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Щоб попросити переклад або спеціальні послуги для осіб з особливими потребами, зверніться до нас, скориставшись такими контактними даними:
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Để yêu cầu dịch vụ dịch thuật hoặc điều chỉnh liên quan đến tình trạng khuyết tật, vui lòng liên hệ với chúng tôi qua DTDcompliance@clackamas.us | 503-742-4400.



Clackamas County
www.clackamas.us



NOTICE OF RESET HEARING

October 6, 2026

Antonio & Kira Anfilofieff
1300 Blaine St.
Woodburn, OR 97071

RE: County of Clackamas v. Antonio & Kira Anfilofieff
File: V0001926

Hearing Date: October 22, 2026

Time: This item will not begin before 9:30 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.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or telephone to use the Zoom platform. A Zoom invite has been emailed to frinkval@gmail.com and Andrew.Stamp@vf-law.com. The link is provided on the next page. Once you have joined the meeting, you will be prompted to **JOIN AS PANELIST**. Please accept the request to **JOIN AS PANELIST**.

If you would like to present evidence at the hearing, please email Diane Bautista at DianeBau@clackamas.us or mail your evidence, **no later than 4 working days prior to the hearing** to:

Diane Bautista
150 Beavercreek Rd.
Oregon City, OR 97045

Staff will process your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for your reference.

If you are unable to participate in the hearing through the Zoom platform, please contact Diane Bautista at 503-742-4459 **within 3 calendar days of the receipt of the Notice of Hearing**.

If you are unfamiliar with using the Zoom platform, please perform an internet search "How to use Zoom" prior to the hearing date. There are many interactive guides available.

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

Zoom Information:

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/84340862680?pwd=UScxWMIM8QW82aNoLCVbd46QZ4BuZf.1>

Passcode: 197140

+19712471195,,84340862680# US (Portland) 16694449171,,84340862680# US

Join via Audio:

+1 971 247 1195 US (Portland)
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
+1 719 359 4580 US
+1 720 928 9299 US (Denver)
+1 206 337 9723 US (Seattle)
+1 213 338 8477 US (Los Angeles)
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 408 638 0968 US (San Jose)
+1 602 753 0140 US (Phoenix)
+1 669 219 2599 US (San Jose)
+1 507 473 4847 US
+1 564 217 2000 US
+1 646 518 9805 US (New York)
+1 646 876 9923 US (New York)

+1 646 931 3860 US
+1 651 372 8299 US (Minnesota)
+1 689 278 1000 US
+1 786 635 1003 US (Miami)
+1 267 831 0333 US (Philadelphia)
+1 301 715 8592 US (Washington DC)
+1 305 224 1968 US
+1 309 205 3325 US
+1 312 626 6799 US (Chicago)
+1 360 209 5623 US
+1 386 347 5053 US
+1 470 250 9358 US (Atlanta)
+1 470 381 2552 US (Atlanta)

Webinar ID: 843 4086 2680

International number available: <https://clackamascounty.zoom.us/j/84340862680?pwd=UScxWMIM8QW82aNoLCVbd46QZ4BuZf.1>

Department of Transportation and Development

Non-Discrimination Policy:

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

ANTONIO ANFILOFIEFF, and
KIRA ANFILOFIEFF

Respondents.

File No: V0001926

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 1300 Blaine St., Woodburn, OR 97071.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 31336 S. Bear Meadow Ct., Molalla, OR 97038 also known as T5S, R2E, Section 07B, Tax Lot 00500, and is located in Clackamas County, Oregon. The property is zoned Exclusive Farm Use (EFU) and is the location of violation(s) asserted by the County.

3.

On or about the 5th day of February 12, 2026 and the 8th day of July, 2026 the Respondents violated the following laws, in the following ways:

- a. Clackamas County Building Code 9.02 for construction of a residence and accessory structures without permits. This violation is a Priority 1 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 Respondents in the following manner:

Violation Notice dated February 12, 2026 and Citation and Complaint 2600019 in the amount of \$528.00 mailed via first class mail on July 8, 2026. A copy of the notice document is attached to this Complaint as exhibits D and J, 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 Respondents to immediately abate the violation and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code 9.02 Priority 1 violation being \$1,029.00 to \$3,601.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents 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 Respondents 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 8th DAY OF SEPTEMBER 2026.

Diane Bautista

Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

ANTONIO ANFILOFIEFF, and
KIRA ANFILOFIEFF

Respondents.

File No.: V0001926

STATEMENT OF PROOF

History of Events and Exhibits:

January 8, 2026	Clackamas County received a complaint regarding a barn that had been converted to habitable space.
January 12, 2026 Exhibit A	Correspondence was sent to the Respondents regarding the alleged violation.
January 26, 2026 Exhibit B	I conducted research of the property in the tax and assessors records which showed one structure 600 square feet and one lean-to that is 190 square feet built in 1922 and an 80 square foot shed built in 1932.
February 9, 2026 Exhibit C	I conducted a site inspection and confirmed the barn had been added onto the side and back to create habitable space and a wood stove installed. There was also unpermitted accessory structures and a water tank.
February 12, 2026 Exhibit D	A Notice of Violation was mailed for the Priority 1 Building Code Violations for the residence and structures built without permits or land use approval. The zoning violation has since been rescinded due to it not being listed on the Priority List. The Respondents were given a deadline date of March 12, 2026 to abate the violations.
April 16, 2026	I spoke on the phone with the Respondents daughter Val Frink and she said her parents primary residence is in Woodburn and they sometimes stayed in the RV when they were working on site. She said her parents do not speak English and do not understand. Val lives in Arizona and was in town recently and that is when she found out about the violations. I gave her Planning and Building information to see what options they have. I explained that I could not do anything regarding the admin fees as the violation has been confirmed. She said she was going to reach out to her parents and planning to see how to proceed. I also emailed her a copy of the violation notice.

April 21, 2026 Exhibit E	I conducted a site inspection and confirmed the violations remained. A review of the permitting system showed no permits had been obtained.
April 25, 2026 Exhibit F	Val emailed me and said the RV had been moved from the property and was emailing Planning to ask about a permit for the removal of the wood stove and a permit for the addition to the structure.
April 28, 2026 Exhibit G	Nick Hart in Planning emailed both myself and Val Frink stating that the property at 31336 S Bear Meadow Ct. is zoned EFU, and regulated subject to ZDO Section 401. Reviewing the materials that Diane has provided and our permitting records, I do not see evidence that a dwelling has been lawfully established on this property. The only permit record available is a 1972 permit for a garage/shop structure that was to be provided with no plumbing and that was approved at a time when the property was unzoned. The property appears to have first been zoned for Exclusive Farm Use in 1979. Given this, I do not see an immediately available pathway for the permitting of a dwelling on this property under the EFU regulations. This property is exclusively Prime farm soils, meaning the most likely pathway for permitting a dwelling would be the Dwelling in Conjunction with Farm Use on High Value Farmland. This pathway requires that the property be farmed and generate \$80,000 in gross annual income from the sale of farm products for a period of 2-5 years.
May 5, 2026 Exhibit H	Melissa Lord in Planning emailed myself and Val Frink and said the only other potential avenue to qualify this site for a home would be if you met the standards of the Lot of Record dwelling described in Subsection 401.05(C)(4), which among other things, requires you or your family to have owned the property since 1985. Other than those two pathways (i.e. earning income from farming or the one I linked above) there is no opportunity to build a house.
June 12, 2026	Agricultural exempt permit AG009526 was submitted to expand the feed building for more storage and a restroom. This permit remains incomplete and has not been issued.
July 7, 2026 Exhibit I	Code Enforcement Specialist Jennifer Kauppi conducted a site inspection and confirmed the violations remained. She also reviewed the permitting system and the agricultural permit remains incomplete.
July 8, 2026 Exhibit J	Citation 2600019 was issued for the Priority 1 Building Code violations and the Priority 2 Zoning violation in the amount of \$950.00. This citation has been amended to \$528.00 for the building code violations due to the zoning violation not being on the priority list. Citation was mailed via first class mail. The citation was not returned to the County and remains unpaid.

September 8, 2026

After reviewing the County's permit history and finding no permits have been issued to abate the violation, this matter was referred to the Compliance Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code Section 9.02 exists, the County is requesting a Final Order in this matter seeking authorization to proceed to Circuit Court for further enforcement action. The County makes this request as the Respondents have not taken all necessary steps to correct the violation. The County is requesting the following:

- The imposition of civil penalties for the Building Code violation of between \$1,029.00 and up to \$3,601.00 for date cited July 7, 2026.
- Payment for Citation No. 2600148 issued on July 8, 2026 for \$528.00.
- The administrative compliance fee of \$100.00 to be imposed March 2026 through June 2026 for a subtotal of \$400.00 and the administrative compliance fee to be imposed for July 2026 and August 2026 at \$102.00 per month for a subtotal of \$204.00. Total administrative compliance fees total \$604.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- The County is requesting the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.

OR

Should mitigating factors be presented in the hearing, which the Hearings Officer determines to warrant a Continuing Order, the County would recommend the following:

Within 30 days of the date of the order, obtain required permits to remove or permit all plumbing, mechanical, electrical and building permits on the subject property and schedule all inspections within 30 days of the permits being issued.



January 12, 2026

Antonio & Kira Anfilofieff
1300 Blain St.
Woodburn, OR 97071

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 401, and the Building Code, Chapter 9.02.040 of the Clackamas County Code

Site Address: 31336 S Bear Meadow Ct. Molalla, OR 97038
Legal Description: T5S, R2E, Section 07B, Tax Lot 500

It has come to the attention of Clackamas County Code Enforcement that an accessory structure space may have been converted to habitable space without the benefit of permits and the accessory structure may be occupied without primary use on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 401, Building Code, Chapter 9.02.040

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

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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
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환영합니다. Korean

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SITUS.

5 2E 078 00500

E-F-U

[illegible]

Assessment Year	Total Acres	Land	Improvements	F.P. Acres	F.P.L.V.	Remarks
92		27220	1130			
R52E07B 00500 92T		3% L 28,030	-2% B 1,100			ZFY
93		920	1100			
R52E07B 00500 93T		920	31% B 1,440			ZFZ
R52E07B 00500 94T		1,020	10% B 1,580			ZFZ
R52E07B 00500 95T		1,120	15% B 1,810			ZFZ
R52E07B 00500 96T		1,420	18% B 2,130			ZFZ
R52E07B 00500 97T		1,800	6% B 2,250			ZFZ
R52E07B 00500 98T		1,870	2% B 2,290			ZFZ
R52E07B 00500 99T		2,070	15% B 2,630			ZFZ
52E07B 00500 2000		2,330	2,060			

CODE NO. 254
PROPERTY CLASS

APPRAISAL DATA

ACCT. NO. 2004-1-5
MAP NO. 5 28 7 5 500

PROPERTY ADDRESS:

BUILT EOV 79 COST \$ _____ RENT \$ _____
REMODELED 19 _____ COST \$ _____
SOLD 19 _____ AMT. \$ _____
SOLD 19 _____ AMT. \$ _____
SOLD 19 _____ AMT. \$ _____
SOLD 19 _____ AMT. \$ _____

INTERIOR
INSPECTED

YEAR 2892
YES ☐ NO ☒ NH

Lot 5

Bear Creek Meadows

#1659

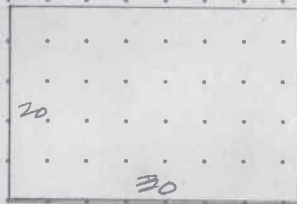
MVD.#

APPR.	DATE	DWELLING UNITS	UNIT AREA	TOTAL AREA	STORIES
		1 2 3 4	SQ. FT.	SQ. FT.	1 1 1/2 2
<u>KB</u>	<u>8/11/77</u>				
<u>TH</u>	<u>8/8/71</u>	FOUNDATION	CONC BLK BRICK STONE FRAME WD BLK		
		EXTERIOR	DBL SGL BOX SIDING: BEVEL RUSTIC VERT B&B SHAKE: WD ASS COMPO SHGL STUCCO BRICK: VEN SOLID 1 1/2 2 STY STONE CONC BLK: PT FUR'D STUCCO		
		ROOF	GAB HIP FLAT PITCH: LOW AVG STEEP SHINGLES: WD COMPO ALUM SHAKES: LT MED HVY BUILT-UP R. RFG. BAR TILE EXP BM		
		ZONING			
<u>RESIDENTIAL</u>	<u>43</u>	1ST FLOOR	DBL SGL PLY WD H. WD FIR CONC TILE CARPET		
<u>MULTI-FAMILY</u>			RMS: LIV DIN FAM KIT UTIL HALL BATH BR DEN		
<u>COMMERCIAL</u>		PARTITIONS	PLASTER DRYWALL COMPO CLD&PA T&G PLYWOOD		
<u>INDUSTRIAL</u>			TRIM: FIR H. WD PANELING:		
<u>556FV20</u>		OTHER INTERIOR CONST.	CLASS: BUILT-INS: FIR H. WD METAL CAB TOPS: PLASTIC LINO APPLIANCES: ELECT GAS OVEN RANGE DISHWASHER HOOD FAN QUAL: F. A. G.		
		LIGHTING	CLASS: LOW VOLT INTERCOM		
<u>AREA IMPROVEMENTS</u>			CLASS: LAVATORY STALL SHOWER SINK FULL BATH		
<u>SIDEWALKS</u>		PLUMBING	WATER ONLY TOILET SHOWER DOOR LAUNDRY FAC BATH		
<u>CURBS</u>			BATHTUB WATER HEATER		
<u>STREET</u>	<u>GR</u>		CLASS: FURNACE: FA GRAY FL W OIL GAS HARD FUEL		
<u>WATER</u>		HEATING	ELEC.: W UNITS BASED GL PANEL CABLE; CLG FL H.W.: BASED CONVEC RAD: FL CLG STOVE CHIMNEY TOTAL AREA HEATED: _____ SQ. FT.		
<u>SEWERS</u>					
<u>ELECTRICITY</u>	<u>✓</u>	FIREPLACE	CLASS: 1 STY 2 STY SGL BKD STKD CJR NO HEARTHS: PLAIN ELAB. NONE FULL 1/2 1/2 1/2 X UNFIN FIN _____ SQ. FT. DAYLIGHT:		
		BASEMENT	CLASS: WALLS: CONC BLK FL: CONC WOOD CEIL: PLS DRYWALL COMP PLYWOOD WALL CVR: FUR'D PLS DRYWALL COMP WD FLR CVR: ASPH TILE CORK LINO RMS: PLAY BR BATH LNDY GAR NO. RMS. HEAT: _____ SQ. FT.		
<u>SITE CHARACTERISTICS</u>					
<u>TOPOGRAPHY</u>	<u>LEV</u>	ATTIC OR UPPER STORIES	CLASS: NONE 1/2 1/2 _____ SQ. FT. UNFIN FIN: PLS DRYWALL COMP CLD&PA FLR: DBL SGL FIR H. WD ASPH TILE VINYL LINO CARPET LINO SUBFLOOR ONLY RMS: BR BATH HALL NO. RMS. HEAT: _____ SQ. FT.		
<u>VIEW</u>	<u>NO</u>	SPECIAL	PORCH: WD FR CONC		
			RATING: PHYS COND. P F A G FUNC. UTIL. P F A G APPEARANCE P F A G		

REMARKS:

PLOT PLAN:

BUILDING DIAGRAM



GARAGE AND OUTBUILDINGS							LAND DESCRIPTION				
GARAGE ATT. DET. BSMT. 1/4 1/3 1/2 3/4 BLT.	DESCRIPTION					DIMEN- SIONS	SQ. FT. AREA	NO.	SOIL TYPE	LAND CLASS	DIMENSIONS OR ACRES
	FOUND	FLOOR	ROOF	WALLS	MISC.						
1	GP Bldg	conc	conc	cosb metal	conc blk	20x30	600	1		HS	2.50
2	Lean to	conc	conc	metal	metal	20x30	200	2	4/10		340 X 326
3	Shed	fr	fr	roll ply		6x12	72	3			
4	Lean to	post	post	shd MET	shd MET	10x9	190	4			
5	GP shed	p-p	wd	shd MET	T1-11	8x10	80	5			
6						8x10		6			
7								7			
8								8			
9								9			
INCREMENTS TO LAND:								TOTAL ACRES ∇ 2.50 ±			
								APPRaiser BP DATE 12/31/71			
								APPRaiser DATE 10/11/77			
								APPRaiser RES DATE 12/18/84			
								APPRaiser DATE			

01088940

PIESCHEL JAMES C & MARY L

NO SITUS, ADDRESS, OR, USA

551

ADMINISTRATIVE INFORMATION

OWNERSHIP

Tax ID 52E07B 00500

Printed 08/08/2000 Card No. 1 of 1

PARCEL NUMBER
01088940PIESCHEL JAMES C & MARY L
31367 S BEARMEADOW CT, MOLALLA, OR, 97038, U

TRANSFER OF OWNERSHIP

Parent Parcel Number

1659 BEAR CREEK MEADOWS LT 5

Date

08/01/1989

Doc #: 89-36029
\$75500Property Address
NO SITUS, ADDRESS, OR, USANeighborhood
12204 MOLALLA RURAL NORTH 400 - 641Property Class
551 551 Farm Improved EFU Zoned

TAXING DISTRICT INFORMATION

Jurisdiction 003

Area 001

AGRICULTURAL

VALUATION RECORD

Assessment Year 01/01/1999 01/01/2000 01/01/2000

Reason for Change

Reval

Reval

VALUATION L 2070 2080 65640

Market Value B 2630 2060 2060

T 4700 4140 67700

VALUATION L 2070 2080 2330

M5 Value B 2630 2060 2060

T 4700 4140 4390

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
0.00001 FARM USE
Farm/Forest Land

LAND DATA AND CALCULATIONS

Rating Measured
Soil ID Acreage

Table

Prod. Factor

-or-

-or-
Actual Effective
Frontage FrontageEffective
DepthDepth Factor
-or-
Square FeetBase
RateAdjusted
RateExtended
ValueInfluence
Factor

Value

3VD 2.5000

1.00

930.00

930.00

2330

2330

3VD 2.5000

1.00

26520.00

26520.00

66300 L

-1%

65640

NOR: Note of Record: R01
TOTAL ACRES 2.50 YEAR CLASSED
1993

Supplemental Cards

MEASURED ACREAGE 2.5000

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]

82 Public Roads NV [-]

83 UT Towers NV [-]

9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE

2330

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total

Homesite(s) Value (+)

Supplemental Cards

TOTAL LAND VALUE

2330

EXHIBIT B - PAGE 5 OF 7

PHYSICAL CHARACTERISTICS

1 2 3

IMPROVEMENT DATA

01088940

Property Class: 551

NO SITUS, ADDRESS, OR, USA

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market Adj	% Comp	Value
01 LEANTO	0.00			0.00	4		1922	1922	AV	2.20	N	2.60	190	500	77	-64	100		200
02 SHED	0.00			0.00	4		1932	1932	AV	1020	N	1204	1	1200	67	-64	100		660
03 SHEDGP	0.00			0.00	4		1922	1922	AV	4.49	N	5.30	600	3170	77	-64	100		1200

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards
TOTAL IMPROVEMENT VALUE

2060

03 08/01/1991

Neigh 12204 AV

EXHIBIT B - PAGE 6 OF 7



CLACKAMAS COUNTY

Department of Assessment and Taxation

RAY ERLAND
COUNTY ASSESSOR

June 25, 1993

JAMES C PIESCHEL
31367 S BEAR MEADOW CT
MOLALLA, OR 97038

RE: Map # 52E07B 00500 Code # 035-013
Account Key # 1088940
Total Acres: 2.50

Dear JAMES PIESCHEL:

You have requested that your land described above be assessed at its Farm Use Value in an Exclusive Farm Use Zone. We have reviewed your request and have designated 2.50 acres as Zoned Farm Land.

If you have any questions concerning this action, please do not hesitate to contact our office.

Respectfully,

RAY ERLAND, COUNTY ASSESSOR

A handwritten signature in cursive script, appearing to read "Al Uney".

Al Uney
Senior Appraiser

RE:LM:AU/ben











DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 12, 2026

Antonio and Kira Anfilofieff
1300 Blaine Street
Woodburn, OR 97071

SUBJECT: Violation of the Clackamas County Zoning and Development Ordinance, Title 12, Section 401.04 and the Clackamas County Building Code, Title 9.02.040 (B), (C), (D) and (E)

REFERENCE: V0001926

ZONING:	Exclusive Farm Use (EFU)
SITE ADDRESS:	31336 S. Bear Meadow Ct., Molalla, OR 97038
LEGAL DESCRIPTION:	T5S, R2E, Section 07B, Tax Lot 00500
Priority 1:	Single family residence built without permits
Priority 1:	Accessory structures built without permits
Priority 2:	Residence and accessory structures without land use approval

This letter serves as notice of violations of the Clackamas County Code. The violations include:

- Single family residence built without permits
- Accessory structures built without permits
- Residence and accessory structures without land use approval

VIOLATIONS & HOW TO RESOLVE

Single family residence and Accessory structures built without permits or land use approval

The construction of a single family residence and accessory structures without permits or land use approval constitutes a violation of the Clackamas County Building Code Title 9.02.040 B, C, D and E and the Clackamas County Zoning Ordinance, Title 12, Section 401.04. In order to abate the violations, please complete the following **no later than March 12, 2026**:

- Obtain a demolition permit and demolish the structures and dispose of the debris in an approved disposal site and schedule a site inspection to confirm the structures have been removed.

This property is zoned Exclusive Farm Use. There does not appear to be an active farm use on this property. You may contact the Planning and Zoning department to see what, if any, structures can remain without a primary use.

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at bldservice@clackamas.us.

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.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday.

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



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.
- 8.



FIRST AMERICAN 4243476

After recording return to:
Antonio Anfilofieff and Kira Anfilofieff
1300 Blaine Street
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:
Antonio Anfilofieff and Kira Anfilofieff
1300 Blaine Street
Woodburn, OR 97071

File No.: 7081-4243476 (DL)
Date: February 20, 2025

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records	2025-007312
Catherine McMullen, County Clerk	03/05/2025 11:07:02 AM
D-D Cnt=1 Stn=109 TIFFANY	
\$10.00 \$16.00 \$10.00 \$62.00	\$98.00

STATUTORY WARRANTY DEED

Gheorghe Ene, Grantor, conveys and warrants to **Antonio Anfilofieff and Kira Anfilofieff as tenants by the entirety**, 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:

Lot 5, BEAR CREEK MEADOWS, in the County of Clackamas and State of Oregon.

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 **\$235,000.00**. (Here comply with requirements of ORS 93.030)

APN: 01088940

Statutory Warranty Deed
- continued

File No.: 7081-4243476 (DL)

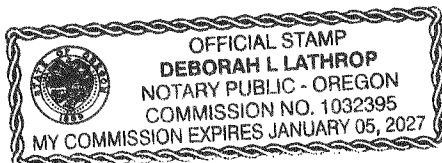
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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 25th day of February, 2025.

[Signature]
Gheorghe Ene

STATE OF Oregon)
County of Marion) ss.
Clackamas)

This instrument was acknowledged before me on this 25th day of February, 2025 by **Gheorghe Ene**.



[Signature]
Notary Public for Oregon
My commission expires: 1 / 5 / 2027









From: [Val Frink](#)
To: [Bautista, Diane](#)
Subject: 31336 S Bear Meadow Ct
Date: Saturday, April 25, 2026 4:17:42 PM

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



Hi Diane, I just wanted to give you an update - the RV has been moved from the property. I am emailing zoning right now to ask about a permit for the removal of the wood stove and a permit for the addition to the structure.

Thank you,
Val
480-862-9018

From: [ZoningInfo](#)
To: [Bautista, Diane](#); [Val Frink](#)
Cc: [Building Public Service](#)
Subject: RE: 31336 S Bear Meadow Ct
Date: Tuesday, April 28, 2026 10:30:43 AM
Attachments: [B0146672.pdf](#)
[image009.jpg](#)
[image010.png](#)
[image011.png](#)
[image012.jpg](#)
[image013.png](#)
[image014.jpg](#)
[image015.jpg](#)
[image016.jpg](#)
[image017.jpg](#)

Hi All,

The property at 31336 S Bear Meadow Ct. is zoned EFU, and regulated subject to ZDO Section 401. Reviewing the materials that Diane has provided and our permitting records, I do not see evidence that a dwelling has been lawfully established on this property. The only permit record available is a 1972 permit for a garage/shop structure that was to be provided with no plumbing and that was approved at a time when the property was unzoned. The property appears to have first been zoned for Exclusive Farm Use in 1979.

Given this, I do not see an immediately available pathway for the permitting of a dwelling on this property under the EFU regulations. This property is exclusively Prime farm soils, meaning the most likely pathway for permitting a dwelling would be the Dwelling in Conjunction with Farm Use on High Value Farmland ([LINK](#)). This pathway requires that the property be farmed and generate \$80,000 in gross annual income from the sale of farm products for a period of 2-5 years.

Best,

Nick

Nick Hart, Planner 2

He/Him [Why pronouns matter](#)

Clackamas County

503-742-4500

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..

Building Permit Application

Clackamas County Planning Department
940 Warner - Milne Road
Oregon City, Oregon
Phone - 655-3311

Zone Unzoned ☐ Approved
☐ Denied

Occupancy Garage - Shop

Type of Building ☒ Single Family X
☐ Multi Family (no.)
☐ Commercial
☐ Industrial

Permit No 1466-72

C.t. 38

Sec. 7 T 5 R 2

Construction Cost 2550

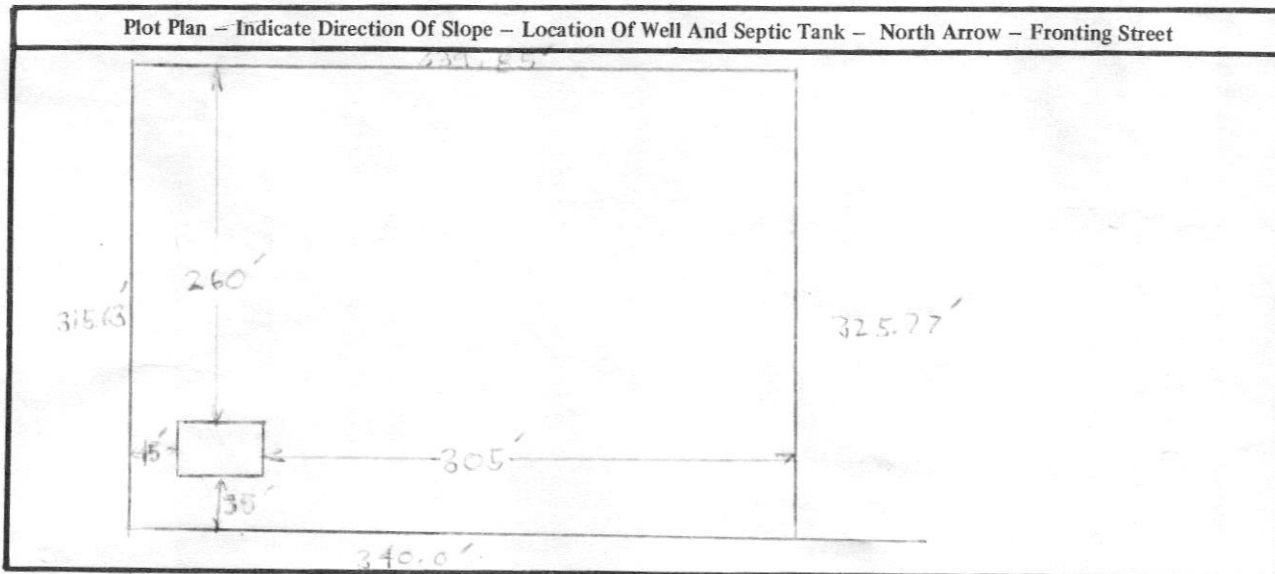
Permit Fee 23.00

Plan Check Fee 11.50

Total Fee 34.50

Permit Received By G.M.J. Date 6-30-72 Contractors File No. PC-07142

To Be Filled In By Applicant Hwy 211
Number and Street LOT 6 BEAR CREEK MEADOWS Between Hwy 211, HWY 213 Intersec. and W.
Tax Lot 500 Section 7B DLC 31336 S Bear Meadow Ct
Lot 5 Block See attached Addition See attached
Size of Lot is 2.5 ACRES Area of Building is 600 sq. ft. Area of Garage 360 sq. ft.
Number of Stories ONE Occupancy-Basement NONE Estimated Cost \$2050.00
Sewage Disposal Method NONE Source Water Supply NONE Driveway Permit None
Recorded Owner Christian G. Birch Country Acres, Inc. Address RT. 1 Box 356 Phone 630-4643



Plans and Specifications made by Christian G. Birch accompany this application
Builder Christian G. Birch Address RT. 1 Box 356 Phone 630-4643
Any work not mentioned not included in Permit.

I agree to build according to above description, plans and specifications and the Uniform Building Code as adopted by Clackamas County

Applicant Christian G. Birch

To Be Filled In By Health Department

SEPTIC TANK: Material Capacity Gallons Baths
SUBSURFACE DISPOSAL:

Distribution Box ☐ Total Length Of Lines Ft. Number Of Lines Distance Between Lines Ft.

Seepage Pit Or Cesspool No Plumbing

Application	County Health Dept.	Plans Checked by Plan. Ex.	Approved	Permit Issued
County Public Works	☐ Approved ☐ Denied	☐ Approved ☐ Denied	Building Dept.	
By <u>G.M.J.</u>	By <u>G.M.J.</u>	By <u>G.M.J.</u>	By <u>G.M.J.</u>	By <u>G.M.J.</u>
Date <u>7-7-72</u>	Date <u>7-7-72</u>	Date <u>7-7-72</u>	Date <u>7-7-72</u>	Date <u>7-7-72</u>



THIS MAP IS FURNISHED AS A CONVENIENCE IN LOCATING PROPERTY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY ACTUAL SURVEY

Title Insurance Company of Oregon

112-11th Street (Corner of Main) - Oregon City, Oregon 97045

ORDER NO. _____

SUBDIVISION *Bear Creek Meadows*

MAP *Sec 7, T5S, R2E - N - 14 20*



From: [Lord, Melissa](#) on behalf of [ZoningInfo](#)
To: [Bautista, Diane](#); ["Val Frink"](#)
Cc: [Building Public Service](#)
Subject: RE: 31336 S Bear Meadow Ct
Date: Tuesday, May 5, 2026 1:55:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

The only other potential avenue to qualify this site for a home would be if you met the standards of the Lot of Record dwelling described in [Subsection 401.05\(C\)\(4\)](#), which among other things, requires you or your family to have owned the property since 1985.

Other than those two pathways (i.e. earning income from farming or the one I linked above) there is no opportunity to build a house.

Thank you,

Melissa Lord, Senior Planner

She/Her

Clackamas County | Transportation & Development | Planning and Zoning

503-742-4500

150 Beavercreek Rd, Oregon City, OR 97045

Hours: Mon – Thurs, 8:00am – 4:00pm



[Get email updates.](#)

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: Tuesday, May 5, 2026 1:19 PM
To: 'Val Frink' <frinkval@gmail.com>; ZoningInfo@clackamas.us
Cc: Building Public Service <BldService@clackamas.us>
Subject: RE: 31336 S Bear Meadow Ct

Good afternoon,

Based on the emails from Planning below I do not think so. However, you can reach out to them directly at 503-742-4500 or via email at zoninginfo@clackamas.us to verify if there are any other options.

Thank you.

Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement Division
150 Beavercreek 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



Follow Clackamas County: [Facebook](#) | [Twitter](#) | [YouTube](#) | [Nextdoor](#)

From: Val Frink <frinkval@gmail.com>
Sent: Tuesday, May 5, 2026 12:56 PM
To: ZoningInfo@clackamas.us
Cc: Bautista, Diane <DianeBau@clackamas.us>; Building Public Service <BldService@clackamas.us>
Subject: Re: 31336 S Bear Meadow Ct

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









Citation No. 2600019

Case No. V0001926

ADMINISTRATIVE CITATION

Date Issued: July 8, 2026

Name and Address of Person(s) Cited:

Name: Antonio and Kira Anfilofieff
Mailing Address: 1300 Blaine St
City, State, Zip: Woodburn, OR 97071

Date Violation(s) Confirmed: On the 7th day of July, 2026 the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 31336 S Bear Meadow Ct., Molalla, OR 97038

Legal Description: T5S, R2E Section 07B, Tax Lot(s) 00500

Law(s) Violated:

- ☒ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040
- ☒ Title 12 and 13 of CCC Zoning and Development Ordinance, Section 401.04

Description of the violation(s):

- 1) Single family residence and accessory structures built without approved permits or inspections.

Maximum Civil Penalty \$3,601.00 Fine \$528.00

- 2) Single family residence and accessory structures without land use approval. **VOID - NOT IN PRIORITY LIST**

Maximum Civil Penalty \$2,572.00 ~~Fine \$422.00~~ **\$528.00**

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of ~~\$950.00~~. 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 \$102.00 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: Jennifer Kauppi Date: July 8, 2026
Telephone No.: 503-742-4759 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 Beavercreek 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: _____

ANDREW H. STAMP

OFFICE 503.684.4111
Andrew.Stamp@vf-law.com
Admitted to practice in:
Oregon

October 5, 2026

VIA EMAIL: DIANEBAU@CLACKAMAS.US

Clackamas County Hearings Officer (Code Enforcement)
c/o Diane Bautista
150 Beavercreek Road
Oregon City, Oregon 97045

*RE: 31336 South Bear Meadow Road, Molalla, OR 97038
Administrative Citation; Citation No. 2600019; Violation No. V0001926*

Dear Clackamas County Hearings Officer,

I. Introduction.

This office represents Antonio Anfilofieff and Kira Anfilofieff with regard to Clackamas County Code Enforcement File V0001926. Mr. and Mrs. Anfilofieff purchased the subject property in March of 2025. Since that time, they have used the property exclusively for farm use, which is an allowed use in the EFU zone.

Clackamas County received a complaint from a disgruntled neighbor and has since opened a code violation matter. The county alleges the following violation:

- ❖ Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040.

The complaint describes the violation as follows:

- ❖ Single family residence and accessory structures built without approved permits or inspections.

We have conducted an independent investigation which included a site visit on September 4, 2026. Our investigation has concluded that the alleged code violation is without merit. We respectfully request that the hearings officer dismiss Code Enforcement File V0001926.

///
///
///

II. Question and Answers

This case raises five (5) core issues:

1. Question: Does a building that qualifies as a “facility” used for “farm use” as defined in ORS 215.203(2)(a) require a land use permit in Clackamas County?

Answer: No. Although Clackamas County could adopt zoning code amendments that require an applicant seeking to build or use a “facility” for farm use, Clackamas County has not done so.

2. Question: Is a building that is used for farm use considered a “dwelling” if it does not have a kitchen?

Answer: No. A dwelling must have a permanent provision for “cooking,” and a building that lacks such a feature is not a “dwelling.”

3. Question: Does a hand-washing station used for farm use activity require a land use permit or a building permit?

Answer: No. A hand washing facility is an accepted farm practice that falls within the definition of “farm use” under ORS 215.203(2)(a) and ORS 455.315(1).

4. Question: Can a farmer stay on his property overnight in an RV to attend his animals as part of farm use?

Answer: Yes. Attending to animals is an accepted farm practice and is part of the definition of “farm use” as defined in ORS 215.203(2)(a). While a farmer may not make the RV a permanent residence, he or she is allowed to temporarily “camp” on the property without land use permits or building permits.

5. Question: Can the County require a demolition permit to remove a solar system and woodstove?

Answer: Although we have not exhaustively researched the issue, staff has been unable to clearly articulate a lawful basis for such authority, and none is apparent on the face of the ZDO or Building Code.

///
///
///

III. Facts.

Mr. and Mrs. Anfilofieff reside at 1300 Blaine Street, Woodburn, OR 97071. They also own Tax Lot 500, T5S, R2E Section 07B, which we refer to herein as the “property.” Exhibit 1. The property is zoned EFU despite being only 2.5 acres in size. *See* Zoning Map at right. This lot is part of the Bear Creek Meadows subdivision plat, which was recorded in 1971, prior to modern zoning laws. Exhibit 2. Most of the lots in the lots in the Bear Creek Meadows subdivision are zoned RRFF-5, which is a reflection of the fact that these lots were developed with a single-family residence prior to modern zoning.



Primarily, the lot is used for “farm use.” The lot supports a small poultry operation that includes chickens, turkeys, and ducks. Exhibit 3. (Photo of chicken coup). Mr. and Mrs. Anfilofieff also raise sheep on the subject property. Exhibit 4. Finally, Mr. and Mrs. Anfilofieff also have a large fruit and vegetable garden. Exhibit 5. Some storage of farm materials, such as a commercial meat cutter and personal items also occurs on the property. Exhibit 6.

The property currently does not feature PGE electrical service or a permanent source of potable water. Mr. Anfilofieff intends to bring electrical power to the site and has been told that the extension will cost approximately \$15,000.00. Exhibit 26.

The property currently does not feature a permanent source of potable water. Mr. Anfilofieff brings large glass jugs of water to the property for drinking. Exhibit 7. The water from the spigot is not potable and is used for farm purposes including handwashing. Exhibit 8.

Mr. and Mrs. Anfilofieff use a water buffalo trailer¹ to transport water to the site to irrigate the garden and provide water for the animals. Exhibit 4 and 7. The property features a handwashing station needed in conjunction with the raising of poultry. Exhibit 8. The term “poultry” includes birds like chickens, ducks, geese, guinea fowl, and turkeys. According to the CDC, these animals can sometimes carry germs that can make people sick. The CDC recommends that people should wash their hands after handling poultry, their food, or items in their environment. Exhibit 9.

The property is developed with a cinder block structure that features two interior rooms, a bathroom, an open-sided storage shed, and an open-sided lean-to extension. *See* Map at Exhibit 10. The building was powered with solar panels, but Mr. Anfilofieff has since removed the solar system. He intends to obtain the building and electrical permits for a future solar installation to provide light for the chickens. Exhibit 26. We do not know the history of this building, but we assume it was built as a so-called “ag-exempt” structure. *See* ORS 455.315.

After acquiring the property, Mr. Anfilofieff began the process of building a bathroom. When he began that project, he was under the impression that PGE electricity would soon be forthcoming and that a septic system would be installed. He began the process of getting PGE

¹ A “water buffalo” is a trailer which is built specifically for hauling and storing water in situations where high-pressure water disbursement is an unnecessary expense. Water hauling tank trailers are practical for municipal public works and emergency response, as well as farming, ranching, construction, dust control, and fire prevention.

power to the site. Exhibit 11. He has since become aware of various financial challenges / impediments to installing the electricity and septic systems. As an example, the soils on the property are Aloha Silt Loam (0-3%), which is a poorly drained soil that usually fails percolation tests and requires a more expensive alternative treatment solution. Exhibit 12. These issues caused Mr. Anfilofieff to put the bathroom project on hold. As it currently sits, the bathroom features an unfinished sink which is not connected to water. Exhibit 13. The bathroom has an unfinished shower stall which is not plumbed. Exhibit 14. There is an unfinished water heater which is also not plumbed. Exhibit 15.

One of the unheated living spaces featured a bed and associated furniture. Exhibit 16. The bed has since been removed at the request of counsel. Exhibit 16. The other unheated living space features a love seat and a coffee table. Exhibit 17. The coffee table has been removed. Exhibit 6. This room used to contain an operational wood stove, but that wood stove has been decommissioned pending resolution of this case. Exhibit 18. The freezer has also been removed.

The building does not have a kitchen. The only way to cook food is via a portable outdoor gas grill. The gas grill is not permanently attached to the building and is located under the open-air lean-to extension in unheated (and hence, non-habitable) space. Exhibit 19.

IV. Legal Analysis.

A. The Primary Use of the Property Is “Farm Use” as defined in ORS 215.203.

As discussed above, the subject property is primarily being used for “farm use” as that term is defined in ORS 215.203(2)(a). The statute defines the term as follows:

(2)(a) As used in this section, “farm use” means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. “Farm use” includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. “Farm use” also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. “Farm use” also includes the propagation, cultivation, maintenance and harvesting of aquatic, bird and animal species that are under the jurisdiction of the State Fish and Wildlife Commission, to the extent allowed by the rules adopted by the commission. “Farm use” includes the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection. “Farm use” does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees or land described in ORS 321.267 (3) or 321.824 (3).

See also ZDO 401.03(J) (adopting same definition). ORS 215.203(1) states, in relevant part:

(1) Zoning ordinances may be adopted to zone designated areas of land within the county as exclusive farm use zones. Land within such zones shall be used exclusively for farm use except as otherwise provided in ORS 215.213, 215.283 or 215.284. * * *.

Note that a “farm use” is not the same thing as a “commercial farm,” which is separately defined at ZDO 401.03(C) in a manner that is more narrow than a “farm use”:

Commercial Farm: A farm unit with all of the following characteristics: 1. The land is used for the primary purpose of obtaining a profit in money from farm use; 2. The net income derived from farm products is significant; and 3. Products from the farm unit contribute substantially to the agricultural economy, to agricultural processors, and to farm markets.

Thus, a “farm use” may generate “net income” derived from farm products which is insignificant or even nonexistent. In addition, a “farm use” does not need to contribute substantially to the agricultural economy, to agricultural processors, or to farm markets.

The photographic evidence clearly establishes that the landowner is engaged in an active farm use. See attached Exhibits 3-6. Mr. Anfilofieff states that he intends to farm the property for financial gain. Exhibit 26.

It is important to note that the statutory definition of “farm use” includes “the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection.” The term “facility” is not defined in the statute, but is defined in the Webster’s Third New International Dictionary (Unabridged) (2002) at p. 813-14 as follows:

5a: something that promotes the ease of any action, operation, transaction, or course of conduct – usu. used in pl. < excellent facilities for graduate study > b: something (as a hospital, machinery, plumbing, that is built, constructed, installed or established to perform some particular function or to serve or facilitate some particular end.

Thus, the landowner is allowed to construct “facilities” used for the feeding and breeding of livestock and poultry as a permitted use and without a land use permit. This includes chicken coups, hoop houses, greenhouses, sheds, and the handwashing station. In particular, hand-washing after handling poultry is an accepted farm practice. The spigot supplies nonpotable water for farm purposes such as handwashing. Exhibit 4 and 7. However, drinking water for Mr. Anfilofieff is brought separately to the property in large glass jugs. Exhibit 7. The construction and maintenance of a hand-washing station therefore involves “equipment and facilities, falls within the definition of “farm use,” and is an allowed use in the EFU zone without land use permitting.

Agricultural buildings falling within the definition of farms use (*i.e.*, “equipment and facilities used for [farm use] activities,”) should be distinguished from the category of building known as “other buildings customarily provided in conjunction with farm use.” ORS 215.283(1)(e). These buildings are not directly used for “farm use” activities as defined in ORS 215.203(2)(a), but which are nonetheless customarily found on a farm. Examples of these “other buildings include tool shed, such as a mechanic shops, welding facilities used to fabricate and repair machinery used on the farm (as opposed to a business serving other farms),² or storage buildings.

We have been made aware of the fact that the county requires a landowner to file an “Agricultural Building Exemption Application.” The legal basis for this permit is not documented in the County Code. For example, there is no authority in the ZDO for this application. Furthermore, there is no authority in the Building Code for this permitting requirement. ORS 445.315(1). As we understand the county’s process, the permit is administered by the Building Department but is routed to the Planning Department for review for compliance with the ZDO. Exhibit 20. We do not see a basis in law for such a permit. In fact, the State of Oregon Building Codes Division makes clear that the Building Official does not have authority to interpret ORS 455.315. Exhibit 21. The BCD publishes a brochure that lists the following questions and answers:

Questions

...

3. Is the building official authorized to determine what constitutes a “farm operation” or “forest operation” as the term is applied in ORS 455.315(2)?

Answers

...

3. No. The determination of what constitutes a farm or forest operation is vested with the local planning department in conjunction with adopted zoning ordinances. The building official acting under the authority granted ORS 455 has no authority in this determination.

Exhibit 21. Again, the Clackamas County Planning Department has not exercised a permit requirement under ORS Chapter 215 and ORS Chapter 455.

To be clear, we do understand that agricultural buildings must, generally speaking, meet local zoning requirements to the extent that those requirements are consistent with accepted farming practices. The only base zone standards for agricultural buildings are setbacks from property lines. However, agricultural buildings have historically not been subject to land use permitting requirements, and the ZDO does not expressly require a permit to engage in a farm use.

The solar system was a “facility” used for “farm use” activities and is an allowed use in the EFU zone without land use permits. Mr. Anfilofieff has since removed the solar system and intends to obtain building and electrical permits for a future installation. Exhibit 26 and 27. The county staff states on its webpage that such use is an “accessory use.” The webpage states:

² A welding or vehicle repair shop serving other farms is classified as a “commercial activity in conjunction with farm use.” ORS 215.283(2)(c).

Solar systems that qualify as an “accessory use” are allowed in all land use zones in Clackamas County when the annual power-generating capacity of the system is limited to power consumed by the property.

<https://www.clackamas.us/building/solar.html> Exhibit 22. However, this is not entirely correct. The code defines an “accessory” use as follows:

ACCESSORY BUILDING OR USE: A subordinate building or use, the function of which is clearly incidental to that of the main building or use on the same lot.

The terms “incidental” and “subordinate” are not defined in the ZDO. Under general rules of statutory construction, a dictionary can be used to assist in determining the plain and ordinary meaning of the phrase “incidental and subordinate.” Webster's Third Internat'l Dictionary 1981, at p. 1142 defines "incidental" as:

1 : subordinate, nonessential, or attendant in significance."

Webster's Third Internat'l Dictionary 1981 at p. 2277 defines "subordinate" as:

"1: to place in a lower order or class: make or consider as of less value or importance."

Neither a handwashing station nor a solar facility is “accessory” because they are an integral part of any farm use; they are not “subordinate, nonessential, or attendant in significance.” Every farm will have a place to wash hands, and every farm that does not have power from a utility is going to need to generate power in some way.³ In this regard, these items are to a farm what an office and a French fry deep fryer are to a McDonalds restaurant: they are an essential part of the business model for the use. Thus, by virtue of the fact that farm use is allowed in the zone, handwashing stations and solar facilities are necessarily allowed by right as well.

As noted in Table 401-1 of the ZDO, farm uses are a *primary* use in the EFU zone:

Table 401-1: Permitted Uses in the EFU District

HV	LV	Farm and Forest Uses	Subject To
P	P	Farm use.	Marijuana production is subject to Section 841.

In Clackamas County, no land use “permit” is required to engage in a farm use. Frankly, it would make no more sense to force a farmer to get a permit to build a barn than it would to make a farmer get a permit to plant row crops.

³ The 1936 Rural Electrification Act enabled more farms to have electricity from a grid. Prior to that time, many farmers generated electricity via large battery banks, wind or water turbines, or steam or gas-powered generators. In some cases, farmers even generated light via the production of acetylene gas (aka carbide gas). These technologies have been replaced by solar for farms that do not benefit from an electrical grid.

Farm uses are also a primary use in the RRFF-5 zone, which is the zone applicable to the neighboring properties to the south and east:

Use	RA-1	RA-2	RR	RRFF-5	FF-10	FU-10
Accessory Buildings and Uses, Customarily Permitted , such as amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family child care homes, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, recreational facilities (such as bicycle trails, children's play structures, dance studios, exercise studios, playgrounds, putting greens, recreation and activity rooms, saunas, spas, sport courts, swimming pools, and walking trails), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, stormwater management facilities, television antennas and receivers, transit amenities, trellises, utility service equipment, and utility service lines	A	A	A	A	A	A
Farm Uses, including³:						
Raising, harvesting, and selling crops	P	P	P ¹⁰	P	P	P
Feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees	X ¹¹	P	X ¹¹	P	P	P
Dairying and the sale of dairy products	X ¹¹	P	X ¹¹	P	P	P
Any other agricultural or horticultural use or animal husbandry or any combination thereof	X ¹¹	P	X ¹¹	P	P	P

B. No “Dwelling” Exists on the Subject Property.

Contrary to the allegations asserted in the violation letter, there is no “dwelling” on the subject property, nor has there been a dwelling on the property since the time the Anfilofieff family purchased the property. The ZDO contains specific definitions for the term “Dwelling,” “Dwelling, Detached Single-Family,” and “Dwelling Unit,” as follows:

DWELLING: A building that contains one or more dwelling units. A dwelling may be a residential trailer or a manufactured dwelling but not a recreational vehicle, except when the recreational vehicle is approved as a temporary dwelling pursuant to Section 1204, Temporary Permits, or as a second dwelling pursuant to Section 847, Recreational Vehicles as Second Dwellings.

DWELLING, DETACHED SINGLE-FAMILY: A building that contains only one dwelling unit and is detached from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling, residential trailer, or dwelling unit in a cottage cluster is not a detached single-family dwelling.

DWELLING UNIT: A building, or portion thereof, with one or more rooms designed for residential occupancy by one family.

The phrase “designed for residential occupancy” is a legal term of art. A building is considered “designed for residential occupancy” when its intended use, design features, and code compliance meet the criteria for the Residential Group (R) in the International Building Code (IBC)

The Oregon Residential Specialty Code (ORSC) defines the terms “dwelling” and “dwelling unit” as follows:

DWELLING. Any building that contains one or two *dwelling units* used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Thus, a building is not a “dwelling unit,” and hence, “not a dwelling,” unless it has “permanent provisions” for the following five (5) facilities:

1. Living
2. Sleeping
3. Eating
4. Cooking
5. Sanitation.

If the structure in question is missing any one of these five attributes, it is not a “dwelling.”

Furthermore, living, sleeping, eating, and cooking facilities must consist of “habitable space.” ORSC R202 (2023) (Definition of habitable space). To legally count as habitable space, a room must meet strict minimum requirements regarding size, ceiling height, heating, light, and ventilation. *See* ORSC (2023) §303.10. As an example, a dwelling unit with more than one habitable room must have at least one habitable room (the living/cooking area for example) with a minimum area of 120 sf, and other habitable rooms (a sleeping room for example) may be as small as 70 sf. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

In this case, the structure is not a “dwelling” because it lacks all five of the essential attributes of a dwelling. This is summarized in the table set forth below:

FACILITY	PRESENCE	NOTES
Living	No	One room with loveseat and coffee table
Sleeping	No	One room with furniture (bed was recently removed), but not “habitable” because it lacks heat.
Eating	No	No room dedicated to eating food.
Cooking	No	No room with “permanent provisions for cooking.”
Sanitation	No	One room with incomplete and non-functioning sink, toilet, and shower. No potable water, no septic system

Most critically, the building at issue does not have a kitchen. To be classified as a “dwelling unit,” a building must contain “permanent provisions for cooking.” That phrase is not defined in the codes, so the words have their ordinary accepted meanings in accordance with R201.4:

R201.4 Terms Not Defined

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Words of common usage are given their plain, natural, and ordinary meanings. Words that have well-defined legal meanings are given those meanings.

Using common definitions, the phrase “permanent provisions for cooking” can be restated as: “fixed, or not easily moved, space, equipment, fixtures or supplies for preparing food by a heating process.” The term “kitchen” is also not defined in the building code. Webster’s Third New International Dictionary (Unabridged) (2002) at p. 1247 defines a “kitchen” as:

1a “room or some other space (as a wall area or separate building) with facilities for cooking: a place for preparing meals. <living room, dining room, and a ~>.

For purposes of code application, a kitchen is considered as a space which provides permanent provisions for cooking.

Although approaches to this issue vary by jurisdiction, the City of Eugene is one of the few jurisdictions that has adopted a formal written interpretation concerning this issue. Exhibit 23. <https://www.eugene-or.gov/DocumentCenter/View/68276/ORSC-Interpretation-Kitchens-R202-Definition-of-Dwelling-Unit> The City of Eugene’s Building Official has enacted a policy which states that a room or space within a habitable building will be considered a kitchen if it contains three or more of the following:

1. Cooking appliance(s) or rough-in facilities for a cooking appliance(s). This may include but not necessarily be limited to a stove, stovetop, oven, microwave oven, or similar appliance; 240V electrical outlet, or gas piping outlet.
2. Cabinets and/or countertop area that exceed 6 lineal feet.
3. Sink.
4. Refrigerator exceeding 5 cubic feet capacity, or space with an electrical outlet that would reasonably be used for a refrigerator exceeding 5 cubic feet capacity.
5. Dishwasher, or space with access to electrical and drain hookups that could reasonably be used for a dishwasher.

While cooking refers to food preparation facilities (like a permanent stove or microwave space), the term “eating” refers specifically to the designated dining area.

We note that Clackamas County has not adopted any similar policy, to our knowledge.

In this case, the agricultural building at issue is not currently habitable because it lacks heat. It also lacks a permanent cooking facility and therefore falls outside of the definition of “dwelling.” The building did feature a freezer used to store medicine for the animals as well as food, but the freezer has been removed until such time as the solar system can be permitted. Drinking water is

brought to the property in glass jugs because no adequate potable-water hookup exists. The handwashing spigot supplies non-potable water for farm purposes. Exhibit 4, 7, and 26. Therefore, the asserted building code violation lacks factual and legal merit and must be dismissed.

C. The Building and Accessory Structures Qualify as “Agricultural Exempt Buildings” Under Oregon Law.

The state legislature has made agricultural buildings exempt from the building code. *See* ORS 455.315(1) (“The provisions of this chapter do not authorize the application of a state structural specialty code to any agricultural building, agricultural grading, equine facility, or dog training facility.”). Multnomah County publishes a summary sheet that accurately summarizes the law on this topic. Exhibit 24.

ORS 455.315(2) defines an “agricultural building” as follows:

- (a) “Agricultural building” means a structure located on a farm and used in the operation of the farm for:**
- (A) Storage, maintenance or repair of farm machinery and equipment;**
 - (B) The raising, harvesting and selling of crops;**
 - (C) The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees;**
 - (D) Dairying and the sale of dairy products; or**
 - (E) Any other agricultural or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on the farm for human use and animal use and disposal by marketing or otherwise.**

ORS 455.315(2)(b) also clarifies what is not meant to be an agricultural building:

- (b) “Agricultural building” does not mean:**
- (A) A dwelling;**
 - (B) A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time;**
 - (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476;**
 - (D) A structure used by the public; or**
 - (E) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.**

ORS 455.315(4) allows farmers some flexibility to store personal chattels and vehicles in a “agricultural building,” as follows:

- (4) An agricultural building may be used for uses in addition to the uses listed in subsection (2)(a)(A) of this section if the additional uses:**

- (a) Are incidental and accessory to the uses listed in subsection (2)(a)(A) of this section;*
- (b) Are personal to the farm owner and the farm owner's immediate family or household; and*
- (c) Do not pose a greater hazard to persons or property than the uses listed in subsection (2)(a)(A) of this section.*

In this case, the barn structure at issue qualifies under ORS 455.315(2)(a)(A). The hand-washing station is also an “agricultural building” because it is a structure located on a farm and used in the operation of the farm for the feeding, breeding, management, and sale of, or the produce of poultry. ORS 455.315(2)(a)(C).

D. The Landowner is Allowed to “Camp” on his Property on a Temporary Basis.

The county’s code enforcement website sets forth a “frequency asked questions” page that sets forth the following summary:

Camping and Temporary Living

- RVs: Allowed up to 30 days per calendar year; longer use requires approval.
 - Tents used as living space: Not allowed on residential property.
 - Camping in non-designated areas: Prohibited.
- Report violations: 503-742-4452.

Exhibit 25. We have been unable to find these requirements set forth in law. Planning staff have informed me that these statements are not based on formally adopted code but are merely informal verbal policy statements. While we have no doubt that some limits exist on the ability of a landowner to camp on his or her private property, those limits do not appear to be clearly established in law. This is particularly true when the landowner is a farmer that maintains a primary residence off site, but who needs to be on site to monitor animals. There does not appear to be adequate evidence in the record to base a code violation on camping.

E. The Solar Panels Have Been Temporarily Removed Until Such Time as Permits can be Obtained.

Mr. Anfilofieff did install solar panels on the roof to provide light and to power a freezer. He also explains that he needs solar power to provide light for the chickens. Exhibit 26. He has since learned that the solar panels require both a building permit and an electrical permit. Although Mr. Anfilofieff would like to get those permits in the future, he made the financial decision to remove the solar panels and freezer in the short term. Exhibit 4.

Staff has stated that a demolition permit is required to remove objects that were installed without permits, such as the wood stove or the solar panels. We do not believe that is an accurate statement of the law, and staff has certainly not met its burden to explain how the applicable statutes and County Code apply in those circumstances. If it is indeed true that a demolition permit is legally required, then Mr. Anfilofieff will do his best to scrape together the funds to get such permits. However, in that case we respectfully request that the Hearings Officer clearly connect the dots between state law and the County Code on this topic, because it is not obvious to us why a

demolition permit would be required under these circumstances. In this regard, we did talk about this issue with Building Department staff, and they were not able to articulate a cogent argument (*i.e.*, citing to statute or code) in support of that idea. We also talked with a building code consultant and former Building Official, Steve Winstead, who stated that he did not believe that a demolition permit would be required under those circumstances.

V. Conclusion.

For the reasons set forth above, the asserted zoning code violations lack merit and must be DISMISSED.

VF LAW

/s/ Andrew H. Stamp

Andrew H. Stamp

Of Counsel

ASTA/SPET/ssch

cc: Antonio Anfilofieff and Kira Anfilofieff
Valerie Frink

Exhibit List.

- Exhibit 1: Property Information Report for 31336 S Bear Meadow CT Molalla, OR 97038-7555.
- Exhibit 2: Bear Creek Meadows Subdivision Plat recorded in 1971.
- Exhibit 3: Photo showing chicken coup.
- Exhibit 4: Photo showing sheep on property & Water Buffalo Trailer.
- Exhibit 5: Photo showing large fruit and vegetable garden.
- Exhibit 6: Photo showing farm materials and personal items being stored.
- Exhibit 7: Photo showing Water Buffalo Trailer & Water Jugs.
- Exhibit 8: Photo showing handwashing station.
- Exhibit 9: CDC article: Backyard Poultry, dated July 18, 2025.
- Exhibit 10: Floor Plan and Plot Plan.
- Exhibit 11: Photo showing process of getting PGE power to the site.
- Exhibit 12: Soil Map – Clackamas County Aera, Oregon.
- Exhibit 13: Photo showing unfinished bathroom.
- Exhibit 14: Photo showing unfinished shower stall.
- Exhibit 15: Photo showing unfinished water heater.
- Exhibit 16: Photo showing unheated living space with bed and associated furniture.
- Exhibit 17: Photo showing unheated living space with love seat and coffee table.
- Exhibit 18: Photo showing wood stove removed.
- Exhibit 19: Photo showing gas grill in non-habitable space.
- Exhibit 20: Clackamas County – Agricultural, Forst, Equine, Dog Training or Marijuana Exempt Building Instructions.
- Exhibit 21: Building Codes Division – Agriculture/ Forest/ Additional Uses – HB 2441 (2013) and HB 2611 (2021) Analysis
- Exhibit 22: Solar Permits – Clackamas County.

Exhibit 23: Eugene Building and Permit Services – Code Interpretation: Kitchens and ORSC Definition of Dwelling Unit.

Exhibit 24: Multnomah County – Agricultural Building FAQ.

Exhibit 25: Clackamas County – Frequently Asked Questions.

Exhibit 26: Declaration of Antonio Anfilofieff, dated October 5, 2026.

Exhibit 27: Photo showing building with removed solar panels

Property Information Report

31336 S BEAR MEADOW CT MOLALLA, OR 97038-7555

Ownership Information

Owner Name:

ANTONIO ANFILOFIEFF

KIRA ANFILOFIEFF

Mailing Address:

1300 BLAINE ST WOODBURN, OR 97071-5118

Property Description

County: Clackamas

Map / Tax Lot: 52E07B /00500

Map Grid: 807-A7

Account Num: 01088940

Census: 0238.00

Property ID: 01088940

Owner Occ.: No

Land Use: Farm (Irrigated or Dry)

Zoning:

Subdivision: BEAR CREEK MEADOWS

Legal Description:

1659 BEAR CREEK MEADOWS LT 5

Property Characteristics

Property Type: AGRICULTURAL

Building SF:

Heat:

House Style:

Living Area SF:

Cooling:

Year Built:

Square Feet:

Foundation:

Bedrooms:

1st Floor SF:

Exterior:

Bathrooms:

2nd Floor SF:

Roof Style:

Lot Size:

3rd Floor SF:

Roof Cover:

Acres:

Attic SF:

Fireplaces:

Garage Type:

Bsmnt SF:

Bsmnt Type:

Garage SF:

Fin Bsmt SF:

Assessment Information

Real Market Value: \$ 190,332

Taxes: \$ 65.16

Land Value: \$ 181,662

Imp. Value: \$ 8,670

Total Assessed Value: \$ 4,816

Levy Code: 035-013

Assessed Yr: 2025

Tax Year: 2025

M-5 Rate: 11.7662

Previous Sale Information

Sale Amount: \$ 145,000

Sale Date: 02/26/2021

Document Num: 2021-021550

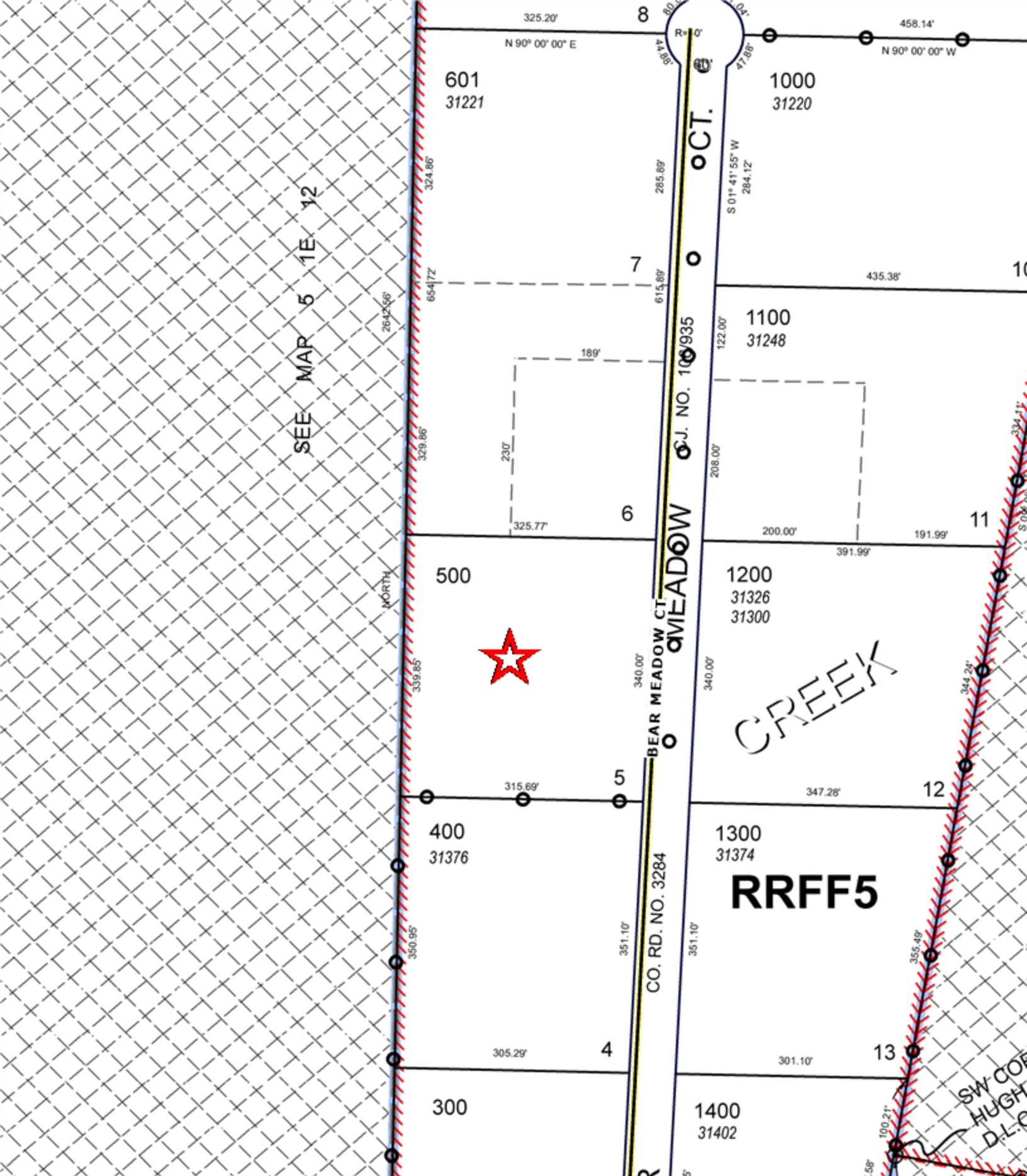
Transaction History

Sale Date	Sale Amount	HPI Sale Amount	Document Type	Reception Num	Book/Page
2/20/2025	\$ 235,000	\$ 240,300	Wd	2025-007312	/
2/26/2021	\$ 145,000	\$ 184,500	Wd	2021-021550	/
8/22/2014	\$ 0		It	2014-042834	/
1/2/2013	\$ 0		It	2013-000754	/

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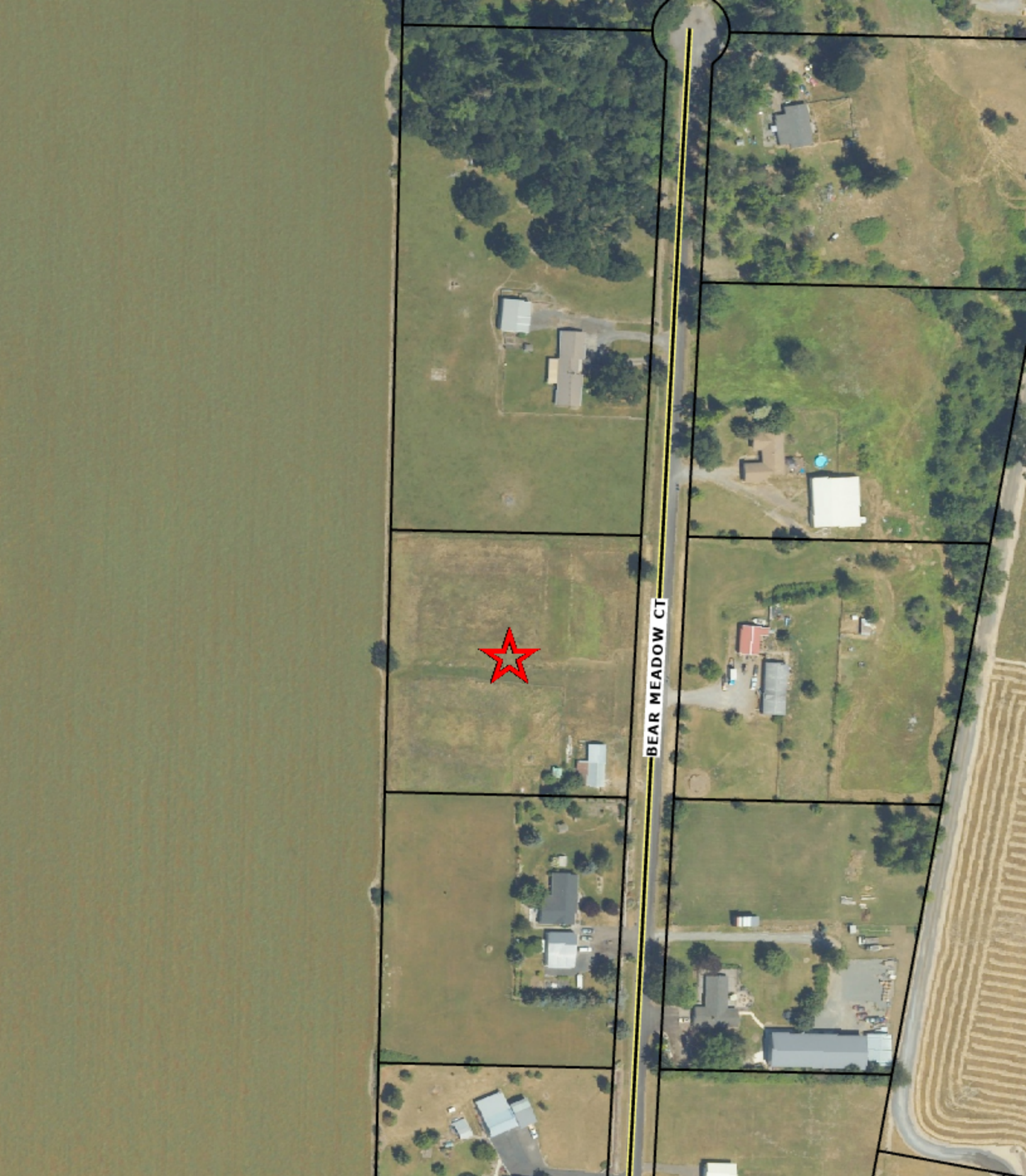
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Server Error

500 - Internal server error.

EXHIBIT 1 - PAGE 3 of 10



Server Error

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EXHIBIT 1 - PAGE 4 of 10

Property Account Summary



Account Number	01088940	Property Address	31336 S BEAR MEADOW CT , MOLALLA, OR 97038
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General Information	
Alternate Property #	52E07B 00500
Property Description	1659 BEAR CREEK MEADOWS LT 5
Last Sale Price	\$235,000.00
Last Sale Date	03/10/2025
Last Sale Excise Number	453923
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	035-013
Remarks	

Tax Rate	
Description	Rate
Total Rate	13.5299

Property Characteristics	
Property Tax Deferral	Potential Additional Tax Liability
Neighborhood	12204: Molalla rural north all other
Land Class Category	551: EFU farmland improved
Change property ratio	5XX

Parties			
Role	Percent	Name	Address
Taxpayer	100	ANFILOFIEFF ANTONIO & KIRA	1300 BLAINE ST, WOODBURN, OR 97071
Owner	100	ANFILOFIEFF ANTONIO & KIRA	1300 BLAINE ST, WOODBURN, OR 97071

Property Values					
Value Type	Tax Year 1	Tax Year 2	Tax Year 3	Tax Year 4	Tax Year 5
AVR Total	\$4,816	\$4,677	\$4,542	\$4,412	\$4,284
Exempt					
TVR Total	\$4,816	\$4,677	\$4,542	\$4,412	\$4,284
Real Mkt Land	\$181,662	\$178,347	\$178,347	\$173,043	\$141,882
Real Mkt Bldg	\$8,670	\$8,510	\$8,510	\$8,260	\$6,770
Real Mkt Total	\$190,332	\$186,857	\$186,857	\$181,303	\$148,652
M5 Mkt Land					
M5 Mkt Bldg	\$8,670	\$8,510	\$8,510	\$8,260	\$6,770
M5 SAV	\$5,735	\$5,735	\$5,735	\$5,568	\$5,568
SAVL (MAV Use Portion)	\$2,248	\$2,183	\$2,120	\$2,060	\$2,000
MAV (Market Portion)	\$2,568	\$2,494	\$2,422	\$2,352	\$2,284
Mkt Exception					
AV Exception					

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										
Active Exemptions										
No Exemptions Found										
Events										
Effective Date	Entry Date-Time	Type	Remarks							
03/05/2025	03/10/2025 10:42:00	Recording Processed	Property Transfer Filing No.: 453923, Warranty Deed, Recording No.: 2025-007312 03/05/2025 by JPETRICH							
03/05/2025	03/10/2025 10:42:00	Taxpayer Changed	Property Transfer Filing No.: 453923 03/05/2025 by JPETRICH							
04/12/2021	04/12/2021 14:25:00	The situs address has changed	by DROME							
03/02/2021	03/03/2021 11:49:00	Recording Processed	Property Transfer Filing No.: 387980, Warranty Deed, Recording No.: 2021-021550 03/02/2021 by SMALSOM							
03/02/2021	03/03/2021 11:49:00	Taxpayer Changed	Property Transfer Filing No.: 387980 03/02/2021 by SMALSOM							
01/07/2013	01/14/2013 11:39:00	Recording Processed	Property Transfer Filing No.: 240767, Bargain & Sale, Recording No.: 2013-000754 01/07/2013 by LIZKRA							
01/07/2013	01/14/2013 11:39:00	Taxpayer Changed	Property Transfer Filing No.: 240767 01/07/2013 by LIZKRA							
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 89-36029, 8/1/89, \$ 75500							
Tax Balance										
Installments Payable										
Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date				
2025	Property Tax Interest	035-013	\$5.80	\$5.80	\$5.80	09/08/2026				
2025	Property Tax Principal	035-013	\$65.16	\$65.16	\$65.16	11/15/2025				
TOTAL Due as of 09/08/2026			\$70.96	\$70.96	\$70.96	09/08/2026				
Installments Payable/Paid for Tax Year(Enter 4-digit Year, then Click-Here): 2025										
Receipts										
Date	Receipt No.	Amount Applied to Parcel	Total Amount Due	Receipt Total	Change					
03/18/2025 10:54:00	5742794 (ReceiptDetail.aspx?receiptnumber=5742794)	\$64.21	\$64.21	\$64.21	\$0.00					
02/05/2024 00:00:00	5547002 (ReceiptDetail.aspx?receiptnumber=5547002)	\$54.76	\$54.76	\$54.28	\$0.00					
10/31/2022 00:00:00	5203255 (ReceiptDetail.aspx?receiptnumber=5203255)	\$52.72	\$52.72	\$51.14	\$0.00					
10/27/2021 00:00:00	5017246 (ReceiptDetail.aspx?receiptnumber=5017246)	\$50.32	\$50.32	\$48.81	\$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

02/25/2025	03/10/2025	03/05/2025	2025-007312	\$235,000.00	453923		S	ENE GHEORGHE	ANFILOFIEFF ANTONIO & KIRA	No
02/26/2021	03/03/2021	03/02/2021	2021-021550	\$145,000.00	387980		S	PIESCHEL JAMES C & MARY L	ENE GHEORGHE	No
Property Details										
Living Area Sq Ft	Manf Struct Size		Year Built	Improvement Grade		Stories	Bedrooms	Full Baths	Half Baths	

Detailed Statement

Parcel Number	01088940	Property Address	31336 S BEAR MEADOW CT , MOLALLA, OR 97038
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As Of Date: 9/8/2026

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	035-013	\$42.51	\$0.00	\$0.00	11/15/1993
1994	Property Tax Principal	035-013	\$32.35	\$0.00	\$0.00	11/15/1994
1995	Property Tax Principal	035-013	\$28.35	\$0.00	\$0.00	11/15/1995
1996	Property Tax Principal	035-013	\$36.77	\$0.00	\$0.00	11/15/1996
1997	Property Tax Principal	035-013	\$31.35	\$0.00	\$0.00	11/15/1997
1998	Property Tax Principal	035-013	\$32.65	\$0.00	\$0.00	11/15/1998
1999	Property Tax Principal	035-013	\$29.81	\$0.00	\$0.00	11/15/1999
2000	Property Tax Principal	035-013	\$30.35	\$0.00	\$0.00	11/15/2000
2001	Property Tax Principal	035-013	\$33.20	\$0.00	\$0.00	11/15/2001
2002	Property Tax Principal	035-013	\$32.16	\$0.00	\$0.00	11/15/2002
2003	Property Tax Principal	035-013	\$30.91	\$0.00	\$0.00	11/15/2003
2004	Property Tax Principal	035-013	\$30.34	\$0.00	\$0.00	11/15/2004
2005	Property Tax Principal	035-013	\$30.24	\$0.00	\$0.00	11/15/2005
2006	Property Tax Principal	035-013	\$30.95	\$0.00	\$0.00	11/15/2006
2007	Property Tax Principal	035-013	\$31.54	\$0.00	\$0.00	11/15/2007
2008	Property Tax Principal	035-013	\$33.67	\$0.00	\$0.00	11/15/2008
2009	Property Tax Principal	035-013	\$32.62	\$0.00	\$0.00	11/15/2009
2010	Property Tax Principal	035-013	\$29.55	\$0.00	\$0.00	11/15/2010
2011	Property Tax Principal	035-013	\$26.63	\$0.00	\$0.00	11/15/2011
2012	Property Tax Principal	035-013	\$25.83	\$0.00	\$0.00	11/15/2012
2013	Property Tax Principal	035-013	\$26.01	\$0.00	\$0.00	11/15/2013
2014	Property Tax Principal	035-013	\$38.54	\$0.00	\$0.00	11/15/2014
2015	Property Tax Principal	035-013	\$39.83	\$0.00	\$0.00	11/15/2015
2016	Property Tax Principal	035-013	\$40.98	\$0.00	\$0.00	11/15/2016
2017	Property Tax Principal	035-013	\$43.68	\$0.00	\$0.00	11/15/2017
2018	Property Tax Principal	035-013	\$46.25	\$0.00	\$0.00	11/15/2018
2019	Property Tax Principal	035-013	\$47.56	\$0.00	\$0.00	11/15/2019
2020	Property Tax Principal	035-013	\$48.96	\$0.00	\$0.00	11/15/2020
2021	Property Tax Principal	035-013	\$50.32	\$0.00	\$0.00	11/15/2021
2022	Property Tax Principal	035-013	\$52.72	\$0.00	\$0.00	11/15/2022
2023	Property Tax Interest	035-013	\$0.48	\$0.00	\$0.00	02/04/2024
2023	Property Tax Principal	035-013	\$54.28	\$0.00	\$0.00	11/15/2023
2024	Property Tax Interest	035-013	\$1.12	\$0.00	\$0.00	03/15/2025
2024	Property Tax Principal	035-013	\$63.09	\$0.00	\$0.00	11/15/2024
2025	Property Tax Interest	035-013	\$5.80	\$5.80	\$5.80	09/08/2026
2025	Property Tax Principal	035-013	\$65.16	\$65.16	\$65.16	11/15/2025
TOTAL Due as of 09/08/2026			\$70.96	\$70.96	\$70.96	



FIRST AMERICAN 4243476

After recording return to:
Antonio Anfilofieff and Kira Anfilofieff
1300 Blaine Street
Woodburn, OR 97071

Until a change is requested all tax
statements shall be sent to the
following address:
Antonio Anfilofieff and Kira Anfilofieff
1300 Blaine Street
Woodburn, OR 97071

File No.: 7081-4243476 (DL)
Date: February 20, 2025

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records
Catherine McMullen, County Clerk

2025-007312

03/05/2025 11:07:02 AM

D-D Cnt=1 Stn=109 TIFFANY
\$10.00 \$16.00 \$10.00 \$62.00

\$98.00

STATUTORY WARRANTY DEED

Gheorghe Ene, Grantor, conveys and warrants to **Antonio Anfilofieff and Kira Anfilofieff as tenants by the entirety**, 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:

Lot 5, BEAR CREEK MEADOWS, in the County of Clackamas and State of Oregon.

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 **\$235,000.00**. (Here comply with requirements of ORS 93.030)

APN: 01088940

Statutory Warranty Deed
- continued

File No.: 7081-4243476 (DL)

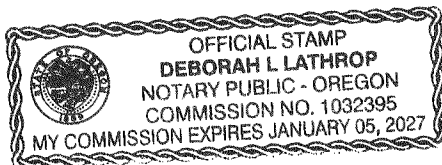
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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 25th day of February, 2025.

[Signature]
Gheorghe Ene

STATE OF Oregon)
County of Marion)ss.
Clackamas)

This instrument was acknowledged before me on this 25th day of February, 2025
by **Gheorghe Ene**.



[Signature]
Notary Public for Oregon
My commission expires: 1 / 5 / 2027

BEAR CREEK MEADOWS

Located in the NW 1/4 and the SW 1/4 of Section 7, Township 5 South,
Range 2 East of the Willamette Meridian.
Government Lot 1 and portions of Government Lots 2 and 3.

Surveyed October 1971

Scale: 1 inch = 200 feet

Dedication

Be it Known that we, MILO S. SCHULTZ and MARTHA SCHULTZ, husband and wife, EDWARD L. KAY and JUDITH A. KAY, husband and wife, and GRANT SCHIEWE are the owners of the lands represented by the annexed map of BEAR CREEK MEADOWS, and we do hereby declare it to be a correct map and plat thereof. We dedicate the street shown as MEADOW WAY to the use of the public forever as a public way.

Milo S. Schultz
Milo S. Schultz

Martha Schultz
Martha Schultz

Edward L. Kay
Edward L. Kay

Judith A. Kay
Judith A. Kay

Grant Schiewe
Grant Schiewe

ACKNOWLEDGEMENTS

State of Oregon
County of Clackamas S.S.

Be it Remembered that on this 5th day of November 1971 before me appeared the above mentioned MILO S. SCHULTZ, MARTHA SCHULTZ, EDWARD L. KAY, JUDITH A. KAY, and GRANT SCHIEWE, and they acknowledged to me that they executed the above instrument freely and voluntarily.

Richard N. Anderson
Notary Public for the State of Oregon

My commission expires 11/12/72

Surveyor's Certificate

I, JOE E. DAVIS JR., Certify that I have correctly surveyed and marked with lawful monuments the lands represented by the annexed map of BEAR CREEK MEADOWS and for the initial point of said plat I used a disc in a iron pipe at the NW Corner of Section 7, Township 5 South, Range 2 East of the Willamette Meridian. Thence from said initial point I ran S. 88° 47' 20" E. 998.42 feet along the northerly boundary of Government Lot 1 to the NE corner thereof, and a point on the west boundary of the plat of Toliver Acres. Thence S. 9° 04' W. 263.89 ft. along said west boundary to the SW corner of Toliver Acres and the NW corner of the plat of The Shaver Place. Thence S. 9° 09' 25" W. 1923.67 feet along the westerly line of said Shaver Place to the SW corner thereof, and the SW corner of the Hugh Gordon Donation Land Claim No. 40. Thence S. 9° 09' 25" W. 848.27 feet on a southerly projection of the westerly boundary of said plat of The Shaver Place to the northerly boundary of Oregon State Highway No. 211. Thence S. 83° 50' 30" W. 364.77 feet along said north line to a point of curve. Thence along a 1402.40 foot radius curve to the right (whose long chord bears S. 86° 58' 30" W. 153.31 feet) an arc distance of 153.38 feet to the west line of Section 7 Township 5 South, Range 2 East of the W.M. Thence N. 0° 02' 10" E. and leaving the State Highway boundary, 422.96 feet to the 1/4 Section Corner on the west line of said Section 7. Thence North on section line 2642.56 feet to the NW corner of said Section 7 and the Initial Point of this survey.

Joe E. Davis Jr.
Registered Oregon Land Surveyor No. 846.

Subscribed and sworn to before me this 23rd day of November 1971

Virginia Strangfield
Notary Public for the State of Oregon.

My commission expires 3-15-74

Approvals

Approved Nov. 8, 1971 By *James E. Galt*
Clackamas County Planning Commission Director

Approved 11/24/71 By *Robert D. Dunnington*

All taxes are paid to June 30, 1972

Joe Shobe
Clackamas County Sheriff

By *Freda Taylor*
Deputy

Approved Nov. 22, 1971 By *Sam C. McIntyre*
County Roadmaster

By *Robert D. Dunnington*
Deputy

Approved Nov. 29, 1971 By *Donald S. Hatten*
County Assessor

By *Pat Brost*
Deputy

Approved Nov. 24, 1971 By *Dexter E. Milne*
Clackamas County Surveyor

By *David Robinson*
Deputy

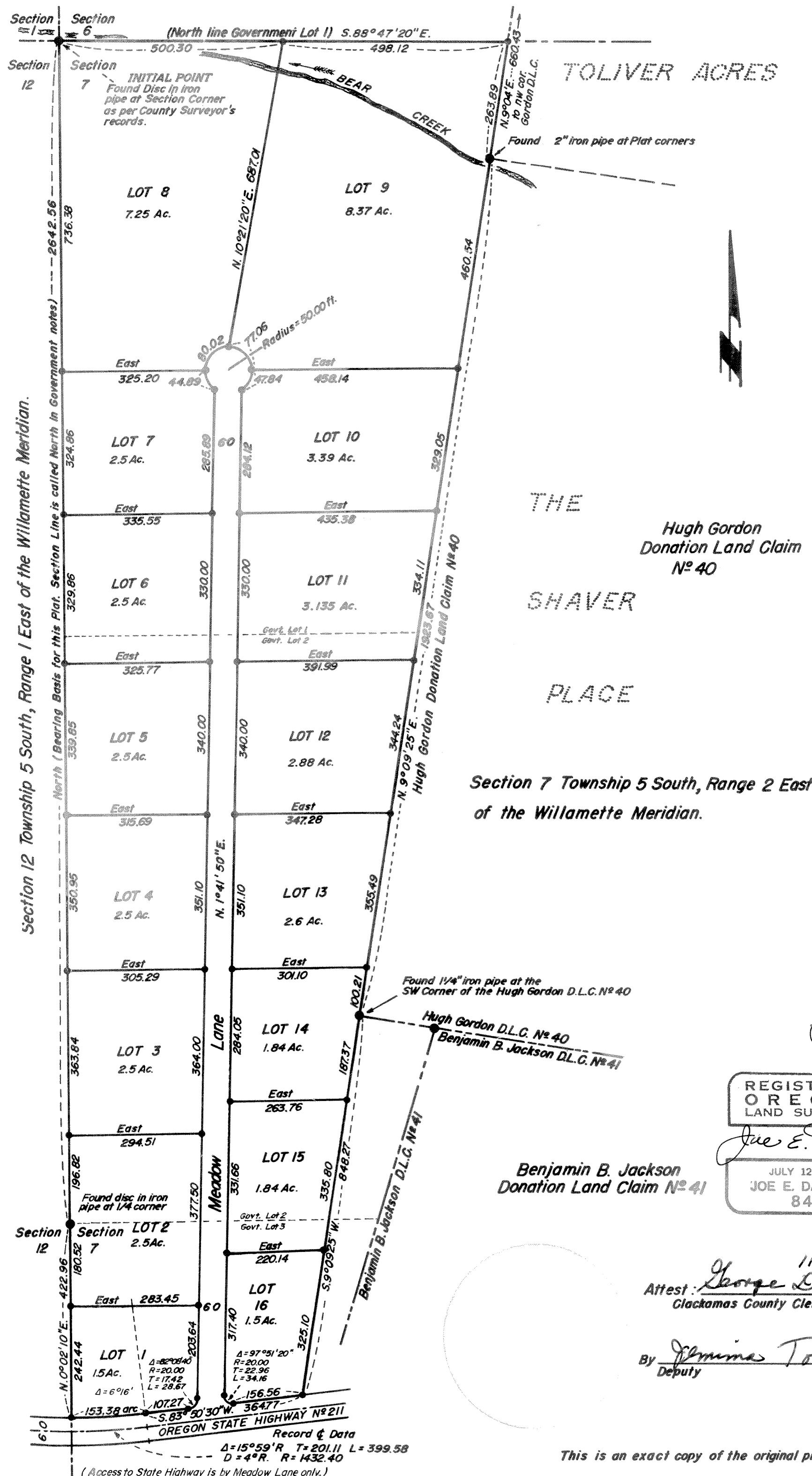


Benjamin B. Jackson
Donation Land Claim No. 41

Attest George D. Poppen
Clackamas County Clerk

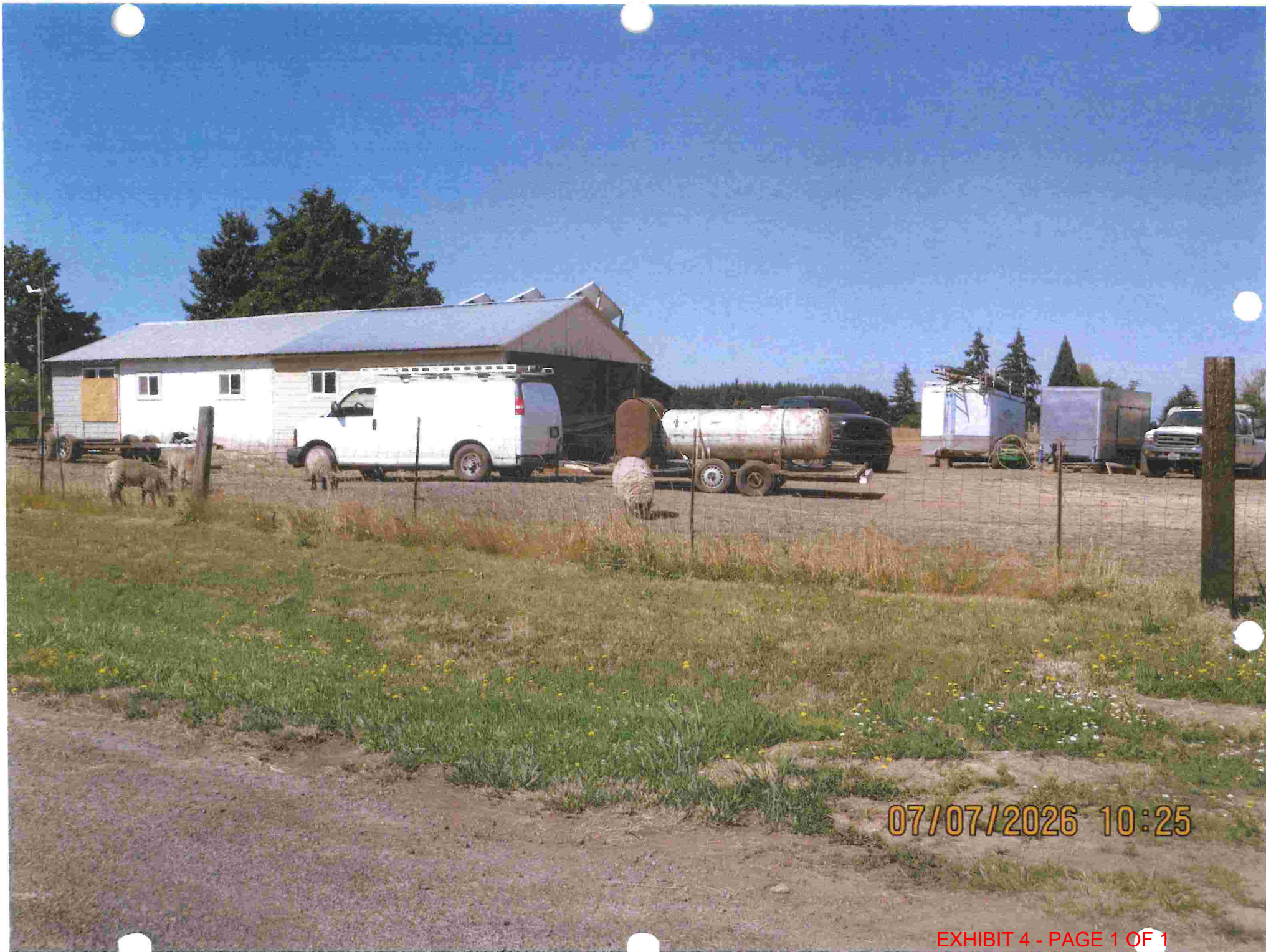
By *Virginia Tomlin*
Deputy

This is an exact copy of the original plat of BEAR CREEK MEADOWS.









07/07/2026 10:25

























Backyard Poultry

[JULY 18, 2025.](#)

WHAT TO KNOW

- Backyard poultry includes birds like chickens, ducks, geese, guinea fowl, and turkeys.
- These animals can sometimes carry germs that can make people sick.
- Young children, older adults, and people with weakened immune systems are more likely to get sick from these germs.
- Wash your hands after handling poultry, their food, or items in their environment.
- Provide poultry with routine veterinary care to keep them healthy and prevent the spread of disease.



Overview

Keeping backyard poultry is becoming more popular. Poultry includes any domesticated bird often kept for producing eggs or meat, such as chickens, ducks, geese, guinea fowl, and turkeys. People enjoy raising baby poultry including chicks, ducklings, goslings, and poults. Many people keep chickens to have fresh eggs.

Keeping backyard poultry can be fun and educational. However, owners should be aware that poultry can sometimes carry harmful germs that make people sick. These germs can cause illnesses in people ranging from minor skin infections to serious illnesses that could cause death.

Whether you are just getting started or are a seasoned backyard poultry owner, you should know the risks of keeping poultry.

Recent outbreaks

Outbreaks of *Salmonella* linked to backyard poultry are common.

Diseases

Below is a list of diseases backyard poultry can spread.

- [Bird flu](#)
- [Campylobacter infection](#)
- [E. coli infection](#)
- [Histoplasmosis](#)
- [Salmonella infection](#)

How to stay healthy around backyard poultry

Wash your hands

[Wash your hands](#) with soap and running water after touching backyard poultry or anything in the area where they live and roam. This includes after:

- Collecting eggs
- Handling food or water containers or other equipment used for poultry

Adults should supervise handwashing for young children. Use hand sanitizer if soap and water are not readily available. You can also put hand sanitizer near your coop for easy access.

Be safe around poultry



Use dedicated shoes when caring for poultry and keep them outdoors.

Don't put poultry near your face

Don't kiss backyard poultry or snuggle them and then touch your face or mouth.

Keep poultry and equipment outside

Don't let backyard poultry inside the house, especially in areas where food or drinks are prepared, served, or stored. Don't eat or drink in areas where poultry live or roam.

Stay outdoors when cleaning any equipment or materials used to raise or care for poultry. This includes cages or food and water containers.

Wear dedicated shoes

Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.

Handle eggs safely

Eggshells may become contaminated with *Salmonella* and other germs from poultry droppings (poop) or the area where they are laid. To keep your family healthy, follow the tips below when collecting and handling eggs from a backyard flock.

Keep hands and coop clean

Always wash your hands with soap and water right after handling eggs, chickens, or anything in their environment.

Keep a clean coop. Cleaning the coop, floor, nests, and perches regularly will help to keep eggs clean.

Egg collection and storage



Clean and refrigerate eggs after collection.

Collect eggs often. Eggs that sit in the nest can become dirty or break.

Throw away cracked eggs. Bacteria on the shell can more easily enter the egg through a cracked shell.

Eggs with dirt and debris can be cleaned carefully with fine sandpaper, a brush, or a cloth. Don't wash warm, fresh eggs because colder water can pull bacteria into the egg. Refrigerate eggs after collection to maintain freshness and slow bacterial growth.

Cooking eggs

Cook eggs until both the yolk and white are firm. Egg dishes should be cooked to an internal temperature of 160°F (71°C) or hotter. Raw and undercooked eggs may contain [*Salmonella*](#) bacteria that can make you sick.

Selling eggs

Know local regulations for selling eggs. If you sell eggs, follow local licensing requirements.

Supervise kids around poultry

Protect young kids

Don't let children younger than 5 years old handle or touch chicks, ducklings, or other poultry. Young children are more likely to get sick from germs like *Salmonella*.

Always supervise children around poultry and while they wash their hands afterward.

Don't give chicks and ducklings to young children as gifts. Children are more likely to get sick from germs commonly associated with poultry, such as [*Salmonella*](#), [*Campylobacter*](#), and [*E. coli*](#). This is because children's immune systems are still developing.

Live poultry should not be kept in schools, childcare centers, and other facilities with children younger than 5 years old.

Prevent poultry bites and scratches

Backyard poultry and waterfowl do not have teeth. However, their bills and beaks can still cause a lot of damage if they bite you. Germs can spread from poultry bites, pecks, and scratches, even when the wound does not seem deep or serious.

Avoid bites and scratches from your backyard poultry or waterfowl.

What to do if you are scratched or bitten:

Wash wounds immediately

Wash wounds with soap and warm water immediately if poultry scratch or bite you.

Seek medical attention and tell your doctor you were bitten or scratched by a bird, especially if:

- The bird appears sick or is acting unusually.
- The wound or injury is serious.
- The wound or site of injury becomes red, painful, warm, or swollen.
- It has been more than 5 years since your last tetanus shot.

Serious wounds are characterized by uncontrolled bleeding, being unable to move, and extreme pain. A wound is also serious if muscle or bone is showing, or the bite is over a joint.

How to keep backyard poultry healthy



Keeping poultry healthy helps keep you and your family healthy.

Prepare for your backyard poultry

Check local and state laws

Check your state and local laws before selecting or buying baby chicks, adult poultry (hens, roosters), or waterfowl. Many cities have rules against owning roosters because their crowing violates noise ordinances.

Research how to care for poultry

Find out if there is a local veterinarian who has experience with poultry to help you keep your poultry healthy.

Learn how to properly care for your poultry before you buy them. Ask your veterinarian or local cooperative extension agent about the best food and care. They can also provide recommendations on the proper enclosure or environment for the poultry you are selecting.

Learn what types of poultry are suitable for your family. Most poultry are quite gentle. However, some breeds are more aggressive and may be more likely to bite or scratch you.

Set up their habitat

Build a coop for your poultry outside your home. Backyard poultry need a sturdy environment to protect them from animals that spread disease such as insects and rodents. It also will provide shelter from the weather and predators. The coop should be easy to clean.

Set up an area outdoors to clean and disinfect all equipment used to care for the poultry and clean their enclosure. Do not clean any items indoors, where the germs could contaminate your home.

Cleaning up after poultry

Poultry can shed germs in their droppings (poop). Wear gloves when cleaning bird cages and poultry houses. Always wash your hands thoroughly with soap and water after contact with the poultry or their environment.

How to choose and introduce poultry

Choosing poultry

Buy backyard poultry from hatcheries that participate in the [U.S. Department of Agriculture National Poultry Improvement Plan \(USDA-NPIP\)](#). This program is intended to reduce *Salmonella* in baby poultry in the hatchery. This can help prevent the spread of illness from poultry to people.

Pick poultry that are bright, alert, and active. Poultry should have smooth, sleek, and soft feathers that are free of debris or droppings. Poultry that seem sluggish, aren't moving around very much, or look dirty may be ill.

Introducing poultry

Keep new poultry separated for at least 30 days before they are introduced to your other poultry. This will help prevent the new poultry from passing disease to your flock. Remember that poultry can appear healthy and clean, but still spread harmful germs that make people sick.

Clean your hands, shoes, clothing, and equipment when moving between the two groups of poultry during this period of separation. For example, you can dedicate separate pairs of gloves, coveralls, and boots to each group. You should wash your hands or use alcohol-based hand sanitizer when you go between the two groups.

Signs of sick poultry

Always take care of your existing flock before caring for your new poultry. Contact your veterinarian or local extension agent if you notice any signs of illness in your poultry.

Sick poultry can:

- Eat or drink less than normal.
- Have ruffled feathers.
- Have runny diarrhea.
- Have discharge from the eyes or nose or difficulty breathing.
- Produce fewer eggs than normal.
- Produce discolored, irregular, or misshapen eggs.
- Die unexpectedly of no apparent cause.

Your veterinarian or local extension agent can work with you to determine the cause of the illness. They can also help ensure that it does not spread to the rest of the poultry.

Importing poultry into the United States

USDA regulates the importation of poultry and poultry hatching eggs. USDA restricts the importation of poultry and poultry hatching eggs from countries with reported cases of avian influenza.

People interested in importing poultry or poultry hatching eggs should visit the [USDA live animal importation website](#).

How to house backyard poultry



Talk to an expert on proper living environments for poultry.

Provide your backyard poultry with a safe, sturdy environment outdoors. It should include housing areas and feeders and waterers that can be easily cleaned and disinfected. Poultry can be kept warm outdoors in the winter in a draft-free shelter or by using a safe heating source.

Don't allow poultry or waterfowl inside your home for any reason. This includes areas where food or drink is prepared, served, or stored, such as kitchens or outdoor patios.

How to clean poultry cages and coops

What to use to clean cages and coops

Use a diluted bleach solution or another disinfectant to clean and disinfect surfaces that have come in contact with poultry.

Clean poultry enclosures or cages with bottled dish soap and a commercial disinfectant made for this purpose. Follow the label instructions for diluting the disinfectant when using disinfectants. Refer to the label for guidance on how long to leave it on the surface before wiping or rinsing it off.

Where to clean cages and coops

Go outside to clean any equipment or materials used to raise or care for live poultry. This includes cages or feed or water containers. Don't clean these items inside the house. This could bring harmful germs into your home.

Steps for cleaning poultry cages or enclosures

1. Remove debris (manure, broken egg material, droppings, dirt) by wiping the equipment with a brush soaked in warm water and soap.
2. Once most of the debris is removed and the surface is generally clean, then apply the disinfectant. Dilute the disinfectant properly according to label directions before applying it. Most disinfectants only work on clean surfaces and don't work if they are applied directly to a dirty surface.
3. Leave the disinfectant on the surface for the amount of time listed on the label (usually anywhere from 30 seconds to 10 minutes).
4. Rinse and allow the surface to dry before reuse.

Monitor your poultry's health



Find a veterinarian that specializes in poultry.

Work closely with a veterinarian or local extension agent who has experience with poultry for routine evaluation. They can help you keep your flock healthy and prevent diseases. If you aren't sure if your veterinarian treats poultry, call ahead to ask. If they do not see poultry, they can refer you to a qualified veterinarian in your area that does.

Prevent build up of animal droppings

Keep coops and enclosures clean to prevent the build-up of animal droppings. These droppings could attract insects, rodents, and wildlife that carry disease. When you clean droppings and cages, wear work or utility gloves.

Don't pick up droppings with your bare hands and wash your hands thoroughly afterwards.

If your poultry becomes sick or dies

If your poultry become sick or die soon after purchase, inform the feed store or hatchery. Also, contact your veterinarian or local cooperative extension agent to investigate the cause of death.

Consider waiting at least 30 days before replacing the poultry. Don't reuse the enclosure until it has been properly cleaned and disinfected.

If you become sick

Healthy poultry can still spread germs to people and other animals. If you become sick shortly after buying or adopting a bird, tell your healthcare provider. Inform them about your new animal and other animals that live in your household.

Practice biosecurity

[Biosecurity](#) is the key to keeping your poultry healthy. Biosecurity means the things we can do to keep diseases away from birds, property, and people.

Practicing good biosecurity reduces the chance of your poultry or yard being exposed to diseases like avian influenza or Newcastle disease. These diseases can be spread by people, animals, equipment, or vehicles, either accidentally or on purpose.

The following steps are important in keeping your poultry healthy and having good biosecurity practices:

1. Keep your distance: Isolate your birds from visitors and other birds.
2. Keep it clean: Prevent germs from spreading by cleaning shoes, tools, and equipment.
3. Don't haul disease home: Also, clean vehicles and cages.
4. Don't borrow disease from your neighbor: Avoid sharing tools and equipment with neighbors.

5. Know the warning signs of infectious bird diseases: Watch for early signs to prevent the spread of disease.
6. Report sick birds: Report unusual signs of disease or unexpected deaths.

Resources

Selecting and caring for backyard poultry

[Backyard Poultry Biosecurity Practices to Keep Your Birds Healthy](#) (US Department of Agriculture)

Importing poultry or poultry hatching eggs (USDA/APHIS resources)

- [Animal](#) and [Animal Product Import Information](#)
- [Importing Live Poultry](#)
- [Importing Poultry Hatching Eggs and Day-Old Poultry into the United States](#)

Personal stories

- [Baby Chicks and *Salmonella*: Tyler's Story](#)
- [Sick Kids, Dairy Calves, and Antibiotics That Don't Work: Dr. Megin Nichols's Story](#)

Educational materials

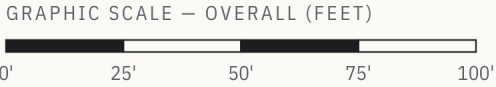
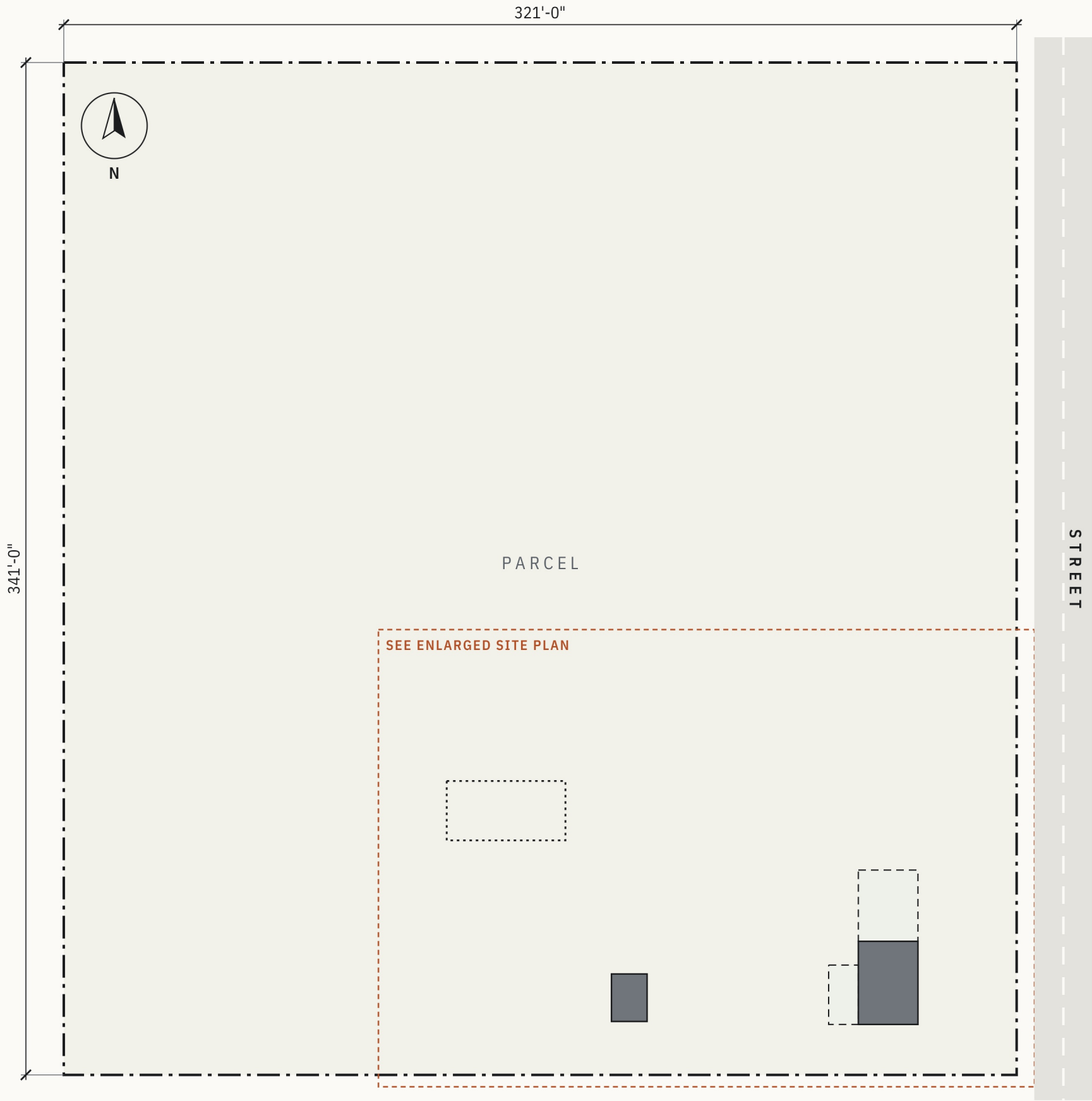
- [Starting a Backyard Flock? Checklist](#)
- [Starting a Backyard Flock? \(Poster\)](#)
- [CDC Coops Videos](#)
- [Pet Owner Safety Notice Videos](#)
- [Poultry Handwashing Sticker](#)

Guidance and recommendations

- [Measures to Prevent Zoonotic Diseases](#) (NASPHV)
- [Measures to Prevent Disease Associated with Animals](#) (NASPHV)
- [National Poultry Improvement Plan](#)

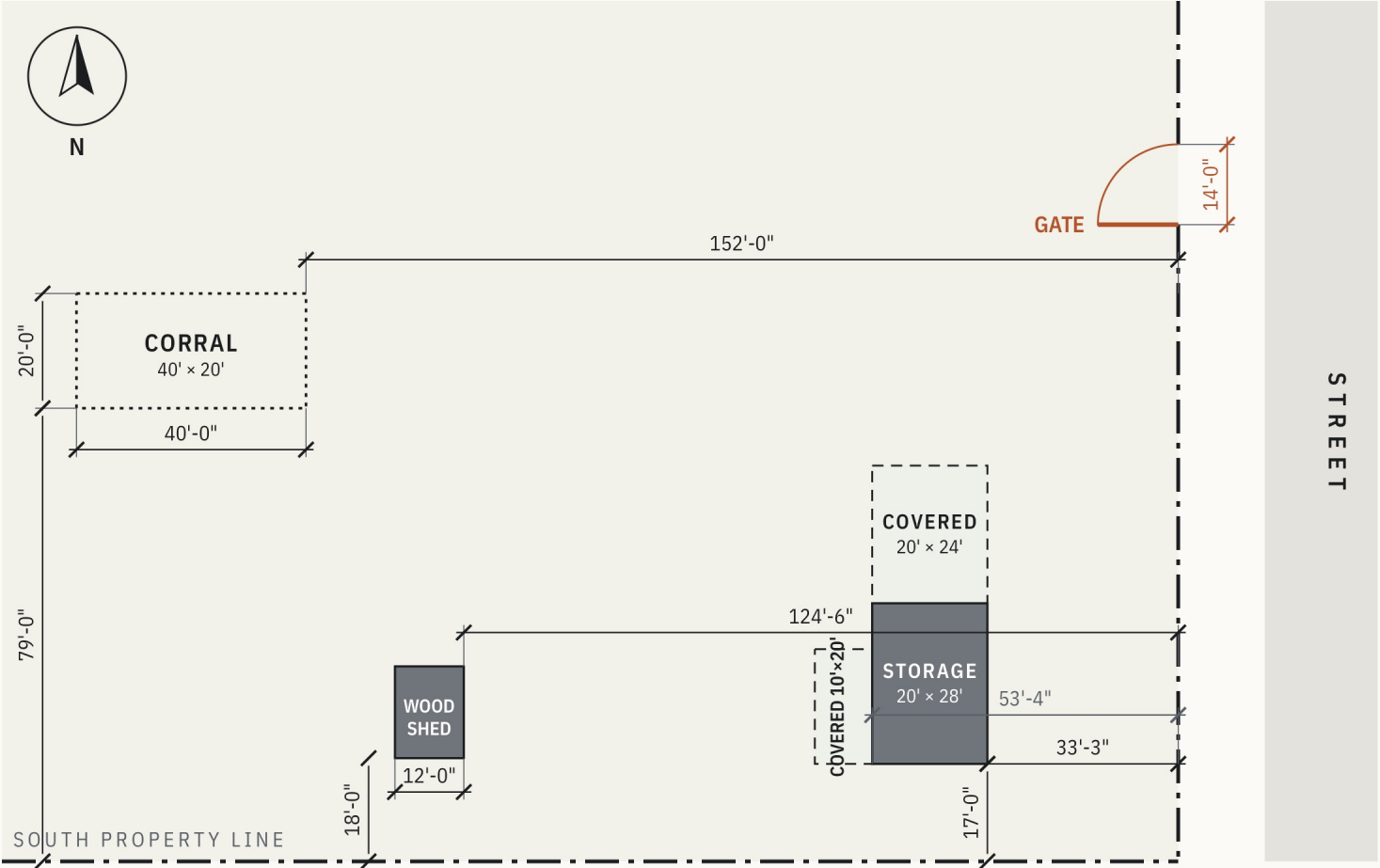
PLOT PLAN

321' × 341' PARCEL · ± 2.51 ACRES



ENLARGED SITE PLAN

SOUTHEAST CORNER OF PARCEL



PROJECT

Storage Building

[SITE ADDRESS]

SHEET TITLE

Plot Plan

- NOTES
- Property dimensions and setbacks per owner field sketch; not a survey.
 - Structure setbacks are measured from the south property line and the street-side (east) property line.
 - Wood shed depth not given on sketch; shown at 16'.
 - Corral is fenced, no roof.
 - Sketch notes 69'-0" to one feature near the storage building; verify.
 - Verify all dimensions in field before construction.

SCALE
Graphic

DRAWN BY
[NAME]

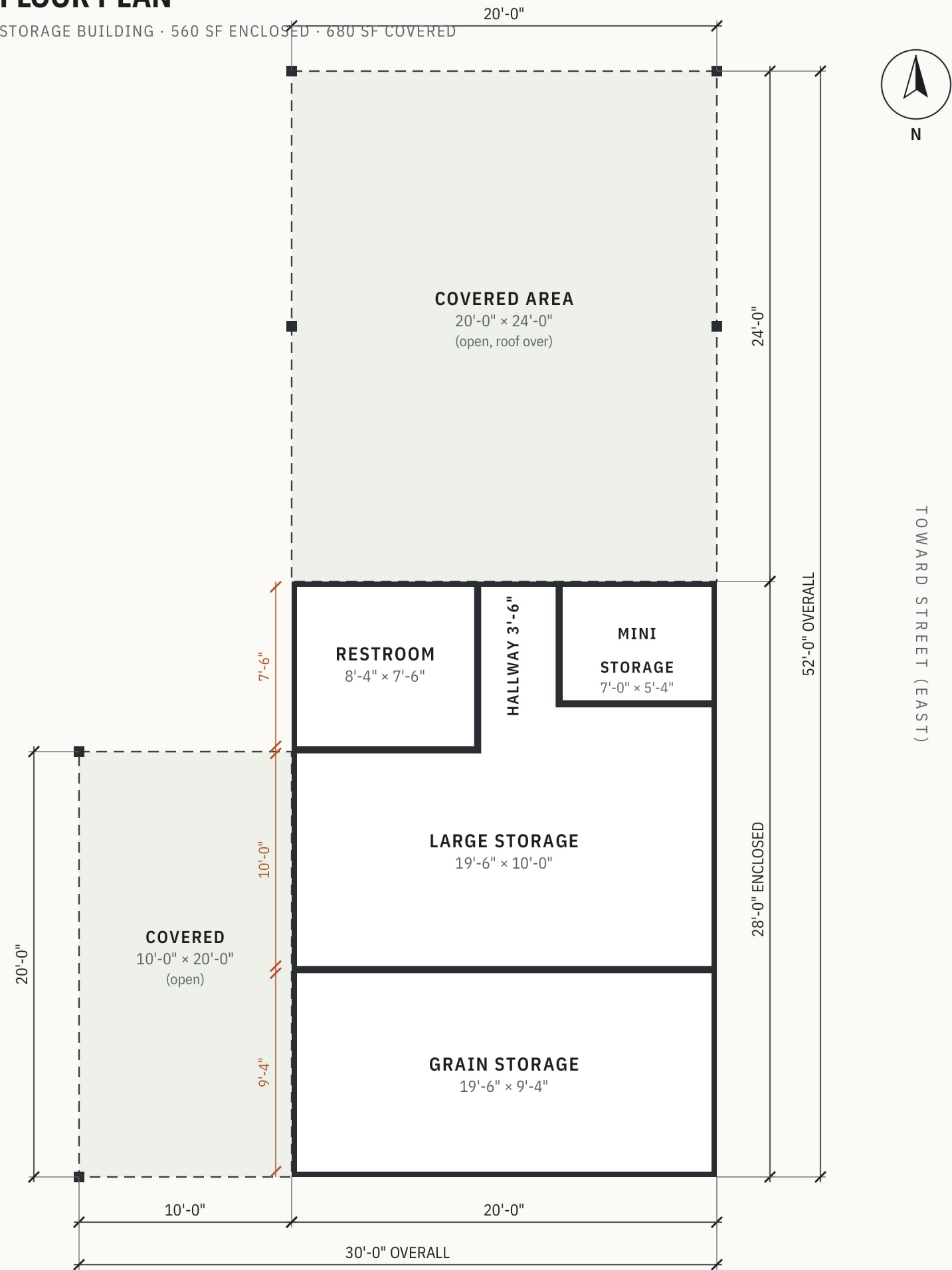
DATE
09/23/2026

OWNER
[OWNER]

A-1

FLOOR PLAN

STORAGE BUILDING • 560 SF ENCLOSED • 680 SF COVERED



GRAPHIC SCALE (FEET)



PROJECT
Storage Building
[SITE ADDRESS]

SHEET TITLE
Floor Plan

- NOTES
- Exterior walls 3" nominal, interior partitions 4" nominal.
 - Interior sizes are clear dimensions taken from field sketch; restroom width is the remainder of the 20' building.
 - Door and window locations were not on the sketch — to be added.
 - Covered areas are open-sided; dashed line = roof edge, solid squares = posts.
 - Verify all dimensions in field before construction.

- LEGEND
- Wall
 - Covered (roof only)
 - Post

SCALE
Graphic

DATE
09/23/2026

DRAWN BY
[NAME]

OWNER
[OWNER]

A-2



Soil Map—Clackamas County Area, Oregon



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

EXHIBIT 12 PAGE 1 OF 3
9/28/2026
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Clackamas County Area, Oregon

Survey Area Data: Version 22, Sep 9, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 26, 2022—Oct 11, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1A	Aloha silt loam, 0 to 3 percent slopes	2.8	100.0%
Totals for Area of Interest		2.8	100.0%





















To request translation or disability-related accommodations, please contact us at DTDcompliance@clackamas.us | 503-742-4400.

Si quiere solicitar servicios de traducción o adaptaciones para la discapacidad, contáctenos en/al DTDcompliance@clackamas.us | 503-742-4400.

Чтобы запросить перевод или приспособления, связанные с инвалидностью, пожалуйста, свяжитесь с нами по:
DTDcompliance@clackamas.us | 503-742-4400.

Щоб попросити переклад або спеціальні послуги для осіб з особливими потребами, зверніться до нас, скориставшись такими контактними даними:
DTDcompliance@clackamas.us | 503-742-4400.

如需翻译服务或残障相关的协助，请与我们联系：
DTDcompliance@clackamas.us | 503-742-4400。

Để yêu cầu dịch vụ dịch thuật hoặc điều chỉnh liên quan đến tình trạng khuyết tật, vui lòng liên hệ với chúng tôi qua DTDcompliance@clackamas.us | 503-742-4400.



Clackamas County
www.clackamas.us



Agricultural, Forest, Equine, Dog Training or Marijuana Exempt Building Instructions

This checklist is a guide to the steps and documents needed to receive an agricultural related building exemption. Please note that an exemption applies to the building permit and associated building permit inspections.

APPLICATION CHECKLIST:

Planning approval:

- The first step in determining whether an exemption is right for your project is to identify how your land is zoned. Check with the Planning and Zoning Division to ensure the project meets all zoning and land use requirements, and that the property's zoning qualifies the structure for an exemption.
Only buildings in areas zoned RA-1, RA-2, RRFF-5, FF-10, EFU, TBR, AG/FOREST, RR, or FU-10 will be considered for an exemption.

Application: Application fee: \$0.00

- Complete an Agricultural Building Exemption Application online at <https://clackamas-or-us.avovecloud.com/Portal/Login/Index/Clackamas-County-OR>.

Site/Plot Plan, Floor Plan, & Erosion Control Plan: All submittals will require a site plan, floor plan, & erosion control plan.

- The site plan should show the location and dimensions of the proposed structure along with all other existing structures on the lot, the septic tank and drain field, driveway, and all distances from the proposed structure to the property lines and septic system components.
- The floor plan should show all walls and spaces inside the structure and all rooms should be labeled with their intended use.
- The erosion control plan should show how you plan addresses erosion effects on the property. If soil disturbance falls under any of the erosion control parameters listed on the county website, a separate erosion control permit will be required. Erosion control information can be found [here](#).

Documentation:

- In addition to the completed application, site plan and floor plan, the submittal will require one of the following forms of documentation.
 - County Assessors Farm or Forest Deferral
 - IRS Schedule F (with social security number obscured)
 - Other proof showing farming, agricultural, equine, forest or marijuana activity. (e.g. receipts for payments of products)
 - For a new business; a signed business plan

Other Considerations:

- Obtain permit for all electrical, plumbing, mechanical, solar, septic and fences over 8 feet tall. The building permit staff can assist you with these permits as needed.
- Please note that if the use of an existing agricultural exempt structure changes to include marijuana or forestry, and AG exemption Change of Use if required. If this situation describes your project please discuss the change of use process with one of the Building Code Divisions permit staff.

Additional Resources:

- For additional information, visit www.clackamas.us/building. Staff can also be contacted by email at bldservice@clackamas.us or by phone at 503-742-4240.

1. The provisions of this chapter do not authorize the application of a state structural specialty code to any agricultural structure, agricultural grading or equine facility.
2. As used in this section:
 - a. Agricultural building means a structure located on a farm or forest operation and used for:
 - i. Storage, maintenance or repair of farm or forestry machinery & equipment;
 - ii. The raising, harvesting and selling of crops or forestry products;
 - iii. The feeding, breeding, management and sale of the produce of livestock, poultry, or fur-bearing animals;
 - iv. Dairying and the sale of dairy products;
 - v. Any other agricultural, forestry or horticultural use or animal husbandry, or any combination thereof, include the preparation and storage of the produce raised on the farm for human use and animal use, the preparation and storage of forest products and the disposal, by marketing or otherwise, of farm produce or forest products.
 - b. **Agricultural building does not mean:**
 - i. A dwelling
 - ii. A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time
 - iii. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
 - iv. A structure used by the public or
 - v. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended and regulations promulgated thereunder. (This includes properties in a designated floodplain).
 - c. Agricultural grading means grading related to a farming practice as defined in ORS 30.930
 - d. Equine facility means a building located on a farm and used by the farm owner or the public for:
 - i. Stabling or training equine
 - ii. Riding lessons and training clinics
 - e. **Equine facility does not mean:**
 - i. A dwelling
 - ii. A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time
 - iii. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
 - iv. A structure used by the public or
 - v. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended and regulations promulgated thereunder. (This includes properties in a designated floodplain).
 - f. Dog training facility means a farm building used for dog training classes or testing trials permitted under ORS 215.123 or 215.283 in which no more than 10 persons are present at any one time.
 - g. **Dog training facility does not mean:**
 - i. A dwelling
 - ii. A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time
 - iii. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
 - iv. A structure used by the public or
 - v. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended and regulations promulgated thereunder. (This includes properties in a designated floodplain).



Agricultural, Forest, Equine, Dog Training or Marijuana Exemption Building Application

Office Use Only
Z#:
Permit#:
Date:

TYPE OF EXEMPTION	
☐ Agriculture	☐ Forestry
☐ Equine	☐ Dog Training
☐ Marijuana	

JOB SITE INFORMATION AND LOCATION	
Is the property in a floodplain?	☐ Yes ☐ No
Is the property in a farm or forest deferral?	☐ Yes ☐ No
Job site address:	
City/State/Zip	
Legal description:	T: R: Section: Tax lot:

OWNER	
Business name:	
Owner name:	
Address:	
City/State/Zip:	
Phone:	Email:

APPLICANT	
Contact name:	
Address:	
City/State/Zip:	
Phone:	Email:

ADDITIONAL PROJECT INFORMATION	
Will the proposed structure have any of the following work? (If yes, separate permit will be required for each)	
Mark all proposed for this building:	Describe the type of fixture or work:
Electrical*	☐ Yes ☐ No
Plumbing	☐ Yes ☐ No
Septic	☐ Yes ☐ No
Solar	☐ Yes ☐ No
Mechanical (heating/cooling)*	☐ Yes ☐ No
Fences over 8 feet*	☐ Yes ☐ No
*(Plan review will be required for these permits)	
Will this structure be open to the public at any time? ☐ Yes ☐ No	
What is the proposed maximum number of people (including employees and owners) who will be present in the building at any one time? _____	
Where are the bathroom facilities provided? (If proposed)	

Clackamas County Department of Transportation and Development
150 Beaver Creek Rd Oregon City, OR 97045
503-742-4240 bldservice@clackamas.us

STATEMENT OF USE	
Answering the following questions provides a detailed description of how this structure will be used. This information will ensure your compliance with land use laws and helps us determine whether the building qualifies as an exempt structure. It is essential that your description be as complete as possible.	
Describe the type of agricultural, forest, equine, dog training or marijuana operation on the property:	
Describe in detail what will be placed in the structure (e.g. equipment, feed, etc.):	
Describe the type and size (footprint) of the structure being constructed (e.g. pole building, hoop house, wood frame, etc.): Note: manufactured homes do not qualify for use as an AG exempt structure.	
Mark all the activities proposed within this structure: ☐ Storage, maintenance and repair of farm machinery, equipment and supplies used on this farm. ☐ Raising, harvesting, or selling crops raised on this farm. ☐ Feeding, breeding, management and sale of livestock, poultry, fur-bearing animals or honeybees for this farm. ☐ Dairying and sale of dairy products produced on this farm. ☐ Marijuana production (growing and related activities) <i>Note: Additional land use approvals may be required.</i> ☐ Dog training facility (training classes or testing trials). ☐ Equine facility (stabling, training, riding lessons and clinics). ☐ Forestry operation including preparation, storage and sale of forest products.	
I certify the information provided is correct. I also certify that I have read and understand ORS 455.315 and that this proposed exempt structure must comply with the definition of an exempt structure set forth in state law as listed in ORS 455.315. I understand that any changes of use including, but not limited to, the use of the structure for a dwelling, home occupations, and processing of extracts will require a building permit and will nullify the exemption. Failure to obtain appropriate permit may result in action to enforce the applicable building codes for the structure and the use. I understand this exemption does not exclude me from obtaining applicable mechanical, plumbing, electrical, septic or any other permits required by law related to the structure, or other permits related to the use. I understand that post-occupancy inspections may be made to ensure continuing compliance with the regulations. I also certify that I have read and understand the conversion away from an agricultural exempt structure to a permitted structure or use may require System Development Charges. Charges will be assessed during the building permit review for the change of use.	
Owner signature:	
Print name:	Date:

Clackamas County Department of Transportation and Development
 150 Beaver Creek Rd Oregon City, OR 97045
 503-742-4240 bldservice@clackamas.us

**STATEWIDE CODE INTERPRETATION
NO. 13-03**

**Agriculture/Forestry/Additional Uses
HB 2441 (2013) and HB 2611 (2021) Analysis**

In accordance with OAR 918-008-0110, the information contained in this statewide code interpretation is legally binding on any party involved in activities regulated by applicable Oregon law, applicable Oregon regulations or the state building code. If the information contained in this statewide code interpretation is cited as a basis for a civil infraction, a representative of the jurisdiction must cite the interpretation number found in this document.

Statutory / code reference

Dates

Oregon Revised Statutes (ORS) 455.315(1) & (2), and ORS 455.068
Issued—May 26, 2011
Last updated—Oct. 1, 2025

Questions

1. Is the exemption from code requirements for agricultural buildings in ORS 455.315 limited to the OSSC?
2. What is the definition of an “agricultural building”?
3. Is the building official authorized to determine what constitutes a “farm operation” or “forest operation” as the term is applied in ORS 455.315(2)?
4. Where a given parcel has been designated a farm or forest operation in conjunction with an agricultural building and the proposed building meets the respective statutory definitions of ORS 455.315, are there any other considerations before the issuance of the structural specialty code exemption?
5. Is a farm agricultural building permitted to be converted to another use?
6. Is a forest agricultural building permitted to be converted to another use?
7. Is a farm owner permitted to store items, such as recreational vehicles, boats, etc., in an agricultural exempt structure, where such items “are personal to the farm owner and the farm owner’s immediate family or household” and do not pose a greater hazard to persons or property than the uses listed in ORS 455.315(2)(a)(A)?

Answers

1. Yes. The exemption only applies to the requirements of the OSSC. Any electrical, plumbing or mechanical work is subject to permit and must comply with the respective specialty code provisions.
2. ORS 455.315(2)(a)(A) defines “agricultural building” as a structure located on a farm or forest operation and used for:
 - a. Storage, maintenance or repair of farm or forestry machinery and equipment;
 - b. The raising, harvesting and selling of crops or forestry products;
 - c. The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees;
 - d. Dairying and the sale of dairy products; or
 - e. Any other agricultural, forestry or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on the farm for human use and animal use, the preparation and storage of forest products and the disposal by marketing or otherwise, or farm produce or forest products.

ORS 455.315(2)(a)(B) goes on to state that an “agricultural building” does not include:

- a. A dwelling;
 - b. A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time;
 - c. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476;
 - d. A structure used by the public; or
 - e. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.
3. No. The determination of what constitutes a farm or forest operation is vested with the local planning department in conjunction with adopted zoning ordinances. The building official acting under the authority granted in ORS 455 has no authority in this determination.
 4. No. If the indicated use meets the statutory parameters of ORS 455.315 (and is located on a legally designated parcel for the intended use), the exemption applies.
 - 5/6. Conversions of farm and forestry agricultural buildings previously exempted by ORS 455.315 to regulated uses are not specifically addressed by ORS Chapter 455 or the state building code. Local land use laws and local zoning regulations may impact the ability to convert an exempt building based on details of the original exemption, including local zoning designations. Owners should first consult the local planning and zoning authorities when initially considering any site-specific building conversion possibilities.
 7. Yes. ORS 455.315(4) conditionally allows these uses.

Analysis

2021 Update: HB 2611 (2021) added section (4) to ORS 455.315 to address “additional uses” allowed in “agricultural buildings.” These amendments are effective Jan. 1, 2022. The purpose of HB 2611 was to expressly allow farm owners to store items such as recreational vehicles, recreational equipment, family furniture, etc. in an agricultural exempt structure, where the additional uses “are personal to the farm owner and the farm owner’s immediate family or household.” In addition, the additional uses must be incidental and accessory to the uses listed in subsection (2)(a) of the section, and the items cannot pose a greater hazard to persons or property than the uses listed in subsection (2)(a) of the section.

2013 Update: HB: 2441 (2013), expanded the definition of agricultural building to include “forest operations” as noted in ORS 455.315(2)(a)(A). These amendments became effective Jan. 1, 2014. The bill also amended certain land use laws in ORS 215.700 to 215.780 noting that an “agricultural building” [as redefined in ORS 455.315(2)(a)(A)] is “an authorized use on land zoned for forest use or for mixed farm and forest use.”

As such, agricultural buildings used for forest operations that are located on forest use or mixed forest use lands are exempt from compliance with the OSSC. Consistent with the consideration of a farm, local planning departments must be consulted for a determination that a subject property is zoned appropriately to allow for the siting of a building used in forest operations.

Other interpretations related to ORS 455.315:

- Equine Facilities: [Oregon.gov/bcd/codes-stand/Documents/interp-equine-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-equine-exemption.pdf)
- Wineries: [Oregon.gov/bcd/codes-stand/Documents/interp-wineries-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-wineries-exemption.pdf)
- Dog training facilities: [Oregon.gov/bcd/codes-stand/Documents/interp-dogtraining-exemption.pdf](https://www.oregon.gov/bcd/codes-stand/Documents/interp-dogtraining-exemption.pdf)

Contact

Visit the division website to [contact a building code specialist](#).



Solar Permits

You must obtain both building and electrical permits when installing solar photovoltaic (PV) systems. Electrical permits require inspections, but do not include plan review.

For the building permit, we review construction documents and inspect the installation. This review is meant to protect life and property from hazards and to facilitate safety in emergency situations.

Checklist for prescriptive roof-mounted solar systems			
General Information			
Submittal Documents			
Site Plan	1. Does the location of the PV system & related equipment comply with the applicable zoning ordinance?		
Electrical Plan	2. Does the electrical plan comply with the applicable electrical code?		
Electrical Information			
Panel Mounting	3. Are the mounting brackets & hardware listed in the manufacturer's instructions?	4. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?	5. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?
Panel Mounting	6. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?	7. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?	8. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?
Panel Mounting	9. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?	10. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?	11. Are the mounting brackets & hardware installed in accordance with the manufacturer's instructions?
PV Module & Mounting Information			
Weight	12. Is the weight of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	13. Is the weight of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	14. Is the weight of the PV modules & mounting system within the limits specified in the manufacturer's instructions?
Height	15. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	16. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	17. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?
Height	18. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	19. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?	20. Is the height of the PV modules & mounting system within the limits specified in the manufacturer's instructions?

Building permits for PV systems are divided into two categories:

- prescriptive
- non-prescriptive

Use the **checklist** to find out what qualifies as prescriptive.

Zoning

Solar systems that qualify as an Accessory Use are allowed in all land use zones in Clackamas County when the annual power-generating capacity of the system is limited to power consumed by the property. Solar energy systems that exceed an Accessory Use are subject to land use review.

Fees

Building Permits

Prescriptive	\$190.40
Non-prescriptive Plan review required.	Varies

Electrical Permits

5 KVA or less	\$144.00
5.01 to 15 KVA	\$169.00
15.01 to 25 KVA	\$280.00
Over 25 KVA Plan review required.	\$11.20/KVA and plan review required

All fees include State surcharge.

Permit applications

- Building Permit Application
- Renewable Electrical Energy Application
- Solar Prescriptive Checklist

Other resources

- Plot Plan Requirements

- Zoning and Development Ordinance 1017
- Oregon Structural Specialty Code (OSSC), Section 3111
- Online Permits
- Electrical Diagram Template
- Oregon Residential Energy Tax Credits
- Federal Energy Tax Credit

Additional information

Prescriptive installations as defined by the Oregon Structural Specialty Code (OSSC), Section 3111 are roof installations on conventional light-frame construction (such as a wood-framed house) which comply with specific criteria and do not require an engineered design. The permit fees are flat rate and permits are typically issued 2–3 business days after submittal.

Non-prescriptive installations are those that do not qualify as prescriptive. They include ground-mounted systems, systems installed on roofs that are not conventional light-frame construction, installations in high wind or ground snow load areas and flood hazard areas, or installations where the combined weight of the equipment and racking exceeds 4.5 pounds per square foot. These types of installations require an engineered design and can take up to 4 weeks for review depending on the complexity of the project. The fees are variable based on value (excluding panel and inverter costs).

Accessory use is defined as a subordinate use – the function of which is clearly incidental to that of the main building or use on the same lot. Where solar systems exceed an accessory use, a pre-application meeting (\$400) and conditional use application (\$3,945) are required prior to applying for building permits. There is also a Transportation System Development Charge (TSDC) applied to these types of systems. The TSDC varies by location. For an estimate contact Lori Phillips at loriphi@clackamas.us with the site address.

**Interpretation: Kitchens, Permanent Provisions for Cooking, and
ORSC R202 Definition of Dwelling Unit.**

From: Mark Whitmill, Building Official

Date: December 1, 2022

Q. What are “permanent provisions for cooking”?

A. By definition in the Oregon Residential Specialty Code (ORSC), a dwelling unit must contain “permanent provisions for cooking”.

That phrase is not defined in the codes, so the words have their ordinary accepted meanings in accordance with R201.4. Using common definitions, “permanent provisions for cooking” can be restated as: “Fixed, or not easily moved, space, equipment, fixtures or supplies for preparing food by a heating process.”

The term “kitchen” is also not defined in the codes. Webster’s defines a kitchen as a “room or space with facilities for cooking; a place for preparing meals”.

For code application, a kitchen is considered as providing permanent provisions for cooking.

Q. When is a room or space a kitchen?

A. For building code application, a room or space within a habitable building will be considered a kitchen if it contains three or more of the following:

1. Cooking appliance(s) or rough-in facilities for a cooking appliance(s). This may include but not necessarily be limited to a stove, stovetop, oven, microwave oven, or similar appliance; 240V electrical outlet, or gas piping outlet.
2. Cabinets and/or countertop area that exceed 6 lineal feet.
3. Sink.
4. Refrigerator exceeding 5 cubic feet capacity, or space with an electrical outlet that would reasonably be used for a refrigerator exceeding 5 cubic feet capacity.
5. Dishwasher, or space with access to electrical and drain hookups that could reasonably be used for a dishwasher.

Q. Can a single-family dwelling have more than one kitchen?

A. The ORSC does not limit the number of kitchens in a single-family dwelling. However, the ORSC defines a dwelling unit as “a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.” (ORSC R202).

Next page

To ensure that minimum levels of fire and life safety are provided to building occupants, it is important to determine when the addition of a second or additional kitchen creates a separate dwelling unit.

A second or additional kitchen may be allowed within a single-family dwelling unit as follows:

1. The additional kitchen may be in a portion of the building that also contains a living area and bathroom, only if that area cannot be separated from the rest of the building by walls or closing a door.
2. The additional kitchen may not be in a detached structure with a bathroom.
3. The additional kitchen must comply with the same electrical, plumbing, and mechanical code requirements as the main kitchen.
4. A deed restriction may be required to be signed by the property owner and recorded to inform future property owners of restrictions on the use of the building. Any required deed restriction will be binding on all successors in interest and will limit the use of the structure as permitted.

The deed restriction is the property owner's acknowledgement that the structure will remain a single-family dwelling, and that the accessory kitchen will not become part of an additional dwelling unit without obtaining a building permit for the creation of the additional dwelling unit.

AGRICULTURAL BUILDING FREQUENTLY ASKED QUESTIONS (FAQ)

Land Use Planning Division



www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

1. What is an “Agricultural Building”?

The phrase is used for agricultural buildings and equine (horse) facilities that are exempt from State Structural Building Codes under Oregon law.

2. Do Agricultural Buildings have to comply with zoning requirements?

Yes. Buildings must meet local zoning requirements. Zoning rules vary depending upon where a property is located; however, typical standards include building setbacks from property lines, maximum height limitations, and vehicle access requirements. Equine facilities are specifically regulated in most zone districts and may require a land use permit. Please speak with our staff, if you have questions about the zoning of your property.

3. Are electrical, plumbing, or mechanical building permits required?

Yes. If the building is wired for electricity, plumbed, or includes mechanical systems for heating or ventilation the appropriate specialty building permits must be obtained.

4. Must Exempt Agricultural Buildings be located on a farm?

Yes. The structural code exemption requires agricultural buildings be located on a farm.

5. What is a farm?

The term “farm” means the current employment of land for the primary purpose of obtaining a profit. It includes raising, harvesting and selling crops or the feeding, breeding, management and sale of livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof.

6. Are there limitations on how I can use an Exempt Agricultural Building?

Yes. An exempt agricultural building must be exclusively used in the operation of the farm. Typical uses include:

- Storage, maintenance or repair of farm machinery and equipment;
- The raising, harvesting, and selling of crops;
- The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees; or
- Dairying and the sale of dairy products.

Also, the following structures cannot qualify as an exempt agricultural building:

- Dwellings;
- Structures accessory to a dwelling, such as shop buildings or enclosures for storage of non-farm vehicles or goods;
- Structures, other than those used for growing plants, within which more than 10 persons are present at any given time;
- Structures regulated by the State Fire Marshal pursuant to ORS Chapter 476 (e.g. occupied structures where people sleep or congregate);
- Structures used by the general public;
- Structures subject to the National Flood Insurance Act of 1968, as amended (e.g. construction within the 100-year floodplain of a watercourse).

7. Is an equine facility different then an agricultural building?

Yes. An equine facility is a building located on a farm that is used by the farm owner or the public for:

- Stabling or training equines; or
- Riding lessons and training clinics.

8. Are the rules for equine facilities the same as those for agricultural buildings?

No. The exemption in the State Structural code distinguishes between agricultural buildings and equine facilities. In 2006 the State Building Codes Division issued a code interpretation clarifying the equine facilities exemption. The interpretation notes that equine facilities located on a farm need not be used as part of the farm business in order to qualify for the exemption.

Also, an equine facility may be occupied by members of the general public, provided no more than 10 people are present at any given time. Agricultural buildings cannot be occupied by the general public.

9. What will I need to do in the future if I want to change the use of the building?

A change in use must meet local zoning requirements. Building permits may also be required for a change of occupancy and for alterations needed to make the structure suitable for the new use.

10. What other requirements might I be subject to if I construct an exempt building?

Fire and life safety codes for fuel reduction (i.e. fire breaks), access, and water flow for fire suppression; State or County permits to construct a new approach onto a public road; erosion control for earthwork that is not related to a farm practice; flood hazard review; and rules requiring storm run-off be managed for new impervious surfaces are common requirements that may apply.

Note: For information about agricultural practices in your area please contact your local soil and water conservation district at 503-238-4775, <https://wmswcd.org/> (West County) or 503-222-SOIL, <https://emswcd.org/> (East County).

Frequently Asked Questions

Code Enforcement and Permits

- Learn more about **electrical code, building permits, structural, and plumbing codes**.
- For other violations, contact the **Code Enforcement Specialist** listed on your notice.
- How complaints are handled is outlined in the **Intake of Code Enforcement Complaints policy**.
- To report a violation: **503-742-4452** or submit an **online complaint form**.

Animals

- **Chickens/roosters:** Allowed in rural areas; restricted in urban and residential zones.
Contact Planning & Zoning: **503-742-4500** | zoninginfo@clackamas.us
- **Multiple dogs, kennels, or breeding:** May require land use approval.
- **Animal neglect or abuse:** Call Sheriff's non-emergency **503-655-8211**.
- **Stray or aggressive dogs:** Dog Services **503-655-8628** or **9-1-1** if aggressive.
- **Barking dogs:** Handled through a resolution-based program via Dog Services.
- **Feral cats:** Contact the Feral Cat Coalition of Oregon.
- **Dead animals on county roads:** Call **9-1-1** if creating a hazard.

Apartments and Rentals

- Landlord-tenant disputes are **civil matters**.
Mediation help: **503-655-8850**
- Unsure if apartment work needs permits?
Building Codes: **503-742-4739 should be 4240**
- Overflowing dumpsters: Report to **503-742-4452**.

Camping and Temporary Living

- **RVs:** Allowed up to **30 days per calendar year**; longer use requires approval.
- **Tents used as living space:** Not allowed on residential property.
- **Camping in non-designated areas:** Prohibited.
Report violations: **503-742-4452**.

Businesses and Commercial Activity

- **Home-based businesses:** Allowed if zoning criteria are met; approval may be required. Contact Planning & Zoning: **503-742-4500 | zoninginfo@clackamas.us**
- **Noisy or Public events in residential zones:** May be zoning violations. Contact Planning & Zoning: **503-742-4500 | zoninginfo@clackamas.us**
- **Graffiti:** Property owners must remove within 15 days.
Report graffiti: **503-742-4452 | Call 9-1-1** if in progress.

Environmental Concerns

- Work near **most streams, rivers, or wetlands** requires permits.

- **Grading, excavation, tree cutting, or equipment in waterways** without permits is prohibited.
- **Ponds and large excavation projects** require county and state approval.
- **Mold issues:** Not regulated by the county; see Oregon.gov or EPA resources.
- **Water drainage disputes:** Civil matters; mediation available at **503-655-8850**.

Garbage, Trash and Dumping

- Garbage must be removed **at least every 7 days** and stored in rodent-proof containers.
- Accumulated household trash is a **code violation**.
- **Burning garbage:** Regulated by DEQ and fire districts.
DEQ: **1-888-997-7888**
- **Illegal dumping:**
- On county roads: **503-557-6391** | roadconcerns@clackamas.us
- Inside the Urban Growth Boundary: **METRO 503-234-3000**
- Dumping on federal land:
- U.S. Forest Service **503-622-2009**
- BLM **503-375-5646**

Noise and Neighborhood Issues

- Loud parties, excessive noise, or other possible noise ordinance violations:
Sheriff's non-emergency **503-655-8211**
- Vegetation in public right-of-way is the **property owner's responsibility**.
- Vegetation blocking stop signs: **503-557-6391** | roadconcerns@clackamas.us
- Minor neighborhood conflicts:
Free mediation **503-655-8850**

Pools, Mosquitoes and Pests

- Swimming pools with green water are not regulated if they are adequately fenced.
- Mosquito concerns: **Vector Control 503-655-8394**
- Junk tires holding water are a **solid waste violation**.

Vehicles

- Vehicles must be **licensed and operable**.
- Abandoned or unlicensed vehicles: **503-742-4452**
- Vehicles left in the road over 72 hours: Sheriff's non-emergency **503-655-8211**
- Large trucks over **11,000 GVW** in residential zones require approval.
- No limit on the number of vehicles if they are licensed and operational.

1 BEFORE THE COMPLIANCE HEARINGS OFFICER
2 FOR
3 COUNTY OF CLACKAMAS

4 In the Matter of Antonio Anfilofieff
5 Clackamas County

Case No. V0001926

6 Citation No. 2600019

DECLARATION OF
ANTONIO ANFILOFIEFF

7 Address: 31336 S Bear Meadow Ct.,
8 Molalla, OR 97038
9
10
11

12 I, Antonio Anfilofieff, being first duly sworn, depose and say:

13 1. When I purchased the property located at 31336 S Bear Meadow Ct.,
14 Molalla, OR 97038, I did not understand EFU zoning. I had gone down to the
15 Clackamas County Planning Department and Building Department to ask what I
16 could do with the property prior to purchasing it. Perhaps I did not understand what
17 I was told or the Planner may have thought the property was zoned RR-FF5 but I
18 left that meeting believing that I could do whatever I wanted on the property. I
19 believed that I could build a new dwelling on the property. It was not until after I
20 purchased the property and the code enforcement file was opened that I learned
21 about the EFU zoning and the \$80,000 test. Unfortunately, I paid a price for the
22 property which reflected its value assuming it was a buildable lot.
23
24
25
26

1 2. I do not reside on the subject property. My wife and I have a primary
2 residence in Woodburn, Oregon.
3

4 3. Since I purchased the property, I have used the property for farming.
5 It is my intent to farm the property for financial gain. I am raising chickens, ducks,
6 turkeys, and sheep. There has been a learning curve, as I have been forced to
7 address various problems with predators such as hawks, cats, and possible coyotes.
8

9 4. I need to be on the property at night so I can better understand how
10 the ducks and chickens are getting predated.
11

12 5. I have determined that the sheep cannot be on the property in July,
13 August and September because the grass does not grow fast enough to support the
14 sheep. I think pigs may be a better option for this property.
15

16 6. I recently learned that I need a building permit and an electrical permit
17 for my solar system. I need to have solar power in order to have a light for the
18 chickens. I intend to get these permits in the future. In the meantime, I have
19 removed the solar system.
20

21 7. The property featured a woodstove when I purchased it. I have been
22 told that I can get a mechanical permit for the woodstove. I intend to get a permit
23 in the future. In the meantime, I have de-commissioned it.
24

25 8. I intend to install a septic system on the property. I have determined
26

1 that the silo may not be conducive for a conventional septic system, and that the
2 Orenco AIT system may be required. I understand that this system will cost
3
4 approximately \$35,000, and that permitting fees may require additional sums of
5 money.

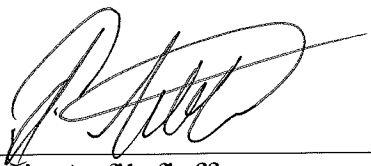
6 9. I intend to bring electrical power to the site. I have been told that this
7
8 will cost \$15,000.

9 10. The property does not currently have an adequate potable-water
10 hookup. I bring large glass jugs of water to the property for drinking. The water
11
12 from the handwashing spigot is not drinkable and is used for farm purposes.

13 11. It is not my intent to violate the law in any way. It has been difficult to
14 learn all laws that apply, but I intend to fully comply with these laws.
15

16
17 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE
18 BEST OF MY KNOWLEDGE AND BELIEVE.

19
20 DATED this 5th day of October, 2026.

21
22
23 
Antonio Anfilofieff

