

CITY OF GARIBALDI, OREGON

ORDINANCE NO. 252

AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE
PLAN AND ZONING ORDINANCE FOLLOWING COMPLETION OF
PERIODIC REVIEW.

SECTIONS

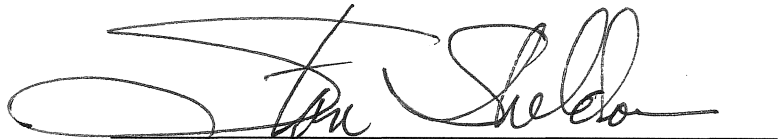
- 1 *Comprehensive Plan Amended*
- 2 *Zoning Ordinance Amended*

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. COMPREHENSIVE PLAN AMENDED: The Garibaldi Comprehensive Plan is hereby amended to incorporate the amendments attached hereto as EXHIBIT A.

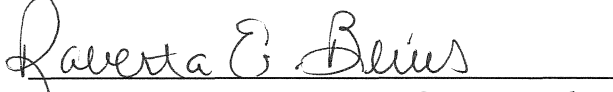
Section 2. ZONING ORDINANCE AMENDED: The Garibaldi Zoning Ordinance (Ord. 107, as amended) is hereby amended to incorporate the amendments attached hereto as EXHIBIT B.

Passed by the Common Council and approved by the Mayor of the City of Garibaldi, this 20th Day of August, 2001.



Mayor

ATTEST:


City Recorder

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ORD. 252
EXHIBIT A
COMPREHENSIVE PLAN AMENDMENTS

Natural Hazards Policies (PAGE 4) is replaced in its entirety as follows:

1. The City has developed a Hillside Overlay Zone which requires that where development is proposed for areas with a slope of 20% or greater, a site investigation report by a registered geologist shall be required prior to the approval of a building permit, land division or other proposed development. The Zone also requires increased lots sizes, a grading plan and an erosion control plan.
2. The requirements of the City's Flood Damage Prevention Ordinance shall be used to regulate development in identified flood hazard areas. The maps that apply to Garibaldi were drawn in 1978. The Federal Emergency Management Agency is currently in the process of updating maps. The first priority is to update maps in Cities where major flooding has occurred. Garibaldi is not one of these cities so it may be a long time before the maps are updated.
3. The physical limitations of soil types vary from area to area in Garibaldi depending upon the topography. The Hillside Overlay Zone addresses erosion control and the need for engineering roads. In all other areas of Garibaldi, developers need to be aware of the soils type and design accordingly.

Energy Policies (PAGE 4) are amended to read as follows:

In order to conserve energy, the City shall:

1. Maintain a compact city form, with moderate high density development where appropriate, and a centralized business area;
2. Extend public facilities, including sewer and water lines, in an orderly and efficient manner;
3. Encourage the use of alternative transportation means such as the bus, bicycles and walking;
4. Encourage the use of solar energy, particularly in residential construction through proper positioning of structures and layout of subdivision. Flexibility in,., setback requirements should be incorporated into the Zoning Ordinance to facilitate solar construction;
5. Provide sufficient land area for multi-family dwellings;
6. Support the efforts of the People's Utility District to conserve energy through the recommendations of the Tillamook County Energy Conservation Plan;
7. Support the efforts of organizations to weatherize and insulate homes of low income persons;
8. Support Tillamook County's recycling program; and

9. The City of Garibaldi supports the development of alternate energy sources.

The following sections are added to *Public Facilities Policies* (PAGE 5):

4. *Water:* Evaluate the Water Master Plan and incorporate recommendations into the Comprehensive Plan and Zoning Ordinance.

The City of Garibaldi Master Water Plan was completed in August 1993 by HLB Engineers of Manzanita. Since it is now eight years old, it probably should be updated. Section 4 of the Plan is the Master Water Plan. Much of this Plan has already been implemented.

5. *Wastewater:* Evaluate the Wastewater Facilities Plan prepared by HGE Engineers of Coos Bay, Oregon, and incorporate recommendations into the Comprehensive Plan and Zoning Ordinance.

6. *Storm Drainage:* Evaluate The Storm Drain Master Plan and incorporate recommendations into the Comprehensive Plan and Zoning Ordinance.

The Storm Water Management Plan for the City of Garibaldi was completed in August 1995 by Wallis Engineering of Vancouver, Washington.

Section I of the Plan includes the conclusions and recommendations. They are attached to and made a part of the Comprehensive Plan.

Appendix E of the Plan outlines the maintenance drainage practices and standards for the City of Garibaldi. Appendix E is also attached to and made a part of the Comprehensive Plan.

A Storm Water Management Ordinance is included in the Plan in draft form.

7. *Streets and Roads:* Evaluate Street and Road conditions and review and revise street classifications and incorporate into the Comprehensive Plan and Zoning Ordinance.

The City does not have a Streets and Roads Master Plan as such, but the Stormwater Management Plan does have a draft Street Ordinance in it. It is attached.

8. *Telecommunications Facilities:* Evaluate the need for and the locations of telecommunications facilities and incorporate into the Comprehensive Plan and Zoning Ordinance.

The City is concerned about the impact of Telecommunications Facilities on the environment and the appearance of the City. Other cities have adopted Ordinances regulating these facilities. Garibaldi will study these Ordinances and adopt an Ordinance for the City.

Sections 3 through 6 of *Transportation Policies* (PAGE 5) are amended as follows:

3. The City may support street vacations where it is demonstrated that the platted right-of-way is inappropriate because of terrain.

5. The City will cooperate with the Oregon Department of Transportation in the implementation of any improvements to U.S. Highway 101 through Garibaldi.

6. The City will work with the Oregon Department of Transportation in the development of improvements to U.S. Highway 101 which will:

- A. Improve the flow of through traffic and reduce congestion.
- B. Enhance vehicular and pedestrian access across Highway 101.
- C. Provide for appropriate parking improvements.
- D. Provide for an appropriate level of landscaping.

7. The City will cooperate with Tillamook County Transportation District to provide public inter-city bus service.

8. The City will continue to encourage the development of sidewalks and bicycle paths in the commercial area of the City.

The following new section is added following Transportation Policies (PAGE 5):

Natural Resources, Scenic and Historic Areas, and Open Spaces Policies:

To protect natural resources and conserve scenic and historic area and open spaces.

This Goal was amended in 1996 which is after the last Periodic Review. It currently requires: *Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.*

The following resources shall be inventoried:

- a. Riparian corridors, including water and riparian areas and fish habitat;
- b. Wetlands;
- c. Wildlife habitat;
- d. Federal Wild and Scenic Rivers;
- e. State Scenic Waterways;
- f. Groundwater resources;
- g. Approved Oregon Recreation Trails;
- h. Natural areas;
- i. Wilderness areas;
- j. Mineral and aggregate resources;
- k. Energy sources;
- l. Cultural areas;

Local governments and state agencies are encouraged to maintain current inventories of the following resources;

- a. Historic resources;
- b. Open space;
- c. Scenic views and sites.

a. Riparian corridors, including water and riparian areas and fish habitat.

This is a new requirement and has not been done in the past. Riparian areas exist along Tillamook Bay, Cannery Creek, Johnson Creek, School Creek, Whitney Brook, Hill Creek, Hobson Creek, and Lagler Creek.

A 25 foot setback is required adjacent to Tillamook Bay to protect riparian vegetation. All of the other creeks and brooks require a fifteen foot riparian setback.

b. Wetlands.

All wetlands are associated with Tillamook Bay and the creeks and brooks listed above.

c. Wildlife habitat.

Most of Garibaldi is classified as Excluded Range for big game. This means that the area is only occasionally used by big game. The northern portion of Garibaldi is designated Major Big Game Range. The City has designated this area Resource Open Space.

Two types of habitat have been determined to be important for upland birds: mineral springs and riparian vegetation along streams. There are no mineral springs in Garibaldi. The city has established a riparian setback to protect riparian vegetation along the streams.

Waterfowl habitat is protected by the Estuarine designation and zoning.

Non-game wildlife includes eagles, herons, ospreys and owes. A great Blue Heron rookery has been identified by the Oregon Department of Fish and Wildlife. The rookery area is located in a stand of conifers north of a residential area. The approximate location is north of Eleventh and Birch Streets. The southern portion of the heron rookery area is designated residential and the remainder is in the Resource Open Space zone.

Hobson and Struby Creeks support fish runs according to the Oregon Department of Fish and Wildlife. In addition these creeks and Lagler Creek are the sites of fish enhancement projects under the STEP program.

d. Federal Wild and Scenic Rivers:

There are no Federal wild and scenic rivers in Garibaldi.

e. State Scenic Waterways;

There are no State Scenic Waterways in Garibaldi.

f. Groundwater resources;

Portions of the City have been identified by the Department of Environmental Quality as a potential major water table area with a sensitive aquifer.

g. Approved Oregon Recreation Trails;

The Oregon Coast Bicycle Route passes through Garibaldi and is already discussed in the Background Report.

h. Natural areas;

No potential ecologically or scientifically significant natural areas are found in Garibaldi.

i. Wilderness areas:

There are no wilderness areas in Garibaldi.

j. Mineral and aggregate resources:

The Department of Geology and Mineral Industries have identified no aggregate sites in Garibaldi.

k. Energy sources:

There are no energy resource sites within Garibaldi such as hydroelectric sites, sites with potential for wind energy or geothermal sites.

1. Cultural areas:

Sites inventoried are:

1. Kil-har-hurst, a principle Indian Village.
2. Squawtown, at Hobsonville, an Indian Village.
3. A third site has been researched. It is under the old grange hall. In 1968-1969, female Indian bones, dishes and other artifacts were found and taken to Portland State University. This site needs more archeological study and analysis.

COASTAL GOALS:

Under Implementation (PAGE 22), Section 1B [A-95 project pre-applications notification by means of referral from and comment to the Clatsop- Tillamook Intergovernmental Council] is DELETED.

ORD. 252
EXHIBIT B
ZONING ORDINANCE AMENDMENTS

Section 1.030 (Definitions) is amended by adding:

Telecommunication facility. A facility designed and used for the purpose of transmitting, receiving, and relaying voice and data signals from various wireless communication devices including transmission towers, antennas and ancillary facilities. For purposes of this section, amateur radio transmission facilities and facilities used exclusively for the transmission of television and radio signals are not "telecommunications facilities".

Section 3.010 (Medium Density Residential Zone (R-1)) 2. Conditional Uses Permitted. is amended by adding:

J. Telecommunication Facilities.

Section 3.030 Commercial Zone (C-1)

2. Conditional Uses Permitted. is amended by adding:

H. Telecommunication Facilities.

Section 3.040 General Industrial Zone (1-1)

2. Conditional Uses Permitted. is amended by adding:

B. Telecommunication Facilities.

ARTICLE 6 CONDITIONAL USES

Section 6.040 Specific Conditional Use Standards. is amended by adding:

2. Telecommunication Facilities are allowed under the criteria of Section 6.020 and when they meet the height limitation criteria of the zone.

Section 3.030 Commercial Zone C-1 is amended as follows:

3. Standards: In a C-1 zone, the following standards shall apply:

C. Building Height: Maximum building height shall be 30 feet.

CITY OF GARIBALDI
ORDINANCE NO. 252 A

AN ORDINANCE AMENDING THE CITY TREASURER ORDINANCE.

SECTIONS

- 1 Spending Authority Amended
- 2 Effective Date

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. SPENDING AUTHORITY AMENDED: Section 6 of Ordinance 242 is hereby amended to read as follows:

“Section 6. SPENDING AUTHORITY: The Council shall by resolution adopt procedures to ensure the prompt and efficient payment of bills.”

Section 2. EFFECTIVE DATE: This Ordinance shall take effect THIRTY (30) DAYS after its passage by the Council and approval by the Mayor.

Passed by the Common Council and approved by the Mayor of the City of Garibaldi, this 17th day of December, 2001.



Mayor

ATTEST:



City Recorder

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