

Wheeler Citizens Advisory Committee
Waterfront Revitalization 2024
Date: April 4, 2024 @ 12:00 PM to 1:30 PM

Attendees: Karen Matthews, Council/Citizen
Deanne Ragnell, Council/Citizen
Theresa O’Quinn, Business Owner
Katie Brow, Property and Business Owner
Anna St. John, Planning Commission/Property Owner
Pax Broder, Wheeler City Manager

Guest: No guests

Location: Wheeler City Hall, Wheeler, Oregon

3/21/2024 Minutes – Reviewed, adopted and will be posted to City website

Purpose: Next steps are to document our observations and compare them to what is currently in Zoning Ordinance, Comp Plan and Vision Plan to identify any recommended changes/considerations (e.g., public access to the waterfront via walking paths).

Elements to Consider for Updates to Ordinances

- **Setbacks**
 - **Riparian**
 - **Current**
 - Policy 3 of Goal 5 of Comprehensive Plan = 25 ft setback from mean higher high water line for Nehalem Bay and 15-ft setback from OHW for Zimmerman, Gervais and Vosberg Creeks
 - Wheeler Zoning Ordinance = 30 ft setback
 - If riparian vegetation present = 50 ft with possible adjustment for half that distance
 - **Proposed**
 - Adopt draft state and county Safe Harbor standard setbacks that provides “cut and dry” approach - 75 ft setback but can build to within 37.5 ft and mitigate any damages.
 - Applies Inventory Approach to identify elements – setbacks set based on discharge rate of fish-bearing streams (e.g., Nehalem River is 100 cubic feet per second = 75 ft riparian setback but can build to 37.5 ft and mitigate any damages). Smaller streams with lower flow rates = 50 ft setback.
 - Would require updates to Comprehensive Plan and Zoning Ordinance,

- ID property owners within 200 ft of mean higher high water mark (from Zoning Ordinance) and provide notice of riparian setback change per Measure 56 (30 days prior to planning commission and city council public hearings)
 - DLCD notice
 - Timeframe/Schedule for approval - TBD
- **County Brownfield Study Update**
 - USEPA Brownfield grants awarded to Tillamook County that funded Phase I and II Environmental Assessments for parts of undeveloped waterfront area where former mill was located (current Botts Marsh LLC property). One study completed in 2017. Approval for current scope of work for other parts of the property is pending (review by Environmental Historical Preservation Committee).
 - Request a copy of the work plan.
 - City negotiations with Botts Marsh LLC on hold until the results of the current study are available (TBD).
- **Viewshed Preservation (Zoning Ordinance and Comp Plan Goal 8, Policy 15.g. of Goal 12, and Policy 19 of Goal 17 of Comp Plan)**
 - Discussed current Botts Marsh LLC proposal
 - “Pods” of small one- or two-story condos [6-7 units] with different roof types [hip] to preserve view corridors
 - 400 or 600 square feet 1 BR hotel rooms
 - 21-22 units planned which might be a stretch for the city (18 is currently a stretch)
 - Restaurant
 - Del redrew the layout and was able to site 21-22 one-story units – Eighteen 400-sf and three 600-sf units
 - Karen: If this concept resonates with Committee, Del is willing to move forward with some additional conceptual plans for consideration.
 - Pax: In favor of moving forward with concepts/plans to present to City/Botts Marsh LLC
 - Goal: Provide an example of a conceptual plan for development that the city could support
 - Path Forward: Committee has to draft a proposed conceptual plan for consideration by the City and Botts Marsh LLC
 - Boardwalk and viewing platforms?
 - Deanne: Tourists need a reason to stop and stay. There needs to be more to offer people so they stop.
- **Access Considerations (Zoning Ordinance, Shoreline and Estuarine Development Standards for Public Access to Waterfront)**

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- Hemlock alignment would provide access to a proposed restaurant
- Provide connectivity/public access along waterfront
- **Special Flood Hazard Zone – NEPA Audubon Update**
 - Outcome will impact uses in waterfront SFHZ
 - Draft EIS due summer 2024 – currently in review by cooperating agencies
 - Community Implementation Plan fall 2025
 - Avoid impacting T&E fish species and habitat
 - Possibly draft community-specific plan that allows flexibility for local floodplain mitigation plan
 - Part of Botts Marsh LLC property is in SFHZ
- **Buildable Lands Inventory Status:** Without Buildable Lands Inventory (not teed up), no zoning changes can be proposed.
- **Waterfront**
 - Current water-related or water-dependent use is recreation-related, no industries
- **NEXT STEPS:** Draft concepts/renderings (e.g., types of building materials, styles, colors) and applicable ordinance/comp and vision plans requirements for future waterfront development to provide to the City for consideration
- **REMINDER (PAX):** When we change from information gathering to recommendations for changes to Comprehensive Plan and Zoning Ordinance, then we need to change how we are conducting the meetings because there are public meeting requirements to consider. Any code changes need to go to Planning Commission and City Council for approval.

Meeting adjourned at 1:30 pm.