

# CITY OF GARIBALDI COMPREHENSIVE PLAN

February 13, 1990  
AMENDED  
October 2003  
June 19, 2006 (Ord. No. 289)

## NOTES ON THE COMPREHENSIVE PLAN:

*[This is NOT annotated. The extensive chapter on "Estuary & Shorelands Policies" is a separate section, as is the "Transportation System Plan" material added in October 2003.]* Includes amendments in October 2003 that incorporated the new Transportation System Plan. Chapter 5 of the TSP was made a section of the Comp Plan, and the entire TSP became an Appendix to the Comp Plan. The TSP is a bulky document, is in a separate report, and serves as the City's Street and Transportation Master Plan.

In June 2006, the Council adopted five new sections to the Comp Plan based upon work funded through a DLCD Technical Assistance grant. Updated chapters were "Housing," "Economy," "Parks and Recreation," and "Public Facilities." A "Waterfront Concept Plan" was added to the "Estuary and Shoreline Policies" chapter as well. These updated chapters are more extensive than the original chapters and include updated information that had previously been located in the Background Report.

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## **I. PROCEDURAL POLICIES**

- A. The development and amendment of the Comprehensive Plan shall be coordinated with the plans and programs of other jurisdictions and agencies that have an impact on land use in the City. These jurisdictions include: the Port of Garibaldi, Tillamook County and the State Highway Department.
- B. A change in the Comprehensive Plan shall occur only after the Planning Commission and the City Council have each held a public hearing. Public notices shall be published at least ten days prior to the public hearing dates.
- C. Exceptions to specific State-wide Planning Goal requirements shall be adopted as an amendment to the Comprehensive Plan. Exceptions shall be in conformance with the requirements of State-wide Planning Goals, Goal 2, Land Use Planning and OAR 660-04-000 through 660-04-35. Notice of a public hearing on a proposed exception shall note the requirements from which an exception is being taken and a brief description of the issues involved.
- D. Amendments to the Comprehensive Plan shall be found to be consistent with other pertinent Comprehensive Plan policies.
- E. A major review of the Comprehensive Plan shall be undertaken as required by the State mandated periodic review schedule. Minor plan revisions may occur as needed to address specific issues.

## **II. CITIZEN INVOLVEMENT POLICIES**

- A. Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the City, including the collection of data and the development of policies.
- B. The Planning Commission shall be representative of the wide diversity of views and interests in the community.
- C. Technical information, such as the Plan background data, the Comprehensive Plan, and City ordinances shall be available to the public at nominal cost.
- D. Citizens shall receive responses to their comments to decision makers, either directly at meetings, in the minutes of the meetings, or by written correspondence.
- E. A taped record of each meeting shall be kept in City Hall and made available to persons wishing to listen to it. A written summary of the meetings shall be made available through the City Recorder at the individual's expense.

F. Adequate financial resources shall be made available for the operation of the City Planning Commission.

### **III. COMMUNITY DEVELOPMENT PATTERN**

A. The City will protect existing residential neighborhoods from conflicting or inappropriate land uses. Where non-residential land uses are located in residential areas, the City will require that measures be taken to minimize the impact of such uses on adjacent residential areas.

B. The City encourages innovative site design, through planned unit development and cluster provisions, for new residential developments in order to avoid hazardous areas, protect open space and lower development costs.

C. The density of residential development should be in accordance with site conditions and the capacity of city services and facilities.

D. Commercial uses and other high intensity land uses are encouraged to remain clustered around the present downtown core of the City in order to create as pedestrian oriented a commercial district as possible. Commercial uses with high traffic generation should be located at the eastern or western end of the commercial area.

E. Where new commercial uses abut a residential zone, site design measures should be required to minimize potential adverse impacts on the residential zone. Particular attention should be given to minimizing traffic impacts.

### **IV. AIR AND WATER QUALITY POLICIES**

A. The City will cooperate with the Department of Environmental Quality in implementing State air and water quality standards.

B. The City will control storm runoff, sedimentation and erosion resulting from urban development through its subdivision ordinance.

C. The City will cooperate with the Department of Environmental Quality to minimize noise pollution problems in the area.

D. The City's actions shall be consistent with State and Federal Hazardous waste regulations.

E. The City will continue to cooperate with Tillamook County in finding cost-effective long-term solutions to the County's solid waste disposal problem.

F. Portions of the City have been identified as potential major water table areas with a sensitive aquifer by the Department of Environmental Quality (DEQ). The DEQ has not yet implemented its program for protecting such areas. At the appropriate time, the City will coordinate with the DEQ in the implementation of its program for water table areas with sensitive aquifers. The DEQ anticipates this program may have an effect on the placement of underground storage tanks.

## **V. GOAL 8 – PARKS AND RECREATION**

*[NOTE: Chapter V “Parks and Recreation” was produced by Cogan Owens Cogan, Portland, Ore. through a DLCD Technical Assistance Grant and formally adopted by Council through Ord. No. 289 on June 19, 2006.]*

### **A. Existing Park Lands and Facilities**

Garibaldi is adjacent to Tillamook Bay, close to the Pacific Ocean, its beaches and to the Coast Range Mountains. These three environments provide opportunities for a diversity of recreational activities. The types of recreation within easy reach of Garibaldi residents include fishing, clamming, crabbing, hunting, camping, bird-watching, picnicking, boating and hiking.

The City of Garibaldi currently uses approximately four acres (3.93) of land for active park and recreation use within the urban growth boundary (UGB). There are two sites currently available in Garibaldi for neighborhood recreation use.

Lumberman’s Park is operated by the Lions Club on Port of Garibaldi-owned property. The park is approximately 1.68 acres and its use is centered on its picnic facilities (see parks map, parcel 58). Its facilities include a pavilion, seven picnic tables, a concessions stand, children’s playground equipment and a 1927 Baldwin Steam Engine.

The Garibaldi Elementary School, owned by the Neah-Kah-Nie School District, has playground equipment and a playfield area. Recreational facilities on the 2.25-acre site include a soccer field, an informal ball field backstop, children’s playground equipment, and a basketball hoop in the parking lot (see parcel 9).

A three-acre heron rookery just outside the UGB but within a Sensitive Bird Habitat Overlay Zone serves as open space for Garibaldi residents and visitors (see parcel 34). Open spaces are defined as unimproved, natural areas intended for passive uses, such as wildlife viewing and hiking. The City owns a right-of-way abutting the eastern-most corner of the lot which may be used in the future for interpretive signage or viewing area.

The Bay Shore Trail is Garibaldi’s only existing trail. The trail has deteriorated since its development. The Bay Shore Trail has been identified as a priority in the Garibaldi Connections Project in the “Park and Recreation Opportunity Sites” section.

## B. Park Lands and Facilities Needs

The National Recreation and Park Association (NRPA) has developed standards to reflect the amount of space that communities should provide for various recreational activities. These standards are based on service areas and assume a need for a certain amount of land or facilities to serve a given number of residents. NRPA recommends park acreage and facilities for every 1,000 residents. However, the NRPA now encourages communities to set their own standards and use these numbers only as a guideline.

Using NRPA standards, which call for 10 acres of park land per 1,000 people, the City of Garibaldi should have approximately 9.61 acres of parks and open space to accommodate the current population of 961. The 3.93 acres of land dedicated to parks and open space leaves a current need of 5.68 acres of park land. These standards also recommend that Garibaldi residents have access to children's playground equipment. While the two children's playground areas exceed the recommended standard, additional children's playground equipment could be sited in areas that are currently underserved, such as the residential area in the northeast portion of the city.

Demographic projections estimate that Garibaldi will have a population of approximately 1,360 people in 2025<sup>1</sup>. The NRPA recommends that the city have 13.6 acres of park land to accommodate its residents. This leaves a need for an additional 9.67 acres of park land over the next 20 years. Use of the NRPA standards would not result in a need for any additional specific park facilities related to expected increases in population.

**Table 1. Park Lands Needs**

	<b>Current</b>	<b>20-Year</b>
Supply	3.93	3.93
Standard	9.61	13.60
Need	5.68	9.67

Source: Cogan Owens Cogan

<sup>1</sup> Source: Oregon Office of Economic Analysis and Cogan Owens Cogan

## C. Park and Recreation Opportunity Sites and Possible Future Sites

The City of Garibaldi owns three properties that are "opportunity sites" for future park use. The "Reservoir Lot" is approximately 0.75 acres in size (see parcel 13). This land was donated to the city for use as a park; however, the City's Public Works Department has identified the site for a future water reservoir. Future park elements are proposed to include "water works" park features that incorporate the utility infrastructure into the park theme.

The "Grange Hall" is approximately 0.20 acres (see parcel 51). The County donated this property to the city for use for recreational and/or open space. There are tentative plans to develop this parcel into a picnic area and park. The Native American connection to this

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<sup>1</sup> Source: Oregon Office of Economic Analysis and Cogan Owens Cogan

land should be honored in any development of the site. The vacant lot adjacent to Grange Hall is targeted for acquisition and development as a public park. This 0.51-acre site could be developed to include an amphitheater (see parcel 50).

Two additional parcels of 0.16 and 0.37 acres were designated as open space by the City as part of the subdivision plat. However, steep slopes prohibit any active recreational uses on the sites.

A proposal for new mixed-use development on the “Old Mill” site along the waterfront includes approximately 5.0 acres of park lands. Open space would be incorporated throughout the site and specifically along the entrance to the site (see parcel 56) and surrounding the smoke stack (see parcel 57). A path network is proposed along the perimeter of the peninsula, as well as throughout the interior of the site.

The Garibaldi Connections Project, conducted by 1000 Friends of Oregon, identified points of interest to be incorporated into a future “loop” trail that connects both the residential and commercial parts of Garibaldi. The report recommends the following parks and recreational developments:

- Miami Cove Shoreline & Water Trail along the northern shore of Miami Cove
- Redevelopment of the junkyard into a natural park with a kayak launch to Miami Cove
- An entry point to the Water Trail by the Old Mill chimney
- Trails along the perimeter of and throughout the Old Mill peninsula
- An additional marina on the southwest side of the Old Mill peninsula
- A second trail access point north of the trailer homes from the port (east) to the existing scenic trail along the sandy beach
- Enhanced visibility of the entry to the water trail by the Mariners’ Monument and a kayak launch point
- Improve the Bay Shore Trail, enhancing access to Garibaldi Beach
- Upgrade the current Miller’s property as a formal access point to the Sandy Beach Trail
- Enhance the Pier’s End kayak launch

Table 2 shows both existing and planned park lands.

**Table 2. Existing and Planned Park Lands**

	<i>Current</i>
Existing parks	3.93
Possible parks	*8.46
Supply (Total)	12.39

\* Estimate based on acreage of Grange Hall, reservoir, amphitheater, and Old Mill sites, as well as an approximation of acreage for the junkyard and other Garibaldi Connections Project recommendations (10 total acres). These parcels are not owned by the city, but have been targeted as sites with potential for future park use.

Source: Cogan Owens Cogan

In addition to parcels planned for park use, a number of privately-owned, residential lots are smaller than the minimum residential lot size of 5,000 square feet and therefore are too small for residential development. Other lots are not suitable for development due to environmental constraints. These lots total more than seven acres (7.25) of possible park land (outlined in yellow). Additional land for trails may be acquired by vacating street rights-of-way, particularly those adjacent to riparian buffers. It is recommended that the City explore the possibility of acquiring one or more of these properties for park and recreational purposes.

#### **D. GOALS AND POLICIES**

1. Goals
  - a. Provide a range of park and recreational facilities to meet the needs of residents and visitors.
  - b. Assure the availability and accessibility of park and recreational facilities to meet the needs of people of all ages.
  
2. Policies
  - a. Work with the Neah-Kah-Nie School District to utilize Garibaldi Elementary School facilities for public recreational use.
  - b. Encourage the Port of Garibaldi to expand its boat basin in order to provide additional boat moorage opportunities.
  - c. Promote connections between parks and recreation areas throughout the city.
  - d. Prior to vacating unused or unusable street rights-of-way, consider such parcels for public open space use.
  - e. Investigate a variety of tools to fund the development and maintenance of park and recreational facilities including system development charges, user fees, private donations or the dedication of land through new development, and public/private partnerships.
  
3. Actions
  - a. Acquire and develop the reservoir, Grange Hall and amphitheater sites.
  - b. Work with developers of the Old Mill site to ensure that adequate park lands are incorporated into new development.
  - c. Incorporate recommendations from the Garibaldi Connections Project as funding and land become available.
  - d. Identify potential street rights-of-way that are not expected to be used for roads for possible future use as public open space, particularly those adjacent to riparian buffer areas.
  - e. Consider acquisition of parcels not suitable for development due to size or environmental constraints.

## VI. HOUSING

*[NOTE: Chapter VI "Housing" was produced by Cogan Owens Cogan, Portland, Ore. through a DLCD Technical Assistance Grant and formally adopted by Council through Ord. No. 289 on June 19, 2006.]*

### A. Requirements

Statewide Planning Goal 10 requires cities to plan for future housing needs. More specifically, it requires them to provide opportunities for the development of adequate numbers of needed housing units at price ranges and rent levels that are commensurate with the financial capabilities of Oregon households. It also requires that they allow for flexibility of housing locations, types and densities. They are required to ensure that there is enough land within their urban growth boundary (UGB) to meet these needs for a 20-year period. The following steps have been taken to ensure that the City of Garibaldi meets these objectives:

1. Conducted an inventory of "buildable" land within the city's UGB that is zoned to allow for housing development.
2. Identified long-term (20-year) needs for additional housing, considering the following factors:
  - a. Recent, current and expected future population trends related to household size, income and age.
  - b. Housing market characteristics, including the current mix of housing, cost of different types of housing, vacancy rates and other factors.
  - c. Types of housing allowed by different zoning classifications.
3. Identified needed number of new housing units by housing type and associated needed land in each zoning designation.
4. Compared the supply of land in different zones to the estimated need for housing in each zone to ensure there is enough land within the city's UGB and that it is zoned appropriately to meet long-term housing needs.

The remainder of this chapter describes these efforts and the resulting findings. It is a snapshot in time of the ability of the City to meet long term needs of future residents and should be reassessed and updated periodically to ensure that the City can continue to meet these needs.

## B. Findings

### 1. Population and Housing Trends

The 2005 population of Garibaldi was estimated to be 961<sup>2</sup>, compared to 899 in 2000 and 904 in 1990. In 2005, there were an estimated 471 households in Garibaldi, compared to 369 in 1990. This information is generally consistent with approved, coordinated population forecasts prepared by Tillamook County, which show a projected 2005 population of between 969 and 1,234. There were an estimated 617 housing units in Garibaldi in 2005, indicating a vacancy rate of approximately 24%, compared to vacancy rates of 25% and 21% in 2000 and 1990, respectively. Year 2000 Census data indicates that about 18% of all housing units were used for seasonal occupancy (i.e., second/vacation homes). These figures translate to an average annual population growth rate of just under 2% per year (between 1990 and 2005) and a slightly higher annual increase in housing units.

In 2005, average and median home values were approximately \$188,000 and \$149,000, respectively, with 46% of homes in the \$100,000 - \$200,000 price range (see Table 1).

**Table 1. Value of Owner (Non-Rental) Units, 2005**

<b>Home Value</b>	<b>% of Total</b>
Less than \$50,000	15%
\$50,000-\$99,999	9%
\$100,000-\$149,999	28%
\$150,000-\$199,999	18%
\$200,000-\$299,999	18%
\$300,000-\$399,999	6%
\$400,000-\$499,999	3%
\$500,000-\$749,999	4%
\$750,000-\$999,999	<0.6
\$1,000,000 and Above	<0.8
	100%
<b>Total Housing Units</b>	<b>617</b>

Source: US Census, ESRI BIS

Most homes in Garibaldi are single-family dwellings (over 70% in 2000), with mobile homes accounting for the bulk of the remainder (23%) according to the 2000 Census. However, since that time, a number of mobile homes within the Upper Biak mobile home park have been removed or abandoned. As of 2006, much of that area was expected to be converted to single-family home and condominium sites. The current supply of manufactured homes within parks and on individual lots is estimated to be approximately 100, or 16%.

Garibaldi also has land that is used by a significant number of recreational vehicles (RVs).

<sup>2</sup> ESRI Business Information Systems, 2006.

According to City of Garibaldi Transient Room Tax remittance forms, Garibaldi has five Recreational Vehicle (RV) Parks with a total of 158 RV spaces. In June of 2005, three of these parks were open to the public, totaling 90 RV spaces. During a City of Garibaldi audit of transient availability for the summer of 2005, only four of the 90 spaces were available for transient use. While RVs are not legally considered permanent residences, practically speaking they historically have represented a source of affordable housing in the community.

**Table 2. Housing Units by Structure and Occupancy, 2000**

<b>Unit Type</b>	<b>Total</b>	<b>Occupied</b>
1 Unit Detached	69.4%	69.1%
1 Unit Attached	1.2%	0.7%
2 Units	2.4%	2.5%
3 or 4 Units	1.2%	1.6%
5-9 Units	1.7%	2.3%
10-19 Units	0.5%	0.7%
20-49 Units	0.0%	0.0%
50+ Units	0.0%	0.0%
Manufactured Homes	22.7%	21.9%
Other	0.9%	1.2%
	100%	100%
<b>Total Units</b>	<b>578</b>	<b>434</b>

Source: U.S. Census

Garibaldi's population is projected to increase by approximately 1.8% per year over the next 20 years, consistent with growth rates during the last 15 years. The number of housing units is projected to grow by a slightly higher rate, similar to trends experienced during the last several years in Garibaldi and other coastal communities. This assumes a similar average household size and somewhat higher vacancy rate, compared to 2005 conditions. These trends are projected to result in an increase of 316 housing units during the next 20 years. Again, these figures are consistent with the Tillamook County coordinated population forecasts. Those forecasts included low and high population projections. The low and high 2025 forecasts for Garibaldi were 1,190 and 1,516, respectively. A projection of 1,362 is almost exactly in the middle of these forecasts.

**Table 3. Historical and Projected Future Population, Households and Housing Units, 1990 - 2025**

	<b>1990</b>	<b>2000</b>	<b>2005</b>	<b>2025</b>
Population	904	899	961	1,362
Households	369	436	471	681
Housing Units	487	584	617	933
Average household size	2.44	2.06	2.02	2.00
Vacancy Rate	22%	25%	24%	27%

Source: U.S. Census and Cogan Owens Cogan

## 2. FUTURE NEEDED HOUSING TYPES

The following trends are expected to affect the need for different types of housing:

- a. Increasing cost of land and housing in coastal and other communities throughout Oregon.
- b. Relatively modest increase in wages, consistent with trends during the last 10 years.
- c. Proposals for a mix of housing units in the waterfront area as part of a new development, with more emphasis on single-family detached housing.
- d. Continued need for relatively low cost housing for workers in the retail/tourism sector.
- e. Migration of telecommuting households to communities such as Garibaldi with recreational and scenic amenities, some of which will desire larger, more expensive homes.
- f. Continued expansion of the second home market in coastal communities such as Garibaldi.
- g. Relatively higher costs to develop land in constrained areas within the Garibaldi UGB.

These factors and conditions are expected to have the following impacts on the need for different types of housing in Garibaldi:

- a. Continued need for some manufactured housing as a potential supply of low-cost, workforce housing that meets the needs of workers with low-wage jobs in Garibaldi.
- b. Increased need for multi-family and single-family attached housing as a potential supply of low and moderate-cost housing.
- c. Continued supply of single-family detached housing, including an increasing supply of higher-priced homes on larger “view” lots on existing large, undeveloped properties on hillsides within the Garibaldi UGB, consistent with recent trends in Garibaldi and other coastal communities and with the higher cost of building homes in such areas.

The following table identifies current and projected percentages and numbers of homes by housing type in Garibaldi.

**Table 4. Existing and Projected Future Housing Units by Type, 2005 - 2025**

Unit Type	Housing Units			
	2005		2025	
	Number	Percent	Number	Percent
1 Unit Detached	478	77.5%	620	66.5%
1 Unit Attached	7	1.2%	70	7.5%
Duplexes	15	2.4%	47	5.0%
Triplexes, fourplexes	7	1.2%	37	4.0%
5 or more units	17	2.7%	47	5.0%
Mobile Home	93	15.0%	112	12.0%
<b>Total Units</b>	<b>617</b>		<b>933</b>	

Source: U.S. Census and Cogan Owens Cogan

### 3. FUTURE LAND NEEDS

The amount of land needed for future housing depends on the number of housing units expected and the average density (or lot size) at which they are developed. State regulations require that the City estimate the amount of land needed in each zoning designation where housing is allowed. In Garibaldi, housing can be constructed in residential (R-1) and commercial (C-1) zones, as well as one of its water-dependent (WD-2) zones. Currently, housing is generally distributed among these zones as follows:

- a. Most existing mobile or manufactured homes (in parks and on individual lots) are located in R-1 zones; some are located in the WD-2 zone.
- b. Duplexes, triplexes, and quads are split between R-1 and C-1 zones.
- c. All multi-family housing with five or more units per structure is in a C-1 zone.
- d. Remaining dwellings in C-1 zones are single-family homes.

Similar trends are expected in the future. In addition, a relatively significant amount of new housing is proposed for the WD-2 zone on the city's Old Mill site. It is expected that much of the projected single-family attached housing would be located in this area. The following distribution among zones is expected:

- a. A significant portion of future multi-family units could be located in mixed-use developments in commercial or waterfront development zones; others would be located in the R-1 zone.
- b. Mobile homes will continue to be located primarily in R-1 zones.
- c. A mix of attached and detached single-family units (e.g., townhouses) would be located in the waterfront development zones; additional single-

family detached or mixed-use units could be located in the commercial zone.

- d. Other single-family (detached) homes would be located in the R-1 zone, including some on larger lots in larger vacant areas within the UGB in the hillsides above existing residential areas.

The following table summarizes the location of all total future housing units by city zoning designation based on the assumptions above. As noted above, it reflects the assumptions above and should be considered to be a projection. It does not require a certain distribution among different zones or preclude a different percentage or number of housing units be built in any given zone or area, assuming there is adequate land to accommodate them. For example, a higher number of units than projected above currently are proposed for the Old Mill site. If that proposal is implemented, some of the assumptions in this analysis about the level of growth and amount of land needed to meet long-term housing needs may need to be refined.

**Table 5. Projected Total Future Housing Units by Housing Type and Zoning Designation, 2025**

Housing Type	R-1		C-1		WD-2	
	Percent	Number	Percent	Number	Percent	Number
1 Unit Detached	75%	465	10%	62	15%	93
1 Unit Attached	20%	14	40%	28	40%	28
Duplexes	40%	19	40%	19	20%	9
Triplexes, fourplexes	40%	15	40%	15	20%	7
5 or more units	40%	19	40%	19	20%	9
Mobile Home	100%	112	0%	0	0%	0
<b>Total</b>		<b>644</b>		<b>143</b>		<b>146</b>

Source: Cogan Owens Cogan

The following table indicates the number of new housing units and amount of land needed for each type of housing in each zoning designation. Average densities in housing units per acre are shown as “net densities,” i.e., not including land needed for roads and other public services because such areas already have been subtracted from the supply of buildable land.

**Table 6. Projected Future New Housing Units and Land Needs by Housing Type and Zoning Designation, 2005 - 2025**

New Units	R-1		C-1		WD-2		Density (DU/acre)
	Units	Acres	Units	Acres	Units	Acres	
1 Unit Detached	49	9.8	0	0.0	93	18.6	5
1 Unit Attached	10	1.0	25	2.5	28	2.8	10
Duplexes	11	1.4	12	1.5	9	1.1	8
Triplexes, fourplexes	11	0.9	12	1.0	7	0.6	12
5 or more units	19	1.0	4	0.2	9	0.5	20
Mobile Home	19	1.6	0	0.0	0	0.0	12
<b>Total</b>	<b>119</b>	<b>15.6</b>	<b>53</b>	<b>5.2</b>	<b>146</b>	<b>23.6</b>	

Source: Cogan Owens Cogan

Based on this analysis and set of assumptions, the City of Garibaldi has adequate land within the UGB to meet future housing needs.

#### 4. GOALS

- a. Provide opportunities for development of housing in a range of types and price ranges to meet the needs of future residents.
- b. Support maintenance and rehabilitation of the community's existing housing stock.
- c. Support the efficient development of housing and land to minimize environmental impacts and provide public services in a cost-effective manner.

#### 5. POLICIES

- a. Zone adequate land to meet identified future housing needs for a broad range of housing types, including single-family attached and detached homes, manufactured homes, duplexes and multi-family dwellings.
- b. Support efforts of public, private and nonprofit entities to provide needed low and moderate-income housing.
- c. Provided opportunities to cluster development, through the planned unit development provisions of the zoning ordinance, as a method of minimizing development impacts in areas with sensitive natural features.
- d. Encourage development of housing in locations that are easily accessible through walking and bicycling to municipal and commercial services and facilities.
- e. Provide flexibility in development regulations to develop sites with unique conditions in an environmentally-sensitive manner.
- f. Encourage the use of sustainable development and building materials including use of energy-efficient materials and design principles.
- g. Allow for manufactured housing to be located in all residential zones, consistent with Oregon law.
- h. Encourage and support the development of housing units in conjunction with commercial development (e.g., housing located above commercial uses) to provide diversity and security in commercial areas and a range of

housing options.

- i. Comply with federal and state fair housing laws that affirm access to housing opportunities for all people in Garibaldi.
- j. Allow for accessory dwelling units (i.e., “granny flats”) for permanent residents in residential zones, consistent with other city goals and policies.

## 6. STRATEGIES

- a. Help identify opportunities for builders and developers to consolidate buildable land to promote more efficient development.
- b. Regularly update the city’s inventory of buildable land (approximately every five years or more frequently if the rate of growth is more rapid) and use it both to identify housing development opportunities and assess the ability to meet future housing needs.
- c. Examine the city’s zoning ordinance and development regulations to ensure that they include adequate provisions to protect environmental resources, provide flexibility in developing unique sites, allow for a broad range of housing types and do not create barriers to the creation of affordable housing.
- d. Work with the development community to ensure creation of new housing that meets identified future needs.
- e. Consider adoption of commercial and mixed-use design guidelines or standards to ensure that new mixed-use development is consistent with community character and enhances Garibaldi’s attractiveness and livability and addresses accessibility and other design issues.
- f. Monitor public facility capacity to ensure that proposed new housing can be adequately served by water, sewer, transportation, drainage and other public facilities.
- g. Update the city’s zoning ordinance to include provisions for accessory dwelling units targeted to permanent residents. Ensure regulations address issues related to accessibility, impacts on adjacent residents and adequate public and other facilities.
- h. Work cooperatively with nonprofit housing developers (e.g., Habitat for Humanity) to support the development of affordable housing; assist in identifying potential sites for such housing and explore the feasibility of donating city-owned property for such purposes.

## **VII. HAZARDS**

- A. 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.
- B. The requirements of the City's Flood Damage Prevention Ordinance shall be used to regulate development in identified flood hazard areas.

## **VIII. ENERGY POLICIES**

- A. The City supports energy conservation efforts including:
  - 1. Programs undertaken by the Tillamook County Public Utility District;
  - 2. Efforts of organizations to weatherize and insulate homes of low income persons; and
  - 3. Tillamook County's recycling program.

## **IX. URBAN GROWTH BOUNDARY POLICIES**

- A. The City and Tillamook County shall establish an urban growth boundary management agreement that establishes Garibaldi as having the primary authority for making land use decisions within the urban growth boundary.
- B. Changes in the urban growth boundary shall be permitted only with the mutual finding by the City and County that the following criteria have been met:
  - 1. There is a demonstrated need to accommodate long-range urban population growth;
  - 2. There is a need for housing, employment opportunities and livability that the change would provide;
  - 3. The change would result in an orderly and economic provision for public facilities;
  - 4. The change would allow for efficient land use and utility patterns;
  - 5. Environmental, energy, economic and social consequences;
  - 6. Changes in the Urban Growth Boundary shall also conform to the procedures and requirements of Goal #2, Part II, Exceptions.
- C. Annexations of land to the City limits shall be permitted where the following criteria have been met:
  - 1. Adequate sewer and water system capacity is available at the time of the request and the services can be extended in an orderly and economic fashion.

## **X. GOAL 11 - PUBLIC FACILITIES**

*[NOTE: Chapter X "Public Facilities" was produced by Cogan Owens Cogan, Portland, Ore. through a DLCD Technical Assistance Grant and formally adopted by Council through Ord. No. 289 on June 19, 2006.]*

The City of Garibaldi must be able to provide adequate public facilities and services to support the community's growth and quality of life. To date, Garibaldi has been successful in its efforts to provide services and facilities adequately. The community's ability to continue this trend will have a direct bearing on future growth. This Public Facilities Element is intended to generally describe existing facilities and services, improvements needed to accommodate future forecasted growth and available funding sources. To meet the needs of future growth and development, Garibaldi will have to continue to upgrade existing facilities and services while also finding new and, perhaps, innovative methods of meeting demands.

For the purposes of this Comprehensive Plan and consistent with Oregon statutes and administrative rules, this element of the Plan focuses on those facilities covered under Statewide Goal 11 (Public Facilities) and which are provided primarily by the City or in close partnership with local utilities, including the following:

- Water
- Wastewater
- Stormwater
- Transportation

For each of these types of services, the Plan includes information related to existing conditions, future plans, and financing strategies and sources. This section of the plan also includes goals, policies and strategies related to public facilities. Proposed specific capital improvements are described in the city's facility master plans.

### **A. Existing Public Facilities Conditions**

#### **1. Water**

Garibaldi adopted a Water System Master Plan prepared by HGE, Inc. in 2004. The city currently relies on two developed groundwater sources to supply the city's water needs. The wells are located approximately one mile northeast of Garibaldi, near the confluence of Moss Creek and the Miami River. Lagler Creek and Struby Creek serve as an emergency supply. The system includes three ground-level reservoirs and three pump stations. There is one relatively large upper-level pressure zone and two small upper-level zones. Distribution mains within the city total over 13 miles and range in diameter from 1½ inches to 10 inches. Funding for the water system comes from an existing water fund balance, rate revenue and various grants and fees.

## 2. Wastewater

Garibaldi adopted a Wastewater Facilities Plan prepared by GHE, Inc. in 1998 and revised it in 1999. The City owns and operates a wastewater system originally constructed in the 1940s and 1950s. The system consists of a gravity flow collection system with five pump stations and a wastewater treatment plant. The existing treatment facility is a complete-mix activated sludge plant constructed in 1972. In addition to revenue from billing rates, Garibaldi may use one or more of the following sources to fund needed wastewater maintenance activities and improvements:

- Sale of bonds by acquiring federal or state grants and/or loans
- Special assessments
- Local Improvement Districts
- Serial levies
- Capital improvements funds
- Systems development charges

## 3. Stormwater

Garibaldi adopted a Stormwater Management Plan, prepared by Wallis Engineering, in 1995. Currently, most city streets are unimproved and therefore lack curbs. Except for a small area in the south part of the city, stormwater is discharged to open channel drainageways that extend in a north-south direction throughout the city. Most of the runoff from the streets flows to adjacent yards and percolates into the ground through the soil or runs downhill to the drainageways. Additional growth and runoff has created capacity problems in the conveyance system throughout the city. It also has resulted in ponding in some residential areas. The City's Stormwater plan recommends that Garibaldi fund capital improvements through the Community Development Block Grant Program and explore options for establishing a drainage utility to fund system maintenance.

## 4. Transportation

Garibaldi's Transportation System Plan (TSP), prepared by CH2M Hill and Angelo Eaton & Associates, was adopted in 2003. The TSP establishes a system of transportation facilities and services adequate to meet the city's transportation needs to the year 2022. Road ownership in Garibaldi is shared by the Oregon Department of Transportation, Tillamook County, the Port of Garibaldi and the City. The City has an arterial and collector street system to serve existing and future land development. U.S. 101 is the only designated arterial. Miami Foley Road, located outside Garibaldi's urban growth boundary, is designated as a rural major collector. All other roadways are designated as local roads. Overall, approximately 7.5 miles of city streets are paved and 2 miles are unpaved. The majority of street intersections are controlled by stop signs. Except along U.S. 101 and the Port of Garibaldi area, the pedestrian system does not provide consistent

connectivity. Sidewalks and/or shoulders are infrequent. Garibaldi's primary source of transportation revenue is state gas tax revenue.

## **B. Future Public Facilities Conditions**

### **1. Water**

A year 2025 population of 1,190 was projected using the "low growth" estimate from the city's recent periodic review. Using this average annual growth rate of 1.13%, the year 2025 average water demand will be approximately 30% higher than current demand.

Water rights are adequate for the planning period. Future growth beyond the planning period may require using numerous surface water rights not in use by the City. Development of surface water sources would necessitate treatment and considerable expense. The City should pursue conservation as a means of limiting the need for additional source development.

The most important water issue for the city is that of lost water. Reduction of lost water to a level of approximately 28% results in production requirements for year 2025 that are identical to current conditions. The Master Plan makes recommendations to help the City achieve its goal to reduce unaccounted-for water from 50% to 10% of the supply:

The city's large concrete reservoir was constructed more than 75 years ago and has numerous deficiencies. It has effectively outlived its useful and reliable life and it should be replaced with a new 700,000-gallon reservoir and pump station. In addition, the existing steel reservoir is in need of rehabilitation. Other recommendations include improving disinfection methods, completing transmission lines and enhancing the hydraulic system. These plans may need to be accelerated to accommodate the proposed Old Mill development. In addition, water lines will need to be constructed to serve the Old Mill site if it is redeveloped. A new, higher reservoir or pump station will be needed to serve new developments on land along the northern portion of the urban growth boundary.

### **2. Wastewater**

The planning period for Garibaldi's wastewater system is through the year 2023. A projected population of 1,449 reflects a 1.5% average annual growth rate. Approximately 25% of the sewer collection lines meet current standards. The following deficiencies will need to be addressed to provide wastewater collection and treatment to all areas expected to be developed through 2023:

- Inadequately-sized main pump station
- Insufficient treatment (hydraulic) capacity
- Digester and sludge-holding facilities

- Lack of grit-removal facilities
- Worn-out equipment
- Lack of disinfection facilities
- Inadequate laboratory space
- Undersized emergency power generator
- Serious roofing problems

### 3. Stormwater

The Stormwater Management Plan recommends discharging stormwater to open channel drainageways. Additionally, it suggests that the City rely upon strict development standards regarding the use of biofiltration swales or sediment ponds to address erosion problems and protect and improve water quality. Curbs and gutters with piped drainage to drainage swales also may be required for streets serving new development, including U.S. 101. The City is expected to work with property owners and developers to implement some combination of these facilities as properties are developed or redeveloped to provide adequate stormwater drainage and minimize impacts on the city's existing system, as well as to the natural environment.

### 4. Transportation

Recommended improvements for Garibaldi include several intersection upgrades along U.S. 101 and the railroad to enhance traffic and pedestrian safety. Many local roads that serve lower volumes of traffic are in poor condition and pavement improvements may be necessary. It is possible that areas with steep slopes cannot be served due to state regulations. The TSP recommends several street connections to improve east-west connectivity. Pedestrian and bicycle system improvements are recommended to address gaps in connectivity, lack of crosswalks, and other safety considerations.

## C. Goals, Policies and Strategies

### 1. Goals

- a. Plan for and provide water, sewer, drainage and transportation services in an orderly, cost-effective and efficient manner.
- b. Equitably fund the costs of service provision among new and existing residents.

### 2. Policies

- a. Provide city water and sewer service only to developments within the city limits, except that the City, after consultation with Tillamook County and the Oregon Department of Land Conservation and Development, may extend water and sewer service to areas outside the Urban Growth Boundary where such an extension is necessary to alleviate a certified health hazard.

- b. Require that all urban level development in the city and the urbanizable area of the urban growth boundary be served with city sanitary sewer and water service.
- c. To minimize the cost of providing public services and infrastructure, discourage urban development that lacks adequate public services and promote efficient use of urban and urbanizable land within the city's UGB.
- d. Require all properties within the UGB that receive urban services to either annex to the city or enter into an agreement for future annexation when contiguous to city limits.
- e. Require that all new residential developments have water service, sewer service, streets and other necessary facilities installed as part of the initial construction pursuant to improvement standards specified in the City's Subdivision Ordinance.
- f. Support development that is compatible with the City's ability to provide adequate public facilities and services.
- g. The City may prioritize the extension of water, sewer, and transportation infrastructure within the UGB based on cost, efficiency, available resources or other factors.
- h. Periodically review and update long-range master plans for its water, sewer, storm drainage and transportation systems.
- i. Periodically update and adopt master plans for water, sewer, storm drainage, and transportation systems.
- j. Comply with state and federal regulations for utility systems.
- k. Generally require that the extension of water, sewer, and transportation infrastructure be financed by the property owners benefiting from service extensions.
- l. The City may adopt System Development Charges (SDCs) to help finance new infrastructure as allowed by state law, and adjust SDCs to keep them up-to-date with current construction costs.
- m. Establish and maintain utility rates and user fees that equitably allocate costs for the operation and maintenance of public facilities to users.
- n. Take steps to protect the city's surface drinking water supply and to enhance the water quality and quantity of its groundwater supplies.
- o. The City will require all urban-level development within the city's UGB to connect to the sanitary sewer system and will encourage the incremental extension of sewer service, consistent with the capacity of the system to serve such development.
- p. Establish and maintain standards for stormwater management that require, wherever feasible, on-site management of stormwater runoff using techniques such as detention ponds, bio-swales, and discharge to natural drainage ways.

- q. Take steps to minimize adverse impacts from construction site erosion and other sources of erosion and sedimentation in natural drainage ways and storm drainage facilities.

## **XI. TRANSPORTATION POLICIES**

- A. Road construction in hillside areas should be designed to minimize the need for cutting and filling.
- B. Prior to accepting a street into the City system, the City staff shall certify that the street conforms to City standards.
- C. The City should support street vacations where it is demonstrated that the platted right-of-way is inappropriate because of terrain, except where vacation of the right-of-way in question would reduce or impair public access to Tillamook Bay.
- D. The City should study the feasibility of purchasing an area(s) to provide additional off-street parking in the downtown area.
- E. The City will cooperate with the State Highway Division in the implementation of any improvements to U.S. Highway 101 through Garibaldi.
- F. The City will cooperate with the State Highway Division in the implementation of its U.S. Highway 101 corridor study.
- G. The City will work with the State Highway Division in the development of improvements to U.S. Highway 101 that will:
  - 1. Improve the flow of through traffic and reduce congestion.
  - 2. Enhance vehicular and pedestrian access across Highway 101.
  - 3. Provide for appropriate parking improvements.
  - 4. Provide for an appropriate level of landscaping.
- H. Chapter 5 of the Transportation System Plan is included as an element of the City of Garibaldi Comprehensive Plan. The entire TSP is included in the Garibaldi Comprehensive Plan as a Technical Appendix.
- I. The City of Garibaldi shall protect the function, safety and operation of existing and planned roadways as identified in the Garibaldi Transportation System Plan.
- J. The City of Garibaldi shall include consideration of land use impacts on existing or planned transportation facilities in all land use decisions.

## **XII. COASTAL SHORELANDS POLICIES**

- A. Existing public ownership right-of-way, and similar public easements that provide access to or along Tillamook Bay shall be retained or replaced if sold, exchanged or transferred. Rights- of-way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.
- B. Riparian vegetation shall be maintained and where appropriate restored or enhanced consistent with the requirements of water- dependent uses.
- C. Identified priority dredge material disposal sites shall be protected from new uses and activities that would prevent their ultimate use for dredge material disposal.
- D. Identified mitigation sites shall be protected from new uses and activities that would prevent their ultimate restoration or addition to the estuarine ecosystem.
- E. The requirements of the City's Flood Damage Prevention Ordinance shall be used to regulate development in flood hazard areas.
- F. All water-front development shall, where appropriate, provide public access to the water.
- G. The City, in cooperation with the Department of Fish and Wildlife, will develop a program for improving existing public access to Tillamook Bay in the area west of 12th Street. Consideration will be given to purchasing property in this area to provide additional parking.
- H. The City, in cooperation with the State Highway Division, will examine the feasibility of making public access improvements between the Division's roadside rest area and Tillamook Bay.

## **XIII. GOAL 9 - ECONOMY**

*[NOTE: Chapter XIII "Economy" was produced by Cogan Owens Cogan, Portland, Ore. through a DLCD Technical Assistance Grant and formally adopted by Council through Ord. No. 289 on June 19, 2006.]*

### **A. Existing Economic Development Conditions**

The Port of Garibaldi is home to many key businesses, including an RV park, restaurants, shrimp and fish processing facilities, a lumber mill, recreational businesses and the U.S. Coast Guard. The marina has moorage for 300 vessels and serves as the base of operation for several commercial fishing and charter operators. Garibaldi's tourist industry revolves around recreational fishing and boating. The largest industry sectors (in order) are: accommodation and food services; educational, health and social services; retail

trade; manufacturing; and construction<sup>3</sup>.

The Oregon Employment Department estimates that in 2005, 297 people worked in Garibaldi at 55 establishments. The majority of these establishments (70.9%) have less than five employees. According to the 2000 U.S. Census, 406 Garibaldi residents are in the labor force. Of those 406, 374 are employed.

Garibaldi has four zoning designations that can support different levels of employment:

1. The commercial zone (C-1) is intended to centralize commercial uses along Highway 101 and maintain primary commercial uses such as stores, banks and offices in the central area of downtown. Large land users are intended to be located on the fringes of the commercial zone.
2. Parcels zoned for industrial use (I-1) provide sites for industrial activities requiring large land areas, and which have generally greater impacts on the community, and which may be incompatible with other uses. Proximity to highway and railroad transportation also is considered important.
3. Lands that extend farthest into the bay are part of the waterfront development zone (WD-1). The WD-1 zone is intended to provide an area in which primarily water-dependent and water related uses are located for the support of the marine industry. This designation does not allow residential or commercial uses.
4. Other parcels on the peninsulas are in the waterfront development support zone (WD-2). The WD-2 zone is intended to provide additional potential areas for water-dependent uses, as well as for land uses that support or are complementary to waterfront uses, and for non-water-dependent and water-related uses in a waterfront setting. In addition to industrial uses, the W-2 zone allows for residential and commercial uses.

There are more than 50 net acres of vacant, partially vacant and redevelopable employment lands zoned within Garibaldi's UGB. Employment lands include parcels zoned as commercial, industrial, and waterfront development. More than 19 acres of the land is zoned for commercial use and located along Highway 101. In addition, there is nearly 19 acres of WD-2 land that allows for commercial development. While there is only 0.58 acres of vacant industrial land, both the WD-1 and WD-2 zones allow some level of industrial use, totaling more than 26 acres.

**Table 1. Buildable Employment Lands**

<b>Zone</b>	<b>Acres</b>	<b>Parcels</b>	<b>Allowed Uses</b>
Commercial	19.51	16	Commercial
Industrial	0.58	1	Industrial
Waterfront Development 1	7.27	2	Water-related Industrial
Waterfront Development 2	18.68	3	Residential, Commercial, Industrial
<b>Total</b>	<b>46.04</b>	<b>22</b>	

Source: Cogan Owens Cogan

<sup>3</sup> Source: 2000 US Census.

The projected 5-year demand for employment lands and associated facilities is 1.44 acres, and the 20-year demand totals 4.31 acres.<sup>2</sup> This results in a surplus of nearly 45 acres to accommodate jobs in the next five years and more than 42 acres to accommodate jobs over the next 20 years. Table 2 shows that the majority of surplus land is designated for commercial use. Garibaldi can expect the majority of future jobs to be the service sector. Specifically, employment projections show the greatest increase in jobs coming in the commercial tourism industry.

**Table 2. Employment Lands Needs by Industry Type (Acres)**

<b>Zone</b>	<b>Supply</b>	<b>5-Year Demand</b>	<b>5-Year Surplus/(Deficit)</b>	<b>20-Year Demand</b>	<b>20-Year Surplus/(Deficit)</b>
Industrial <sup>1</sup>	7.85	0.08	7.77	0.25	7.60
Commercial <sup>2</sup>	38.19	1.12	37.07	3.35	34.84
<b>Total</b>	<b>46.04</b>	<b>1.20</b>	<b>44.84</b>	<b>3.60</b>	<b>42.44</b>

<sup>1</sup> Includes I-1 and WD-1 zones

<sup>2</sup> Includes C-1 and WD-1 zones

Source: Cogan Owens Cogan

## B. Future Economic Development Conditions

While the local economy of Garibaldi has been dependent on fisheries, tourism and forest products, with limited population growth forecast in the immediate future, Garibaldi's future commercial demand will be tied to an expanding visitor market and the opportunities presented by the redevelopment of key opportunity sites within the community – most notably the Port of Garibaldi and Old Mill Marina properties adjacent to the harbor.

Many of the parcels owned by the Port of Garibaldi are zoned WD-1 in accordance with Goal 17. The purpose of this zoning designation is to provide adequate land for water-dependent uses and, therefore, does not allow for non-water-dependent uses. Although the economic opportunity analysis shows that Garibaldi does not need additional commercial and industrial land to meet future employment needs, there is a desire from the City to examine zoning designations in hopes of providing for a more flexible set of uses along the waterfront. Due to the loss of industrial activity on the Port of Garibaldi site, it is believed that there may be an excess of lands zoned strictly for water-dependent uses. The City of Garibaldi is exploring options to allow some small-scale commercial uses on Port of Garibaldi lands that would cater to adjacent water-dependent uses.

Implementation of commercial development strategies in the Port of Garibaldi Five-Year Plan, the Old Mill redevelopment project and the recently completed Garibaldi Connections Project prepared by 1000 Friends of Oregon are critical to attracting and sustaining the visitor market. With the investment planned or occurring through these and other key community initiatives, Garibaldi is poised to fulfill the market vision of being the 'last authentic fishing village' on the Oregon coast.

Garibaldi has numerous assets to attract and serve the visitor market. From ecotourism, recreational fishing, outdoor recreation, local/coastal history and numerous quality special events, meeting space at the Old Mill, and over 100 hotel/RV spots, Garibaldi has a lot to offer. The economic impact of visitors can be significant. Visitor spending in Tillamook County has grown dramatically through the last decade from \$101 million in 1995 to \$151 million in 2004. Fifty-six percent of visitor spending is tied to retail sales and dining out. (Source: Dean Runyan Associates)

### C. Goals, Policies and Actions

#### 1. Goals

- a. Retain, strengthen and expand the existing industrial and commercial business base in Garibaldi.
- b. Recruit or encourage businesses that will complement and improve the existing employment mix and will enhance Garibaldi's attractiveness to its target markets.
- c. Support businesses that provide needed jobs for area residents.

#### 2. Policies

- a. Support the efforts of the Port of Garibaldi and private individuals to increase the number of commercial and recreational moorages available to the City.
- b. Encourage the expansion of tourist accommodation.
- c. Work with the local business community to strengthen the downtown commercial area as an important tourist and commercial center.
- d. Maintain an adequate supply of vacant commercial, industrial and waterfront development property to provide for the economic growth of the community.
- e. Work with the Tillamook Economic Development Committee to strengthen Garibaldi's economy.
- f. Encourage the expansion of non-water-dependent industrial uses.
- g. Encourage residents, businesses and civic organizations to shop locally.
- h. Encourage, support and assist existing businesses.
- i. Incubate, support and "grow" new businesses.
- j. Target new firms to add to the business mix and strengthen the overall economic base.
- k. Ensure public facilities and services are available to serve existing and prospective new businesses.
- l. Work with the Port, community groups, and local businesses to identify and implement effective economic development strategies.

#### 3. Actions

- a. Encourage open communication between business and local government.
- b. Identify top merchandise and businesses to promote.
- c. Implement recommendations from the 1999 Oregon Downtown

- Development Association.
- d. Implement the Garibaldi Connections recommendations to create a more appealing “destination community.”
  - e. Work with Tillamook County and local businesses to identify opportunities for business and employee Customer Service Training to enhance customer relations with local and visitor markets.
  - f. Organize regular co-op business advertising, especially linked to the Crab Races or other special events.
  - g. Prepare and regularly update an inventory of available buildings and land, including price, features, utilities, infrastructure, maps, photos and contact information.

#### **XIV. EXCEPTION FOR EXPANDING THE GARIBALDI BOAT BASIN**

An exception is being taken to the Goal 16 management unit requirements to designate as Estuary Development a 6.4 acre intertidal area that qualifies as a conservation management unit. An exception is also being taken to requirements for uses allowed in conservation management units to provide for the development of commercial moorage facilities in this area that is adjacent to the existing Garibaldi Moorage Basin. Figure 1 shows the exception area.

##### **A. PHYSICAL AND BIOLOGICAL CHARACTERISTICS OF THE EXCEPTION AREA**

The area of the proposed exception is an approximately 6.4 acre intertidal area. It contains approximately 0.6 acres of intertidal mudflat and 5.8 acres of intertidal seagrass and algae beds east of the Garibaldi Boat Basin. The seagrass within the area is eelgrass (*Zostera Marina*). A 1977 survey of this eelgrass bed indicates that the density of eelgrass is sparse. The substrata within the exception area is shown as mud on the 1978 ODF & W Habitat Map of Tillamook Estuary, as a mixture of sand and mud by Gaumer (1977).

Studies of the populations of benthic invertebrates within the area were conducted by Hancock (1979) and Gaumer (1977). Both studies indicate beds of softshell clams, bentnose clams, and irus clams within the intertidal flat and seagrass and algae beds to the east have been identified as a tideflat use area or a principle clam digging area.

Utilization of the exception area by fish has also been documented. The Garibaldi Boat Basin and the exception areas to the east of the Boat Basin have been identified as a herring spawning area. Between May 1974 and 1976, all of the exception area was included within the Boat Basin study site, which was sampled regularly to determine species composition, distribution and relative abundance of the fish in Tillamook Estuary. With the exception of the catch/set for shiner perch and rockfish, the Boat Basin was not characterized by high catch/set ratios.

The exception area is surrounded by estuarine areas that have been historically altered. To the south is the authorized and maintained navigation channel and turning basin of Tillamook Bay. To the west is the Garibaldi Boat Basin. To the north and east of the exception area is a 50-acre area of formerly submersible land that was filled for the old Oregon Washington plywood mill.

##### **B. REASONS WHY THE STATE POLICY EMBODIED IN GOAL 16 SHOULD NOT APPLY.**

The Port of Garibaldi operates a boat basin consisting of approximately 23 acres of water surface area. There are approximately 300 permanent moorage spaces for boats

under 70 feet, generally divided equally between commercial and recreational moorages, including charter boats. There are two to three pier-side moorages for larger fishing boats, although boats larger than 70 feet are generally discouraged because of the damage they do to pilings and docks. The south area of the basin is used for unloading fish from commercial and charter boats.

Approximately 99% of the basin is currently occupied. It had been fully occupied until the onset of the current economic slump. The basin does not have any surplus slips for transient moorage, especially moorage for boats larger than 65 feet. This year, there has been as many as 500 boats in the basin; 200 more boats than berths. There is a special problem with boats over 65 feet in length. In 1979, there were as many as 20 of these boats in the harbor with no moorage facilities adequate to handle them.

There is available space at the nearby Old Mill Marina for boats less than 26 feet although during the 1979 and 1980 seasons this marina was at 100% occupancy. The Old Mill Marina cannot handle larger boats because the authorized 12-foot navigation channel does not extend to the Marina. There are no other present or planned facilities in Tillamook Bay for berthing larger boats.

It is difficult to predict the number of transient boats that will arrive at the Garibaldi Basin in future years. In large part, it depends on the fishing conditions that exist in any given year. If fishing is good off the Tillamook County coastline, fishing boats will come into Tillamook Bay to sell the catch. This saves them at least a day that they would otherwise have to spend traveling to Astoria or Newport to offload the catch.

In 1978 when the commercial fleet in Oregon included 223 boats that were larger than 50 feet (ECO, p. 131), the number of large transient boats in the Garibaldi Boat Basin peaked at 20. Using PSU projections of Oregon's population growth and ECO's relationship between the growth of Oregon's population and the number of large commercial boats (ECO, p. 149) we can project that in the year 2000 that there will be 450 new large commercial boats in Oregon. If the 1978 relationship between the number of large commercial boats in Oregon and the possible peak number of those boats using Garibaldi holds true in 2000, then we can expect the potential for as many as 40 new large commercial boats using Garibaldi in the year 2000.

It is not feasible to project planning for additional transient commercial moorage because when the fishing conditions are right, fishing boats will come to the Garibaldi Boat Basin regardless of whether there is suitable moorage. Without planning, we can expect an increasing overcrowding problem.

Approximately one half acre is needed for a perimeter pier that will allow for emergency and maintenance vehicle access. Another 2.9 acres is needed for boat berths and docks, approximately 3000 feet per boat. The remaining 3.2 acres, half the area, is needed for travel lanes in the moorage facility.

C. AREAS WHICH DO NOT REQUIRE A NEW EXCEPTION CANNOT REASONABLY ACCOMMODATE THE USE

For an alternative area to be able to reasonably accommodate the use, it must have access to the maintained channel and it must be adjacent to the shoreline. The areas in Tillamook Bay that meet these conditions are all adjacent to the Garibaldi waterfront. They include the tideflat located between the Coast Guard docks, the southwest shore of the waterfront, the southeast shore of the waterfront, and the east shore of the Old Mill Marina area. Figure 2 shows these areas that are designated as areas 1, 2, 3 and 4 respectively. Areas outside of Tillamook Bay are not reasonable alternatives because they do not have fish receiving capabilities.

Area 1 would require an exception to be able to accommodate the use because it is a tideflat. Area 2 cannot reasonably accommodate the use. Although an exception is needed only for use of the western half of the area, the width between the navigation channel and the shoreline, approximately 200 feet, is too narrow to be able to accommodate the moorage. In addition, this area has no protection from wind and waves. Area 3, of which the subject exception area is part, would require an exception if any parts of it were to be used. If the existing marina in Area 4 was to be expanded to accommodate the use, an exception would also be needed. In sum, there are no areas not requiring an exception that can reasonably accommodate the use.

D. THE LONG TERM ENVIRONMENTAL, ECONOMIC, SOCIAL AND ENERGY CONSEQUENCES RESULTING FROM THE USE AT THE PROPOSED SITE WITH MEASURES DESIGNED TO REDUCE ADVERSE IMPACTS ARE NOT SIGNIFICANTLY MORE ADVERSE THAN WOULD TYPICALLY RESULT FROM THE SAME PROPOSAL BEING LOCATED IN AREAS REQUIRING A GOAL EXCEPTION OTHER THAN THE PROPOSED SITE.

More dredging would be required to use Area 1 in order to provide access to the navigation channel and the shoreline. Therefore, development of this area would have more adverse environmental and economic consequences than the proposed exception. Social and energy consequences would differ insignificantly.

Using the portion of Area 3 outside of the proposed exception site would not result in any less adverse environmental because an equal area of dredging is required. Economic impacts would be slightly greater because the area is farther from the rest of the boat basin and so would be more difficult to manage. Social and energy consequences would not be significantly different.

The use of Area 4 would have more adverse environmental impacts because more dredging would be necessary to provide access, current access to this area does not have deep enough water for commercial boats.

Economic impacts would be more adverse because of the increased dredging costs and

the increased difficulty of managing an area so far removed from the rest of the harbor. Social impacts would be more adverse because of the increased conflicts between the recreational and commercial users of the marina. Energy consequences would not be significantly different.

E. THE PROPOSED USES ARE COMPATIBLE WITH OTHER ADJACENT USES OR WILL BE SO RENDERED THROUGH MEASURES DESIGNED TO REDUCE ADVERSE IMPACT.

The proposed moorage is surrounded by existing or proposed development uses. To the west is the Garibaldi Boat Basin. To the north are water dependent development shorelands. To the east is an estuarine area zoned Estuary Conservation 2 and able to be developed with facilities on pilings. To the south is the maintained channel. The moorage is similar in character and compatible with the present and potential future of these surrounding areas.

1. Oregon Department of Fish and Wildlife, *Habitat Map of Tillamook Estuary*, Research Section, Oregon Department of Fish and Wildlife, 1978
2. Gaumer, T., et al., *Resource Assessment Maps of Netarts Bay and Tillamook Bay: Distribution of Clam Populations, Substrata Materials, Eelgrass Density*, Oregon State University Sea Grant College Program, June 1977.
3. Hancock, D.R., et al., *Subtidal Clam Populations: Distribution, Abundance and Ecology*, Oregon State University Sea Grant College Program Publication No. ORESU-T-79-00s, 1979, p. 49.
4. Gaumer, T., et al., *1971 Tillamook Bay Resource Use Study*, Fish Commission of Oregon, August 1973, p. 25.
5. Ibid, page 28.
6. Forsbert, B., et al., *Identification, Distribution and Notes on Food Habits of Fish and Shellfish in Tillamook Bay, Oregon*, Federal Aid Progress Report on Fisheries, 1977, 177 pp.
7. Oregon Department of Fish and Wildlife (1978).
8. Hancock (1979), p. 50.
9. Division of State Lands, *Inventory of Filled Lands in Tillamook Bay*, 1972.

## **XV. ESTUARY AND SHORELAND POLICIES**

### **A. AQUACULTURE FACILITIES**

1. As a general policy, the Garibaldi City Council is opposed to the outside zoning of land and water areas within the city limits.
2. Existing aquaculture facilities and areas designated as possessing significant aquaculture potential shall be identified and protected from conflicting uses or uses that would create water quality problem.
3. In all shoreland areas, aquaculture facilities shall be sited, designed and operated to minimize adverse impacts on navigation channels, and public access points to publicly owned lands.
4. In the Estuary Natural (EN) zones, aquaculture facilities and water dependent portions of aquaculture facilities shall be limited to temporary or easily removable benthic or pelagic structures (stakes, racks, trays, long lines or rafts), that will not require dredging or fill other than incidental dredging for harvest of benthic species or removal of in-water structures.
5. In the Estuary Natural Zone (EN), aquaculture shall be allowed only where it is determined to be consistent with the resource capabilities and purpose of the management unit. This determination shall be made by the Oregon Department of Agriculture and the Oregon Department of Fish and Wildlife, in instances where the City of Garibaldi finds that it does not have the resources of abilities to make such a determination.
6. The City of Garibaldi recognizes the statutory authority of the Oregon Department of Fish and Wildlife and the Oregon Department of Agriculture to regulate aquaculture and oyster culture. These departments shall forward their findings to Garibaldi prior to issuance or denial of aquaculture permits.
7. In Estuary Conservation (EC1 and EC2) zones, aquaculture facilities will require a resource capability determination where dredging, fill or other alterations of the estuary is needed, other than the incidental dredging for the harvest of benthic species or removal of inwater structures.
8. Aquaculture facilities in Estuary Development (ED) zones will not preclude the provision or maintenance of navigation or other needs for commercial and industrial water-dependent use, and will not prevent the use of shorelands equally suited for water-dependent development.

## **B. DIKING**

1. Maintenance and repair of existing dikes, tidegates, drainage systems, farm roads and bridges and other existing farm structures shall be permitted within all estuary zones and shoreland areas. Dike maintenance and repair shall be permitted for:
  - a. Existing serviceable dikes, including those that allow some seasonal inundation; and
  - b. Dikes that have been damaged by flooding, erosion or tidegate failure where the area behind the dike has not reverted to estuarine habitat; and
  - c. Dikes that have been damaged by flooding, erosion or tidegate failure where the area behind the dike has not reverted to estuarine habitat only if this area is in the Farm (F-1) zone and has been in agricultural use for three of the last five years and reversion to estuarine habitat has not occurred more than five years prior. Garibaldi will rely on the U.S. Army Corps of Engineers and the Division of State Lands to determine whether an area has reverted to estuarine influence.
2. Construction of temporary (60 days or less) dikes for the purposes of flood protection in emergency situations or in the interest of safety or welfare of the public shall be permitted within all estuary zones, and within shoreland zones and other shoreland areas.
3. Dredging within estuarine waters, intertidal areas or tidal wetlands to obtain fill for dike repair or maintenance shall not be permitted. However, dredged material obtained from an approved dredging project may be used for dike repair or maintenance. Dredged material stockpile sites may be used as a source of fill material for dike repair and maintenance whenever practicable.
4. Breaching or removal of functional dikes on productive agricultural land shall not be allowed as part of a restoration or mitigation project unless an exception to the Agricultural Lands Goal is taken and included as an amendment to the Garibaldi Comprehensive Plan. The Tillamook County Agricultural Criteria shall be used to evaluate the value or productivity of Agricultural land. Mitigation policies shall apply.

5. New diking of intertidal areas and tidal marshes shall be limited to Estuary Development (ED) zones and shall be permitted only:
  - a. For a water-dependent use that requires an estuarine location or is specifically allowed by the management or zone; and
  - b. If adverse impacts are avoided or minimized to be consistent with the purposes of the area.
  - c. A need (i.e. substantial public benefit) is demonstrated and the use or alternative does not unreasonably interfere with public trust rights.

**C. BOAT RAMPS, DOCKS AND MOORAGES**

1. Maintenance and repair of existing docks and moorages shall be permitted within all estuary zones, and within shoreland zones and other shoreland areas.
2. Safe navigational access to boat ramps, docks and moorages should be provided and maintained.
3. New boat ramps, docks and moorages shall be allowed only where sufficient backup land exists without the need to fill tidelands or marshlands.
4. To encourage the most efficient use of waterfront and water surface area, alternatives to individual, single purpose docks and moorages (such as cooperative use facilities, mooring buoys or dryland storage) are encouraged. New subdivisions and planned developments in areas adjacent to estuaries, rivers, streams and coastal lakes shall provide for cooperative use facilities whenever possible.
5. Conflicts with navigation and other water surface uses, such as commercial fishing or recreational boating, shall be avoided or minimized.
6. To preserve significant fish and wildlife habitats and provide continued biological productivity, docks and moorages shall not be permitted within Estuary Natural (EN) zones. Boat ramps for public use where no dredging or fill for navigational access is needed shall be allowed, where consistent with the resource capabilities of the area and the purpose of the management zone.
7. Boat ramps, docks and moorages in Estuary Conservation 1 and Estuary Conservation 2 zones shall be permitted only if consistent with the resource capabilities of the area and the long-term use of renewable resources, and if they do not constitute a major alteration of the estuary. Boat ramps for public use where no dredging or fill for navigational access is needed shall not require a resource capability determination

## D. DREDGED MATERIAL DISPOSAL

1. The Tillamook Bay Dredged Material Disposal Plan shall evaluate dredging needs over a five year period and shall establish priorities on areas for dredged material disposal based on the following economic, engineering and environmental considerations:
  - a. Engineering feasibility;
  - b. Probable methods of dredging;
  - c. Distance from dredging project;
  - d. Elevation;
  - e. Cost of site acquisition, preparation, and containment of dredged materials;
  - f. Size of site;
  - g. Cost of, ability or necessity to revegetate or develop on top of the dredged material;
  - h. Impacts on biological productivity, aquatic communities and habitats, water quality, wetlands, and floodplains;
  - i. Ownership (public or private);
  - j. Habitat, scenic, recreational, archaeological or historic values of the site;
  - k. Conformity of the final use after dredged material disposal, to the Comprehensive Plan.
2. Whenever practicable, ocean disposal in an approved ocean disposal site shall be the preferred method of disposal of dredged materials taken from the main navigational channels. The designation of additional ocean disposal sites shall occur only after a formal site review and impact analysis by all federal and state agencies with regulatory authority, and is subject to a final approval by the U.S. Army Corps of Engineers and the Environmental Protection Agency. Copies of site review and impact analysis shall be made available to local governments.
3. When engineering or economic considerations preclude the use of approved ocean disposal sites for dredged materials disposal, sites identified in the Tillamook Bay DMD Plan and Garibaldi Comprehensive Plan as "Presently Acceptable" shall be used for dredged material disposal.
4. Sites identified in the Tillamook Bay DMD Plan as "Presently Acceptable" for dredged material disposal shall be used for disposal of dredged material only after an amendment to the Tillamook and/or Garibaldi Comprehensive Plan and Zoning Ordinance. If rezoning of an area to provide for dredged material disposal involves an exception to the Statewide Land Use Planning Goals, the exception shall be included as part of the amendment. Coordination with affected state and federal resource agencies shall occur during this amendment process. State and federal permits must be obtained prior to disposal of dredged material.

5. As needs arise, additional disposal sites shall be approved for dredged material disposal. Designation of additional dredged material disposal sites shall be coordinated with state and federal resource agencies with regulatory authority over dredged material disposal. An amendment shall be made to the Garibaldi Comprehensive Plan and Zoning map if rezoning of an area is necessary in order to provide for dredged material disposal. If rezoning of an area to provide for dredged material disposal involves an exception to the Statewide Land Use Planning Goals, the exception shall be included as part of the Plan amendment.
6. Tillamook County, with the cooperation of the City shall identify a sufficient number of dredged material disposal sites to accommodate dredged material disposal needs identified in the Tillamook Bay DMD plans. Sites identified as priority sites shall be preserved for future dredged material disposal use. The City shall cooperate with local ports and affected local jurisdictions to preserve these sites for future disposal use.
7. Tillamook County, in conjunction with local ports, affected local jurisdictions, and State and Federal resource agencies, shall review the dredged material disposal plans for Tillamook Bay at no more than five year intervals to re-examine dredging needs, site availability, new permit requirements and degree of plan implementation.
8. Use of dredged material from navigational or other dredging actions as fill for approved fill projects shall be encouraged. Prior determination shall be made to ensure that the structural characteristics of the material are suitable for this use.
9. Whenever practicable, stockpile sites of dredged material suitable for use as fill shall be established and the dredged material sold. Particular emphasis shall be given to establishing stockpile sites in areas where acceptable disposal sites are presently, or likely to be limited.
10. Flow lane disposal of dredged material shall be limited to Estuarine Development zones and shall be monitored to assure that estuarine sedimentation is consistent with the resource capabilities and purposes of the affected Natural and Conservation management units.
11. Dredged material disposal is subject to the requirements of the Clean Water Act of 1977 (P.L. 95-217), the State Fill or Removal Law and other state and federal laws which regulate the disposal of dredged material.

**E. DREDGING IN ESTUARINE WATER, INTERTIDAL AREAS AND TIDAL WETLANDS**

1. Dredging in estuarine waters, intertidal areas and tidal wetlands shall be allowed only if required for:
  - a. Navigation, port facilities, marinas or other water-dependent uses that require an estuarine location; or
  - b. An approved active restoration, estuarine enhancement, or mitigation project deemed necessary to fulfill a public need and for the future environmental well being of the estuary (subject to Restoration and Mitigation policies and standards); or
  - c. On-site maintenance of existing drainage tiles, drainage ditches or tidegates; or
  - d. Mining and mineral extraction (subject to Mining and Mineral Extraction policies and standards); or
  - e. Installation or maintenance of bridge support structures, electrical transmission line support structures or water, sewer or gas lines.
  - f. Incidental dredging for harvest of benthic species or removal of inwater structures such as stakes or racks.
  - g. Temporary alterations.
2. Dredging in estuarine waters, intertidal areas or tidal wetlands shall be allowed only if:
  - a. Required for navigation or other water-dependent uses that require an estuarine location or are specifically allowed by the management unit or zone; and
  - b. A public need (i.e. a substantial public benefit) is demonstrated and the use or alteration does not interfere with public trust rights; and
  - c. No feasible alternative upland location exists; and
  - d. Adverse impacts are avoided or minimized to be consistent with the purposes of the area. Dredging shall be the minimum amount possible to accomplish the proposed use.
3. Dredging in intertidal areas or tidal wetlands shall be subject to the requirements of the Mitigation policies and the State Fill and Removal Law (ORS 541.605-541.695).
4. Proposals for new dredging projects in the Tillamook Estuary shall be reviewed against the long-range dredged material disposal (DMD) plan for the estuary to ensure that sufficient DMD sites are available to meet initial and maintenance dredged material disposal needs.

5. Dredging in Estuary Natural (EN) zones shall be permitted only for:
  - a. An approved restoration or estuarine enhancement project (subject to Restorations Standards); or
  - b. On-site maintenance of existing drainage tiles, drainage ditches, tide-gates, bridge crossing support structures, or electrical transmission lines; or
  - c. Installation or maintenance of water intake facilities, sewer, gas or communication lines; or
  - d. Installation or maintenance of an electrical transmission line or support structure; or
  - e. Bridge crossing support structures; or
  - f. Temporary alterations; or
  - g. Public boat ramps (excluding dredging for navigational access; or
  - h. Incidental dredging for harvest of benthic species or removal of in-water structures such as stakes or racks.
  
6. Dredging in Estuary Conservation 1 (EC1) zones shall be permitted only for:
  - a. Items 5 (A-H) above.
  - b. Mining and mineral extraction.
  - c. Minor navigational improvements.
  - d. Boat ramps.
  - e. Water-dependent portions of aquaculture facilities or operations.
  
7. Dredging in Estuary Conservation 2 (EC2) zones shall be permitted only for:
  - a. Items 6 (A-E) above.
  - b. High intensity water-dependent recreational facilities.
  - c. Maintenance dredging of existing facilities.
  
8. Dredging in Estuary Conservation 2 (EC2), Estuary Conservation 1 (EC1), or Estuary Natural (EN) zones shall be permitted only if consistent with the resource capabilities of the area and purposes of the management unit. This determination shall be made by the Division of State Lands and the U.S. Army Corps of Engineers during review of dredging permit applications.
  
9. Dredging within estuarine water, intertidal areas or tidal wetlands is subject to the requirements of the State Fill and Removal Law (ORS 541.605-541.665), the Rivers and Harbors Act of 1899 and other applicable state and federal law.

## F. ENERGY FACILITIES AND UTILITIES

1. Maintenance and repair of existing energy facilities and utilities shall be permitted in all estuary zones and in Water-Dependent (WDD) shoreland zones and other shoreland areas.
2. In selecting sites for development of new energy facilities and utilities priorities are, from highest to lowest:
  - a. Non-shoreland sites;
  - b. Shoreland sites;
  - c. Estuary Development (ED) zones;
  - d. Estuary Conservation 2 (EC2) zones;
  - e. Estuary Conservation 1 (EC1) zones;
  - f. Estuary Natural (EN) zones.

The City, however, realizes that this priority list is subject to modification by economic consideration, or by the need for services in a particular area. The site-selection process shall weigh economic considerations and social benefits against environmental losses within estuaries and shorelands.

3. New energy facilities, including energy development from the tides, and utilities shall be designed and sited to be consistent with the protection of the natural values of identified major marshes, significant wildlife habitat, exceptional aesthetic resources and significant historical and archaeological sites within the shorelands planning boundary identified in the City's Comprehensive Plan. New energy facilities and utilities on coastal headlands shall be limited to wind generation facilities.
4. New energy facilities and utilities (with exception of waste water treatment plants) shall be permitted within the estuarine water intertidal wetlands only if:
  - a. A need (i.e. substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - b. No feasible alternative upland locations exist; and
  - c. Adverse impacts are avoided or minimized.

Waste water treatment plants shall not be allowed within estuarine waters, intertidal areas and tidal wetlands.

5. Underground or underwater installation of power and communications lines is encouraged over overhead installation.

6. In Estuary Natural zones, new energy facilities and utilities shall be permitted only if consistent with the resource capabilities of the area and the purpose of the management unit, and shall be limited to:
  - a. Electrical transmission lines and line support structures; or
  - b. Water, sewer and gas lines.
7. In Estuary Conservation 2 (EC2) and Estuary Conservation 1 (EC1) zones, new energy facilities and utilities shall be limited to:
  - a. Electrical transmission lines and line support structures;
  - b. Water, sewer and gas lines; or
  - c. Storm water and sewer outfalls (where consistent with the resource capabilities of the area, the purpose of the management unit and Water Quality policies).
8. New energy facilities and utilities in Estuary Development (ED) zones shall be permitted where consistent with the maintenance of navigation and other needed public commercial and industrial water dependent uses.
9. The City should encourage alternative energy sources such as wind, wave and tidal power. The City should also encourage the development of energy from wood by-products. Significant economic gains may be realized by developing this energy source while providing a means of solid waste disposal for the Tillamook County lumber industry.

**G. FILL IN ESTUARINE WATER, INTERTIDAL AREAS AND TIDAL WETLANDS**

1. Fill for the purpose of on-site maintenance and repair of existing man-made structures of facilities, or the construction of temporary low-water bridges shall be permitted within all estuary zones.
2. New fill within estuarine water, intertidal areas or tidal wetlands shall be permitted only if:
  - a. Required for navigation or water-dependent uses or other uses for which an estuarine location is required; and
  - b. A need (i.e. substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust right.
  - c. No feasible alternative upland locations exists for the portion of the use requiring fill; and
  - d. No practicable alternative design or construction methods exist which would eliminate the use of fill. (Construction of facilities of structures on piling is preferred over construction on fill); and

- e. Potential adverse impacts have been identified and avoided or minimized to be consistent with the purposes of the area.
3. The placement of fill shall be consistent with the protection of property, estuarine habitat and diversity, aesthetics, water quality and recreational resources. Loss of estuarine surface area and volume shall be avoided or minimized and/or mitigated.
4. Fill within intertidal areas or tidal wetlands shall be subject to the requirements outlined in the Mitigation policies and the State Fill and Removal Law (ORS 541.605-541.665).
5. New fill in the EN zone shall be allowed only for:
  - a. An approved active restoration or estuarine enhancement project (subject to Restoration and Enhancement standards); or
  - b. On-site maintenance of dikes or bridge crossing support structures; or
  - c. Temporary alterations; or
  - d. Installation of public boat ramps or bridge crossing support structures.
6. New fill in Estuary Conservation 1 (EC1) zones shall be permitted only for:
  - a. Items 5 (A-D) above.
  - b. Flood control structures or structural shoreline stabilization subject to Shoreline Stabilization standards:
    - i. Required to protect a water-dependent use or an existing use, facility or structure; and
    - ii. Land use management practices and non-structural solutions are inadequate to protect the use.
  - c. Water-dependent portions of aquaculture facilities.
  - d. Temporary alterations.
  - e. Boat ramps.
7. New fill in Estuary Conservation 2 (EC2) zones shall be permitted only for:
  - a. Items 6 (A-E) above; or
  - b. Minor navigational improvements; or
  - c. Water-dependent recreational facilities.

8. New fill in Estuary Development (ED) zones shall be permitted only for:
  - a. Items 7 (A-C) above;
  - b. Navigational structures and navigational improvements;
  - c. Water-dependent uses that require an estuarine location;
  - d. Dredged material disposal, in conjunction with an approved fill project (Fill Standards shall apply); or
  - e. Communication facility support structures.
  
9. In Estuary Conservation 2 (EC2) and Estuary Conservation 1 (EC1) zones, only fills which do not constitute a major alteration to the estuary, and which are consistent with the resource capabilities of the area and the long-term use of renewable resources, shall be permitted. This determination shall be made by the Division of State Lands and the U.S. Army Corps of Engineers during review of fill permit applications.

## **H. FISHERIES**

1. Intertidal flats, tidal marshes, subtidal and intertidal seagrass and algae beds and other estuarine areas of major significance for rearing and other life stages of marine fish and invertebrates have been identified in estuary inventory reports, and shall be protected from conflicting uses through designation as Estuary Natural (EN), Estuary Conservation 1 (EC1), and Estuary Conservation Aquaculture (ECA).
  
2. In order to maintain and improve fish runs and fisheries in the area, wise management of fishery resources, fish enhancement programs, and maintenance of reproductive stocks are strongly supported.
  
3. Within Conservation and Development estuaries, areas shall be designated as Estuary Development (ED) (in development estuaries only) or Estuary Conservation 2 (EC2) to provide for adequate dock and moorage space for present and anticipated future commercial and sport fishing vessels and for fish processing, cold storage and other water-dependent support facilities.
  
4. Traditional sport and commercial fishing area, shellfish harvesting areas and subtidal shell fish seed beds should be protected when dredging, filling, pile driving, constructing pile dikes or rocks or other disruptive in-water activities are permitted.
  
5. The City shall encourage the maintenance, improvement or enhancement of anadromous fish habitat or shellfish habitat, by assigning appropriate estuary zones (see Policy 1, above), by encouraging the establishment of protective stream corridors, and by controlling excessive sedimentation from agricultural and forested shorelands.

6. Minimum tributary stream flows adopted by the State Water Resource Board or recommended by the Oregon Department of Fish and Wildlife shall be maintained except in those areas where over-appropriation of water has already occurred. Water Quality standards shall apply. In those streams where private water rights preclude maintenance of minimum flows, and where low flows interfere with fish migrations, state water resource management programs are encouraged to include provision for both the purchase of private water rights and construction of small impoundments on tributaries to maintain minimum flows. Impoundments to maintain minimum flows should be located as high in the headwaters of streams as possible, preferably in areas that are not utilized by anadromous fish and wildlife. Other impoundments of tributary streams are discouraged, unless provision is made for protecting the fishery and wildlife resources before construction.
7. The City will support any efforts of commercial or sport fishing interests to minimize the destruction of salmon by their natural predators, provided that these efforts are non-destructive and are not in violation of the Marine Mammals Protection Act or any other applicable state or federal laws providing for the protection of marine birds or mammals.

#### **I. FORESTRY AND THE FOREST PRODUCTS INDUSTRY**

1. New or expanded log handling, sorting and storage areas shall be limited to Estuary Development (ED) zones, and shall be allowed only if:
  - a. The handling, sorting and storage area is an integral part of the process of water-dependent transportation of logs (i.e. is water dependent); and
  - b. A need (i.e. a substantial public benefit) is demonstrated and the use or alteration does not interfere with public trust rights; and
  - c. No feasible alternative upland locations exist; and if
  - d. Adverse impacts are minimized.

New or expanded log handling, sorting and storage areas shall not be located in shellfish beds, shallow spawning areas, or in areas where grounding of logs will occur.

2. New log handling, sorting and storage areas in water-dependent shorelands shall not preclude or conflict with existing or reasonable potential water-dependent uses on the site or in the vicinity, unless there is a public need for a storage or sorting yard as part of a water-dependent facility.
3. The City, in conjunction with the County, shall cooperate with the Department of Environmental Quality to develop standards for in- water log storage and handling facilities prior to their establishment in Tillamook County.

4. The City encourages the development of energy from wood by- products. Significant economic gains may be realized by developing this energy source, while providing a means of solid waste disposal for the Tillamook County lumber industry.

**J. IMPLEMENTATION**

1. The City of Garibaldi shall review the following for consistency with the Garibaldi Comprehensive Plan and Zoning Ordinance.
  - a. State and federal permit applications for uses and activities within estuaries.
  - b. A-95 project pre-application notification, by means of referral from and comment to the Clatsop-Tillamook Intergovernmental Council.

Where applicable, procedures for review shall be developed as part of the Garibaldi Zoning Ordinance. The review of actions which would potentially alter the estuarine ecosystem shall include an impact assessment unless this is already part of the comprehensive plan.

2. Garibaldi shall notify all state and federal agencies with mandates and authorities for planning, permit issuance, and resource decision making that they have the ability to make comment to the City before a City assessment of state and federal permits applications is made. The following agencies shall be notified: Oregon Department of Fish and Wildlife, Oregon Division of State Lands, Oregon Department of Land Conservation and Development, Oregon Department of Economic Development, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, U.S. Army Corps of Engineers.
3. Dredge or fill shall be allowed only if:
  - a. Required for navigation or other water-dependent uses that require an estuarine location or is specifically allowed by the management unit or zone; and
  - b. A need (i.e. a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - c. No feasible alternative upland locations exist; and
  - d. Adverse impacts to aquatic life and habitat, recreation and aesthetic use, water quality and other physical characteristics of the estuary are minimized.

Other uses and activities which could alter the estuary shall only be allowed if the requirements in b, c and d are met.

4. Significant degradations or reductions of estuarine natural values include dredge, fill, in-water structures, riprap, log storage, application of pesticides and herbicides, flow-lane disposal of dredged material, water-intake or withdrawal and effluent discharge and other activities which will cause significant offsite impacts as determined by an impact assessment.
5. Dredging, fill, piling/dolphin installation, navigational structures, shoreline stabilization and dredged material disposal associated with an estuarine use or uses shall be reviewed as a whole subject to the respective policies for these activities and uses.

**K. INDUSTRIAL AND COMMERCIAL USES IN ESTUARINE WATER, INTERTIDAL AREAS AND TIDAL WETLANDS**

1. Maintenance and repair of existing industrial and commercial uses shall be permitted in all estuary zones. Expansion and new construction of industrial and commercial uses, other than water-dependent recreation facilities, shall be limited to ED and EC2 designated areas.
2. The following shall be considered in the designation of Estuary Development (ED) or Estuary Conservation 2 (EC2) zones for the purpose of new development or expansion of industrial or commercial uses:
  - a. Value of the area to local communities as an economic resource;
  - b. Proximity to land transportation facilities;
  - c. Availability of water and sewer service and power supplies;
  - d. Proximity to urban or urbanizable areas;
  - e. Availability of developable shorelands;
  - f. Degree of existing estuarine or shoreland alterations;
  - g. Type, extent and scarcity of biologic resources in the area;
  - h. Proximity to navigation channels.
3. Development and improvement of existing commercial and industrial sites is encouraged prior to development of new commercial industrial sites.
4. Water dependent industrial facilities, including, but not limited to:
  - a. Piers, wharfs and other terminal transfer facilities for passengers or water-borne commerce such as fish, shellfish or timber, or timber products;
  - b. Water intake and discharge facilities of timber processing plants;

- c. Portions of facilities for the extraction of mineral, aggregate, petroleum, natural gas, earth products or geothermal resources (as defined by subsection 4 of ORS 522.010), which require access to water during the extraction process;
  - d. Portions of facilities for the refining or processing of minerals, aggregate, earth products or geothermal resources (as defined by subsection 4 of ORS 522.010), which require access to a water body for intake or release of water during the refining or processing procedure;
  - e. Portions of facilities for manufacturing, assembly, fabrication, maintenance or repair of marine craft or marine equipment, which require access to a water body as part of the manufacture, assembly or fabricating process, due to the size of the craft or equipment which is being constructed;
  - f. Portions of aquaculture facilities, including hatchery sites or fish release/recapture sites which require access to or use of water;
  - g. In-water handling, sorting and storage of logs in association with water borne transportation of logs.
5. Water-dependent commercial facilities, including but not limited to: commercial marinas and moorages (including seaplane moorages) and auxiliary facilities, such as marine craft or equipment repair facilities or fueling stations.
6. Other uses not listed in 4 and 5 above may be determined to be water-dependent if the use can only be carried out on, in or adjacent to water and the location or access is needed for:
- a. Water-borne transportation;
  - b. Recreation; or
  - c. A source of water (such as energy production, cooling of industrial equipment or wastewater, or other industrial processes).
7. Industrial uses shall be identified as water-related industrial uses on a case-by-case basis, with consideration given to the public loss of quality in goods or services which would result if the use were not offered adjacent to water. Water-related industrial uses could include:
- a. Fish or shellfish processing plants;
  - b. Warehousing and/or other storage areas for marine equipment or water-borne commerce.
8. Commercial uses shall be identified as water-related commercial uses on a case-by-case basis, with consideration given to the public loss of quality in good or services which would result in the use were not offered adjacent to water. Water-related commercial uses could include:

- a. Fish or shellfish wholesale outlets;
  - b. Marine craft or marine equipment sales establishments;
  - c. Sport fish cleaning, smoking or canning establishments;
  - d. Charter fishing offices;
  - e. Retail trade establishments, providing primarily products necessary for the commercial and recreational fishing industry, such as ice, bait, tackle, nautical charts, gasoline or other products incidental to or used in conjunction with water-dependent use;
  - f. Restaurants which provide a waterfront view.
9. Other uses not listed in 7 and 8 above may be determined to be water-related if the use:
- a. Provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of, water-dependent uses); and
  - b. If not located near the water, would experience a public loss of quality in the goods and services offered. Evaluation of public loss of quality shall involve a subjective consideration of economic, social and environmental consequences of the use.
10. Multipurpose and cooperative use of piers, wharfs, parking areas or handling and storage facilities shall be provided for, whenever practicable.
11. New commercial and industrial uses in Estuary Conservation 2 (EC2) zones, other than water-dependent recreation, shall be limited to water-dependent commercial and industrial facilities which:
- a. Do not require dredging or filling; and
  - b. Are consistent with the resource capabilities of the area and the long-term use of renewable resources; and
  - c. Do not cause a major alteration of the estuary.
12. Water related and non-dependent, non-related industrial and commercial uses in Estuary Development zones shall be limited to those uses which:
- a. Do not require the use of fill; and
  - b. Do not preclude the provision or maintenance of navigation and other needed public, commercial and industrial water-dependent uses.

## L. TRANSPORTATION FACILITIES

1. Maintenance and repair of existing roads, railroads, airports, bridge crossing support structures and bridge approach ramps, and establishment of low water bridges shall be allowed in all estuary zones and in shoreland areas. Replacement of bridge crossing support structures and bridge approach ramps may be considered a form of maintenance if the resulting bridge support structure or ramp is the minimum size necessary to accommodate the same number of traffic lanes as exist on that portion of the highway.
2. In selecting sites for development of new land transportation facilities, priorities are, from highest to lowest:
  - a. Upland sites;
  - b. Shoreland sites;
  - c. Estuary Development (ED) zones;
  - d. Estuary Conservation 2 (EC2) zones;
  - e. Estuary Conservation 1 (EC1) zones;

The City, however, realizes that this priority list is subject to modification by economic considerations, or by the need for services in a particular area.

3. New land transportation facilities within estuarine waters, intertidal marshes or tidal wetlands shall be permitted only if:
  - a. No feasible alternative route exists; and
  - b. A need (i.e. a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - c. Adverse impacts are avoided or minimized.
4. In Estuary Conservation 1 (EC1) and Estuary Conservation 2 (EC2) zones, new land transportation facilities shall be limited to bridge crossing support structures and temporary low-water bridges.
5. New land transportation facilities in Estuary Development (ED) zones shall be permitted only if consistent with the purpose of the management area and the maintenance of navigation and other needed public commercial and industrial water-dependent uses.
6. When bridge crossing support structures are needed, the amount of estuarine surface area occupied shall be the minimum amount possible. Bridges, piers, and trestles shall be designed so as not to impair tidal flow in respect to volume, velocity or direction.

7. Proposals for new land transportation facilities shall be reviewed locally to determine land and water use capability and resource capabilities.
8. Dredged material stockpile sites shall be used as a source for fill material for land transportation facilities whenever practicable.
9. Roadway construction shall be scheduled to avoid critical periods of breeding, feeding and migration of coastal species.
10. New land transportation facilities should be designed and located to take advantage of natural topography so as to cause minimum disruption to the shoreline area.
11. Construction and maintenance of land transportation facilities should be timed and conducted so that mass soil wasting or excessive surface erosion does not occur. The City recommends increased coordination between the State and County Highway Departments and state natural resource agencies in order to meet this objective.
12. In order to preserve significant fish and wildlife habitats and maintain biological productivity, new land transportation facilities in Estuary Natural (EN) zones shall be limited to low- water bridges, bridge crossing and bridge crossing support structures. Bridge crossing support structures are allowed only if consistent with the resource capabilities of the area and the purposes of the management unit.

#### **M. MINING AND MINERAL EXTRACTION**

1. Location of valuable mineral, sand, aggregate, clay, natural gas and petroleum deposits within estuarine waters, intertidal areas, tidal wetlands and shorelands shall be identified, and these sites protected from preemptive use until the resources are extracted.
2. Petroleum extraction and drilling operations shall not be allowed in estuarine waters, intertidal areas or tidal wetlands. Petroleum may, however, be extracted from beneath aquatic areas using equipment located on adjacent shorelands. Petroleum exploration not involving exploratory drilling shall be permitted within all estuary zones and shoreland zones and other shoreland areas.
3. To ensure the preservation of significant fish and wildlife habitats and the maintenance of biological productivity within estuaries, mining and mineral extraction shall not be permitted within Estuary Natural (EN) zones. However, future decreases in the supply of mineral and aggregate resources may require the extraction of resources from areas that are currently designated as Estuary Natural (EN). In such cases, an exception to the Estuarine Resources Goal shall

be taken and included as an amendment to the City's Comprehensive Plan. Coordination with affected state and federal resource agencies shall occur during this amendment process.

4. Mining and mineral extraction in Estuary Conservation 2 (EC2) and Estuary Conservation 1 (EC1) zones shall be permitted only if consistent with the resource capabilities of the area and the long-term use of renewable resources, and if it does not cause a major alteration of the estuary.
5. Mining and mineral extraction in Estuary Development (ED) zones shall be permitted only if consistent with the maintenance of navigation and other needed public, commercial and industrial water-dependent use.
6. Mining and mineral extraction in shoreland zones shall be permitted only if:
  - a. There is a public need for the extracted resource; and
  - b. If the mining and mineral extraction project will not preclude or conflict with existing or reasonable potential water-dependent uses on the site or in the vicinity.
7. The City encourages the Division of State Lands to lower the charge for minerals and aggregate to be in line with local market prices.

#### **N. MITIGATION**

1. The City of Garibaldi is opposed to the concept of mitigation and mitigation banking. However, the City will comply with the legal requirements for mitigation contained in the State Fill and Removal Law (ORS 541.605-541.695).
2. Dredging or fill within intertidal areas or tidal wetlands shall be mitigated by the creation, restoration or enhancement of similar estuarine areas.
3. Mitigation projects shall comply with the requirements of the State Fill and Removal Law (ORS 541.605-541.665).
4. An exception to the Agricultural Lands Goal shall be taken and included as an amendment to the City Comprehensive Plan before productive agricultural land is lost due to breaching or removal of functional dikes for purposes of mitigation. The Tillamook County Agricultural Criteria shall be used to elevate the value or productivity of agricultural land. Significant wildlife habitat should not be lost through breaching or removal of dikes.
5. Mitigation sites that generally correspond to the types and quantity of intertidal area proposed for dredging or filling shall be identified in the mitigation plan element of the City Comprehensive Plan. Priority sites shall be preserved for

future mitigation use. The City shall cooperate with local ports and the County to preserve priority sites for future mitigation use.

**O. NATURAL HABITAT AND RESOURCE AREA**

1. A portion of all types of ecosystem in the City's estuaries and shorelands shall be designated and managed accordingly to ensure habitat diversity, in conjunction with the Tillamook County Plan.

2. Estuarine habitat shall be designed and managed as follows:

a. Except where goal exceptions have been taken in the City's Comprehensive Plan, Estuary Natural (EN) zones shall contain at a minimum, all major tracts of salt marsh, tideflats, seagrass and algae beds. The purpose is to:

- i. Assure the protection of significant fish and wildlife habitats; and
- ii. Retain diversity of native ecosystems and continued biological productivity within each estuary.

The management objective is to preserve those natural resources in recognition of dynamic natural, geological and evolutionary processes. Permissible uses within these areas shall be consistent with this management objective and shall recognize the low tolerance level of intensive human use.

b. Except where goal exceptions have been taken in the Tillamook County Comprehensive Plan, Estuary Conservation 1 (EC1) zones shall contain, at a minimum:

- i. Tracts of tidal marshes, tideflats, seagrass and algae beds which are smaller or of less biological importance than those designated as Estuary Natural (EN).
- ii. Native and commercial clam, shrimp and native oyster beds;
- iii. Productive recreational or commercial fishing areas;
- iv. Areas that are partially altered and adjacent to existing development of moderate intensity which do not possess the resource characteristics of natural or development units.
- v. Areas with potential for shellfish culture (excluding platted oyster beds in Tillamook Bay); and
- vi. Subtidal channel areas adjacent to rural or agricultural shorelands.

The management objective is to:

- i. Provide for the long-term maintenance and enhancement of biological productivity;
- ii. Provide for activities allowing the long term utilization of renewable resources and not requiring major alterations of the estuary, except for the purposes of active restorations; and

- iii. Provide for the long term maintenance of the aesthetic values of estuarine areas, in order to promote/enhance low intensity recreational use of estuarine areas which are adjacent to rural or agricultural shorelands.
- c. Except where goal exceptions have been taken in the City's Comprehensive Plan, Estuary Conservation 2 (EC2) zones shall contain:
  - i. Tracts of significant habitat not qualifying for EN or EC1 designation;
  - ii. Areas containing existing water-dependent facilities which require periodic dredging to maintain water access;
  - iii. Partially altered estuarine areas or estuarine areas adjacent to existing water-dependent development, and which do not otherwise qualify for EN, EC1, or ED designations; and
  - iv. Subtidal navigable areas that are adjacent to urbanized areas, which do not qualify for EN, or EC1 designation, and which are not federally authorized and maintained navigation channels.

The management objective is to:

- i. Provide for long-term use of renewable resources that do not require major alterations of the estuary, except for purposes of restoration; and
  - ii. Other than minor navigational improvement, aquaculture facilities and water-dependent recreational facilities provide for new water-dependent industrial and commercial uses only where dredging and filling are not necessary, and where consistent with the resource capabilities of the area and purposes of the management unit.
- d. Estuary Development (ED) zones shall contain:
    - i. Areas that contain public facilities that are utilized for shipping, handling or storage of waterborne commerce, or for moorage or fueling of marine craft;
    - ii. Subtidal channel areas adjacent to or in proximity to the shoreline that are currently used or needed for shallow draft navigation (including authorized maintained channels and turning basins);
    - iii. Areas of minimum biologic significance needed for uses requiring alteration of the estuary not included in EN, EC1, or EC2 zones; and
    - iv. Where an acknowledged Goal 16 exception has been taken, areas of biological significance which are potentially suitable for commercial, recreational, or industrial development, due to their proximity to subtidal channels developed or developable shorelands or developed estuarine areas, and to the availability of services.

The management objective is to:

- i. Provide for long-term maintenance, enhancement, expansion or creation of structures and facilities for navigational and other

- ii. water-dependent commercial, industrial or recreational uses; and Provide for the expansion or creation of other commercial, industrial or recreational facilities as outlined in the subsection on Industrial and Commercial Uses.
- iii. Developments that require surface water appropriation and diversion shall be located where stream flows are not reduced below the minimum recommended levels. Water Quality policies shall apply.
- iv. Non-hazard snags adjacent to streams, sloughs and in forested areas should be left in order to increase habitat diversity.

**P. NAVIGATIONAL STRUCTURES AND NAVIGATIONAL AIDS**

1. Navigational aids (beacons, buoys, channel markers) and maintenance and repair of existing navigational structures (breakwaters, jetties, groins and pile dikes) shall be permitted within all estuary zones. Expansion or new construction of navigational structures is only permitted in Estuary Conservation 1 (EC1), Estuary Conservation 2 (EC2) and Estuary Development (ED) zones.
2. Navigational structures shall be permitted only if:
  - a. Required for navigation or in conjunction with a water- dependent recreational, commercial or industrial use for which there is a need (i.e. substantial public benefit) demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
  - b. Adverse impacts on water currents and erosion accretion patterns are avoided or minimized to be consistent with the purposes of the area; and
  - c. In Estuary Conservation 1 (EC1) and Estuary Conservation 2 (EC2) zones, navigational structures shall be limited to floating breakwaters, which shall be permitted only if consistent with the resource capabilities of the area and the long-term use of renewable resources, and if they do not cause a major alteration of the estuary.

**Q. PILING/DOLPHIN INSTALLATION**

1. Replacement of existing pilings and dolphins shall be permitted within all estuary zones.
2. In Estuary Natural (EN) zones, new pilings shall be limited to: individual unconnected pilings in conjunction with an approved aquaculture facility or a navigational aid; or temporary alterations; or active restoration and estuarine enhancement (Aquaculture Facilities and Navigation Structures and Aids policies and standards shall apply).

3. Piling and dolphin installation in Estuary Conservation 2 (EC2) and Estuary Conservation 1 (EC1) zones shall be allowed only for navigation or a water-dependent use for which no practicable alternative locations exist, and shall be permitted only if consistent with the resource capabilities of the area and the long-term use of renewable resources, and if it does not cause a major alteration of the estuary.
4. Piling and dolphin installation in Estuary Development (ED) zones shall be permitted if:
  - a. Required in conjunction with navigation of a water-dependent use for which no feasible alternative upland locations exist; or
  - b. Required in conjunction with a water-related use of a non- dependent, non-related use, only if consistent with the maintenance of navigation and other needed public and industrial water-dependent uses.
5. Replacement of existing pilings and dolphins and installation of new pilings and dolphins shall be subject to the requirements of the Rivers and Harbors Act of 1899, and other applicable state and federal laws.

**R. PUBLIC ACCESS TO THE ESTUARY AND ITS SHORELANDS**

1. The City recognizes the value of maintaining and improving public access to its publicly owned estuaries, for all people.
2. Further acquisition, sale or development of shorelands owned by the County, federal, state and local governments shall be carried out in a manner to retain existing public access and maximize future public access to these publicly owned shorelands, consistent with resource capabilities and site sensitivity to human use. To this end;
  - a. Existing public ownership, rights-or-way and similar public easements that provide access to or along coastal water shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of shoreland areas, provided public access across the affected site is retained.
  - b. Governments should avoid closing their lands to public use unless protection of fragile resources outweighs the benefits to be derived from public use.
  - c. All units of government providing or supporting public access to the public coastal areas should give particular attention to use capabilities in order to protect areas from over-use and to prevent potential damage to resources.

- d. Public access to shorelands owned by federal, state and local government should be improved where feasible and consistent with authorized use.
  - e. The City should consider the purchase of conservation or scenic easements whenever opportunities are available to increase public access.
  - f. The City supports the voluntary use of the open space special tax assessment law when it will result in property owners maintaining natural areas or providing visual or physical access to public areas.
  - g. Special consideration should be given to making some designated areas of the City's publicly owned shorelands available to the elderly, handicapped, and physically disabled.
3. The private use of privately owned intertidal areas, tidal wetlands and shorelands is legitimate and must be protected against encroachment. Public access through, and the use of, private property shall require the consent of the owner, and is trespass unless appropriate easements and accesses have been acquired in accordance with the law.
  4. Where major shoreline developments are allowed, they should not, in combination with other developments in the area, exclude the public from shoreline access to areas traditionally used for fishing, hunting or other shoreline activities.
  5. Special consideration of the need to retain open space and improve public access to publicly owned shorelands is necessary in urban areas. Industrial and commercial facilities such as canneries, ports and marinas should, where feasible, provide physical or visual access to coastal waters and shorelands.
  6. The creation of waterfront parks is strongly encouraged as a means of providing public access and open space. Future proposals for waterfront restoration shall include a detailed description of the areas to be restored and the activities involved in restoration. Shoreland Development policies shall apply.

**S. RECREATION AND RECREATIONAL FACILITIES**

1. Maintenance and repair of existing docks, moorages, marinas and other recreational facilities shall be permitted within all estuary and shoreland zones, and other shoreland areas.
2. Low-intensity water-dependent recreation shall be permitted within all estuary and shoreland zones, and other shoreland areas.

3. To reserve significant fish and wildlife habitat and provide for continued biological productivity, recreation in Estuary Natural (EN) zones shall be limited to boat ramps for public use where no dredging or fill for navigational access is needed.
4. Boat ramps for public use, where no dredging or fill for navigational access is needed, are permitted in Estuary Conservation 1 and Estuary Conservation 2 zones. Other water-dependent recreational facilities shall be permitted only if consistent with the resource capabilities of the area and the long-term use of renewable resources, and if they do not cause a major alteration of the estuary.
5. The siting of recreational developments and areas where recreational activities are focused within the shoreland area shall comply with the following conditions:
  - a. Areas of concentrated public access and recreational development that experience heavy use, where appropriate, include auxiliary facilities such as parking and sanitation;
  - b. Parking areas should be located away from the waterfront, with access to beach and waterfront areas provided by walkways and other methods;
  - c. The design and siting of high intensity recreational facilities should account for possible adverse impacts on adjacent or nearby private property.
6. Recreational off-road vehicle use shall not be permitted in estuarine waters, intertidal areas or tidal wetlands. Recreational off-road vehicle use in shorelands should be permitted only in designated areas where the activity can be regulated. Particularly fragile areas should be signed to avoid use or over-use.
7. Consistent with demand, natural resource values, private property rights and the need for other more intensive development, local, state and federal agencies are encouraged to provide for recreational facilities and public access to points of ocean, estuaries, rivers and shorelands. Adequate law enforcement shall be provided by the local, state or federal agency responsible for these recreational use areas.
8. Wherever practicable, scenic views and vistas shall be protected to retain recreational appeal of the City.
9. Docks, moorages and marinas shall be subject to the respective standards for these activities.

10. Dredge, fill, shoreline stabilization or piling/dolphin installation in conjunction with recreational facilities shall be subject to the respective policies and standards for these activities.

## **T. RESTORATION AND ENHANCEMENT**

1. Habitat types, resources or amenities which are in shortest supply as compared with historical abundance shall be identified as part of the restoration plan element of the Tillamook County Comprehensive Plan, and shall be priority sites for restoration projects.
2. Passive restoration is the use of natural processes, sequences and timing that occur after the removal or reduction of adverse stresses without other specific positive remedial action. Passive restoration shall be permitted in all estuary zones.
3. Restoration and enhancement activities may serve as part of a mitigation project, subject to the requirements of State Fill and Removal Law (ORS 541.605-541.665) and other applicable state and federal laws.
4. Estuarine restoration means to revitalize or re-establish functional characteristics and processes of the estuary diminished or lost by past alterations, activities or catastrophic events. All restored area must be a shallow subtidal, or an intertidal, or tidal marsh area after alteration work is performed and may not have been a functioning part of the estuarine system when alteration work begins. The following types of restoration work are recognized but not limited to:
  - a. Diked lands restoration - Priority shall be given to restoration or agriculturally marginal or unused low-lying diked areas adjacent to estuarine wetland or tideland. This may be accomplished by either active means such as contouring to provide the potential for diverse habitats (mudflat and marsh) of dikes, or by passive means such as breaching a dike to allow tidal flushing. An exception to the Agricultural Lands Goal shall be taken and included as an amendment to the Garibaldi Comprehensive Plan before productive agricultural land is lost due to breaching or removal of functional dikes for purposes of restoration. The Tillamook County Agricultural Criteria shall be used to evaluate the value or productivity of agricultural land. Significant wildlife habitat should not be lost through breaching or removal of dikes. Incentives should be provided to landowners to encourage the re-restoration of unused diked tidal marsh areas with minimal agricultural value to aquatic production.
  - b. Removal of fills to estuarine surface area.
  - c. Establishment of tidal marsh vegetation.

5. Estuarine enhancement is an action that results in the long term improvement of an existing estuarine functional characteristics and processes that is not the result of a creation or restoration action. Estuarine enhancement includes but is not limited to:
- a. Removal of old pilings and structures - Priority shall be given to the removal of old pilings, buildings or navigational structures which are a hazard to navigation, pose a danger to life and property, are structurally unsound or serve no demonstrated public use.
  - b. Restoration of shoal areas - Priority shall be given to estuarine channel areas where excessive shoaling has resulted in loss or decrease in navigability.
  - c. Restoration of eroded areas - Priority shall be given to areas where erosion constitutes a hazard.
  - d. Restoration of river channels and mouths for purposes of flood control. Priority shall be given to river channels and mouths where shoaling or a concentration of debris has occurred. Proposed restoration projects for the purposes of flood control must demonstrate that flooding conditions will be reduced to those which existed at the time of the physical dimensions (e.g. depth and width to which the channel is being restored).
  - e. Salmon habitat/spawning restoration projects - Priority shall be given to projects involving the regravelling of streams where excessive siltation has occurred, and/or removal of bypass constructions, such as old tidegates, dams or waterfalls.
  - f. In Estuary Development (ED) zones, only those passive restoration projects shall be permitted which do not:
    - i. Interfere with the provision or maintenance of navigation and other needed public, commercial and industrial water-dependent uses; or
    - ii. Pre-empt the use of adjacent shorelands especially suited for water-dependent development.
  - g. Active restoration and estuarine enhancement as defined above shall be permitted in all estuary zones, subject to the following requirements.
    - i. In Estuary Natural (EN), active restoration shall be limited to restoration of fish and wildlife habitat or water quality. Active restoration and estuarine enhancement shall be consistent with the resource capabilities of the area and the purposes of the management unit.
    - ii. In Estuary Conservation zones, a resource capability determination shall be required for active restoration for purposes other than restoration of fish and wildlife habitat or water quality.
    - iii. In Estuary Development zones, active restoration shall not interfere with the provision or maintenance of navigation and

other needed public, commercial and industrial water-dependent uses or the use of adjacent shorelands especially suited for water-dependent development.

- iv. In Shoreland zones, active restoration shall not preclude or conflict with existing or reasonable potential water-dependent uses on the site or in the vicinity.
- v. In major marshes, significant wildlife habitat, coastal headlands and exceptional aesthetic resources within coastal shorelands, active restoration shall be consistent with the protection of natural values.

**U. SCIENTIFIC RESEARCH, PLANNING AND PUBLIC EDUCATION IN ESTUARIES AND SHORELANDS**

- 1. To ensure local coordination and to provide useful information for local estuary management decisions, all agencies, consultants, university personnel and private individuals conducting research or developing plans in the City should:
  - a. Contact Tillamook County and the City during the project planning stage, to outline the research objectives and schedules, and the means of reporting project results; and
  - b. Convey research results to local government agencies.
- 2. Tillamook County shall continue to compile physical and biological inventory material on the estuaries and shorelands of Tillamook County and shall make all available material accessible to citizens, particularly those proposing projects requiring state and federal permits.

**V. SHALLOW DRAFT PORT FACILITIES AND MARINAS**

- 1. Maintenance and repair of existing port facilities and marinas shall be permitted within all estuary zones. Expansion and new construction of port facilities is only allowed in Estuary Development (ED) and Estuary Conservation 2 (EC2) zoned areas.
- 2. In shallow draft development estuaries (Tillamook Bay), the depth of those portions of the main channel which are maintained by dredge shall not exceed 22 feet in depth.
- 3. The following shall be considered in the designation of areas for the purpose of port facility or marina development or expansion:
  - a. Proximity to navigation channel;
  - b. Degree of existing estuarine or shoreland alteration;
  - c. Resource capabilities when located in EC2 zones;

- d. Relative biological significance;
  - e. Proximity to land transportation facilities;
  - f. Availability to water and sewer service and power supplies;
  - g. Value of the area to the community as an economic resource;
  - h. Proximity to urban or urbanizable areas;
  - i. Need for, and availability of, developable shorelands;
  - j. Proximity to industrial areas or potential upland industrial sites;
  - k. Initial and long-term dredging and dredged material disposal requirements, and availability of dredged material disposal sites.
4. Safe navigation access to existing and future port facilities shall be maintained.
  5. To encourage the most efficient use of waterfront and water surface area:
    - a. Public or private community marina facilities are encouraged over proliferation of individual, single-purpose piers and mooring facilities;
    - b. Concentrated marinas are preferred over small, widely distributed marinas;
    - c. Dryland, rather than in-water storage of boats is preferred when feasible.
  6. Development or expansion in EC2 zones shall be permitted only if:
    - a. Consistent with the resource capabilities of the area and the long-term use of renewable resources; and
    - b. No major alterations of the estuary would result.

**W. SHORELAND DEVELOPMENT: INDUSTRIAL, COMMERCIAL, RESIDENTIAL**

1. New shoreland development, expansion, maintenance or restoration of existing development and restoration of historic waterfront areas shall be sited, designed, constructed and maintained to minimize adverse impacts on riparian vegetation, water quality, significant natural resources, wildlife habitat and aquatic life and habitat in adjacent estuaries, rivers, streams and coastal lakes and to be consistent with existing hazards to life and property posed by eroding areas and flood hazard areas. To accomplish this:
  - a. Riparian vegetation shall be retained, unless removal is required for direct water access in conjunction with a water- dependent use. Restoration and enhancement of riparian vegetation is encouraged, where appropriate and consistent with water-dependent uses.
  - b. Shoreland development shall be sited and designed to be consistent with the protection of the natural values of identified major marshes and significant wildlife habitat, identified in the City Comprehensive Plan.
  - c. Shoreland setbacks shall be established to protect riparian vegetation.

- d. Priority shall be given to nonstructural rather than structural solutions to problems of erosion and flooding.
  - e. Existing state and federal authorities referenced in the Water Quality policies shall be utilized for maintaining water quality and minimizing man-induced sedimentation in aquatic areas.
- 2. New shoreland development, expansion, maintenance or restoration of existing development and restoration of historic waterfront areas shall be designed to promote visual attractiveness and scenic views and provide, where appropriate, visitor facilities, public viewpoints and public access to the water.
  - 3. Multiple use of shorelands shall be encouraged when the integration of compatible uses and activities is feasible.
  - 4. Water-dependent industrial and commercial uses include, but are not limited to:
    - a. Industrial
      - i. Piers, wharfs and other terminal and transfer facilities for passengers or water borne commerce such as fish, shellfish, timber or timber products.
      - ii. Water intake and discharge facilities of timber processing plants;
      - iii. Portions of facilities for the extraction of minerals, aggregate, petroleum, natural gas, earth products or geothermal resources (as defined by subsection (4) ORS 522.010) which require access to water during the extraction procedure;
      - iv. Portions of facilities for the refining or processing of minerals, aggregate, earth products or geothermal resources (as defined by subsection (4) ORS 522.010) which require access to water body for intake or release of water during the refining or processing procedure;
      - v. Portions of facilities for manufacturing, assembly, fabrication or maintenance of marine craft or marine equipment which require access to a water body as part of the manufacture, assembly or fabricating process, due to the size of the craft or equipment which is being constructed;
      - vi. Portions of aquaculture facilities, including hatchery sites or fish release/recapture sites which require access to or use of water;
      - vii. In-water sorting, storage or handling of logs in association with water-borne transportation of logs.
    - b. Commercial
      - i. Commercial marina and moorages (including seaplane moorages) and ancillary facilities such as marine craft or equipment repair facilities or fueling stations.

- ii. Other uses may be determined to be water-dependent, if they can only be carried out on, in or adjacent to water, and the location or access is needed for:
    - (a) Water-borne transportation;
    - (b) Recreation; or
    - (c) A source of water (such as energy production, cooling of industrial equipment or wastewater, or other industrial processes.)
5. Industrial and commercial uses shall be identified as water-related on a case-by-case basis, with consideration given to the public loss of quality in goods or services which would result if the use were not offered adjacent to water. Water-related industrial and commercial uses could include, but are not limited to:
- a. Industrial
    - i. Fish or shellfish processing plants;
    - ii. Warehousing and/or other storage areas for marine equipment or water-borne commerce
  - b. Commercial
    - i. Fish or shellfish retail or wholesale outlets;
    - ii. Marine craft or marine equipment sales establishments;
    - iii. Sport fish cleaning, smoking or canning establishments;
    - iv. Charter fishing offices;
    - v. Retail trade facilities in which the majority of products are products such as ice, bait, tackle, nautical charts, gasoline, or other products incidental to, or used in conjunction with, a water-dependent use;
    - vi. Restaurants which provide a waterfront view.
    - vii. Other uses may be determined to be water-related if the use:
      - (a) Provides goods and/or services that are directly associated with water dependent uses (supplying materials to, or using products of, water-dependent uses); and
      - (b) If not located near the water, would experience a public loss of quality in the goods and services offered. Evaluation of public loss of quality will involve a subjective consideration of economic, social and environmental consequences of the use.
6. Shorelands in areas especially suited for water-dependent development shall be reserved for water-dependent recreational, commercial and industrial uses through appropriate ordinance provisions. The following factors shall be considered in the designation of WD1 shorelands:

- a. Proximity of deep water suitable for transportation of water- borne commerce, recreational or commercial boating or other water dependent uses;
  - b. Availability of land transportation facilities;
  - c. Availability of water, sewer and power supplies;
  - d. Degree of existing estuarine or shoreland alteration;
  - e. Value to local communities as an economic resource;
  - f. Type, extent and scarcity of biological resources within the area or within adjacent estuary zones.
7. Water-related and non-dependent/related uses shall be permitted within Water Development 1 (WD1) shorelands only upon a finding that:
- a. There is a demonstrated public need; and
  - b. The proposed use will not preclude or conflict with existing or reasonable potential water-dependent uses on the site or in the vicinity; or
  - c. The use is an accessory use in conjunction with a water- dependent use for which there are no practical alternative locations.

Water-related and non-dependent/related uses which are accessory uses in conjunction with a water-dependent use, which share existing structures with a water-dependent use, and for which there are no practicable alternative locations shall be given priority over water- related and non-dependent/related uses which do not meet this criteria.

8. Shoreland areas suitable as Dredged Material Disposal (DMD) or mitigation sites shall be identified in the City Comprehensive Plan. Dredged Material Disposal and Mitigation Standards shall apply.

**X. SHORELINE STABILIZATION**

- 1. Maintenance and repair of existing shoreline stabilization measures shall be permitted within all estuary and shoreland zones, and other shoreland areas.
- 2. Within estuarine waters, intertidal areas, tidal wetlands and along shoreland zones, and other shoreland areas, general priorities for shoreline stabilization for erosion control are, from highest to lowest:
  - a. Proper maintenance of existing riparian vegetation;
  - b. Planting of riparian vegetation;
  - c. Vegetated rip-rap;
  - d. Non-vegetated rip-rap;
  - e. Groins, bulkheads and other structural methods.

3. Proper maintenance of existing riparian vegetation and planting of additional vegetation for purposes of shoreline stabilization shall be permitted within all estuary zones, and along shoreland zones and other shoreland areas. The City supports the efforts of the Tillamook Soil and Water Conservation District to maintain and improve streamside habitat along the County's rivers and streams.
4. Structural shoreline stabilization methods within estuary and shoreland zones, or other shoreland areas shall be permitted only if:
  - a. Flooding or erosion is threatening a structure or an established use or there is a demonstrated need (i.e. a substantial public benefit) and the use or alteration does not unreasonably interfere with public trust right.
  - b. Land use management practices or non-structural solutions are inappropriate because of high erosion rates, or the use of the site, and
  - c. Adverse impacts on water currents, erosion and accretion patterns and aquatic life and habitat are avoided or minimized.
5. In Estuary Natural (EN) zones, structural shoreline stabilization shall be limited to rip-rap, which shall be permitted only if consistent with the resource capabilities and purposes of the management unit. Rip-rap in Estuary Natural (EN) zones shall be allowed only to protect:
  - a. Existing structures or facilities which are in conformance with the requirements of this ordinance, or non-conforming structures or facilities established prior to October 7, 1977;
  - b. Unique natural resources or sites with unique historical or archaeological values;
  - c. Established uses on private property.

A resource capability determination shall be required for rip-rap in EN zones for purposes other than the protection of unique natural resources, historical and archaeological values, public facilities and uses existing as of October 7, 1977.
6. In Estuary Conservation 1 (EC1) and Estuary Conservation 2 (EC2) zones, structural shoreline stabilization (rip-rap, groins or bulkheads) shall be permitted only if:
  - a. Consistent with the longterm use of renewable resources; and
  - b. Does not cause a major alteration of the estuary.

7. In Estuary Development (ED) zones, structural shoreline stabilization (rip-rap, groins or bulkheads) shall be permitted only if consistent with the maintenance of navigation and other needed public, commercial and industrial water-dependent uses.
8. Structural shoreline stabilization in Water-Dependent Development (WDD) shoreland zones shall not preclude or conflict with existing or reasonable potential water-dependent uses on the site or in the vicinity.
9. The City shall coordinate with affected state and federal resource agencies, affected local jurisdictions and project applicants to ensure that state and federal laws governing environmental quality, resource protection and public health and safety are met in the design, siting, construction and maintenance of structural shoreline stabilization projects and that adverse impacts are avoided or minimized.

## **Y. WATER QUALITY**

1. The following state and federal authorities shall be utilized for maintaining water quality and minimizing man-induced sedimentation in estuaries:
  - a. The Oregon Forest Practices Act and Administrative Rules for forest lands are defined in ORS 527.610 -527.730, 572.990;
  - b. The non-point source discharge water quality program administered by the Department of Environmental Quality under Section 208 of the Clean Water Act of 19787 (P.L. 92-500).
  - c. The Fill and Removal Permit Program administered by the Division of State Land under ORS 541.605 - 541.665; and
  - d. The program of the Soil and Water Conservation Commission and local districts and the Soil Conservation Service for Agricultural lands;
  - e. Sections 404 and 402 of the Clean Water Act of 1977 (P.L. 92- 500).
2. The City supports the efforts of the Department of Environmental Quality to identify the quantities of bacterial wastes derived from non-point pollution sources, and to develop a bacterial management plan for Tillamook Bay. The City shall review the Tillamook Bay Bacteria Management Plan and incorporate appropriate elements of the plan into county policies and standards.
3. Gasoline and oil sales on the waterfront should be limited to the servicing of water-dependent facilities and marine craft.

4. Uncontrolled release of pollutants into ocean, river or estuarine waters is prohibited by state and federal law. Controlled release of treated industrial, domestic and agricultural wastes into ocean, river or estuarine waters shall be permitted only if no practicable alternatives exist. In this case, waste disposal into the ocean or rivers is preferred over estuarine waste disposal.
5. All projects involving dredging, fill, piling/dolphin installation, or navigational structures shall be constructed so that flushing capacity is maintained or improved and so that changes in circulation patters will not result in water quality problems.
6. Garibaldi recognizes the statutory authority of the Oregon Department of Agriculture to regulate the application of pesticides and herbicides, the Oregon Department of Environmental Quality to regulate the impacts of chemical substances on estuarine water quality, and the Oregon Department of Environmental Quality to regulate water withdrawal and effluent discharge into estuarine waters. Preparation of impact assessments for these activities shall be the responsibility of these agencies.

## **Z. SOLID WASTE DISPOSAL AND SANITARY LANDFILLS**

1. Solid waste disposal shall occur only on approved sites which have been identified in the Tillamook County solid waste disposal plan, and shall be strictly confined to the site. Aesthetic impacts of solid waste disposal shall be minimized, whenever feasible.
2. Solid waste disposal sites shall not be permitted within estuarine waters, intertidal areas, tidal wetlands or shoreland zones.
3. Solid waste disposal sites shall be allowed on shorelands only when other alternative upland locations are not feasible.
4. Solid waste disposal sites shall not be permitted within identified major marshes, significant wildlife habitat, exceptional aesthetic resources and significant historical and archaeological sites within the shoreland planning boundary identified in the City Comprehensive Plan.
5. Aesthetic impacts of solid waste disposal shall be minimized by screening the sites with fences or vegetation, wherever feasible. Sanitary landfills shall not be permitted within estuary zones, shoreland zones or other shoreland areas.
6. The location and operation of solid waste disposal sites shall be subject to all relevant state and federal air quality, water quality and solid waste disposal regulations. Leaching of harmful substances into ground or surface water shall be avoided, and public health and safety maintained.

## **AA. ESTUARY AND COASTAL SHORELAND PLAN UPDATE**

The City will cooperate with other jurisdictions on Tillamook Bay in revising the overall Tillamook Bay Estuary Plan when necessary.

## **BB. FUTURE DEVELOPMENT SITES**

Management Unit 6 is considered by the City of Garibaldi and the Port of Garibaldi as a potential development site for small boat moorage. The City finds that this site has a number of characteristics which contribute to its potential future use as a small boat basin:

1. Proximity to the existing boat basin, this proximity would allow the utilization of existing upland marine support facilities.
2. Proximity to existing Corps authorized channel.
3. The site has fewer significant environmental resources than other potential sites (e.g., Management Unit 4). If the need for additional small boat moorage facilities can be demonstrated, the City will pursue an exception to the appropriate Goal 16, Estuarine Resources requirements.

If the need for additional small boat moorage facilities can be demonstrated, the City will pursue an exception to the appropriate Goal 16, Estuarine Resources requirements.

## **CC. WATERFRONT CONCEPT PLAN**

*[NOTE: Section CC "Waterfront Concept Plan" was produced by Cogan Owens Cogan, Portland, Ore. through a DLCD Technical Assistance Grant and formally adopted by Council through Ord. No. 289 on June 19, 2006.]*

The City of Garibaldi is adjacent to Tillamook Bay, close to the Pacific Ocean. Garibaldi's waterfront area consists of more than 91 acres on two peninsulas that extend into the bay. Land on the western peninsula and the western part of the eastern peninsula is owned by the Port of Garibaldi and is where a majority of employers in the city are located. The second peninsula, known as the "Old Mill" site, consists mainly of vacant land and is the location of an RV park and boat storage area. A mixed-use development of homes, businesses, and open space has been proposed for the Old Mill site.

Land on Garibaldi's waterfront is zoned for a variety of uses:

- One parcel is zoned for medium-density residential development (R-1). This zone is intended to provide an area of primarily single-family homes, duplexes and manufactured homes, with apartments allowed as a conditional use.
- Several parcels are zoned for industrial use (I-1). These lands provide sites for

industrial activities requiring large land areas, and which have generally greater impacts on the community, and which may be incompatible with other uses. Proximity to highway and railroad transportation is considered important.

- Lands that extend farthest into the bay are part of the waterfront development zone (WD-1). The WD-1 zone is intended to provide an area in which primarily water-dependent and water-related uses are located for the support of the marine industry.
- Other parcels along on the peninsulas are zoned to support waterfront uses (WD-2). The WD-2 zone is intended to provide additional potential areas for water-dependent uses, as well as for land uses that support or are complementary to waterfront uses, and for non-water-dependent and water-related uses in a waterfront setting.

Many of the Garibaldi's key businesses, including a recreational vehicle (RV) park, restaurants, shrimp and fish processing facilities, a lumber mill, recreational businesses and the U.S. Coast Guard, are on the Port of Garibaldi's 48-acre site. The marina has moorage for 300 vessels and serves as the base of operation for several commercial fishing and charter operators. The Port property contains a majority of the city's WD1 and I1 zones. The land zoned WD1 is directly adjacent to the bay and includes the marina. Waterfront properties are described in more detail below. In addition, a map and database of waterfront properties describing land uses have been prepared as part of this analysis.

## **1. Port of Garibaldi**

The Port is served by a road network, water and sewer services. A number of road improvements are recommended for the Port, including the addition of bicycle trails and sidewalks. Several of these recommendations are related to upgrading the safety of railroad crossings at South 3<sup>rd</sup> and 7<sup>th</sup> Streets. A sewer lift station located on Port property is scheduled to be replaced. The Port has some National Pollutant Discharge Elimination System concerns. A recent study completed for the Port of Garibaldi addressed drainage issues in the Port's developed industrial area. There are a few areas to the east of the Port's property that were formerly industrial sites. As these areas develop, stormwater issues and NPDES requirements will have to be addressed. The nature of these will depend upon the type of development proposed.

## **2. Old Mill Marina**

The Old Mill site encompasses nearly 30 net acres extending into Tillamook Bay<sup>4</sup>. This accounts for more than half of the buildable employment land in Garibaldi. In the past, the site was used for industrial purposes. Lumber mills and a plywood manufacturing plant operated there until the early 1970's. New owners of the site have proposed a mixed-use development consisting of housing, businesses and open space

along with utilities and roads to serve the area. More than 500 units of housing are proposed, the majority of which will be single-family attached homes, although approximately 100 smaller, loft units also are planned. Some of these units will be incorporated into the commercial development. Approximately 250,000 square feet of commercial space is proposed as well as a 120-room hotel. Park and open space areas would be incorporated along the entrance to the site (see buildable lands map, parcel 68) and surrounding the smoke stack (see waterfront maps, parcel 40). A path network is proposed along the perimeter of the peninsula, as well as throughout the interior of the site that would tie into the Bay Shore Trail.

Plans for the Old Mill site include a road network to facilitate the new development. One major improvement will be needed - moving the site's entrance from South 3<sup>rd</sup> Street to South 2<sup>nd</sup> Street. Main water lines extend to the site and serve the RV park. However, additional water lines within the site will need to be constructed and plans for new water storage facilities will need to be accelerated to accommodate the proposed development. Sewer lines run to the site, but additional lines within the site will need to be constructed. Stormwater drainage facilities also will be required for streets serving the new development, including potential improvements on Hwy. 101. Facilities may include a combination of curbs and gutters, drainage swales or other on-site facilities.

A buildable lands inventory and Goal 9 economic opportunities analysis (EOA) conducted for the City of Garibaldi show that the city has a surplus of more than 42 acres of commercial and industrial land to meet 20-year employment needs. The majority of this land is located on the Old Mill site.

### **3. Preliminary Goal 17 Analysis**

Garibaldi has traditionally been a fishing port, relying on commercial and sport fishing. The commercial fishing industry has seen significant declines over the years and given way, in large part, to sport fishing as the main waterfront industry. With the exception of the remaining mill in Garibaldi, medium to large industrial uses of the past no longer exist in the city. For example, the Oregon Washington Plywood Mill closed around 1972. It was the largest lumber mill on the coast and, with its closure, the Garibaldi waterfront no longer contains large-scale industrial uses, although there is a small hardwood mill near Highway 101 and 7<sup>th</sup> Street.

Many of the parcels owned by the Port of Garibaldi are zoned WD-1 in accordance with Goal 17. The purpose of this zoning designation is to provide adequate land for water-dependent uses and, therefore, does not allow for non-water-dependent uses. Although the economic opportunity analysis (EOA) prepared as part of the City's Comprehensive Plan Update process shows that Garibaldi does not need additional commercial and industrial land to meet future employment needs, there is a desire from the City to examine zoning designations in hopes of providing for a more flexible set of uses along the waterfront. Due to the loss industrial activity on the Port of

Garibaldi site, it is believed that there may be an excess of lands zoned strictly for water-dependent uses. The City of Garibaldi would like to examine options to allow some small-scale commercial uses on Port of Garibaldi lands that would cater to adjacent water-dependent uses. These options include:

- a. Rezone several small parcels from WD-1 to WD-2. In addition to water-dependent industrial uses, the WD-2 designation allows for water-related commercial uses.
- b. Rezone several small Port parcels currently designated as WD-1 to WD-2, in exchange for rezoning other parcels from WD-2 to WD-1. This zoning designation “swap” could occur entirely on the Port site and simply change the locations of the zoning designations.
- c. Establish zoning ordinance provisions that would allow for the temporary use of structures in WD-1 zones for non-water-dependent uses, but would not change the zoning designation and would therefore preserve the land for long-term water-dependent uses.

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It is recommended that the City of Garibaldi undertake a Goal 17 analysis as a second phase of this study. The analysis would inventory water-dependent uses, economic resources, recreational uses, and other factors to re-examine the policies and uses of Garibaldi’s coastal shorelands.

## XVI. CHAPTER 5 OF THE TRANSPORTATION SYSTEM PLAN

### A. INTRODUCTION

This section comprises the actual TSP for adoption by the City of Garibaldi and the State of Oregon. The rest of the document provides background documentation for the contents of this section.

This section begins with the TSP goals and objectives and identifies how the TSP meets the goals and objectives. The remainder of this section identifies the transportation projects and policies recommended for implementation during the next 20 years in Garibaldi, along with estimated costs and timing.

### B. TSP GOALS AND OBJECTIVES

As described in Section 2, goals and objectives were developed at the beginning of the TSP process. They are intended to provide a framework for the planning process, to represent the values of the city, and be consistent with and supportive of the policies of relevant agencies. The goals and objectives are implemented through the specific projects and policies identified in the TSP. These projects and policies are summarized for each goal listed below and are described in the subsections that follow the goals and objectives.

1. **Goal 1: Coordination.** Maintain a TSP that is consistent with the goals and objectives of the City of Garibaldi, Tillamook County, Oregon.

#### Objectives

- a. Provide a transportation system that is consistent with other elements and objectives of the City of Garibaldi Comprehensive Plan (consistent with State Planning Goal 12 and the TPR) and other planning documents.
- b. Ensure consistency with state policies, including the OTP and the OHP, regarding transportation issues related to U.S. 101.
- c. Coordinate with the Port of Garibaldi on transportation-related issues.
- d. Coordinate land use and transportation decisions to efficiently use public infrastructure investments to:
  - i. Maintain the mobility and safety of the roadway system
  - ii. Foster compact development patterns
  - iii. Encourage the availability and use of transportation alternatives
  - iv. Enhance livability and economic competitiveness
- e. Establish a local street master plan for the City of Garibaldi.

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## Strategies

The TSP process has been coordinated with the plans and policies of relevant agencies through the plan and policy review conducted at the beginning of the process (See Background Document) and through meetings of the PAC. Consistency with relevant sections of the OHP and the TPR are documented throughout the TSP and in Table 7-1.

2. **Goal 2: Circulation and Mobility.** Develop an interconnected multimodal transportation system that serves the travel needs of Garibaldi.

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## Objectives

- a. Provide a network of arterials, collectors and local streets that are interconnected, appropriately spaced and reasonably direct.
- b. Balance the simultaneous needs to accommodate local traffic and through-travel while incorporating traffic calming provisions.
- c. Minimize travel distances and vehicle-miles traveled.
- d. Safely, efficiently and economically move motor vehicles, pedestrians, bicyclists, transit, trucks and trains to and through Garibaldi.
- e. Develop and adopt design standards for local streets, collectors and arterials describing minimum right-of-way width, pavement, pedestrian service, bicycle travel and other parameters.
- f. Encourage development patterns that offer connectivity and mobility options for members of the community.
- g. Recognize and balance freight needs with needs for local circulation, safety and access.
- h. Recognize the need for sufficient parking for commercial development.
- i. Balance the need for truck, RV and boat trailer access to industrial and waterfront areas with the desire for minimization of disruptions to downtown and commercial areas.
- j. Improve signage for streets, bicycle and pedestrian ways, and trails as well as directional signs to points of interest.
- k. Create and implement a local travel route in Garibaldi as an alternative to traveling on U.S. 101.
- l. Provide opportunities for safe pedestrian routes at railroad crossings.

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## Strategies

Circulation and mobility improvements and policies are found throughout the TSP, including projects to improve east-west mobility in the city and to reduce reliance on U.S. 101 for local trips; numerous improvements to the pedestrian and bicycle system and related policies; changes to street design standards; parking improvements; pedestrian crossings of the railroad; and freight circulation.

3. **Goal 3: Access and Circulation on U.S. 101.** Provide a transportation system that balances access to U.S. 101 and the performance of U.S. 101 with the community desire to maintain a pleasant, economically viable city, consistent with the OHP.

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**Objectives**

- a. Preserve and improve the coastal bicycle route along U.S. 101.
- b. Improve streetscapes along U.S. 101 by adding pedestrian improvements such as landscaping, planters and benches as feasible.
- c. Improve opportunities to cross U.S. 101 by all modes, without adding new access locations.

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**Strategies**

On U.S. 101, the plan includes specific improvements for sidewalks (including ADA-compliant ramps) and curb extensions to shorten crossing distances for pedestrians. Outside of the downtown area, widened shoulders are recommended for the coastal bike route. Several locations for bicycle parking on U.S. 101 are identified.

4. **Goal 4: Downtown Area Transportation Facilities.** Improve transportation and parking facilities to be supportive of economic development in the city's downtown.

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**Objectives**

- a. Provide for additional options for parking in the downtown area to encourage economic development of the downtown.
- b. Develop design standards for transportation improvements in the downtown area to encourage pedestrian connection between the downtown area and adjacent businesses and employment areas.

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**Strategies**

The plan includes projects to improve and increase downtown parking. New street cross sections include provisions for sidewalks to improve pedestrian circulation.

5. **Goal 5: Livability and Economic Viability.** Provide a transportation system that balances transportation system needs with the community desire to maintain a pleasant, economically viable city.

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**Objectives**

- a. Minimize adverse social, economic and environmental impacts created by the transportation system, including balancing the need for street connectivity and the need to minimize neighborhood cut-through traffic.
- b. Improve transportation facilities without major disruption of existing neighborhoods or downtown areas.
- c. Promote pedestrian-oriented design and the provision of pedestrian amenities in the downtown area, such as pedestrian-scale lighting.
- d. Ensure adequate vehicle and bicycle parking and parking signage in the downtown commercial area, using techniques such as shared parking areas where appropriate.
- e. Minimize traffic congestion in the downtown commercial area.
- f. Develop and implement a street tree program, with emphasis on the downtown area.
- g. Discourage through-traffic and high speeds in residential areas.

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**Strategies**

The plan preserves the existing balance between the commercial area on U.S. 101 and the adjacent residential area to the north. Changes to the transportation system are focused on improving the existing system rather than creating new routes. The east-west connectivity projects would improve connectivity for all modes. Several parking projects are included in the plan (improving exploring shared parking areas) to enhance the commercial viability of the downtown area. Traffic congestion issues are addressed through the potential future signal and/or emergency activated sign at 7th Street.

6. **Goal 6: Pedestrian and Bicycle Facilities.** Provide for an interconnected system of pedestrian and bicycle facilities in Garibaldi.

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**Objectives**

- a. Develop safe, connected pedestrian and bicycle facilities near schools, high-density residential districts, commercial districts and waterfront areas.
- b. Develop bicycle lanes or shoulder bikeways on arterial streets (U.S. 101) and collectors.
- c. Adopt, implement and maintain appropriate design and construction standards for pedestrian access in new subdivisions, offices, shopping

- centers and public building developments.
- d. Ensure adequate pedestrian access on all streets in commercial zones.
- e. Use unused rights-of-way for greenbelts, walking trails or bike paths where appropriate.
- f. Improve public access to the waterfront and trails along the waterfront.
- g. Promote multimodal connections where appropriate.
- h. Support and encourage increased levels of bicycling and walking.
- i. Develop safe and convenient pedestrian and bicycle systems that link all land uses, provide connections to transit facilities, and provide access to publicly owned land intended for general public use, such as the beach or park facilities.
- j. Adopt and maintain development standards that support pedestrian and bicycle access to commercial and industrial development, including (but not limited to) direct pathway connections, bicycle parking facilities and signage where appropriate.

### Strategies

Many improvements to the pedestrian and bicycle system are included in the plan, particularly near pedestrian generators, such as the downtown area and the school. Trail improvements also are included.

7. **Goal 7: Accessibility.** Provide a transportation system that serves the needs of all members of the community for all routes and all available modes of transportation.

### Objectives

- a. Consider the transportation disadvantaged when developing alternatives to meet growing transportation needs.
- b. Upgrade existing transportation facilities and work with public transportation providers to provide services that improve access for all users.
- c. Develop and maintain travel routes for pedestrians, bicyclists and the physically handicapped.

### Strategies

No new public transportation facilities are included in the TSP. However, the many pedestrian, bicycle and trail projects will aid pedestrians, bicyclists and those who use these modes in combination with transit. Of particular note are the improvements to pedestrian ramps that bring them up to ADA guidelines.

8. **Goal 8: Public Transportation.** Work to improve cost-effective and safe public transportation through and within Garibaldi.

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**Objectives**

- a. Work with the TCTD to develop transit systems and stations, and related facilities in convenient and appropriate locations that adequately and efficiently serve Garibaldi.
- b. Work to improve the signage and amenities at transit stops and stations.
- c. Work with TCTD to expand transit service as necessary during summer months of peak travel.
- d. Provide for the transportation disadvantaged by complying with state and federal regulations and cooperating with TCTD and other agencies.

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**Strategies**

The TSP has been coordinated with the TCTD. While no new public transportation facilities are included in the TSP, the many pedestrian, bicycle and trail projects will aid pedestrians, bicyclists and those who use these modes in combination with transit.

9. **Goal 9: Environment.** Provide a transportation system that balances transportation services with the need to protect the environment and significant natural features.

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**Objectives**

- a. Allow for maintenance and repair of transportation facilities.
- b. Allow for transportation facilities in estuary and shoreline zones.
- c. Regulate construction of transportation facilities in estuary zones according to need, purpose, compatibility with resources, siting and alternatives available.
- d. Schedule transportation facility construction to avoid effects to critical periods of coastal wildlife.
- e. Design transportation facilities to take advantage of natural topography to avoid shoreline disruption.
- f. Promote a transportation system that encourages energy conservation, in terms of efficiency of the roadway network and the standards developed for street improvements.
- g. Encourage use of alternative modes of transportation and encourage development that minimizes reliance on the automobile.
- h. Balance transportation needs with the preservation of significant natural features and viewsheds.
- i. Minimize transportation impacts on coastal and inland natural resources.

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## Strategies

Potential adverse environmental impacts were considered and identified through the project evaluation process. Where substantial environmental impacts would result from a proposed project, these are noted. Some projects with substantial impacts were eliminated from further consideration in the evaluation process. Beneficial environmental impacts will result from the connectivity/mobility projects and from pedestrian, bicycle and trail projects that support the use of non-motorized transportation in the city.

10. **Goal 10: System Preservation.** Work to ensure that development does not preclude the construction of identified future transportation improvements and that development mitigates the transportation impacts it generates when appropriate.

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## Objectives

- a. Require developers to aid in the development of the transportation system by dedicating or reserving needed rights-of-way, by constructing half or full street improvements needed to serve new development, and by constructing off-street pedestrian, bicycle and transit facilities when appropriate.
- b. Consider transportation impacts when making land use decisions, and consider land use impacts (in terms of land use patterns, densities and designated uses) when making transportation-related decisions.
- c. Ensure that development does not preclude the construction of identified future transportation improvements.

## Strategies

Several changes to the Garibaldi zoning code are recommended to coordinate future development with transportation system needs and address the impacts of development.

11. **Goal 11: Capacity.** Provide a transportation system that has sufficient capacity to serve the needs of all users.

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**Objectives**

- a. Protect capacity on existing and improved roads to provide acceptable service levels to accommodate anticipated demand.
- b. Limit access points on highways and major arterials, and use techniques such as alternative access points when possible to protect existing capacity.
- c. Minimize direct access points on to arterial rights-of-way.
- d. Update and maintain required access management standards for new development and work toward modifications of existing development to preserve the safe and efficient operation of roadways, consistent with functional classification.
- e. Establish and maintain access spacing standards to protect capacity.
- f. Consider acceleration/deceleration lanes and other special turning lanes for capacity maintenance where appropriate.

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**Strategies**

Capacity needs were studied as part of the existing and future conditions analysis. In general, roadway capacity is not a concern for the Garibaldi transportation system. Access management is addressed in several areas in the TSP.

12. **Goal 12: Safety.** Provide a transportation system that maintains adequate levels of safety for all users.

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**Objectives**

- a. Undertake, as needed, special traffic studies in problem areas, especially around schools, to determine appropriate traffic controls to effectively and safely manage vehicle and pedestrian traffic.
- b. Improve the safety of rail, bicycle, and pedestrian routes and crossings.
- c. Identify safe connections for vehicles, bicycles and pedestrians across U.S. 101.
- d. Develop lifeline and tsunami/evacuation routes with local, state and private entities.
- e. Improve emergency vehicle access across U.S. 101 and the railroad tracks.

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### **Strategies**

Several safety projects are included in the plan, based on the review of existing and future conditions and input from the PAC.

- 13. Goal 13: Transportation Funding.** Provide reasonable and effective funding mechanisms for city transportation improvements identified in the TSP.

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### **Objectives**

- a. Develop a financing program that establishes transportation priorities and identifies funding mechanisms for implementation.
- b. Develop a plan with sufficient detail to qualify for funding of engineering and construction phases.
- c. Identify funding opportunities for a range of projects and coordinate with county, state and federal agencies.
- d. Develop designs that meet applicable local, county, state and federal plans, standards and criteria.

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### **Strategies**

Section 6 of the TSP document includes the transportation financing plan, which addresses this goal.

## **C. TRANSPORTATION SYSTEM PLAN**

This subsection identifies the transportation improvements and policies that should be implemented in the next 20 years in Garibaldi to improve motor vehicle operations, safety, and pedestrian and bicycle travel. The plan also includes public transportation, rail and water elements. The transportation improvements and policies in this section were included on the basis of the information presented in previous sections of this document, including the analysis of existing and future, forecasted, no-build conditions; the analysis of alternatives and projects; and the selection of a preferred alternative.

The transportation system plan is divided into the following plan elements:

1. State Roadway System
2. Local Roadway System
3. Bicycle and Pedestrian System

4. Public Transportation System
5. Rail System
6. Water System

Figure 5-1 shows the locations of the roadway capacity and safety projects included in the TSP.

Because not all of the projects are likely to be funded under existing revenue sources, each project is given a priority in terms of years. The priorities are based on the measures of effectiveness and input from stakeholders, including the PAC. An order-of-magnitude cost also is included for most projects. The list of projects does not represent a financially constrained plan.

#### D. STATE ROADWAY SYSTEM

The state roadway network in Garibaldi (U.S. 101) serves both local and through traffic. Capacity and safety improvements recommended on U.S. 101 are outlined below. In addition, recommendations are made regarding highway segment designations, planning studies, functional classifications and lifeline routes.

##### 1. Capacity Improvements

Table 5-1 presents the capacity improvements that are recommended for U.S. 101 in Garibaldi. The projects are numbered and shown in Figure 5-1.

**Table 5-1**  
**Recommended Capacity Improvements on U.S. 101**

Project Number	Location and Description	Estimated Cost	Priority (years)
1	Install an emergency sign with activated flashing lights (or emergency activated signal if warranted) along U.S. 101 near 6th and 7th Streets. <sup>5</sup>	\$5,000 to \$150,000	0-5
2	Widen U.S. 101 shoulder to 6 feet outside of downtown area. Include bike lane signing and striping.	\$200,000	5-10
3	Reconstruct U.S. 101 and 7th Street intersection so that a large vehicle can adequately turn. <sup>2</sup>	\$200,000	5-10

<sup>5</sup> Any modifications to the traffic control along US 101 would have to be approved by the State Traffic Engineer.

## 2. Safety Improvements

Table 5-2 presents the safety improvements that are recommended along U.S. 101 in Garibaldi. The projects are numbered and shown on Figure 5-1.

**Table 5-2**  
**Recommended Safety Improvements on U.S. 101**

Project Number	Location and Description	Estimated Cost	Priority (years)
1	Allow only right-out onto U.S. 101 at 1st Street (Note: left-in and right-in movements from US 101 would be allowed.)	\$5,000	0-5
2	Provide for a right-out movement only at the 14 <sup>th</sup> St. approach to US 101. Widen the 14 <sup>th</sup> St. approach to the east and improve sight distance by removing a section of the existing rock slope if possible.	Variable: \$100,000+	0-5

## 3. Access Management

Frequent accesses onto U.S. 101 are present in Garibaldi. One potential new access onto U.S. 101 is identified in the TSP: Provide new access into the port near U.S. 101 and 2nd Street. This would require an agreement with the current private development. This road would connect to South 3rd Street and South American Avenue, allowing the 3rd Street access with U.S. 101 to be closed.

If this access change were made, it would need to comply with the access management requirements of the OHP. Because the net accesses onto the highway would be unchanged and because there are infrequent accesses to U.S. 101 on the south side of U.S. 101, it is anticipated the change would meet access management requirements. It also would improve local access and circulation.

As discussed in Section 3, Garibaldi currently does not comply with the access management standards in the OHP because the classification at Garibaldi does not specifically identify it as a downtown area. To address this, the potential for a Special Transportation Area (STA) designation in Garibaldi should be explored.

To protect transportation facilities and to provide for safe multimodal transportation in Garibaldi, several changes have been proposed to the city's ordinances. A new section has been added to the city's Subdivision and Land Partition procedures, Section 41A, Access Management, which includes a requirement for completion of a traffic impact study, provides for the closing or consolidation of access points, and provides access

spacing options to create walkable and safe pedestrian crossings. Optional language for shared driveways, vertical clearance and fire access has been included in Section 7.

#### 4. Highway Segment Designation

The OHP provides for special designation of certain highway segments to guide future planning and management decisions and to balance the needs of through traffic with local traffic and development. The designations, which include STAs, commercial centers, and urban business areas, have specific objectives for access management, automobiles, pedestrian and bicycle accommodation, transit amenities and development.

Based on a preliminary review of the requirements and characteristics of an STA (see Table 5-3), this designation should be explored further by the city and ODOT. The STA designation process requires a detailed study of the existing and future highway characteristics and development of an STA management plan. ODOT previously identified Garibaldi as a potential STA location with low priority.

**Table 5-3**  
**Preliminary Review of STA Characteristics as they relate to Garibaldi<sup>1</sup>**

STA Characteristic	Is Characteristic Present Today or in the Future?	Notes
<b>LOCATION</b>		
Must straddle a state highway; any new development to be built off of the highway or only on one side.	Yes	Assuming STA designated in downtown area.
Cannot be located on a freeway or expressway	Yes	US 101 is a statewide highway and not a freeway or expressway.
Area has a majority, if not all, of STA attributes, either as existing or planned uses and infrastructure through an adopted plan.	Maybe	Issues listed as "maybe" in this table would need to be resolved, such as through future development.
STA does not apply to entire city	Yes	Proposed STA area would be in downtown core area, such as 3 <sup>rd</sup> to 7 <sup>th</sup> or 1 <sup>st</sup> to 10 <sup>th</sup> .
<b>TRAFFIC</b>		
STA located in compact area with local street network to facilitate local auto and pedestrian circulation.	Yes	Development in downtown core area is compact and there is a local street network.
Traffic speeds are slow, generally 25 mph or less	Maybe	Current posted speed on US101 in the downtown core area is 30 mph. Speeds would need to be reduced.
Identify strategies for addressing freight and through traffic including speed, possible signalization, parallel or other routes, actions elsewhere in corridor.	Maybe	The TSP includes provisions for improving signalization and parallel routes for local traffic. However, parallel routes for through traffic would not be appropriate.

DESIGN		
In STA area, there are mixed uses; buildings are close together.	Yes	The downtown commercial area has mixed uses; buildings are generally close together.
Sidewalks have ample width and are adjacent to highways and buildings	Yes	Most sidewalks have ample width and are adjacent to the highway and buildings in the downtown core.
Public road connections are preferred over private driveways.	Maybe	Access management is a key component of an STA. Some driveway closures might be required in the downtown commercial area.
There is on-street parking or else there are shared parking lots located behind or to side of buildings.	Yes	On-street parking is present throughout the downtown core area and there are several adjacent parking lots. The TSP includes additional strategies and projects for parking.
Streets are designed for ease of crossing by pedestrians.	Yes	Improvements proposed in the TSP would improve pedestrian crossing conditions.

<sup>1</sup> This table is based on the STA description in the Oregon Highway Plan. Garibaldi received an STA designation in the winter of 2005

## 5. Planning Studies

Table 5-4 presents the recommended planning studies on U.S. 101 in Garibaldi.

**Table 5-4**  
**Recommended Planning Studies on US 101**

Location and Description	Priority (years)
Refinement study to develop management plan to support STA designation in Garibaldi	0-5
Port Access Study with US101 <sup>2</sup>	10+

<sup>2</sup> This project should occur concurrently with redevelopment in the port area. If redevelopment occurs in less than 10 years, then this project would occur earlier.

## 6. Maintenance/Preservation/Operations

No specific maintenance, preservation and operations projects are recommended. If a roadway is recommended for other roadway improvements, maintenance may be appropriate at that time. In addition, some of the projects included in Appendix E include maintenance, preservation, or operation components that address existing deficiencies.

To provide assistance for the city staff to identify and prioritize pavement needs, pavement condition assessment guidelines are included in Appendix B.

## 7. Functional Classifications

No changes to the functional classification of U.S. 101 are recommended. U.S. 101 should continue to be classified as a principal arterial.

## 8. Lifeline Routes

Under existing conditions, U.S. 101 in Garibaldi is designated a Priority 2 lifeline route through most of the downtown area. East of the downtown area, U.S. 101 is designated a Priority 1 lifeline route. No changes are recommended to these designations.

### E. LOCAL ROADWAY SYSTEM

This section summarizes the functional classifications and associated standards for local roads in Garibaldi to meet transportation system needs in the 20-year planning horizon.

#### 1. Functional Classifications

Roadway standards have been developed for Garibaldi that are consistent with current state standards and follow the proposed functional classifications in the Garibaldi TSP. Functional classifications of local roadways in Garibaldi are defined as follows, consistent with state standards:

- a. *Arterial Roadways.* The primary function of an arterial roadway is to provide mobility. Therefore, arterials typically carry higher traffic volumes and allow higher travel speeds while providing limited access to adjacent properties.
- b. *Collector Roadways.* The function of a collector roadway is to collect traffic from local streets and provide connections to arterial roadways. Generally, collectors operate with moderate speeds and provide more access than arterials.
- c. *Local Roadways.* The primary function of a local roadway is to provide access to local traffic and route users to collector roadways. Generally, local roadways operate with low speeds, provide limited mobility, and carry low traffic volumes than other roadway classifications.

ODOT previously identified the functional classifications of roadways of statewide significance in the city limits of Garibaldi. As part of the TSP process, the functional classifications of county and city roads in Garibaldi have been reviewed. Several city roadway segments currently classified as local roadways by ODOT are identified as local collectors. Based on this information, the following changes are recommended. See Figure 5-2 for the functional classification map.

- a. *Arterials.* An arterial designation is not recommended for any roads in

Garibaldi. Garibaldi's traffic characteristics on city facilities do not warrant arterial roadways designed to handle large traffic volumes. U.S. 101 is the only arterial in the city.

- b. *Collectors.* The following city facilities are recommended to be classified as collectors:
  - i. South 7th Street -- U.S. 101 to the port commercial area
  - ii. 3rd Street -- South American Avenue to Evergreen Avenue (this road would be classified only as a collector road if a traffic signal is not constructed at U.S. 101 and 7th Street)
  - iii. 6th Street -- U.S. 101 to Evergreen Avenue
  - iv. South American Avenue -- South 7th Street to South 3rd StreetUpon closer inspection, three roadways previously identified as collectors (Acacia Ave. from 6<sup>th</sup> St. to 3<sup>rd</sup> St., Cypress Ave. from 6<sup>th</sup> St. to 3<sup>rd</sup> St., and Driftwood Ave. from US 101 to 3<sup>rd</sup> St.) were determined to function as local streets rather than collectors. These streets are narrow, generally have short blocks, and have low traffic volumes and speeds. The limited nature of the street grid and lack of through streets in Garibaldi also contribute to these determinations.
- c. *Local Roads.* City roads not listed above are recommended to be classified as local roads.
- d. *County Roads.* Within the Garibaldi city limits there are three county roads: Miami Foley Road (on the outskirts of city limits, but not actually within city limits), Miami River Road, and Hobsonville Point Drive (the intersection with US 101 is within the city limits). These roads are classified by the county as a minor arterial, a local road, and a resource collector, respectively. Each classification is accurate with the facility's purpose. Miami River Road is a one-lane dirt road providing access to one residence outside the city limits. Transfer of jurisdiction of Miami River Road from the county to the city has been discussed.

## 2. Design Standards

Roadway design standards were developed for each functional classification for local (city) facilities. Each functional classification requires different design standards based on the operating conditions (volumes, access management, speeds) and users (bicyclists, pedestrians, motorists) of the roadway segment. The design standards outlined in this report are intended for use in new roadway construction, and where feasible, reconstruction of existing roadway facilities. See Figures 5-3 and 5-4 for roadway standards on arterial, collector, and local roadways.

### 3. Local Capacity Improvements

Table 5-5 presents the capacity and widening improvements that are recommended for local facilities in Garibaldi. The projects are numbered and shown in Figure 5-1.

**Table 5-5**  
**Capacity and Widening Improvements on Local Facilities**

Project Number	Location and Description	Estimated Cost	Priority (years)
1	Acquire S. 3 <sup>rd</sup> St., upgrade to amended city standards, reconstruct road to remove sharp turns. Provide for shared vehicle/bike use, construct sidewalks. Overlay roadway.	\$250,000	0-5
2	Provide new access into the port near 2 <sup>nd</sup> St. Requires agreements with future private development. Connect with So. American Ave. Close 3 <sup>rd</sup> St. access. Provide safety measures at railroad crossing.	Variable: \$870,000	10+

If the 2nd Street access project listed above in the U.S. 101 access management section is advanced to an earlier year and the 3rd Street is closed to through traffic, then this project (#1) should be removed from consideration.

#### 4. Parking Improvements

Table 5-6 presents the parking improvements that are recommended for Garibaldi.

**Table 5-6**  
**Parking Project Evaluation Summary**

Project Number	Location and Description	Estimated Cost	Priority (Years)
1	Conduct feasibility study on using business parking during peak periods	-	0-5
2	Pave existing city parking lots and install signs to increase visibility. Locations: 6th Street and U.S. 101, and 10th Street and U.S. 101	\$10,000 - \$50,000	0-5
3	Upgrade and pave existing parking lots in the Port of Garibaldi area. Improve signing.	\$10,000 - \$50,000	0-5
4	Use the ODFW parking lot as a spillover lot for the port, connect with the Bayshore Trail improvements. Signing is required.	\$5,000	0-5
5	Dedicate an existing parking lot exclusively for large (recreational) vehicles	\$15,000	0-5

ODFW = Oregon Department of Fish and Wildlife.

#### F. PEDESTRIAN AND BICYCLE FACILITY IMPROVEMENTS

The Garibaldi pedestrian system is comprehensive in relatively few areas of the city and is lacking in most of the city. Gaps in connectivity exist in the residential areas. In general, the high number of private accesses and conflict opportunities are a barrier to continuous, connected pedestrian facilities in certain areas of Garibaldi. ADA compliance is also an important component of the Garibaldi TSP.

Table 5-7 displays the recommended pedestrian and bicycle facility improvements along existing streets and roads for the next twenty years. The locations of these projects are shown in Figure 5-5. If the project is only a pedestrian or bicycle project, it is denoted with a "P" or "B" respectively. If the project is both (pedestrian and bicycle) then it is denoted with a "PB".

**Table 5-7**  
**Pedestrian and Bicycle Improvements**

Project #/Type	Location and Description	Estimated Cost	Priority (years)
1 / P	Construct sidewalk on 6 <sup>th</sup> St. between Evergreen Ave. and US 101, overlay roadway, and pave gravel parking areas.	\$210,000	0-5
2 / P	Construct a pedestrian gateway between U.S. 101 and the Port of Garibaldi at 6th Street across the railroad tracks	\$50,000	0-5

**Table 5-7  
Pedestrian and Bicycle Improvements**

Project #/Type	Location and Description	Estimated Cost	Priority (years)
3 / P	Construct bulb-outs along U.S. 101 at the 5th and 4th Street intersection	\$50,000	0-5
4 / P	Stripe crosswalks along South Biak Avenue at 7th and 6th Streets	\$15,000	0-5
5 / P	Construct sidewalk along South 7th Street, between U.S. 101 and south of railroad tracks (connect with existing sidewalk)	\$30,000	0-5
6 / P	Provide crosswalks along South American Avenue at South 7th Street and at South 6th Street	\$15,000	0-5
7 / PB	Designate Bay Lane as a bike lane on the Bayshore Trail and provide adequate signing at the railroad crossings. Pave a 6-foot-wide bike path from the railroad crossing (approximately 10 <sup>th</sup> St. behind Miller's Restaurant) to 12 <sup>th</sup> St. Reconstruct crossings for continuous trail without steps.	\$75,000	0-5
8 / P	Install decorative lighting in downtown Garibaldi along US 101	\$300,000	0-5
9 / P	Construct sidewalks on 3rd Street between Evergreen Avenue and U.S. 101. Pave gravel parking areas.	\$300,000	5-10
10 / P	Construct ADA-compliant ramps on U.S. 101 in the downtown area (8th, 7th, 6th, 5th, 4th, 3rd Streets)	\$20,000	5-10
11 / P	Construct ADA-compliant ramps South American Avenue at South 6th Street and South 7th Street	\$15,000	5-10
12 / PB	Widen South 7th Street 6-feet to provide an adequate striped walkway for pedestrians/bicyclists. Use thermoplastic markings to enhance and provide longevity.	\$175,000	5-10
13 / PB	Widen South American Avenue 6-feet to provide an adequate striped walkway for pedestrians/bicyclists, construct sidewalk and provide ADA-compliant ramps at 6th and 7th Street intersections. Use thermoplastic markings to enhance and provide longevity. <sup>1</sup>	\$100,000	5-10
14 / P	Expand curbside sidewalks in the Port of Garibaldi	\$75,000	10+
15 / P	Provide additional street lighting and retrofit to a decorative style in the Port of Garibaldi area	\$100,000	10+
16 / P	Construct sidewalk along South Commercial Avenue	\$100,000	10+
17 / P	Construct sidewalk along U.S. 101 in the downtown area (north side where missing)	\$500,000	10+

18 / P	Construct sidewalk along U.S. 101 in the downtown area (south side where missing)	\$330,000	10+
19 / P	Extend the current bike trail east into the Old Mill property. (Cost is to conduct the study.)	\$50,000	10+

<sup>1</sup> Project is a joint pedestrian/bicycle improvement and appears on Table 5-10, as well. The cost should only be accounted for in one table only.

## 1. Pedestrian System

Pedestrian activity in Garibaldi is generally concentrated in the downtown, the residential area north of downtown and the Port of Garibaldi area. The city’s scenic character also promotes pedestrian activity around recreational features, such as the Bayshore Trail. The focus of the Pedestrian System Plan is to improve connections in the community and enhance pedestrian access to Garibaldi’s recreational features.

Providing a connected network of pedestrian facilities in Garibaldi is important for:

- Serving shorter pedestrian trips from neighborhoods to area recreational and activity centers, such as schools
- Providing access to public transit
- Meeting residents’ and visitors’ recreational needs
- Providing circulation in the downtown

To meet specific goals and objectives identified in this TSP, the City of Garibaldi will encourage walking as a means of transportation by addressing the following:

- *Connectivity.* The city will work to develop a connected network of pedestrian facilities. Connected networks are important to provide continuity between communities and to improve safety.
- *Safety.* The city will work to provide a secure walking environment. For residents to use the pedestrian system, it must be perceived as safe.
- *Design.* The city can ensure pedestrian-oriented urban design by adopting policies and development standards that integrate pedestrian scale, facilities, access and circulation into the design of residential, commercial and industrial projects.

The Garibaldi Pedestrian System Plan identifies system and facility improvements that will contribute to a safe and well-connected pedestrian environment. As a result, it will promote walking as a viable transportation alternative. Table 5-7 provides information regarding the pedestrian improvements. The Pedestrian System Plan is shown in Figure 5-6.

**a. Sidewalks**

Existing sidewalks generally are located in the downtown area and the Port of Garibaldi area. Rather than sidewalks, many local streets have only footpaths alongside roadways that indicate pedestrian use. Sidewalk condition varies in Garibaldi with the port area exhibiting good condition while most other areas are fair to poor. In most areas, the sidewalk is intermittent and does not comply with ADA ramping and width requirements.

To provide a network of safe and connected facilities that will promote a balanced transportation system, sidewalk improvements have been identified. Particular focus is placed on increasing pedestrian safety by installing new sidewalks in areas frequently used by pedestrians. Where sidewalks do not exist and where it is not feasible to build them, shoulder widening is recommended.

**b. Crosswalks**

To assist pedestrians in crossing busy roadways and improve pedestrian safety, marked crosswalks and pedestrian warning signage should be installed at several locations, including near the elementary school, along U.S. 101 and the Port of Garibaldi area.

**c. Signage and Other Pedestrian Facilities**

To improve the safety and visibility of the Bayshore Trail, and better connect foot traffic to it, new identification signage and pedestrian facilities, such as restrooms, lighting, and trash receptacles, are recommended.

The estimated costs for sidewalk improvements are for both sides of the street. It is expected that with limited funds, the sidewalk projects may be phased over time and start with construction of sidewalks on one side only. This would reduce costs dramatically as right-of-way impacts could be significantly or altogether avoided.

**d. Pedestrian Standards and Policies**

To enhance pedestrian safety, circulation connectivity and to comply with the TPR, several changes have been proposed to the city's Subdivision Ordinance. Much of the pending language for inclusion in the Planning and Zoning Ordinance that supports pedestrian safety and circulation (such as access management and access spacing) has been recommended for adoption. The proposed changes also address pedestrian access, requiring construction of pathways when street connections are not feasible. The new street cross sections, recommended for adoption into the city's Standards and Specifications Manual, reflect new street design standards, which require sidewalks along all new arterials and collectors as well as along new local streets. Optional

planting strips can serve to buffer pedestrians from automobile traffic. These new standards and policies encourage pedestrian trips because they facilitate safe, direct and convenient access to local destinations. See Section 7 for detailed information on recommended amendments to the city’s ordinances.

## 2. Bicycle System

Bicycle travel offers commuters, children and others a significant option for transportation and is a valid transportation choice for people who do not own vehicles. Cycling is also an important recreational option, especially in scenic areas of Oregon, such as Garibaldi.

This Bicycle System Plan establishes a network of bicycle lanes and routes throughout Garibaldi to connect trip generators and provide a safe, interconnected bicycle system. While all roadways and streets can be used as bikeways, designated routes along bicycle streets and roads and/or separated bicycle lanes on busy streets can improve safety as well as increase bicycle use.

Figure 5-8 is a map that illustrates the recommended bicycle plan for Garibaldi. It includes shared roadways, shoulder bikeways, bicycle lanes and designated bike routes. Refer to Table 5-7 for the list of bicycle projects. Table 5-8 presents Garibaldi’s designated bicycle routes by their corresponding route number in Figure 5-6 and labels them as city or state facilities.

**Table 5-8**  
**Garibaldi Designated Bicycle Routes**

Project Number	Bike Facility Name	Between		Management
1	U.S. 101	Northern city limits	Southern city limits	ODOT
2	South American Avenue	South 3rd Street	South 7th Street	City
3	South 7th Street	U.S. 101	Bayshore Trail	City
4	6th Street	Evergreen Avenue	U.S. 101	City
5	3rd Street	Evergreen Avenue	S. American Avenue	City
6	Bay Lane	10th Street	ODFW <sup>1</sup>	City
7	Bayshore Trail	10th Street	7th Street	City
8	Bayshore Trail Extension	South 3rd Street	Old Mill property	City

<sup>1</sup> Oregon Department of Fish and Wildlife

The Oregon Coast Bike Route passes through Garibaldi on U.S. 101. The Oregon Coast Bike Route uses marked bike lanes or shoulders that are 3 feet wide or wider and are marked with signage.

The remainder of the Garibaldi bicycle system generally consists of either shared roadways (particularly on local roads) or shoulder bikeways and is characterized by good pavement condition. Aside from the Oregon Coast Bike Route, most bikeways

are not marked with bicycle signage. The bicycle system lacks facilities in Garibaldi. The current designated roads, South American Avenue and South 7th Street, are characterized by a relatively high number of vehicle access points, small travel width and a multitude of various vehicles types, which can cause barriers or hazards for bicyclists.

**a. Bikeway and Trail Improvements**

To promote safe and convenient bicycle links between commercial, recreational and other land uses, improvements to the bicycle system have been identified. Further, to better connect bicycle traffic with popular recreational areas such as the Old Mill and Garibaldi Fishing Pier, a bicycle trail between these two points has been identified as a high priority project. This project would require a further study to investigate the feasibility of extending the Bayshore Trail into the Old Mill property.

**b. Signage**

To promote safety and awareness of bicyclists where they share facilities with pedestrian and vehicular traffic, designation signage is recommended along U.S. 101.

**c. Bicycle Parking**

To comply with the standards stated in the OBPP, bicycle parking will be installed at community activity centers, such as the transit center, Lumberman's Park, Port of Garibaldi and Garibaldi Fishing Pier.

**d. Bicycle Standards and Policies**

To enhance bicycle safety, circulation, and connectivity to comply with the TPR, several changes have been proposed to the city's Subdivision and Zoning Ordinances. Recommendations have been made to include bicycle parking, street design, bicycle access and circulation. See Section 7 for detailed information on recommended amendments to the city's ordinances.

**G. PUBLIC TRANSPORTATION SYSTEM**

The following transit issues should be addressed by the City of Garibaldi:

TCTD has outlined opportunities to improve public transportation services it offers in Tillamook County. However, no immediate needs specific to Garibaldi have been identified through TCTD or interaction with the PMT and PAC. The following transit issues should be addressed at a county level:

- Transit pull-outs on state and county facilities

- Coordination between TCTD, ODOT and Tillamook County to explore the need for implementing TDM measures, such as carpooling and vanpooling in the county
- Improve connections with other service providers (SETD, Greyhound)
- Construct park and ride facilities (TCTD's headquarters)
- Expand services to each of these communities: Manzanita, Bayside Gardens, Nehalem, Wheeler, Oceanside and Pacific City
- Advertise and promote TCTD services
- Form a Citizen Advisory Committee to develop a public transportation program

In addition, the following opportunities also should be explored:

Transit amenities, including covered benches and shelters, signage, bicycle racks and concrete landing pads, should be considered for stops with high ridership in Garibaldi. These amenities would make the system more visible to potential users and possibly attract new riders. Also, as mentioned previously, all transit stops should be accessible to all potential riders per ADA standards. Improvements to existing sections of sidewalk and construction of additional sidewalk would connect the public transportation system with the pedestrian and bicycle network in Garibaldi.

As discussed in Section 4 of this document, the railroad crossing near Hobsonville Point Drive on U.S. 101 has been identified as a hazardous location for public transportation providers. In Oregon, buses are required to stop at all railroad crossings without safety features (such as gates/arms). Constructing a bus pullout at this location was evaluated as a project in the Garibaldi TSP. Because of safety concerns, right-of-way impacts, and environmental impacts, this project is not recommended. However, a recommendation has been included in the Garibaldi TSP to investigate the potential use of ITS technology in this location as a low cost alternative to a bus pullout. ITS technology could be used to allow drivers to activate an advanced warning sign to alert drivers that a bus is stopped ahead.

## **H. RAIL SYSTEM**

In Garibaldi, the Port of Tillamook Bay rail system parallels U.S. 101. There are two existing at-grade crossings that are used by vehicles: South 7th Street and South 3rd Street. To improve safety at the South 3rd Street crossing, safety measures (warning gates, flashers, signage and striping) are recommended in the Garibaldi TSP.

Under existing conditions, trains are allowed to block both the South 3rd Street and South 7th Street crossings for up to 10 minutes. This issue has been identified by the PAC and PMT as a safety concern in terms of emergency vehicle access. A policy change that would restrict blocking both crossings is recommended to ensure that emergency vehicles are able to cross the railroad tracks at all times.

In addition to the two vehicle crossing points along the Port of Tillamook Bay rail system, there are currently numerous pedestrian crossing points. To improve pedestrian safety and accommodate higher travel speeds on the Port of Tillamook Bay rail system, construction of a pedestrian gateway near 6th Street is recommended. Restricting pedestrian crossings of the Port of Tillamook Bay rail system to 3rd Street, the pedestrian gateway near 6th Street and 7th Street is recommended.

## **I. WATER SYSTEM**

### **1. Port of Garibaldi**

The Port of Garibaldi currently serves the fishing industry, including both recreational and commercial fishermen. Under existing conditions, the parking facilities at the two Garibaldi boat launches are not adequate for the peak demand. The city expects an increase in tourism and demand for parking near the boat launches during the next 20 years. Therefore, Table 5-6 includes several parking projects to address parking demand and deficiencies in Garibaldi, including the Port of Garibaldi area. Projects that are included in the Garibaldi TSP for the downtown area that affect the Port of Garibaldi include the installation of variable message signs to inform drivers of parking availability and location, and additional parking capacity in the downtown area. In addition, projects are included for the Port of Garibaldi parking areas, including rechannelization of parking in the Port of Garibaldi area, upgrade of existing lots, improved signing and dedication of a truck/recreational vehicle parking lot.

The Port of Garibaldi supports improving both of the existing entries on South 7th Street and South 3rd Street. In the Garibaldi TSP, an improved entry at South 7th Street has been included as a project. Because of significant impacts to surrounding property owners, improving access at South 3rd Street is most likely not feasible. However, the Garibaldi TSP includes a project to provide improved access into the Port of Garibaldi near 2nd Street.

The Port of Garibaldi is currently inactive in terms of water freight traffic (for example, barge traffic). This is partly a result of gradual sedimentation in the bay, which has reduced the water depth below a point that makes such traffic feasible. As suggested by the Technical Advisory Committee (TAC) for the Tillamook County TSP, Tillamook County is interested in investigating the possibility of barging logs or other material to the Port of Garibaldi. Therefore, Tillamook County supports maintenance of the entry jetties and authorized navigation channel in the Port of Tillamook Bay to make such activities feasible. Maintenance activities in the Port of Tillamook Bay, including dredging the channel and maintaining the entry jetties, would have environmental impacts and require funding.

## J. PROJECTS DETERMINED UNWARRANTED OR INFEASIBLE

Following its review of the June 2003 draft TSP, the Garibaldi City Council determined that some of the proposed projects in the draft TSP were not warranted or would be infeasible to pursue. As a result, these projects were removed from the recommended projects in the TSP. For completeness, however, the projects are listed here, along with a brief indication (in italics) of why the council recommended against them. Further information on the projects can be found in Sections 3 and 4 of the full TSP document.

1. State Roadway System
  - a. Capacity Projects
    - i. Install traffic signal at U.S. 101 and 7th Street – Signal is barely warranted in 20 years and might exacerbate local traffic congestion.
  - b. Safety Improvements
    - i. Provide for right-out on U.S. 101 at 10th Street and possibly remove sign near intersection - *Would require acquisition of improved residential and/or business property.*
    - ii. Provide transit and school vehicles with ITS technology to activate advanced warning signs on U.S. 101 - *Local school bus company not interested in pursuing this project.*
    - iii. Realign 11th Street at U.S. 101 - *Would require acquisition of improved residential and/or business property.*
    - iv. Realign 12th Street at U.S. 101 - *Would require acquisition of improved residential and/or business property.*
    - v. Realign 5th Street at U.S. 101 - *Would require acquisition of improved residential and/or business property.*
    - vi. Realign skewed approach with U.S. 101 at Hobsonville Point Drive – *There is no safety problem at this location; also is outside city limits.*
2. Local Roadway System
  - a. Local Capacity Improvements
    - i. Acacia Avenue between 8th and 7th Streets. Acquire right-of-way and construct new section of roadway – *Would require the acquisition of a private property that is about to be developed.*
    - ii. Driftwood Avenue between 5th and 4th Streets. Construct new section of roadway and potential culvert/bridge over creek – *Concerns that this connection would direct unwanted additional traffic toward elementary school.*
  - b. Local Safety Improvements
    - i. Provide automated safety measures at the 3rd Street railroad crossing (that is, gates or lights) – Crossing is adequate as is; also this crossing could be closed in future if new crossing is constructed at 2nd Street when Old Mill property is redeveloped.

- c. Parking Improvements
  - i. Install temporary parking advisory variable message signs – *Not interested in pursuing this project.*
- 3. Pedestrian and Bicycle Facility Improvements
  - a. Construct physical barrier along railroad tracks at 7th and 3rd Streets, allow access only at pedestrian gateway – *Not needed; natural physical barrier already exists.*
  - b. Widen Cypress Avenue between 6th Street and 3rd Street to provide a shared vehicle/bike lane. Construct sidewalk and ADA ramps. Stripe crosswalk approaches at Cypress Avenue and 6th Street. Overlay roadway and pave gravel parking areas. – *Constrained right-of-way; road widening would result in residential property impacts (homes built right to the edge of the right-of-way).*

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