



Land of Cheese, Trees and Ocean Breeze

**PARTITION REQUEST #851-24-000420-PLNG:  
BARON / ONION PEAK**

*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: August 21, 2024**

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

**#851-24-000420-PLNG:** A Partition request to create two (2) residential parcels. Located within the Urban Growth Boundary of the City of Nehalem, 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. The subject property is zoned City of Nehalem Mixed Density Residential (RM) zone. The property owner is Baron SJ Family Trust, and the applicant is Onion Peak Design.

Written comments received by the Department of Community Development **prior to 4:00p.m. on September 4, 2024**, 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 September 5, 2024.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250-foot 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 website under The Department of Community Development: <https://www.tillamookcounty.gov/commdev/landuseapps> 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 or email: [angela.rimoldi@tillamookcounty.gov](mailto:angela.rimoldi@tillamookcounty.gov)

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.

### CITY OF NEHALEM DEVELOPMENT ORDINANCE

#### **City of Nehalem Development Ordinance 157.205 Mixed Density Residential – RM Zone:**

##### Section 157.205.05 Dimensional 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.

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(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.

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#### **City of Nehalem Development Ordinance 157.404 Land Divisions**

Section .03 Standards for Lots and Parcels

Section .05 Improvement Requirements – Partition

Section .07 Improvement Procedures







# NEHALEM, OREGON

## CITY ZONING MAP

DRAFT

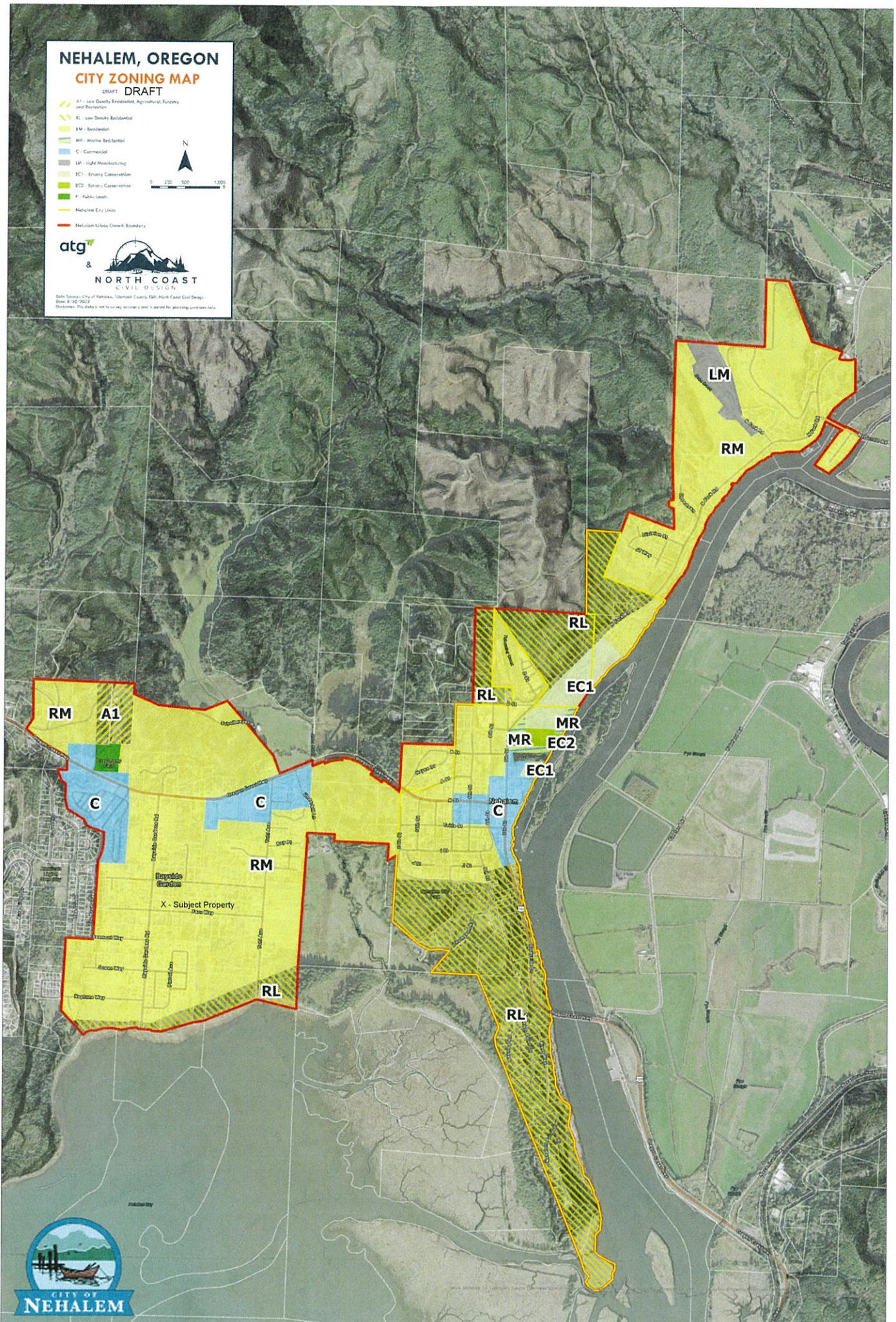
**Legend:**

- A1 - Low Density Residential, Agricultural, Forestry and Recreation
- RL - Low Density Residential
- RM - Residential Medium Density
- MR - Medium Density Residential
- C - Commercial
- LM - Light Manufacturing
- EC1 - Elementary Conservation
- EC2 - Elementary Conservation
- P - Public Use
- Nehelem City Limits
- Nehelem Urban Growth Boundary

**atg & NORTH COAST CIVIL DESIGN**

Scale: 0 250 500 1,000 feet

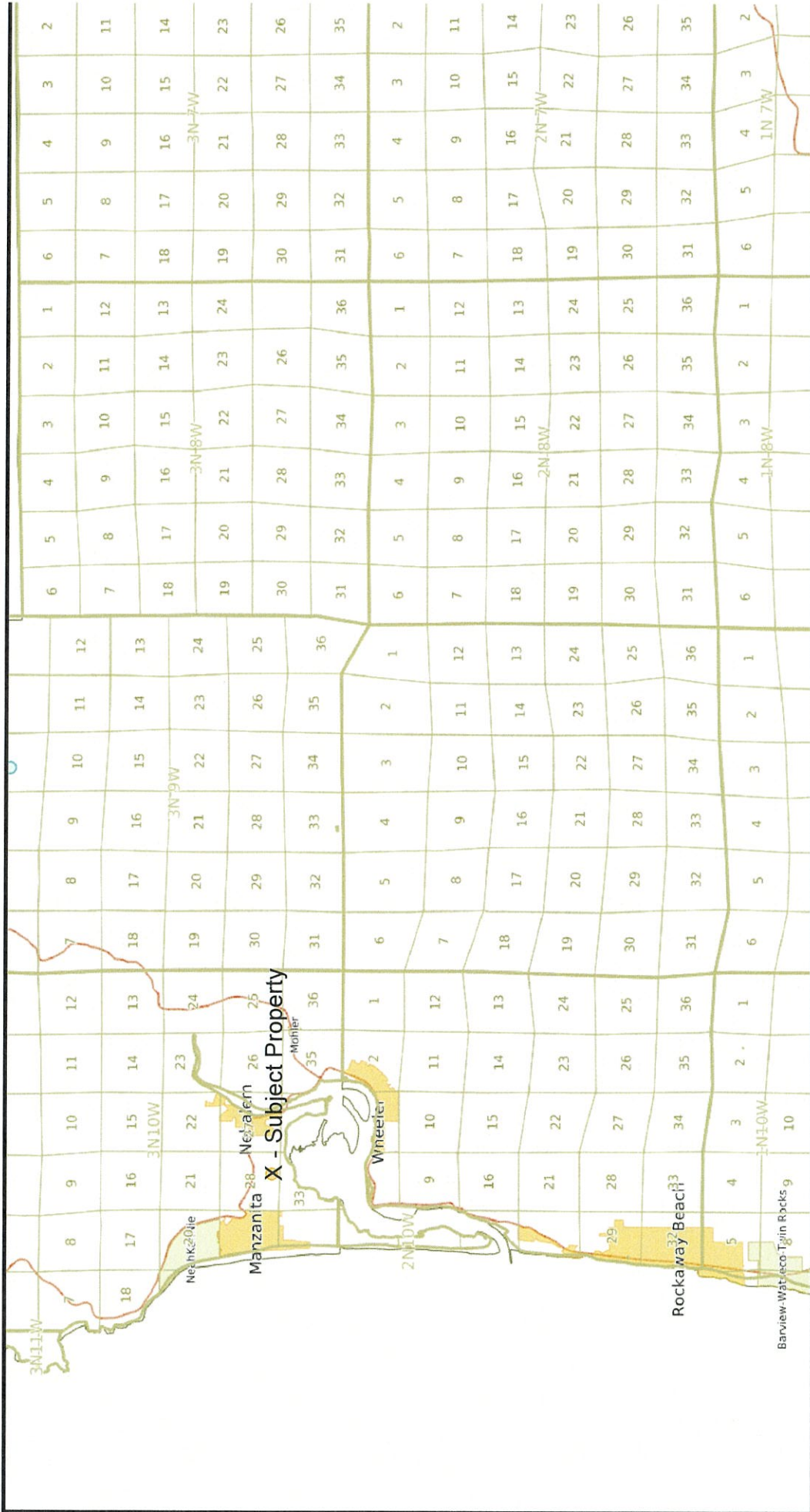
Map Source: City of Nehelem, Clatsop County, OR; North Coast Civil Design, Date: 8/14/2023  
Disclaimer: This plan is not to be used as a survey, nor is it intended for planning purposes only.







# Tillamook County GIS



Created: Mon Aug 19 2024 9:44:14  
 Active Layers: County\_Boundary, Fed\_state\_highways, citylimit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
 Extent: -13806974.291282, 5713680.0632588, -13747085.879628, 57444637.05971



## 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))

- 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.

### General Information

- 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:

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OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	251-000420
Fees:	1155.-
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:

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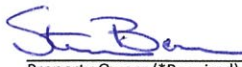

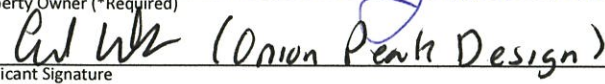
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**Authorization**

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) 7-15-24  
Applicant Signature Date



**NOTES**

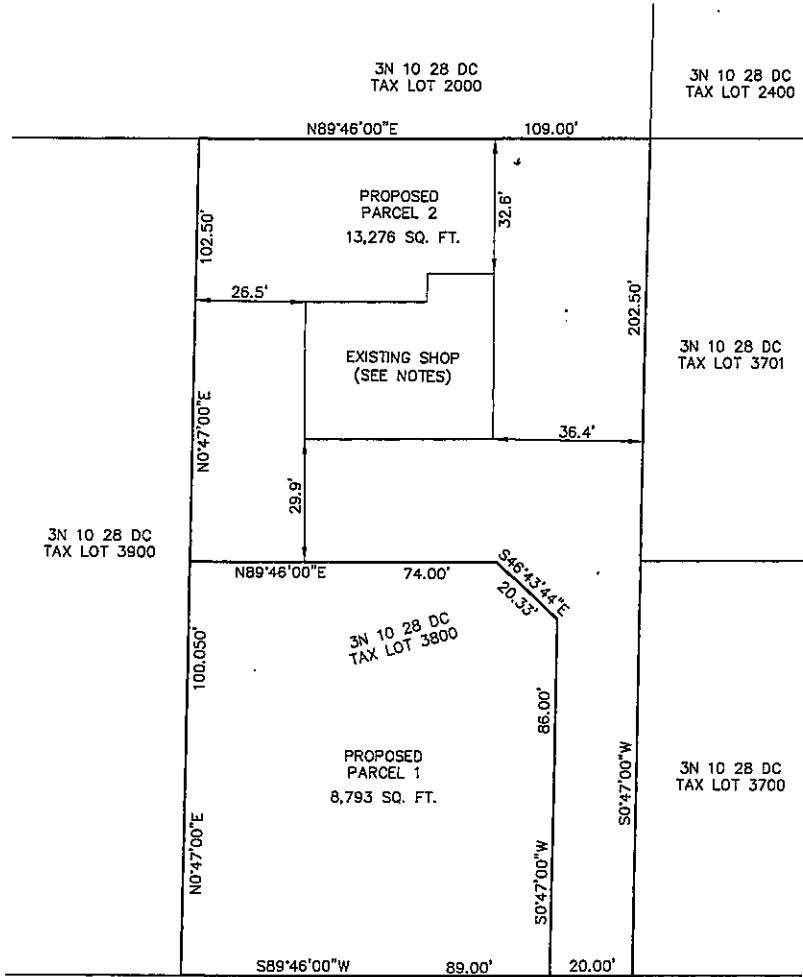
THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER TILLAMOOK COUNTY PLANNING DEPARTMENT PROCEDURES IN ACCORDANCE WITH CITY OF NEHALEM LAND USE ORDINANCE. PUBLIC WATER AND SEWER ARE AVAILABLE THROUGH PUBLIC SYSTEMS LOCATED 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  
RENEWS 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.