October 19, 2011

Tillamook County
Attn: Paul Levesque
201 Laurel Avenue
Tillamook, OR 97141

LAND USE VERIFICATION: TILLAMOOK COUNTY

LUV-11-06: Land Use Ordinance regulations, if any, applied to bus shelter improvements associated with the Cloverdale Transportation Plan in the unincorporated community of Cloverdale on two areas of land comprised of Tax Lots 6200, 800, 900, and 1000 all located in Section 22DD of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Dear Mr. Levesque:

Based on the information submitted for bus shelter improvements on the lots identified above adjacent to U.S. Highway 101 within the unincorporated community of Cloverdale, Staff has reviewed the proposal in relation to the Tillamook County Comprehensive Plan, Tillamook County Land Use Ordinance and the Cloverdale Transportation Refinement Plan.

The subject lots are located within the Community Commercial (CC) Zone. The purpose of the CC zone is to designate areas for high intensity commercial and some light industrial activities within unincorporated community boundaries. The zone is intended to accommodate all commercial needs of the community, surrounding rural areas, and visitors. Allowable uses permitted outright and conditionally in this zone provide for high density commercial uses as well as residential uses. A zoning map has also been provided for your review. Properties outside of this commercial corridor along US Highway 101 are zoned for residential use. The Department finds that the proposed bus shelters and transit stops are a need for this area considering the multiple high density commercial uses and residential uses allowed for or already established within this unincorporated community. These amenities will serve to
improve pedestrian access and connectivity to goods and services in Cloverdale, including the Cloverdale Federal Qualified Health Center (Cloverdale FWHC).

The Cloverdale Transportation Refinement Plan was adopted by the Tillamook County Board of County Commissioners in October 2010, which then became an appendix to the Tillamook County Transportation System Plan. There were several objectives to the Cloverdale Transportation Refinement Plan including the preparation of physical improvements intended to improve the function and safety of US Highway 101, considering all modes of traffic; providing for safe non-vehicular traffic by identifying off-highway circulation for pedestrians and bicycles and appropriate locations for crosswalks, parking, and access; and to enhance the livability by establishing street design for the state highway within standards, including provision of sidewalks, bicycle lanes and pedestrian amenities. A Goal of the Cloverdale Transportation Refinement Plan is to improve public transit facilities to encourage growth in transit ridership. Short-term improvement concepts include adding transit shelters and consider allowing Tillamook County Transportation District signage on the highway. Transit recommendations described within long-term improvement concepts include the creation of transit pullout areas off the highway, if possible.

Development of the unincorporated areas of Tillamook County is governed by the Tillamook County Comprehensive Plan, which is implemented through the Tillamook County Land Use Ordinance. Development within the unincorporated community of Cloverdale is also governed by the Cloverdale Community Plan. Transportation in Tillamook County is guided by Goal 12 of the Comprehensive Plan and the Tillamook County Transportation Plan. The Cloverdale Transportation Refinement Plan, included in the Tillamook County Transportation Plan as an appendix, supports the Cloverdale Community Plan goals and policies, including Goal 2: Cloverdale will have a thriving business district supported by local residents and travelers. The Department finds that the proposal for two bus shelters and designated bus stop areas supports Goal 2 by enhancing transportation opportunities within this unincorporated community.

The subject lots abut US Highway 101. The submitted site plan indicates that improvements to accommodate the proposed bus shelters and designated bus stop areas may be located within highway right of way. Review of this proposal may be warranted by the Oregon Department of Transportation and permits may be required. Please contact the Oregon Department of Transportation State Highway Division at (503) 325-7222.

The Big Nestucca River borders Tax Lots 800, 900, and 1000, identified as the Noble Wayside County Park, to the north. Development Permit approval for the Noble Wayside County Park improvements was required because FEMA Flood Insurance Rate Map (FIRM) panel #4101960310A, dated August 1, 1978, indicates this area is located within both “Zone C” and “A6” Flood Zones. “Zone C” is defined as areas of minimal or low risks flood hazard. “Zone A6” is defined as areas of 100-year floods with base flood elevations and flood hazard factors determined. The Tillamook County Land Use Ordinance Section 3.060 defines “A” Flood Zones as special flood hazard zones and development is regulated. Section 3.060: Flood Hazard Overlay Zone, subsection 12, states “A development permit shall be obtained before construction or development begins within any area of special flood hazard zone. The permit shall be for all structures including manufactured dwellings, and for all development including fill and other
development activities, as set forth in the Definitions contained in this Section of the Land Use Ordinance.” The development of the amenities for Noble Wayside County Park, comprised of nine (9) parking spaces, restrooms, a picnic area, and fishing platform, were all reviewed under approved Development Permit DP-09-10. Development Permit DP-09-10 confirmed that the restrooms and parking facility are located within the “C” Flood Zone, south of the regulated floodplain. In review of the submitted site plan for this request, the proposed located for the bus shelter and bus stop are located further to the south towards US Highway 101 and are also outside of the regulated floodplain.

The Tillamook County Land Use Ordinance (TCLUO) Section 4.080: Requirements for Protection of Water Quality and Streambank Stabilization, requires a 50-foot setback from the ‘Big Nestucca River’. TCLUO Section 4.080(2) allows for development in the 50-foot setback stating that setbacks may be reduced under the provisions of (c) and (d) above only if the threat of erosion will not increase and a minimum 20 foot setback is maintained. Determinations of habitat values will be made by the Oregon Department of Fish and Wildlife. Approved Development Permit DP-09-10 indicates an exception was granted for development of Noble Wayside County Park and Conditions of Approval were established for Noble Wayside County Park, including coordination with the Oregon Department of Fish and Wildlife. The Department finds that these Conditions of Approval can also be applied to the construction of the bus shelter and bus stop proposed within this area.

The Department finds that the proposed bus shelter and bus stop located south of US Highway 101 on Tax Lot 6200 do not require additional land use review, are more than 50-feet from the Big Nestucca River, and located outside of the regulated flood plain.

In summary, the Department does not find any land use conflicts with the construction of the proposed bus shelters and bus stops. Please note that building permits are required for the construction of the bus shelters and all other applicable Local, State and Federal permits should be obtained for this proposed project. Please contact this Department if there are additional questions or concerns.

Sincerely,

TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

Valerie Soilihi, AICP
Director

Enc: LUV-11-03 documents
Assessor Map & Zoning Map
DP-09-10 Conditions of Approval
REQUEST FOR INFORMATION

The Department of Community Development needs your request for information in writing showing the parcel identification numbers of the property.

Information Requested: To place bus stop/shelters as shown on attached map.

Requests for information and assistance are now based on the following schedule:

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation Fee (per hour – one hour minimum)</td>
<td>$ 74.00</td>
</tr>
<tr>
<td>Consultant Fee (Cost)</td>
<td>$ ____</td>
</tr>
<tr>
<td>(consultant/expert retained by County to review application)</td>
<td></td>
</tr>
<tr>
<td>Planning Affidavits for State / Federal Agency applicants</td>
<td>$134.00</td>
</tr>
<tr>
<td>Land Use Compatibility Review</td>
<td>$134.00</td>
</tr>
<tr>
<td>Land Use Verification Letter</td>
<td>$165.00</td>
</tr>
<tr>
<td>Research Fee (per hour – one hour minimum)</td>
<td>$ 89.00</td>
</tr>
<tr>
<td>Lot of Record Verification</td>
<td>$134.00</td>
</tr>
<tr>
<td>Similar Use Ruling</td>
<td>$371.00</td>
</tr>
<tr>
<td>Pre-Construction Meeting</td>
<td>$100.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$193.00</td>
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</tbody>
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Please make your check in the amount specified above, payable to:

Tillamook County Department of Community Development,
201 Laurel Avenue, Tillamook, OR 97141

For your convenience, our office is open Monday through Friday, 8:00 am to 4:00 pm, should you wish to obtain information from our records.

Thank you,
SITE PLAN FOR
TILLAMOOK COUNTY TRANSPORTATION DISTRICT AND
PACIFIC CITY—NESTUCCA VALLEY CHAMBER OF COMMERCE
IN LOTS 3 THRU 10, BLOCK B, FLAT OF PINK ADDITION, LOCATED IN THE
4E1/4 SE1/4 SECTION 23, T. 4 S., R. 10 W. W.M., TILLAMOOK CO., OR

SURVEY & MAP BY: KELLOW LAND SURVEYSING
36110 BROOKS RD. SUITE B
P.O. BOX 147
MACON, OR 97135-0135
(503)965-4664

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Douglas H. Kellow
OBSERVER
DOUGLAS H. KELLOW
PLMB 1176

NOTE: ELEVATION Datum FOR THIS SURVEY MAY BE MEASURED FROM
THE STATE FLOOD ELEVATION, AND DATA ELEVATION, LOCATED ON THE NORTH SIDE OF HIGHWAY
101 AT THE TILLAMOOK COUNTY PUBLIC WORKS BUILDING.
C. #1901 ELEVATION=26.177 FOOT VS
NOTE: THE SUBJECT TRACT LOCATED WITHIN A FLOOD ZONE "A".
THE BASE FLOOD ELEVATION FOR THE SUBJECT TRACT IS 26.00
FEET OSG. VS 26.177 = BASE FLOOD ELEVATION FOR FEMA ELEVATION NO. 470196 03305

SCALE: 1"=20'
DATE: OCTOBER 7, 2011
REVISED: OCTOBER 11, 2011
REVISED: OCTOBER 12, 2011
REVISED: OCTOBER 14, 2011

COAST HWY 101

NESTUCCA RIVER

RESTAURANT BLDG.
BLK. 2
BLK. 2

TILLAMOOK COUNTY TRACTS

TILLAMOOK COUNTY PROP.
70' x 70'
70' x 70'
CONCRETE SLAB

SHERWIN
JONES BLDG.

NAPA AUTO PARTS

PARK ADDITION

TILLAMOOK CO.
FQHC MEDICAL
CLINIC

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET

NORTH 40 FEET