



1510-B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503) 842-3407
Planning (503) 842-3408
Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free (800) 488-8280

PARTITION REQUEST #851-21-000196-PLNG: NEHALEM POINT, INC.

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: September 10, 2021

REPORT PREPARED BY: Angela Rimoldi, Planning Permit Technician

I. GENERAL INFORMATION:

- Request:** Plat approval to partition the subject property into two (2) parcels. Revised Plat dated July 9, 2021 (Exhibit B).
- Location:** Tax Lot 201 of Section 34, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A)
- Zone:** Recreation Management (RM), Nehalem Low Density Residential (RL), Estuary Natural (EN) (Exhibit A)
- Applicant:** Nehalem Point Inc., P.O. Box 86, Manzanita, OR 97130
- Property Owner:** Nehalem Point Inc., P.O. Box 86, Manzanita, OR 97130

Description of Site and Vicinity: The subject property is accessed via Nehalem Point Dr., is irregularly shaped, approximately 61+ acres in size, with no structural improvements present, and is vegetated with grasses, trees, and wetlands. The subject property is located south of the City of Nehalem, between Nehalem Bay and the Nehalem River. The subject property is located partially within the City of Nehalem Urban Growth Boundary. The subject property is zoned Recreation Management (RM), Nehalem Low Density Residential (RL), and Estuary Natural (EN). (Exhibit A)

Applicant/Owner is requesting to partition the subject property into a total of two (2) parcels. (Exhibit B)

The subject property is in Flood Zone AE per FEMA Flood Insurance Rate Map (FIRM) Panel #41057C0209F. Mapped wetlands are located on the property according to the National Wetlands Inventory. (Exhibit A)

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The desired use is governed through the following sections of the Tillamook County Land Use Ordinance (TCLUO) and Land Division Ordinance (TCLDO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Land Division Ordinance Section 060: Preliminary Plat Submission Requirements
- B. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- C. Land Use Ordinance Section 3.040: Recreation Management Zone (RM)

- D. Land Use Ordinance Section 3.102: Estuary Natural Zone (EN)
- E. City of Nehalem Zoning Ordinance 157.138 Low-Density Residential - RL Zone Standards
- F. City of Nehalem Subdivision Ordinance Chapter 156

Given the size and topography of the subject property and subsequent parcels, staff finds that the standards of TCLUO Section 4.130: Development requirements for Geologic Hazard Areas and City of Nehalem Zoning Ordinance Section 57.261 is not applicable at this time, however a Condition of Approval has been made to require relevant standards of this section be adhered to at the time of development.

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on July 9, 2021. One comment was received from the Oregon Department of State Lands (Exhibit C).

Staff finds that the submitted plat meets the requirements of Land Division Ordinance Section 060, and is subject to the following approval criteria in Section 070:

- (1) *Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:*
 - (a) *The land division application shall conform to the requirements of this ordinance;*
 - (b) *All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;*

Findings: The “Partition Plat for Nehalem Point Inc. Darryl Carter - President” prepared by S&F Land Services proposes two (2) parcels: proposed parcel 1 is a .69-acre parcel and proposed parcel 2 is a 60.57-acre parcel (Exhibit B). The subject property is split zoned, the majority of the property is zoned Estuary Natural (EN) where there are no minimum parcel size requirements contained within the standards (Exhibit A). Proposed parcels do not meet the minimum 40-acre parcel size requirement of the Recreation Management Zone (RM), however, do meet the Nehalem Low Density Residential (RL) standards. The minimum lot size for properties zoned (RL) is 10,000 square feet. The minimum lot depth requirement is 100-feet. The minimum lot width requirement is 75-foot (Exhibit B).

Staff finds that the requirements of TCLDO Section 70 are addressed in the findings below.

- (c) *Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;*
- (e) *The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County’s adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) *All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) *Provisions for access to and maintenance of off-right-of-way drainage, if any;*

Findings: The applicant’s submittal included as “Exhibit B” of this report demonstrates that the above criterion is satisfied. Staff finds that the subject property has frontage on the existing private roadway identified as Nehalem Point Drive (Exhibit B). No comments were received from the Tillamook County Public Works Department. Utilities are discussed under criterion (i). Staff finds that these criteria have been met.

- (h) *Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and*

Findings: All utilities and roadway necessary to serve the proposed partition have been installed and approved by the appropriate permitting agencies through previous County review. A Condition of Approval can be made to require any additional state and federal permits be obtained prior to development of the proposed parcels.

- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

Findings: The applicant's submittal includes letter of confirmation from affected utility districts/agencies that all utilities have been installed (Exhibit B).

City of Nehalem Subdivision Ordinance Chapter 156, Minor Partitioning Standards 156.065-156.068

156.065 Minimum Standards

156.065(A) The minimum standards for design and improvements in a minor land partitioning shall conform to §§ 156.080 through 156.085 of this chapter.

156.065(B) The city may impose all or any of the requirements of § 156.086 of this chapter upon a minor land partitioning.

156.066: Initial Submission. *Submittal requirements and payment of fees.*

156.067: Information on a map. *A tentative sketch map, drawn to scale, shall indicate the following:*

(A) The location of existing and proposed boundaries and acreage of parcels in the proposed partition with the location, width, name and purpose of all adjacent streets or easements and the location and outline of existing buildings, etc.

156.068 Review and Approval. *City of Nehalem review and approval process, including appeal process.*

City of Nehalem Subdivision Ordinance Chapter 156, Design Standards 156-080-156.084:

156.080 General Requirements. *Section 156.080 applies to expedited land divisions, subdivisions and major partitions. This application is for a minor partition accessed via Nehalem Point Drive, a private roadway. The requirements of this section do not apply to this request.*

156.082 Utility Easements

Easements for sewers, drainage, water mains, public utility installations including overhead or underground systems, and other like public purposes shall be dedicated, reserved or granted by the land divider in widths not less than five feet on each side of rear lots or parcel lines alongside lots or parcel lines and in planting strips whenever necessary, of lesser width as approved by the city.

156.083 Building Sites

(A) Size and shape. The size, shape, width and orientation of building sites shall be appropriate for the type of development and use contemplated, and shall be consistent with the residential lot size provisions of Ch. 157 of this code of ordinances.

(B) Access. Each lot and parcel shall abut upon a street other than an alley for a width of at least 20 feet.

Findings: Staff finds that the applicable required information outlined in the City of Nehalem Subdivision Ordinance Chapter 156 has been included with this partition application (Exhibit B). Conditions of Approval can be made to require all easements be identified on the final plat.

IV. DECISION: APPROVED WITH CONDITIONS:

Staff concludes that the applicant and property owner have satisfied the minimum application requirements and can satisfy all applicable requirements outlined in the Tillamook County Land Use Ordinance, Tillamook County Land Division Ordinance, the City of Nehalem Zoning Ordinance, the City of Nehalem Subdivision Ordinance and ORS Chapter 92. The Preliminary Partition Plat is hereby tentatively **APPROVED with CONDITIONS**, subject to the conditions listed in Section V below.

By accepting this approval, the applicant and property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicant and

property owners shall obtain all necessary local, state, and federal permits and comply with all applicable regulations for the proposed Partition and building sites.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **4:00 PM on September 22, 2021.**

V. CONDITIONS OF APPROVAL:

This approval is subject to the following conditions:

1. The property owners shall obtain all Federal, State, and Local permits, as applicable.
2. Future development shall adhere to the uses and development standards set forth in the applicable zoning standards, including all other applicable supplemental ordinance requirements of the City of Nehalem Zoning Ordinance and Tillamook County Land Use Ordinance.
3. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat.
4. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.
5. The applicant and property owner shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of tentative plat approval.
6. The applicant and property owner shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
7. Future Development is subject to standards required by each applicable zone requirements and TCLUO Section 4.130: Development Requirements for Geological Hazard Areas.

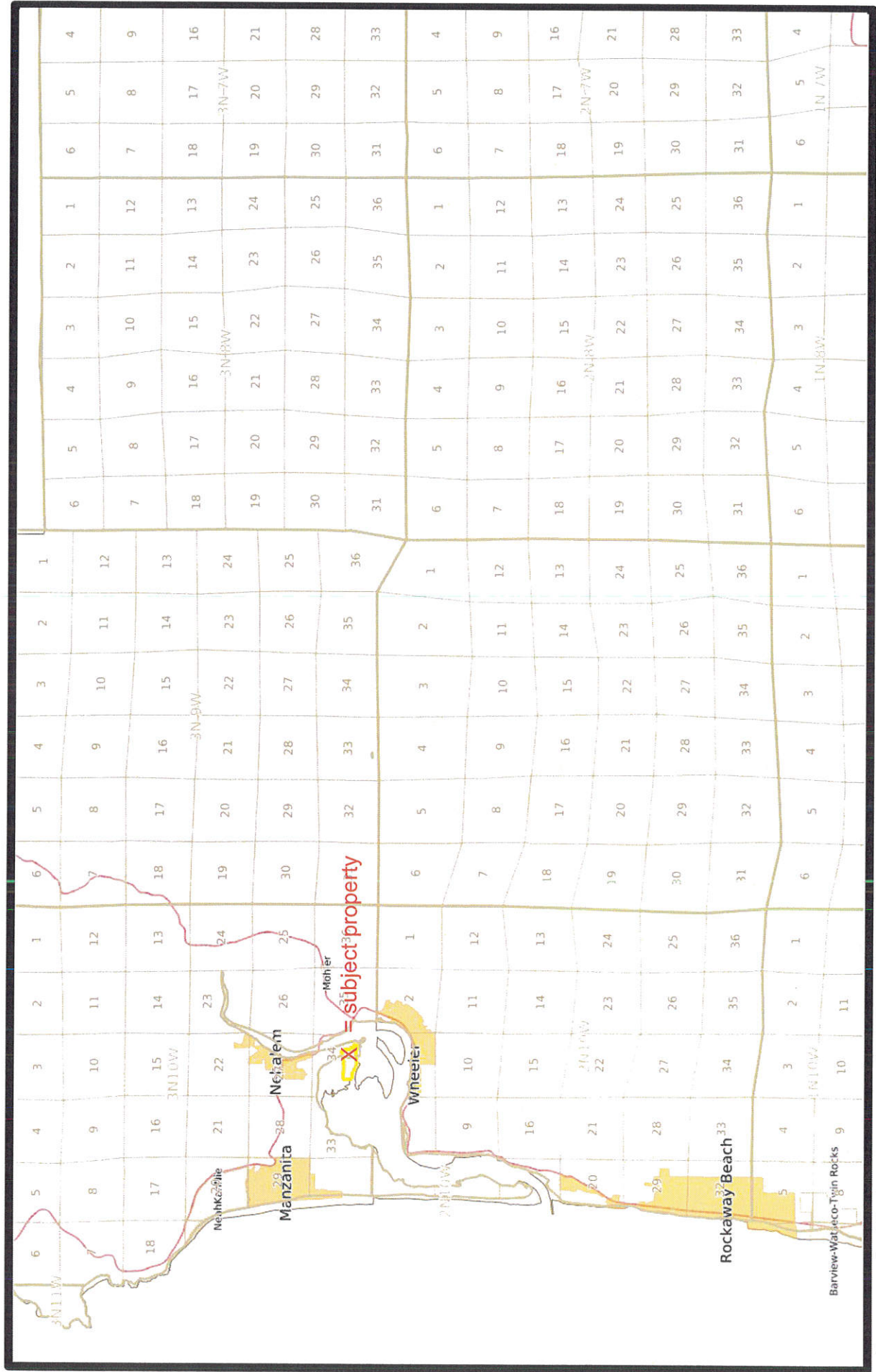
VI. EXHIBITS

- A. Property Identification Maps and Summary Report
- B. Applicant's Submittal
- C. Comments

EXHIBIT A

Map

Vicinity Map



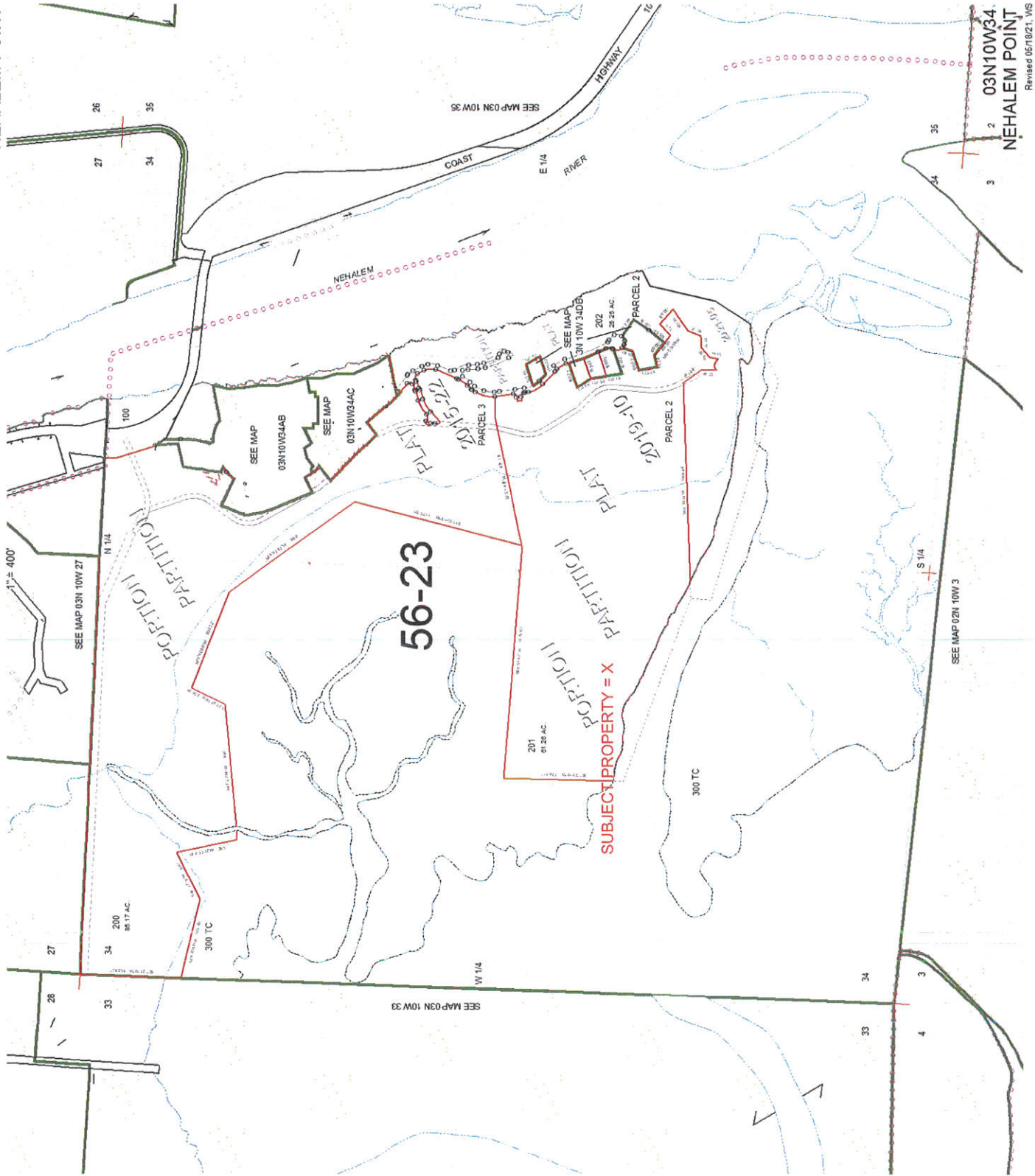


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 34 T.3N. R.10W. W.M.

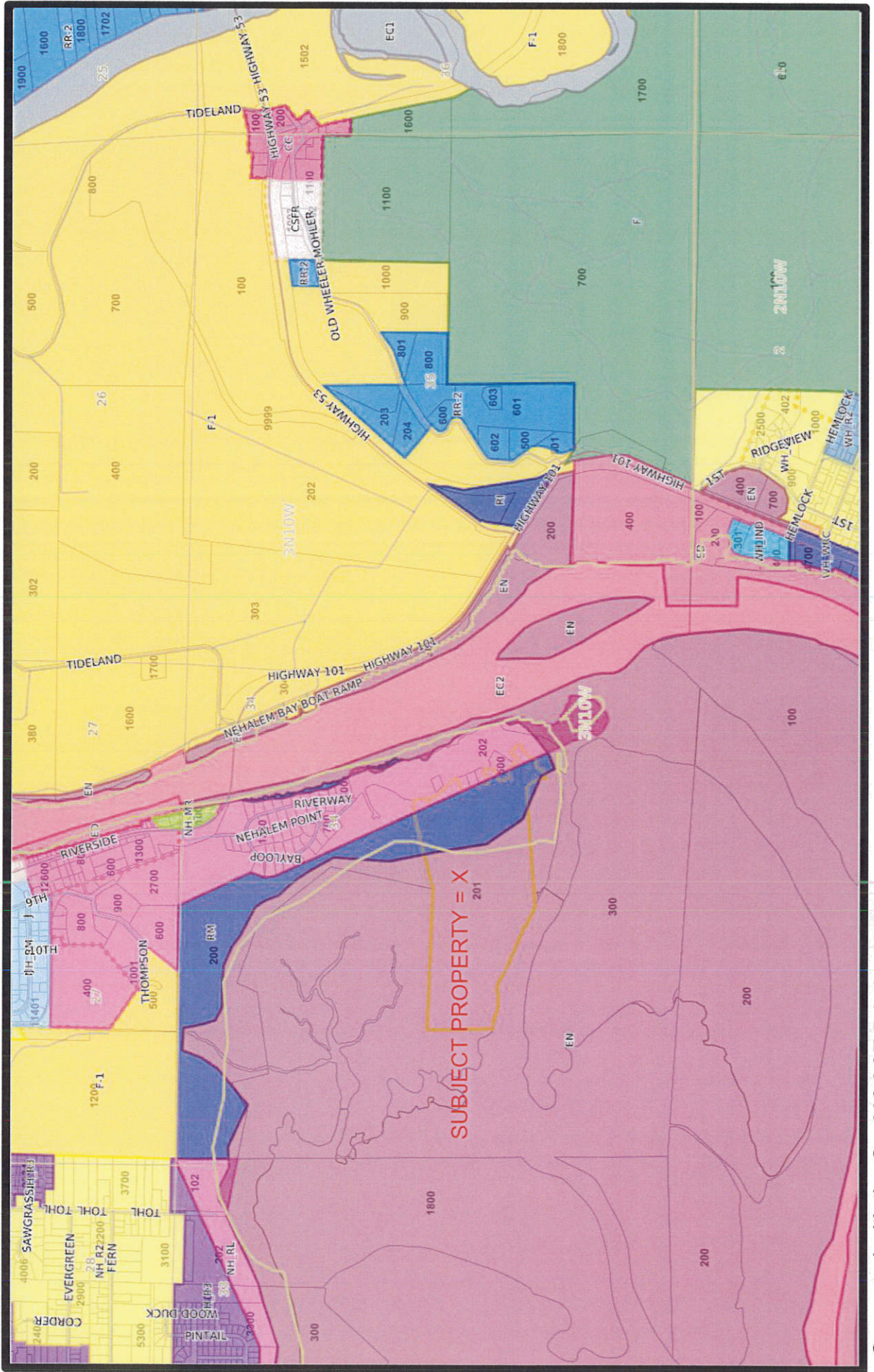
TILLAMOOK COUNTY

03N10W34
NEHALEM POINT

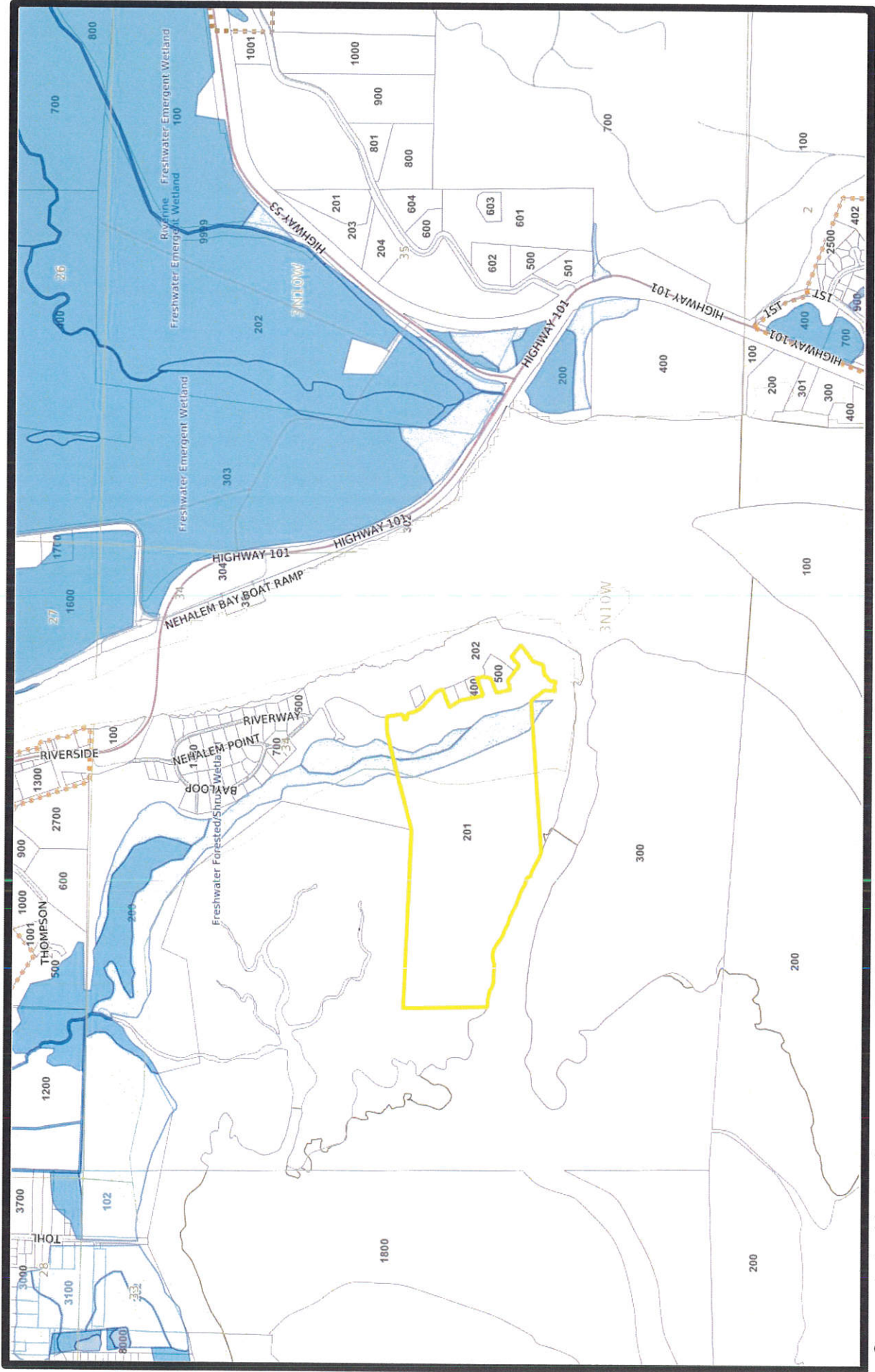


03N10W34
NEHALEM POINT
Revised 05/19/21, VS

Map



Map



National Flood Hazard Layer FIRMette



123°53'45"W 45°42'19"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 AL, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 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 J*
- 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

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMIRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- 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

MAP PANELS

- 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 9/7/2021 at 12:59 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.

TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

September 7, 2021 9:36:57 am

Account # 417120 Map # 3N10340000201 Code - Tax # 5623-417120 Legal Descr PARTITION PLAT 2019-10 Lot - PARCEL 2 Mailing Name NEHALEM POINT INC Agent In Care Of Mailing Address PO BOX 86 MANZANITA, OR 97130 Prop Class 640 MA SA NH Unit RMV Class 400 02 BV 277 45757-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # See Record Sales Date/Price See Record Appraiser HANNAH THOMPSON
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Situs Address(s)		Situs City		Value Summary		
Code Area	RMV	MAV	AV	RMV Exception	CPR %	
5623	Land 541,060			Land 541,060	65.3	
	Impr. 0			Impr. 0		
Code Area Total		541,060	353,300	272,475	541,060	
Grand Total		541,060	353,300	272,475	541,060	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
5623		<input checked="" type="checkbox"/>		NH-RL	Designated Forest Land	105	A	2.98	27,050
5623		<input checked="" type="checkbox"/>		RM	Designated Forest Land	105	A	12.19	108,210
5623		<input checked="" type="checkbox"/>		EN	Market	105	A	42.98	378,750
5623		<input checked="" type="checkbox"/>		RM	Market	105	A	3.11	27,050
Grand Total								61.26	541,060

Code Area	Yr ID#	Stat Built	Class	Description	Improvement Breakdown		Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					Grand Total		0		0

Code Area	Type	Exemptions/Special Assessments/Potential Liability							
NOTATION(S):									
■ FOREST LAND - POTENTIAL ADDITIONAL TAX LIABILITY 321.362									

Comments: 8/13/16 - Due to Partition Plat 2015-22, a portion of taxlot 3N10 24 200 will now be carried in the new taxlots 201 and 202. There was also a size correction due to acreage calculation. Brought land to market and applied exception. EJ.
 5/31/17 - Due to Partition Plat 2016-12, a portion of taxlot 3N10 34 201 will now be carried in the new taxlot 3N10 34DB 300. There was also a size correction per the survey. Brought land to market and applied exception. EJ.
 04/24/2020 Due to LLA 2018-1599, a portion of taxlot 3N10340000201 will now be carried in taxlot 202. Apportioned RMV and MAV. Due to partition plat 2019-10, a portion of taxlot 3N10340000201 will now be carried in the new taxlot 3N1034DB00400. Brought land to market and applied exception. HT

EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Property Owner

Name: Nehalem Point, Inc. Phone: 503-368-6363

Address: PO Box 86

City: Nehalem State: OR Zip: 97130

Email: pacprop@nehalem.tel.net

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
MAY 17 2021	
BY: <u>Mail</u>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>SS</u>	
Receipt #: <u>120481</u>	
Fees: <u>409.00</u>	
Permit No: 851- <u>21-000196</u> -PLNG	

Location:

Site Address: Vacant land south of Nehalem Point Drive

Map Number:	3N	10	34	201
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

General Information

- | | | |
|---|---|--|
| <input type="checkbox"/> For subdivisions, the proposed name. | <input checked="" type="checkbox"/> Parcel zoning and overlays | <input type="checkbox"/> Fifteen (15) legible "to scale" hard copies |
| <input checked="" type="checkbox"/> Date, north arrow, scale of drawing. | <input checked="" type="checkbox"/> Title Block | <input type="checkbox"/> One digital copy |
| <input checked="" type="checkbox"/> Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site. | <input checked="" type="checkbox"/> Clear identification of the drawing as "Preliminary Plat" and date of preparation | |
| | <input checked="" type="checkbox"/> Name and addresses of owner(s), developer, and engineer or surveyor | |

Existing Conditions

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Existing streets with names, right-of-way, pavement widths, access points. | <input type="checkbox"/> Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor | <input type="checkbox"/> Other information:

_____ |
| <input checked="" type="checkbox"/> Width, location and purpose of existing easements | <input checked="" type="checkbox"/> The location and elevation of the closest benchmark(s) within or adjacent to the site | |
| <input type="checkbox"/> The location and present use of all structures, and indication of any that will remain after platting. | <input checked="" type="checkbox"/> Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats | |
| <input checked="" type="checkbox"/> Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards | <input checked="" type="checkbox"/> For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps | |
| <input checked="" type="checkbox"/> Location of all existing subsurface sewerage systems, including drainfields and associated easements | | |

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- Location, width and purpose of all proposed easements
- Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts

Proposed Development

- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))**
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

Certificates:

- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

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. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Nehalem Point, Inc 5/6/21
Property Owner (*Required) Date

Doug Carter - President 5/6/21
Applicant Signature Date



Nehalem Bay Wastewater Agency
 SEWER AVAILABILITY

Date: May 10, 2021
 To: Tillamook County Building Department (Fax#503-842-1819)

From: Nehalem Bay Wastewater Agency
 RE: Sewer Availability

As an Agent of Nehalem Bay Wastewater Agency, I confirm that sewer is available to the following lot within our service area boundary:

3N 10 34DB TL201

Owner of Record: Nehalem Point, Inc
 Project Information: Proposed Partition

This letter shall not create a liability on the part of Nehalem Bay Wastewater Agency, or by an agent, or employee thereof, for the services described above.

Keri Scott, Executive Assistant
 Nehalem Bay Wastewater Agency



Date: 5/11/2021

To: TILLAMOOK COUNTY BUILDING DEPARTMENT

Re: WATER SERVICE AVAILABILITY

Attn: Building Department

I confirm that the property listed below is within the City's water service area, and may be served water through the City's Water System under the Terms and Conditions governed by the latest version of the City's Water Ordinance. Please note: This Water Service Availability letter does not certify, approve or acknowledge any specific development plans, water or other utility installations that may be necessary for the subject property to actually physically connect to the City's water system to receive service. This letter only certifies that the subject property may receive (or may already receive) water from the City's Water System.

TOWNSHIP 3N RANGE 10 SECTION 34 TAX LOT(S) 201

SITUS ADDRESS: Vacant Land South of Nehalem Point Drive

NAME: Nehalem Point, Inc. PHONE: 503-368-6363

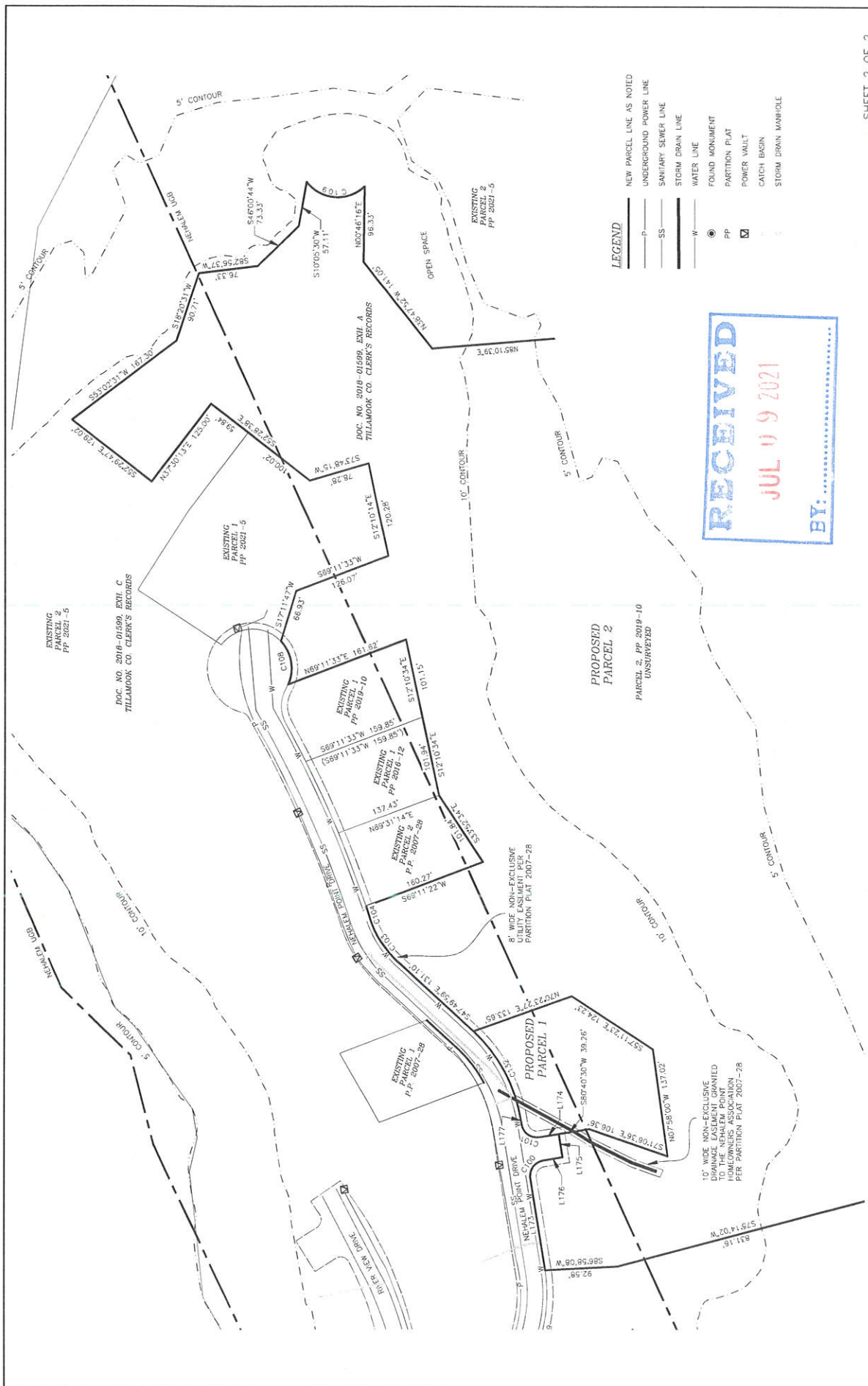
MAILING ADDRESS: PO Box 86

Nehalem, OR 97130

Single Family Duplex/Multi-Family Other

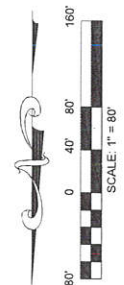
Comments: Partition

Signed: Whitney Johnson Deputy City Recorder
Name Title



- LEGEND**
- NEW PARCEL LINE AS NOTED
 - UNDERGROUND POWER LINE
 - SANITARY SEWER LINE
 - STORM DRAIN LINE
 - WATER LINE
 - FOUND MONUMENT
 - PARTITION PLAT
 - POWER VAULT
 - CATCH BASIN
 - STORM DRAIN MANHOLE

RECEIVED
 JUL 09 2021
 BY:



SHEET 2 OF 2

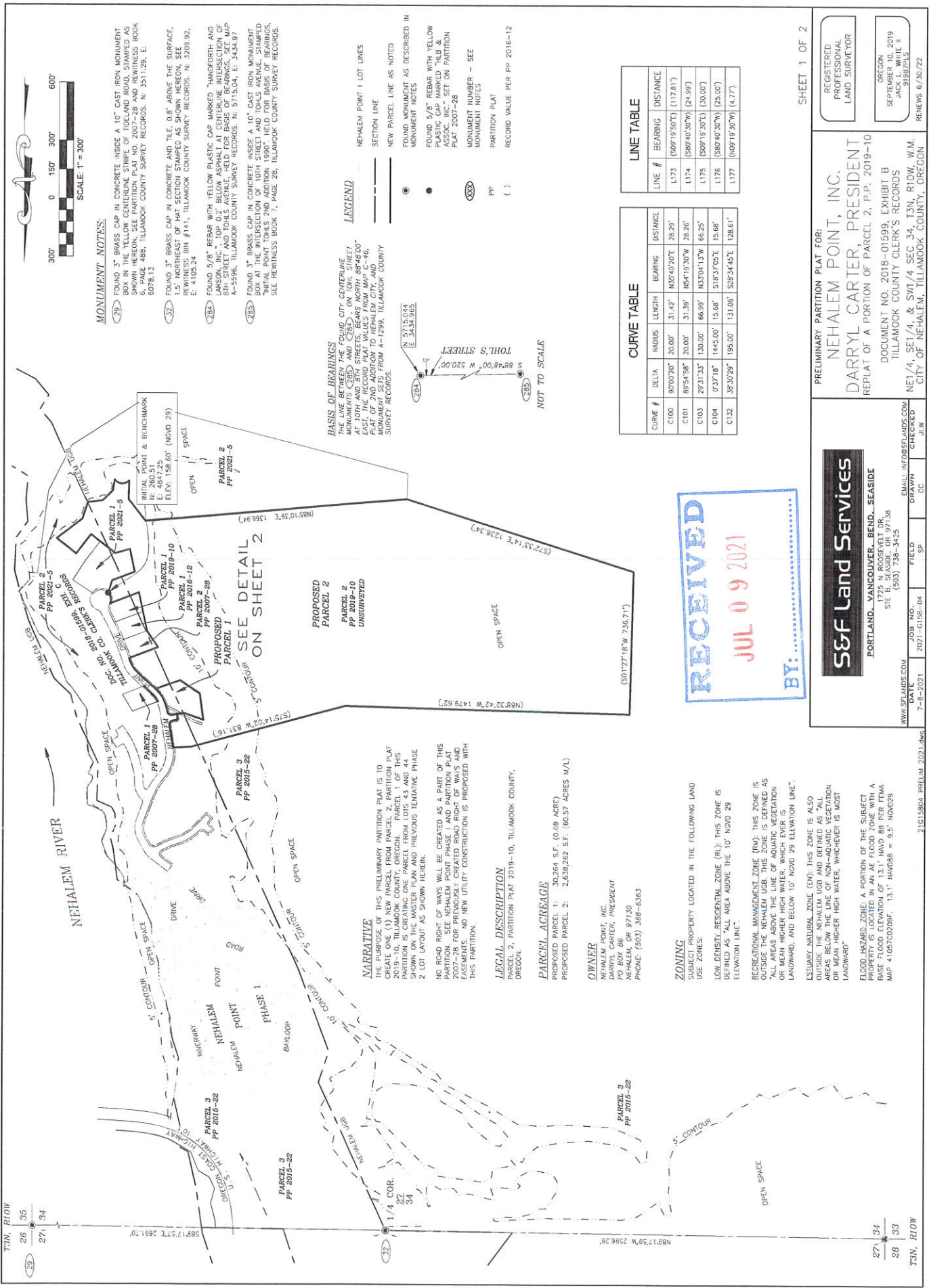
PRELIMINARY PARTITION PLAT FOR:
NEHALEM POINT, INC.
 DARRYL CARTER, PRESIDENT
 REPEAT OF A PORTION OF PARCEL 2, P.P. 2019-10
 DOCUMENT NO. 2018-01599, EXHIBIT B
 TILLAMOOK COUNTY CLERK'S RECORDS
 NE1/4, SE1/4, & SW1/4 SEC 34, T3N, R10W, W.M.
 CITY OF NEHALEM, TILLAMOOK COUNTY, OREGON

S&F Land Services
 PORTLAND, VANCOUVER, BEND, SEASIDE
 1725 N. ROSSGATE DR.
 STE. B, SEASIDE, OR 97138
 (503) 738-3425

WWW.SFLS.COM JOB NO. 2021-0158-CH FIELD SP
 DATE 7-8-2021 DRAWN BY CC CHECKED BY J.W.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 OREGON
 SEPTEMBER 10, 2019
 JACK L. WHITE II
 9188/215
 RENEWS 6/30/22

21GL15804.PRELIM.2021.dwg



MONUMENT NOTES:

- (28) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX IN THE YELLOW CENTERLINE STRIPE OF TILLAMOOK ROAD, STAMPED AS "TILLAMOOK COUNTY SURVEY RECORDS, N. 3511.28, E. 6078.13, 6, PAGE 488; TILLAMOOK COUNTY SURVEY RECORDS, N. 3511.28, E. 6078.13"
- (32) FOUND 3" BRASS CAP IN CONCRETE AND "1/2" Ø 1/8" ABOVE THE SURFACE, 1.5" NORTHWEST OF "M" SECTION CORNER, TILLAMOOK COUNTY SURVEY RECORDS, N. 3209.92, E. 4105.24"
- (28A) FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "HANDFORTH AND LANSON, INC.", TOP 0.2' BELOW ASPHALT AT CENTERLINE INTERSECTION OF 8TH STREET AND TOLLS AVENUE, HEID FOR BASIS OF BEARINGS. SEE MAP A-5596, TILLAMOOK COUNTY SURVEY RECORDS, N. 5715.04, E. 3434.97"
- (28B) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX AT THE INTERSECTION OF 10TH STREET AND TOLLS AVENUE, STAMPED "TILLAMOOK COUNTY SURVEY RECORDS, N. 5715.04, E. 3434.97, SEE REMISSISS BOOK 7, PAGE 28, TILLAMOOK COUNTY SURVEY RECORDS."

LEGEND

- NEHALEM POINT LOT LINES
- SECTION LINE
- NEW PARCEL LINE AS NOTED
- MONUMENT NOTES
- FOUND MONUMENT AS DESCRIBED IN MONUMENT NOTES
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "HANDFORTH AND LANSON, INC.", SET ON PARTITION PLAT 2007-28
- MONUMENT NUMBER - SEE MONUMENT NOTES
- PARTITION PLAT
- RECORD VALUE PER PP 2016-12

BASIS OF BEARINGS
 THE NEHALEM CITY CENTERLINE MONUMENTS (28) AND (28B) ON TOLLS STREET AT 10TH AND 8TH STREETS, BEARS NORTH 88°45'00" EAST, THE RECORD PLAT VALUES FROM MAP C-46, MONUMENT SETS FROM A-1299, TILLAMOOK COUNTY SURVEY RECORDS.

CURVE TABLE

CURVE #	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C100	90°00'20"	20.00'	31.42'	N38°40'20"E	28.29'
C101	86°54'58"	20.00'	31.39'	N54°19'30"W	28.26'
C103	29°31'33"	130.00'	66.99'	N32°04'13"W	66.25'
C104	0°37'18"	1445.00'	15.68'	S16°37'02"E	15.68'
C132	35°02'29"	195.00'	131.08'	S32°34'45"E	138.61'

LINE TABLE

LINE #	BEARING	DISTANCE
L173	S09°19'50"E	(117.81')
L174	S88°40'30"W	(24.99')
L175	S09°19'30"E	(30.00')
L176	S88°40'30"W	(25.00')
L177	N09°19'30"W	(4.77')



S&F Land Services
 PORTLAND, VANCOUVER, BEND, SEASIDE
 1725 N. ROOSEVELT DR.
 STE. B, SEASIDE, OR 97138
 (503) 738-3425
 WWW.SFLANDS.COM EMAIL: INFO@SFLANDS.COM
 DATE: _____ DRAWN: _____ CHECKED: _____ J.W.
 JOB NO.: 2021-0158-04 FIELD: SP CC
 7-8-2021

NARRATIVE
 THE PURPOSE OF THIS PRELIMINARY PARTITION PLAT IS TO CREATE ONE (1) NEW PARCEL FROM PARCEL 2. PARTITION 10, TILLAMOOK COUNTY, OREGON. PARCEL 1 OF THIS PARTITION IS THE SAME AS PARCEL 1 OF THE PREVIOUS PHASE SHOWN ON THE MASTER PLAN AND PREVIOUS TENTATIVE PHASE 2 LOT LAYOUT AS SHOWN HEREIN.

NO ROAD RIGHT OF WAY WILL BE CREATED AS A PART OF THIS PARTITION. SEE NEHALEM POINT PHASE 1 AND PARTITION 2007-28 FOR PREVIOUSLY CREATED ROAD RIGHT OF WAY AND EASEMENTS. NO NEW UTILITY CONSTRUCTION IS PROPOSED WITH THIS PARTITION.

LEGAL DESCRIPTION
 PARCEL 2, PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON.

PARCEL ACRESAGE
 PROPOSED PARCEL 1: 30,264 S.F. (0.69 ACRES)
 PROPOSED PARCEL 2: 2,638,262 S.F. (60.57 ACRES M/L)

OWNER
 NEHALEM POINT, INC.
 1000 NEHALEM POINT, SEASIDE, OREGON 97138
 NEHALEM, OR 97130
 PHONE: (503) 368-6363

ZONING
 SUBJECT PROPERTY LOCATED IN THE FOLLOWING LAND USE ZONES:
 LOW DENSITY RESIDENTIAL ZONE (RL); THIS ZONE IS DEFINED AS "ALL AREA ABOVE THE 10' NVD 29 ELEVATION LINE."

RECREATIONAL MANAGEMENT ZONE (RM); THIS ZONE IS DEFINED AS "ALL AREA ABOVE THE 10' NVD 29 ELEVATION LINE OR MEAN HIGHER HIGH WATER, WHICH EVER IS LANDWARD, AND BELOW 10' NVD 29 ELEVATION LINE."

ESTUARINE NATURAL ZONE (EN); THIS ZONE IS ALSO OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL OF MEAN HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD."

FLOOD HAZARD ZONE; A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN THE 100-YEAR FLOOD A BASE FLOOD ELEVATION OF 13.1'. HAVD 88 PER FEMA MAP 41057C0209F. 13.1' NAVD88 = 9.5' NVD029

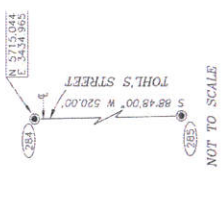


MONUMENT NOTES:

- (29) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX IN THE YELLOW CENTERLINE STRIPE OF TIDELAND ROAD, STAMPED AS "TIDELAND ROAD" AND "TILLAMOOK COUNTY SURVEY RECORDS". SEE REFINEMENT BOOK #488, TILLAMOOK COUNTY SURVEY RECORDS, N. 251129, E. 8078.13
- (32) FOUND 3" BRASS CAP IN CONCRETE AND TILE, 0.8' ABOVE THE SURFACE, IN THE YELLOW CENTERLINE STRIPE OF TIDELAND ROAD, STAMPED AS "TIDELAND ROAD" AND "TILLAMOOK COUNTY SURVEY RECORDS". SEE REFINEMENT BOOK #488, TILLAMOOK COUNTY SURVEY RECORDS, N. 251129, E. 4105.24
- (33) FOUND 5/8" REBAR WITH YELLOW PAINT MARKING IN CONCRETE AND TILE, 0.8' ABOVE THE SURFACE, IN THE YELLOW CENTERLINE STRIPE OF TIDELAND ROAD, STAMPED AS "TIDELAND ROAD" AND "TILLAMOOK COUNTY SURVEY RECORDS". SEE REFINEMENT BOOK #488, TILLAMOOK COUNTY SURVEY RECORDS, N. 251129, E. 4105.24
- (34) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX AT THE INTERSECTION OF 10TH STREET AND TOHL'S AVENUE, STAMPED "INITIAL POINT TOHL'S 2ND ADDITION 1990 HELD FOR BASIS OF BEARINGS. SEE REFINEMENT BOOK #7, PAGE 28, TILLAMOOK COUNTY SURVEY RECORDS.

LEGEND

- NEHALEM POINT 1 LOT LINES
- SECTION LINE
- NEW PARCEL LINE AS NOTED
- FOUND MONUMENT AS DESCRIBED IN MONUMENT NOTES
- FOUND 5/8" REBAR WITH YELLOW PAINT MARKING IN CONCRETE AND TILE, 0.8' ABOVE THE SURFACE, IN THE YELLOW CENTERLINE STRIPE OF TIDELAND ROAD, STAMPED AS "TIDELAND ROAD" AND "TILLAMOOK COUNTY SURVEY RECORDS". SEE REFINEMENT BOOK #488, TILLAMOOK COUNTY SURVEY RECORDS.
- MONUMENT NUMBER - SEE MONUMENT NOTES
- PARTITION PLAT
- RECORD VALUE PER PP 2016-12



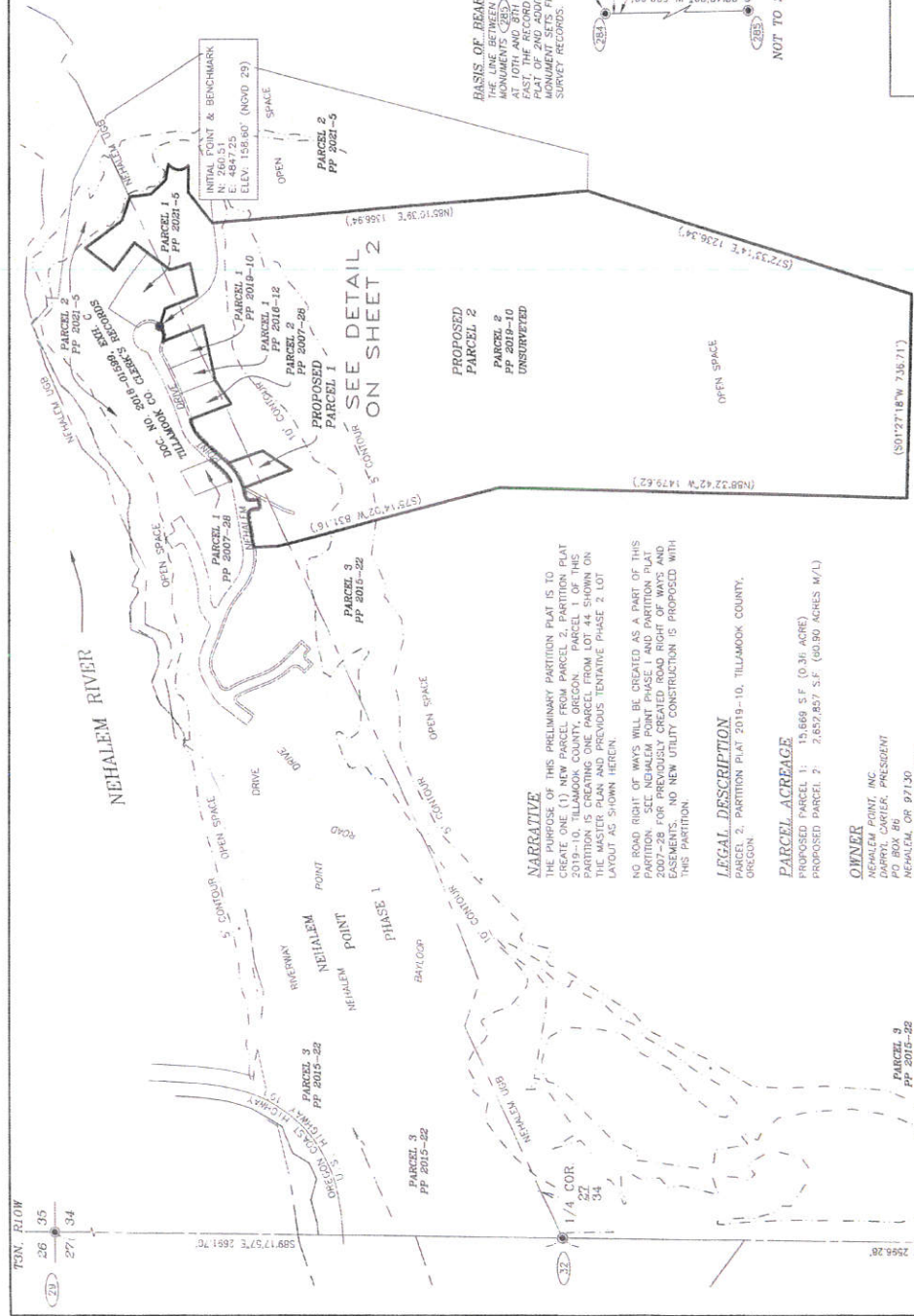
NOT TO SCALE

CURVE TABLE

CURVE #	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C100	107°00'20"	20.00'	31.42'	N35°40'20"E	28.29'
C101	89°54'58"	20.00'	31.39'	N64°19'20"W	28.26'
C103	29°31'33"	130.00'	96.99'	N45°04'15"W	66.25'
C104	0°37'18"	1445.00'	15.68'	S18°37'05"E	15.68'
C131	71°17'18"	195.00'	24.81'	S12°58'09"E	24.79'
C132	311°13'11"	195.00'	106.20'	S52°13'24"E	104.94'

LINE TABLE

LINE #	BEARING	DISTANCE
L173	(S07°19'50"E)	(117.81)
L174	(S87°40'30"W)	(24.89)
L175	(S09°19'30"E)	(25.00)
L176	(S69°40'30"W)	(25.00)
L177	(N89°19'30"W)	(41.77)



NARRATIVE

THE PURPOSE OF THIS PRELIMINARY PARTITION PLAT IS TO CREATE ONE (1) NEW PARCEL FROM PARCEL 2, PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON. PARCEL 1 OF THIS PARTITION IS CREATING ONE PARCEL FROM LOT 44 SHOWN ON THE MASTER PLAN AND PREVIOUS TENTATIVE PHASE 2 LOT LAYOUT AS SHOWN HEREIN.

THE ROAD RIGHT OF WAY WILL BE CREATED AS A PART OF THIS PARTITION. SEE NEHALEM POINT PHASE 1 AND PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON, FOR THE EXISTING EASEMENTS. NO NEW UTILITY CONSTRUCTION IS PROPOSED WITH THIS PARTITION.

LEGAL DESCRIPTION

PARCEL 2, PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON.

PARCEL ACREAGE

PROPOSED PARCEL 1: 15,666 S.F. (0.36 ACRES)
 PROPOSED PARCEL 2: 2,852,857 S.F. (65.90 ACRES M/L)

OWNER

NEHALEM POINT, INC.
 DARRYL CARTER, PRESIDENT
 17725 N ROOSEVELT DR.
 STE B, SEASIDE, OR 97138
 PHONE: (503) 368-6363

ZONING

SUBJECT PROPERTY LOCATED IN THE FOLLOWING LAND USE ZONES:

LOW DENSITY RESIDENTIAL ZONE (RD). THIS ZONE IS DEFINED AS "ALL AREA ABOVE THE 10' N64D 29' ELEVATION LINE."

RECREATIONAL MANAGEMENT ZONE (RM). THIS ZONE IS OUTSIDE THE NEHALEM UGB. THIS ZONE IS DEFINED AS "ALL AREAS ABOVE THE LINE OF AQUATIC VEGETATION AND BELOW THE 10' N64D 29' ELEVATION LINE."

ESQUART/INLAND ZONE (EN). THIS ZONE IS ALSO OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL AREAS BELOW THE LINE OF NON-AQUATIC VEGETATION AND HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD."

FLOOD HAZARD ZONE. A PORTION OF THE SUBJECT PROPERTY IS LOCATED IN AN AE FLOOD ZONE WITH A BASE FLOOD ELEVATION OF 14.00 FEET PER FEMA MAP #1025102009. 13.1' HAZARDS = 9.5' NOV25

S&F Land Services

PORTLAND, VANCOUVER, BEND, SEASIDE
 17725 N ROOSEVELT DR.
 STE B, SEASIDE, OR 97138
 (503) 738-3425

PRELIMINARY PARTITION PLAT FOR:
NEHALEM POINT, INC.
DARRYL CARTER, PRESIDENT
 REPLAT OF A PORTION OF PARCEL 2, P.P. 2019-10

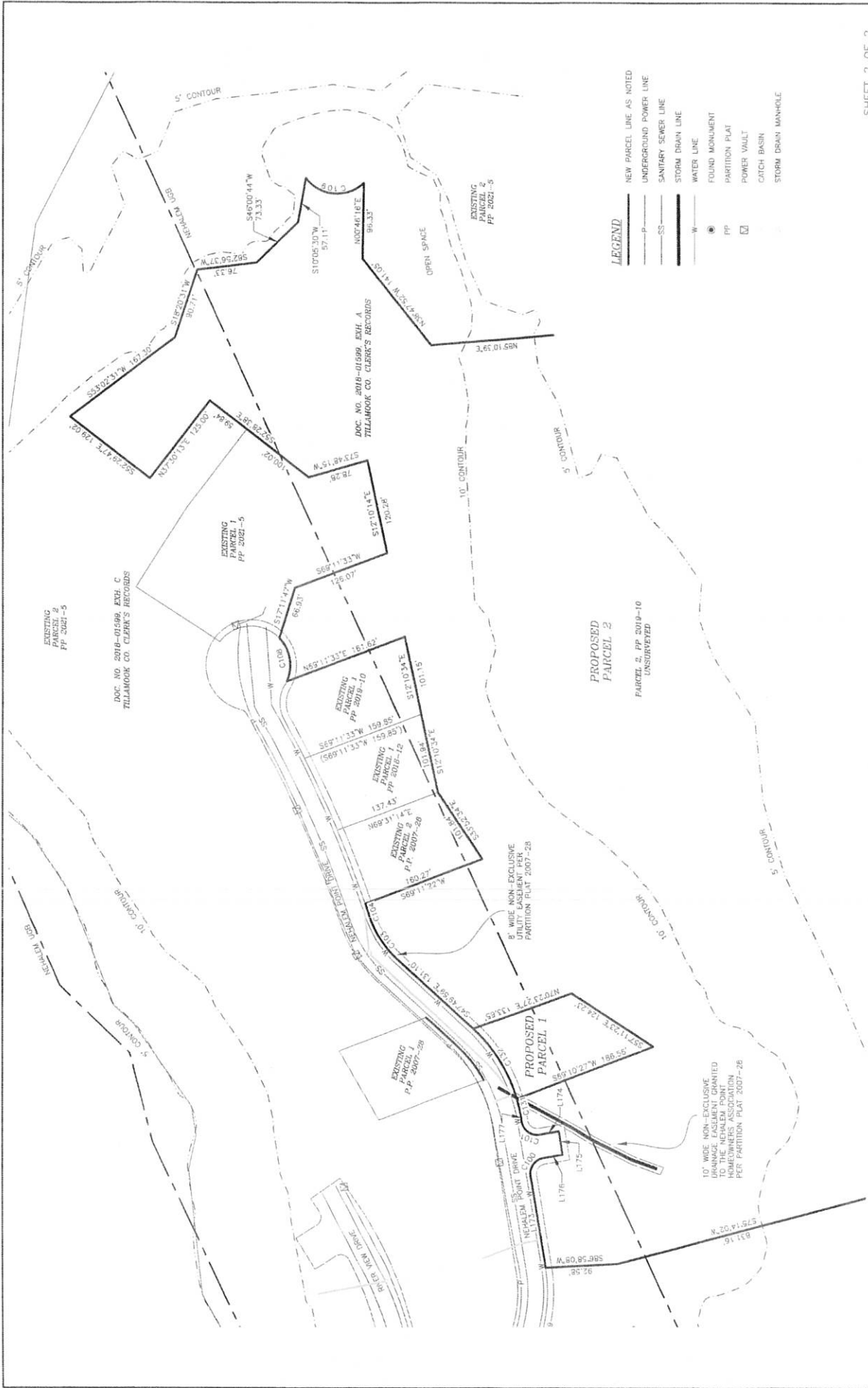
DOCUMENT NO. 2018-01599, EXHIBIT B
 TILLAMOOK COUNTY CLERK'S RECORDS
 NET/4, SE1/4, & SW1/4 SEC 34, T3N, R10W, W.M.
 CITY OF NEHALEM, TILLAMOOK COUNTY, OREGON.

REGISTERED PROFESSIONAL LAND SURVEYOR
Paul L. Whitsett
 OREGON
 SEPTEMBER 10, 2019
 JACK L. WHITE II
 #1820743

RENEWS 6/20/22

WWW.S&F.LS.COM
 DATE: MAY 5, 2021
 JOB NO.: 2021-0158-04
 FIELD: SP
 DRAWN: CC
 CHECKED: J.W.

21015804 PRELIM 2021.SW3



LEGEND

—	NEW PARCEL LINE AS NOTED
—	UNDERGROUND POWER LINE
—	SANITARY SEWER LINE
—	STORM DRAIN LINE
—	WATER LINE
●	FOUND MONUMENT
PP	PARTITION PLAT
□	POWER VAULT
○	CATCH BASIN
○	STORM DRAIN MANHOLE

SHEET 2 OF 2

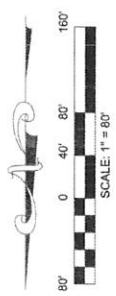
REGISTERED PROFESSIONAL LAND SURVEYOR
Jack L. White II
 OREGON
 SEPTEMBER 10, 2019
 JACK L. WHITE II
 91882PLS
 RENEWS 6/30/22

PRELIMINARY PARTITION PLAT FOR:
NEHALEM POINT, INC.
DARRYL CARTER, PRESIDENT
 REPLAT OF A PORTION OF PARCEL 2, P.P. 2019-10
 DOCUMENT NO. 2018-01599, EXHIBIT B
 TILLAMOOK COUNTY CLERK'S RECORDS
 NET 1/4, SE 1/4, & SW 1/4 SEC 34, T3N, R10W, W.M.
 CITY OF NEHALEM, TILLAMOOK COUNTY, OREGON

S&F Land Services
 PORTLAND, VANCOUVER, BEND, SEASIDE
 1724 N. MASSIE BLVD. SUITE 97138
 (503) 738-3425

WWW.S&FLS.COM	JOB NO.	FIELD	DATE	SCALE
	2021-0156-04	SP	MAY 5, 2021	1" = 80'

EMAIL	SCALE
INFO@S&FLS.COM	1" = 80'
DATE	SCALE
MAY 5, 2021	1" = 80'



21G15604.PRELIM 2021.dwg
 21G15604.PRELIM 2021.dwg

EXHIBIT C

Angela Rimoldi

From: Daniel.Evans@dsl.state.or.us
Sent: Friday, July 30, 2021 4:33 PM
To: Angela Rimoldi
Subject: EXTERNAL: WN2021-0786 Response to Local Case File #851-21-000196-plng
Attachments: Wetland Land Use Notice.pdf; Wetland Land Use Notice Response.pdf

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

We have completed our review of the Wetland Land Use Notification that was prepared for Inc Nehalem Point - Inc Nehalem Point The WLUN form was submitted to the Department for review/response and given the file number WN2021-0786

The results and conclusions from that review are explained in the attached pdf documents. If the attached documents are illegible or difficult to open, you may contact the Department and request paper copies. Otherwise, please review the attachments carefully and direct any questions or comments to Jurisdiction Coordinator, Daniel Evans at 503-986-5271 or Daniel.Evans@dsl.state.or.us. Thank you for your interest in the project.

Additional resources that may be helpful:

[DSL Coordinator List](#)

[R/F Fee Schedule](#)

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
Fax: (503) 378-4844
www.oregon.gov/dsl



Wetland Land Use Notification

OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone: (503) 986-5200

This form is to be completed by planning department staff for mapped wetlands and waterways.

Responsible Jurisdiction

* City of County of **Municipality*** Tillamook **Date*** 7/9/2021

Staff Contact

First Name* Angela **Last Name*** Rimoldi
Phone* 503-842-3408 **Email*** arimoldi@co.tillamook.or.us

Applicant

First Name* Nehalem **Last Name*** Point, Inc.
Mailing Address*
Street Address
Po Box 86
Address Line 2
City Manzanita State OR
Postal / Zip Code 97130 Country USA
Phone 5033686363 **Email (?)** pacprop@nehalem.tel.net

Is the Property Owner name and address the same as the Applicant?*
 No Yes

Activity Location

Township* (?) 03N **Range* (?)** 10W **Section* (?)** 34

Quarter-quarter Section (?)

Tax Lot(s)*

00201

You can enter multiple tax lot numbers within this field. i.e. 100, 200, 300, etc.

To add additional tax map and lot information, please click the "add" button below.

Address

Street Address

Address Line 2

City

State

Postal / Zip Code

Country

County*

Tillamook

Adjacent Waterbody

Proposed Activity



Local Case File #*

851-21-000196-plng

Zoning

Proposed

Building Permit (new structures)

Conditional use Permit

Grading Permit

Planned Unit Development

Site Plan Approval

Subdivision

Other (please describe)

Partition Request

Project*

Partition Request #851-21-000196-PLNG: Nehalem Point, Inc.

Required attachments with site marked: Tax map and site plan(s). (?)

Additional Attachments

MX-6240N_20210709_153630.pdf

4.98MB

Date

7/9/2021



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2021-0786

Responsible Jurisdiction

Staff Contact

Angela Rimoldi

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-21-000196-plng

County

Tillamook

Activity Location

Township

03N

Range

10W

Section

34

QQ section

Tax Lot(s)

201

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Tillamook

Latitude

45.702308

Longitude

-123.893435

Wetland/Waterway/Other Water Features

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

The National Wetlands Inventory shows wetland, waterway or other water features on the property

The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

The property includes or is adjacent to designated Essential Salmonid Habitat.

The property includes or is adjacent to state-owned waters.

Closing Information



Additional Comments

A state permit is not required for a partition. Based on the submitted partition plan, both lots have direct access from roads to upland locations.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

7/30/2021

Response by:

Daniel Evans

Response Phone:

503-986-5271