



1510 - B Third Street  
Tillamook, Oregon 97141  
[www.tillamookcounty.gov](http://www.tillamookcounty.gov)  
(503) 842 - 3408

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*Land of Cheese, Trees and Ocean Breeze*

**FLOODPLAIN DEVELOPMENT PERMIT #851-24-00623-PLNG  
MAUCK**

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

November 7, 2025

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited requests on November 7, 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 before **4:00pm on November 19, 2025**. This decision will become final on November 19, 2025 after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

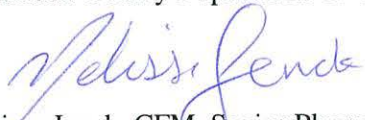
<b>Request:</b>	A Floodplain Development Permit for the development of a commercial building and boat ramp.
<b>Location:</b>	The subject property is accessed via Cape Kiwanda Drive, a County road, and is designated as Tax Lot 5000, of Section 19CC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon
<b>Zone:</b>	Pacific City/Woods Neighborhood Commercial (PCW-C1) & Estuary Conservation 1 (EC1) Zone
<b>Applicant/ Property Owner:</b>	Benjamin Mauck, 16755 NW Elliot Rd, Portland, OR 97231

## **CONDITIONS OF APPROVAL**

1. The Applicant/property owner shall obtain all required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. Development shall be as described in the provided plans and descriptions.
3. All applicable permits, including land use reviews (Conditional Use) and consolidated Zoning and Building Permit from the Tillamook County Department of Community Development shall be obtained prior to construction of the proposed commercial nonresidential building and private boat ramp.
4. A minimum 50-foot riparian setback from the Nestucca River, determined by the Oregon Department of Fish and Wildlife (ODFW) and measured in accordance with TCLUO Section 4.140, shall be maintained on the subject property for the proposed commercial nonresidential structure. Future development on the subject property shall also maintain the required riparian setback and comply with the requirements of TCLUO 4.140: Development Requirements for Water Quality and Streambank Stabilization.
5. The applicant/property owner shall submit a site plan drawn to scale that confirms all required setbacks are met. The site plan shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
6. The applicant/property owner shall obtain an approved Road Approach permit from the Tillamook County Public Works Department.
7. The applicant/property owner shall obtain a water and sewer availability letter from the Pacific City Joint Water-Sewer Authority and a fire letter from the Nestucca Rural Fire Protection District. Letters shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
8. Development shall comply with the applicable standards of TCLUO Section 3.337, 'Pacific City/Woods Neighborhood Commercial', Section 3.106, 'Estuary Conservation 1 (EC1)', TCLUO Section 3.510, 'Flood Hazard Overlay (FH) Zone' and TCLUO Section 4.140, 'Requirements for Protection of Water Quality and Streambank Stabilization', TCLUO Section 3.545 'Shoreland Overlay' and any other applicable standards.
9. The applicant/property owner shall comply with all 'Zone AE' flood hazard construction standards per FEMA requirements. All construction shall adhere to the standards for a nonresidential structure in the 'AE' flood zone per TCLUO Section '3.510'. This shall be reviewed and verified by this Department during the Building Permit process.
10. The structure shall comply with all Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for a nonresidential structure located in the 'AE' and Floodway flood zones.
11. The development shall comply with all Building Code requirements for Construction Materials and Methods for a structure located in the 'AE' flood zones.
12. Owner/Applicant shall submit a 'Post-Elevation' certificate completed by a registered surveyor and provided on the current FEMA form prior to receiving Certificate of Occupancy for the structure.
13. This approval shall be void on November 7, 2027, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Sincerely,

Tillamook County Department of Community Development



Melissa Jenck, CFM, Senior Planner  
503-842-3408 x 3301 or [melissa.jenck@tillamookcounty.gov](mailto:melissa.jenck@tillamookcounty.gov)

Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor's and Zoning maps





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**FLOODPLAIN DEVELOPMENT PERMIT REQUEST  
851-24-000623-PLNG:  
MAUCK – COMMERCIAL BUILDING/BOAT RAMP**

**ADMINISTRATIVE DECISION & STAFF REPORT**

**Decision Date: November 7, 2025**

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

**Report Prepared by: Melissa Jenck, CFM, Senior Planner**

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**I. GENERAL INFORMATION:**

**Request:** A Floodplain Development Permit for the development of a commercial building and boat ramp.

**Location:** The subject property is accessed via Cape Kiwanda Drive, a County road, and is designated as Tax Lot 5000, of Section 19CC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon

**Zone:** Pacific City/Woods Neighborhood Commercial (PCW-C1) & Estuary Conservation 1 (EC1) Zone

**Applicant/  
Property Owner:** Benjamin Mauck, 16755 NW Elliot Rd, Portland, OR 97231

**Proposal Description:** The Applicant is proposing to place a commercial building and build an associated private boat ramp adjacent to the Nestucca River (Exhibit B). The property is currently vacant and approximately 0.09-acres (Exhibit A). The property is zoned Pacific City Woods Neighborhood Commercial (PCW-C1).

The area of proposed construction is depicted on the maps included in the Applicant's submittal, found in 'Exhibit B' of this report. As indicated on FEMA FIRM #41057C0855F dated September 28, 2018, the area of development is located within the 'AE' and Floodway Area of Special Flood Hazard of the Nestucca River (Exhibit A).

The application is a Floodplain Development Permit approval for the placement of a commercial nonresidential building and an associated private boat ramp (Exhibit B). The criteria and standards for this review are addressed below in this Staff Report. The report does not render a decision upon the use of the proposed commercial nonresidential structure and private boat ramp. The commercial use and private boat ramp may be subject to additional land use reviews, outside the scope of this application.

## II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. TCLUO Section 3.106, 'Estuary Conservation 1 (EC1) Zone'
- B. TCLUO Section 3.337, 'Pacific City/Woods Neighborhood Commercial (PCW-C1) Zone'
- C. TCLUO Section 3.510, 'Flood Hazard Overlay (FH) Zone'
- D. TCLUO Section 3.545, 'Shoreland Overlay'
- E. TCLUO Section 4.140, 'Requirements for Protection of Water Quality and Streambank Stabilization'

## III. ANALYSIS

The project is located within the regulatory floodplain (AE Zone) and Estuary zone and is subject to a Type II review per TCLUO Article X: Development Approval Procedures. TCLUO Section 10.070 requires notification of Type II applications to be mailed to landowners within 250 feet of the subject properties, to allow at least 14 days for written comments and requires staff to consider comments received in making the decision.

**Findings:** Notice of the request was mailed to property owners and agencies on August 15, 2025. Staff finds that notification requirements have been met. Comments were received the Tillamook County Public Works and the public, which are included as "Exhibit C".

A summary of comments from the public include:

- Concern of debris, erosion and high-water impacts as a result of the boat ramp placement.
- Traffic impacts from increased site usage for boats and trailers.
- Concerns of parking availability for commercial use, given existing parking related issues upon Cape Kiwanda Drive.

Tillamook County Public Works Department identified the requirement for a Road Approach permit dependent on the use of the subject property. The applicant will need to include design assessment for stormwater and parking stall/access layout as part of their review (Exhibit C).

### A. **TCLUO Section 3.106, 'Estuary Conservation 1 (EC1) Zone'**

*(1) PURPOSE AND AREAS INCLUDED: The purpose of the EC1 zone is to:*

- (a) Provide for long-term utilization of areas which support, or have the potential to support valuable biological resources.*
- (b) Provide for long-term maintenance and enhancement of biological productivity.*
- (c) Provide for the long-term maintenance of the aesthetic values of estuarine areas, in order to promote or enhance the low intensity recreational use of estuarine areas adjacent to rural or agricultural shorelands.*

*ESTUARY ZONES shall be applied to all estuarine waters, intertidal areas, submerged and submersible lands and tidal wetlands up to the line of non-aquatic vegetation or the Mean Higher High Water (MHHW) line, whichever is most landward.*

...

*(3) USES PERMITTED CONDITIONALLY:*

...

- (b) Water-dependent recreational facilities, including:*
  - (1) Boat ramps, requiring dredging or fill for navigational access.*

**Findings:** Applicant is proposing to place a private boat ramp for recreational activities in conjunction with the proposed commercial building on the site (Exhibit B). The proposed ramp would be located within the



EC1 zone boundary adjacent to the Nestucca River (Exhibit B). A site plan was included in 'Exhibit B', which demonstrates the siting location is within the EC1 zone and mapped Floodway (Exhibit B).

Staff find that a private boat ramp in conjunction with a recreational facility is permitted conditionally in the Estuary Conservation (EC1) Zone. The Applicant will be required to obtain a Conditional Use for the proposed use of a private boat ramp. The review of the boat ramp at this time is for flood compliance through demonstration of the Flood Hazard criterion, below in this report. A determination for the use or creation of the private boat ramp is not made through this Floodplain Development Permit, only the developments compliance with the Flood Hazard Overlay.

Staff find the Applicant will be required to demonstrate compliance with other applicable standards and demonstration of land use approvals necessary for the private boat ramp use to be established, at the time of applying for consolidated zoning/building permit approval.

Applicants site plan indicates the proposed commercial building is located landward of the Mean Higher High Water Line (MHHW) and is therefore not subject to the requirements of the EC1 zone (Exhibit B).

#### **B. TCLUO Section 3.337 'Pacific City/Woods Neighborhood Commercial (PCW-C1) Zone'**

*PURPOSE: The purpose of the PCW-C1 zone is to permit a moderate level of commercial activities to serve the commercial needs of neighborhoods, rural areas, and tourist areas. . .*

TCLUO Section 3.337(2), 'Uses Permitted Outright', lists multiple types of commercial uses as permitted outright in the PCW-C1 zone subject to applicable supplementary regulations contained in ordinance. TCLUO Section 3.337(3), 'Uses Permitted Conditionally', list additional commercial uses as conditionally allowed subject to the Conditional Use review process established in Article VI in the Tillamook County Land Use Ordinance.

**Findings:** Applicant is proposing to site commercial nonresidential structure with a private boat ramp on a property zoned Pacific City/Woods Neighborhood Commercial (PCW-C1) (Exhibit B).

Staff find that the proposed use may be allowed outright or conditionally in the PCW-C1 zone subject to applicable standards and land use reviews. Staff find the Applicant has yet to determine the use to be established within the commercial nonresidential structure, and is reviewing the structure for flood compliance through demonstration of the Flood Hazard criterion, below in this report. A determination for the use of the commercial nonresidential building is not made through this Floodplain Development Permit, only the developments compliance with the Flood Hazard Overlay.

Staff find the Applicant will be required to demonstrate compliance with other applicable standards, such as parking, height, and yard setback requirements, along with demonstration of land use approvals necessary for the use to be established within the commercial nonresidential structure, at the time of applying for consolidated zoning/building permit approval.

#### **C. TCLUO Section 3.510 'Flood Hazard (FH) Overlay'**

*(5) GENERAL STANDARDS: In all areas of special flood hazards the following standards are required:*

...

##### **ANCHORING**

*(b) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.*

*(c) All manufactured dwellings must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage.*



*Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (See FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for techniques). A certificate signed by a registered architect or engineer which certifies that the anchoring system is in conformance with FEMA regulations shall be submitted prior to final inspection approval.*

#### **CONSTRUCTION MATERIALS AND METHODS**

- (d) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.*
- (e) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.*
- (f) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be elevated to prevent water from entering or accumulating within the components during conditions of flooding. In Flood Zones A, A1-A30, AE, V, V1-V30 or VE, such facilities shall be elevated three feet above base flood elevation. In Flood Zone AO, such facilities shall be elevated above the highest grade adjacent to the building, a minimum of one foot above the depth number specified on the FIRM (at least two feet above the highest adjacent grade if no depth number is specified).*

#### **UTILITIES**

- (g) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood water into the system.*
- (h) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.*

...

**Findings:** Applicant has provided a site plan and building plans which indicate foundation design improvements to site structure to prevent flotation and lateral movement, along with a floor plan indicating the utilization of space subject to flood waters (Exhibit B). An Elevation Certificate prepared by David R. King dated May 22, 2025, details the proposed location of the lowest machinery or equipment of the building, including proposed lowest floor heights (Exhibit B). Floor plans and foundation design provided confirm improvements, habitable space, utilities and machinery located on the first floor of the proposed structure are elevated to comply with the three (3) feet above Base Flood Elevation (BFE) requirement (Exhibit B). Staff find that these standards can be met through compliance with Conditions of Approval.

...

*(6) SPECIFIC STANDARDS FOR A ZONES (A, AE or A1-A30): In all areas of special flood hazards where base flood data has been provided as set forth in Section 3.510(2) or other base flood data are utilized, the following provisions are required:*

...

#### **NONRESIDENTIAL CONSTRUCTION**

- (c) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have either the lowest floor including basement elevated to three feet above the level of the base flood elevation or higher; or, together with attendant utility and sanitary facilities, shall:*
  - (1) Be floodproofed so that the portion of the structure that lies below the portion that is three feet or more above the base flood level is watertight with walls substantially impermeable to the passage of water.*
  - (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.*



*(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in compliance with accepted standards of practice for meeting provisions of this Subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Community Development Director.*

*(4) Nonresidential structures that are elevated, not floodproofed, shall meet the same standards for space below the lowest floor as described for residential construction in Section 3.510(6)(a) and (b).*

*(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).*

**Findings:** The proposed area of development is located in an AE Area of Special Flood Hazard as indicated on FEMA FIRM 41057C0855F dated September 28, 2018 (Exhibit A). Applicants are proposing to develop a commercial building and a boat ramp upon the subject property (Exhibit B). Staff find the proposed commercial structure would be considered nonresidential construction (Exhibit B).

Applicants provided a pre-construction elevation certificate prepared by David R. King, a licensed professional surveyor, for the proposed commercial nonresidential development. The proposed design includes a first floor level at 20.5-feet NAVD (Exhibit B). David R. King stated Base Flood Elevation (BFE) for the subject property is 17.2-feet NAVD (Exhibit A). The Elevation Certificate and the building plans indicate the structure is maintained with an open foundation supported on steel posts to allow for unobstructed flow of floodwaters (Exhibit B). The bottom floor of the proposed structure is proposed to be at 20.5-feet NAVD, which exceeds 3-feet above BFE (Exhibit B). Staff find that the proposed development complies with the standards of TCLUO 3.510(6).

...  
*(9) SPECIFIC STANDARDS FOR FLOODWAYS: Located within areas of special flood hazard established in Section 3.510(2) are areas designated as regulatory floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:*

*(a) Encroachments in the regulatory floodway including fill, new construction, substantial improvements and other development are prohibited unless certification is provided by a professional registered civil engineer demonstrating through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.*

*(b) If Subsection 8(a) is satisfied, all new construction and substantial improvement shall comply with all applicable flood hazard reduction provisions of Section 3.510(5) and (6).*

*(c) If hydrologic and hydraulic analysis indicates an increase in flood levels, the Applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from FEMA before any encroachment, including fill, new construction, substantial improvement, or other development, in the regulatory floodway is permitted. Upon completion of the project, but no later than six months after project completion, a Letter of Map Revision (LOMR) shall be submitted to FEMA to reflect the changes on the FIRM and/or Flood Insurance Study. A LOMR is required only when the CLOMR documents an increase in flood levels during the occurrence of the base flood or where post-development conditions do not reflect what was proposed on the CLOMR.*

**Findings:** The Applicant retained Waterways Consulting Inc to complete the no-rise analysis required for development within the regulatory floodway (Exhibit B). The analysis was performed for the commercial nonresidential structure, the concrete boat ramp, decks, driveway, and exterior stairs (Exhibit B). The analysis confirms that the proposed encroachments into the regulatory floodway will not result in any increase in flood levels (Exhibit B).



Staff find that these standards have been met.

*(14) DEVELOPMENT PERMIT PROCEDURES: A development permit shall be obtained before construction or development begins within any area of special flood hazard zone. The permit shall be for all structures including manufactured dwellings, and for all development including fill and other development activities, as set forth in the Definitions contained in this Section of the Land Use Ordinance.*

*(a) Application for a development permit shall be made on forms furnished by the Community Development Director and shall include but not necessarily be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question, existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information in 3.510(14)(a)(1)–(4) is required and Development Permits required under this Section are subject to the Review Criteria put forth in Section 3.510(14)(b):*

- (1) Elevation in relation to a specific datum of the lowest floor, including basement, of all structures as documented on an Elevation Certificate;*
- (2) Elevation in relation to a specific datum to which any proposed structure will be floodproofed as documented on an Elevation Certificate;*
- (3) If applicable, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Subsection (6)(c)(3) of this Section; and*
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.*

*(b) Development Permit Review Criteria*

- (1) The fill is not within a Coastal High Hazard Area.*
- (2) Fill placed within the Regulatory Floodway shall not result in any increase in flood levels during the occurrence of the base flood discharge.*
- (3) The fill is necessary for an approved use on the property.*
- (4) The fill is the minimum amount necessary to achieve the approved use.*
- (5) No feasible alternative upland locations exist on the property.*
- (6) The fill does not impede or alter drainage or the flow of floodwaters.*
- (7) If the proposal is for a new critical facility, no feasible alternative site is available.*
- (8) For creation of new, and modification of, Flood Refuge Platforms, the following apply, in addition to (14)(a)(1-4) and (b)(1-5):*
  - i. The fill is not within a floodway, wetland, riparian area or other sensitive area regulated by the Tillamook County Land Use Ordinance.*
  - ii. The property is actively used for livestock and/or farm purposes.*
  - iii. Maximum platform size = 10 sq ft of platform surface per acre of pasture in use, or 30 sq ft per animal, with a 10-ft wide buffer around the outside of the platform,*
  - iv. Platform surface shall be at least 1 ft above base flood elevation,*
  - v. Slope of fill shall be no steeper than 1.5 horizontal to 1 vertical,*
  - vi. Slope shall be constructed and/or fenced in a manner so as to prevent and avoid erosion.*

**Findings:** Applicant submitted the required information on forms provided by the Community Development Department and as attachments thereto (Exhibit B). The entire property is located in an AE and Floodway Area of Special Flood Hazard of the Nestucca River, and no alternative upland location exists for the development upon the property which may be sited outside the SFHA (Exhibits A and B). The project area is tidally influenced and is within the regulatory Floodway. The area is not within a Coastal High Hazard Area. The proposed commercial nonresidential structure and boat ramp are proposed adjacent



to the Nestucca River, and includes accessory areas for parking and access including stairs (Exhibit B). A no-rise analysis prepared by Waterways Consulting Inc demonstrated that there is no increase to flood levels as a result of the proposed development and does not alter or impede flow of floodwaters (Exhibit B). Applicants proposed development includes a commercial nonresidential structure elevated on steel poles which allow for an unobstructed flow of floodwaters. The boat ramp does not include any enclosed structures and is facilitated by the placement of concrete at grade (Exhibit B). The commercial nonresidential structure and boat ramp are not proposed for a critical facility and is not being used as a Flood Refuge Platform (Exhibit B).

Staff find that these criteria are met.

#### **D. TCLUO Section 3.545 'Shoreland Overlay'**

In the vicinity of the proposed project, the Goal 17 element of the Tillamook County Comprehensive Plan identifies all areas within 1,000 feet of estuaries and 500 feet of coastal lakes as within the Shorelands Boundary which may be subject to the provisions of TCLUO Section 3.545, 'SH Shoreland Overlay'. TCLUO Section 3.545 defines those areas within the Shorelands Boundary included within the Shoreland Overlay Zone. Relevant to the proposed development, TCLUO Section 3.545(2) identifies areas within 50 feet of estuaries as areas included in the Shorelands Overlay zone.

**Findings:** Staff find the proposed commercial nonresidential building and the boat ramp are within the Shorelands Boundary as identified in the Goal 17 element of the Tillamook County Comprehensive Plan. Staff has reviewed the proposed development and determined that shoreland areas on the subject property are categorized as 'Rural Shorelands' as described in TCLUO 3.545(3) and are subject to the use limitations identified in TCLUO 3.545(4)(a)(1) and the standards identified in TCLUO 3.545(6). Staff have reviewed the significant shoreland inventory contained in the Goal 17 element of the Comprehensive Plan and has verified that there are no inventoried shorelands near the subject property.

*TCLUO Section 3.545(4) USES PERMITTED: Uses authorized by the underlying zone as outright or conditional uses are permitted, except at locations identified in (3) above.*

*(a) Rural Shorelands in General:*

*(1) Rural Shorelands uses are limited to:*

*...*

*(d) Water-dependent recreational, industrial and commercial uses.*

*(f) Other uses are allowed only upon a finding by the County that such uses satisfy a need which cannot be accommodated at any alternative upland location, except in the following cases:*

*(1) In built and committed exception shoreland areas, where all uses permitted in the underlying zone are permitted, and*

*...*

*TCLUO Section 3.545(6) STANDARDS: Uses within the SHORELAND OVERLAY ZONE are subject to the provisions and standards of the underlying zone and of this section. Where the standards of the SHORELANDS OVERLAY ZONE and the underlying zone conflict, the more restrictive provisions shall apply.*

*(a) Riparian vegetation shall be protected and retained according to the provisions outlined in Section 4.140, REQUIREMENTS FOR PROTECTION OF WATER QUALITY AND STREAMBANK STABILIZATION.*

*(b) Development in flood hazard areas shall meet the requirements of Section 3.510, FLOOD HAZARD OVERLAY ZONE.*

**Findings:** Staff find the is for a commercial nonresidential building and a boat ramp (Exhibit B). The boat ramp is a water-dependent recreational use and is permitted in the Shoreland Overlay. The subject property

is zoned Pacific City/Woods Neighborhood Commercial (PCW-C1) and is located within the built and committed community of Pacific City (Exhibit B). The requirements of TCLUO Section 4.140 and 3.510 are addressed in this report.

Staff find these criteria have been met.

**E. TCLUO Section 4.140, 'Requirements for Protection of Water Quality and Streambank Stabilization'**

1) *The following areas of riparian vegetation are defined:*

(a) *Fifty (50) feet from lakes and reservoirs of one acre or more, estuaries, and the main stems of the following rivers where the river channel is more than 15 feet in width; Nestucca, Little Nestucca, Three Rivers, Tillamook, Trask, Wilson, Kilchis, Miami, Nehalem and North and South Fork Nehalem River.*

...  
*For estuaries, all measurements are horizontal and perpendicular from the mean high water line or the line of non-aquatic vegetation, whichever is most landward. Setbacks for rivers, streams, and coastal lakes shall be measured horizontal and perpendicular from the ordinary high water line.*

(2) *All development shall be located outside of areas listed in (1) above, unless:*

...  
*(b) Direct water access is required in conjunction with a water dependent use; or*

**Findings:** The proposal is for placement of a private boat ramp adjacent to the Nestucca River and a commercial nonresidential structure (Exhibit B). The proposed use of a private boat ramp is for direct water access in conjunction with proposed the commercial use (Exhibit B). The Applicants site plan indicates the proposed commercial structure will comply with the 50-foot riparian setback standard for development adjacent to the Nestucca River.

Staff find that these standards have been met.

**V. DECISION: APPROVED WITH CONDITIONS**

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 Estuary and Floodplain Development Permit 851-24-000623-PLNG subject to the Conditions of Approval in section VI 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 November 19, 2025.**

**VI. CONDITIONS OF APPROVAL:**

1. The Applicant/property owner shall obtain all required Federal, State, and Local permits and/or licenses and will comply with applicable rules and regulations.
2. Development shall be as described in the provided plans and descriptions.
3. All applicable permits, including land use reviews (Conditional Use) and consolidated Zoning and Building Permit from the Tillamook County Department of Community Development shall be obtained prior to construction of the proposed commercial nonresidential building and private boat ramp.
4. A minimum 50-foot riparian setback from the Nestucca River, determined by the Oregon Department of Fish and Wildlife (ODFW) and measured in accordance with TCLUO Section 4.140, shall be



maintained on the subject property for the proposed commercial nonresidential structure. Future development on the subject property shall also maintain the required riparian setback and comply with the requirements of TCLUO 4.140: Development Requirements for Water Quality and Streambank Stabilization.

5. The applicant/property owner shall submit a site plan drawn to scale that confirms all required setbacks are met. The site plan shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
6. The applicant/property owner shall obtain an approved Road Approach permit from the Tillamook County Public Works Department.
7. The applicant/property owner shall obtain a water and sewer availability letter from the Pacific City Joint Water-Sewer Authority and a fire letter from the Nestucca Rural Fire Protection District. Letters shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
8. Development shall comply with the applicable standards of TCLUO Section 3.337, 'Pacific City/Woods Neighborhood Commercial', Section 3.106, 'Estuary Conservation 1 (EC1)', TCLUO Section 3.510, 'Flood Hazard Overlay (FH) Zone' and TCLUO Section 4.140, 'Requirements for Protection of Water Quality and Streambank Stabilization', TCLUO Section 3.545 'Shoreland Overlay' and any other applicable standards.
9. The applicant/property owner shall comply with all 'Zone AE' flood hazard construction standards per FEMA requirements. All construction shall adhere to the standards for a nonresidential structure in the 'AE' flood zone per TCLUO Section '3.510'. This shall be reviewed and verified by this Department during the Building Permit process.
10. The structure shall comply with all Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for a nonresidential structure located in the 'AE' and Floodway flood zones.
11. The development shall comply with all Building Code requirements for Construction Materials and Methods for a structure located in the 'AE' flood zones.
12. Owner/Applicant shall submit a 'Post-Elevation' certificate completed by a registered surveyor and provided on the current FEMA form prior to receiving Certificate of Occupancy for the structure.
13. This approval shall be void on November 7, 2027, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

## **VII. EXHIBITS**

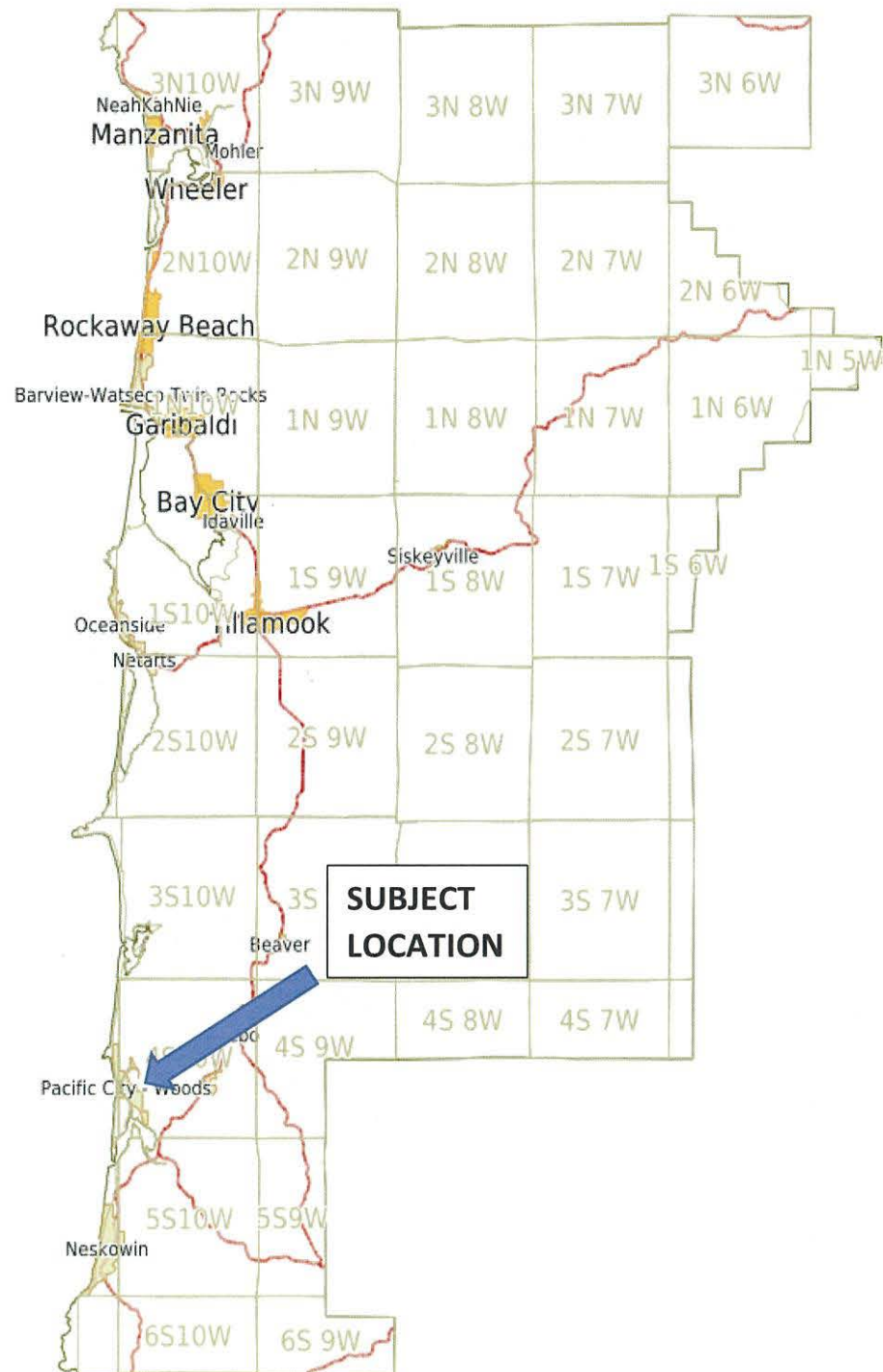
All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, FEMA FIRM, NWI Wetlands map
- B. Applicant's submittal
- C. Public Comments

# EXHIBIT A

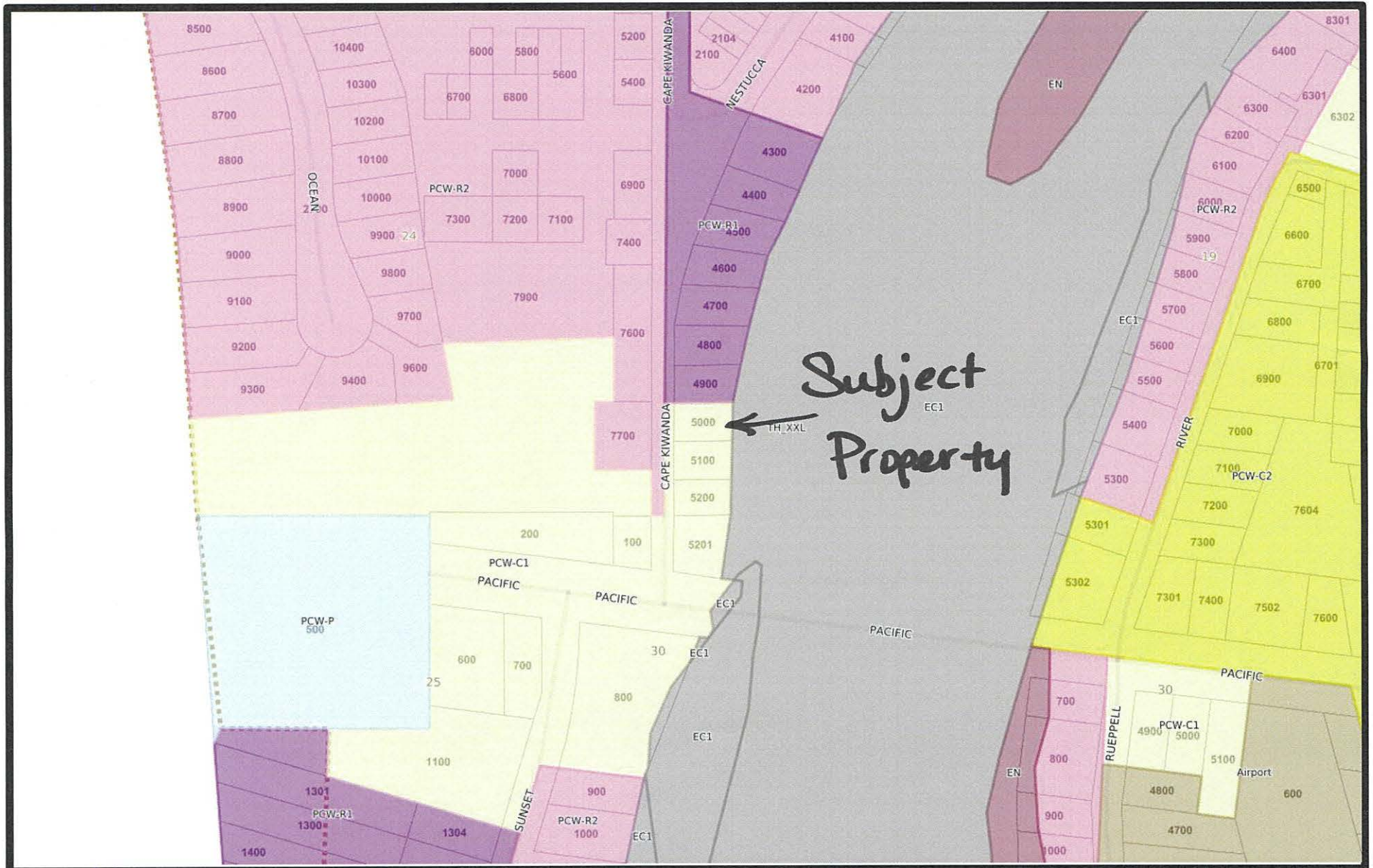


# VICINITY MAP



#851-24-000623-PLNG: MAUCK  
COMMERCIAL DEVELOPMENT & BOAT RAMP

# Map



Generated with the GeoMOOSE Printing Utilities



THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

S.W.1/4 S.W.1/4 SEC. 19 T.4S. R.10W. W.M.

TILLAMOOK COUNTY

1" = 100'

04S10W19CC,  
PACIFIC CITY

22-2

Subject  
Property

CANCELLED  
400  
2600  
4201  
8400 THRU 8700  
9200  
9500  
7500  
7501  
7605  
7606  
7607  
7701

04S10W19CC  
PACIFIC CITY

Revised 12/06/24 WS

**Tillamook County**  
**2024 Real Property Assessment Report**  
 Account 231724

<b>Map</b>	4S1019CC05000	<b>Tax Status</b>	Assessable
<b>Code - Tax ID</b>	2202 - 231724	<b>Account Status</b>	Active
		<b>Subtype</b>	NORMAL
<b>Legal Descr</b>	See Record		
<b>Mailing</b>	MAUCK, BENJAMIN M & MAUCK, PHOUKHONG XAMONTHIENE 16755 NW ELLIOT RD PORTLAND OR 97231	<b>Deed Reference #</b>	2024-3311
		<b>Sales Date/Price</b>	08-05-2024 / \$80,000
		<b>Appraiser</b>	KARI FLEISHER
<b>Property Class</b>	200 <b>MA</b> <b>SA</b> <b>NH</b>		
<b>RMV Class</b>	200    07    WF    300		

Site	Situs Address	City
------	---------------	------

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception    CPR %
2202	Land	82,320		Land	0
	Impr	0		Impr	0
<b>Code Area Total</b>		82,320	97,320	82,320	0
<b>Grand Total</b>		82,320	97,320	82,320	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
2202	0	<input checked="" type="checkbox"/>		PCW-C1	Commercial Site	100	0.09 AC		82,320
<b>Code Area Total</b>							0.09 AC		82,320

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV

**Comments**      02/05/14 Reappraised land, tabled values.ef  
 3/23/23 Moved TL 5000 and 5100 to MA 7 and updated zoning. Per community development, we had the zoning incorrect. KF  
 11/1/23 Tabled land. KF



# National Flood Hazard Layer FIRMeTte



123°58'15"W 45°12'23"N



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

123°57'37"W 45°11'57"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

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

**MAP PANELS**

Digital Data Available

No Digital Data Available

Unmapped

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

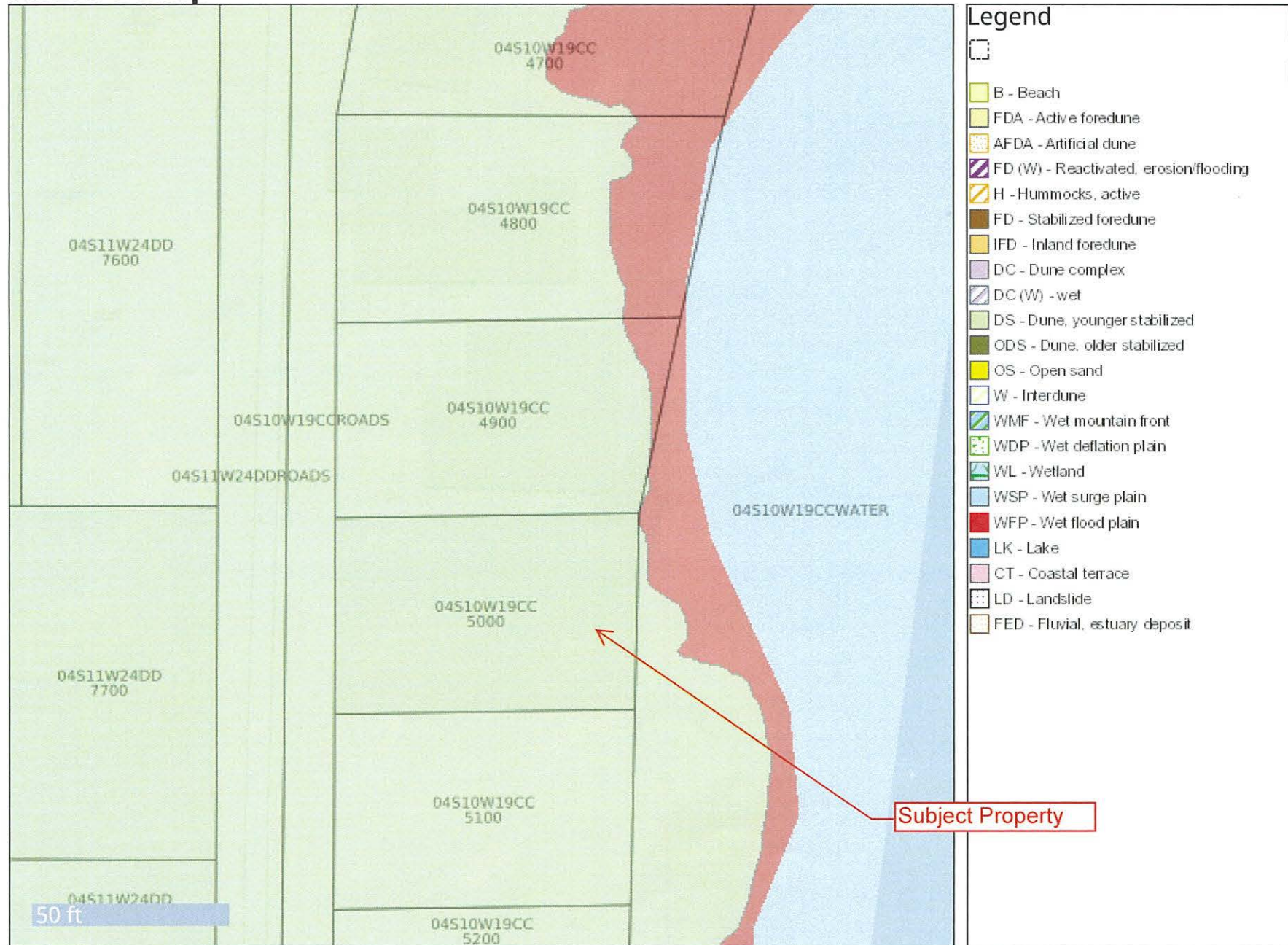
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **8/14/2025 at 6:47 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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



# Hazard Map









# EXHIBIT B





## DEVELOPMENT PERMIT

### Applicant ☒ (Check Box if Same as Property Owner)

Name: Benjamin Mauck Phone: 503-780-5416

Address: 16755 NW Elliot RD

City: Portland State: OR Zip: 97231

Email: mauckrealty@gmail.com

### Property Owner

Name: Benjamin Mauck Phone: 503-780-5416

Address: 16755 NW Elliot RD

City: Portland State: OR Zip: 97231

Email: mauckrealty@gmail.com

OFFICE USE ONLY	
Date Stamp	
<b>RECEIVED</b>	
NOV 26 2024	
BY: .....	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>MJ</u>	
Receipt #: <u>140593</u>	
Fees: <u>1,680</u>	
Permit No:	
851- <u>24</u> - <u>000623</u> -PLNG	

**Description of Work:** Development of commercial building in Floodplain and potential boat ramp in Regulatory Floodway.

### Location:

Site Address: Cape Kiwanda Dr, Pacific City, OR. 4S1019CC 05000

Map Number: 4S 10W 19 05000

Township

Range

Section

Tax Lot(s)

### Complete all applicable fields:

Regulatory Floodway: <input checked="" type="checkbox"/>	Estuary: <input type="checkbox"/>	Floodplain: <input checked="" type="checkbox"/>
New: <input type="checkbox"/>	Addition: <input type="checkbox"/>	Replacement: <input type="checkbox"/>
Remodel: <input type="checkbox"/>	Demolish: <input type="checkbox"/>	
Dwelling: 3209	Accessory Structure:	
Culvert Diameter:	Bridge Length:	
Length:	Width:	
Fence Height: 5-6'	Retaining Wall Height: 5-6'	
Streambank Stabilization:	Other:	
Fill/Removal/Grading: 53 CY	Vegetation Removal: ~50 CY	

Structure/Damage \$: 720,000	5 Year Construction \$:
Substantial improvement/damage threshold 50% cost vs. value	

### Flood Insurance Rate Map (FIRM) Panel Info

Tillamook County	Panel Number: 41057C 0855F
Effective Date: 9/28/2018	Property Flood Zone(s): AE
Floodway: (Y) N	Project Flood Zone(s): AE
Stream/Waterbody Name: Nestucca River	
Elevation Data (NAVD 88)	
Base Flood Elevation: 17.1	First Habitable Floor: 23.94'
Lowest Floor/Horizontal Member: 22.44'	
Enclosed Area: None	Flood Vent Area: N/A

### Other Required Permits


### 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.

Benjamin Mauck  
Property Owner Signature (Required)

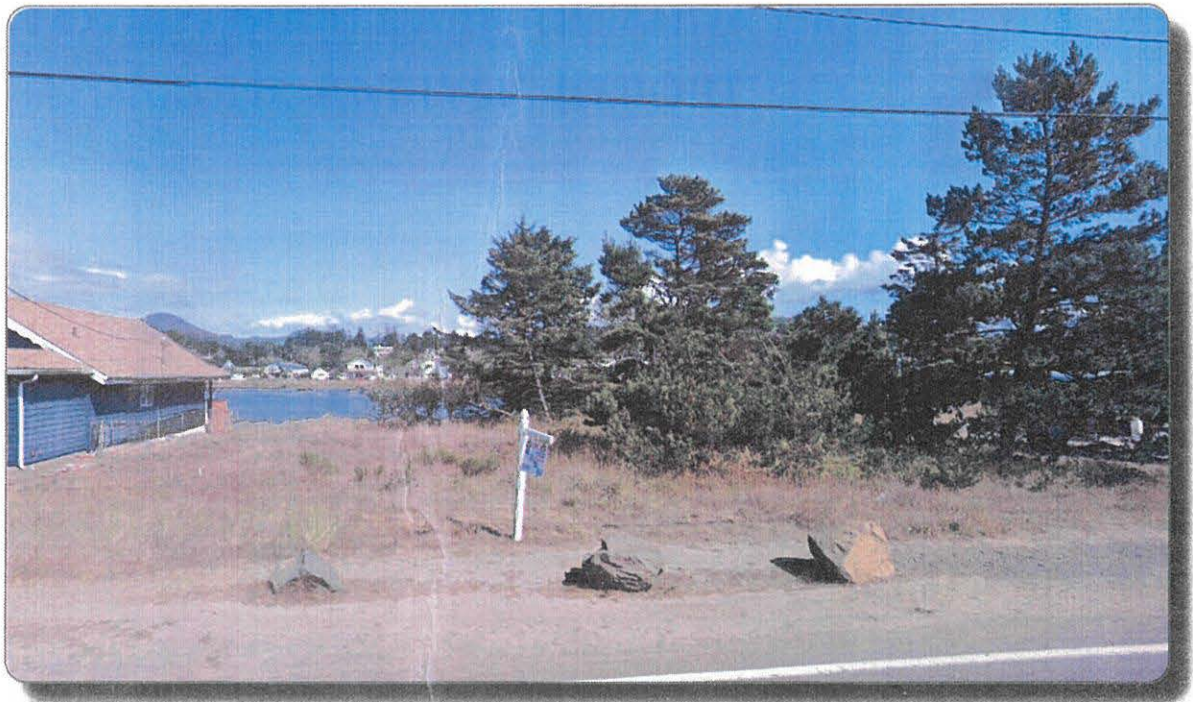
11/26/24  
Date

Benjamin Mauck  
Applicant Signature

11/26/24  
Date



# TAX LOT 5000 CAPE KIWANDA DRIVE HYDRAULIC ANALYSIS REPORT



prepared for  
**Benjamin Mauck**

prepared by  
**Jake Hofeld, P.E.**

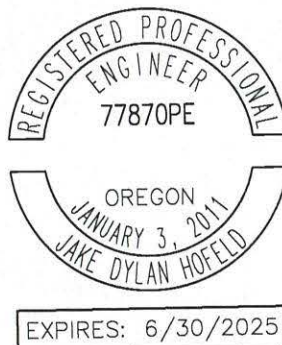
*Jake Hofeld*

Digitally signed by Jake  
Hofeld  
Date: 2025.05.01 15:08:50  
-07'00'



**WATERWAYS**  
CONSULTING, INC.

May 1, 2025





## **Contents**

<b>INTRODUCTION .....</b>	<b>2</b>
<b>HYDRAULIC MODELING METHODOLOGY .....</b>	<b>2</b>
Existing Conditions Model .....	3
Proposed Conditions Model .....	3
Boundary Conditions .....	3
Peak Flow Hydrology .....	4
<b>RESULTS .....</b>	<b>4</b>
<b>CONCLUSIONS .....</b>	<b>4</b>

## **List of Figures**

Figure 1: Tax Lot Location Map

Figure 2: FEMA FIRM Panel

Figure 3: Property Survey and Proposed Site Plan

Figure 4: Hydraulic Analysis Overview Map of Proposed Project

Figure 5: Proposed Cross Section

## **List of Attachments**

Attachment A – HEC-RAS Model Output Files

## **INTRODUCTION**

Waterways Consulting Inc. (Waterways) has been retained by Benjamin Mauck to evaluate the hydraulic effects on the Nestucca River during a 100-year base flood discharge from building a structure on a vacant property. The project is located on the west (right) bank floodplain of the Nestucca River at Tax Lot 5000 on Cape Kiwanda Drive in Pacific City, OR (**Figure 1**). The existing property currently does not contain any structures. The proposed building will include a 2,360 square foot footprint structure set back 21 feet from the edge of the property along Cape Kiwanda Drive. The new structure includes a paved driveway, concrete boat ramp, exterior stairs, structural supporting posts, and multiple decks. The current design, dated March 28, 2025, presents an elevated two-story structure with the bottom of the structure at elevation 19.5-feet. The property is located partially within the FEMA designated floodway, effective September 28, 2018 (**Figure 2**).

The following report has been prepared to support floodplain development permitting with Tillamook County for the proposed project and presents our hydraulic analysis of existing and proposed conditions for the 100-year flood event along the Nestucca River within the vicinity of the proposed residential structure. This report is based on the guidance outlined in Section 3.510(9)(a) of the Tillamook County Land Use Ordinance which requires, "...certification is provided by a professional registered civil engineer demonstrating through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that such encroachment shall not result in any increase in flood levels during the occurrence of the based flood discharge."

## **HYDRAULIC MODELING METHODOLOGY**

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) has mapped Nestucca River at the project area as a Special Flood Hazard Area (SFHA) partially within the regulatory floodway Zone AE (**Figure 2**). Tillamook County provided Waterways with a hydraulic model of the Nestucca River covering the project area for a Letter of Map Revision (LOMR), effective September 24, 2015 (Case. Number 14-10-1727P). The LOMR and corresponding hydraulic model conducted in the United States Army Corps of Engineers (USACE) Hydraulic Engineering Center River Analysis Software (HEC-RAS) by West Consultants updated the previous modeling and FIRM Panels dated August 1, 1978. All elevations are referenced to a NAVD 88 vertical datum. This model was used as the basis for all hydraulic modeling.

Waterways updated the hydraulic analysis using HEC-RAS, version 6.6. A one-dimensional hydraulic model was completed to characterize the existing and proposed conditions at the project site during the 100-year recurrence interval peak flow at the Nestucca River. Four additional cross sections were added to the provided model in the vicinity of the project area (property). The two modeling scenarios include the Existing Conditions Model ("Ex. Cond." is the plan identifier in the model) and the Proposed Conditions Model ("Prop. Cond." is the plan identifier in the model). **Figure 4** shows the proposed project location, cross section locations used in the hydraulic analysis, and the effective FEMA floodplain and floodway boundaries (FEMA 2018).



### Existing Conditions Model

Additional cross sections added to the LOMR model were sampled from a terrain surface derived from LiDAR data from the Department of Geology and Mineral Industries (DOGAMI) North Coast collected by Watershed Sciences Inc. in 2009 and existing conditions contours provided in the HIS Builders Site Plan, dated 3/28/2025. Bathymetry for the additional cross sections were interpolated from upstream and downstream cross sections of the LOMR model. **Figure 3** provides the proposed structure location within the property and includes the current topography at the site.

The downstream model boundary extends approximately 1.0 miles downstream of the project area and the upstream model boundary extends approximately 1.7 miles upstream of the project area (**Figure 4**). The bridge crossing geometry at Ferry Street and at Pacific Avenue upstream of the project area were included in the model from drawings provided by Oregon Department of Transportation (ODOT) and Tillamook County. Hydraulic roughness values for the additional cross sections were based on values published in the provided model. Hydraulic roughness values, known as Manning's Roughness, for the additional cross sections are outlined in **Table 1**.

**Table 1.** Manning's Roughness for Different Land Use Types

Land Use Type	Manning's 'n'
Channel	0.03
Open Pervious Areas (grassed)	0.04
Residential Area / Open Pervious Areas (trees)	0.07 - 0.08

### Proposed Conditions Model

The proposed conditions model included the additional cross sections created in the existing conditions model. The existing condition terrain was updated based on the proposed grading sections presented on Sheet A-3 of the design drawings supplied by the client (**Figure 5**). Two 8-inch posts supporting the structure were included in the model as blocked obstructions. The proposed structure itself was not included as a blocked obstruction due to the structure being elevated above the FEMA BFE.

### Boundary Conditions

The downstream boundary condition used in the two models was set to a known water surface elevation of 14.15 feet (NAVD 88) per the provided model. The downstream boundary condition is located downstream of FEMA Cross Section A near where Nestucca River meets the Nestucca Bay.



### Peak Flow Hydrology

According to the FEMA FIS report and the provided model, the 100-year peak flow event for this portion of the Nestucca River is 49,700 cubic feet per second (cfs). Therefore, 49,700 cfs was assumed for the 100-year peak flow (i.e. base flood discharge) in all models.

### RESULTS

Results of the hydraulic modeling are presented in **Attachment A**. These results show that the proposed structure and site plan will not result in a rise to the water surface elevations at any cross sections in the model. No change between the Existing Conditions Model and Proposed Conditions Model can likely be attributed to a relatively small amount of proposed grading at the site that approximates cut/fill balance and a minimal volume of flow obstructions (support posts) built below the FEMA BFE as compared to a much larger, wider floodplain area.

### CONCLUSIONS

The results of this hydraulic analysis indicate no rise in the 100-year water surface elevations for the Proposed Conditions Model when compared to the Existing Conditions Model. Based on this, the proposed project satisfies the requirement of Section 3.510(9)(a) of the Tillamook County Land Use Ordinance.



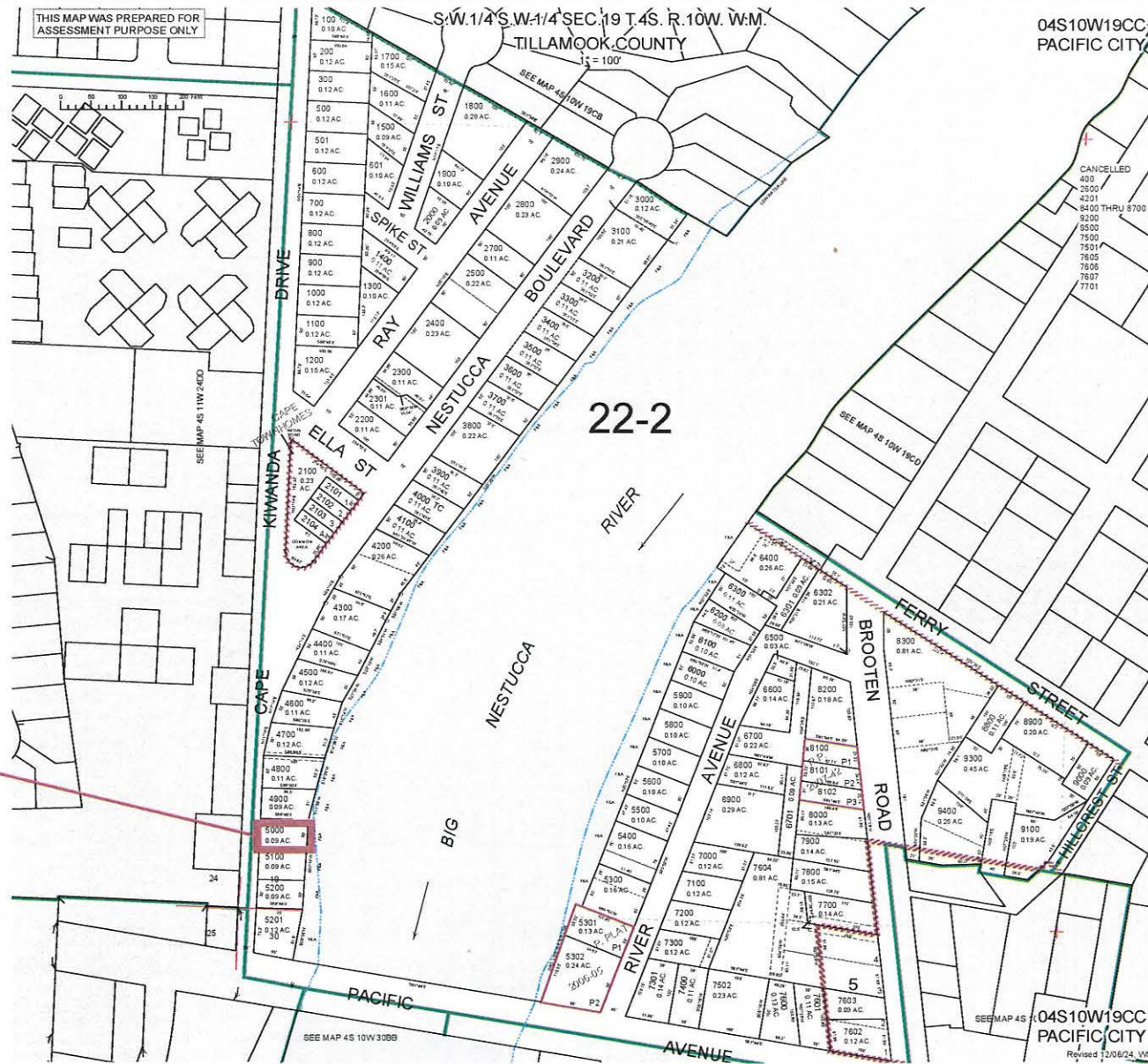
## **REFERENCES**

- Federal Emergency Management Agency. 2018. Flood Insurance Rate Maps (FIRMs) for Tillamook County (panel 0855), Oregon and Incorporated Areas. September 28, 2018.
- Federal Emergency Management Agency. 2018. Flood Insurance Study (FIS) for Tillamook County, Oregon and Incorporated Areas. September 8, 2018.
- U.S. Army Corps of Engineers. Hydrologic Engineering Center. Computer Program HEC-RAS Version 6.6 Davis, California. June 2023.
- U.S. Army Corps of Engineers. Hydrologic Engineering Center. Hydraulic Reference Manual. Version 5.0 Davis, California. February 2016.
- Watershed Sciences. LiDAR Remote Sensing Data Collection Oregon North Coast. Prepared for Department of Geology and Mineral Industries (DOGAMI). December 21, 2009.
- West Consultants. Hydraulic Engineering Center River Analysis Software (HEC-RAS) Model of the Nestucca River. 2014.

## Figures



Project  
Txlots



FIGURE

1

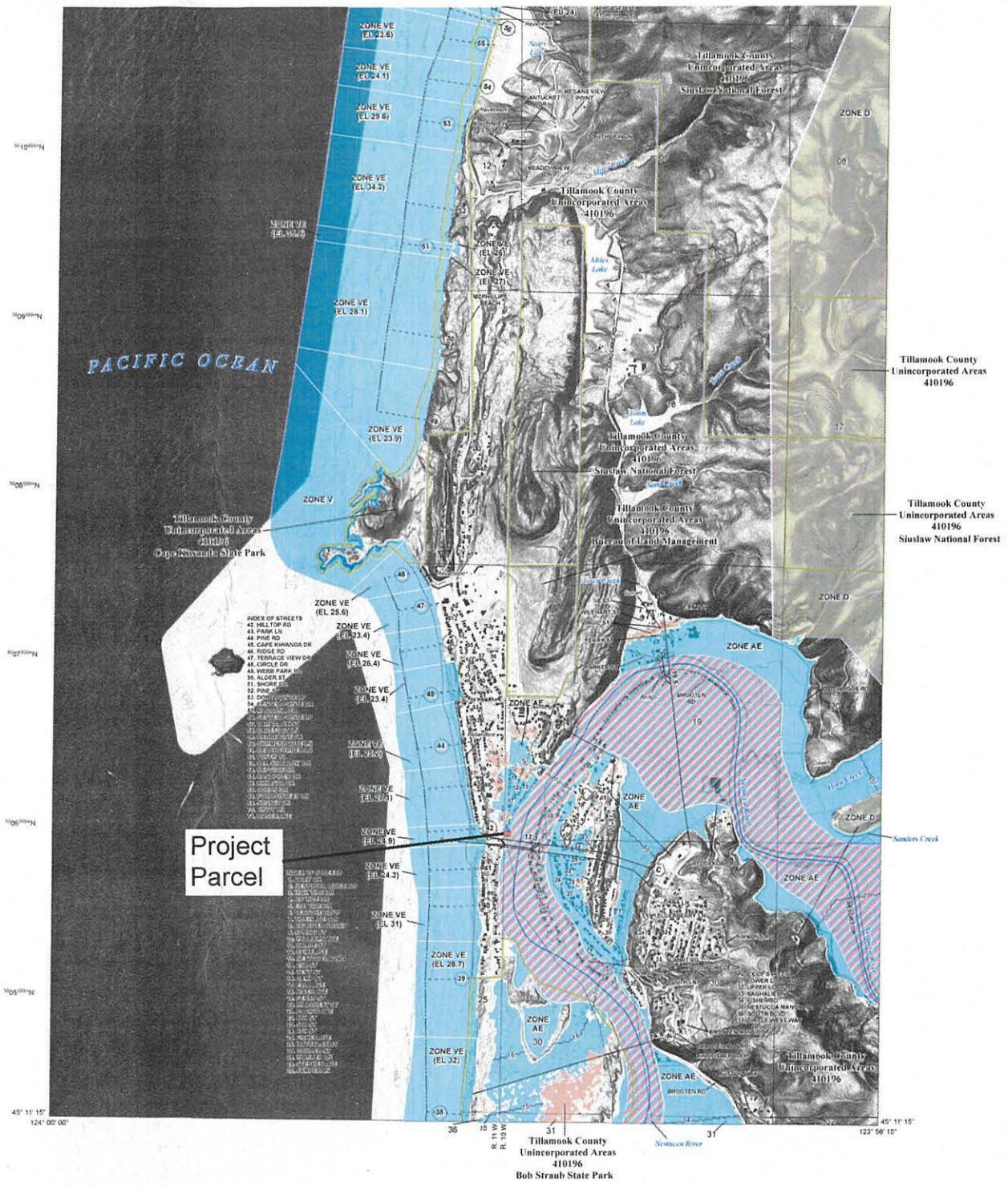
## Tax Lot Location

(Map Sourced from Tillamook County Assessment and Taxation Website)

Tax Lot 5000  
Cape Kiwanda Drive  
Hydraulic Analysis Report

 **WATERWAYS**  
CONSULTING, INC.  
Santa Cruz, CA [waterways.com](http://waterways.com) Portland, OR





### FLOOD HAZARD INFORMATION

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT  
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://MSC.FEMA.GOV](http://MSC.FEMA.GOV)

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone AE, AH, VE, AR
- With BFE or Depth Zone AE, AH, VE, AR
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard, Areas 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
- Area of Minimal Flood Hazard Zone X
- Area of Undetermined Flood Hazard Zone D

**OTHER AREAS OF FLOOD HAZARD**

- NO SCREEN

**OTHER AREAS**

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

**GENERAL STRUCTURES**

### NOTES TO USERS

For information and questions about this map, available products, associated with this FIRM including historic versions of the FIRM, use to order products or the National Flood Insurance Program in general, please call the FEMA Map Information Exchange at 1-877-FEMA-5077 (1-877-336-2627) or visit the FEMA Map Service Center website at [www.fema.gov](http://www.fema.gov). Available products may include, primarily, Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered in electronic format from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information Exchange.

Communities desiring to be on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Map Service Center at the number listed above.

For accuracy and consistency, map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-438-6626.

The information base map for this FIRM revision is derived from aerial data surveys conducted between 2007 and 2011. Orthorectified imagery acquired in 2009 was used where older imagery was not available for portions of Tillamook County.

### SCALE

Map Projection: Universal Transverse Mercator Zone 10N; North American Datum 1983; Western Hemisphere; Vertical Datum: NAVD 88

1 inch = 1,000 feet 1:12,000

0 1,000 2,000 4,000 Feet

0 255 510 1,020 Meters

### PANEL LOCATOR

### FEMA National Flood Insurance Program

**NATIONAL FLOOD INSURANCE PROGRAM**  
FLOOD INSURANCE RATE MAP

**TILLAMOOK COUNTY, OREGON**  
And Incorporated Areas

PANEL 855 or 1075

Panel Coordinates:

COMMUNITY	NUMBER	PANEL	SUFFIX
TILLAMOOK COUNTY	43106	0855	X

FIGURE 2: FEMA Firm Panel



WHITE LINE

Cape Kiwanda Dr.

R/W

DRIVEWAY ENTRANCE

Residential  
34905 Cape Kiwanda Dr.

Commercial  
35005 Cape Kiwanda Dr.

Plot Plan  
1/8" = 1' R

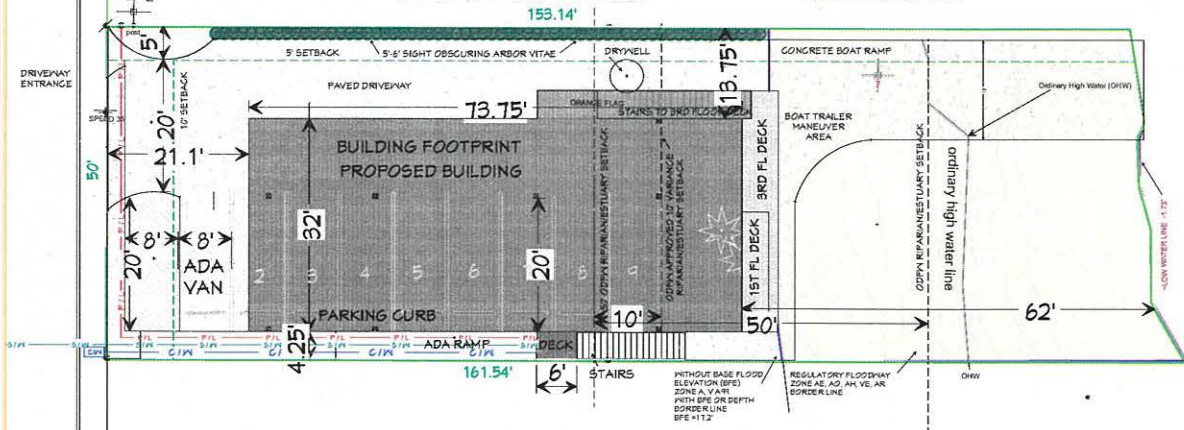


**STORMWATER MANAGEMENT:**  
PERIMETER DRAIN EXCAVATION SHALL BE CONSTRUCTED IN A MANNER THAT PREVENTS UNDERMINING OF FOUNDATION OR SLAB COMPONENTS, OR ANY DISTURBANCE SUPPORTING SOILS. ALL ROOF DRAINS SHALL BE DISCHARGED TO THE NEWLY CONSTRUCTED DRY WELL. WATER COLLECTED ON THE SITE SHALL NOT BE CONCENTRATED AND DISCHARGED TO ADJACENT PROPERTIES.

**VEGETATION, RE-VEGETATION, & EROSION CONTROL:**  
NATURAL VEGETATION SHALL REMAIN UNDISTURBED ON ALL AREAS OF THE PROPERTY NOT INTENDED FOR CONSTRUCTION. DISTURBED GROUND SURFACES EXPOSED DURING THE WET SEASON SHALL BE PROTECTED WITH EROSION CONTROL BLANKETS OR HYDROMULCH. TEMPORARY SEDIMENT FENCING SHALL BE USED DOWNSLOPE OF ANY DISTURBED AREAS UNTIL PERMANENT VEGETATION IS ESTABLISHED. ANY EROSION CONTROL BLANKETS SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS.

OWNER SHALL DEVELOP IN COORDINATION WITH ODPW A RIPARIAN VEGETATION ENHANCEMENT (PLANTING) PLAN AND A COPY OF THE PLAN SHALL BE SUBMITTED TO THE DEPARTMENT AT THE TIME OF CONSOLIDATED ZONING AND BUILDING PERMIT APPLICATION SUBMITTAL WITH PROPOSED VEGETATION REMOVAL AS PART OF THE CONSTRUCTION ACTIVITY WITH WRITTEN CONFIRMATION FROM ODPW THAT THE PLAN IS ACCEPTABLE. ANY TREES TO BE REMOVED AND ANY MITIGATION ACTION FOR EACH TREE SHALL ALSO BE INDICATED ON THE RIPARIAN VEGETATION ENHANCEMENT PLAN.

**HOUSE NOTES:**  
FIRST FLOOR 2,345 FT.<sup>2</sup>  
SECOND FLOOR 2,360 FT.<sup>2</sup>  
TOTAL LIVING 4,705 FT.<sup>2</sup>  
DECK 415 FT.<sup>2</sup>  
ADA RAMP 241 FT.<sup>2</sup>  
DRIVEWAY 4,122 FT.<sup>2</sup>  
TAX LOT 5000 = 3,750 FT.<sup>2</sup>  
SPACE BETWEEN TAX LOT 5000 AND HIGH WATER LINE = 2,541 FT.<sup>2</sup>  
TOTAL LOT SIZE = 6,341 FT.<sup>2</sup>  
TOTAL LOT COVERAGE 2,700 FT.<sup>2</sup> 42.52%  
LOT 0.09 ACRES 6,341 FT.<sup>2</sup>  
TAX LOT # 451019CC TL5000



HIS BUILDERS LLC  
PO Box 4971 Bellingham, WA 98207  
www.hisbuilders.com 509.663.5000  
CCBF OR-183184 WA-HISBULE24CZ

All data, measurements, drawings and plans are based on the original work product of HIS BUILDERS LLC and are not to be used for any other purpose without the written consent of HIS BUILDERS LLC. HIS BUILDERS LLC is not responsible for any errors or omissions in this plan. HIS BUILDERS LLC is not responsible for any changes or modifications to this plan. HIS BUILDERS LLC is not responsible for any construction or other work done in accordance with this plan. HIS BUILDERS LLC is not responsible for any other work done in accordance with this plan.

PROJECT:  
Customer:  
Benjamin Mauck

LOCATION:

DATE:  
3/28/2025  
A-4

Benjamin Mauck

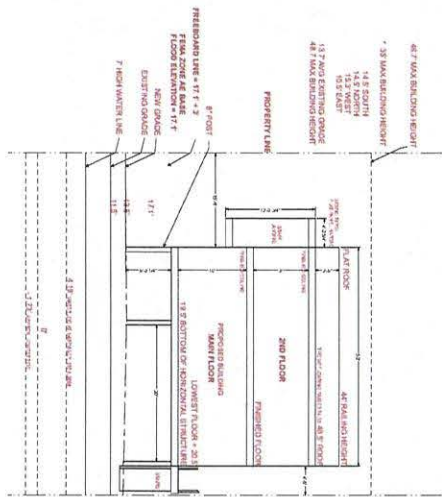
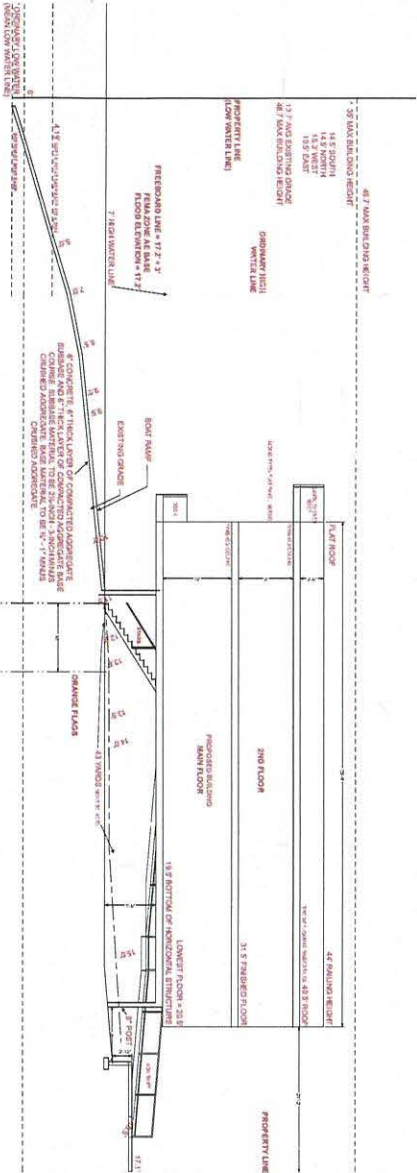
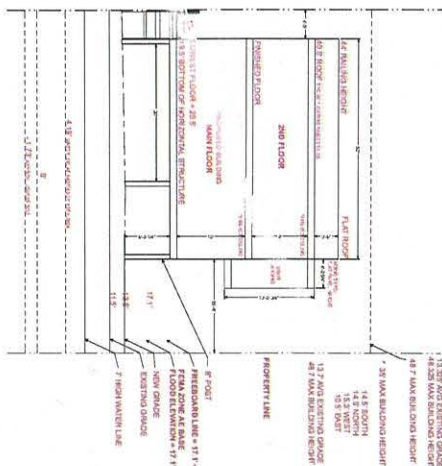
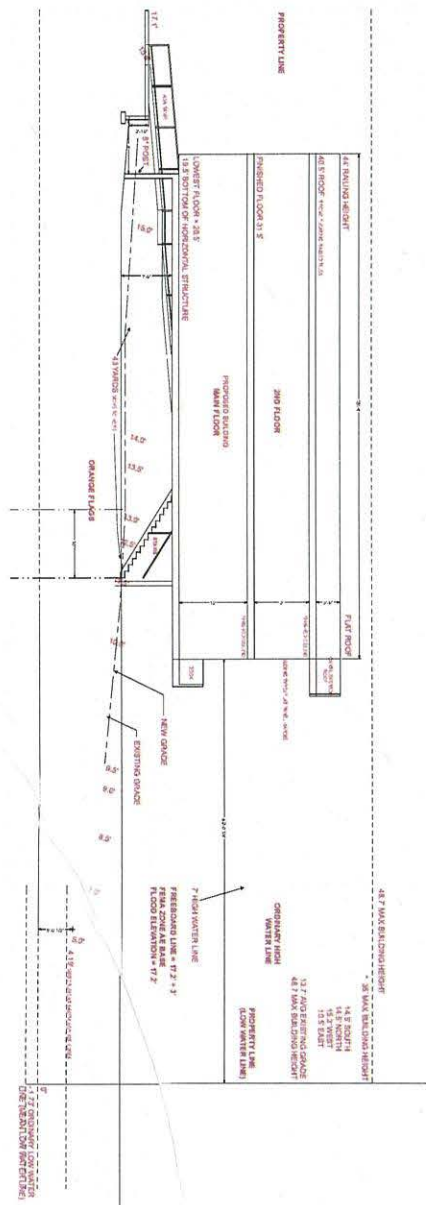
FIGURE

3

## Property Survey and Proposed Site Plan

Tax Lot 5000  
Cape Kiwanda Drive  
Hydraulic Analysis Report





**FIGURE 5**

### Proposed Cross Section

Tax Lot 5000  
Cape Kiwanda Drive  
Hydraulic Analysis Report



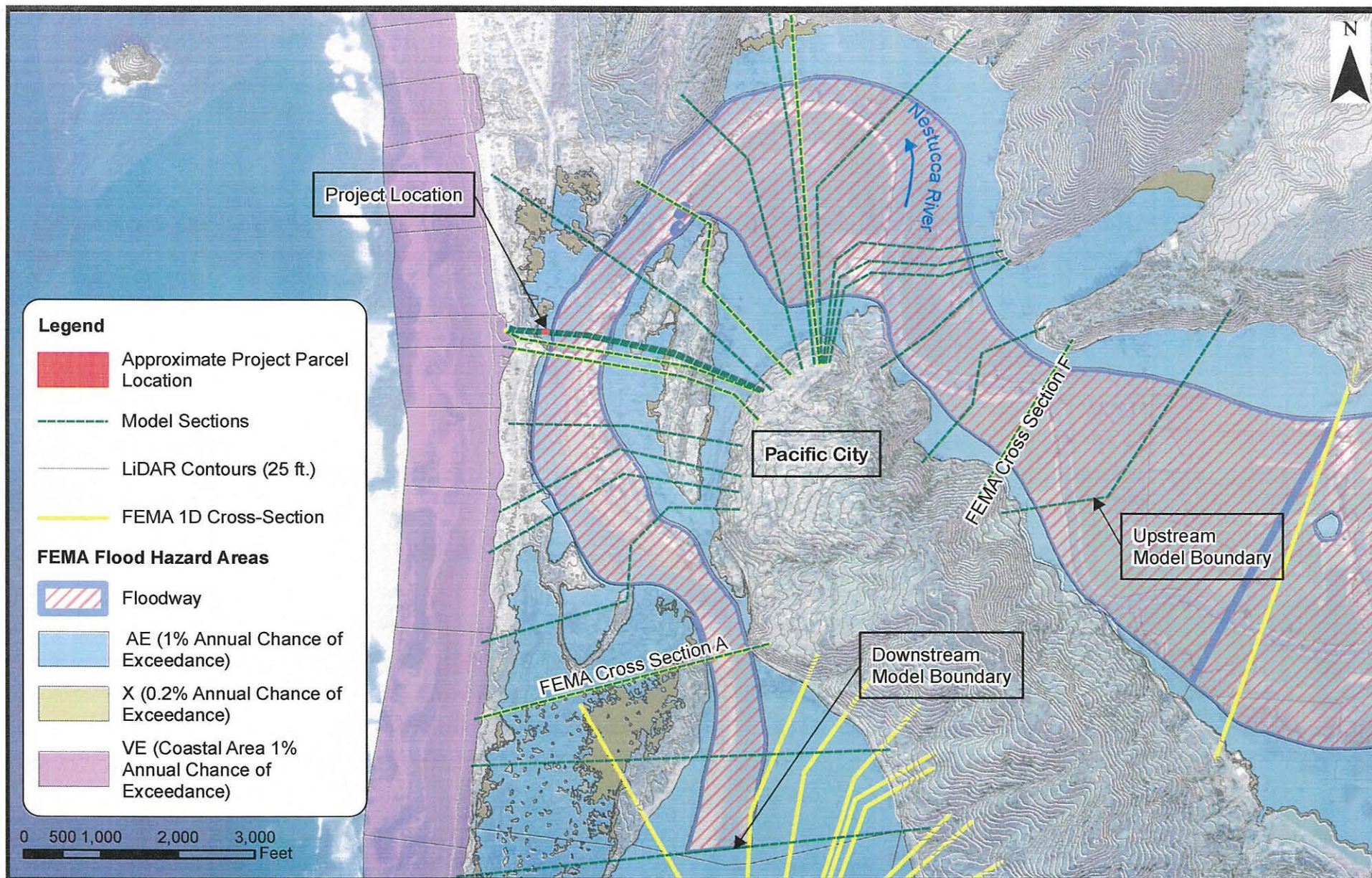
All ideas, arrangements, drawings and plans set forth on this sheet are the original work product of, owned by and are the property of His Builders, Inc., an Oregon corporation, and use of this said work product is limited to a specified project for the persons named herein, and for the construction of one building. Any use, reuse or disclosure of said plan, reproductions or project ideas, designs and drawings without the written consent of His Builders, Inc. is prohibited. The use of this work product without the permission of His Builders, Inc. within dimensions on these drawings have precedence over scaled dimensions; contractors shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variations from the dimensions and conditions shown on these drawings. No portion of this work product may be reproduced or used in any form without the written permission. Supervision is not included unless specified in work contract.

PROJECT:  
Customer:  
Benjamin Mauck

LOCATION:

DATE: 3/28/20  
A-3





FIGURE

4

## Hydraulic Analysis Overview Map of Proposed Project

Tax Lot 5000  
Cape Kiwanda Drive  
Hydraulic Analysis Report

**WATERWAYS**  
CONSULTING, INC.  
Santa Cruz, CA [watways.com](http://watways.com) Portland, OR



## Attachment A

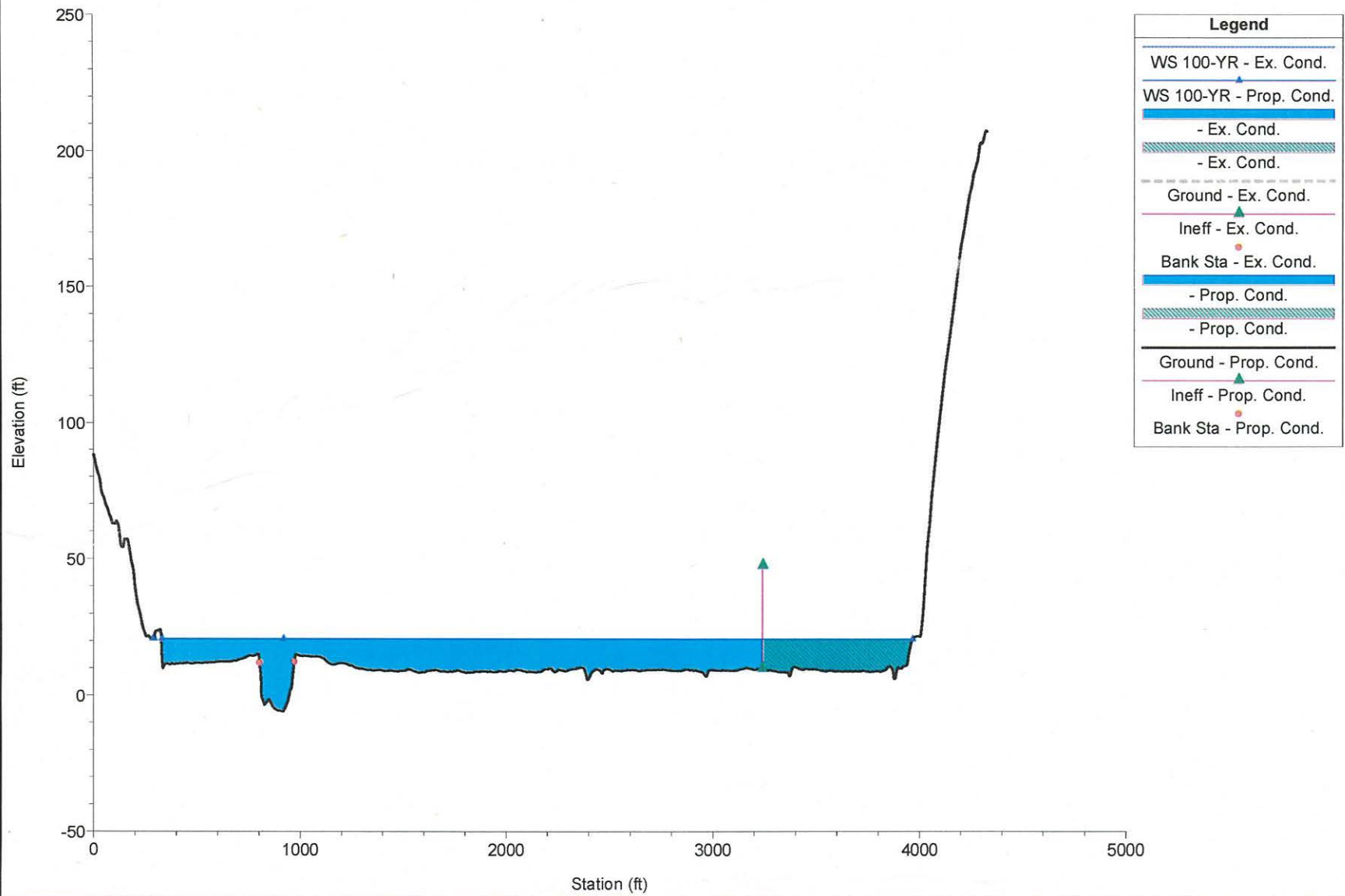
### HEC-RAS Output Files



HEC-RAS River: Nestucca River Reach: Lower Profile: 100-YR

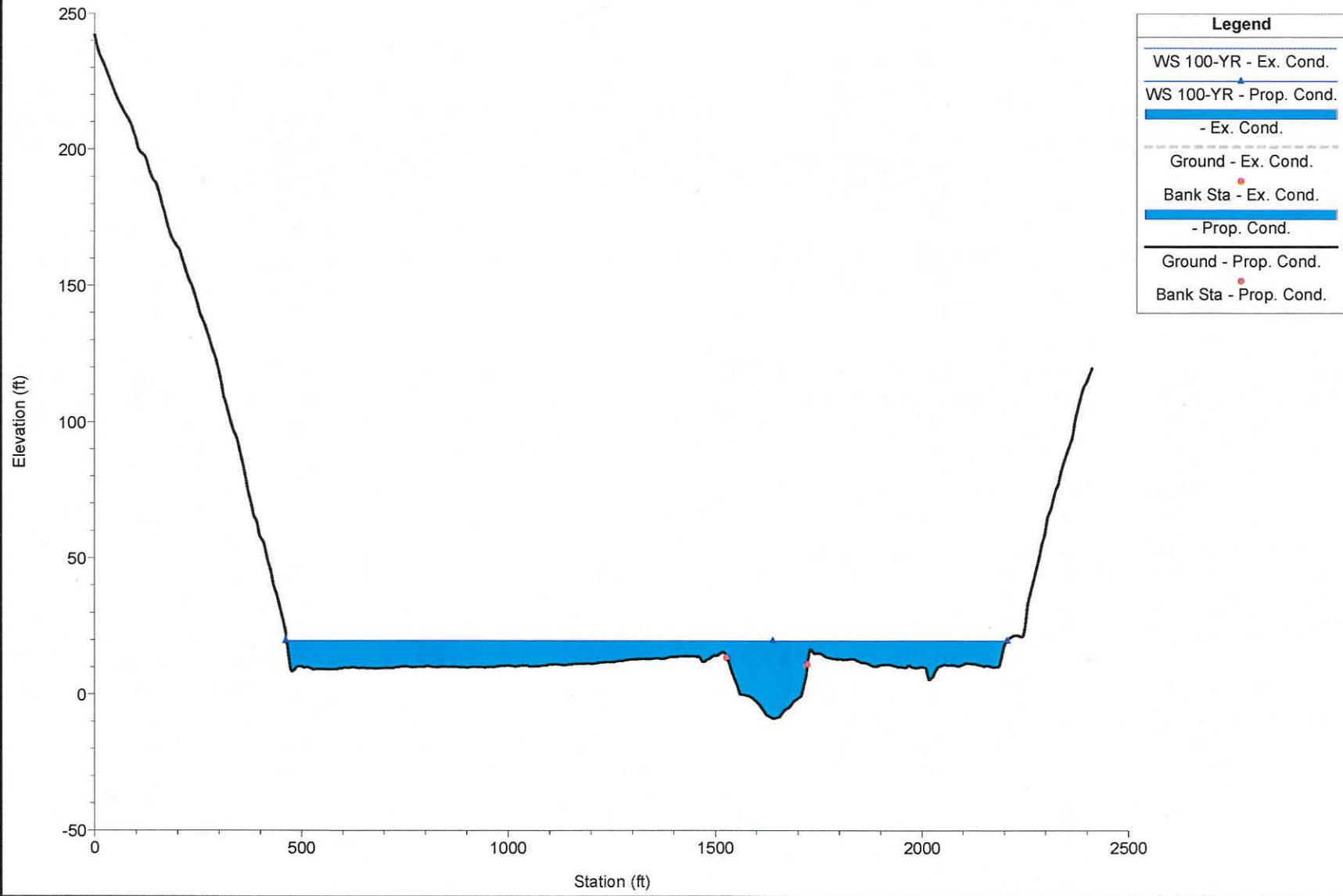
Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Lower	22553.94	100-YR	Ex. Cond.	49700.00	-5.99	20.48	12.22	20.54	0.000091	3.06	32205.24	3643.88	0.11
Lower	22553.94	100-YR	Prop. Cond.	49700.00	-5.99	20.48	12.22	20.54	0.000091	3.06	32200.18	3643.78	0.11
Lower	21008.6	100-YR	Ex. Cond.	49700.00	-8.92	20.07		20.30	0.000260	5.19	17837.64	1743.68	0.20
Lower	21008.6	100-YR	Prop. Cond.	49700.00	-8.92	20.07		20.29	0.000260	5.19	17834.26	1743.67	0.20
Lower	20157.05	100-YR	Ex. Cond.	49700.00	-9.15	19.93	12.36	20.08	0.000213	4.43	19983.12	2302.07	0.17
Lower	20157.05	100-YR	Prop. Cond.	49700.00	-9.15	19.93	12.36	20.08	0.000213	4.44	19979.30	2302.05	0.17
Lower	19079.89	100-YR	Ex. Cond.	49700.00	-11.85	19.69		19.87	0.000230	5.03	20261.86	1888.71	0.18
Lower	19079.89	100-YR	Prop. Cond.	49700.00	-11.85	19.68		19.87	0.000230	5.03	20257.77	1888.70	0.18
Lower	18019.8	100-YR	Ex. Cond.	49700.00	-7.69	19.52	11.35	19.66	0.000187	4.32	22152.06	2668.05	0.16
Lower	18019.8	100-YR	Prop. Cond.	49700.00	-7.69	19.52	11.35	19.66	0.000187	4.32	22147.41	2668.03	0.16
Lower	17875.97	100-YR	Ex. Cond.	49700.00	-7.60	19.50	11.05	19.63	0.000169	4.14	23024.84	2676.85	0.16
Lower	17875.97	100-YR	Prop. Cond.	49700.00	-7.60	19.50	11.05	19.63	0.000169	4.14	23019.98	2676.83	0.16
Lower	17653.2	100-YR	Ex. Cond.	49700.00	-4.67	19.52	11.28	19.59	0.000095	3.22	29231.94	3181.55	0.12
Lower	17653.2	100-YR	Prop. Cond.	49700.00	-4.67	19.52	11.28	19.58	0.000095	3.22	29225.85	3181.53	0.12
Lower	15949.74	100-YR	Ex. Cond.	49700.00	-7.67	19.47	9.86	19.50	0.000032	1.91	46673.44	4377.58	0.07
Lower	15949.74	100-YR	Prop. Cond.	49700.00	-7.67	19.47	9.86	19.49	0.000032	1.91	46664.37	4377.57	0.07
Lower	14728.64	100-YR	Ex. Cond.	49700.00	-9.90	19.42	10.23	19.46	0.000044	2.47	37264.57	3855.46	0.09
Lower	14728.64	100-YR	Prop. Cond.	49700.00	-9.90	19.42	10.23	19.46	0.000044	2.47	37256.51	3855.42	0.09
Lower	14621.23		Bridge										
Lower	14544.91	100-YR	Ex. Cond.	49700.00	-8.62	19.40	10.32	19.44	0.000045	2.54	36848.43	3870.79	0.10
Lower	14544.91	100-YR	Prop. Cond.	49700.00	-8.62	19.40	10.32	19.44	0.000045	2.54	36840.31	3870.75	0.10
Lower	13541.26	100-YR	Ex. Cond.	49700.00	-7.81	19.36	10.21	19.40	0.000052	2.50	32742.55	3280.31	0.10
Lower	13541.26	100-YR	Prop. Cond.	49700.00	-7.81	19.35	10.21	19.40	0.000052	2.50	32735.99	3280.31	0.10
Lower	12396	100-YR	Ex. Cond.	49700.00	-3.59	18.49		19.20	0.000464	7.07	9082.28	2049.09	0.30
Lower	12396	100-YR	Prop. Cond.	49700.00	-3.59	18.48		19.20	0.000464	7.07	9080.24	2048.97	0.30
Lower	11367.2	100-YR	Ex. Cond.	49700.00	-3.05	17.71	9.51	18.63	0.000623	7.84	7519.78	2013.30	0.34
Lower	11367.2	100-YR	Prop. Cond.	49700.00	-3.05	17.71	9.51	18.63	0.000623	7.84	7517.36	2012.59	0.34
Lower	10232	100-YR	Ex. Cond.	49700.00	-3.44	17.29	9.13	17.93	0.000477	6.67	10220.54	2083.50	0.30
Lower	10232	100-YR	Prop. Cond.	49700.00	-3.44	17.29	9.13	17.93	0.000477	6.67	10216.03	2083.36	0.30
Lower	10219	100-YR	Ex. Cond.	49700.00	-3.44	17.25	9.15	17.92	0.000502	6.82	9888.58	2095.22	0.31
Lower	10219	100-YR	Prop. Cond.	49700.00	-3.44	17.25	9.15	17.92	0.000498	6.80	9847.02	2094.10	0.31
Lower	10186	100-YR	Ex. Cond.	49700.00	-3.44	17.21	9.19	17.90	0.000522	6.94	9764.00	2086.10	0.31
Lower	10186	100-YR	Prop. Cond.	49700.00	-3.44	17.21	9.19	17.90	0.000518	6.91	9708.41	2085.26	0.31
Lower	10180	100-YR	Ex. Cond.	49700.00	-3.44	17.21	9.19	17.90	0.000513	6.87	9832.35	2074.72	0.31
Lower	10180	100-YR	Prop. Cond.	49700.00	-3.44	17.21	9.19	17.90	0.000513	6.87	9832.35	2074.72	0.31
Lower	10048.77	100-YR	Ex. Cond.	49700.00	-3.49	16.97	9.18	17.81	0.000619	7.53	8674.57	2062.18	0.34
Lower	10048.77	100-YR	Prop. Cond.	49700.00	-3.49	16.97	9.18	17.81	0.000619	7.53	8674.57	2062.18	0.34
Lower	9942.323		Bridge										
Lower	9904.361	100-YR	Ex. Cond.	49700.00	-8.44	16.82	8.05	17.51	0.000542	6.93	10023.92	2094.07	0.31
Lower	9904.361	100-YR	Prop. Cond.	49700.00	-8.44	16.82	8.05	17.51	0.000542	6.93	10023.92	2094.07	0.31
Lower	8988.11	100-YR	Ex. Cond.	49700.00	-4.80	16.61	8.14	16.97	0.000329	5.36	12949.13	1986.55	0.24
Lower	8988.11	100-YR	Prop. Cond.	49700.00	-4.80	16.61	8.14	16.97	0.000329	5.36	12949.13	1986.55	0.24
Lower	8192.259	100-YR	Ex. Cond.	49700.00	-18.19	16.35	6.30	16.72	0.000308	5.47	12921.58	2041.81	0.23
Lower	8192.259	100-YR	Prop. Cond.	49700.00	-18.19	16.35	6.30	16.72	0.000308	5.47	12921.58	2041.81	0.23
Lower	7839.108	100-YR	Ex. Cond.	49700.00	-6.96	16.25	6.76	16.61	0.000310	5.16	12464.76	1879.15	0.23
Lower	7839.108	100-YR	Prop. Cond.	49700.00	-6.96	16.25	6.76	16.61	0.000310	5.16	12464.76	1879.15	0.23
Lower	6628.945	100-YR	Ex. Cond.	49700.00	-1.36	16.04	6.84	16.27	0.000208	3.91	14212.35	3171.30	0.19
Lower	6628.945	100-YR	Prop. Cond.	49700.00	-1.36	16.04	6.84	16.27	0.000208	3.91	14212.35	3171.30	0.19
Lower	4746.314	100-YR	Ex. Cond.	49700.00	-11.72	14.76	7.45	15.56	0.000672	7.30	7417.23	2442.34	0.34
Lower	4746.314	100-YR	Prop. Cond.	49700.00	-11.72	14.76	7.45	15.56	0.000672	7.30	7417.23	2442.34	0.34
Lower	3370.732	100-YR	Ex. Cond.	49700.00	-3.40	14.28	6.63	14.73	0.000430	5.53	9803.55	3594.57	0.27
Lower	3370.732	100-YR	Prop. Cond.	49700.00	-3.40	14.28	6.63	14.73	0.000430	5.53	9803.55	3594.57	0.27
Lower	2099.855	100-YR	Ex. Cond.	49700.00	-3.90	14.15	5.85	14.31	0.000175	3.42	17693.71	5262.50	0.17
Lower	2099.855	100-YR	Prop. Cond.	49700.00	-3.90	14.15	5.85	14.31	0.000175	3.42	17693.71	5262.50	0.17

25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

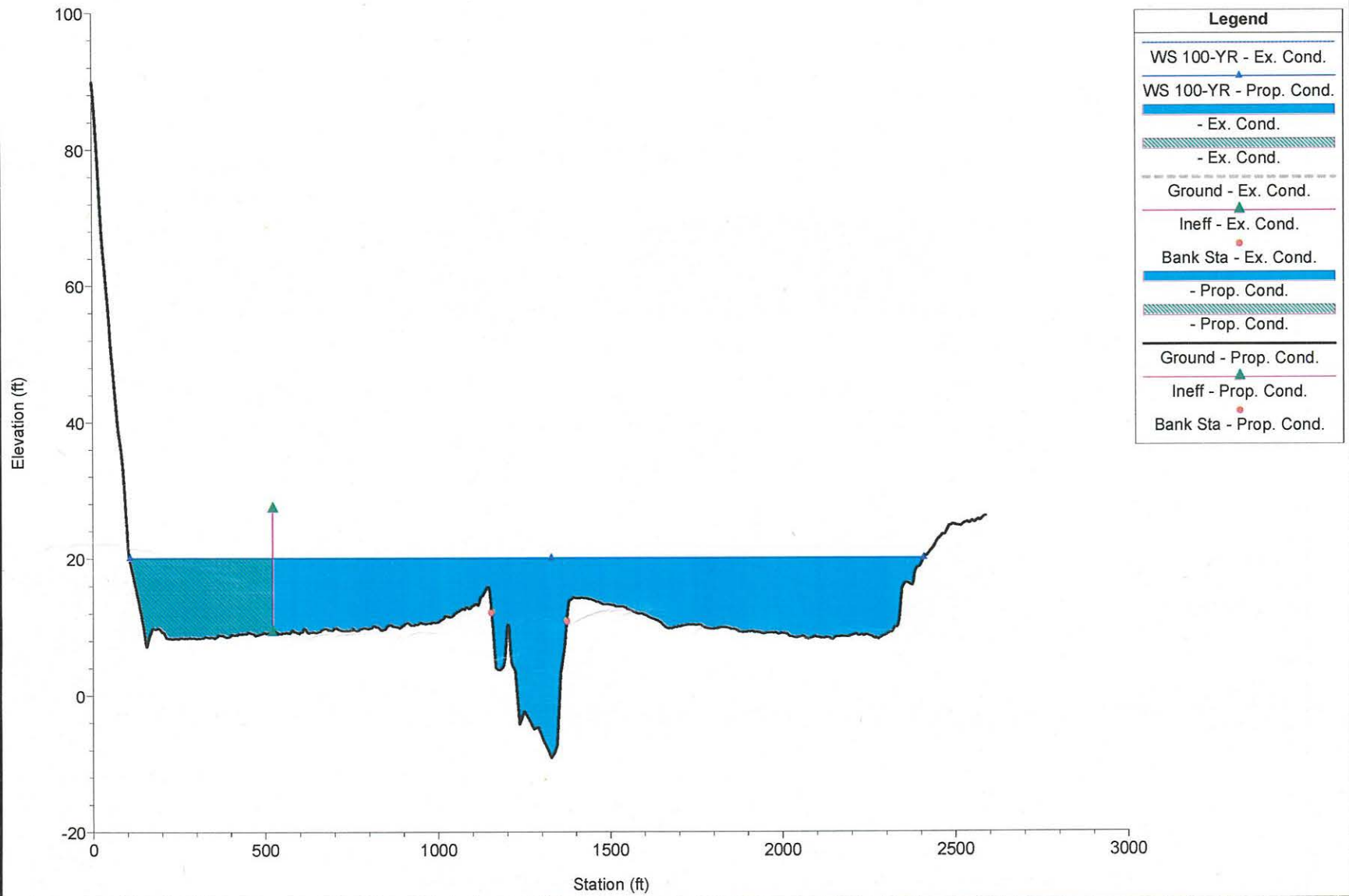




25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.    2) Ex. Cond.  
Cross Section F

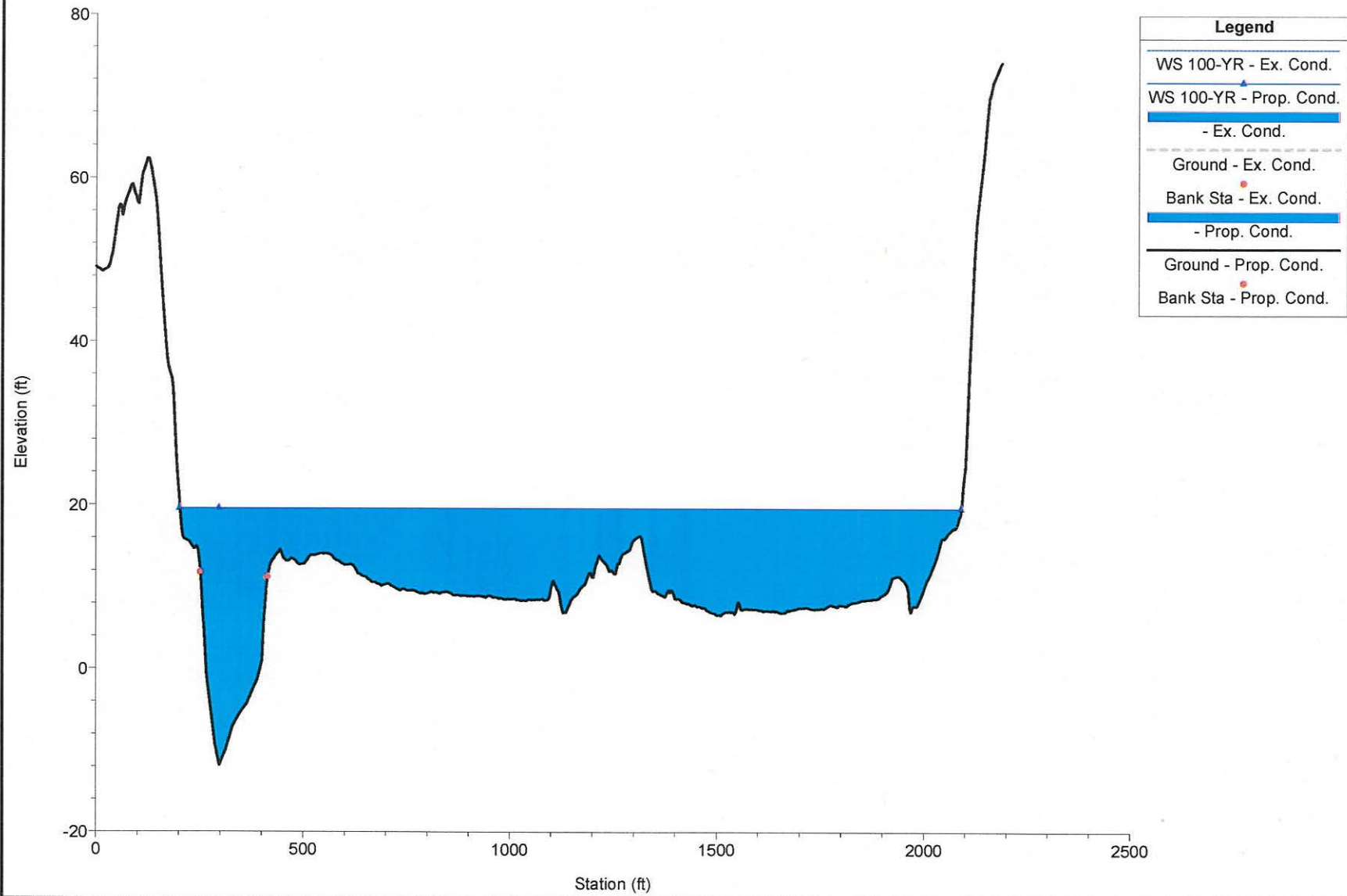


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

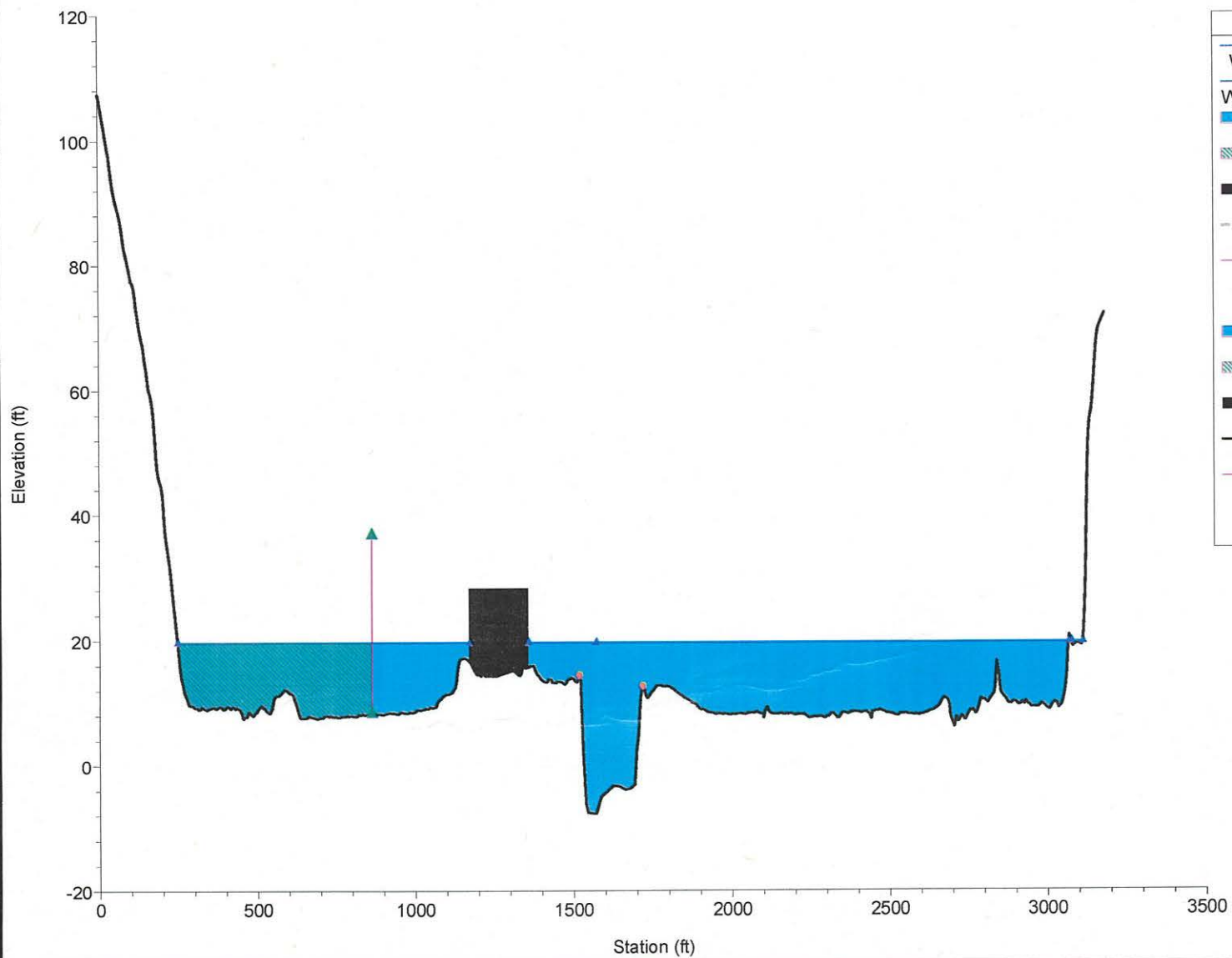




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.



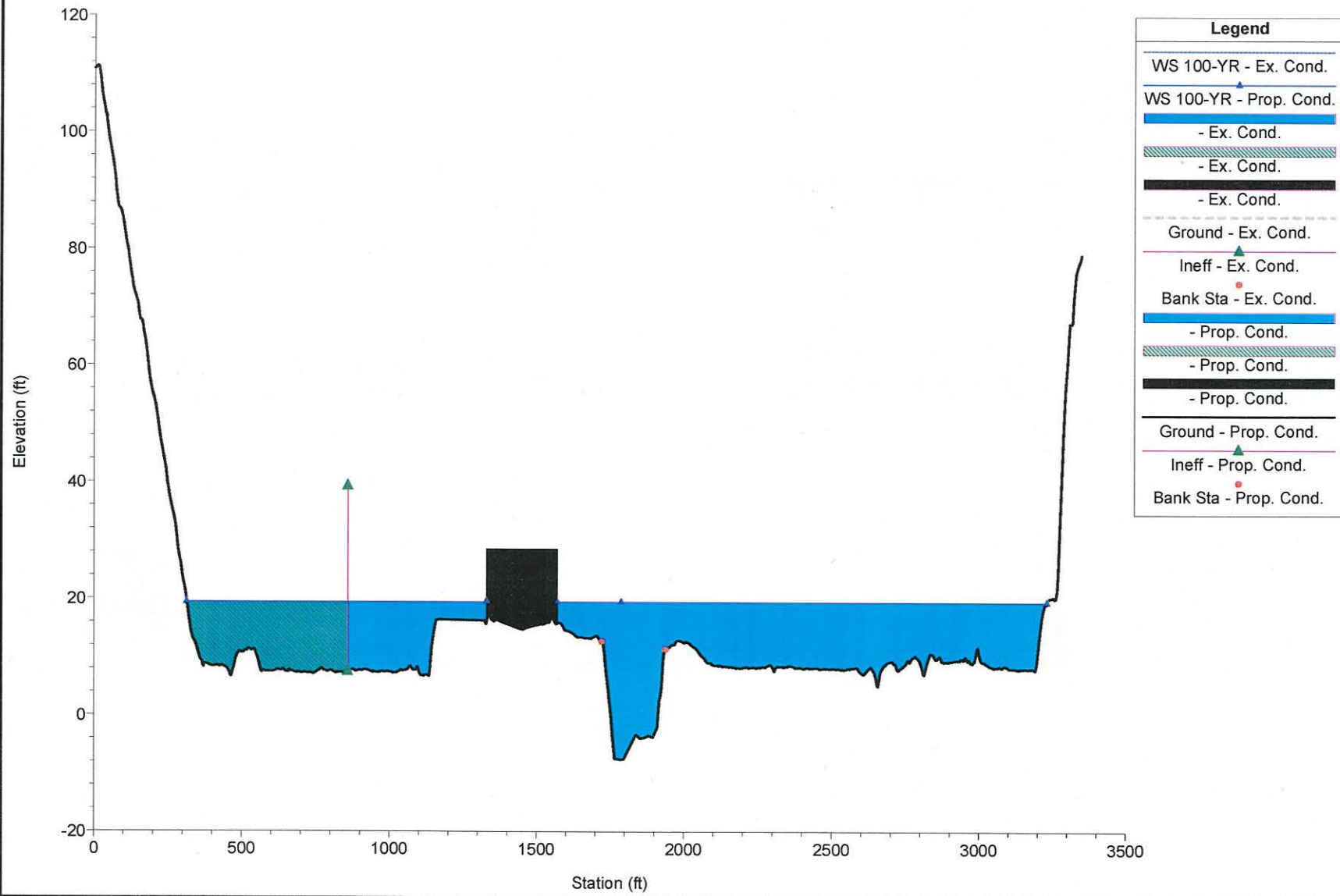
25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.



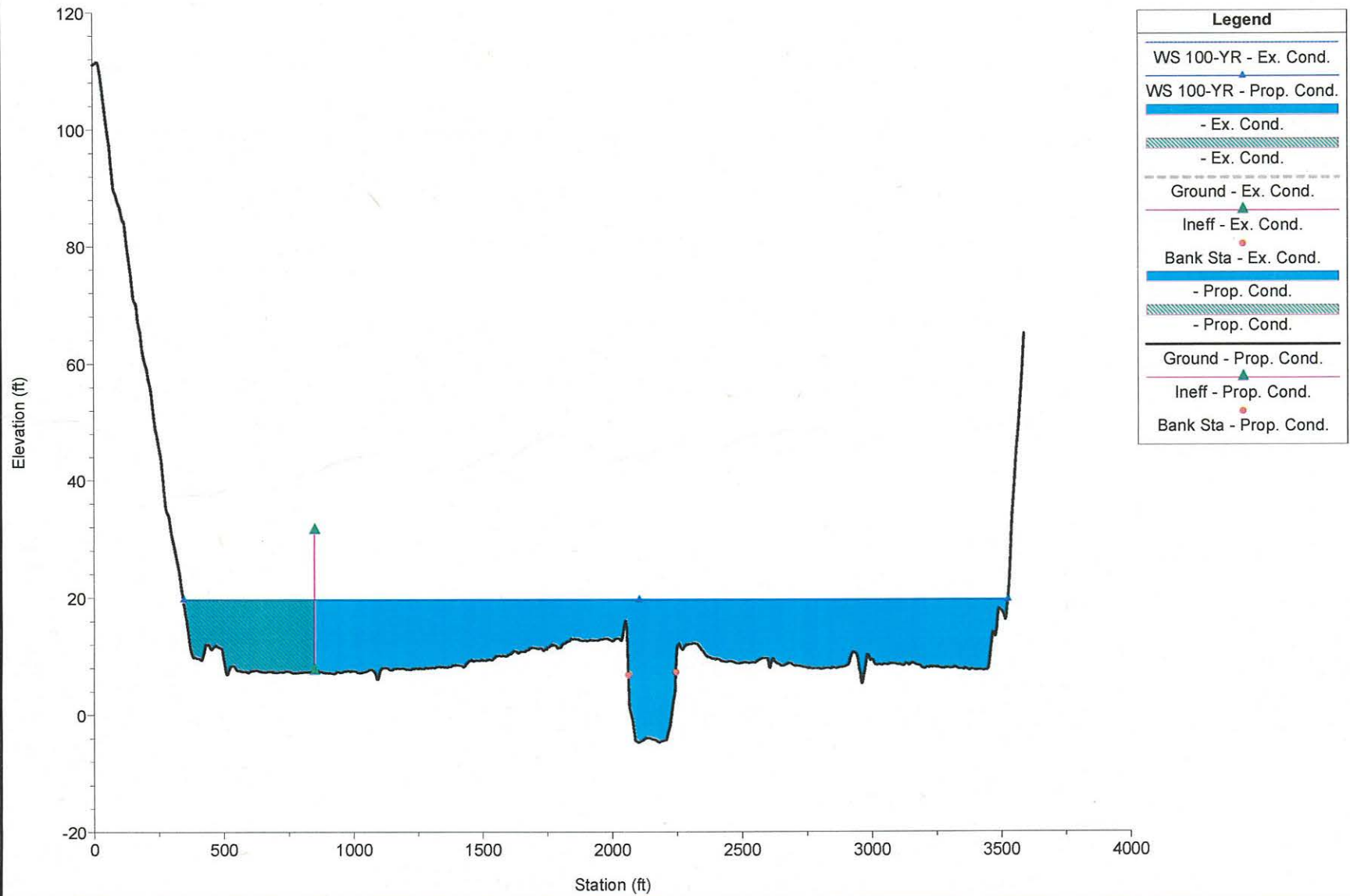
Legend	
WS 100-YR - Ex. Cond.	▲
WS 100-YR - Prop. Cond.	▲
- Ex. Cond.	■
- Ex. Cond.	■
- Ex. Cond.	■
Ground - Ex. Cond.	▲
Ineff - Ex. Cond.	●
Bank Sta - Ex. Cond.	●
- Prop. Cond.	■
- Prop. Cond.	■
- Prop. Cond.	■
Ground - Prop. Cond.	▲
Ineff - Prop. Cond.	●
Bank Sta - Prop. Cond.	●



25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

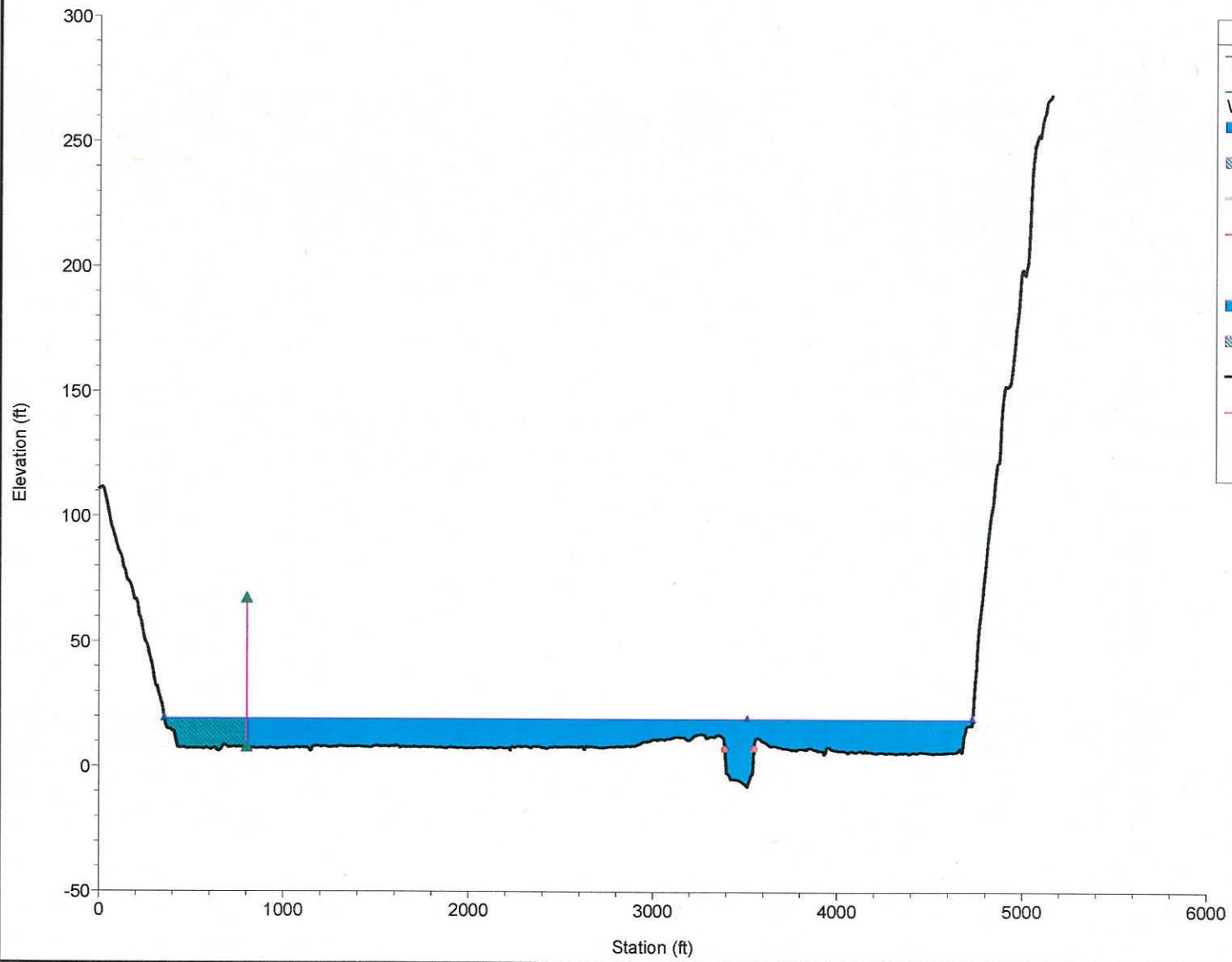


25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.      2) Ex. Cond.



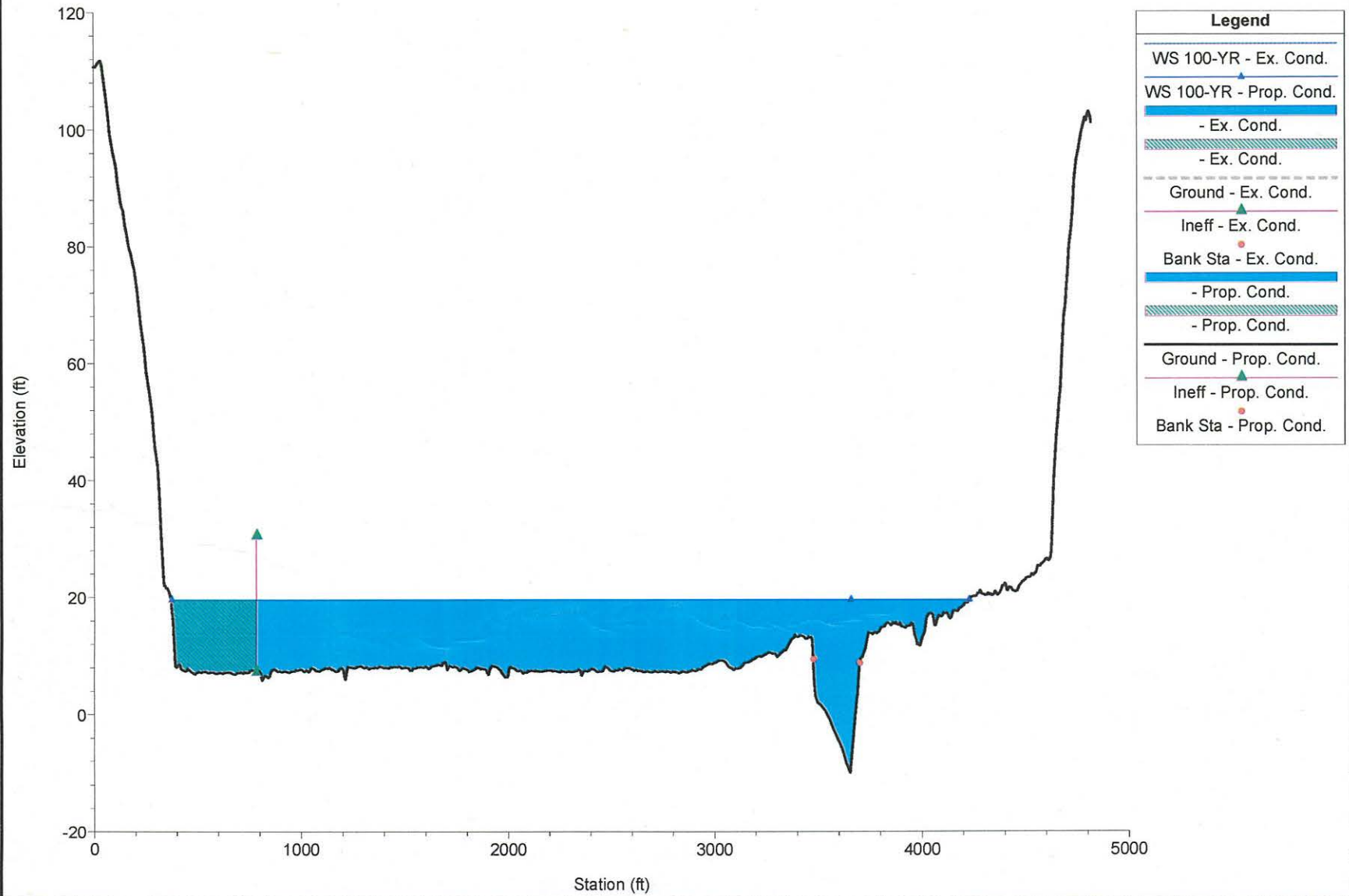


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.



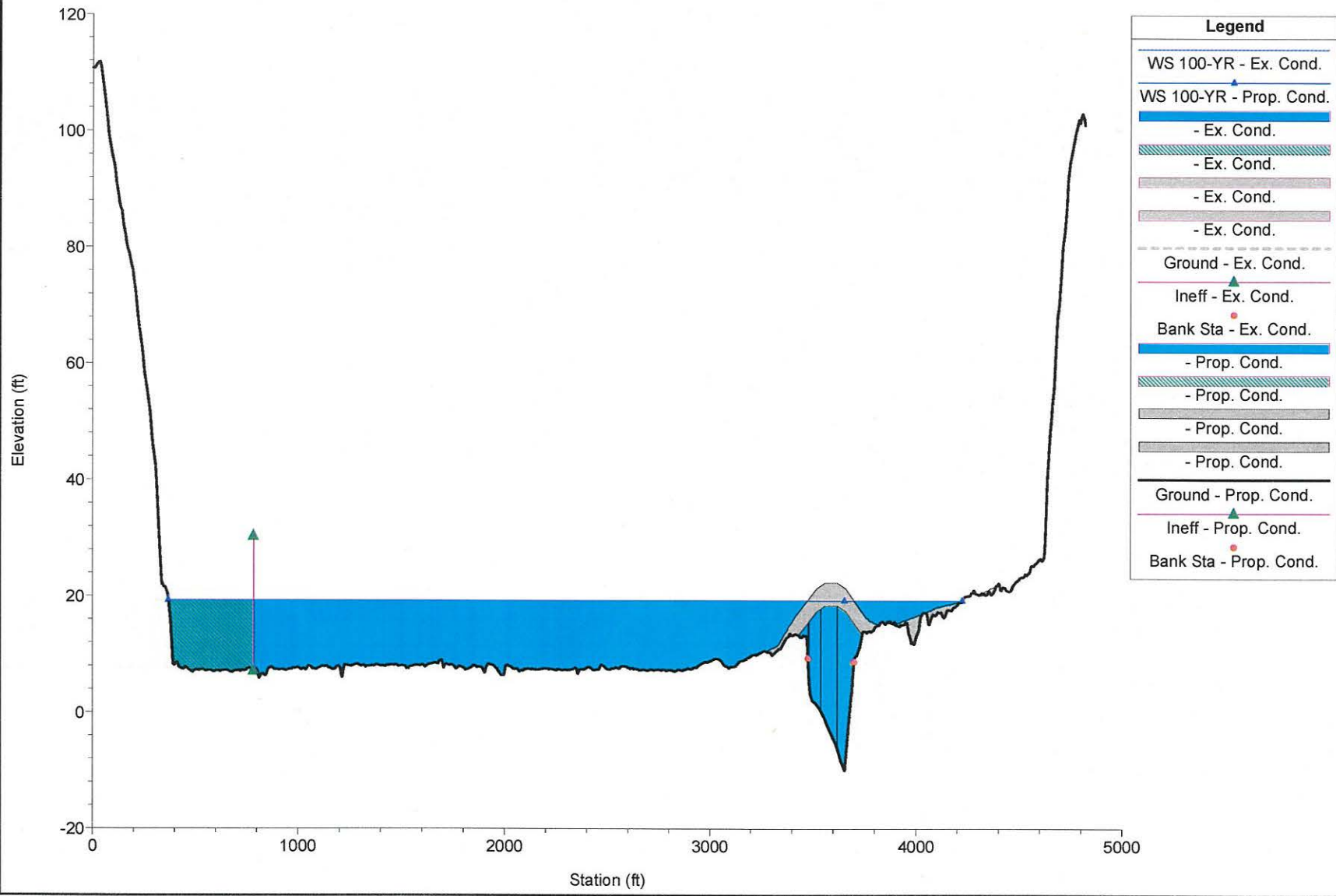
Legend	
WS 100-YR - Ex. Cond.	▲
WS 100-YR - Prop. Cond.	▲
- Ex. Cond.	■
- Ex. Cond.	■
Ground - Ex. Cond.	▲
Ineff - Ex. Cond.	▲
Bank Sta - Ex. Cond.	●
- Prop. Cond.	■
- Prop. Cond.	■
Ground - Prop. Cond.	▲
Ineff - Prop. Cond.	▲
Bank Sta - Prop. Cond.	●

25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.    2) Ex. Cond.  
 Cross Section E

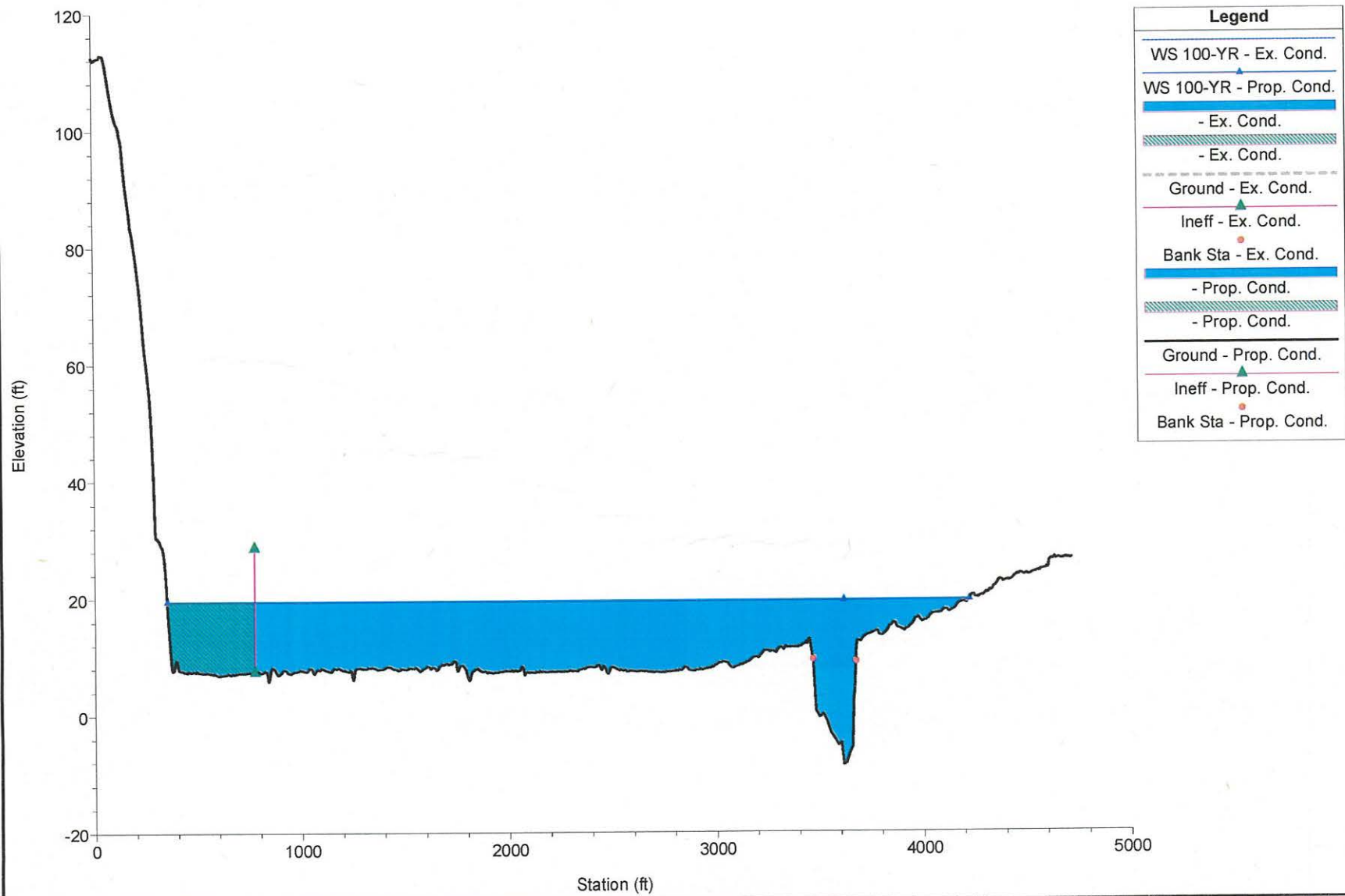




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.  
Based on drawings provided by Tillamook Co.

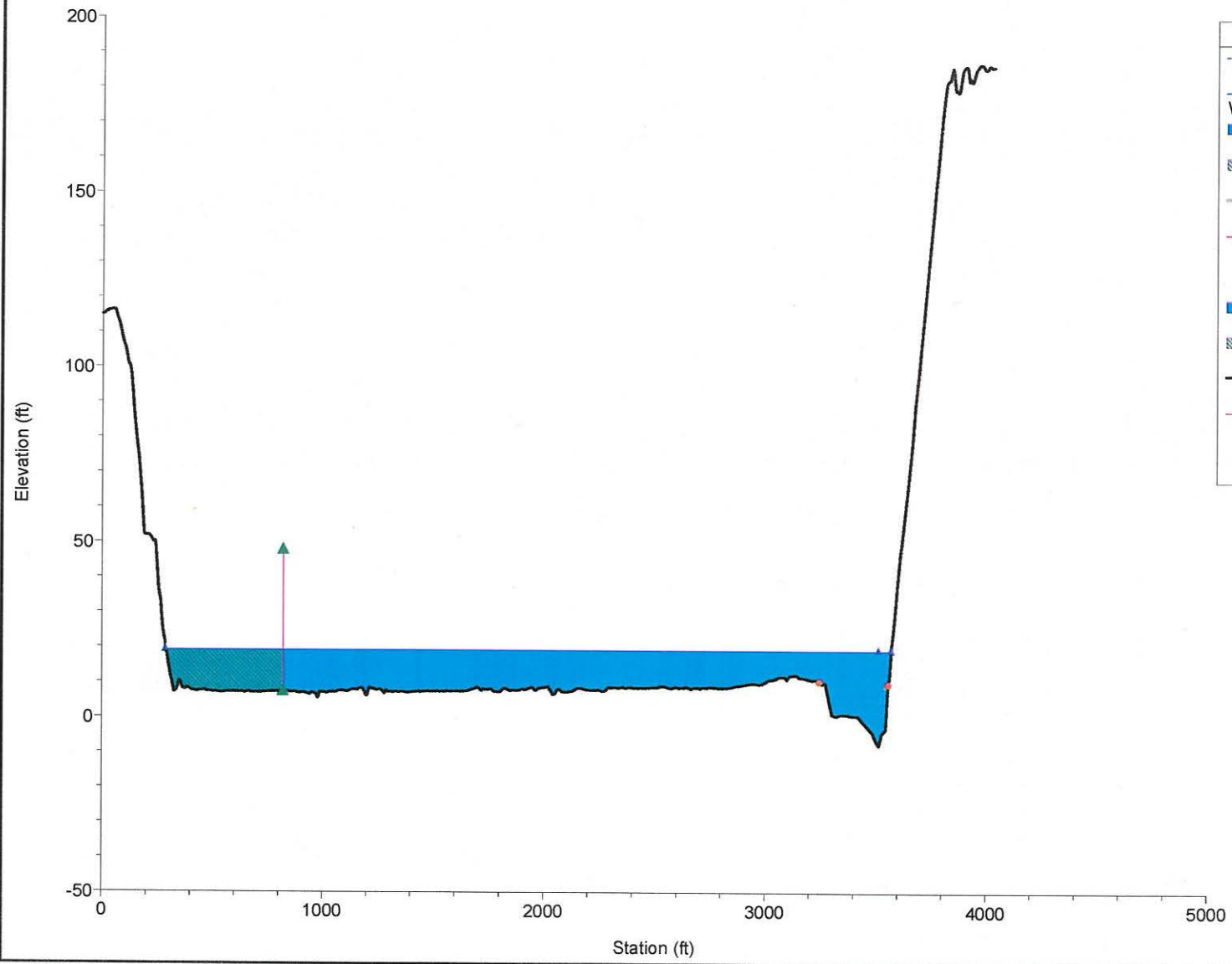


25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.      2) Ex. Cond.



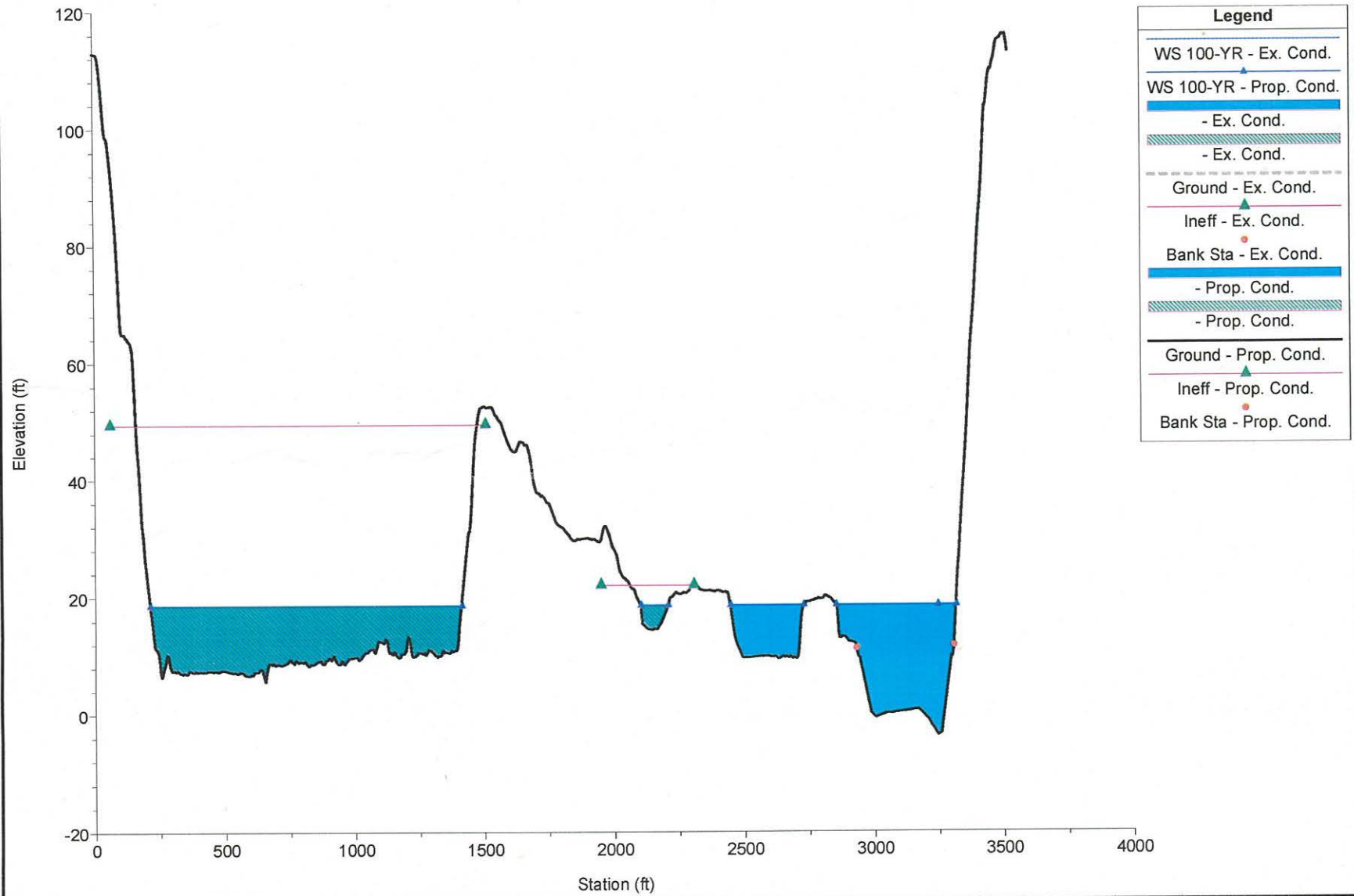


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.



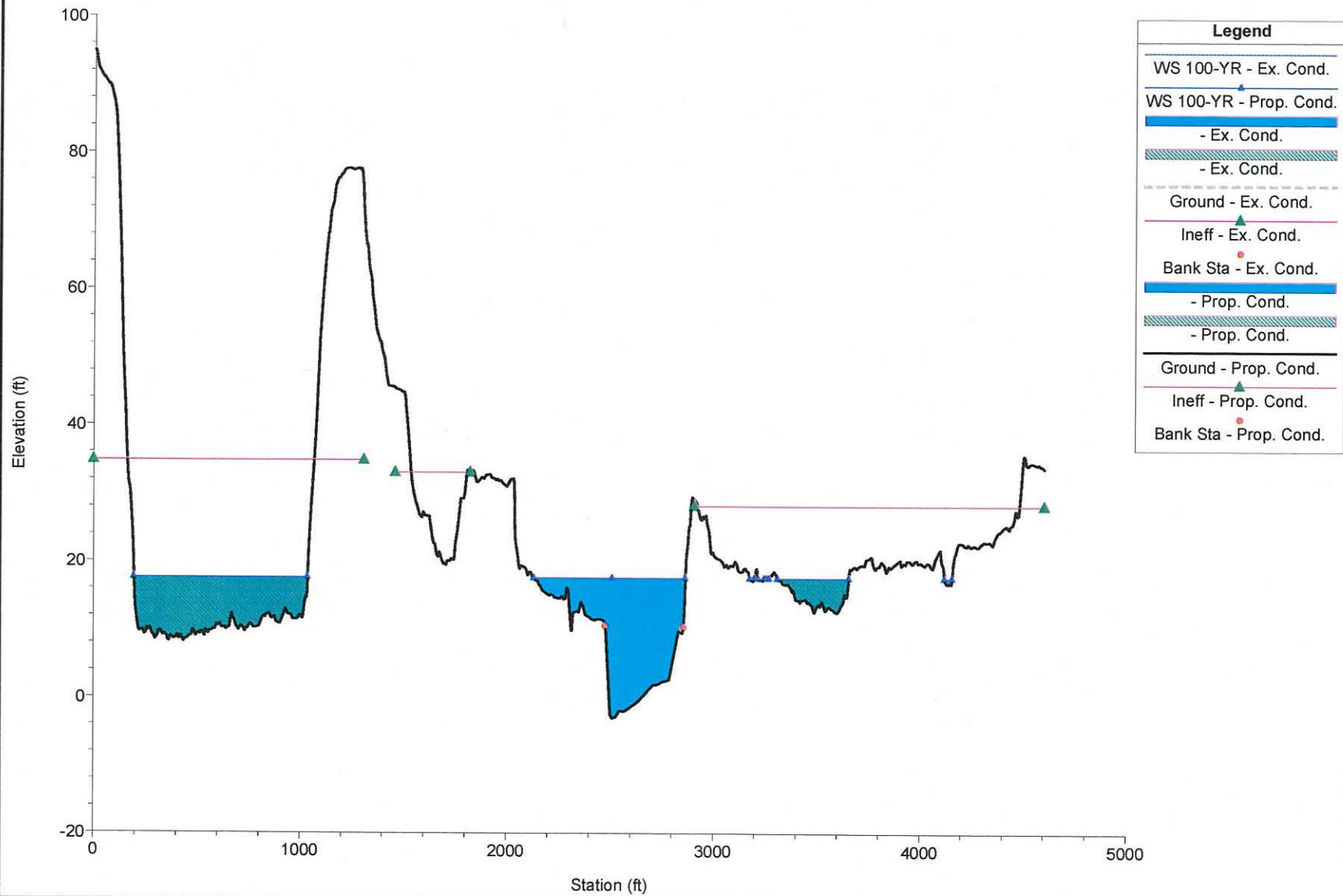
Legend	
WS 100-YR - Ex. Cond.	▲
WS 100-YR - Prop. Cond.	▲
- Ex. Cond.	■
- Ex. Cond.	■
Ground - Ex. Cond.	▲
Ineff - Ex. Cond.	▲
Bank Sta - Ex. Cond.	●
- Prop. Cond.	■
- Prop. Cond.	■
Ground - Prop. Cond.	▲
Ineff - Prop. Cond.	▲
Bank Sta - Prop. Cond.	●

25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.      2) Ex. Cond.  
 Cross Section D

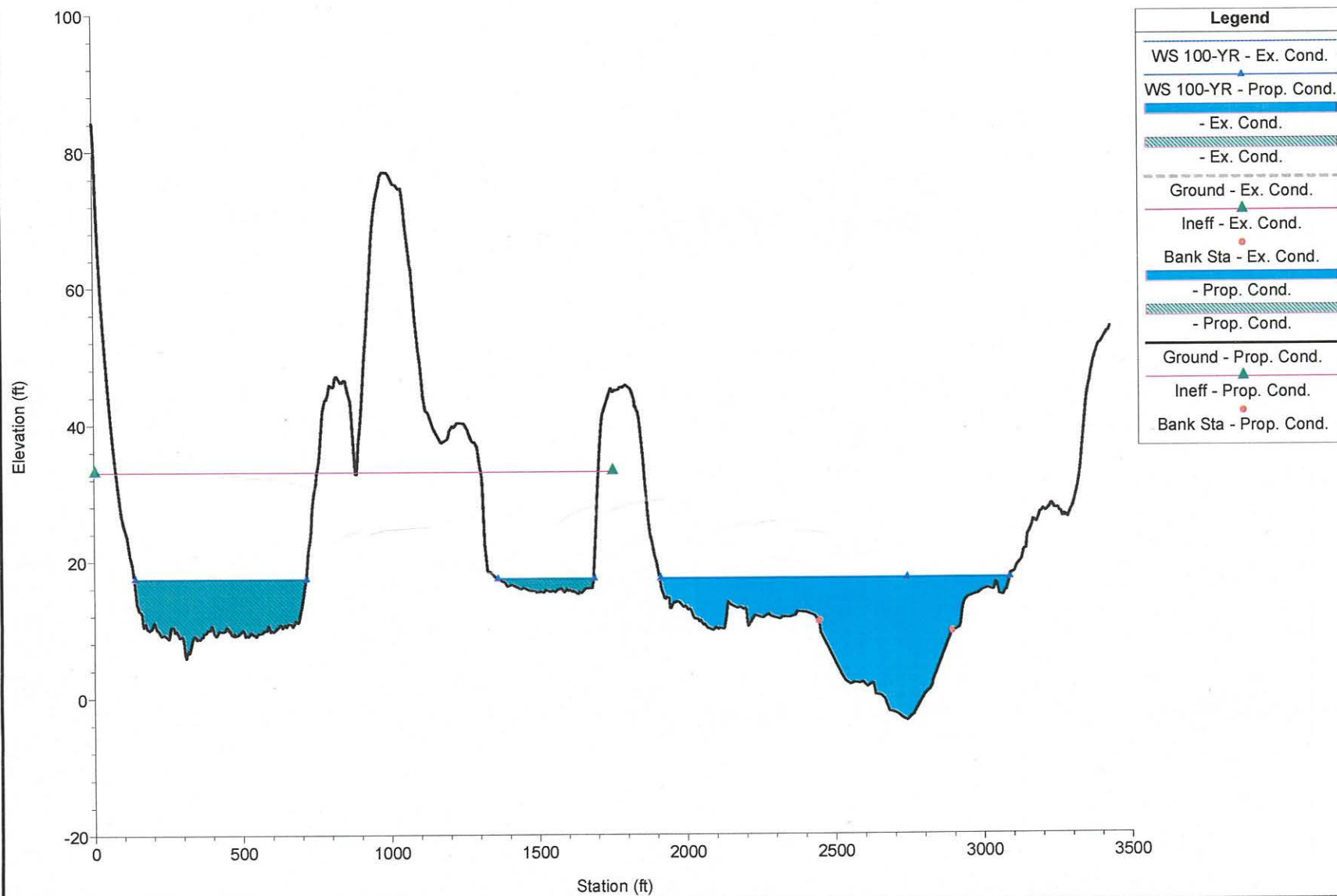




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

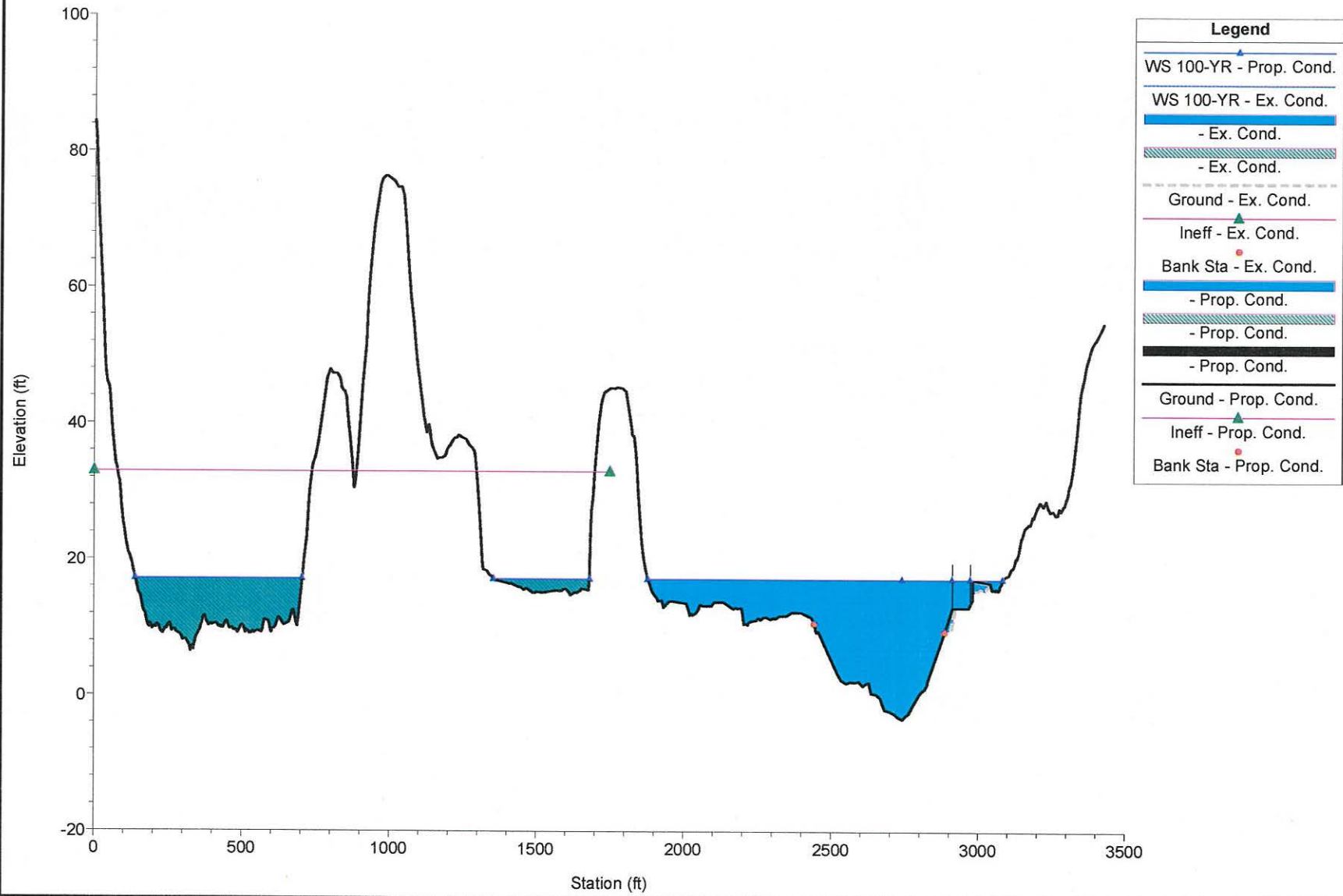


25-029 Benjamin Mauck No Rise    Plan:    1) Prop. Cond.    2) Ex. Cond.  
 Added XSECT 1

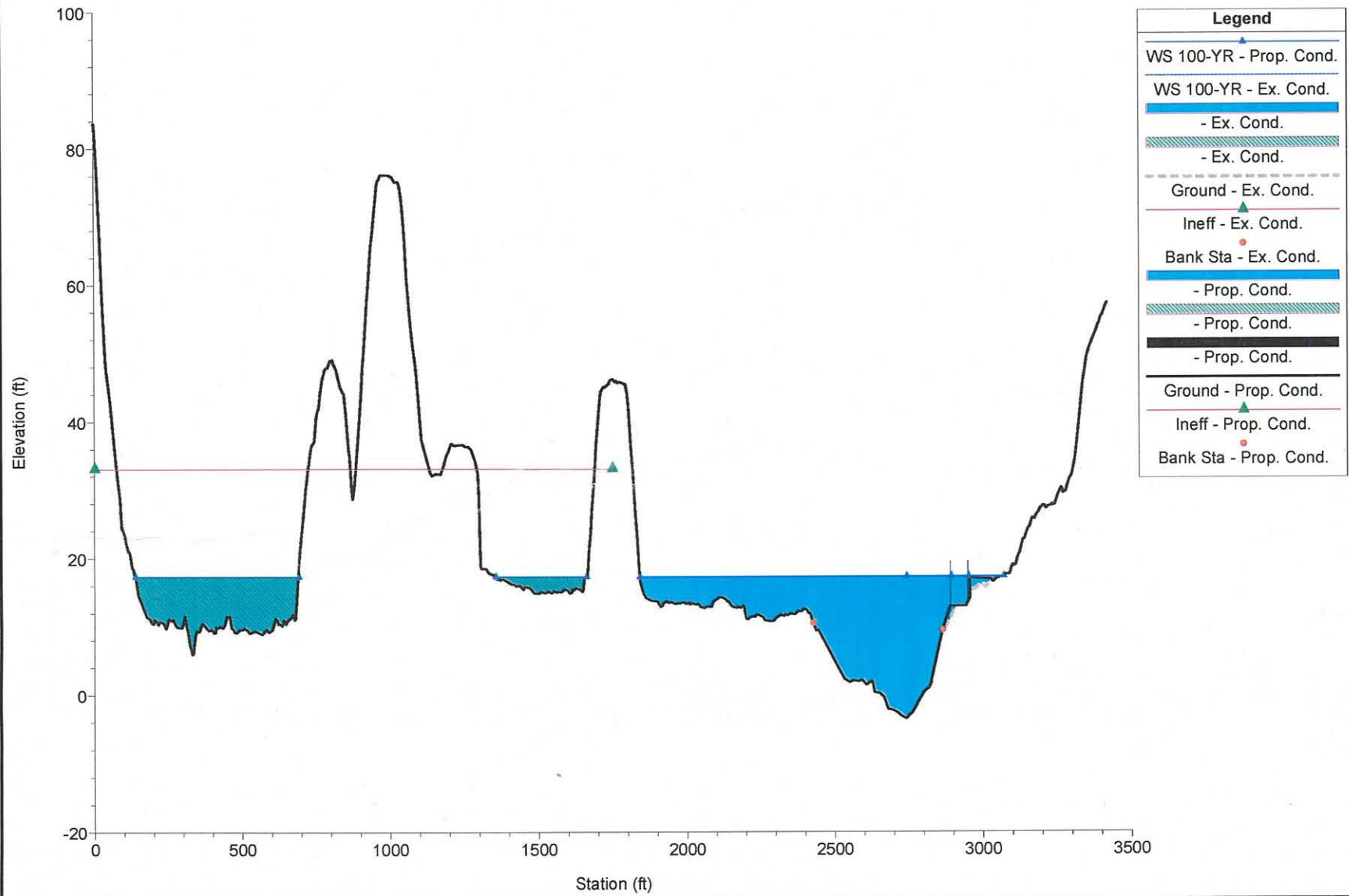




25-029 Benjamin Mauck No Rise    Plan:    1) Prop. Cond.    2) Ex. Cond.  
Added XSECT 2

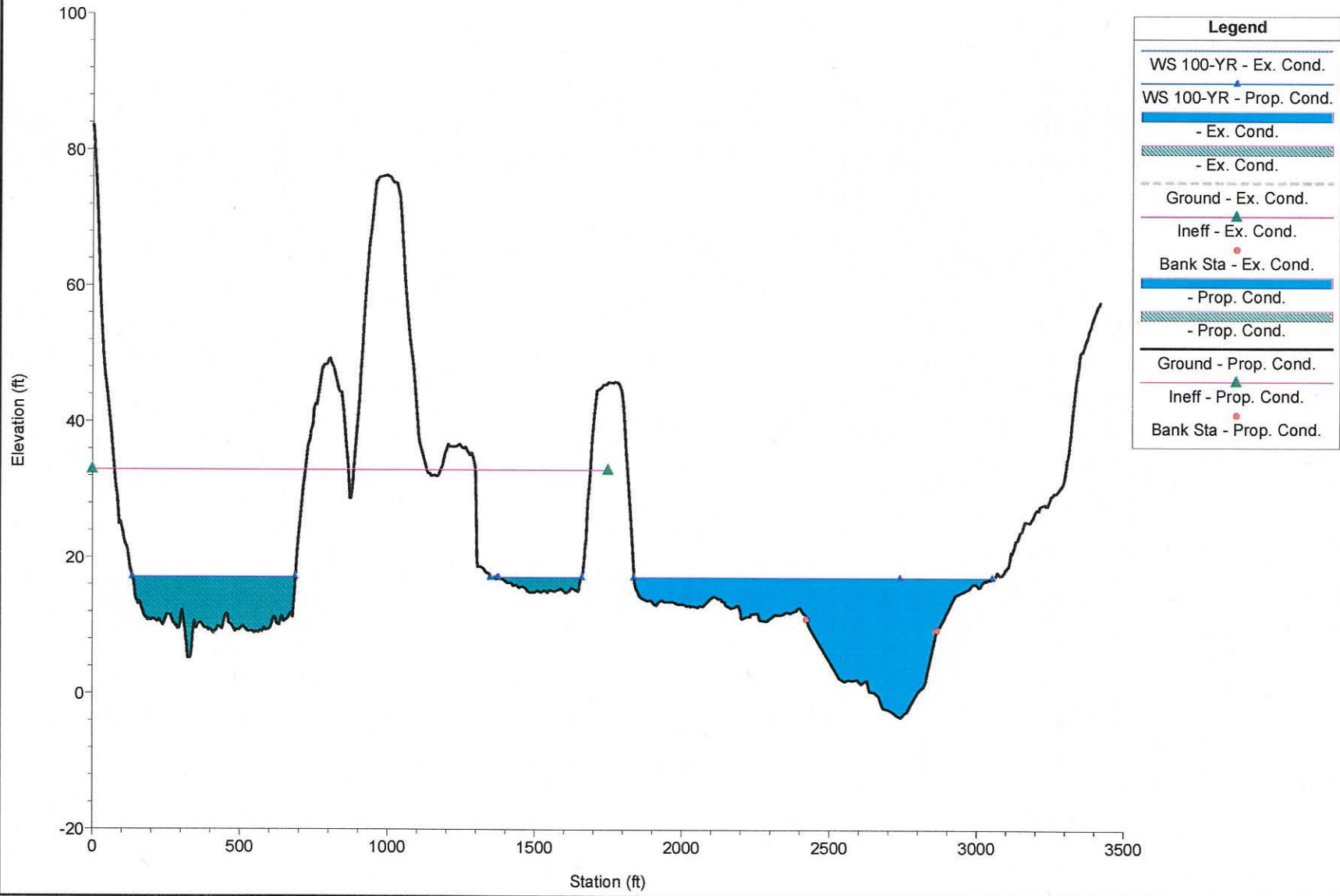


Plan: 1) Prop. Cond. 2) Ex. Cond.  
Added XSECT 3

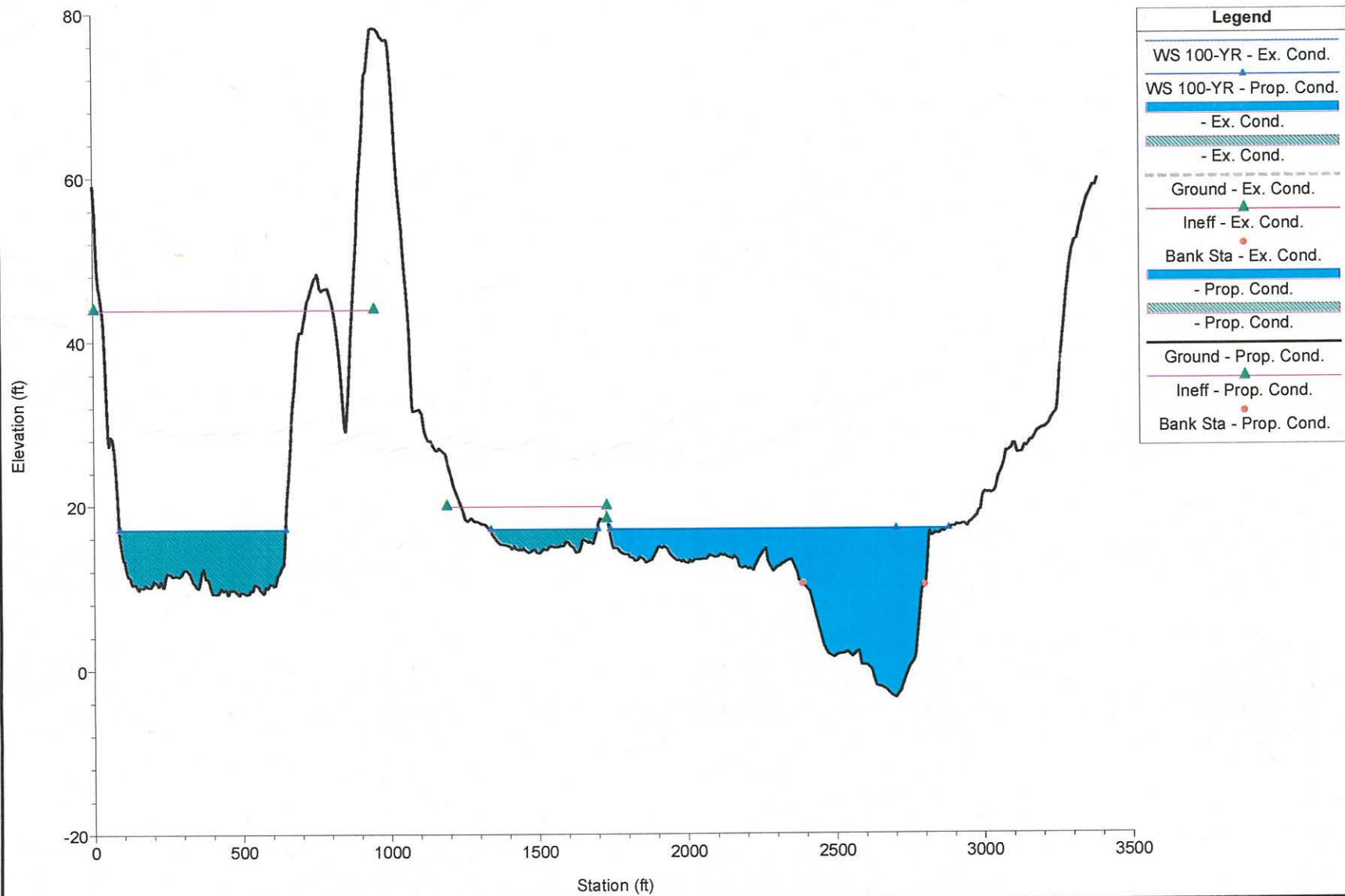




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.  
 Added XSECT 4

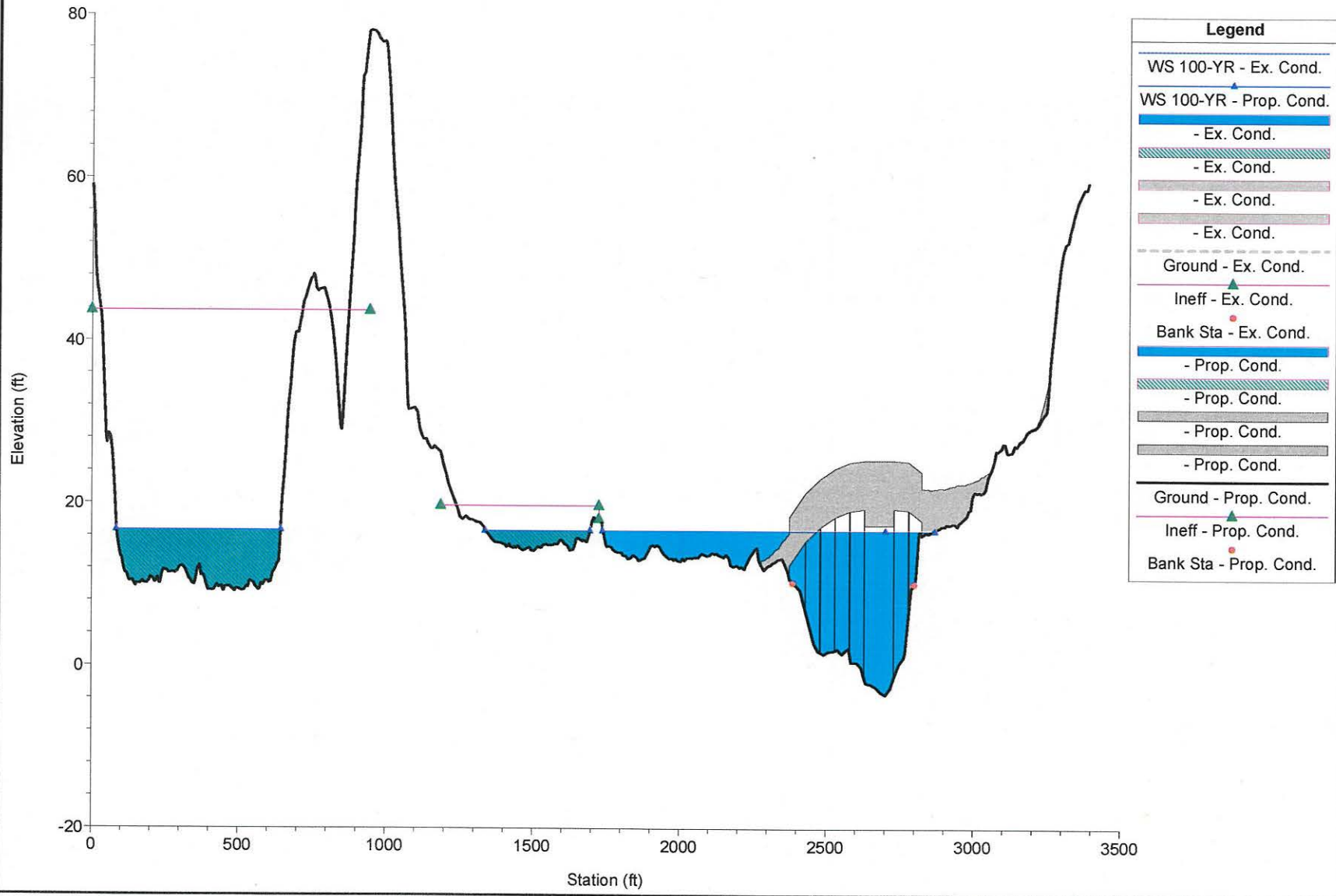


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

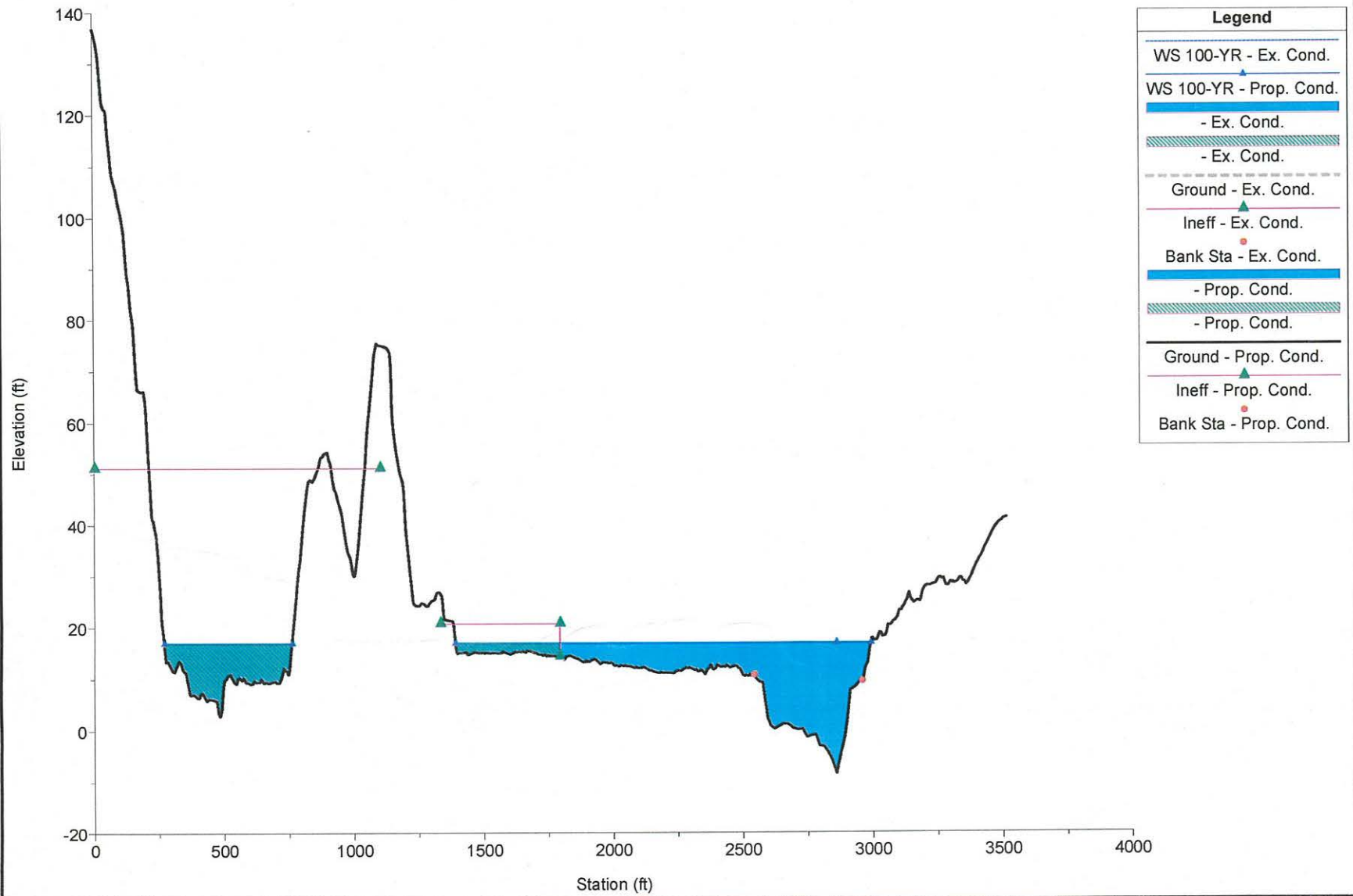




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.  
 From Drawings provided by the ODOT and Tillmook Co.

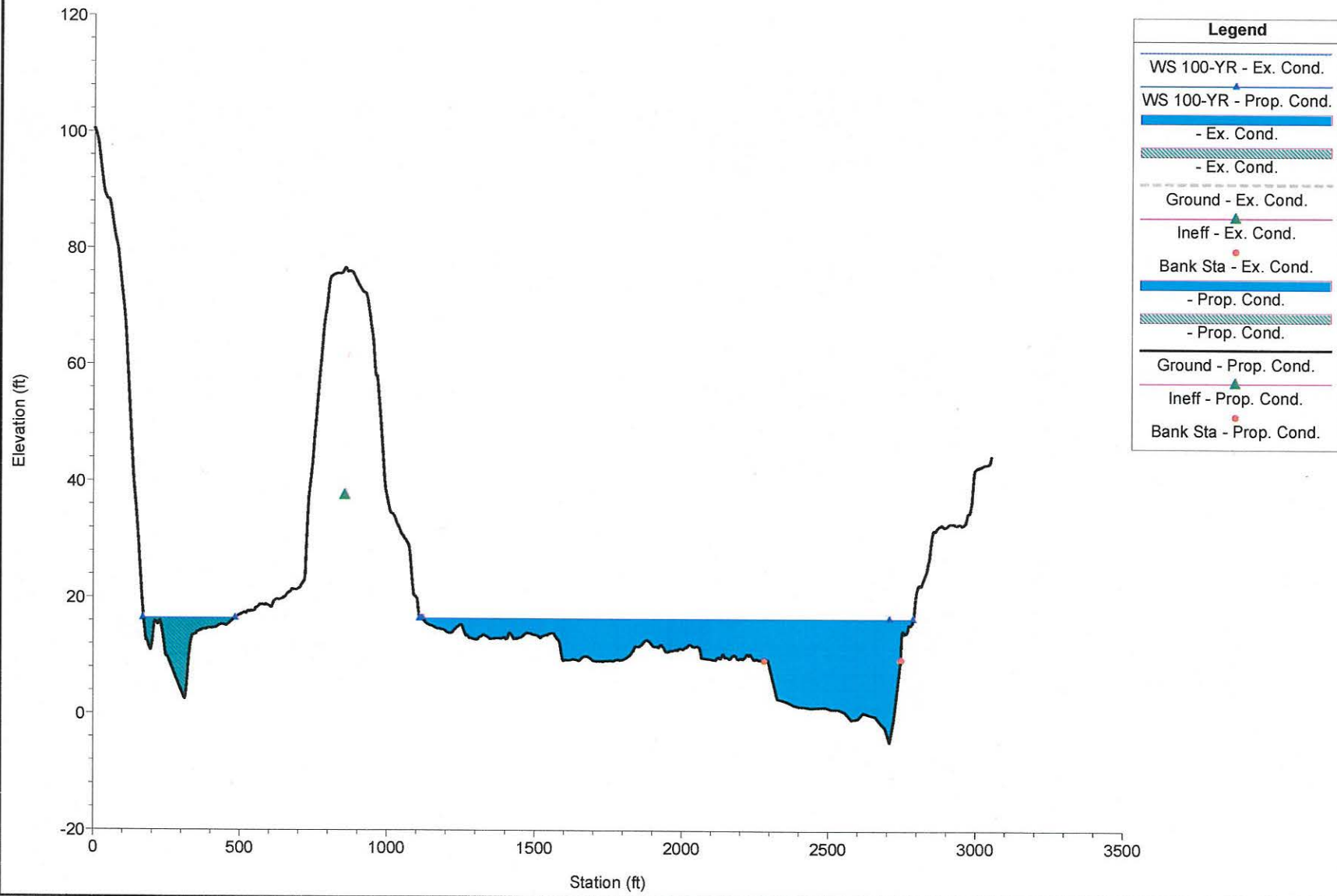


25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.      2) Ex. Cond.  
Cross Section B

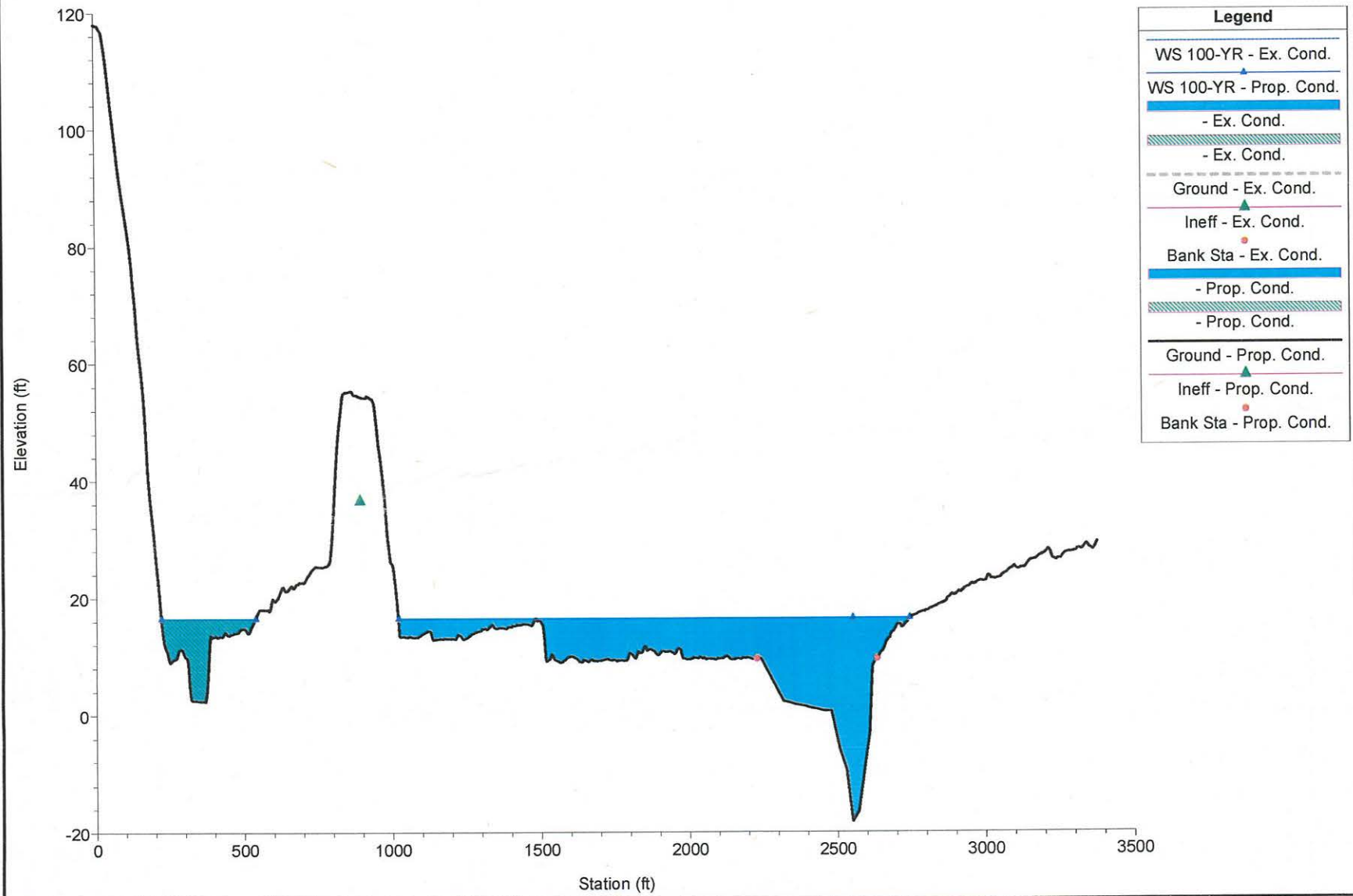




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

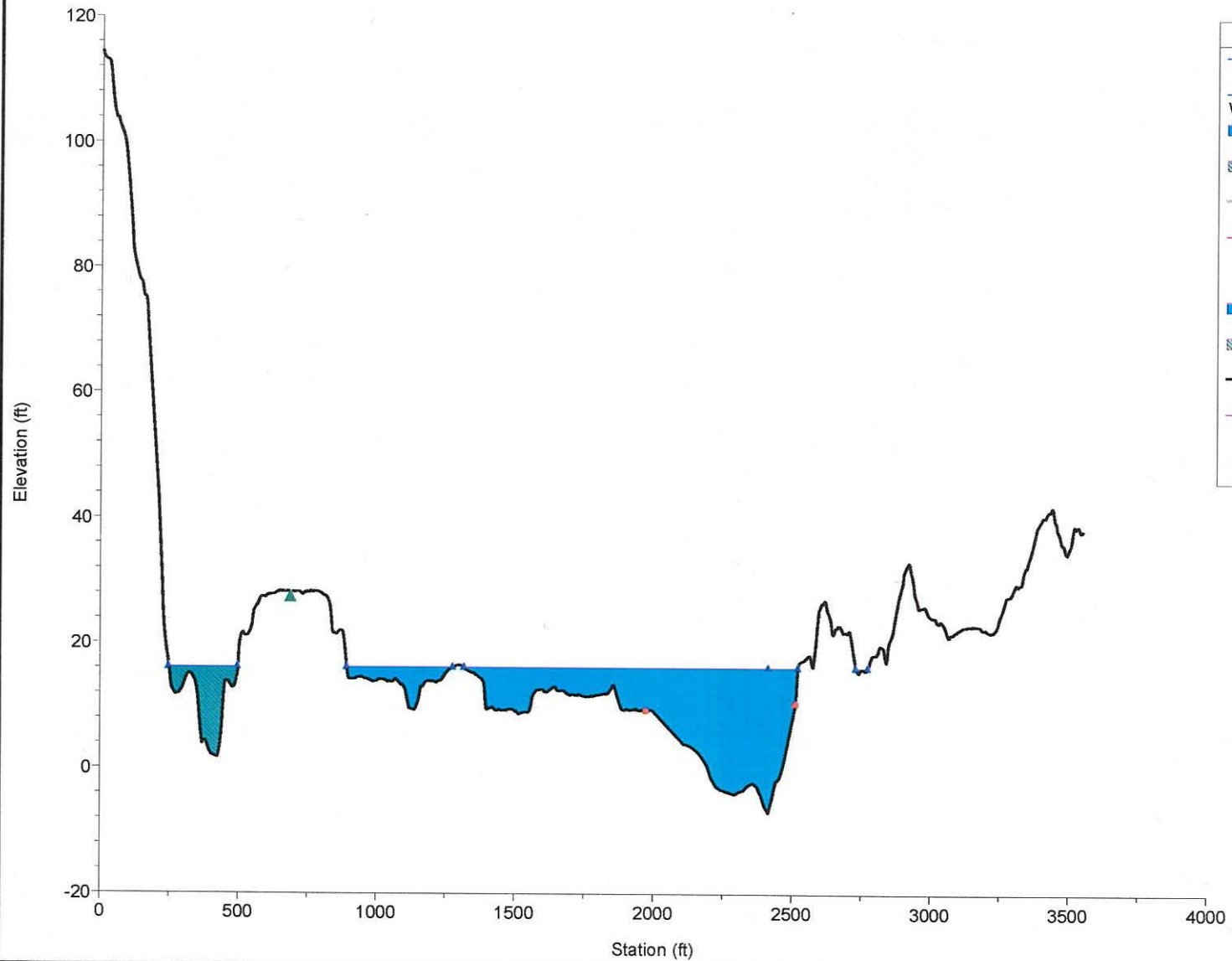


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

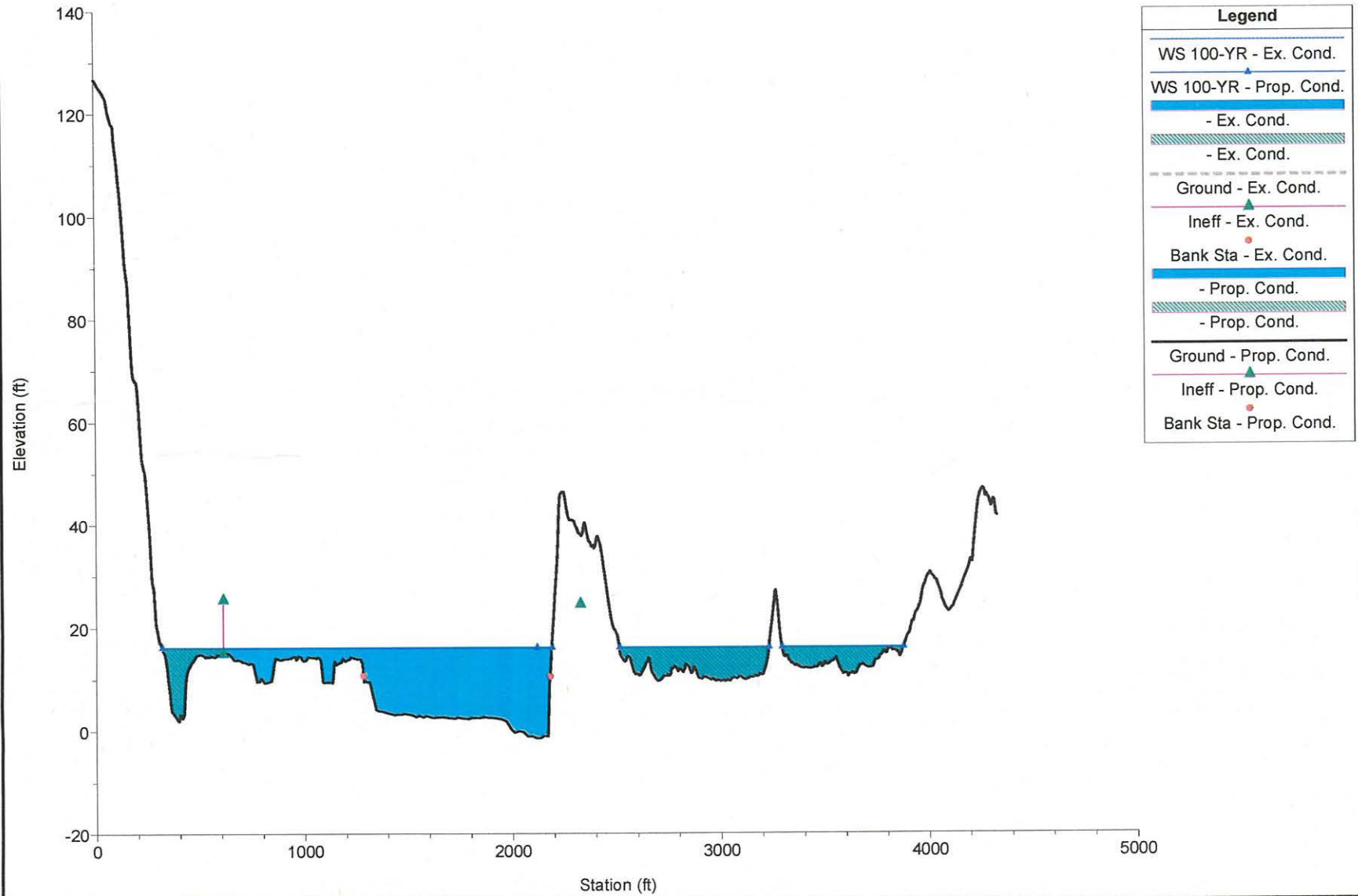




25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

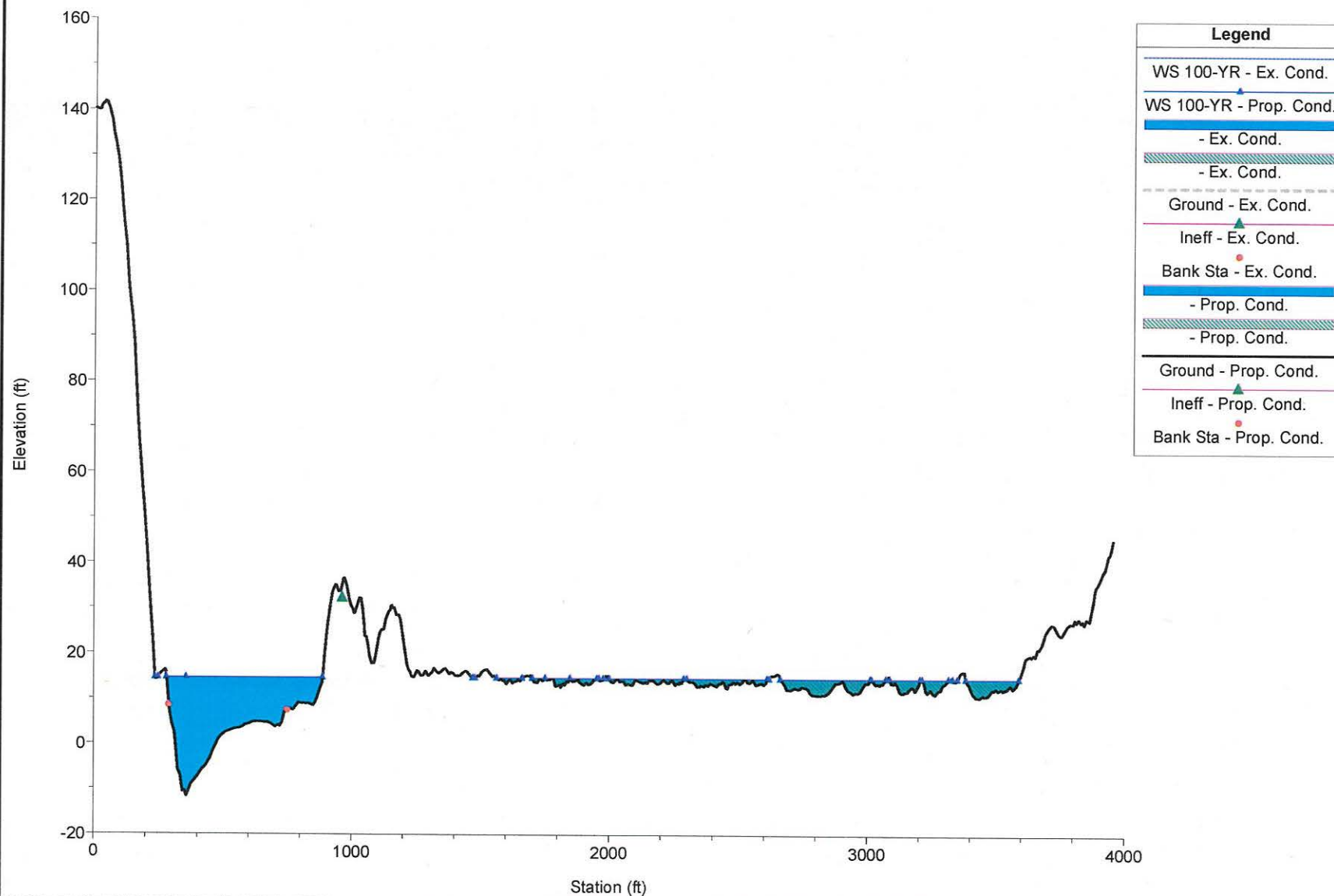


25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.

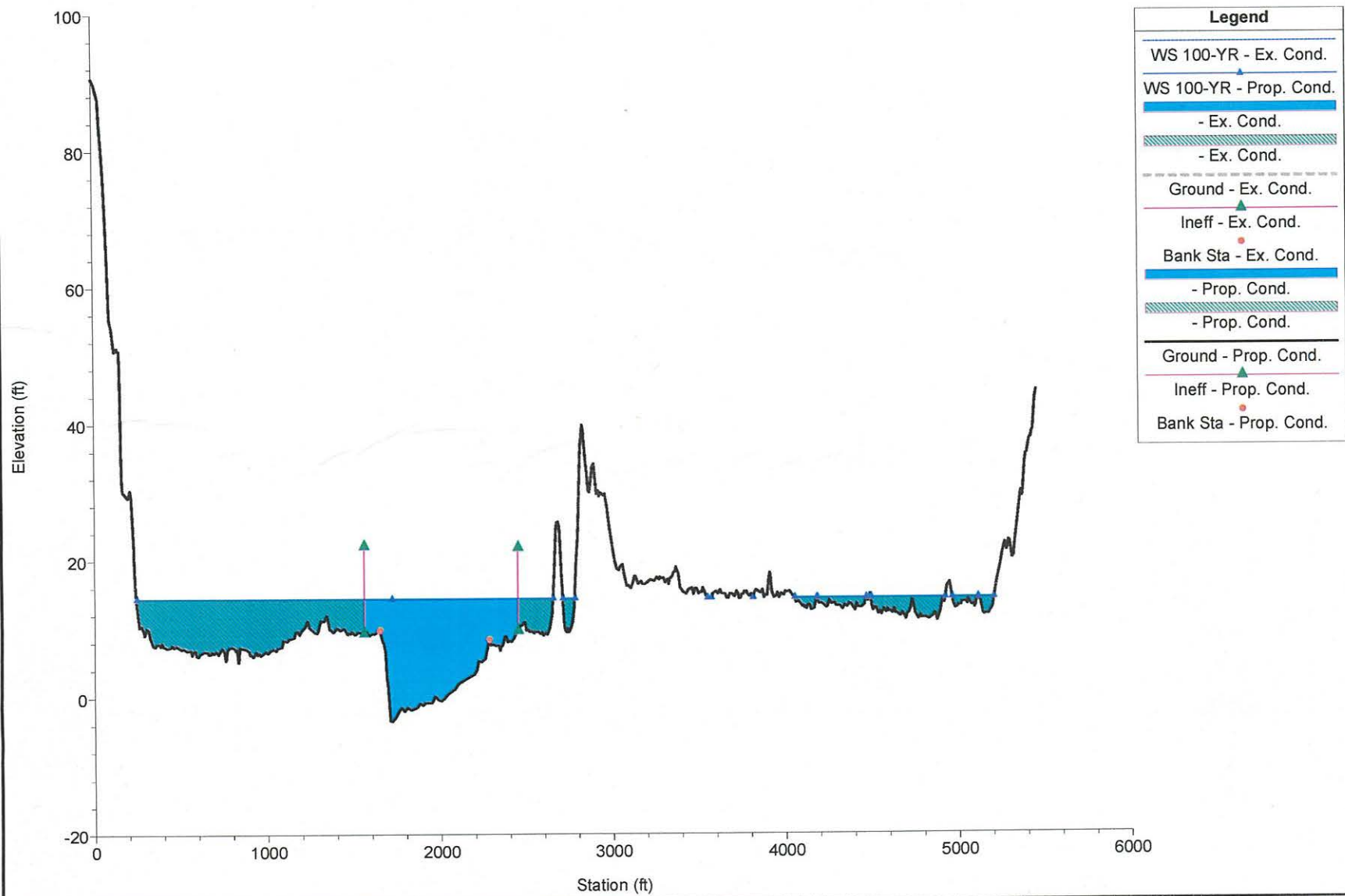




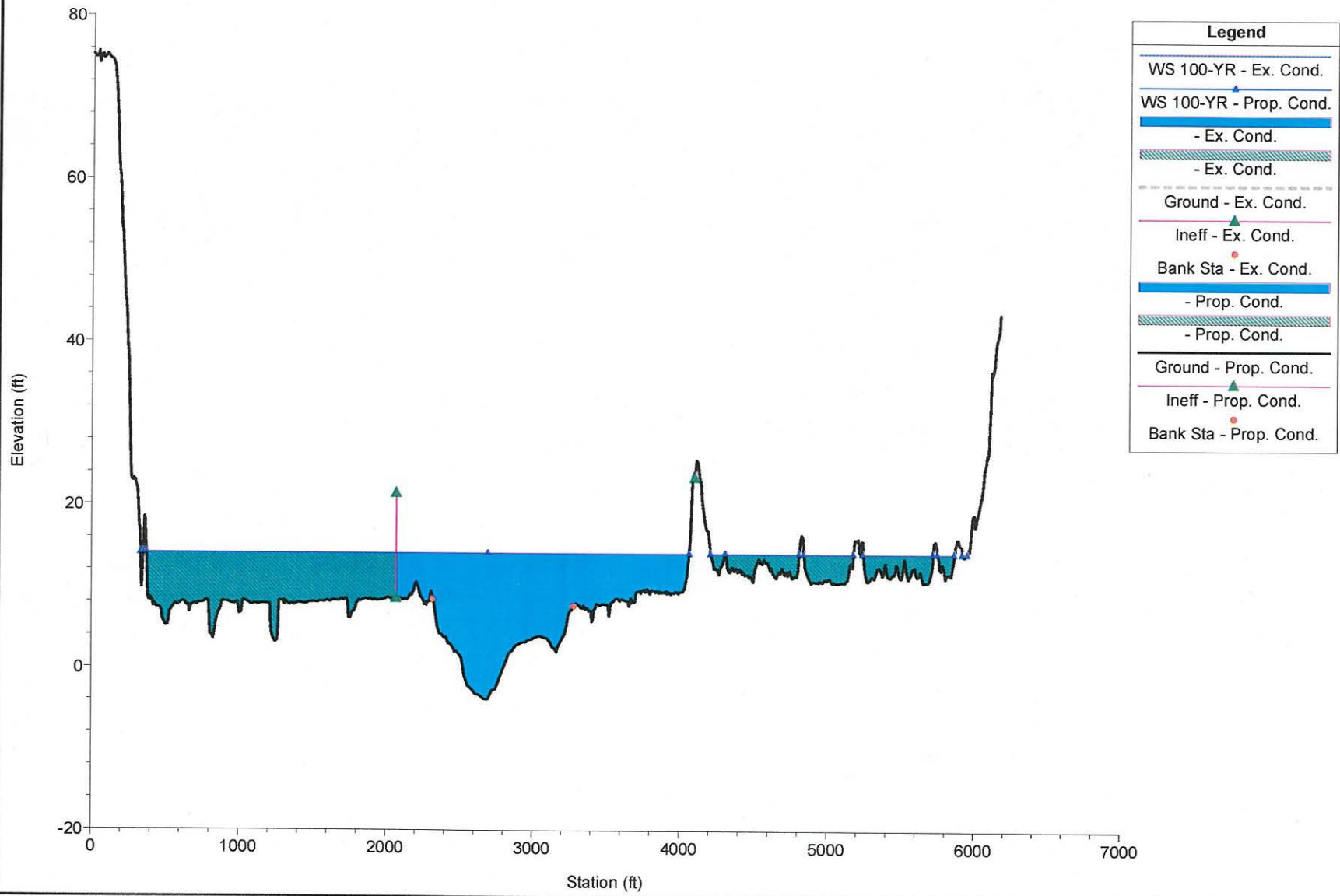
25-029 Benjamin Mauck No Rise    Plan:    1) Prop. Cond.    2) Ex. Cond.  
Cross Section A



25-029 Benjamin Mauck No Rise      Plan:    1) Prop. Cond.      2) Ex. Cond.



25-029 Benjamin Mauck No Rise Plan: 1) Prop. Cond. 2) Ex. Cond.





U.S. DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
National Flood Insurance Program



**ELEVATION CERTIFICATE**

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>Benjamin Mauck</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: (Building address not assigned yet) <u>Cape Kiwanda Drive</u>	Company NAIC Number: _____
City: <u>Pacific City</u> State: <u>OR</u> ZIP Code: <u>97135</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>Tillamook County Tax lot 4S1019CC-05000</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Commercial</u>	
A5. Latitude/Longitude: Lat. <u>45° 12' 10.37" N</u> Long. <u>123° 57' 56.54" W</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>5</u>	
A8. For a building with a crawlspace or enclosure(s): a) Square footage of crawlspace or enclosure(s): <u>N/A</u> sq. ft. b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u> d) Total net open area of non-engineered flood openings in A8.c: <u>N/A</u> sq. in. e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>N/A</u> sq. ft. f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft.	
A9. For a building with an attached garage: a) Square footage of attached garage: <u>N/A</u> sq. ft. b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u> d) Total net open area of non-engineered flood openings in A9.c: <u>N/A</u> sq. in. e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>N/A</u> sq. ft. f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft.	
<b>SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION</b>	
B1.a. NFIP Community Name: <u>Tillamook County</u>	B1.b. NFIP Community Identification Number: <u>410196</u>
B2. County Name: <u>Tillamook County</u>	B3. State: <u>OR</u> B4. Map/Panel No.: <u>0855</u> B5. Suffix: <u>F</u>
B6. FIRM Index Date: <u>09/28/2018</u>	B7. FIRM Panel Effective/Revised Date: <u>09/28/2018</u>
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>17.2 feet</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input checked="" type="checkbox"/> FIS <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



# ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:  
(Building address not assigned yet) Cape Kiwanda Drive

City: Pacific City State: OR ZIP Code: 97135

## FOR INSURANCE COMPANY USE

Policy Number: \_\_\_\_\_

Company NAIC Number: \_\_\_\_\_

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings\* ☐ Building Under Construction\* ☐ Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: GNSS observations+ Geoid18 Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? ☐ Yes ☒ No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

- |  |             |  |
|--|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor):   | <u>20.5</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor (see Instructions):  | <u>31.5</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (see Instructions):   | <u>19.5</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab):  | <u>N/A</u>  | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of Machinery and Equipment (M&E) servicing the building<br>(describe type of M&E and location in Section D Comments area): | <u>20.5</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished                 | <u>12.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished                | <u>15.6</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:  | <u>12.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☐ Check here if attachments and describe in the Comments area.

Certifier's Name: David R. King License Number: 82190PLS (Oregon)

Title: Professional Land Surveyor

Company Name: David R. King, Land Surveyor

Address: 17605 NW Park View Blvd

City: Portland State: OR ZIP Code: 97229

Telephone: (503) 690-9004 Ext.: \_\_\_\_\_ Email: DavidRKingPLS@gmail.com

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*David R. King*

**OREGON  
MAY 10, 2011  
DAVID R. KING  
82190**

Signature: *David R. King* Date: MAY 22, 2025

**EXPIRES: 6/30/2027**  
Place Seal Here

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

Hot water heaters, HVAC, Fire sprinkler system, and all other mechanical equipment will be located in the mechanical room with the lowest elevation of 20.5', the top of the bottom floor.

Date: December 23, 2024

RE: Incomplete application for Floodplain Development Permit review 851-24-000623-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

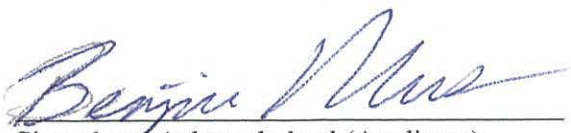
Tillamook County Department of Community Development  
Attn: Melissa Jenck – Senior Planner  
1510 B Third Street  
Tillamook, OR 97141

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**November 26, 2024**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

#### ACKNOWLEDGMENT

- ☒ I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- ☐ I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

  
Signed and Acknowledged (Applicant)

5/21/25  
Date



5/22/25

To: Tillamook County Planning Department

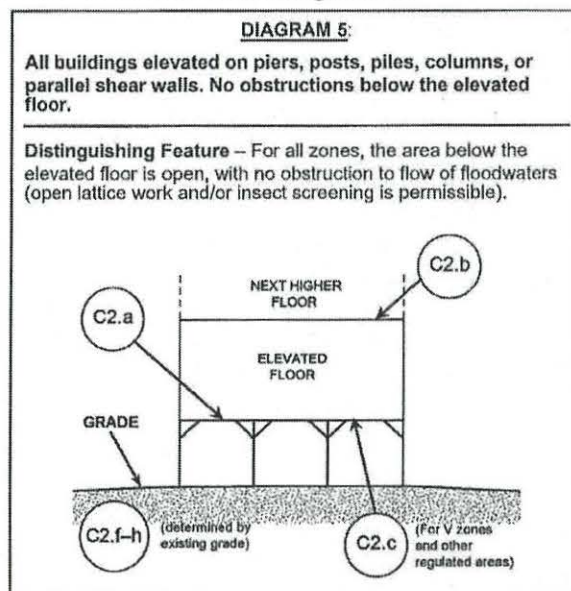
RE: Response to Incomplete application for Floodplain Development Permit review

851-24-000623-PLNG

Please see the following responses to Tillamook County Plannings requested for additional information:

- Completed Floodplain/Estuary Development Permit application, including:
  - Confirm if building is a residential building or non-residential building.
    - Floor plan would indicate just a residential building, but Elevation Certificate and Description of Work state "commercial". Please verify.  
***The intended building use is commercial.***
  - Confirm net increase of fill on the site.
    - Plans show 43-cubic yards being graded across the property.
    - Does the fill volumes account for the added paved parking area, and the proposed boat ramp? As well as any fill for placement of a fence?
    - ***The final grading plan now shows a net cut and removal of 230 cubic yards, taking into account the paved parking and boat ramp areas. See A-3 Cross Sections and A-4 Plot plan for details. No fences are used in the updated design.***
- In 'Other' category, identify area for boat ramp.
  - Confirm if project includes any fill or dredging within estuary boundaries.
  - ***See updated A-4 Plot plan for boat ramp location and design. No fill or dredging to occur.***
- Site plan:
  - Locations of existing trees/vegetation (indicate removal, if applicable), location and description of materials to be stored onsite during and/or after development, location and quantity of fill, grade and excavation activities, location of any restoration activities.
  - ***See updated A-4 Plot plan for existing tree/vegetation locations, and A3 for grading activities.***
  - A fence is detailed in the application description, but is not depicted on the site plan.
  - ***No fences are used in the updated design.***
- Grading Plan:
  - Illustrate existing and proposed site elevations in plan and profile views, as necessary to describe activities.
  - ***See updated A-3 for grading activities.***
  - Specify location and quantity of fill and excavation, source of fill materials & onsite disposal location( s).
  - ***See updated A-3 for grading activities.***
  - As indicated above, is there additional fill volumes not indicated for the boat ramp and parking areas?

- **No additional fill volumes, the plan is for a net cut of 230 cubic yards.**
- Structural Plans, as applicable.
  - Foundation plan/floor plan/elevations, including
    - Depict location of all utilities, machinery/equipment and tanks to service the structure, including propane tanks, electrical meters, outlets, etc.
    - **See updated floor plans. All Utilities are located above the top of the bottom floor at 20.5'**
  - Depiction/information identifying flood resistant materials to be used.
    - Plans provided by HIS Builders do not identify building materials.
    - **See updated plans specifying flood resistant materials (steel columns, stairs, and concrete ramp).**
  - Information regarding elevator system to be used.
    - Recommend review of FEMA NFIP Technical Bulletin 4 dated June 2019, which details elevator installation requirements.
    - **Elevator was replaced by ADA ramp.**
  - Provide data how elevator will comply with minimum standards.
  - **Elevator was replaced by ADA ramp.**
  - Plans for fence details must be provided.
    - Fencing must show they maintain adequate openings to allow flood flows through.
    - **No fences are used in the updated design.**
- Elevation Certificate (EC) to confirm proposed plans are compliant. EC provided details compliance issues, including:
  - A 7 Building Diagram number appears to reference the wrong building type.
  - **Building is raised on columns without any closed areas under, which matches best with Diagram 5:**



- 
- AS and A9 cannot be left blank. Must have "N/ A" if not applicable.
- **See attached updated EC with this correction.**

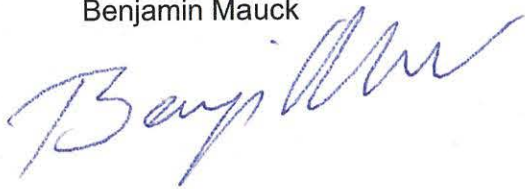


- B10: The FIRM does not have the exact BFE at this site. BFE must be obtained from the FIS.
  - **See attached updated EC with this correction.**
  - If FIS wasn't used, please use and adjust BFE as needed.
  - C2.d must indicate top of slab or "n/a"
  - **See attached updated EC with this correction.**
  - If EC does not match plans provided to this Department, the EC will not be accepted.
  - **See attached updated EC.**
  - Materials as required by the EC, such as engineered flood opening details, must be attached to the EC.
  - **See attached updated EC; no flood openings are required as nothing is enclosed below.**
- Responses and findings to the Floodplain Development Criteria, contained in TCLUO Section 3.510(14)(b). Attached to this letter.
- **No fill is required in new design; instead there is a 230 cubic yard cut. See attached response to TLCUO Section 3.510(14)(b)**
- Floodway Encroachment No Rise Certification completed by an Oregon Registered Professional Engineer.
  - Certification shall include hydrologic and hydraulic analyses that development shall not result in any increase in flood levels.
  - See FEMA Region X Guidance document on submission details for a "No-Rise" certification, attached.
  - This is for any fill placed within the flood way portion of the property, including the boat ramp.
  - **See attached No Rise Certification**
- If proposed construction should utilize Dry Floodplain measures,
  - **No Dry Floodplain measures are proposed as building diagram is Type 5.**
  - Plan profiles that detail the location of floodproofing methods up to freeboard.
  - Dry Floodproofing certificate completed by Oregon Registered Professional Engineer.
    - The certificate details explicit plan materials and provisions that must be included with the certificate.
- For siting of boat ramp, must indicate if dredging or fill is required for navigational access.
  - **No dredging is required or fill boat ramp design.**
  - If dredging or fill is required, the proposal is subject to a Conditional Use review as well.
  - Compliance with TCLUO Article VI is required, including responses to Conditional Use criteria contained in TCLUO Section 6.040.
  - Conditional Use Criteria attached.
- Demonstrate compliance with TCLUO Section 3.120 if fill or dredging is proposed for siting of boat ramp, including
- **No dredging is required or fill boat ramp design.**



- Impact Assessment requirement of TCLUO Section 3.120(5).
  - Resource Capability Determinations for uses contained in 3.140 which are included in the proposal.
- Demonstrate compliance with TCLUO Section 3.140 for actions within the estuary boundary that include applicable development standards, including:
- **No dredging is required or fill in estuary.**
  - If dredging is to occur, compliance with TCLUO Section 3.140(5) is required.
  - If fill is occurring in excess of 50- cubic yards within the estuary, compliance with TCLUO Section 3.140(7) is required.

Sincerely,  
Benjamin Mauck



## Response to TLCUO SECTION 3.510(14)(b) Development Permit Review

### Criteria:

- (1) The fill is not within a Coastal High Hazard Area.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (2) Fill placed within the Regulatory Floodway shall not result in any increase in flood levels during the occurrence of the base flood discharge.
  - **No fill is required in new design; instead there is a 230 cubic yard cut. See attached No rise study confirming no increase in flood levels.**
- (3) The fill is necessary for an approved use on the property.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (4) The fill is the minimum amount necessary to achieve the approved use.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (5) No feasible alternative upland locations exist on the property.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (6) The fill does not impede or alter drainage or the flow of floodwaters.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (7) If the proposal is for a new critical facility, no feasible alternative site is available.
  - **No fill is required in new design; instead there is a 230 cubic yard cut.**
- (8) For creation of new, and modification of, Flood Refuge Platforms, the following apply, in addition to (14)(a)(1-4) and (b)(1-5): i. The fill is not within a floodway, wetland, riparian area or other sensitive area regulated by the Tillamook County Land Use Ordinance. ii. The property is actively used for livestock and/or farm purposes, iii. Maximum platform size = 10 sq ft of platform surface per acre of pasture in use, or 30 sq ft per animal, with a 10-ft wide buffer around the outside of the platform, iv. Platform surface shall be at least 1 ft above base flood elevation, v. Slope of fill shall be no steeper than 1.5 horizontal to 1 vertical, vi. Slope shall be constructed and/or fenced in a manner so as to prevent and avoid erosion.

Conditions of approval may require that if the fill is found to not meet criterion (5), the fill shall be removed or, where reasonable and practical, appropriate mitigation measures shall be required of the property owner. Such measures shall be verified by a certified engineer or hydrologist that the mitigation measures will not result in a net rise in floodwaters and be in coordination with applicable state, federal and local agencies, including the Oregon Department of Fish and Wildlife.

PLAN SHEETS TOO LARGE FOR  
ONLINE SCANNING.

PLANS ARE AVAILABLE FOR  
REVIEW AT COMMUNITY  
DEVELOPMENT OFFICES  
UPON REQUEST.



# EXHIBIT C

## Melissa Jenck

---

**From:** john shafer <johndieselbus@gmail.com>  
**Sent:** Thursday, August 28, 2025 7:49 AM  
**To:** Melissa Jenck  
**Subject:** EXTERNAL: Re: EXTERNAL: Re: EXTERNAL: Questions about Permit Request # 851-24-000623-PLNG:

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

To Whom It May Concern,

We are concerned about the proposed development of the property (lot 5000).  
We own property near this site and are concerned about the following issues:

1. increased flooding to our property
2. Parking

Please let me know that you received this letter and attached it to the file by August 29, 2025.

Thank you,  
John O. Shafer, POA for Lillian M. Shafer

---

**From:** Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>  
**Sent:** Wednesday, August 27, 2025 9:08 AM  
**To:** john shafer <johndieselbus@gmail.com>  
**Subject:** RE: EXTERNAL: Re: EXTERNAL: Questions about Permit Request #851-24-000623-PLNG:

John,

Here is the responses that I provided previously.

Thank you,

1. Please see the applicants testimony provided in the request. They included responses that there is no dredging or fill proposed in the estuary. TCLUO Section 3.120 which includes an Impact Assessment is required for fill or dredging exceeding 50-cubic yards of fill.
2. Applicant has not identified the type of commercial use for the proposed building within the request.
3. Please confirm if you are referring to the FEMA Special Flood Hazard Area (SFHA). If so, yes portions of the project are within the FEMA SFHA. This is indicated in the applicants materials, along with a copy of the FEMA Flood Insurance Rate Map (FIRM) which was included in Exhibit A of the notice.
4. I cannot confirm what your definition of public building may be. The applicant describes that the building will be a commercial building. It does not identify the proposal as a residential use.



\*\*\* Please note that the Tillamook County domain has changed, and my email address is now [Melissa.Jenck@tillamookcounty.gov](mailto:Melissa.Jenck@tillamookcounty.gov) Please update your contact information as needed. Thank you. \*\*\*



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

**My working hours are 7:00am to 5:30pm, Tuesday thru Friday.**

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.

*Any opinion or advice provided herein is informational only and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of Tillamook County's Land Use Ordinance, Land Division Ordinance and Comprehensive Plan, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.*

*This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).*

*The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.tillamookcounty.gov/commdev> to access the appointment scheduler portal.*

---

**From:** john shafer <[johndieselbus@gmail.com](mailto:johndieselbus@gmail.com)>  
**Sent:** Tuesday, August 26, 2025 6:37 PM  
**To:** Melissa Jenck <[Melissa.Jenck@tillamookcounty.gov](mailto:Melissa.Jenck@tillamookcounty.gov)>  
**Subject:** EXTERNAL: Re: EXTERNAL: Questions about Permit Request #851-24-000623-PLNG:

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

I will call you about 9:00 am wed Aug. 27. Thanks. John

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**From:** Melissa Jenck <[Melissa.Jenck@tillamookcounty.gov](mailto:Melissa.Jenck@tillamookcounty.gov)>  
**Sent:** Tuesday, August 26, 2025 4:13 PM  
**To:** [johndieselbus@gmail.com](mailto:johndieselbus@gmail.com) <[johndieselbus@gmail.com](mailto:johndieselbus@gmail.com)>  
**Cc:** Sarah Thompson <[sarah.thompson@tillamookcounty.gov](mailto:sarah.thompson@tillamookcounty.gov)>; Sarah Absher <[Sarah.Absher@tillamookcounty.gov](mailto:Sarah.Absher@tillamookcounty.gov)>  
**Subject:** RE: EXTERNAL: Questions about Permit Request #851-24-000623-PLNG:

Good afternoon John,

I've responded to your comments in red, below. I've linked the application page below. There were sheets of the submittal which were too large to scan. The plan pages are available for review in our office at 1510-B Third Street, Tillamook, OR if you'd like to come view them. Our office is open 8am to 4:00pm, Monday through Friday. We don't open to 8:30AM on Wednesday for staff meetings. We're also closed from 12:00-1:00pm for lunch.

If you'd like to schedule a time to drop in, please let me know. I'm happy to set aside time for a phone call. I'm available tomorrow at 9:00am if that is acceptable. Please let me know.

<https://www.tillamookcounty.gov/commdev/project/851-24-000623-plng>



Sincerely,

\*\*\* Please note that the Tillamook County domain has changed, and my email address is now [Melissa.Jenck@tillamookcounty.gov](mailto:Melissa.Jenck@tillamookcounty.gov) Please update your contact information as needed. Thank you. \*\*\*



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

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*Any opinion or advice provided herein is informational only and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of Tillamook County's Land Use Ordinance, Land Division Ordinance and Comprehensive Plan, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.*

*This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).*

*The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.tillamookcounty.gov/commdev> to access the appointment scheduler portal.*

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**From:** john shafer <[johndieselbus@gmail.com](mailto:johndieselbus@gmail.com)>  
**Sent:** Tuesday, August 26, 2025 11:30 AM  
**To:** Sarah Thompson <[Sarah.thompson@tillamookcounty.gov](mailto:Sarah.thompson@tillamookcounty.gov)>  
**Subject:** EXTERNAL: Questions about Permit Request #851-24-000623-PLNG:

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

1. Has an environmental impact report been completed? Will the fill dirt for the boat ramp affect the surrounding properties? Will this fill dirt affect the salmon? **Please see the applicants testimony provided in the request. They included responses that there is no dredging or fill proposed in the estuary. TCLUO Section 3.120 which includes an Impact Assessment is required for fill or dredging exceeding 50-cubic yards of fill.**
2. What kind of commercial building is being proposed? Will there be enough parking? **Applicant has not identified the type of commercial use for the proposed building within the request.**
3. Does the state 100 year flood plan apply? **Please confirm if you are referring to the FEMA Special Flood Hazard Area (SFHA). If so, yes portions of the project are within the FEMA SFHA. This is indicated in the applicants materials, along with a copy of the FEMA Flood Insurance Rate Map (FIRM) which was included in Exhibit A of the notice.**
4. Is this a public building or a private residence? **I cannot confirm what your definition of public building may be. The applicant describes that the building will be a commercial building. It does not identify the proposal as a residential use.**

## Melissa Jenck

---

**From:** Sarah Thompson  
**Sent:** Thursday, November 6, 2025 8:18 AM  
**To:** Melissa Jenck  
**Subject:** FW: EXTERNAL: Pacific City Development 851-24-000623-PLNG

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

From: Dan Brisbin <dbris@comcast.net>  
Sent: Wednesday, August 20, 2025 10:00 AM  
To: Sarah Thompson <Sarah.thompson@tillamookcounty.gov>  
Subject: EXTERNAL: Pacific City Development 851-24-000623-PLNG

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

Sent from my iPhone

I am emailing to voice my concern about the development of a store and specifically a boat ramp on this property. Unless there is a specific designated property across the street targeted for boat trailers this is going to create a safety issue along cape Kiwanda drive and a major logistics issue for people on Nestucca Blvd. Besides the trailer parking issue, that property is located just past the right hand turn off the bridge and Cape Kiwanda Drive is a very busy thoroughfare. I can just see the traffic snarl ups when people are blocking traffic trying to back their trailers up to the ramp. This is in my opinion a very bad idea. Thank you.

Dan Brisbin

## Melissa Jenck

---

**From:** Sarah Thompson  
**Sent:** Thursday, November 6, 2025 8:18 AM  
**To:** Melissa Jenck  
**Subject:** FW: EXTERNAL: Proposal #851-24-000623-PLNG

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

From: Greg and Donna Herr <gdherr@hotmail.com>  
Sent: Wednesday, August 27, 2025 11:02 AM  
To: Sarah Thompson <sarah.thompson@tillamookcounty.gov>  
Subject: EXTERNAL: Proposal #851-24-000623-PLNG

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

I'm writing In regards to Estuary/Floodway Development Permit Request #851-24-000623-PLNG:  
Mauck Commercial Development & Boat Ramp.

I have several concerns with this proposed development. I called tillamook county and was unable to get much information as the people I spoke to didn't seem to know what all it is going to be. Is it a public or private boat ramp? What is the commercial building going to be. Either way, my concerns are how a boat ramp would affect the water flows when there is flooding. Flooding is already an issue on our property which is just above the proposed site. Also, parking is already bad on Cape Kiwanda Drive. Some of the homes are only about 10 feet from the street and have no parking as it is.

I would like it on record that I oppose the proposal.

Greg and Donna Herr

Sent from my iPhone



**Colin and Sharman Ensminger-Stapp**

Pacific City Property Owners: 34905 Cape Kiwanda Drive & 34885 Cape Kiwanda Drive

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

Attn: Sarah Absher, Director

**Subject: Opposition to Proposed Privately Owned Boat Ramp on Cape Kiwanda Drive, Pacific City**

My wife and I own the two residential home properties immediately adjacent to the north side of the proposed site and we are writing to formally oppose the proposed construction of a privately owned boat ramp on Cape Kiwanda Drive in Pacific City. While we recognize the importance of recreational access to the Nestucca River, this location is not suitable for such development and conflicts with several core policy considerations that guide responsible land use in Tillamook County.

**Floodplain and Hydrological Impacts**

The proposed site lies within a sensitive stretch of the Nestucca River where the river's curve and flow naturally direct large amounts of winter debris and high-water surges toward the shoreline. This already presents challenges for the property immediately north of the proposed site. Additional construction at this location would disrupt river dynamics, increase debris accumulation, and elevate flooding risks to homes upriver. The **Flood Hazard (FH) Overlay Zone** requires development to meet flood damage prevention standards and maintain flood conveyance capacity; projects in or near the floodway typically require technical review (e.g., floodway development permits) to ensure they do not increase flood levels or redirect flows in ways that endanger other properties. *(See attached documentation: Flooding & Debris Hazards on the Nestucca River in Pacific City, Oregon.)*

**Redundancy with Existing Public Facilities**

Tillamook County maintains a public boat ramp south of the proposed site off Sunset Drive. That facility includes a large parking area and is designed to handle the volume of traffic generated by boating activity. Constructing a second, privately owned ramp in close proximity duplicates existing infrastructure without serving a demonstrated public need. From a policy standpoint, the county's land-use framework encourages efficient use of existing facilities rather than introducing redundant development with negative community impacts.

**Traffic and Safety Concerns**

Cape Kiwanda Drive is already one of the most heavily traveled roads in Pacific City, serving as the primary access route to Cape Kiwanda and Tierra Del Mar. The proposed lot is small and poorly configured to accommodate the trailers, vehicles, and turning movements associated with a boat ramp. Introducing this level of

traffic at the proposed site would exacerbate congestion, worsen roadway safety conditions, and conflict with county transportation and safety objectives.

**Private vs. Public Benefit**

Finally, it is important to emphasize that this proposal is for a privately owned facility. The public would bear the burden of increased flooding risks, traffic congestion, and safety hazards, while the private owner would retain the benefits. This imbalance is contrary to the public interest and inconsistent with the county's responsibility to prioritize community safety, environmental stewardship, and responsible development.

**Conclusion**

In light of these concerns—flooding and debris risks, redundancy with existing public infrastructure, traffic and safety incompatibility, and lack of demonstrated public benefit—we respectfully urge the County to deny approval for the proposed private boat ramp on Cape Kiwanda Drive. Preserving the integrity of our riverfront, protecting upstream residents, and ensuring safe and efficient use of community infrastructure must remain the priority.

Thank you for your careful consideration of this matter.

Respectfully,  
Colin and Sharman Ensminger-Stapp

Attachment: Flooding & Debris Hazards on the Nestucca River in Pacific City, Oregon (PDF)

## Conclusion

The supporting images provided clearly illustrate the volume of debris, erosion, and high-water impacts already concentrated at this bend of the Nestucca River. These conditions demonstrate that the proposed site is highly vulnerable and already imposes challenges for the residence immediately to the north. Any additional construction in this location would disrupt natural flow patterns, reduce the river's ability to safely convey water, and increase the risk of debris accumulation.

The result would be a heightened likelihood of flooding and property damage for homes upriver—residents who would bear the consequences of a private development decision. This evidence underscores why the proposed ramp is incompatible with the floodplain characteristics of this site and further development of a boat ramp should not be approved.

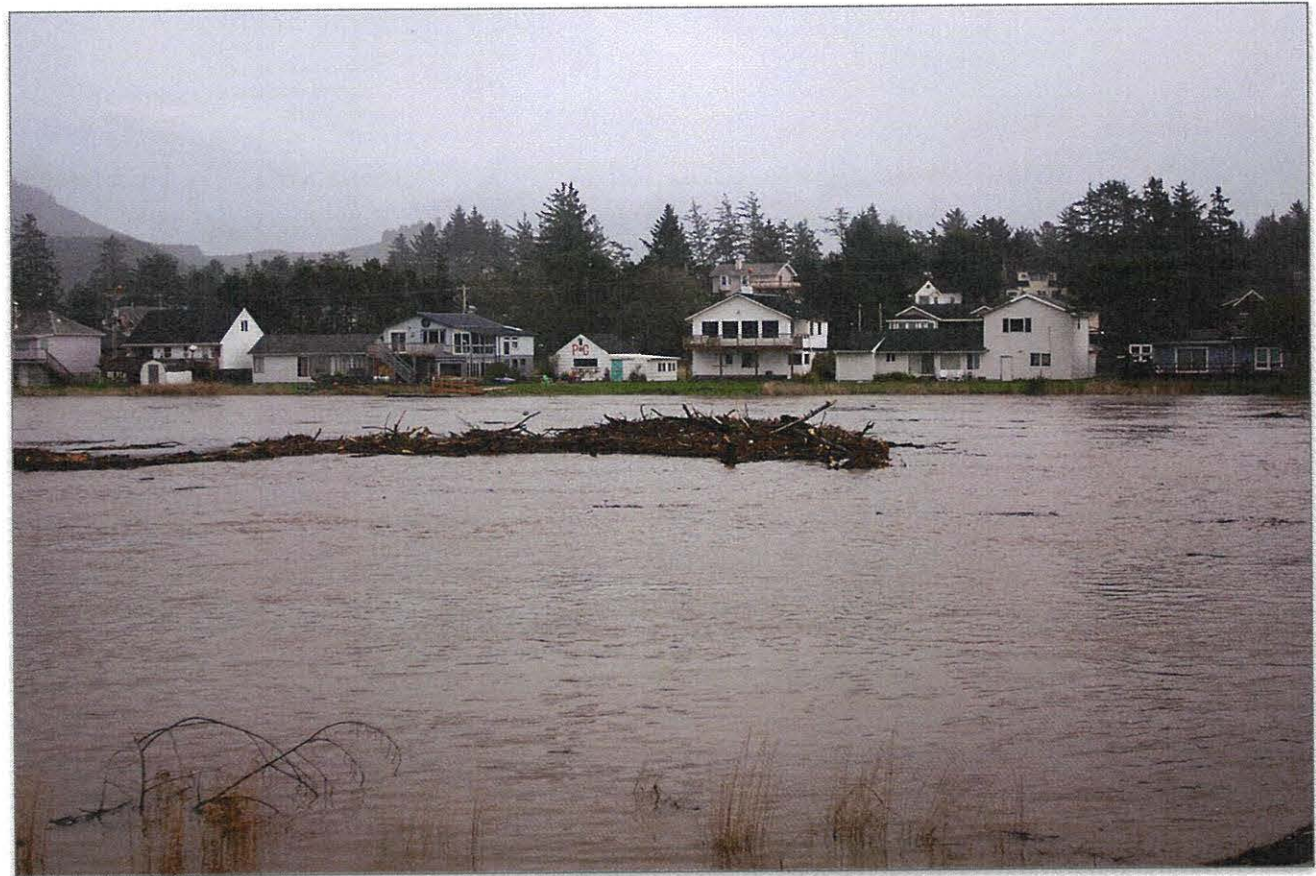


Looking east, showing  
debris flow.

Image taken from  
34905 Cape Kiwanda  
Drive, the house  
immediately adjacent  
to proposed boat ramp.

*Image taken by:*  
*Colin Ensminger-Stapp*

*Date taken:*  
*10/22/17, 1:59:04 PM*

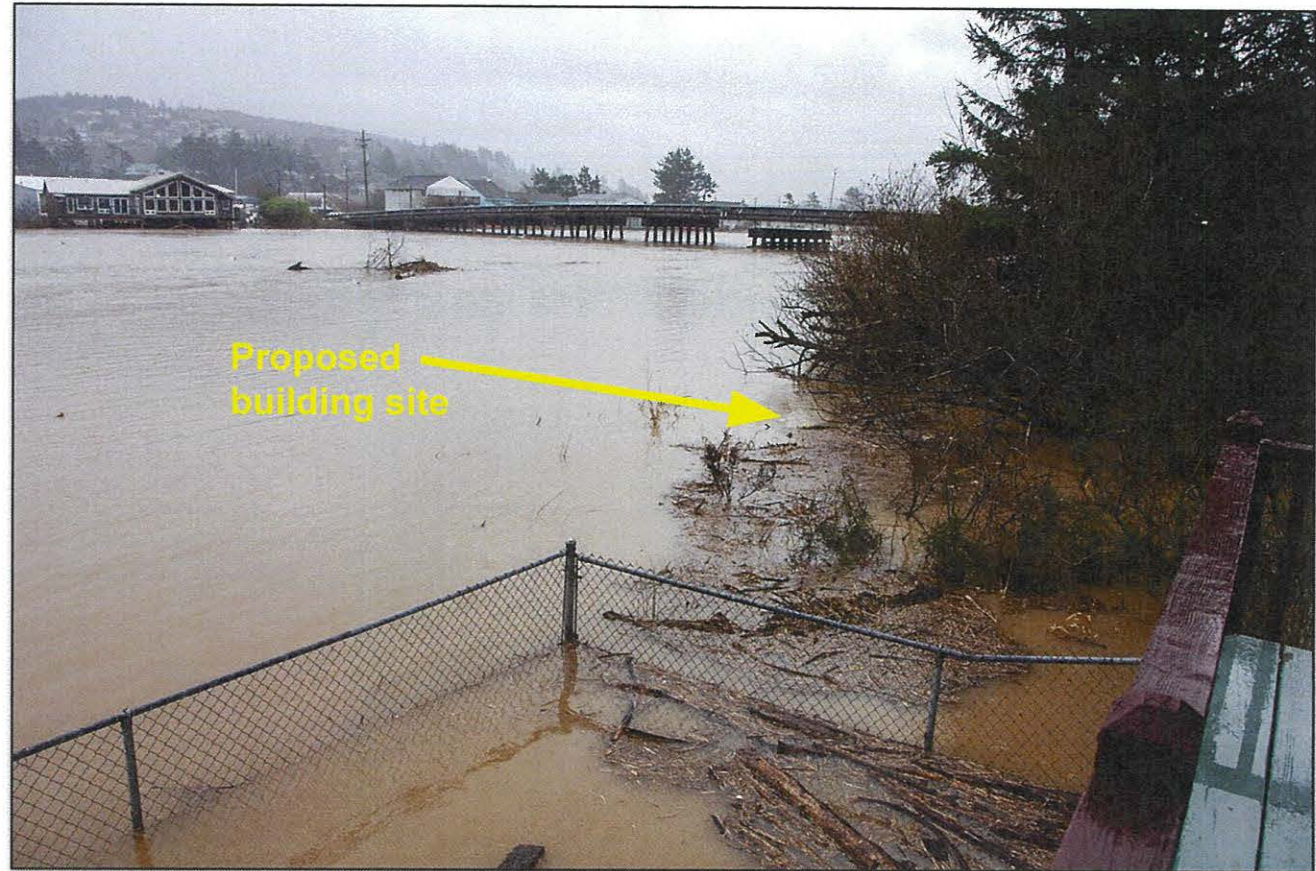


Looking south showing  
flooding impact on  
residence 34905 and  
proposed building site.

Image taken from  
34905 Cape Kiwanda  
Drive. The house  
immediately adjacent  
to proposed boat ramp.

*Image taken by:*  
*Colin Ensminger-Stapp*

*Date taken:*  
*12/21/14, 11:50:23 AM*





Looking north showing  
flooding impact on  
residences 34905 and  
34885

Image taken from  
34905 Cape Kiwanda  
Drive. The house  
immediately adjacent  
to proposed boat ramp.

*Image taken by:*  
*Colin Ensminger-Stapp*

*Date taken:*  
*12/21/14, 11:50:18 AM*





Looking south showing  
flooding impact on  
residences 34905 and  
proposed building site.

Image taken from  
34905 Cape Kiwanda  
Drive. The house  
immediately adjacent  
to proposed boat ramp.

*Image taken by:*  
*Colin Ensminger-Stapp*

*Date taken:*  
*12/20/14, 2:08:30 PM*





Looking south showing  
flooding impact the  
proposed building site.

Image taken from 34905  
Cape Kiwanda Drive.  
The house immediately  
adjacent to proposed  
boat ramp.

*Image taken by:*  
*Colin Ensminger-Stapp*

*Date taken:*  
*12/20/14, 2:08:14 PM*

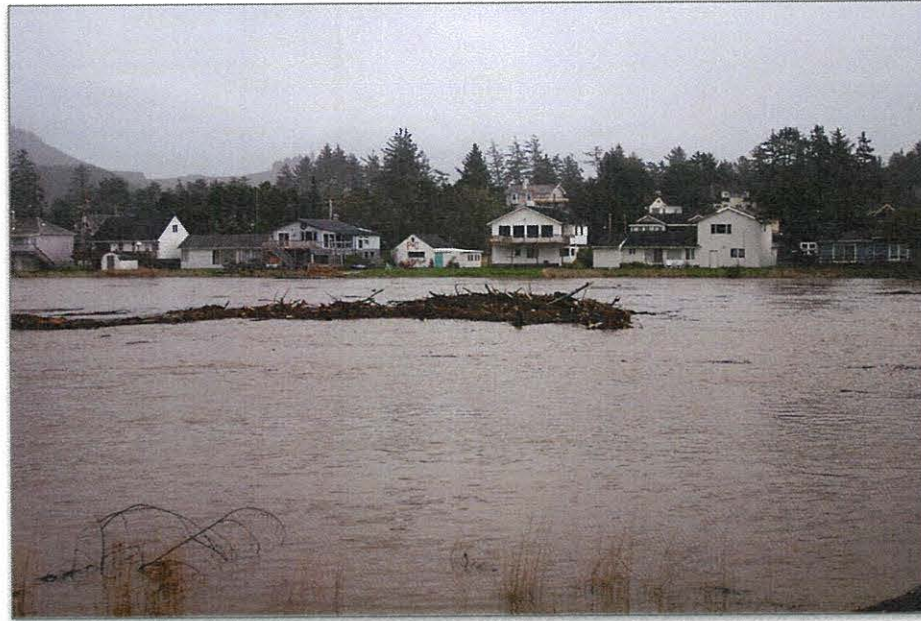


## Floodplain and Hydrological Impacts

The proposed site for a privately owned boat ramp on Cape Kiwanda Drive, in Pacific City Oregon lies within a sensitive stretch of the Nestucca River where the river's curve and flow naturally direct large amounts of winter debris and high-water surges toward the shoreline. This already presents challenges for the property immediately north of the proposed site. Additional construction at this location would disrupt river dynamics, increase debris accumulation, and elevate flooding risks to homes upriver.

The **Flood Hazard (FH) Overlay Zone** requires development to meet flood damage prevention standards and maintain flood conveyance capacity; projects in or near the floodway typically require technical review (e.g., floodway development permits) to ensure they do not increase flood levels or redirect flows in ways that endanger other properties.





## Flooding & Debris Hazards on the Nestucca River in Pacific City, Oregon

*Attached documentation included with letter outlining  
Opposition to the Proposed Privately Owned Boat Ramp on Cape Kiwanda Drive, Pacific City.*