



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

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

*Land of Cheese, Trees and Ocean Breeze*

## CONDITIONAL USE REQUEST #851-22-000305-PLNG: GRIFFIN

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

January 26, 2023

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited request on January 26, 2023. A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141 and can be found on the Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps>.

**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 February 7, 2023. This decision will become final on February 7, 2023, after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

**Request:** Conditional Use request for the siting of a Recreational Vehicle (RV) along with siting an accessory structure without an onsite primary structure.

**Location:** Located within Unincorporated Tillamook County accessed off Trask River Road, a County road, and is designated as Tax Lot 109 in Section 25B of Township 1 South, Range 8 West of the Willamette Meridian, Tillamook County, Oregon

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

**Applicant & Property Owner:** Anson Griffin, General Delivery, Garibaldi, OR 97118

**CONDITIONS OF APPROVAL:**

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant shall adhere to the applicable standards of TCLUO Section 5.010: Mobile Home, Manufactured Home and Recreational Vehicle Siting Criteria:
  - a. An application for a recreational vehicle placement shall be obtained from, and approved by, the Department prior to the placement of a recreational vehicle on any lot within the County's jurisdiction. Plans showing the proposed location of the unit shall accompany the application. *No permit shall be considered approved until compliance with all applicable sanitation, building, planning, and public works requirements can be demonstrated, and such demonstration is acknowledged by the signatures of appropriate County officials.* A new application must be obtained and approved if a new or different mobile home, manufactured home or recreational vehicle is placed, or if placement has not taken place within 6 (six) months following approval of the most recent application.
  - b. A storage building of at least sixty-four (64) square feet that is structurally compatible with the mobile home, manufactured home or recreational vehicle shall be constructed within ninety days following placement of the unit.
  - c. Off-street parking sufficient for two automobiles shall be provided for each mobile home, manufactured home or recreational vehicle installation. Construction of the off-street parking facilities shall be completed within ninety days following placement of the unit upon the site in compliance with Section 4.030. Each parking space shall be a minimum of 8-feet by 20-feet and shall be identified on the site plan at the time of zoning permit submittal.
3. The applicant/property owner shall adhere to applicable development standards in TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) zone.
4. 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.
5. The applicant shall obtain a road approach permit from the Tillamook County Department of Public Works to the subject property prior to obtaining the Consolidated Zoning/Building Permit application from this Department. A copy of the approved road approach permit shall be submitted to the Department at the time of zoning permit application submittal.
6. Development of the property shall adhere to the applicable development standards outlined in TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. Development on slopes greater than 29% is subject to a Geologic Hazard Assessment as per TCLUO Section 4.130.
7. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for the subject property. Confirmation of appropriate onsite permits from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the consolidated zoning/building permit application.
8. The applicant shall submit a fire letter from the Tillamook Fire District to the Department at the time of the Consolidated Zoning/Building Permit submittal.
9. The applicant shall submit a water verification letter from Oregon Water Resources Department at the time of the Consolidated Zoning/Building Permit submittal.
10. This approval shall be void on January 26, 2025, unless implementation 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, Senior Planner



Sarah Absher, CFM, Director

Enclosed: Vicinity & Zoning Maps



**CONDITIONAL USE REQUEST #851-22-000305-PLNG: GRIFFIN  
ADMINISTRATIVE DECISION & STAFF REPORT**

**Decision Date: January 26, 2023**

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

**Report Prepared by: Melissa Jenck, CFM, Senior Planner**

**I. GENERAL INFORMATION:**

**Request:** Conditional Use request for the siting of a Recreational Vehicle (RV) along with siting an accessory structure without an onsite primary structure.

**Location:** Located within Unincorporated Tillamook County accessed off Trask River Road, a County road, and is designated as Tax Lot 109 in Section 25B of Township 1 South, Range 8 West of the Willamette Meridian, Tillamook County, Oregon

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

**Applicant & Property Owner:** Anson Griffin, General Delivery, Garibaldi, OR 97118

**Property Description:** The subject property contains 3.84-acres and is irregular in shape. Property is accessed via Trask River Road, a County road. There is varied and steep topography throughout the parcel, which is densely vegetated with grasses, trees and shrubs. The subject property is currently unimproved (Exhibit A).

The subject property contains a mapped perennial and intermittent stream. The property is within an area of geologic hazard, including high susceptibility to landslides, shallow landslide susceptibility, and rapidly moving landslides. The parcel is not located within area of Special Flood Hazard, as detailed in FEMA FIRM #41057C0630F dated September 28, 2018.

The subject property is bordered by Rural Residential 2-Acre (RR-2) zone properties on its northerly, westerly, southerly and southeastern boundaries (Exhibit A). Small Farm and Woodlot (SFW-20) zoned

properties border along the northeast and eastern property boundaries (Exhibit A). The property is adjacent to similar residential uses within the Rural Residential 2-Acre (RR-2) zone, improved with single-family residences and accessory structures (Exhibit A). The surrounding areas are primarily Forest (F) zoned. Other uses in the area consist of agricultural and forest resource management practices.

The application request is proposing to site a recreational vehicle (RV) on the subject property for recreational use, along with siting an accessory structure on the property without an onsite primary structure (Exhibit B). The applicable ordinances and provisions are addressed below in this 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. Section 3.010: Rural Residential 2 Acre and 10 Acre Zone
- B. Article VI: Conditional Use Procedures and Criteria
- C. Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

## **III. ANALYSIS:**

### **A. TCLUO Section 3.010: Rural Residential 2 Acre and 10 Acre Zone**

*PURPOSE: The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.*

1. **Section 3.010 (3)(d)** states “Recreational vehicle where not allowed outright by Section 5.130” are permitted conditionally in the Rural Residential 2 Acre Zone subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.

**Findings:** Staff finds that conditional use approval is required to allow the siting of an RV for recreational use in the RR-2 zone.

2. **Section 3.010 (3)(g)** lists accessory structures or accessory uses without an on-site primary structure as a use permitted conditionally in the Rural Residential 2 Acre Zone subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.

**Findings:** Staff finds that conditional use approval is required for the construction of an accessory structure without a primary structure in the RR-2 zone.

### **B. Article VI Conditional Use Procedures and Criteria**

Article VI of the Tillamook County Land Use Ordinance contains the procedures and review criteria for processing a Conditional Use request. These criteria, along with Staff's findings and conclusions, are indicated below.

1. **Section 6.020 Procedure** requires public notice in accordance with TCLUO Section 10.070 which requires notification of the request to be mailed to landowners within 250 feet of the subject property, 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 within 250 feet of the subject property and other agencies on December 12, 2022. Written comments were received from the Oregon Department of Fish and Wildlife (ODFW) and Oregon Water Resources Department (OWRD).

Comments from ODFW recommend that the proposed development does not encroach on the riparian areas. ODFW also states that if necessary for the development, if a crossing over the stream is installed, the Applicant shall consult with ODFW as there is an identified fish bearing stream on the subject property (Exhibit C).

OWRD states that there is no existing water source on the subject property. OWRD states that a well will need to be installed for the proposed use (Exhibit C).

Conditions of Approval have been added to this application to address the comments of the agencies.

## 2. Section 6.040 Review Criteria

1. *The use is listed as a conditional use in the underlying zone, or in an applicable overlying zone.*

**Findings:** The applicant proposes siting a recreational vehicle on the subject property, along with proposing the construction of an accessory structure without a primary use. Both uses permitted conditionally per TCLUO Section 3.010(3)(d & g). Staff finds this criterion has been met.

2. *The use is consistent with the applicable goals and policies of the comprehensive plan.*

**Findings:** Staff finds that the proposed uses are permitted conditionally in the RR-2 zone of the Tillamook County Land Use Ordinance. The TCLUO is an implementing document of the Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance are presumed to be consistent with the Comprehensive Plan. Staff concludes this criterion has been met.

3. *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.*

**Findings:** The subject property contains 3.84-acres and is irregular in shape. Property is accessed via Trask River Road, a County road. There is varied and steep topography throughout the parcel, which is densely vegetated with grasses, trees and shrubs. The subject property contains a mapped perennial and intermittent stream. The property is within an area of geologic hazard, including high susceptibility to landslides, shallow landslide susceptibility, and rapidly moving landslides. The parcel is not located within area of Special Flood Hazard, as detailed in FEMA FIRM #41057C0630F dated September 28, 2018 (Exhibit A).

Applicants are proposing the placement of a Recreational Vehicle (RV), along with an accessory structure without a primary structure (Exhibit B). Applicants state the property is suitable due to the size of the property and the proposed siting locations being away from the streams (Exhibit B). The Applicant details that the proposed siting locations would be in low slope areas of the property (Exhibit B). Given the size of property, adequate area distancing from natural features, and access off an existing improved road, Staff finds that the subject property can be suitable for the proposed use of the siting of an RV for recreational use and the proposed construction of an accessory structure.

Staff concludes this criterion has been met.

- 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.*

**Findings:** The subject property is bordered by Rural Residential 2-Acre (RR-2) zone properties on its northerly, westerly, southerly and southeastern boundaries (Exhibit A). Small Farm and Woodlot (SFW-20) zoned properties border along the northeast and eastern property boundaries (Exhibit A). The property is adjacent to similar residential uses within the Rural Residential 2-Acre (RR-2) zone, improved with single-family residences and accessory structures (Exhibit A). The surrounding areas are primarily Forest (F) zoned. Existing uses in the vicinity consist primarily of residential, recreational, and forestry (Exhibit A). Properties in the vicinity are generally improved with accessory structures (exhibit A).

Applicant states the proposed uses will be wholly contained the subject property, and that homes on adjacent properties are far apart (Exhibit B).

Applicants site plan demonstrates that all uses will take place on the subject property, and that the property is of adequate size to accommodate the proposed recreational vehicle and accessory structure in a manner that ensures permitted uses on adjacent properties are not impacted in the manner described in the criterion above.

Given the diversity of existing uses in the area and size of the subject property in relation to the proposed use, Staff finds that the proposed placement of a recreational vehicle (RV) and accessory structure without an onsite primary structure on the property will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents surrounding landowners from developing their properties consistent with permitted uses in the underlying zones within this vicinity.

- 5. The proposed use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.*

**Findings:** Applicant states there are none of the above referenced systems in the area (Exhibit B). None such systems are known to exist in the area. Staff concludes this criterion has been met.

- 6. The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.*

**Findings:** Long-established existing public facilities and services in this area include Tillamook Fire District, Tillamook County Sheriff, Tillamook County Public Works, and Tillamook People's Utility District (PUD). County records also confirm onsite sanitation permit approvals for a Site Evaluation for a septic system.

Applicants state the subject property maintains existing access of Trask River Road, along with a spring for water supply (Exhibit B).

Comments from Oregon Water Resources Department identified that the subject property does not maintain a water source, and that a well will need to be installed (Exhibit C). Staff find that a Condition of Approval to confirm availability of water at time of placement of the recreational vehicle (RV) and accessory structure is adequate.

Given the existence of public services and facilities in the area in relation to the proposed placement of a Recreational Vehicle (RV) and construction of an accessory structure without a primary structure, Staff finds the proposed use is timely and any requirements for service provider letters can be required through

Conditions of Approval. Siting of a Recreational Vehicle (RV) is subject to the siting standards outlined in TCLUO Section 5.010: Mobile Home, Manufactured Home and Recreational Vehicle Siting Criteria.

Staff finds that this criterion can be met through compliance with the Conditions of Approval.

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

TCLUO Section 4.140 identifies areas of riparian vegetation that are within 25-feet of rivers and streams with a channel width greater than 15-feet, or are within 15-feet of rivers and streams with a channel width less than 15-feet, as measured from the more landward of the line of non-aquatic vegetation or the mean high-water line. TCLUO Section 4.140 also limits removal of vegetation and development within those areas of riparian vegetation.

Staff find that both an intermittent and perennial stream is identified on the subject property (Exhibit A). Oregon Department of Fish and Wildlife comment that there is a fish-bearing stream located on the subject property (Exhibit C). ODFW recommends that no encroachment into riparian areas occur as part of the proposed development, and that ODFW be consulted if any stream-crossing are proposed for the subject property (Exhibit C).

Applicants site plan does not indicate the location of the riparian area on the subject property. Approximation of the site plan and aerial imagery would confirm that there is adequate area on the subject property to maintain appropriate riparian setbacks as required for the proposed recreational vehicle and accessory structure (Exhibit A & B). Staff finds that the compliance can be met through Conditions of Approval.

**IV. 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 this request subject to the Conditions of Approval in section V 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 February 7, 2023.**

**V. CONDITIONS OF APPROVAL:**

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 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.
2. The applicant shall adhere to the applicable standards of TCLUO Section 5.010: Mobile Home, Manufactured Home and Recreational Vehicle Siting Criteria:
  - a. An application for a recreational vehicle placement shall be obtained from, and approved by, the Department prior to the placement of a recreational vehicle on any lot within the County's jurisdiction. Plans showing the proposed location of the unit shall accompany the application. *No permit shall be considered approved until compliance with all applicable sanitation, building, planning, and public works requirements can be demonstrated, and such demonstration is*

*acknowledged by the signatures of appropriate County officials. A new application must be obtained and approved if a new or different mobile home, manufactured home or recreational vehicle is placed, or if placement has not taken place within 6 (six) months following approval of the most recent application.*

- b. A storage building of at least sixty-four (64) square feet that is structurally compatible with the mobile home, manufactured home or recreational vehicle shall be constructed within ninety days following placement of the unit.
  - c. Off-street parking sufficient for two automobiles shall be provided for each mobile home, manufactured home or recreational vehicle installation. Construction of the off-street parking facilities shall be completed within ninety days following placement of the unit upon the site in compliance with Section 4.030. Each parking space shall be a minimum of 8-feet by 20-feet and shall be identified on the site plan at the time of zoning permit submittal.
3. The applicant/property owner shall adhere to applicable development standards in TCLUO Section 3.010: Rural Residential 2-Acre (RR-2) zone.
  4. 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.
  5. The applicant shall obtain a road approach permit from the Tillamook County Department of Public Works to the subject property prior to obtaining the Consolidated Zoning/Building Permit application from this Department. A copy of the approved road approach permit shall be submitted to the Department at the time of zoning permit application submittal.
  6. Development of the property shall adhere to the applicable development standards outlined in TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. Development on slopes greater than 29% is subject to a Geologic Hazard Assessment as per TCLUO Section 4.130.
  7. Applicant/property owner shall obtain any necessary onsite wastewater (sanitation) permits for the subject property. Confirmation of appropriate onsite permits from the Tillamook County Onsite Wastewater Treatment Program Manager shall be submitted with the consolidated zoning/building permit application.
  8. The applicant shall submit a fire letter from the Tillamook Fire District to the Department at the time of the Consolidated Zoning/Building Permit submittal.
  9. The applicant shall submit a water verification letter from Oregon Water Resources Department at the time of the Consolidated Zoning/Building Permit submittal.
  10. This approval shall be void on January 26, 2025, unless implementation of approved plans has begun, or an extension is requested from, and approved by this Department.

## **VI. EXHIBITS**

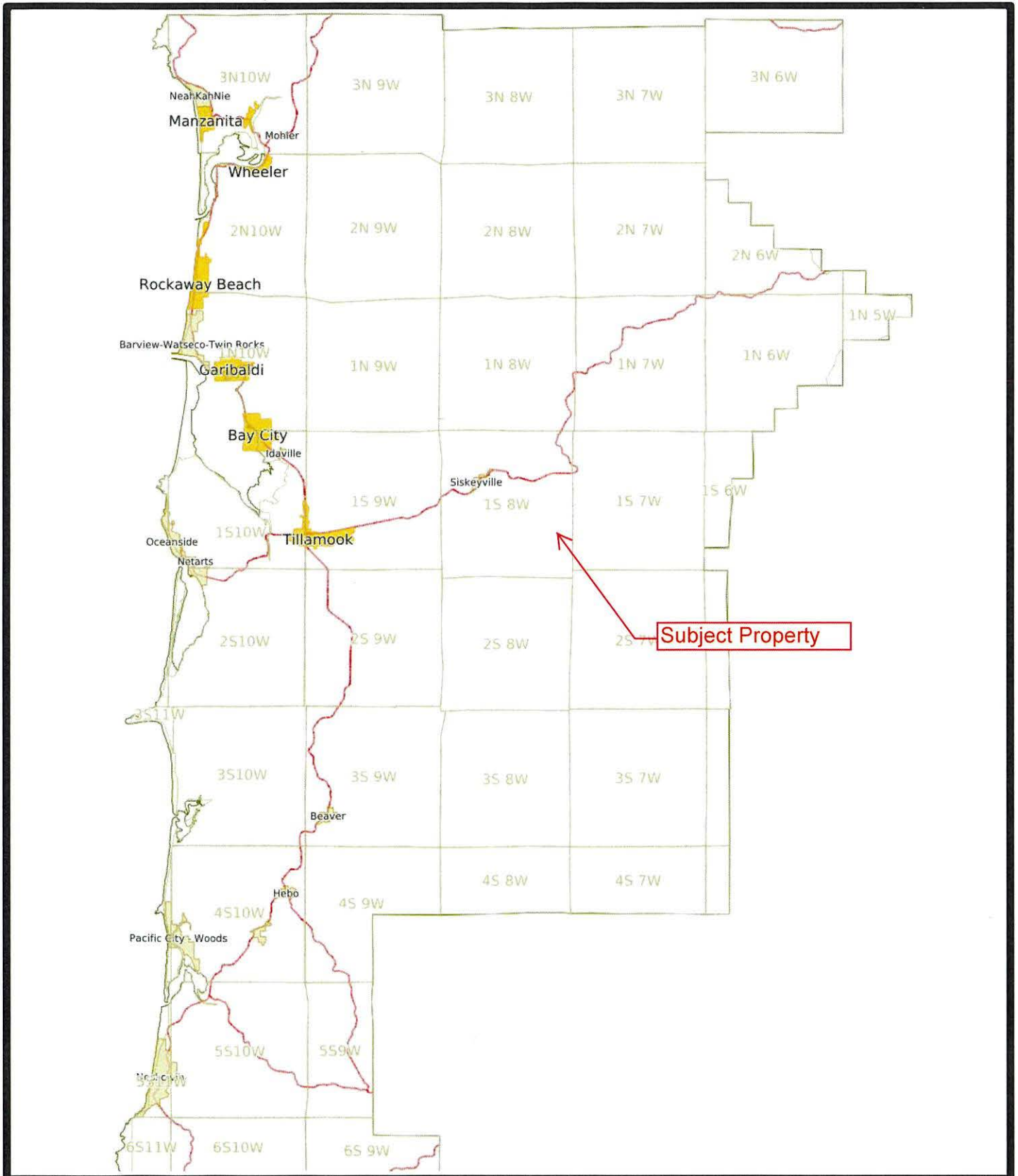
All Exhibits referred to herein are, by this reference, made a part hereof:

- A. Location map, Assessor map, Zoning map, Assessor's Summary Report
- B. Applicant's submittal
- C. Public comments

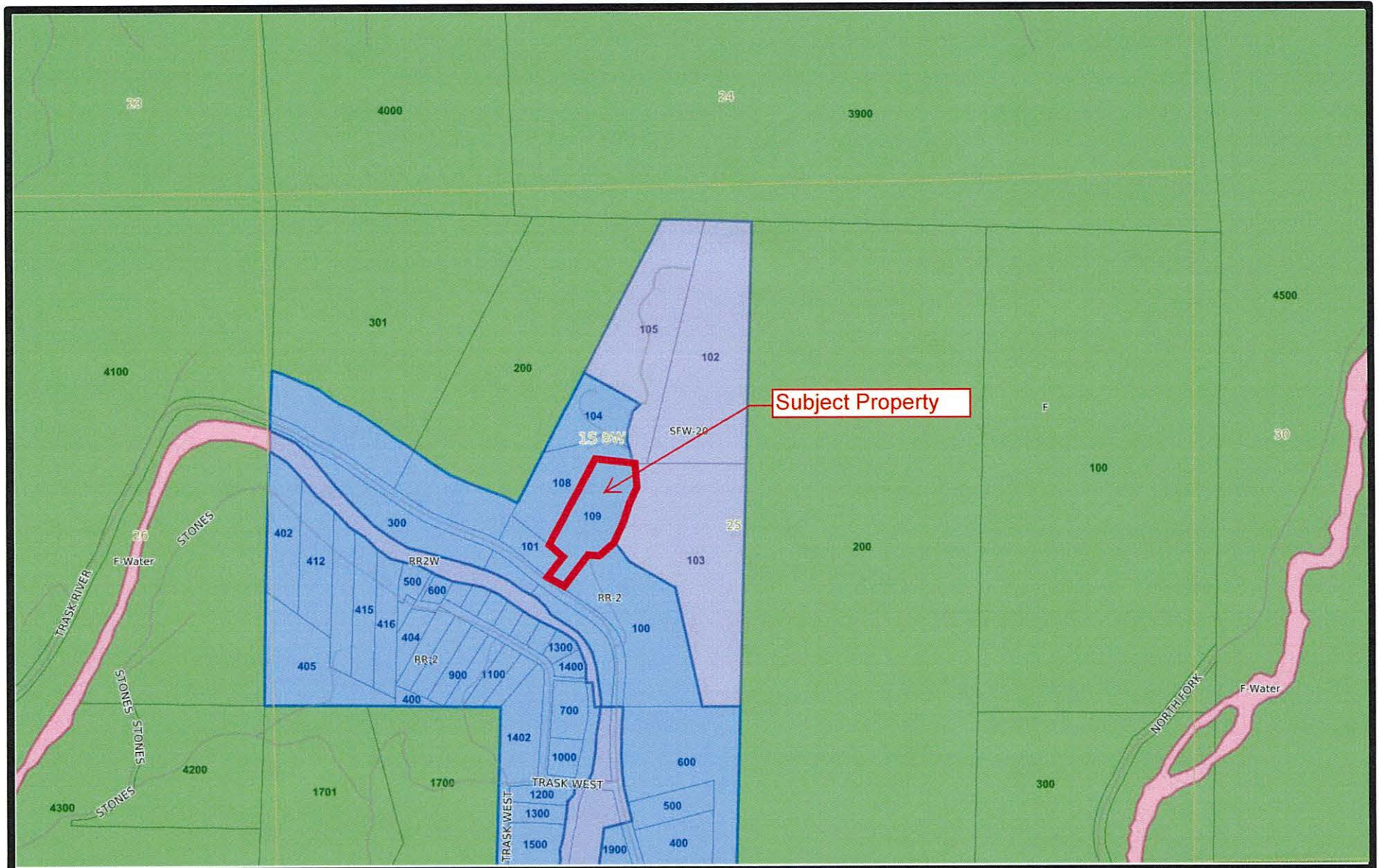


# EXHIBIT A

# Vicinity Map - Griffin



# Zoning Map

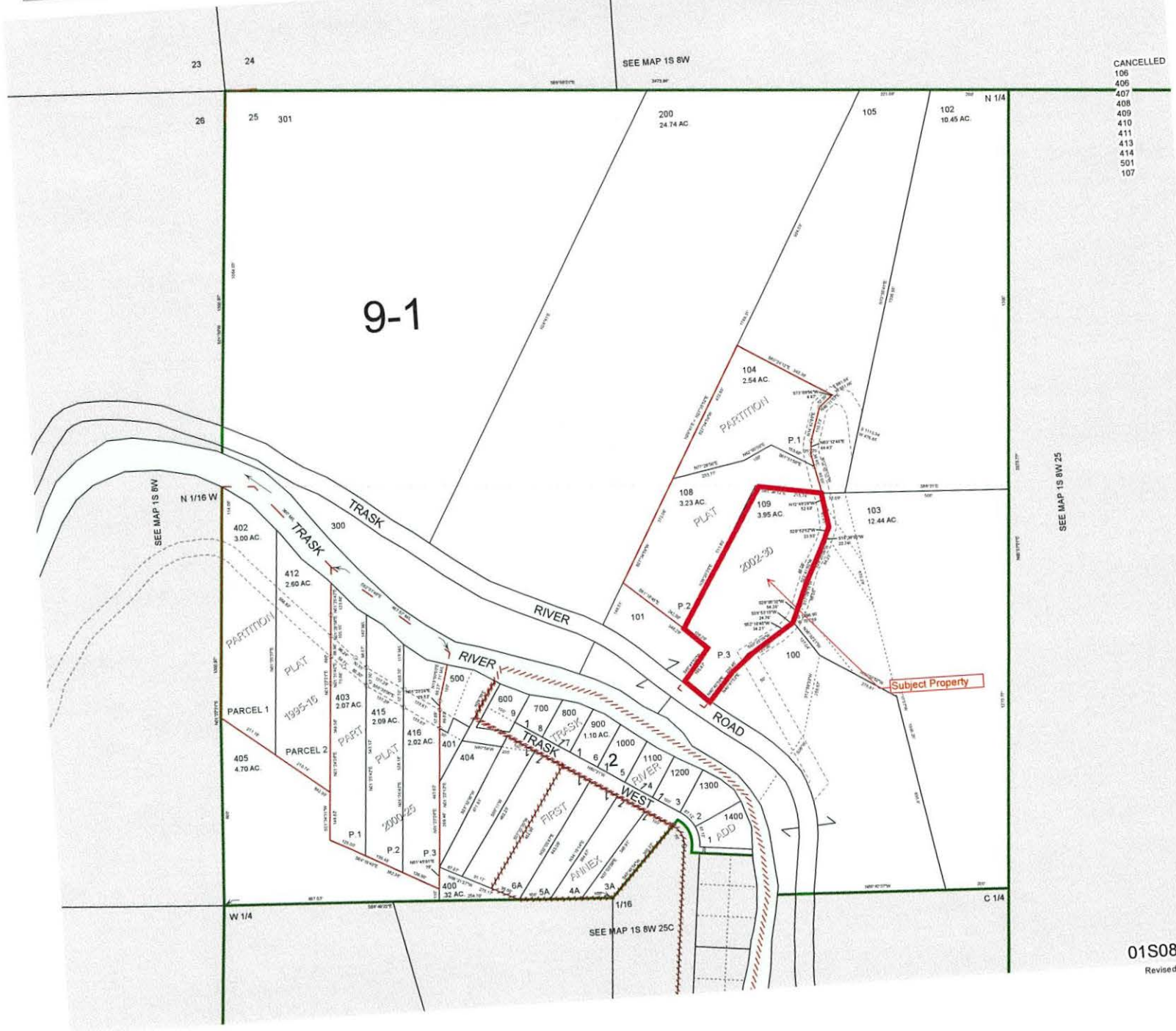
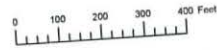


N.W.1/4 SEC.25 T.1S. R.8W. W.M.

TILLAMOOK COUNTY

1" = 200'

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



CANCELLED  
106  
406  
407  
408  
409  
410  
411  
413  
414  
501  
107

SEE MAP 1S 8W 25

SEE MAP 1S 8W 25C

**TILLAMOOK County Assessor's Summary Report**  
**Real Property Assessment Report**  
 FOR ASSESSMENT YEAR 2021

December 12, 2022 11:43:55 am

<b>Account #</b> 409416 <b>Map #</b> 1S0825B000109 <b>Code - Tax #</b> 0901-409416  <b>Legal Descr</b> PARTITION PLAT 2002-30 Lot - PARCEL 3  <b>Mailing Name</b> GRIFFIN, ANSON HUNTER <b>Agent</b> <b>In Care Of</b> <b>Mailing Address</b> GENERAL DELIVERY GARIBALDI, OR 97118  <b>Prop Class</b> 640 <b>MA</b> <b>SA</b> <b>NH</b> <b>Unit</b> <b>RMV Class</b> 400      01   AC   102   30222-1	<b>Tax Status</b> ASSESSABLE <b>Acct Status</b> ACTIVE <b>Subtype</b> NORMAL  <b>Deed Reference #</b> 2021-6691 <b>Sales Date/Price</b> 08-02-2021 / \$135,000.00 <b>Appraiser</b> ELIZABETH LOFTIS
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<b>Situs Address(s)</b>	<b>Situs City</b>
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Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
0901	Land	69,730			Land	0
	Impr.	0			Impr.	0
<b>Code Area Total</b>		69,730	37,360	2,096		0
<b>Grand Total</b>		69,730	37,360	2,096		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV	
						TD%	LS	Size		
0901		<input type="checkbox"/>		RR-2	Designated Forest Land	104	A	3.45	OB	69,730
<b>Grand Total</b>								3.45		69,730

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

**Exemptions / Special Assessments / Potential Liability**

**NOTATIONS:**

- FOREST LAND - POTENTIAL ADDITIONAL TAX LIABILITY 321.362
- S T F - DISQUALIFIED & FIVE YEARS OUT 321.709 ADDED 2007

**Code Area** 0901

**FIRE PATROL:**

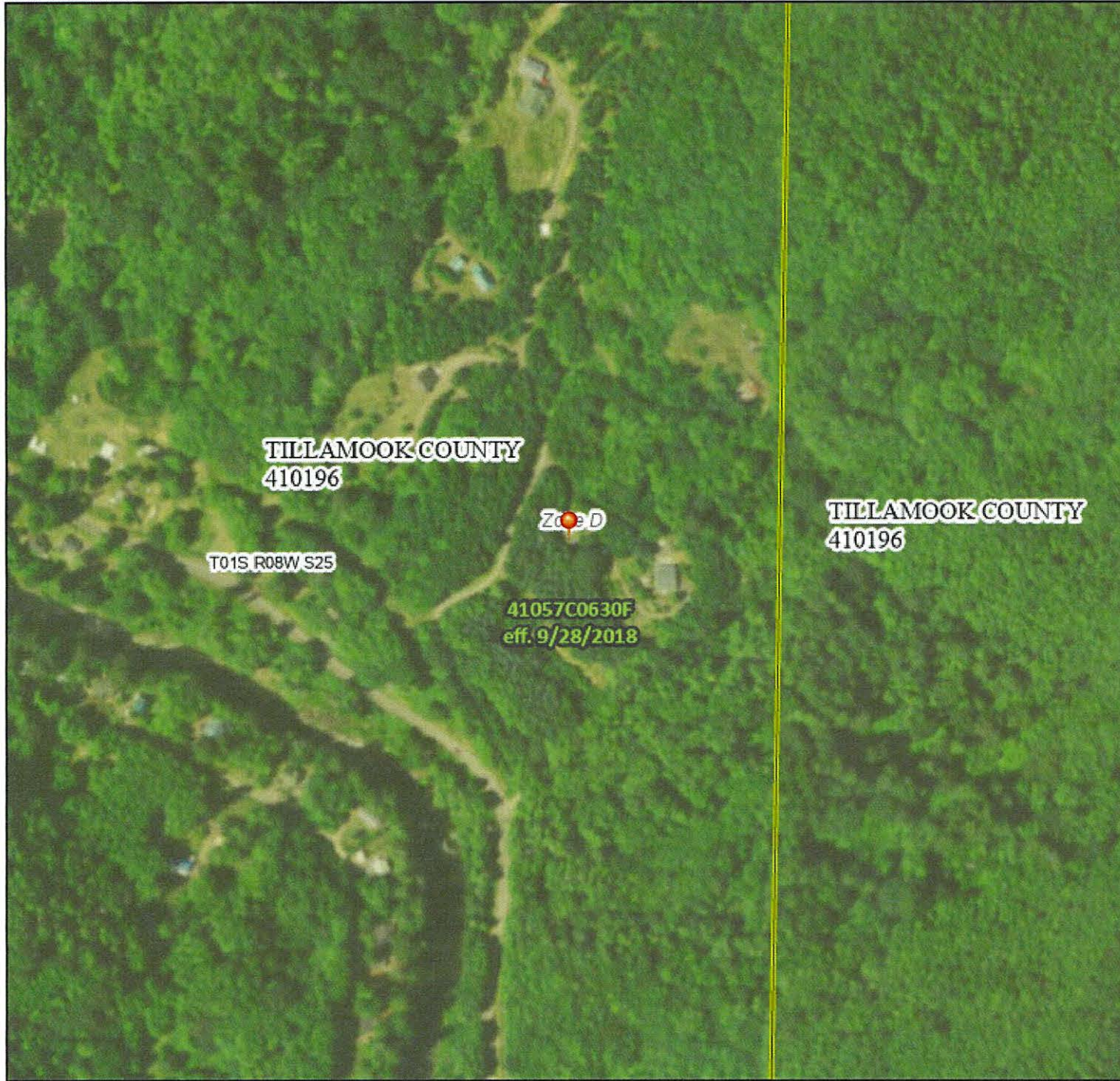
- FIRE PATROL NORTHWEST      **Amount** 18.75   **Acres** 3.45   **Year** 2021

**Comments:** 6/27/03 DISQ. FROM HIGHEST/BEST USE FORESTLAND-MARKET VALUE. RCW 8/04 Property applied for forestland and to go into STF program/Met criteria. RCW 2/5/07 Disqualified from STF. No new application after sale. Posted addn'l taxes. KF 4/18/16 - Land reappraisal, tabled values. Size change per GIS acreage calculations. EJ.

# National Flood Hazard Layer FIRMMette



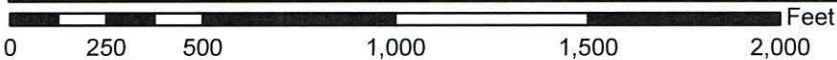
123°37'14"W 45°27'22"N



## Legend

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

- |                             |  |   |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS  |  | Without Base Flood Elevation (BFE)<br><i>Zone A, V, A99</i>   |
|                             |  | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>  |
|                             |  | 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 <i>Zone X</i> |
|                             |  | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>   |
|                             |  | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>   |
|                             |  | Area with Flood Risk due to Levee <i>Zone D</i>   |
| OTHER AREAS                 |  | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>  |
|                             |  | Effective LOMRs   |
|                             |  | Area of Undetermined Flood Hazard <i>Zone</i>   |
| GENERAL STRUCTURES          |  | Channel, Culvert, or Storm Sewer  |
|                             |  | Levee, Dike, or Floodwall   |
| OTHER FEATURES              |  | 20.2 Cross Sections with 1% Annual Chance   |
|                             |  | 17.5 Water Surface Elevation  |
|                             |  | Coastal Transect  |
|                             |  | Base Flood Elevation Line (BFE)   |
|                             |  | Limit of Study  |
| 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.                                    |



1:6,000















123°36'37"W 45°26'57"N

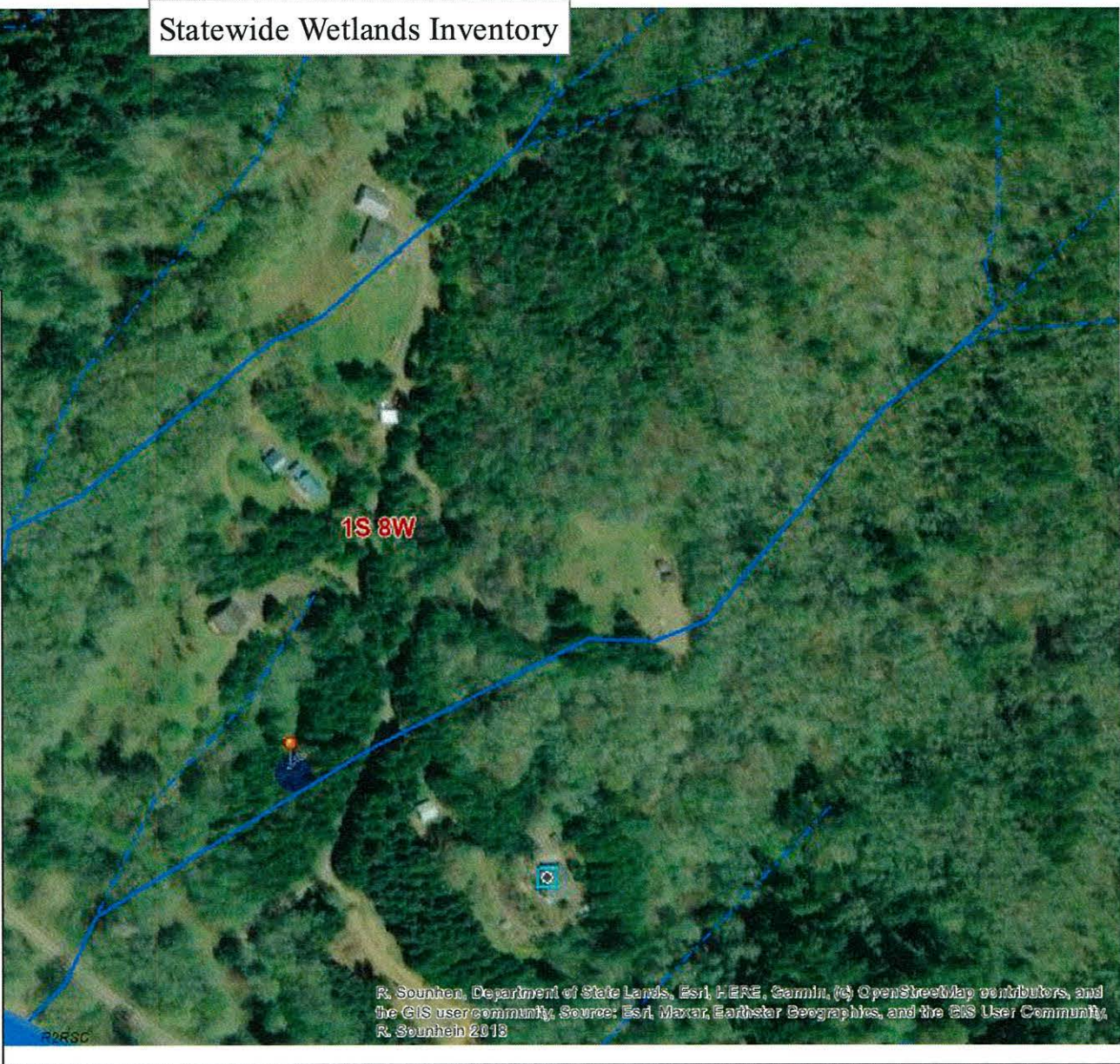
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **12/12/2022 at 2:42 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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

# Statewide Wetlands Inventory

-  Townships
-  LWI Study Area
-  NHD Springs/Seeps
- NHD Streams and Rivers**
-  Perennial
-  Intermittent
-  Ephemeral
-  Unknown
-  Canal/Ditch
-  NHD Area
-  NHD Waterbody
- Wetlands**
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Riverine
-  SWI Predominantly Hydric Soil Map Units
-  SWI Agate-Winlo Soils



R. Sounhen, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, R. Sounhen 2018



The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

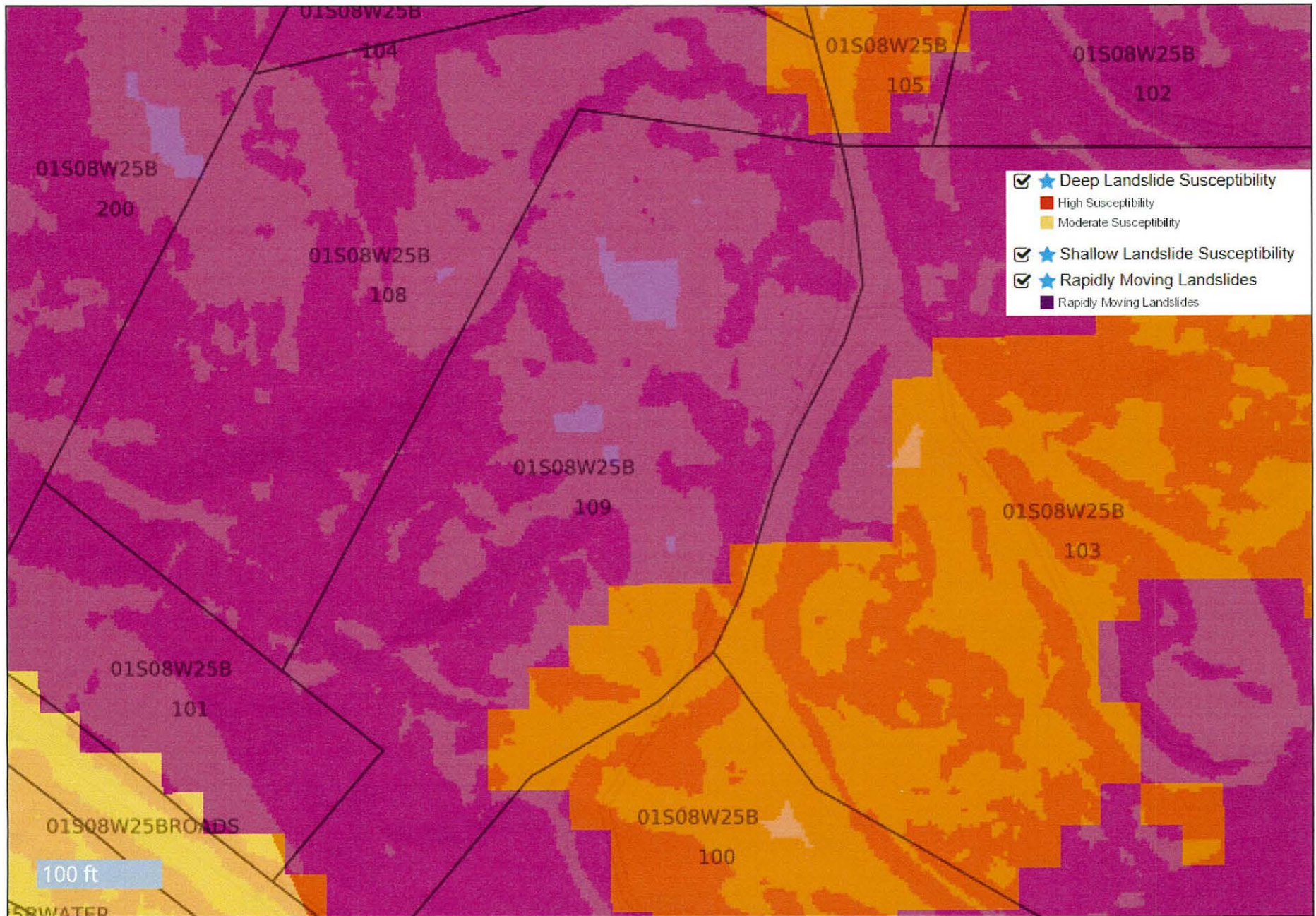


Date: 1/25/2023



State of Oregon  
 Department of State Lands  
 775 Summer Street, NE, Ste 100  
 Salem, OR 97301-1279  
 (503) 986-6200

# Geo Map



**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.



# EXHIBIT B



## PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	RECEIVED
	AUG 05 2022
	BY: Counter
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <i>MS</i>	
Receipt #:	
Fees: \$1500.00	
Permit No: 851-22-000305-PLNG	

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

Name: *Arson Griffin* Phone: *503-801-1251*  
 Address: *Trask River Rd. ~109*  
 City: *Tillamook* State: *OR* Zip: *97141*  
 Email: *anson.griffin@yahoo.com*

**Property Owner**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_

Request: *RV placement + accessory structure*

**Type II**

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

**Type III**

- Appeal of Director's Decision
- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

**Type IV**

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

**Location:**

Site Address: \_\_\_\_\_

Map Number: *1S* *8* *25B* *109*  
Township Range Section Tax Lot(s)

Clerk's Instrument #: \_\_\_\_\_

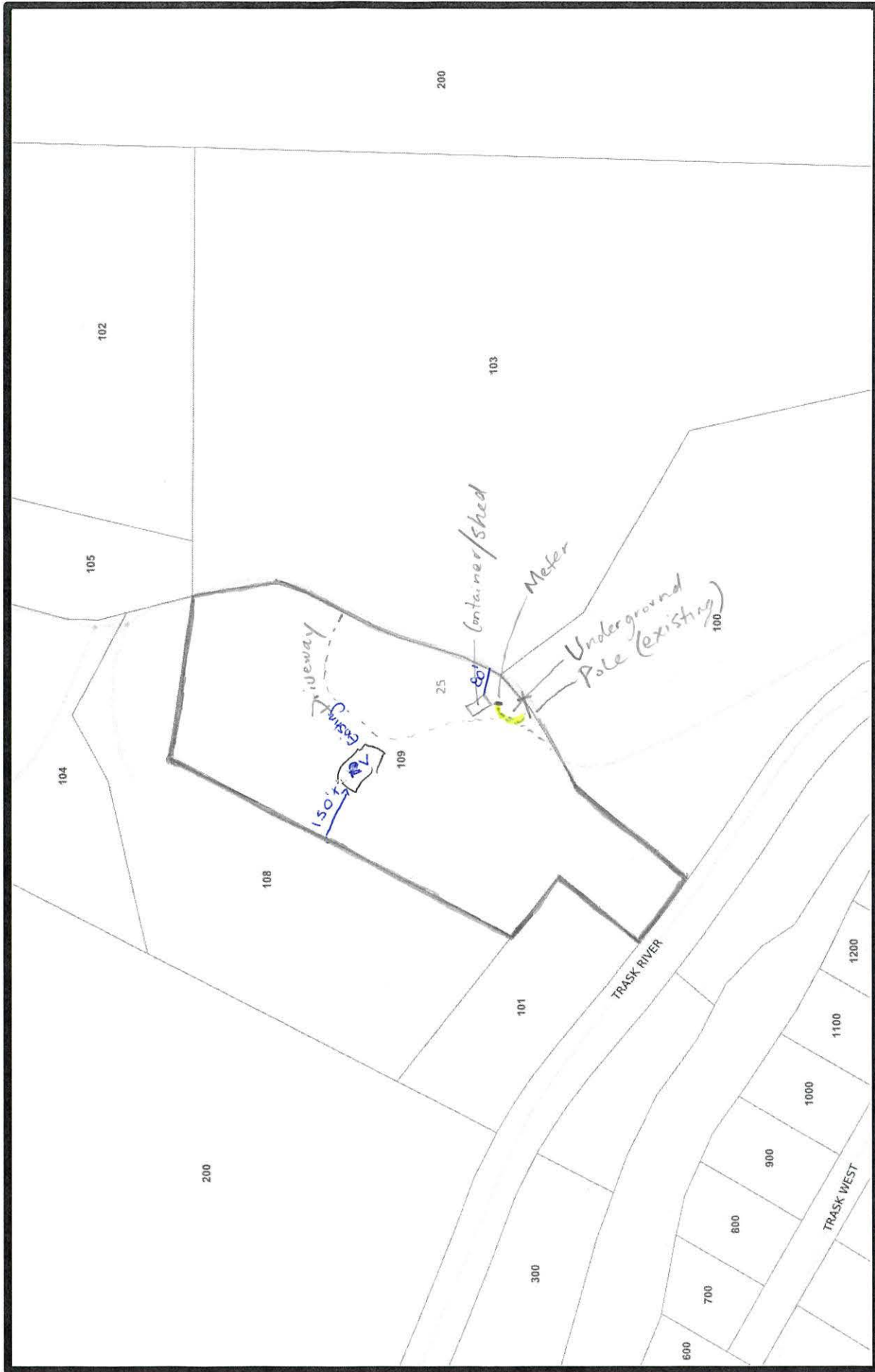
**Authorization**

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.

*[Signature]*  
 Property Owner Signature (Required) \_\_\_\_\_ Date \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

# Map



1) Yes

2) Yes - Because allowed conditionally in RR-2 zone

3) Yes, the proposed area is safe and clear of creeks, water, and riparian areas, creeks on the property do not affect the proposed location. The property is large, and fits all improvements. Low slope in developing area.

4) Yes, it will not alter the surrounding properties uses, all use is contained on this property. All surrounding properties and homes are very far apart.

5) No, none in the area.

6) Yes, public access off Trask River Rd.  
Existing spring for water supply.  
In Tillamook Fire Service District.

# EXHIBIT C

## Melissa Jenck

---

**From:** BRADLEY Robert \* ODFW <Robert.BRADLEY@odfw.oregon.gov>  
**Sent:** Tuesday, December 13, 2022 9:25 AM  
**To:** Melissa Jenck  
**Subject:** EXTERNAL: FW: 851-22-000305-PLNG

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

Melissa,

ODFW recommends no encroachment in or tree/vegetation removal from riparian areas for the placement of the RV, accessory structure or the driveway. If necessary to install a crossing over stream(s) on the property the applicant shall consult with ODFW to ensure that fish passage is addressed (we show a fish bearing stream on a portion of this property).

There is no mention in the application about a septic or other system for waste disposal. We would recommend a plan be developed and submitted for county approval to address this aspect prior to locating the RV on site, if not already completed or part of another process.

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)

**Note new email address as of 4/26/21: Robert.Bradley@odfw.oregon.gov**

---

**From:** Lynn Tone <ltone@co.tillamook.or.us>  
**Sent:** Tuesday, December 13, 2022 8:24 AM  
**To:** ESTES Brett \* DLCD <Brett.ESTES@dlcd.oregon.gov>  
**Subject:** 851-22-000305-PLNG

[https://www.co.tillamook.or.us/sites/default/files/fileattachments/community\\_development/project/79043/305\\_notice.pdf](https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/project/79043/305_notice.pdf)

Thank you,



**Lynn Tone** | Office Specialist II  
**TILLAMOOK COUNTY** | Surveyor's Office/Community Development  
1510 3<sup>rd</sup> Street Ste C  
Tillamook, OR 97141  
Phone (503) 842-3423  
[ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us)

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## Melissa Jenck

---

**From:** Lynn Tone  
**Sent:** Friday, December 16, 2022 3:51 PM  
**To:** Melissa Jenck  
**Subject:** FW: EXTERNAL: RE: 851-22-000305-PLNG  
**Attachments:** Water Rights Handout.docx; TEMPLATE-war form.pdf

---

**From:** HENDRICKS Nikki M \* WRD <Nikki.M.HENDRICKS@water.oregon.gov>  
**Sent:** Tuesday, December 13, 2022 10:54 AM  
**To:** Lynn Tone <ltone@co.tillamook.or.us>; ESTES Brett \* DLCDC <Brett.ESTES@dlcd.oregon.gov>  
**Subject:** EXTERNAL: RE: 851-22-000305-PLNG

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

I reviewed the property and there is no water source. A well will need to be installed.

Cheers,

*Nikki Hendricks*

District 1 Watermaster  
4000 Blimp Blvd Ste 400  
Tillamook, OR 97141  
Office: 503-815-1967  
Cell: 503-457-8989  
[Nikki.M.Hendricks@water.oregon.gov](mailto:Nikki.M.Hendricks@water.oregon.gov)

“When the well is dry, we know the worth of water.”-Benjamin Franklin

---

**From:** Lynn Tone <[ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us)>  
**Sent:** Tuesday, December 13, 2022 8:24 AM  
**To:** ESTES Brett \* DLCDC <[Brett.ESTES@dlcd.oregon.gov](mailto:Brett.ESTES@dlcd.oregon.gov)>  
**Subject:** 851-22-000305-PLNG

[https://www.co.tillamook.or.us/sites/default/files/fileattachments/community\\_development/project/79043/305\\_notice.pdf](https://www.co.tillamook.or.us/sites/default/files/fileattachments/community_development/project/79043/305_notice.pdf)

Thank you,





**Lynn Tone** | Office Specialist II

**TILLAMOOK COUNTY** | Surveyor's Office/Community Development

1510 3<sup>rd</sup> Street Ste C

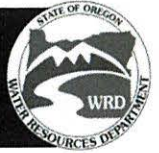
Tillamook, OR 97141

Phone (503) 842-3423

[ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us)

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# Understanding Water-Use Regulations in Oregon



Under the Oregon Water Code of 1909, all water belongs to the public. With a few exceptions, cities, irrigators, businesses, and other water users must obtain a water right from the Water Resources Department to use water from any source – whether it is underground, or from lakes or streams. Generally speaking, landowners with water flowing past, through, or under their property do not automatically have the right to use that water without authorization from the Department.

**New water permits are not available in many areas of Oregon, so individuals are strongly encouraged to investigate their water-resources options before investing in a project that requires a water supply.** Violations of Oregon Water laws can result in civil penalties or prosecution for a class B misdemeanor.

The best way to identify your legal water resources options is to speak with your local watermaster (see next page). For more information, you can contact the Department at 503-986-0900, or visit our website at <http://www.oregon.gov/owrd>.

## What are the water-use authorization options?

1. A water right may already be associated with your property; however, you will need to confirm that the right is still valid, and that it can be used for your purposes. Similarly, water may be obtained from a water purveyor such as a city or a water district that delivers water under an existing water right.
2. If available, water may be acquired by obtaining a new water-right permit for surface water or groundwater.
3. Certain water uses are authorized through Oregon law as “exempt” from the need for a water right. More information about exempt uses is provided below. Check with your watermaster to make sure your use qualifies.
4. There can be other options to obtain water aside from obtaining a new right to surface water or groundwater. In some cases, with Department approval, a water right from another property can be transferred to a new parcel, or stored water that is captured during the winter and spring can help provide a supply. Talk to your watermaster about options.

## What else should you know about the use of your water right?

Once you have a water right, make sure that you comply with the conditions on the right. It is always a good idea to check with your watermaster to understand the conditions. Water rights are issued for a particular place of use, type of use, and point of diversion. Water rights also have limits on the amount of water that can be used, and may include limitations on the season of use. Your watermaster can help you to understand the terms of use on your water right.

If you want to change how the water is being used (for example, from field irrigation to a greenhouse), check with your watermaster to make sure that the change fits within your existing water right. In some instances you may need to obtain approval from the Department through a process called a transfer. In addition, there may be limits on the months that the water can be used. Water rights may be subject to forfeiture if not used for five consecutive years.

In addition, there may be times where there is not enough water for every water user who holds a water right. In times of shortage, the senior user is entitled to receive all of his or her water, before a junior user. For example, a senior user with a priority date of 1910 can make a call for water, and users with a junior date (after 1910 for this example) may be regulated off in order to satisfy that senior right. You should talk with your local watermaster to understand how frequently regulation is likely to occur, so that you can plan your operations accordingly. *Note: Although exempt groundwater uses do not require a permit, the well may be subject to regulation like any other water right in times of water shortage.*

## How do I obtain a water right permit in the State of Oregon?

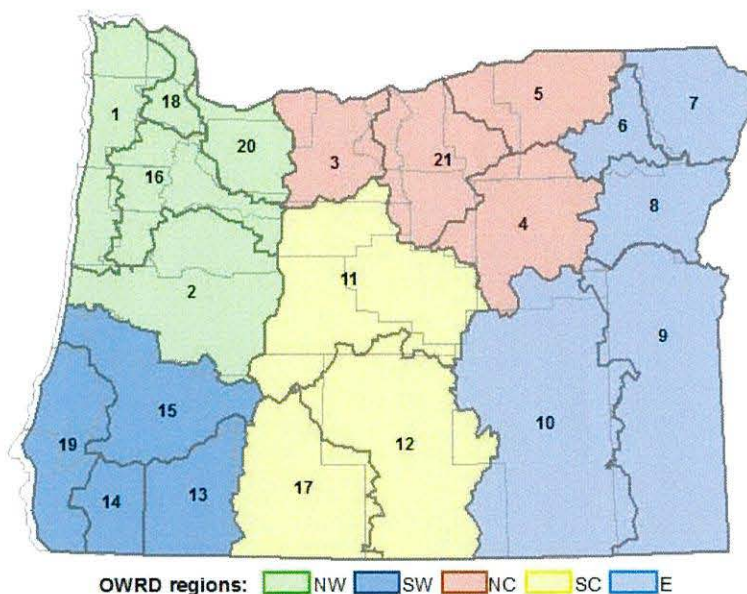
Most water rights are obtained in a three-step process. The applicant first must apply to the Department for a permit to use water. Once a permit is granted, the applicant must construct a water system and begin using water. After water is applied, the permit holder must hire a certified water-right examiner to complete a survey of water use (a map and a report detailing how and where water has been applied). If water has been used according to the provisions of the permit, the Department will issue a water-right certificate.

## What sources of water are exempt from the permitting process and how can the water be used?

- **Natural springs:** Use of a spring that, under natural conditions, does not form a natural channel and flow off the property where it originates at any time of the year is considered exempt from the need to obtain a water right. Check with your watermaster to determine if your spring qualifies for the exemption. The Watermaster must conduct a site visit to determine whether the spring qualifies as exempt.
- **Rainwater:** Collection and use of rainwater from an artificial impervious surface, such as a roof, is considered exempt from needing a water-right. For more information, refer to ORS 537.141. Check with your watermaster to make sure that your rainwater system is properly set up to meet this exemption. You may also need to check on local regulations with your county and/or city.
- **Exempt use of groundwater for non-irrigation-related commercial/industrial purposes:** Under the exemption, up to 5,000 gallons per day could be used for commercial or industrial use without a water right. This commercial exemption does not apply to irrigation. Water rights must be obtained for commercial irrigation from a well.
- **Exempt use of groundwater for one-half acre of non-commercial lawn and garden:** Non-commercial includes personal lawn and garden irrigation for personal use where there is no intent to profit.

## Who is my watermaster?

District 1	<a href="#">Nikki Hendricks</a>	503-815-1967
District 2	<a href="#">Lanaya Blakely</a>	541-682-3620
District 3	<a href="#">Robert Wood</a>	541-506-2652
District 4	<a href="#">Eric Julsrud</a>	541-575-0119
District 5	<a href="#">Greg Silbernagel</a>	541-278-5456
District 6	<a href="#">Shad Hattan</a>	541-963-1031
District 7	<a href="#">David Bates</a>	541-426-4464
District 8	<a href="#">Rick Lusk</a>	541-523-8224
District 9	<a href="#">Ron Jacobs</a>	541-473-5130
District 10	<a href="#">JR Johnson</a>	541-573-2591
District 11	<a href="#">Jeremy Giffin</a>	541-306-6885
District 12	<a href="#">Brian Mayer</a>	541-947-6038
District 13	<a href="#">Shavon Haynes</a>	541-774-6880
District 14	<a href="#">Vacant</a>	541-479-2401
District 15	<a href="#">Susan Douthit</a>	541-440-4255
District 16	<a href="#">Joel Plahn</a>	503-986-0889
District 17	<a href="#">Vacant</a>	541-883-4182
District 18	<a href="#">Jake Constans</a>	503-846-7780
District 19	<a href="#">Greg Wacker</a>	541-396-1905
District 20	<a href="#">Amy Kim</a>	503-722-1410
District 21	<a href="#">Ken Thiemann</a>	541-384-4207



## Additional information:

For more detailed information about water rights in Oregon, download “Water Rights in Oregon” here:

<http://www.oregon.gov/owrd/Pages/pubs/index.aspx>

The online mapping tool for determining if a property has a water right:

<http://apps.wrd.state.or.us/apps/gis/wr/Default.aspx>

Water right application forms and fees:

<http://www.oregon.gov/owrd/pages/pubs/forms.aspx#fees>



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: \_\_\_\_\_

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: \_\_\_\_\_ Range: \_\_\_\_\_ West Section: \_\_\_\_\_ Tax Lot(s): \_\_\_\_\_

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

According to records, the legal owner is/are: \_\_\_\_\_ and/or \_\_\_\_\_

Contact telephone #: \_\_\_\_\_

Water source: \_\_\_\_\_

Comments: \_\_\_\_\_

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
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: \_\_\_\_\_