



NOTICE OF HEARING

March 11, 2026

John E Farnes
16657 S Redland Rd.
Oregon City, OR 97045

RE: County of Clackamas v. John E Farnes
File: V0042925

Hearing Date: April 28, 2026

Time: This item will not begin before 10:00 AM 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 Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, 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 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 evidence that a violation exists or existed. Either party may, at their own expense, obtain an attorney, to represent that 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 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 a continuing order. The Hearings Officer 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, the 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 proceedings 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 Hearing Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, the 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. A copy of the link is provided below. Once you have joined the meeting, please allow the moderator to promote you to a panelist.

If you would like to present evidence at the Hearing please email Diane Bautista at DianeBau@clackamas.us or mail your evidence to Diane Bautista at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will process 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 Diane Bautista at 503-742-4459 **within 3 calendar days of receipt of the Notice of Hearing**.

If you are unfamiliar with using the Zoom platform, please perform an internet search of “how to use Zoom” and there are many interactive guides available. **When joining the webinar please accept the request to join as a panelist.**

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 971-930-6134 for assistance.

Zoom Invite:

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/83171567247?pwd=pnLiLJ5jJuaNkNFYg8nXxYoG7HySrG.1>

Passcode:727209

Phone one-tap:

+12532158782,,83171567247# US (Tacoma) +13462487799,,83171567247# US (Houston)

Join via audio:

+1 253 215 8782 US (Tacoma)

+1 360 209 5623 US

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 408 638 0968 US (San Jose)

+1 507 473 4847 US

+1 669 444 9171 US

+1 564 217 2000 US

+1 669 900 6833 US (San Jose)

+1 646 876 9923 US (New York)

+1 719 359 4580 US

+1 646 931 3860 US

+1 253 205 0468 US

+1 689 278 1000 US

+1 305 224 1968 US

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

Webinar ID: 831 7156 7247

International numbers available: <https://clackamascounty.zoom.us/j/kui5OF0X0>

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

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El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination

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

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

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

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination

BEFORE THE COMPLIANCE HEARINGS OFFICER
for
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

JOHN FARNES,

Respondent.

File No: V0042925

COMPLAINT AND REQUEST FOR HEARING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: 16657 S. Redland Rd., Oregon City, OR 97045.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 16657 S. Redland Rd., Oregon City, OR 97045 also known as T2S, R2E, Section 35D, Tax Lot 00805, and is located in Clackamas County, Oregon. The property is zoned Rural Residential Farm Forest (RRFF-5) and is the location of violation(s) asserted by the County.

3.

On or about the 6th day of January, 2026 and the 9th day of February, 2026 the Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Zoning and Development Ordinance, Title 12, by having commercial vehicles without land use approval. 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 Department of Transportation and Development.

5.

Notice of the violations was given to Respondent in the following manner: Violation Notice dated January 6, 2026 and Citation and Complaint 2500429 in the amount of \$411.00 mailed via first class mail on February 9, 2026. A copy of the notice document is attached to this Complaint as exhibits C and F, 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 violation 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 Commissioners. Said range for a Zoning Ordinance Title 12 Priority 2 violation being \$750.00 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;

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:

and

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

DATED THIS 9th DAY OF MARCH 2026.

Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

File No.: V0042925

v.

JOHN FARNES,

Respondent.

STATEMENT OF PROOF

History of Events and Exhibits:

July 25, 2025	Clackamas County received a complaint regarding commercial vehicles on site without land use approval.
October 21, 2025 Exhibit A	Correspondence was sent to the Respondent regarding the alleged violation.
December 8, 2025 Exhibit B	I conducted a site inspection and confirmed a red semi and a dump truck on site.
January 6, 2026 Exhibit C	Correspondence was sent to the Respondent with a deadline of February 6, 2026 to abate the violation.
January 22, 2026 Exhibit D	The Respondent came into the lobby and met with Aldo Rodriguez in the Planning department. Aldo sent me an email regarding their conversation and the Respondent was provided paperwork for a pre-application conference and a Home Occupation Exception.
February 9, 2026 Exhibit E	I conducted a site inspection and confirmed a red semi, a black semi and a commercial trailer on site.
February 9, 2026 Exhibit F	Citation 2500429 was issued for the Priority 2 land use violation in the amount of \$411.00. This citation was not returned. This citation remains unpaid.
March 3, 2026 Exhibit G	I conducted a site inspection and confirmed a red semi, a black semi and a commercial trailer on site.
March 9, 2026	The County referred this matter to the Code Enforcement Hearings Officer.

As the Respondent has not taken the necessary steps to abate the violation and the violation is not due to conditions or circumstances beyond their control, the County is requesting a Final Order and authorization to move the matter to County Counsel for further enforcement action.

However, should the Hearings Officer find that there are mitigating factors in this case, the County would request a Continuing Order requiring the Respondent to:

- Bring the property into compliance with the Zoning Ordinance within 30 days of the date of the Order by removing the commercial vehicles to an authorized location until such time that land use approval is obtained and all conditions of approval have been met.
- The County will submit a timely Post Hearing Status Report. The report will be sent to the Code Enforcement Hearing Officer and to the Respondent. The report may include the following recommendations:
 - The imposition of civil penalties for the zoning ordinance violation of up to \$2,500.00 for date cited February 9, 2026.
 - Payment for Citation 25500429 for \$411.00 issued on February 9, 2026.
 - The administrative compliance fee be imposed from January 2026 until the violation is abated. As of this report the total amount due is \$200.00.
 - Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



October 21, 2025

John E Farnes
16657 S Redland Rd.
Oregon City, OR 97045

**Subject: Alleged Violation of the Zoning and Development Ordinance, Title 12,
Section 316 of the Clackamas County Code**

Site Address: 16657 S Redland Rd. Oregon City, OR 97045
Legal Description: T2S, R2E, Section 35D Tax Lot 805

It has come to the attention of Clackamas County Code Enforcement that commercial vehicles may be being stored at the above referenced property without land use approval.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 of the Clackamas County Code.

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

E-mail address is dianebau@clackamas.us
Telephone number is 503-742-4459.

Please note that a \$100.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated.

Department of Transportation and Development

Nondiscrimination Policy:

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ДОБРО ПОЖАЛОВАТЬ! Russian

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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。

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.

환영합니다. Korean

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12/08/2025 10:13



12/08/2025 10:20



12/08/2025 10:20



January 6, 2026

John Farnes
16657 S. Redland Road
Oregon City, OR 97045

SUBJECT: Violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A)

VIOLATION: V0042925

ZONING: Rural Residential Farm Forest (RRFF-5)
SITE ADDRESS: 16657 S. Redland Rd., Oregon City, OR 97045
LEGAL DESCRIPTION: T2S, R2E, Section 35D, Tax Lot 00805
PRIORITY: 2

This letter serves as notice of a violation of the Clackamas County Code. The violation includes:

- Vehicles in excess of 11,000 GVW without land use approval

VIOLATIONS & HOW TO RESOLVE

Currently vehicles in excess of 11,000 GVW are being stored on this site. This constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A). The subject property is zoned Rural Residential Farm Forest (RRFF-5). On this site commercial vehicles over 11,000 GVW must receive land use approval. You must abate the violation by completing one of the following **no later than February 6, 2026:**

- Remove the vehicles and schedule an inspection to confirm, **or;**
- Contact the Clackamas County Planning Department, submit the appropriate paperwork and receive approval for this activity.
 - If the activity receives land use authorization, the violation will be closed only after confirmation that all conditions of approval have been met.

CONTACT INFORMATION

Planning – If you have questions concerning land use requirements please contact the Land Use and Planning Department at 503-742-4500 or on-line at ZoningInfo@clackamas.us.

If you have any questions my direct telephone number is 503-742-4459 and my email is dianebau@clackamas.us.

ITEMS INCLUDED IN THIS PACKET

1. Violation Letter
2. Required Notice of Fines and Penalties

A handwritten signature in blue ink that reads "Diane Bautista". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Diane Bautista
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 \$100 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, and (3) a lien being placed against the subject property for the amount due from citations and fees which will accrue interest.
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 to codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$514 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. **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.
6. **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.
7. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

From: [Rodriguez, Aldo](#)
To: [Bautista, Diane](#)
Subject: RE: John Farnes - 16657 S. Redland Road - Planning Counter
Date: Friday, January 23, 2026 9:26:26 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Yes, I meant “John” not “Jason”. I provided him with the pre-application form and the home occupation exception form. He did not literally say “im going to apply for this application”. But he took the forms and was upset about the fees (but left with the forms) - that was basically the end of our conversation.

Aldo Rodriguez
Planner 1

Clackamas County Transportation & Development
Planning & Zoning / Long Range Planning / Septic & Onsite Wastewater
150 Beaver Creek Road
Oregon City, Oregon 97045
503-742-4541

My office hours are Mon-Fri 8:00 am – 4:30 pm

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 Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Friday from 8:00 a.m. to 3:00 p.m., and the public service lobby is open Monday, Tuesday and Thursday from 8:00 a.m. to 4:00 p.m..



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).

From: Bautista, Diane <DianeBau@clackamas.us>
Sent: Friday, January 23, 2026 8:32 AM
To: Rodriguez, Aldo <ARodriguez@clackamas.us>
Subject: RE: John Farnes - 16657 S. Redland Road - Planning Counter

Good morning,

I know you meant to say “John” came in. He has two vehicles over 11,000 gvw on site without land use approval. I did not tell him to get a Conditional Use permit. I told him he would need land use approval to keep them on site.

Did he say if he was going to apply?

From: Rodriguez, Aldo <ARodriguez@clackamas.us>
Sent: Thursday, January 22, 2026 4:42 PM
To: Bautista, Diane <DianeBau@clackamas.us>
Subject: RE: John Farnes - 16657 S. Redland Road - Planning Counter

Hello Diane,

Preface: For me to help someone I need them to clearly say– what they are doing or what they want to do.

Jason did come in, and it was difficult to get an idea of what he is doing or what he wants to do. That said, in our conversation he mentioned having an excavation business and having honeybees as a farm use business. He states the trucks are in association with the excavation business and the honeybees. He did state he had one vehicle over 11,000 lbs, and what would it take to get more vehicles over that weight permitted along with his excavation business.

So, to me, it sounds like he is running an excavation business from his home and stores the “dirt trucks” on his property—this is the best idea I have of what he is doing from our conversation. He also stated the violation letter stated he needed to submit a conditional use permit. I did not find a correlation between his use fitting under a conditional use permit. I instructed him to apply for a home occupation exception – this does not require a conditional use permit but is a type 3 and requires a pre-app and hearing.

Regards,

Aldo Rodriguez
Planner 1

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Planning & Zoning / Long Range Planning / Septic & Onsite Wastewater
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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Bautista, Diane <DianeBau@clackamas.us>

Sent: Thursday, January 22, 2026 1:56 PM

To: Rodriguez, Aldo <ARodriguez@clackamas.us>

Subject: John Farnes - 16657 S. Redland Road - Planning Counter

Good afternoon,

Jason said you met with John at the Planning counter today. Can you give me any information as to what you discussed?

Thank you.

Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement Division
150 Beaver Creek Rd.
Oregon City, OR 97045
503-742-4459
Work Hours 6:30 a.m. until 4:00 p.m. Monday - Friday
Lobby hours 8:00 a.m. until 4:00 p.m. Monday -Thursday

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Citation No. 2500429

Case No. V0042925

ADMINISTRATIVE CITATION

Date Issued: February 9, 2026

Name and Address of Person(s) Cited:

Name: John Farnes
Mailing Address: 16657 S. Redland Road
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 9th day of February, 2026 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): 16657 S. Redland Rd., Oregon City, OR 97045

Legal Description: T2S, R2E Section35D, Tax Lot(s) 00805

Law(s) Violated:

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03

Description of the violation(s):

- 1) Vehicles in excess of 11,000 GVW without land use approval.

Maximum Civil Penalty \$2,500.00

Fine \$411.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$411.00. 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 \$100.00 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: Diane Bautista
Telephone No.: 503-742-4459

Date: February 9, 2026
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. If you fail to exercise one of the following options within fifteen calendar days of the citation date, the County may request a Default Order from the Compliance Hearings Officer finding you in violation and assessing fines and monthly administrative fees, or the County may request a hearing before the Compliance 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 including the administrative compliance fees that have accrued. 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 number and Case number; 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. Until the violation is abated a monthly administrative compliance fee is being assessed.
4. 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: _____





