



City of Bay City

PO Box 3309
Bay City, OR 97107
Phone (503) 377-2288
Fax (503) 377-4044
TDD 7-1-1
www.ci.bay-city.or.us

AGENDA BAY CITY PLANNING COMMISSION MEETING February 15, 2023 6:00 P.M.

1. CALL TO ORDER – 6:00 P.M
2. MINUTES
 - a. Planning Commission Meeting 01/18/2023.
3. VISITORS PRESENTATION
 - a. None.
4. UNFINISHED BUSINESS
 - a. None.
5. NEW BUSINESS/ PUBLIC HEARINGS
 - a. None.
6. OTHER
 - a. Training Session – provided by Brett Estes, DLCD Regional Representative.
Topics of Discussion:
 - Land Use in Oregon history/background of the Oregon Land Use System,
 - Statewide Planning Goals,
 - Findings,
 - Meeting best practices (exparte contact, bias, etc).
7. PLANNING COMMISSION, CITY COUNCIL AND CITY PLANNER CONCERNS
 - a. Planner Monthly Report
8. ADJOURNMENT

To attend by phone: (518) 992-1125 Access 389573#

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MINUTES FOR REVIEW

1/18/2023



BAY CITY PLANNING COMMISSION MINUTES

January 18, 2023 6:00 P.M.

Members Present: Pat Vining, Gary Frey, Dan Overholser, Jasper Lind, Penny Eberle, Councilor Tom Imhoff (Liaison), David Mattison (City Planner).

- 1. Call To Order** – Commission Member/Acting Chair Dan Overholser called the meeting to order at 6:00 P.M. He asked staff for a roll call.

City Planner David Mattison called each of the members – all were present.

- 2. Minutes** – The minutes from the October 19th, 2022, November 16, 2022 meetings were available for review.

Commission Member Jasper Lind made a motion to approve both sets of minutes from the October 19th, 2022, November 16, 2022 meetings.

Commission Member Gary Frey seconded the motion.

All members voted in favor of approval of the minutes from the October 19th, 2022, November 16, 2022 meetings.

3. Visitors Presentation

There were no scheduled 'visitor' presentations.

4. Unfinished Business

There was no unfinished business scheduled for the meeting.

5. New Business/ Public Hearings

- a. Scheduled 6-month review of McRae Conditional Use Permit #CU-2022-02.

Commission Member/Acting Chair Overholser described the required review. He read the Planning Commission Order of procedures for the 6-month required review of Conditional Use Permit #CU-2022-02, and the disclosure statement. He asked the members if there was any ex parte contact, a conflict of interest, or bias from commission members.

There was none.

There was no challenge from the audience regarding ex parte contact, a conflict of interest, or bias from commission members.

Commission Member/Acting Chair Overholser described the due process for a 6-month required review of Conditional Use Permit #CU-2022-02. He asked staff to present a summary of the application and request.

City Planner David Mattison presented the approved application and the conditions required for approval. He stated the required review dates – January 18th and July 19th. He presented the written summary and applicant's written response to the Planning Commission members.

Commission Member/Acting Chair Overholser asked if there were any questions for staff from the Planning Commission members.

There were none.

Commission Member/Acting Chair Overholser asked if the applicant would like to present his progress.

The applicant, Ralph McRae stated that he has cleared the west access, fire has access to the gated points, and fencing is located on Bewley Street side. He stated that things have been moving slower than planned. He stated that there have been applicants for storage space, and update to the storage areas.

Commission Member/Acting Chair Overholser asked if there were any questions of the applicant from the Planning Commission.

Commission Member Lind asked the applicant if he has received approval from the Fire Chief.

The applicant described the Chief's approval.

Commission Member Lind asked if Planning Commission could have a letter from the Fire Chief with his approval. He asked if the parking areas has been gravelled.

The applicant stated that the outdoor parking areas has been scraped to reveal a gravel surface.

Commission Chair Vining asked if new clients were in process. He asked if there was a timeline. He asked about parking area.

The applicant described the improvements on the south side.

Commission Chair Vining asked about screening and buffering.

The applicant stated that fencing has been placed on the Bewley side.

Commission Member Frey stated his concerns with too much progress happening too fast, and fire requirements. He asked about getting the new Chief onboard.

City Planner stated he will contact interim Chief. He stated he wants everything in writing.

Commission Member/Acting Chair Overholser asked if there were any other comments to the application.

Angie Cherry, 8300 Bewley Street, is concerned about the fence and how it is not concerned. She is also concerned about improvements on her property and she doesn't want to be liable and is kept in correspondence. She wants to assure security.

Further discussion followed regarding her concerns and the applicant's comments.

Commission Member Frey stated that applicants for storage won't arrive until security is adequate onsite.

Angie Cherry mentioned her concern with use of the easement located on her property.

Commission Member Lind stated that notices of when work is being done there be given to the property owner.

Commission Member/Acting Chair Overholser closed the public hearing and opened Planning Commission discussion. He stated the next meeting in regard to review was scheduled for July 19th.

6. Other

There were no other presentations.

7. Planning Commission, City Council and City Planner Concerns

City Planner shared his Monthly Report and annual reports that includes permit tracking, and population growth.

Commission Member Frey asked about a public works permit and what that entails.

City Planner described a public works permit covers driveways, ditches, ROW improvements.

Commission Member Frey stated he appreciates charts and graphs, and the development of a planning department.

City Planner described changing uses in downtown areas, as is presented in corresponding articles.

Commission Member Lind asked about a multi-directional spot at 5th and A.

City Planner stated that that was directed to be reviewed by Council at a later date.

Commission Member Frey asked about the Tax Exemption hearings.

Councilor Imhoff stated that they are planned to be before Council soon.

Further discussion followed.

Commission Member Eberle asked about tree removal and replanting.

City Planner stated that that was not a current requirement, but the tree ordinance was going to be revised. The only current limitation on removal was for bird nesting sites.

Further discussion followed.

City Planner introduced Penny Eberle to the Planning Commission and discussed the possibility of training.

Further discussion followed.

8. Adjournment

Commission Member/Acting Chair Overholser asked if there was a motion to adjourn the meeting.

Commission Member Eberle made a motion to adjourn at 6:51 p.m.

The motion passed unanimously.

The meeting was adjourned at 6.51 pm.

Acknowledged:

Pat Vining, Chair

Date Signed

PLANNING COMMISSION TRAINING SESSION
PROVIDED BY
BRETT ESTES, DLCD REGIONAL REPRESENTATIVE

TOPICS OF DISCUSSION:

- **LAND USE IN OREGON**
 - **HISTORY/BACKGROUND OF THE OREGON LAND USE SYSTEM,**
- **STATEWIDE PLANNING GOALS,**
- **FINDINGS,**
- **MEETING BEST PRACTICES**
 - **EXPARTE CONTACT, BIAS, ETC**

PLANNER'S MONTHLY REPORT
FOR JANUARY 2023



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BAY CITY PLANNING DEPARTMENT MONTHLY REPORT **FOR JANUARY 2023**

1. Zoning Permits (1)

- 5175 Trade Avenue – Temporary Use.

2. Planning Commission Hearing January 18th Hearing

- Conditional Use Permit #CU-2022-03 (McRae) 6-month review.

3. Specific Tax Lot Questions/Inquiries/and Other Correspondences (counter, phone or email)

- Development and Flood Req for property at 6735 Tillamook (5 inquiries);
- Illegal Construction and Temporary Use Permit for property at 5175 Trade (5 inquiries);
- Onsite Setback Review and email Correspondence regarding development at 6940 Seattle Avenue (4 inquiries);
- Review of Development Requirements for 9th and E Street (4 inquiries);
- Plat Recording and Development
- Requirements for property at 6740 Baseline Road (4 inquiries);
- ROW Construction Permit, Permit Submittals and SDC Fees Payment for property at 6235 Portland Avenue (3 inquiries);
- Development Requirements for property at 7th between Seattle and Portland (3 inquiries);
- Permit Requirements and Zoning Permit review for property at 5415 Pacific (3 inquiries);
- Development Requirements, ROW location and setbacks for property at 8975 8th Street (3 inquiries);
- Encroachment issues and Plan review for property at 6795 McCoy (3 inquiries);
- Development Requirements for property at Clam and Elliot (3 inquiries);
- Illegal Accessory Structure Placement at 12th and Portland (2 inquiries);
- Seismic Design Requirements and SDC Fees for the approved duplexes at 4th and A (2 inquiries);
- Review of Development Requirements for 9th and D Street (2 inquiries);
- Geologic Hazard Req in Bay Ridge Subdivision (2 inquiries);
- Permit requirements for property at 5930 Seattle (2 inquiries);
- Vacation of adjacent ROW for property at 8975 Doughty Road;
- Prep for house construction for property at 6205 Tillamook Avenue;
- Dog Permits and Burning Permits at Counter;
- Solar Work onsite for property at 6215 Dew Pointe Dr.;
- Review of RV at 6th and B;
- Garage Requirements and Changes in Code Update;
- Shed violation review at 9655 8th Street;
- Timber harvest and forest management onsite and Review of Survey for property at 14th and Baseline Road;
- Counter Water Payments;
- Tree Removal for property at 6035 Pennsylvania;
- Storm Drainage Issues for property at 9475 3rd Street;
- Tree Removal at 7th and Main;
- Development Issues for property at 9640 Seattle Avenue;

- Review Permit Process for Bay Ridge Subdivision discussion with new HOA president;
- Replacing accessory structure on 15th Street;
- Road Improvements at 6220 E Street;
- Development Requirements in general
- Tree Removal at 6875 McCoy Avenue;
- Development Requirements at 3rd and Hendricks Street;
- Road Improvements at 2102 11th and Portland Avenue;
- Street Vacation at 10320 8th Street;
- Road Improvements at 8975 8th Street;

- Radio Tower and ADU Requirements for property at 5880 Main Street;
- Development Requirements for property at east end of Seattle Avenue;
- Manufactured Home Development; Requirements for property at 10220 7th; and
- Encroachment on Property at 5970 Ocean.

(The number of questions/inquiries has more than doubled from last Jan)

4. Land Use Applications (1)

- Temporary Use Permit for continued placement of Camp Host at Kilchis Point Reserve (Planning Commission Hearing scheduled for March 15th).

5. Meetings/Inspections involving Planning Department

- January 9th – City Council Workshop re annual land use issues report;
- January 17th – Meeting with Dan Oveholser regarding upcoming Planning Commission meeting;
- January 18th – Meeting with Rick Knode – new Bay Ridge HOA president;
- January 18th – Meeting with Laura Buhl DLCD regarding TGM Code Edits;
- January 19th – Meeting with Bill Raglione and Joel Haugen regarding improvements at 11th and Portland Avenue
- January 19th – Inspection and Site Visit to 5970 Pennsylvania Avenue;
- January 25th – Pre-Application Meetings (3):
 - ✓ Mark Zawadski- 9th and D Street
 - ✓ Ralph McRae – 8140 Bewley
 - ✓ Kurt Victor – 9th and E Street
- January 31st – City-Tillamook County Monthly Meeting at the Tillamook County Courthouse.

6. Upcoming February Meetings/Inspections

- Site Inspection setbacks 6205 Tillamook Avenue– February 2nd;
- Weekly LOC Legislative Weekly Update Meetings via Zoom – February 3rd, 10th, 17th, 24th;
- Planning Commission Meeting – February 15th DLCD Training Session;
- Safety Meeting – February 16th
- City-Tillamook County Monthly Meeting, Bay City City Hall – February 28th.

7. Counterwork

- 8 Permitting, Land Use and public facility questions at counter;
- 1 Zoning Permit submittal at counter;
- 2 Tree Removal Permits at counter.