



1510 – B Third Street  
Tillamook, Oregon 97141  
[www.tillamook.or.us](http://www.tillamook.or.us)  
Building (503) 842-3407  
Planning (503) 842-3408  
Sanitation (503) 842-3409  
FAX (503) 842-1819  
Toll Free 1(800) 488-8280

*Land of Cheese, Trees and Ocean Breeze*

**CONDITIONAL USE REQUEST, 851-22-000067-PLNG: PORTER**

*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 ADMINISTRATIVE REVIEW  
Date of Notice: June 3, 2022**

Notice is hereby given that the Tillamook County Department of Community Development is considering the following:

**851-22-000067-PLNG:** A Conditional Use request for a home occupation, specifically a bakery in an existing accessory structure on the subject property. The subject property is located at 27854 Highway 101 South, a State highway, and is designated as Tax Lot 500 in Section 1A of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Farm (F-1). The applicant and property owner is are Waylon and Sandra Porter.

Written comments received by the Department of Community Development prior to 4:00p.m. on June 17, 2022, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than the next business day, June 20, 2022.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 750 feet of the exterior boundaries of the subject parcel for which the application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x 3301 or [mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)

Sincerely,

  
Melissa Jenck, CFM, Senior Planner

Sarah Absher, CBO, CFM, Director

Enc. Maps, Applicable Ordinance Criteria

**REVIEW CRITERIA**

**ARTICLE VI - CONDITIONAL USE PROCEDURES AND 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.

**TCLUO SECTION 3.002: FARM ZONE (F-1)**

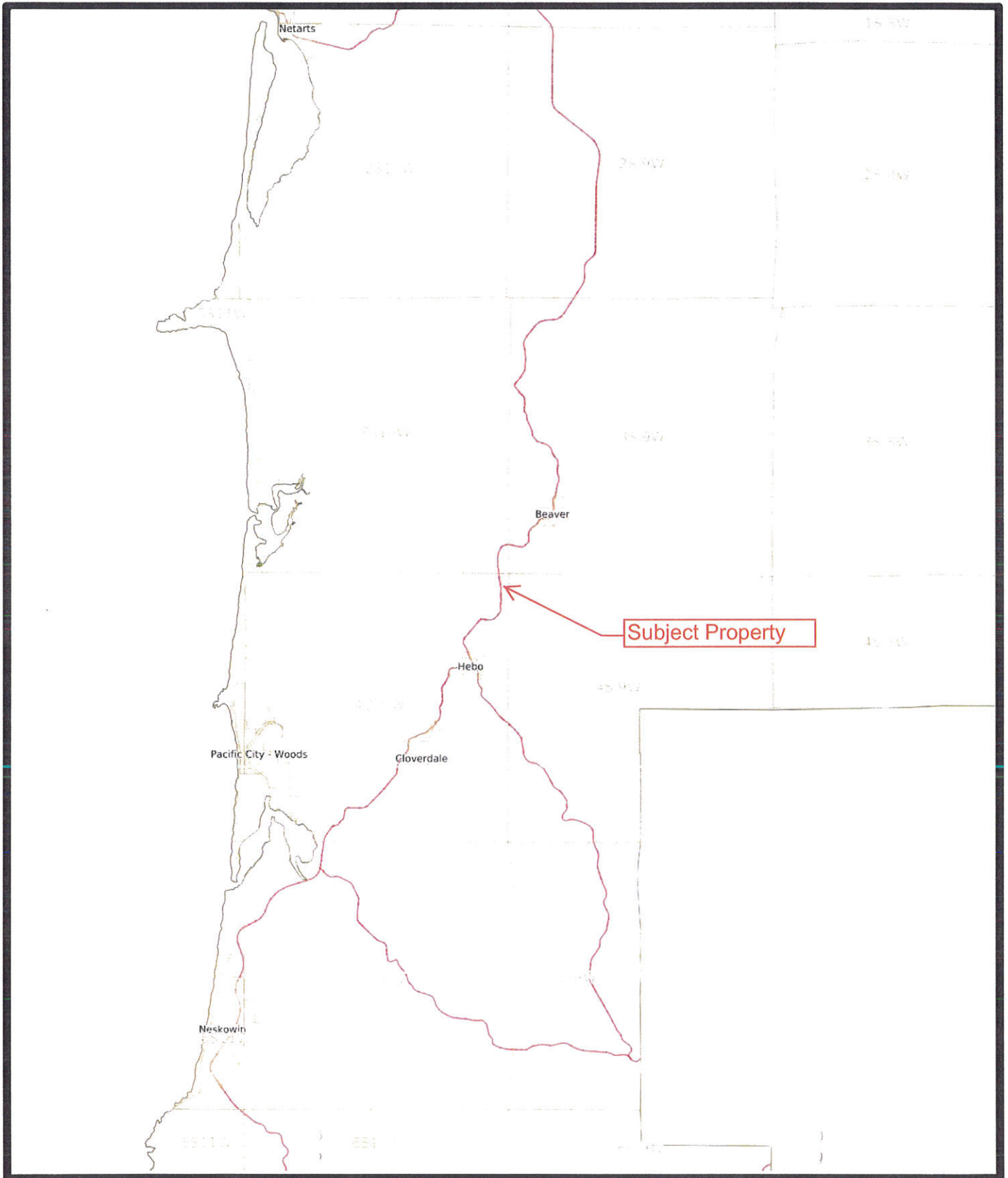
**CONDITIONAL USE REVIEW CRITERIA**

An applicant for a use permitted in Table 1 must demonstrate compliance with the following criteria and with the Conditional Use Criteria in Article 6 Subsection 040, or in Article 6 Subsection 060 if the proposed use is for the restoration, enhancement or creation of a wetland as defined in 3.002(2).

- (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.

# EXHIBIT A

# Vicinity Map



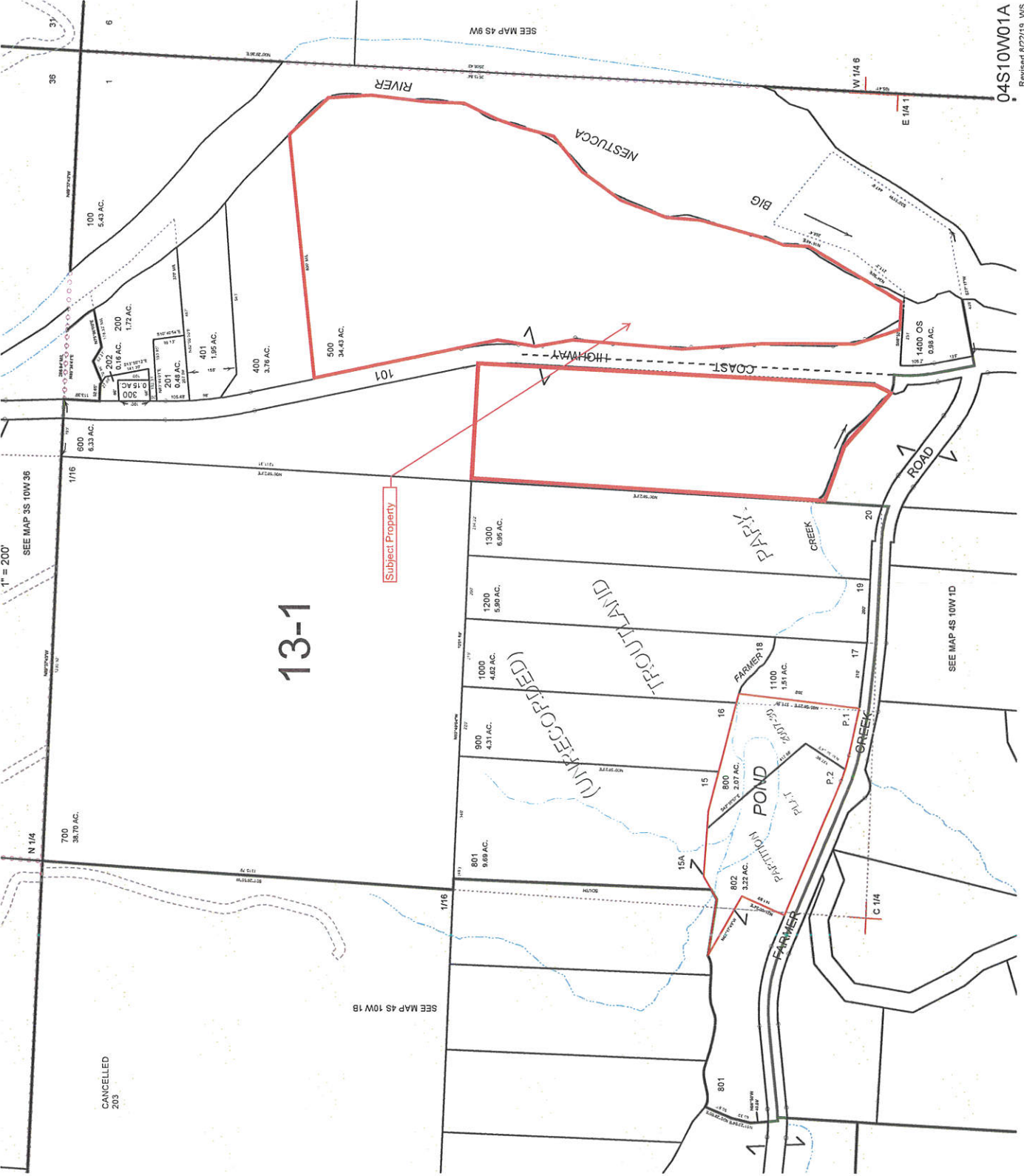


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

0 100 200 300 400 Feet

N.E.1/4 SEC.1 T.4S. R.10W. W.M.  
TILLAMOOK COUNTY

04S10W01A



04S10W01A

Revised 8/22/19, WS

# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

June 3, 2022 12:44:09 pm

Account # 20747  
 Map # 4S1001A000500  
 Code - Tax # 1301-20747

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr See Record

Mailing Name PORTER, WAYLON & SANDRA

Deed Reference # 2013-5010

Agent

Sales Date/Price 08-15-2013 / \$28,000.00

In Care Of

Appraiser ELIZABETH LOFTIS

Mailing Address PO BOX 66  
 CLOVERDALE, OR 97112

Prop Class 559 MA SA NH Unit  
 RMV Class 509 06 01 500 28751-1

Sitius Address(s)		Sitius City
ID#	27850 HWY 101 S	COUNTY
ID#	27854 HWY 101 S	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
1301	Land	272,880			Land	0
	Impr.	191,730			Impr.	0
<b>Code Area Total</b>		464,610	147,270	191,268		0
<b>Grand Total</b>		464,610	147,270	191,268		0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
1301	1	<input checked="" type="checkbox"/>		F-1	Farm Site	100	A	1.00	SFM	7,200
1301	7	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	10.62	SP2	76,460
1301	6	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	17.24	SP3	124,130
1301	5	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	1.37	SP4	9,860
1301	4	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	0.06	SP6	430
1301	2	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	2.57	SP6	18,500
1301	3	<input checked="" type="checkbox"/>		F-1	Farm Use Zoned	100	A	1.57	SP8	11,300
1301					SA OSD	100				12,500
1301					SA OSD	100				12,500
<b>Grand Total</b>								34.43		272,880

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
1301	12	1900	366	LEAN-TO LIGHT WEIGHT	119	675			730
1301	11	1900	345	GENERAL PURPOSE BUILDING	119	216			1,340
1301	8	1900	388	WASTE TANK	119	256			1,790
1301	9	1900	372	MACHINE SHED/LOAFING SHED	119	1,400			2,610
1301	10	1900	345	GENERAL PURPOSE BUILDING	119	936			3,920
1301	3	1900	336	FEEDER BARN	119	3,520			5,780
1301	2	1900	336	FEEDER BARN	119	3,600			5,900
1301	6	1900	345	GENERAL PURPOSE BUILDING	119	1,300			7,690
1301	4	1900	345	GENERAL PURPOSE BUILDING	119	1,260			7,000
1301	7	1900	378	MILKING PARLOR	119	192			9,060
1301	5	1900	369	LOFT BARN	119	2,800			12,720
1301	13	2014	345	GENERAL PURPOSE BUILDING	119	600			18,310
1301	1	1900	136	Two story or more, with basement	119	1,806			114,880
<b>Grand Total</b>						18,561			191,730

### Exemptions / Special Assessments / Potential Liability

Code Area	1301								
<b>SPECIAL ASSESSMENTS:</b>									
■ SOLID WASTE					Amount	24.00	Acres	0	Year 2021

Account # 20747

NOTATIONS:

- FARMLAND - POTENTIAL ADDITIONAL TAX LIABILITY 308A.083 ADDED 2008

MS Account(s): 1301-P-416563

Comments:

8/18/08 Added code 13.00, road dedication -0.15 acres to Hwy 101, added RMV and apportioned MAV.LM 11/6/08 Combined S1 into parent, inpt inv. tabled improvements, MAV balance.LM 1/21/11 Reappraisal. Updated inventory and tabled values. gb  
8/25/14 New personal MS added. When combined S1 into parent account in 2008, 1 acre market land should have been changed to farm homesite per zoning. Created 1 acre farm homesite. Added OSD for new MS - applied exception. EJ.  
1/14/15 - New GPB 100% complete - applied exception. EJ.  
8/27/19 - Due to the redrawing of Highway 101, several lots including TL 500 had size corrections - RMV changes only. A court judgement takes .97 acres from taxlot 4S10 1A 500 for highway purposes. Removed all MAV from SA land and updated soil classes. EJ



# National Flood Hazard Layer FIRMette

123°51'11"W 45°15'19"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE)  
Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone J)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee (Zone X)
- Area with Flood Risk due to Levee (Zone D)

**OTHER AREAS**

- NO SCREEN
- Area of Minimal Flood Hazard (Zone X)
- Effective LOMRs
- Area of Undetermined Flood Hazard (Zone X)

**GENERAL STRUCTURES**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

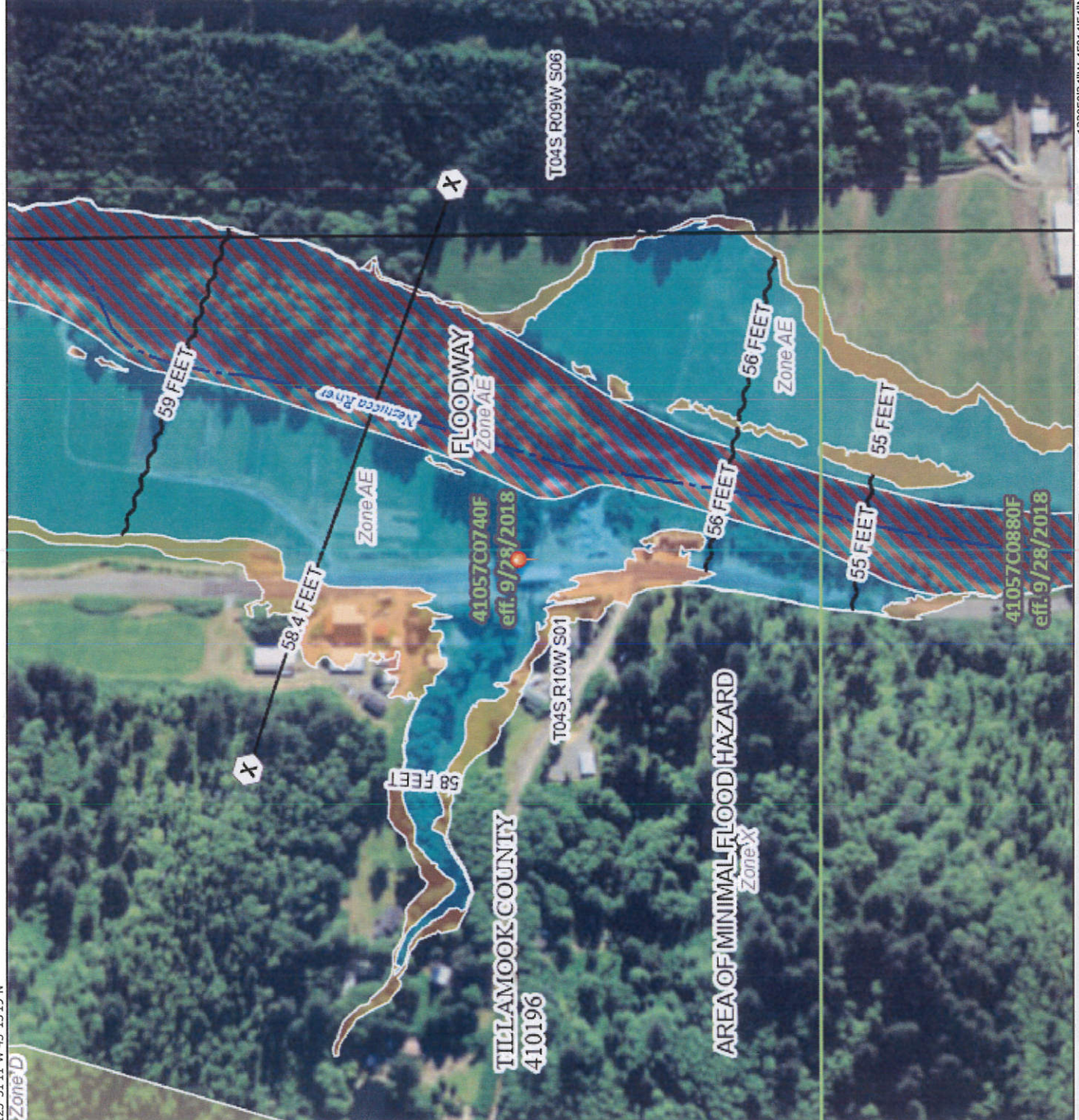
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/3/2022 at 3:49 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



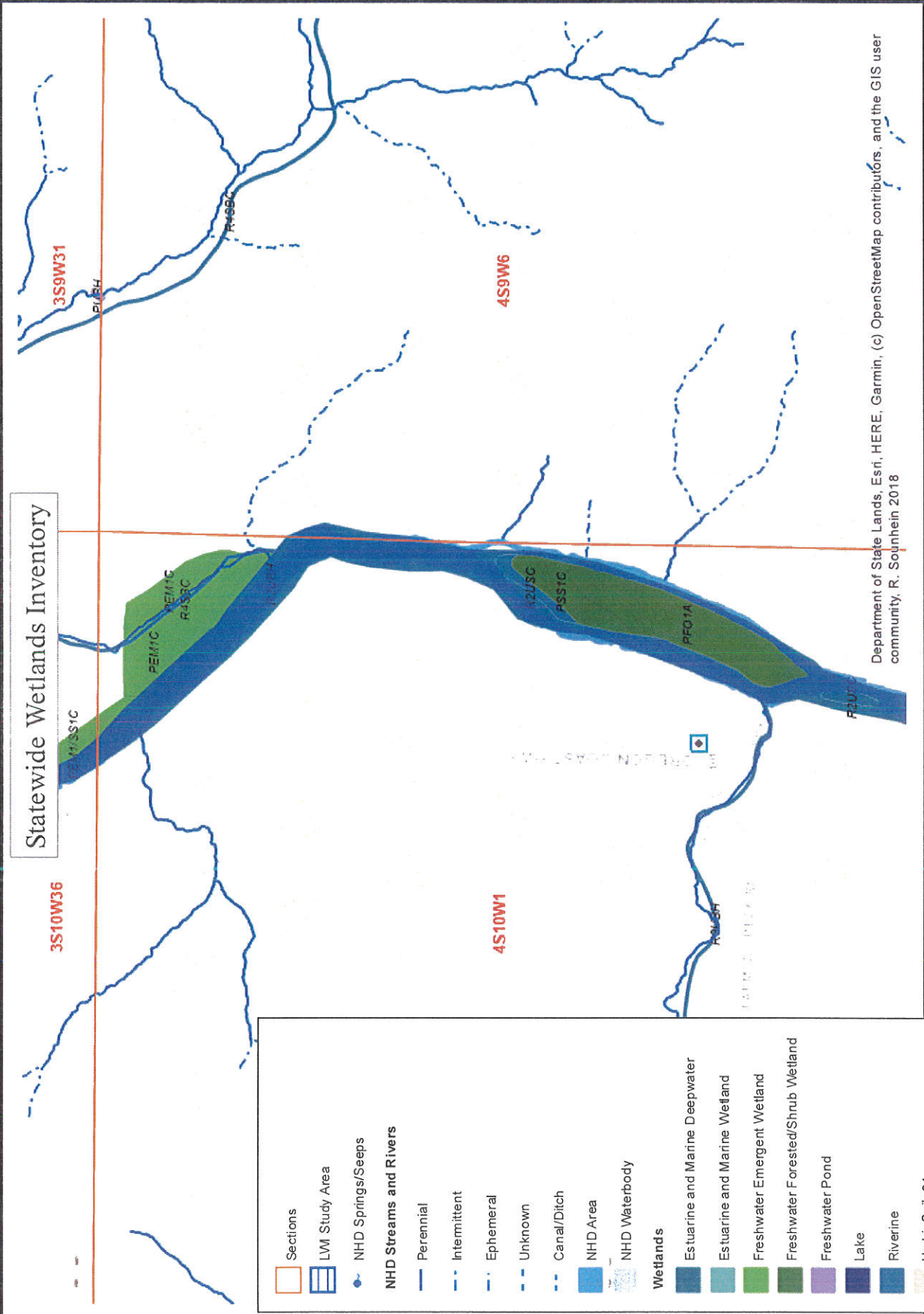
123°50'34"W 45°14'54"N

1:6,000

Feet



# Statewide Wetlands Inventory



	Sections
	LM Study Area
	NHD Springs/Seeps
	NHD Streams and Rivers
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	NHD Area
	NHD Waterbody
<b>Wetlands</b>	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	HydricSoil_21
	AgateMnlo_21

Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, R. Soulnhein 2018

Date: 6/30/2022  
 State of Oregon  
 Department of State Lands  
 775 Summer Street, NE, Ste 100  
 Salem, OR 97301-1279  
 (503) 986-5200



The Statewide Wetlands Inventory (SWI) represents the best data available at the time the map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

# **EXHIBIT B**



## PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
Fox	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	MJ
Receipt #:	124665
Fees:	1,089
Permit No:	851-22-00067-PLNG

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

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_

### Property Owner

Name: Waylon & Sandra Porter Phone: 503-812-3793  
 Address: 27854 HWY 101 S  
 City: CLOVERDALE State: OR Zip: 97112  
 Email: farmercreekmarket@gmail.com

Request: repurposing original farmhouse into a bakery business space

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

### Location:

Site Address: 27854 HWY 101 S CLOVERDALE, OR 97112

Map Number: \_\_\_\_\_

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.

<u>Sandra Porter</u>	<u>Waylon Porter</u>	<u>12-29-21</u>
Property Owner Signature (Required)		Date
<u>Sandra Porter</u>	<u>Waylon Porter</u>	<u>12-29-21</u>
Applicant Signature		Date

We would like to convert the original Farmhouse on the property to a Bakery space. This will give us the opportunity to sell more value added products from produce/livestock grown on this farm.

Thank you  
Waylon & Sandra Porter

How the proposal will meet the Standards of Home Occupation

- 1) a. We live in a manufactured home on the property and will be operating the Bakery.  
b. Will not employ more than 5 employees  
c. ii - This home occupation will be operated in the original Farmhouse, converted into a Bakery  
d. The Bakery will not interfere with other use of the farm
- 2) n/a
- 3) The Bakery will be an accessory to the farm itself, helping to sell products produced on the farm.
- 4) The use of the Bakery will not cause any issues for our surrounding areas or neighbors
- 5) Parking spaces are identified on site plan
- 6) We have located the sign provisions of Section 4.020 and will abide by them.
- 7) Retail sales will include products produced on this farm, or locally grown items, value added products from this farms' crops/livestock, items pertaining to activities here at the farm. More specifically we will be baking and selling pies and other baked goods, pickles, jams etc.
- 8) We are submitting a conditional use permit for this project
- 9) n/a

**TCLUO SECTION 6.040**  
**CONDITIONAL USE REVIEW CRITERIA**

A Conditional Use shall be granted if the applicant demonstrates that all of the following applicable criteria are satisfied.

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

~ Yes

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

~ Yes

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

~ Yes, There is plenty of room to operate. There is an existing Farm Stand that has been operating from this location for 30+ years. Good access points for entering/exiting traffic to Hwy 101. We will be making improvements to an existing building for this use.

- (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.

~ This use will not cause any issues for surrounding neighbors or properties. We will not be causing excessive noise or smells. There will be no issues with traffic.

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

~ There are no solar or wind energy systems

(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 property is set up with PUD. We have our own water system. A 1500 gallon septic tank was installed with 400' of drainfield. We have Nestucca Sanitary Garbage Service. There is a fire letter in our file with the COunty that states they will service our property.

**In addition, TCLUO Section 3.002(5):**

(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

~ No, this improvement will not force significant change in accepted farming/forestry practices on surrounding lands. We are converting an existing structure on the property into a bakery. Will have no effect on surrounding lands.

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

~ No, this use of an existing structure on the farm will have no impact on the cost of farming/forestry practices on surrounding land devoted to such.



