



1510 - B Third Street  
Tillamook, Oregon 97141  
www.tillamook.or.us

Building (503) 842-3407  
Planning (503) 842-3408  
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*Land of Cheese, Trees and Ocean Breeze*

**FLOODWAY DEVELOPMENT PERMIT #851-21-000003-PLNG &  
RIPARIAN EXCEPTION REQUEST #851-21-000327-PLNG:  
EMERIO DESIGN/POWELSON**

*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 16, 2021

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited requests on November 16, 2021. 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.co.tillamook.or.us/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 29, 2021**. This decision will become final on November 29, 2021 after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

**Request:** A review of a Floodway Development Permit for the placement of a proposed single-family dwelling near the Nestucca River. Together, with an exception request #851-21-000327-PLNG, to reduce the required 50-foot riparian setback from the Nestucca River to 8-feet to allow the construction of a single-family dwelling.

**Location:** The subject property is accessed from Resort Drive, a County Road, and is designated as Tax Lot 6200, of Section 19AC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

**Zone:** Pacific City/Woods Medium Density Residential (PCW-R2) Zone, Estuary Conservation 1 (EC1)

**Applicant:** Emerio Design, 6445 SW Fallbrook Pl, Suite 100, Beaverton, OR 97008

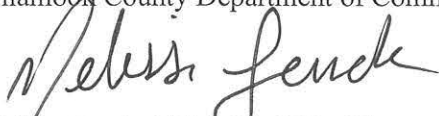
**Property Owner:** Jeff Powelson, PO Box 80775, Portland, OR, 97280

**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. All applicable permits, including a consolidated Zoning and Building Permit from the Tillamook County Department of Community Development shall be obtained prior to construction the proposed dwelling.
3. A minimum 12-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 siting of the dwelling, with a minimum 8-foot riparian setback for the siting of an attached deck. 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.
4. The applicant/property owner shall develop in coordination with ODFW 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. The plan submittal shall include written confirmation from ODFW that the plan is acceptable.
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.
- A. Development shall comply with the applicable standards of TCLUO Section 3.333, 'Pacific City/Woods Medium Density Residential (PCW-R2) Zone', TCLUO Section 3.106, 'Estuary Conservation 1 (EC1) Zone' and TCLUO Section 3.545 'Shoreland Overlay'.
- B. 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 residential 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.
8. The dwelling shall comply with all Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for residential structure located in the 'AE' and Floodway flood zones.
9. 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 dwelling.
10. This approval shall be void on November 16, 2023, 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, Land Use Planner II  
503-842-3408 x 3301 or mjenck@co.tillamook.or.us



Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor's and Zoning maps

851-21-000003-PLNG/851-21-000327-PLNG: Emerio Design/Powelson



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**FLOODWAY DEVELOPMENT PERMIT REQUEST 851-21-000003-PLNG &  
RIPARIAN EXCEPTION 851-21-000327-PLNG:  
EMERIO DEISGN/POWELSON**

**ADMINISTRATIVE DECISION & STAFF REPORT**

**Decision Date: November 16, 2021**

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

**Report Prepared by: Melissa Jenck, CFM, Land Use Planner II**

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**I. GENERAL INFORMATION:**

- Request:** A review of a Floodway Development Permit for the placement of a proposed single-family dwelling near the Nestucca River. Together, with an exception request #851-21-000327-PLNG, to reduce the required 50-foot riparian setback from the Nestucca River to 8-feet to allow the construction of a single-family dwelling.
- Location:** The subject property is accessed from Resort Drive, a County Road, and is designated as Tax Lot 6200, of Section 19AC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.
- Zone:** Pacific City/Woods Medium Density Residential (PCW-R2) Zone, Estuary Conservation 1 (EC1)
- Applicant:** Emerio Design, 6445 SW Fallbrook Pl, Suite 100, Beaverton, OR 97008
- Property Owner:** Jeff Powelson, PO Box 80775, Portland, OR, 97280

**Proposal Description:** The subject property encompasses 0.08 acres, is vacant, abuts the Nestucca River to the north, and is accessed via Resort Drive, a County road, to the south (Exhibit A). The topography at this location is fairly flat with a slope change as the property approaches the Nestucca

River according to County LIDAR data (Exhibits A and B). The Nestucca River is zoned Estuary Conservation 1 (EC1) up to the more landward of Mean Higher High Water or the Line of Non-Aquatic Vegetation (Exhibit A). No wetlands or geologic hazards are mapped on the subject property (Exhibit B).

As indicated on FEMA FIRM 41057C0855F dated September 28, 2018, the subject property is located entirely in an 'AE' Area of Special Flood Hazard and entirely in the Floodway of the Nestucca River (Exhibit A). Staff finds that the proposed dwelling is subject to the standards and criteria of TCLUO Section 3.510, Flood Hazard Overlay' which are addressed below.

Currently, the application is a Floodplain Development Permit approval for the placement of a dwelling, together with an Exception to the riparian setback of 50-feet to 8-feet for construction of a dwelling adjacent to the Nestucca River (Exhibit B). The criteria and standards for each of these reviews are addressed below in this Staff Report.

## 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 3.333, 'Pacific City/Woods Medium Density Residential (PCW-R2) Zone'
- B. TCLUO Section 3.106, 'Estuary Conservation 1(EC1) 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 subject project is located within the regulatory floodway 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 comment 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 17, 2021. Staff finds that notification requirements have been met. Comments were received from the Oregon Department of State Lands (DSL), Oregon Department of Transportation (ODOT) and FEMA Region X and are included as "Exhibit C". ODOT confirmed they had no comments on the request.

### A. TCLUO Section 3.333, 'Pacific City/Woods Medium Density Residential (PCW-R2) Zone'

*PURPOSE: The purpose of the PCW-R2 zone is to designate areas for medium density single-family and duplex residential development, and other, compatible, uses. Land that is suitable for the R-2 zone has public sewer service available, and has relatively few limitations to development.*

TCLUO Section 3.333(2)(a), 'Uses Permitted Outright', lists *One or two-family dwelling* as a use permitted outright in the PCW-R2 zone subject to applicable supplementary regulations contained in ordinance.

**Findings:** Applicant is proposing to site a single-family dwelling in the Pacific City/Woods Medium Density Residential (PCW-R2) zone (Exhibit B). Staff finds that the proposed use is allowed outright in the Pacific City/Woods Medium Density Residential (PCW-R2) zone subject to applicable standards. Staff finds that Applicant will be required to demonstrate compliance with other applicable standards, such as parking, height, and yard setback requirements, at the time of applying for consolidated zoning/building permit approval.

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

The estuary boundary and zones are defined in TCLUO Section 3.100 as "*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.*"

**Findings:** Applicant is proposing to construct a single-family dwelling (Exhibit B). A site plan was included in 'Exhibit B', which demonstrates that the proposed siting location is 8-feet from the riparian setback line. A letter was included from Robert Bradley, Oregon Department of Fish and Wildlife, recommended a 12-foot setback of the dwelling, with the second-story deck setback 8-feet from the riparian area (Exhibit B). The site plan indicates that the proposed siting location of the dwelling is landward of the Mean Higher High water (MHHW) and the line of non-aquatic vegetation.

Staff finds that the proposed development is located outside the Estuary Conservation 1 (EC1) zone, as it is located landward of the estuary boundary. Staff find that Applicant will be required to demonstrate compliance with such standards for any future development on the site subject to the EC1 boundary at time of 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.*

*(i) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding, consistent with Oregon Department of Environmental Quality (DEQ) standards.*

**Findings:** Applicant has provided a site plan and building plans by Emerio Design 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 Douglas Kellow dated April 2, 2021, does not detail the location of the lowest machinery or equipment of the building (Exhibit B). Floor plans prepared by Emerio Design do not detail any improvements, living space, utilities or machinery located on the lowest level of the proposed dwelling (Exhibit B). Staff finds 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:*

#### *RESIDENTIAL CONSTRUCTION*

*(a) New construction and substantial improvement of any residential structure, including manufactured dwellings, shall have the lowest floor, including basement, at a minimum of three feet above base flood elevation.*

*(b) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or must meet or exceed the following minimum criteria:*

*(1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.*

*(2) The bottom of all openings shall be no higher than one foot above grade.*

*(3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.*

**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). Applicant is proposing to develop a dwelling (Exhibit B).

Applicant provided a pre-construction elevation certificate prepared by Douglas Kellow, a licensed professional surveyor, for the proposed residential development. The proposed design includes a main floor level at 14.6-feet (Exhibit B). Douglas Kellow stated Base Flood Elevation (BFE) for the subject property is 19.6-feet (Exhibit A). The bottom floor of the proposed dwelling is to be maintained as storage/parking area and is proposed to be located at 13-feet NAVD 88 (Exhibit B).

The next higher floor, which is indicated to maintain the proposed living space of the dwelling, is located at 23.2-feet NAVD 88, which exceeds 3-feet above BFE (Exhibit B). Applicant has provided plans which indicate the location of multiple vents, with the Elevation Certificate confirming adequate net area of openings provided by the vents for the enclosed bottom floor (Exhibit B). Staff finds 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 confirms that the proposed encroachments into the regulatory floodway will not result in any increase in flood levels (Exhibit B). Comments were received from Joshua Crowley, FEMA Region X Service Center, to conclude that the proposed development as demonstrated in Waterways Consulting, Inc.'s report result in a zero rise in BFE (Exhibit C).

Staff finds 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.*

**Findings:** Staff finds the proposed location is within a FEMA 'AE' Flood zone and is therefore not located within a Coastal High Hazard Area (Exhibit B). Staff find this criterion is met.

- (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.*

**Findings:** The Applicant retained Waterways Consulting, Inc. to complete the no-rise analysis required for development within the regulatory floodway (Exhibit B). The analysis confirms that the proposed encroachments into the regulatory floodway will not result in any increase in flood levels (Exhibit B). The proposed activity is for the placement of a dwelling on the subject property (Exhibit B). No additional fill outside the proposed structure has been designated on the application submittal, with the site plan indicating an existing driveway, which would conclude further fill to prepare an approach is not applicable at this time (Exhibit B). Staff find these criteria are met.

- (5) No feasible alternative upland locations exist on the property.*

**Findings:** The subject property is entirely located within the FEMA 'AE' Flood zone boundary and entirely within the Floodway (Exhibit A). No upland location exists on the subject property which would remove future development from the regulatory floodplain (Exhibit B). Staff find this criterion is met.

- (6) The fill does not impede or alter drainage or the flow of floodwaters.*

**Findings:** The Applicant retained Waterways Consulting, Inc. to complete the no-rise analysis required for development within the regulatory floodway (Exhibit B). The analysis confirms that the proposed encroachments into the regulatory floodway will not result in any increase in flood levels or surface elevations anywhere in the model (Exhibit B). Staff find this criterion is met.

- (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:** The Applicant has proposed the siting of a single-family residential structure on the subject property (Exhibit B). Staff find the proposed improvement is neither a critical facility as defined in TCLUO Section 3.510(4) or a Flood Refuge Platform. Staff find these criteria are met.

*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.*

**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 Area of Special Flood Hazard and in the Floodway of the Nestucca River and no alternative upland location exists (Exhibits A and B). Waterways Consulting, Inc. provided a no-rise analysis certifying that the proposed dwelling will not create a rise in flood levels (Exhibit B). Staff finds 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 finds that portions of the proposed dwelling are located within the Shorelands Boundary as identified in the Goal 17 element of the Tillamook County Comprehensive Plan. Staff have 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:*

*(a) Farm uses*

- (b) Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act,
- (c) Aquaculture,
- (d) Water-dependent recreational, industrial and commercial uses,
- (e) Replacement, repair or improvement of existing state park facilities,
- (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

...

**Findings:** Staff finds that the subject property is in a built and committed exception area and the proposed residential use is allowed in the underlying Pacific City/Woods Medium Density Residential (PCW-R2) zone.

*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:** The requirements of TCLUO Section 4.140 and 3.510 are addressed in the body of this Report. Staff find these standards are 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.*

**Findings:** Staff finds the subject property is adjacent to Nestucca River (Exhibit B). A 50-foot riparian setback is required.

- (2) *All development shall be located outside of areas listed in (1) above, unless:*
  - (a) *For a bridge crossing; or*
  - (b) *Direct water access is required in conjunction with a water dependent use; or*
  - (c) *Because of natural features such as topography, a narrower riparian area protects equivalent habitat values; or*
  - (d) *A minimal amount of riparian vegetation is present and dense development in the*

*general vicinity significantly degrades riparian habitat values.*

*Setbacks may be reduced under the provisions of (c) and (d) above only if the threat of erosion will not increase and a minimum 20-foot setback is maintained. Determinations of habitat values will be made by the Oregon Department of Fish and Wildlife.*

**Findings:** The subject property abuts the Nestucca River, which defines the riparian area as 50-feet. Applicant is proposing to setback the proposed dwelling 12-feet from the riparian boundary with the deck maintaining an 8-foot setback, as determined by the Oregon Department of Fish and Wildlife (Exhibit B). Robert Bradley, ODFW, provided comments within the Applicants submittal that the setback reduction recommendation shall condition the planting of native trees and vegetation along the bank to provide further reduction to erosion potential (Exhibit B).

Staff finds that these requirements can be met through compliance with Conditions of Approval.

*(3) Exemptions from (2) above and from the applicable setback requirement for the front or rear yard that is opposite the riparian area may be granted without a variance for uses on:*

*(a) Lots located in areas identified in the Comprehensive Plan's Goal 2 exception element as "built and committed" and which existed as of the date of adoption of this Ordinance, and single family residential "lots of record" as defined and used in Chapter 884 Oregon Laws 1981 as amended, with a depth measured according to (1) above that is;*

*i. Less than 95 feet in places where the area of riparian vegetation is 50 feet wide; or*

*ii. Less than 70 feet in places where the area of riparian vegetation is 25 feet wide.*

*(b) Other lots in identified Abuilt and committed areas and other Alots of record≅ where the combination of setbacks required by this section result in a buildable lot depth of less than 45 feet.*

*Exemptions from the riparian setback shall be the minimum necessary to accommodate the proposed use after the yard opposite the riparian area has been reduced to a width of no less than ten feet.*

**Findings:** The Pacific City/Woods Unincorporated Community Area is a built and committed area as described in Goal 2 of the Tillamook County Comprehensive Plan. The subject property is approximately 60 to 65-feet in depth opposite the abutting riparian boundary (Exhibit A & B). Staff find the subject property abuts the Nestucca River which requires a 50-foot riparian setback. Therefore, TCLUO Section 4.140(3)(a)(i) would allow an exemption to the opposite yard of the riparian boundary to be reduced to 10-feet. Applicant has proposed a 10-foot front yard setback, opposite the riparian boundary (Exhibit B). Staff find this standard is 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 Floodplain Development Permit 851-21-000003-PLNG and Riparian Exception 851-21-000327-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 29, 2021.**

**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. All applicable permits, including a consolidated Zoning and Building Permit from the Tillamook County Department of Community Development shall be obtained prior to construction the proposed dwelling.
3. A minimum 12-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 siting of the dwelling, with a minimum 8-foot riparian setback for the siting of an attached deck. 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.
4. The applicant/property owner shall develop in coordination with ODFW 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. The plan submittal shall include written confirmation from ODFW that the plan is acceptable.
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.
- F. Development shall comply with the applicable standards of TCLUO Section 3.333, 'Pacific City/Woods Medium Density Residential (PCW-R2) Zone', TCLUO Section 3.106, 'Estuary Conservation 1 (EC1) Zone' and TCLUO Section 3.545 'Shoreland Overlay'.
- G. 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 residential 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.
8. The dwelling shall comply with all Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for residential structure located in the 'AE' and Floodway flood zones.
9. 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 dwelling.
10. This approval shall be void on November 16, 2023, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

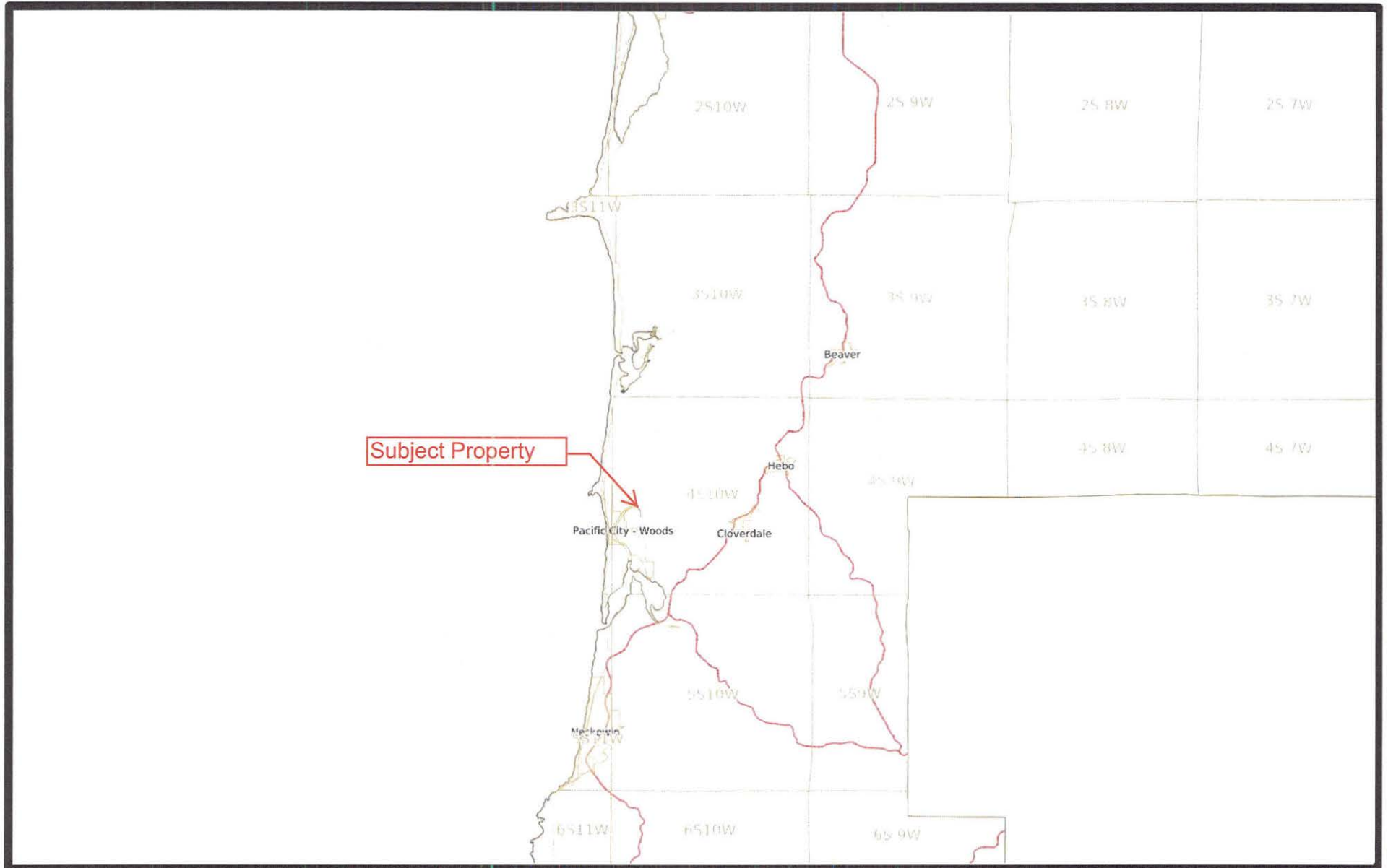
**VII. EXHIBITS**

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

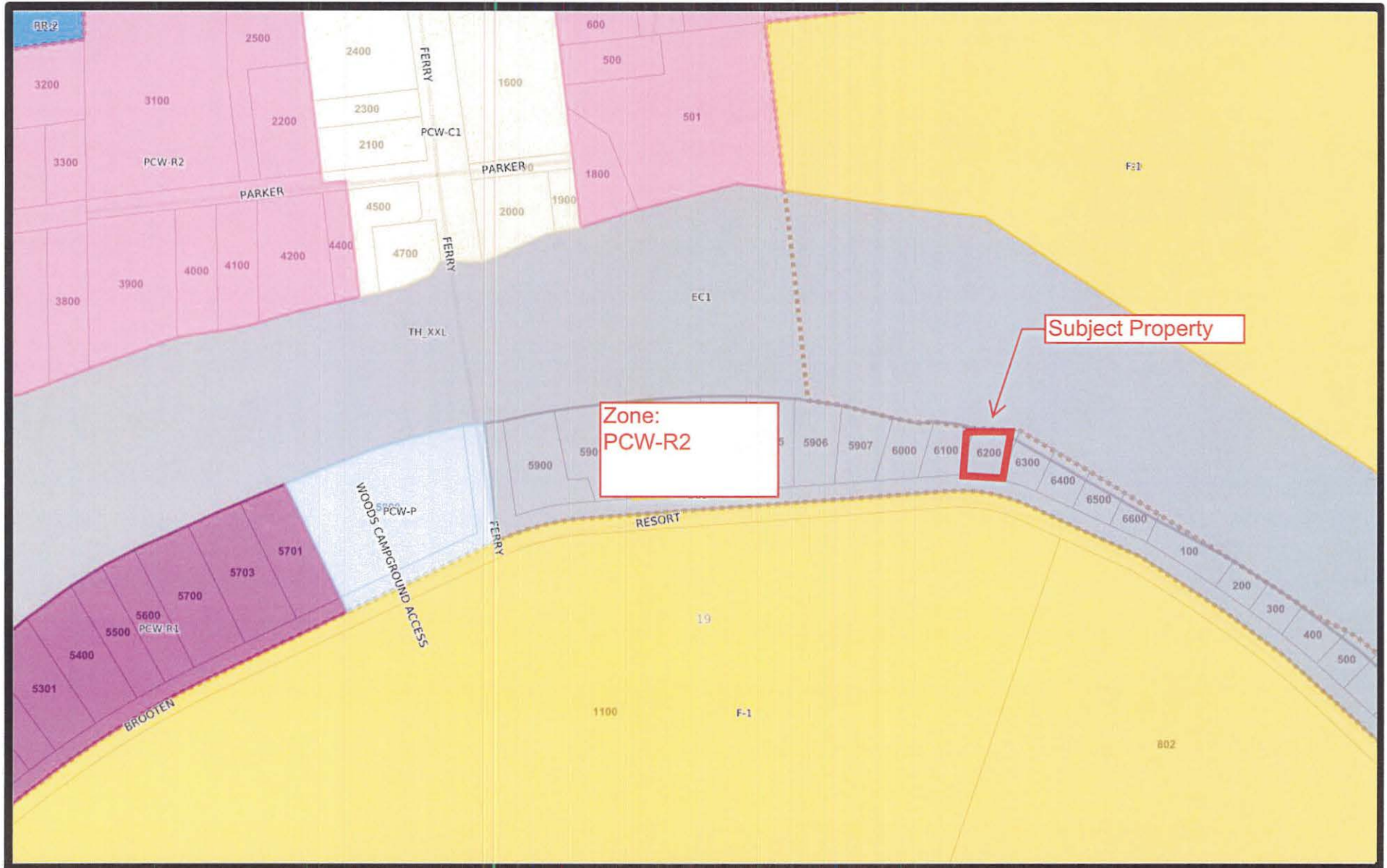
- A. Location map, Assessor map, Zoning map, FEMA FIRM, NWI Wetlands map
- B. Applicant's submittal
- C. Public Comments

# EXHIBIT A

# Vicinity Map



# Zoning Map



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

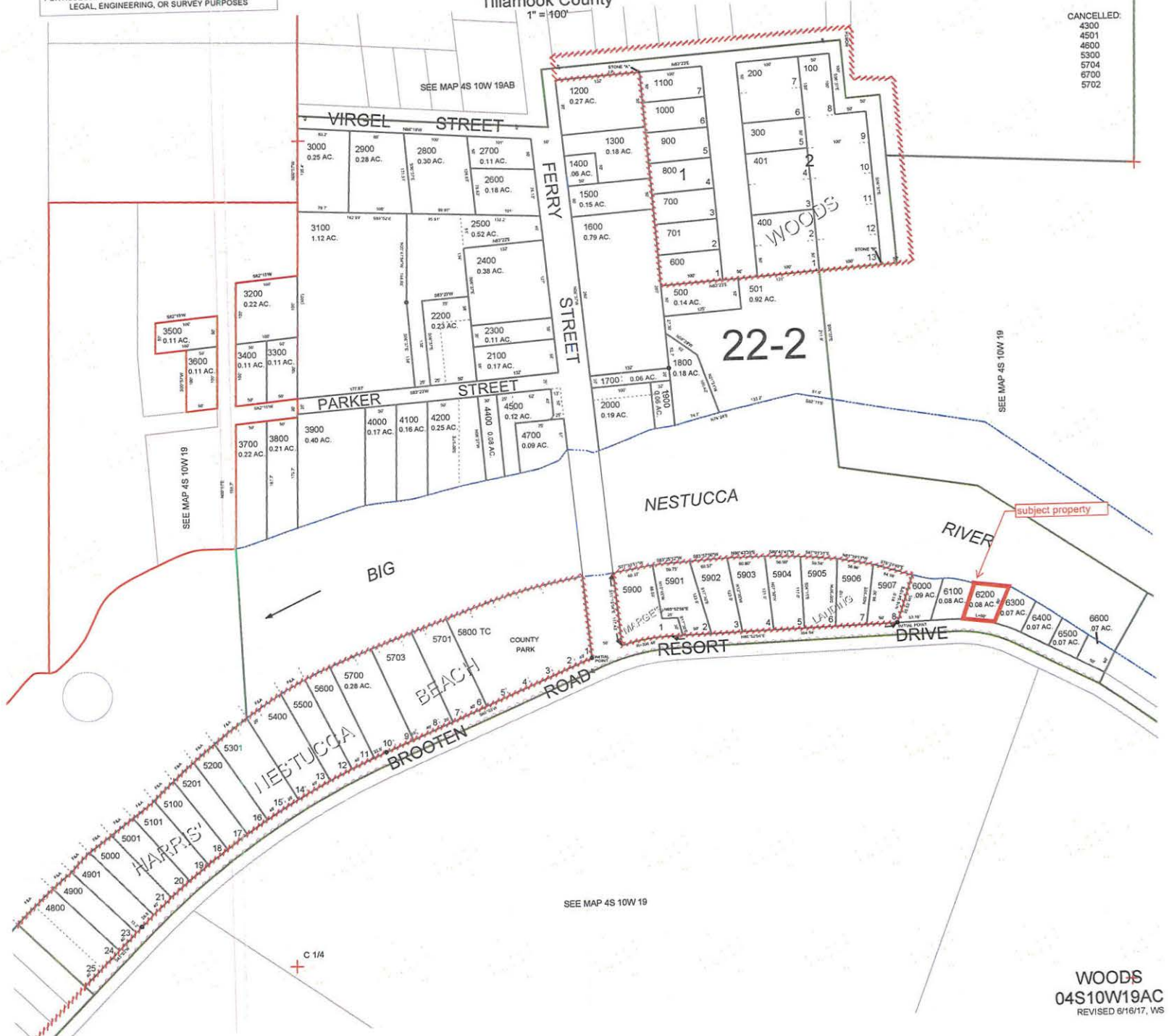
S.W.1/4 N.E.1/4 SEC.19 T.4S. R.10W. W.M.

Tillamook County

1" = 100'

04S10W19AC  
WOODS

CANCELLED:  
4300  
4501  
4600  
5300  
5704  
5700  
5702



SEE MAP 4S 10W 19

SEE MAP 4S 10W 19AB

SEE MAP 4S 10W 19

SEE MAP 4S 10W 19

C 1/4

WOODS  
04S10W19AC  
REVISED 8/16/17, WS



# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

August 17, 2021 12:07:59 pm

<b>Account #</b> 228925 <b>Map #</b> 4S1019AC06200 <b>Code - Tax #</b> 2202-228925  <b>Legal Descr</b> See Record  <b>Mailing Name</b> POWELSON, JEFFERY B & TRACY A <b>Agent</b> <b>In Care Of</b> <b>Mailing Address</b> 11161 SW MATZEN DR WILSONVILLE, OR 97070-8574  <b>Prop Class</b> 100 <b>MA</b> <b>SA</b> <b>NH</b> <b>Unit</b> <b>RMV Class</b> 100      09    WF    903   7943-1	<b>Tax Status</b> ASSESSABLE <b>Acct Status</b> ACTIVE <b>Subtype</b> NORMAL  <b>Deed Reference #</b> 2020-5137 <b>Sales Date/Price</b> 07-08-2020 / \$76,000.00 <b>Appraiser</b> ROBERT BUCKINGHAM
---	---

<b>Situs Address(s)</b>	<b>Situs City</b>
ID# 33685 RESORT DR	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
2202 Land	90,350			Land	0
Impr.	0			Impr.	0
<b>Code Area Total</b>	<b>90,350</b>	<b>86,110</b>	<b>86,110</b>		<b>0</b>
<b>Grand Total</b>	<b>90,350</b>	<b>86,110</b>	<b>86,110</b>		<b>0</b>

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
2202	0	<input checked="" type="checkbox"/>		PCW-R 1	Market	97	A	0.08	62,350
2202					OSD - AVERAGE	100			28,000
<b>Grand Total</b>								<b>0.08</b>	<b>90,350</b>

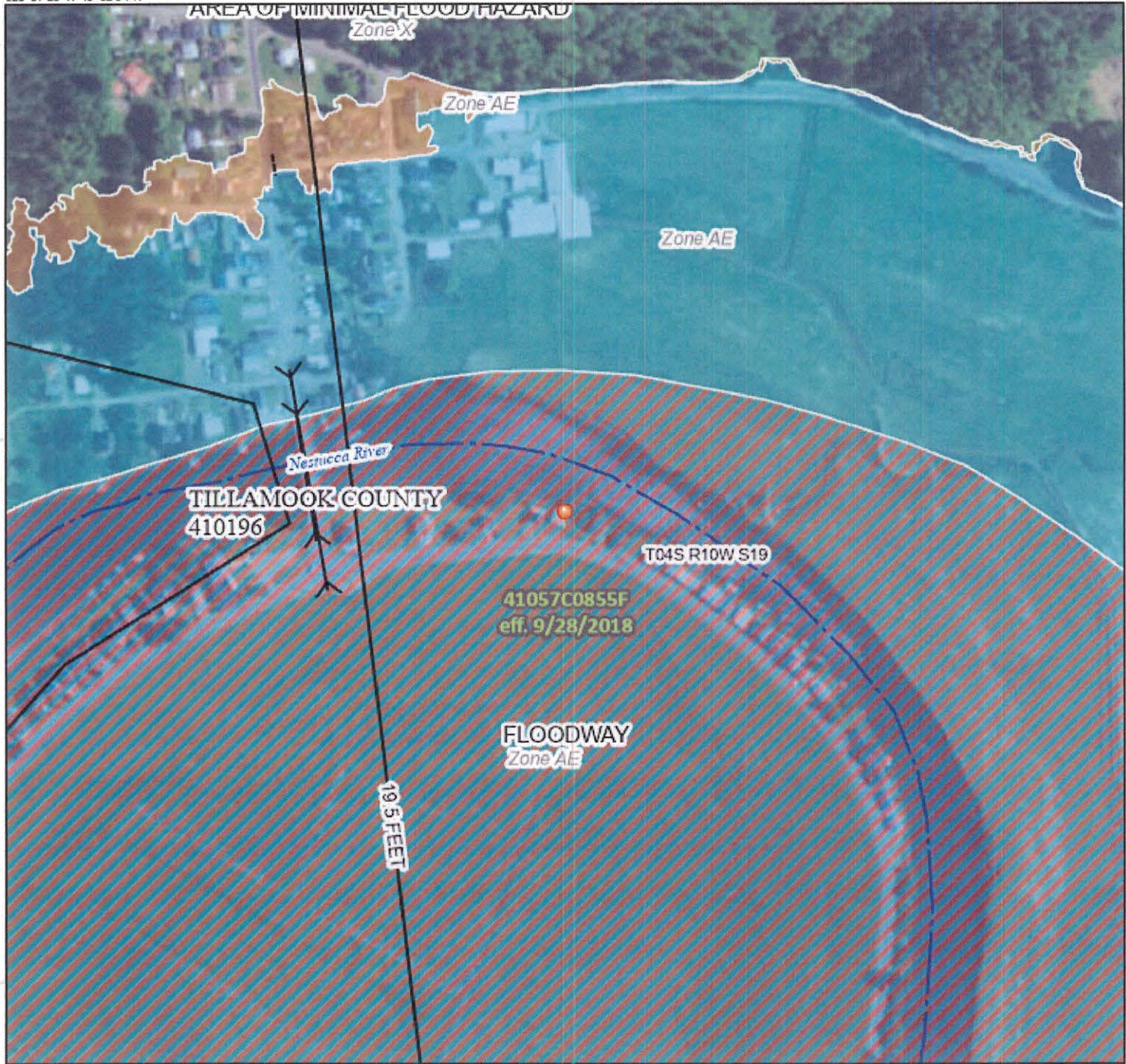
Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Trended RMV
					TD%	Total Sq. Ft.	Ex% MS Acct #	
<b>Grand Total</b>						<b>0</b>		<b>0</b>

Comments: 5/24/06-Removed Solid Waste, Home gone-LM 01/27/14 Reappraised land; tabled values. RBB

# National Flood Hazard Layer FIRMeTte



123°57'25"W 45°12'54"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 J
- 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 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

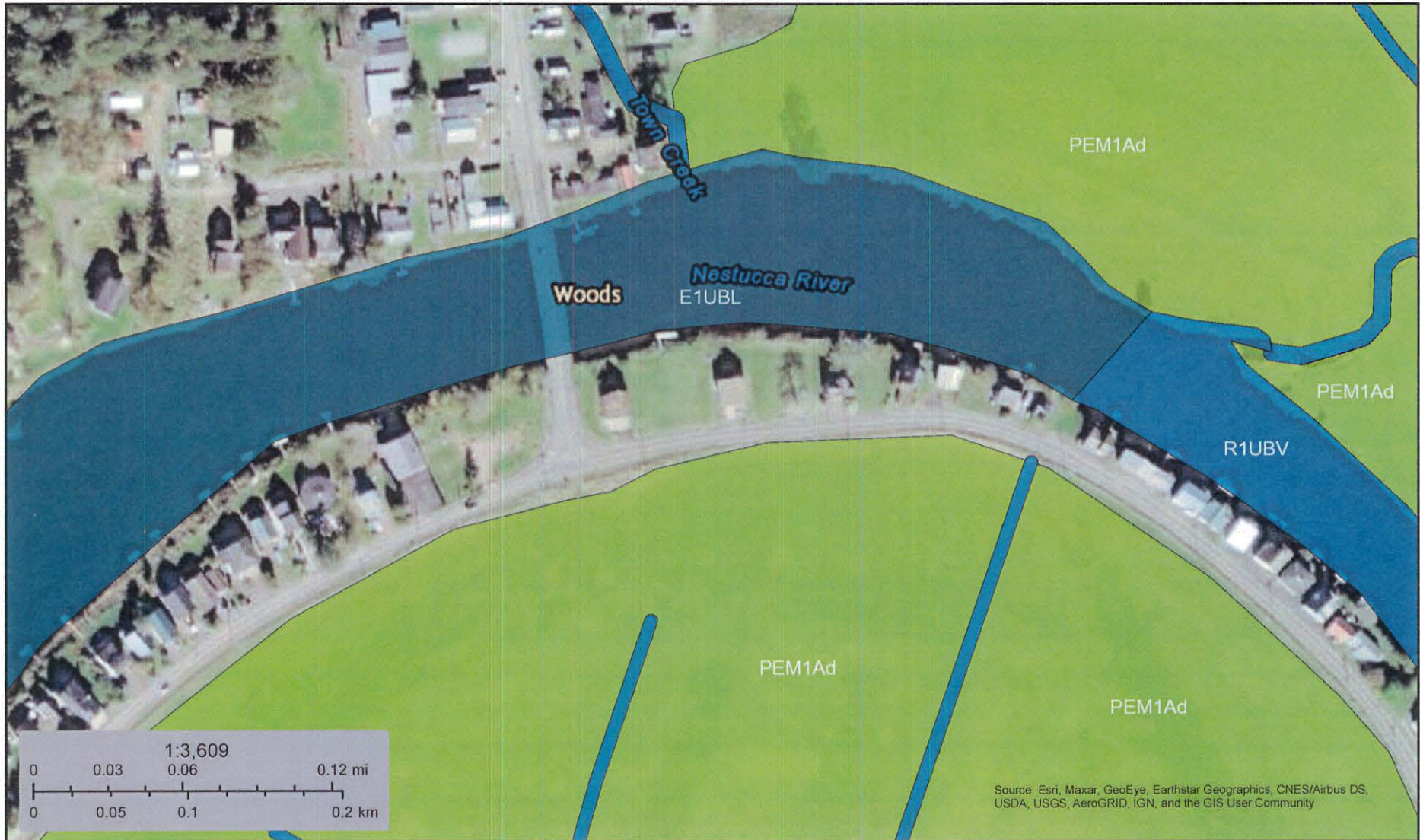
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 8/17/2021 at 3:08 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.





August 10, 2021

**Wetlands**

- |  |   |  |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland       |  Lake     |
|  Estuarine and Marine Wetland   |  Freshwater Forested/Shrub Wetland |  Other    |
|  |  Freshwater Pond                   |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

# EXHIBIT B

Melissa Jenck  
Tillamook County Department of Community Development  
1551-B Thrid Street  
Tillamook, Oregon 97141



Dear Melissa,

Enclosed you will find the zoning permit application as per your request, the no rise analysis , \$983.00 application fee, pre-elevation certification from Doug Kellow surveyor. Please let me if I have missed anything. I would like to have the review process to include the riparian set back of 12ft as per recommendation of Robert Bradley of the Oregon Department of Fish and Wildlife. I look forward to hearing the results of the request.

Sincerely ,



Jeff Powelson

PO Box 80775  
Portland, Oregon 97280  
(503)502-0414



## PLANNING APPLICATION

**Applicant**  (Check Box if Same as Property Owner)

Name: Emerio Design Phone: (541) 318-7487  
 Address: 6445 SW Fallbrook Pl. #100  
 City: Beaverton State: OR Zip: 97008  
 Email: Steven@emeriodesign.com

**Property Owner**

Name: Jeff Powelson Phone: (503) 502-0414  
 Address: P.O. Box 80775  
 City: Portland State: OR Zip: 97280  
 Email: Jeff@aquaticsports.com

Request: 10-foot front yard Setback w/ a 12-foot Setback to the riparian area for the base (foundation of home). Deck off the second story may encroach to 8-foot per ODFW (see email from Robert Bradley).

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

**Location:**

Site Address: 33885 Resort Dr., Claverdale, OR 97135  
 Map Number: 4S 10W 19A 6200  
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)  
Steve MCO  
 Applicant Signature

Date  
5/25/2021  
 Date

OFFICE USE ONLY	
Date Stamp	<b>RECEIVED</b>
	JUN 01 2021
	BY: <u>Email</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees:	
Permit No:	
851-____-____-PLNG	



## PLANNING APPLICATION

<b>OFFICE USE ONLY</b>	
<b>RECEIVED</b>	
Date Stamp <b>DEC 30 2020</b>	
BY: <i>[Signature]</i>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <b>MJ</b>	
Receipt #: <b>118491</b>	
Fees: <b>983.00</b>	
Permit No: <b>85121 -000003 -PLNG</b>	

**Applicant**  (Check Box if Same as Property Owner)

Name: JEFF POWELSON Phone: 503-502-0414  
 Address: 33685 RESORT DR  
 City: Clowardale State: OR Zip: 97135  
 Email: JEFF@AQUATICSPORTS.COM

**Property Owner**

Name: JEFF POWELSON Phone: 503-502-0414  
 Address: P.O. BOX 80775  
 City: PORTLAND State: OR Zip: 97280  
 Email: JEFF@AQUATICSPORTS.COM

Request: CHANGE SET BACK OF PROPERTY FOR RIPARIAN SET BACK TO 12'

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

**Location:**

Site Address: 33685 RESORT DR Clowardale OR 97135  
 Map Number: 45 - 10 - 19 - AC - Woods 6200  
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)

Applicant Signature

12/20/2020  
Date  
12/20/2020  
Date



## ZONING PERMIT APPLICATION

<b>OFFICE USE ONLY</b>	
Date Stamp	
<b>DEC 30 2020</b>	
BY: _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>MJ</u>	
Receipt #:	
Fees: -	
Permit No:	
851- _____	2-PLNG

**Applicant**  (Check Box if Same as Property Owner)

Name: JEFF POWELSON Phone: (503) 502-0414  
 Address: P.O. Box 80775  
 City: PORTLAND State: 02 Zip: 97280  
 Email: JEFF@AQUATICSPORTS.COM

**Property Owner**

Name: JEFF & TRACY POWELSON Phone: (503) 502-0414  
 Address: 11161 SW MATZEN DR  
 City: WILSONVILLE State: 02 Zip: 97070  
 Email: JEFF@AQUATICSPORTS.COM

**Location:**

Site Address: 33685 RESORT DRIVE CLOVERDALE, OREGON 97135  
 Map Number: 45-10-19-AC Tillamook County 6200  
Township Range Section Tax Lot(s)

**Applicant/Property Owner Proposal:**

**Size of Structure**

Dimensions: 35' X 35' Height: 35  
 # of Dwelling Units: 1 Living Area Sq. Ft: 2600  
 Deck/Porch Sq. Ft: 250 Garage/Utility/Storage Sq. Ft: 1800  
 Lot Coverage:  
Some zones have a lot coverage requirement

**Setbacks**

Front Yard: 10 FEET Rear Yard: \_\_\_\_\_  
 Right Side: 5 FEET Left Side: 5 FEET  
 River/Estuary/Creek 12 FT Adjacent Resource Zone: \_\_\_\_\_  
 Slope: \_\_\_\_\_ Other: \_\_\_\_\_

**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. If approved, this application is valid for one (1) year from the date of approval. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

\_\_\_\_\_  
 Legally Authorized Signature Date: 12/26/2020



**PAGE 2 TO BE COMPLETED BY PLANNING STAFF**

**Proposed Land Use**

Zoning: _____	Overlays: _____
Size (Acres): _____	Parking Spaces: _____
Lot Coverage: _____	Small Lot: <input type="checkbox"/> Section 4.100 <input type="checkbox"/> Section 4.110
GHZ: _____	Flood Zone: _____
Other: _____	

<b>(R) – Required    (A) – Allowed    (P) - Proposed</b>				
<b>Setbacks:</b>	<input type="checkbox"/> Standard	<input type="checkbox"/> Corner	<input type="checkbox"/> Through	<input type="checkbox"/> Irregular
Front Yard (R): _____	Rear Yard (R): _____	Left Side (R): _____	Right Side (R): _____	
(P): _____	(P): _____	Yard (P): _____	Yard (P): _____	
Riparian Setback (R): _____	Riparian Setback (P): _____			
OSL Setback _____	Building Height (A): _____	(P): _____		
<small>Per section 3.085: OSL setback may vary</small>	<small>Neskowin zoning measures height differently</small>			

Access: _____	<input type="checkbox"/> Public/Private: _____
Water Supply: _____	<input type="checkbox"/> Public/Private: _____ <input type="checkbox"/> Well <input type="checkbox"/> Creek/Spring
Wastewater Disposal: _____	<input type="checkbox"/> Sewer: _____ <input type="checkbox"/> Approved On-Site Disposal

**Land Use Approvals:**

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**Conditions of Approval**

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<b>Approved By:</b> _____	<b>Date:</b> _____	<b>Expiration Date:</b> _____
---------------------------	--------------------	-------------------------------

**Fee Schedule**

Residential		Manufactured Dwelling/RV Placement		Commercial	
Regular	\$246.00	MD Planning Review (not included if placement is in park or city)	\$311.00	New commercial, apartments & multi-family dwellings	\$409.00
Additions/Accessory Structures	\$99.00	RV Review	\$205.00	Additions/Accessory Structures	\$409.00
Interior Remodel (no increase to footprint or height)	\$42.00			Interior Remodel (no increase in footprint or height)	\$100.00

# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1–9.

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 POWELSON, JEFF				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 33685 RESORT DRIVE				Company NAIC Number:	
City CLOVERDALE		State Oregon		ZIP Code 97112	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX LOT 6200, 4S-10-19-AC, TILLAMOOK COUNTY, OREGON					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>45.21139</u> Long. <u>123.95139</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>7</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>1650.00</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>9</u>					
c) Total net area of flood openings in A9.b <u>1800.00</u> sq in					
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TILLAMOOK COUNTY 410196			B2. County Name TILLAMOOK		B3. State Oregon
B4. Map/Panel Number 41057C0855	B5. Suffix F	B6. FIRM Index Date 09-28-2018	B7. FIRM Panel Effective/ Revised Date 09-28-2018	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 19.6
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
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					

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 33685 RESORT DRIVE			Policy Number:
City CLOVERDALE	State Oregon	ZIP Code 97112	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, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PC#7 Vertical Datum: NAVD 1988

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

NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- |   |      |  |                                 |
|---|------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)   | 13.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor   | 23.2 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   |      | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| d) Attached garage (top of slab)  |      | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments) |      | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | 11.7 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | 12.9 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                  | 13.0 | <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 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.

Certifier's Name DOUGLAS H. KELLOW	License Number OREGON PLS 2027	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>REGISTERED PROFESSIONAL LAND SURVEYOR</b> </div> <div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-bottom: 5px;"> <i>Douglas H. Kellow</i> </div> <div style="border: 1px solid black; padding: 5px;"> <b>OREGON</b> February 3, 1983 <b>DOUGLAS H. KELLOW</b> <b>2027</b> Renewal: 06/30/21                 </div>	
Title LAND SURVEYOR			
Company Name KELLOW LAND SURVEYING			
Address P.O. BOX 335			
City PACIFIC CITY	State Oregon	ZIP Code 97135	
Signature <i>Douglas H. Kellow</i>	Date 04-02-2021	Telephone (503) 801-3537	Ext.
Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.			
Comments (including type of equipment and location, per C2(e), if applicable)			

TOPOGRAPHIC SURVEY FOR POWELSON  
4S-10-19-AC-WOODS-TILLAMOOK CO., OR

SURVEY & MAP BY:  
KELLOW LAND SURVEYING  
P.O. BOX 335  
PACIFIC CITY, OR 97135  
503-801-3537

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Douglas H. Kellow

OREGON  
FEBRUARY 3, 1983  
DOUGLAS H. KELLOW  
2027

RENEWS: 06/30/21

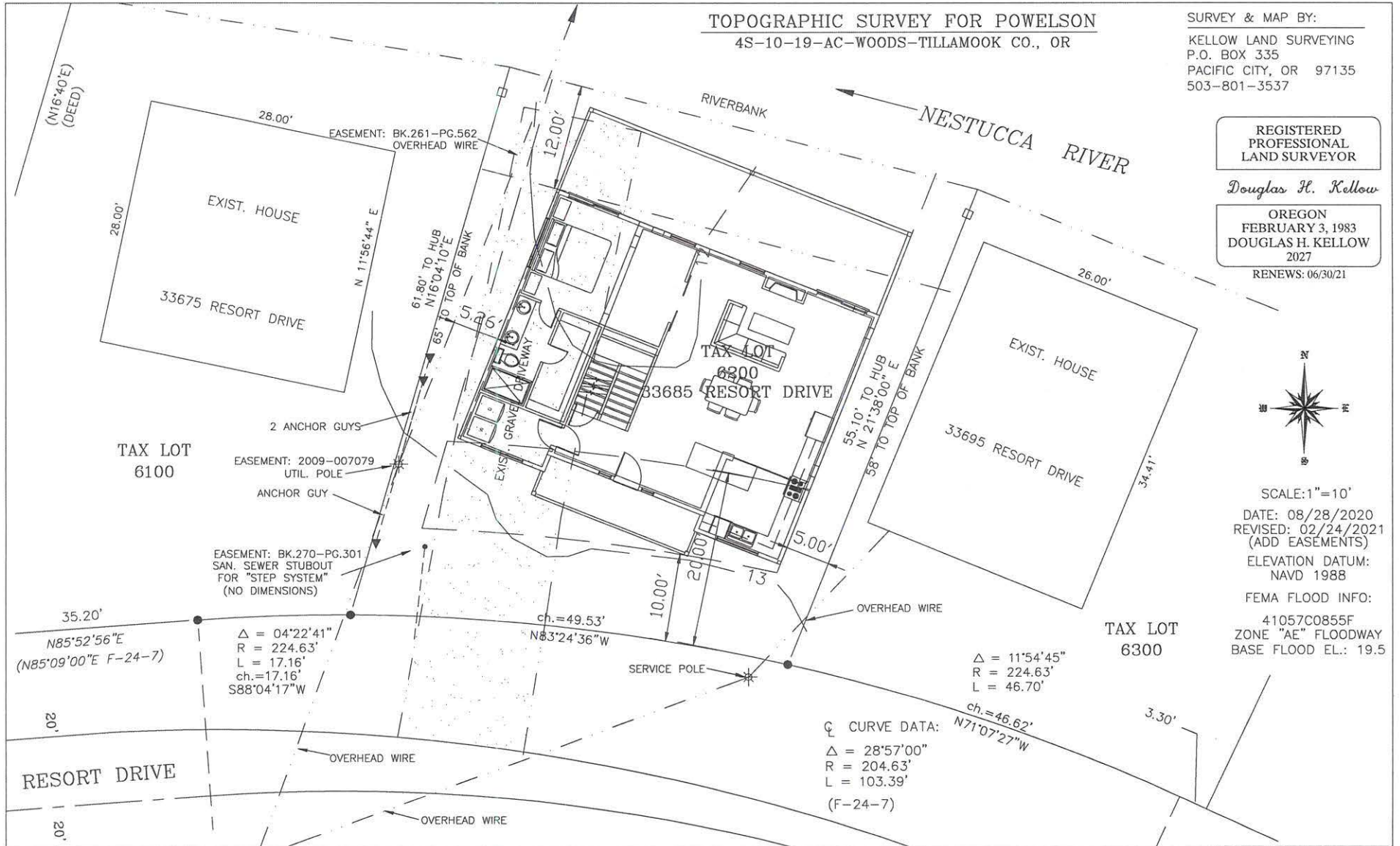


SCALE: 1" = 10'

DATE: 08/28/2020  
REVISED: 02/24/2021  
(ADD EASEMENTS)

ELEVATION DATUM:  
NAVD 1988

FEMA FLOOD INFO:  
41057C0855F  
ZONE "AE" FLOODWAY  
BASE FLOOD EL.: 19.5



# CORNER LOCATE FOR TAX LOT 6200

4S-10-19-AC-WOODS-TILLAMOOK CO., OR



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

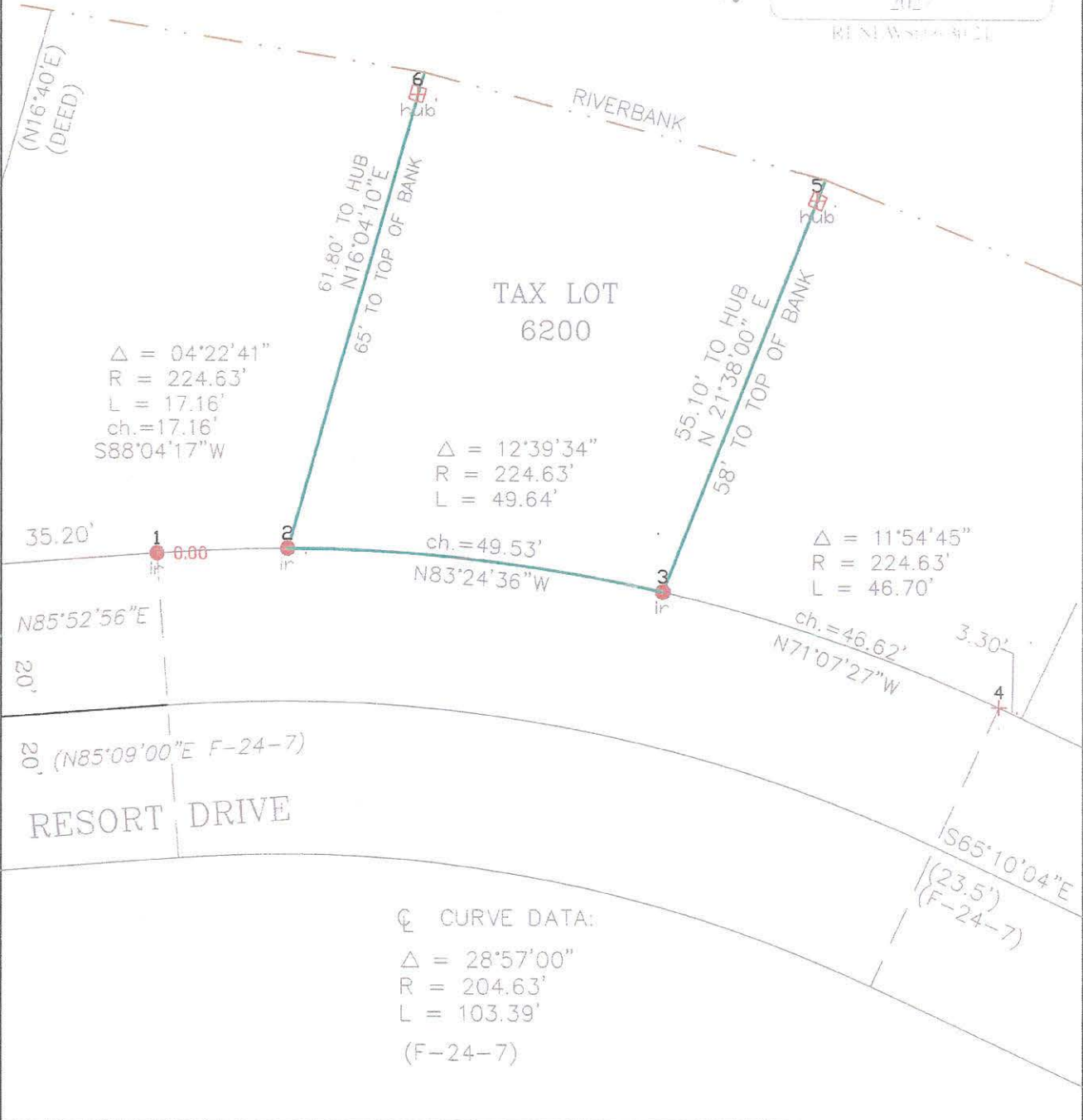
*Douglas H. Kellow*

OREGON  
FEBRUARY 3, 1983  
DOUGLAS H. KELLOW  
2027

RENEWAL 06/22/2024

SCALE: 1" = 20'  
DATE: 06/22/2020

NESTUCCA RIVER



$\Delta = 04^{\circ}22'41''$   
R = 224.63'  
L = 17.16'  
ch. = 17.16'  
S88°04'17"W

$\Delta = 12^{\circ}39'34''$   
R = 224.63'  
L = 49.64'

$\Delta = 11^{\circ}54'45''$   
R = 224.63'  
L = 46.70'

☉ CURVE DATA:  
 $\Delta = 28^{\circ}57'00''$   
R = 204.63'  
L = 103.39'  
(F-24-7)

TOPOGRAPHIC SURVEY FOR POWELSON  
4S-10-19-AC-WOODS-TILLAMOOK CO., OR

SURVEY & MAP BY:  
KELLOW LAND SURVEYING  
P.O. BOX 335  
PACIFIC CITY, OR 97135  
503-801-3537

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Douglas H. Kellow

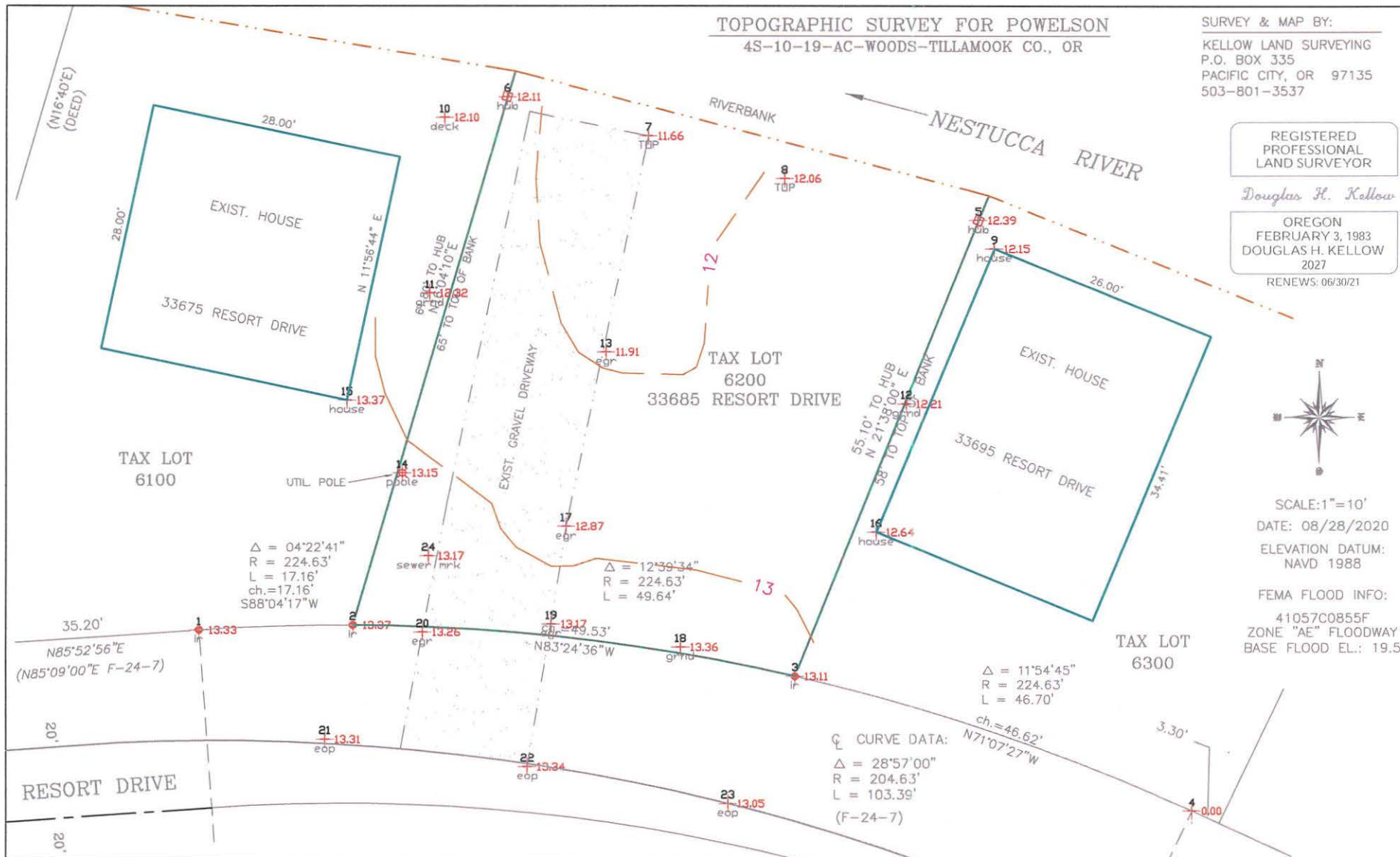
OREGON  
FEBRUARY 3, 1983  
DOUGLAS H. KELLOW  
2027

RENEWS: 06/30/21



SCALE: 1" = 10'  
DATE: 08/28/2020  
ELEVATION DATUM:  
NAVD 1988

FEMA FLOOD INFO:  
41057C0855F  
ZONE "AE" FLOODWAY  
BASE FLOOD EL.: 19.5



04S10W19AC  
WOODS

S.W. 1/4 N.E. 1/4 SEC. 19 T.4S. R.10W. W.M.  
Tillamook County

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

CANCELLED:  
4300  
4501  
4600  
4800  
4900  
5100  
5200  
5700  
5702



WOODS  
04S10W19AC  
REVISED 6/16/17, WS

SEE MAP 4S-10W 19

C 1/4

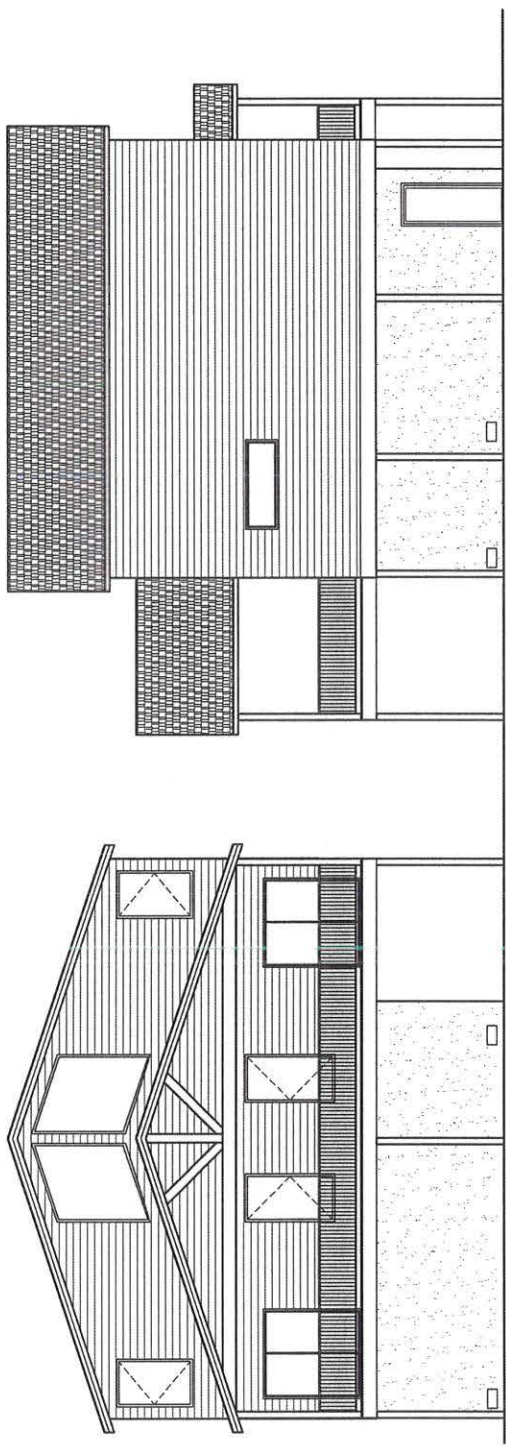
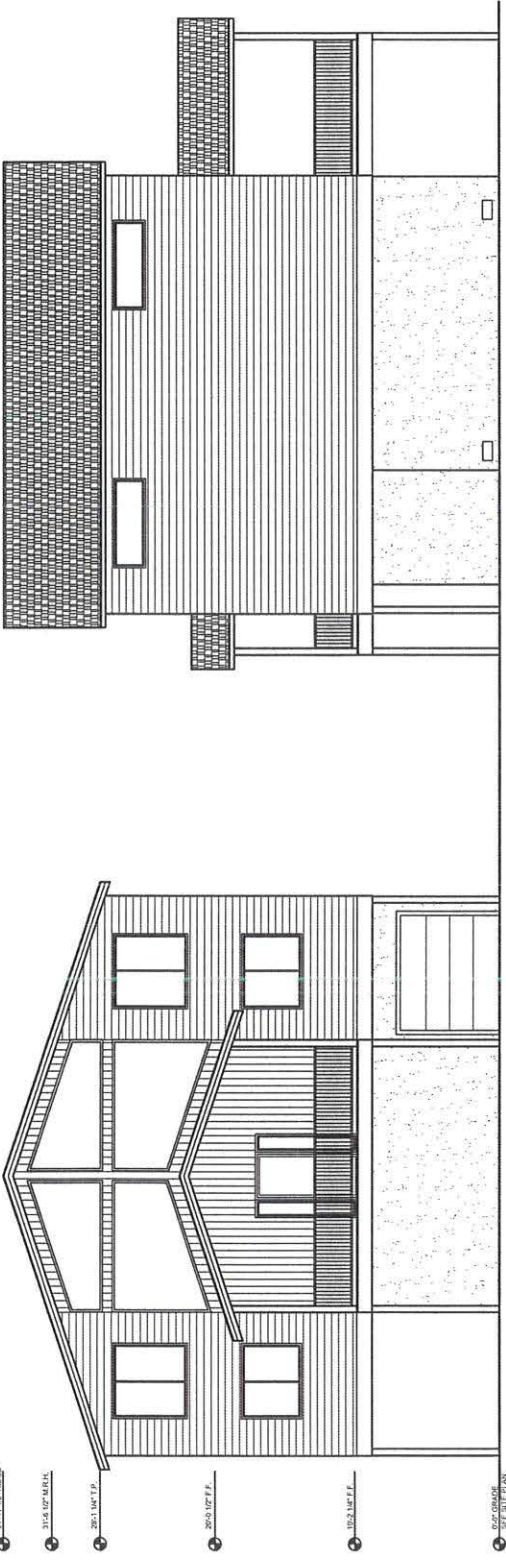
# NESTUCA RIVER HOUSE

FOR:

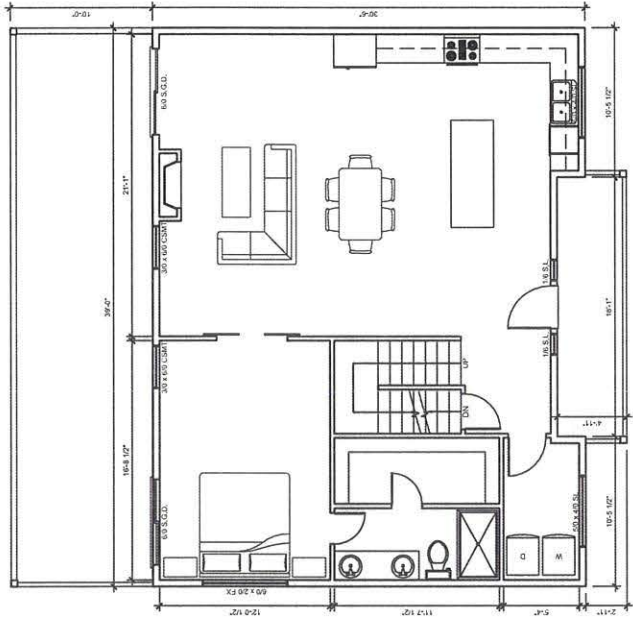
NO.	DATE	REVISION

D1

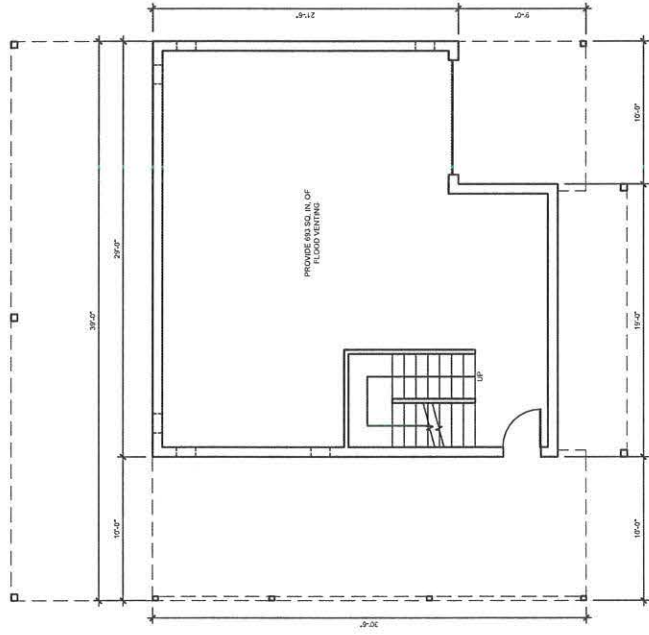
RECEIVED  
 JUN 01 2021  
 BY: *gnail*







2 MAIN FLOOR PLAN  
D2.1 1/4" = 1'-0" 1,153 S.F.



1 LOWER FLOOR PLAN  
D2.1 1/4" = 1'-0" 683 S.F.

**EMERIO**  
ENGINEERING • SURVEYING • DESIGN

5445 SW FALLS BRIDGE PK ACCE BLVD STE 100  
EAST PORTLAND OREGON 97146  
TEL: 503.746.4812  
FAX: 503.746.4848  
www.emeriodesign.com

COPYRIGHT 2017

FOR: **NESTUCA RIVER HOUSE**

NO.	REVISION	DATE

DATE: 3/1/21  
JOB NO.: 88024001

**D2.1**





## ZONING PERMIT APPLICATION

OFFICE USE ONLY
Date Stamp
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees:
Permit No: 851-__-____-PLNG

**Applicant**  (Check Box if Same as Property Owner)

Name: Emerio Design, LLC - Steve Miller Phone: (541) 318-7487  
 Address: 6445 SW Fallbrook Pl. #100  
 City: Beaverton State: OR Zip: 97008  
 Email: stevem@emeriodesign.com

**Property Owner**

Name: Jeff & Tracy Powelson Phone: (503) 502-0414  
 Address: 11161 SW Matzen Dr.  
 City: Wilsonville State: OR Zip: 97070  
 Email: jeff@aquaticsports.com

**Location:**

Site Address: 33685 Resort Drive, Cloverdale, OR 97135  
 Map Number: 04S 10W 19AC 6200  
Township Range Section Tax Lot(s)

**Applicant/Property Owner Proposal:** Construction of single-family dwelling

**Size of Structure**

Dimensions: 39' X 30' 6" Height: 35 feet  
 # of Dwelling Units: 1 Living Area Sq. Ft: 1,153 SF  
 Deck/Porch Sq. Ft: 390 SF - rear deck Garage/Utility/Storage Sq. Ft: 210 SF Garage / 483 SF storage  
 Lot Coverage: 46% - 3,484.8 SF lot / 1,635 SF home - Includes covered rear deck.  
Some zones have a lot coverage requirement

**Setbacks**

Front Yard: 10 feet house / 20 feet garage Rear Yard: 12 feet house / 8 feet deck  
 Right Side: 5 feet Left Side: 5 feet  
 River/Estuary/Creek 12 feet house / 8 feet deck Adjacent Resource Zone:  
 Slope: Other:

**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. If approved, this application is valid for one (1) year from the date of approval. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Legally Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**PAGE 2 TO BE COMPLETED BY PLANNING STAFF**

**Proposed Land Use**

Zoning: _____	Overlays: _____
Size (Acres): _____	Parking Spaces: _____
Lot Coverage: _____	Small Lot: <input type="checkbox"/> Section 4.100 <input type="checkbox"/> Section 4.110
GHZ: _____	Flood Zone: _____
Other: _____	

<b>(R) – Required    (A) – Allowed    (P) - Proposed</b>					
<b>Setbacks:</b>	<input type="checkbox"/> Standard	<input type="checkbox"/> Corner	<input type="checkbox"/> Through	<input type="checkbox"/> Irregular	
Front Yard	(R): _____	Rear Yard	(R): _____	Left Side	(R): _____
	(P): _____		(P): _____	Yard	(P): _____
				Right Side	(R): _____
				Yard	(P): _____
Riparian Setback (R): _____	Riparian Setback (P): _____				
OSL Setback	Building Height (A): _____				(P): _____
<small>Per section 3.085: OSL setback may vary</small>	<small>Neskowin zoning measures height differently</small>				

Access:	<input type="checkbox"/> Public/Private:		
Water Supply:	<input type="checkbox"/> Public/Private:	<input type="checkbox"/> Well	<input type="checkbox"/> Creek/Spring
Wastewater Disposal:	<input type="checkbox"/> Sewer:	<input type="checkbox"/> Approved On-Site Disposal	

**Land Use Approvals:**

\_\_\_\_\_

\_\_\_\_\_

**Conditions of Approval**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approved By: _____	Date: _____	Expiration Date: _____
--------------------	-------------	------------------------

**Fee Schedule**

Residential		Manufactured Dwelling/RV Placement		Commercial	
Regular	\$246.00	MD Planning Review (not included if placement is in park or city)	\$311.00	New commercial, apartments & multi-family dwellings	\$409.00
Additions/Accessory Structures	\$99.00	RV Review	\$205.00	Additions/Accessory Structures	\$409.00
Interior Remodel (no increase to footprint or height)	\$42.00			Interior Remodel (no increase in footprint or height)	\$100.00

**Steve Miller**

---

RECEIVED  
JUN 01 2021  
BY: Email

**From:** Jeff POWELSON <jeff@aquaticsports.com>  
**Sent:** Tuesday, April 13, 2021 11:34 AM  
**To:** Steve Miller; Sean Jackson  
**Subject:** Meeting w/ ODFW

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[External Sender]**

Here is the latest correspondence with ODFW and the county.  
Jeff

Jeff Powelson  
Aquatic Sports  
P.O. Box 80809  
Portland, Oregon 97280  
T: (503) 245-4991  
F: (503) 245-4870  
TF: (888) 300-3483  
[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)  
"Teaching Safe Scuba since 1966"  
[www.aquaticsports.com](http://www.aquaticsports.com)



Begin forwarded message:

**From:** Robert Bradley <[Robert.Bradley@state.or.us](mailto:Robert.Bradley@state.or.us)>  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr  
**Date:** April 9, 2021 at 5:20:21 PM PDT  
**To:** 'Melissa Jenck' <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** "[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)" <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>

Melissa,

I re-visited this lot today. After reviewing the plans with the landowner and discussing the resource impacts, here is my recommendation:

The top of the bank is at 8 feet from the high tide line. The 12 foot setback I recommended earlier is about the average of the development on adjoining properties. For the purposes of this lot, I would recommend the foundation of the new house remain at a minimum of a 12 foot setback. However, the

deck off the second story may encroach to 8 foot. The intent is to keep the deck even with the top of the bank so as not to shade vegetation on the slope down to the river. I maintain my recommendation for a condition to plant native trees/vegetation along the bank to reduce potential for further erosion.

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:** Robert Bradley  
**Sent:** Wednesday, August 05, 2020 3:40 PM  
**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** [jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr

That is correct, with the stipulation that the reduced setback be conditioned to require planting of native trees, shrubs or brush (or other bank stabilization) to not further increase erosion.

The adjacent properties encroach within approximately 12 feet, so allowing that here would be consistent with the neighboring development.

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 x253 (w)  
503-842-8385 (fax)

**From:** Melissa Jenck [<mailto:mjenck@co.tillamook.or.us>]  
**Sent:** Tuesday, August 04, 2020 10:55 AM  
**To:** Robert Bradley  
**Cc:** [jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr

Good morning Robert,

To confirm, a 20-ft setback is acceptable, but your findings is that even a 12-ft riparian setback would be acceptable, as it does not create substantial biological concerns?

Thank you,

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is closed to Public until April 1, 2020. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

## **Melissa Jenck**

*Land Use Planner, CFM*

**From:** Robert Bradley <[Robert.Bradley@state.or.us](mailto:Robert.Bradley@state.or.us)>  
**Sent:** Monday, August 3, 2020 2:43 PM  
**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** [jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)  
**Subject:** EXTERNAL: Lot 6200 Resort Dr

**[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,

I looked at the estuary setback on this lot today. The 50 foot setback is marked with a blue line on the attached file. A reduced setback of 20 feet concurrent with the county ordinance is marked in red. There is minimal riparian vegetation present and the surrounding area is heavily developed, so ODFW would have no objection to the reduced setback of 20 feet allowed in the ordinance.

The neighboring properties encroach closer to the estuary, with setbacks in the 12 foot range. Allowing a setback between 12 and 20 feet would not create substantial additional biological concerns.

With either reduced setback, planting of native trees, shrubs, or other rooted vegetation, or a planned bank stabilization project should be completed to address the threat of increased erosion.

I also attached a photo of the flags I staked at the 20 foot mark.

Let me know if you have any questions.

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**From:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr  
**Date:** April 10, 2021 at 6:02:18 PM PDT

**To:** Robert Bradley <[Robert.Bradley@state.or.us](mailto:Robert.Bradley@state.or.us)>  
**Cc:** "'[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)'" <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>

Thank you, Robert! I appreciate clarification of these findings. I'll include a copy of this discussion with the property file.

Jeff – Please keep this in mind as you continue to develop your site plan.

Thank you,

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is open to the Public by appointment only. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

**Melissa Jenck** | CFM, Land Use Planner II  
Phone (503) 842-3408 x3301

*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.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.*

**From:** Robert Bradley <[Robert.Bradley@state.or.us](mailto:Robert.Bradley@state.or.us)>  
**Sent:** Friday, April 9, 2021 5:20 PM  
**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** '[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)' <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>  
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*Land Use Planner, CFM*

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**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** [jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)  
**Subject:** EXTERNAL: Lot 6200 Resort Dr

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Oregon Department of Fish and Wildlife  
North Coast Watershed District  
4907 Third St  
Tillamook, OR 97141  
503-842-2741 x253 (w)  
503-842-8385 (fax)

**RECEIVED**  
FEB 01 2021  
BY: Email

33685 RESORT DRIVE PACIFIC CITY, OR  
RESIDENTIAL PROJECT  
HYDRAULICS ANALYSIS REPORT



prepared for  
Jeff Powelson

prepared by  
Jake Hofeld, P.E.



January 27, 2021



EXPIRES: 6/30/2021

**Contents**

**INTRODUCTION ..... 2**

**HYDRAULIC MODELING METHODOLOGY ..... 2**

    Existing Conditions Model ..... 3

    Proposed Conditions Model (PCM) ..... 3

    Boundary Conditions ..... 3

    Peak Flow Hydrology ..... 4

**RESULTS ..... 4**

**CONCLUSIONS ..... 4**

**List of Figures**

Figure 1: Topographic Survey of Property

Figure 2: Hydraulic Analysis Overview Map of Proposed Project

Figure 3: Proposed 1<sup>st</sup> Floor Building Footprint

**List of Attachments**

Attachment A – HEC-RAS Model Output Files

## **INTRODUCTION**

Waterways Consulting Inc. (Waterways) has been retained by Jeff Powelson to evaluate the hydraulic effects on the Nestucca River during a 100-year base flood discharge from a proposed residential structure. The proposed residential structure is located on the south (left) bank floodplain of the Nestucca River at 33685 Resort Drive in Pacific City, Oregon. The existing site is currently an undeveloped parcel covered with gravel, grasses, and a large shrub along the protected embankment of the river. Existing residential structures are located on the adjacent properties on either side.

The proposed residential structure will add a three-story building to the floodplain adjacent to the Nestucca River. The entire property being developed will occur 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) within the regulatory floodway Zone AE (Attachment A). 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 5.0.7. 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. Additional cross sections were added to the provided model in the vicinity of the project area. 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 2 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. LiDAR was updated and overlain with existing topographic survey data for the project parcel. The existing topographic survey was conducted by Kellow Land Surveying on August 28, 2020 (Figure 1). Additionally, footprints of the adjacent structures were also provided in the survey conducted by Kellow Land Surveying. Structures in the vicinity of the proposed building were modeled as blocked obstructions in the model. Bathymetry for the additional cross sections were interpolated from upstream and downstream cross sections the LOMR model.

The downstream model boundary extends approximately 2.5 miles downstream of the project area and the upstream model boundary extends approximately 1.4 miles upstream of the project area, see Figure 2. The bridge crossing geometry at Ferry Street and at Pacific Avenue downstream 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	0.035
Open Pervious Areas (grassed)	0.04 - 0.05
Residential Area	0.08
Open Pervious Areas (trees)	0.10

### Proposed Conditions Model

The proposed conditions model included the additional cross sections created in the existing conditions model. The existing conditions terrain was updated with proposed residential structure first floor footprint of 31 feet by 30 feet provided by design drawings supplied from the client (Figure 3). The proposed residential structure was modeled as a blocked obstruction at cross sections located at the upstream and downstream sides of the proposed building. The location of the proposed residential structure is approximate due to the surveyed property boundaries being in an arbitrary horizontal datum, but is considered accurate enough for the purposes of this analysis. Structural support posts for portions of the house above the first floor were not included in the model because these are assumed to have negligible effect on the river hydraulics (i.e. the river can flow unimpeded through these areas).

### 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 building will not result in a rise in water surface elevations anywhere in the model. No change between the Existing Conditions Model and Proposed Conditions Model can likely be attributed to the relatively small building footprint as compared to a much larger/wider floodplain area.

### CONCLUSIONS

The results of this hydraulic analysis indicated 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.
- Kellow, Douglas H. P.L.S. Topographic Survey for Powelson. Pacific City, Oregon. August 28, 2020.
- U.S. Army Corps of Engineers. Hydrologic Engineering Center. Computer Program HEC-RAS Version 5.0.7 Davis, California. March 2019.
- 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

TOPOGRAPHIC SURVEY FOR POWELSON  
45-10-19-AC-WOODS-TILLAMOOK CO., OR

SURVEY & MAP BY:  
KELLOW LAND SURVEYING  
P.O. BOX 335  
PACIFIC CITY, OR 97135  
503-801-3537

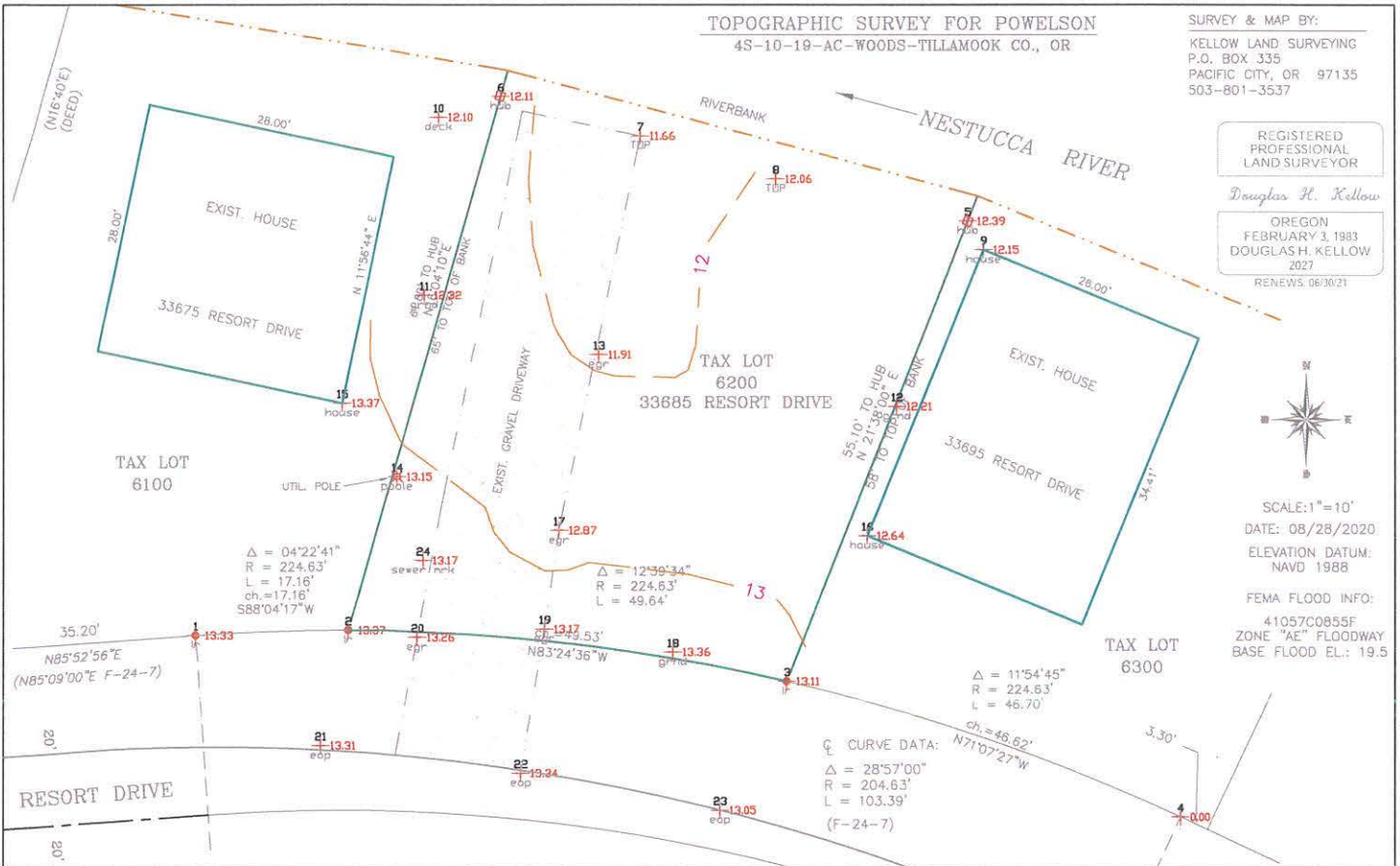
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Douglas H. Kellow

OREGON  
FEBRUARY 3, 1983  
DOUGLAS H. KELLOW  
2027  
RENEWS: 06/30/21



SCALE: 1" = 10'  
DATE: 08/28/2020  
ELEVATION DATUM:  
NAVD 1988  
FEMA FLOOD INFO:  
41057C0855F  
ZONE "AE" FLOODWAY  
BASE FLOOD EL.: 19.5



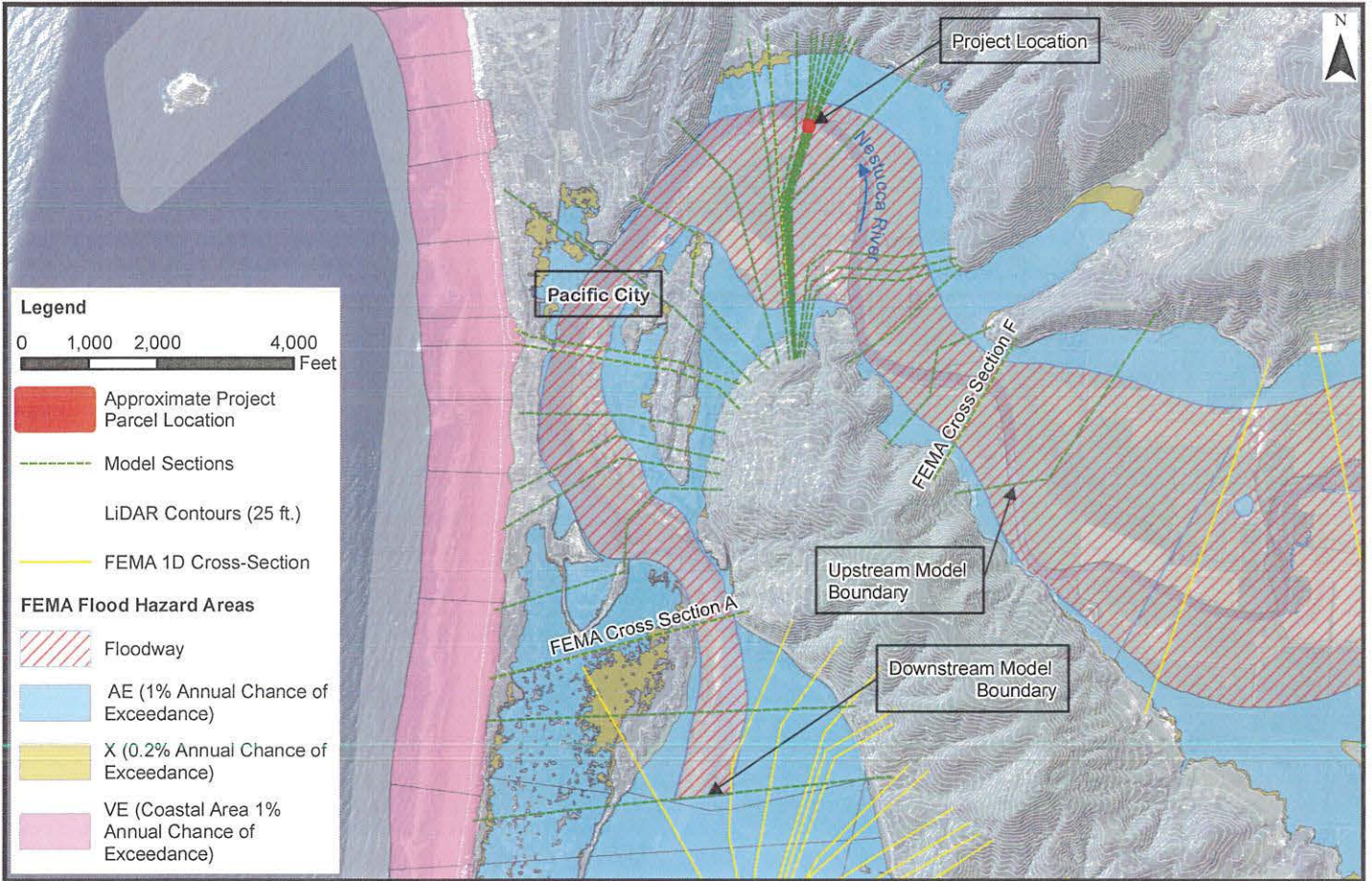


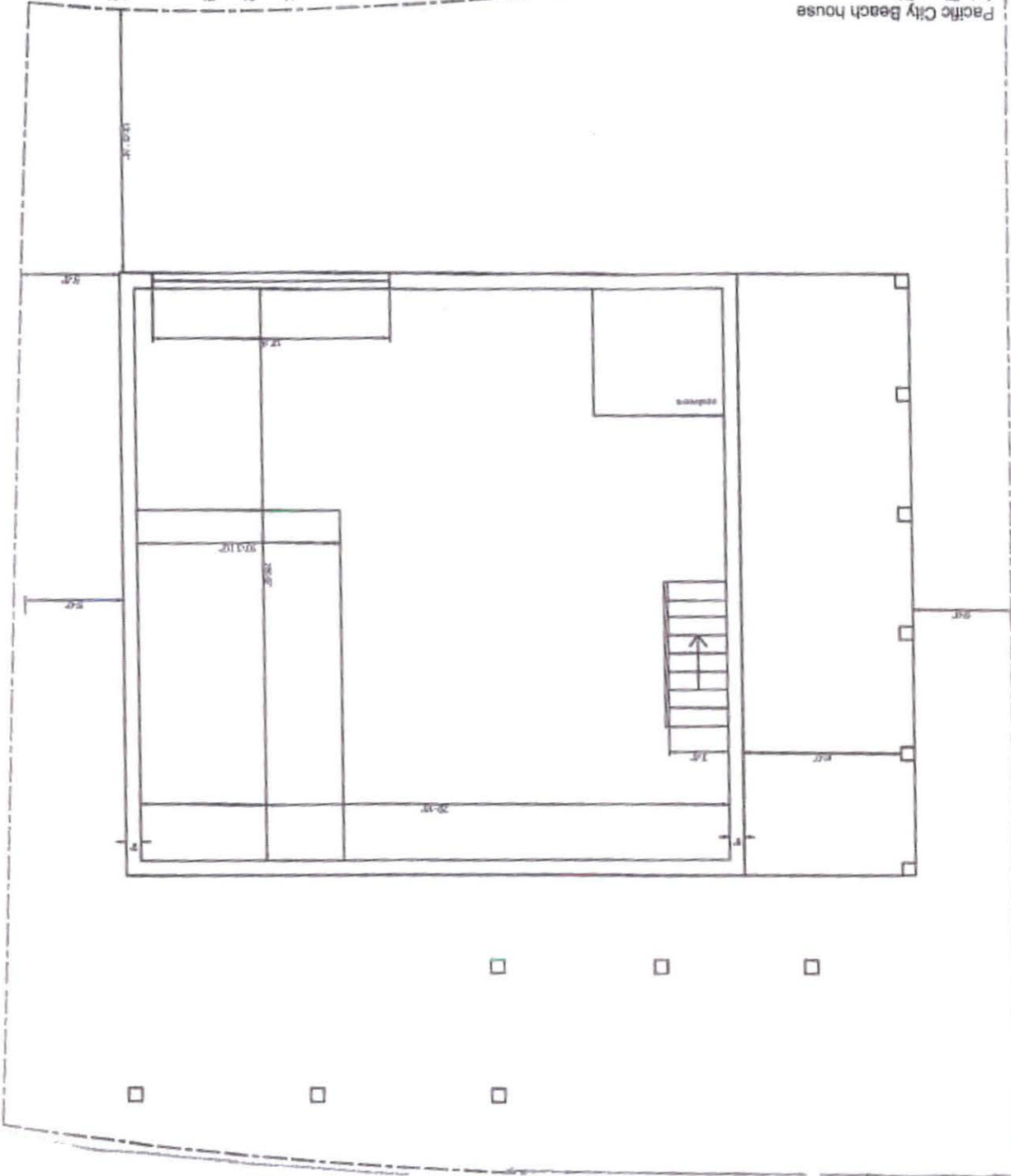
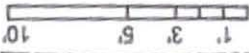
FIGURE  
2

Hydraulic Analysis Overview Map of Proposed Project

33685 Resort Drive  
Pacific City, OR  
Hydraulic Analysis

 **WATERWAYS**  
CONSULTING, INC.  
Santa Cruz, CA | watways.com | Portland, OR

Pacific City Beach house  
1st Floor Plan



## Attachment A

### HEC-RAS Output Files

HEC-RAS River: Nestucca River Reach: Resort Dr. 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
Resort Dr.	22553.94	100-YR	Prop. Cond.	49700.00	-5.99	20.50	12.22	20.56	0.000090	3.06	32257.55	3644.82	0.11
Resort Dr.	22553.94	100-YR	Ex. Cond.	49700.00	-5.99	20.50	12.22	20.56	0.000090	3.06	32257.54	3644.82	0.11
Resort Dr.	21008.6	100-YR	Prop. Cond.	49700.00	-8.92	20.09		20.32	0.000259	5.18	17872.56	1743.79	0.20
Resort Dr.	21008.6	100-YR	Ex. Cond.	49700.00	-8.92	20.09		20.32	0.000259	5.18	17872.54	1743.79	0.20
Resort Dr.	20157.05	100-YR	Prop. Cond.	49700.00	-9.15	19.95	12.36	20.10	0.000212	4.43	20022.50	2302.34	0.17
Resort Dr.	20157.05	100-YR	Ex. Cond.	49700.00	-9.15	19.95	12.36	20.10	0.000212	4.43	20022.49	2302.34	0.17
Resort Dr.	19079.89	100-YR	Prop. Cond.	49700.00	-11.85	19.71		19.89	0.000228	5.02	20303.98	1888.76	0.18
Resort Dr.	19079.89	100-YR	Ex. Cond.	49700.00	-11.85	19.71		19.89	0.000228	5.02	20303.97	1888.76	0.18
Resort Dr.	18019.8	100-YR	Prop. Cond.	49700.00	-7.69	19.55	11.35	19.69	0.000186	4.31	22199.95	2668.30	0.16
Resort Dr.	18019.8	100-YR	Ex. Cond.	49700.00	-7.69	19.55	11.35	19.69	0.000186	4.31	22199.93	2668.30	0.16
Resort Dr.	17875.97	100-YR	Prop. Cond.	49700.00	-7.60	19.53	11.05	19.66	0.000168	4.13	23074.84	2677.09	0.16
Resort Dr.	17875.97	100-YR	Ex. Cond.	49700.00	-7.60	19.53	11.05	19.66	0.000168	4.13	23074.82	2677.09	0.16
Resort Dr.	17653.2	100-YR	Prop. Cond.	49700.00	-4.67	19.54	11.28	19.61	0.000095	3.21	29294.56	3181.67	0.12
Resort Dr.	17653.2	100-YR	Ex. Cond.	49700.00	-4.67	19.54	11.28	19.61	0.000095	3.21	29294.54	3181.67	0.12
Resort Dr.	15949.74	100-YR	Prop. Cond.	49700.00	-7.67	19.50	9.86	19.52	0.000032	1.90	46766.74	4377.66	0.07
Resort Dr.	15949.74	100-YR	Ex. Cond.	49700.00	-7.67	19.50	9.86	19.52	0.000032	1.90	46766.68	4377.66	0.07
Resort Dr.	15391	100-YR	Prop. Cond.	49700.00	-8.69	19.48	10.06	19.50	0.000035	1.92	44490.04	4252.01	0.07
Resort Dr.	15391	100-YR	Ex. Cond.	49700.00	-8.69	19.48	10.06	19.50	0.000035	1.92	44489.98	4252.01	0.07
Resort Dr.	15374	100-YR	Prop. Cond.	49700.00	-8.72	19.48	10.12	19.50	0.000036	1.95	43770.00	4243.86	0.07
Resort Dr.	15374	100-YR	Ex. Cond.	49700.00	-8.72	19.48	10.12	19.50	0.000036	1.95	43769.96	4243.86	0.07
Resort Dr.	15347	100-YR	Prop. Cond.	49700.00	-8.77	19.47	10.13	19.50	0.000037	1.96	43064.45	4163.63	0.07
Resort Dr.	15347	100-YR	Ex. Cond.	49700.00	-8.77	19.47	10.13	19.50	0.000037	1.96	43064.40	4163.63	0.07
Resort Dr.	15334	100-YR	Prop. Cond.	49700.00	-8.78	19.47	10.13	19.50	0.000037	1.98	42758.20	4154.00	0.07
Resort Dr.	15334	100-YR	Ex. Cond.	49700.00	-8.78	19.47	10.13	19.50	0.000037	1.97	42972.13	4184.00	0.07
Resort Dr.	15290	100-YR	Prop. Cond.	49700.00	-8.87	19.47	10.11	19.50	0.000038	2.00	41969.99	4139.11	0.08
Resort Dr.	15290	100-YR	Ex. Cond.	49700.00	-8.87	19.47	10.11	19.50	0.000038	1.99	42187.92	4169.12	0.08
Resort Dr.	15268	100-YR	Prop. Cond.	49700.00	-8.92	19.47	10.10	19.50	0.000039	2.01	41333.21	4122.84	0.08
Resort Dr.	15268	100-YR	Ex. Cond.	49700.00	-8.92	19.47	10.10	19.50	0.000039	2.01	41333.21	4122.84	0.08
Resort Dr.	15231	100-YR	Prop. Cond.	49700.00	-8.98	19.46	9.97	19.49	0.000040	2.05	40599.61	4108.92	0.08
Resort Dr.	15231	100-YR	Ex. Cond.	49700.00	-8.98	19.46	9.97	19.49	0.000040	2.05	40599.61	4108.92	0.08

Project Area

Added Sections



Added Sections

HEC-RAS River: Nestucca River Reach: Resort Dr. Profile: 100-YR (Continued)

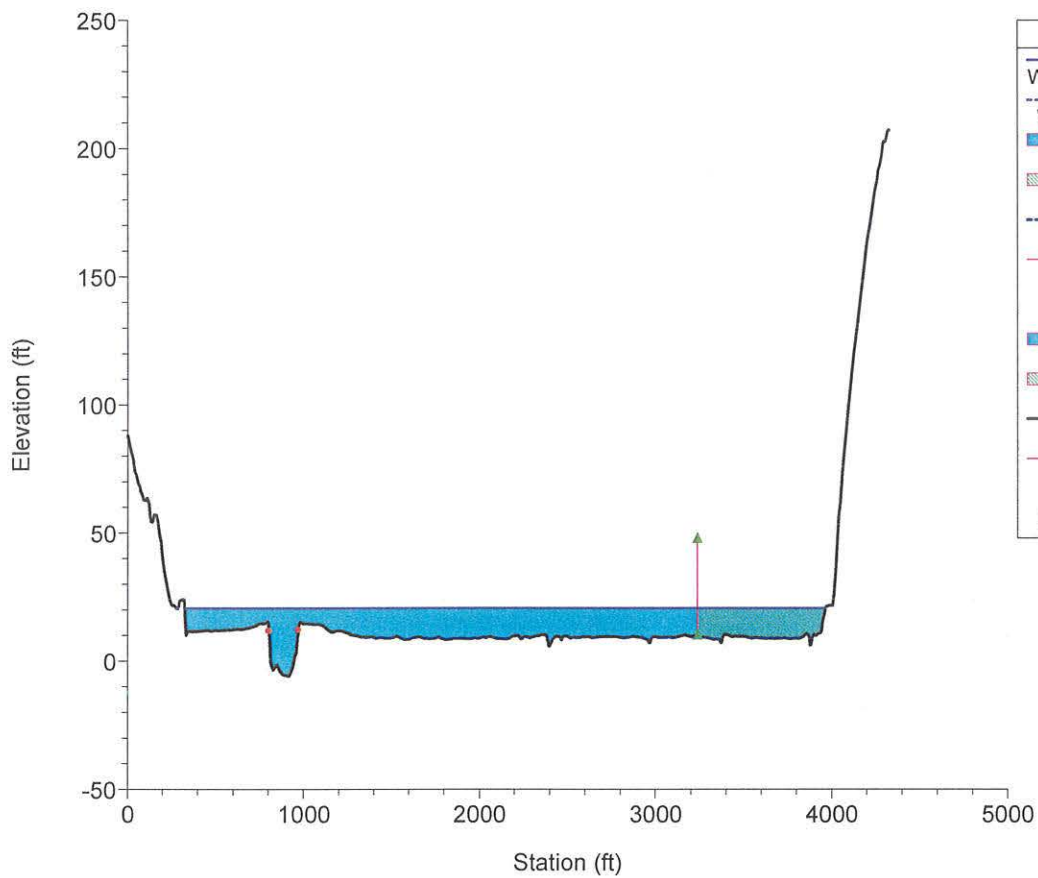
Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
Resort Dr.	15220	100-YR	Prop. Cond.	49700.00	-9.00	19.46	9.97	19.49	0.000041	2.04	40359.86	4131.85	0.08
Resort Dr.	15220	100-YR	Ex. Cond.	49700.00	-9.00	19.46	9.97	19.49	0.000041	2.04	40359.86	4131.85	0.08
Resort Dr.	15070	100-YR	Prop. Cond.	49700.00	-9.28	19.45	9.89	19.49	0.000044	2.08	38474.60	4051.50	0.08
Resort Dr.	15070	100-YR	Ex. Cond.	49700.00	-9.28	19.45	9.89	19.49	0.000044	2.08	38474.60	4051.50	0.08
Resort Dr.	14728.64	100-YR	Prop. Cond.	49700.00	-9.90	19.43	10.23	19.47	0.000043	2.46	37305.84	3855.65	0.09
Resort Dr.	14728.64	100-YR	Ex. Cond.	49700.00	-9.90	19.43	10.23	19.47	0.000043	2.46	37305.84	3855.65	0.09
Resort Dr.	14621.23		Bridge										
Resort Dr.	14544.91	100-YR	Prop. Cond.	49700.00	-8.62	19.41	10.32	19.46	0.000045	2.54	36889.98	3870.99	0.10
Resort Dr.	14544.91	100-YR	Ex. Cond.	49700.00	-8.62	19.41	10.32	19.46	0.000045	2.54	36889.98	3870.99	0.10
Resort Dr.	13541.26	100-YR	Prop. Cond.	49700.00	-7.81	19.37	10.21	19.41	0.000052	2.50	32776.04	3280.36	0.10
Resort Dr.	13541.26	100-YR	Ex. Cond.	49700.00	-7.81	19.37	10.21	19.41	0.000052	2.50	32776.04	3280.36	0.10
Resort Dr.	12396	100-YR	Prop. Cond.	49700.00	-3.59	18.50		19.22	0.000463	7.06	9092.69	2049.83	0.30
Resort Dr.	12396	100-YR	Ex. Cond.	49700.00	-3.59	18.50		19.22	0.000463	7.06	9092.69	2049.83	0.30
Resort Dr.	11367.2	100-YR	Prop. Cond.	49700.00	-3.05	17.73	9.51	18.65	0.000621	7.83	7532.11	2017.15	0.34
Resort Dr.	11367.2	100-YR	Ex. Cond.	49700.00	-3.05	17.73	9.51	18.65	0.000621	7.83	7532.11	2017.15	0.34
Resort Dr.	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
Resort Dr.	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
Resort Dr.	9942.323		Bridge										
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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

HEC-RAS River: Nestucca River Reach: Resort Dr. Profile: 100-YR (Continued)

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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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
Resort Dr.	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

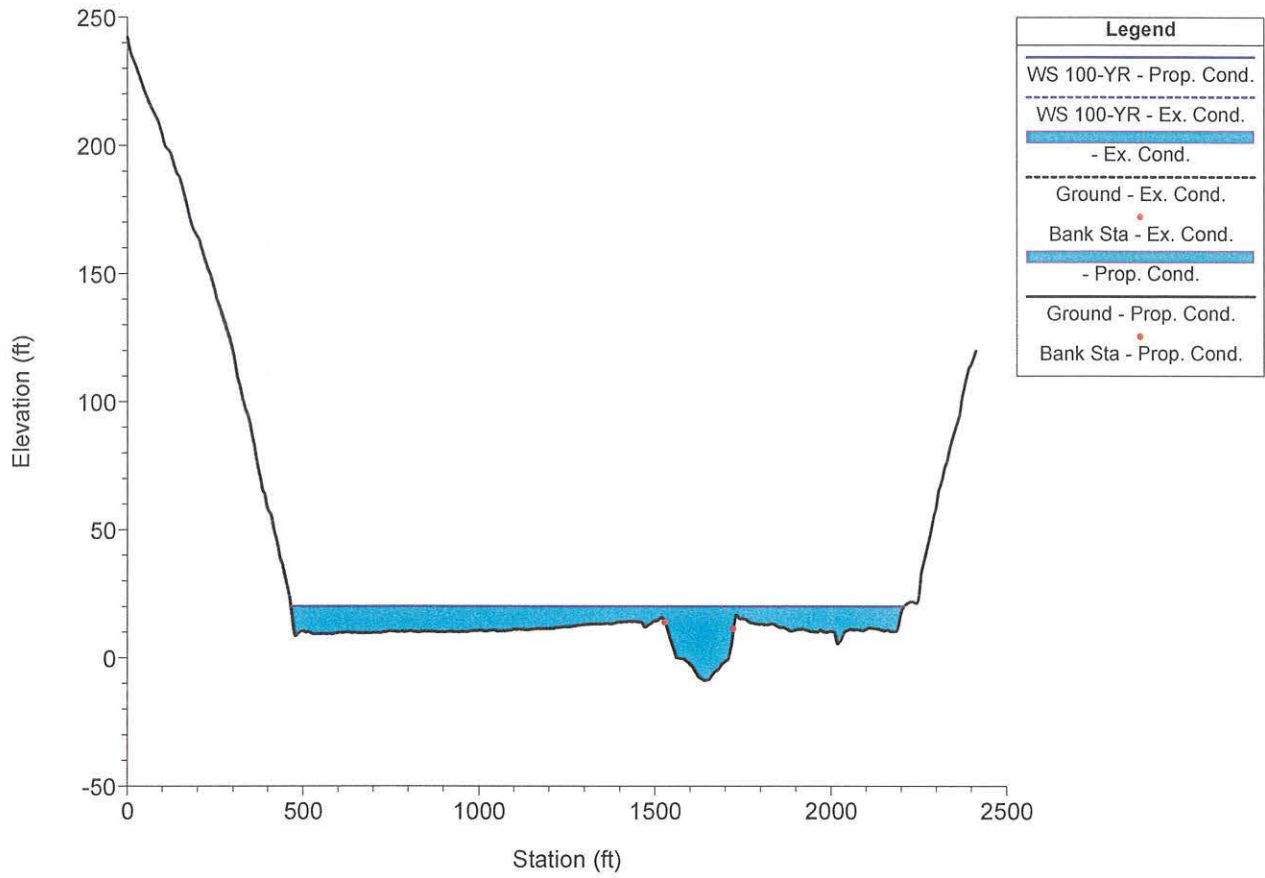


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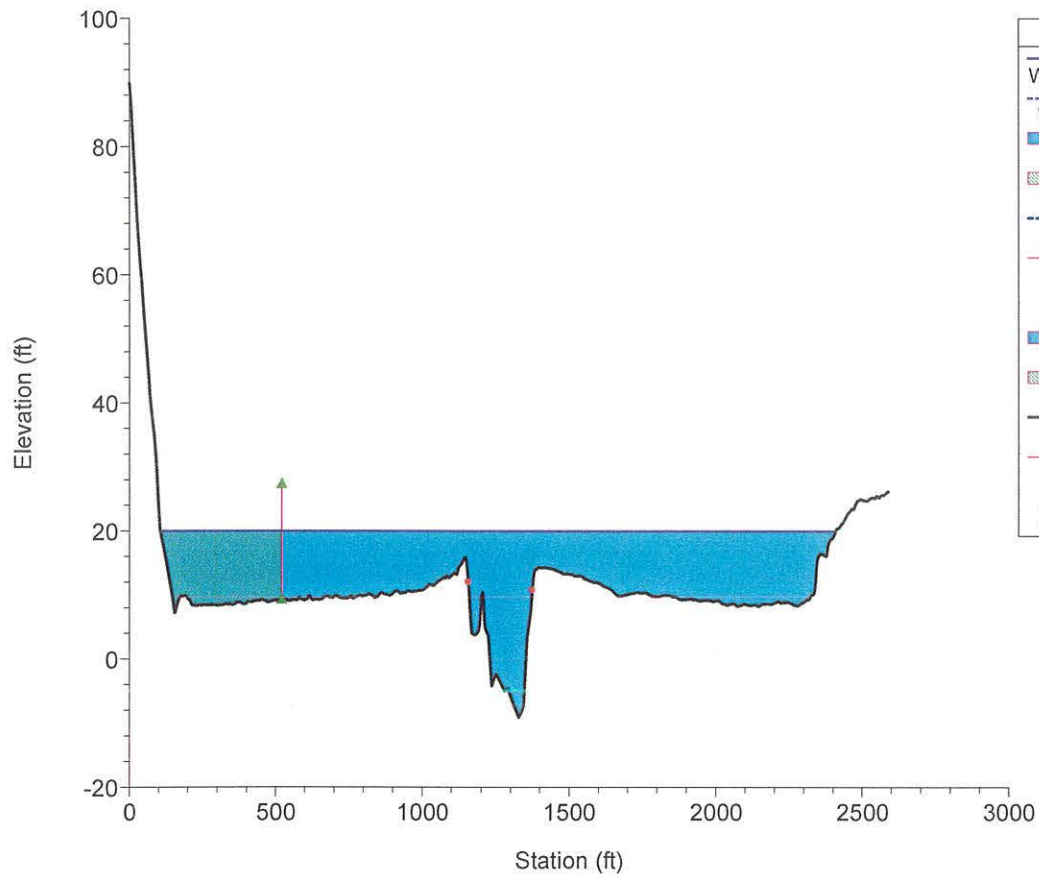


Legend	
WS 100-YR - Prop. Cond.	---
WS 100-YR - Ex. Cond.	---
- Ex. Cond.	█
- Ex. Cond.	█
Ground - Ex. Cond.	---
Ineff - Ex. Cond.	▲
Bank Sta - Ex. Cond.	●
- Prop. Cond.	█
- Prop. Cond.	█
Ground - Prop. Cond.	---
Ineff - Prop. Cond.	▲
Bank Sta - Prop. Cond.	●

RS = 21008.6

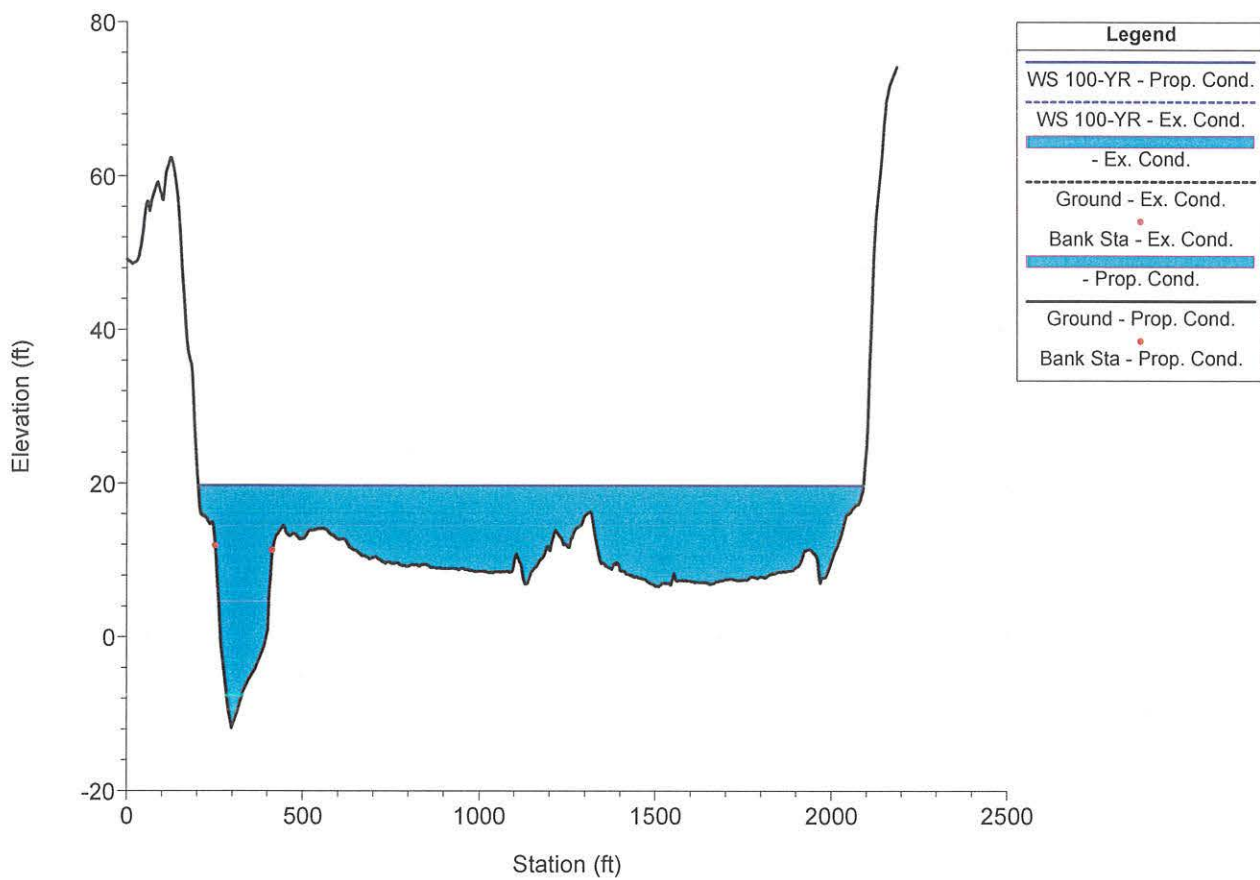


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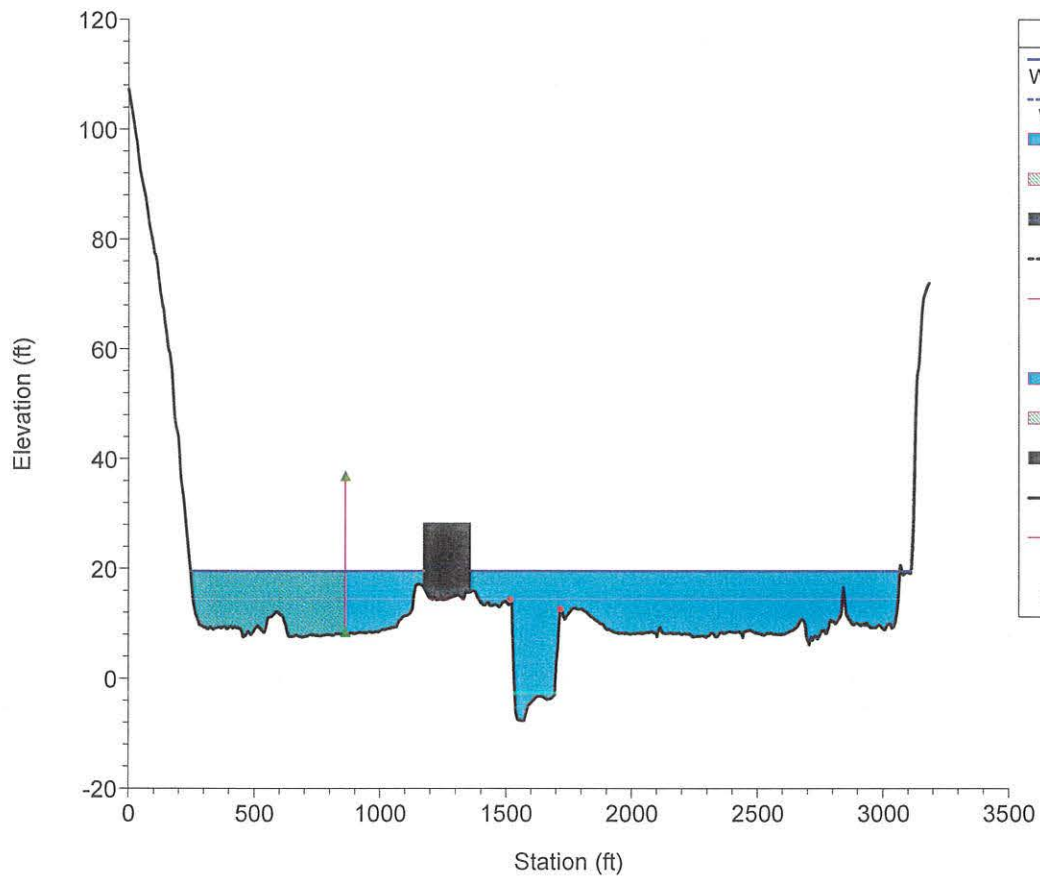


Legend
WS 100-YR - Prop. Cond.
WS 100-YR - Ex. Cond.
- Ex. Cond.
- Ex. Cond.
Ground - Ex. Cond.
Ineff - Ex. Cond.
Bank Sta - Ex. Cond.
- Prop. Cond.
- Prop. Cond.
Ground - Prop. Cond.
Ineff - Prop. Cond.
Bank Sta - Prop. Cond.

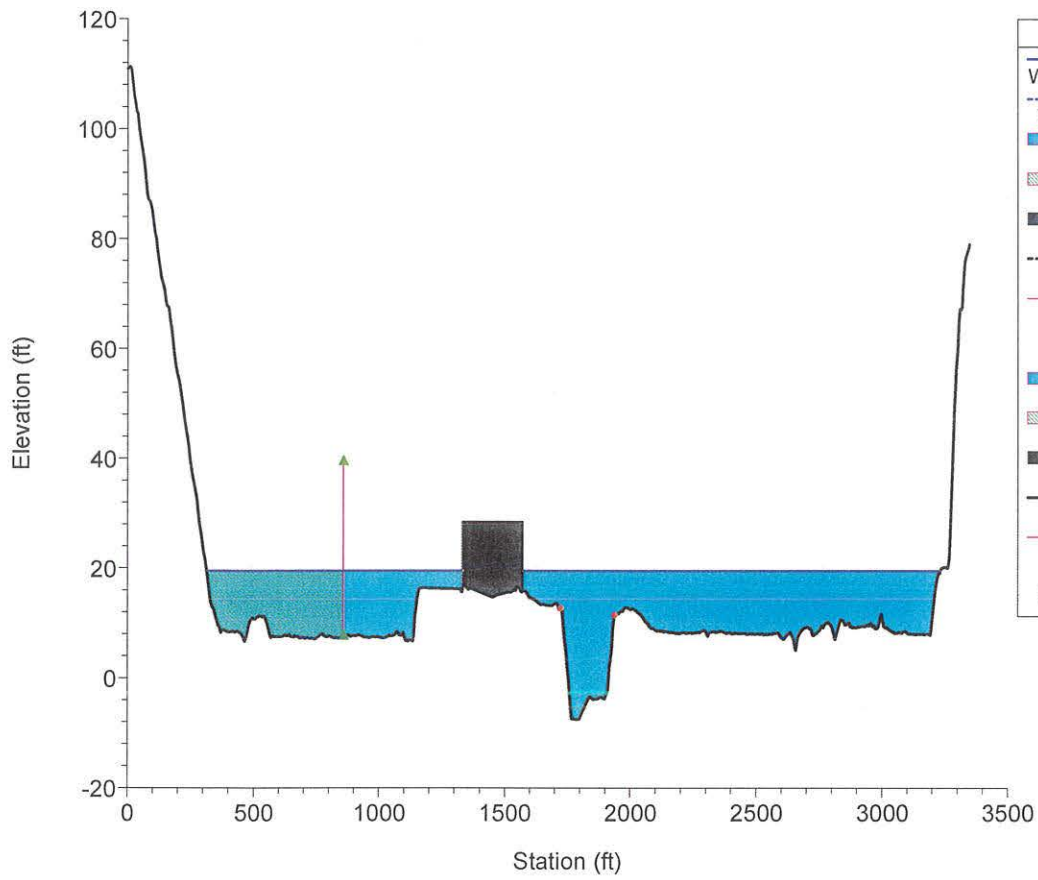
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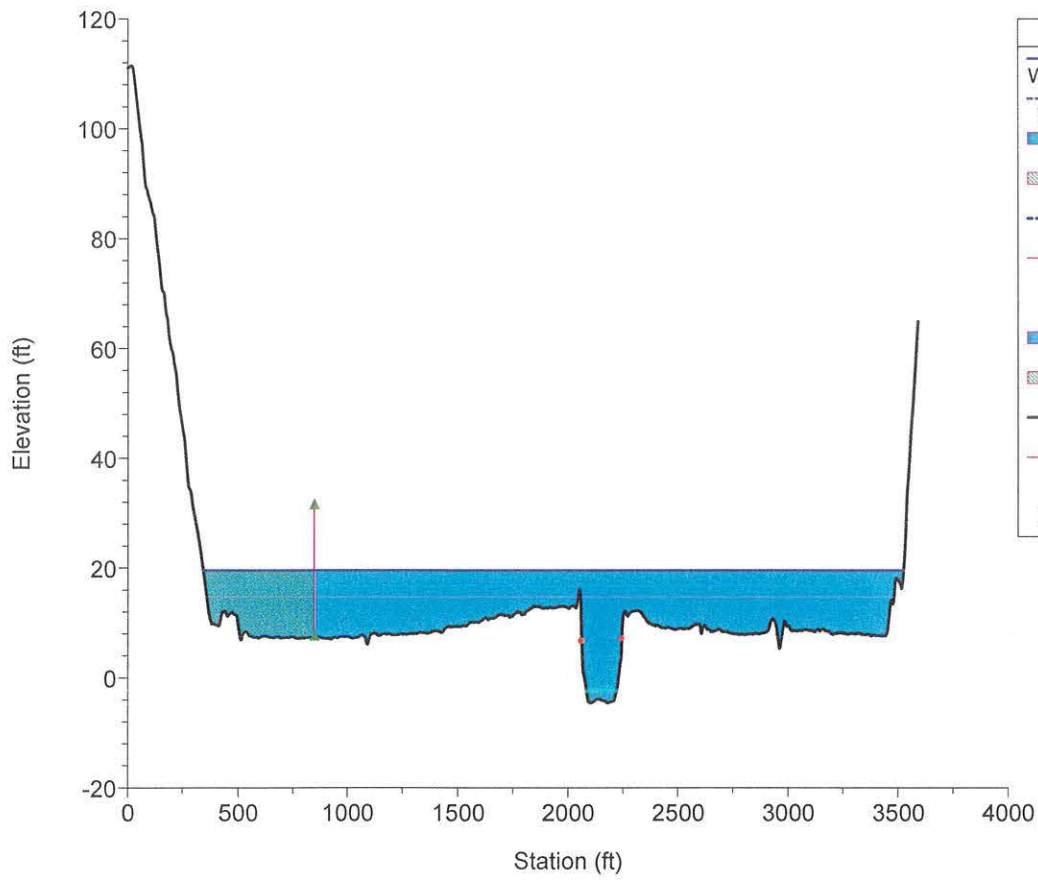


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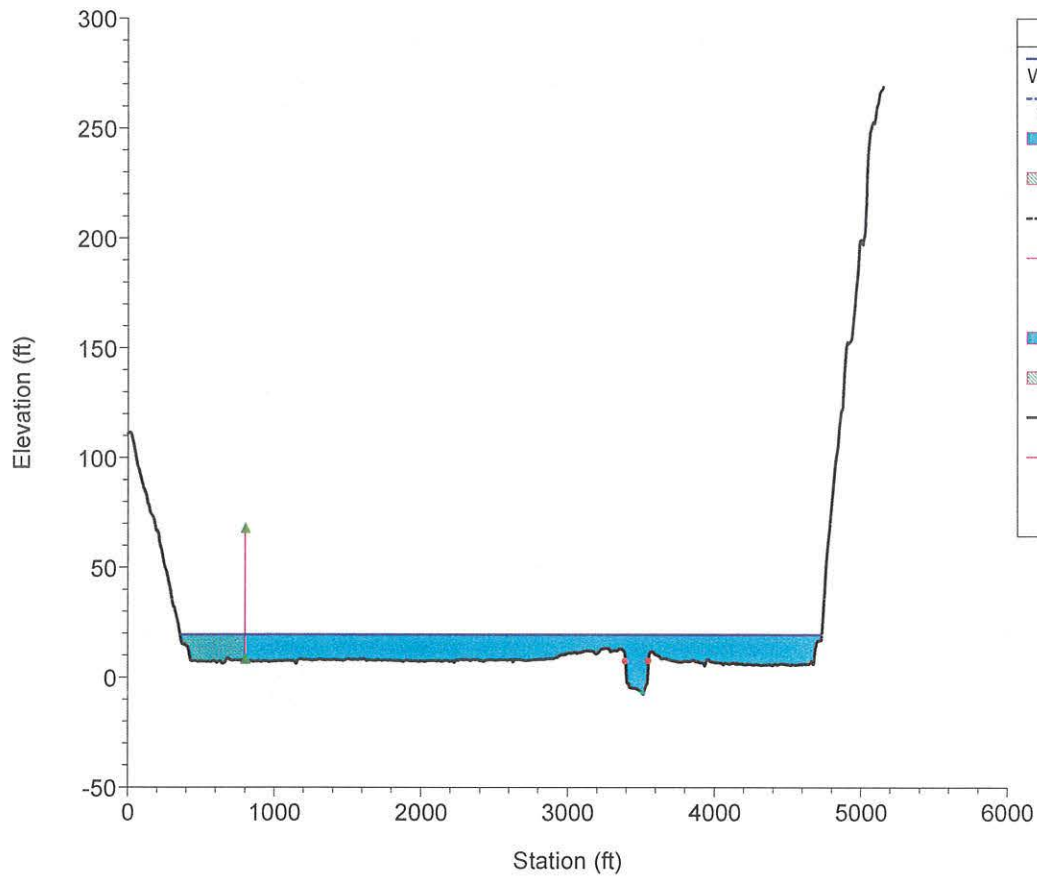


Legend
WS 100-YR - Prop. Cond.
WS 100-YR - Ex. Cond.
- Ex. Cond.
- Ex. Cond.
- Ex. Cond.
Ground - Ex. Cond.
Ineff - Ex. Cond.
Bank Sta - Ex. Cond.
- Prop. Cond.
- Prop. Cond.
- Prop. Cond.
Ground - Prop. Cond.
Ineff - Prop. Cond.
Bank Sta - Prop. Cond.

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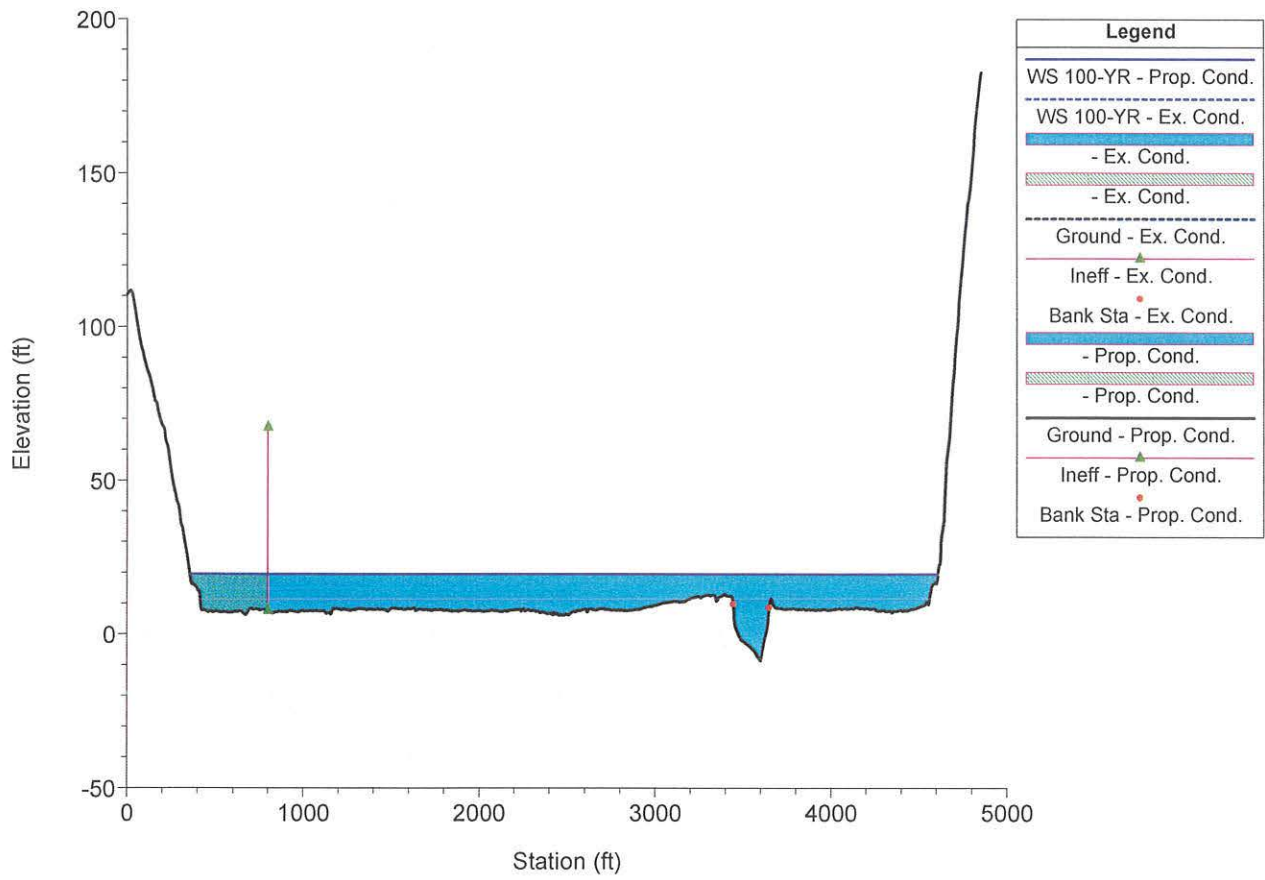


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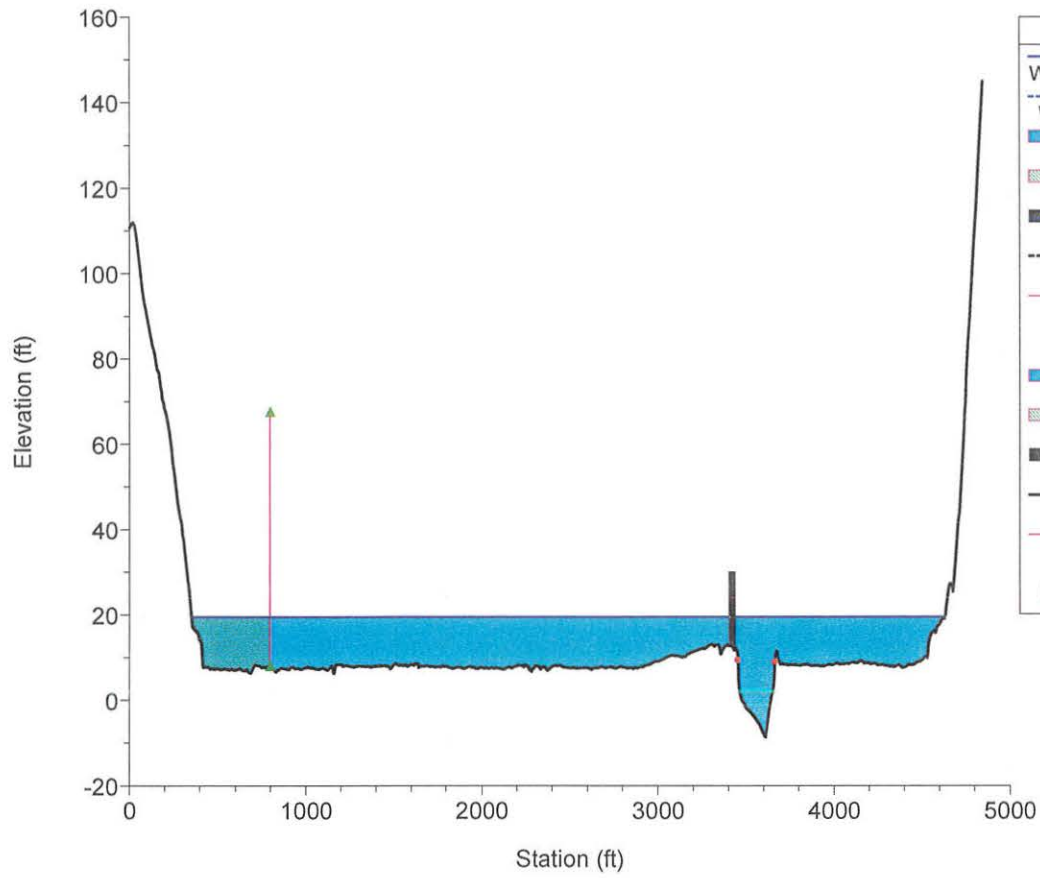




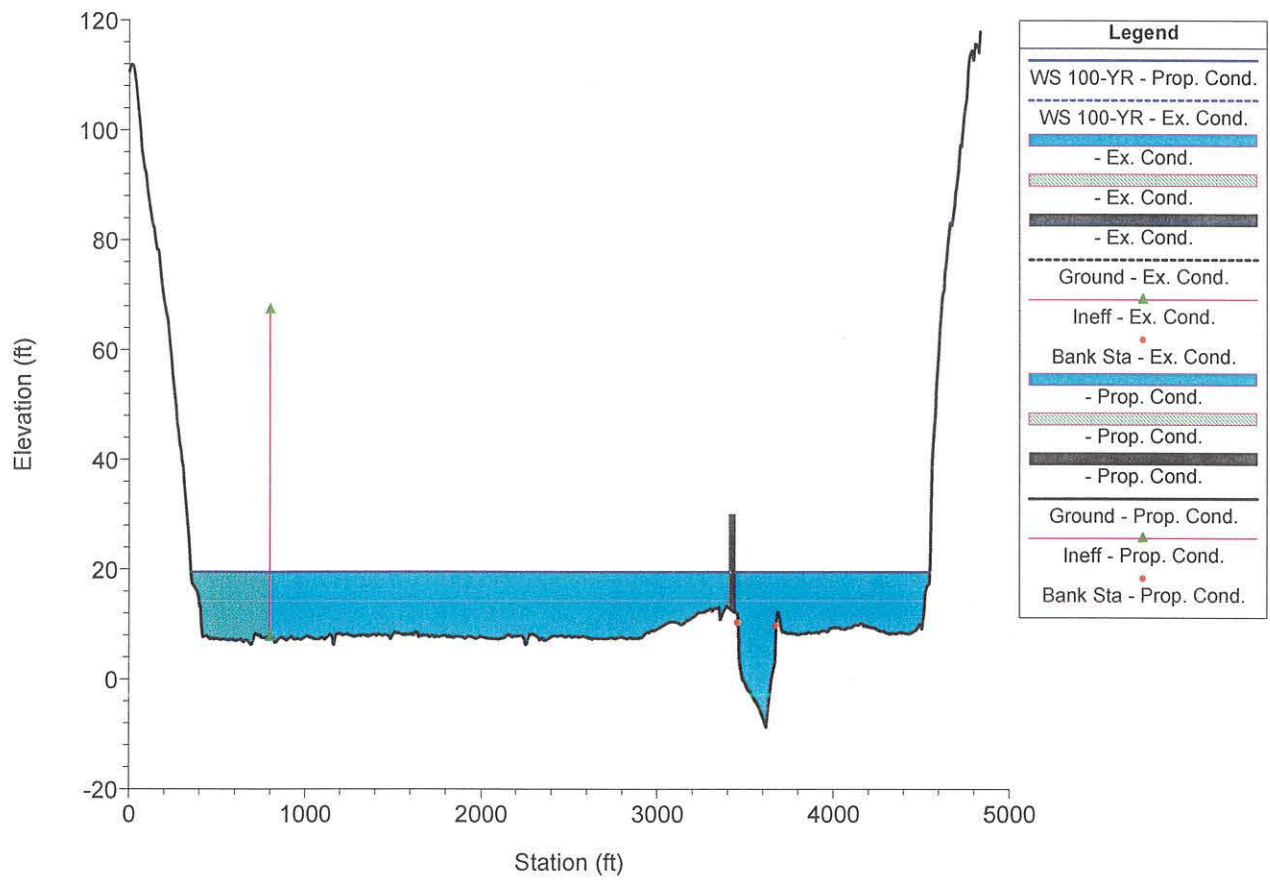
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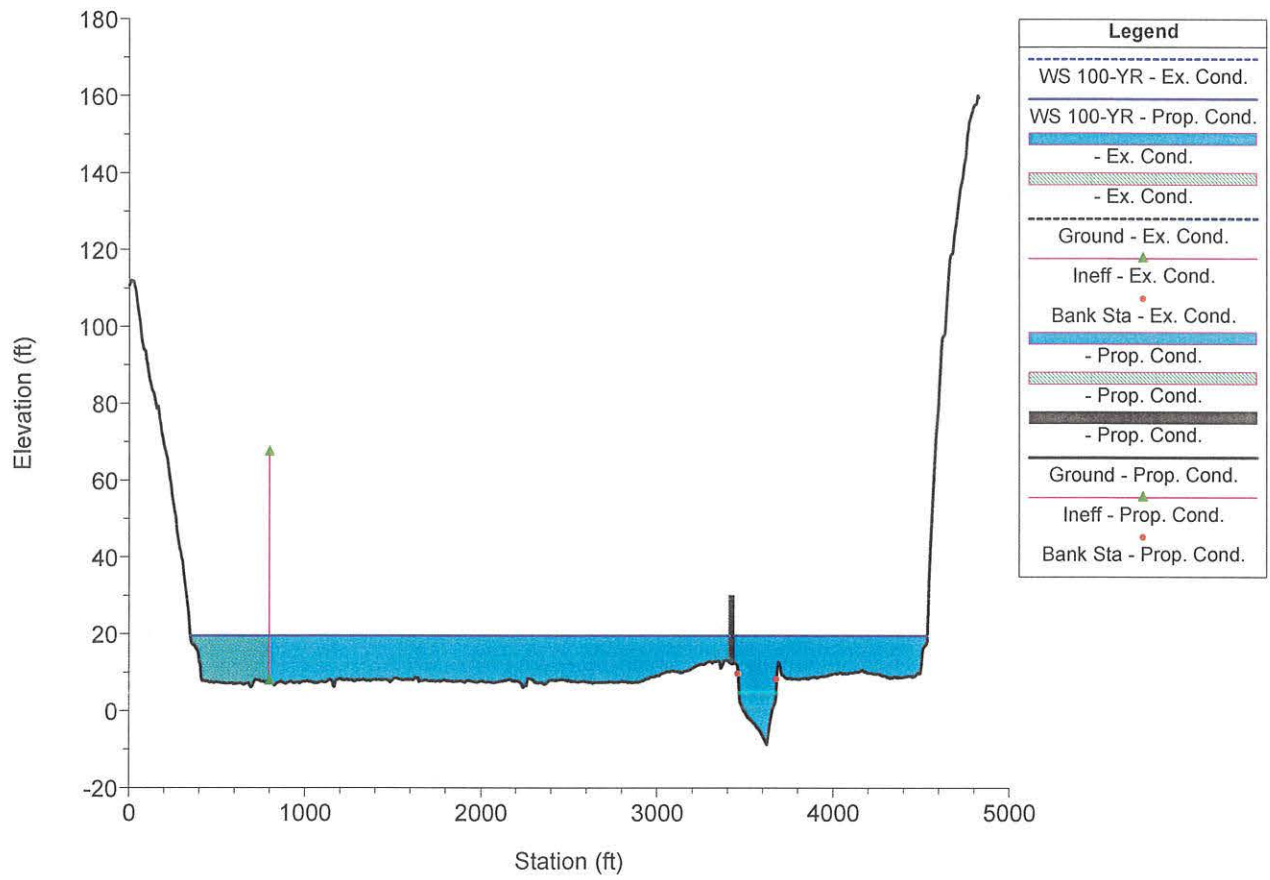
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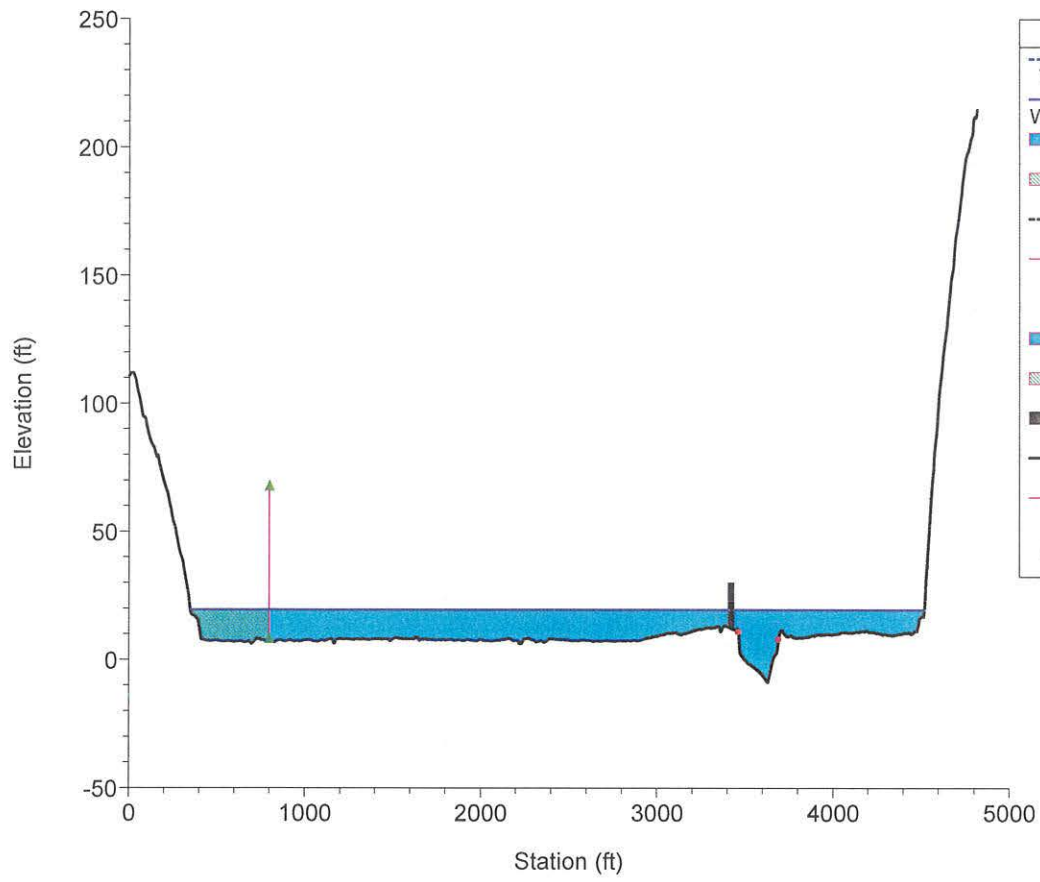
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RS = 15334

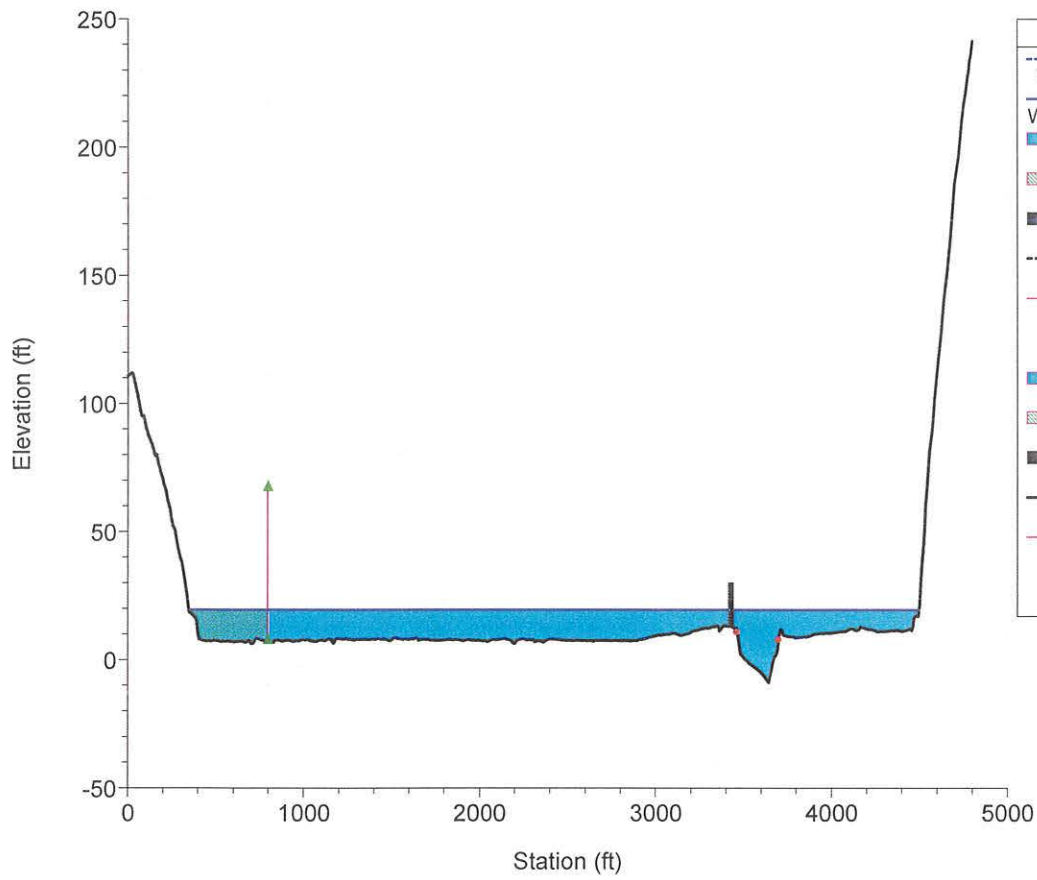


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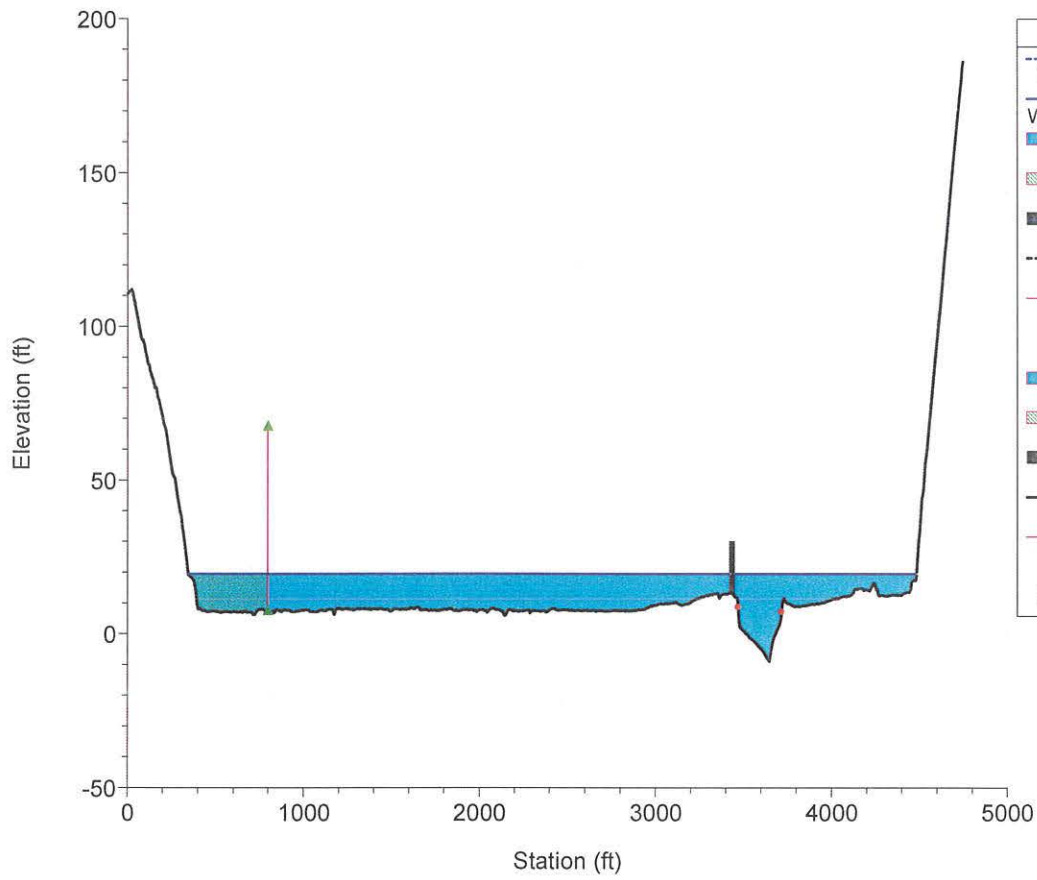


Legend	
WS 100-YR - Ex. Cond.	---
WS 100-YR - Prop. Cond.	---
- Ex. Cond.	█
- Ex. Cond.	█
Ground - Ex. Cond.	---
Ineff - Ex. Cond.	▲
Bank Sta - Ex. Cond.	●
- Prop. Cond.	█
- Prop. Cond.	█
- Prop. Cond.	█
Ground - Prop. Cond.	---
Ineff - Prop. Cond.	▲
Bank Sta - Prop. Cond.	●

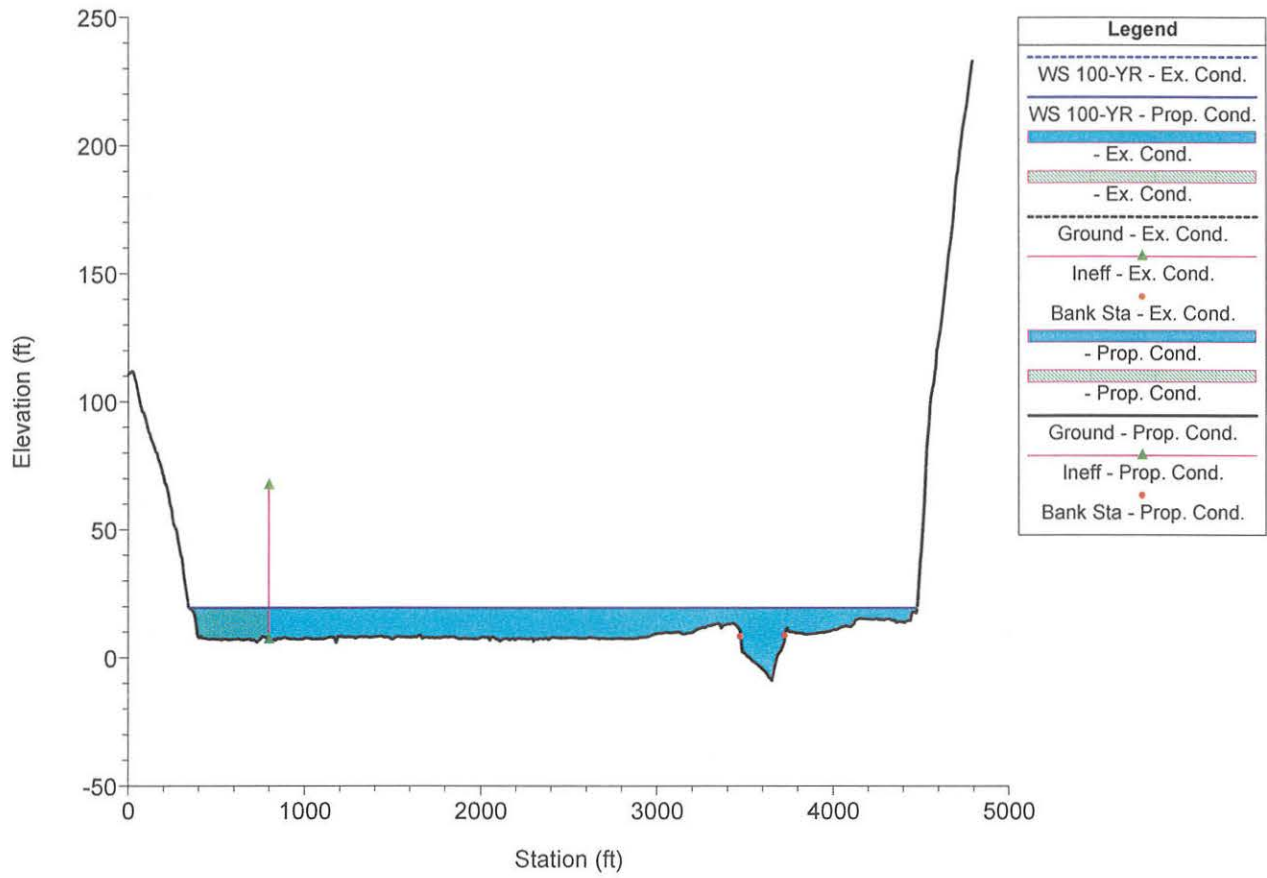
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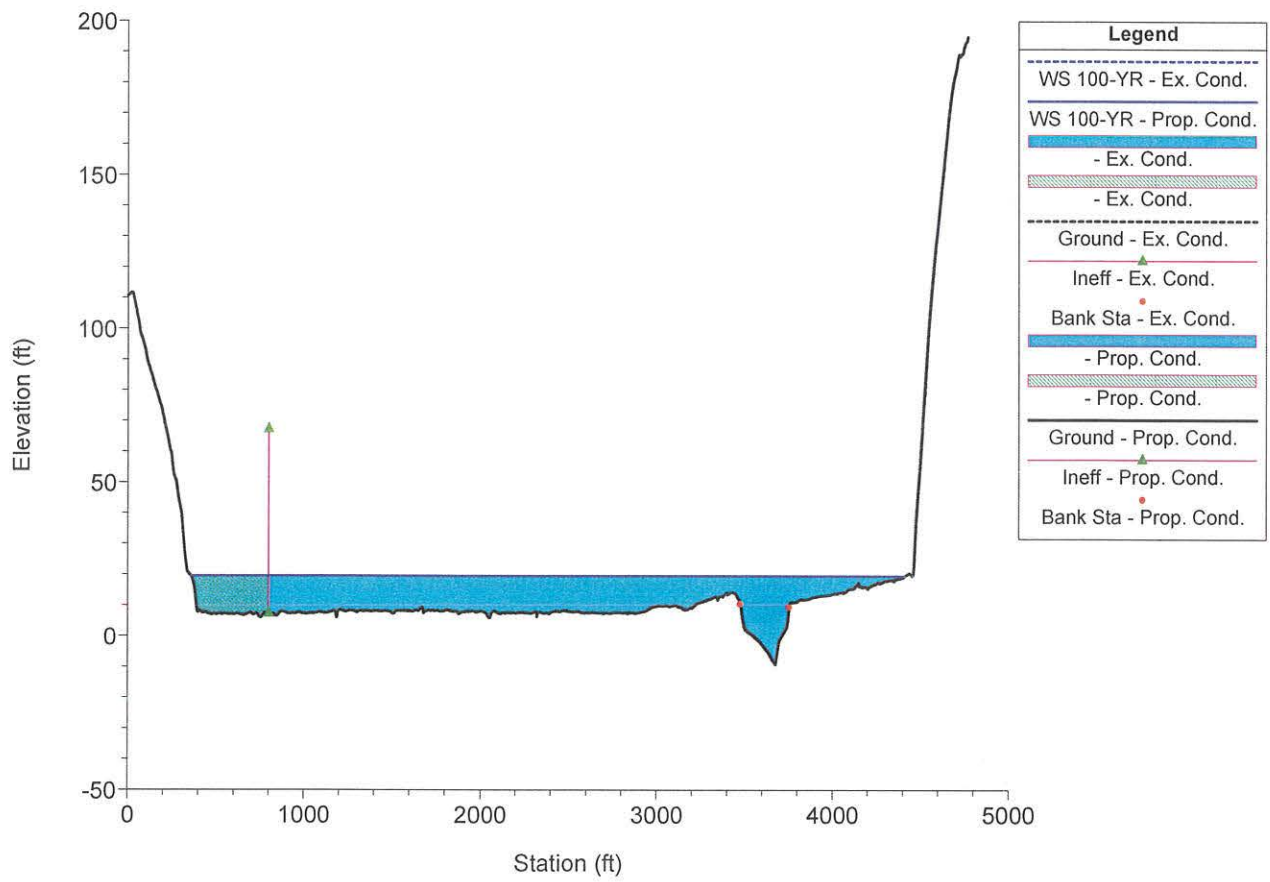


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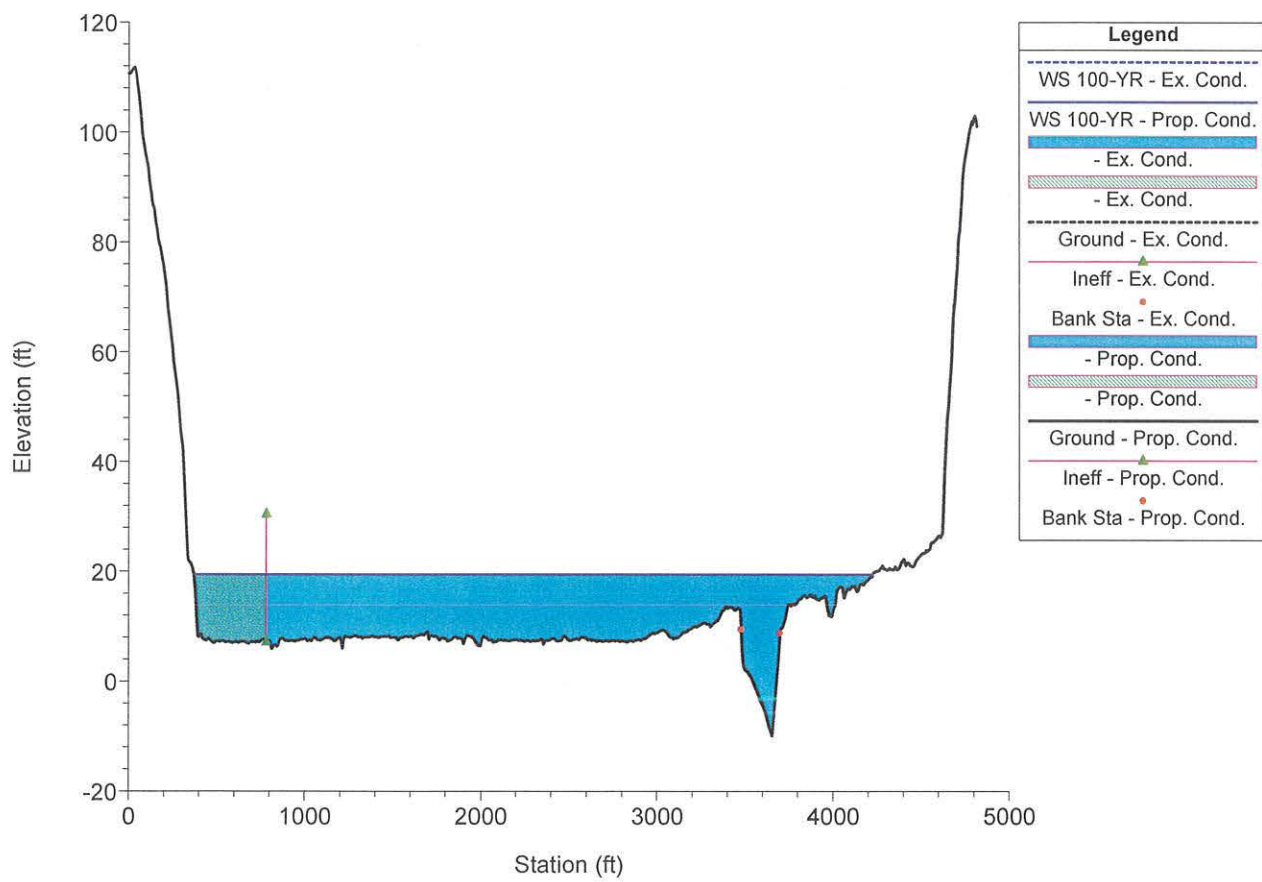




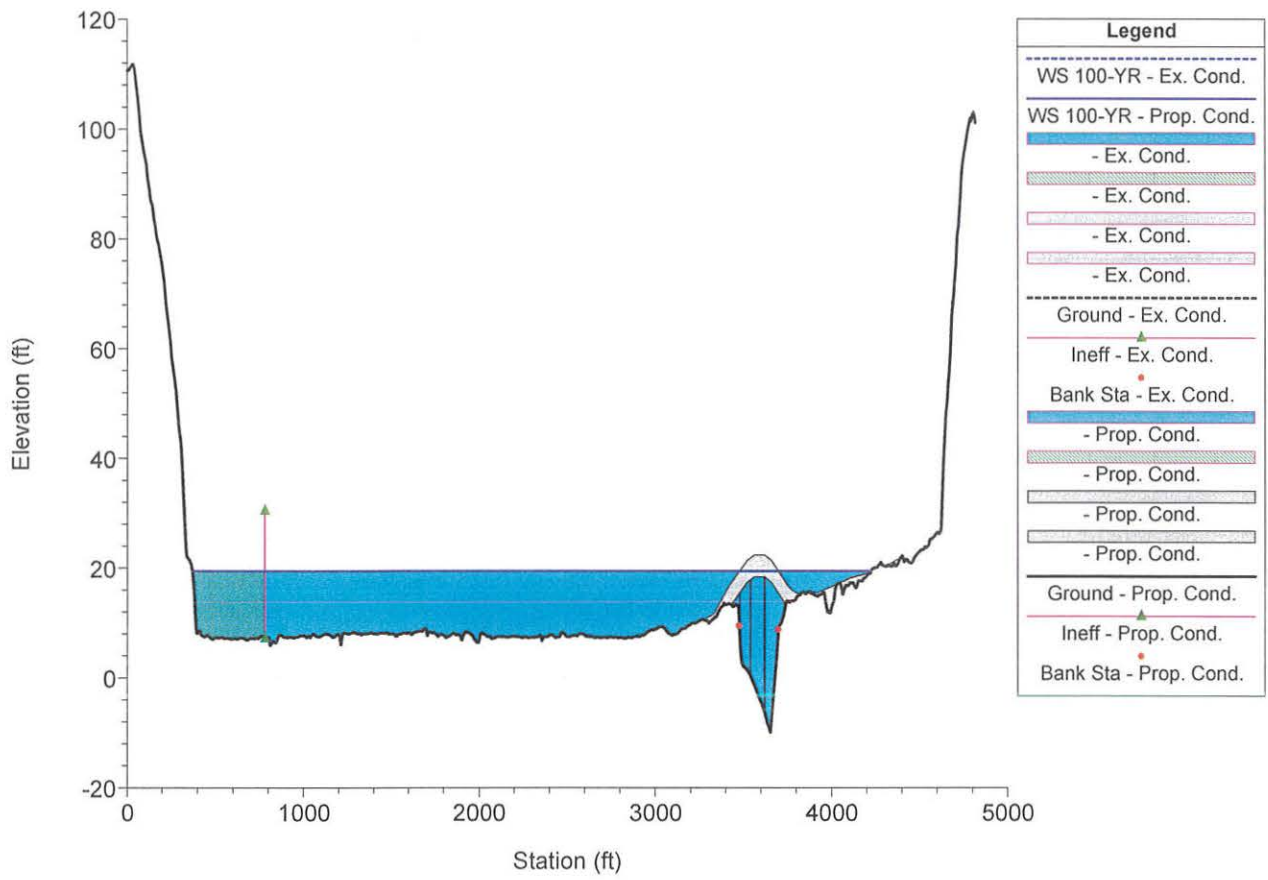
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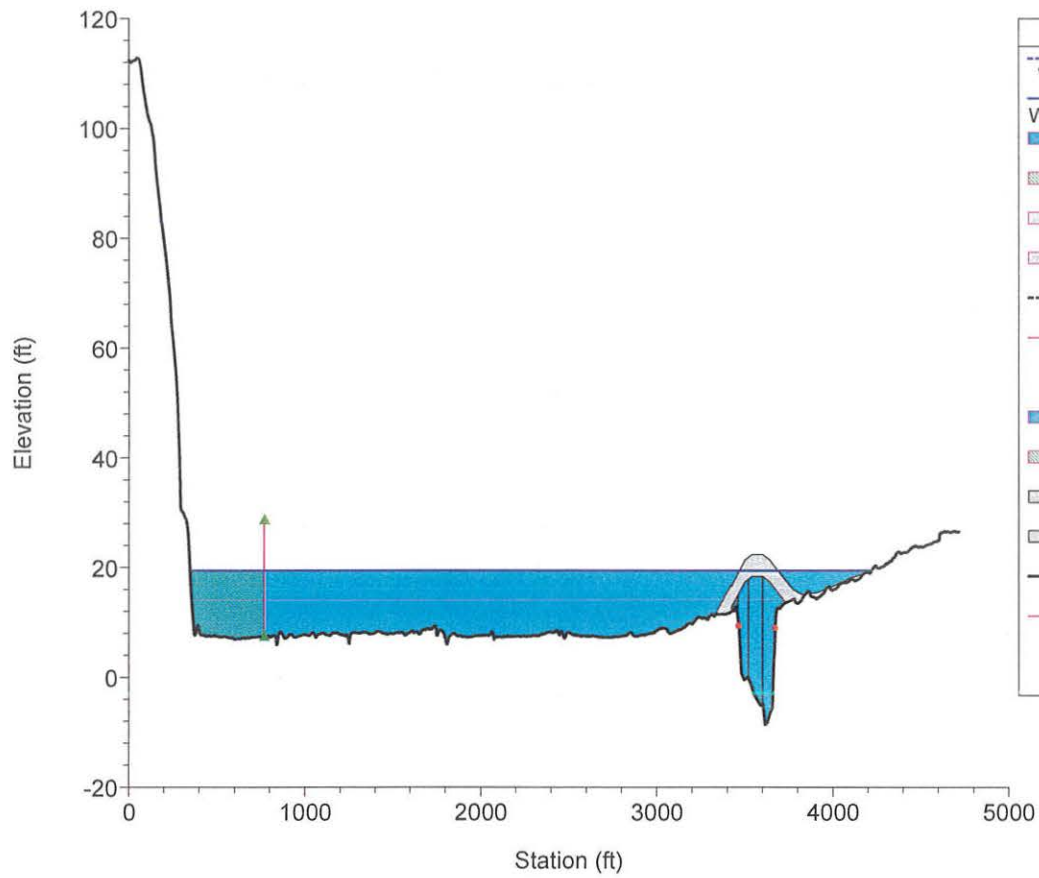
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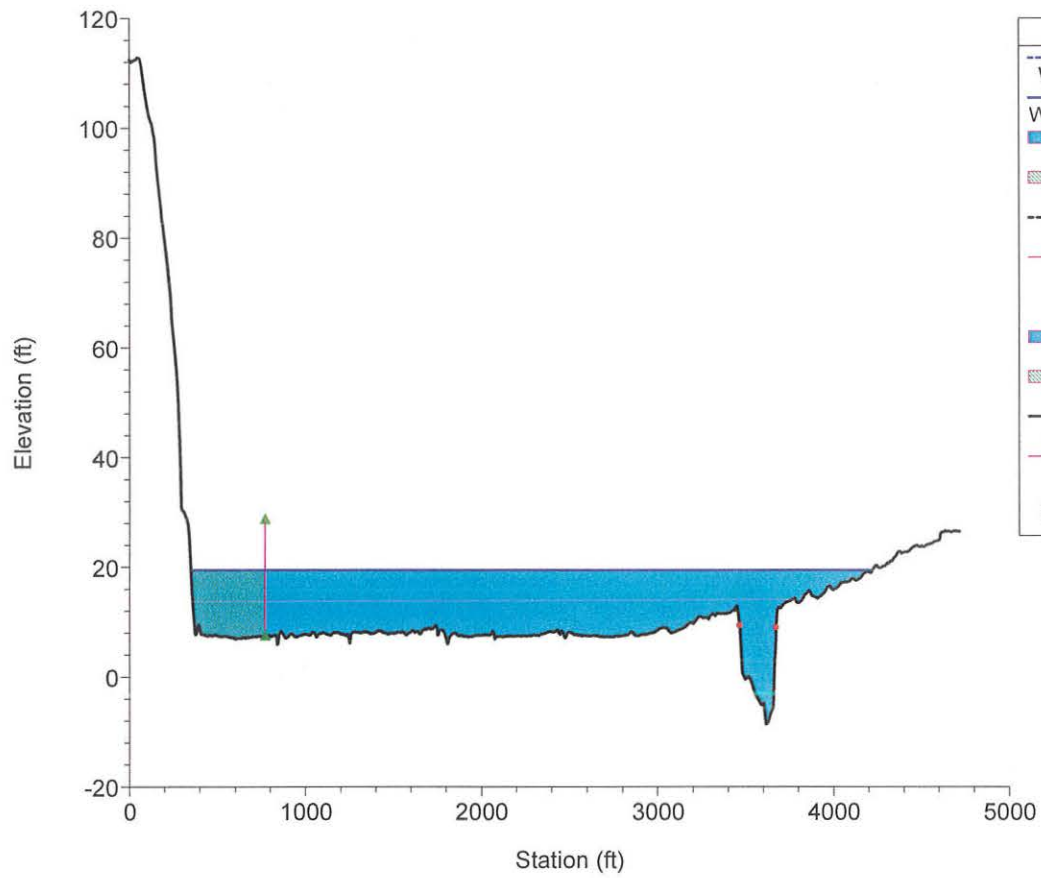
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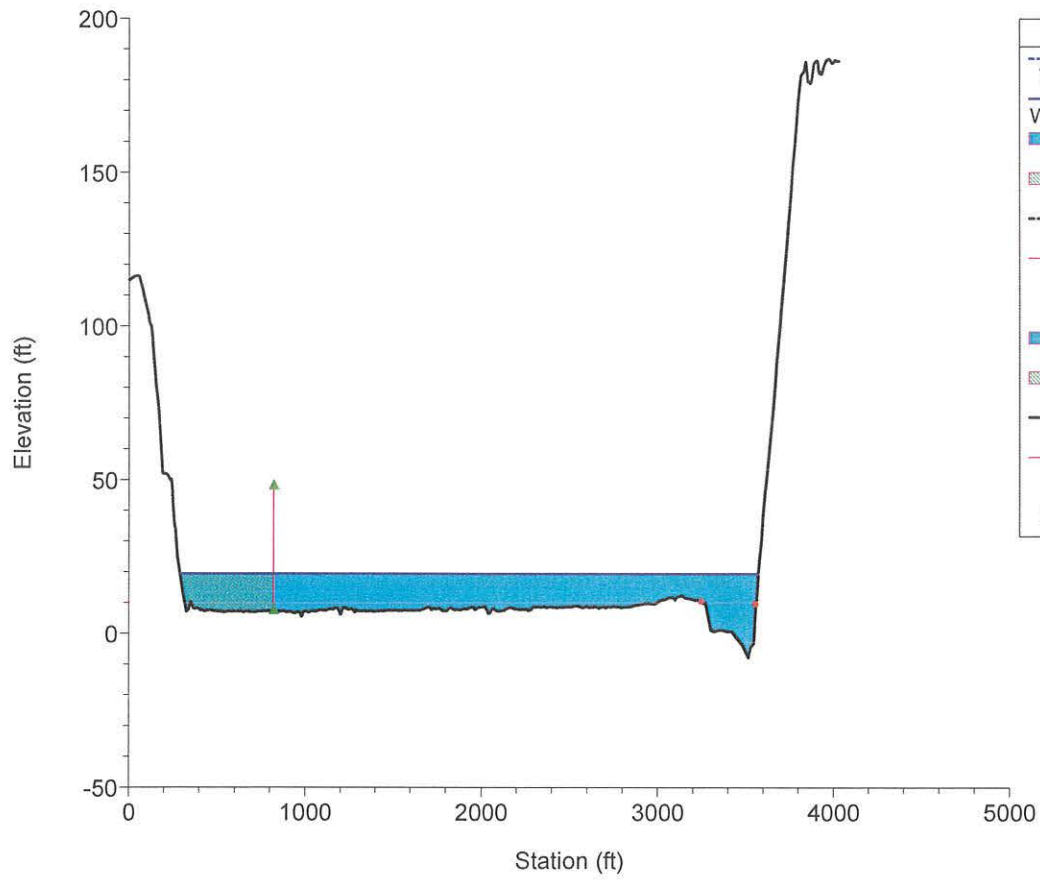
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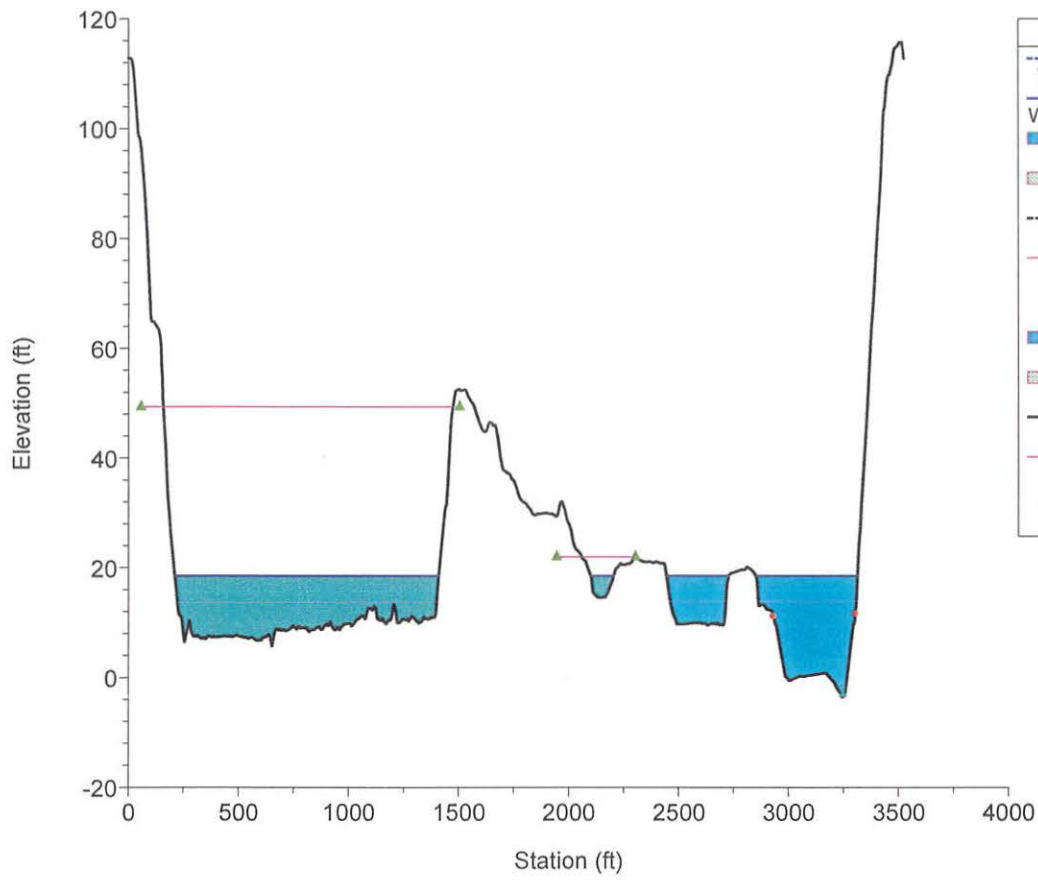


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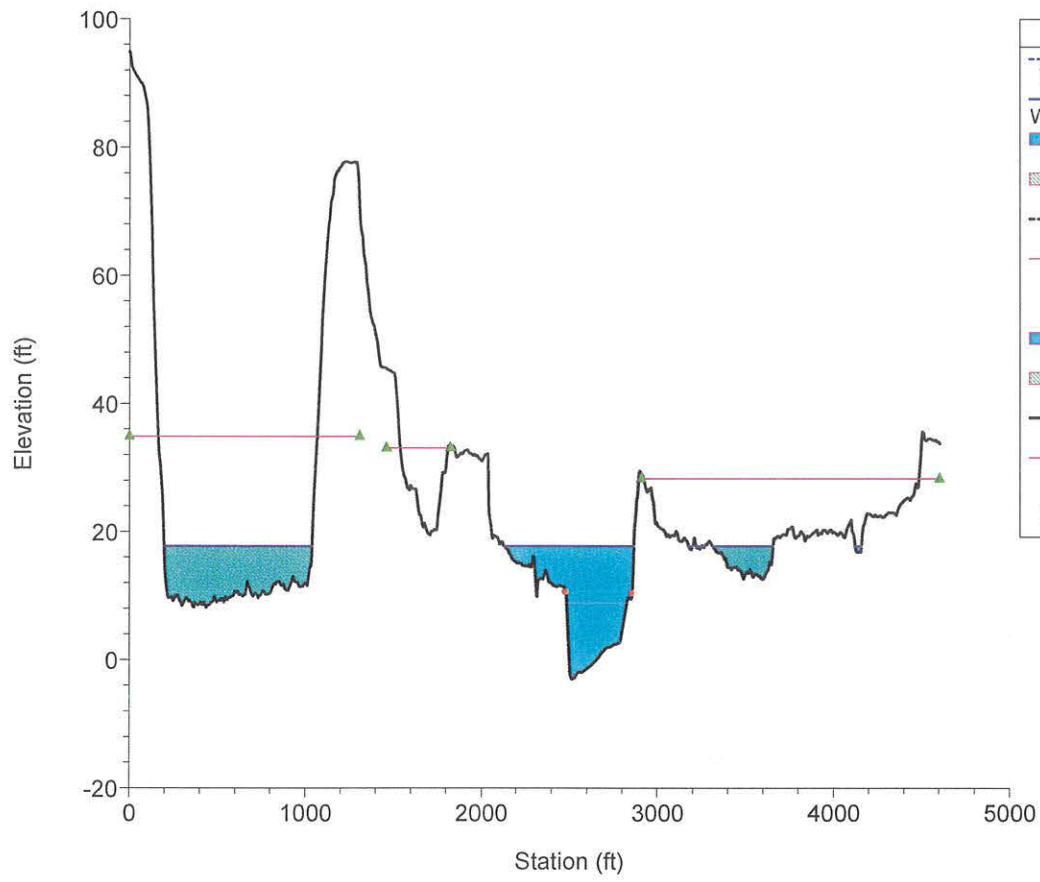


Legend	
-----	WS 100-YR - Ex. Cond.
-----	WS 100-YR - Prop. Cond.
=====	- Ex. Cond.
=====	- Ex. Cond.
-----	Ground - Ex. Cond.
-----	Ineff - Ex. Cond.
-----	Bank Sta - Ex. Cond.
=====	- Prop. Cond.
=====	- Prop. Cond.
-----	Ground - Prop. Cond.
-----	Ineff - Prop. Cond.
-----	Bank Sta - Prop. Cond.

RS = 12396



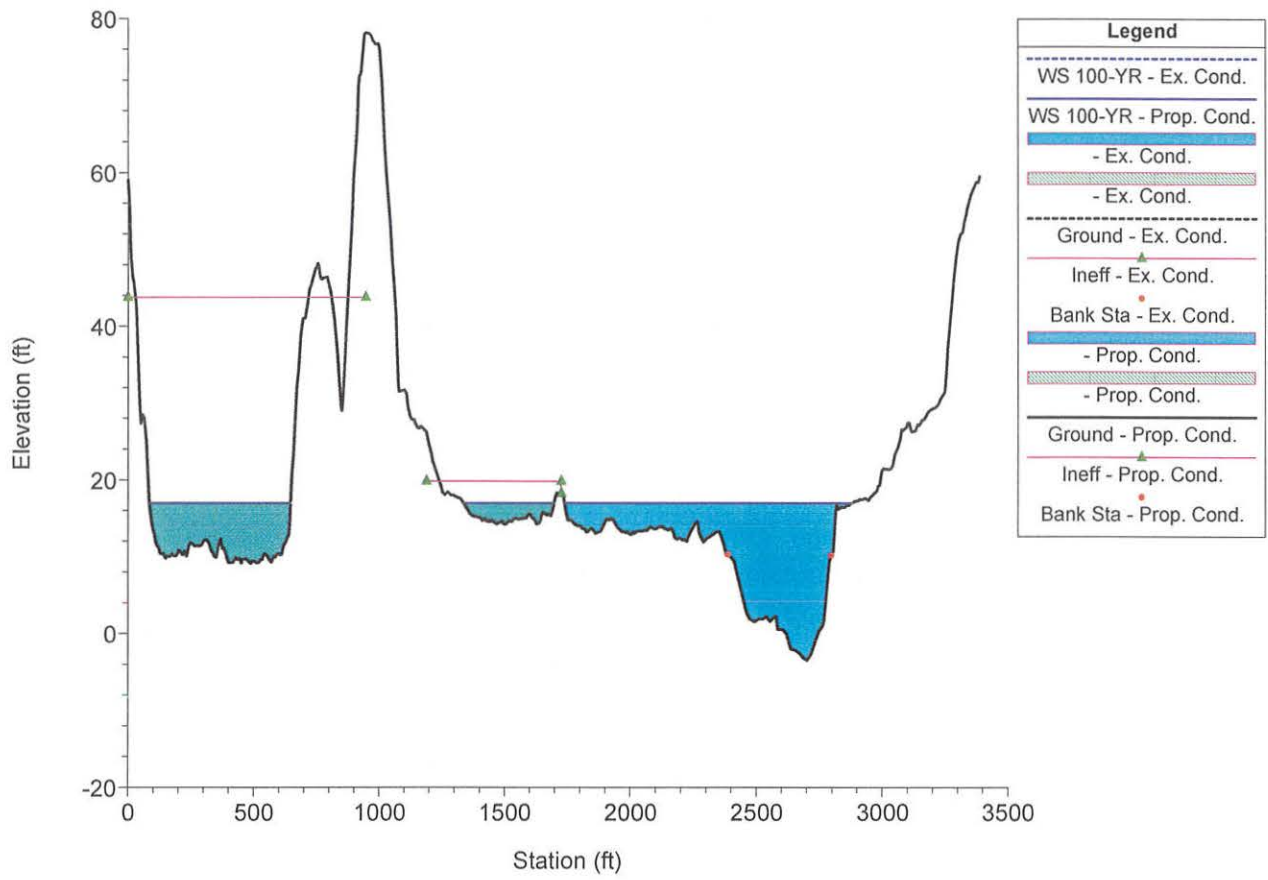
RS = 11367.2



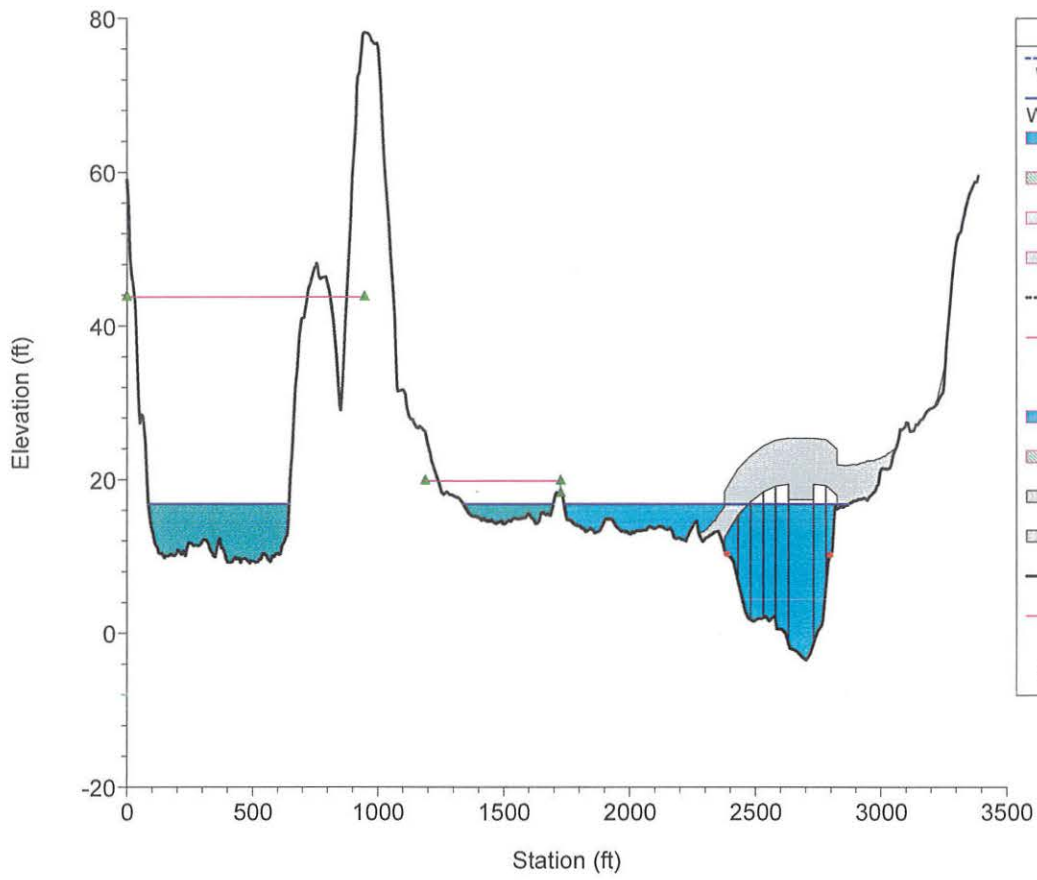
Legend
WS 100-YR - Ex. Cond.
WS 100-YR - Prop. Cond.
- Ex. Cond.
- Ex. Cond.
Ground - Ex. Cond.
Ineff - Ex. Cond.
Bank Sta - Ex. Cond.
- Prop. Cond.
- Prop. Cond.
Ground - Prop. Cond.
Ineff - Prop. Cond.
Bank Sta - Prop. Cond.



RS = 10048.77

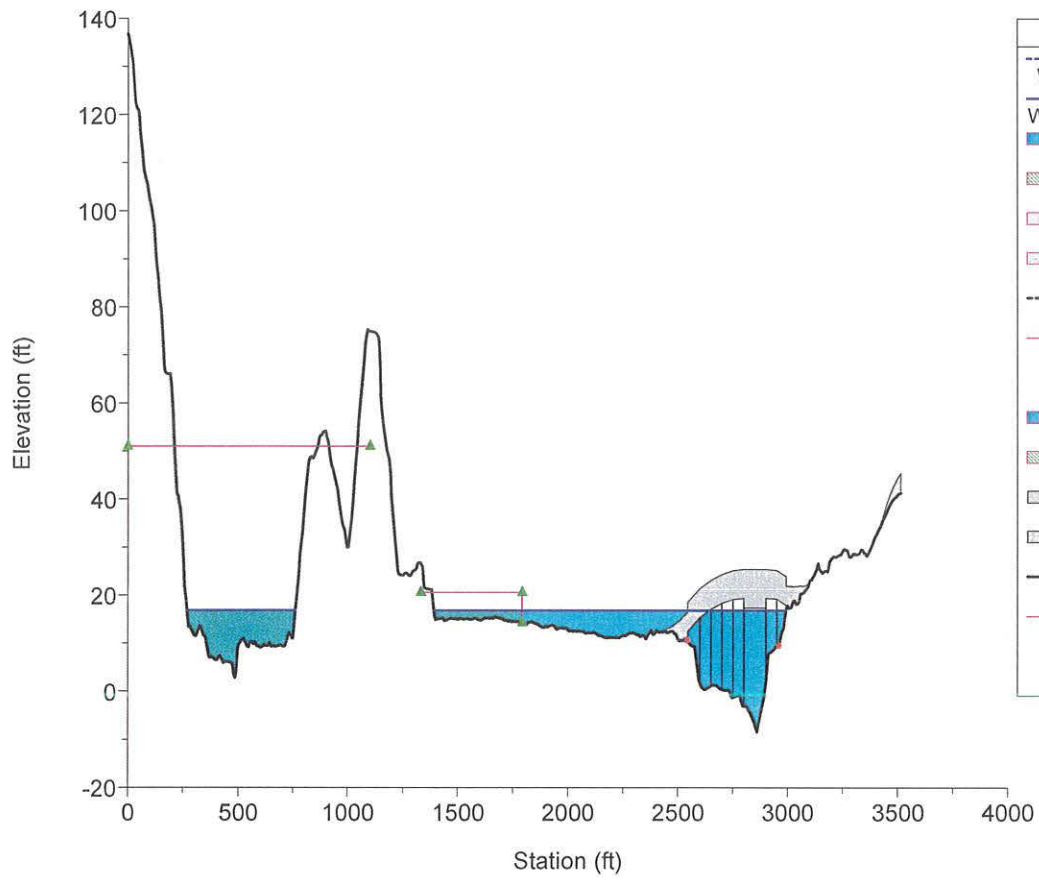


RS = 9942.323 BR



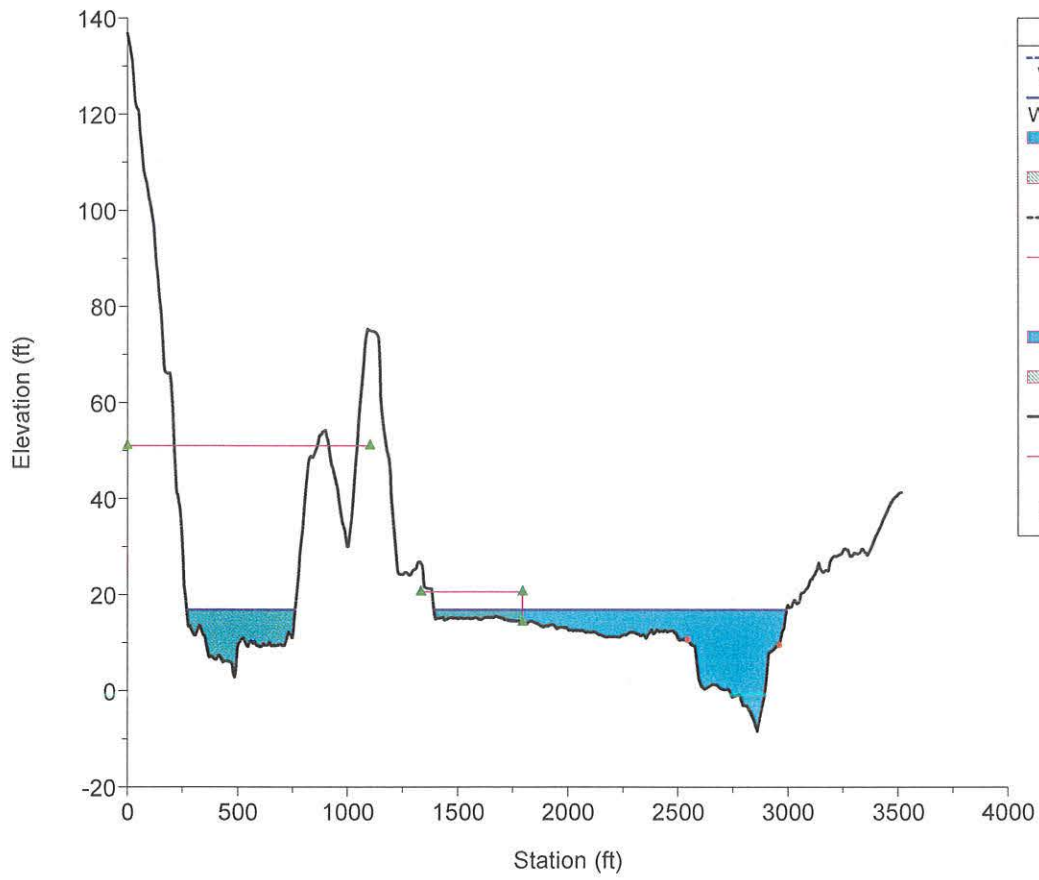
Legend	
WS 100-YR - Ex. Cond.	(Dashed line)
WS 100-YR - Prop. Cond.	(Solid blue line)
- Ex. Cond.	(Blue hatched area)
- Ex. Cond.	(Green hatched area)
- Ex. Cond.	(Pink hatched area)
- Ex. Cond.	(Light pink hatched area)
Ground - Ex. Cond.	(Solid black line)
Ineff - Ex. Cond.	(Green triangle)
Bank Sta - Ex. Cond.	(Red dot)
- Prop. Cond.	(Blue hatched area)
- Prop. Cond.	(Green hatched area)
- Prop. Cond.	(Light pink hatched area)
- Prop. Cond.	(Light pink hatched area)
Ground - Prop. Cond.	(Dashed line)
Ineff - Prop. Cond.	(Green triangle)
Bank Sta - Prop. Cond.	(Red dot)

RS = 9942.323 BR



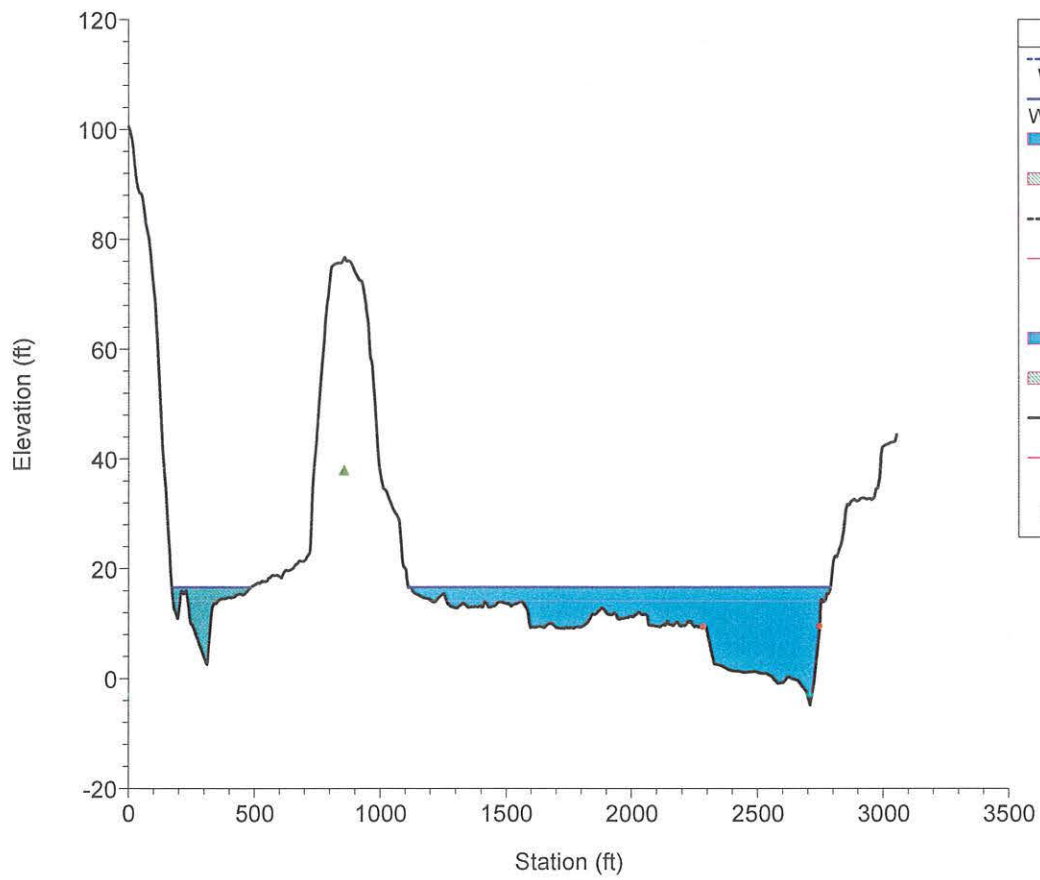
Legend	
WS 100-YR - Ex. Cond.	
WS 100-YR - Prop. Cond.	
- Ex. Cond.	
- Ex. Cond.	
- Ex. Cond.	
- Ex. Cond.	
- Ex. Cond.	
Ground - Ex. Cond.	
Ineff - Ex. Cond.	▲
Bank Sta - Ex. Cond.	●
- Prop. Cond.	
- Prop. Cond.	
- Prop. Cond.	
- Prop. Cond.	
- Prop. Cond.	
Ground - Prop. Cond.	
Ineff - Prop. Cond.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

RS = 9904.361

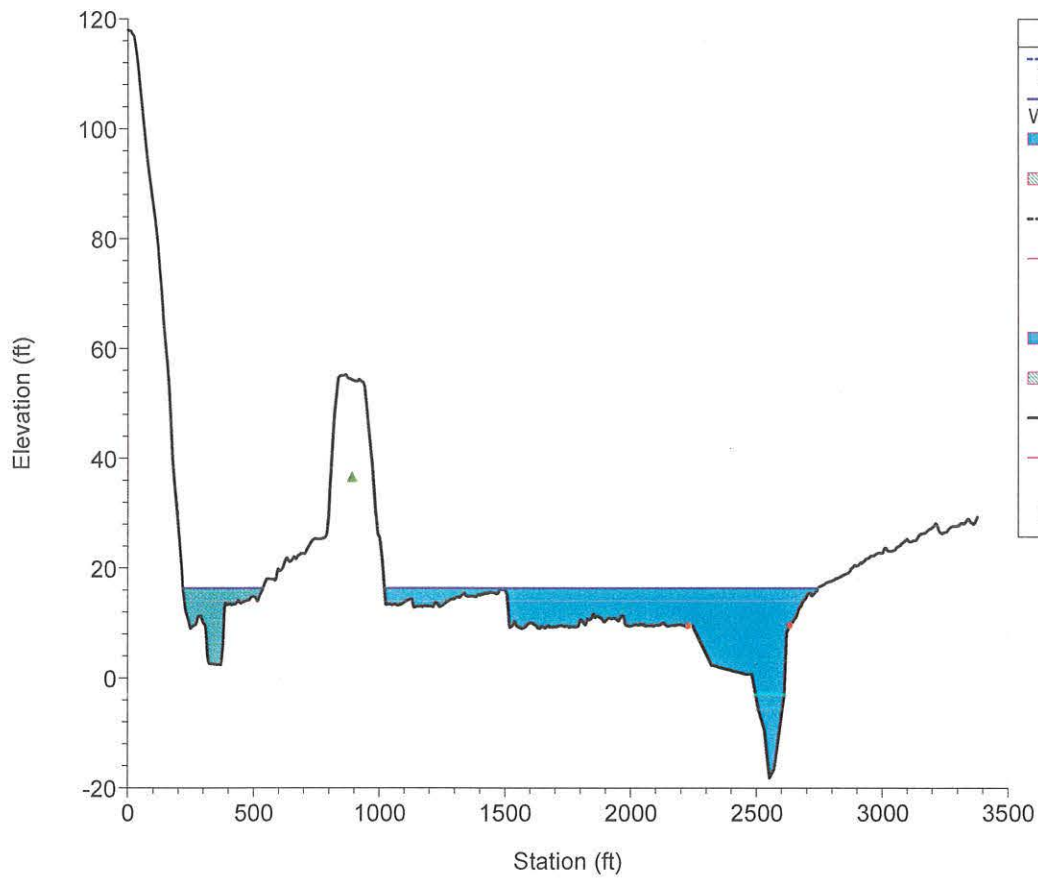


Legend	
WS 100-YR - Ex. Cond.	
WS 100-YR - Prop. Cond.	
- Ex. Cond.	
- Ex. Cond.	
Ground - Ex. Cond.	
Ineff - Ex. Cond.	
Bank Sta - Ex. Cond.	
- Prop. Cond.	
- Prop. Cond.	
Ground - Prop. Cond.	
Ineff - Prop. Cond.	
Bank Sta - Prop. Cond.	

RS = 8988.11

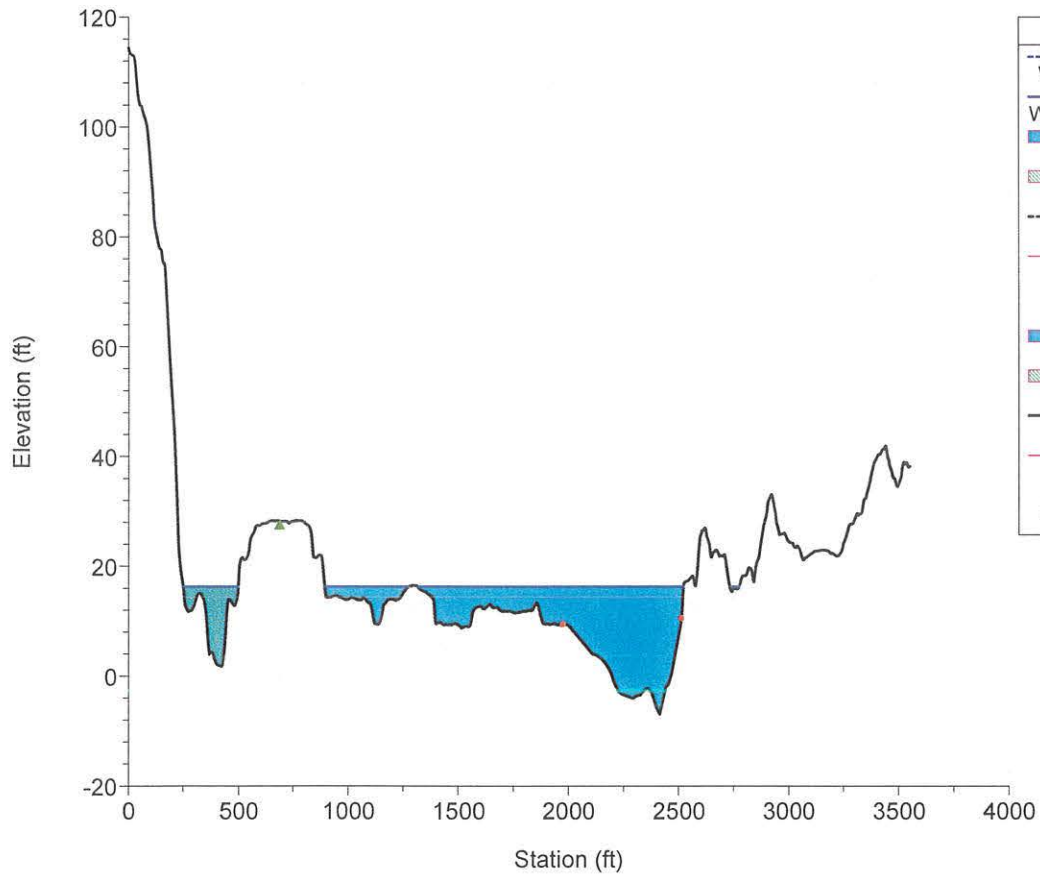


RS = 8192.259

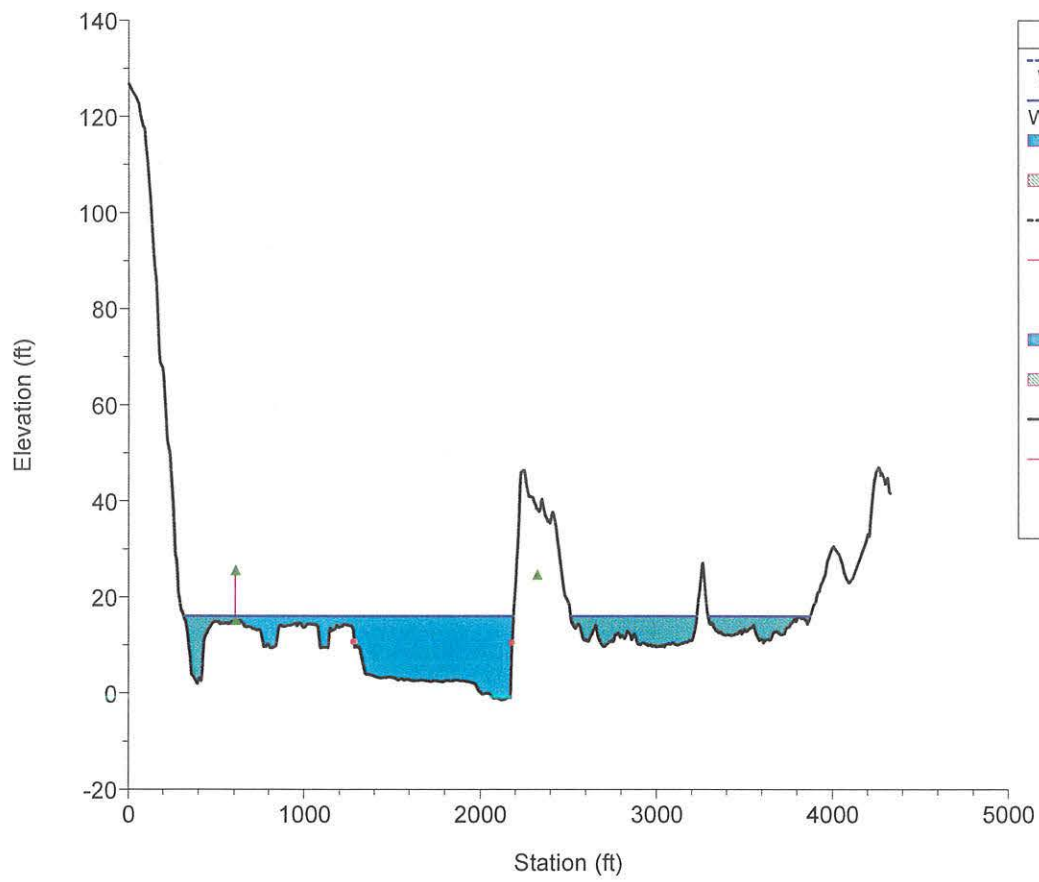


Legend	
WS 100-YR - Ex. Cond.	
WS 100-YR - Prop. Cond.	
- Ex. Cond.	
- Ex. Cond.	
Ground - Ex. Cond.	
Ineff - Ex. Cond.	
Bank Sta - Ex. Cond.	
- Prop. Cond.	
- Prop. Cond.	
Ground - Prop. Cond.	
Ineff - Prop. Cond.	
Bank Sta - Prop. Cond.	

RS = 7839.108

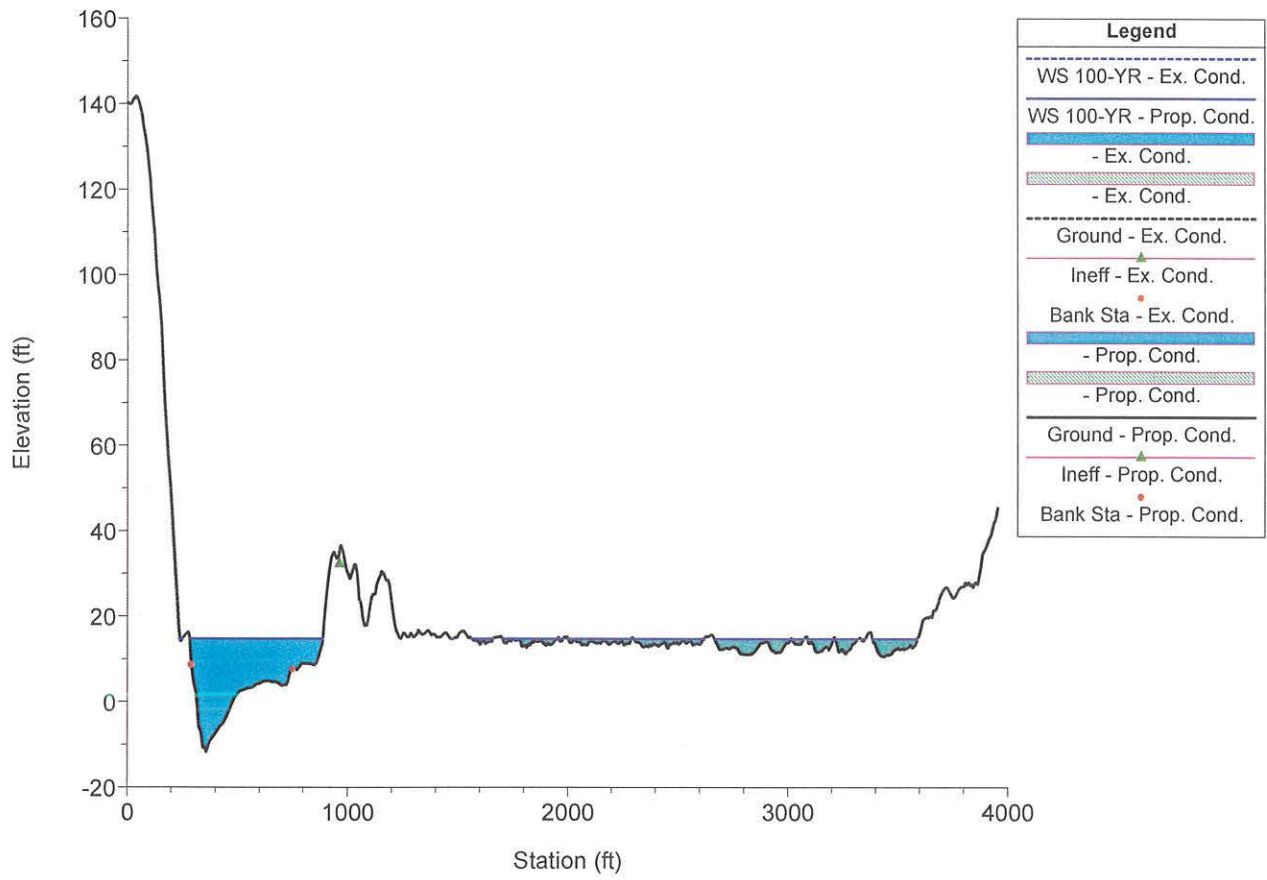


RS = 6628.945

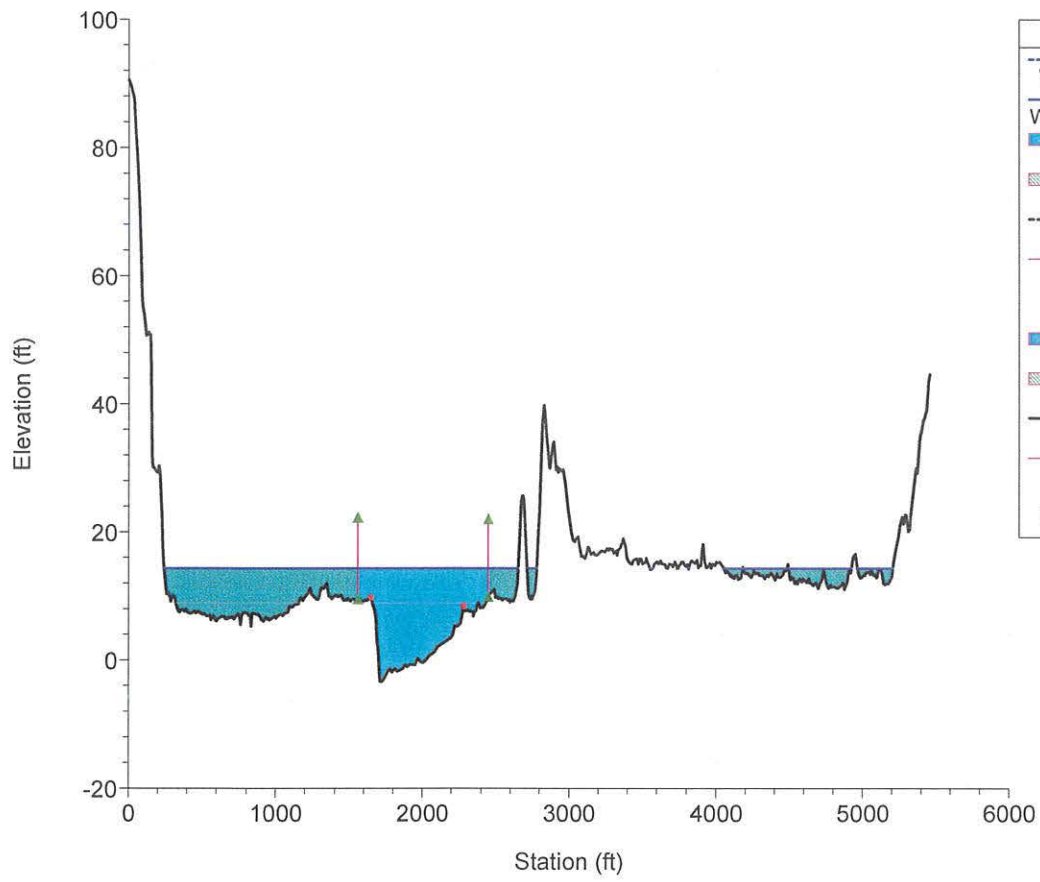




RS = 4746.314

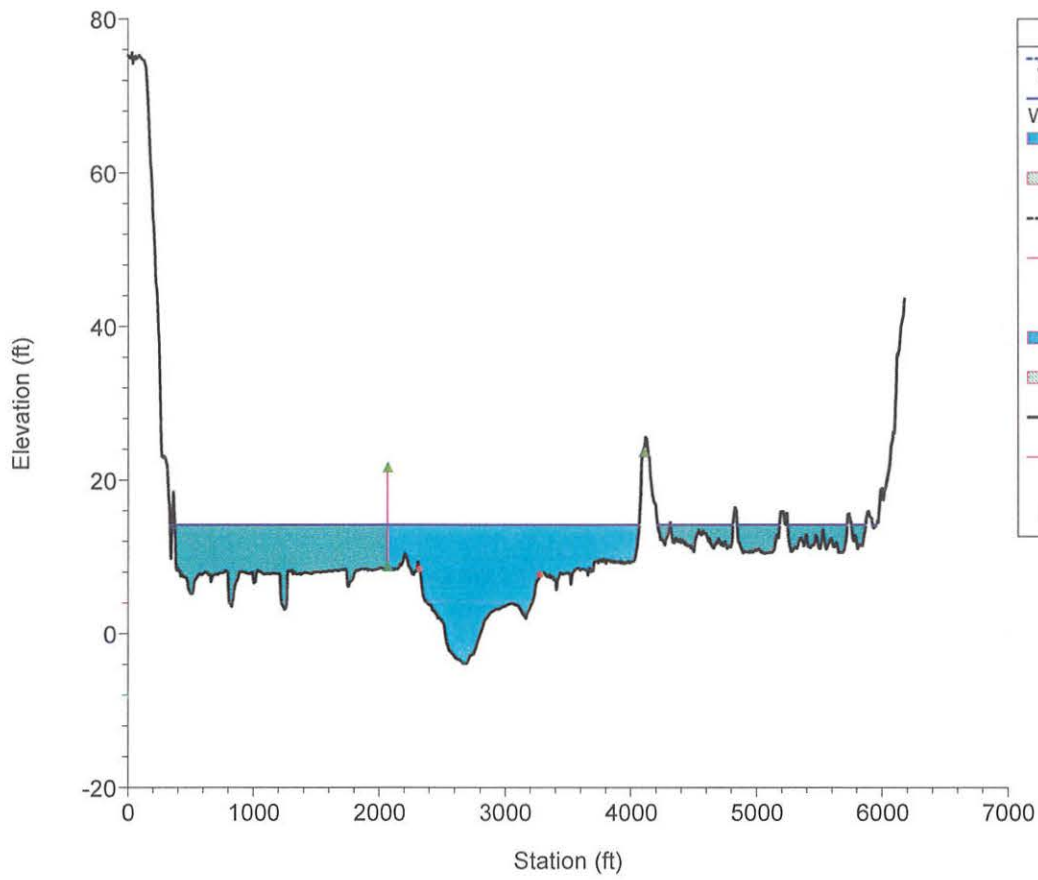


RS = 3370.732



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.	-----

RS = 2099.855



Legend	
WS 100-YR - Ex. Cond.	(dashed line)
WS 100-YR - Prop. Cond.	(solid line)
- Ex. Cond.	(blue shaded area)
- Ex. Cond.	(hatched area)
Ground - Ex. Cond.	(dashed line)
Ineff - Ex. Cond.	(green triangle)
Bank Sta - Ex. Cond.	(red dot)
- Prop. Cond.	(blue shaded area)
- Prop. Cond.	(hatched area)
Ground - Prop. Cond.	(dashed line)
Ineff - Prop. Cond.	(green triangle)
Bank Sta - Prop. Cond.	(red dot)

# EXHIBIT C

## Melissa Jenck

---

**From:** Melissa Jenck  
**Sent:** Friday, February 5, 2021 3:50 PM  
**To:** Crowley, Josha  
**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Thank you, Josha! I appreciate your swift review of this – you're amazing!

**Melissa Jenck** | CFM, Land Use Planner II  
Phone (503) 842-3408 x3301  
(she/her)

*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.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.*

**From:** Crowley, Josha <Josha.Crowley@atkinsglobal.com>  
**Sent:** Friday, February 5, 2021 2:40 PM  
**To:** Melissa Jenck <mjenck@co.tillamook.or.us>  
**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Thank you Mellissa. I have completed my review and agree that the proposed construction at 33685 Resort Drive in Pacific City, OR would result in zero net rise in flood elevations for the 1% annual chance flood. Please let me know if you need any further details. Thank you!

Joshua Crowley, PE, PMP, CFM, D.WRE  
RSC Lead | STARR II - Region X Service Center  
Phone: (425) 329-3679  
Cell: (206) 499-2440

**From:** Melissa Jenck <mjenck@co.tillamook.or.us>  
**Sent:** Wednesday, February 3, 2021 5:33 PM  
**To:** Crowley, Josha <Josha.Crowley@atkinsglobal.com>  
**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hello Josha,

Applicant said they are located here: <https://waterwayscloud.egnyte.com/fl/LaUWN2ugDv>

Thanks!

*Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is closed to Public at this time. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.*

**Melissa Jenck** | CFM, Land Use Planner II  
Phone (503) 842-3408 x3301

**From:** Crowley, Josha <Josha.Crowley@atkinsglobal.com>  
**Sent:** Monday, February 1, 2021 3:01 PM

**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>

**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hi Mellissa – can you please request the HEC-RAS model as well. Thank you!

Joshua Crowley, PE, PMP, CFM, D.WRE  
RSC Lead | STARR II - Region X Service Center  
Phone: (425) 329-3679  
Cell: (206) 499-2440

**From:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>

**Sent:** Saturday, January 30, 2021 6:50 PM

**To:** Crowley, Joshua <[Joshua.Crowley@atkinsglobal.com](mailto:Joshua.Crowley@atkinsglobal.com)>

**Subject:** FW: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hello Joshua,

This is the revised Hydraulic Report using the revised data you requested for a Resort Drive property in Pacific City. Can you please review for compliance?

Thank you!

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is open to the Public by appointment only. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

**Melissa Jenck** | CFM, Land Use Planner II  
Phone (503) 842-3408 x3301

*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.co.tillamook.or.us/qov/ComDev/> to access the appointment scheduler portal.*

**From:** Jeff's Work Email <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>

**Sent:** Wednesday, January 27, 2021 8:46 AM

**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>

**Cc:** Neil Fernando <[neil@emeriodesign.com](mailto:neil@emeriodesign.com)>

**Subject:** Fwd: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hi Melissa,

Here is the revised no rise analysis to meet FEMA's new requirements. Please add to our file, I am addressing your last 3 points for approval and should have something to you in the next few weeks.

Regards,

Jeff Powelson

Sent from my iPhone

Begin forwarded message:

**From:** Jake Hofeld <[jakeh@watways.com](mailto:jakeh@watways.com)>

**Date:** January 27, 2021 at 8:34:33 AM PST

**To:** Jeff <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>

**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hi Jeff,

Attached is the revised report addressing comments from the County. As expected, this didn't change the end result of the modeling and you should be good to resubmit.

Please keep me posted on if they give you any more comments on this or request a copy of the model files. I typically don't send these files given file size, but can easily provide them.

Thanks,

Jake D. Hofeld PE/CWRE  
Senior Engineer  
*Waterways Consulting, Inc.*  
1020 SW Taylor St., Suite 380  
Portland, Oregon 97205  
503-528-4816  
[www.watways.com](http://www.watways.com)

**From:** Jake Hofeld  
**Sent:** Thursday, January 21, 2021 1:03 PM  
**To:** Jeff <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>  
**Subject:** RE: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hi Jeff,

Sorry for the slow reply on this. For some reason I cannot get my email to stop sending things from you directly to my junk email folder.

I have review the info for Tillamook County and we can definitely make that change. I will get this to the front of the line with the goal of having the model and memo revised by this time next week. Please give me a call if you have any questions in the meantime.

Thanks,

Jake D. Hofeld PE/CWRE  
Senior Engineer  
*Waterways Consulting, Inc.*  
1020 SW Taylor St., Suite 380  
Portland, Oregon 97205  
503-528-4816  
[www.watways.com](http://www.watways.com)

**From:** Jeff <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>  
**Sent:** Thursday, January 14, 2021 10:31 AM  
**To:** Jake Hofeld <[jakeh@watways.com](mailto:jakeh@watways.com)>  
**Subject:** Fwd: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Hi Jake,

Can your respond to this email from Tillamook county?

Thx

Jeff

Sent from my iPad

Begin forwarded message:

**From:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Date:** January 13, 2021 at 4:37:09 PM PST  
**To:** Jeff POWELSON <[jeff@aquaticsports.com](mailto:jeff@aquaticsports.com)>  
**Subject:** FW: EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

Good afternoon Jeff,

I received the following information, below, from my FEMA representative with regards to the Floodway information. Would you please provide this information to your hydrologist and have them correct their modeling? Mr. Crowley provided the correct modeling data that should be used, instead of that which your hydrologist used in their existing version.

Please let me know if you have any questions.

Thank you,

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is closed to Public at this time. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

**Melissa Jenck** | CFM, Land Use Planner II  
Phone (503) 842-3408 x3301

**From:** Crowley, Josha <[Josha.Crowley@atkinsglobal.com](mailto:Josha.Crowley@atkinsglobal.com)>  
**Sent:** Tuesday, January 12, 2021 10:11 AM  
**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Subject:** EXTERNAL: RE: No-Rise Analysis - Resort Drive, Pacific City, OR

**[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 – I am sorry to be have a different request than for my last review of a No-Rise Certification on the Nestucca River. I was not aware of this 2014 LOMR that updated the model for the Nestucca River downstream of Lettered Cross-Section F. This was Case Number 14-10-1727P and I believe was conducted by West Consultants. The effective model for this section of the river is available in HEC-RAS. Can you please provide this model to the applicant and ask them to include the proposed changes internal to his model? Lettered cross-sections A through F are identified in the geometric data. The HEC-RAS model is already in NAVD 88 (using a conversion of +3.38



ft from NGVD 29). Please ask the requester to include the updated HEC-RAS model in the final submittal. Thank you.

Joshua Crowley, PE, PMP, CFM, D.WRE  
RSC Lead | STARR II - Region X Service Center  
Phone: (425) 329-3679  
Cell: (206) 499-2440

**From:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Sent:** Monday, January 11, 2021 3:01 PM  
**To:** Crowley, Joshua <[Joshua.Crowley@atkinsglobal.com](mailto:Joshua.Crowley@atkinsglobal.com)>  
**Subject:** No-Rise Analysis - Resort Drive, Pacific City, OR  
**Importance:** High

Good Afternoon Joshua, hope you had a good New Year!

I have a new hydraulic analysis for a subject property in Pacific City, OR. Address is 33685 Resort drive, map # 4S10-19AC-06200. Would you be willing to review the report for conformance with Region X guidelines? They look to have both existing and proposed conditions called out with their HEC-RAS modeling information included.

Thanks for any guidance!

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is closed to Public at this time. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

**Melissa Jenck** | CFM, Land Use Planner II  
**TILLAMOOK COUNTY** | Department of Community Development  
1510-B Third Street  
Tillamook, OR 97141  
Phone (503) 842-3408 x3301  
[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)

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Consider the environment. Please don't print this e-mail unless you really need to.

**From:** Robert Bradley Robert.Bradley@state.or.us  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr  
**Date:** August 5, 2020 at 3:40 PM  
**To:** Melissa Jenck mjenck@co.tillamook.or.us  
**Cc:** jeff@aquaticsports.com

... planting  
... not further increase erosion

... 20 ft, so there would be  
... 20 ft setback

... 20 ft setback

... 20 ft setback

... 20 ft setback

**From:** Melissa Jenck [mailto:mjenck@co.tillamook.or.us]  
**Sent:** Tuesday, August 04, 2020 10:55 AM  
**To:** Robert Bradley <Robert.Bradley@state.or.us>  
**Cc:** jeff@aquaticsports.com  
**Subject:** RE: EXTERNAL: Lot 6200 Resort Dr

Good morning Robert,

To confirm, a 20-ft setback is acceptable, but your findings is that even a 12-ft riparian setback would be acceptable, as it does not create substantial biological concerns?

Thank you,

Due to compliance measures regarding social distancing related to the COVID-19 pandemic the Department of Community Development is closed to Public until April 1, 2020. Staff continue to work during this time. Applications and documentation may be submitted via email or USPS.

**Melissa Jenck**

*Land Use Planner, CFM*

**From:** Robert Bradley < >  
**Sent:** Monday, August 3, 2020 2:43 PM  
**To:** Melissa Jenck < >  
**Cc:**  
**Subject:** EXTERNAL: Lot 6200 Resort Dr

[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,

I looked at the estuary setback on this lot today. The 50 foot setback is marked with a blue line on the attached file. A reduced setback of 20 feet concurrent with the county ordinance is marked in red. There is minimal riparian vegetation present and the surrounding area is heavily developed, so ODFW would have no objection to the reduced setback of 20 feet allowed in the ordinance.

The neighboring properties encroach closer to the estuary, with setbacks in the 12 foot range. Allowing a setback between 12 and 20 feet would not create substantial additional biological concerns.

With either reduced setback, planting of native trees, shrubs, or other rooted vegetation, or a planned bank stabilization project should be completed to address the threat of increased erosion.

I also attached a photo of the flags I staked at the 20 foot mark.

Let me know if you have any questions.

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 x253 (w)  
503-842-8385 (fax)

## Allison Hinderer

---

**From:** STRAUSS Karen A <Karen.A.STRAUSS@odot.state.or.us>  
**Sent:** Thursday, August 19, 2021 8:56 AM  
**To:** Allison Hinderer  
**Subject:** EXTERNAL: FW: DRS\_Emerio

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

Good morning Allison,

ODOT has no comment on this proposed development.

Thanks,  
Karen

*Karen A. Strauss, PE* ([she/her/hers](#))

Development Review Coordinator, District I  
Desk 503-986-2849 (note: I am teleworking so this will forward to my mobile phone.)  
Mobile 503-509-7173

---

**From:** SCHATZ Duane <Duane.SCHATZ@odot.state.or.us> **On Behalf Of** ODOT Reg 2 Planning Manager  
**Sent:** Wednesday, August 18, 2021 8:37 AM  
**To:** SHONKWILER Kenneth D <Kenneth.D.SHONKWILER@odot.state.or.us>; STRAUSS Karen A <Karen.A.STRAUSS@odot.state.or.us>  
**Subject:** DRS\_Emerio

*Tillamook County: Administrative Review/ 851-21-000003-PLNG & 851-21-000327-PLNG: Emerio Design/Powelson*

*Duane M. Schatz  
Project Delivery Compliance Specialist/  
Development Review Administrator Region 2  
ODOT Highway Region 2 Headquarters  
455 Airport Rd., Bldg. B, Room 200  
Salem, OR 97301-4989  
[Duane.SCHATZ@odot.state.or.us](mailto:Duane.SCHATZ@odot.state.or.us)  
I am teleworking and can be reached via Email  
or ODOT Cell # 503-979-3566*

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**From:** Allison Hinderer <[ahindere@co.tillamook.or.us](mailto:ahindere@co.tillamook.or.us)>  
**Sent:** Tuesday, August 17, 2021 3:15 PM  
**To:** Melissa Jenck <[mjenck@co.tillamook.or.us](mailto:mjenck@co.tillamook.or.us)>  
**Cc:** Sarah Absher <[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)>  
**Subject:** DRS\_Emerio



# Wetland Land Use Notice Response

## Response Page

Department of State Lands (DSL) WN# \*

WN2021-0916

### Responsible Jurisdiction

**Staff Contact**

Melissa Jenck

**Jurisdiction Type**

County

**Municipality**

Tillamook

**Local case file #**

851-21-000003-PLNG

**County**

Tillamook

### Activity Location

**Township**

04S

**Range**

10W

**Section**

19

**QQ section**

AC

**Tax Lot(s)**

6200

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Tillamook

**Latitude**

-123.951541

**Longitude**

-123.951541

### Wetland/Waterway/Other Water Features

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

The National Wetlands Inventory shows wetland, waterway or other water features on the property

The property includes or is adjacent to designated Essential Salmonid Habitat.

### 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 any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

## Closing Information

### Additional Comments

Best Management Practices for erosion and sediment control are recommended due to the project proximity to the Nestucca River.

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. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

### Response Date

9/15/2021

### Response by:

Daniel Evans

### Response Phone:

503-986-5271