



1510 – B Third Street
Tillamook, Oregon 97141
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Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REVIEW REQUEST #851-23-000046-PLNG:
ANIMAL DAYCARE & BOARDING SERVICE OPERATION**

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

**NOTICE OF ADMINISTRATIVE REVIEW
Date of Notice: March 23, 2023**

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

#851-23-000046-PLNG: A Conditional Use request for the operation of an animal daycare and boarding service operation with a maximum of five (5) dogs on site at any one time on a property within Unincorporated Tillamook County located at 1980 Skyline Drive, a County road, and designated as Tax Lot 3400 in Section 35B of Township 1 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Rural Residential 2-Acre (RR-2). The applicant and property owner is Rachel Zakrasek.

Written comments received by the Department of Community Development prior to 4:00p.m. on April 6, 2023, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than the next business day, April 7, 2023.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject property for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

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

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x3412 or ltone@co.tillamook.or.us.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Absher". Below the signature, the name "Sarah Absher, Director, CFM" is printed in a standard black font.

Enc. Applicable Ordinance Criteria, Maps

REVIEW CRITERIA

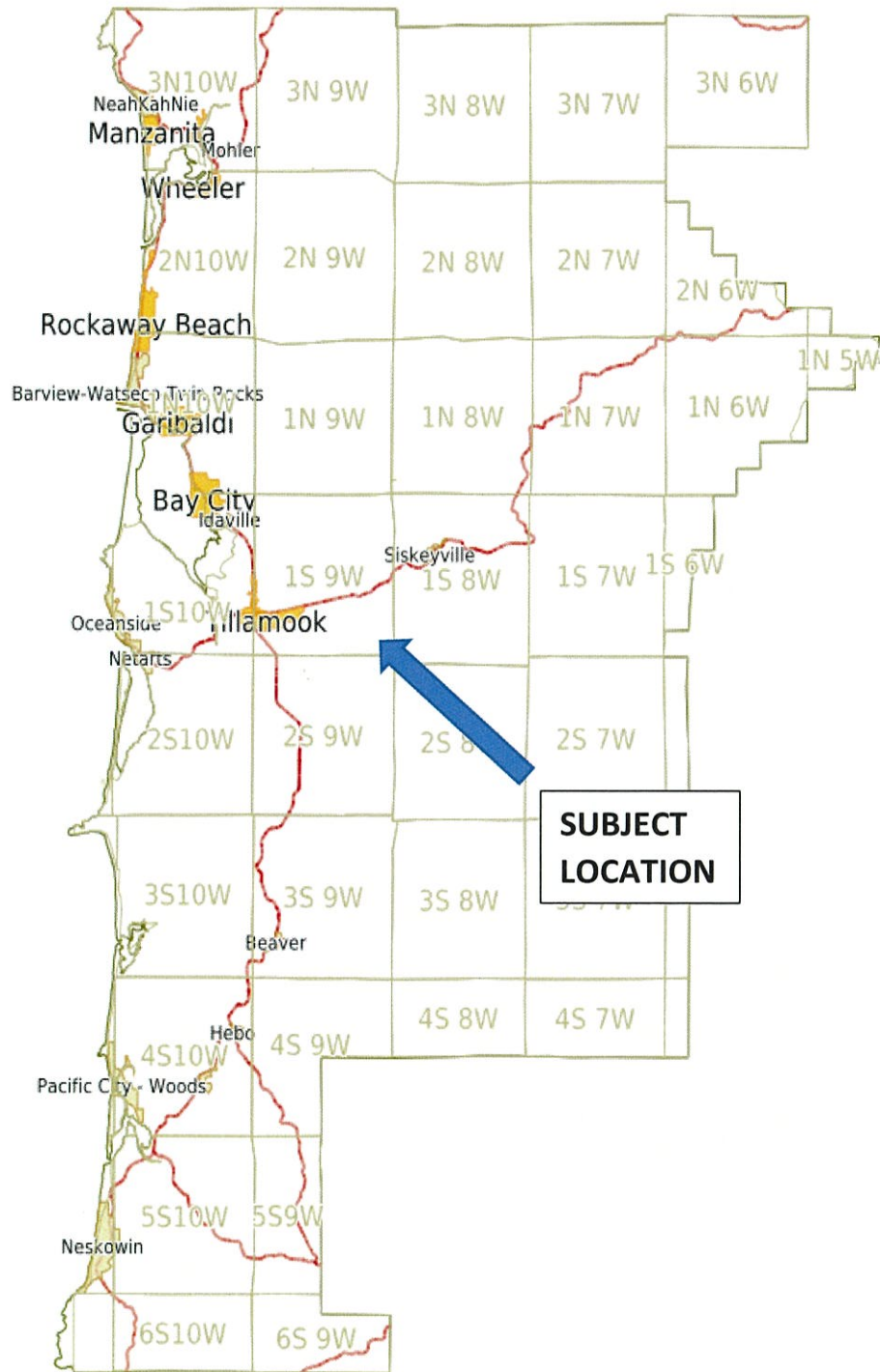
TCLUO ARTICLE VI:

SECTION 6.040: REVIEW CRITERIA

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

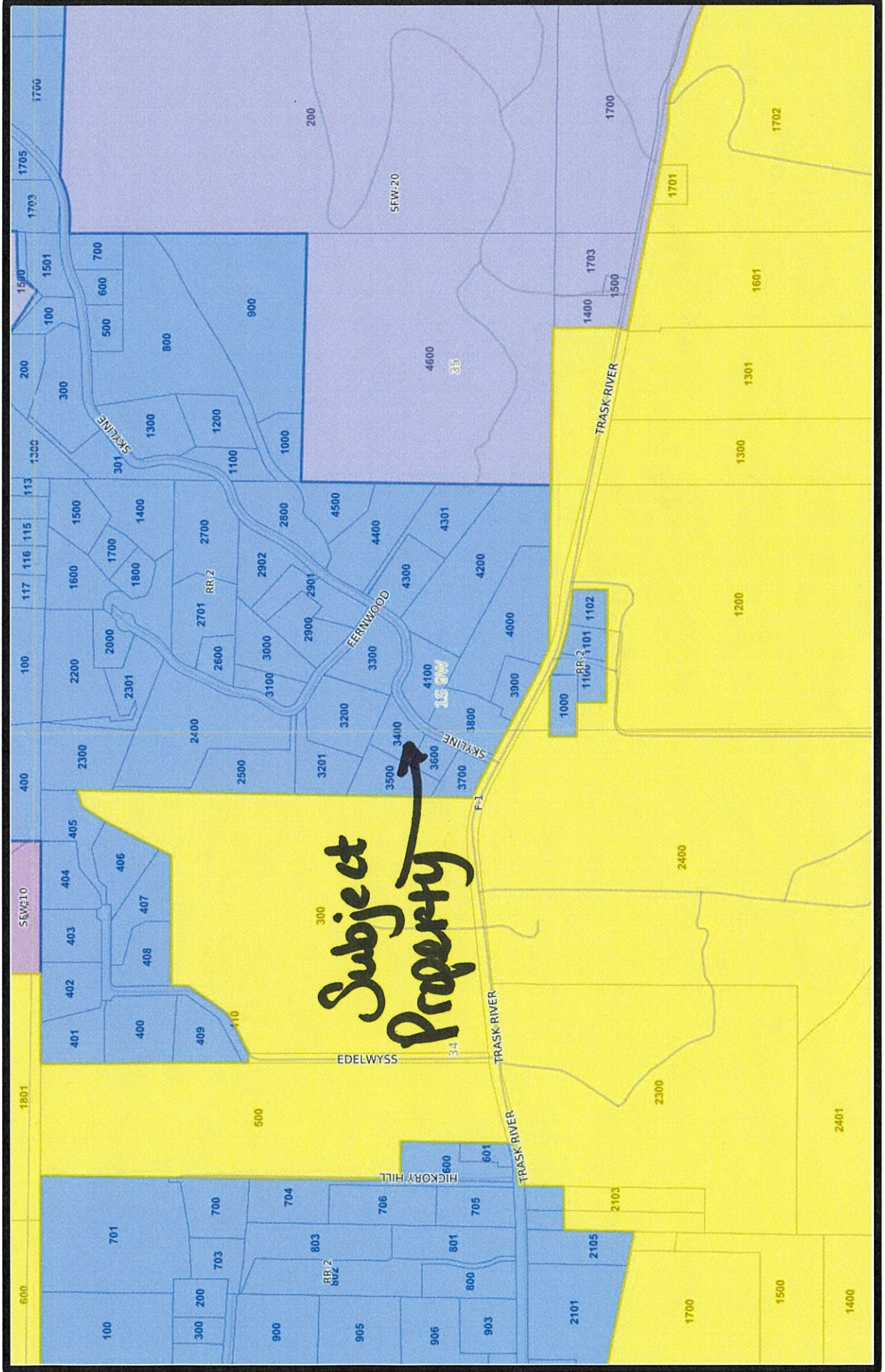
- (1) The use is listed as a **CONDITIONAL USE** in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography,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

VICINITY MAP



#851-23-000046-PLNG:
ZAKRASEK ANIMAL DAYCARE & BOARDING SERVICE
OPERATION

Map





PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	RECEIVED FEB 16 2023 BY: Counter
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <i>MSJ</i>	
Receipt #:	
Fees: <i>—</i>	
Permit No: 851- <i>23</i> - <i>000046</i> PLNG	

Applicant (Check Box if Same as Property Owner)

Name: *Rachel Zakrasek* Phone: *319-640-8532*
 Address: *rachel.zakrasek@gmail.com*
 City: *Tillamook* State: *OR* Zip: *97141*
 Email: *1980 Skyline Dr*

Property Owner

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

Request: *To operate a dog daycare and boarding business on the property, with a maximum of 5 dogs on site at any one time.*

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
- Foredune Grading Permit Review
- Neskowin Coastal Hazards Area

Type III

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

Type IV

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: *1980 Skyline Dr, Tillamook, OR 97141*

Map Number: *15* *9* *35B* *3400*
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.

[Signature]
 Property Owner Signature (Required)

2/16/23
 Date

Applicant Signature

Date

Rachel Zakrasek
1980 Skyline Dr, Tillamook, OR, 97141

Wednesday, February 15, 2023

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

Regarding Section 6.040: Review Criteria
As applies to Application for Conditional Use: Animal Daycare and Boarding Services
Updated from the original application submitted June 30, 2022.

CONDITIONAL USE REVIEW CRITERIA

NOTE: The below Conditional Use Review Criteria were submitted with the original application on June 30, 2022. Additions and edits are called out in bold.

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

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

Yes, Animal Boarding or other service is listed as a conditional use for Rural Residential 2-acre (RR-2).

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

Yes, I will be establishing an LLC to run a dog daycare and boarding business on the property. **The small, family-owned business will allow for a maximum of 5 dogs on the premises at any one time.** Dogs will stay in a detached garage in a spacious kennel and may use a separate bathroom in a detached shed for bathing/grooming. A fenced-in run in the yard will provide outdoor space. The business provides a service to the County community for pet care which is currently a need.

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

Yes, the parcel is 1.3 acres. No changes to the existing property are required. **There are adequate buildings and spaces for taking care of several dogs on the property. There is an existing driveway and adequate parking to accommodate clients' vehicles.**

(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.

No, the surrounding area is our neighborhood of personal homes with 2-acre parcels, farmland, and an excavating business. There is a fair amount of logging traffic and recreational traffic down from the property on Trask River Rd.

Please see below (“Detail for Conditional Use Criterion 4”) for details on: our efforts to consult with neighbors about the proposed use; the measures the business plans to implement to minimize impact to neighbors; and the ways this proposed use remains within the character of the surrounding area and does not substantially limit, impair or prevent the use of surrounding properties for the permitted uses listed in the underlying zone.

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

No. The single-family dwelling on site maintains an existing solar panel system on its roof. The proposed use will have no effect on the system. As of January 25, 2023, County staff reported having no record that any adjacent properties maintain the above listed facilities.

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

Yes, we have adequate facilities to accommodate a small animal daycare and boarding business. We have a well, adequate septic system, electricity, internet service and cellular reception on the property. **We have an existing weekly trash pickup service to manage dog waste. The detached garage for use by the business has easy access from the main driveway in the case of an emergency.**

DETAIL FOR CONDITIONAL USE CRITERION 4 (new as of updated application)

Efforts to consult with neighbors about the proposed use:

The original application for this conditional use raised some concerns with neighbors. We have connected with neighbors and listened to their concerns, and thank our neighbors who have worked with us to find solutions and ways to address their concerns.

Two neighbors submitted public comments concerning the original application. We reached out to both of these neighbors welcoming a conversation to learn more about their concerns and discuss ways we could address them. From conversation, the chief concern from both neighbors is noise from barking dogs. With one neighbor, we were able to find common ground

in limiting the number of dogs allowed at one time to 5, and promising to insulate the garage space with sound absorption and blocking materials. With the other neighbor, we were unfortunately unable to find any common ground. We did discuss the measures we are taking, and asked whether any other conditions would help make the proposed use acceptable, but understand the neighbor opposes the proposed use outright; they were not willing to discuss any conditions. Still, we detail below the many measures we are taking to minimize impact to this neighbor and address their specific concerns about barking.

We also solicited feedback from two other bordering neighbors that did not submit public comments. Both neighbors have no opposition to the proposed use as is and find it an acceptable use of property in this neighborhood. However, one neighbor mentioned a desire to not have outdoor noise after a certain time at night, consistent with other neighbors' comments. Another neighbor said they hoped there wouldn't be too much barking. The measures below detail how we will address these common concerns.

Measures the business plans to take to minimize impact to neighbors and the ways this proposed use remains within the character of the surrounding area and does not substantially limit, impair or prevent the use of surrounding properties for the permitted uses listed in the underlying zone:

Noise from barking dogs is the chief concern of neighbors, especially in the late evening and at night. We empathize with this concern, and have just as much interest, if not more so, in avoiding noise from barking dogs. My partner and I will be running this business here at our home - our main residence where we live year-round. While there is some heavy road traffic and noise from businesses and neighbors nearby during the day, the area does quiet down substantially at night and we value this quality and want to keep it this way just as much as our neighbors do. As such, we plan to take numerous measures to manage any impact from noise, and have agreed with our neighbors to additional conditions to manage noise, as follows:

Limiting the number of dogs.

The maximum allowed number of dogs will be limited to 5 at any given time. Some minimal barking is to be expected with dogs on site, however, by limiting the number of dogs, we automatically limit the amount of potential noise. We do not have any dogs of our own, so this maximum of 5 dogs at one time is a true total, and not in addition to personal pets.

This business is planned as a part-time business on a property that is also accommodating a bed and breakfast enterprise. When bed and breakfast guests are present, the dog daycare and boarding business may either be at lower capacity or not operate to ensure the combined use of the property is not disruptive to guests and/or neighbors.

So while 5 dogs is set as the maximum, the business anticipates an average of 3 dogs on site at any one time. Most homes in this neighborhood have at least 1 dog, and it is not uncommon for homes to have 2-4 dogs, and/or other animals including roosters and chickens, goats, geese, etc. Only one parcel away in two directions, we also have dairy farms with cows that sometimes

graze at night. All these animals make noise and it is part of the nature of this neighborhood. Welcoming a few dogs to the site at a time is therefore not outside of typical personal use of land in this area.

Hours of operation.

The business will run a dog daycare during the day with standard hours of 7:00 a.m. to 7:00 p.m. During this time, clients may drop off or pick up their pets, and dogs may engage in group play in the fenced-in outdoor dog run. Outside of these hours, from 7:00 p.m. to 7:00 a.m., any dogs boarding overnight will remain indoors except for individual potty breaks. This limits any noise from dog group play, and any noise from client vehicles, to normal daytime hours.

Private kennels and parking space.

A detached garage will be used to house 5 individual kennels and a group play area. A parking space for clients will be designated in front of this garage. The garage and parking area are located behind (and to the north) of the residential dwelling, and are not visible from the road. The hillside and existing vegetation also help shield the garage and parking area from view from surrounding neighbors. The buildings and vegetation all around the garage help abate sound travel.

Sound management in the kennels.

Sound absorption and sound blocking products will be installed in the garage. Sound absorption panels are specifically designed to absorb high-frequency sounds like a dog's bark and prevent them echoing through a space. This reverberation is actually what can lead to dog agitation in some kennels, so by preventing it, we will reduce risk of barking from the outset. These panels also absorb sound at the source, helping to abate any sound travel to neighbors. Additionally, sound blocking panels will be installed over the two small windows in the garage each night to further prevent sound travel. The business plans to source these products from Audimute (<https://www.audimute.com/>), a company that has scientifically tested the efficacy of their products in blocking specific frequencies of sound. They have worked with commercial kennels to consult on their spaces and ensure an adequate amount of the correct product is installed to have the greatest effect. These products are also highly rated for fire safety. The business has already consulted Audimute to identify the above products for the garage space, given the proposed use and known concerns of neighbors.

Each 4' x 6' kennel space in the garage will be equipped with 5' high privacy shields on either side to prevent any dog-dog irritation that can lead to barking. Large kennels also mean a more comfortable space for dogs, with plenty of space to chew on toys and rest on a bed. Happy, occupied dogs are less likely to irritate others or become excited.

Trainers will always be on site when dogs are present. Trainers will spend most of the daytime with dogs, however, during kennel rest, trainers may monitor behavior of dogs in the kennels via surveillance camera from elsewhere on site. A video surveillance camera will be installed in the garage for 24-hour surveillance of dogs and their behavior. The camera is equipped with "listen" and "talk-back" functionality for use by the business to monitor any behavior of dogs when

trainers are not present in the room. This functionality has been tested and proven highly effective in correcting behaviors and barking before they escalate, and can alert trainers to any needs to check on the dogs.

Dogs boarding overnight will get plenty of outdoor time and exercise during the day, whether in group play, training sessions, via individual walks, etc. This is a business practice to ensure the dogs have a fun, enriching experience, and by nature, they will be tired at the end of the day from both exercise and mental stimulation. This helps dogs sleep soundly through the night.

A secure and private outdoor dog run.

The business will use a fenced-in space on the lower portion of the property (to the south) as an outdoor dog run during daytime hours (7 a.m. to 7 p.m.). The area is fenced in with 6' high, reinforced horse fencing. This fencing is high and strong enough to prevent dogs from jumping or escaping over or through it. The entrance is off the driveway, and includes a double gate system to further ensure no dogs can accidentally escape the enclosure. The area is wooded with tall pine trees and other vegetation that completely shield the area from the road, and help abate sound travel uphill. The two parcels that directly border the property to the south and southwest do have some visibility into this fenced-in area. To minimize impact to these neighbors, we will install a fence privacy screen on the fencing along this southwest corner of the run. This will also help prevent dogs from becoming overly distracted by any activity on these properties and therefore help prevent any extra noise or disruption for neighbors.

Outside of the garage and dog run, dogs will be kept on leash at all times.

Dog waste will always be picked up immediately and contained in lidded trash cans on site. An existing weekly trash pickup service will manage removal of all waste.

Behavior assessment requirement.

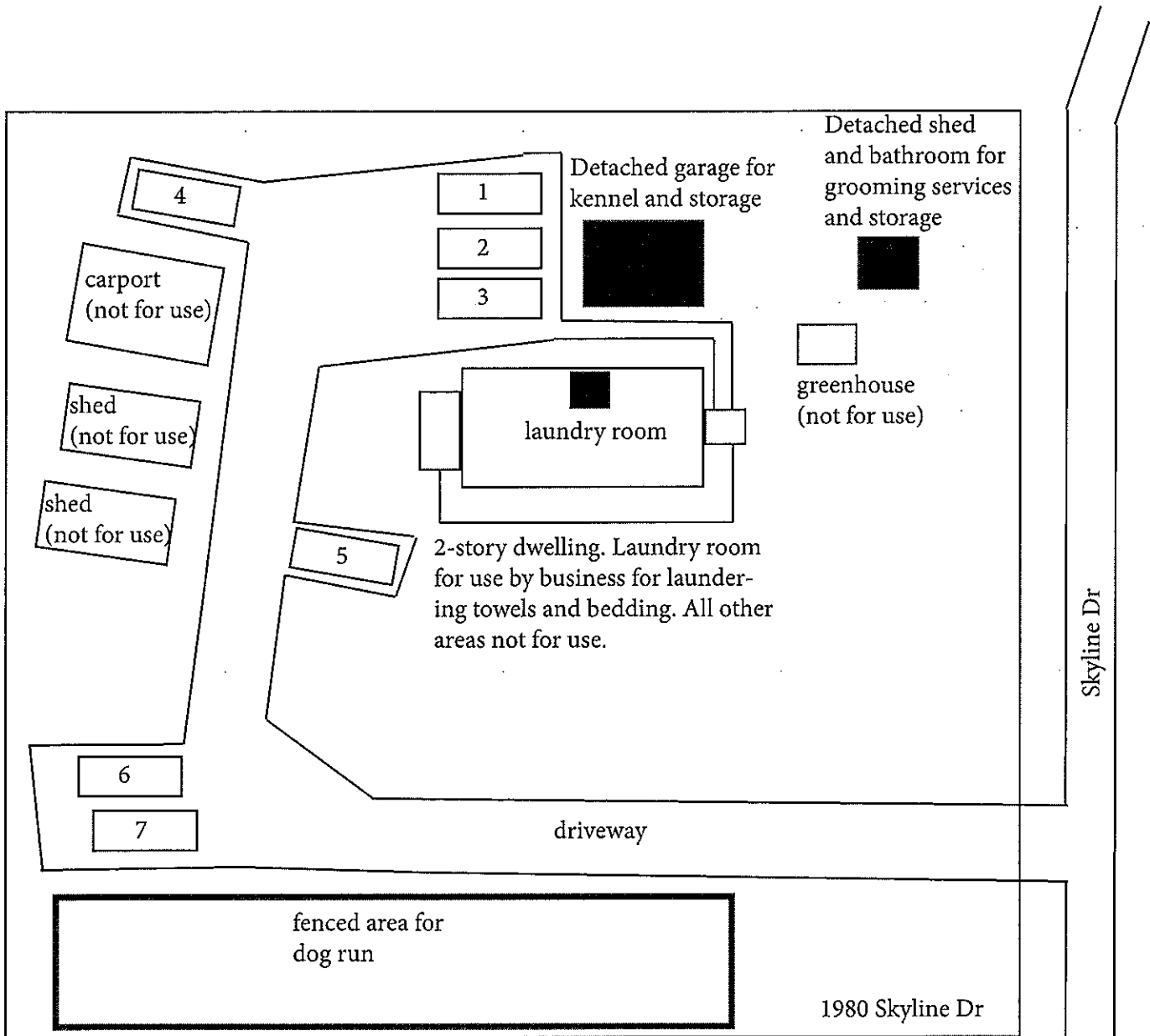
Before attending the dog daycare and boarding business, all dogs will undergo a behavior assessment. This is to assess how the dog behaves around other dogs and people, learn whether/how the dog is kennel-trained, and observe any other behaviors.

Dogs without prior experience in a dog daycare or kennel, or with behaviors such as resource guarding or separation anxiety, may be required to have training before attending the business, and/or before attending when other dogs are present.

All clients of the business must review and sign terms and conditions, agreeing that if their dog has any issues with attending the business and is unable to behave according to our standards, it may be required to leave. Examples include sustained over-excitement, continuous barking in kennels, high levels of anxiety, etc.

These measures help avoid unknown and undue risk with new dogs on the property, and help avoid scenarios that could lead to more noise.

All the above measures will minimize any noise, traffic and environmental impacts from this proposed use, and ensure the business does not substantially limit, impair or prevent the use of surrounding properties for the permitted uses listed in the underlying zone.



1-7 8' x 20' parking spaces

■ For use by Animal Daycare and Boarding Services

