



Land of Cheese, Trees and Ocean Breeze

NOTICE OF DECISION

***NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.***

February 28, 2025

#851-24-000483-PLNG: A Conditional Use request for the placement of a five-unit multi-family dwelling to be used as a condominium, together with **#851-24-000483-PLNG-01**, a Variance request to reduce the required 10-foot front yard setback for a residential structure in the PCW-C1 zone to 4.4-feet, and **#851-24-000483-PLNG-02**, a Riparian Exception request to reduce the required 50-foot riparian setback to 20-feet for the placement of the proposed multi-family dwelling structure. Located in the Unincorporated Community of Pacific City/Woods, the subject property is accessed via Brooten Road, a County road, zoned Pacific City/Woods Commercial One (PCW-C1), and designated as Tax Lot 1601 of Section 19CA, Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The Applicant is Kalli Light. The property owner is Arthur Robert Taylor.

Dear Interested Parties:

A public hearing on the above-entitled matters was held before the Tillamook County Planning Commission on February 13, 2025, where a decision was made on that date.

The Tillamook County Planning Commission considered Riparian Exception request #851-24-000483-PLNG-02 on the basis of the exception criteria outlined in Section 4.140: Protection of Water Quality and Streambank Stabilization of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation. The Planning Commission voted unanimously, 6 in favor and 0 opposed, approving Riparian Exception request #851-24-000483-PLNG-02.

The Tillamook County Planning Commission considered the Variance request on the basis of the Variance criteria listed in Section 8.050 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation. The Planning Commission voted unanimously, 6 in favor and 0 opposed, approving Variance request #851-24-000483-PLNG-01.

The Tillamook County Planning Commission considered the Conditional Use request on the basis of the Conditional Use criteria listed in Section 6.040 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained

within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation. The Planning Commission voted unanimously, 6 in favor and 0 opposed, approving Conditional Use request #851-24-000483-PLNG, subject to the Conditions of Approval contained in the Planning Commissioner Order and outlined below.

Conditional Use request #851-24-000483-PLNG, Variance request #851-24-000483-PLNG-01 and Riparian Exception request #851-24-000483-PLNG-02 are approved. The Planning Commission Order and other documents associated with the request are available for review and inspection on the Tillamook County Land Use Application page here: <https://www.co.tillamook.or.us/commdev/landuseapps> and at the Tillamook County Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141. Please contact the Department of Community Development at 503-842-3408 if you have any questions or would like to review the record for this Conditional Use request.

Any party with standing to appeal as described in TCLUO Section 10.110 may appeal these decisions to the Board of County Commissioners, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fees of \$250 with the Tillamook County Board of Commissioners within twelve (12) days of the date of this notice. **The deadline for filing an appeal with the Board of County Commissioners is March 12, 2025, at 4:00pm.**

If you have any questions about this notice, please contact the Department at (503) 842-3408.

Sincerely,
Tillamook County Department of Community Development



Sarah Absher, CFM, Director

Encl: Maps

ADOPTED CONDITIONS OF APPROVAL

Sections 6.070: COMPLIANCE WITH CONDITIONS, Section 8.060: COMPLIANCE WITH CONDITIONS, 6.080: TIME LIMIT, Section 8.070: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

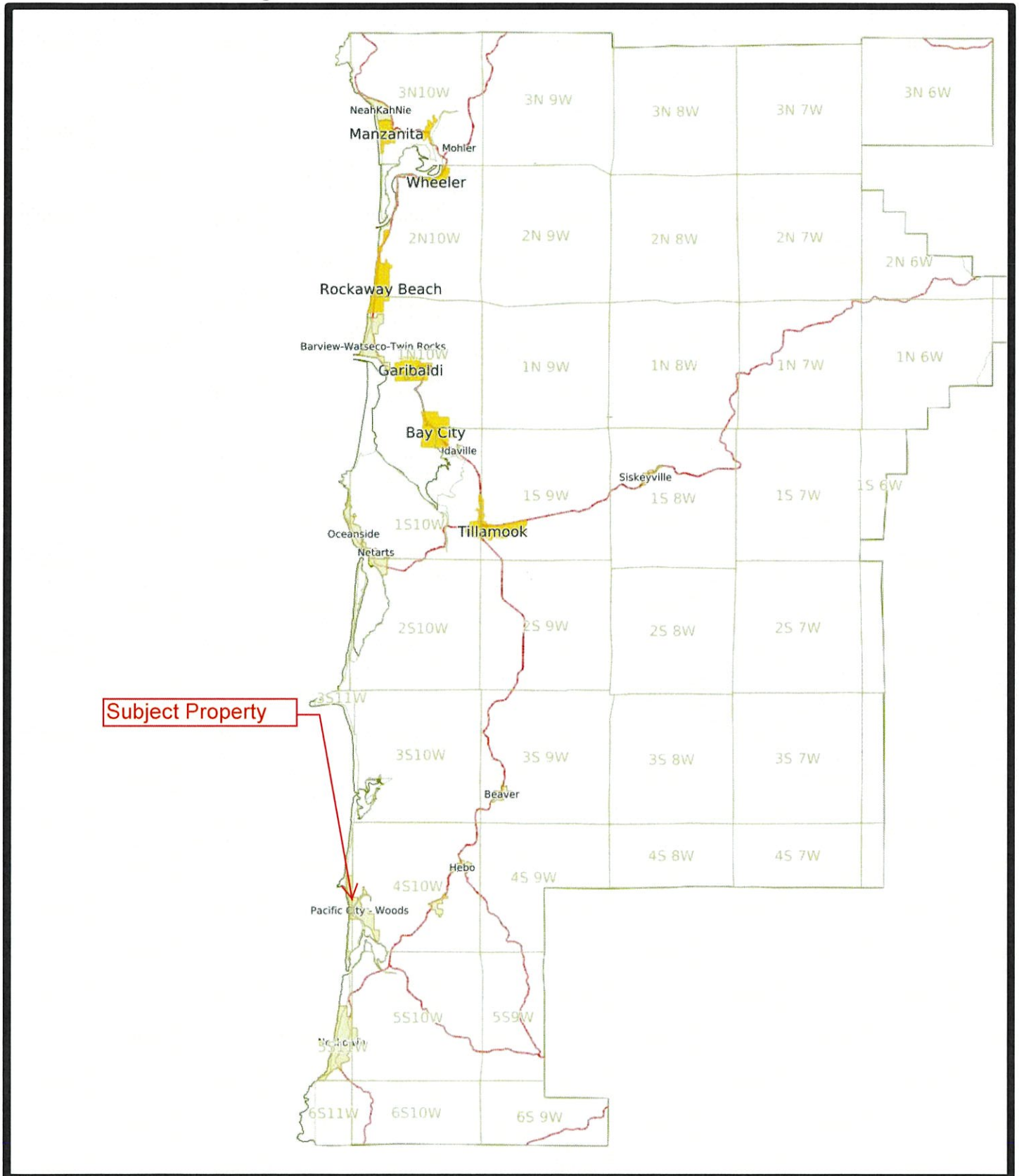
1. The applicant/property owner shall obtain all Federal, State, and Local permits and/or licenses and shall comply with all applicable rules and regulations, including but not limited to:
 - Future Development shall adhere to the requirements of the Flood Hazard (FH) Overlay, TCLUO Section 3.510.
 - Future development shall adhere to the requirement of the Shoreland Overlay, TCLUO Section 3.545.
 - Future development shall adhere to the requirements of the Estuary Conservation 1 (EC1) zone, TCLUO Section 3.106.
 - Development shall otherwise comply with the requirements and standards of TCLUO Section 3.337, 'Pacific City/Woods Commercial One (PCW-C1)' Zone and TCLUO Section 3.334, 'Pacific City/Woods High Density Residential' zone, except those exceptions granted through this land use approval.
 - Development shall otherwise comply with the requirements and standards of TCLUO Section 4.140, 'Requirements for Protection of Water Quality and Streambank Stabilization', except those exceptions granted through this land use approval.
2. The applicant/property owner shall obtain approval from Tillamook County Public Works for all drainage improvements, including but not limited to:
 - Stormwater alignment.

- Installation of the drain system.
- Details for catch bins including break points and slope.
- Recorded Drainage Easement for stormwater system on northerly side of the property.

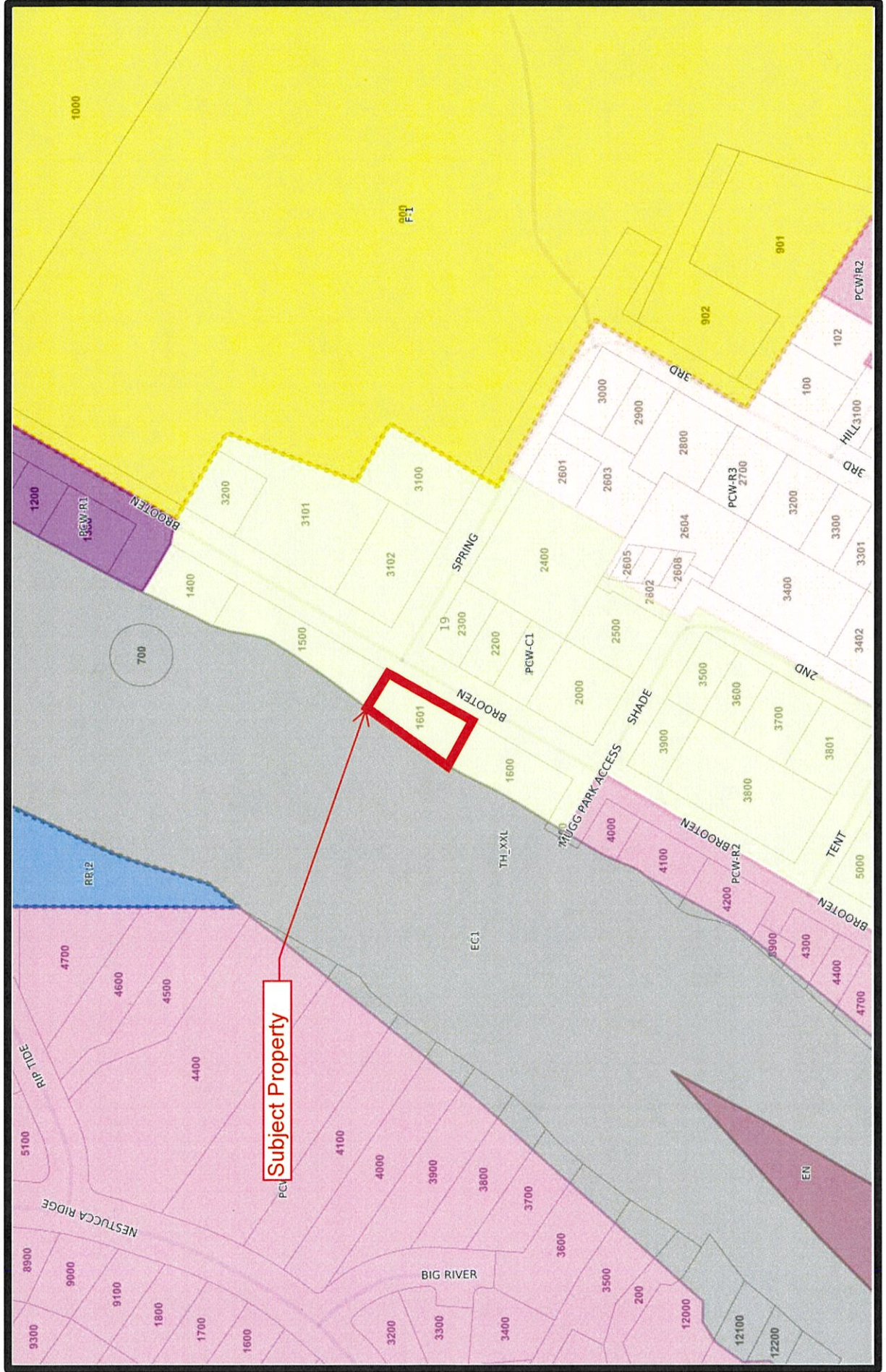
Confirmation from Tillamook County Public Works for satisfactory installation of improvements shall be provided to this Department prior to issuance of a Certificate of Occupancy from the Department of Community Development.

3. The applicant/property owner shall obtain approval from Tillamook County Public Works for a Road Approach for the proposed development. A copy of this approved Road Approach shall be provided to this Department at time of Consolidated Zoning/Building Permit application.
4. Applicant/property owner shall demonstrate compliance with TCLUO Section 4.030, 'Off-Street Parking and Off-Street Loading Requirements', including:
 - i. Drainage, Lighting and Proximity to Traffic Standards.
 - ii. Depiction of a minimum of (2) off-street parking spaces for the first dwelling unit, and (1) off-street parking space for each additional dwelling unit.
5. Applicant/property owner shall submit a plan at time of Consolidated Zoning/Building Permit confirming those standards as described in TCLUO Section 3.580(8) 'Evacuation Route Improvement Requirements'.
6. A minimum 20-foot riparian setback from the Nestucca River, determined by the Oregon Department of Fish and Wildlife (ODFW) and measured in accordance with TCLUO Section 4.140, shall be maintained on the subject property. Future development on the subject property shall also maintain the required riparian setback and comply with the requirements of TCLUO 4.140: Development Requirements for Water Quality and Streambank Stabilization.
7. The applicant/property owner shall develop in coordination with ODFW a riparian vegetation enhancement (planting) plan and a copy of the plan shall be submitted to the Department at the time of consolidated Zoning and Building Permit application submittal. The plan submittal shall include written confirmation from ODFW that the plan is acceptable. No trees within the 20-foot riparian corridor shall be removed without written consent from ODFW. Any trees to be removed and any mitigation action for each tree shall also be indicated on the riparian vegetation enhancement plan.
8. Within two years of issuance of this exception approval, the applicant/property owner shall provide written documentation to this Department from ODFW that the accepted planting plan for the 20-foot riparian corridor has been satisfactorily implemented on the subject property to mitigate any increase to the threat of erosion resulting from the proposed development.
9. The applicant/property owner shall submit a site plan drawn to scale that confirms all required setbacks, including the 20-foot riparian setback, and 4.4-foot front yard setback are met. The site plan shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
10. Applicant/property shall obtain an approved Dune Area Development Permit in accordance with TCLUO Section 3.530, prior to or at time of submittal of the Consolidated Zoning/Building permit.
11. The applicant/property owner shall obtain an approved Consolidated Zoning and Building Permit from the Tillamook County Department of Community Development.
12. The applicant/property owner shall submit a Fire Letter from the local fire department at the time of consolidated Zoning and Building Permit application submittal.
13. This approval shall be void two years from the date of approval, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Vicinity Map



Zoning Map



The Tillamook County Planning Commission considered the Variance request on the basis of the Variance criteria listed in Section 8.050 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation.

The Planning Commission voted unanimously, 6 in favor and 0 opposed, approving Variance request #851-24-000483-PLNG-01.

The Tillamook County Planning Commission considered the Conditional Use request on the basis of the Conditional Use criteria listed in Section 6.040 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation.

The Planning Commission voted unanimously, 6 in favor and 0 opposed, approving Conditional Use request #851-24-000483-PLNG, subject to the Conditions of Approval included as "Exhibit A".

The Planning Commission hereby adopts the Conditions of Approval included in "Exhibit A" attached to this Order.

Conditional Use request #851-24-000483-PLNG, Variance request #851-24-000483-PLNG-01 and Riparian Exception request #851-24-000483-PLNG-02 are approved. These decisions may be appealed to the Board of County Commissioners by an affected party, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fees with the Tillamook County Board of Commissioners within twelve (12) days of the date that the notice of this decision is mailed.

DATED this 2/25, February, 2025

TILLAMOOK COUNTY PLANNING COMMISSION



Kurt Heckerth, Chair

“EXHIBIT A”

CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, Section 8.060: COMPLIANCE WITH CONDITIONS, 6.080: TIME LIMIT, Section 8.070: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits and/or licenses and shall comply with all applicable rules and regulations, including but not limited to:
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 - Stormwater alignment.
 - Installation of the drain system.
 - Details for catch bins including break points and slope.
 - Recorded Drainage Easement for stormwater system on northerly side of the property.

Confirmation from Tillamook County Public Works for satisfactory installation of improvements shall be provided to this Department prior to issuance of a Certificate of Occupancy from the Department of Community Development.

3. The applicant/property owner shall obtain approval from Tillamook County Public Works for a Road Approach for the proposed development. A copy of this approved Road Approach shall be provided to this Department at time of Consolidated Zoning/Building Permit application.

4. Applicant/property owner shall demonstrate compliance with TCLUO Section 4.030, 'Off-Street Parking and Off-Street Loading Requirements', including:
 - i. Drainage, Lighting and Proximity to Traffic Standards.
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11. The applicant/property owner shall obtain an approved Consolidated Zoning and Building Permit from the Tillamook County Department of Community Development.

12. The applicant/property owner shall submit a Fire Letter from the local fire department at the time of consolidated Zoning and Building Permit application submittal.
13. This approval shall be void two years from the date of approval, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.