



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

**PARTITION #851-22-000234-PLNG:  
WILKS/ESPLIN  
Administrative Decision & Staff Report**

**Decision:** Approved with Conditions  
**Decision Date:** August 29, 2022  
**Report Prepared By:** Sarah Absher, CFM, Director

**I. GENERAL INFORMATION:**

- Request:** Partition request to create three (3) residential parcels (Exhibit B).
- Location:** Located south of the Incorporated City of Tillamook and southeast of the Port of Tillamook Bay, the subject property is accessed via Burbank Road, a County Road, and is designated as Tax Lot 902 of Section 15B, Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County Oregon. (Exhibit A).
- Zone:** Rural Residential 2-Acre (RR-2) Zone
- Applicant:** Chris Wilks, 9782 South Prairie Road, Tillamook, OR 97141
- Property Owner:** Dave Wilks Jr., 5845 Brickyard Road, Tillamook, OR 97141

**Description of Site and Vicinity:** The subject property is accessed via Burbank Road, a County road, is irregularly shaped, approximately 12.35 acres in size, improved with a residential and accessory structures and vegetated with grasses and trees (Exhibit A). Topography of the subject property varies. The subject property is located within an area primarily devoted to residential and natural resource (farm and forest) uses. The subject property is surround by properties also zoned RR-2 to the north, east and west, and properties zoned Small Farm and Woodlot 20-Acre (SFW-20) to the south (Exhibit A).

The subject property is located within an area of geologic hazard, does contain mapped wetlands or natural features as indicated on the NWI map, and is located within Zone X an Area of Minimal Flood Hazard as depicted on FEMA Flood Insurance Rate Map (FIRM 41057C0595F) (Exhibit A).

Subject property is within an area of geologic hazard (Exhibit A). A Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

## II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request 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. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) Zone
- C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

## III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and agencies on July 22, 2022. Comments were received by the Tillamook Fire District and Tillamook County Public Works. Comments received are contained in "Exhibit C" of this report.

### A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria

*(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:*

- (a) The land division application shall conform to the requirements of this ordinance;*
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;*

**Findings:** The applicability of the RR-2 zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met.

- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;*
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;*
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;*

**Findings:** The preliminary plat confirms access to the subject property and subsequent parcels remains via Burbank Road, a County Road, with an interior private access easement that traverses through the primary

parcel that provides access to the proposed parcels. (Exhibit B). The proposed easement was constructed several years ago and proposed as part of a major partition request. The proposed easement will serve the three parcels made part of this review.

Land Division Ordinance Section 150 outlines development standards for partitions. Standards within this section either do not apply, evidence submitted by the Applicant confirms the standards are met or that the standards can be met through compliance with the Conditions of Approval. Given the proposed easement will serve the three parcels associated with this review, road review standards outlined in Section 150 have been waived.

Conditions of Approval have been made to ensure the easement remains private and maintained by the owners of the subject parcels in accordance with applicable fire defense board standards. A Condition of Approval has also been made to prohibit future partitioning of the parcels unless it can be demonstrated that compliance with applicable sections of the Land Division Ordinance can be met, including improvements to Burbank Road, a County road.

Staff concludes the above standards and the standards in Sections 150 and 160 of the Land Division Ordinance have been met or can be met through the Conditions of Approval.

- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
  - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
  - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

**Findings:** The subject property is served by a private well and onsite septic systems (Exhibit B).

The subject property is also served by the Tillamook Fire District, Tillamook County Sheriff's Office, and the Tillamook County Public Works Department. Given the location of the property, availability of public services existing in the area staff concludes these criteria have been met or can be met through compliance with the Conditions of Approval.

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

*STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- ...
- (e) The minimum lot width and depth shall both be 100 feet.
- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

.....

**Findings:** The applicant has provided a preliminary plat confirming the two (2) parcels to be created by the partition meet the minimum requirements for lot size and dimensions as outlined above (Exhibit B). The subject property is improved with a residential structure and accessory structures (Exhibit B). Given the

size and proposed location for new property boundaries, staff finds location of existing structural improvements will continue to maintain setback requirements for each structure, respectively (Exhibits A & B). Staff finds these standards have been met.

**C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas**

- (1) *The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:*
  - (a) *Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*
  - (b) *Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;*
- .....
- (2) *A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:*
  - (a) *For building or mobile home or manufactured home permits in areas identified in (1)*
  - (b) *reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies*

**Findings:** Future development of the subject property will be subject to development standards of the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been outlined below in Section V.

**IV. DECISION: APPROVED WITH CONDITIONS**

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

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

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 **4:00 PM on September 12, 2022.**

**V. CONDITIONS OF APPROVAL:**

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

1. The applicant shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant shall comply with all requirements of the Tillamook County Surveyor's Office.
3. All easements for access and utilities shall be shown on the final plat.

4. No further partitioning of the parcels is allowed without demonstration that applicable standards of the Tillamook County Land Division Ordinance can be met, including improvements to Burbank Road, a County road, as determined by the Tillamook County Public Works Department.
5. The applicant/property owner shall adhere to the requirements set forth by the Tillamook County Public Works Department as reflected in the email dated August 12, 2022 (Exhibit C). A letter from the Tillamook County Public Works Department shall be submitted to this Department confirming required improvements have been satisfactorily installed prior to final plat approval.
6. The applicant/property owner shall adhere to the requirements set forth by the Tillamook Fire District as reflected in the email dated August 9, 2022 (Exhibit C). A letter from the Tillamook Fire District shall be submitted to this Department confirming required improvements have been satisfactorily installed prior to final plat approval.
7. The access easement shall remain private and shall be privately maintained consistent with applicable fire defense board standards.
8. The applicant shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of Preliminary Plat approval.
9. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
10. Future development is subject to standards required by TCLUO Section 3.010: Rural Residential 2-Acre Zone and TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

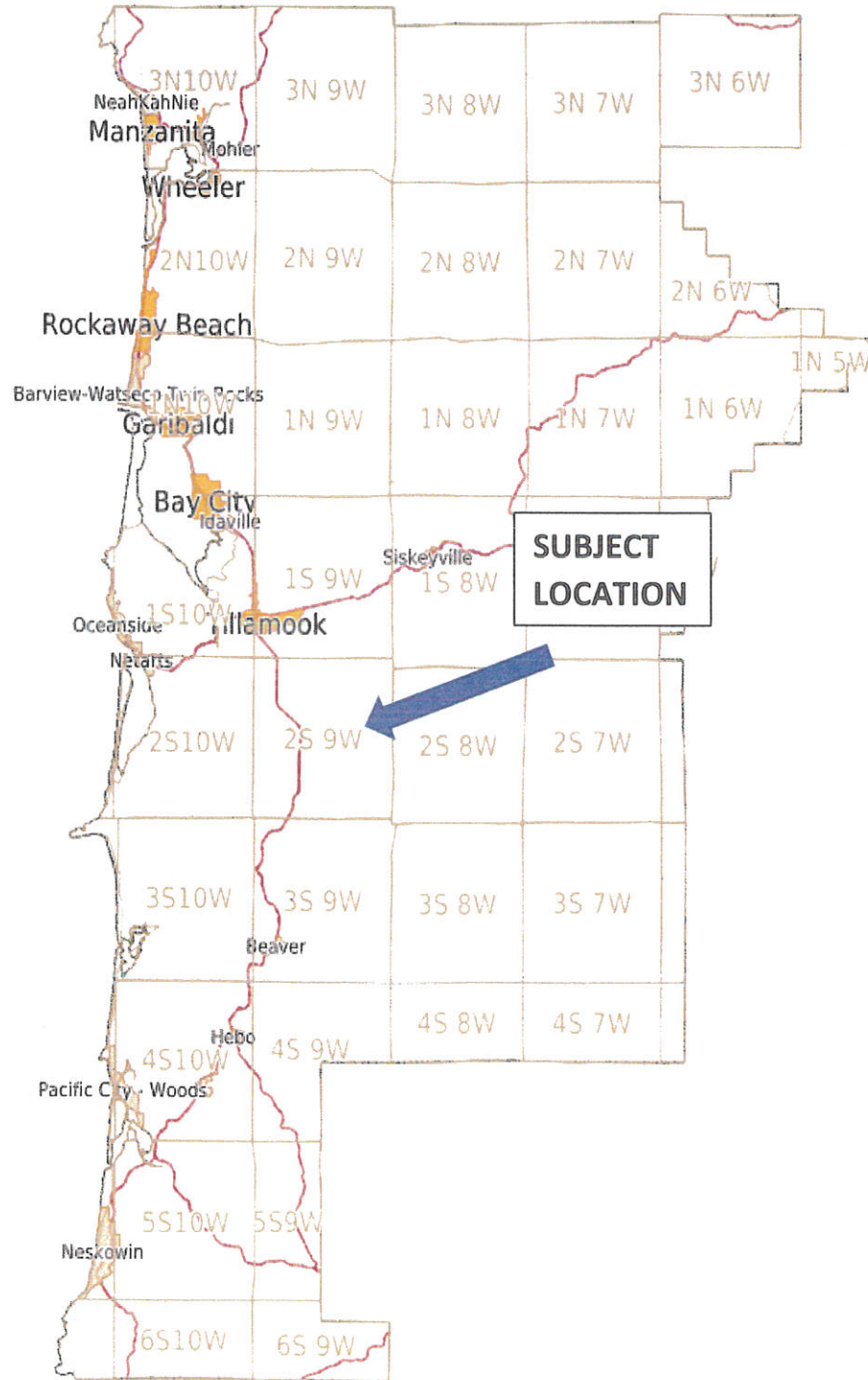
**VI. EXHIBITS:**

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

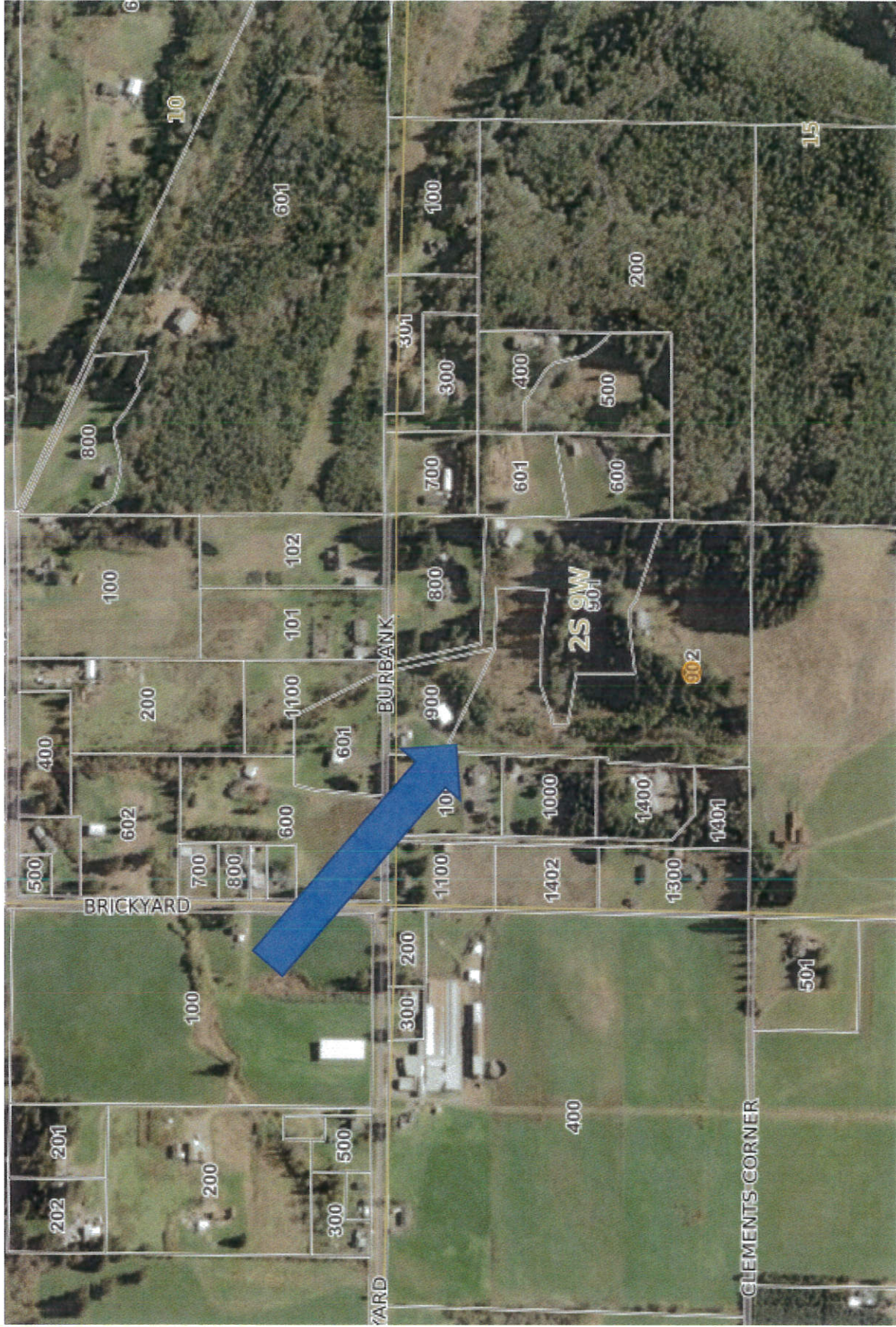
- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal
- C. Agency/Public Comments

# EXHIBIT A

# VICINITY MAP



#851-22-000234-PLNG: WILKS  
PARTITION REQUEST



#851-22-000234-PLNG: WILKS PARTITION AERIAL IMAGE



THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

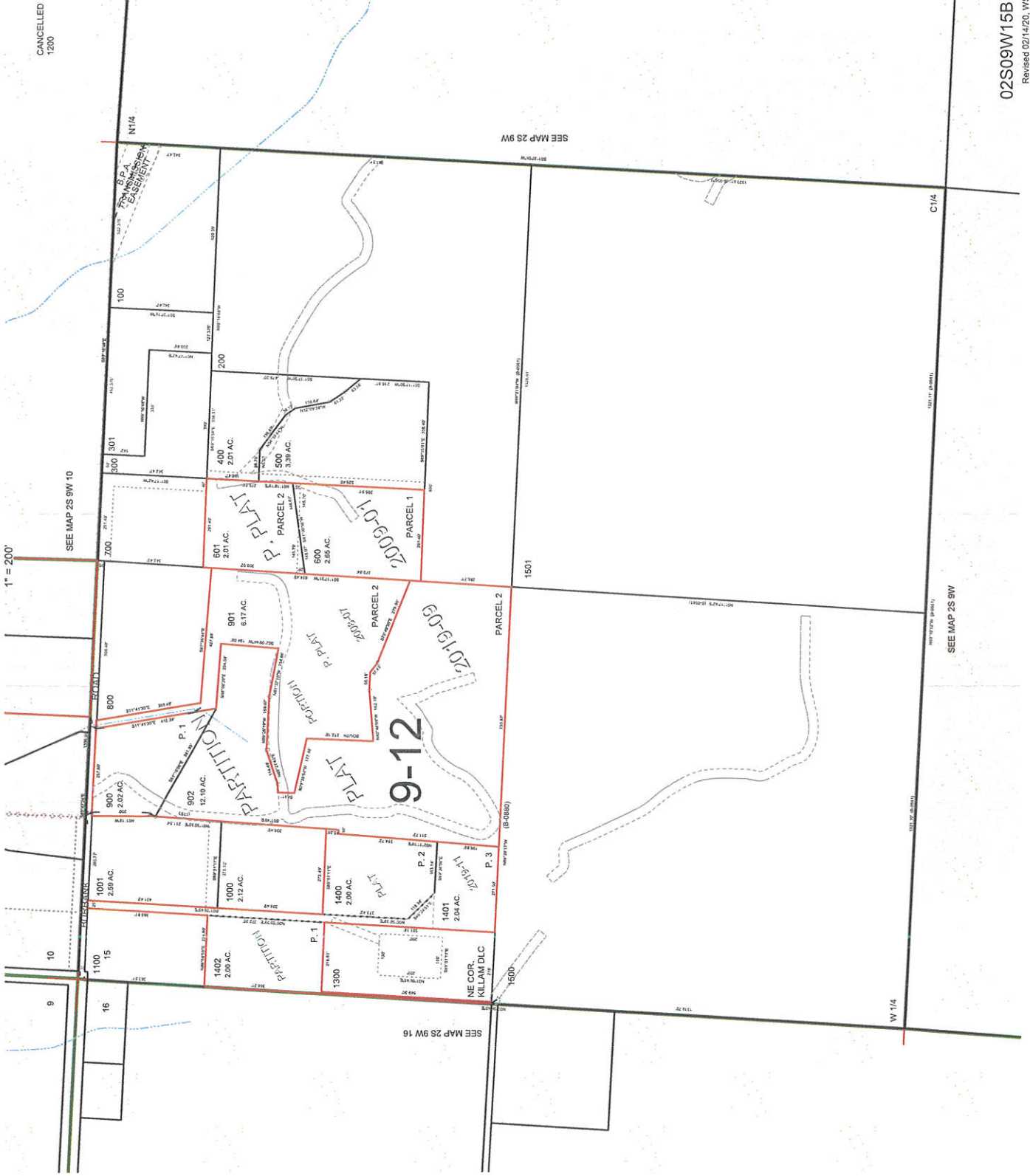
0 100 200 300 400 Feet

N.W.1/4 SEC.15 T.2S. R.9W. W.M.  
TILLAMOOK COUNTY

1" = 200'

02S09W15B

CANCELLED  
1200



SEE MAP 2S 9W 10

SEE MAP 2S 9W 16

SEE MAP 2S 9W

SEE MAP 2S 9W

02S09W15B  
Revised 02/14/20, W/S



# National Flood Hazard Layer FIRMette

123°47'6"W 45°24'23"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

## Legend

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

**OTHER AREAS**

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone

**GENERAL STRUCTURES**

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

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

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



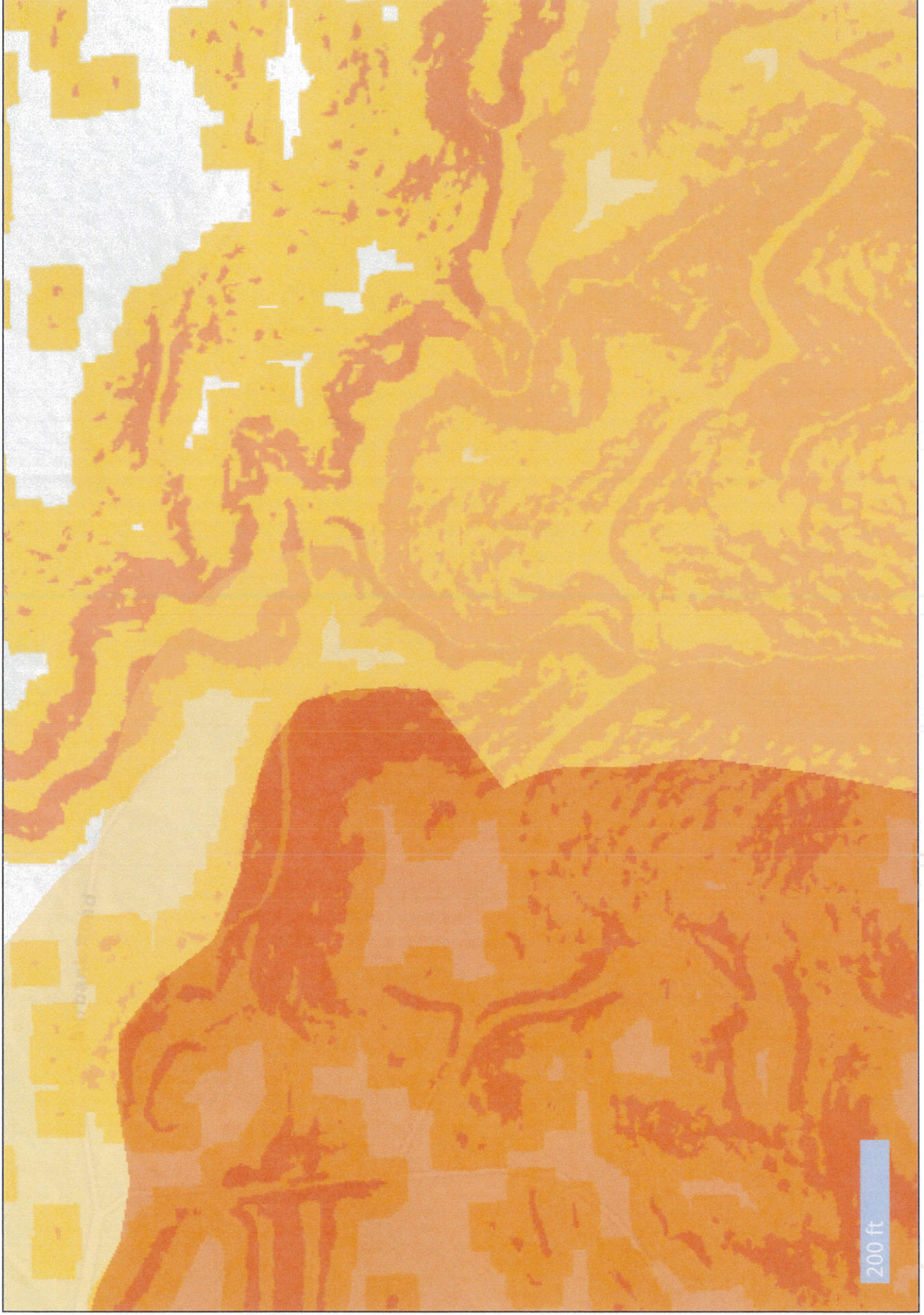
123°46'28"W 45°23'58"N

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 **8/28/2022 at 6:26 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.

# Landslide Susceptibility #851-22-000234-PLNG: Wilks Partition



**Disclaimer:** The spatial information hosted at this website was derived from a variety of sources. Care was taken in the creation of these themes, but they are provided "as is". The state of Oregon, or any of the data providers cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or underlying records. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying any of these products. However, notification of any errors would be appreciated. The data are clearly not intended to indicate the authoritative location of property boundaries, the precise shape or contour of the earth or the precise location of fixed works of humans.

Printed 8 / 28 / 2022

# Map



# TILLAMOOK County Assessor's Summary Report

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

August 29, 2022 1:55:11 pm

Account # 418144  
 Map # 2S0915B000902  
 Code - Tax # 0912-418144

Tax Status ASSESSABLE  
 Acct Status ACTIVE  
 Subtype NORMAL

Legal Descr PARTITION PLAT 2019-09  
 Lot - PARCEL 2

Mailing Name WILKS, DAVID REIGN JR

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser JUSTIN BARNES

Mailing Address 5845 BRICKYARD RD  
 TILLAMOOK, OR 97141

Prop Class 409 MA SA NH Unit  
 RMV Class 409 01 SV 104 413224-1

Situs Address(s)	Situs City
ID# 8235 BURBANK RD	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0912 Land	202,890			Land	0
Impr.	77,160			Impr.	0
<b>Code Area Total</b>	<b>280,050</b>	<b>245,690</b>	<b>245,690</b>		<b>0</b>
<b>Grand Total</b>	<b>280,050</b>	<b>245,690</b>	<b>245,690</b>		<b>0</b>

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
0912					LANDSCAPE - FAIR	100				500
0912	2	<input type="checkbox"/>		RR-2	Market	104	A	7.10		111,420
0912	1	<input checked="" type="checkbox"/>		RR-2	Market	104	A	5.00	MKT	78,470
0912					OSD - AVERAGE	100				12,500
<b>Grand Total</b>										<b>202,890</b>

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
0912	1	1993	910	M S Other Improvements	129	0		7,410
0912	2	1993	963	Class 6, Triple Wide	105	2,044	E - 391692	69,750
<b>Grand Total</b>								<b>77,160</b>

Exemptions / Special Assessments / Potential Liability							
Code Area	0912						
<b>SPECIAL ASSESSMENTS:</b>							
■ SOLID WASTE	Amount	12.00	Acres	0	Year	2021	
<b>FIRE PATROL:</b>							
■ FIRE PATROL SURCHARGE	Amount	47.50			Year	2021	
■ FIRE PATROL NORTHWEST	Amount	18.75	Acres	12.1	Year	2021	

**Comments:** 6/2/20 Due to partition plat 2019-09, -12.10 acres of taxlot from 2S0915B000900 will now be carried in the new taxlot 902. MS M2782 to be moved from 900 to 902 after partition. JB  
 6/12/20 MS2782 Moved to this lot from taxlot 2S0915B000900, corrected MAV on MS. JB

# EXHIBIT B



## LAND DIVISION APPLICATION

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

Name: CHRIS WILKS Phone: (503) 801-0714  
 Address: 9782 SOUTH PRAIRIE  
 City: TILLAMOOK State: OR Zip: 97141  
 Email: JDWILKS12@GMAIL.COM

**Property Owner**

Name: DAVE WILKS JR. Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: TILLAMOOK State: OR Zip: 97141  
 Email: \_\_\_\_\_

**Location:**

**Site Address:**

Map Number: 25 9 15B 902  
Township Range Section Tax Lot(s)

**Land Division Type:**  Partition (Two or Three Lots, Type II)  Subdivision (Four or More Lots, Type III)  
 Preliminary Plat (Pages 1-2)  Final Plat (Page 3)

**PRELIMINARY PLAT (LDO 060(1)(B))**

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

**General Information**

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

**Existing Conditions**

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

- Fifteen (15) legible "to scale" hard copies
- One digital copy

Other information:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

OFFICE USE ONLY	
Date Stamp	<b>RECEIVED</b> JUN 10 2022 BY: <u>Cantor</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>AC</u>	
Receipt #: <u>126590</u>	
Fees: <u>\$409.00</u>	
Permit No: 851-22 - <u>00031</u> -PLNG	



- FINAL PLAT (LDO 090(1))**
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

**Certificates:**

- Title interest & consent       Water
- Dedication for public use       Public Works
- Engineering/Survey

Additional Information:

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**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. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Property Owner (\*Required)



Date

Applicant Signature

Date



## LAND DIVISION APPLICATION

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

Name: CHRIS WILKS Phone: 503-801-0714  
 Address: 9782 SOUTH PRAIRIE RD  
 City: TILLAMOOK State: OR Zip: 97141  
 Email: jdwilks12@gmail.com

**Property Owner**

Name: DAVE WILKS JR Phone: 801-6107  
 Address: 5845 Brickyard rd.  
 City: Tillamook State: OR Zip: 97141  
 Email: none

**Location:**

Site Address: \_\_\_\_\_  
 Map Number: 2S 9 15B 902  
Township Range Section Tax Lot(s)

**Land Division Type:**  Partition (Two or Three Lots, Type II)  Subdivision (Four or More Lots, Type III)  
 Preliminary Plat (Pages 1-2)  Final Plat (Page 3)

**PRELIMINARY PLAT (LDO 060(1)(B))**

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

**General Information**

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

**Existing Conditions**

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

OFFICE USE ONLY

Date Stamp

JUN 21 2022

BY: [Signature]

Approved  Denied

Received by: Alison

Receipt #: 126590

Fees: 409.00

Permit No:  
 851-22-000234-PLNG

- FINAL PLAT (LDO 090(1))
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

**Certificates:**

- Title interest & consent
- Water
- Dedication for public use
- Public Works
- Engineering/Survey

Additional Information:

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**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. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.



Property Owner (\*Required)



Applicant Signature

6/20/2022

Date

6-21-2022

Date





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

1510 B Third St  
Tillamook, Oregon 97141

*Land of Cheese, Trees and Ocean Breeze*

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

**VERIFICATION of WATER SOURCE  
WITHIN TILLAMOOK COUNTY**

DATE: 6-9-2022

TO: TILLAMOOK COUNTY, DEPARTMENT OF COMMUNITY DEVELOPMENT  
201 LAUREL AVENUE, TILLAMOOK, OR 97141  
FAX: 503-842-1819

RE: WATER SOURCE REVIEW This letter is valid for one year from the date of issue.

The water source identified below can be used under Oregon Water Law to supply the following lot(s) within Tillamook County:

Township: 2 S Range: 9 West Section: 15 B Tax Lot(s): 902

Situs address (if known): \_\_\_\_\_

According to records, the legal owner is/are: DAVID WILKS JR. and/or \_\_\_\_\_

Contact telephone #: (503) 801-0714

Water source: WELL

Comments: Nikki Hendricks TILL 53183

**Building permit applicants who will be using a private water source will be required to have the District 1 Watermaster verify proof of a legal water source and sign below. An order adopted by the Tillamook County Board of Commissioners on September 1, 2009 states that a fee of \$75.00 shall be collected when a private water source verification is required. This fee is collected by the Department of Community Development.**

Landowners are responsible for maintaining water sources, waterline easements, water rights, and wells. The information provided in this form does not guarantee that a water source will be available forever. Due to climatic conditions water sources can decline and wells can go dry. The information provided by the District 1 Watermaster is the result of a search of OWRD records and field inspections. Although a property may have water rights of record, if the water right has undergone five successive years of non-use it may be subject to cancellation under ORS 540.610. The official water right of record is kept in Salem at OWRD. Owners of wells constructed after July 1, 2009 must submit a one-time fee of \$300 to record the exempt use with OWRD in Salem.

Building permit applicants who will be connecting to a local water district will be required to have the water district provider verify proof of service from the water district.

Nikki Hendricks

Nikki Hendricks  
Oregon Water Resources Department  
Watermaster, District 1  
4000 Blimp Blvd, Ste 400  
Tillamook, OR 97141-9680  
(503) 815-1967 Fax (503) 815-1968  
Email: Nikki.M.Hendricks@wrd.state.or.us

Revised 09/24/2015

\*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*

Date: \_\_\_\_\_ Received by: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Receipt: \_\_\_\_\_

# EXHIBIT C

## Sarah Absher

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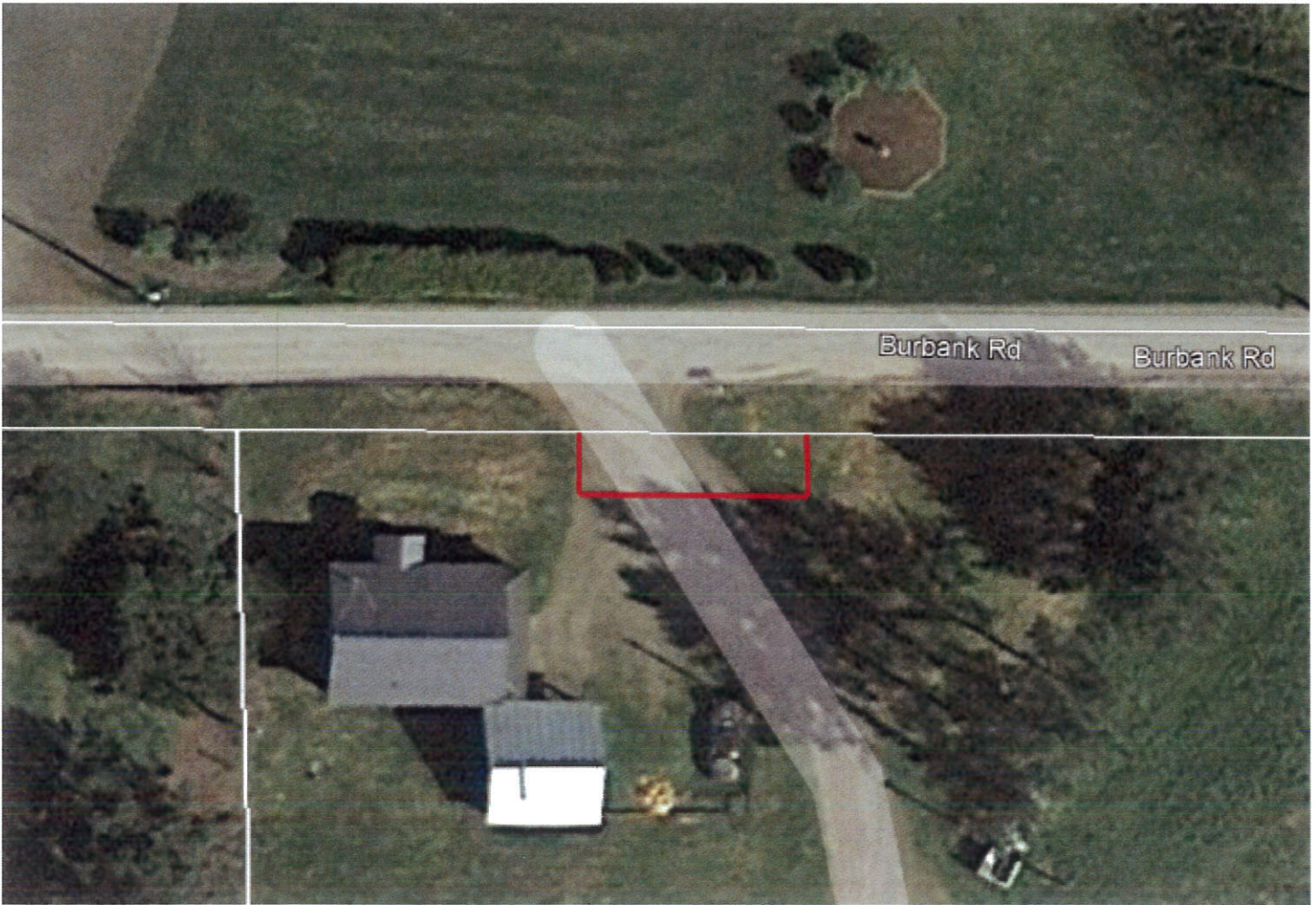
**From:** Ron Newton  
**Sent:** Friday, August 12, 2022 9:27 AM  
**To:** Sarah Absher; Chris Laity  
**Cc:** Rueben Descloux (rdescloux@tillamookfire.com)  
**Subject:** Re: Burbank Road Intersection Discussion

Sarah

In the interest of finding a workable solution to the traffic issues related to Burbank Road and the Wilks Partition application, I have corresponded with the Tillamook County Fire Marshal and have arrived at the following suggestion.

If the Plat dedicates a portion of the frontage adjacent to the existing home as shown below we should be able to approve this option. However, this pullout location is beyond the horizontal distance of 400' indicated in current FDB guidelines. Based on the additional distance and the presence of a single turn out, Public Works recommends that the dimensions of the turn out be increased to a depth of 15' and a width of 50'. This will provide the additional space that an additional turnout would provide.

Public Works will require the land to be dedicated on the Plat consistent with the current language in the Burbank Road dedication and be constructed to County Road Standards by the applicant.



Please let us know if this solution is viable within the framework of the Land Use ordinance applicable to this Partition.

Thank you

Ron Newton  
Engineering Tech. III  
Tillamook County Public Works  
Working Remote  
Until Further Notice  
Cell - (503) 812-1441

"The two most important days in your life are the day you are born, and the day you find out why"  
Mark Twain

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**From:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Sent:** Tuesday, August 9, 2022 11:06 AM  
**To:** Chris Laity <claity@co.tillamook.or.us>; Ron Newton <newton@co.tillamook.or.us>  
**Subject:** Re: Burbank Road Intersection Discussion

Thank You



## Sarah Absher

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**From:** Rueben Descloux <rdescloux@tillamookfire.com>  
**Sent:** Tuesday, August 9, 2022 9:31 AM  
**To:** Sarah Absher  
**Cc:** Jamie Wilks  
**Subject:** EXTERNAL: RE: Burbank Road Intersection Discussion  
**Attachments:** Chris Wilks burbank letter.pdf

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

Sarah,

The property has undergone a few changes since the first design idea with multiple occupancies proposed to only a few now. With the reduction in potential traffic, we discussed the width and turnaround capable of supporting the now minimum number of users. What originally started with fire hydrants, wider roads and more stringent standards has been softened by the recent proposal.

I would support the idea of adding a turnout per County request. Although the TCFDB guidelines suggest every 400', based on properties I would accept 700'. The proposed loop pull around at the rear property affords us the turnaround we need and the intersection would hopefully have 30' inside radius turns on both directions. Looking at a satellite image, the intersection may need to shift east to accommodate the 60 degree minimum or 90 degree recommendation per County standards. Fire apparatus will generally be entering from Brickyard based on travel and dead end design of Burbank. The intersection currently supports access but may benefit from minor improvements. For some reason intersections are not included in our road access guidelines, I may need to address this and add it with fire defense board approval.

I've attached a copy of my original letter to Chris for you where I focused on gradient and width. Intersection improvement was not discussed in depth as evident by our lack of code reference.

Rueben Descloux  
Fire Marshal  
Tillamook Fire District

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**From:** Sarah Absher <sabsher@co.tillamook.or.us>  
**Sent:** Tuesday, August 9, 2022 8:43 AM  
**To:** Rueben Descloux <rdescloux@tillamookfire.com>  
**Cc:** Chris Laity <claity@co.tillamook.or.us>; Ron Newton <rnewton@co.tillamook.or.us>  
**Subject:** Burbank Road Intersection Discussion  
**Importance:** High

Good Morning Rueben,

Public Works would like to add the following conditions of approval to the Wilks partition request on Burbank Road that are related to the fire department:



# Tillamook Fire District

*Proudly Serving the Citizens of Central Tillamook County*

Chris,

Sorry for yet another delay, an emergency after our phone call kept me out of the office for the last couple of hours. In response to your roadway improvement for the residential building I had the following concerns:

1. The sharp corner adjacent to Vernon Imel's property was prohibitive for larger apparatus to round the corner.
2. The lack of maintenance for the uphill section above the corner caused our apparatus to lose traction and even "hop" when in interlock.

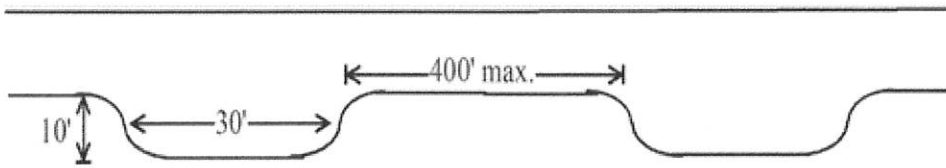
You have addressed these concerns with your new driveway access that continues through the corner and parallels the fence line. The widened access you proposed will support the turning radius of our apparatus and with a looped driveway this addresses additional concerns for turnaround requirements. As indicated in our road access guidelines, all inside turning radius requirements are 30 degrees and 50 degrees for outside dimensions. Road gradient should be 10-12% with a 15% maximum when provided with an all-weather surface. Please contact me if you have any additional comments or concerns.

**Rueben Descloux**  
**Battalion Chief / Fire Marshal**  
**Division of Fire Safety**

Tillamook Fire District  
2310 Fourth Street  
Tillamook, OR 97141  
503-842-7587 ext 7152  
[rdescloux@tillamookfire.com](mailto:rdescloux@tillamookfire.com)

- Provide turnouts meeting the standards for the Tillamook County Fire Defense Board:

**3.13 Turnouts-** When any fire apparatus access road exceeds 400 feet in length, turnouts 10 feet wide and 30 feet long shall be provided in addition to the required road width and shall be placed no more than 400 feet apart, unless otherwise approved by the fire code official. These distances may be adjusted based on visibility and sight distances.



There is room adjacent to David Wilks property to accomplish this, but the 400' max can not be meet. Public Works is agreeable to locating this turnout within 700' to avoid R/W acquisition on property not owned by David Wilks.

Is this acceptable?

- Modify the intersection of Burbank & Brickyard to meet the following standard:

#### (6) INTERSECTIONS

- Streets shall be in alignment with existing streets by continuations of the centerlines thereof. Staggered street alignment resulting in T-intersections shall, wherever practical, leave a minimum distance of 250 feet between the center lines of intersecting. Such intersections shall not be less than 125 feet apart.
- Streets shall be laid out to intersect as near to right angles as practical. In no case shall the angle be less than 60 degrees unless there is a special intersection design.

Chris Wilks stated that you are ok with the intersection as is, or with minor improvements. Is this correct? If so, please provide a letter to that effect and confirm what intersection improvements you and Chris Wilks have agreed upon.

Thank You,



**Sarah Absher**, CBO, CFM, Director  
 TILLAMOOK COUNTY | Community Development  
 1510-B Third Street  
 Tillamook, OR 97141  
 Phone (503) 842-3408 x3317  
[sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us)