



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

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: December 17, 2021

REPORT PREPARED BY: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

- Request:** Plat approval to partition the subject property into three (3) parcels.
- Location:** Tax Lot 201 of Section 34, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.
- Zone:** Nehalem Low Density Residential (RL), Recreation Management (RM), Estuary Natural (EN).
- 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., a private road, is irregularly shaped, approximately 60 acres in size, vacant, 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 three (3) 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).

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 are not applicable at this time, however a Condition of Approval has been made to require relevant standards of these sections are adhered to at the time of development.

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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. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas
- F. Land Use Ordinance Section 3.510: Flood Hazard (FH) Overlay
- G. City of Nehalem Zoning Ordinance 157.138 Low-Density Residential - RL Zone Standards
- H. City of Nehalem Zoning Ordinance 157.26 Geologic Investigation
- I. City of Nehalem Subdivision Ordinance Chapter 156

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on November 5, 2021. One (1) comment was received (Exhibit C).

A. **Land Division Ordinance Section 060: Preliminary Plat Submission Requirements**

This section specifies what general information is required on a preliminary plat, information about existing conditions of the site, information about the proposed development allows the Department to require certain additional information to supplement the proposed plan of the subdivision.

Findings: Information required under this section is included on the preliminary plat or as supplemental information including service availability letters, existing and proposed easements, and locations of natural features (Exhibit B).

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.

B. **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;*

Findings: The “Partition Plat for Nehalem Point Inc. Darryl Carter - President” prepared by S&F Land Services dated September 17, 2021, proposes three (3) parcels (Exhibit B). The subject property is split zoned. Proposed parcels will be comprised of primarily the Nehalem Low Density Residential (RL) zone. The minimum lot size for properties zoned (RL) are 10,000 square feet. The minimum lot depth requirement is 100-feet, and the minimum lot width requirement is 75-feet. The proposed parcels meet those standards (Exhibit B).

The western portion of the subject property is mapped in an ‘AE’ Flood zone as indicated on the FEMA Flood Insurance Rate Map (FIRM) dated September 28, 2018 (Exhibit A). The portion of the subject property within the mapped Special Flood Hazard Area is contained entirely within the County zoned Recreation Management (RM) zone. Staff find development the area within the FEMA SFHA is subject to the Tillamook County Flood Hazard (FH) Overlay.

Applicant has proposed buildable lots outside the FEMA SFHA (Exhibit A & B). Staff find location of buildable residentially zoned lots are located outside the FEMA SFHA and therefore minimize risk for development. The

subject property maintains existing base flood elevation data within the FEMA FIRM and Flood Insurance Study (FIS) adopted by Tillamook County on September 28, 2018. Staff find these standards can be met through compliance with Conditions of Approval.

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). Applicant has provided a water availability letter from the City of Nehalem and sewer availability from the Nehalem Bay Wastewater Agency (Exhibit B). Staff find these criteria are met.

C. City of Nehalem Zoning Ordinance 157.138: Low-Density Residential (RL) Zone Standards

The minimum lot size shall be 10,000 square feet, with a minimum lot width of 75-feet and lot depth of 100-feet.

Findings: The Partition Plat proposes three (3) parcels in various sizes: proposed parcel 1 at 14,424 square feet, proposed parcel 2 at 16,603 square feet and proposed parcel 3 at approximately 59.85 acres (Exhibit B).

Staff finds these development standards have been met.

D. 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 December 29, 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. The existing zoning designations for all parcels shall remain the same and the standards for each zone continue to apply.

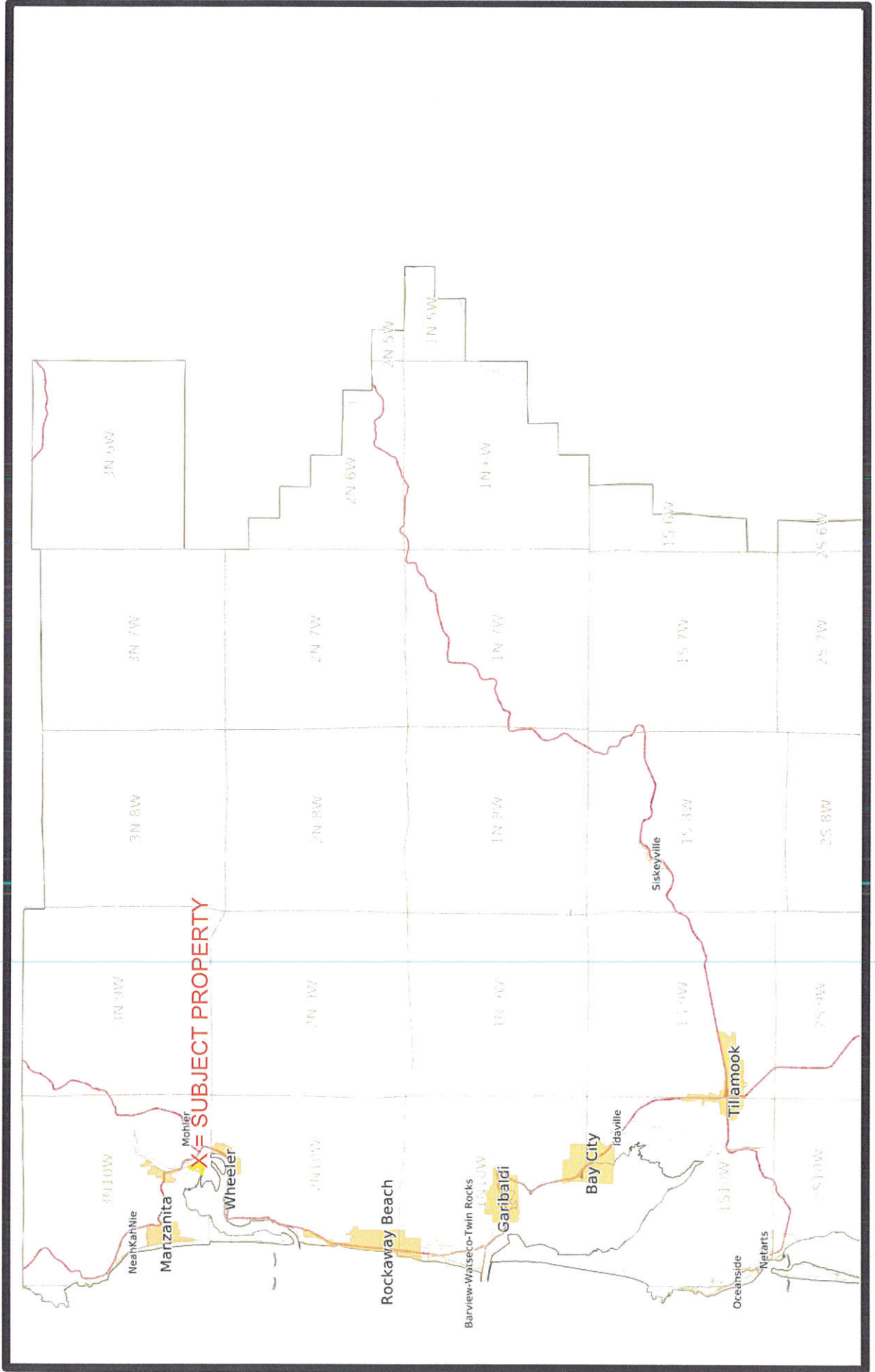
3. All easements necessary to serve the parcels for access and utilities shall be clearly identified on the final plat.
4. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.
5. The applicant and property owner shall record the Final Plat within 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, TCLUO Section 4.130: Development Requirements for Geological Hazard Areas, and City of Nehalem Zoning Ordinance Section 157.
8. Future development is subject to the standards and requirements maintained in TCLUO Section 3.510: Flood Hazard (FH) Overlay.

VI. EXHIBITS

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

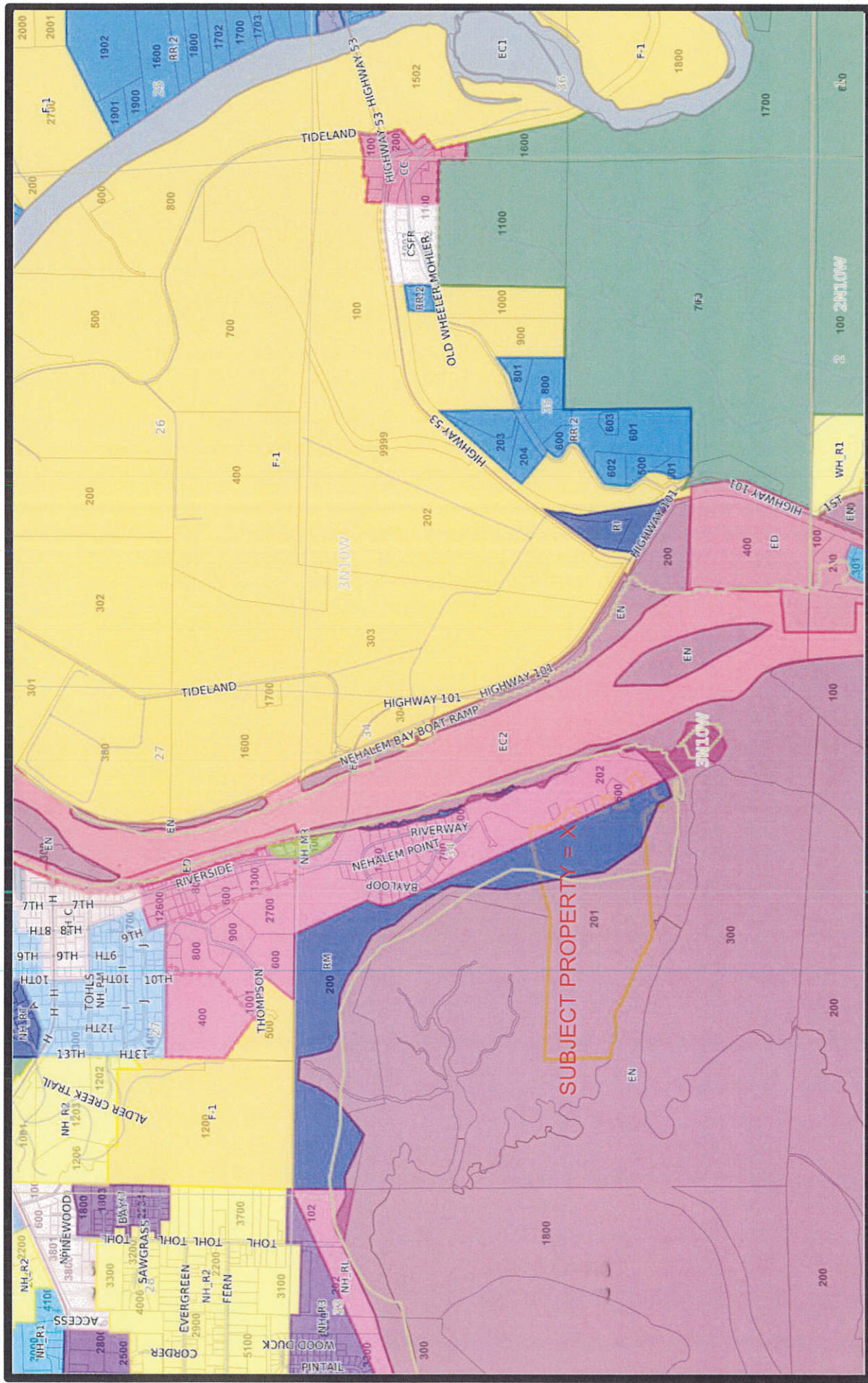
EXHIBIT A

Map





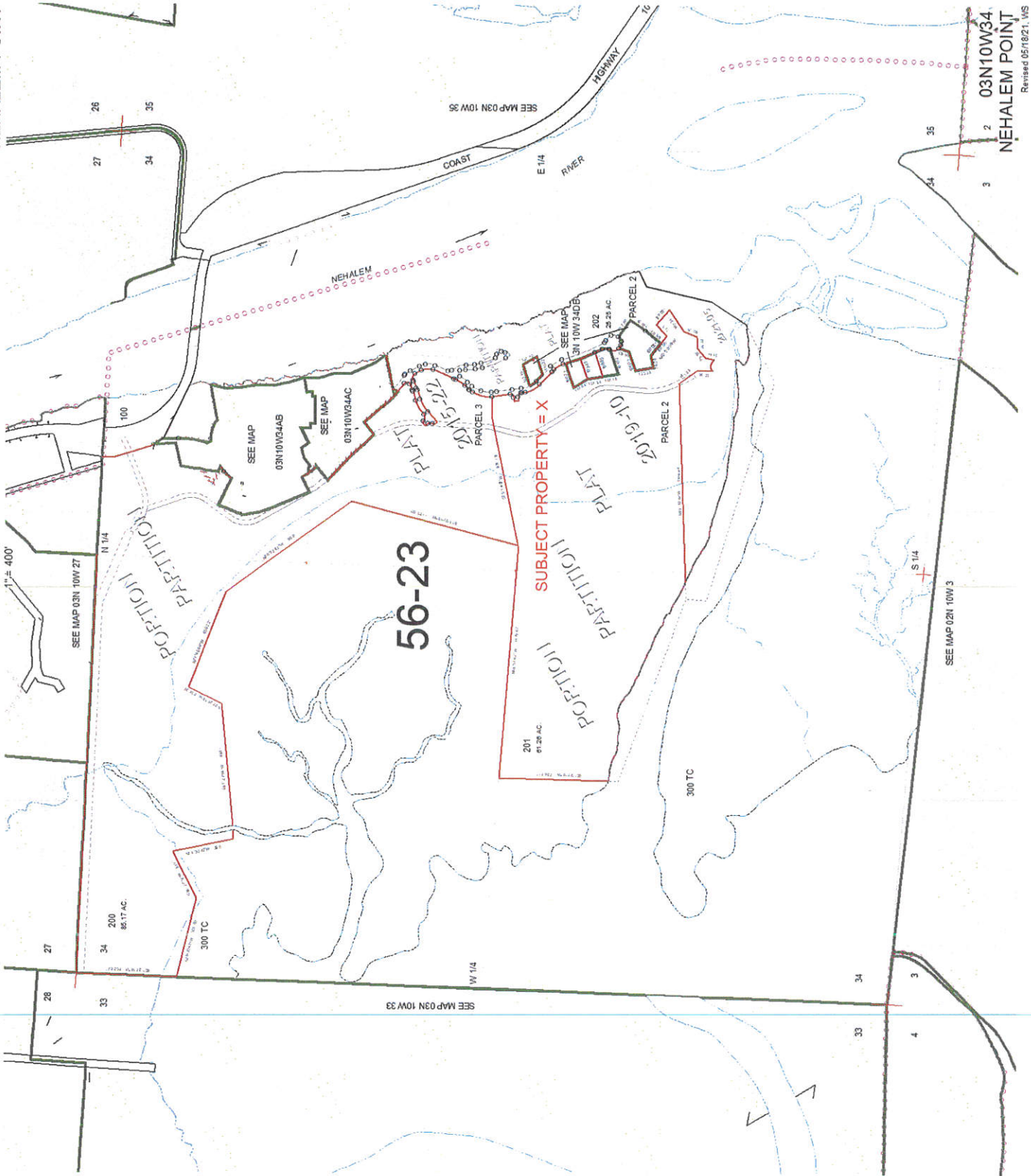
Map



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 05/18/21_VS

TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

November 2, 2021 9:28:15 am

Account # 417120
 Map # 3N10340000201
 Code - Tax # 5623-417120
 Legal Descr PARTITION PLAT 2019-10
 Lot - PARCEL 2

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Mailing Name NEHALEM POINT INC
 Agent
 In Care Of
 Mailing Address PO BOX 86
 MANZANITA, OR 97130

Deed Reference # See Record
 Sales Date/Price See Record
 Appraiser HANNAH THOMPSON

Prop Class 640 MA SA NH Unit
 RMV Class 400 02 BV 277 413343-1

Situs Address(s)	Situs City
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		Value Summary				
Code Area		RMV	MAV	AV	RMV Exception	CPR %
5623	Land	557,290			Land	0
	Impr.	0			Impr.	0
Code Area Total		557,290	363,870	280,639		0
Grand Total		557,290	363,870	280,639		0

		Land Breakdown								
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
5623		<input checked="" type="checkbox"/>		NH-RL	Designated Forest Land	103	A	2.98	OC	27,860
5623		<input checked="" type="checkbox"/>		RM	Designated Forest Land	103	A	12.19	OC	111,460
5623		<input checked="" type="checkbox"/>		EN	Market	103	A	42.98		390,110
5623		<input checked="" type="checkbox"/>		RM	Market	103	A	3.11		27,860
Grand Total								61.26		557,290

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

Code Area	Type	Exemptions/Special Assessments/Potential Liability

NOTATION(S):

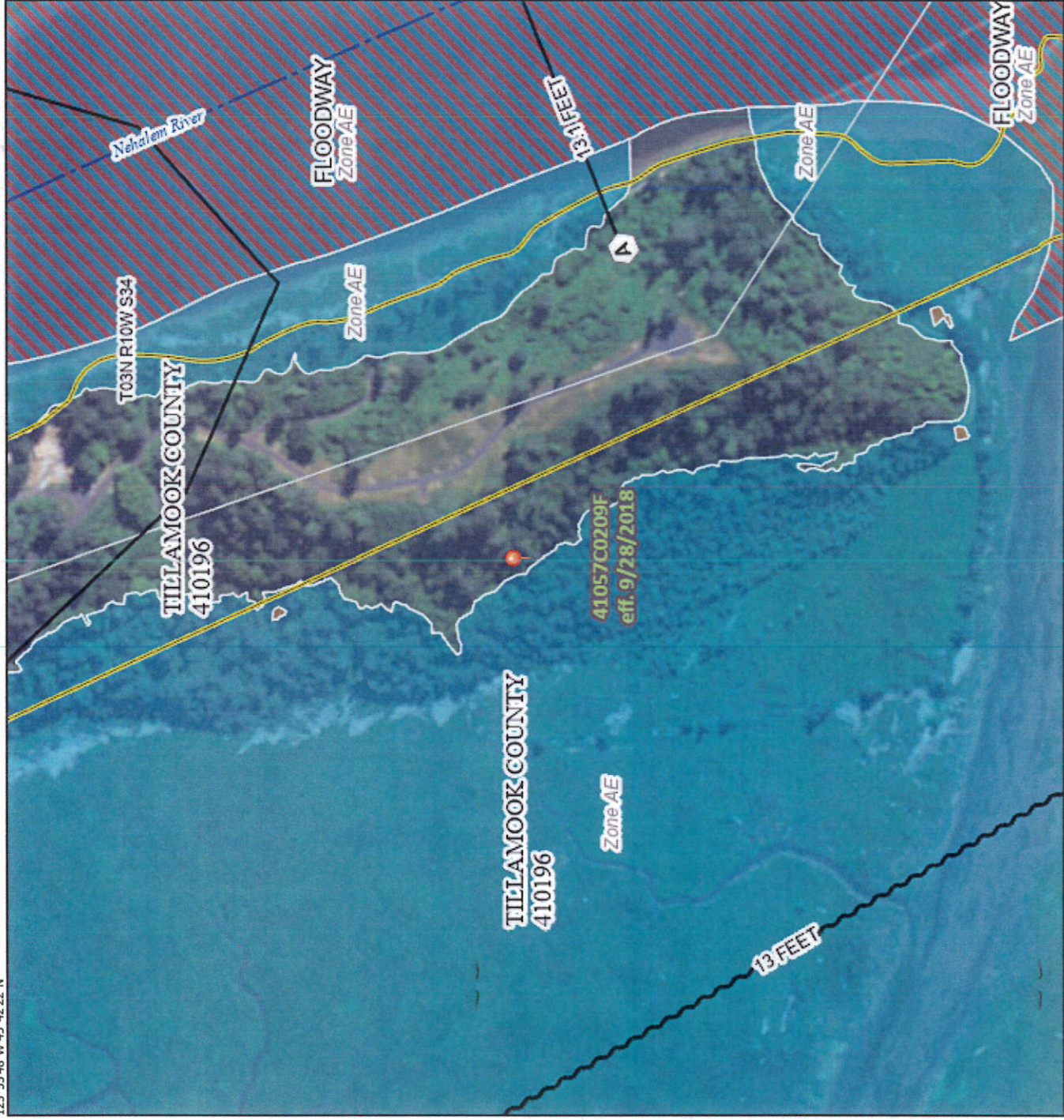
- FOREST LAND - POTENTIAL ADDITIONAL TAX LIABILITY 321.362

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

National Flood Hazard Layer FIRMette



123°53'48"W 45°42'22"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

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, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas 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

- NO SCREEN
- Area of Minimal Flood Hazard Zone X
- Effective LOMRS
- Area of Undetermined Flood Hazard Zone D

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 11/19/2021 at 12:04 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.

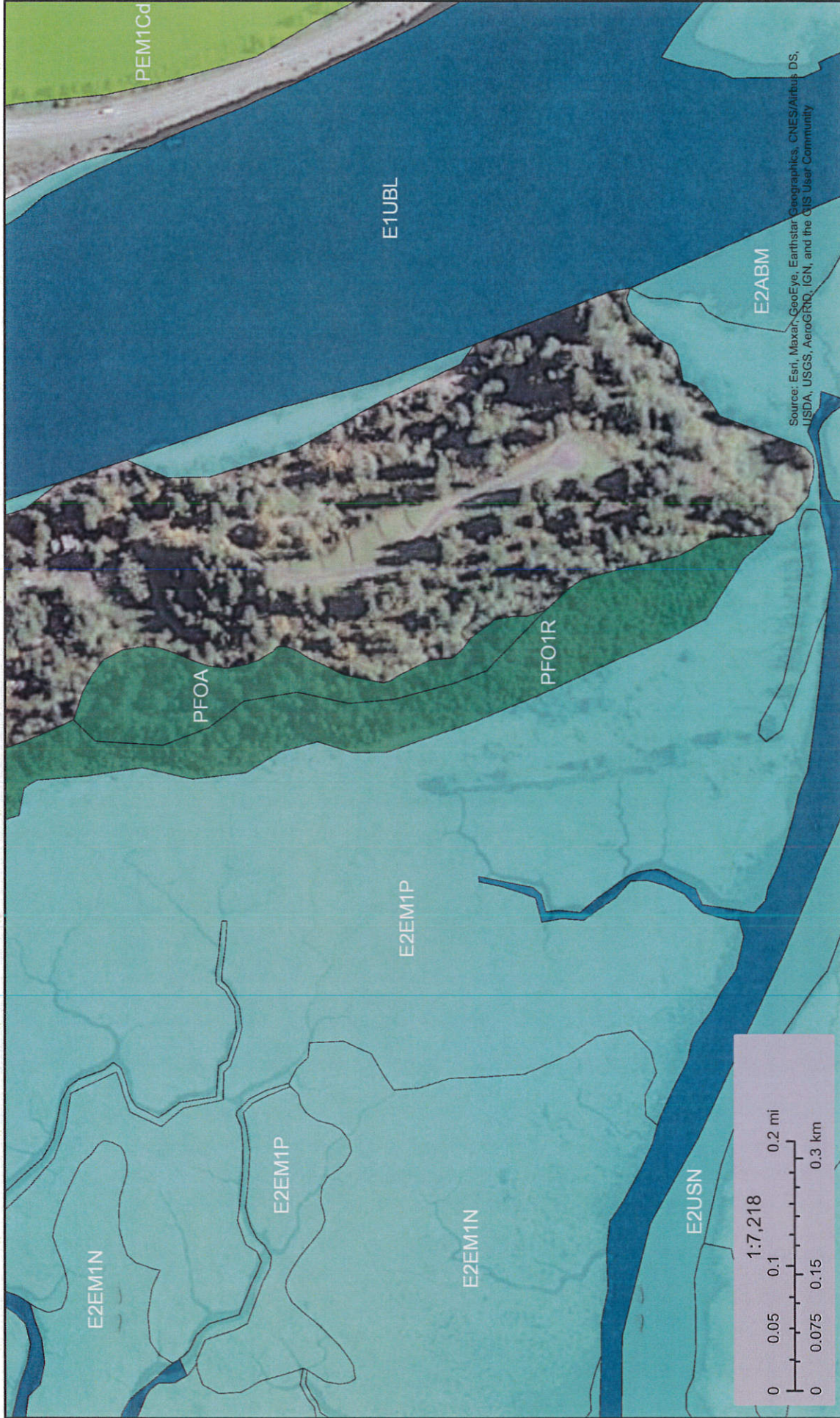
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



U.S. Fish and Wildlife Service

National Wetlands Inventory

Nehalem Point Inc.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

November 19, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

EXHIBIT B



LAND DIVISION APPLICATION

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	

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@nehalemtnet.net

Location:

Site Address: Vacant land south of Nehalem Point Drive

Map Number:	3N	10W	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

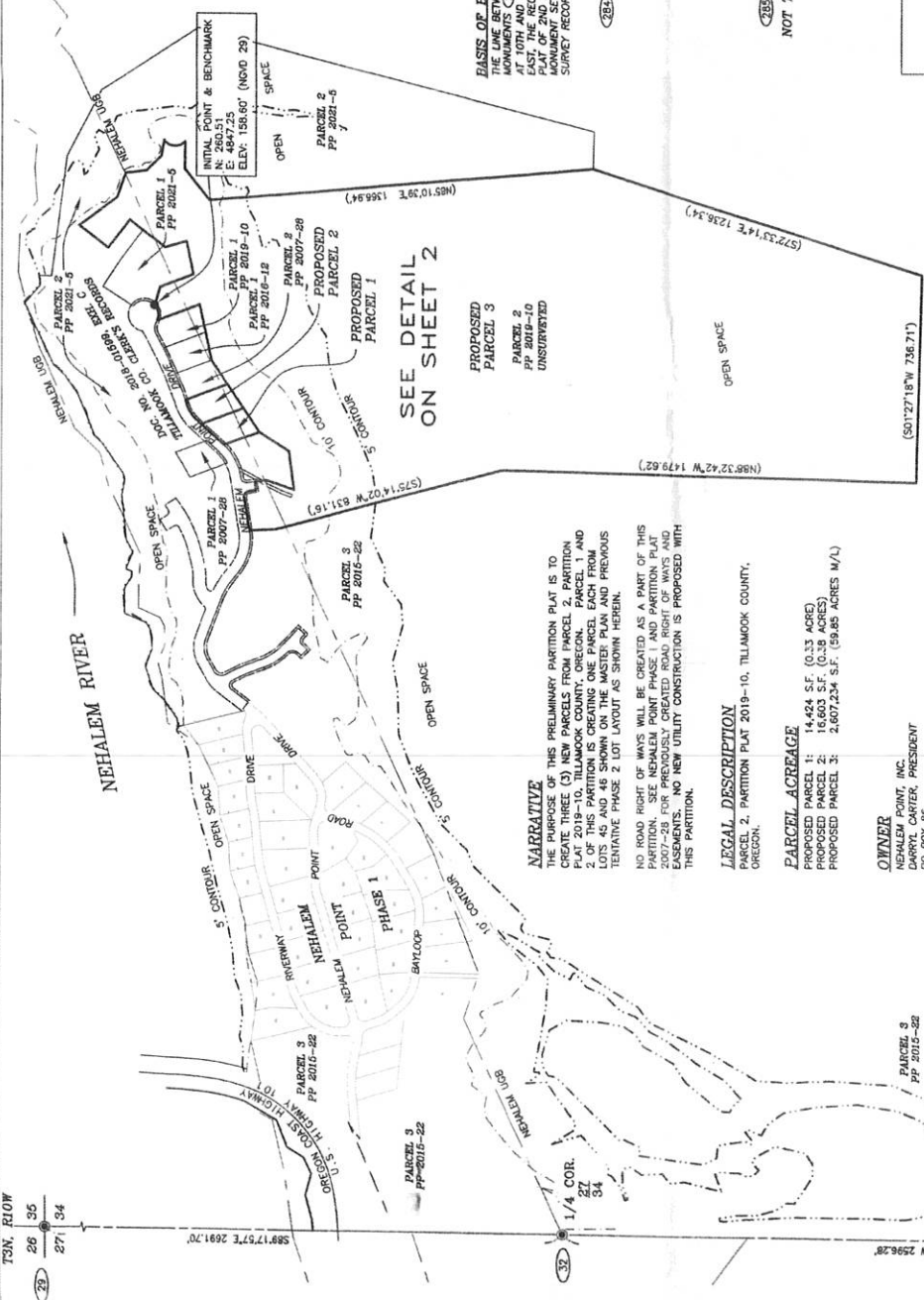
This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with 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, LLC Date 9/27/21
Property Owner (*Required) Date

Daryl Carter, PRESIDENT Date 9/27/21
Applicant Signature Date

26 35
27 34

NEHALEM RIVER

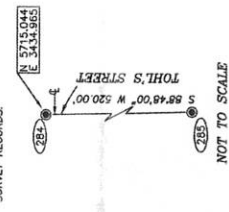


MONUMENT NOTES:

- (29) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX IN THE YELLOW CENTERLINE STRIPE OF TIELEAD ROAD, STAMPED AS SHOWN HEREON, SEE PARTITION PLAT NO. 2007-28 AND REMINISCE BOOK 6078113
- (30) FOUND 3" BRASS CAP IN CONCRETE AND TILE, 0.8' ABOVE THE SURFACE, 1.5' NORTHEAST OF "M" SECTION STAMPED AS SHOWN HEREON, SEE PARTITION PLAT NO. 2007-28 AND REMINISCE BOOK 6078113
- (31) FOUND 2 1/2" REBAR WITH YELLOW PLASTIC CAP MARKED "HANDFORTH AND PARTITION PLAT NO. 2007-28 AND REMINISCE BOOK 6078113
- (32) FOUND 3" BRASS CAP IN CONCRETE INSIDE A 10" CAST IRON MONUMENT BOX AT THE INTERSECTION OF 10TH STREET AND TONLS AVENUE, STAMPED "INITIAL POINT TONLS 2ND ADDITION 1900". HELD FOR BASIS OF BEARINGS, SEE REMINISCE BOOK 7, PAGE 28, TILLAMOOK COUNTY SURVEY RECORDS.

LEGEND:

- NEHALEM POINT 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 & PARTITION PLAT NO. 2007-28"
- MONUMENT NUMBER - SEE PARTITION PLAT
- RECORD VALUE PER PP 2016-12



SEE DETAIL ON SHEET 2

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 PORTION OF PARCEL 2 WITH THE EXISTING PLAT AND PREVIOUS TENTATIVE PHASE 2 LOT LAYOUT AS SHOWN HEREON.

NO ROAD RIGHT OF WAYS WILL BE CREATED AS A PART OF THIS PARTITION. SEE NEHALEM POINT PHASE 1 AND PARTITION PLAT 2019-10, TILLAMOOK COUNTY, OREGON, FOR EXISTING 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: 14,464 S.F. (0.33 ACRES)
PROPOSED PARCEL 2: 15,603 S.F. (0.36 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) 388-6083

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' NVD 29 ELEVATION LINE."

RECREATIONAL MANAGEMENT ZONE (RM); THIS ZONE IS OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL AREAS WITHIN THE UGB OF NON-AQUATIC VEGETATION OR MEAN HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD, AND BELOW 10' NVD 29 ELEVATION LINE."

ESTUARINE NATURAL ZONE (EN); THIS ZONE IS ALSO OUTSIDE THE NEHALEM UGB AND DEFINED AS "ALL AREAS WITHIN THE UGB OF NON-AQUATIC VEGETATION OR MEAN HIGHER HIGH WATER, WHICHEVER IS MOST LANDWARD"

FLOOD HAZARD ZONE: A PORTION OF THE SUBJECT PROPERTY IS FLOODED BY AN A-1 FLOOD ZONE WITH A BASE FLOOD ELEVATION OF 13.1'. NAVD88 = 9.5' NVD029 MAP 4105700209F. 13.1' NAVD88 = 9.5' NVD029

CURVE TABLE

CURVE #	DELTA	RADIUS	LENGTH	BEARING	DISTANCE
C100	90°00'20"	20.00'	31.42'	N35°40'20"E	28.23'
C101	89°54'58"	20.00'	31.30'	N54°19'30"W	28.26'
C104	2°31'33"	130.00'	66.09'	N33°04'13"W	66.25'
C108	6°00'20"	50.00'	59.34'	S09°45'10"E	55.92'
C109	96°00'13"	50.00'	63.88'	N85°28'54"W	74.41'
C132	39°30'29"	195.00'	131.08'	S29°54'45"E	128.91'

LINE TABLE

LINE #	BEARING	DISTANCE
L173	(S09°19'50"E)	(117.81)
L174	(S09°40'30"W)	(24.99)
L175	(S09°18'30"E)	(30.00)
L177	(S09°45'30"W)	(35.00)
L177	(N09°19'30"W)	(4.77)

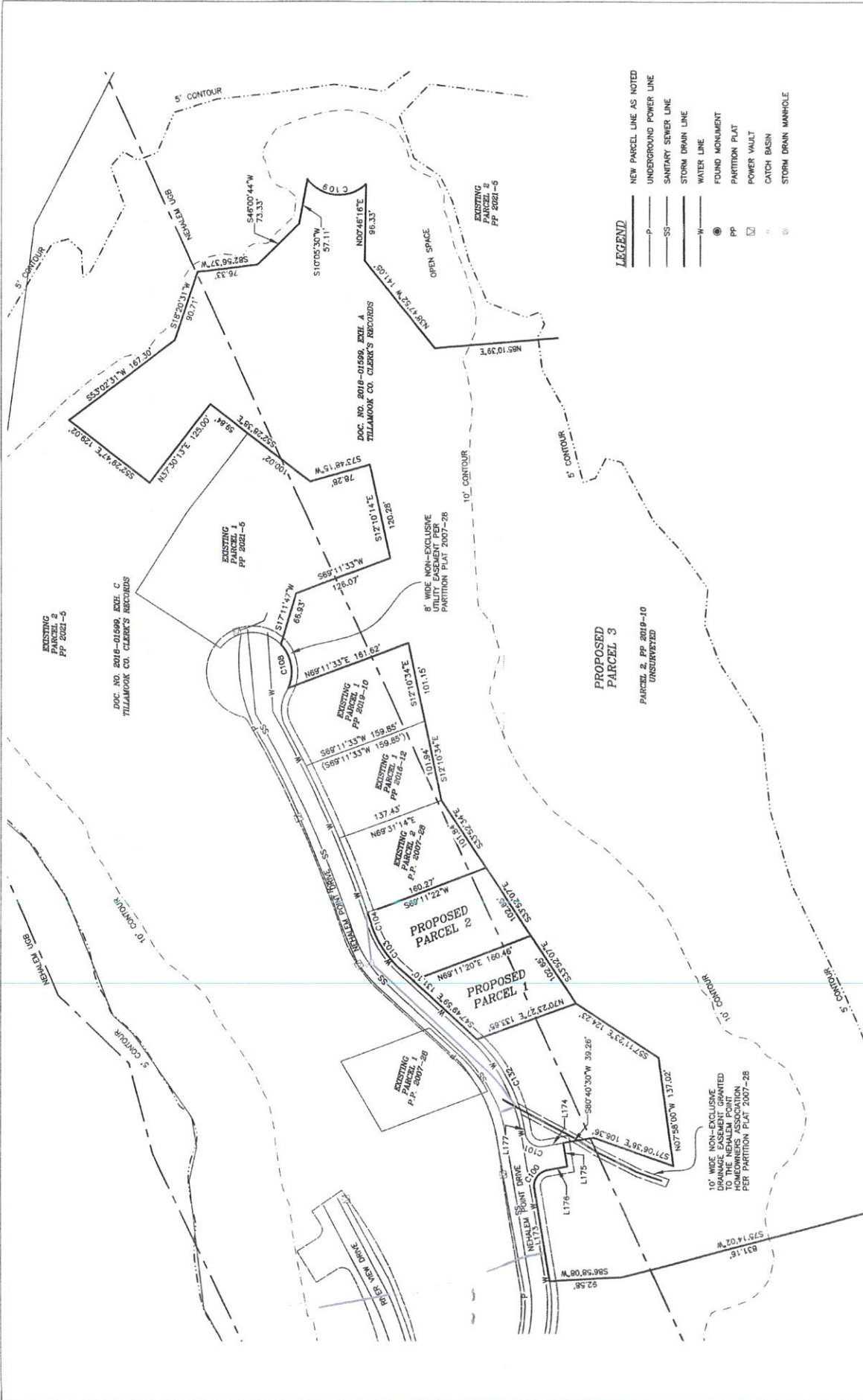
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
SEPTEMBER 10, 2019
JACK L. WHITE II
91882PLS
RENEWS 6/30/22

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
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 ROOSEVELT DR.
STE B, SEASIDE, OR 97138
PHONE: (503) 738-3425

WWW.SFLANDS.COM
DATE: 9-17-2021
JOB NO.: 2021-0158-05
FIELD SP
DRAWN BY: INFO@SFLANDS.COM
CHECKED BY: J.L.W.

21015805 PRELIM 2021.dwg
27 34
28 33
TSN, R10W



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

REGISTERED PROFESSIONAL LAND SURVEYOR

Handwritten Signature

OREGON

SEPTEMBER 10, 2019

JACK L. WHITE II

#189274LS

RENEWS 6/20/22

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

S&F Land Services

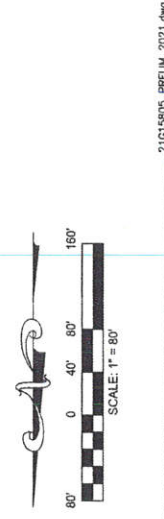
PORTLAND, VANCOUVER, BEND, SEASIDE

WWW.SFMLS.COM JOB NO. 2021-0158-05 FIELD SP PER

17725 N ROOSEVELT DR DATE: 9-17-2021

STE B, SEASIDE, OR 97138 DRAWN: CHECKED: J.L.W.

(503) 739-3425



10' WIDE NON-EXCLUSIVE DRAINAGE EASEMENT GRANTED TO THE NEHALEM POINT, INC. PER PARTITION PLAT 2007-28

8' WIDE NON-EXCLUSIVE UTILITY EASEMENT PER PARTITION PLAT 2007-28

PARCEL 3, PP. 2019-10 UNSURVEYED

EXISTING PARCEL 5, P.P. 2021-6

EXISTING PARCEL 1, P.P. 2021-5

EXISTING PARCEL 2, P.P. 2021-5

EXISTING PARCEL 3, P.P. 2019-10

EXISTING PARCEL 4, P.P. 2007-28

DOC. NO. 2018-01599, EXH. C, TILLAMOOK CO. CLERK'S RECORDS

DOC. NO. 2018-01599, EXH. A, TILLAMOOK CO. CLERK'S RECORDS

80' FEATHER

5' CONTOUR

10' CONTOUR

5' CONTOUR

10' CONTOUR

5' CONTOUR

10' CONTOUR

5' CONTOUR

OPEN SPACE

80' WIDE NEW DRIVE

NEHALEM POINT DRIVE

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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: *Nelisa 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

EXHIBIT C



November 19, 2021

TO: Tillamook County Community Development Department
Angela Rimoldi, Planning Permit Technician

FROM: Melissa Thompson-Kiefer, City Manager

RE: Partition Request #851-21-000385-PLNG: Nehalem Point, Inc.

The City of Nehalem Public Works Department and City Engineer have reviewed the proposed partition and provide the following comments:

- 1) While the minimum 20 psi is available at the water main (or future water meter) locations, due to the elevation at the end of Nehalem Point Drive, the City requires that a residential water booster pump and double detector check valve be installed by the owner at each property. The double detector check valve and residential booster pump for each property must be designed by a plumbing contractor/designer and submitted to the City for review and approval.
- 2) To ensure that pressure does not fall below 20 psi at higher elevations (above 120') in a fire or high flow situation, the developer must install a control valve, such as a pressure-sustaining valve, downstream from the last fire hydrant on Nehalem Point Drive. Specifications for the proposed valve, prepared by a professional engineer, shall be submitted to the City for review and approval.
- 3) Recent hydrant flow tests on the water main at the end of Nehalem Point indicated that the water main contains a large number of rocks within the pipeline left from previous construction. Flushing shall be required at each hydrant location within the subdivision. The developer shall be responsible for all flushing, which must be done in coordination with the Public Works Department.

All water system improvements must be in place and accepted by the City prior to the recording of the plat.

Sincerely,

Melissa Thompson-Kiefer
City Manager