BEFORE THE PLANNING COMMISSION OF TILLAMOOK COUNTY, OREGON

IN THE MATTER OF #851-24-000228-PLNG. FINDINGS OF FACT,) CONCLUSIONS AND CONDITIONAL **USE** REQUEST FOR THE) OPERATION OF AN EARLY LEARNING/DAYCARE **ORDER**) FACILITY WITHIN AN EXISTING STRUCTURE ON A) PROPERTY ZONED RURAL COMMERCIAL (RC) #851-24-000228-PLNG AND LOCATED SOUTH OF THE UNINCORPORATED COMMUNITY OF NETARTS. THE SUBJECT PROPERTY IS ACESSED VIA WHISKEY CREEK ROAD, A COUNTY ROAD, AND IS DESIGNATED AS TAX LOT 300 OF SECTION 17A, TOWNSHIP 2 SOUTH, RANGE 10 WEST OF THE WILLAMETTE MERIDIAN, TILLAMOOK COUNTY, OREGON.

APPLICANT/PROPERTY OWNER: Shelli Dial

The above-named applicant applied to Tillamook County requesting Conditional Use approval for the operation of an early learning center/daycare facility within an existing structure

Public hearings on the above-entitled matter were held before the Tillamook County Planning Commission for their consideration on July 11, 2024, 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 6.040 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, public and agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation.

The Planning Commission voted 5 in favor and 1 opposed, approving Conditional Use request #851-24-000228-PLNG subject to the Conditions of Approval included as "Exhibit A".

The Planning Commission hereby adopts the Conditions of Approval included in "Exhibit A" attached to this Order.

Conditional Use request #851-24-000228-PLNG is approved. This decision may be appealed to the Board of County Commissioners by an affected party, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fees with the Tillamook County Board of Commissioners within twelve (12) days of the date that Notice of this decision is mailed.

DATED this 24th day of July 2024.

TILLAMOOK COUNTY PLANNING COMMISSION

Kurt Heckeroth, Chair

"EXHIBIT A"

CONDITIONS OF APPROVAL:

TCLUO 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. Prior to operation of the early learning center/day care facility, the applicant/property owner shall obtain all Federal, State, and Local permits, including licensing from Tillamook County Community Health, and others as applicable.
- 2. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall obtain an approved Zoning and Building Permit from the Tillamook County Department of Community Development.
- 3. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall provide an updated water service letter and an updated fire service letter. The letters shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit.
- 4. Prior to operation of the early learning center/daycare facility, the applicant/property owner shall provide a copy of an approved Road Approach Permit and documentation from the Tillamook County Public Works Department confirming road approach and associated transportation requirements have been met. A copy of the documentation shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit.
- 5. A site plan, drawn to scale, illustrating compliance with the requirements of TCLUO 4.030: Off-Street Parking & Off-Street Loading Requirements shall be submitted to the Department in conjunction with the consolidated Zoning and Building Permit. The site plan shall incorporate any requirements set forth by the Tillamook County Public Works Department and shall clearly identify the location and number of parking spaces, areas for maneuvering of vehicles and the driveway/traffic flow for pick-up and drop-off of children.
- 6. Existing vegetative buffers shall be maintained along the boundary lines of the subject property to separate adjacent residential uses from the operation of the early learning center/daycare facility. These buffers shall be identified on the site plan submitted in conjunction with the consolidated Zoning and Building Permit.
- 7. Approval for the operation of the early learning center/daycare facility is based upon a maximum number of twenty-five (25) students in attendance at any one time. Expansion of operation resulting in an increase in the number of children and students

- at the facility is subject to review by the Tillamook County Planning Commission and the Tillamook County Public Works Department.
- 8. Early learning center/daycare facility operation hours shall be between the hours of 7:00am to 8:00pm.
- 9. Any exterior artificial lighting for the early learning center/daycare facility shall be installed in a manner that does not create or reflect substantial glare onto adjacent residential properties.
- 10. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
- 11. This approval shall be void on July 11, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.