

**FINDINGS OF FACT and FINAL ORDER
TYPE I TEMPORARY STRUCTURE PERMIT**

DATE: December 14, 2020

FILE NO.: 20-051 TEMP

APPLICANT: Timber Lake Job Corp.

OWNER: Jabez Properties

LOCATION: 39050 Pioneer Blvd.

LEGAL DESCRIPTION: 24E13CA00800

DECISION: Approve Temporary Structure Permit

FINDINGS OF FACT

1. Timber Lake Job Corp. requests a temporary structure permit to locate four metal cargo containers measuring 40 feet by 20 feet at 39050 Pioneer Blvd. for a period of up to two (2) years to store equipment and supplies. The applicant temporarily relocated their supplies and equipment due to the Riverside Fire that impacted their buildings in September of 2020. The cargo containers have been located at 39050 Pioneer Blvd. since October 15, 2020. **The temporary permit can only be approved for a period of one year but a one-year extension, if applied for, may be granted prior to the October 15, 2021 deadline.**
2. The temporary containers will be used as a storage facility, storing items such as furniture, office supplies and equipment, bedding, clothing, canned food, tools, and general cleaning supplies.
3. According to Section 17.74.60(B), temporary structures may be permitted, for a period not to exceed 1 year, provided a temporary permit is first obtained under the Type I procedure. **Renewal of a temporary permit shall be processed under the Type II procedure and may require a public hearing.**
4. The applicant indicated that no hazardous material will be stored in the cargo containers.
5. 39085 & 39050 Pioneer Blvd. is home to the US Department of Forestry and owned by Jabez Properties. Staff received an email from property owner Marcel Brache dated December 1, 2020 granting permission to Timber Lake Job Corp for the use of the south portion of the parking lot for four temporary storage containers.
6. The four metal cargo containers are 800 sq. ft each and 40 feet in length by 20 feet in width.
7. The temporary cargo containers will not house any employees. Planning Division staff encourage the applicant to locate the temporary cargo containers in such a way as to preserve the maximum number

of parking spaces. **The applicant shall install reflective devices on the temporary cargo containers at locations capable of being struck by vehicles.**

8. There will be no change in location of utilities, easements, or streets.

SUMMARY

For the reasons described above, the request by Timber Lake Job Corp. to locate four temporary cargo containers in the south portion of the parking lot at 39050 Pioneer Blvd. starting on October 15, 2020 is hereby **approved** as modified by the conditions listed below.

CONDITIONS OF APPROVAL

1. The applicant is permitted to locate the four temporary cargo containers in the general location per the submitted site plan and application beginning on October 15, 2020 through October 15, 2021.
2. The **temporary cargo containers shall be removed by the applicant by October 16, 2021** unless an application extending this timeline has been applied for and approved prior to this date. **An extension of the temporary structure permit shall require a Type II process as specified by Section 17.74.60 (A) of the Sandy Development Code.**
3. The proposed temporary structure shall not disrupt adjacent businesses.
4. Install reflective devices on the temporary cargo containers at locations capable of being struck by vehicles.
5. No hazardous or flammable materials shall be stored in any of the cargo containers.
6. This Temporary Use Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Use does not grant authority for the unrestricted use of the site.
7. Any other conditions or regulations required by Clackamas County, Fire District No. 72, Oregon Department of Transportation, or County, State or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.

Rebecca Casey 12/14/20
Rebecca Casey
Administrative Assistant
(on behalf of Kelly O'Neill Jr.)

RIGHT OF APPEAL

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within 12 days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.