

CITY OF GARIBALDI, OREGON

ORDINANCE NUMBER 333

AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE DESIGNATION FOR THE PROPERTY LOCATED AT TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR)

WHEREAS, the Garibaldi City Council has adopted a Comprehensive Land Use Plan and a Land Zoning Ordinance, most recently amended June 4, 2014, in conformance with Oregon Revised Statutes and Oregon Administrative Rules regulating Statewide Planning Goals; and,

WHEREAS, Jubal and Erin Ince, owners of certain property located at Tax Lot 04000 of Tillamook County Tax Assessor Map 1N1021AD, have proposed to change the Comprehensive Plan and Garibaldi Zoning designation of a portion of the property from Medium Commercial (C-1) to Residential (R-1); and,

WHEREAS, the Garibaldi Planning Commission held a duly noticed public hearing on March 22, 2021 on the proposed amendments; and,

WHEREAS, the Garibaldi Planning Commission has deliberated this proposal and has recommended that the Garibaldi City Council approve the proposed Comprehensive Land Use Plan and Zoning Map change; and,

WHEREAS, the Garibaldi City Council held a duly noticed public hearing on April 19, 2021 on the proposed Comprehensive Land Use Plan and Zone Map amendment as recommended by the Garibaldi Planning Commission's Findings, Conclusions, and Recommendation attached to this Ordinance as **Exhibit A**; and,

WHEREAS, following the public hearing, the Garibaldi City Council deliberated and found that the proposed changes met the relevant and required criteria and accepted the recommendation of the Garibaldi Planning Commission and its findings,

NOW, THEREFORE, THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

- 1 - AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE DESIGNATION FOR TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR)

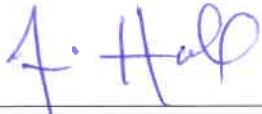
Section 1. The City of Garibaldi Comprehensive Plan Map and Garibaldi Land Use Zoning Map as amended through Ordinance 321 shall be amended so that the property located on Tax Lot 04000 of Tillamook County Tax Assessor Map 1N1021AD, and as this portion is described in a certain document attached to this Ordinance as **Exhibit A**, formerly designated as Commercial (C-1) will be changed to the designation of Medium Residential (R-1).

Section 2. The Planning Official shall make such changes to the City of Garibaldi Comprehensive Plan Map and the City of Garibaldi Zoning Map as are required to implement this amending ordinance.

Section 3. The Planning Official shall keep a record of this amendment in a place convenient to the public to memorialize this amending ordinance.

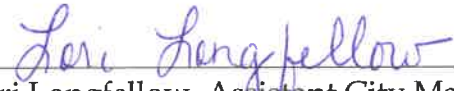
Section 4. This ordinance shall take effect on the thirteenth day after its adoption by council.

ADOPTED by the Council and **APPROVED** by the Mayor this 19th day of April 2021.



Hon. Tim Hall, Mayor

ATTEST:



Lori Longfellow, Assistant City Manager

Attached: **Exhibit A** (Garibaldi Planning Commission's Findings, Conclusions, and Recommendation)

2 - AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE DESIGNATION FOR TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR)

Exhibit A -- AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE FOR TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR) – Page 1

**CITY OF GARIBALDI
PLANNING COMMISSION**

IN THE MATTER OF

A request from Jubal and Erin Ince for a zone map amendment affecting approximately 0.12 acres of land)	FINDINGS, CONCLUSIONS, AND RECOMMENDATION
)	
)	
)	

NATURE OF THE REQUEST:

The City of Garibaldi Planning Commission has received and considered a request from Jubal and Erin Ince, for a zone map amendment (zone change) from C-1 (Commercial) to R-1 (Residential) on Jubal and Erin Ince-owned property described below.

RELEVANT FACTS:

The following is a summary of the background and facts found to be relevant to this decision:

- A. On November 19, 2020 the City of Garibaldi received a completed application from the Jubal and Erin Ince, to request a zone change from Commercial (C-1) to Residential (R-1) affecting approximately 0.12 acres. All application materials are a part of the record and incorporated into this document by reference.
- B. The City provided both mailed and published notices of the public hearing to consider the proposed amendment, in accord with Oregon Revised Statutes Chapter 197 and Garibaldi Municipal Code Chapter 18.210.020.
- C. A staff report which provides details of the proposal was issued on March 10, 2021. The report provides an analysis of the proposal including the applicable criteria under review and staff comments to support findings in the event of approval by the Planning Commission. The staff report is a part of the record and incorporated into this document by reference.

Exhibit A -- AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE FOR TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR) – Page 4

minimum supply of residential and commercial zoning in compliance with Goal 10. The City currently has a surplus of R-1 land and will still have a surplus with this zone change. Therefore, the request is consistent with Goal 10 of the Statewide Planning Goals.

- B. The zone change will help preclude the potential for non-residential land use being located in this residential area.
- C. The City Engineer and Systems Operator stated that water, sanitary sewer and access are existing at the property.
- D. Planning staff comments provided in the staff report address applicable Garibaldi Comprehensive Plan policies that support the request. Those staff comments are adopted by reference as findings to support an approval of the request.

CONCLUSIONS:

The Planning Commission concludes:

- A. The proposed amendment to the Garibaldi Zone Map is in the interest of the public, because it will allow a residential neighborhood to remain residential in the future.
- B. The proposed zone map amendment is consistent with Statewide Planning Goal 10 because it maintains its minimum supply of Residential (R-1-Zoned) lands.
- C. The proposed zone map amendment is consistent with the Garibaldi Comprehensive Plan Policies pertaining to Procedures and the Community Development Pattern.
- D. The proposed amendment satisfies the Garibaldi Municipal Code requirements for quasi-judicial zone map amendments.

RECOMMENDATION:

Based on the Findings and Conclusions above, the Planning Commission recommends to the Garibaldi City Council that the proposed zone map amendment be approved, being a matter of public need and for continued orderly development within the City.


Exhibit A -- AN ORDINANCE AMENDING THE GARIBALDI COMPREHENSIVE PLAN MAP AND THE GARIBALDI ZONING MAP TO CHANGE THE LAND ZONE FOR TAX LOT 04000 OF TILLAMOOK COUNTY TAX ASSESSOR MAP 1N1021AD IN CONFORMANCE WITH THE GARIBALDI COMPREHENSIVE PLAN, GARIBALDI MUNICIPAL CODE TITLE 18, STATEWIDE PLANNING REGULATIONS, OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR) – Page 5

RECOMMENDATION APPROVED THIS 24th DAY OF MARCH, 2021.



Roger Cooper,
Planning Commission Chair

ATTEST:



Lori Longfellow
Garibaldi Assistant City Manager

