



Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REQUEST #851-23-000345-PLNG
MURAKAMI/L & C TREE FARMS, LLC
COMMUNICATION TOWER**

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

February 23, 2024

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited request on February 23, 2024. A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website: <https://www.tillamookcounty.gov/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00pm on March 6, 2024**. This decision will become final on March 6, 2024, after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

- Request:** To allow the installation of a communication tower (Exhibit B).
- Location:** The subject property is located off Highway 22, a State highway, and is designated as Tax Lot 400 in Section 28 of Township 5 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).
- Zone:** Forest (F)
- Applicant:** Tessie Murakami, 5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035
- Property Owner:** L & C Tree Farms, LLC, PO Box 9307, Portland, OR 97207

CONDITIONS OF APPROVAL

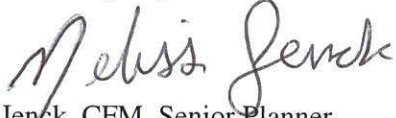
Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. Applicant/Owner shall obtain all required Federal, State, and Local permits and comply with all applicable Federal, State, and Local regulations, including adherence to maximum height allowances governed under the Oregon Department of Aviation and Federal Aviation Administration, and Oregon Department of State Lands (DSL) for development within wetlands and waterways.
2. Applicant/Owner shall obtain an approved Consolidated Zoning/Building Permit from the Tillamook County Department of Community Development prior to installation of the communication tower.
3. A site plan, drawn to scale, illustrating the proposed setbacks and fire breaks shall be provided at the time of Consolidated Zoning/Building Permit application submittal. Applicant/Owner shall maintain the primary fuel-free break area surrounding all structures in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry, contained in 'Exhibit E'.
4. Development shall comply with the applicable standards and requirements of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Geologic Hazard Assessment is required if the average slope of the footprint or area to be disturbed is 29 percent or greater, measured from the highest to lowest point within the footprint or area to be disturbed. This measurement is taken from existing/pre-construction grade, prior to any cuts or fills.
5. A letter from the Oregon Department of Forestry indicating they will provide fire control service to the site will be required at the time of Consolidated Zoning/Building Permit application submittal.
6. Applicant/Owner shall provide evidence of a long-term road access agreement at the time Applicant applies for Consolidated Zoning/Building Permit approval.
7. The applicant and property owner shall adhere to applicable development standards in TCLUO Section 3.004: Forest (F) Zone.
8. In accepting this Approval, the Applicant/Owner understands intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use. Applicant/Owner hereby acknowledges that practices may involve but are not limited to the application of herbicides or fertilizers (including aerial spraying), road construction, changes in view, noise, dust, odor, traffic, and other impacts related to a farm zone. Applicant/Owner acknowledges use of this property may be impacted by such activities and is accepting of that fact. In the event of conflict, Applicant/Owner understands preference will be given to farm and forest practices.

A copy of the recorded covenant included as 'Exhibit D' shall be provided at the time of applying for the Consolidated Zoning/Building Permit application.

9. This approval shall be void on February 23, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Sincerely,
Tillamook County Department of Community Development



Melissa Jenck, CFM, Senior Planner



Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor's and Zoning maps



Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE REQUEST #851-23-000345-PLNG
MURAKAMI/L & C TREE FARMS, LLC
COMMUNICATION TOWER

ADMINISTRATIVE DECISION & STAFF REPORT

Decision Date: February 23, 2024

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

Report Prepared by: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

- Request:** To allow the installation of a communication tower (Exhibit B).
- Location:** The subject property is located off Highway 22, a State highway, and is designated as Tax Lot 400 in Section 28 of Township 5 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).
- Zone:** Forest (F)
- Applicant:** Tessie Murakami, 5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035
- Property Owner:** L & C Tree Farms, LLC, PO Box 9307, Portland, OR 97207

- II. Property Description:** The subject property encompasses approximately 411.92-acres of forested landscape and rugged terrain (Exhibit A). The property is owned by L & C Tree Farms, LLC and is currently unimproved and vacant (Exhibit A). The subject property is improved with an existing forest service road and private drives (Exhibit A & B). An existing private drive is to serve as access to where the communication tower is proposed to be sited (Exhibits A and B). The subject property abuts the Tillamook County/Yamhill County line at its eastern property boundary (Exhibit A).

There are mapped wetlands features located adjacent to the existing private road access, which maintains a mapped riparian feature for an unnamed creek on the subject property (Exhibits A and B). The proposed location of the communication tower does not maintain any mapped wetland features or riparian features (Exhibit A & B). The subject property is located in FEMA Flood Zone D, which are areas where no flood analysis was conducted, as depicted on FEMA FIRM 41057C1050F dated September 28, 2018 (Exhibit A). The subject property is within a mapped area of known geologic hazard (Exhibit A).

The surrounding properties to the north, south and west are zoned Forest, and are dedicated to forest uses with some developed with private residences (Exhibit A). To the north there is an area of Rural Residential 2-Acre (RR-2) zoned properties that are generally vacant or improved with a single-family dwelling and their accessory structures (Exhibit A). Properties to the east are contained within Yamhill County and are devoted to forest uses (Exhibit A).

Applicant is proposing to install a wireless communication facility on the subject property within a 50-foot by 50-foot leased site adjacent to an existing private driveway which accessing off of Highway 22, a State highway (Exhibit B). The communication tower includes improvements for a 195-foot tall self-supported tower, with up to 12 antennas, radio equipment cabinets, backup generator, and H-frame all to be located within the 50-foot by 50-foot fenced area, with a 12-foot gravel driveway accessing the existing private drive (Exhibit B). Applicant states that the intent of the proposal is to add much needed infrastructure within this area to meet growing overall needs for communication resources to improve capacity in Tillamook County and along Highway 22 (Exhibit B).

III. 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 IV of this report:

- A. TCLUO Section 3.004: Forest (F) Zone
- B. TCLUO Article VI: Conditional Use Procedures and Criteria

IV. ANALYSIS:

A. Section 3.004: Forest (F) Zone

PURPOSE: The purpose of the Forest (F) Zone is to protect and maintain forest lands for grazing, and rangeland use and forest use, consistent with existing and future needs for agricultural and forest products. The F zone is also intended to allow other uses that are compatible with agricultural and forest activities, to protect scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county.

1. **Section 3.004(13)** ‘Utility, Power Generation, Solid Waste Uses’ lists “*Television, microwave and radio communication facilities and transmission towers*” as Type 2 uses subject to conditional use review and approval.

Findings: Applicant is proposing the siting of a communication tower on the subject property (Exhibit B). Staff finds a Conditional Use Permit addressing the Forest Zone Conditional Use Review Criteria found in TCLUO Section 3.004(8) and the Conditional Use Review Criteria contained in TCLUO Article 6 is required.

2. **Section 3.004(8): Conditional Use Review Criteria:** *A use authorized as a conditional use under this zone may be allowed provided the following requirements or their equivalent are met. These*

requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands. Conditional uses are also subject to Article 6, Section 040.

- 1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.*

Findings: Applicant states that the area proposed for siting the communication tower is a 50-foot by 50-foot area, that is to be located within a fenced area, with access via an existing driveway (Exhibit B).

The location of the communication tower is adjacent to an existing private drive located on the subject property (Exhibit A & B). The proposed location is approximately 200-feet from Highway 22, a State highway (Exhibit A & B). Staff finds that the proposed development will occupy a small portion of the subject property. Impacts to accepted forest practices on forest lands were deemed to not force a significant change or increase in cost of these practices. Staff finds that the proposed siting of a communication tower within this developed area will not significantly change or increase the cost of forest practices. Staff finds this criterion has been met.

- 2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.*

Findings: Applicant states the proposed use will not increase fire hazard or fire suppression cost as the tower will rely primarily on electric power, with a small diesel generator for emergency operations. Applicant states they will comply with fire break requirements (Exhibit B)

The Applicant states a fire break area will be maintained on the site, per the standards maintained in the Forest (F) zone (Exhibit B). The Oregon Department of Forestry and the US Forest Service were notified of this application and did not provide comments.

Staff finds that this criterion can be met through Conditions of Approval.

- 3. A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025(5)(c).*

Findings: Applicant states they are agreeable to these provisions (Exhibit B). Staff finds that communication facilities are a use listed under OAR 660-006-0025(5)(c). Staff finds that this criterion can be met through compliance with Conditions of Approval.

3. Section 3.004(9): Siting Standards for Dwelling or Structures in the Forest Zone:

- (b) The minimum front, rear, and side yards shall all be 30 feet.*

Findings: Applicant's Site Plan indicates that the proposed location of the communication tower exceeds the required 30-foot setbacks from property lines (Exhibit B). There are no minimum height requirements for non-residential structures in the Forest Zone. Staff finds that these standards have been met.

- (d) Dwellings and structures shall be sited on the parcel so that:*
 - 1. They have the least impact on nearby or adjoining forest or agricultural lands;*
 - 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;*

3. *The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and*
 4. *The risks associated with wildfire are minimized.*
- (e) *Siting criteria satisfying Subsection (d) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.*

Findings: Staff finds that these requirements have been met as stated above in response to TCLUO Section 3.004(8).

- (f) *The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629).*

Findings: Staff finds that domestic water is not required for the communication tower.

- (g) *As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.*

Findings: Staff finds that as a Condition of Approval copies of a long-term road access agreement satisfying the above criterion can be required to be provided to this Department at the time Applicant applies for Consolidated Zoning/Building Permit approval. Staff finds that this requirement can be met through compliance with Conditions of Approval.

4. **Section 3.004(10): Fire Siting Standards for Dwelling and Structures:**

- (c) *The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry and shall demonstrate compliance with Table (10)(c)1*

Findings: The project is within the fire protection service area of the Oregon Department of Forestry. The Oregon Department of Forestry and the US Forest Service were notified of this application and did not provide comments.

TCLUO Article 11 defines a Structure as “*Anything constructed or installed or portable, the use of which requires a location on a parcel of land*”. As a Condition of Approval, the Applicant shall maintain the required fuel-free fire break areas around structures located on the subject property in accordance with TCLUO Section 3.004(10)(c). Staff finds that this requirement can be met through compliance with the Conditions of Approval.

B. 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 public notice in accordance with TCLUO Section 10.070 which requires notification of the request to be mailed to landowners within 750 feet of the subject property, to allow at least 14 days for written comment, and requires staff to consider comments received in making the decision.

Findings: Notice of the request was mailed to property owners and agencies on February 6, 2024, including Oregon Department of Forestry, US Forest Service, and DSL. Comments were received from the Oregon Department of Transportation (ODOT) and are contained in ‘Exhibit C’. ODOT states the Applicant is responsible for eliminating and removing debris, gravel, etc. placed upon the highway during construction (Exhibit C). ODOT further states they have no objection to the proposal (Exhibit C).

Staff finds this requirement has been met.

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 3.004(13) ‘Utility, Power Generation, Solid Waste Uses’ lists “*Television, microwave and radio communication facilities and transmission towers*” as Type 2 uses subject to conditional use review and approval. Staff concludes that this criterion has been met.

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

Findings: Applicant states the unmanned cellular site will provide essential 911 emergency response capabilities for first responders (Exhibit B).

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

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

Findings: As discussed above, the subject property encompasses approximately 411.92-acres of forested landscape and rugged terrain (Exhibit A). The property is owned by L & C Tree Farms, LLC and is currently unimproved and vacant (Exhibit A). The subject property is improved with an existing forest service road and private drives (Exhibit A & B). An existing private drive is to act as access to where the communication tower is proposed to be sited (Exhibits A and B). The subject property abuts the Tillamook County/Yamhill County line at its eastern property boundary (Exhibit A).

There are mapped wetlands features located adjacent to the existing private road access, which maintains a mapped riparian feature for an unnamed creek on the subject property (Exhibits A and B). The proposed location of the communication tower does not maintain any mapped wetland features or riparian features (Exhibit A & B). The subject property is located in FEMA Flood Zone D, which are areas where no flood analysis was conducted, as depicted on FEMA FIRM 41057C1050F dated September 28, 2018 (Exhibit A). The subject property is within a mapped area of known geologic hazard (Exhibit A). Staff notified DSL of the proposed work and they did not provide comments. Staff find mapped wetlands are adjacent to an existing private road, with the Applicant detailing no proposed development or improvements to such road (Exhibit A & B). Staff find that as a condition of approval, the Applicant will be required to comply with all state and federal regulations, including DSL compliance.

The subject property is zoned Forest (F) and is primarily in forest use (Exhibit A).

Applicant is proposing to install a wireless communication facility on the subject property within a 50-foot by 50-foot leased site adjacent to an existing private driveway which accessing off of Highway 22, a State highway (Exhibit B). The applicant states that the intent of the proposal is to add much needed infrastructure within this area to meet growing overall needs for communication resources to improve capacity in Tillamook County and along Highway 22 (Exhibit B).

The subject property is located within an area of known geologic hazard. The Applicants site plan indicates potential of 20-25% slope within the proposed leased area (Exhibit B). Applicant provided a site survey which depicts that the proposed lease area maintains few mature trees (Exhibit B). Given the size of the property and slope at the location for siting the communication tower, Staff finds a Geologic Hazard Assessment may not be required as per the provisions outlined in TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

Review of the site plan accompanying this application confirms the communication tower will be sited in a manner that complies with setback and fire siting standards for structures located within the Forest (F) Zone. Staff finds the communication tower will be sited in an area that does not encroach into surrounding areas dedicated to forest use (Exhibit B). Staff find the proposed site is suitable for the proposed use considering its size, topography, lack of natural features and existing road access. Staff finds this criterion has been met.

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 surrounding properties to the north, south and west are zoned Forest, and are dedicated to forest uses with some developed with private residences (Exhibit A). To the north there is an area of Rural Residential 2-Acre (RR-2) zoned properties that are generally vacant or improved with a single-family dwelling and their accessory structures (Exhibit A). Properties to the east are contained within Yamhill County and are devoted to forest uses (Exhibit A).

Applicant states the proposed use will be sited in proximity to an existing access road (Exhibit B).

Staff find all improvements and activities necessary for maintenance and operation of the tower will take place within the property boundaries, and that siting the communication tower on this property will not substantially limit, impair or prevent the use of surrounding properties (Exhibit B). Applicant adds no impacts to existing resource use in the area are anticipated to result from the proposed construction of the communication tower.

As discussed above, Staff finds that the proposed use will not substantially limit or impair surrounding forest uses nor increase fire hazard risk. Given the remote location and the distance between the proposed site and development in the vicinity, along with the maintenance of the fire breaks as required for protection of adjacent forest values, Staff finds that the request 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. Staff concludes that this criterion has been met.

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

Findings: The applicant states that there are no solar energy systems, wind energy conversion systems or wind mills in the area (Exhibit B). Tillamook County records do not indicate that any such devices have been installed on the subject property. Staff concludes that this criterion has been met.

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

Findings: The proposed site is located along an existing private drive that connects to Highway 22, a State highway (Exhibit A & B). ODOT provided comments that they have no objection to the proposal (Exhibit C). No new roads are proposed or needed to accommodate the siting of the communication tower on the subject property. Applicant states that the communication tower is timely and critical to meet the immediate public facilities and services needs in this area of Tillamook County, including 911 emergency services (Exhibit B).

Staff finds there are existing public facilities and services in this area, including emergency response services and other services such as Tillamook People's Utility District. Water and sanitation services are not required for the proposed use. Staff concludes that this criterion has been met.

IV. DECISION: APPROVED WITH CONDITIONS

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

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. The forms and fees must be filed in the office of this Department before **4:00 PM on March 6, 2024.**

V. CONDITIONS OF APPROVAL:

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

1. Applicant/Owner shall obtain all required Federal, State, and Local permits and comply with all applicable Federal, State, and Local regulations, including adherence to maximum height allowances governed under the Oregon Department of Aviation and Federal Aviation Administration, and Oregon Department of State Lands (DSL) for development within wetlands and waterways.
2. Applicant/Owner shall obtain an approved Consolidated Zoning/Building Permit from the Tillamook County Department of Community Development prior to installation of the communication tower.
3. A site plan, drawn to scale, illustrating the proposed setbacks and fire breaks shall be provided at the time of Consolidated Zoning/Building Permit application submittal. Applicant/Owner shall maintain the primary fuel-free break area surrounding all structures in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry, contained in 'Exhibit E'.
4. Development shall comply with the applicable standards and requirements of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Geologic Hazard Assessment is required if the average slope of the footprint or area to be disturbed is 29 percent or greater, measured from the

highest to lowest point within the footprint or area to be disturbed. This measurement is taken from existing/pre-construction grade, prior to any cuts or fills.

5. A letter from the Oregon Department of Forestry indicating they will provide fire control service to the site will be required at the time of Consolidated Zoning/Building Permit application submittal.
6. Applicant/Owner shall provide evidence of a long-term road access agreement at the time Applicant applies for Consolidated Zoning/Building Permit approval.
7. The applicant and property owner shall adhere to applicable development standards in TCLUO Section 3.004: Forest (F) Zone.
8. In accepting this Approval, the Applicant/Owner understands intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use. Applicant/Owner hereby acknowledges that practices may involve but are not limited to the application of herbicides or fertilizers (including aerial spraying), road construction, changes in view, noise, dust, odor, traffic, and other impacts related to a farm zone. Applicant/Owner acknowledges use of this property may be impacted by such activities and is accepting of that fact. In the event of conflict, Applicant/Owner understands preference will be given to farm and forest practices.

A copy of the recorded covenant included as 'Exhibit D' shall be provided at the time of applying for the Consolidated Zoning/Building Permit application.

9. This approval shall be void on February 23, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

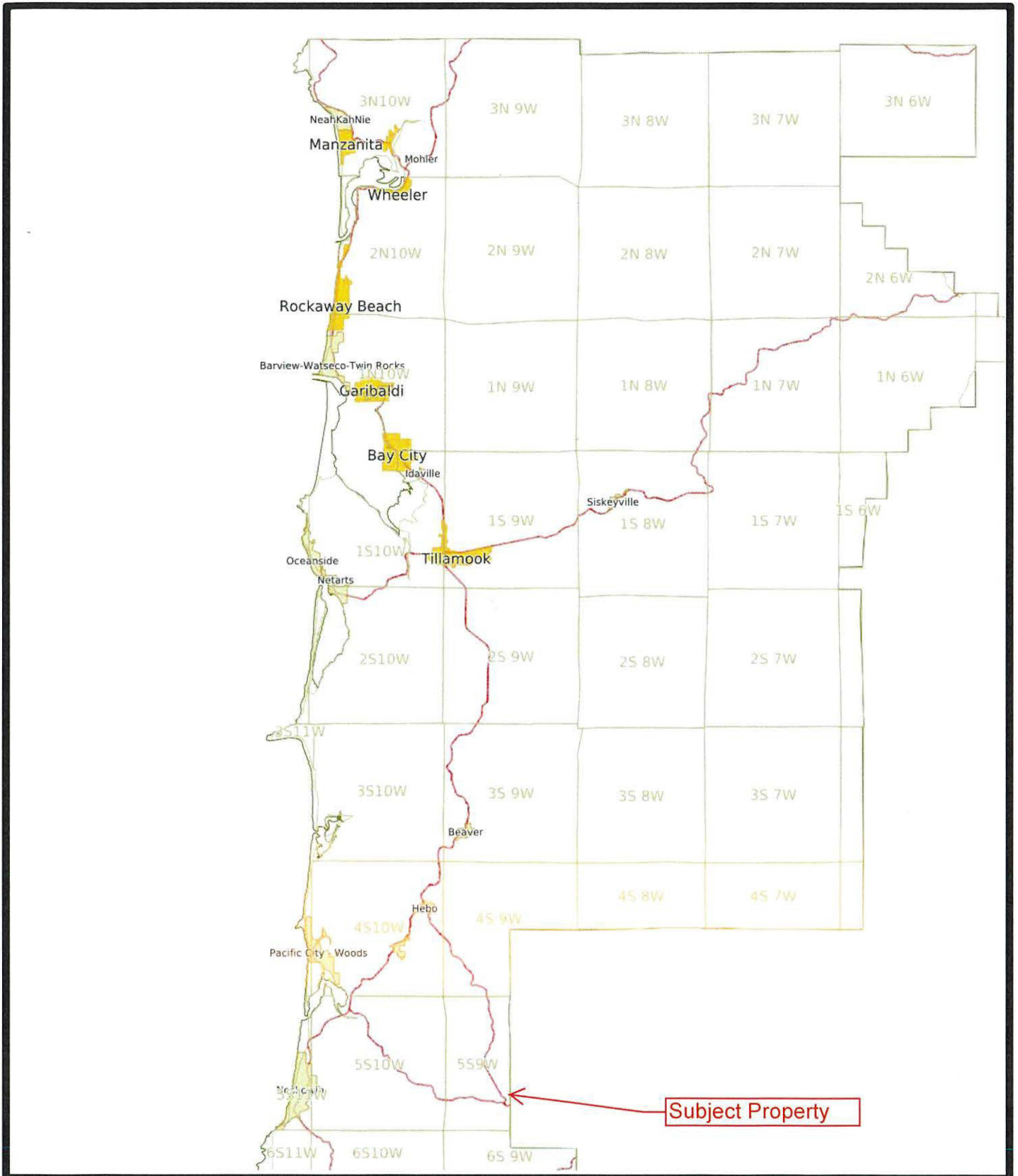
VI. EXHIBITS

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

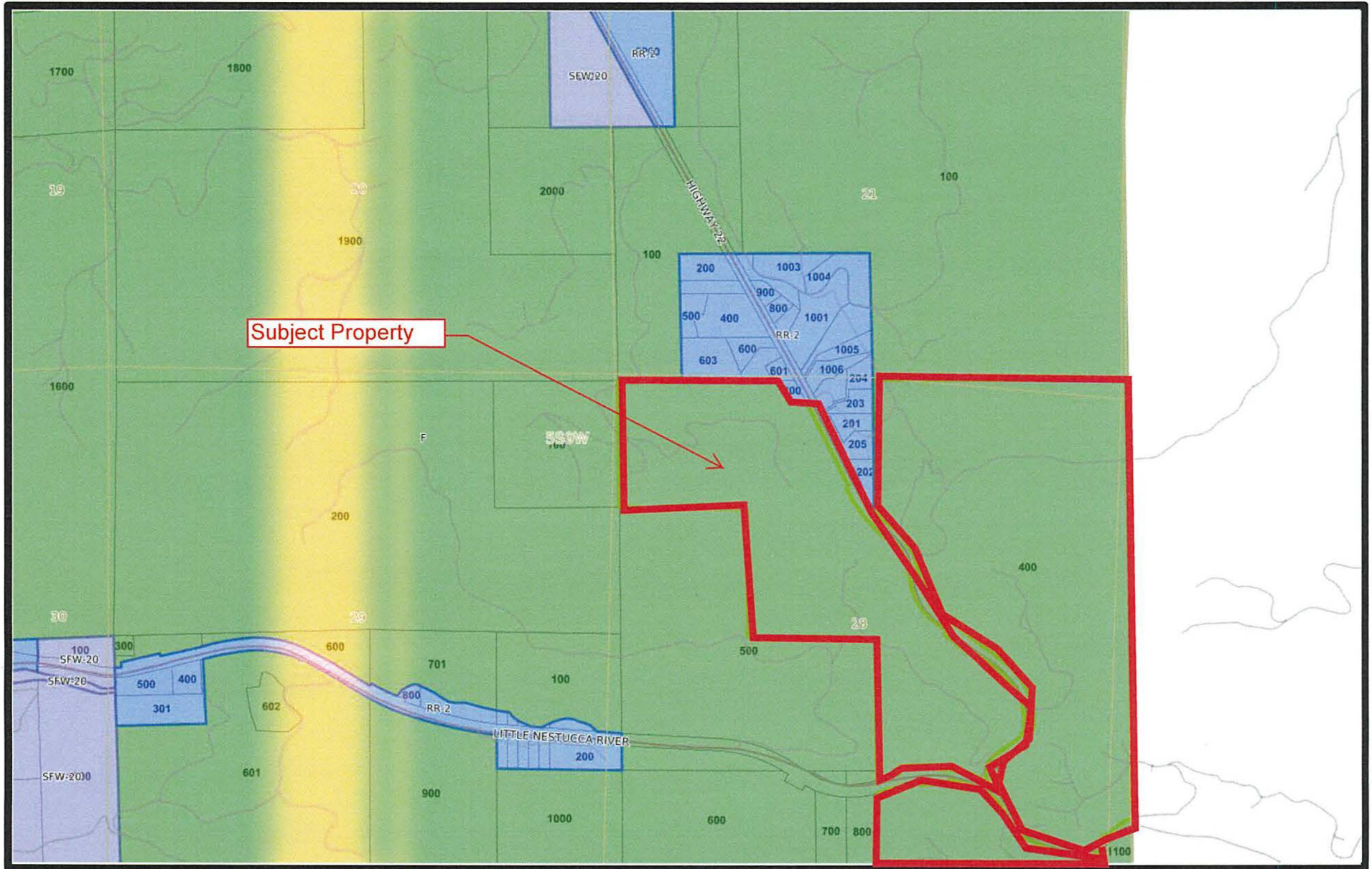
- A. Location map, Assessor map, Zoning map, Aerial imagery, Assessor's Summary Report
- B. Applicant's submittal
- C. Public Comments
- D. Restrictive Covenant
- E. Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads published by Oregon Department of Forestry

EXHIBIT A

Vicinity Map



Zoning Map



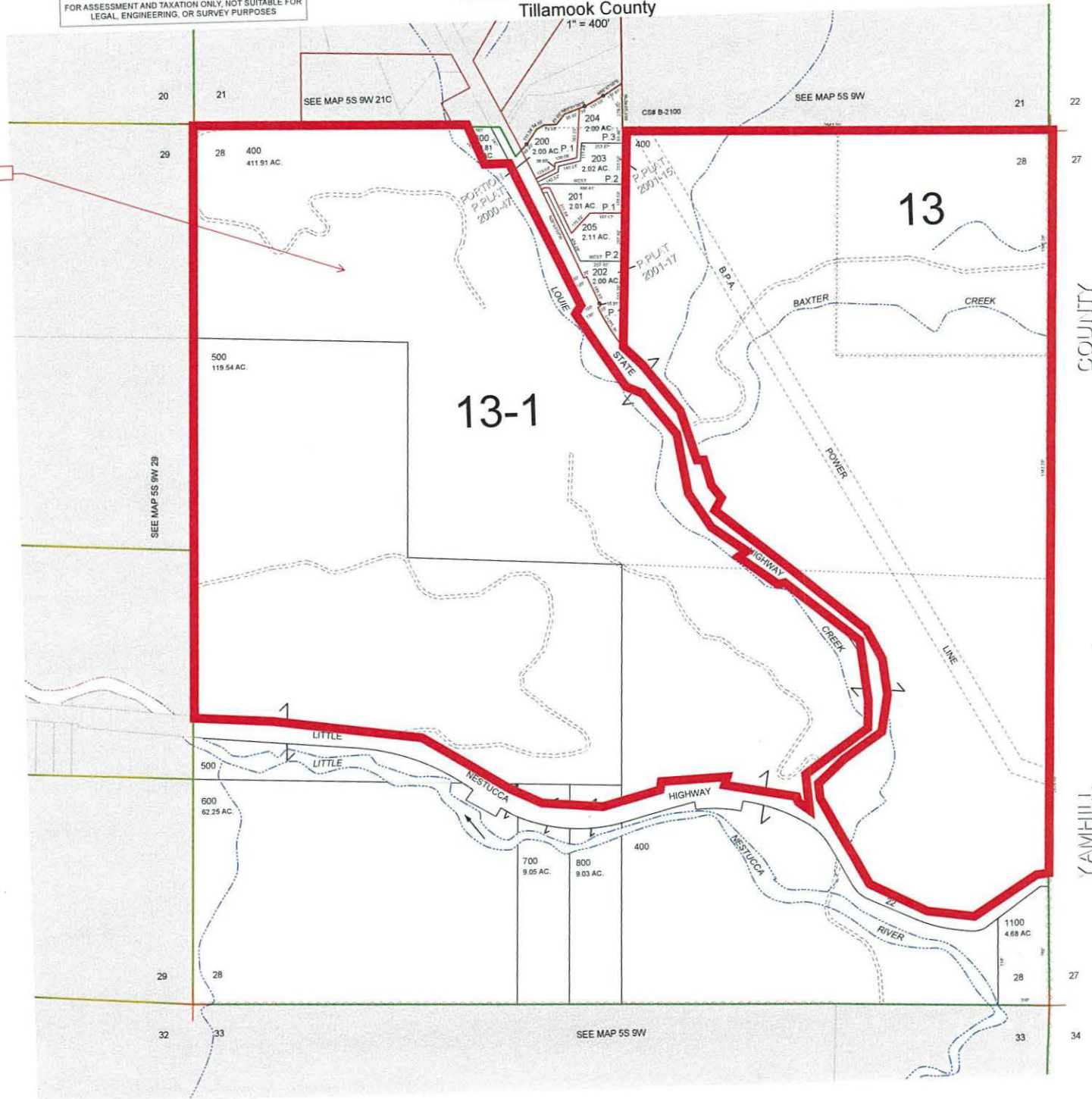
FOR ASSESSMENT AND TAXATION ONLY. NOT SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 28 T.5S. R.9W. W.M.
Tillamook County

05S09W28

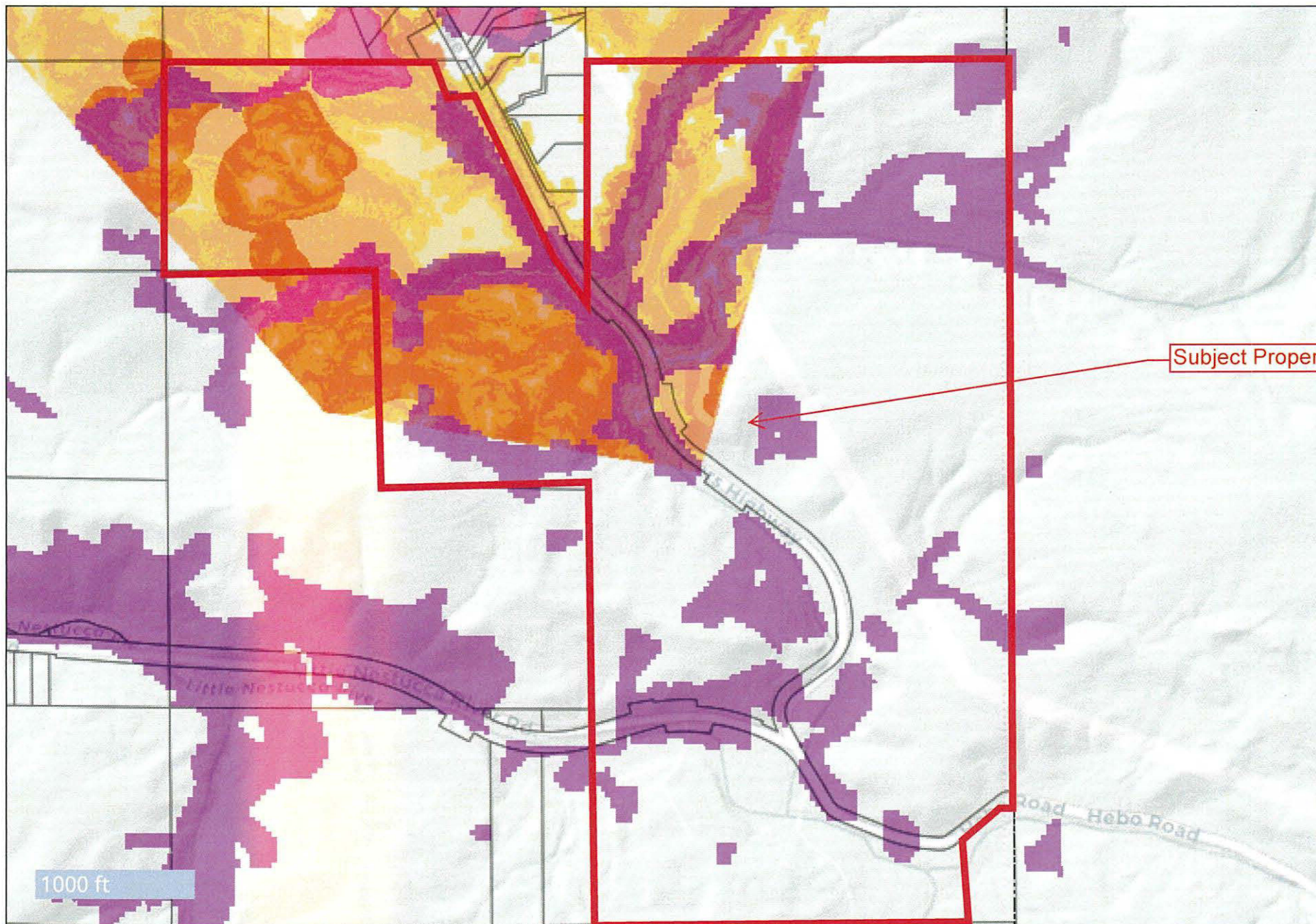
CANCELLED
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subject Property






















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REVISED 6/16/17, WS

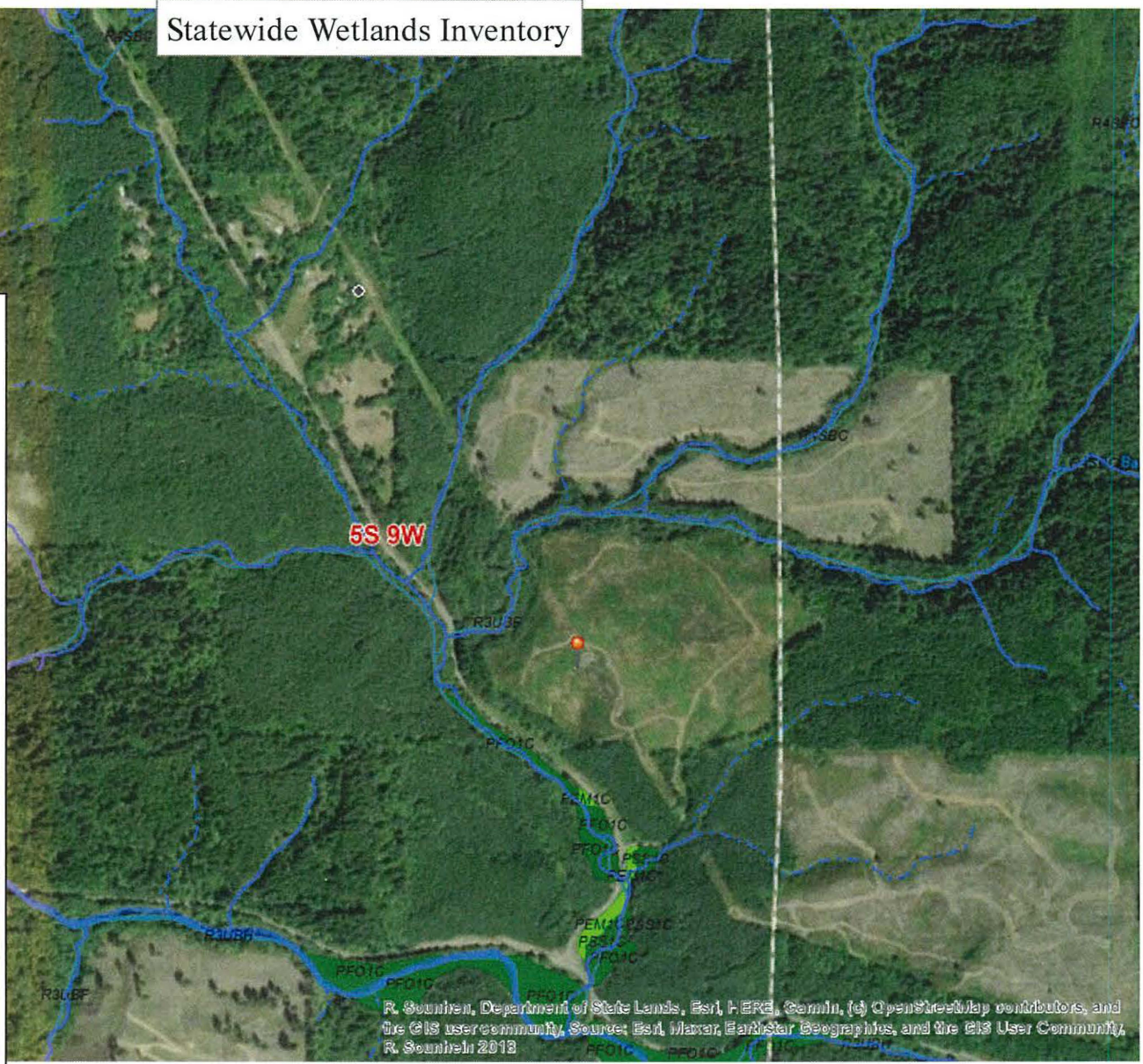
Hazard Map



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

Statewide Wetlands Inventory

-  Townships
-  LWM Study Area
-  BASEDAT.DBO.NHDP point
- BASEDAT.DBO.NHDF lowline**
-  Perennial
-  Intermittent
-  Ephemeral
-  Unknown
-  Canal/Ditch
-  BASEDAT.DBO.NHDArea
-  BASEDAT.DBO.NHDWaterbody
- 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. Souther, 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. Souther 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.



National Flood Hazard Layer FIRMette



123°47'42"W 45°6'52"N



Legend

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

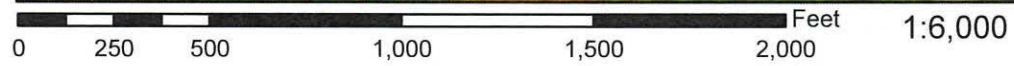
| | | |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard <i>Zone</i> |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | <u>20.2</u> Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | <u>17.5</u> Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| 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 **2/6/2024 at 2:39 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.



123°47'5"W 45°6'26"N

EXHIBIT B



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Tessie Murakami Phone: 310.483.5343

Address: 5200 SW Meadows Rd., Suite 150

City: Lake Oswego State: OR Zip: 97035

Email: tessie.murakami@acomconsultinginc.com

Property Owner

Name: L & C Tree Farms, LLC Phone:

Address: PO BOX 9307

City: Portland State: OR Zip: 97207

Email:

| OFFICE USE ONLY | |
|---|--------------------------------|
| Date Stamp | RECEIVED SEP 01 '23 mail |
| <input type="checkbox"/> Approved <input type="checkbox"/> Denied | |
| Received by: | LT |
| Receipt #: | 133709 & 133693 |
| Fees: | \$2625.00 |
| Permit No: | 85122-0036 PLNG |

Request: Type II Conditional Use Review for a new wireless communications facility (with Verizon Wireless as tenant carrier) on forest parcel.

Type II

- Farm/Forest Review
- Conditional Use Review
- Variance
- Exception to Resource or Riparian Setback
- Nonconforming Review (Major or Minor)
- Development Permit Review for Estuary Development
- Non-farm dwelling in Farm Zone
- Fore-dune Grading Permit Review
- Neskowin Coastal Hazards Area

Type III

- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception
- Nonconforming Review (As deemed by Director)
- Variance (As deemed by Director)

Type IV

- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

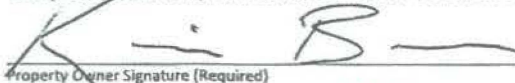
Site Address: 47405 HWY 22, Hebo, OR 97122 (Acct 31325)

| | | | |
|----------------|-------|---------|------------|
| Map Number: 5S | 09 | 28 | 400 |
| Township | Range | Section | Tax Lot(s) |

Clerk's Instrument #: _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.


 Property Owner Signature (Required)

Tessie V. Murakami

Digitally signed by Tessie V. Murakami
 DN: cn=Tessie V. Murakami, o=ACOM Consulting Inc., ou=ACOM Consulting Inc., email=Tessie.Murakami@acomconsultinginc.com, c=US
 Date: 2023.08.30 12:36:11 -0700

Applicant Signature

8/28/2023

Date

8/30/23

Date

LAND USE APPLICATION -
NARRATIVE & STATEMENT
OF CODE COMPLIANCE

**VERIZON WIRELESS
TELECOMMUNICATIONS
FACILITY AT**

47405 HWY 22
Hebo, OR 97122

Prepared By



Date
August 30, 2023

Project Name
OR1 Nestucca



I. GENERAL INFORMATION

Applicants: The Towers, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487

Verizon Wireless
5430 NE 122nd Avenue
Portland, OR 97230

Representative: Acom Consulting, Inc.
Tessie Murakami
5200 SW Meadows Rd., Suite 150
Lake Oswego, OR 97035

Property Owner: L & C Tree Farms LLC
PO BOX 9307
Portland, OR 97207

Project Information:

Site Address: 47405 Hwy 22, Hebo, OR 97122
Parcel: 5S09280000400
Account Number: 31325
Parcel Area: 411 acres
Zone Designation: F (Forest)
Existing Use: Farming
Project Area: 2500 Square Feet (50' x 50') accessed by a short 12' wide drive and 20' access and utility easement

II. PROJECT OVERVIEW

Acom Consulting is submitting an application on behalf of The Towers, LLC ("VB"), who will own and operate the tower and ground space; Cellco Partnership dba Verizon Wireless who will be locating on this facility and the property owner, L & C Tree Farms, LLC. The site proposed herein is designed to improve the voice and data capacity for its customers in Tillamook County and along Highway 22. Verizon has experienced an exponential increase in its network traffic over the last 6 years nationwide, with 43% of households choosing to use only wireless devices as their home telephone as of 2014. The proposed project is part of a Pacific Northwest network upgrade that addresses this growing reliance on wireless devices and would improve the quality and reliability of service in the immediate area around the proposed site and the greater Tillamook County network.



The applicant proposes to construct a new wireless communications facility ("WCF") within a 50' x 50' ground lease area. This proposal includes a 195-foot self-support tower with up to 12 antennas at an antenna tip-height of 195' and associated RRU's, future microwave antenna, radio equipment cabinets, backup generator, chain link fence and H-frame. The top of the lighting rod is 199' on the 195' self-support tower.

The self-support tower would be a non-reflective color to blend with the adjacent mature trees and sky and would be capable of accommodating a total of 3 carriers (Verizon, plus two future). It is the industry standard to allow collocation of multiple carriers on a single tower and is mandated under the Telecommunications Act. On August 8, 1996, the Federal Communications Commission adopted the first collocation rules designed to implement section 251(c)(6) of the Communications Act of 1934, as amended, ("the Act"), 47 U.S.C. § 251(c)(6). Section 251(c)(6) of the Act obligates carriers to provide, "on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements." As such, VB will allow timely collocation by other users provided all structural, technological, and monetary requirements are satisfactory.

Associated ground equipment and emergency back-up generator are of a tan or grey color and would be located within the 50' x 50' fenced lease area. The pole, ground equipment and H-frame will be enclosed by a 6'-0" chain link fence with three strands of barbed wire. The site will be accessed via an existing driveway off of Highway 22, then to the site via an existing gravel road.

This site was chosen because of its remote location away from nearby residences and schools. This site sits at a higher elevation providing the necessary elevation needed for the site to work optimally. In addition, this site would have little impact on the property, is accessed by an existing road, and away from residential properties and schools. Other sites within the ring would require that the site be closer to residential homes and/or streets, thus being more visually impactful, any lower down on the hill would impact coverage. The topography in the area varies in elevation. At certain locations, especially closer in, the tower can't be seen because of the tall trees and hillside leading to the tower. The trees with the topography minimize the visual impact of the facility. The location of the proposed site maximizes coverage while minimizing visual impacts by utilizing the minimum height (195-foot to antenna tip height) needed to meet coverage objectives.

This facility is passive use and will produce no odors, glare, vibration, or fumes. The applicant has mitigated the potential visual impact of the facility by proposing the minimum height necessary to meet coverage objectives and utilizing a design that is fitting of the surrounding environment. Public utilities are sufficient for this use. The site proposed herein is an unmanned facility that requires only power and telephone services. It does not require sewer or surface water drainage. Exterior lighting is not proposed.

The proposed facility would not interfere with surrounding properties or their uses, nor create any significant risk to public health and safety, flood hazard or emergency response, and will not cause interference with any



electronic equipment, such as telephones, televisions, or radios. Non- interference is ensured by the Federal Communications Commission (FCC) regulation of radio transmissions. The proposed project may improve emergency response because it would improve wireless communication for citizens making emergency calls.

The site will meet or exceed all FCC requirements for non-ionizing electromagnetic radiation (NIER) emissions and will comply with all standards as required for Wireless Telecommunications Sites as regulated by Federal, State and the local jurisdiction.

At the termination of the Land Lease Agreement with the property owner, the facility will be removed within 120-days of termination of the lease and restored to its original condition, reasonable wear and tear and casualty excepted.

This facility has been located and designed to minimize the visual impact on the immediate surroundings and throughout the community and minimize public inconvenience and disruption while providing a desirable feature—reliable wireless service. Wireless service is critical today, with many people relying on their wireless devices for everything from information gathering, financial transactions to primary home phone service.

This site can meet the Tillamook County criteria for siting of new wireless telecommunication facilities, including height, setbacks and design as demonstrated herein. As shown throughout this application, VB's and Verizon's proposal is the least intrusive means of meeting coverage objectives. The applicants respectfully request that Tillamook County approve the facility as proposed.

III. PROPOSED PLAN

This request is for review of the Land Use Development of a new proposed wireless communications facility. The subject property consists of approximately 411 acres of forested landscape and rugged terrain with existing primary access over an unnamed road off Highway OR-22. The subject property is surrounded by Forest and is improved with private logging roads.

IV. SITE SELECTION

Verizon seeks to improve a significant capacity deficiency in their coverage and capacity in Tillamook County. The proposed site location was chosen to improve the voice and data capacity for customers located along Hwy 22.

The Applicants site wireless communication facilities at carefully selected locations. The need for service in this specific geographic area was determined by market demand, coverage requirements for a specific geographic area, and the need to provide continuous coverage from one site to another. Once the need for additional coverage was established, Verizon's RF engineers performed a study to determine the approximate site location and antenna height required to provide service in the desired coverage area. Using a computer modeling program that accounts for the terrain within the service area and other variables, such as proposed antenna height,



available radio frequencies and wireless equipment characteristics, the engineers identified a “search ring,” wherein a site could be located to fill the coverage gap.

For this project, a significant deficiency in coverage and capacity was determined to exist in the proposed area along Hwy 22.

This determination was a result of a combination of customer complaints and service and preliminary design analysis. Terrain data within the service area is entered into a modeling program along with a series of variables, such as proposed antenna height, available radio frequencies and wireless equipment characteristics. Using this information, Verizon’s RF engineers identified an area of optimum location for and height of a new wireless communication facility antenna to maximize the coverage objective.

When this technical analysis was completed, a search area map and a description of other requirements were provided to Verizon’s site development specialists. To provide coverage in this area, it was necessary to locate a facility that would provide coverage to the necessary areas in need.

With this information in hand, Verizon ranked potential sites. When designing an existing or new area for coverage or capacity, Verizon will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or not attainable because of space constraints or unreliable structural design, Verizon will propose a new tower. In this instance, our real estate group with the help of outside consultants did several searches and concluded there is no existing cell towers nearby for collocation that meet the communication site objectives.

Coverage maps and the RF Engineering and Design justification are attached herein for reference.

Federal, state, and local laws will apply to this application.

In Tillamook County, a new telecommunications facility at this Forest (F) location may be permitted via a conditional use and subject to the criteria per a Type III Conditional Use Permit application with the Planning Commission Review.

Federal law, primarily found in the Telecommunications Act, acknowledges a local jurisdiction’s zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways. First, a local government must approve an application for a wireless communications site if three conditions are met: (1) there is a significant gap in service (coverage and or capacity); (2) the carrier has shown that the manner in which it proposes to provide service in the significant gap is the least intrusive on the values that the community seeks to protect as allowed by applicable law; and (3) there are no potentially available and technologically feasible alternatives that are less intrusive on the goals that the community seeks to protect as allowed by applicable law. 47 U.S.C Section 332(c)(7)(A) and (B)(i)(II); and T-Mobile USA, Inc. v. City of Anacortes, 572 P.3d 987 (9th Cir. 2009).

In addition, under the Telecommunications Act, a local jurisdiction is prohibited from considering the environmental effects (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. Section 332(c)(7)(B)(iv). Verizon has included with this application a statement from Hatfield & Dawson Consulting Electrical Engineers demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission’s RF emissions regulations - a NIER report (Attachment 9). Therefore, this issue is



preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed site should be disregarded in this proceeding.

Furthermore, the Telecommunications Act requires jurisdictions not to discriminate amongst carriers (applicants) in the placement of Wireless facilities. The Telecommunications Act provides wireless carriers with important procedural due process protections, including the requirement that “the regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government shall not prohibit or have the effect of prohibiting the provision of personal wireless services. 47 U.S.C. § 332(c)(7)(B)(i)(II). That is if a significant gap in service is demonstrated (capacity and or coverage), a local jurisdiction cannot deny the new service facility.

Verizon, in this application via extensive evidence has demonstrated that there is a significant gap in coverage and capacity for customers in Tillamook County, Oregon, and that the proposed facility is designed to fulfill this service gap in this area. The County is required to defer to Verizon’s coverage objectives. There are other similar style and height of wireless towers that have been approved and installed in Tillamook County, including one on the same parcel as the proposed development. To deny or substantially condition this application would be a clear discrimination between carriers per the Telecom Act and Federal Law and deny Verizon’s ability to provide similar service compared to other carriers.

The proposed facility will comply fully with all Federal Communications Commission (FCC) safety standards. The FCC developed those standards in consultation with numerous other agencies, including the Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The standards were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects over decades of wireless usage. The FCC explains that its standards “incorporate prudent margins of safety.” It explains further that “radio frequency emissions from antennas used for cellular and PCS transmissions result in exposure levels on the ground that are typically thousands of times below safety limits.” The FCC provides information about the safety of RF emissions from cellular base stations on its website at: <http://www.fcc.gov/oet/rfsafety/rf-faqs.html>. Included in the is application is Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency Radiation report (Attachment 9) prepared by Hatfield & Dawson, Consulting Electrical Engineers that are qualified to prepare the exposure report in compliance with FCC guidelines. This report demonstrates that Verizon’s proposed facility will be no risk to human health for RF exposure and is in compliance with FCC requirements.

Once Verizon develops a new facility, they follow a comprehensive program to ensure that they remain in compliance with the FCC limits while in service, which will include actual tests to confirm these limits following the sites going into service.

Wireless Communication facilities have been designated by Homeland Security as critical infrastructure of the United States. During events such as natural disasters or acts of terrorism, cell reception has been critical for first responders and emergency personnel to have effective communications.



V. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS

- A. TCLUO Section 3.004: Forest (F) Zone
- B. TCLUO Article VI: Conditional Use Procedures and Criteria

VI. ANALYSIS

TCLUO Section 3.004: Forest (F) Zone

(1) PURPOSE

(a) The purpose of the Forest (F) Zone is to protect and maintain forest lands for grazing, and rangeland use and forest use, consistent with existing and future needs for agricultural and forest products. The F zone is also intended to allow other uses that are compatible with agricultural and forest activities, to protect scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county.

(b) The F zone has been applied to lands designated as Forest in the Comprehensive Plan. The provisions of the F zone reflect the forest land policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-006. The minimum parcel size and other standards established by this zone are intended to promote commercial forest operations.

Applicant's response: The proposed WCF is located in the Forest (F) zone.

(2) DEFINITIONS

Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this ordinance" is used herewith, it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted.

For the purpose of this zone, the following definitions apply:

(dd) UTILITY FACILITIES NECESSARY FOR PUBLIC SERVICE: Unless otherwise specified in this Article, any facility owned or operated by a public, private or cooperative company for the transmission, distribution or processing of its products or for the disposal of cooling water, waste or by-products, and including, major trunk, pipelines, dams & and other hydroelectric facilities, water towers, sewage lagoons, cell towers, electrical transmission facilities (except transmission towers over 200' in height) including substations not associated with a commercial power generating facilities and other similar facilities.

Applicant's response: The proposed WCF qualifies as a utility facility necessary for public service.



TCLUO Article VI: Conditional Use Procedures and Criteria

(8) CONDITIONAL USE REVIEW CRITERIA:

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

1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and Article 6. Please see Final Zoning Drawings included as an attachment.

2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

Applicant's response: This is an unmanned Wireless Communication Facility that will be run on primary electric power provided by the existing infrastructure at this location. The only fuel source will be a small diesel generator that will only be used in emergency operations. In addition, the applicant intends to comply with all fire break requirements per the County's code. Please see Final Zoning Drawings included as an attachment.

3. A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025(5)(c).

Applicant's response: The applicant acknowledges and intends to comply with these provisions and is agreeable to this being included as a condition of approval.



(9) SITING STANDARDS FOR DWELLINGS AND STRUCTURES IN FOREST ZONES

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. The County shall consider the criteria in this section together with the requirements of Section (10) to identify the building site:

- (a) The minimum lot width and minimum lot depth shall be 100 feet.
- (b) The minimum front, rear, and side yards shall all be 30 feet.
- (c) The height of residential structures shall not exceed 35 feet.
- (d) Dwellings and structures shall be sited on the parcel so that:
 - 1. They have the least impact on nearby or adjoining forest or agricultural lands;

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and Article 6. Please see Final Zoning Drawings included as an attachment.

- 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and Article 6. The proposed location will not force a significant change in the forest practices on the property. Additionally, the proposed location is accessible by an existing gravel road which minimizes possible adverse impacts.

- 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and

Applicant's response: The proposed new WCF will only use a 50 ft. x 50 ft. lease area (plus 1,675 ft existing gravel access road) of forest land on 411 acre parcel. Additionally, the proposed location is accessible by an existing gravel road so no additional forest land will be utilized to construct an access road. The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and Article 6. Please see Final Zoning Drawings included as an attachment.

- 4. The risks associated with wildfire are minimized.

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and



Article VI. The proposed location will not force a significant change in the forest practices on the property. Please see Final Zoning Drawings included as an attachment.

- (e) Siting criteria satisfying Subsection (d) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

Applicant's response: The proposed WCF is sited close to an existing gravel road as there are no existing wireless structures in the proximity of the parcel.

- (f) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
 1. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 2. A water use permit issued by the Water Resources Department for the use described in the application; or
 3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

Applicant's response: Not applicable. The proposed WCF is an unmanned facility that will not be connected to a water source.

- (g) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

Applicant's response: The applicant has negotiated and signed a lease agreement with the property owner for access to and use of the proposed lease area. The applicant respectfully asks that the County approve this WCF application with the understanding that the formal lease and easement agreements will be secured prior to commencement of construction. The applicant will apply for any road use permits required for the WCF. Finally, the applicant agrees to this being a condition of approval.



- (h) Approval of a dwelling shall be subject to the following requirements:
1. Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;
 2. The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 3. If the lot or parcel is more than 10 acres the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 4. Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and
 5. The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Applicant's response: Not applicable.

(10) FIRE-SITING STANDARDS FOR DWELLINGS AND STRUCTURES:

The following fire-siting standards or their equivalent shall apply to all new dwelling or structures in a forest zone:

- (a) The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards that shall comply with the following:
 1. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 2. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;



3. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
4. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

Applicant's response: The proposed new structure is an unmanned wireless facility. The applicant will comply with all required applicable fire code requirements. Also, the applicant requests the County to determine that inclusion in a fire protection district or contracting for residential fire protection is impracticable and provide an alternative means for protecting the structure from fire hazards if such means are deemed necessary.

- (b) Road access to the dwelling shall meet road design standards described in OAR 660-006-0040.

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section, including the development and design standards under Section 3.004 and Article VI.

- (c) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry and shall demonstrate compliance with Table (10)(c)1

Applicant's response: The proposed WCF has been designed to be consistent with all applicable provisions of this section and Article VI, including the fuel break requirements noted in this Code section. Please see Final Zoning Drawings included as an attachment.



ARTICLE VI

CONDITIONAL USE PROCEDURES AND CRITERIA

SECTION 6.010: PURPOSE

The purpose of a CONDITIONAL USE is to provide for uses that are not allowed by right in a certain zone because of potentially adverse impacts on uses permitted by right in that zone. Such uses may be made or deemed compatible through the review process contained in this Article, which subjects the proposed CONDITIONAL USE activity to specific requirements, criteria, and conditions. The location and operation of any CONDITIONAL USE listed in this Ordinance shall only be permitted according to the provisions of this Article.

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.

Applicant's response: The Applicant has submitted a Conditional Use application with supporting documents including a narrative and statement of Compliance for the proposed WCF.

- (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 6.030: GENERAL REQUIREMENTS

A CONDITIONAL USE shall be authorized, pursuant to the procedures set forth in Section 6.020, if the applicant adequately demonstrates that the proposed use satisfies all relevant requirements of this Ordinance, including the review criteria contained in Section 6.040 or the Health Hardship provisions contained in Section 6.050, and the following general requirements:

- (1) A CONDITIONAL USE shall be subject to the standards of the zone in which it is located, except as those standards have been modified in authorizing the CONDITIONAL USE. The size of a lot to be used for a public utility facility may be reduced below the minimum required, provided that it will have no adverse effect upon adjacent uses.

Applicant's response: The proposed WCF is located in and subject to the Forest (F) standards zone. The zone standards are addressed in the narrative and the Statement of Code Compliance.



- (2) A CONDITIONAL USE may be enlarged or altered pursuant to the following:
 - (a) Major alterations of a CONDITIONAL USE, including changes to or deletion of any imposed conditions, shall be processed as a new CONDITIONAL USE application.
 - (b) Minor alterations of a CONDITIONAL USE may be approved by the Director according to the procedures used for authorizing a building permit, if such alterations are requested prior to the issuance of a building permit for the CONDITIONAL USE. Minor alterations are those which may affect the siting and dimensions of structural and other improvements relating to the CONDITIONAL USE, and may include small changes in the use itself. Any change which would affect the basic type, character, arrangement, or intent of the approved CONDITIONAL USE shall be considered a major alteration.
 - (c) The enlargement or alteration of a one- or two-family dwelling, mobile home, manufactured home, or recreational vehicle that is authorized as a CONDITIONAL USE under the provisions of this Ordinance shall not require further authorization, if all applicable standards and criteria are met.
- (3) Where the approval of a CONDITIONAL USE request is contingent upon an amendment to this Ordinance, and an application for such amendment has been recommended for approval by the Commission, the CONDITIONAL USE request may be approved upon the condition that the Board approves the Ordinance Amendment.

SECTION 6.040: REVIEW CRITERIA

Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

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

Applicant's response: Per 3.004 (13) Use Table, television, microwave and radio communication facilities and transmission towers are permitted by a Type 2 CUP in the underlying Forest (F) zone (subject to 3.004(8) above). There is no applicable overlay zone for this location.

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

Applicant's response: This is an unmanned cellular site that will provide essential 911 emergency response wireless capabilities to first responders. The site is located near an existing access road and will not directly impact the productivity of the ongoing forest operations on this land. Please see Final Zoning Drawings and RF Justification included as attachments.

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

Applicant's response: As noted, the proposed WCF will be sited in close proximity of an existing access road. Also, the property owners participated in selecting the site location that will not directly impact the productivity of the ongoing forest operations on this parcel. Please see Final Zoning Drawings included as an attachment.



- (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.

Applicant's response: As noted, the proposed WCF will be sited in close proximity of an existing access road. Also, the property owners participated in selecting the site location that will not directly impact the productivity of the ongoing forest operations on this parcel. Please see Final Zoning Drawings included as an attachment.

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

Applicant's response: Not applicable. There are no solar energy systems, wind energy conversion systems, or wind mills in this 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.

Applicant's response: This proposed WCF is intended to fill a significant gap in coverage as shown in the attached RF Justification and maps. Verizon Wireless has built a communication network to provide wireless services, which include voice, data, and enhanced 911 emergency services in the area experiencing a significant gap in coverage in Hebo (Tillamook County). Verizon's objective for this site is to improve these wireless services, offload a nearby capacity site that is currently providing coverage in this area and fill in new areas that do not have a strong enough signal strength to hold a call or access their network. This proposed site is an essential WCF for public service as part of Verizon Wireless; communication network providing enhanced 911 services as well as serving many governmental agencies and emergency responders. To get the quality service experience for their customers and others that count on their network in Hebo (Tillamook County), Verizon will need this new 195 ft. tower to provide adequate coverage in this area.

Nestucca

RF Design: Preeti Pathanjali

Introduction

Coverage is the need to expand wireless service into an area that either has no service or bad service. The request for service often comes from customers or emergency personnel. Expansion of service could mean improving the signal levels in a large apartment complex or new residential community. It could also mean providing new service along a newly built highway or a small community in a coverage hole.

Capacity is the need for more wireless resources. Cell sites have a limited amount of resources to handle voice calls, data connections, and data volume. When these limits are reached, user experience quickly degrades. This could mean customers may no longer be able to make/receive calls nor be able to browse the internet. It could also mean that webpages will be very slow to download. Capacity is the amount of resources a cell site has to handle customer demand. We utilize sophisticated programs that use current usage trends to forecast future capacity needs. Since it takes an average of (1-3) years to complete a cell site project, we have to start the acquisition process several years in advance to ensure the new cell site is in place before the existing cell site hits capacity limits.

Location, Location, Location. A good capacity cell site needs to be in the center of the user population which ensures even traffic distribution around the cell. A typical cell site is configured in a pie shape, with each slice (aka. sector) holding 33% of the resources. Optimal performance is achieved when traffic is evenly distributed across the 3 sectors.

Propagation Maps:

There are several methods for determining where coverage gaps exist within a given network of wireless sites. One of these is through the use of propagation maps. The propagation map is a computer simulation of the strength of Verizon Wireless signals at a given height and location in the context of the network. Propagation maps are one tool for determining whether a proposed site will meet the coverage objective and what antenna height is needed to provide robust service for Verizon Wireless customers. The radio propagation tool is designed to take factors such as terrain, tree coverage, and existing buildings into account, so that it depicts a reliable estimate of coverage that would be provided by a proposed site. The propagation maps that follow show three levels of service, designated as the following colors:

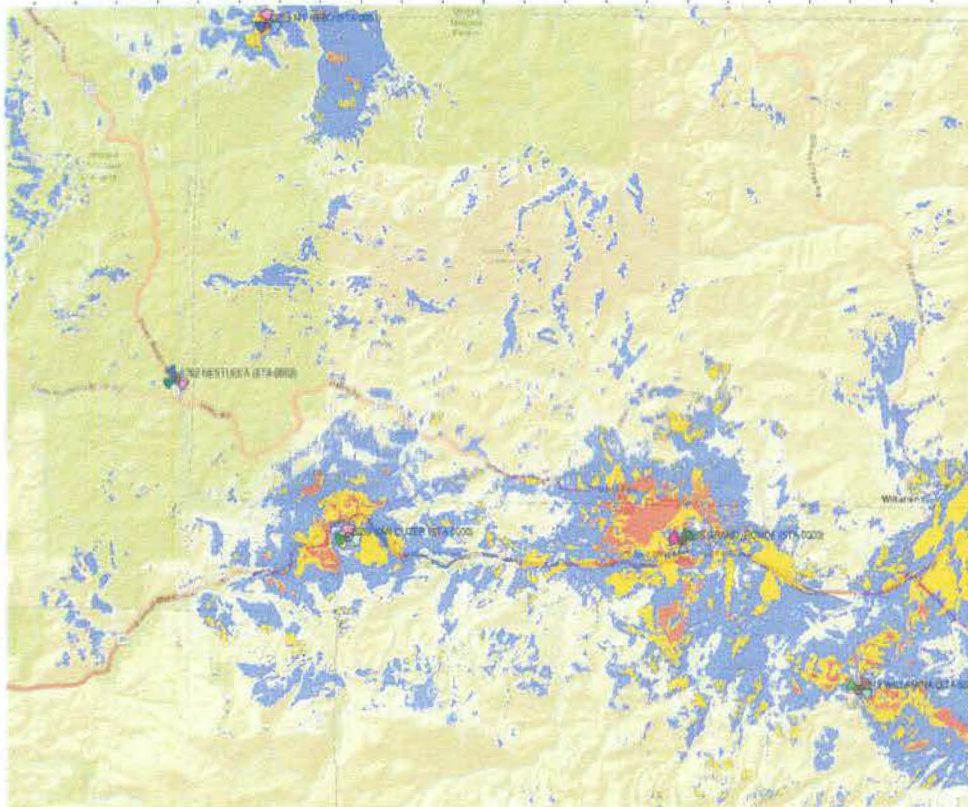
- Red - a level of service adequate for providing good indoor coverage and outdoor coverage.
- Yellow - a level of service adequate for providing good coverage outdoors but moderate indoor coverage/inside a car
- Blue - a level of service adequate for providing moderate outdoor coverage but unreliable indoor coverage/inside a car.
- No color: unreliable signal strength, may not be not capable of reliably making and holding a call depending on environment

Propagation Maps:

In order to provide excellent 4G/5G service, the antenna height and site location need to provide a line of sight to the area intended to provide coverage (HWY 130 and HWY 22). Three multi-frequency antennas are being proposed in order to provide the necessary radio frequencies supporting all of Verizon Wireless voice and data services. The proposed antenna tip height of 194' is the minimum height needed for the three sectors at the selected candidate location.

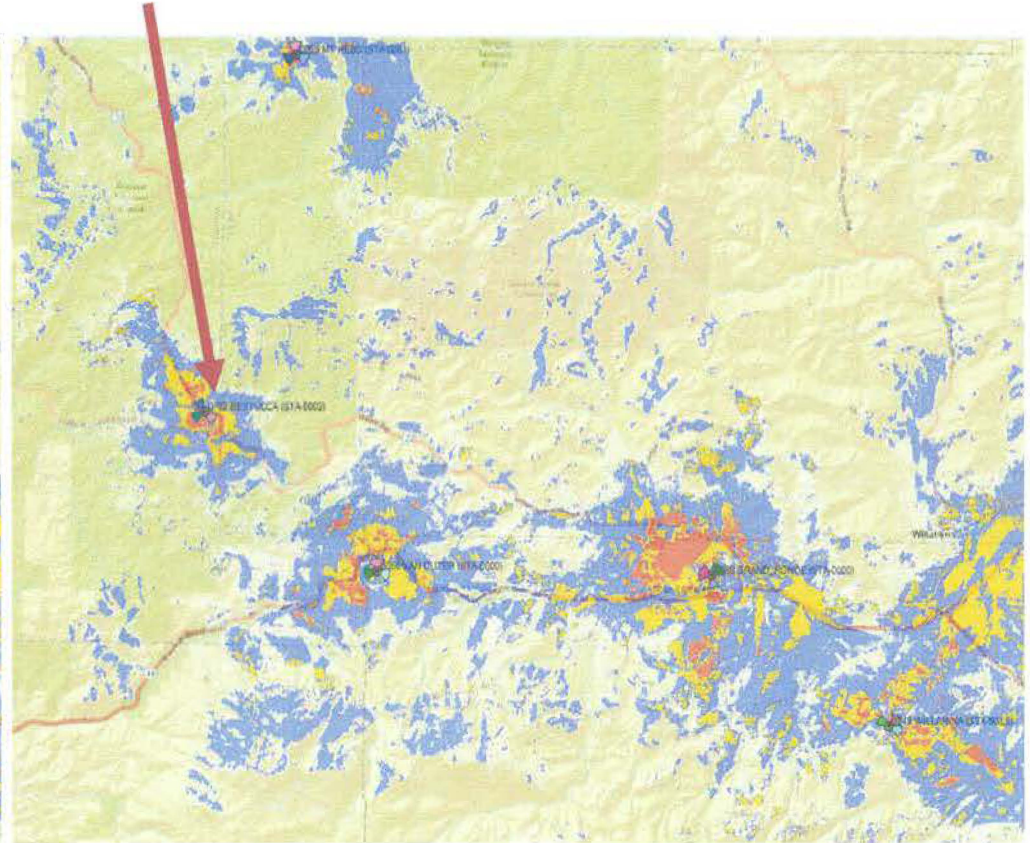
Low-Band Signal Strength in dBm.

Now



After: Nestucca at 190'

New Site: Nestucca

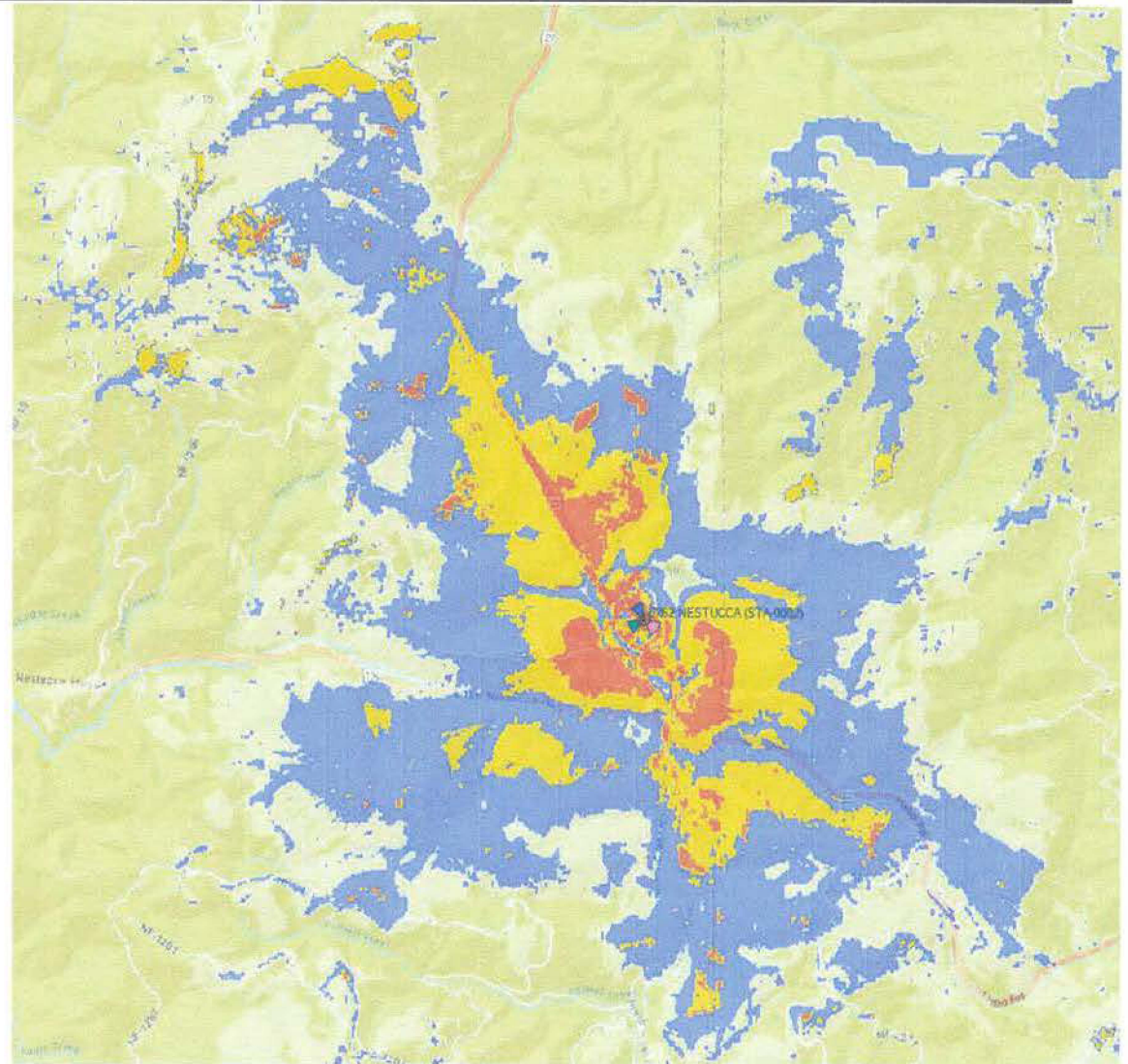


Copy of LTE_NW-Mobility_RSRP-dBm (0)

- Good
- Moderate
- Degraded

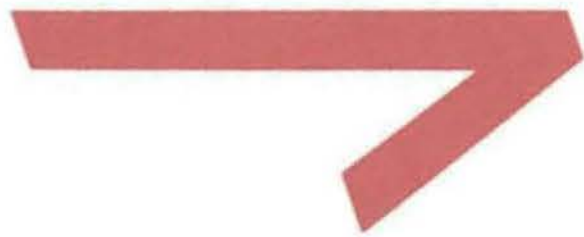
Summary

- HWY 22 and HWY 130 is in a coverage hole with no 4g and/or 5G coverage to serve Verizon customers.
- The lack of existing cell towers in the area contributes to lack of LTE/5G coverage. The new cell site Nestucca will provide the needed coverage and capacity.
- This site will help will not only improve customer experience but also help public safety/emergency services.



Copy of LTE_NW-Mobility_RSRP-dBm (0)





TOWAIR Determination Results

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates

| | |
|-----------|------------------|
| Latitude | 45-06-40.4 north |
| Longitude | 123-47-27.0 west |

Measurements (Meters)

| | |
|--------------------------------|-------|
| Overall Structure Height (AGL) | 60.7 |
| Support Structure Height (AGL) | 59.4 |
| Site Elevation (AMSL) | 175.4 |

Structure Type

LTOWER - Lattice Tower

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

CLOSE WINDOW

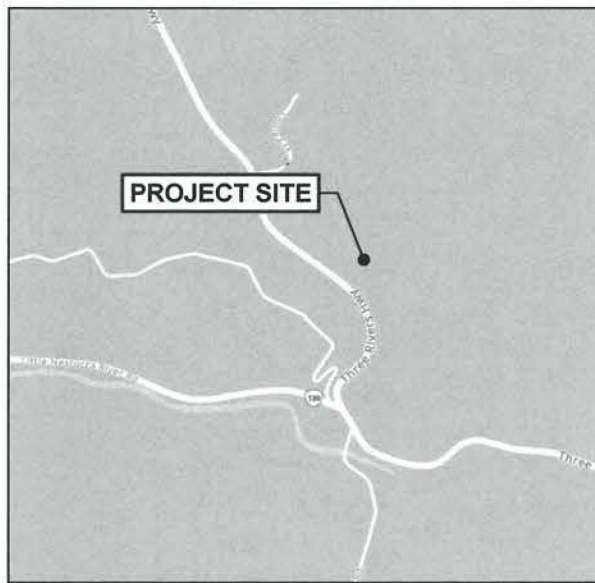
OR1 NESTUCCA

47405 HWY 22
HEBO, OR 97122

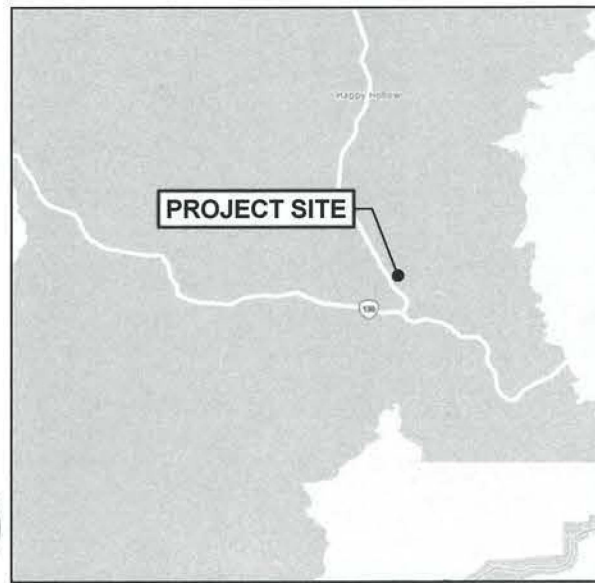


VERTICAL BRIDGE SITE # US-OR-5093

VICINITY MAP



AREA MAP



DRIVING DIRECTIONS

FROM VERIZON WIRELESS OFFICE - PORTLAND, OR:

TAKE I-5 SOUTH AND HEAD TOWARD SALEM. AT EXIT 278, HEAD RIGHT ON THE RAMP FOR EHLEN RD. TOWARD AURORA / NAT'L HISTORIC DIST. BEAR RIGHT ONTO EHLEN RD NE TOWARD CHAMPOEG STATE PARK / DONALD. ROAD NAME CHANGES TO YERGEN RD NE. ROAD NAME CHANGES TO MCKAY RD NE. TURN RIGHT ONTO OR-219 / RIVER RD NE. TURN LEFT ONTO OR-18 / NEWBERG DUNDEE BYP. TURN RIGHT ONTO OR-99W / OR-18 / N HIGHWAY 99W. TURN LEFT ONTO OR-233 / OR-18 / SE DAYTON BYP. KEEP LEFT TO STAY ON OR-18 / SALMON RIVER HWY. TURN RIGHT ONTO OR-22 / HEBO RD. KEEP RIGHT TO STAY ON OR-22 / HIGHWAY 22. ARRIVE AT OR-22 / HIGHWAY 22 ON THE RIGHT. THE ACCESS IS NORTH OF OR-130 / LITTLE NESTUCCA RIVER RD. THRU LOCKED GATE.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT CONDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

OREGON STATE AND LOCAL BUILDING CODES WITH THE FOLLOWING REFERENCE CODE:

- 2018 IBC, STANDARDS AND AMENDMENTS - 2019 OSSC
- 2018 IMC, STANDARDS AND AMENDMENTS - 2019 OMSC
- 2019 IFC, STANDARDS AND AMENDMENTS - 2018 OFC
- 2015 UPC, STANDARDS AND AMENDMENTS - 2017 OPSC
- 2017 NEC, STANDARDS AND AMENDMENTS - 2017 OESC

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF ACOM CONSULTING.

PROJECT CONTACT LIST

PROPERTY OWNER:

L & C TREE FARMS, LLC
PO BOX 9307
PORTLAND, OR 97207

TOWER OWNER:

VERTICAL BRIDGE VBTS, LLC
750 PARK OF COMMERCE DRIVE,
SUITE 200
BOCA RATON, FL 33487
STEVE HEDGES
PHONE: (773) 988-1715
shedges@verticalbridge.com

IMPLEMENTATION CONTACT:

GREG BAKER
VERIZON WIRELESS
12730 E MIRIBEAU PARKWAY, SUITE 500
SPOKANE, WA 99216
PHONE: (503) 307-0035
greg.baker@verizonwireless.com

SITE ACQUISITION:

SARAH BLANCHARD
ACOM CONSULTING, INC
5200 SW MEADOWS RD, SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (503) 310-5538
sarah.blanchard@acomconsultinginc.com

STRUCTURAL ENGINEER:

ROGER T. ALWORTH, S.E.
VECTOR STRUCTURAL ENGINEERING
651 W GALENA PARK BLVD, SUITE 101
DRAPER, UT 84020
PHONE: 801.990.1775

APPLICANT:

VERTICAL BRIDGE VBTS, LLC
750 PARK OF COMMERCE DRIVE,
SUITE 200
BOCA RATON, FL 33487
STEVE HEDGES
PHONE: (773) 988-1715
shedges@verticalbridge.com

CO-APPLICANT:

CELLCO PARTNERSHIP
(d/b/a VERIZON WIRELESS)
5430 NE 122ND AVENUE
PORTLAND, OR 97230

A&E CONSULTANT:

RICK MATTESON
ACOM CONSULTING, INC
5200 SW MEADOWS RD
SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (425) 209-6723
rick.matteson@acomconsultinginc.com

ZONING / PERMITTING:

CHRISTINE BRADFORD
ACOM CONSULTING, INC
5200 SW MEADOWS RD, SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (503) 509-9034
christine.bradford@acomconsultinginc.com

ELECTRICAL ENGINEER:

DEAN P. LEVORSEN, PE
VECTOR STRUCTURAL ENGINEERING
651 W GALENA PARK BLVD, SUITE 101
DRAPER, UT 84020
PHONE: 801.990.1775

DRAWING INDEX

| | |
|-------|-----------------------------|
| T-1 | COVER SHEET |
| T-2 | GENERAL NOTES AND SYMBOLS |
| T-3 | GENERAL STRUCTURAL NOTES |
| A-1 | PROPOSED OVERALL SITE PLAN |
| A-2 | PROPOSED ENLARGED SITE PLAN |
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| A-3 | PROPOSED ELEVATIONS |
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| LS-3 | SURVEY NOTES (BY OTHERS) |

| NO. | DATE | DRAWN | REVISION |
|-----|----------|-------|-----------------|
| A | 02/13/23 | YK | 90% P2D REVIEW |
| B | 03/01/23 | DO | REVISED DESIGN |
| C | 03/10/23 | YK | CLIENT COMMENTS |
| D | 07/10/23 | DO | FINAL 2D SET |

CLIENT:



A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:



OR1
NESTUCCA

47405 HWY 22
HEBO, OR 97122

COVER SHEET

T-1

SCOPE OF WORK

VERIZON WIRELESS PROPOSES TO INSTALL RADIO EQUIPMENT AND DIESEL GENERATOR ON A CONCRETE SLAB WITHIN A NEW 50' x 50' VERTICAL BRIDGE FENCED WIRELESS FACILITY UTILIZING EXISTING GRAVEL ACCESS ROAD. PROPOSED INSTALLATION OF (9) ANTENNAS AND ANCILLARY EQUIPMENT ON AN ANTENNA MOUNT ATTACHED TO A NEW ±195.0' SELF-SUPPORT TOWER.

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF ACOM CONSULTING.

PROJECT INFORMATION

CODE INFORMATION:

JURISDICTION: TILLAMOOK COUNTY
ZONING CLASSIFICATION: F (FOREST)
CONSTRUCTION TYPE: II-B
OCCUPANCY: UTILITY
PROPOSED BUILDING USE: TELECOM

SITE LOCATION (NAVD88):

GROUND ELEVATION: ±575.5' AMSL
STRUCTURE HEIGHT: ±195.0' (TOP OF SELF-SUPPORT TOWER)
±199.0' (TOP OF LIGHTNING ROD)

GEODETIC COORDINATES (NAD83):

LATITUDE: 45.790778° (45° 06' 40.37" N)
LONGITUDE: -123.790778° (123° 47' 26.80" W)

LEASE AREA SIZE:

3,600 S.F. (V.B.), 186 S.F. (VZW)

PARCEL SIZE:

±411.0 ACRES (TOTAL)

PARCEL NUMBER:

31325 / 5S0928000400

GENERAL NOTES

1. WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS. ALL NECESSARY LICENSES, CERTIFICATES, ETC., REQUIRED BY AUTHORITY HAVING JURISDICTION SHALL BE PROCURED AND PAID FOR BY THE CONTRACTOR.
2. ACOM HAS NOT CONDUCTED, NOR DOES IT INTEND TO CONDUCT ANY INVESTIGATION AS TO THE PRESENCE OF HAZARDOUS MATERIAL, INCLUDING, BUT NOT LIMITED TO, ASBESTOS WITHIN THE CONFINES OF THIS PROJECT. ACOM DOES NOT ACCEPT RESPONSIBILITY FOR THE INDEMNIFICATION, THE REMOVAL, OR ANY EFFECTS FROM THE PRESENCE OF THESE MATERIALS. IF EVIDENCE OF HAZARDOUS MATERIALS IS FOUND, WORK IS TO BE SUSPENDED AND THE OWNER NOTIFIED. THE CONTRACTOR IS NOT TO PROCEED WITH FURTHER WORK UNTIL INSTRUCTED BY THE OWNER IN WRITING.
3. ALL MATERIAL FURNISHED UNDER THIS CONTRACT SHALL BE PROPOSED, UNLESS OTHERWISE NOTED. ALL WORK SHALL BE GUARANTEED AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP. THE CONTRACTOR SHALL REPAIR OR REPLACE AT HIS EXPENSE ALL WORK THAT MAY DEVELOP DEFECTS IN MATERIALS OR WORKMANSHIP WITHIN SAID PERIOD OF TIME OR FOR ONE YEAR AFTER THE FINAL ACCEPTANCE OF THE ENTIRE PROJECT, WHICHEVER IS GREATER.
4. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND UTILITIES AT THE JOB SITE BEFORE WORK IS STARTED. NO CLAIMS FOR EXTRA COMPENSATION FOR WORK WHICH COULD HAVE BEEN FORESEEN BY AN INSPECTION, WHETHER SHOWN ON THE CONTRACT DOCUMENTS OR NOT, WILL BE ACCEPTED OR PAID.
5. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING DIMENSIONS AND CONDITIONS AT THE JOB SITE WHICH COULD AFFECT THE WORK UNDER THIS CONTRACT. ALL MANUFACTURERS RECOMMENDED SPECIFICATIONS, EXCEPT THOSE SPECIFICATIONS HEREIN, WHERE MOST STRINGENT SHALL BE COMPLIED WITH.
6. THE CONTRACTOR SHALL VERIFY AND COORDINATE SIZE AND LOCATION OF ALL OPENINGS FOR STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, CIVIL, OR ARCHITECTURAL WORK.
7. THE CONTRACTOR SHALL VERIFY THAT NO CONFLICTS EXIST BETWEEN THE LOCATIONS OF ANY AND ALL MECHANICAL, ELECTRICAL, PLUMBING, OR STRUCTURAL ELEMENTS, AND THAT ALL REQUIRED CLEARANCES FOR INSTALLATION AND MAINTENANCE ARE MET. NOTIFY THE CONSULTANT OF ANY CONFLICTS. THE CONSULTANT HAS THE RIGHT TO MAKE MINOR MODIFICATIONS IN THE DESIGN OF THE CONTRACT WITHOUT THE CONTRACTOR GETTING ADDITIONAL COMPENSATION.
8. DO NOT SCALE THE DRAWINGS. DIMENSIONS ARE EITHER TO THE FACE OF FINISHED ELEMENTS OR TO THE CENTER LINE OF ELEMENTS, UNLESS NOTED OTHERWISE. CRITICAL DIMENSIONS SHALL BE VERIFIED AND NOTIFY THE CONSULTANT OF ANY DISCREPANCIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAILY CLEAN UP OF ALL TRADES AND REMOVE ALL DEBRIS FROM THE CONSTRUCTION SITE. AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL THOROUGHLY CLEAN THE BUILDING, SITE, AND ANY OTHER SURROUNDING AREAS TO A BETTER THAN EXISTING CONDITION.
10. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, ETC. ACCORDING TO APPLICABLE CODES, STANDARDS, AND GOOD CONSTRUCTION PRACTICES.
11. THE CONTRACTOR SHALL MEET ALL OSHA REQUIREMENTS FOR ALL INSTALLATIONS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING CONSTRUCTION AND REPAIR ALL DAMAGES TO BETTER THAN PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DAMAGE TO THE BUILDING SITE OR ANY ADJACENT STRUCTURES AROUND THE PROJECT. THE CONSULTANT SHALL BE SOLE AND FINAL JUDGE AS TO THE QUALITY OF THE REPAIRED CONSTRUCTION. ANY ADDITIONAL MODIFICATIONS WHICH MUST BE MADE SHALL BE MADE AT THE CONTRACTOR'S EXPENSE.
13. WHERE ONE DETAIL IS SHOWN FOR ONE CONDITION, IT SHALL APPLY FOR ALL LIKE OR SIMILAR CONDITIONS, EVEN THOUGH NOT SPECIFICALLY MARKED ON THE DRAWINGS OR REFERRED TO IN THE SPECIFICATIONS, UNLESS NOTED OTHERWISE.
14. WHERE PROPOSED PAVING, CONCRETE SIDEWALKS OR PATHS MEET EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MATCH THE EXISTING PITCH, GRADE, AND ELEVATION SO THE ENTIRE STRUCTURE SHALL HAVE A SMOOTH TRANSITION.
15. THE CONTRACTOR SHALL MODIFY THE EXISTING FLOORS, WALL, CEILING, OR OTHER CONSTRUCTION AS REQUIRED TO GAIN ACCESS TO AREAS FOR ALL MECHANICAL, PLUMBING, ELECTRICAL, OR STRUCTURAL MODIFICATIONS. WHERE THE EXISTING CONSTRUCTION DOORS, PARTITIONS, CEILING, ETC., ARE TO BE REMOVED, MODIFIED, OR REARRANGED OR WHERE THE EXPOSED OR HIDDEN MECHANICAL, ELECTRICAL, SYSTEMS ARE ADDED OR MODIFIED, THE GENERAL CONTRACTOR SHALL REPAIR, PATCH AND MATCH ALL EXISTING CONSTRUCTION AND FINISHES OF ALL FLOORS WALLS AND CEILINGS. WHERE CONCRETE MASONRY CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL TOOTH IN ALL PROPOSED CONSTRUCTION TO MATCH THE EXISTING BOND. WHERE CONCRETE CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL VERIFY THE EXACT DETAILS TO BE USED FOR CONSTRUCTION. ALL WORK SHALL BE COVERED UNDER THE GENERAL CONTRACT.

16. VERIFY ALL EXISTING DIMENSIONS PRIOR TO PERFORMING WORK.
17. VERIFY LOCATION OF ALL BURIED UTILITIES PRIOR TO ANY EXCAVATION.
18. IN RAWLAND CONDITIONS, TOWER FOUNDATION STRUCTURAL STEEL TO BE GROUNDED PRIOR TO CONCRETE POUR. TOWER FOUNDATION STRUCTURAL STEEL TO BE CONNECTED TO PERMANENT GROUND ROD PRIOR TO TOWER ERECTION. TOWER GROUND MUST BE MAINTAINED AT ALL TIMES.
19. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING FOR COMMERCIAL POWER IMMEDIATELY UPON AWARD OF CONTRACT. THE GENERAL CONTRACTOR IS REQUIRED TO KEEP ALL DOCUMENTATION RECEIVED FROM THE POWER COMPANY, ACKNOWLEDGING APPLICATION FOR POWER, WRITTEN AND VERBAL DISCUSSIONS WITH THE POWER COMPANY, ETC.
20. THE GENERAL CONTRACTOR SHALL OBTAIN WRITTEN CONFIRMATION OF THE EXPECTED DATE OF COMPLETION OF THE POWER CONNECTION FROM THE POWER COMPANY.
21. IF THE POWER COMPANY IS UNABLE TO PROVIDE THE POWER CONNECTION BY OWNER'S REQUIRED DATE, THE GENERAL CONTRACTOR SHALL PROVIDE AND MAINTAIN A TEMPORARY GENERATOR UNTIL THE POWER COMPANY CONNECTION IS COMPLETED. COSTS ASSOCIATED WITH THE TEMPORARY GENERATOR TO BE APPROVED BY THE OWNER.
22. IF THE GENERAL CONTRACTOR FAILS TO TAKE NECESSARY MEASURES AS DESCRIBED IN NOTES 19, 20 AND 21 ABOVE, THE GENERAL CONTRACTOR SHALL PROVIDE A TEMPORARY GENERATOR AT NO COST TO THE OWNER.
23. PLANS PART OF THIS SET ARE COMPLEMENTARY. INFORMATION IS NOT LIMITED TO ONE PLAN. DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT, WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED BY THE OWNER ON OTHER PROJECTS OR EXTENSION TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT. THESE PLANS WERE PREPARED TO BE SUBMITTED TO GOVERNMENTAL BUILDING AUTHORITIES FOR REVIEW FOR COMPLIANCE WITH APPLICABLE CODES AND IT IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO BUILD ACCORDING TO APPLICABLE BUILDING CODES.
24. IF CONTRACTOR OR SUB-CONTRACTOR FIND IT NECESSARY TO DEVIATE FROM ORIGINAL APPROVED PLANS, THEN IT IS THE CONTRACTOR'S AND THE SUB-CONTRACTOR'S RESPONSIBILITY TO PROVIDE THE ARCHITECT WITH 4 COPIES OF THE PROPOSED CHANGES FOR HIS APPROVAL BEFORE PROCEEDING WITH THE WORK. IN ADDITION THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY APPROVALS FROM THE BUILDING AUTHORITIES FOR THE PROPOSED CHANGES BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY INSPECTIONS AND APPROVALS FROM BUILDING AUTHORITIES DURING THE EXECUTION OF THE WORK.
25. IN EVERY EVENT, THESE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS SHALL BE INTERPRETED TO BE A MINIMUM ACCEPTABLE MEANS OF CONSTRUCTION BUT THIS SHALL NOT RELIEVE THE CONTRACTOR, SUB-CONTRACTOR, AND/OR SUPPLIER/MANUFACTURER FROM PROVIDING A COMPLETE AND CORRECT JOB WHEN ADDITIONAL ITEMS ARE REQUIRED TO THE MINIMUM SPECIFICATION. IF ANY ITEMS NEED TO EXCEED THESE MINIMUM SPECIFICATIONS TO PROVIDE A COMPLETE, ADEQUATE AND SAFE WORKING CONDITION, THEN IT SHALL BE THE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE DRAWINGS. FOR EXAMPLE, IF AN ITEM AND/OR PIECE OF EQUIPMENT REQUIRES A LARGER WIRE SIZE (I.E. ELECTRICAL WIRE), STRONGER OR LARGER PIPING, INCREASED QUANTITY (I.E. STRUCTURAL ELEMENTS), REDUCED SPACING, AND/OR INCREASED LENGTH (I.E. BOLT LENGTHS, BAR LENGTHS) THEN IT SHALL BE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE BID/PROPOSAL. THESE DOCUMENTS ARE MEANT AS A GUIDE AND ALL ITEMS REASONABLY INFERRED SHALL BE DEEMED TO BE INCLUDED.
26. THESE CONTRACT DOCUMENTS AND SPECIFICATIONS SHALL NOT BE CONSTRUED TO CREATE A CONTRACTUAL RELATIONSHIP OF ANY KIND BETWEEN THE ARCHITECT AND THE CONTRACTOR.

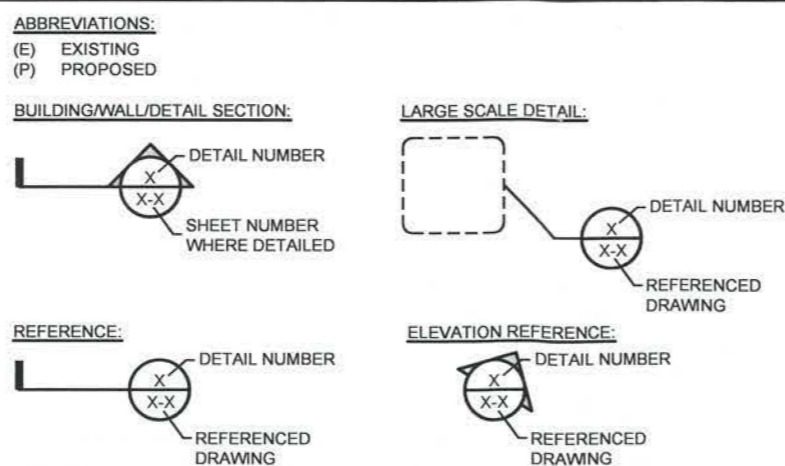
LINE/ANTENNA NOTES

1. ALL THREADED STRUCTURAL FASTENERS FOR ANTENNA SUPPORT ASSEMBLES SHALL CONFORM TO ASTM A307 OR ASTM A36. ALL STRUCTURAL FASTENERS FOR STRUCTURAL STEEL FRAMING SHALL CONFORM TO ASTM A325. FASTENERS SHALL BE 5/8" MIN. DIA. BEARING TYPE CONNECTIONS WITH THREADS EXCLUDED FROM THE PLANE. ALL EXPOSED FASTENERS, NUTS, AND WASHERS SHALL BE GALVANIZED OTHERWISE NOTED. CONCRETE EXPANSION ANCHORS SHALL BE HILTI KWIK BOLTS UNLESS OTHERWISE NOTED. ALL ANCHORS INTO CONCRETE SHALL BE STAINLESS STEEL.
2. NORTH ARROW SHOWN ON PLANS REFERS TO TRUE NORTH. CONTRACTOR SHALL VERIFY MAGNETIC NORTH AND NOTIFY CONSULTANT OF ANY DISCREPANCY BEFORE STARTING CONSTRUCTION.
3. PROVIDE LOCK WASHERS FOR ALL MECHANICAL CONNECTIONS FOR GROUND CONDUCTORS. USE STAINLESS STEEL HARDWARE THROUGHOUT.
4. THOROUGHLY REMOVE ALL PAINT AND CLEAN ALL DIRT FROM SURFACES REQUIRING GROUND CONNECTIONS.
5. MAKE ALL GROUND CONNECTIONS AS SHORT AND DIRECT AS POSSIBLE. AVOID SHARP BENDS. ALL BENDS TO BE A MIN. OF 8" RADIUS.
6. FOR GROUNDING TO BUILDING FRAME AND HATCH PLATE GROUND BARS. USE A TWO-BOLT HOLE NEMA DRILLED CONNECTOR SUCH AS T&B 32007 OR APPROVED EQUAL.
7. FOR ALL EXTERNAL GROUND CONNECTIONS, CLAMPS AND CADWELDS, APPLY A LIBERAL PROTECTIVE COATING OR AN ANTI-OXIDE COMPOUND SUCH AS "NO-OXIDE A" BY DEARBORN CHEMICAL COMPANY.
8. REPAIR ALL GALVANIZED SURFACES THAT HAVE BEEN DAMAGED BY THERMO-WELDING. USE ERICO T-319 GALVANIZING BAR/COLD GALVANIZING PAINT.
9. SEAL ALL CONDUIT PENETRATIONS INTO MODULAR BUILDING WITH A SILICONE SEALANT AND ALL CONDUIT OPENINGS.
10. ANTENNAS AND COAX TO BE PROVIDED BY VERIZON WIRELESS, CONTRACTOR TO COORDINATE DELIVERY.

PROJECT INFORMATION

1. THIS IS AN UNMANNED FACILITY AND RESTRICTED ACCESS EQUIPMENT AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
2. VERIZON WIRELESS CERTIFIES THAT THIS TELEPHONE EQUIPMENT FACILITY WILL BE SERVICED ONLY BY VERIZON WIRELESS EMPLOYEE SERVICE PERSONNEL FOR REPAIR PURPOSES ONLY. THIS FACILITY IS UNOCCUPIED AND NOT DESIGNED FOR HUMAN OCCUPANCY THUS IT IS NOT OPEN TO THE PUBLIC.
3. THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY.
4. NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
5. NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
6. NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
7. VERIZON WIRELESS MAINTENANCE CREW (TYPICALLY ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH AT ONE HOUR PER VISIT.

LEGEND



IMPORTANT NOTICE

THE EXISTING CONDITIONS REPRESENTED HEREIN ARE BASED ON VISUAL OBSERVATIONS AND INFORMATION PROVIDED BY OTHERS. ACOM CONSULTING CANNOT GUARANTEE THE CORRECTNESS NOR COMPLETENESS OF THE EXISTING CONDITIONS SHOWN AND ASSUMES NO RESPONSIBILITY THEREOF. CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS AS REQUIRED FOR PROPER EXECUTION OF PROJECT. REPORT ANY CONFLICTS OR DISCREPANCIES TO THE CONSULTANT PRIOR TO CONSTRUCTION.

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**GENERAL NOTES
AND SYMBOLS**

T-2

CONCRETE

1. ALL PHASES OF WORK PERTAINING TO THE CONCRETE CONSTRUCTION SHALL CONFORM TO THE "BUILDING CODE REQUIREMENTS FOR THE REINFORCED CONCRETE" (ACI 318 LATEST APPROVED EDITION) WITH MODIFICATIONS AS NOTED IN THE DRAWINGS AND SPECIFICATIONS
2. REINFORCED CONCRETE DESIGN IS BY THE "ULTIMATE STRENGTH DESIGN METHOD", ACI 318 - (LATEST EDITION)
3. SCHEDULE OF STRUCTURAL CONCRETE 28-DAY STRENGTHS AND TYPES:
 - A. MONOPOLE FOUNDATION: 4,500 PSI
 - B. SLABS: 3,000 PSI (MIN.)
 - C. PIERS: 2,000 PSI (MIN.)
4. CONCRETE MIX DESIGN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL WITH THE FOLLOWING REQUIREMENTS:
 - A. COMPRESSIVE STRENGTH AT AGE 28 DAYS AS SPECIFIED ABOVE
 - B. LARGE AGGREGATE-HARDROCK, 3/4" MAXIMUM SIZE CONFORMING TO ASTM C-33
 - C. CEMENT-ASTM C-150, TYPE TYPE II PORTLAND CEMENT
 - D. MAXIMUM SLUMP 5-INCHES, MAX WATER CEMENT RATIO: 0.45
 - E. AIR ENTRAINING AGENT TO BE USED FOR CONCRETE EXPOSED TO FREEZING TEMPERATURES. TOTAL AIR CONTENT TO BE 6%
 - F. NO ADMIXTURES, EXCEPT FOR ENTRAINED AIR, AND AS APPROVED BY THE ENGINEER.
5. CONCRETE MIXING OPERATIONS, ETC. SHALL CONFORM TO ASTM C-94
6. PLACEMENT OF CONCRETE SHALL CONFORM TO ACI STANDARD 514 AND PROJECT SPECIFICATIONS
7. CLEAR COVERAGE OF CONCRETE OVER OUTER REINFORCING BARS SHALL BE AS FOLLOWS: CONCRETE POURED DIRECTLY AGAINST EARTH - 3 INCHES CLEAR, STRUCTURAL SLABS - 3/4 INCHES CLEAR (TOP AND BOTTOM), FORMED CONCRETE WITH EARTH BACK FILL - 2 INCHES CLEAR. CLEAR COVER FOR ALL REINFORCEMENT IN PRECAST CONCRETE MEMBERS FABRICATED IN A PLANT CONTROLLED ENVIRONMENT TO BE 1-1/2" MIN. FOR UP TO #4 REINFORCING BARS, UNLESS NOTED OTHERWISE.
8. ALL REINFORCING BARS, ANCHOR BOLTS AND OTHER CONCRETE INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE.
9. PROVIDE SLEEVES FOR PLUMBING AND ELECTRICAL OPENINGS IN CONCRETE BEFORE PLACING. DO NOT CUT ANY REINFORCING THAT MAY CONFLICT. CORING IN CONCRETE IS NOT PERMITTED EXCEPT AS SHOWN. NOTIFY THE STRUCTURAL ENGINEER IN ADVANCE OF CONDITIONS NOT SHOWN ON THE DRAWINGS.
10. CONDUIT OR PIPE SIZE (O.D.) SHALL NOT EXCEED 30% OF SLAB THICKNESS AND SHALL BE PLACED BETWEEN THE TOP AND BOTTOM REINFORCING, UNLESS SPECIFICALLY DETAILED OTHERWISE. CONCENTRATIONS OF CONDUIT OR PIPES SHALL BE AVOIDED EXCEPT WHERE DETAILED OPENINGS ARE PROVIDED.
11. PRECAST CONCRETE SHALL BE FABRICATED IN AN APPROVE SHOP IN A PLANT CONTROLLED ENVIRONMENT. REINFORCEMENT SPECIFIED IS MINIMUM ONLY. DESIGN AND VERIFICATION OF PRECAST MEMBERS, INCLUDING EMBEDS, FOR LOADS TO DUE LIFTING AND TRANSPORTATION IS THE RESPONSIBILITY OF THE PRECASTER.
12. MODULES OF ELASTICITY IF CONCRETE, WHEN TESTED IN ACCORDANCE WITH ASTM C-460, SHALL BE AT LEAST THE VALUE GIVEN BY THE EQUATIONS IN SECTION 8.5.1 OF ACI 318 FOR THE SPECIFIED 28-DAY STRENGTH.
13. SHRINKAGE OF CONCRETE, WHEN TESTED IN ACCORDANCE WITH ASTM C-157, SHALL NOT EXCEED 0.0004 INCHES/INCH.
14. CONCRETE PLACED IN COLD WEATHER CONDITIONS SHALL BE IN ACCORDANCE WITH ACI 306 (LATEST EDITION)

POST-INSTALLATION ANCHORS

1. USE, INSTALLATION, EMBEDMENT DEPTH, AND DIAMETER OF EXPANSION/WEDGE OF ADHESIVE ANCHORS IN HARDENED CONCRETE OR CMU SHALL CONFORM TO ICC REPORT & MANUFACTURER'S RECOMMENDATIONS.
2. MAINTAIN CRITICAL EDGE DISTANCE SPECIFIED IN ICC REPORT AS A MINIMUM, U.N.O. IN THESE DRAWINGS
3. LOCATE AND AVOID CUTTING EXISTING REBAR OR TENDONS WHEN DRILLING HOLES IN ELEVATED CONCRETE SLABS, CONCRETE WALLS, OR CMU.

SPECIAL INSPECTIONS

1. IF REQUIRED, SPECIAL INSPECTIONS SHALL BE PERFORMED BY AN INDEPENDENT SPECIAL INSPECTOR UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER. THE INDEPENDENT SPECIAL INSPECTOR SHALL COMPLY WITH ALL CITY SPECIAL INSPECTOR REQUIREMENTS:
 - A. CONTINUOUS DURING THE DURING THE INSTALLATION OF EXPANSION AND/OR ADHESIVE ANCHORS, IF UTILIZED. INSPECT HOLE SIZE, DEPTH, CLEANLINESS AND INSTALLATION PER ICC REPORT.
 - B. PERIODIC FOR HIGH STRENGTH (A325) BOLT INSTALLATION, IF UTILIZED.
2. THE SPECIAL INSPECTOR SHALL PROVIDE A COPY OF THEIR REPORT TO THE OWNER, ARCHITECT, STRUCTURAL ENGINEER, CONTRACTOR AND BUILDING OFFICIAL AS EACH TEST IS COMPLETED. ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR FOR CORRECTION; THEN, IF UNCORRECTED, TO THE PROPER DESIGN AUTHORITY AND THE BUILDING OFFICIAL.
3. ANY MATERIAL WHICH FAILS TO MEET THE PROJECT SPECIFICATIONS SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND THE STRUCTURAL ENGINEER, SPECIAL INSPECTION TESTING REQUIREMENTS APPLY EQUALLY TO ALL BIDDER-DESIGNED COMPONENTS.
4. INSPECTION FOR PREFABRICATED CONSTRUCTIONS SHALL BE THE SAME AS FOR THE MATERIAL USED IF THE CONSTRUCTION TOOK PLACE ON SITE, CONTINUOUS INSPECTION WILL NOT BE REQUIRED DURING PREFABRICATED IF THE APPROVED AGENCY CERTIFIES THE CONSTRUCTION AND FURNISHES EVIDENCE OF COMPLIANCE.
5. THE SPECIAL INSPECTOR SHALL SUBMIT A FINAL REPORT SIGNED BY BOTH THE INSPECTOR AND THE INSPECTOR'S SUPERVISOR WHETHER THE WORK REQUIRED SPECIAL INSPECTION WAS IN CONFORMANCE WITH THE APPROVED PLANS AND SPECIFICATIONS AND THE APPLICABLE WORKMANSHIP PROVISIONS OF THE CODE.
6. STRUCTURAL OBSERVATION NOT REQUIRED.

REINFORCING STEEL

1. REINFORCING REBARS SHALL CONFORM TO THE REQUIREMENTS OF ASTM A-615 GRADE 60
2. ALL REINFORCING REBAR BENDS SHALL BE MADE COLD.
3. MINIMUM LAP OF WELDED WIRE FABRIC SHALL BE 6 INCHES OR ONE FULL MESH AND ONE HALF, WHICH EVEN IS GREATER.
4. ALL BARS SHALL BE MARKED SO THEIR IDENTIFICATION CAN BE MADE WHEN THE FINAL IN-PLACE INSPECTION IS MADE.
5. REBAR SPLICES ARE TO BE: CLASS "B"
6. REINFORCING SPLICES SHALL BE MADE ONLY WHERE INDICATED ON THE DRAWINGS
7. DOWELS BETWEEN FOOTINGS AND WALLS OR COLUMNS SHALL BE THE SAME GRADE, SIZE AND SPACING OR NUMBER AS THE VERTICAL REINFORCING, RESPECTIVELY.

STRUCTURAL STEEL

1. ALL STEEL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION. STEEL SECTIONS SHALL BE IN ACCORDANCE WITH ASTM AS INDICATED BELOW:
 - WIDE FLANGE: ASTM A992 GR. 50
 - RECT/SQ. HSS: ASTM A500 GR B (46 ksi)
 - PIPE: ASTM A53 GR. B
 - ANGLES, CHANNELS, PLATES: ASTM A36
 - STEEL TO STEEL BOLTS: ASTM F3125 GR. A325N
 - FRP TO STEEL BOLTS: ASTM A307
 - BOLTS FOR GRATING CLIPS: ASTM A307
 - SCREWS: SAE GR. 5 (OR EQUIVALENT)
2. ALL STEEL SHALL BE HOT-DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A123 AND ASTM F2329. FIELD MODIFICATIONS ARE TO BE COATED WITH ZINC ENRICHED PAINT.
3. ALL WELDING TO BE PERFORMED USING E70XX ELECTRODES AND SHALL CONFORM TO AISC. WHERE FILLET WELDS SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC MANUAL OF STEEL CONSTRUCTION. PAINTED SURFACES SHALL BE TOUCHED UP. ALL WELDING SHALL BE PERFORMED IN AN APPROVED SHOP BY WELDERS CERTIFIED IN ACCORDANCE WITH AWS D1.1.
4. ALL STRUCTURAL BOLTS SHALL BE TIGHTENED PER THE "TURN OF THE NUT" METHOD AS DEFINED BY AISC. HOLES TO RECEIVE BOLTS SHALL BE 1/16" LARGER THAN NOMINAL BOLT DIAMETER, U.N.O.

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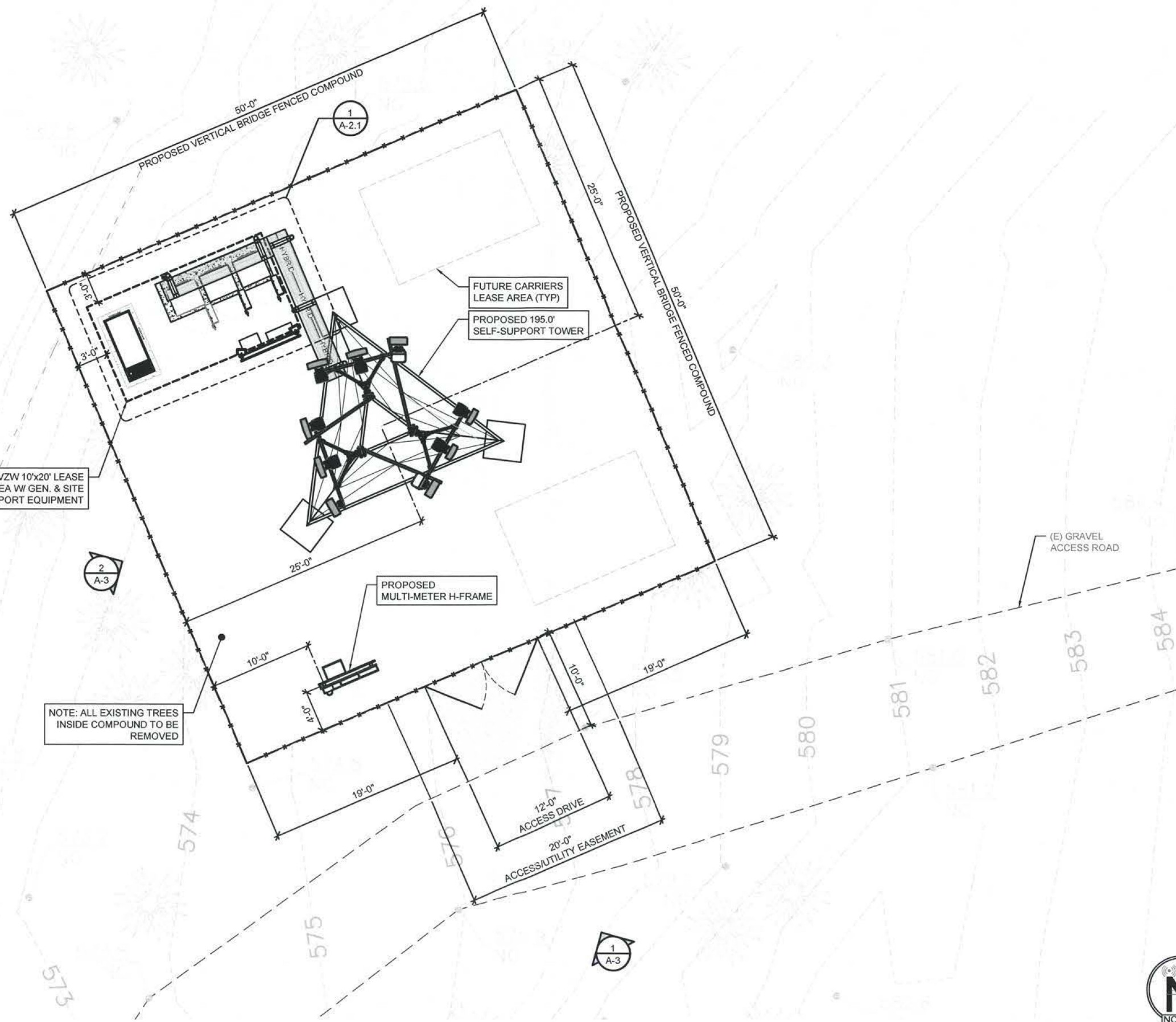
CLIENT:



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**GENERAL
STRUCTURAL
NOTES**

T-3



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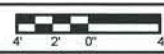


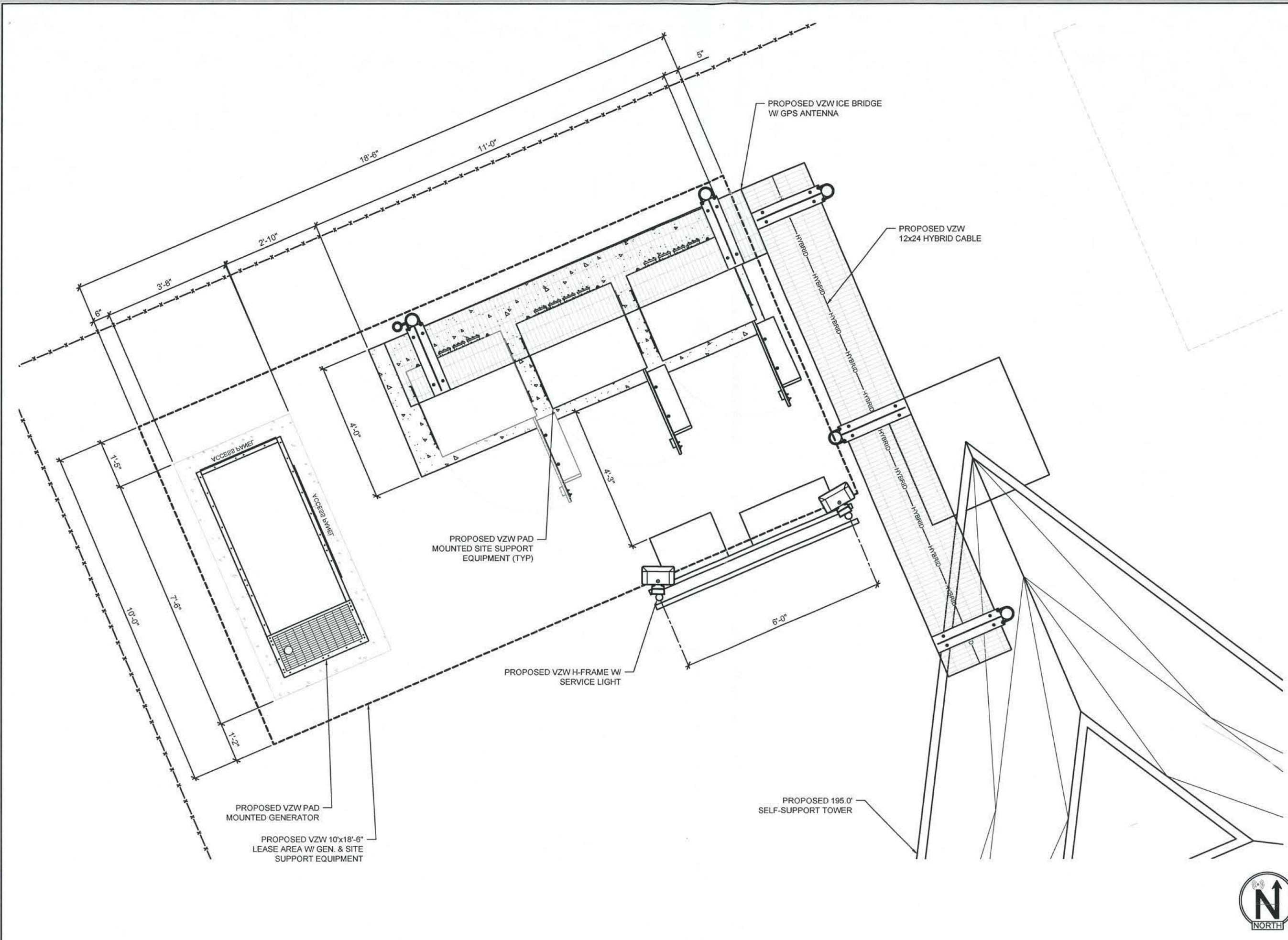
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**ENLARGED
SITE PLAN**

A-2

22"x34" SCALE: 3/16" = 1'-0"
11"x17" SCALE: 3/32" = 1'-0"





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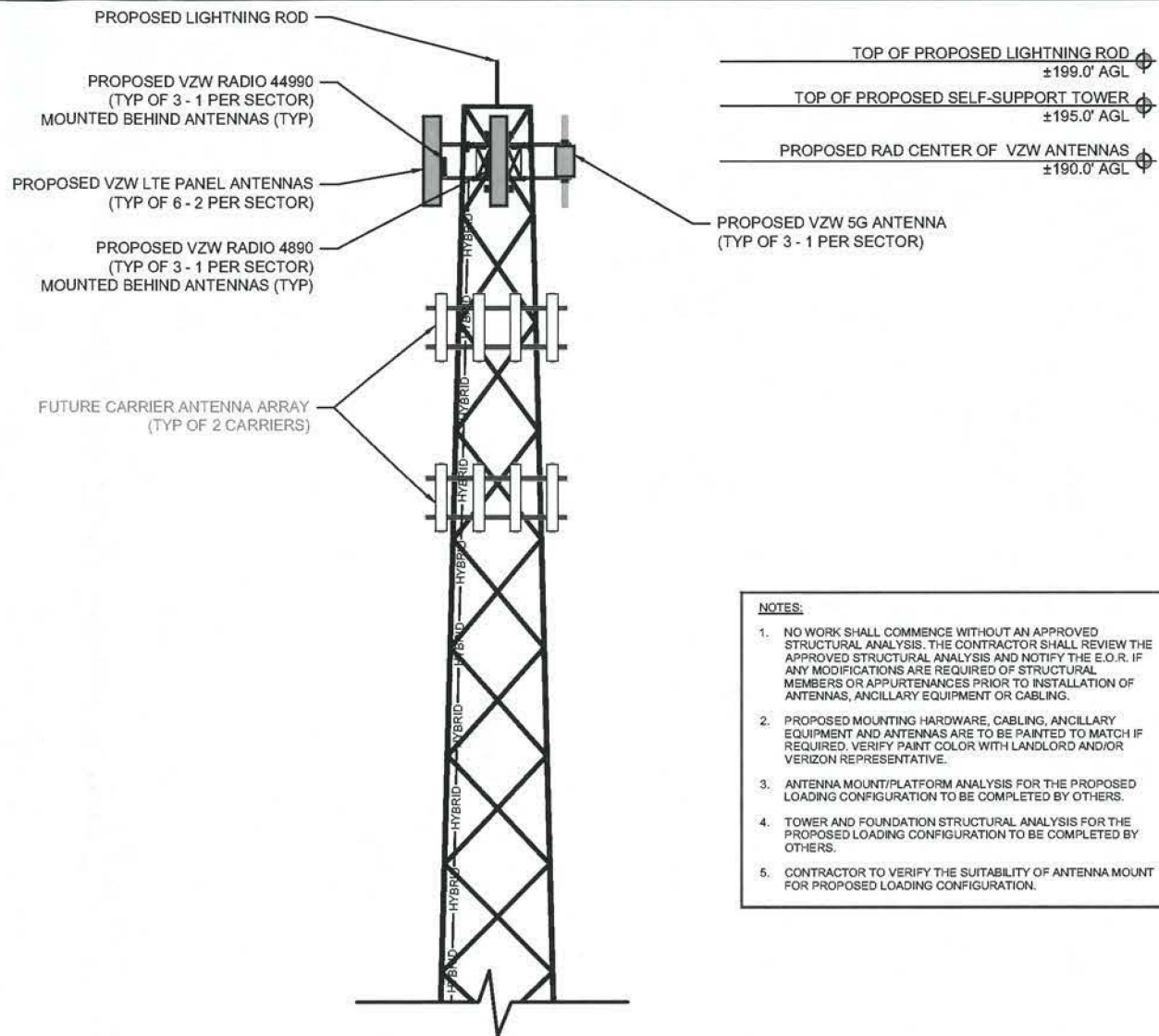
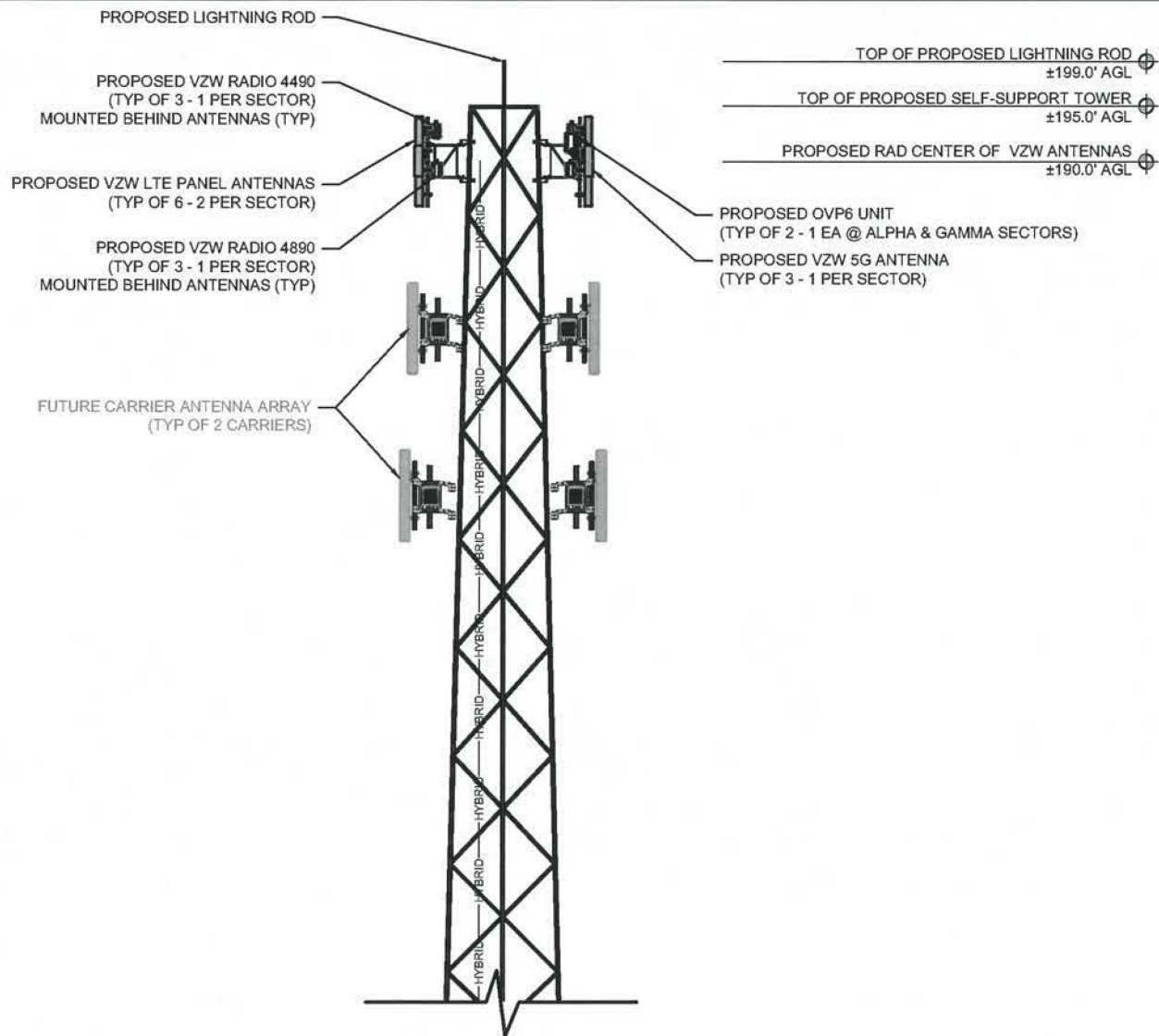
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**PROPOSED
COMPOUND PLAN**

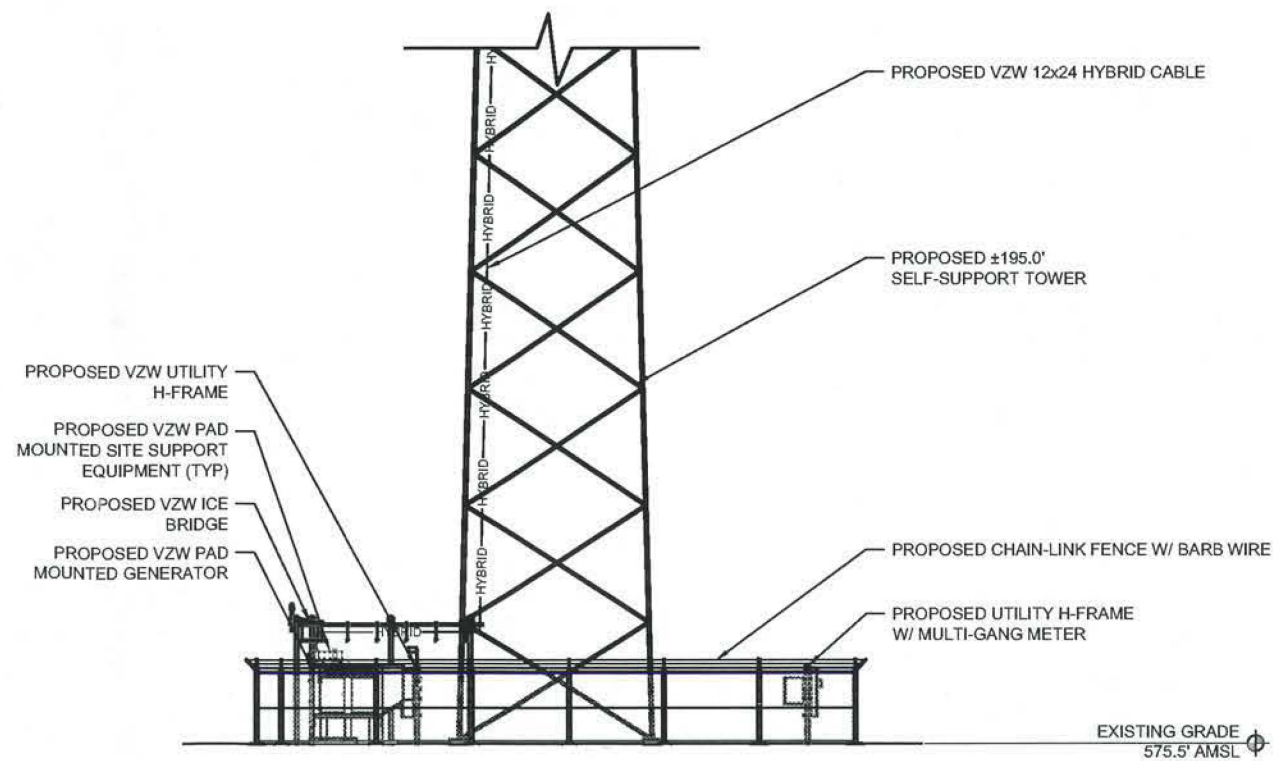
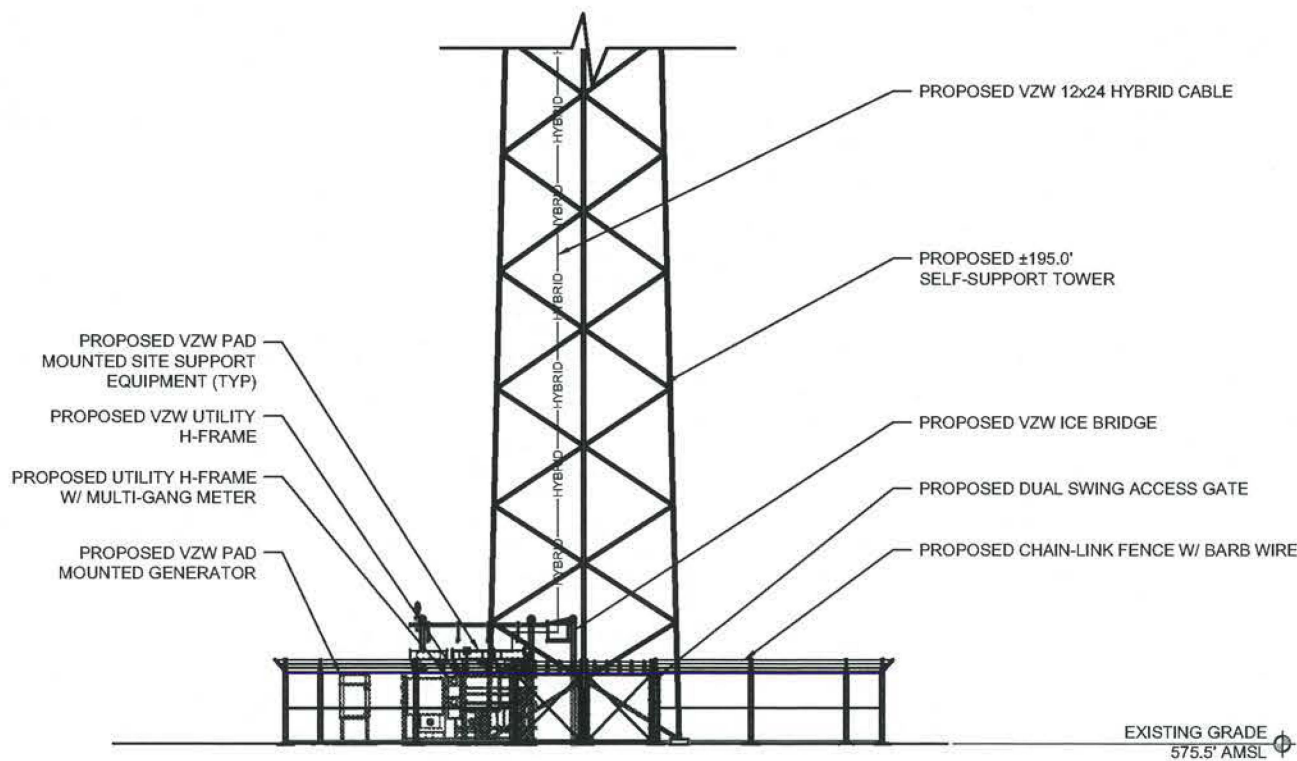
A-2.1

22x34" SCALE: 1/8" = 1'-0"
11x17" SCALE: 1/16" = 1'-0"





- NOTES:**
1. NO WORK SHALL COMMENCE WITHOUT AN APPROVED STRUCTURAL ANALYSIS. THE CONTRACTOR SHALL REVIEW THE APPROVED STRUCTURAL ANALYSIS AND NOTIFY THE E.O.R. IF ANY MODIFICATIONS ARE REQUIRED OF STRUCTURAL MEMBERS OR APPURTENANCES PRIOR TO INSTALLATION OF ANTENNAS, ANCILLARY EQUIPMENT OR CABLING.
 2. PROPOSED MOUNTING HARDWARE, CABLING, ANCILLARY EQUIPMENT AND ANTENNAS ARE TO BE PAINTED TO MATCH IF REQUIRED. VERIFY PAINT COLOR WITH LANDLORD AND/OR VERIZON REPRESENTATIVE.
 3. ANTENNA MOUNT/PLATFORM ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
 4. TOWER AND FOUNDATION STRUCTURAL ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
 5. CONTRACTOR TO VERIFY THE SUITABILITY OF ANTENNA MOUNT FOR PROPOSED LOADING CONFIGURATION.



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PROPOSED ELEVATIONS

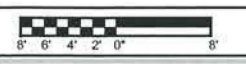
A-3

22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

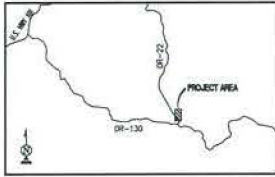


PROPOSED SOUTHEAST ELEVATION 1

22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"



PROPOSED SOUTHWEST ELEVATION 2



VICINITY MAP
N.T.S.

SURVEY DATE
01/04/2022

BASIS OF BEARING
BEARINGS SHOWN HEREON ARE BASED UPON THE OREGON ZONE NORTH STATE PLANE COORDINATE SYSTEM BASED ON THE NORTH AMERICAN DATUM OF 1983(2011) (EPOCH 2010.00), DETERMINED BY GLOBAL POSITIONING SYSTEM EQUIPMENT OBSERVATIONS ON THE OREGON REAL-TIME GNSS NETWORK (ORGN).

BENCHMARK
PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS "GEOID 12S" MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY REAL TIME KINETIC (RTK) GPS DATA PROCESSED ON THE OREGON REAL-TIME GNSS NETWORK (ORGN). ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD83.

GRID-TO-GROUND SCALE FACTOR NOTE
ALL BEARINGS AND DISTANCES ARE BASED ON THE OREGON NORTH STATE PLANE COORDINATE ZONE GSD. TO DERIVE GROUND DISTANCES DIVIDE BY 0.99987097

FLOOD ZONE
THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD ZONE "D", ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #41057C1050F, DATED 8/28/2018

UTILITY NOTES
SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT B11 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

SURVEYOR'S NOTES
CONTIGUOUS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOW THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.
THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
AT THE TIME OF THE SURVEY THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY OF THE EASEMENTS

LEASE AREA AND ACCESS EASEMENT IS ENTIRELY WITHIN PARENT PARCEL.
SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

THE ACCESS AND UTILITY EASEMENT GOES TO A DEDICATED PUBLIC RIGHT OF WAY.
THIS SURVEY WAS PREPARED FOR VB B15 II, LLC.

LESSOR'S LEGAL DESCRIPTION

THE EAST HALF, THE NORTH HALF OF THE NORTHWEST QUARTER, AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING SOUTHWESTERLY OF THE HIGHWAY, ALL IN SECTION 28, TOWNSHIP 5 SOUTH, RANGE 9 WEST, WILLAMETTE MERIDIAN, COUNTY OF TILLAMOOK, STATE OF OREGON.

EXCEPTING THEREFROM THAT TRACT DESCRIBED IN DEED RECORDED JULY 9, 1948 IN BOOK 113, PAGE 470, TILLAMOOK COUNTY RECORDS.

ALSO EXCEPTING THEREFROM: BEGINNING IN THE WEST LINE OF THE STATE HIGHWAY WITH ITS INTERSECTION WITH THE NORTH LINE OF SECTION 28, THENCE WEST ALONG THE SECTION LINE A DISTANCE OF 165 FEET; THENCE SOUTH PARALLEL WITH THE ROAD A DISTANCE OF 247 FEET; THENCE EAST PARALLEL WITH THE SECTION LINE TO THE WEST LINE OF THE ROAD; THENCE NORTHERLY ALONG THE ROAD TO THE POINT OF BEGINNING.

LEASE AREA LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING SOUTHWESTERLY OF THE HIGHWAY, SECTION 28, TOWNSHIP 5 SOUTH, RANGE 9 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF TILLAMOOK AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP STAMPED LS816, ON THE EAST LINE OF SAID SECTION 28, FROM WHICH A FOUND BRASS CAP STAMPED LS816 ON THE EAST LINE OF SAID SECTION 28 BEARS SOUTH 01°47'00" WEST, 499.09 FEET AS SHOWN ON THE U.S. GOVERNMENT SURVEY DATED SEPTEMBER 1971, RECORDED AS FILE NO. B-610 IN THE COUNTY OF TILLAMOOK; THENCE FROM SAID POINT OF COMMENCEMENT, ALONG THE EAST LINE OF SAID SECTION 28, SOUTH 01°47'00" WEST, 428.90 FEET; THENCE DEPARTING SAID LINE, NORTH 88°13'00" WEST, 1640.30 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 66°51'25" WEST, 50.00 FEET;
THENCE NORTH 23°08'35" WEST, 50.00 FEET;
THENCE NORTH 66°51'25" EAST, 50.00 FEET;
THENCE SOUTH 23°08'35" EAST, 50.00 FEET; TO THE POINT OF BEGINNING.

CONTAINING 2,500 SQUARE FEET (0.06 ACRES) OF LAND, MORE OR LESS

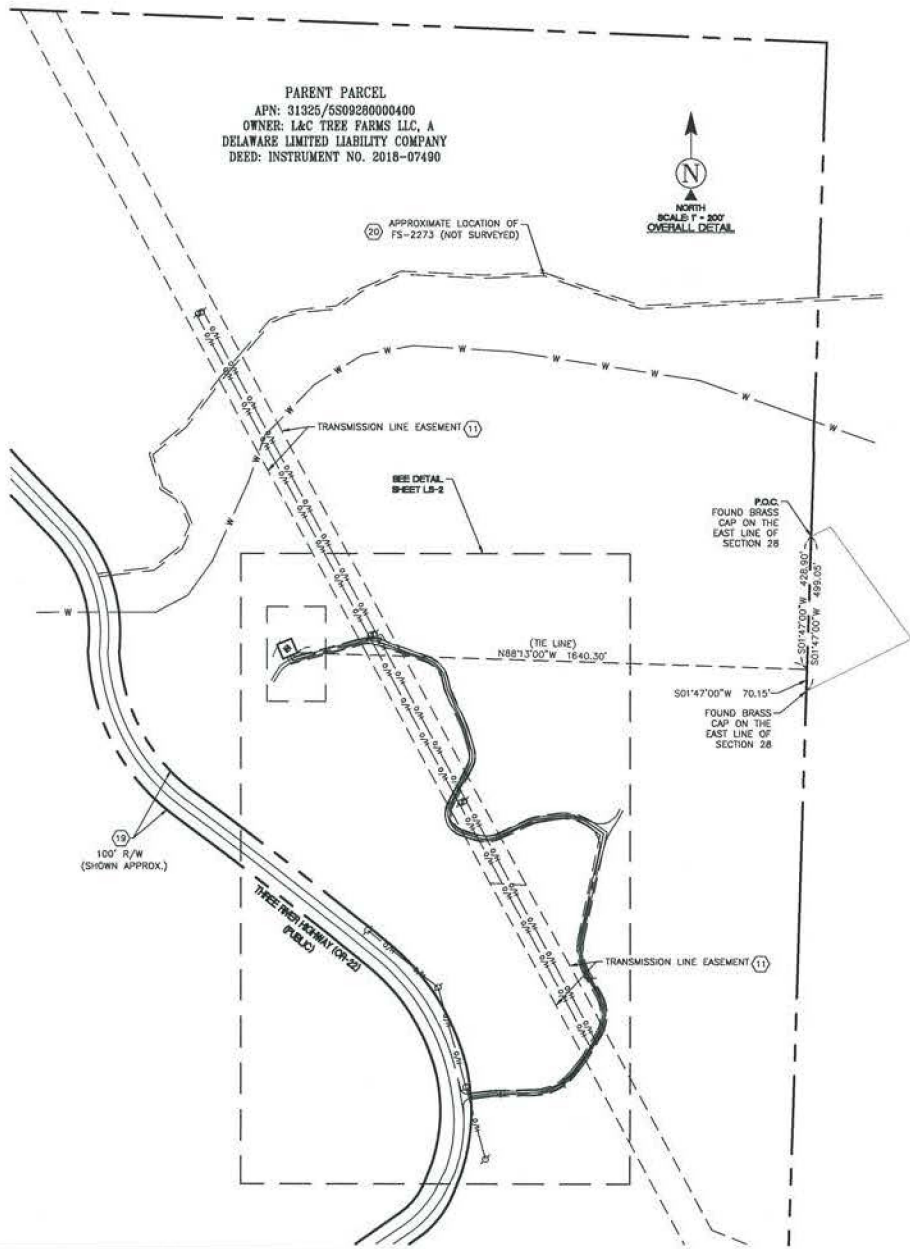
ACCESS AND UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER LYING SOUTHWESTERLY OF THE HIGHWAY, SECTION 28, TOWNSHIP 5 SOUTH, RANGE 9 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF TILLAMOOK AND STATE OF OREGON, BEING A STRIP OF LAND 20.00 FEET WIDE, LAYING 10.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A FOUND BRASS CAP STAMPED LS816, ON THE EAST LINE OF SAID SECTION 28, FROM WHICH A FOUND BRASS CAP STAMPED LS816 ON THE EAST LINE OF SAID SECTION 28 BEARS SOUTH 01°47'00" WEST, 499.09 FEET AS SHOWN ON THE U.S. GOVERNMENT SURVEY DATED SEPTEMBER 1971, RECORDED AS FILE NO. B-610 IN THE COUNTY OF TILLAMOOK; THENCE FROM SAID POINT OF COMMENCEMENT, ALONG THE EAST LINE OF SAID SECTION 28, SOUTH 01°47'00" WEST, 428.90 FEET; THENCE DEPARTING SAID LINE, NORTH 88°13'00" WEST, 1640.30 FEET; THENCE SOUTH 66°51'25" WEST, 25.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 24°31'18" EAST, 16.43 FEET; THENCE NORTH 74°38'15" EAST, 228.87 FEET TO A POINT OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°54'49", AN ARC DISTANCE OF 80.84 FEET; THENCE SOUTH 79°26'57" EAST, 162.02 FEET TO A POINT OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°45'01" AN ARC DISTANCE OF 90.71 FEET; THENCE SOUTH 12°41'58" EAST, 31.60 FEET; THENCE SOUTH 24°37'14" EAST, 128.18 FEET; THENCE SOUTH 16°27'17" EAST, 73.67 FEET TO A POINT OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°31'19", AN ARC DISTANCE OF 49.37 FEET; THENCE SOUTH 27°04'02" WEST, 141.44 FEET TO A POINT OF TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°14'07", AN ARC DISTANCE OF 132.15 FEET; THENCE SOUTH 71°47'32" EAST, 48.34 FEET TO A POINT OF TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°14'07", AN ARC DISTANCE OF 75.46 FEET; THENCE NORTH 64°58'21" EAST, 120.17 FEET; THENCE NORTH 79°28'31" EAST, 73.66 FEET TO A POINT OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°15'54" AN ARC DISTANCE OF 118.50 FEET; THENCE SOUTH 54°42'36" EAST, 51.91 FEET; THENCE SOUTH 12°06'18" WEST, 343.52 FEET TO A POINT OF TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 165.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°03'31", AN ARC DISTANCE OF 118.24 FEET; THENCE SOUTH 28°57'12" EAST, 83.43 FEET TO A POINT OF TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 127.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 59°42'38", AN ARC DISTANCE OF 132.35 FEET; THENCE SOUTH 30°45'25" WEST, 88.29 FEET; THENCE SOUTH 37°52'44" WEST, 56.10 FEET TO A POINT OF TANGENT CURVE HAVING A RADIUS OF 165.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°53'03", AN ARC DISTANCE OF 146.54 FEET; THENCE SOUTH 89°45'47" WEST, 134.14 FEET; THENCE SOUTH 82°27'40" WEST, 69.18 FEET MORE LESS TO A POINT ON THE EASTERLY RIGHT OF WAY OF THREE RIVER HIGHWAY, A PUBLIC RIGHT OF WAY, AND THE POINT OF TERMINUS.

THE SIDELINES OF SAID STRIP OF LAND ARE TO INTERSECT AT ALL ANGLE POINTS TO PROVIDE THE SPECIFIED WIDTH THROUGHOUT SO AS TO NOT CAUSE ANY GAPS OR OVERLAPS AND ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE ON SAID EAST LINE OF THREE RIVER HIGHWAY.



PARENT PARCEL
APN: 31325/5S09280000400
OWNER: L&C TREE FARMS LLC, A DELAWARE LIMITED LIABILITY COMPANY
DEED: INSTRUMENT NO. 2018-07490



PROJECT INFORMATION

SITE NAME:
NESTUCCA

SITE ID:
US-OR-5093

SITE ADDRESS:
(NO 5715)
HELD, OR 97122
TILLAMOOK COUNTY

| Rev: | Date: | Description: | By: |
|------|------------|---------------------|-----|
| A | 1/06/2023 | PRELIMINARY | CK |
| 0 | 2/16/2023 | TITLE | RR |
| 1 | 3/29/2023 | DESIGN | TA |
| 2 | 4/20/2023 | ACCESS EASEMENT (C) | CK |
| 3 | 06/16/2023 | TITLE (C) | SB |

LAND SURVEY PREPARED BY:

1235 CORNWALL AVE.
SUITE 301
MILWAUKEE, WI 53225
PH: (414) 659-4072
www.ambitconsulting.us

LICENSURE NO.:

REGISTERED PROFESSIONAL LAND SURVEYOR

Matthew R. Ford

OREGON
SEPTEMBER 14, 2021
MATTHEW R. FORD
80539

RENEW'S 12-31-2025

ALL SCALES ARE SET FOR 22"x34" SHEET

DRAWN BY: CK **CHK BY:** SB **APV BY:** MF

Sheet Title:
SITE SURVEY

Sheet Number:
LS-1



1750 Park of Commerce Drive, Suite 200
Boca Raton, Florida 33487

PROJECT INFORMATION:

SITE NAME:
NESTUCCA
SITE ID:
US-OR-5093

SITE ADDRESS:
(NO 315)
RISB, OR 8722
TULAMOCK COUNTY

| Rev. | Date: | Description: | By: |
|------|------------|---------------------|-----|
| A | 1/06/2023 | PRELIMINARY | CK |
| 0 | 2/16/2023 | TITLE | RR |
| 1 | 3/29/2023 | DESIGN | TA |
| 2 | 4/26/2023 | ACCESS EASEMENT (C) | CK |
| 3 | 06/16/2023 | TITLE (C) | SB |

LAND SURVEY PREPARED BY:

1328 COMMWALKS
SUITE 301
BELLINGHAM, WA 98225
PH: (425) 694-6272
www.ambitconsulting.com

REGISTERED PROFESSIONAL LAND SURVEYOR

SEPT 14, 2021
WASHINGTON
RCN21023 12-31-2023

ALL SCALES ARE SET FOR 27.23M SHEET

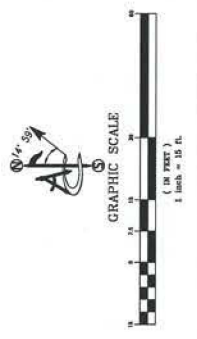
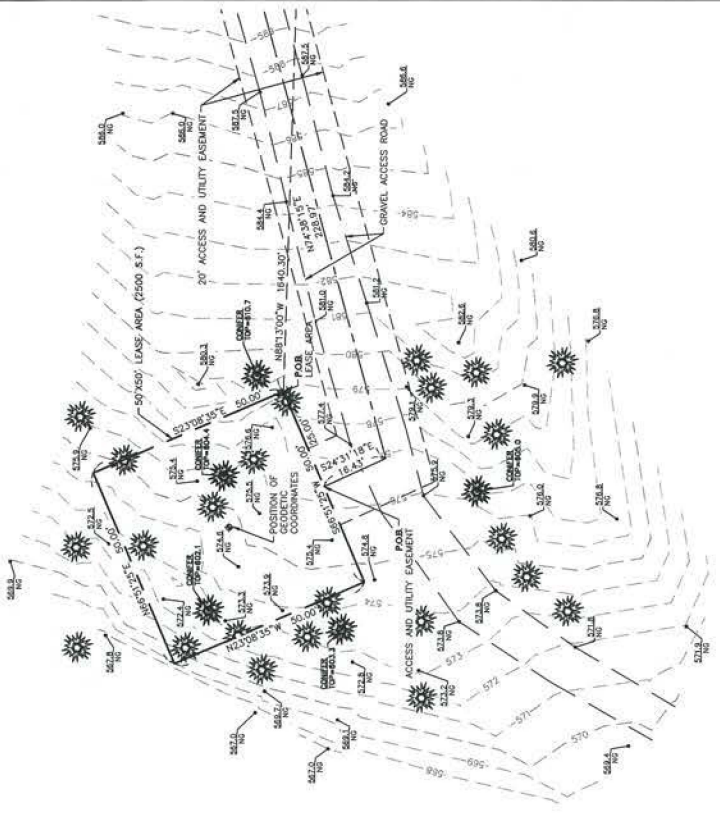
DRAWN BY: CK, SB, MF
APV BY: MF

Sheet Title: **SURVEY DETAIL**

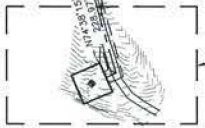
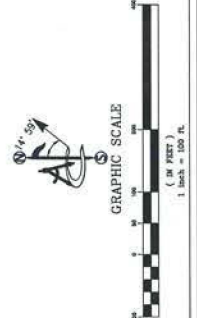
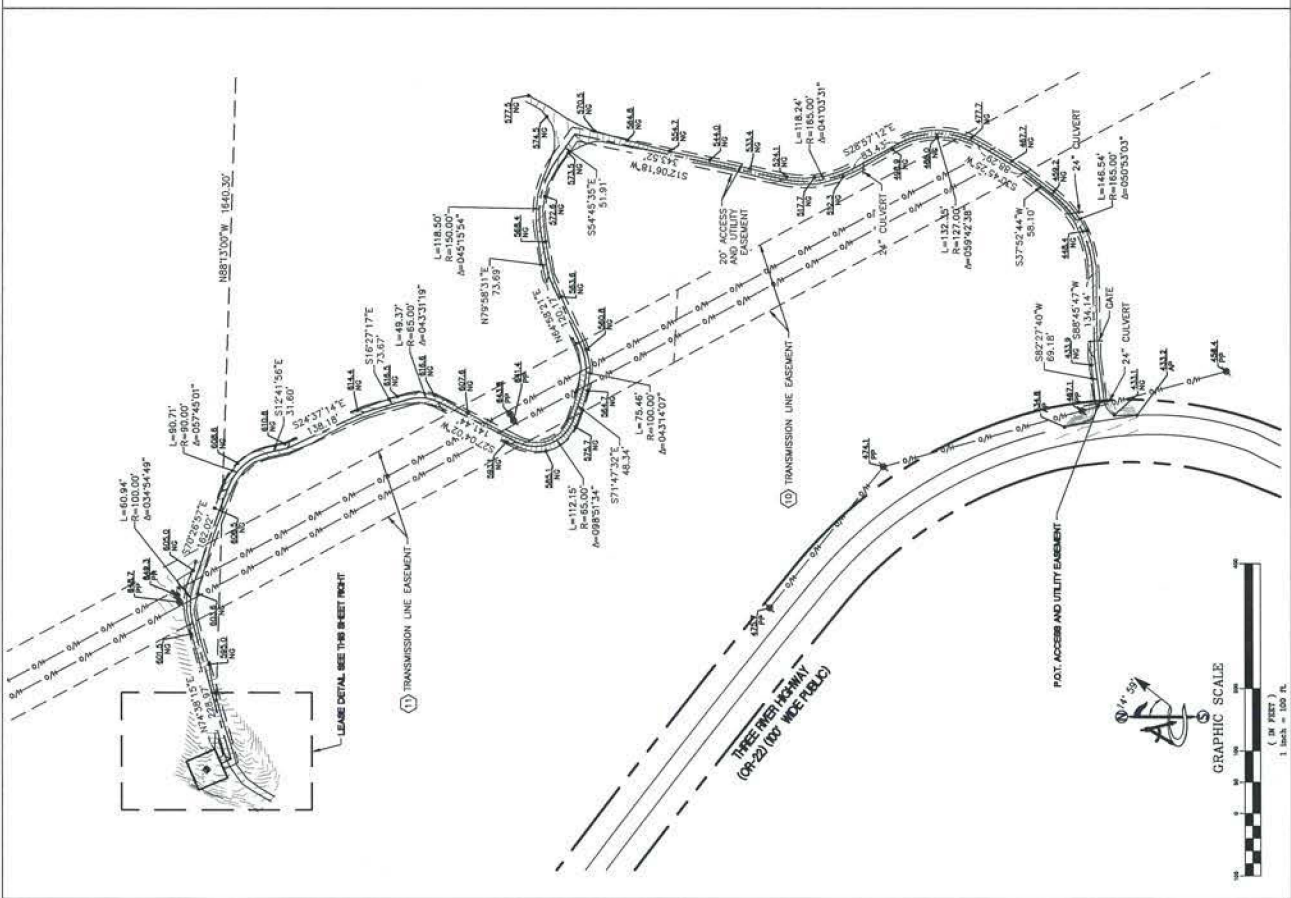
Sheet Number: **LS-2**

LEGEND

| | |
|----|------------------------|
| AP | ASPHALT |
| NG | NATURAL GRADE |
| PP | UTILITY POLE |
| UT | UTILITY POLE |
| GC | GEODETIC COORDINATES |
| SE | SPOT ELEVATION |
| PT | PINE TREES |
| OL | OVERHEAD LINES |
| SL | SUBJECT PROPERTY LINE |
| AL | ADJACENT PROPERTY LINE |
| LA | LEASE AREA LIMITS |
| MA | MAJOR CONTOUR INTERVAL |
| MI | MINOR CONTOUR INTERVAL |



POSITION OF GEODETIC COORDINATES
LATITUDE 45° 05' 40.42" (45.11228) NORTH (NAD83)
LONGITUDE 123° 47' 26.83" (123.790786) WEST (NAD83)
GROUND ELEVATION @ 574.7 (NAVD88)



SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE PRELIMINARY REPORT FILE NO. 360422006143, ISSUED BY TIGOR TITLE, DATED DECEMBER 19, 2022. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

ITEMIZED NOTES:

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS, PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS, (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

2. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF, (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

3. EASEMENTS, OR CLAIMS OF EASEMENT, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS, RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER, (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

4. ANY ENCROACHMENT (OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND OR OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND ONTO THE SUBJECT LAND), ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE SUBJECT LAND. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

5. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, MATERIAL, EQUIPMENT RENTAL OR WORKERS COMPENSATION HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS, (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

SPECIFIC ITEMS AND EXCEPTIONS:

6. THE LAND HAS BEEN CLASSIFIED AS FOREST LAND, AS DISCLOSED BY THE TAX ROLL, IF THE LAND BECOMES DISQUALIFIED, SAID LAND MAY BE SUBJECT TO ADDITIONAL TAXES AND/OR PENALTIES. (THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

7. RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS STREETS, ROADS, AND HIGHWAYS. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

8. ANY ADVERSE CLAIM BASED ON THE ASSERTION THAT ANY PORTION OF THE SUBJECT LAND HAS BEEN REMOVED FROM OR BROUGHT WITHIN THE SUBJECT LAND'S BOUNDARIES BY THE PROCESS OF ACCRETION OR RELICTION OR ANY CHANGE IN THE LOCATION OF LITTLE NESTUCCA RIVER, LOUIE CREEK, BAXTER CREEK, AND UNNAMED CREEKS AND STREAMS.

ANY ADVERSE CLAIM BASED ON THE ASSERTION THAT ANY PORTION OF THE SUBJECT LAND HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCRETED TO SUCH PORTIONS SO CREATED, OR BASED ON THE PROVISIONS OF ORS 274.905 THROUGH 274.940.

ANY ADVERSE CLAIM BASED ON THE ASSERTION THAT ANY PORTION OF THE SUBJECT LAND IS NOW OR AT ANY TIME HAS BEEN BELOW THE ORDINARY HIGH WATER LINE OF LITTLE NESTUCCA RIVER, LOUIE CREEK, BAXTER CREEK, AND UNNAMED CREEKS AND STREAMS.

RIGHTS OF FISHING, NAVIGATION, COMMERCE, FLOOD CONTROL, PROPAGATION OF ANADROMOUS FISH, AND RECREATION, AND OTHER RIGHTS OF THE PUBLIC, INDIAN TRIBES OR GOVERNMENTAL BODIES IN AND TO THE WATERS OF LITTLE NESTUCCA RIVER, LOUIE CREEK, BAXTER CREEK, AND UNNAMED CREEKS AND STREAMS. (THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

9. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: JOSEPH AUF-TERMAUR
PURPOSE: ROADWAY
RECORDING DATE: SEPTEMBER 29, 1921
RECORDING NO: BOOK 43, PAGE 569
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE EXACT LOCATION, THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS)

10. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: TRANSMISSION LINE
RECORDING DATE: JUNE 10, 1942
RECORDING NO: BOOK 83, PAGE 120
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION AFFECTS THE PARENT PARCEL AND THE VB EASEMENTS, BUT DOES NOT AFFECT THE LEASE AREA)

11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: TRANSMISSION LINE
RECORDING DATE: APRIL 29, 1943
RECORDING NO: BOOK 85, PAGE 21
AFFECTS: NORTH HALF; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION AFFECTS THE PARENT PARCEL AND THE VB EASEMENTS, BUT DOES NOT AFFECT THE LEASE AREA)

12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE FOREST SERVICE, U.S.D.A.
PURPOSE: ROADWAY
RECORDING DATE: AUGUST 28, 1946
RECORDING NO: BOOK 99, PAGE 131
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS)

13. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: TILAMOOK PEOPLE'S UTILITY DISTRICT
PURPOSE: PUBLIC UTILITIES
RECORDING DATE: OCTOBER 21, 1944
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATE OF AMERICA, ACTING BY AND THROUGH THE FOREST SERVICE, U.S.D.A.
PURPOSE: ROADWAY AND UTILITIES
RECORDING DATE: DECEMBER 9, 1954
RECORDING NO: BOOK 145, PAGE 145
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS)

15. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: ACCESS ROAD
RECORDING DATE: AUGUST 22, 1957
RECORDING NO: BOOK 158, PAGE 539
AFFECTS: NORTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

16. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: ACCESS ROAD
RECORDING DATE: AUGUST 27, 1957
RECORDING NO: BOOK 158, PAGE 588
AFFECTS: SOUTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

17. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: ACCESS ROAD
RECORDING DATE: JANUARY 8, 1970
RECORDING NO: BOOK 218, PAGE 119
AFFECTS: NORTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE IF IT AFFECTS)

18. AGREEMENT RIGHT OF WAY AND ROAD USE AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
EXECUTED BY: PUBLISHERS PAPER CO.; AND UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT
RECORDING DATE: APRIL 3, 1973
RECORDING NO: BOOK 231, PAGE 384
AFFECTS: NORTH HALF; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

19. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION
PURPOSE: ROADWAY
RECORDING DATE: JANUARY 6, 1975
RECORDING NO: BOOK 235, PAGE 165
AFFECTS: SOUTHWEST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION DOES NOT AFFECT LEASE AREA OR ANY VB EASEMENTS)

20. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: UNITED STATES OF AMERICA
PURPOSE: RIGHT OF WAY
RECORDING DATE: OCTOBER 30, 1981
RECORDING NO: BOOK 278, PAGE 750
AFFECTS: NORTHEAST QUARTER; REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION AFFECTS THE PARENT PARCEL, BUT DOES NOT AFFECT THE LEASE AREA OR ANY VB EASEMENTS)

21. RIGHT OF WAY AND ROAD USE AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:
EXECUTED BY: SIMPSON TIMBER COMPANY; AND UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT
RECORDING DATE: DECEMBER 27, 1990
RECORDING NO: BOOK 332, PAGE 527
AFFECTS: REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE IF IT AFFECTS)

22. TERMS AND PROVISIONS AS CONTAINED IN WARRANTY DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF:
EXECUTED BY: GREEN DIAMOND RESOURCE COMPANY; AND NESTUCCA FORESTS LLC
RECORDING DATE: NOVEMBER 10, 2008
RECORDING NO: 2008-007731
AFFECTS: REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

23. ASSIGNMENT AND ASSUMPTION AGREEMENT FOR ACCESS RIGHTS, INCLUDING THE TERMS AND PROVISIONS THEREOF:
EXECUTED BY: GREEN DIAMOND RESOURCE COMPANY; AND NESTUCCA FORESTS LLC
RECORDING DATE: NOVEMBER 10, 2008
RECORDING NO: 2008-007731
AFFECTS: REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION IS BLANKET IN NATURE AND IS NOT PLOTTABLE)

24. EASEMENT AND RELEASE, NON-EXCLUSIVE ACCESS ROAD, INCLUDING THE TERMS AND PROVISIONS THEREOF:
EXECUTED BY: NESTUCCA FORESTS, LLC; AND UNITED STATES OF AMERICA
RECORDING DATE: NOVEMBER 14, 2016
RECORDING NO: 2016-006479
AFFECTS: REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS
(THE EXCEPTION DOES NOT HAVE SUFFICIENT DATA TO DETERMINE IF IT AFFECTS)

25. PLEASE BE ADVISED THAT OUR SEARCH DID NOT DISCLOSE ANY OPEN DEEDS OF TRUST OF RECORD, IF YOU SHOULD HAVE KNOWLEDGE OF ANY OUTSTANDING OBLIGATION, PLEASE CONTACT THE TITLE DEPARTMENT IMMEDIATELY FOR FURTHER REVIEW PRIOR TO CLOSING.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

26. THE COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE INSURANCE PREDICATED UPON A CONVEYANCE OR ENCUMBRANCE FROM THE ENTITY NAMED BELOW. LIMITED LIABILITY COMPANY: L&C TREE FARMS, LLC

a. A COPY OF ITS OPERATING AGREEMENT, IF ANY, AND ANY AND ALL AMENDMENTS, SUPPLEMENTS AND/OR MODIFICATIONS THERETO, CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.

b. IF A DOMESTIC LIMITED LIABILITY COMPANY, A COPY OF ITS ARTICLES OF ORGANIZATION AND ALL AMENDMENT THERETO WITH THE APPROPRIATE FILING STAMPS.

c. IF THE LIMITED LIABILITY COMPANY IS MEMBER-MANAGED A FULL AND COMPLETE CURRENT LIST OF MEMBERS CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.

d. A CURRENT DATED CERTIFICATE OF GOOD STANDING FROM THE PROPER GOVERNMENTAL AUTHORITY OF THE STATE IN WHICH THE ENTITY WAS CREATED

e. IF LESS THAN ALL MEMBERS, OR MANAGERS, AS APPROPRIATE, WILL BE EXECUTING THE CLOSING DOCUMENTS, FURNISH EVIDENCE OF THE AUTHORITY OF THOSE SIGNING. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.
(THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO:

PLEASE CHANGE TO: I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; AND (ii) TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDINGS, LLC, AS BORROWER; AND VERTICAL BRIDGE HOLDING PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND FNF NATIONAL AGENCY COMMERCIAL SERVICES.

THIS SURVEYOR HAS RECEIVED AND REVIEWED THAT CERTAIN PRELIMINARY REPORT FILE NO. 360422006143, ISSUED BY TIGOR TITLE, DATED DECEMBER 19, 2022, WHICH PROPOSES TO INSURE THE LANDS DESCRIBED UNDER ITS SCHEDULE A.

THIS SURVEYOR KNOWS OF HIS OWN KNOWLEDGE THAT THE LANDS DESCRIBED UNDER SAID SCHEDULE A OF THE TITLE COMMITMENT CONTAIN OR INCLUDE THE LANDS DESCRIBED IN AND DEPICTED ON THIS SURVEY.

THIS SURVEYOR FURTHER KNOWS TO THE BEST OF HIS KNOWLEDGE THAT THE EASEMENTS OF RECORD AND IDENTIFIED UNDER SCHEDULE B OF SAID PRELIMINARY TITLE REPORT ENCUMBER THE LANDS DESCRIBED ON THIS SURVEY, BUT SAID EASEMENTS WILL NOT INTERFERE WITH THE LOCATION OF THE PROPOSED INSURED LANDS, INCLUDING THE EXCLUSIVE EASEMENT AREA AND ANY AND ALL ACCESS, UTILITY AND GUY WIRE EASEMENT PARCELS.

I FURTHER CERTIFY THAT AT THE TIME OF THE SURVEY THERE WERE NO ENCROACHMENTS THAT AFFECT THE LEASE AND EASEMENT, THAT THE LEASE AND EASEMENT ARE ENTIRELY WITHIN THE PARENT PARCEL, THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF OREGON TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Matthew R. Ford
MATTHEW R. FORD, PLS#00538

DATED: 06/21/2023



750 Park of Commerce Drive, Suite 200
Boca Raton, Florida 33487

PROJECT INFORMATION:

SITE NAME:
NESTUCCA
SITE ID:
US-OR-5093

ITE ADDRESS:
(NO STUS)
1636, OR 97122
TILAMOOK COUNTY

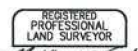
| Rev. | Date: | Description: | By: |
|------|------------|---------------------|-----|
| A | 1/06/2023 | PRELIMINARY | CK |
| 0 | 2/18/2023 | TITLE | RR |
| 1 | 3/29/2023 | DESIGN | TA |
| 2 | 4/20/2023 | ACCESS EASEMENT (C) | CK |
| 3 | 06/16/2023 | TITLE (C) | SB |

LAND SURVEY PREPARED BY:



1323 CONNALL AVE.
SUITE 301
MILWAUKEE, WA 98125
PH: (425) 659-4072
www.ambitconsulting.us

LICENSURE NO.:



Matthew R. Ford
OREGON
SEPTEMBER 14, 2021
MATTHEW R. FORD
00039
RENEWED 12-31-2023

ALL SCALES ARE SET FOR 22"x34" SHEET

DRAWN BY: CK **CHK BY:** SB **APV BY:** MF

Sheet Title:

NOTES

Sheet Number:

LS-3



August 30, 2023

Tillamook County Department of Community Development
1510-B Third Street
Tillamook, OR 97141

**RE: Wireless Facility Application – Conditional Use Type II (OR1 Nestucca)
at 47405 HWY 22, Hebo, OR 97122 (Acct 31325)**

To Whom It May Concern:

Please find enclosed a check in the amount of **\$2,200** for the land use fees relating to the land use submittal package.

Please contact me should you have any questions.

Best Regards,

Tessie Murakami

Tessie Murakami
Real Estate Contractor for Verizon Wireless
Phone 310-483-5343
Email tessie.murakami@acomconsultinginc.com



SEP 01 2023
mail

August 30, 2023

**Tillamook County Department of Community Development
1510-B Third Street
Tillamook, OR 97141**

**RE: Wireless Facility Application
Site location: 47405 HWY 22, Hebo, OR 97122 (Acct 31325)
Site Name: OR Nestucca**

To Whom It May Concern:

On behalf of The Towers, LLC and L & C Tree Farms, I am submitting the following information to seek approval for a new Wireless Communications Facility.

Please find enclosed the following land use information:

- Conditional Use Permit Application - Type II
- 3 copies of narrative, site plans, and other submittal items.

A separate check will be mailed out in the amount of \$2,200 for the zoning fees.

Please contact me for any questions at (310) 483-5343 or at tessie.murakami@acomconsultinginc.com

Sincerely,

Tessie Murakami

Tessie Murakami
Real Estate Contractor for Verizon Wireless

EXHIBIT

C

Melissa Jenck

From: VYMAZAL Zdenek G <Zdenek.G.VYMAZAL@odot.oregon.gov>
Sent: Tuesday, February 20, 2024 1:08 PM
To: Melissa Jenck
Subject: EXTERNAL: 851-23-000345-PLNG (13223_Murakami)

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

Good Morning Melissa,

Thank you for notifying ODOT about the proposal of a new Wireless Communications Facility (tower) at 47405 Hwy 22 (Three Rivers) MP 10.44 (L) in Hebo, Tillamook County. Please include these comments in the public record:

This property is adjacent to State Highway, with existing, presumed permitted access at MP 10.44. The proposed construction of the communication tower will not add enough vehicular traffic to trigger the Change of Use. The applicant is responsible of eliminating and removing immediately any derbies, mud, gravel etc. being placed on the highway during construction. Otherwise ODOT has no objections to the proposal.
Thank you

*Zdenek "Z" Vymazal, PE, PLS
Development Review Coordinator (Area 1)
ODOT – Region 2
455 Airport Rd. SE, Bldg. B
Salem, OR 97301
(971)-345-1318 Cell/Office
zdenek.g.vymazal@odot.oregon.gov
Hours: 5:30 AM to 2:00 PM Monday – Friday*

From: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Sent: Tuesday, February 6, 2024 4:32 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Subject: 13223_Murakami

You don't often get email from melissa.jenck@tillamookcounty.gov. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hello,

Please see the notice of application for Conditional Use request 851-23-000345-PLNG for a communication tower at 5S09-2800-00400. The comment period ends February 20, 2024. You can find a copy of the notice and

application materials on the County's Website located here:
<https://www.tillamookcounty.gov/commdev/project/851-23-000345-plng>

Sincerely,

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov so please update your contact information as needed. Thank you. ***



Melissa Jenck (she/her) | Senior Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3301
Melissa.Jenck@tillamookcounty.gov

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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.

EXHIBIT

D

**INSTRUCTIONS FOR FILING RESTRICTIVE COVENANT
FOR THE CREATION OF A PARCEL OR PLACEMENT OF A DWELLING
ADJACENT TO LAND ZONED FOR FARM OR FOREST USE**

1. This acknowledgment is required when the County permits the creation of parcels or the location/placement of dwellings adjacent to an area designated by the County as farm or forest lands (F, F-1, SFW-20).
2. Obtain the legal description of the subject property as it's recorded in the Tillamook County Deed Records. This is what is referred to as Exhibit A and must accompany the affidavit/covenant.
3. The attached affidavit/covenant must be filled out showing the names of ALL current property owners who appear on the property deed or contract, and signed before a Notary Public. Community Development has Notaries that can provide the service for free.
4. Once the affidavit/covenant is signed and notarized with the attached legal description, bring these to the Tillamook County Clerk's office to be recorded. **The Clerk's will charge a recording fee.** Please contact the Clerk's office at (503)842-3402 for current fees.
5. **A copy of the recorded and notarized affidavit/covenant will be given to DCD to put on file.**
6. If you have any questions about the affidavit/covenant, or the recording procedure, please contact the Department of Community Development Staff at (503)842-3408 x3410.

After Recording Return To:

RESTRICTIVE COVENANT

(GRANTORS) are the owners of real property described as follows:

PROPERTY LEGAL DESCRIPTION attached as Exhibit A hereto and incorporated by reference

Do hereby promise and covenant as follows:

The property herein described is situated adjacent to a Farm or Forest resource zone such as F, F-1, or SFW-20 zones in Tillamook County, Oregon where the intent is to encourage farm and forest use and minimize conflicts with those uses. The owners/residents of this parcel understand that on the adjacent land customary and accepted farm or forest management practices, conducted in accordance with federal and state laws, ordinarily and necessarily produce noise, dust, smoke, odors, the application of manure, fertilizers, or herbicides (including aerial spraying), road construction, changes in view, and other impacts related to a resource zone.

I/We do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a structure in this area and shall not pursue a claim for relief or cause of action of alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or ORS 30.937.

This covenant shall run with the land and is intended to and hereby shall bind my/our heirs, assigns, lessees, and successors and it can not be deleted or altered without prior contact and approval by the Tillamook County Department of Community Development (GRANTEE) or its successor.

IN WITNESS WHEREOF, the said Party has executed this instrument this _____ day of _____, 20____,

Signature

Print Names

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20__

SEAL

Notary Public of Oregon
My Commission Expires:

STATE OF OREGON
COUNTY OF TILLAMOOK

EXHIBIT

E

LAND USE PLANNING NOTES ▶▶▶▶



"STEWARDSHIP IN FORESTRY"

NUMBER 1 • MARCH 1991

PURPOSE: This technical bulletin has been developed jointly by the Department of Forestry and structural fire protection agencies in Oregon as technical guidance and recommended minimum standards to meet the requirements of new administrative rules, OAR 660-06-035 (fire siting standards for dwellings and structures) and OAR 66006-040 (fire safety design standards for roads) adopted by the Land Conservation and Development Commission for forest land zones (Goal 4 lands). Counties are encouraged to adopt stricter rules in forest zones where these recommendations might not adequately address a particular hazard or risk.

RULE REQUIREMENTS:

OAR 660-06-035 (Fire Siting Standards for Dwellings and Structures) requires that:

"[T]he following fire siting standards or their equivalent apply to new dwelling or structures in a forest or agriculture/forest zone:

"(1) If a water supply is available and suitable for fire protection, such as a swimming pool, pond, stream, or lake, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of fire fighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

"(2) Road access to the dwelling shall meet road design standards described in OAR 660-06-040.

"(3) The owners of the dwellings and structures shall: maintain a primary fuel-free break area surrounding all structures; clear and maintain a secondary fuel-free break area; and maintain adequate access to the dwelling for fire fighting

Recommended Fire Siting Standards for Dwellings and Structures *and* Fire Safety Design Standards for Roads

Published by:

Oregon Department of Forestry
Resource Planning Office
2600 State Street
Salem, OR 97310

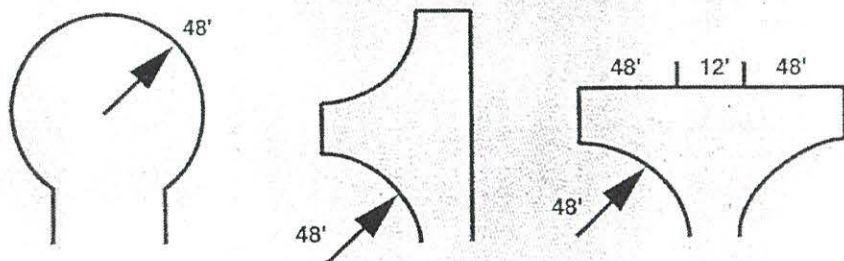
equipment vehicles in accordance with the provisions in *Protecting Your home from Wildfire* (National Fire Protection Association)."

OAR 660-06-040 (Fire Safety Design Standards for Roads) requires that:

"[T]he governing body shall establish road design standards, except for private roads and bridges accessing only commercial forest uses, which ensure that public roads, bridges, private roads and driveways are constructed so as to provide adequate access for fire fighting equipment. Such standards shall address maximum grade, road width, turning radius, road surface, bridge design, culverts, and road access taking into consideration seasonal weather conditions. The governing body shall consult with the appropriate Rural Fire Protection District and Forest Protection District in establishing these standards."

Though there are no similar rule requirements to be met in rural residential zones in forested areas, the Department of Forestry encourages the adoption by local government of these recommended fire safety standards in these zones as well.

Turn-Around Types



Though some of the recommendations are strictly to accommodate structural fire protection apparatus and needs, it is recommended that the standards be applied to all lands within forest zones, regardless of the presence or absence of a rural (structural) fire protection district. The standards should be applied in anticipation of structural fire protection eventually becoming present.

RECOMMENDED FIRE SITING STANDARDS FOR DWELLINGS AND STRUCTURES:

A. Water Supply Standards:

1. Access— If a water supply—such as a swimming pool, pond, stream, or lake—of 4,000 gallons or more exists within 100 feet of the driveway or road at a reasonable grade (12%) an all-weather approach to a point within 15 feet of the water's edge should be provided. The all-weather approach should provide a turn-around with a 48-foot radius of one of the types shown in the illustration below.

2. Identification— Emergency water supplies should be clearly marked along the access route with a county approved sign.

B. Fuel Break Standards:

1. Primary Safety Zone— The primary safety zone is a fire break extending a minimum of 30 feet in all directions around structures. The goal within the primary safety zone is to remove fuels that will produce

flame lengths in excess of one foot. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced with greater than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves, needles, limbs and other dead vegetation should be removed from

beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) should be placed next to the house.

As slope increases, the primary safety zone should increase away from the house, parallel to the slope and down the slope, as shown in the table and illustration on the next page.

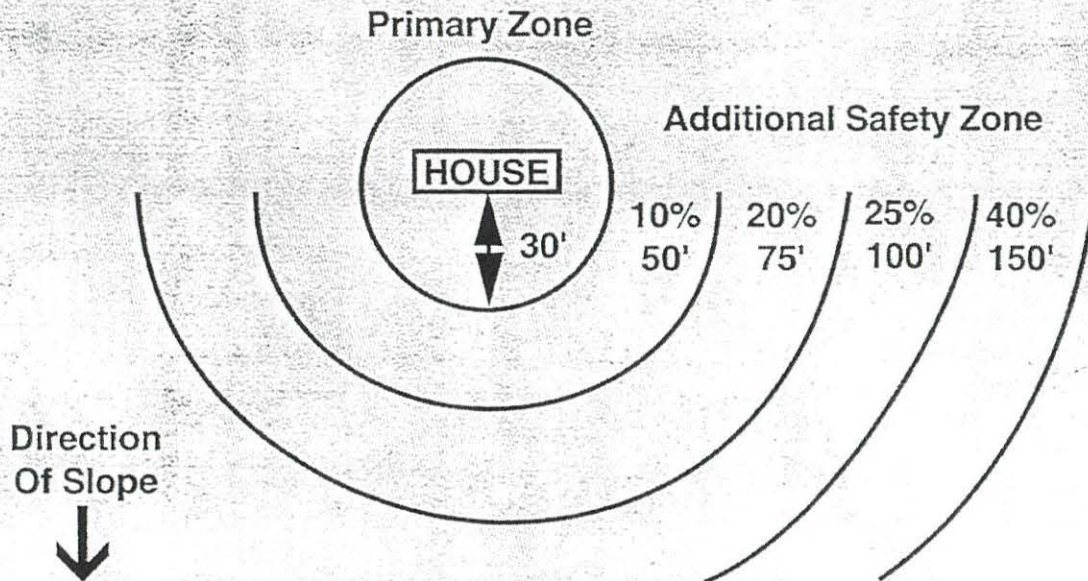
2. Secondary Fuel Break— The secondary fuel break is a fuel break extending a mini-

Size of Primary Safety Zone by Percent Slope

| Slope | Feet of Primary Safety Zone | Feet of Additional Safety Zone Down Slope |
|-------|-----------------------------|---|
| 0% | 30 | 0 |
| 10% | 30 | 50 |
| 20% | 30 | 75 |
| 25% | 30 | 100 |
| 40% | 30 | 150 |

Buildings should be restricted to slopes of less than 40 percent.

EXAMPLE OF SAFETY ZONE SHAPE



mum of 100 feet in all directions around the primary safety zone. The goal of the secondary fuel break should be to reduce fuels so that the overall intensity of any wildfire would be lessened and the likelihood of crown fires and crowning is reduced. Vegetation within the secondary fuel break should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent spread of fire up into the crowns of the larger trees. Dead fuels should be removed.

RECOMMENDED FIRE SAFETY DESIGN STANDARDS FOR ROADS:

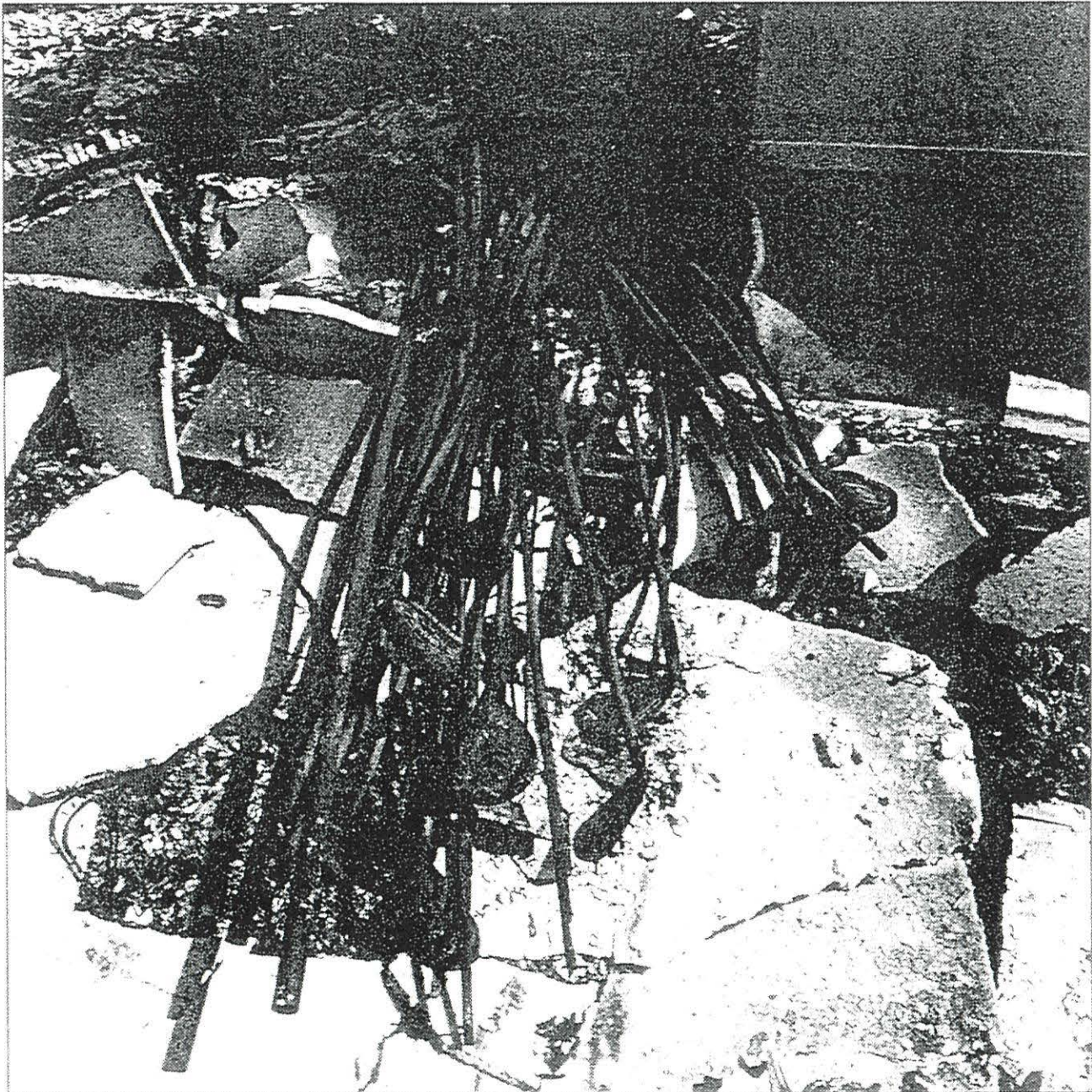
A. Road Standards (public roads and private roads accessing 2 or more residences):

1. Right-of-ways— Roads should be built and maintained to provide a minimum 20 foot width of all-weather surface capable of supporting gross vehicle weights of 50,000 pounds, a minimum curve radius of 48 feet and a vertical clearance of 13'6".

2. Cul-de-Sacs— Cul-de-sacs should be defined as dead-end roads over **150** feet in length. Cul-de-sacs should have turn-arounds of not less than **48** feet radius at a maximum spacing of **500** feet between turn-a-rounds. All turn-a-rounds should be marked and signed as “NO PARKING.”

3. Bridges and Culverts— Bridges, culverts, and other structures in the road bed should be constructed and maintained to support gross vehicle weights of 50,000 pounds.

4. Road Grades— Road grades should not exceed an average of **8** percent, with a maxi-



A set of burned golf clubs lay in the ruin of a home burned by the 1990 Awbrey Hall Fire. Twenty-two homes burned during this fire, which raced along the outskirts of Bend, Oregon. Most of the burned homes had insufficient fuel breaks surrounding them.

Photograph courtesy of The Bulletin, Bend

imum of **12** percent on short pitches. Variances could be granted by the fire service having responsibility for the area when topographic conditions make these standards impractical.

5. Identification— Roads should be uniquely named or numbered and visibly signed at each road intersection. Letters or numbers should be a minimum of three inches in height and constructed of reflectorized material.

B. Driveway Standards (private roads accessing a single residence):

1. Driveways— Driveways should be built and maintained to provide a minimum **12-foot** width of all-weather surface capable of supporting gross vehicle weights of **50,000** pounds, a minimum curve radius of **48** feet and a vertical clearance of **13'6"**.

2. Vehicle Passage Turnouts— Driveways in excess of **200** feet should provide **20-foot** wide by **40-foot** long passage space (turnouts) at a maximum spacing of $1/2$ the driveway length or **400** feet, whichever is less. Whenever visibility is limited, these distances should be reduced appropriately.

3. Dead-end driveways— Dead-end driveways are defined as dead-end roads over **150** feet in length serving a single residence. Dead-end driveways should have turn-a-rounds of not less than **48** feet radius.

4. Bridges and Culverts— Bridges, culverts, and other structures in the road bed should be constructed and maintained to support gross vehicle weights of 50,000 pounds.

5. Driveway Grades— Driveway grades should not exceed an average of **8** percent, with a maximum of **12** percent on short pitches. Variances could be granted by the fire service having responsibility for the area when topographic conditions make these standards impractical.

6. Identification— Driveways should be marked with the residence's address unless

the residence is visible from the roadway and the address is clearly visible on the residence. Letters or numbers should be a minimum of three inches in height and constructed of reflectorized material.

C. Certification:

1. If bridges or culverts are involved in the construction of a road or driveway, written verification of compliance with the 50,000 gross vehicle weight standard should be provided from an Oregon Registered Professional Engineer. Otherwise, written verification of compliance should be provided by the applicant.

BASIS FOR RECOMMENDATIONS:

A. Water Supply

Water is a critical tool in fire suppression. Hydrants are generally not available in forested areas. Therefore, fire suppression in forested areas is dependent upon the water carried in the responding fire equipment and water sources available for refill or that can be pumped from an engine. Water available for refilling an engine can mean the difference between saving or losing a structure, or preventing a wildfire from escaping initial attack. When a fire engine or tanker runs out of water, turn around time to a refill site may be quite lengthy. A 4,000 gallon water supply is large enough to refill a large tanker or several smaller fire engines. Requiring construction of an all weather approach to within 15 feet of 4,000 gallon or larger water sources within 100 feet or less of a driveway or road will greatly help fire protection agencies.

B. Fuel Breaks

The steeper the slope, the greater the flame length, the hotter the flame front, and the faster the rate of fire spread. This greater fire activity is primarily due to preheating of the vegetation upslope from the fire, increased draft of fresh air to the fire from below, and more flame contact with upslope fuels. On steeper slopes, failure to provide for larger safety zones downslope from a residence will make it more difficult for fire personnel to protect the structure. The

firefighter is also in a more tenuous safety position.

On the last page are two graphs showing the relationships of flame length and dozer line construction speeds to slope for two fuel types. Flame lengths increase with slope and dozer fire line construction rates decrease. Other fire fighting methods such as water attack and hand line construction are also hampered by steep slopes. Generally, hand lines are useless when flame lengths reach 4 feet; dozer lines fail with 8-foot flame lengths.

C. Road & Driveway Specifications

Fire fighting apparatus (fire engines, tankers, dozer and lowboy, etc.) are much larger and heavier than personal vehicles. These vehicles

require greater road width and clearance for passage, wider road curves for turning, and level or at most moderate road grades for maintaining vehicle engine performance and driver safety.

- The 1988 Oregon Uniform Fire Codes, Chapter 10.207 specifies that all roads shall be all weather surfaced, minimum 20 feet width, and have a vertical clearance of 13' 6".

- A filled, fully equipped 3,000 gallon tanker weighs around 40,000-45,000 pounds. Many rural fire departments utilize this size tanker as a water source for the small fire engines. A minimum road surface load limit of 50,000 pounds provides for this load plus an appropriate safety margin.

- Large, heavy vehicles have difficulty driving up and down steep road grades. Additionally, most rural fire departments are principally staffed by volunteers and most forest fire agency employees are seasonal. While these people are capable drivers, very few are professional truck drivers and they may have a more difficult time maneuvering a truck up a steep winding road than would the professional driver.

- Rural address identification is extremely important. While the local resident may be familiar with the localized road or driveway system, emergency responders generally will not. Proper signing of roads and driveways with 3" or larger reflectorized letters or numbers will assist fire fighters in locating threatened residences, especially when visibility is impaired by darkness or smoky conditions.

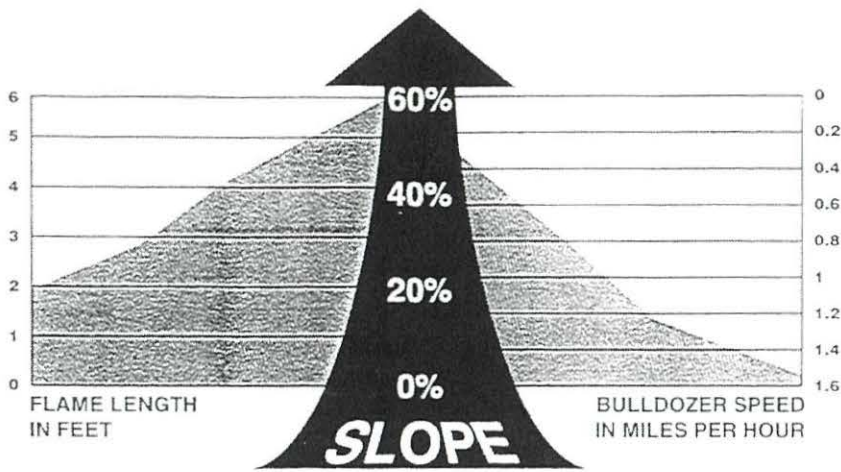
- It is very difficult to back up long distances in large fire apparatus, and this difficulty can be compounded if driveway grade is not level. Therefore, turnouts and turnarounds are very important.



The 1989 Dooley Mountain Fire threatened the residents of Baker City.

Photograph courtesy of the Democrat-Herald, Albany

The Relationship of Flame Length to Fuel Type and Slope: Two Situations

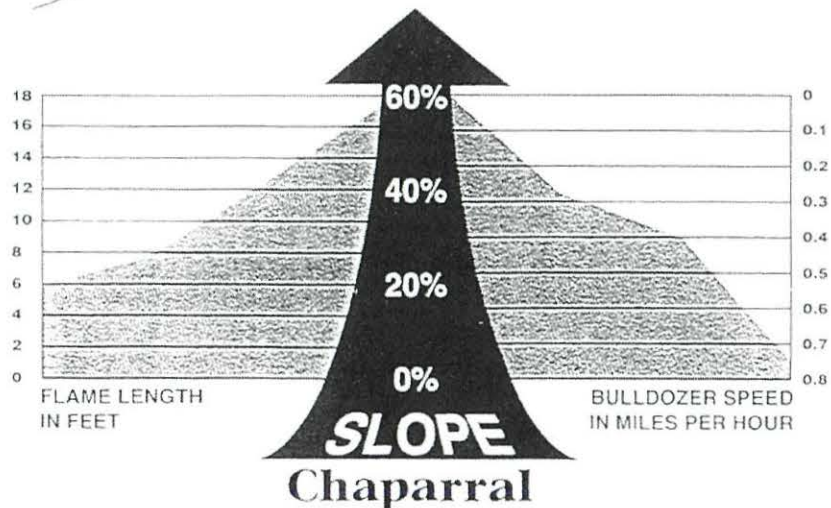
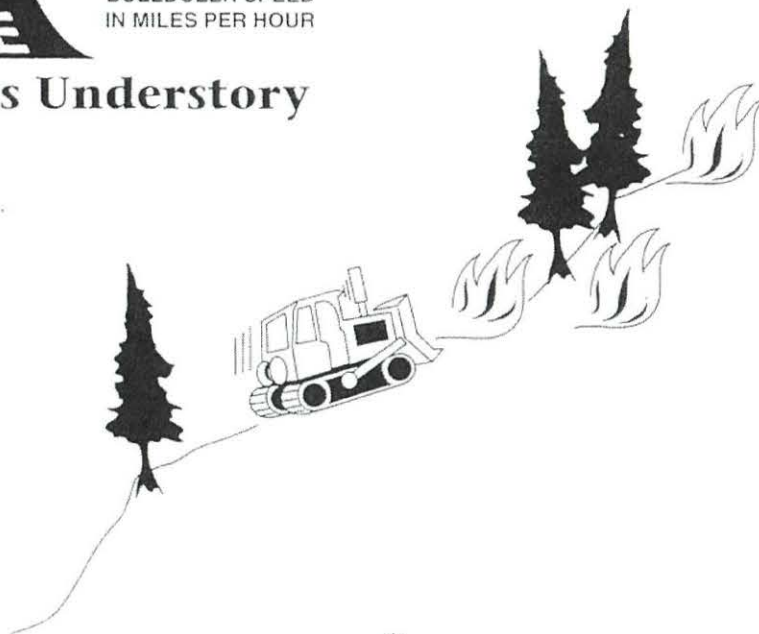


Timber with Grass Understory

These two graphs illustrate the effect of slope on flame length and bulldozer speed in two common fuel types.

In open timber with grass, flames traveling up a 20% slope can reach 3-4 feet in length. Chaparral, on the same slope, will generate flame lengths of 6-8 feet. Hand-constructed fire lines usually fail to stop fires having 4-foot or longer flame lengths. Bulldozer-constructed fire lines usually fail to stop fires having 8-foot or longer flame lengths.

Fire lines become less effective as slope increases and as fuel loads increase.



Chaparral

Information Provided By:

Oregon Department of Forestry
Resource Planning Office

Land Conservation and
Development Commission

Office of State Fire Marshal

Oregon Fire Chiefs Association

To Order Copies of This Publication
Call or Write:

Oregon Department of Forestry
Public Affairs Office
2600 State Street
Salem, Oregon 97310
503-378-2562



Oregon Department of Forestry
Resource Planning Office
2600 State Street
Salem, OR 97310

"STEWARDSHIP IN FORESTRY"