

**City of Tillamook  
Planning Commission Meeting  
January 3, 2008**

**Staff Present:**

Jodee Averill  
David Mattison

**Commissioners Present:**

Steve Munoz  
Ray Jacobs  
Rob Huston  
Jan Stewart  
Nick Hahn (late)

**Commissioners Absent:**

Howard Harrison  
Tamra Jacobs

**I. CALL TO ORDER**

Chairperson Stewart called the meeting to order at 7:00 p.m.

**II. HEARINGS OF CITIZENS AND DELEGATIONS**

None.

**III. APPROVAL OF MINUTES FOR JANUARY 3, 2008**

Commissioner Huston moved to approve the minutes from the December 2007 Planning Commission Meeting. Commissioner R. Jacobs seconded the motion. The motion passed with a unanimous aye vote including Chairperson Stewart's vote since only four Commission Members were present at that time. Commissioner Munoz abstained from the vote. Commissioner Hahn arrived after the vote was taken.

**IV. PUBLIC HEARINGS**

**Applicant:** City of Tillamook, Zone Change #ZC-08-01/Plan Amendment #PA-08-01, to rezone the subject properties, deeded to the City of Tillamook by FEMA in the City designated Floodway, from Highway Commercial (C-H) to Open Space (OS). These properties include the following: 1S9W30BB tax Lot 600 (635 N. Main), 1S10W24D

Tax Lot 1000 (1810 N. Main), 1S10W25AA Tax Lot 200 (542 N. Main), 1S10W25AA Tax Lots 300 and 301 (840 N. Main). To rezone the subject property located at map # 1S9W30BC Tax Lot 200 TC (south of Hoquarton Slough) from Central Commercial (C-C) to Open Space (OS), within the City of Tillamook, and amend the Tillamook City Comprehensive Plan, Policies 29, 80, 83, 87, 88, and 89, Tables D1, K1 and L, and further text on Population Requirements and Livability to correspond with the requested zone change, and to implement Table D3, Total Existing Land use within Present Tillamook UGB.

Chairperson Stewart gave a summary of the hearing disclosure because there was no audience. She then asked for any ex parte contact, conflict of interest or bias. There was none.

City Planner then read the staff report.

Commissioner Huston asked City Planner if FEMA specifies what is allowed in open space. City Planner said it does not say it shall be zoned open space, but it shall remain as open space. Commissioner Huston asked how that applies, since the zoning of open space actually allows commercial uses. City Planner said that allows commercial use, but only conditionally, such as temporary or mobile units. This is approved by the City Council. Chairperson Stewart suggested that this be taken up under Commission Discussion.

Chairperson Stewart asked City Planner how the notice for this meeting was posted. City Planner said that it was sent to property owners within a 400 foot radius, as well as in the paper and at the Fire Hall, Library, City Hall and County Building. Chairperson Stewart said that her concern is that there is no applicant and no audience, and she questioned whether the public notice was clear on what is being changed.

The public hearing was then closed for Commission Discussion.

Commissioner Munoz asked what the benefit of the re-zone is when FEMA already bought the property. City Planner said that this is just a formality, and now the property won't show as available commercial space either.

Commissioner Hahn asked if the City could turn around and sell any of this property. City Planner said it could be sold. Commissioner Hahn said that he has a problem with the properties along Highway 101 being vacant because it takes away from the economics of the City. Chairperson Stewart added that if the property stays zoned as Commercial, you can't build anything else on it. But if it is re-zoned as Open Space you have other options such as parks and mobile units, with conditions.

Commissioner Hahn stated that he wanted to continue the hearing until next time because he didn't have time to read the packet fully.

Commissioner R. Jacobs moved to approve the application.

Chairperson Stewart asked Commissioner R. Jacobs to table the motion for a five minute recess to check the regulations on continuing the meeting.

Commissioner Munoz asked City Planner if there was any contact with any other cities that have dealt with FEMA buyouts. City Planner said there was not, but there was communication with DLCD, and they are in support of this change. They have not received any comment from ODOT, but they were notified.

Chairperson Stewart then called a five minute recess.

Chairperson Stewart added that staff is doing a wonderful job, but would like staff to get the packets out earlier so the Commissioners have a chance to read the packets thoroughly.

Chairperson Stewart said that if the hearing is to be continued due to lack of information, it is the Commissions decision and this needs to be done through a motion. She also added that there is a motion from Commissioner R. Jacobs on the table to approve the application.

Commissioner R. Jacobs repeated his motion to approve the application in accordance with staffs findings and conditions. The motion died due to the lack of a second on the motion.

Commissioner Hahn moved to continue the application to the February meeting. Commissioner Huston seconded the motion. Commissioner Munoz added a friendly amendment requesting that the applicant be present at the meeting. Commissioner Huston seconded the friendly amendment.

Commissioner Huston stated that it seems inappropriate for there to be no applicant present. Chairperson Stewart asked the Commission what they expect to gain by extending the application. Commissioner Hahn stated that he would be able to read the packet and have a better understanding of the request being made. Commissioner Munoz added that he would like more information from the applicant, since this is such a large issue. Commissioner R. Jacobs said that if this is not re-zoned it won't make a difference. Commissioner Munoz added that there may be more to this than what is being presented, and an applicant would be able to clear this up.

Commissioner Hahn asked what the purpose of doing this re-zone is. City Planner said that if another mobile unit goes onto another parcel, then the Planning Commission would be making the decision rather than it just being handled administratively or by City Council. Any commercial activity going on would require a Conditional Use Permit. The other things already on the property were all done through a lease agreement with City Council.

Commissioner Hahn stated that he feels it should be easier for business owners in the City, it shouldn't be that difficult, doing before the Planning Commission and going through the public process.

Chairperson Stewart asked for a five minute recess.

Chairperson Stewart said that she feels there could be a potential bias from Commissioner Hahn and asked him if he feels he is unable to make an un-bias decision. Commissioner Hahn stated that he feels he can make an un-bias decision, but he need to read all the information first. He added that anybody who cares about the City would have a strong opinion on what is happening with the FEMA buyouts.

Chairperson Stewart reminded the Commission that there is a motion and second, and asked for any further discussion.

The vote was as follows:

Commissioner Munoz-aye  
Commissioner R. Jacobs-aye  
Commissioner Huston-aye  
Commissioner Hahn-aye

The motion carries, and the application is continued to the meeting held on February 7, 2008.

Commissioner R. Jacobs asked if there will be any more public input. Chairperson Stewart said that the public hearing has been closed, so there will be no further comment. The agenda will be posted again. Chairperson Stewart also reminded the Commission that they cannot have any ex parte contact.

**Applicant:** City of Tillamook/Tillamook County Transportation District, Conditional Use Permit #CU-06-04 and Site Plan Review #SP-06-11 for the Tillamook Town Square Transit and Visitor Center

Request for a one year extension of time period for Conditional Use Permit #CU-06-04 and Site Plan Review #SP-06-11 for the Tillamook Town Square Transit and Visitor Center.

Chairperson Stewart added that the Hearing Disclosure Statement is still in effect and there is no audience present and no applicant present.

City Planner read from a letter received that there will soon be an amendment presented to the Planning Commission due to a change in the design concept due to inadequate funds. City Planner reminded the Commission that the amendments will be coming before them, this request is only for an extension to allow time for the changes to be made to the plans.

Commissioner R. Jacobs moved to approve the request for a one year extension. Commissioner Munoz seconded the motion. Chairperson Stewart added that she is concerned they will start the process before the amendments are approved by the Planning Commission. City Planner said that the applicant is not allowed to show any plans to the County until they are approved by the City Planning Commission.

The vote was as follows:  
Commissioner Hahn-aye  
Commissioner Huston-aye  
Commissioner R. Jacobs-aye  
Commissioner Munoz-aye

The vote passed with a unanimous aye vote. Chairperson Stewart added that there is a ten-day appeal period from the date of this hearing.

#### **V. ITEMS OF HIGH PUBLIC INTEREST**

None.

#### **VI. ITEMS OF COMMISSION CONCERN**

Commissioner Huston asked what happens to the ODOT access when the property is rezoned to something other than what it was before, do they keep their accesses? City Planner said yes they keep the access.

Commissioner Huston stated that he doesn't recall the site plan stating they were going to add fill to the site. Commissioner Hahn said that he heard Power Chevrolet was going to put a dealership on that site and Hayward is going to keep the current dealership.

City Planner said that they are allowed to do this, as long as Hayward follows the conditions set regarding the restoration of the wetlands. He also added that any changes made would need to come back before the Planning Commission. Chairperson Stewart requested that City Planner monitor the site closely.

Commissioner Huston asked what was happening with the Bank of Astoria site. City Planner said that the permit was just approved.

Commissioner Huston asked about the fill removal at the Dean Motors site. City Planner said there has been discussion, but he isn't sure of the time line.

Chairperson Stewart asked City Planner what progress had been made regarding the clean up of the mud on Highway 101 from the flood. City Planner said that property owners were notified by the Police Department, but he has no time frame for when the clean up is supposed to be completed.

**VII. ANNOUNCEMENTS**

Planning Commission Training Session Online-Oregon Land Use Planning Goals-  
January 11, 2008

**VIII. ADJOURNMENT OF PUBLIC HEARING**

There being no further business, the meeting was adjourned at 8:35 pm.

Submitted by:  
Jodee Averill, Planning Secretary

Approval Acknowledged by:

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Jan Stewart, City Planning Commission Chair

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Date