



CONDITIONAL USE REQUEST #851-23-000046-PLNG: ZAKRASEK

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

May 17, 2023

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited request on May 17, 2023. A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141 and can be found on the Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps>.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before 4:00pm on **May 30, 2023**. This decision will become final on May 30, 2023, after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

Request: 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.

Location: The subject property is 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.

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

Applicant & Property Owner: Rachel Zakrasek, 1980 Skyline Drive, Tillamook, OR 97141

CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable, including any licensing from Tillamook County Community Health.
2. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for the operation of an animal daycare and boarding service. If no additional permits are required, confirmation from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the Zoning Permit application.
3. Applicant/property owner shall provide an updated Fire Letter from the Tillamook Fire District for the operation of an animal daycare and boarding service. The letter shall be provided to the Department at the time of Zoning Permit application submittal.
4. A copy of the approved site plan, illustrating the proposed development and required parking, shall be provided at the time of Zoning Permit application submittal. Applicant/property owner shall adhere to the requirements of TCLUO 4.030: Off-Street Parking & Off-Street Loading Requirements.
5. Accessory structures utilized for the operation of an animal daycare and boarding service shall be installed with sound absorption and sound blocking products as specified in the Applicant's submittal.
6. Fencing and vegetative buffers as specified in the Applicant's submittal shall be maintained on the subject property for the duration of operation of an animal daycare and boarding service.
7. Any exterior lighting will be shielded in a downward direction so as not to create glare onto adjacent properties.
8. This approval is for operation of an animal daycare and boarding service not to exceed five (5) dogs at any given time. Expansion of the animal daycare and boarding service is subject to land use review and approval.
9. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
10. Applicant/Owner shall comply with relevant standards outlined in TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone.
11. This approval shall be void on May 17, 2025, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

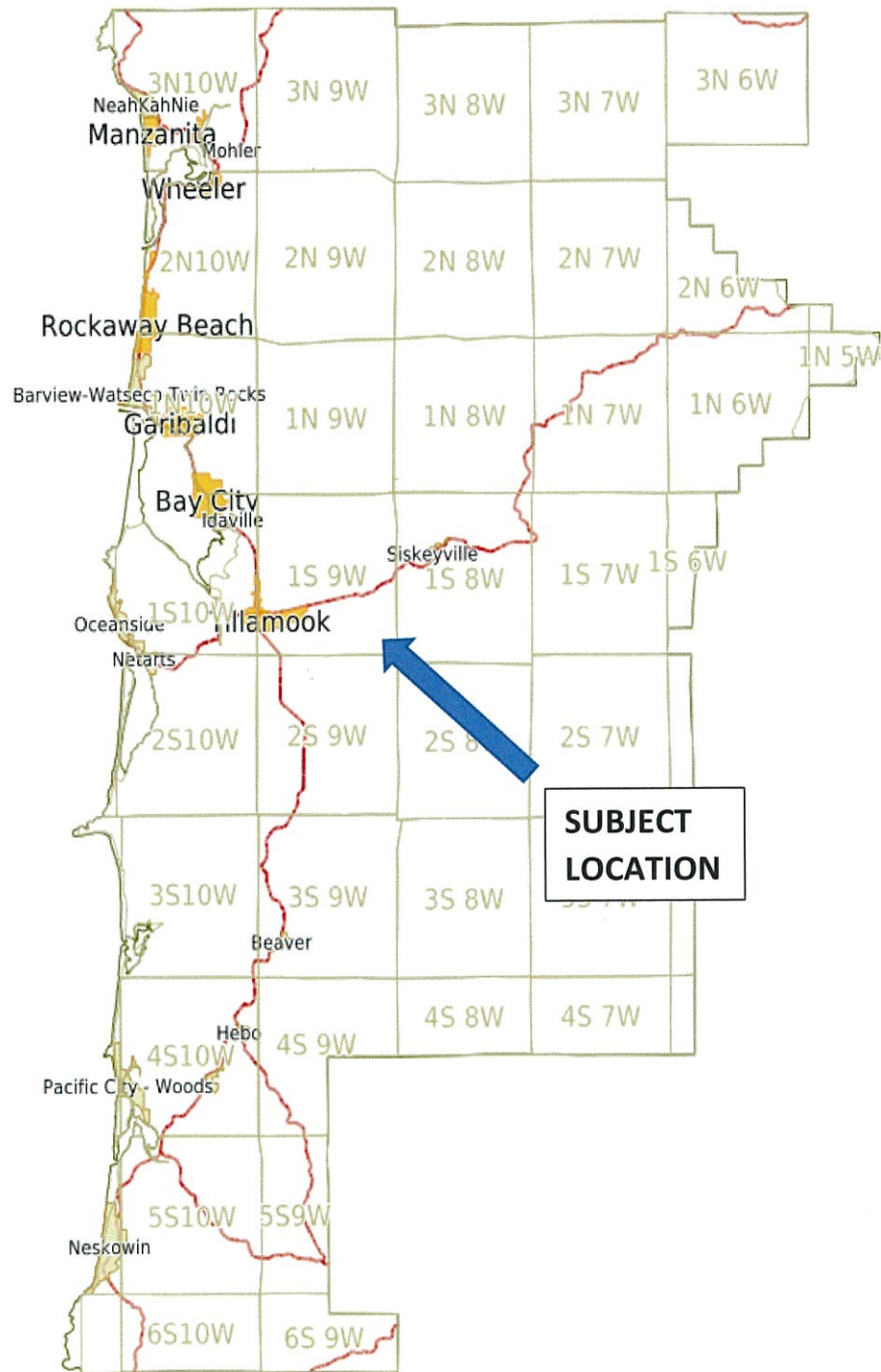
Sincerely,
Tillamook County Department of Community Development



Sarah Absher, CFM, Director

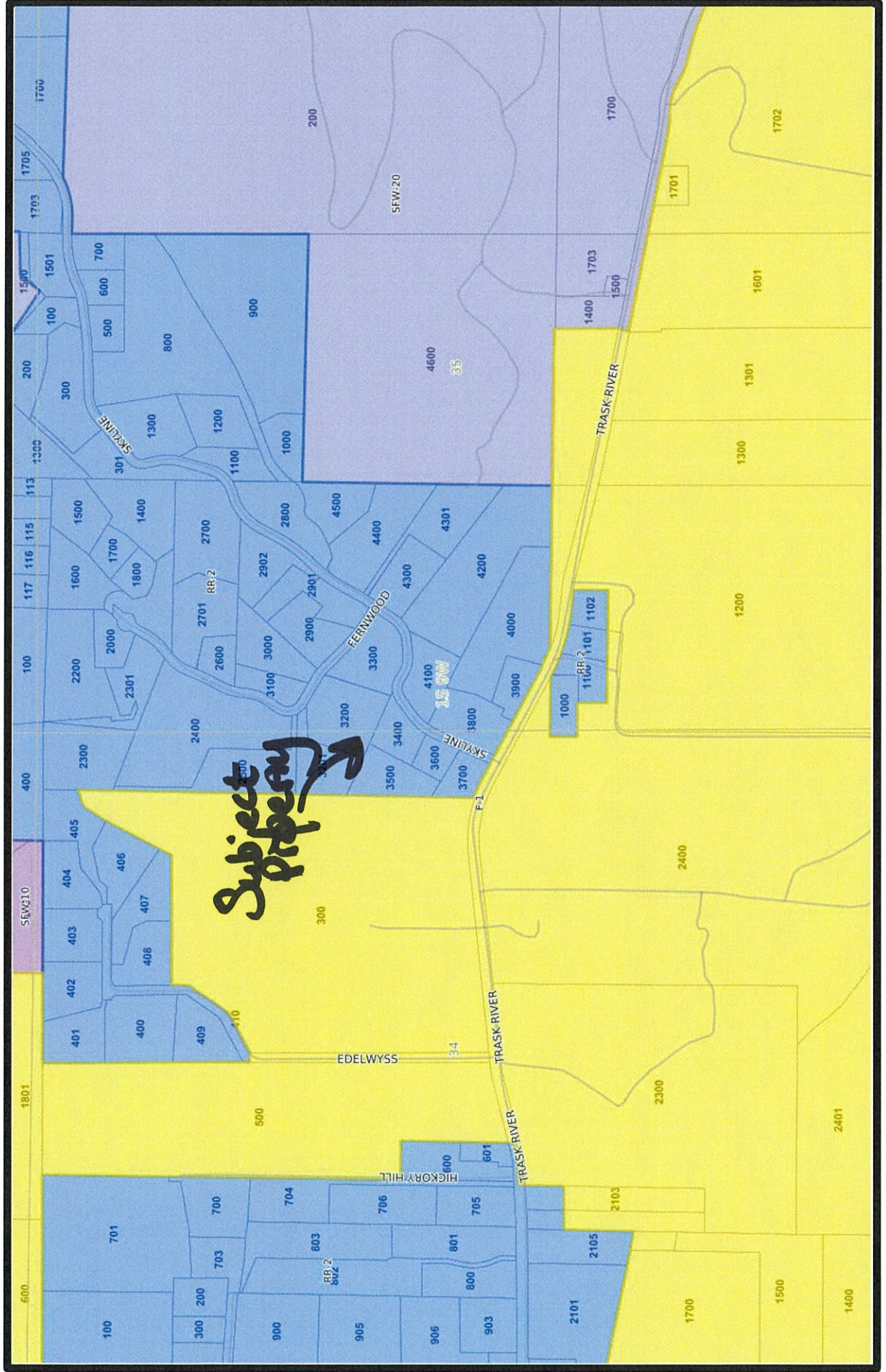
Enclosed: Vicinity & Zoning Maps

VICINITY MAP



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

Map





Land of Cheese, Trees and Ocean Breeze

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

**Conditional Use Request #851-23-000046-PLNG: ZAKRASEK
ADMINISTRATIVE DECISION & STAFF REPORT**

Decision Date: May 17, 2023

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

Report Prepared by: Sarah Absher, CFM, Director

I. GENERAL INFORMATION:

Request: A Conditional Use request for the operation of an animal daycare and boarding service with a maximum of five (5) dogs on site at any one time (Exhibit B).

Location: The subject property is 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.

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

Applicant & Property Owner: Rachel Zakrasek, 1980 Skyline Drive, Tillamook, OR 97141

Property Description: The subject property is an irregular rectangle in shape and encompasses 1.30-acres (Exhibit A). The subject property is accessed via Skyline Drive, a County road (Exhibit A). The subject property is bordered by the Skyline Drive to the east and is surrounded by developed residential properties also zoned RR-2 to the north, south and west (Exhibit A). The property has variable slope, inclining to the dwelling near the northly end of the property (Exhibit A). According to Tillamook County Assessor’s records, the subject property is developed with an existing 1,680 square foot, single-family dwelling built in 2001 as well as numerous accessory structures (Exhibit A).

There are no mapped wetlands or riparian features on the subject property (Exhibit A). The subject property is not within a Special Flood Hazard Area (SFHA), as depicted on FEMA FIRM 41057C0584F dated September 28, 2018 (Exhibit A). The property is also within an area of geologic hazard with varying terrain and slope throughout the subject property (Exhibit A). No alterations to the existing single-family dwelling are proposed that would require review for development in geologic hazard areas in accordance with TCLUO Section 4.130.

The property is adjacent to similar residential uses within the Rural Residential 2-Acre (RR-2) zone, improved with single-family residences and accessory structures (Exhibit A). Other uses in the area consist of agricultural and forest resource management practices.

Applicant is requesting Conditional Use approval for the operation of an animal daycare and boarding service with a maximum of five (5) dogs on site at any one time (Exhibit B).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- B. Section 4.020 Signs
- C. Section 4.030 Off-Street Parking and Loading
- D. Article VI: Conditional Use Procedures and Criteria

III. ANALYSIS:

A. Section 3.010: Rural Residential 2-Acre (RR-2) Zone

PURPOSE: The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes....

(3) USES PERMITTED CONDITIONALLY: In the RR-2 zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all applicable supplementary regulations contained in this Ordinance.

...

(l) Animal hospital, kennel, or other animal boarding service.

...

Findings: The proposed request is subject to Conditional Use provisions contained in Article 6 of the TCLUO. Conditional Use Review Criteria found in Article 6 are discussed below, and all other applicable standards.

B. Section 4.020 Signs

The purpose of these supplemental regulations governing signs is to promote scenic values; to prevent unsafe driver distraction; to provide orientation and directions to visitors; to facilitate emergency response; and in general to provide for the placement of necessary SIGNS in appropriate areas. These provisions shall not be construed to preclude the placement of street address SIGNS in locations that can be readily seen by operators of emergency vehicles, provided that such placement does not impair efforts to maintain roads, drainage ways, or brush-free road right-of-ways.

Findings: Applicant has not proposed specific signage in conjunction with operation of an animal daycare and boarding service for up to five (5) dogs at any given time (Exhibit B). Staff finds that any future proposal for signage is subject to the standards of TCLUO 4.140: Signs. Staff finds that these standards can be met through compliance with Conditions of Approval.

C. Section 4.030: Off-Street Parking & Off-Street Loading Requirements

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

Findings: TCLUO Section 4.030 does not provide specifications for operation of an animal daycare and boarding service. Applicant's site plan depicts seven (7) 8-foot by 20-foot parking spaces to serve the dwelling, operation of a bed and breakfast enterprise consisting of one (1) bedroom and the animal daycare and boarding service operation (Exhibit B). Staff finds that a minimum of two (2) off-street parking spaces are required for the residential dwelling unit and one (1) off-street parking space is required for the approved bed and breakfast enterprise for a total of three (3) parking spaces, leaving four (4) additional parking spaces for the operation of an animal daycare and boarding service (Exhibit B).

TCLUO Section 4.030(4) states that in the event several uses occupy a single structure or parcel of land, the total parking requirements shall be the sum of the requirements of the several uses computed separately. Joint use of the same parking and loading spaces by more than one use may be permitted, provided that the hours of operation of the separate uses do not overlap, and that satisfactory legal evidence is presented to the Department to establish the joint uses. Applicant's submittal indicates the operation hours of the animal daycare and boarding service will be limited to customer traffic from 7:00am to 7:00pm, and that operation of these services will be limited or not offered at the same time the bed and breakfast enterprise is also in use (Exhibit B).

Given the size of the property and location of improvements, Staff finds that there is adequate area to maintain the proposed four (4) parking spaces for the operation of an animal daycare and boarding service as well as the required parking spaces to satisfy parking requirements outlined in TCLUO Section 4.030 for both the bed and breakfast enterprise and required parking for the existing dwelling. Staff also finds that a condition of approval can be made to require the minimum of seven (7) parking spaces be maintained on the subject property for operation of multiple uses.

D. Article VI Conditional Use Procedures and Criteria

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

Section 6.020 Procedure requires public notice in accordance with TCLUO Section 10.070 which requires notification of the request to be mailed to landowners within 250 feet of the subject property, to allow at least 14 days for written comment, and requires staff to consider comments received in making the decision.

Findings: Notice of the request was mailed to property owners and agencies on March 23, 2023. Comments received are included in "Exhibit C". Comments outline concerns regarding noise, reduction in property values, need to contact animal control due to the attraction of the dog facility by roaming dogs in the neighborhood, management of dog waste, placement of kennels on steep sloped areas and incompatibility of uses with the potential development of a shooting range on an adjacent property (Exhibit C). Comments related to the Conditional Use criteria are addressed below.

Section 6.040 Review Criteria

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

Findings: As discussed above, Staff finds that the proposed operation of an animal daycare and boarding service is a use allowed conditionally in the Rural Residential 2-Acre (RR-2) zone. Staff concludes that this criterion has been met.

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

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

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

Findings: The subject property is an irregular rectangle shape, approximately 1.3 acres, and is improved with a single-family dwelling and accessory structures (Exhibits A & B). The subject property is accessed via Skyline Drive, a County road (Exhibit A). The subject property is bordered by the Skyline Drive to the east and is surrounded by developed residential properties also zoned RR-2 to the north, south and west (Exhibit A). The property has variable slope, inclining to the dwelling near the northly end of the property (Exhibit A). According to Tillamook County Assessor's records, the subject property is developed with an existing 1,680 square foot, single-family dwelling built in 2001 as well as numerous accessory structures (Exhibit A). The subject property is also improved with an on-site sanitation system and is located within a water district.

Applicant is proposing operation of an animal daycare and boarding service for up to five (5) dogs at any given time (Exhibit B). Applicant states there are adequate buildings and space for taking care of the dogs on the subject property as well as adequate area for parking and maneuvering of vehicles (Exhibit B). Applicant explains the dogs will stay in a detached garage and may use a separate bathroom in a detached shed for bathing/grooming. Applicant adds a fenced-in run in the yard will provide outdoor space (Exhibit B).

Public comments received include concerns about the development of kennels and use on steep sloped areas of the property (Exhibit C). Based upon the Applicant's submittal, Staff finds no additional development is proposed as all uses will take place in areas already improved (Exhibit B).

Staff finds a condition of approval can be made to confirm there is adequate sanitation for the operation of an animal daycare and boarding service for up to five (5) dogs at any given time, and that prior to operation documentation from the Tillamook County Onsite Wastewater Treatment Manager is submitted to the Department confirming adequacy of the existing onsite sanitation system treatment improvements to support dog bathing/grooming operations. Staff concludes that this criterion has been met and can be met through the Conditions of Approval.

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 area surrounding the subject property is also zoned Rural Residential 2-Acre (RR-2) and consists of properties of similar size and shape also improved residential development (Exhibit A).

Residential improvements are located within the northerly portion of the subject property and are surrounded by dense vegetation that also serves as a buffer to surrounding properties (Exhibit A). Recreation, agricultural and forest resource management uses are also prevalent in the area.

Applicant states that there is an existing fair amount of traffic in the vicinity due to existing residential homes, farmland operations and a nearby excavation business. Applicant details that the operation of an animal daycare and boarding service will not disrupt uses on other properties (Exhibit B).

No exterior alterations are proposed to the existing accessory structures proposed to be used for the operation of an animal daycare and boarding service (Exhibit B). All uses can and will continue to be accommodated within the boundaries of the subject property. The limited use of the operation of an animal daycare and boarding service does not substantially alter the residential character and function of the residential uses on the subject property.

Applicant's submittal includes a detailed account of mitigation measures to address neighbor concerns as well as their efforts to better understand concerns of adjacent landowners (Exhibit B). Applicant states primary concerns by neighbors are noise and barking dogs. Mitigation measures include installation of sound absorption and sound blocking materials in the accessory structure where the dogs will be placed (Exhibit B). Applicant is also proposing to limit the number of dogs at any given time to reduce noise impacts to adjacent properties. Applicant is proposed a private outdoor dog run and maintenance of vegetative buffer between the subject property and adjacent properties (Exhibit B). Other measures include a behavior assessment of dogs, limiting hours of operation from 7:00am to 7:00pm, and maintenance of parking spaces so all parking activities can take place on the subject property (Exhibit B).

Based upon the findings outlined above, Staff finds that the proposed operation of an animal daycare and boarding service 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 residential, resource, recreational and other uses on the surrounding properties or uses listed in the underlying zone. Staff concludes that this criterion has been met.

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

Findings: Staff has on record that the single-family dwelling maintains an existing solar panel on its roof. Staff do not have record that any adjacent properties maintain such facilities (Exhibit A). Applicant states that the operation of an animal daycare and boarding service will not impact such facilities (Exhibit B). Staff concludes that this criterion has been met.

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

Findings: Staff finds the area is served by Tillamook County Sheriff's Department, Oregon Department of Transportation and Tillamook County Public Works, Tillamook People's Utility District and Tillamook Fire District for fire protection services. The subject property is served by an existing onsite wastewater treatment system (sanitation) and water from a special district.

Staff finds these services have long been established in the area. Upon review of the Applicant's proposal, no additional public services and facilities are needed to support operation of an animal daycare and boarding service. As stated above, a Condition of Approval has been made to ensure the existing onsite wastewater treatment system is adequate to accommodate dog bathing and grooming services. Staff concludes this criterion has been met.

IV. DECISION: APPROVED WITH CONDITIONS

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

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. The forms and fees must be filed in the office of this Department before **4:00 PM on May 30, 2023.**

V. CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable, including any licensing from Tillamook County Community Health.
2. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for the operation of an animal daycare and boarding service. If no additional permits are required, confirmation from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the Zoning Permit application.
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10. Applicant/Owner shall comply with relevant standards outlined in TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone.

11. This approval shall be void on May 17, 2025, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

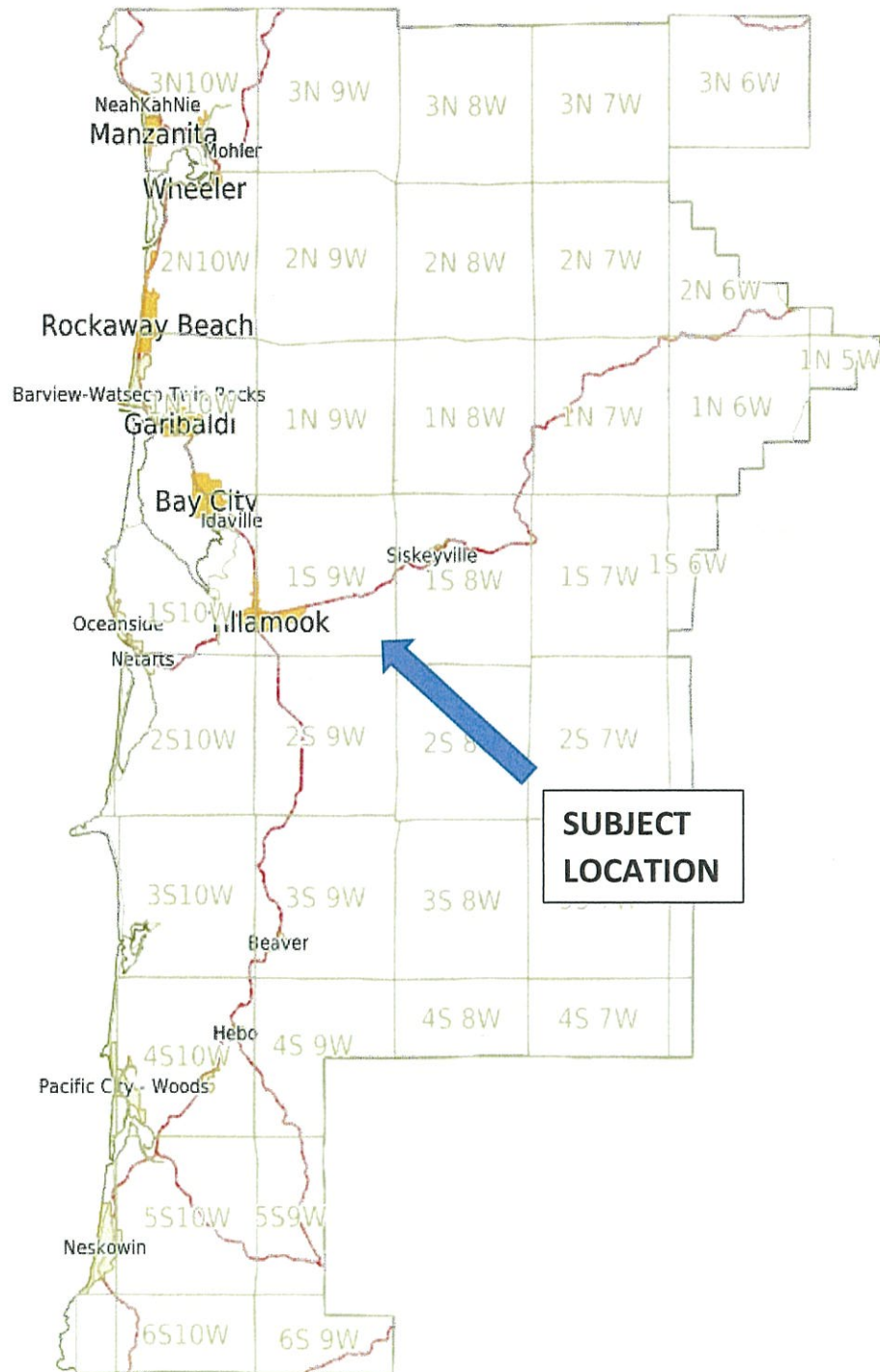
VI. EXHIBITS

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

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

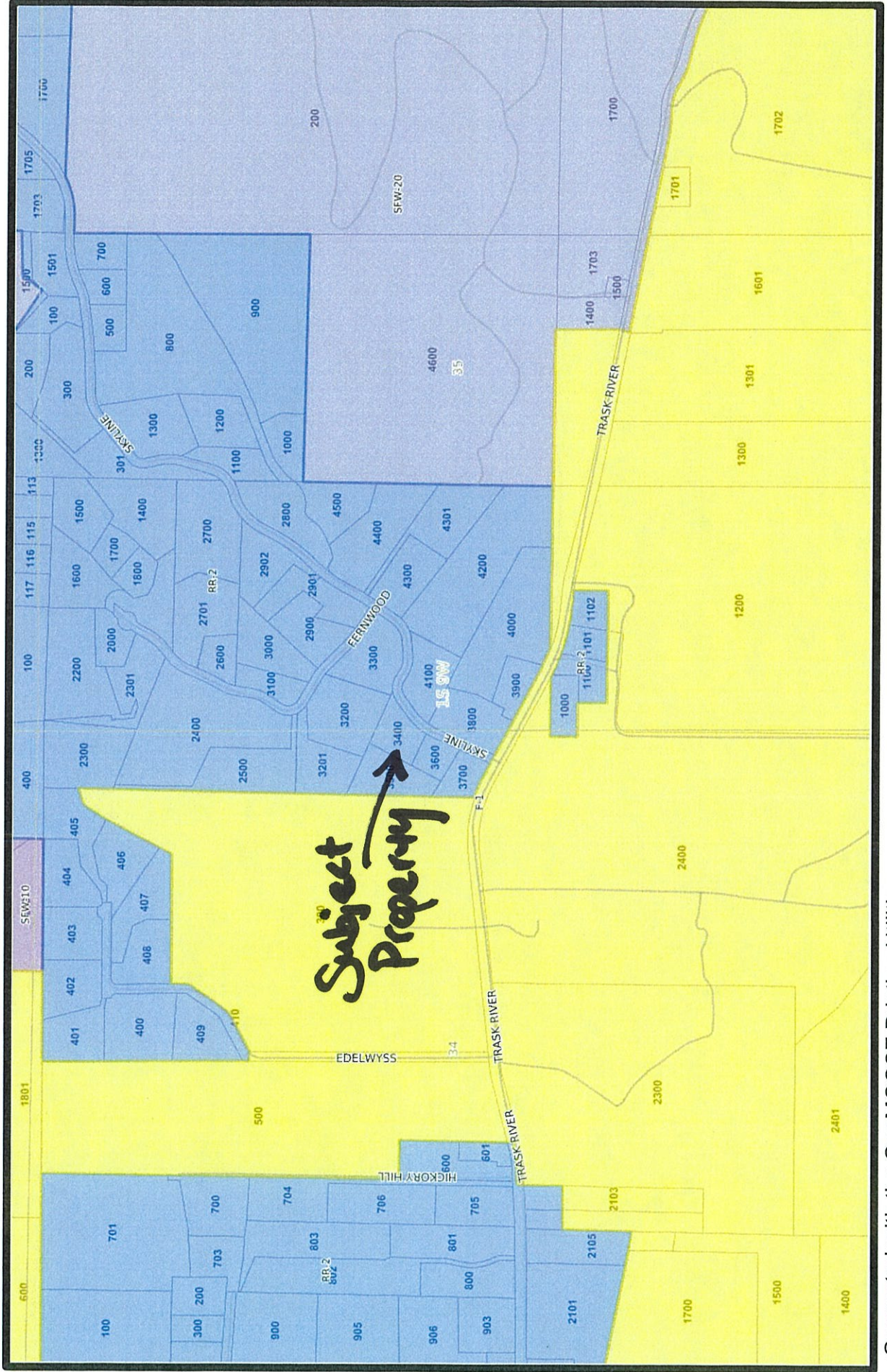
EXHIBIT A

VICINITY MAP



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

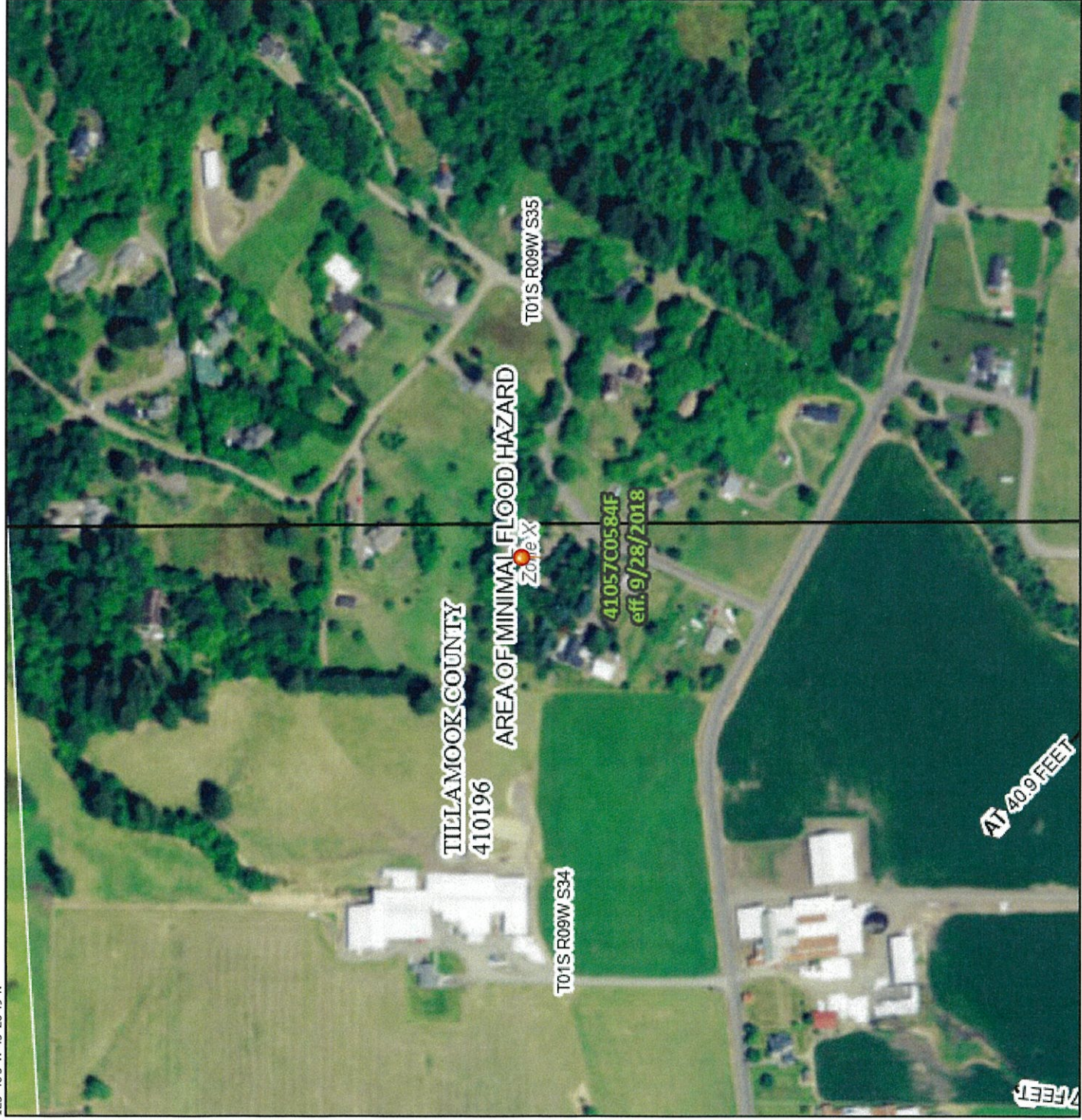
Map



National Flood Hazard Layer FIRMette



123°46'3"W 45°26'49"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

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

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 D

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 OF FLOOD HAZARD

NO SCREEN
Zone X

Area of Minimal Flood Hazard
Zone X

Effective LOMRs

Area of Undetermined Flood Hazard
Zone X

OTHER AREAS

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

GENERAL STRUCTURES

20.2
17.5
8

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

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

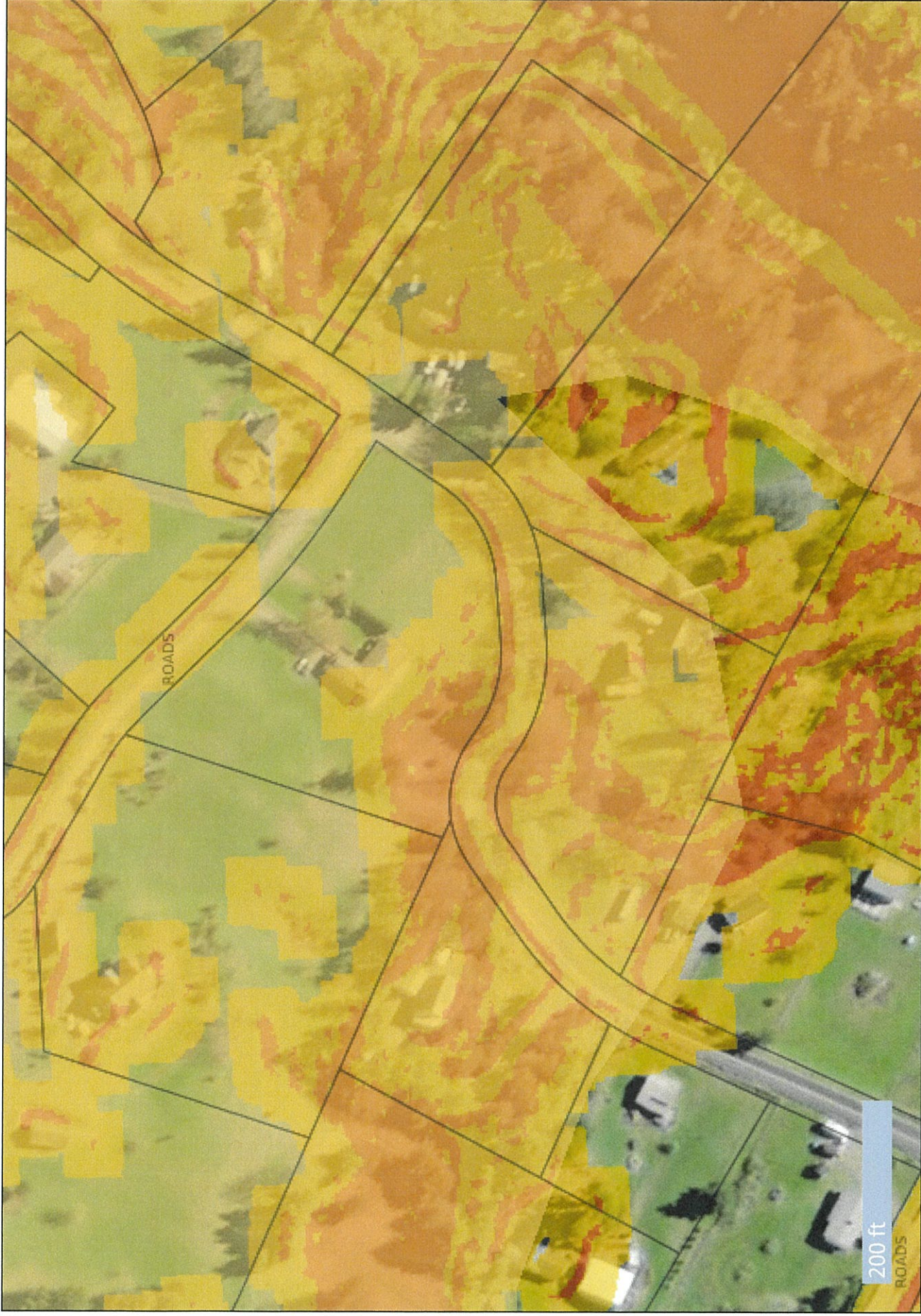
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 1/25/2023 at 6:04 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

Geologic Hazard Areas



200 ft

ROADS

Disclaimer: The spatial information hosted at this website was derived from a variety of sources. Care was taken in the creation of these themes, but they are provided "as is." The state of Oregon, or any of the data providers cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or underlying records. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying any of these products. However, notification of any errors would be appreciated. The data are clearly not intended to indicate the authoritative location of property boundaries, the precise shape or contour of the earth or the precise location of fixed works of humans.

Statewide Wetlands Inventory



R. Sounther, Department of State Lands, Esri, F.E.R.S., Gemini, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, R. Sounther 2018

	Townships
	LWM Study Area
	NHD Springs/Seeps
NHD Streams and Rivers	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	NHD Area
	NHD Waterbody
Wetlands	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Predominantly Hydric Soil Map Units
	SWI Agate-Winlo Soils



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



Date: 1/25/2023



State of Oregon
 Department of State Lands
 775 Summer Street, NE, Ste 100
 Salem, OR 97301-1279
 (503) 986-9200

Tillamook County
2022 Real Property Assessment Report
 Account 160051

Map 1S0935B003400
 Code - Tax ID 0912 - 160051

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing ZAKRASEK, RACHEL
 1980 SKYLINE DR
 TILLAMOOK OR 97141

Deed Reference # 2020-9385
 Sales Date/Price 12-03-2020 / \$380,000
 Appraiser ELIZABETH LOFTIS

Property Class 401 MA SA NH
 RMV Class 401 01 AC 102

Site	Situs Address	City
1	1980 SKYLINE DR	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
0912	Land	90,540			Land	0
	Impr	358,430			Impr	0
Code Area Total		448,970	220,360	220,360		0
Grand Total		448,970	220,360	220,360		0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0912					LANDSCAPE - FAIR	100			500
	1	<input checked="" type="checkbox"/>		RR-2	Market	110	1.30 AC		77,540
					OSD - AVERAGE	100			12,500
Code Area Total							1.30		90,540

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0912	1	2001	133	One and 1/2 story	158	1,680			317,830
	3	2002	382	MULTI-PURPOSE SHED	158	112			2,700
	4	2002	382	MULTI-PURPOSE SHED	158	112			2,700
	5	2008	382	MULTI-PURPOSE SHED	158	288			5,840
	6	2000	382	MULTI-PURPOSE SHED	158	192			3,800
	7	2007	382	MULTI-PURPOSE SHED	158	48			4,390
	8	2002	346	GPB IN RESIDENTIAL USE	158	336			21,170
Code Area Total						2,768			358,430

Exemptions / Special Assessments / Notations				
Code Area	0912			
Exemptions (AV)			Amount	
■ ALTERNATIVE ENGERGY SYSTEMS 307.175			0	
Special Assessments			Amount	Acres Year Used
■ SOLID WASTE			12.00	0.00 2022

Tillamook County
2022 Real Property Assessment Report
Account 160051

Comments

06/24/03 - Home is 100% complete. GPB at 25% complete 01/01/03. Added accessories & MPS sheds. KL
05/20/04 - GPB is complete. KL
03/01/12 Added new enclosed porch; applied the minor exception. Updated inventory & tabled OSD; RMV changes only. Added exemption notation for alternative energy system; no change to RMV. RBB
12/12/12 - Reviewed per owner request. Changed NH from 135 to 131; RMV changes only. RBB
02/20/16 - Reapp. of land w/tabled values. RCW
3/8/21 - Sales review. Updated inventory and increased effective year built on MPS's, and moved GPB to residential - RMV changes only. EJ

EXHIBIT B



PLANNING APPLICATION

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

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.

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.

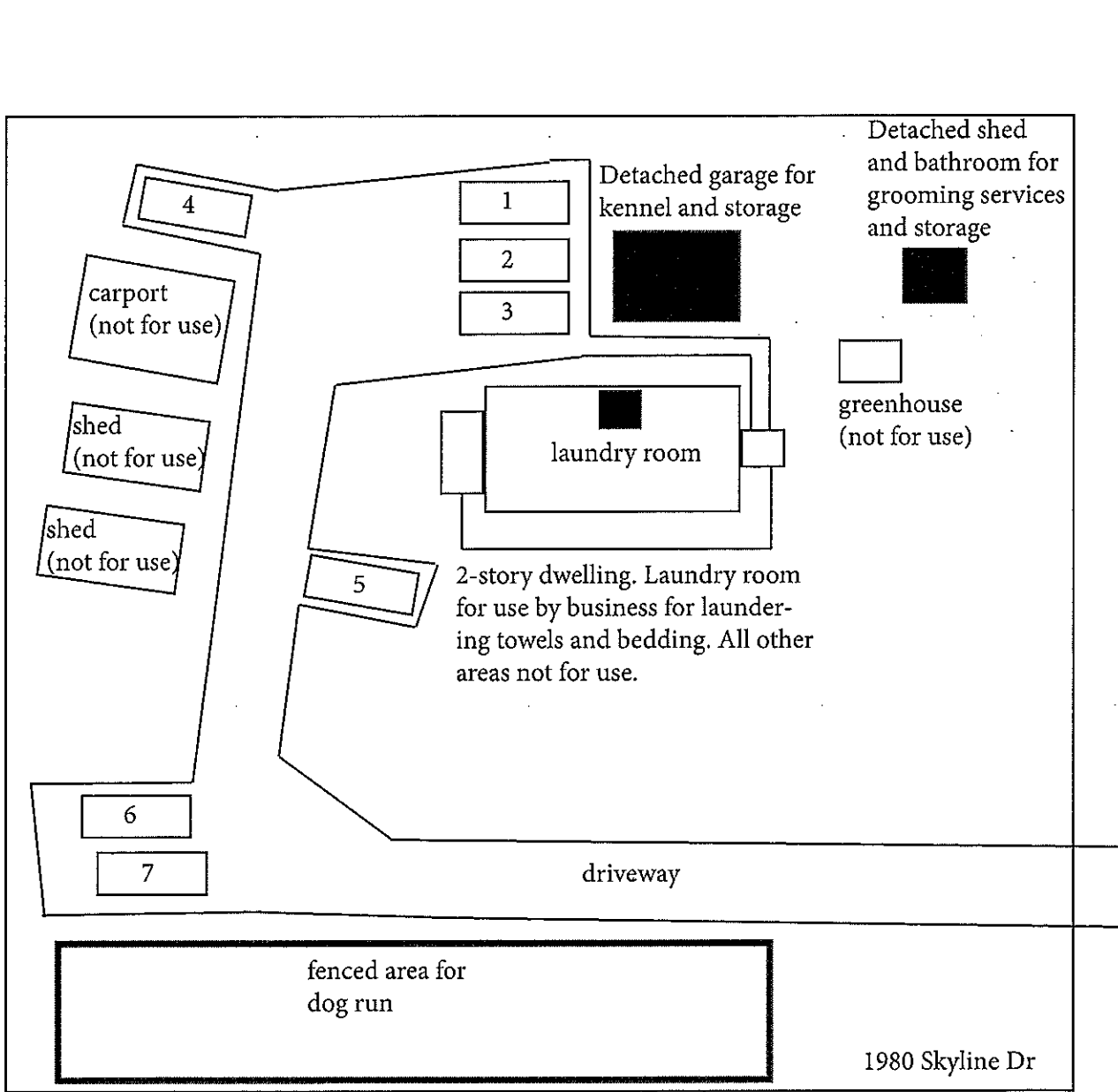
Behavior assessment requirement.

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.



1-7 8' x 20' parking spaces

■ For use by Animal Daycare and Boarding Services

EXHIBIT C

March 28, 2023

Dear Department of Community Development,

Recently I received a notice of a Conditional Use Request (#851-23-000046-PLNG) for an animal daycare and boarding service. We share a fence line with the subject property and it is at the lower half of our property, just below our home. We already can hear activity below as any noise travels up. The thought of a dog kennel with multiple dogs who do not live with one another is very stressful. I have been to a dog kennel before and even with just a few dogs staying there it is noisy and chaotic with constant barking. This would take away the peacefulness of our property. We purchased our property and built our dream home 17 years ago and do not feel it is fair that we will have to hear the neighbors dog kennel noise through our bedroom window. I am a real estate broker and know what something like this as a neighbor can do to the value of a property. Also, who will monitor that there are only 5 dogs? Originally they were planning on 15 animals. Is there someone who will check on this if it is approved, or do you just say they can have 5 and its up to them to follow the 5 dog limit? It just does not seem fair that we have to share a fence line just a short distance apart and we do not have a choice in the matter. I appreciate you hearing our opinion and truly hope you do not allow this kennel to open.

Sincerely,

A handwritten signature in black ink that reads "Darin and Kristi Moore". The signature is written in a cursive, flowing style.

Darin and Kristi Moore
TL #3200
1690 Fernwood Drive
Tillamook, OR 97141

RECEIVED

APR 03 2023

March 28, 2023

Dear Department of Community Development,

I am writing to you today because I received a letter regarding the Conditional Use Request (#851-23-000046-PLNG) for an animal daycare and boarding service. We own lots TL#3200 and TL#3201 which border the subject property. We built our dream home 17 years ago on TL#3200 and in the future we intend on building a home on TL#3201 in the for parents. The proposed dog kennel will reduce the value of our property, as dogs will bark and we will not be able to change it. I am a real estate broker and recently showed a home that had multiple dogs in kennels as a neighbor. All I could hear was dogs barking. I have a clear vision of how this could be as a neighbor. I cannot imagine multiple dogs who do not live together normally, temporarily staying together in a strangers location will be quiet. Please do not allow this to be approved. Our peaceful neighborhood may not be peaceful any longer. It does not seem fair that we would have to hear barking dogs. We are too close in proximity. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Darin and Kristi Moore". The signature is written in a cursive, flowing style.

Darin and Kristi Moore
TL#3201

Sarah Absher, Director CFM
Department of Community Development
1510 – B Third Street
Tillamook OR 97141

Dear Director Absher,

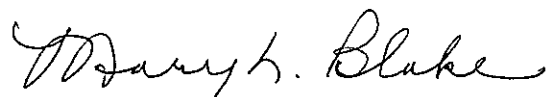
This letter is in response to the Conditional Use request #851-22-000281-PLNG for animal daycare and boarding services at 1980 Skyline Drive. While my property at 1705 Fernwood Drive does not border the address of the requestee, I can easily see their house.

I strongly oppose this facility. While most neighbors here are considerate and keep their dogs fenced and quiet, others allow their dogs to roam freely. I can imagine the chaos and din of neighborhood dogs being attracted to the facility dogs. The calls to Animal Control would be constant.

Further concerns are that the 1980 address property has become increasingly unkempt and overgrown. If the new owners do not keep their present yard maintained, how would they manage an entire animal facility and dispose of the waste? Also, that property is on a steep grade. Where would they add kennels?

I, along with my neighbors, ask that you deny this request. It is not an appropriate facility to put into our close neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Blake".

Mary L Blake
1705 Fernwood Drive
Tillamook, OR 97141

3-29-23

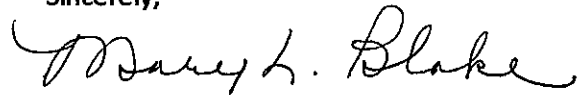
Dear Director Absher,

I am reposting my letter as I see 1980 Skyline Drive is again requesting a dog boarding facility on that property. The concerns remain. Will anyone make sure they have only five dogs? I, and my neighbors, strongly oppose a dog boarding facility being installed so close.

Another concern is that Darin Moore, 1690 Fernwood Drive, is installing a shooting range on his property. We presently hear long, loud bursts from high powered guns – if a bullet was inadvertently fired into the air, it would come down where families, pets, livestock live. Law Enforcement has their range on Port property where a misfire is contained. Is a shooting range allowed up here? Is that within your jurisdiction? Imagine the kennel dogs reacting to the shooting.

Again, I ask that you deny the request to install a dog boarding facility at 1980 Skyline Drive.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Blake". The signature is written in black ink and is positioned to the right of the typed name.

Mary L. Blake