



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

**NOTICE OF PUBLIC HEARING
TILLAMOOK COUNTY BOARD OF COUNTY COMMISSIONERS**

Date of Notice: March 25, 2022

A virtual public hearing will be held by the Tillamook County Board of County Commissioners at 8:30a.m. on Monday, April 25, 2022, in the Board of County Commissioners Meeting Rooms A & B of the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, OR 97141 to consider the following:

#851-22-000107-PLNG: An appeal of the Planning Commission’s decision to approve Conditional Use request #851-21-000416-PLNG to establish a 19-site recreational campground on an approximately 18-acre portion of a 58.51-acre parcel. The subject property is accessed via Floyd Avenue, a County local access road, and is designated as Tax Lot 600 of Section 6, Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The proposed campground is within Rural Residential 2-Acre (RR-2) zoned land, with the subject property split zoned RR-2 and Small Farm and Woodlot-20 (SFW-20). The Property Owner and Applicant is Oregon Treehouse Partners LLC. The Appellant is Lisa Macy-Baker.

Notice of public hearing, a map of the request area, applicable specific request review criteria and a general explanation of the requirements for submission of testimony and the procedures for conduct of hearing has been mailed to all property owners within 750 feet of the exterior boundary of the subject property for which application has been made at least 28 days prior to the date of the hearing.

The applicable criteria include Tillamook County Land Use Ordinance Section 6.040: Review Criteria and the Tillamook County Comprehensive Plan. Applicable development standards include TCLUO Section 3.010: Rural Residential 2-Acre Zone and TCLUO Section 5.030: Recreational Campground Standards. Only comments relevant to the approval criteria are considered relevant evidence.

The hearing will take place virtually with a livestream to ensure the public is able to participate. In-person attendees will be required to wear a mask in accordance with the current County Courthouse procedures. Oral testimony will be taken at the hearing on April 25, 2022.

For instructions on how to provide oral testimony at the April 25, 2022 hearing, please visit the Tillamook County Community Development homepage at <https://www.co.tillamook.or.us/bc-pc> or email Lynn Tone, Office Specialist 2, at ltone@co.tillamook.or.us to confirm you would like to testify at the hearing. The virtual team meeting link can be accessed on the DCD homepage <https://www.co.tillamook.or.us/commdev> as well as a dial in number for those who wish to participate but are unable to participate virtually.

Written testimony may be submitted to the Tillamook County Department of Community Development, 1510-B Third Street, Tillamook, Oregon, 97141 prior to 4:00 p.m. on the date of the April 25, 2022 Board of County Commissioner hearing. If submitted by 4:00 p.m. on April 15, 2022 the testimony will be included in the packet mailed to the Commissioners in the week prior to the April 25, 2022 hearing. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue. Please contact Melissa Jenck, Land Use Planner II, Tillamook County Department of Community Development, mjenck@co.tillamook.or.us as soon as possible if you wish to have your comments included in the staff report that will be presented to the Board of County Commissioners.

A copy of the record including the Applicant's submittal, testimony received, the staff report and associated exhibits, audio hearing recordings as well as the applicable review criteria are available on the Tillamook County Department of Community Development website (<https://www.co.tillamook.or.us/commdev/landuseapps>) or at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141. The record and related materials may be purchased from the Department of Community Development at a cost of 25 cents per page. The staff report will be available for public inspection on January 20, 2022. For additional information concerning this appeal process and record, please contact ltone@co.tillamook.or.us or call 1-800-488-8280 x3423.

In addition to the specific applicable review criteria, the Tillamook County Land Use Ordinance, Tillamook County Comprehensive Plan, and Statewide Planning Goals which may contain additional regulations, policies, zones and standards that may apply to the request are also available for review at the Department of Community Development.

The Tillamook County Courthouse is handicapped accessible. If special accommodations are needed for persons with hearing, visual, or manual impairments who wish to participate in the hearing, please contact 1-800-488-8280 ext. 3303, at least 24 hours prior to the hearing in order that appropriate communications assistance can be arranged.

If you need additional information, please contact Allison Hinderer, DCD Office Specialist, at 1-800-488-8280 ext. 3423 or email ltone@co.tillamook.or.us.

Sincerely,
Tillamook County Department of Community Development

Melissa Jenck, CFM, Land Use Planner II

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria
 Maps

REVIEW CRITERIA

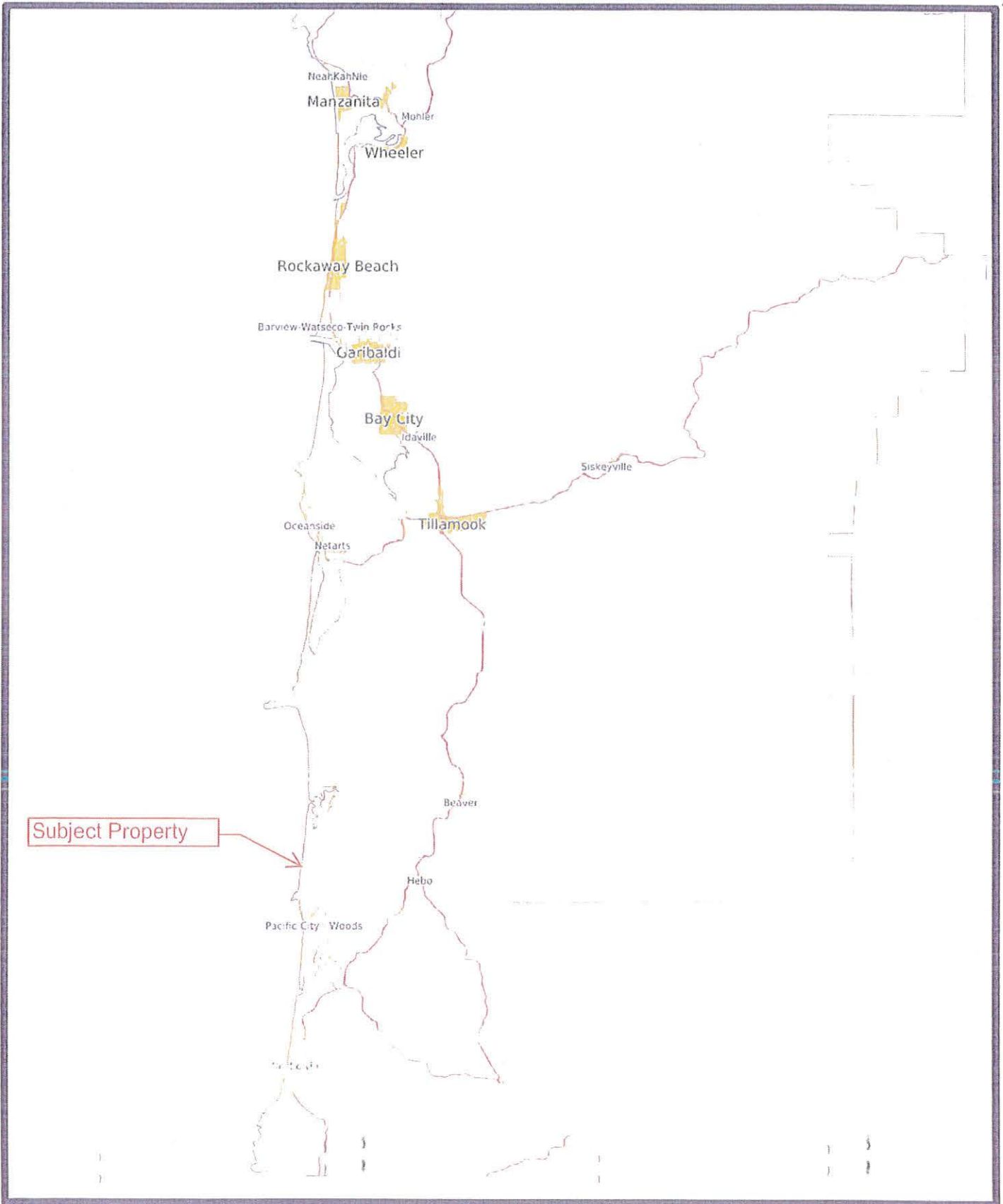
SECTION 6.040: REVIEW CRITERIA:

Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

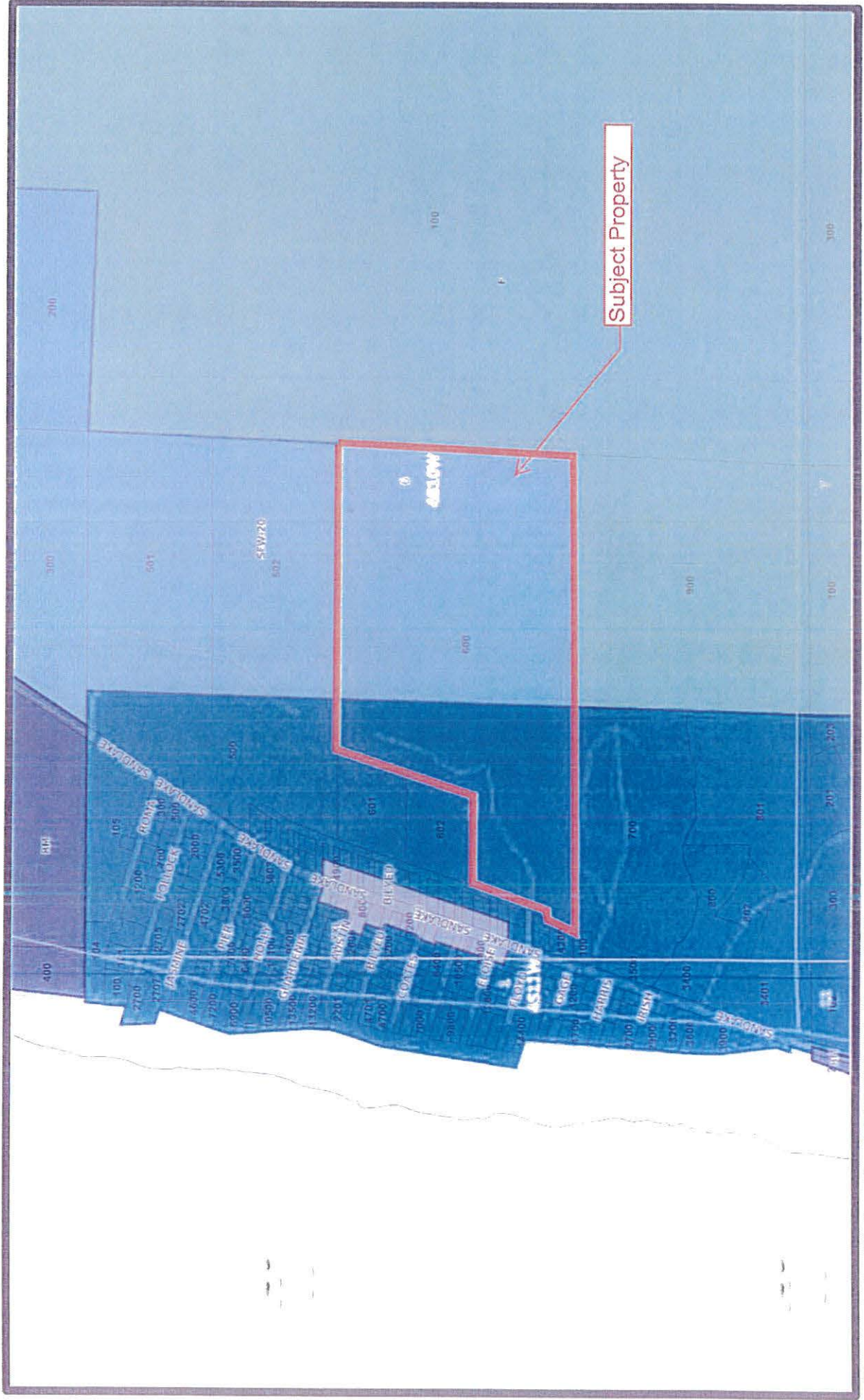
- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.
- (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.
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.

EXHIBIT A

Vicinity Map



Zoning Map

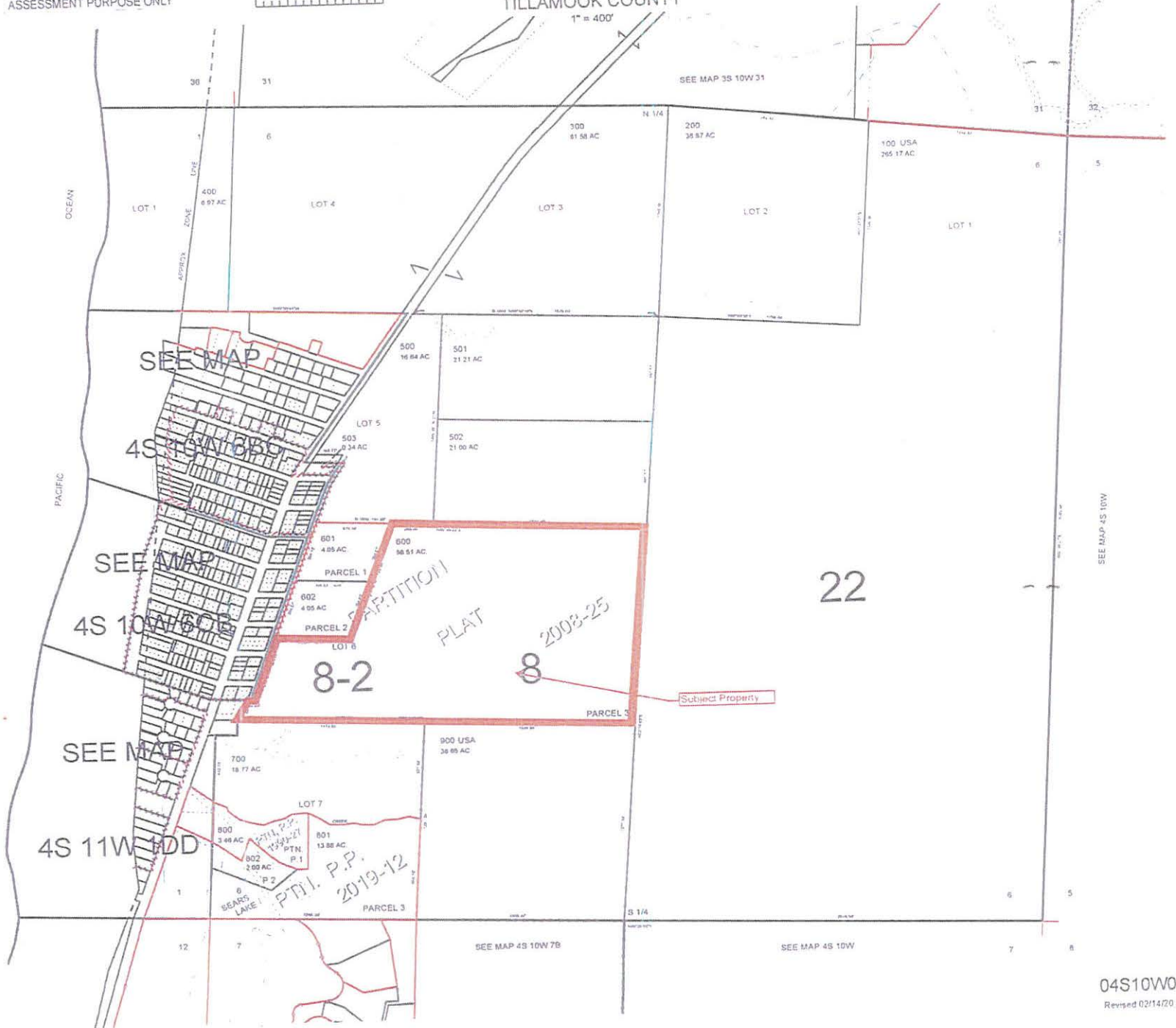


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SECTION 6 T.4S. R.10W. W.M.
TILLAMOOK COUNTY

04S10W06



SEE MAP 4S 10W

04S10W06
Revised 02/14/20 WS

EXHIBIT B

MAR 11 2022

NOTICE OF APPEAL TO THE TILLAMOOK COUNTY

Tillamook County Board of Commissioners

OFFICE USE ONLY

Hearing Scheduled April 25, 2022

Public Notice Completed March 25, 2022

Property Owner Notice Completed receipt # 124937

Fee Paid \$ 250.00

APPELLANT:

1. Name Lisa Macy-Baker

Only personal names. If you are also representing an organization, place its name on line number 4.

2. Address 1035 NE Davis St., McMinnville OR 97128

3. Telephone (Daytime) (971) 241-8414

4. Representing

Place your organizations name here IF you are an official representative of an organization that has authorized this appeal. Proof of such authorization must be shown by the time of the public hearing. (You need not represent an organization in order to file an appeal.)

5. Date of Planning Department / Planning Commission Decision (circle one)

6. Action Appealed (e.g. Variance, Condition Use Permit, etc.)

Conditional Use Permit

7. Decision Appealed (Denied, Granted) Granted

8. Name of Applicant Oregon Treehouse Partners LLC

9. Additional Comments please see attached supplemental information

You will be notified by mail of the date and time set for the public hearing before the Planning Commission.

Date 3/10/22

Signature Lisa Macy-Baker

Supplemental Information to Support Appeal

Identification of the decision being appealed, including the date of the decision and specific issues being raised on appeal.

The decision being appealed is the Planning Commission decision on February 24, 2022, granting approval of a conditional use request by Oregon Treehouse Partners LLC for a 19-site recreational campground above Tierra Del Mar - #851-21-000416-PLNG.

The issues being raised on appeal relate to the determination by the Planning Commission that the above referenced request meets the conditional use criteria.

The specific issues include but are not limited to:

- There were substantive changes to the applicant's initial planning application (as referenced in the staff report and presented by the applicant to the Planning Commission January 27, 2022) with the applicant's final presentation to the Planning Commission February 24, 2022 without the opportunity for public comment.

The Planning Commission failed to adequately assess the application's compliance with several requirements of Tillamook County ordinance, as the applicant has failed to meet the burden of proof as required by law. In order to make a legally defensible decision, the county must require and then adequately weigh, the evidence provided by the applicant, as well as other resources, studies, public comments and laws to which it must refer.

Conditional Use Review Criteria (3) The parcel is suitable for the proposed use considering its ... natural features.

- There are mapped wetlands and riverine features including forested shrub wetlands present on the subject property, but the applicant has not provided a wetland delineation, which is crucial to decision-making.
- The tract lies within an area of potential landslide susceptibility as identified by DOGAMI map layer, but the applicant has not provided a Geologic Hazard report for assessment of compliance.
- The applicant has provided no information on the surface and groundwater systems that will be used for drinking water.

Conditional Use Criteria (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.

- The applicant has not provided solid information concerning the impact of increased traffic, parking overflow and volume of vehicles accessing the campground.

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

- The applicant has not provided any information about emergency response, limited water supply, inadequate infrastructure and limited enforcement capacity.

A statement demonstrating the person filing the notice of appeal has standing to appeal.

Lisa Macy-Baker has standing to appeal having provided written testimony to the Tillamook County Planning Commission on January 24, 2022, prior to the Planning Commission Hearing that was held January 27, 2022.