested Rights](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$1,405, plus a \$150 notification surcharge if an expanded notification area is required by ZDO Section 1307**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Floor plans:** Attach detailed, accurate, and to-scale floor plans for all structures to be considered in this application. Label all rooms with their existing and proposed use, show all of their dimensions, include the square footage of each room, and identify all doors and partition walls.
- Building elevation diagrams:** Attach drawings of all structures to be considered in this application. The drawings must be to-scale and must show each side of the building and any windows, doors, or other appurtenances. Include all measurements (height, length, width, and area).
- Evidence of lawful establishment:** Attach evidence (e.g. building permits, tax records, dated photographs, dated aerial images, financial statements, signed affidavits, and previous land use approvals) substantiating that the nonconforming use to be verified, restored, replaced, and/or altered was lawfully established.

C. For verification of a nonconforming use:

If you are requesting verification of nonconforming use pursuant to ZDO Subsection 1206.07, answer the following questions here in Part C. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part C, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) for which you are seeking nonconforming use verification.

1. What is the nonconforming use? Describe the nonconforming use in detail, including buildings, vehicles, equipment, and materials used, days and hours of operation, the number of employees, and other operational and physical information, as applicable:

- 1) The above referenced land use decision permits three single family homes and 6 mobile home spaces, however makes NO reference to the amount of RV spaces allowed on the property.
- 2) At the time of this decision, recreational vehicle occupancy was not defined in Clackamas County, thus the amount of RV units was not considered during the land use process.
- 3) In 1999, Clackamas County created a more explicit definition of recreational vehicles, however existing “RV Parks” in the county were not required to submit any sort of site plans showing how many spaces were in use at the time of this decision.
- 4) Mountain Shadow RV Park has been an RV park since the early 1960s; the land use decision referenced above was implemented in 1998, at this time the decision was not a general land use decision, but an OVERLAY decision that allowed for the 3 single family homes and 6 full size mobile home spaces. This decision did not reflect the existing use (Recreational Vehicle Park) because, again, at the time of this decision, no such definition existed.
- 5) Currently Mountain Shadow RV Park consists of the following uses:
 - a. 1 single family residence
 - b. 1 full size manufactured home
 - c. Approximately 18 RV spaces, the occupancy of which changes frequently
- 6) As evidenced by the current density, we are well within the restrictions laid out in the land use decision, with the understanding that the existing RV spaces were not the subject of this land use decision.

2. When did the nonconforming use first become nonconforming to the County's zoning regulations?

Date: _____ 1999 _____

3. What *current* zoning regulations do/does the nonconforming use described in response to Question C.1 not conform to?

The current zoning regulations are in compliance but the total number of allowed RV spaces was not recorded during the initial (pre 1960) construction of the park

4. When was the nonconforming use described in response to Question C.1 established? Attach evidence that supports your response.

Date: Pre 1975 _____

5. Describe any changes in the nonconforming use since being established, and identify, with supporting documentation, when those changes occurred:

None, the property has been in continual use as an RV park

6. Did the existence, continuity, nature, or extent of the nonconforming use discontinue for any 12-month period in the 20 years immediately preceding the date of this application?

- NO, and supporting documentation is attached.
- NO, and supporting documentation is attached to prove the existence, continuity, nature, and extend of the nonconforming use for the 10-year period immediately preceding the date of this application. Pursuant to ZDO Subsection 1206.07(B), this creates a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of the ZDO.
- YES, as explained in the box below:

D. For restoration or replacement of a nonconforming use:

If this application requests restoration or replacement of a nonconforming use, answer the following questions here in Part D. Attach additional pages, if necessary, and copies of supporting documentation.

For the purposes of Part D, the “nonconforming use” is the land use(s), structure(s), and/or physical improvement(s) you are seeking to restore or replace.

1. What damaged or destroyed the nonconforming use?

- Fire
- Other casualty (i.e., an unfortunate or unforeseen happening), explained in the box below:

- Natural disaster, explained in the box below:

2. When was the nonconforming use damaged or destroyed by the incident(s) identified in response to Question D.1?

Date: _____

3. Explain in the box below, and demonstrate in your attached site plan and other supporting documentation, how your proposed restoration or replacement will *not* alter or change the nature or extent of the nonconforming use as lawfully established prior to the incident(s) identified in response to Question D.1.

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Clackamas County Planning and Zoning
Department of Transportation and Development
Development Services Building
150 Beavercreek Road | Oregon City, OR 97045
503-742-4500 | zoninginfo@clackamas.us
www.clackamas.us/planning

NOTICE OF INCOMPLETE TYPE II OR III LAND USE APPLICATION

FILE NUMBER: Z0069-23-E
APPLICATION TYPE: Nonconforming Use Verification
APPLICANT NAME: Bridgeview Property Management
CONTACT NAME: Andrew Cramer
SITE ADDRESS: 67770 US HWY 26 Welches OR
STAFF CONTACT: Annabelle Lind
DATE OF APPLICATION SUBMITTAL: 2/10/2023
DATE DEEMED INCOMPLETE: 2/17/2023
DATE OF MAILING OF THIS NOTICE: 2/21/2023
EMAIL: alind@clackamas.us
DEADLINE FOR SUBMITTAL OF MISSING INFORMATION (180 days from date the application was first submitted): 8/9/2023

Your Type II or III land use application has been deemed **incomplete**. Pursuant to Subsection 1307.07(E) of the Clackamas County Zoning and Development Ordinance, your application will be void unless the missing information is submitted within 180 days of the date the application was first submitted. Upon voiding of an application, 75 percent of your application fee will be refunded, and you will need to reapply if you are still interested in obtaining this permit.

MISSING INFORMATION REQUIRED FOR A COMPLETE APPLICATION:

- A. Incomplete Site Information (Page 1)** – Please complete the application with the correct Map and Taxlot #'s.
- B. Missing Property Owner Signature(s) and Applicant Signature (Page 1)** – Please provide an authorized agent's signature and supporting documentation that the person is identified as an authorized signing agent. Also, please provide the applicant's signature and date at the bottom of the form.
- C. Missing Site Plan (Page 2)** - Please provide an existing Site Plan of RV Park (please include associated taxlots along with the nonconforming use in question).
- D. Missing Evidence of Lawful Establishment (Page 2)** - Please provide evidence (e.g. building permits, tax records, dated photographs, dated aerial images, financial statements, signed affidavits, and previous land use approvals) substantiating that the nonconforming use to be verified, restored, replaced and/or altered was lawfully established.
- E. Missing Information C(4) (Page 4)** – Please provide date of establishment and attach evidence that supports your response.

Please note: If you would like to discuss the submittal in more detail, I am happy to schedule an appointment to talk more in-depth regarding the nonconforming use process over a phone call meeting or an in-person meeting over the counter. I can be reached at alind@clackamas.us

IMPORTANT

Your application will be deemed complete, if, within 180 days of the date the application was first submitted, Planning and Zoning receives one of the following:

1. All of the missing information; or
2. Some of the missing information and written notice from you (the applicant) that no other information will be provided; or
3. Written notice from you (the applicant) that none of the missing information will be provided.

If any one of these options is chosen within 180 days of the date of the initial submittal, approval or denial of your application will be subject to the relevant criteria in effect on the date the application was first submitted.

Your application will be considered **void** if, on the 181st day after the date the application was first submitted, you have been mailed this notice and have not provided the information requested in Options 1-3 above. In this case, no further action will be taken on your application.

Applicant or authorized representative, please check one of the following and return this notice to: **Clackamas County Planning and Zoning, 150 Beaver Creek Road, Oregon City, OR, 97045**

- I am submitting the required information (attached); or
- I am submitting some of the information requested (attached) and no other information will be submitted; or
- I will not be submitting the requested information. Please accept the application as submitted for review and decision.

Signed

Date

Print Name

SITE PLAN

Hager's Mobile Home RV Park
Melches, Oregon

20f3
PROJECT NO. 331 301

OAKLEY ENGINEERING, INC.
GRADUATE PLANNING & DESIGN, ARCHITECTURE
CIVIL, ELECTRICAL, & SITE DEVELOPMENT
1111 S. 10th Street, Suite 100, Portland, OR 97202
TEL: 503-241-1111 FAX: 503-241-1112

REVISIONS

NO.	DATE	DESCRIPTION
1	11/17/77	PRELIMINARY
2	11/17/77	REVISED
3	11/17/77	REVISED
4	11/17/77	REVISED
5	11/17/77	REVISED

