



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 #851-23-000140-PLNG:
ASTOUND BROADBAND/OREGON DEPARTMENT OF FORESTRY
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: June 1, 2023**

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

#851-23-000140-PLNG: A Conditional Use request for the installation of a utility building for communications on property located east of the City of Tillamook accessed via South Fork Road, a private road, off of Wilson River Highway, a State highway, and is designated as Tax Lot 500 in Index Section 5 of Township 1 North, Range 6 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Forest (F). The applicant is Astound Broadband and property owners are the State of Oregon.

Written comments received by the Department of Community Development prior to 4:00p.m. on June 15, 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 16, 2023.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 750 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,

Melissa Jenck, Senior Planner, CFM

Sarah Absher, Director, CFM

Enc. Applicable Ordinance Criteria, Maps

#851-23-000140-PLNG: ASTOUND/OREGON

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.

TCLUO ARTICLE III:

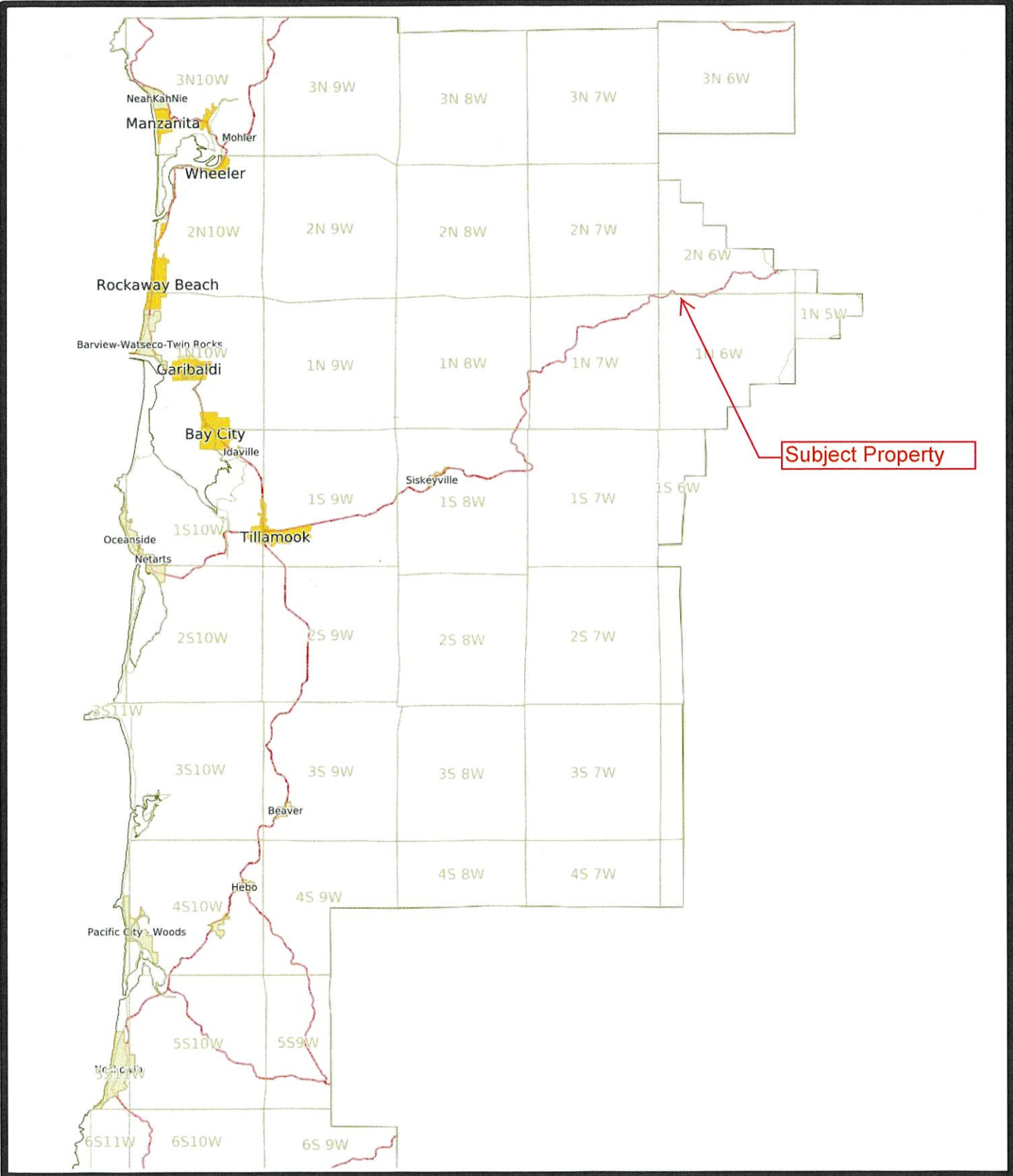
SECTION 3.004 FOREST ZONE (F)

(8) **CONDITIONAL USE REVIEW CRITERIA:** A use authorized as a conditional use under this zone may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands. Conditional uses are also subject to Article 6, Section 040.

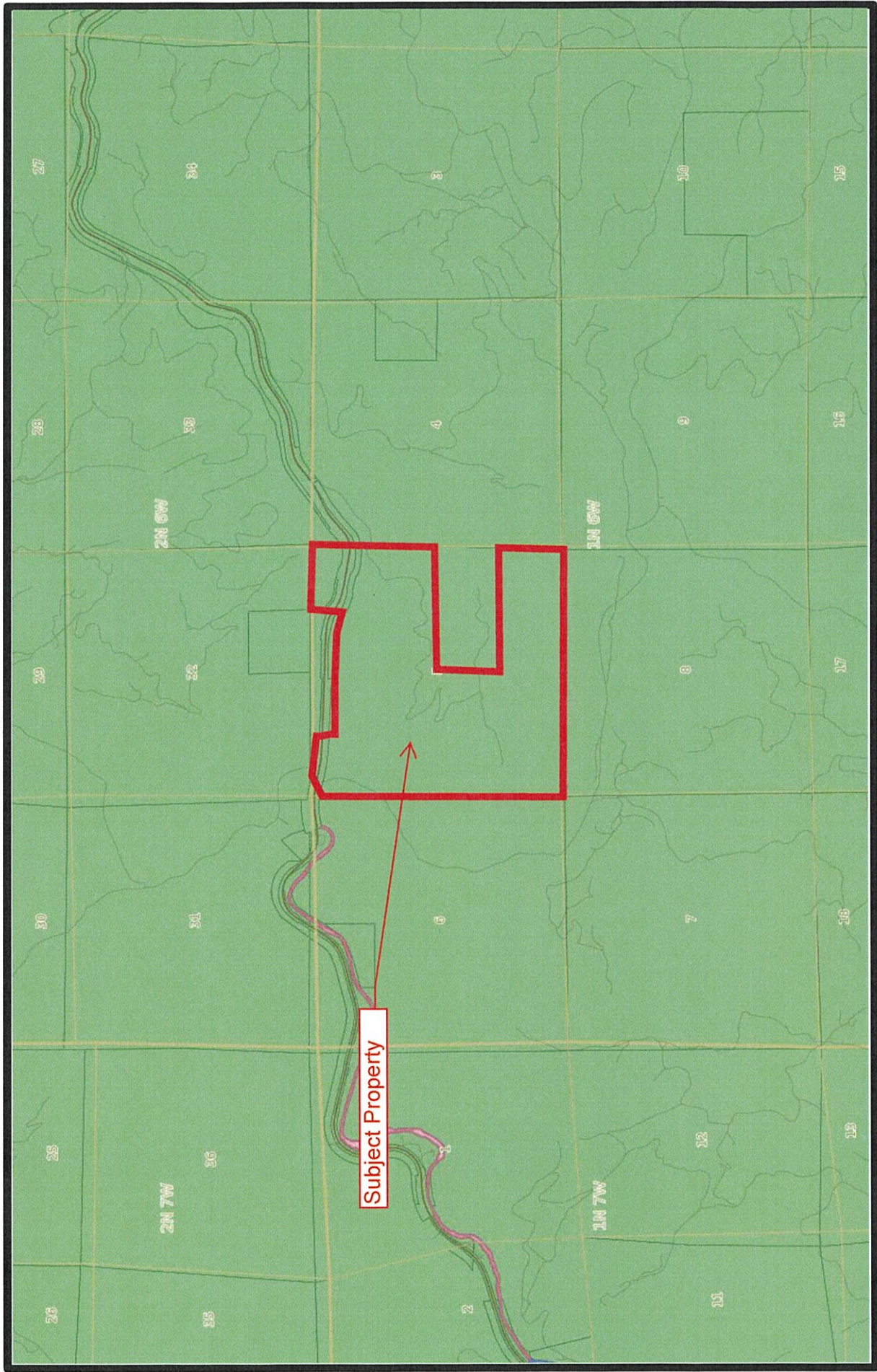
1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.
2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
3. A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025(5)(c).

EXHIBIT A

Vicinity Map



Zoning Map

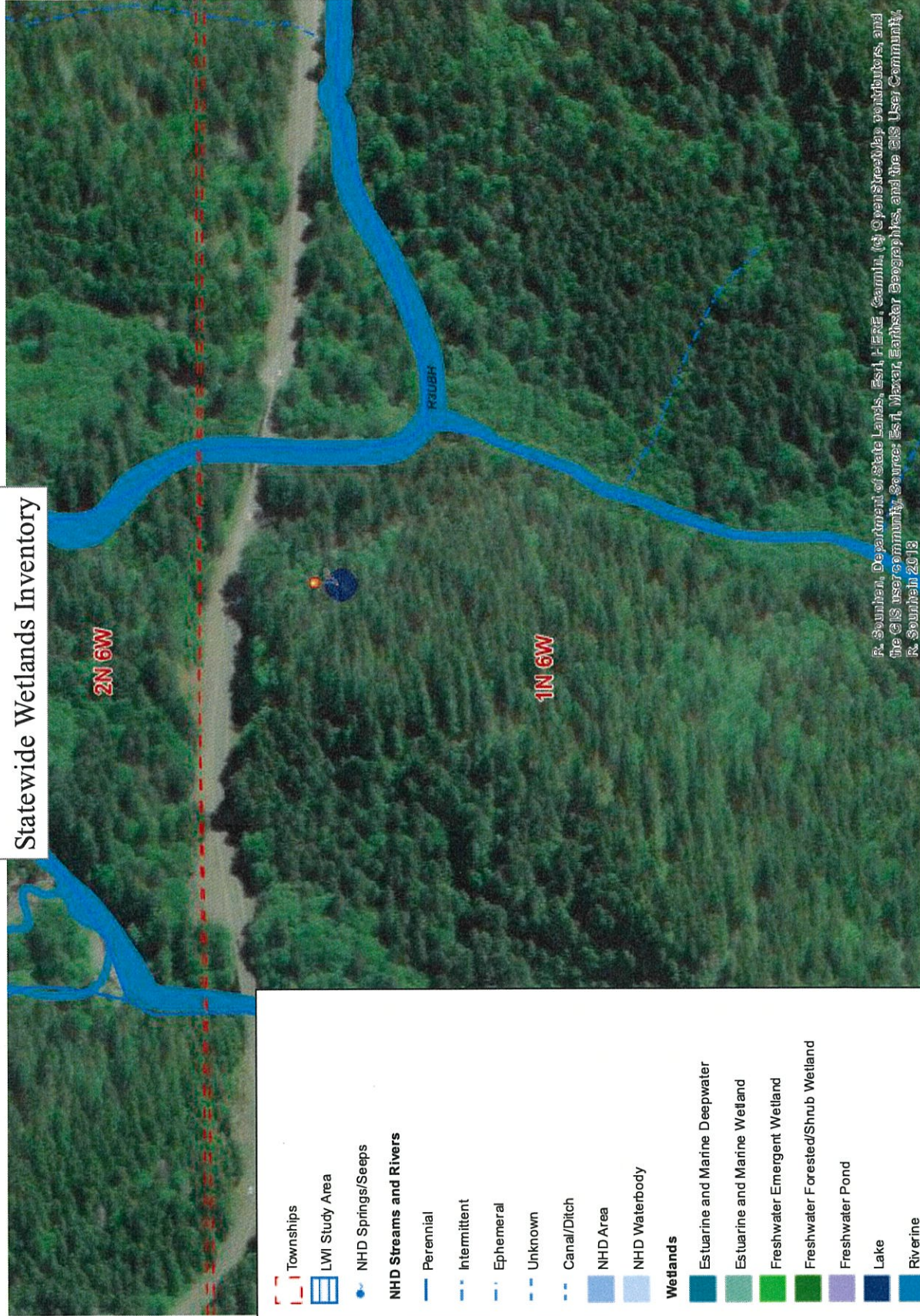


Hazard Map



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. Seungho, Department of State Lands, Esri, F. ERÉ, Sammi, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, R. Seungho 2013

	Townships
	LWI 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-W/Inlo Soils

1 inch = 0.07 miles

0 0.0275 0.055 0.11 0.165 0.22 0.275 0.35

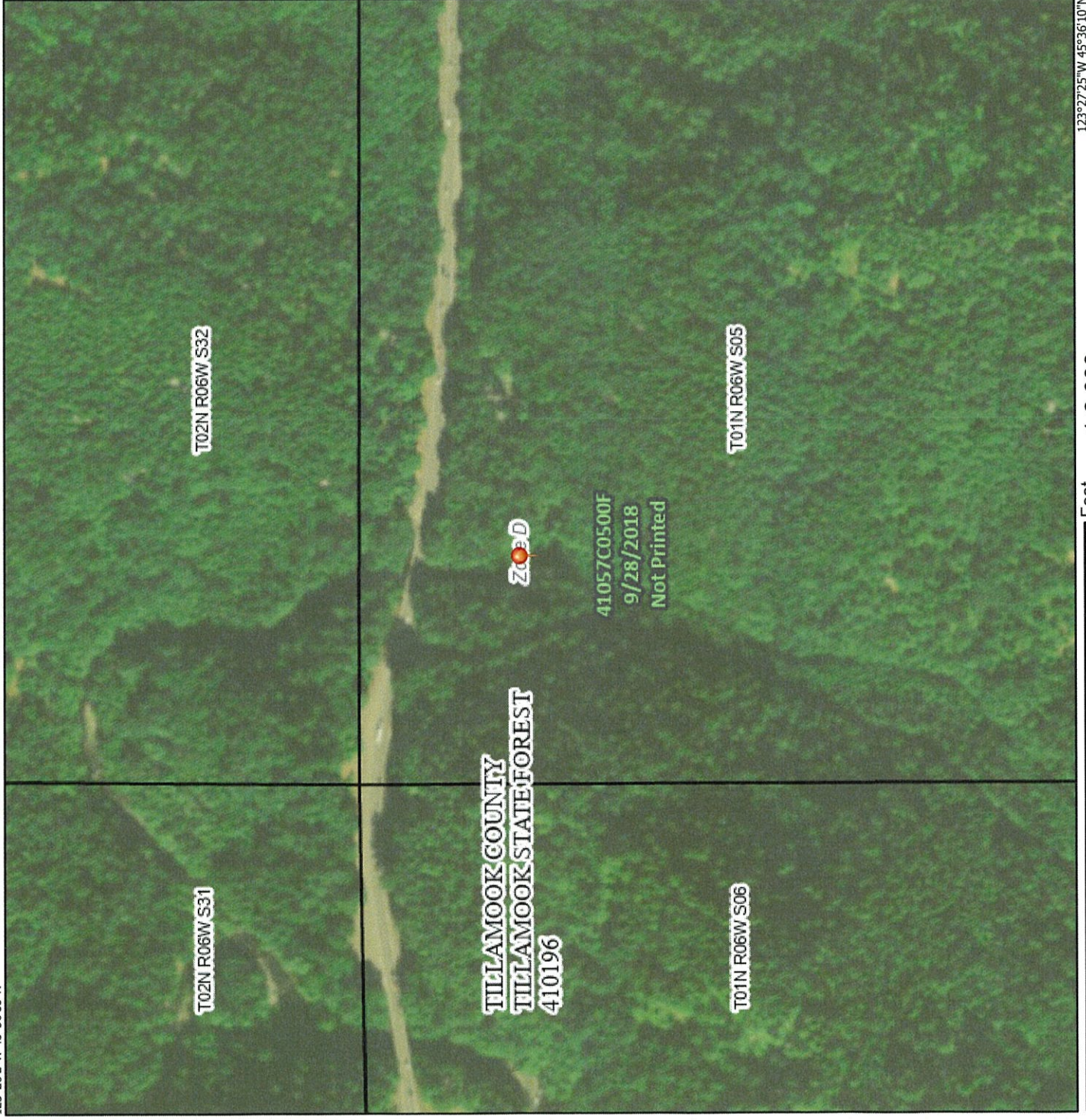
The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data become available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation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



National Flood Hazard Layer FIRMette



123°28'2"W 45°36'35"N



123°27'25"W 45°36'10"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

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee, See Notes, (Zone X)
- Area with Flood Risk due to Levee (Zone D)

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard (Zone X)
- Effective LOMRs
- Area of Undetermined Flood Hazard (Zone X)

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/1/2023 at 5:00 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.

EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Astound Broadband Phone: 503-734-7245
 Address: 151 E. Olive St
 City: Newport State: OR Zip: 97365
 Email: erik.torgeson@astound.com

Property Owner

Name: Oregon Dept. of Forestry Phone: 503-945-7190
 Address: 2600 State Street
 City: Salem State: OR Zip: 97310
 Email: eric.tenbrook@odf.oregon.gov

OFFICE USE ONLY	
Date Stamp	RECEIVED
	MAY 04 2023
	BY: <i>[Signature]</i>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	<i>[Signature]</i>
Receipt #:	
Fees:	1500.-
Permit No:	851-23-00014PLNG

Request: Place a subsea fiber-optic repeater station in a Forest Zone on State Forestry lands. Station will be a prefabricated concrete structure approx. 12'w x 24'l x 10'h on a poured concrete pad, with a fence surrounding the building. Building will receive underground cables to amplify the signal along hwy 6.

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: 45.60691, -123.46325
 Map Number: 01N - 06 - 00 - 00500

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] Forest Grove District Forester / Landowner Representative
 Property Owner Signature (Required)

5/1/23

[Signature]
 Applicant Signature

5/3/23
 Date

Erik Torgeson
Astound Broadband
151 E. Olive St
Newport, OR 97365
503-734-7245
erik.torgeson@Astound.com

April 27, 2023

Tillamook County Land Use
1510-B Third St
Tillamook, OR 97141
C/O: Sheila Shoemaker

RE: Conditional Use Permit Criteria Responses for S.Fork Rd Fiber Optic Repeater Site

In addition to the Type II application, we submit the following responses to the applicable sections:

TCLUO Section 3.004(8):

1. The placing of this building and its associated parts will not cause a change in, nor increase the cost of, the accepted forestry practices on the surrounding forest lands. It will have no impact on the surrounding forest uses.
2. The proposed use will not significantly increase the fire hazard, nor significantly increase suppression costs or risks to fire personnel. The building will have self-contained dry-chemical fire suppression installed, as well as internal and external fire and smoke monitoring that is connected to 24 hour surveillance. The building itself is of non-flammable materials.
3. As the land owner is the Oregon Department of Forestry, the adjacent and nearby property is all owned and operated by the Department of Forestry. The department recognizes the rights of all adjacent property to continue its use as-designed unabated by this site's use. Forest operations per OAR 660-006-0025(5)(c) will not be impacted.

TCLUO SECTION 6.040:

1. The use is listed as a Conditional Use in the underlying zone per Land Use Ordinance 3.004(13) as a "Television, microwave and radio communication facilities and transmission towers".
2. The use is consistent with the applicable goals and policies of the Comprehensive Plan, as it will not have any impact of use of the Forest Zone for forest production activities.
3. The parcel is suitable for the use. The building will be 24'w x 12'l x 10'h on a concrete slab, with a fence surrounding the building area. The parcel is flat in the area the building will be placed on, and has simple access to the roadway. The placement of this building will not have any impact on the surrounding area.

4. The proposed use will not alter the character or permitted uses of the surrounding area in any way. Other than the immediate area the building is placed on, this will not have any effect on any surrounding property.
5. The proposed use will have no impact on solar or wind energy, or any windmill
6. The proposed use is timely, and will facilitate improvements in the surrounding public facilities and services. Astound and TPUD are partnering to bring single-phase power out to Highway 6 ROW for future expansion in otherwise unserved areas. Also, this site will enable existing contracts with cellular carriers to provide service on the highway 6 corridor and Fiber to the home deployments planned by Astound on the highway 6 corridor along the project path.



Tillamook County Fire Defense Board

Protecting all of Tillamook County

Road Access and Water Supply Review Form

This form must be completed and signed by the local fire code official prior to applying for a building permit. If after ten working business days upon submission to the local fire code official the form has not been completed, it will default to the County Building Official for review.

Fire Department Tillamook Fire District Date Received 5/15/2023
Township 1S Range 9W Section 30 Tax Lot 702

Street Name Trask River Road Nearest Cross Skyline Drive

Address TBD Mailing 14000 Trask River Road

City Tillamook State OR Zip 97141

Phone 5038425726 Email cedarmagot@gmail.com

Proposed Development / Construction Adding a 2nd MFD to property accessed from lower pre-existing driveway. Approximately 1,200 sq/ft w/ no garage.

Fire Department to Complete Information Below

1. The proposed road access meets or exceeds the minimum requirements of the Tillamook County Fire Defense Board Road Access Guidelines.

YES NO

Pre-existing driveway to w/in 150' of proposed dwelling, turnaround notes.

2. The available water supply meets the minimum requirements for adequate fire suppression through a municipal system as defined in OFC 2014 or as calculated in NFPA 1142.

YES NO

Adequate water per NFPA 1142.

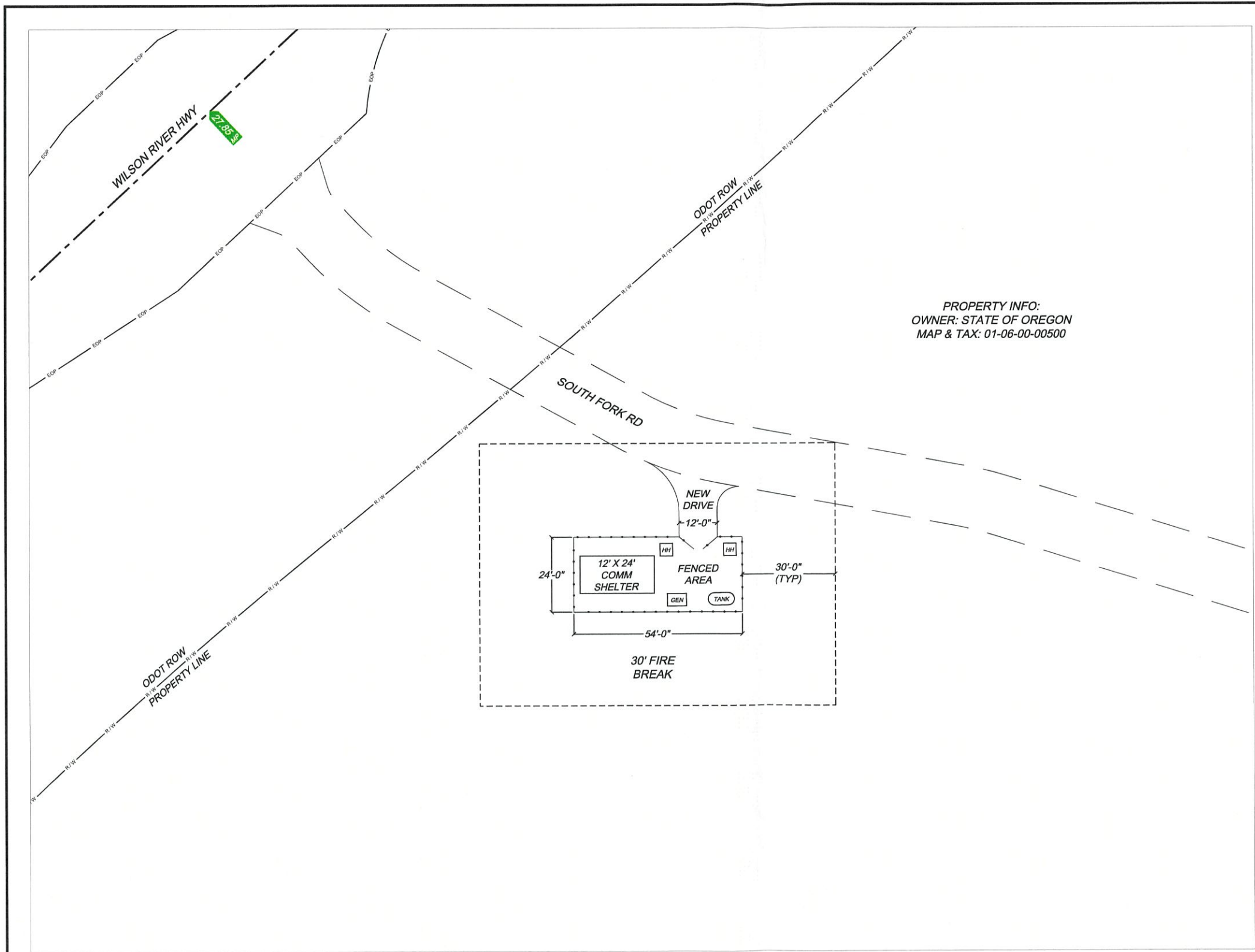
3. Access and water supply meet the minimum fire-fighting capability requirements of the responsible jurisdiction.

YES NO

Additional Commentary Attached if NO Above

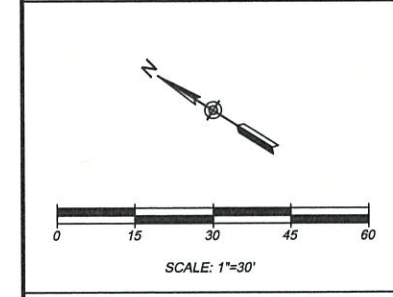
Printed Name Rueben Descloux Title Fire Marshal

Signature Date Completed 5/15/2023



REV	DESCRIPTION	DATE	BY
1	ORIGINAL ISSUE	05-02-23	MRW
2			
3			
4			
5			
6			

CONSTRUCTION NOTES



PROPOSED REPEATER SITE
 WILSON RIVER HWY & SOUTH FORK RD
 TILLAMOOK COUNTY
 T01N R06W TL 500

**FIRE BREAK
 SITE PLAN**