



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

Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REVIEW REQUEST #851-23-000101-PLNG:
Kuhn Temporary Mobile Kitchen Unit**

*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: May 22, 2023**

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

#851-23-000101-PLNG: A Conditional Use request for the placement and operation of a Temporary Mobile Food Unit, on a property within Unincorporated Tillamook County located at 34775 Brooten Road, a County road, and designated as Tax Lot 7900 in Section 19CD of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Pacific City / Woods Commercial One Zone (PCW-C1). The applicant and property owner is Tyler Chasen Kuhn.

Written comments received by the Department of Community Development prior to 4:00p.m. on June 5, 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, June 6, 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 parcel 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, appearing to read 'Sheila Shoemaker', is written over a blue circular stamp. Below the signature is the printed name 'Sheila Shoemaker, Land Use Planner'.

Sarah Absher, Director, CFM

Enc. Applicable Ordinance Criteria, Maps
#851-23-000101-PLNG - Kuhn

REVIEW CRITERIA

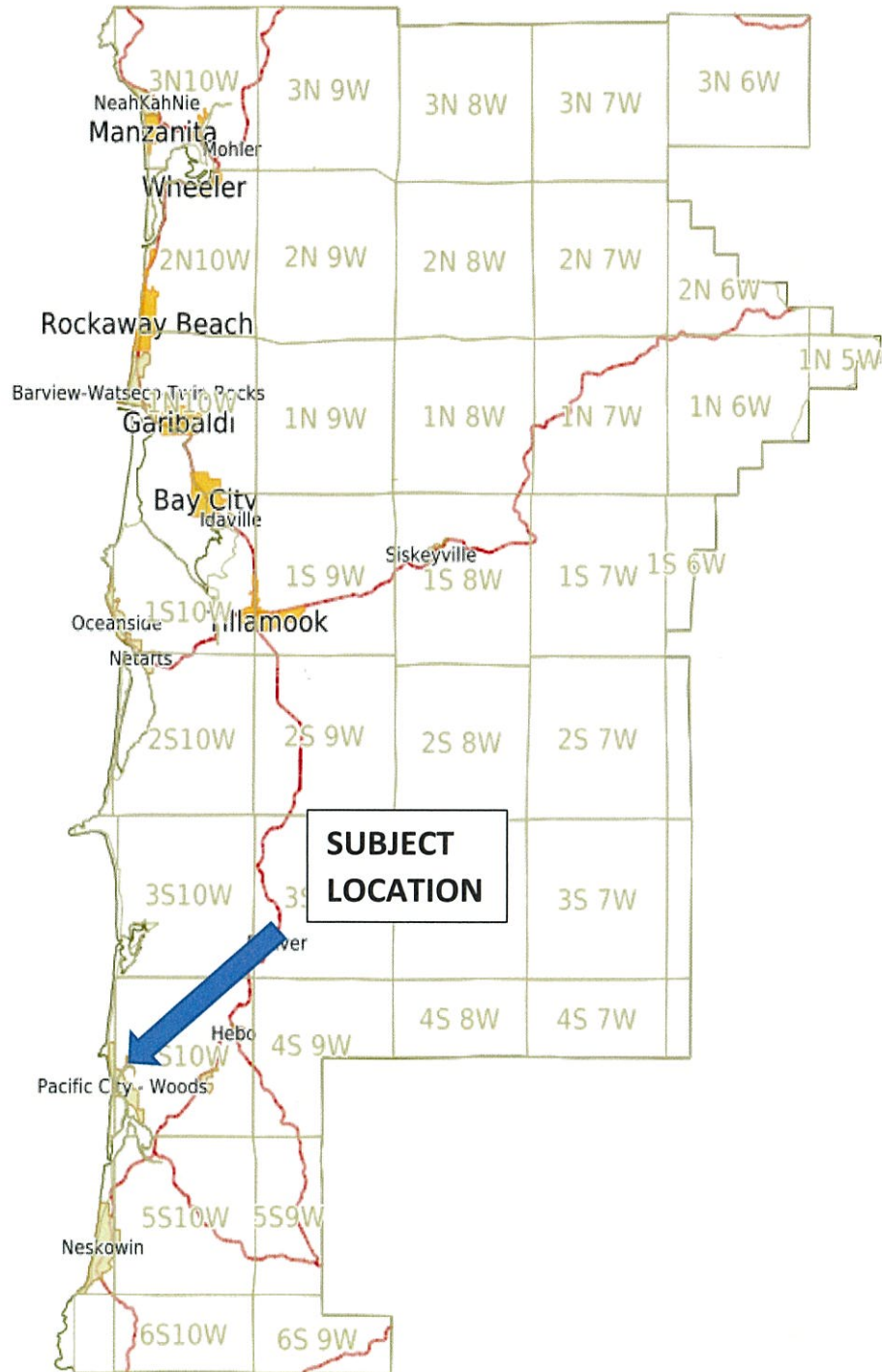
TCLUO ARTICLE VI:

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

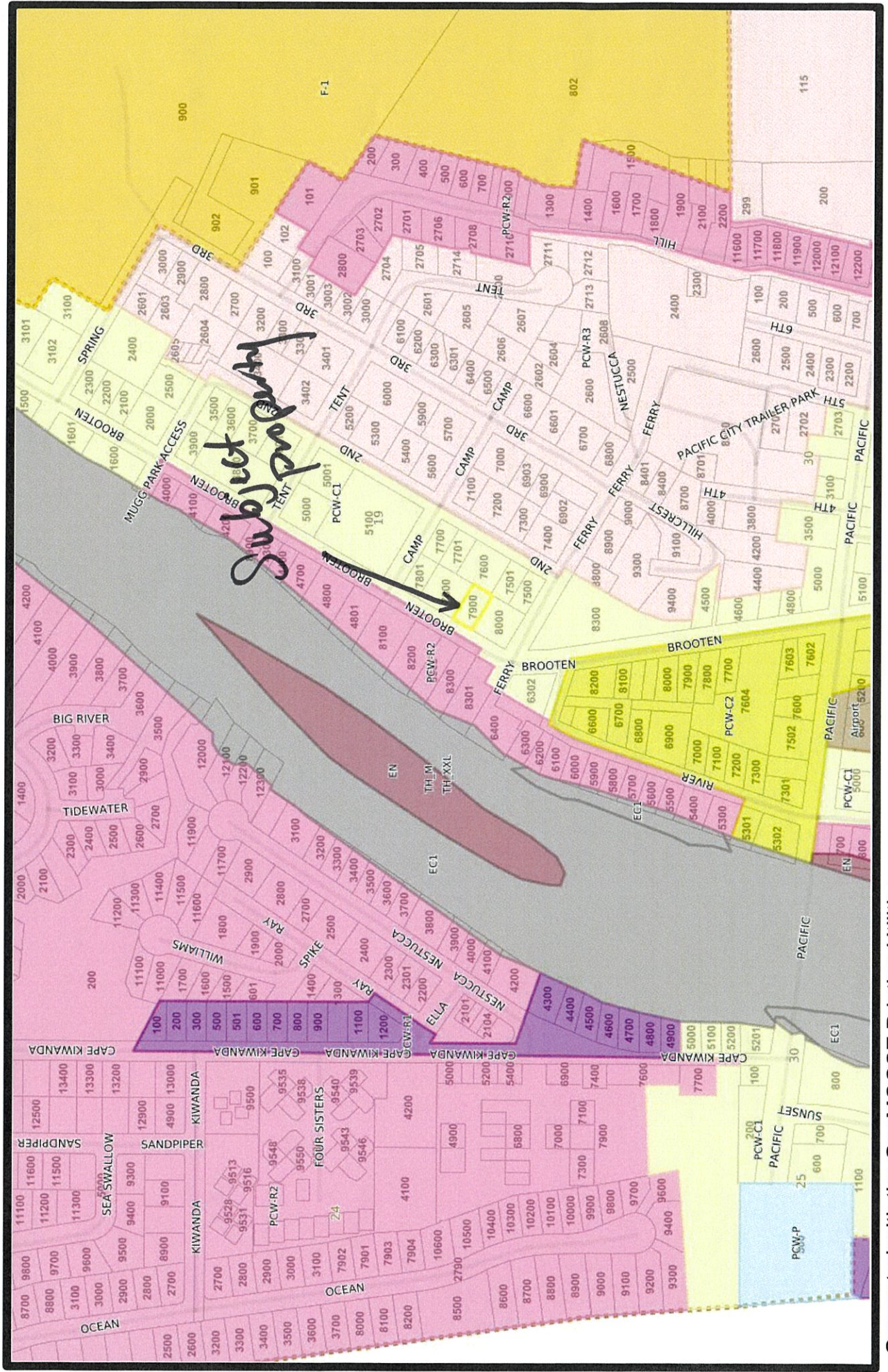
VICINITY MAP



#851-23-000101-PLNG:
Kuhn

Map

MOOSEMAPPING





PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #: 1315205	
Fees: 1500.	
Permit No: 851-23-000101-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: TYLER Phone: (805) 585-0337
 Address: 34775 BROOKEN ROAD
 City: PACIFIC CITY State: OR Zip: 97135
 Email: TYLER.KUHNSIS@GMAIL.COM

Property Owner

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

Request: MOBILE FOOD CART

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: 34775 BROOKEN ROAD PACIFIC CITY
 Map Number: 4510 1900 7900
Township Range Section Tax Lot(s)

Clerk's Instrument #: _____

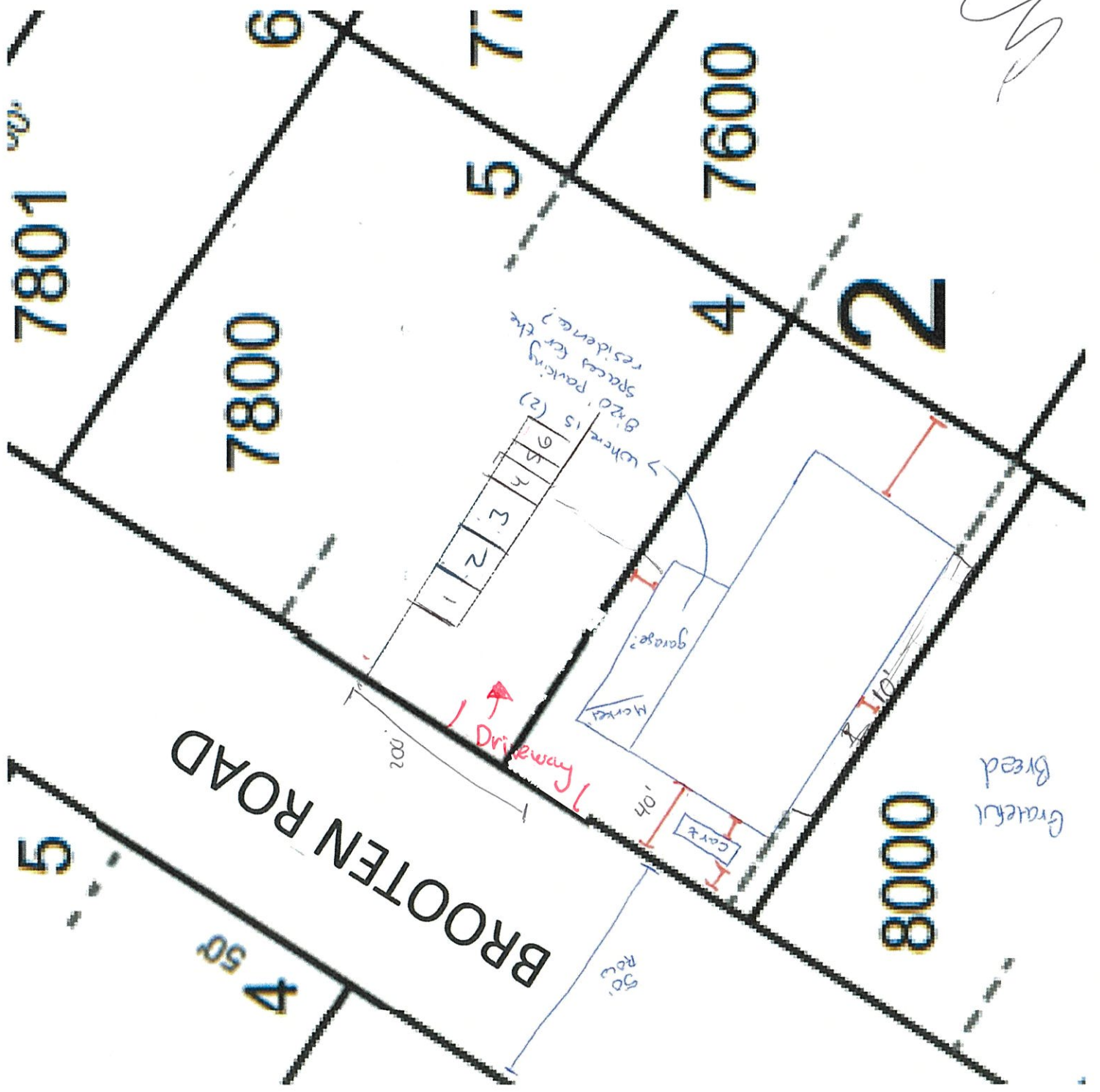
Authorization

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.

 Property Owner Signature (Required) 4-4-23
Date

 Applicant Signature Date

Handwritten signature



Gravel Bred

- 1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.

I am applying for Conditional Use in our underlying zone. I am applying with the belief that my Taco Truck will have no negative affect on the surrounding community. The property is located right next to the Greatful Bread and Bakery. The farmers market, River house, Sportsman, and many other local business are on the same street all within a quarter mile it makes sense to add another pure local business to the area.

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

The operation of my taco truck could not fit into the goals and policies of the comprehensive plan more precisely. For many generations Pacific City took pride in its commercial dory fleet. A cannery was right across the street from this property until the late 70s. Myself and a handful of others have been keeping the commercial dory fleet alive. This taco truck would serve my catch as well as many other dory fishermen potentially growing the ports dwindling fleet. This leap over the middle man directly from the sea to the public enable's visitors and locals the freshest fish possible and also allows us to give these local fishermen the highest value for their catch. I know that this will be a welcomed addition to the community for historic and monetary reasons.

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

My property is flat and located on Brooten Road which is the main commercial hub in Pacific City. My lot has no water run-off issues and little to no changes will be necessary. The Mobile unit will have plenty of room for parking and will be more than adequate for the safe entering and exiting of traffic. I have attached a sketch of the properties boundaries as well as the leased property adjacent to the property by both my current business West Fish Company and the future taco truck business for parking and traffic flow. The diagram is drawn to scale. The Greatful Bread and Bakery already have an abundance of customers entering and exiting right next door with little to no issue. There is ample room for cars to pull in and do a 3 point turn in space provided and not have to back onto Brooten road.

- 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.

If anything, the dory caught taco stand will improve the character of the surrounding area. All neighbors love what we are doing with the fish market and are on board with the taco truck. The property next door is a vacant lot and on the other side of me is a bakery and restaurant. Across the street are two houses on the river that are set so far back that they can't even see operations, it would be impossible for anyone to block neighboring driveways due to limited space on the side of the road. My intention is to be open a few days a week in the spring, summer and fall. I will only serve fresh local caught fish. We will open and sell until we are out of product. Dory boats will deliver through the week at all times of the day we can coordinate with our fishermen when the best times and delivery methods would be according to traffic at the market and the taco truck. Other supplies will be purchased by myself.

- 5) N/A

6) The proposed use is timely, considering the adequacy of public facilities and services existing

Public facilities will not be overwhelmed by the to-go only taco truck only open a few hours a day a couple days a week seasonally. Most to all customers will not be foot traffic local facilities at the cape will provide ample relief for customers.

STREET

ENTER



BRISTOL ROAD

120'

8-10'

24'

TACO TRUCK AREA

BOUSE

PARKING

FISH MARKET

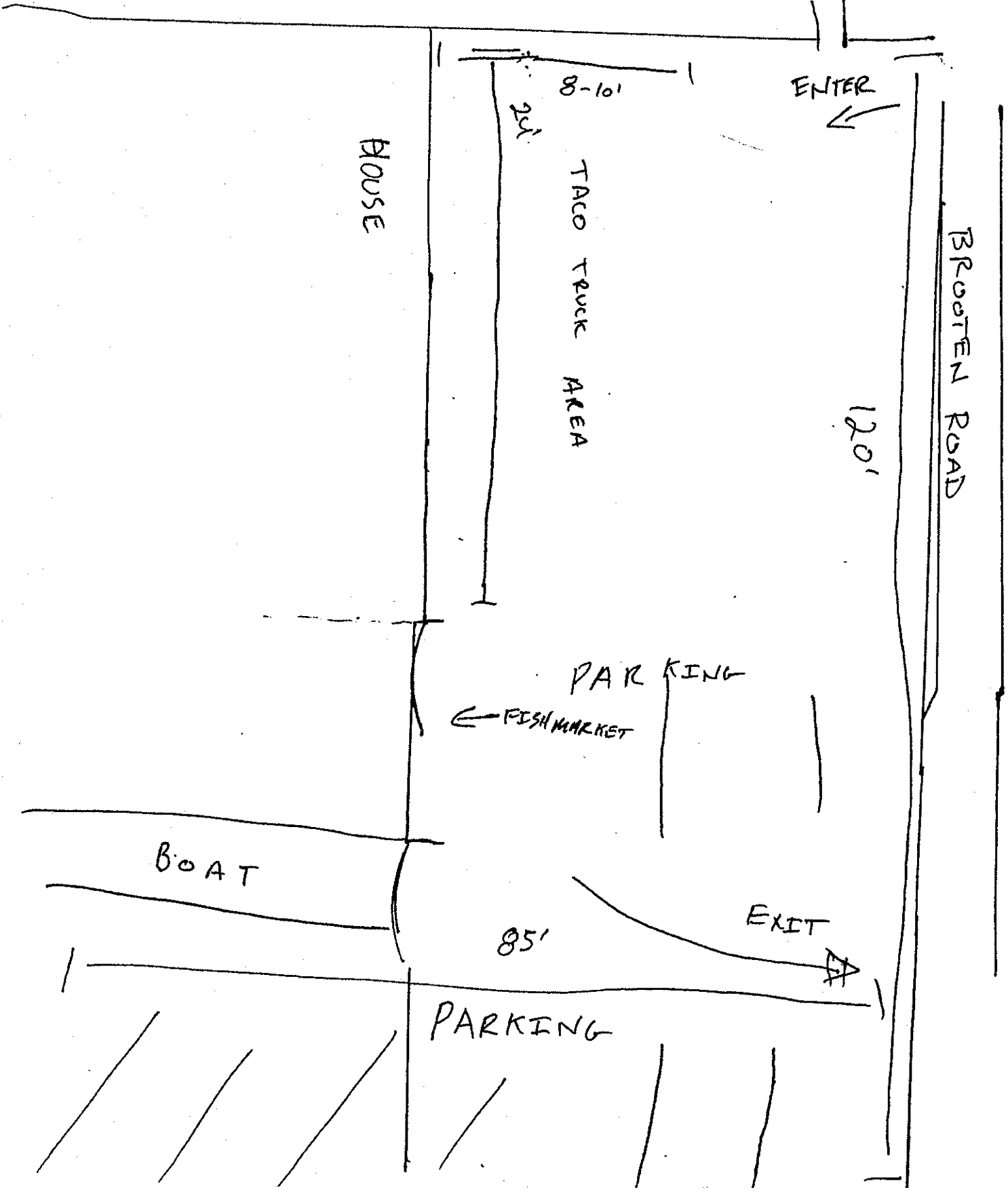
BOAT

EXIT



85'

PARKING





Tillamook County Public Works

503 Marolf Loop Road, Tillamook, OR 97141

County Road Phone: 503-842-3419

Solid Waste Phone: 503-815-3975

Fax: 503-842-6473

Email: pubwks@co.tillamook.or.us

TTY Oregon Relay Service

Land of Trees, Cheese, and Ocean Breeze

April 4th, 2023

Tyler Kuhn & Gerald Branch
PO Box 131
Pacific City, OR 97135

RE: Road Approach Permit #6594
Brooten Road - City; Tillamook County Road #887
T04S R10W Sec. 19CD, Tax Lot #7800

Dear Tyler & Gerald:

Tillamook County Engineering staff review of your Road Approach Permit Application and a field site evaluation is complete with the following conclusion.

This permit is issued to authorize the construction of one new road approach to access the tax lot as identified on the above noted Tillamook County Assessor's map, a copy of which is marked up and included as part of this permit. The road approach approved under this permit is a preliminary to any permanent construction or installation which will be required to be reviewed and appropriate land use and development permits issued by the Tillamook County Department of Community Development.

No portion of the right of way of Brooten Road is to be used for overnight or weekend storage of materials, equipment or extended daytime staging. Any material staged is required to be processed onto the subject parcel in a timely manner subject to condition #2 below.

This commercial access straddles the shared property line for tax lots #7900 and #7800. The owner of #7900 has provided documentation of a lease allowing for access and use of a portion of lot #7800 as an overflow parking area for their business and a future food cart endeavor.

The full width of this approach will have to be paved from the existing road surface to the private property line in accordance with Ord#44.VIII.K.2.a. The paved approach must slope down from the existing road surface at a grade of 2% until it reaches the centerline of the existing culvert, after which it should rise again. The transition between grades may not exceed a difference greater than 8%.

By this reference, your signed application and proposed road approach plan are incorporated into this permit.

Road Approach permit #6594 is **Approved** with the following conditions:

1. With the issuance of this Road Approach Permit it is the sole responsibility of the applicant to verify and comply with all local, state, and federal land use regulations and related permit requirements. The issuing of this Road Approach Permit in no way relieves the applicant from applicable land use laws or regulations that may pertain to the lands accessed by the construction of the herein approved road approach.
2. Blocking any road under Tillamook County Jurisdiction for more than 30 minutes is considered a road closure that must be authorized by the Public Works Department preceded by appropriate residential and emergency service notification. As the permit holder you are required to receive prior authorization from public works for any road closure.

3. A pre-construction site meeting is required to be scheduled between myself and the contractor to finalize driveway grade and alignment.
4. Road Approach construction materials and geometry are defined on the attached specification sheet and should be followed carefully. Storm water control as depicted on the submitted site plan is approved by the public works department for construction.
5. FINISHED grade of the approach from the existing edge of the County Road to the Right of Way line is to be -2%.
6. No concrete work or landscaping is allowed in the county right of way without prior approval.

IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO ARRANGE FOR ANY NECESSARY UTILITY LOCATES PRIOR TO EXCAVATION.

ATTENTION: 2007 Oregon Revised Statutes Chapter 757, requires you to follow rules adopted by the Oregon Utility Notification Center (OUNC). Those rules are set forth in Oregon Administration Rules Chapter 952, Division 1. You may obtain copies of the rules by calling 811 or logging on to the O.U.N.C. website at <http://www.digsafelyoregon.com/>

Before commercial use of the road approach, all improvements of the road approach shall be completed, except paving. [As stated in Ordinance #44 on page 6 & 7, Section V-E.]

Applicant or their contractor shall contact this office with a 48-hour advance notice for inspections as required prior to accessing the structure.

- A. Phase I inspection is for sub-grade prior to rock base and verification of the sight distance.
- B. Phase II inspection of completed rock base and approach grade.
- C. Final Completion of all requirements by 18 months from date of issue.

No structures, fencing, concrete, masonry, brickwork, landscaping, nor roadside hazards are permitted within the road right-of-way. All mailboxes must meet approved "break-a-way" standards for impact by vehicles.

If you have any questions, please feel free to contact or leave a message for Tillamook County Public Works at the above number between the hours of 8:00 a.m. and 4:30 p.m. Monday thru Thursday.

Sincerely,



Jasper J. Lind
Engineering Technician

Cc: Sheila Shoemaker, Department of Community Development, by email

Residential Road Approach Permit #6594

The road approach covered by this permit shall be built in accordance with Tillamook County Ordinance #44 & constructed with the following dimensions and specifications

Public Road Brooten Road
 Road Number 887
 Paved X Rocked _____
 Mile Post n/a Eng. Station n/a
 Side of Road West
 Ditch Flow: Ahead N/A Back N/A

Applicant Tyler Kuhn / Gerald Branch
 Contractor OWNER'S CHOICE
 T = 4S R = 10W
 Section = 19 CD
 Tax Lot = 7800

Ordinance #44 Plan View Dimensions

W = <u><30'</u>	R1 = <u>15'</u>
A ° = <u>90°</u>	Dd = <u>N/A</u>
Drw = <u>± 15'</u>	R2 = <u>15'</u>

Public Right of Way Width = 50'

Posted Traffic Speed 25 MPH
 Intersection Distance 165' NE
 Required Sight Distance N/A FEET
 Observed Sight Distances

	Right	N/A	Left	N/A
--	-------	-----	------	-----

Culvert Exst'g / Req'd Existing

Culvert: N/A Concrete
N/A Corrugated Galvanized Metal
N/A Corrugated HDPE Dual Wall

Length N/A Diameter N/A

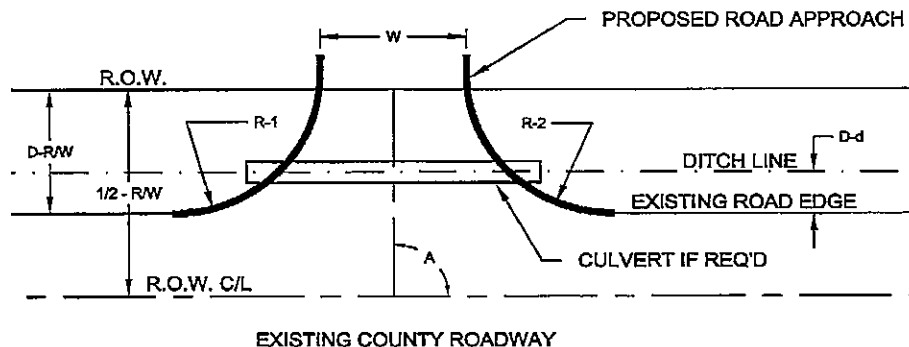
PHASE INSPECTION (subgrade)
 Date _____ BY _____
 FINAL INSPECTION (culvert & rock placement)
 Date _____ BY _____
 PAVING INSPECTION (if required)
 Date _____ BY _____

Base Fabric Required	<u>N</u>	(Y / N)
ROCK BASE: Size & Type	<u>3" - 0"</u>	
Compacted Depth	<u>9"</u>	
FINISH ROCK: Size & Type	<u>3/4"-0"</u>	
Compacted Depth	<u>3"</u>	

ASPHALT CEMENT PAVEMENT	
Compacted Depth	<u>N/A</u>
Number of Lifts	<u>N/A</u>

NOTE: All placed aggregates are to be free of bio-mass and compacted to 95% Dry Density

ROAD APPROACH PLAN VIEW



Application Permit No. RA 6594 Road No. 887

ROAD APPROACH APPLICATION AND CONSTRUCTION PERMIT

NOTICE

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 4S RANGE 10 WEST, W.M. SECTION 19 CD TAX LOT NO. 7800

TYLER KUHN / GERALD BRANCH

(NAME OF APPLICANT/PROPERTY OWNER)
P.O. Box 131 BROOKEN ROAD PACIFIC CITY OR. 97135

(MAILING ADDRESS AND PHONE NUMBER)
WESTFISHCO@GMAIL.COM

(EMAIL ADDRESS)

(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;
- The location of the traveled road in the road right-of-way;
- All existing and proposed road approaches;
- All existing and proposed structures;
- The existing and proposed drainage ditching and culverts
- The distance from the center of the road approach to the nearest property corner.

THE PROPOSED APPROACH ROAD LOCATION MUST BE STAKED AND FLAGGED ON THE SITE. A \$583.00 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.

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

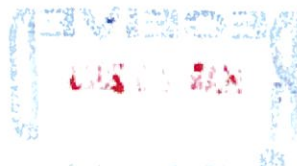
REVISED 01/2017

RECEIVED
MAR 20 2023
[Signature]

WILSONVILLE OUTDOOR ENTERPRISES INC
PROFITSHARING PLAN'S TRUST

Gerald Branch Gerald Branch

This is the signature of lot #7800 landowner.



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 affected 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.

 3-20-23

APPLICANT (PROPERTY OWNER ONLY) DATE

FOR DEPARTMENT USE ONLY
APPLICATION APPROVED:  04/03/2023
PUBLIC WORKS DEPARTMENT DATE

PHASE II COMPLETION REQUIRED BY: _____ COMPLETED: _____

(Phase II must be completed prior to construction access)

FINAL COMPLETION REQUIRED BY: _____

PERMIT NUMBER: RA 6594

FINAL COMPLETION INSPECTED AND APPROVED: _____

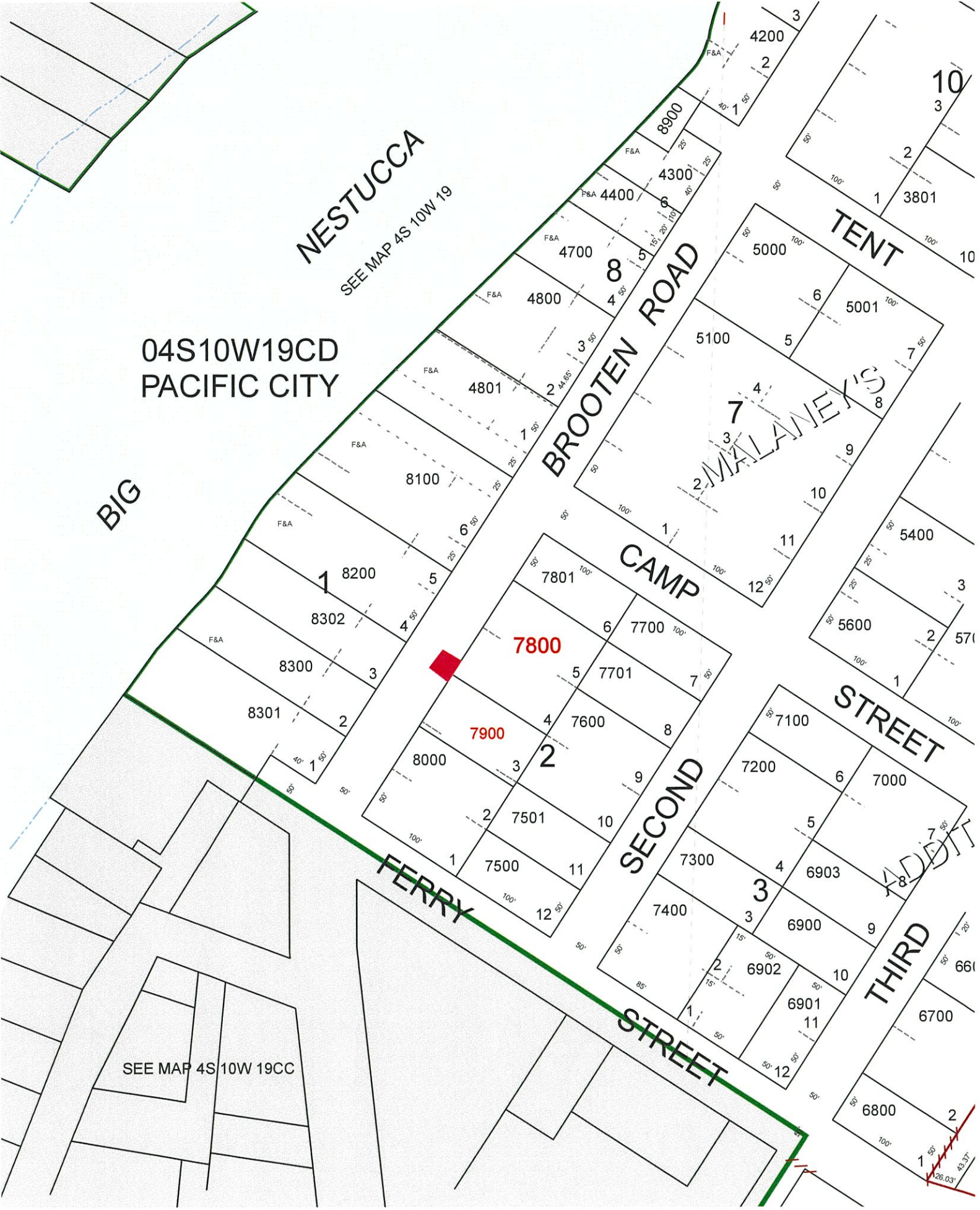
Wilsonville Outdoor Enterprises, Inc.
Profit Sharing Plan + Trust

Gerald Branch

Gerald Branch, Trustee



Road Approach shall be paved where it is within the public right of way.



04S10W19CD
PACIFIC CITY

NESTUCCA

SEE MAP 4S 10W 19

BIG

BROOTEN ROAD

CAMP

TENT

MALANEY'S

STREET

SECOND

FERRY

STREET

THIRD

SEE MAP 4S 10W 19CC

26.03'
43.37'



2023. 3. 22 10:56



2023. 3. 22 10:57



2023. 3. 22 10:56



2023. 3. 22 10:55



2023. 3. 22 10:55



2023. 3. 22 10:55