



1510 - B Third Street
Tillamook, Oregon 97141
www.tillamookcounty.gov
503-842-3408

Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REQUEST #851-24-000163-PLNG
REIMER/LORINCZI
BED AND BREAKFAST ENTERPRISE**

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

October 11, 2024

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited request on October 11, 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 October 23, 2024**. This decision will become final on October 23, 2024, after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

- Request:** A Conditional Use request for operation of a Bed and Breakfast Enterprise within a single-family dwelling.
- Location:** The subject property is located at 15575 Farmer Creek Road, a County Road, and designated as Tax Lot 4900 in Index Section 2 of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon
- Zone:** Small Farm and Woodlot (SFW-20)
- Applicant:** Nathan Reimer & Seth Lorinczi, 3210 NE Liberty Ct, Portland, OR 9211
- Property Owner:** Nathan Reimer, Seth Lorinczi, Daneille Lombardi, and Julianna Bright, 3210 NE Liberty Ct, Portland, OR 97211

CONDITIONS OF APPROVAL

TCLUO 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.

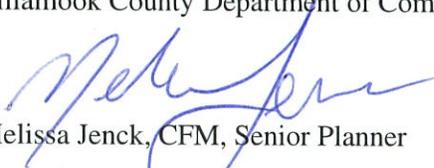
1. Applicant/Owner shall obtain all required Federal, State, and Local permits and comply with all applicable Federal, State, and Local regulations, including but not limited to any requirements set forth by the Oregon Department of State Lands, Tillamook County Environmental Health and Tillamook County Public Works.
2. Applicant/Owner shall obtain an approved Consolidated Zoning/Building Permit from the Tillamook County Department of Community Development for development of the bed and breakfast use.
3. The applicant and property owner shall adhere to applicable development standards in TCLUO Section 3.004: Forest (F) Zone.
 - (a) 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. The dwelling shall maintain the required 30-foot setbacks from property lines as required under TCLUO Section 3.004.
 - (b) 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'. Fuel-free breaks shall also be depicted on the submitted site plan at the time of Consolidated Zoning/Building Permit application submittal.
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 or Nestucca Rural Fire Protection District 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 a copy of an approved road approach permit for the bed and breakfast use on the subject property at the time of Consolidated Zoning/Building Permit application submittal.
7. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for operation of the bed and breakfast enterprise. If no additional permits are required, confirmation from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the consolidated zoning/building permit application.
8. Applicant/property owner shall provide a site plan depicting the location of the riparian area setback, as prescribed by TCLUO Section 4.140, at time of Consolidated Zoning/Building Permit submittal.

9. A copy of the approved site plan, illustrating the proposed development and required parking, shall be provided at the time of Zoning Permit submittal. Applicant/property owner shall adhere to the requirements of TCLUO 4.030, 'Off-Street Parking & Off-Street Loading Requirements'.
10. This approval is for a bed and breakfast enterprise for use of no more than five (5) bedrooms. Expansion in the number of bedrooms utilized for the bed and breakfast enterprise is subject to land use review and approval.
11. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
12. No more than (3) customer vehicles may be present on site at any given time.
13. The bed and breakfast enterprise must be contained within the legal residence.
14. 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.

15. This approval shall be void on October 11, 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 #851-24-000163-PLNG
REIMER/LORINCZI
BED AND BREAKFAST ENTERPRISE**

ADMINISTRATIVE DECISION & STAFF REPORT

Decision Date: October 11, 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:** A Conditional Use request for operation of a Bed and Breakfast Enterprise within a single-family dwelling.
- Location:** The subject property is located at 15575 Farmer Creek Road, a County Road, and designated as Tax Lot 4900 in Index Section 2 of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon
- Zone:** Small Farm and Woodlot (SFW-20)
- Applicant:** Nathan Reimer & Seth Lorinczi, 3210 NE Liberty Ct, Portland, OR 97211
- Property Owner:** Nathan Reimer, Seth Lorinczi, Daneille Lombardi, and Julianna Bright, 3210 NE Liberty Ct, Portland, OR 97211

II. Property Description: The subject property encompasses approximately 12.39-acres of forested landscape, open meadows and variable terrain (Exhibit A). County records indicate the subject property is currently improved with a single-family dwelling and two outbuildings (Exhibit A).

Zoning in the area consists of Rural Residential 2-Acre (RR-2), Forest (F) and Small Farm and Woodlot (SFW-20). Many of the residentially zoned properties are improved with residential dwellings. Neighboring SFW-20 zoned properties are improved with a residence and are heavily forested (Exhibit A). Surrounding Forest (F) zoned properties are forested and owned by the United State Forest Service and Stimson Lumber (Exhibit A).

There are mapped wetlands features located in the vicinity, within the adjacent Farmer Creek to the south and the unnamed tributary to the west (Exhibits A). The subject property is not located within the Special Flood Hazard Area (SFHA), as depicted on FEMA FIRM 41057C0740F dated September 28, 2018 (Exhibit A). The property is within a mapped area of known geologic hazard (Exhibit A). Identified hazards include deep landslide susceptibility, shallow landslide susceptibility, debris flow and rapidly moving landslides (Exhibit A).

Applicant is requesting a Conditional Use Permit approval for two phases. The applicant is currently proposing to utilize a 2-bedroom bed and breakfast enterprise located in the existing single-family dwelling. Applicants are proposing at time of future expansion of the dwelling, they will increase the number of bedrooms for the bed and breakfast enterprise to 5-bedrooms (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 3.006: Small Farm and Woodlot (SFW-20) Zone
- B. TCLUO Section 3.004: Forest (F) Zone
- C. Section 4.030 Off-Street Parking and Loading
- D. TCLUO Article VI: Conditional Use Procedures and Criteria
- E. Article VI: Conditional Use Procedures and Criteria

IV. ANALYSIS:

A. Section 3.006: Small Farm and Woodlot (SFW-20) Zone

PURPOSE: The purpose of the SFW-20 zone is to protect and promote farm and forest uses much in the same way as do the Farm and Forest zones, on lands which have resource value, but which are not suited for the F-1 or the F zones because of smaller parcel size, conflicting adjacent uses, adverse physical features or other limiting factors.

1. **Section 3.006(3) ‘Permitted Uses’** include those uses contained in TCLUO Section 3.004 ‘Forest Zone’, subject to the review and conditions described therein. Staff find the proposed development of a bed and breakfast enterprise will be reviewed in accordance to TCLUO Section 3.004 ‘Forest Zone’, below.

B. 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(5)(a)** ‘Commercial Use Standards’ lists “*Home Occupations*” as Type 2 uses subject to conditional use review and approval.

(a) *A home occupation.*

1. *A home occupation shall:*

- a. *Be operated by a resident or employee of a resident of the property on which the business is located;*
- b. *Employ on the site no more than five full-time or part-time persons at any given time;*
- c. *Shall be operated substantially in:*
 - i. *The dwelling; or*
 - ii. *Other buildings normally associated with uses permitted in the zone in which the property is located, except that such other buildings may not be utilized as bed and breakfast facilities or rental units unless they are legal residences.*
- d. *Not unreasonably interfere with other uses permitted in the zone in which the property is located.*

...

3. *The home occupation shall be accessory to an existing, permanent dwelling on the same parcel.*

4. *No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.*

5. *All off-street parking must be provided pursuant to Section 4.030 on the subject parcel where the home occupation is operated.*

a. *Employees must use an approved off-street parking area.*

b. *Customers visiting the home occupation must use an approved offstreet parking area. No more than three vehicles from customers/visitors of the home occupation can be present at any given time on the subject parcel.*

6. *Signage is subject to the provisions of Section 4.020.*

7. *Retail sales shall be limited or accessory to a service.*

8. *Home Occupations shall be subject to a Conditional Use Permit process, pursuant to Subsection (8), unless all of the requirements of Subsection (9) can be met.*

Findings: The applicant is currently proposing to utilize a 2-bedroom bed and breakfast enterprise located in the existing single-family dwelling. Applicants are proposing at time of future expansion of the dwelling, they will increase the number of bedrooms for the bed and breakfast enterprise to 5-bedrooms (Exhibit B).

TCLUO Article 11 defines a bed and breakfast enterprise as ‘*A residential structure where not more than 15 persons, not including members of the family occupying such a structure, provide compensation for lodging*’. TCLUO Section 3.004(2) ‘Definitions’ defines a Bed and Breakfast Enterprise as “*an accessory use in a single-family dwelling in which lodging and a morning meal for guests only are offered for compensation, having no more than five (5) sleeping rooms for this purpose. A bed and breakfast facility must be within the residence of the operator and be compliant with the requirements of ORS 333-170-0000(1). A bed and breakfast facility may be reviewed as a home occupation in the Forest Zone.*”

Staff find the applicant is proposing no more than 5 sleeping areas as part of the proposed bed and breakfast enterprise. The property owners are proposing to reserve a room for the resident to operate the use, which is to take place within the existing dwelling. Applicants have proposed a future expansion of the dwelling as contained in their site plan contained in ‘Exhibit B’. Applicant does not indicate the future expansion would be an attached addition, but a bed and breakfast enterprise is required to take place within the legal residence. Staff will require as a condition of approval that the bedrooms for the bed and breakfast enterprise be contained within the legal residence.

Applicants' site plan details adequate area for appropriate off-street parking area (Exhibit B). Applicant is proposing a Bed and Breakfast enterprise consisting of no more than five guest bedrooms within the existing single-family dwelling and future expansion (Exhibit B). Staff finds that a minimum of (2) off-street parking spaces are required for the residential dwelling unit in accordance with TCLUO Section 4.030(13), and no more than three (3) off-street parking spaces are required for the proposed bed and breakfast enterprise for a total of five (5) parking spaces.

Given the size of the property, relatively flat topography and location of improvements, Staff finds that there is adequate area for the required parking area to satisfy parking requirements outlined in TCLUO Section 4.030 for both the bed and breakfast enterprise as well as required parking for the existing dwelling. Staff will require, as a condition of approval, that no more than (3) customer vehicles be present at any given time.

Applicants have not proposed any signage or retail sales on the site at this time (Exhibit B). Applicant has demonstrated compliance with the Conditional Use review criteria, contained below, in this report.

Staff find these standards have been met and can be met through compliance with conditions of approval.

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 the proposed use will not affect farming and forest practices (Exhibit B). Applicants site plan identifies the existing single-family dwelling to be used for the bed and breakfast use, along with the proposed expansion area for a total of a 5-bedroom bed and breakfast enterprise (Exhibit B).

Staff finds the proposed development will occupy an existing established area of the property which maintains a cleared area for future development on the subject property (Exhibit A & B). Stimson Lumber owned property is located to the north across Farmer Creek Road (Exhibit B). Given the proposed location for development of the use, the small scale of development and the minimal area of the property to be utilized for the use, staff finds that the proposed use will not result in a significant change or increase in cost of accepted forest practices on forest lands are deemed. Staff finds that the proposed siting of a bed and breakfast enterprise within the developed area will not significantly change or increase the cost of forest practices.

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 they do not request fire burning or bonfires as part of the proposal (Exhibit B). Staff find that the proposed bed and breakfast use is within the area of the existing developed residence and cleared of trees (Exhibit A & B). The proposed maintains existing access from Farmer Creek Road, a County road (Exhibit A). Staff find that compliance with fire break requirements and fire suppression structural development requirements, discussed below in this report, ensure risks of fire hazards are not increased. The Oregon Department of Forestry and the US Forest Service were notified of this application and did not provide comments.

This criterion has been met and 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 state they acknowledge this requirement to record the written statement (Exhibit B).

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: Applicants site plan and aerial imagery confirm the existing and proposed development shall comply with these standards.

Staff finds that these standards have been met and can be met through the Conditions of Approval.

- (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) and additional information contained in "Exhibit B".

- (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: Existing dwelling maintains a water supply system. The applicant will be required to demonstrate compliance with this item at time of future expansion. Staff find this standard can be met through compliance with Conditions of Approval (Exhibit B).

- (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: The subject property maintains existing access from Farmer Creek Road, a County road. Tillamook County Public Works commented that they will require a commercial road approach as part of the proposed use. Staff finds that this requirement is met and 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 and adjacent to the Nestucca Rural Fire Protection District. The Oregon Department of Forestry and the US Forest Service were notified of this application and did not provide comments.

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.

C. **Article VI Conditional Use Procedures and Criteria**

Article VI of the Tillamook County Land Use Ordinance contains the procedures and review criteria for processing a Conditional Use request. These criteria, along with Staff's findings and conclusions, are indicated below.

1. **Section 6.020 Procedure** requires 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 August 30, 2024, including Oregon Department of Forestry and the US Forest Service. Comments were received from the Oregon Department of Fish and Wildlife (ODFW), Tillamook County Public Works, Tillamook County Environmental Health and the Oregon Department of State Lands (DSL). These comments are contained in 'Exhibit C'.

ODFW commented that development should comply with riparian setbacks for Farmer Creek (Exhibit C). DSL stated that the proposed project avoids jurisdictional water and wetlands (Exhibit C). Tillamook County Environmental Health stated licensing for their office would be necessary for a bed and breakfast enterprise over two (2) rooms (Exhibit C).

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: As discussed above, Staff finds that the proposed bed and breakfast enterprise is a use allowed conditionally in the SFW-20 and Forest (F) zone. Staff conclude this criterion has been met.

Staff concludes that this criterion has been met.

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

Findings: 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: The subject property encompasses approximately 12.39-acres of forested landscape, open meadows and variable terrain (Exhibit A). County records indicate the subject property is currently improved with a single-family dwelling and two outbuildings (Exhibit A).

There are mapped wetlands features located in the vicinity, within the adjacent Farmer Creek to the south and the unnamed tributary to the west (Exhibits A). The subject property is not located within the Special Flood Hazard Area (SFHA), as depicted on FEMA FIRM 41057C0740F dated September 28, 2018 (Exhibit A). The property is within a mapped area of known geologic hazard (Exhibit A). Identified hazards include deep landslide susceptibility, shallow landslide susceptibility, debris flow and rapidly moving landslides (Exhibit A).

The subject property is within a mapped area of known geologic hazard and relevant standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas must be met at the time of permitting and development (Exhibit A). Given the size of the property, staff finds a Geologic Hazard Assessment may be required if slopes exceed 29% at the site of improvement.

Review of the site plan accompanying this application indicates the existing and proposed expansion of the dwelling will be sited in a manner that complies with setback and fire siting standards for structures located within the Forest (F) Zone. Staff find the bed and breakfast use will be sited in an area that does not encroach into surrounding areas dedicated to forest use (Exhibit B).

For the reasons stated above, staff find the proposed site is suitable for the proposed use considering its size, topography, absence of natural features in the area proposed for development and existing road access.

Staff concludes 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 character of the area consists of both residential and resource uses. Zoning in the area consists of Rural Residential 2-Acre (RR-2), Forest (F) and Small Farm and Woodlot (SFW-20). Many of the residentially zoned properties are improved with residential dwellings. Neighboring SFW-20 zoned properties are improved with a residence and are heavily forested (Exhibit A). Surrounding Forest (F) zoned properties are forested and owned by the United State Forest Service and Stimson Lumber (Exhibit A).

The 12.39-acre subject property borders Farmer Creek Road to the north (Exhibit A). Residential improvements are located within the southern portion of the subject property, with the property maintaining vegetation that also serves as a buffer to surrounding properties (Exhibit A).

All uses can and will continue to be accommodated within the boundaries of the subject property. The limited use of the single-family dwelling as a bed and breakfast enterprise does not substantially alter the residential character and function of the residential uses on the subject property.

Based upon the findings outlined above, Staff finds that the proposed use of utilizing five guest bedrooms within the existing and future single-family dwelling as a bed and breakfast enterprise 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 residential, recreational and public utility uses on the surrounding properties or 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, except for a off-grade solar energy system installed further up Farmer Creek Road (Exhibit B). Tillamook County records confirm there are no such improvements within the vicinity. Staff find that the proposed bed and breakfast use would not have an effect on those existing solar energy system up Farmer Creek Road.

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: Applicant states they maintain adequate facilities including well, onsite sanitation system, electricity and internet (Exhibit B).

Staff finds the area is served by Tillamook County Sheriff's Department, Oregon Department of Transportation and Tillamook County Public Works, Tillamook People's Utility District and Oregon Department of Forestry and Nestucca Rural Fire Protection District for fire protection services. The subject property is served by an existing onsite wastewater treatment system (sanitation) and a well.

Staff finds these services have long been established in the area. Conditions of Approval have been made to require confirmation of adequacy of services at the time of consolidated zoning and building permit application submittal. Staff concludes this criterion has been met or can be met through the Conditions of Approval.

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 October 23, 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 but not limited to any requirements set forth by the Oregon Department of State Lands, Tillamook County Environmental Health and Tillamook County Public Works.
2. Applicant/Owner shall obtain an approved Consolidated Zoning/Building Permit from the Tillamook County Department of Community Development for development of the bed and breakfast use.
3. The applicant and property owner shall adhere to applicable development standards in TCLUO Section 3.004: Forest (F) Zone.
 - (a) 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. The dwelling shall maintain the required 30-foot setbacks from property lines as required under TCLUO Section 3.004.
 - (b) 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'. Fuel-free breaks shall also be depicted on the submitted site plan at the time of Consolidated Zoning/Building Permit application submittal.
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 or Nestucca Rural Fire Protection District 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 a copy of an approved road approach permit for the bed and breakfast use on the subject property at the time of Consolidated Zoning/Building Permit application submittal.
7. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for operation of the bed and breakfast enterprise. If no additional permits are required, confirmation from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the consolidated zoning/building permit application.
8. Applicant/property owner shall provide a site plan depicting the location of the riparian area setback, as prescribed by TCLUO Section 4.140, at time of Consolidated Zoning/Building Permit submittal.
9. A copy of the approved site plan, illustrating the proposed development and required parking, shall be provided at the time of Zoning Permit submittal. Applicant/property owner shall adhere to the requirements of TCLUO 4.030, 'Off-Street Parking & Off-Street Loading Requirements'.

10. This approval is for a bed and breakfast enterprise for use of no more than five (5) bedrooms. Expansion in the number of bedrooms utilized for the bed and breakfast enterprise is subject to land use review and approval.
11. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
12. No more than (3) customer vehicles may be present on site at any given time.
13. The bed and breakfast enterprise must be contained within the legal residence.
14. 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.
15. This approval shall be void on October 11, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

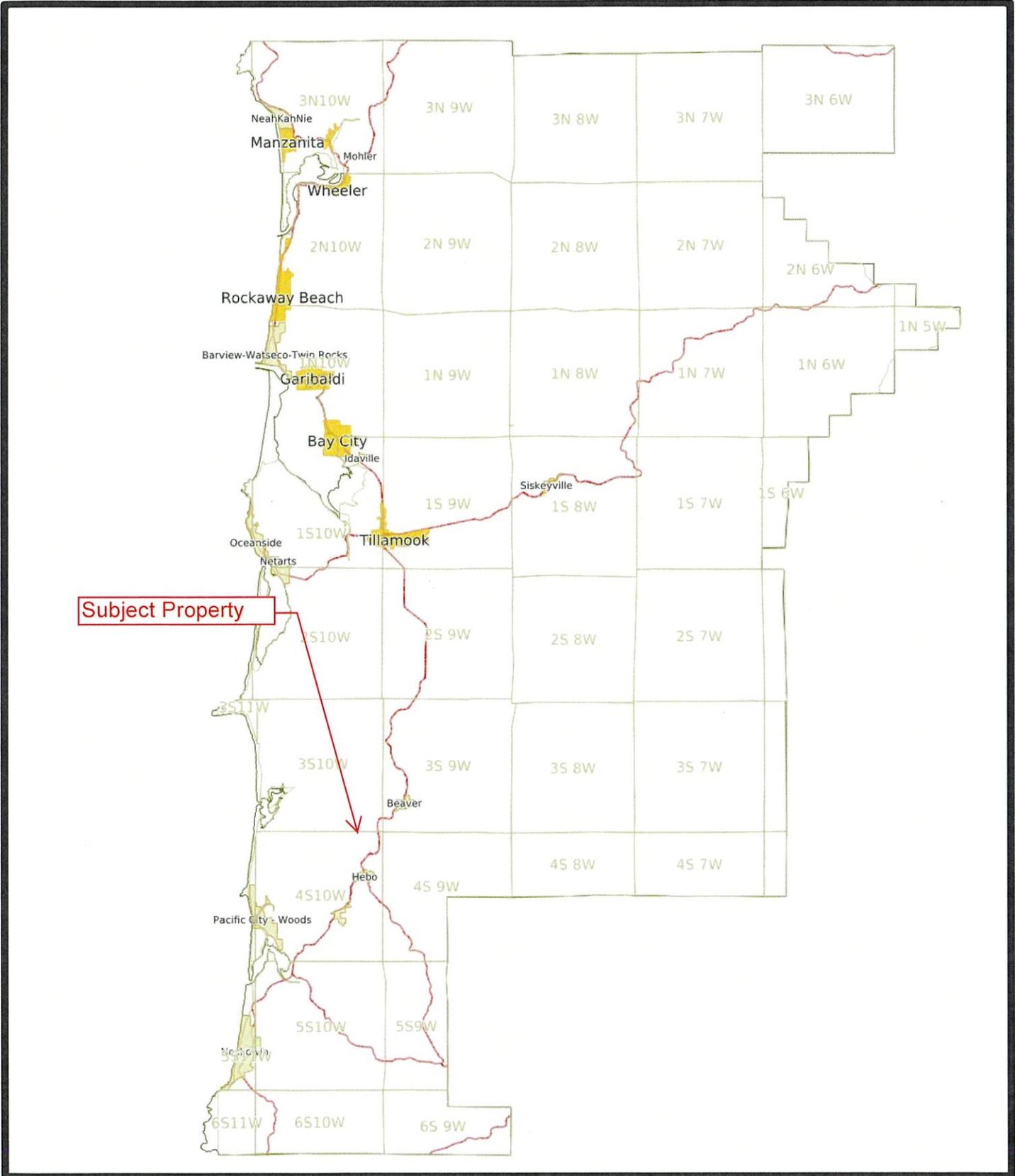
VI. EXHIBITS

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



Tillamook County
2023 Real Property Assessment Report
 Account 22745

Map 4S10000004900
 Code - Tax ID 1300 - 22745

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing REIMER, NATHAN &
 LOMBARDI, DANIELLE &
 3210 NE LIBERTY CT
 PORTLAND OR 97211

Deed Reference # 2022-967
 Sales Date/Price 02-08-2022 / \$437,500
 Appraiser ROBERT BUCKINGHAM

Property Class 401 MA SA NH
 RMV Class 401 06 WF 603

Site	Situs Address	City
1	15575 FARMER CREEK RD	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
1300	Land	205,950		Land	0	51.4
	Impr	247,890		Impr	77,800	
	Code Area Total	453,840	223,890	223,890	77,800	
	Grand Total	453,840	223,890	223,890	77,800	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
1300					LANDSCAPE - FAIR	100			500
	1			SFW20	Market	113	6.94 AC		112,150
	2			SFW20	Market	113	5.00 AC		80,800
					OSD - AVERAGE	100			12,500
					Code Area Total		11.94 AC		205,950

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
1300	1	1932	134	One and 1/2 story w/basement	110	1,192			242,710
	2	1900	345	GENERAL PURPOSE BUILDING	110	992			3,020
	3	1900	345	GENERAL PURPOSE BUILDING	110	356			2,160
				Code Area Total		2,540			247,890

Exemptions / Special Assessments / Notations						
Code Area						
1300	Special Assessments			Amount	Year Used	
	■	SOLID WASTE		12.00	2023	
	Fire Patrol			Amount	Acres	Year
	■	FIRE PATROL SURCHARGE		47.50		2023
	■	FIRE PATROL NORTHWEST		20.06	11.94	2023
	Notations					
	■	FARMLAND - POTENTIAL ADDITIONAL TAX LIABILITY 308A.083				

Tillamook County
2023 Real Property Assessment Report
Account 22745

Comments

12/12/08 Entered inventory and tabled imps. dv.
01/18/11 Reappraisal. Updated inventory and tabled values. gb
03/01/17 Reappraised land, tabled values. Updated size per GIS calculations.ef
07/10/17 This property is not inside an RFD. LM
05/02/23 Size change per GIS calculations to correct boundary to follow creek as described; RMV changes only.
RBB
05/02/23 Increased EYB to 1985 due to GOMAR, updated sq ftg & GPB's; RMV changes only. Increased class to
3+, EYB to 2013 due to remodeling & attic not previously reflected on roll. Added wiring to GPB & inventory not
previously on roll. Applied the exception. RBB

National Flood Hazard Layer FIRMette



123°52'37"W 45°15'33"N



123°52'W 45°15'8"N

Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, ASS
- With BFE or Depth Zone AE, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

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

OTHER AREAS

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

GENERAL STRUCTURES

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

Cross Sections with 1% Annual Chance Water Surface Elevation

- 20.2
- 17.5
- 8

OTHER FEATURES

- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

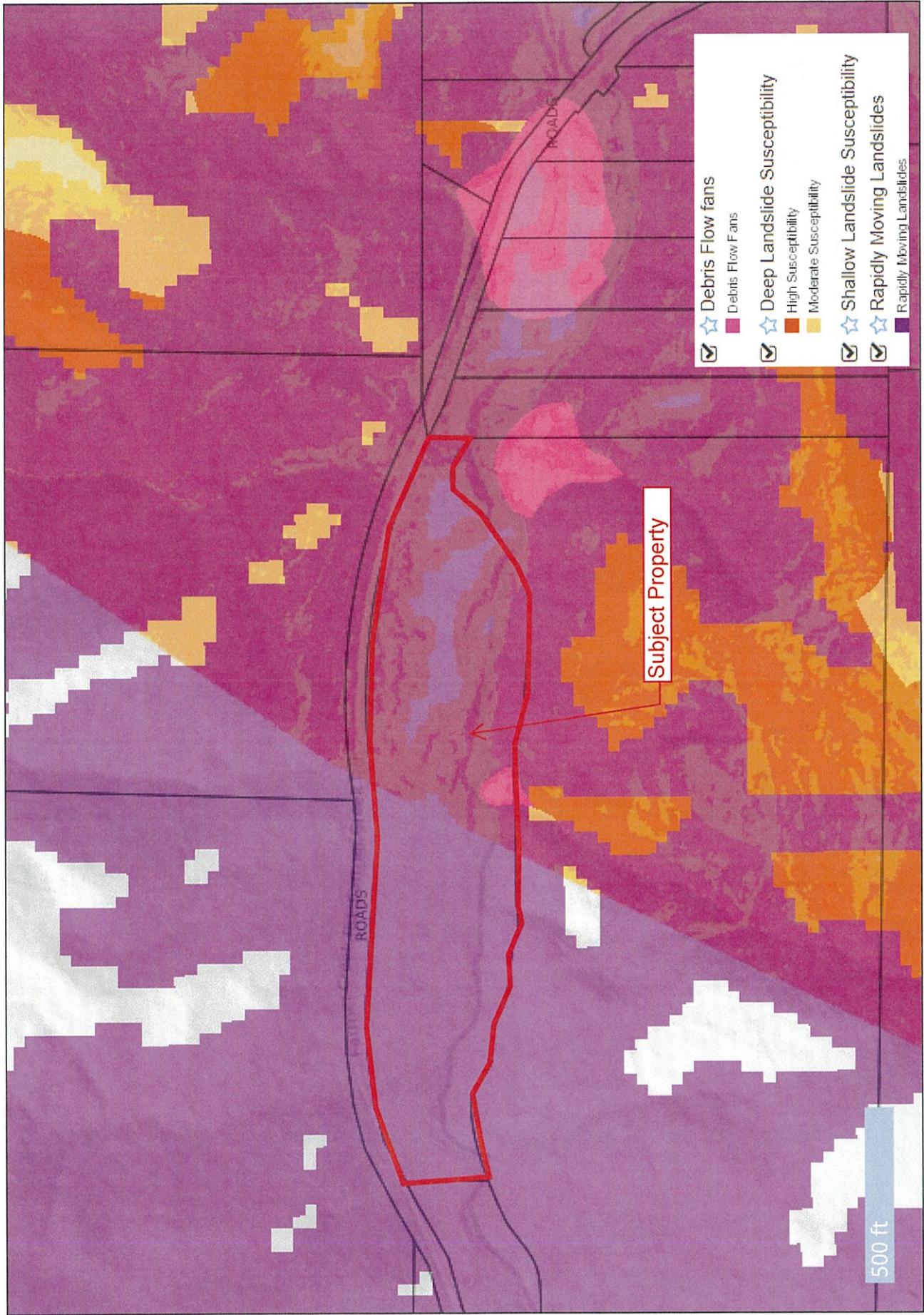
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/30/2024 at 4:46 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.

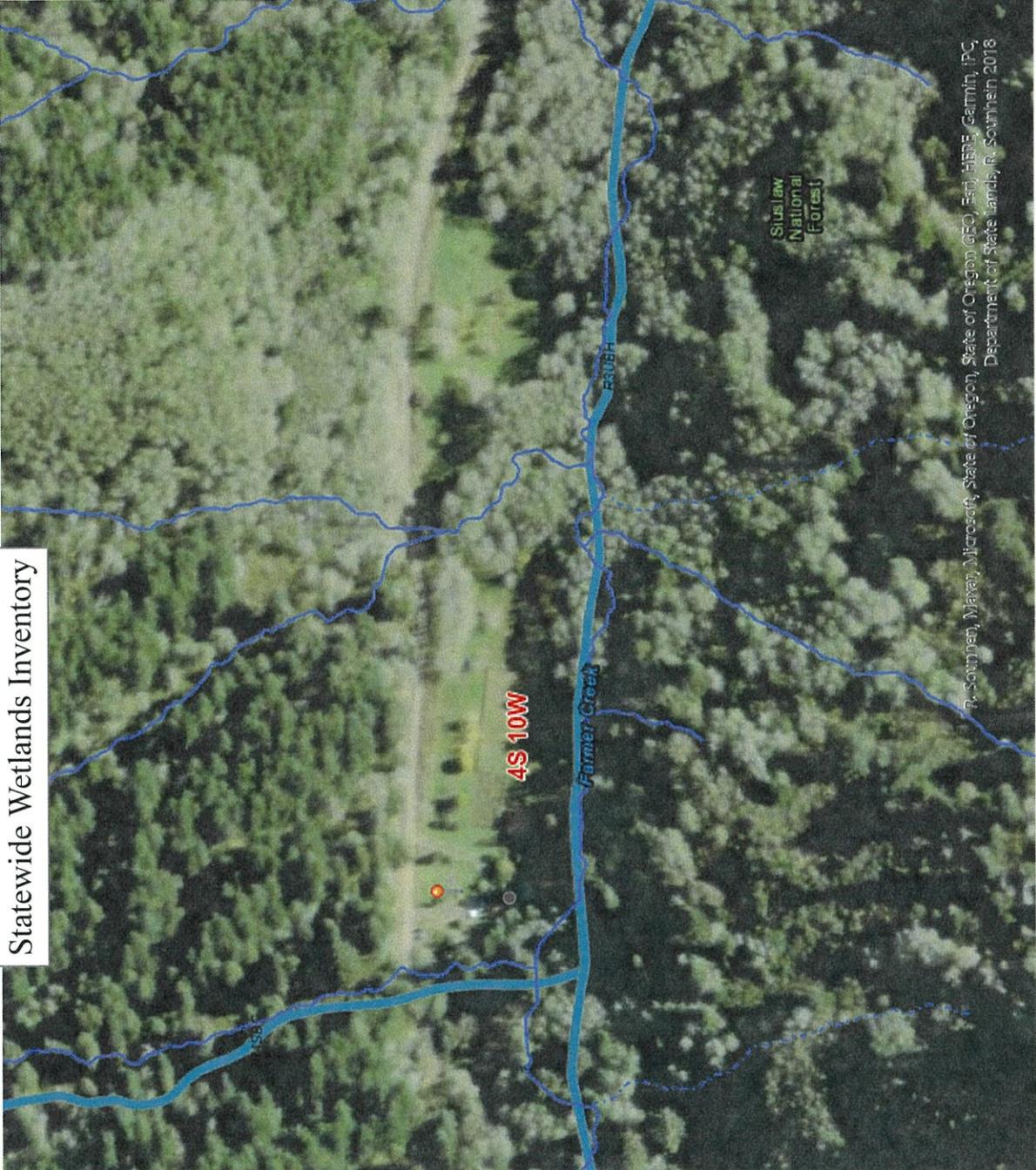
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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

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



© Southman, Mayan, Microsoft, State of Oregon, State of Oregon GEO, Esri, HERE, Garmin, IFC, Department of State Lands, Department of State Lands, R. Southman 2018

	Townships
	LWI Study Area
	BASEDAT.DBO.NHDWaterbody
	BASEDAT.DBO.NHDArea
BASEDAT.DBO.NHDFlowline	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	Canal/Ditch
	Canal/Ditch
	BASEDAT.DBO.NHDPoint
Wetlands	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Agate-Winkle Soils
	SWI Predominantly Hydric Soil Map Units

1:4,514
 0 0.03 0.06 0.11 0.17 0.22 mi
 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.

EXHIBIT B



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Nathan Reimer, Seth Lorinczi Phone: 503 754 1892

Address: 3210 NE Liberty Ct

City: Portland State: OR Zip: 97211

Email: nathanreimer11@gmail.com, seth@2-trackmind.com

Property Owner

Name: Nathan Reimer, Seth Lorinczi Phone: 5037541892

Address: 15575 Farmer Creek Rd

City: Cloverdale State: OR Zip: 97112

Email: nathanreimer11@gmail.com, seth@2-trackmind.com

OFFICE USE ONLY	
Date Stamp	RECEIVED MAR - 7 2024 BY: emailed
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees:	
Permit No: 851-24 - 000143 PLNG	

Request: Seeking conditional use permit to let two bedrooms of existing cottage as B&B; eventually adding new structure to increase rooms to five total.

adding new structure to increase rooms to five total.

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: 15575 Farmer Creek Rd. Cloverdale, OR 97112

Map Number:

4900

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.

Seth Lorinczi

Digitally signed by Seth Lorinczi
Date: 2024.03.07 15:01:03 -08'00'

3/6/24

Property Owner Signature (Required)

Nathan Reimer

Digitally signed by Nathan Reimer
Date: 2024.03.07 15:02:22 -08'00'

3/6/24

Applicant Signature

Date

Melissa Jenck

From: Seth Lorinczi <seth@2-trackmind.com>
Sent: Monday, April 8, 2024 10:10 AM
To: Melissa Jenck
Cc: nathan reimer
Subject: EXTERNAL: re: Conditional Use request #851-24-000163-PLNG

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

Hi Melissa,

Hoping this finds you well! Nathan and I received a notification that our application is incomplete.

The application fee was submitted as of last week. As for the responses: It appears we neglected to address three sections. I'll attach our responses below; please don't hesitate to let us know if there's a different process for submitting this information:

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.

Our proposed use will not affect farming or forest practices in any way. There will be no impact on forest access, and no farming occurs in close (or even moderate) proximity to the property.

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

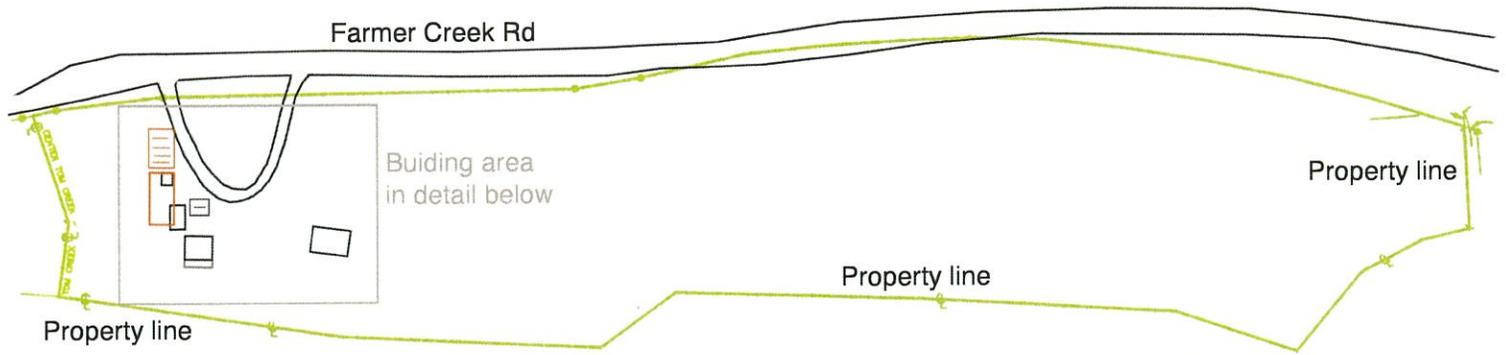
Our proposed use will not increase fire hazard or fire suppression costs or risks. There is no request or provision for fire burning or bonfires in our proposal, with the only potential impact being use of an interior (and recently inspected) wood-burning stove that is already in regular and safe use.

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).

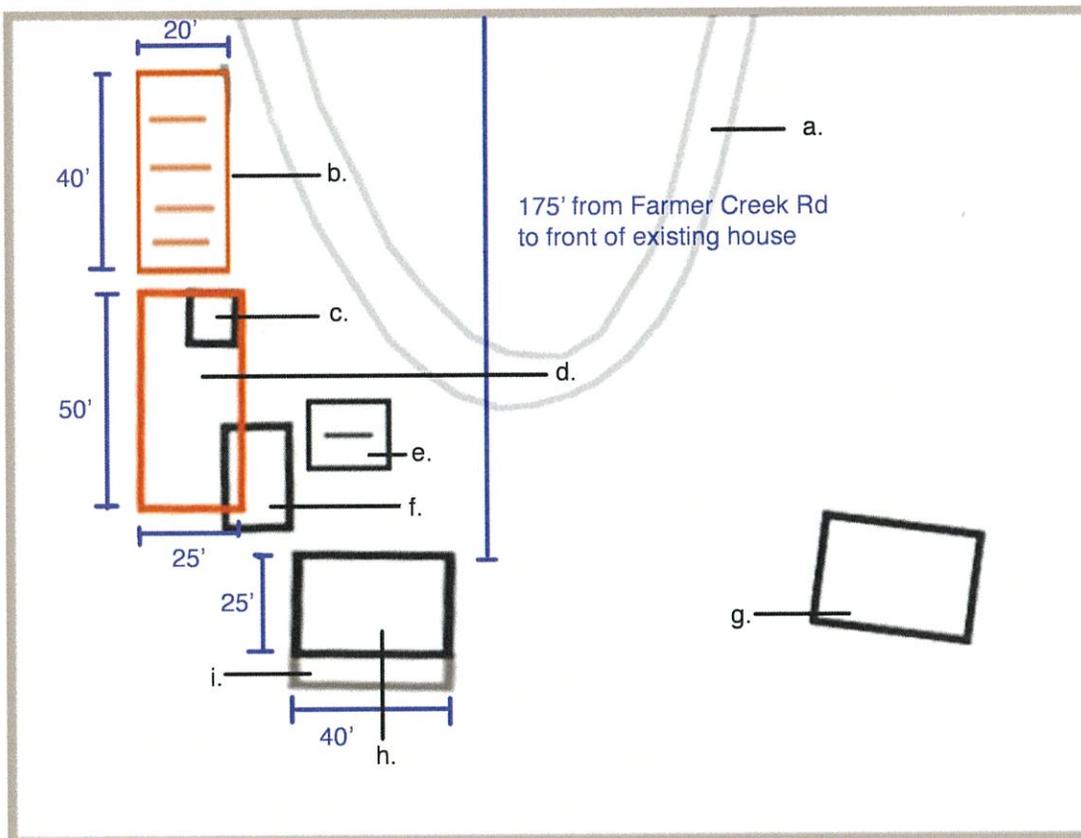
We, the co-owners of 15575 Farmer Creek Rd. in Cloverdale, OR, recognize without reservation the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in OAR 660-006-0025(5)(c).

Melissa: If there is some other "standard" or boilerplate language we should use in this instance, please don't hesitate to let us know. Also if this statement is recorded with you (the Planning Dept.) or some other County entity. Thank you in advance for your guidance here.

Very best,
Seth



Building area detail (not to scale)



- a. existing driveway
- b. Phase 2 parking for guests
- c. Existing wood shed (not for guests) to be deleted for Phase 2
- d. New structure w 5 bedrooms and common space for BnB guests for Phase 2 (building permit to be submitted at a future date)
- e. Existing parking
- f. Existing out building (not for guests) to be deleted for Phase 2.
- g. Existing Barn. Not for guests
- h. Existing home. Used for Inn keeper and 2 beds for guests during phase 1. Used as kitchen and inn keeper lodging for phase 2. Two floors. Inn beds are upstairs. Inn keeper has bedroom downstairs.
- i. Existing deck

CONDITIONAL USE REVIEW CRITERIA (SFW-20 ZONE)

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

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

TCLUO SECTION 6.040: REVIEW CRITERIA

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

- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.

Yes. We propose to rent the upstairs portion of our house, with the long-term plan of constructing a secondary building with up to five rooms for short-term rental as specified in the

County's Zoning and Land Use regulations. Guests will have access to common areas of the first floor of the house only.

This rental will provide access to tourists to stay and enjoy Cloverdale and Tillamook County. Our plan is to partner with and promote local businesses and make our land available as a quiet retreat space while preserving the natural beauty of the Farmer Creek and Nestucca River watersheds.

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

Yes. The parcel is ~12 acres, and the house is several hundred feet from Farmer Creek Road. As we co-own the parcel next door, guests coming and going would have very little effect on our neighbors. No changes to the existing property are required. There is ample space for an additional party of guests to enjoy the property on short-term stays. As I am only renting at most two bedrooms at a time, there will be minimal change to the use of the property.

(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.

No. The homes along Farmer Creek Road are personal dwellings with 2-acre parcels. Especially during hunting season, there is some hunting and recreational traffic by the property, but as we're at the very end of the paved portion of the road, renting out the upstairs for short-term use will not disrupt our neighbors or their property use.

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

No. There are no solar or wind systems on the property; the only solar system we're aware of is installed on an off-grid house substantially further up Farmer Creek Road.

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

Yes. We have adequate facilities to accommodate the proposed number of guests. We have a well, adequate septic system, electricity, internet service, and reasonable cellular reception on the property.

TCLUO SECTION 3.004(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;

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.

(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.

(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.

(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.

TCLUO SECTION 3.004(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.

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

(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

Table (1)(c)1 Minimum Primary Safety Zone

(d) The dwelling shall have a fire retardant roof.

(e) The dwelling shall not be sited on a slope of greater than 40 percent.

(f) If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

Dear Tillamook County Planners (and neighbors),

We're applying with the Tillamook County Planning Department for a Conditional Use permit to operate a bed and breakfast at 15575 Farmer Creek Road. Our plan is to operate on a small scale—using the two upstairs rooms in the existing cottage—with the goal of raising money towards a new, purpose-built structure that could include as many as five small bedrooms (the current limit as outlined in County statutes).

As stewards of the property, we appreciate its unique and pristine nature. It's very much our goal to balance our desire for the space to serve as a refuge for guests while preserving the character, the quiet, and the integrity of the land.

To that end, we've partnered with the Natural Resources Conservation Service and the Tillamook Resource Area Riparian Restoration Partnership to advise us on reforestation and preservation strategies.

Attached you'll find our Conditional Use application, including a Type II application, responses to a Conditional Use request, responses to Home Occupation Standards, and a Site Plan. Hopefully, our responses to the queries are adequate and clear.

Thank you for your consideration, and please don't hesitate to reach out for clarification on any of the points or questions.

Very best,
Seth

TCLUO Section 3.002(4)(h): Farm Zone Home Occupation

(h) A home occupation.

1. A home occupation shall:

- a. Be operated by a resident or employee of a resident of the property on which the business is located;*
- b. Employ on the site no more than five full-time or part-time persons at any given time;*
- c. Shall be operated substantially in:*
 - i. The dwelling; or*
 - ii. Other buildings normally associated with uses permitted in the zone in which the property is located, except that such other buildings may not be utilized as bed and breakfast facilities or rental units unless they are legal residences;*
- d. Not unreasonably interfere with other uses permitted in the zone in which the property is located.*

Understood. There is a separate bedroom in the facility for resident/employee use only.

2. *When a bed and breakfast facility is sited as a home occupation on the same tract as a winery and is operated in association with the winery:*

a. The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and

b. The meals may be served at the bed and breakfast facility or at the winery.

Understood. Not colocated with a winery.

3. *The home occupation shall be accessory to an existing, permanent dwelling on the same parcel.*

Understood. There is at present a single permanent dwelling on the property.

4. *No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.*

Understood. There is a tractor on site occasionally used for mowing, but not in conjunction with any proposed guest occupation.

5. *All off-street parking provided pursuant to Section 4.030 must be provided on the subject parcel where the home occupation is operated.*

a. Employees must use an approved off-street parking area.

b. Customers visiting the home occupation must use an approved offstreet parking area. No more than three vehicles from customers/visitors of the home occupation can be present at any given time on the subject parcel.

There is ample off-street parking at the top of the driveway and also nearer the dwelling adjacent to the driveway.

6. *Signage is subject to the provisions of Section 4.020.*

No signage proposed.

7. *Retail sales shall be limited or accessory to a service.*

No retail sales planned at this stage.

8. *Home occupations shall be subject to a conditional use permit process, pursuant to Subsection (5), unless all of the requirements of Subsection (9) can be met.*

Understood.

9. *An in-home commercial activity is not considered a home occupation and does not require a land use permit where all of the following criteria can be met. The in-home activity:*

a. Meets the criteria under paragraphs 1.c and d; 3 and 4.

b. Is conducted within a dwelling only by residents of the dwelling.

c. Does not occupy more than 25 percent of the combined floor area of the dwelling including attached garage and one accessory structure.

d. Does not serve clients or customers on-site.

e. Does not include the on-site advertisement, display or sale of stock in trade, other than vehicle or trailer signage.

f. Does not include the outside storage of materials, equipment or products.

Understood.

EXHIBIT C

From: [BRADLEY Robert * ODFW](#)
To: [Melissa Jenck](#)
Subject: EXTERNAL: FW: #851-24-000163-PLNG: Notice of Application
Date: Tuesday, September 3, 2024 9:30:11 AM

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

Melissa,

The applicant does not show the location of Farmer Cr. in relation to the project site on their map. ODFW recommend no new development within the riparian setback on the property, and that measures be taken to protect the riparian area from increased use of the property that may result from this endeavor.

Robert

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

From: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Sent: Friday, August 30, 2024 4:30 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: #851-24-000163-PLNG: Notice of Application

Some people who received this message don't often get email from sarah.thompson@tillamookcounty.gov. [Learn why this is important](#)

Good afternoon,

Please see the link below for a copy of the Notice of Application for Conditional Use Request review #851-24-000163-PLNG.

<https://www.tillamookcounty.gov/commdev/project/851-24-000163-plng>

Sincerely,

Sarah Thompson (she/her) | Office Specialist 2
TILLAMOOK COUNTY | Surveyor Department
1510-B Third Street



Tillamook, OR 97141
Phone (503) 842-3408 x3423
Sarah.thompson@tillamookcounty.gov

From: [Brian Olle](#)
To: [Sarah Thompson](#); [Melissa Jenck](#)
Cc: [Jasper Lind](#); [Gregory Cickavage](#)
Subject: RE: #851-24-000163-PLNG: Notice of Application
Date: Tuesday, September 10, 2024 11:41:13 AM

Hi Sarah,

Public Works only comment is that this application will require commercial road approaches, for one or both accesses being used. However, we would be willing to allow the residential road approach width given the nature and lower volume of this type of operation. It should also be noted, that sight distance will be required to be met as part of the road approach permit. The eastern approach does not appear to be an issue, but the western approach may need some brush removed to obtain that sight distance around that corner.

Let us know if you need anything else.

Brian Olle, P.E. | Engineering Project Manager
TILLAMOOK COUNTY | Public Works
Cell: (503)812-6569

From: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Sent: Friday, August 30, 2024 4:30 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: #851-24-000163-PLNG: Notice of Application

Good afternoon,

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Sincerely,



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TILLAMOOK COUNTY | Surveyor Department
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3423
Sarah.thompson@tillamookcounty.gov

From: [Jaime Craig](#)
To: [Melissa Jenck](#)
Cc: [Chris Chiola](#); [Sarah Thompson](#)
Subject: RE: #851-24-000163-PLNG: Notice of Application
Date: Monday, September 16, 2024 12:20:27 PM
Attachments: [image002.png](#)
[image001.png](#)

Hi Melissa and Sarah T,

I was off last Friday and got this last Thursday, so I hope comments are still valid as I see they should have been in sooner.

15575 Farmer's Creek is listed as a 2 bedroom one bath. For it to be licensable by our office they need to be renting at least 3 rooms, and it be the primary resident of someone. I am not sure if I am not understanding, but renting two rooms would not allow for onsite living for someone else in the residence.

If another residence is going to be built and 5 rooms are going to be rented. This would be licensable by our office if this were the primary residence, someone lives in the primary residence and 3 or more rooms is rented. The room licensure would not be able to expand to different buildings on site.

The rest of the rules for B and B's apply and must be meet found in:

[https://secure.sos.state.or.us/oard/displayDivisionRules.action?
selectedDivision=1340](https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1340)

Larger things to consider:

- The ORS 624 statute and the Bed and Breakfast rules do not require the enclosure of the kitchen to prohibit unauthorized persons from the food preparation and storage areas.
- ORS 624.010(2) Defines a bed and breakfast as an establishment located in a structure designed for a single-family residence...
- The structural changes required, if not available to meet the rule OAR 333-170-0130(1) and (2), pertain to the availability of handwashing and employee restroom.
- ORS 624.046(1)(b) requires that food service operations shall be allowed, provided that the food service area (kitchen/food prep areas) are off

limits during meal hours to individuals not employed by the bed and breakfast facility.

- ORS 624.046(2) limits meal service to preparation and service of breakfast ONLY. DCD rules say Two meals a day, and that is not allowed under our licensing rules.
- The operator will also need to meet drinking water (become a public DrinkingWater System,) and meet all other DEQ requirements (Chris)

Jaime Craig REHS

TILLAMOOK COUNTY | Environmental Health Program Manager

(She/Her/Hers) ([Why pronouns matter](#))

2111 8th St. | PO Box 489

Tillamook, OR 97141

Phone (503) 842-3909

Fax (503) 842-3983

Jaime.Craig@tillamookcounty.gov

www.tillamookchc.org

-
***NEW EMAIL effective immediately. Please update my contact within your systems to Jaime.Craig@tillamookcounty.gov**
-

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

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

From: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>

Sent: Thursday, September 12, 2024 8:53 AM

To: Chris Chiola <Chris.Chiola@tillamookcounty.gov>; Jaime Craig <Jaime.Craig@tillamookcounty.gov>

Subject: FW: #851-24-000163-PLNG: Notice of Application

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov 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

My working hours are 7:00am to 5:30pm, Tuesday thru Friday, starting May 6th.

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

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.tillamookcounty.gov/commdev> to access the appointment scheduler portal.

From: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Sent: Friday, August 30, 2024 4:30 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: #851-24-000163-PLNG: Notice of Application

Good afternoon,

Please see the link below for a copy of the Notice of Application for Conditional Use Request review #851-24-000163-PLNG.

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Sincerely,



Sarah Thompson (she/her) | Office Specialist 2
TILLAMOOK COUNTY | Surveyor Department
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3423
Sarah.thompson@tillamookcounty.gov



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2024-0608

Responsible Jurisdiction

Staff Contact

Melissa Jenck

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-24-000163-PLNG

County

Tillamook

Activity Location

Township

04S

Range

10W

Section

02

QQ section

Tax Lot(s)

4900

Street Address

15575 Farmer Creek Rd

Address Line 2

City

Cloverdale

Postal / Zip Code

State / Province / Region

OR

Country

Tillamook

Latitude

45.2557943

Longitude

-123.8722785

Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The National Hydrography Dataset shows wetland, waterway or other water features on the property
- The property includes or is adjacent to designated Essential Salmonid Habitat.

Your Activity

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

Applicable Oregon Removal-Fill Permit Requirement(s)



- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.
- A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

DSL Review



Wetland Ecologist Comments

Based on the submitted site plan, the proposed construction avoids wetlands and waters which may be present on the southern and western portions of the property. Best Management Practices for erosion and sediment control are recommended during construction to prevent untreated construction stormwater releases into Farmer Creek and adjacent tributary.

This is a preliminary jurisdictional determination and is advisory only.

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

Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

Response Date

9/24/2024

Response by:

Trevor Griffiths

Response Phone:

(971) 375-8886

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.

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

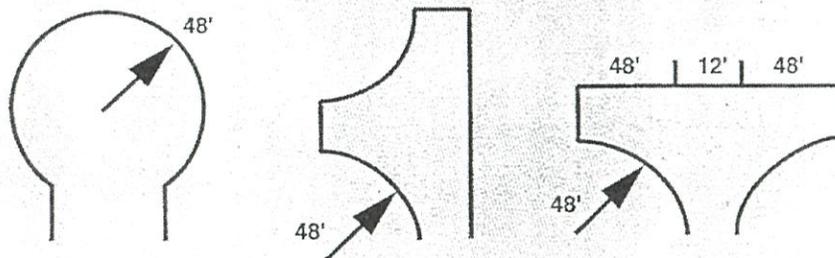
flame lengths in excess of one foot. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced with greater than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves,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

Turn-Around Types



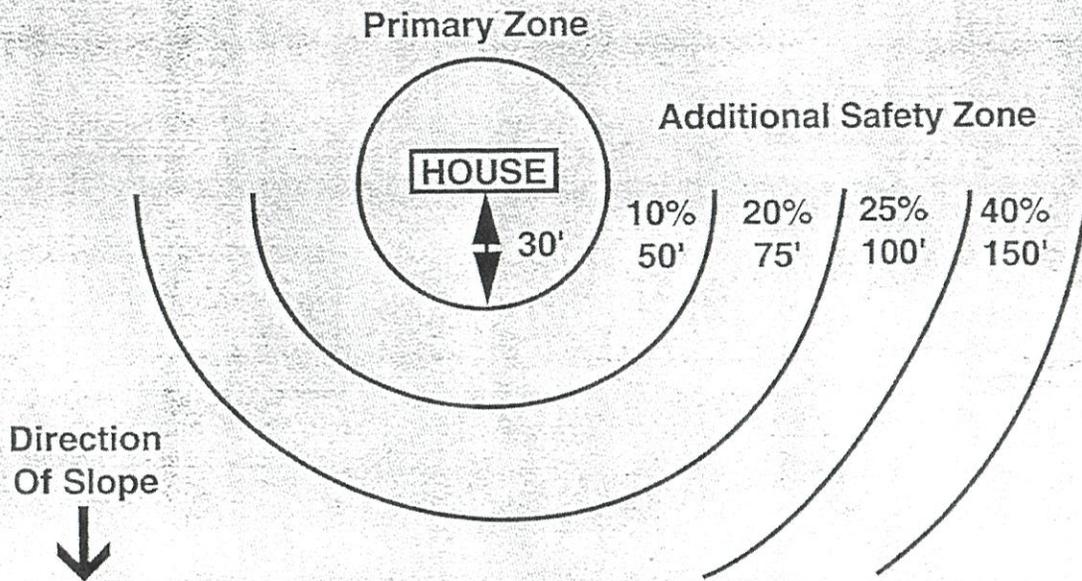
Though some of the recommendations are strictly to accommodate structural fire protection apparatus and needs, it is recommended that the standards be applied to all lands within forest zones, regardless of the presence or absence of a rural (structural) fire protection district. The standards should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

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:

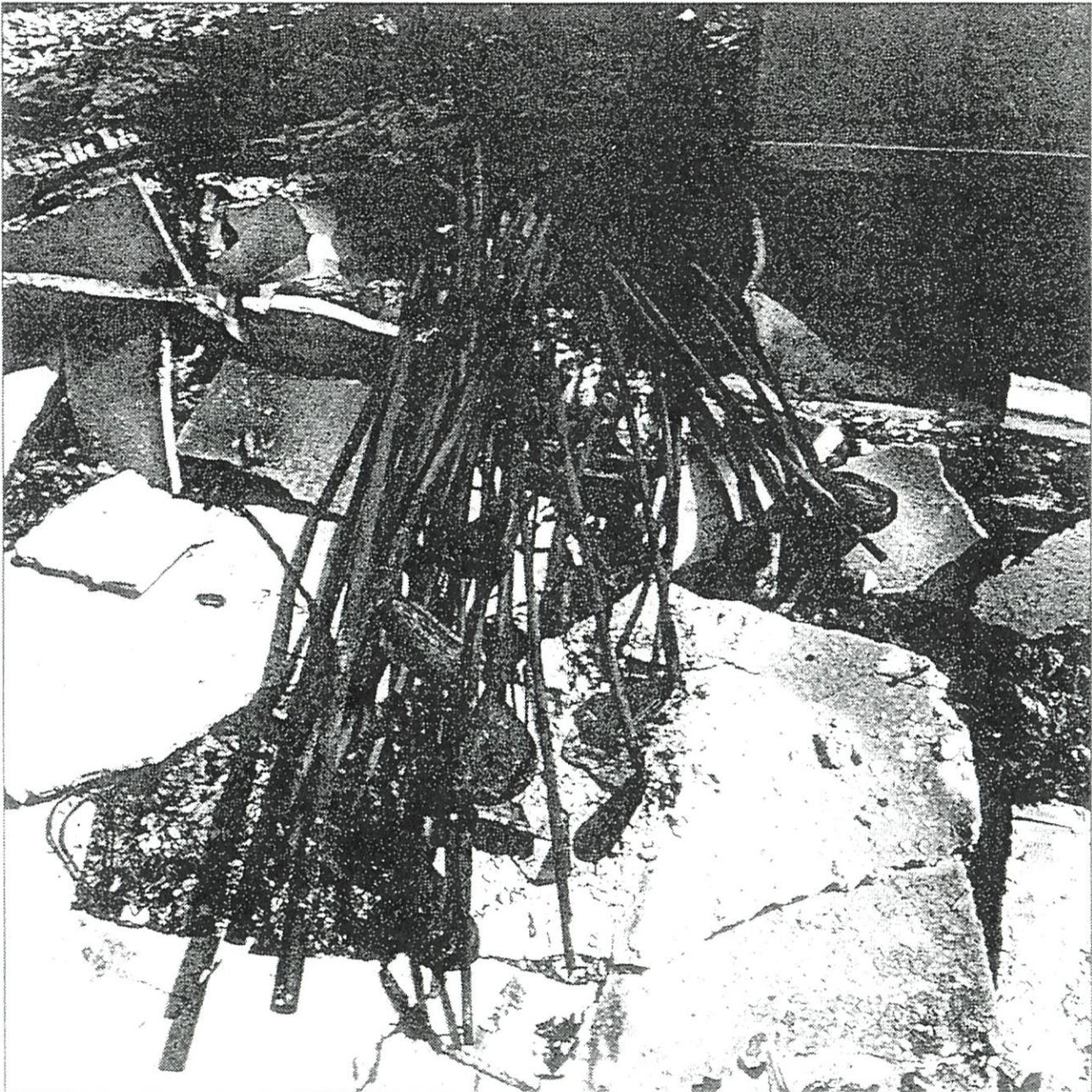
A. Road Standards (public roads and private roads accessing 2 or more residences):

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.

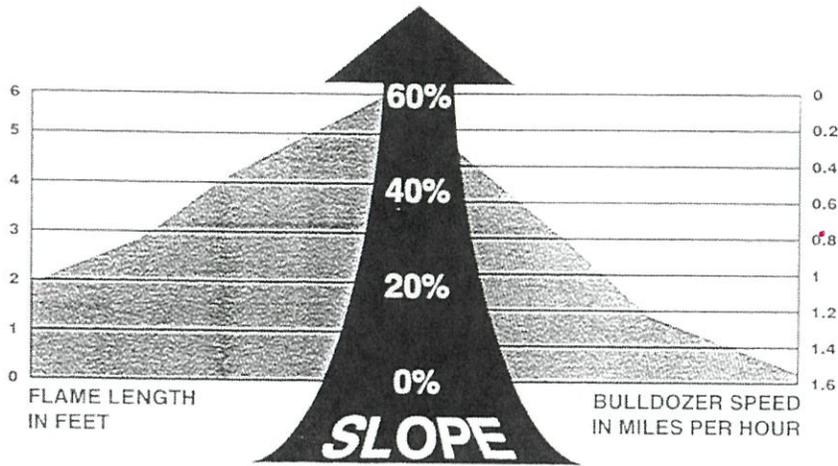
- It is very difficult to back up long distances in large fire apparatus, and this difficulty can be compounded if driveway grade is not level. Therefore, turnouts and turnarounds are very important.



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

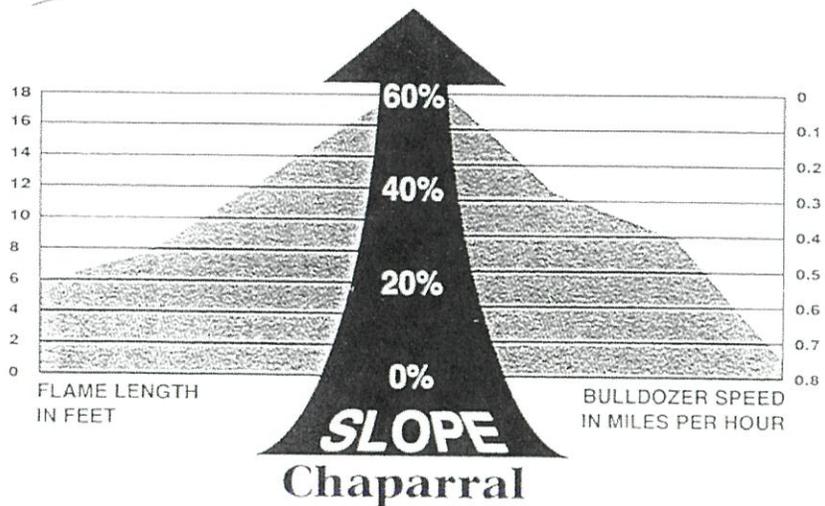
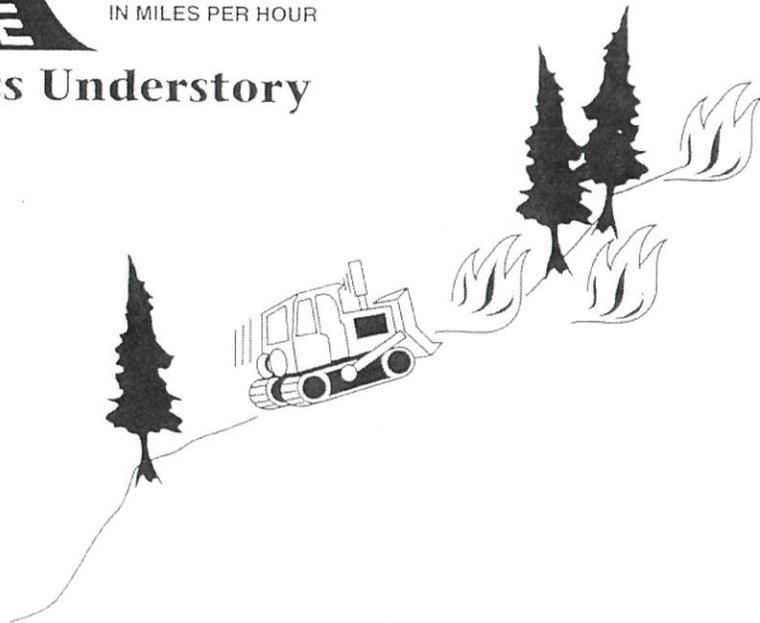


Timber with Grass Understory

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"