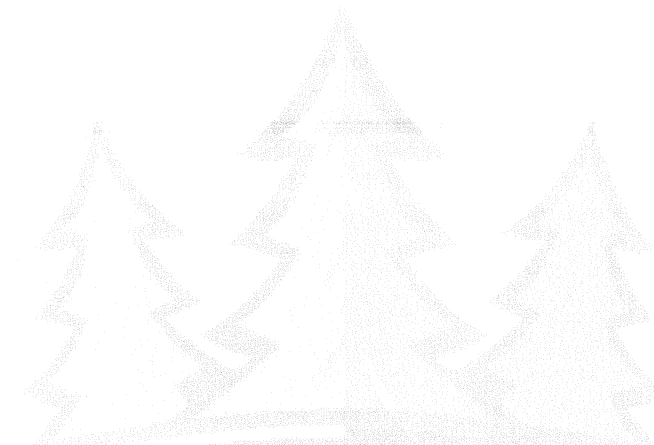




**AGENDA  
BAY CITY PLANNING COMMISSION MEETING  
November 20, 2024 5:30 P.M.**

1. CALL TO ORDER – 5:30 P.M
2. MINUTES
  - a. Planning Commission Meeting Minutes October 16, 2024.
3. VISITORS PRESENTATION
  - a. None.
4. UNFINISHED BUSINESS
  - a. None.
5. NEW BUSINESS/PUBLIC HEARING
  - a. Review of Partial Vacation Request for a portion of Hare Street.
6. OTHER
  - a. Review of timeline for PICM and SB 406 update process.
7. PLANNING COMMISSION, CITY COUNCIL AND CITY PLANNER CONCERNS
  - a. October City Planner Monthly Reports
8. ADJOURNMENT

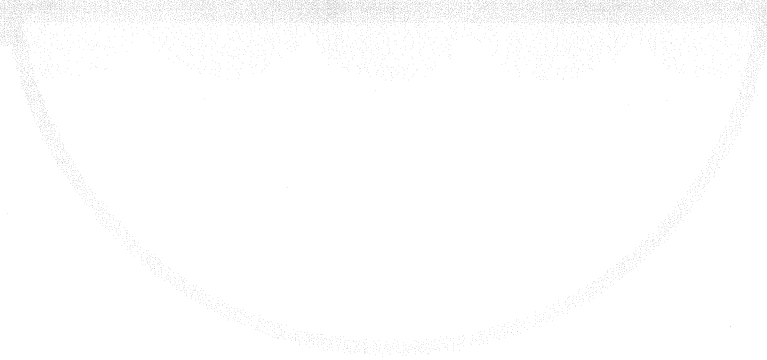
**To attend by phone: (518) 992-1125 Access 389573#**



**Minutes:**

**October 16, 2024**

**BAY CITY**





## **BAY CITY PLANNING COMMISSION MEETING MINUTES**

**October 16, 2024, 5:30 P.M.**

- 1. Call To Order** – Commission Member Jasper Lind called the meeting to order at 5:30 P.M. He asked City Planner for a roll call.

City Planner David Mattison read roll call. All were present except Commission Member Pat Vining.

- 2. Minutes** – The minutes for the September 18<sup>th</sup>, 2024 meeting were presented for review.

Commission Member Lind asked if there were any comments on the minutes.

There were none.

A motion was made by Commission Member Gary Frey to approve the September 18<sup>th</sup> minutes. The motion was seconded by Commission Member Dan Overholser.

The motion was approved unanimously.

- 3. Visitors Presentation**

Mayor Liane Welch announced the Great Oregon Shake-out will be held at 10:17 on the 17<sup>th</sup>, and to head to the assembly sites in town.

She announced the first annual Bay City Trunk or Treat on October 31<sup>st</sup> 5pm – 7pm for the kids and those decorated vehicles and to advertise the Emergency Resource Center.

- 4. Unfinished Business**

There was no Unfinished Business.

- 5. New Business/Public Hearings**

There was no New Business or Public Hearing.

- 6. Other**

- a. Review of Conditional Use Permit #CU-2024-03.**

Commission Member Lind presented the proposal and applicant, and read the disclosure statement for a quasi-judicial public hearing, and asked if there was any conflict of interest, ex parte contact, or bias of staff.

Commission Members Frey and Lind identified that they had both visited the site.

Commission Member Lind asked staff to present the report and summary.

City Planner presented the application and request. He stated that the application meets all of the applicable criteria and read the conditions of approval required – combination of tax lots, bicycle parking onsite, location of landscaping onsite.

Commission Member Lind asked if there were any questions from Planning Commission.

Commission Member Frey asked what was the potential number of residential structures developed onsite.

City Planner identified that 8 sfd's could be placed onsite

Commission Member asked if the applicant would like to present thee request.

Mayor/Project manager Liane Welch presented the site development.

Commission Member Lind asked if there were any questions from Planning Commission Members.

Commission Member Frey asked if the proposal would have any contributions to the City.

Mayor Welch stated that the center would bring jobs to the community and serve the community.

Commission Member Penny Eberle added that the center would bring education to the community.

John Kirby, TEP board president, stated that the center would bring a water lab to the community and assist those with water quality issues in the community instead of labs outside of the county. He stated that the center will be a support for the Kilchis Point trail.

Further discussion followed.

Commission Member Lind asked if there were any other comments from the audience.

City Planner read a letter of support that had been sent in, to the City for the project. City Councilor Kathy Baker stated this project has her full support. She felt that the community would not lose space for additional housing with development of the center. This is beneficial to the community, to the County, and to residents in the area. It would generate interest in involvement from the community.

Mark Haarguth, Warren Street, Sheltered Nook, asked how many employees on the property. He presented his support for the project.

Welch answered 6 employees.

He asked if there was a study on traffic generation.

Welch stated that a traffic impact study was no required for the development onsite, since it is a low impact development.

Pat Hester, nearby resident, asked how far up the parking lot would extend to the north, since the adjacent building encroached.

The project was identified as having a 15 ft setback from the north property line.

Commission Member Lind asked the Planning Commission if there were any other questions.

Councilor Tom Imhoff stated that a traffic study and the railroad crossing could be considered by the applicant, and should improvements on Spruce Street.

Commission Member Frey asked for further clarification.

Further discussion followed.

Commission Member Lind asked if there were any comments in opposition.

There were none.

Commission Member Lind asked if the planning commission was ready to close the public hearing.

Planning Commission agreed.

Commission Member Lind closed the public hearing and opened the meeting for further discussion.

Further discussion followed.

Commission Member Lind closed the public hearing and asked if there was a motion from Planning Commission.

Commission Member Eberle made a motion to approve the application and staff's decision, seconded by Commission Member Frey.

All were in favor.

**b. Review of Proposed Changes to items in Ordinance #710.**

**i. Review of proposed changes to Planning Commission Rules Sect 1.02.010.**

City Planner presented the proposed changes to Sect 1.02.010.

Further discussion followed.

Commission Member Lind asked if there was a motion from Planning Commission.

Commission Member Overholser made a motion to recommend approval of the proposed changes to Sect 1.02.010, seconded by Commission Member Eberle .

All were in favor.

**ii. Review of proposed changes to Bed and Breakfast definition.**

City Planner presented the proposed changes to the City definition of a Bed and Breakfast in sect 10.11.010, as identified in the State definitions.

Further discussion followed.

Mayor Welch identified the issue with short term rentals.

Council Baker furthered the explanation and discussion of the distance between short term rentals.

Further discussion followed.

Commission Member Lind asked if there was a motion from Planning Commission.

Commission Member Eberle made a motion to recommend approval of the proposed changes to Sect 1.02.010, seconded by Commission Member Overholser.

All were in favor.

iii. Review of proposed changes to Short term Rental Distance Requirements

City Planner presented the proposed changes to distancing.

Commission Member Frey discussed the issue and the distancing of the short term rental.

Further discussion followed.

Commission Member Lind asked if there was a motion from Planning Commission.

Further discussion followed.

Commission Member Eberle made a motion to recommend approval of the distancing between short term rentals, seconded by Commission Member Overholser.

All were in favor.

iv. Review of proposed changes to the number of guest rooms in a Bed and Breakfast.

City Planner presented the proposed changes to the number of bedrooms allowed in a Bed and Breakfast as described in the State Law.

Commission Member Eberle presented questions on the number and clarity of the state requirements.

Further discussion followed.

Further discussion followed.

Council Baker asked for clarification on the number of bedrooms in a Bed and Breakfast.

Commission Member Lind asked if there was a motion from Planning Commission.

Commission Member Eberle made a motion to recommend approval of the number of rooms for a Bed and Breakfast between 2 and 3, seconded by Commission Member Overholser.

All were in favor.

**7. Planning Commission, City Council And City Planner Concerns**

City Planner identified the joint meeting for the planning commission and city council to work on the SB 406 review.

Further discussion followed/

Commission Member Eberle presented her concerns with the tree removal at Bayview and Ninth Street/Portland and D Street. She identified the clear-cutting of the property. She was concerned with permits. If there is a big storm and heavy rain, there could be damage on Portland Avenue. A tree application should be part of a building permit. The tree removal

permit should be reviewed and rewritten. She stated that none of the property owners was notified.

Commission Member Lind asked the Planning Commission if there were any comments.

Commission Member Frey stated that the Tree ordinance has not been rewritten and it is identified to cut trees, to remove trees. If it is in a hazard zone then it needs to have a geological hazard report. The state has many requirements as well. If there were eagle's nest identified the tree removal permit would be denied. The logger has a permit from Forestry, and a Forester onsite every day. There are individuals for and against tree removal and that's the balance in the community.

Further discussion followed.

Commission Member Frey stated that the property owners intend to build a single-family house and there comes a time that the trees become infected and rotted and without an amended ordinance the property owner has the right to remove trees on their property.

Commission Member Lind stated that when a tree gets so large internal rot becomes a greater hazard. When stumps remain on property the root structures can retain the soil from sliding.

Commission Member Eberle asked if the City could revisit the Tree Ordinance.

Further discussion followed identifying the process.

City Councilor Imhoff asked about the Smoker smokestack permit

City Planner identified the exception to height limitations to smokestacks.

City Councilor Imhoff presented his concerns with limitations on tree removal.

Further discussion followed.

## **8. Adjournment**

Commission Member Lind asked if there were any other issues for Planning Commission, and asked if there was a motion to adjourn.

A motion was made by Commission Member Eberle to adjourn the meeting, and seconded by Commission Member Overholser.

The motion was approved unanimously.

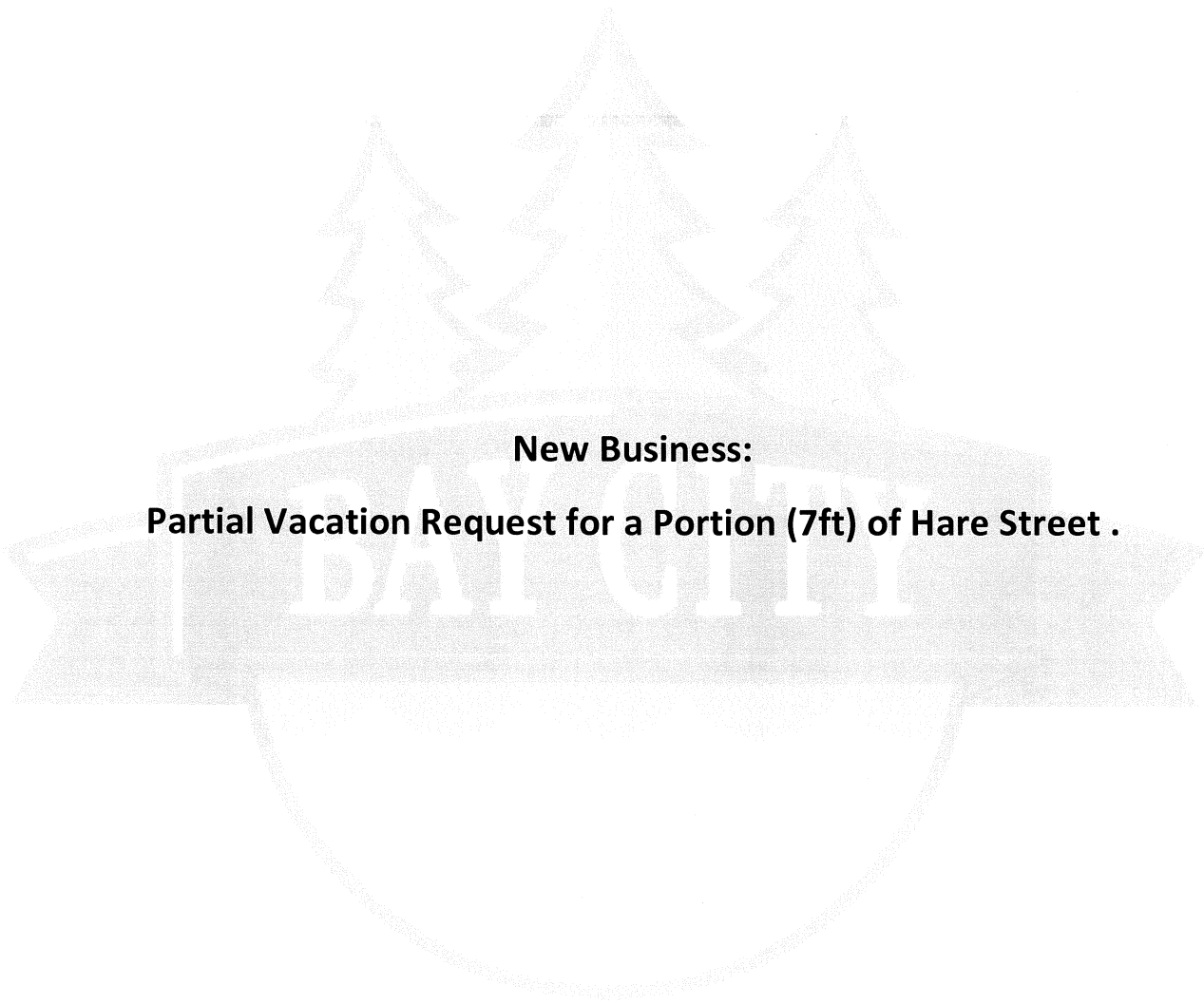
The meeting was adjourned at 7:21 p.m.

**Acknowledged:**

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**Dan Overholser, Chair**

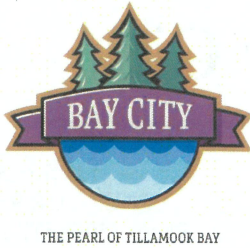
**Date Signed**



**New Business:**

**Partial Vacation Request for a Portion (7ft) of Hare Street .**





# City of Bay City

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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](http://www.ci.bay-city.or.us)

## NOTICE OF PARTIAL STREET VACATION PETITION AND PUBLIC HEARING

The Planning Commission of the City of Bay City will hold a public hearing on Wednesday, November 20, 2024, at the Ad Montgomery Community Hall located at 5525 B Street, Bay City Oregon. The hearing will begin at 5:30 p.m., to consider a petition to vacate a 7-foot portion of the 60' right-of-way on the western boundary of Hare Street, between Salmon and Clam Streets, Lots 1 and 16 in Block 9 of the Barview Addition, Bay City, Oregon.

The City Council of the City of Bay City will hold a public hearing on Tuesday, December 10, 2024, for said vacation, at the regular City Council meeting.

### **Description of Request**

The vacation request was made to the City of Bay City by Tommy and Rhonda Reed, property owners, on October 14, 2024.

Tommy and Rhonda Reed petitioned the City to vacate the western 7' of the right-of-way of Hare Street, abutting Lots 1 and 16 in Block 9 of the Barview Addition to Bay City. The initiation of the petition was done pursuant to ORS 271.080(1). Notice has been duly given under ORS 271.110 regarding notice of a hearing and posting of the property.

### **Street Vacation Criteria**

Section 1.14 Street Vacation Article of the Bay City Municipal Codes describes the requirements for the vacation of public right-of-way in the City of Bay City, with guidelines for review and a method and process of handling a vacation petition.

Any objection or remonstrance which may be made in writing and filed with the City Recorder prior to the time of the hearing will be heard and considered on November 20, 2024, at 5:30 pm.

### **For More Information**

Materials pertinent to the request are available for review at the Bay City, City Hall, 5525 B Street, Bay City Oregon. All interested parties are invited to express their opinions for or against the request at the hearing or by letter addressed to Bay City, City Hall, PO Box 3309, Bay City, Oregon, 97107.

If you have questions concerning the project, please contact David Mattison, City Planner, 5525 B Street, PO Box 3309, Bay City, Oregon, 97107, by phone at 503.377.2288, or email at [dmattison@ci.bay-city.or.us](mailto:dmattison@ci.bay-city.or.us).



THE PEARL OF TILLAMOOK BAY

# 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](http://www.ci.bay-city.or.us)

## Requested Partial Vacation location



*This institution is an equal opportunity provider and employer. In accordance with Federal law and the U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the base of race, color, national origin, religion, sex, age, disability, or familial status.*



# City of Bay City

## 7 ft Street Vacation Staff Report

To: City of Bay City Planning Commission  
From: David Mattison, City Planner  
Applicant: Tommy and Rhonda Reed  
Title: Request for Partial Street Vacation for a Portion of Hare Street.

### **Nature of the Application:**

This is a public hearing before the City Planning Commission, to consider a petition to vacate a 7-foot portion of the 60' right-of-way (ROW) on the western boundary of Hare Street, between Salmon and Clam Streets, Lots 1 and 16 in Block 9 of the Barview Addition, Bay City, Oregon.

The City Council of the City of Bay City will hold a public hearing on Tuesday, December 10, 2024, for said vacation, at the regular City Council meeting.

### **Description of Request**

The vacation request was made to the City of Bay City by Tommy and Rhonda Reed, property owners, on October 14, 2024.

Tommy and Rhonda Reed petitioned the City to vacate the western 7' of the right-of-way (ROW) of Hare Street, abutting Lots 1 and 16 in Block 9 of the Barview Addition to Bay City. The vacation is requested to alleviate trespass/encroachment of the garage in the Hare Street ROW. The initiation of the petition was done pursuant to ORS 271.080(1). Notice has been duly given under ORS 271.110 regarding notice of a hearing and posting of the property.

### **Street Vacation Requirements**

Section 1.14 Street Vacation Article of the Bay City Municipal Codes describes the requirements for the vacation of public ROW in the City of Bay City

#### **1.14.010 Purpose**

The purpose of this Vacation of ROW Article shall be to provide persons who propose vacations and to those who must review the proposals with a guideline for review and a method and process of handling vacation petitions. Vacation of public rights-of-way are not favored by the City of Bay City and a person proposing a vacation has the burden of showing the vacation will serve the public interest.

#### **1.14.020 Standards**

The following are hereby established as standards governing the vacation of public ROW within the City of Bay City:

- The ROW is not needed for access to abutting properties and the vacation will not land lock any property.
- The ROW is not necessary for proper traffic circulation at present or in the foreseeable future. The right-of-way is not necessary for bicycle or walking trails; or it can be utilized for these purposes with the retention of an easement.
- The ROW is not necessary for current or foreseeable utility routing and drainage or can be utilized for this purpose with the retention of a utility easement.

- The vacation is not in conflict with the Comprehensive Plan.
- The public interest will not be prejudiced by the vacation in any way.

#### **1.14.030 Vacation By Petition**

Petition forms as outlined in ORS 271.080 for proposed vacations shall be filed with the City Manager completed with the following information and together with the required fees:

- A current tax map of the area showing the ROW proposed to be vacated and the affected area.
- The purpose of the vacation.
- The written consent of affected property owners as required by state statute (currently ORS 271.080).
- The recommendation of the City of Bay City Public Works Director.
- The recommendation of the Chief of the Bay City Fire Department.

#### **1.14.050 Procedure For Vacation**

- Upon the filing of a petition in accordance with Section 1.14.030 or 1.14.040, together with payment of the required fees, the City Manager shall cause a copy thereof to be forwarded to the City of Bay City Planning Commission.
- After 20 days prior written notice of the public hearing to all properties within 250 feet of the requested vacated area the Planning Commission shall hold a public hearing for the purpose of hearing comments for and against said petition and evaluating the pertinent facts and circumstances of the specific request.
- After the public hearing, the Planning Commission shall forward its recommendation to the City Manager for presentation to the City Council at its next regular meeting. In addition, the Planning Commission shall, as part of its recommendation, make a recommendation as to whether or not the proposed street vacation would have a significant impact on land uses in the area defined by ORS 271.080.
- The City Council shall hold a public hearing on the petition. After hearing, the Council may, by passing an appropriate ordinance, grant the petition, or grant any lesser degree of closure or deny the petition. Notice of the hearing shall be in accordance with ORS 271.110 and any other applicable statutes.

#### **1.14.060 Retention Easement**

In the event that the City grants a vacation, the City may impose any conditions on the vacation that it may deem necessary in order to properly adapt the former right-of-way to private use.

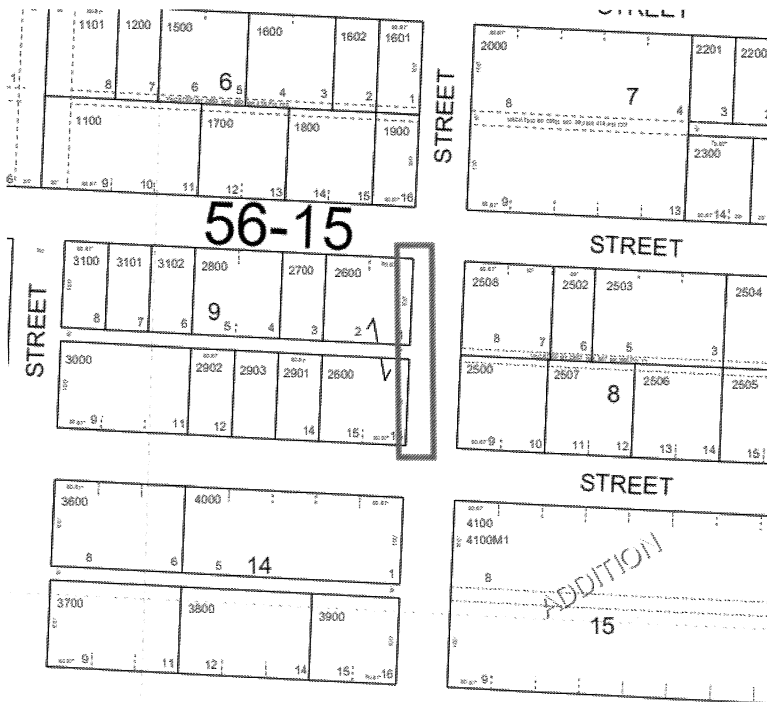
Any objection or remonstrance which may be made in writing and filed with the City Recorder prior to the time of the hearing will be heard and considered on November 20, 2024, at 5:30 pm.

#### **Findings**

1. Tommy and Rhonda Reed petitioned the City to vacate the western 7' of the ROW of Hare Street, abutting Lots 1 and 16 in Block 9 of the Barview Addition to Bay City. The initiation of the petition was done pursuant to ORS 271.080(1).
2. The house at 4685 Salmon on the subject property was constructed in 1925 and the pole barn in 1988 (permit no.382).
3. The vacation is requested to alleviate trespass/encroachment of the garage and pole barn in the Hare Street ROW.
4. Written consent was submitted from the affected property owners.
5. Both the City Public Works Director and Fire Chief recognize the benefit of a 7 ft street vacation
6. Notice has been duly given under ORS 271.110 regarding notice of a hearing and posting of the property.
7. This is a partial vacation of 7 ft of the Hare Street ROW.

8. The area of the ROW is not needed for access to abutting properties
9. The 7 ft vacation will not land lock any property.
10. The area of the ROW is not necessary for proper traffic circulation at present or in the foreseeable future.
11. The area of the ROW is not necessary for bicycle or walking trails.
12. The area of the ROW is not necessary for current or foreseeable utility routing and drainage.
13. The 7 ft vacation is not in conflict with the Comprehensive Plan.
14. The public interest will not be prejudiced by the 7 ft vacation in any way.

Requested Partial Vacation location



**Conclusion:**

The findings that Staff has prepared support the conclusion that the requested 7 ft street vacation meets the listed standards and criteria of the Bay City Codes Chapter 1.14, and may be recommended for approval.

In making a decision, Planning Commission may:

1. Recommend the 7 ft Hare Street vacation request.
2. Recommend the 7 ft Hare Street vacation request, with conditions.
3. Recommend denial of the 7 ft Hare Street vacation request.



# BAY CITY STREET VACATION PETITION

OCT 14 2024 3  
\$412.00  
check 12155

Fee: \$450.00

<u>Petitioner</u>	<u>Petitioner's Representative</u>
Name: <i>TOMMY &amp; RHONDA REED</i>	Name:
Mailing Address: <i>9045 SE 347<sup>th</sup> AVE BORING, OR 97009</i>	Mailing Address:
Phone Number: <i>503 329-7736 503 663-0644</i>	Phone Number:
Email Address: <i>tommy.reed@frontier.com</i>	Email Address:
<p>1. A description of the right-of-way area to be vacated. <i>(Don't forget to include a map highlighting the area. A survey or professionally developed legal description is required).</i> <i>SEE ATTACHED</i></p>	
<p>2. Reason for the Vacation Request. <i>(Advise if any buildings/structures will be in the area to be vacated).</i> <i>HOUSE AND POLE BARN INFRINGE BY 2FT INTO 60FT ROW ON HARE STREET</i></p> <p style="text-align: center;">Note: If additional room is necessary, please attach extra pages.</p>	
<p>3. Required consent.</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> a. 100% of abutting property owners.</li> <li><input type="checkbox"/> b. Two-thirds in area of real property affected by proposal. Refer to <i>ORS Chapter 271</i> (attached).</li> <li><input checked="" type="checkbox"/> c. List of all abutting and affected property owners, mailing addresses, and corresponding square footage of property owned.</li> </ul>	



TOMMY & RHONDA REED  
Petitioner

10/10/2024  
Date

Return To:	Bay City P.O. Box 3309 5525 B Street Bay City, OR 97107
For Questions – Contact:	City Recorder Phone: 503- 377-2288 Email: <a href="mailto:cityrecorder@ci.bay-city.or.us">cityrecorder@ci.bay-city.or.us</a>





### BAY CITY RIGHT OF WAY VACATION Street Vacation Check List

**DISCLAIMER: Completion of this application does not constitute approval of the street vacation. The ultimate decision will be made by the Bay City Planning Commission.**

To help facilitate the street vacation process, you must complete the steps below in the order presented.

I have called and spoken to email WENDY SCHINK at Tillamook County's Cartography Department (503-842-3423) to see who will own the right-of-way area after the vacation is completed. (In most cases the vacated area is split down the middle and reverts back to the adjacent property owner.) Please list who receives property:  
TOMMY & RHONDA REED

I have talked with all owners of the properties that abut all sides and corners of the portion of right-of-way to be vacated and they will support the vacation request (objecting property owners will complicate or stop the process).

I have contacted private utilities to determine if the companies will support the vacation, with or without special conditions. To ensure that you have a complete understanding of affected utilities, a utility locate should be requested by calling: 800-332-2344. JAMES AMAN SENIOR ENGINEER

**SIGN TO CONFIRM:**

I have completed all of the above Tommy Reed 10/10/2024  
Signature Date  
Rhonda J. Reed 10-10-2024

**After you have done all of the above and it appears that a right-of-way vacation may be feasible**, a written right-of-way vacation petition (attached) and a Four Hundred Fifty Dollar (\$450.00) application fee is required. The applicant shall also be responsible for any actual out-of-pocket costs incurred by the City in excess of \$136.50 and actual attorneys fees in excess of \$225.00. In the event that the street vacation is granted, no recording or filing of the street vacation shall occur until all fees are paid in full. In the event there are multiple applicants for the same portion of street vacation, only one nonrefundable fee shall be collected.

2. The City shall be exempt from payment of the non-refundable fee for any street vacation initiated by the City which will result in the ownership of any portion of the vacated land by the City.

3. The City may initiate vacation of a street without an applicant and without payment of a non-refundable fee if the City determines that the street vacation is to the City's benefit.

Upon receipt of this checklist, the petition, the required fee, and all necessary signatures, (see ORS 271.080 – attached), the City Recorder shall review the petition. If petition is deemed incomplete, it will be returned to the petitioner for additional signatures or other required information. If required percentages of consent is confirmed, the matter will be placed on the City Commission's Agenda to consider setting a public



?  
Bay City  
Warrenton

Send the petition along with the petition fee in the form of a check made out to the City of Warrenton and a signed copy of this checklist to:

**Mail Form To:**  
City Recorder  
Bay City  
P.O. Box 3309  
Bay City, OR 97107

**OR**

**Deliver Form in Person To:**  
City Recorder  
5525 B Street  
Bay City, OR 97107

If you have additional questions about the street vacation process, please contact the City, at 503-377-2288 or at [cityrecorder@ci.bay-city.or.us](mailto:cityrecorder@ci.bay-city.or.us).



VACATION CONSENT

Mistvale Farm Inc

being the owners of the following real property: \_\_\_\_\_

7645 HARE ST. BAY CITY, OR 97107

as a basis of the petition from TOMMY & RHONDA REED

4685 SALMON ST. BAY CITY, OR 97107

do hereby consent to the vacation of a portion of HARE ST. BORDERING

LOT #2600 BAY CITY, OR

as described: STARTING AT THE INTERSECTION WITH SALMON ST.

VACATE 7ft. OF THE "RIGHT OF WAY" ON THE WESTERN BOUNDARY OF HARE ST. WHERE IT PARALLELS THE EASTERN BOUNDARY OF LOT #2600 (4685 SALMON ST). RESULTING IN PROVISION OF STRUCTURES TO BE ENTIRELY ON LOT #2600 AND HAVE A 5ft. SETBACK AS REQUIRED BY CITY CODE.

AS THE RESULT THE 60ft. "RIGHT OF WAY" SHALL BE REDUCED TO 53ft. ON HARE ST. SOUTH OF THE INTERSECTION WITH SALMON ST.

Signature: Mistvale Farm Inc by Date: 10/3/24

Shere Neas

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



VACATION CONSENT

AARON W. CUTTS

being the owners of the following real property:

4715 SALMON ST. BAY CITY, OR 97107

as a basis of the petition from

TOMMY & RHONDA REED

4685 SALMON ST. BAY CITY OR 97107

do hereby consent to the vacation of a portion of

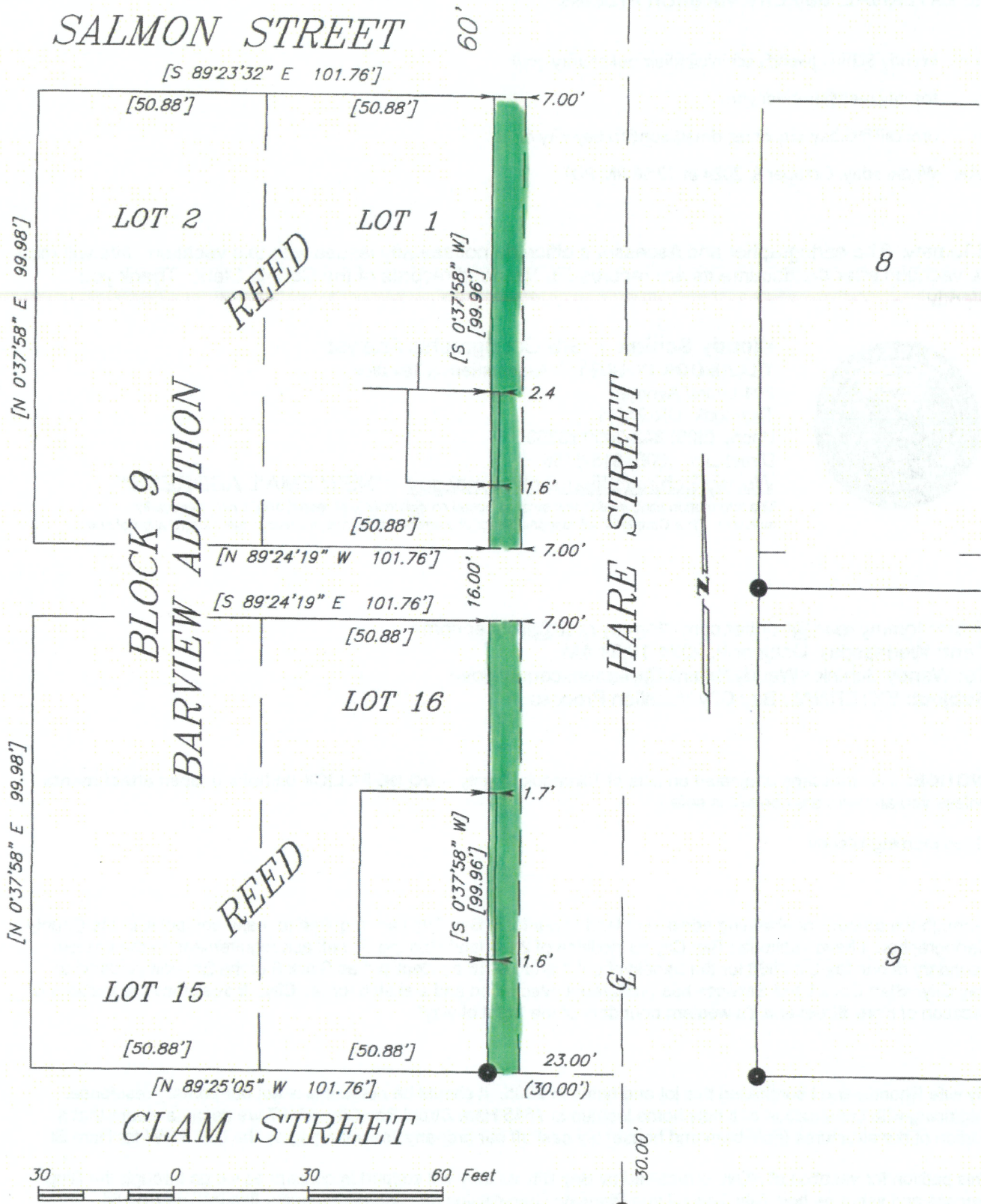
HARE ST. BORDERING

LOT #2600 BAY CITY, OR

as described: STARTING AT THE HARE INTERSECTION WITH SALMON ST  
VACATE 7' FT. OF THE "RIGHT OF WAY" ON THE WESTERN BOUNDARY  
OF HARE ST. WHERE IT PARALLELS THE EASTERN BOUNDARY OF  
LOT #2600 (4685 SALMON ST.). RESULTING IN PROVISION OF  
STRUCTURES TO BE ENTIRELY ON LOT #2600 AND HAVE A 5'  
SETBACK AS REQUIRED BY CITY CODE.

AS THE RESULT THE 60' FT. "RIGHT OF WAY" SHALL BE  
REDUCED TO 53' FT. ON HARE ST SOUTH OF THE  
INTERSECTION WITH SALMON ST.

Date: 10/09/2011



NOTE: THIS DOCUMENT IS NOT A SURVEY  
AND IS FOR ASSESSMENT PURPOSES.

STAN COOK LAND SERVICES, LLC  
3180 ALDERCREST  
TILLAMOOK, OREGON  
(503) 842 8380

SITE MAP FOR  
CITY of BAY CITY & REED  
TAX LOT 1S10W-2CC-2600  
LOTS 1, 2, 15 & 16, BLOCK 9, BARVIEW ADD.  
AND A PORTION OF HARE STREET  
TILLAMOOK COUNTY, OREGON  
OCTOBER 2, 2024

RE: EXTERNAL: Bay City Vacation Process

From: Wendy Schink (wendy.schink@tillamookcounty.gov)

To: tommy.reed@frontier.com

Cc: dmccall@ci.bay-city.or.us; dmattison@ci.bay-city.or.us

Date: Wednesday, October 9, 2024 at 12:56 PM PDT

Hi Tommy, The cartographer and Assessor's office do not see any issues with this vacation. We will map the vacation after the documents are recorded in the deed records of the County Clerk. Thank you, Wendy



**Wendy Schink** | GIS Cartographic Analyst

**TILLAMOOK COUNTY** | Assessment & Taxation

201 Laurel Avenue

Tillamook, OR 97141

Phone (503) 842-3400 x3363

Direct Line (503) 815-3156

**Wendy.Schink@tillamookcounty.gov** **\*\*NEW EMAIL ADDRESS\*\***

The information contained in this email is based on documents of record and is not necessarily inclusive. The County is not responsible for any errors, omissions, misuse or misinterpretation of such.

**From:** tommy.reed@frontier.com <tommy.reed@frontier.com>

**Sent:** Wednesday, October 9, 2024 10:31 AM

**To:** Wendy Schink <Wendy.Schink@tillamookcounty.gov>

**Subject:** EXTERNAL: Bay City Vacation Process

[**NOTICE:** This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Good Morning Wendy

Through the process of obtaining addition of land to our lot in Bay City I am required to make contact with the County Cartographer. I have petitioned Bay City for addition of 2ft of land plus the 5ft setback requirement on the eastern boundary of our Tax Lot 2600 for the benefit of Lot 1 and Lot 16 as identified as Block 9 of the Barview Addition to Bay City. Stan Cook Land Services has prepared a description and a sketch for the City. It describes the portions of vacation of Hare Street and it's western boundary of the "right of way".

My wife Rhonda and I purchased this lot and home in 2005. It should be noted this is not our primary residence. Beginning with construction of a new home located at 7645 Hare Street Bay City, 97107 we became aware that a portion of our structures (pole barn and house) lay east off our property line infringing on the 60ft ROW for Hare St.

This petition for vacation of ROW is received by Bay City as they will support in concept as we go through the filing process and yet to be held City Council and Planning Commission meeting to determine finalization. Should acceptance and finalization occur in our favor then county records and taxation for our property will change. This is where Tillamook County Cartography Dept is to be notified.

Adjacent property owners on the eastern ROW of Hare Street are in agreement with our petition. At this writing I have obtained 1 of 2 consents in writing and await the 2nd.

The Street Vacation Check List requires I call and speak to your Cartography Dept and register the name of person contacted.

My contact with Bay City has been David McCall, City Manager. Your reply to this matter is requested. A return email with phone number would help Rhonda and I to satisfy the requirements of the forms necessary to complete this application. If there is a appropriate time of day for contact please identify those. An email reply with your acknowledgement may be enough but I am not sure.

Thank You & Best Regards,

Tommy Reed

9045 SE 347th Ave

Boring, Or 97009

503 329-7736

**Stan Cook Land Services**

3180 Aldercrest Rd  
Tillamook, Oregon 97141  
(503)842-8380

Tommy Reed  
9045 SE 347<sup>th</sup> St.  
Boring, Or 97009

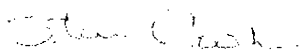
October 2, 2024

Regarding Lots 1, 2, 15 & 16, Block 9, Barview Add. To Bay City  
Tax Lot 1s10w-2cc-2600

I have prepared descriptions and a sketch, for the City, for the Vacation of portions of Hare St.  
adjoining your lots.

The fee for this is \$750.00

Thank You

  
Stan Cook

Now accepting:  
Venmo @Stanley-Cook-9  
PayPal @selsinc  
CashApp Swestcoastal  
Zelle : (503)801-0605

PAID IN FULL CASH  
Stan Cook 10/03/24



**Stan Cook Land Services, llc**

3180 Aldercrest Rd  
Tillamook, Oregon 97141  
(503)842-8380

**Partial Vacation of Hare St. Between Salmon St. and Clam St.**

A tract of land in the Southwest quarter of the Southwest quarter of Section 2, T. 1 S., R. 10 W. of the Willamette Meridian in Tillamook County Oregon, said tract being that portion of Hare Street between Salmon Street and Clam Street, all in the Barview Addition to Bay City.

Said tract of land being more particularly described as follows: A strip of land, Seven feet of even width, along the entirety of the Easterly boundary of Lot 1, Block 9, of said Barview Addition to Bay City.

*For the benefit of Lot 1, Block 9, of said Barview Addition to Bay City.*

---

**Stan Cook Land Services, llc**

3180 Aldercrest Rd  
Tillamook, Oregon 97141  
(503)842-8380

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Said tract of land being more particularly described as follows: A strip of land, Seven feet of even width, along the entirety of the Easterly bondary of Lot 16, Block 9, of said Barview Addition to Bay City.

*For the benefit of Lot 16, Block 9, of said Barview Addition to Bay City.*

---

SALMON STREET 60'

[S 89°23'32" E 101.76']

[50.88']

[50.88']

7.00'

LOT 2

LOT 1

REED

[S 0°37'58" W  
[99.96']

2.4

1.6'

[50.88']

[N 89°24'19" W 101.76']

7.00'

[S 89°24'19" E 101.76']

16.00'

7.00'

LOT 16

[50.88']

REED

[S 0°37'58" W  
[99.96']

1.7'

1.6'

LOT 15

[50.88']

[50.88']

23.00'

(30.00')

[N 89°25'05" W 101.76']

CLAM STREET

HARE STREET

CL

30.00'

8

9

30 0 30 60 Feet

NOTE: THIS DOCUMENT IS NOT A SURVEY  
AND IS FOR ASSESSMENT PURPOSES.

STAN COOK LAND SERVICES, LLC  
3180 ALDERCREST  
TILLAMOOK, OREGON  
(503) 842 8380

SITE MAP FOR  
CITY of BAY CITY & REED  
TAX LOT 1S10W-2CC-2600  
LOTS 1, 2, 15 & 16, BLOCK 9, BARVIEW ADD.  
AND A PORTION OF HARE STREET  
TILLAMOOK COUNTY, OREGON  
OCTOBER 2, 2024



**Other:**

- **Review of Timeline for PICM and SB406 update process.**





**Monthly Report**

**BAY CITY**



# 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

## **BAY CITY PLANNING DEPARTMENT MONTHLY REPORT**

**FOR OCTOBER  2024**


### **1. Zoning/Public Works Permits (2)**

- a. Grading and Erosion Control – 5310 High Street
- b. Driveway – 5310 High Street

### **2. Inspections (2)**

- a. Final Inspection – 6870 Tillamook Avenue.
- b. Final Inspection – 7895 18<sup>th</sup>.

### **3. Meetings involving Planning Department**

- Oct 3<sup>rd</sup> – Tillamook County Housing Commission Meeting  
*One item of discussion - McRae Brownfield Introduction/potential mixed use.*
  - DLCD/OAPA Webinar - Model Codes Overview (Middle Housing code requirements).
- Oct 7<sup>th</sup> – State OHNA Rules Advisory Committee Meeting .
- Oct 9<sup>th</sup> – LOC Housing Policy Coordination: Middle Housing and Infill Policy Proposals
- Oct 10<sup>th</sup> – FEMA BiOP Pre-Implementation Compliance Measures (PICM) Requirements Mtg.
- Oct 15<sup>th</sup> – Tillamook County Board of Realtors presentation – *What's New in Bay City.*
- Oct 16<sup>th</sup> – Planning Commission Hearing
  -  *Review of Conditional Use Permit (CU-2024-03) for TEP Science Center at 7855 Warren St.*
  -  *Review of Proposed Ordinance #710 and the following City code sections*
    - \* *Review of proposed changes to Planning Commission Rules Sect 1.02.010.*
    - \* *Review of proposed Bed and Breakfast definition Sect 8.10.030.*
    - \* *Review of Short-Term Rental Distance Requirements Sect 8.10.100.*
    - \* *Review of Bed and Breakfast Number of Guest Bedroom Requirements Sect 10.11.010.*
  -  *Introduction of Comparative Review of State Rule (SB 406) and City Development Code*
- Oct 22<sup>nd</sup> – Tillamook County Oregonians for Floodplain Protection Meeting.
- Oct 24<sup>th</sup> – LOC Coord. Meeting re: FEMA/NFIP-ESA PICMs.
  - Pre-Application Meeting for Development of Property at dead-end of D Street
  - Meeting with Dan Overholser regarding Planning Commission
- Oct 28<sup>th</sup> – McRae Housing Production and Development Opportunity Meeting.
- Oct 29<sup>th</sup> – Joint PC/Council Workshop regarding Middle Housing Code Review Meeting.
- Oct 30<sup>th</sup> – PICM Workshop: Model Ordinance
  - Meeting with Brian Green regarding UGB

### **4. Next Planning Commission November 20<sup>th</sup> Meeting**

- *Partial Street Vacation of a portion of Hare Street.*
- *Workshop on Senate Bill 406 and City Development Code for Middle Housing Review*

## 5. Future Potential Code (Chapter 10) Changes

- a. City 'Middle Housing' code changes – 2025 adoption.
- b. FEMA BiOP Pre-Implementation Compliance Measure (PICM) Model Codes – 2025 adoption

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

- 🦋 Flood Zone A discussion for property at 5775 Main;
- 🦋 Slope and Drainage issues for property at 7895 18<sup>th</sup>;
- 🦋 FEMA PICM requirements discussion;
- 🦋 Address Verification for property at 9400 3<sup>rd</sup>;
- 🦋 LOMA FEMA PICM for property at 5775 Main;
- 🦋 Tree removal questions for property at 7905 14<sup>th</sup> ;
- 🦋 Development Requirements for property at 6<sup>th</sup> and D;
- 🦋 Development Requirements for property at 8<sup>th</sup> and Union;
- 🦋 Development Requirements in the Bay Ridge subdivision Lots 7 and 8;
- 🦋 Elevation Issues for development at 5550 Bay Circle;
- 🦋 Creek Setbacks for property at 5775 Main;
- 🦋 Fence Issues at 4560 Salmon;
- 🦋 Address Verifications for units Seagulls Rest;
- 🦋 Accessory structure/use for 5310 High;
- 🦋 CU-2024-03 questions;
- 🦋 Tree Permit questions;
- 🦋 Development Requirements for property at 6<sup>th</sup> and D;
- 🦋 Elevations at 5775 Main;
- 🦋 Address Verification for 5860 D Street;
- 🦋 Address Verification for 6280 D Street;
- 🦋 ADU requirements in City;
- 🦋 ADU Development Requirements for property at 5775 Main;
- 🦋 Nonconforming Uses in City;
- 🦋 Development Requirements at Elliot and Spruce;
- 🦋 Development Requirements for property on 3rd and Hendricks;
- 🦋 Water Service Outside UGB;
- 🦋 Address Verification for 6455 Madison;
- 🦋 Foundation requirements at 4555 Clam;
- 🦋 Short Term Rental at 9625 2nd Street;
- 🦋 Tree Removal at 6<sup>th</sup> and D;
- 🦋 Reroofing Requirements in City;
- 🦋 Tree Removal at Bayview and E Street;
- 🦋 Pre-Application Meeting discussion for development at 4550 Clam;
- 🦋 Garage Shop size for property at 6865 Tillamook
- 🦋 Flood Moratorium Notice questions for property at 6865 Tillamook;
- 🦋 Weather Equipment outside of town at Latimer and 101;
- 🦋 Garage Encroachment at 7865 Warren;
- 🦋 Zoning Permit Processing in City;
- 🦋 Survey on File for property at 9630 8<sup>th</sup>;
- 🦋 Pre-application meeting discussion for property at D and 11<sup>th</sup> Street;
- 🦋 Permit Processing for property at 5310 High;
- 🦋 Tree Relocation at 5<sup>th</sup> and A;
- 🦋 Accessory Structure requirements at 4600 Salmon;
- 🦋 CUP and Yurt requirements at 4520 Salmon;
- 🦋 Driveway Improvements at 9520 2<sup>nd</sup>;
- 🦋 ADU Requirements in City;
- 🦋 Development Review for properties at Bay Ridge subdivision;
- 🦋 Driveway issues at 3<sup>rd</sup> and Pacific;
- 🦋 Development Requirements for property at Tillamook + 101;
- 🦋 Development Requirements for property at 10th and D;
- 🦋 Development Requirements for property at 8th and Pacific;
- 🦋 UGB Expansion;
- 🦋 PICM Requirements;
- 🦋 Middle Housing Requirements;
- 🦋 Flood Requirements for property on Clam Street.

