



Land of Cheese, Trees and Ocean Breeze

MEMO

Date: July 3, 2024
To: Tillamook County Planning Commission
From: Sarah Absher, CFM, Director
Subject: Conditional Use Request #851-24-000228-PLNG

Included is the staff report and associated exhibits for the above-mentioned Conditional Use request #851-24-000228-PLNG, a request for operation of an early learning center/daycare facility within an existing structure. Part of this request is concurrence that an early learning center/daycare facility is similar in use to a school.

Tillamook County Public Works Director Chris Laity will be prepared to provide additional comments at the hearing regarding the transportation elements of this request.

It should be noted that the FEMA FIRM did not include the Area of Special Flood Hazard layer. An updated map will be present at the hearing. Staff can confirm the area proposed for operation of the early learning center/daycare facility is outside of mapped areas of SFHA.

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

Thank You,

Sarah Absher

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Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE REQUEST
#851-24-000228-PLNG:
EARLY LEARNING CENTER/DAYCARE FACILITY
STAFF REPORT

Date: July 3, 2024

(This is not Building or Placement Permit Approval)

Report Prepared by: Sarah Absher, CFM, Director

I. GENERAL INFORMATION:

- Request:** Request for operation of an early learning center/daycare facility within an existing structure (Exhibit B).
- Location:** Located at 6060 Whiskey Creek Road, a County road, south of the Unincorporated Community of Netarts, the subject property is designated as Tax Lot 300 in Section 17A of Township 2 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).
- Zone:** Rural Commercial (RC)
- Applicant:** Shelli Dial, 6060 Whiskey Creek Road, Tillamook, OR 97141
- Property Owner:** Shelli Dial, 6060 Whiskey Creek Road, Tillamook, OR 97141

Property Description: The subject property is located at the intersection of Whiskey Creek Road, a County road, and Wee Willie Lane, a local access road (Exhibit A). The subject property is approximately 0.95 acres in size per County Assessor records and is improved with a structure used historically as an eating and drinking establishment and as a shellfish farm and processing facility (Exhibit A). The subject property was formerly zoned Rural Residential 2-Acre (RR-2) and was rezoned to Rural Commercial (RC) in 2019 (Zone Change Request #851-19-000124-PLNG).

The topography is relatively flat and is vegetated with grasses and shrubs. A small riparian feature is mapped in the northeastern corner of the subject property along with estuarine wetlands part of the Netarts Bay Estuary that extends into the northern region of the subject property (Exhibit A).

The subject property is located outside mapped areas of Special Flood Hazard Area (SFHA) as depicted on FEMA Flood Insurance Rate Map (FIRM) #41057C0570F, dated September 28, 2018 (Exhibit A). The subject property is not located in an area of mapped geologic hazard.

Netarts Bay is located to the west and north of the subject property where areas are zoned Estuary Natural (EN), and Estuary Conservation 1 (EC1) are identified. These areas are also identified in the Goal 16 and 17 elements of the Tillamook County Comprehensive Plan.

Surrounding properties are zoned Rural Residential 2-Acre (RR-2), Forest (F) and Small Farm Woodlot 10-Acre (SFW-10) (Exhibit A). Dedicated uses in this area consist primarily of residential, recreational and natural resource (forest) activities.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. Section 2.040: Authorization of Similar Uses
- B. Section 3.020: Rural Commercial (RC) Zone
- C. Section 4.030: Off-Street Parking & Off-Street Loading Requirements
- D. Article VI: Conditional Use Procedures and Criteria

III. ANALYSIS OF STADARDS:

A. TCLUO SECTION 2.040: AUTHORIZATION OF SIMILAR USES

The Director may permit a use not listed in a particular zone, provided that it is of the same general character, or has similar impacts on nearby properties, as do other uses permitted in the zone.

Findings: TCLUO Section 2.040 allows the Director to permit a use not listed in a particular zone provided it is of the same general character, or has similar impacts on nearby properties, as do other uses permitted in the zone. Applicant is proposing operation of an early learning center/daycare facility within an existing structure as described in “Exhibit B” of this report.

A “school” is a use permitted conditionally in the Rural Commercial (RC) Zone as later discussed in this report. Article 11 of the TCLUO does not include a definition for “school”. TCLUO Section 11.020(2) addresses undefined terms, stating *terms not defined in the Ordinance shall have their ordinary accepted meanings within the context in which they are used. Webster’s Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.*

In review of Merriam-Webster, <https://www.merriam-webster.com/dictionary/school>, a “school” is defined as an institution for the teaching of children. Early learning center is not defined; however, research of functions of various early learning centers generally defines a center as a place where all-day care for children is offered starting at 6 weeks through Pre-K ages and provides a wide variety of learning opportunities throughout the day. Research also finds that both uses are subject to state licensing requirements.

Differences between the uses (school and daycare) are age-driven and include program focus, class size and methods to teaching: <https://www.childsplaylearning.com/blog/is-early-learning-the-same-as-preschool/> and <https://www.rasmussen.edu/degrees/education/blog/daycare-vs-preschool/>.

Please also visit Oregon Department of Early Learning and Care at <https://www.oregon.gov/delc/programs/Pages/default.aspx> and US Department of Health and Human Services site: <https://www.nichd.nih.gov/health/topics/early-learning#:~:text=Early%20learning%20refers%20to%20the,both%20school%20and%20adult%20learning.>

An early learning center generally classified as a type of daycare that caters to children before they are ready for kindergarten. While their goal differs slightly from preschools, both facilities offer the same care and supervision for children. Early learning centers integrate childhood development ideas and instructional approaches into the classroom. Hours of a daycare/early learning center can extend beyond traditional school daytime hours given workforce schedules; however, the nature and type of vehicular trips are also similar between the uses.

Applicant is proposing a series of classrooms with early learning programs as described in the narrative of the application (Exhibit B). Applicant states hours of operation will be from 7:30am to 6:00pm, with drop-off time between 7:30am and 8:00am and pick-up time between 4:30pm and 6:00pm (Exhibit B). Applicant adds that the early learning center/daycare facility will not be open on weekends, resulting in fewer operation hours than previous commercial uses of the property (Exhibit B).

Comments from Tillamook County Public Works Director Chris Laity are also included in “Exhibit D” of this report. Director Laity was asked to provide a transportation analysis on the similarities between schools and early learning/daycare facilities. His analysis and findings support the Director determination that early learning/daycare facilities have similar impacts as a school on transportation systems (Exhibit D).

Should the Planning Commission agree with the Director determination, an “early learning center/daycare facility” is similar in use and nature to a “school” given the similarities as outlined in this section.

B. TCLUO SECTION 3.020: RURAL COMMERCIAL (RC) ZONE

PURPOSE: The purpose of the RC zone is to permit a moderate level of commercial activities to serve the commercial needs of rural areas, and tourist areas. Commercial uses in the RC zone typically provide goods and services that would be required by most households in the area, and they have relatively few impacts on neighboring areas. Land is suitable for the RC zone because it:

- (a) Is needed;*
- (b) Is physically capable of being developed;*
- (c) Can obtain access to a public road without causing traffic hazards or congestion;*
- (d) Will not cause significant conflicts with nearby residential uses; and*
- (e) Has sufficient land area to accommodate off-street parking.*

Findings: Staff has requested concurrence in the similar use determination that the proposed early learning center/day care operation is similar in use to a school. Evidence supporting this determination is outlined above with accompanying evidence in “Exhibit D” of this report. Schools are listed as a use permitted conditionally in the Rural Commercial (RC) Zone under Section 3.020(3)(j).

C. TCLUO SECTION 4.030: OFF-STREET PARKING & OFF-STREET LOADING REQUIREMENTS

PURPOSE: 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.

...

Findings: Parking requirements for the operation of a school are not included in TCLUO Section 4.030. A method for determining the number of required parking spaces for the operation of a school has been consistently applied for school proposals by the Planning Commission and by the Director for school proposals approved administratively. The parking requirement criteria outlined in 4.030(13)(e): Church, club or similar place of assembly were determined to be comparable, and applied in review of approved Conditional Use request CU-92-31(a), approved Conditional Use request CU-09-07, approved Conditional Use CU-11-01 and most recently approved Conditional Use request #851-22-000384-PLNG for the operation of a school:

- *Section 4.030(13)(e): CHURCH, CLUB, OR SIMILAR PLACE OF ASSEMBLY: One space for every six seats, or one space for every 50 square feet of floor area used for assembly.*

Analysis for each of the conditional use requests identified above has applied the ratio of one (1) parking space per six (6) seats as stated above. Applicant states the early learning center/daycare facility will accommodate between 25 and 30 students (Exhibit B). For 30 students, a minimum of five (5) parking spaces would be required for the early learning center/daycare facility.

School driveway requirements are contained in TCLUO Section 4.030, requiring a one-way driveway for loading and unloading children for any school having a capacity of more than 25 students. This section also requires that parking areas for four or more vehicles be of sufficient size to allow the backing and maneuverability of vehicles entirely out of the flow of traffic, and that non-residential parking areas adjacent to residential uses be enclosed along the residential use by a sight-obscuring fence.

The subject property is located at the intersection of Whiskey Creek Road, a County road, and Wee Willie Lane, also a County road. The property is improved with an existing structure, onsite wastewater treatment system and parking area facing Whiskey Creek Road. The parking and loading area are not adjacent to residential uses (Exhibit A). The submitted site plan identifies a one-way driveway for loading and unloading children. The submitted site plan also identifies parking spaces for 8 vehicles (Exhibit B). The existing parking area is improved with an all-weather surface with a County approved commercial road approach (driveway) permit.

TCLUO Section 4.030 requires areas used for standing and maneuvering of vehicles have a surface that is suitable for all-weather use with drainage features to avoid the flow of water across public sidewalks and streets. Requirements for curbing and specifications for artificial lighting are also contained within this section. This section also requires that non-residential parking and loading areas adjacent to a residential use shall be enclosed along the residential use by a sight-obscuring fence that is from five to six feet in height, except where vision clearance is required.

Staff has provided recommended Conditions of Approval to ensure applicable standards identified above should the Planning Commission choose to approve this request. It should be noted that a change in use of the property will require a new road approach permit review by the Tillamook County Public Works Department. The review process for a new road approach permit includes analysis of the existing access points for confirmation of driver site visibility as well as examination of

maneuverability of vehicles within the property boundaries in relation to the location of the County road.

Comments from the Tillamook County Public Works Department are included in “Exhibit C” of this report. Initial comments from Public Works state there is inadequate site distance for a one-way driveway with two access points via Whiskey Creek Road; however, it should be noted that review of the proposal and transportation improvements is ongoing (Exhibit C). Tillamook County Public Works Director Chris Laity will be present at the hearing to provide additional comments from his continued review of the proposed use and assessment of the property in terms of the orientation of the driveway, areas for proposed parking, loading and unloading as well as any other transportation-related input related to the proposed use.

In staff conversations with Director Chris Laity, it is recommended the Planning Commission require the applicant comply with the requirements set forth by the Tillamook County Public Works Department for road approach permit review approval and any requirements to the proposed parking plan to ensure maneuverability of vehicles meets County standards for vehicles entering and leaving the subject property. Should the Planning Commission choose to approve this request, a Condition of Approval has been included in Section VI of this report.

The Planning Commission may also want to consider a Condition of Approval limiting the capacity of students and children to a total of 25 based upon limitations of driver visibility for site distance as outlined in preliminary comments provided by Director Laity (Exhibit C).

IV. ANALYSIS OF CRITERIA:

A. TCLUO SECTION 6.040: CONDITIONAL USE REVIEW CRITERIA

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

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

Findings: Should the Planning Commission agree, the proposed use has been determined to be a use similar to uses permitted conditionally in the Rural Commercial (RC) Zone.

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

Findings: Applicant’s response to this criterion is included in “Exhibit B”. The applicant’s response focuses on the uses permitted conditionally in the Rural Commercial (RC) zone and the analysis provided by staff in review of the proposal in relation to applicable goals and policies of the Tillamook County Comprehensive Plan.

Staff finds that the proposed use is permitted conditionally in the Tillamook County Land Use Ordinance should the Planning Commission agree with the similar use determination. The TCLUO is an implementing document of the Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance are presumed to be consistent with the Comprehensive Plan. Relevant Comprehensive Plan Goal elements in relation to this request are further discussed below:

- Tillamook County Comprehensive Plan Goal 1 Element: The Planning Process
Summary: Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.
- Tillamook County Comprehensive Plan Goal 2 Element: THE LAND USE PLAN
Summary: Goal 2 outlines the basic procedures of Oregon's statewide planning program and describes the development of Tillamook County's Comprehensive Plan including justification for identifying exception areas.
- Tillamook County Comprehensive Plan Goal 3 Element: AGRICULTURAL LANDS
Summary: Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.
- Tillamook County Comprehensive Plan Goal 4 Element: FOREST LANDS
Summary: This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."
- Tillamook County Comprehensive Plan Goal 5 Element: NATURAL RESOURCES
Summary: The purpose of Goal 5 is to protect natural resources, and conserve scenic and historic areas and open space. Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

This conditional use request has been properly noticed according to the notification and public hearing procedures outlined in Article 10 of the TCLUO. The subject property is not adjacent to resource zoned lands; however, it should be noted that there are resource zoned properties within the vicinity (Exhibit A). Applicant's site plan confirms the early learning center/daycare facility will take place within an existing structure located within the boundaries of the subject property (Exhibit B). Given the location of the subject property in relation to resource zoned lands and confirmation that the proposed use will take place within the boundaries of the subject property, Staff finds the proposed use is not in conflict with the goals and policies contained within Comprehensive Plan elements 3 and 4.

Staff also find the subject property is not included in the natural resource inventories contained within the Goal 5 Natural Resources Element of the Tillamook County Comprehensive Plan. It should be noted that portions of the property connected to the Netarts Bay Estuary are inventoried in the Goal 16: Estuarine and Goal 17: Shorelands elements of the Comprehensive Plan. These elements are discussed later in this report.

- Tillamook County Comprehensive Plan Goal 10 Element: HOUSING
Summary: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable

residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. This Goal element within the Tillamook County Comprehensive Plan focuses on the separation of housing needs and opportunities in both rural and urban areas. There is a strong tie to the Goal 11: Public Facilities and Goal 14: Urbanization elements of the Comprehensive Plan in this section.

The subject property is located within the Rural Commercial (RC) zone. The proposed use of the structure as an early learning center/daycare facility is not in conflict with the policies contained within the Goal 10 element of the Tillamook County Comprehensive Plan (Exhibit B).

- **Tillamook County Comprehensive Plan Goal 11 Element: PUBLIC FACILITIES**
Summary: Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs. This Element of the Comprehensive Plan outlines types and levels of urban and rural facilities and services, with guidance to ensure timely, orderly and efficient arrangement of public facilities and services in Tillamook County.
- **Tillamook County Comprehensive Plan Goal 12 Element: TRANSPORTATION**
Summary: The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged." Policies outlined in this Goal element of the Tillamook County Comprehensive Plan require the County, to protect the function, operation and safety of existing and planned roadways as identified in the County's Transportation Plan, consider land use impacts on existing or planned transportation facilities in all land use decisions, plan for multi-modal networks, and coordinate transportation planning efforts with other jurisdictions to assure adequate connections to streets and transportation systems between incorporated and unincorporated areas.
- **Tillamook County Comprehensive Plan Goal 13 Element: ENERGY CONSERVATION**
Summary: Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles." Planning for energy conservation and opportunities to promote the installation of renewable energy systems are discussed in this Goal element of the Tillamook County Comprehensive Plan.
- **Tillamook County Comprehensive Plan Goal 14 Element: URBANIZATION**
Summary: This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses. This Goal element of the Tillamook County Comprehensive Plan focuses largely on development within unincorporated communities, public facility limitations to rural areas, and impacts of urban sprawl on resource lands.

The Goal 11 element of the Tillamook County Comprehensive Plan specifically states, "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for the

needs and requirements of the urban, urbanizable and rural areas to be served.” The subject property is improved, and services are already existing to the subject property.

Public facilities and services to the site include emergency response, electricity, onsite wastewater, water and transportation (Exhibit B). Comments from the Tillamook County Public Works Department are included as “Exhibit C”, confirming the transportation system in this vicinity is adequate to serve the proposed early learning center/daycare facility provided conditions of approval set forth by the Tillamook County Public Works Department are met, specifically those requirements part of a new approved road approach permit. Chris Chiola, Tillamook County Environmental Program Manager has discussed the proposed use with the Applicant in terms of the capacity of the onsite wastewater treatment system, and his comments are also included in the Applicant’s submittal identified as “Exhibit B” of this report.

The early learning center/daycare facility does not in and of itself prevent the promotion of installation of renewable energy systems in the area. The proposed use is also not considered to be urban use and will not result in urbanization of the subject property or surrounding area.

Staff finds the proposed use of an early learning center/daycare facility is not in conflict with the policies contained within the Tillamook County Comprehensive Plan Goal elements listed above.

- Tillamook County Comprehensive Plan Goal 16 Element: ESTUARINE RESOURCES
Summary: This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."
- Tillamook County Comprehensive Plan Goal 17 Element: COASTAL SHORELANDS
Summary: The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.

The subject property is not located within a beach/dune area as identified in the Goal 18 element. The proposed use is not in conflict with the policies set for in this element of the Comprehensive Plan.

Estuarine resources to the west and north of the subject property are identified in the Goal 16 element of the Comprehensive Plan as Management Unit 18, a major tract of tideflat, and Unit 21, an intertidal marsh area of less biological importance. The early learning center/daycare facility is proposed to be operated within the existing structure on the subject property and outside of these naturally sensitive inventoried areas (Exhibit B).

Any new development must comply with applicable provisions of the TCLUO, including development requirements for protection of water quality and streambank stabilization outlined in TCLUO Section 4.140, including maintenance of riparian setbacks from the estuary where applicable. Comments from the Oregon Department of Fish and Wildlife are included in “Exhibit C”. The comments are similar to the previous comments provided for review of the Zone Change request in 2019.

The Goal 17 element of the Tillamook County Comprehensive Plan identifies lands west of Whiskey Creek Road as areas within the Shorelands Boundary, subject to the provisions of the Shoreland Overlay Zone, TCLUO Section 3.545. In review of TCLUO Section 3.545, staff finds the subject property is identified as rural shorelands because this area is identified as a “built and committed” area where uses permitted outright and conditionally are also allowed in the Shoreland Overlay Zone. This determination and the findings above are consistent with the findings adopted for the request to rezone the subject property in 2019.

Staff finds the proposed use of an early learning center/daycare facility within an existing structure is not in conflict with the policies contained within the Tillamook County Comprehensive Plan Goal elements listed above.

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

Findings: Applicant is proposing to utilize the existing structure as an early learning center/daycare facility (Exhibit B). The subject property is improved with an existing onsite wastewater system and is served by the Netarts Water District. Applicant is not proposing additional improvements or infrastructure on the subject property (Exhibit B). Findings contained in this report also confirm the site is of adequate size for the proposed use and does not encroach into identified natural features.

Parking requirements and other applicable provisions related to Section 4.030 for off-street parking and off-street loading are also previously discussed in this report. Staff have recommended Conditions of Approval for Planning Commission consideration, pending additional comments and input from the Tillamook County Public Works Department.

- (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: As stated previously in this report, operations for the early learning center/daycare facility will take place within the existing structure and any outside activities such as the fenced play areas will take place within the property boundaries outside of identified naturally sensitive areas (Exhibit B).

Applicant states hours of operation will be from 7:30am to 6:00pm, with drop-off time between 7:30am and 8:00am and pick-up time between 4:30pm and 6:00pm (Exhibit B). Applicant adds that the early learning center/daycare facility will not be open on weekends, resulting in fewer operation hours than previous commercial uses of the property (Exhibit B).

The subject property is located in an area generally developed with residential uses and recreational uses given the close proximity of Netarts Bay. Natural resource (forestry) uses established in the vicinity are several hundred feet away as measuring utilizing GIS (Exhibit A). Aside from the already developed areas of the subject property, the remainder of the property is well vegetated with trees and understory vegetation that continue to serve as a buffer between commercial use of the property and residential properties in the immediate vicinity (Exhibit A).

The subject property has historically been utilized for commercial purposes and has a long history of commercial use. Mitigation of potentially conflicting uses with adjacent residential properties

such as noise, exterior lighting and traffic flow to and from the property during peak drop-off and pick-up times of operation can be accomplished through the recommended Conditions of Approval, including conditions that require maintenance of vegetative and fencing buffers to mitigate noise, impose exterior lighting standards and establish hours of operation.

Should the Planning Commission agree, staff finds that the request for operation of an early learning center/daycare facility within an existing structure 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, provided the Conditions of Approval outlined in Section VI of this report are met.

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

Findings: Applicant states there are no existing such facilities in the area (Exhibit B). Staff did not locate records of such facilities and improvements on the subject properties or within the vicinity.

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

Findings: The subject property is served by existing water, an onsite wastewater treatment system, fire patrol, electricity, and county sheriff patrol and other public facilities and services. Preliminary transportation facility review has been completed by the Tillamook County Public Works Department as reflected in comments received in "Exhibit C" of this report. Staff finds updated fire and water letters can be provided at the time of consolidated zoning and building permit application submittal to confirm continued availability of services to the property with a change in use to operation of an early learning center/daycare facility. A Condition of Approval to require an updated Road Approach Permit from the Tillamook County Public Works Department is also recommended should the Planning Commission choose to approve this request.

V. ADMINISTRATIVE PROVISIONS

SECTION 10.080 TYPE III PROCEDURES

(1) Notice for Type III Decisions.

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

...

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

...

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

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

...

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

Findings: Notice of Public Hearing was mailed on May 16, 2024, and again on June 13, 2024, to all landowners within 250 feet of the subject property, affected agencies and districts. Newspaper Notice of Public Hearing was published on May 28, 2024, and again on June 18, 2024, in the Tillamook County Headlight Herald. The reason for the duplication in noticing was the change in hearing date from June 13, 2024, to July 11, 2024.

Comments received are included in “Exhibit C” of this report.

VI. RECOMMENDED CONDITIONS OF APPROVAL:

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

1. Prior to operation of the early learning center/day care facility, the applicant/property owner shall obtain all Federal, State, and Local permits, including licensing from Tillamook County Community Health, and others as applicable.
2. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall obtain an approved Zoning and Building Permit from the Tillamook County Department of Community Development.
3. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall provide an updated water service letter and an updated fire service letter. The letters shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit.
4. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall provide a copy of an approved Road Approach Permit and documentation from the Tillamook County Public Works Department confirming road approach and associated transportation requirements have been met. A copy of the documentation shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit.
5. A site plan, drawn to scale, illustrating compliance with the requirements of TCLUO 4.030: Off-Street Parking & Off-Street Loading Requirements shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit. The site plan shall incorporate any requirements set forth by the Tillamook County Public Works Department and shall clearly identify the location and number of parking spaces, areas for maneuvering of vehicles and the driveway/traffic flow for pick-up and drop-off of children.
6. Existing vegetative buffers shall be maintained along the boundary lines of the subject property to separate adjacent residential uses from the operation of the early learning center/daycare facility. These buffers shall be identified on the site plan submitted in conjunction with the consolidated Zoning and Building Permit.
7. Approval for the operation of the early learning center/daycare facility is based upon a maximum number of twenty-five (25) students in attendance at any one time. Expansion of operation resulting in an increase in the number of children and students at the facility is subject to review by the Tillamook County Planning Commission and the Tillamook County Public Works Department.

8. Early learning center/daycare facility operation hours shall be between the hours of 7:00am to 8:00pm.
9. Any exterior artificial lighting for the early learning center/daycare facility shall be installed in a manner that does not create or reflect substantial glare onto adjacent residential properties.
10. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
11. This approval shall be void on July 11, 2024, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

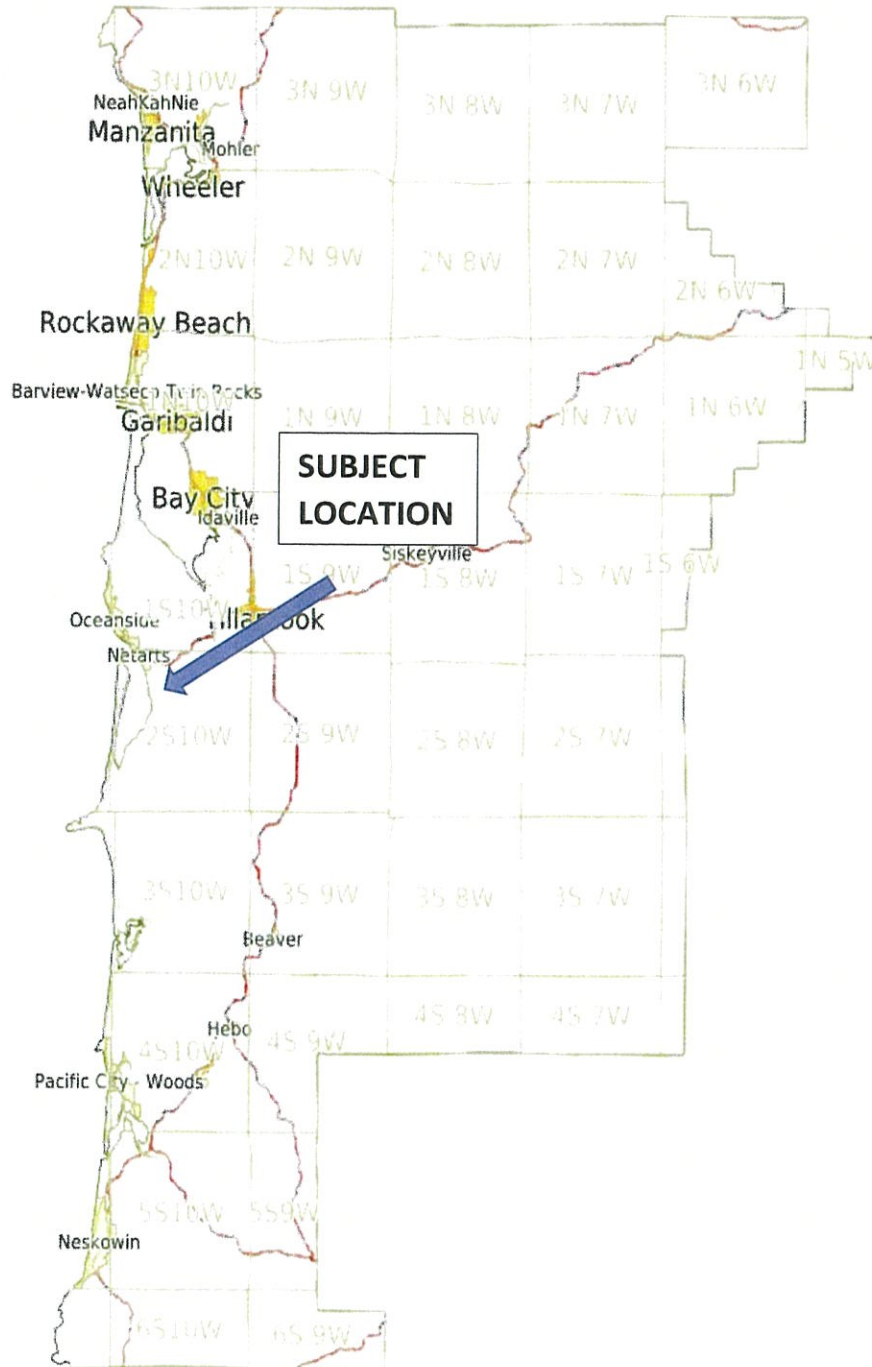
VIII. EXHIBITS

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

- A. Location map, Assessor map, Zoning map, Assessor Summary, FEMA FIRM, Wetlands Map & Site Photographs
- B. Applicant/Property Owner Submittal
- C. Public/Agency Comment
- D. Similar Use Comments & Supplemental Materials

EXHIBIT A

VICINITY MAP



#851-24-000228-PLNG: DIALS

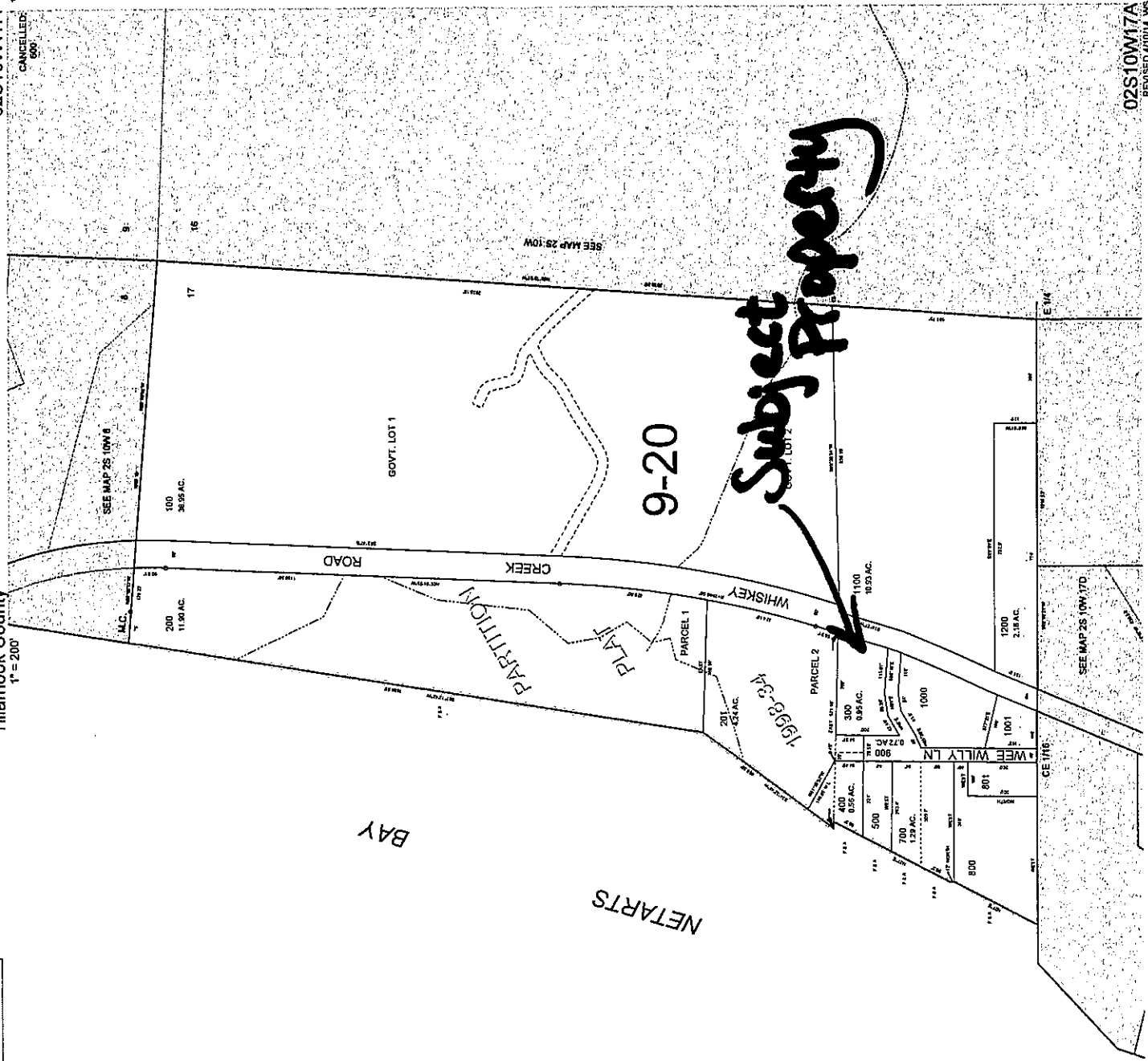
FOR ASSESSMENT AND TAXATION ONLY. NOT SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES.

N.E. 1/4 SEC. 17 T. 2S. R. 10W. W.M.
Tillamook County

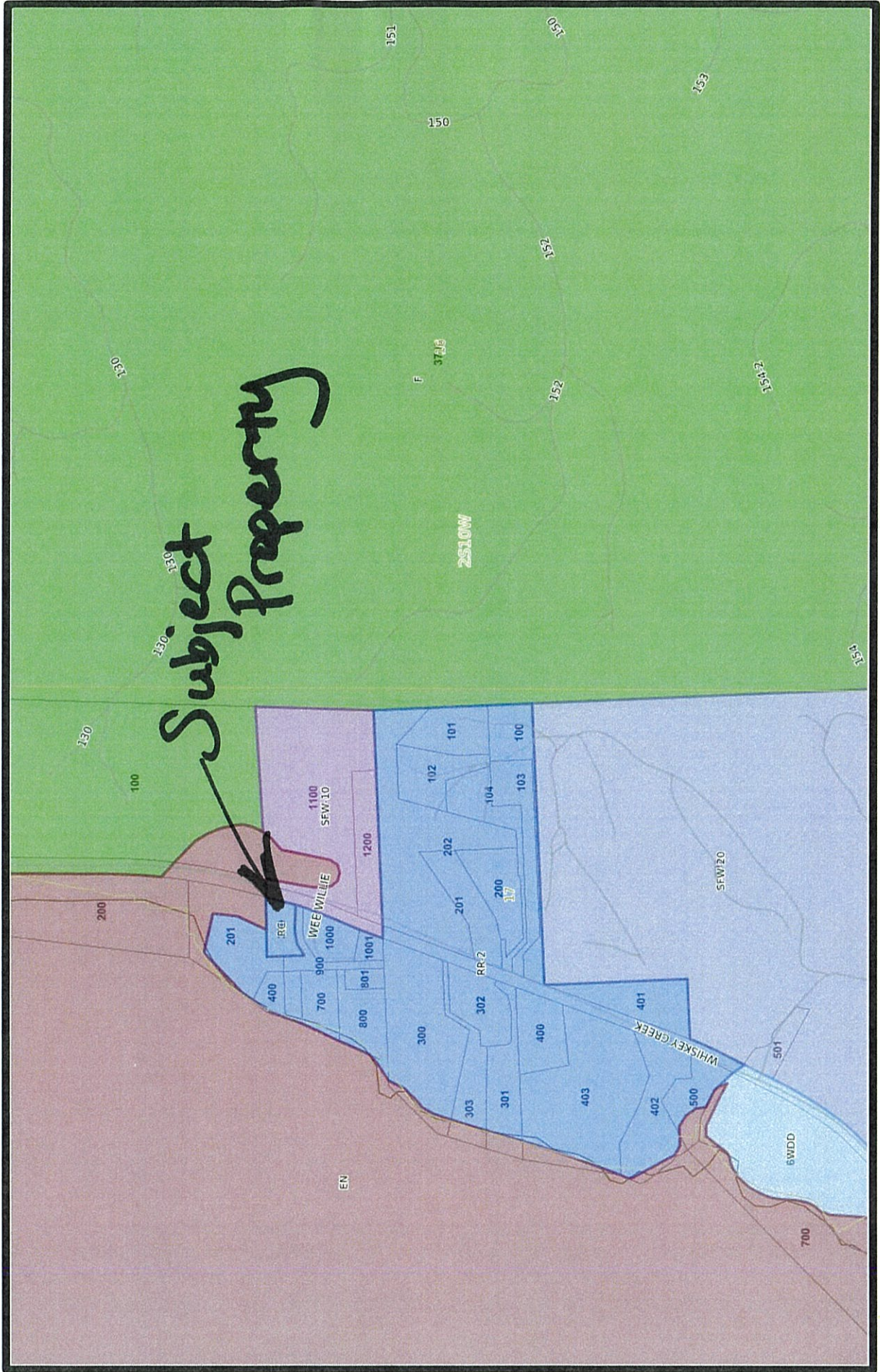
02S10W17A

CANCELLED:
500

02S10W17A
REVISED 4/10/14, WS



Map



Tillamook County
2023 Real Property Assessment Report
 Account 193294

Map 2S1017A000300
 Code - Tax ID 0920 - 193294

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing DIAL, SHELLI M
 1675 OCEAN HIGHLANDS PKWY
 TILLAMOOK OR 97141

Deed Reference # 2007-2649
 Sales Date/Price 03-07-2002 / \$200,000
 Appraiser KARI FLEISHER

Property Class 201 MA SA NH
 RMV Class 201 07 01 102

Site	Situs Address	City
1	6060 WHISKEY CREEK RD	COUNTY

Code Area		RMV	MAV	AV	RMV Exception	CPR %
0920	Land	388,200		Land	0	
	Impr	194,740		Impr	0	
Code Area Total		582,940	258,150	258,150	0	
Grand Total		582,940	258,150	258,150	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0920	1	<input checked="" type="checkbox"/>		RC	Commercial Site	105	0.95 AC		378,200
					OSD - AVERAGE	100			10,000
Code Area Total							0.95 AC		388,200

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0920	1	1965	433	Restaurant - Dining	149	1,728			194,740
Code Area Total						1,728			194,740

Exemptions / Special Assessments / Notations			
Code Area	0920		
Special Assessments		Amount	Year Used
■ SOLID WASTE		12.00	2023
Notations			
■ ZONE CHANGE ADDED 2020	Zone change from RR-2 to RC per Order #851-19-00124-PLNG. KF		

PP Accounts 0920 - 3301

Comments 9/7/07 Corrected acreage per cartographer. KF// 9/14/07 Manually updated RMV w/current trends Land 1.25 Imps 1.05 Overall 1.12. Property due for reappraisal in 2008. KF 5/29/08 Reappraised RMV for 2008-09. KF 3/23/20 Zone changed to rural commercial per Order #851-19-00124-PLNG. No MAV reset, property valued as commercial based on prior conditional use. KF

National Flood Hazard Layer FIRMette

23°56'13"W 45°24'14"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

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

OTHER AREAS

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

GENERAL STRUCTURES

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

OTHER FEATURES

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

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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

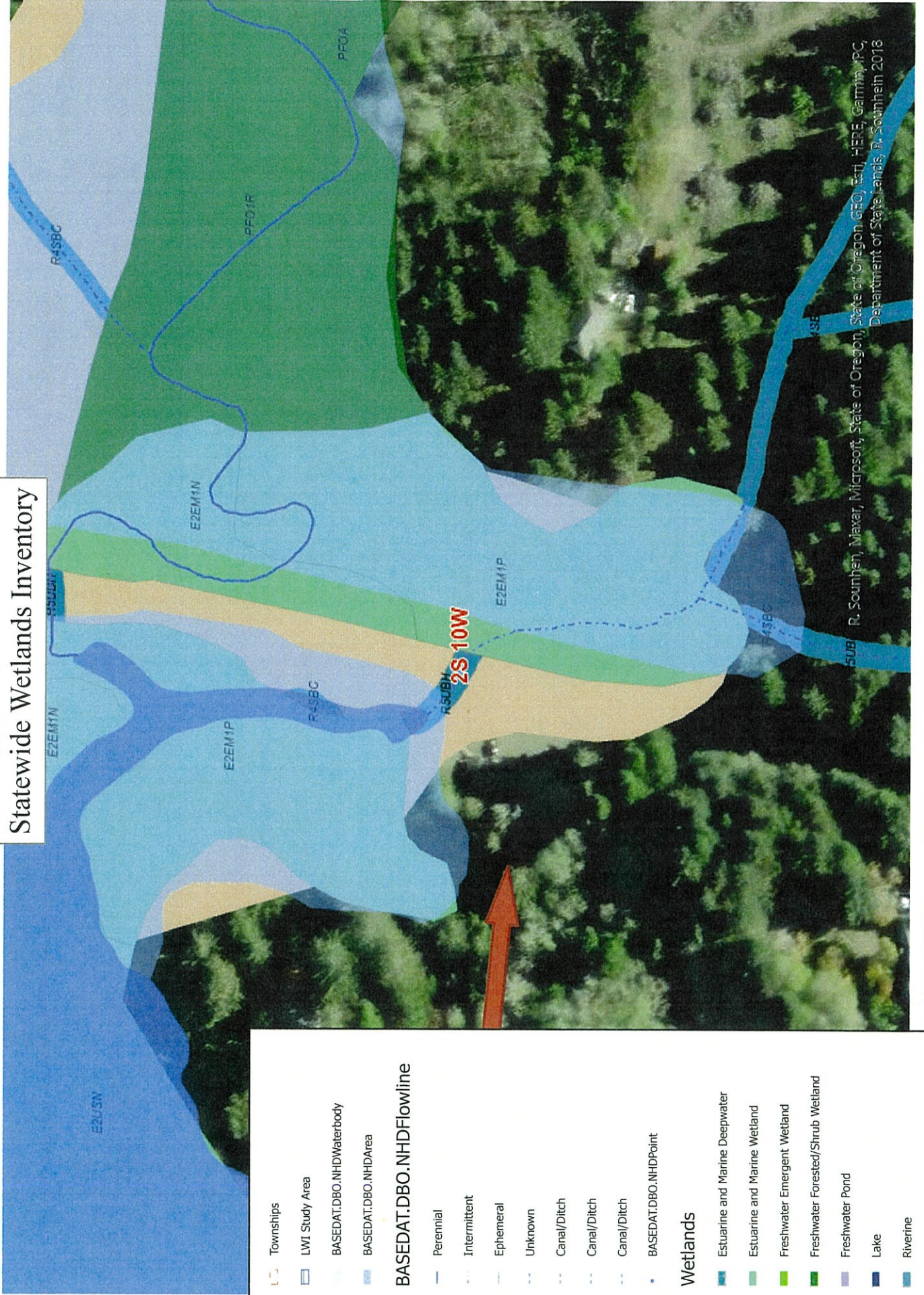
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **6/28/2024 at 10:57 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



Statewide Wetlands Inventory



- Townships
- LWI Study Area
- BASEDAT.DBO.NHD Waterbody
- BASEDAT.DBO.NHD Area

BASEDAT.DBO.NHDFlowline

- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHD Point

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Agate-Winlo Soils
- SWI Predominantly Hydric Soil Map Units

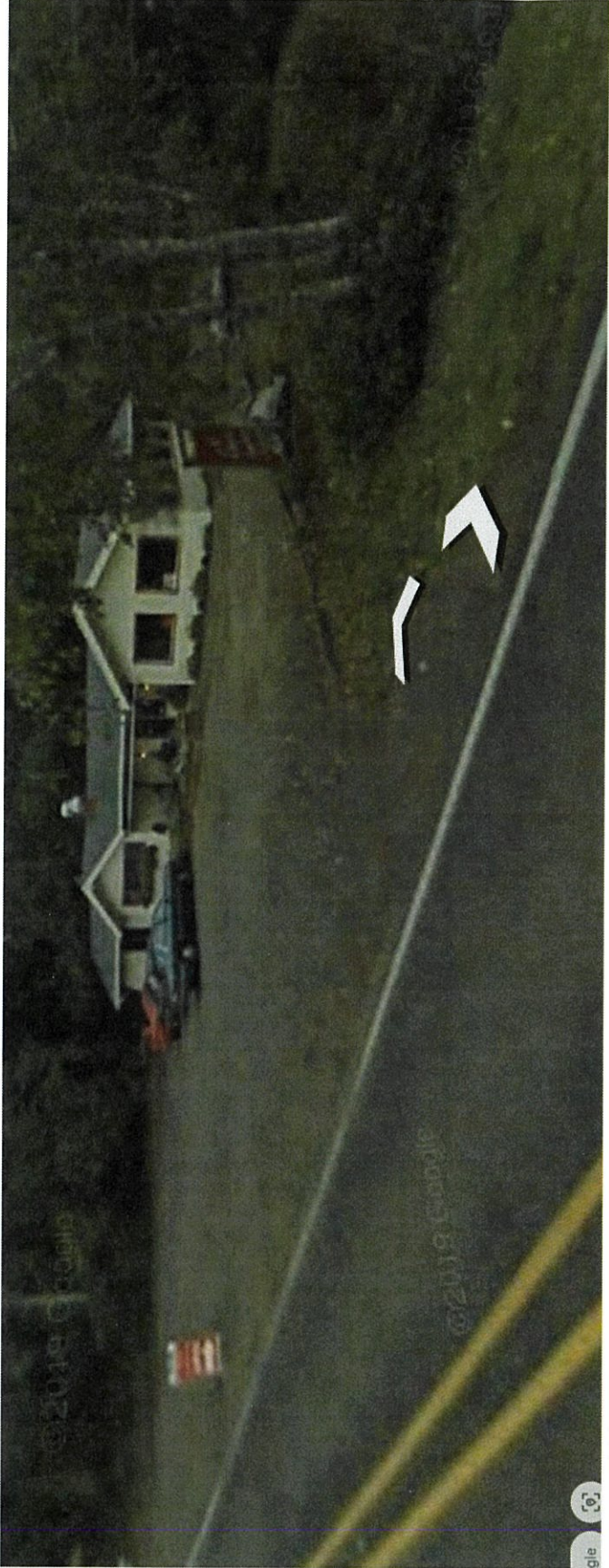
R. Sounhein, Maxar, Microsoft, State of Oregon, GEO, Estri, HERE, Garmin, IFC, Department of State Lands, R. Sounhein 2018



N

Date 6/28/2024





6060 Whiskey Creek Road



Subject Property Looking South



Subject Property Looking Southwest

Note Estuary



Subject Property Looking North
Note Intersection of Whiskey Creek Road and Wee
Willie Lane

EXHIBIT B



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

PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Shelli Dial Phone: 503 801 7681

Address: 6060 Whiskey Creek Rd

City: Tillamook State: Oregon Zip: 97141

Email: shellidialolmedo@gmail.com

Property Owner

Name: Shelli M Dial Phone: 503 801 7681

Address: 1675 Ocean Highlands Parkway

City: Tillamook State: Oregon Zip: 97141

Email: shellidialolmedo@gmail.com

OFFICE USE ONLY	
Date Stamp RECEIVED	
APR 26 2024	
BY: Counter	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: MJ	
Receipt #:	
Fees: 2,205	
Permit No: 851-24-000228-PLNG	

Request: Conditional Use Review as a daycare center facility (j) Churches and Schools

Type II

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

Type III

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

Type IV

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

Location:

Site Address: 6060 Whiskey Creek Rd Tillamook Oregon 97141

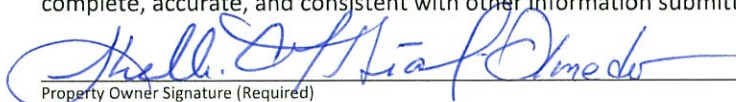
Map Number: 2S1017A000300

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)

4/21/24

Date

Applicant Signature

Date

Conditional Use Review Criteria

1. **The use is listed as a conditional use in the underlying zone, or in an applicable overlying zone.**
 - Based on Section 3.020: Rural Commercial Zone Number (3) Uses Permitted Conditionally (j), a Daycare facility would be included under Churches and schools.
2. **The Use is consistent with the applicable goals and policies of the Comprehensive plan.**

Introduction

The purpose of this project report is to document a comprehensive approach and procedure that can be utilized by County Planning & Development staff to review specific land use at 6060 Whiskey Creek Rd. The property is zoned as Section 3.020 Rural Commercial, necessitating a thorough review of the three conditionally permitted uses under; the zone. This review comprises an evaluation of the accessory uses that are allowed for the existing building, in addition to the conditionally authorized uses in the RC zone. Pursuant to Article Section 3.020 Rural Commercial Zone Section 3 uses permitted conditionally Letter (J), churches and schools are permitted to use the building for daycare facilities and their accessory uses. Consequently, the existing building can be repurposed for this specific use.

The project report aims to provide a detailed account of the procedure that will be followed by the County Planning & Development staff to ensure that the review process is conducted accurately and efficiently. In doing so, the report will highlight the key steps that need to be taken, the relevant regulations and guidelines that must be considered, and the potential challenges that may arise during the review process.

By documenting this approach and procedure, the County Planning & Development staff can ensure they have a clear and comprehensive roadmap to follow when conducting land use reviews.

Community comprehensive plan serves the following functions:

- The request pertains to the preservation of the current structure located at 6060 Whiskey Creek Road. The purpose of this request is to transform the building into a safe and welcoming daycare facility that can accommodate approximately 25 to 30 students. The plan is to divide the building into three separate classrooms, each catering to a distinct age group to ensure that the children receive age-appropriate care.

- The first classroom will be designated for children aged 2 to 3 years old. This classroom will be outfitted with age-appropriate toys, furniture, and educational materials to foster their learning and development. The second classroom will be reserved for pre-kindergarten children aged 3 to 6 years old. The room will be designed to encourage creativity, socialization, and learning through play. The final classroom will be dedicated to infants aged between 12 and 23 months. This room will be equipped with cribs, changing tables, and age-appropriate toys to ensure the infants receive the best possible care. Overall, the goal of this request is to provide a safe and nurturing environment for children to learn and grow.
- Childcare businesses are an essential service that allows parents to pursue their professional careers while providing their children with a safe and nurturing environment. These establishments serve the practical needs of working parents and foster a sense of community among families, encouraging social connections and interactions.
- Moreover, daycare centers offer a multitude of developmental benefits that help children reach their full potential. These benefits include cognitive and social-emotional development, as well as improvements in language and physical skills. With these advantages, children can progress and grow in various areas, making their overall experience at daycare centers a fulfilling and enriching one.
- All in all, childcare businesses play a vital role in supporting families and promoting the well-being and development of young children.

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

- The current building is 1728 square feet, making it ideal for a preschool or daycare center. It consists of three spacious classrooms, a breakroom for staff to relax and unwind, and a fully equipped kitchen to prepare and serve healthy meals to the children.
- The preschool classroom is the largest of the three and has a comfortable area of 450 square feet. It can easily accommodate up to 10 students, providing plenty of room for them to play, learn, and interact with each other. The classroom will be equipped with all the necessary learning materials, toys, and furniture to create a conducive learning environment.
- Room 2 is another classroom found within the building, with a surface area of 388 square feet. It can also comfortably accommodate up to 10 students and has all the necessary furniture and learning materials to support their education.
- Lastly, the infant room, with an area of 247 square feet, will be specifically designed to cater to the needs of the youngest children in the center. It can house up to six students, providing a secure and comfortable environment for them to play and learn.
- It's worth noting that the center follows the recommended guidelines for space per child, providing a minimum of 35 square feet of space for each student. This ensures that the

children have enough space to move around freely and engage in various activities without feeling cramped.

Yard Area

The outdoor area is a spacious and appealing place for children to play and enjoy themselves. To enhance the experience, a proposal has been made to create a play area that would be partitioned into two sections, which would cater to the different age groups of children.

The larger play area would be designed to accommodate children of all ages. It would feature a range of play equipment, such as swings, slides, and climbing frames, which would provide ample opportunities for children to engage in physical activity and play games.

The smaller section of the play area would be specifically designed for younger children aged between 12 to 23 months. This section would include specially designed equipment that would be safe, age-appropriate, and would encourage the development of their motor skills and coordination.

To ensure the safety of the children while they play, a fence would be installed around the play area. The fence would be designed to be sturdy, safe, and with no sharp edges or protrusions that could harm children. The gate would be lockable to prevent the children from wandering away.

In addition to the fence, another fence would be erected around the smaller section of the play area to ensure that the younger children are safe while playing. The fence would be designed to provide a secure and safe enclosure, and it would be of the appropriate height to prevent children from climbing over it.

Finally, the proposed plan involves the acquisition of new play equipment that is safe and enjoyable for children. The equipment shall be chosen based on its appropriateness for children and designed to offer engaging and age-appropriate activities.

Overall, these proposed improvements would create a safe and engaging play area for children of different ages to enjoy and have fun. The children would have the opportunity to play, learn, and develop their skills in a safe and secure environment.

Parking

Please find below the more detailed version of the text you provided:

It is crucial to note that the requirements for clear vision area are based on the corner of Whiskey Creek Rd and Wee Willie Lane, which is a critical intersection. This corner should not have any parking or objects that obstruct the view, as it can lead to accidents and endanger the safety of pedestrians, drivers, and passengers.

However, there is ample parking in front of the building, which can accommodate at least 15 vehicles. This parking area has proper drainage, which ensures that rainwater does not accumulate and cause any inconvenience to the users. Moreover, the parking area has been designed to accommodate more vehicles than the minimum requirement of one space for every six students, as per section 4.030: off-street parking and off-street loading requirements. This ensures that there is enough parking space for all the students, faculty, staff, and visitors to the building.

Additionally, a sight-obscuring fence, five or six feet in height, will be installed to buffer the residential parking area. This fence will provide privacy and security to the residents, as well as prevent any unauthorized access to the parking area. The height of the fence has been carefully chosen to ensure that it does not obstruct the view of the drivers while entering or exiting the parking area.

For more information on the traffic flow and parking design, please refer to the traffic flow report.

Location

The location of the building is highly suitable for a daycare facility, owing to its expansive lot and ample space available for outdoor playground activities. Moreover, the area surrounding the building is free of any bars or dispensaries, thereby ensuring a safe and secure environment for children. Additionally, the building boasts a spacious outdoor area, perfectly suited for parking and outdoor playtime.

The daycare is situated at a convenient location, only 8 miles away from the center of Tillamook. It is also easily accessible from Garibaldi, which is only 16 miles away, and Bay City, which is only 13 miles away. In addition, Oceanside is only 5 miles away, Pacific City is 18 miles away, and Cloverdale is 23 miles away, making it a great option for families living in these areas as well. This location is strategically positioned to cater to the surrounding cities and towns that would attend the daycare, making it a convenient option for families who are looking for quality childcare services.

Improvements

A fenced area in the back and some repairs, including paint, drywall, and siding, are needed for the building. The improvement of the premises requires the addition of a fenced area at the back and repairs to the building's paint, drywall, and siding. The necessary refurbishments will be carried out with great attention to detail, ensuring that the work is of the highest quality.

It is imperative that the work is carried out promptly to ensure the safety and security of the premises. Once completed, the fenced area will provide an extra layer of security and privacy to the building, while the repairs to the paint, drywall, and siding will enhance the aesthetic appeal of the property.

We will ensure that our team of highly skilled professionals will carry out the necessary work with the utmost care and precision, using the finest materials and techniques to guarantee the durability and longevity of the improvements.

The building boasts an array of natural features that can significantly contribute to the calmness and well-being of children. The surroundings of the building are breathtaking, with lush greenery, vibrant flowers, and stunning landscapes that can help children connect with nature and feel more relaxed. The sound of water flowing nearby can also have a soothing effect on children, reducing anxiety and promoting a sense of peace and tranquility. These natural features can provide a much-needed escape from the stresses of modern life and help children develop a greater appreciation for the beauty of the natural world.

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.

According to the proposed plan, the commercial activity related to parking and traffic on Whiskey Creek Rd will have a meager impact on the surrounding area. The proposed daycare center will operate for ten hours a day, from 7:30 am to 6 pm, and will remain closed on weekends, resulting in fewer operational hours than the previous commercial functions. This, in turn, will have a negligible effect on traffic flow or parking. The designated drop-off times for children are between 7:30 to 8:00 am and 4:30 to 6:00 pm. These designated times for drop-off and pick-up will prevent any significant traffic congestion during peak hours. Moreover, the traffic flow will remain the same since the building is already in the zone for rural commercial use. The conversion of the building to a daycare center would not affect Whiskey Creek Rd traffic, and parking spaces will be available in front of the building.

All improvement will be in the properties boundaries.

The proposed change from rural commercial zone to daycare center use would have no significant impact on the surrounding area. The change would not alter the area's character or limit any of its functions, and it is worth noting that the building was previously zoned as rural commercial. Therefore, the proposed conversion aligns with the original zoning and is unlikely to result in any significant impact on the surrounding area. The proposed daycare center's operation is expected to be safe and secure, and the safety of the children and the staff is of utmost priority. The daycare center will follow all safety protocols and regulations, including fire safety, health, and sanitation guidelines.

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

After conducting a thorough investigation of the area, I can confirm that no solar energy systems, wind energy conversion systems, or windmills are currently in operation. Therefore, if such systems were to be implemented in the future, there would be no adverse impact on the area.

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

Please take note of the following information:

- Trash service will be provided by City Sanitary Services located at 2303 11th Street, Tillamook, Oregon 97141. - Currently Provided

- Electric utility service will be provided by Tillamook People's Utility District located at 1115 Pacific Avenue, Tillamook, Oregon 97141. Currently provided

- Water service will be provided by Netarts Water District located at 4970 Crab Avenue W, Tillamook, Oregon 97141. Currently Provided

- The annual report and maintenance of the septic tank will be provided by A & B Septic Service, P.O. Box Albany, Oregon 97321. 844-571-2836 currently provided

- Internet and phone service will be provided by Verizon, P.O. Box 660108, Dallas, Texas 75266. Currently Provided

- The septic system was installed in 2012 using Delta Whitewater Treatment Units DF50-ff 500gpd. Currently provided

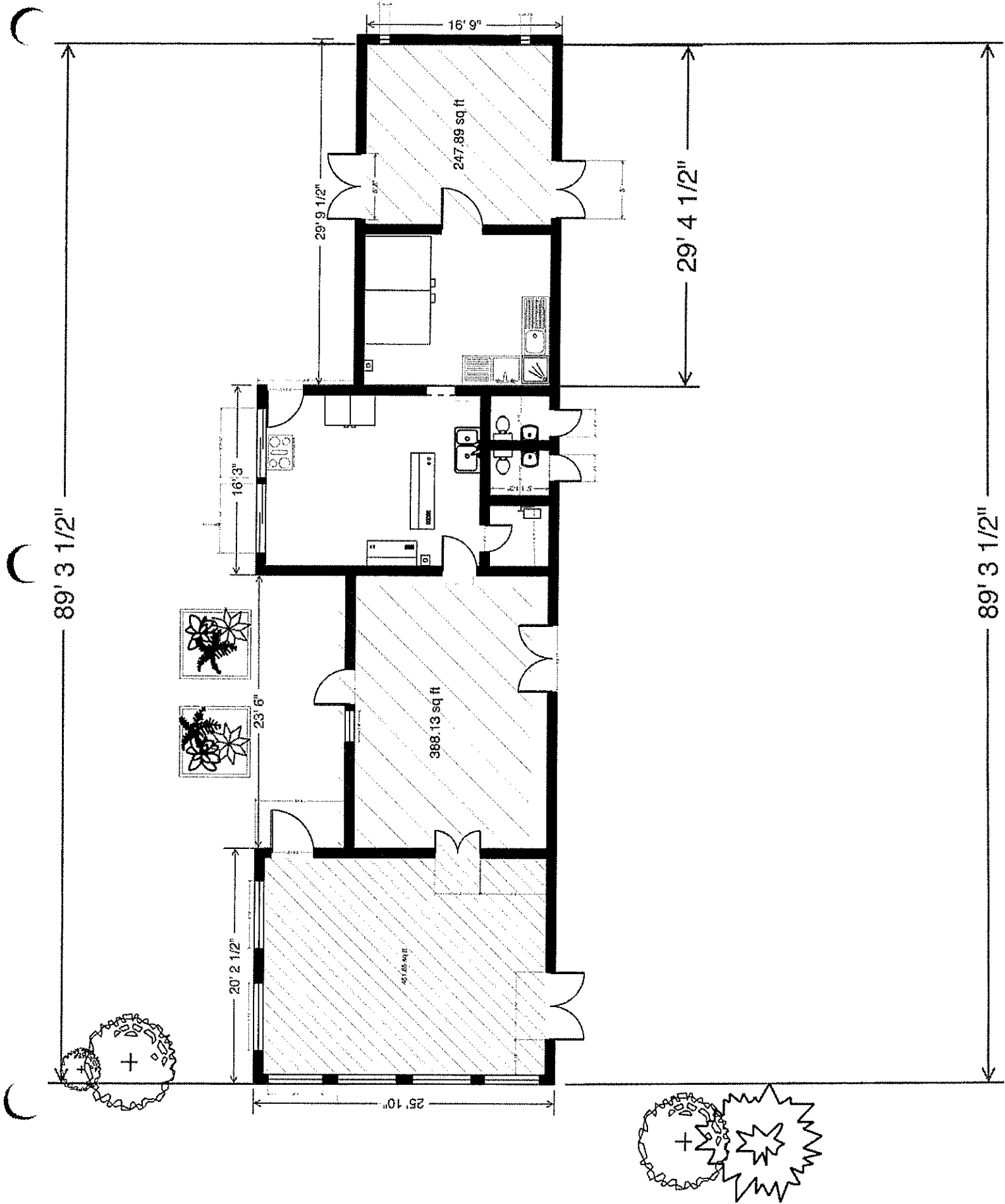
Manufacturer information

Delta Environmental Products, INC

PO Box 969

Denham Springs, LA 70727

800-219-9183





RE: EXTERNAL: Daycare 6060 whiskey Creek

2 messages

Chris Chiola <Chris.Chiola@tillamookcounty.gov>

Mon, Apr 8, 2024 at 3:30 PM

To: Shelli Dial <shellidialolmedo@gmail.com>

Cc: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>, Jaime Craig <Jaime.Craig@tillamookcounty.gov>

Hi Shelli - sorry for the delay, but here are the answers to your questions.

The new system has a daily load limit of 300 gallons per day. If you used single service and disposable plates/cups or sent everything off site for washing and have low flow toilets and sinks, the system could probably accommodate 30 people total on a daily basis.

And A&B (or another O & M provider) will need to do your routine maintenance. At first sign of any problems, then we would have to revisit the limit.

Christian Chiola | Environmental Program Manager
TILLAMOOK COUNTY | Department of Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3409
Chris.Chiola@TillamookCounty.gov

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

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

-----Original Message-----

From: Shelli Dial <shellidialolmedo@gmail.com>

Sent: Tuesday, April 2, 2024 2:51 PM

To: Chris Chiola <Chris.Chiola@tillamookcounty.gov>

Subject: EXTERNAL: Daycare 6060 whiskey Creek

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

Dear Chris,

I hope this message finds you in good health. I am reaching out to follow up on the status of the 6060 Whiskey Creek property with respect to the Delta Whitewater septic system. As Melissa Jenck has requested, I am writing to confirm if the septic system can support a daycare operation with a maximum of 30 students, operating during the hours of 7:30 AM to 6 PM on weekdays and closed on weekends. Our plan is to use paper plates to minimize dishwashing, similar to our previous restaurant operations.

Based on my assessment, I do not anticipate any issues with the septic system, as the usage will be significantly lower than that of a restaurant. Could you please confirm or address any concerns or questions you may have? Your response will enable me to proceed with the conditional use permit.

Thank you for your attention to this matter.

Best regards,
Shelli Dial Olmedo

Shelli Dial <shellidialolmedo@gmail.com>

Mon, Apr 8, 2024 at 5:51 PM

To: Chris Chiola <Chris.Chiola@tillamookcounty.gov>

Cc: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>, Jaime Craig <Jaime.Craig@tillamookcounty.gov>

Certainly, I understand that I utilize the services of A & B for the maintenance of the septic tank. Thank you for bringing this to my attention. Thanks Shelli
Sent from my iPhone

> On Apr 8, 2024, at 3:30 PM, Chris Chiola <Chris.Chiola@tillamookcounty.gov> wrote:

>

> Hi Shelli - sorry for the delay, but here are the answers to your questions.

[Quoted text hidden]

844-571-2836
att.oandm@gmail.com



P.O. Box 444
Albany, OR 97321

A&B SEPTIC SERVICE
Operations and Maintenance Dept.

Shelli Dialolmedo
6060 Whiskey Creek Rd.
Tillamook, OR 97141

April 4, 2024

RE: Transfer of 3- year Service Contract for Delta White Water Wastewater Treatment System.

A & B Septic Service is the current O&M service Provider for your Delta White Water Wastewater Treatment System. To keep in compliance with DEQ and County rules, you need to have a continuous O&M Service contract on your system at all times. The current contract was with **Nevor Shellfish Farm** and is good from **10/31/2022** through **10/30/2025**.

As the new owners we can transfer that contract to you. Please fill out and return the enclosed transfer letter.

Thank you,

Cassie Rhodaback

ATT Administrator
A & B Septic Service

844-571-2836

844-571-2836
att.oandm@gmail.com



P.O. Box 444
Albany, OR 97321

A&B SEPTIC SERVICE
Operations and Maintenance Dept.

Shelli Dialolmedo
6060 Whiskey Creek Rd.
Tillamook, OR 97141

April 4, 2024

RE: Transfer of 2- year Service Contract for Delta White Water Wastewater Treatment System.

A & B Septic Service, as the Certified Orenco Service Provider for the Delta White Water Wastewater Treatment System, acknowledges the Extended Service Contract for:

NEVOR SHELLFISH FARM

Will be transferred to the new homeowner:

Shelli Dialolmedo

The current annual cost of the contract is \$330.00 The Service Contract will be in effect from the move in date. If you have questions, or if you would like a copy of this contract please call us at **844-571-2836**.

By: **Cassie Rhodaback**
ATT Administrator
A & B Septic Service

04/07/2024

New Homeowner:

Shelli M Dial-Olmedo

Signature

Date
04/07/2024

Shelli M Dial-Olmedo

Print Name

Move In Date

1675 Ocean Highlands Parkway Tillamook Oregon 97141

Mailing Address (If different from site address)
503-801-7681

Phone Number
Shellidialolmedo@gmail.com

Email Address

DigiSigner Document ID: 5f815143-b9f8-40ff-9cb1-f9daf100eedc

SignerEmail: shellidialolmedo@gmail.com
IP Address: 75.142.22.26**Signature***Shelli M Dial-Olmedo*

Event	User	Time	IP Address
Upload document	att.oandm@gmail.com	04/04/2024 10:53:28 AM PDT	2603:3004:102:4300:a04b:62c3:677d:1dd2
Open document	att.oandm@gmail.com	04/04/2024 10:53:30 AM PDT	2603:3004:102:4300:a04b:62c3:677d:1dd2
Close document	att.oandm@gmail.com	04/04/2024 10:54:17 AM PDT	2603:3004:102:4300:a04b:62c3:677d:1dd2
Send for signing	att.oandm@gmail.com	04/04/2024 11:04:57 AM PDT	2603:3004:102:4300:a04b:62c3:677d:1dd2
Resend for signing	att.oandm@gmail.com	04/07/2024 11:05:06 AM PDT	
Open document	shellidialolmedo@gmail.com	04/07/2024 11:34:18 AM PDT	75.142.22.26
Sign document	shellidialolmedo@gmail.com	04/07/2024 11:39:46 AM PDT	75.142.22.26
Close document	shellidialolmedo@gmail.com	04/07/2024 11:39:46 AM PDT	75.142.22.26

A&B SEPTIC SERVICE
 PO BOX 444
 ALBANY, OR 97321

Invoice

Invoice # A33274
 Date: 11/4/22
 Terms: NET 10
 Due Date: 11/14/22

NEVOR SHELLFISH FARM
 TRAVIS OJA.
 6060 WHISKEY CREEK RD.
 TILLAMOOK, OR 97141

Current End Date:
10/30/2025

Service Address: 6060 WHISKEY CREEK RD., TILLAMOOK			
Units	Description	Rate	Amount
1	2022 TILLAMOOK COUNTY ANNUAL REPORT FEE ***THE FEE IS DUE TO US BY DECEMBER 31, 2022. WE WILL FORWARD THE FEE WITH THE ANNUAL REPORT TO THE COUNTY*** IF PAYMENT IS NOT MADE BY DECEMBER 31ST 2022 WE WILL NOT SEND THE REPORT TO THE COUNTY AND YOU WILL BE MADE OUT OF COMPLIANCE***ANY PAYMENTS MADE AFTER DECEMBER 31ST 2022 WILL INCUT A \$25 LATE FEE.	80.00	80.00
		Invoice Total	\$80.00
		<p><i>Thank you for choosing us, we appreciate your business.</i></p> <p><i>If paying by Credit Card please call our office at: 844-571-2836</i></p> <p><i>You can also pay online by going to our website: aandbseptic.com</i></p>	
REMITTANCE ADVICE - PLEASE RETURN WITH YOUR PAYMENT			

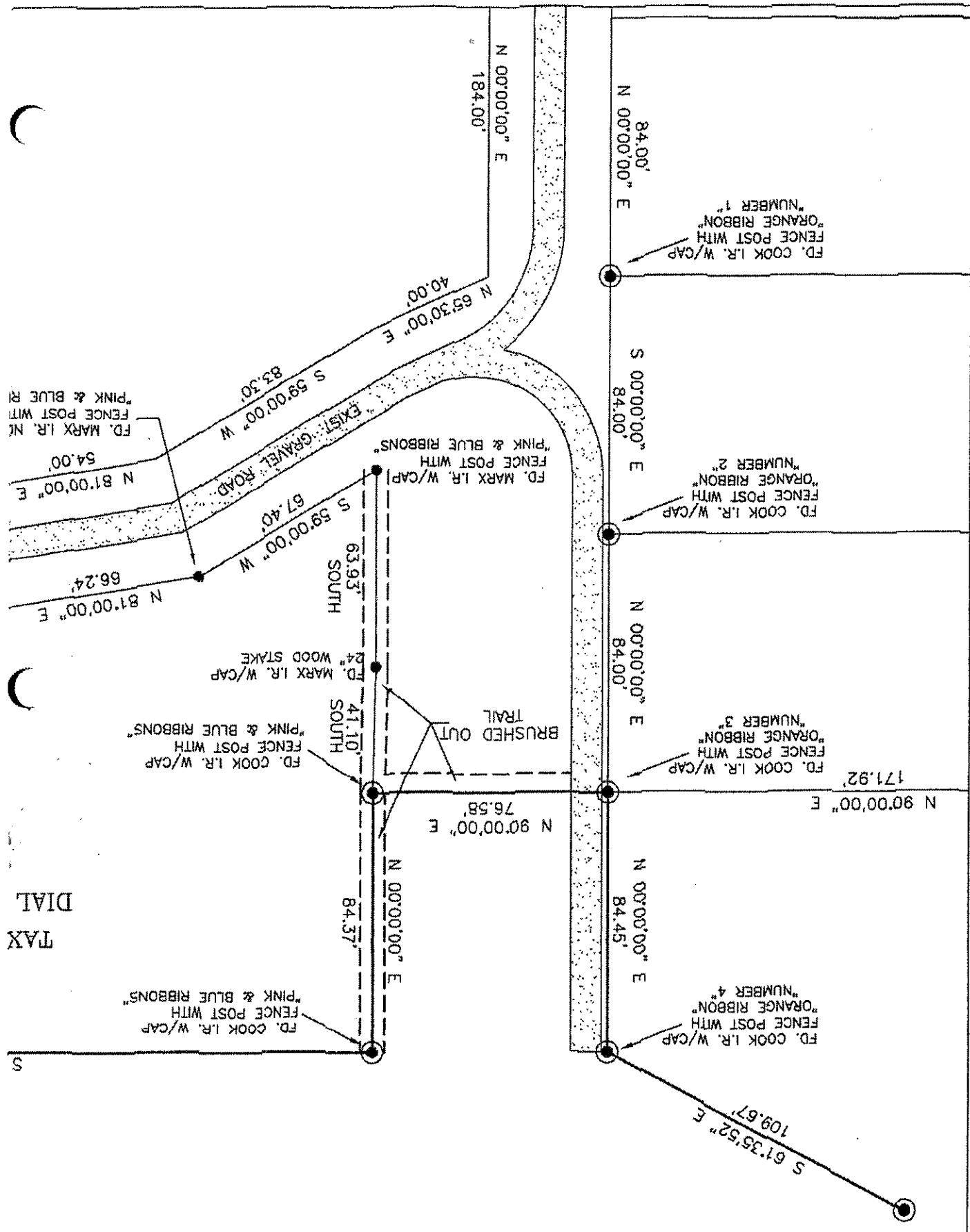
A & B Septic Service-ATT
 PO BOX 444
 ALBANY, OR 97321

Service Address: 6060 WHISKEY CREEK RD., TILLAMOOK
 Invoice # A33274
 Date: 11/4/22
 Terms: NET 10

844-571-2836

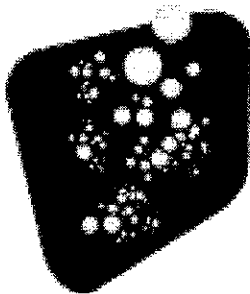
Total: \$80.00

Amount Enclosed:



TAX DIAL

S



Aerobic Septic Systems

2-Year Delta Environmental Products DF Series Service Contract

For the State of Oregon

Parties: (Authorized Delta Service Provider)

Name : Aerobic Septic Systems
Address: PO Box 1002
City, State, Zip Code: Sutherlin, Oregon 97479
Telephone: 541-580-4100, 541-580-4102 or 541-643-0651
Fax: 866-283-2928
Email: aerobicsepticssystems@charter.net

And: (Customer)

Name : Shelli Olmedo
Address: 1675 Ocean Highland Parkway
City, State, Zip Code: Tillamook, OR 97141
Telephone: 951-445-0863
Email:

System Location:

Address: 6060 Whiskey Creek Rd.
City, State, Zip Code: Tillamook, OR 97141
Legal Description: T2s R10 S17 TL300
GPS Coordinates: N° W°

Installed by: KW Sweitz

Serial #:

Agency Contact Information -

Agency: _____
Address: _____
City, State, Zip Code: _____
Telephone: _____
Email: _____

Date: 4-24-2012

Notes -

NOW, THEREFORE, in consideration of the terms, provision, covenants and conditions herein, the Parties hereto agree as follows:

1.0 Performance of Basic Services

1.1 Initial Service Policy

The Authorized Delta Service Provider shall perform the System Inspection/Service Visits during the 24-month period after installation, as marked:

Inspection/Service Visits ¹	6 th month	<u>1</u>
	12 th month	<u>1</u>
	18 th month	<u>1</u>
	24 th month	<u>1</u>

¹As required by NSF, these services will be included as part of the initial purchase of the system.

These services shall be performed during normal business hours Monday through Friday (excluding national holidays) on a pre-scheduled basis and as the Authorized Delta Service Provider deems necessary or advisable.

At each service visit the System shall be inspected and serviced in accordance with the instructions in the Systems O & M Manual. Additionally, as effluent quality inspection consisting of a visual assessment of color, turbidity, and scum overflow and an olfactory assessment for odor shall be performed.

The Service Provider will affix a "For Service, Call" label near the control panel's alarm signal and fill in his or her phone number.

Performance of the 2-year Inspection/Service visits shall include notification of needed repair, replacement or addition of parts used in the system.

The Service Provider shall be responsible for submitting the annual report and annual evaluation fee to the appropriate regulatory agency as required in OAR-071-0345.

The Service Provider shall notify the owner in writing if any improper system operation cannot be remedied at the time of servicing. The written notification shall include an estimated date of correction.

1.2 Extended Service Policy

The Delta Authorized Service Provider shall make available for purchase by owner an extended service policy with terms comparable to those in the initial service policy.

1.3 Stand By Parts

In the event that a mechanical or electrical component must undergo off site repairs the local authorized representative should maintain a stock of mechanical and electrical components that may be temporally installed until repairs are completed.

1.4 Availability of Service

The service provider shall provide emergency service within 48 hours of service request.

2.0 Term of Agreement

The agreement shall be for the period 24 months from the date of the system start up unless otherwise terminated or cancelled by either party as provided herein

3.0 Definitions

For purposes of the agreement the following definitions shall apply:

3.1 System shall mean a Delta ANS/NSF 40 certified wastewater treatment system.

3.2 "System Start-Up Date" shall mean the date the System begins operating for its intended purpose.

4.0 Charges

The basic services including service, inspection, effluent quality evaluation, and service, shall be included with the purchase of the System, Optional, additional services shall be provided at the agreed upon contract price and terms. The annual report and annual evaluation fee required by DEQ is not optional, and may or may not be included in the cost of basic services. Refer to Service Providers fee schedule for an outline of the cost of basic services and optional services to be provided under this contract.

5.0 Warranty

The Delta Service provider warrants that all services shall be performed in a good and workmanlike manner and that service provider will correct any system errors, malfunctions, defects directly caused by service provider's failure to perform the services and additional services in such manner.

6.0 Limitation of Liability

The sole liability of the Service Provider under this agreement shall be to correct any errors, malfunctions, or defects in the system directly caused by the Delta Service Providers failure to perform any services in good and workmanlike manner pursuant to section 4 above. In no event should the Service provider's liability to the customer hereunder exceed the total of the amounts paid to the service provider hereunder by the customer. In no event shall the Delta Service Provider be liable to the customer or any other third party claimant for any indirect, special, punitive, consequential or incidental damages or lost profits arising out of or related to this agreement or the performance or breach thereof, whether based upon a claim or action of contract, warranty, negligence, or strict liability or other tort. Breach of any statutory duty, indemnity or contribution or otherwise, even if the service provider has been advised of the possibility of such damage.

7.0 Termination/Cancellation

This agreement may be terminated or cancelled only upon:

- Written notice by one Party effective as of the effective date thereof if the other Party is in default of any provision of this Agreement and such default is not cured by the defaulting Party within fifteen (15) days after the effective date of said notice from the non-defaulting party, or by the mutual agreement of both Parties.
- Copy of such written notice shall be forwarded to the regulatory agency.

8.0 Miscellaneous Provisions

This agreement is personal in nature and may not be delegated, assigned or transferred by either Party without the prior written consent of the other Party.

The laws of the State of Oregon shall govern the Agreement.

The homeowner shall be responsible for complying with the Delta DF Series Installation, Operation & Maintenance Manual provided to them with the purchase of the system.

Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested, postage prepaid, addressed to the Parties at the addresses shown on the first page of the Agreement. Any notice or other communication shall be deemed given at the expiration of the second day after the date of deposit in the United States mail. The addresses to which notices or other communications shall be mailed may be changed from time to time by giving written notice to the other Party as provided in this Section.

Extension of maintenance contract is currently \$225.00* per year, State/County fees* included in this price. Inspection and maintenance of the pump basin and pump apparatus following the Whitewater Treatment System included in this contract. We will observe and record conditions of drain field as per State requirements.

**DEQ fees can vary and subsequently change this cost.*

This two year maintenance contract only valid when system is purchased thru Aerobic Septic Systems.

Delta Service Provider

Customer(s)

Name: Mel Arts # M032

Signature: *Mel Arts*

Title: Oregon Certified Service Provider
541-643-0651



Aerobic Septic Systems

DF Series Mandatory inspection sheet				
Service contract				
Customers			Configuration - 1, 2 or 3	
A. Maintain Septic tank				
			Frequency	Gravity System
				Pump Out
1)	Visual inspect for infiltration		Semi-Annual	
2)	Measure sludge and scum		Annual	
3)	Recommend tank pumping when necessary		Semi-Annual	
B. Maintain Delta Product				
1)	Inspect for ponding		Semi-Annual	
2)	Air Vent (intact and clear)		Semi-Annual	
3)	Air unit Operation and clean filter		Semi-Annual	
4)	Check for odor (sniff)		Semi-Annual	
5)	Check for film (visual inside tank)		Semi-Annual	
6)	Check for foam (visual inside tank)		Semi-Annual	
C. Maintain Disposal Field Pump Basin				
			Inspect Disposal Field	
1)	Check pump intake		Semi-Annual	
2)	Check float for proper operation		Semi-Annual	
3)	Visually inspect surface for ponding		Semi-Annual	
4)	Check monitoring wells liquid level		Semi-Annual	
5)	Visually Inspect Basin Infiltration		Semi-Annual	
6)	Check Basin still Level		Semi-Annual	
7)	Visually Inspect drain field for ponding		Semi-Annual	



Water Quality



- About DEQ
- Regulations
- News & Info
- Programs
- Contact Us

Features

Search Onsite

- Public Notices
- WQ Assessment
- \$401 Certs
- Drinking Water
- Fact Sheets
- Groundwater
- Internal Management Directives
- Links
- Loans/Grants
- Nonpoint
- Septic Systems (Onsite)
- Permits
- Rules
- Standards
- Stormwater
- TMDLs
- UIC
- Willamette

Home > Water Quality > Onsite Program > Approved Alternative Treatment Technologies

Approved Alternative Treatment Technologies (ATTs)

Treatment Standard 1
(list current as of April 2006)

AdvanTex® Treatment Systems

Oregon DEQ Letter of Approval for the following AdvanTex® Treatment Systems:

Model:

- AX20-N.....500 gpd*
- AX20-2N.....1000 gpd
- AX20-3N.....1500 gpd

Approved Drawings:

- [AX20N Mode 1A w/ Fiberglass Tank](#)
- [AX20N Mode 3A w/ Fiberglass Tank](#)
- [AX20N Mode 3B w/ Fiberglass Tank](#)
- [AX20N Mode 1/Mode 3 w/ Fiberglass Tank](#)
- [AX20N with Discharge Tank](#)

Manufacturer Information:

Orenco Systems, Inc.
814 Airway Avenue
Sutherlin, OR 97479
Telephone: (800) 348-9843
Fax: (541) 459-2884
E-mail:
Web: <http://www.orenco.com>

[Operation and Maintenance Manual](#)
[Installation Manual](#)

Commercial restaurant

Delta Whitewater® Treatment Units

Oregon DEQ Letter of Approval for the following Delta Whitewater® Units:

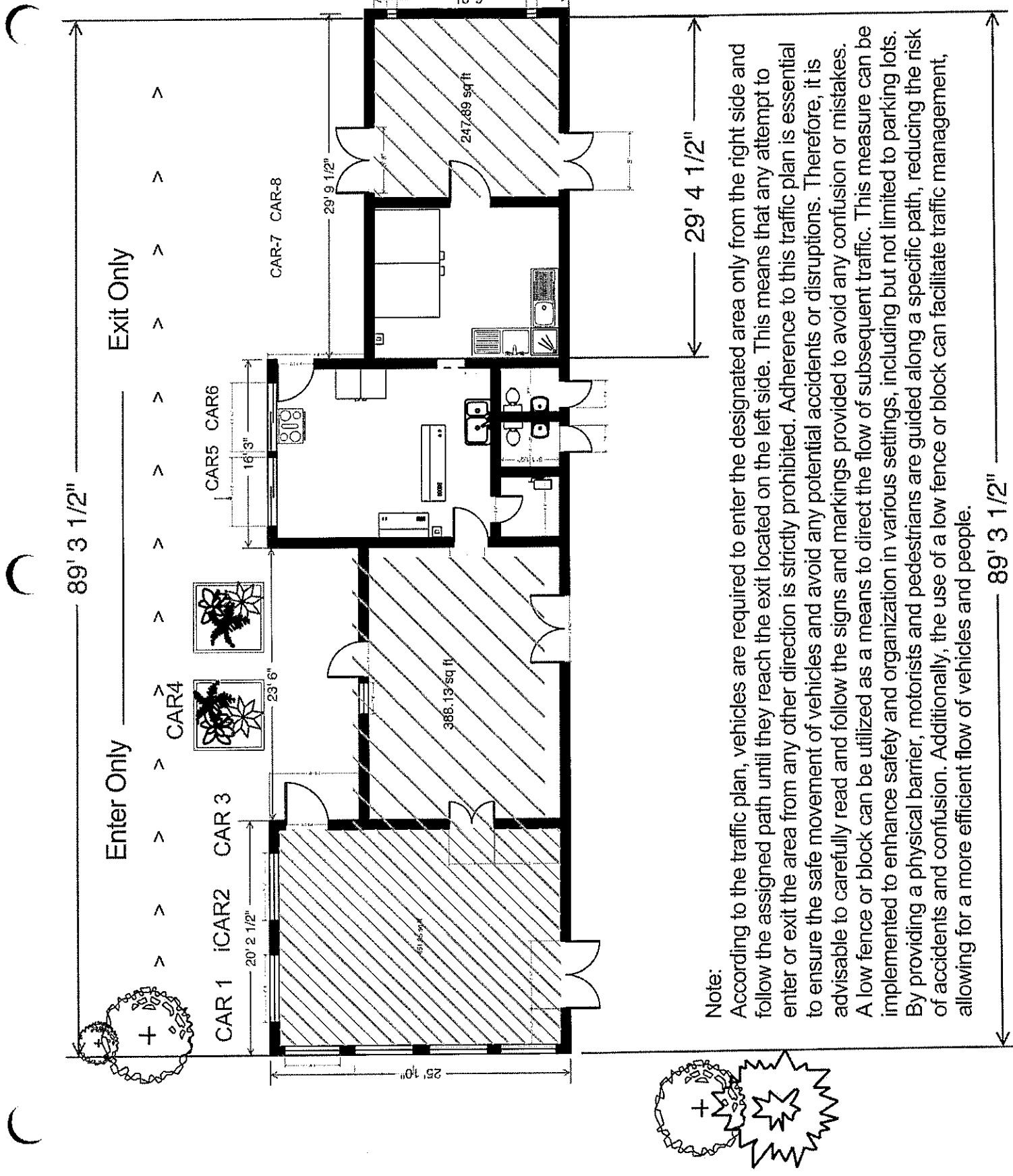
Model:

- DF50-FF.....500gpd*

Approved Drawings:

Manufacturer Information:

Delta Environmental Products, Inc.
P.O. Box 969,
Denham Springs, LA 70727
Telephone: (800) 219-9183
Fax: (225) 664-9467

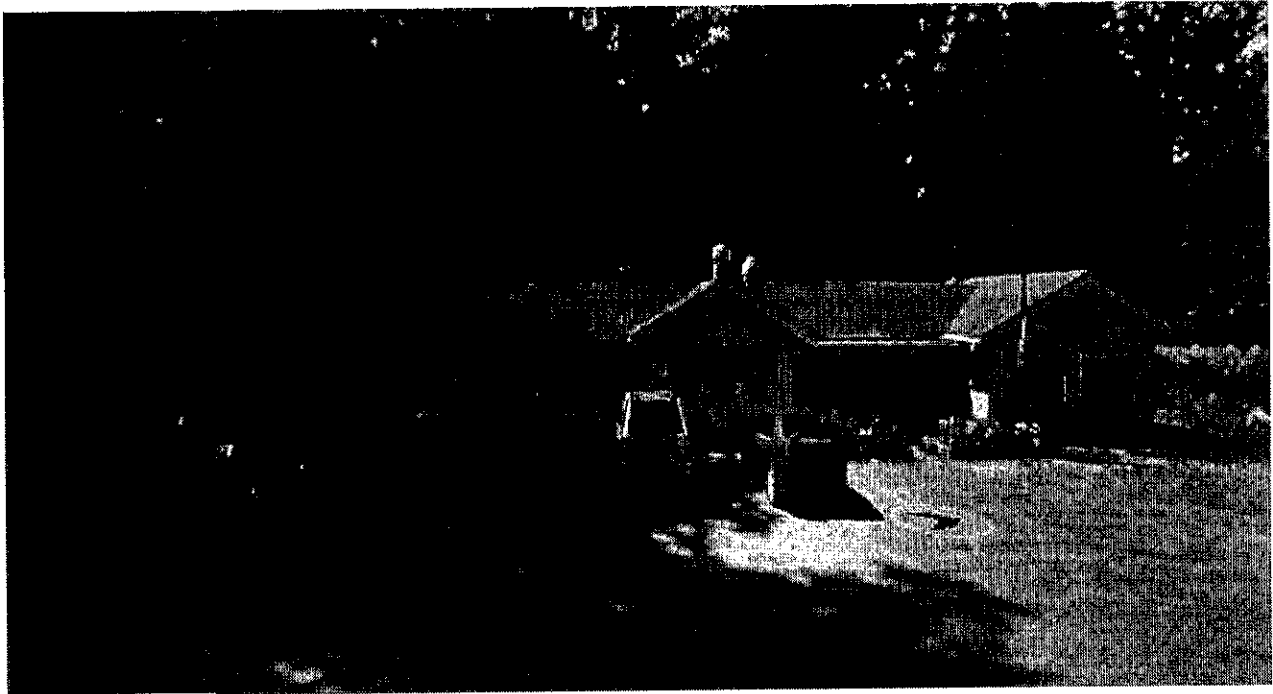


Note:

According to the traffic plan, vehicles are required to enter the designated area only from the right side and follow the assigned path until they reach the exit located on the left side. This means that any attempt to enter or exit the area from any other direction is strictly prohibited. Adherence to this traffic plan is essential to ensure the safe movement of vehicles and avoid any potential accidents or disruptions. Therefore, it is advisable to carefully read and follow the signs and markings provided to avoid any confusion or mistakes. A low fence or block can be utilized as a means to direct the flow of subsequent traffic. This measure can be implemented to enhance safety and organization in various settings, including but not limited to parking lots. By providing a physical barrier, motorists and pedestrians are guided along a specific path, reducing the risk of accidents and confusion. Additionally, the use of a low fence or block can facilitate traffic management, allowing for a more efficient flow of vehicles and people.

Traffic Flow

whiskey Creek Rd Tillamook Oregon 97141



The parking lot has a capacity of holding an average of 15 or more cars at a time.

Note:

- **Our business hours are Monday through Friday, from 7:30 a.m. to 6:00 p.m." During these hours, there will be a 15-to-20-minute window for cars to be parked for pick up and drop off. This will occur between 7:30 a.m. and 9:00 a.m. and 3:30 p.m. and 6:00 p.m., respectively. About 3-4 car parking spots will be available for employees during business hours. However, there will be no traffic flow during the weekends as we will be closed on Saturdays and Sundays.**

Verification of City/County Approval

Planning and Zoning, Occupancy, and Building Codes

Prior to licensing, you must provide the Child Care Licensing Division with verification that your facility meets local planning and zoning, occupancy, and building requirements*.



To be Filled Out by the Child Care Program:

Type of License Applying for: <input type="radio"/> Registered Family Child Care Home (RF) <input type="radio"/> Certified Family Child Care Home (CF) <input checked="" type="radio"/> Certified Child Care Center (CC) <input type="radio"/> Certified School-age only Center (SC)	Ages of Children Being Served: <input checked="" type="checkbox"/> Infants <input checked="" type="checkbox"/> Toddlers <input checked="" type="checkbox"/> Preschool <input type="checkbox"/> School Age		
Site Address: 6060 Whiskey Creek Rd Tillamook, Oregon 97141			
(street address)	(city)	(zip)	(county)
Verification of Compliance with city/county ordinances needed because: <input type="checkbox"/> RF/CF Not living in the home where care will be provided (only planning and zoning approval required) <input type="checkbox"/> RF/CF Home is converted or additional space, not part of the original living quarters, is being used for child care (only occupancy and building codes required) <input type="checkbox"/> CF Home is not located in a commercial or residential zone. <input checked="" type="checkbox"/> CC Building may/may not be zoned to operate a child care business. <input type="checkbox"/> SC School-age center that is not in a public school must meet building code and zonings requirements.			

To be Filled Out by the Appropriate Local Authority:

Planning and Zoning Approval
The proposed child care facility/home is in an approved zone <input type="radio"/> Yes <input type="radio"/> No
_____ Signature of authorized representative of Planning and Zoning
_____ Date

Occupancy and Building Codes Approval
The proposed child care facility/home meets occupancy and building codes <input type="radio"/> Yes <input type="radio"/> No
_____ Signature of authorized representative of Occupancy and Building
_____ Date

*Registered Family: OAR 414-205-0150(3) In instances where care that is subject to registration, as defined in subsection (2) of rule 414-205-0000, will not be provided in the provider's own residence, the applicant/provider must request and receive approval for an exception prior to providing care at that location. In all respects, the location must appear and be arranged as a residence.
Certified Family: OAR 414-350-0130(2) A home that is not the residence of the provider or a home located in a zone other than residential or commercial shall meet all state and local planning and zoning, occupancy, and building code requirements for a child care facility.
Certified Center: OAR 414-305-0130(6)(a) Evidence that the certified child care center meets all applicable building codes and zoning requirements.
Certified School-age Center: OAR 414-310-0130(5)(a) Evidence that the school-age center meets all applicable building codes and zoning requirements unless the center is in a public-school building.

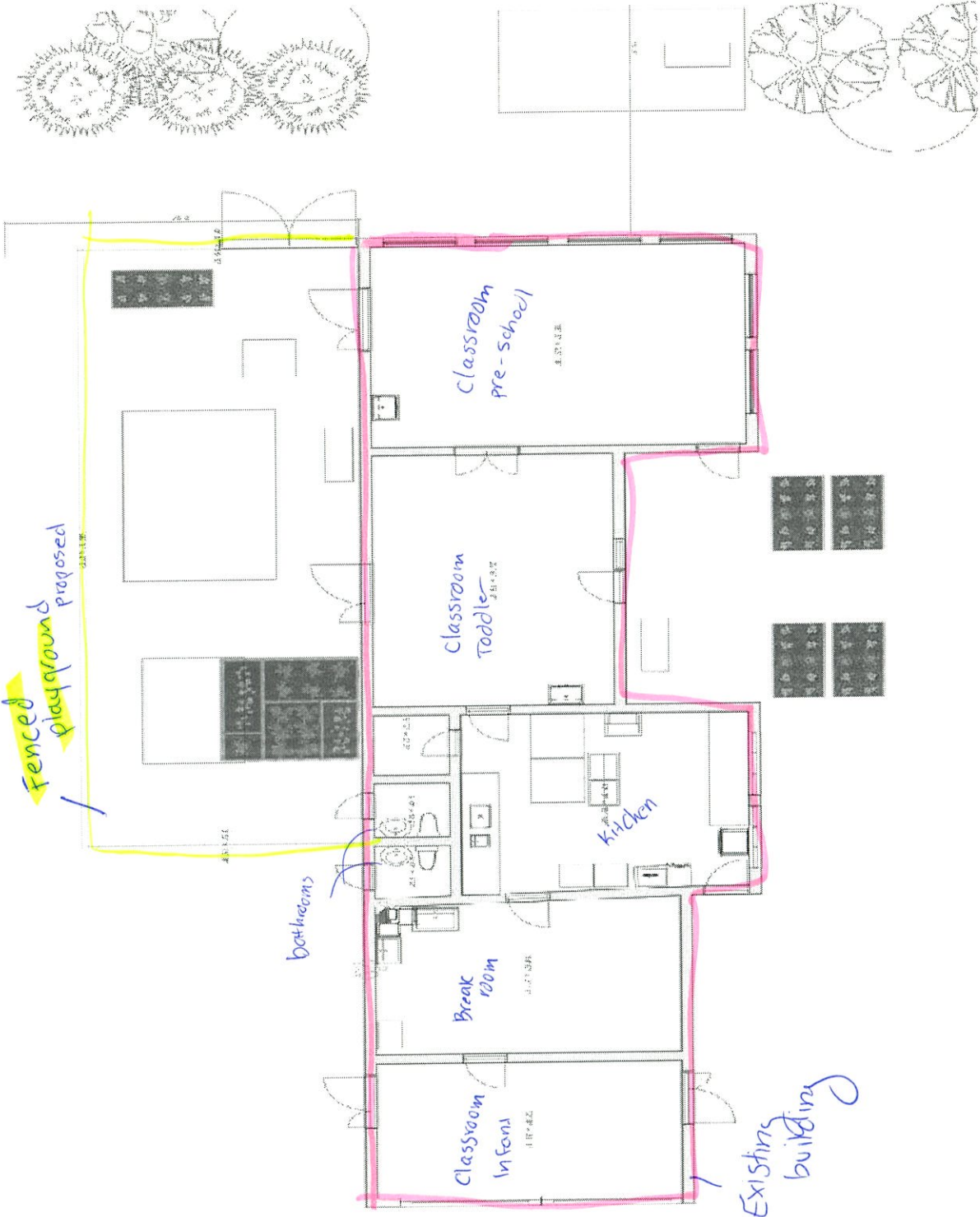
Shellie A. H. Clinedo

Signature of Provider/Operator of Facility

Date 04/21/24

You are entitled to language assistance services and other accommodations at no cost. If you need help in your language or other accommodations, please contact the Child Care Licensing Division at 503-947-1400.

clear form

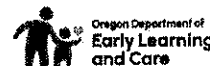


Whiskey Creek Road

Child Care Licensing Division

Pre-Certification Visit

Visit ID #(s):



Please return this copy to your records.

CCLD Field Staff Information

CCLD Field Staff: Karen Santesson

CCLD Field Staff Phone Number: 971-209-6636

Visit Information

Conducted: In-Person

Visit Date: 04/09/2024

Type: Announced

Visit Time: 2:30pm

Program Contact Information

Program Name: Imagination Education Creation Daycare

CCLD Number: _____

Program Address: 6060 Whiskey Creek Rd, Tillamook, OR, 97141

Phone Number: 503-801-7681

Email Address: shellidialolmedo@gmail.com

Program Details

Visit conducted with: Shelli Dial-Olmedo

Position (if applicable): provider

Pre Certification Details

Issue #: _____

Visit #: _____

Building Information

Capacity is defined as the total number of children allowed in the facility at any one time, based on the available indoor and outdoor square footage, the number of toilets available to children and the number of qualified staff.

Room	Planned Use	Sq. Ft.	Age Range	Availability	Potential Capacity
1st room	Preschool	447.448	4-5 year olds	Yes, available at all times	12
Middle room	Toddlers	361.713	2-3 year olds	Yes, available at all times	10
Far end room	Infants	239.897	12 months- 23 months	Yes, available at all times	6

TOTAL SQUARE FEET: 1,049,058

TOTAL POTENTIAL CAPACITY:

Number of Toilets: 2

CF: 1:15 children

CC: 1:10 older toddler; 1:15 (36 mo. +)

Handwashing Sinks: _____

1:2 toilets

Outdoor square footage: _____

75 square feet per child

CF: Minimum square footage needed for the first 12 children at 35 sq. ft. per child = 420 sq. ft.

For each additional child over the capacity of 12, there is to be 50 sq. ft. per child.

13 children = min. of 470 sq. ft.

14 children = min. of 520 sq. ft.

15 children = min. of 570 sq. ft.

16 children = min. 620 sq. ft.

Discussion Topics:

Central Background Registry (CBR) enrollment

Building codes, planning and zoning

Sanitation Inspection: annual approval by an Environmental Health Specialist (EHS)

- CC/SC Only: Fire safety inspection approval by a state or local fire code official within the last 48 months

- Lead testing of water or alternative water declaration

- Floor plan
Notes:
Once the provider gets estimates the provider will send a detailed floor plan of the center which will include sinks, toilets, changing tables, bathroom walk way, outside area and furniture.

- Emergency plan requirements

- Written policies required

- Space and equipment requirements for outdoor activity area

- Staff qualifications

- Staff training requirements (including specific infant/toddler training, if applicable)

- Caregiver-to-child ratios and group size

- Application: required documents and fee

- CCLD's health and safety inspection with a CCLD licensing specialist

Visit Summary

Comments

On 04/08/2024 the Licensing Specialist (LS) JL accompanied the LS KS.
 The LS KS met with the provider SDO
 Items discussed:
 -Occupancy and zoning approvals needed.
 -Fire and sanitation approvals needed.
 -The bathrooms are currently outside access only.
 -Observed large outdoor area available. Outside area was not measured as it had not been fenced. Reviewed requirement for 75 sq. ft. for outdoor play area when fencing outdoor space in.
 -The lighting requirements for the program in each classroom. Shatter proof light bulbs or covered lights need to be added to child spaces.
 -Items needing to be addressed for facility to be used as a center include fencing, diaper changing tables, hand washing and food prep sinks, walkway to the toilets through the 2-3 year old room, sinks for the classrooms, ratios to consider when taking children to the bathroom, plans for flooding, natural disasters and emergency evacuation plan.
 -Provider will send a detailed floor plan to the LS with furniture, toilets, sinks, walking pathway to the bathroom for the preschoolers, outside area and changing tables.
 -Send provider child enrollment forms.
 -Gave provider new policies for the Certified Center (CC) Rule book and CC program policies and summary of

revisions for the CC program.

Photos, Documents & Technical Assistance Materials

No photos were taken at this visit.

No documents were collected at this visit.

No technical assistance materials were provided at this visit.

Email and Signature

A copy of this report will be emailed after this visit to the email address(es):

Primary: shellidialolmedo@gmail.com

Secondary: _____

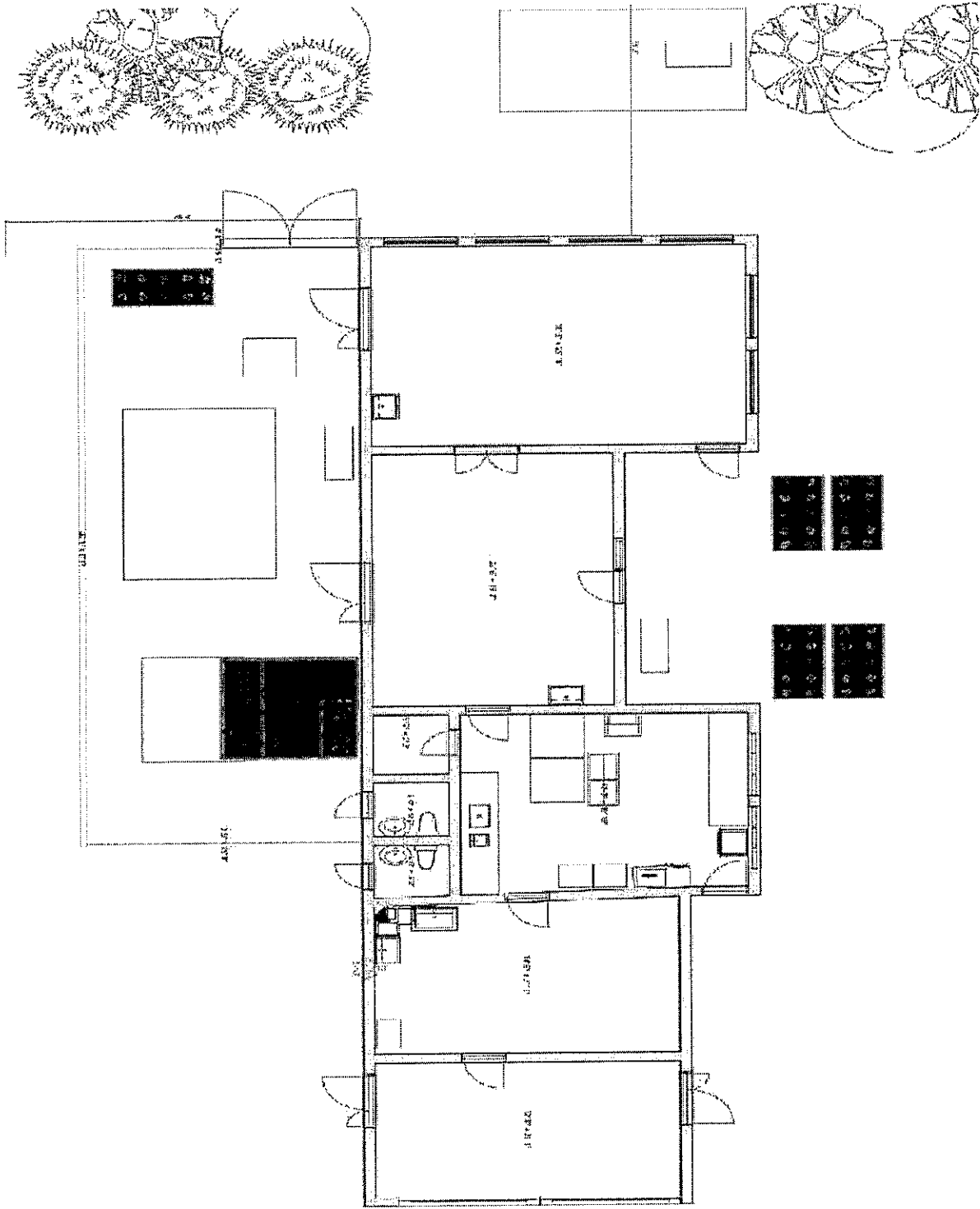
Karen Santesson

CCLD Field Staff Signature and Date

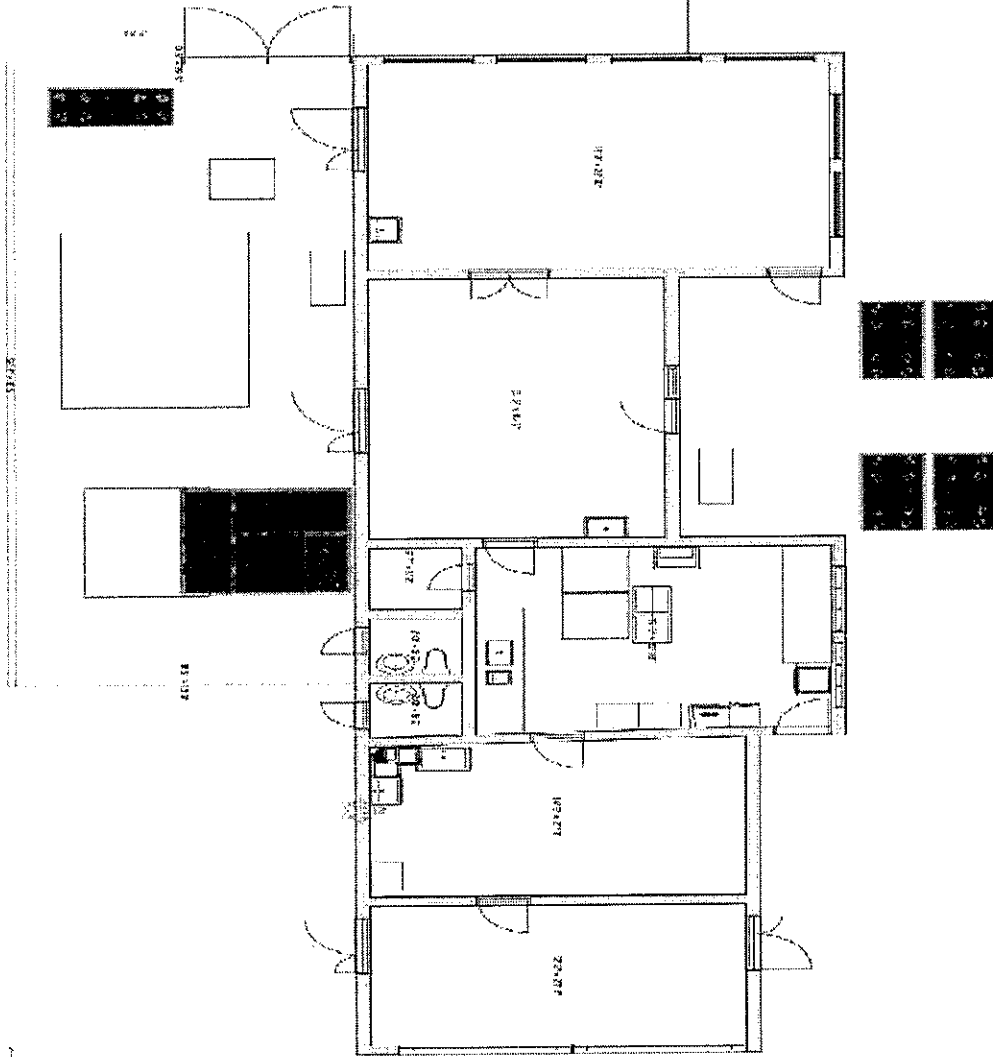
Digitally signed by Karen Santesson
Date: 2024.04.09 15:32:53 -0700

NOTICE: Repeated or serious non-compliance may result in a civil penalty as discussed (if applicable). Under the law, a child care license may be suspended or revoked if the Child Care Licensing Division (CCLD) finds that the facility or its operation does not comply with state statutes, or with applicable rules, or with any terms or condition imposed under the license. If you fail to comply or if you repeat the noncompliance indicated above, your license may be revoked. You must comply with CCLD rules and the law at all times. The CCLD retains information about noncompliance. If you disagree with the findings, you may respond in writing to the CCLD.

This form contains dynamic elements and may not show some items that are not relevant to your program. To view a full sample, visit the Department of Early Learning and Care website, www.oregon.gov/DELIC, or request a copy from the CCLD field staff. You are entitled to language assistance services and other accommodations at no cost. If you need help in your language or other accommodations, please contact the Child Care Licensing Division (CCLD) at 503-947-1400. Please notify the CCLD field staff listed above if you would like to receive a mailed copy of this report.



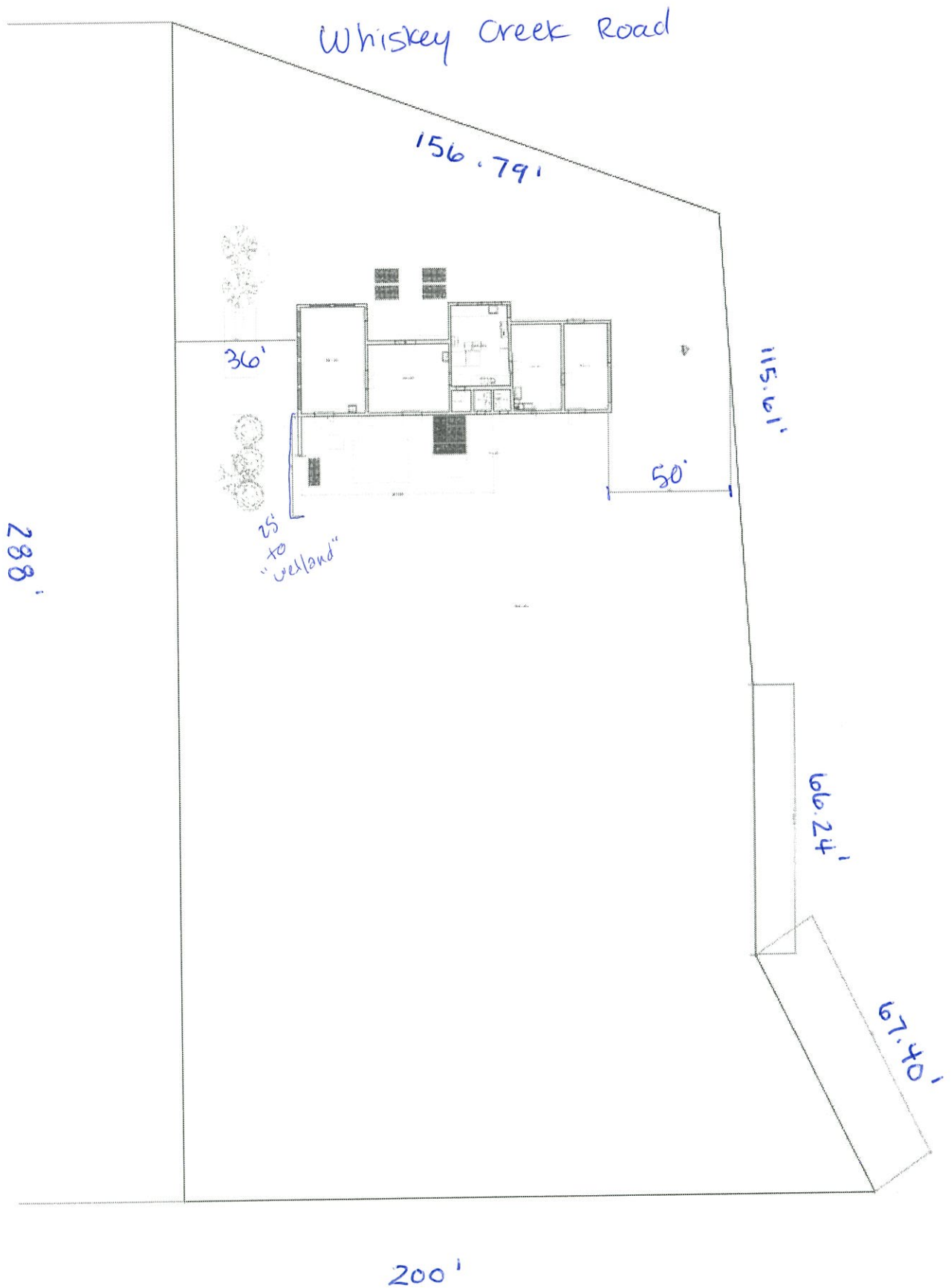
T 508



11' 0" 0"



6060 Whiskey
Creek Rd



EXHIBIT

C

Sarah Absher

From: Chris Laity
Sent: Friday, June 7, 2024 12:01 PM
To: Sarah Absher
Cc: Lynn Tone; Brian Olle
Subject: 851-24-000228 PLNG; Shelli Dial; Public Works Comments

Director Absher,

Public Works is not opposed to the application provided that the following conditions are met:

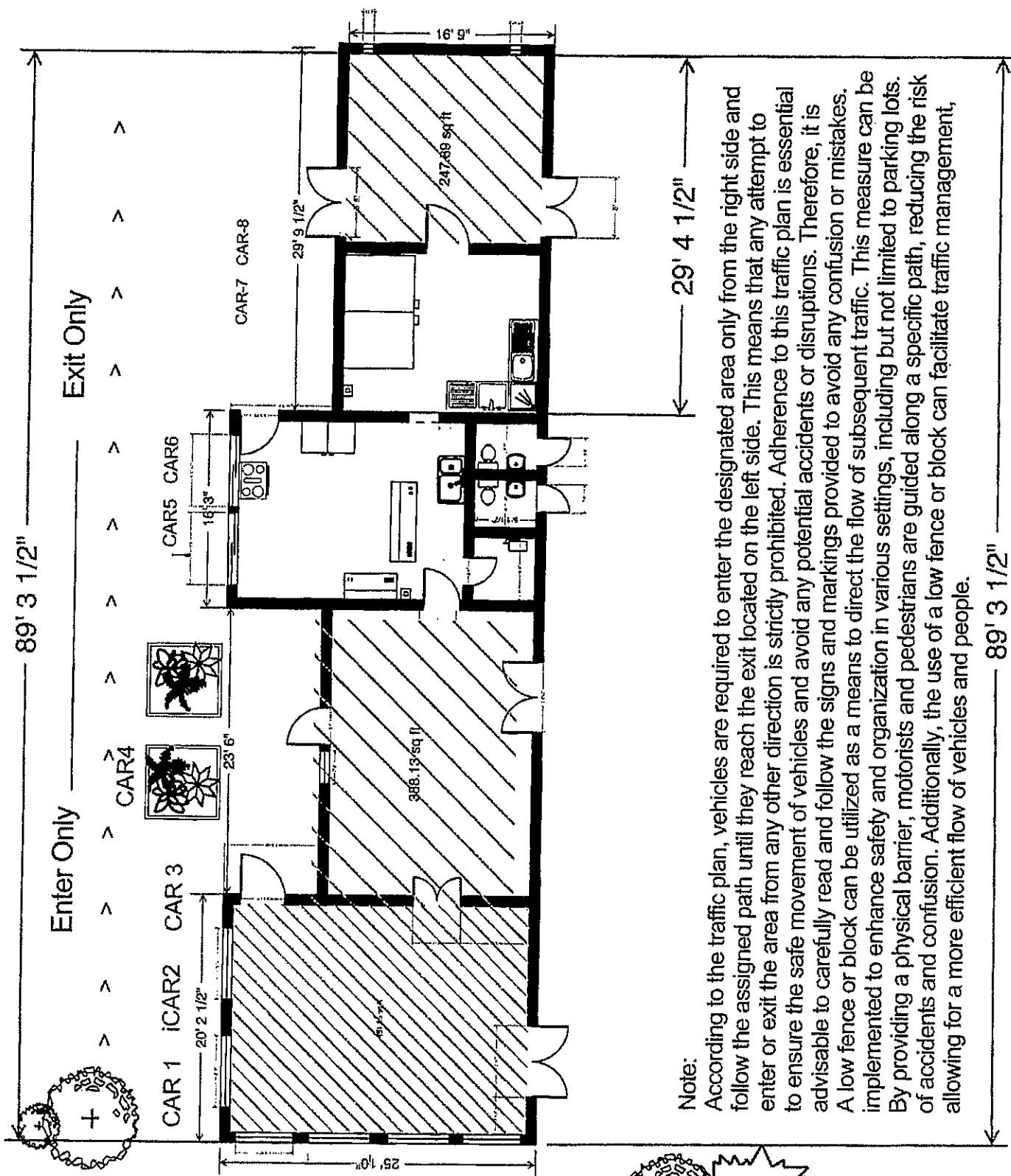
- The southern of the two road approaches is removed due to inadequate sight distance for a left turning vehicle departing Whiskey Creek Road into the property.
- The tree located within the county right-of-way located to the north of the property and west of Whiskey Creek Road be either limbed or removed. The tree is located between MP 2.320 and 2.216 north of the property. Limbing of the tree up to a height of 14-ft or full removal is acceptable. Full removal is preferred. This is required to meet the required sight distance for a vehicle departing the site making a left turn onto Whiskey Creek Road.
- Internal traffic movements are adjusted to accommodate the removal of the southern road approach.

Thank you for the opportunity to comment.



Chris Laity, P.E. | Director
TILLAMOOK COUNTY | Public Works
503 Marolf Loop Road
Tillamook, OR 97141
Phone (503) 842-3419
Chris.Laity@tillamookcounty.gov (NEW)

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



Enter Only

Exit Only

Note:

According to the traffic plan, vehicles are required to enter the designated area only from the right side and follow the assigned path until they reach the exit located on the left side. This means that any attempt to enter or exit the area from any other direction is strictly prohibited. Adherence to this traffic plan is essential to ensure the safe movement of vehicles and avoid any potential accidents or disruptions. Therefore, it is advisable to carefully read and follow the signs and markings provided to avoid any confusion or mistakes. A low fence or block can be utilized as a means to direct the flow of subsequent traffic. This measure can be implemented to enhance safety and organization in various settings, including but not limited to parking lots. By providing a physical barrier, motorists and pedestrians are guided along a specific path, reducing the risk of accidents and confusion. Additionally, the use of a low fence or block can facilitate traffic management, allowing for a more efficient flow of vehicles and people.

Sarah Absher

From: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Sent: Monday, June 10, 2024 2:44 PM
To: Lynn Tone; Sarah Absher
Subject: EXTERNAL: RE: 851-24-000228-PLNG: Notice of Public Hearing Tillamook County Planning Commission

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

ODFW will not be attending the Planning Commission meeting for this application. Our comments would be that new construction be located outside of the estuary setback and that steps are taken to minimize or eliminate damage to the riparian area from a different and increased use of the site that could occur when operational. Likely this would mean controlling when and where children and staff can access in and around the riparian area and associated trees/vegetation.

If allowed to develop in the estuary setback and/or increased use results in damage, appropriate mitigation should be required to offset impacts.

Robert

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

From: Lynn Tone <Lynn.Tone@tillamookcounty.gov>
Sent: Thursday, May 16, 2024 2:14 PM
To: Sarah Absher <Sarah.Absher@tillamookcounty.gov>
Subject: 851-24-000228-PLNG: Notice of Public Hearing Tillamook County Planning Commission

Hello, please see link for Notice of Public Hearing: Planning Commission Hearing; June 13th 2024 7:00p.m

[851-24-000228-PLNG | Tillamook County OR](#)



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

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

Sarah Absher

From: Jaime Craig
Sent: Thursday, May 23, 2024 10:04 AM
To: Lynn Tone; Sarah Absher
Cc: Chris Chiola
Subject: RE: 851-24-000228-PLNG: Notice of Public Hearing Tillamook County Planning Commission

Hi Lynn and Sarah,

The applicant has not applied with our office yet, or talked to us about what her plan is to meet all of the childcare and sanitation rules, so thanks for sending this over. I had reached out to the office of childcare as they said they would not come on site until a conditional use was approved. Once I found out they had, they were not willing to share the document, so I am glad it's part of the conditional use packet.

Comments:

Bathroom entry is exterior entry only. If child use the restroom and then must go out and reenter a building, they may need to wash their hands again, and I don't see hand wash sinks on the plan. There is a kitchen, but they would be excluded for child hand wash or entry.

If they are doing bottling, or diaper changing in the rooms as indicated on some of the narrative, they would need plumbed handwash sinks in the rooms. If bottling, they may also need a prep sink as handwash sinks cannot be used for food prep.

The first classroom will be designated for children aged 2 to 3 years old. This classroom will be outfitted with age-appropriate toys, furniture, and educational materials to foster their learning and development. The second classroom will be reserved for pre kindergarten children aged 3 to 6 years old. The room will be designed to encourage creativity, socialization, and learning through play. The final classroom will be dedicated to infants aged between 12 and 23 months. This room will be equipped with cribs, changing tables, and age-appropriate toys to ensure the infants receive the best possible care. Overall, the goal of this request is to provide a safe and nurturing environment for children to learn and grow. If they are doing bottling, or diaper changing in the rooms as indicated on some of the narrative, they would

need plumbed handwash sinks in the rooms. If bottling, they may also need a prep sink as handwash sinks cannot be used for food prep.

- The current building is 1728 square feet, making it ideal for a preschool or daycare center.

It consists of three spacious classrooms, a breakroom for staff to relax and unwind, and a **fully equipped kitchen** to prepare and serve healthy meals to the children.

It looks like there are sinks in the break room as well. Is this area also going to be used to store food, food prep?

https://www.oregon.gov/delc/providers/CCLD_Library/CCLD-0084-Rules-for-Certified-Child-Care-Centers-EN.pdf

All rules I above must be meet.

Below must be meet and or vetted through our office.

414-305-1100 Kitchen and Food Service Areas

414-305-1110 Food Service

414-305-1130 Food Storage and Preparation

414-305-1140 Meals and Snacks

Applicant states it gets water from a public water source.



Jaime Craig REHS

TILLAMOOK COUNTY | Environmental Health Program Manager

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

2111 8th St. | PO Box 489

Tillamook, OR 97141

Phone (503) 842-3909

Fax (503) 842-3983

Jaime.Craig@tillamookcounty.gov

www.tillamookchc.org

-

***NEW EMAIL effective immediately. Please update my contact within your systems to**

Jaime.Craig@tillamookcounty.gov

-

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

From: Lynn Tone <Lynn.Tone@tillamookcounty.gov>

Sent: Thursday, May 16, 2024 2:14 PM

To: Sarah Absher <Sarah.Absher@tillamookcounty.gov>

Subject: 851-24-000228-PLNG: Notice of Public Hearing Tillamook County Planning Commission

Hello, please see link for Notice of Public Hearing: Planning Commission Hearing; June 13th 2024 7:00p.m

[851-24-000228-PLNG | Tillamook County OR](#)



Lynn Tone | Office Specialist II

TILLAMOOK COUNTY | Surveyor's Office/Community Development

1510 3rd Street Ste C

Tillamook, OR 97141

Phone (503) 842-3423

Lynn.Tone@tillamookcounty.gov

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

Sarah Absher

From: Jaime Craig
Sent: Thursday, June 27, 2024 8:51 AM
To: Sarah Absher; Melissa Jenck; Chris Chiola; Brian S. Blalock
Cc: Lynn Tone
Subject: 6060 Whiskey Creek Road
Attachments: EXTERNAL: Re: EXTERNAL: Drawing labeled; EXTERNAL: Drawing labeled; EXTERNAL: Drawing 2 copy.pdf; EXTERNAL: Re: EXTERNAL: Re: EXTERNAL: Re: EXTERNAL: Re: EXTERNAL: RE: Pre-App Poll

Hi All,

I meet with Shelli last week to talk about her plan and give her our application, which she is supposed to be filling out and giving back to us. Her drawings were vastly different than the drawing she submitted for conditional use, and I asked if you all had updated plans. She said no, and that she just needed to get approval and then she would figure out the rest. I asked her to please make sure you had an updated copy before you went to the hearing on use. She has sent me multiple drawings at this point.

Things to note:

We talked about Chris's email and water usage for the septic system only allowing for 300 gallons a day. She said she is aware.

She will be adding a handwash sink to 2 different rooms. One diapering area and one classroom.

She mentioned she may add a utility sink outside to clean arts and crafts items, but not for handwash.

She will either need a 3-comp sink in the kitchen or a high temperature dishwasher. She doesn't know which she wants right now. She will be serving a breakfast and a lunch cooked on site, plus snacks. She did not mention disposable products for serving.

Let me know if you have questions.



Jaime Craig REHS

TILLAMOOK COUNTY | Environmental Health Program Manager

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

2111 8th St. | PO Box 489

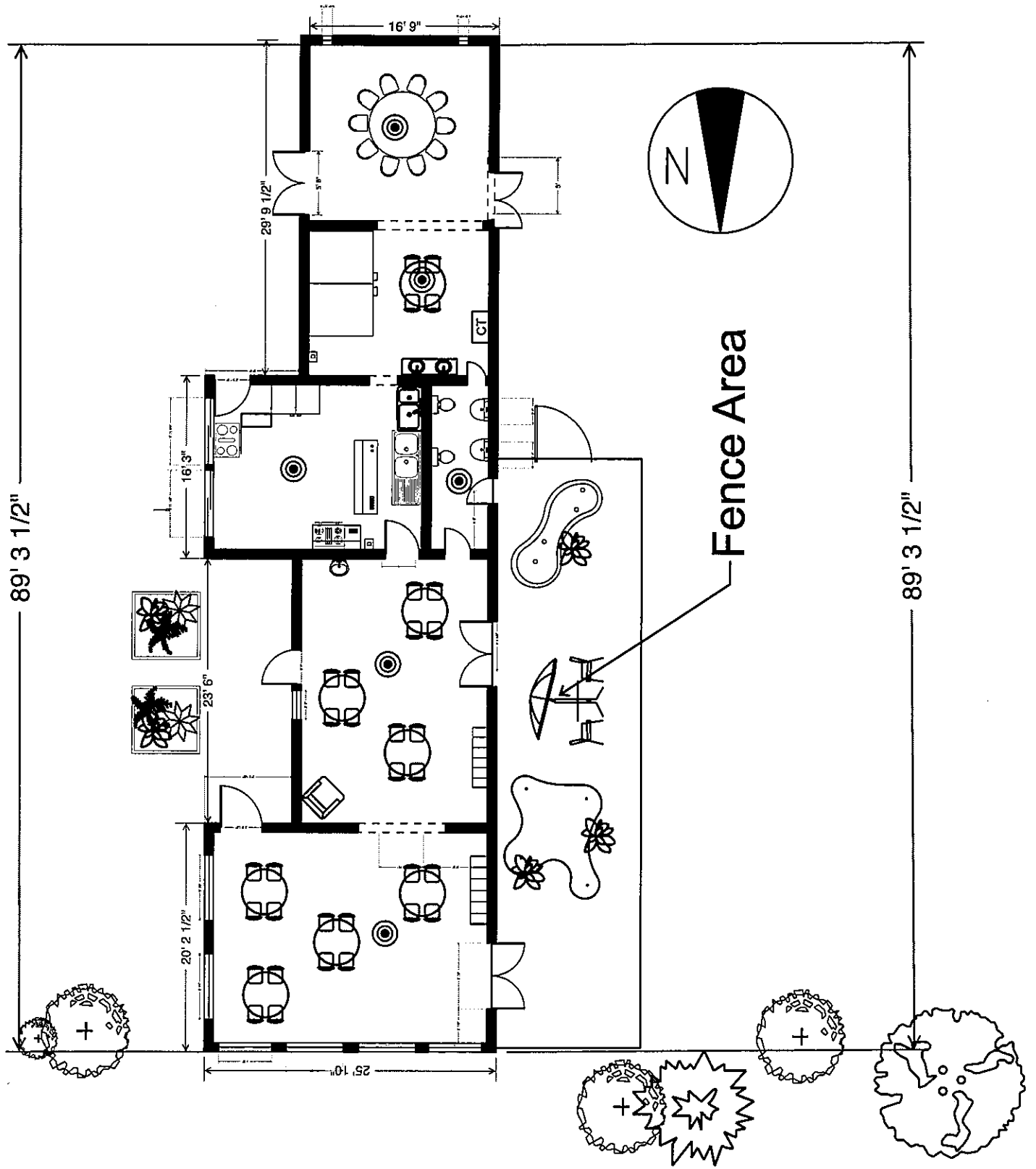
Tillamook, OR 97141

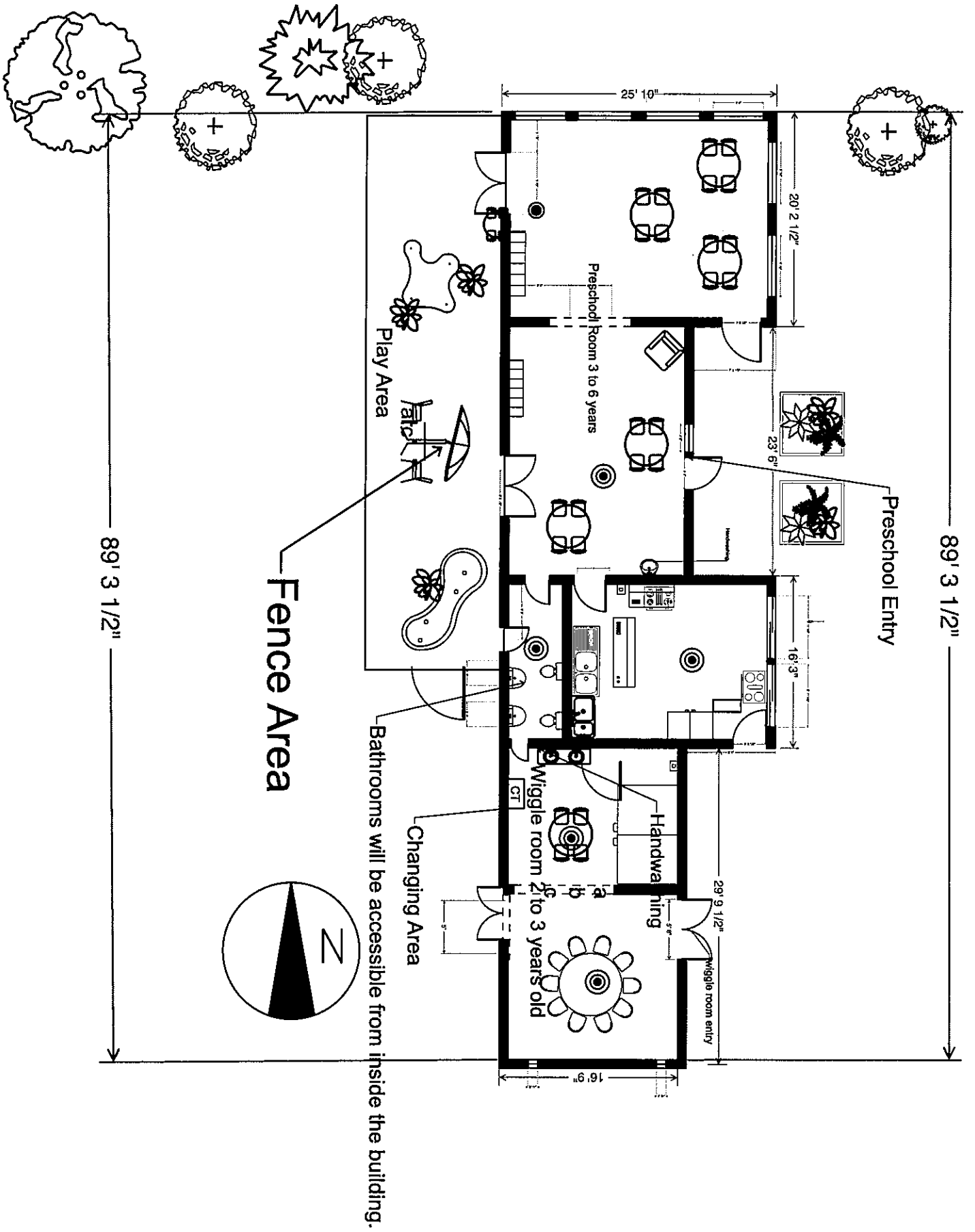
Phone (503) 842-3909

Fax (503) 842-3983

Jaime.Craig@tillamookcounty.gov

www.tillamookchc.org





Lynn Tone

From: Chris Chiola
Sent: Wednesday, July 3, 2024 8:47 AM
To: Lynn Tone
Subject: Shelli Dial Daycare comments

Good morning – the following are the conditions of approval-

The applicant will have to due an Authorization Notice due to a change in use for the facility. The onsite system is designed to handle 300 gallons per day of effluent. The applicant must maintain sewage discharge to 300 gallons per day or less and maintain an O & M contract with a licensed operator to monitor and maintain the onsite wastewater treatment system.



Christian Chiola | Environmental Program Manager
TILLAMOOK COUNTY | Department of Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3409
Chris.Chiola@TillamookCounty.gov

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

EXHIBIT

D

Sarah Absher

From: Chris Laity
Sent: Monday, June 24, 2024 3:05 PM
To: Sarah Absher
Cc: Brian Olle
Subject: Trip Generation Day School and Similar

Director Absher,

You had requested information regarding the similarities/dissimilarities between a Day Care facility, an Early Learning facility and an Elementary School. Data wasn't available specifically for an Early Learning facility, but data was available for Private School (K-8) and for Charter Elementary Schools. All of these schools function in a similar matter with students being dropped on at essentially the same time; often during the morning rush hour, and then picked up in the afternoon; typically before the evening rush hour.

Impacts to the transportation system is highest during the AM peak hour. Reviewing all of the data below while taking into account sample size, standard deviations, urban/suburban/rural suggests that each of these facilities operates in an identical fashion and there is not enough statistical data to differentiate the types of schools. The volume of traffic is different between private/public schools. It is noted that private and charter schools generates approximately one trip per student (or one student/vehicle). While the other schools have an average of more students/vehicles as well as students that take the bus. This becomes consequential when a large school is planned, but the impacts are mute when discussing small early learning centers or day cares.

Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition identifies the following regarding trip generations (all studies occurred in urban/suburban areas):

- Elementary School (ITE Land Use Code 520)
 - Average vehicle trip generation per student on a weekday = 1.89 (0.34 std. deviation).
 - Sample size is 450-1,000 students.
 - AM Peak Hour average vehicle trip per student = 0.67 (0.27 std. deviation).
 - Sample size is 125-1,200 students.
- Middle School/Junior High School (ITE Land Use Code 522)
 - Average vehicle trip generation per student on a weekday = 2.13 (0.46 std. deviation).
 - Sample size is 475-1,750 students.
 - AM Peak Hour average vehicle trip per student = 0.58 (0.32 std. deviation).
 - Sample size is 400-1,600 students.
- Private School (K-8) (ITE Land Use Code 534)
 - Average vehicle trip generation per student on a weekday = Not enough data.
 - AM Peak Hour average vehicle trip per student = 0.91 (0.14 std. deviation).
 - Sample size is 100-750 students.
- Charter Elementary School (ITE Land Use Code 537)
 - Average vehicle trip generation per student on a weekday = Not enough data.
 - AM Peak Hour average vehicle trip per student = 1.11 (0.18 std. deviation).
 - Sample size is 200-1,400 students.
- Day Care Center (ITE Land Use Code 565)

- Average vehicle trip generation per student on a weekday = 4.09 (std. deviation 1.21).
 - Sample size is 25-200 students.
- AM Peak Hour average vehicle trip per student = 0.78 (0.25 std. deviation).
 - Sample size is 10-200 students.

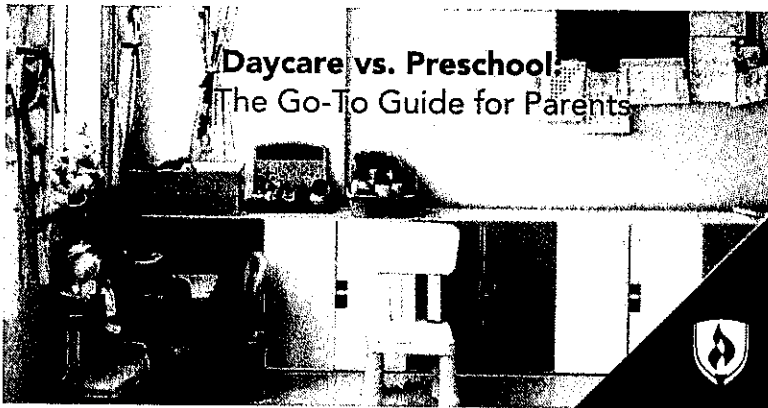


Chris Laity, P.E. | Director
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Daycare vs. Preschool: The Go-To Guide for Parents

By Hope Rothenberg on 07/25/2023



The terms daycare and preschool are sometimes used interchangeably, but they're not the same.

There are certainly similarities—both are forms of early childhood education (ECE), and both provide child care for young children. In fact, a good preschool and a good daycare program may actually end up having a lot in common.

While every industry has its terms that get easily confused or overlapped, the titles daycare and

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Daycare vs. preschool: settings and locations

When it comes to settings, the differences in daycare vs. preschool really only exist on a center-by-center basis. Both depend on factors ranging from the program owner and the program goals to sources of funding, and whether the organization is public or private.

The **settings for preschools, daycares and similar** child care options can include private homes, places of worship, workplaces, elementary schools and beyond. Of course, larger daycare or preschool programs may also have their own dedicated buildings.

Given the variety of settings these early education facilities may be located in, it's important to keep an open mind. The type of building a preschool or daycare program is housed in does not determine whether or not it provides high quality child care. A better indicator of a program's quality is in the teachers and caregivers it hires, since a child's experience will depend greatly on their connection to the adults in the room.

To find child care programs and other local resources in your area, head to **[childcare.gov](https://www.childcare.gov)** and input your location.

Daycare vs. preschool: hours

school readiness are often a central component of preschool.

Children can begin to learn many important motor, cognitive and social skills at preschool, and it's often seen as a stepping stone to prepare children for kindergarten. A robust preschool curriculum will aid in a child's development by introducing them to a classroom setting and laying a foundation for building pre-academic skills.

Daycare programs can certainly be deeply educational and intentional. Some daycares are even called "schools" and include training in child development for their teachers or tuition reimbursement options to encourage their staff to **earn an Early Childhood Education degree or diploma.**

But daycare options can also include arrangements that are more like babysitting, where caregivers keep children safe, but don't intentionally engage them. As you research daycare options, ask the teachers or caregivers about how they work with the children, and if they use **intentional teaching**. Their answers might help you determine what kind of experience they are offering and what might be a good fit for your child.

While you are asking questions, see if you can come and visit any preschool or daycare you are considering. Pay attention to how teachers greet each child who comes in. Are they attentive? Do

determinants have to do with whether the program is part of the city or state's public school system. If it is—it's likely to be a no-cost option for families. But since **universal preschool** hasn't happened at a federal level yet, your area might not have the option.

As of the last few years, a handful of states and cities including Oklahoma, New York City and Washington, D.C. offer universal preschool starting at age three or four, according to the New York Times.

Free daycare for children below three or four is less common, though options for low-income families may exist depending on location.

Excluding the exception of public preschool, daycare and preschool costs in the United States vary substantially based on the type of child care provider, the quality of care provided, the age of children served and the geographic location of the provider.

Among preschool-aged children, center-based child care prices per child ranged from \$6,239 in 2018 in small counties to \$11,050 in very large counties. Home-based child care prices ranged from \$5,541 in 2018 in small counties to \$9,019 in very large counties, according to a report by the **U.S. Department of Labor Women's Bureau** .¹

The same report showed that child care prices were consistently higher for infant care. The

childhood educators who take their work seriously understand how critical this time is for little ones. Check out our article, "**What to Look For in a Preschool: 7 Signs of High-Quality ECE**".

For parents, it can be equally illuminating to see the staggering significance of these first five or six years. Check out "**5 Reasons Why the Importance of ECE Is Impossible to Ignore**" to get a better idea of why child care is so much more than keeping children safe and fed.

Rasmussen University Early Childhood Education programs do not prepare students for licensed teaching positions in any public school setting, but students will have the opportunity to help shape the futures of young children from birth to age six in a childcare or non-public school setting or leadership role.

Related Articles:

- **Why Is Preschool Important? Debunking the Myths**

¹Women's Bureau U.S. Department of Labor, Issue Brief, Childcare Prices in Local Areas: Initial Findings from the National Database of Childcare Prices [Accessed June 2023]
https://www.dol.gov/sites/dolgov/files/WB/NDCP/WB_Issue_Brief-NDCP-final.pdf

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Early Learning

Early learning refers to the skills and concepts that children develop before they reach kindergarten. It is a crucial part of development and can set patterns for both school and adult learning.

By studying early learning, researchers can figure out the best ways for parents and caregivers to encourage children to develop these skills and concepts and to put children on a path to becoming lifetime learners.

General Information

[About Early Learning \(/health/topics/early-learning/conditioninfo\)](/health/topics/early-learning/conditioninfo)

Children begin learning in the womb. Good learning experiences during their early years—whether at home, in childcare, or in preschool—will support their lifelong learning, health, and well-being.

[More >> \(/health/topics/early-learning/conditioninfo\)](/health/topics/early-learning/conditioninfo)

[Why is early learning important? \(/health/topics/early-learning/conditioninfo/matter\)](/health/topics/early-learning/conditioninfo/matter)

Early learning paves the way for learning throughout life. What children learn in their first few years of life—and how they learn it—can have long-lasting effects on their success and health.

[More >> \(/health/topics/early-learning/conditioninfo/matter\)](/health/topics/early-learning/conditioninfo/matter)

What are some factors that affect early learning? (/health/topics/early-learning/conditioninfo/factors)

A child's home, family, and daily life have a strong effect on his or her ability to learn. Parents and guardians can control some things in their child's life and environment, but not everything.

[More >> \(/health/topics/early-learning/conditioninfo/factors\)](/health/topics/early-learning/conditioninfo/factors)

Why is it important to study early learning? (/health/topics/early-learning/conditioninfo/whystudy)

Early learning can improve children's health and have long-lasting benefits. Studying which factors affect early learning and education will help researchers identify opportunities for real impact.

[More >> \(/health/topics/early-learning/conditioninfo/whystudy\)](/health/topics/early-learning/conditioninfo/whystudy)

How can parents and caregivers promote early learning? (/health/topics/early-learning/conditioninfo/promote)

Every day is filled with opportunities to help your child learn. You can help by reading out loud, teaching through conversation, listening and responding, and practicing counting together.

[More >> \(/health/topics/early-learning/conditioninfo/promote\)](/health/topics/early-learning/conditioninfo/promote)

Research

[NICHD Early Learning Research Information \(/health/topics/early-learning/researchinfo\)](/health/topics/early-learning/researchinfo)

NICHD conducts and supports research on early learning and on disorders associated with early learning.

[More >> \(/health/topics/early-learning/researchinfo\)](/health/topics/early-learning/researchinfo)

Find a Study

[Find a Study on Early Learning \(/health/topics/early-learning/findastudy\)](/health/topics/early-learning/findastudy)

NICHD conducts and supports a variety of clinical research projects related to early learning.

[More >> \(/health/topics/early-learning/findastudy\)](/health/topics/early-learning/findastudy)

More Information

[Other Early Learning FAQs \(/health/topics/early-learning/more_information/other-faqs\)](/health/topics/early-learning/more_information/other-faqs)

Find answers to other common questions about early learning, such as where to find information about early educational programs and what is "school readiness."

[More >> \(/health/topics/early-learning/more_information/other-faqs\)](/health/topics/early-learning/more_information/other-faqs)

[Early Learning Resources \(/health/topics/early-learning/more_information/resources\)](/health/topics/early-learning/more_information/resources)

Links to websites of groups that study or provide information about early learning.

[More >> \(/health/topics/early-learning/more_information/resources\)](/health/topics/early-learning/more_information/resources)

Display as Fact Sheet 

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[Neuroscience \(/health/topics/neuro\)](/health/topics/neuro)

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[Science Update: Early childhood adversity may affect neurological and cognitive development, NICHD study suggests \(/newsroom/news/060324-early-childhood-adversity-affect-development\)](#)

[Director's Corner: Elucidating the Effects of Digital Media on Children \(/newsroom/news/031124-effects-digital-media-children\)](#)

[Spotlight: Scientific Advances from the Division of Intramural Research \(/newsroom/news/112223-DIR-showcase\)](#)

[All related news \(/newsroom/news?topic=early-learning\)](#)