



**DEPARTMENT OF COMMUNITY DEVELOPMENT  
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS**

1510-B Third Street  
Tillamook, Oregon 97141  
www.tillamookcounty.gov  
503-842-3408

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**PARTITION REQUEST #851-26-000027-PLNG:  
FERN ONE, LLC & ONION PEAK DESIGN  
ADMINISTRATIVE DECISION AND STAFF REPORT**

**Decision: Approved with Conditions**

**Decision Date:** March 19, 2026

**Report Prepared By:** Angela Rimoldi, Planning Technician

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**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 and is accessed via Fern Way, a county road, located at Tax Lot 2200 of Section 28DD, Township 3 North, Range 10 West of the Willamette Meridian, in 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:** Fern One, LLC, 12405 SE 18<sup>th</sup> Ave., Milwaukie, OR. 97222

**Description of Site and Vicinity:** The subject property is accessed via Fern Way, a county road, holds no improvements, is rectangle shaped, approximately 22,924 square feet in size, and is vegetated with grasses, trees, and bushes (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 TCLUO Section 4.130: Development requirements for Geologic Hazard Areas and 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 February 25, 2026. One (1) comment was received from Tillamook County Public Works Department confirming the requirement for each proposed parcel to obtain Road Approach permits (Exhibit C). A Condition of Approval has been outlined below in Section V for future development to comply with Tillamook County Public Works Department for all applicable regulations related to Road Approach permitting for the proposed parcels.

**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 proposed partition meet the minimum requirements for the lot size and dimension standards as outlined above (Exhibit B). The proposed parcels hold no improvements; therefore, setback standards do not currently apply (Exhibit B).

Staff find these development standards have been met or can be met through the Conditions of Approval.

**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 A, 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 B. The proposed parcels exceed the minimum 20-foot frontage along Fern Way, a county road. The proposed side lot lines run at approximately right angles to a private easement which the proposed parcels face (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**

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**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 B.

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 D.

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 B.

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 conclude 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 April 3, 2026**.

**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. 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.
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.

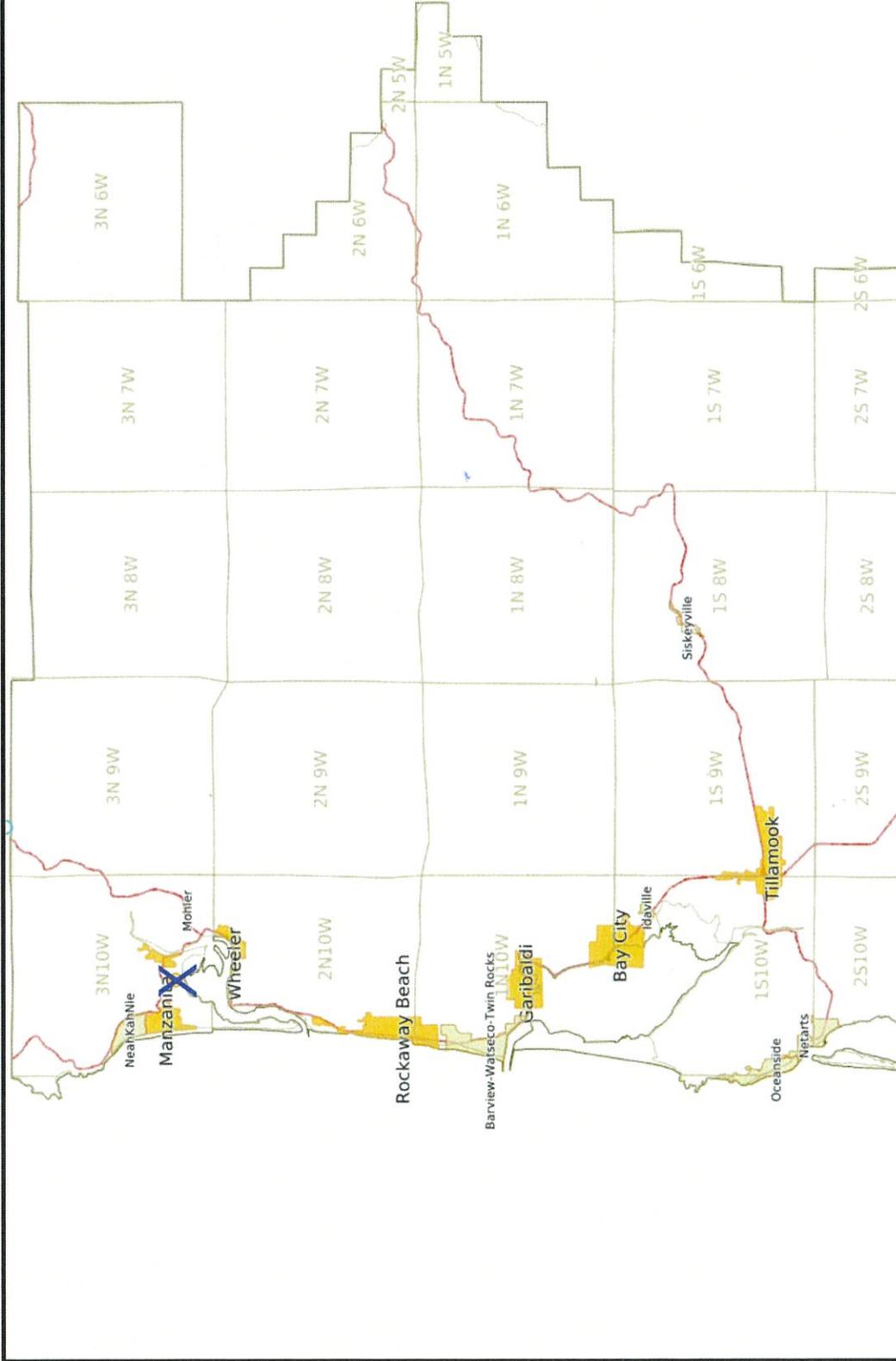
**VI. EXHIBITS**

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

# EXHIBIT A



# Tillamook County GIS



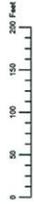
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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

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

TILLAMOOK COUNTY

03N10W28DD



CANCELLED 3001

SEE MAP 3N 10W 27

SEE MAP 3N 10W 33

03N10W28DD  
Revised 12/01/23 WS

# NEHALEM, OREGON

## CITY ZONING MAP

DRAFT DRAFT

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

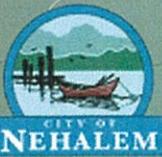
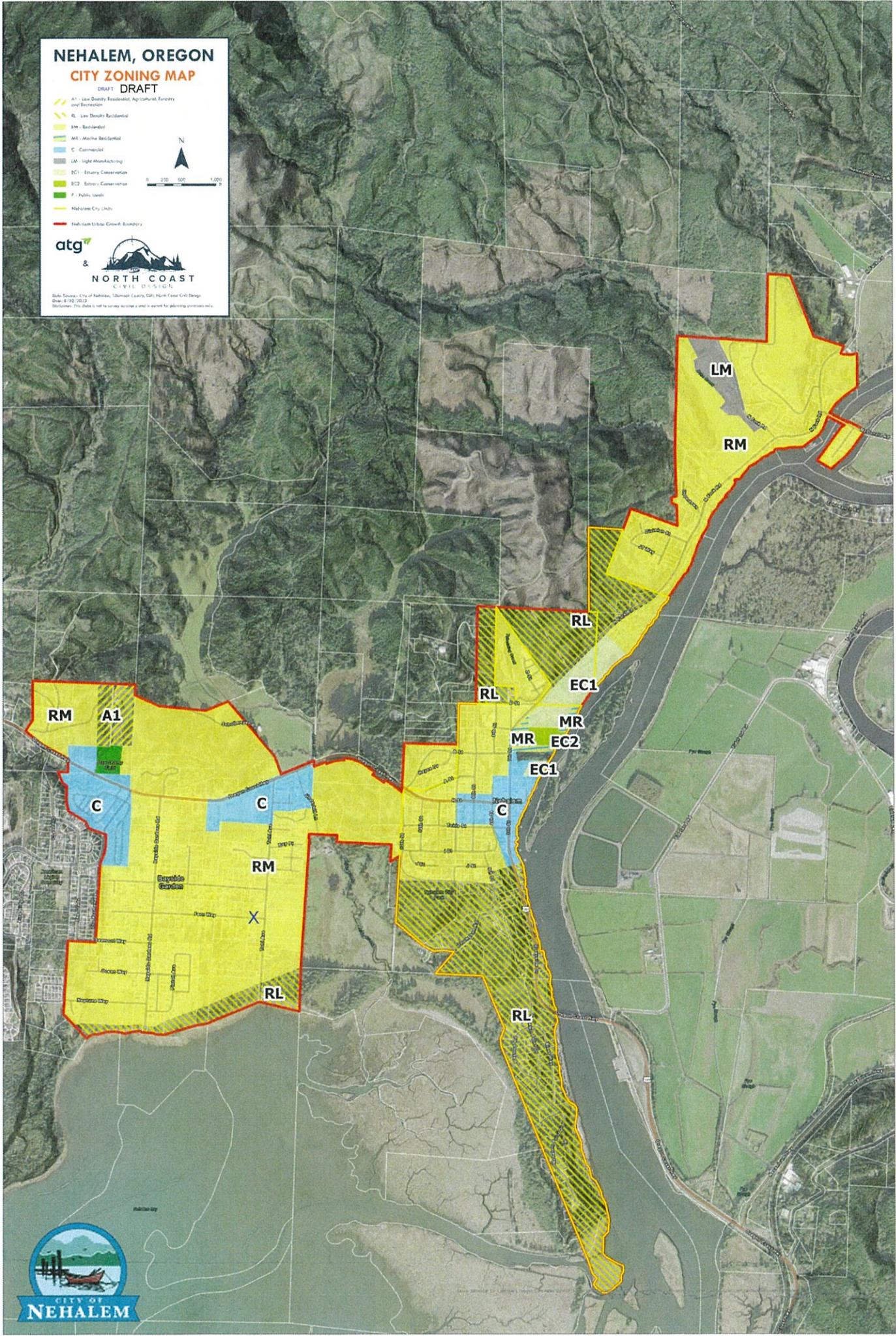
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Map Source: City of Nehalem, Tillamook County, OR; North Coast Civil Design, Inc. 8/10/2023  
Disclaimer: This data is not to be used for planning purposes only.



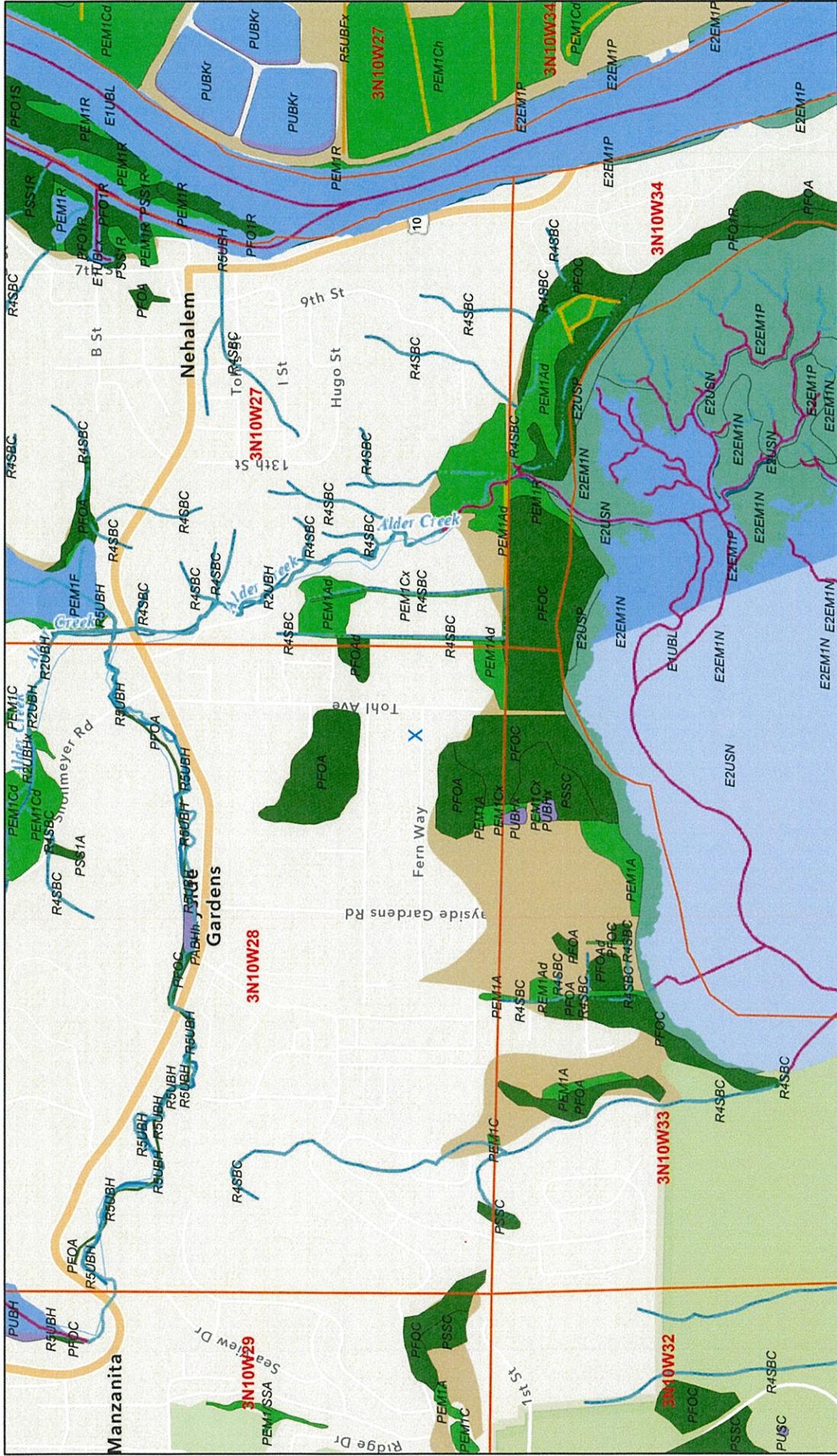
# PARTITION #851-26-000027-PLNG



March 16, 2026



# Statewide Wetlands Inventory



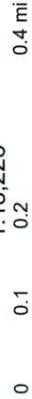
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- Sections
- Artificial Path
- Large Scale
- Perennial
- Intermittent
- NHD Area
- NHD Waterbody

- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine
- SWI Predominantly Hydric Map Units
- USFWS National Wetlands Inventory NWI
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland



1:18,223



USGS TNM - National Hydrography Dataset, Data Refreshed January, 2026.  
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# National Flood Hazard Layer FIRMette

123°54'50"W 45°42'59"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

## Legend

**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**

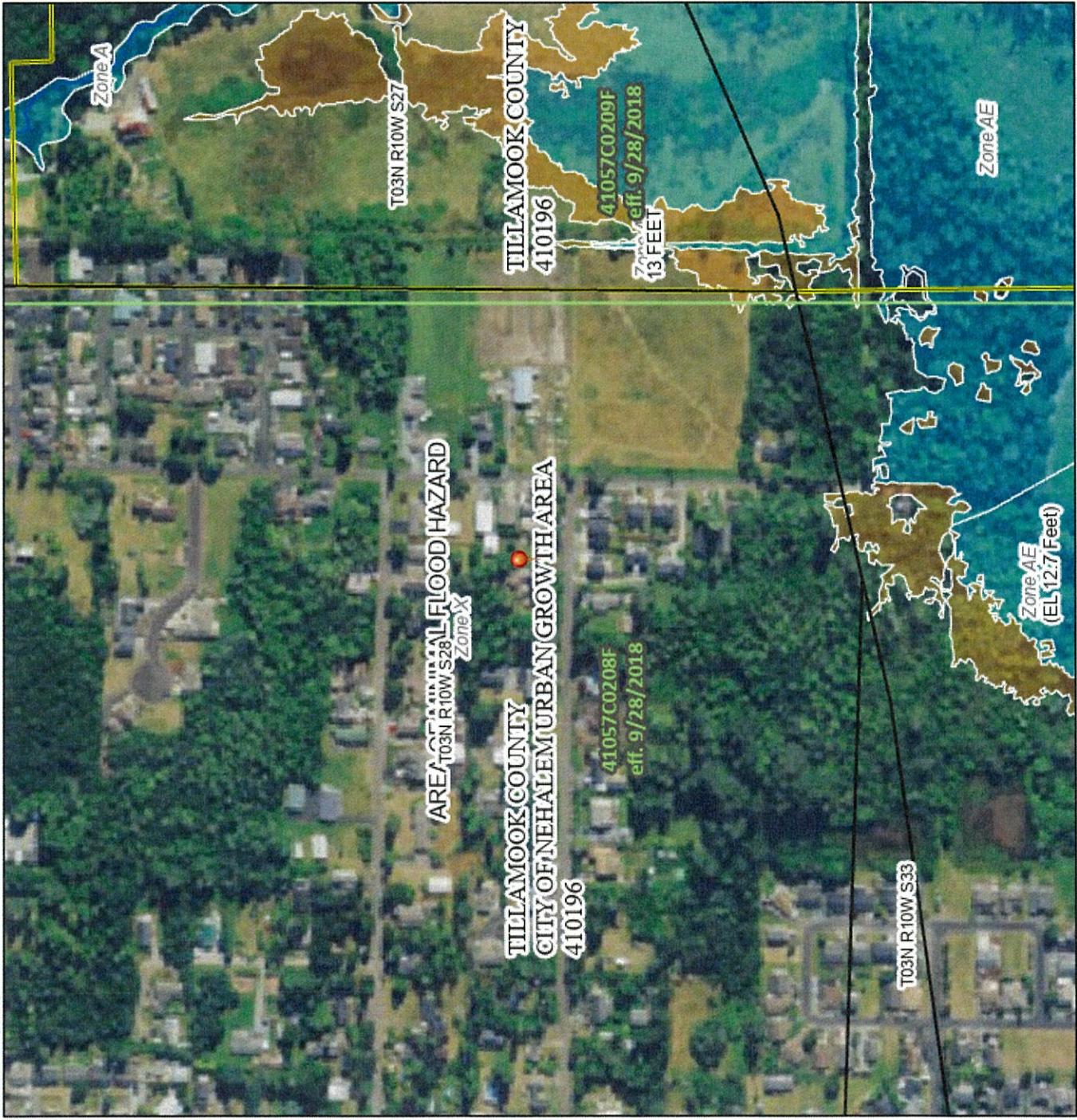
- Digital Data Available
- No Digital Data Available
- Unmapped

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 3/16/2026 at 5:36 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.



123°54'12"W 45°42'34"N

1:6,000

Feet

0 250 500 1,000 1,500 2,000

Basemap Imagery Source: USGS National Map 2023

# 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: Fern One, LLC Phone: 503-758-7532  
 Address: 12405 SE 18th Ave  
 City: Milwaukie State: OR Zip: 97222  
 Email: fernonellc@gmail.com

**Location:**

Site Address: 11460 Fern Way, Nehalem, OR 97131

Map Number:	3N	10W	28DD	2200
	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.

- 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

**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

**Existing Conditions**

- 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

**OFFICE USE ONLY**

DATE STAMP  
**RECEIVED**  
 JAN 16 2026  
 BY: SAT

Approved  Denied

Received by:

Receipt #:

Fees:

Permit No:  
 851-26-00027-PLNG

- 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:

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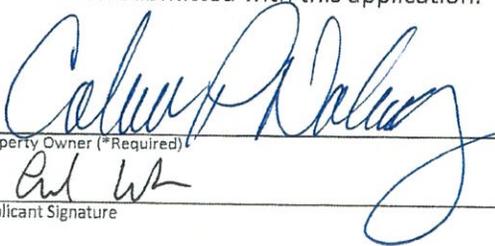
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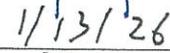
**Authorization**

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.

  
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 Property Owner (\*Required)

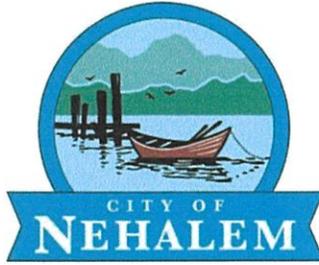
  
 \_\_\_\_\_  
 Applicant Signature

  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Date







Date: Dec. 30, 2025

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 28DD TAX LOT(S) 02200

SITUS ADDRESS: 11460 Fern Way, Nehalem, OR 97131

NAME: Onion Peak Design PHONE: 503-440-4403

MAILING ADDRESS: 11460 Evergreen Way  
Nehalem, OR 97131

Single Family  Duplex/Multi-Family  Other

Comments: Water is available. Property owners will need updated water availability for hook-up specifics for future residential development. Addt'l fees for labor may apply

Signed: Lori Longfellow City Manager  
Name Title

Tillamook County, Oregon  
06/08/2021 12:16:01 PM **2021-04978**  
DEED-RWARR  
\$20.00 \$11.00 \$10.00 \$61.00 - Total = \$102.00  
I hereby certify that the within Instrument was received  
for record and recorded in the County of Tillamook,  
State of Oregon.  
Tassi O'Neil, Tillamook County Clerk

After Recording Return to:  
Fitzwater Law  
6400 SE Lake Rd Ste 440  
Portland, OR 97222

Grantor:  
CALVIN P. NOLING and  
DONNA J. NOLING  
12405 SE 18th Avenue  
Milwaukie, OR 97222

Grantee/Send Tax Statements to:  
FERN ONE, LLC  
12405 SE 18th Avenue  
Milwaukie, OR 97222

WARRANTY DEED - STATUTORY FORM

The true and actual consideration for this conveyance is \$0.00.

RERECORDED AT THE REQUEST OF CALVIN P. NOLING AND DONNA J. NOLING, AS TENANTS BY THE ENTIRETY, GRANTORS, TO CORRECT THE ADDRESSES FOR GRANTORS AND GRANTEE FROM 12405 SE 18th *Street*, Milwaukie, OR 97222 to 12405 SE 18th *Avenue*, Milwaukie, OR 97222. PREVIOUSLY RECORDED AS FEE NUMBER 2021-03484.

After Recording Return to:  
Fitzwater Law  
6400 SE Lake Rd Ste 440  
Portland, OR 97222

Tillamook County, Oregon	<b>2021-03484</b>
04/21/2021 12:19:00 PM	
DEED-DWARR	
\$15.00 \$11.00 \$10.00 \$61.00 - Total = \$97.00	
I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.	
Tassi O'Neil, Tillamook County Clerk	

Grantor:  
CALVIN P. NOLING and  
DONNA J. NOLING  
12405 SE 18th Street  
Milwaukie, OR 97222

Grantee/Send Tax Statements to:  
FERN ONE, LLC  
12405 SE 18th Street  
Milwaukie, OR 97222

### WARRANTY DEED - STATUTORY FORM

CALVIN P. NOLING and DONNA J. NOLING, as tenants by the entirety, GRANTORS, convey and warrant to FERN ONE, LLC, GRANTEE, the following described real property, free of encumbrances except as specifically set forth herein, situated in Tillamook County, Oregon:

**See Exhibit "A" attached hereto and incorporated herein by this reference.**

More commonly known as 11460 Fern Way, Nehalem, OR 97131.  
Subject to encumbrances of record.  
The true and actual consideration for this conveyance is \$0.00.

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under a standard policy of title insurance. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

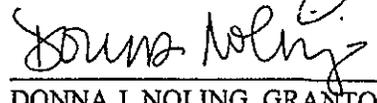
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND

PAGE 1 - WARRANTY DEED

SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

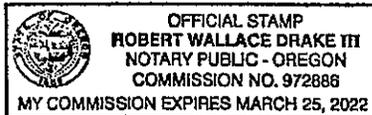
Dated this 15 day of April, 2021.

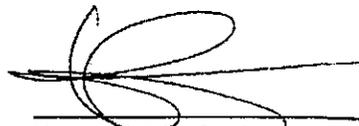
  
\_\_\_\_\_  
CALVIN P. NOLING, GRANTOR

  
\_\_\_\_\_  
DONNA J. NOLING, GRANTOR

STATE OF OREGON  
County of Clackamas

The foregoing instrument was acknowledged before me this 15 day of April, 2021, by CALVIN P. NOLING and DONNA J. NOLING, GRANTORS.



  
\_\_\_\_\_  
Notary Public for Oregon

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**EXHIBIT "A"**  
**Legal Description**

Beginning at the Section corner common to Sections 27, 28, 33, and 34, Township 3 North, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon;  
thence South 0° 47' West 850 feet to the meander line of Nahalem Bay;  
thence along said meander line North 81° 05' West 646.6 feet;  
thence North 89° 13' West 50 feet;  
thence North 0° 47' East 1260 feet;  
thence North 89° 13' West 104.4 feet to the initial point and the Southeast corner of the tract hereby conveyed;  
thence North 0° 47' East 208.7 feet;  
thence North 89° 13' West 208.8 feet;  
thence South 0° 47' West 208.7 feet;  
thence South 89° 13' East 208.8 feet to the point of beginning, all situated in Section 26, Township 3 North, Range 10 West of the Willamette Meridian, in the County of Tillamook, State of Oregon.

# EXHIBIT C

## Angela Rimoldi

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**From:** Brian Olle  
**Sent:** Monday, March 9, 2026 3:31 PM  
**To:** Angela Rimoldi  
**Subject:** RE: Tillamook County: Administrative Review - Partition

Hi Angela,

Regarding the petition request below, Public Works would like to note there is currently an unpermitted Road Approach for the proposed Parcel #2. A new road approach will be required at the time of any development. The proposed Parcel #1 also will need a permitted approach.

Let me know if you have any questions.

**Brian Olle, P.E.** | Engineering Project Manager  
TILLAMOOK COUNTY | Public Works  
Cell: (503)812-6569

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**From:** Angela Rimoldi <Angela.Rimoldi@tillamookcounty.gov>  
**Sent:** Wednesday, February 25, 2026 8:56 AM  
**To:** Michael R. Rice <Michael.Rice@tillamookcounty.gov>; Travis Porter <Travis.Porter@tillamookcounty.gov>; Chris Laity <Chris.Laity@tillamookcounty.gov>; Brian Olle <brian.olle@tillamookcounty.gov>; Kasandra Larson <KaSandra.Larson@tillamookcounty.gov>; Nehalem Bay Wastewater <nbwa@nehalem.tel.net>; City of Nehalem <yukhach@nehalem.gov>; Nehalem Office Manager <llongfellow@nehalem.gov>; Nehalem Bay Fire & Rescue <d.weitzel@nbfrd.org>; Nehalem Bay Fire & Rescue <f.knight@nbfrd.org>; Tiffany Miller <tmiller@tillamook911.com>; doryfreshfish@embarqmail.com; brett.estes@dlcd.oregon.gov  
**Subject:** Tillamook County: Administrative Review - Partition

**RE: Planning File 851-26-000027-PLNG / Map ID 3N10 28DD 02200**

Hello,

Attached is the Administrative Review notice for a Partition application received. There is a 14-day comment period open for this notice.

Regards,



**Angela Rimoldi** | Permit Technician

TILLAMOOK COUNTY | Department of Community Development

1510-B Third Street, Tillamook, OR 97141

Phone: (503) 842-3408

[angela.rimoldi@tillamookcounty.gov](mailto:angela.rimoldi@tillamookcounty.gov)

**My working hours are 8:00am to 5:30pm, Monday thru Thursday, and 8:00am-12:00pm on Friday.**

*This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.*

*Any opinion or advice provided herein is informational only and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of Tillamook County's Land Use Ordinance, Land Division Ordinance and Comprehensive Plan, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.*

*This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).*