

BEFORE THE PLANNING COMMISSION
OF TILLAMOOK COUNTY, OREGON

IN THE MATTER OF A CONDITIONAL USE REQUEST FOR THE REPAIR AND CAPACITY EXPANSION OF AN EXISTING FACILITY (PACIFIC CITY TRANSFER STATION) FOR SOLID WASTE DISPOSAL AND RECYCLING, AND FOR THE SITING OF A STORAGE STRUCTURE FOR EMERGENCY SUPPLIES LOCATED AT 38255 BROOTEN ROAD, A COUNTY ROAD, EAST OF THE UNINCORPORATED COMMUNITY OF PACIFIC CITY/WOODS, ZONED SMALL FARM AND WOODLOT 20-ACRES (SFW-20) AND DESIGNATED AS TAX LOT 2400 OF SECTION 32A, TOWNSHIP 4 SOUTH, RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON.)))))))))))	FINDINGS OF FACT, CONCLUSIONS AND ORDER #851-23-000123-PLNG
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APPLICANT: David McCall, Tillamook County Solid Waste Program Manager, 503 Marolf Loop Road, Tillamook, OR, 97141

PROPERTY OWNER: Tillamook County, 201 Laurel Avenue, Tillamook, OR 97141

The above-named applicant/property owner applied to the Tillamook County Department of Community Development requesting Conditional Use approval for the repair and capacity expansion of an existing facility (Pacific City Transfer Station) for solid waste disposal and recycling, and for the siting of a storage structure for emergency supplies. Located east of the Unincorporated Community of Pacific City/Woods at 38255 Brooten Road, a County road, the subject property is designated as Tax Lot 2400 in Section 32A of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. A public hearing on the above-mentioned matter was held before the Tillamook County Planning Commission on June 22, 2023.

The Tillamook County Planning Commission considered this request on the basis of the criteria listed in Section 6.040: Conditional Use Review Criteria and Section 3.004(8) of the Tillamook County Land Use Ordinance (TCLUO) and relevant development standards contained within the TCLUO and Tillamook County Comprehensive Plan. The Planning Commission also considered this request on the basis of the findings of fact and conclusions contained within the staff report, written testimony received during the public comment period, oral testimony taken at the June 22, 2023, hearing, and the Applicant’s presentation.

After consideration of all available evidence described above, the Planning Commission then voted unanimously in favor to approve Conditional Use request #851-23-000123-PLNG, the vote carrying 5 to approve and 0 opposed, subject to the Conditions of Approval contained in “Exhibit A” of 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 of notice for this decision.

DATED this 29th of June, 2023.

TILLAMOOK COUNTY PLANNING COMMISSION



Kurt Heckerth, Chairperson

“EXHIBIT A”

ADOPTED 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. Applicant/Owner shall obtain all required Federal, State, and Local permits.
2. Applicant/Owner shall obtain an approved consolidated Zoning and Building Permit from the Tillamook County Department of Community Development prior to development of the subject property.
3. A site plan, drawn to scale, illustrating the proposed setbacks and fire breaks shall be provided at the time of consolidated Zoning and Building Permit application submittal. Applicant/Owner shall maintain the primary fuel-free break area surrounding all structures in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry.
4. Letters from the Oregon Department of Forestry and the Nestucca Rural Fire Protection District confirming fire control service to the site is required at the time of consolidated Zoning and Building Permit application submittal.
5. An updated water letter from the Oregon Water Resources Department confirming water availability is required at the time of consolidated Zoning and Building Permit application submittal.
6. Development of the property shall adhere to relevant development standards in TCLUO Section 3.004: Forest (F) Zone, TCLUO Section 3.006: Small Farm and Woodlot 20-Acre (SFW-20) Zone, and the relevant standards contained in TCLUO Section 3.140: Development Requirements for Geologic Hazard Areas.
7. In accepting this Approval, the Applicant/Owner understands intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use. Applicant/Owner hereby acknowledges that practices may involve but are not limited to the application of herbicides or fertilizers (including aerial spraying), road construction, changes in view, noise, dust, odor, traffic, and other impacts related to a farm zone. Applicant/Owner acknowledges use of this property may be impacted by such activities and is accepting of that fact. In the event of conflict, Applicant/Owner understands preference will be given to farm and forest practices.
8. This approval shall be void on June 22, 2025, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.