



*Land of Cheese, Trees and Ocean Breeze*

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**CONDITIONAL USE REQUEST 851-21-000133-PLNG: Nestucca Valley School District**

**ADMINISTRATIVE DECISION & STAFF REPORT**

**Decision Date: November 4, 2021**

**Decision: APPROVED WITH CONDITIONS**  
**(This is not Building or Placement Permit Approval)**

**Report Prepared by: Christopher S. Laws, Planner II**

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**I. GENERAL INFORMATION:**

- Request:** A Conditional Use request for the expansion of the K-8 Nestucca Valley Elementary Campus to include baseball and softball fields, as well as an open play area for the Cloverdale Grade School K-8 Campus (Exhibit B).
- Location:** Located south of the Unincorporated Community of Cloverdale and part of the Cloverdale K-8 Grade School campus at 36925 Highway 101 South, the subject property is designated as Tax Lot 800 in Section 34 of Township 4 South, Range 10 West, W.M., Tillamook County, Oregon. The applicant is Misty Wharton, District Superintendent, and the property owner is the Nestucca Valley School District.
- Zone:** Farm (F-1)
- Applicant:** Misty Wharton, District Superintendent
- Property Owner:** Nestucca Valley School District, 36925 Highway 101 South, Cloverdale, OR 97112

**Property Description:** The subject property encompasses approximately 27 acres of fairly flat to gently sloping and sparsely vegetated area (Exhibit A). An existing school originally built in the 1950s, and accessory facilities including two modular classroom structures, a modular office structure, a covered playground, and a bus barn, are located on the subject property (Exhibit A). The subject property fronts Highway 101 South along its northwestern property line (Exhibit A).

The subject property is zoned Farm (F-1) and is adjacent to Farm zoned properties to the north and west generally dedicated to farm use, and an area of Rural Residential (RR-2) zoning developed with residential dwelling and accessory structures located to the east and south (Exhibit A).

The subject property is located in Flood Zone X, 'Areas of minimal flood hazard' as depicted on FEMA FIRM 41057C0860F dated September 28, 2018 (Exhibit A). No wetlands are mapped on the property and a small creek is present in the southwestern portion of the property (Exhibit A). Existing and proposed development is not located in a Special Flood Hazard Area, wetlands area, or riparian setback areas (Exhibit B).

## **II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:**

The desired use is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Section 3.002: Farm (F-1) Zone
- B. Section 4.030 Off-Street Parking and Loading
- C. Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization
- D. Article VI: Conditional Use Procedures and Criteria

## **III. ANALYSIS:**

### **A. Section 3.002: Farm (F-1) Zone**

*The purpose of the Farm Zone (F-1) is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The Farm Zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county. It is also the purpose of the Farm Zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308.*

1. **Section 3.002(15)** identifies the uses permitted in the Farm Zone in tabular format and identifies public or private schools for kindergarten through grade 12 as a use permitted conditionally in the zone subject to TCLUO 3.002(4)(t), 3.002(4)(w), and 3.002(5) as well as other applicable criteria and standards which are discussed further below.

**Findings:** Staff finds that the school campus was recently expanded through Conditional Use Permit #857-19-000133-PLNG. The proposed campus expansion can be permitted through Conditional Use Review and approval and satisfaction of applicable standards.

**Section 3.002(4)(t)(2)** states that '*schools as formerly allowed pursuant to ORS 215.283(1)(a) that were established on or before January 1, 2009, may be expanded if:*

2. *1. The Conditional Use Review Criteria in Subsection (5) are met; and*

3. 2. *The expansion occurs on the tax lot on which the use was established on or before January 1, 2009 or a tax lot that is contiguous to the tax lot that was owned by the applicant on January 1, 2009.*

**Findings:** Applicant states, and Tillamook County records support, that a public school has been operated on the subject property since the 1950s (Exhibits A and B). Staff finds that the use of the site designated as tax lot 890 in Section 34 of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, for a public school was established on the subject property before January 1, 2009. The Conditional Use Criteria of TCLUO 3.002(5) are addressed below.

3. **Section 3.002(4)(w)**, ‘General Standards’ contains the following requirements applicable to the proposal:

1. *Three-mile setback. For uses subject to this subsection*

a. *No enclosed structure with a design capacity greater than 100 people, or group of structures with a total design capacity of greater than 100 people, shall be approved in connection with the use within three miles of an urban growth boundary, unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4, or unless the structure is described in a master plan adopted under the provisions of OAR chapter 660, division 34.*

b. *Any enclosed structures or group of enclosed structures described in paragraph 1 within a tract must be separated by at least one-half mile. For purposes of this Subsection, “tract” means a tract that is in existence as of June 17, 2010.*

c. *Existing facilities wholly within a farm use zone may be maintained, enhanced or expanded on the same tract, subject to other requirements of law, but enclosed existing structures within a farm use zone within three miles of an urban growth boundary may not be expanded beyond the requirements of this ordinance.*

...

3. *Expansion standards. Existing facilities wholly within a farm use zone may be maintained, enhanced or expanded on the same tract, subject to other requirements of law. An existing golf course may be expanded consistent with the requirements of Table 1 and Subsection (5).*

**Findings:** Staff finds that the subject property is not within 3 miles of an urban growth boundary. The nearest Urban Growth Boundary, which is associated with the City of Tillamook, is over 17 miles to the north of the subject property (Exhibit A).

4. **TCLUO Section 3.002(5)** requires that an applicant for a use permitted conditionally in the Farm Zone must demonstrate compliance with the following criteria in addition to the Conditional Use Criteria in TCLUO Article 6 Subsection 040.

(a) *The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and*

(b) *The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.*

**Findings:** As illustrated in ‘Exhibit A’, the subject property is located in an area subject to Farm zoning and characterized by large farm tracts primarily in use for dairying and land leased to surrounding dairies (Exhibit A). Practices that can reasonably be expected to occur in association with dairy operations include such activities as manure management, breeding and rearing of livestock, chemical applications, irrigation, seeding, mowing and cutting, truck and tractor traffic, etc. Applicant states that traffic impacts anticipated to result from the proposed expansion are anticipated to be minimal (Exhibit B). Highway 101 South separates the subject property from the active dairy facilities located to the west of the subject property (Exhibit A). Staff finds that Highway 101 South has a 60-foot-wide right-of-way at this location

and can serve as a barrier to prevent potential conflicts between the proposed school use and dairy operations to the west.

Farm zoned properties to the east of Highway 101 South and to the northeast and southwest of the subject property appear to be substandard parcels and are not part of tracts but are enrolled in farm tax deferral program according to the Tillamook County Assessor's records (Exhibit A). Tillamook County Assessor records indicate that the property to the southwest is privately owned and developed with a single-family dwelling and a small horse stable, and that the property to the northeast is owned by the Cloverdale Baptist Church and is undeveloped (Exhibit A). Applicant is proposing to maintain an asphalt driveway and a vegetative buffer along the northeastern property line and a reforested vegetative buffer along the southwestern property line (Exhibit B). Applicant's preliminary site plan indicates that over 150 feet, at a minimum, in distance will be maintained between the proposed expansion areas and property lines (Exhibit B).

Staff finds that, given the historical use of the site as a school, the distance between the proposed expansion and the property lines and existence of barriers that can serve to prevent conflicts, significant changes in accepted farm practices or significant increase in the cost of farm practices in the surrounding area are not anticipated. Staff finds that these criteria can be met through compliance with Conditions of Approval.

**B. Section 4.030: Off-Street Parking & Off-Street Loading Requirements**

*The purpose of requirements for off-street parking and loading areas is to relieve traffic congestion; to ensure customer convenience and safety; to provide safe access to parked vehicles; and to help ensure safe and timely response of emergency vehicles.*

**Findings:** TCLUO 4.030(13) establishes parking space requirements for a variety of uses and indicates that where uses are not specifically listed, the requirements shall be determined by the Department based on requirements for comparable uses which are listed. TCLUO 4.030(13) does not contain provisions for schools explicitly but establishes the number of required parking spaces for churches, clubs, and similar places of assembly, at one space for every six seats. Staff finds that the existing parking area expanded to accommodate one parking space for every six seats in the recently (2019) approved, and completed, school building expansion adequately accommodates the campus expansion providing one hundred sixteen (116) standard, and four (4) ADA spaces (Exhibit B). Staff finds that the school use is comparable to that of other places of assembly and schools in the County. Staff finds that these requirements can be met through compliance with Conditions of Approval.

**C. Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization**

TCLUO Section 4.140 identifies as areas of riparian vegetation that area within 15 feet of all perennial rivers and streams where the stream channel is less than 15 feet in width as defined by the more landward of the line of non-aquatic vegetation or the ordinary high-water mark. TCLUO Section 4.140 further limits removal of vegetation and development within those areas of riparian vegetation.

**Findings:** Existing development and the proposed expansion are located outside of the required riparian setback (Exhibit A) No response has been received from the Oregon Department of State Lands in response to the submitted Wetland Use Notification.

D. **Article VI Conditional Use Procedures and Criteria**

Article VI of the Tillamook County Land Use Ordinance contains the procedures and review criteria for processing a Conditional Use request. These criteria, along with Staff's findings and conclusions, are indicated below.

1. **Section 6.020 Procedure** requires public notice in accordance with TCLUO Section 10.070 which requires notification of the request to be mailed to landowners within 750 feet of the subject property, to allow at least 14 days for written comment, and requires staff to consider comments received in making the decision.

**Findings:** Notice of the request was mailed to property owners and agencies on June 4<sup>th</sup>, 2021. Comments are included here as 'Exhibit C'. No comments have been received expressing concern with the proposed expansion.

2. **Section 6.040 Review Criteria**

1. *The use is listed as a conditional use in the underlying zone, or in an applicable overlying zone.*

**Findings:** As discussed above, staff finds that TCLUO Section 3.002(4)(t) indicates that the proposed expansion of the elementary school campus is allowed conditionally in the Farm zone. Staff concludes this criterion is met.

2. *The use is consistent with the applicable goals and policies of the comprehensive plan.*

**Findings:** Staff finds that the proposed use is permitted conditionally in the Tillamook County Land Use Ordinance. The TCLUO is an implementing document of the Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance are presumed to be consistent with the Comprehensive Plan. Staff concludes this criterion is met.

3. *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.*

**Findings:** The subject property encompasses approximately 27 acres of fairly flat to gently sloping and sparsely vegetated area (Exhibit A). The subject property fronts Highway 101 South along its northwestern property line and is accessed from Highway 101 South via an existing driveway (Exhibit A). An existing school originally built in the 1950s and accessory facilities are located on the subject property including two modular classroom structures, a modular office structure, a covered playground, and a bus barn (Exhibit A). Water and sanitary exists on the property to service the existing school (Exhibit B).

The subject property is located in Flood Zone X, 'Areas of minimal flood hazard' as depicted on FEMA FIRM 41057C0860F dated September 28, 2018 (Exhibit A). No wetlands are mapped on the property (Exhibit A). A small creek is present in the southwestern portion of the property (Exhibit A). Existing and proposed development is not located in a Special Flood Hazard Area nor in wetlands areas or riparian setback areas (Exhibit B).

Staff finds that the subject property is suitable for the proposed school campus expansion given the gentle topography, adequate lot size, lack of natural hazards, existing school use, and access and utility service improvements. Staff concludes this criterion is met.

- 4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.*

**Findings:** The subject property is zoned Farm (F-1) and is surrounded by Farm zoned properties which are generally dedicated to farm use (Exhibit A). An area of Rural Residential (RR-2) zoning developed with residential dwelling and accessory structures is located to the east of the subject property (Exhibit A).

Potential impacts to farm uses on surrounding properties is addressed above. Staff finds that given the historical use of the site as a school, the distance between the proposed campus expansion and the property lines and existence of barriers that can serve to prevent conflicts, no significant impacts are anticipated to result from the school expansion that would substantially limit, impair or prevent farm uses on the surrounding properties.

The residentially zoned properties are located adjacent to the most eastern portion of the campus expansion (Exhibit A). Staff finds that given the historical use of the site as a school and the design of the proposed expansion that places outfields and open play-areas near the existing property lines, no significant impacts are anticipated to result from the school campus expansion that would substantially limit, impair or prevent residential uses on the surrounding properties.

Staff concludes that this criterion met.

- 5. The proposed use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.*

**Findings:** Staff does not find any record of such facilities in the area. Applicant states that such facilities do not exist near the school site (Exhibit B). Staff concludes this criterion met.

- 6. The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.*

**Findings:** Staff finds that through the recently (2019) approved and developed expansion of the school campus (Permit #851-19-000133-PLNG) the Nestucca Rural Fire Protection District, the Oregon Department of Environmental Quality and the Oregon Department of Transportation, among other agencies, were noticed and no comments were received. The Applicant also provided a Technical Memorandum prepared by Cascade Earth Sciences addressing the suitability of the current water and wastewater facilities and recommended improvements to accommodate that expansion. Additionally, the Applicant collaborated with CES, local and state fire departments, ODOT and the Tillamook Peoples Utility District to develop a design that aligned the services provided to the site.

Staff finds that as a Condition of Approval, Applicant/Owner shall provide documentation of the existing, or the addition (if deemed necessary by appropriate agencies) of services to the site adequate to accommodate the expansion at the time of applying for Zoning and Building permits. Staff concludes that this criterion can be met through compliance with Conditions of Approval.

#### IV. DECISION: APPROVED WITH CONDITIONS

Based on the findings shown above, Staff concludes that the applicant has satisfied the review criteria and can meet all applicable ordinance requirements at the time of application. Therefore, the Department approves this request subject to the Conditions of Approval in section V of this report.

**Appeal of this decision.** This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. The forms and fees must be filed in the office of this Department before **4:00 PM on November 15, 2021.**

**The Effective Date of Decision;** This decision shall become final on **November 16, 2021 after 4:00pm** unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

#### V. CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: 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, as applicable.
2. The applicant/property owner shall obtain an approved Zoning Permit from the Tillamook County Department of Community Development for the school campus expansion.
3. A site plan, drawn to scale, illustrating the proposed development and required setbacks shall be provided at the time of Zoning Permit and Building Permit submittal.
4. At the time of applying for Zoning permit approval, Applicant/Owner shall provide documentation of an approved 1200c. Permit from the Department of Environmental Quality.
5. At the time of applying for Zoning permit approval, Applicant/Owner shall provide an approved fire letter the Nestucca Rural Fire Protection District verifying provision of service to the newly expanded campus area.
6. The applicant/property owner shall adhere to applicable development standards in TCLUO Section 3.002 Farm (F-1) Zone.
7. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
8. This approval shall be void on November 4, 2023, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

**VI. EXHIBITS**

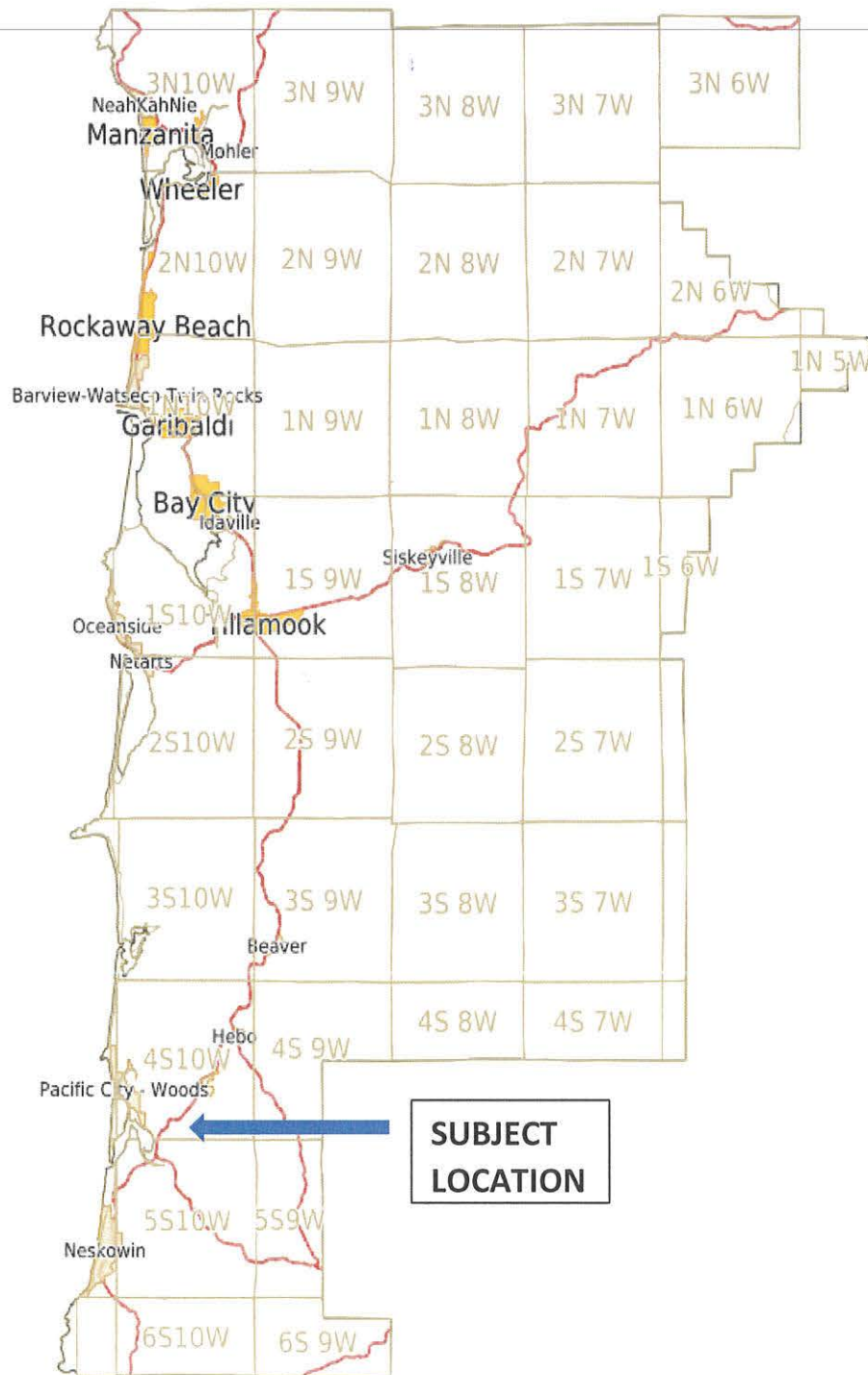
All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, Assessor's Summary Report
  - B. Applicant's submittal
  - C. Agency comments
-



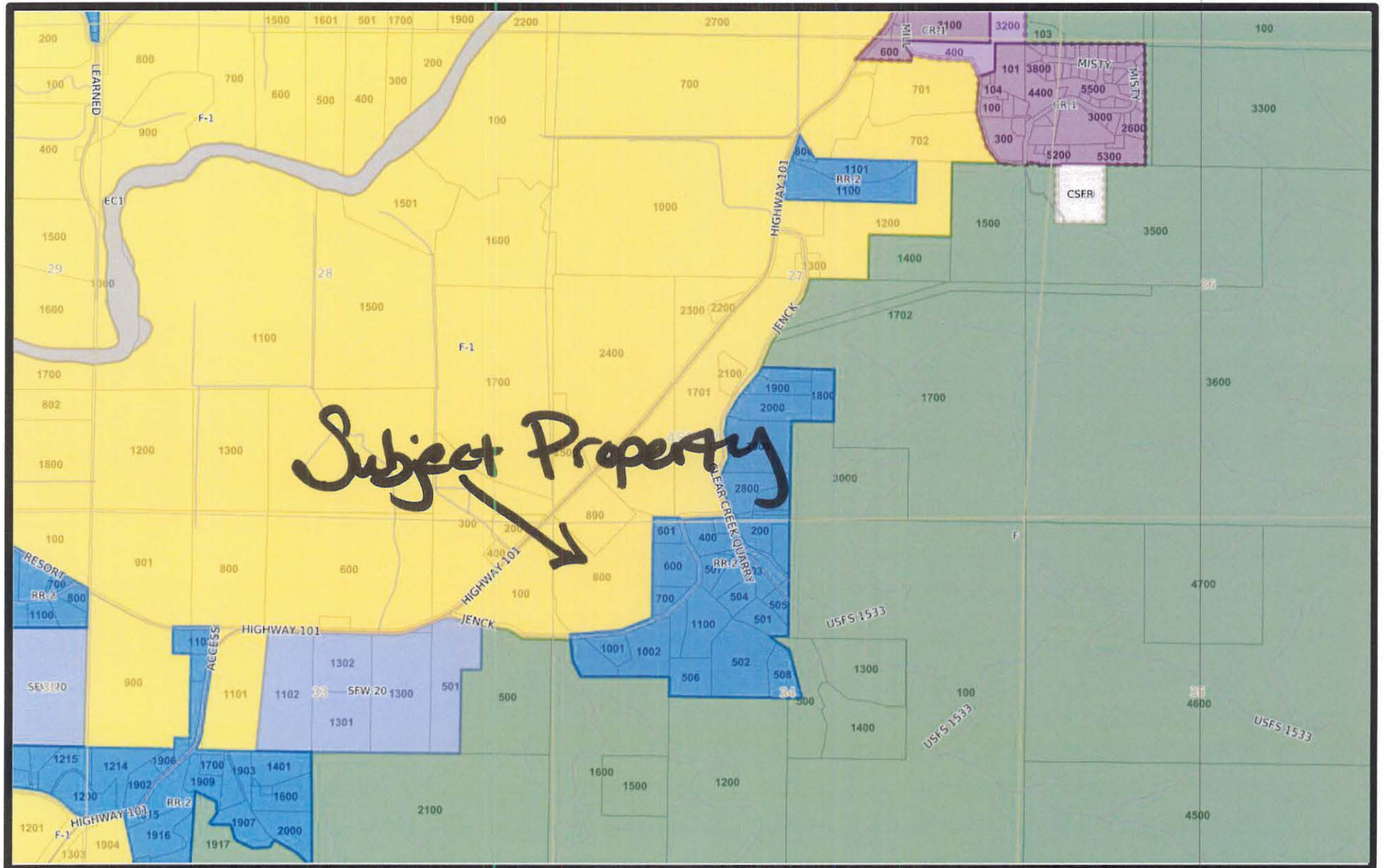
# EXHIBIT A

# VICINITY MAP



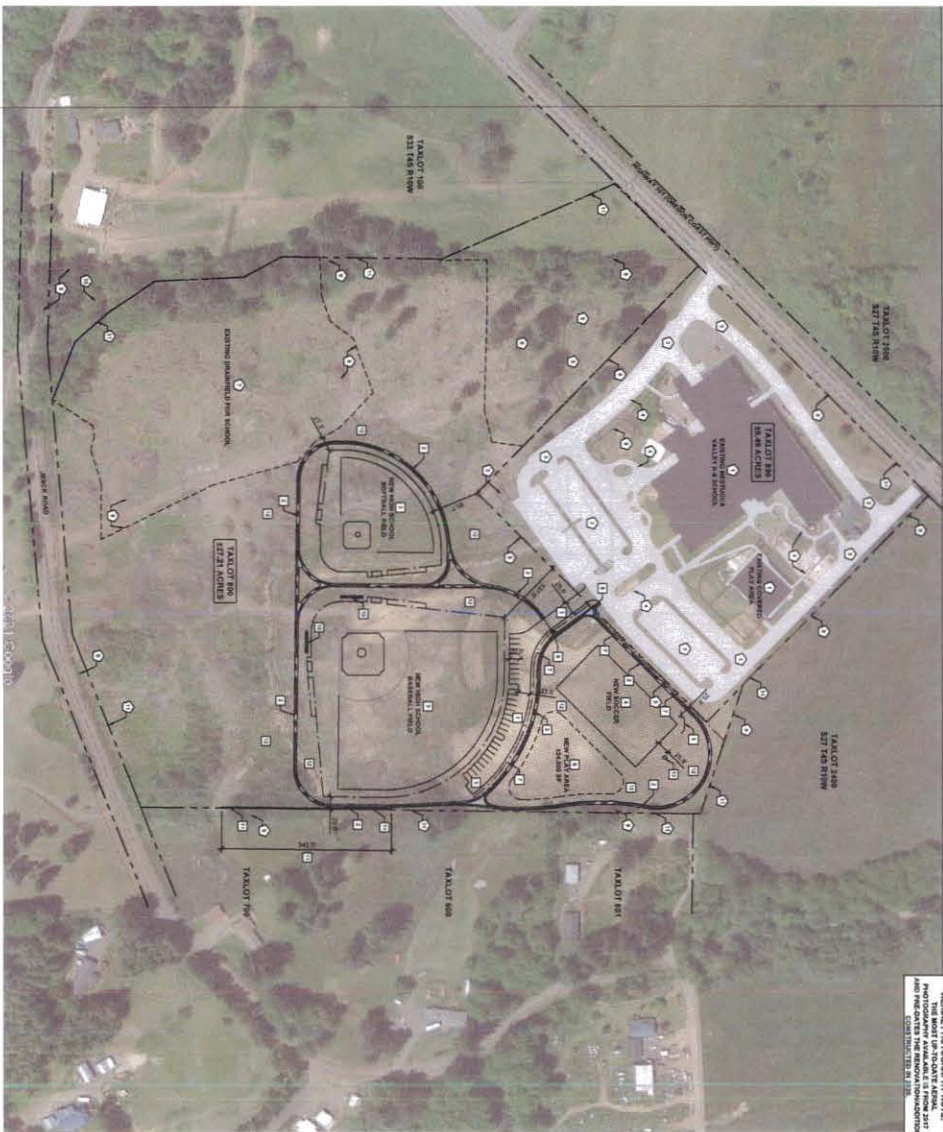
#851-21-000133-PLNG: NESTUCCA VALLEY SCHOOL DISTRICT PUBLIC PARK REQUEST

# Map



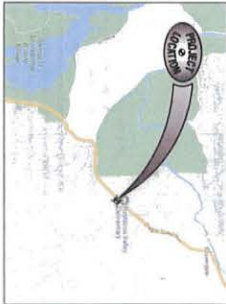
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C1.1 CIVIL SITE PLAN



AERIAL PHOTOGRAPHY NOTE: PHOTOGRAPHY AVAILABLE FROM 2017 AND 2018. CONSULT WITH THE CONSULTANT FOR DETAILS.

ONE INCH = EQUALS 500 FEET SCALE



2 VICINITY MAP



C1.1

GENERAL INFORMATION

APPLICANTS:

NELLY WINTON  
 MIDDLETON ENGINEERING

ENGINEER:

ZACHARY STOKES, P.E.  
 PROJECT MANAGER  
 JOSH WOODSON, P.E.  
 PROJECT ENGINEER

SITE LOCATION:

NESTUCA VALLEY ELEMENTARY SCHOOL  
 10010 WOODLAWN AVENUE, SUITE 300  
 FALLS CHURCH, VA 22034

LOT SIZE:

669 SQ. FT.

ZONE:

R-1.5 (RM)

NOTED NOTES:

1. EXISTING PAVED DRIVEWAY AND WORK IN THIS AREA.  
 2. EXISTING CONCRET DRIVEWAY.  
 3. EXISTING CONCRET DRIVEWAY.  
 4. EXISTING CONCRET DRIVEWAY.  
 5. EXISTING CONCRET DRIVEWAY.  
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 11. EXISTING CONCRET DRIVEWAY.



C1.1 CIVIL SITE PLAN

FOR AGENCY REVIEW / NOT FOR CONSTRUCTION

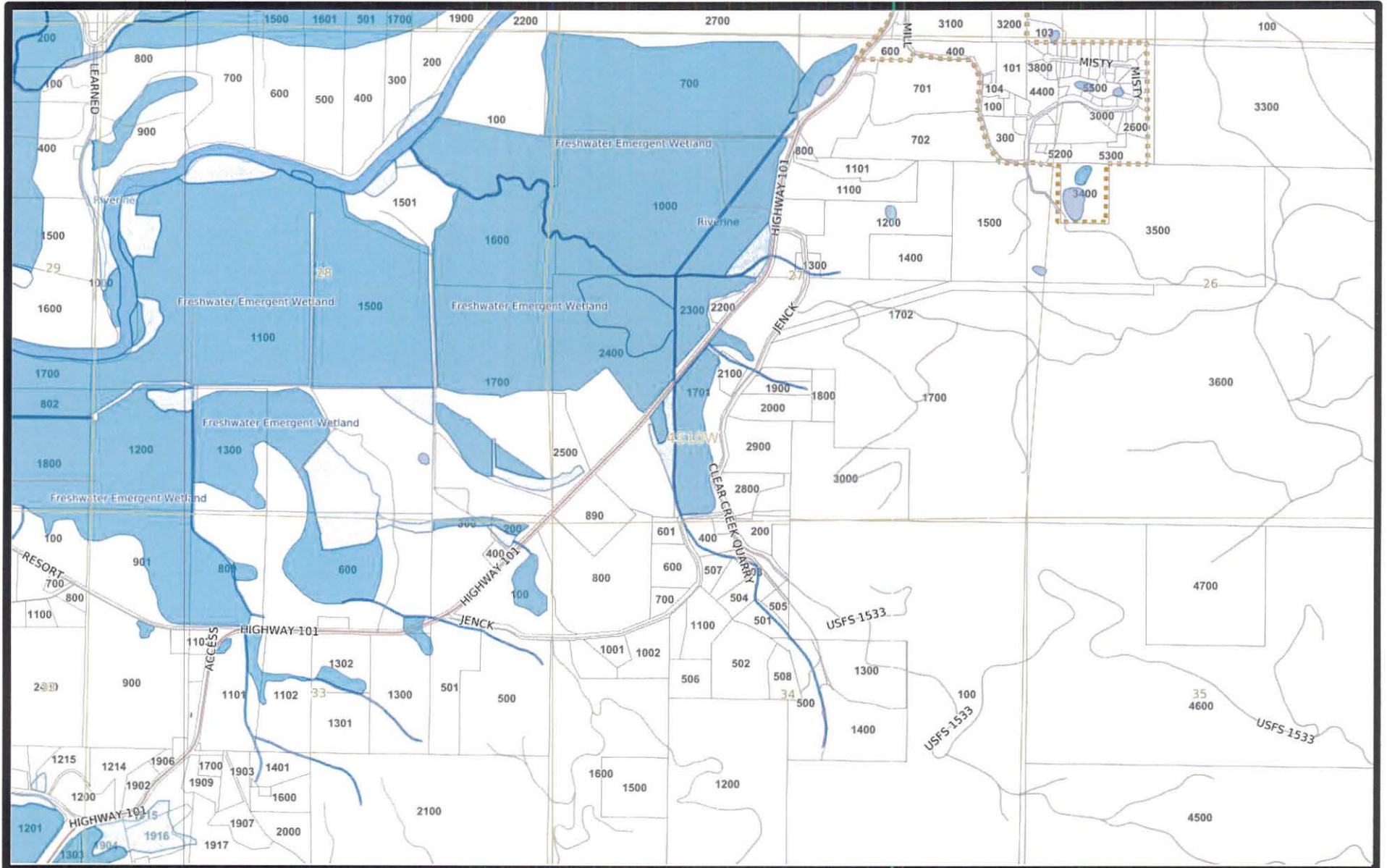
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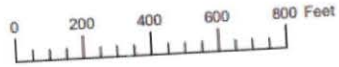
#851-21-000133-PLNG: NESTUCCA VALLEY SCHOOL DISTRICT PUBLIC PARK REQUEST

# Map



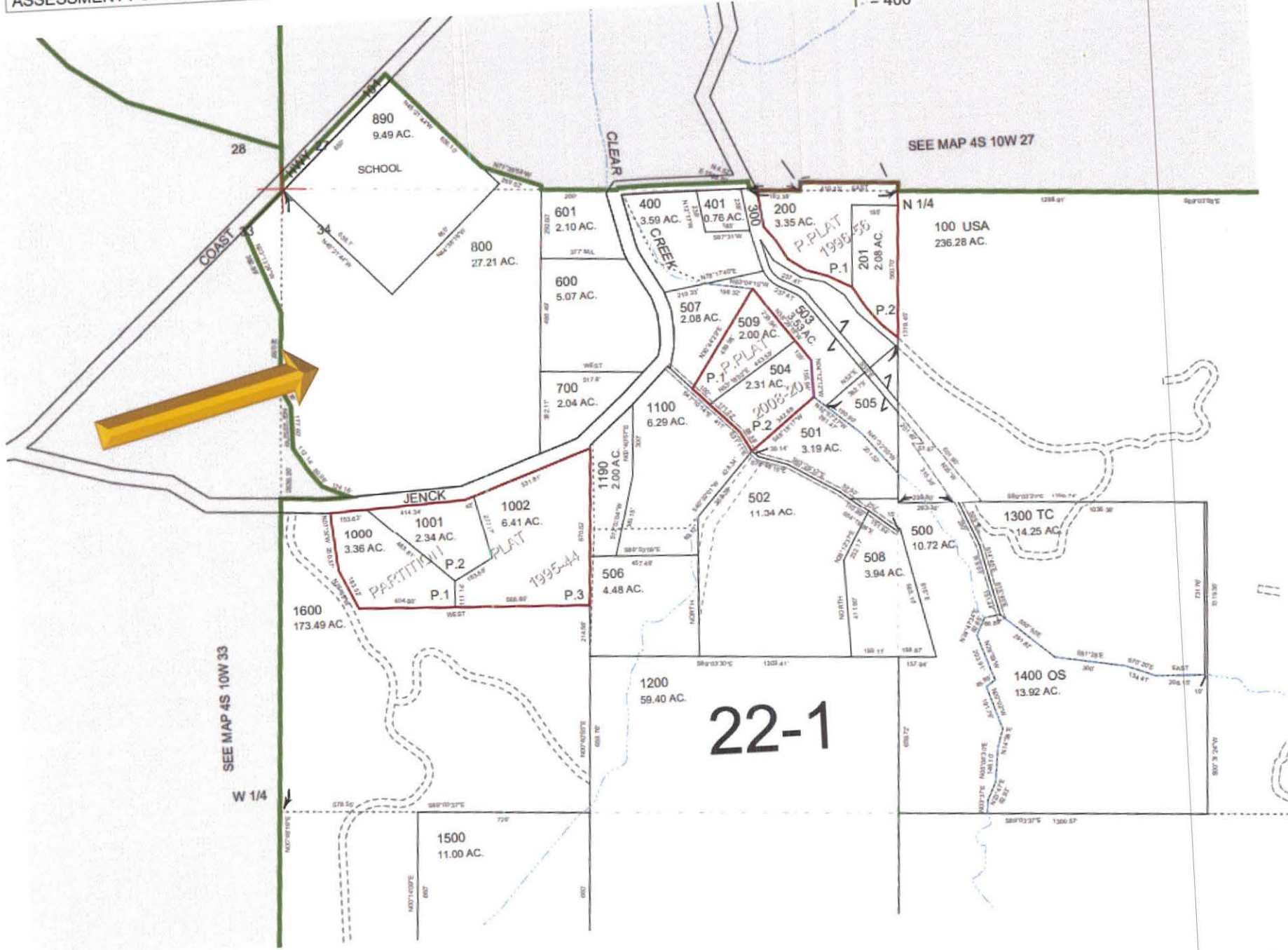
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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



# SECTION 34 T.4S. R.10W. W.M. TILLAMOOK COUNTY

1" = 400'



# EXHIBIT B





## PLANNING APPLICATION

<b>OFFICE USE ONLY</b>	
Date Stamp	
MAY 03 2021	
BY: .....	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <i>SS</i>	
Receipt #:	
Fees: <i>\$1,089.-</i>	
Permit No: 851- <i>21-000137</i> -PLNG	

**Applicant**  (Check Box if Same as Property Owner)

Name: Misty Wharton, District Superintendent Phone: 503-392-3194  
 Address: 36925 Highway 101  
 City: Cloverdale State: OR Zip: 97112  
 Email: MistyW@nestucca.k12.or.us

**Property Owner**

Name: Nestucca Valley School District Phone:  
 Address: Same as applicant  
 City: State: Zip:  
 Email:

Request: Construction of NVSD high school baseball and softball fields and open play area for K-8 campus on NVSD-owned taxlot 4S10340000800, adjacent to existing K-8 school facility on taxlot 4S10340000890.

Existing K-8 facility approved Conditional Use Request: 851-19-000001-PLNG

Type II	Type III	Type IV
<input type="checkbox"/> Farm/Forest Review	<input type="checkbox"/> Appeal of Director's Decision	<input type="checkbox"/> Appeal of Planning Commission Decision
<input checked="" type="checkbox"/> Conditional Use Review	<input type="checkbox"/> Extension of Time	<input type="checkbox"/> Ordinance Amendment
<input type="checkbox"/> Variance	<input type="checkbox"/> Detailed Hazard Report	<input type="checkbox"/> Large-Scale Zoning Map Amendment
<input type="checkbox"/> Exception to Resource or Riparian Setback	<input type="checkbox"/> Conditional Use (As deemed by Director)	<input type="checkbox"/> Plan and/or Code Text Amendment
<input type="checkbox"/> Nonconforming Review (Major or Minor)	<input type="checkbox"/> Ordinance Amendment	
<input type="checkbox"/> Development Permit Review for Estuary Development	<input type="checkbox"/> Map Amendment	
<input type="checkbox"/> Non-farm dwelling in Farm Zone	<input type="checkbox"/> Goal Exception	
<input type="checkbox"/> Foregone Grading Permit Review		
<input type="checkbox"/> Neskowin Coastal Hazards Area		

**Location:**

Site Address: Unassigned - Adjacent to 36925 Highway 101, Cloverdale OR 97112

Map Number: 04S R10W 27&34 800  
Township Range Section Tax Lot(s)

Clerk's Instrument #: \_\_\_\_\_

**Authorization**

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

*[Handwritten Signature]*  
 Property Owner Signature (Required)

*5/3/2021*  
 Date

Applicant Signature

Date

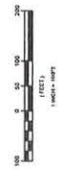


**2 VICINITY MAP** 1/8" = 1" N.T.S.

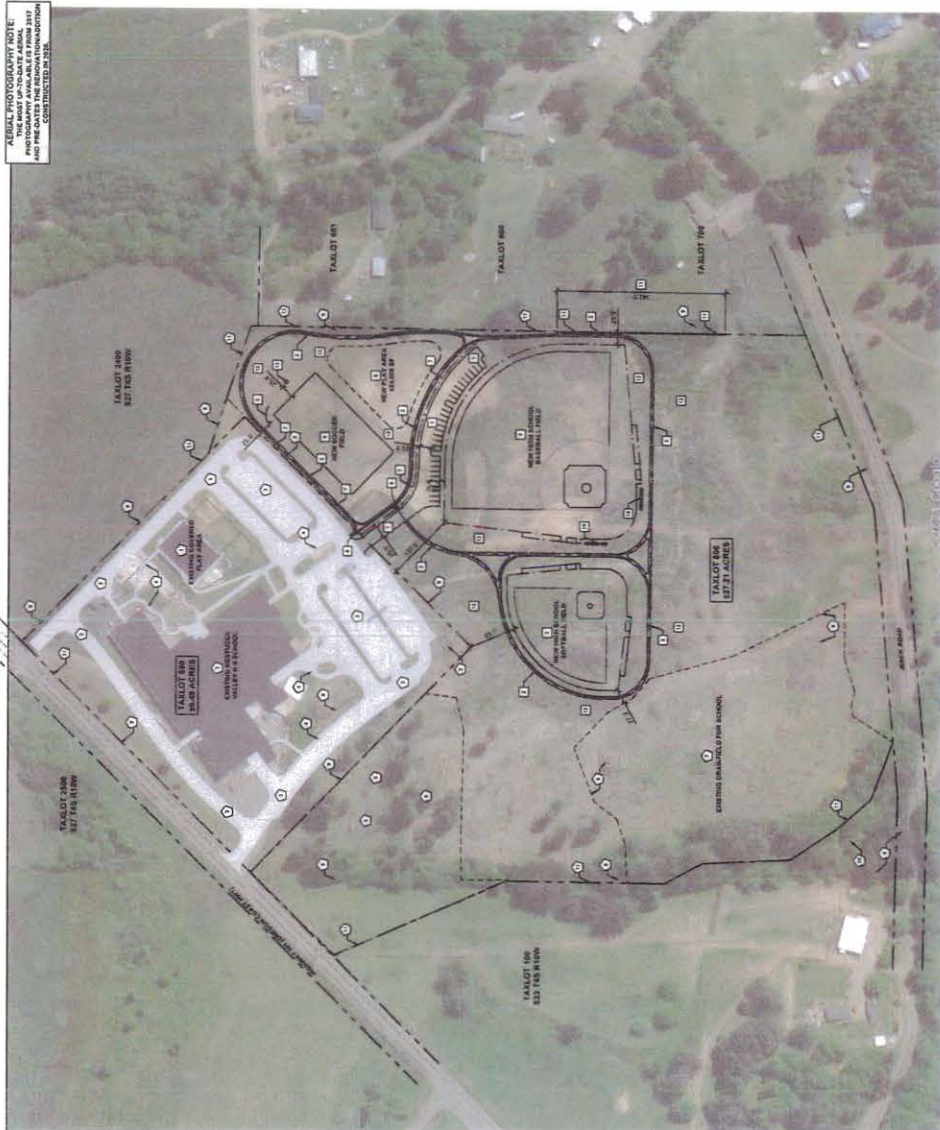
**GENERAL INFORMATION**  
 APPLICANT: NESTUCA VALLEY SCHOOL DISTRICT  
 PROJECT ADDRESS: 2200 NEVILLE ROAD, SUITE 201, NESTUCA, WA 98641  
 PROJECT MANAGER: JESSICA MORSE  
 DESIGNER: ZCS ARCHITECTURAL DESIGN

**PROPERTY INFORMATION**  
 SITE LOCATION: NESTUCA VALLEY ELEMENTARY SCHOOL  
 TAX LOT: 800  
 LOT SIZE: 47.71 ACRES  
 ZONING: F-1-700M

- REQUIRED NOTES:**
- EXISTING UTILITY LOCATIONS TO BE MAINTAINED AS SHOWN ON THE AERIAL PHOTOGRAPHY.
  - EXISTING FIRE PUMP HOUSE, NO WORK IN THIS AREA.
  - EXISTING ASPHALT PAVED PARKING AND MANUFACTURING AREAS.
  - EXISTING CONCRETE SIDEWALK.
  - EXISTING SIGNAGE FOR THE SCHOOL.
  - EXISTING STORMWATER DETENTION POND.
  - EXISTING SEPTIC SYSTEM (BATCH FIELD).
  - EXISTING DRIVEWAY TRACKS.
  - EXISTING CREEK CHANNEL.
  - PROPERTY LINE, TYPICAL.
  - PROPOSED CONCRET DRIVEWAY TRACKS AND SIDEWALKS.
  - NEW SIDEWALK, ALUMINUM CURB, SURFACING WITH COSE.
  - NEW ASPHALT PAVED DRIVEWAY TRACKS WITH BAG STOP, BOLLARD, AND PERIMETER FENCING.
  - NEW SOCCER FIELD.
  - NEW TENNIS MATCHES.
  - NEW TENNIS PLAYERS EQUIPMENT STORAGE.
  - NEW TENNIS COURT SURFACE.
  - PERMISSIBLE DATE TO MATCH LOCAL UNIT FENCE.
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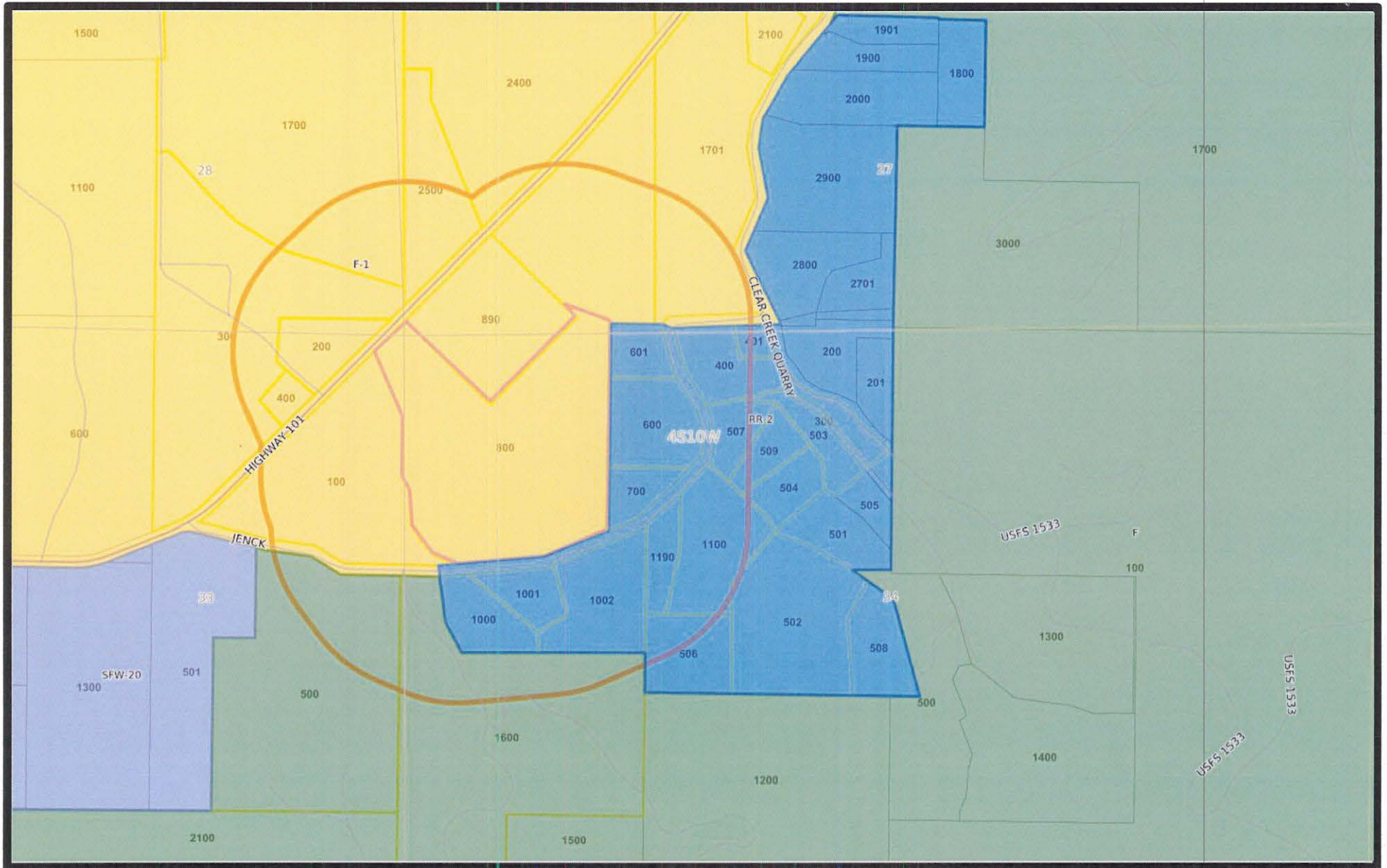
**AERIAL PHOTOGRAPHY NOTE:**  
 PHOTOGRAPHY AVAILABLE FROM 2017 TO 2021 AND PREVIOUS CONSTRUCTION AS SHOWN.



**1 CIVIL SITE PLAN** 1" = 100'

DO NOT SCALE THIS DRAWING

# Map



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## CONDITIONAL USE CRITERIA RESPONSES

- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.

**Response:** The construction of the NVSD high school baseball and softball fields and open play area for the K-8 campus are on NVSD-owned tax lot 4S100340000800, adjacent to existing K-8 school facility on tax lot 4S10 034000890. The proposed play fields fall within public park uses permitted conditionally within exclusive farm zones under Tillamook County Land Use Ordinance Section 3.004 and per ORS 213(y).

- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.

**Response:** The construction of the NVSD high school baseball and softball fields and open play area for the K-8 campus are on NVSD-owned tax lot 4S100340000800, adjacent to existing K-8 school facility on tax lot 4S10 034000890. The existing K-8 school facility and expansion was approved through the Conditional Use process and the expansion is limited to outdoor public park and recreational uses. Many of the goals outlined in the Tillamook County Comprehensive plan are addressed in this conditional use proposal, but the goals most applicable are:

Goal 3, Agricultural Lands

Goal 4, Forest Lands

Goal 9, Population & Economy

Goal 11, Public Facilities

Goal 14, Urbanization

Key points to note:

The adjacent property has functioned as an existing elementary site for more than 65 years and has nearly completed a 25.7 million dollar renovation and new construction to allow 7<sup>th</sup> and 8<sup>th</sup> graders to return to the elementary site.

The proposed use is a non-detrimental to the adjacent residential and agricultural use. The proposed use will not affect access and operation to neighboring sites.

The existing property, as best can be determined, has not been used for an agricultural use since the Cloverdale School District purchased the property in the 1990's.

- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.

**Response:** The proposed expansion of play fields is a suitable use for the property because of its location to the K-8 campus.

**TOPOGRAPHY AND NATURAL FEATURES:** The topography of the parcel is

well suited for the addition. There is a natural rise in elevation from where the existing school resides to where the new field improvements will be located. This topography will be utilized in the design and location of the fields.

~~EXISTENCE OF IMPROVEMENTS:~~ Both the water and septic system were expanded in the recent renovation and construction of the K8 campus. The new 6<sup>th</sup>-8<sup>th</sup> grade wing has an egress that allows students to exit and walk directly back to the play fields. The playfields will be fully enclosed in a four-foot hurricane fence to provide a buffer from parking areas. This site is well suited to handle the improvements that are proposed. For reference is an aerial view and site plan.

- (4) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevent the use of surrounding properties for the permitted uses listed in the underlying zone.

**Response:** Entry and Egress to the site will still be from Highway 101 and the existing school parking lot will be used for parking as shown on the site plan. Thirty additional parking spaces will be developed in between the ball fields and play area. The additional parking area will be graveled and accessed through the K-8 campus as shown on the site plan. Runoff from the graveled parking area will be collected and managed by the existing stormwater system that manages all stormwater on-site and within the existing property boundaries so that it does not spill into any of the adjacent properties.

Use of the play fields for sport activities will occur outside of regular school hours. Use of the play fields during school hours will be limited to those students already on campus. Signage will also be posted to notify the public of public use hours and school use hours.

New landscape buffers will be added to shield the site from adjacent farming practices. As such, the proposed use will not force a significant change in accepted farm practices or significantly increase the cost of farming on surrounding land.

The character of the parcel and surrounding areas will not be altered by the improvements because of the large natural buffers that exist between the parcel and other surrounding properties. Through the development it these buffers will continue to be enhanced to maintain the easily identifiable designation of a school site.

- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or windmills.

**Response:** The K-8 facility has solar panel on the district office addition.

The proposed play field improvements will not have a detrimental effect on the solar panels.

- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.

**Response:** The addition of the play fields is a result of the district's need to provide an adequate park and outdoor play areas for district students as well as the public.

The district has consulted with the local and state fire department, Tillamook People's Utility District, and others about the plans for the play field additions. The district collaborated with the above listed entities to develop the addition of the playfields.

ADDITIONAL CONDITIONAL USE REVIEW CRITERIA ORS 215.296 & SECTION 3.004:

- (A) The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.

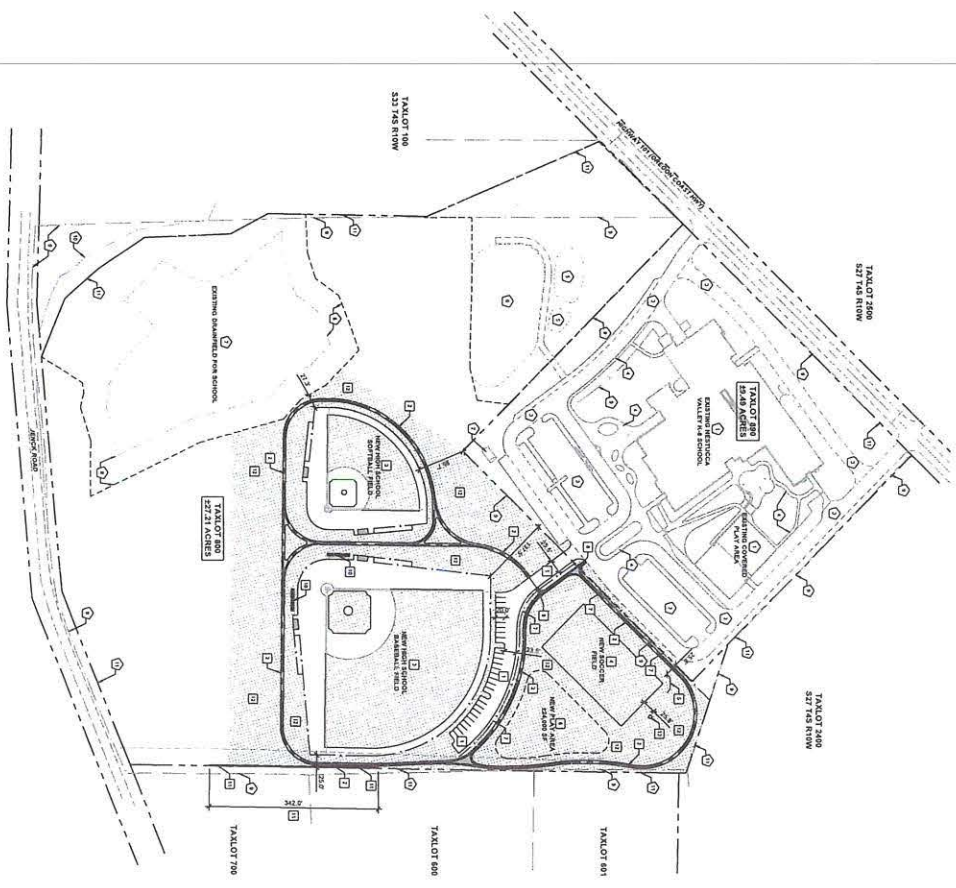
**Response:** The addition of playfields behind the K-8 campus will not force a significant change to the surrounding farming practices. This is true because the school district is being very mindful in overall district improvement planning efforts by considering traffic patterns, lines of sight, natural vegetation buffers, wastewater management, and location of improvements on district properties.

- (B) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

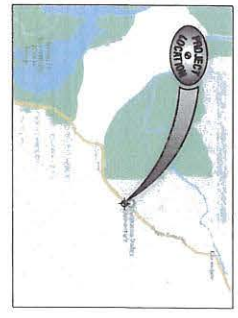
**Response:** The addition of playfields is only intended to augment the students experience in the Nestucca Valley School District. All improvements are located within district property boundaries and utilize existing improvements to accommodate parking needs. Those efforts implemented and underway by the district described above in criteria (A), provide the required justification that the proposed addition of playfields will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

ONE INCH = EQUALS FULL SCALE

C1.0 CIVIL SITE PLAN



T-3-100



2 VICINITY MAP

NTS

GENERAL INFORMATION

PROJECT NAME: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT LOCATION: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT NUMBER: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT DATE: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT OWNER: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT ENGINEER: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT ARCHITECT: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT CONTRACTOR: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT SCHEDULE: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT BUDGET: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT RISK: NESTUCCA VALLEY SCHOOL DISTRICT  
 PROJECT STATUS: NESTUCCA VALLEY SCHOOL DISTRICT

KEYED NOTES

- 1 EXISTING PINE TREE STAND, NO VALUE IN THIS AREA.
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NO FOR CONSTRUCTION

DATE: \_\_\_\_\_

PROJECT NO: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

PROJECT ADDRESS: \_\_\_\_\_

PROJECT CITY: \_\_\_\_\_

PROJECT STATE: \_\_\_\_\_

PROJECT ZIP: \_\_\_\_\_

PROJECT PHONE: \_\_\_\_\_

PROJECT FAX: \_\_\_\_\_

PROJECT EMAIL: \_\_\_\_\_

PROJECT WEBSITE: \_\_\_\_\_

PROJECT CONTACT: \_\_\_\_\_

PROJECT TITLE: \_\_\_\_\_

PROJECT ROLE: \_\_\_\_\_

PROJECT STATUS: \_\_\_\_\_

PROJECT RISK: \_\_\_\_\_

PROJECT BUDGET: \_\_\_\_\_

PROJECT SCHEDULE: \_\_\_\_\_

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PROJECT ENGINEER: \_\_\_\_\_

PROJECT ARCHITECT: \_\_\_\_\_

PROJECT CONTRACTOR: \_\_\_\_\_

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PROJECT BUDGET: \_\_\_\_\_

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PROJECT STATUS: \_\_\_\_\_

PROJECT OWNER: \_\_\_\_\_

PROJECT ENGINEER: \_\_\_\_\_

PROJECT ARCHITECT: \_\_\_\_\_

PROJECT CONTRACTOR: \_\_\_\_\_

C1.0 CIVIL SITE PLAN

FOR AGENCY REVIEW / NOT FOR CONSTRUCTION

# APPROVED BY

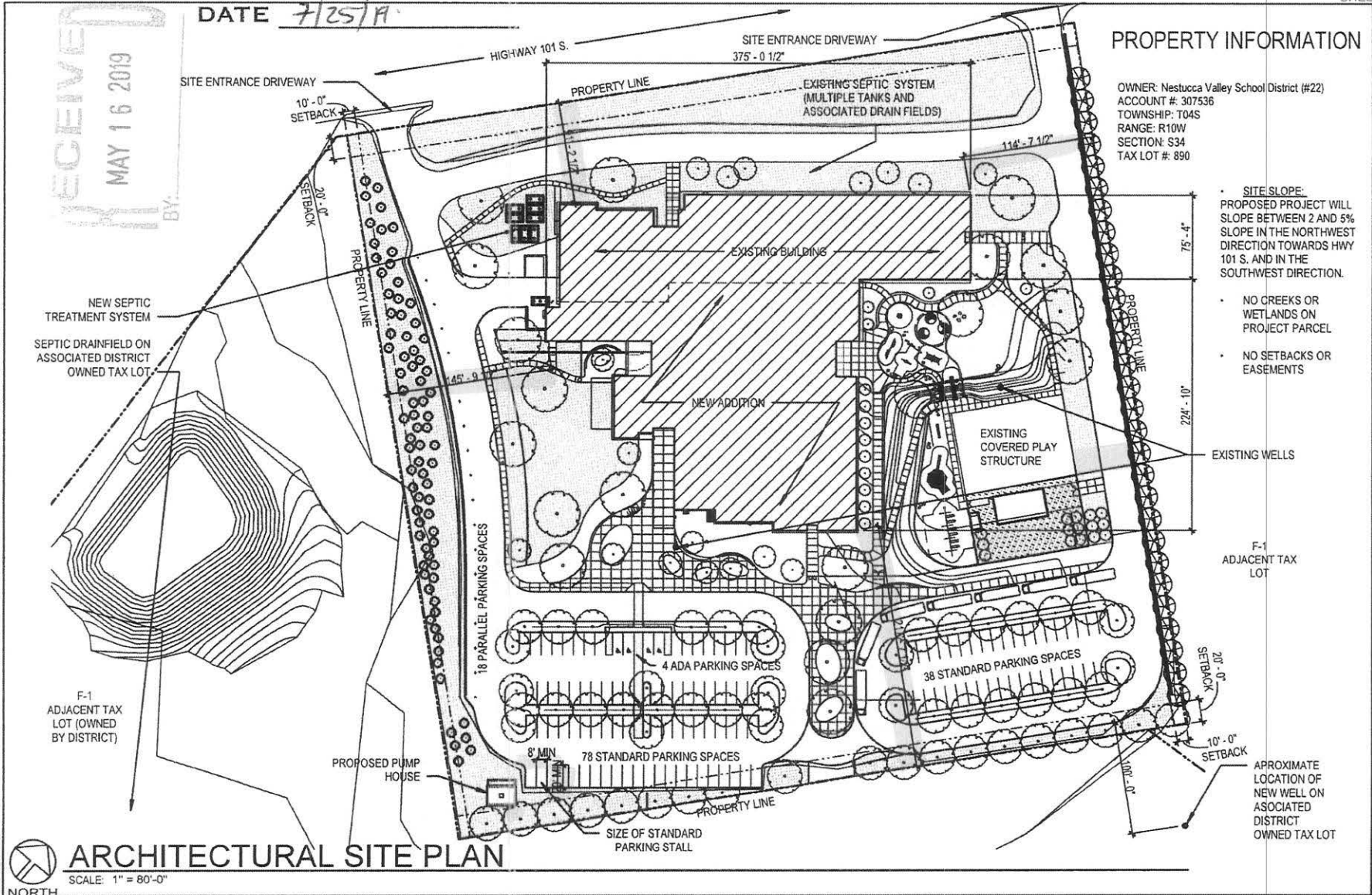
## PLANNING AND ZONING

### PERMIT NO. 851-19-000261 PINK

DATE 7/25/19

03: Site Plan  
SHEET 1 OF 3

RECEIVED  
MAY 16 2019  
BY:    



### PROPERTY INFORMATION

OWNER: Nestucca Valley School District (#22)  
ACCOUNT #: 307536  
TOWNSHIP: T04S  
RANGE: R10W  
SECTION: S34  
TAX LOT #: 890

- SITE SLOPE:  
PROPOSED PROJECT WILL  
SLOPE BETWEEN 2 AND 5%  
SLOPE IN THE NORTHWEST  
DIRECTION TOWARDS HWY  
101 S. AND IN THE  
SOUTHWEST DIRECTION.
- NO CREEKS OR  
WETLANDS ON  
PROJECT PARCEL.
- NO SETBACKS OR  
EASEMENTS

100% DD

PERMIT SITE PLAN  
NESTUCCA K-8 SCHOOL  
RENOVATION/ ADDITION

00

DLR Group  
THIS IS A DEFAULT - Select State - Date: 6/1/2019

**ARCHITECTURAL SITE PLAN**  
SCALE 1" = 80'-0"  
NORTH

BY: 2019.07.16 10:50 AM  
PROJECT: 19-000261 PINK  
SHEET: 03: SITE PLAN



# EXHIBIT C

## Allison Hinderer

---

**From:** HENDRICKS Nikki M \* WRD <Nikki.M.Hendricks@oregon.gov>  
**Sent:** Monday, June 7, 2021 11:58 AM  
**To:** Allison Hinderer  
**Subject:** EXTERNAL: RE: Tillamook County: Administrative Review/ Nestucca Valley School District 851-21-000133-PLNG

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

If they plan to irrigate the fields of more than ½ total they will need a water right.

---

**From:** Allison Hinderer <ahindere@co.tillamook.or.us>  
**Sent:** Friday, June 04, 2021 2:00 PM  
**To:** PHIPPS Lisa <lisa.phipps@state.or.us>; FOOTE Hilary <hilary.foote@state.or.us>; BROWN Jevra \* DSL <jevra.brown@dsl.state.or.us>; HENDRICKS Nikki M \* WRD <Nikki.M.Hendricks@oregon.gov>; doryfreshfish@embarqmail.com; Tiffany Miller <tmiller@tillamook911.com>; mistyw@nestucca.k12.or.us; OEDER Jim <joeder@nrfdpd.com>; VANDECOEVERING Denise <dvandeco@co.tillamook.or.us>; Ron Newton <rnewton@co.tillamook.or.us>; CHIOLA Chris <CCHIOLA@CO.TILLAMOOK.OR.US>  
**Cc:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Subject:** Tillamook County: Administrative Review/ Nestucca Valley School District 851-21-000133-PLNG

Hello,

Please see link for Conditional Use Request:

[851-21-000133-PLNG | Tillamook County OR](#)

Thank you.



**Allison Hinderer** | Office Specialist 2  
TILLAMOOK COUNTY | Community Development | Surveyor's Office  
1510-C Third Street  
Tillamook, OR 97141  
Phone (503)842-3423 ext. 3423  
[ahindere@co.tillamook.or.us](mailto:ahindere@co.tillamook.or.us)

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

## Allison Hinderer

---

**From:** Ron Newton  
**Sent:** Monday, June 7, 2021 7:47 AM  
**To:** Allison Hinderer; lisa.phipps@state.or.us; hilary.foote@state.or.us; BROWN Jevra DSL; nikki.m.hendricks@state.or.us; doryfreshfish@embarqmail.com; Tiffany Miller; mistyw@nestucca.k12.or.us; joeder@nrfd.com; Denise Vandecoevering; Chris Chiola  
**Cc:** Sarah Absher  
**Subject:** RE: Tillamook County: Administrative Review/ Nestucca Valley School District 851-21-000133-PLNG

Allison

The provided plans do not include access to a roadway under County jurisdiction. Public Works will have no comment.

Thank you.

Ron Newton, *LSI*  
Engineering Tech III  
Tillamook County Public Works  
Working From Home  
Cell – 503.812.1441

---

**From:** Allison Hinderer <ahindere@co.tillamook.or.us>  
**Sent:** Friday, June 4, 2021 2:00 PM  
**To:** lisa.phipps@state.or.us; hilary.foote@state.or.us; BROWN Jevra DSL <jevra.brown@dsl.state.or.us>; nikki.m.hendricks@state.or.us; doryfreshfish@embarqmail.com; Tiffany Miller <tmiller@tillamook911.com>; mistyw@nestucca.k12.or.us; joeder@nrfd.com; Denise Vandecoevering <dvandeco@co.tillamook.or.us>; Ron Newton <rnewton@co.tillamook.or.us>; Chris Chiola <cchiola@co.tillamook.or.us>  
**Cc:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Subject:** Tillamook County: Administrative Review/ Nestucca Valley School District 851-21-000133-PLNG

Hello,

Please see link for Conditional Use Request:

[851-21-000133-PLNG | Tillamook County OR](#)

Thank you.



**Allison Hinderer** | Office Specialist 2  
TILLAMOOK COUNTY | Community Development | Surveyor's Office  
1510-C Third Street  
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[ahindere@co.tillamook.or.us](mailto:ahindere@co.tillamook.or.us)