



Land of Cheese, Trees and Ocean Breeze

**RESOURCE ZONE EXCEPTION
#851-26-000097-PLNG:
SAHNOW**

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

July 23, 2026

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Resource Zone Exception Request on July 23, 2026.

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

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department in accordance with Article 10 of the TCLUO before **4:00 PM on August 4, 2026**. Unless appealed, the Effective Date of Decision shall be August 4, 2026.

Request: An exception request to reduce the required 100-foot resource zone setback from the Small Farm and Woodlot (SFW-20) zone boundary to 5-feet, resulting in a 5-ft side yard setback to allow for the placement of a residential structure (Exhibit A).

Location: Located along Sandlake Road, a County road, north of the unincorporated community of Tierra Del Mar, and is designated as Tax Lot 302 in Section 31DA of Township 3 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2-Acre (RR-2) Zone

**Applicant/
Property Owner:** Steve and Kimberly Sahnnow, 26055 Sandlake Road, Clvoerdale, OR 97112

CONDITIONS OF APPROVAL:

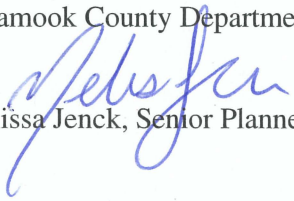
Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The Applicant/Property owner shall obtain all Federal, State, and Local permits, as applicable, including approved onsite wastewater treatment permits and an approved Building and Zoning Permit from the Tillamook County Department of Community Development.
2. The applicant/property owner shall obtain an approved Consolidated Building/Zoning Permit from the Tillamook County Department of Community Development prior to siting the proposed dwelling.
3. Residential structures shall maintain a minimum 5-foot resource zone setback from the southwesterly (side yard) property line of the subject property adjacent to the Small Farm and Woodlot (SFW-20) zone. All other setback requirements of the Rural Residential 2-Acre (RR-2) zone shall be adhered to.
4. The applicant/property owner shall submit a site plan, drawn to scale and indicating all other required yard setbacks, riparian setbacks and reduced resource zone setbacks, at the time of Consolidated Building/Zoning Permit application submittal.
5. Development shall otherwise comply with the applicable standards and requirements of TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone.
6. Development shall comply with the applicable standards and requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization. A 15-foot setback shall be maintained from the stream drainage as defined in TCLUO Section 4.140.
7. In accepting this approval, the property owner understands intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use. The property owner hereby acknowledges that practices may involve but are not limited to the application of herbicides or fertilizers (including aerial spraying), road construction, changes in view, noise, dust, odor, traffic, and other impacts related to a farm zone. The property owner acknowledges the residential use of this property may be impacted by such activities and is accepting of that fact. In the event of conflict, the property owner understands preference will be given to farm and forest practices.

A covenant to the deed shall be required, informing that intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use and limiting pursuance of a claim for relief or cause of action of alleging injury from farming or forest practices. A copy of the recorded covenant included as 'Exhibit D' shall be provided at the time of applying for Building and Zoning Permits.

8. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval.

Sincerely,
Tillamook County Department of Community Development


Melissa Jenck, Senior Planner, CFM

Sarah Absher, CFM, Director



Land of Cheese, Trees and Ocean Breeze

**Resource Zone Exception #851-26-000097-PLNG: SAHNOW
Administrative Decision & Staff Report**

Decision: Approved with Conditions
Decision Date: July 23, 2026
Report Prepared By: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

Request: An exception request to reduce the required 100-foot resource zone setback from the Small Farm and Woodlot (SFW-20) zone boundary to 5-feet, resulting in a 5-ft side yard setback to allow for the placement of a residential structure (Exhibit A).

Location: Located along Sandlake Road, a County road, north of the unincorporated community of Tierra Del Mar, and is designated as Tax Lot 302 in Section 31DA of Township 3 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2-Acre (RR-2) Zone

Applicant &

Property Owner: Steve and Kimberly Sahn timer, 26055 Sandlake Road, Clvoerdale, OR 97112

Description of Site and Vicinity: Assessor records indicate the subject property is 10,000-square feet in size, is relatively flat, is vegetated with grasses, and vacant of improvements (Exhibit A). Wetlands and riparian features are mapped in the eastern corner of the subject property (Exhibit A). The subject property is accessed via Sandlake Road, a County road, and is not within an area of landslide topography (Exhibit A).

Properties to the north and east are also zoned Rural Residential 2 Acre (RR-2) and are generally developed with single family dwellings and accessory structures (Exhibit A). Properties to the south and west are zoned Small Farm and Woodlot (SFW-20) and appears to be in Forest use (Exhibit A). FEMA Flood Insurance Rate Map 41057C0715F dated September 28, 2018, confirms the subject property is not located within an Area of Special Flood Hazard (Exhibit A).

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 3.010: Rural Residential 2-Acre (RR-2) Zone
- B. TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on May 13, 2026. Comments were received from the Oregon Department of State Lands (DSL), stating there are no mapped resources in the study area (Exhibit C). Oregon Department of Fish and Wildlife (ODFW) commented they had no concerns with the resource zone exception but included that future construction should maintain the riparian setback from the adjacent stream to avoid impacts (Exhibit C).

A. **Section 3.010: Rural Residential 2-Acre (RR-2) Zone**

Section 3.010(4) Standards: *Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*

...
(k) No residential structure shall be located within 100 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or man-made features will act as an equally effective barrier to conflicts between resource and residential uses; or that a residential structure could not otherwise be placed on the property without requiring a variance to the 100 foot requirement. In either case, all yard requirements in this zone shall still apply.

Findings: The subject property lies within 100 feet of the Small Farm and Woodlot (SFW-20) zone, which abuts the southwesterly property line of the adjacent Tax Lot 502 (Exhibit A). The subject property is 100-feet by 100-feet in size (Exhibit A & B).

Staff find that a residential structure could not otherwise be placed on the subject property without requiring a variance to the 100-ft setback due to the location of the SFW-20 zone boundary abutting the southwesterly boundary of the subject property (Exhibit B). Without exception, there would not be any developable area for the parcel outside the 100-ft resource setback (Exhibit A & B).

The resource zone setback reductions shall result in a 5-foot setback to the resource zone boundary, with all other riparian, rear, side and front yard setbacks being maintained (Exhibit B). Staff find this standard is met.

B. **TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization**

TCLUO Section 4.130(1)(c) defines areas of riparian vegetation as fifteen (15) feet from all perennial rivers and streams where the river or stream channel is 15 feet in width or less.

Comments received from Robert Bradley, Oregon Department of Fish and Wildlife states they appreciate the applicant maintaining the appropriate riparian setback along the stream. ODFW recommends construction activities be conducted to avoid impacts to the setback area (Exhibit C).

Applicants site plan indicates conforming to the required 15-ft setback as required for the proposed residential structure (Exhibit B).

Staff find that the compliance can be met through Conditions of Approval.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes that the applicant has satisfied the review criteria and can meet all applicable ordinance requirements at the time of application. Therefore, Staff approve of this request for an exception to the Small Farm and Woodlot (SFW-20) zone setback subject to the Conditions of Approval in Section V of this report. This approval does not address any additional development of the subject property.

By accepting this approval the applicant and property owner agrees to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicant /property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed construction.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **4:00 PM on August 4, 2026.**

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The Applicant/Property owner shall obtain all Federal, State, and Local permits, as applicable, including approved onsite wastewater treatment permits and an approved Building and Zoning Permit from the Tillamook County Department of Community Development.
2. The applicant/property owner shall obtain an approved Consolidated Building/Zoning Permit from the Tillamook County Department of Community Development prior to siting the proposed dwelling.
3. Residential structures shall maintain a minimum 5-foot resource zone setback from the southwesterly (side yard) property line of the subject property adjacent to the Small Farm and Woodlot (SFW-20) zone. All other setback requirements of the Rural Residential 2-Acre (RR-2) zone shall be adhered to.
4. The applicant/property owner shall submit a site plan, drawn to scale and indicating all other required yard setbacks, riparian setbacks and reduced resource zone setbacks, at the time of Consolidated Building/Zoning Permit application submittal.
5. Development shall otherwise comply with the applicable standards and requirements of TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone.
6. Development shall comply with the applicable standards and requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization. A 15-foot setback shall be maintained from the stream drainage as defined in TCLUO Section 4.140.
7. In accepting this approval, the property owner understands intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use. The property owner hereby acknowledges that practices may involve but are not limited to the application of herbicides or fertilizers (including aerial spraying), road construction, changes in view, noise, dust, odor, traffic, and other impacts related to a farm zone. The property owner acknowledges the residential use of this property may be impacted by such activities and is accepting of that fact. In the event of conflict, the property owner understands preference will be given to farm and forest practices.

A covenant to the deed shall be required, informing that intensive farm or forest practices may be conducted upon adjacent or nearby land zoned for farm or forest use and limiting pursuance of a claim for relief or cause of action of alleging injury from farming or forest practices. A copy of the recorded covenant included as 'Exhibit D' shall be provided at the time of applying for Building and Zoning Permits.

8. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval.

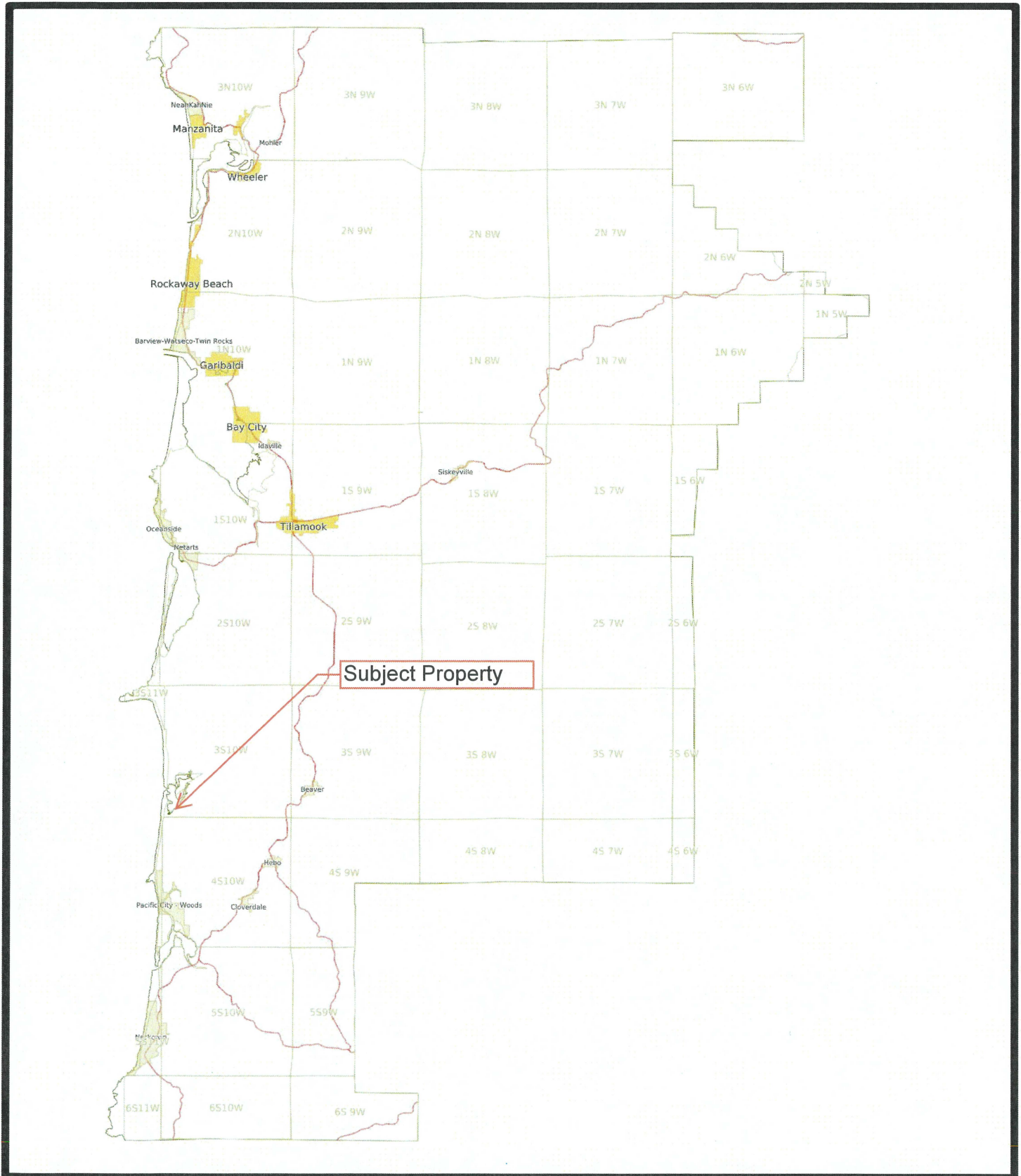
VI. EXHIBITS

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

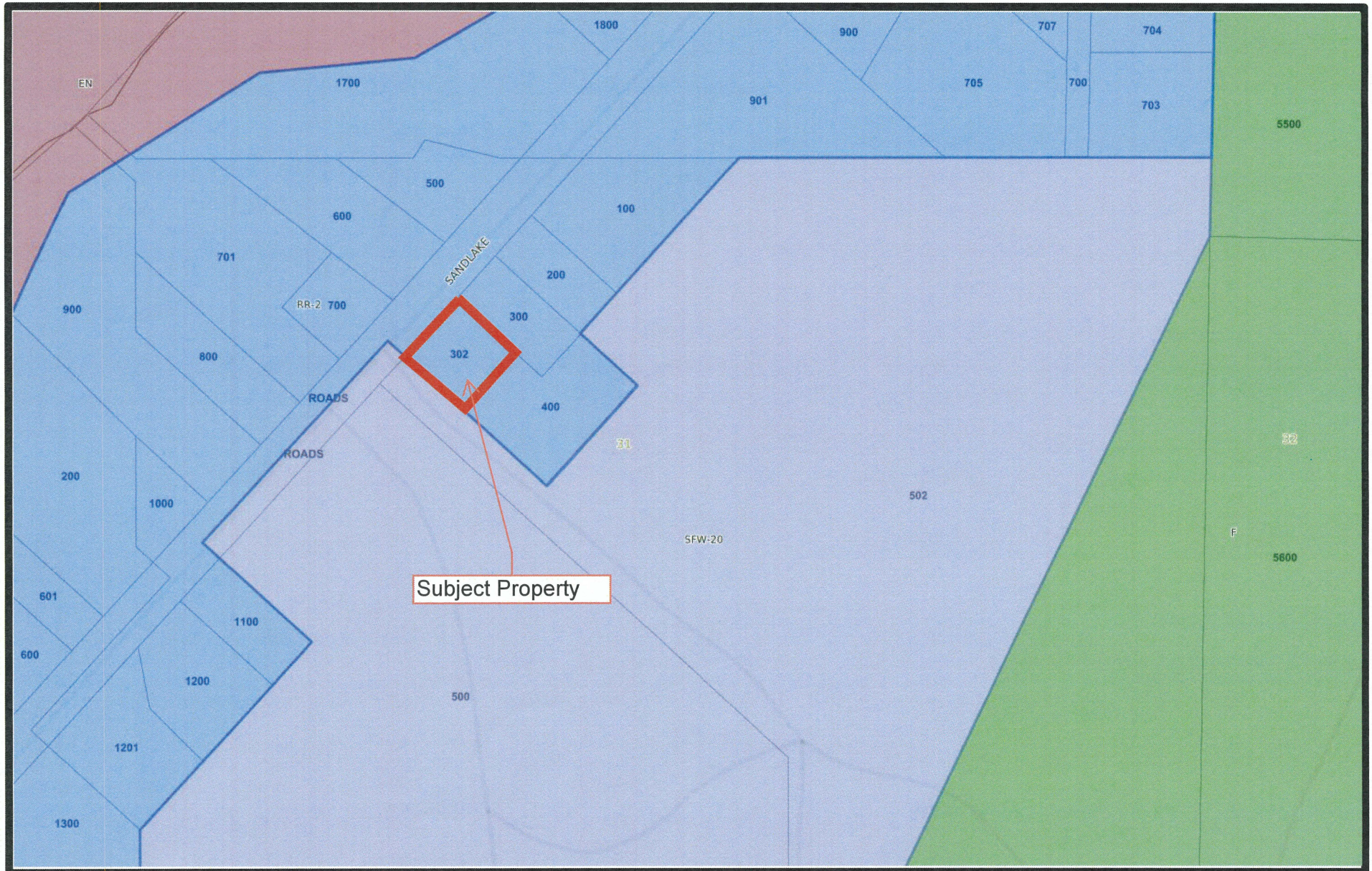
- A. Vicinity map, Assessor map, Zoning map, Assessor's Summary Report
- B. Applicant's submittal
- C. Agency Comments
- D. Required Restrictive Covenant: Farm Forest Practices

EXHIBIT A

Vicinity Map



Zoning Map



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

N.E. 1/4 S.E. 1/4 SEC. 31 T.3S. R.10W. W.M.
Tillamook County
1" = 100'

03S10W31DA

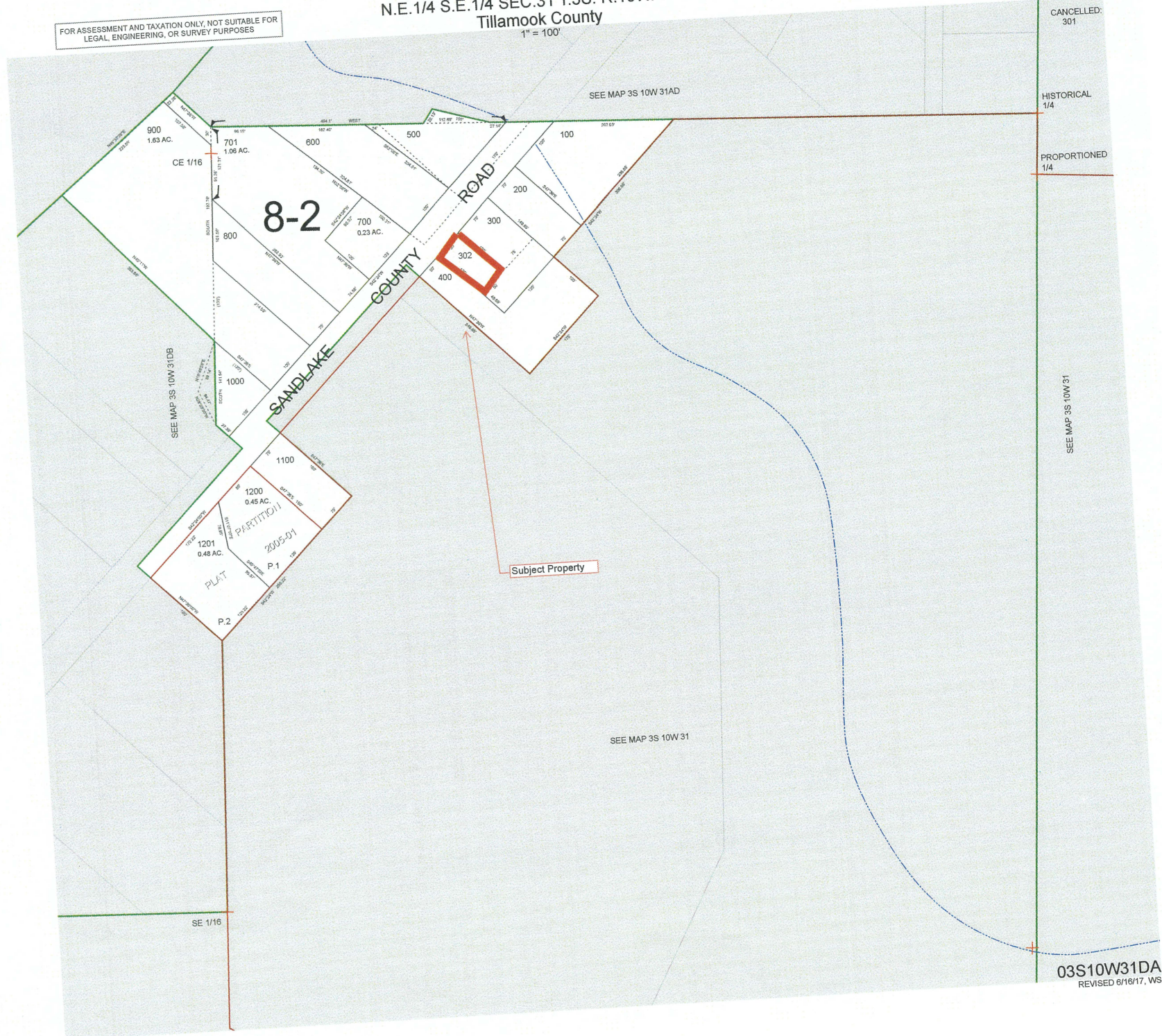
CANCELLED:
301

HISTORICAL
1/4

PROPORTIONED
1/4

SEE MAP 3S 10W 31

03S10W31DA
REVISED 6/16/17, WS



Tillamook County
2025 Real Property Assessment Report
Account 392037

Map 3S1031DA00302
Code - Tax ID 0802 - 392037

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr See Record

Mailing SAHNOW, STEVE & KIMBERLY
35686 NW MOUNTAINDALE RD
BANKS OR 97106

Deed Reference # 2026-1258
Sales Date/Price 03-26-2026 / \$0
Appraiser ROBERT BUCKINGHAM

Property Class 400 **MA** **SA** **NH**
RMV Class 400 06 BV 607

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

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
0802	Land	38,250		Land	0
	Impr	0		Impr	0
Code Area Total		38,250	8,420	8,420	0
Grand Total		38,250	8,420	8,420	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0802	0			RR-2	Market	109	0.11 AC		38,250
Code Area Total							0.11 AC		38,250

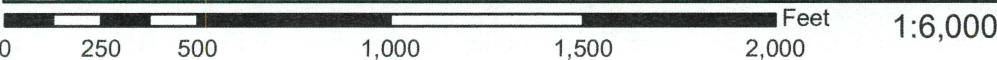
Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV

Exemptions / Special Assessments / Notations									
Code Area 0802									
Fire Patrol						Amount	Acres	Year	
■ FIRE PATROL NORTHWEST						20.00	0.11	2025	
Fire Patrol						Amount	Acres	Year	
■ FIRE PATROL SURCHARGE						0.00		2025	

Comments 02/09/17 Reappraised land; tabled values. RBB

National Flood Hazard Layer FIRMMette

123°57'14"W 45°16'13"N



123°56'36"W 45°15'48"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		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



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

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/13/2026 at 9:29 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

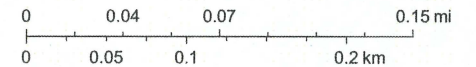
Statewide Wetlands Inventory



5/13/2026, 2:29:26 PM

- | | | |
|--|--|---|
| ● Oregon Address | — Artificial Path | — Riverine |
| Sections | — NHD Waterbody | — SWI Predominantly Hydric Map Units |
| Large Scale | USFWS National Wetlands Inventory NWI | |
| — Perennial | — Estuarine and Marine Deepwater | |
| - - - Intermittent | — Estuarine and Marine Wetland | |

1:4,329



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, USGS TNM - National Hydrography Dataset, Data Refreshed April, 2026., Source: Esri, Vantor, Earthstar Geographics, and the GIS User

Hazard Map

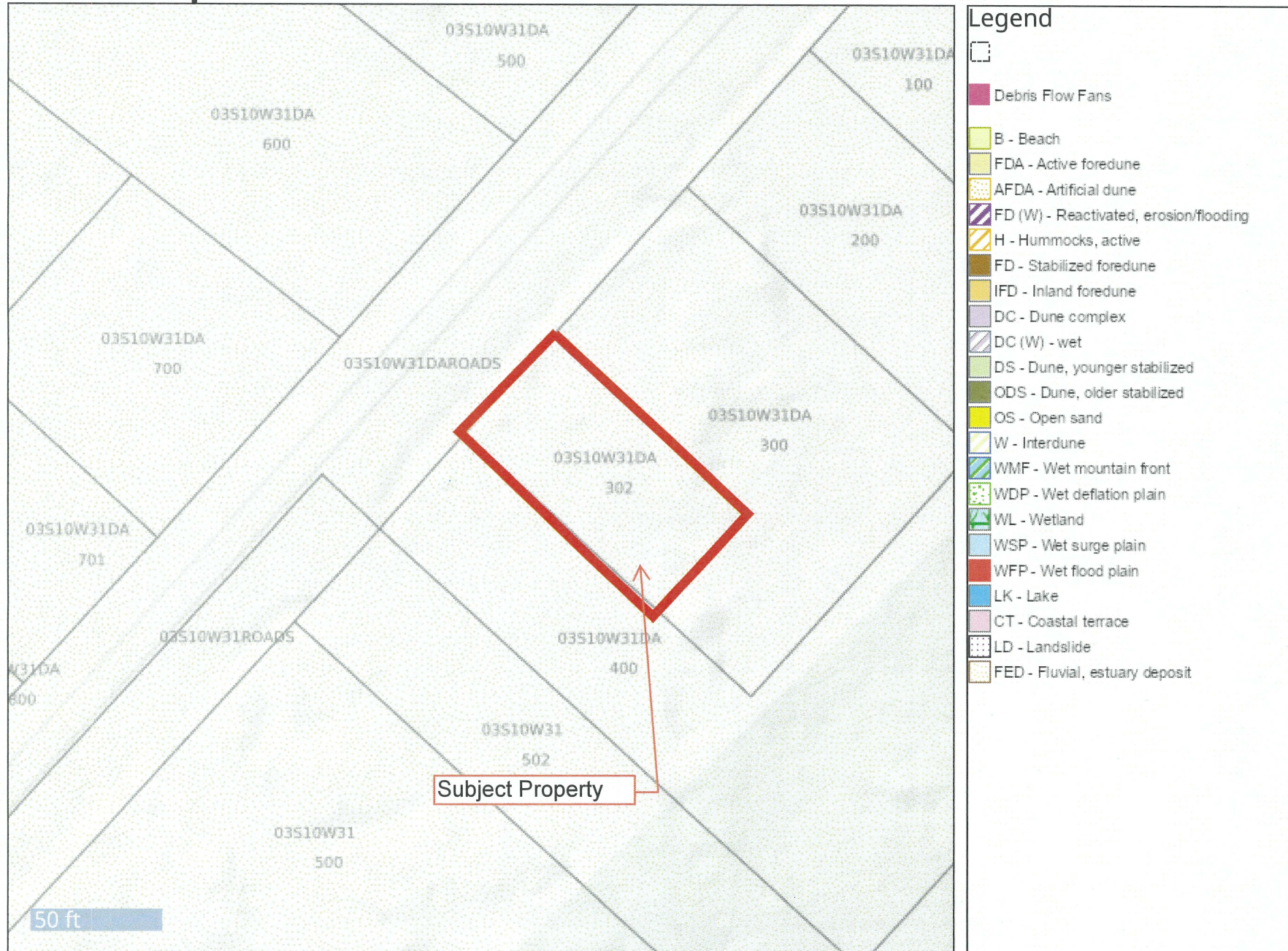


EXHIBIT B



PLANNING APPLICATION

Applicant ☒ (Check Box if Same as Property Owner)

Name: Steve & Kim Sahnaw Phone: 503-313-5500

Address: 26055 Sandlake Rd

City: Cloverdale State: OR Zip: 97112

Email: sahnawsteve@gmail.com

Property Owner

Name: Phone:

Address:

City: State: Zip:

Email:

OFFICE USE ONLY	
Date Stamp RECEIVED MAR 05 2026 BY: SAT	
☐ Approved ☐ Denied	
Received by:	
Receipt #: 147641	
Fees: 1400	
Permit No: 851-26-00097-PLNG	

Request: Request to reduce the 100ft resource zone (forest) set back requirements to 5ft setback (side setback). Current lot is unbuildable without exception. All other setback requirements are met. The 5ft setback from resource land would be in addition to the 48ft. driveway easement already in place.

Type II

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

Type III

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

Type IV

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

Location:

Site Address:

Map Number: 3s1031a00302

Township

Range

Section

Tax Lot(s)

Clerk's Instrument #: _____

Authorization

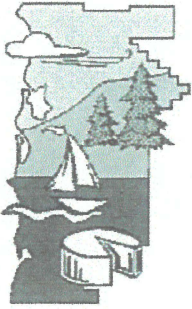
This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted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

Property Owner Signature (Required)

3.2.26
Date

Applicant Signature

Date



DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

1510-B Third Street
Tillamook, Oregon 97141

Land of Cheese, Trees and Ocean Breeze

Building (503)842-3407
Planning (503)842-3408
On-Site Sanitation (503)842-3409
FAX (503)842-1819
Toll Free 1 (800)488-8280

November 19, 2018

Boyd & Kathy Stuwe
10481 SW Nicole Drive
Powell Butte, OR 97753

RE: **Site Evaluation Results – Site Approval Permit #18-0188-EVAL
T3S, R10W, Sec. 31DA, Tax Lot No. 302, Tillamook County**

Dear Owner:

The above-described property was evaluated for suitability of on-site sewage disposal systems on the following date(s): **10/03/2018**. Based on this evaluation, the following on-site sewage disposal systems are approved:

Initial system: Standard System with 250 Lineal Feet of Absorption Trenches*
Repair system: Standard System with 250 Lineal Feet of Absorption Trenches *
***refer to the site evaluation report for detailed system specifications**

Peak sewage flow is limited to a maximum of **300** gallons per day. This is normally sufficient to serve a single family dwelling of up to **two** bedrooms. The attached Site Evaluation Report includes more specific details and further conditions of the site approval.

This site evaluation is NOT a construction permit- When you are ready to proceed with system construction, contact this office for a permit to construct application package. The permit to construct must be issued before any construction can start on the property.

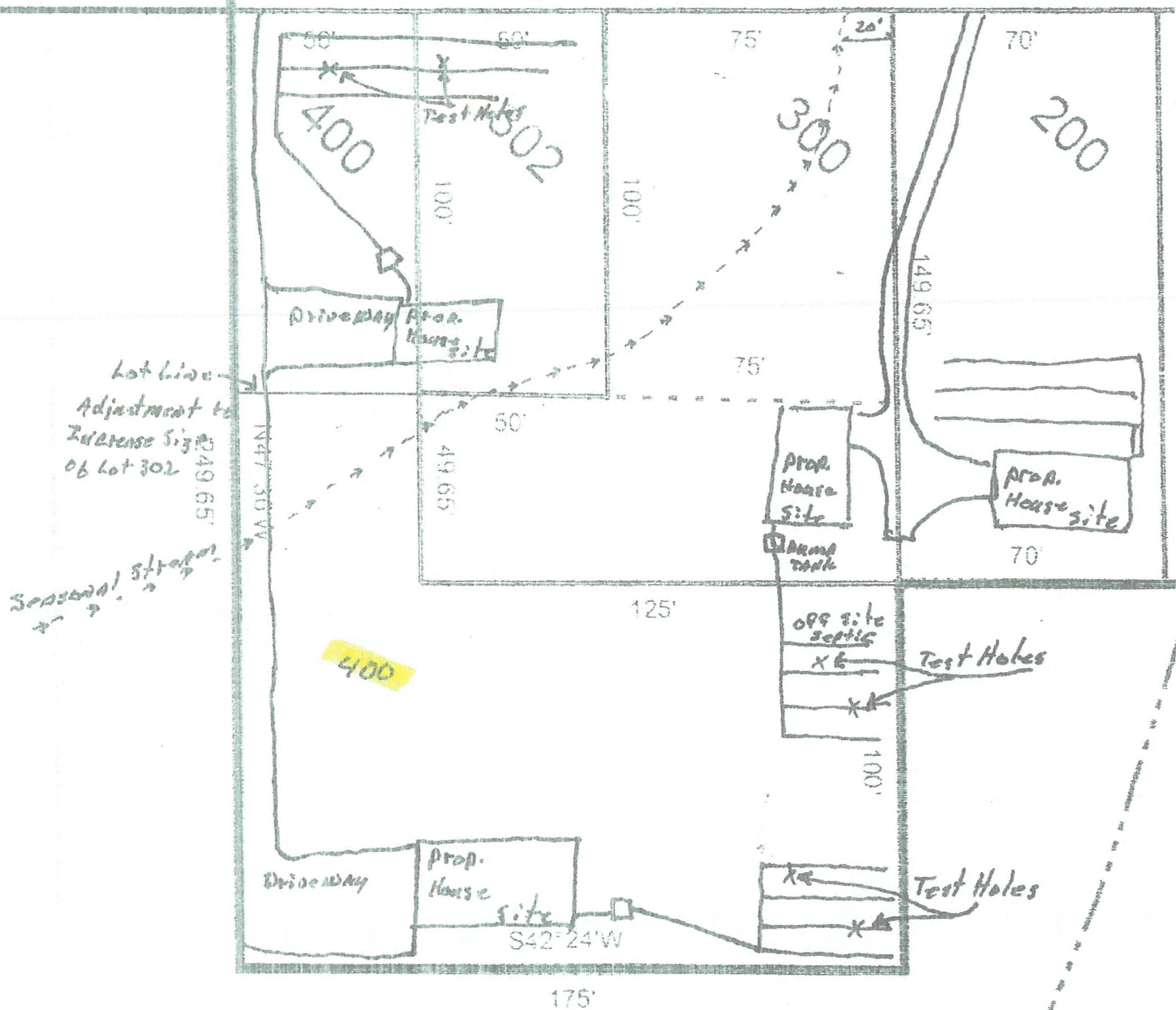
Request for Site Evaluation Report Review or Request for Variance- If you believe that an error was made in the evaluation of your property, you may apply for a Site Evaluation Report Review within 30 days of the site evaluation report issue date at a cost of \$659. If you would like to apply for a Variance from one or more of the On-Site Sewage Disposal rules, you may apply for a Variance at a cost of \$2142.

If you have any other questions about this report, please feel free to contact me at cchiola@co.tillamook.or.us or at (503) 842-3409.

Sincerely,

Chris Chiola
Environmental Program Manager
Tillamook County Onsite Sanitation

ROAD



KEY



SEASONAL CREEK



SETBACKS: 20' FRONT AND BACK,
5' SIDES



SEPTIC

Requested exemption for lot 302 diagrammed below. Front yard setback (20'), rear yard setback (20'), side yard setbacks (5'), and creek setback (15') requirements are all met. Previously-approved septic location and lines are also shown.

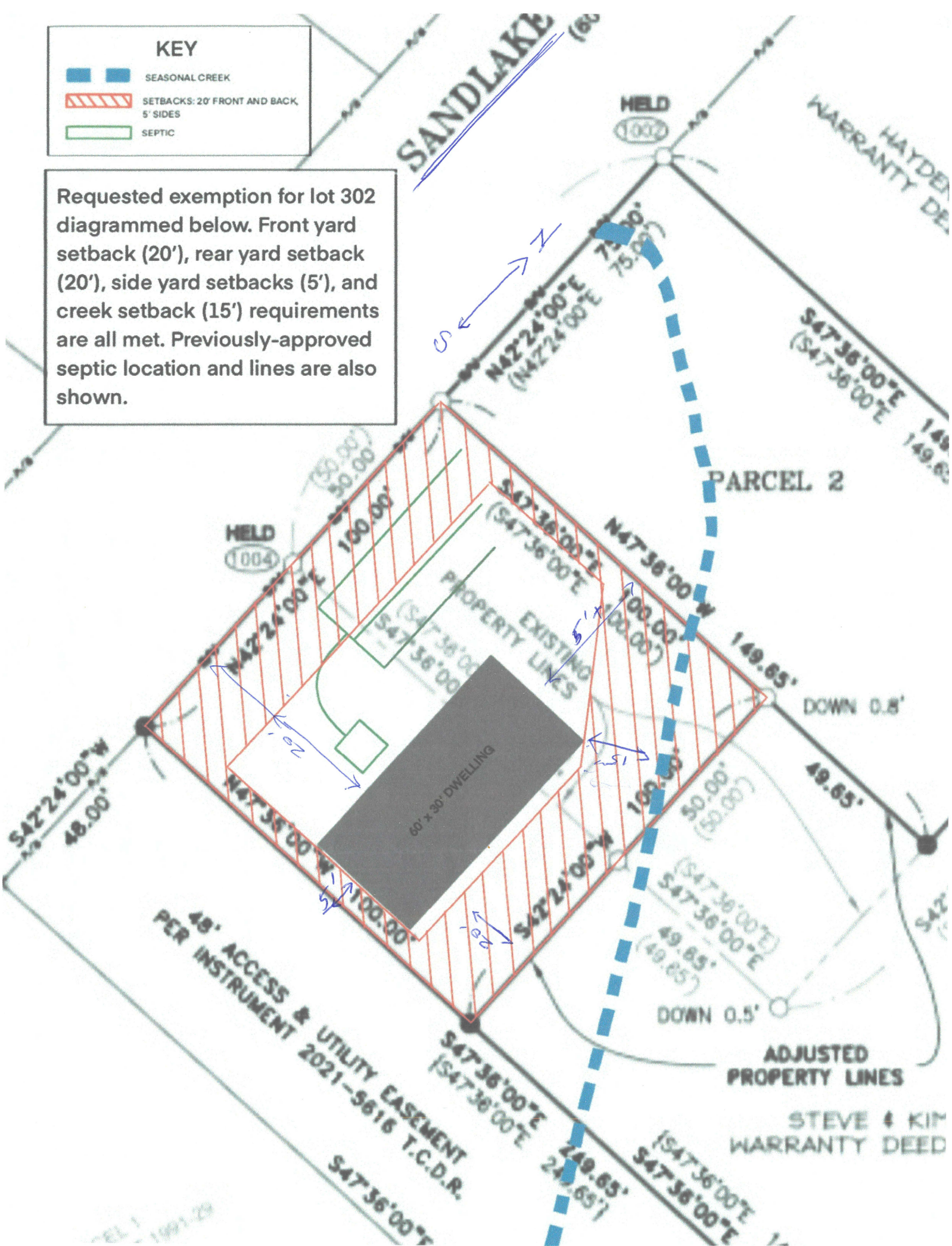


EXHIBIT C

Melissa Jenck

From: BRADLEY Robert * ODFW <Robert.BRADLEY@odfw.oregon.gov>
Sent: Wednesday, May 13, 2026 4:06 PM
To: Melissa Jenck
Cc: Sarah Thompson
Subject: EXTERNAL: RE: 851-26-000097-PLNG: Sahnaw Exception

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

Melissa,

ODFW has no comment on the resource zone exception.

We appreciate maintaining the riparian setback along the stream on the property. We recommend construction activities be conducted to avoid any impact to the setback area. And, if any damage or impact does occur, we recommend the approval be conditioned to require restoration of the setback area along the stream.

Robert

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

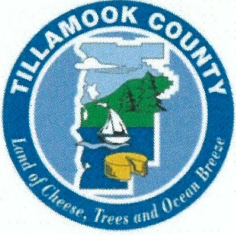
From: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Sent: Wednesday, May 13, 2026 3:01 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: 851-26-000097-PLNG: Sahnaw Exception

Good afternoon,

Please see the link below for the Notice of Application for request #851-26-000097-PLNG for a Resource Zone Exception for Steve and Kimberly Sahnaw.

<https://www.tillamookcounty.gov/commdev/project/851-26-000097-plng>

Sincerely,



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

**Community Development maintains a four day work week,
Monday thru Thursday. Office hours are from 8:00am to
4:00pm.**

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.



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2026-0375

Responsible Jurisdiction

Staff Contact

Melissa Jenck

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-26-000097-PLNG

County

Tillamook

Activity Location

Township

03S

Range

10W

Section

31

QQ section

DA

Tax Lot(s)

302

Street Address

Sandlake Rd

Address Line 2

City

Cloverdale

Postal / Zip Code

97112

State / Province / Region

OR

Country

Tillamook

Latitude

45.266701

Longitude

-123.948626

Wetland/Waterway/Other Water Features

- ☒ It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetland maps, the county soil survey and other available information.

Your Activity

- ☒ A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

- ☒ A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

DSL Review

Wetland Ecologist Comments

There are no mapped resources in this study area. No delineation necessary.

This is a preliminary jurisdictional determination and is advisory only.

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

Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

Response Date

6/8/2026

Response by:

Josh Goldsmith

Response Phone:

971-375-1675

EXHIBIT D

**INSTRUCTIONS FOR FILING RESTRICTIVE COVENANT
FOR THE CREATION OF A PARCEL OR PLACEMENT OF A DWELLING
ADJACENT TO LAND ZONED FOR FARM OR FOREST USE**

1. This acknowledgment is required when the County permits the creation of parcels or the location/placement of dwellings adjacent to an area designated by the County as farm or forest lands (F, F-1, SFW-20).
2. Obtain the legal description of the subject property as it's recorded in the Tillamook County Deed Records. This is what is referred to as Exhibit A and must accompany the affidavit/covenant.
3. The attached affidavit/covenant must be filled out showing the names of ALL current property owners who appear on the property deed or contract, and signed before a Notary Public. Community Development has Notaries that can provide the service for free.
4. Once the affidavit/covenant is signed and notarized with the attached legal description, bring these to the Tillamook County Clerk's office to be recorded. **The Clerk's will charge a recording fee.** Please contact the Clerk's office at (503)842-3402 for current fees.
5. **A copy of the recorded and notarized affidavit/covenant will be given to DCD to put on file.**
6. If you have any questions about the affidavit/covenant, or the recording procedure, please contact the Department of Community Development Staff at (503)842-3408 x3410.

After Recording Return To:

RESTRICTIVE COVENANT

_____,
(GRANTORS) are the owners of real property described as follows:

PROPERTY LEGAL DESCRIPTION attached as Exhibit A hereto and incorporated by reference

Do hereby promise and covenant as follows:

The property herein described is situated adjacent to a Farm or Forest resource zone such as F, F-1, or SFW-20 zones in Tillamook County, Oregon where the intent is to encourage farm and forest use and minimize conflicts with those uses. The owners/residents of this parcel understand that on the adjacent land customary and accepted farm or forest management practices, conducted in accordance with federal and state laws, ordinarily and necessarily produce noise, dust, smoke, odors, the application of manure, fertilizers, or herbicides (including aerial spraying), road construction, changes in view, and other impacts related to a resource zone.

I/We do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a structure in this area and shall not pursue a claim for relief or cause of action of alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or ORS 30.937.

This covenant shall run with the land and is intended to and hereby shall bind my/our heirs, assigns, lessees, and successors and it can not be deleted or altered without prior contact and approval by the Tillamook County Department of Community Development (GRANTEE) or its successor.

IN WITNESS WHEREOF, the said Party has executed this instrument this _____ day of _____ 20____,

Signature

Print Names

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20 ____

SEAL

Notary Public of Oregon
My Commission Expires:

STATE OF OREGON
COUNTY OF TILLAMOOK