



Land of Cheese, Trees and Ocean Breeze

MEMO

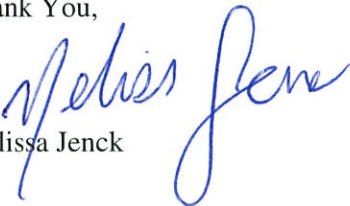
Date: July 3, 2024
To: Tillamook County Planning Commission
From: Melissa Jenck, CFM, Senior Planner
Subject: July 11, 2024 Planning Commission Hearing –Conditional Use Request #851-24-000293-PLNG

Included is the staff report and associated exhibits for the above-mentioned Conditional Use request to amend a Master Plan for Sahhali South Lots 40 and 41. The proposal includes amendments to setbacks of the above described lots within “Sahhali South”, along with the reduction of density, for properties located within the Unincorporated Community Boundary of Neskowin.

This request is for amendments to the Master Plan approved through the Planned Development (PD) Overlay in Sahhali South, for Lots 40 and 41 only. These changes include amendments to the originally prescribed setbacks, and the originally approved dwelling design and density of Lots 40 and 41.

Please do not hesitate to contact me if you have any questions.

Thank You,



Melissa Jenck



Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE REVIEW #851-24-000293-PLNG

Planning Commission Hearing Date: July 11, 2024
Staff Report Date: July 3, 2024



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

I. GENERAL INFORMATION:

Request: Conditional Use request to amend the Planned Development Master Plan for ‘Sahhali South’ for Tax Lots 4000 and 4100 (Lot 24 and 25).

Location: Located at off Proposal Point Drive, a private road, the subject properties are located within the Neskowin Unincorporated Community, zoned Neskowin Rural Residential (NeskRR), and designated as Tax Lots 4000 and 4100 of Section 24AB, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Neskowin Rural Residential (NeskRR) Zone & Planned Development Overlay (PD) Zone

Applicant: Richard D. Boyles, PO Box 147, Creswell, OR 97426

Property Owner: Sahhali South LLC, 840 Beltline Rd. 202, Springfield, OR 97477

Description of Site and Vicinity

The subject properties are Lot 40 and 241 of the Sahhali South subdivision and Planned Development and both are approximately 0.16-acres each. The subject properties are located within the Neskowin Unincorporated Community and are zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the properties (Exhibit A).

The subject properties are accessed via Proposal Point Drive, a private road, which abuts their easterly property boundary. Proposal Point Drive intersect Sahhali Drive, a private road, which serves as entry from Highway 101, a State highway, to the east. The subject properties abut Vanora Street, a private road, along their westerly boundaries (Exhibit A).

There is existing open space as part of the Sahhali South subdivision abutting the easterly and southerly boundary of the subject properties (Exhibit A). The Sahhali South, Sahhali Shores and Sahhali Shores at Neskowin Subdivisions are located to the north of the properties (Exhibit A).

The properties do not contain wetlands and are not in proximity to adjacent unnamed creeks (Exhibit A). The properties are located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The properties are located on an upland area with topography trending downward to the west. The properties are located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

Service providers include the Neskowin Water District, Nestucca Rural Fire Protection District, Tillamook PUD, Nestucca School District, and the Tillamook County Sheriff's Office. The subject property maintains an existing community septic system (Exhibit A).

The natural features identified in the area are not included in the list of inventoried protected natural features in the Goal 5: Natural Resources element of the Tillamook County Comprehensive Plan. Development of the subject property shall be in accordance with the development standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas, consistent with the policies outlined in the Goal 7: Hazards element of the Tillamook County Comprehensive Plan.

Tillamook County established an Unincorporated Community Boundary (UCB) around Neskowin based on the procedures and requirements of the Goal 2 exception process. Planning for the unincorporated community of Neskowin was completed in accordance with Goal 14 Urbanization.

Applicants are proposing to amend the Master Plan for the Sahhali South subdivision for Lots 40 and 41, to request a change to the prescribed setbacks and amend the original approval for one (1) townhome per lot to allow for the placement of one (1) dwelling across the two lots (Exhibit B). The Conditional Use review process is required for any changes to the approved Master Plan developed with the Planned Development Overlay.

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. TCLUO Section 3.220: Neskowin Rural Residential (NeskRR) Zone
- B. TCLUO Section 3.520: Planned Development (PD) Overlay Zone
- C. Article VI: Conditional Use Procedures and Criteria
- D. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

- A. Section 3.220 Neskowin Rural Residential (NeskRR) Zone.** This section lists outright and conditionally permitted uses.

Findings: The applicant is requesting an amendment to the Master Plan for Sahhali South to reflect the proposed build-out Lots 40 and 41 of Sahhali South, to include an amendment of the prescribed setbacks and amend the density for the two lots (Exhibit B). Section 3.220(3)(a) addresses the issue of Planned Developments as a Conditional Use. Amending the existing Planned Development is subject to Section 3.520 Planned Development Overlay Zone (PD) and requires Conditional Use approval, Article VI.

Staff concludes that the proposed use is allowed in the NeskRR Zone as a Conditional Use as indicated under Section 3.220(3)(a).

- B. Section 3.520 Planned Development Overlay Zone (PD).** This section lists the procedures that shall be observed in applying for and acting on a Planned Development. Section 3.520(i) requires that any changes in the approved Master Plan be approved by the Planning Commission. The Applicant is proposing to amend lot layout for Lots 40 and 241 of Sahhali South, to amend the prescribed setbacks along with request the placement of one (1) single-

family dwelling across the two lots (Exhibit B). Section 3.520(3)(b) addresses the procedure for amending an existing Planned Development. These include:

- (1) *There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.*

Findings: Applicant has proposed to amend the site-specific setbacks established during the Master Plan development of Sahhali South (Exhibit B). Setbacks for Lots 40 and 41 are proposed to allow for one (1) single family dwelling, to amend the zero (0) foot setback from the attached side yard as one building would be spanning the two lots (Exhibit B). The proposal would allow for no setback to be prescribed across the separating lot line between Lot 40 and 41. The proposal would not include any change to the prescribed front, rear or side yard setbacks of 10-feet from the proposed exterior property boundaries (Exhibit B). Applicants' proposal includes the reduction of one (1) dwelling unit per lot originally prescribed in the Master Plan, for the placement of one (1) dwelling unit upon the two lots. Applicant states the consolidation of the properties is justified due to the nature and style of dwellings in the subdivision, the difficulty of developing standalone units upon the single lots (Exhibit B).

Staff find the purpose of a Planned Development Overlay is "...to permit greater flexibility and creativity in the design of land development than is presently possible through the strict interpretation of conventional zoning and land division ordinances. The intent is to encourage development designs that preserve and/or take advantage of the natural features and amenities of a property such as, but not limited to, views water frontage, wetlands, sloping topography, geologic features and drainage areas. A Planned Development should be compatible with the established and proposed surrounding land uses. A Planned Development should accrue benefits to the County and the general public in terms of need, convenience and service sufficient to justify any necessary exceptions to the zoning and land divisions ordinances."

Staff find the request is to modify an existing Master Plan to adjust setbacks and the prescribed density to two (2) lots contained within the Sahhali South Planned Development (Exhibit B). The flexibility of the Planned Development process allows for dimensional standards and setbacks to be prescribed through the creation of the Master Plan. The setbacks originally prescribed in the Master Plan for Lots 40 and 41 in Sahhali South are front and rear yard setbacks at 10-feet, with attached side yards at zero (0) feet and side yards at 10-feet. The proposed amendment would not alter the general footprint approved, with the reduction of density.

- (2) *Resulting development will not be inconsistent with the comprehensive plan provisions or zoning objectives of the area.*

Findings: Applicant states a single-family dwelling is allowed outright in the Neskowin Rural Residential (NeskRR) zone (Exhibit B). Staff find the proposed use of the lots is for a residential structure. This is consistent with the zone and the community plan for Neskowin.

- (3) *The plan can be completed within a reasonable period of time.*

Findings: The applicant provided that construction is expected to be completed in 15 months, once permitting is completed, which is a reasonable period of time for construction (Exhibit B).

- (4) *The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.*

Findings: Applicant provided that the properties maintain existing streets to the parcels, which were originally generated with the increased density which could have supported two (2) dwelling units (Exhibit B). There are no proposed changes to access or existing roadway systems in the development, other than the proposal details one (1) access from Proposal Point Drive (Exhibit B).

No comments were received from Tillamook County Public Works or Nestucca Rural Fire Protection District on this request.

- (5) *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

Findings: Sahhali South maintains a community sanitary system as detailed in the Applicants submittal and included an approval letter from the Sahhali South Homeowners Association Architectural Review Board for approval of the proposed development (Exhibit B). Applicant states these existing facilities were addressed in the Sahhali South Master Plan for the original density. Staff find the proposal would maintain a similar area of development, with a reduction of density.

Water is available through an existing Neskowin community water district (Exhibit B). Comments were received from Oregon Department of Environmental Quality (DEQ) which states the tank must be reviewed and approved with DEQ prior to construction (Exhibit C).

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

Findings: Lot 40 and 41 are both approximately 0.16-acres in size (Exhibit A). The subject properties are located within the Neskowin Unincorporated Community and are zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the properties (Exhibit A). The subject properties are accessed via Proposal Point Drive, a private road, which abuts their easterly property boundary. Proposal Point Drive intersect Sahhali Drive, a private road, which serves as entry from Highway 101, a State highway, to the east. The subject properties abut Vanora Street, a private road, along their westerly boundaries (Exhibit A).

The properties do not contain wetlands and are not in proximity to adjacent unnamed creeks (Exhibit A). The properties are located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The properties are located on an upland area with topography trending downward to the west. The properties are located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

The size of the proposed lots will meet the minimum in the Neskowin Rural Residential zone of 20,000 square feet with the area made up of lot area and area within the common areas. The Planned Development process allows for smaller lot sizes providing all area is accounted for. The proposal would include a reduction of the original approved density, which ensures that the original maximum approved density is not exceeded.

Applicant states the despite the topographic conditions and unique shape of the lots, an adequately sized home can be accommodated on the property. Applicant affirms there is suitable access through the existing improved Proposal Point Drive. Applicant describes the topographic conditions at the street frontage due challenge development of multiple access points in this area, supporting the reduction to one (1) access to one (1) dwelling unit upon the two lots (Exhibit B).

Site specific setbacks are proposed through the Planned Development process. These are discussed in this report, above, to include only a change to the zero (0) foot setback from the 'attached' side yard, as the proposal would request one (1) dwelling unit across two lots rather than two (2) dwelling units (Exhibit B). The proposed request is to modify an existing Master Plan for Sahhali South which was approved in 2005. The proposed setback amendments and density reduction are stated by the Applicant to avoid topographic and hazard areas of the existing lots, along with the small size of the property for the original design of two (2) dwellings (Exhibit B).

Staff recommend, in accordance with Department practice, a restrictive covenant which allows for development across a Lot boundary, requiring the properties be conveyed as a single ownership. A recommended covenant has been included in 'Exhibit D'.

- (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.*

Findings: The Sahhali South lots (Lot 40 and 41) located within the Neskowin Unincorporated Community Boundary (UCB) and consists of residential structures (dwellings) on lots with an average density of 2.02 lots per acre. This includes common space. The area surrounding the Planned Development is predominantly residential, both inside the community boundary and outside. The original Planned Development maintained 1.99 lots per acre (Exhibit B).

Applicant states the Sahhali South architectural Review Board provided approval of the proposed development, with a letter included in their submittal. Applicant details the property with accommodate the proposed home design, along with the required parking spaces within the subject property (Exhibit B).

Staff find that the proposed amendment to the Master Plan would not alter the original exterior footprint of the proposed development of Lots 40 and 41 (Exhibit B). Staff find that the proposed development is residential in natural, which was originally approved within the development of these lots (Exhibit B).

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

Findings: Applicant states the existing facilities include water, sewer, stormwater, underground power and telephone lines, which are currently in place in the development (Exhibit B). The applicant's submittal demonstrates that adequate access to roadways with the combination of the lots would be maintained as part of the amendment. Applicant has provided a copy of the approval from Sahhali South Architectural Review Board for approval of the design (Exhibit B).

The area is served by Neskowin Regional Water District. No comments were received from the Nestucca Rural Fire Protection District or Tillamook County Public Works.

- (9) *Proposed uses which are not otherwise permitted by the underlying zoning on the parcel are accessory uses within the entire development.*

Findings: Applicant states the proposal is for a single-family residence, which is allowed in the NeskRR zone (Exhibit B). No other uses have been proposed that are not otherwise permitted outright. The Applicant is proposing redesign of existing lots, along with adjustments to setbacks, to allow for siting of one (1) residential structure.

C. 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 notification of the request to be mailed to landowners within 250-feet of the subject property, to allow 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 and applicable agencies on June 13, 2024. Newspaper Notice of Public Hearing was published on June 25, 2024 in the Tillamook County Headlight Herald, which aligns with the minimum 10-days prior to hearing. Notice was provided to Tillamook County Public Works, Oregon Department of State Lands, Nestucca Rural Fire Protection District and Oregon Department of Fish and Wildlife. Oregon Department of Environmental Quality (DEQ) provided comments on this request, detailing compliance with the sanitation system design.

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: Section 3.220(3)(a) Neskowin Rural Residential (NeskRR) Zone states Planned Developments are subject to TCLUO Section 3.520, 'Planned Development (PD) Overlay Zone' and will require review against TCLUO Section 6.040 Conditional Use Review Criteria.

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

Findings: Generally, if a use is allowed outright or conditionally in the LUO, and is in compliance with all other LUO regulations, than it is assumed to be consistent with the applicable goals and policies of the Comprehensive Plan and the Neskowin Community Plan. Planned Development in the community of Neskowin is limited to the uses allowed within the Neskowin zones. Planned Developments for single family dwellings and townhouses are permitted uses.

Staff identifies the Goal 10 Housing element, recognizing that residential improvements are recognized as a need in the Comprehensive Plan.

The Planned Development Overlay (PD) zone allows for greater flexibility in the siting of structures, the protection of areas that are sensitive and the overall use of the property. For all its flexibility it can be a protective mechanism.

The property is eligible for development providing that all requirements of the Planned Development Ordinance, the Tillamook County Land Use Ordinance and the goals and policies of the Comprehensive Plan have been adequately and appropriately addressed.

The natural features identified on the subject property are not included in the list of inventoried protected natural features in the Goal 5: Natural Resources element of the Tillamook County Comprehensive Plan. Development of the subject property shall be done in accordance with the development standards of Section 4.130: Development Requirements for Geologic Hazard Areas, consistent with the policies outlined in the Goal 7: Hazards element of the Tillamook County Comprehensive Plan.

Tillamook County established an Unincorporated Community Boundary (UCB) around Neskowin based on the procedures and requirements of the Goal 2 exception process. Planning for the unincorporated community of Neskowin was completed in accordance with Goal 14 Urbanization. The proposed plat is located within the Neskowin Unincorporated Community Boundary at a density consistent with Plan policies for development within UCBs (14.3.11, Goal 14 element 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.*

Findings: Lot 40 and 41 are both approximately 0.16-acres in size (Exhibit A). The subject properties are located within the Neskowin Unincorporated Community and are zoned Neskowin Rural Residential (NeskRR), with the Planned Development (PD) Overlay. Neskowin Rural Residential (NeskRR) zoned properties surround the properties (Exhibit A). The subject properties are accessed via Proposal Point Drive, a private road, which abuts their easterly property boundary. Proposal Point Drive intersect Sahhali Drive, a private road, which serves as entry from Highway 101, a State highway, to the east. The subject properties abut Vanora Street, a private road, along their westerly boundaries (Exhibit A).

The properties do not contain wetlands and are not in proximity to adjacent unnamed creeks (Exhibit A). The properties are located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The properties are located on an upland area with

topography trending downward to the west. The properties are located outside of the area of special flood hazard per FEMA Firm #41057C0865F dated September 28, 2018 (Exhibit A).

The size of the proposed lots will meet the minimum in the Neskowin Rural Residential zone of 20,000 square feet with the area made up of lot area and area within the common areas. The Planned Development process allows for smaller lot sizes providing all area is accounted for. The proposal would include a reduction of the original approved density, which ensures that the original maximum approved density is not exceeded.

Applicant states the despite the topographic conditions and unique shape of the lots, an adequately sized home can be accommodated on the property. Applicant affirms there is suitable access through the existing improved Proposal Point Drive. Applicant describes the topographic conditions at the street frontage due challenge development of multiple access points in this area, supporting the reduction to one (1) access to one (1) dwelling unit upon the two lots (Exhibit B).

Site specific setbacks are proposed through the Planned Development process. These are discussed in this report, above, to include only a change to the zero (0) foot setback from the 'attached' side yard, as the proposal would request one (1) dwelling unit across two lots rather than two (2) dwelling units (Exhibit B). The proposed request is to modify an existing Master Plan for Sahhali South which was approved in 2005. The proposed setback amendments and density reduction are stated by the Applicant to avoid topographic and hazard areas of the existing lots, along with the small size of the property for the original design of two (2) dwellings (Exhibit B).

Staff recommend, in accordance with Department practice, a restrictive covenant which allows for development across a Lot boundary, requiring the properties be conveyed as a single ownership. A recommended covenant has been included in 'Exhibit D'.

- 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 Sahhali South lots (Lot 40 and 41) located within the Neskowin Unincorporated Community Boundary (UCB) and consists of residential structures (dwellings) on lots with an average density of 2.02 lots per acre. This includes common space. The area surrounding the Planned Development is predominantly residential, both inside the community boundary and outside. The original Planned Development maintained 1.99 lots per acre (Exhibit B).

Applicant states the Sahhali South architectural Review Board provided approval of the proposed development, with a letter included in their submittal. Applicant details the property with accommodate the proposed home design, along with the required parking spaces within the subject property (Exhibit B).

Staff find that the proposed amendment to the Master Plan would not alter the original exterior footprint of the proposed development of Lots 40 and 41 (Exhibit B). Staff find that the proposed development is residential in nature, which was originally approved within the development of these lots (Exhibit B).

- 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 the proposed use will not have a detrimental effect on these systems as there is none in the vicinity (Exhibit B). There is no known existing solar energy system, wind energy conversion systems or windmills in the vicinity.

- 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: Applicant states the existing facilities include improved private access, power, telephones which are currently in place on the development (Exhibit B). The applicant's submittal demonstrates that adequate access to roadways with the combination of the lots would be maintained as part of the amendment. Applicant has provided a copy of the approval from Sahhali South Architectural Review Board for approval of the design (Exhibit B).

The area is served by Neskowin Regional Water District. No comments were received from the Nestucca Rural Fire Protection District or Tillamook County Public Works.

D. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

The properties are located within an area of geologic hazard, maintaining susceptibility for shallow & deep landslides as identified in DOGAMI Open File Report O-20-13. The properties are located on an upland area with topography sloping downward to the west (Exhibit B).

Findings: Applicant has provided a hazard report for Lot 40 and Lot 41 by H. G. Schlicker and Associates dated November 9, 2023 currently in review by the Department with record number 851-24-000372-PLNG (Exhibit E).

Given the properties are within an area of geologic hazard, a Condition of Approval is recommended to require a site-specific Geologic Hazard Report in accordance with TCLUO Section 4.130 at time of lot development, and compliance with those requirements made out of review #851-24-000372-PLNG. This requirement ensures that continued development of the site is appropriately addressed in accordance with TCLUO Section 4.130 at the time of construction.

V. RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE REQUEST #851-23-000118-PLNG

Sections 6.070: COMPLIANCE WITH CONDITIONS, AND 6.080: TIME LIMIT require compliance with approved plans and conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with conditions and start of construction. Failure to comply with the conditions of approval and ordinance provisions could result in nullification of this approval.

1. The applicant/owner shall conform to all Federal, State and local regulations, and shall obtain all required permits prior to construction and/or development.
2. Letters of water and sewer availability are required for the development of individual lots and shall be submitted to Community Development at the time of zoning permit submittal.
3. Setbacks for Lot 40 and 41 shall be: 10-foot setback from front property line, 10-foot setback from the rear property line and 10-foot setback from the side property lines. No setback shall be prescribed between the separating lot line between Lot 40 and 41.
4. One (1) single-family dwelling shall be placed on Lot 40 and 41, to be combined using the restrictive covenant in 'Exhibit D'.
5. Development of each lot shall otherwise conform to the development standards outlined in TCLUO Section 3.320 Neskowin Rural Residential (NeskRR) zone as applicable.
6. A site-specific Geologic Hazard Report in accordance with TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas shall be completed prior to Consolidated Zoning/Building permit applications, and in conformance with permit #851-24-000372-PLNG.

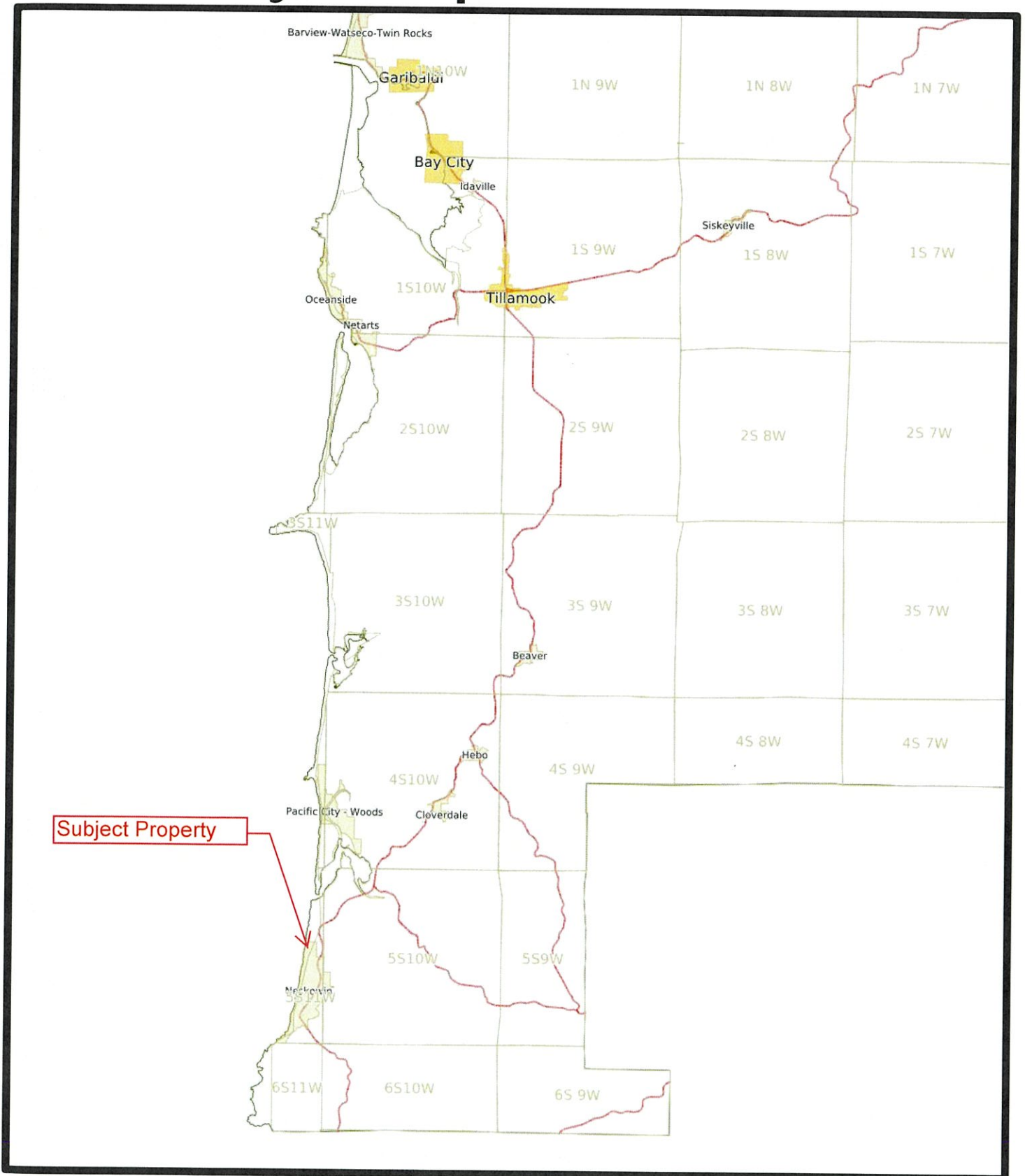
7. This approval shall be void two years, (24 months), from the date of the Order from the Planning Commission, unless all of the conditions are met, or an extension is requested from, and approved by, this department before expiration.

VII. EXHIBITS

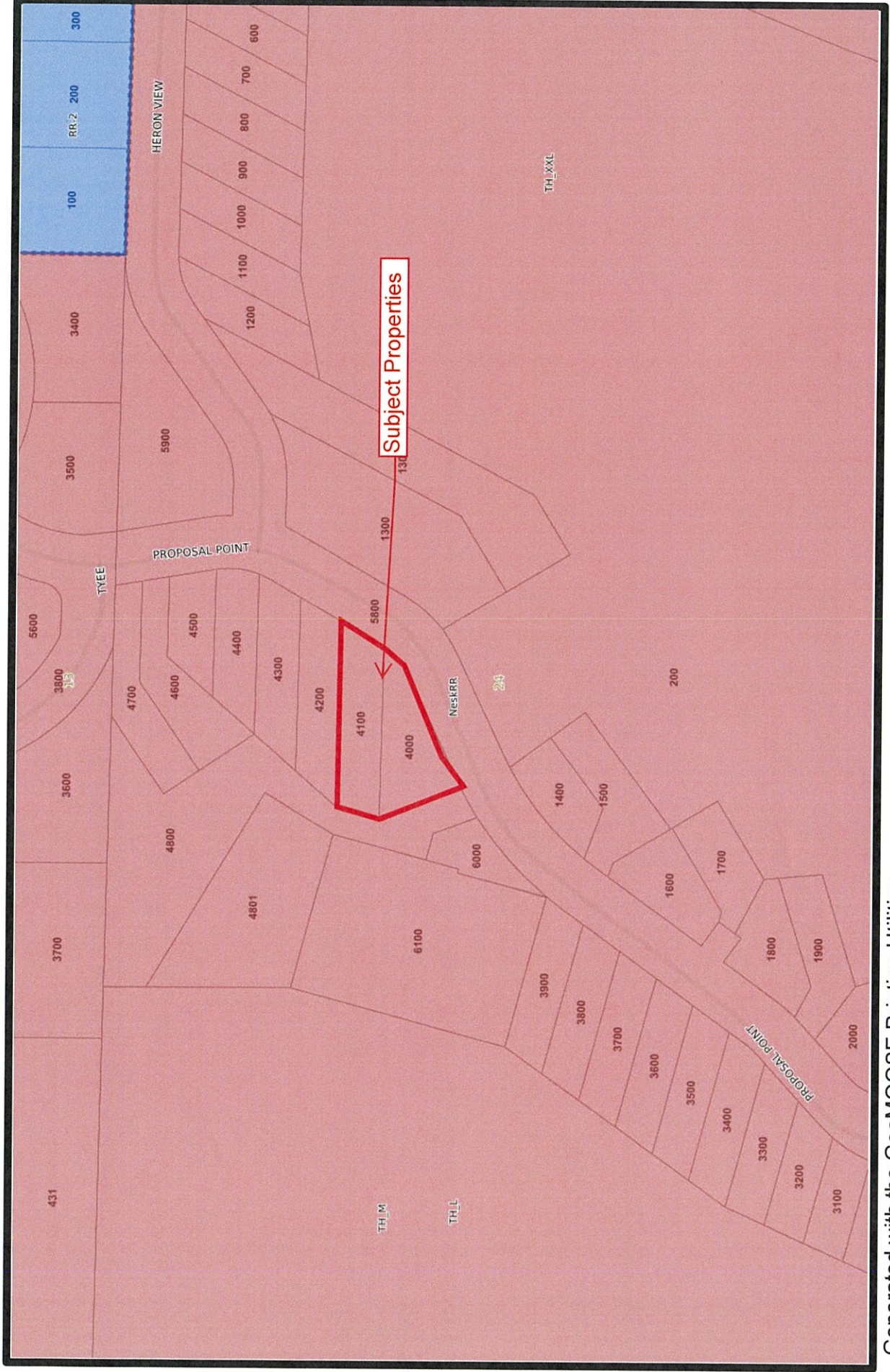
- A. Maps
- B. Applicants Submittal
- C. Public Comments
- D. Restrictive Covenant

EXHIBIT A

Vicinity Map



Zoning Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

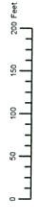
N.W.1/4 N.E.1/4 SEC.24 T.5S. R.11W. W.M.

TILLAMOOK COUNTY

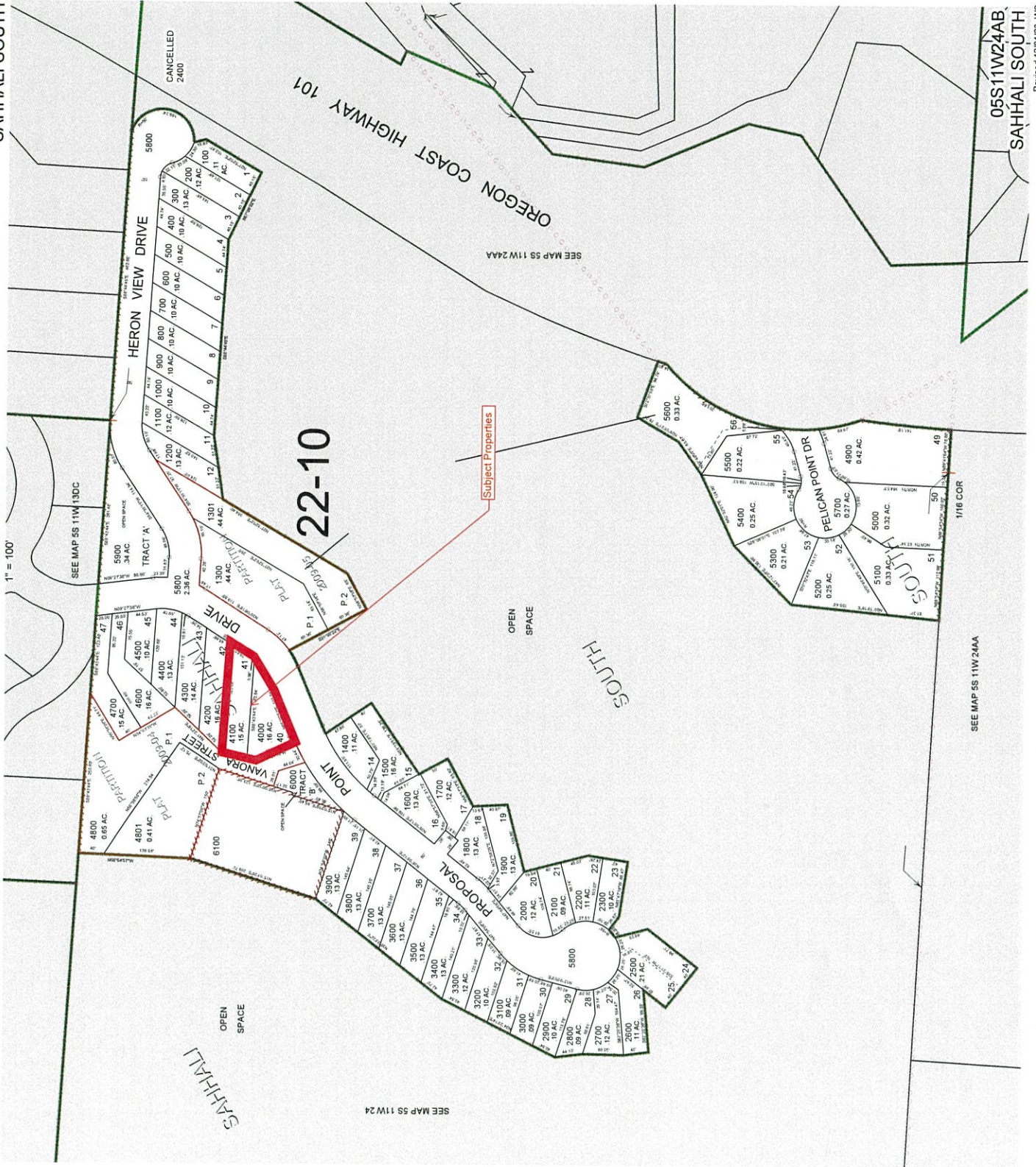
05S11W24AB
SAHHALI SOUTH

05S11W24AB
SAHHALI SOUTH

Revised 12/01/23, WS



1" = 100'



SEE MAP 5S 11W 24

SEE MAP 5S 11W 24A

SEE MAP 5S 11W 24A

Tillamook County
2023 Real Property Assessment Report
 Account 412334

Map 5S1124AB04100
 Code - Tax ID 2210 - 412334

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr SAHHALI SOUTH
 Lot - 41

Mailing SAHHALI SOUTH LLC
 % RICHARD D BOYLES
 840 BELTLINE RD 202
 SPRINGFIELD OR 97477

Deed Reference # See Record
 Sales Date/Price See Record
 Appraiser RANDY WILSON

Property Class 100 MA SA NH
 RMV Class 100 09 OV 965

Site	Situs Address	City
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Value Summary					
Code Area	RMV	MAV	AV	RMV Exception	CPR %
2210 Land	302,100			Land 0	
Impr	0			Impr 0	
Code Area Total	302,100	231,640	231,640	0	
Grand Total	302,100	231,640	231,640	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
2210	1	<input checked="" type="checkbox"/>		NESKR R	Market	114	0.15 AC		302,100
Code Area Total							0.15 AC		302,100

Improvement Breakdown									
Code Area	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV	

Exemptions / Special Assessments / Notations
Notations ■ ADJUDICATION - 5 YEARS EXPIRED 309.115 ADDED 2014

Comments 5/7/07 Apportioned value after Sahhali South Subdivision. dv. 9/9/08 Land to market after Sahhali South Subdivision. dv. 4/10/13 Tax Court adjudicated value entered and rolled forward. LM 5/8/14 Reappraised land, tabled values. GB 8/2014 Acct. review/Adj. 5 yr. notation/Tabled values w/acnt. RCW

Tillamook County
2023 Real Property Assessment Report
 Account 412333

Map 5S1124AB04000
Code - Tax ID 2210 - 412333

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr SAHHALI SOUTH
 Lot - 40

Mailing SAHHALI SOUTH LLC
 % RICHARD D BOYLES
 840 BELTLINE RD 202
 SPRINGFIELD OR 97477

Deed Reference # See Record
Sales Date/Price See Record
Appraiser RANDY WILSON

Property Class 100 MA SA NH
RMV Class 100 09 OV 965

Site	Situs Address	City
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Value Summary						
Code Area	Land	RMV	MAV	AV	RMV Exception	CPR %
2210	Land	302,100			0	
	Impr	0			0	
Code Area Total		302,100	231,640	231,640	0	
Grand Total		302,100	231,640	231,640	0	

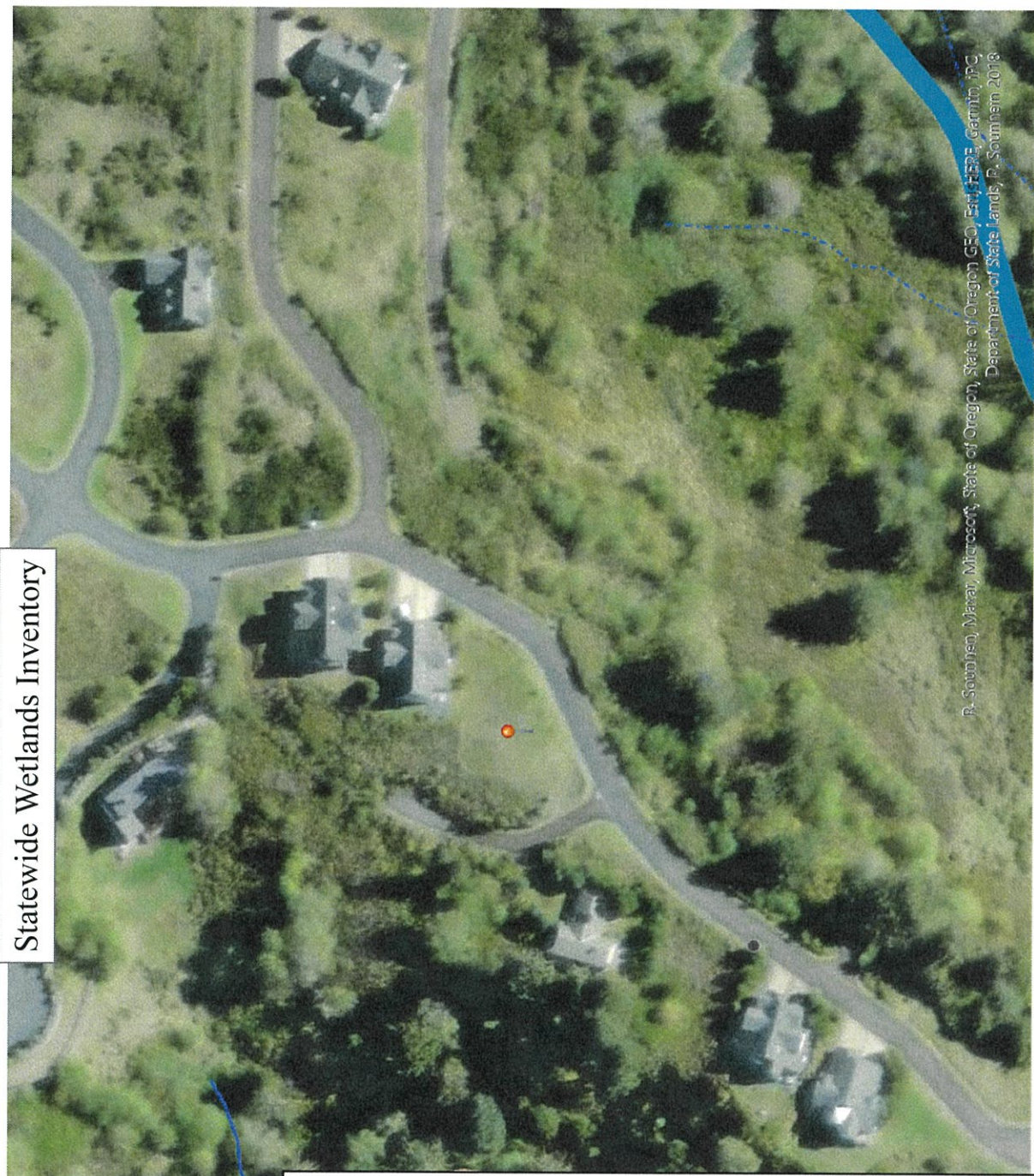
Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
2210	1	<input checked="" type="checkbox"/>		NESKR R	Market	114	0.16 AC		302,100
Code Area Total							0.16 AC		302,100

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV	

Exemptions / Special Assessments / Notations
Notations ■ ADJUDICATION - 5 YEARS EXPIRED 309.115 ADDED 2014

Comments 5/7/07 Apportioned value after Sahhali South Subdivision. dv. 9/9/08 Land to market after Sahhali South Subdivision. dv. 4/10/13 Tax Court adjudicated value entered and rolled forward. LM 5/8/14 Reappraised land, tabled values. GB 8/2014 Acct. review/Adj. 5 yr. notation/Tabled values w/acct. RCW

Statewide Wetlands Inventory



R. Southern, M. Mearns, Microscopy, State of Oregon, State of Oregon GEO, East HERE, Garmin, JPC
 Department of State Lands, P. Southern 2018

- Townships
- LWT Study Area
- BASEDAT.DBO.NHDWaterbody
- BASEDAT.DBO.NHDArea
- BASEDAT.DBO.NHDFlowline**
- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHDPPoint
- Wetlands**
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Agate-Winho 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 boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

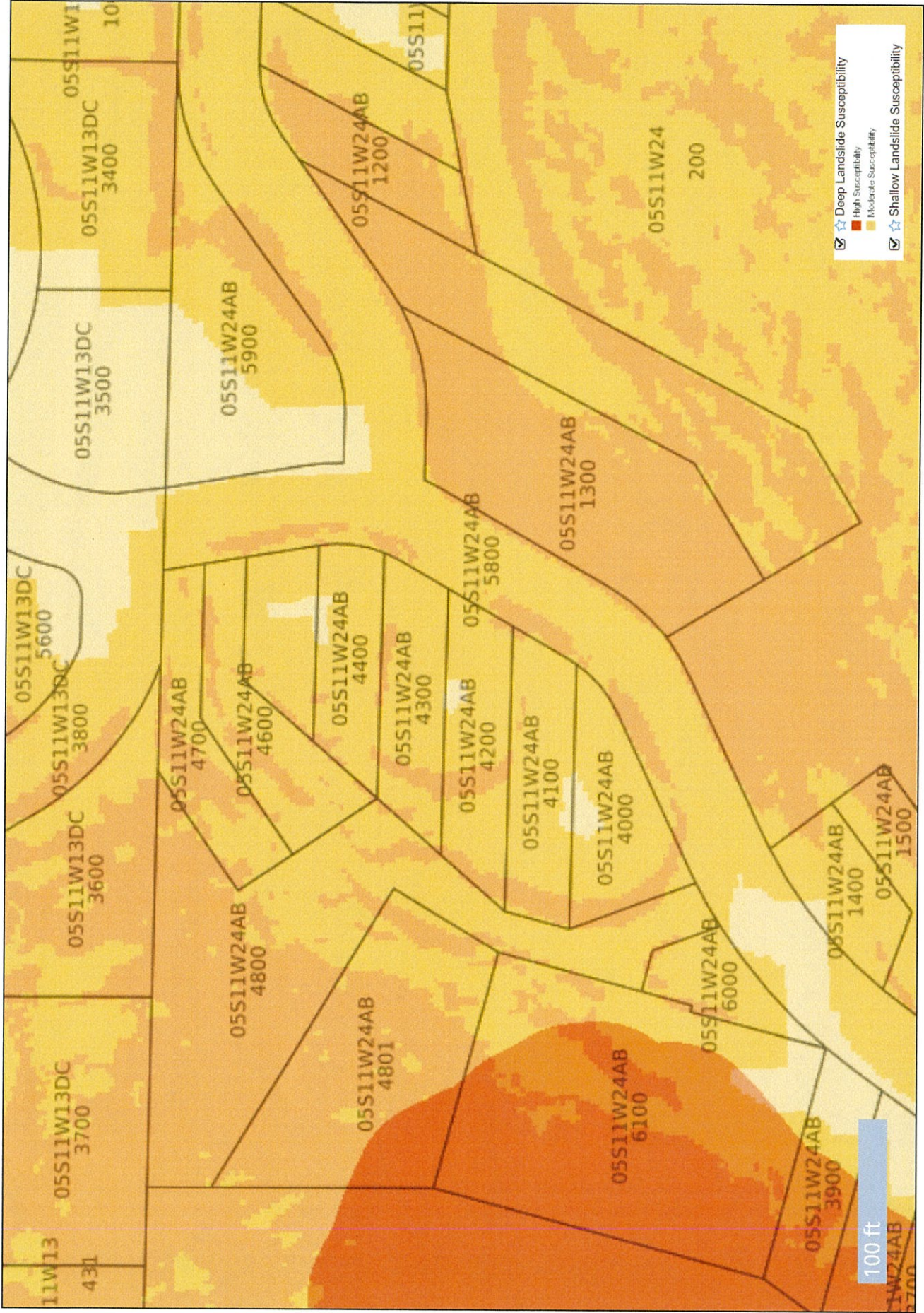
Date: 6/13/2024



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



Hazard 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.

National Flood Hazard Layer FIRMette

123°58'41"W 45°7'59"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AP*
- Regulatory Floodway

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 *Zone X*

Future Conditions 1% Annual Chance Flood Hazard *Zone X*

Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*

Area with Flood Risk due to Levee *Zone D*

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard *Zone X*

Effective LOMRs

Area of Undetermined Flood Hazard *Zone X*

OTHER AREAS

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

GENERAL STRUCTURES

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

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS



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 **6/13/2024 at 4:30 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°58'3"W 45°7'34"N

EXHIBIT

B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)
 Name: Richard D. Boyles Phone: 541-284-0613
 Address: PO Box 147
 City: Creswell State: OR Zip: 97426
 Email: rboyles@sycan.com

Property Owner
 Name: Sycan B Corp. Phone: 541-284-0613
 Address: 840 Bellline Rd 202
 City: Springfield State: Or Zip: 97477
 Email: rboyles@sycan.com

OFFICE USE ONLY	
Date Stamp	May 14, 2024 email
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	MT
Receipt #:	
Fees:	1900 + 5% + (10) 8"x11" (1) 11"x17"
Permit No:	851-14-100293 -PLNG

Request: See attached memorandum

- | Type II | Type III | Type IV |
|--|---|---|
| <input type="checkbox"/> Farm/Forest Review | <input type="checkbox"/> Detailed Hazard Report | <input type="checkbox"/> Ordinance Amendment |
| <input checked="" type="checkbox"/> Conditional Use Review | <input type="checkbox"/> Conditional Use (As deemed by Director) | <input type="checkbox"/> Large-Scale Zoning Map Amendment |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Ordinance Amendment | <input type="checkbox"/> Plan and/or Code Text Amendment |
| <input type="checkbox"/> Exception to Resource or Riparian Setback | <input type="checkbox"/> Map Amendment | |
| <input type="checkbox"/> Nonconforming Review (Major or Minor) | <input type="checkbox"/> Goal Exception | |
| <input type="checkbox"/> Development Permit Review for Estuary Development | <input type="checkbox"/> Nonconforming Review (As deemed by Director) | |
| <input type="checkbox"/> Non-farm dwelling in Farm Zone | <input type="checkbox"/> Variance (As deemed by Director) | |
| <input type="checkbox"/> Fore-dune Grading Permit Review | | |
| <input type="checkbox"/> Neskowin Coastal Hazards Area | | |

Location:

Site Address: Lots 40 & 41 of the Sahhali South Planned Unit Development

Map Number: 5S 11W 24 AB Section 2400 & 2500 Tax Lot(s) 4000/4100

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.

Property Owner Signature (Required) [Signature] Sycan B Corp.
 An Oregon Corporation
 By Richard D. Boyles, its President Date 4/29/2024

Applicant Signature [Signature] Date 4/29/2024



Nathan Good Architects
205 Liberty St NE
Salem, OR 97302

May 10, 2024

Tillamook County
Community Development
Attn: Melissa Jenck
1510-B Third Street

RE: Conditional Use Request
Tax Lot: 2400 and 2500, located on Map T5S, R11W, Section 14.
Address Sahhali South at Neskowin Lots – 40 & 41

Subject: Responses to the Tillamook County Land Use Ordinance (TCLUO) Section 6.040 Conditional Use Review Criteria and TCLUO Section 3.080(3)(b) Planned Development Overlay Criteria

A. TCLUO Section 6.040 Conditional Use Review Criteria

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

NGA Response A.1: The proposed use is a single-family dwelling, which is permitted outright in the NeskRR zone according to TCLUO Section 3.320(2).

2. *The use is consistent with the applicable goals and policies of the Comprehensive Plan.*

NGA Response A.2: The proposed use is a single-family dwelling consistent with the Comprehensive Plan's applicable goals and policies.

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

NGA Response A.3: The parcel's suitability for development is unaffected by the proposed change in use from a townhome to a single-family home. Its size, shape, location, topography, improvements, and natural features collectively support the development of a single-family residence on the parcel.

- Size: The parcel is spacious enough to comfortably accommodate a single-family home, providing ample room for a residence with sufficient landscape space.
 - Shape: The parcel's shape is suited for a single-family home. Its configuration allows for a layout and design that aligns with the requirements of a standalone dwelling.
 - Location: The parcel is positioned alongside a paved street that provides convenient access. Moreover, existing underground utilities indicate that the necessary infrastructure is readily available for a single-family home. Furthermore, the fact that it has been previously plotted and developed for a townhome reinforces its suitability for a single-family home.
 - Topography: Lots 40 and 41 have a 20-foot variation in elevation along the front yard, which poses a significant challenge to constructing two driveways for townhomes on the lots. To add to this challenge, the ground underlying the buildable area was found to be bedrock near the surface. Excavating a reasonably uniform sloped driveway across the steep slope would be considerably expensive and disruptive to the site's natural beauty. A single-family home would need only one driveway, which could be strategically placed at the most level and highest point of the front yard, minimizing the challenges with topography and bedrock. Please see the attached site plan for an example of a single driveway that is strategically placed as described.
 - Existence of improvements: The parcel already benefits from existing improvements, such as utilities, which are compatible with the proposed single-family home. The existing utilities include power, data, and water.
 - Natural features: There is an absence of mature trees, water bodies, rock formations, and other significant natural features that would inhibit the development of a single-family home.
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.*

NGA Response A.4: The Sahlali South Architectural Review Board has approved the proposed use and building design. Please see the attached ARB approval letter for the proposed home on lots 40 and 41 and the ARB letter to Tillamook Planning approving the combination of lots 40 and 41. The home design that the ARB has approved fits within the boundaries of lots 40 and 41 and includes 2 off street parking spaces are provided in the driveway design that attaches to the existing paved Proposal Point Drive. No easements or special accommodation for accessing the property are necessary with the proposed design. The home has been designed to fit within the County and HOA rules and regulations for setbacks. Neighboring properties will not be affected by the proposed home.

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

NGA Response A.5: The proposed single-family use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems, or windmills because there are none in the vicinity of the proposed development. The property is already equipped with existing

underground power. See the site plan for locations of power junction boxes, electric meters, and telephone risers.

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

NGA Response A.6: The proposed use is timely and fulfills the intended development of Sahhali South. Existing conditions include a paved access road with storm and sewer lines, underground power, and telephone lines.

B. TCLUO Section 3.080(3)(b) Planned Development Overlay Criteria

1. There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard ordinance requirements.

NGA Response B.1: The proposal for a single-family home spanning across two lots instead of the standard ordinance requirement of a townhome with a zero-lot line can be justified by several special physical conditions or development objectives. These justifications warrant a departure from the standard ordinance requirements. Here are some potential reasons:

1. Neighborhood character: The neighborhood consists of single-family homes and townhomes, and the proposed development aims to maintain the area's existing character and architectural style with this mix of housing types. This can be justified by the Sahhali South Home Owners Association's Architectural Review Board's approval of the proposed single-family home.
2. Existing lot size and configuration: Given the size and configuration of lots 40 and 41, the development of a single-family home on either one of these lots would be unreasonable by the county and HOA rules for side yard setbacks. By developing the lot together with one single-family home, the proposed development can adapt to the land's unique conditions specific to the parcel, ensuring proper construction and integration with the environment.
2. Resulting development will not be inconsistent with the comprehensive plan provisions or zoning objectives of the area.

Response B.2: Single-family homes are consistent with the comprehensive plan and provisions for the NeskRR Zone.

3. The plan can be completed within a reasonable period of time.

Response B.3: The construction timeline for the proposed home is estimated by the contractor to be 15 months, which aligns with the industry standard for a residence of comparable size, complexity, and location. This estimated timeframe considers the various factors involved in the construction process, including site preparation, construction activities, and finalizing interior finishes.

4. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.

Response B.4: The Sahhali South existing streets have been purposefully designed to accommodate residential development, with a focus on individual lots for single occupancy residences, which aligns with the proposed home intentions. The street layout, width, and infrastructure have been planned to cater to the needs of single-family homes, ensuring an appropriate environment for single-family dwellings.

5. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

Response B.5: The infrastructure of Sahhali South has been professionally planned and constructed to accommodate both single-family and townhomes. In the case of the proposed home's lot, a STEP (Septic Tank Effluent Pump) septic system is required, and this system has been specifically designed by a registered Environmental Health Specialist, ensuring that it meets the necessary standards for safe and efficient wastewater management. This involvement of a professional in the septic design process ensures that the septic system is appropriately tailored to the specific characteristics of the lot and adheres to all relevant regulations and guidelines.

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

Response B.6: The parcel's suitability for development is unaffected by the proposed change in use from a townhome to a single-family home. Its size, shape, location, topography, improvements, and natural features collectively support the development of a single-family residence on the parcel.

- Size: The parcel is spacious enough to comfortably accommodate a single-family home, providing ample room for a residence with sufficient landscape space.
- Shape: The parcel's shape is suited for a single-family home. Its configuration allows for a layout and design that aligns with the requirements of a standalone dwelling.
- Location: The parcel is positioned alongside a paved street that provides convenient access. Moreover, existing underground utilities indicate that the necessary infrastructure is readily available for a single-family home. Furthermore, the fact that it has been previously plotted and developed for a townhome reinforces its suitability for a single-family home.
- Topography: Lots 40 and 41 have a 20-foot variation in elevation along the front yard, which poses a significant challenge to constructing two driveways for townhomes on the lots. To add to this challenge, the ground underlying the buildable area was found to be bedrock near the surface. Excavating a reasonably uniform sloped driveway across the steep slope would be considerably expensive and disruptive to the site's natural beauty. A single-family home would need only one driveway, which could be strategically placed at the most level and highest point of the front yard, minimizing the challenges with

topography and bedrock. Please see the attached site plan for an example of a single driveway that is strategically placed as described.

- Existence of improvements: The parcel already benefits from existing improvements, such as utilities, which are compatible with the proposed single-family home. The existing utilities include power, data, and water.
- Natural features: There is an absence of mature trees, water bodies, rock formations, and other significant natural features that would inhibit the development of a single-family home.

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.

Response B.7: The Sahhali South Architectural Review Board has approved the proposed use and building design. Please see the attached ARB approval letter for the proposed home on lots 40 and 41 and the ARB letter to Tillamook Planning approving the combination of lots 40 and 41.

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

Response B.8: The proposed use is timely and fulfills the intended development of Sahhali South. Existing conditions include a paved access road with storm and sewer lines, underground power, and telephone lines.

9. Proposed uses which are not otherwise permitted by the underlying zoning on the parcel are accessory uses within the entire development.

Response B.9: The proposed use is permitted by the underlying zone of the parcel.



Tillamook County Planning Commission
1510-B Third Street
Tillamook, OR 97141
503-842-3408

May 10, 2024

Dear Tillamook County Planning Commission,

I am pleased to present this Conditional Use Permit (CUP) Application to Tillamook County for the construction of a single-family home on lots 40 and 41, Tax Lots 4000 and 4100, located on Map T5S, R11W, Section 14 in the Sahhali South Planned Unit Development.

This CUP Application is supported by the unanimous approval of the Sahhali South Architectural Review Board (ARB) to build the proposed one-living unit on lots 40 and 41. Included in this application are two letters of support from the ARB. The first is an official letter of approval from the ARB for the proposed home, and the second is a letter addressed to Tillamook County that supports the ARB's decision to approve the building of one living unit on the two lots.

We trust this summary aids the Planning Commission in its review. Please contact me with any further inquiries.

Warm Regards,

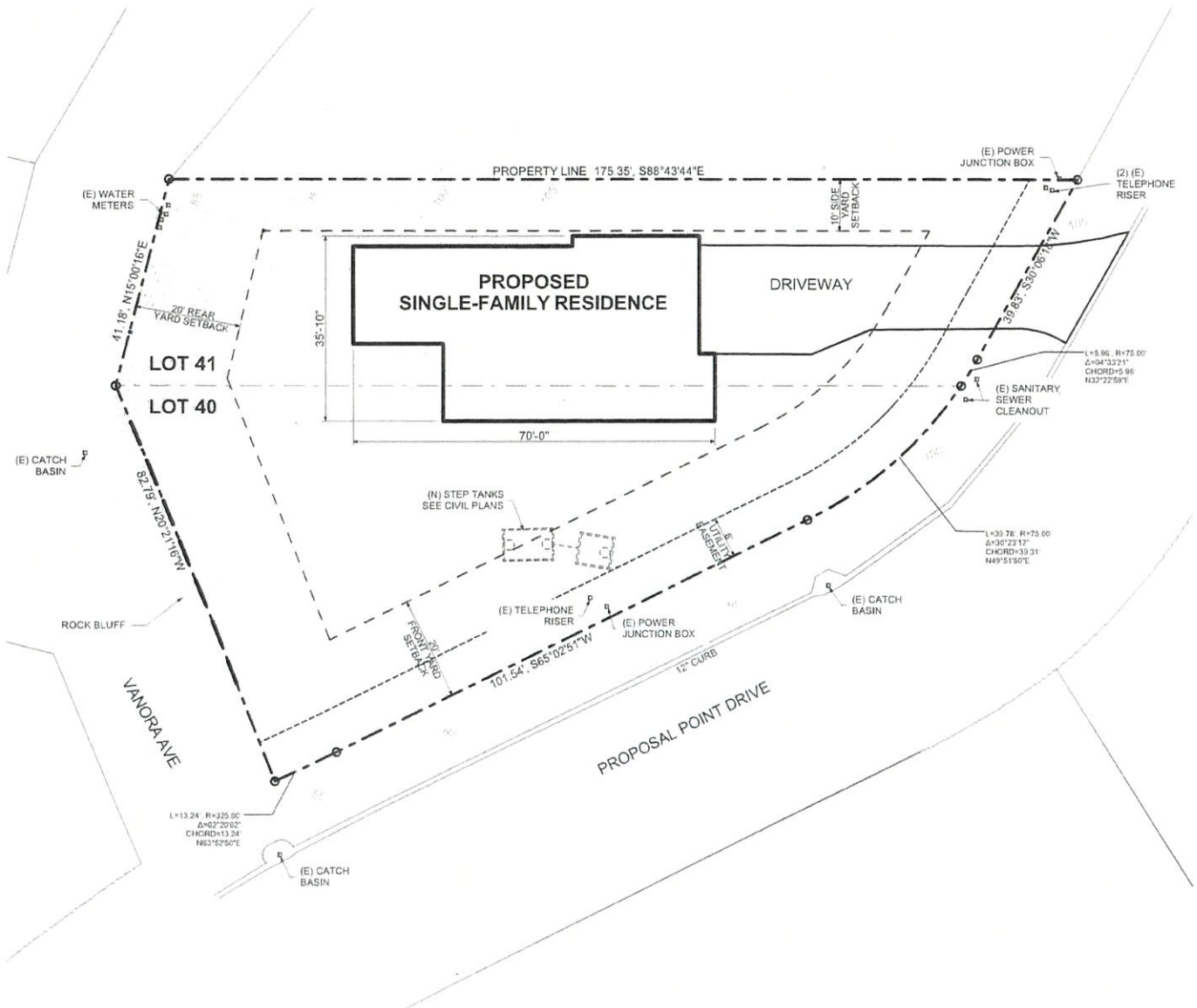
Forrest S. Good, AIA
Principal

www.nathangoodarchitects.com | forrest@ngapc.com

PROJECT INFO

PROPOSED The construction of a new single-family home over lots 40 and 41 Sahalli South.

OWNER Richard Boyles and Pamela Frye
LEGAL DESCR Sahalli South at Neskowin Lots 40 and 41
TAXLOT 05S11W24AB 4000 and 4001
ACRES 0.16 acres and 0.16 acres
ZONING NeskRR



SITE PLAN

Sahalli South at Neskowin Lots 40 and 41
 5/10/2024

SCALE: 1" = 30'





Sahhali South Homeowners Association
Architectural Review Board



The sun always shines on Sahhali

April 24, 2024

Richard Boyles & Pamela Frye
PO Box 147
Creswell, OR 97426

Re: Lots 40 & 41 of Sahhali South

Dear Mr. Boyles & Ms. Frye;

This letter is issued by the Architectural Review Board ("ARB") of the Sahhali South Homeowners Association to notify you that the ARB has review your application for the architectural review and has approved your plans for the construction as presented to the Board on April 23, 2024 of a single-family home on Lots 40 and 41 of Sahhali South. This approval is for the home, hardscape, and landscape elements outlined in the set of plans submitted on February 21, 2024.

Sincerely,

Patti Lundeen
Secretary – Sahhali South Homeowners Association



Sahhali South Homeowners Association Architectural Review Board



The sun always shines on Sahhali

April 25, 2024

Melissa Jenck, Planner
Tillamook County
201 Laurel Avenue
Tillamook, OR 97141

Re: Lots 40 & 41 of Sahhali South

Dear Ms. Jenck;

This letter is issued by the Architectural Review Board (“ARB”) of the Sahhali South Homeowners Association to help inform your decision regarding a development approval for lots 40 and 41 of Sahhali South.

The Amended and Restated Covenants, Conditions and Restrictions (CC&R’s) of Sahhali South were recorded on August 1, 2023 in Tillamook County as document number 2023-03406. Section 10.1.4. of the CC&R’s states “An Owner may combine lots, subject to the approval of the Architectural Review Board,” and further states, “Any Owner, upon compliance with the requirements of all applicable zoning, building and land use laws, regulations and ordinances, and the architectural requirements of the Declaration and any rules and regulations of the Association, may construct (reconstruct or replace) one Living Unit on two or more lots.”

In consideration of the above, the ARB of the Sahhali South Homeowners Association affirms the combining of two or more lots within Sahhali South into a single lot for the purpose of constructing a single-family home is permitted under the governing documents of the Homeowners Association. The Architectural Review Board approves the combination of lots 40 and 41 of Sahhali South.

Sincerely,

Architectural Review Board – Sahhali South Homeowners Association

DocuSigned by:

By: Richard D. Boyles
9788C553ED61458

DocuSigned by:

By: Boyce Heidenreich
9788C553ED61458

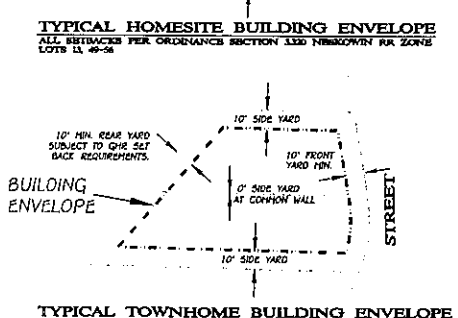
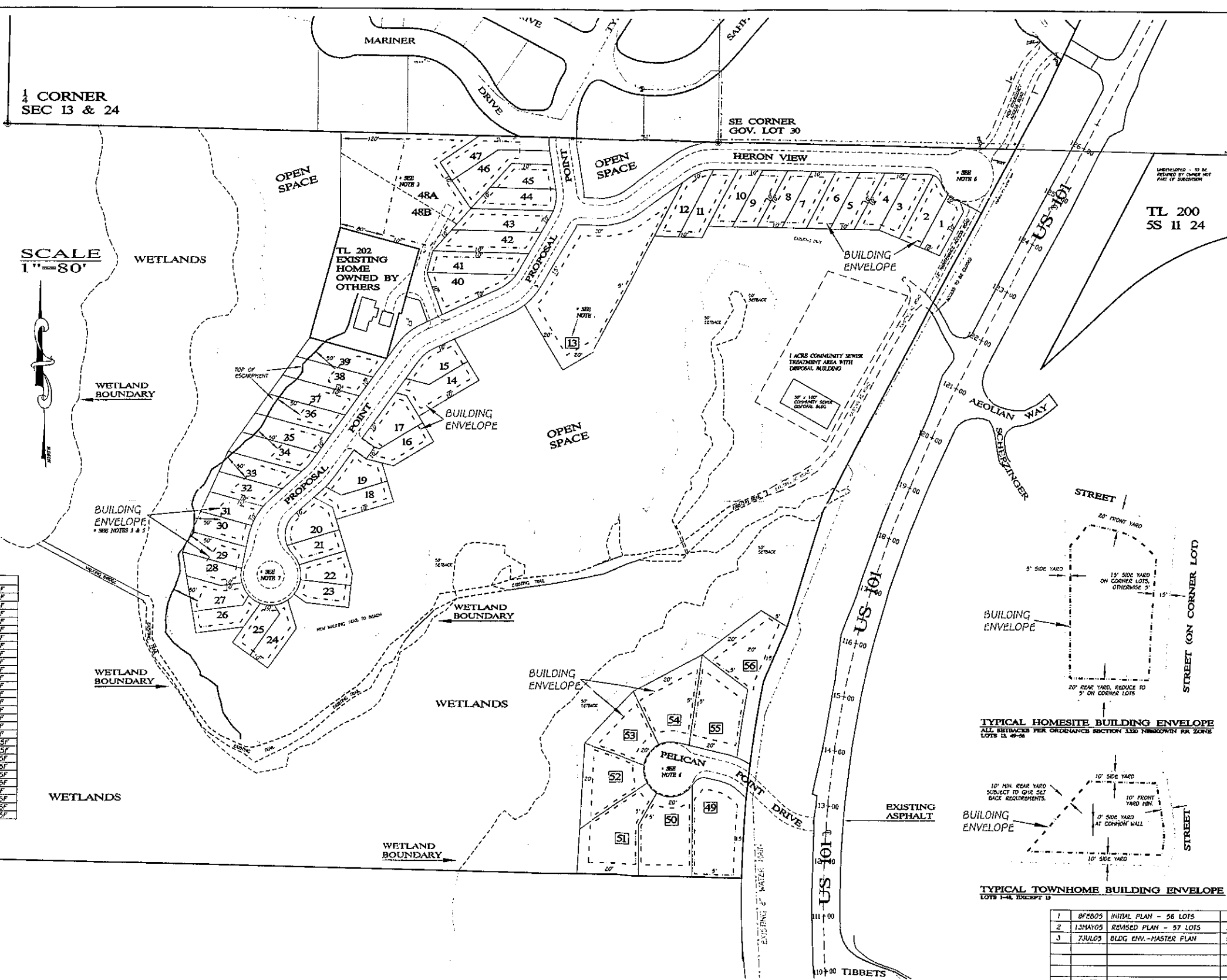
DocuSigned by:

By: Tony Ryan
9788C553ED61458

N:\Eng\Plan\Sahali\Sahali South Drawings\M040243-07-04.dwg Plotted: Jul 07, 2005 - 6:53am By: sjs

- NOTES:**
- LOT 13 TO BE INDIVIDUAL HOMESITE, NOT SUBJECT TO FUTURE PARTITIONING. AVAILABLE AS OFFICIAL, COMMUNITY CENTER BUILDING SITE.
 - LOT 16 TO BE PLATTED AS SINGLE LOT IN THE SUBDIVISION, WITH THE PROVISION TO SPLITTING THIS LOT IN THE FUTURE AS SHOWN IN THE MASTER DEVELOPMENT PLAN FOUNDATION DEPTH TO BEDROCK.
 - GEOLOGIC HAZARD REPORT (GHR) FOR SAHALI SOUTH SUBDIVISION QUICES 50' SETBACK FROM ESCARPMENT FOR ALL FOUNDATIONS WITHOUT FURTHER SITE SPECIFIC ONE. FOR BUILDINGS AS SHOWN, SITE SPECIFIC GHR REQUIRED FOR LOTS 28-39 TO DETERMINE FOUNDATION DEPTH TO BEDROCK.
 - ALL HOMES WILL HAVE AT LEAST ONE CAR GARAGE AND ONE OFF STREET PARKING SPACE. THIS COMPLIES WITH THE TWO OFF STREET PARKING SPACE REQUIREMENT BY TILLAMOOK COUNTY ORDINANCE.
 - BUILDING ENVELOPES AS SHOWN ON DRAWING. FRONT YARD SETBACK IS 10'. SIDE YARD SETBACKS ARE 5' & 10'. REAR YARD SETBACK FOR LOTS 28 TO 39 IS CURRENTLY 50' FROM THE TOP OF ESCARPMENT.
 - CUL-DE-SAC NOTES: PAVEMENT DIAMETER=50'; BACK OF CURB DIAMETER=50'; R/W DIAMETER=100'.
 - CUL-DE-SAC DIMENSIONS AT THE END OF PROPOSAL POINT ARE: BACK OF CURB DIAMETER=100'; INSIDE CURB DIAMETER=50'; R/W DIAMETER=110'.
 - THIS SHEET 2 DATED 7 JULY 2005 REPLACES THE PREVIOUS SHEET 2, DATED MAY 16, 2005. THIS SHEET 2 DETAILS THE SPECIFIC BUILDING ENVELOPES ESTABLISHED FOR EACH LOT. THIS SHEET 2 SUPERSEDES THE SCHEMATIC HOUSE LOCATIONS SHOWN ON SHEETS 4 AND 5, DATED MAY 16, 2005.

LOT	AREA	LOT	AREA
1	4,194 SF	29	4,377 SF
2	4,918 SF	30	4,040 SF
3	2,022 SF	31	3,971 SF
4	4,696 SF	32	4,459 SF
5	4,696 SF	33	3,223 SF
6	4,696 SF	34	3,741 SF
7	4,696 SF	35	3,789 SF
8	4,696 SF	36	3,797 SF
9	4,696 SF	37	3,809 SF
10	4,696 SF	38	3,822 SF
11	3,692 SF	39	3,834 SF
12	5,316 SF	40	7,436 SF
13	39,461 SF	41	6,769 SF
14	6,203 SF	42	6,781 SF
15	4,860 SF	43	6,311 SF
16	5,261 SF	44	5,515 SF
17	5,640 SF	45	4,360 SF
18	2,126 SF	46	7,204 SF
19	4,904 SF	47	6,555 SF
20	5,208 SF	48A	22,020 SF
21	3,756 SF	48B	20,031 SF
22	4,210 SF	49	16,282 SF
23	3,771 SF	50	13,866 SF
24	4,452 SF	51	14,326 SF
25	3,789 SF	52	10,783 SF
26	4,266 SF	53	8,973 SF
27	4,864 SF	54	12,302 SF
28	4,086 SF	55	13,290 SF
		56	15,035 SF



NO.	DATE	DESCRIPTION	BY
1	08FEB05	INITIAL PLAN - 56 LOTS	STZ
2	12MAY05	REVISED PLAN - 57 LOTS	STZ
3	7JUL05	BLDG ENV.-MASTER PLAN	STZ

SAHALI SOUTH
TENTATIVE PLAT, BUILDING ENVELOPE
& MASTER DEVELOPMENT PLAN

SHEET
2
OF 7

HLB & Associates
INCORPORATED
Surveying • Civil Engineering • Planning • Water Rights • Wetlands Consulting

TILLAMOOK COUNTY
17158 N. PACIFIC AVE.
LONG BEACH, WA 98631
PHONE: (360) 442-1139
FAX: (360) 442-1051
WWW.HLBINC.COM

CLATSOP COUNTY
42524 HWY 101, N.
GROUNDS, OR 97130
PHONE: (503) 642-3432
FAX: (503) 738-7195
WWW.HLBINC.COM

REGISTRATION NO. 1943
EXPIRES JUL 7, 2005
REGISTERED PROFESSIONAL ENGINEER
CIVIL ENGINEERING
STATE OF OREGON
MORRIS AND SHAWNEE R. DOW
REGISTERED PROFESSIONAL SURVEYOR
REGISTERED PROFESSIONAL PLANNER
REGISTERED PROFESSIONAL WATER RIGHTS CONSULTANT
REGISTERED PROFESSIONAL WETLANDS CONSULTANT

EXHIBIT

C

Melissa Jenck

From: Lynn Tone
Sent: Monday, June 17, 2024 8:20 AM
To: Melissa Jenck
Subject: FW: EXTERNAL: Comments on 851-24-000293-PLNG: Notice of Public Hearing



Lynn Tone | Short-Term Rental Technician
TILLAMOOK COUNTY | Community Development
1510-B Third St
Tillamook, OR 97141
Phone (503) 842-3408 #3315
Lynn.Tone@tillamookcounty.gov

My working hours are 7:00am to 5:30pm, Monday thru Thursday

From: JOYE Jessica * DEQ <Jessica.JOYE@deq.oregon.gov>
Sent: Friday, June 14, 2024 9:58 AM
To: Lynn Tone <lynn.tone@tillamookcounty.gov>
Subject: EXTERNAL: Comments on 851-24-000293-PLNG: Notice of Public Hearing

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

Good morning,

Plans for the proposed Septic Tank Effluent Pump (STEP) tank will need to be reviewed and approved by a DEQ Environmental Engineer prior to construction.

Sincerely,



Jessica Joye, REHS
NW Region and Marion
Onsite Septic Natural Resources
Specialist
4026 Fairview Industrial Dr SE
Salem, OR 97302
503.378.5033
jessica.joye@deq.oregon.gov
www.oregon.gov/deq

"We are modernizing and updating the way we process information at DEQ with *Your DEQ Online*: a new centralized hub for communities, business and individuals. [Click here to learn more.](#)"

Lynn Tone

From: Brian Olle
Sent: Wednesday, July 3, 2024 9:33 AM
To: Melissa Jenck
Cc: Lynn Tone; Sarah Absher
Subject: RE: 851-24-000293-PLNG: Notice of Public Hearing

Hi Melissa,

Public Works has no comment or concern regarding this proposal. This road is maintained and owned by Sahhali South LLC and the associated Homeowners Association and they will need to provide comment.

Brian Olle, P.E. | Engineering Project Manager
TILLAMOOK COUNTY | Public Works
Cell: (503)812-6569

From: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Sent: Thursday, June 13, 2024 7:02 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Lynn Tone <Lynn.Tone@tillamookcounty.gov>; Sarah Absher <Sarah.Absher@tillamookcounty.gov>
Subject: 851-24-000293-PLNG: Notice of Public Hearing

Good evening,

Please see the Notice of Public Hearing for #851-24-000293-PLNG for Richard Boyles/Sahhali South LLC's proposal for a Conditional Use review for updates to the Planned Unit Master Plan for Sahhali South. The hearing is scheduled for 7:00pm on July 11, 2024. Information for virtual links to the meeting can be found on the Community Development Homepage.

You can visit the link below, for access to the notice and application materials.

<https://www.tillamookcounty.gov/commdev/project/851-24-000293-plng>

Sincerely,

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov Please update your contact information as needed. Thank you. ***



Melissa Jenck (she/her) | Senior Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3301
Melissa.Jenck@tillamookcounty.gov

My working hours are 7:00am to 5:30pm, Tuesday thru Friday, starting May 6th.

EXHIBIT

D

**INSTRUCTIONS FOR FILING RESTRICTIVE COVENANT FOR PLACEMENT OF
STRUCTURE ON PROPERTY LINE OR WITHIN SETBACKS**

1. This acknowledgment is required when the County permits the placement of a structure over and upon a property line between contiguous properties or within the setback area defined for a property in the Tillamook County Land Use Ordinance.
2. Obtain the legal description of the subject property as it's recorded in the Tillamook County Deed Records. This is what is referred to as Exhibit A and must accompany the affidavit/covenant.
3. The attached affidavit/covenant must be filled out, showing the names of ALL current property owners who appear on the property deed or contract, and signed before a Notary Public. Community Development has Notaries that can provide the service for free.
4. Once the affidavit/covenant is signed and notarized with the attached legal description, bring these to the Tillamook County Clerk's office to be recorded. **The Clerk's will charge a recording fee.** Please contact the Clerk's office at (503)842-3402 for current fees.
5. **A copy of the recorded and notarized affidavit/covenant will be given to DCD to put on file.**
6. If you have any questions about the affidavit/covenant, or the recording procedure, please contact the DCD– Planning Staff at (503)842-3408.

After recorded return to:

RESTRICTIVE COVENANT

_____, (GRANTORS)
are the owners of real property described as follows:

Property Legal Description attached as Exhibit A hereto and incorporated by reference

The Tillamook County Land Use Ordinance provides for minimum setbacks from property lines for any structural development on a unit of land and further provides for placement of structures within the setback area when adjustment of property lines is impracticable. The Grantor(s) wish to build a structure over and upon a property line between the units of land described in "Exhibit A" or within the setback area defined for the subject property in the Tillamook County Land Use Ordinance, and in consideration of the approval of said structural development, the Grantor(s) do hereby covenant and agree as follows:

1. The Grantor(s), their heirs, successors and assigns acknowledge that they desire to place a structure over and upon the line between the units of land referenced above or within the setback area defined for the subject property in the Tillamook County Land Use Ordinance, and that they do not wish to vacate the lots at this time.
2. The Grantor(s) do further acknowledge that upon completion and recording of this document that the above referenced units of land must be conveyed as a single ownership and may no longer be considered separately saleable units of land even though a formal vacation of the lots has not been completed.
3. Nothing in this agreement shall prevent the Grantor(s) or subsequent owners of the subject properties from adjustment of property lines or other lawful land use actions in the future, provided such actions comply fully with the applicable state and local laws and ordinances then current.
4. By signing this document I authorize the Tillamook County Assessor's office to combine these parcels for property tax purposes.

This covenant shall run with the land and is intended to and hereby shall bind my/our heirs, assigns, lessees, and successors and it cannot be deleted or altered without approval by the Tillamook County Department of Community Development (GRANTEE) or its successor.

IN WITNESS WHEREOF, the said Party has executed this instrument this _____ day of _____, 20____.

Signature

Print Names

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

by _____ (Grantor(s)).

SEAL

Notary Public of Oregon
My Commission Expires: _____