



MIKE McCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

**NOTICE OF PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND
THE BOARD OF COUNTY COMMISSIONERS ON A PROPOSAL IN YOUR AREA**

Date of Mailing of this Notice: June 5, 2017

Notice Sent To: Agencies, Community Planning Organizations and property owners within 750 feet of the subject property.

PLANNING COMMISSION HEARING DATE & TIME: Monday, July 10, 2017; 6:30PM

HEARING LOCATION: Clackamas County Development Services Building Auditorium
150 Beaver Creek Road
Oregon City, OR 97045

BOARD OF COUNTY COMMISSIONERS HEARING DATE & TIME: Wednesday, August 2, 2017; 9:30AM

HEARING LOCATION: Clackamas County Public Services Building, BCC Hearing Room, 4th Floor
2051 Kaen Road
Oregon City, OR 97045

Planning File Number: Z0115-17-CP & Z0116-17-C

Applicant: Pacific Northwest Solar, LLC

Property Owner: Nancy Dietrich

Proposal: A proposed Reasons Exception to Statewide Planning Goal 3 (Agriculture) and a Conditional Use permit for the construction and operation of photovoltaic solar power generation facility on approximately 70 acres of land that is zoned Exclusive Farm Use (EFU). The facility is expected to produce as much as ten (10) megawatts of electric power. The subject parcel is comprised predominantly of high-value farmland. Pursuant to the county's Zoning and Development Ordinance (ZDO) Section 401 (EFU), photovoltaic solar power generation facilities are allowed as a Conditional Use on high-value farmland, subject to OAR 660-033-0130(38), which stipulates that if such a facility is to be sited on more than 12 acres of high-value farmland, it must obtain a Goal Exception (pursuant to ORS 197.732 and OAR 660, Division 4).

Applicable Zoning and Development Ordinance and Comprehensive Plan Criteria: The Comprehensive Plan Amendment and Conditional Use permit is subject to compliance with the applicable Statewide Planning Goals; Oregon Administrative Rules (including OAR 660, Divisions 4 and 33); applicable policies in the Clackamas County Comprehensive Plan (Plan); and the applicable criteria in Sections 401, 704, 1203, 1000, 1006, 1007 & 1008 of the Clackamas County Zoning and Development Ordinance (ZDO). Plan and ZDO criteria may be viewed online at <http://www.clackamas.us/planning/zdo.html> and <http://www.clackamas.us/planning/comprehensive.html>

Site Address and/or Location: on north side of Duus Rd, approximately ½ mile east of Hwy 224

Assessor's Map: T3S, R4E, Section 17, Tax Lot(s) 00105, W.M.

Property Size: 72.69 acres

Zoning: Exclusive Farm use (EFU)

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.

HOW TO OBTAIN ADDITIONAL INFORMATION

Staff Contact: Martha Fritzie; 503-742-4529; mfritzie@clackamas.us.

A copy of the entire application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost at the Planning Division offices. In addition, a staff report on the application will be available for inspection at no cost at least **seven days prior to the hearing**. Hard copies of documents will be provided at reasonable cost. You may inspect or obtain these materials by:

1. Emailing or calling the staff contact;
2. Visiting the Planning & Zoning Division at the address shown at the top of this notice during regular business hours, which are Monday through Thursday, 8 am to 4 pm; and Friday, 8 am to 3 pm; or
3. Going to the Clackamas County website page: <http://www.clackamas.us/planning/zdoproposed.html>

Community Planning Organization for Your Area: The following recognized Community Planning Organization (CPO) has been notified of this application and may develop a recommendation. You are welcome to contact the CPO and attend their meeting on this matter, if one is planned. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact the Citizen Involvement Office at 503-655-8552. **CPO: Eagle Creek-Barton CPO.**

HOW TO SUBMIT TESTIMONY ON THIS APPLICATION

- All interested citizens are invited to attend the hearings and will be provided with an opportunity to testify orally, if they so choose.
- Written testimony received by **June 26, 2017** will be considered by staff prior to the issuance of the staff report and recommendation on this application. However, written testimony will continue to be accepted until the record closes, which may occur as soon as the conclusion of the Board of County Commissioners' hearing.
- Written testimony may be submitted by email, fax, regular mail, or hand delivery. Please include the case file number on all correspondence and address written testimony to the staff contact who is handling this matter.
- Testimony, arguments, and evidence must be directed toward the criteria identified above, or other criteria in the Zoning and Development Ordinance or Comprehensive Plan that you believe apply to the decision. Failure to raise an issue in person at the hearing or by letter prior to the close of the record, or failure to provide statements or evidence sufficient to afford the Board of County Commissioners and the parties involved an opportunity to respond to the issue, precludes an appeal to the Oregon Land Use Board of Appeals based on that issue.
- Written notice of the Board of County Commissioners' decision will be mailed to you if you submit a written request **and provide a valid mailing address.**

PROCEDURE FOR THE CONDUCT OF THE HEARING

The following procedural rules have been established to allow an orderly hearing:

1. The length of time given to individuals speaking for or against an item will be determined by the Chair presiding over the hearing prior to the item being considered.
2. A spokesperson representing each side of an issue is encouraged.
3. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application. The Planning Commission or the Board of County Commissioners may either continue the hearing or leave the record open for additional written evidence, arguments, or testimony.
4. The Planning Commission will make a recommendation to the Board of County Commissioners on the application. The Board of County Commissioners is the final decision maker for Clackamas County on this matter.

