



Notice of a Public Hearing on a Land Use Proposal in Your Area

Date of Mailing of this Notice: April 2, 2025

Notice Sent To: Agencies, Community Planning Organization(s) and property owners within 2,640 feet of the subject property.

HEARING DATE: April 24, 2025

HEARING TIME: This hearing will not begin before 1:00 p.m.. However, it may begin later depending on the length of any preceding items.

HEARING LOCATION: The public hearing will be conducted virtually using the Zoom platform. One week prior to the hearing, a Zoom link to the public hearing and details on how to observe and testify online or by telephone will be available on our website: www.clackamas.us/meetings/planning/hearingsofficer

File Number: Z0054-24 and Z0055-24

Applicant: Edward Christensen, Welkin Engineering

Property Owner: Eve Godbold and Jensen Huffman

Proposal: This notice pertains to a remanded decision regarding a Conditional Use Permit for the establishment of a dog kennel that will accommodate up to sixteen (16) dogs. Nonconforming Use application is to utilize an existing structure that has been on the property since approximately 1930; eight dog kennels will be located in the existing structure and other eight kennels will be in a proposed (new) 650 square foot building. Dog training classes will continue to occur on the property, but are not subject to the Conditional Use permit (CUP).

On July 15, 2024 the Clackamas County Hearings Officer approved the applications subject to conditions of approval. Neighboring residents appealed the county's decision to the Land Use Board of Appeals (LUBA). On December 12, 2024, LUBA affirmed the majority of the hearings officer's decision approving the nonconforming use and a CUP for the proposed dog training facility, but **remanded on the single issue of whether the proposed use complies with ZDO 401.05(A)(1) and ORS 215.296(1)**, whether the proposed use "[w]ill not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use, and will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest uses.

The applicant has now requested that the County proceed with the remand of the CUP application pursuant to ORS 215.435(2)(a); the scope of the remand is limited to that issue. The hearings officer will not accept or consider testimony or evidence regarding other issues that were affirmed by LUBA or were not raised in the prior proceeding.

Applicable Criteria: Subsection 401.05(A)(1) of the Clackamas County Zoning and Development Ordinance (ZDO) and Oregon Revised Statutes (ORS) 215.296(1).

The ZDO criteria may be viewed online at <http://www.clackamas.us/planning/zdo.html>

Site Address and/or Location: 27320 S Pelican Ct., Canby, OR 97013

Assessor's Map: T4S, R1E, Section 20, Tax Lot 00523, W.M.

Property Size: 5.25 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: Melissa Lord; 503-742-4504 or MLord@clackamas.us

A copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost. Copies may be purchased at the rate of \$2.00 per page for 8 1/2" x 11" or 11" x 14" documents, \$2.50 per page for 11" x 17" documents, \$3.50 per page for 18" x 24" documents and \$0.75 per sq ft with a \$5.00 minimum for large format documents, or you may view these materials:

1. By emailing or calling the staff contact; or
2. Online at <https://aca-prod.accela.com/clackamas>. After selecting the "Planning" tab, enter the File Number to search. Select Record Info and then select "Attachments" from the dropdown list, where you will find the submitted application.

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 Clackamas County Community Engagement at communityinvolvement@clackamas.us. **CPO:** South Canby (INACTIVE)

HOW TO SUBMIT TESTIMONY ON THIS APPLICATION

- All interested parties are invited to "attend" the hearing remotely online or by telephone and will be provided with an opportunity to testify orally, if they so choose. One week prior to the hearing, specific instructions will be available online at www.clackamas.us/meetings/planning/hearingsofficer
- Written testimony received by **April 17, 2025**, will be provided to the Hearings Officer prior to the hearing. However, written testimony will continue to be accepted until the record closes, which will be May 1 for anyone to submit additional testimony and evidence regarding whether the proposed use complies with ZDO 401.05(A)(1) and ORS 215.296(1), May 8 for anyone to respond to the testimony and evidence submitted during the first week of the open record. No new issues may be raised during the second week of the open record, and May 15 for the applicant's final argument.
- Written testimony may be submitted by email, fax, or regular mail. Please include the permit number on all correspondence and address written testimony to the staff contact who is handling this matter.
- Testimony, argument, and evidence must be directed toward the issue explained in the "Proposal" above. 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 Hearings Officer 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 Hearing Officer's decision will be mailed to you if you submit oral or written testimony or make written request for notice of decision **and provide a valid mailing address.**

PROCEDURE FOR THE CONDUCT OF THE HEARING

The hearing will be conducted by one of the Land Use Hearings Officers, who are appointed by the Board of County Commissioners to conduct public hearings and issue decisions on certain land use permit applications. 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 Hearings Officer prior to the item being considered.
2. A spokesperson representing each side of an issue is encouraged.

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?