

# TILLAMOOK COUNTY PLANNING COMMISSION

## LOCATION

Port of Tillamook Bay Conference Center  
4000 Blimp Boulevard, Tillamook, OR 97141

## HEARING DATE

July 13, 2022- Beginning at 7:00p.m.

### VIRTUAL & TELECONFERENCE MEETING INFORMATION

*For teleconference access the evening of the hearing, please call 971-254-3149. Conference ID: 887 242 77#. Virtual Meeting Access: <https://www.co.tillamook.or.us/commdev>. Click on Virtual Teams Link. \*Microsoft Teams Meeting Format.*

I. CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS: NONE

IV. NEW BUSINESS:

**#851-22-000154-PLNG:** Request for Conditional Use approval for development of a 4-site primitive campground on a property zoned Rural Residential 2-Acre (RR-2) located east of Tierra Del Mar and north of the Unincorporated Community of Pacific City/Woods. The subject property is accessed via Sandlake Road, a County road, and designated as Tax Lot 3401 of Section 1DD, Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon.

V. AUTHORIZATION FOR CHAIR TO SIGN APPROPRIATE ORDERS, IF NECESSARY

VI. ADMINISTRATIVE DECISIONS: Administrative Decisions are available for public review on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps>

VII. HOUSING COMMISSION UPDATE

VIII. DEPARTMENT OF COMMUNITY DEVELOPMENT REPORT

IX. ADJOURNMENT

*The Port of Tillamook Bay Conference Center is accessible to citizens with disabilities. If special accommodations are needed for persons with hearing, visual, or manual impairments that wish to participate in the meeting, please contact 1-800-488-8280x3423 at least 24 hours prior to the meeting in order that appropriate communications assistance can be arranged.*



1510 – B Third Street  
Tillamook, Oregon 97141  
www.tillamook.or.us

Building (503) 842-3407  
Planning (503) 842-3408  
On-Site Sanitation (503) 842-3409  
FAX (503) 842-1819  
Toll Free 1 (800) 488-8280

---

*Land of Cheese, Trees and Ocean Breeze*

**CONDITIONAL USE REQUEST  
#851-22-000154-PLNG: SEARS PRIMITIVE CAMPGROUND  
STAFF REPORT**

**Date: July 7, 2022**

**(This is not Building or Placement Permit Approval)**

**Report Prepared by: Sarah Absher, CFM, Director**

A handwritten signature in blue ink, appearing to read 'Sarah', is written over the printed name 'Sarah Absher, CFM, Director'.

---

**I. GENERAL INFORMATION:**

**Request:** Conditional Use approval for development of a 4-site primitive campground (Exhibit B).

**Location:** Located east of platted Tierra Del Mar and north of the Unincorporated Community of Pacific City/Woods, the subject property is accessed via Sandlake Road, a County road, and designated as Tax Lot 3401 of Section 1DD, Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon.

**Zone:** Rural Residential 2-Acre (RR-2)

**Applicant/**

**Property Owner:** David Sears, 28805 Sandlake Road, Cloverdale, OR 97112

**Property Description:** County records indicate the subject property approximately 4.15 acres in size (Exhibit A). The subject property abuts Sears Lake to the east and is bordered by Sandlake Road, a County road, to the west. An access easement (private way) runs along the northerly portion of the subject property that connects to Sandlake Road, a County road. This access serves several residential properties east of Sandlake Road (Exhibit A).

The subject property is improved with a dock and an accessory structure used primarily for agricultural purposes. The subject property is relatively flat and vegetated with grasses and shrubs. The Sears Lake riparian area is dominated by reeds and is bordered by a buffer of heavy vegetation.



The subject property is within an area classified as a Wet Deflation Plain, a dune complex inventoried in the U.S.D.A. Soil Conservation Service “Beaches and Dunes of the Oregon Coast” (Exhibits A & B). The subject property is not located within an Area of Special Flood Hazard as depicted on FEMA Flood Insurance Rate Map #41057C0855F, dated September 28, 2022 (Exhibit A). Wetlands are present on the site as depicted on the US Fish & Wildlife National Wetlands Inventory (NWI) Map (Exhibit A).

The subject property is zoned Rural Residential 2-Acre (RR-2) (Exhibit A). Properties in this area are also zoned RR-2 and primarily devoted to residential use. Recreational uses are also predominant in the area along with agricultural and forest resource management. The subject property is roughly 200-feet east of the beach and Pacific Ocean (Exhibit A). The area and vicinity is known as the community of Tierra Del Mar.

## **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 requirements and criteria, is discussed in Sections III and IV of this report:

*STANDARDS: Standards are rules governing the size, dimensions, shape, or orientation of a lot or parcel, or the placement of buildings or activities thereon.*

*TCLUO Section 3.010: RURAL RESIDENTIAL 2-ACRE (RR-2) ZONE*

*TCLUO Section 5.040: PRIMITIVE CAMPGROUND STANDARDS*

*TCLUO Section 3.530: BEACH & DUNE OVERLAY (BD) ZONE*

*TCLUO Section 3.545: SHORELAND OVERLAY (SH) ZONE*

*TCLUO Section 3.555: FRESHWATER WETLANDS (FW) OVERLAY ZONE*

*TCLUO Section 4.140: REQUIREMENTS FOR PROTECTION OF WATER QUALITY AND STREAMBANK STABILIZATION*

*TCLUO Section 4.160: PROTECTION OF ARCHAEOLOGICAL SITES*

*APPROVAL CRITERIA: Any conditional use authorization shall be subject to the following criteria which may involve the exercise of judgement in implementing established policy.*

*TCLUO Section 6.040: REVIEW CRITERIA*

### *ARTICLE X: ADMINISTRATIVE PROVISIONS*

## **III. ANALYSIS OF STADARDS:**

*TCLUO Section 3.010: RURAL RESIDENTIAL 2-ACRE (RR-2) ZONE*

*(3) USES PERMITTED CONDITIONALLY: In the RR zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.*

...

*(u) Parks, recreational campgrounds, primitive campgrounds hunting and fishing preserves, and other recreational uses and associated facilities, on a contiguous ownership of 10 or more acres.*

**Findings:** The subject property is approximately 4.15 acres with contiguous ownership of an adjacent properties to the east (Exhibit A). The sum of total acreage of these contiguous properties exceeds the minimum 10-acre property size requirement for a primitive campground (Exhibit A).

### *SECTION 5.040: PRIMITIVE CAMPGROUND STANDARDS*

*PURPOSE: The purpose of the PRIMITIVE CAMPGROUND STANDARDS is to insure that each new or enlarged campground provides the necessary facilities, sites, amenities, and other requirements in the interest of preserving the public safety, health, and general welfare, and that such developments provide a quality camping opportunity for visitors to the County.*

*A PRIMITIVE CAMPGROUND is a designated place where four or more campsites are located for occupancy by camping units on a temporary basis for recreation, education or vacation purposes. A PRIMITIVE CAMPGROUND is predominantly an unattended facility which is established to accommodate recreational vehicles, tents, or bicycle uses for a period of time not to exceed two weeks in any given four week period. The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Flood Plain, Geologic Hazard zone, riparian vegetation.*

*The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Floodplain, Geologic Hazard zone, Riparian Vegetation.*

*A campground shall be built to State standards and shall comply with the following provisions:*

- (1) The total area utilized for campsites and access shall not exceed 60% of the total area of the campground.*
- (2) Each space shall be a minimum of 1,200 square feet.*
- (3) Each campsite shall be provided with a fire pit or ring.*
- (4) Tables shall be provided at all campsites.*
- (5) Natural vegetation or landscaping surrounding campsites shall remain intact.*
- (6) Trash cans may be provided in convenient locations for the use of guests of the park, may be located in such number, and may be of such capacity that there is no uncovered accumulation of trash at any time.*
- (7) A house, mobile home or manufactured home may be located within the campground for the owner, manager or caretaker of the campground.*
- (8) Other camp-related buildings may be permitted, if approved through the Conditional Use process.*
- (9) No recreational vehicle, tent, or other building or structure shall be within 20 feet of any property line.*
- (10) Access and interior roadways must be approved by the County Public Works Department.*
- (11) The campground may be adequately screened with vegetation and/or natural features around its exterior boundary lines.*
- (12) Preliminary plans which contain all the information specified in OAR 333-31-059 shall be submitted to the Planning Department when requesting Conditional Use or permit approval.*

**Findings:** Applicant's narrative describes the proposed primitive campground development and the accompanying site plan depicts the location of improvements. Applicant is proposing 4-primitive campsites, each campsite area 12-feet by 20-feet (Exhibit B). Sites will be comprised of wooden platforms large enough for a 12-foot by 12-foot cabin tent and a 12-foot by 8-foot deck. Sites will be no more than 6-feet off the ground (Exhibit B).

Three accessory structures depicted on the site plan are either existing or approved under Conditional Use request #851-21-000223-PLNG. These include the existing accessory structure utilized for agricultural purposes and the storage shed and dock approved through the Conditional Use review process in 2021. An additional accessory structure is proposed as part of the primitive campground development as depicted on the site plan (Exhibit B).

Applicant's narrative confirms each campsite will be supplied with a fire pit or ring, a table and access to garbage receptacles convenient for guest access. Two designated parking areas are also depicted on the site plan allowing for approximately 10 parking spaces. Natural vegetation surrounding campsites will remain intact (Exhibit B).

Applicants (property owners) reside on the contiguous property made part of the 10-acres for the proposed primitive campground (Exhibits A & B).

The subject property is approximately 4.15 acres, or 180,775 square feet (Exhibit A). Total area of improvements for the campground is roughly 5,100 square feet (Exhibit B). Utilizing GIS, area for access is determined to be an additional 8,400 square feet (600-foot interior access length at 14-foot wide). Total area utilized for campsites and access is roughly 13,500 square feet and roughly 7% of the total area of the campground.

It should be noted that staff analysis of the campground area differs than the calculations in the Applicant's submittal. Applicant's calculations are 20% of area used for the campground (Exhibit B). Both calculations are well below the 60% maximum use threshold allowed for a primitive campground.

Access to the property and proposed campsites is depicted on the submitted site plan. Primary access to the campground is via an easement (private way) connected to Sandlake Road. This connection is developed with an existing road approach located at the intersection of the easement and Sandlake County Road (Exhibits A & B). A 14-foot wide "gravel road" is proposed as the interior access route through the primitive campground. The proposed access loops through the property from the north and reconnects with Sandlake Road at the southwestern end of the subject property (Exhibit B). This connection to Sandlake Road is also proposed to be the emergency access route if needed. Pedestrian access to the beach is also located in the southwestern corner of the property as depicted on the submitted site plan (Exhibit B).

The proposed access route within the campground as well as the approaches to Sandlake Road have been reviewed by both the Tillamook County Public Works Department and the Nestucca Rural Fire Protection District. Comments from these entities are included with the Applicant's submittal in "Exhibit B" of this report.

#### *SECTION 3.555: FRESHWATER WETLANDS OVERLAY (FW)*

*(1) PURPOSE AND AREAS INCLUDED: The purpose of this zone is to protect significant areas of freshwater wetlands, marshes and swamps from filling, drainage or other alteration which would destroy or reduce their biological value. Areas included in this zone are:*

...

*(b) Notification Wetlands: wetlands shown on the Statewide Wetland Inventory (discussed in the Goal 5 Element of the Comprehensive Plan).*

*(2) USES PERMITTED:*

..

*(b) Notification Wetlands: wetlands shown on the Statewide Wetland Inventory (discussed in the Goal 5 Element of the Comprehensive Plan).*

*(3) STANDARDS: The following standard shall be met in addition to the standards of the underlying zone.*

...

*(b) Development activities, permits, and land-use decisions affecting a Notification Wetland require notification of the Division of State Lands, and are allowed only upon compliance with any requirements of that agency. The applicant shall be responsible for obtaining approval from the Division of State Lands for activities on Notification Wetlands.*

**Findings:** Mapped wetlands are indicated on the USFW National Wetlands Inventory (NWI) Map and are present on the tract, including Freshwater Forested/Shrub wetlands (Exhibit A). A copy of the Wetland Delineation Report for Sears Lake (WD# 2021-0100) dated July 22, 2021, is included with the Applicant's submittal (Exhibit B).

#### *SECTION 3.530: BEACH & DUNE OVERLAY (BD) ZONE*

*The purpose of the Beach and Dune Overlay Zone is to regulate development and other activities in a manner that conserves, protects and, where appropriate, restores the natural resources, benefits, and values of coastal beach and dune areas, and reduces the hazard to human life and property from natural*



*events or human-induced actions associated with these areas. The Overlay Zone establishes guidelines and criteria for the assessment of hazards resulting from beach and dune processes and development activities in beach and dune areas.*

**Findings:** The BD overlay zone is based on information contained in the inventory of beach and dune landforms of Tillamook County, prepared by the Soil Conservation Service (SCS, now known as the Natural Resource Conservation Service) and published in their 1975 report, *Beaches and Dunes of the Oregon Coast*. The dune areas mapped in the inventory are identified in the Goal 18 (Beaches and Dunes) Element of the Comprehensive Plan and include those areas identified as a Wet Deflation Plain (WDP). The inventory is summarized in four Beach and Dune categories within this overlay zone: Developed Beachfront Areas, Foredune Management Areas, Resource Protection Areas, and Stabilized Beach and Dune Areas.

As stated previously in this report, the subject property is categorized as a Wet Deflation Plain in the Soil Conservation Service (SCS, now known as the Natural Resource Conservation Service) 1975 report, *Beaches and Dunes of the Oregon Coast* (Exhibit A). Wet Deflation Plains (Deflation Plains) are listed as a Category 3: Resource Protection Areas, beach and dune areas committed to resource protection or recreational use.

Uses within the BD zone are subject to the provisions and standards of the underlying zone and of this Section. The administrative provisions of this section state that where the provisions of this zone and the underlying zone conflict, the more restrictive provisions shall apply. Pursuant to Section 3.530(4)(A)(1)(a) residential, commercial, and industrial development may be permitted only in areas classified as stabilized foredune or conditionally stable foredune not subject to ocean undercutting or wave overtopping, or in areas where an exception has been taken to the prohibitions contained in Goal 18. The subject property lies within the Tierra Del Mar Community that has an exception pursuant to Goal 18, 6.1 Exception to Goal 18 Implementation Requirement 2 *et seq.*

Development of the property is subject to the application provisions outlined in TCLUO Section 3.530: Beach and Dune Overlay Zone.

#### **SECTION 3.545: SHORELAND OVERLAY (SH) ZONE**

*The purpose of the Shoreland Overlay zone is to provide for development, restoration, conservation or protection of coastal shorelands in a manner which is compatible with the resources and benefits of coastal shorelands and adjacent coastal water bodies and protect identified priority dredged material disposal and mitigation sites from uses which would prevent their ultimate use for dredged material disposal or mitigation.*

**Findings:** Pursuant to TCLUO Section 3.545, the Shoreland Overlay zone includes lands contiguous with ocean estuaries and coastal lakes that contain the features shown in the Coastal Shoreland Element (Goal 17) of the Comprehensive Plan, including areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake, adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body, riparian vegetation or other natural or man-made riparian resources necessary for shoreline stabilization or water quality maintenance, significant shoreland and wetland biological habitats, areas necessary for water-dependent and water-related uses, shoreland areas of exceptional aesthetic or scenic quality, coastal headlands.

Sears Lake is identified in the Coastal Shorelands Element of the Comprehensive Plan as: significant shoreland and wetland biological habitat, and is specifically identified as a significant wildlife habitat (Goal

17, 3.2e). The provisions of the Shoreland Overlay Zone for significant shoreland and wetland biological habitat apply to development within 50 feet the coastal lake.

Low intensity uses and developments such as hiking trails and platforms for wildlife viewing or similar types of educational, scientific or recreational uses may be permitted provided that such uses and developments will not act as a barrier to or result in major disturbances or displacement of fish or wildlife species are permitted within significant shoreland and wetland biological habitat. "Buildings" may be allowed only if they and the land preparation which precedes them preserves the natural topography and unique scenic features and does not substantially alter the scenic character or the natural vegetative cover of the area.

The Applicant proposes to place 4 campsites with associated improvements on the subject property (Exhibit B). A thick vegetative buffer surrounds Sears Lake, is easily identified on aerial imagery and as measured with GIS is roughly 50-feet in width. This buffer is depicted on the Applicant's site plan. Proposed areas for campground development are outside of the 50-foot perimeter for Sears Lake (Exhibit B).

**4.140: REQUIREMENTS FOR PROTECTION OF WATER QUALITY AND STREAMBANK STABILIZATION**

*(1) The following areas of riparian vegetation are defined:*

*(a) Fifty (50) feet from lakes and reservoirs of one acre or more, estuaries, and the main stems of the following rivers where the river channel is more than 15 feet in width; Nestucca, Little Nestucca, Three Rivers, Tillamook, Trask, Wilson, Kilchis, Miami, Nehalem and North and South Fork Nehalem River.*

*(b) Twenty-five (25) feet from all other rivers and streams where the river or stream channel is greater than 15 feet in width.*

*(c) Fifteen (15) feet from all perennial rivers and streams where the river or stream channel is 15 feet in width or less. For estuaries, all measurements are horizontal and perpendicular from the mean high water line or the line of non-aquatic vegetation, whichever is most landward. Setbacks for rivers, streams, and coastal lakes shall be measured horizontal and perpendicular from the ordinary high water line.*

**Findings:** A 50-foot riparian setback from Sears Lake, a coastal lake, is required for development. Applicant's submittal acknowledges this setback and demonstrates this setback can be maintained (Exhibits A & B).

Staff finds that the riparian setbacks of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization shall be followed for any development. Staff recommends that this requirement be met through compliance with Conditions of Approval.

**SECTION 4.160: PROTECTION OF ARCHAEOLOGICAL SITES**

*(1) The Planning Department shall review building permits and other land use actions that may affect known ARCHAEOLOGICAL SITES. If it is determined that the proposed action may affect the integrity of an ARCHAEOLOGICAL SITE, the Planning Director shall consult with the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents. No permit shall be issued until either the State Historic Preservation Office determines that the proposed activity will not adversely affect the ARCHAEOLOGICAL SITE, or the State Historic Preservation Office has developed a program for the preservation or excavation of the site.*

*(2) Indian cairns, graves and other significant archaeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or reinterment has been developed by the State.*

**Findings:** The State Historic Preservation Office was noticed as part of this application and have not provided comments at time of publication of the Staff Report. Staff recommends that as a Condition of

Approval, Applicant be required to obtain all applicable federal, state, and local permits and adhere to applicable regulations including those required by the State Historic Preservation Office.

#### **IV. ANALYSIS OF CRITERIA:**

##### *6.040: CONDITIONAL USE 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.*

**Findings:** The proposed use is listed as a conditional use in the underlying zone (TCLUO 3.010(3)(u)). County records confirm the Applicant is able to meet the minimum 10-acre requirement for the proposed development (Exhibit A).

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

**Findings:** The Tillamook County Land Use Ordinance 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. A brief summary of each goal element in relation to this request is provided below.

- **Tillamook County Comprehensive Plan Goal 1 Element: The Planning Process**  
*Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.*
- **Tillamook County Comprehensive Plan Goal 2 Element: THE LAND USE PLAN**  
*Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program and describes the development of Tillamook County's Comprehensive Plan including justification for identifying exception areas.*
- **Tillamook County Comprehensive Plan Goal 3 Element: AGRICULTURAL LANDS**  
*Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.*
- **Tillamook County Comprehensive Plan Goal 4 Element: FOREST LANDS**  
*Summary: This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."*
- **Tillamook County Comprehensive Plan Goal 5 Element: NATURAL RESOURCES**  
*Summary: The purpose of Goal 5 is to protect natural resources, and conserve scenic and historic areas and open space. Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a*



*balance between the resource and the uses that would conflict with it.*

- Tillamook County Comprehensive Plan Goal 6 Element: AIR, WATER AND LAND RESOURCES QUALITY

*Summary: This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution and noise control in Tillamook County.*

The proposed development of a 4-site primitive campground does not conflict with the five Tillamook County Comprehensive Plan goal elements described above. Specifically, the public hearing and prescribed land use review process is consistent with the goals and policies of the Goal 1 and 2 elements. The subject property is zoned Rural Residential 2-Acre (RR-2) and located within the Tierra del Mar community of unincorporated Tillamook County where an exception has been taken. This area is not identified as agricultural or forest lands where strict policies are upheld to preserve and protect agricultural land and resource uses. Areas proposed for development of the 4-site primitive campground are not inventoried in the Goal 5 element of the Tillamook County Comprehensive Plan.

Findings and policies within the Goal 6 element outlined in Section 4.3 state the Tillamook DEQ office and Tillamook County Sheriff enforce state noise standards in Tillamook County. Off-road vehicles are noted as the biggest source of noise complaints in Tillamook County. The policy within this element of the Comprehensive Plan is that Tillamook County shall continue to support and cooperate with state and federal programs of noise control.

- Tillamook County Comprehensive Plan Goal 7 Element: HAZARDS

*Summary: Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there. In Tillamook County, the purpose of addressing hazards is not meant to restrict properties from development, but to institute policies concerning potential problems, so they can be considered before financial losses and possible injury which may be avoided by the application of the policies formulated in the Comprehensive Plan.*

The subject property is located within the Beach and Dune Overlay Zone and Tsunami Hazard Overlay Zone. Development is subject to the applicable provisions outlined in TCLUO Section 3.530 and Section 3.580, respectively. Applicant's narrative acknowledges compliance with provisions contained within the Beach and Dune Overlay Zone and Tsunami Hazard Overlay Zone (Exhibit B). Compliance measures for tsunami evacuation are reflected in the Applicant's submittal (Exhibit B).

- Tillamook County Comprehensive Plan Goal 8 Element: RECREATION

*Summary: This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts. In Tillamook County, the main issue surrounding recreation is that of quantity, location and orientation. This Goal element recognizes that the tourism sector of the County's economy is rapidly growing and some feel tourism places too large a burden on local public facilities and services.*

Applicant references specifically the Goal 8: Recreation Element of the Tillamook County Comprehensive Plan. Section 2.2 of the Goal 8 element of the Comprehensive Plan describes the Statewide Comprehensive Outdoor Recreation Plan developed by State Parks which identified goals for the County to promote and enhance recreational activities.

- Tillamook County Comprehensive Plan Goal 9 Element: POPULATION AND ECONOMY  
*Summary: Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs. Projections in this Element of the Comprehensive Plan extend to year 2000. The importance of cottage industry, rural industry and light industry is recognized throughout this Element, stating that regulations be adopted to permit low-impact light manufacturing activity in suitable rural zones.*
- Tillamook County Comprehensive Plan Goal 10 Element: HOUSING  
*Summary: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. This Goal element within the Tillamook County Comprehensive Plan focuses on the separation of housing needs and opportunities in both rural and urban areas. There is a strong tie to the Goal 11: Public Facilities and Goal 14: Urbanization elements of the Comprehensive Plan in this section.*

The proposed development is not considered to be industry and is not in conflict with the industry policy language contained within the Goal 9 element. The subject property is zoned Rural Residential 2-Acre (RR-2) and non-residential uses can be permitted without conflicting with the goals and policies of the Goal 10 Housing Element.

- Tillamook County Comprehensive Plan Goal 11 Element: PUBLIC FACILITIES  
*Summary: Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs. This Element of the Comprehensive Plan outlines types and levels of urban and rural facilities and services, with guidance to ensure timely, orderly and efficient arrangement of public facilities and services in Tillamook County.*

The Goal 11 element of the Tillamook County Comprehensive Plan specifically states, "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served." The request is for a 4-site primitive campground. Service provider letters are included with the Applicant's submittal confirming water and emergency service availability to the property (Exhibit B).

- Tillamook County Comprehensive Plan Goal 12 Element: TRANSPORTATION  
*Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged." Policies outlined in this Goal element of the Tillamook County Comprehensive Plan require the County to protect the function, operation and safety of existing and planned roadways as identified in the County's Transportation Plan, consider land use impacts on existing or planned transportation facilities in all land use decisions, plan for multi-modal networks, and coordinate transportation planning efforts with other jurisdictions to assure adequate connections to streets and transportation systems between incorporated and unincorporated areas.*

- Tillamook County Comprehensive Plan Goal 13 Element: ENERGY CONSERVATION  
*Summary: Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles." Planning for energy conservation and opportunities to promote the installation of renewable energy systems are discussed in this Goal element of the Tillamook County Comprehensive Plan.*
- Tillamook County Comprehensive Plan Goal 14 Element: URBANIZATION  
*Summary: This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses. This Goal element of the Tillamook County Comprehensive Plan focuses largely on development within unincorporated communities, public facility limitations to rural areas, and impacts of urban sprawl on resource lands.*

The proposed development of a 4-site primitive campground does not conflict with the goals and policies of the three Tillamook County Comprehensive Plan goal elements described above. The subject property is accessed via Sandlake Road, a County road. The primitive campground as proposed to be developed on the subject property does not in and of itself prevent promotion of installation of renewable energy systems in the area. The primitive campground is not considered to be an urban use.

- Tillamook County Comprehensive Plan Goal 16 Element: ESTUARINE RESOURCES  
*Summary: This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units." Five estuaries are inventoried and described in this element of the Tillamook County Comprehensive Plan, the Nehalem Estuary, Tillamook Estuary, Netarts Estuary, Sandlake Estuary and Nestucca Estuary.*

There are no estuary zoning designations on the subject property (Exhibit A).

- Tillamook County Comprehensive Plan Goal 17 Element: COASTAL SHORELANDS  
*Summary: The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses. Coastal Shorelands inventoried in Tillamook County as described in this element are Nehalem Estuary Shorelands, Tillamook Estuary Shorelands, Netarts Estuary Shorelands, Sandlake Estuary Shorelands, and Nestucca Estuary Shorelands.*

The Shoreland Overlay Zone, TCLUO Section 3.545, contains the regulatory language that administers and upholds the policies of the Goal 17 Shoreland element of the Tillamook County Comprehensive Plan. Staff has reviewed the significant shoreland inventory contained in the Goal 17 element of the Comprehensive Plan as well as all other applicable provisions of Goal Elements 5 and 17, confirming the area proposed for development of the 4-site primitive campground is not located within an identified area inventoried in the as an aesthetic resource area or an area identified as a significant shoreland. This analysis is further discussed previously in this report.



- Tillamook County Comprehensive Plan Goal 18 Element: BEACHES AND DUNES  
*Summary: Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes. Several categories of dunes are described and discussed in this element of the Tillamook County Comprehensive Plan, and includes discussion about where residential, commercial and industrial uses are prohibited. Goal 18 Exception areas are also inventoried within this element which allow for residential, industrial and commercial uses in dune areas that would otherwise be prohibited.*

The subject property lies within the Tierra Del Mar Community that has an exception pursuant to Goal 18, 6.1 Exception to Goal 18 Implementation Requirement. Relevant site development requirements contained within TCLUO Section 3.530: Beach and Dune Overlay (BD) Zone must be met.

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

**Findings:** The property is 4.15 acres and relatively rectangular in shape with wide and open spaces of pasture abutting Sears Lake with approximately three hundred ninety (390) feet of shoreline that has a thick riparian buffer. The subject property is improved with a dock and an accessory structure used primarily for agricultural purposes. The subject property is relatively flat and vegetated with grasses and shrubs.

Applicant has obtained a delineated wetland report that has been reviewed and approved by the Oregon Department of State Lands (Exhibit B). The subject property is accessed via Sandlake Road, a County local access road. The Tillamook County Public Works Department provided comments (Exhibit B).

*(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 located east of the platted area of Tierra Del Mar and is located within the Tierra Del Mar community. Properties in the surrounding area are primarily zoned Rural Residential (RR-2). Uses on these properties are primarily residential and agricultural. A recreational campground was recently approved on a RR-2 zoned property approximately ¼ mile north of the subject property.

The subject property is within walking distance to the beach, a highly utilized recreation area, and property abutting the beach zoned Recreation Management (Exhibit A).

The property is bordered to the north and northeast by property owned by the Sears family. Sears Lake borders the property to the east. The property is bordered by Sandlake Road, a County road to the west, and by vacant land zoned RR-2 to the south (Exhibit A).

A buffer of dense vegetation borders the southerly region of the subject property and visually obscures the area proposed campsite improvements. As measured, campsite improvements are at least 50-feet from the property to the south (Exhibits A & B). Sears Lake measures roughly 350-feet from the easterly boundary of the subject property and the westerly boundary of privately owned RR-2 property part of the “Nantucket Shores” development (Exhibits A & B).

Correspondence from neighboring and near-by properties raise concerns regarding the applicant’s possible intent of establishing a “primitive campground” and possible impacts from fire, traffic, animals, and liability

arising from such activity. Furthermore, comments received raise ownership and access issues regarding Sears Lake however, staff finds that those issues are civil matters and not subject to County oversight.

Staff has not identified evidence of impacts associated with the proposed campground development which would substantially impact the ability of a residential dwelling to be sited in the neighboring residential areas or would substantially impact the ability for residential uses to occur in dwellings sited in the neighboring residential areas.

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

**Findings:** Applicant states the proposal will not have a detrimental effect on solar or wind systems (Exhibit B). Staff find no record of such facilities and improvements on the subject properties or within the vicinity (Exhibit A).

(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:** Long-established public services and facilities exist in this area. Facilities include Sandlake Road, a County road. Services include Tierra Del Mar Water Company, Nestucca Rural Fire Protection District, Tillamook County Sheriff's Office and Tillamook People's Utility District. Applicant has provided comment letters from the Tierra Del Mar Water Company, the Nestucca Rural Fire Protection District and Tillamook County Public Works (Exhibit B).

## **V. ADMINISTRATIVE PROVISIONS**

### **SECTION 6.020: PROCEDURE**

*The following procedure shall be observed in submitting and acting on a CONDITIONAL USE request: (1) A request may be initiated for a CONDITIONAL USE, or the modification of an approved CONDITIONAL USE, by filing an application with the Department. The Department may require any information necessary for a complete understanding of the proposed use and its relationship to surrounding properties.*

*(2) The Director shall act administratively according to the procedure set forth in Article 10, or shall refer the application to the Commission for a public hearing and decision. The application shall be referred to the Commission if the director determines that the proposed use would have significant impacts that extend beyond the abutting properties, and that those impacts are not likely to be adequately addressed by response to public notice required by Section 10.070. If the Director elects to refer the application to the Commission, it shall be heard at the next available Commission hearing, unless the applicant requests otherwise.*

*(3) No CONDITIONAL USE permit shall be invalidated because of failure to receive the notice provided for in Section 10.070*

### **SECTION 10.080 TYPE III PROCEDURES**

*(1) Notice for Type III Decisions.*

*(a) Notice of Review. The County shall provide notice of a public hearing on a Quasi-Judicial application at least 28 days prior to the first hearing date. If two or more hearings are allowed, then notice shall be provided at least 10 days prior to first hearing. The County Planning Director shall prepare an affidavit of notice, which shall be made part of the file. This affidavit shall state the date that the notice was mailed. Notice of a public hearing shall be provided to the following parties:*

*...*

*iv. Property owners within 750 feet of subject property if the subject property is outside UGB and in a farm or forest zone.*

*v. Any affected government agency or public district, including affected city if subject site is inside a UGB.*

*vi. Any citizen's advisory committee or community organization whose boundaries include, or are adjacent to, the subject site.*

...

*(c) Newspaper notice. Notice of the public hearing shall be published in a newspaper of general circulation in the County at least ten (10) calendar days prior to the date of a quasi-judicial public hearing. An affidavit or other formal certification of publication shall be made part of the record.*

**Findings:** At the applicant's request, the proposed 4-site primitive campground development is under review as a Type III Conditional Use land use application. Notice of Public Hearing was mailed out on June 16, 2022, to all landowners within 250 feet of the subject property, and affected agencies, districts and other parties. Newspaper Notice of Public Hearing was published on June 14, 2022, in the Tillamook County Headlight Herald.

## **VI. RECOMMENDED CONDITIONS OF APPROVAL:**

1. The applicant/property owner shall obtain all required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. The property owner shall obtain all necessary structural, electrical, mechanical, and plumbing permits for the proposed 4-site primitive campground.
3. Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization.
4. Development will comply with the requirements and standards of TCLUO 3.010: Rural Residential 2-Acre (RR-2) Zone and 5.040: Recreational Campground Standards.
5. Development shall comply with applicable provisions and development standards outlined in TCLUO Section 3.530: Beach and Dune Overlay (BD) Zone and Section 3.545: Shoreland Overlay (SH) Zone.
6. Signage shall comply with the requirements of TCLUO Section 4.020: Signs.
7. Artificial lighting shall not create or reflect substantial glare onto any adjacent residential properties including artificial lighting along the access roads.
8. The recommendations outlined in an email dated April 1, 2021, from the Tillamook County Public Works Department shall be met. Specifically, the primitive campground be located at least 60-feet from the easterly fog line on Sandlake Road, and the junction between the access to the campground and the private way be at a 90-degree angle to reduce future safety concerns of vehicles driving west on the private way.
9. This approval is for a primitive campground consisting of 4-campsites as shown on the submitted site plan included in "Exhibit B" of this report.
10. This approval shall be void on **[insert decision date]** unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

## **VIII. EXHIBITS**

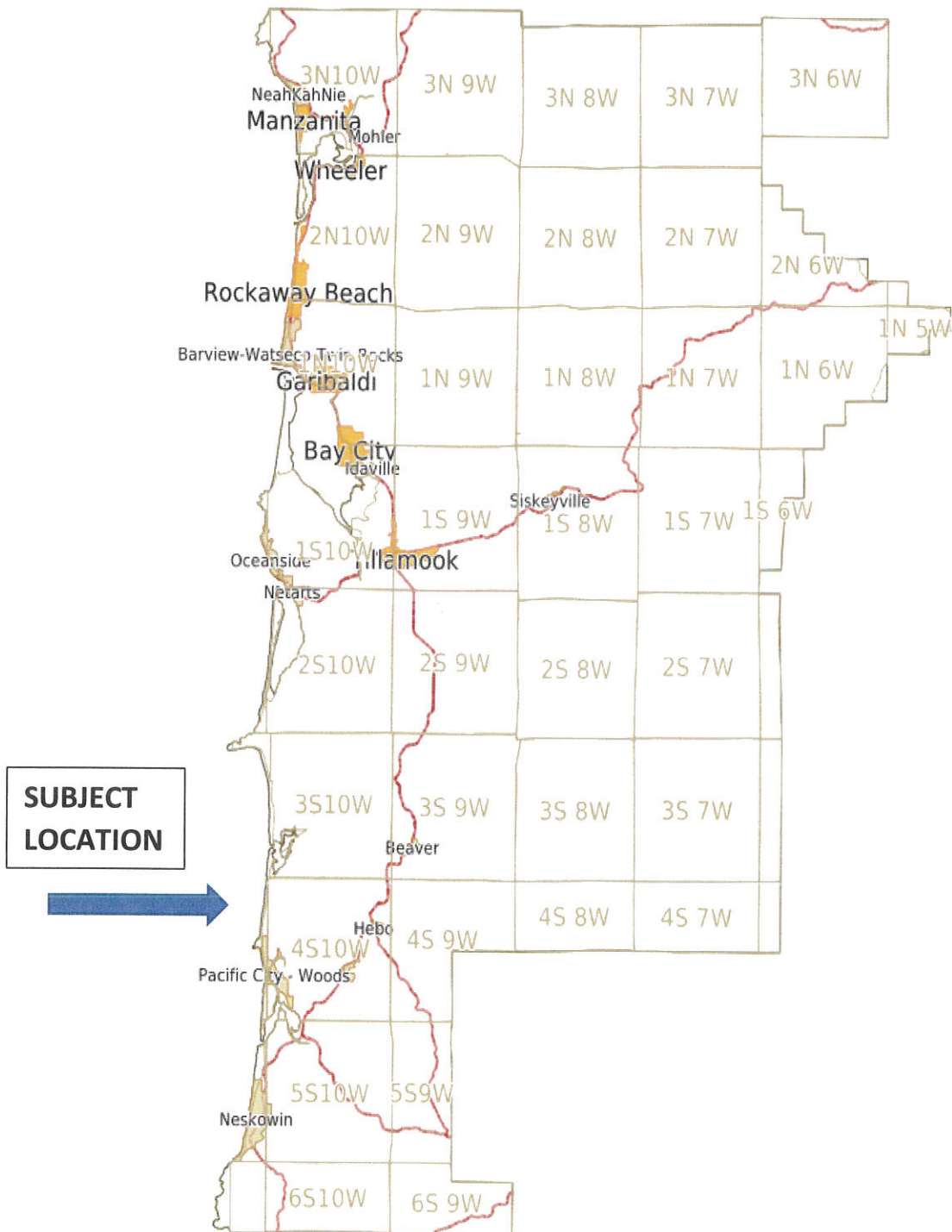
All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, FEMA FIRM, NWI Wetlands map
- B. Applicants/Property Owner's submittal
- C. Public comments



# EXHIBIT A

# VICINITY MAP



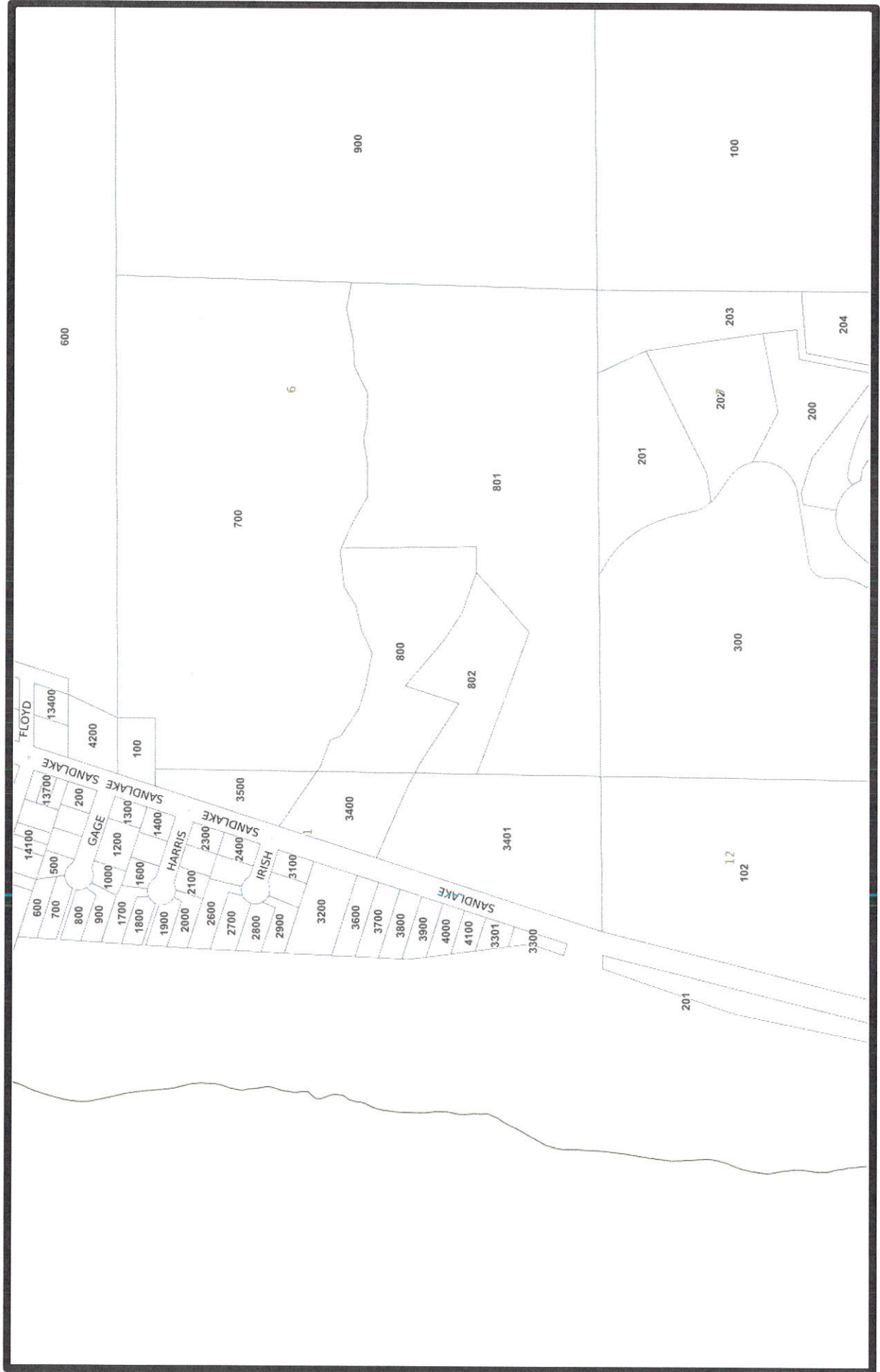
#851-22-000154-PLNG: SEARS  
PRIMITIVE CAMPGROUND



**#851-22-000154-PLNG: SEARS  
PRIMITIVE CAMPGROUND**

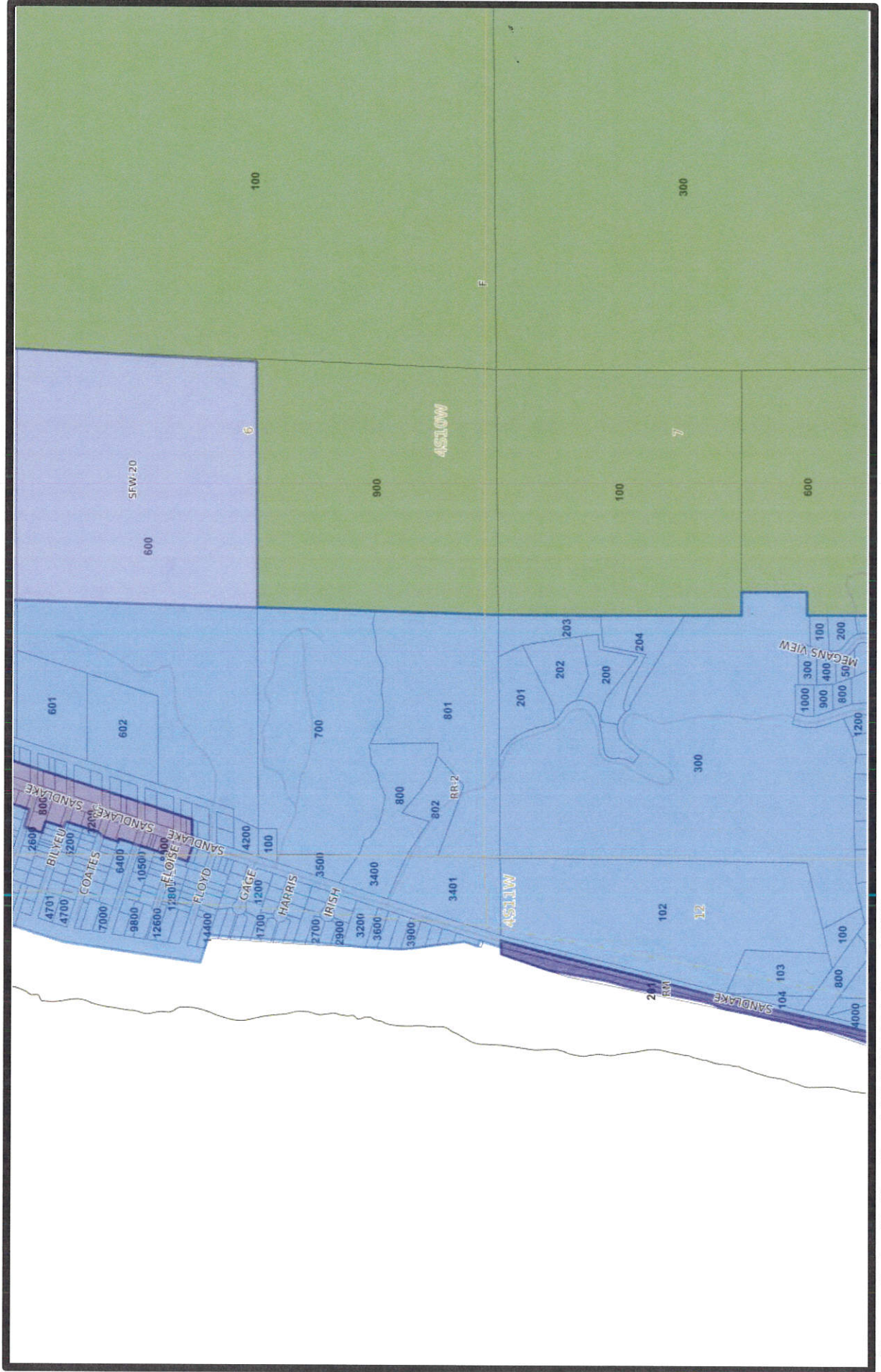


# Map





# Map

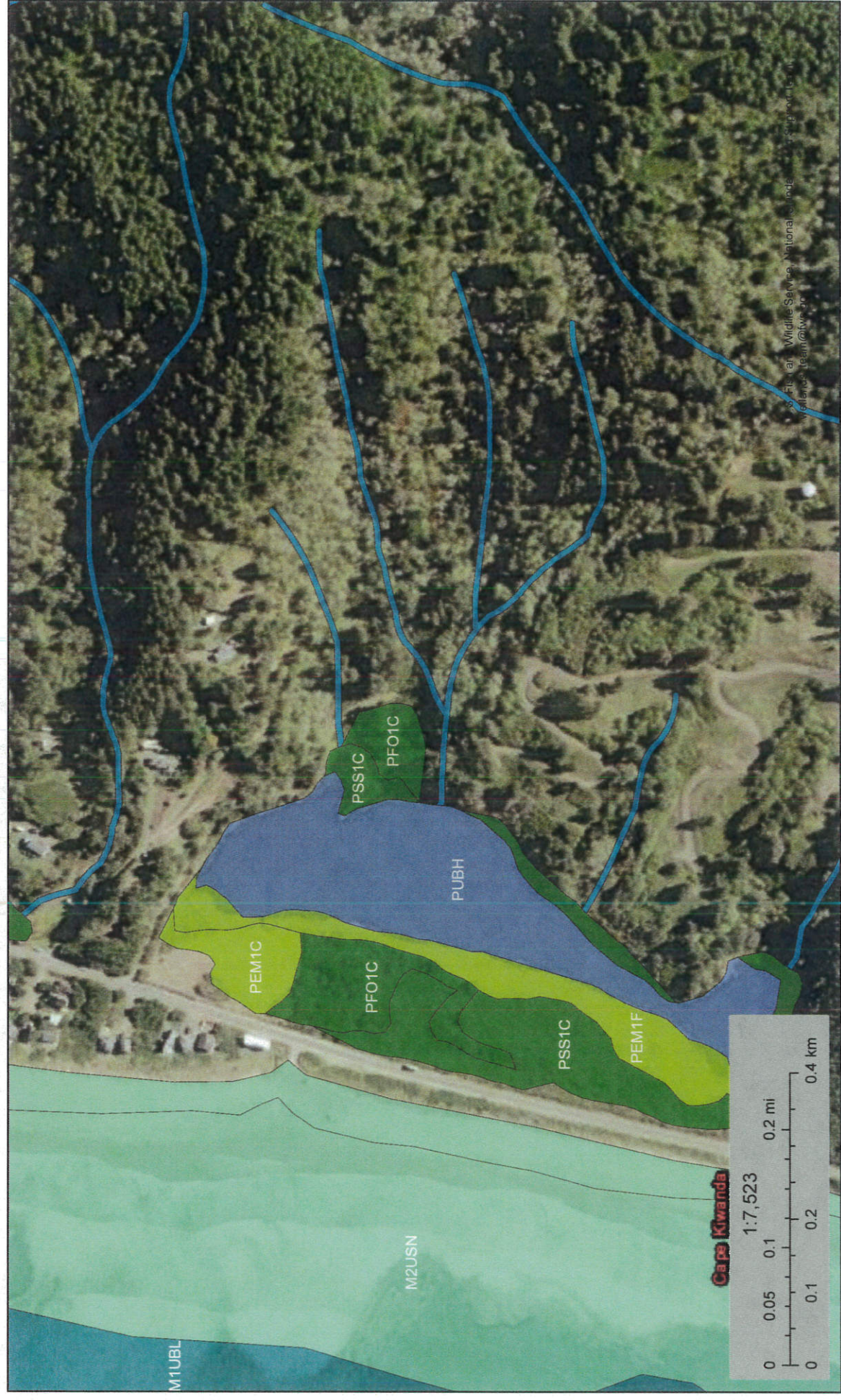






# U.S. Fish and Wildlife Service National Wetlands Inventory

## #851-22-000154-PLNG: Sears Primitive C



U.S. Fish and Wildlife Service, National Wetlands Inventory, Wetlands Mapper (v2.0)

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

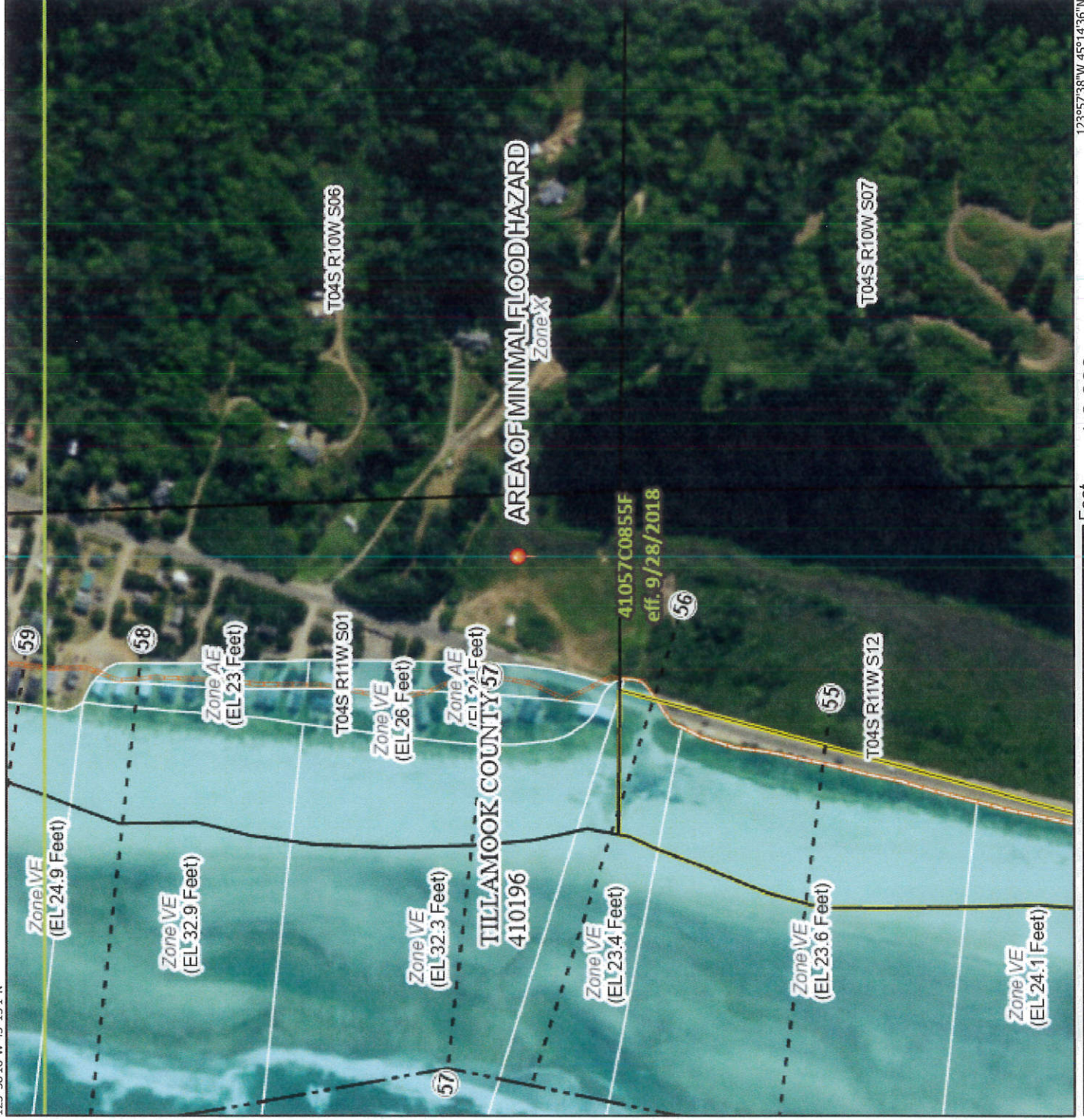
- July 7, 2022
- Wetlands**
- Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Other
  - Riverine



# National Flood Hazard Layer FIRMette



123°58'16"W 45°15'11"N



123°57'38"W 45°14'36"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, 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 X  
 Future Conditions 1% Annual Chance Flood Hazard Zone X  
 Area with Reduced Flood Risk due to Levee. See Notes. 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

**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 7/7/2022 at 11:04 AM 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 identifiers for unmapped and unmodernized areas cannot be used for regulatory purposes.



# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

July 7, 2022 8:14:00 am

**Account #** 376006  
**Map #** 4S1101DD03401  
**Code - Tax #** 0802-376006

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Legal Descr** PARTITION PLAT 2019-12  
 Lot - PARCEL 1

**Mailing Name** SEARS, DAVID G & LISA C

**Deed Reference #** 2019-5220  
**Sales Date/Price** 08-30-2019 / \$175,000.00  
**Appraiser** RANDY WILSON

**Agent**  
**In Care Of**  
**Mailing Address** 28805 SANDLAKE RD  
 CLOVERDALE, OR 97112

**Prop Class** 400      **MA**   **SA**   **NH**   **Unit**  
**RMV Class** 400      09    OV    919   413263-1

**Situs Address(s)** \_\_\_\_\_ **Situs City** \_\_\_\_\_

Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
0802	Land	166,610			Land	0
	Impr.	0			Impr.	0
<b>Code Area Total</b>		166,610	114,600	114,600		0
<b>Grand Total</b>		166,610	114,600	114,600		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	Land Class
0802	0	<input checked="" type="checkbox"/>		RR-2	Market	104	A	4.14	
<b>Grand Total</b>								4.14	166,610

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
<b>Grand Total</b>								0	0	

**Comments:** 02/27/14 Reappraised land, tabled values. RCW 8/2020 Parcel involved in Partition P. 2019-12 with size correction and valued on its new size and location. RCW



# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

July 7, 2022 8:14:31 am

<b>Account #</b> 418149	<b>Tax Status</b> ASSESSABLE
<b>Map #</b> 4S10060000802	<b>Acct Status</b> ACTIVE
<b>Code - Tax #</b> 0802-418149	<b>Subtype</b> NORMAL

**Legal Descr** PARTITION PLAT 2019-12  
Lot - PARCEL 2

**Mailing Name** SEARS, DAVID G & LISA C

**Deed Reference #** See Record

**Agent**

**Sales Date/Price** See Record

**In Care Of**

**Appraiser** RANDY WILSON

**Mailing Address** 28805 SANDLAKE RD  
CLOVERDALE, OR 97112

<b>Prop Class</b>	400	<b>MA</b>	<b>SA</b>	<b>NH</b>	<b>Unit</b>
<b>RMV Class</b>	400	06	BV	607	413265-1

Situs Address(s)	Situs City
ID# 28655 SANDLAKE RD	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0802 Land	91,000			Land	0
Impr.	0			Impr.	0
<b>Code Area Total</b>	91,000	61,200	61,200		0
<b>Grand Total</b>	91,000	61,200	61,200		0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
0802	1		<input type="checkbox"/>	RR-2	Market	100	A	2.00		91,000
<b>Grand Total</b>								2.00		91,000

Improvement Breakdown									
Code Area	Yr ID#	Stat Built	Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
<b>Grand Total</b>						0			0

Exemptions / Special Assessments / Potential Liability									
<b>Code Area</b> 0802									
<b>FIRE PATROL:</b>									
■ FIRE PATROL NORTHWEST	<b>Amount</b>	18.75	<b>Acres</b>	2	<b>Year</b>	2021			

**Comments:** 7/2020 Parcel partitioned from T.L. #801 prior to 1/1 being 2.00 acres/Valued on new size. RCW

# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

July 7, 2022 8:14:56 am

**Account #** 376015  
**Map #** 4S10060000801  
**Code - Tax #** 0802-376015  
**Legal Descr** PARTITION PLAT 2019-12  
 Lot - PARCEL 3

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Mailing Name** SEARS, DAVID G 1/2 &  
**Agent**  
**In Care Of** SEARS, LISA C 1/2  
**Mailing Address** 28805 SANDLAKE RD  
 CLOVERDALE, OR 97112

**Deed Reference #** 2003-423311  
**Sales Date/Price** 07-08-2003 / \$0  
**Appraiser** RANDY WILSON

**Prop Class** 409      **MA**   **SA**   **NH**   **Unit**  
**RMV Class** 409      06   BV   607   413264-1

Situs Address(s)	Situs City
ID# 1 28805 SANDLAKE RD	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0802	Land 237,050 Impr. 105,890			Land 0 Impr. 0	
<b>Code Area Total</b>	<b>342,940</b>	<b>294,910</b>	<b>294,910</b>	<b>0</b>	
<b>Grand Total</b>	<b>342,940</b>	<b>294,910</b>	<b>294,910</b>	<b>0</b>	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
0802					LANDSCAPE - FAIR	100			500
0802	2	<input checked="" type="checkbox"/>		RR-2	Market	100	A	5.00	80,710
0802	1	<input type="checkbox"/>		RR-2	Market	100	A	8.88	143,340
0802					OSD - AVERAGE	100			12,500
<b>Grand Total</b>								<b>13.88</b>	<b>237,050</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
0802	6	2006	354	HAY COVER	153		150		1,840	
0802	5	2005	372	MACHINE SHED/LOAFING SHED	153		128		2,000	
0802	2	1994	345	GENERAL PURPOSE BUILDING	153		576		7,090	
0802	3	2002	910	M S Other Improvements	153		0		9,400	
0802	4	1999	953	Class 5, Triple Wide	105		2,052	E - 409734	85,560	
<b>Grand Total</b>							<b>2,906</b>		<b>105,890</b>	

Exemptions / Special Assessments / Potential Liability										
<b>Code Area</b> 0802										
<b>SPECIAL ASSESSMENTS:</b>										
■ SOLID WASTE					<b>Amount</b>	12.00	<b>Acres</b>	0	<b>Year</b>	2021
<b>FIRE PATROL:</b>										
■ FIRE PATROL SURCHARGE					<b>Amount</b>	47.50			<b>Year</b>	2021
■ FIRE PATROL NORTHWEST					<b>Amount</b>	18.75	<b>Acres</b>	13.88	<b>Year</b>	2021

**Comments:** changed account to proper pca 4/23/04 new "exempt from title" ms placed. KM 03/17/11 Reappraisal, updated inventory, tabled values.ef 6/17 Reapp. of land w/taled values. RCW 7/10/17 Split out 5 acres for RFD. LM 7/2020 Portion of parcel partitioned into T.L. #802 prior to 1/1 being 2.00 ac./Valued on new size. RCW

# EXHIBIT B



## PLANNING APPLICATION

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

Name: David Sears Phone: 503 – 965 – 5071  
 Address: 28805 Sandlake Rd.  
 City: Cloverdale State: OR Zip: 97112  
 Email: [dgsears@hotmail.com](mailto:dgsears@hotmail.com)

**Property Owner**

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

OFFICE USE ONLY	
Date Stamp	<b>RECEIVED</b> APR 14 2022 BY: drop off @ counter
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees: 1089-	
Permit No: 851-22-000154-PLNG	

Request: See Attached

**Type II**

- Farm/Forest Review
- Conditional Use Review
- Variance
- Exception to Resource or Riparian Setback
- Nonconforming Review (Major or Minor)
- Development Permit Review for Estuary Development
- Non-farm dwelling in Farm Zone
- Fore-dune Grading Permit Review
- Neskowin Coastal Hazards Area

**Type III**

- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

**Type IV**

- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

**Location:**

Site Address:

Map Number: 4S 1101 DD 03401

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.

*David Sears*  
 Property Owner Signature (Required)

3/23/22

Date

Applicant Signature

Date



# Sears Lake Campground Master Plan

Scale - 100ft





April 5, 2022

To Whom it May Concern,

Please find attached to this document a Conditional Use Permit and supporting materials to place a primitive campground on our property located on the south end of Tierra Del Mar. Our family has chosen to move forward with a primitive campground for three reasons: stewardship, sustainability, and accessibility.

Our family has stewarded this property for 100 years and highly value our family's ties to this special place on the Oregon Coast. This proposed primitive campground will provide the funds necessary to pay maintenance, taxes, and insurance. This will prevent the property from becoming a financial burden on us now and for our future generations. When we look at options for financial sustainability we feel that a primitive campground is the best option for us and our community. The second reason for the proposal is to share this unique spot on the Oregon Coast in an affordable way. Dave Sears is a retired ranger from Cape Lookout State Park. His favorite part of that job was meeting and providing information to the guests about the area we call home. The rest of our family volunteers for the Kiawanda Community Center, Pacific City Doryman's Association, Nestucca School District, Nestucca Rural Fire Protection District and the Tillamook County Historical Society. We enjoy giving back to the community and people who come here to visit.

Our proposed plan is for four campsites. Each of these campsites will have the minimum requirements of a picnic table, fire ring and trash can. We want to upgrade each site with its own water spigot and a platform large enough for a 12' x 12' cabin tent and 12' x 8' deck. A total platform size of 12' x 20' and no more than 6' off the ground. The reason for the platforms to be elevated off the ground is to allow viewing the lake without cutting or breaking down the bulrushes.

As requested by Nestucca Rural Fire District there will be a gravel road placed through the pasture for emergency access. This road will not be located in any wetland. With the exception of bringing rock for the road, no material will be brought in or removed for establishment of campground. Along the lake edge there are bulrushes 20 to 50 feet wide. During establishment of the campground it will not be disturbed. There will be a small shed, 12' x 12', located across the gravel road from the lake access. In this shed will be porta a johns discreetly located along with a bulletin board and firewood.

Guests will be given clear guidance on how to appropriately behave not only while at our campground but in our local area as well. This will include stewardship messages, safety messaging, as well as property boundaries so they don't trespass on private property. We believe our primitive campground will allow affordable access to guests on the Oregon Coast while also maintaining our local identity.

Please let us know if we can provide any additional information or materials.

Sincerely,

The Sears Family

April 5, 2022

RE: The Lake Pasture Campground, Tierra Del Mar, Oregon

To Whom It May Concern:

My name is Lois Sears-Prince. As the owner of the property directly north of the proposed Lake Pasture campground, I fully support the proposal submitted by Dave Sears and his family.

Dave and I grew up with this property being a part of our everyday life, both for recreation and supporting livestock. This property was a part of the property where our father and uncle grew up as their parents homesteaded with determination, hard work, love and respect for what the land had to offer.

And now, our children have grown up loving and respecting this place that their great-grandparents homestead so many years ago.

The proposal that has been submitted to build a small campground will be developed with stewardship of the land, accessibility for individuals and families to enjoy this part of the Oregon Coast and sustainability to offset costs so this land can stay in the family for further generations.

I know that beyond a doubt this campground will be maintained in superior manner and will be a place that many people will come to make their own memories; beach walks, canoeing on the lake, bird watching, bonfires, kite flying, building sand castles, watching the sunset, watching for whales migrating. So many opportunities are possible!

Sincerely,



Lois A. Sears-Prince

Conditional Use Criteria in reference to  
Campground on Sears Lake

In reference to Section 6.040 Review Criteria

- (1) The property for our proposed campground is zoned RR-2 and we have more than 10 continuous acres.
- (2) Our proposed campground is consistent with the Tillamook County Comprehensive Plan, specifically Goal 8.
- (3) This proposed primitive campground is to be put on a four-acre field. There are two access points to this property. One is located across from the Tierra Del Mar beach access on the southern part of the field. The other is located on the north end accessed from a service road on Sears property that goes around the north end of Sears Lake. This will be the primary entrance to the campground. A message dated April 1, 2021 from Tillamook County Public Works recommended setbacks for our entrance that already exist. There is sufficient parking for all guests in the campground area. The guests can access the beach (on foot) on the southern access point of the campground. No existing vegetation will be removed or cut back. Gravel will be brought in for the service road required by the Nestucca Rural Fire Protection District for emergency response. Other than that, no fill will be brought in or excavation of existing terrain.
- (4) This area of South Tillamook County is a well-known multi use recreation area and vacation destination. Our campground is planned to be a low impact camping opportunity focused on our three pillars: environmental stewardship, accessibility, and financial sustainability.

There is growing concern with the amount of vehicles parking on the side streets of Tierra Del Mar. Fortunately, our campground has ample parking and beach access South of Tierra Del Mar so it won't contribute to this community impact. There are houses located to the West of the campground across Sandlake Rd. These houses are oriented away from the campground, facing the ocean. There is existing vegetation on both sides of Sandlake Rd and the nearest house to one of our campsites is 270 ft.

The current and future residents of Nantucket Shores will and may see the campsites from their property. There are no existing viewshed ordinances in Tierra del Mar and the campground will not block their view of the beach or ocean. Sandlake Rd and a row of houses are between our campground and the beach. The existing houses of Nantucket Shores are 2,000 feet to the South East. It is 750 feet from our campground to the East side of the lake. Our guests will have access to the lake. It will be in a responsible and environmentally friendly way, as no powered boats or personal craft will be allowed. Guests will enter from our established lake access.

- (5) There are currently no solar energy, wind energy conversion systems or wind mills in the area.



(6) The proposed project is located on the southern end of Tierra Del Mar, an increasingly popular tourist destination. It is accessible from Sandlake Rd. approximately four miles north of Pacific City where there are existing emergency response resources like the fire and ambulance stations. We have worked closely with the fire department to ensure that our campground is accessible to emergency vehicles and laid out with fire safety in mind. We look forward to creating an equitable experience that supports the Oregon Beach Bill, ensuring that visitors and Oregonians have public access to all 363 miles of Oregon coastline.

## SECTION 5.040: PRIMITIVE CAMPGROUND STANDARDS

### **PURPOSE**

The purpose of the PRIMITIVE CAMPGROUND STANDARDS is to insure that each new or enlarged campground provides the necessary facilities, sites, amenities, and other requirements in the interest of preserving the public safety, health, and general welfare, and that such developments provide a quality camping opportunity for visitors to the County.

A PRIMITIVE CAMPGROUND is a designated place where four or more campsites are located for occupancy by camping units on a temporary basis for recreation, education or vacation purposes. A PRIMITIVE CAMPGROUND is predominantly an unattended facility which is established to accommodate recreational vehicles, tents, or bicycle uses for a period of time not to exceed two weeks in any given four week period.

The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Flood Plain, Geologic Hazard zone, riparian vegetation.

A campground shall be built to State standards and shall comply with the following provisions:

(1) The total area utilized for campsites and access shall not exceed 60% of the total area of the campground.

The proposed campground is on a four-acre parcel or 174,240 square feet. The area for the campground is around 30,000 square feet or less than 20%.

(2) Each space shall be a minimum of 1,200 square feet.

Each of the campsites will exceed the 1,200 square feet minimum.

Platform 1 is 40' by 75' and/or 3000sq feet.

Platform 2 is 40' by 50' and/or 2000sq feet.

Platform 3 is 50' by 75' and/or 3750 sq feet.

Platform 4 is 50' by 75' and/or 3750 sq feet.

(3) Each campsite shall be provided with a fire pit or ring.

Our stone fire rings will have a 2' wide border of stone or concrete pavers. This design was approved by Chief Oeder of the Nestucca Rural Fire Protection District.

(4) Tables shall be provided at all campsites.

Yes, each site will have a picnic table.

(5) Natural vegetation or landscaping surrounding campsites shall remain intact.

No existing vegetation will be removed or cut back for the proposed plan.

(6) Trash cans may be provided in convenient locations for the use of guests of the park, may be located in such number, and may be of such capacity that there is no uncovered accumulation of trash at any time.

A fenced enclosure will have animal proof container(s) for garbage and containers for recycling.

(7) A house, mobile home or manufactured home may be located within the campground for the owner, manager or caretaker of the campground.

There are no plans for on site living quarters.

(8) Other camp-related buildings may be permitted, if approved through the Conditional Use process.

Approved Conditional Use Permit 851-21-000223-PLNG authorized us to build a dock and boat shed in the area of the proposed campground, The proposed campground has four camping platforms and a storage shed not larger than 12' x12'.

(9) No recreational vehicle, tent, or other building or structure shall be within 20 feet of any property line

No part of the proposed campground will be within 20' of property lines.

(10) Access and interior roadways must be approved by the County Public Works Department.

See attached email from County Public Works Department dated April 1, 2021.

(11) The campground may be adequately screened with vegetation and/or natural features around its exterior boundary lines.

Existing vegetation, mainly willows, will not be disturbed. Additional native shrubs and trees will be planted to screen the campground area from Sandlake Rd for aesthetics and privacy around campsites.

(12) Preliminary plans which contain all the information specified in OAR 333-31-059 shall be submitted to the Planning Department when requesting Conditional Use or permit approval.

All regulations have and will be followed.

## **Platforms**

There are four platforms planned for the campground. They measure 12' wide, 20' long and vary in height due to the terrain, however none will be more than 6' high. During the peak season between Memorial Day and Labor Day each platform will be outfitted with a 12' x 16' cabin wall tent. Each platform site will have its own parking spot. A maximum of two vehicles will be allowed at each site. Self contained vehicles like camper vans or pickup campers will be allowed. Tear drop trailers or tent trailers will also be allowed. Camper trailers or RVs will not be allowed. Maximum capacity for each site is four adults regardless of vehicle make up. During the off season, the cabin tents will be removed from the platforms before expected inclement weather. Same parking guidelines apply as during the peak season.

## **Water and Sanitation**

The Tierra Del Mar Water Company has given us a water availability letter for the limited amount of water we will need for the campground. We do not have flushing toilets and showers, which is the biggest user of water in a campground. We will have water spigots conveniently located at or near the campsites for drinking water, cooking, and dousing out campfires. There will be a designated cleaning station at the utility shed for pots and dishes. This cleaning station will have a sink that empties into a gray water sump. The sump will collect the food debris and there will be a drainage system to eliminate standing water. The utility shed will also have a porta-john discreetly located inside. The parking lot located at the main entrance will have a fenced area for trash and recycling. The containers for the trash and recycling will all be animal proof.

## **Emergency and Cascadia Plans**

Certain areas of the Lake Pasture have cell phone access. These specific spots will be identified to guests so in the event of a medical emergency they can call 911. If there is a Cascadia event, the nearest assembly site is the home of David and Lisa Sears. The guests staying at the campground will actually be closer to the safety of an assembly area than most of Tierra Del Mar. There is existing signage showing the route and more will be added as necessary.

TIERRA DEL MAR WATER CO.

26600 Sandlake Road

Ph : (503) 965-5140

Cloverdale, Oregon 97112

Friday, April 8, 2022

To: Tillamook Dept. of Community Development  
1510-B Third Street  
Tillamook, OR 97141

Subject: Water Availability

This is to confirm that domestic water service is available to the following property within our service area:

4S1101DD003401.

The street address is:

\_\_\_\_\_  
\_\_\_\_\_

The name of record in our files is: David Sears

\_\_\_\_\_

If you have any questions or need additional information, please contact me.

Sincerely,



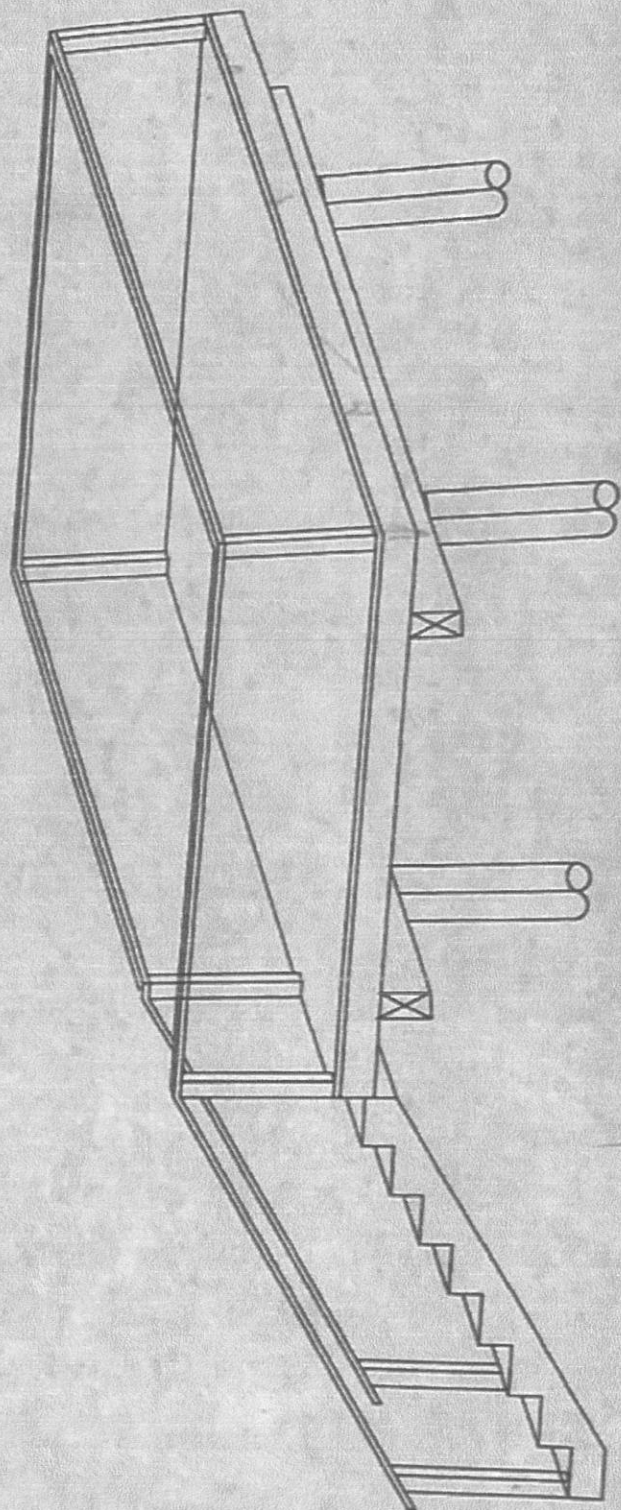
Owen G. Miller Jr.  
President

E-Mail: [tierradelmarwaterco@gmail.com](mailto:tierradelmarwaterco@gmail.com)

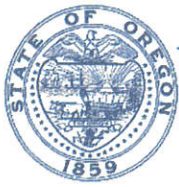
Phone: 503.965.5140

CC: Property Owner





Example of a typical platform.  
12' wide X 20' long.  
Not more than 6' tall.



# Oregon

Kate Brown, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

### State Land Board

July 22, 2021

David Sears  
28805 Sandlake Road  
Cloverdale, OR 97112

Kate Brown  
Governor

Re: **WD # 2021-0100 Approved with Revisions**  
Wetland Delineation Report for Sears Lake  
Tillamook County; T4S R11W S1DD TL3401

Shemia Fagan  
Secretary of State

Tobias Read  
State Treasurer

Dear Mr. Sears:

The Department of State Lands has reviewed the wetland delineation report prepared by Westbrook Science & Design for the site referenced above. Based upon the information presented in the report, a site visit on June 24, 2021, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figure 5 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, 3 wetlands (Wetland A, B and C, totaling approximately 1.63 acres) and one water (Sears Lake) were identified. They are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Tillamook County, Daniel Evans, PWS, at (503) 986-5271.

Sincerely,



Peter Ryan, SPWS  
Aquatic Resource Specialist

Enclosures

ec: Anita Cate Smyth, SPWS, Westbrook Science & Design, Inc  
Tillamook County Planning Department  
Kinsey Friesen, Corps of Engineers  
Dan Cary, SPWS, DSL  
Oregon Coastal Management Program ([coast.permits@state.or.us](mailto:coast.permits@state.or.us))



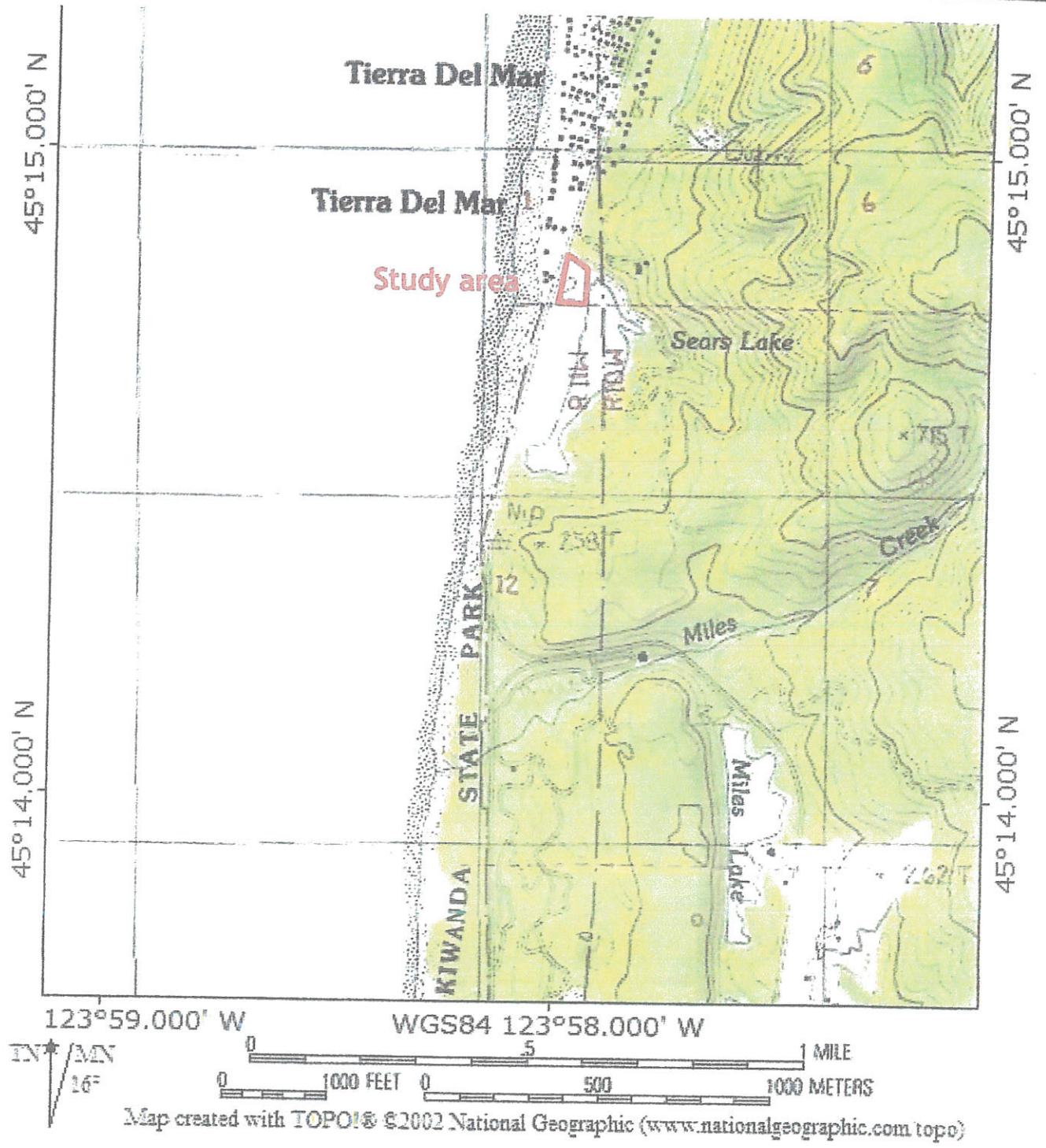
## WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: <https://apps.oregon.gov/DSL/EPS/program?key=4>.

Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover form and report, minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF of the completed cover form and report may be e-mailed to: **Wetland\_Delineation@dsl.state.or.us**. For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

Contact and Authorization Information	
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: David Sears 28805 Sandlake Road Cloverdale, OR 97112	Business phone # Mobile phone # (optional) (503) 965-5071 E-mail: dgsears@hotmail.com
<input type="checkbox"/> Authorized Legal Agent, Name and Address (if different):	Business phone # Mobile phone # (optional) E-mail:
I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.	
Typed/Printed Name: <u>David Sears</u> Signature: <u><i>David Sears</i></u> Date: <u>2/25/2021</u> Special instructions regarding site access: <u>Contact Applicant prior to site entry</u>	
Project and Site Information	
Project Name: Sears Lake	Latitude: 45.2456      Longitude: -123.9629 <small>decimal degree - centroid of site or start &amp; end points of linear project</small>
Proposed Use: Current: pasture. Due diligence to identify other opportunities.	Tax Map # Tax Lot(s) 3401 Tax Map # Tax Lot(s)
Project Street Address (or other descriptive location): South of Tierra del Mar. Between Sears Lake and beach access.	Township 4S    Range 11W    Section 1    QQ DD Use separate sheet for additional tax and location information
City: Tierra del Mar      County: Tillamook	Waterway: Sears Lake      River Mile: N/A
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: Westbrook Science & Design, LLC Anita Cate Smyth 13700 SW Ascension Drive Tigard, OR 97223	Phone # Mobile phone # (if applicable) (503) 869-7897 E-mail: info@westbrookscience.com
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.	
Consultant Signature: <u><i>A. Smyth, WSD</i></u> Date: <u>2/27/2021</u>	
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent	
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    Study Area size: 4.2 ac      Total Wetland Acreage: 1.63	
Check Applicable Boxes Below	
<input type="checkbox"/> R-F permit application submitted <input type="checkbox"/> Mitigation bank site <input type="checkbox"/> EFSC/ODOE Proj. Mgr: _____ <input type="checkbox"/> Wetland restoration/enhancement project (not mitigation) <input type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # _____	<input checked="" type="checkbox"/> Fee payment submitted \$ <u>475</u> <input type="checkbox"/> Resubmittal of rejected report (\$100) <input type="checkbox"/> Request for Reissuance. See eligibility criteria. (no fee) DSL # _____      Expiration date _____ <input type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code _____
For Office Use Only	
DSL Reviewer: <u>DE</u> Fee Paid Date: ____ / ____ / ____      DSL WD # <u>2021-0100</u>	
Date Delineation Received: <u>2 / 28 / 21</u> Scanned: <input type="checkbox"/> Electronic: <input checked="" type="checkbox"/> DSL App.# _____	





Source: as shown

VICINITY MAP - USGS

Sears Property  
 28805 Sandlake Road  
 Cloverdale, Tillamook County, Oregon

Figure  
 1

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SE1/4 SE1/4 SEC. 1 T.4S. R.22W. W.M.  
TILLAMOOK COUNTY

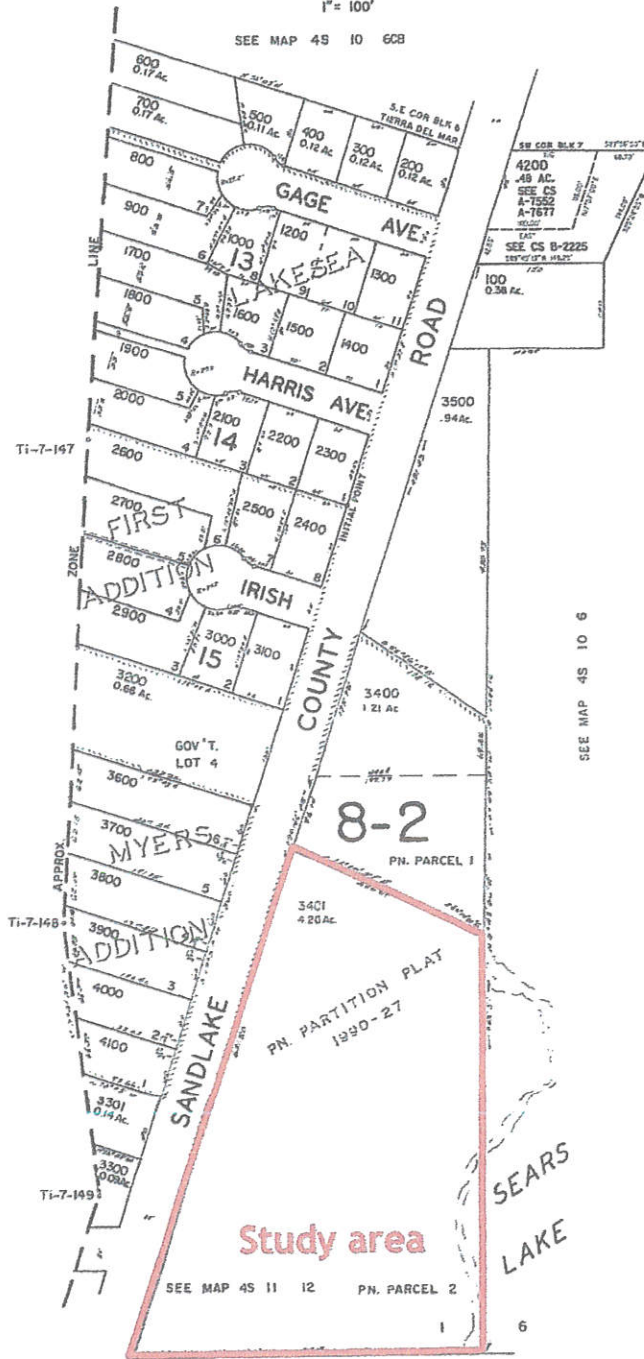
4S 11 IDD  
LAKESEA

CANCELLED NO.  
1100

1" = 100'

SEE MAP 4S 10 6CB

PACIFIC OCEAN



4S 11 IDD  
LAKESEA

Revised 12/06/01, KA

Source: OregonMap accessed from [www.ormap.net](http://www.ormap.net)

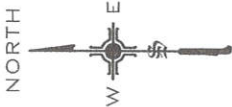
TAX LOT MAP

Sears Property  
28805 Sandlake Road  
Cloverdale, Tillamook County, Oregon

Figure

2





# FIGURE 5 WETLAND MAP

## GRAPHIC SCALE

SCALE: 1" = 100'-0"



### LEGEND

Symbol	Classification
	STUDY AREA
	ON-SITE DELINEATED WETLAND AREA 'A' 51,485 SF (1.18 AC.)
	ON-SITE DELINEATED WETLAND AREA 'B' 12,731 SF (0.29 AC.)
	ON-SITE DELINEATED WETLAND AREA 'C' 6,986 SF (0.16 AC.)
	ON-SITE SEARS LAKE (BELOW OHW) 12,415 SF (0.16 AC.)
	WETLAND DELINEATION BOUNDARY
	ORDINARY HIGH WATER MARK (OHW)
	SAMPLE POINT LOCATION
	PHOTO POINT AND DIRECTION

	Acreege	Cowardin/HGM
Wetland 'A'	51,485 SF	PEMB/Depressional Outflow
Wetland 'B'	12,731 SF	PEMB/Depressional Outflow
Wetland 'C'	6,986 SF	PEM1C/Depressional Impounding
Sears Lake (below OHW)	12,415 SF	PUBH/Lacustrine Fringe

**DSL WD # 2021-0100**  
Approval Issued 7/22/2021  
Approval Expires 7/22/2026

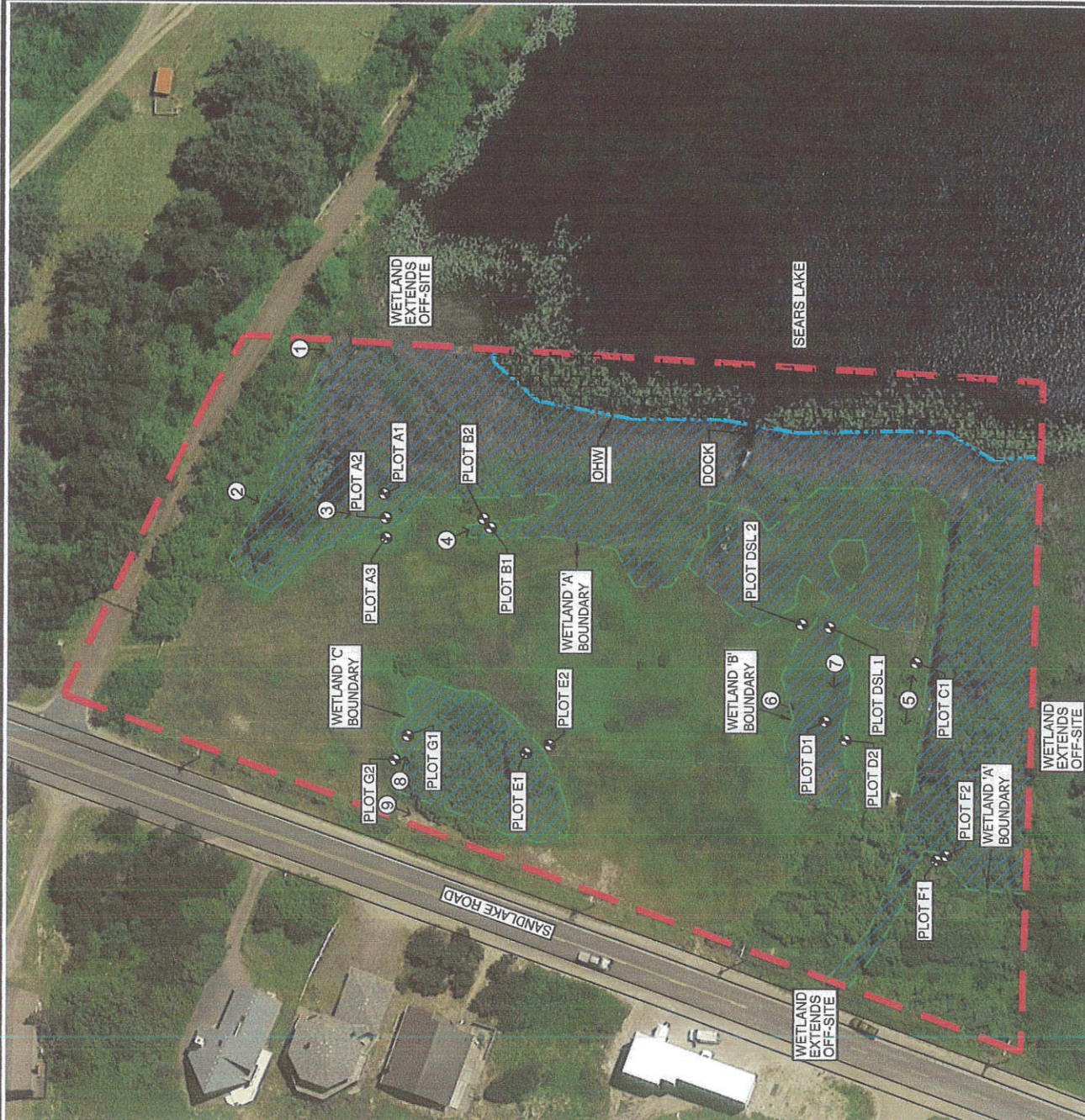


FIGURE  
**5**

**SEARS PROPERTY**  
**TILLAMOOK COUNTY**  
**T 4S, R 11W, SECTION 1, TAX LOT 3401**

DATE: 2021      **WETLAND DELINEATION**

\* SAMPLE PLOT LOCATIONS AND JURISDICTIONAL BOUNDARY WERE OBTAIN BY UTILIZING A TRIMBLE GEOXH 6000 GPS DEVICE. ACCURACY +/- 1 FOOT.  
\* PLAN SHOWN PROPERTY LINES ARE DEVELOPED FROM THE PROPERTY TAX LOT MAP. THEY ARE NOT PROVIDED BY A LAND SURVEY. FOR REFERENCE PURPOSES ONLY.

DESIGNED BY: ACS  
DRAWN BY: TAM  
CHECKED BY: ACS  
APPROVED BY: ACS

**Westbrook  
Science & Design, LLC**





**NESTUCCA RURAL FIRE PROTECTION DISTRICT**  
30710 Highway 101 South  
Cloverdale, Oregon 97112

**Fire District Review & Approval Form**

This form must be completed and signed by the local Fire Protection District prior to applying for a Building Permit or  
Manufactured Dwelling Placement Permit.

Proposed Development/Construction/Location 4S 11W 01dd 3401

Water Source:  Water District  
Well \*  Creek \*  Spring \*

\* You will need to provide documentation from the Water Resources Department showing the gallons per minute (GPM) available to your property and a copy of your Well Report or Residential Water Right to your water source. **No hydrant GPM information provided**

\*\*\*\*\* **Fire District to complete information below** \*\*\*\*\*

1. Review of road access for fire district use to the property resulted in the following:

- The road access is passable for Emergency Vehicles  
 Road Gradient is less than 10%  Road width clearance of 20'  
 Road Gradient is between 10-15%  Road height clearance of 13'6"  
 The road access is not passable for Emergency Vehicles  
 Road Gradient is greater than 15%  Private Bridge does not meet GVW  
 Road does not have required turnarounds or pullouts

Recommendations: **Community Development will determine needs**

2. Review of water supply for fire district use to the property resulted in the following:

- There is adequate water available to the property for Fire Suppression  
 Residence is within 1,000' of hydrant  Available water per NFPA 1142  
 Sprinkler system installation  Fire wall installation to reduce size  
 There is not adequate water available to the property for Fire Suppression  
 Square footage of residence exceeds available water for both NFPA 1142 and/or 2004 OFC,  
Appendix B

Recommendations: **Follow All IBC & OFC Codes as determined by TCCD**

3. Action Taken:

- I have reviewed the information regarding the property listed above.

**\*\*\*Failure to follow codes may inhibit the ability to provide suppression\*\*\***

Printed Name: James Oeder

Title: Chief

Signature *James Oeder*

Date: 03/14/2022





Arica Sears &lt;aricasears@gmail.com&gt;

**Fw: Existing Road Approach Permit #5388 Found**

1 message

**David Sears** <dgsears@hotmail.com>  
To: Arica Sears <aricasears@gmail.com>

Tue, Apr 13, 2021 at 8:26 AM

---

**From:** Jasper Lind <jlind@co.tillamook.or.us>  
**Sent:** Thursday, April 1, 2021 5:36 PM  
**To:** dgsears@hotmail.com <dgsears@hotmail.com>  
**Cc:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Subject:** Existing Road Approach Permit #5388 Found

Hello David,

I was able to find the original Road Approach Permit that covers the road we were discussing which connects to Sandlake Road just North of Sears Lake. This road continues to the East of Sandlake and appears to be a private road not under the direct jurisdiction of Tillamook County Public Works. However, due to the proximity of the intended development to Sandlake Road it is likely to impact the public transportation of that area. As such we strongly recommend for the safety of your intended guests and the traveling public that the access to your planned campground be located at least 60 feet from the Easterly fog line on Sandlake Road. In addition, we recommend that the junction between the campground access and the private road be at a 90 degree angle to reduce future safety concerns of vehicles driving West on the private road.

Have a good day,

Jasper Lind  
Engineering Technician  
Tillamook County Public Works

503 Marolf Loop Road  
Tillamook, OR 97141  
Phone (503) 842-3419  
[jlind@co.tillamook.or.us](mailto:jlind@co.tillamook.or.us)

---

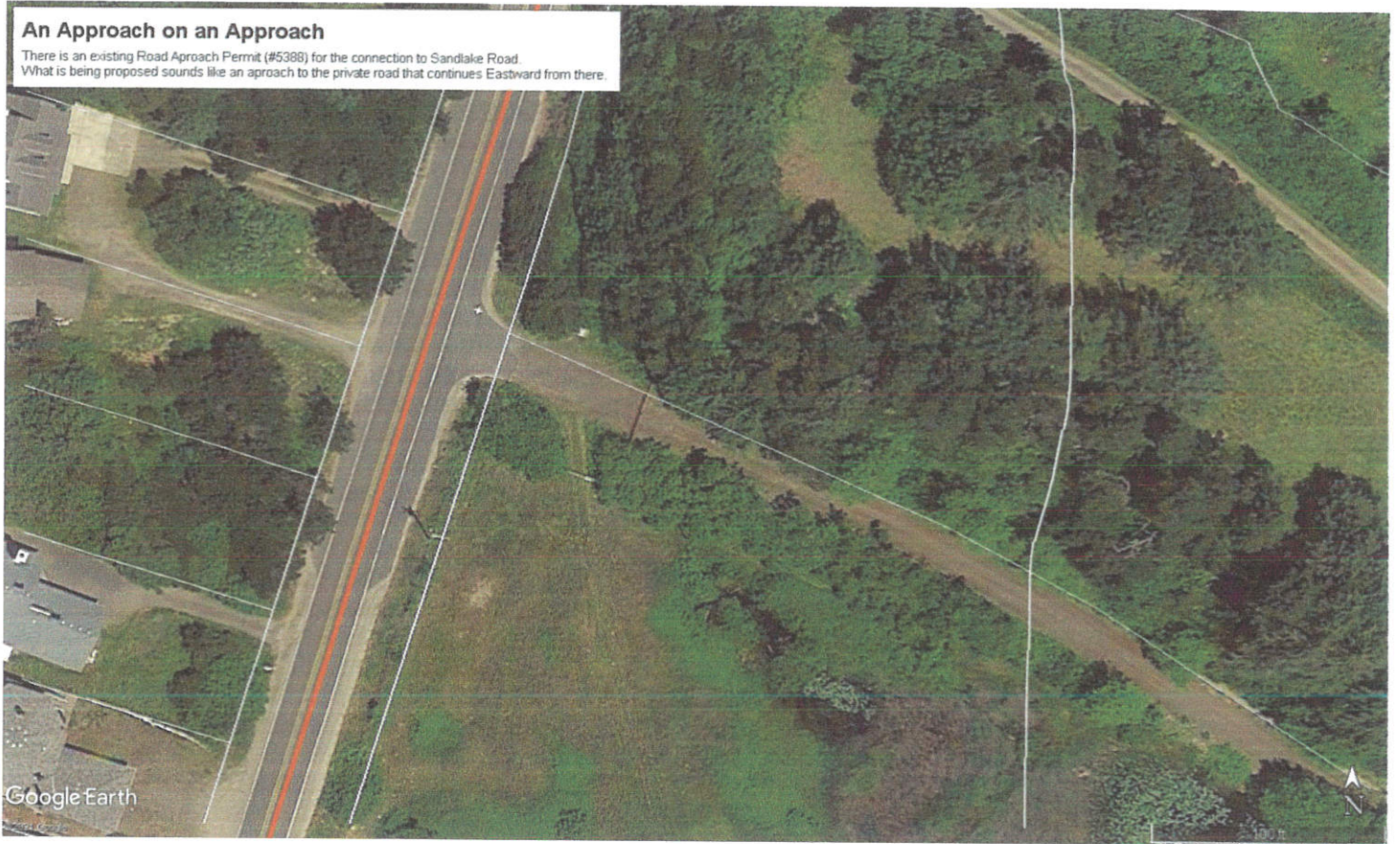
**2 attachments**

**Sandlake to Private Road to Road Approach.jpg**  
1157K

 **RA4S1101DD03401.pdf**  
131K

### An Approach on an Approach

There is an existing Road Approach Permit (#5388) for the connection to Sandlake Road.  
What is being proposed sounds like an approach to the private road that continues Eastward from there.





Tillamook County



PUBLIC WORKS DEPARTMENT

503 Marolf Loop Road  
Tillamook, Oregon 97141  
Roads (503) 842-3419  
Solid Waste (503) 815-3975  
FAX (503) 842-6473  
Email: [pubwks@co.tillamook.or.us](mailto:pubwks@co.tillamook.or.us)  
TTY Oregon Relay Service

---

*Land of Cheese, Trees and Ocean Breeze*

January 16, 2007

Barbara Giddings  
Wild Flower Group  
PO Box 999  
Pacific City, OR 97135

FILE COPY

RE: T4SR11W 1DD TL 3400, parcel 1, TL 3401, parcel 2, 1990-27.  
Commercial Road Approach Permit 5388  
Sandlake Road C871

Barbara Giddings,

I have inspected the road approach as per your Commercial Road Approach Permit Application and found it to meet the requirements of the issued permit.

This approach is, therefore, recognized meeting the described conditions in road approach permit 5388 and is accepted into the county system as final.

Any alteration or change in use of this road approach will require new Road Approach Permit Application. Please refer to the above referenced Road Approach Permit number in any future correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Walt Gile".

Walt Gile  
Engineering Technician

cc: Grant Graves, District #3 Road Foreman  
Department of Community Development  
Leonard A. Rydell, 601 Pinehurst Drive, Newberg, Oregon 97132-1625  
File

RECEIVED  
JAN 11 2007

Application Permit No. 5398

Road No. 871

ROAD APPROACH APPLICATION AND CONSTRUCTION PERMIT

NOTICE

TILLAMOOK COUNTY ROAD DEPT

Applicant must be the person, representative of the firm or corporation having the legal ownership of the property to apply for a Road Approach Permit. Such legal right is vested only in the owner of the property abutting the highway or the holder of an easement or similar right to construct and use an approach road upon the abutting property.

PROPOSED USE: SINGLE FAMILY RESIDENCE  COMMERCIAL   
TOWNSHIP 4 RANGE 11 WEST, W.M. SECTION 1DD TAX LOT NO. 3400 PARCEL #1  
Barbara Giddings Trustee, Dupont Street 12797  
(NAME OF APPLICANT/PROPERTY OWNER) 3401 PARCEL #1  
P.O. 999 503-965-7420 1990-27  
(MAILING ADDRESS AND PHONE NUMBER)  
Pacific City (Oreg) - Sandlake / easement Attached  
(NAME OF STREET OR ROAD TO BE ACCESSED)

NO CONSTRUCTION SHALL BE ALLOWED ON THE APPROACH ROAD UNTIL THIS APPLICATION HAS BEEN ISSUED BY THE DEPARTMENT OF PUBLIC WORKS.

This application is made pursuant to O.R.S. Chapter 374 and Tillamook County Ordinance #44 (see Ordinance #44 for detailed information).

The APPLICANT SHALL PROVIDE A MAP accompanying this application showing the following information:

- \_\_\_\_\_ The road right-of-way lines; submitted with major Partition
- \_\_\_\_\_ The location of the traveled road in the road right-of-way; see MP-06-05
- \_\_\_\_\_ All existing and proposed road approaches; see MP-06-05
- \_\_\_\_\_ All existing and proposed structures; none / vent shoves
- \_\_\_\_\_ The existing and proposed drainage ditching and culverts
- \_\_\_\_\_ The distance from the center of the road approach to the nearest property corner. MP-06-05

THE PROPOSED APPROACH ROAD LOCATION MUST BE STAKED AND FLAGGED ON THE SITE. A \$350.00 fee will be required at the time of application. DOUBLE FEES SHALL BE ASSESSED FOR ANY APPLICATION RECEIVED AFTER CONSTRUCTION HAS ALREADY STARTED. If additional trips are required because the site is not staked or flagged an additional fee of \$25.00 for each trip can be assessed. has been done

PRIOR TO ISSUING THE PERMIT THE PUBLIC WORKS DEPARTMENT OF THE COUNTY WILL INSPECT THE SITE for proper drainage, traffic hazards and general acceptability.



4016

THE APPROACH ROAD CONSTRUCTION SHALL COMMENCE BY THE APPLICANT AS DIRECTED BY THE COUNTY AND INSPECTED FOR COMPLETION IN THE FOLLOWING PHASES:

PHASE I: Clearing of the site, ditch excavation and subgrade of the approach. The applicant shall request an inspection for approval, prior to proceeding with Phase II construction.

PHASE II: Installing the culvert, placing all rock base. The applicant shall request an inspection for approval. PHASE II MUST BE COMPLETED PRIOR TO CONSTRUCTION ACCESS.

FINAL PHASE: Paving. After the paving, the applicant shall request a final inspection for approval.

In consideration of the applicant's agreement to comply in all respects with the regulation of Tillamook County, permission is hereby granted for construction described in the above application and in the instructions attached hereto and by this reference made a part hereof to same extent as if set forth in full. The applicant shall make all corrections as directed. Applicant agrees to save and hold harmless the County from any and all liability of whatever kind or nature arising or to arise by reason of issuance of this construction permit, the issuance thereof being for the sole benefit of applicant. Applicant is responsible to obtain all approvals or permits from other government agencies having jurisdiction effected by the proposed road approach construction site, i.e., wetlands; urban growth; riparian areas; access to county road within city.

The entire expense of maintaining said approach road shall be borne by applicant. If in the event of the reconstruction or widening of any highway, it becomes necessary to remove, alter or reconstruct the approach road constructed under authority of this permit, the cost of such removal or replacement to a like width and condition will be borne by the County. Any widening or other improvement of the approach road at the applicant's request shall be done only under authority of a new permit and at the expense of the applicant.

Paula Sealing 1-11-07  
APPLICANT (PROPERTY OWNER ONLY) DATE

FOR DEPARTMENT USE ONLY

APPLICATION APPROVED: Walt Doe 1/17/06  
PUBLIC WORKS DEPARTMENT DATE

PHASE II COMPLETION REQUIRED BY: PRUC COMPLETED:  
(Phase II must be completed prior to construction access)

FINAL COMPLETION REQUIRED BY: JANUARY 17, 2007

PERMIT NUMBER: 5388

FINAL COMPLETION INSPECTED AND APPROVED: Walt Doe 12/30/08



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT**  
**P.O. BOX 2946**  
**PORTLAND, OR 97208-2946**

November 25, 2020

Regulatory Branch  
Corps No.: NWP-2020-368

Mr. David Sears  
28805 Sandlake Road  
Cloverdale, OR 97112  
dgsears@hotmail.com

Dear Mr. Sears:

The U.S. Army Corps of Engineers (Corps) has received your application for a Department of the Army (DA) permit to place a dock, gangway and two wood posts in a freshwater lake known as Sears Lake. Sears Lake is located at 28805 Sandlake Road in Cloverdale, Tillamook County, Oregon at Latitude/Longitude: 45.24634°,-123.96585°. Your application has been assigned Corps No.: NWP-2020-368. Please refer to this number in all correspondence. We have reviewed the application you provided to us pursuant to Section 404 of the Clean Water Act (CWA).

Under Section 404 of the CWA, a DA permit is generally required for the discharge of dredged or fill material into waters of the U.S. The proposed project does not involve a discharge of dredged or fill material regulated under Section 404, therefore a Section 404 DA permit is not required. The project would place two 8-inch diameter wood posts within Sears Lake for placement of a 10-foot by 20-foot dock with a 30-foot gangway as documented on the enclosed document figures (Enclosure 1).

Our determination regarding the proposed work is based on the project description and construction methods provided in your permit application. You are cautioned that any change in the location or plans of the work may result in activities that require a DA permit.

We would like to hear about your experience working with the Portland District,

Regulatory Branch. Please complete a customer service survey form at the following address: [https://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4](https://corpsmapu.usace.army.mil/cm_apex/f?p=136:4).

- 2 -

If you have any questions regarding our regulatory authority, please contact Mr. Jason Pietroski by telephone at (503) 530-0118 or e-mail at: [Jason.P.Pietroski@usace.army.mil](mailto:Jason.P.Pietroski@usace.army.mil).

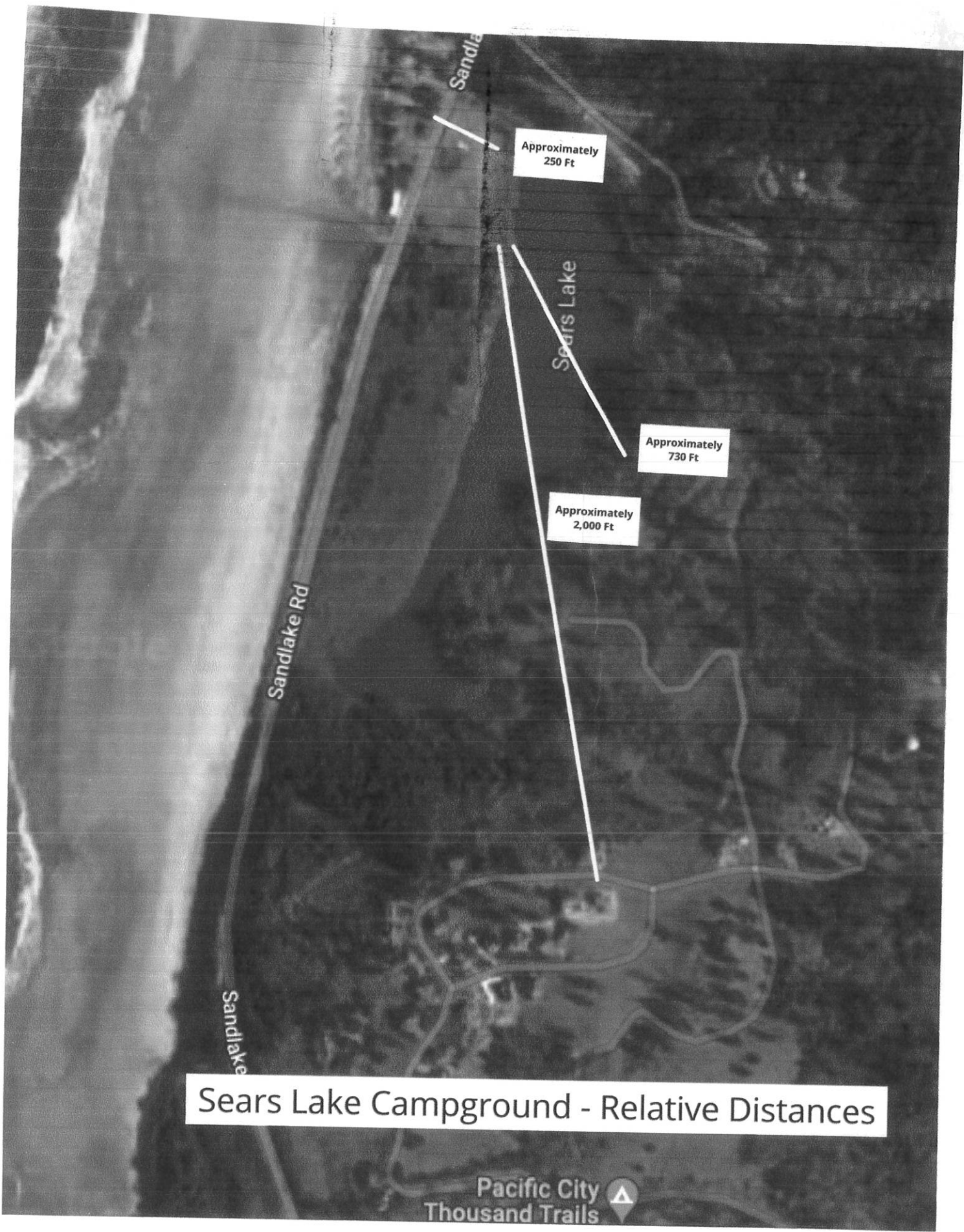
Sincerely,

Jaimee W. Davis  
Chief, Portland Permits Section, Regulatory

cc:

Oregon Department of State Lands (Daniel Evans, [Daniel.Evans@dsl.state.or.us](mailto:Daniel.Evans@dsl.state.or.us);  
Dan Cary, [dan.cary@dsl.state.or.us](mailto:dan.cary@dsl.state.or.us))  
Oregon Department of Environmental Quality  
([401applications@deq.state.or.us](mailto:401applications@deq.state.or.us)) Oregon Department of Land Conservation  
and Development (Patty Snow, [patty.snow@state.or.us](mailto:patty.snow@state.or.us); Deanna Caracciolo,  
[deanna.caracciolo@state.or.us](mailto:deanna.caracciolo@state.or.us))





Approximately  
250 Ft

Approximately  
730 Ft

Approximately  
2,000 Ft

Sears Lake Campground - Relative Distances

Pacific City  
Thousand Trails

# The Lake Pasture

Tierra del Mar, OR

A humble little pasture nestled between the lake and the sea. Stewarded by the Sears Family since 1923.

## Basic information

- Four campsites in total with plans to have some wooden platforms.
- No more than four adults per site with a max of 16 adults in total for all four sites.
- Routine maintenance, cleaning, customer service, and onsite management processes learned from Oregon State Parks.
- Property is located across from the existing beach access at the south end of Tierra del Mar.
- Parking onsite.
- Portable toilets onsite.
- Fire safety will be paramount.
- Sears family onsite for management.
- Quiet hours begin at 10:00pm.

## Three Key Pillars

1.

STEWARDSHIP - Our family has stewarded this land since 1923 and takes the maintenance and health of our natural resources seriously. All plans for the campsites are being done in compliance with fire department guidance and all local, state and federal regulations. We have already conducted a wetland delineation to determine appropriate places for infrastructure.

2.

ACCESSIBILITY - The Oregon Coast is "the People's Coast" meaning it's Oregon law that the entire Coast is open to everyone. Our family wants to see that continue. We believe our sites will give families and couples accessible camping opportunities. Additionally, we are learning how to create an ADA accessible site.

3.

SUSTAINABILITY - We believe this small-scale campground will help financially offset the costs of maintenance and stewardship of our family property for our future generations.

## Tierra del Mar Community Impacts

We anticipate little impact to the Tierra del Mar community because all parking will be on site, there is public beach access across the street and the closest homes are mostly second homes, vacation rentals and the Sears family permanent residences.

## Nantucket Shores Impacts

We anticipate little impact to the houses at Nantucket Shores which are located 2,000 ft away across Sears Lake. Campers will not be going on Nantucket Shores property, quiet hours will be enforced and management will be on site. The four sites will not dramatically affect the existing view shed of homeowners at Nantucket Shores compared to existing rental houses, traffic and beach use.

# Frequently Asked Questions

## **Do we need another campground in Tierra Del Mar?**

The Lake Pasture will offer an accessible experience that doesn't currently exist in the area. Unlike a short term vacation rental or a large-scale campground, the Lake Pasture offers a low impact experience that is in harmony with the character of Sears Lake and Tierra del Mar. We are striving to provide a positive experience to all. We look forward to sharing our part of the Oregon Coast with families and small groups of friends that enjoy the camping experience. We also look forward to providing an experience to those who may want to try camping for the first time, or those with limited physical mobility and to make it affordable to all.

---

## **Is this going to increase our fire danger?**

We have been working closely with the Nestucca Rural Fire Protection District in the Master Plan for the campground. We will have a gravel road providing emergency vehicle access to the whole campground. The fire rings have a 18" rock or stone border and we will be providing a water spigot at or near each campsite with a bucket and shovel to douse a campfire when no longer being monitored. Of course, we will be following any fire restrictions as they are posted.

---

## **How is this going to affect the existing wildlife?**

There will be minimal if any impact on the wildlife. The platforms will enable visitors to observe the wildlife from a distance. The existing break in the reeds about midway of the campsites will give access to the lake without disturbing vegetation elsewhere on the lake. The most important procedure is to keep the campsites clean of garbage and all food articles safely put away to prevent animals from associating the campsites as a food source. To do this we will have an aggressive outreach to our guests as to expectations in reference to campsite cleanliness. There will be a designated area to clean and dispose of food waste in animal proof containers. There will be another area away from the campsites for recycling and garbage. This area will be screened off by wooden fences with animal proof containers also.

---

## **How is the campground going to be operated?**

David Sears retired from Cape Lookout State Park as a ranger in 2018. Our operation procedures are based on his experience. We will be using a third party reservation system like HipCamp so that we know who is coming, who is there and who was in the campground. This seems to give the campers a sense of accountability for their actions. There will be no drop in or those looking for a vacancy staying at the campground. In fact, there will be no signs visible from Sandlake Rd or in the campground itself with the word, "Campground". We, the Sears family, will be doing the day-to-day procedures for the campground. The small number of campsites will make it easier for us to meet all campers. This will give us an opportunity to answer questions explaining how to enjoy this area responsibly. It will also give us an opportunity to explain expectations to ensure the campers are respectful of natural resources surrounding Sears Lake and the nearby neighbors.

---



# Frequently Asked Questions

## **Water and Sanitation**

The Tierra Del Mar water company has given us a water availability letter for the limited amount of water we will need for the campground. We do not have flushing toilets and showers which is the biggest user of water in a campground. We will have water spigots conveniently located at or near the campsites for drinking water, cooking, and dousing out campfires. There will be a designated cleaning station at the utility shed for pots and dishes. This cleaning station will have a sink that empties into a gray water sump. The sump will collect the food debris and there will be a drainage system to eliminate standing water. The utility shed will also have a porta-john discreetly located inside.

---

## **Tsunami/Emergency Evacuation**

There is an existing designated route that campers will be informed about. The route is accessible by foot and leads guests and community members to the top of the Sears hill where there is an assembly area. Specific areas in and near the campground area where cell service works.

---

This area left intentionally blank

---

# ABOUT US

Contact: Dave Sears [dgsears@hotmail.com](mailto:dgsears@hotmail.com)



## Dave Sears

A 20-year Navy veteran, former middle school teacher and most recently Oregon State Parks Ranger.

Active volunteer in Tierra del Mar (TDM) including South County Emergency Volunteer Corps board member, Chairman of TDM Emergency Committee, Net Control for Tierra Del Mar and Nantucket Shores monthly emergency radio drills.

## Austin Sears

Former Navy Fire Controlman and now an ambulance driver for Tillamook Adventist health and full time student at University of Oregon.

Active volunteer for the Nestucca Rural Fire Protection District.

## Lisa Sears

Retired Tillamook preschool Director and currently an active volunteer for the Pioneer Museum, Tillamook County Historic Cemetery Preservation, and Tillamook County Historical Society.

Also a state commissioner for Oregon Commission on Historic Cemeteries.

## Arica Sears

Deputy Director for the Oregon Coast Visitors Association focusing on destination management and sustainable tourism.

Volunteer Vice President of the Kiawanda Community Center, Treasurer for the Pacific City Dorymen's Association and volunteer for Nestucca School District Budget Committee.

# EXHIBIT C



## Lynn Tone

---

**From:** Jaime Craig  
**Sent:** Thursday, June 16, 2022 4:35 PM  
**To:** Lynn Tone  
**Subject:** RE: 851-22-000154-PLNG

Hi Lynn,

Comments are as follows.

Depending on the type of campground: dry or providing water they would have to a public water source that may require licensing with the State Drinking Water.  
Meet our RV/Campground rule and obtain a license from our department.

Thanks,



**Jaime Craig** (she/her/hers) | REHS  
TILLAMOOK COUNTY | Environmental Health Program Manager  
801 Laurel Avenue | PO Box 489  
Tillamook, OR 97141  
Phone (503) 842-3909  
Fax (503) 842-3983  
[Jcraig@co.tillamook.or.us](mailto:Jcraig@co.tillamook.or.us)  
[www.tillamookchc.org](http://www.tillamookchc.org)

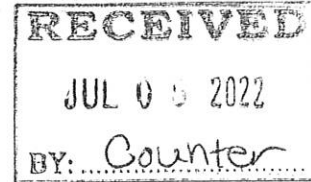
This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential 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.

**From:** Lynn Tone <ltone@co.tillamook.or.us>  
**Sent:** Thursday, June 16, 2022 4:20 PM  
**To:** PHIPPS Lisa DLCD <lisa.phipps@dlcd.oregon.gov>  
**Subject:** 851-22-000154-PLNG

Please see attached for Notice of Public Hearing.

Thank you,

# Christiansen Family Trust



July 5, 2022

29905 Nantucket Drive  
Cloverdale, Oregon 97112

PO Box 1119  
Pacific City, Oregon 97135

Tillamook County Planning Commission:

I am Liz Christiansen longtime homeowner at 29905 Nantucket Drive, Cloverdale, Oregon 97112. Our property is titled as Christiansen Family Trust. I am submitting this written testimony to be included in the packet for the Planning Commission prior to their July 14, 2022 meeting.

There is a request of conditional use approval for the development of a four site primitive campground. My home proximity to the four site development proposal has caused me to make this statement in general about the benefit of this small campground. I believe there is more negative impact to the natural environment and public health and safety of those using the campsites, our public employees servicing the area around the sites and the private owners contiguous to the lake than benefit. A four site campground maybe consistent with the Comprehensive Plan but the benefit of four sites does not provide enough camping, recreational services or tourist attraction to outweigh the detrimental impact to the environment and burden to the local taxpayer.

The parcel is not suitable considering the location and existing natural habitats and marsh areas. These natural areas will be changed without appropriate benefit to county and taxpayers. Public services including fire, sheriff,

SHIP TO: ADDRESS, CITY, STATE, ZIP CODE  
T (123) 456-7890 WWW.COMPLX.COM

*Liz Christiansen*  
7/5/22

---

enforcement and public health will be impacted and an inequitable benefit will result.

Please consider specifically the following.

Public Safety:

1. Campfires, fire ring or not, are a danger to the area because of the thick grasses and vegetation. Fire should not be allowed in this area during "no burn times" and other fire levels that maybe designated. This will require monitoring and enforcement that is difficult to mandate on our already stressed Public Safety Employees.
2. Currently the road is not maintained to allow fire service access. The width and quality of the access road should be reviewed and a plan to keep it maintained in that condition should be reviewed for the safety of the adjacent property owners and to assure our fire services can perform their work if necessary.
3. Access to water for fire suppression should be reviewed. Since this is listed as a county road the cost of maintenance and design of access should be financially considered as to whether the taxpayer cost outweighs the benefit of a four site campground.
4. In years past, although not this fourth of July weekend, interestingly, there has been camping, fireworks and bonfires on this small parcel. Enforcement and monitoring of fire safety practices will be necessary should this be approved and the liability of the petitioners should be stated by insurance for the benefit of the private owners and public entities providing such services.

Public Health:

1. I can personally confirm the existence of Giardia in Sears Lake. With the new dock, use of the lake can be anticipated. This is a well-known health hazard that at a minimum should be posted warning users of the lake. Should the use of the dock, lake and attending water sports cause injuries and disease, this should be the petitioners' liability and the



private owners should be protected from such liability with appropriate insurance.

If the planning commission continues to support the four site primitive campground as beneficial to the local area and economic development, I would respectively request the following considerations be required of the petitioners:

1. A plan to be submitted to the appropriate fire services addressing road and water access for fire suppression.
2. A plan to be submitted to appropriate public safety and planning to prevent trespassing of people, fire and noise onto private property and hampering our private enjoyment.
3. A plan to prevent additional attractive nuisance of bears and other wildlife.
4. Submission of liability insurance specifically for the operation of a primitive campground that lists the community of Nantucket Shores as additional insured as long as the campground exists. Submission of the certificate of insurance can be provided to me at my mailing address and I will assure communication to the HOA.

Thank you for your consideration of my concerns.

Sincerely,



Liz Christiansen

Homeowner

509-999-1125

July 5, 2022

6290 South View Loop  
Cloverdale, OR 97112

PO Box 970  
Pacific City, OR 97135

Tillamook County Planning Commission:

My name is Raymond L Smith, along with my wife Julie R Smith, we are fulltime residents and homeowners at 6290 South View Loop, Cloverdale, Oregon 97112: a gated community entitled Nantucket Shores. I am submitting this written testimony on behalf of my wife and I as well as Mr. & Mrs. Larry Helmke who also have a home here in Nantucket Shores at 29970 Nantucket Drive, Cloverdale, Oregon, 97112, to be included in the packet for the Planning Commission prior to their July 14, 2022, meeting.

It has come to our attention that there is a request before the Planning Commission for conditional use approval of the development of a four-site primitive use campground. The proximity of our homes to the proposed four-site development has caused us to make this statement in general about the benefit of this small campground. We believe there is more potential negative impact to the natural environment and public health and safety of those using the campsites, our public employees servicing the area around the sites as well as the private homeowners contiguous to the lake than there is benefit.

Furthermore, it is our opinion that the parcel is not suitable for any number of primitive camping sites considering its location to the existing natural habitats and marsh areas. These natural areas will be changed without appropriate benefit to county and taxpayers. Public services including fire, sheriff, enforcement, and public health will be impacted and an inequitable benefit will result. The following bulleted points support this opinion. To be clear, we are opposed to this proposed use and respectfully ask that the commission to consider the following when making its determination.

- o Campfires, regardless of the existence of a fire ring, are a danger to the area due to the thick grasses and vegetation. Additionally, campfires should not be allowed in this area during "no burn times" and other fire levels that maybe designated, which will require active monitoring and enforcement that is difficult to mandate on our already stressed Public Safety Employees.

- Currently the ingress to this site is not maintained to allow fire service access. The width and quality of the access road is questionable, and the proposal does not mention plans to keep it maintained in that condition for the safety of the adjacent property owners and to assure our fire service can perform their work if necessary.
- Access to water for fire suppression was also not addressed within the proposal. Given this is listed as a county road the consideration of the cost of maintenance and design of access should be financially considered as to whether the taxpayer cost outweighs the benefit of a four-site campground.
- Trash removal and overall maintenance of the proposed seems problematic given the fact that these services appear hard to maintain in other public areas (e.g., the Tierra Del Mar beach access area immediately west of the proposed site). Also, it seems to us that this is an unnecessary risk given wildlife concerns, bear sightings, and other animals that would invariably start to increase in volume.
- We know in previous years, that camping, boating, and bonfires have occurred on this small parcel. Enforcement and monitoring of fire safety practices will be necessary should this be approved, and the liability of the petitioners should be stated by insurance for the benefit of the private owners and public entities providing such services.
- Moreover, we believe this proposed use, if approved, would create an additional traffic burden to an area that is questionably safe in good times as there are an abundance of cars parked along the street and heading into the beach access number 37 adjacent entry point to the proposed primitive campsite area.

For these reasons we are asking that this request for conditional use approval, #851-22-000134-PLNG, for the development of a 4-site primitive campground on a property zoned Rural Residential 2-Acre (RR-2) located east of the Tierra Del Mar and north of Pacific City/Woods not be approved.

Sincerely, Raymond L Smith  
6290 South View Loop, Cloverdale, OR, 97112



**Subject:** Witness Comments: #851-22-000154-PLNG

**Date:** Tuesday, July 5, 2022 at 9:40:24 AM Pacific Daylight Time

**From:** David Miller

**To:** Sarah Absher, Lynn Tone

Sarah and Lynn: I am not sure which of you should receive these "Witness Comments" so I erred on the side of sending this to both of you. Please put my comments in the packet mailed to the Planning Commission in anticipation of the first hearing on July 14, 2022.

I received the Notice of Public Hearing regarding the above matter presumable because I am an adjoining property owner located within 250 feet of the exterior boundaries of the subject parcel for which this application has been made. I own and am currently building a home on Lot 30 of the Nantucket Shores subdivision, which is perched about Sears Lake to the south and has a direct view of the lake and the property where Mr. Sears wishes to place a Primitive Campground. Please consider these comments as my testimony explaining my objection to the granting of the Conditional Use Permit Request sought by Mr. Sears.

**Background:** This matter first came to my attention last year when Mr. Sears sought a Conditional Use Permit to place a dock in Sears Lake (#851-21-000223-PLNG). That request was allowed over objections and the Permit was ultimately granted with certain conditions. I objected to that request, as well, primarily because it was clear at the time a dock was merely the "first step" toward seeking the Primitive Campground Permit Mr. Sears seeks herein. See, my August 22, 2021 letter with 9 attached exhibits.

During the application process seeking the dock Permit, Mr. Sears corresponded with a neighbor of mine and acknowledged his own serious concerns about an increase in both beach-going pedestrians and traffic in the precise area where he was then seeking a Permit to place a dock. Now he seeks permission to install a Primitive Campground with an additional 30+ people and an unspecified amount of vehicles jammed into the precise area where he---Mr. Sears---expressed these concerns:

- "The Tierra Del Mar beach itself will be packed with cars, people, jet skis."
- "Sandlake Road itself will be packed on both sides of the road with parked cars and other cars moving slowly along trying to find a parking spot."
- "The porta-johns at the beach entrance along with the dumpster will be in plain view."
- "The houses on the south end of Tierra Del Mar, some of which are short

- term rentals, will be busy. They advertise up to 17 guests can stay in one house and promote the jet skis on the beach.”
- “...constant vehicle racing...[and] the local police are too busy to address it.

See, **Exhibit 1** attached hereto (was Ex. 5 in previous submission, August 22, 2021)

Rest assured the problems Mr. Sears identified about the area where he wishes to build a Primitive Campground have not decreased; they have continued to increase through this past year and are now worse.

To this growing problem in the Tierra Del Mar area, which also exists on the roadways and beaches in the greater Pacific City area in the spring and summer months, over the strong opposition of many neighbors and local groups, the County granted the request of Oregon Treehouse Partners LLC to install 19 campsites, upon which geodesic dome structures will be placed on 9 of the sites, on March 28, 2022 (subsequent appeal denied). See, **Exhibit 2**. The “Treehouse” site is located just to the north of where Mr. Sears now seeks to add more primitive campsites to the area. See, **Exhibit 13**.

Furthermore, directly to the south of Sears Lake, is the ever-growing Pacific City RV and Camping Resort, also called Thousand Trails Campground, located at 30000 Sandlake Road, Cloverdale, OR 97112. See, **Exhibit 12**. This facility offers RV guests some 305 sites, including cabins and RV spaces. The entrance is located directly opposite the only entrance (secured by a coded gate) to the Nantucket Shore subdivision. The vast majority of the large volume of spring and summer RV traffic out of this large RV park turns left out of the park and enters onto Sandlake Road only a short distance to the west. The traffic then heads either north toward Tierra Del Mar (and ultimately Hwy. 101) or south into Pacific City; there are no other options.

Last year I submitted a short (17 second) video clip showing summer traffic on Sandlake Road at the precise area where Mr. Sears proposes to put primitive campers. I have reviewed Mr. Sears’ Application. His proposed traffic access is an unimproved, unmarked, very narrow road at the north end of his property, and his proposed pedestrian beach access is near the south end of his proposed campground. See, **Exhibit 3**. I am reattaching as **Exhibit 4** the same video I submitted a year ago.

As a lawyer of 40 years whose practice has consisted exclusively of representing both people injured in accidents as well as people, including property owners, who are sued for money damages as a result of injuries, I can say unequivocally the area of

Sandlala Road where Mr. Sears proposes ingress and egress for vehicles, and particularly for pedestrians, presents a clear and very real risk of a serious vehicle/pedestrian accident, or a serious motor vehicle accident, increasing both risk and liability for many. In fact, with the public comments about traffic volume and risk of injury being so prominent in the record of the Treehouse matter, and with virtually no increase in signage, traffic control or law enforcement patrolling in the area, one has to wonder about the County's liability should steps be taken to increase, not decrease the risk of potential harm.

It is also worth noting the original intent of "Primitive Campgrounds." Such locations were intended to be in remote spots, thus allowing the camper to experience camping in very remote areas, without the ambient noises from other campers and civilization. See, **Exhibits 5 through 7**, obtained from just a quick google search of "primitive camping." It can hardly be argued that this particular location, a matter of feet away from one of the busiest beaches on the Central Oregon coast, an even shorter distance from a major road which provides the only north/south ingress and egress for residents of the area, and adjacent to a major subdivision, is a site consistent with the intent of "primitive camping."

**Argument in Opposition to Request for Conditional Use Permit.** As a threshold matter, it must be noted that Mr. Sears, the applicant, bears the burden of proof in this matter. See, *Wilson v Washington County*, 63 Or LUBA 314 (2011). Against that backdrop, the Standards applicable to Primitive Campgrounds and the Commission's Review Criteria both must be examined.

1. A comment in the Overview portion of Goal 8 (Recreation) of the Tillamook County **Comprehensive Plan** states: "A main issue surrounding recreation in the County is that of quantity, location and orientation." The obvious intent of the Goal was to find a balance between increased recreational opportunities, and the economic benefit that brings the County, and the burden such opportunities place on the public. "There is concern that recreation may adversely impact the natural resources of the area."

The proposed primitive campsite is at a location that is simply incompatible with existing traffic and pedestrian volume. The objections to the proposed Treehouse Campground made earlier this year by the Tierra Del Mar Community Association Board and the Oregon Coast Alliance (attached, **Exhibits 8 and 9**) ring even louder today since that campground, located a very short distance from this proposed campground, was approved. Those opinions were shared by at least 12 residents of Tierra Del Mar.



The anticipated traffic burden, the increased pedestrian burden, and the congestion both create has already negatively impacted this area in a substantial way. In short, when it comes to the traffic and pedestrian issues, "when is enough enough?"

2. The placement of a primitive campground on a property zoned RR-2 was contemplated in the TCLUO's, specifically 3.010(3)(u), which notes "primitive campgrounds" as a use "permitted conditionally." However, the proposed use must satisfy both the intent of the Comprehensive Plan and the Review Criteria.

One of the themes clearly apparent in the Comprehensive Plan is the need to balance the County's need for revenue against other wishes and needs of its population. It is now apparent from Mr. Sears' Application, as well as the emails he exchanged with others, that his stated purpose in pursuing this Request is financial. While couched in terms of "sustainability," the clear intent is that he and his family profit from this private enterprise ostensibly to help defray the costs of upkeep, taxes on the property, etc. See, **Exhibit 10**. This loss of taxable income to the County is a concern set forth in the Comprehensive Plan: "The issue of private versus public recreation facilities and the loss of taxable land has been a continuing concern in the County." See, Overview, Goal 8. In this regard, it is noteworthy that the proposed primitive campground be located directly in front of the proposed Phase 3 of Nantucket Shores, which contemplates 2 acre parcels on a hillside overlooking both Sears Lake and the ocean. Having purchased a 2 acre lot in Nantucket Shores, I can attest to the fact I would not be interested in buying a lot with a primitive campground, with tents perched atop 6' high platforms, directly in front of what I thought was a view of the ocean. Potential buyers of 2 acre lots within the Nantucket Shores community are simply not going to buy, and thus become robust payors of property taxes to Tillamook County, if what they are buying is the sight of an unsupervised primitive campground in the foreground.

While any landowner would relish the thought of making additional money to help defray costs of maintaining their property, one must ask "at what cost to the surrounding community?" For me, an adjoining landowner who is a fulltime resident of Pacific City, I must frequently travel along Sandlake Road for both my business and personal use. Between the RV's traveling southbound on this Road to reach destinations in Pacific City, and northbound to reach the campgrounds at Whalen Island or Sandlake, or Hwy. 101, in addition to the influx of motorists and also bicyclists on this road, the thought of adding up to 32 campers with an

indeterminable number of vehicles, is shocking. Perhaps a "site visit" by the Commission would be in order to witness for themselves the congestion which already exists.

With this congestion comes the following other issues implicating **Review Criteria** Section 6.040(4):

- a. There is no **fire** suppression system/equipment mentioned in the Application, other than a bucket to be used to douse campfires. This area was surrounded by fires two summers ago. Adding an additional fire risk to this area is also a burden too great. The application states potential campers will be given "clear guidance" on "camp rules." It is clear there will be no on-site camp host, let alone a security presence. We are warned every single season about the dangers of campfires. Granting this Permit would allow campers without any fire suppression equipment to be trusted to put out their personal night-time fires in a heavily vegetated area. As a neighbor, I strongly object to that being allowed.
- b. Nantucket Shores adjoins the proposed campground site. Nantucket Shores has no full-time **security**. There is one road that extends directly from this proposed campground to the subdivision. See, **Exhibit 11**. I know and trust my neighbors. In fact, I chose to buy in this subdivision because it is relatively secluded. The thought of hikers wondering up from a campground below raises security and **safety** issues for all concerned. There are 76 home sites and 23 existing homes in the subdivision. Phase 3 of the subdivision (planned but not yet built) is located directly across the lake from the proposed campsite. The **noise** from a campground will travel directly across the lake and impact life in the subdivision. For these two additional reasons, I believe the proposed campground will definitely "**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." Section 6.040(4).
- c. **Wildlife** is another concern. Few residents of this area have not had their garbage cans upended by bear or their flowers eaten by deer. One learns to respect their territory and take steps to prevent the wildlife from wreaking havoc on our lives. There is deer, elk, bear, eagles and other natural wildlife in the direct vicinity of the proposed campground. I have seen all of these animals either on or directly

around my property. Summer campers will bring food and drink. Inevitably food will not be properly stored and a bear will enter the campsite. I fear this will embolden the wildlife population or, perhaps worse, cause them to retreat into the mountains. In either event, it will impact wildlife, a **natural feature** of the area.

**Conclusion:** The proposed primitive campground is in a location that is not suitable for the intended use due to existing congestion, an additional campground coming to the same area very soon, and the natural features (quietude, scenic views, wildlife) which already exist in the area. See, Section 6.040(3). Furthermore, the character of the surrounding area is incompatible with the proposed primitive campground. Indeed, a primitive campground is not compatible with the surrounding area, which consists of a major thoroughfare on one side and large subdivision on the other. The sights, sounds, congestion, and threats posed by the campground outweigh the applicant's desire to gain personal financial benefit from such a campground.

Sincerely,



David K. Miller

Lot 30, Nantucket Shores



Brenda Giddings <brendagiddings@gmail.com>

My camping experience

David Beard <davidbeard@beard.com>  
Brenda Giddings <brendagiddings@gmail.com>

Tue, Apr 20, 2021 at 8:42 PM

Barbara, Brenda, and Ben

I would like to share my experience with camping. From May of 2013 to May 2018, I was a full-time ranger at Cape Lookout State Park and was a seasonal ranger for three summers before that. Cape Lookout is not the largest campground on the coast, but with 177 campsites, yurts, cabins and a day use area that can easily go over 1,000 people in the summer. It is significant campground. As a ranger, if something needed to be done I would do it. From cleaning restrooms, facility Maintenance, ground Maintenance, and rule enforcement. All of these functions required interacting with the public. I met people from all over the world, every region of the United States and all walks of life. At no time during those eight summers did I ever consider anyone at the campground a Riff Raff. It was actually quite the opposite. What I remember was families being together. Setting up camp or preparing a meal together, but being together and enjoying it. Couples old and young holding hands as they rushed down to the beach to catch the sunset, friends sitting around a campfire enjoying each other's company. I wasn't that they were there because they couldn't afford a motel. It was because they wanted the experience. Repeatedly, someone would tell us that as kids they camped at Cape Lookout and now, they were bringing their kids and even grandkids to experience camping. I would catch myself just watching this mass of people getting along. No conflicts, being tolerant and respectful to one another. I cannot remember one case of a car being broken into or a charge of assault. During a summer there may have been one or two individuals claiming something was taken from their campsite, but by far there were more individuals coming to the registration booth with items like wallets, cameras, and keys found in the registration or on a trail. We actually had a closet full of stuff turned in. What I saw firsthand, what I experienced by being there was a piece of our society at its best.

In your last message you mentioned you couldn't visualize it. Let me try to explain what I visualize on a now typical beautiful summer's day. The Tierra Del Mar beach itself will be packed with cars, people and jet skis in the surf. We are definitely going to hear the jet skis. There will be other sounds also not as loud like dogs barking, people/kids screaming as they hit the cold water. Maybe some music and hopefully as it is more crowded no so much of the racing cars. Sandlake Rd itself will be packed on both sides of the road with parked cars and other cars moving slowly along trying to find a parking spot. The porta-johns at the beach entrance along with the dumpster will be in plain view. The houses on the south end of Tierra Del Mar some of which are short term rentals will be busy, they advertise up to 17 guests can stay in one house and promote the jet skis on the beach. There will be people milling around or adding to the people on the beach. Many cars will be moving around as they check in, check out, visiting area attractions, and the cleaning crew coming and going. On the northwest corner of the lake will be our campground in a 4-acre pasture with four tents. There may be some of these campers feeding the animals or playing a game in the field. I always expect some to be relaxing in the campsite while others may be fishing on the dock or swimming. A couple slowly making their way along the lake's edge in a canoe or maybe two kayaks racing across the lake. In all this, a calming place as you look out over the lake towards the beach how is our proposed project significant?

There is no control on what takes place on our beach. With the constant vehicle racing we hear at all times it is obvious the local police are too busy to address it. Whereas in our campground, we will have clear expectations of behavior and ensure our guest comply. You mentioned a 10 pm curfew on noise. To maintain consistency in the area we do will have a 10 pm noise curfew. The short-term rentals across the street where you mentioned could hold more guest than our entire campground. do they have host on site? We live here. The houses are very good from the pasture to our house and if needed we could be on site in minutes.

I have been trying to answer your questions and address your concerns. Now would you please answer some questions for me? How is a family cooking snores around a campfire going to have a negative impact on you? How are kids playing or feeding the llama in the field going to have a negative impact on you? How is the kids paddling along the lake going to have a negative impact on you? As I tried to explain at the start

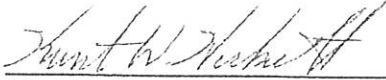
-----  
-----  
-----

EXHIBIT 1



DATED this 28<sup>th</sup> day of March, 2022.

TILLAMOOK COUNTY PLANNING COMMISSION



---

Kurt Heckerth, Chairperson

1 3  
1 1 2  
1

1 3  
1 1 2  
1



## *EXHIBIT A*

### CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, 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 required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. The property owner shall obtain all necessary electrical, mechanical, and plumbing permits.
3. At the time of applying for Zoning and Building Permit approval, Applicant will be required to submit the following:
  - Authorization Notice approval for on-site sewage disposal permits from the Department of Community Development or Oregon DEQ.
  - A letter from Tierra Del Mar Water Company confirming water service to the proposed facility.
  - A letter from the Nestucca Rural Fire Protection District confirming fire protection service to the proposed facilities.
  - A letter from the Tillamook County Public Works Department approving the road approach and internal roadway design.
  - Demonstration of compliance with the standards contained in TCLUO 4.130(2).
4. If buildings within or near the area identified as inactive landslide topography are to be sited on slopes greater than 29%, a Geologic Hazard Report will be required as described in TCLUO 4.130. If such a report is required, a Geologic Hazard Report shall be submitted in conjunctions with application for Zoning and Building Permit approval for review and acceptance.
5. Applicant will maintain the minimum proposed vegetative buffers between the proposed area of development and the property boundaries. The site plan submitted for approval with application for Zoning and Building permits will clearly show the vegetative buffers.
6. Development will comply with the requirements and standards of TCLUO 3.010 'Rural Residential 2-Acre (RR-2) Zone' and 5.030 'Recreational Campground Standards'.
7. Overnight temporary use of the campground by a camper or a camper's vehicle shall not be for longer than six (6) months in any twelve (12) month period as required by TCLUO Section 5.030.

8. The applicant/property owner shall provide a copy of an approved campground design from Tillamook County Environmental Health at time of Zoning Permit/Building Permit submittal.
9. Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization.
10. Signage shall comply with the requirements of TCLUO Section 4.020: Signs.
11. Development shall occur in the area as generally depicted on the submitted site plan and as described and shall not exceed 19 campsites and the supporting facilities, including the support cabin and bathhouse.

# Sears Lake Campground Master Plan

Scale - 100ft

Sandlake Rd

Sandlake Rd

Sandlake Rd

Main Access from Sandlake Rd.

Parking Lot 60'x70'

Existing Storage Shed

Platform 1  
12' X 20'

Platform 2  
12' X 20'

Conditional Use Permit  
851-21-00223-PLNG  
SEARS  
(Dock and Storage Shed)

Utility Shed  
12' X 12'

Emergency Access

14" Gravel Road

Storage Shed

Dock

Parking Lot 20'x30'

Pedestrian Beach Access

Platform 3  
12' X 20'

Platform 4  
12' X 20'

EXHIBIT 3





**USA  
TODAY**

**Celebrate**

**, W**



**USA  
TODAY**

**NATIONAL PARKS**

**What rangers do**

**REMOTE WORK**

**Working**

**News**

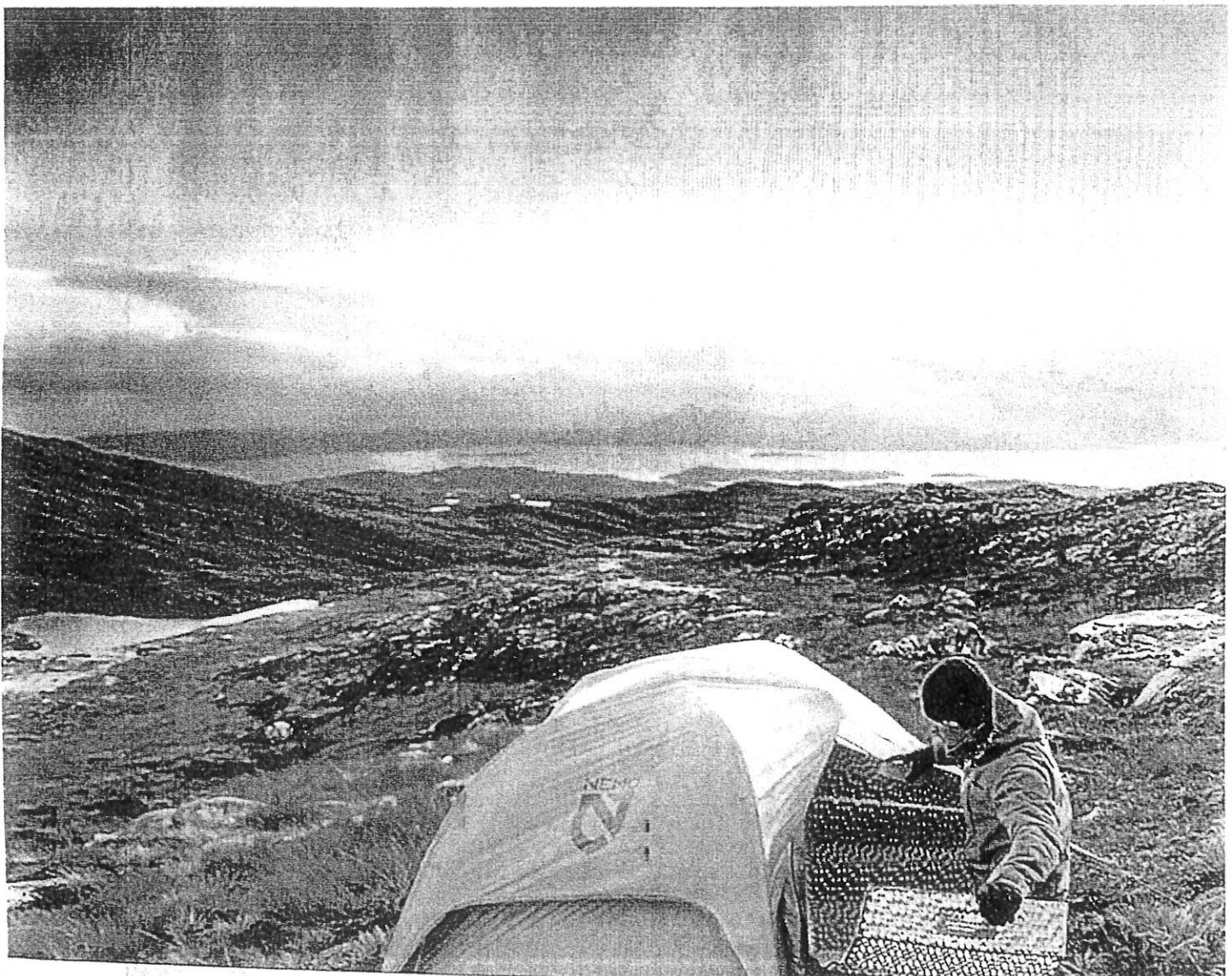
**Sports**

**Entertainment**

**Life**

**Money**

# What is primitive camping?



FLORIAN S

## Primitive Camping Defined

Primitive camping, also commonly referred to as backcountry camping, forgoes reservation campsites in favor of more remote areas without amenities such as bathrooms, running water or first aid supplies. Instead of following the herd to a common campground area, you hike in the opposite direction to discover a secluded area of a state park or forest park.

Independence and self-reliance are the name of the game. Make sure you come prepared and bring all the supplies you'll need for your adventure. Because if you do it right, you won't have a neighbor for backup supply need. Think food, water and basic tent shelter.

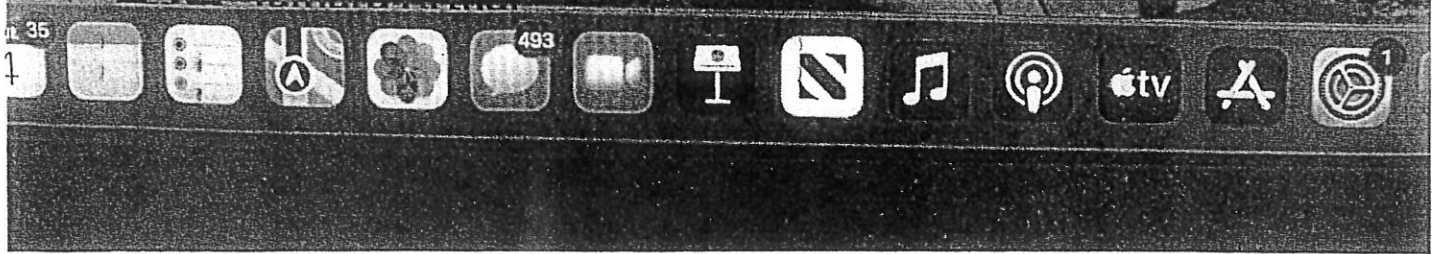
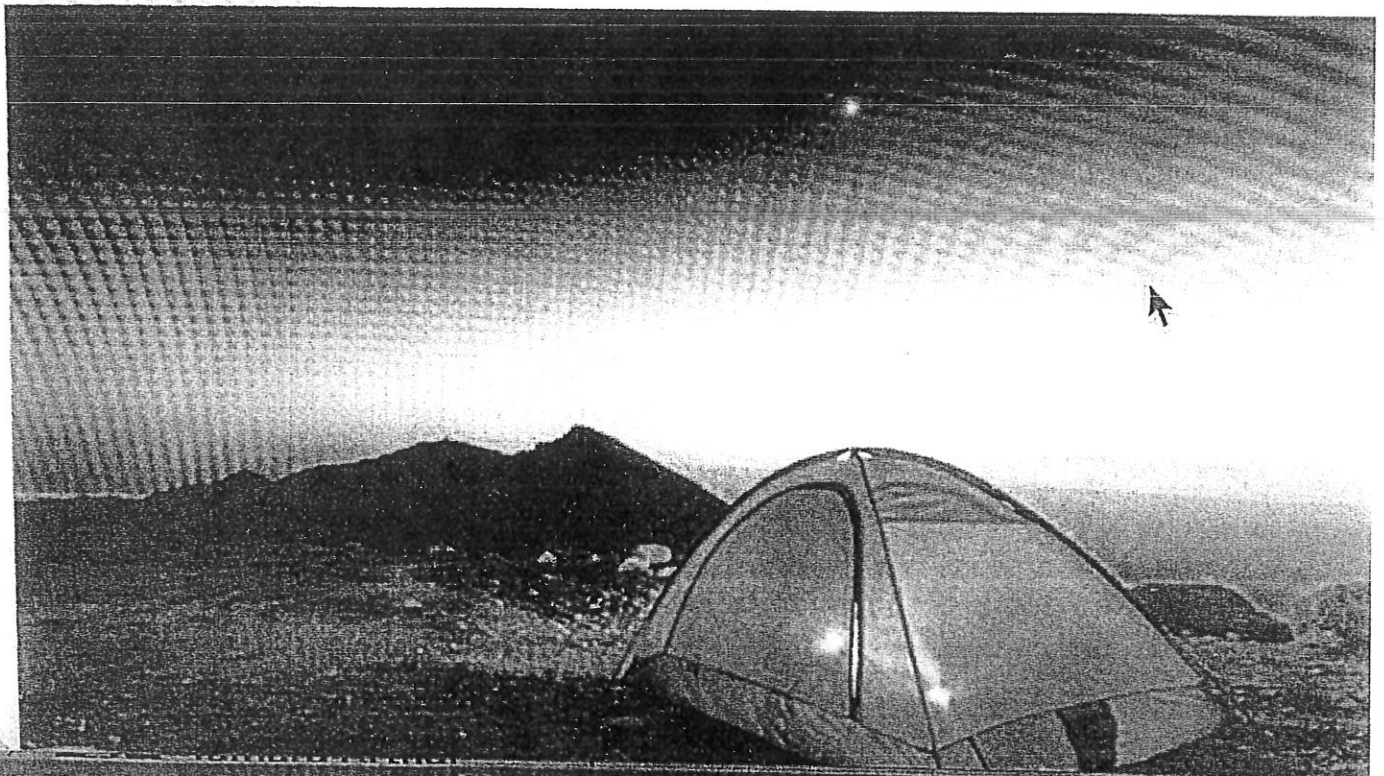
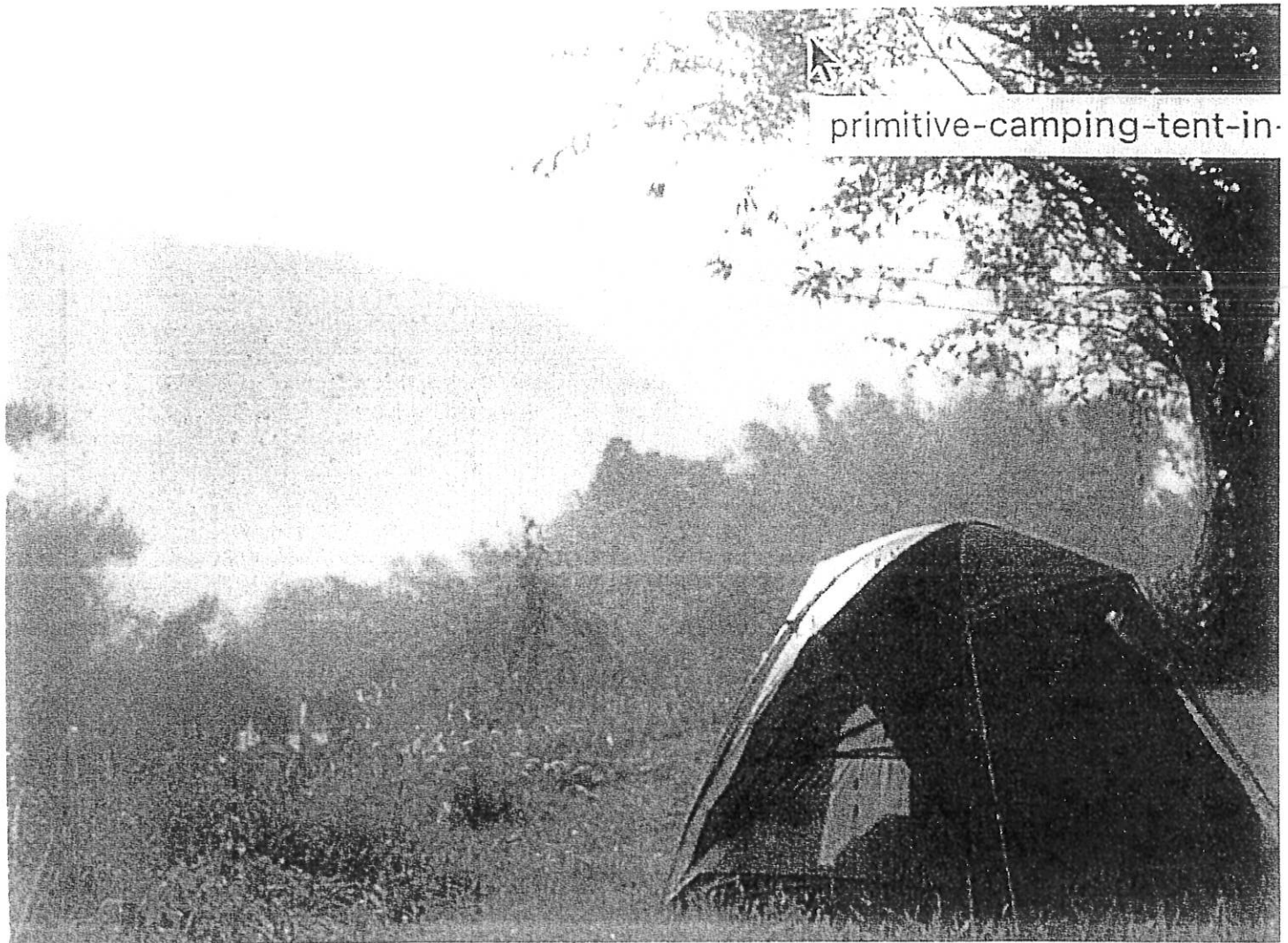


EXHIBIT 6



# What is Primitive Camping? - The Ultimate Guide



primitive-camping-tent-in-

Exhibit 7





January 23, 2022

Tillamook County Planning Commission  
Department of Community Development  
1510 B Third Street  
Tillamook, OR 97141

RE: Conditional Use Application #851-21-000416-PLNG - Oregon Treehouse Partners, LLC

Dear Tillamook County Planning Commission:

The Tierra Del Mar Community Association appreciates the opportunity to submit public comment related to Conditional Use Permit Application #851-21-000416-PLNG. Based on feedback from our community, we respectfully request that the following questions are included in your deliberations:

- **Traffic:** Given the narrow road width of Floyd Avenue east of Sandlake Road, should a traffic study be conducted to address the expected increase of RVs, vehicles, potential traffic delays on Sandlake Road, and for vehicles entering and leaving the campground?
- **Beach Access:** Pedestrian access to the beach will be needed and crossing Sandlake Road at Floyd Avenue is the primary option. What plans are underway to ensure the safety of pedestrians crossing Sandlake Road from the campground to the beach?
- **Maximum Occupancy:** Based on proposed site square footage, what is the maximum occupancy of each site and/or overall campground for individuals and their tents, vehicles, and RVs? Are campers allowed to park a non-RV motorized vehicle at their designated camp site? Is there a maximum length of stay for each visit and will long-term stays be permitted?
- **Fire Safety:** Given the steep terrain of the access road and campsite, has the Nestucca Rural Fire Protection District Fire Chief confirmed the entire campground and all campsites are accessible to their firetrucks and that fire suppression plans are acceptable? In order to maintain safe passage for any and all emergency vehicles, how will the "No On-Street Parking" rule, as specified in the application, be enforced?
- **Emergency Preparedness and Evacuation:** Tierra Del Mar is located in a Tsunami Hazard Overlay Zone. What means of communication will be available at the campground for emergency preparedness and evacuation? Is there an opportunity for emergency preparedness facilities at the campground for the greater Tierra Del Mar community?
- **Water Supply:** What is the status of any application to the Oregon Water Resources Department concerning adequate well water supply for both the main campground and the fire suppression needs?
- **Campground Security:** Is there an onsite camp host/staff 24-hours per day year-round and does the campground plan on using the Tillamook County Sheriff's Office for assistance with any onsite conflicts and disturbances?

We appreciate your consideration and thank you for your time.

Sincerely,

TIERRA DEL MAR COMMUNITY ASSOCIATION BOARD OF DIRECTORS



January 27, 2022

Tillamook County Planning Commission  
c/o Department of Community Development  
1510 B Third Street  
Tillamook, OR 97141

Via email

Melissa Jenck: [mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)

Sarah Absher: [sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)

Re: #851-21-000416-PLNG; Request for Conditional Use Approval for a 19-site  
Recreational Campground

Dear Members of the Tillamook County Planning Commission,

Oregon Coast Alliance is an Oregon nonprofit corporation whose mission is to protect coastal natural resources and enhance community livability. We write to you today with strong concerns about the Treehouse Partners application for a recreational campground on 18 acres of a fifty-eight-acre parcel just east of Tierra del Mar off Sandlake Road.

ORCA's principal concerns have to do with the suitability of the proposed use. Though the campground appears to meet the standards for recreational campgrounds (TLUO 5.030), there are other standards that must be considered.

Section 6.040, the Conditional Use review criteria, require in (6) that "The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use." The proposal does not meet this criterion, because the available infrastructure in the Tierra del Mar area is quite minimal. Both water supply and wastewater treatment options are very limited, and roads are built to carry small amounts of traffic. TDM residents often receive notices in summer to limit water use due to inadequate supply. What effect will use of wells and/or springs on the property have on existing TDM water supplies?

The staff report simply punts the many unanswered questions about wastewater treatment, septic capacity and traffic to the relevant agencies, namely the Tillamook County

Public Works Department, Oregon Department of Transportation and the Oregon Department of Environmental Quality. That is not sufficient; it is merely passing the buck. The county needs to determine if this proposal meets the Conditional Use criteria with the information provided, as the burden is on the applicant to furnish proof of its assertions concerning the proposal. The answer is that it does not.

A large number of people could potentially be camping on this property at any one time, with four cabins, six tent camping areas, nine owner-provided camping tents on decks, and 26 parking spaces mentioned on the application. It is to be a year-round camping operation, according to the application. This could easily mean more than forty people camping in the campground any month of the year. The stress on Floyd Avenue, Sandlake Road, and any septic/sewer facilities situated onsite, is going to be substantial. There are wetlands and streams on this property, and septic problems will affect these and the entire area's groundwater.

Yet the staff report does not question, investigate nor place the burden of proof on the applicant, *as required by law*, to deal with any of these looming problems. The staff report merely requires conditions that make an approval contingent on permits from other relevant agencies. But the Planning Commission must determine, under the Conditional Use criteria, whether or not there are adequate public facilities and services existing in the area for the proposed use.

In addition this property, and the area proposed for the campground, has inventoried wetlands on the USFW National Wetlands inventory. The Department of State Lands has determined that the project will impact wetlands and require a state permit. The staff's only response to this is to require, via condition of approval, that the siting of campsites and improvements is not in conflict with mapped wetlands. Once again, the county's insufficient response is merely to kick the can down the road. Rather, the county must require of the applicant a wetland delineation *and* a detailed map (rather than a mere fuzzy sketch) of the locations of campsites and amenities in relation to wetlands. As the applicant has failed to provide this, it is another example of the application's incompleteness.

As the public facilities needed for this proposed campground have not been provided in any detail other than airy statements, and wetlands have not been mapped, ORCA requests the planning commission return the application to Treehouse Partners. They must provide the information for the county to make a reasonable decision. It is not the county's job to pass the buck to other agencies; it is the applicant's job to provide the information showing that the application meets criteria in county ordinances. This application fails that test.

Please place this testimony in the record for this matter. ORCA also requests the record be left open for seven more days.

Sincerely,

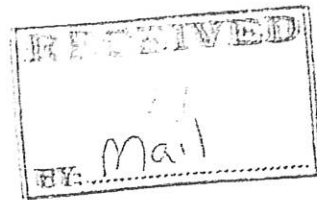
*/s/ Cameron La Follette*

Cameron La Follette, Executive Director



Date: 1/25/2022

From: Allan and Carol Rodrick  
5745 Holly Ave  
Tierra Del Mar, OR. 97112  
allan@gorgeappraisal.com



To: Tillamook County Department of Community Development  
1501-B Third St  
Tillamook, OR 97141

This letter is concerning the Conditional Use Permit for a 19 site campground in Tierra Del Mar, #851-21-000416-PLNG. We are opposed to its approval for the following reasons:

- 1) Traffic congestion on Sand Lake Road: This road is heavily traveled over the summer months due to the large number of vacation rentals in Tierra Del Mar (TDM) and travelers from the north to Pacific City. Speed limit signs are rarely observed on this section of road. Adding an intersecting road with a large number of visitors each day will greatly increase congestion on this already overburdened strip of road.
- 2) Pedestrian traffic across Sand Lake Road: A number of visitors to the proposed campground will access the TDM beach by foot, and will cross Sand Lake Road. A pedestrian cross walk with clearly visible signs (much like 1000 Trails) will be essential.
- 3) Impact on a key Tsunami Evacuation Route: There is a Tsunami Evacuation sign at Floyd Rd, which is at a central location of TDM. The only other such route is located at the very southern end of the development. Increased traffic on Floyd Rd will reduce the effectiveness of this important safety feature for residents and visitors, especially for those located at the northern end of TDM.
- 4) Impact on TDM Water System: The Tierra Del Mar Water Company issued a warning in their last bill indicating that the water system is already under stress due to weekend rentals, which largely occur over the summer months. Greatest usage by visiting campers will also be over the summer months when a water shortage is most likely.
- 5) Inadequate parking at the entrance to TDM Beach: Due to the slope of the terrain and distance from Sand Lake Road, it is very likely that campground visitors will drive to the entrance of the beach at the south end of Sand Lake Road. Access to on-beach parking is highly unreliable because cars can easily get stuck in the soft sand. As a result, visitors park all along both sides of Sand Lake Road for hundreds of yards, causing a significant safety issue. We've seen Pacific City overwhelmed by a similar parking issue to the point that they have prohibited parking along Sand Lake Road and created new paid parking areas in town. TDM has no such option at this time.

Tierra Del Mar is a residential neighborhood, and should remain that way. Most of the residents of TDM will find the impact of a commercial campground detrimental to their daily lives due to increased traffic and lack of public parking in this area. Any county improvements on these issues will ultimately be paid for by county residents, the vast majority of which will receive no benefit from this campground.

We are opposed to a commercial venture in our neighborhood due to this impact on services and the quality of life in our residential neighborhood.

Thank you for your consideration of these issues.

Melissa Jenck

---

From: Pam Kniffin <pkknif@yahoo.com>  
Sent: Tuesday, January 25, 2022 11:22 PM  
To: Melissa Jenck; itone@co.tillamook.or.us  
Subject: EXTERNAL: Camping ground at Tierra Del Mar

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

I am an owner in Tierra Del Mar and I am opposed to allowing a campground. We purchased our homes based on the type of beach and the surrounding number of homes which were limited. If we wanted to be in Pacific City we would have purchased a home there. But instead we chose a very quiet community to have a home. This campground proposal will destroy the area and it will no longer be the quiet beach that we thought was so important when making this large investment and decision. We thought no more homes would be allowed but by allowing camping you are doubling the size of Tierra Del Mar.

Please do not allow a campground to destroy Tierra Del Mar.

Pam Kniffin. Austin Avenue Tierra Del Mar

Sent from: Yahoo Mail for iPhone

3 ) 3 ) 3 ) 3 ) 3 )  
? ) ? ) ? ) ? ) ? )  
? ) ? ) ? ) ? ) ? )

April 5, 2022

To Whom it May Concern,

Please find attached to this document a Conditional Use Permit and supporting materials to place a primitive campground on our property located on the south end of Tierra Del Mar. Our family has chosen to move forward with a primitive campground for three reasons: stewardship, sustainability, and accessibility.

Our family has stewarded this property for 100 years and highly value our family's ties to this special place on the Oregon Coast. This proposed primitive campground will provide the funds necessary to pay maintenance, taxes, and insurance. This will prevent the property from becoming a financial burden on us now and for our future generations. When we look at options for financial sustainability we feel that a primitive campground is the best option for us and our community. The second reason for the proposal is to share this unique spot on the Oregon Coast in an affordable way. Dave Sears is a retired ranger from Cape Lookout State Park. His favorite part of that job was meeting and providing information to the guests about the area we call home. The rest of our family volunteers for the Kiawanda Community Center, Pacific City Doryman's Association, Nestucca School District, Nestucca Rural Fire Protection District and the Tillamook County Historical Society. We enjoy giving back to the community and people who come here to visit.

Our proposed plan is for four campsites. Each of these campsites will have the minimum requirements of a picnic table, fire ring and trash can. We want to upgrade each site with its own water spigot and a platform large enough for a 12' x 12' cabin tent and 12' x 8' deck. A total platform size of 12' x 20' and no more than 6' off the ground. The reason for the platforms to be elevated off the ground is to allow viewing the lake without cutting or breaking down the bulrushes.

As requested by Nestucca Rural Fire District there will be a gravel road placed through the pasture for emergency access. This road will not be located in any wetland. With the exception of bringing rock for the road, no material will be brought in or removed for establishment of campground. Along the lake edge there are bulrushes 20 to 50 feet wide. During establishment of the campground it will not be disturbed. There will be a small shed, 12' x 12', located across the gravel road from the lake access. In this shed will be porta a johns discreetly located along with a bulletin board and firewood.

Guests will be given clear guidance on how to appropriately behave not only while at our campground but in our local area as well. This will include stewardship messages, safety messaging, as well as property boundaries so they don't trespass on private property. We believe our primitive campground will allow affordable access to guests on the Oregon Coast while also maintaining our local identity.

Please let us know if we can provide any additional information or materials.

Sincerely,

The Sears Family

EXHIBIT 10





Brenda Giddings <brendagiddings@gmail.com>

Answers to questions

Brenda Giddings <brendagiddings@gmail.com>  
To: Ben Johnson <bjohnsonco@gmail.com>

Thu, Apr 8, 2021 at 1:01 PM

----- Forwarded message -----  
From: david sears <dgsears@hotmail.com>  
Date: Wed, Apr 7, 2021 at 5:58 PM  
Subject: Answers to questions  
To: Brenda Giddings <brendagiddings@gmail.com>

Hi,  
I am happy to answer your questions. But first let me give you some context of why we are doing this and a broader picture of what we are proposing. The driving force for this project is sustainability. It has been a hundred years since CJ Sears first sauntered over the hill and saw what would become Tierra Del Mar. Three generations have been raised on this property. We all have fond memories of what we call the Lake Pasture and the Sears lake itself. This is a costly piece of property to be sitting there. Our proposal is a way that we as a family and friends can continue to enjoy the property without becoming a financial burden on us or future generations.

The word campground in itself is terrifying. I retired from Cape Lookout State Park as a ranger four years ago so I have firsthand knowledge and experience with a state park or our local county parks. These have a massive amount of people crammed into a small space. Our proposal is the exact opposite of this. The required permit uses the term, Primitive Campground, we were discussing having a name that didn't involve the word campground. The primitive campground is a low infrastructure facility. It doesn't require a restroom building, community hall, RV hookups and again the massive amount of people. Our proposal has four campsites basically 50' x 65' located along the edge of the lake. A maximum of eight people will be allowed at each site. The maximum number of people at any one time would be 32. We have been in contact with required county departments and are closely following their guidelines. There was a wetland delineation report completed and no activity will be in areas designated as a wetland. There will be a gravel access road going the length of the campsites as requested by Nestucca Valley fire district chief. Tierra Del Mar water district has said they will provide the water. For restrooms we will be using porta johns discretely place in a three-sided shed. The campsites will be separated by wooden fence. The longer game plan is to have native plants and trees planted to provide privacy, wind barrier, and ambiance.

The other questions that I haven't addressed so far. Access to the campsite will be the existing gate that we use on the North end of the pasture. The gate across from the TDM beach access will be for foot traffic or emergency use. Of course, any guest staying here will be allowed access to the lake. We have been in the process of getting a permit to place a dock in the lake. It will be located about midway of the lake edge with a boat shed if we get the permit approved. The use of the lake will be limited. There will be no motorized craft of any kind allowed. Only canoes, kayaks, and stand-up boards.

Your sixth and seventh questions about access behind the lake is something I have been thinking about also. Last year when the lock was missing off of the gate by Sandlake Rd I contacted you about replacing the chain/lock because we too are concerned about just anybody going back there. There is the gate with lock on it, but anybody can easily walk around the gate. In fact, someone, not me, keeps the brush neatly cut back from the gate. I have met several residents of Nantucket Shores walking along the road and also several residents from Tierra Del Mar utilizing the road. Do you have a policy or guidelines on who can use the road? As far as our guest staying at the lake, they would have access as far as the bench on the corner. There is no reason for them to go farther if you didn't want them to. With the expectations we would be giving to each guest we could explain areas open to them. There could also be a sign on the property line or even locked gate. In fact, the existing gate could have better signage and barriers positioned to make it more difficult to pass.

~~Attachment 4~~

EXHIBIT 11

Sandlake Rd

Sandlake Rd

Sears Lake

Gomer Consulting Group



S View Loop

Google

Pacific City  
Thousand Trails



EXHIBIT 12

Miles

Map data ©2022

1000 ft



ary 17, 2022 for the February 24,  
since the prior January 27, 2022

---



EXHIBIT 13

Barbara J. Giddings Owner  
Nantucket Shores Development  
PO Box 999  
Pacific City, Oregon 97135  
[wildflowerdon@aol.com](mailto:wildflowerdon@aol.com)  
(503) 930-0260

Tillamook County  
Department of Community Development  
1510-B Third Street  
Tillamook, Oregon 97141

Attention: Department Staff & Lynn Tone

In reference to the public hearings of the Tillamook County Planning Commission scheduled for July 14<sup>th</sup> & August 11<sup>th</sup>, 2022 at the Port of Tillamook Bay Conference Center, concerning a Request for Conditional Use approval for the development of a 4-site primitive campground on a property zoned Rural Residential 2-Acre (RR2) located east of Tierra Del Mar and north of the Unincorporated Community of Pacific City/Woods. The subject property is accessed via Sandlake Road, a County road, and designated as Tax Lot 3401 of section 1DD, Township 4 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon.

On behalf of myself, as owner of the Nantucket Shores Development and other residents of the Nantucket Shores Development, I'd like to submit the following testimony:

Our biggest concern is the threat of a fire starting in the proposed campground and spreading to the beach and marsh grass and then to the surrounding forest areas. In reference to Tillamook County Land Use Ordinance Section 5.040 (3), which states that "each primitive campsite shall be provided with a fire pit or ring." If any fire escapes a fire pit or ring, there is a serious probability that it will spread to the close-by grasses.

5 3 5 3 5 3





Tillamook County's Comprehensive Plan Goal 7 - Coastal Shore lands Element Section 3.2d states that the "site Sears Lake - Location T 4S, R 10W, S6.7 is a "major marsh (fringing marshes on the west side of Sears Lake)." You can easily see the vast beach and marsh grasses on the entire west side of the lake from the photo provided. The entire proposed campground area on the northwest corner of the lake is covered with the same grasses.

The Nestucca Valley Rural Fire District has continuously warned residents and visitors over the years that beach/march grasses are extremely volatile in summer & fall seasons with prevailing NW winds.

Our greatest fear is if fast moving grass fires reach close-by conifer stands, the Nantucket Shores development (located just above and to the east of the photo) and other area residents will be at significant risk.

Our second biggest concern is that the proposed campground presents a huge liability to the Nantucket Shores Development (largest owner of Lake Sears), Nantucket Shores Homeowners Association, and the third absentee owner of Lake Sears, without compensation from the owner of the proposed rural primitive campground for losses and injuries sustained from fire or lake use. For this reason Nantucket Shores Development will cease expanding into phase 3 which will deprive the County of future tax revenues.

We also have serious concerns for sanitary conditions. There are inadequate or no facilities for sewer, septic tanks and drain fields due to the proposed campground's proximity to the beach and lake fronts.

Potable water is often not available in the mid to late summer and early fall, due to local water company surface source draw down during those months. The lake water is not potable due to coliform from large populations of waterfowl, elk, bear, deer, cougar, coyotes, bobcats and other small prey animals.

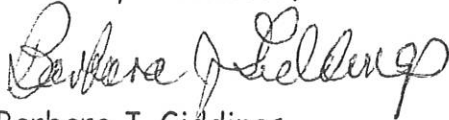
We also have safety concerns for campers. Campers utilizing tents and recreational vehicles are at risk from local predators (black bears, cougars, coyotes, and bobcats) due to the smells of cooking or garbage. There is an especially large population of black bears in this area. There are large stands of local native blackberry hedges that attract black bears during the summer months. In the recent past, local livestock have been killed or injured in this area from either cougar, bobcats or coyotes. Children and camper's pets are at risk.

It should also be noted that the Tillamook County Comprehensive Plan Goal 17 - Shore lands Element Section 3.2d, also states that the Sears Lake site T 4S, R 10W, S 12 (Map 9, site 1) and Sears Lake site T 4S, R 10W, S 19 (Map 9, site 2) are "significant wildlife habitat".

Under "Discussion" concerning the above mentioned sites, the Tillamook County Comprehensive Plan Goal 17 further states: "Town, Miles and Sears Lakes are coastal lakes which were inventoried in Lakes of Oregon, Vol. 1: Clatsop, Columbia and Tillamook Counties. All three lakes were included in the Oregon natural Area Data Summary for Tillamook County. Due to the importance of coastal lakes and their fringing wetlands to waterfowl, these three coastal lakes have been designated as a significant waterfowl habitat."

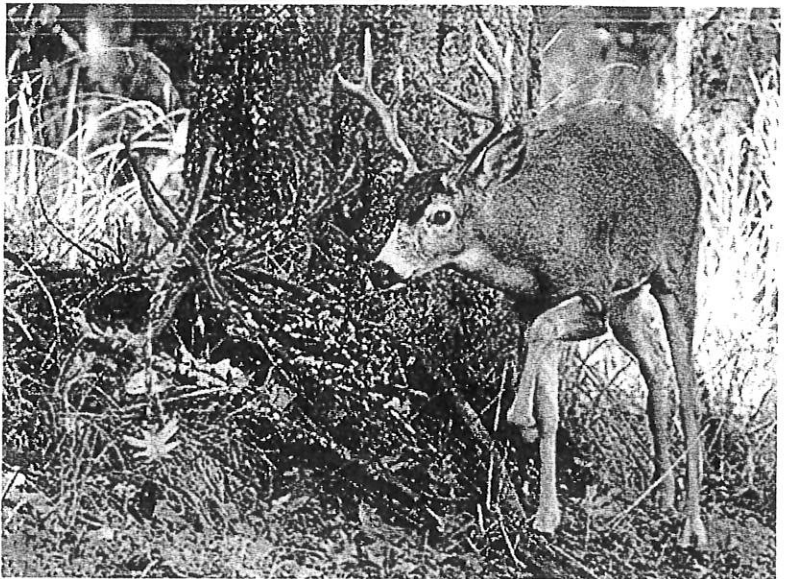
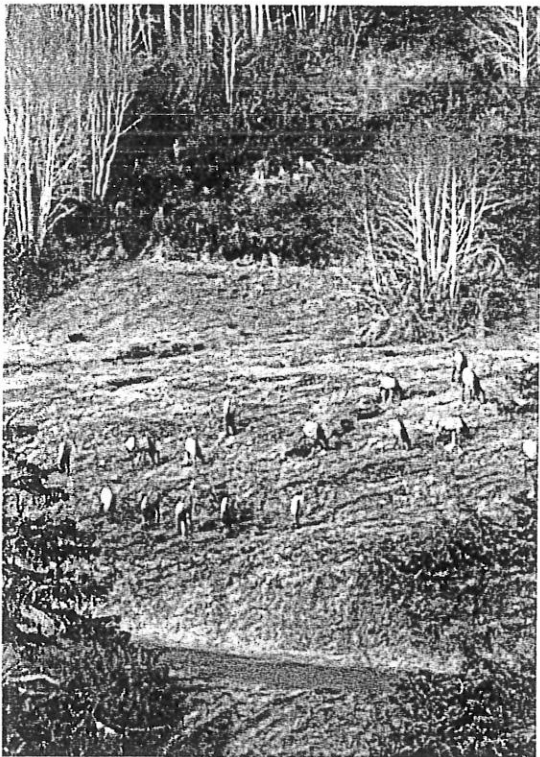
Residents and visitors alike acknowledge the magnificent beauty and awesome panorama of this special place with ocean, lake, marshes, forest and wildlife vistas present here. However, we feel that the proposed primitive campsites pose a significant risk to local and visiting residents, wildlife and the local ecology.

Sincerely Presented,

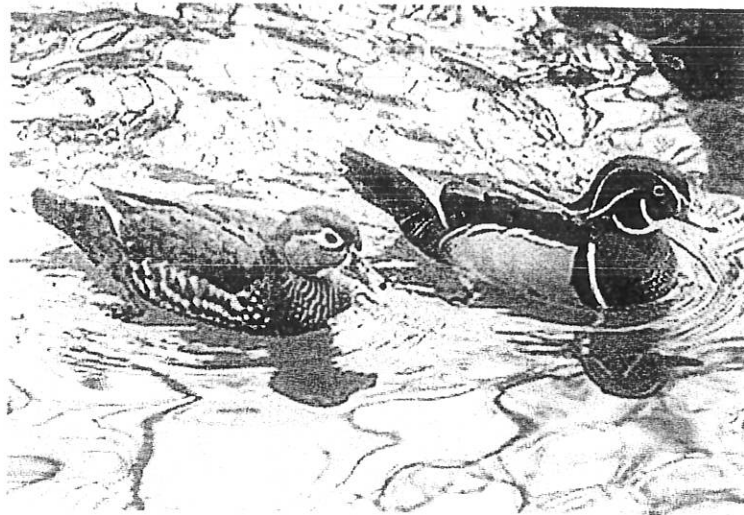


Barbara J. Giddings

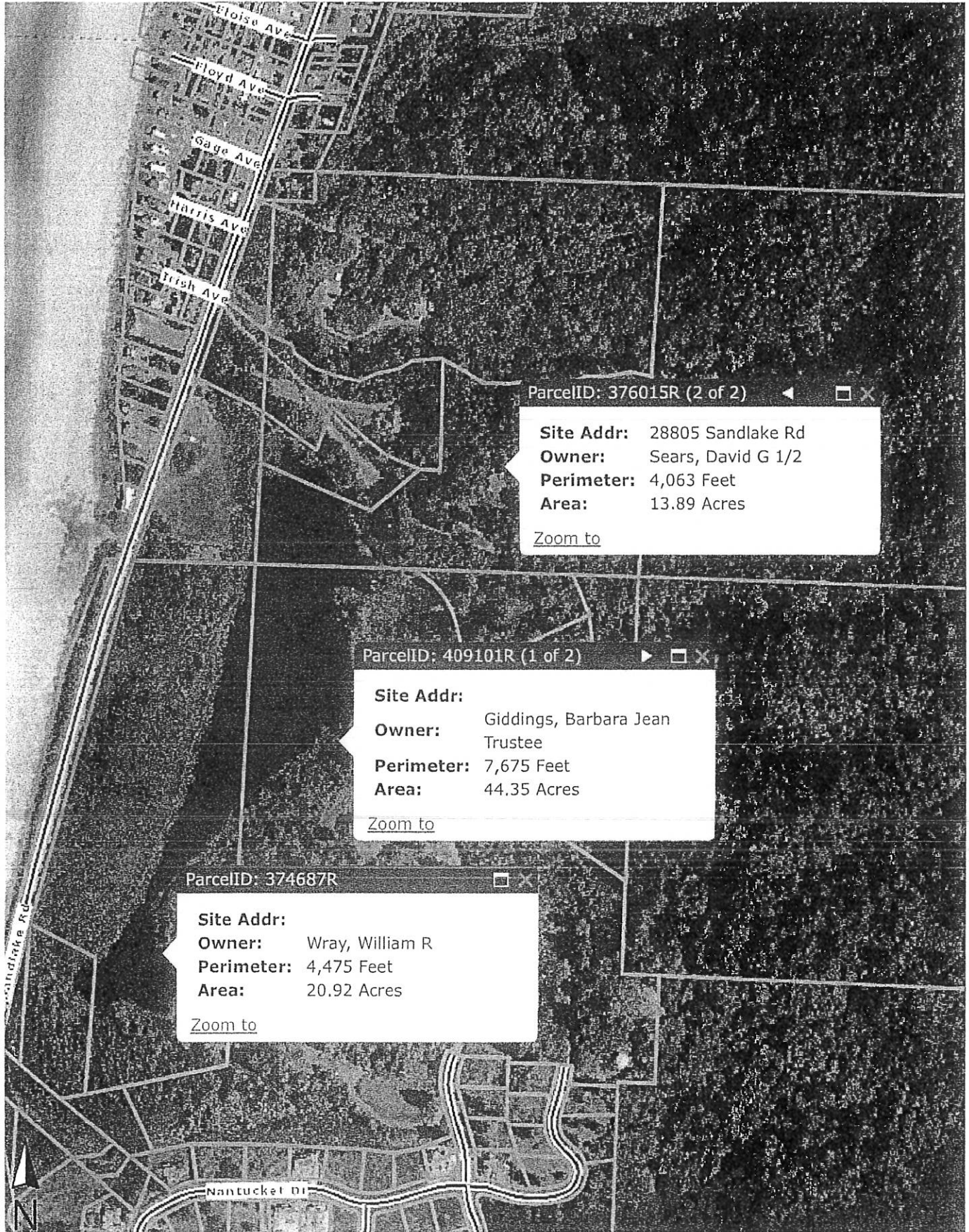
Owner Nantucket Shores Development











ParcelID: 376015R (2 of 2)

**Site Addr:** 28805 Sandlake Rd  
**Owner:** Sears, David G 1/2  
**Perimeter:** 4,063 Feet  
**Area:** 13.89 Acres

[Zoom to](#)

ParcelID: 409101R (1 of 2)

**Site Addr:**  
**Owner:** Giddings, Barbara Jean  
Trustee  
**Perimeter:** 7,675 Feet  
**Area:** 44.35 Acres

[Zoom to](#)

ParcelID: 374687R

**Site Addr:**  
**Owner:** Wray, William R  
**Perimeter:** 4,475 Feet  
**Area:** 20.92 Acres

[Zoom to](#)

---

# Christiansen Family Trust

July 5, 2022

29905 Nantucket Drive  
Cloverdale, Oregon 97112

PO Box 1119  
Pacific City, Oregon 97135

Tillamook County Planning Commission:

I am Liz Christiansen longtime homeowner at 29905 Nantucket Drive, Cloverdale, Oregon 97112. Our property is titled as Christiansen Family Trust. I am submitting this written testimony to be included in the packet for the Planning Commission prior to their July 14, 2022 meeting.

There is a request of conditional use approval for the development of a four site primitive campground. My home proximity to the four site development proposal has caused me to make this statement in general about the benefit of this small campground. I believe there is more negative impact to the natural environment and public health and safety of those using the campsites, our public employees servicing the area around the sites and the private owners contiguous to the lake than benefit. A four site campground maybe consistent with the Comprehensive Plan but the benefit of four sites does not provide enough camping, recreational services or tourist attraction to outweigh the detrimental impact to the environment and burden to the local taxpayer.

The parcel is not suitable considering the location and existing natural habitats and marsh areas. These natural areas will be changed without appropriate benefit to county and taxpayers. Public services including

---

fire, sheriff, enforcement and public health will be impacted and an inequitable benefit will result.

Please consider specifically the following.

Public Safety:

1. Campfires, fire ring or not, are a danger to the area because of the thick grasses and vegetation. Fire should not be allowed in this area during "no burn times" and other fire levels that maybe designated. This will require monitoring and enforcement that is difficult to mandate on our already stressed Public Safety Employees.
2. Currently the road is not maintained to allow fire service access. The width and quality of the access road should be reviewed and a plan to keep it maintained in that condition should be reviewed for the safety of the adjacent property owners and to assure our fire service can perform their work if necessary.
3. Access to water for fire suppression should be reviewed. Since this is listed as a county road the consideration of the cost of maintenance and design of access should be financially considered as to whether the taxpayer cost outweighs the benefit of a four site campground.
4. In years past, although not this fourth of July weekend, interestingly, there has been camping, fireworks and bonfires on this small parcel. Enforcement and monitoring of fire safety practices will be necessary should this be approved and the liability of the petitioners should be stated by insurance for the benefit of the private owners and public entities providing such services.

Public Health:

1. I can personally confirm the existence of Giardia in Sears Lake. With the new dock, use of the lake can be anticipated. This is a well-known health hazard that at a minimum should be posted warning users of the lake. Should the use of the dock, lake and attending water sports cause injuries and disease, this should be

---

the petitioners' liability and the private owners should be protected from such liability with appropriate insurance

If the planning commission continues to support the four site primitive campground as beneficial to the local area and economic development, I would respectfully request the following considerations be required of the petitioners:

1. A plan to be submitted to the appropriate fire services addressing road and water access for fire suppression.
2. A plan to be submitted to appropriate public safety and planning to prevent trespassing of people, fire and noise onto private property and hampering our private enjoyment.
3. A plan to prevent additional attractive nuisance of bears and other wildlife.
4. Submission of liability insurance specifically for the operation of a primitive campground that lists the community of Nantucket Shores as additional insured as long as the campground exists. Submission of the certificate of insurance can be provided to me at my mailing address and I will assure communication to the HOA.

Thank you for your consideration of my concerns.

Sincerely,

Liz Christiansen

Homeowner

509-999-1125

3 3 3 3  
1 2 1 2



**Subject:** Witness Comments: #851-22-000154-PLNG

**Date:** Tuesday, July 5, 2022 at 9:40:24 AM Pacific Daylight Time

**From:** David Miller

**To:** Sarah Absher, Lynn Tone

Sarah and Lynn: I am not sure which of you should receive these "Witness Comments" so I erred on the side of sending this to both of you. Please put my comments in the packet mailed to the Planning Commission in anticipation of the first hearing on July 14, 2022.

I received the Notice of Public Hearing regarding the above matter presumable because I am an adjoining property owner located within 250 feet of the exterior boundaries of the subject parcel for which this application has been made. I own and am currently building a home on Lot 30 of the Nantucket Shores subdivision, which is perched about Sears Lake to the south and has a direct view of the lake and the property where Mr. Sears wishes to place a Primitive Campground. Please consider these comments as my testimony explaining my objection to the granting of the Conditional Use Permit Request sought by Mr. Sears.

**Background:** This matter first came to my attention last year when Mr. Sears sought a Conditional Use Permit to place a dock in Sears Lake (#851-21-000223-PLNG). That request was allowed over objections and the Permit was ultimately granted with certain conditions. I objected to that request, as well, primarily because it was clear at the time a dock was merely the "first step" toward seeking the Primitive Campground Permit Mr. Sears seeks herein. See, my August 22, 2021 letter with 9 attached exhibits.

During the application process seeking the dock Permit, Mr. Sears corresponded with a neighbor of mine and acknowledged his own serious concerns about an increase in both beach-going pedestrians and traffic in the precise area where he was then seeking a Permit to place a dock. Now he seeks permission to install a Primitive Campground with an additional 30+ people and an unspecified amount of vehicles jammed into the precise area where he---Mr. Sears---expressed these concerns:

- "The Tierra Del Mar beach itself will be packed with cars, people, jet skis."
- "Sandlake Road itself will be packed on both sides of the road with parked cars and other cars moving slowly along trying to find a parking spot."
- "The porta-johns at the beach entrance along with the dumpster will be in plain view."
- "The houses on the south end of Tierra Del Mar, some of which are short

term rentals, will be busy. They advertise up to 17 guests can stay in one house and promote the jet skis on the beach.”

- “...constant vehicle racing...[and] the local police are too busy to address it.

See, **Exhibit 1** attached hereto (was Ex. 5 in previous submission, August 22, 2021)

Rest assured the problems Mr. Sears identified about the area where he wishes to build a Primitive Campground have not decreased; they have continued to increase through this past year and are now worse.

To this growing problem in the Tierra Del Mar area, which also exists on the roadways and beaches in the greater Pacific City area in the spring and summer months, over the strong opposition of many neighbors and local groups, the County granted the request of Oregon Treehouse Partners LLC to install 19 campsites, upon which geodesic dome structures will be placed on 9 of the sites, on March 28, 2022 (subsequent appeal denied). See, **Exhibit 2**. The “Treehouse” site is located just to the north of where Mr. Sears now seeks to add more primitive campsites to the area. See, **Exhibit 13**.

Furthermore, directly to the south of Sears Lake, is the ever-growing Pacific City RV and Camping Resort, also called Thousand Trails Campground, located at 30000 Sandlake Road, Cloverdale, OR 97112. See, **Exhibit 12**. This facility offers RV guests some 305 sites, including cabins and RV spaces. The entrance is located directly opposite the only entrance (secured by a coded gate) to the Nantucket Shore subdivision. The vast majority of the large volume of spring and summer RV traffic out of this large RV park turns left out of the park and enters onto Sandlake Road only a short distance to the west. The traffic then heads either north toward Tierra Del Mar (and ultimately Hwy. 101) or south into Pacific City; there are no other options.

Last year I submitted a short (17 second) video clip showing summer traffic on Sandlake Road at the precise area where Mr. Sears proposes to put primitive campers. I have reviewed Mr. Sears’ Application. His proposed traffic access is an unimproved, unmarked, very narrow road at the north end of his property, and his proposed pedestrian beach access is near the south end of his proposed campground. See, **Exhibit 3**, I am reattaching as **Exhibit 4** the same video I submitted a year ago.

As a lawyer of 40 years whose practice has consisted exclusively of representing both people injured in accidents as well as people, including property owners, who are sued for money damages as a result of injuries, I can say unequivocally the area of

Sandlake Road where Mr. Sears proposes ingress and egress for vehicles, and particularly for pedestrians, presents a clear and very real risk of a serious vehicle/pedestrian accident, or a serious motor vehicle accident, increasing both risk and liability for many. In fact, with the public comments about traffic volume and risk of injury being so prominent in the record of the Treehouse matter, and with virtually no increase in signage, traffic control or law enforcement patrolling in the area, one has to wonder about the County's liability should steps be taken to increase, not decrease the risk of potential harm.

It is also worth noting the original intent of "Primitive Campgrounds." Such locations were intended to be in remote spots, thus allowing the camper to experience camping in very remote areas, without the ambient noises from other campers and civilization. See, **Exhibits 5 through 7**, obtained from just a quick google search of "primitive camping." It can hardly be argued that this particular location, a matter of feet away from one of the busiest beaches on the Central Oregon coast, an even shorter distance from a major road which provides the only north/south ingress and egress for residents of the area, and adjacent to a major subdivision, is a site consistent with the intent of "primitive camping."

**Argument in Opposition to Request for Conditional Use Permit.** As a threshold matter, it must be noted that Mr. Sears, the applicant, bears the burden of proof in this matter. See, *Wilson v Washington County*, 63 Or LUBA 314 (2011). Against that backdrop, the Standards applicable to Primitive Campgrounds and the Commission's Review Criteria both must be examined.

1. A comment in the Overview portion of Goal 8 (Recreation) of the Tillamook County **Comprehensive Plan** states: "A main issue surrounding recreation in the County is that of quantity, location and orientation." The obvious intent of the Goal was to find a balance between increased recreational opportunities, and the economic benefit that brings the County, and the burden such opportunities place on the public. "There is concern that recreation may adversely impact the natural resources of the area."

The proposed primitive campsite is at a location that is simply incompatible with existing traffic and pedestrian volume. The objections to the proposed Treehouse Campground made earlier this year by the Tierra Del Mar Community Association Board and the Oregon Coast Alliance (attached, **Exhibits 8 and 9**) ring even louder today since that campground, located a very short distance from this proposed campground, was approved. Those opinions were shared by at least 12 residents of Tierra Del Mar.

The anticipated traffic burden, the increased pedestrian burden, and the congestion both create has already negatively impacted this area in a substantial way. In short, when it comes to the traffic and pedestrian issues, “when is enough enough?”

2. The placement of a primitive campground on a property zoned RR-2 was contemplated in the TCLUO’s, specifically 3.010(3)(u), which notes “primitive campgrounds” as a use “permitted conditionally.” However, the proposed use must satisfy both the intent of the Comprehensive Plan and the Review Criteria.

One of the themes clearly apparent in the Comprehensive Plan is the need to balance the County’s need for revenue against other wishes and needs of its population. It is now apparent from Mr. Sears’ Application, as well as the emails he exchanged with others, that his stated purpose in pursuing this Request is financial. While couched in terms of “sustainability,” the clear intent is that he and his family profit from this private enterprise ostensibly to help defray the costs of upkeep, taxes on the property, etc. See, **Exhibit 10**. This loss of taxable income to the County is a concern set forth in the Comprehensive Plan: “The issue of private versus public recreation facilities and the loss of taxable land has been a continuing concern in the County.” See, Overview, Goal 8. In this regard, it is noteworthy that the proposed primitive campground be located directly in front of the proposed Phase 3 of Nantucket Shores, which contemplates 2 acre parcels on a hillside overlooking both Sears Lake and the ocean. Having purchased a 2 acre lot in Nantucket Shores, I can attest to the fact I would not be interested in buying a lot with a primitive campground, with tents perched atop 6’ high platforms, directly in front of what I thought was a view of the ocean. Potential buyers of 2 acre lots within the Nantucket Shores community are simply not going to buy, and thus become robust payors of property taxes to Tillamook County, if what they are buying is the sight of an unsupervised primitive campground in the foreground.

While any landowner would relish the thought of making additional money to help defray costs of maintaining their property, one must ask “at what cost to the surrounding community?” For me, an adjoining landowner who is a fulltime resident of Pacific City, I must frequently travel along Sandlake Road for both my business and personal use, Between the RV’s traveling southbound on this Road to reach destinations in Pacific City, and northbound to reach the campgrounds at Whalen Island or Sandlake, or Hwy. 101, in addition to the influx of motorists and also bicyclists on this road, the thought of adding up to 32 campers with an



indeterminable number of vehicles, is shocking. Perhaps a "site visit" by the Commission would be in order to witness for themselves the congestion which already exists.

With this congestion comes the following other issues implicating **Review Criteria** Section 6.040(4):

- a. There is no **fire** suppression system/equipment mentioned in the Application, other than a bucket to be used to douse campfires. This area was surrounded by fires two summers ago. Adding an additional fire risk to this area is also a burden too great. The application states potential campers will be given "clear guidance" on "camp rules." It is clear there will be no on-site camp host, let alone a security presence. We are warned every single season about the dangers of campfires. Granting this Permit would allow campers without any fire suppression equipment to be trusted to put out their personal night-time fires in a heavily vegetated area. As a neighbor, I strongly object to that being allowed.
- b. Nantucket Shores adjoins the proposed campground site. Nantucket Shores has no full-time **security**. There is one road that extends directly from this proposed campground to the subdivision. See, **Exhibit 11**. I know and trust my neighbors. In fact, I chose to buy in this subdivision because it is relatively secluded. The thought of hikers wondering up from a campground below raises security and **safety** issues for all concerned. There are 76 home sites and 23 existing homes in the subdivision. Phase 3 of the subdivision (planned but not yet built) is located directly across the lake from the proposed campsite. The **noise** from a campground will travel directly across the lake and impact life in the subdivision. For these two additional reasons, I believe the proposed campground will definitely "**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." Section 6.040(4).
- c. **Wildlife** is another concern. Few residents of this area have not had their garbage cans upended by bear or their flowers eaten by deer. One learns to respect their territory and take steps to prevent the wildlife from wreaking havoc on our lives. There is deer, elk, bear, eagles and other natural wildlife in the direct vicinity of the proposed campground. I have seen all of these animals either on or directly

around my property. Summer campers will bring food and drink. Inevitably food will not be properly stored and a bear will enter the campsite. I fear this will embolden the wildlife population or, perhaps worse, cause them to retreat into the mountains. In either event, it will impact wildlife, a **natural feature** of the area.

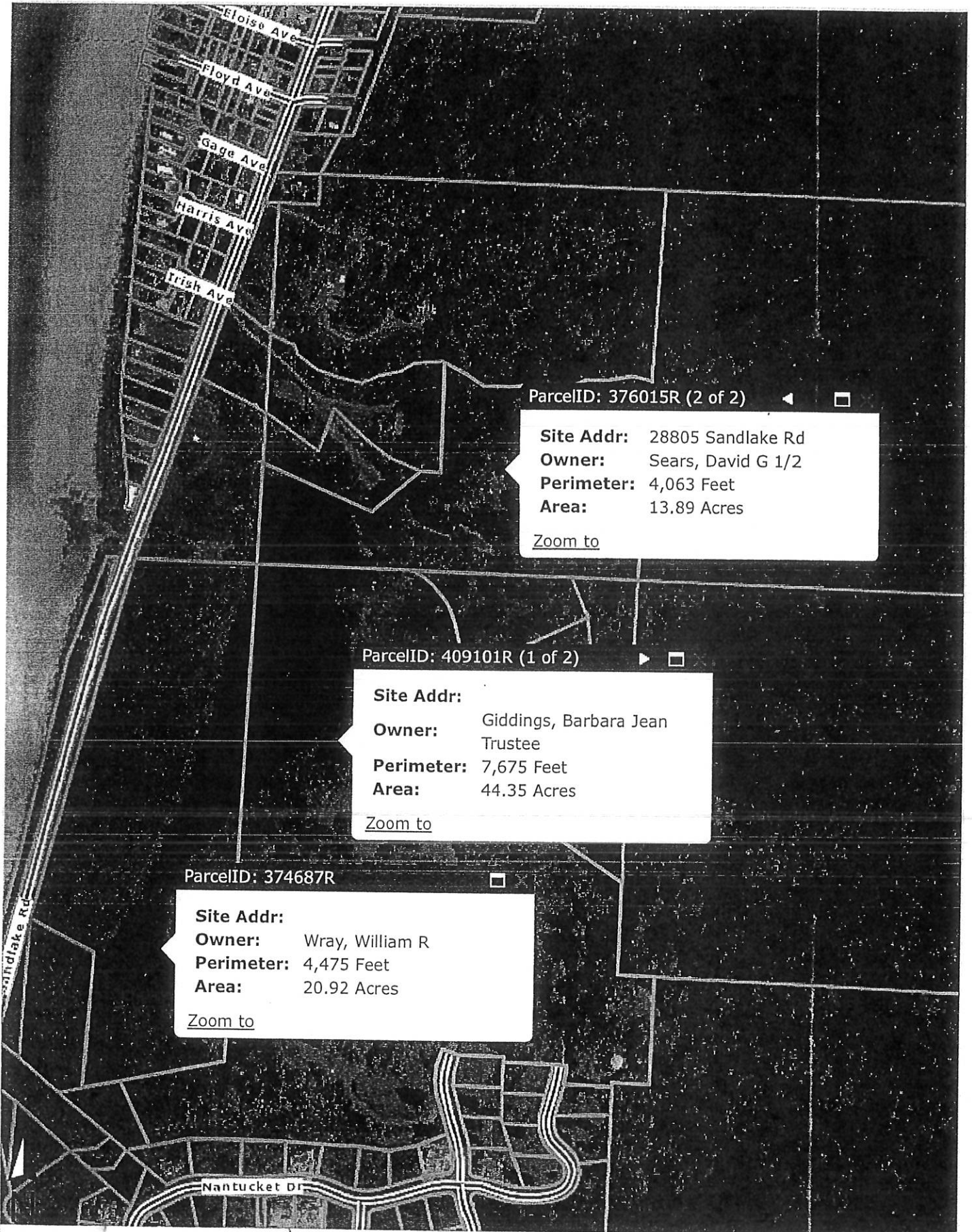
**Conclusion:** The proposed primitive campground is in a location that is not suitable for the intended use due to existing congestion, an additional campground coming to the same area very soon, and the natural features (quietude, scenic views, wildlife) which already exist in the area. See, Section 6.040(3). Furthermore, the character of the surrounding area is incompatible with the proposed primitive campground. Indeed, a primitive campground is not compatible with the surrounding area, which consists of a major thoroughfare on one side and large subdivision on the other. The sights, sounds, congestion, and threats posed by the campground outweigh the applicant's desire to gain personal financial benefit from such a campground.

Sincerely,



David K. Miller

Lot 30, Nantucket Shores



Tillamook County, Oregon 2003-423311  
07/25/2003 03:40:49 PM  
DEED-DBS Cnt#1 Stn#1 CCOUNTER  
\$10.00 \$11.00 \$10.00 - Total = \$31.00



I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.



Tassil O'Neill, Tillamook County Clerk

RECORDING REQUESTED BY  
Fidelity National Title Company of Oregon

GRANTOR'S NAME  
David Glenn Sears

GRANTEE'S NAME  
David G. Sears and Lisa C. Sears

SEND TAX STATEMENTS TO:  
Mr. and Mrs. David G. Sears  
28565 Sandlake Rd.  
Cloverdale, OR 97112

AFTER RECORDING RETURN TO:  
Mr. and Mrs. David G. Sears  
28565 Sandlake Rd.  
Cloverdale, OR 97112

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY BARGAIN and SALE DEED

David Glenn Sears, Grantor, conveys to

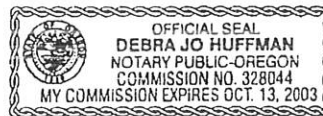
David G. Sears and Lisa C. Sears,  
Grantee, the following described real property, situated in the County of Tillamook, State of Oregon.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$0.00 (See ORS 93.030)

DATED: July 8, 2003

*David Glenn Sears*  
David Glenn Sears



STATE OF OREGON  
COUNTY OF Tillamook

This instrument was acknowledged before me on

July 11, 2003  
by David Glenn Sears  
Debra Jo Huffman  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES: Oct 13, 2003

13-24565



Parcel 2 of Partition Plat No. 1990-27, Partition Plat Records of Tillamook County, Oregon.  
EXCEPTING THEREFROM a tract of land situated in the Southeast one-quarter of Section 1,  
Township 4 South, Range 11 West of the Willamette Meridian, in Tillamook County, Oregon,  
being a portion of Parcel 2, Partition Plat No. 1990-27, Partition Plat Records of Tillamook  
County, Oregon, more particularly described as follows:

BEGINNING at the Section corner common to Sections 1 and 12, Township 4 South, Range 11  
West, of the Willamette Meridian and Sections 6 and 7, Township 4 South, Range 10 West of  
the Willamette Meridian; thence South  $89^{\circ}25'02''$  West 413.17 feet to the Easterly right-of-way  
boundary of Sand Lake County Road; thence North  $17^{\circ}46'05''$  East 631.50 feet; thence South  
 $66^{\circ}35'51''$  East 206.69 feet; thence South  $62^{\circ}14'01''$  East to the East line of Section 1, Township  
4 South, Range 11 West of the Willamette Meridian; thence South  $00^{\circ}43'26''$  West along said  
East section line to the true point of beginning.

TOGETHER WITH a non-exclusive easement for access and utilities as described in Grant of  
Easement, recorded June 21, 1993, in Book 351, Page 662, Tillamook County Records.



BEFORE THE PLANNING COMMISSION  
OF TILLAMOOK COUNTY, OREGON

IN THE MATTER OF #851-21-000416-PLNG A ) CONDITIONAL USE REQUEST FOR A 19-SITE ) RECREATIONAL CAMPGROUND ON A 58.51-ACRE ) PARCEL, WITHIN THE RURAL RESIDENTIAL 2- ) ACRE (RR-2) ZONED PORTION OF THE PROPERTY, ) ACCESSED VIA FLOYD AVENUE, A COUNTY ) LOCAL ACCES ROAD, AND DESIGNATED AS TAX ) LOT 600 OF SECTION 6, TOWNSHIP 4 SOUTH, ) RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, ) TILLAMOOK COUNTY, OREGON. )	FINDINGS OF FACT, CONCLUSIONS AND ORDER  #851-21-000416-PLNG
--	--

APPLICANT/PROPERTY OWNER: Oregon Treehouse Partners LLC, 1276 NW 107<sup>th</sup> Ave, Portland, OR 97229

The above-named applicant applied to Tillamook County requesting Conditional Use approval for a 19-site recreational campground on a portion of a 58.51-acre parcel on the property as specified above.

Public hearings on the above-entitled matter were held before the Tillamook County Planning Commission for their consideration on January 27, 2022 and February 24, 2022, where a decision was made on that date.

The Tillamook County Planning Commission considered this Conditional Use request on the basis of the Conditional Use criteria listed in 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 presentations.

Planning Commission voted unanimously, 7 in favor and 0 opposed, to approve Conditional Use request #851-21-000416-PLNG subject to the Conditions of Approval as amended and included as "Exhibit A".

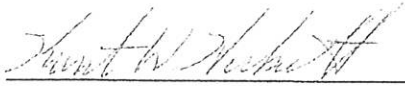
The Planning Commission hereby adopts the Conditions of Approval as amended and shown in "Exhibit A" attached to this Order.

This decision 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 Notice of this decision is mailed.

EXHIBIT Z

DATED this 28<sup>th</sup> day of March, 2022.

TILLAMOOK COUNTY PLANNING COMMISSION



---

Kurt Heckerth, Chairperson

3  
3

3  
3

3  
3

3  
3



## *EXHIBIT A*

### CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, 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 required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. The property owner shall obtain all necessary electrical, mechanical, and plumbing permits.
3. At the time of applying for Zoning and Building Permit approval, Applicant will be required to submit the following:
  - Authorization Notice approval for on-site sewage disposal permits from the Department of Community Development or Oregon DEQ.
  - A letter from Tierra Del Mar Water Company confirming water service to the proposed facility.
  - A letter from the Nestucca Rural Fire Protection District confirming fire protection service to the proposed facilities.
  - A letter from the Tillamook County Public Works Department approving the road approach and internal roadway design.
  - Demonstration of compliance with the standards contained in TCLUO 4.130(2).
4. If buildings within or near the area identified as inactive landslide topography are to be sited on slopes greater than 29%, a Geologic Hazard Report will be required as described in TCLUO 4.130. If such a report is required, a Geologic Hazard Report shall be submitted in conjunctions with application for Zoning and Building Permit approval for review and acceptance.
5. Applicant will maintain the minimum proposed vegetative buffers between the proposed area of development and the property boundaries. The site plan submitted for approval with application for Zoning and Building permits will clearly show the vegetative buffers.
6. Development will comply with the requirements and standards of TCLUO 3.010 'Rural Residential 2-Acre (RR-2) Zone' and 5.030 'Recreational Campground Standards'.
7. Overnight temporary use of the campground by a camper or a camper's vehicle shall not be for longer than six (6) months in any twelve (12) month period as required by TCLUO Section 5.030.

8. The applicant/property owner shall provide a copy of an approved campground design from Tillamook County Environmental Health at time of Zoning Permit/Building Permit submittal.
9. Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization.
10. Signage shall comply with the requirements of TCLUO Section 4.020: Signs.
11. Development shall occur in the area as generally depicted on the submitted site plan and as described and shall not exceed 19 campsites and the supporting facilities, including the support cabin and bathhouse.

# Sears Lake Campground Master Plan

Scale - 100ft

Sandlake Rd

Main Access from Sandlake Rd.

Parking Lot 60'x20'

Existing Storage Shed

Platform 1  
12' X 20'

Platform 2  
12' X 20'

Utility Shed

Condemned Use Permit  
851-21-001223-PUNG  
SEARS  
(Dock and Storage Shed)

Emergency Access

14' Gravel Road

Storage Shed

Sandlake Rd

Pedestrian Beach Access

Parking Lot 20'x30'

Platform 3  
12' X 20'

Platform 4  
12' X 20'

EXHIBIT 3





**USA  
TODAY**

**Celebrate**

**, W**



**USA  
TODAY**

**NATIONAL PARKS**

**What rangers do** 

**REMOTE WO**

**Working**

**News**

**Sports**

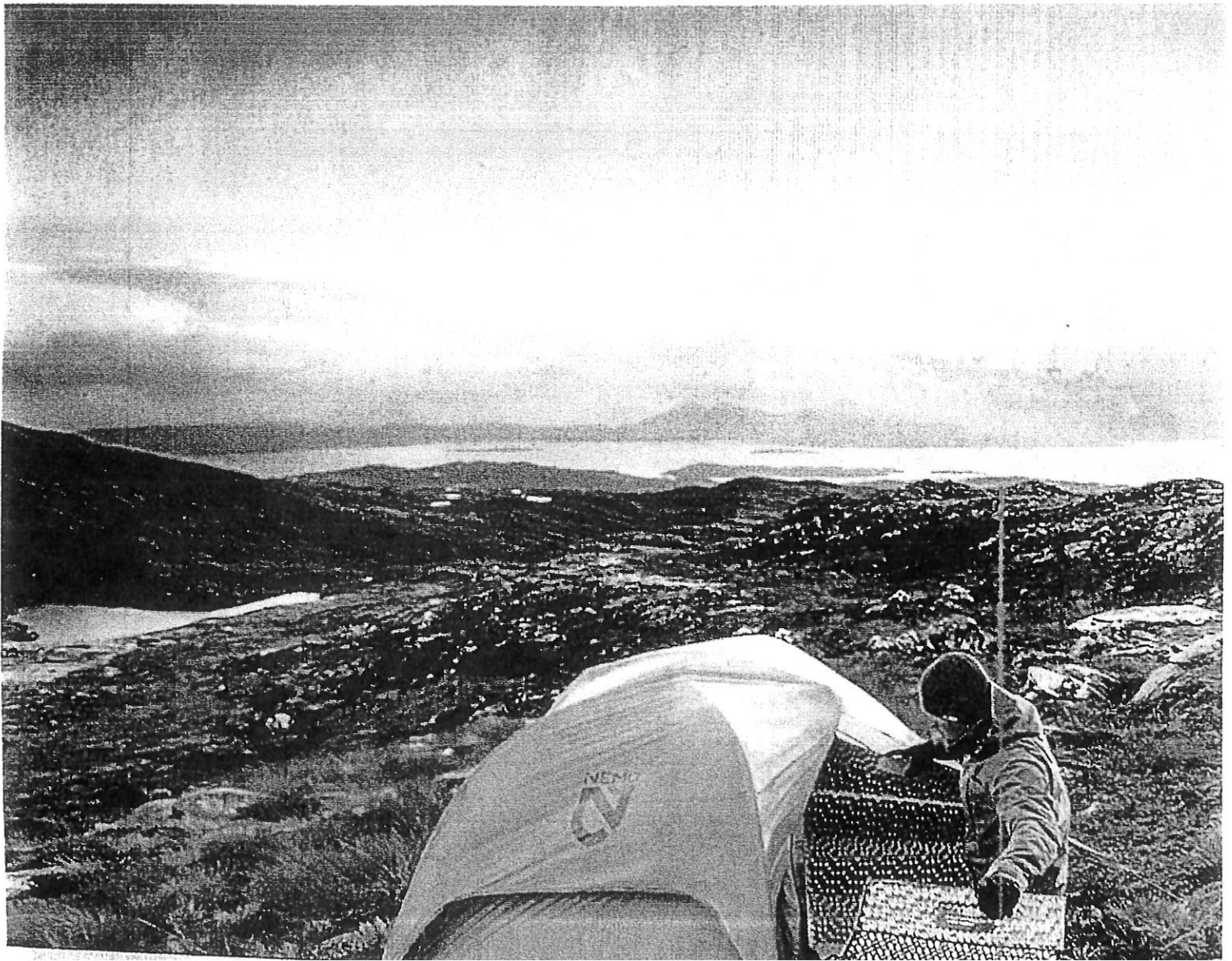
**Entertainment**

**Life**

**Money**



# What is primitive camping?

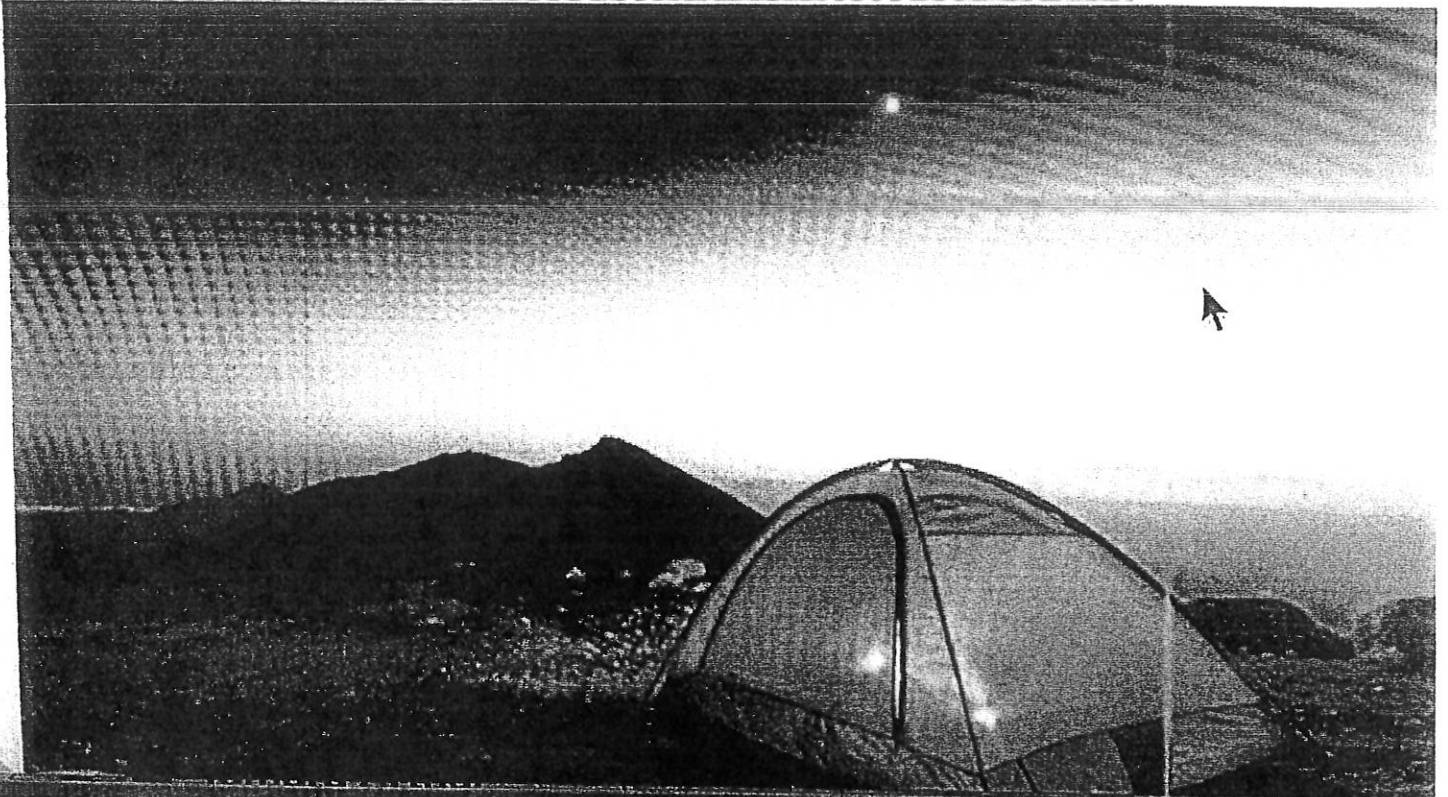




## Primitive Camping Defined

Primitive camping, also commonly referred to as backcountry camping, forgoes reservation campsites in favor of more remote areas without amenities such as bathrooms, running water or first aid supplies. Instead of following the herd to a common campground area, you hike in the opposite direction to discover a secluded area of a state park or forest park.

Independence and self-reliance are the name of the game. Make sure you come prepared and bring all the supplies you'll need for your adventure. Because if you do it right, you won't have a neighbor for backup supply need. Think food, water and basic tent shelter.





# What is Primitive Camping? - The Ultimate Guide



primitive-camping-tent-in-



January 23, 2022

Tillamook County Planning Commission  
Department of Community Development  
1510 B Third Street  
Tillamook, OR 97141

RE: Conditional Use Application #851-21-000416-PLNG - Oregon Treehouse Partners, LLC

Dear Tillamook County Planning Commission:

The Tierra Del Mar Community Association appreciates the opportunity to submit public comment related to Conditional Use Permit Application #851-21-000416-PLNG. Based on feedback from our community, we respectfully request that the following questions are included in your deliberations:

- **Traffic:** Given the narrow road width of Floyd Avenue east of Sandlake Road, should a traffic study be conducted to address the expected increase of RVs, vehicles, potential traffic delays on Sandlake Road, and for vehicles entering and leaving the campground?
- **Beach Access:** Pedestrian access to the beach will be needed and crossing Sandlake Road at Floyd Avenue is the primary option. What plans are underway to ensure the safety of pedestrians crossing Sandlake Road from the campground to the beach?
- **Maximum Occupancy:** Based on proposed site square footage, what is the maximum occupancy of each site and/or overall campground for individuals and their tents, vehicles, and RVs? Are campers allowed to park a non-RV motorized vehicle at their designated camp site? Is there a maximum length of stay for each visit and will long-term stays be permitted?
- **Fire Safety:** Given the steep terrain of the access road and campsite, has the Nestucca Rural Fire Protection District Fire Chief confirmed the entire campground and all campsites are accessible to their firetrucks and that fire suppression plans are acceptable? In order to maintain safe passage for any and all emergency vehicles, how will the "No On-Street Parking" rule, as specified in the application, be enforced?
- **Emergency Preparedness and Evacuation:** Tierra Del Mar is located in a Tsunami Hazard Overlay Zone. What means of communication will be available at the campground for emergency preparedness and evacuation? Is there an opportunity for emergency preparedness facilities at the campground for the greater Tierra Del Mar community?
- **Water Supply:** What is the status of any application to the Oregon Water Resources Department concerning adequate well water supply for both the main campground and the fire suppression needs?
- **Campground Security:** Is there an onsite camp host/staff 24-hours per day year-round and does the campground plan on using the Tillamook County Sheriff's Office for assistance with any onsite conflicts and disturbances?

We appreciate your consideration and thank you for your time.

Sincerely,

TIERRA DEL MAR COMMUNITY ASSOCIATION BOARD OF DIRECTORS



January 27, 2022

Tillamook County Planning Commission  
c/o Department of Community Development  
1510 B Third Street  
Tillamook, OR 97141

Via email

Melissa Jenck: [mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)  
Sarah Absher: [sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)

Re: #851-21-000416-PLNG: Request for Conditional Use Approval for a 19-site  
Recreational Campground

Dear Members of the Tillamook County Planning Commission,

Oregon Coast Alliance is an Oregon nonprofit corporation whose mission is to protect coastal natural resources and enhance community livability. We write to you today with strong concerns about the Treehouse Partners application for a recreational campground on 18 acres of a fifty-eight-acre parcel just east of Tierra del Mar off Sandlake Road.

ORCA's principal concerns have to do with the suitability of the proposed use. Though the campground appears to meet the standards for recreational campgrounds (TLUO 5.030), there are other standards that must be considered.

Section 6.040, the Conditional Use review criteria, require in (6) that "The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use." The proposal does not meet this criterion, because the available infrastructure in the Tierra del Mar area is quite minimal. Both water supply and wastewater treatment options are very limited, and roads are built to carry small amounts of traffic. TDM residents often receive notices in summer to limit water use due to inadequate supply. What effect will use of wells and/or springs on the property have on existing TDM water supplies?

The staff report simply punts the many unanswered questions about wastewater treatment, septic capacity and traffic to the relevant agencies, namely the Tillamook County



Public Works Department, Oregon Department of Transportation and the Oregon Department of Environmental Quality. That is not sufficient; it is merely passing the buck. The county needs to determine if this proposal meets the Conditional Use criteria with the information provided, as the burden is on the applicant to furnish proof of its assertions concerning the proposal. The answer is that it does not.

A large number of people could potentially be camping on this property at any one time, with four cabins, six tent camping areas, nine owner-provided camping tents on decks, and 26 parking spaces mentioned on the application. It is to be a year-round camping operation, according to the application. This could easily mean more than forty people camping in the campground any month of the year. The stress on Floyd Avenue, Sandlake Road, and any septic/sewer facilities situated onsite, is going to be substantial. There are wetlands and streams on this property, and septic problems will affect these and the entire area's groundwater.

Yet the staff report does not question, investigate nor place the burden of proof on the applicant, *as required by law*, to deal with any of these looming problems. The staff report merely requires conditions that make an approval contingent on permits from other relevant agencies. But the Planning Commission must determine, under the Conditional Use criteria, whether or not there are adequate public facilities and services existing in the area for the proposed use.

In addition this property, and the area proposed for the campground, has inventoried wetlands on the USFW National Wetlands inventory. The Department of State Lands has determined that the project will impact wetlands and require a state permit. The staff's only response to this is to require, via condition of approval, that the siting of campsites and improvements is not in conflict with mapped wetlands. Once again, the county's insufficient response is merely to kick the can down the road. Rather, the county must require of the applicant a wetland delineation *and* a detailed map (rather than a mere fuzzy sketch) of the locations of campsites and amenities in relation to wetlands. As the applicant has failed to provide this, it is another example of the application's incompleteness.

As the public facilities needed for this proposed campground have not been provided in any detail other than airy statements, and wetlands have not been mapped, ORCA requests the planning commission return the application to Treehouse Partners. They must provide the information for the county to make a reasonable decision. It is not the county's job to pass the buck to other agencies; it is the applicant's job to provide the information showing that the application meets criteria in county ordinances. This application fails that test.

Please place this testimony in the record for this matter. ORCA also requests the record be left open for seven more days.

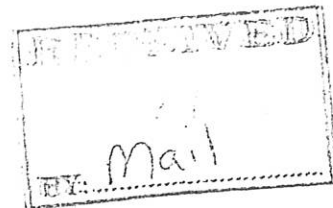
Sincerely,

*/s/ Cameron La Follette*

Cameron La Follette, Executive Director

Date: 1/25/2022

From: Allan and Carol Rodrick  
5745 Holly Ave  
Tierra Del Mar, OR 97112  
allan@gorgeappraisal.com



To: Tillamook County Department of Community Development  
1501-B Third St  
Tillamook, OR 97141

This letter is concerning the Conditional Use Permit for a 19 site campground in Tierra Del Mar, #851-21-000416-PLNG. We are opposed to its approval for the following reasons:

- 1) Traffic congestion on Sand Lake Road: This road is heavily traveled over the summer months due to the large number of vacation rentals in Tierra Del Mar (TDM) and travelers from the north to Pacific City. Speed limit signs are rarely observed on this section of road. Adding an intersecting road with a large number of visitors each day will greatly increase congestion on this already overburdened strip of road.
- 2) Pedestrian traffic across Sand Lake Road: A number of visitors to the proposed campground will access the TDM beach by foot, and will cross Sand Lake Road. A pedestrian cross walk with clearly visible signs (much like 1000 Trails) will be essential.
- 3) Impact on a key Tsunami Evacuation Route: There is a Tsunami Evacuation sign at Floyd Rd, which is at a central location of TDM. The only other such route is located at the very southern end of the development. Increased traffic on Floyd Rd will reduce the effectiveness of this important safety feature for residents and visitors, especially for those located at the northern end of TDM.
- 4) Impact on TDM Water System: The Tierra Del Mar Water Company issued a warning in their last bill indicating that the water system is already under stress due to weekend rentals, which largely occur over the summer months. Greatest usage by visiting campers will also be over the summer months when a water shortage is most likely.
- 5) Inadequate parking at the entrance to TDM Beach: Due to the slope of the terrain and distance from Sand Lake Road, it is very likely that campground visitors will drive to the entrance of the beach at the south end of Sand Lake Road. Access to on-beach parking is highly unreliable because cars can easily get stuck in the soft sand. As a result, visitors park all along both sides of Sand Lake Road for hundreds of yards, causing a significant safety issue. We've seen Pacific City overwhelmed by a similar parking issue to the point that they have prohibited parking along Sand Lake Road and created new paid parking areas in town. TDM has no such option at this time.

Tierra Del Mar is a residential neighborhood, and should remain that way. Most of the residents of TDM will find the impact of a commercial campground detrimental to their daily lives due to increased traffic and lack of public parking in this area. Any county improvements on these issues will ultimately be paid for by county residents, the vast majority of which will receive no benefit from this campground.

We are opposed to a commercial venture in our neighborhood due to this impact on services and the quality of life in our residential neighborhood.



April 5, 2022

To Whom it May Concern,

Please find attached to this document a Conditional Use Permit and supporting materials to place a primitive campground on our property located on the south end of Tierra Del Mar. Our family has chosen to move forward with a primitive campground for three reasons: stewardship, sustainability, and accessibility.

Our family has stewarded this property for 100 years and highly value our family's ties to this special place on the Oregon Coast. This proposed primitive campground will provide the funds necessary to pay maintenance, taxes, and insurance. This will prevent the property from becoming a financial burden on us now and for our future generations. When we look at options for financial sustainability we feel that a primitive campground is the best option for us and our community. The second reason for the proposal is to share this unique spot on the Oregon Coast in an affordable way. Dave Sears is a retired ranger from Cape Lookout State Park. His favorite part of that job was meeting and providing information to the guests about the area we call home. The rest of our family volunteers for the Kiawanda Community Center, Pacific City Doryman's Association, Nestucca School District, Nestucca Rural Fire Protection District and the Tillamook County Historical Society. We enjoy giving back to the community and people who come here to visit.

Our proposed plan is for four campsites. Each of these campsites will have the minimum requirements of a picnic table, fire ring and trash can. We want to upgrade each site with its own water spigot and a platform large enough for a 12' x 12' cabin tent and 12' x 8' deck. A total platform size of 12' x 20' and no more than 6' off the ground. The reason for the platforms to be elevated off the ground is to allow viewing the lake without cutting or breaking down the bulrushes.

As requested by Nestucca Rural Fire District there will be a gravel road placed through the pasture for emergency access. This road will not be located in any wetland. With the exception of bringing rock for the road, no material will be brought in or removed for establishment of campground. Along the lake edge there are bulrushes 20 to 50 feet wide. During establishment of the campground it will not be disturbed. There will be a small shed, 12' x 12', located across the gravel road from the lake access. In this shed will be porta a johns discreetly located along with a bulletin board and firewood.

Guests will be given clear guidance on how to appropriately behave not only while at our campground but in our local area as well. This will include stewardship messages, safety messaging, as well as property boundaries so they don't trespass on private property. We believe our primitive campground will allow affordable access to guests on the Oregon Coast while also maintaining our local identity.

Please let us know if we can provide any additional information or materials.

Sincerely,

The Sears Family

EXHIBIT 10





Brenda Giddings <brendagiddings@gmail.com>

Answers to questions

Brenda Giddings <brendagiddings@gmail.com>  
To: Ben Johnson <bjohnsonco@gmail.com>

Thu, Apr 8 2021 at 1:01 PM

----- Forwarded message -----  
From: david sears <dgsears@hotmail.com>  
Date: Wed, Apr 7, 2021 at 5:58 PM  
Subject: Answers to questions  
To: Brenda Giddings <brendagiddings@gmail.com>

Hi,

I am happy to answer your questions. But first let me give you some context of why we are doing this and a broader picture of what we are proposing. The driving force for this project is sustainability. It has been a hundred years since CJ Sears first sauntered over the hill and saw what would become Tierra Del Mar. Three generations have been raised on this property. We all have fond memories of what we call the Lake Pasture and the Sears lake itself. This is a costly piece of property to be sitting there. Our proposal is a way that we as a family and friends can continue to enjoy the property without becoming a financial burden on us or future generations.

The word campground in itself is terrifying. I retired from Cape Lookout State Park as a ranger four years ago so I have firsthand knowledge and experience with a state park or our local county parks. These have a massive amount of people crammed into a small space. Our proposal is the exact opposite of this. The required permit uses the term, Primitive Campground, we were discussing having a name that didn't involve the word campground. The primitive campground is a low infrastructure facility. It doesn't require a restroom building, community hall, RV hookups and again the massive amount of people. Our proposal has four campsites basically 50' x 65' located along the edge of the lake. A maximum of eight people will be allowed at each site. The maximum number of people at any one time would be 32. We have been in contact with required county departments and are closely following their guidelines. There was a wetland delineation report completed and no activity will be in areas designated as a wetland. There will be a gravel access road going the length of the campsites as requested by Nestucca Valley fire district chief. Tierra Del Mar water district has said they will provide the water. For restrooms we will be using porta johns discretely place in a three-sided shed. The campsites will be separated by wooden fence. The longer game plan is to have native plants and trees planted to provide privacy, wind barrier, and ambiance.

The other questions that I haven't addressed so far. Access to the campsite will be the existing gate that we use on the North end of the pasture. The gate across from the TDM beach access will be for foot traffic or emergency use. Of course, any guest staying here will be allowed access to the lake. We have been in the process of getting a permit to place a dock in the lake. It will be located about midway of the lake edge with a boat shed if we get the permit approved. The use of the lake will be limited. There will be no motorized craft of any kind allowed. Only canoes, kayaks, and stand-up boards.

Your sixth and seventh questions about access behind the lake is something I have been thinking about also. Last year when the lock was missing off of the gate by Sandlake Rd I contacted you about replacing the chain/lock because we too are concerned about just anybody going back there. There is the gate with lock on it, but anybody can easily walk around the gate. In fact, someone, not me, keeps the brush neatly cut back from the gate. I have met several residents of Nantucket Shores walking along the road and also several residents from Tierra Del Mar utilizing the road. Do you have a policy or guidelines on who can use the road? As far as our guest staying at the lake, they would have access as far as the bench on the corner. There is no reason for them to go farther if you didn't want them to. With the expectations we would be giving to each guest we could explain areas open to them. There could also be a sign on the property line or even locked gate. In fact, the existing gate could have better signage and barriers positioned to make it more difficult to pass.

~~Attachment 4~~

EXHIBIT 11

Sandlake Rd

Sandlake Rd

Sears Lake

Gomer Consulting Group



S View Loop

Google

Pacific City  
Thousand Trails



EXHIBIT 12

Miles

Map data ©2022

1000 ft



ary 17, 2022 for the February 24,  
since the prior January 27, 2022

---





Goi My camping experience

Brenda Giddings <brendagiddings@gmail.com

y camping experience

cavid scars rysikis@nota.COM

10 Brenda Giddings brendariiddiaesegmail.com

Tue, Apr 20, 2021 at 10:42 AM

bara Beno ad ben

i would like to share my experience with camping. From May of 2013 to May 2018, I was a full time ranger at Cape Lookout State Park and was a seasonal ranger for three summers before that. Cape Lookout is not the largest campground on the coast but with 177 campsites, yurts, cabins and a day use area that can easily go over 1,000 people in the summer. It is significant campground. As a ranger, is something needed to be done i would do. From cleaning restrooms, facility Maintenance, ground Maintenance, and rule enforcement. All of those functions required interacting with the public. I met people from all over the world, every region of the United States and all walks of life. At no time during those eight summers did I ever consider anyone at the campground Rife. It was actually quite the opposite. What I remember was families being together, setting up camp or preparing a meal together, but being together and enjoying it. Couples old and young holding hands as they lished down to the beach to catch the sunset, friends sitting around a campfire enjoying other's company. It wasn't that they were there because they couldn't afford a motel. It was because they wanted the experience. Repeatedly someone would tell us that as kids they camped at Cape Lookout and now they were bringing their kids and even grandkids to experience camping. I would catch myself just watching this mass of people getting along. No conflicts, being tolerant and respectful to one another. I cannot remember one case of someone being broken into or a charge of assault. During a summer I may have been one or two individuals claiming something was taken from their campsite, but by far there were more individuals coming to the registration booth with items like wallets, cameras, and keys found in the registration booth or on a trail. We actually had a closet full of stuff turned in. What I saw firsthand, what experience, by being there was a piece of our society at its best.



In your last message you mentioned you couldn't visualize it. Let me try to explain what I visualize on a now typical beautiful summer's day. The Tierra Del Mar beach itself will be packed with cars, people and jet skis in the surf. We are definitely going to hear the jet skis. There will be other sounds also not as loud like dogs barking, people/kids screaming as they hit the cold water. Maybe some music and hopefully as it is more crowded, 10-20 racing cars. Sandlake Rd itself will be packed on both sides of the road with dark cars and other cars moving slowly along trying to find a parking spot. The porta-johns at the beach entrance along with the dumpster will be in plain view. The houses on the south end of Tierra Del Mar, some of which are short-term rentals, will be busy; they advertise up to 17 guests can stay in one house and promote the jet skis on the beach. There will be people milling around or adding to the people on the beach. Many cars will be moving around as they check in, check out, visit area attractions, and the cleaning crew. Command going. On the northwest corner of the lake will be our campground in a 4-acre pasture with tourists; there may be some of these campers feeding the animals or playing a game in the field. It's always expected to be relaxing in the campsite while others may be fishing on the dock or swimming. A couple slowly making their way along the lake's edge in a canoe or maybe two kayakers racing across the lake. In all this taking place as you look out over the lake towards the beach, how is our proposed project signal?

There is no control on what takes place on our beach. With the constant vehicle racing we hear at all times, it is OBVIOUS. We local police are too busy to address it. Whereas in our campground, we will have clear expectations of behavior and ensure our guests comply. You mentioned a 10 pm curfew on noise. To maintain consistency in the area, we will have a 10 pm noise curfew. The short-term rentals across the street where IVO could hold more guests than our online campground, do they have hosts on site? We live here. The utilities are very good from the pristine in our house and if needed, we could be on site in minutes.

Let me try to answer your questions and address your concerns. Now would you please answer some of mine. How is family cooking smores around a campfire going to have a negative impact on you? Or the kids playing or feeding the llama in the field going to have a negative impact on you? How is the group paddling along the lake going to have a negative impact on you? As tied to explain at the start.

Ex+3

(

BEFORE THE PLANNING  
COMMISSION OF TILLAMOOK  
COUNTY OREGON

FINDINGS OF FACT CONCLUSIONS AND

ORDIE  
R

#851-21 000416 P  
LNG

IN THE MATTER OF #851-21-000416-PLNG A)  
CONDITIONAL USE REQUEST FOR A 19 SITE  
RECREATIONAL CAMPGROUND ON A 58 51 ACRE  
PARCEL WITHIN THE RURAL RESIDENTIAL 2 |?  
ACRE (RR 2) ZONED PORTION OF THE PROPERTY  
ACCESSED VIA FLOYD AVENUE A COUNTY LOCAL  
ACCES ROAD AND DESIGNATED AS TAX LOT 600  
OF SECTION 6 TOWNSHIP 4 SOUTH RANGE 10  
WEST OF THE WILLAMETTE MERIDIAN  
TILLAMOOK COUNTY  
OREGON

APPLICANT/PROPERTY OWNER Oregon Treehouse Partners LLC 1276 NW  
107th Ave Portland OR 97229

The above-named applicant applied to Tillamook County requesting Conditional Use approval for a 19 site recreational campground on a portion of a 58 51-acre parcel on the property as specified above

Public hearings on the above entitled matter were held before the Tillamook County Planning Commission for their consideration on January 27 2022 and February 24 2022 where a decision was made on that date.

The Tillamook County Planning Commission considered this Conditional Use request on the basis of the Conditional Use criteria listed in 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 applicants presentations.

Planning Commission voted unanimously 7 in favor and 0 opposed to approve Conditional Use request #851 21 000416 PLNG subject to the Conditions of Approval as amended and included as "Exhibit A"

The Planning Commission hereby adopts the Conditions of Approval as amended and shown in "Exhibit A" attached to this Order

This decision 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 Notice of this decision is mailed

EXHIBIT Z

DATED this 28th day of  
March, 2022.

TILLAMOOK COUNTY PLANNING COMMISSION

Kurt Heckerth  
Chairperson

*EXHIBIT A*

CONDITIONS OF APPROVAL

Sections 6.070 COMPLIANCE WITH CONDITIONS 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 required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. The property owner shall obtain all necessary electrical, mechanical, and plumbing permits.
3. At the time of applying for Zoning and Building Permit approval, Applicant will be required to submit the following:

Authorization Notice approval for on-site sewage disposal permits from the Department of Community Development or Oregon DEQ.

A letter from Tierra Del Mar Water Company confirming water service to the proposed facility. A letter from the Nestucca Rural Fire Protection District confirming fire protection service to the proposed facilities. A letter from the Tillamook County Public Works Department approving the road approach and internal roadway design. Demonstration of compliance with the standards contained in TCLUO 4.130(2).

4. If buildings within or near the area identified as inactive landslide topography are to be sited on slopes greater than 29%, a Geologic Hazard Report will be required as described in TCLUO 4.130. If such a report is required, a Geologic Hazard Report shall be submitted in conjunction with application for Zoning and Building Permit approval for review and acceptance.
5. Applicant will maintain the minimum proposed vegetative buffers between the proposed area of development and the property boundaries. The site plan submitted for approval with application for Zoning and Building permits will clearly show the vegetative buffers.
6. Development will comply with the requirements and standards of TCLUO 3.010.



'Rural

Residential 2 Acre RR 2) Zone' and 5.030 'Recreational Campground Standards'.

7 Overnight temporary use of the campground by a camper or a camper's vehicle shall not be for longer than six (6) months in any twelve (12) month period as required by TCLUO Section 5.030

8. The applicant/property owner shall provide a copy of an approved campground design from Tillamook County Environmental Health at time of Zoning Permit/Building Permit submittal

9 Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization

10 Signage shall comply with the requirements of TCLUO Section 4.020: Signs

11. Development shall occur in the area as generally depicted on the submitted site plan and as described and shall not exceed 19 campsites and the supporting facilities including the support cabin and bathhouse.

## Sears Lake Campground Master Plan

Main Access from  
Sandlake Rd

Sandlake

Parking

Existing Storage Shed

Platform 12' x 20'

Sandlake Rd

Platform 2 12' x 20'

Conditional Use Perga 851 21-000223 PUNG

SEAFs Bock and Storage She

Shed

Emergency

Access

Storage

Shed

Dock

Sandlake Rd

Pedestrian

Beach Access

Platform 3 12' X 20'

Platform 4 12 X 20

Xaemo

red

**USA**

**TODAY**

**SAAY**

**NATIONAL PARKS What rangers do A**

**REMOTE WC Working**

**What**

**is primitive camping?**

EXHIBITS

G Gmail

YouTube

Maps

News

)  
)

3  
1

)  
)

3  
4



Board of Trustees...

## Primitive Camping Defined

Primitive camping also commonly referred to as backcountry camping, forgoes reservation campsites in favor of more remote areas without amenities such as bathrooms running water or first aid supplies. Instead of following the herd to a common campground area you hike in the opposite

direction to discover a secluded area of a state park or forest park

Independence and self-reliance are the name of the game. *Make sure you come prepared and bring all the supplies you'll need for your adventure* Because if you do it right, you won't have a neighbor for backup

supply need Think food, water and basic  
tent shelter.

60m év A O

exw37 %

Cyp ~ ~



## EXHIBIT

January 23, 2022

Tillamook County Planning Commission Department of Community Development  
1510 B Third Street Tillamook OR 97141

RE: Conditional Use Application #851-21-000416 PLNG - Oregon Treehouse  
Partners LLC

Dear Tillamook County Planning Commission

The Tierra Del Mar Community Association appreciates the opportunity to submit public comment related to Conditional Use Permit Application #851-21-000416-PLNG. Based on feedback from our community, we respectfully request that the following questions are included in your deliberations:



•  
Traffic: Given the narrow road width of Floyd Avenue east of Sandlake Road, should a traffic study be conducted to address the expected increase of RVs, vehicles, potential traffic delays on Sandlake Road, and for vehicles entering and leaving the campground?

Beach Access: Pedestrian access to the beach will be needed and crossing Sandlake Road at Floyd Avenue is the primary option. What plans are underway to ensure the safety of pedestrians crossing Sandlake Road from the campground to the beach?

Maximum Occupancy: Based on proposed site square footage, what is the maximum occupancy of each site and/or overall campground for individuals and their tents, vehicles, and RVs? Are campers allowed to park a non-RV motorized vehicle at their designated camp site? Is there a maximum length of stay for each visit and will long-term stays be permitted?

Fire Safety: Given the steep terrain of the access road and campsite, has the Nestucca Rural Fire Protection District Fire Chief confirmed the entire campground and all campsites are accessible to their firetrucks and that fire suppression plans are acceptable? In order to maintain safe passage for any and all emergency vehicles, how will the No On Street Parking rule, as specified in the application, be enforced?

Emergency Preparedness and Evacuation: Tierra Del Mar is located in a Tsunami Hazard Overlay Zone. What means of communication will be available at the campground for emergency preparedness and evacuation? Is there an opportunity for emergency preparedness facilities at the campground for the greater Tierra Del Mar community?

Water Supply: What is the status of any application to the Oregon Water Resources Department concerning adequate well water supply for both the main campground and the fire suppression needs?

Campground Security: Is there an onsite camp host/staff 24 hours per day year round and does the campground plan on using the Tillamook County Sheriff's Office for assistance with any onsite conflicts and disturbances?

We appreciate your consideration and thank you for your time.

Sincerely,

TIERRA DEL MAR COMMUNITY ASSOCIATION BOARD OF DIRECTORS

Tierra Del Mar Community Association PO Box 344 Pacific City, Oregon 97135

***FxHB 7 B***

GON COAST  
OREGON  
ALLIANCE

January 27 2022

Tillamook County Planning Commission c/o Department of Community Development  
1510 B Third Street Tillamook OR 97141

Via email

Melissa Jenck: [mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us) Sarah Absher:  
[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)

Re #851 21 000416 PLNG: Request for Conditional Use Approval for a 19 site  
Recreational Campground

Dear Members of the Tillamook County Planning Commission,

Oregon Coast Alliance is an Oregon nonprofit corporation whose mission is to protect coastal natural resources and enhance community livability. We write to you today with strong concerns about the Treehouse Partners application for a recreational campground on 18 acres of a fifty-eight acre parcel just east of Tierra del Mar off Sandlake Road.

ORCA's principal concerns have to do with the suitability of the proposed use. Though the campground appears to meet the standards for recreational campgrounds (TLUO 5,030), there are other standards that must be considered

Section 6.040 the Conditional Use review criteria, require in (6) that "The proposed use is timely considering the adequacy of public facilities and services existing or planned for the area affected by the use." The proposal does not meet this criterion, because the available infrastructure in the Tierra del Mar area is quite minimal. Both water supply and wastewater treatment options are very limited and roads are built to carry small amounts of traffic. TDM residents often receive notices in summer to limit water use due to inadequate supply. What effect will use of wells and/or springs on the property have on existing TDM water supplies?

The staff report simply punts the many unanswered questions about wastewater treatment, septic capacity and traffic to the relevant agencies, namely the Tillamook County

P.O. Box 857  
Astoria, OR 97103  
(503) 391-0210  
[www.oregoncoastalliance.org](http://www.oregoncoastalliance.org)

## EXHIBIT 9

Public Works Department, Oregon Department of Transportation and the Oregon Department of Environmental Quality. That is not sufficient; it is merely passing the buck. The county needs to determine if this proposal meets the Conditional Use criteria with the information provided, as the burden is on the applicant to furnish proof of its assertions concerning the proposal. The answer is that it does not.

A large number of people could potentially be camping on this property at any one time, with four cabins, six tent camping areas, nine owner-provided camping tents on decks, and 26 parking spaces mentioned on the application. It is to be a year-round camping operation according to the application. This could easily mean more than forty people camping in the campground any month of the year. The stress on Floyd Avenue, Sandlake Road, and any septic/sewer facilities situated onsite is going to be substantial. There are wetlands and streams on this property, and septic problems will affect these and the entire area's groundwater.

Yet the staff report does not question, investigate nor place the burden of proof on the applicant, *as required by law* to deal with any of these looming problems. The staff report merely requires conditions that make an approval contingent on permits from other relevant agencies. But the Planning Commission must determine under the Conditional

Use criteria, whether or not there are adequate public facilities and services existing in the area for the proposed use

In addition this property, and the area proposed for the campground, has inventoried wetlands on the USFW National Wetlands inventory. The Department of State Lands has determined that the project will impact wetlands and require a state permit. The staff's only response to this is to require via condition of approval, that the siting of campsites and improvements is not in conflict with mapped wetlands. Once again the county's insufficient response is merely to kick the can down the road. Rather the county must require of the applicant a wetland delineation *and* a detailed map (rather than a mere fuzzy sketch) of the locations of campsites and amenities in relation to wetlands. As the applicant has failed to provide this it is another example of the application's incompleteness.

As the public facilities needed for this proposed campground have not been provided in any detail other than airy statements, and wetlands have not been mapped, ORCA requests the planning commission return the application to Treehouse Partners. They must provide the information for the county to make a reasonable decision. It is not the county's job to pass the buck to other agencies; it is the applicant's job to provide the information showing that the application meets criteria in county ordinances. This application fails that test.

Please place this testimony in the record for this matter. ORCA also requests the record be left open for seven more days.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette Executive Director

P O Box 857  
Astoria OR 97103  
(503) 391 0210  
[www.oregoncoastalliance.org](http://www.oregoncoastalliance.org)

Date

1/25/2022

From :



Allan and Carol Rodrick 5745 Holly Ave  
Tierra Del Mar OR 97112 allan@gorgeappraisal.com

To

Tillamook County Department of Community Development 1501 B Third St Tillamook  
OR 97141

This letter is concerning the Conditional Use Permit for a 19 site campground in Tierra Del Mar #851 21-000416 PLNG We are opposed to its approval for the following reasons:

- 1) Traffic congestion on Sand Lake Road: This road is heavily traveled over the summer months due to the large number of vacation rentals in Tierra Del Mar (TDM) and travelers from the north to Pacific City. Speed limit signs are rarely observed on this section of road. Adding an intersecting road with a large number of visitors each day will greatly increase congestion on this already overburdened strip of road.
- 2) Pedestrian traffic across Sand Lake Road: A number of visitors to the proposed campground will access the TDM beach by foot, and will cross Sand Lake Road. A pedestrian cross walk with clearly visible signs (much like 1000 Trails) will be essential.
- 3) Impact on a key Tsunami Evacuation Route: There is a Tsunami Evacuation sign at Floyd Rd which is at a central location of TDM. The only other such route is located at the very southern end of the development. Increased traffic on Floyd Rd will reduce the effectiveness of this important safety feature for residents and visitors especially for those located at the northern end of TDM.
- 4) Impact on TDM Water System: The Tierra Del Mar Water Company issued a warning in their last bill indicating that the water system is already under stress due to weekend rentals which largely occur over the summer months. Greatest usage by visiting campers will also be over the summer months when a water shortage is most likely.
- 5) Inadequate parking at the entrance to TDM Beach: Due to the slope of the terrain and distance

from Sand Lake Road, it is very likely that campground visitors will drive to the entrance of the beach at the south end of Sand Lake Road, Access to on beach parking is highly unreliable because cars can easily get stuck in the soft sand. As a result visitors park all along both sides of Sand Lake Road for hundreds of yards, causing a significant safety issue. We've seen Pacific City overwhelmed by a similar parking issue to the point that they have prohibited parking along Sand Lake Road and created new paid parking areas in town. TDM has no such option at this time.

Tierra Del Mar is a residential neighborhood and should remain that way. Most of the residents of TDM will find the impact of a commercial campground detrimental to their daily lives due to increased traffic and lack of public parking in this area. Any county improvements on these issues will ultimately be paid for by county residents, the vast majority of which will receive no benefit from this campground.

We are opposed to a commercial venture in our neighborhood due to this impact on services and the quality of life in our residential neighborhood.

Thank you for your consideration of these issues.

**Melissa Jenck**

From: Sent: To: Subject:

Pam Kniffin <pkknif@yahoo.com> Tuesday, January 25, 2022 11:22 PM  
Melissa Jenck: itone@co.tillamook.or.us EXTERNAL: Camping ground at Tierra Del Mar

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

Tam, an owner in Tierra Del Mar and I am opposed to allowing a campground. We purchased our homes based on the type of beach and the surrounding number of homes which were limited. If we wanted to be in Pacific City we would have purchased a home there. But instead we chose a very

quiet community to have a home. This campground proposal will destroy the area and it will no longer be the quiet beach that we thought was so important when making this large investment and decision. We thought no more homes would be allowed but by allowing camping you are doubling the size of Tierra Del Mar.

Please do not allow a campground to destroy Tierra Del Mar.

Pam Kniffin, Austin Avenue Tierra Del Mar

Sent from Yahoo Mail for iPhone

April 5  
2022

To Whom it May  
Concern,

Please find attached to this document a Conditional Use Permit and supporting materials to place a primitive campground on our property located on the south end of Tierra Del Mar. Our family has chosen to move forward with a primitive campground for three reasons: stewardship, sustainability, and accessibility.



Our family has stewarded this property for 100 years and highly value our family's ties to this special place on the Oregon Coast. This proposed primitive campground will provide the funds necessary to pay maintenance, taxes, and insurance. This will prevent the property from becoming a financial burden on us now and for our future

When we look at options for financial sustainability we feel that a primitive campground is the best option for us and our community. The second reason for the proposal is to share this unique spot on the Oregon Coast in an affordable way. Dave Sears is a retired ranger from Cape Lookout State Park. His favorite part of that job was meeting and providing information to the guests about the area we call home. The rest of our family volunteers for the Kiawanda Community Center, Pacific City Doryman's Association, Nestucca School District, Nestucca Rural Fire Protection District and the Tillamook County Historical Society. We enjoy giving back to the community and people who come here to visit

Our proposed plans for four campsites. Each of these campsites will have the minimum requirements of a picnic table (fire ring and trash can). We want to upgrade each site with its own water spigot and a platform large enough for a 12' x 12' cabin tent and 12' x 8' deck. A total platform size of 12' x 20' and no more than 6" off the ground. The reason for the platforms to be elevated off the ground is to allow viewing the lake without cutting or breaking down the bulrushes.

As requested by Nestucca Rural Fire District there will be a gravel road placed through the pasture for emergency access. This road will not be located in any wetland. With the exception of bringing rock for the road, no material will be brought in or removed for establishment of campground. Along the lake edge there are bulrushes 20 to 50 feet wide. During establishment of the campground it will not be disturbed. There will be a small shed 12' x 12' located across the gravel road from the lake access. In this shed will be portable johns discreetly located along with a bulletin board and firewood.

Guests will be given clear guidance on how to appropriately behave not only while at our campground but in our local area as well. This will include stewardship messages, safety messaging, as well as property boundaries so they don't trespass on private property. We believe our primitive campground will allow affordable access to guests on the Oregon Coast while also maintaining our local identity.

Please let us know if we can provide any additional information or materials.

Sincerely

The Sears  
Family

EXHIBIT  
10

4/21/2021

Gmail Answers to questions

## My Gmail

Brenda Giddings <brendagiddings@gmail.com>

### Answers to questions

Thu, Apr 8, 2021 at 1:01 PM

Brenda Giddings <brendagiddings@gmail.com> To: Ben Johnson <bjohnsonco@gmail.com>

Forwarded message From: david sears <dgsears@hotmail.com> Date: Wed, Apr 7, 2021 at 5:58 PM Subject: Answers to questions To: Brenda Giddings <brendagiddings@gmail.com>

Tam happy to answer your questions. But first let me give you some context of why we are doing this and a broader picture of what we are proposing. The driving force for this project is sustainability. It has been a hundred years since CJ Sears first sauntered over the hill and saw what would become Tierra Del Mar. Three generations have been raised on this property. We all have fond memories of what we call the Lake Pasture and the Sears lake itself. This is a costly piece of property to be sitting there. Our proposal is a way that we as a family and friends can continue to enjoy the property without becoming a financial burden on us or future generations.

The word campground in itself is terrifying. I retired from Cape Lookout State

Park as a ranger four years ago so I have firsthand knowledge and experience with a state park or our local county parks. These have a massive amount of people crammed into a small space. Our proposal is the exact opposite of this. The required permit uses the term, Primitive Campground we were discussing having a name that didn't involve the word campground. The primitive campground is a low infrastructure facility. It doesn't require a restroom building, community hall, RV hookups and again the massive amount of people. Our proposal has four campsites basically 50 x 65' located along the edge of the lake. A maximum of eight people will be allowed at each site. The maximum number of people at any one time would be 32.) We have been in contact with required county departments and are closely following their guidelines. There was a wet land delineation report completed and no activity will be in areas designated as a wetland. There will be a gravel access road going the length of the campsites as requested by Nestucca Valley fire district chief. Tierra Del Mar water district has said they will provide the water. For restrooms we will be using porta johns discretely place in a three sided shed. The campsites will be separated by wooden fence. The longer game plan is to have native plants and trees planted to provide privacy, wind barrier and ambiance.

The other questions that I haven't addressed so far. Access to the campsite will be the existing gate that we use on the North end of the pasture. The gate across from the TDM beach access will be for foot traffic or emergency use. Of course any guest staying here will be allowed access to the lake. We have been in the process of getting a permit to place a dock in the lake. It will be located about midway of the lake edge with a boat shed if we get the permit approved. The use of the lake will be limited. There will be no motorized craft of any kind allowed. Only canoes, kayaks and stand up boards.

Your sixth and seventh questions about access behind the lake is something I have been thinking about also. Last year when the lock was missing off of the gate by Sandlake Rd I contacted you about replacing the chain/lock because we too are concerned about just anybody going back there. There is the gate with lock on it, but anybody can easily walk around the gate. In fact someone not me keeps the brush neatly cut back from the gate. I have met several residents of Nantucket Shores walking along the road and

Tierra Del Mar utilizing the road. Do you have a policy or guidelines on who can use the road? As far as our guest staying at the lake they would have access as far as the bench on the corner. There is no reason for them to go farther if you didn't want them to. With the expectations we would be giving to each guest we could explain areas open to them. There could also be a sign on the property line or even locked gate. In fact the existing gate could have better signage and barriers positioned to make it more difficult to pass.

https://mail.google.com/mail/u/0?ik=68aa0ab866&view=pt&search=all&permmsgid=msg-a%3Ar-6189186501856237856&dsqt=1&simpl=msg-a%3Ar-61/2

# EXABIT I

+

1

Sandlake Rd

Sears Lake

Sandlake Rd

Gomer Consulting Group

View

LOOP

EXHIBITIZ

Googleacific City

Miles

Thousand Trails

Map data

©2022

1000

ft



ary 17, 2022 for the February 24 since the prior January 27 2022

+

Tierra Mar

Sandlake Road

Erzs  
Lore

OCCBYSA © OpenStreetMap

EXHIBIT 13

} } } } }

**Subject:** Witness Comments: #851-22-000154-PLNG

**Date:** Tuesday, July 5, 2022 at 9:40:24 AM Pacific Daylight Time

**From:** David Miller

**To:** Sarah Absher, Lynn Tone

Sarah and Lynn: I am not sure which of you should receive these "Witness Comments" so I erred on the side of sending this to both of you. Please put my comments in the packet mailed to the Planning Commission in anticipation of the first hearing on July 14, 2022.

I received the Notice of Public Hearing regarding the above matter presumable because I am an adjoining property owner located within 250 feet of the exterior boundaries of the subject parcel for which this application has been made. I own and am currently building a home on Lot 30 of the Nantucket Shores subdivision, which is perched about Sears Lake to the south and has a direct view of the lake and the property where Mr. Sears wishes to place a Primitive Campground. Please consider these comments as my testimony explaining my objection to the granting of the Conditional Use Permit Request sought by Mr. Sears.

**Background:** This matter first came to my attention last year when Mr. Sears sought a Conditional Use Permit to place a dock in Sears Lake (#851-21-000223-PLNG). That request was allowed over objections and the Permit was ultimately granted with certain conditions. I objected to that request, as well, primarily because it was clear at the time a dock was merely the "first step" toward seeking the Primitive Campground Permit Mr. Sears seeks herein. See, my August 22, 2021 letter with 9 attached exhibits.

During the application process seeking the dock Permit, Mr. Sears corresponded with a neighbor of mine and acknowledged his own serious concerns about an increase in both beach-going pedestrians and traffic in the precise area where he was then seeking a Permit to place a dock. Now he seeks permission to install a Primitive Campground with an additional 30+ people and an unspecified amount of vehicles jammed into the precise area where he---Mr. Sears---expressed these concerns:

- "The Tierra Del Mar beach itself will be packed with cars, people, jet skis."
- "Sandlake Road itself will be packed on both sides of the road with parked cars and other cars moving slowly along trying to find a parking spot."
- "The porta-johns at the beach entrance along with the dumpster will be in plain view."
- "The houses on the south end of Tierra Del Mar, some of which are short

term rentals, will be busy. They advertise up to 17 guests can stay in one house and promote the jet skis on the beach.”

- “...constant vehicle racing...[and] the local police are too busy to address it.

See, **Exhibit 1** attached hereto (was Ex. 5 in previous submission, August 22, 2021)

Rest assured the problems Mr. Sears identified about the area where he wishes to build a Primitive Campground have not decreased; they have continued to increase through this past year and are now worse.

To this growing problem in the Tierra Del Mar area, which also exists on the roadways and beaches in the greater Pacific City area in the spring and summer months, over the strong opposition of many neighbors and local groups, the County granted the request of Oregon Treehouse Partners LLC to install 19 campsites, upon which geodesic dome structures will be placed on 9 of the sites, on March 28, 2022 (subsequent appeal denied). See, **Exhibit 2**. The “Treehouse” site is located just to the north of where Mr. Sears now seeks to add more primitive campsites to the area. See, **Exhibit 13**.

Furthermore, directly to the south of Sears Lake, is the ever-growing Pacific City RV and Camping Resort, also called Thousand Trails Campground, located at 30000 Sandlake Road, Cloverdale, OR 97112. See, **Exhibit 12**. This facility offers RV guests some 305 sites, including cabins and RV spaces. The entrance is located directly opposite the only entrance (secured by a coded gate) to the Nantucket Shore subdivision. The vast majority of the large volume of spring and summer RV traffic out of this large RV park turns left out of the park and enters onto Sandlake Road only a short distance to the west. The traffic then heads either north toward Tierra Del Mar (and ultimately Hwy. 101) or south into Pacific City; there are no other options.

Last year I submitted a short (17 second) video clip showing summer traffic on Sandlake Road at the precise area where Mr. Sears proposes to put primitive campers. I have reviewed Mr. Sears’ Application. His proposed traffic access is an unimproved, unmarked, very narrow road at the north end of his property, and his proposed pedestrian beach access is near the south end of his proposed campground. See, **Exhibit 3**, I am reattaching as **Exhibit 4** the same video I submitted a year ago.

As a lawyer of 40 years whose practice has consisted exclusively of representing both people injured in accidents as well as people, including property owners, who are sued for money damages as a result of injuries, I can say unequivocally the area of

Sandlake Road where Mr. Sears proposes ingress and egress for vehicles, and particularly for pedestrians, presents a clear and very real risk of a serious vehicle/pedestrian accident, or a serious motor vehicle accident, increasing both risk and liability for many. In fact, with the public comments about traffic volume and risk of injury being so prominent in the record of the Treehouse matter, and with virtually no increase in signage, traffic control or law enforcement patrolling in the area, one has to wonder about the County's liability should steps be taken to increase, not decrease the risk of potential harm.

It is also worth noting the original intent of "Primitive Campgrounds." Such locations were intended to be in remote spots, thus allowing the camper to experience camping in very remote areas, without the ambient noises from other campers and civilization. See, **Exhibits 5 through 7**, obtained from just a quick google search of "primitive camping." It can hardly be argued that this particular location, a matter of feet away from one of the busiest beaches on the Central Oregon coast, an even shorter distance from a major road which provides the only north/south ingress and egress for residents of the area, and adjacent to a major subdivision, is a site consistent with the intent of "primitive camping."

**Argument in Opposition to Request for Conditional Use Permit.** As a threshold matter, it must be noted that Mr. Sears, the applicant, bears the burden of proof in this matter. See, *Wilson v Washington County*, 63 Or LUBA 314 (2011). Against that backdrop, the Standards applicable to Primitive Campgrounds and the Commission's Review Criteria both must be examined.

1. A comment in the Overview portion of Goal 8 (Recreation) of the Tillamook County **Comprehensive Plan** states: "A main issue surrounding recreation in the County is that of quantity, location and orientation." The obvious intent of the Goal was to find a balance between increased recreational opportunities, and the economic benefit that brings the County, and the burden such opportunities place on the public. "There is concern that recreation may adversely impact the natural resources of the area."

The proposed primitive campsite is at a location that is simply incompatible with existing traffic and pedestrian volume. The objections to the proposed Treehouse Campground made earlier this year by the Tierra Del Mar Community Association Board and the Oregon Coast Alliance (attached, **Exhibits 8 and 9**) ring even louder today since that campground, located a very short distance from this proposed campground, was approved. Those opinions were shared by at least 12 residents of Tierra Del Mar.



The anticipated traffic burden, the increased pedestrian burden, and the congestion both create has already negatively impacted this area in a substantial way. In short, when it comes to the traffic and pedestrian issues, “when is enough enough?”

2. The placement of a primitive campground on a property zoned RR-2 was contemplated in the TCLUO’s, specifically 3.010(3)(u), which notes “primitive campgrounds” as a use “permitted conditionally.” However, the proposed use must satisfy both the intent of the Comprehensive Plan and the Review Criteria.

One of the themes clearly apparent in the Comprehensive Plan is the need to balance the County’s need for revenue against other wishes and needs of its population. It is now apparent from Mr. Sears’ Application, as well as the emails he exchanged with others, that his stated purpose in pursuing this Request is financial. While couched in terms of “sustainability,” the clear intent is that he and his family profit from this private enterprise ostensibly to help defray the costs of upkeep, taxes on the property, etc. See, **Exhibit 10**. This loss of taxable income to the County is a concern set forth in the Comprehensive Plan: “The issue of private versus public recreation facilities and the loss of taxable land has been a continuing concern in the County.” See, Overview, Goal 8. In this regard, it is noteworthy that the proposed primitive campground be located directly in front of the proposed Phase 3 of Nantucket Shores, which contemplates 2 acre parcels on a hillside overlooking both Sears Lake and the ocean. Having purchased a 2 acre lot in Nantucket Shores, I can attest to the fact I would not be interested in buying a lot with a primitive campground, with tents perched atop 6’ high platforms, directly in front of what I thought was a view of the ocean. Potential buyers of 2 acre lots within the Nantucket Shores community are simply not going to buy, and thus become robust payors of property taxes to Tillamook County, if what they are buying is the sight of an unsupervised primitive campground in the foreground.

While any landowner would relish the thought of making additional money to help defray costs of maintaining their property, one must ask “at what cost to the surrounding community?” For me, an adjoining landowner who is a fulltime resident of Pacific City, I must frequently travel along Sandlake Road for both my business and personal use. Between the RV’s traveling southbound on this Road to reach destinations in Pacific City, and northbound to reach the campgrounds at Whalen Island or Sandlake, or Hwy. 101, in addition to the influx of motorists and also bicyclists on this road, the thought of adding up to 32 campers with an

indeterminable number of vehicles, is shocking. Perhaps a "site visit" by the Commission would be in order to witness for themselves the congestion which already exists.

With this congestion comes the following other issues implicating **Review Criteria** Section 6.040(4):

- a. There is no **fire** suppression system/equipment mentioned in the Application, other than a bucket to be used to douse campfires. This area was surrounded by fires two summers ago. Adding an additional fire risk to this area is also a burden too great. The application states potential campers will be given "clear guidance" on "camp rules." It is clear there will be no on-site camp host, let alone a security presence. We are warned every single season about the dangers of campfires. Granting this Permit would allow campers without any fire suppression equipment to be trusted to put out their personal night-time fires in a heavily vegetated area. As a neighbor, I strongly object to that being allowed.
- b. Nantucket Shores adjoins the proposed campground site. Nantucket Shores has no full-time **security**. There is one road that extends directly from this proposed campground to the subdivision. See, Exhibit 11. I know and trust my neighbors. In fact, I chose to buy in this subdivision because it is relatively secluded. The thought of hikers wondering up from a campground below raises security and **safety** issues for all concerned. There are 76 home sites and 23 existing homes in the subdivision. Phase 3 of the subdivision (planned but not yet built) is located directly across the lake from the proposed campsite. The **noise** from a campground will travel directly across the lake and impact life in the subdivision. For these two additional reasons, I believe the proposed campground will definitely "**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." Section 6.040(4).
- c. **Wildlife** is another concern. Few residents of this area have not had their garbage cans upended by bear or their flowers eaten by deer. One learns to respect their territory and take steps to prevent the wildlife from wreaking havoc on our lives. There is deer, elk, bear, eagles and other natural wildlife in the direct vicinity of the proposed campground. I have seen all of these animals either on or directly

around my property. Summer campers will bring food and drink. Inevitably food will not be properly stored and a bear will enter the campsite. I fear this will embolden the wildlife population or, perhaps worse, cause them to retreat into the mountains. In either event, it will impact wildlife, a **natural feature** of the area.

**Conclusion:** The proposed primitive campground is in a location that is not suitable for the intended use due to existing congestion, an additional campground coming to the same area very soon, and the natural features (quietude, scenic views, wildlife) which already exist in the area. See, Section 6.040(3). Furthermore, the character of the surrounding area is incompatible with the proposed primitive campground. Indeed, a primitive campground is not compatible with the surrounding area, which consists of a major thoroughfare on one side and large subdivision on the other. The sights, sounds, congestion, and threats posed by the campground outweigh the applicant's desire to gain personal financial benefit from such a campground.

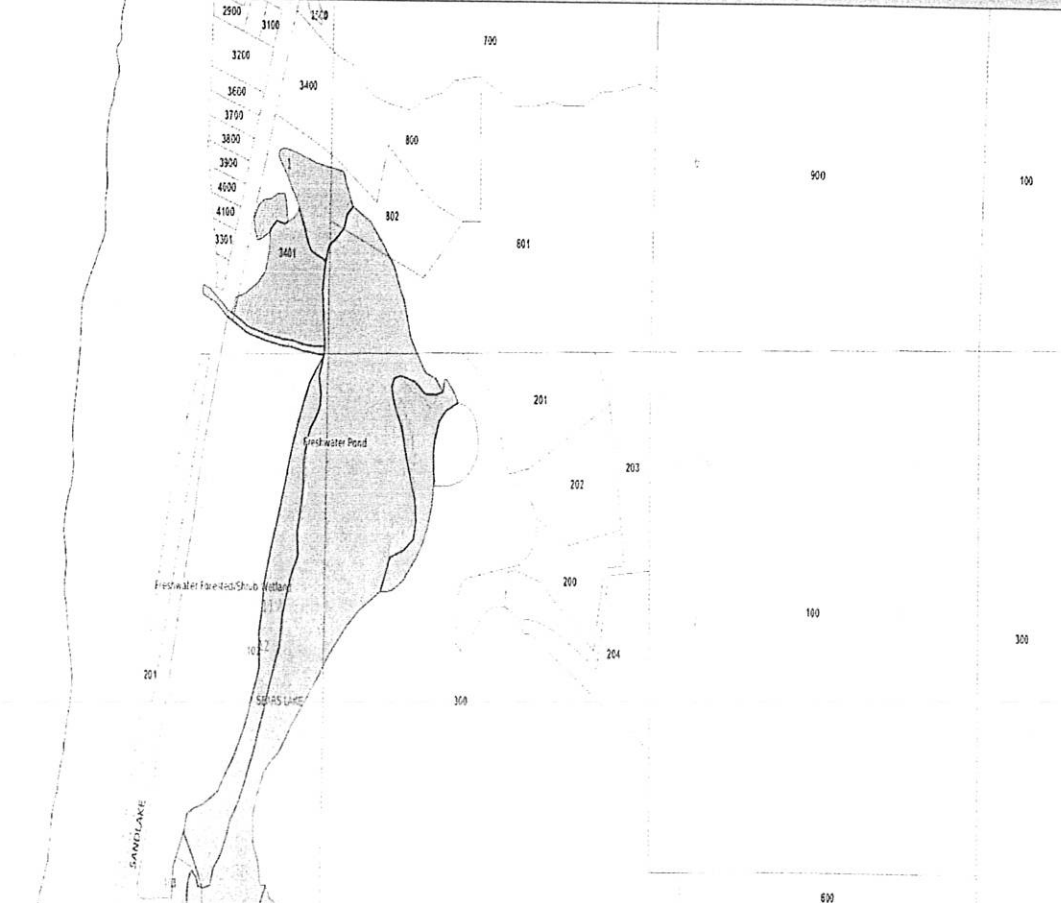
Sincerely,



David K. Miller

Lot 30, Nantucket Shores

- Jump To
- Category
- Drawing and Manip
  - Layers
  - Land: Cultural
  - Emergency Management
  - Community Development
  - Zoning
  - Active Land Use Decisions
  - Floodway
  - Proposed SFHA
  - National Wetlands Inventory
  - Pipeline
  - Lake
  - Estuarine & Marine Deciduate
  - Estuarine & Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested Shrub Wetland
  - Freshwater Pond
  - Other
  - Necklwin Coastal Hazard Overlay Zone
  - Slide Landslide Deposits
  - Slide Historic Landslide Points
  - FEWA/RIP Panel Index
  - Building Footprints
  - Beach Vegetation Line
  - SB 1517
  - Assessor Map
  - Taxlots
  - Taxlots
  - Tax Map Boundaries
  - Reference Lines
  - Land Hooks
  - Tax Code



Disclaimer Questions or feedback?

X,Y: -12300059, 5660529 Lat, Lon: 45.247, -123.958

1:3385

9:01 AM  
4/21/2021

Type here to search





Brenda Giddings <brendagiddings@gmail.com>

**our lake pasture**

david sears <dgsears@hotmail.com>

Sat, Apr 3, 2021 at 7:51 PM

To: Brenda Giddings <brendagiddings@gmail.com>

Good Evening,

What a great day. I mean as far as weather goes it was awesome. We are working on something that I want to give you a heads up on. This involves our pasture on the north west end of the lake, where the llama is. We are applying for a conditional permit for a primitive campground. The plan is to have four campsites along the lake. They will have access to the lake but no motorized craft, only kayaks, canoes or stand-up paddle boards. We want to make this as low impact as possible. If you have any questions or concerns, please contact me and if you would let your mom know. I thought I had her address but..

Dave and Lisa  
503 965-5071



Brenda Giddings <brendagiddings@gmail.com>

**our lake pasture**

**Brenda Giddings** <brendagiddings@gmail.com>  
To: david sears <dgsears@hotmail.com>

Mon, Apr 5, 2021 at 9:08 AM

Good Morning

Questions

1. Sewer where are they going to use a restroom
2. Water where are they getting water
3. Isn't it a flood zone?
4. Gate how will they get in.
5. Use of the lake ????
6. Protection of our property and the water tower?
7. Walking on the grounds of Nantucket Shores?

I'm not sure how we feel about this. When are you applying? Have you spoke to the county yet?

Thank you for the heads up. We do appreciate it. Just a lot of questions.

Thank you

Brenda Giddings

[Quoted text hidden]

[Quoted text hidden]



Brenda Giddings &lt;brendagiddings@gmail.com&gt;

## Answers to questions

Brenda Giddings <brendagiddings@gmail.com>  
To: Ben Johnson <bjohnsonco@gmail.com>

Thu, Apr 8, 2021 at 1:01 PM

----- Forwarded message -----

From: david sears <dgsears@hotmail.com>  
Date: Wed, Apr 7, 2021 at 5:58 PM  
Subject: Answers to questions  
To: Brenda Giddings <brendagiddings@gmail.com>

Hi,

I am happy to answer your questions. But first let me give you some context of why we are doing this and a broader picture of what we are proposing. The driving force for this project is sustainability. It has been a hundred years since CJ Sears first sauntered over the hill and saw what would become Tierra Del Mar. Three generations have been raised on this property. We all have fond memories of what we call the Lake Pasture and the Sears lake itself. This is a costly piece of property to be sitting there. Our proposal is a way that we as a family and friends can continue to enjoy the property without becoming a financial burden on us or future generations.

The word campground in itself is terrifying. I retired from Cape Lookout State Park as a ranger four years ago so I have firsthand knowledge and experience with a state park or our local county parks. These have a massive amount people crammed into a small space. Our proposal is the exact opposite of this. The required permit uses the term, Primitive Campground, we were discussing having a name that didn't involve the word campground. The primitive campground is a low infrastructure facility. It doesn't require a restroom building, community hall, RV hookups and again the massive amount of people. Our proposal has four campsites basically 50' x 65' located along the edge of the lake. A maximum of eight people will be allowed at each site. The maximum number of people at any one time would be 32. We have been in contact with required county departments and are closely following their guidelines. There was a wet land delineation report completed and no activity will be in areas designated as a wetland. There will be a gravel access road going the length of the campsites as requested by Nestucca Valley fire district chief. Tierra Del Mar water district has said they will provide the water. For restrooms we will be using porta johns discretely place in a three-sided shed. The campsites will be separated by wooden fence. The longer game plan is to have native plants and trees planted to provide privacy, wind barrier, and ambiance.

The other questions that I haven't addressed so far. Access to the campsite will be the existing gate that we use on the North end of the pasture. The gate across from the TDM beach access will be for foot traffic or emergency use. Of course, any guest staying here will be allowed access to the lake. We have been in the process of getting a permit to place a dock in the lake. It will be located about midway of the lake edge with a boat shed if we get the permit approved. The use of the lake will be limited. There will be no motorized craft of any kind allowed. Only canoes, kayaks, and stand-up boards.

Your sixth and seventh questions about access behind the lake is something I have been thinking about also. Last year when the lock was missing off of the gate by Sandlake Rd I contacted you about replacing the chain/lock because we too are concerned about just anybody going back there. There is the gate with lock on it, but anybody can easily walk around the gate. In fact, someone, not me, keeps the brush neatly cut back from the gate. I have met several residents of Nantucket Shores walking along the road and also several residents from Tierra Del Mar utilizing the road. Do you have a policy or guidelines on who can use the road? As far as our guest staying at the lake, they would have access as far as the bench on the corner. There is no reason for them to go farther if you didn't want them to. With the expectations we would be giving to each guest we could explain areas open to them. There could also be a sign on the property line or even locked gate. In fact, the existing gate could have better signage and barriers positioned to make it more difficult to pass.



Brenda Giddings <brendagiddings@gmail.com>

### Answers to questions

Brenda Giddings <brendagiddings@gmail.com>

Tue, Apr 13, 2021 at 12:22 PM

To: david sears <dgsears@hotmail.com>

Bcc: Ben Johnson <bjohnsonco@gmail.com>, "Dr. Frank E. Gomer" <fgomer@gomerconsulting.com>, Mimi Texting <Wildflowerdon@aol.com>

- Hello  
 Thank you for your response!  
 More questions.
1. If the lake is going to be used for paddle boarding, swimming and kayaking who will hold a liability insurance policy, as we Wildflower Corporation own a lot of the lake as well.
  2. Campfires, will fires be used?
  3. Bears and food. People don't understand this is a bear area. We all have lock proof garbage cans that's are mandatory in Nantucket Shores. We are proactive on removal of bear dens when we know one is evident inside the neighborhood. Cooking and pets will be a bear issue. Cougar, bobcat and coyote.
  4. When you say outside "your" front door I want to add, this is actually outside many of our front doors. It's bad enough to look at the shoe box, but to see a primitive camp site will depreciate all of our land values and especially phase 3. Unsightly, and who knows what and who will be using the sites. 32 people is a lot of folks. Most I'm assuming will be there due to financial restrictions from a motel. Primitive being the word. Any way you call it no water or sewer or regulations it's primitive at the very least.
  5. Out houses.
  6. Now that you allow these patrons to walk and use your bench and land, we have no control of riff raff. It's a free for all at all hours of the day and night.
  7. Water. Where are these campers getting water.
  8. Noise. If I can hear the drag racing in my own home on the beach, think of the noise late at night that will occur. The lake will have a noise travel. We here at Nantucket have a 10pm noise rule unless prior requests for a venue have been made.

I'm sadly saying this is not what we would wish for. Please help us better understand the logic of this idea. My understanding is apparently it's to costly for you to keep as is. What about cabins up on your property to rent out. We just can't see this at all. We are struggling greatly, as this is not clear enough to visualize it being a benefit yet more of a nuisance and liability to all parties that own the lake, all Nantucket home owners with the Bears and all objections above.

Thank you again,  
Brenda Ben and Barbara.

[Quoted text hidden]

--

Sent from Gmail Mobile

} } } } }  
 } } } } }





Brenda Giddings &lt;brendagiddings@gmail.com&gt;

## My camping experience

david sears &lt;dgsears@hotmail.com&gt;

To: Brenda Giddings &lt;brendagiddings@gmail.com&gt;

Tue, Apr 20, 2021 at 8:42 PM

Barbara, Brenda, and Ben

I would like to share my experience with camping. From May of 2013 to May 2018, I was a full-time ranger at Cape Lookout State Park and was a seasonal ranger for three summers before that. Cape Lookout is not the largest campground on the coast, but with 177 campsites, yurts, cabins and a day use area that can easily go over 1,000 people in the summer. It is significant campground. As a ranger, if something needed to be done I would do it. From cleaning restrooms, facility Maintenance, ground Maintenance, and rule enforcement. All of these functions required interacting with the public. I met people from all over the world, every region of the United States and all walks of life. At no time during those eight summers did I ever consider anyone at the campground Riff Raff. It was actually quite the opposite. What I remember was families being together. Setting up camp or preparing a meal together, but being together and enjoying it. Couples old and young holding hands as they rushed down to the beach to catch the sunset, friends sitting around a campfire enjoying each other's company. It wasn't that they were there because they couldn't afford a motel. It was because they wanted the experience. Repeatedly, someone would tell us that as kids they camped at Cape Lookout and now, they were bringing their kids and even grandkids to experience camping. I would catch myself just watching this mass of people getting along. No conflicts, being tolerant and respectful to one another. I cannot remember one case of a car being broken into or a charge of assault. During a summer there may have been one or two individuals claiming something was taken from their campsite, but by far there were more individuals coming to the registration booth with items like wallets, cameras, and keys found in the restroom or on a trail. We actually had a closet full of stuff turned in. What I saw firsthand, what I experienced by being there was a piece of our society at its best.

In your last message you mentioned you couldn't visualize it. Let me try to explain what I visualize on a now typical beautiful summer's day. The Tierra Del Mar beach itself will be packed with cars, people and jet skis in the surf. We are definitely going to hear the jet skis. There will be other sounds also not as loud like dogs barking, people/kids screaming as they hit the cold water. Maybe some music and hopefully as it is more crowded no so much of the racing cars. Sandlake Rd itself will be packed on both sides of the road with parked cars and other cars moving slowly along trying to find a parking spot. The porta-johns at the beach entrance along with the dumpster will be in plain view. The houses on the south end of Tierra Del Mar some of which are short term rentals will be busy, they advertise up to 17 guests can stay in one house and promote the jet skis on the beach. There will be people milling around or adding to the people on the beach. Many cars will be moving around as they check in, check out, visiting area attractions, and the cleaning crews coming and going. On the northwest corner of the lake will be our campground in a 4-acre pasture with four tents in it. There may be some of these campers feeding the animals or playing a game in the field. I always expect some to be relaxing in the campsite while others may be fishing on the dock or swimming. A couple slowly making their way along the lake's edge in a canoe or maybe two kayaks racing across the lake. In all that is taking place as you look out over the lake towards the beach how is our proposed project significant?

There is no control on what takes place on our beach. With the constant vehicle racing we hear at all times it is obvious the local police are too busy to address it. Whereas in our campground, we will have clear expectations of behavior and ensure our guest comply. You mentioned a 10 pm curfew on noise. To maintain consistency in the area we to will have a 10 pm noise curfew. The short-term rentals across the street where two houses could hold more guest than our entire campground, do they have host on site? We live here. The acoustics are very good from the pasture to our house and if needed we could be on site in minutes.

I have been trying to answer your questions and address your concerns. Now would you please answer some questions for me? How is a family cooking smores around a campfire going to have a negative impact on you? How are kids playing or feeding the llama in the field going to have a negative impact on you? How is the couple paddling along the lake going to have a negative impact on you? As I tried to explain at the start

of this message, I don't view campers as Rif Raff or pose a threat to you, my sister's house or my house which are closer to the campsite than any Nantucket Shores house.

I do appreciate your continued effort in discussing this,

Sincerely,  
Dave Sears

} } } } }  
} } } } }