

TILLAMOOK COUNTY PLANNING COMMISSION

LOCATION

Port of Tillamook Bay Conference Center
4000 Blimp Boulevard, Tillamook, OR 97141

HEARING DATE

September 14, 2023- Beginning at 6:30p.m.

VIRTUAL & TELECONFERENCE MEETING INFORMATION

For teleconference access the evening of the hearing, please call 971-254-3149. Conference ID: 887 242 77#. Virtual Meeting Access: <https://www.co.tillamook.or.us/commdev>. Click on Virtual Teams Link. *Microsoft Teams Meeting Format.

I. CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS:

IV. NEW BUSINESS:

#851-23-000219-PLNG: Request for conditional use approval to amend the Planned Development Master Plan for 'Sahhali Shores at Neskowin Unit III'. Located between Sahhali Drive and Tyee Court, both private roads, the subject property is located within the Neskowin Unincorporated Community, zoned Neskowin Rural Residential (NeskRR), and designated as Tax Lot 5700 of Section 13DC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The applicant and property owners are Jennifer Gaudioso and Damian Donckels.

#851-23-000212-PLNG: Request for conditional use approval to expand the Elks Campground by adding 15 additional full hookup RV sites for a total of 51 sites, together with a proposal for 5 dry camp sites. The subject property is accessed via Highway 101, is located south of the City of Tillamook and south of the Pleasant Valley rest area and is designated as Tax Lot 1302 in Section 21B of Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon. The subject property is zoned Rural Residential 2-Acre (RR-2). The applicant is Gary Beyer, and the property owner is the Tillamook Elks Lodge.

#851-23-000162-PLNG: Request for Non-Conforming Minor Review approval to expand the existing non-conforming use of a motel with an interior remodel of an existing structure to remove the eating and drinking and retail uses and add three (3) additional motel units for a total of nine (9) motel units. No exterior expansions of the structure are proposed. The subject property is accessed via Pacific Avenue (Highway 131), is located within the Unincorporated Community of Oceanside, is zoned Commercial Oceanside (COS) and is designated as Tax Lot 5200 in Section 30BC of Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The applicant and the property owner are Duane J. Bauley. (This agenda item has been postponed.)

V. AUTHORIZATION FOR CHAIR TO SIGN APPROPRIATE ORDERS, IF NECESSARY

VI. ADMINISTRATIVE DECISIONS: Administrative Decisions are available for public review on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps>

VII. HOUSING COMMISSION UPDATE

VIII. DEPARTMENT OF COMMUNITY DEVELOPMENT REPORT

IX. ADJOURNMENT

The Port of Tillamook Bay Conference Center is accessible to citizens with disabilities. If special accommodations are needed for persons with hearing, visual, or manual impairments that wish to participate in the meeting, please contact 1-800-488-8280x3423 at least 24 hours prior to the meeting in order that appropriate communications assistance can be arranged.



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: September 7, 2023
To: Tillamook County Planning Commission
From: Melissa Jenck, CFM, Senior Planner
Subject: September 14, 2023 Planning Commission Hearing –Conditional Use Request #851-23-000219-PLNG

Included is the staff report and associated exhibits for the above-mentioned Conditional Use request to amend a Master Plan for Sahhali Shores at Neskowin Unit III. The proposal includes amendments to setbacks of the above-described lot within “Sahhali Shores at Neskowin Unit III”, to allow for a freestanding single-family dwelling instead of an attached townhome. This property is located within the Unincorporated Community Boundary of Neskowin.

This request is for amendments to the Master Plan approved through the Planned Development (PD) Overlay in Sahhali Shores at Neskowin Unit III, for Lot 80 only.

Please do not hesitate to contact me if you have any questions.

Thank You,

A handwritten signature in black ink that reads "Melissa Jenck". The signature is written in a cursive, flowing style.

Melissa Jenck



Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE REVIEW #851-23-000219-PLNG

Planning Commission Hearing Date: September 14, 2023

Staff Report Date: September 7, 2023

Staff Report Prepared by: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

- Request:** Conditional Use request to amend the Planned Development Master Plan for ‘Sahhali Shores at Neskowin Unit III’ for Lot 80.
- Location:** Located between Sahhali Drive and Tye Court, both private roads, the subject property is located within the Neskowin Unincorporated Community and designated as Tax Lot 5700 of Section 13DC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon
- Zone:** Neskowin Rural Residential (NeskRR) Zone & Planned Development Overlay (PD) Zone
- Applicant/
Property Owner:** Jennifer Gaudioso & Damien Donckels, 3339 Central Ave, Unit 310, Albuquerque, NM 87106

Description of Site and Vicinity

The subject property is Lot 80 of the Sahhali Shores at Neskowin Unit III subdivision and Planned Development and approximately 0.17-acres (7,502 sq. ft.). The subject property is located within the Neskowin Unincorporated Community and zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the parcel (Exhibit A).

The subject property abuts Sahhali Drive, a private road, to the north, and Tye Court, a private road, to the south. Sahhali Drive, a private road, serves as entry from Highway 101, a State highway, to the east (Exhibit A).

The Sahhali Shores and Sahhali Shores at Neskowin Subdivisions are located to the north and surrounding the property with Sahhali South Subdivision located to the south (Exhibit A).

The property does not contain natural features, such as streams or wetlands, and none are mapped in the vicinity (Exhibit A). The property is located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The property maintains topography sloping

downward to the south. The property is located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

Service providers in the area include the Neskowin Water District, Nestucca Rural Fire Protection District, Tillamook PUD, Nestucca School District, and the Tillamook County Sheriff's Office. The subject property maintains an existing community septic system (Exhibit A).

The natural features identified in the area are not included in the list of inventoried protected natural features in the Goal 5: Natural Resources element of the Tillamook County Comprehensive Plan. Development of the subject property shall be in accordance with the development standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas, consistent with the policies outlined in the Goal 7: Hazards element of the Tillamook County Comprehensive Plan.

Tillamook County established an Unincorporated Community Boundary (UCB) around Neskowin based on the procedures and requirements of the Goal 2 exception process. Planning for the unincorporated community of Neskowin was completed in accordance with Goal 14 Urbanization.

Applicants are proposing to amend the Master Plan for the Sahhali Shores at Neskowin Unit III subdivision for Lot 80, to request a change to the prescribed setbacks and amend the original approval for one (1) townhome with shared walls for the placement of one (1) freestanding single-family residence (Exhibit B). The proposal is to alter the originally approved setbacks for Sahhali Shores at Neskowin Unit III which required townhome cluster with a zero lot line on the shared property line. The result, if approved as proposed, would allow for the siting of one (1) freestanding single-family dwelling with new prescribed setbacks to meet those standards of the NeskRR zone. The Conditional Use review process is required for any changes to the approved Master Plan developed with the Planned Development Overlay.

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. TCLUO Section 3.220: Neskowin Rural Residential (NeskRR) Zone
- B. TCLUO Section 3.520: Planned Development (PD) Overlay Zone
- C. Article VI: Conditional Use Procedures and Criteria
- D. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

- A. Section 3.220 Neskowin Rural Residential (NeskRR) Zone.** This section lists outright and conditionally permitted uses.

Findings: The applicant is requesting an amendment to the Master Plan for Sahhali Shores at Neskowin Unit III to reflect the proposed build-out of Lot 80, to include an amendment of the prescribed setbacks and amend the requirement for zero lot line cluster development (Exhibit B). Section 3.220(3)(a) addresses the issue of Planned Developments as a Conditional Use. Amending the existing Planned Development is subject to Section 3.520 Planned Development Overlay Zone (PD) and requires Conditional Use approval, Article VI.

Staff concludes that the proposed use is allowed in the NeskRR Zone as a Conditional Use as indicated under Section 3.220(3)(a).

- B. Section 3.520 Planned Development Overlay Zone (PD).** This section lists the procedures that shall be observed in applying for and acting on a Planned Development. Section 3.520(i) requires that any changes in the approved Master Plan be approved by the Planning Commission. The Applicant is proposing to amend lot layout for Lot 80 of Sahhali Shores at Neskowin Unit III, to amend the prescribed setbacks along with request the placement of one

(1) freestanding single-family dwelling, instead of clustered zero lot line development (Exhibit B). Section 3.520(3)(b) addresses the procedure for amending an existing Planned Development. These include:

- (1) *There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.*

Findings: Applicant has proposed to amend the site-specific setbacks established during the Master Plan development of Sahhali Shores at Neskowin Unit III (Exhibit B). Setbacks for Lot 80 are proposed to allow for one (1) freestanding single-family dwelling and to amend the zero (0) foot setback from the attached side yard as one building (Exhibit B). The proposal is to utilize the prescribed setbacks maintained in the Neskowin Rural Residential (NeskRR) zone, with a front yard and rear yard setback of 20-feet, and side yard setbacks of five (5) feet. Applicants' proposal does not include any increase or reduction to the approved density of Sahhali Shores at Neskowin Unit III Planned Development. Applicant states the topography of the parcel maintains steep terrain, which would make it more suitable for a freestanding dwelling, rather than an attached townhome (Exhibit B).

Staff find the purpose of a Planned Development Overlay is *"...to permit greater flexibility and creativity in the design of land development than is presently possible through the strict interpretation of conventional zoning and land division ordinances. The intent is to encourage development designs that preserve and/or take advantage of the natural features and amenities of a property such as, but not limited to, views water frontage, wetlands, sloping topography, geologic features and drainage areas. A Planned Development should be compatible with the established and proposed surrounding land uses. A Planned Development should accrue benefits to the County and the general public in terms of need, convenience and service sufficient to justify any necessary exceptions to the zoning and land divisions ordinances."*

Staff find the request is to modify an existing Master Plan to adjust setbacks for a lot contained within the Sahhali Shores at Neskowin Unit III Planned Development (Exhibit B). The flexibility of the Planned Development process allows for dimensional standards and setbacks to be prescribed through the creation of the Master Plan. The setbacks originally prescribed in the Master Plan for Lot 80 in Sahhali Shores at Neskowin Unit III are front and rear yard setbacks at 20-feet, with attached side yards at zero (0) feet and side yards at 5-feet. The proposed amendment would alter the general footprint approved, with no change in the approved density. The proposed altered footprint would continue to prescribe to the underlying NeskRR zone standards.

- (2) *Resulting development will not be inconsistent with the comprehensive plan provisions or zoning objectives of the area.*

Findings: Applicant states a single-family dwelling is allowed outright in the Neskowin Rural Residential (NeskRR) zone (Exhibit B). Staff find the proposed use of the lots is for a residential structure. This is consistent with the zone and the community plan for Neskowin.

- (3) *The plan can be completed within a reasonable period of time.*

Findings: The applicant provided that construction is expected to be completed in 15 months, once permitting is completed, which is a reasonable period of time for construction (Exhibit B).

- (4) *The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.*

Findings: Applicant provided that there are existing streets to accommodate residential development (Exhibit B). There are no proposed changes to access or existing roadway systems in the development (Exhibit B).

No comments were received from Tillamook County Public Works or Nestucca Rural Fire Protection District on this request.

- (5) *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

Findings: Sahhali Shores at Neskowin maintains a community septic system as detailed in the Applicants submittal (Exhibit B). Staff find the proposal would maintain a similar area of development, with no change in density.

Water is available through an existing Neskowin community water district (Exhibit B).

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

Findings: Lot 80 is 0.17-acres in size (Exhibit A). The subject property is located within the Neskowin Unincorporated Community and zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the parcel (Exhibit A). The subject property abuts Sahhali Drive, a private road, to the north, and Tyee Court, a private road, to the south. Sahhali Drive, a private road, serves as entry from Highway 101, a State highway, to the east (Exhibit A).

The property does not contain wetlands and no natural features are present on the parcel (Exhibit A). The property is located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The property maintains topography sloping downward to the south. The property located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

The size of the lots contained within Sahhali Shores at Neskowin Unit III will meet the minimum in the Neskowin Rural Residential zone of 20,000 square feet with the area made up of lot area and area within the common areas. The Planned Development process allows for smaller lot sizes providing all area is accounted for. The proposal does not contain any reduction or increase of the original approved density, which ensures that the original maximum approved density is not exceeded or changed.

Applicant states the property dimensions are suitable for accommodating a single-family dwelling (Exhibit B). Applicant provided a geologic hazard report and states the parcel is suitable for development (Exhibit B). A geologic hazard and geotechnical investigation report was prepared by H.G. Schlicker and Associates, dated November 18, 2022 and is included with the Applicants submittal (Exhibit B). Applicant includes that there is an absence of natural features which would inhibit development, and that the location would maintain accessibility to existing road systems (Exhibit B).

Site specific setbacks are proposed through the Planned Development process. These are discussed in this report, above, to include only a change to the zero (0) foot setback from the 'attached' side yard, as the proposal would request one (1) freestanding dwelling unit rather than a townhome with a zero-lot line (Exhibit B). The proposed request is to modify an existing Master Plan for Sahhali Shores at Neskowin Unit III which was approved in 2003. The proposed setback amendments and are stated by the Applicant to accommodate a design which is more practical for a dwelling due to topographic conditions (Exhibit B).

- (7) *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 Sahhali Shores at Neskowin Unit III subdivision (Lot 80) is located within the Neskowin Unincorporated Community Boundary (UCB) and consists of residential structures (dwellings), which includes common space. The area surrounding the Planned Development is predominantly residential, both inside the community boundary and outside.

Applicant states the Sahhali Shores at Neskowin Architectural Review Board provided approval of the proposed development, with a letter included in their submittal (Exhibit B).

Staff find that the proposed amendment to the Master Plan would not alter the density of the original Planned Development, and would propose an increase of setbacks from adjacent properties as a result of a freestanding single-family dwelling instead of a zero lot line (Exhibit B).

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

Findings: Applicant states there are existing road systems within the subdivision for the proposed development (Exhibit B). Staff finds the subdivision maintains existing facilities to include water, sanitation, and stormwater (Exhibit A). Applicant has provided a copy of the approval from Sahhali Shores at Neskowin Architectural Review Board (Exhibit B).

The area is served by Neskowin Regional Water District, and served by a sanitation program maintained by the subdivision. No comments were received from the Nestucca Rural Fire Protection District or Tillamook County Public Works.

(9) *Proposed uses which are not otherwise permitted by the underlying zoning on the parcel are accessory uses within the entire development.*

Findings: Applicant states the proposal is for a single-family residence, which is allowed in the NeskRR zone (Exhibit B). No other uses have been proposed that are not otherwise permitted outright. The Applicant is proposing redesign of existing lot with adjustments to setbacks, to allow for siting of one (1) freestanding residential structure.

C. 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.

1. **Section 6.020 Procedure** requires notification of the request to be mailed to landowners within 250-feet of the subject property, to allow 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 applicable agencies on August 17, 2023. Newspaper Notice of Public Hearing was published on August 15, 2023 in the Tillamook County Headlight Herald. Notice was provided to Tillamook County Public Works, Oregon Department of State Lands, Nestucca Rural Fire Protection District and Oregon Department of Fish and Wildlife. One comment was received on this request, in support of the proposed design (Exhibit C). No comments from agencies were received.

2. **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: Section 3.220(3)(a) Neskowin Rural Residential (NeskRR) Zone states Planned Developments are subject to TCLUO Section 3.520, 'Planned Development (PD) Overlay Zone' and will require review against TCLUO Section 6.040 Conditional Use Review Criteria.

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

Findings: Generally, if a use is allowed outright or conditionally in the LUO, and is in compliance with all other LUO regulations, than it is assumed to be consistent with the applicable goals and policies of the Comprehensive Plan and the Neskowin Community Plan. Planned Development in the community of Neskowin is limited to

the uses allowed within the Neskowin zones. Planned Developments for single family dwellings and townhouses are permitted uses.

Applicant has prepared a Geologic Hazard Report prepared by H.G. Schlicker and Associates dated November 18, 2022.

The Planned Development Overlay (PD) zone allows for greater flexibility in the siting of structures, the protection of areas that are sensitive and the overall use of the property. For all of its flexibility it can be a protective mechanism.

The property is eligible for development providing that all requirements of the Planned Development Ordinance, the Tillamook County Land Use Ordinance and the goals and policies of the Comprehensive Plan have been adequately and appropriately addressed.

The natural features identified on the subject property are not included in the list of inventoried protected natural features in the Goal 5: Natural Resources element of the Tillamook County Comprehensive Plan. Development of the subject property shall be done in accordance with the development standards of Section 4.130: Development Requirements for Geologic Hazard Areas, consistent with the policies outlined in the Goal 7: Hazards element of the Tillamook County Comprehensive Plan.

Tillamook County established an Unincorporated Community Boundary (UCB) around Neskowin based on the procedures and requirements of the Goal 2 exception process. Planning for the unincorporated community of Neskowin was completed in accordance with Goal 14 Urbanization. The proposed plat is located within the Neskowin Unincorporated Community Boundary at a density consistent with Plan policies for development within UCBs (14.3.11, Goal 14 element 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.*

Findings: Lot 80 is 0.17-acres in size (Exhibit A). The subject property is located within the Neskowin Unincorporated Community and zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the parcel (Exhibit A). The subject property abuts Sahhali Drive, a private road, to the north, and Tyee Court, a private road, to the south. Sahhali Drive, a private road, serves as entry from Highway 101, a State highway, to the east (Exhibit A).

The property does not contain wetlands and no natural features are present on the parcel (Exhibit A). The property is located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The property maintains topography sloping downward to the south. The property located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

The size of the lots contained within Sahhali Shores and Neskowin Unit III will meet the minimum in the Neskowin Rural Residential zone of 20,000 square feet with the area made up of lot area and area within the common areas. The Planned Development process allows for smaller lot sizes providing all area is accounted for. The proposal does not contain any reduction or increase of the original approved density, which ensures that the original maximum approved density is not exceeded or changed.

Applicant states the property dimensions are suitable for accommodating a single-family dwelling (Exhibit B). Applicant provided a geologic hazard report and states that the parcel is suitable for development (Exhibit B). A geologic hazard and geotechnical investigation report was prepared by H.G. Schlicker and Associates, dated November 18, 2022 and is included with the Applicants submittal (Exhibit B). Applicant includes that there is an absence of natural features which would inhibit development, and that the location would maintain accessibility to existing road systems (Exhibit B).

Site specific setbacks are proposed through the Planned Development process. These are discussed in this report, above, to include only a change to the zero (0) foot setback from the 'attached' side yard, as the proposal would request one (1) freestanding dwelling unit rather than a townhome with a zero-lot line (Exhibit B). The proposed request is to modify an existing Master Plan for Sahhali Shores at Neskowin Unit III which was approved in 2003. The proposed setback amendments and are stated by the Applicant to accommodate a design which is more practical for a dwelling due to topographic conditions (Exhibit B).

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 Sahhali Shores at Neskowin Unit III subdivision (Lot 80) is located within the Neskowin Unincorporated Community Boundary (UCB) and consists of residential structures (dwellings), which includes common space. The area surrounding the Planned Development is predominantly residential, both inside the community boundary and outside.

Applicant states the Sahhali Shores at Neskowin Architectural Review Board provided approval of the proposed development, with a letter included in their submittal (Exhibit B).

Staff find that the proposed amendment to the Master Plan would not alter the density of the original Planned Development, and would propose an increase of setbacks from adjacent properties as a result of a freestanding single-family dwelling instead of a zero lot line (Exhibit B).

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

Findings: Applicant states the proposed use will not have a detrimental effect on these systems as none are located in the area (Exhibit B). There is no known existing solar energy system, wind energy conversion systems or windmills in the vicinity.

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: Applicant states there are existing road systems within the subdivision for the proposed development (Exhibit B). Staff finds the subdivision maintains existing facilities to include water, sanitation, and stormwater (Exhibit A). Applicant has provided a copy of the approval from Sahhali Shores at Neskowin Architectural Review Board (Exhibit B).

The area is served by Neskowin Regional Water District, and served by a sanitation program maintained by the subdivision. No comments were received from the Nestucca Rural Fire Protection District or Tillamook County Public Works.

D. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

The property is located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The property maintain a downward slope to the south towards Tyee Road.

Findings: Applicant has provided a Geologic Hazard and Geotechnical Report for Tax Lot 5700 (Lot 80) by H.G. Schlicker and Associated dated November 18, 2022 (Exhibit B). The report includes determinations regarding hazards on site, along with recommendations for future development in accordance with TCLUO Section 4.130 (Exhibit B).

Given the property is within an area of geologic hazard, a Condition of Approval is recommended to require a site-specific Geologic Hazard Report in accordance with TCLUO Section 4.130 at time of lot development. This requirement ensures that continued development of the site is appropriately addressed in accordance with TCLUO Section 4.130 at the time of construction.

V. RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE REQUEST #851-23-000219-PLNG

Sections 6.070: COMPLIANCE WITH CONDITIONS, AND 6.080: TIME LIMIT require compliance with approved plans and conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with conditions and start of construction. Failure to comply with the conditions of approval and ordinance provisions could result in nullification of this approval.

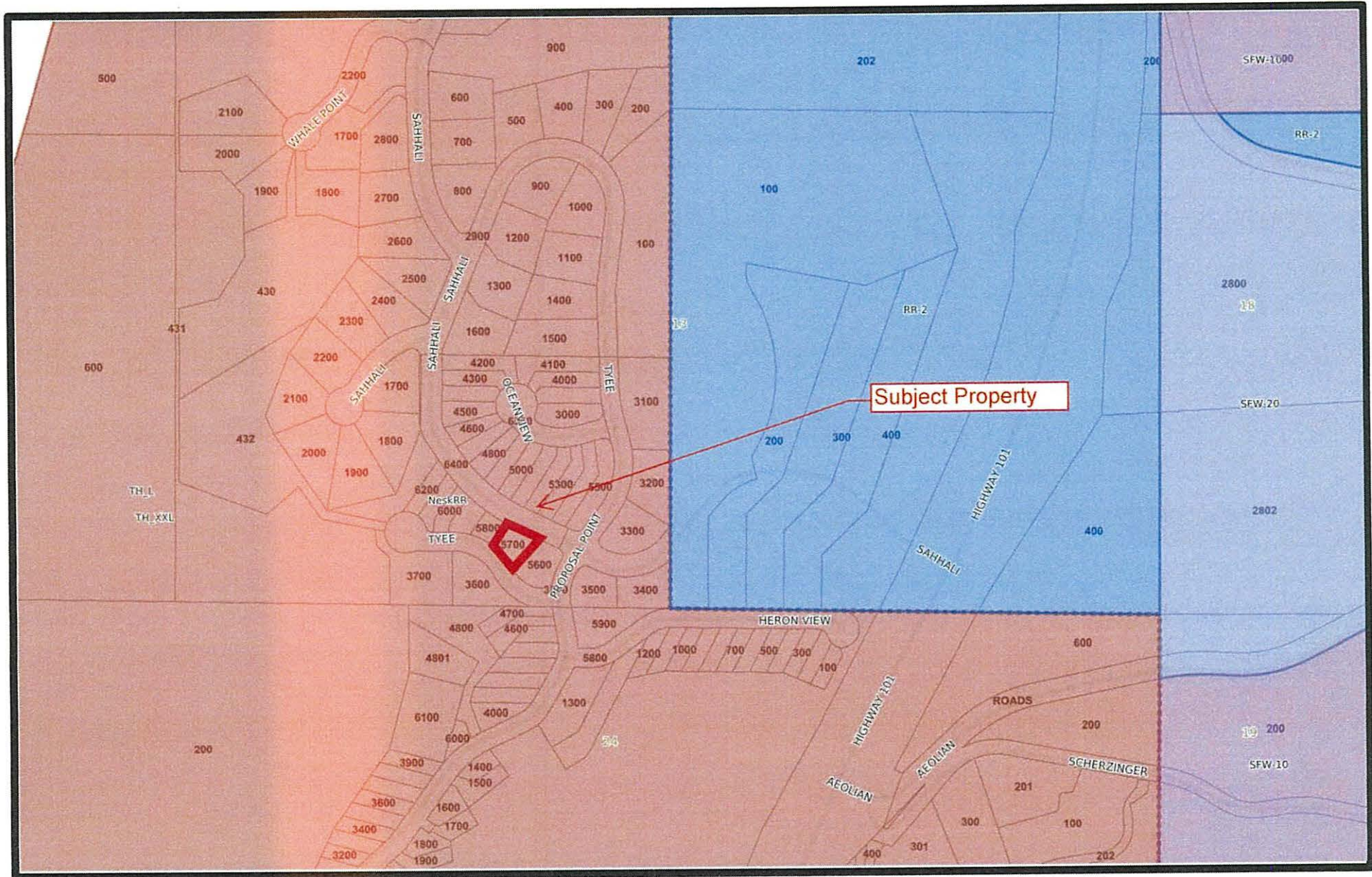
1. The applicant/owner shall conform to all Federal, State and local regulations, and shall obtain all required permits prior to construction and/or development.
2. Letters of water and sewer availability are required for the development of individual lots and shall be submitted to Community Development at the time of zoning permit submittal.
3. Setbacks for Lot 80 shall be: 20-foot setback from front and rear property line, 5-foot setback from the side-yard property lines.
4. One (1) single-family dwelling shall be placed on Lot 80.
5. Development of each lot shall otherwise conform to the development standards outlined in TCLUO Section 3.320 Neskowin Rural Residential (NeskRR) zone as applicable.
6. A site-specific Geologic Hazard Report in accordance with TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas shall be completed prior to consolidated Zoning/Building permit applications.
7. This approval shall be void two years, (24 months), from the date of the Order from the Planning Commission, unless all of the conditions are met, or an extension is requested from, and approved by, this department before expiration.

VII. EXHIBITS

- A. Maps
- B. Applicants Submittal
- C. Public Comments

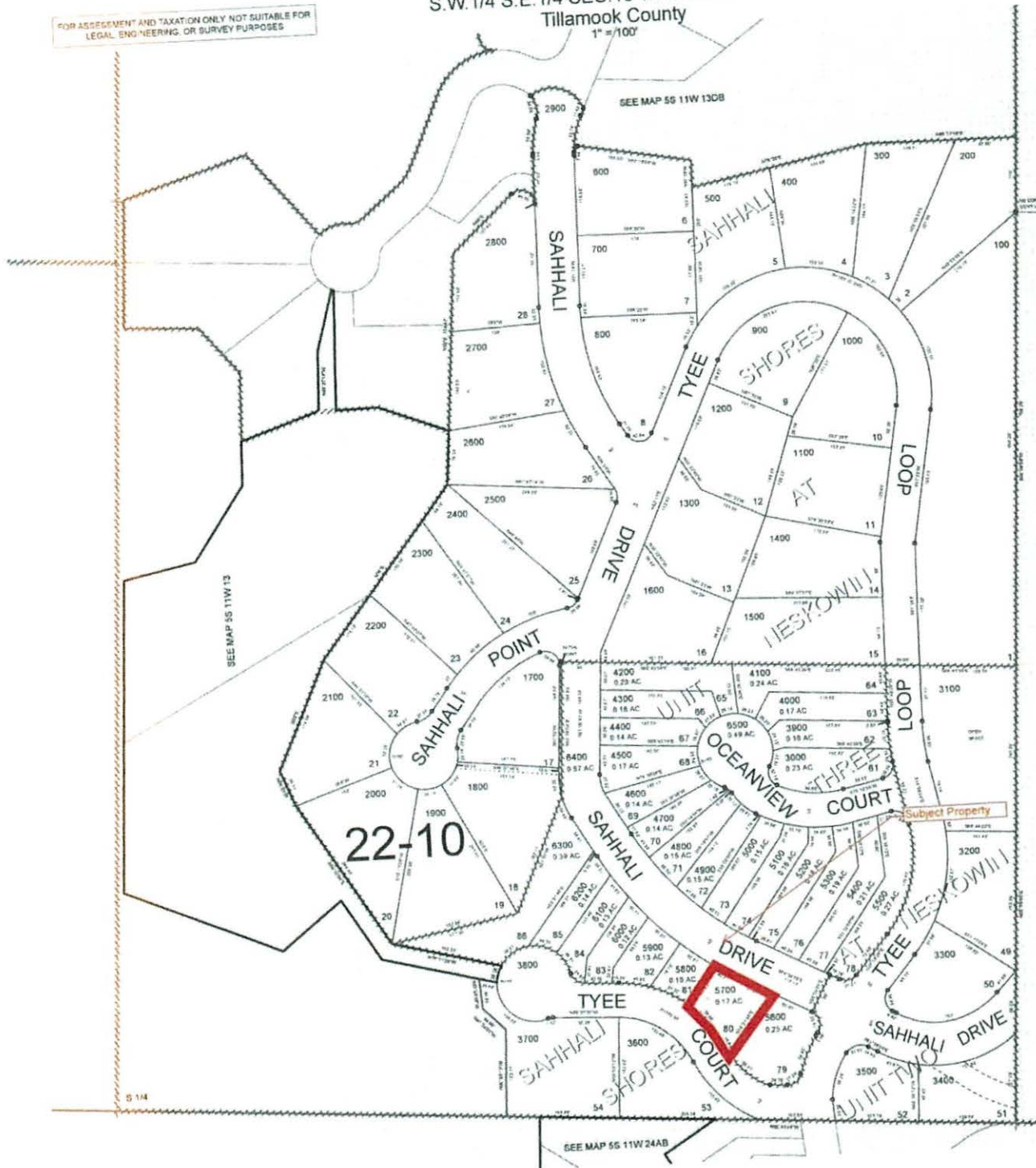
EXHIBIT A

Zoning Map



S.W.1/4 S.E.1/4 SEC.13 T.5S. R.11W. W.M.
Tillamook County
1" = 100'

FOR ASSESSMENT AND TAXATION ONLY NOT SUITABLE FOR
LEGAL ENGINEERING OR SURVEY PURPOSES



SEE MAP 55 11W 13

SEE MAP 55 11W 13

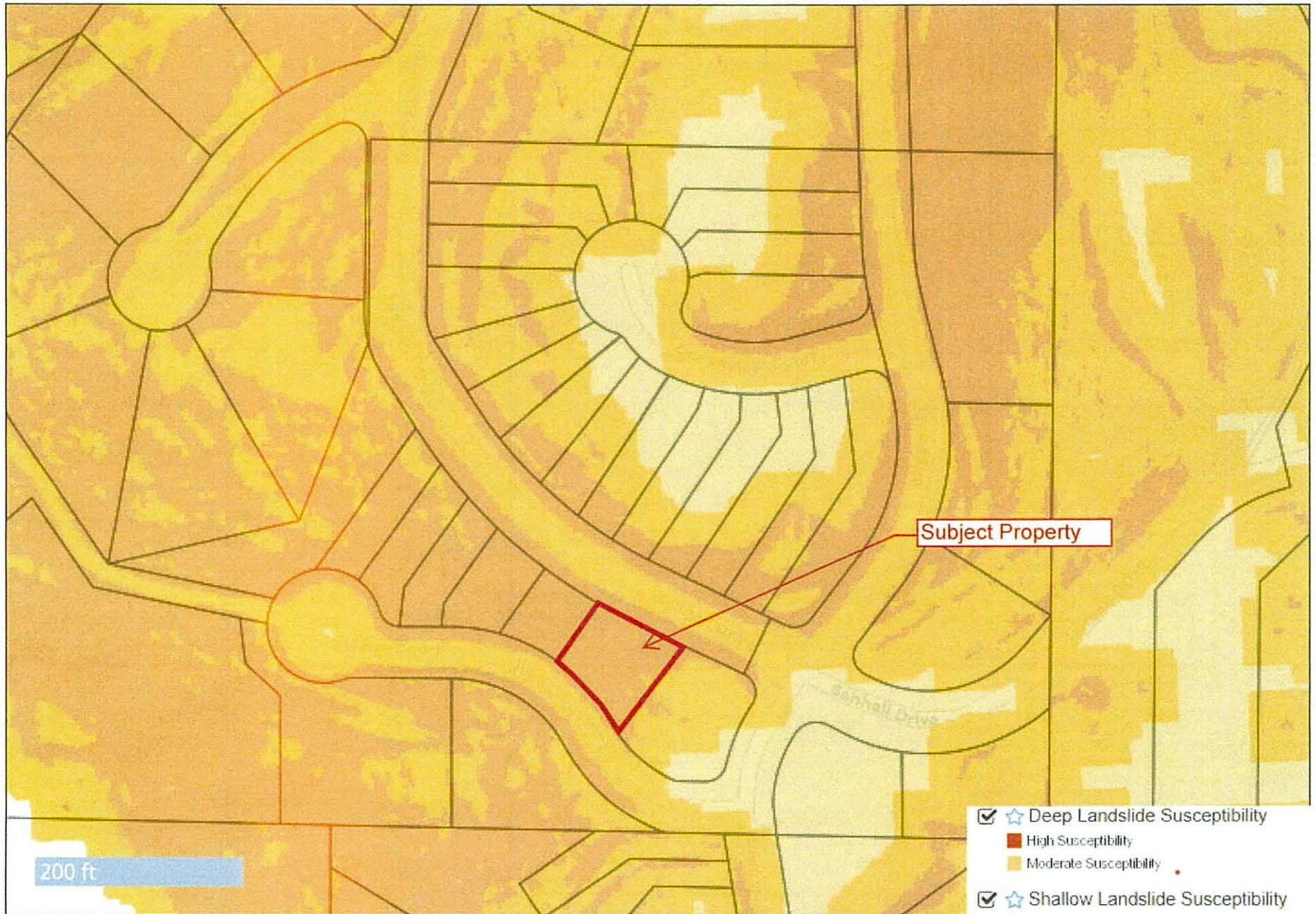
22-10

Subject Property

SEE MAP 55 11W 24AB

G 14

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.

National Flood Hazard Layer FIRMette



23°58'40"W 45°8'3"N



123°58'3"W 45°7'38"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 D*

- GENERAL STRUCTURES**
 - Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall

- OTHER FEATURES**
 - Cross Sections with 1% Annual Chance Water Surface Elevation
 - 20.2
 - 17.5
 - 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 **8/16/2023 at 7:10 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.

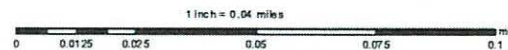
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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

Statewide Wetlands Inventory

-  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-Winlo Soils



R. Sounthorn, Department of State Lands, Esri, F.ERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community. R. Sounthorn 2018.



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: 8/16/2023



State of Oregon
 Department of State Lands
 775 Summer Street, NE, Ste 100
 Salem, OR 97301-1279
 (503) 986-5200

EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY
Date Stamp RECEIVED JUL 12 2023 BY: email
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by: JT
Receipt #: 13200
Fees: 1900
Permit No: 851-23-000219-PLNG

Applicant (Check Box if Same as Property Owner)

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

Property Owner

Name: GAUDIOSO, JENNIFER M & DONCKELS, DAMIAN M Phone: JENNIFER: 505-557-9362 DAMIAN 505-315-0102
 Address: 3339 CENTRAL AVE UNIT 310
 City: ALBUQUERQUE State: NM Zip: 87106
 Email: jen_gaudioso@yahoo.com, damiandonckels@yahoo.com

Request: PLANNING COMMISSION APPROVAL FOR A DEVELOPMENT OF A SINGLE FAMILY HOME ON SAHHALI SHORES AT NESKOWIN UNIT 3, LOT 80 WITH BUILDING SETBACKS AS DEFINED BY THE PROPERTY'S ZONING ORDINANCE NESKRR IN PLACE OF THE CLUSTER ZERO-LOT LINES AS APPROVED BY THE BOARD IN 2002 FOR SAHHALI SHORES UNIT III

- | Type II | Type III | Type IV |
|--|---|---|
| <input type="checkbox"/> Farm/Forest Review | <input type="checkbox"/> Detailed Hazard Report | <input type="checkbox"/> Ordinance Amendment |
| <input checked="" type="checkbox"/> Conditional Use Review | <input type="checkbox"/> Conditional Use (As deemed by Director) | <input type="checkbox"/> Large-Scale Zoning Map Amendment |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Ordinance Amendment | <input type="checkbox"/> Plan and/or Code Text Amendment |
| <input type="checkbox"/> Exception to Resource or Riparian Setback | <input type="checkbox"/> Map Amendment | |
| <input type="checkbox"/> Nonconforming Review (Major or Minor) | <input type="checkbox"/> Goal Exception | |
| <input type="checkbox"/> Development Permit Review for Estuary Development | <input type="checkbox"/> Nonconforming Review (As deemed by Director) | |
| <input type="checkbox"/> Non-farm dwelling in Farm Zone | <input type="checkbox"/> Variance (As deemed by Director) | |
| <input type="checkbox"/> Fore-dune Grading Permit Review | | |
| <input type="checkbox"/> Neskowin Coastal Hazards Area | | |

Location:

Site Address: SAHHALI SHORES AT NESKOWIN UNIT 3, Lot 80
 Map Number: 5S 11 13 05700
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.


 Signer ID: XALTUW6Y10... Date _____
 Applicant Signature: Damian Donckels
 Signer ID: XALTUW6Y10... Date _____

Nathan Good Architects
205 Liberty St NE
Salem, OR 97302

July 12, 2023

Tillamook County
Community Development
Attn: Melissa Jenck
1510-B Third Street

RE: Conditional Use Request
Tax Lot: 5S1113DC05700
Address Sahhali Shores at Neskowin Unit 3 Lot - 80

Subject: Responses to TCLUO Section 6.040 Section 6.040 Conditional Use Review Criteria and TCLUO Section 3.080(3)(b) Planned Development Overlay Criteria

A. TCLUO Section 6.040 Section 6.040 Conditional Use Review Criteria

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

Response A.1: The proposed use is a single-family dwelling as permitted outright in the NeskRR zone. Section 3.320 (2)

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

Response A.2: The proposed use is a single-family dwelling consistent with the Comprehensive Plan's applicable goals and policies.

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

Response A.3: The parcel's suitability for a single-family home is unaffected by the change in use from a townhome. Its size, shape, location, topography, improvements, and natural features collectively support the development of a single-family residence on the parcel.

- o Size: The parcel is spacious enough to comfortably accommodate a single-family home, providing ample room for a residence with sufficient landscape space.
- o Shape: The parcel's shape is suited for a single-family home. Its configuration allows for a layout and design that aligns with the requirements of a standalone dwelling.
- o Location: The parcel is positioned alongside two paved streets that provide convenient access. Moreover, existing underground utilities indicate that the necessary infrastructure is readily available for a single-family home. Furthermore, the fact that it has been previously plotted and developed for a townhome reinforces its suitability for a single-family home.
- o Topography: The unique topography is more practicable for the proposed single-family home as it can be tailored to the specific conditions of the land than a townhome that may require more uniformity across units and shared infrastructure.
- o Existence of improvements: The parcel already benefits from existing improvements, such as utilities, which are compatible with the proposed single-family home.
- o Natural features: There is an absence of mature trees, water bodies, rock formations, and other significant natural features that would inhibit the development of a single-family home.

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.*

Response A.4: The Sahhali Shores Architectural Review Board has reviewed and approved the proposed use and building design. See attached HOA letter of approval.

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

Response A.5: The proposed single-family use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems, or windmills because there are none in the vicinity of the proposed development.

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

Response A.6: The proposed use is entirely timely and fulfilling the intended development of Sahhali Shores. The roads have been constructed, and utilities installed to facilitate the development of a home on the plot. The Home Owners Associations Architectural Review Board has given approval for the development to start construction within a 2-year period beginning on March 20, 2023.

B. TCLUO Section 3.080(3)(b) Planned Development Overlay Criteria

1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.

Response B.1: The proposal for a single-family home instead of the standard ordinance requirement of a townhome can be justified by several special physical conditions or development objectives. These justifications warrant a departure from the standard ordinance requirements. Here are some potential reasons:

1. Neighborhood character: The neighboring homes primarily consist of single-family homes, and the proposed development aims to maintain the area's existing character and architectural style. This can be justified by the Sahhali Shores Home Owners Association's Architectural Review Board's approval of the proposed single-family home.
 2. Topography and Land Adaptation: the topography features of the parcel, such as the steep terrain, make it more suitable for a single-family home rather than a townhome. By developing the lot as a single-family home, the proposed development can adapt to the land's unique conditions specific to the parcel, ensuring proper construction and integration with the environment.
 3. Given the existing single-family home on the neighboring lot intended for a zero-lot line and townhome. It would be impractical to develop a townhome given the existing conditions.
2. Resulting development will not be inconsistent with the comprehensive plan provisions or zoning objectives of the area.

Response B.2: Single-family homes are consistent with the comprehensive plan and provisions for the NeskRR Zone.

3. The plan can be completed within a reasonable period of time.

Response B.3: The construction timeline for the proposed home is estimated by the contractor to be 15 months, which aligns with the industry standard for a residence of comparable size, complexity, and location. This estimated timeframe takes into account the various factors involved in the construction process, including site preparation, construction activities, and finalizing interior finishes.

4. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

Response B.4: The Sahhali Shores existing streets have been purposefully designed to accommodate residential development, with a focus on individual lots for single occupancy residences, which aligns with the proposed home intentions. The street layout, width, and infrastructure have been planned to cater to the needs of single-family homes, ensuring an appropriate environment for single-family dwellings.

5. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

Response B.5: The infrastructure of Sahhali Shores has been professionally planned and constructed to accommodate both single-family and townhomes. In the case of the proposed home's lot, a STEP (Septic Tank Effluent Pump) septic system is required and this system has been specifically designed by a registered Environmental Health Specialist, ensuring that it meets the necessary standards for safe and efficient wastewater management. This involvement of a professional in the septic design process ensures that the septic system is appropriately tailored to the specific characteristics of the lot and adheres to all relevant regulations and guidelines.

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

Response B.6: The proposed use of the parcel as a single-family home shares many similarities with the designated townhomes within the NeskRRR Zone and Sahhali Shores CC&R (Covenants, Conditions, and Restrictions). The proposed home's size, shape, and location align with the requirements and setbacks specified in the NeskRRR Zone and Sahhali Shores CC&R's. The dimensions of the parcel are suitable for accommodating the single-family home. Multiple geotechnical engineers have conducted geological hazard reports and determined that the parcel is suitable for home development.

7. 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.

Response B.7: The Sahhali Shores Architectural Review Board has reviewed and approved the proposed use and building design. See attached HOA letter of approval.

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

Response B.8: The proposed use is entirely timely and fulfilling the intended development of Sahhali Shores. The roads have been constructed, and utilities installed to facilitate the development of a home on the plot. The Home Owners Associations Architectural Review Board has approved for the proposed home to start construction within two years, beginning on March 20, 2023.

9. Proposed uses which are not otherwise permitted by the underlying zoning on the parcel are accessory uses within the entire development.

Response B.9: The proposed use is permitted by the underlying zone of the parcel.

SAHHALI SHORES AT NESKOWIN, LOT 80



PROJECT INFO

LEGAL DESCR	Sahhali Shores at Neskowin Unit 3 Lot - 80
MAP AND TAXLOT	5S1113DC05700
TAX ACCOUNT	409535
OR TAXLOT	2905.00S11.00W24AB--000004000
ACRES	0.17 acres
ZONING	NeskRRR

DEVELOPMENT STANDARDS

TILLAMOOK COUNTY LAND USE ORDINANCE NESKOWIN RURAL RESIDENTIAL ZONE

BUILDING SETBACKS:

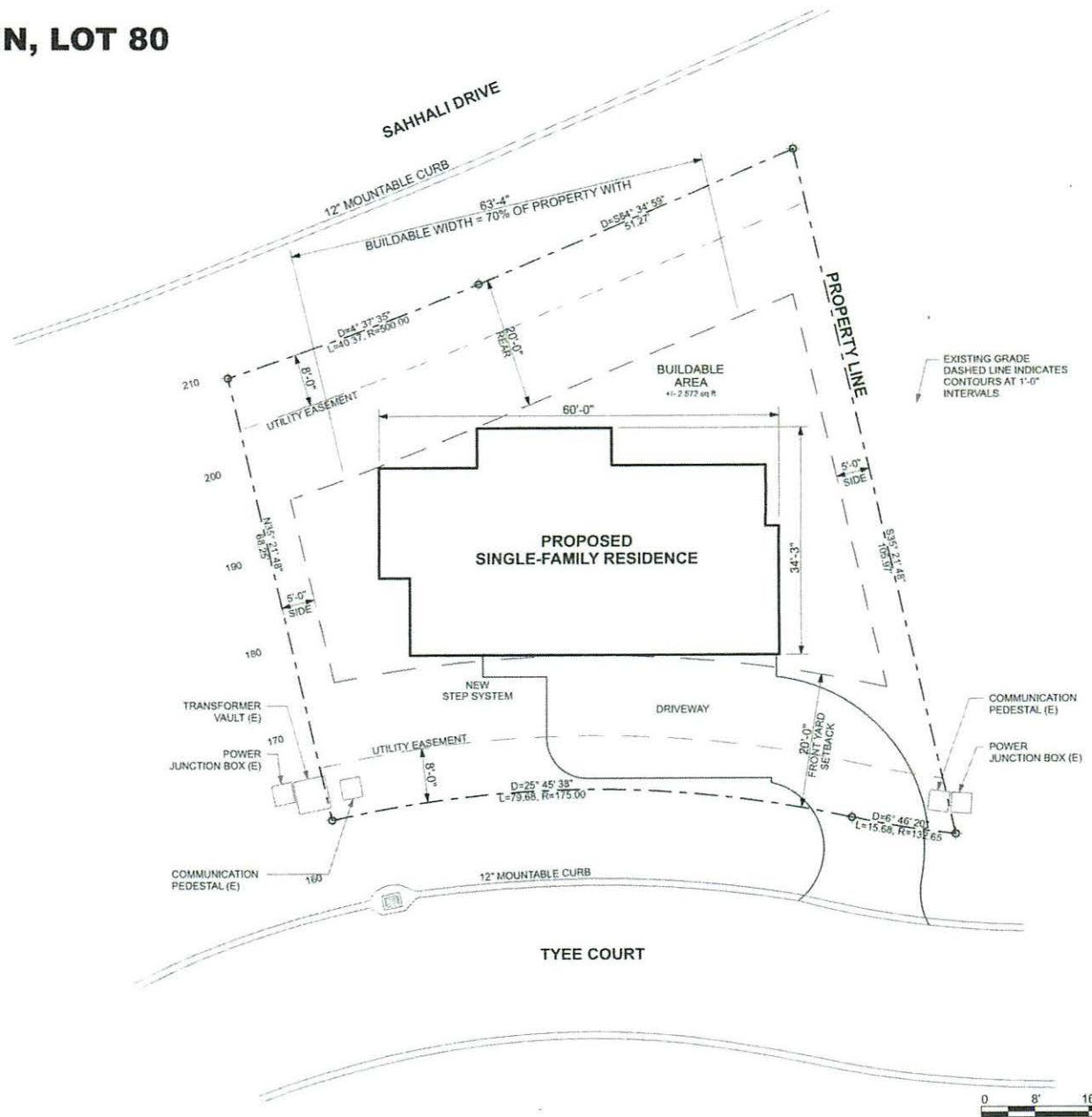
Front 20 feet
Side 5 feet,
Rear 20 feet

BUILDING HEIGHT

The maximum building height shall be 35 feet. Within the Neskowin Community Growth Boundary, building height shall be measured as the vertical distance from the existing grade at a given point to the highest surface of any building element or projection above that same point. The building height shall not exceed the maximum building height at any point.

BUILDING COVERAGE

- (1) The building depth at all points shall not exceed 70% of the distance between the front and rear lot lines (measured as close to perpendicular to those lines as possible).
- (2) Building width at all points shall not exceed 70% of the distance between opposite side lot lines (measured as close to perpendicular to those lines as possible).
- (3) Structural elements exempted from setback requirements by other sections of the Land Use Ordinance shall be exempt from this standard.



NATHAN GOOD ARCHITECTS SITE PLAN

NATHAN
GOOD
ARCHITECTS

GAUDIOSO-DONCKELS RESIDENCE,
SAHHALI SHORES AT NESKOWIN, LOT 80
7/12/23



Sahhali Shores at Neskowin COA

44495 Sahhali Drive

Neskowin, OR 97149

Website: www.sahhalishores.org

Jennifer Gaudioso and Damian Donkels

March 20, 2023

This letter is to notify you that the Architectural Review Board (ARB) has reviewed your application for architectural review and has approved your plans for construction as presented to the Board on March 14, 2023 of a single-family home on Lot #80. This approval is for the home, hardscape and landscape elements outlined in the set of plans submitted on March 10, 2023.

ARB approval of the following variances is also included:

1. Variance Request dated February 09, 2023 for construction of driveway retaining walls within the front setback area (CC&R Sections 9.11, 9.13), with landscape modifications to conceal the driveway structures as per the March 10, 2023 drawing set.
2. Variance Request dated March 02, 2023 for construction of home consisting of a lower garage/entry level and two stories of living space above (CC&R Section 9.3.1).
3. Variance Request dated March 10, 2023 to install a wall-mounted heat exchange unit instead of a ground-mounted unit (ARB Standard 3/6/2019).

As discussed and agreed at the March 14, 2023 ARB Review Meeting, approval of the solar energy system, as proposed, is conditioned upon the March 17, 2023 letter of understanding (attached) which addresses COA concerns over potential glare from the solar panels.

This approval is granted pursuant to the ARB's authority under the Association's governing documents to regulate the external design, appearance, and location for construction of new Living Units and to review proposed exterior changes for existing structures. The ARB has not undertaken any review of compliance with legal requirements or confirmed the accuracy of any information submitted by the owner's engineer. The submitting owner is responsible for meeting all legal or other requirements for the construction of the proposed new Living Unit and for obtaining any necessary approvals from neighboring property owners, the jurisdiction's building department, or any other approvals required by law.

Note that any external modifications or additions to the plans upon which this approval is granted must be provided to the ARB for review and approval prior to commencing work on the changes.

According to the Covenants, Conditions, & Restrictions (CC&Rs) for Sahhali Shores at Neskowin, the decision of the ARB is subject to appeal by an Interested Owner. The ARB has defined an Interested Owner as an owner of a lot withing 100 feet of the lot upon which the ARB has made a review decision. Upon notice of the approval, Interested Owners will then have a 30-day period in which to file an appeal with the COA Secretary as allowed in the CC&Rs, Section 10.5, if they disagree with the ARB decision.

Please note that this approval is not transferable and is subject to a 2-year deadline to begin construction. Failure to begin construction within 2 years of the approval date will cause the approval to expire, and you will be required to resubmit plans and a full fee. Also note that, per Section 9.3.2(a) of the CC&Rs, the exterior of the structure must be complete, including applied finishes where applicable (e.g. trim painted), within one year from the start of construction.

If you have any questions, please do not hesitate to contact myself or the COA Board of Directors. We look forward to you joining our community!

Sincerely,

Maria Veltre

Maria Veltre
Board President, Sahhali Shores at Neskowin Consolidated Owners Association
president@sahhalishores.org
917.446.1621

March 17, 2023

Architectural Review Board
Sahhali Shores

Subject: Solar Panel Agreement

Dear Board Members,

With respect to concerns over the possibility of glare from the proposed solar panels, Jen and Damian Gaudio-Donckels agree that during the first 365 days of installed solar panels, if any glare disturbs the uphill townhouses, they will address concerns up to and including removing the offending panels as a last resort.

Sincerely,

Jennifer Gaudio Damian Donckels

Jennifer and Damian Gaudio-Donckels

Signature: 
Jennifer Gaudio (Mar 17, 2023 13:11 MDT)

Email: jen_gaudio@yahoo.com

Signature: 
Damian Donckels (Mar 17, 2023 13:12 MDT)

Email: damiandonckels@yahoo.com











Lot 80 - SOLAR PANEL UNDERSTANDING

Final Audit Report

2023-03-17

Created:	2023-03-17
By:	Forrest Good (forrest@ngapc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAakhvaKUBGmx-S_uiM_c86_4SCzL5O2cyl

"Lot 80 - SOLAR PANEL UNDERSTANDING" History

-  Document created by Forrest Good (forrest@ngapc.com)
2023-03-17 - 6:59:59 PM GMT- IP address: 50.246.232.145
-  Document emailed to jen_gaudioso@yahoo.com for signature
2023-03-17 - 7:02:14 PM GMT
-  Email viewed by jen_gaudioso@yahoo.com
2023-03-17 - 7:09:04 PM GMT- IP address: 198.206.223.252
-  Signer jen_gaudioso@yahoo.com entered name at signing as Jennifer Gaudioso
2023-03-17 - 7:11:09 PM GMT- IP address: 76.127.40.165
-  Document e-signed by Jennifer Gaudioso (jen_gaudioso@yahoo.com)
Signature Date: 2023-03-17 - 7:11:11 PM GMT - Time Source: server- IP address: 76.127.40.165
-  Document emailed to damiandonckels@yahoo.com for signature
2023-03-17 - 7:11:12 PM GMT
-  Email viewed by damiandonckels@yahoo.com
2023-03-17 - 7:11:38 PM GMT- IP address: 76.127.40.165
-  Signer damiandonckels@yahoo.com entered name at signing as Damian Donckels
2023-03-17 - 7:12:26 PM GMT- IP address: 76.127.40.165
-  Document e-signed by Damian Donckels (damiandonckels@yahoo.com)
Signature Date: 2023-03-17 - 7:12:28 PM GMT - Time Source: server- IP address: 76.127.40.165
-  Agreement completed.
2023-03-17 - 7:12:28 PM GMT

Names and email addresses are entered into the Acrobat Sign service by Acrobat Sign users and are unverified unless otherwise noted.

**Update to a
Geologic Hazards and
Geotechnical Investigation
Tax Lot 5700, Map 5S-11W-13DC
Sahhali Drive, Neskowin
Tillamook County, Oregon**

**Prepared for:
Mr. Damian Donckels
3339 Central Avenue NE, #310
Albuquerque, NM 87106**

Project #Y224659

November 18, 2022



Project #Y224659

November 18, 2022

To: Mr. Damian Donckels
3339 Central Avenue NE, #310
Albuquerque, NM 87106

Subject: Update to a
Geologic Hazards and
Geotechnical Investigation
Tax Lot 5700, Map 5S-11W-13DC
Sahhali Drive, Neskowin
Tillamook County, Oregon

Dear Mr. Donckels:

The accompanying report presents the results of our update to a geologic hazards and geotechnical investigation for the above subject site. The intent of this report is to address the applicable requirements set forth in Tillamook County Land Use Ordinance (TCLUO) Section 4.130, Development Requirements for Geologic Hazard Areas. The undersigned Oregon certified engineering geologist has the appropriate qualifications and experience to prepare this report and all of its contents.

After you have reviewed our report, we would be pleased to discuss the report and to answer any questions you might have.

This opportunity to be of service is sincerely appreciated. If we can be of any further assistance, please contact us.

H.G. SCHLICHER & ASSOCIATES, INC.



Adam M. Large MSc, RG, CEG
President/Principal Engineering Geologist

AML:mgb

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Figure 2 – Plat Map

Figure 3 – Site Topographic Map

Figure 4 – Slope Profile A-A'

Figure 5 – Sediment Fence Detail

APPENDICES

Appendix A – Site Photographs

Appendix B – 2018 Test Pit Logs

Appendix C – 2019 Boring Log

Appendix D – 2019 Laboratory Results

Appendix E - Checklist of Recommended Plan Reviews and Site Observations



Project #Y224659

November 18, 2022

To: Mr. Damian Donckels
3339 Central Avenue NE, #310
Albuquerque, NM 87106

Subject: Update to a
Geologic Hazards and
Geotechnical Investigation
Tax Lot 5700, Map 5S-11W-13DC
Sahhali Drive, Neskowin
Tillamook County, Oregon

Dear Mr. Donckels:

1.0 Introduction

At your request and authorization, a representative of H.G. Schlicker and Associates, Inc. (HGSA) visited the subject site (Figures 1 and 2; Appendix A) on September 28, 2022, to complete an update to a geologic hazards and geotechnical investigation of Tax Lot 5700, Map 5S-11W-13DC, Sahhali Drive, Sahhali Shores, Neskowin Tillamook County, Oregon. It is our understanding that you are working with an architect and planning the construction of a house at the site.

This report addresses the geologic hazards and geotechnics at the site with respect to the construction of a house. The scope of our work consisted of a site visit, site observations and measurements, a review of our previous reports (HGSA #Y184144 and #Y184144B), a limited review of the geologic literature, interpretation of topographic maps, lidar, and aerial photographs, and preparation of this update report with our findings, conclusions, and recommendations.

2.0 Previous Work at the Site and Project Description

In spring 2018, we completed a geologic hazards and geotechnical investigation for the site. At that time, we explored the subsurface with test pit excavations and provided recommendations for conventional foundations for the construction of a house stepped down the hillside.

Since the time of our initial investigation, based on feedback from the design team, it was our understanding that a daylight basement-style house, accessed from Tyee Court, was proposed. The design at that time called for a tall foundation retaining wall supporting the northern slopes at the site. In the spring and summer of 2019, we completed a second geotechnical investigation, including a drilled boring and laboratory analysis, to provide geotechnical data for use in the design and construction of that retaining wall.

It is our understanding that you recently purchased the lot and are working with the architecture firm that provided the previous design work. We completed a site visit to observe the current site conditions, reviewed and compiled the contents of our past reports, and prepared this updated report.

3.0 Site Description

The site is located on a steep slope that overlooks Lake Neskowin and the Pacific Ocean to its west-southwest (Figure 1). The site consists of a 0.17-acre lot, approximately 105 feet deep, north to south, and approximately 94 feet wide, east to west (Figure 2). The lot is bounded to its west by a vacant lot, to its east by a lot with a house under construction, to its north by Sahhali Drive, and to its south by Tyee Court (Figure 2). The site is vegetated with ferns, Scotch broom, grasses, and brush. A few spruce trees are present near Tyee Court. Much of the site is now overgrown with dense brush.

Since the time of our earlier work, there does not appear to be any substantial changes to the engineering geologic conditions at the site. The surface of Sahhali Drive, along the northern portion of the site, appears to have been recently coated; during our previous site visits, we observed signs of distress in the pavement in this area (Appendix A).

4.0 Geologic Hazards Analysis

Our geologic hazards analysis is presented below.

4.1 Bedrock, Soil Types, and Structures

The site lies in an area which has been mapped as the basaltic sandstone member of the Oligocene Alsea Formation, which consists of massive to thick-bedded and trough cross-bedded grit to fine-grained concretionary sandstone with minor pebble conglomerate and siltstone (Snavely et al., 1996). The basaltic sandstone mantels undifferentiated Eocene basalt, which consists of platy basalt flows, pillow lavas, lapilli tuff, and mudflow breccia with blocks of hard basalt. Across Sahhali Drive, to the north of the site, basalt is exposed in the road cut (Appendix A).

Structural deformation and faulting along the Oregon Coast is dominated by the Cascadia Subduction zone (CSZ) which is a convergent plate boundary extending for approximately 680 miles from northern Vancouver Island to northern California. This convergent plate boundary is defined by the subduction of the Juan de Fuca plate beneath the North America Plate and forms an offshore north-south trench approximately 60 miles west of the Oregon coast shoreline. A resulting deformation front consisting of north-south oriented reverse faults is present along the western edge of an accretionary wedge east of the trench, and a zone of margin-oblique folding and faulting extends from the trench to the Oregon Coast (Geomatrix, 1995).

A west-trending fault has been mapped approximately 0.5 feet north of the site, and a southwest-trending fault is mapped approximately 0.25 feet south of the site. These two faults intersect approximately 1.2 miles east of the site (Snavely et al., 1996). This faults cut Tertiary units with no evidence of recent movement.

The nearest mapped potentially active fault is the Happy Camp Fault (formerly the Netarts Bay fault), which lies at the north end of Netarts Bay, approximately 21 miles north of the site (Geomatrix, 1995). This fault is a west-northwest trending, high angle reverse fault which cuts Miocene basaltic and Pleistocene channel deposits. This fault is believed to have been active approximately 125,000 years ago; however, it does not appear to cut 80,000-year-old marine terrace deposits, which suggests that the fault has not been active for at least 80,000 years (Geomatrix, 1995).

Other mapped potentially active faults are located in the Tillamook Bay fault zone, approximately 29 miles north of the site (Personius et al., 2003). The Tillamook Bay fault zone is a major northwest-striking fault that offsets the Eocene Tillamook Volcanics on the west flank of the Coast Range. No displacements in Quaternary deposits have been documented, but the fault zone parallels the mountain front that controls the northeastern margin of Tillamook Bay and thus has geomorphic expression consistent with Quaternary displacement (Personius et al., 2003).

Previous Subsurface investigation

During our May 21, 2018, site visit, we explored the subsurface by excavating four test pits using a Link-Belt 2650 CR trackhoe. Soils encountered in the test pits were logged by a geologist from our office and visually classified according to the Unified Soil Classification System (USCS). Approximate location of the test pits are shown on Figures 3 and 4. A detailed test pit log is provided in Appendix B of this report.

Excavations generally encountered approximately 2 feet of organic-rich silt, overlying medium to coarse-grained sandy silt and cobble-sized fragments of highly weathered basaltic sandstone.

At the time of our July 1, 2019, site visit, we completed additional subsurface exploration by advancing one mud rotary drilled boring to a depth of approximately 50 feet with a GeoProbe 7822DT tracked drill rig. Sampling was completed by obtaining and observing cuttings during drilling and observing materials recovered in split spoon samples from Standard Penetration Tests (SPTs) conducted at selected depth intervals to obtain in situ soil strength data based on penetration resistance (blow counts or “N” values). The borehole was logged by a geologist from our office who visually classified the soils encountered according to the Unified Soil Classification System (USCS). A detailed boring log is provided in Appendix C of this report. The approximate location of the boring is shown on Figures 3 and 4.

The boring generally encountered approximately 5 feet of brown, soft, sandy silt fill, disturbed soil, and debris underlain by approximately 7 feet of loose silty sand, underlain by slightly to intensely weathered, soft to moderately hard, fractured, friable basaltic sandstone extending to the maximum depth explored of 51.5 feet. The weathering and strength of the basaltic sandstone varied with depth based on the penetration resistance as measured with the SPTs (Appendix C). Free groundwater was not encountered in the boring.

Previous Laboratory Analysis

Three Unconfined Compression Strength of Soil (ASTM D2166) tests were attempted on select soil samples collected from the boring to assist in determining the engineering characteristics of the soils. Laboratory test results are presented in Appendix D of this report.

Unit weight (dry density) ranged from 97.3 to 110.0 pounds per cubic foot (pcf). Samples analyzed for unit weight content were collected from the boring from 15, 20, and 25 feet below the ground surface (bgs).

Two out of the three samples submitted, collected at approximately 20 feet and 25 feet bgs, were sufficiently competent for unconfined compression testing; the third sample, from a depth of 15 feet, could not be tested. Laboratory test results indicate that the soil samples tested from 20 and 25 feet bgs have an ultimate unconfined compressive strength of approximately 1,020 pounds per square foot (psf) and approximately 1,140 pounds per square foot (psf), respectively.

4.2 Slopes

As discussed above, the eastern areas of the site generally slope at approximately 20 degrees. Toward the west, the site slopes at approximately 35 degrees (Figures 3 and 4).

The northern part of the site is approximately 40 to 45 feet higher in elevation than the southern part.

4.3 Orientation of Bedding Planes in Relation to the Dip of the Surface Slope

We were not able to obtain bedding orientations from the exposures at the site. However, basaltic sandstone exposed in a road cut at the end of Whale Point Drive, approximately 600 feet northwest of the site, exposed bedding planes that dip down toward the west from 5 to 15 degrees. The western part of the Sakhali Shores area generally slopes down to the west, which may be associated with the dip of the basaltic Alsea Formation. The steeper sloping bluff along the west of the site, formed by ancient ocean wave erosion, and the dip of the slope do not appear to be directly associated with the regional dip of the underlying rock units.

Based on our review of lidar, there are a series of ridges in the Sakhali Shores area, which extend west beyond the main bluff line forming small headlands. These ridges appear to be associated with a series of northeast-southwest trending lineaments through Sakhali Shores. These lineaments may be associated with lava flow patterns and structures associated with the Eocene basalts which underlie the basaltic sandstone at the site, or may be associated with unmapped faults.

4.4 Site Surface Water Drainage Patterns

We observed no streams or drainage channels at the site. Surface water drainage generally flows across the site to the south-southwest.

4.5 Slope Stability and Erosion

The site slopes down toward the south from 20 to approximately 35 degrees, with localized steeper areas and consists of sandy silt with basaltic sandstone fragments underlain by basalt rock. The southern and eastern portions site have been subject to past grading to prepare the site for drill rig access in 2019. During our recent site visit, dense brush at the site made ground surface observations difficult. However, some indications of more recent grading activities and disturbances were present along the eastern portion of the site.

While conducting previous fieldwork, we observed some signs of ground distress along Sakhali Drive. There were loose basalt fragments and indications of poorly controlled fill between the southern side of Sakhali Drive and the northern property line. Signs of minor ground distress were previously observed along Sakhali Drive adjacent to the site, including patched cracks in the road, gaps between the asphalt road surface and the curb, and a hole indicating animal activity.

The site is in an area of moderate to high landslide susceptibility, based on the DOGAMI methodology (Burns, Mickelson, and Madin, 2016).

More recent detailed landslide susceptibility mapping by Calhoun, Burns and Franczyk (2020) identifies the site as having moderate susceptibility to deep-seated landslides (greater than 15 feet below the ground surface). The site is mapped as having a moderate to high susceptibility to shallow landslides (less than 15 feet below the ground surface). The site lies outside of lands mapped within a potential rapidly moving landslide hazard (Hofmeister et al., 2002).

Due to the slopes at the site and the presence of fine-grained soils, stormwater erosion can occur if not mitigated, particularly in areas that have been cleared or graded.

4.6 Regional Seismic Hazards

Abundant evidence indicates that a series of geologically recent large earthquakes related to the Cascadia Subduction Zone have occurred along the coastline of the Pacific Northwest. Evidence suggests that more than 40 great earthquakes of magnitude 8 and larger have struck western Oregon during the last 10,000 years. The calculated odds that a Cascadia earthquake will occur in the next 50 years range from 7–15 percent for a great earthquake affecting the entire Pacific Northwest, and about a 37 percent chance that the southern end of the Cascadia Subduction Zone will produce a major earthquake in the next 50 years (OSSPAC, 2013; OSU News and Research Communications, 2010; Goldfinger et al., 2012). Evidence suggests the last major earthquake occurred on January 26, 1700 and may have been of magnitude 8.9 to 9.0 (Clague et al., 2000).

There is now increasing recognition that great earthquakes do not necessarily result in a complete rupture along the full 1,200 km fault length of the Cascadia subduction zone. Evidence in the paleorecords indicates that partial ruptures of the plate boundary have occurred due to smaller earthquakes with moment magnitudes (M_w) < 9 (Witter et al., 2003; Kelsey et al., 2005). These partial segment ruptures appear to occur more frequently on the southern Oregon coast, as determined from paleotsunami studies. Furthermore, the records have documented that local tsunamis from Cascadia earthquakes recur in clusters (~250–400 years) followed by gaps of 700–1,300 years, with the highest tsunamis associated with earthquakes occurring at the beginning and end of a cluster (Allan et al., 2015).

These major earthquake events were accompanied by widespread subsidence of a few centimeters to 1–2 meters (Leonard et al., 2004). Tsunamis appear to have been associated with many of these earthquakes. In addition, settlement, liquefaction, and landsliding of some earth materials are believed to be commonly associated with these seismic events.

Other earthquakes related to shallow crustal movements or earthquakes related to the Juan de Fuca plate have the potential to generate magnitude 6.0 to 7.5 earthquakes. The recurrence interval for these types of earthquakes is difficult to determine from present

data but estimates of 100 to 200 years have been given in the literature (Rogers et al., 1996).

The expected strength of shaking to occur at the site during an earthquake in a 500-year period has been mapped as very strong (DOGAMI Oregon HazVu website, accessed November 2022). “Very Strong” is the third-highest level of a six-level gradation from “Light” to “Violent” in this mapping system

4.7 Flooding Hazards

Based on the 2018 Flood Insurance Rate Map (FIRM Panel #41057C0865F), the site lies in Zone X (outside the 0.2% annual chance floodplain). We observed no streams or springs at or near the site that could cause flooding at the site.

Based on Oregon Department of Geology and Mineral Industries mapping (DOGAMI, 2012), the site lies outside the tsunami inundation zone resulting from a 9.1 and smaller magnitude Cascadia Subduction Zone (CSZ) earthquake. The 2012 DOGAMI mapping is based upon five computer-modeled scenarios for shoreline tsunami inundation caused by potential CSZ earthquake events ranging in magnitude from approximately 8.7 to 9.1. The January 1700 earthquake event has been rated as an approximate 8.9 magnitude in DOGAMI’s methodology. Other earthquake source zones can also generate tsunamis.

4.8 Climate Change

According to most of the recent scientific studies, the Earth’s climate is changing as the result of human activities which are altering the chemical composition of the atmosphere through the buildup of greenhouse gases, primarily carbon dioxide, methane, nitrous oxide, and chlorofluorocarbons (EPA, 1998). Although there are uncertainties about exactly how the Earth’s climate will respond to enhanced concentrations of greenhouse gases, scientific observations indicate that detectable changes are underway (EPA, 1998; Church and White, 2006). Global sea level rise, caused by melting polar ice caps and ocean thermal expansion, could lead to flooding of low-lying coastal property, loss of coastal wetlands, erosion of beaches and bluffs, and saltwater contamination of fresh groundwater. It can also lead to increased rainfall, resulting in an increase in landslide occurrence.

5.0 Development Standards

The main engineering geologic concerns at the site are:

1. We have observed signs of ground distress adjacent to the northern portion of the site, indicating possible slope instability of the fill at and near the road.

2. The presence of several feet of loose, silty soils, which will not be suitable for foundations, is underlain by highly weathered basaltic sandstone and medium to coarse-grained sandy silt.
3. Uncontrolled fills up to several feet thick are present on the northern part of the site, along the south side of Sahhali Drive.
4. Foundations will need to be footings stepped up the slope, grade beams supported on deep foundations such as augered pile, or daylight basement type design.
5. There is an inherent regional risk of earthquakes along the Oregon Coast, which could cause harm and damage structures. Existing ancient and young landslides can also be mobilized as a result of earthquake events. Earthquake events can also cause new landslides. The site lies outside a mapped tsunami inundation hazard zone. However, a tsunami impacting the Neskowin area could cause harm, loss of life, and damage to structures. These risks must be accepted by the owner, future owners, developers, and residents of the site.

Our recommended development standards are presented below.

5.1 Development Density

It is our understanding that only one single-family residence will be located at the site.

5.2 Locations for Structures and Roads – Safest Site

Development of this property requires mitigation for potential landsliding and steep slopes, which will likely include drainage and waterproofing of the building envelope, construction of retaining walls, and grading. Stabilization of slopes above and below the proposed home may also be required.

A stepped foundation design would be most appropriate for the site. A daylight basement design may require both freestanding and integrated foundation retaining walls. A daylight basement design will also require a formal grading plan prepared by the project's civil engineer showing an estimate of the depths and extent of all proposed excavation and fill work and temporary and permanent shoring (TCLUO Section 3.530(5)(e)(B)). A topographic survey completed by an Oregon licensed surveyor may be required to complete this grading plan.

5.3 Grading Practices

We recommend the following:

5.3.1 Site Preparation

An HGSA representative shall observe the footing locations and foundation excavations prior to placing fill, forming and/or pouring of concrete.

Building loads may be supported on individual and continuous spread footings bearing in undisturbed, native, non-organic, firm soils, basaltic sandstone rock, or properly designed and compacted structural fill placed on these materials. All footing areas should be stripped of all organic soils, organic debris, and any existing fills. We anticipate that non-organic, firm soils and/or basaltic sandstone will be encountered at depths of approximately 2 to 7 feet; however, depths may vary substantially, which will necessitate HGSA's professional site observations during excavation for the foundations. Care should be taken during excavation so that materials exposed in the excavation are not disturbed or softened. Protection of footing areas from deterioration may be necessary and can be accomplished by placing 3 to 4 inches of well compacted crushed rock aggregate in footing and slab areas.

Any tree stumps, including the root systems, shall be removed from beneath footing, slab, and pavement areas, and the resulting holes backfilled with compacted structural backfill placed in lifts not exceeding 8 inches and compacted to a dry density of at least 95 percent of the Modified Proctor maximum dry density (ASTM D1557).

All test pits in footing, slab, and driveway areas should be excavated to their full depth and replaced with structural fill per the recommendations provided herein. The approximate location of the test pits are shown on Figures 3 and 4.

Silty soils at the site should be easily excavated using standard excavating equipment, such as backhoes or trackhoes. The underlying basaltic sandstone can be hard, and specialized equipment such as large trackhoes, rock hammers, or jackhammers will be required for excavation once the sandstone is encountered.

5.3.2 Cut Slopes and Fills

Temporary unsupported cut and fill slopes less than 9 feet in height shall be sloped no steeper than 1 horizontal to 1 vertical (1H:1V). If temporary slopes greater than 9 feet high are desired, or if water seepage is encountered in cuts, our firm shall be contacted to provide additional recommendations. Temporary cuts in excess of 5 feet high and steeper than 1H:1V will likely require appropriate shoring to provide for worker safety, per OSHA regulations. Temporary cuts shall be protected from

inclement weather by covering them with plastic sheeting to help prevent erosion and failure.

If the cut slope recommendations provided herein cannot be achieved due to construction and/or property line constraints, temporary or permanent retention of cut slopes may be required, as determined by a representative of HGSA.

Permanent unsupported cut and fill slopes shall be constructed no steeper than 2 horizontal to 1 vertical (2H:1V). Fill slopes steeper than 2H:1V shall be mechanically reinforced using geogrids, or other suitable products as approved by HGSA. Areas that slope steeper than 5H:1V and are to receive fill shall be benched. Benches shall be cut into native, non-organic, firm soil. The lowest bench shall be keyed a minimum of 2 feet into native, firm soil, and be a minimum of 6 feet wide.

TEMPORARY AND PERMANENT CUTS	
Temporary Cuts	1H:1V (maximum) ^a
Permanent Cuts	2H:1V (maximum) ^a
^a All cuts greater than 9 feet high, or cuts, where water seepage is encountered, shall be approved by a representative of H.G. Schlicker & Associates, Inc.	

Structural fills supporting building or driveway loads should consist of granular material, free of organics and deleterious materials, and contain no particles greater than 1 inch in diameter so that nuclear methods (ASTM D2922 & ASTM D3017) can be easily used for field density testing. Fill should contain less than 5% of material passing the 200 mesh sieve based on the minus ¾ inch fraction and a washed sieve analysis. Structural fill should be placed in lifts not exceeding 8 inches and compacted to a minimum of 95% of the maximum dry density as determined by ASTM D1557. All areas to receive fill should be stripped of all organic soils, organic debris and existing fill and to a depth approved by a representative of HGSA.

Proper test frequency and earthwork documentation usually requires daily observation during stripping, rough grading, and placement of structural fill. Field density testing should generally conform to ASTM D2922 and D3017, or D1556. To minimize the number of field and laboratory tests, fill materials should be from a single source and of a consistent character. Structural fill should be approved and periodically observed by HGSA and tested by a qualified testing firm. Test results will need to be reviewed and approved by HGSA. We recommend that one density test be performed for at least every 18 inches of fill placed and every 200 cubic yards, whichever requires more testing. Because testing is performed on an on-call

basis, we recommend that the earthwork contractor be held contractually responsible for proper test scheduling.

STRUCTURAL FILL	
Compaction Requirements	A minimum of 95% of ASTM D1557, compacted in 8-inch lifts maximum, at or near the optimum moisture content.
Benching Requirements ^a	Slopes steeper than 5H:1V that are to receive fill should be benched. Fills should not be placed along slopes steeper than 3H:1V, unless approved by H.G. Schlicker & Associates, Inc.
^a Benches should be cut into native, non-organic, firm soils. Benches should be a minimum of 6 feet wide with side cuts no steeper than 1H:1V and no higher than 6 feet. The lowest bench should be keyed in a minimum of 2 feet into native, non-organic, firm soils.	

5.3.3 Unanticipated Conditions

Unanticipated subsurface conditions are commonly encountered during site excavation and grading, especially in coastal and hillside areas. Therefore, we should observe foundation excavations prior to placing fill, forming and/or pouring concrete to assure that suitable bearing materials have been reached. At the time of our observations, we may recommend changes to foundation specifications or additional embedment depths if suitable bearing materials have not been reached. There will be additional costs for this service.

5.4 Vegetation Removal and Re-Vegetation Practices

Vegetation should be removed only as necessary, and exposed areas should be replanted following construction. Disturbed ground surfaces exposed during the wet season (November 1 through April 30) should be temporarily planted with grasses or protected with erosion control blankets or hydromulch.

Temporary sediment fences should be installed downslope of any disturbed areas of the site until permanent vegetation cover can be established (Figure 5).

Exposed sloping areas steeper than 3 horizontal to 1 vertical (3H:1V) should be protected with a straw erosion control blanket (North American Green S150 or equivalent) to provide erosion protection until permanent vegetation can be established. Erosion control blankets should be installed as per the manufacturer's recommendations.

5.5 Foundation Recommendations

Conventional Shallow Spread Footings

1. Building loads may be supported on continuous spread footings bearing in undisturbed, native, hard, basaltic sandstone or properly designed and compacted granular fill placed on the sandstone. All footing areas should be stripped of all organic and loose soils, debris and any existing fills. We anticipate that basaltic sandstone will be encountered at depths of 2 to 7 feet. However, firm silty soils are also suitable for foundation support based on the observation and approval by a representative of HGSA.
2. Footings bearing on undisturbed, hard basaltic sandstone or properly placed and compacted structural fill placed on the sandstone may be designed for an allowable dead plus live load bearing capacity of 3,000 pounds per square foot, or 1,500 psf on firm soil, with an increase of one-third allowed for short term wind or seismic loads.

ALLOWABLE SOIL BEARING CAPACITIES	
Allowable Dead Plus Live Load Bearing Capacity ^a	3,000 psf (hard sandstone) 1,500 psf (firm soil)
Passive Resistance	400 psf/ft embedment depth (hard sandstone) 200 psf/ft embedment depth (firm soil)
Lateral Sliding Coefficient	0.40 (hard sandstone) 0.30 (firm soil)
^a Allowable bearing capacity may be increased by one-third for short term wind or seismic loads.	

An elevated floor and crawlspace, stepped up the hillside, or a daylight basement design would be appropriate for the site. For conventional light-frame construction*, our recommended minimum widths and embedment depths for continuous footings are as follows:

MINIMUM FOOTING WIDTHS & EMBEDMENT DEPTHS			
Number of Stories	One	Two	Three
Minimum Footing Width	18 inches	18 inches	23 inches
Minimum Exterior Footing Embedment Depth ^a	18 inches	20 inches	24 inches
Minimum Interior Footing Embedment Depth ^b	6 inches	6 inches	6 inches
^a If foundations will be placed along or immediately adjacent to slopes steeper than 3H:1V, foundation embedments will need to be a minimum of 24 inches, as approved by a representative of our firm. ^b Interior footings shall be embedded a minimum of 6 inches below the lowest adjacent finished grade, or as otherwise recommended by our firm. In general, interior footings placed on sloping or benched ground shall be embedded or set back from cut slopes in such a manner as to provide a minimum horizontal distance between the foundation component and face of the slope of one foot per every foot of elevation change.			

*Please contact us for additional recommendations if brick veneer, hollow concrete masonry, or solid concrete or masonry wall construction is incorporated in the design of the house.

Isolated footings should meet Section R403.1.7 of the 2021 Oregon Residential Specialty Code (ORSC) requirements.

Deck footings should meet or exceed the minimum sizes set forth in Table R507.3.1 of the 2021 ORSC.

5.6 Retaining Wall Recommendations

For static conditions, freestanding retaining walls should be designed for a lateral active earth pressure expressed as an equivalent fluid weight (EFW) of 35 pounds per cubic foot, assuming level backfill. An EFW of 45 pounds per cubic foot should be used assuming sloping backfill of 2H:1V.

For static conditions, at-rest retaining walls should be designed for a lateral static, at-rest pressure expressed as an equivalent fluid weight EFW of 85 pounds per cubic foot, assuming sloping backfill of 2H:1V. An EFW of 60 pounds per cubic foot should be used assuming level backfill. Walls need to be fully drained to prevent the build-up of hydrostatic pressures.

RETAINING WALL EARTH PRESSURE PARAMETERS	
Static Case, Active Wall (level backfill/grades)	35 pcf ^a
Static Case, Active Wall (2H:1V backfill/grades)	45 pcf ^a
Static Case, At-Rest Wall (level backfill/grades)	60 pcf ^a
Static Case, At-Rest Wall (2H:1V backfill/grades)	85 pcf ^a
Seismic Loading (level backfill/grades)	12.4 pcf (H) ^{2 b}
^a Earth pressure expressed as an equivalent fluid weight (EFW).	
^b Seismic loading expressed as a pseudostatic force, where H is the height of the wall in feet. The location of the pseudostatic force can be assumed to act at a distance of 0.6H above the base of the wall.	

The EFWs provided herein assume static conditions and no surcharge loads from vehicles or structures. If surcharge loads will be applied to the retaining walls, forces on the walls resulting from these loads will need to be added to the pressures given herein.

For seismic loading, a unit pseudostatic force equal to 12.4 pcf (H)^2 , where H is the height of the wall in feet, should be added to the static lateral earth pressures. The location of the pseudostatic force can be assumed to act at a distance of 0.6H above the base of the wall.

Free-draining granular backfill for walls should be placed in 8-inch horizontal lifts and machine compacted to 95 percent of the maximum dry density as determined by ASTM D1557. Compaction within 2 feet of the wall should be accomplished with lightweight hand-operated compaction equipment to avoid applying additional lateral pressure on the walls. Drainage of the retaining wall should consist of slotted drains placed at the base of the wall on the backfilled side and backfilled with free-draining crushed rock (less than 5% passing the 200 mesh sieve using a washed sieve method) protected by non-woven filter fabric (Mirafi® 140N, or equivalent) placed between the native soil and the backfill. Filter fabric protected free-draining crushed rock should extend to within 2 feet of the ground surface behind the wall, and the filter fabric should be overlapped at the top per the manufacturer's recommendations. All walls should be fully drained to prevent the build-up of hydrostatic pressures. All retaining walls should have a minimum of 2 feet of embedment at the toe or be designed without passive resistance. The EFWs provided above assume that free-draining material will be used for the retaining wall backfill.

Fills supporting retaining wall loads should be limited to a thin layer of well-compacted granular material to level footing areas, be free of organics and deleterious materials, and contain no particles greater than 1 inch in diameter.

Pile Supported Retaining Walls

Lateral loads may be resisted by passive pressures acting on embedded footings, micropile anchors, or the use of batter pile. Batter pile and micropile anchors may be designed using the grout-to-ground bond strength values presented herein.

General guidelines for grout-to-ground bond strengths for a gravity grouted micropile system are provided in Table 5-21 of the Federal Highway Administration National Highway Institutes Micropile Design and Construction Reference Manual. Based on the subsurface materials encountered in our boring and the laboratory test results, we recommend using conservative bond ultimate strength values of 10 psi (1,440 psf) for the upper 12 feet of silty sand and fill and 22 psi (3,168 psf) for the underlying weathered basaltic sandstone (Sabatini et al., 2005). Pile spacing and embedment depths can vary with the size and type of the pile utilized. The project’s structural engineer shall design the pile. HGSA should work with the structural engineer, pile installation contractor, and designer during the design process. Prior to construction, the pile installation contractor should provide a work plan for HGSA’s review. We recommend using a factor of safety of 2 for the micropile in compression and a factor of safety of 3 for the micropile in tension.

5.7 Slab-On-Ground Construction

All areas beneath slabs for garages and driveways should be excavated a minimum of 8 inches into native, non-organic, firm soil or basaltic sandstone. The slab excavation should then be backfilled with a minimum of 8 inches of ¾ inch minus, clean, free-draining, crushed rock placed in 8-inch lifts maximum, which are compacted to 95 percent of the Modified Proctor (ASTM D1557).

SLABS-ON-GROUND	
Minimum thickness of ¾ inch minus crushed rock beneath slabs	8 inches
Compaction Requirements	95% ASTM D1557, compacted in 8 inch lifts maximum.

A representative of H.G. Schlicker & Associates should approve the condition of the base of the excavation prior to placing structural fill, and/or forming and pouring concrete (Appendix E). Reinforcing of the slab is recommended and the slab should be fully waterproofed in accordance with structural design considerations. An underslab drainage system is recommended for all below-grade slabs, such as basement slabs, as per the architect’s recommendations.

5.8 Drainage and Stormwater Management

Surface water should be diverted from building foundations and walls to approved disposal points by grading the ground surface to slope away a minimum of 2 percent for at least 6 feet towards a suitable gravity outlet to prevent ponding near the structures. Permanent subsurface drainage of the building perimeter using footing drains is recommended.

Footing drains should be installed adjacent to the perimeter footings and sloped a minimum of 2 percent to a gravity outlet. The perimeter drain excavation should be constructed in a manner which prevents undermining of foundation or slab components or any disturbance to supporting soils. A suitable perimeter footing drain system would consist of 4-inch diameter, perforated PVC pipe (typical) embedded below and adjacent to the bottom of footings and backfilled with approved drain rock. The type of pipe to be utilized may depend on building agency requirements and should be verified prior to construction. HGSA also recommends lining the drainage trench excavation with a non-woven geotextile filter, such as Mirafi® 140N, or equivalent, to increase the life of the footing drain and prevent the drain from being clogged by soil.

In addition to the perimeter foundation drain system, drainage of any crawlspace areas is required. Each crawlspace should be graded to a low point for installation of a crawlspace drain that is tied into the perimeter footing drain and tightlined to an approved disposal point. All crawlspaces will need to be vented as per ORSC requirements.

All roof drains should be collected and tightlined in a separate system independent of the footing drains, or an approved backflow prevention device shall be used. All roof and footing drains should be discharged to an approved disposal point. If water will be discharged to the ground surface, we recommend that energy dissipaters, such as splash blocks or a rock apron, be utilized at all pipe outfall locations. Water should not be discharged to slopes steeper than 3H:1V unless approved by our firm. Water collected on the site should not be concentrated and discharged to adjacent properties.

5.9 Groundwater

Water seepage may be encountered in excavations during grading, particularly during wet weather conditions. If water seepage is encountered, dewatering of excavations should be the responsibility of the contractor.

5.10 Erosion Control

As detailed above (Section 5.4), vegetation should be removed only as necessary and exposed areas should be replanted following construction. Disturbed ground surfaces exposed during the wet season (November 1 through April 30) should be temporarily planted with grasses or protected with erosion control blankets.

A temporary sediment fence should be installed downslope of any disturbed areas of the site until permanent vegetation cover can be established (Figure 5).

As recommended above, exposed sloping areas steeper than 3 horizontal to 1 vertical (3H:1V) should be protected with a straw erosion control blanket (North American Green S150 or equivalent) to provide erosion protection until permanent vegetation can be established. Erosion control blankets should be installed as per the manufacturer's recommendations.

Should wet weather grading be anticipated, the use of clean, well-graded granular fill containing less than 5 percent passing the No. 200 sieve is recommended for soil stabilization. The thickness of applied granular fill should be sufficient to stabilize the subgrade soils.

5.11 Flooding Considerations

Flooding considerations are discussed in Section 4.7.

5.12 Seismic Considerations

The structure and all structural elements should be designed to meet current Oregon Residential Specialty Code (ORSC) seismic requirements. Based on our knowledge of subsurface conditions at the site and our analysis using the guidelines recommended in the ORSC, the structure should be designed to meet the following seismic parameters:

SEISMIC DESIGN PARAMETERS	
Site Class	D
Seismic Design Category	D ₂
Mapped Spectral Response Acceleration for Short Periods	S _s = 1.287g
Site Coefficients	F _a = 1.200 F _v = 1.700
Design Spectral Response Acceleration at Short Periods	S _{DS} = 1.03

5.13 Plan Review and Site Observations

We should be provided the opportunity to review all site development, foundation, drainage, and grading plans prior to construction to assure conformance with the intent of our recommendations (Appendix E). The plans, details and specifications should clearly show that the above recommendations have been implemented into the design.

We should observe all footing and slab excavations prior to placing structural fill, and/or forming and pouring concrete to assure that suitable bearing materials have been reached

(Appendix E). Please provide us with at least five (5) days notice prior to any site observations. There will be additional costs for these services.

6.0 Additional Services

Design Review

Prior to construction, we should be provided the opportunity to review all site development, foundation, drainage, erosion control and grading plans to assure conformance with the intent of our recommendations (Appendix E). HGSA should also be provided with a foundation construction work plan for review prior to construction. All site plans, details and specifications should clearly show that the above recommendations have been implemented into the design.

This report pertains to a specific site and development. It is not applicable to adjacent sites nor is it valid for types of development other than that to which it refers. Any variation from the site or development plans necessitates a geotechnical review in order to determine the validity of the design concepts evolved herein.

HGSA's review of final plans and specifications is necessary to determine whether the recommendations detailed in this report and our earlier report for the site have been properly interpreted and incorporated in the design and construction documents. At the completion of our review, we will issue a letter of conformance to the client for the plans and specifications.

Construction Monitoring

A representative of HGSA should observe footing, grade beam and slab excavations prior to placing structural fill, forming and pouring concrete to assure that suitable bearing materials have been reached (Appendix E). At the time of our observations, we may recommend additional excavation if suitable bearing materials have not been reached. If used in the design, we should also observe pile installation operations (Appendix E). Please provide us with at least 5 (five) days' notice prior to any needed site observations. There will be additional costs for these services.

Because of the judgmental character of geotechnics, as well as the potential for adverse circumstances arising from construction activity, observations during site preparation, excavation, and construction will need to be carried out by a representative of HGSA or our designate. These observations may then serve as a basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein to the benefit of the project.

Field observations become increasingly important should earthwork proceed during adverse weather conditions. Oregon Structural Specialty Code requires full-time inspection of deep foundation construction by a qualified professional.

7.0 Limitations

The Oregon Coast is a dynamic environment with inherent, unavoidable risks to development. Landsliding, erosion, tsunamis, storms, earthquakes and other natural events can cause severe impacts to structures built within this environment and can be detrimental to the health and welfare of those who choose to place themselves within this environment. The client is warned that, although this report is intended to identify the geologic hazards causing these risks, the scientific and engineering communities' knowledge and understanding of geologic hazards processes is not complete. This report pertains to the subject site only and is not applicable to adjacent sites nor is it valid for types of development other than that to which it refers. Geologic conditions including materials, processes, and rates can change with time and therefore a review of the site and this report may be necessary as time passes to assure its accuracy and adequacy.

The subsurface information depicts generalized subsurface conditions only at these specific locations and at the particular time the subsurface exploration was completed. Soil and groundwater conditions at other locations may differ from the conditions at these locations.

Our investigation was based on geological reconnaissance and a limited review of published information. The information presented in this report is believed to be representative of the site. The conclusions herein are professional opinions derived in accordance with current standards of professional practice, budget and time constraints. No warranty is expressed or implied. The performance of this site during a seismic event has not been evaluated. If you would like us to do so, please contact us. This report may only be copied in its entirety.

8.0 Disclosure

H.G. Schlicker & Associates, Inc. and the undersigned Certified Engineering Geologist have no financial interest in the subject site, the project or the Client's organization.

9.0 References

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It has been our pleasure to serve you. If you have any questions concerning this report, or the site, please contact us.

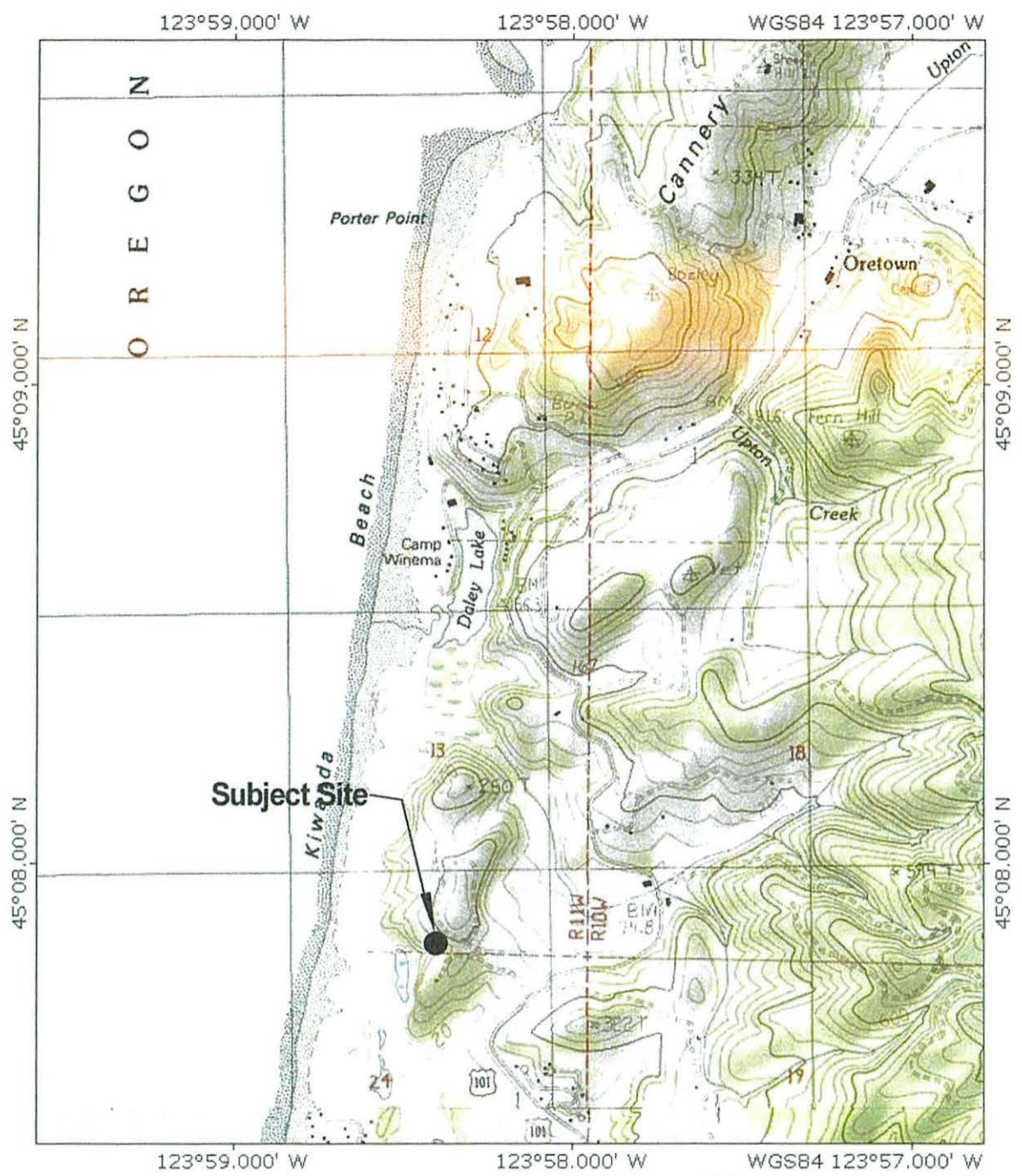
Respectfully submitted,

H.G. SCHLICKER AND ASSOCIATES, INC.

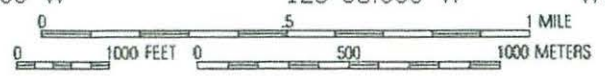


EXPIRES: 12/31/2022
Adam M. Large, MSc, RG, CEG
President/Principal Engineering Geologist

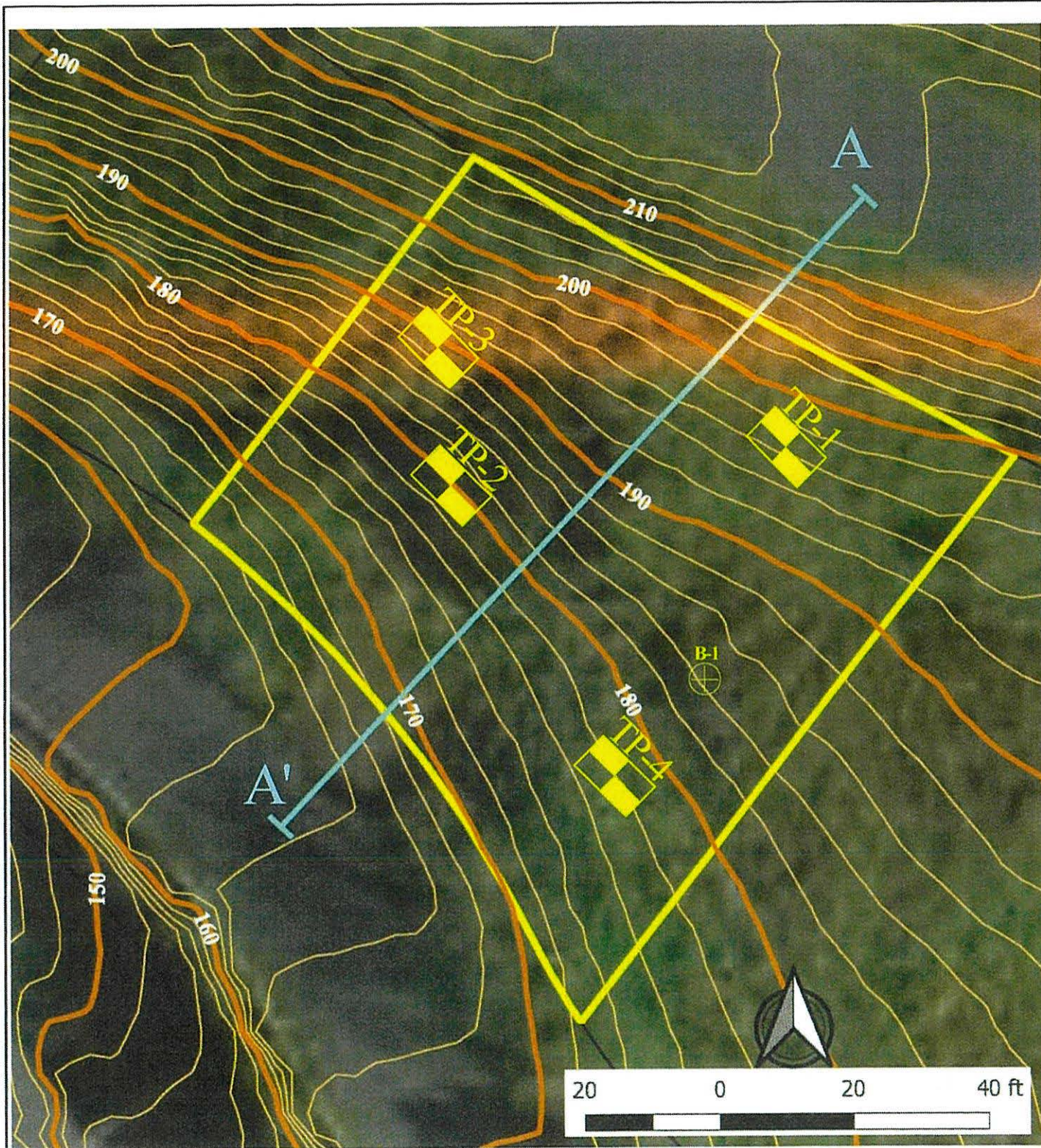
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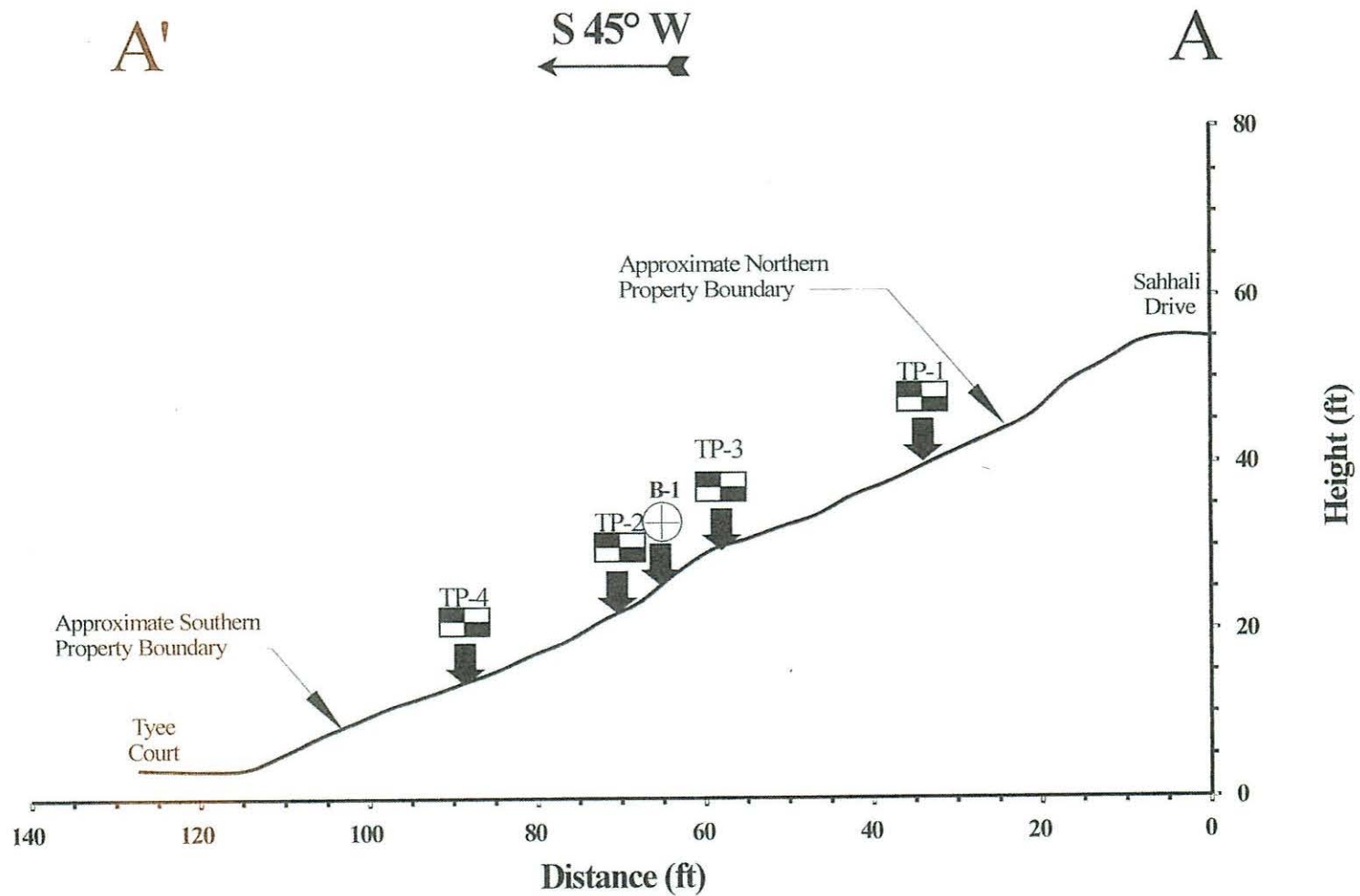
Date: 11/18/2022	Project #Y224659	Prepared by: MGB
Scale: 1" = 2,000'		Approved by: AML
Location Map Tax Lot 5700, Map 5S-11-13DC Sahhali Drive, Neskowin, Tillamook County, Oregon		
H.G. Schlicker & Associates, Inc.		Figure 1





-  B-1 = Approximate location of 2019 boring
-  TP-1 = Approximate location of 2018 test pit
-  = Approximate location of profile line


Date: 11/18/2022	Project #Y224659	Prepared by: MGB
Scale: 1" = 20'		Approved by: AML
Site Topographic Map with Profile Line Tax Lot 5700, Map 5S-11-13DC Sahhali Drive, Neskowin, Tillamook County, Oregon		

Imagery provide by GOOGLE
 Topography derived from 2009 OLC_North Coast provided by DOGAMI.
 All locations and dimensions are approximate.



- 
 = Approximate location of 2019 boring
- 
 = Approximate location of 2018 test pit

Slope profile derived from 2009 OLC_North Coast provided by DOGAMI.
 All locations and dimensions are approximate.

Date: 11/18/2022	Project #Y224659	Prepared by: MGB
Scale: 1" = 20'		Approved by: AML
Slope Profiles A-A' Tax Lot 5700, Map 5S-11-13DC Sahlali Drive, Neskowin, Tillamook County, Oregon		
 H.G. Schlicker & Associates, Inc.		Figure 4

FILE DRAWING/INSPECTORS GRAPHICS DRAWING PLAT 31

EROSION CONTROL MANUAL

TEMPORARY SEDIMENT FENCE

Detail Drawing 4.3-A

DRAWING NOT TO SCALE

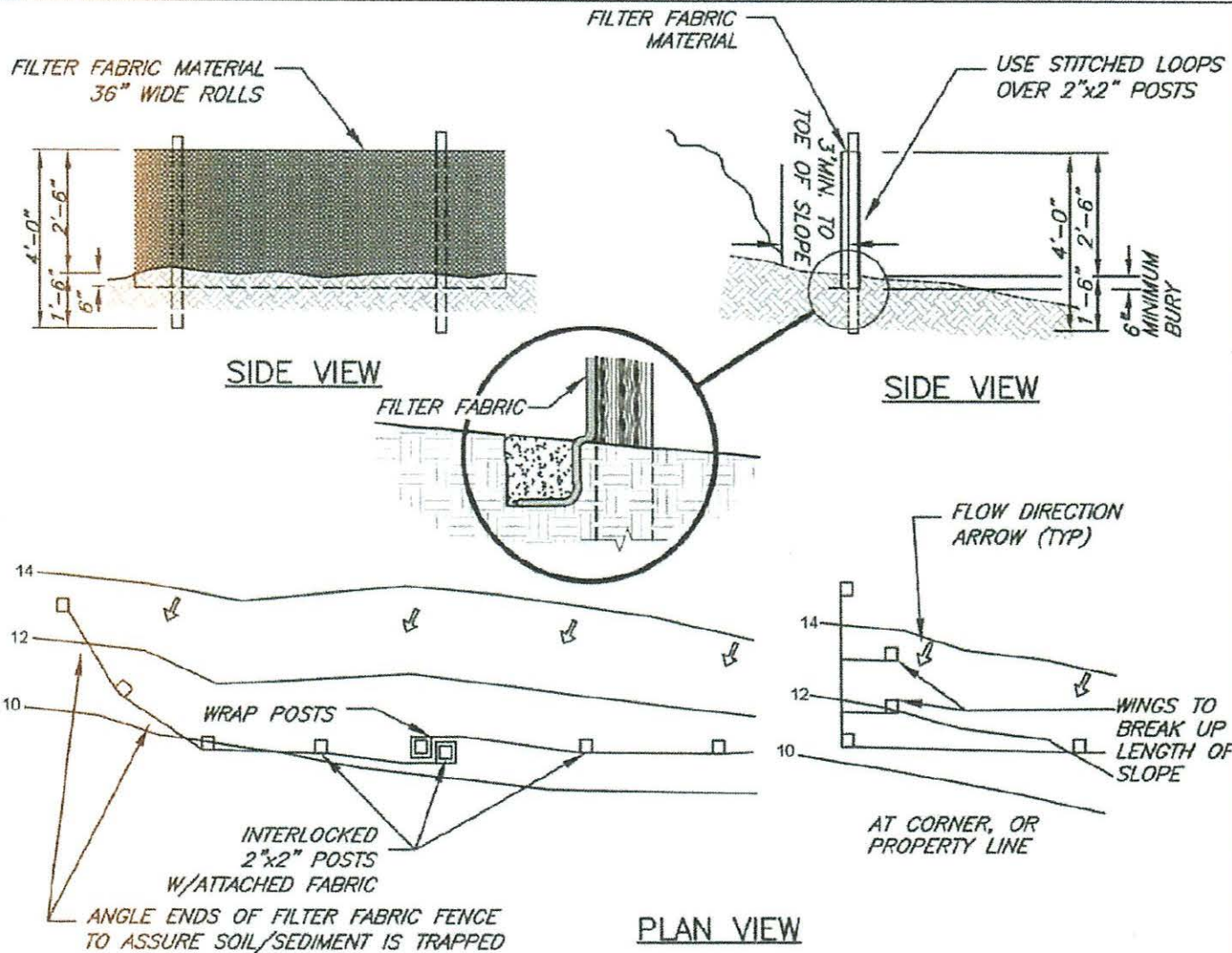


Figure 4.3-A Temporary Sediment Control (Silt) Fence

Date: 11/18/2022	Project #Y224659	Prepared by: MGB
Scale: As Shown		Approved by: AML
Sediment Fence Detail Tax Lot 5700, Map # 5S-11-13DC Sahhali Drive, Neskowin Tillamook County, Oregon		
H.G. Schlicker & Associates, Inc.		Figure 5

Drawing modified from Erosion and Sediment Control Manual, City of Portland Bureau of Environmental Services, 2008.

Refer to Original Source for Design Criteria/ Specifications

Project #Y224659

Appendix A
- Site Photographs -



Photo 1 – Northerly view of the site from Tyee Court (2022).



Photo 2 – Northwesterly view of the site looking upslope from Tyee Court towards Sahhali Drive (2018).



Photo 3 – View of the site from Sahhali Drive looking downslope at the northwestern portion of the site (2018).



Photo 4 – View of the site from Sahhali Drive looking downslope at the northwestern portion of the site (2022).

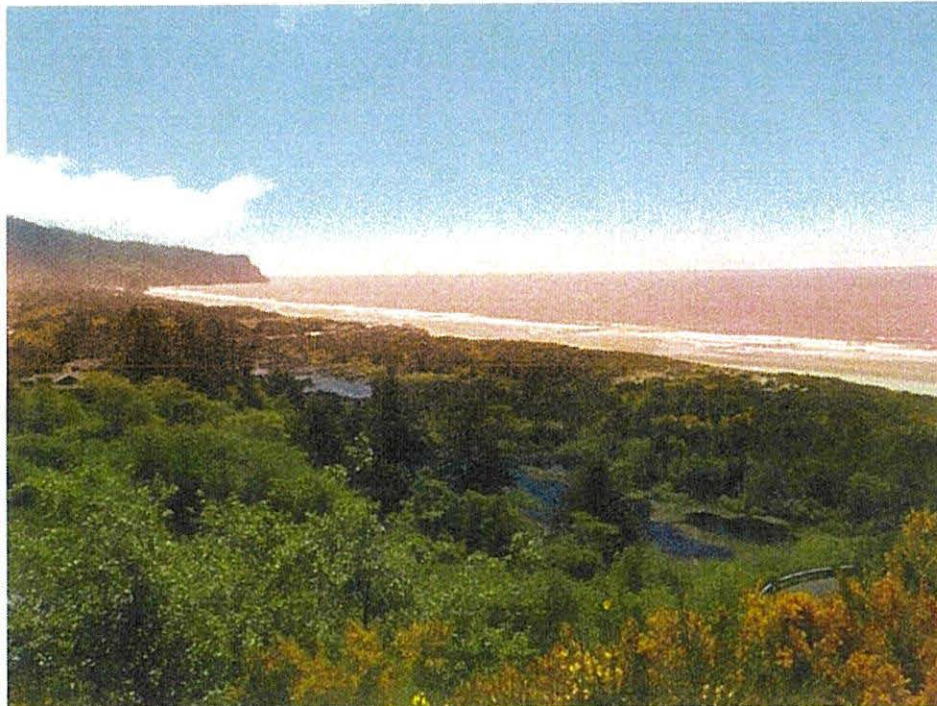


Photo 5 – View of the Pacific Ocean from the site (2018).



Photo 6 – View of Test Pit 1 being excavated (2018).



Photo 7 – View of Test Pit 2 being excavated (2018).



Photo 8 – View of a highly weathered basaltic sandstone fragment typical of those encountered in the test pits (2018).



Photo 9 – View of spoils from Test Pit 3 (2018).



Photo 10 – Northeasterly view of the location of Boring B-1 from Tye Court (2019).



Photo 11 – View of the mud rotary drill rig set up at Boring B-1 (2019).



Photo 12 – Close-up view of a fragment of weathered and fractured basaltic sandstone typical of the materials recovered between 15 and 50 feet depth (2019).



Photo 13 – View of the basaltic sandstone exposed in a cut at the top of the access ramp used during drilling (2019).

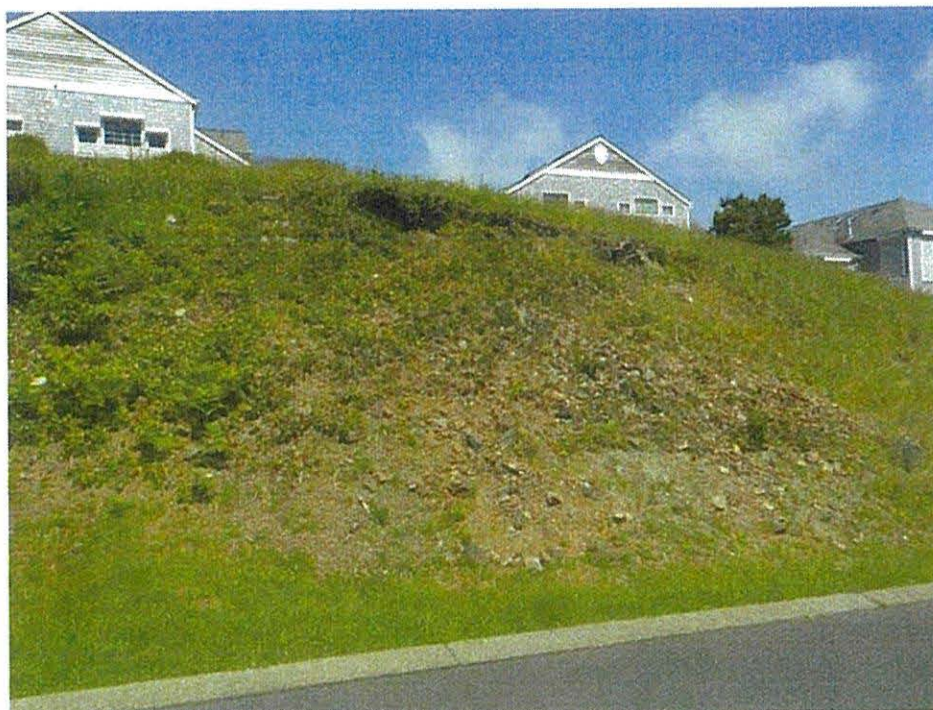


Photo 14 – View of the basalt exposed in a road cut along the north side of Sahhali Drive due north of the site (2018).

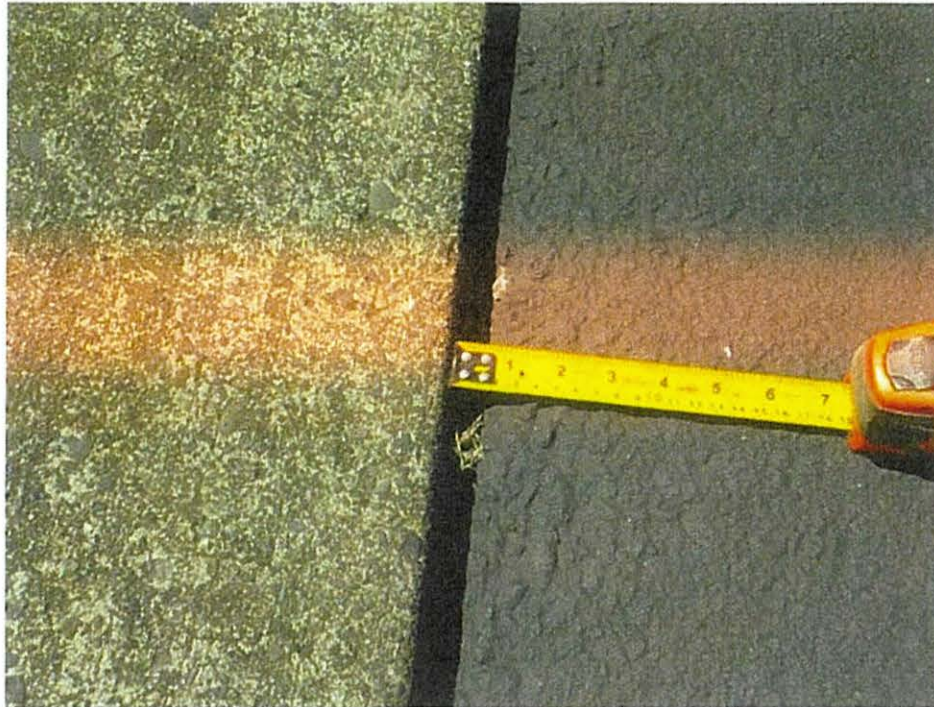


Photo 15 – View of an approximately $\frac{3}{4}$ inch gap between the edge of the asphalt surface and curb along the southern side of Sahhali Drive north of the site (2018).



Photo 16 – View of the recent pavement surface coating along the northern portion of the site. (2022).

Project #Y224659

Appendix B
- 2018 Test Pit Logs -

TEST PIT LOG EXPLANATION

UNIFIED SOIL CLASSIFICATION SYSTEM (USCS), ASTM D2487			
MAJOR DIVISIONS		GROUP SYMBOL *	GROUP NAME
COARSE-GRAINED SOILS	GRAVELS	GW	Well-graded gravel
		GP	Poorly-graded gravel
		GM	Silty gravel
		GC	Clayey gravel
	SANDS	SW	Well-graded sand
		SP	Poorly-graded sand
		SM	Silty sand
		SC	Clayey sand
FINE-GRAINED SOILS	SILTS AND CLAYS Liquid Limit Less than 50	ML	Silt with low plasticity
		CL	Clay with low plasticity
		OL	Organic silt or organic clay with low plasticity
	SILTS AND CLAYS Liquid Limit 50 or more	MH	Silt with high plasticity
		CH	Clay with high plasticity
		OH	Organic silt or organic clay with high plasticity
HIGHLY ORGANIC SOILS		PT	Peat, Muck, and other highly organic soils.

* NOTE: the symbol RK (not within the USCS system) is used in our logs to denote rock materials.

Test Pit Log

TP-1	<u>Depth (ft.)</u>	<u>USCS</u>	<u>Description</u>
	0 – 2.0	ML (Disturbed)	SILT, dark brown, moist, soft, with black organic debris and angular basalt fragments.
	2.5 – 5.0	ML	SANDY SILT, brown, moist, soft to medium stiff matrix with angular to subangular, highly weathered, friable basaltic sandstone cobble-sized fragments.
	5.0 – 8.5	ML	SANDY SILT, brown, moist, soft to medium stiff, medium to coarse grained matrix with 6" to 18" angular to subangular, highly weathered, friable basaltic sandstone fragments.
TP-2	<u>Depth (ft.)</u>	<u>USCS</u>	<u>Description</u>
	0 – 2.0	ML (Disturbed)	SILT, dark brown, moist, soft, with black organic debris and angular basalt fragments.
	2.0 – 9.0	ML	SANDY SILT, brown, moist, soft to medium stiff matrix with angular to sub-angular, highly weathered, friable basaltic sandstone fragments. Fragmented weathered basalt at 9 feet.

TP-3	<u>Depth (ft.)</u>	<u>USCS</u>	<u>Description</u>
	0 – 2.0	ML (Disturbed)	SILT, dark brown, moist, soft, with black organic debris and angular basalt fragments.
	2.0 – 8.0	ML	SANDY SILT, brown, moist, soft to medium stiff matrix with angular to sub-angular, highly weathered, friable basaltic sandstone cobbles. Some slightly weathered angular to subangular basalt fragments 6"-10" in size at 7 feet.
TP-4	<u>Depth (ft.)</u>	<u>USCS</u>	<u>Description</u>
	0 – 2.0	ML (Disturbed)	SILT, brown, moist, soft, with black organic debris.
	2.0 – 5.0	ML	SANDY SILT, brown, moist, medium stiff matrix with angular to sub-angular, highly weathered, friable basaltic sandstone fragments.
	5.0 – 9.0	ML	SANDY SILT, brown, moist, soft to medium stiff, basaltic sandstone fragments becoming more competent with depth. Bucket scraping at 9 feet.

Project #Y224659

Appendix C
- 2019 Boring Log -

BORING LOG EXPLANATION

UNIFIED SOIL CLASSIFICATION SYSTEM (USCS), ASTM D2487			
MAJOR DIVISIONS		GROUP SYMBOL	GROUP NAME
COARSE-GRAINED SOILS	GRAVELS	GW	Well-graded gravel
		GP	Poorly-graded gravel
		GM	Silty gravel
		GC	Clayey gravel
	SANDS	SW	Well-graded sand
		SP	Poorly-graded sand
		SM	Silty sand
		SC	Clayey sand
FINE-GRAINED SOILS	SILTS AND CLAYS Liquid Limits Less than 50	ML	Silt with low plasticity
		CL	Clay with low plasticity
		OL	Organic silt or organic clay with low plasticity
	SILTS AND CLAYS Liquid Limits 50 or more	MH	Silt with high plasticity
		CH	Clay with high plasticity
		OH	Organic silt or organic clay with high plasticity
HIGHLY ORGANIC SOILS		PT	Peat, Muck, and other highly organic soils.

SAMPLE TYPE

SPT = Standard Penetration Test and Split-Barrel Sampler (ASTM D1586); 1 3/8-inch I.D.

2.5" = Modified 2.5-inch I.D. Split-Barrel Sampler.

Shelby = Thin-Walled Tube Sampler (ASTM D1587); 3-inch O.D.

Sampling Interval



= No sample attempted



= Location of retrieved sample.



= Location where sample was attempted with no recovery.

Standard Penetration Test (SPT)

Blows per 6" = Number of blows required to drive SPT sampler 6 inches using a 140 Lb. hammer dropped from a height of 30 inches (recorded in three 6" intervals).

N = Standard Penetration Resistance: Number of blows (N) required to drive SPT sampler 12 inches using a 140 Lb. hammer dropped from a height of 30 inches (ASTM D1586).

P = Indicates that SPT sampler was pushed 6 inches with only the weight of the hammer or drill stem (N = 0)

Location: Sahhali Shores, OR				Job Name: Diehl				Project #: Y184144B			
Drilling Company: Western States				Driller: Lucas/Tim				Boring #: B-1			
Drill Rig: Geoprobe 7822DT		Solid Auger 4"		Hollow Auger		Rotary Wash		Sheet 1 of 3			
Sampler Type:		2.5" Split Barrel		2.8" Shelby Tube		SPT		Drilling Time			
Drive Wt.		140 Lbs		Fall:		30 In.		Start		Finish	
Water Level		Depth (ft.)		Time		Date		Time: 10:30 am		Time: 2:15 pm	
								Date: 7/1/2019		Date: 7/1/2019	
Field Personnel: M. Bordal				Casing Depth: (Ft.)				Ground Elevation: ~180 (Ft.)			
Blows per 6"			N	Sample Type	Depth (Ft.)	USCS	Description				
					0	ML	Sandy SILT FILL; brown, dry, loose, sandy silt fill with organic debris.				
4	5	6	11	SPT	2.5	ML	Sandy SILT DISTURBED; orange-brown, moist, stiff, sandy silt. 8 inches of material recovered from 2.5 to 4 feet.				
4	8	7	15	SPT	5	ML	Sandy SILT DISTURBED; orange-brown, moist, stiff, sandy silt 10 inches of material recovered from 5 to 6.5 feet.				
3	3	5	8	SPT	7.5	SM	Silty SAND; brown, moist, loose, silty sand with very weathered, friable, orange-brown, basaltic sandstone fragments. 10 inches of material recovered from 7.5 to 9 feet. Driller lost approximately 40 gallons of mud after sample was pulled.				
2	4	4	8	SPT	10	SM	Silty SAND; brown, moist, loose, silty sand with very weathered, friable, orange-brown, basaltic sandstone fragments. 6 inches of material recovered from 10 to 11.5 feet.				
					12.5		Drillers encountered harder material at approximately 12 feet.				
11	16	13	29	SPT	15	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable basaltic sandstone. 11 inches of material recovered from 15 to 16.5 feet.				
					17.5						

Location: Sahhali Shores, OR		Job Name: Diehl		Project #: Y184144B	
Drilling Company: Western States		Driller: Lucas/Tim		Boring #: B-1	
Drill Rig: Geoprobe 7822DT	Solid Auger 4"	Hollow Auger	Rotary Wash	Sheet 2 of 3	
Sampler Type: 2.5" Split Barrel		2.8" Shelby Tube		SPT	
Drive Wt. 140 Lbs		Fall: 30 In.		Drilling Time	
Water Level	Depth (ft.)	Time	Date	Start	Finish
				Time: 10:30 am	Time: 2:15 pm
				Date: 7/1/2019	Date: 7/1/2019
Field Personnel: M. Bordial		Casing Depth: (Ft.)		Ground Elevation: ~180 (Ft.)	

Blows per 6"	N	Sample Type	Depth (Ft.)	USCS	Description		
6	11	18	29	SPT	20	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable basaltic sandstone. 10 inches of material recovered from 20 to 21.5 feet.
					22.5		
7	11	13	24	SPT	25	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable basaltic sandstone with black and red staining. 12 inches of material recovered from 25 to 26.5 feet.
					27.5		Drilling slowed and encountered harder material at approximately 27.5 feet; dark grey clayey-silty sand cuttings.
12	17	20	37	SPT	30	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable, fractured basaltic sandstone. 14 inches of material recovered from 30 to 31.5 feet.
					32.5		
40	50	90	X	SPT	35	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable basaltic sandstone. 14 inches of material recovered from 35 to 36.5 feet.
		(for 11 inches)					
					37.5		

Location: Sahhali Shores, OR				Job Name: Diehl				Project #: Y184144B			
Drilling Company: Western States				Driller: Lucas/Tim				Boring #: B-1			
Drill Rig: Geoprobe 7822DT		Solid Auger 4"		Hollow Auger		Rotary Wash		Sheet 3 of 3			
Sampler Type:		2.5" Split Barrel		2.8" Shelby Tube		SPT		Drilling Time			
Drive Wt.		140 Lbs		Fall:		30 In.		Start		Finish	
Water Level		Depth (ft.)		Time		Date		Time: 10:30 am		Time: 2:15 pm	
								Date: 7/1/2019		Date: 7/1/2019	
Field Personnel: M. Bordal				Casing Depth: (Ft.)				Ground Elevation: ~180 (Ft.)			
Blows per 6"		N	Sample Type	Depth (Ft.)		USCS	Description				
16	20	30	50	SPT	40	RK	ROCK; orange-brown, moist, soft to moderately soft, intensely weathered, coarse-grained, friable basaltic sandstone. 11 inches of material recovered from 40 to 41.5 feet.				
					42.5						
26	50	X		SPT	45	RK	ROCK; orange-brown, moist, moderately soft to moderately hard, intensely weathered, coarse-grained, friable basaltic sandstone. 8 inches of material recovered from 45 to 46.5 feet.				
	(for 4 inches)										
					47.5						
25	7	4	11	SPT	50	RK	ROCK; orange-brown, moist, very soft, very intensely weathered to decomposed, coarse-grained, friable basaltic sandstone. 6 inches of material recovered from 50 to 51.5 feet.				

Project #Y224659

Appendix D
- 2019 Laboratory Results -

TECHNICAL REPORT

Report To: Mr. J. Douglas Gless, R.G., C.E.G.
H. G. Schlicker & Associates, Inc.
607 Main Street
Oregon City, Oregon 97045

Date: 12/04/2019

Lab No.: 19-403

Project: Laboratory Testing
Project No. Y184144B

Project No.: 3260.1.1

Report of: Unconfined compression of soil

Sample Identification

NTI completed unconfined compression testing on soil samples delivered to our laboratory on November 8, 2019. Testing was performed in accordance with the standards indicated. Our laboratory test results are summarized below and on the attached pages.

Sample Id: B-1 @ 15.0 ft.

Unconfined Compressive Strength of Cohesive Soil (ASTM D2166)					
Mass (grams)	Diameter (inches)	Height (inches)	Area (Sq. inches)	Initial Moisture Content (percent)	Initial Dry Density (lbs/ft ³)
118.48	1.378	2.348	1.491	17.2	110.0


Note: Insufficient sample for unconfined compression test

Attachments: Laboratory Test Results

Copies: Addressee

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SHEET 1 of 3

REVIEWED BY: Tom Ginsbach 

TECHNICAL REPORT

\\192.168.1.197\Laboratory\Lab Reports\2019 Lab Reports\3260.1.1 H.G. Schlicker&Associates\19-403\19-403 UC, density, unit weight soil.docx

TECHNICAL REPORT

Report To: Mr. J. Douglas Gless, R.G., C.E.G.
H. G. Schlicker & Associates, Inc.
607 Main Street
Oregon City, Oregon 97045

Date: 12/04/2019

Lab No.: 19-403

Project: Laboratory Testing
Project No. Y184144B

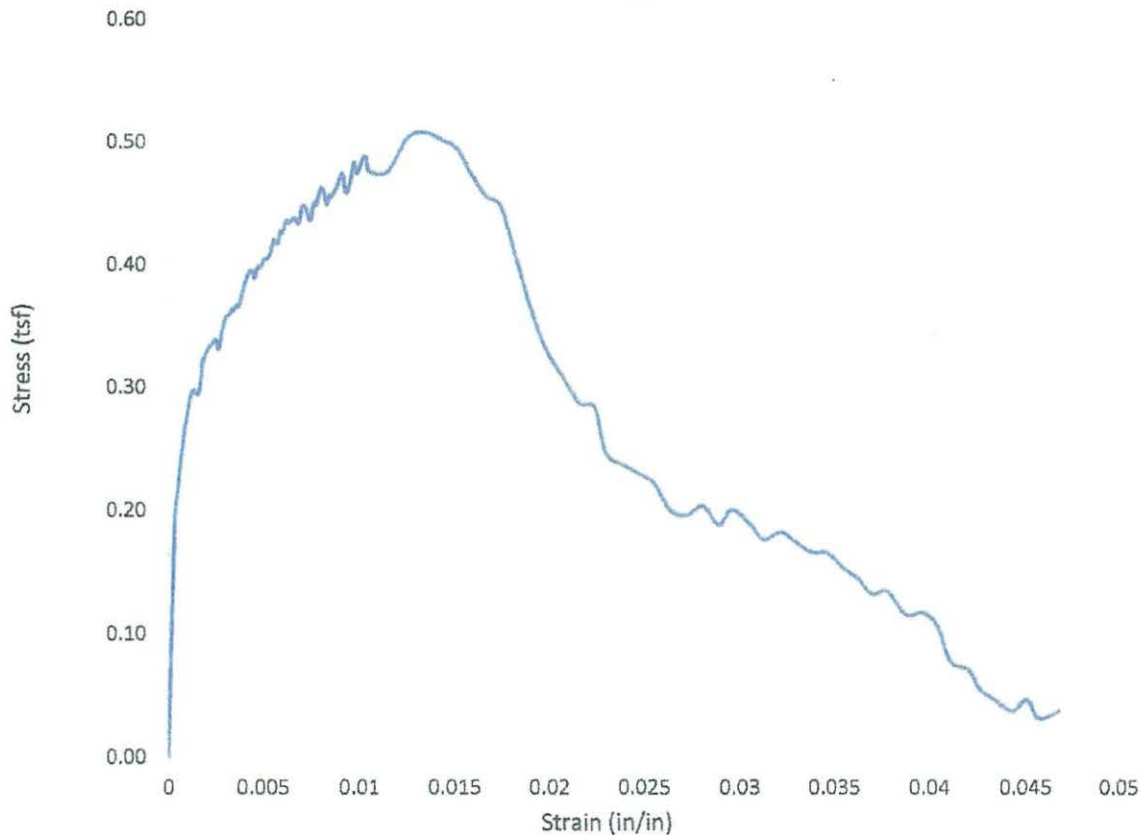
Project No.: 3260.1.1

Laboratory Test Results

Sample Id: B-1 @ 20.0 ft.

Unconfined Compressive Strength of Cohesive Soil (ASTM D2166)					
Mass (grams)	Diameter (inches)	Height (inches)	Area (Sq. inches)	Initial Moisture Content (percent)	Initial Dry Density (lbs/ft ³)
143.13	1.436	2.80	1.62	22.7	98.0

Stress Strain Figure



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SHEET 2 of 3

REVIEWED BY: Tom Ginsbach

TECHNICAL REPORT

\\192.168.1.197\Laboratory\Lab Reports\2019 Lab Reports\3260.1.1 H.G. Schlicker&Associates\19-403\19-403 UC, density, unit weight soil.docx

TECHNICAL REPORT

Report To: Mr. J. Douglas Gless, R.G., C.E.G.
H. G. Schlicker & Associates, Inc.
607 Main Street
Oregon City, Oregon 97045

Date: 12/04/2019

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Project: Laboratory Testing
Project No. Y184144B

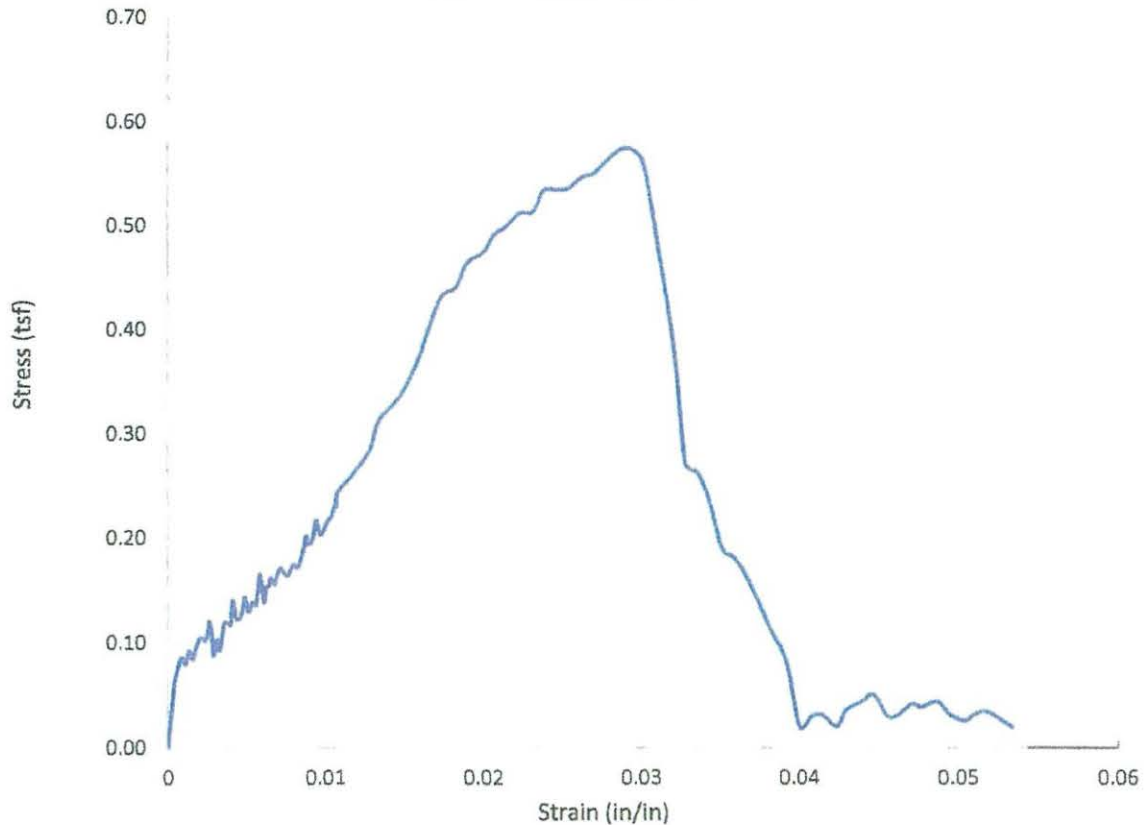
Project No.: 3260.1.1

Laboratory Test Results

Sample Id: B-1 @ 25.0 ft.

Unconfined Compressive Strength of Cohesive Soil (ASTM D2166)					
Mass (grams)	Diameter (inches)	Height (inches)	Area (Sq. inches)	Initial Moisture Content (percent)	Initial Dry Density (lbs/ft ³)
149.26	1.446	2.822	1.642	26.1	97.3

Stress Strain Figure



This report shall not be reproduced except in full, without written approval of Northwest Testing, Inc.

SHEET 3 of 3

REVIEWED BY: Tom Ginsbach

TECHNICAL REPORT

Project #Y224659

Appendix E
- Checklist of Recommended Plan Reviews and Site Observations -

Project #Y224659

APPENDIX E
Checklist of Recommended Plan Reviews and Site Observations
To Be Completed by a Representative of H.G. Schlicker & Associates, Inc.

Item No.	Date Done	Procedure	Timing
1*		Review site development, foundation, drainage, grading and erosion control plans.	Prior to permitting and construction.
2*		Observe foundation excavations.	Following excavation of foundations, and prior to placing fill, forming and pouring concrete. **
3*		Observe pile installation operations.	During installation. **
4*		Review Proctor (ASTM D1557) and density test results for all fills placed at the site.	Following compaction, and prior to forming and pouring, or paving.

* There will be additional charges for these services.

** Please provide us with at least 5 days' notice prior to all desired site observations.

EXHIBIT C

RECEIVED
AUG 28 2023

August 23, 2023

Tillamook County Depart of Community Developmen:
1510-B Third St
Tillamook, OR 97141

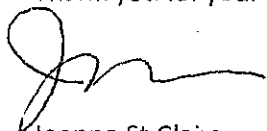
RE: #851-23-000219-PLNG – Conditional Use Permit Amendment Request

To Whom It May Concern,

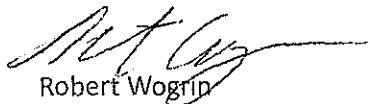
We are the adjacent SE property owners and would encourage you to approve the permit for Jennifer Gaudioso and Damian Donckels to build a single-family home instead of a townhouse on their lot.

A single-family home would be more visually appealing, have less impact on the community, and the design is in character for the street.

Thank you for your consideration.



Joanna St Claire
5830 Tyee Loop
Neskowin, OR 97149



Robert Wogrin

RECEIVED
AUG 28 2023



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: September 7, 2023
To: Tillamook County Planning Commission
From: Sarah Absher, CFM, Director
Subject: Conditional Use Request #851-23-000212-PLNG

Included is the staff report and associated exhibits for the above-mentioned Conditional Use request. The recommended Conditions of Approval include operational and maintenance requirements reflected in the Conditional Use approvals for Phases 1 and 2 of the Elks private recreational campground.

It should be noted that the site plan submitted with the application does not confirm the location of the 5 dry camp sites. Applicant will be prepared to confirm the location of the proposed sites at the hearing.

Please do not hesitate to contact me if you have any questions.

Thank You,

A handwritten signature in blue ink that reads "Sarah Absher". The signature is written in a cursive, flowing style.

Sarah Absher



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

Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REQUEST
#851-23-000212-PLNG: ELKS RECREATIONAL CAMPGROUND EXPANSION
STAFF REPORT**

Date: September 7, 2023

(This is not Building or Placement Permit Approval)

**Report Prepared by: Sarah Absher, CFM, Director
Sheila Shoemaker, Planner**

I. GENERAL INFORMATION:

Request: Request for conditional use approval to expand the Elks Campground by adding 15 additional full hookup RV sites for a total of 51 sites, together with a proposal for 5 dry campsites (Exhibit B).

Location: The subject property is accessed via Highway 101, is located south of the City of Tillamook and south of the Pleasant Valley rest area and is designated as Tax Lot 1302 in Section 21B of Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).

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

Applicant: Gary Beyer, 10480 Gould Avenue, Tillamook, OR 97141

Property Owner: Tillamook Elks Lodge, P.O. Box 87, Tillamook, OR 97141

Property Description: The subject property encompasses 18.29 acres (Exhibit A). Topography varies throughout the site from relatively flat areas to rolling/gently benched areas, sloping in a downward direction towards Fawcett Creek. The property is improved with a recreational vehicle for the camp host, accessory structures (restrooms, storage areas, etc.), water, an on-site sanitation system, and an interior graveled roadway system. The subject property is primarily covered with grass and trees. Surrounding properties are utilized for residential, farm and forest purposes (Exhibit A). A copy of the Tillamook County Assessor's map as well as a zoning map showing the location of the property and surrounding zoning is attached to this report as "Exhibit A".

The subject property is identified on FEMA Flood Insurance Rate Map (FIRM) #41057C0595F, dated September 28, 2018. Those portions of the subject property adjacent to Fawcett Creek is located within an Area of Special Flood Hazard (depicted as Zone A) and within in the County's Flood Hazard Overlay Zone (Exhibit A). The majority of the subject property is located outside an Area of Special Flood Hazard and is depicted as Zone X on the FIRM. The proposed construction and development of Phase 3 is located outside of the regulated floodplain (Area of Special Flood Hazard) (Exhibits A & B).

As shown on the hazard maps included in "Exhibit A" of this report, the subject property is outside of mapped areas of beaches and dunes. There are areas of mapped geologic hazard identified on the subject property, however those areas proposed for expansion of the recreational campground and existing improvements are all located outside of these mapped areas (Exhibit A).

In review of the USFWS National Wetland Inventory (NWI) Map, wetlands are present on the subject property, and are primarily located adjacent to the Fawcett Creek corridor with freshwater forested/shrub wetlands in the southeastern region of the subject property (Exhibit A).

The Rural Residential 2-Acre (RR-2) zone allows, as a conditional use, "Parks, recreational campgrounds, primitive campgrounds hunting and fishing preserves, and other recreational uses and associated facilities, on a contiguous ownership of 10 or more acres" (Section 3.010(3)(u), Tillamook County Land Use Ordinance. As per Tillamook County Assessor Records, the size of the subject property exceeds this 10-acre minimum requirement (Exhibit A).

Background:

Phase 1 was approved through Conditional Use request CU-81-42 to establish a private recreational campground on the subject property. As a result of this approval, twenty (20) sites were developed.

Phase 2 was initially approved in 2008 as Conditional Use request CU-07-02 to expand the recreational campground by adding 20 new campsites immediately, and up to 16 additional campsites over the next five years. Phase 2 required new review in 2015-2016 (#851-15-000027-PLNG) due to expiration of the approved decision for CU-07-02.

Conditional Use request #851-15-000027-PLNG approved an additional 15 recreational vehicle (RV) spaces for a total of 36 RV spaces, previously approved under Conditional Use Approval CU-07-02(a). It remains unclear how an additional RV site was created between Phase 1 and Phase 2, however review and approval of #851-15-000027-PLNG accounted for the additional RV site, allowing for a total of 36 RV sites in the recreational campground.

Phase 3 is for 15 additional full hookup RV sites for a total of 51 sites, together with a proposal for 5 dry campsites (Exhibit B). This third expansion proposal has been elevated to a Type 3 review by the Director of the Department as authorized under Section 6.020 and Article 10 of the TCLUO.

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 requirements and criteria, is discussed in Sections III, IV and V of this report:

Section III

- A. Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- B. Section 3.510: Flood Hazard Overlay Zone (FH)
- C. Section 3.555: Freshwater Wetlands Overlay
- D. Section 4.130: Development Requirements for Geologic Hazard Areas

- E. Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization
- F. Section 5.030: Recreational Campground Standards

Section IV

- A. Article VI: Conditional Use Procedures and Criteria

Section V

- B. Article X: Administrative Provisions

III. ANALYSIS OF STANDARDS:

A. TCLUO SECTION 3.010: RURAL RESIDENTIAL 2-ACRE (RR-2) ZONE

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

...

(u) Parks, recreational campgrounds, primitive campgrounds hunting and fishing preserves, and other recreational uses and associated facilities, on a contiguous ownership of 10 or more acres.

Findings: Staff finds the proposed expansion of the Recreational Campground is subject to the provisions of Article VI, addressed below in this report.

B. TCLUO SECTION 3.510 FLOOD HAZARD (FH) OVERLAY

The subject property is located partially within the 'A' zone of the Special Flood Hazard Area (SFHA) as depicted on FEMA Flood Insurance Rate Map (FIRM) #41057C0595F, dated September 28, 2018. The subject property is not located within a mapped Floodway (Exhibit A).

(8) RECREATIONAL VEHICLES: Recreational vehicles may occupy a site in a Special Flood Hazard Area for periods of 180 consecutive days or less provided they are fully licensed and highway ready. Recreational vehicles are on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions. Recreational vehicles that do not meet these criteria become manufactured dwellings and must be anchored and elevated pursuant to this ordinance.

Findings: Applicant proposes an additional 15 full hookup RV sites for a total of 51 sites, together with a proposal for 5 dry campsites, along with improvements to existing facilities (Exhibit B). In review of the submitted site plan, the site plan confirms the proposed 15 RV sites are located outside of the mapped Area of Special Flood Hazard. It is unclear to staff where the five (5) "dry campsites" are proposed to be located on the subject property (Exhibit B). Staff recommends the Applicant clarify the location of the dry campsites at the time of hearing.

Staff also finds that any future improvements to that portion of the subject property within a mapped Area of Special Flood Hazard, including fill and grading activities, require an approved Floodplain Development permit prior to the commencement of such development activities. Staff recommends a Condition of Approval for compliance with the Flood Hazard (FH) Overlay to ensure development activities within the mapped Area of Special Flood Hazard adhere to the applicable development standards of TCLUO Section 3.510.

C. TCLUO SECTION 3.555: FRESHWATER WETLANDS OVERLAY (FW)

(1) PURPOSE AND AREAS INCLUDED: The purpose of this zone is to protect significant areas of freshwater wetlands, marshes and swamps from filling, drainage or other alteration which would destroy or reduce their biological value. Areas included in this zone are:

...

(b) Notification Wetlands: wetlands shown on the Statewide Wetland Inventory (discussed in the Goal 5 Element of the Comprehensive Plan).

(2) USES PERMITTED:

..
(b) Notification Wetlands: wetlands shown on the Statewide Wetland Inventory (discussed in the Goal 5 Element of the Comprehensive Plan).

(3) STANDARDS: The following standard shall be met in addition to the standards of the underlying zone.

...
(b) Development activities, permits, and land-use decisions affecting a Notification Wetland require notification of the Division of State Lands, and are allowed only upon compliance with any requirements of that agency. The applicant shall be responsible for obtaining approval from the Division of State Lands for activities on Notification Wetlands.

Findings: Mapped wetlands are indicated on the National Wetlands Inventory (NWI) Map and are mapped in the southeastern region of the subject property (Exhibit A). The Oregon Department of State Lands (DSL) has provided comments which are further discussed later in this report (Exhibit C).

D. TCLUO SECTION 4.130: DEVELOPMENT REQUIREMENTS FOR GEOLOGIC HAZARD AREAS

(2) The following areas are considered potentially geologically hazardous and are therefore subject to the requirements of Section 4.130:

(a) All lands partially or completely within categories of “high” and “moderate” susceptibility to shallow landslides as mapped in Oregon Department of Geology and Mineral Industries (DOGAMI) Open File Report O-20-13, Landslide hazard and risk study of Tillamook County, Oregon;

Findings: The subject property contains mapped areas with susceptibility to landslides as identified by DOGAMI Open File report O-20-13 (Exhibit A). Staff finds that the proposed improvements are located outside of these mapped areas, however any development within the mapped areas is subject to applicable standards of TCLUO 4.130: Development Requirements for Geologic Hazard Areas. Staff recommends a Condition of Approval requiring that future development within geologic hazard areas demonstrate compliance with TCLUO 4.130.

E. SECTION 4.140: REQUIREMENTS FOR PROTECTION OF WATER QUALITY AND STREAMBANK STABILIZATION

(1) The following areas of riparian vegetation are defined:

(a) Fifty (50) feet from lakes and reservoirs of one acre or more, estuaries, and the main stems of the following rivers where the river channel is more than 15 feet in width; Nestucca, Little Nestucca, Three Rivers, Tillamook, Trask, Wilson, Kilchis, Miami, Nehalem and North and South Fork Nehalem River.

For estuaries, all measurements are horizontal and perpendicular from the mean high-water line or the line of non-aquatic vegetation, whichever is most landward. Setbacks for rivers, streams, and coastal lakes shall be measured horizontal and perpendicular from the ordinary high-water line.

Findings: Fawcett Creek traverses through the subject property (Exhibit A). Staff finds that development of the subject property is required to comply with the 25-foot riparian setback requirement from Fawcett Creek, measured horizontally and perpendicularly from the ordinary high-water line as per TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization.

The Oregon Department of Fish and Wildlife was notified of this request and comments received are included in "Exhibit C" of this report, and later discussed in this report. Staff recommends that adherence to TCLUO Section 4.140 be met through compliance with the recommended Conditions of Approval, including confirmation from Oregon Department of Fish and Wildlife for identifying the riparian boundary for any development activities proposed to be located near Fawcett Creek.

F. TCLUO SECTION 4.160: PROTECTION OF ARCHEOLOGICAL SITES

- (1) *The Planning Department shall review building permits and other land use actions that may affect known ARCHAEOLOGICAL SITES. If it is determined that the proposed action may affect the integrity of an ARCHAEOLOGICAL SITE, the Planning Director shall consult with the State Historic Preservation Office on appropriate measures to preserve or protect the site and its contents. No permit shall be issued until either the State Historic Preservation Office determines that the proposed activity will not adversely affect the ARCHAEOLOGICAL SITE, or the State Historic Preservation Office has developed a program for the preservation or excavation of the site.*
- (2) *Indian cairns, graves and other significant archaeological resources uncovered during construction or excavation shall be preserved intact until a plan for their excavation or reinterment has been developed by the State.*

Findings: The State Historic Preservation Office was noticed as part of this application and have not provided comments at time of publication of the Staff Report. Staff recommends that as a Condition of Approval, Applicant be required to obtain all applicable federal, state, and local permits and adhere to applicable regulations including those required by the State Historic Preservation Office.

G. TCLUO SECTION 5.030: RECREATIONAL CAMPGROUND STANDARDS

- (1) *PURPOSE: The purpose of the RECREATIONAL CAMPGROUND STANDARDS is to insure that each new or enlarged RECREATIONAL CAMPGROUND provides necessary facilities, adequate lot area, set-back, and other needed requirements for the public safety, health, and general welfare.*

A RECREATIONAL CAMPGROUND is a place where four or more recreational vehicles and/or tents are located on one or more continuous lots, tracts, or parcels of land under a single ownership for temporary recreational camping. A permanent house, mobile home, manufactured home, or recreational vehicle for the owner, operator, or manager of the campground is allowed, however other Sections of the Ordinance pertaining to such use shall apply, including Section 5.010, etc. Accessory uses that may be permitted include recreational cabins, showers, laundry, a grocery, a gas pump, and recreation facilities that are designated for the primary purpose of serving the occupants of the campground. A camper as defined in Article I, shall not be allowed to stay any longer than six (6) months in any twelve (12) month period.

The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Floodplain, Geologic Hazard zone, Riparian Vegetation.

- (2) *A RECREATIONAL CAMPGROUND shall be built to State standards and shall comply with the following provisions:*
 - a. *A RECREATIONAL CAMPGROUND shall have:*
 - i. *A minimum size of 1 acre or the minimum lot size of the zone, whichever is greater;*
 - ii. *A minimum number of 4 sites;*

Findings: Applicant is proposing an additional 15 full hookup RV sites for a total of 51 sites, together with a proposal for 5 dry campsites (Exhibit B).

- iii. *A minimum width of space 23 feet or state minimum whichever is greater, for each site;*

- iv. *Lot depths may vary in size, however maximum unit lengths shall be designated for each proposed space, and each space shall include enough area for the required setbacks along with the maximum unit length;*

Findings: The site plan included in the Applicant's submittal confirms the dimensional standards outlined above are met.

- v. *A minimum distance between actual unit location and interior road right-of-way of 10 feet. Each campsite will have direct access to interior road right-of-way;*
- vi. *And all property lines not abutting an exterior roadway shall be 10 feet. A minimum distance between actual unit and an exterior roadway shall be 20 feet;*
- vii. *A minimum distance between actual units of 15 feet;*
- viii. *Minimum distance between actual unit and community or service buildings of 10 feet;*

Findings: The site plan included in the Applicant's submittal confirms the standards outlined above are met.

- ix. *Campground roads shall have a surface width of at least 16 feet with 2-foot shoulders on each side. All interior park roads shall be surfaced to minimum County road standards and well drained. No on-street parking shall be allowed;*

Findings: The campground is improved with an interior road system consisting of 25-foot-wide rights-of-way that traverse throughout the campground (Exhibit B). Applicant's site plan confirms existing 25-foot-wide rights-of-way within the campground will be extended where needed to provide access to the additional sites, specifically a 25-foot new right-of-way proposed to be constructed along the northern portion of the campground to accommodate the proposed 15 RV sites (Exhibit B).

Staff find this standard can be met through compliance with the recommended Conditions of Approval.

- x. *Walkways not less than three (3) feet wide may be required to be provided from trailer spaces to community and service buildings. All access roads and walkways should be well lighted;*
- xi. *All areas not used for spaces, motor vehicle parking, traffic circulation, or service or community buildings shall be completely and permanently landscaped or maintain existing natural vegetation. The landscaping shall be maintained in good condition;*
- xii. *A sight-obscuring fence and/or buffer strip of vegetation may be required on every side of a RECREATIONAL CAMPGROUND;*
- xiii. *Trash cans shall be provided in convenient locations for the use of guests of the park, and shall be located in such number, and shall be of such capacity, that there is no uncovered accumulation of trash at any time;*

Findings: Vegetative buffers and landscaping requirements for areas not used for spaces, motor vehicle parking, traffic circulation or service and community buildings have been established as part of the recreational campground approvals for phases 1 and 2 and are required to be maintained throughout the site. Also required to be maintained is the 10-foot setback from property lines not abutting an exterior roadway. Through the recommended Conditions of Approval, Staff finds these conditions can continue to be met should the Planning Commission choose to approve this request.

- xiv. *All Recreational Vehicles staying in the park shall be assigned to a space. No space shall have more than one (1) Recreational Vehicle or tent assigned to it, except as provided in State law;*

Findings: Applicant confirms that each space will have no more than one (1) RV assigned to them (Exhibit B).

- xv. *Approval of a recreational campground shall not be construed to be an approval of the building plans for building permit review purposes. All proposed building construction must meet Uniform Building Code requirements as part of building permit review;*

Findings: Staff finds there are no proposed permanent buildings as part of the proposed expansion. Staff finds this standard can be met through compliance with the Conditions of Approval.

- xvi. *On-site storage areas, for park residents only, may be allowed. If allowed, the storage area shall be screened or combined landscape and screening with a 6 foot high sight obscuring fence or hedge along all exterior property lines of the storage area;*

Findings: Applicant is not proposing additional on-site storage areas for the recreational campground (Exhibit B).

- xvii. *Preliminary plans which contain all the information specified in OAR 333-31-059 shall be submitted to the Planning Department when requesting Conditional Use approval.*

Findings: Tillamook County Environmental Health provided comments on the proposed expansion request, stating that plan review and updates to existing licensing will be required (Exhibit C). Staff recommends a Conditional of Approval that the proposed expansion be in compliance with Tillamook County Environmental Health licensing standards.

- xviii. *All RECREATIONAL CAMPGROUNDS, which legally existed prior to the date of this Ordinance, and which have submitted complete Master Plans to the department for review, shall be considered an "existing use" if:*

- 1. The RECREATIONAL CAMPGROUND is in compliance with all State regulations and County Sanitation regulations; and*
- 2. Master Plans and review fees are submitted to the department no later than December 31, 1986; and*
- 3. The department issues a letter to the RECREATIONAL CAMPGROUND owner indicating that the campground meets the above two criteria.*

If it is determined by the department that the RECREATIONAL CAMPGROUND does meet the first two criteria, the department shall submit the letter, mentioned in (c) above, to the campground owner. At that time, only that portion of the campground identified in the Master Plan, will then be considered an "existing use".

Only those campgrounds who retain the confirmation letter will be considered an "existing use". In the future, if one of the "existing use" campgrounds enlarge or expand, only that new portion of the campground will be required to meet the County standards. The "existing use" RECREATIONAL CAMPGROUNDS are to be allowed to remain as they are represented within the accepted Master Plan on only that portion of the property designated. If the use is vacated for over one year the "existing use" designation shall be void, and any new use of the property shall conform to the requirements of this Ordinance.

The "existing use" may be sold or transferred to new owners. The new owners will maintain the same rights as the previous owners.

Findings: Phase 1 of the Elks Campground was approved through Conditional Use request CU-81-42 to establish a private recreational campground. Phase 2 was initially approved in 2008 as Conditional Use request CU-07-02 with subsequent review in 2015-2016 (#851-15-000027-PLNG) due to expiration of the approved decision for CU-07-02.

- xix. The accessory commercial uses such as gas pump, laundry, grocery store and recreational facilities shall not exceed the requirements of Rural Commercial, Section 3.020.*

Findings: In review of the Applicant's submittal, Staff finds there are no such improvements proposed (Exhibit B).

- xx. New full hook-up parks requiring a community septic/sewer system are permitted only within adopted unincorporated community boundaries.*

Findings: The recreational campground is served by an onsite sanitation system permitted by the Tillamook County Department of Community Development Onsite Environmental Program Division. A major alteration permit was applied for and is under review. Comments received by Chris Chiola, Onsite Environmental Program Manager, confirm here is adequate space for the new system (Exhibit C).

IV. ANALYSIS OF CRITERIA:

A. TCLUO SECTOIN 6.040: CONDITIONAL USE 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.*

Findings: The proposed use is listed as a conditional use in the underlying zone (TCLUO 3.010(3)(u)).

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

Findings: Applicant states the proposed expansion is consistent with previous permits (Exhibit B).

The Tillamook County Land Use Ordinance 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 finds, specifically, the Goal 8 Recreation Element of the Comprehensive Plan discusses goals for the County to promote and enhance recreational activities (Exhibit B). Additionally, Goal Element 5 (Natural Resources) and Goal Element 7 (Hazards) establish requirements for riparian buffers and development standards implemented through Sections 3.510: Flood Hazard Overlay Zone, 4.130: Development Requirements for Geologic Hazard Areas and 4.140: Requirements for Protection of Water Quality and Streambank Stabilization of the TCLUO to ensure development activities to expand the existing recreational campground comply with requirements for protection of natural resources (Fawcett Creek and wetlands) and to mitigate risk of hazard to life and property.

Staff finds that the Applicant is proposing to expand an existing recreational campground as it is defined in Ordinance and in Statute, and that campgrounds are a use allowed in RR-2 zone subject to the criteria set forth in Article 6, which are discussed in this report.

(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 irregularly shaped and encompasses 18.29-acres (Exhibits A and B). The size and shape of the property can accommodate the proposed expansion, including the existing and proposed sites, maintain required setbacks from property lines (Exhibits A and B). Staff finds the size and shape of the property is suitable to the provision of outdoor recreation opportunities on site and the proposed campground use.
- Topography varies throughout the site from relatively flat areas to rolling/gently benched areas, sloping in a downward direction towards Fawcett Creek. (Exhibit A). Development is proposed to be located outside areas of geologic hazard as identified in DOGAMI Open File Report O-20-13 (Exhibits A & B).
- Mapped wetlands and riverine features are present in the south and southeastern regions of the subject property (Exhibit A). A 25-foot buffer is required from Fawcett Creek. The submitted site plan indicates no development is to occur within the south and southeastern regions of the subject property (Exhibit B).
- Also, in review of the site plan, it appears all new development is to be located outside of the mapped Area of Special Flood Hazard (Exhibits A & B).
- The Applicants site plan and National Wetlands Inventory Map indicate that the proposed improvements are to be located outside of areas with mapped wetland features (Exhibits A & B).
- The subject property is currently accessed via Oregon State Highway 101. The Oregon Department of Transportation (ODOT) has not commented on this request. A recommended Condition of Approval has been made to require the Applicant conform to any additional standards which might be required by the Oregon Department of Transportation for alterations or upgrades to the existing road approach serving the campground as a result of the expansion.
- As previously stated in this report, comments from Mr. Chiola, Environmental Program Manager, confirms a major repair permit is under review and that there is adequate space for construction of a new system to serve the proposed expansion (Exhibit C).

(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: Surrounding properties are zoned Rural Residential 2-Acre (RR-2), and many are improved with single family residences. The exception is Tax Lot 2001 to the north which is zoned Farm (F-1). The proposed expansion of the recreational campground as shown on the submitted site plan is to the north (Exhibits A & B). The submitted site plan confirms all recreational campground improvements and uses are to be located within the boundaries of the subject property (Exhibit B).

Staff finds that on-going Conditions of Approval associated with the approval of the Elks recreational campground include a requirement that landscaping and existing natural vegetation be maintained in all areas not used for spaces, and also requires the presence of onsite management of campground operations. Additional requirements for exterior lighting improvements and quiet hours have also been established.

Staff has not identified evidence of impacts associated with the proposed expansion of the campground which would substantially impact the ability of adjacent Farm (F-1) zoned or Rural Residential 2-Acre (RR-2) zoned properties to continue their permitted uses (Exhibit B).

Staff finds the Conditions of Approval for the recreational campground continue to apply and are reflected in the recommended Conditions of Approval should the Planning Commission choose to approve this request. Given the findings outlined above, Staff finds that the proposed expansion 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.*

Findings: Applicant states there is no existing such facilities in the area (Exhibit B). Staff find no record of such facilities and improvements on the subject properties or within the vicinity (Exhibit A).

- (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: The improvements at the campground were installed to accommodate the additional 15 spaces approved as Phase 2 (#851-15-000027-PLNG). The subject property is served by Pleasant Valley Water Company, will be developed with a new on-site sanitation and has an approved Road Approach Permit for access to the recreational campground from the Oregon Department of Transportation (ODOT). The subject property is also served by Tillamook People's Utility District (PUD) and the Tillamook County Sheriff's Office. The subject property is located within the Tillamook Fire District.

A recommended Condition of Approval has also been made requiring an updated water letter from the Pleasant Valley Water Company. Staff also recommend that as a Condition of Approval, a letter from the Tillamook Fire District confirming service to the campground (as expanded) be required at the time of Zoning Permit application submittal.

V. ADMINISTRATIVE PROVISIONS

SECTION 6.020: PROCEDURE

The following procedure shall be observed in submitting and acting on a CONDITIONAL USE request: (1) A request may be initiated for a CONDITIONAL USE, or the modification of an approved CONDITIONAL USE, by filing an application with the Department. The Department may require any information necessary for a complete understanding of the proposed use and its relationship to surrounding properties.

(2) The Director shall act administratively according to the procedure set forth in Article 10, or shall refer the application to the Commission for a public hearing and decision. The application shall be referred to the Commission if the director determines that the proposed use would have significant impacts that extend beyond the abutting properties, and that those impacts are not likely to be adequately addressed by response to public notice required by Section 10.070. If the Director elects to refer the application to the Commission, it shall be heard at the next available Commission hearing, unless the applicant requests otherwise.

(3) No CONDITIONAL USE permit shall be invalidated because of failure to receive the notice provided for in Section 10.070

SECTION 10.080 TYPE III PROCEDURES

(1) Notice for Type III Decisions.

(a) Notice of Review. The County shall provide notice of a public hearing on a Quasi-Judicial application at least 28 days prior to the first hearing date. If two or more hearings are allowed, then notice shall be provided at least 10 days prior to first hearing. The County Planning Director shall prepare an affidavit of notice, which shall be made part of the file. This affidavit shall state the date that the notice was mailed. Notice of a public hearing shall be provided to the following parties:

...

- ii. Property owners within 250 feet of subject property if the subject property is outside UGB and not in farm or forest zone.*

...

v. Any affected government agency or public district, including affected city if subject site is inside a UGB.

vi. Any citizen's advisory committee or community organization whose boundaries include, or are adjacent to, the subject site.

...

(c) Newspaper notice. Notice of the public hearing shall be published in a newspaper of general circulation in the County at least ten (10) calendar days prior to the date of a quasi-judicial public hearing. An affidavit or other formal certification of publication shall be made part of the record.

Findings: Notice of Public Hearing was mailed on August 17, 2023, to all landowners within 250 feet of the subject property, and affected agencies, districts and other parties. Newspaper Notice of Public Hearing was published on August 15, 2023, in the Tillamook County Headlight Herald. Comments received are included in "Exhibit C" of this report. A summary of comments is provided below:

- Oregon Department of State Lands: The proposed RV sites and dry campsites appear to avoid impacts to jurisdictional wetlands or waters. It should be noted a state permit is required for other activities such as fill removal, ground alterations in wetlands or in Essential Salmonid Habitat.
- Jaime Craig, Tillamook County Environmental Program Manager: The facility is licensed and will need to update license with their department.
- Chris Chiola, Tillamook County Environmental Program Manager, regarding onsite sanitation: A permit has been applied for but is pending needing additional information and there is adequate space to add a new septic system.
- Robert Bradley, Oregon Department of Fish and Wildlife: No development should occur within the riparian setback of Fawcett Creek and is requesting proposed and existing water source information be provided.

No additional comments were received. Staff finds the comments have been sufficiently addressed in this report and can be prepared to address any additional comments received at the hearing.

VI. RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant/property owner shall obtain all required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations, and shall comply with the following requirements:
 - a) A copy of an approved campground design from Tillamook County Environmental Health at time of Zoning Permit application submittal.
 - b) A letter from the Oregon Department of Transportation (ODOT) confirming the existing road approach is sufficient as improved or a copy of an updated approved road approach permit.
 - c) A letter from Pleasant Valley Water Company confirming water service to accommodate the recreational campground as expanded to serve a total of 51 RV sites and 5 dry campsites.
 - d) A letter from the Tillamook Fire District confirming fire protection service to accommodate the recreational campground as expanded to serve a total of 51 RV sites and 5 dry tent sites.
2. The applicant/property owner shall obtain all necessary electrical, mechanical, and plumbing permits.
3. An additional 20 off-street parking spaces as required per TCLUO Section 4.030: Off-Street Parking & Off-Street Loading Requirements shall be maintained as part of Phase 3 to accommodate the additional 15 RV sites and 5 dry campsites. Each parking space shall be a minimum of 8 feet by 20 feet. Those parking spaces required for the RV sites may be combined into the areas identified for each RV site provided there is adequate area (length and depth) within each site to accommodate both the

required parking space and the RV. All required parking spaces shall be identified on the site plan submitted with the Zoning Permit at the time of Zoning Permit application submittal.

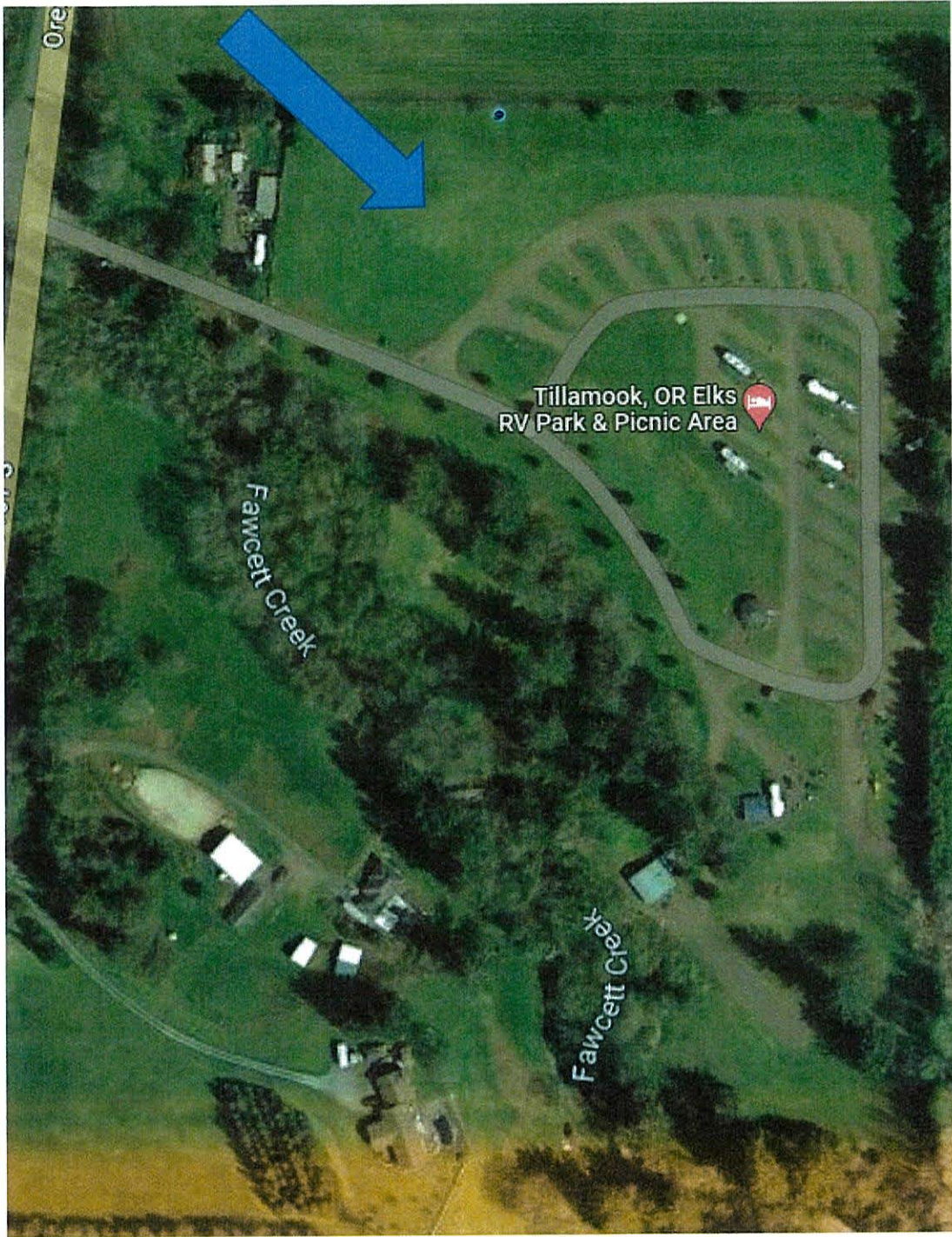
4. Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization. The applicant/property owner shall have Oregon Department of Fish and Wildlife (ODFW) confirm the location of the riparian areas prior to commencement of any development activities adjacent to Fawcett Creek.
5. Development will comply with the applicable requirements and standards of TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone and Section 5.030: Recreational Campground Standards. Demonstration of applicable requirements and standards shall be reflected on the site plan submitted to the Department at the time of Zoning Permit application submittal.
6. Overnight temporary use of the campground by a camper or a camper's vehicle shall not exceed six (6) months in any twelve (12) month period as required by TCLUO Section 5.030.
7. The Conditions of Approval for CU-81-42 and #851-15-00027-PLNG continue to apply, including the following:
 - a) Artificial lighting shall not create or reflect substantial glare onto any adjacent residential properties including artificial lighting along the access roads.
 - b) As an ongoing condition of operation, all areas not used for spaces, motor vehicle parking, traffic circulation, or service or community buildings shall be completely and permanently landscaped or maintain existing natural vegetation. The landscaping shall be maintained in good condition by the property owner or their designee.
 - c) As an ongoing condition of operation, all Recreational Vehicles staying in the park shall be assigned to a space. No space shall have more than one (1) Recreational Vehicle or tent assigned to it, except as provided in State law.
 - d) As a condition of the campground's ongoing operation, the property owner shall establish and enforce a curfew for outdoor activity of 11:00 PM or earlier. The property owner shall enforce a ban on dogs off of a leash in the campground. The property owner shall provide fencing on any un-fenced portions of the campground perimeter.
 - e) The property owner shall ensure that full-time onsite management shall be provided when the park is occupied.
8. Signage shall comply with the requirements of TCLUO Section 4.020: Signs.
9. Development within the mapped Area of Special Flood Hazard shall adhere to the applicable development requirements of the Flood Hazard (FH) Overlay zone, TCLUO Section 3.510. A Floodplain Development Permit shall be obtained prior to commencement of development activities within the mapped Area of Special Flood Hazard.
10. Development shall adhere to the applicable development requirements for development within areas of geologic hazard as required by TCLUO Section 4.130.
11. This approval is for 15 additional full hookup RV sites in the locations depicted on the site plan included in "Exhibit B" of the staff report dated September 7, 2023, for a total of 51 sites, together with 5 dry campsites.
12. This approval shall be void on September 14, 2025, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

VIII. EXHIBITS

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

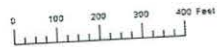
- A. Location map, Assessor map, Zoning map, FEMA FIRM, NWI Wetlands map
- B. Applicants/Property Owner's submittal
- C. Public comments
- D. Vicinity Photos

EXHIBIT A



**#851-23-000212-PLNG: ELKS
RECREATIONAL CAMPGROUND EXPANSION**

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

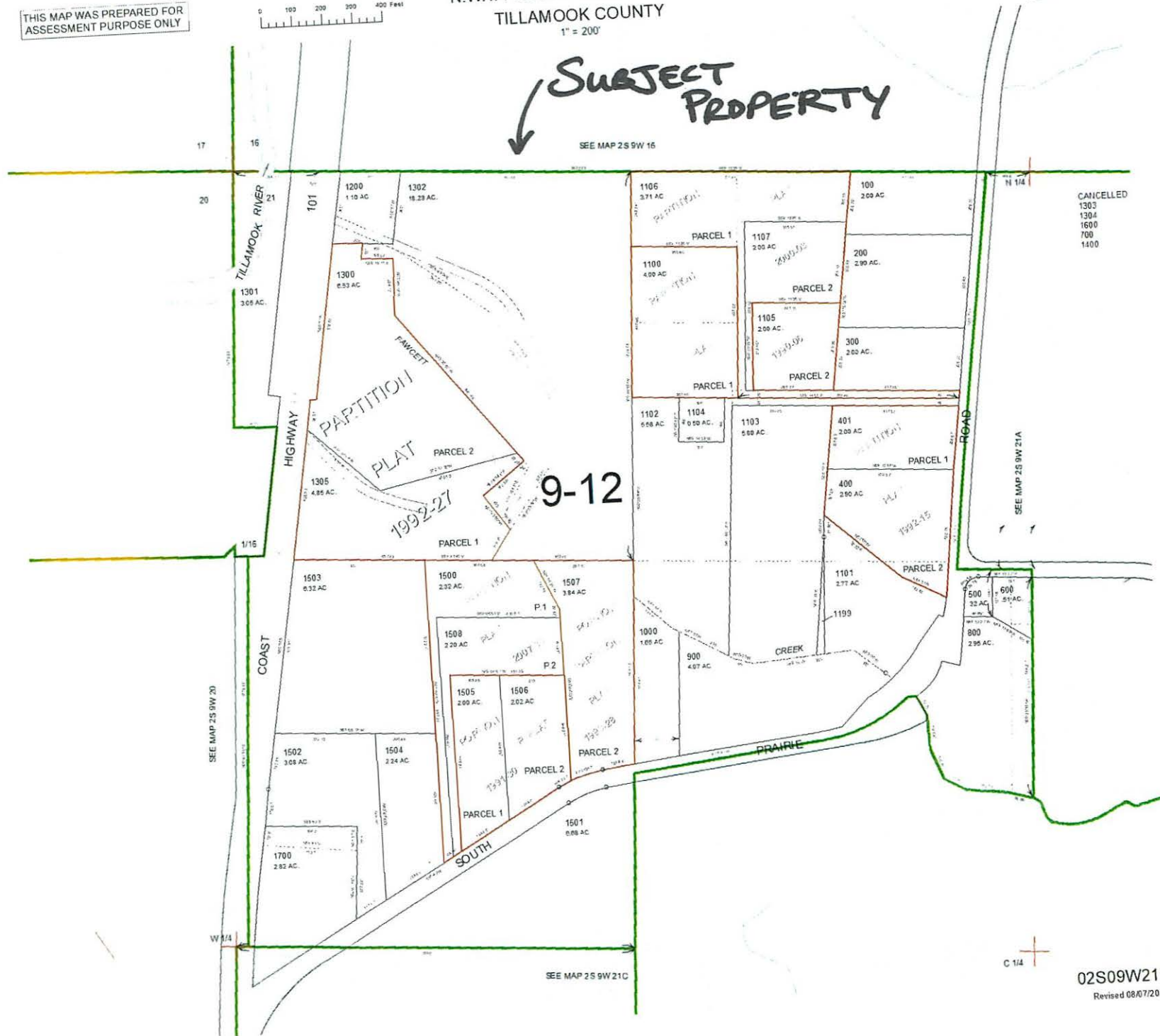


N.W.1/4 SEC.21 T.2S. R.9W. W.M.
TILLAMOOK COUNTY
1" = 200'

02S09W21B

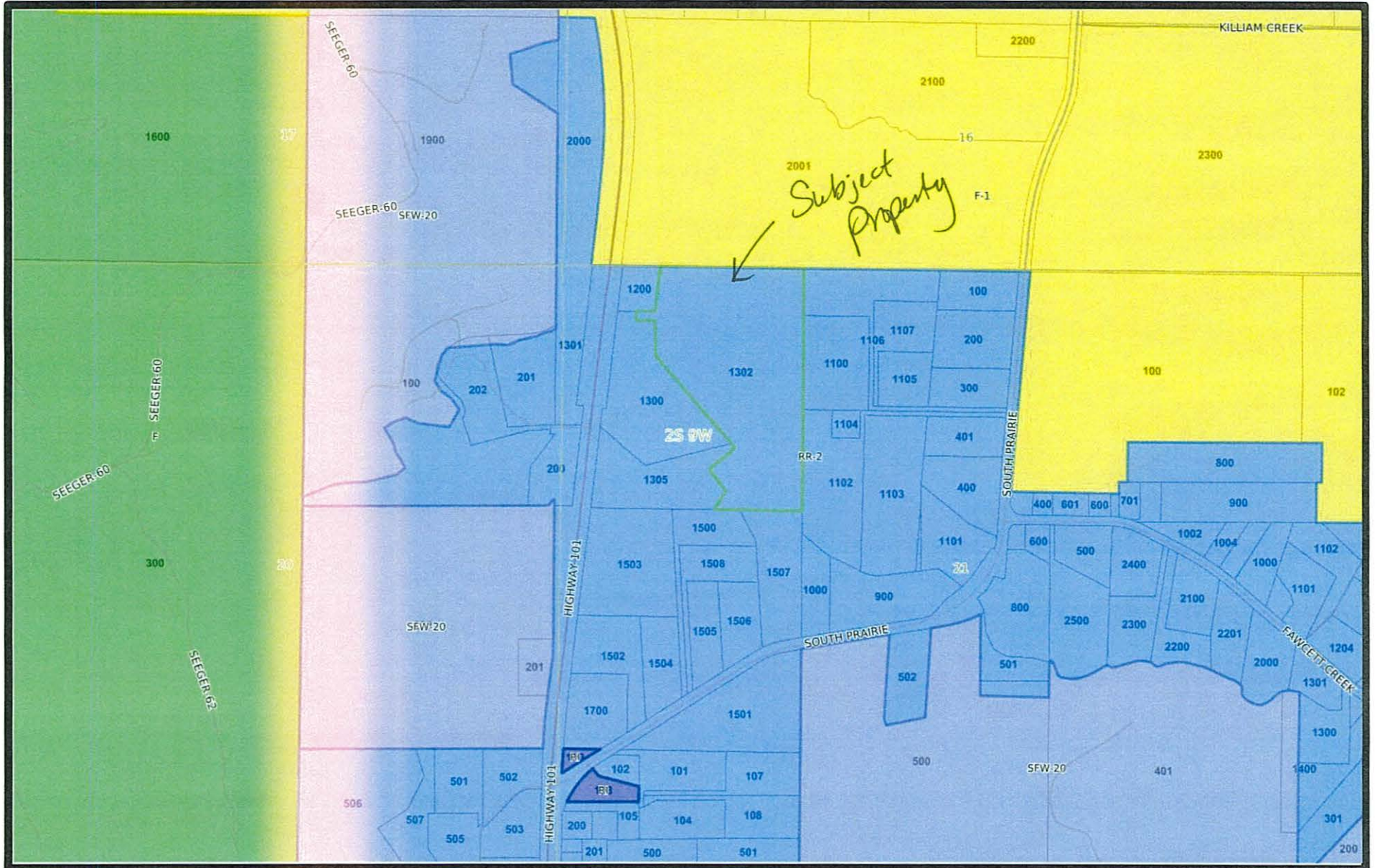
**SUBJECT
PROPERTY**

SEE MAP 2S 9W 16



02S09W21B
Revised 08/07/20. WS

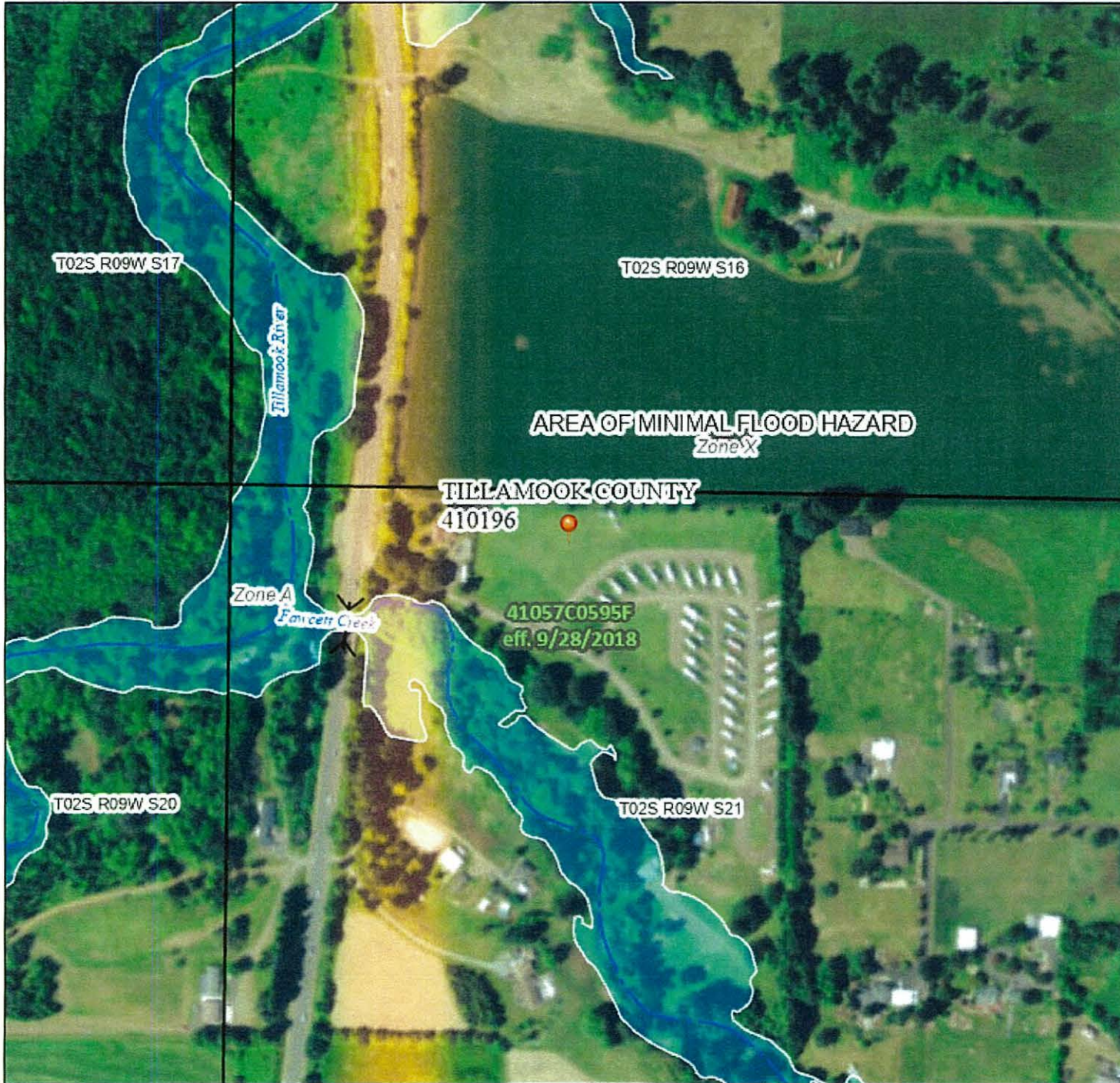
Map



National Flood Hazard Layer FIRMette



123°48'23"W 45°23'38"N



123°47'45"W 45°23'13"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 |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| 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 9/6/2023 at 2:28 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.

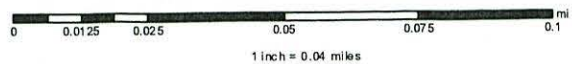
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmapped areas cannot be used for regulatory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

Statewide Wetlands Inventory



- 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 Pre dominantly Hydric Soil Map Units
 - SWI Agate-Winko Soils

R. Southein, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community. Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community. R. Southein 2018



Date: 9/6/2018

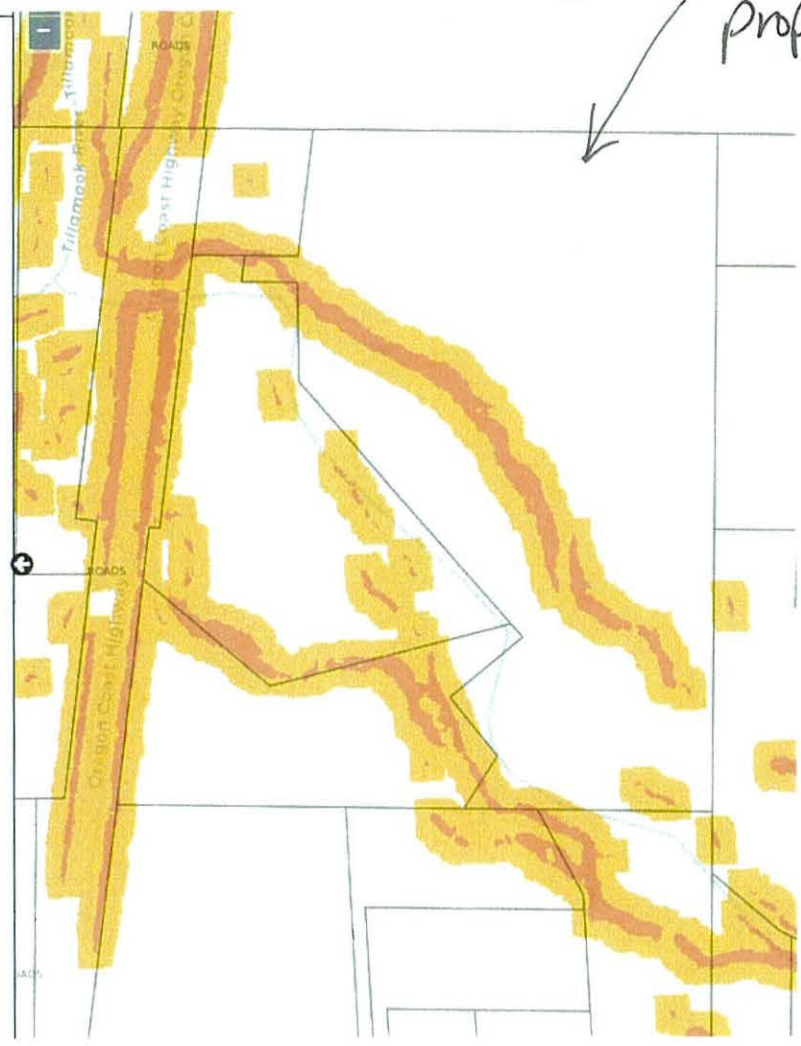
N



Geologic Hazard Map

Subject property

- Search catalog
- Map Extras
 - Administrative Boundaries
 - Tax lots
 - County Boundaries
 - Non-Regulatory Planning
 - Physical
 - Debris Flow fans
 - Deep Landslide Susceptibility
 - Shallow Landslide Susceptibility
 - Rapidly Moving Landslides
 - Beaches and Dunes Overlay Zone
 - Elevation
 - Highest Hit, OLC, 2008-19
 - Bare Earth, OLC, 2008-19
 - Aerial Photos
 - State Imagery
 - World Imagery
 - Basemaps
 - Carto
 - Light
 - Voyager
 - Esri



Beach and Dune Overlays

Map Layers

Administrative Boundaries

- Tax lots
- County Boundaries

Non-Regulatory Planning

Physical

- Debris Flow fans
- Deep Landslide Susceptibility
- Shallow Landslide Susceptibility
- Rapidly Moving Landslides
- Beaches and Dunes Overlay Zone

- B - Beach
- FDA - Active foredune
- AFDA - Artificial dune
- FD (W) - Reactivated, erosion/flooding
- H - Hummocks, active
- FD - Stabilized foredune
- IFD - Inland foredune
- DC - Dune complex
- DC (W) - wet
- DS - Dune, younger stabilized
- ODS - Dune, older stabilized
- OS - Open sand
- W - Interdune
- WMF - Wet mountain front
- WDP - Wet deflation plain
- WL - Wetland



Tillamook County
2022 Real Property Assessment Report
 Account 357367

Map 2S0921B001302
Code - Tax ID 0912 - 357367

Tax Status Non-Assessable
Account Status Active
Subtype NORMAL

Legal Descr See Record

Mailing LODGE TILLAMOOK #1437 BENEVOLENT &
 PROTECTIVE ORDER OF ELKS
 PO BOX 87
 TILLAMOOK OR 97141

Deed Reference # See Record
Sales Date/Price See Record
Appraiser KARI FLEISHER

Property Class 981 MA SA NH
RMV Class 201 07 01 303

Site	Situs	Address	City
		9105 HWY 101 S	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
0912	Land	269,150		Land	0	
	Impr	245,970		Impr	0	
Code Area Total		515,120	0	0	0	
Grand Total		515,120	0	0	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0912	1	<input checked="" type="checkbox"/>		RR	Market	116	18.29 AC		173,800
					OSD - AVERAGE	100			10,000
					SITE DEVELOPMENT	100			85,350
Code Area Total							18.29 AC		269,150

Improvement Breakdown								
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV
0912	1	1993	550	Fraternal Organizations	116	864		13,400
	2	1994	550	Fraternal Organizations	116	480		82,310
	3	2009	511	RV Park/Campground	116	10		127,830
	4	2011	550	Fraternal Organizations	116	584		22,430
Code Area Total						1,938		245,970

Exemptions / Special Assessments / Notations		
Code Area	Exemptions (AV)	Amount
0912	FRATERNAL ORGANIZATIONS 307.136	0

Comments 5/5/09 Added RMV PCA. Updated RMV/Inventory. KF 8/24/10 Added new RV spaces at 50% complete. KF 10/25/10 Corrected Imp value. KF 4/4/11 RV sites and dump station are now 100% complete. 8/14/12 Added new recreation building at 100% complete. KF 7/24/19 Added 15 additional RV sites. KF

EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
JUL 11 2023	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: 132812	
Fees: \$1,900.-	
Permit No: 851-23-00212-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: GARY BEYER Phone: 503-801-2840
 Address: 10480 Gould Ave
 City: Tillamook State: OR Zip: 97141
 Email: gjbayer@gmail.com

Property Owner

Name: Tillamook Elks Lodge Phone: 503-842-6623
 Address: 1907 3rd St PO Box 87
 City: Tillamook State: OR Zip: 97141
 Email:

Request: Expansion of Campground - Existing approval for 36 spaces. Adding 15 RV spaces with full hookups (water, electric + sewer plus dry camp. Water and dump station available for dry camp)

- | Type II | Type III | Type IV |
|--|---|---|
| <input type="checkbox"/> Farm/Forest Review | <input type="checkbox"/> Appeal of Director's Decision | <input type="checkbox"/> Appeal of Planning Commission Decision |
| <input type="checkbox"/> Conditional Use Review | <input type="checkbox"/> Extension of Time | <input type="checkbox"/> Ordinance Amendment |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Detailed Hazard Report | <input type="checkbox"/> Large-Scale Zoning Map Amendment |
| <input type="checkbox"/> Exception to Resource or Riparian Setback | <input checked="" type="checkbox"/> Conditional Use (As deemed by Director) | <input type="checkbox"/> Plan and/or Code Text Amendment |
| <input type="checkbox"/> Nonconforming Review (Major or Minor) | <input type="checkbox"/> Ordinance Amendment | |
| <input type="checkbox"/> Development Permit Review for Estuary Development | <input type="checkbox"/> Map Amendment | |
| <input type="checkbox"/> Non-farm dwelling in Farm Zone | <input type="checkbox"/> Goal Exception | |
| <input type="checkbox"/> Fore-dune Grading Permit Review | | |
| <input type="checkbox"/> Neskowin Coastal Hazards Area | | |

Location:

Site Address: 9055 Hwy 101 S.
 Map Number: 2 South 9 West 21 B 1302
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] 6-28-2023
 Property Owner Signature (Required) Date
Gary E Beyer 6-28-2023
 Applicant Signature Date

CONDITIONAL USE REVIEW CRITERIA

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 Conditional Use in the underlying zone, or in an applicable overlying zone. *This is according to previous use permits.*
- (2) The use is consistent with the applicable goals and policies of the comprehensive plan. *This is consistent with previous permits.*
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features. *This will provide parking for 15 additional sites.*
 - a. *25 to 30 feet wide at least 70 feet long with full hookups. This includes parking for the RV and tow 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 permitted uses listed in the underlying zone. *This is according to previous permits.*
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or windmills. *Nothing will create shadows or wind blockage to neighboring property.*
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.

The Elks Lodge is proposing 15 additional full hookup sites and five dry camp sites that have a water source and dump station available for their use. Most dry campers are on site for only one or two nights. The entire RV park is available for current Elks members only.

Development Permit Required for development in special zone areas.

CONDITIONAL USE REVIEW CRITERIA

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. **CORRECT**
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan. **correct**
This will provide parking for 15 sites 25 to 30 ft. wide and at least 70 ft. long
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features. **correct**
LAND use is part of existing land being used as RV park
- (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. **CORRECT**
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or windmills. **correct**
USE will not effect the sun or wind in the area
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use. **correct**

* Total # of RV & Dry Camp spaces
RV spaces proposed 15, Dry Camp - 5

* RV & tent sites must be on
(dry camp)
 site plan.

Application Submittal
 Application Page SITE PLAN (Campground)
 FEE CRITERIA
 NARRATIVE (What is proposed?)

- (13) Preliminary plans which contain all the information specified in OAR 814-050 shall be submitted to the Planning Department when requesting Conditional Use, or permit approval.
- (14) Approval of a MOBILE AND MANUFACTURED HOME PARK shall not be construed to be an approval of the building plans for building permit review purposes. All proposed building construction is subject to alteration to meet Uniform Building Code requirements as part of building permit review.
- (15) All MOBILE AND MANUFACTURED HOME PARKS, which legally existed prior to the date of this Ordinance, and which have submitted complete Master Plans to the Department for review, shall be considered an "existing use" if:
 - (a) The park is in compliance with all State regulations and County sanitation regulations; and
 - (b) Master Plans and review fees are submitted to the Department no later than December 31, 1986; and
 - (c) The Department issues a letter to the park owner indicating that the park meets the above two criteria.

If it is determined by the Department that the park DOES meet the first two criteria the Department shall submit the letter, mentioned in (C) above, to the park owner. At that time, only that portion of the park identified in the Master Plan, will then be considered an "existing use".

Only those parks who retain the confirmation letter will be considered an "existing use". In the future, if one of the "existing use" parks enlarge or expand, only the new portion of the park will be required to meet the County standards.

The "existing use" parks are to be allowed to remain as they are represented within the accepted Master Plan on only that portion of the property designated. If the use is vacated for over one year the "existing use" designation shall be void, and any new use of the property shall conform to the requirements of this Ordinance.

The "existing use" may be sold or transferred to new owners. The new owners will maintain the rights as the previous owners.

SECTION 5.030: RECREATIONAL CAMPGROUND STANDARDS

(1) PURPOSE:

The purpose of the RECREATIONAL CAMPGROUND STANDARDS is to insure that each new or enlarged RECREATIONAL CAMPGROUND provides necessary facilities, adequate lot area, set-back, and other needed requirements for the public safety, health, and general welfare.

A RECREATIONAL CAMPGROUND is a place where four or more recreational vehicles and/or tents are located on one or more continuous lots, tracts, or parcels of land under a single ownership for temporary recreational camping. A permanent house, mobile home, manufactured home, or recreational vehicle for the owner, operator, or manager of the campground is allowed, however other Sections of the Ordinance pertaining to such use shall apply, including Section 5.010, etc. Accessory uses that may be permitted include recreational cabins, showers, laundry, a grocery, a gas pump, and recreation facilities that are designated for the primary

purpose of serving the occupants of the campground. A camper as defined in Article I, shall not be allowed to stay any longer than six (6) months in any twelve (12) month period.

The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Floodplain, Geologic Hazard zone, Riparian Vegetation.

(2) A RECREATIONAL CAMPGROUND shall be built to State standards and shall comply with the following provisions:

(a) A RECREATIONAL CAMPGROUND shall have:

- i. ✓ A minimum size of 1 acre or the minimum lot size of the zone, whichever is greater; *16 1/2 acres*
- ii. ✓ A minimum number of 4 sites; *51 sites*
- iii. ✓ A minimum width of space 23 feet or state minimum which ever is greater, for each site; *25-30 ft.*
- iv. ✓ *70 ft.* Lot depths may vary in size, however maximum unit lengths shall be designated for each proposed space, and each space shall include enough area for the required set-backs along with the maximum unit length;
- v. ✓ A minimum distance between actual unit location and interior road right-of-way of 10 feet. Each campsite will have direct access to interior road right-of-way;
- vi. ✓ And all property lines not abutting an exterior roadway shall be 10 feet. A minimum distance between actual unit and an exterior roadway shall be 20 feet;
- vii. ✓ A minimum distance between actual units of 15 feet;
- viii. ✓ Minimum distance between actual unit and community or service buildings of 10 feet;
- ix. ✓ Campground roads shall have a surface width of at least 16 feet with *25 ft.* 2 foot shoulders on each side. All interior park roads shall be surfaced to minimum County road standards and well-drained. No on-street parking shall be allowed;
- x. ✓ Walkways not less than three (3) feet wide may be required to be provided from trailer spaces to community and service buildings. All access roads and walkways should be well lighted;
- xi. ✓ All areas not used for spaces, motor vehicle parking, traffic circulation, or service or community buildings shall be completely and permanently landscaped or maintain existing natural vegetation. The landscaping shall be maintained in good condition;
- xii. ✓ A sight-obscuring fence and/or buffer strip of vegetation may be required on every side of a RECREATIONAL CAMPGROUND;
- xiii. ✓ Trash cans shall be provided in convenient locations for the use of guests of the park, and shall be located in such number, and shall be of such capacity, that there is no uncovered accumulation of trash at any time;

- ✓ xiv. All Recreational Vehicles staying in the park shall be assigned to a space. No space shall have more than one (1) Recreational Vehicle or tent assigned to it, except as provided in State law;
- ✓ xv. Approval of a recreational campground shall not be construed to be an approval of the building plans for building permit review purposes. All proposed building construction must meet Uniform Building Code requirements as part of building permit review;
- xvi. On-site storage areas, for park residents only, may be allowed. If allowed, the storage area shall be screened or combined landscape and screening with a 6 foot high sight obscuring fence or hedge along all exterior property lines of the storage area;
- xvii. Preliminary plans which contain all the information specified in OAR 333-31-059 shall be submitted to the Planning Department when requesting Conditional Use approval.
- xviii. All RECREATIONAL CAMPGROUNDS, which legally existed prior to the date of this Ordinance, and which have submitted complete Master Plans to the department for review, shall be considered an "existing use" if:
 - ✓ 1. The RECREATIONAL CAMPGROUND is in compliance with all State regulations and County Sanitation regulations; and
 - ? 2. Master Plans and review fees are submitted to the department no later than December 31, 1986; and
 - ? 3. The department issues a letter to the RECREATIONAL CAMPGROUND owner indicating that the campground meets the above two criteria.

If it is determined by the department that the RECREATIONAL CAMPGROUND does meet the first two criteria, the department shall submit the letter, mentioned in (c) above, to the campground owner. At that time, only that portion of the campground identified in the Master Plan, will then be considered an "existing use".

 - ✓ Only those campgrounds who retain the confirmation letter will be considered an "existing use". In the future, if one of the "existing use" campgrounds enlarge or expand, only that new portion of the campground will be required to meet the County standards.
 - ✓ The "existing use" RECREATIONAL CAMPGROUNDS are to be allowed to remain as they are represented within the accepted Master Plan on only that portion of the property designated. If the use is vacated for over one year the "existing use" designation shall be void, and any new use of the property shall conform to the requirements of this Ordinance.
 - ✓ The "existing use" may be sold or transferred to new owners. The new owners will maintain the same rights as the previous owners.
- ✓ xix. The accessory commercial uses such as gas pump, laundry, grocery store and recreational facilities shall not exceed the requirements of Rural Commercial, Section 3.020.
- ✓ xx. New full hook-up parks requiring a community septic/sewer system are permitted only within adopted unincorporated community boundaries.

SECTION 5.040: PRIMITIVE CAMPGROUND STANDARDS

PURPOSE

Dry Camp area

- ✓ The purpose of the PRIMITIVE CAMPGROUND STANDARDS is to insure that each new or enlarged campground provides the necessary facilities, sites, amenities, and other requirements in the interest of preserving the public safety, health, and general welfare, and that such developments provide a quality camping opportunity for visitors to the County.
- ✓ A PRIMITIVE CAMPGROUND is a designated place where four or more campsites are located for occupancy by camping units on a temporary basis for recreation, education or vacation purposes. A PRIMITIVE CAMPGROUND is predominantly an unattended facility which is established to accommodate recreational vehicles, tents, or bicycle uses for a period of time not to exceed two weeks in any given four week period.
- ✓ The standards contained in this Section are minimum standards. Additional standards may be required where necessary to meet other requirements of this Ordinance, i.e. Flood Plain, Geologic Hazard zone, riparian vegetation.

A campground shall be built to State standards and shall comply with the following provisions:

- (1) ✓ The total area utilized for campsites and access shall not exceed 60% of the total area of the campground.
- (2) ✓ Each space shall be a minimum of 1,200 square feet. *2100 sq ft.*
- (3) ✓ Each campsite shall be provided with a fire pit or ring.
- (4) ✓ Tables shall be provided at all campsites.
- (5) ✓ Natural vegetation or landscaping surrounding campsites shall remain intact.
- (6) ✓ Trash cans may be provided in convenient locations for the use of guests of the park, may be located in such number, and may be of such capacity that there is no uncovered accumulation of trash at any time.
- (7) ✓ A house, mobile home or manufactured home may be located within the campground for the owner, manager or caretaker of the campground.
- (8) ✓ Other camp-related buildings may be permitted, if approved through the Conditional Use process.
- (9) ✓ No recreational vehicle, tent, or other building or structure shall be within 20 feet of any property line.
- (10) ✓ Access and interior roadways must be approved by the County Public Works Department.
- (11) ✓ The campground may be adequately screened with vegetation and/or natural features around its exterior boundary lines.
- (12) Preliminary plans which contain all the information specified in OAR 333-31-059 shall be submitted to the Planning Department when requesting Conditional Use or permit approval.
- (13) All PRIMITIVE CAMPGROUNDS, which legally existed prior to the date of this Ordinance, and which have submitted complete Master Plans to the Department for review, shall be considered an "existing use" if:



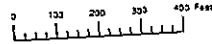
January 5, 2021

Wetlands

- | | | | | | |
|--|--------------------------------|--|-----------------------------------|--|----------|
| | Estuarine and Marine Deepwater | | Freshwater Emergent Wetland | | Lake |
| | Estuarine and Marine Wetland | | Freshwater Forested/Shrub Wetland | | Other |
| | | | Freshwater Pond | | Riverine |

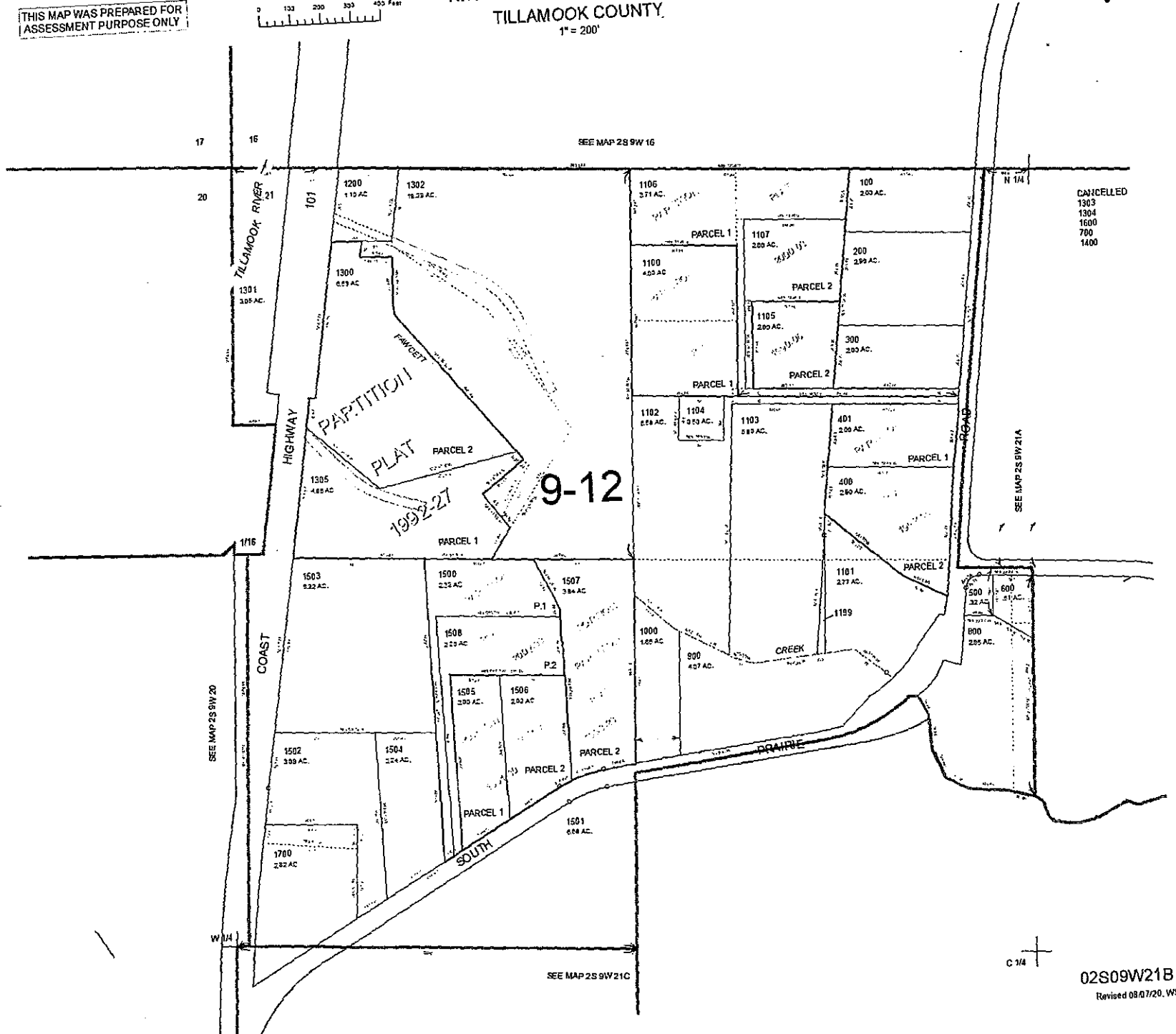
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



N.W.1/4 SEC.21 T.2S. R.9W. W.M.
TILLAMOOK COUNTY
1" = 200'

02S09W21B



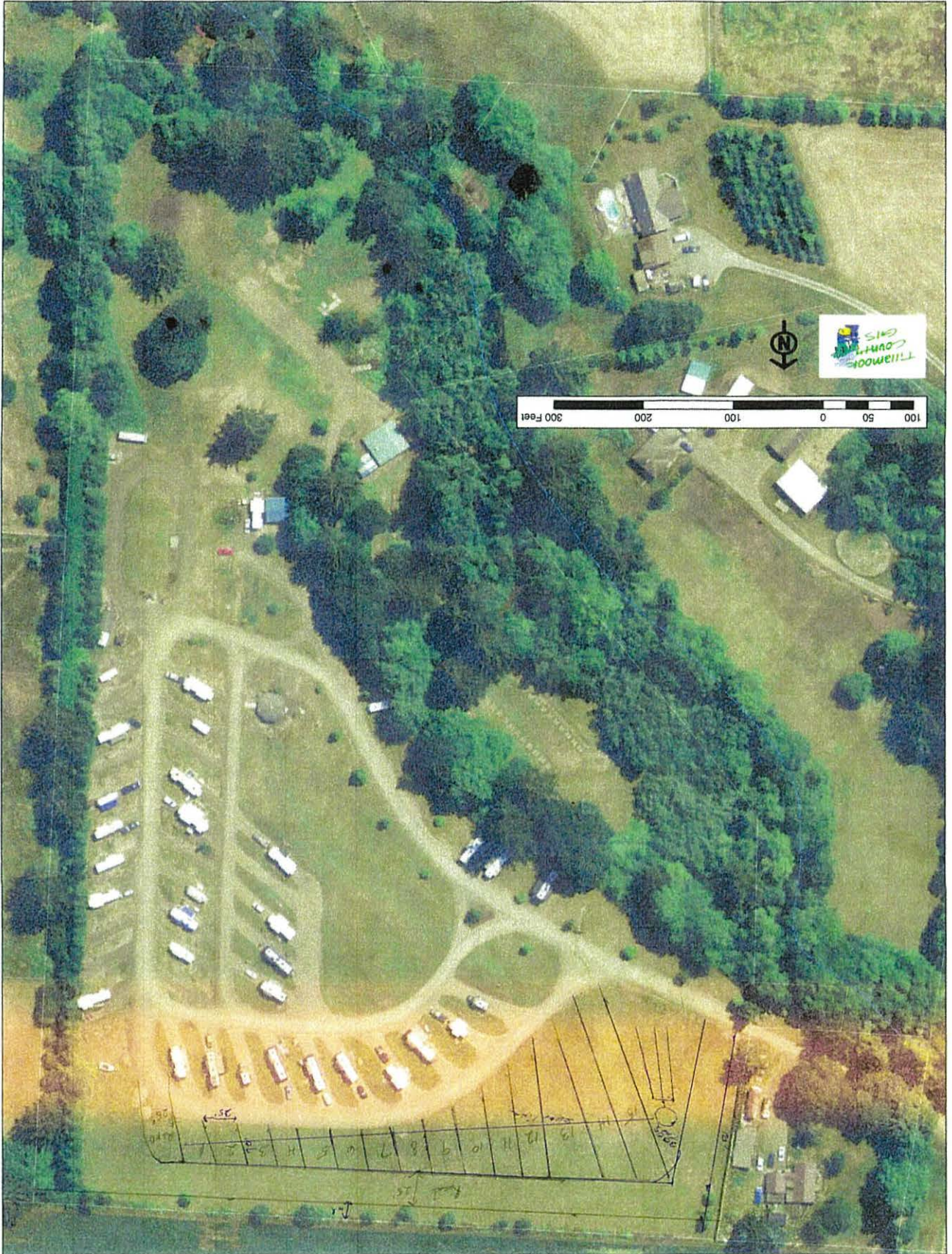


EXHIBIT C

Sheila Shoemaker

From: Chris Chiola
Sent: Tuesday, September 5, 2023 8:06 AM
To: Sarah Absher
Cc: Sheila Shoemaker
Subject: RE: Elks Campground

They applied for a major alteration to add a new system to accommodate the 15 new spots. I have not issued the permit yet, waiting for on a design from their installer. But, they have adequate space for the new system.

Chris Chiola, Environmental Program Manager
Tillamook County Onsite Sanitation
(503) 842-3409

Thank you for contacting the Department of Community Development. The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.

From: Sarah Absher <sabsher@co.tillamook.or.us>
Sent: Tuesday, September 5, 2023 7:46 AM
To: Chris Chiola <cchiola@co.tillamook.or.us>
Cc: Sheila Shoemaker <sshoemak@co.tillamook.or.us>
Subject: Elks Campground
Importance: High

Hello Chris,

Sheila is assisting me with the Elks Campground CU. I have asked her to reach out to you for comments regarding the onsite sanitation system. We need them for the hearing packets scheduled to go out this week.

Please confirm in comments if required onsite permits have been obtained for the expansion. (Expansion is for 15 additional sites, totaling 51 RV sites and an additional 5 dry camp sites.)

Thank You,



Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3412
sabsher@co.tillamook.or.us

Sheila Shoemaker

From: Lynn Tone
Sent: Wednesday, September 6, 2023 10:02 AM
To: Sheila Shoemaker
Subject: FW: 851-23-000212-PLNG

From: Sarah Absher <sabsher@co.tillamook.or.us>
Sent: Thursday, August 17, 2023 4:22 PM
To: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Cc: Lynn Tone <ltone@co.tillamook.or.us>
Subject: FW: 851-23-000212-PLNG

Thank you for the comments, Robert,

We will make sure they are included in the record.

Sincerely,



Sarah Absher, CBO, CFM, Director
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3412
sabsher@co.tillamook.or.us

From: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Sent: Thursday, August 17, 2023 1:39 PM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: FW: 851-23-000212-PLNG

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Sarah,

A couple of comments on this application:

1. No development should occur within the riparian setback of Fawcett Cr. (doesn't appear that any is planned).
2. The applicant should provide information on the water source proposed for the additional full hookup sites (and existing ones for that matter). Is the source municipal? If not, where is the water sourced from, and is there an

existing water right that allows this use? Recommend approval be contingent on proof of availed and allowed water use.

Robert

Robert W. Bradley
District Fish Biologist
Oregon Department of Fish and Wildlife
North Coast Watershed District
4907 Third St
Tillamook, OR 97141
503-842-2741 x18613 (w)
503-842-8385 (fax)

From: Lynn Tone <ltone@co.tillamook.or.us>
Sent: Thursday, August 17, 2023 11:17 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: 851-23-000212-PLNG

Please see link for Notice of Public Hearing
[851-23-000212-PLNG | Tillamook County OR](#)

Thank you



Lynn Tone | Office Specialist II
TILLAMOOK COUNTY | Surveyor's Office/Community Development
1510 3rd Street Ste C
Tillamook, OR 97141
Phone (503) 842-3423
Lynn.Tone@tillamookcounty.gov

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Sheila Shoemaker

From: Lynn Tone
Sent: Wednesday, September 6, 2023 10:04 AM
To: Sheila Shoemaker
Subject: FW: 851-23-000212-PLNG

From: Jaime Craig <jcraig@co.tillamook.or.us>
Sent: Thursday, August 17, 2023 11:20 AM
To: Lynn Tone <ltone@co.tillamook.or.us>; Sarah Absher <sabsher@co.tillamook.or.us>
Subject: RE: 851-23-000212-PLNG

Hi Lynn,

This facility is licensed by our office. The applicant will need to put plans in with us and this will increase their license fees moving forward.

Thank you.



Jaime Craig (she/her/hers) | REHS
TILLAMOOK COUNTY | Environmental Health Program Manager
801 Pacific Avenue | PO Box 489
Tillamook, OR 97141
Phone (503) 842-3909
Fax (503) 842-3983
Jaime.Craig@tillamookcounty.gov
www.tillamookchc.org

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Although our office is open, staffing availability may limit when our office door is open. If you need to schedule time to speak with Environmental Health, please call 503-842-3909 to schedule an in-person appointment. Thank you. Our office hours are from 8:30 to 4:30 with a lunch from 12-1pm.

From: Lynn Tone <ltone@co.tillamook.or.us>
Sent: Thursday, August 17, 2023 11:17 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: 851-23-000212-PLNG

Please see link for Notice of Public Hearing
[851-23-000212-PLNG | Tillamook County OR](#)

Thank you



Lynn Tone | Office Specialist II
TILLAMOOK COUNTY | Surveyor's Office/Community Development
1510 3rd Street Ste C
Tillamook, OR 97141
Phone (503) 842-3423
Lynn.Tone@tillamookcounty.gov

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Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2023-0665

Responsible Jurisdiction

Staff Contact

Lynn Tone

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-23-000212-plng

County

Tillamook

Activity Location

Township

02S

Range

09W

Section

21

QQ section

B

Tax Lot(s)

1302

Street Address

Tillamook Elks RV Park

Address Line 2

9055 Hwy 101 S

City

Tillamook

State / Province / Region

OR

Postal / Zip Code

97141

Country

Tillamook

Latitude

45.389541

Longitude

-123.800471

Wetland/Waterway/Other Water Features



There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

The National Wetlands Inventory shows wetland, waterway or other water features on the property

The property includes or is adjacent to designated Essential Salmonid Habitat.

Your Activity



A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)



- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

- A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Closing Information



Additional Comments

Based on a review of the available information, the proposed RV sites and dry campsites appear to avoid impacts to jurisdictional wetlands or waters.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

8/25/2023

Response by:

Chris Stevenson

Response Phone:

503-986-5246

Sheila Shoemaker

From: Lynn Tone
Sent: Wednesday, September 6, 2023 10:02 AM
To: Sheila Shoemaker
Subject: FW: EXTERNAL: WN2023-0665 Response to Local Case File #851-23-000212-plng
Attachments: Wetland Land Use Notice.pdf; Wetland Land Use Notice Response.pdf

From: chris.stevenson@dsl.oregon.gov <chris.stevenson@dsl.oregon.gov>
Sent: Friday, August 25, 2023 7:55 AM
To: Lynn Tone <ltone@co.tillamook.or.us>
Subject: EXTERNAL: WN2023-0665 Response to Local Case File #851-23-000212-plng

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi there,

Cities and Counties are required by statute (ORS 215.418 & 227.350) to submit notice to DSL of any projects that may impact wetlands and waterways, according to the Statewide Wetlands Inventory. DSL has completed review of the Wetland Land Use Notification that was prepared for Gary Beyer (WN2023-0665).

Please see attached for the results and conclusions of this review. To request paper copies please contact support.services@dsl.oregon.gov. Otherwise, please review the attachments carefully and if you have questions regarding this response, contact Chris Stevenson, chris.stevenson@dsl.oregon.gov. Questions regarding the local permit should be directed to your Planner: Lynn Tone, ltone@co.tillamook.or.us.

[Planning and Conservation Page](#)
[Permits and Authorization Page](#)

Thank you,

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
www.oregon.gov/dsl

EXHIBIT D



GREATER VICINITY MAP



HIGHWAY 101 ACCESS INTO ELKS PRIVATE RECREATIONAL CAMPGROUND (LOOKING SOUTHEAST)



Tillamook, Oregon
Google Street View
Aug 2023 See more dates

Image capture: Aug 2023 © 2023 Google



Tillamook
RV Park &

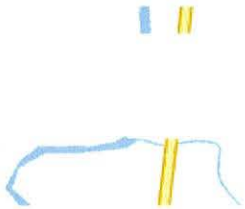

Tillamook, Oregon

Google Street View

Aug 2023 See more dates



Image capture: Aug 2023 © 2023 Google



Tillamook
RV Park &

