

CITY OF WHEELER, OREGON ZONING ORDINANCE

ARTICLE 9.2: HISTORIC RESOURCE OVERLAY ZONE

Section 9.210. Purpose.

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.

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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.