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**THE CITY OF GARIBALDI IS AN EQUAL OPPORTUNITY PROVIDER**

## LAND USE PERMIT PROCESS FOR THE CITY OF GARIBALDI

**City Services:** The City of Garibaldi Provides water and wastewater service for all structures within the City's municipal boundary. The City also regulates land use within the municipal boundary. Prior to submitting an application for land use approval it is recommended that you contact the City Planner and Public Works Director to discuss the proposed development.

**Other Services:** Building Code is regulated by the Tillamook County Building Official, who serves as the City of Garibaldi's Building Official. If you have any questions regarding building code you will need to contact Tillamook County Community Development (TCCD) at 503-842-3408, or go to their website at: <http://www.co.tillamook.or.us/gov/ComDev/counter.htm>. Electricity is provided by Tillamook People's Utility District (TPUD), and can be contacted at 503-842-2535, or go to their website at: <http://www.tpud.org/>. We recommend that you contact both TPUD and TCCD and discuss their requirements before submitting a land use application with the City. Once the City has approved a land use permit, any subsequent changes to the proposed structure will need to be reviewed and approved by the City.

**Instructions:** All land use permit applications for new construction (any structure over 200 square feet or any addition that increases the square footage or height of an existing structure) must include the following:

1. A completed land use application (form GF-111-10)
2. A completed Tillamook County Building Permit Application
3. Three sets of structural plans
4. A plot plan (no larger than 11" by 17")
5. A survey of the property (no larger than 11" by 17")
6. \*An elevation certificate

Any application for a land use permit must include a plot plan showing lot dimensions, setbacks between all structures and property lines, distances between structures, location of driveway access, total impervious surface (this includes asphalt, concrete or other paved surfaces designed for driveways or patios), and the location of the main entrance to the structure. A survey of the property is also required to verify the dimensions of the property as shown on the plot plan. Structural plans must show the height of the proposed building from the footprint grade, as well as the total structural footprint square footage. If the structure is 20' or higher from grade, you will be required to submit certification of the existing grade from a licensed surveyor, as well as certification of the structural height (*\*elevation certificate*) prior to final approval by the City Planner.

When submitting a complete application you can either mail it to Garibaldi City Hall, P.O. Box 708, Garibaldi, OR 97118, or submit it in person to 107 6th Street, Garibaldi. When it is received, staff will review it and contact you within five business days to let you know whether your application is complete and what the permit application fee will be. If you schedule an appointment, staff can calculate fees at the time the application is received at our office. If staff determines that an application is not complete it will not be accepted, and the application will be returned to you in the same manner that it was received by the City. If we received the application by mail, we will return your application postage-due. If you have any questions about this process please contact City Hall at 503-322-3327, or email us at [city@ci.garibaldi.or.us](mailto:city@ci.garibaldi.or.us)

**Plot Plans:** Acceptable plot plans must show the dimensions of the lot, the adjacent street or streets, the location of all impervious surfaces and structures, the location of any creeks or water-ways, the drive way access or proposed access, the grade of the lot, the location of existing and proposed structure or structures, and distances between structures, property lines, easements, right-of-ways, creeks and water-ways. Plot plans need to be to scale and must be reproducible. Plot plans must be on paper no larger than 11” by 17”, must be in black or red ink, and must be reproducible on a grey scale copier. Poorly prepared or inaccurate plot plans will not be accepted and submission of an inaccurate plot plan will result in building permit delays.

**Application Process Time:** Once an application is accepted staff will contact the applicant if any additional information is needed, or when the application review is complete. Processing time may take up to 20 business days. Staff will contact the applicant if more time is needed. Staff can calculate fees and review an application for completeness if the applicant schedules a meeting with City staff; such meetings are at staff’s discretion.

**Approvals:** Approval of land use permit do not grant the applicant permission to violate any City, County, State or Federal law, code or regulation. Once the application has been approved the applicant must follow the requirements of the Tillamook County Building Official, as well as the City of Garibaldi Planner, Public Works Director and Fire Chief. All attached documents to this application will be numbered and approval letters will specify any conditions or requirements of the application. It is the responsibility of the applicant to call for all required inspections and to ensure that this permit receives final approval upon the completion of construction/placement.

**Land Use Approval:** The Garibaldi City Planner is Jay Sennewald. Mr. Sennewald is available by appointment, or can be emailed at [planner@ci.garibaldi.or.us](mailto:planner@ci.garibaldi.or.us). To schedule an appointment by phone contact City Hall at (503) 533-3327. New construction requires a site visit by the City Planner to determine if the application matches the existing conditions of the property. New construction may require a site visit by the Public Works Director and/or the Fire Chief of Garibaldi. For any new structure the City of Garibaldi requires the following:

1. The property lines must be clearly marked with the use of stakes and string. Each corner of the lot needs to have a stake placed where the property pin is located. Do not disturb the property pin while placing the stake. If you are unable to locate the property pins then you *must* have a licensed surveyor locate the pins or place new ones. If there is any question as to the location of the property pins the City reserves the right to require the property owner to re-survey the property at their own expense.
2. The proposed location of the new structure must be clearly marked before the City Planner makes a site visit. The footprint of the structure must be indicated with the use of stakes and string. The applicant is responsible for ensuring that the structure is built in the location indicated on the submitted plan at the time of the City Planner’s site visit.
3. The average grade along the finished building’s foundation must be calculated by the applicant. The City Planner reserves the right to require an elevation certification by a licensed surveyor. If the proposed structure is more than 20 feet in height this certification is mandatory as of 9/1/2011.

**System Development Charges:** Any new residential structure or new commercial structure is subject to System Development Charges (SDC’s). For more information on these please see the City’s “*System Development Charges in Garibaldi*” fact sheet. Additions may be subject to SDC’s if they are commercial or if they create an additional residential unit as defined by the City’s zoning code. For more information about SDC’s please contact the City Administrator.

**School Excise Tax:** All new construction in Garibaldi is subject to an excise tax that is payable to the Neah-Kah-Nie School District. Applicants should submit include a Construction Excise Calculation Form with their land use permit application. Excise tax amounts need to be paid by check to the Neah-Kah-Nie School District, and are collected by the City of Garibaldi when you submit your land use application.

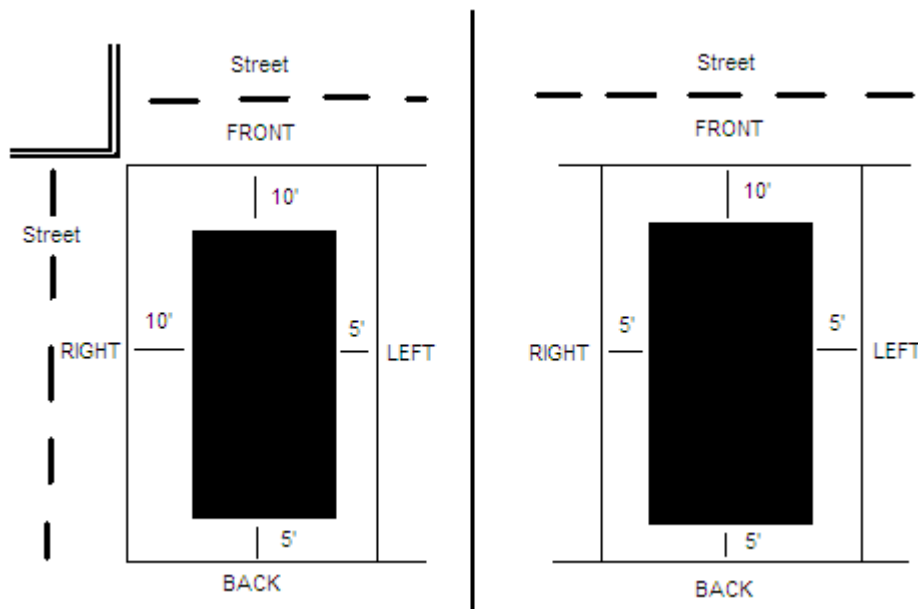
## BUILDING IN THE R-1 ZONE

Some of the basic requirements for building in the R-1 (Medium Residential) zone are listed below. This page serves as a basic guide to land use for this zone in the City of Garibaldi, however additional requirements may apply. For additional information on building in this zone, or for information regarding building in other zones within Garibaldi, please contact the City Planner.

**Accessory Structures:** These structures are allowed and require land use permits, and in some cases structural permits. Accessory structures over 120 square feet must meet certain requirements to be allowed. Most structures under 200 square feet do not require a structural building permit.

**Height:** The maximum allowable height of a structure in the R-1 zone is 24 feet. When located on a slope, height is determined based on an average height of all sides of the building.

**Setbacks:** All structures in the R-1 zone must be at least 10 feet from any street property line, 5 feet from any side or rear property line, and 6 feet from any other structure.



Architectural features (chimneys, bay windows, eaves, gutters, etc...) can project up to 24 inches into a required setback, and unsupported eaves can project up to one half the distance of a required setback.

Riparian (streamside) zones require a setback of 15 feet from the top of the bank. The City Planner will establish the top of the bank during the site inspection; however, the bank is generally observable and the top of the bank would be the highest possible water-line of the creek. Certain activities, such as building a structure that is not specifically used to access the water, are prohibited in the riparian zone. There are also limitations on which types of vegetation that can be removed or planted in a riparian zone.

**Water and Sewer:** These services are provided through the City of Garibaldi. Garibaldi code requires each building to have an independent sewer service to the sewer main in the street. Structures that are connected are generally considered to be one structure for this purpose. Each dwelling unit is required to pay a separate charge, and new residential units must have separate water services.

**Impervious Surface:** The R-1 zone requires that at least one-half of the surface of any lot be permeable to storm water.

***Number of Residential Units Allowed:*** no more than one residential unit is allowed on lots up to 7,499 square feet. No more than two residential units are allowed on lots up to 9,999 square feet, and no more than three units are allowed up to 11,499 square feet. For every 1,500 square feet more than 10,000 square feet an additional unit can be allowed.

Single family and duplex structures are allowed outright. However, additional units are only allowed only through a conditional use granted by the Garibaldi Planning Commission.

An accessory dwelling unit is allowed in the R-1 zone as well. They are defined as small, secondary units on a single-family lot, and are usually the size of a studio apartment. The additional unit can be a detached cottage, a unit attached to a garage, or in a portion of the existing house. This unit cannot exceed 33% of the floor area of the primary residential unit, or 600 square feet, whichever is greater. These units cannot be used as vacation rentals and cannot be sold or otherwise separated from the primary property.

## DEFINITIONS

**Height of a Building:** as defined by the City's code is *"the vertical distance from the grade to the highest point of the roof, excluding chimneys, aerials and similar extensions."*

**Grade (ground level):** as defined by the City's code is *"the average elevations of the existing grade or ground at the centers of all walls of a building."*

To determine the **HEIGHT** of a building, first determine the average **GRADE** of the footprint of the proposed structure and then measure up to the highest point on the roof. This is the calculation that must be used on the land use application for the City as well as the building permit application for the County.

**Lot:** as defined by the City's code is *"a parcel or tract of land"* and is commonly identified in Garibaldi by the Tillamook County Assessors map and tax lot number, or the lot, block, addition description used in legal descriptions for property. Developed property has (or should have) an address that is also used to define the property.

Property lines are defined through surveyor descriptions. A survey recorded with the Tillamook County Surveyor is the best source of information regarding existing property lines. Many properties in Garibaldi are combinations of legal lots within a single tax lot. Tax lots do not define the legal property lines of a lot. If property that is proposed to be developed consists of more than one legal lot the City may require you to combine lots through a survey and have the new legal lot recorded with the Tillamook County Surveyor.

**Dwelling Unit:** as defined by the City's code is *"one or more rooms in a building that are designed for occupancy by one family and that have cooking and sanitary facilities, but not including space in a structure or vehicle designed for camping or other temporary occupancy such as a hotel, motel or recreational vehicle."* New dwelling units are considered new impacts on the City's infrastructure and require SDC's to be paid to the City and excise tax to the Neah-Kah-Nie School District.

**Street:** as defined by the City's code is *"the entire width between the right-of-way lines of every way for vehicular and pedestrian traffic"*. This definition is applied to every public right-of-way in the City of Garibaldi that is designated for a public street regardless of improvements.

**Structure:** as defined by the City's code is *"something constructed or built, or any piece of work artificially built up or composed of parts joined together in some definite manner."* Structures can include walls, decks, patios, porches, awnings, or anything that is 'built'. The City Planner will make a determination of whether something is or is not a structure.

**Accessory Use / Accessory Structure:** as defined the City's code are *"a use or structure incidental and subordinate to the main use of the property located on the same lot as the main use."* Accessory structures and uses are described in the City's code and are different depending on the zoning of the property. Accessory structures under 120 square feet are allowed in the R-1 zone, and detached garages are allowed in the R-1 zone. Structures under 200 square feet do not require a structural building permit; however, every structure requires a land use permit.