

## REVIEW CRITERIA & DEVELOPMENT STANDARDS

### TILLAMOOK COUNTY LAND USE ORDINANCE

**SECTION 6.040: REVIEW CRITERIA:** Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

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

#### **SECTION 3.520(3)(b)**

- (1) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.
- (2) Resulting development will not be inconsistent with the comprehensive plan provisions or zoning objectives of the area.
- (3) The plan can be completed within a reasonable period of time.
- (4) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.
- (5) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.
- (6) The parcel is suitable for the proposed use, considering its size, shape, location, topography, existence of improvements, and natural features.
- (7) 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.
- (8) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.
- (9) Proposed uses which are not otherwise permitted by the underlying zoning on the parcel are accessory uses within the entire development.

### TILLAMOOK COUNTY LAND DIVISION ORDINANCE

#### **Section 070:**

(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;
- (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;

(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.

(2) Conditions of Approval. The Approval Authority may attach such conditions as are necessary to carry out provisions of this Code, and other applicable ordinances and regulations.

### **Section 130**

Approval Criteria. The Director shall approve or deny a request for a property line adjustment in writing based on all of the following criteria:

i. Parcel Creation. No additional parcel or lot is created by the lot line adjustment;

ii. Lot standards.

1. All lots and parcels conform to the applicable lot standards of the zone including lot area, dimensions, setbacks, and coverage, except where 2. Or 3. applies.

2. For properties entirely outside an Unincorporated Community Boundary, where one or both of the abutting properties are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment, one property shall be as large or larger than the minimum lot or parcel size for the applicable zone after the adjustment.

3. For properties entirely outside an Unincorporated Community Boundary, both abutting properties are smaller than the minimum lot size for the applicable zone before and after property line adjustment.

4. As applicable, all lots and parcels shall conform the Tillamook County Flood Hazard Overlay Zone.

iii. Access and Road authority Standards. All lots and parcels conform to the standards or requirements of Section 150: Development Standards for Land Divisions, and all applicable road authority requirements are met. If a lot is nonconforming to any road authority standard, it shall not be made less conforming by the property line adjustment.