

#851-22-000107-PLNG

Appeal of Conditional Use

#851-21-000416-PLNG

JUNE 1, 2022 BOARD OF COUNTY COMMISSIONERS

REQUEST

Appellant: Lisa Macy-Baker

Applicant: Oregon Treehouse Partners LLC

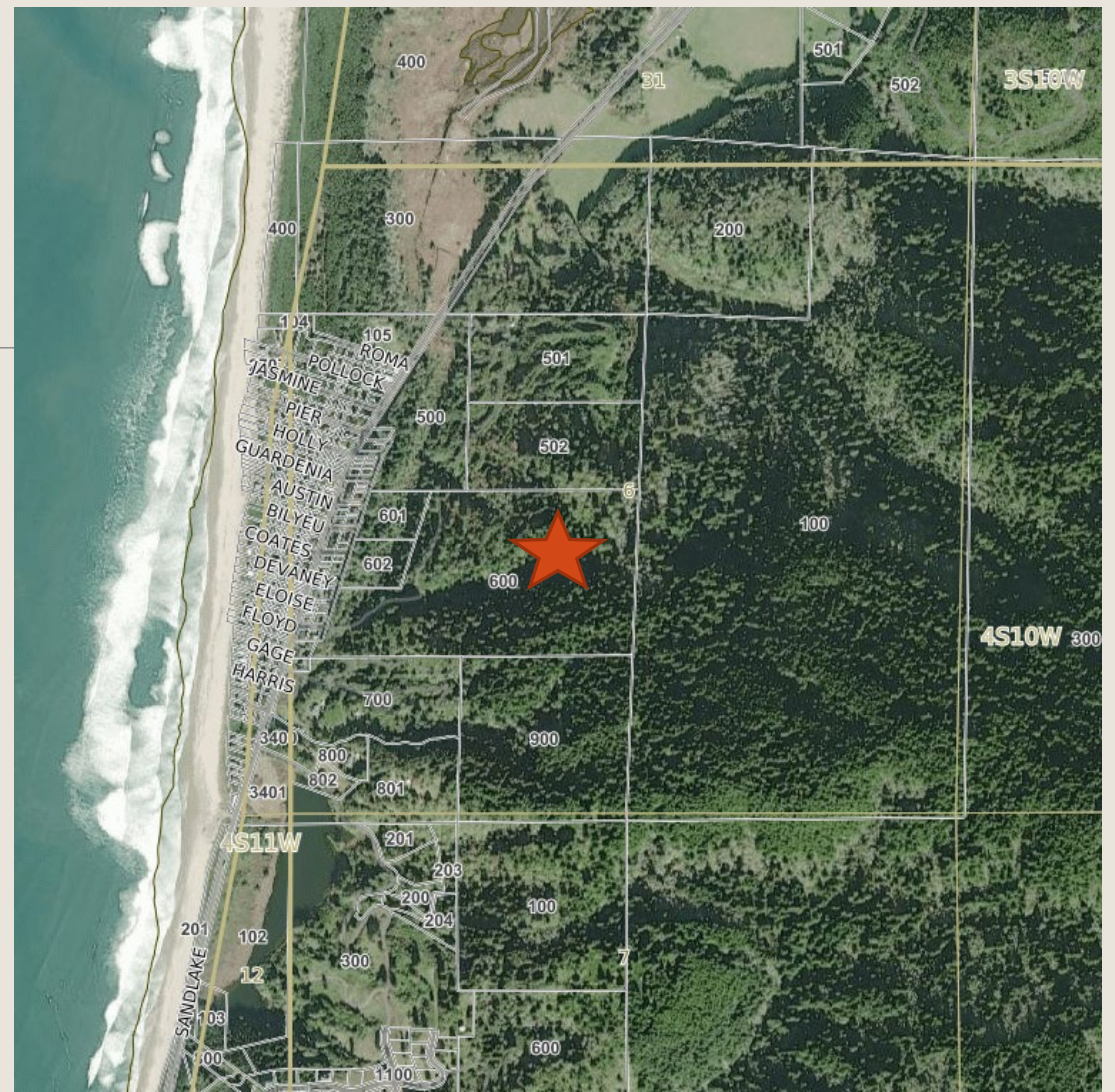
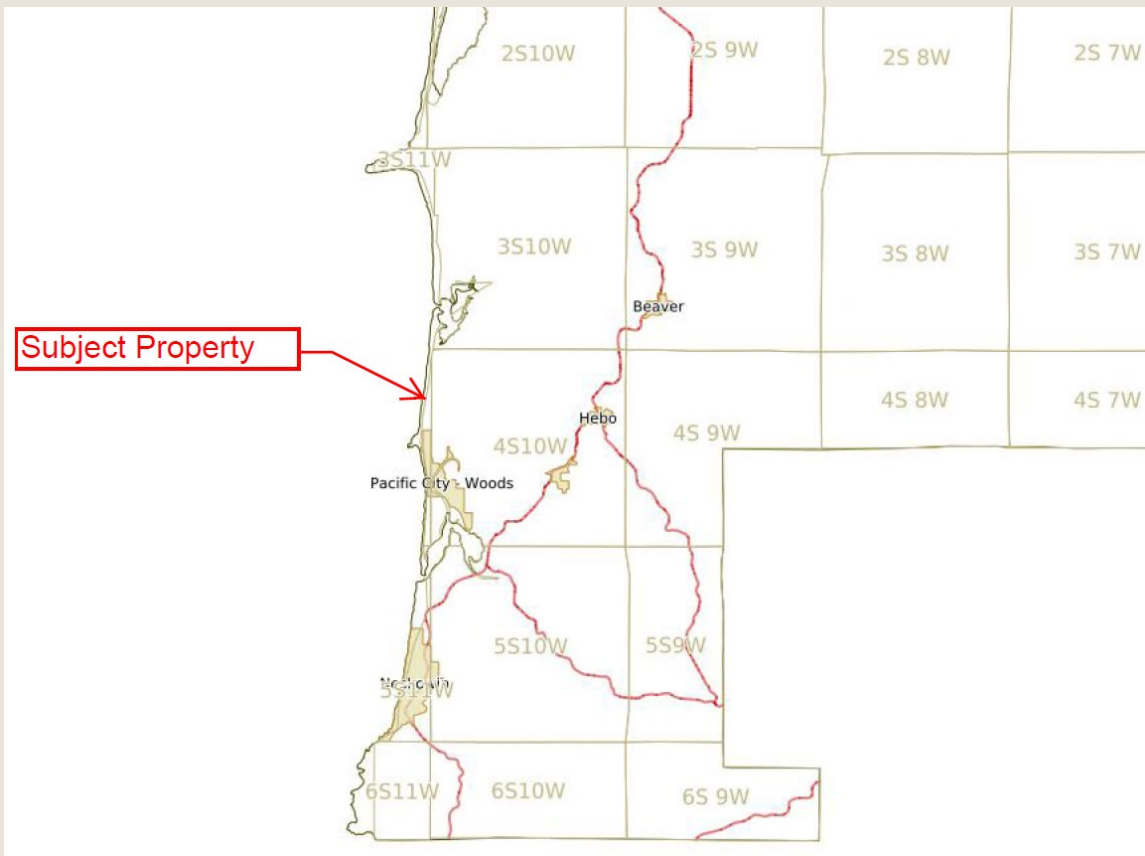
19-site Recreational Campground

Approximately 18-acres Rural Residential 2-Acre (RR-2) zoned land

Approximately 58.51-acre Parcel, remainder zoned Small Farm and Woodlot (SFW-20)

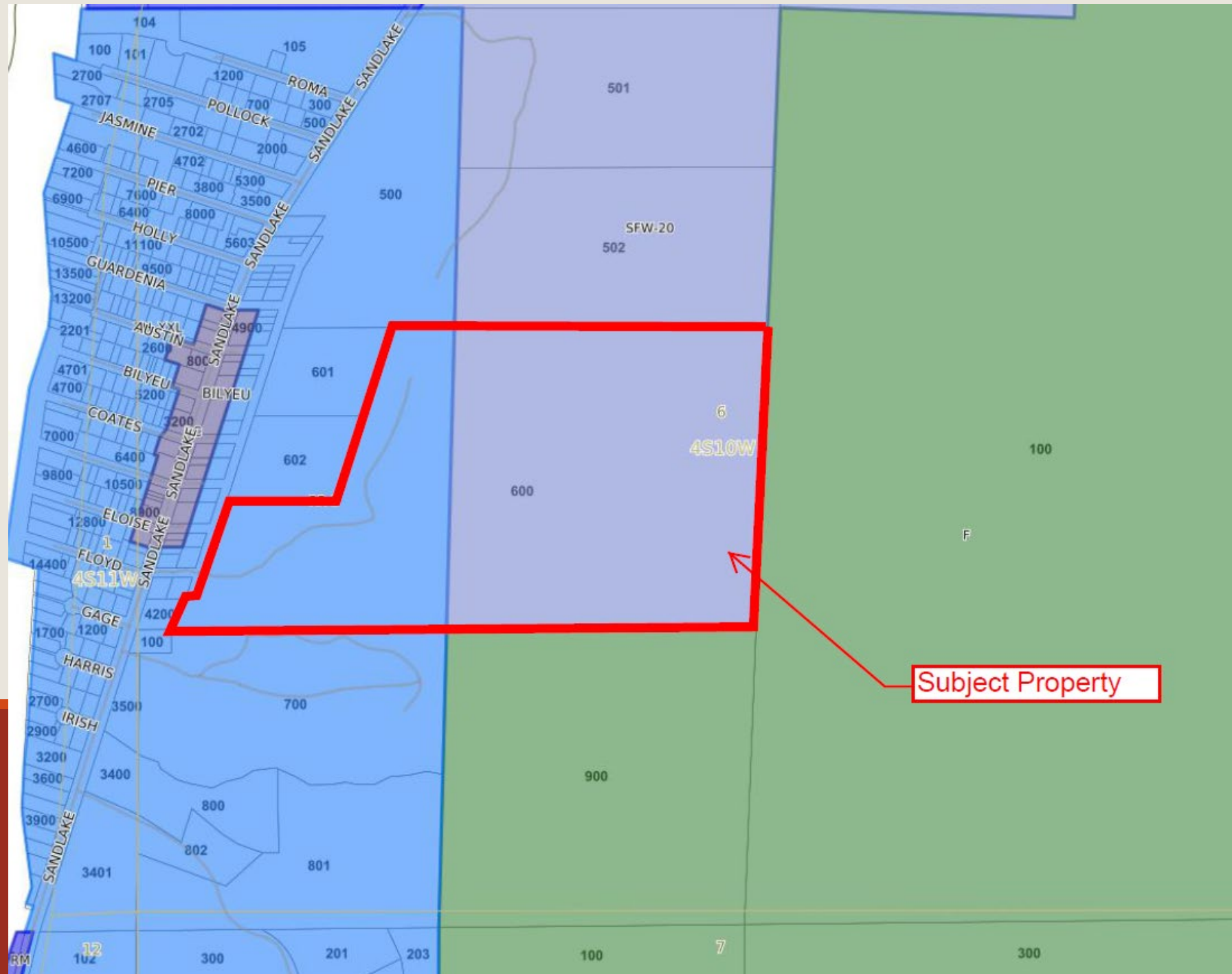
PLANNING COMMISSIONS DECISION

- Planning Commission voted unanimously (7) in favor and (0) opposed to approved request.
- Based upon findings of fact and conclusions on the record, including the staff report, public comments, written and oral testimony, and evidence presented.



Vicinity Maps

Zoning Map



Property Maps



851-21-000416-PLNG



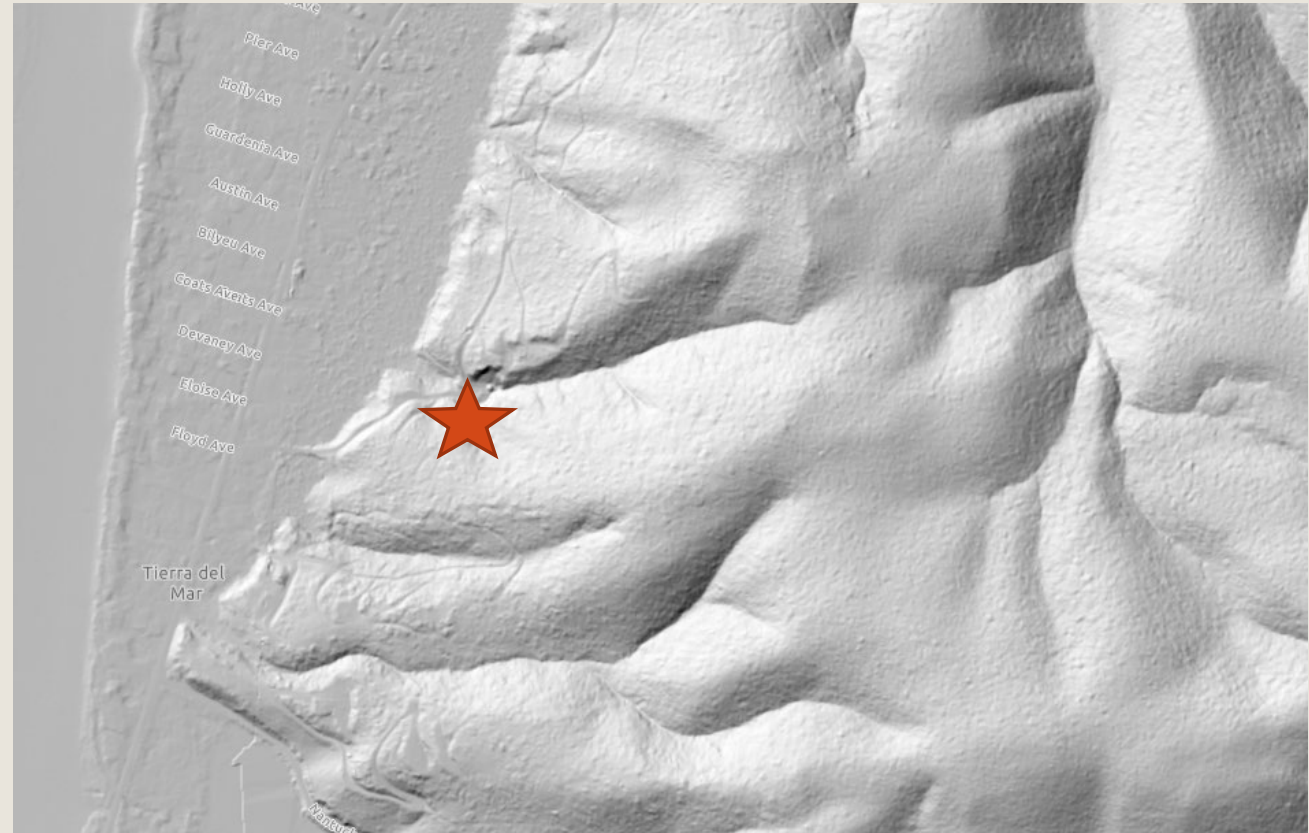
December 22, 2021

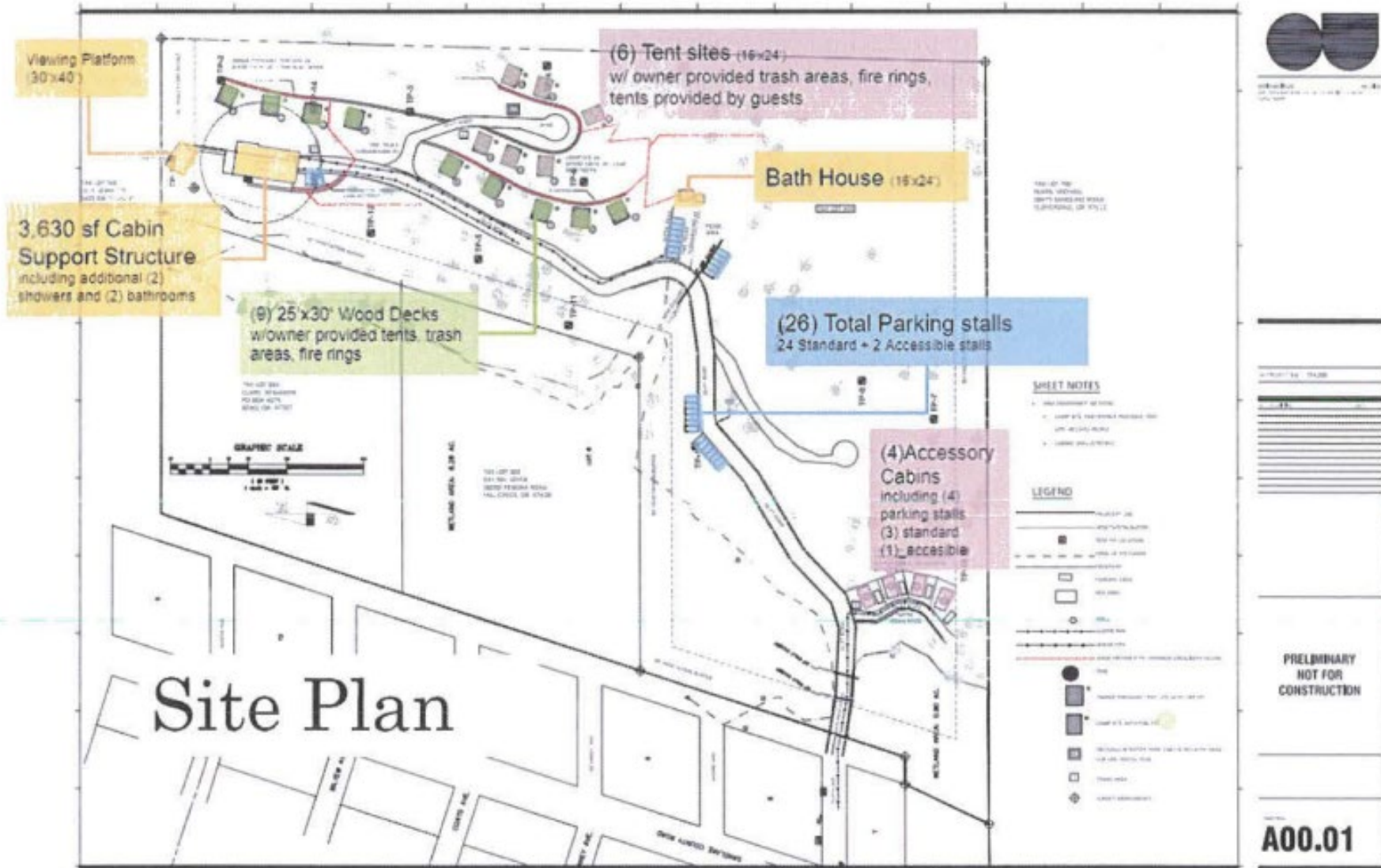
Wetlands

- | | | |
|--------------------------------|-----------------------------------|----------|
| 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.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper





Site Plan provided by the Applicant

APPELLANTS BASIS FOR APPEAL

Planning Commission failed to adequately address criteria.

- Appellant notes primary concerns regarding criteria 3, 4 & 6.
 - Geologic Hazard Area assessment
 - Wetlands and groundwater impacts
 - Water availability & drinking water
 - Emergency response and infrastructure limited for a timely use

PUBLIC COMMENTS

Primary concerns provided by the public include:

- Traffic and pedestrian impacts, such as parking and influx of tourists to the area
- Trash and health safety concerns
- Emergency service response
- Water service availability
- Noise generation due to facilities and tourists

APPLICABLE PROVISIONS

- TCLUO Section 3.010 – Rural Residential 2-Acre Zone (RR-2)
- TCLUO Section 5.030: Recreational Campgrounds Standards
- TCLUO Section 3.555: Freshwater Wetlands Overlay
- TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas
- TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

CONDITIONAL USE REVIEW CRITERIA

- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.
- (4) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use

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. The property owner shall obtain all necessary electrical, mechanical, and plumbing permits.
3. At the time of applying for Zoning and Building Permit approval, Applicant will be required to submit the following:
 - Authorization Notice approval for on-site sewage disposal permits from the Department of Community Development or Oregon DEQ.
 - A letter from Tierra Del Mar Water Company confirming water service to the proposed facility.
 - A letter from the Nestucca Rural Fire Protection District confirming fire protection service to the proposed facilities.
 - A letter from the Tillamook County Public Works Department approving the road approach and internal roadway design.
 - Demonstration of compliance with the standards contained in TCLUO 4.130(2).
4. If buildings within or near the area identified as inactive landslide topography are to be sited on slopes greater than 29%, a Geologic Hazard Report will be required as described in TCLUO 4.130. If such a report is required, a Geologic Hazard Report shall be submitted in conjunctions with application for Zoning and Building Permit approval for review and acceptance.

CONDITIONS OF APPROVAL (CONT.)

5. Applicant will maintain the minimum proposed vegetative buffers between the proposed area of development and the property boundaries. The site plan submitted for approval with application for Zoning and Building permits will clearly show the vegetative buffers.
6. Development will comply with the requirements and standards of TCLUO 3.010 'Rural Residential 2-Acre (RR-2) Zone' and 5.030 'Recreational Campground Standards'.
7. Overnight temporary use of the campground by a camper or a camper's vehicle shall not be for longer than six (6) months in any twelve (12) month period as required by TCLUO Section 5.030.
8. The applicant/property owner shall provide a copy of an approved campground design from Tillamook County Environmental Health at time of Zoning Permit/Building Permit submittal.
9. Development shall comply with riparian buffer and vegetation retention requirements of TCLUO Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization.
10. Signage shall comply with the requirements of TCLUO Section 4.020: Signs.
11. Development shall occur in the area as generally depicted on the submitted site plan and as described and shall not exceed 19 campsites and the supporting facilities, including the support cabin and bathhouse.

CONDITIONS OF APPROVAL - RECOMMENDED

12. Applicant/property owner shall submit a to-scale site plan indicating the proposed parking plan, subject to standards in TCLUO Section 4.030 'Off-Street Parking and Off-Street Loading Requirements', including demonstration of a minimum one (1) parking space per guest accommodation.