



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 1(800) 488-8280

Land of Cheese, Trees and Ocean Breeze

PARTITION REQUEST #851-21-000385-PLNG: NEHALEM POINT, INC.

*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER*

NOTICE OF ADMINISTRATIVE REVIEW

Date of Notice: November 5, 2021

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

#851-21-000385-PLNG: A Partition request to create three (3) parcels. Located at Tax Lot 201 of Section 34, Township 3 North, Range 10 West on a property zoned Nehalem Low-Density Residential (NH-RL), in addition to, Tillamook County Recreational Management Zone (RM) and Estuary Natural Zone (EN). The subject property is accessed via Nehalem Point Dr., a private road. The applicant and owner is Nehalem Point, Inc.

Written comments received by the Department of Community Development **prior to 4:00p.m. on November 19, 2021**, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than November 22, 2021.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250-feet of the exterior boundaries of the subject parcel for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

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

If you have any questions about this application, please call the Department of Community Development at: 503-842-3408 x 3315 or email: arimoldi@co.tillamook.or.us

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Included: Applicable Ordinance Criteria)
Vicinity, Assessor and Zoning Maps)

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

(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;
- (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;
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
- (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;
- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (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.

NEHALEM, OR - CODE OF ORDINANCES

CHAPTER 157 ZONING

City of Nehalem Zoning Ordinance 157.038 Low-Density Residential – RL Zone Standards:

- (a) The minimum lot size shall be 10,000 square feet, plus 7,500 square feet for an additional unit, except in an approved cluster or planned-unit development the overall project density may be reduced to the equivalent of 7,500 square feet for each unit.
- (b) The minimum lot width shall be 60 feet; except on a corner lot, it shall be 75 feet.
- (c) The minimum lot depth shall be 100 feet.
-
- i. Development shall be in accordance with the shoreline and aquatic development standards of § 157.271 of this chapter.

CHAPTER 156 SUBDIVISIONS

MINOR LAND PARTITION

156.065 MINIMUM STANDARDS

156.066 INITIAL SUBMISSION

156.067 INFORMATION ON MAP

156.068 REVIEW AND APPROVAL

DESIGN STANDARDS

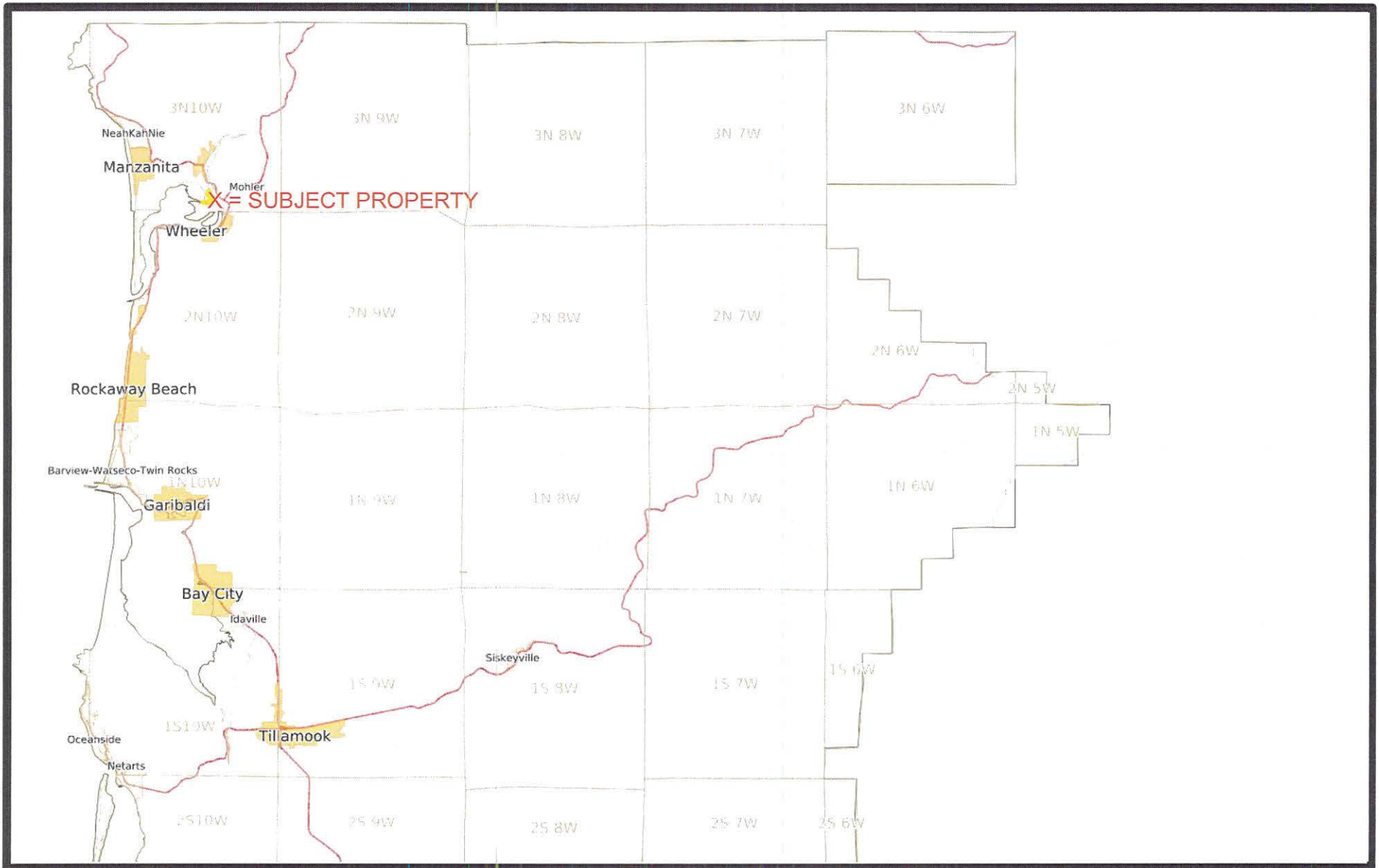
156.080 GENERAL REQUIREMENTS

156.081 STREETS

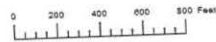
156.082 UTILITY EASEMENTS

156.083 BUILDING SITES

Map

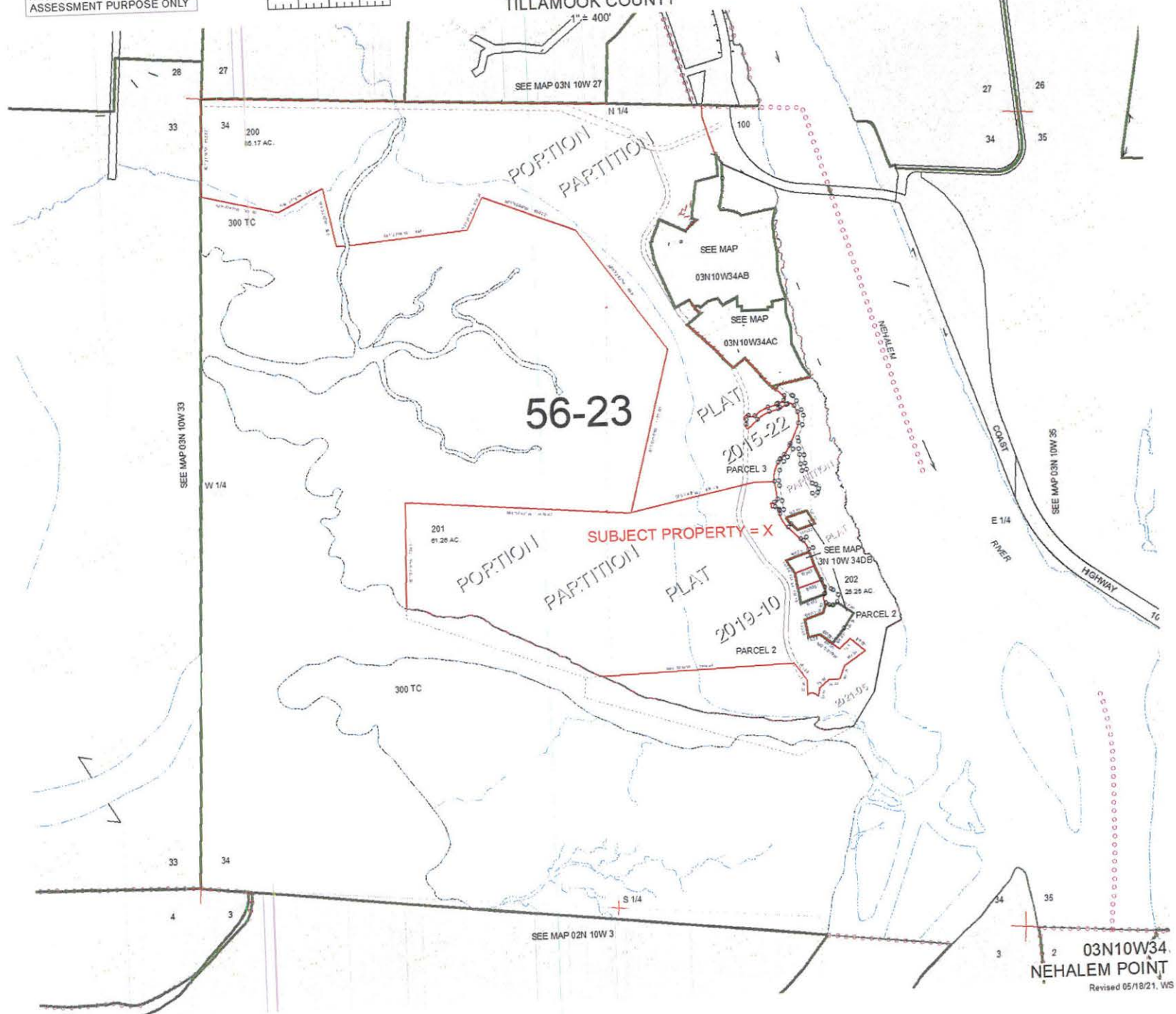


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

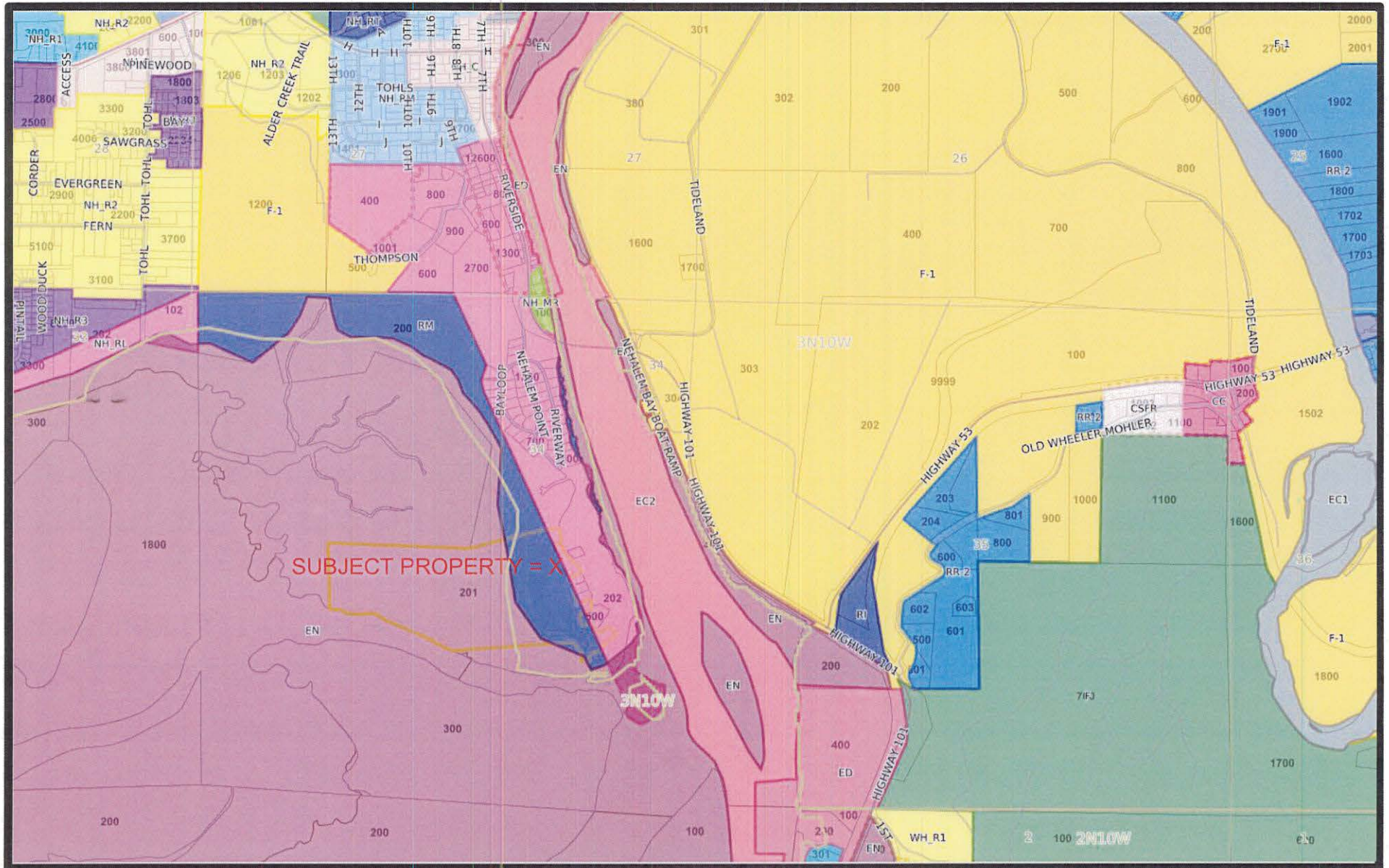


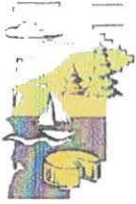
SECTION 34 T.3N. R.10W. W.M.
TILLAMOOK COUNTY

03N10W34
NEHALEM POINT



Map





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: P.O. Box 86
 City: Nehalem State: OR Zip: 97130
 Email: pacprop@nehalem.tel.net

OFFICE USE ONLY	
Date Stamp	
OCT 08 2021	
BY:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: SS	
Receipt #: 122316	
Fees: 409.00	
Permit No: 851-000385-PLNG	

Location:

Site Address: Vacant land south of Nehalem Point Drive

Map Number:	3N	10W	34	201
	<small>Township</small>	<small>Range</small>	<small>Section</small>	<small>Tax Lot(s)</small>

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:

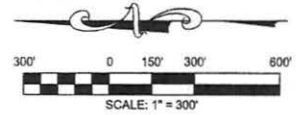
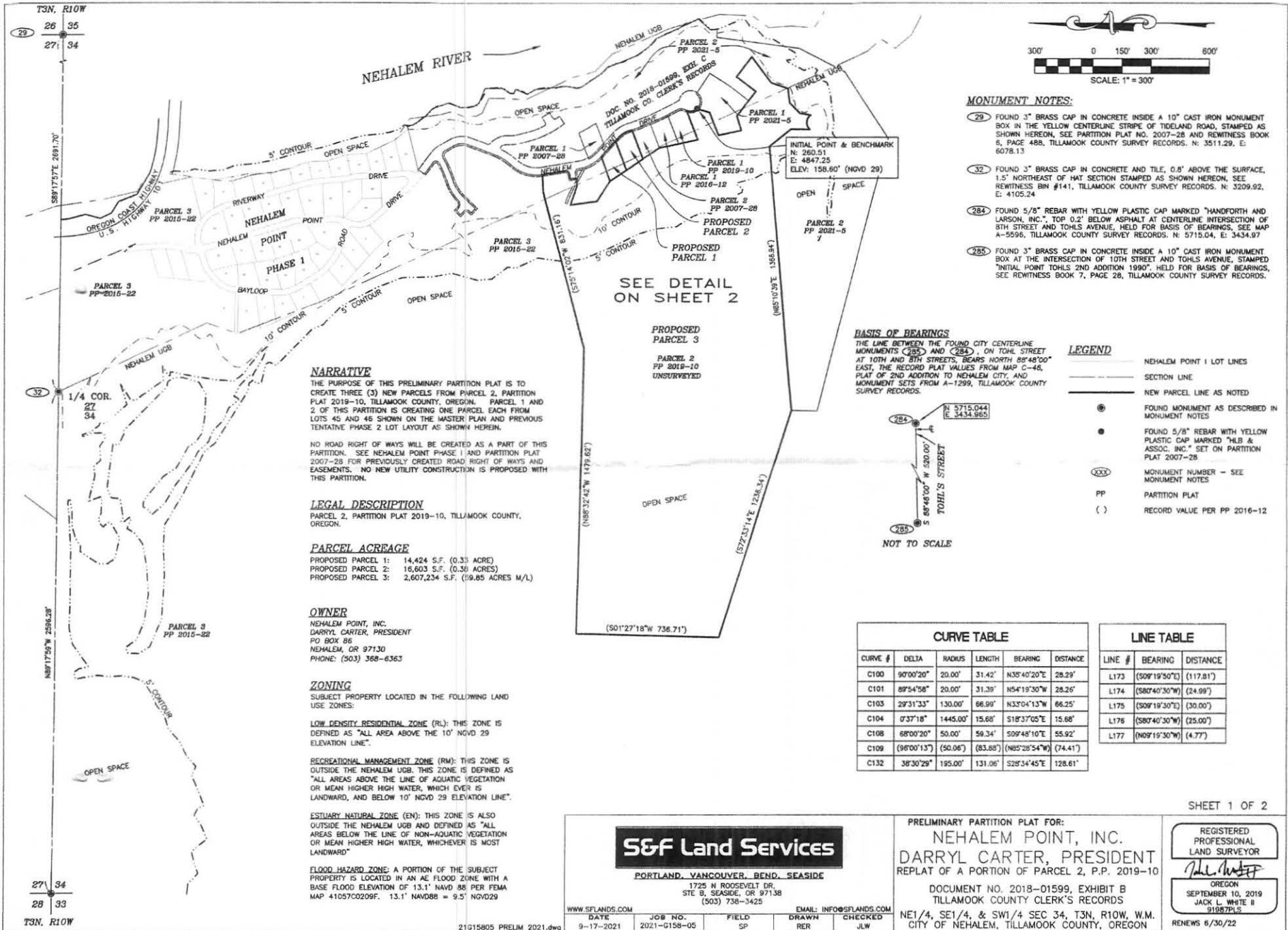
- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

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.

<u>Nehalem Point, LLC</u>	9/27/21
<small>Property Owner (* Required)</small>	<small>Date</small>
<u>Darryl Carter, PRESIDENT</u>	9/27/21
<small>Applicant Signature</small>	<small>Date</small>



MONUMENT NOTES:

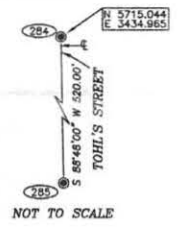
- (29) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX IN THE YELLOW CENTERLINE STRIPE OF TIDELAND ROAD, STAMPED AS SHOWN HEREON, SEE PARTITION PLAT NO. 2007-28 AND REWITNESS BOOK 6, PAGE 488, TILLAMOOK COUNTY SURVEY RECORDS. N: 3511.29, E: 6078.13
- (32) FOUND 3" BRASS CAP IN CONCRETE AND TILE, 0.8' ABOVE THE SURFACE, 1.5' NORTHEAST OF HAT SECTION STAMPED AS SHOWN HEREON, SEE REWITNESS BIN #141, TILLAMOOK COUNTY SURVEY RECORDS. N: 3209.92, E: 4105.24
- (284) FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED "HANDFORTH AND LARSON, INC." TOP 0.2' BELOW ASPHALT AT CENTERLINE INTERSECTION OF 8TH STREET AND TOHLS AVENUE, HELD FOR BASIS OF BEARINGS, SEE MAP A-5596, TILLAMOOK COUNTY SURVEY RECORDS. N: 5715.04, E: 3434.97
- (285) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX AT THE INTERSECTION OF 10TH STREET AND TOHLS AVENUE, STAMPED "INITIAL POINT TOHLS 2ND ADDITION 1990". HELD FOR BASIS OF BEARINGS, SEE REWITNESS BOOK 7, PAGE 28, TILLAMOOK COUNTY SURVEY RECORDS.

BASIS OF BEARINGS

THE LINE BETWEEN THE FOUND CITY CENTERLINE MONUMENTS (285) AND (284), ON TOHLS STREET AT 10TH AND 8TH STREETS, BEARS NORTH 88°48'00" EAST, THE RECORD PLAT VALUES FROM MAP C-46, PLAT OF 2ND ADDITION TO NEHALEM CITY, AND MONUMENT SETS FROM A-1299, 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 PLASTIC CAP MARKED "HLB & ASSOC. INC." SET ON PARTITION PLAT 2007-28
- (XXX) MONUMENT NUMBER - SEE MONUMENT NOTES
- PP PARTITION PLAT
- () RECORD VALUE PER PP 2016-12



NOT TO SCALE

NARRATIVE

THE PURPOSE OF THIS PRELIMINARY PARTITION PLAT IS TO CREATE THREE (3) NEW PARCELS FROM PARCEL 2, PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON. PARCEL 1 AND 2 OF THIS PARTITION IS CREATING ONE PARCEL EACH FROM LOTS 45 AND 46 SHOWN ON THE MASTER PLAN AND PREVIOUS TENTATIVE PHASE 2 LOT LAYOUT AS SHOWN HEREIN.

NO ROAD RIGHT OF WAYS WILL BE CREATED AS A PART OF THIS PARTITION. SEE NEHALEM POINT PHASE 1 AND PARTITION PLAT 2007-28 FOR PREVIOUSLY CREATED ROAD RIGHT OF WAYS AND 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: 14,424 S.F. (0.33 ACRE)
 PROPOSED PARCEL 2: 16,603 S.F. (0.38 ACRES)
 PROPOSED PARCEL 3: 2,607,234 S.F. (59.85 ACRES M/L)

OWNER

NEHALEM POINT, INC.
 DARRYL CARTER, PRESIDENT
 PO BOX 86
 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' NGVD 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 OR MEAN HIGHER HIGH WATER, WHICH EVER IS LANDWARD, AND BELOW 10' NGVD 29 ELEVATION LINE."

ESTUARY NATURAL ZONE (EN): THIS ZONE IS ALSO OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL AREAS BELOW THE LINE OF NON-AQUATIC VEGETATION OR MEAN 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 13.1' NAVD 88 PER FEMA MAP 41057C0209F. 13.1' NAVD88 = 9.5' NGVD29

CURVE TABLE					
CURVE #	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C100	90°00'20"	20.00'	31.42'	N35°40'20"E	28.29'
C101	89°54'58"	20.00'	31.39'	N54°19'30"W	28.26'
C103	29°31'33"	130.00'	66.99'	N33°04'13"W	66.25'
C104	0°37'18"	1445.00'	15.68'	S18°37'05"E	15.68'
C108	88°00'20"	50.00'	59.34'	S09°48'10"E	55.92'
C109	(96°00'13")	(50.06')	(83.88')	(N85°28'54"W)	(74.41')
C132	38°30'29"	195.00'	131.06'	S28°34'45"E	128.61'

LINE TABLE		
LINE #	BEARING	DISTANCE
L173	(S09°19'50"E)	(117.81')
L174	(S80°40'30"W)	(24.99')
L175	(S09°19'30"E)	(30.00')
L176	(S80°40'30"W)	(25.00')
L177	(N09°19'30"W)	(4.77')

S&F Land Services

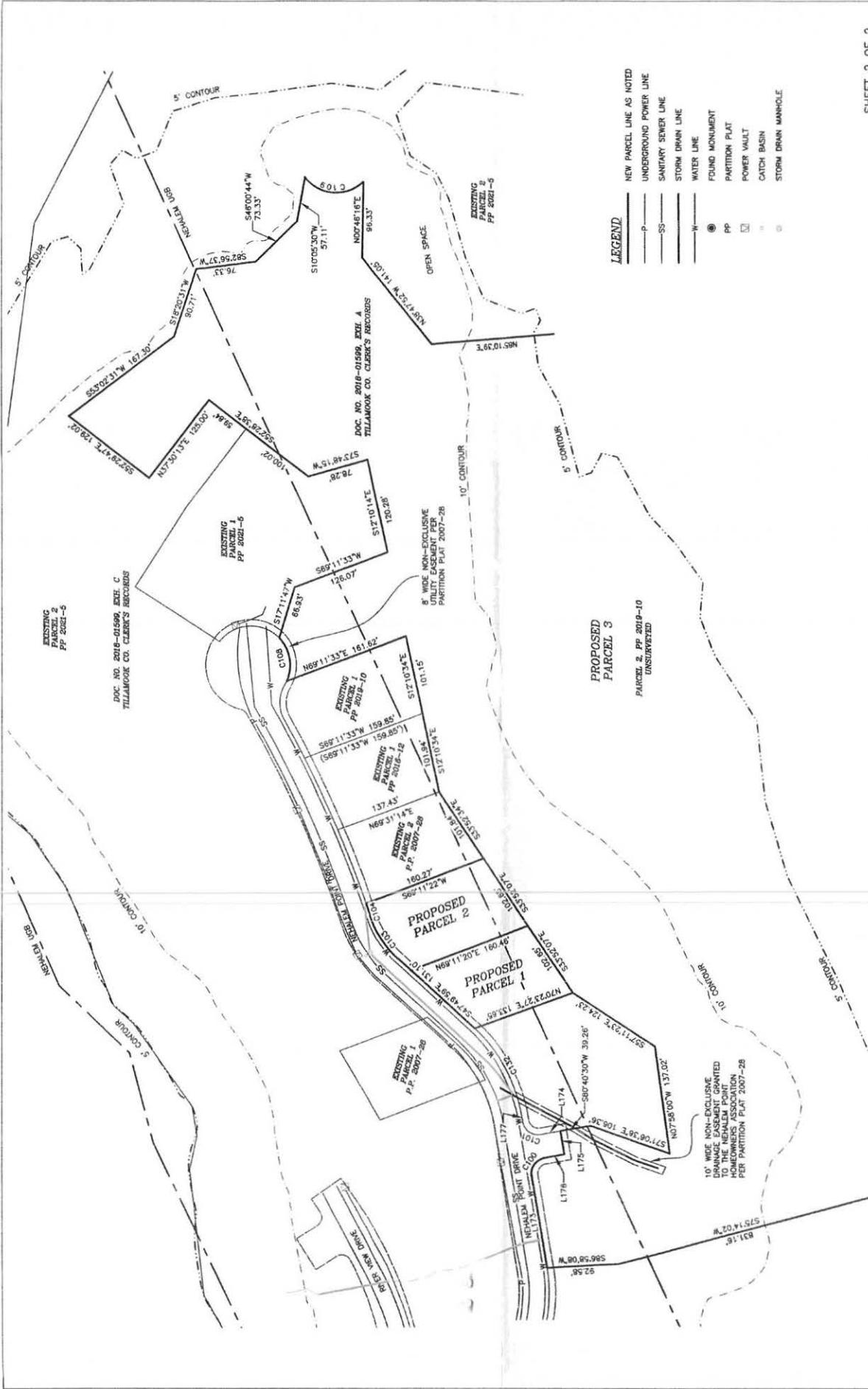
PORTLAND, VANCOUVER, BEND, SEASIDE
 1725 W ROOSEVELT DR.
 STE B, SEASIDE, OR 97138
 (503) 738-3425

WWW.SFLANDS.COM JOB NO. 9-17-2021 2021-G158-05 FIELD SP EMAIL: INFO@SFLANDS.COM DRAWN RER CHECKED JLW

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
 NE1/4, SE1/4, & SW1/4 SEC 34, T3N, R10W, W.M.
 CITY OF NEHALEM, TILLAMOOK COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR

 OREGON
 SEPTEMBER 10, 2019
 JACK L. WHITE II
 91987PLS
 RENEWS 6/30/22



- 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

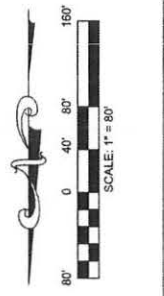
SHEET 2 OF 2

REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 SEPTEMBER 10, 2019
 JACK L. WHITE II
 91897243
 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
 NE 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
 WWW.SFLANDS.COM
 JOB NO. 2021-0158-05
 FIELD SP
 9-17-2021
 2/015805 PRELIM_2021.dwg

EMAIL: INFO@SFLANDS.COM
 DARRYL CARTER, PRESIDENT
 REP.
 STE. B, SEASIDE, OR 97138
 (503) 738-3425





Date: 9/30/2021

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 00 TAX LOT(S) 00201

SITUS ADDRESS: TBD

NAME: Darryl Carter PHONE: 503-368-6363

MAILING ADDRESS: PO Box 86

Manzanita, OR 97130

Single Family Duplex/Multi-Family Other

Comments: Subject to any necessary improvements.

Proposed land partition in a portion of Partition Plat No. 2019-10 - Nehalem Point

Signed: *Nelsa Thompson Kufner* City Manager
Name Title



Nehalem Bay Wastewater Agency
SEWER AVAILABILITY

Date: September 20, 2021
To: Tillamook County Building Department (Fax#503-842-1819)
City of Nehalem
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 34 PP2019-10 Parcel 2

Owner of Record: Nehalem Point Inc
Project Information: Development Application
S&F Land Services

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.

A handwritten signature in black ink, appearing to read "Keri Scott".

Keri Scott, Executive Assistant
Nehalem Bay Wastewater Agency