



**PARTITION REQUEST #851-24-000420-PLNG:
BARON & ONION PEAK DESIGN
ADMINISTRATIVE DECISION AND STAFF REPORT**

Decision: Approved with Conditions

Decision Date: October 4, 2024

Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

Request: Plat approval to partition the subject property into two (2) parcels.

Location: The subject property is located within The City of Nehalem Urban Growth Boundary, inside the unincorporated community of Bayside Gardens, accessed via Fern Way, a county road. The subject property is designated as Tax Lot 3800 of Section 28DC, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon.

Zone: The subject property is zoned Nehalem Mixed Density Residential (RM) zone.

Applicant: Onion Peak Design, 11460 Evergreen Way, Nehalem, OR. 97131.

Property Owner: Baron SJ Family Trust, 35205 The Promenade, Nehalem, OR. 97131

Description of Site and Vicinity: The subject property is accessed via Fern Way, a county road, is rectangle shaped, approximately 0.51 acres in size, and is vegetated with grasses, bushes and some trees (Exhibit A). The subject property is located within The City of Nehalem Urban Growth Boundary, inside the unincorporated community of Bayside Gardens (Exhibit A). The subject property is zoned The City of Nehalem Mixed Density Residential (RM) zone (Exhibit A).

The subject property is within an area of geologic hazard, contains no mapped wetlands or natural features as indicated on the Statewide Wetlands Inventory map, and is located within Zone X an Area of Minimal Flood Hazard as depicted on the FEMA Flood Insurance Rate Map (FIRM 41057C0208F) (Exhibit A).

Given the size and topography of the subject property and subsequent parcels, staff finds that the standards of the City of Nehalem Development Ordinance Section 157.440 Geologic Hazard Areas are 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.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The desired use is governed through the following sections of the City of Nehalem Development Ordinance. The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. City of Nehalem Development Ordinance Section 157.205 Mixed Density Residential - RM Zone
- B. City of Nehalem Development Ordinance Section 157.440 Geological Hazards
- C. City of Nehalem Development Ordinance Section 157.404 Land Divisions
- D. City of Nehalem Development Ordinance Section 157.503 Partitions

III. ANALYSIS:

Notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on August 21, 2024. No comments were received.

A. City of Nehalem Development Ordinance 157.205: Mixed Density Residential (RM) Zone Standards
Unless otherwise required by this Chapter, the following minimum dimensional standards shall be required for all development in the RM zone:

(A) *Minimum lot size*

1. *Single Family Home*

(a) *Attached – 4,000 square feet.*

(b) *Detached - 5,000 square feet.*

...

(B) *Minimum Lot Dimensions*

1. *Lot Width – 40 feet; corner lot – 60 feet along each street frontage.*

2. *Lot Depth – 85 feet.*

(C) *Minimum Setback (Residential)*

1. *Front Yard – 15 feet.*

2. *Street Side Yard – 15 feet.*

3. *Side Yard – 5 feet minimum; 12 feet both sides combined.*

4. *Rear Yard – 15-feet; corner lot may be 10-feet.*

...

Findings: The preliminary plat confirms the two (2) parcels created by the partition meet the minimum requirements for lot size and dimension standards as outlined above (Exhibit B). Proposed parcel 1 is vacant; however, an approved building permit for a new dwelling, #851-24-001325-DWL, has been issued (Exhibit B). Proposed parcels 2 is currently improved with an accessory structure which will require removal, or compliance with local zoning codes, including a building permit to establish a primary use for the proposed parcel (Exhibit B).

Staff find the above listed development standards can be met through the Conditions of Approval for future development of parcel 1 and 2.

B. City of Nehalem Development Ordinance 157.440 Geological Hazards

157.440.02 Development Standards

All development within geologic hazard areas shall comply with the following standards.

(A) *Vegetation removal shall be the minimum necessary to accommodate the use.*

(B) *Temporary measures shall be taken to control runoff and erosion of soils during construction. Such measures include temporary stabilization (mulching or sodding), sediment basins or other performance equivalent structures required by the city.*

(C) *Exposed areas shall be planted in permanent cover as soon as possible after construction.*

(D) *Storm water shall be directed into drainages with adequate capacity so as not to flood adjacent downstream properties. Finished grades should preferably be designed to direct water flows along natural drainage courses.*

(E) *Additional requirements contained in a geologic report required by this section shall be followed.*

Findings: Identified above in Subsection B, the subject property is within an area of geologic hazard (Exhibit A). Future development of the subject property may be subject to development standards of the City of Nehalem Development Ordinance 157.440 Geological Hazards. A Condition of Approval has been outlined below in Section V.

C. City of Nehalem Development Ordinance 157.404 Land Divisions

157.404.03 Standards for Lots or Parcels

The following standards shall apply to all Partitions and Subdivisions.

(A) *Minimum Lot Area. The minimum lot area shall conform to the requirements of the applicable zone in which the parcel is located. Access easements, or the access strip to a flag lot, shall not*

be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Chapter.

(B) Minimum frontage. Every lot shall abut a street, other than an alley, for at least 20- feet.

...

(H) Lot Side Lines. The side lines of lots, as far as practicable, shall run at right angles to the public street, private street, or private access easement upon which the lot or parcel faces.

Findings: Staff reviewed minimum lot sizes in accordance with The City of Nehalem Mixed Density Residential (RM zone) in this report, Subsection A. The proposed parcels maintain the minimum 20-foot frontage along Fern Way, a county road (Exhibit A).

Staff find these standards have been met or can be met through compliance with conditions of approval.

157.404.05 Improvement Requirements - Partition

During the review of Partition proposals, the City shall require, as a condition of approval, the following improvements:

(A) Private Access. Where included, private driveways serving flag lots or private easements shall be surfaced per the requirements of this Chapter.

...

(C) Public Facilities. Sewer, water, and storm drainage facilities may be required on and adjacent to the project. The developer shall submit engineering plans or facility improvement plans for water and storm sewer to the City for review. Sanitary sewer plans shall be submitted to the Nehalem Bay Water Agency. The plans shall address the required improvements contained in this Article, and any conditions of approval, and shall conform with applicable engineering requirements. Improvement work shall not commence until plans are approved by the City and/or Nehalem Bay Water Agency.

(D) Completion Requirements. All required improvements shall be completed prior to recording the final partition plat and the issuance of any building permits for the subject property. Alternatively, improvements required under this Section may be assured through a performance bond or other instrument acceptable to the City (or Nehalem Bay Water Agency) prior to the approval of the final plat of the Partition.

Findings: The subject property is served by Tillamook County Public Works Department; a Condition of Approval has been outlined below in Section V for the applicant/owner to comply with all necessary Road Approach improvements serving each proposed parcel. The applicant has provided a water availability letter from the City of Nehalem and sewer availability letter from the Nehalem Bay Wastewater Agency (Exhibit B).

Staff find these standards have been met or can be met through compliance with conditions of approval.

157.404.07 Improvement Procedures

In addition to the requirements of the City Public Works Department and City Engineer, improvements installed by a developer for any land division, either as a requirement of these regulations or the developer's option, shall conform to the requirements of this Chapter, the improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedures:

(A) Approval Required. Improvement work shall not begin until plans are approved by the City and/or the Nehalem Bay Water Agency. All plans shall be prepared in accordance with requirements of the City and Agency.

(B) Notification. Improvement work shall not begin until the City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City has been notified.

(C) Inspections. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer or his/her designee. The City may require changes in typical street sections and improvements if unusual conditions arise during construction to warrant such changes. Nehalem Bay Water Agency shall conduct inspections of sanitary sewer improvements, in coordination with the City.

(D) Installation of Utilities. All underground utilities, sanitary sewers, and storm drains installed by the developer shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

(E) As-Built Drawings. A map or plan showing all public improvements as built shall be filed with the City of Nehalem upon completion of the improvements.

Findings: Staff find these standards can be met through compliance with conditions of approval.

D. City of Nehalem Development Ordinance Section 157.503 Partitions

...
Section 157.503.02 Process

...
(B) For property outside the City Limits, and within the Urban Growth Boundary, preliminary plats for a Partition application shall be reviewed by Tillamook County, in accordance to provisions in the Intergovernmental Agreement, and subject to the decision criteria in Section 157.504.05.

Section 157.503.03 Application

An application for a Partition shall be filed with the City (or County as applicable) and accompanied by the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. Notice shall be subject to the provisions in Section 157.521.

Section 157.503.04 Submittal Requirements

(A) The applicant shall prepare and submit a preliminary plan and other supplemental information as may be required by City staff to indicate the intent of the development. The application shall include a statement explaining the proposal and providing analysis of the proposal relative to the approval criteria. The preliminary plan should show pertinent information to scale to facilitate the review of the proposed development.

- 1. General Information. The following general information shall be shown on the tentative plan:
 - (a) Vicinity map showing all streets, property lines, streams, and other pertinent data to locate the proposal.*
 - (b) North arrow and scale of drawing.*
 - (c) Tax map and tax lot number or tax account of the subject property.*
 - (d) Dimensions and size in square feet or acres of the subject property and of all proposed parcels.**
- 2. Existing Conditions:
 - (a) Location of all existing easements within the property.*
 - (b) Location of City utilities (water and storm drainage) and sanitary sewer (Nehalem Bay Wastewater Agency) within or adjacent to the property proposed for use to serve the development.*
 - (c) The location and direction of water courses or drainage swales on the subject property.*
 - (d) Existing use of the property, including location of existing structures with dimensions of the structures and distances from property lines. It shall be noted whether the existing structures are to remain or be removed from the property.**
- 3. Proposed Plan:
 - (a) Locations, approximate dimensions, and area in square feet of all proposed parcels. All parcels shall be numbered consecutively.*
 - (b) Location, width and purpose of any proposed easements.**

(B) At the discretion of the City Planner the previous requirements may be waived, in part, provided there is sufficient information to allow processing of an application.

Findings: Subject property is located within the Urban Growth Boundary of the City of Nehalem (Exhibit B). Tillamook County is performing a review of the City of Nehalem provisions through this report. 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).

Section 157.503.05 Decision Criteria

Approval of a partition shall be subject to the following decision criteria:

- (A) Each parcel shall satisfy the dimensional standards of the applicable zone, unless a variance from these standards is approved.*

Findings: Dimensions standards for the Nehalem RM zone are discussed above in this report, Subsection A.

Staff find this criterion is met or can be met through compliance with conditions of approval.

(B) The parcels shall meet the Development Standards for Land Division of Section 157.404.

Findings: Staff reviewed requirements contained in Section 157.404 above in this report, Subsection C.

Staff find this criterion is met or can be met through compliance with conditions of approval.

(C) Existing dwellings and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved.

Findings: The applicant/owners preliminary plat map depicts the existing improvements on the subject property (Exhibit B). The applicability to the Nehalem RM zone is discussed above in this report, Subsection A.

Staff find this criterion is met or can be met through compliance with conditions of approval.

(D) Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. The applicant shall design and install a water system to serve all lots or parcels within a development in accordance with Nehalem City Code Section 51.09 and shall connect those lots or parcels to the city's water system. Applicants are responsible for extending the city's water system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development. If adjacent properties are undeveloped, not developed to their maximum density, or landlocked, consideration will be given to extending appropriate access to those properties in accordance with provisions in Section 157.402.

Findings: The 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 this criterion is met or can be met through compliance with conditions of approval.

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 Development 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 October 16, 2024**.

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. The applicant and property owner shall comply with all requirements of the Tillamook County Surveyor's Office.

3. The applicant/owner shall obtain a letter from the Tillamook County Public Works Department confirming either the existing Road Approach via Fern Way is adequate or that necessary improvements to the Road Approach have been completed. The letter shall be provided to the Community Development Department at time of consolidated building/zoning submittal for each parcel.
4. Within 90-days of final recording, the existing accessory structure located on Parcel 2 shall be removed or the necessary building permits shall be obtained to establish a primary use in compliance with the Development Ordinance Section 157.205 Mixed Density Residential (RM) zone standards.
5. Development of each parcel is subject to applicable standards contained in the City of Nehalem Development Ordinance Section 157.205 Mixed Density Residential (RM) zone standards, City of Nehalem Development Ordinance 157.440 Geological Hazards, and City of Nehalem Development Ordinance 157.404 Land Divisions.
6. 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.
7. The applicant and property owner shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.

VI. EXHIBITS

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

EXHIBIT A

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.W.1/4 S.E.1/4 SEC.28 T.3N. R.10W. W.M. TILLAMOOK COUNTY

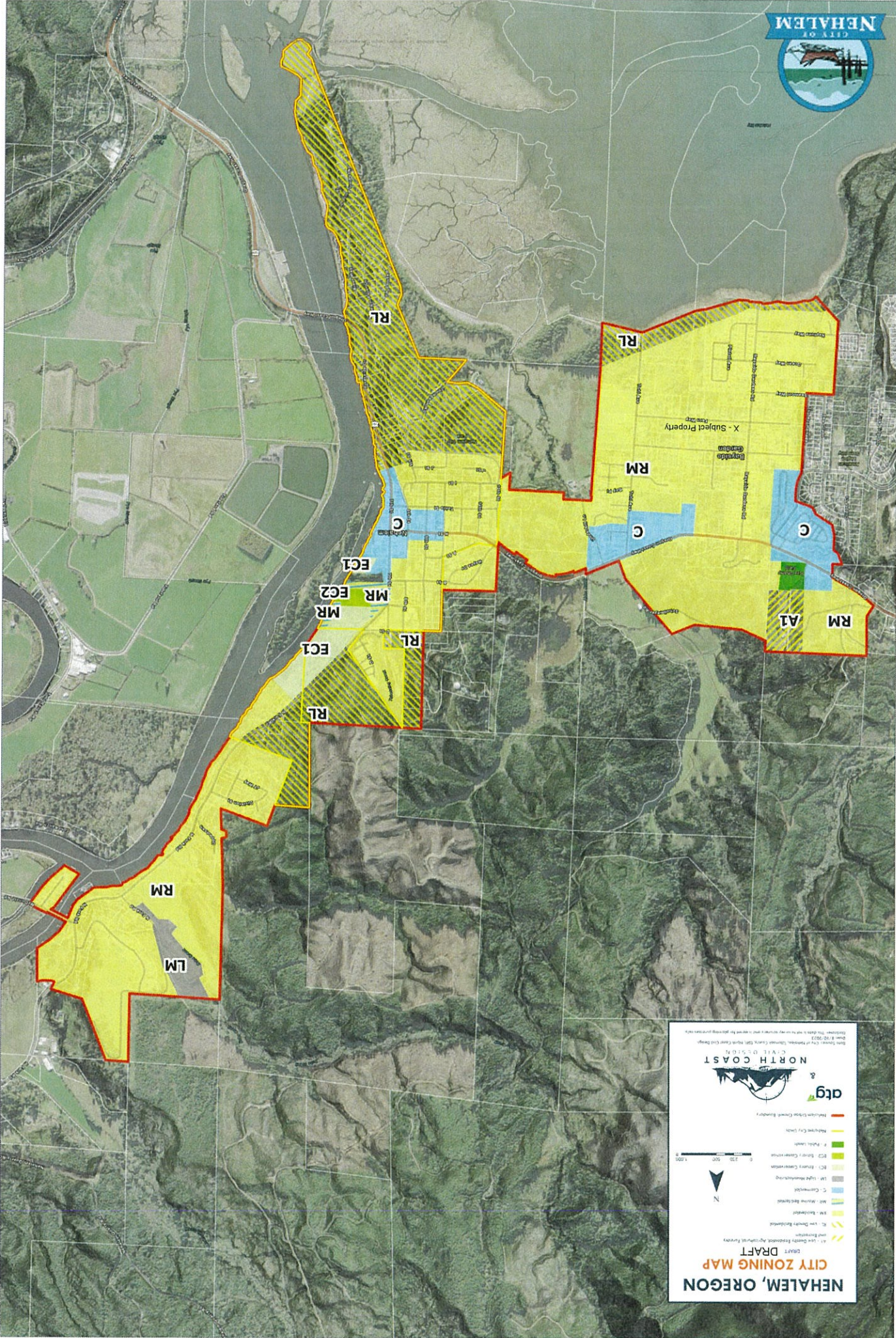
1" = 100'

03N10W28DC



CANCELLED
1301
5203

03N10W28DC
Revised 09/07/20, WS



NEHALEM, OREGON
CITY ZONING MAP
 DRAFT

atg
 &
NORTH COAST

Map Date: 8/10/2023
 Map Name: City of Nehalem, General Ordinance (Zoning Code Change)
 Disclaimer: This map is not to be used for any purpose other than that for which it was prepared.

Legend:

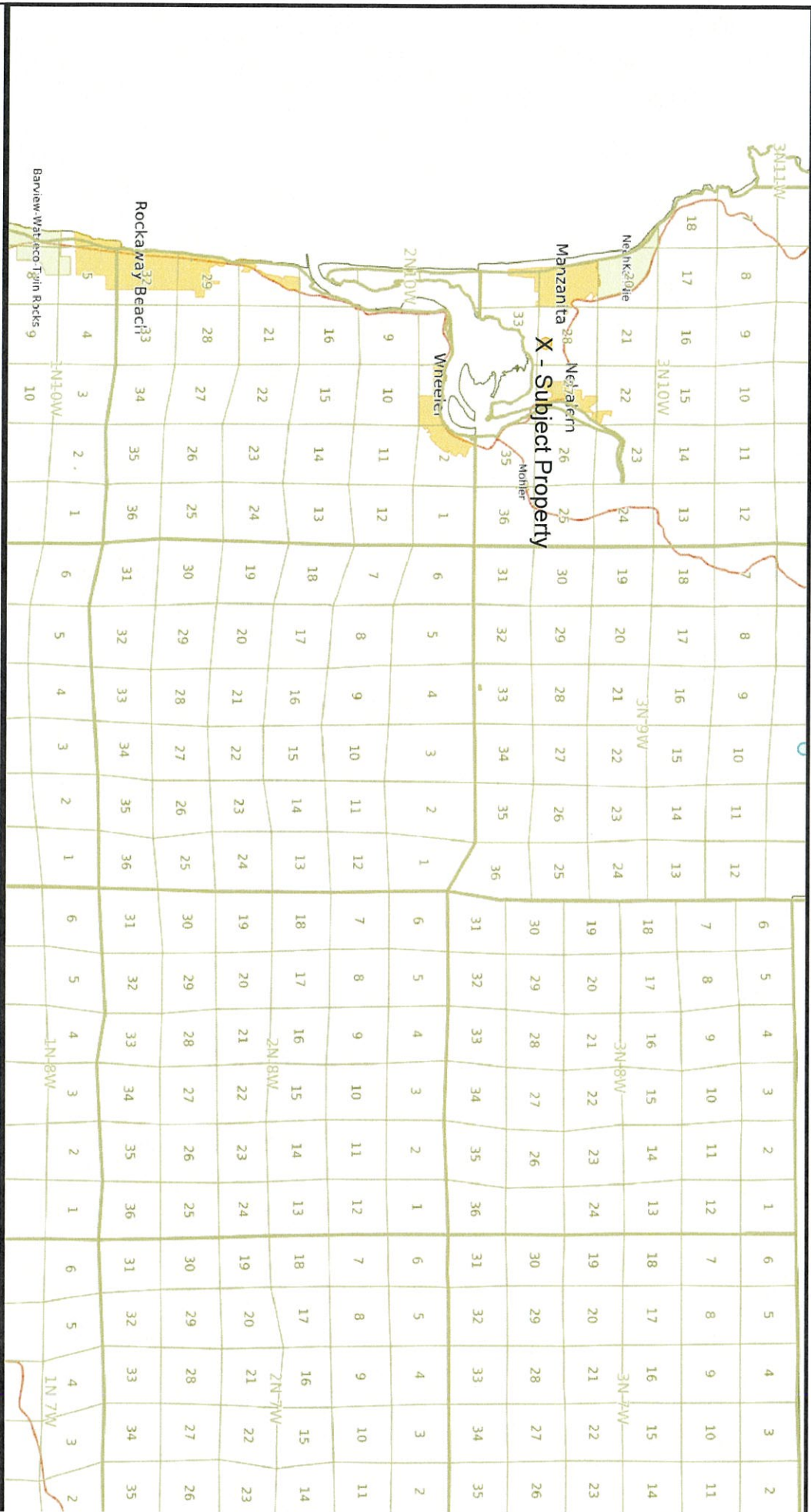
- Red line: Metrolux City Council Boundary
- Yellow: Medium Density Residential
- Green: Medium Density Residential with Community
- Light Green: Medium Density Residential with Community
- Light Blue: Community
- Light Yellow: Low Density Residential
- Light Green: Agriculture
- Light Blue: Community
- Light Yellow: Medium Density Residential
- Light Green: Medium Density Residential with Community
- Light Blue: Community
- Light Yellow: Low Density Residential
- Light Green: Agriculture

Scale: 0 250 500 1,000 feet

North Arrow

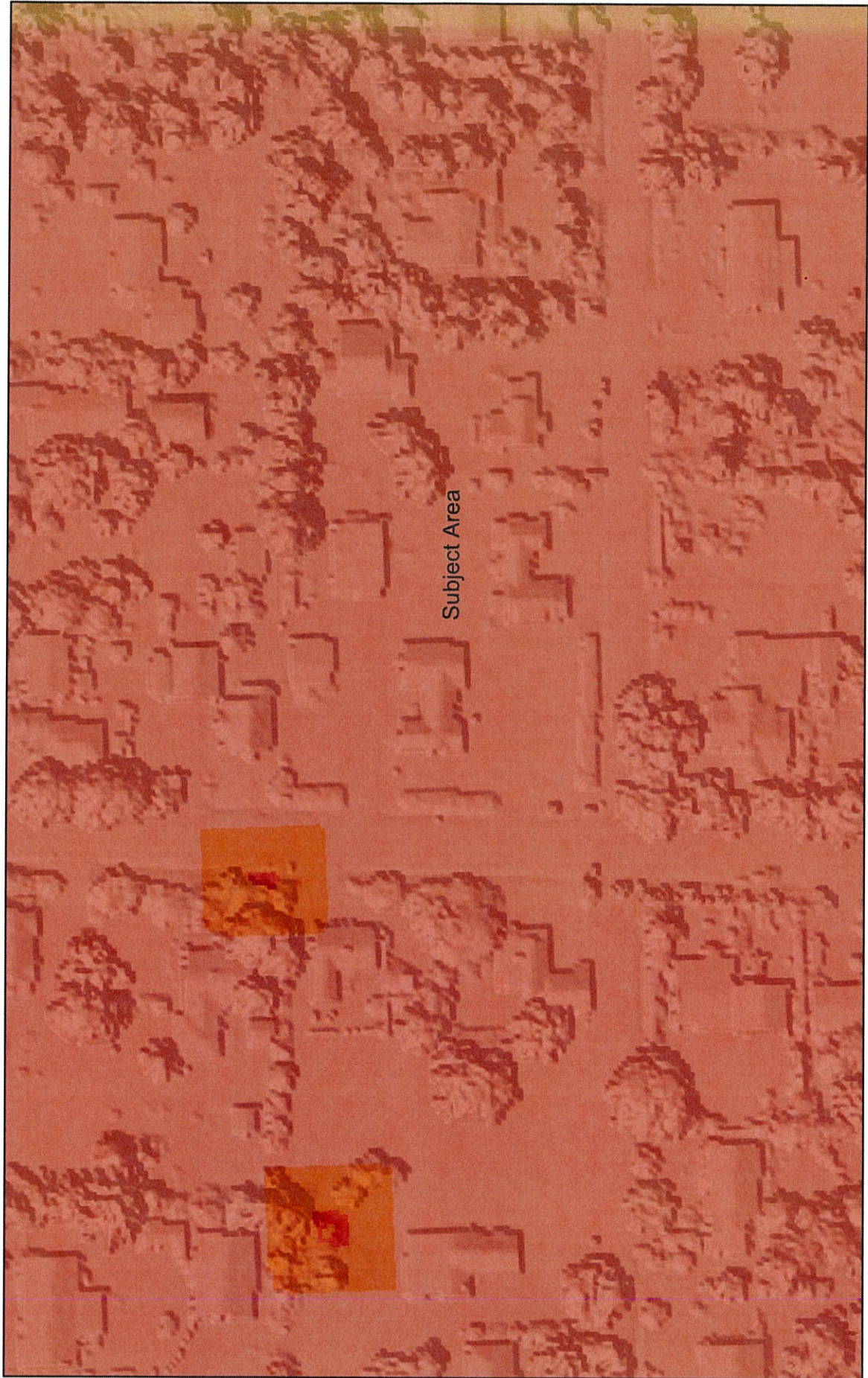


Tillamook County GIS

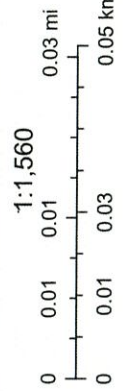
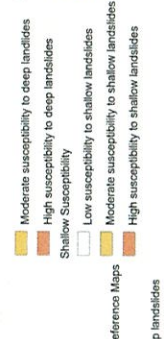
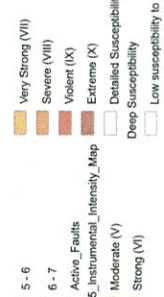
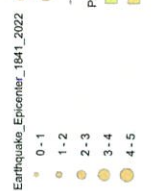


Created: Mon Aug 19 2024 9:44:14
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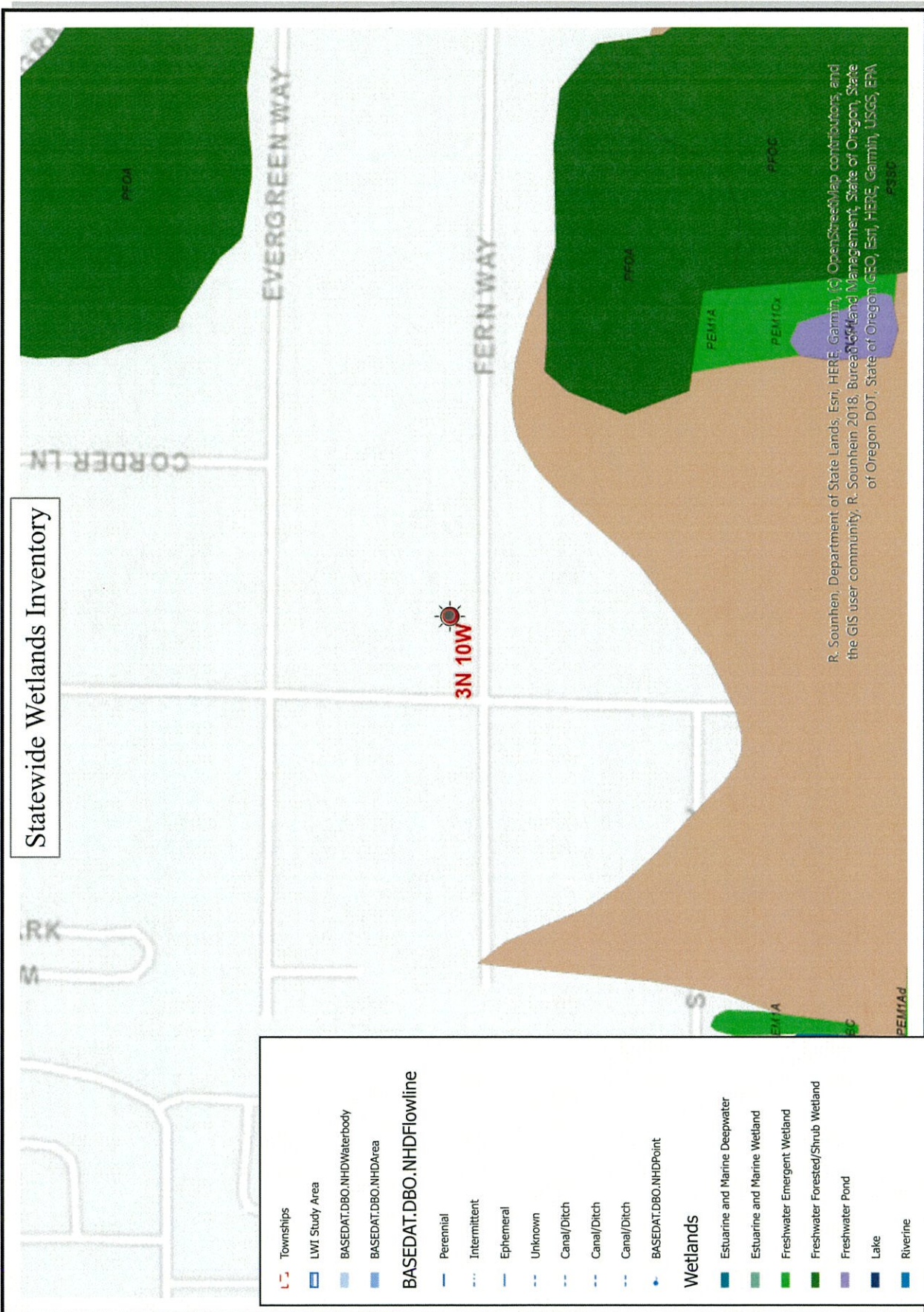
PARTITION #851-24-000420-PLNG



October 2, 2024



Statewide Wetlands Inventory



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

R. Sounthen, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, R. Sounthen 2018, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, HERE, Garmin, USGS, EPA

The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as more data becomes available. Users should be aware that the map does not represent actual field conditions and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

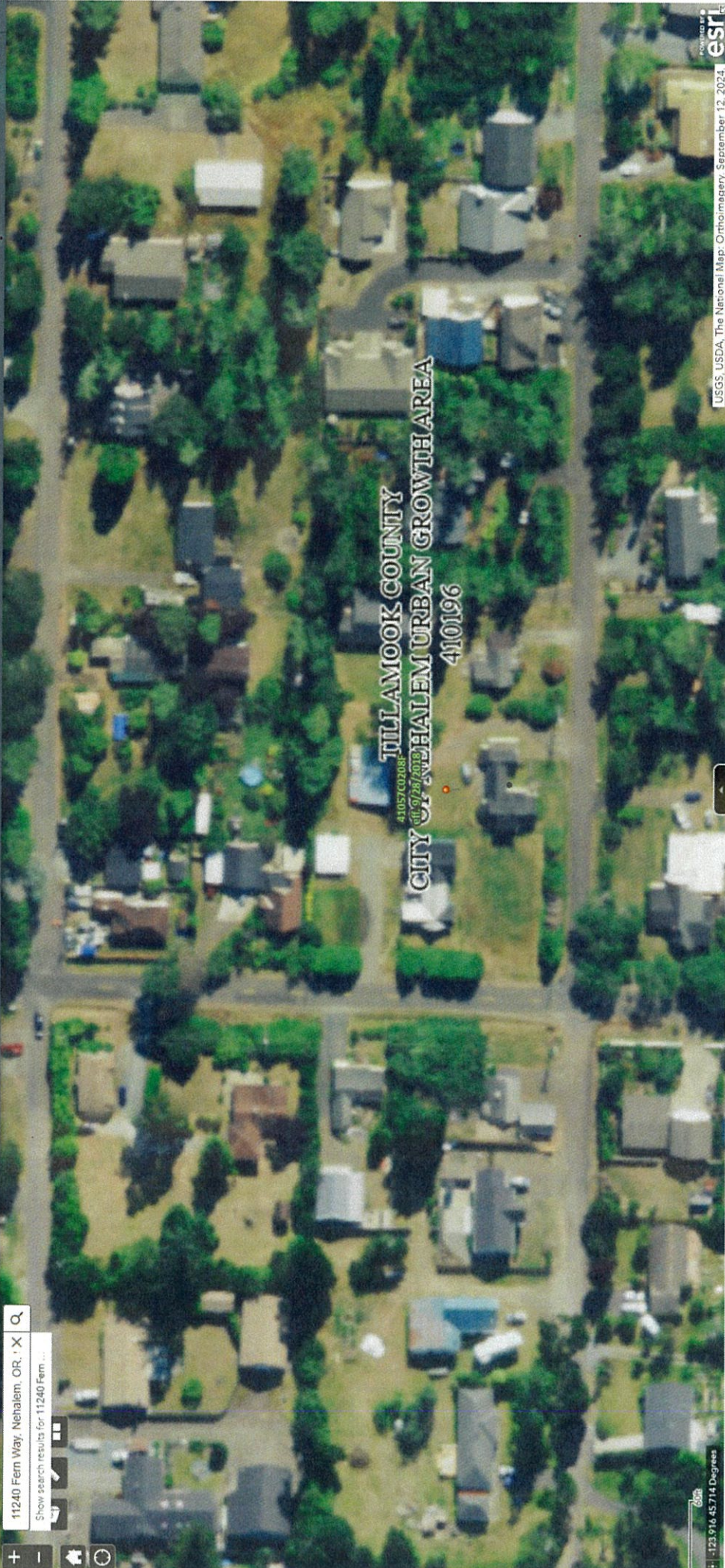


FEMA's National Flood Hazard Layer (NFHL) Viewer

with Web AppBuilder for ArcGIS

11240 Fern Way, Nehalem, OR, X

Show search results for 11240 Fern...



TILLAMOOK COUNTY
CITY OF NEHALEM URBAN GROWTH AREA
410196

4105702088
09/28/2013

123.91645714 Degrees

USGS, USDA, The National Map, Orthoimagery, September 12, 2024



EXHIBIT B



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: Baron SJ Family Trust Phone: 503-812-0835
 Address: 35205 The Promenade
 City: Nehalem State: OR Zip: 97131
 Email: baron@nehalem.tel.net

Location:

Site Address: 11240 Fern Way, Nehalem, OR 97131

Map Number: 3N 10W 28DC 3800
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

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

Existing Conditions

- Existing streets with names, right-of-way, pavement widths, access points.
 - Width, location and purpose of existing easements
 - The location and present use of all structures, and indication of any that will remain after platting.
 - 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
 - Location of all existing subsurface sewerage systems, including drainfields and associated easements
 - 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
 - The location and elevation of the closest benchmark(s) within or adjacent to the site
 - Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
 - For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps
- Other information:

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	21-000420
Fees:	155. ✓
Permit No:	85121 - 000420 PLNG

Proposed Development

- 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 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

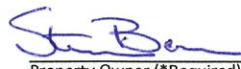

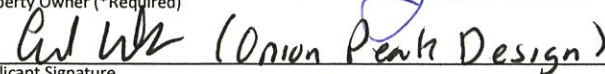
Certificates:

- 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.

 TRUSTEE  TRUSTEE 7-19-24
Property Owner (*Required) Date
 (Orion Peak Design) 7-18-24
Applicant Signature Date

NOTES

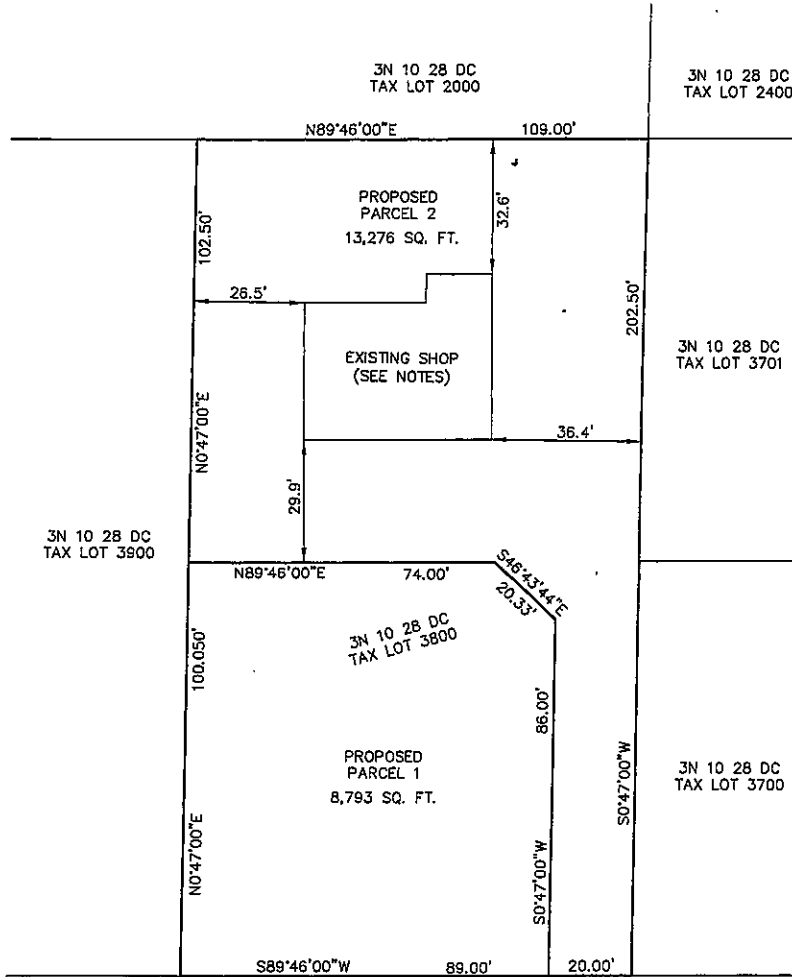
THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER TILLAMOOK COUNTY PLANNING DEPARTMENT PROCEDURES IN ACCORDANCE WITH CITY OF NEHALEM LAND USE ORDINANCE. PUBLIC WATER AND SEWER ARE AVAILABLE THROUGH PUBLIC SYSTEMS LOCATED WITHIN FERN WAY. THE EXISTING SHOP WILL EITHER BE REMOVED OR A RESTRICTIVE COVENANT WILL BE FILED PRIOR TO FINAL PLAT.

OWNER

BARON SJ FAMILY TRUST
STEVEN & JANELLE BARON
35205 THE PROMONADE
NEHALEM, OR 97131



SCALE:
1" = 30'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Eric M. White

OREGON
APRIL 28, 2014
ERICK M. WHITE
78572
RENEWES 6/30/2026

FERN WAY

**ONION PEAK
DESIGN**

11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

BARON2407-EX.DWG

PROPOSED PARTITION FOR:
BARON SJ FAMILY TRUST

3N 10 28 DC
TAX LOT
3800

SW 1/4, SE 1/4, SECTION 28, T3N, R10W, W.M.
TILLAMOOK COUNTY
JULY 18, 2024



Date: June 25, 2024

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 3N10 RANGE 28 SECTION DC TAX LOT(S) 03800

SITUS ADDRESS: 11240 Fern Way, Nehalem, OR 97131

NAME: Steve Baron PHONE: 503-812-0835

MAILING ADDRESS: 35205 The Promenade

Nehalem, OR 97131

Single Family Duplex/Multi-Family Other

Comments: Connections with additional labor is available.

Signed: Lori Longfellow City Manager
Name Title

Exhibit A
Legal Description

Tract 1 – Tax ID# 68474R:

The East half of Tract 18, BAYSIDE GARDENS, in Section 28, Township 3 North, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon.

Tract 2 – Tax ID# 406143R:

Parcel 1, PARTITION PLAT 2014-02 (Map P-1037), Tillamook County, State of Oregon.
~~Parcel 3 of PARTITION PLAT No. 2000-026, situated in the Southwest quarter of Section 28, Township 3 North, Range 10 West, Willamette Meridian, Tillamook County Oregon, as recorded June 5, 2000, in Partition Plat Cabinet B-660-0, Tillamook County Records.~~

Tract 3 – Tax ID# 411804R:

A tract of land located in the Southeast one-quarter of the Southwest one-quarter of Section 28, Township 3 North, Range 10 West of the Willamette Meridian, in the County of Tillamook and State of Oregon, further described as follows:

Parcel 2, PARTITION PLAT 2006-30 (Map P-829), Tillamook County Survey Records. Together with a portion of Parcel 2 and Parcel 3, PARTITION PLAT 2014-02 (Map P-1037), Tillamook County Survey Records, further described as follows: Beginning at the Northwest corner of said Parcel 2, Partition Plat 2014-02; Thence North 89° 46' 00" East 61.21 feet along the North line of said Parcel 2 to a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN"; Thence South 00° 14' 00" East 55.00 feet to a 5/8" rebar with plastic cap stamped "MARK TELLHED PLS 2766"; Thence South 00° 14' 00" East 39.47 feet to the North line of said Parcel 2, Partition Plat 2006-30, said point being marked by a 5/8" rebar with plastic cap stamped "ONION PEAK DESIGN"; Thence North 64° 27' 01" West 68.27 feet along said North line to East right-of-way of The Promenade; Thence North 00° 00' 00" East 64.77 feet along said right-of-way to the Point of Beginning.