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*Land of Cheese, Trees and Ocean Breeze*

# MEMO

**Date:** June 1, 2023  
**To:** Tillamook County Planning Commission  
**From:** Sarah Absher, CFM, Director  
**Subject:** June 8, 2023

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Included with this memorandum is the hearing packet for a consolidated conditional use and variance request. Staff continue to work with the Tillamook County Public Works Department on review and will be prepared to speak further about the review at the June 8, 2023, hearing.

Riverview Meadows Phase 3 has been carried over to the June 8, 2023, hearing due to lack of quorum on May 25, 2023.

Staff is requesting the Planning Commission continue the conditional use request for expansion of the Pacific City Transfer Station to June 22, 2023. David McCall, Tillamook County Solid Waste Program Manager, is supportive of the request to continue the hearing to this date.

If you have any questions about the information received, please do not hesitate to contact me.

Thank You,

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

# TILLAMOOK COUNTY PLANNING COMMISSION

## LOCATION

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

## HEARING DATE

**June 8, 2023- Beginning at 6:30p.m.**

## VIRTUAL & TELECONFERENCE MEETING INFORMATION

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

### I. CALL TO ORDER

### II. ROLL CALL

### III. OLD BUSINESS:

**#851-23-000009-PLNG:** Request for tentative subdivision plat approval of “Riverview Meadows Phase 3”, a 36-lot subdivision proposed on a property located within the City of Nehalem Urban Growth Boundary. The subject property is zoned Nehalem Medium-Density Residential (NH\_R1) and Nehalem Residential Trailer (NH\_Rt). The subject property is accessed via Riverview Meadows Lane, a private road, and designated as Tax Lot 3600 of Section 23B, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

### IV. NEW BUSINESS:

**#851-23-000040-PLNG:** Request for conditional use approval to convert a single-family dwelling into a two-family dwelling (duplex) together with Variance request **#851-23-000125-PLNG** to waive the 7500 square foot minimum lot size requirement for uses permitted in the Residential Oceanside (ROS) Zone. Located at 1560 Chinook Avenue, a County road, the subject property is within the Oceanside Unincorporated Community, zoned Residential Oceanside (ROS) and designated as Tax Lot 2600 of Section 30BB, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. Applicants and property owners are Jason and Mandy Mock.

**#851-23-000123-PLNG:** Request for conditional use approval for the repair and capacity expansion of an existing facility (Pacific City Transfer Station) for solid waste disposal and recycling, and for the siting of a storage structure for emergency supplies. Located at 38255 Brooten Road, a County road, the subject property is east of the Pacific City/Woods Unincorporated Community, zoned Small Farm and Woodlot 20-Acre (SFW-20) and is designated as Tax Lot 2400 of Section 32A, Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. Applicant is David McCall, Tillamook County Solid Waste Program Manager. Property Owner is Tillamook County. *Request for continuation to June 22, 2023.*

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

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

### VII. HOUSING COMMISSION UPDATE

### VIII. DEPARTMENT OF COMMUNITY DEVELOPMENT REPORT

### IX. ADJOURNMENT

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



*Land of Cheese, Trees and Ocean Breeze*

**CONDITIONAL USE REQUEST #851-23-000040-PLNG  
VARIANCE REQUEST #851-23-000125-PLNG**

**MOCK TWO-FAMILY DWELLING (DUPLEX) PROPOSAL**

**Planning Commission Hearing Date:** June 8, 2023

**Staff Report Date:** June 1, 2023

**Report Prepared By:** Sarah Absher, CFM, Director

**I. GENERAL INFORMATION:**

**Request:** Request for conditional use approval to convert an existing single-family dwelling into a two-family dwelling (duplex) together with a Variance request (#851-23-000125-PLNG) to waive the 7500 square foot minimum lot size requirement for uses permitted in the Residential Oceanside (ROS) Zone.

**Location:** Located at 1560 Chinook Avenue, a County road, the subject property is within the Oceanside Unincorporated Community, zoned Residential Oceanside (ROS) and designated as Tax Lot 2600 of Section 30BB, Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

**Zone:** Residential Oceanside Zone (ROS)

**Applicant:**

**Property Owner:** Jason C. Mock, 2656 SW Fairmont Blvd., Portland, OR 97239

**Property & Vicinity Description:** The subject property is approximately 0.12 acres in size (5,227 square feet); is rectangular in shape and vegetated with grasses and shrubs; is improved with a single-family dwelling roughly 832 square feet in size and an accessory structure approximately 272 square feet in size (Exhibit A). The subject property is situated in area of Oceanside that slopes to the south towards Cape Meares Loop Road, and the property itself is sited in an area that is relatively flat. The subject property is located within an area of geologic hazard and no natural features or wetlands are identified on site (Exhibit A). The subject property is located outside of the Tsunami Hazard Overlay zone and is not within an Area of Special Flood Hazard (outside Flood Hazard Overlay zone) (Exhibit A). Public facilities and services

in the area include the Oceanside Water District, Netarts-Oceanside Sanitary District, the Netarts-Oceanside Fire District, Tillamook PUD, Tillamook County Public Works Department and Tillamook County Sheriff's Office.

The subject property is zoned ROS as depicted on the zoning map included in "Exhibit A". Applicant is proposing to convert an existing single-family dwelling to a two-family dwelling (duplex), which is a residential use subject to Conditional Use review and approval in the ROS zone (Exhibit B). The ROS zone includes a minimum lot size requirement of 7500 square feet for allowable uses in this zone.

The vicinity consists of several established uses and zoning districts (Exhibit A). The immediate area surrounding the subject property consists primarily of residential uses and residentially developed properties about the subject property to the south and west. Commercial uses in this vicinity include eating and drinking establishments and cabin/motel rentals. Other non-residential uses immediately adjacent to the subject property include a place of worship (church) (Exhibit A).

The vicinity also includes recreational areas and recreational uses are a dominant use in this area. Oceanside State Beach Park is located a few blocks west of the subject property, along with the state public parking area (Exhibit A).

*Applicant's submittal includes responses to the criteria contained in Article 7: Nonconforming Uses and Structures of the TCLUO. Waiver to the 7500 square foot lot size requirement for permitted uses in the ROS zone is subject to the Variance criteria contained in Article 8: Variance Procedures and Criteria of the TCLUO.*

## **II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:**

The desired use is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Section 3.310: Residential Oceanside (ROS) Zone
- B. Section 4.030: Off-Street Parking & Off-Street Loading Requirements
- C. Section 4.130: Development Requirements for Geologic Hazard Areas
- D. Article VI: Conditional Use Procedures and Criteria
- E. Article VIII: Variance Procedure and Criteria

## **III. ANALYSIS:**

### **A. Section 3.310: Residential (ROS) Zone**

*PURPOSE: The purpose of the ROS zone is to designate areas for low-density one and two-family residential development and other, compatible, uses. Suitability of land for low-density uses is determined by the availability of public sewer services, and limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features. Where any provision of the ROS zone imposes a restriction on the use of land greater than is provided by other ordinance provisions, then the ROS zone shall prevail.*

#### **1. Section 3.310(2) Uses Permitted Conditionally**

...  
(a) Two-family dwelling.

## 2. Section 3.310(4) Standards

- (a) *The minimum lot size for permitted uses shall be 7,500 square feet where the slope averages less than 19 percent.*
- (d) *The minimum front yard setback shall be 20 feet.*
- (e) *The minimum side yard setback shall be 5 feet; on the street side of a corner lot, it shall be 15 feet.*
- (f) *The minimum rear yard setback shall be 20 feet; on a corner lot, it shall be 5 feet.*
- (g) *All setback standards may be subject to the exceptions in Tillamook County Land Use Ordinance Section 5.110.*
- (h) *The maximum building height shall be 35 feet...*
- ...
- (k) *Off-street parking shall conform to Section 4.030.*

**Findings:** Applicant is proposing to convert the existing single-family dwelling into a two-family dwelling (duplex). The subject property is less than 7,500 square feet in size (Exhibit A). Applicant is proposing to add additional living space within the existing building footprint to create a second dwelling unit (Exhibit B). Staff finds that current lot coverage of the property is roughly 21% determined by the size of the subject property and the size of improvements (Exhibit A).

### B. Section 4.030: Off-Street Parking & Off-Street Loading Requirements

*The purpose of requirements for off-street parking and loading areas is to relieve traffic congestion; to ensure customer convenience and safety; to provide safe access to parked vehicles; and to help ensure safe and timely response of emergency vehicles.*

**Section 4.030(13)** Parking Space Requirements requires residential uses to provide two (2) spaces for the first dwelling unit, and one (1) space for each additional dwelling unit.

**Findings:** The applicant is proposing to provide a total of six (6) off-street parking spaces- two located within the garage and four located either in front of the proposed duplex or along the side (Exhibit B). The proposed duplex requires a minimum of three (3) 8-ft by 20-ft parking spaces to meet the parking calculation standard for residential parking spaces as specified in Section 4.030(13).

### C. Section 4.130 Development Requirements for Geologic Hazard Areas

*The purpose of these Development Requirements for Geologic Hazard Areas is to protect people, lands and development in areas that have been identified as being subject to geologic hazards. The provisions and requirements of this section are intended to provide for identification and assessment of risk from geologic hazards, and to establish standards that limit overall risk to the community from identified hazards to a level acceptable to the community. Development in identified hazard areas is subject to increased levels of risk, and these risks must be acknowledged and accepted by present and future property owners who proceed with development in these areas.*

**Findings:** The subject property is located in an area of geologic hazard (Exhibit A). Section 4.130(3) determines when development requires a Geologic Hazard Assessment review. Review of aerial imagery and site observation indicates slopes of the subject property are less than 19%. Applicant states development will remain within the existing building footprint (Exhibit B). A Condition of Approval has been included for Planning Commission consideration to reflect adherence to the development standards of TCLUO Section 4.130.

**D. 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 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 published in a newspaper of local distribution and mailed to landowners within 250 feet of the subject property.

**Findings:** Notice of public hearing for this request was mailed to property owners within 250-ft and affected agencies on May 11, 2023. Public comments received to date are included as "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:** A two-family dwelling (duplex) is listed as a use permitted conditionally in the ROS Zone. Applicant is proposing to convert the existing single-family dwelling to a two-family dwelling (duplex) on the subject property (Exhibit B).

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

**Findings:** The Applicant's submittal contains a description of why they believe the proposed project is consistent with the applicable goals and policies of the Tillamook County Comprehensive Plan (Exhibit B).

The TCLUO is an implementing document of the Tillamook County Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance can be presumed to be consistent with the Tillamook County Comprehensive Plan.

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

**Findings:** Applicant's submittal includes justification as to why the subject property is suitable for the proposed use (Exhibit B). Applicant's submittal includes a site plan depicting setbacks measured from the building footprint to the property lines and areas for parking (Exhibit B).

Staff finds the subject property is roughly 5,227 square feet in size and that even with an alteration of the dwelling footprint to convert the existing single-family dwelling to a two-family dwelling (duplex), standards for lot coverage and setbacks can be adhered to provided the setbacks depicted on the submitted site plan are accurate (Exhibit B). Staff recommends a Condition of Approval be made to require an updated, to-scale site plan at the time of consolidated Zoning/Building Permit application submittal should the Planning Commission choose to approve this request.

The proposal remains under review by the Tillamook County Public Works Department. Staff also recommend the site plan satisfy any requirements of the Tillamook County Public Works Department for parking and maneuvering of vehicles, and that the parking spaces be clearly identified on the submitted site plan.

The subject property is served by water and sewer. An updated sewer availability letter is included in the applicant's submittal (Exhibit B).

4. *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.*

**Findings:** Applicant provides comments supporting the above criterion and why the proposed development will not prevent neighbors from exercising their ability to use their land for permitted uses of the ROS zone (Exhibit B).

Surrounding land uses include residential development to the west, east and south, and non-residential development (church) to the immediate north (Exhibit A). The vicinity also includes commercial uses, recreational areas and recreational uses. The proposed development (duplex), including off-street parking, is expected to be accommodated within the boundaries of the subject property per the submitted site plan (Exhibit B).

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

**Findings:** Staff has not identified any solar energy systems, wind energy conversion systems or windmills in the area. Applicant states the footprint or height of the existing structure (single-family dwelling) will not change and there will be no increased impact to any future systems (Exhibit B).

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 that adequate public facilities and services are in the area and are already serving the subject property (Exhibit B).

Netarts-Oceanside Sanitary District has confirmed availability of sanitary services and have included their availability letter in the submittal (Exhibit B). Other existing services in the area include Oceanside Water District, Netarts-Oceanside Fire District, Tillamook PUD, Tillamook County Public Works Department and Tillamook County Sheriff's Office.

**E. Article VIII: Variance Procedure and Criteria; including Section 4.005 Residential and Commercial Zone Standards**

The purpose of a VARIANCE is to provide relief when a strict application of the dimensional requirements for lots or structures would cause an undue or unnecessary hardship by rendering the parcel incapable of reasonable economic use. No VARIANCE shall be granted to allow a use of property not authorized by this Ordinance.

Article VIII of the Tillamook County Land Use Ordinance governs the applications of Variances within the County. Section 4.005 lists the purposes of the land use standards in each of the residential and commercial zones.

1. **Section 8.020** requires public notice in accordance with TCLUO Section 10.070 which requires notification of the request to be published in a newspaper of local distribution and mailed to landowners within 250 feet of the subject property.

**Findings:** Notice of public hearing for the Variance request was mailed to property owners within 250-ft and affected agencies on May 11, 2023. Public comments received to date are included as "Exhibit C".

2. **Section 8.030** states that a Variance may be authorized if the applicants/property owners adequately demonstrate that the proposed use satisfies all relevant requirements, including all four review criteria in Section 8.030. These criteria, including Section 4.005 Residential and Commercial Zone Standards, along with Staff's findings are outlined below:

*(1) Circumstances attributable either to the dimensional, topographical, or hazardous characteristics of legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.*

**Findings:** Applicant states the subject property is non-conforming due to size, and does not meet the required 7500 square foot lot size requirement for permitted uses in the ROS zone (Exhibit B). Applicant's submittal includes a chart with size and location of surrounding properties that demonstrates lot development patterns in this area largely do not meet the minimum 7500 square foot size requirement and notes some of these properties are also developed with duplexes and triplexes (Exhibit B).

Staff finds that the subject property could not be developed with a duplex due to the size constraint of the subject property.

*(2) A variance is necessary to accommodate a use or accessory use on the lot which can be reasonably expected to occur within the zone or vicinity.*

**Findings:** Applicant reiterates that conversion of the existing single-family dwelling to a two-family dwelling (duplex) will not result in a building footprint expansion. Applicant also reiterates there are other properties within the vicinity developed with duplexes and tri-plexes (Exhibit B).

Staff finds residential development is expected to occur within the vicinity. Staff supports the analysis provided by the Applicant demonstrating that the dimensional constraints for residential improvements are consistent with residentially developed properties in the vicinity.

*(3) The proposed variance will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.*

Section 4.005: Residential and Commercial Zone Standards of the Tillamook County Land Use Ordinance lists the purposes of the land use standards in each of the residential and commercial zones as follows:

- (1) To ensure the availability of private open spaces;*
- (2) To ensure that adequate light and air are available to residential and commercial structures;*
- (3) To adequately separate structures for emergency access;*
- (4) To enhance privacy for occupants or residences;*

**Findings:** Applicant is not proposing to expand the building footprint of the structure (Exhibit B). Staff finds that the proposed development will maintain privacy and adequate access to air, light and open space for the subject property and the surrounding properties. Staff finds that the standards above can be met through compliance with Conditions of Approval, including requirements for an updated fire, water, sewer, and road approach letters.



- (5) *To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveway, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities; and private open spaces;*
- (6) *To ensure that driver visibility on adjacent roads will not be obstructed;*
- (7) *To ensure safe access to and from common roads;*

**Findings:** Applicant’s submittal documents all private land uses will occur on the subject property including off-street parking (Exhibit B). This development proposal remains under review by the Tillamook County Public Works Department. Staff finds the standard in Section 4.005(5) can be met through compliance with the Conditions of Approval.

Staff finds the subject property is not a corner lot and that access to adjacent properties will not be impacted by the proposed development (Exhibit B).

- (8) *To ensure that pleasing view are neither unreasonably obstructed nor obtained;*

**Findings:** Applicant states that the building footprint will not be expanded to accommodate the conversion of the existing single-family dwelling to a two-family dwelling (duplex) (Exhibit B). The County regulates views through compliance with building height requirements of the ROS zone. Staff finds that compliance with building height requirements can be demonstrated at the time of consolidated Zoning/Building Permit application submittal. Should the Planning Commission choose to approve this request, Staff finds the criterion in Section 4.005(8) can be met through compliance with the Conditions of Approval.

- (9) *To separate potentially incompatible land uses;*

**Findings:** The use is allowed conditionally in the ROS zone. Residential uses are located in the vicinity as stated in the record for this request (Exhibit B).

- (10) *To ensure access to solar radiation for the purpose of alternative energy production.*

**Findings:** Applicant states the duplex will not block solar or wind energy systems in the neighborhood (Exhibit B). County records do not indicate any such facilities are in the vicinity of the subject property. Staff finds the conversion of the single-family dwelling to a two-family dwelling (duplex) within the existing building footprint will not unreasonably shadow or otherwise inhibit access to solar radiation on adjacent properties.

- (4) *There are no reasonable alternatives requiring either a lesser or no variance.*

**Findings:** Applicant describes lot size as prohibitive to development of a duplex on the subject property due to the residential standards of the ROS zone (Exhibit B). In relation to the proposed development, Staff finds that the size of the subject property voids consideration of a lesser or no variance.

**IV. RECOMMENDED CONDITIONS OF APPROVAL:**

Should the Planning Commission choose to approve these requests, Staff recommends the following Conditions of Approval:

1. The applicant and property owner shall obtain all Federal, State, and Local permits, as applicable.

2. Development of the property shall conform to the applicable development standards outlined in TCLUO Section 3.310: Residential Oceanside (ROS) zone.
3. Development of the property shall adhere to the relevant standards outlined in TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.
4. Applicant/property owner shall submit a to-scale site plan confirming property setbacks and depicting the parking plan. The parking plan shall adhere to the relevant standards of TCLUO Section 4.030: Off-Street Parking and Off-Street Loading Requirements.
5. The applicant/property owner shall submit updated service letters for fire, water, and sewer availability at time of consolidated Zoning/Building Permit application submittal.
6. Applicant/property owner shall submit a copy of an updated road approach permit for the subject property at time of consolidated Zoning/Building Permit application submittal.
7. Applicant/property owner shall submit a storm water management plan for review by the Department and Tillamook County Public Works at time of zoning/building permit submittal. Stormwater shall be collected and managed onsite and shall not be discharged into County road right-of-way or onto adjacent properties.
8. This approval shall be void on June 8, 2025, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

VI. **EXHIBITS**

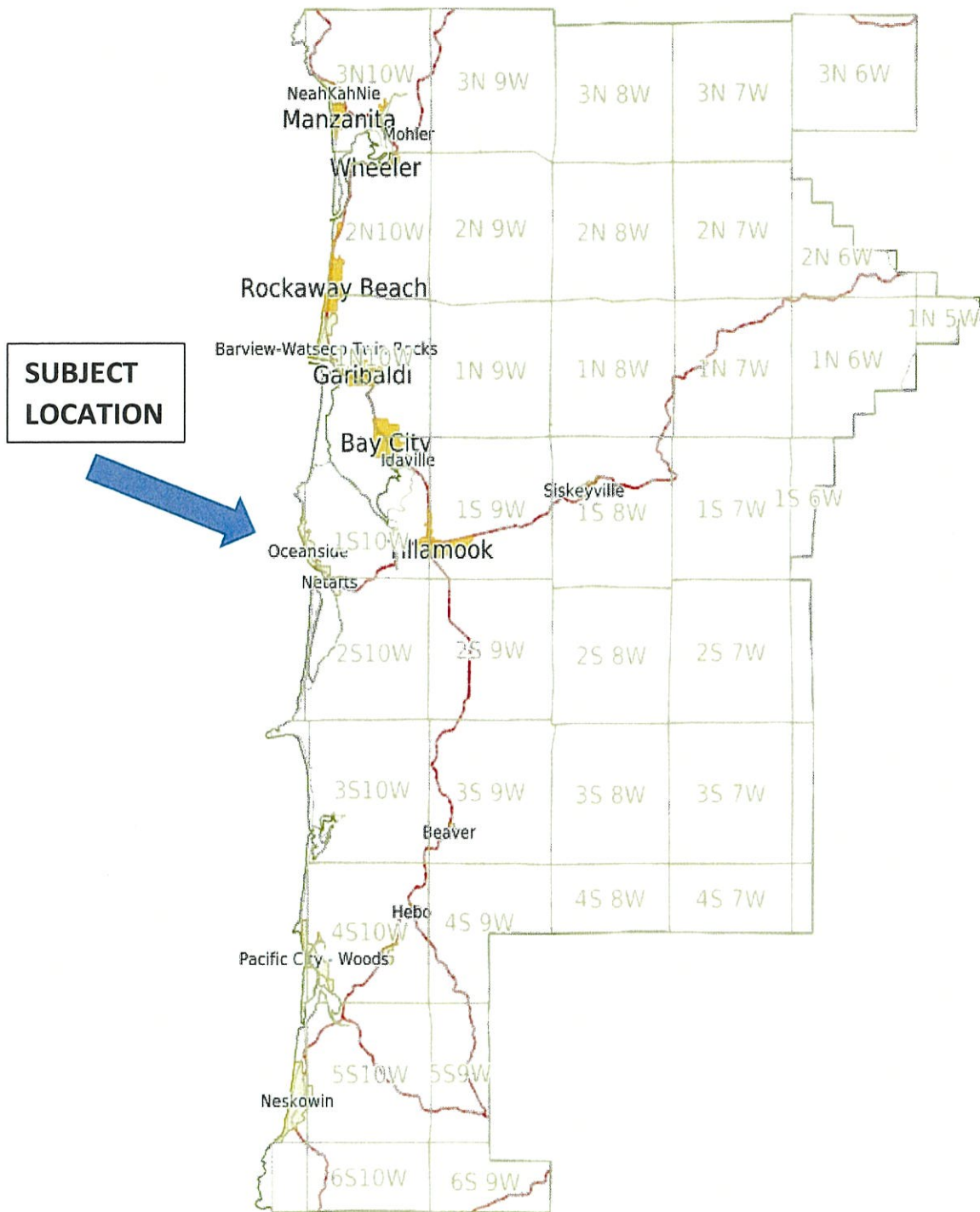
All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, Aerial Photograph, Assessor's Summary Report, DOGAMI Hazard Map, FEMA FIRM
- B. Applicant's submittal
- C. Public Comments

# **EXHIBIT**

# **A**

# VICINITY MAP



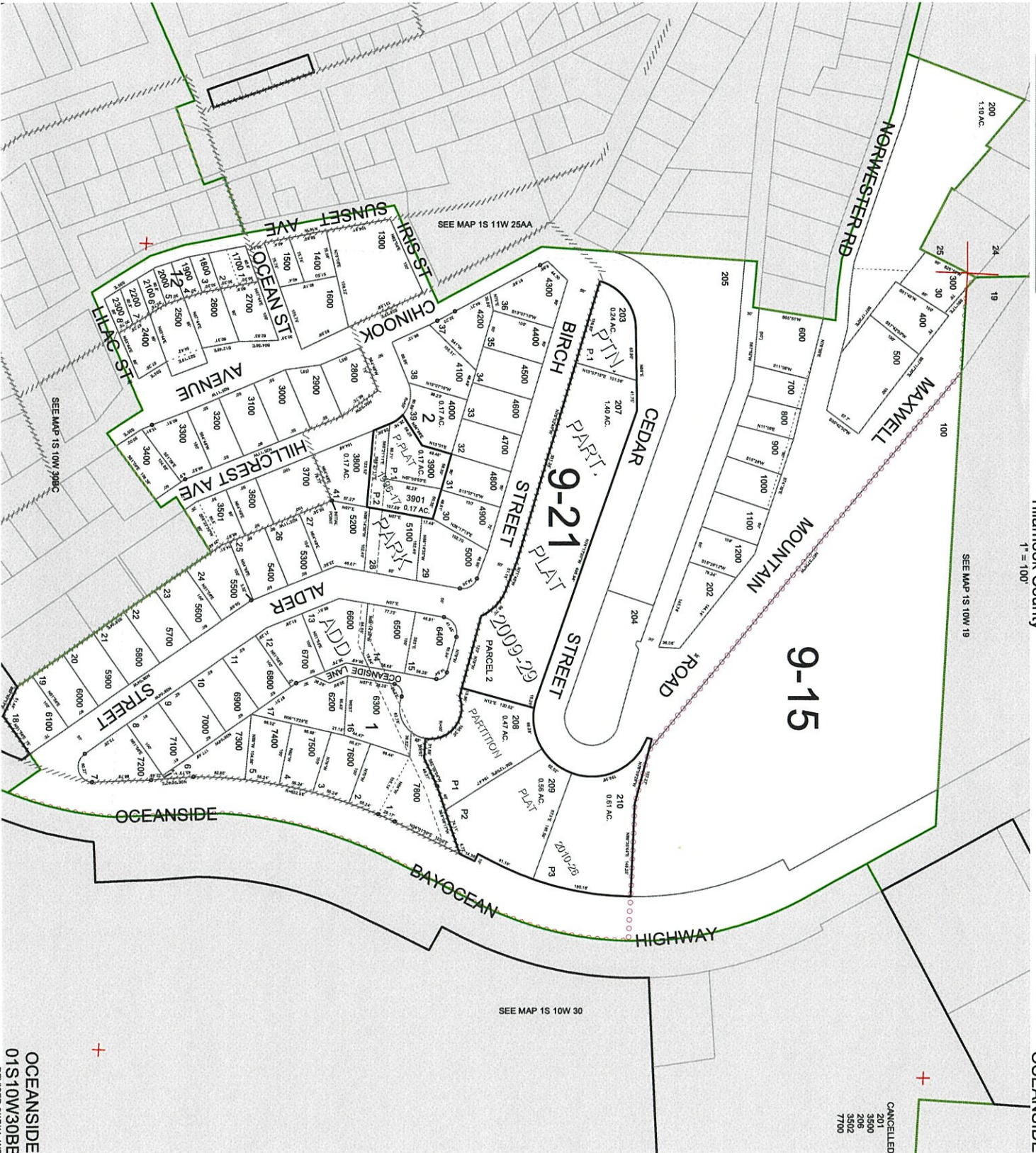
#851-23-000040-PLNG & #851-23-000125-PLNG  
MOCK CONDITIONAL USE & VARIANCE

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

N.W. 1/4 N.W. 1/4 SEC. 30 T. 1S. R. 10W. W.M.  
Tillamook County  
1" = 100'

01S10W30BB  
OCEANSIDE

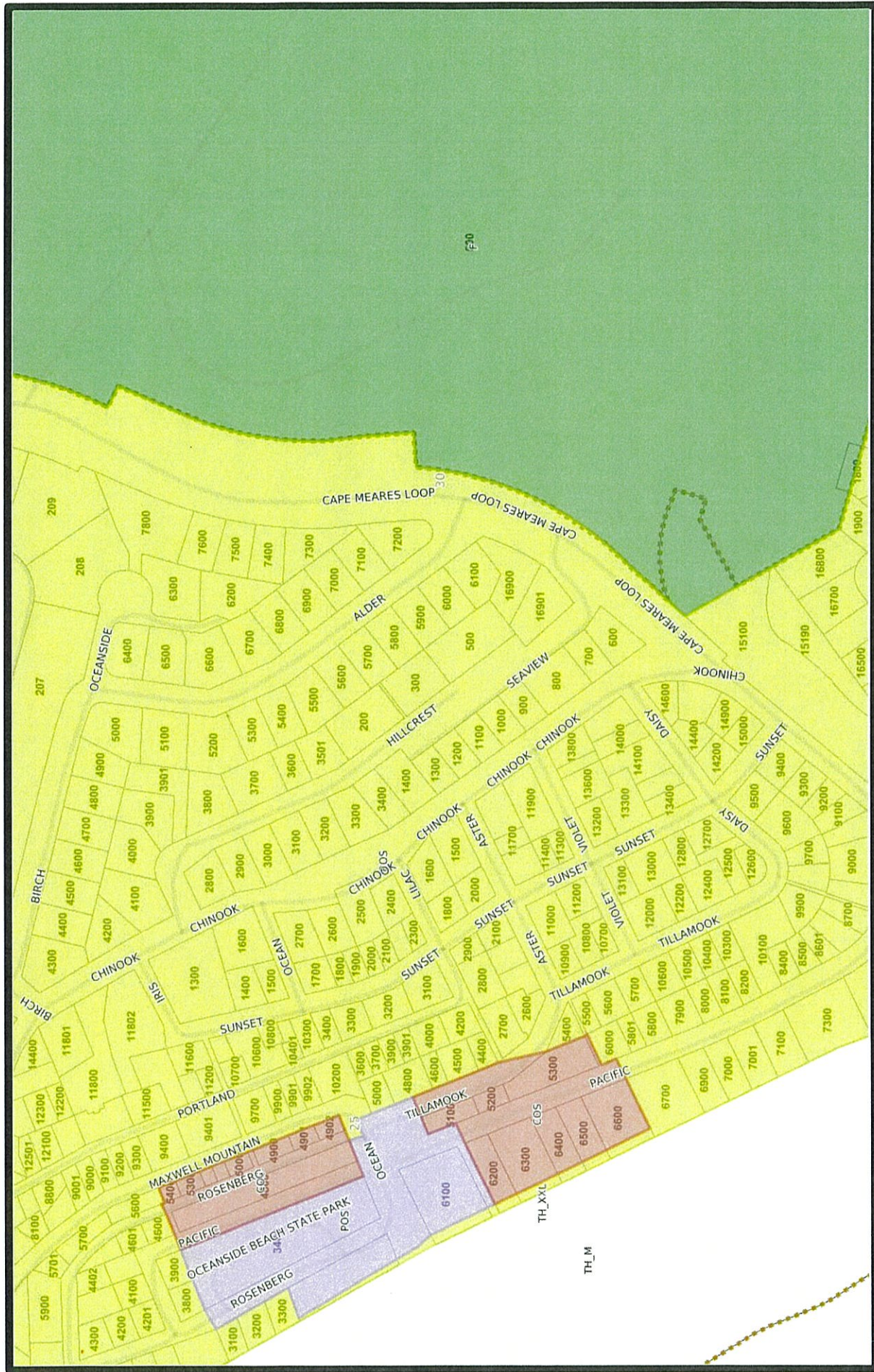
CANCELLED:  
201  
3500  
206  
3502  
7700



OCEANSIDE  
01S10W30BB  
REVISED 2/17/11, WS



# Map





# National Flood Hazard Layer FIRMette



123°58'23"W 45°27'52"N



## Legend

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

	<b>Without Base Flood Elevation (BFE)</b> <i>Zone A, V, A99</i>
	<b>With BFE or Depth</b> <i>Zone AE, AO, AH, VE, AR</i>
	<b>Regulatory Floodway</b>
	<b>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</b> <i>Zone X</i>
	<b>Future Conditions 1% Annual Chance Flood Hazard</b> <i>Zone X</i>
	<b>Area with Reduced Flood Risk due to Levee. See Notes.</b> <i>Zone X</i>
	<b>Area with Flood Risk due to Levee</b> <i>Zone D</i>
	<b>NO SCREEN</b> <i>Zone X</i>
	<b>Area of Minimal Flood Hazard</b> <i>Zone X</i>
	<b>Effective LOMRS</b>
	<b>Area of Undetermined Flood Hazard</b> <i>Zone X</i>
	<b>Channel, Culvert, or Storm Sewer</b>
	<b>Levee, Dike, or Floodwall</b>
	<b>Cross Sections with 1% Annual Chance</b>
	<b>Water Surface Elevation</b>
	<b>Coastal Transect</b>
	<b>Base Flood Elevation Line (BFE)</b>
	<b>Limit of Study</b>
	<b>Jurisdiction Boundary</b>
	<b>Coastal Transect Baseline</b>
	<b>Profile Baseline</b>
	<b>Hydrographic Feature</b>
	<b>Digital Data Available</b>
	<b>No Digital Data Available</b>
	<b>Unmapped</b>
	<b>The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.</b>

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **6/1/2023 at 6:48 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.



# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2022

June 1, 2023 3:51:07 pm

<b>Account #</b> 190144 <b>Map #</b> 1S1030BB02600 <b>Code - Tax #</b> 0921-190144  <b>Legal Descr</b> See Record  <b>Mailing Name</b> MOCK, MANDY J & JASON <b>Agent</b> <b>In Care Of</b> <b>Mailing Address</b> 2656 SW FAIRMONT BLVD PORTLAND, OR 97239  <b>Prop Class</b> 101 <b>MA SA NH Unit</b> <b>RMV Class</b> 101      08 OV 805 21034-1	<b>Tax Status</b> ASSESSABLE <b>Acct Status</b> ACTIVE <b>Subtype</b> NORMAL  <b>Deed Reference #</b> 2022-6470 <b>Sales Date/Price</b> 10-20-2022 / \$433,500.00 <b>Appraiser</b> ELIZABETH LOFTIS
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<b>Situs Address(s)</b>	<b>Situs City</b>
ID# 1560 CHINOOK AVE	COUNTY

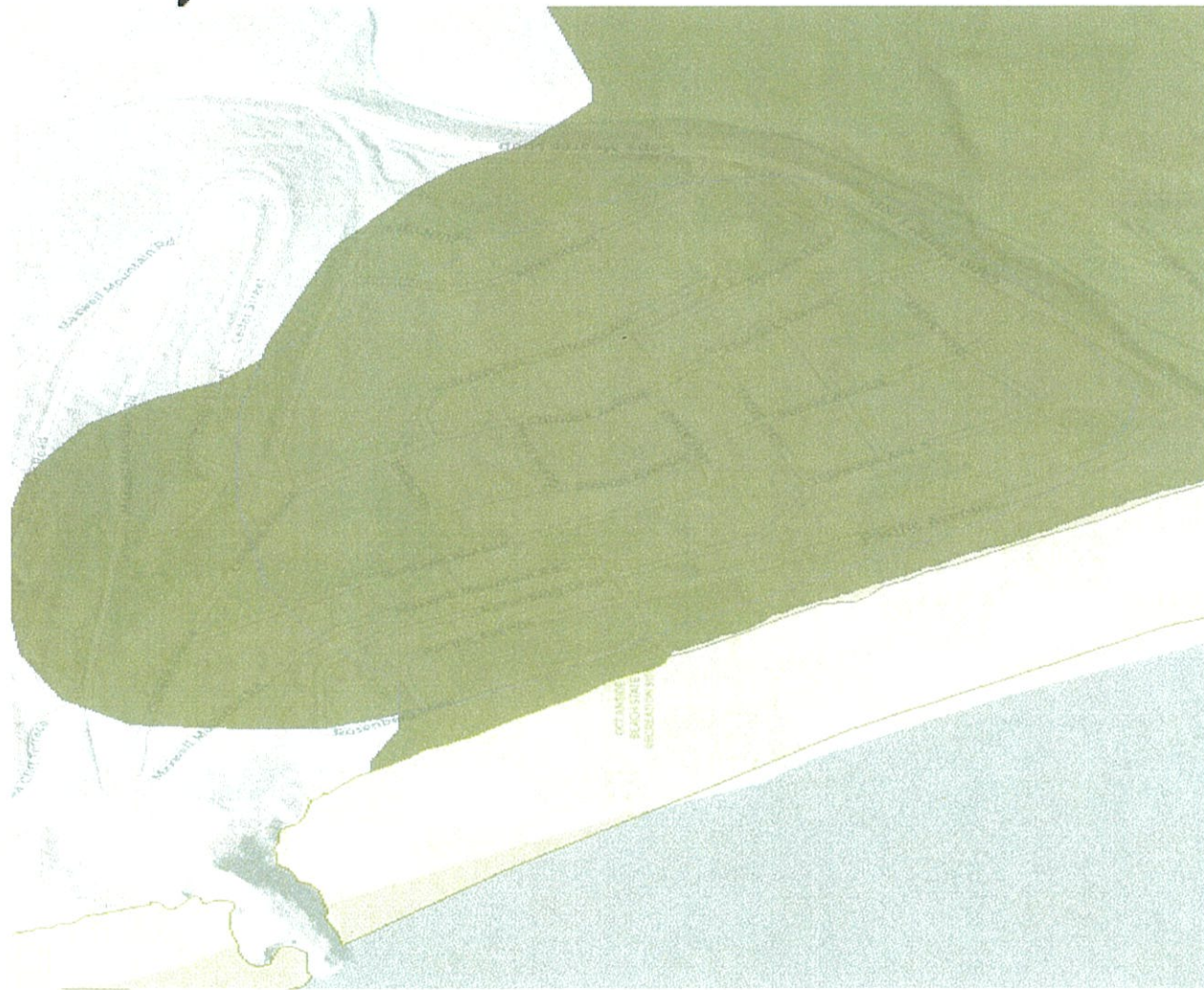
Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
0921	Land	155,430			Land	0
	Impr.	171,680			Impr.	0
<b>Code Area Total</b>		327,110	174,310	174,310		0
<b>Grand Total</b>		327,110	174,310	174,310		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
0921					LANDSCAPE - AVERAGE	100			1,500
0921	0	<input checked="" type="checkbox"/>		ROS	Market	110	A	0.12	134,530
0921					OSD - AVERAGE	100			19,400
<b>Grand Total</b>								0.12	155,430

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
0921	2	1970	382	MULTI-PURPOSE SHED	152		272		450	
0921	1	1970	131	One story	152		832		171,230	
<b>Grand Total</b>							1,104		171,680	

Exemptions / Special Assessments / Potential Liability					
Code Area	0921				
<b>SPECIAL ASSESSMENTS:</b>					
■ SOLID WASTE					
	<b>Amount</b>	12.00	<b>Acres</b>	0	<b>Year 2022</b>

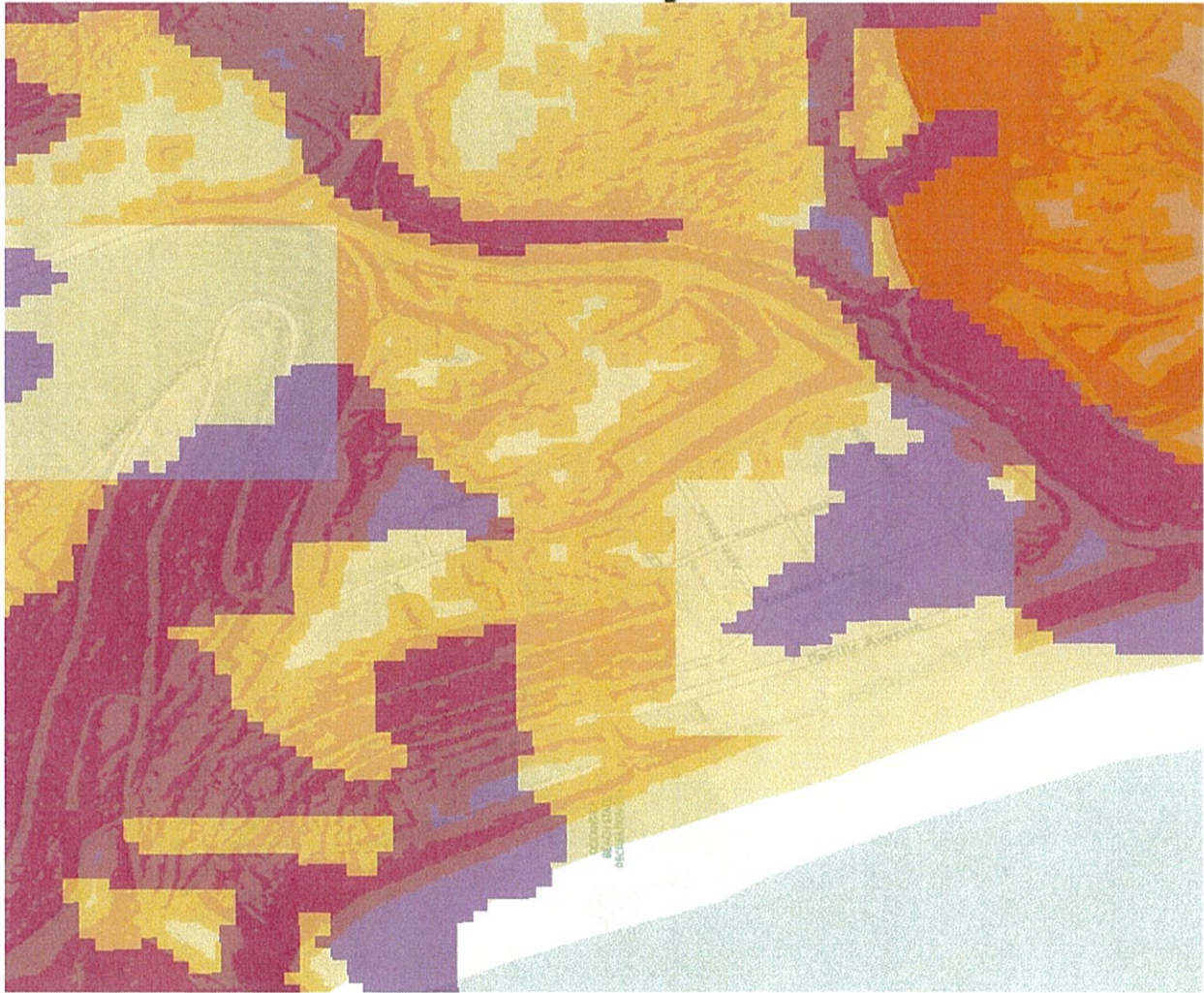
**Comments:** 2/8/12 Land re-appraisal, tabled land. EJ.



▼ Physical

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

- B - Beach
- FDA - Active foredune
- AFDA - Artificial dune
- FD (W) - Reactivated, erosion/flooding
- H - Hummocks, active
- FD - Stabilized foredune
- IFD - Inland foredune
- DC - Dune complex
- DC (W) - wet
- DS - Dune, younger stabilized
- ODS - Dune, older stabilized
- OS - Open sand
- W - Interdune
- WMF - Wet mountain front
- WDP - Wet deflation plain
- WL - Wetland
- WSP - Wet surge plain
- WFP - Wet flood plain
- LK - Lake
- CT - Coastal terrace
- LD - Landslide
- FED - Fluvial, estuary deposit



Physical

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

Elevation

- Highest Hit, OLC, 2008-19
- Bare Earth, OLC, 2008-19

**EXHIBIT**

**B**



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

## PLANNING APPLICATION

**Applicant**  (Check Box if Same as Property Owner)  
 Name: Jason C Mock Phone: 503-799-3675  
 Address: 2656 SW Fairmount Blvd  
 City: Portland State: OR Zip: 97239  
 Email: Jason.c.mock@yahoo.com

### Property Owner

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_

Request: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

OFFICE USE ONLY	
Date Stamp	
<b>RECEIVED</b>	
FEB 14 2023	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees: <u>1300.-</u>	
Permit No: 851- <del>23-000040</del> PLNG	

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

### Location:

Site Address: 1560 Chinook Ave Oceanside OR 97134  
 Map Number: 15 10 30BB 2600  
Township Range Section Tax Lot(s)

Clerk's Instrument #: \_\_\_\_\_

### Authorization

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

Property Owner Signature (Required) \_\_\_\_\_

Date

2/14/2023

Applicant Signature \_\_\_\_\_

Date

Supplement to Planning Application – Condition Use for 2 family dwelling

Applicants/Owners – Jason Mock

1560 Chinook Ave, Oceanside OR

Oceanside Residential Zone

Map & Tax Lot: T 1S R 10 Sec: 30BB Tax Lots: 2600

Applicant Jason Mock is applying for a Conditional Use Permit / Variance for a two family dwelling unit. This will allow the ground floor of the dwelling to be used for living space. Currently only the second floor is fully finished space. It will also increase the availability of housing available in Oceanside for long term tenants. It will also improve the aesthetics of the dwelling unit to be more consistent with other dwellings in the area. Currently it appears more like a commercial garage. The applicants intend to use the additional dwelling space as a long term rental.

Zoning:

The property is located in the Oceanside Residential Zone (ROS). Two family dwelling units are a permissible conditional use in this zone, per Tillamook County Land Use Ordinance Section 3.300.

The pictures and site plan submitted with this application show that the property currently consists of 3 garages on the bottom level and a small 2 bedroom apartment (750 sq ft) on the second level. The apartment is only accessible via stairs, limiting it's use. The additional living space will be accessed from the ground level, allowing it to be much more accessible.

**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.

*Yes, the use is listed.*

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

*Yes. The Tillamook County Comprehensive Plan section on Goal 14 – urbanization – discussed many benefits to concentrating development in areas where utilities and services already exist, and how that helps preserve the county's natural resource and agricultural lands. Permitting two family units in developed areas helps meet this goal and also increases the availability of housing available in the*

*Oceanside area, where it is scarce. In addition, the Plan calls out in Section 1.4 that the long term rental supply availability is only 3-6% and that a much larger supply is needed.*

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

*The parcel is suitable for the requested use. The additional living space will be entirely within the existing footprint of the original dwelling approved for construction in the 70's after considering the parcel's size, shape, location, topography and natural features. There are no other existing improvements on this lot.*

(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.

*Approval of this two family dwelling will not limit, impair or prevent any surrounding properties to be used for any of the purposes allowed in this zone. The improvements will allow for modernization of the dwelling and make it more consistent with the residential characteristic of the neighborhood. Currently, the building looks more like a commercial auto business than a residence. There is ample parking for 2 families with 6 parking spots - two in the garage and four in front of and to the side of the house. None of the parking will be on the street, allowing for unobstructed flow of traffic. Visibility also will not be impaired as there is no change to the footprint or height of the dwelling. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues. The approach from the north and south will not be affected by this approval. There is clear visibility for all entering and exiting vehicles.*

*Other properties in close proximity to this house are multi-unit dwellings already, so this approval will not alter the characteristic of the neighborhood.*

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

*There are no solar or wind energy systems or wind mills nearby that would be affected by the requested change. The proposed use will not change the footprint or height of the dwelling so there will be no increased impact to any future systems.*

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

*The proposed use as a two family dwelling is timely, considering the adequacy of public facilities and services. The property has water service from the Netarts/Oceanside Water District already. The property*

*is serviced by the Netarts/Oceanside Fire District and has a fire hydrant located on the corner of Chinook Ave and Ocean St, approximately 150 ft from the property.*

The property is non-conforming in terms of lot size. Current code requires a minimum lot size of 7500 sq ft and the property is 5400 sq ft. Per article 7.11 of the code, alteration of the unit is permitted with a Minor Review if the 100% market value threshold is not met and the minor review requirements are met.

In this case, the 100% market value threshold will not be met. Most of the existing value is in the land and existing structure. The improvements to the property are estimated to cost \$25,000 versus the purchase price of \$433,500.

MINOR REVIEW: Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:

(a) The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:

i. A comparison of existing use or structure with the proposed change using the following factors:

1. Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site;  
Adopted May 27, 2015 Tillamook County Land Use Ordinance Article 7 5

*There will be no difference in the noise, vibration, dust, odor, fumes glare or smoke detectable at the property line or offsite. The proposed usage is long term tenants in a residential setting, matching the previous use and other properties in the neighborhood.*

2. Numbers and kinds of vehicular trips to the site;

*Property will have no greater impact on neighboring areas as it will be used for long term tenants, with minimal vehicular trips. The proposed usage is long term tenants in a residential setting, matching the previous use and other properties in the neighborhood.*

3. Amount and nature of outside storage, loading and parking;

*Property already has 4 outside parking spots. No additional outside storage, loading or parking will be added.*

4. Visual impact;

*Visual impact of the property will be improved. It currently resembles a commercial auto facility and will more closely match the residential characteristics of the neighborhood.*



5. Hours of operation;

*Property will be a residence, with no hours of operation.*

6. Effect on existing vegetation;

*No effect on existing vegetation. Changes are entirely within the existing footprint of the house. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues.*

7. Effect on water drainage and water quality;

*No effect on existing water drainage or water quality. Changes are entirely within the existing footprint of the house.*

8. Service or other benefit to the use or structure provides to the area;

*Benefit to the area will be positive, providing additional long term housing in an area very constrained in long term housing, aligned with the goals of the Tillamook County Comprehensive Plan, Goal 10 (Housing).*

9. Other factors relating to conflicts or incompatibility with the character or needs of the area.

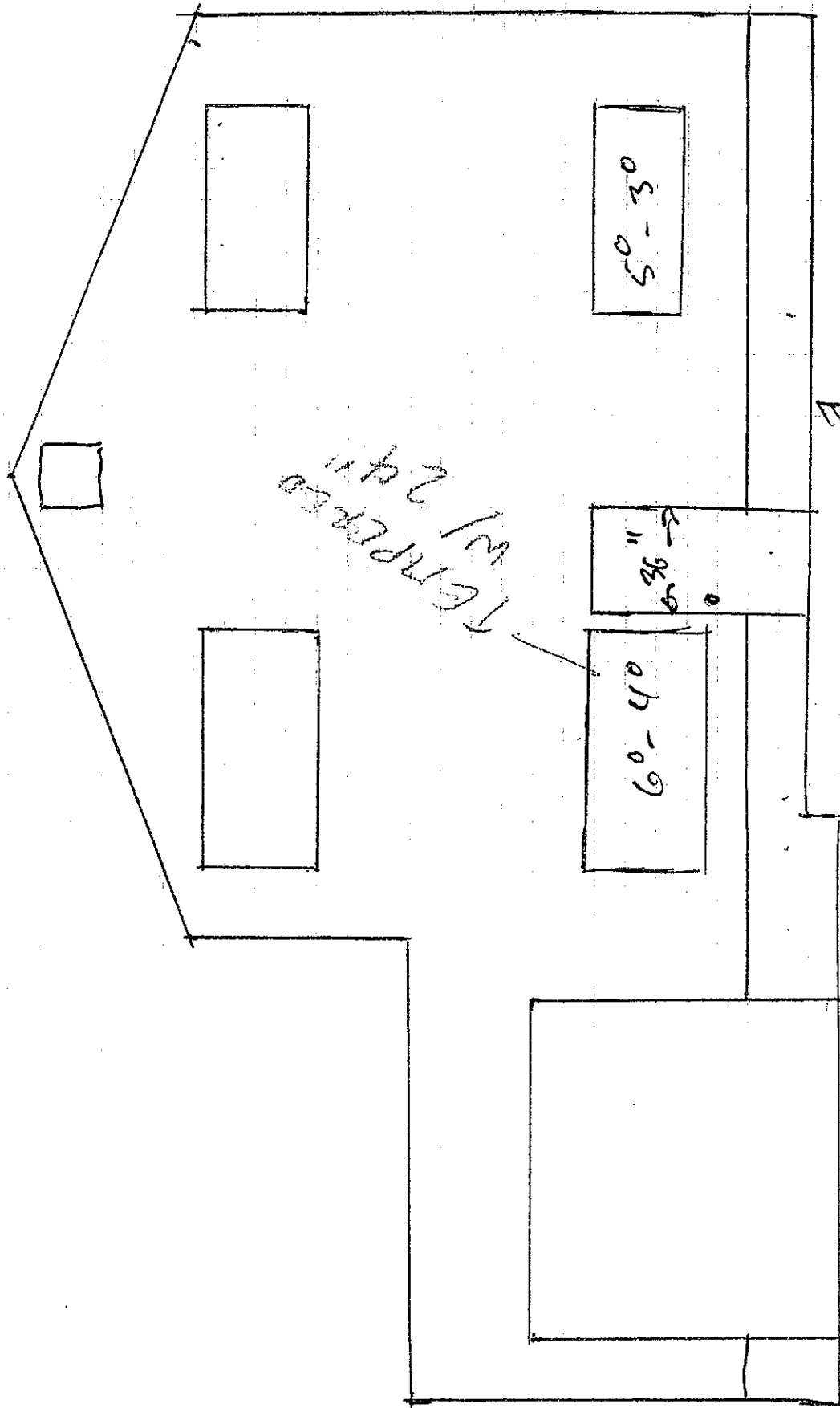
*No other factors conflict or are incompatible with the character and needs of the area.*

ii. The character and history of the use and of development in the surrounding area.

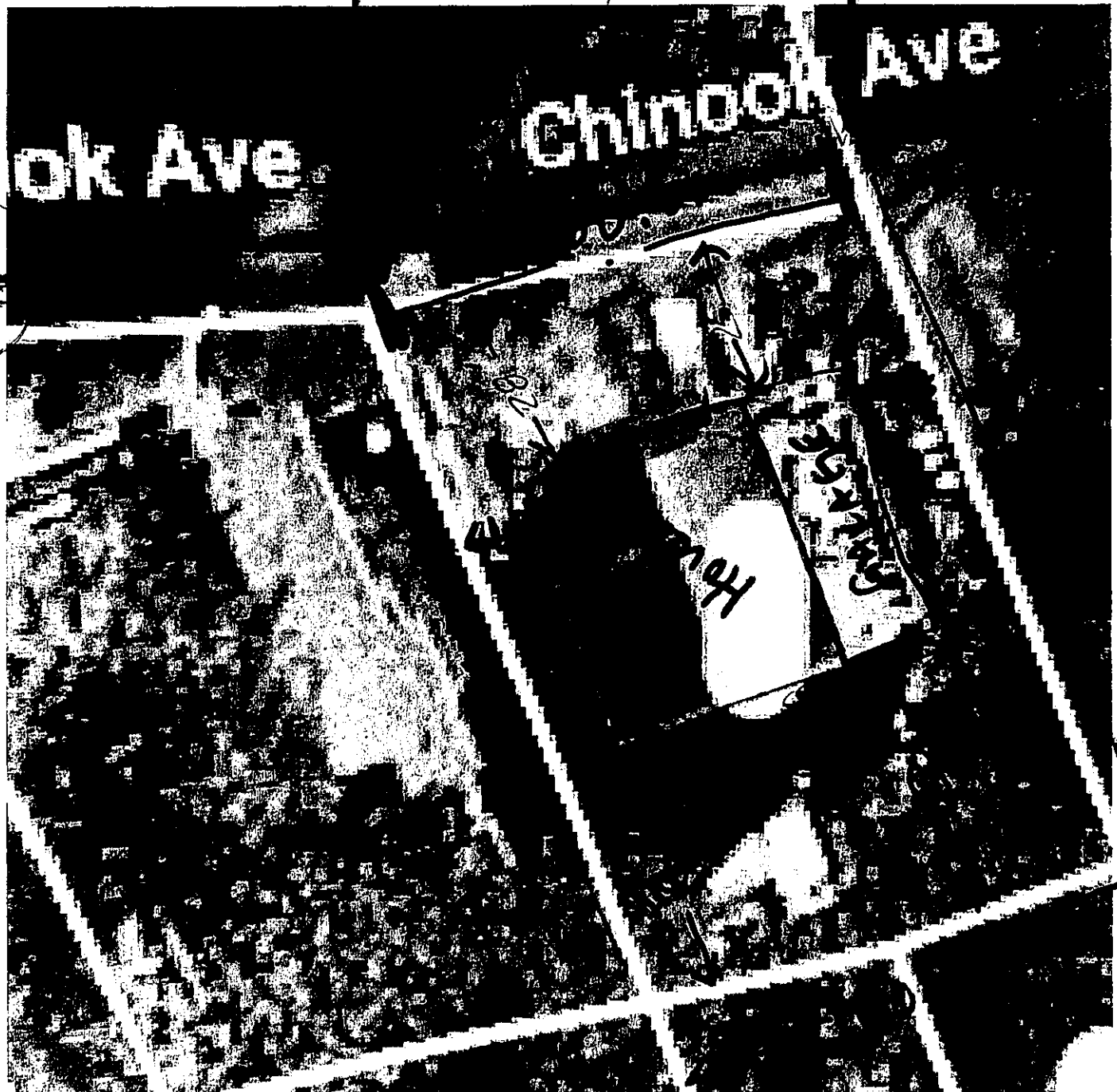
*Other properties in close proximity to this house are multi-unit dwellings already, so this approval will not alter the characteristic of the neighborhood.*

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010

*Changes are entirely within the existing footprint of the house and will not impact separation or visibility.*



Cement Block



Jason C Mock  
1560 Chinook Ave  
Oceanside, OR 97141  
1510 30 BB 02600

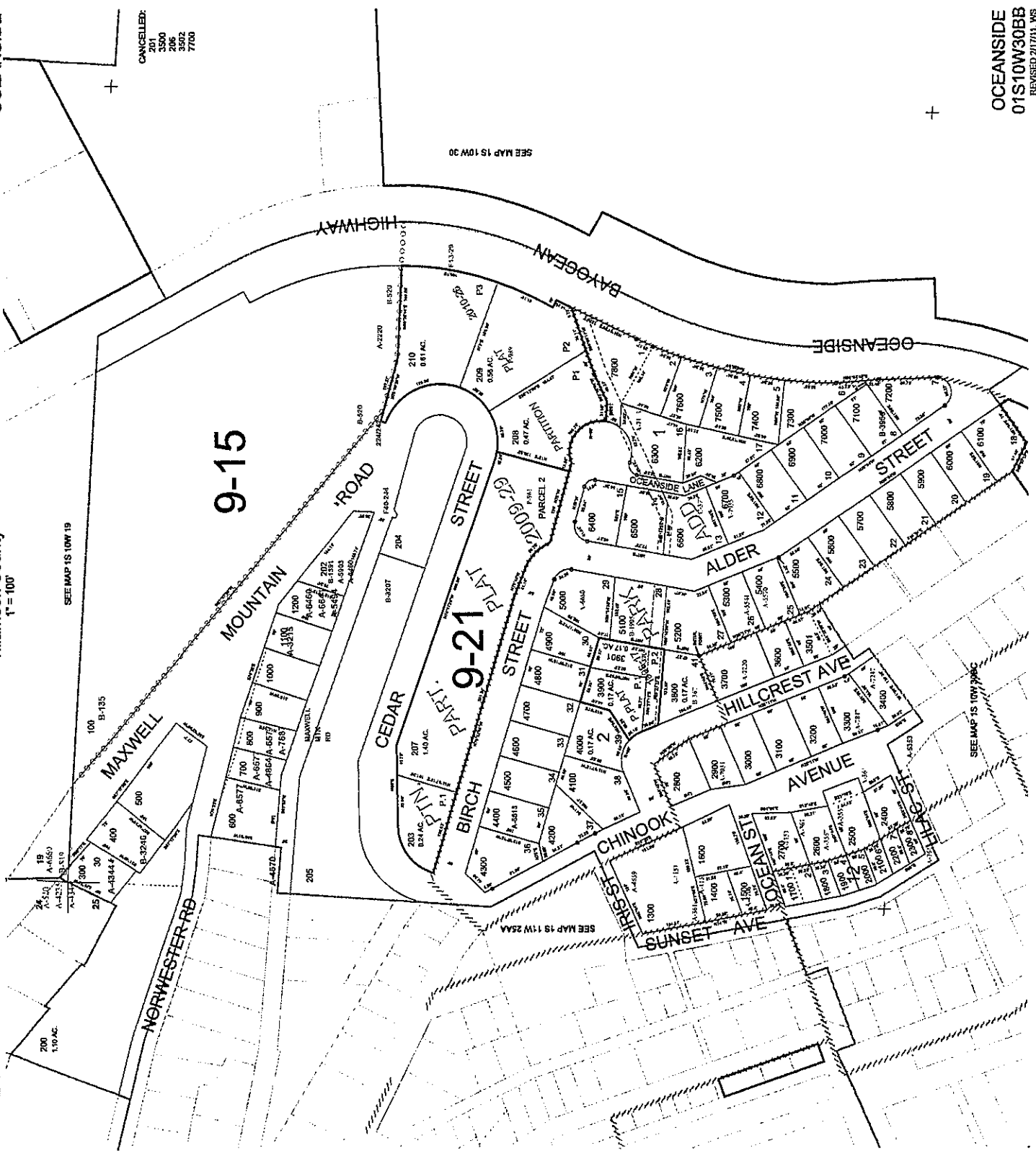
01S10W30BB  
OCEANSIDE

N.W. 1/4 N.W. 1/4 SEC. 30 T.1S. R.10W. W.M.  
Tillamook County  
1" = 100'

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

CANCELLED:  
201  
3300  
3400  
3502  
7700

OCEANSIDE  
01S10W30BB  
REVISED 2/17/11, WS



SEE MAP 1S 10W 19

SEE MAP 1S 10W 20

SEE MAP 1S 10W 25A

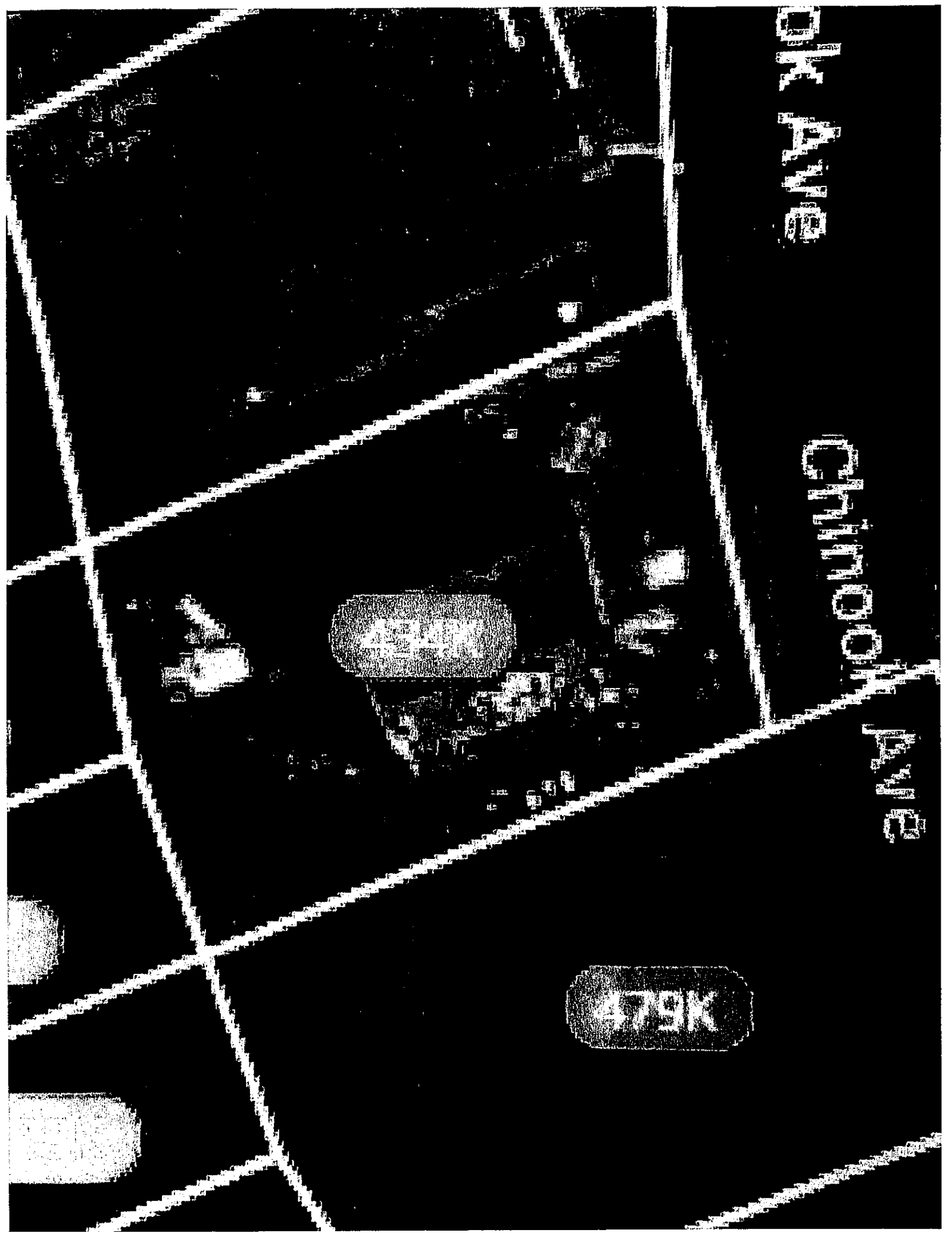
SEE MAP 1S 10W 28C

OKAY

Chino

1978

1978







**NETARTS-OCEANSIDE SANITARY DISTRICT  
1755 CAPE MEARES LP. RD. W.  
TILLAMOOK, OR. 97141  
PHONE (503) 842-8231  
FAX (503) 842-3759  
TTY Relay Service: (800)-877-8973  
www.n-o-s-d.com**

Tillamook Co. Department  
Of Community Development  
1510 Third St., Suite B  
Tillamook, OR 97141  
(503) 842-3408

DATE: February 10, 2023

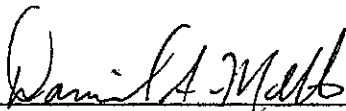
**TO: TILLAMOOK COUNTY ONE-STOP PERMIT COUNTER**

**RE: SEWER AVAILABILITY**

I confirm that sanitary sewer service has been provided to **Tax Lot# 1S10 30BB 02600** since July 1978. Our records shows this property as a Single Family Dwelling. The additional bedrooms and bathroom does not affect the sewer availability.

According to our records, the legal owner is: Jason & Mandy Mock 2656 SW Fairmont Blvd. Portland, OR. 97239.

This letter shall not create a liability on the part of Tillamook County, or by an officer, or employee thereof, for the services described above.



Daniel A. Mello, District Superintendent

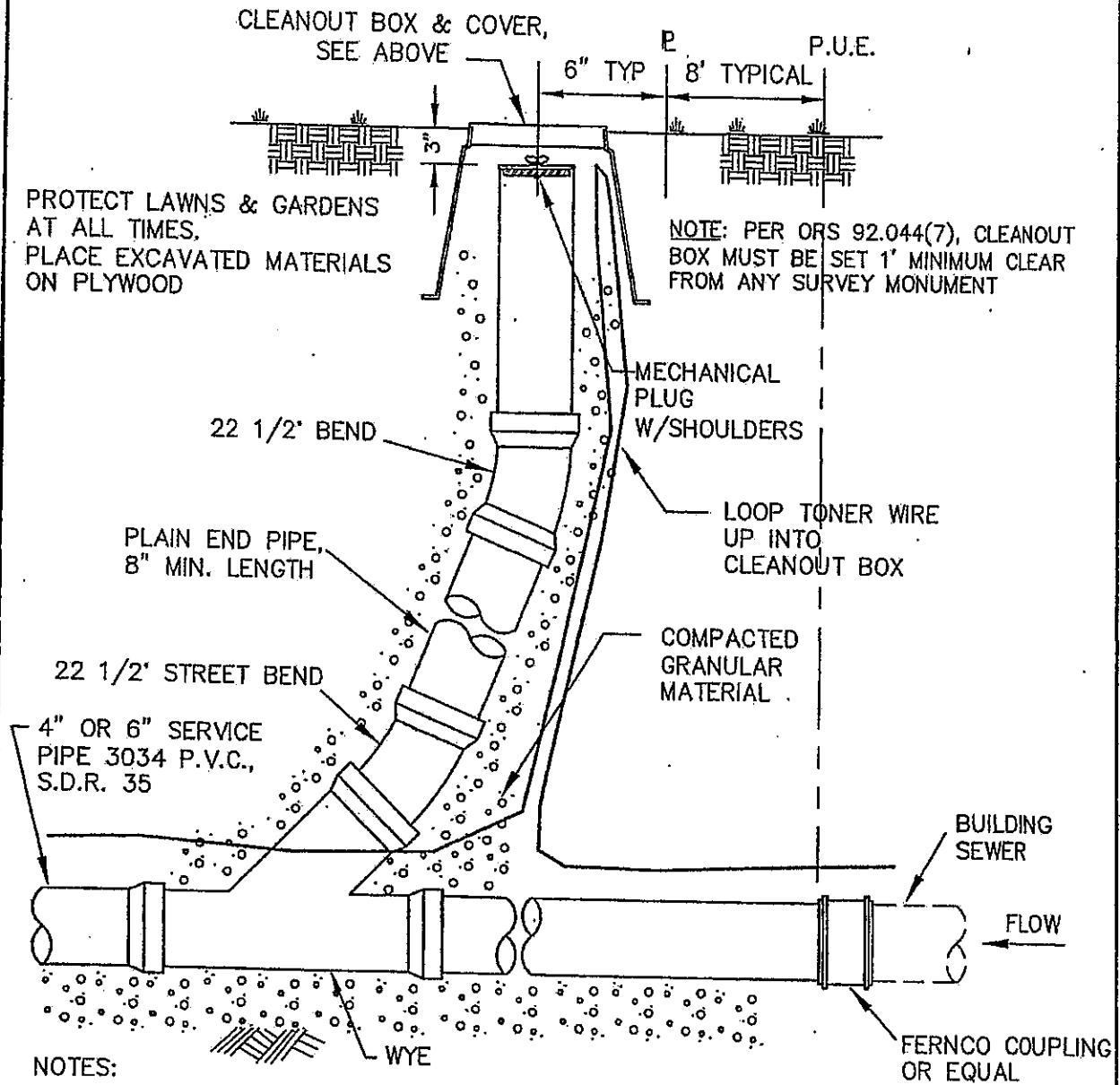
Cc: Property Owner

“This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)”



**CLEANOUT COVERS: ALL SEWER CLEANOUT LIDS TO READ "SEWER"**

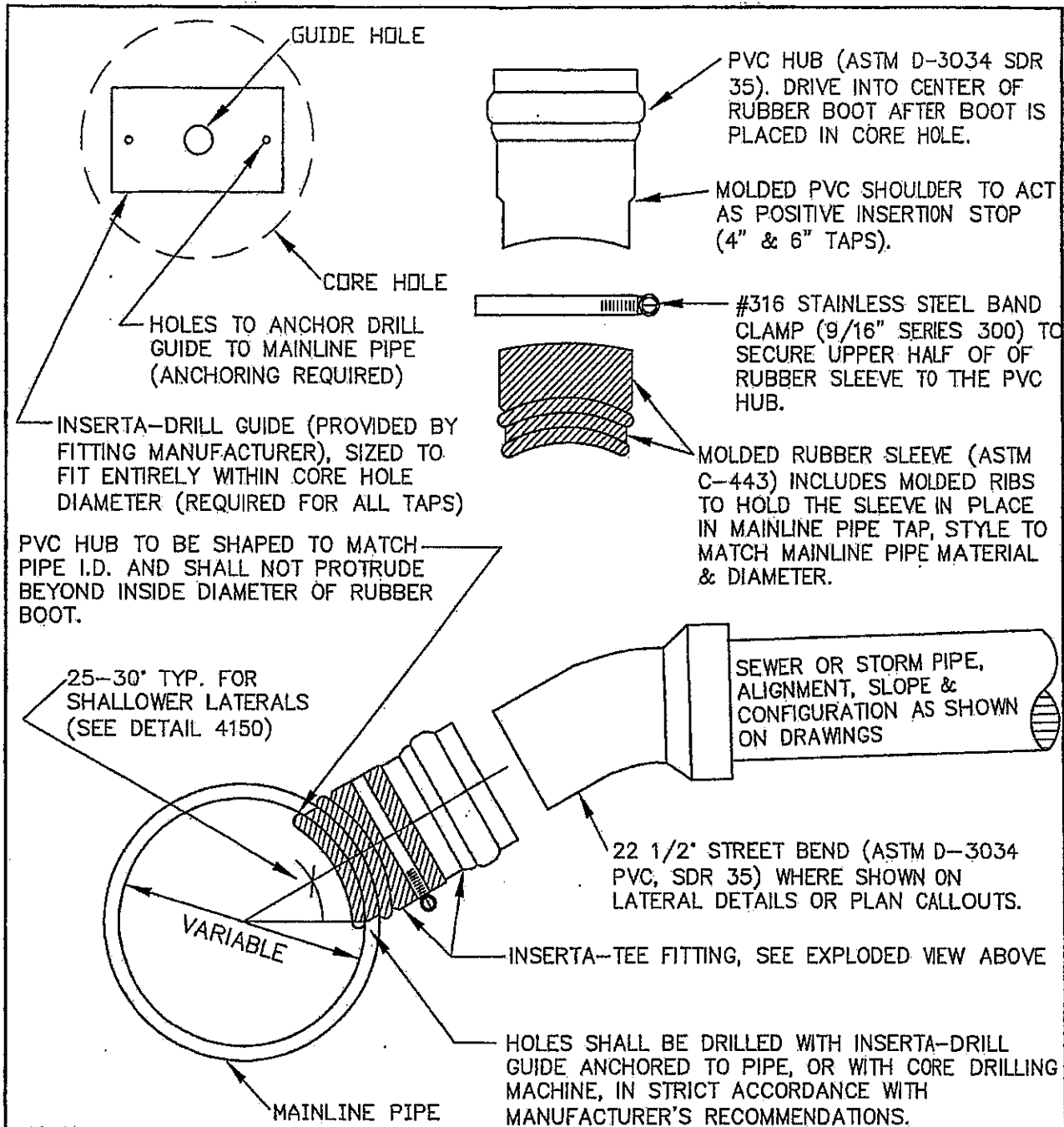
1. NON-TRAFFIC AREAS:  
CARSON MODEL 910 T-COVER OR EQUAL (GREEN FOR SEWER, GREY FOR STORM).
2. TRAFFIC AREAS, INCLUDING DRIVEWAYS:  
8" X 4" CAST IRON FRAME & COVER, OLYMPIC M1007 OR EQUAL.



**NOTES:**

1. CLEANOUT RISER SHALL BE SAME SIZE AND MATERIAL AS LATERAL PIPE.
2. PROVIDE CASTING FOR CLEANOUTS LOCATED IN DRIVEWAYS.
3. CLEANOUT PIPE SHALL BE LEFT A MINIMUM OF 18" ABOVE EXISTING GRADE UNTIL ALL CURBING IS INSTALLED AND ALL PRIVATE UTILITY TRENCHES ARE BACKFILLED. CLEANOUTS SHALL THEN BE SET FLUSH WITH FINISH GRADE.

LAST REVISION DATE: MAR 2008	COPYRIGHT 1998 WESTERN ENGINEERING, INC.
<b>STANDARD SERVICE LATERAL CLEANOUT</b>	
(NTS)	
NOSD, OR	DETAIL NO. 416

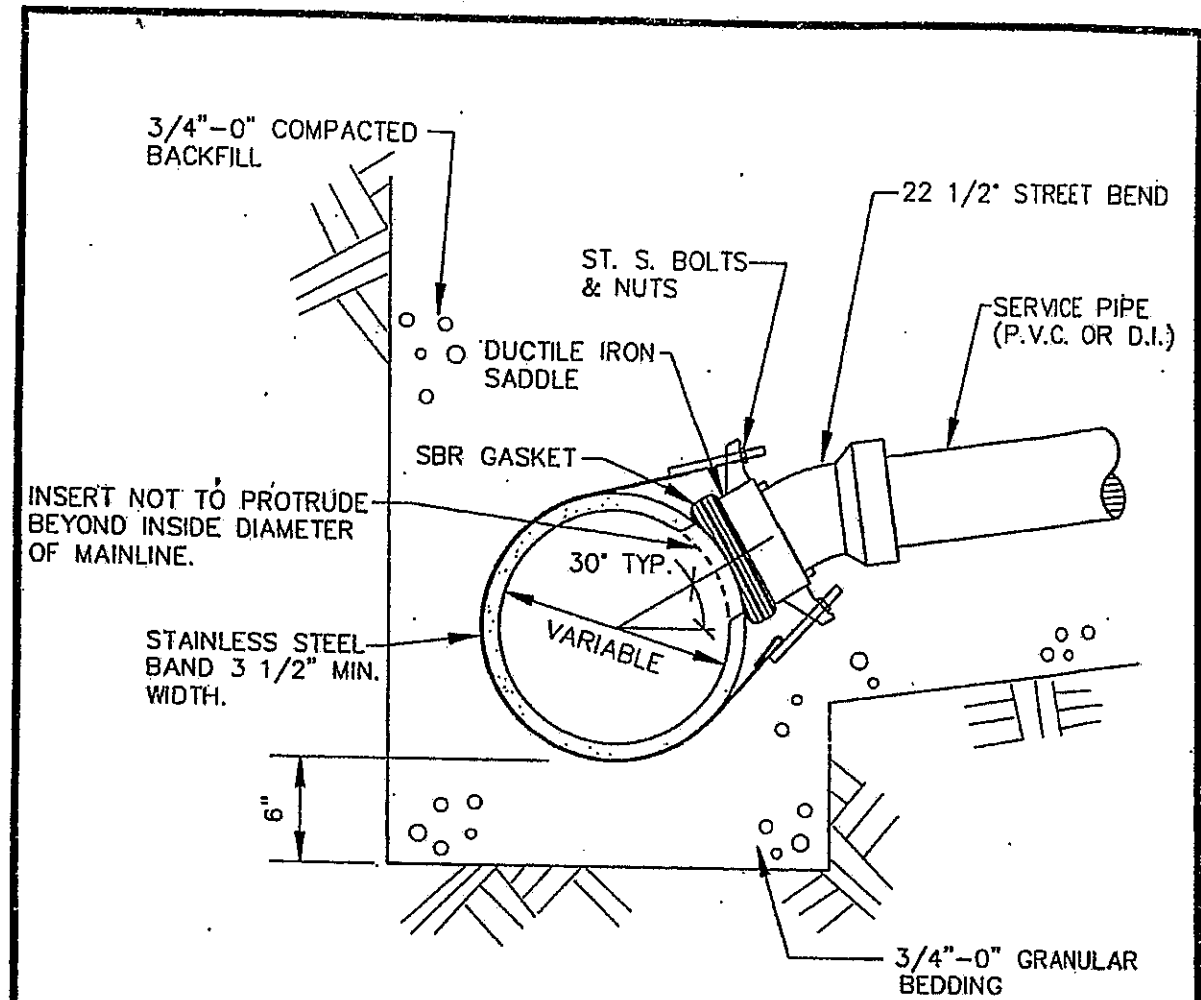


**NOTES:**

1. SANITARY SEWERS - INSERTA-TEES ALLOWED ON EXISTING PVC OR DUCTILE IRON SEWER MAINS. USE ON OTHER PIPE TYPES IS SUBJECT TO CITY APPROVAL AND ACCEPTABLE PIPE CONDITION. MANUFACTURED TEE-WYE FITTINGS SHALL BE USED ON ALL NEW SEWER MAINLINES.
2. THE TAP SHALL NOT BE MADE EXCEPT IN THE PRESENCE OF A NOSD INSPECTOR; NOR SHALL ANY CONNECTION BE MADE WITHOUT NOSD APPROVAL.
3. CENTERLINE OF TAP SHALL BE ABOVE SPRINGLINE.

**INSERTA-TEE "FATBOY" FITTING SHALL BE USED FOR ALL 4" & 6" TAPS. IN ORDER TO ALLOW 95% MANDREL TESTING OF MAINLINES.**

LAST REVISION DATE: DEC 2012	JO # STANDARD
INSERTA-TEE CONNECTION TO EXISTING SEWER	
(NTS)	
NOSD, OR	DETAIL NO. 419



**NOTES:**

1. SERVICE SADDLES ALLOWED ON EXISTING SEWER MAINS ONLY. MANUFACTURED TEE-WEES FITTINGS SHALL BE USED ON ALL NEW MAINLINES.
2. THE TAP SHALL NOT BE MADE EXCEPT IN THE PRESENCE OF A DISTRICT INSPECTOR; NOR SHALL ANY CONNECTION BE MADE WITHOUT DISTRICT APPROVAL.
3. SERVICE SADDLES SHALL BE ROMAC STYLE "CB" OR EQUAL W/ VIRGIN SBR GASKET PER ASTM D2000 MBA 710.
4. HOLE IN MAIN SHALL BE CORE DRILLED.
5.  $\odot$  OF TAP SHALL BE ABOVE SPRINGLINE.

LAST REVISION DATE:		COPYRIGHT 1993	
FEBRUARY 1997		WESTON ENGINEERING, INC.	
SERVICE SADDLE CONNECTION TO EXISTING SEWERS			
CITY:		DRAWING NO.	
NOSD, OR		418	





# PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
<b>RECEIVED</b>	
APR 19 2023	
BY: <u>Counter</u>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees: <u>already paid</u>	
Permit No: 851-23-00015-PLNG	

**Applicant**  (Check Box if Same as Property Owner)

Name: Jason Chock Phone: 503-799-3675  
 Address: 2656 SW Fairmount Blvd  
 City: Portland State: OR Zip: 97239  
 Email: Jasonchock@yahoo.com

**Property Owner**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_

Request: Variance to minimum lot size requirement to convert dwelling to a duplex

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

**Location:**

Site Address: 1560 Chinook Ave Oceanside OR 97314  
 Map Number: 1510 30BR 2600  
Township Range Section Tax Lot(s)

Clerk's Instrument #: \_\_\_\_\_

**Authorization**

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

[Signature] \_\_\_\_\_ Date: 4/19/2023  
 Property Owner Signature (Required) Date

[Signature] \_\_\_\_\_ Date: \_\_\_\_\_  
 Applicant Signature Date

Supplement to Planning Application – Condition Use for 2 family dwelling

Applicants/Owners – Jason Mock

1560 Chinook Ave, Oceanside OR

Oceanside Residential Zone

Map & Tax Lot: T 15 R 10 Sec: 30BB Tax Lots: 2600

Applicant Jason Mock is applying for a Conditional Use Permit / Variance for a two family dwelling unit. This will allow the ground floor of the dwelling to be used for living space. Currently only the second floor is fully finished space. It will also increase the availability of housing available in Oceanside for long term tenants. It will also improve the aesthetics of the dwelling unit to be more consistent with other dwellings in the area. Currently it appears more like a commercial garage. The applicants intend to use the additional dwelling space as a long term rental.

Zoning:

The property is located in the Oceanside Residential Zone (ROS). Two family dwelling units are a permissible conditional use in this zone, per Tillamook County Land Use Ordinance Section 3.300.

The pictures and site plan submitted with this application show that the property currently consists of 3 garages on the bottom level and a small 2 bedroom apartment (750 sq ft) on the second level. The apartment is only accessible via stairs, limiting it's use. The additional living space will be accessed from the ground level, allowing it to be much more accessible.

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.

*Yes, the use is listed.*

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

*Yes. The Tillamook County Comprehensive Plan section on Goal 14 – urbanization – discussed many benefits to concentrating development in areas where utilities and services already exist, and how that helps preserve the county's natural resource and agricultural lands. Permitting two family units in developed areas helps meet this goal and also increases the availability of housing available in the*

*Oceanside area, where long-term rentals are scarce. In addition, the Plan calls out in Section 1.4 that the long-term rental supply availability is only 3-6% and that a much larger supply is needed.*

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

*The parcel is suitable for the requested use. The additional living space will be entirely within the existing footprint of the original dwelling approved for construction in the 70's after considering the parcel's size, shape, location, topography and natural features. There are no other existing improvements on this lot.*

*The pictures and site plan submitted with this application show that the property currently consists of garages on the bottom level and a small 2 bedroom apartment (750 sq ft) on the second level. The apartment is only accessible via stairs, limiting it's use. The additional living space will be accessed from the ground level, allowing it to be much more accessible.*

(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.

*Approval of this proposal will not limit, impair or prevent any surrounding properties to be used for any of the purposes allowed in this zone. The improvements will allow for modernization of the dwelling and make it more consistent with the residential characteristic of the neighborhood. Currently, the building looks more like a commercial auto business than a residence. There is ample parking for 2 families with 6 parking spots - two in the garage and four in front of and to the side of the house. None of the parking will be on the street, allowing for unobstructed flow of traffic. Visibility also will not be impaired as there is no change to the footprint or height of the dwelling. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues. The approach from the north and south will not be affected by this approval. There is clear visibility for all entering and exiting vehicles.*

*Other properties in close proximity to this house are multi-unit dwellings already, so this approval will not alter the characteristic of the neighborhood.*

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

*There are no solar or wind energy systems or wind mills nearby that would be affected by the requested change. The proposed use will not change the footprint or height of the dwelling so there will be no increased impact to any future systems.*

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

*The proposed use as a two family dwelling is timely, considering the adequacy of public facilities and services. The property has water service from the Netarts/Oceanside Water District already. The property is serviced by the Netarts/Oceanside Fire District and has a fire hydrant located on the corner of Chinook Ave and Ocean St, approximately 150 ft from the property.*

A VARIANCE shall be granted, according to the procedures set forth in Section 8.020, if the applicant adequately demonstrates that the proposed VARIANCE satisfies all of the following criteria:

(1) Circumstances attributable either to the dimensional, topographic, or hazardous characteristics of a legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.

*The property is non-conforming in terms of lot size. Current code requires a minimum lot size of 7500 sq ft and the property is 5400 sq ft. Most properties in Oceanside are challenging lots due to lot size, slope or geographic characteristics. Many properties have had to seek variances for setbacks, lot size or other ordinances in order to construct dwellings. The approval of this request will not change the size or height of the existing structure, so the property will continue to meet setback and height requirements. Several properties in the vicinity are duplexes or triplexes. Of those properties, the vast majority are on lots smaller than 7500 sq ft (9 out of 15 properties, see Exhibit A).*

*The improvements will allow for modernization of the dwelling and make it more consistent with the residential characteristic of the neighborhood. Currently, the building looks more like a commercial auto business than a residence. Visibility also will not be impaired as there is no change to the footprint or height of the dwelling. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues. The approach from the north and south will not be affected by this approval. There is clear visibility for all entering and exiting vehicles.*

(2) A VARIANCE is necessary to accommodate a use or accessory use on the parcel which can be reasonably expected to occur within the zone or vicinity.

*The parcel is suitable for the requested use. The additional living space will be entirely within the existing footprint of the original dwelling approved for construction in the 70's after considering the parcel's size, shape, location, topography and natural features. Other properties in close proximity to this house are multi-unit dwellings already, so this approval will not alter the characteristic of the neighborhood. The approval of this request will not change the size or height of the existing structure, so will not result in changes to setbacks or parking. The established 5 parking spots meet the requirements for sufficient parking for a duplex.*

(3) The proposed VARIANCE will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.

*See below under heading 'SECTION 4.005'*



(4) There are no reasonable alternatives requiring either a lesser or no VARIANCE.

*The property is intended to be used as a long-term rental. The Tillamook County Comprehensive Plan section on Goal 14 – urbanization – discussed many benefits to concentrating development in areas where utilities and services already exist, and how that helps preserve the county’s natural resource and agricultural lands. Permitting two family units in developed areas helps meet this goal and also increases the availability of housing available in the Oceanside area, where it is scarce. In addition, the Plan calls out in Section 1.4 that the long-term rental supply availability is only 3-6% and that a much larger supply is needed.*

*The pictures and site plan submitted with this application show that the property currently consists of garages on the bottom level and a small 2 bedroom apartment (750 sq ft) on the second level. The apartment is only accessible via stairs, limiting its use. This will also allow the ground floor of the dwelling to be used for living space, consistent with other properties in the neighborhood.*

SECTION 4.005: RESIDENTIAL AND COMMERCIAL ZONE STANDARDS PURPOSE: In all RESIDENTIAL AND COMMERCIAL ZONES, the purpose of land use standards are the following:

(1) To ensure the availability of private open space;

*As there will be no changes to the existing footprint or height of the home, there will be no changes to the availability of private open space.*

(2) To ensure that adequate light and air are available to residential and commercial structures;

*As there will be no changes to the existing footprint or height of the home, there will be no changes to existing light and air conditions.*

(3) To adequately separate structures for emergency access;

*As there will be no changes to the existing footprint or height of the home, there will be no changes to existing emergency access. Chinook Ave was recently re-done to ensure access for emergency vehicles.*

(4) To enhance privacy for occupants of residences;

*As there will be no changes to the existing footprint or height of the home, there will be no changes to privacy. There are no new windows being added to the North or South (sides of the house), and only 2 windows added to the rear (to meet egress standards), so no significant impact to privacy on adjacent lots.*

(5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveways, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;

*Approval of this two family dwelling will not limit, impair or prevent any surrounding properties to be used for any of the purposes allowed in this zone. The improvements will allow for modernization of the dwelling and make it more consistent with the residential characteristic of the neighborhood. Currently, the building looks more like a commercial auto business than a residence. There is ample parking for 2 families with 5 parking spots - one in the remaining garage and four in front of and to the side of the house. None of the parking will be on the street, allowing for unobstructed flow of traffic. Visibility also will not be impaired as there is no change to the footprint or height of the dwelling. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues. The approach from the north and south will not be affected by this approval. There is clear visibility for all entering and exiting vehicles. There are no solar or wind energy systems or wind mills nearby that would be affected by the requested change. The proposed use will not change the footprint or height of the dwelling so there will be no increased impact to any future systems.*

(6) To ensure that driver visibility on adjacent roads will not be obstructed;

*Chinook Ave is the only adjacent road to the lot. None of the parking will be on the street, allowing for unobstructed flow of traffic. Visibility also will not be impaired as there is no change to the footprint or height of the dwelling. Landscape additions will take into account visibility for entering and exiting the property to prevent any issues.*

(7) To ensure safe access to and from common roads;

*The approach from the north and south will not be affected by this approval. There is clear visibility and safe access for all entering and exiting vehicles.*

(8) To ensure that pleasing views are neither unreasonably obstructed nor obtained;

*As there will be no changes to the existing footprint or height of the home, there will be no changes to the views. In addition, no trees will be added or removed that might change the views.*

(9) To separate potentially incompatible land uses;

*Our lot adheres to standard setbacks, therefore it offers standard separation. The use as a residence is compatible with adjacent lots.*

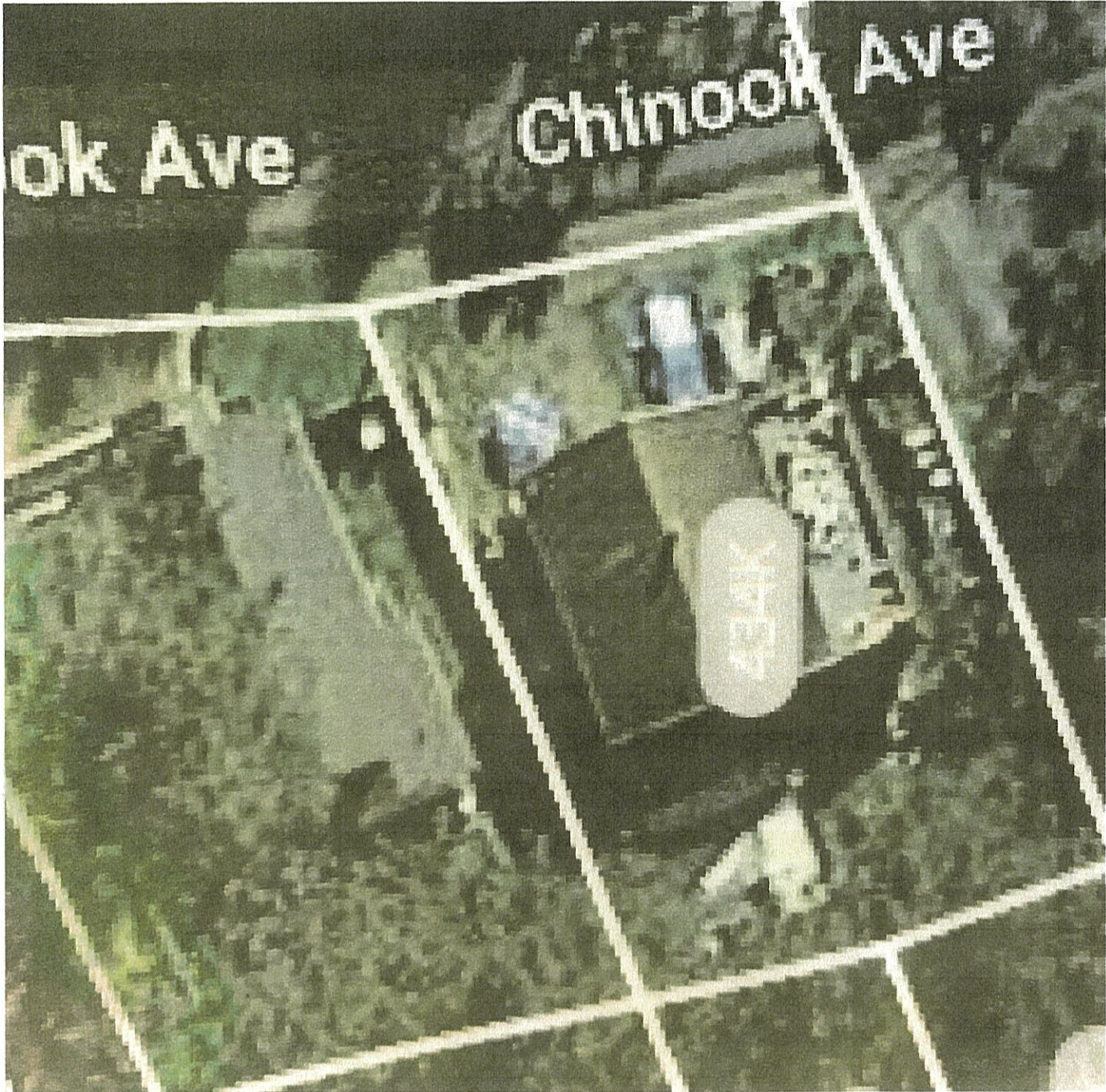
(10) To ensure access to solar radiation for the purpose of alternative energy production

*As there will be no changes to the existing footprint or height of the home, there will be no changes to the potential for alternative energy production.*

Exhibit A

<b>Search Key</b>	<b>Situs</b>	<b>Map</b>	<b>Lot Size (acres)</b>
Duplex	1612 SUNSET AVE NW COUNTY OR	1S1125AA 10400	0.02
Triplex	1580 PORTLAND AVE COUNTY OR	1S1030BC 03600	0.04
Duplex	1720 PORTLAND AVE COUNTY OR	1S1125AA 09100	0.05
Duplex	1840 CHINOOK AVE COUNTY OR	1S1125AA 07300	0.06
Triplex	1830 CHINOOK AVE COUNTY OR	1S1125AA 07400	0.08
Duplex	1260 TILLAMOOK AVE COUNTY OR	1S1030BC 09900	0.1
Duplex	1830 MAXWELL MOUNTAIN RD COUNTY OR	1S1125AA 06500	0.11
Triplex	1630 SUNSET AVE COUNTY OR	1S1125AA 10600	0.13
Duplex	5743 NORWESTER RD COUNTY OR	1S1125AA 01301	0.17
Duplex	152 GLENWOOD ST COUNTY OR	1S1030CD 01127	0.18
Duplex	2744 RADAR RD COUNTY OR	1S1124AA 00300	0.26
Duplex	220 REEDER ST COUNTY OR	1S1030CD 02402	0.3
Triplex	1680 CHINOOK AVE COUNTY OR	1S1125AA 11800	0.32
Triplex	1590 CAPE MEARES LOOP NW B COUNTY OR	1S1030BB 07800	0.34
Triplex	5450 SOUTH AVE COUNTY OR	1S1030CD 01200	0.35





OKAY

CHINDO

2008

ATBK







NETARTS-OCEANSIDE SANITARY DISTRICT  
1755 CAPE MEARES LP. RD. W.  
TILLAMOOK, OR. 97141  
PHONE (503) 842-8231  
FAX (503) 842-3759  
TTY Relay Service: (800)-877-8973  
www.n-o-s-d.com

Tillamook Co. Department  
Of Community Development  
1510 Third St., Suite B  
Tillamook, OR 97141  
(503) 842-3408

DATE: February 10, 2023

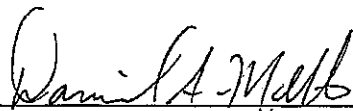
TO: TILLAMOOK COUNTY ONE-STOP PERMIT COUNTER

RE: SEWER AVAILABILITY

I confirm that sanitary sewer service has been provided to **Tax Lot# 1S10 30BB 02600** since July 1978. Our records shows this property as a Single Family Dwelling. The additional bedrooms and bathroom does not affect the sewer availability.

According to our records, the legal owner is: Jason & Mandy Mock 2656 SW Fairmont Blvd. Portland, OR. 97239.

This letter shall not create a liability on the part of Tillamook County, or by an officer, or employee thereof, for the services described above.



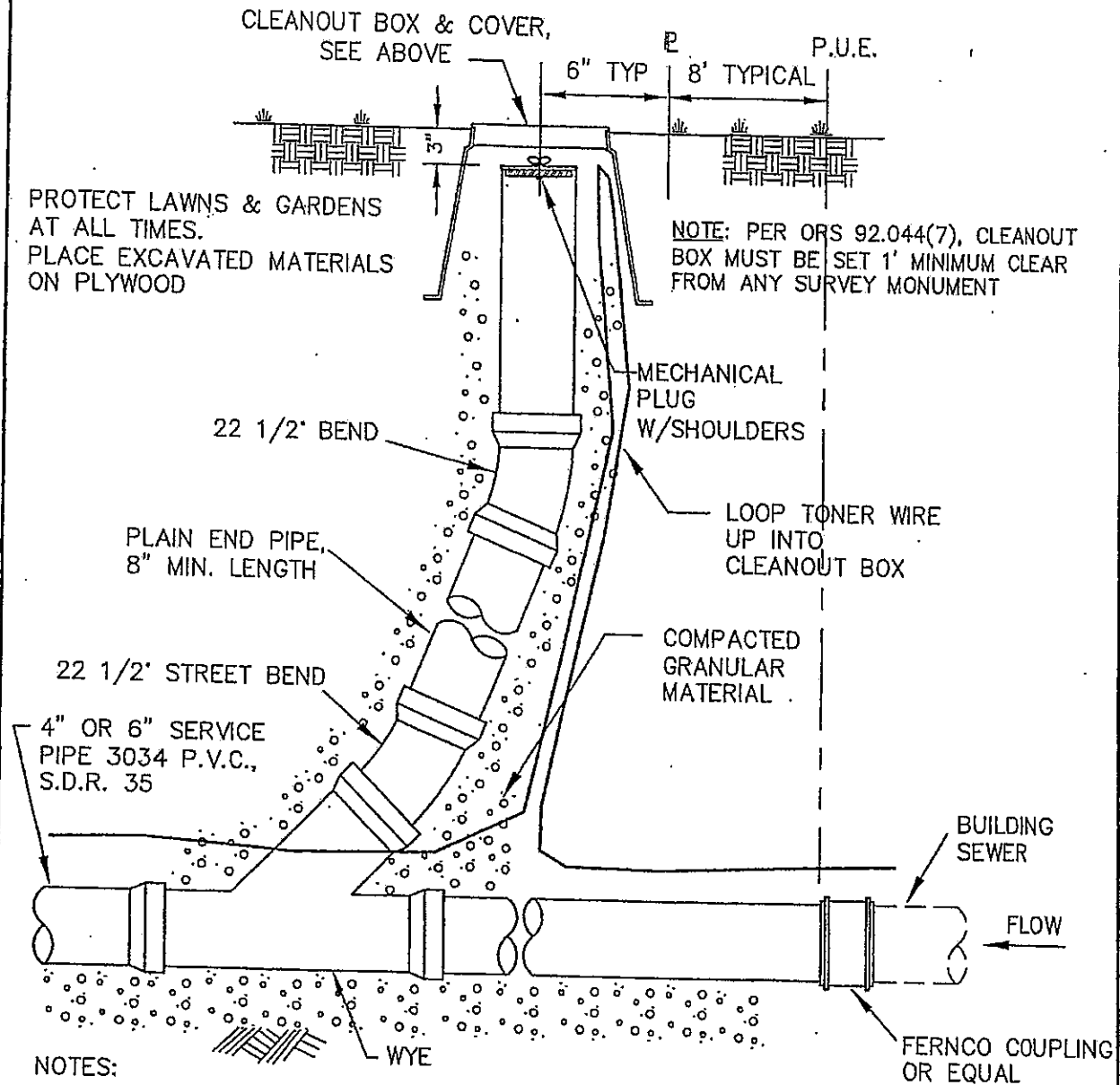
Daniel A. Mello, District Superintendent

Cc: Property Owner

"This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)"

CLEANOUT COVERS: ALL SEWER CLEANOUT LIDS TO READ "SEWER"

1. NON-TRAFFIC AREAS:  
CARSON MODEL 910 T-COVER OR EQUAL (GREEN FOR SEWER, GREY FOR STORM).
2. TRAFFIC AREAS, INCLUDING DRIVEWAYS:  
8" X 4" CAST IRON FRAME & COVER, OLYMPIC M1007 OR EQUAL.



NOTES:

1. CLEANOUT RISER SHALL BE SAME SIZE AND MATERIAL AS LATERAL PIPE.
2. PROVIDE CASTING FOR CLEANOUTS LOCATED IN DRIVEWAYS.
3. CLEANOUT PIPE SHALL BE LEFT A MINIMUM OF 18" ABOVE EXISTING GRADE UNTIL ALL CURBING IS INSTALLED AND ALL PRIVATE UTILITY TRENCHES ARE BACKFILLED. CLEANOUTS SHALL THEN BE SET FLUSH WITH FINISH GRADE.

LAST REVISION DATE: MAR 2008	COPYRIGHT 1996 WESTED ENGINEERING, INC.
STANDARD SERVICE LATERAL CLEANOUT (NTS)	
NOSD, OR	DETAIL NO. 416

**NOTE: NO VERTICAL OR HORIZONTAL BENDS GREATER THAN 22-1/2° WITHIN RIGHT-OF-WAY OR PUBLIC UTILITY EASEMENT (IE, FROM MAINLINE TO CLEANOUT).**

**NOTE: PER ORS 92.044(7), SERVICE LINES MUST BE SET 1' MINIMUM CLEAR FROM ANY SURVEY MONUMENT.**

**NOTE: PRESSURE TREATED 2" X 4" WIRED TO INVERT AND EXTENDING ABOVE FINISH GRADE. STAKE SHALL BE CONTINUOUS AND REMAIN VERTICAL AFTER BACKFILLING. END SHALL BE PAINTED & LABELED (WHITE FOR SEWER), AND LABELED WITH DEPTH TO PIPE. EXTEND TONING WIRE TO SURFACE.**

**STAMP 2" TALL "S" IN TOP OF CURB & GUTTER PAN AT POINT OF CROSSING.**

**PROPERTY LINE CLEANOUT SEE DETAIL 416**

**EASEMENT LINE OR P/L**

**PUE**

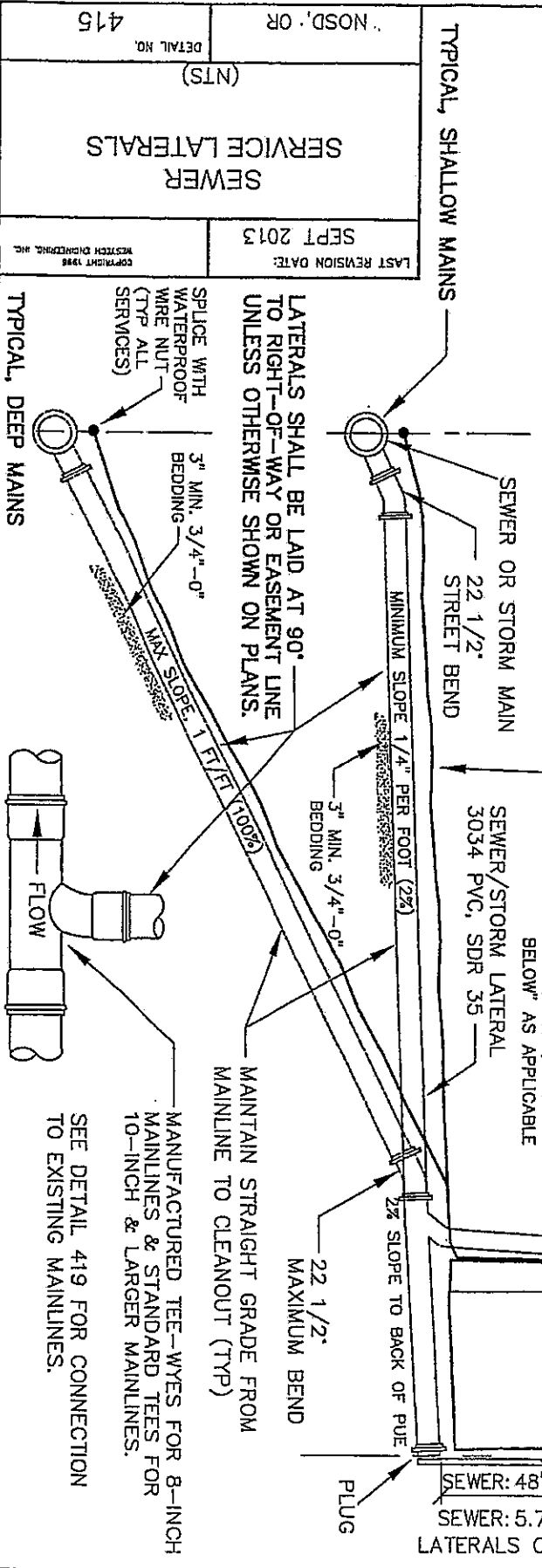
**12" MIN. 18" MAX.**

**SEWER: 48" MIN. COVER W/NO WATERLINE**

**SEWER: 5.75' TYP. COVER WHERE SEWER LATERALS CROSS WATERLINE (SEE NOTE 2)**

**NOTES:**

1. MIN. 18" SEPARATION BETWEEN ADJACENT LATERALS.
2. ONE FULL LENGTH OF PVC PIPE (AT CROSSING) REQUIRED FOR ALL SEWER LATERALS WHICH CROSS UNDER WATER LINES WITH LESS THAN 18" MINIMUM VERTICAL CLEARANCE BETWEEN WATER LINE AND SERVICE LATERAL.
3. SERVICE SHALL NOT BE BACKFILLED PRIOR TO INSPECTION BY PUBLIC WORKS.
4. INSTALL A CONTINUOUS 12 GAUGE SOLID CORE GREEN INSULATED TRACER WIRE FROM MAINLINE WIRE TO END OF LATERAL.



**TYPICAL, SHALLOW MAINS**

**TYPICAL, DEEP MAINS**

**LATERALS SHALL BE LAID AT 90° TO RIGHT-OF-WAY OR EASEMENT LINE UNLESS OTHERWISE SHOWN ON PLANS.**

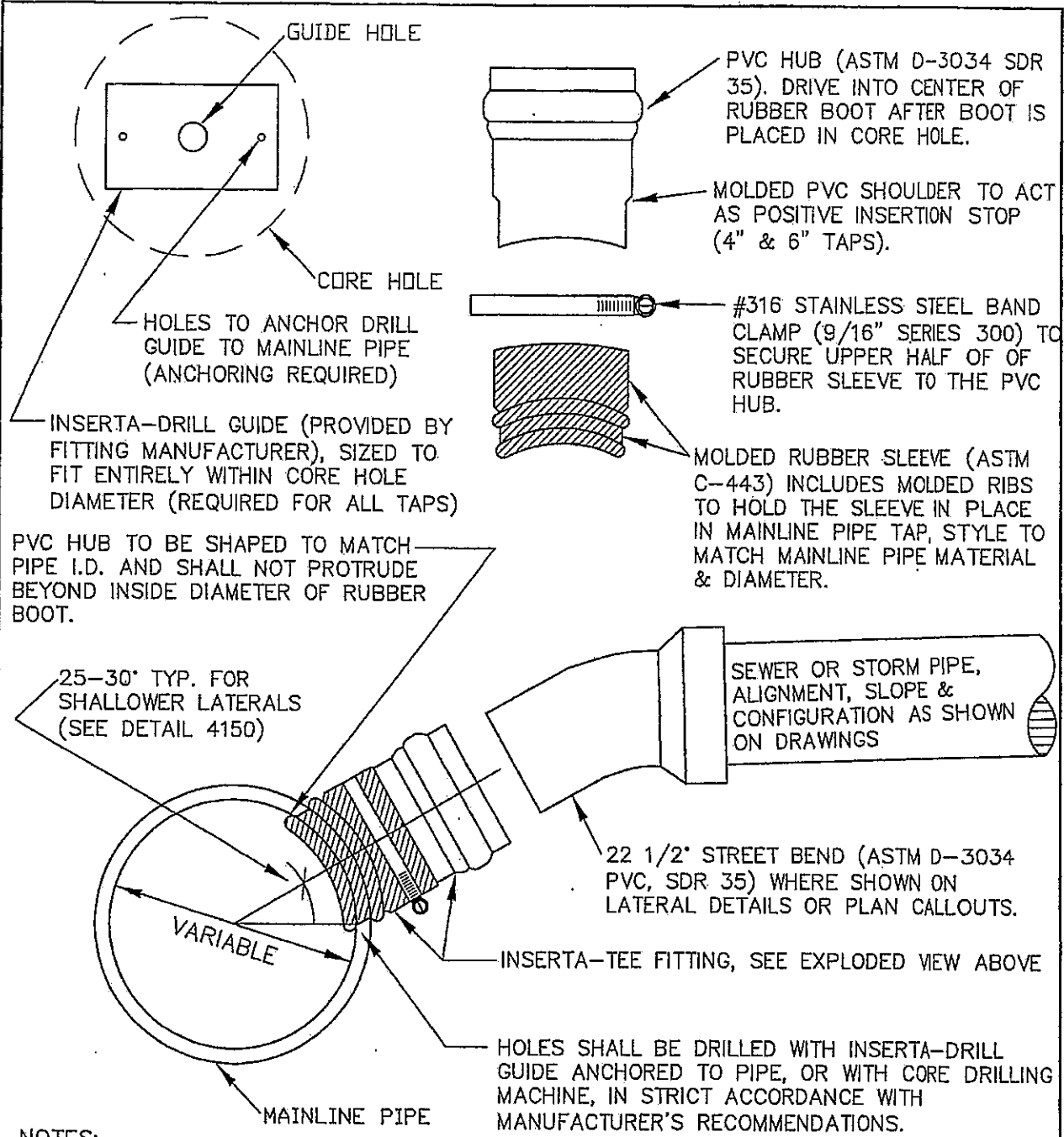
**SEE DETAIL 419 FOR CONNECTION MAINLINES & STANDARD TEES FOR 8-INCH TO 10-INCH & LARGER MAINLINES.**

**MANUFACTURED TEE-WYES FOR 8-INCH MAINLINES & STANDARD TEES FOR 10-INCH & LARGER MAINLINES.**

**SEE DETAIL 419 FOR CONNECTION TO EXISTING MAINLINES.**

**MANTAIN STRAIGHT GRADE FROM MAINLINE TO CLEANOUT (TYP)**

WESTECH ENGINEERING, INC. COPYRIGHT 1988	LAST REVISION DATE: SEPT 2013	STWFR SEWER SERVICE LATERALS	(NTS)	" NOSD, OR DETAIL NO. 415
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PVC HUB TO BE SHAPED TO MATCH PIPE I.D. AND SHALL NOT PROTRUDE BEYOND INSIDE DIAMETER OF RUBBER BOOT.

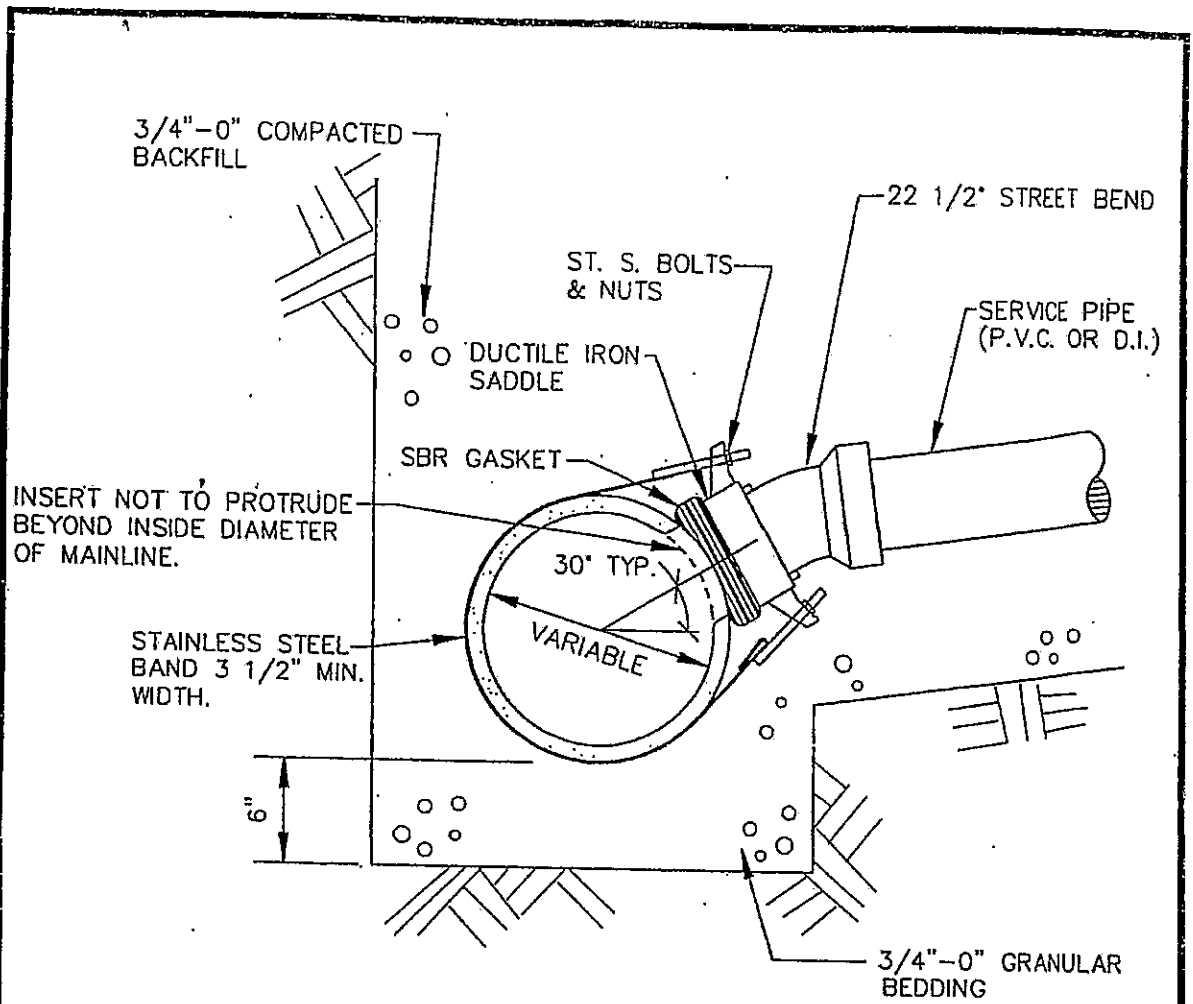
25-30' TYP. FOR SHALLOWER LATERALS (SEE DETAIL 4150)

**NOTES:**

1. SANITARY SEWERS - INSERTA-TEES ALLOWED ON EXISTING PVC OR DUCTILE IRON SEWER MAINS. USE ON OTHER PIPE TYPES IS SUBJECT TO CITY APPROVAL AND ACCEPTABLE PIPE CONDITION. MANUFACTURED TEE-WYE FITTINGS SHALL BE USED ON ALL NEW SEWER MAINLINES.
2. THE TAP SHALL NOT BE MADE EXCEPT IN THE PRESENCE OF A NOSD INSPECTOR; NOR SHALL ANY CONNECTION BE MADE WITHOUT NOSD APPROVAL.
3. CENTERLINE OF TAP SHALL BE ABOVE SPRINGLINE.

**INSERTA-TEE "FATBOY" FITTING SHALL BE USED FOR ALL 4" & 6" TAPS. IN ORDER TO ALLOW 95% MANDREL TESTING OF MAINLINES.**

LAST REVISION DATE: DEC 2012	JD # STANDARD
INSERTA-TEE CONNECTION TO EXISTING SEWER	
(NTS)	
NOSD, OR	DETAIL NO. 419



INSERT NOT TO PROTRUDE BEYOND INSIDE DIAMETER OF MAINLINE.

STAINLESS STEEL BAND 3 1/2" MIN. WIDTH.

6"

NOTES:

1. SERVICE SADDLES ALLOWED ON EXISTING SEWER MAINS ONLY. MANUFACTURED TEE-WEES FITTINGS SHALL BE USED ON ALL NEW MAINLINES.
2. THE TAP SHALL NOT BE MADE EXCEPT IN THE PRESENCE OF A DISTRICT INSPECTOR; NOR SHALL ANY CONNECTION BE MADE WITHOUT DISTRICT APPROVAL.
3. SERVICE SADDLES SHALL BE ROMAC STYLE "CB" OR EQUAL W/ VIRGIN SBR GASKET PER ASTM D2000 MBA 710.
4. HOLE IN MAIN SHALL BE CORE DRILLED.
5.  $\phi$  OF TAP SHALL BE ABOVE SPRINGLINE.

LAST REVISION DATE: FEBRUARY 1997		COPYRIGHT 1994 WESTON ENGINEERING, INC.	
SERVICE SADDLE CONNECTION TO EXISTING SEWERS			
CITY: NOSD, OR		DRAWING NO. 418	

**EXHIBIT**

**C**



# Wetland Land Use Notice Response

## Response Page

Department of State Lands (DSL) WN#\*

WN2023-0376

### Responsible Jurisdiction

**Staff Contact**

Lynn Tone

**Jurisdiction Type**

County

**Municipality**

Tillamook

**Local case file #**

851-23-000040-PLNG

**County**

Tillamook

### Activity Location

**Township**

01S

**Range**

10W

**Section**

30

**QQ section**

BB

**Tax Lot(s)**

2600

Street Address

1560 Chinook Ave

Address Line 2

City

Oceanside

Postal / Zip Code

97134

State / Province / Region

OR

Country

Tillamook

**Latitude**

45.460767

**Longitude**

-123.967852

### 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.

### Closing Information

**Additional Comments**

Based on a review of the available information, the proposed development appears to avoid impacts to jurisdictional wetlands/waters.

This is a preliminary jurisdictional determination and is advisory only.

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

### Contact Information



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

**Response Date**

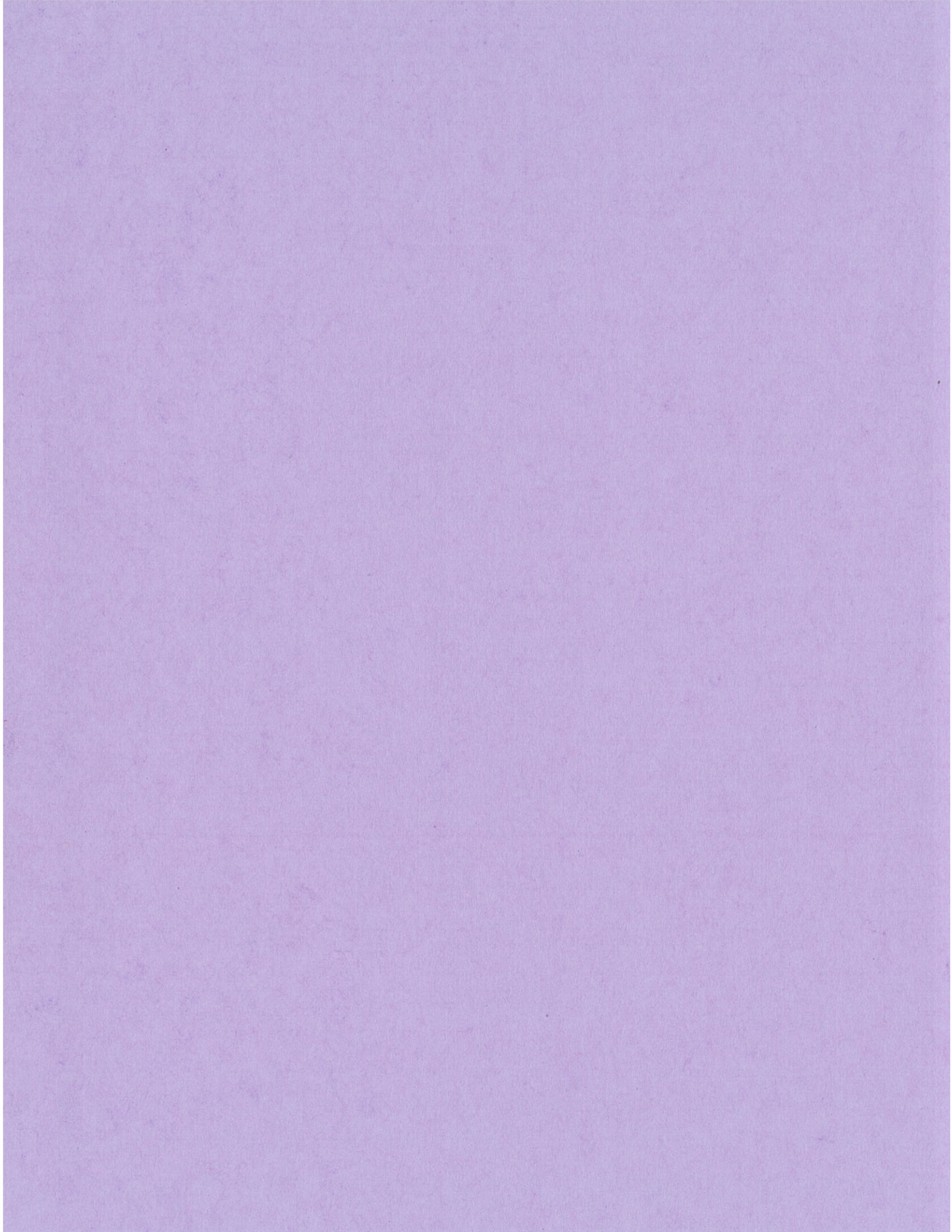
5/26/2023

**Response by:**

Chris Stevenson

**Response Phone:**

503-986-5246



**Riverview  
Meadows 3  
Testimony**

## Lund Kenneth

---

**From:** Lund Kenneth  
**Sent:** Tuesday, May 30, 2023 1:00 PM  
**To:** [REDACTED]  
**Subject:** FW: Dispute / Concern, water on my Property and building on the hill

Location Ken Lund, 14150 Riverview Meadows LN. Nehalem Oregon

Proactive Approach to have in writing not to build on the hill above my house, avoid conflicts with new landowners and to prevent costly legal help.

Why, Damages and safety issues from falling rocks, landslides and or even more water issues that has increase by phase one. That needs addressed Please.

- A, Down spouts, new builds removing brush and trees causing water issues and slides.
- B, Kids playing on the hill, causing rockslides.
- C, Equipment causing damage to the area vibrations causing the hill to come down.

### **Now**

Removing Falling rocks all the time.  
Water flooding the shed and ground around it.  
Need new drainpipe under driveway.

### **Been completed.**

Ram Jack, House \$30k, caused by water.  
100 ft new drainpipe, \$12K  
Dug out river added about 3 truckloads river rock. \$3k, 2 weeks.

### **Documentation / need reviewed and corrected. Attached Doc. \* Photos.**

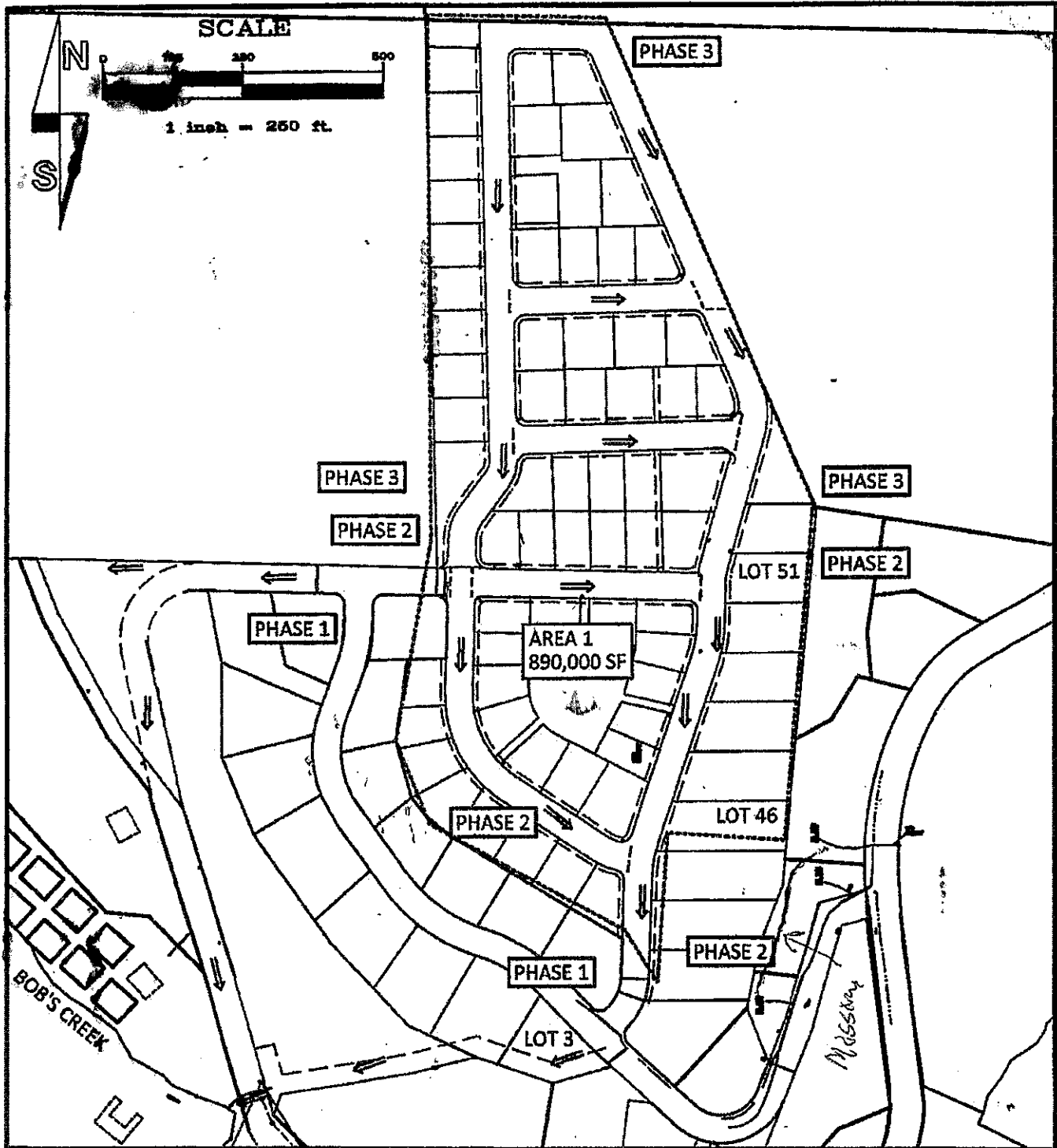
Morgan civil Engineering Jan 6<sup>th</sup> 23 drainage was missed and not listed. Per conversation with Engineer.  
R. Warren Krager R.G, C.E.G. Engineering Geologist; Feb 25,2020, Phase 2 lots 39-48

**Thank you,**

*Ken J Lund*

***[kj.lund0147@gmail.com](mailto:kj.lund0147@gmail.com)***

***Phone # (503)300-9339***



JAN. 6, 2023

**RIVERVIEW MEADOWS**  
 SITE LAYOUT  
 DRAINAGE PLAN  
 FINAL DRAINAGE  
 NEHALEM



**MORGAN CIVIL  
 ENGINEERING, INC.**

PO BOX 358  
 MANZANITA, OR 97130  
 (503) 801-6016  
 www.morgancivil.com

- CIVIL ENGINEERING
- INSPECTION
- PLANNING

**R. Warren Krager, R.G., C.E.G.**  
**Consulting Engineering Geologist**  
**Oregon CEG #E957**  
**Washington LEG #314**

February 25, 2020

Alex Reverman

In care of Morgan Civil Engineering, Inc.  
Phone: 503-801-6016  
Email: jason@morgancivil.com

**Subject:     Engineering Geologic Hazard Report**  
**Tax Lot 3600 Map 3N 10 23B**  
**Proposed Riverview Meadows Subdivision, Phase 2**  
**Tillamook County, Oregon**

Dear Mr. Reverman and Mr. Morgan:

As requested, I am pleased to submit my engineering geologic site investigation report for the proposed land division of Phase 2 of the Riverview Meadows residential subdivision. This geologic hazard report has been prepared in general accordance with the Tillamook County Land Use Ordinance (TCLUO) Section 4.130, Development Requirements for Geologic Hazard Areas. The property is mapped in inactive landslides, landslide topography and mass movement topography and has greater than 19 percent slope.

R. Warren Krager, R.G., C.E.G. (Oregon Licensed Engineering Geologist E-957) conducted the initial site visit with Jason Morgan, P.E. on Friday February 14, 2020. Approximately 2 hours was spent observing site conditions and discussing primarily the proposed building lots located on the break in slope along the eastern row of Lot 39 through 48. We discussed general slope setback considerations for home on lots, as well as allowances for specifically engineered foundation for homes that might use a daylight basement or other foundation system involving slopes. We observed exposed surface soils near slope crest areas and general drainage of existing manmade and natural soil drainage in internal roadway areas to be constructed to serve Phase 2 street access.

In preparing this report, available geologic hazard maps and reports, tax lot maps, design concept sketches and available topographic data and aerial photographic images were reviewed for detailed information pertinent to the subject property and vicinity. The following geologic reports, maps, aerial photos and other information were reviewed and used in preparation this report:

- Tillamook County Land Use Ordinance, Article 4, Section 4.130 Development Requirements for Geologic Hazard Areas.
- Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon, Oregon Department of Geology and Mineral Industries (DOGAMI), Bulletin 74, 1972.

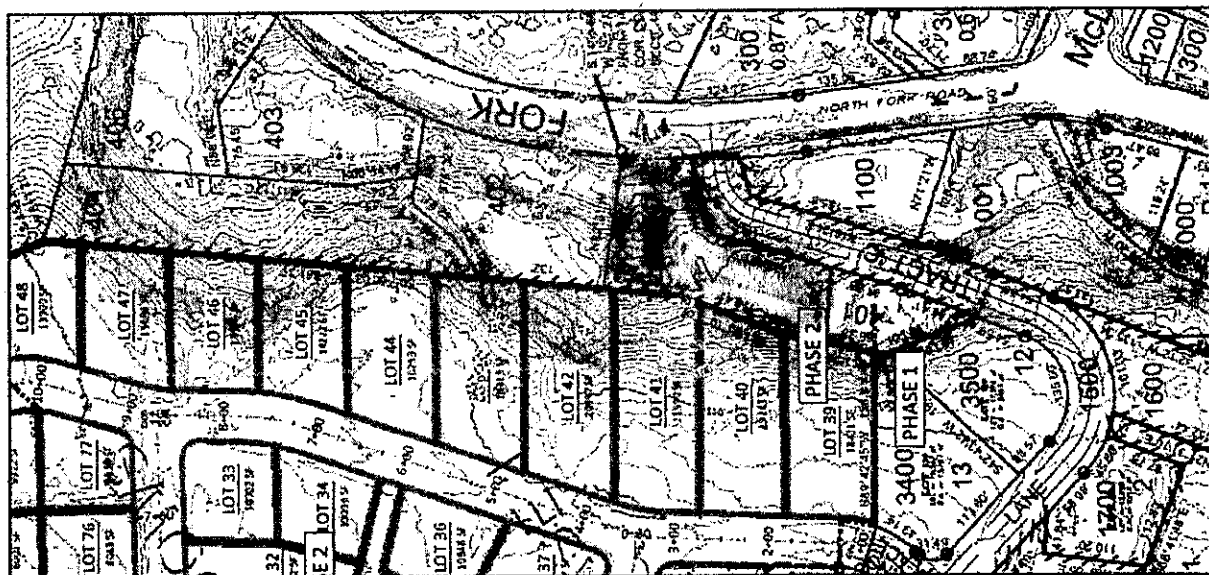
10655 S.W. Park Street • Tigard, Oregon 97223 • Phone 360-903-4861 • Email warrenkrager@gmail.com

### Site Location and Project Description

The general location of the subject property is level-topped foothill located north of the confluence of main stem of the Nehalem River and the North Fork of the Nehalem River, east of in Tillamook County, Oregon. The subject property consists of Tract B, Lot 3600 of the Riverview Meadows Phase 1 Subdivision, Figure 1. It is my understanding that the vacant, undeveloped land in Tract B, will be further divided into approximately 33 new single-family residential building lots, ranging in size from about 8,000 to 14,000 square feet in area. The proposed land division will include construction of new paved streets and underground utilities.

### Slope and Topography

Most of the proposed new phase of residential subdivision lies on a relatively level natural terrace at about 130 feet above mean sea level. Only along the eastern margins of proposed Lots 39 through 48 are slopes present that would create concern for slope instability or potential influence on home site location. Most of these proposed lots appear to have ample level area for conventional homes with shallow foundations to be placed well away from the crests of steep descending slopes. However, Lots 45, 46, and 47 are smaller and maybe limited in home footprint selection or foundation method because of steep slopes.



**Figure 2** – North to left view, Sloped topography of proposed Riverview Meadows Phase 2 Subdivision. Site plan and LIDAR-based topography Provided by Morgan Civil Engineering, Inc.

From the level meadow, the eastern slope breaks abruptly downward at generally over 50 percent and as steep as 80 to 100 percent locally, based on the DOGAMI light detection and ranging (Lidar) derived topography, shown in Figure 2. The lowest elevations on the eastern margins of the lot are about 60 to 70 feet above sea level. The extremely steep slope gradients are generally at lower elevations. There appear to be several small block slide slope failures visible from near the crest of the slope. Trails from residences at the base of the steep slope to the upper level meadow follow slump block slope terrain. During our slope reconnaissance, we

could hear but could not locate what sounded like springs or cascading drainage issuing from near the base of the steepest slopes.

### **Soils and Geology**

Surface soils in the near level portion of the project area are mapped by the USDA NRCS Web Soil Survey of Tillamook County, Oregon as Chitwood-Hebo complex, 0 to 5 percent slopes. This soil is derived from mixed alluvium and/or fluviio-marine deposits derived from sedimentary rock. The USDA describes the contact with underlying bedrock at a depth of about 5 feet below the ground surface. The sloped soils at the eastern margin of the subject property are mapped as Templeton-Ecola medial silt loams, 30 to 60 percent slopes derived from colluvium and residuum of sedimentary rock.

Based on the DOGAMI geologic mapping, Figure 3, the subject property is located on a southern slope of coast range uplands composed of Tertiary age sedimentary deposits of Oligocene to Miocene age siltstone, geologic map symbol **Toms**. The blue triangle and stippled overprint pattern on the **Toms** geologic map unit indicates ancient landslide topography mapped by DOGAMI. The **Toms** tuffaceous siltstone geologic unit is typically highly weathered to decomposed and with closely spaced joints and fractures from the landsliding. Intact sedimentary bedding or bedrock dip angles are rarely observed in the hill slope colluvium. There were no apparent signs of sedimentary bedding in the hand auger explorations. In the landslide terrain it is unlikely that sedimentary bedding would be intact for any significant areal extent.

Younger Quaternary fluvial silt and clay deposits (**Qc**) are present in embayments eroded into the older sedimentary rock at Bob's Creek, Anderson Creek and other drainages in the lower Nehalem Valley.

According to the USGS geologic mapping, Figure 4, the project site lies in an area of Tertiary Alsea Formation (**Tal**) tuffaceous siltstone of Lower Miocene to Oligocene age. The upper part of this unit is generally massive but has thin feldspathic sandstone interbeds. The USGS does not map the project area as landslide terrain, but the sedimentary strike and dip symbols shown on the map vary substantially in orientation and dip angles, suggesting substantial disturbance of the originally horizontally bedded marine sedimentary deposit. As with the DOGAMI mapping, Nehalem River valley and tributary creeks are covered by younger Quaternary fluvial and estuarine (**Qf**) fine-grained sedimentary deposits.



## Lund Kenneth

---

**From:** Lund Kenneth  
**Sent:** Tuesday, May 30, 2023 1:00 PM  
**To:** ~~XXXXXXXXXX~~  
**Subject:** FW: Dispute / Concern, water on my Property and building on the hill

Location Ken Lund, 14150 Riverview Meadows LN. Nehalem Oregon

Proactive Approach to have in writing not to build on the hill above my house, avoid conflicts with new landowners and to prevent costly legal help.

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### **Been completed.**

Ram Jack, House \$30k, caused by water.  
100 ft new drainpipe, \$12K  
Dug out river added about 3 truckloads river rock. \$3k, 2 weeks.

### **Documentation / need reviewed and corrected. Attached Doc.**

*\* Photos.*

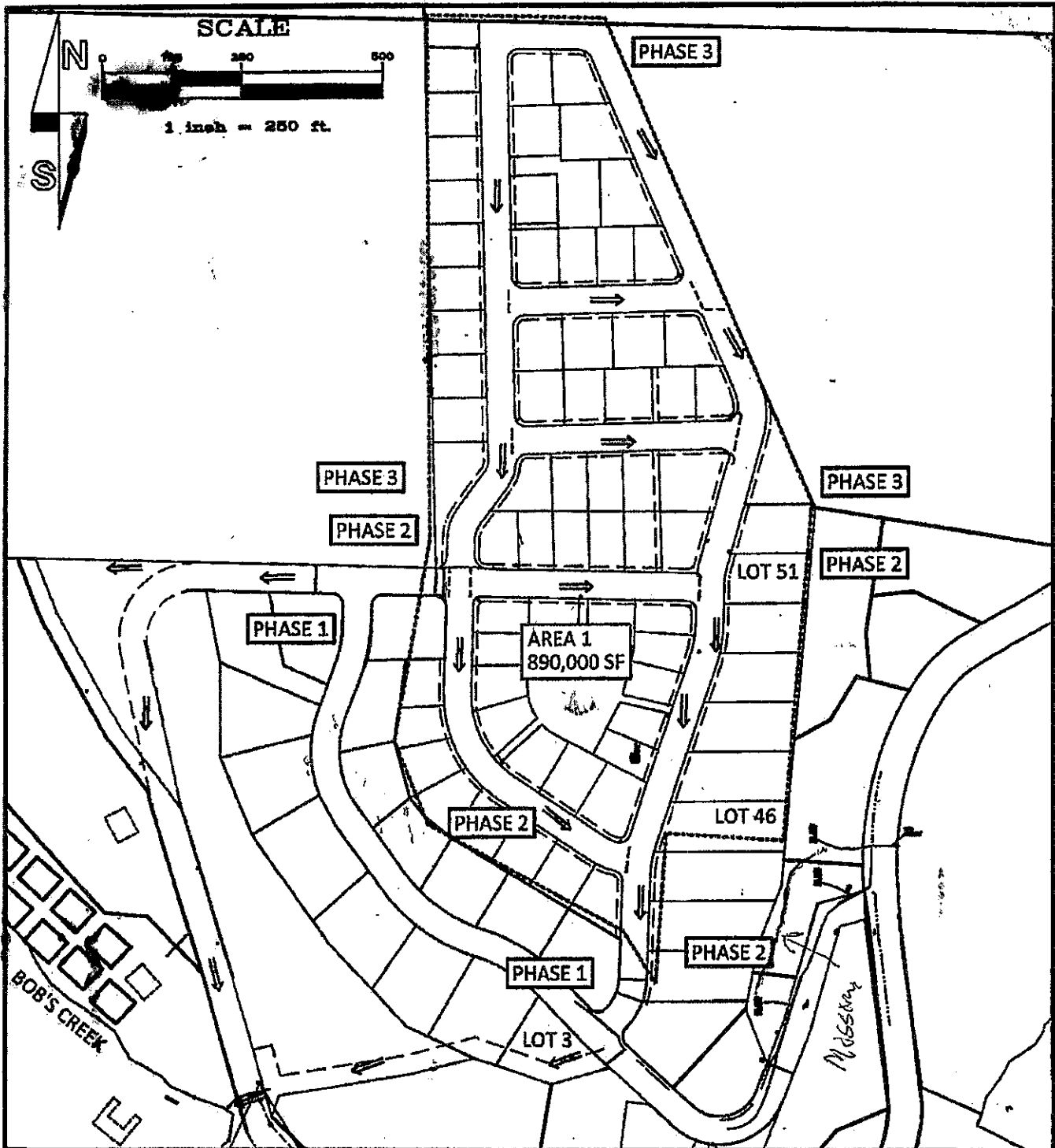
Morgan civil Engineering Jan 6<sup>th</sup> 23 drainage was missed and not listed. Per conversation with Engineer.  
R. Warren Krager R.G, C.E.G. Engineering Geologist; Feb 25,2020, Phase 2 lots 39-48

**Thank you,**

*Ken J Lund*

***[kj.lund0147@gmail.com](mailto:kj.lund0147@gmail.com)***

***Phone # (503)300-9339***



JAN. 6, 2023

**RIVERVIEW MEADOWS**  
 SITE LAYOUT  
 DRAINAGE PLAN  
 FINAL DRAINAGE  
 NEHALEM



**MORGAN CIVIL  
 ENGINEERING, INC.**

PO BOX 358  
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- CIVIL ENGINEERING
- INSPECTION
- PLANNING

*R. Warren Krager, R.G., C.E.G.  
Consulting Engineering Geologist  
Oregon CEG #E957  
Washington LEG #314*

February 25, 2020

Alex Reverman

In care of Morgan Civil Engineering, Inc.  
Phone: 503-801-6016  
Email: jason@morgancivil.com

**Subject:     Engineering Geologic Hazard Report  
              Tax Lot 3600 Map 3N 10 23B  
              Proposed Riverview Meadows Subdivision, Phase 2  
              Tillamook County, Oregon**

Dear Mr. Reverman and Mr. Morgan:

As requested, I am pleased to submit my engineering geologic site investigation report for the proposed land division of Phase 2 of the Riverview Meadows residential subdivision. This geologic hazard report has been prepared in general accordance with the Tillamook County Land Use Ordinance (TCLUO) Section 4.130, Development Requirements for Geologic Hazard Areas. The property is mapped in inactive landslides, landslide topography and mass movement topography and has greater than 19 percent slope.

R. Warren Krager, R.G., C.E.G. (Oregon Licensed Engineering Geologist E-957) conducted the initial site visit with Jason Morgan, P.E. on Friday February 14, 2020. Approximately 2 hours was spent observing site conditions and discussing primarily the proposed building lots located on the break in slope along the eastern row of Lot 39 through 48. We discussed general slope setback considerations for home on lots, as well as allowances for specifically engineered foundation for homes that might use a daylight basement or other foundation system involving slopes. We observed exposed surface soils near slope crest areas and general drainage of existing manmade and natural soil drainage in internal roadway areas to be constructed to serve Phase 2 street access.

In preparing this report, available geologic hazard maps and reports, tax lot maps, design concept sketches and available topographic data and aerial photographic images were reviewed for detailed information pertinent to the subject property and vicinity. The following geologic reports, maps, aerial photos and other information were reviewed and used in preparation this report:

- Tillamook County Land Use Ordinance, Article 4, Section 4.130 Development Requirements for Geologic Hazard Areas.
- Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon, Oregon Department of Geology and Mineral Industries (DOGAMI), Bulletin 74, 1972.

### Site Location and Project Description

The general location of the subject property is level-topped foothill located north of the confluence of main stem of the Nehalem River and the North Fork of the Nehalem River, east of in Tillamook County, Oregon. The subject property consists of Tract B, Lot 3600 of the Riverview Meadows Phase 1 Subdivision, Figure 1. It is my understanding that the vacant, undeveloped land in Tract B, will be further divided into approximately 33 new single-family residential building lots, ranging in size from about 8,000 to 14,000 square feet in area. The proposed land division will include construction of new paved streets and underground utilities.

### Slope and Topography

Most of the proposed new phase of residential subdivision lies on a relatively level natural terrace at about 130 feet above mean sea level. Only along the eastern margins of proposed Lots 39 through 48 are slopes present that would create concern for slope instability or potential influence on home site location. Most of these proposed lots appear to have ample level area for conventional homes with shallow foundations to be placed well away from the crests of steep descending slopes. However, Lots 45, 46, and 47 are smaller and maybe limited in home footprint selection or foundation method because of steep slopes.

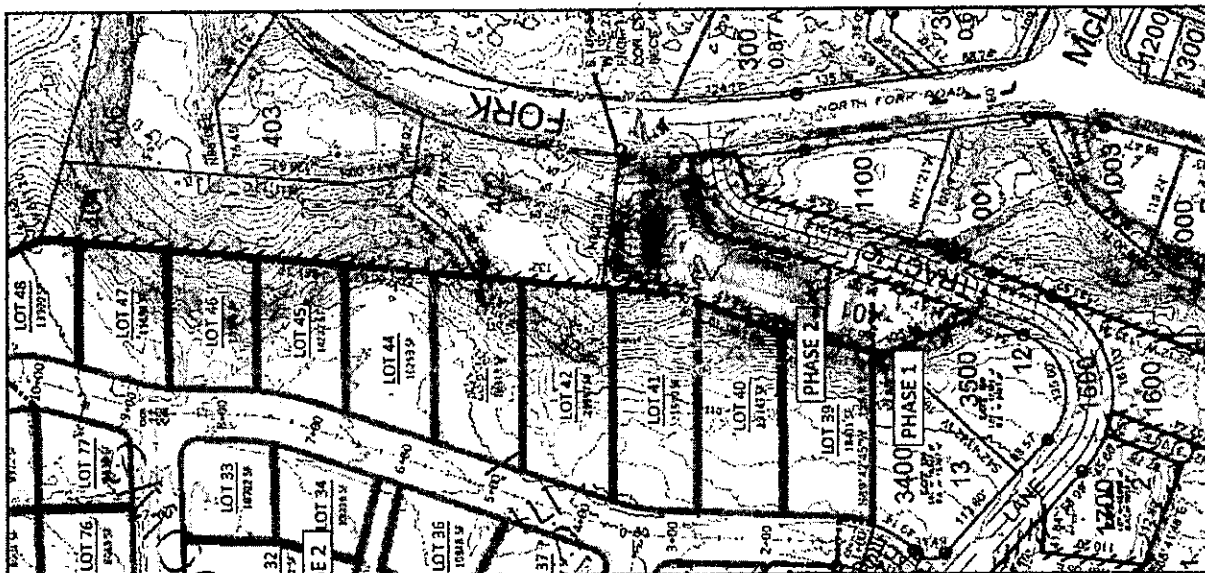


Figure 2 – North to left view, Sloped topography of proposed Riverview Meadows Phase 2 Subdivision. Site plan and LIDAR-based topography Provided by Morgan Civil Engineering, Inc.

From the level meadow, the eastern slope breaks abruptly downward at generally over 50 percent and as steep as 80 to 100 percent locally, based on the DOGAMI light detection and ranging (Lidar) derived topography, shown in Figure 2. The lowest elevations on the eastern margins of the lot are about 60 to 70 feet above sea level. The extremely steep slope gradients are generally at lower elevations. There appear to be several small block slide slope failures visible from near the crest of the slope. Trails from residences at the base of the steep slope to the upper level meadow follow slump block slope terrain. During our slope reconnaissance, we

could hear but could not locate what sounded like springs or cascading drainage issuing from near the base of the steepest slopes.

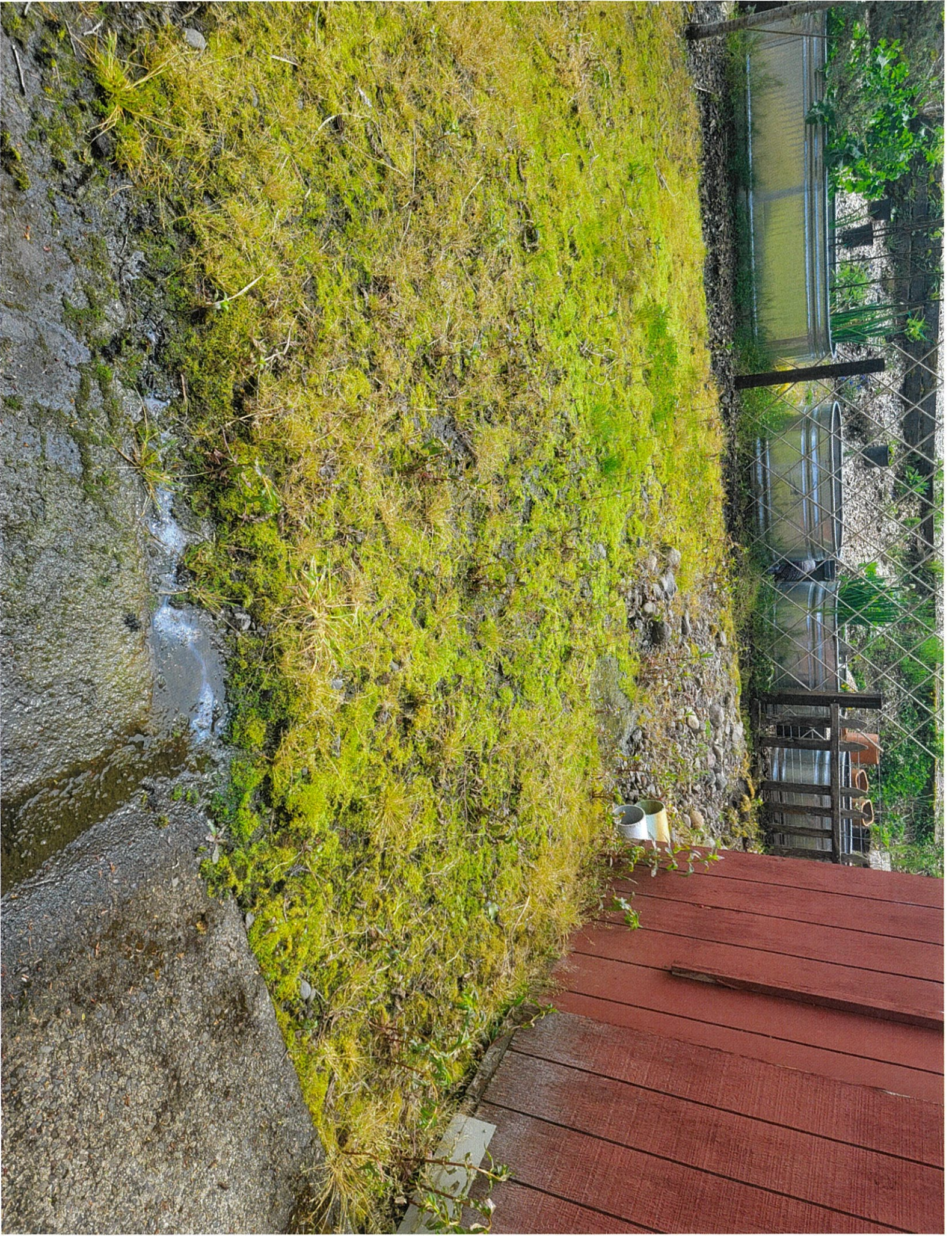
### **Soils and Geology**

Surface soils in the near level portion of the project area are mapped by the USDA NRCS Web Soil Survey of Tillamook County, Oregon as Chitwood-Hebo complex, 0 to 5 percent slopes. This soil is derived from mixed alluvium and/or fluvio-marine deposits derived from sedimentary rock. The USDA describes the contact with underlying bedrock at a depth of about 5 feet below the ground surface. The sloped soils at the eastern margin of the subject property are mapped as Templeton-Ecola medial silt loams, 30 to 60 percent slopes derived from colluvium and residuum of sedimentary rock.

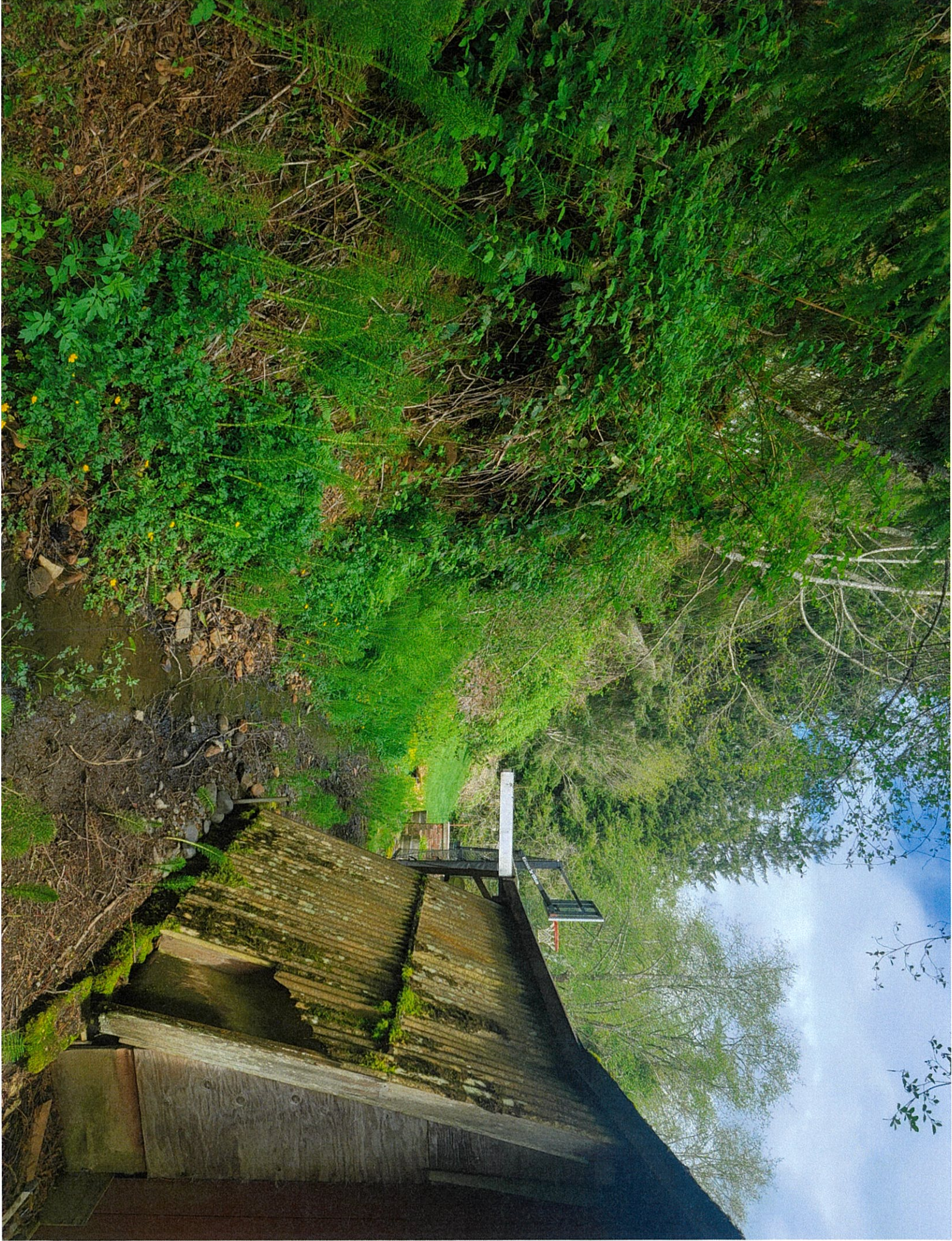
Based on the DOGAMI geologic mapping, Figure 3, the subject property is located on a southern slope of coast range uplands composed of Tertiary age sedimentary deposits of Oligocene to Miocene age siltstone, geologic map symbol **Toms**. The blue triangle and stippled overprint pattern on the **Toms** geologic map unit indicates ancient landslide topography mapped by DOGAMI. The **Toms** tuffaceous siltstone geologic unit is typically highly weathered to decomposed and with closely spaced joints and fractures from the landsliding. Intact sedimentary bedding or bedrock dip angles are rarely observed in the hill slope colluvium. There were no apparent signs of sedimentary bedding in the hand auger explorations. In the landslide terrain it is unlikely that sedimentary bedding would be intact for any significant areal extent.

Younger Quaternary fluvial silt and clay deposits (**Qc**) are present in embayments eroded into the older sedimentary rock at Bob's Creek, Anderson Creek and other drainages in the lower Nehalem Valley.

According to the USGS geologic mapping, Figure 4, the project site lies in an area of Tertiary Alsea Formation (**Tal**) tuffaceous siltstone of Lower Miocene to Oligocene age. The upper part of this unit is generally massive but has thin feldspathic sandstone interbeds. The USGS does not map the project area as landslide terrain, but the sedimentary strike and dip symbols shown on the map vary substantially in orientation and dip angles, suggesting substantial disturbance of the originally horizontally bedded marine sedimentary deposit. As with the DOGAMI mapping, Nehalem River valley and tributary creeks are covered by younger Quaternary fluvial and estuarine (**Qf**) fine-grained sedimentary deposits.













## Lynn Tone

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**From:** Lund Kenneth <kenneth.lund@volvo.com>  
**Sent:** Wednesday, May 31, 2023 9:35 AM  
**To:** Lynn Tone  
**Subject:** EXTERNAL: RE: EXTERNAL: FW: Ken Lund Dispute/ Concern Riverview Meadows 1/2  
**Attachments:** 20230525\_111150.jpg; 20230506\_125259.jpg

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

Hello Lynn,

Great, thank you! Added two more photos of rocks I piled up in 2 years. that I find on my driveway or in the drainage from the hill.

**Thank you,**

*Ken J Lund*

**District Service Manager,**  
(DSM) **Western Region**

**VTNA / Mack Trucks**

***kenneth.lund@volvo.com***

**Phone # (801)652-4157**

---

**From:** Lynn Tone <ltone@co.tillamook.or.us>  
**Sent:** Tuesday, May 30, 2023 4:58 PM  
**To:** Lund Kenneth <kenneth.lund@volvo.com>  
**Subject:** RE: EXTERNAL: FW: Ken Lund Dispute/ Concern Riverview Meadows 1/2

**Caution:** This email originated outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, please report it using the "Report Phish" functionality in your mail client.

Ok so I have received now the email with the scan of 5 attachments and another email that has 3 photos attached,

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**From:** Lund Kenneth <kenneth.lund@volvo.com>  
**Sent:** Tuesday, May 30, 2023 1:36 PM  
**To:** Lynn Tone <ltone@co.tillamook.or.us>  
**Subject:** EXTERNAL: FW: Ken Lund Dispute/ Concern Riverview Meadows 1/2

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

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**FYI,**

**Subject:** Ken Lund Dispute/ Concern Riverview Meadows 1/2

## Lynn Tone

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**From:** Nancy Bond/Dan Koniuck <hapa3838@nehalem.tel.net>  
**Sent:** Thursday, May 25, 2023 9:17 PM  
**To:** Lynn Tone  
**Cc:** Sarah Absher  
**Subject:** EXTERNAL: Fwd: CCR letter of May 18, 2023

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

Lynn, the following letter is in response to a memo from Chris Laity to Sarah Absher, dated May 18, 2023. In line item 2, he is requesting "County Counsel needs to review CC&R's before final platting".

Also, I wanted him to be aware that Riverview Meadows Ln has ongoing and immediate major concerns that should have restrictions of usage.

Thanks again, Dan Koniuck  
14145 Riverview Meadows Ln  
Tax Lot 1100

Begin forwarded message:

**From:** Nancy Bond/Dan Koniuck <hapa3838@nehalem.tel.net>  
**Subject:** CCR letter of May 18, 2023  
**Date:** May 21, 2023 at 4:54:10 PM PDT  
**To:** Chris Laity <claity@co.tillamook.or.us>

Dear Chris Laity,

Thank you in advance for taking note of this e-mail.

We, Dan Koniuck and Nancy Bond, reside at Lot 1100, at Riverview Meadows Ln and North Fork Road in Nehalem, Oregon. We have written three letters, which were submitted to the Planning Commission for #851-21-000415 and #851-23-000009 regarding CCR's and road development (we would have hoped they had been read).

Without going into great detail, the CCR's, when first submitted in Jan 20, 2010 by Riverview Meadows, LLC, were approved for Phase 1 and also Phase 2, and were never created or enforced. They are now submitted to Phase 3. An on site visit, to confirm my letter with photos, would reveal a breach of such conditions.

Also, Riverview Meadows Ln. was an ill devised private road, unapproved by county standards (Nov 30, 2011, Order 11-089), yet constructed in Jul, 2010 and acknowledged by ARD's TIA (Aug 12, 2022), county engineering (Ronald Newton, Oct 13, 2022) and city engineering (Kyle Ayers, Oct 13, 2022) as a narrow, steep inclined (17%), unsafe roadway. Hopefully, the questionable future approval of CCR's will have this road gated and/or restricted by lengthy vehicles and traffic that could see 1000 cars daily (per ARD TIA).

Sincerely,

Dan Koniuck  
Nancy Bond