



Land of Cheese, Trees and Ocean Breeze

CORRECTED NOTICE OF DECISION

This decision has been re-noticed to reflect the correct appeal period deadline.

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

January 31, 2023

#851-22-000388-PLNG & #851-22-000373-PLNG Consolidated review of a Conditional Use request and Floodplain Development Permit request for the installation of a utility (submarine fiber optic cable) on a property accessed via WiNeMa Road, a County road, north of the Unincorporated Community of Neskowin addressed as 5195 WiNeMa Road, Cloverdale, Oregon. The subject property is zoned Recreation Management (RM) and is also within the Flood Hazard Overlay (FH) zone, Shoreland Overlay (SH) zone, Tsunami Hazard Overlay (TH) zone and Beach and Dune Overlay (BD) zone, and is designated as Tax Lot 6200 of Section 12DC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. Applicant is AMCS LLA with deeded easement to Astound for development location. Property Owner is Wi-Ne-Ma Christian Camp.

Dear Interested Parties:

Public hearings on the above-entitled matter were held before the Tillamook County Planning Commission for their consideration on December 8, 2022, and January 12, 2023, where a decision was made on that date.

The Tillamook County Planning Commission considered this Conditional Use request on the basis of the Conditional Use criteria listed in Section 6.040, the Development Permit criteria listed in Section 3.510 of the Tillamook County Land Use Ordinance (TCLUO), findings of fact and conclusions contained within the staff report, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentations.

Planning Commission voted 6 in favor with 1 abstention, to approve Conditional Use request #851-22-000388-PLNG, and voted 6 in favor with 1 abstention, to approve the Floodplain Development Permit request #851-22-000373-PLNG, subject to the Conditions of Approval as included as "Exhibit A".


Conditional Use request #851-22-000388-PLNG and Floodplain Development Permit #851-22-000373-PLNG are hereby approved. The Planning Commission Order and other documents associated with the request is available for review and inspection here: <https://www.co.tillamook.or.us/commdev/project/851-22-000373-plng851-22-000388-plng> and at the Tillamook County Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141.

Please contact Lynn Tone, DCD Office Specialist II, to make arrangements to view the documents at 503-842-2034 Ext. 3423 or email ltone@co.tillamook.or.us.

Any party with standing to appeal as described in TCLUO Section 10.110 may appeal the decision to the Board of County Commissioners, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fee of \$250 with the Tillamook County Board of Commissioners Office within twelve (12) days of the date of this Notice. The deadline for filing an appeal with the Board of County Commissioners is 4:00pm on February 13, 2023.

If you have any questions regarding this notice, you may contact this office at (503) 842-3408 x 3412.

Sincerely,
Tillamook County Department of Community Development



Sarah Absher, CFM, Director

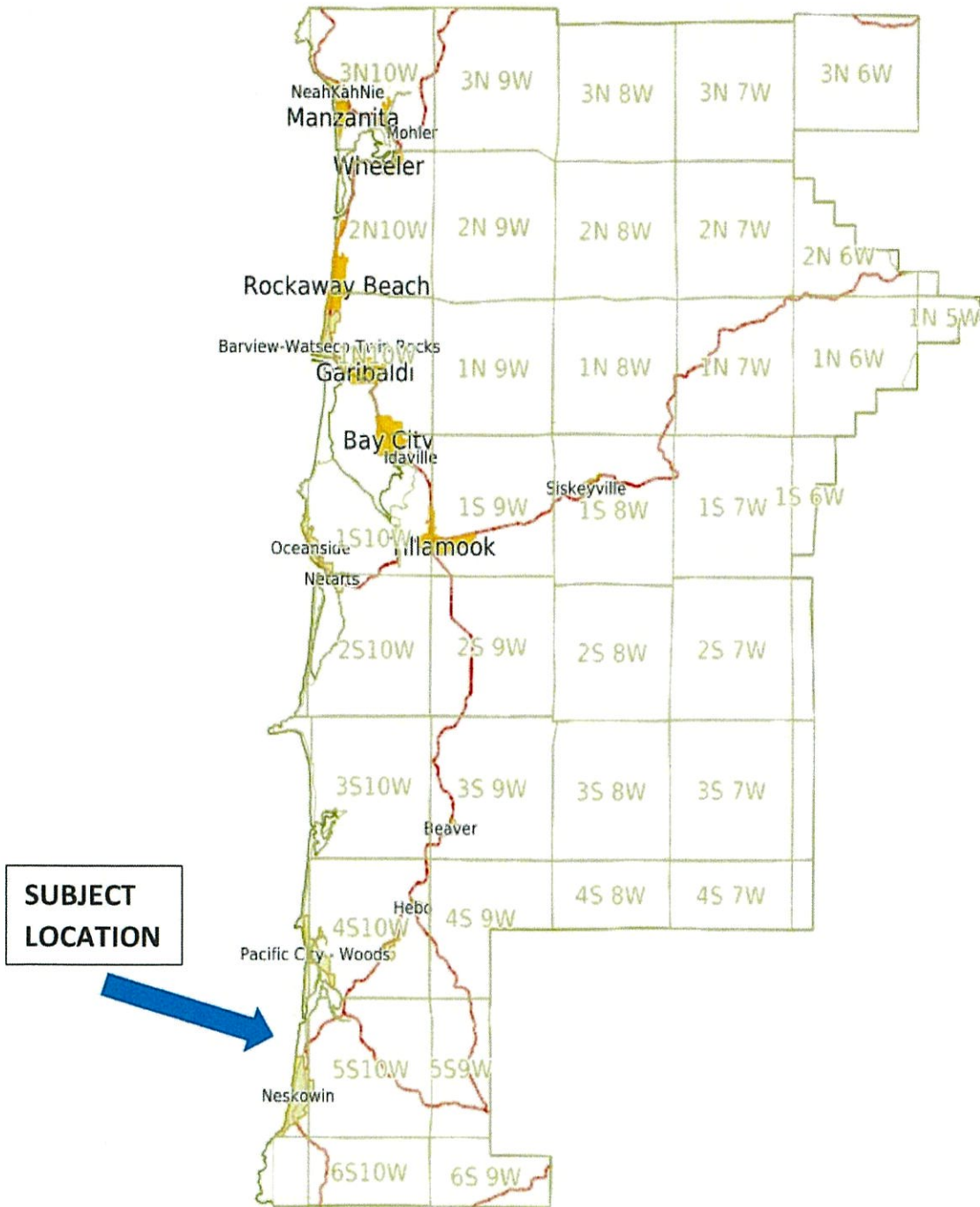
“EXHIBIT A”

CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, 6.080: TIME LIMIT, requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable, including but not limited to required utility permits from the Tillamook County Public Works Department.
2. Artificial lighting shall not create or reflect substantial glare onto any adjacent residential properties including artificial lighting along the access roads.
3. The property owner shall not develop within the Special Flood Hazard Area without prior land use approvals.
4. As an ongoing condition of operation, all areas not used for cable improvements shall be permanently landscaped or maintain existing natural vegetation. The landscaping shall be maintained in good condition by the property owner or their designee.
5. This approval is for the installation of one (1) fiber-optic cable and beach manhole (landing site) on the subject property. Development of additional fiber-optic cable is subject to a Type III Conditional Use process in accordance with Article 6 of the TCLUO.
6. Prior to the start of construction, a monitoring, maintenance and damage response plan shall be submitted to the Department of Community Development. This plan shall be available for community inspection at least 7 days prior to the start of construction.
7. Construction activities shall be limited to the period between 8:00am to 5:00pm Monday through Friday, except holidays, and except as necessary to perform periodic maintenance.
8. During construction, the Applicant shall post at the property entrance 24-hour contact phone numbers for the on-site project manager and the Applicant, to enable the Applicant to quickly respond to and resolve and construction-related issues.
9. Development of the property shall adhere to the relevant development standards of the Flood Hazard Overlay (FH) Zone, TCLUO Section 3.510.
10. This approval shall be void two years from the date of this decision (January 12, 2023), unless construction of approved plans has begun, or an extension is requested from, and approved by the Planning Director.

VICINITY MAP



#851-22-000388-PLNG & #851-22-000373-PLNG:
AMCD LLA/Astound/Wi-Ne-Ma Christian Camp

Map

