OCTOBER  MEETING MINUTES

October 5, 2023

**CITY OF WHEELER**

# Call to order

Commissioner Proctor called the meeting to order at 6:04 PM.

**Administration** Roll call

*Present onsite*

Commissioners: Doug Proctor, Anna St. John

City Staff: Pax Broder

Guests: Troy Naylor, Mary Naylor, Linda Urdzik

*Present via Zoom*

Commissioners: Chantelle Hylton, Joseph Kelly

Planning Commission Minutes from September 7, 2023

Commissioner St. John **made a motion to approve the Minutes of September 7, 2023**. Commissioner Hylton **seconded the motion**. **The motion was passed 3-0** (Yes: Proctor, Hylton, St. John; No: none). *Commissioner Kelly had not yet arrived at the meeting via Zoom.*

# Committee comments or public issues to be presented to the committee, other than agenda items

*None.*

# Presentations, guests and announcements

*None.*

# New business

Variance Application – 60 4th Street: Linda Urdzik stated that she is an immediate neighbor and doesn’t mind how tall Troy Naylor’s pole building is. She stated that her structure is taller than the height Mr. Naylor is requesting he be allowed to build to. No other public comment has been received.

The Staff Report was read. *A copy of the Staff Report is included in the Agenda Packet.*

Mr. Naylor commented that this is a one-story structure, significantly lower than the neighbors to the south and north of him. Because of the location, it shouldn’t affect the view of any neighbors. There are also a bunch of big trees behind his property that block the building from the neighbors behind him.

Commissioner Proctor mentioned that there are a good many taller accessory buildings used for storing RVs around the city.

Commissioner Hylton stated that the requested variance seemed reasonable.

Commissioner St. John **made a motion to approve the variance application for 60 4th St**. Commissioner Hylton **seconded the motion**. **The motion was passed 4-0** (Yes: Proctor, Hylton, St John, Kelly, No: none)

Salt Bread Seed - New exterior paint colors and sign: Commissioner Hylton (the applicant) stated that the colors were chosen to fit with the vision plan, and they are colors of nature and maintain the rustic feel. She is hoping to help with Wheeler’s main street revitalization. She has painted the inside and done some concrete work. To start she’d like to build a commissary kitchen to make value out of the products from her farm on Highway 53. She plans to provide a commercial kitchen that could be rented out to others and a retail spot. The business will be food related with seasonal nursery plants in the gravel area on the side. Commissioner Kelly stated that he thought the colors were a good choice.

Commissioner St. John **made a motion to approve the exterior paint colors for Salt Bread Seed**. Commissioner Kelly **seconded the motion**. **The motion was passed 3-0** (Yes: Proctor, Kelly, St John, No: none, Abstain: Hylton)

Commissioner Hylton stated that the existing “Lady Barbara” sign is a lightbox and the plan would be to use that lightbox for her new sign. Her backup plan would be a sturdy wooden sign lit from below. Commissioner Proctor mentioned that the light would need to be pointed at the sign if it was an exterior light.

Commissioner St. John **made a motion to approve the sign application for Salt Bread Seed**. Commissioner Kelly **seconded the motion**. **The motion was passed 3-0** (Yes: Proctor, Kelly, St John, No: none, Abstain: Hylton)

Commissioner Hylton stated that she is aware this is part of the entrance to Wheeler on the south side and that is something she takes very seriously.

**Unfinished business**

Comprehensive Plan Update for TSP Adoption – The Department of Land Conservation and Development called Commissioner Proctor and said that they liked what they saw in the initial draft that was submitted. They may have some things to add to it at a later date that would make it make it easier for the city to write grant proposals. The next Planning Commission meeting on November 2nd will be the first Evidentiary Hearing on this matter.

Commissioner St. John mentioned that the existing Comprehensive Plan Goals were not very specific originally. She wrote the preamble for the new draft that helps tie what we currently have to where we are going. Commissioner Proctor asked if he could ask the City Planner questions about wording without running up a bill for the city. Pax stated that he believes the City Planner doesn’t bill for quick phone calls and emails.

Continue review of Development Ordinance:

*The Planning Commissions redlined/working version is included in the meeting packet.*

Definitions-

Cottage Cluster – Commissioner Proctor stated that there isn’t a maximum number of units per acre but he put it at 12. For the minimum, 4 units per acre would actually be less dense than our present R1 and wouldn’t provide the density now required, but that is what is listed in House Bill 2001. Most of what Commissioner Proctor has added to these definitions is taken from the 2019 version of HB 2001, which requires that the city needs to take active steps to allow for increased density (the whole county has this requirement as a county with a population over 25,000). This bill also states that the city has to allow an Accessory Dwelling Unit on any lot that presently has a house on it.

Accessory Dwelling Unit – Commissioner Proctor chose the 900 square feet because you can get 3 bedrooms in that footprint, but 800 square feet starts getting too small.

Vacation Occupancy Dwelling – This is how the state refers to short term rentals. ADU’s not used as occupancy dwellings can be exempted from the off street parking requirements for the lot owner. Commissioner Proctor mentioned that he would like to *encourage* off street parking for at least one vehicle. He also mentioned that HB2001 prevents the city from making the ADU or the primary dwelling unit be owner occupied.

Tiny House – The state doesn’t define this, but defines a small house as not more than 400 sq ft. They have no minimum size listed. Commissioner Kelly mentioned that a lot of tiny houses are built on a trailer or movable base may allow them to skirt regulations that would apply if they were on a foundation. Commissioner Proctor would like to allow any size so long as it meets the stick-built requirements, such as being on a foundation, upgraded insulation, etc.

Commissioner St. John mentioned that it is a safety hazard when narrow streets have cars parked on both sides, but asked if we had the grounds to require an off-street parking space for an ADU. Commissioner Proctor stated that we cannot require it, but we can ask them to prove that they can’t park on the lot (and landscaping wouldn’t count as a valid excuse).

Section 2.02.04 – Conditional Uses R1

J – removed entirely.

Section 2.02.05 – Lot Standards

A – made Detached Single Family Home 5000 sq ft.

1. Removed “a” and “b”.

B – minor grammatical changes

C – left the setbacks at the current zoning ordinance standards.

D – removed entirely.

F – added that an ADU can be allowed on the same lot (per HB2001).

Section 2.02.06 – Dimensional Standards

E – removed entirely.

F – added Multi Family Dwellings and significant expansions of non-residential uses.

G – added the requirement for a Geologic Hazard Report and survey with corner pin elevations before any ground-disturbing action of the permitted uses starts.

Commissioner Proctor mentioned that in a “flag lot” where there is property frontage on two mostly parallel roads, the front of the house is where the driveway touches a street (for determining setbacks). Commissioner St. John clarified that this is already in Ordinance 77-1 but is referred to as a “through lot.” This will be added to the definitions.

Section 2.03.02 – Permitted Uses R2

A – Residential Dwellings including detached single-family dwellings, Duplexes, Cottage Clusters, Accessory Dwelling Units (ADUs) and Small Homes. All the above must have permanent foundations and can be built on site, remotely or a combination thereof, but each must meet the all the requirements of the Oregon Residential Specialty Code and associated electrical, plumbing and mechanical codes.

I – added that Multi Family Dwellings require a design review.

Section 2.03.03 – Conditional Uses R2

J – removed entirely

Section 2.03.05 – Lot Standards

A –

1. added Detached Single Family Home 5000 sq ft and removed “a” and “b”.
2. Multi-family dwelling - 9,000 square feet for first three units, plus 2,500 square feet for each additional unit.

B – minor grammatical corrections

C – left the setbacks at the current zoning ordinance standards.

D – removed entirely.

F – removed lot coverages and added that a Residential Dwelling or Manufactured Home as referenced in 2.03.02, can have an ADU on the same lot.

Section 2.03.06 – Development Standards

E – removed entirely

F – changed to say Multiple Family Dwellings and new or significant expansions of non- residential uses require a Design Review in accordance with Article 4.

G – added the requirement for a Geologic Hazard Report and survey with corner pin elevations before any ground-disturbing action of the permitted uses starts.

Section 2.04.02

I – added medical businesses.

Next meeting will include TSP adoption and Article 4.

# Adjournment

Commissioner St. John **made a motion to adjourn the meeting**. Commissioner Hylton **seconded** the motion. **The motion was passed 4-0** (Yes: Proctor, Hylton, Kelly, St. John; No: none). Commissioner Proctor called the meeting to close at 7:32PM.

Dated: October 5, 2023



Doug Proctor, Chair Pax Broder, City Manager

Recorder: Pax Broder