

PLANNING COMMISSION
HEARING

May 14, 2026

#851-26-000012-PLNG-01

APPEAL OF A PARTITION

Appellant: Jordan Reyes, et al.

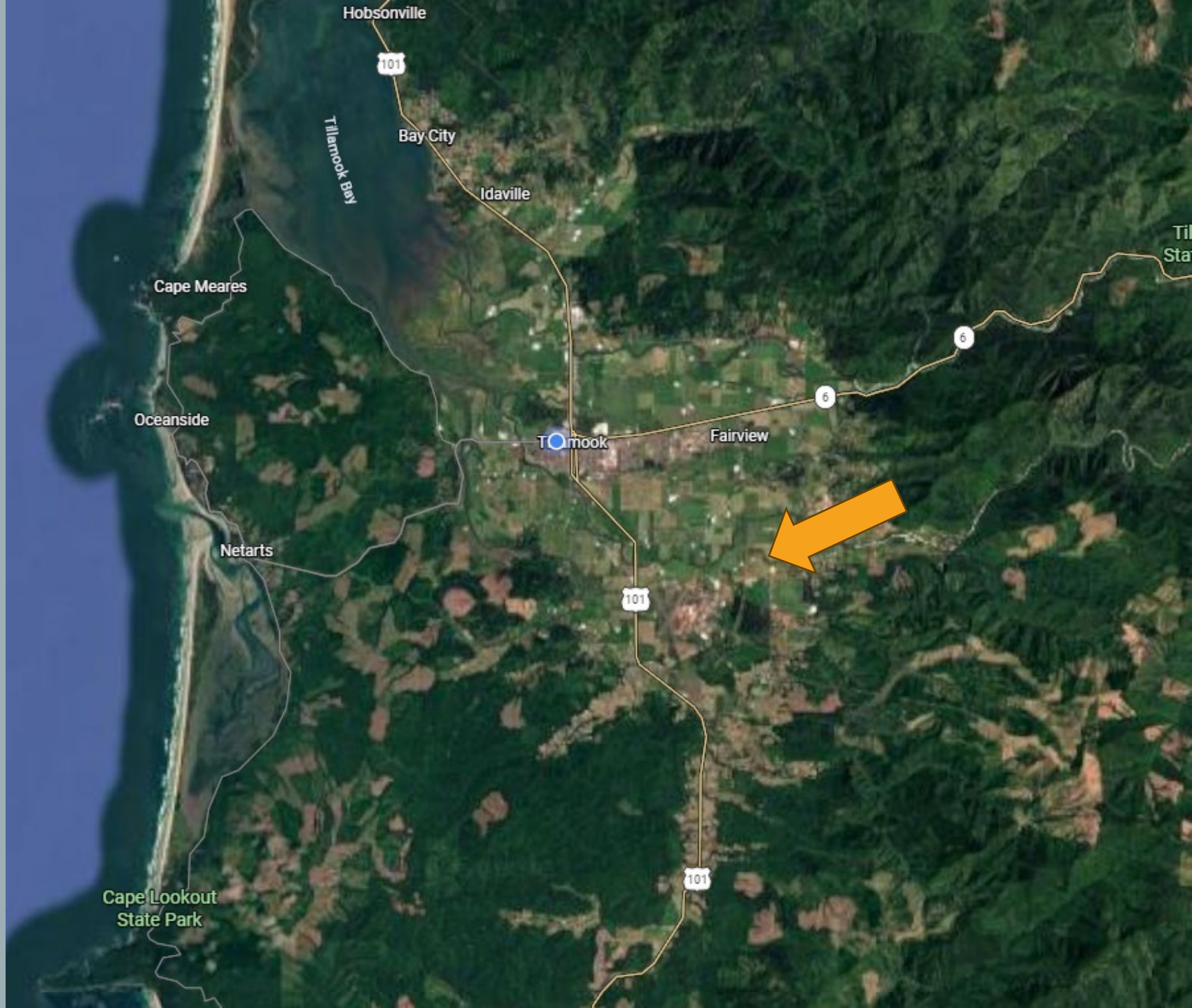
Applicant: Zwald Property Management, LLC

Property Owner: Port of Tillamook Bay

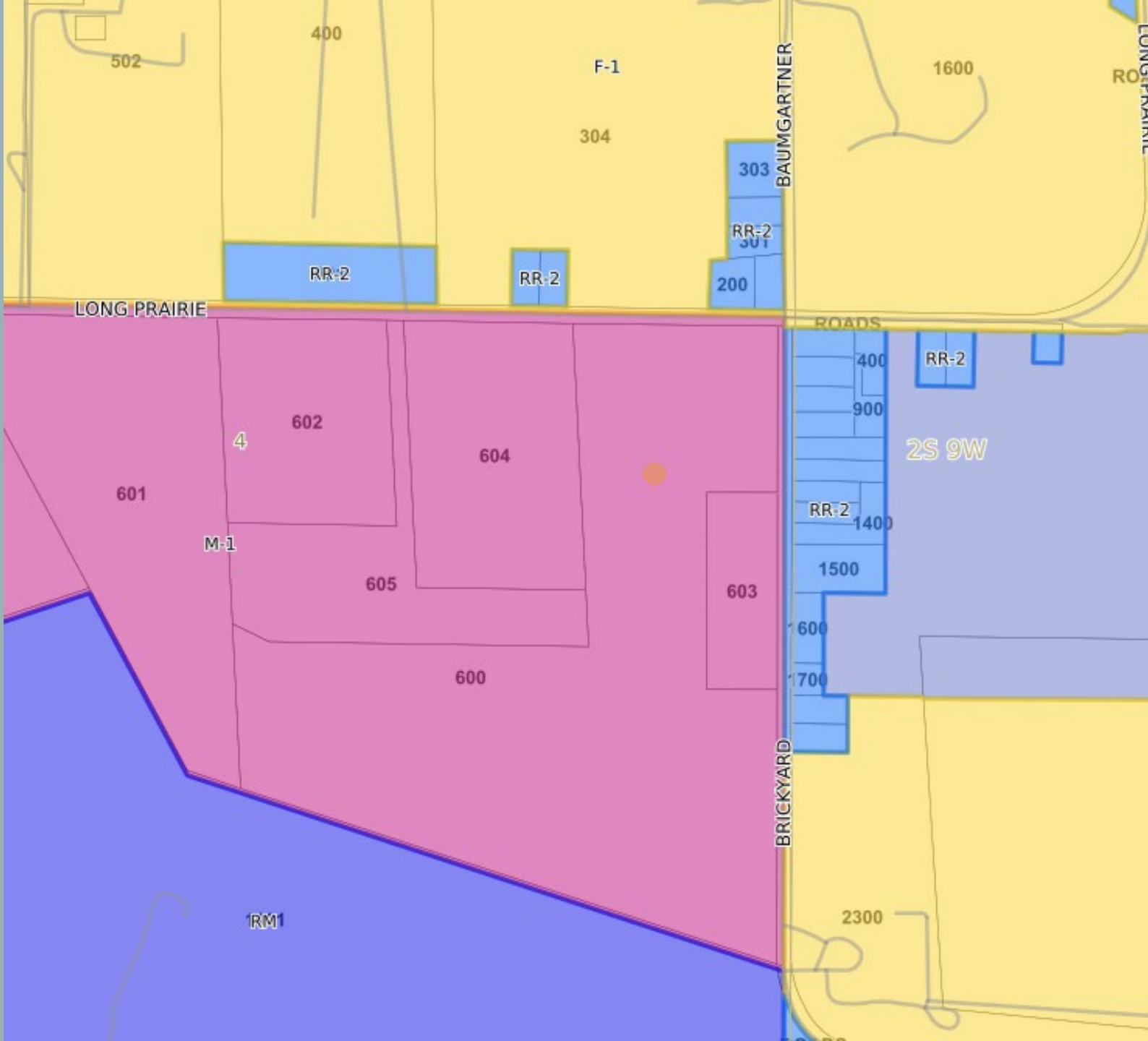
REQUEST

- Appeal of the Directors decision to approve a partition request to create two (2) parcels, requesting to overturn the decision.
- Appellant team is represented by Jordan Reyes.
- General Industrial (M-1) Zone
- Parent Parcel, Tax Lot 600 is 51.6-acres, Proposed Parcel 1 11.86-acres, Proposed Parcel 2 39.74-acres

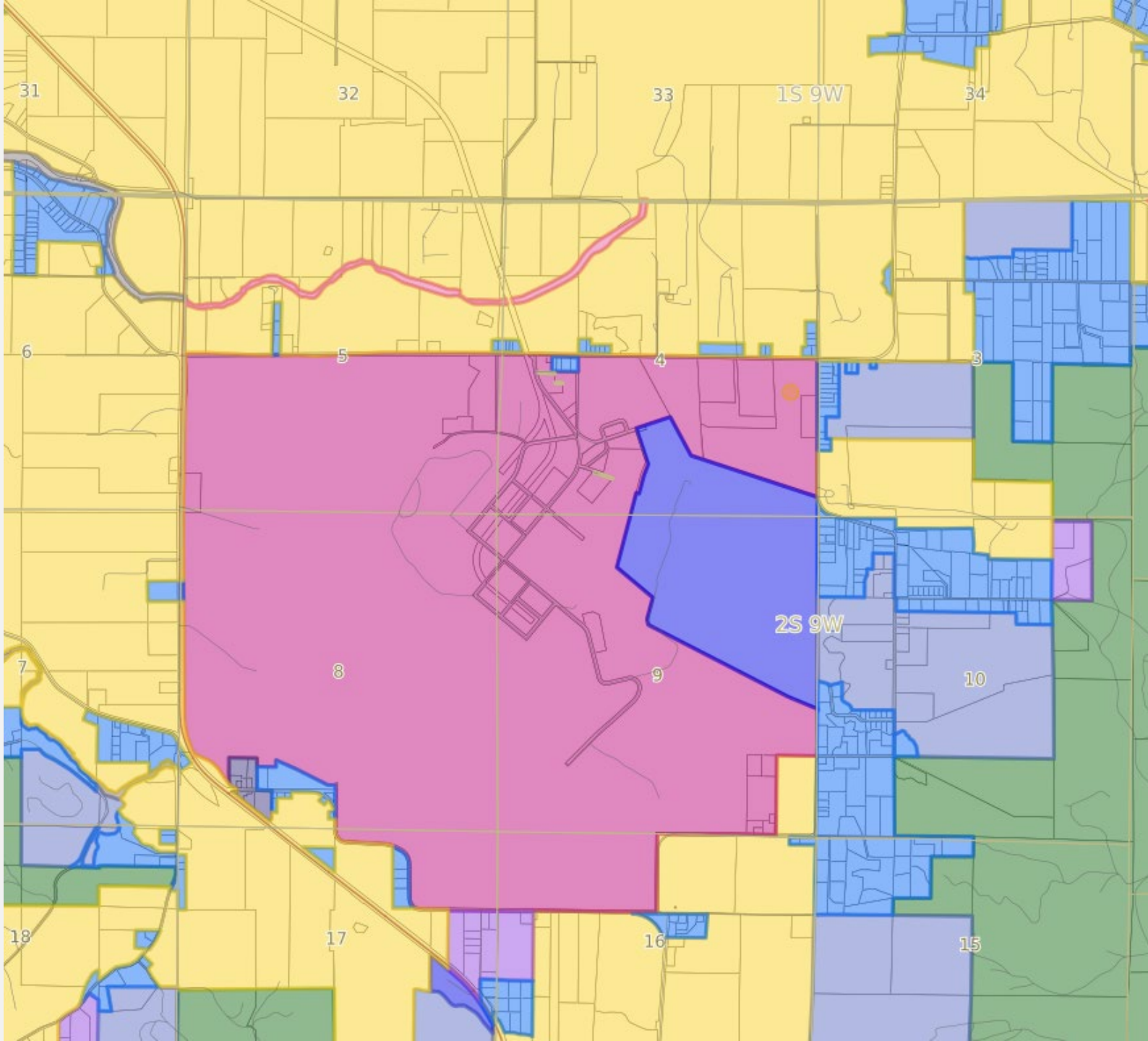
VICINITY MAP



ZONING MAP

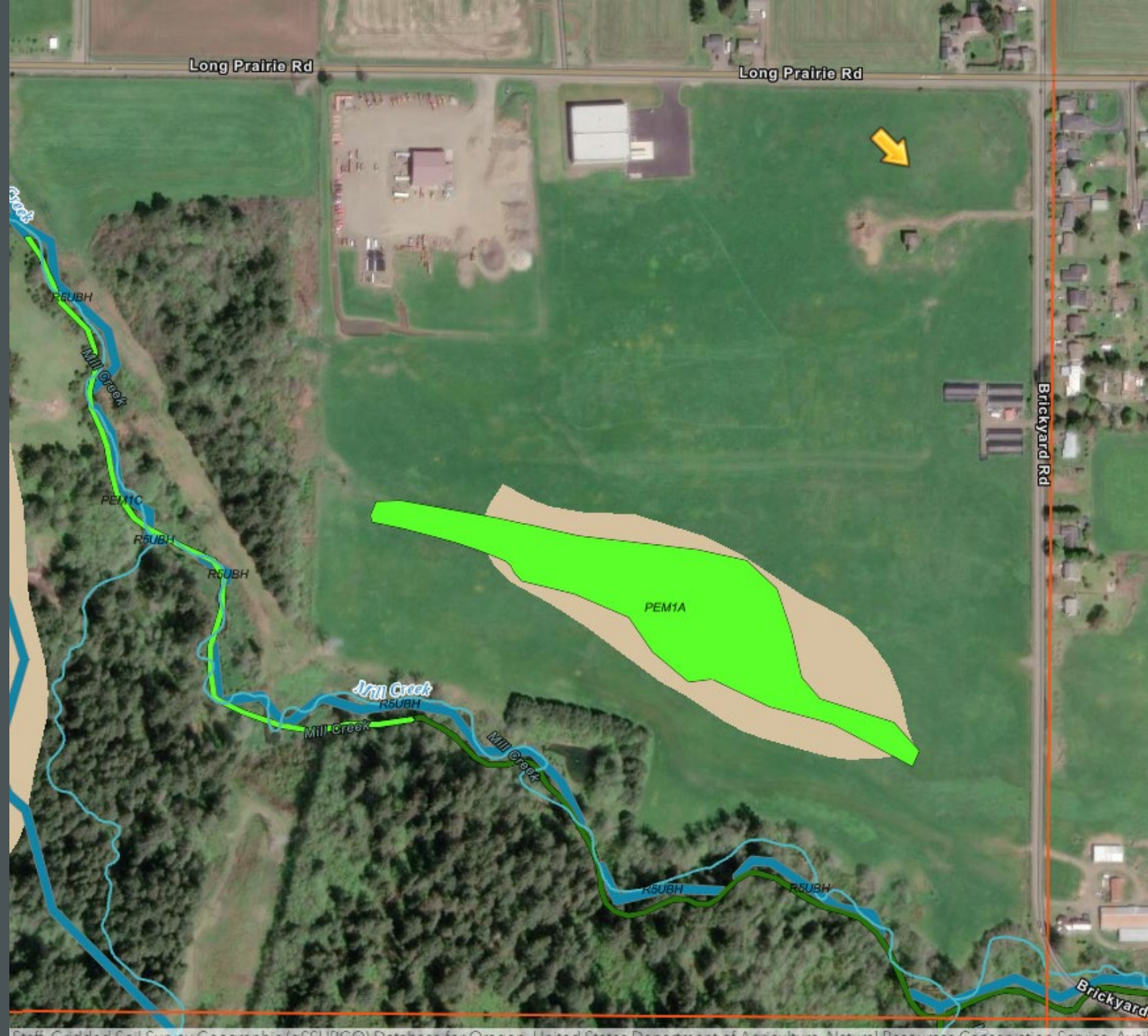


BROADER PORT OF
TILLAMOOK BAY/M-I
ZONE AREA



WETLAND MAP

DSL comments previous Offsite Wetland Determination from 2020 indicates Wetland Delineation WD2005-0408 has expired. 2005 delineation determined 12.25-acre area of mapped wetland.



APPELLANTS BASIS FOR APPEAL

Appellants state reason for their appeal include:

1. Traffic/Public Safety issues
2. Environmental issues
3. Property Owners livability issues

APPLICABLE PROVISIONS

TILLAMOOK COUNTY COMPREHENSIVE PLAN

- Goal 2: The Land Use Plan
- Goal 5: Natural Resources
 - Wetland features present. Addressed through compliance with TCLUO Section 3.550 'Freshwater Wetlands Overlay'.
 - Hazards addressed in accordance with TCLUO Section 4.130 'Development Requirements for Geologic Hazard Areas'.
- Goal 9: Population and Economy

APPLICABLE PROVISIONS

TILLAMOOK COUNTY LAND USE ORDINANCE (TCLUO)

- TCLUO Section 3.032: General Industrial (M-1) Zone
- TCLUO Section 3.550: Freshwater Wetland (FW) Overlay Zone
- TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas
- TCLUO Section 4.160: Protection of Archeological Sites
 - State Historic Preservation Office (SHPO) was noticed as part of the initial review. No comments received from SHPO regarding the site.

APPLICABLE PROVISIONS

TILLAMOOK COUNTY LAND DIVISION ORDINANCE (TCLDO)

- 060 'Preliminary Plat Submission Requirements'
- 150 'Development Standards for Land Divisions'
- 160 'Street Improvements'

REVIEW CRITERIA: LAND DIVISION ORDINANCE SECTION 070

- 1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:
 - a) The land division application shall conform to the requirements of this ordinance;
 - b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;
 - c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;
 - d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
 - e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County’s adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;

REVIEW CRITERIA: LAND DIVISION ORDINANCE SECTION 070 (CONTINUED)

- f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;
 - g) Provisions for access to and maintenance of off-right-of-way drainage, if any;
 - h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
 - i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - i. Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - ii. Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.
- 2) Conditions of Approval. The Approval Authority may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations.

RECOMMENDED CONDITIONS OF APPROVAL

1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. Prior to development activities of each parcel, an updated wetland delineation and Oregon Department of State Lands concurrence letter shall be submitted to the Department at the time of zoning and building permit application submittal. Development activities within wetlands are subject to State of Oregon fill/removal laws and permitting where applicable.
3. Prior to development of each parcel, the applicant/property owner shall obtain an approved Road Approach permit from the Tillamook County Public Works Department and submit a traffic impact study upon request by the Tillamook County Public Works Director. A copy of the approved Road Approach Permit shall be provided to the Department at the time of zoning and building permit application submittal for development of each parcel.
4. Future development of each parcel is subject to standards required by TCLUO Section 3.032: General Industrial (M-1) zone, TCLUO Section 3.550 Freshwater Wetland (FW) Overlay Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. Demonstration of compliance with applicable standards is required at the time of zoning and building permit application submittal.
5. A notation shall be placed on the final plat stating that the allowance of the partition does not warrant that sewer or site evaluation approval is or will be available to the approved parcels.
6. All easements necessary to serve the parcel shall be depicted on the final plat.
7. That applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
8. The applicant shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of Preliminary Plat approval.
9. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.