



Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE REQUEST, 851-24-000219-PLNG: Harvey
NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER

NOTICE OF ADMINISTRATIVE REVIEW
Date of Notice: May 24, 2024

Notice is hereby given that the Tillamook County Department of Community Development is considering the following:

851-24-000219-PLNG: A Conditional Use request for a processing facility for a commercial operation and distillery with a tasting room in conjunction with an existing farm operation on the farm tract. The subject property is located at 11600 Highway 101 South in Tillamook, OR and includes Tax Lot 900 of Section 29A, Township 2 South, Range 9 West, W.M., Tillamook County, Oregon. The subject property is zoned Farm (F-1). The applicant and owner is Mark Harvey.

Written comments received by the Department of Community Development prior to 4:00 p.m. on June 7, 2024 will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 750-feet of the exterior boundaries of the subject property for which an application has been made and other appropriate agencies at least 10 days prior to this Department rendering a decision on the request.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website: <https://www.tillamookcounty.gov/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x 3123, lynn.tone@tillamookcounty.gov.

Sincerely,

Melissa Jenck, Senior Planner, CFM

Sarah Absher, Director, CFM

Enc. Maps
Applicable Ordinance Criteria

REVIEW CRITERIA

SECTION 3.002: FARM ZONE (F-1)

(5) CONDITIONAL USE REVIEW CRITERIA

An applicant for a use permitted in Table 1 must demonstrate compliance with the following criteria and with the Conditional Use Criteria in Article 6 Subsection 040.

- (a) The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
- (b) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

ARTICLE VI CONDITIONAL USE PROCEDURES AND CRITERIA

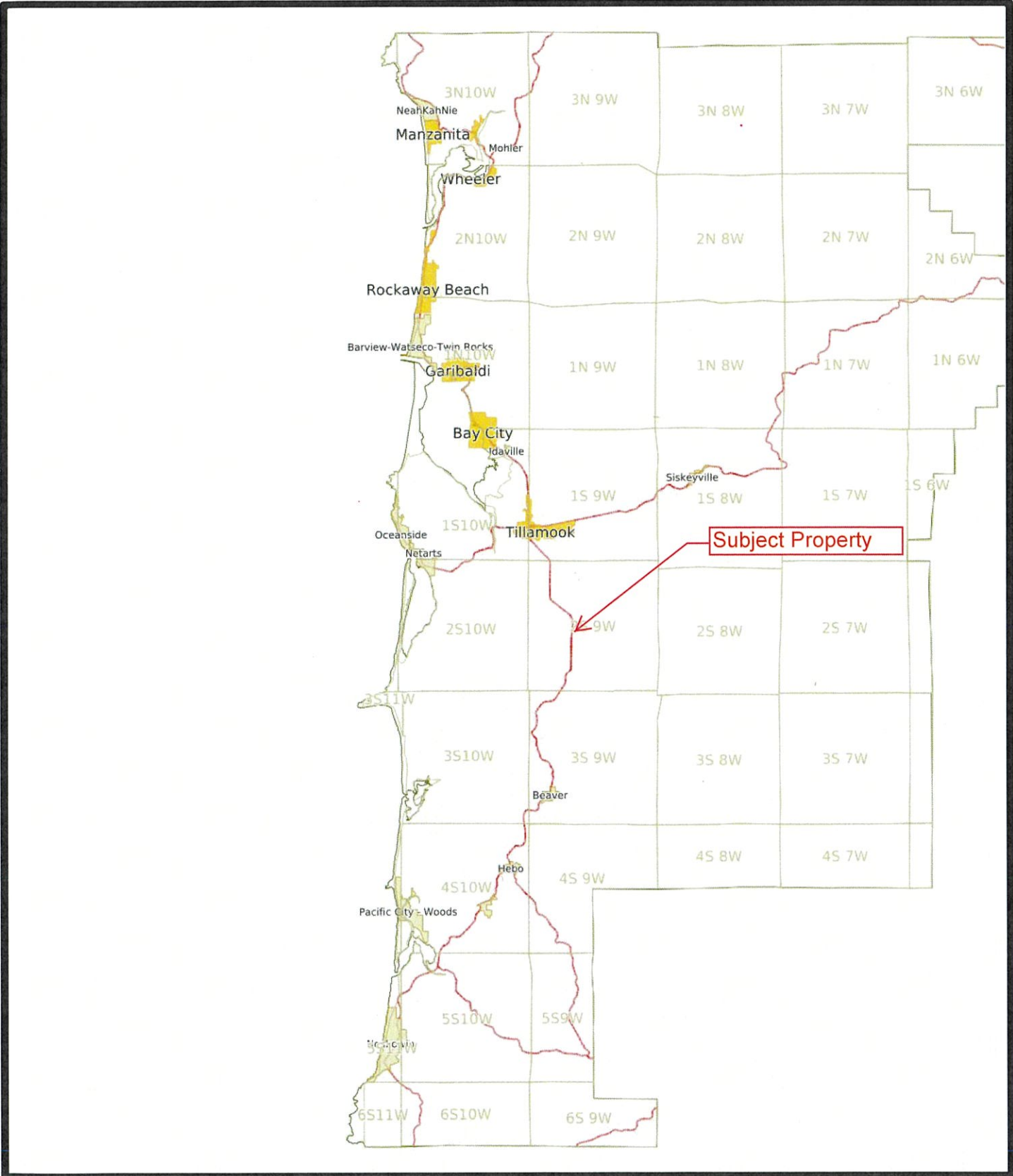
SECTION 6.040: REVIEW CRITERIA

Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

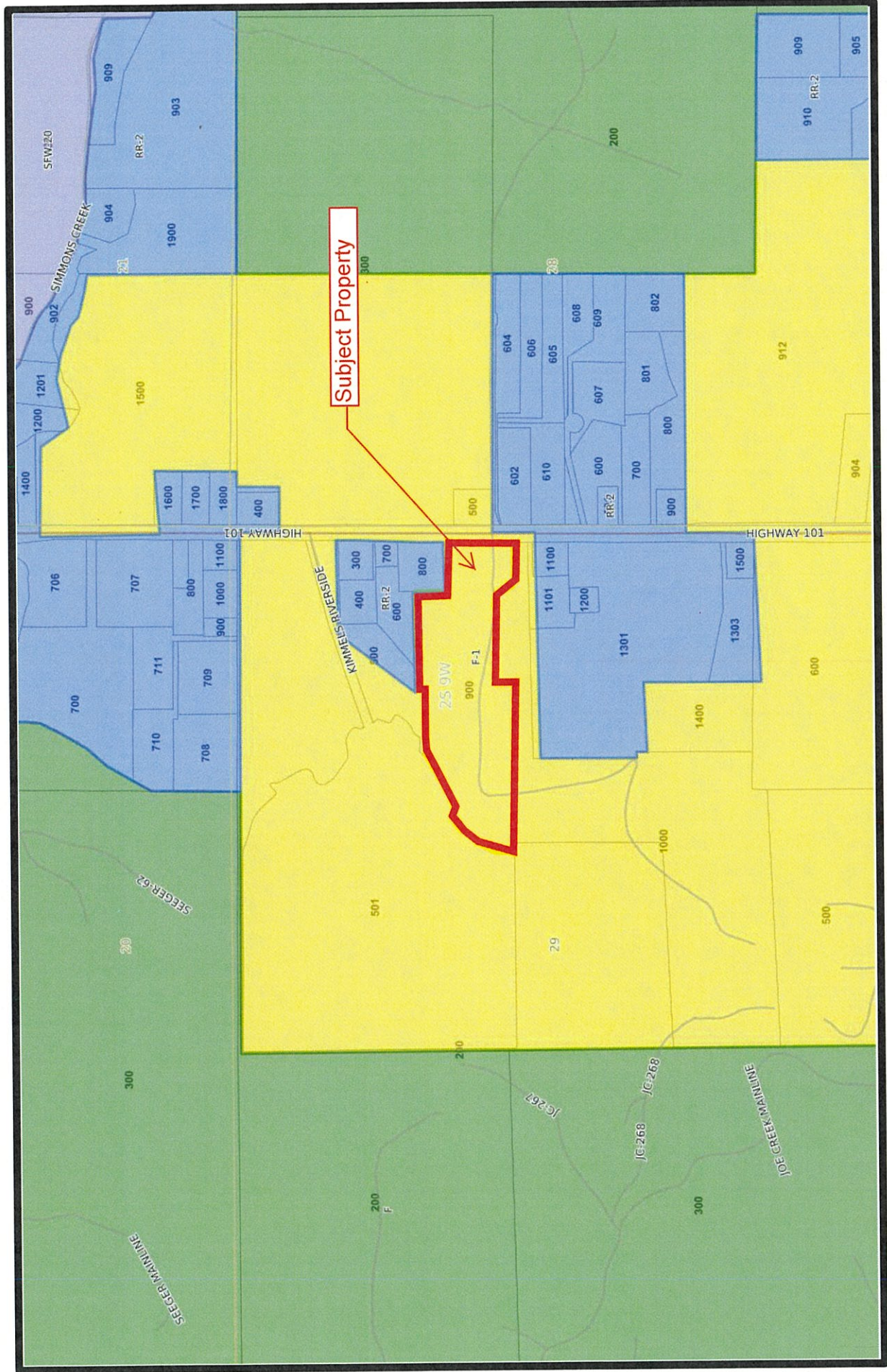
- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence 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.

EXHIBIT A

Vicinity Map



Zoning Map



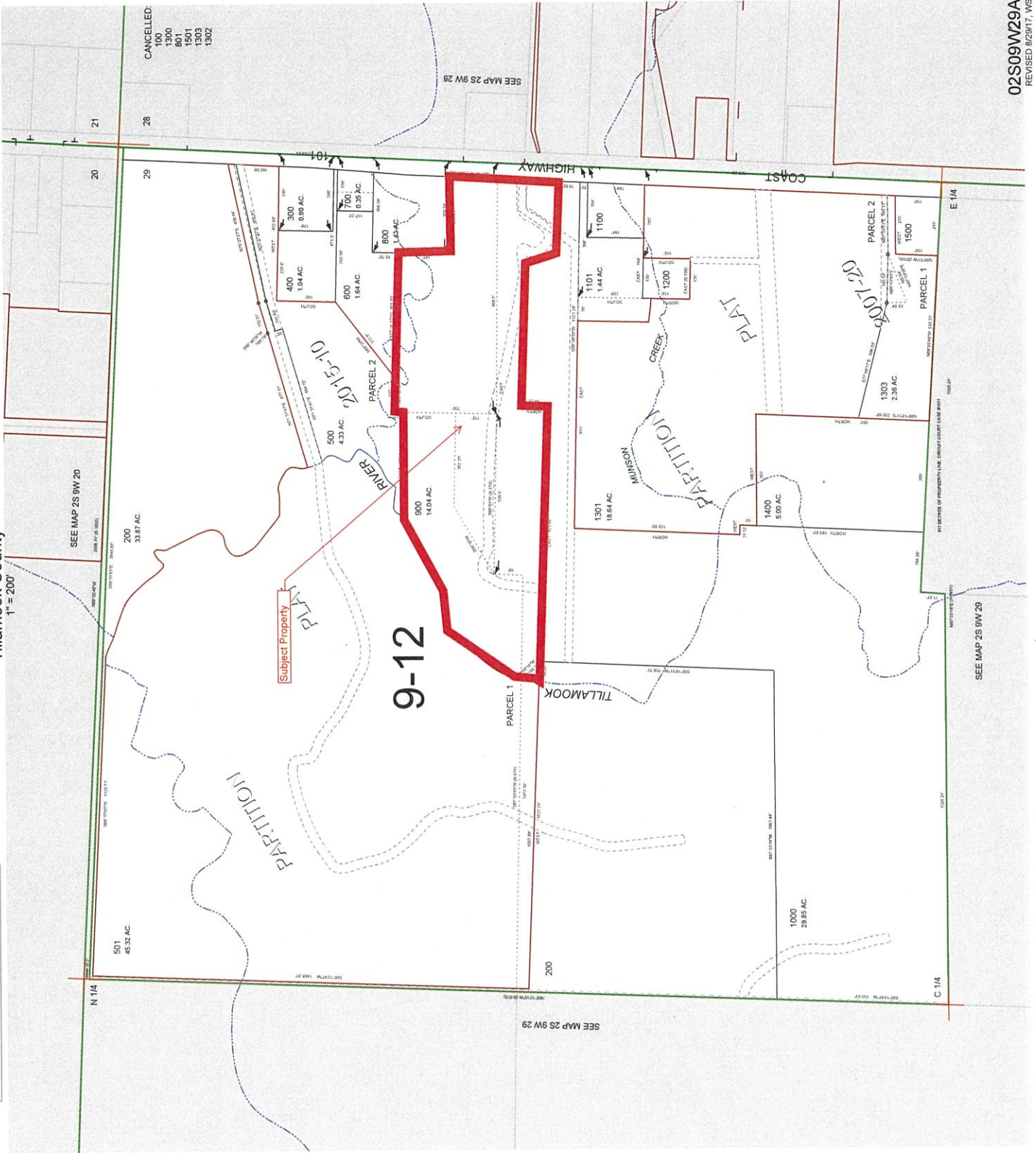
FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

N.E. 1/4 SEC. 29 T.2S. R.9W. W.M.
Tillamook County

1" = 200'

02S09W29A

02S09W29A
REVISED 6/29/17, WS



CANCELLED:
01
1300
801
1501
1303
1302

SEE MAP 2S 9W 20

SEE MAP 2S 9W 20

SEE MAP 2S 9W 29

SEE MAP 2S 9W 29

Tillamook County
2023 Real Property Assessment Report
 Account 176295

Map 2S0929A000900
 Code - Tax ID 0912 - 176295

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing HARVEY, MARK L
 11600 HWY 101 S
 TILLAMOOK OR 97141

Deed Reference # 2016-4712
 Sales Date/Price 08-22-2016 / \$235,000
 Appraiser HANNAH HANCOCK

Property Class 551 MA SA NH
 RMV Class 401 01 AC 500

| | |
|---------------------------|-------------|
| Site Situs Address | City |
| 11600 HWY 101 S | COUNTY |

| Value Summary | | | | | |
|------------------------|----------------|---------------|---------------|---------------|-------|
| Code Area | RMV | MAV | AV | RMV Exception | CPR % |
| 0912 | Land 213,920 | | Land | 0 | |
| | Impr 180,740 | | Impr | 0 | |
| Code Area Total | 394,660 | 67,030 | 93,921 | 0 | |
| Grand Total | 394,660 | 67,030 | 93,921 | 0 | |

| Land Breakdown | | | | | | | | | |
|------------------------|------|-------------------------------------|----|-----------|------------------|---------|-----------------|------------|----------------|
| Code Area | ID # | RFPD | Ex | Plan Zone | Value Source | Trend % | Size | Land Class | Trended RMV |
| 0912 | 1 | <input checked="" type="checkbox"/> | | F-1 | Farm Site | 111 | 1.00 AC | SFM | 14,310 |
| | 0 | <input checked="" type="checkbox"/> | | F-1 | Farm Use Zoned | 111 | 3.90 AC | SP2 | 55,810 |
| | 0 | <input checked="" type="checkbox"/> | | F-1 | Farm Use Zoned | 111 | 9.14 AC | SP3 | 130,800 |
| | | | | | LANDSCAPE - FAIR | 100 | | | 500 |
| | | | | | SA OSD | 100 | | | 12,500 |
| Code Area Total | | | | | | | 14.04 AC | | 213,920 |

| Improvement Breakdown | | | | | | | | | |
|------------------------|------|------------|------------|--------------------------|---------|--------------|-----|---------|----------------|
| Code Area | ID # | Year Built | Stat Class | Description | Trend % | Total Sqft | Ex% | MS Acct | Trended RMV |
| 0912 | 1 | 1920 | 123 | One and 1/2 story | 105 | 1,003 | | | 142,400 |
| | 2 | 1992 | 345 | GENERAL PURPOSE BUILDING | 105 | 2,880 | | | 20,720 |
| | 3 | 1980 | 345 | GENERAL PURPOSE BUILDING | 105 | 1,104 | | | 6,270 |
| | 4 | 1980 | 336 | FEEDER BARN | 105 | 816 | | | 2,290 |
| | 5 | 1984 | 336 | FEEDER BARN | 105 | 2,700 | | | 9,060 |
| Code Area Total | | | | | | 8,503 | | | 180,740 |

| Exemptions / Special Assessments / Notations | | | | |
|--|--|---------------|--------------|------------------|
| Code Area 0912 | | | | |
| Special Assessments | | Amount | Acres | Year Used |
| ■ SOLID WASTE | | 12.00 | 0.00 | 2023 |
| Notations | | | | |
| ■ FARMLAND - POTENTIAL ADDITIONAL TAX LIABILITY 308A.083 | | | | |

PP Accounts 0912 - 3765

Tillamook County
2023 Real Property Assessment Report
Account 176295

Comments

10/16/09 Tabled farmland, changed NH to 500.LM

7/15/16 - New descriptions for TL 2S9 29A 200, 500, 900, & 1000 recorded in deeds 2015-1746 through 2015-1749. There were also size corrections. These changes were shown through a series of Lot Line Adjustments - apportioned MAV and brought land to market. Corrected soil classes per USDA soil survey. EJ.

3/30/16 - Land reappraisal, tabled values using SFW-20 schedule. Reviewed improvements - Changed class of residence to 2, appears to have frame foundation. Updated inventory, increased effective year built on farm buildings - RMV changes only. EJ.

9/12/17 - Moved to neighborhood 500 due to F-1 zoning. EJ.

8/28/18 - Owner requested review of home - applied override to home and det. garage due to condition - RMV changes only. EJ.

07/09/2020 Removed functional override on home due to foundation repairs and GOMAR, RMV only. HT

National Flood Hazard Layer FIRMette

123°48'44"W 45°22'34"N



Legend

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

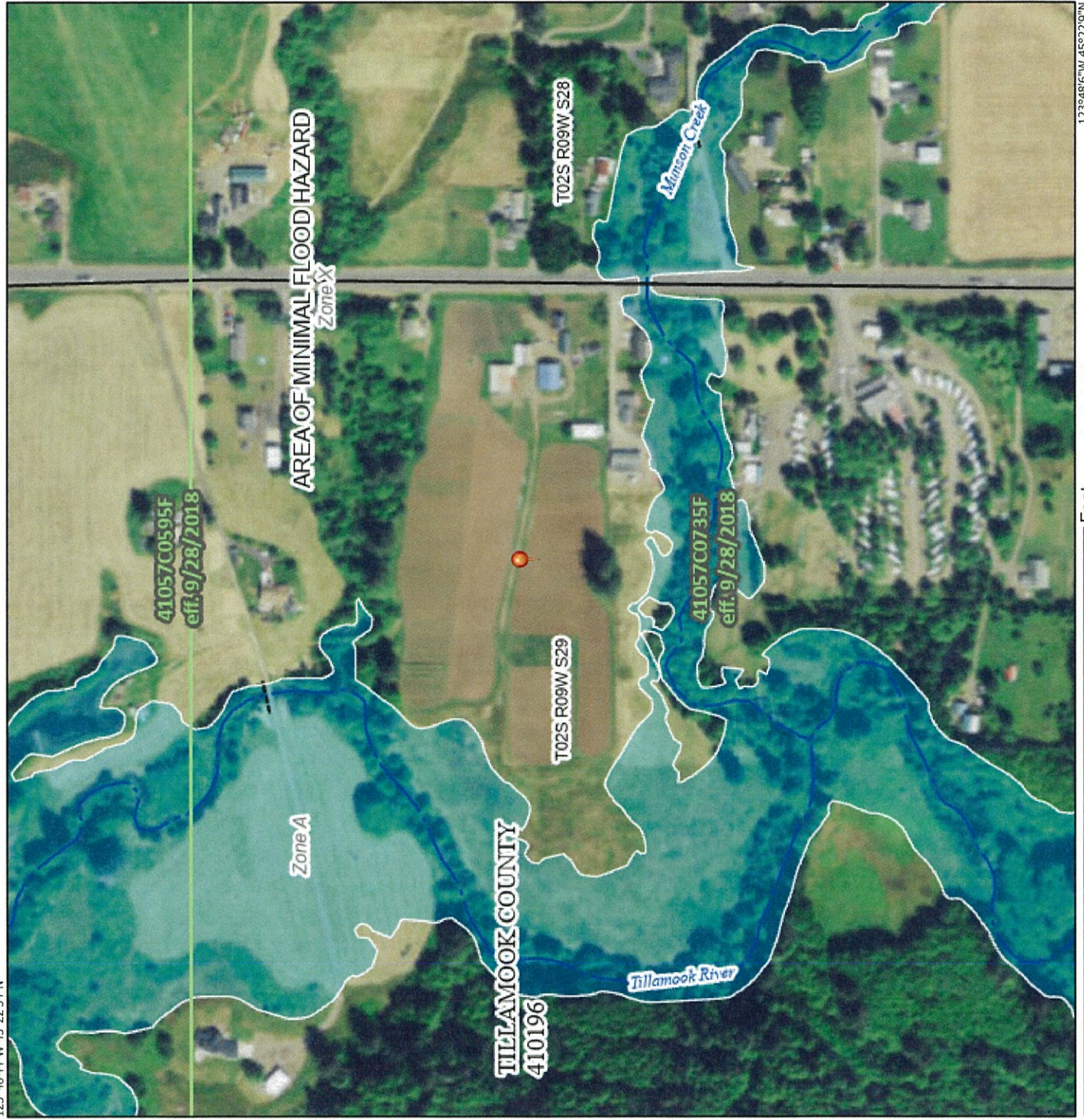
| | | | | | |
|---|--|---|--|--|---|
| <p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) <small>Zone A, V, A99</small> With BFE or Depth <small>Zone AE, AO, AH, VE, AR</small> Regulatory Floodway | <p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 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 <small>Zone X</small> Future Conditions 1% Annual Chance Flood Hazard <small>Zone X</small> Area with Reduced Flood Risk due to Levee. See Notes. <small>Zone X</small> Area with Flood Risk due to Levee <small>Zone D</small> | <p>OTHER AREAS</p> <ul style="list-style-type: none"> Area of Minimal Flood Hazard <small>Zone X</small> Effective LOMRs Area of Undetermined Flood Hazard <small>Zone</small> | <p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall | <p>OTHER FEATURES</p> <ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature | <p>MAP PANELS</p> <ul style="list-style-type: none"> 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.

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 5/23/2024 at 8:36 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.



123°48'6"W 45°22'9"N

1:6,000

Feet

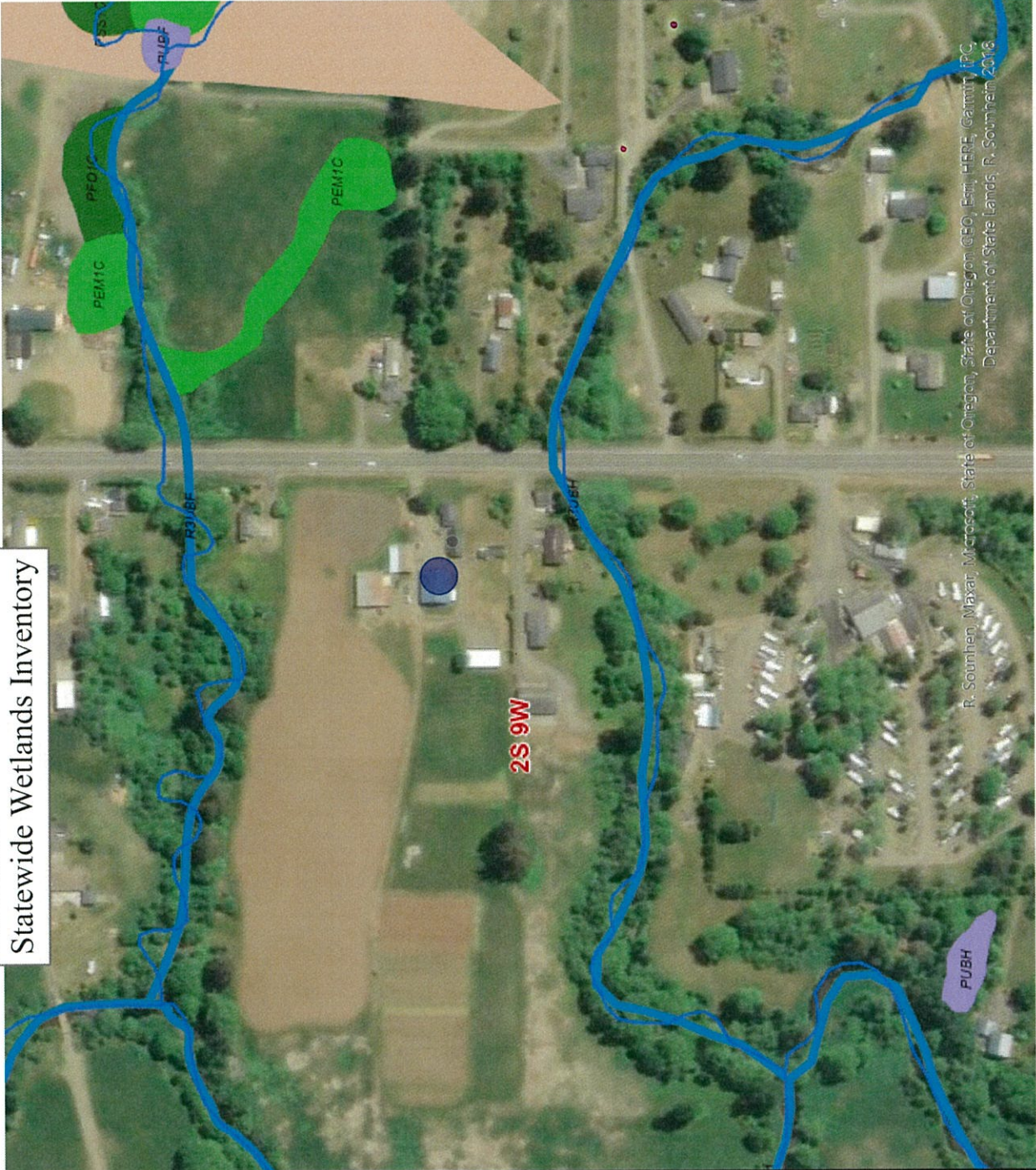
2,000

1,500

1,000

0 250 500

Statewide Wetlands Inventory



R. Souinhen, Maxar, Microsoft, State of Oregon, State of Oregon GEO, Estm, HERE, Garmin, ITC, Department of State Lands, R. Souinhen 2016

| | |
|--------------------------------|---|
| | Townships |
| | LWI Study Area |
| | BASEDAT.DBO.NHDWaterbody |
| | BASEDAT.DBO.NHDArea |
| BASEDAT.DBO.NHDFlowline | |
| | Perennial |
| | Intermittent |
| | Ephemeral |
| | Unknown |
| | Canal/Ditch |
| | Canal/Ditch |
| | Canal/Ditch |
| | BASEDAT.DBO.NHDPoint |
| Wetlands | |
| | Estuarine and Marine Deepwater |
| | Estuarine and Marine Wetland |
| | Freshwater Emergent Wetland |
| | Freshwater Forested/Shrub Wetland |
| | Freshwater Pond |
| | Lake |
| | Riverine |
| | SWI Agate-Winlo Soils |
| | SWI Predominantly Hydric Soil Map Units |



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 accuracy of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetlands professional can verify actual field conditions.

Date: 5/23/2024



State of Oregon
Department of State Lands
775 Summer Street, NE, Ste 100
Salem, OR 97301-1279

EXHIBIT B



PLANNING APPLICATION

| OFFICE USE ONLY | |
|---|--|
| Date Stamp | RECEIVED 2/23/2024 FEB 23 2024 BY: counter |
| <input type="checkbox"/> Approved | <input type="checkbox"/> Denied |
| Received by: <u>MJ</u> | |
| Receipt #: <u>137209</u> | |
| Fees: <u>1365</u> | |
| Permit No: 851- <u>24</u> - <u>000219</u> PLNG | |

Applicant (Check Box if Same as Property Owner)

Name: Mark Harvey Phone: 503-771-1199
 Address: 11600 Hwy 101 S.
 City: Tillamook State: OR Zip: 97141
 Email: oldhousedallas@gmail.com

Property Owner

Name: _____ Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email: _____

Request: CACFU for distillery w/ a tasting room
Processing facility of ORS 215.255 to process tubers
to alcohol

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: 11600 Hwy 101 S
 Map Number: 25 9 29A 900
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.

* Mark Harvey Property Owner Signature (Required) 2/23/24 Date
 _____ Applicant Signature _____ Date

2022 Sales

Tubers = \$13186.06

Pumpkins/Flowers = \$31362.35

Total = \$44548.41

Farm Stand Old House Dahlias

1991.43



(no subject)

1 message

Old House Dahlias <oldhousedahlias@gmail.com>
To: Eileen Aufdermauer <eileen.aufde@gmail.com>

Sat, Dec 9, 2023 at 9:54 AM

1). The property is located within the farm zone and allows you to commercially process the roots you harvest in the processing facility. The processing will be fermenting and distilling the roots to make distilled spirits. This could significantly enhance farming capital which could create a full-time position for an employee and put more revenue aside for maintenance on existing farm buildings. This will provide an experience for spirit connoisseurs that will introduce them to a new flavor they have never tasted before. This will also introduce them to the flowers and the plants that make this wonderful product. This will also introduce plant lovers and flower people to the spirits made from dahlia tubers. Seeing the plants growing right on the farm.

2). The farm produces the tubers which will be processed into distilled spirits. Within the building that already exists, not changing or impacting any of the agriculture in Tillamook County.

3). The farm is suitable for the proposed use because there will be no need for additional structures. The farm has an area where the distillery can be built within an existing building. A separate area that already exists can be used for the tasting room and selling of spirits. The farm also has all the equipment to harvest the roots which is also located on the farm. The farm already has supplied electricity, water and septic. The farm is located on a very visual portion of highway 101 S. It also is already set up for parking of customers. There is room for 33, 9' x 16' parking spaces. There is parking in front of the barn and behind, with very good access to loop around.

4). Everything will be located within the existing buildings. The farm is already set up to handle enough parking for customers. The tasting will be weekends only, 10 am to 5 pm. This is the time the farm is already open for business, August to the end of October. The tasting room and distillery will not impact neighbors as it will be contained within existing buildings. There is a two lane driveway already existing off of Hwy. 101 S.

5). No, the proposal will not affect solar or wind energy systems. There are no existing solar or wind energy systems in the area.

6). The farm is already set up with a farm stand and parking, There is existing water, electricity, sewer and fire emergency services. The property is located along Hwy. 101 S I plan to contact DEQ to verify the grey water from the distillery to make sure my septic tank is adequate.

In addition, TCLUO Section 3.002(5):

a). The farm is already an existing facility that is involved in agriculture and will not conflict with any other farm or forestry practices in the area.

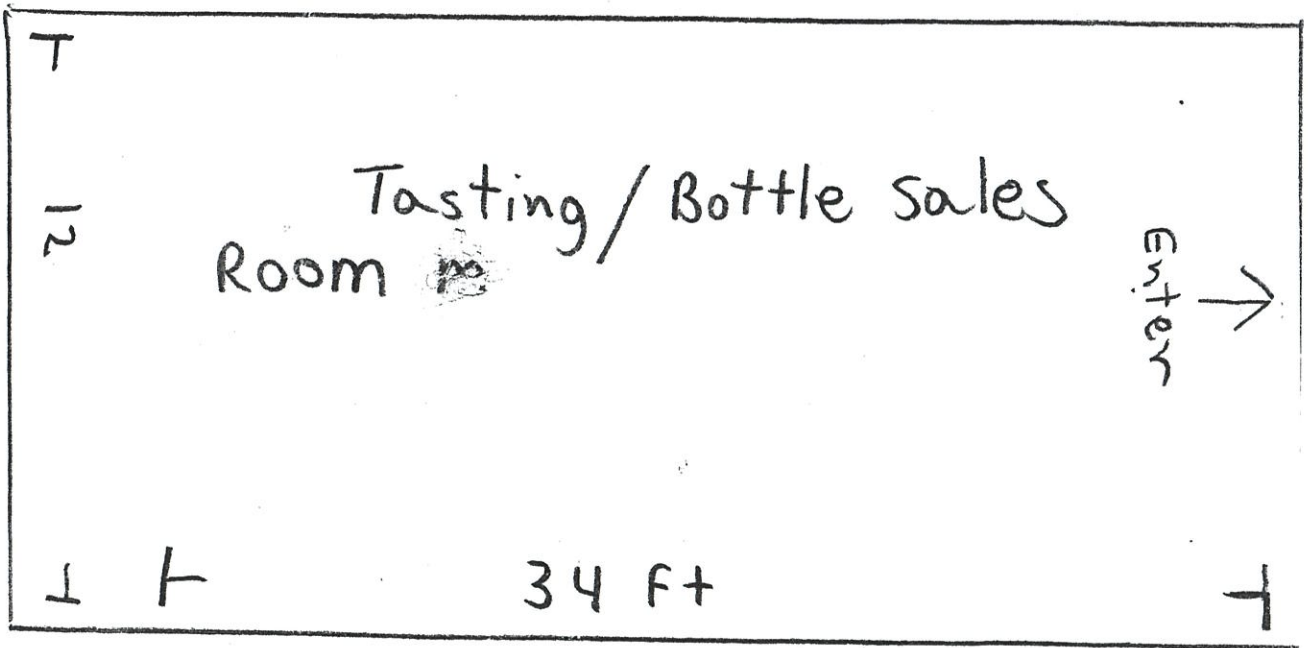
b). This is an already existing facility/farm and will not significantly increase the cost of accepted farm or forest practices on surrounding lands..

Additional Standards:

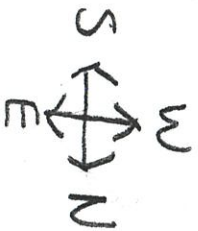
1). I am currently a supplier of farm products. I produce cut flowers, dahlia tubers and propose to produce spirits from dahlia tubers. All proposed activities will be located within existing buildings, except for some outside seating. The proposed site of the distillery and tasting room will not affect farming or forestry practices of neighboring properties.

2). The essential products used to produce spirits are dahlia tubers which are produced on the farm. The product will not increase the value of farm land or costs; this is a specialty niche product that not everyone will be getting into and is an existing business.

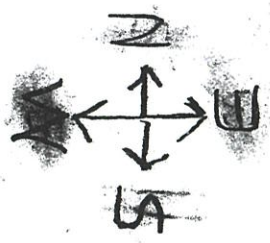
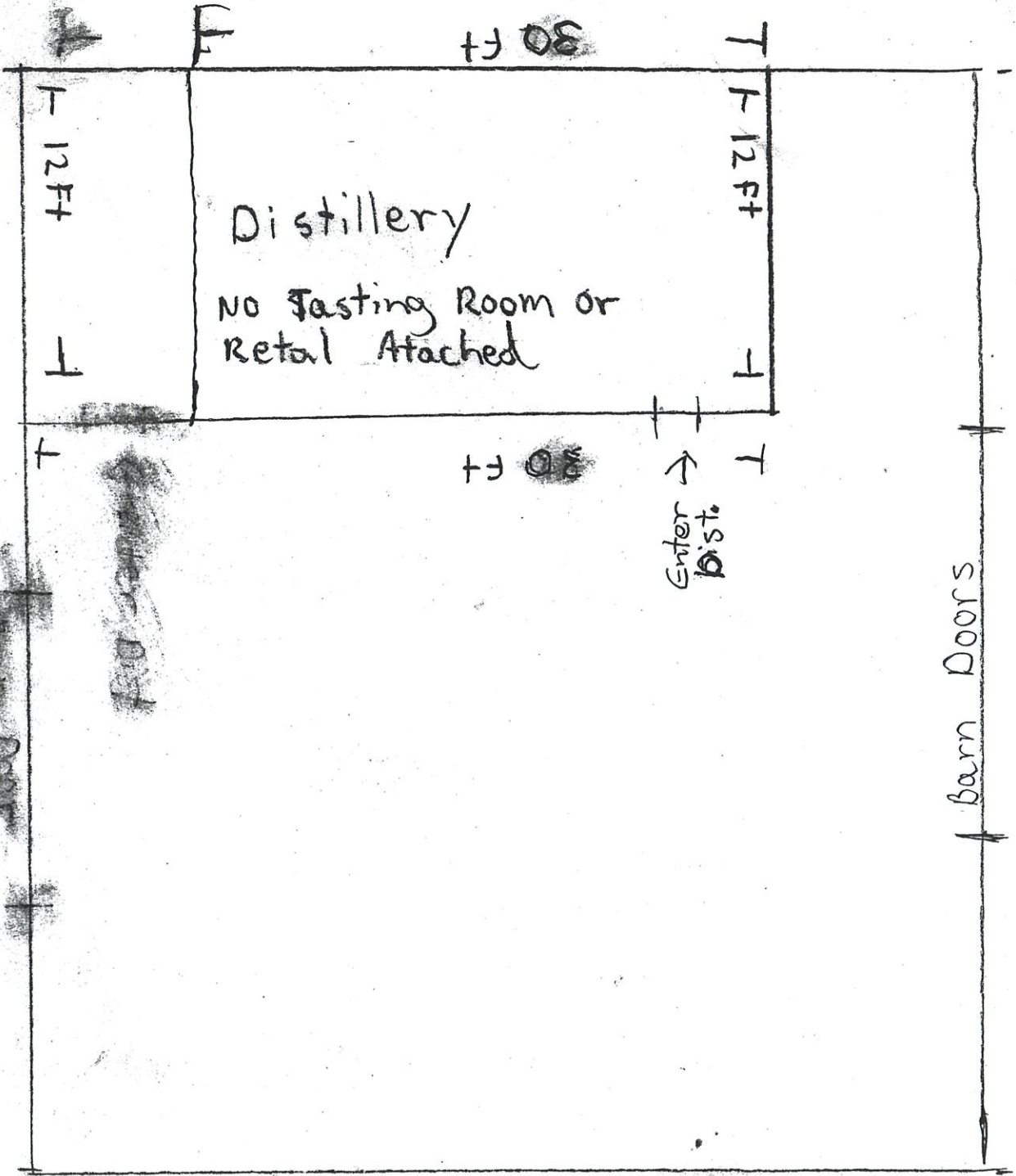
Barn
and Distillery
70 FT



Floor/Wall/Ceiling

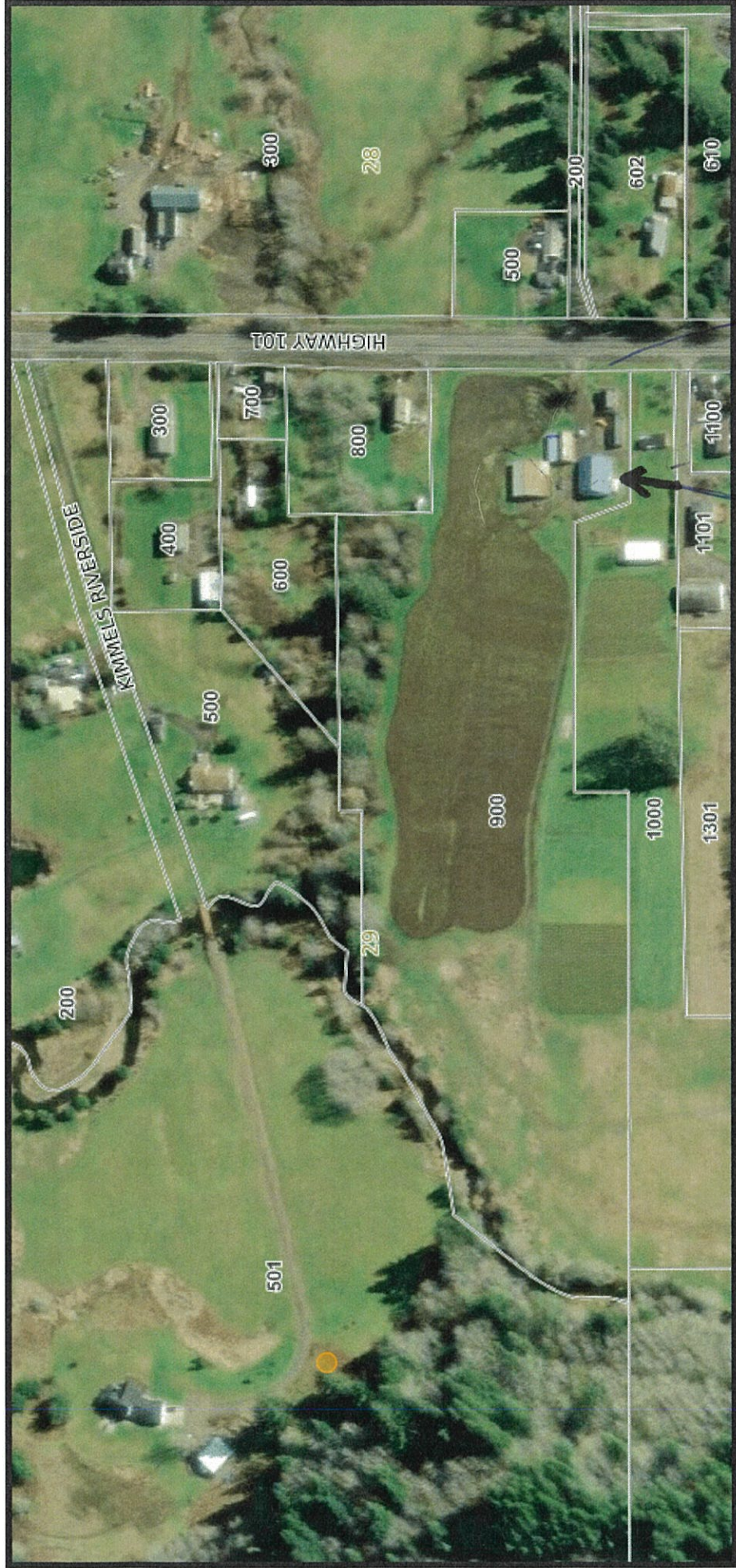


Floor Plan inside of barn



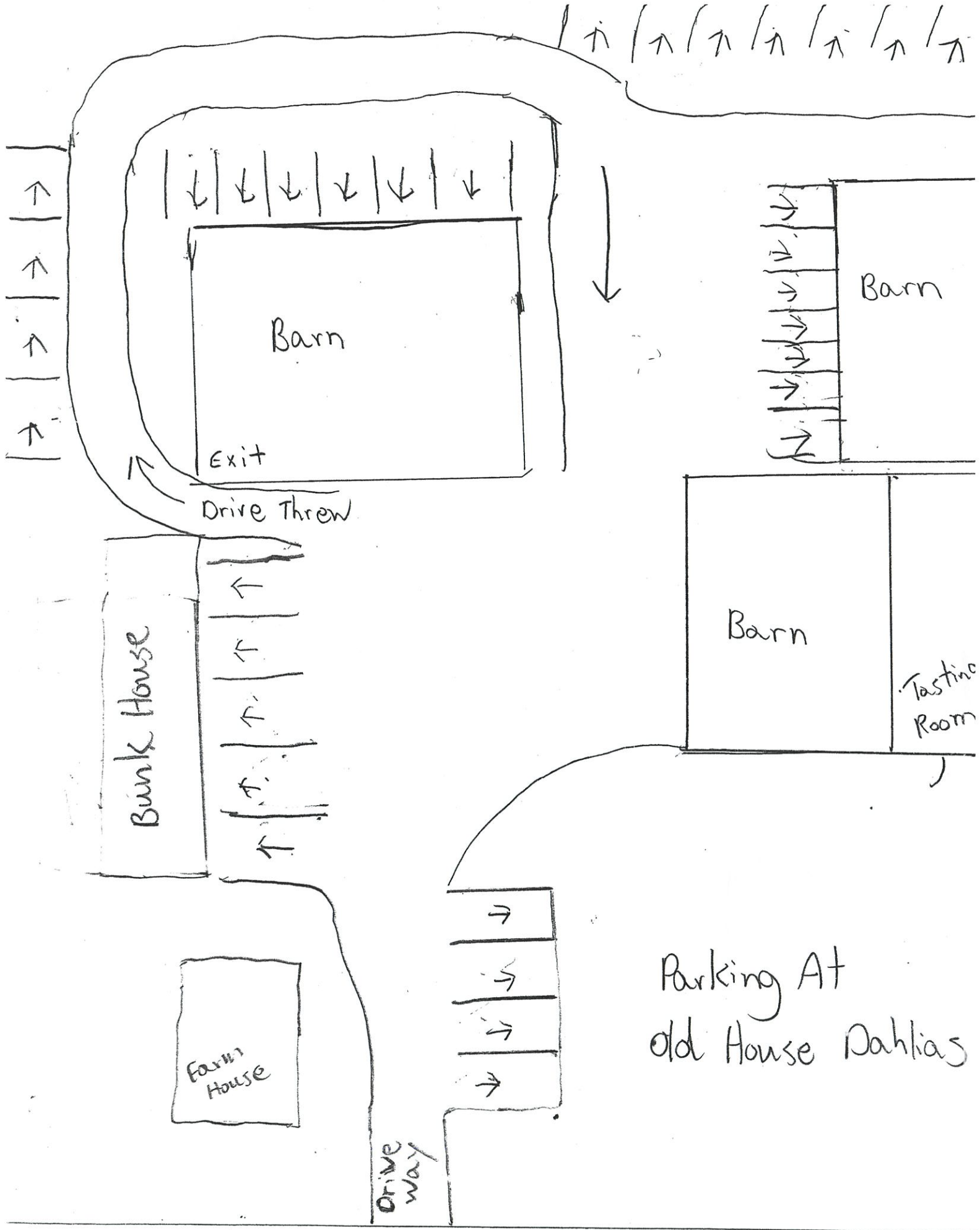


Tillamook County GIS



Created: Wed Sep 06 2023-11:11:7

Active Layers:ags, County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline
Extent:-13782751.063894, 5680275.8150889, -13781586.593542, 5680814.4572725



Parking At
old House Dahlias

Hwy 101