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CITY OF GARIBALDI
ORDINANCE NO. 249

AN ORDINANCE AMENDING THE GARIBALDI FLOOD DAMAGE
PREVENTION ORDINANCE.

SECTIONS

- 1 *Amendments to Definitions*
- 2 *Appeals and Variance Procedures Amended*
- 3 *Standards Amended*
- 4 *Coastal High Hazard Amended*

WHEREAS, the City of Garibaldi enacted Ordinance No. 146 on 23 March 1987, to regulate the use of those areas subject to periodic flooding, and subsequently amended Ord. 146 by Ordinance No. 170 (enacted 2/13/91); and

WHEREAS, the state Department of Land Conservation & Development (DLCD), acting through its Oregon Floodplain Program Coordinator, has proposed amendments to the Garibaldi Flood Damage Prevention Ordinance, subsequent to a Community Assistance Visit on April 20, 2000 and review of the City's Ordinance and enforcement program; NOW, THEREFORE

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. AMENDMENTS TO DEFINITIONS:

(A) Section 1.030 (Definitions) of Ord, 146, as amended, is hereby amended by adding the following new definitions:

Basement: Means any area of the building having its floor subgrade (below ground level) on all sides.

Recreational Vehicle: Means a vehicle which is:

- (a) Built on a single chassis;
 - (b) 400 square feet or less when measured at the largest horizontal projection;
 - (c) Designed to be self-propelled or permanently towable by a light duty truck;
- and
- (d) Designed primarily not for use as a permanent dwelling but as temporary

living quarters for recreational, camping, travel, or seasonal use.

Water Dependent: Means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

(B) The definition of “manufactured home” in Section 1.030 (Definitions) of Ord. 146, as amended, is hereby amended to read as follows:

“Manufactured Home: Means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term ‘manufactured home’ does not include a ‘recreational vehicle’.”

(C) The second section of the definition of “substantial improvement” is hereby amended to read as follows:

“The term does not, however, include:

“1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

“2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.”

Section 2. APPEALS AND VARIANCE PROCEDURES AMENDED: Subsection 5. of Section. 3.070 (Appeals and Variance Procedures) is hereby amended to read as follows:

“5. Variances shall be issued in accordance with the National Flood Insurance Program (NFIP) regulations governing flood insurance (44 CFR 60.6) and any amendment thereto.”

Section 3. STANDARDS AMENDED: The following new subsection is added to Section 4.020 (Specific Standards):

“4. *Recreational Vehicles.* Recreational vehicles placed on sites within Zones AI-30, AH, and AR on the community’s Flood Insurance Rate Map (FIRM) either:

(a) Be on the site for fewer than 180 consecutive days;

(b) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

(c) Meet the requirements of Section 4.020(3) above and the elevation and anchoring requirements for manufactured homes.”

Section 4. COASTAL HIGH HAZARD AREA AMENDED: Part A of Subsection 1 of Section 4.030 (Coastal High Hazard Area) is hereby amended to read as follows:

“A. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to one foot above the base flood elevation.”

Passed by the Common Council and approved by the Mayor of the City of Garibaldi, this _____ day of _____, 2001.

Mayor

ATTEST:

City Recorder

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REPORTS: No *attorney* or *fire* reports; *Admin., Police* reports submitted in writing. **Planning:** Schachner reviewed Planning Commission meeting (only flood ordinance amendments), also heard presentation on TGM program w/info on upgrading traffic flow. Schachner noted quite a few hearings on P.C. 2/26 agenda. 4 bldg. permits issued.

USE OF HOLGATE LOT: D. Sheldon reviewed Public Works proposal to use lot for storage of Public Works supplies & equip. after mobile home removed; have to move all materials out of [Shop] yard when treatment plant construction starts. Have discussed using reservoir site as alternative. If going to use Holgate lot, need to fence, build pole bldg., create hard surface. Looking for direction. Money would come from Water, Wastewater budgets. Mayor urged doing something aesthetic—will be 1st thing people see as they come down hill. Evans sugg. fencing with slats would cover wall—will mostly see roof. Should be aesthetically neutral at worst, attractive at best. Don't want to see on reservoir site. D. Sheldon noted lot is about 8000 sq.ft.; would like to lease 30 ft. behind from railroad. Have called PUD & asked them not to disassemble power svc. at lot.

Tucker moved (2d by Daniels) to move to next step—D. Sheldon to get costs & what [bldg.] will look like; passed unanimously.

BALLOT MEASURE 7 PROCEDURE REPEAL ORDINANCE: Tucker moved (2d by Evans) to have Mayor read Ord. 251 twice by title; passed unanimously. Mayor read ord. twice by title. Tucker moved (2d by Evans) to enact Ord. 251; passed unanimously, with Daniels, Evans, Tucker, and Mayor Sheldon all voting aye.

PERMANENT RESIDENTS IN R.V. PARKS: Mayor reviewed, noted still need to get Health Div., DEQ input. Mayor noted this is definite problem that needs to be dealt with somehow; will be on next month's agenda.

FLOOD ORDINANCE AMENDMENTS: Daniels moved (2d by Tucker) to have Ord. 249 read twice by title; passed unanimously. Mayor read ord. twice by title. Tucker moved (2d by Evans) to enact Ord. 249; passed unanimously, with Daniels, Evans, Tucker, and Mayor Sheldon all voting aye.

TRT ORDINANCE AMENDMENTS: Tucker moved (2d by Evans) to have Ord. 250 read twice by title; passed unanimously. Mayor read ord. twice by title. Daniels moved (2d by Evans) to enact Ord. 251; passed unanimously, with Daniels, Evans, Tucker, and Mayor Sheldon all voting aye.

CALL FOR BIDS FOR I&I MONITORING EQUIPMENT: D. Sheldon noted this finishes the Phase II I&I project. Mayor noted City has no choice [but to do the work]. Evans moved (2d by Daniels) to call for bids; passed unanimously.

ACCEPTANCE OF HLB I&I STUDY: Evans moved (2d by Tucker) to accept I&I study. Daniels ques. Whether groundwater [infiltration] remains problem in heavy weather; D. Sheldon advised it does, but now takes longer to overload system so bypasses are less frequent. Motion passed unanimously.

CABLE TV FRANCHISE NEGOTIATIONS: Mayor reviewed, asked if Garibaldi wanted to do negotiations jointly with the other cities. Atty. Canessa noted what is really being negotiated is a telecommunications franchise—something City has no expertise in. Admin. sugg. telecommunications needed to be covered in new CATV franchise & City should get to make money off it. Evans moved (2d by Tucker) to work with other cities for joint negotiations of CATV franchises; passed unanimously. Daniels requested information on what parameters of negotiations are.

TRANSFER OF \$30,000 TO DEQ LOAN FUND: Evans moved (2d by Tucker) to adopt Res. 2001-01, directing the transfer of \$30,000 from Wastewater Fund to DEQ Loan Fund; passed unanimously.

TRANSFER OF JUVENILE ACCOUNTABILITY GRANT TO COUNTY: Tucker moved (2d by Daniels) to "do it again"; passed unanimously.

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