City of Wheeler

Chapter 3

BUILDING, PLANNING AND ZONING
CITY OF WHEELER

ORDINANCE NO. 97-06

AN ORDINANCE ADOPTING THE CABO ONE AND TWO FAMILY DWELLING SPECIALTY CODE AND THE UNIFORM BUILDING CODE FOR THE CITY OF WHEELER, REPEALING PRIOR ORDINANCES AND RESOLUTIONS, AND DECLARING AN EMERGENCY

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

This Ordinance is for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures in the City of Wheeler, providing for the issuance of permits and collection of fees therefor, providing for penalties for the violation thereof, repealing prior Ordinances and Resolutions, and declaring an emergency.

Section 1: The City of Wheeler hereby adopts the Council of American Building Officials (CABO) One and Two Family Dwelling Specialty Code of 1996 and all future updates for one and two family dwellings in the City, and the Uniform Building Code of 1994 and all future updates for all other construction in the City.

Section 2: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, rise, occupy or maintain any building or structure, or cause or permit the same to be done in violation of this code.

Section 3: Any violation of the CABO One and Two Family Dwelling Specialty Code or the Uniform Building Code will result in a civil penalty not to exceed $100.00. Each day of continuation of the violation is a separate violation.

Section 4: The City of Wheeler hereby adopts Section 118 Stop Work Orders of the 1996 edition of the CABO One and Two Family Dwelling Specialty Code, and any later editions.

Section 5: The City Recorder is hereby authorized to issue stop work orders on any project which is not in compliance with City ordinances and regulations.
Section 6: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 7: Ordinance No 91-8 and all other Ordinances, parts of Ordinances, Resolutions, and parts of Resolutions in conflict with this Ordinance are hereby repealed in their entirety.

Section 8: Due to the amount of building being done in the city and the need for this ordinance, the City Council declares that an emergency exists and that this Ordinance shall take effect immediately upon its passage.

ADOPTED by the City Council this 17 day of June, 1997, by the following vote: 4 ayes, 0 nays, 0 abstentions.

ATTEST:

Donald G. Brinkman, Mayor

Toni Hatfield, City Recorder
111.17 Except for barriers around swimming pools as required in Appendix D, fences not over 6 feet high (1829 mm); and

111.18 Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge (ORS 455.310).

2. Electrical. To replace light bulbs, fluorescent tubes or approved fuses, or to connect approved portable electrical equipment to permanently installed and properly wired receptacles.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

111.1 Premises identification. Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

111.2 Permit fees. Permit and plan review fees shall be as adopted by the authority having jurisdiction, except as otherwise limited by statute.

111.2.1 Valuation. The determination of value or valuation of any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

111.2.2 Plan review fees. When a plan or other data is required to be submitted by Sections 111.1 and 112, a plan review fee shall be paid at the time plans and specifications are submitted for review.

(Fee tables for Structural, Mechanical, Plumbing and Electrical are included as informational only.)

111.3 Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six months from the issue date of the permit, or if the building or work authorized by such permit is suspended or abandoned for a period of six months or more after the work has commenced. Before such work can be commenced or resumed, a permit extension or renewal as required by Section 111.3.1 or 111.3.2 shall be obtained.

111.3.1 Permit extension. A permittee holding an unexpired permit may apply for a one-time six-month extension, provided the permittee can show good and satisfactory reasons beyond control that the work cannot be commenced within the six-month period from the original permit issue date. No additional fee is required for this one-time extension.

111.3.2 Permit renewal. A permit which has expired for six months or less may be renewed provided no changes have been made in the original plans and specifications for such work. The renewal fee shall be one half the amount required for a new permit. Permits which have been expired for greater than six months require a new application and payment of the full permit fee.

111.4 Permit validity. The issuance of a permit shall not authorize the violation of any of the provisions of this code. Permits presuming to give authority to violate or cancel the provisions of this code are not valid.

The issuance of a permit based on plans, specifications and related material shall not prevent the building official therefrom requiring the correction of errors in plans, specifications and related material or from preventing the building from being operated in violation of this code.

111.5 Work without a permit.

111.5.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation may be made before a permit is issued for such work.

111.5.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the state fee schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.

111.6 Fee refunds. The building official may authorize the refunding of any fee paid thereunder in accordance with the refund policy in effect in the jurisdiction.

111.7 Suspension or revocation. Suspension or revocation of permits shall be according to the provisions of the Oregon Administrative Procedures Act or local authority.
CITY OF WHEELER
ORDINANCE NO. 92-1


The City of Wheeler ordains as follows:

SECTION I. That the City of Wheeler adopts the Uniform Plumbing Code of 1988 and the Plumbing Specialty Code of 1990, and all future updates, as the Plumbing Ordinance for the City.

SECTION II. That the City Recorder shall keep a current copy of these Codes on file at Wheeler City Hall for public inspection.

SECTION III. That any violation of these Codes may result in a civil penalty not to exceed $1,000.00. Each day of a continuation of a violation is a separate violation.

SECTION IV. That if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION V. That any and all Ordinances, parts of Ordinances, Resolutions, and parts of Resolutions in conflict with this Ordinance are hereby repealed in their entirety.

SECTION VI. That the City Council declares an emergency, and that this Ordinance shall take effect immediately upon its passage and adoption.

PASSED and ADOPTED by the City Council this 21st day of January, 1992, and APPROVED by the Mayor this 21st day of January, 1992.

Robert Turner, Mayor

ATTEST:

Eugene T. Cox, City Recorder
ORDINANCE 76-1

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION FOR THE CITY OF WHEELE AND REPEALING ALL PREVIOUS ORDINANCES

The CITY OF WHEELE Ordains as follows:

Section 1. Policy. The City intends by this Ordinance to establish and set duties of a planning commission to assist the Council in planning the orderly growth and development of the City and to further the legislative policies of the State as shown in ORS Chapter 227.

Section 2. Membership. The Planning Commission shall consist of not less than 5 nor more than 9 members. No more than 2 members of the Planning Commission may reside outside the City limits of Wheeler. No more than 2 members may be City officers, who shall serve as ex officio non voting members. No more than 2 voting members may engage principally in the buying, selling, or developing of real estate for profit as individuals or be members of any partnership or officer or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than 2 members shall be engaged in the same kind of occupation, business, trade, or profession.

Section 3. Officers. The Commission shall elect officers at its first meeting held in each calendar year. These shall be a president, vice-president and secretary. Each shall hold office for one year or until a successor is elected. The Commission may in its discretion elect a non-member as secretary for the purpose of keeping and preparing accurate records of all Commission proceedings. This shall not, however, relieve the Commission member who has been elected as Secretary of the primary responsibility for the accuracy and sufficiency of the records.

Section 4. Meetings. The Commission shall meet at least once a month. A majority of the members of the Commission constitute a quorum. The Commission may make and alter rules and regulations for its government and procedure consistent with laws of the State of Oregon and with the City Charter and Ordinances.

Section 5. Report to Council. Not later than the 1st day of October of each calendar year the Commission shall make and file a report of its transactions with the City Council. The Commission shall also be responsible for keeping the City Council advised of pending public hearings or other matters which will require decisions of the Council.

Section 6. Powers and Duties. The Planning Commission may:

1. Recommend and make suggestions to the Council concerning the laying out, widening, extending and locating of public thoroughfares, parking of vehicles, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of districts for limiting the use, height, area, bulk and other characteristics of buildings and structures relating to land development.
2. Recommend plans for regulating the future growth, development and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of public utilities, including appropriate public incentives for overall energy conservation.

3. Recommend to the Council plans for promotion, development and regulation of industrial and economic needs of the community in respect to industrial pursuits.

4. Advertise the industrial advantages and opportunities of the City and availability of real estate within the City for development.

5. Make economic surveys of present and potential industrial needs of the City.

6. Study needs of local industry with a view to strengthening and developing them and stabilizing employment conditions.

7. Do and perform all other acts and things necessary or proper to carry out provisions of ORS Chapter 227 and the requests of the City Council as they relate to Planning and Zoning within the City limits.

8. Study and propose such measures as are advisable for the promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and the area within 6 miles thereof, and to this end work with and participate in discussions with the Council and planning commissions of neighboring cities and with the Clatsop-Tillamook Intergovernmental Council.

Section 7. Submissions of plans and requests. All subdivision plans and all plans or plots for vacating or laying out, widening, extending or locating streets and all requests for variances and conditional uses under the City zoning ordinance shall be submitted to the Planning Commission prior to submission to the City Council. The Commission shall consider all such proposals within 60 days of submission and shall submit a report thereon in writing to the City Council. This report shall contain a statement of approval or rejection, the reasons therefor, and any recommendations deemed appropriate by the Commission.

Section 8. Zoning and Improvement Ordinances. The Commission may prepare on its own motion or at the request of the City Council such ordinances or amendments to ordinances as may be considered necessary to promote the orderly growth and development of the City. All such ordinances or amendments thereto shall be considered by the Planning Commission and a public hearing thereon held by the Planning Commission before submission of such ordinance to the City Council.

PASSED by the City Council this 16th day of December, 1975.

Yes _ _

No _ 

[Signature]
Mayor

ATTEST:

[Signature]
Recorder
CITY OF WHEELER

RESOLUTION NO. 95-3

A RESOLUTION ESTABLISHING PLANNING COMMISSION POSITION TERMS

WHEREAS, City Ordinance No. 76-1 established a City Planning Commission, but did not set the length of the Commissioners' terms, and

WHEREAS, the City Council would like to have set term lengths, and to clarify eligibility,

NOW, THEREFORE BE IT RESOLVED, that:

the term length of each Planning Commission position shall be four years,

the Planning Commission Chairman shall appropriately stagger the term ending dates of the current Planning Commissioners, and

a Commissioner whose term has expired may reapply for the same position on the Commission.

PASSED by the City Council this 21st day of February, 1995, by the following vote: 3 ayes, 0 nays, and 0 abstentions.

ATTEST:

Walter N. Trandum, Mayor

Eugene L. Cox, City Recorder
CITY OF WHEELER

ORDINANCE NO. 97-05

AN ORDINANCE AMENDING ORDINANCE NO. 76-1

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Replace Section 2 of Ordinance No. 76-1 with the following:

Section 2. Membership. The Planning Commission shall consist of not less than five (5) nor more than nine (9) members. Membership shall be limited to residents of the City, residents of the Urban Growth Area, and non-residents who own property or a business that operates within the City and its Urban Growth Area. No more than two (2) members of the Planning Commission may reside outside the City limits of Wheeler. No more than two (2) members may be City officers, who shall serve as ex-officio non-voting members. No more than two (2) voting members may engage principally in the buying, selling, or developing of real estate for profit as individuals or be members of any partnership or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than two (2) members shall be engaged in the same kind of occupation, business, trade or profession.

PASSED by the City Council this 15th day of July, 1997, by the following vote: ___ ayes, ___ nays, ___ abstentions.

Donald G. Brinkman, Mayor

ATTEST:

Toni Hatfield, City Recorder
ORDINANCE NO. 77-1

CITY OF WHEELER
OREGON

AN ORDINANCE PROVIDING FOR SUBDIVISION AND LAND PARTITIONING STANDARDS AND PROCEDURES

ADOPTED APRIL 19, 1977
AMENDED DECEMBER 28, 1979,
DECEMBER 16, 1997, AND MAY 18, 2004

The preparation of this report was financially aided through a federal grant from the Department of Housing and Urban Development, under the Urban Planning Assistance Program authorized by Section 701 of the Housing Act of 1954, as amended, and a state planning assistance grant from the Department of Land Conservation and Development.
## TABLE OF CONTENTS

**GENERAL PROVISIONS**

<table>
<thead>
<tr>
<th>SECTION</th>
<th>1 - Title</th>
<th>2 - Purpose</th>
<th>3 - Compliance Required</th>
<th>4 - Definitions</th>
<th>5 - Appeal to Council Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Page No.</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
</tbody>
</table>

**SUBDIVISION OF LAND - TENTATIVE PLAN**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Page No.</td>
<td>7</td>
<td>7</td>
<td>8</td>
<td>8</td>
<td>9</td>
<td>9</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

**SUBDIVISION PLAT**

<table>
<thead>
<tr>
<th>SECTION</th>
<th>14 - Submission of Subdivision Plat</th>
<th>15 - Form of Plat</th>
<th>16 - Information on Final Plat</th>
<th>17 - Certifications</th>
<th>18 - Supplemental Data</th>
<th>19 - Technical Review</th>
<th>20 - Final Approval of Planning Commission</th>
<th>21 - Agreement for Improvements</th>
<th>22 - Bonds</th>
<th>23 - Filing of Final Plat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Page No.</td>
<td>11</td>
<td>11</td>
<td>11</td>
<td>13</td>
<td>13</td>
<td>14</td>
<td>14</td>
<td>15</td>
<td>15</td>
<td>16</td>
</tr>
</tbody>
</table>

**MAJOR LAND PARTITIONING**

<table>
<thead>
<tr>
<th>SECTION</th>
<th>24 - Minimum Standards</th>
<th>25 - Submission of Tentative Map for Major Partitioning</th>
<th>26 - Scale</th>
<th>27 - Information on Tentative Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Page No.</td>
<td>17</td>
<td>17</td>
<td>17</td>
<td>18</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

## MAJOR LAND PARTITIONING, continued

<table>
<thead>
<tr>
<th>SECTION</th>
<th>Title</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Supplemental Data with Tentative Map</td>
<td>19</td>
</tr>
<tr>
<td>29</td>
<td>Preliminary Review of Tentative Map</td>
<td>19</td>
</tr>
<tr>
<td>30</td>
<td>Planning Commission Determination</td>
<td>19</td>
</tr>
<tr>
<td>31</td>
<td>Submission of Final Map</td>
<td>19</td>
</tr>
<tr>
<td>32</td>
<td>Form of Final Map</td>
<td>19</td>
</tr>
<tr>
<td>33</td>
<td>Information on Final Map</td>
<td>20</td>
</tr>
<tr>
<td>34</td>
<td>Supplemental Data</td>
<td>21</td>
</tr>
<tr>
<td>35</td>
<td>Technical Review</td>
<td>21</td>
</tr>
<tr>
<td>36</td>
<td>Final Approval of Planning Commission</td>
<td>21</td>
</tr>
<tr>
<td>37</td>
<td>Agreement for Improvements and Bonding Requirements</td>
<td>21</td>
</tr>
<tr>
<td>38</td>
<td>Filing of Final Map</td>
<td>21</td>
</tr>
</tbody>
</table>

## MINOR LAND PARTITIONING

<table>
<thead>
<tr>
<th>SECTION</th>
<th>Title</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td>General</td>
<td>22</td>
</tr>
<tr>
<td>40</td>
<td>Minimum Standards</td>
<td>22</td>
</tr>
<tr>
<td>41</td>
<td>Procedures for Submission of Map</td>
<td>22</td>
</tr>
<tr>
<td>42</td>
<td>Action by City and Planning Comm.</td>
<td>23</td>
</tr>
</tbody>
</table>

## GENERAL REGULATIONS AND DESIGN STANDARDS

<table>
<thead>
<tr>
<th>SECTION</th>
<th>Title</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>43</td>
<td>Principles of Acceptability</td>
<td>25</td>
</tr>
<tr>
<td>44</td>
<td>Streets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(1) General</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(2) Street Widths</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) Alignment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(4) Future Street Extension</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(5) Intersection Angles</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(6) Existing Streets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(7) Reserved Strips</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(8) Half Streets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(9) Cul-de-sac</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(10) Alleys</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(11) Grades and Curves</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(12) Marginal Access Streets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(13) Street Names</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(14) Private Streets</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Diagram of Angle Definitions</td>
<td>29</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>GENERAL REGULATIONS AND DESIGN STANDARDS, continued</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTION 45 - Utility Easements</td>
</tr>
<tr>
<td>46 - Building Sites</td>
</tr>
<tr>
<td>47 - Blocks</td>
</tr>
<tr>
<td>48 - Large Building Sites</td>
</tr>
<tr>
<td>49 - Water Courses</td>
</tr>
<tr>
<td>50 - Land for Public Purposes</td>
</tr>
<tr>
<td>51 - Unsuitable Land</td>
</tr>
<tr>
<td>52 - Land Subject to Inundation</td>
</tr>
<tr>
<td>53 - Slope/Density Requirement</td>
</tr>
<tr>
<td>54 - Lot Line Adjustments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IMPROVEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTION 55 - Improvement Standards and Approval</td>
</tr>
<tr>
<td>56 - Improvement Requirements</td>
</tr>
<tr>
<td>(1) Streets</td>
</tr>
<tr>
<td>(2) Structures</td>
</tr>
<tr>
<td>(3) Curbings</td>
</tr>
<tr>
<td>(4) Sewers</td>
</tr>
<tr>
<td>(5) Water</td>
</tr>
<tr>
<td>(6) Railroad Crossings</td>
</tr>
<tr>
<td>(7) Underground Utilities</td>
</tr>
<tr>
<td>(8) Street Lighting</td>
</tr>
<tr>
<td>(9) Street Name Signs</td>
</tr>
<tr>
<td>(10) Improvement of Easements</td>
</tr>
<tr>
<td>(11) Off-site Street Repair</td>
</tr>
</tbody>
</table>

| SECTION 57 - Monuments                              | 35 |

<table>
<thead>
<tr>
<th>VARIANCES AND ENFORCEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>SECTION 58 - Variance Application</td>
</tr>
<tr>
<td>59 - Variance Procedure</td>
</tr>
<tr>
<td>60 - Severability</td>
</tr>
<tr>
<td>61 - Penalties for Violation</td>
</tr>
<tr>
<td>62 - Adoption</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 77-1

AN ORDINANCE PROVIDING FOR SUBDIVISION AND
LAND PARTITIONING STANDARDS AND PROCEDURES
CITY OF WHEELER

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

GENERAL PROVISIONS

SECTION 1 - SHORT TITLE

This ordinance shall be known and may be cited as the "Subdivision and Land Partitioning ordinance of the City of Wheeler, Oregon.

SECTION 2 - PURPOSE

The purpose of this ordinance is to enact subdivision and land partitioning regulations for the city which will provide for better living conditions within new land divisions; assure necessary streets, utilities and public areas and provide for their installation or improvement; enhance and secure property values in land divisions and adjacent land; simplify and make land descriptions more certain and in general to promote the health, safety, convenience and general welfare of the people of Wheeler.

SECTION 3 - COMPLIANCE REQUIRED

No person shall subdivide or partition an area or tract of land without complying with the provisions of this ordinance.

(1) No person shall dispose of, transfer, sell or agree, offer or negotiate to sell any lot in any subdivision with respect to which approval is required by the provisions of this ordinance until such approval is obtained and the plat thereof has been acknowledged and recorded with the County Clerk's office.

(2) No person may dispose of, transfer, sell or agree to sell any parcel in a major partition or in a minor partition prior to approval as required by the provisions of this ordinance.
(3) No person subdividing or partitioning a parcel of land shall lay out, construct, open or dedicate thereon a street, sanitary sewage disposal system, storm sewer, water supply or other improvements for public or common use unless the partitioning has received preliminary and construction plan approval pursuant to the provisions of this ordinance.

SECTION 4 - DEFINITIONS

As used in this ordinance, unless the context otherwise requires, the following words and phrases shall mean:

(1) **Building line.** A line on a plat or map indicating the limit beyond which buildings or structures may not be erected.

(2) **City.** The City of Wheeler, a municipal corporation of the State of Oregon, where the provision involves a duty owed the city in either its governmental or its corporate capacity; otherwise, that officer, department or agency of the city indicated by the context, or, where the context does not clearly indicate a specific officer, department or agency, then the city recorder.

(3) **City Recorder.** The duly appointed administrative officer of the city of Wheeler or a person designated by the Mayor to fulfill the obligations set forth in this ordinance.

(4) **City Engineer.** The duly appointed city engineer of the City of Wheeler.

(5) **Comprehensive Plan.** Plans, maps, reports, or any combination thereof, adopted by the city Council for the guidance of, growth and improvement of the City including modifications or refinements which may be made from time to time.

(6) **Easement.** A grant of the right to use a strip of land for specific purpose.

(7) **Lot.** A unit of land that is created by a subdivision of land.
   a. **Corner Lot.** A lot of which at least two adjacent sides abut intersecting streets for their full length.
   b. **Reversed Corner Lot.** A corner lot the side street line of which is substantially a continuation of the front-line of the first lot to its rear.
   c. **Through Lot.** A lot having frontage on two parallel or approximately parallel streets other than an alley.

(8) **Lot Line Adjustment.** Adjustment of an existing platted lot line in such a way that the size of two adjacent platted lots is changed but no additional lot is created.
(9) Map. A final diagram, drawing or other writing concerning a major or minor partition.

(10) ORS. Oregon Revised Statutes - (State Law).

(11) Parcel. A unit of land that is created by a partitioning of land.

(12) Partition. Either an act of partitioning land or an area or tract of land partitioned as defined in this section.
   a. Major Partition. A partition which includes the creation of a street or road.
   b. Minor Partition. A partition that does not include the creation of a street or road.

(13) Partition Land. To divide an area or tract of land into two or three parcels in a calendar year when such area or tract of land exists as one or contiguous units of land under single ownership at the beginning of such year. "Partition land" does not include divisions of land resulting from lien foreclosures; divisions resulting from the creation of cemetery lots; divisions of land made pursuant to a court order, including but not limited to court orders in proceedings involving testate or intestate succession; and "partition land" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot standards of the zoning ordinance.


(15) Person. A natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.


(17) Plat. The final map, diagram, drawing, replat or other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

(18) Right-of-way. The area between boundary lines of a street or other easement.

(19) Road. A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land.

(20) Roadway. The portion of a street right-of-way developed for vehicular traffic.
(21) **Sidewalk.** A pedestrian walkway with permanent surfacing.

(22) **Street.** A public or private way being the entire width from lot line to lot line that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land and including the term "road", "highway", "land", "avenue", "alley", or similar designations.

a. **Alley.** A narrow street through a block which affords only secondary means of access to abutting property at the rear or sides thereof.

b. **Arterial.** A street of considerable continuity which is primarily a traffic artery for intercommunication among large areas.

c. **Collector.** A street supplementary to the arterial street system and a means of intercommunication between this system and smaller area; used to some extent for through traffic and to some extent for access to abutting properties.

d. **Cul-de-sac.** (Dead end street) A short street having one end open to traffic and being terminated by a vehicle turnaround.

e. **Half Street.** The dedication of a portion only of the width of a street, usually along the edge of a subdivision where the remaining portion of a street has been or could later be dedicated in another subdivision.

f. **Marginal Access Street.** A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

g. **Minor Street.** A street intended primarily for access to abutting properties.

(23) **Subdivide Land.** To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

(24) **Subdivider.** Any individual, partnership, firm or group which undertakes the subdividing of a lot, tract, or parcel of land for the purpose of transfer of ownership or development and including changes.

(25) **Subdivision.** Either an act of subdividing land or an area or tract of land subdivided as defined in this section.
SECTION 5 - APPEAL TO COUNCIL AUTHORIZED

Appeal may be made to the City Council from any decision, determination, or requirement of the planning commission, city engineer, or city recorder issued pursuant to the provisions of this ordinance. The appeal and hearing procedure shall be as follows:

(1) Appeal may be made to the City Council from any decision, determination, or requirement of the Planning Commission, or City Recorder. Written notice of the appeal must be filed with the City Recorder within 10 days for a minor partition, and within 30 days for a major partition or subdivision, after the decision or requirement is made. The notice of appeal shall state the nature of the decision or requirement and the grounds for the appeal.

(2) The City Council, following the filing of an appeal, shall set a time for a hearing on the appeal and shall give notice to the Planning Commission or officer and applicant. The hearing may, for good cause, be continued by the City Council. Following the hearing, the Council may overrule or modify the decision or requirement made by the Planning Commission or officer if the decision of the City Council complies with the intent and purpose of these requirements. The disposition of the appeal shall be final.

(3) The City Council may also consider any action or ruling of the Planning Commission on its own initiative provided two (2) or more members of the City Council file a written request for such consideration with the City Recorder within 15 days after the Planning Commission has rendered its decision. Such request shall be treated as an appeal in Section 5(2).
SECTION 6 - INITIAL SUBMISSION

(1) Ten copies of a tentative plan and a statement of any proposed subdivision shall be submitted to the City Recorder at least 30 days prior to the meeting of the Planning Commission at which consideration is desired together with an initial fee as established for the process.

(a) The total filing fee shall be the initial fee plus reasonable and actual expenses incurred by the City during the process of technical evaluation of the tentative plan. The reasonable and actual expenses shall be based upon the average hourly labor rate of those personnel participating in the technical evaluation, less the initial fee.

(b) Upon completion of technical evaluation the total fee, less the initial fee, shall be computed by the City Recorder and notice sent to the subdivider five (5) days prior to the date set for Planning Commission consideration of that preliminary plat.

(c) The Planning Commission shall not consider any preliminary plat until the total filing fees are paid.

(d) Regardless of Planning Commission action the filing fees are nonrefundable.

(2) Optional Preliminary Procedure. Prior to the filing of a tentative plan, a subdivider may submit to the City Planning Commission plans and other information concerning a proposed or contemplated development. The Planning Commission shall, within 35 days, schedule a conference with the subdivider on the plans and other data and make such recommendations to the subdivider as shall seem proper regarding them. It shall recommend consultation by the subdivider with other public or private agencies if the proposed plans indicated these others would have an interest in the proposed development. This subdivision conference is an optional procedure which may be elected by the subdivider and is not required by this ordinance.

SECTION 7 - PRELIMINARY REVIEW

(1) Preliminary Plat. The subdivider shall submit to the Planning Commission a preliminary plat showing generally the nature of the design contemplated, including the lot or tract sizes, street layout, location of public services, easements for utilities, and general specifications for the construction of roadways, water lines and such other facilities as may be planned or contemplated. The Commission shall review the same and
make such recommendation in accordance with the standards herein set forth that to the Commission appear desirable, necessary and in the public interest and for the protection of the health, peace and safety of the citizens of the community.

SECTION 8 - TENTATIVE PLAN SCALE

Tentative plans shall be to a scale of 1" = 50 ft, and shall be clearly and legibly reproducible. Map size shall not exceed 24 inches by 36 inches. Any variance of map scale or map size requires the consent of the Planning Commission.

SECTION 9 - INFORMATION ON TENTATIVE PLAN

The tentative plan shall contain the following information:

(1) Proposed name, date, north point and scale of drawing.

(2) Location of the subdivision sufficient to define its location and boundaries and a legal description of the tract boundaries.

(3) Name and address of the subdivider.

(4) Appropriate identification of the drawing as a tentative plan.

(5) Name, business address and number of the registered, engineer or licensed surveyor who prepared the plan of the proposed subdivision.

(6) The locations, names, widths, approximate radii of curves and grades of all existing and proposed streets and easements in the proposed subdivision and along the boundaries thereof, and the names of adjoining platted subdivisions and portions of the subdivisions as shall be necessary to show the alignment of streets and alleys therein with the streets and alleys in the proposed subdivision.

(7) Names of the record owners of all contiguous land.

(8) The approximate location and character of all existing and proposed easements and public utility facilities except water and sewer lines in the subdivision or adjacent thereto.

(9) The location and approximate dimensions of each lot and each to be numbered.
(10) Setback lines, if any, proposed by the subdivider.

(11) The outline of any existing buildings and their use showing those which will remain.

(12) Contour lines having the following minimum intervals:
   a. Grades of 1% or less will require not less than 6 spot elevations per acre.
   b. Two foot contour intervals for ground slopes 5% or less.
   c. Five foot contour intervals for ground slopes over 5%.

(13) The location of at least one temporary bench mark within the subdivision boundaries.

(14) City boundary lines crossing or bounding the subdivision.

(15) Approximate location of all areas subject to inundation of storm water overflow and the location, width, known high water elevation flood flow and direction of flow of water courses.

(16) If impractical to show on the tentative plan, a key map showing the location of the tract in relationship to section and township lines and to adjacent property and major physical features such as streets, railroads and water courses.

(17) Indicate all areas to be cut or filled.

(18) If impractical to show on the tentative plan, a key map for domestic water supply lines and related water service facilities.

(19) The proposals for sewage disposal, storm water drainage and flood control.

SECTION 10 - PARTIAL DEVELOPMENT

If the subdivision proposal pertains to only part of the tract owned or controlled by a subdivider, the Planning Commission may require a sketch of a tentative layout for streets in the unsubdivided portion.
SECTION 11 - INFORMATION IN STATEMENT

The statement to accompany the tentative plan shall contain the following information:

(1) A general explanation of the improvements and public utilities, including water supply and sewage disposal proposed to be installed.

(2) Deviations from subdivision ordinance, if any.

(3) Public areas proposed, if any.

(4) Tree planting proposed, if any.

(5) A preliminary draft of restrictive covenants proposed, if any.

(6) A site-specific investigation by a qualified geotechnical expert for all created parcels.

SECTION 12 - SUPPLEMENTAL PROPOSALS WITH TENTATIVE PLAN

Any of the following may be required by the Planning Commission to supplement the plan of subdivision.

(1) Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of streets and the nature and extent of street construction.

(2) Proposals for other improvements such as telephone, electric utilities and sidewalks, if any.

SECTION 13 - PLANNING COMMISSION DETERMINATION

The Planning Commission shall determine whether the tentative plan is in conformity with the provisions of law and of this ordinance. The Planning Commission may approve the tentative plan as submitted or as it may be modified. If the Planning Commission does not approve the plan, it shall express its disapproval and its reasons therefore. The action of the Planning Commission shall be noted on two (2) copies of the preliminary plat, including reference to any attached documents describing any conditions. One copy shall be returned to the subdivider and the other retained by the Planning Commission.
SECTION 14 - SUBMISSION OF SUBDIVISION PLAT

Within one year after approval of the tentative plan, the subdivider shall cause the proposed subdivision, or any part thereof, to be surveyed and a plat thereof prepared in conformance with the tentative plan as approved or conditionally approved. An original reproducible drawing and five blue line or black line prints of the plat shall be submitted to the City Recorder within one year after approval or conditional approval. The tracing and prints are in addition to those required by Oregon statutes. If the subdivider wishes to proceed with the subdivision after the expiration of the one year period following the approval of the tentative plan, he must submit a new tentative plan and make any revision necessary to meet changed conditions.

SECTION 15 - FORM OF PLAT

The subdivision plat shall be prepared in accordance with the provisions of this ordinance and state laws, including but not limited to ORS 92.080. All tracings required shall be in accordance with state standards, including but not limited to ORS 92.120.

SECTION 16 - INFORMATION ON FINAL PLAT

The final plat shall, in addition to other information required by law, show the following:

(1) The date, scale, north point (generally pointing up), legend, and controlling topography (i.e., creeks, highways, railroads, etc.)

(2) Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:

a. All stakes, monuments or other evidence found on the ground and used to establish the initial point of the subdivision boundary and to otherwise determine the boundaries of the subdivision.

b. Adjoining corners of all adjoining subdivisions.

c. Ties into any established or adopted system of coordinates, wherever coordinate monuments are conveniently located. In the absence of such a system township and section and donation land claim lines shall be shown within or adjacent to the plat.
d. Whenever the city has established the center line of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset.

e. All other monuments found or established in making the survey of the subdivision or required to be installed by the provisions of this ordinance.

(3) Tract boundary lines, right-of-way lines and center lines of streets, and lot and block lines with dimensions, bearings or deflection angles and radii, arcs, points of curvature and tangent bearings. Tract boundary and street bearings shall be shown to the nearest 10 seconds with basis of bearings. All distances shall be shown to the nearest 0.01 foot. Error of closure shall be within the limit of one foot in 5,000 feet.

(4) The location of additional monuments which are to be set upon completion of improvements.

(5) The center and side lines of all streets, the width of the portion being dedicated, the width of existing rights-of-way, and the widths each side of the center line. For streets on curvature, all curve data shall be based on the street center line, indicating thereon the radius, and central angle. Block corner curb data to be shown separately.

(6) All easements clearly labeled, and identified and if already of record, the recorded reference. If any easement is not definitely located of record, a statement of the easement. Easements shall be denoted by fine dotted lines. The widths of the easement and the lengths and bearings of the lines thereof, and sufficient ties thereto, to definitely locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.

(7) Lot numbers beginning with the number "1" in each block and numbered consecutively in a clockwise direction, unless in conflict with adjoining subdivisions.

(8) Block numbers beginning with the number (1) and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid and of sufficient size and thickness to stand out and shall be so placed as not to obliterate any figure. Block numbers in an addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision.
Appropriate words, symbols or legends distinguishing lots intended for sale from land parcels to be dedicated for any purpose, public or private, with all dimensions, boundaries, and courses clearly shown and defined in every case.

SECTION 17 - CERTIFICATIONS

The following certificates shall appear on the plat as submitted. The certificates may be combined where appropriate.

(1) A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the plat.

(2) A certificate signed and acknowledged as above, offering for dedication all parcels of land shown on the final plat and intended for any public use except those parcels other than streets, which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants.

(3) A certificate signed and acknowledged by the engineer or surveyor responsible for the survey and plat, the signature of such engineer or surveyor, to be accompanied by his seal.

(4) Provisions for additional, certificates and acknowledgments required by law.

SECTION 18 - SUPPLEMENTAL DATA

At the time of the submission of the final plat, the subdivider shall also submit the following:

(1) A preliminary title report issued not more than 30 days in advance by a recognized title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.

(2) Sheets and drawings showing the following:

a. Traverse data including the coordinates of the boundary of the subdivision and ties to section corners, donation land claim corners, if any, or triangulation systems, and showing the error of closure, if any.
b. The computation of all distances, angles and courses shown on the final plat.

c. Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners, and state highway stationing.

d. Coordinates of all block corners and all street center points.

e. All areas subject to flooding.

(3) A copy of any deed restrictions applicable to the subdivision.

(4) A list of all taxes and assessments on the tract which have become a lien on the tract.

SECTION 19 - TECHNICAL REVIEW

(1) Upon receipt of the final plat and accompanying data, the staff of the city shall review the plat and documents to determine that it conforms with the approved tentative plane and that there has been compliance with provisions of the law and of this ordinance.

(2) An engineer or surveyor shall examine the plat for compliance with requirements for accuracy and completeness and shall collect such fees as are provided by state law. He may make checks in the field to verify that the map is sufficiently correct on the ground, and he may enter the property for this purpose. If he determines that there has not been full conformity, he shall advise the subdivider of the changes or additions that must be made and afford the subdivider an opportunity to make such changes or additions.

(3) If the engineer or surveyor determines that full conformity has been made, he shall so certify and transmit the plat to the Planning Commission.

SECTION 20 - FINAL APPROVAL OF PLANNING COMMISSION

The Planning Commission shall examine the plat to determine whether it conforms with the tentative plan and with all changes permitted and all requirements imposed as a condition of its acceptance. If the Planning Commission does not approve the plat, it shall advise the subdivider of the changes or additions that must be made for this purpose, and shall afford him an
opportunity to make the same. If the Planning Commission determines that the plat conforms to all requirements, it shall approve the same, but before certifying its approval thereon, it shall require the subdivider to file the agreement and bond, or make the deposit, required in Sections 21 and 22, and when the agreement and bond have been filed and approved as prescribed, the Planning Commission's approval shall be endorsed upon the plat by execution of the appropriate certificate as prescribed by law. The approval of the plat does not constitute or effect an acceptance by the public of the dedication of any street or other easement shown on the plat.

SECTION 21 - AGREEMENT FOR IMPROVEMENTS

Before Planning Commission approval of a final plat, the subdivider shall either install required street improvements and repair existing streets and other existing public facilities damaged in the development of the property or execute and file with the City Recorder an agreement between himself and the city, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the city may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement of the city for the cost of inspection by the city of the improvements to be installed. The agreement may also provide for the construction of the required improvements in units and for an extension of time under the conditions therein specified.

SECTION 22 - BOND

(1) The subdivider shall file with the agreement, to assure his full and faithful performance thereof, one of the following:

a. A personal bond cosigned by at least an additional person who shall not be related to the subdivider by consanguinity. The subdivider and cosigner shall submit evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of the ability of the subdivider to proceed in accordance with the agreement.

b. A surety bond executed by a surety company authorized to transact business in the State of Oregon.

c. Cash.
The assurance of full and faithful performance shall be for a sum approved by the City Council sufficient to cover the cost of the improvements, engineering, inspection and incidental expenses, and to cover replacement and repair of existing streets and other public improvements damaged in the development of the subdivision and must be approved by the city attorney as to form.

In the event the subdivider fails to complete all improvement work in accordance with the provisions of this ordinance, and the city has to complete same, or if the subdivider fails to reimburse the city for the cost of inspection, engineering and incidental expenses, and to cover cost of replacement and repair of existing streets or other improvements damaged in the development of the subdivision, the city shall call on the surety for reimbursement, or shall appropriate from any cash deposit funds for reimbursements. The City shall release the remainder of the bond or cash deposit if the amount of surety bond or cash deposit exceeds all cost and expense incurred by the city. If the amount of the surety bond or cash deposit is less than the cost and expense incurred by the city, the subdivider shall be liable to the city for the difference.

SECTION 23 - FILING OF FINAL PLAT

A subdivider shall, without delay, submit the plat for signatures of other public officials required by law. Approval of the plat shall be null and void if the plat is not recorded within 90 days after the date the last required approving signature has been obtained.
MAJOR LAND PARTITIONING

SECTION 24 - MINIMUM STANDARDS

The minimum standards for design and improvements in a major land partitioning shall conform to Sections 44 through 55. The Planning Commission may approve the creation of a street to be established by deed without full compliance with the regulations applicable to subdivisions provided any of the following conditions exist:

(a) The establishment of the public street is initiated by the city council or board of county commissioners and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street.

(b) The tract in which the street is to be dedicated is a major partition under single ownership either of not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.

(c) The street is the only reasonable access to the rear portion of an extraordinarily deep land parcel which should be divided into not more than two parcels.

SECTION 25 - SUBMISSION OF TENTATIVE MAP FOR MAJOR PARTITIONING

A tentative map for the major partitioning of land shall be submitted to the City Recorder for approval in conformance with these regulations.

SECTION 26 - SCALE

The tentative map shall be drawn to a scale of 1" = 50 ft. and shall be clearly and legibly reproducible. Map size shall not exceed 24 inches by 36 inches. Any variance of map scale or map size requires the consent of the Planning Commission.
The tentative map shall contain the following information:

1. Date, northpoint, scale and sufficient description to define the location and boundaries of the tract to be partitioned and its location.

2. Names and addresses of the owner, partitioner, engineer and/or a surveyor, if any, or any other professional person employed in the preparation of the major partition.

3. Approximate acreage of the land under a single ownership or, if more than one ownership is involved, the total contiguous acreage of the landowners directly involved in the partitioning.

4. The locations, names, widths, approximate radii of curves and grades of all existing and proposed streets and easements in the proposed major partition and along the boundaries thereof, and the names of adjoining platted subdivisions and portions of the subdivisions and partitions as shall be necessary to show the alignment of streets and alleys therein with the streets and alleys in the proposed major partition.

5. Contour lines where the data is made available by the city.

6. Outline and location of existing buildings to remain in place.

7. For land adjacent to and within the tract to be partitioned, the location and size of sewer and water lines and drainage ways.

8. Names of record owners of all contiguous land.

9. Parcel layout, showing size and relationship to existing or proposed streets and utility easements and any proposed lot numbers.

10. If impractical to show on the tentative map, a key map showing the location of the tract in relationship to section and township lines and to adjacent property and major physical features such as streets, railroads and water courses.

11. A site-specific investigation by a qualified geotechnical expert for proposals when the average slope of created parcels is 15 percent or greater.

SECTION 28 - SUPPLEMENTAL DATA WITH TENTATIVE MAP

The following may be required by the Planning Commission to supplement the map of a major partition.

1. Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed major partition showing the finished grade of streets and the nature and extent of street construction.

2. A preliminary excavation and grading plan.

SECTION 29 - PRELIMINARY REVIEW OF TENTATIVE MAP

The provisions of Section 7, Paragraph (1) of this Ordinance shall apply to the review of a major partition.

SECTION 30 - PLANNING COMMISSION DETERMINATION

Review by the Planning Commission shall conform to the requirements of Section 13.

SECTION 31 - SUBMISSION OF FINAL MAP

1. Not more than one year following approval of the tentative map, the partitioner shall prepare a final map in conformance with the tentative map as approved.

2. If the final map is not submitted within one year of approval of the tentative map, the tentative map must be resubmitted for approval in accordance with these regulations.

SECTION 32 - FORM OF FINAL MAP

1. All final maps shall be drawn in black India ink on good quality white, cold-pressed, double mounted drawing paper 18" x 24" in size with muslin extending three inches on one end for binding purposes.

2. An exact copy of the final map shall also be submitted. This copy shall be made (a) in black India ink on good linen tracing cloth or (b) photocopy or black India ink on good quality Mylar or similar plastic film to the same size, scale and degree of legibility as the original copy of the final map.
SECTION 33 - INFORMATION ON FINAL MAP

The final map shall show the following:

(1) The date, scale, north point (generally pointing up), legend, and controlling topography (i.e., creeks, highways, railroads, etc.).

(2) Reference points of existing surveys identified, related to the map by distances and bearings, and referenced to a field book or map as follows:

a. All stakes, monuments or other evidence found on the ground and used to establish the initial point of the partitioned area boundary and to otherwise determine the boundaries of the partitioned area.

b. Adjoining corners of all adjoining developed areas.

c. Whenever there has been established or adopted a system of coordinates, ties into this system but in the absence of such a system, township and section and donation land claim lines within or adjacent to the map.

d. Whenever the city has established the center line of a street adjacent to or within the proposed partitioned area, the location of this line and monuments found or reset.

e. All other monuments found or established in making the survey of the partitioned area or required to be installed by the provisions of this ordinance.

(3) Tract boundary lines, right-of-way lines and center lines of streets, and lot lines with dimensions, bearings or deflection angles and radii, arcs, points of curvature and tangent bearings. Tract boundary and street bearings shall be shown to the nearest 10 seconds with basis of bearings. All distances shall be shown to the nearest 0.01 foot. Error of closure shall be within the limit of one foot in 5,000 feet.

(4) The center and side lines of all streets, the width of the portion being dedicated the width of existing rights-of-way, and the widths each side of the center line. For streets on curvature all curve data shall be based on the street center line, indicating thereon the radius, and central angle. Block corner curb data to be shown separately.

(5) All easements clearly labeled, and identified and if already of record, the recorded reference. If any easement is not definitely located of record, a statement of the easement. Easements shall be denoted by fine dotted lines.
The widths of the easement and the lengths and bearings of the lines thereof, and sufficient ties thereto, to definitely locate the easement with respect to the partition must be shown. If the easement is being dedicated by the map, it shall be properly reference in the owner’s certificate of dedication.

(6) Lot numbers beginning with the number "1" and numbered consecutively in a clockwise direction.

SECTION 34 - SUPPLEMENTAL DATA

Such supplemental data shall be submitted with the final map as is required by Section 18.

SECTION 35 - TECHNICAL REVIEW

Review of the Final Map shall conform to the requirements of Section 19.

SECTION 36 - FINAL APPROVAL OF PLANNING COMMISSION

Final approval of a Major Partition by the Planning Commission shall be pursuant to the provisions of Section 20.

SECTION 37 - AGREEMENT FOR IMPROVEMENTS AND BONDING REQUIREMENTS

Prior to approval of the final map the developer shall complete improvements as proposed or enter into an agreement for improvements together with a bond pursuant to the provisions of Sections 21 and 22.

SECTION 38 - FILING OF FINAL MAP

Approval of the final map shall be null and void if the map is not recorded within 90-days after approval is obtained.
MINOR LAND PARTITIONING

SECTION 39 - GENERAL

(1) The map of a minor partition shall conform to Zoning Ordinance standards and the requirements of this Ordinance.

(2) The map of a minor partition need not be recorded; however, it shall be filed with the City Recorder.

(3) All descriptions shall be by proper survey and not by reference to lot and block, however, the partitioner may assign lot numbers for convenience and reference.

(4) No tentative map need be filed, however in approving the map of a minor partition, the Planning Commission may require modifications in the proposal. Such modifications shall not be greater than would have been required under subdivision procedures.

(5) The person proposing the partition or his authorized agent or representative shall make an application in writing to the City Recorder. Each application shall be accompanied by one reproducible copy of the map. The filing fee of $25.00 shall be paid at this time.

SECTION 40 - MINIMUM STANDARDS

The minimum standards for design and improvements in a minor land partitioning shall conform to Sections 45 through 54. The City may impose all or any part of Section 55 for a minor land partitioning.

SECTION 41 - PROCEDURES FOR SUBMISSION OF MAP

(1) The map shall be drawn with India ink on substantial tracing paper and show legibly all pertinent information to scale. The scale shall be standard, being 10, 20, 30, 40, 50 or 60 feet to the inch, and shall be so selected as to fit the finished drawing not to exceed a sheet 24 inches by 36 inches.

(2) The map shall contain the following information:

a. North point, scale and date of application.
b. Names and addresses of the partitioner and of the engineer or surveyor employed to make the survey and map.

c. Written legal description of the entire property and of the proposed partitions.

d. Description and location of all permanent and reference monuments found or set within the area.

e. Names of existing streets and the planned location of any future proposed streets on land retained by partitioner.

f. Location and outline of existing buildings on the lots being partitioned.

g. Approximate acreage of the lots and of adjacent property retained by the partitioner.

h. Location of all existing and proposed utilities, casements, sewer and water lines and power poles.

i. Zoning districts and restriction in that area.

j. Vicinity map.

(3) A site-specific investigation by a qualified geotechnical expert for proposals when the average slope of a created parcel is 15 percent or greater.

(4) In addition any of the following information may be required:

a. Drainage plan.

b. Any topographical, geological, or flood features.

c. A statement indicating the number of lots sold from the same tract within the calendar year.

SECTION 42 - ACTION BY CITY RECORDER AND PLANNING COMMISSION

(1) Upon such filing, the City Recorder shall transmit to the Planning Commission within ten (10) days the proposed minor partition.

(2) After receipt of the proposed minor partition, the Planning Commission shall take action on the proposal at a regular meeting.
(3) Within ten (10) days after the decision, the Planning Commission shall by letter express its approval or disapproval of the map. If the map is rejected the reasons shall be stated in writing. If appeal is taken the ultimate resolution thereof will constitute the final approval or disapproval.

(4) Upon final approval, the partitioner may proceed to sell the lots without further action or filing on his part.

(5) The City Recorder shall maintain a file properly indexed for all applications and plans. One copy of such shall be marked "file copy" and shall be permanently filed. Each such permanent copy shall show the date of filing, name of person filing the same and amount of fee paid. In addition there shall be a record of the action of the Planning Commission and any appeal from any decision thereof and the ultimate decision on the application with appropriate dates.

(6) The remaining approved copies shall be distributed as follows:

a. One (1) copy for use by the Public Works Superintendent.

b. One (1) copy to the Planning Commission.

c. One (1) copy to the County Surveyor and one (1) to the County Assessor, each indicating the same has been approved.
SECTION 43  PRINCIPLES OF ACCEPTABILITY

A land division, whether by a subdivision, creation of a street, or a partitioning, shall conform to any development plans, shall take into consideration any preliminary plans made in anticipation thereof, and shall conform to the design standards established by this ordinance. In the event that development plans depart from a platted layout of an area under development, the City Council, upon recommendation with findings from the Planning Commission, may request that the development plans be revised, or the City Council may vacate the existing plat, for the area under application. Subsequent to vacation of an existing lot and street plat, the City Council may direct the developer to revise and resubmit the development plans, in accordance with the applicable provisions of the Subdivision Ordinance. In the event that the City Council does so direct, all ordinances applicable to the submitted development plans shall be complied with.

SECTION 44 - STREETS

(1) General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in a development plan, the arrangement of streets shall either:

a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

b. Conform to a plan for the neighborhood approved or adopted by the planning commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical

(2) Street Widths. Unless otherwise indicated on any master plan, or by proceedings initiated by the City Council, or approved by the City Council upon initiation by other legally constituted governmental bodies, widths shall conform with city standards, except where it can be shown by the land divider, to the satisfaction of the Planning Commission, that the topography or the small number of lots or parcels served and the probable future traffic development are such as to unquestionably justify a narrower...
Increased widths may be required where streets are to serve commercial property, or where probable traffic conditions warrant. Approval or determination of street classification shall be made by the Planning Commission taking into consideration the zoning designations imposed by the zoning ordinance, the present use and development of the property in the area, the logical and reasonable prospective development of the area based upon public needs and trends, and the public safety and welfare.

(3) Alignment. As far as is practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction, and in no case, shall be less than 100 feet.

(4) Future Street Extension. Where necessary to give access to, or permit a satisfactory future division of adjoining land, streets shall extend to the boundary of the subdivision or partition, and the resulting dead-end streets may be approved without a turn-around. Reserve strips including street plugs may be required to preserve the objectives of street extensions.

(5) Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 80 degrees unless there is a special intersection design or the corner radius is increased to allow for safe turning. An arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography or other unusual circumstances requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography or other unusual circumstances requires a lesser distance. Intersections which contain an acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line. Ordinarily, the intersection of more than two streets at any one point will not be approved.

(6) Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land division.

(7) Reserved Strips. No reserved strips controlling the access to public ways will be approved unless the strips are necessary for the protection of the public welfare, and in these cases they may be required. The control and
disposal of the land comprising the strips shall be placed within the jurisdiction of the city under conditions approved by the Planning Commission.

(8) **Half Streets.** Half streets shall be prohibited except that they may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the other requirements of these regulations, and when the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be platted within the tract. Reserve strips may be required to preserve the objectives of half streets.

(9) **Cul-de-sac.** A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turnaround with a minimum radius to the curb line of 40 feet.

(10) **Alleys.** When any lots or parcels are proposed for commercial or industrial usage, alleys at least 20 feet in width may be required at the rear thereof with adequate ingress and egress for truck traffic unless alternative commitments for off-street service truck facilities without alleys are approved. Intersecting alleys shall not be permitted.

(11) **Grades and Curves.** Grades shall not exceed six per cent on arterials, ten per cent on collector streets, or twelve per cent on other streets. Grades in excess of these requirements require approval of the Planning Commission. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even ten feet. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the Planning Commission may accept steeper grades and sharper curves. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least 0.5 per cent.

(12) **Marginal Access Streets.** Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a nonaccess reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(13) **Street Names.** All street names shall be approved by the Planning Commission for conformance with the established pattern and to avoid duplication and confusion.
Private Streets. The design and improvement of any private street shall be subject to all requirements prescribed by this ordinance for public streets. The land divider shall provide for the permanent maintenance of any street required for access to property in a private street subdivision or a major partition.
DIAGRAM OF ANGLE DEFINITIONS

TRACT BOUNDARY 3
CORNER LOT Y
MINOR STREET
COLLECTOR STREET
LESS THAN 80°
20° ROADWAY RADIUS
ARTERIAL STREET
SECTION 45 - UTILITY EASEMENTS

Easements for sewers, drainage, water mains, public utility installations, including overhead or underground systems, and other like public purposes shall be dedicated, reserved or granted by the landdivider in widths not less than five feet on each side of rear lot or parcel lines, alongside lot or parcel lines and in planting strips wherever necessary, provided that easements of lesser width, such as for anchorage, may be allowed when the purposes of easements may be accomplished by easements of lesser width as approved by the city.

SECTION 46 - BUILDING SITES

(1) Size and Shape. The size, width, shape and orientation of building sites shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall be consistent with the residential lot size provisions of the zoning ordinance. The building site size and shape may be adapted to terrain conditions in a manner which meets applicable zoning ordinance standards. Final configuration of the sites and the interpretation of the applicable ordinance shall be under the jurisdiction of the Planning Commission.

(2) Access. Each lot and parcel shall abut upon a street other than an alley for a width of at least 25 feet.

(3) Through Lots and Parcels. Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent non-residential activities or to overcome specific disadvantages of topography and orientation.

(4) Lot and Parcel Side Lines. The lines of lots and parcels, as far as is practicable, shall run at right angles to the street-upon which they face, except that on curved streets they shall be radial to the curve.

SECTION 47 - BLOCKS

Size. No block shall be more than 500 feet in length between street corner lines unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,000 feet. A block shall have sufficient width to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception.
SECTION 48 - LARGE BUILDING SITES

In dividing tracts into large lots or parcels which at some future time are likely to be redivided, the Planning Commission may require that the blocks be of such size and shape, to be so divided into building sites and contain such site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size.

SECTION 49 - WATER COURSES

The land divider shall, subject to riparian rights, dedicate a right-of-way for storm drainage purposes of at least fifteen feet either side of the drainage way conforming substantially with the lines of any natural water course or channel, stream or creek that traverses the subdivision partition, or at the option of the land divider, with the approval of the Planning Commission, provide by dedication further and sufficient casements or construction or both to dispose of the surface and storm waters.

SECTION 50 - LAND FOR PUBLIC PURPOSES

The Planning Commission may require the reservation for public acquisition, at a cost no to exceed acreage values in the area prior to subdivision, of appropriate areas within the subdivision for a period not to exceed one year, providing the city or another public agency has acquired those areas for a public purpose and has given substantial assurance that positive steps will be taken within one year.

SECTION 51 - UNSUITABLE LAND

The Planning Commission may refuse to approve a subdivision or partition when the only practical use which can be made of the property proposed to be subdivided or partitioned is a use prohibited by this code or law, or, if the property is deemed unhealthful or unfit for human habitation or occupancy by the county or state health authorities.

SECTION 52 - LAND SUBJECT TO INUNDATION

If any portion of any land proposed for development is subject to overflow, inundation or flood hazard by storm waters, an adequate system of storm drains, levees, dikes, and/or pumping systems shall be provided.
SECTION 53 - SLOPE/DENSITY REQUIREMENT

In the evaluation of subdivision or partitioning requests the Planning Commission may require limitations on the size of lots based on the percentage slope, according to the following guidelines:

<table>
<thead>
<tr>
<th>SLOPE</th>
<th>DENSITY</th>
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<tr>
<td>0 - 15%</td>
<td>Limited by the Zoning Ordinance</td>
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<tr>
<td>16 - 25%</td>
<td>4 dwelling units per acre</td>
</tr>
<tr>
<td>26% and over</td>
<td>2 dwelling units per acre</td>
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</table>

The above densities may be subject to increase or decrease depending on findings by an engineering geologist or a structural engineer.

SECTION 54 – LOT LINE ADJUSTMENTS

(1) Application requesting a lot line adjustment shall be made to the City Recorder on a form provided by the City.

(2) The City shall review the request to determine compliance with the standards of this ordinance and the city zoning ordinance. The City shall approve or deny the request in writing based on the criteria of this ordinance and the zoning ordinance within 30 days of submittal of the request.

(3) A request must meet the following two criteria:
   a. Neither lot affected by the lot line adjustment shall be reduced below the minimum lot size for the zone in which they are located.
   b. The adjustment shall not cause any structure on either lot to be in violation of the city zoning ordinance requirements for the zone in which the lot is located.

(4) The applicant may appeal the decision of the City to the Planning Commission within 20 days of the decision.
IMPROVEMENTS

SECTION 55 - IMPROVEMENT STANDARDS AND APPROVAL

In addition to other requirements, all improvements shall conform to the requirements of this ordinance and any other improvement standards or specifications adopted by the city, and shall be installed in accordance with the following procedure:

(1) Improvement work shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the tentative plan of a subdivision or partition. All plans shall be prepared in accordance with requirements of the city.

(2) Improvement work shall not be commenced until the city has been notified and if work has been discontinued for any reason it shall not be resumed until the city has been notified.

(3) All required improvements shall be constructed under the inspection, and to the satisfaction, of the city. The city may require changes in typical section and details if unusual conditions arise during construction to warrant such changes.

(4) All underground utilities, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of such streets. Stubs for service connections for all underground utilities and sanitary sewers shall be placed to such length as will obviate the necessity for disturbing the street improvements when service connections are made.

(5) A map showing all public improvements as built shall be filed with the City Recorder upon completion of the improvements.

SECTION 56 - IMPROVEMENT REQUIREMENTS

Improvements to be installed at the expense of the subdivider or partitioner and at the time of subdivision or partition:

(1) Streets. Public streets or portions of public streets including alleys, within the subdivision shall be improved. Upon completion of the street improvement, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature.
(2) Structures. Structures specified as necessary by the city, for drainage, access and public safety shall be installed.

(3) Curbings. Curbings shall be required on one or both sides of the street as determined by the City Engineer.

(4) Sewers. Sanitary sewer facilities shall be installed connecting with the existing city sewer system and storm water sewers, of design, layout and location approved by the city and North Tillamook County Sanitary Authority.

(5) Water. Water mains and fire hydrants of design, layout and locations approved by the city shall be installed.

(6) Railroad Crossings. Provision shall be made for all railroad crossings necessary to provide access to or circulation within the proposed subdivision or partition, including the preparation of all documents necessary for application to the Oregon State Public Utilities Commissioner for the establishment and improvement of such crossing. The cost of such railroad crossing improvement including, but not limited to, the construction of signals, and other protective devices required by the Public Utilities Commissioner, shall, except for that portion payable by the railroad company, be borne by the subdivider or partitioner.

(7) Underground Utilities. All utilities shall be installed underground if determined economically feasible upon review by the Planning Commission, and all such installation shall be made in accordance with the tariff provisions of the utility, as prescribed by the State Public Utilities Commissioner

(8) Street Lighting. Street lighting of an approved type shall be installed on all streets at locations approved by the city.

(9) Street Name Signs. All streets shall be legibly marked with street name signs, not less than two (2) in number at each intersection, according to specifications furnished by the city.

(10) Improvement of Easements. Whenever the safety of adjoining property may demand, any easement for drainage or flood control purposes shall be improved in a manner approved by the city.

(11) Off-site Street Repair. Damage to public streets related to the development of a subdivision or minor partition, as determined by the public works director, shall be restored to existing conditions before the damage.
SECTION 57 - MONUMENTS

(1) In addition to requirements of state law and other provisions of this ordinance, permanent monuments of a type approved by the city shall be set in the following locations:

a. At each boundary corner of the subdivision, at the beginning and end of the property line curves and at any other points as may be required by the city.

b. At intersections of street center line tangents or offsets therefrom, and where such intersect on private property, at the beginning and end of the center line curve or offsets therefrom.

(2) Any required monument that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider.

(3) Complete field notes in a form satisfactory to the city, showing references, ties, locations, elevations and other necessary data relating to monuments and bench marks set in accordance with the requirements of this ordinance shall be submitted to the city, to be retained by the city as a permanent record.
VARIANCES AND ENFORCEMENT

SECTION 58 - VARIANCE APPLICATION

When necessary, the Planning Commission may recommend to the City Council conditional variances to requirements and regulations of this ordinance. Application for a variance shall be made by a petition of the subdivider or partitioner stating fully the grounds of the application and the facts relied upon by the petitioner. The petition shall be filed with the tentative plan of the subdivision or tentative map of the partition. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary for the Planning Commission and City Council to find the following facts with respect thereto:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same vicinity, and result from tract size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have had no control.

2. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same vicinity possess.

3. The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy.

4. The variance requested is the minimum variance which would alleviate the hardship.

SECTION 59 - VARIANCE PROCEDURE

1. In recommending any variance under the provisions of this section, the Planning Commission shall make a written record of its findings and the facts in connection therewith, and shall specifically and fully set forth the variance recommended and the conditions designated. A report and recommendation for approval or disapproval of a variance application shall be submitted to the City Council.

2. The City Council shall consider the report and recommendation of the Planning Commission and make a written record of its findings and the facts in connection therewith, and shall specifically and fully set forth the variance granted or denied and conditions designated.
(3) The city shall keep the findings on file as a matter of public record.

SECTION 60 - SEVERABILITY

The provisions of this ordinance are severable. Should any Section, Clause, or Provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 61 - PENALTIES FOR VIOLATION

This ordinance may be enforced in any manner now or hereafter authorized by state law.

SECTION 62 - ADOPTION

These regulations shall be and are hereby declared to be in full force and effect from the date of passage. Regularly passed and adopted by the Common Council of the City of Wheeler on this 19th day of April, 1977.

/s/ Carl Steele
Mayor

/s/ Virgil L. Staben
City Recorder

Approved as to form:

unsigned
City Attorney
WHEREAS, the Planning Commission has requested the following amendments to the Zoning Ordinance, and

WHEREAS, the necessary public hearings were held January 6 and March 15,

NOW, THEREFORE, THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 79-2, Wheeler Zoning Ordinance, Adopted December 1979, with Amendments through May 2004, be amended as follows:

1. Article 2. WRC ZONE, Section 2.030, Conditional Uses/Activities:
   From: 9. Hotels, motels, and Bed and Breakfast.
   To: 9. Hotels and motels.

2. Article 2. WRC ZONE, Section 2.030, Conditional Uses/Activities:
   From: 12. Caretaker, owner, or proprietor occupied dwelling when in conjunction with a principal use.
   To: 12. Residential use in conjunction with a permitted or conditional use where the street level shall be maintained as a commercial use.

3. Article 2. WRC ZONE, Section 2.030, Conditional Uses/Activities:
   Add: 13. Bed and Breakfast when in conjunction with a permitted or conditional use where the street level is maintained as a commercial use.

4. Article 3. IND ZONE, Section 3.030, Conditional Uses/Activities:
   From: 8. Caretaker, owner, or proprietor occupied dwelling when in conjunction with a principal use.
   To: 8. Residential use in conjunction with and incidental and subordinate to a permitted or conditional use where the street level shall be maintained as a water-dependent industrial use and the residential use square footage ratio does not exceed one to three, non-water-dependent to water-dependent.
5. Article 4. GC ZONE, Section 4.020, Permitted Principal Uses:
   From: 7. Residential uses in conjunction with a permitted or conditional use
   where the residential uses do not exceed 50% of the total floor area.
   To: 7. Residential use in conjunction with a permitted or conditional use
   where the street level shall be maintained as a commercial use.

6. Article 4. GC ZONE, Section 4.030, Conditional Uses Permitted:
   Delete: 5. Duplexes and multifamily dwellings.

7. Article 4. GC ZONE, Section 4.035, Prohibited Uses:
   Add: 3. Auto wrecking and scrap metal.

8. Article 4. GC ZONE, Section 4.040, Development Standards:
   From: 4. All commercial developments shall be subject to design review,
   Section 11.050.
   To: 4. All development shall be subject to design review, Section 11.050.

9. Article 4. GC ZONE, Section 4.040, Development Standards:
   a. Delete: 8. For a duplex or a multifamily dwelling, the minimum lot size
      shall be 5,000 square feet for the first unit, plus 1,500 square feet
      for each additional unit.
   b. Renumber 9 as 8.

10. Article 11. SUPPLEMENTARY PROVISIONS, Section 11.050, Design Review:
    From: 5. b. (1) The height and scale of the buildings should be compatible
    with the site and adjoining buildings. Use of materials should
    promote harmony with the surrounding structures and site.
    To: 5. b. (1) The height and scale of the buildings should be compatible
    with the site and adjacent buildings. Use of materials should
    promote harmony with the surrounding structures and site. The
    materials shall be chosen and constructed to be compatible
    with the natural elements and applicable city ordinances.

11. Article 11. SUPPLEMENTARY PROVISIONS, Section 11.080, Clear Vision Areas:
    Add: 3. c. In the General Commercial Zone, Clear Vision line of sight shall
    be maintained consistent with ‘Clear Vision Distances’ diagram.
    (Sec attachment to Ordinance.)
ADOPTED by the City Council this 15th day of March, 2005, by the following vote:

CITY COUNCIL
WHEELER, OREGON

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<tr>
<th>Name</th>
<th>Aye</th>
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<th>Absent/Abstain</th>
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<tr>
<td>Juanita Del Handy,</td>
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<td>Stan Strange,</td>
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Approved as to form,
Joel A. Sacks, Attorney

ATTEST:
Douglas W. Hooper, City Manager

ORDINANCE NO. 2005-02, page 3 of 3
# Clear Vision Distances

## Vision Clearance Distances

<table>
<thead>
<tr>
<th>Street Classification</th>
<th>Vision Clearance Distance</th>
<th>Street Centerline</th>
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<td>15 mph street and 35 mph street</td>
<td>75 ft</td>
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<td>15 mph street and 50 mph street</td>
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<td>15 mph street and 30 mph street</td>
<td>300 ft</td>
<td>10 ft</td>
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**Clear Vision Area & Lines of Clear Vision**

- **Property Line**
- **15 Foot Setback**
- **Vision Clearance Distance A**
- **Street Centerline**

*City Planning Documents and Building Permit & Zoning Info*

**Attachment to Ordinance No. 2005-02**
CITY OF WHEELER
ORDINANCE NO. 2007-02

AMENDMENTS TO ORDINANCE NO. 79-2,
THE WHEELER ZONING ORDINANCE

WHEREAS, the Planning Commission has recommended the following amendments to the Zoning Ordinance, and

WHEREAS, the necessary public hearings were held August 3, 2006 (Commission) and December 20, 2006 (Council),

NOW, THEREFORE, THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 79-2, Wheeler Zoning Ordinance, adopted December 1979, with amendments through March, 2005, be amended as follows:

Amend Section 11.050, Design Review, Subsection #1 to read “Commercial and industrial development is subject to design review by the Planning Commission to assure its compatibility with the existing character of the City. The remainder of the subsection #1’s text is to be deleted.

PASSED AND ADOPTED by the City Council this 20 day of February 2007, by the following vote:

CITY COUNCIL

WHEELER, OREGON

Juana Del Handy, Councilor

Virgil L. Staben, Councilor

Paul Russo, Councilor

Gloria Schieve, Councilor

Curt Lorenz, Councilor

Aye Nay Absent/Abstain

X     X     1

X     X     1

X     X     1

X     X     1

X     X     1

X     X     1

ATTEST:

Doug W. Hooper, City Manager
CITY OF WHEELER, OREGON

ORDINANCE # 2007-05
AN ORDINANCE AMENDING THE WHEELER, OREGON ZONING ORDINANCE #79-2 AS AMENDED

The City of Wheeler, Oregon ordains that the Wheeler, Oregon Zoning Ordinance #79-2 as amended shall be modified, as follows:

Section 1. Delete Section 11.020. Geologic Investigations. Replace with the following Section 11.020. Geologic Investigations:


1. Site-specific investigations by a qualified professional engineering geologist or qualified professional soils engineer licensed in the State of Oregon shall be a prerequisite for the issuance of any building permit where ground disturbing activities are proposed.

2. Site-specific investigations shall be conducted at the developer's expense. Results of the site investigations shall be made available to the city prior to scheduling of public hearings or prior to project commencement in cases where a public hearing is not required.

3. The site investigation report should make it possible for engineers, planners, and city officials to calculate and design for geologic risks. A complete site-specific report shall include the following types of information:

   a. Identification of topographic elements: soil and bedrock topology, depth of soil to bedrock, permeability and other engineering characteristics of soil and bedrock; contour mapping or slope analysis, comparison of contour with geologic bedrock bedding planes; and other structural details important to engineering and geologic interpretations.

   b. Identification of elements of the area water cycle including: identification and assessment of the surface water drainage pattern; characteristics of the area's groundwater including groundwater depth and rate of accumulation, projects storm drainage runoff and design; and probable changes of the water cycle.

   c. Identification and location of any historic, existing or potential geologic hazard or major landslide activity affecting the proposed project, future landowners, adjacent properties, or public facilities.

   d. Results of field and laboratory investigations, including use of drill-hole data, aerial photography, soils testing or field check as necessary to verify project safety.

   e. Discussion of possible project design techniques for control of erosion, slope stability and storm runoff.
f. The report should also contain a bibliography of references used, dates of field checks or other geologic literature pertinent to the site investigation.

4. The proposed use will be permitted only if:
   a. A feasible engineering solution to each potential building hazard is proposed which could eliminate the hazard to the proposed structure or surrounding properties.
   b. The City may charge the applicant, owner, or developer a reasonable fee for the cost of reviewing the adequacy of the site investigation for any potentially hazardous area.

5. If site inspection reveals conditions which exceed those prescribed by this ordinance or by the approved permit, the City may require appropriate corrective measures at the cost of the developer to assure compliance with the purpose of this ordinance.

Section 10. Continued Effect.

All other provisions of Wheeler, Oregon Zoning Ordinance #79-2 not specifically modified herein, shall continue unchanged and in full force and effect.

ADOPTED by the City Council this 18th day of September, 2007, by the following vote:

CITY COUNCIL

WHEELER, OREGON

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<th>Name</th>
<th>Aye</th>
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<tr>
<td>Juanita Del Hardy,</td>
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<td>Curt Lorenz,</td>
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ATTEST: Doug W. Hooper, City Manager
CITY OF WHEELER
ORDINANCE NO. 2008-04

AN ORDINANCE OF THE CITY OF WHEELER RE-ADOPTING ORDINANCE 2003-01,
HISTORIC RESOURCE OVERLAY ZONE

WHEREAS, the City of Wheeler adopted Ordinance 2003-01 at the regular meeting of
the Wheeler City Council on October 21, 2003;

WHEREAS, the Wheeler City Charter, Section 18, Vote Required, states, "Except as
sections of this charter prescribe otherwise, the express concurrence of a majority of the
Council members present and constituting a quorum is necessary to decide affirmatively
a question before the council except an affirmative vote of the majority of the full council
shall be necessary to adopt an ordinance, order appropriations, authorize loans, or fill
vacancies on the Council;";

WHEREAS, the Ordinance No. 2003-01 document is signed by three (3) Councilors and
indicates that two (2) Councilors were absent;

WHEREAS, it has been determined by the City's legal counsel that a majority of the full
council necessary to adopt an ordinance comprises four (4) Councilors;

NOW, THEREFORE, the City of Wheeler does hereby ordain as follows,

Section 1) Ordinance No. 2003-01 is amended by Ordinance No. 2008-04 only by the
recorded action by the majority of the council members present and constituting a
quorum;

Section 2) Wheeler Zoning Ordinance, Article 9.2, Historic Resource Overlay Zone
remains unchanged and in full effect;

Section 3) Exhibit "A" is a copy of Ordinance No. 2003-01;

Section 4) Because this code is in effect and currently applied to an open land use
application, the City of Wheeler is declaring this matter an emergency; and

Section 5) Effective Date: Under the Provision of the City of Wheeler Charter, Chapter
VIII, Section 32, "An ordinance adopted to meet an emergency may take effect as soon
as adopted.", this Ordinance hereby becomes effective on the Wheeler City Council
meeting date of May 20, 2008.

Severability The provisions of this ordinance are severable. If any section, sentence,
clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be
invalid, the decision shall not affect the validity of the remaining portions of this
ordinance.
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<td>Paul Russo</td>
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Attends: Doug W. Hooper, City Manager/Recorder
EXHIBIT "A"
CITY OF WHEELER

ORDINANCE NO. 2003-01

AN ORDINANCE AMENDING ORDINANCE NO. 79-2, THE ZONING ORDINANCE,
BY ADDING A PROVISION FOR A HISTORIC RESOURCE OVERLAY ZONE

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 79-2, Wheeler Zoning Ordinance, adopted December 1979, with
amendments through March 2002, shall be amended as follows:

Add new Article 9.2: HISTORIC RESOURCE OVERLAY ZONE

This article provides incentives to preserve significant historic or cultural resources. The regulations
implement the City of Wheeler's Comprehensive Plan policies that address historic preservation. These
policies recognize the role historic resources have in promoting the education and enjoyment of those
living in and visiting the City of Wheeler. The regulations foster pride in the city and its heritage.
Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and
enhance the value of historic properties.

Section 9.220. Where These Regulations Apply.
Sections 9.210 through 9.240 apply to all local historic landmarks in any zone.

Section 9.230. Designation of a Local Historic Landmark
A local landmark may be designated with the owner's consent by the City of Wheeler Planning
Commission under the provisions of Article 15: Conditional Use/Activities. Approval requires proper
notice and a public hearing in accordance with procedures described in Article 13 and where it can be
shown:

1. The property and/or structures have historic and/or cultural value to the City of Wheeler.
2. The property and/or structures retain sufficient original design characteristics, craft work, or
material.
3. The property and/or structures significantly contribute to the character and identity of the City
of Wheeler.
4. Plans providing for historic areas shall consider as a major determinant the carrying capacity
of the air, land, and water resources of the planning area. Projects proposed shall not exceed
the carrying capacity of such resources.
5. An applicant shall utilize the National Register of Historic Places criteria and shall receive
written comments from the State Advisory Committee on Historic Preservation when
establishing historic sites.

Section 9.240. Incentives Allowed.
1. A local historic landmark may be allowed to reestablish or continue its intensity and character
even if the use is destroyed or is vacant for more than two years consistent with Section
9.230.

ORDINANCE NO. 2003-01, Page 1 of 2
2. A local historic landmark may be allowed to intensify its use or establish new uses through a conditional use process with findings that the proposed use complies with the standards of Section 15.090 Basic Conditional Use Standards, and Section 9.230.

Section 9.250. Other Conditions.
At the time a building permit is issued the following will apply:

1. Site specific geologic investigations may be required when appropriate to assure safe development. Site specific investigations shall be conducted when required by the city to assure public safety and welfare. Where a site specific report is required, the investigation shall be conducted by qualified geotechnical expert at the developer's expense. Results of the site investigations shall be made available to the city with the building permit application.

2. Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of an historical building may be made without conforming to all requirements of the Building Code when authorized by the Building Official, provided:
   a. The building has been officially designated an historic building.
   b. Unsafe conditions are corrected.
   c. The restored building will be no more hazardous based on life, fire safety, and sanitation.
   d. The Building Official seeks the advice of the State of Oregon Historic Preservation Office.
   e. In case of appeals to historic buildings, the local appeals board or the appropriate state appeals board shall seek the advice of the State Historic Preservation Officer.

ADOPTED by the City Council this 21st day of October, 2003, by the following vote:

CITY COUNCIL  WHEELER, OREGON

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<thead>
<tr>
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<th>Aye</th>
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<tr>
<td>Juana Del Hanty, Councilor</td>
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<td>Charles McLaughlin, Councilor</td>
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<td>Bill Mullin, Councilor</td>
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<tr>
<td>Merle Speidel, Councilor</td>
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<tr>
<td>Elizabeth Sina, Councilor</td>
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ATTEST:

Jerry Cole, City Manager pro-tem

ORDINANCE NO. 2003-01, Page 2 of 2
CITY OF WHEELER
ORDINANCE NO. 2010-01

AMENDMENTS TO ORDINANCE NO. 79-2,
THE WHEELER ZONING ORDINANCE

WHEREAS, the Wheeler Planning Commission has requested the following amendments to the Wheeler Zoning Ordinance, and

WHEREAS, the necessary public hearings were held November 5, 2009, and December 15, 2009,

NOW, THEREFORE, THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 79-2, Wheeler Zoning Ordinance, Adopted December 1979, with Amendments through May 2004, shall be amended as follows:

1. Section 1.070, Definitions:
   a. Renumber the current definitions 12 through 49 to 13 through 50, and current definitions 50 through 74 to 52 through 76.
   b. Add a new definition as follows:
      12. Open Space within a Planned Development or Subdivision. Open space within a planned development or subdivision shall be dedicated specifically for the purpose of providing places for recreation, conservation, landscaping, or preservation of natural features. Open space is not occupied by buildings, structures, parking areas, streets, alleys, or driveways. In the open space calculation, the following cannot be included: wetlands, waterways, ponds, marshes, and tidal marshes. See also Section 1.070 (51) Open Space.
   c. Add a new definition as follows:
      51. Open Space. Open space is any land that is either retained in a substantially natural condition, is specifically required to be protected by a conservation easement, or is improved for recreational purposes such as hiking or nature trails, or equestrian or biking paths. Open space may include lands protected as important natural features, lands preserved for farm or forest use and land used as buffers. Open space does not include residential lots or yards, buildings, structures, parking areas, streets, alleys, or driveways.

2. Section 13.050, Procedure for mailed notice:
   a. Replace 1.f. with the following:
   f. Clearing, cutting, and filling, pursuant to Section 11.053: Abutting property owners.
3. Section 19.030. Enforcement Duties:
a. Replace Section 19.030 with the following:

Section 19.030. Enforcement Duties.

1. It shall be the duty of the City Council to enforce this ordinance. Appropriate authorities including but not limited to the County Sheriff and authorized representatives, the Manzanita Police Department, the Building Official, and Code Enforcement shall have the power, upon request, to assist in the enforcement of this ordinance.

2. The City Manager and designees shall assist the City Council in the administration of this ordinance.

3. The City Council may conduct an investigation if the City Council is of the opinion that a violation does exist. If the City Council is of the opinion that a violation does exist, the City Council shall direct the City Manager to either intervene administratively consistent with the administrative response plan or to summon the owner, occupant, developer, or agent of the property to show cause why said violation should not cease. These remedies of enforcement shall be in addition to and not in lieu of other remedies directed by the City.

4. The City Attorney shall institute any necessary legal proceedings to enforce this ordinance.

ADOPTED by the City Council this 19th day of January, 2010, by the following vote:

CITY COUNCIL
WHEELER, OREGON

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</table>

Dave Bell, Councilor  
Michael Glowa, Councilor  
Karen Matthews, Councilor  
Loren Remy, Councilor  
Gloria Schiewe, Councilor

ATTEST:

Frank W. Sinclair, City Manager

ORDINANCE NO. 2010-01, page 2 of 2
WHEREAS, the City has undertaken the required Periodic Review of its land use documents and ordinances, and

WHEREAS, the necessary public hearings have been held,

NOW, THEREFORE, THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. The Comprehensive Plan Background Data Report, Adopted October 1979, with Amendments through March 1987, be amended as follows:

1. Page 8, Waterfront Areas, replace the first paragraph under Area 3 with the following:

"This area (Kahr's property) consists of approximately nine acres that is bisected by a railroad right-of-way. Two acres are located on the estuarine side of the railroad right-of-way and seven acres are located between the railroad and U.S. Highway 101. The two acre portion adjacent to the estuary has two structures on it; the remaining area contains two dwellings and a storage building which is used for a commercial cascara bark buying operation."

2. Page 13, replace the two tables with the following two tables:

"VACANT LAND

<table>
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<th>WITHIN CITY LIMITS</th>
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<td>Industrial</td>
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<tr>
<td>Residential</td>
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</table>

TOTAL VACANT BUILDABLE LANDS IN CITY  158.5
URBANIZING AREA

Residential 33.2

TOTAL VACANT BUILDABLE LANDS IN UGB 192.3

Land requirements to accommodate projected residential growth

1. Population projection 2020 475
2. Population 1996 (Est.) 375
3. Population increase 100
4. Household size (1997) 1.6
   234 occupied / 375
5. Additional DU needed in 2020 62
6. Vacancy rate 5.5%
7. Total DU needed 65
8. Housing mix, multiple units in 14 structures:
   22% multi-unit
   78% single family units
9. Land requirements 8 acres
10. Total residential land requirements 8 acres
    1.75 acres multiple dwellings
    6.25 acres single family dwellings

3. Page 14, replace first paragraph with the following four paragraphs:

"The urban growth boundary contains 175 acres of vacant land that has been designated for residential use. This is substantially larger than the projected need of approximately 8 acres.

The urban growth boundary contains 12 acres of vacant commercial land. Only .63 acres of this is in the Central Business District. However, this may meet the 20 year need since there are opportunities for rehabilitation and expansion of occupied commercial properties.

There is 5.6 acres of vacant industrial land. This is adequate to handle the 20 year need.

Conclusion: No additionally zoned residential, commercial, or industrial land is needed to meet the 20 year need. No expansion of the Urban Growth Boundary is needed."

ORDINANCE NO. 97-10, Page 2 of 7
4. Page 29, add the following paragraph to THE NEHALEM WATERSHED paragraph:

"Wheeler utilizes surface water supplies as a drinking water source. The City is currently participating with the Nehalem Bay Regional Water Board to establish and maintain a regional water system in order to expand water source and storage for the City."

5. Page 68, Add to (3) under Goal 17 Coastal Shorelands:

"A City of Wheeler Waterfront Revitalization Plan may be prepared for these areas which allows for a mix of water-dependent, water-related, and water oriented non-dependent uses and shall provide for public access to the shoreline."

6. Page 70, replace the first sentence of last paragraph with the following:

"The Tillamook County Estuary Plan finds that no portions of the Wheeler waterfront are identified as especially suited for water dependent development, although all of the Wheeler waterfront is designated to provide for a mixture of water-dependent, water related and non-water related uses."

7. Page 71, add the following two paragraphs at the end:

"The City intends to develop a Waterfront Revitalization Plan for the area that extends along the entire waterfront between the Nehalem River and Highway 101 and includes the commercial lands on the other side of Highway 101. The project adopted by the Planning Commission is to be a primary goal for the City's endeavors to stimulate the local economy. The project seeks to promote a mix of industrial, commercial, residential, and recreational activities along the Wheeler Waterfront. Refer to the economy section of the Comprehensive Plan for goals and policy information. The Nehalem Bay Fishery has been a traditional component of the local job market which terminated with the close of commercial fishing in the Bay in 1956. Sport fishing provides the community's residents with income. The Nehalem Estuary's waters have served as a sport fishery and wildlife habitat. The City's businesses market trade and lodging services to the recreational fishing fleet and tourism visitors. The Nehalem Estuary contributes to this economy by serving as a nursery, feeding and resting area for numerous resident and migratory fish and wildlife.

In fact, it is the estuary's uniqueness as an environmental habitat which contributes to an important source of income, tourism, and recreational fishing. The unique specialized habitat of the Nehalem Estuary's water generates an area rich in plant, animal, and scenic diversity. Local merchants sell a variety of goods and services to tourists, sightseers, and fishermen who seek the Nehalem Estuary's waters for pleasure and recreation."

ORDINANCE NO. 97-10, Page 3 of 7
the land use needs around and on the Nehalem Estuary, the Revitalization Plan will include examination of a Waterfront Vision, land use development standards, detailed biological and land use master plan inventories of the City and County Estuarine areas and adjacent shorelands. These inventories will contribute materially to the evolution of the master plan designations to be presented in the Waterfront Revitalization Plan.

8. After page 96, add the following as pages 96a, 96b, 96c, and 96d:

"WHEELER ECONOMIC DEVELOPMENT ANALYSIS

THE WHEELER BUSINESS PLAN

Regional Economic Background

The economic background of Wheeler closely reflects Tillamook County's. The rural economy has been highly dependent on its natural resource base. The 1970's were years of growth for most industries, although recessions in 1970 and 1974-75 were felt by businesses and residents in Tillamook County. Continued growth late in the decade was driven by high inflation rates that encouraged consumer spending. When the inflationary demand was curtailed by Federal Reserve Policy in the early 1980's, Wheeler and Tillamook County entered a national economic downturn equal to the great depression. The county's lumber and wood products industry felt the downturn first, and was hardest hit by layoffs and plant production reduction. The County's seafood processing industry also experienced major employment losses due to diminished fish stocks and demand. The diminished fish stocks, foreign competition, and higher operating costs for producers and processors resulted in layoffs and closures.

Economic conditions improved from the mid-1980's into the early 1990's, but a transition in the nature of employment growth resulted in a shift away from employment in natural resource extraction and processing toward employment in retail trade and services. The transition was fueled, for the County and Wheeler, by increases in tourism and retiree visitation, and by the upgrading of processing facilities to reduce labor costs and sharpen competitive advantage. The county's net earnings in lumber and wood products remained relatively constant from 1988 to 1992, as did farm operations, food and kindred products, and commercial fishing. However, tourism hotels and lodging grew from 2.6 million in 1988 to 3.7 million in 1992.

GROWTH IN NET EARNINGS (MILLIONS) - TILLAMOOK COUNTY

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<tr>
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ORDINANCE NO. 97-10, Page 4 of 7
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</table>

Source: Dept. of Economic Development

Wheeler anticipates capitalizing on growth in the tourism retail industry by upgrading its commercial district in the style of a waterfront community. Overall employment gains in non-manufacturing sectors has affected jobless rates in the County compared to the rest of the Northwest and the region. The tourism industry represents a niche market opportunity for small communities on the North Coast in Oregon.

Tourism Industry Outlooks

The most visited region in Oregon is the Portland Metro Area, which receives one quarter of the total person-visits to the state (25%). The Coastal region as a whole receives the second largest proportion of visitors (23%), concentrating in the Central Coast (10%).

The Willamette Valley receives nearly one fifth of the person-visits (17%), while the Southern region's share is slightly smaller (14%). The least visited regions are Central and Eastern, which receive, respectively, 7% and 6% of the total number of person-visits to Oregon.

Number of Person-visits to Oregon (in millions)

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<td>1.06</td>
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<td>South Coast</td>
<td>.51</td>
<td>.77</td>
<td>.84</td>
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(Oregon Visitor Profile, April 1995)

Tourism Needs Analysis

Commercial land use including the business district of downtown Wheeler continues to be rejuvenated to the current time. The successful commercial trend is towards capturing
the tourism market and recreation industry, facilitated by downtown area appeal as a authentic waterfront community.

The land use and commercial success of the downtown continues to depend on a balance of shops, waterfront development, high amenity attractions, and regional recreation opportunities.

Further expansion of commercial uses in the downtown area is ultimately constrained by the amount of developable land.

Visitor Trip Purpose

Out-of-State Visitors

The great majority of out-of-state visitors are on a pleasure trip (76%), especially in the summer (85%). A much smaller group visit Oregon for a convention or meeting (10%), although the proportion of convention meetings doubles in the winter/spring (22%). One visitor in twenty comes for business purposes (5%), and a slightly larger group combines business or vacation with pleasure (7%).

The preferred activities among out-of-state visitors seem to be the tourist mainstays of eating and shopping—dining out (61%) and shopping (56%), in small towns (38%) and in metropolitan areas (30%). Other common activities include visiting friends and family (53%) and visiting attractions (50%), such as historical sites or museums (22%), Oregon Trail sites (14%), zoos (12%), aquariums (7%), science museums (10%), art museums (8%), and wineries (10%).

In-state Visitors

The great majority of in-state visitors travel in Oregon on pleasure (89%). A small proportion combine pleasure with business or convention (4%). An even smaller group travels mainly for business purposes (2%) or mainly to attend a meeting or convention (2%).

Visiting attractions is another popular activity among in-state visitors (43%). One in five visits historical sites or museums (21%), while half as many visit zoos (11%). A smaller proportion visit science museums (8%), Oregon Trail sites (7%), art museums (5%), or wineries (3%).

North Coast Visitor Profile

The North Coast is a destination for older people taking short, frequent trips for rest and relaxation. Visitors to the region have the highest average age (48 yrs.) and the highest proportion of people 55 years or older (36%). Although their trip length averages only 2.7 nights in the region, they have visited the North Coast 10 times on the average.
enjoy the same types of activities as overall visitors to the Coast. However, they seem to be somewhat less active and more likely to enjoy relaxing and sightseeing (47%).

Not surprisingly, due to its proximity to Washington, this region receives the highest proportion of visitors from that state (19%), though it also receives many visitors from California (12%). Among all coastal regions, the North Coast is visited by the smallest proportion of Oregon residents (24%).

Although summer is the busiest season, visitation is more evenly distributed throughout the year on the North Coast than in other Coastal Regions. Forty-one percent visit the North Coast in the summer, 31% in the fall, and 28% in the winter/spring.

The North Coast has visitors with the highest household income ($54,300 on average) and the highest daily expenditures per person ($62.00) on the Oregon Coast.

(Source: Oregon Visitor Profile, April, 1995)

9. Page 108. Amend POPULATION FORECAST GATHERED FROM OTHER SOURCES

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<th>1996**</th>
<th>2000</th>
<th>2010</th>
<th>2020</th>
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<td>335</td>
<td>375</td>
<td>390</td>
<td>430</td>
<td>475</td>
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* 1990 Federal Census
** 1996 PSU Estimate

ADOPTED by the City Council this 16th day of December, 1997, by the following vote: 4 ayes, 0 nays, 0 abstentions.

ATTEST:

Donald G. Brinkman, Mayor

Ann Morgan, City Recorder, pro tem

ORDINANCE NO. 97-10, Page 7 of 7
CITY OF WHEELER, OREGON

ORDINANCE #2008-03
AN ORDINANCE AMENDING THE WHEELER, OREGON COMPREHENSIVE PLAN AS AMENDED

The City of Wheeler, Oregon ordains that the Wheeler, Oregon Comprehensive Plan as amended shall be modified, as follows:

Section 1.
Reason for the amendment
1. Incorporate the findings of the Buildable Lands Inventory and Land Use Needs Analysis as an update to the City profile in relation to Statewide Planning Goals 9, 10, 11, and 14.
2. The scope of work for this DLCD grant award requires a product that evaluates City inventory and needs in relation to Statewide Planning Goals 9, 10, 11, and 14.
3. Text to Read as follows and as attached:

Section 2.
The following documents are hereby referenced and incorporated into the Wheeler Background Report as supporting documents of this Comprehensive Plan:

1. Buildable Lands Inventory Report and Associated Maps, prepared by Cogan Owens Cogan, 2007
2. Housing Needs Assessment, prepared by Cogan Owens Cogan 2007
3. Economic Opportunities Analysis, prepared by Cogan Owens Cogan, 2007
4. Public Facilities and Infrastructure Assessment, prepared by Cogan Owens Cogan, 2007

Information in these documents replaces and / or updates any earlier information on similar topics included in the City of Wheeler, Oregon Background Report. To the extent that there are any conflicts between information in the two documents, the newer report

Section 3.
Introduction Text amendment to read as follows:

INTRODUCTION:

It is estimated that Wheeler's population may reach 475 by the year 2020. Consideration should be given to a range of community needs to accommodate 100 new residents above the existing population of about 375. This comprehensive plan is designed as a general document offering an overall program for the future of the city.

The area of the comprehensive plan includes: a) the Wheeler, Oregon city limits and; b) land within the Wheeler Urban Growth Boundary, but outside of the Wheeler city limits, where Tillamook County and the city have agreed to cooperate in management of land use decisions. The comprehensive plan area is about 575 acres in size.
The plan is intended to guide safe and orderly growth, in that all actions such as zoning, subdivisions, water extensions, and annexations must be in conformance with the plan. A periodic review and update of the local plan is provided for, so that the plan can adapt to new community needs and to ensure that the plan remains a useful working document for the city.

The comprehensive plan consists of two parts:

The Wheeler Comprehensive Plan Background Report has been assembled that provides information (including natural hazards, economics, population, housing, community facilities and services, transportation, and land use) used in developing the city plan.

The Wheeler Comprehensive Plan Policies, Strategies, and a map designating future land use and an urban growth area.

Policies are definitive statements that describe a course of action or direction that the City will take in planning for future activities within the City of Wheeler. The City is legally obligated to make decisions and undertake actions consistent with the policies included in this Plan.

Strategies are statements outlining a specific activity, action, project or standard which could be used to implement a City goal or policy. Strategies refer to courses of action that the City desires other entities to take regarding specific issues. These statements are suggestions of ways to implement goals and policies. The ability to implement them will depend on a variety of factors including the availability of staff resources and funding and coordination requirements with regulatory agencies. The City is not legally obligated to undertake strategies.

Section 4. Amend Housing Policies

Housing:

1. The city encourages public and private efforts to conserve and rehabilitate existing housing.
2. The city encourages the development of planned unit and multi-family developments to better utilize lands with physical constraints and to improve housing diversity.
3. The city, through its zoning ordinance, shall provide for placement of manufactured homes.
4. The City will zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, duplexes and multi-family dwellings.
5. The City supports the efficient development of housing and land to minimize environmental impacts and provide public services in a cost effective manner.
6. The City will encourage the use of sustainable development and building materials including use of energy efficient materials and design principles consistent with adopted law.
7. The City will allow, encourage and support the development of housing units in conjunction with commercial development (e.g., housing located above commercial uses) to provide diversity and security in commercial areas and a range of housing options.

8. The City will ensure compliance with federal and state fair housing laws which affirm access to housing opportunities for all people in Wheeler.

9. The City will allow for accessory dwelling units in residential zones.

10. The City will evaluate reliable scientific information involving climate change.

Section 5. ADD Housing Strategies (1-10)

STRATEGIES:

1. Explore and provide information about opportunities to consolidate buildable land where it will promote more efficient development.

2. Regularly update the City's inventory of buildable land, approximately every five years and use it to both identify housing development opportunities and assess the ability to meet future housing needs. If growth is occurring at a faster rate than previously predicted, work with the County to update the county's coordinated population forecast and the City's housing needs analysis.

3. Work with the development community to ensure creation of new housing that meets identified future needs through the policies and strategies identified in this Plan.

4. Monitor public facility capacity to ensure that proposed new residential developments can be adequately served by water, sewer, transportation, drainage and other public facilities.

5. Consider passing an ordinance requiring replacement of affordable housing in conjunction with closure of manufactured home parks.

6. Consider City support for statewide efforts to allow for affordable housing funding mechanisms.

7. Consider City support for mechanisms and organizations that help reduce the cost of or leverage other monies to develop affordable housing such as community land trusts, housing trust funds or similar entities.

Section 6. ADD Urban Growth Boundary to ADD Section 5. Urban Growth Boundary Strategies (Instead of "Recommendations") and ADD Urban Growth Boundary Strategies

Section 7. Amend Public Facilities Policies- Add word "as" to Policy 4.b.
Add Public Facilities Strategies (Instead of "Recommendations")
Add "and the storm water drainage system" to sentences that mention water and sewer.

Section 8. Amend Economic Development Policies, Add six Goals A-E and policies for each Goal A-E

1. Existing policies 1, 2, and 3 are retained and renumbered under a new Goal A, Promote
2. Existing Policy 4 "Commercial and Industrial Development shall be subject to design review" is revised as Goal D, Policy 2.

3. Existing Policy 5 is retained and Policy 5.c. and 5.d.1 are renumbered under a new Goal B and Goal D.

4. Add new goals:
   - **Goal A:** Promote Cooperative Economic Development Partnerships
   - **Goal B:** Retain, Strengthen and Expand the Existing Business Base
   - **Goal C:** Encourage Successful Home-Based Business
   - **Goal D:** Strengthen and Enhance a Strong Commercial Core Business District
   - **Goal E:** Diversify and improve the economy of the local area

5. New Text to Read as follows:

**ECONOMIC DEVELOPMENT**

**GOAL A:** Promote Cooperative Economic Development Partnerships

**Policies:**

1. The City supports the efforts of Tillamook County to improve the economy of the area.
2. The City will monitor the region's key economic development activities and organizations.
3. The City will monitor regional economic development plans/programs.
4. The City will seek the input of local businesses and carefully consider the economic impacts of proposed programs, regulations and decisions related to implementing the community's comprehensive plan.

**GOAL B:** Retain, Strengthen and Expand the Existing Business Base

**Policies:**

1. The City will promote open communication between business and local government. Periodically, City, County and business leaders should meet to discuss challenges and opportunities affecting the community.

**GOAL C:** Encourage Successful Home-Based Businesses

**Policies:**

1. The City will encourage home cottage industries and home occupations that are low impact and do not disrupt residential neighborhood character and regulate them through the zoning code.

**GOAL D:** Strengthen and Enhance a Strong Commercial Core Business District

**Policies:**

1. Development of commercial and industrial uses shall be permitted to locate in designated urban areas appropriately zoned.
2. Commercial and industrial development shall be subject to design review by the Planning Commission.
3. The economic land resource of Wheeler—the town waterfront and business district—shall be developed in a manner which encourages beneficial long-term use.

GOAL E: Diversify and improve the economy of the local area.

Policies
1. Encourage private development.
2. Encourage a diversity of businesses which strengthen the overall economic base.
3. Provide a supportive environment for new business.

Section 9. Add Economic Development Strategies A-E

1. Add new Strategies:

   Strategy A: Promote Cooperative Economic Development Partnerships
   Strategy B: Retain, Strengthen and Expand the Existing Business Base
   Strategy C: Encourage Successful Home-Based Business
   Strategy D: Strengthen and Enhance a Strong Commercial Core Business District.
   Strategy E: Diversify and improve the economy of the local area

2. New Text to Read as follows:

STRATEGIES:

STRATEGY A: Promote Cooperative Economic Development Partnerships

1. Develop active working relationships with key economic development players and attend partner meetings as often as possible.
2. Identify programs that could benefit local businesses.
3. Publicize the efforts of partners to the local business community.

STRATEGY B: Retain, Strengthen and Expand the Existing Business Base

1. Promote local markets and develop visitor attractions to the Wheeler waterfront and business district.
2. Support County efforts to organize a formal business assistance/advisory program where a local Business Assistance Team is in regular contact with commercial businesses and helps identify and respond to critical issues in timely manner. Tap the many business development resources that exist in Tillamook County (See Appendix A.)
3. Support County efforts to conduct a guest speaker series on topics of interest to north Tillamook County businesses, (Example: Marketing to Visitors, Finance, Successful Merchandising, Cooperative Arts Marketing, etc)
4. Support County efforts to help incubate and support new entrepreneurs, create a business mentorship program for start-up companies to be matched with established business owners (from throughout the County) for guidance and coaching.
STRATEGY C: Encourage Successful Home-Based Businesses

1. Work to provide needed business resources.
2. Encourage the support services needed by home-based businesses.

STRATEGY (D): Strengthen and Enhance a Strong Commercial Core Business District

1. Form a public-private partnership to actively support a strong commercial core
2. Develop activities related to physical improvements, business development and promotion strategies.
3. Identify and pursue grants and other funding for enhancements and improvements to the waterfront.
4. Identify top priority projects to accomplish in 6-12 month increments.
5. Encourage events in the business district to bring local shoppers and visitors to the core
6. Promote open communication between business and local government.

STRATEGY (E): Diversify and improve the economy of the local area.

1. Make announcements/presentations at key stakeholder groups around the County such as Rotary, Chamber, civic groups, regional development organizations to share north Tillamook County's business development goals and targets and to encourage participation, networking and 'lead generation.'

Section 10J. Continued Effect.
All other provisions of Wheeler, Oregon Comprehensive Plan not specifically modified herein, shall continue unchanged and in full force and effect.

ADOPTED by the City Council this 17th day of June, 2008, by the following vote:

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<tr>
<th>CITY COUNCIL</th>
<th>Aye</th>
<th>Nay</th>
<th>Absent/Abstain</th>
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<tbody>
<tr>
<td>WHEELER, OREGON</td>
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<tr>
<td>Virgil L. Staben, Councillor</td>
<td>X</td>
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<td>Paul Russo, Councillor</td>
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<td>Vacant Position, Councillor</td>
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<td>Gloria Schleier, Councillor</td>
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<td>Michael Giowa, Councillor</td>
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ATTEST: Doug W. Hooper, City Manager