



Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REVIEW REQUEST #851-25-000108-PLNG:
CHANGE OF USE REQUEST FROM AN EXISTING 5-UNIT
APARTMENT TO A 5-UNIT MOTEL**

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

May 5, 2025

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Conditional Use Request on May 5, 2025.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website: <https://www.tillamookcounty.gov/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department in accordance with Article 10 of the TCLUO before **4:00 PM on May 19, 2025**. Unless appealed, the effective date of this decision shall be May 19, 2025.

Request: Conditional Use request for a change in use of a 5-unit apartment to a 5-unit motel.

Location: Located within the Unincorporated Community of Netarts located at 4817 Netarts Highway West, a State Highway, and designated as Tax Lot 300 in Section 5BC of Township 2 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Netarts Neighborhood Commercial (NT-C1) Zone

**Applicant &
Property Owner:** Nick Petersen, 8165 Magnolia Drive, Tillamook, OR 97141

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. The applicant shall obtain all required permits from the Federal, State and local agencies prior to operation of the 5-unit motel, including an approved zoning permit and any structural, mechanical, plumbing or electrical permits for improvements needed for change in use of the existing structure to a 5-unit motel.
2. The applicant shall obtain all necessary permits and licenses from Tillamook County Community Health. Documentation of licensing and permitting shall be submitted to the Department prior to operation of the 5-unit motel. A copy of all permits and licenses shall be submitted to the Department at the time of zoning permit application submittal.
3. A site plan, drawn to scale, illustrating the proposed development and required setbacks, shall be provided at the time of Zoning Permit application submittal. The site plan shall accurately depict the location and dimensions of required parking spaces and shall demonstrate conformance with the applicable standards of TCLUO Section 4.030: Off-Street Parking and Off-Street Loading Requirements. A minimum of five (5) 8-foot by 20-foot parking spaces are required for the operation of the 5-unit motel.
4. The applicant/property owner shall submit updated service provider letters from the Netarts Water District, Netarts-Oceanside Sanitary District and Netarts-Oceanside Fire District at the time of zoning permit application submittal.
5. Development of the property shall adhere to the applicable provisions of the Netarts Neighborhood Commercial (NT-C1) Zone, TCLUO Section 3.348. Expansion of use, including addition of motel units, is subject to Conditional Use review and approval according to the provisions of Article 6.
6. Signage shall conform to the applicable standards of TCLUO Section 4.020: Signs.
7. Any future development, including vegetation removal, shall adhere to the applicable requirements of TLCUO Section 3.530: Beach and Dune Overlay Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.
8. This approval shall be null and void on **May 5, 2027**, unless all Conditions are met, or an 'Extension of Time' is requested from, and approved by, this Department.

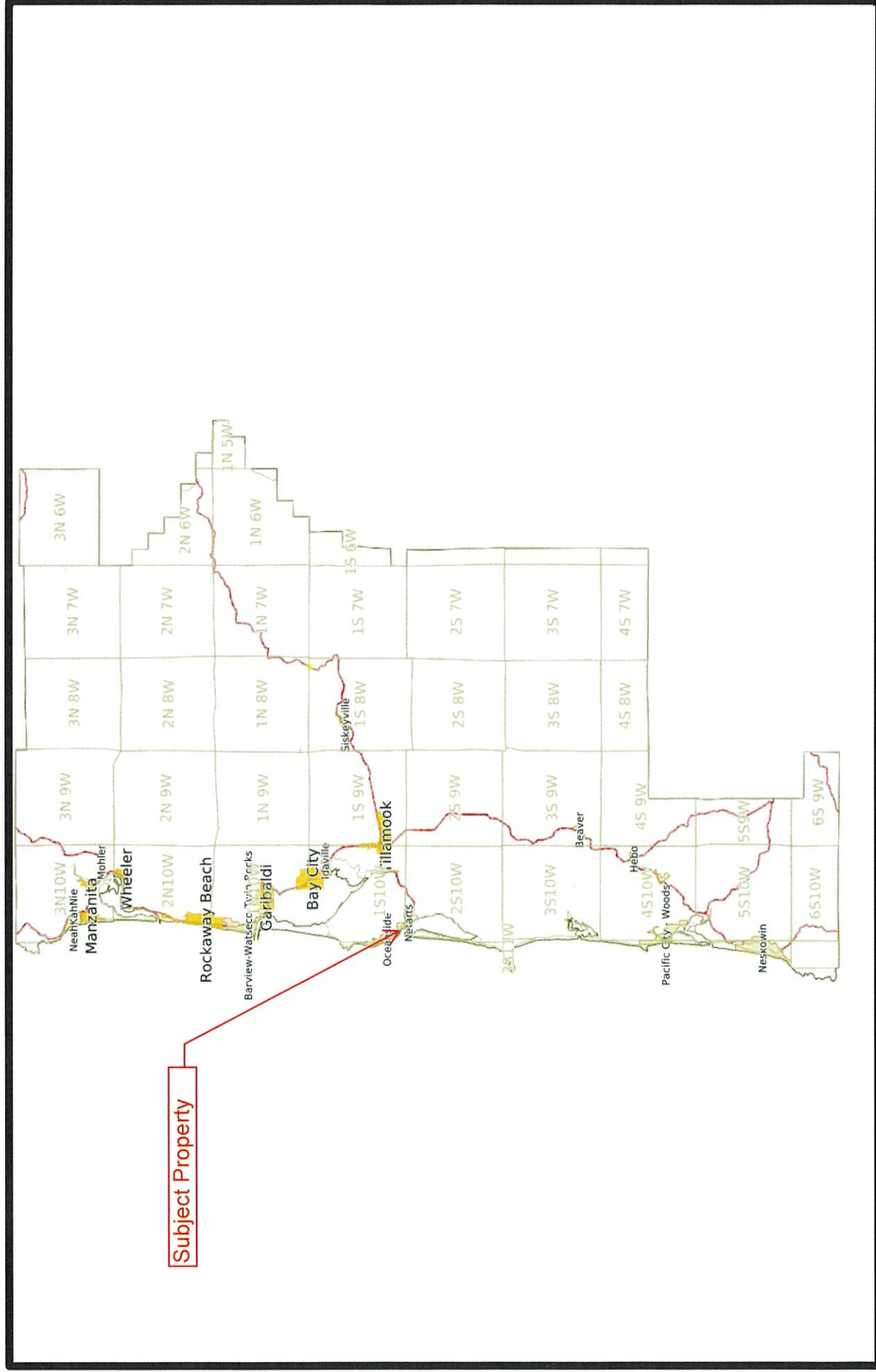
Sincerely,
Tillamook County Department of Community Development



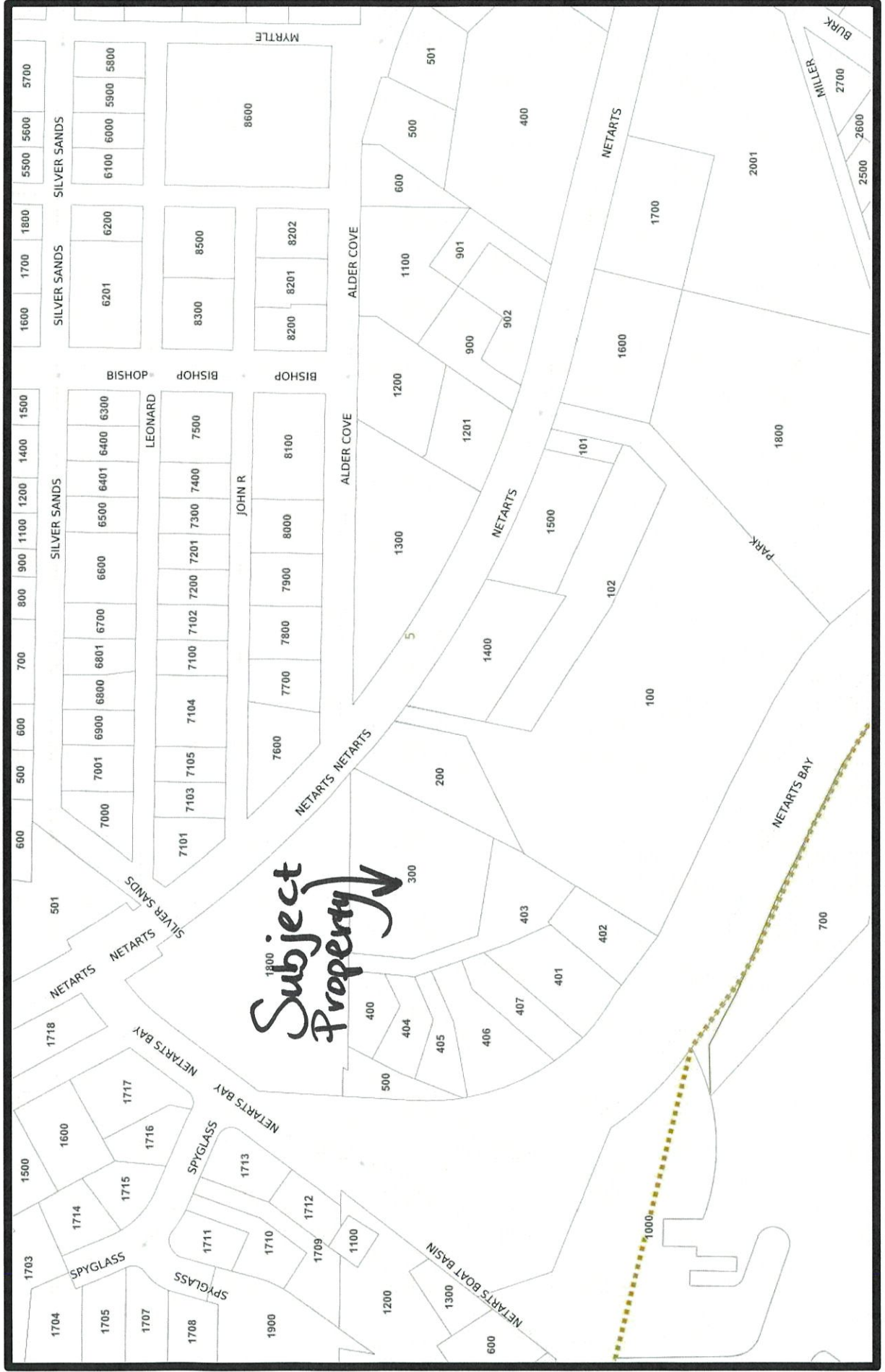
Sarah Absher, CFM, Director

Enc.: Vicinity & Assessor/Zoning Map

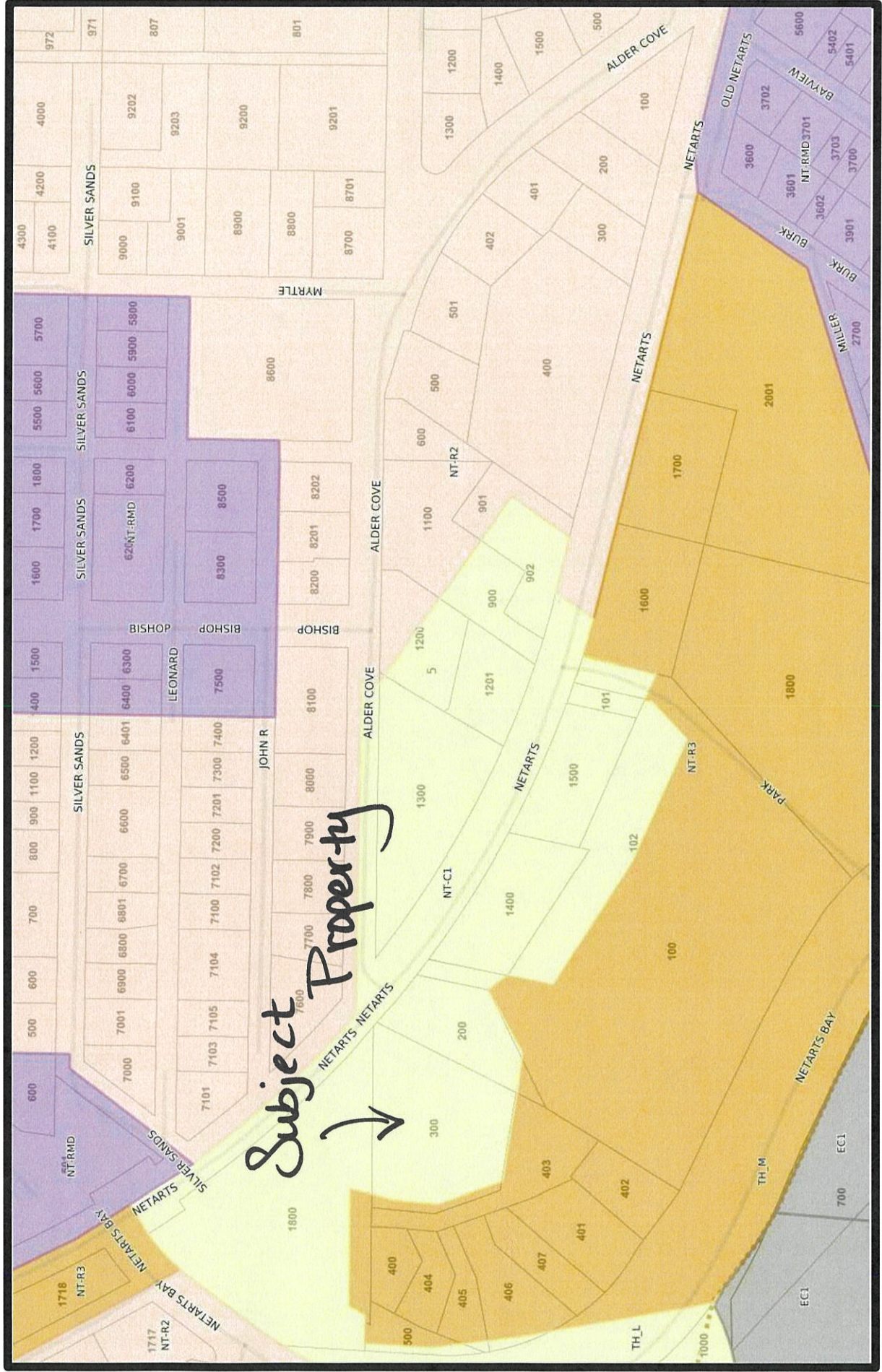
Vicinity Map



Map



Map





Land of Cheese, Trees and Ocean Breeze

**CONDITIONAL USE REQUEST #851-25-000108-PLNG:
CHANGE OF USE REQUEST FROM AN EXISTING 5-UNIT APARTMENT
TO A 5-UNIT MOTEL
ADMINISTRATIVE DECISION & STAFF REPORT**

Decision Date: May 5, 2025

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

Report Prepared by: Sarah Absher, CFM, Director

I. GENERAL INFORMATION

Request: Conditional Use request for a change in use of a 5-unit apartment to a 5-unit motel (Exhibit B).

Location: Located within Unincorporated Community of Netarts located at 4817 Netarts Highway West, a State Highway, and designated as Tax Lot 300 in Section 5BC of Township 2 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. (Exhibit A).

Zone: Netarts Neighborhood Commercial (NT-C1) Zone (Exhibit A).

Applicant & Property Owner: Nick Petersen, 8165 Magnolia Drive, Tillamook, OR 97141

Property Description: The property is located within the Unincorporated Community of Netarts at 4817 Netarts Highway (Highway 131), is irregularly shaped and approximately 0.92 acres (Exhibit A). Topography of the subject property varies; portions of the property are vegetated with grasses, trees and shrubs; and is improved with an existing commercial structure historically utilized as a motel and later apartments, existing utility services and a large gravel driveway (Exhibit A & B). Structural improvements are sited on the relatively flat portions of the property. The subject property is located in the Netarts Neighborhood Commercial (NT-C1) zone (Exhibit A). Neighboring properties are also located in the NT-C1 zone as well as the Netarts High Density Residential (NT-R3) Zone and Netarts Medium Density (NT-R2) zone (Exhibit A). Surrounding uses consist of residential, commercial, and public uses including middle housing, eating and drinking establishment, mini-storage and recreational amenities (Exhibits A & B).

The subject property is in a mapped area of older, stabilized dunes as shown on the Oregon Coastal Atlas map in “Exhibit A”, also an area of mapped geologic hazards. With this dune classification, the subject property is located within the

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.

(2) *PARKING SPACES: A single parking space shall be at least 8 feet by 20 feet in size.*

(6) *DRAINAGE: Areas used for standing and maneuvering of vehicles shall have a surface that is suitable for all-weather use, and shall be drained so as to avoid the flow of water across public sidewalks and streets*

(7) *BUFFERING NON-RESIDENTIAL PARKING AREAS: 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.*

(8) *CURBING: Parking spaces along the boundaries of a lot shall be contained by a curb or bumper rail that is at least four inches high and is set back at least four and one-half feet from the property line.*

(9) *LIGHTING: Artificial lighting shall not create or reflect substantial glare into any adjacent residential zone or use.*

(10) *PROXIMITY TO TRAFFIC: Parking areas for four or more vehicles shall be of sufficient size to allow the backing and maneuvering of vehicles entirely out of the flow of traffic.*

(12) *OFF-STREET LOADING AREAS: Activities that receive or distribute materials or merchandise by truck shall install and utilize loading docks in sufficient numbers and size to accommodate loading requirements without the disruption of nearby traffic. Parking areas required by this Ordinance may only be used for loading operations during periods of the day when not required for patron or customer parking.*

(13) *PARKING SPACE REQUIREMENTS: Requirements for types of building and uses not specifically listed herein shall be determined by the Department, based upon the requirements for comparable uses either listed below or active elsewhere in the county.*

(c) *MOTEL, HOTEL OR GROUP COTTAGES: One space for every unit.*

Findings: TCLUO Section 4.030 requires one (1) 8-foot by 20-foot parking space for each unit. The site plan included in "Exhibit B" of the Applicant's submittal depicts the seven (7) parking spaces for the motel, exceeding the number of parking spaces required for five (5) units. The parking area consists primarily of gravel and is an all-weather travel surface. The parking area is not adjacent to residential uses and is located outside the flow of traffic on Oregon State Highway 131 as well as an unnamed access easement that provides access to properties west of the subject property (Exhibit B).

C. TCLUO Article VI: Conditional Use Procedures and Criteria

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

Section 6.020 Procedure requires notification of the request to be mailed to landowners within 250 feet of the subject property and agencies, to allow 14 days for written comment, and requires staff to consider comments received in making the decision.

Findings: Notice was mailed to property owners and agencies on March 14, 2025. Written comments were received from Jamie Craig, Environmental Health Program Manager. Comments are included as "Exhibit C" of this report.

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

Findings: The applicant is seeking Conditional Use approval for a change in use of an existing 5-unit apartment to a 5-unit motel in the NT-C1 zone (Exhibit B). The proposed use is listed as a conditional use in the underlying zone, confirmed earlier in this report. This criterion has been met.

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

Findings: Staff finds that the Land Use Ordinance is an implementing document of the Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance are presumed to be consistent with the Comprehensive Plan.

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

Findings:

- The 5-unit apartment structure is an existing structure that has historically operated as a motel. Applicant is not proposing to expand or alter the structure or building footprint for the change in use to a 5-unit motel (Exhibit B).
- Applicant is not proposing alteration or expansion of the existing building footprint (Exhibit B).
- The subject property varies in topography, and the topography at the location of the structure and existing improvements is relatively flat (Exhibit A).
- Subject property has an existing developed commercial access on Oregon State Highway 131.
- Subject property is currently served by Netarts Water District and the Netarts-Oceanside Sanitary District.
- Applicant's site plan confirms there is adequate area to comply with the provisions of TCLUO Section 4.030: Off-Street Parking and Off-Street Loading requirements, including an existing all-weather travel surfaced parking area and adequate parking area to meet the minimum parking requirements of five (5) spaces, one per unit (Exhibit B).
- Applicant's site plan confirms vehicles can maneuver on the subject property and within the parking area entirely within the property boundaries and out of the flow of traffic on Netarts Highway 131 (Exhibit B).
- The subject property is absent of natural features such as creeks, springs and mapped wetlands as previously confirmed in this report.
- The subject property is located in the Beach and Dune Overlay (BD) zone as previously confirmed in this report. A Condition of Approval has been made to require future development adhere to applicable provisions of TCLUO Section 3.530.

Staff finds that the subject property is suitable for the alteration of use of the existing structure from a 5-unit apartment to a 5-unit motel, based on its size, shape, location in a commercially zoned area, topography, existence of improvements and services, and lack of natural features. Staff finds that this criterion has been met, or specifically in relation to compliance with applicable parking standards outlined in TCLUO Section 4.030, can be met through the Conditions of Approval.

This criterion is met and can be met through the conditions of approval.

(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: In review of the Applicant's submittal, staff finds the following:

- Surrounding uses in the vicinity are a mix of residential and commercial uses, including an eating and drinking establishment, recreational amenities and various middle housing types (Exhibits A & B).
- Location of structures, topography and existing vegetation provide adequate buffering between residential and commercial uses.
- Based upon the submitted site plan (Exhibit B) operation of the 5-unit motel and associated uses such as parking and maneuvering of vehicles can be accommodated on the subject property.

For the reasons stated above, Staff finds that alteration of the 5-unit apartment to a 5-unit motel 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 IV of this report are met.

This criterion has been met.

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

Findings: None such systems are known to exist in the area. Staff concludes this criterion has been met.

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

Findings:

- The property is accessed by an existing driveway off Netarts Highway 131.
- Facilities and services are established in the area and serve the subject property. Existing services to the subject property and greater vicinity include the Netarts Water District, Netarts-Oceanside Sanitary District, Netarts-Oceanside Fire District, Tillamook Public Utility District and the Tillamook County Sheriff's Office.

A Condition of Approval has been made to require updated service provider letters at the time of zoning permit application submittal. This criterion has been met and can be met through the Conditions of Approval.

IV. DECISION AND CONCLUSION

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

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. The forms and fees must be filed in the office of this Department before **4:00 PM on May 19, 2025**.

V. CONDITIONS OF APPROVAL

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

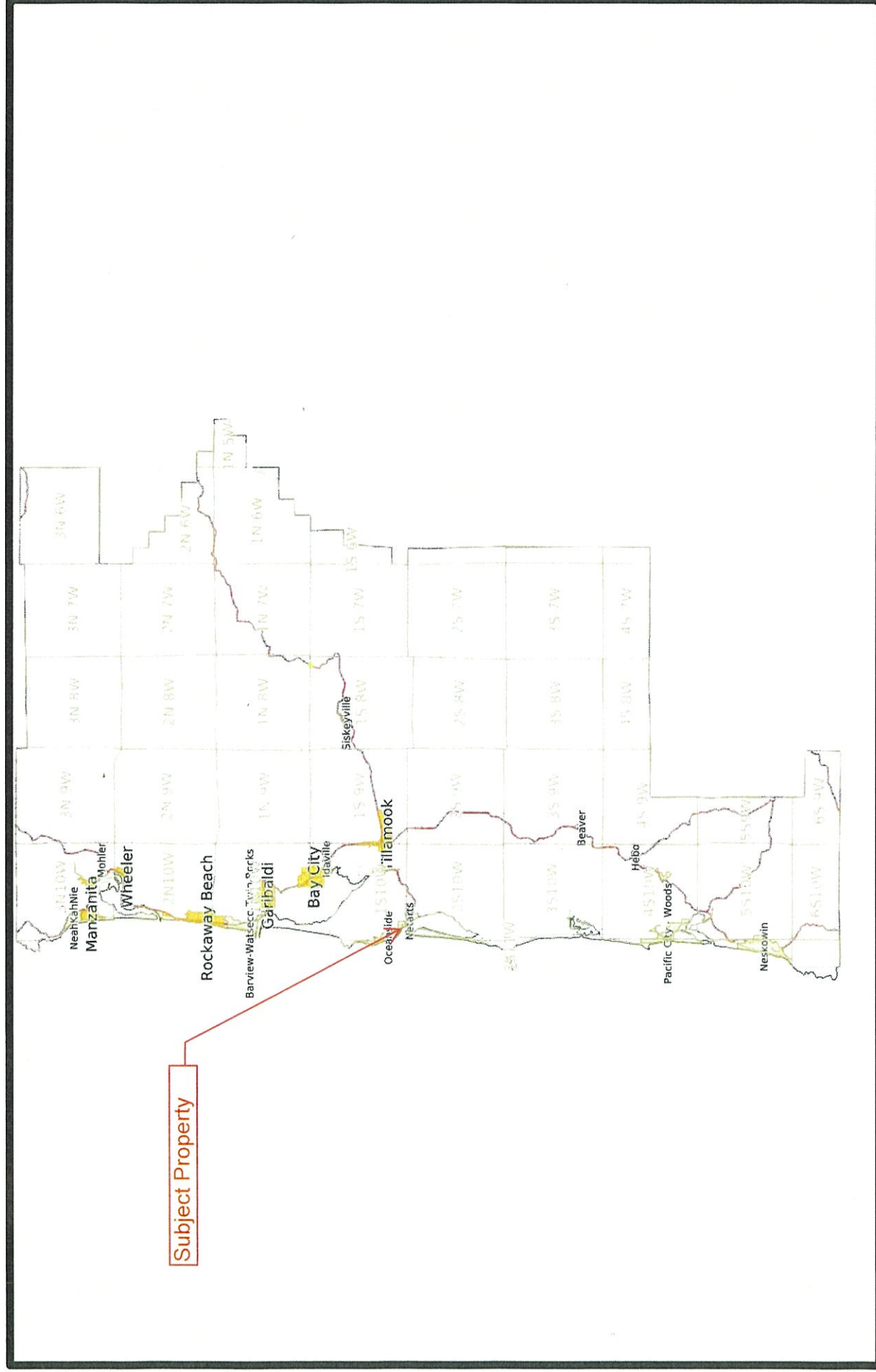
1. The applicant shall obtain all required permits from the Federal, State and local agencies prior to operation of the 5-unit motel, including an approved zoning permit and any structural, mechanical, plumbing or electrical permits for improvements needed for change in use of the existing structure to a 5-unit motel.
2. The applicant shall obtain all necessary permits and licenses from Tillamook County Community Health. Documentation of licensing and permitting shall be submitted to the Department prior to operation of the 5-unit motel. A copy of all permits and licenses shall be submitted to the Department at the time of zoning permit application submittal.
3. A site plan, drawn to scale, illustrating the proposed development and required setbacks, shall be provided at the time of Zoning Permit application submittal. The site plan shall accurately depict the location and dimensions of required parking spaces and shall demonstrate conformance with the applicable standards of TCLUO Section 4.030: Off-Street Parking and Off-Street Loading Requirements. A minimum of five (5) 8-foot by 20-foot parking spaces are required for the operation of the 5-unit motel.
4. The applicant/property owner shall submit updated service provider letters from the Netarts Water District, Netarts-Oceanside Sanitary District and Netarts-Oceanside Fire District at the time of zoning permit application submittal.
5. Development of the property shall adhere to the applicable provisions of the Netarts Neighborhood Commercial (NT-C1) Zone, TCLUO Section 3.348. Expansion of use, including addition of motel units, is subject to Conditional Use review and approval according to the provisions of Article 6.
6. Signage shall conform to the applicable standards of TCLUO Section 4.020: Signs.
7. Any future development, including vegetation removal, shall adhere to the applicable requirements of TLCUO Section 3.530: Beach and Dune Overlay Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.
8. This approval shall be null and void on **May 5, 2027**, unless all Conditions are met, or an 'Extension of Time' is requested from, and approved by, this Department.

VI. EXHIBITS

- A. Location, Assessor's and Zoning Map; FEMA FIRM; State Wetland Map; Hazard Map & Assessment Summary
- B. Applicant submittal
- C. Agency/Public Comments

EXHIBIT A

Vicinity Map





MOOSEMAPPING



Map



National Flood Hazard Layer FIRMette

123°56'58"W 45°26'6"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, AE, AH, VE, AR
- 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
- Future Conditions 1% Annual Chance Flood Hazard
- 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

CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION

- 20.2
- 17.5
- 8
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/3/2025 at 6:53 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.



0 250 500 1,000 1,500 2,000 Feet 1:6,000

123°56'21"W 45°25'41"N

Statewide Wetlands Inventory



Legend

- Oregon Scenic Waterway - Water Courses
- Essential Salmonid Habitat
- Townships
- LWI Study Area
- BASEDAT.DBO.NHDWaterbody
- BASEDAT.DBO.NHDArea
- BASEDAT.DBO.NHDFlowline
- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHDPoint

Wetlands

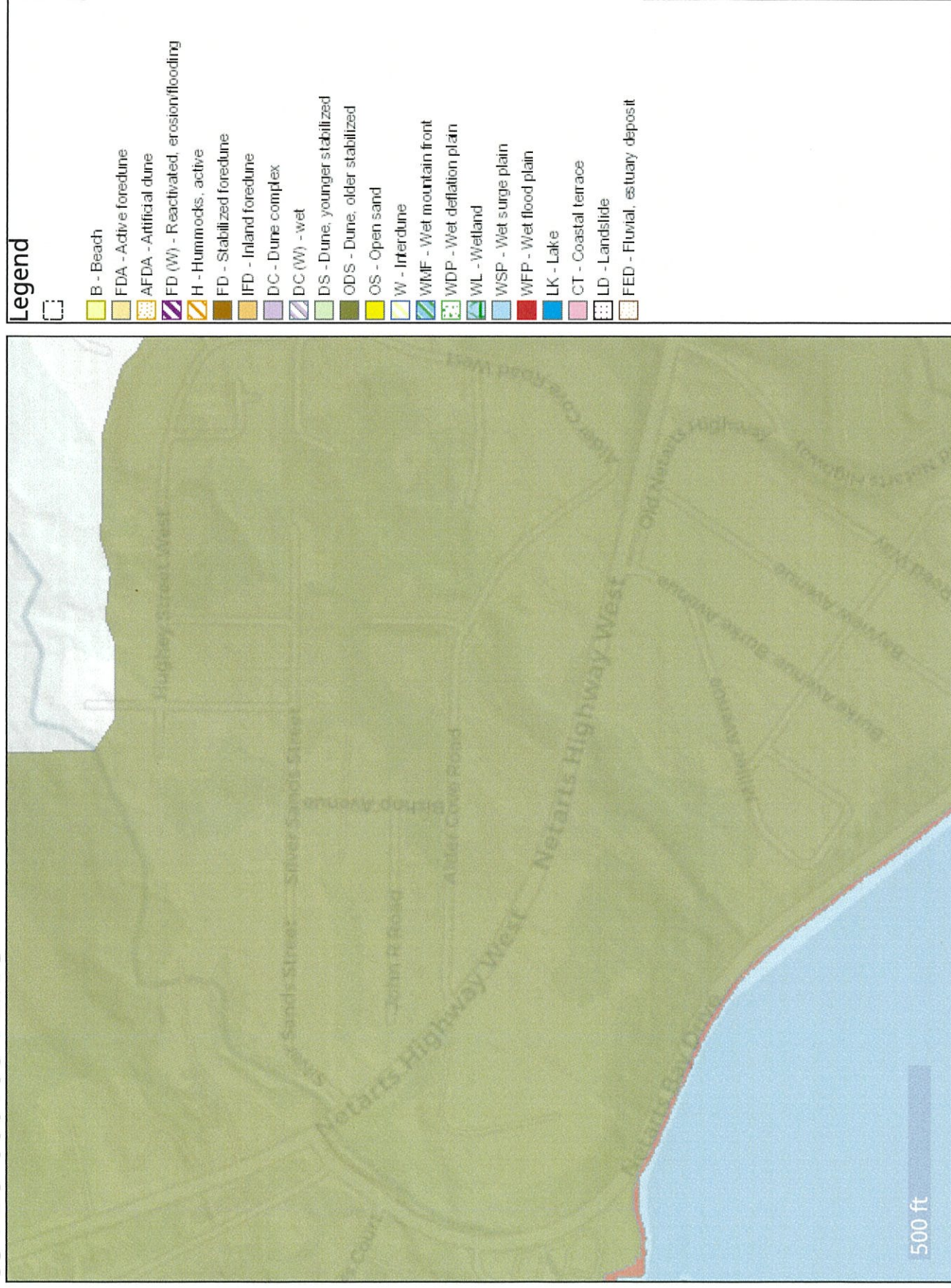
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Agate-Winlo Soils
- SWI Predominantly Hydric Soil Map Units



1.4 514 0 0.03 0.06 0.11 0.17 0.22 mi

The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

851-25-000108-PLNG



Tillamook County
2024 Real Property Assessment Report
Account 333801

Map 2S1005BC00300
Code - Tax ID 0914 - 333801

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr See Record

Mailing PETERSEN, NICK &
VEEK, SKYLER
8165 MAGNOLIA DR
TILLAMOOK OR 97141

Deed Reference # 2024-379
Sales Date/Price 01-19-2024 / \$650,000
Appraiser UNKNOWN

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

Site	Situs Address	City
1	4817 NETARTS HWY	COUNTY

		Value Summary			
Code Area	RMV	MAV	AV	RMV Exception	CPR %
0914 Land	570,250		Land	0	
Impr	143,790		Impr	0	
Code Area Total	714,040	335,270	335,270	0	
Grand Total	714,040	335,270	335,270	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0914	1	<input checked="" type="checkbox"/>		C-1	Commercial Site	100	0.95 AC		560,250
					OSD - AVERAGE	100			10,000
Code Area Total							0.95 AC		570,250

Improvement Breakdown								
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV
0914	1	1949	323	Apartments - 5-9 units	110	3,432		143,790
Code Area Total						3,432		143,790

Exemptions / Special Assessments / Notations			
Code Area 0914			
Special Assessments	Amount	Acres	Year Used
■ SOLID WASTE	60.00	0.00	2024

Comments 9/7/07 Corrected acreage per cartographer. KF 6/7/19 Due to a vacation of old state road, a portion of this road is now carried in this TL. KF
12/17/20 Corrected SW. Contains 5 units. KF

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: Nick Petersen Phone: 503.812-9000

Address: 8165 Magnolia Drive

City: Tillamook OR State: OR Zip: 97141

Email: Nick@truskbox.com

Property Owner

Name: Petersen Phone: _____

Address: 4817 Netarts Hwy West

City: Tillamook State: OR Zip: 97141

Email: _____

OFFICE USE ONLY	
Date Stamp	RECEIVED
	MAR 06 2025
	BY: <u>AW LOMTER</u>
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: _____	
Receipt #: _____	
Fees: <u>1,365.⁰⁰</u>	
Permit No: _____	
851- <u>25-000108</u> -PLNG	

Request: Change use from apartment to Motel
NT-C1 Zoning
Cond. use request

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

Location:

Site Address: 4817 Netarts Hwy W. Tillamook OR 97141

Map Number: 2510 5 BC 00300

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) [Signature] Date 3/5/25

Applicant Signature [Signature] Date 3/5/25

To; Tillamook County Planning Department

March 5, 2025

Conditional use review criteria answers for the property located at 4718 Netarts Highway West Tillamook, OR 97141 (2S1005BC00300)

Owners are Nick Petersen and Skyler Veek

1. We are applying for a conditional use for the purpose of a five unit motel. Existing structure and use is a five unit apartment complex. A conditional use in the Netarts NT – C1 zoning is motel/hotel.
2. The use of a motel/hotel is consistent with the goals and policies of the comprehensive plan. In the Tillamook County Land Use Zoning Ordinance, a motel/hotel is listed as a conditional use therefore is in line with the comprehensive plan. (See addendum "A")
3. The parcel is suitable for the proposed use as it is almost 1 acre of flat level topography.(see addendum "B" topo) It is also very accessible from the main highway running through Netarts. It is in the area of other commercial uses. It has appropriate separation from residences.
4. Please reference addendum "C" site plan. The proposed use will not alter the character of the surrounding area. The existing structure has been there almost 80 years and has not changed in footprint. Access to this large property does not impact any other properties as it is adjacent to Highway 131. This property has mature trees and privacy fencing on sides with adjacent residences. The existing structure is located in the middle of the lot and the parking is mostly on the highway side which limits impact to any adjacent properties.
5. The proposed use will not have detrimental effects on existing solar energy systems, wind, energy, conservation systems or windmills.
6. The proposed use is timely. The requested use will not impact the existing services on the property. Electricity, water, service and sewer service are all in place and functioning properly for apartment complex.

Thank you for your consideration,

Nick Petersen and Skyler Veek
8165 Magnolia Dr., Tillamook, OR 97141

ADDENDUM 'A'

SECTION 3.348: NETARTS NEIGHBORHOOD COMMERCIAL ZONE (NT-C1)

- (1) **PURPOSE:** The purpose of the NT-C1 zone is to permit a moderate level of commercial activities to serve the commercial needs of neighborhoods, rural areas, and tourist areas. Commercial uses in the NT-C1 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 NT-C1 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.
- (2) **USES PERMITTED OUTRIGHT:** In the NT-C1 zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.
 - (a) The following uses, provided that such establishments do not require over 25 parking spaces:
 - (1) General retail trade establishments such as grocery stores, drug stores, or hardware stores.
 - (2) Repair and maintenance services for the type of goods to be found in the above permitted retail trade establishments, provided that such services are performed either off-site or entirely within an enclosed building.
 - (3) Personal and business services such as barbers, tailors, printing shops, shoe repair shops, and laundry services.
 - (4) Business, government, professional, and medical offices, financial institutions, and libraries.
 - (5) Eating and drinking establishments, excluding drive-in or fast food restaurants.
 - (6) Bed and breakfast enterprises.
 - (7) Public park and recreation uses.

- (m) Churches or schools.
 - (n) Community meeting buildings and associated facilities.
 - (o) Rest homes, and nursing homes.
 - (p) Fire and ambulance stations.
 - (q) Utility substations and power transmission lines.
 - (r) Towers for communications.
 - (s) Water supply and treatment facilities, and sewage treatment plants.
 - (t) Mobile home parks or recreation vehicle parks.
 - (u) Foster family homes accommodating six or more children or adults.
 - (v) Mixed Use Developments subject to Section 4.130.
 - (w) Recreational campgrounds.
 - (x) Off-site Advertising Sign.
 - (y) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.
 - (z) Funeral homes, and dry cleaning services.
 - (aa) Swimming, tennis, racquetball, or other similar facilities.
- (4) STANDARDS: Land divisions and development in the NT-C1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
- (a) The minimum lot dimensions, yard setbacks, and building height restrictions for structures containing only residential use shall be the same as in the NT-R3 zone. In the NT-C1 zone, motels, hotels and cabin camps shall be considered a commercial use.
 - (b) Minimum yards for any structure on a lot or parcel adjacent to a residential zone shall be 5 feet in the yard adjacent to the residential zone, and 10 feet in the front yard.

4817 Netarts Hwy W.

2510 5 BC 00300

SITE PLAN

ADDENDUM "C"



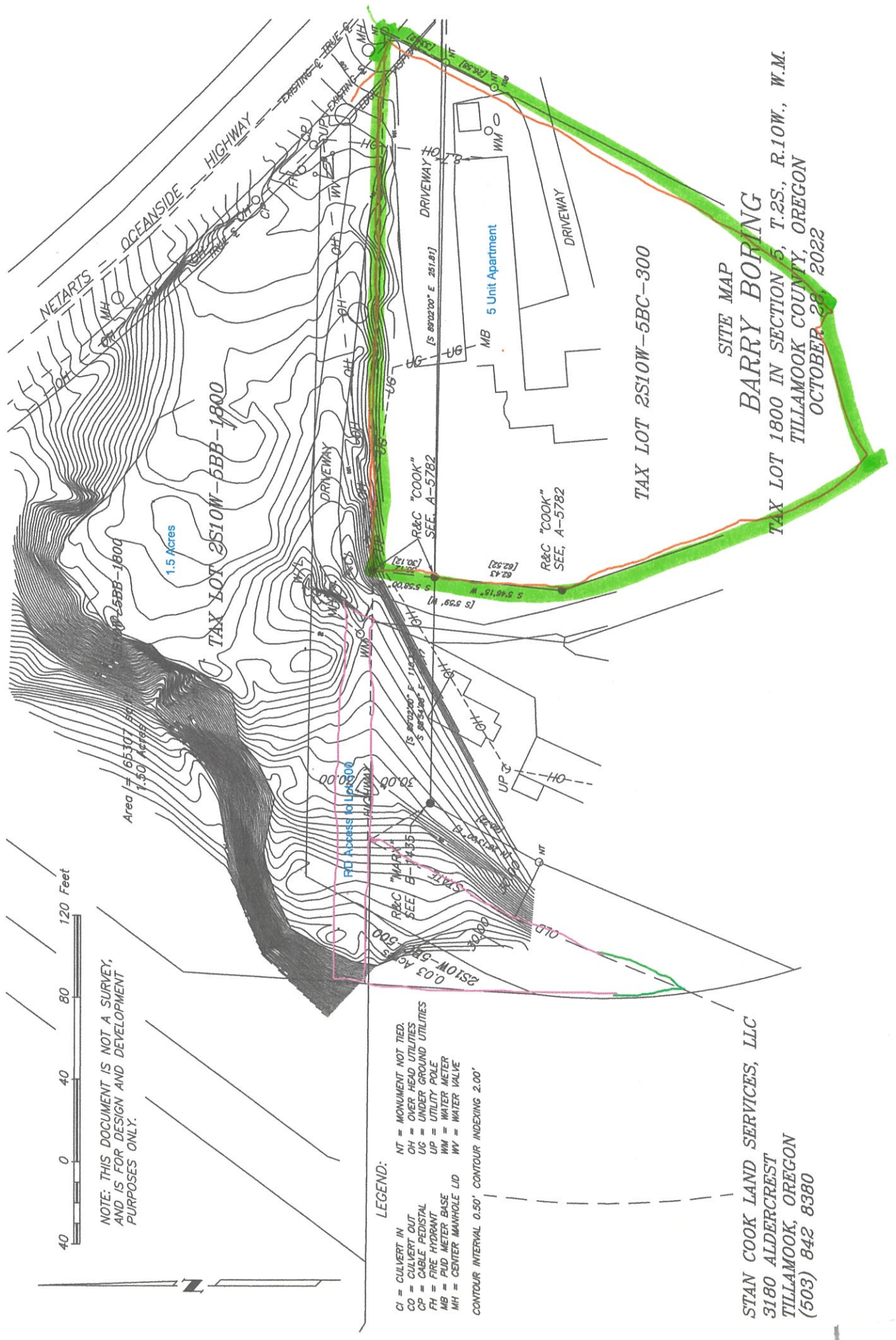
- Road Approach + Parking spaces
- Existing structures/Apartments
- Existing Roads + easements

4718 Netarts Hwy W.

APPENDUM 'B'

TOPO

25105BC60320



SITE MAP
BARRY BORING
TAX LOT 1800 IN SECTION 5, T.2S., R.10W., W.M.
TILLAMOOK COUNTY, OREGON
OCTOBER 28, 2022

STAN COOK LAND SERVICES, LLC
3180 ALDERCREST
TILLAMOOK, OREGON
(503) 842 8380

LEGEND:
CI = CULVERT IN
CO = CULVERT OUT
CP = CABLE PEDISTAL
FH = FIRE HYDRANT
MB = MUD METER BASE
MH = CENTER MANHOLE LID
NT = MONUMENT NOT TIED.
OH = OVER HEAD UTILITIES
UC = UNDER GROUND UTILITIES
UP = UTILITY POLE
WM = WATER METER
WV = WATER VALVE
CONTOUR INTERVAL 0.50' CONTOUR INDEXING 2.00'

NOTE: THIS DOCUMENT IS NOT A SURVEY,
AND IS FOR DESIGN AND DEVELOPMENT
PURPOSES ONLY.

CONDITIONAL USE REVIEW CRITERIA

A Conditional Use shall be granted if the applicant demonstrates that all of the following applicable criteria are satisfied.

- (1) The use is listed as a Conditional Use in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.
- (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.
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or windmills.
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.

Fee
Site Plan
Criteria Responses

EXHIBIT C

Sarah Absher

From: Jaime Craig
Sent: Tuesday, March 18, 2025 2:47 PM
To: Sarah Thompson; Sarah Absher
Subject: RE: #851-25-000108-PLNG

Comments:

This will require a tourist accommodation from out office. There was a pre application meeting to go over conditional use info and the applicant was informed of this.

At the time of the pre application meeting, food service was discussed but applicant did not think that was a direction they wanted to go. If a change in this is applicable, they will have to work with our office for licensing.

Thank you.



Jaime Craig REHS
TILLAMOOK COUNTY | Environmental Health Program Manager
(She/Her/Hers) ([Why pronouns matter](#))
2111 8th St. | PO Box 489
Tillamook, OR 97141
Phone (503) 842-3909
Fax (503) 842-3983
Jaime.Craig@tillamookcounty.gov
www.tillamookchc.org

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

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

Although our office is open, staffing availability may limit when our office door is open. If you need to schedule time to speak with Environmental Health, please call 503-842-3909 to schedule an in-person appointment. Thank you. Our office hours are from 8:30 to 4:30 with a lunch from 12:15-1:15 pm.