

September-08

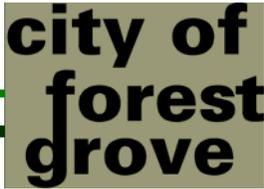
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	CITY OFFICES CLOSED HOLIDAY	1 Planning Comm 7pm Fire Bd 8pm	2 Water Providers CB 7pm	3 EDC Noon	4 EDC Noon	5 COUNCIL 8am-10am Coffee Hour
7	CITY COUNCIL 6:00 PM - WORK SESSION (Sidewalks) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	8 CCI 4pm	9 CCI 4pm	10 PAC 5pm	11 Washinton County Cities Legislative Agenda Session McMenamins 6pm	12 13
14	15 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	16 Senior Ctr Bd 11:45am Library 7pm	17 P&R 7am CFC 5:15pm	18 Fernhill Wetlands (No Mtg)	19	20 Lincoln Park Celebration 9am
<i>Thompson out</i>						
21	CITY COUNCIL 6:00 PM - WORK SESSION (TSP Update) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	22 HLB 7pm	23 PSAC 7:30am	24	25	26 27
28	29 Fire Chief Presentations 6:30 PM - Comm Aud	30 Charter Review 6pm				

October-08

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4 COUNCIL WS CANCELLED Coffee Hour Sister Cities Sushi Class-11am
5	6 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	7 Charter Review 6pm Fire Bd 8pm	8	9 PAC 5pm	10	11
12	CITY COUNCIL 6:00 PM - JT WORK SESS w/PC (Metro) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	13 CCI 4pm	14 P&R 7am CFC 5:15pm	15 Otrly Disclosure Due July 1-Jun 30 Rpt Period	16 Fernhill Wetlands (No Mtg)	17 18
<i>Mayor Kidd out</i>						
19	20 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	21 Charter Review 1st Hrg 7:00 pm - Comm Aud Senior Ctr Bd 11:45am Library 7pm	22 PSAC 7:30am	23	24	25
<i>Mayor Kidd out</i>						
26	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM 7:30 PM - JT WORK SESS (FG Sch Dist)	27 HLB 7pm	28	29	30	31
<i>Nyuzen Students Visit - October 29 - November 2, 2008</i>						

November-08

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1 COUNCIL WS 8am-10am Coffee Hour
Dayligh Savings Ends	2 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	3 General Election Fire Bd 7pm	4	5 Charter Review 2nd Hrg 7:00 pm - Comm Aud EDC Noon	6	7 8
9	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	10 CITY OFFICES CLOSED HOLIDAY CCI 4pm	11 Water Providers EC 5:30pm	12 PAC 5pm	13 Swearing-In Newly-Elected Officials Outgoing Recognition 4:00 PM - Comm Aud	14 15
16	17 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	18 Senior Ctr Bd 11:45am Library 7pm	19 P&R 7am CFC 5:15pm	20 Fernhill Wetlands (No Mtg)	21	22
23	CITY COUNCIL 6:00 PM - WORK SESSION (Charter) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	24 HLB 7pm	25 PSAC 7:30am	26	27 CITY OFFICES CLOSED HOLIDAY	28 29
30						



FOREST GROVE CITY COUNCIL

Monday, September 22, 2008

6:00 PM – Work Session (Transportation System Plan Update)
7:00 PM – Regular Meeting

Community Auditorium
1915 Main Street
Forest Grove, OR 97116

Thomas L. Johnston
Victoria J. Lowe
Camille Miller

Richard G. Kidd, Mayor

Ronald C. Thompson
Peter B. Truax
Elena Uhing

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

→ **Public Hearings** – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

→ **Citizen Communications** – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder at 503-992-3235.

City Council meetings are handicap accessible. Assistive Listening Devices (ALD) or qualified sign language interpreters are available for persons with impaired hearing or speech. For any special accommodations, please contact the City Recorder at 503-992-3235, at least 48 hours prior to the meeting.

A G E N D A

6:00

WORK SESSION: TRANSPORTATION SYSTEM PLAN UPDATE

The City Council will convene in the Community Auditorium to conduct the above work session. The public is invited to attend and observe the work session; however, no public comment will be taken. The Council will take no formal action during the work session.

7:00

1. REGULAR MEETING: Roll Call and Pledge of Allegiance

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2. CITIZEN COMMUNICATIONS: Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. Please sign-in before the meeting on the Citizen Communications form posted in the foyer. In the interest of time, please limit comments to two minutes. Thank you.
3. CONSENT AGENDA: See Page 3
4. ADDITIONS/DELETIONS:
5. PRESENTATIONS: None.
- Jon Holan 7:10 6. PUBLIC HEARING AND RESOLUTION NO. 2008-61 APPEAL
Community Development Director OF THE PLANNING COMMISSION'S DENIAL OF THE PROPOSED ROSE GROVE RECREATIONAL VEHICLE PARK, LOCATED AT 4015 PACIFIC AVENUE. APPLICANT: ROSE GROVE MOBILE HOME PARK (CHARLES AND DOROTHY ROYCE). FILE NO. CU-08-01
- Michael Sykes 8:00 7. CITY MANAGER'S REPORT:
City Manager
- 8:15 8. COUNCIL COMMUNICATIONS:
- 8:30 9. ADJOURNMENT

-
3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
- A. Approve City Council Work Session (Sidewalk Ordinance) Meeting Minutes of September 8, 2008.
 - B. Approve City Council Regular Meeting Minutes of September 8, 2008.
 - C. Approve City Council Joint Legislative Work Session Meeting Minutes of September 11, 2008.
 - D. Accept Committee for Citizen Involvement Meeting Minutes of July 8, 2008.
 - E. Accept Public Arts Commission Meeting Minutes of August 14, 2008.
 - F. Accept Resignation on Committee for Citizen Involvement (Jolynne Pena, Term Expiring December 31, 2011).
 - G. Community Development Department Monthly Building Activity Report for August 2008.
 - H. Fire Department Monthly Statistics Report for August 2008.
 - I. Police Department Monthly Statistics Report for August 2008.
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September 22, 2008

**INFORMATIONAL STAFF REPORT
TRANSPORTATION SYSTEM PLAN (TSP) UPDATE**

Project Team: **Rob Foster, Public Works Director**
 Derek Robbins, Civil Engineer
 Michael Sykes, City Manager

ISSUE STATEMENT: The purpose of this report is to follow up with City Council on what is happening with the Transportation System Plan (TSP) update.

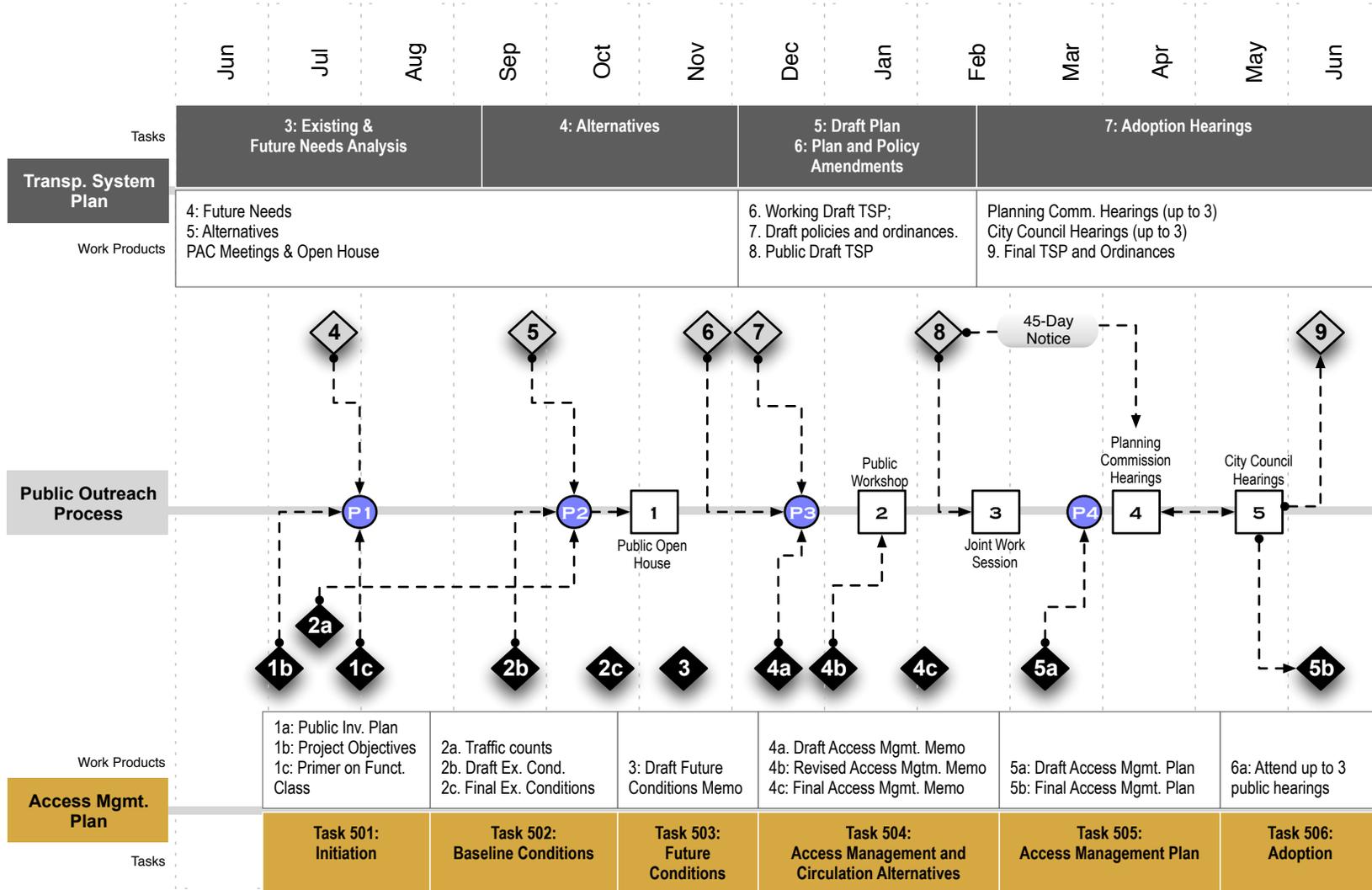
BACKGROUND/UPDATE: In general the TSP gives documentation of local transportation needs, also serves as the transportation element in our Comprehensive Plan, and also serves as a long range plan for the County and Metro.

In September of 2007, City staff presented a work session to City Council on transportation and explained the scope/schedule for the TSP update. Earlier this year the project was put on hold in order to add in an ODOT study of Highway 47 access management or the Highway 47 Access Management Plan (AMP). Now both efforts are moving together as one. Our consultant DKS and Associates will be giving an update on the work and will include discussion on what has been done, where we are now with the work, review preliminary findings (existing conditions/future needs), and present an update on schedule.

RECOMMENDATION: This is an informational meeting. Staff is looking for input and any question you may have.

2008

2009



- P Project Advisory Committee Meeting
- 1 Public Event / Workshop / Hearing
- 1 TSP Work Product
- 2 AMP Work Product

Project Schedule
City of Forest Grove
Transportation Plan Update & Access Management Plan Process
 As of 15 Sep 2008

Memorandum

To: Forest Grove City Council
From: Carl D. Springer, P.E., P.T.O.E
Date: 15 Sep 2008
Subject: Transportation Studies Status Report P/A No. 07136-000

Transportation System Plan

- Completed initial studies and existing travel conditions assessment
- Prepared 2030 travel forecasts based on current Comprehensive Plan provisions
- Identified shortcomings in existing and planned system to serve motor vehicles, pedestrians and bicycles
- Conducted three Project Advisory Committee meetings to review / comment on work products to date
- Prepared internal draft chapters for Bicycle and Pedestrian Master Plans
- Key Outstanding Issues to be Addressed:
 - Long-term circulation solutions on either side of Highway 47, especially near Highway 8
 - Providing better and more convenient multi-modal access to schools and major transit stops
 - Identifying funding gaps to ensure that needed projects can reasonably be constructed within 20 years

Highway 47 Access Management Plan

- Completed initial studies and existing travel conditions assessment
- Still collecting background information on existing access permits

Overall Schedule

- Next PAC Meeting / 2nd week of October
- Project ending / June 2009



3A

**FOREST GROVE CITY COUNCIL WORK SESSION
(SIDEWALK ORDINANCE)
SEPTEMBER 8, 2008 – 6:00 P.M.
COMMUNITY AUDITORIUM – CONFERENCE ROOM
PAGE 1**

Minutes are unofficial until approved by the Council.

1. ROLL CALL:

Mayor Richard Kidd called the Work Session to order at 6:00 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Richard Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Pam Beery, City Attorney; Paul Downey, Administrative Services Director; Jeff King, Economic Development Coordinator; and Anna Ruggles, City Recorder.

2. WORK SESSION: SIDEWALK ORDINANCE

Sykes and King facilitated the work session, noting the purpose of the work session was to provide information to Council about a proposed sidewalk ordinance that proposes to amend City Code Chapter 3, Local Improvements. King reported the current Code requires property owners to install and pay for sidewalk infill only as a condition to issuance of a building permit, with a valuation of more than \$3,000, noting the proposed ordinance would allow the City to require sidewalk infill construction under certain conditions. King indicated the current Code requirement has left gaps without sidewalks between parcels, noting the sidewalk gaps are creating a public safety concern; particularly in areas where arterials, collectors, schools, public facilities, and commercial businesses exist. In conclusion, King provided some key issues for Council consideration as part of the proposed ordinance as outlined in his staff report.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed sidewalk ordinance and requiring property owners to pay for sidewalk infill in areas where sidewalks currently do not exist. Council also discussed areas where sidewalks are heavily damaged. Council collectively voiced concern pertaining to the financial burden of requiring residential property owners to pay for sidewalk infill and placing liens on residential property for non-compliance issues; however, Council collectively agreed that arterials, collectors, commercial, and industrial areas lacking sidewalks should require sidewalk infill; particularly in areas where pedestrians are forced to walk onto a busy street.

At the conclusion of the above discussion, Council asked staff to conduct an audit to identify existing areas where sidewalk infill would be required and cost estimates of filling the gaps. In addition, Council asked staff to prepare a draft ordinance for Council's review, including compliance requirements and an appeal

**FOREST GROVE CITY COUNCIL WORK SESSION
(SIDEWALK ORDINANCE)
SEPTEMBER 8, 2008 – 6:00 P.M.
COMMUNITY AUDITORIUM – CONFERENCE ROOM
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process, requiring sidewalk infill construction under certain conditions (i.e., arterials, collectors, commercial, and industrial areas).

Council took no formal action nor made any formal decisions during the work session.

3. ADJOURNMENT

Mayor Kidd adjourned the work session at 6:50 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

**FOREST GROVE CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Richard Kidd called the regular City Council meeting to order at 7:10 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Victoria Lowe, Camille Miller (left at 8:32 p.m.), Thomas Johnston, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Richard Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Pam Beery, City Attorney; Paul Downey, Administrative Services Director; Janet Lonneker, Light and Power Director; and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).

- A. Approve City Council Work Session (Charter Review) Meeting Minutes of August 11, 2008.
- B. Approve City Council Regular Meeting Minutes of August 11, 2008.
- C. Accept Charter Review Committee Work Session Meeting Minutes of August 26, 2008.
- D. Accept Historic Landmarks Board Meeting Minutes of July 22, 2008.
- E. Accept Parks and Recreation Commission Meeting Minutes of May 21 and June 18, 2008.
- F. Accept Public Arts Commission Meeting Minutes of June 12 and July 10, 2008.
- G. Fire Department Monthly Statistics Report for July 2008.
- H. Library Department Monthly Circulation Statistics Report for August 2008.
- I. Police Department Monthly Statistics Report for July 2008.
- J. Endorse New Liquor License Application (Full-On Premises Sales) for Grendel's Inc., 2004 Main Street (Applicant: Jarrod Sherwood).
- K. Accept Resignation on Committee for Citizen Involvement

**FOREST GROVE CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

(Aaron Savage, Term Expiring December 31, 2011).

- L. RESOLUTION NO. 2008-59 MAKING APPOINTMENTS TO PUBLIC ARTS COMMISSION (JIM FLORY, FOREST GROVE CHAMBER OF COMMERCE REPRESENTATIVE, TERM EXPIRING DECEMBER 31, 2010, AND MONA WARD, PACIFIC UNIVERSITY REPRESENTATIVE, TERM EXPIRING DECEMBER 31, 2010), AND REPEALING RESOLUTION NO. 2008-57.

MOTION: Councilor Truax moved, seconded by Councilor Lowe, to approve the Consent Agenda as presented. MOTION CARRIED 7-0 by voice vote.

4. ADDITIONS/DELETIONS:

Mayor Kidd added Item 4. A. to the agenda:

4. A. PROCLAMATION:

Truax publicly proclaimed September 17 through September 23, 2008, as Constitution Week. The proclamation will be mailed to the National Society Daughters of the American Revolution who requested the Mayor consider submitting a proclamation.

5. PRESENTATIONS:

5. A. Metro Third Quarterly Exchange Report:

Kathryn Harrington, Metro Council District 4, presented a PowerPoint presentation outlining her Third Quarterly Exchange Report and provided a brief update on the Regional Infrastructure Analysis; High Capacity Transit Study; Regional Choices Engagement Meeting Schedule; 2008-09 Metro Policy Advisory Commission Tentative Agendas; Connecting Green Trails Program; Household Hazardous Waste Collection Program; and Solid Waste Round-ups. In conclusion, Harrington addressed inquiries pertaining to Metro's Work Session agendas; various transportation issues; and prescription medication waste collection, noting currently, Metro is unequipped to accept prescription medications.

5. B. Bonneville Power Administration Post-2011 Contracts and Future Resources Update:

Lonneker presented a PowerPoint presentation outlining Bonneville Power Administration's (BPA) proposed 20-year power sales contract and BPA's proposed tiered rate methodology for wholesale power. Lonneker reported

**FOREST GROVE CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

BPA's new contract would continue the long-term power purchase agreement that the City has had with BPA since 1939. Lonneker indicated that BPA is proposing to have new contracts signed by December, 2008, noting BPA plans to publish its high water marks spring of 2009. Lonneker noted that staff is studying the City's options and will need to make decisions on how future electric load growth will be served, as well as what options BPA will provide. Additionally, staff is studying possible future non-federal resources in lieu of BPA. In conclusion, Lonneker addressed inquiries pertaining to the Federal System Capacity; Contract High Water Marks versus Rate Period High Water Marks; Environmentally Preferred Power; future power supply; BPA's timelines; Tier I Rate Structure, Tier II Option, and Vintage Rate; and presented a graph outlining the proposed wholesale power tiered rate structure.

Miller dismissed herself from the Council meeting at 8:32 p.m.

6. RESOLUTION NO. 2008-60 REGARDING CONTINUING MEMBERSHIP IN THE CITY COUNTY INSURANCE SERVICES (CIS) TRUST FOR PURPOSES OF PARTICIPATING IN THE CIS RETRO LIABILITY PROGRAM

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting City County Insurance Services (CIS) is offering a new Retro Liability Program, commencing July 1, 2008. Downey reported that the CIS Retro Liability Program offers the City lower insurance premiums if the City is willing to assume some risk for losses above the maximum cap, noting participation in the program requires the City to make a three-year commitment to continued participation in the CIS General Liability and Property Programs.

Before proceeding with Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2008-60.

Beery read Resolution No. 2008-60 by title.

MOTION: Councilor Truax moved, seconded by Councilor Thompson, to adopt Resolution No. 2008-60 regarding continuing Membership in the City County Insurance Services (CIS) Trust for purposes of participating in the CIS Retro Liability Program.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
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Council Discussion:

Hearing no discussion from the Council, Mayor Kidd asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Lowe, Johnston, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. ABSENT: Councilor Miller.
MOTION CARRIED 6-0.

7. DESIGNATE VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF OREGON CITIES ANNUAL CONFERENCE BUSINESS MEETING

Staff Report:

Sykes reported the League of Oregon Cities is requesting that Council appoint its Voting Delegate and Alternate for the upcoming League of Oregon Cities Annual Business Meeting.

Council Discussion:

After brief discussion, the following motion was made.

MOTION: Councilor Johnston moved, seconded by Councilor Uhing, to appoint Mayor Kidd as Voting Delegate and Councilor Lowe as Alternate. ABSENT: Councilor Miller. **MOTION CARRIED 6-0 by voice vote.**

8. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events, noting the Library Foundation is holding its annual fundraiser September 23, 2008, at McMenamins. Sykes reported the City received an outstanding response to the Western Washington County Legislative Agenda Work Session, which is scheduled for September 11, 2008. In response to Sykes's comment, Truax noted he invited the Forest Grove Rural Fire Protection District President to attend. In addition, Sykes commended Police Chief Aleshire for his outstanding community involvement, noting the Police Department recently teamed up with students from Pacific University to clean-up graffiti at various locations throughout Forest Grove. In response to Sykes's comment, Mayor Kidd suggested assigning a Community Services Officer to team up with the Forest Grove Chamber of Commerce during the Chamber's new business orientations, which Sykes concurred. Sykes also advised that Aleshire is reviewing with the Public Safety Advisory Commission and the Parks and Recreation Commission a proposed Drinking In Public Ordinance.

**FOREST GROVE CITY COUNCIL REGULAR MEETING
SEPTEMBER 8, 2008 – 7:00 P.M.
COMMUNITY AUDITORIUM
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In conclusion, Sykes provided an update on various City-related park and street projects and provided information on Urban Reserves.

9. COUNCIL COMMUNICATIONS:

Lowé reported on a Tualatin Riverkeepers meeting she attended, noting the group discussed the recent water contamination issues. In addition, Lowé invited everyone to attend the Lincoln Park Dedication on September 20, 2008.

Johnston reported he plans to attend the upcoming Public Safety Advisory Commission meeting, noting the Commission will be reviewing the proposed Drinking In Public Ordinance. In addition, Johnston commended all the volunteers who graciously coordinated First Wednesday and Farmer's Market events, noting the events have been a great success and have increased citizen activity in the downtown area.

Thompson reported on the first Transit Committee meeting, noting the Committee is assessing short and long-term transportation needs.

Truax reported on the Forest Grove Rural Fire Protection District meeting, noting the Board elected its new officers. In addition, Truax commended all volunteers who graciously coordinated First Wednesday and Farmer's Market events, noting the events have been outstanding.

Uhing reported on the Historic Landmarks Board meeting, noting the Board is finalizing its guidelines for Historic Districts, noting the Board plans to submit the guidelines to City Council for consideration.

Mayor Kidd thanked Council members for their reports, noting he had nothing further to report.

10. ADJOURNMENT:

Mayor Kidd adjourned the meeting at 9:21 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL
WESTERN WASHINGTON COUNTY CITIES
JOINT LEGISLATIVE WORK SESSION
SEPTEMBER 11, 2008 – 7:00 P.M.
MCMENAMINS GRAND LODGE, ALICE INKLEY CONFERENCE ROOM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

The Forest Grove City Council and Cities of Banks, Cornelius, Gaston (not present), Hillsboro, and North Plains City Council and other invited guests met for dinner and work session with the League of Oregon Cities, Johnson Gardner, LLC, and Columbia Pacific Economic Development District to discuss jointly legislative issues and concerns. Mayor Kidd called the Work Session to order at 7:00 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Rob Foster, Public Works Director; Jon Holan, Community Development Director; Jeff King, Economic Development Coordinator; and Anna Ruggles, City Recorder.

1. A. ERIC G. STEWART AWARD PRESENTATION:

Mayor Kidd presented the *2008 Eric G. Stewart Award* to McMenamins' on-duty manager who received the award on behalf of Mike and Brian McMenamini. Mayor Kidd reported the McMenamins were recognized by the Historic Landmarks Board for their outstanding service and support in preserving Forest Grove's history, noting the McMenamins preserved the Grand Lodge and adapted the building to a new use without significantly altering the building's history.

2. INTRODUCTION OF MAYORS, COUNCILORS, AND OTHER INVITED GUESTS:

Mayor Kidd called for introductions from everyone present.

3. PRESENTATIONS:

Johnson Gardner, LLC:

Bill Reid and Jerry Johnson, Johnson Gardner, LLC, reported on and addressed inquiries pertaining to the following material handouts: Five-City Economic Opportunities Analysis Long-Term Land Need Issue Examination by Jurisdiction; Five-City Economic Opportunities Analysis Employment Growth and Residential Need Growth Model Relationships; Five-City Employment Opportunities Analysis Product Cycle Theory and Economic Development Implications; Five-City Economic Opportunities Analysis Share Metro Area

**FOREST GROVE CITY COUNCIL
WESTERN WASHINGTON COUNTY CITIES
JOINT LEGISLATIVE WORK SESSION
SEPTEMBER 11, 2008 – 7:00 P.M.
MCMENAMINS GRAND LODGE, ALICE INKLEY CONFERENCE ROOM
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Employment Growth Captured by Each County Over the Last Ten Years (1997-2007); Five-City Economic Development Analysis Primary Labor Import Markets (Employee Community Trends) Hillsboro; and Five-City Employment Opportunities Analysis Sources of Domestic Migration in Washington County (2000-2006).

League of Oregon Cities:

Craig Honeyman and Mike McCauley, League of Oregon Cities, reported on and addressed inquiries pertaining to the League of Oregon Cities' (LOC) Legislative Priorities for 2008, noting 101 Cities have responded to the survey submitted by the LOC. Honeyman and McCauley reported the LOC has identified three key issues for 2008: 1) ethics reporting requirements; 2) transportation funding, and 3) water and sewer infrastructure.

Columbia-Pacific Economic Development District:

Mary McArthur, Columbia-Pacific Economic Development District (Col-Pac), reported on and addressed inquiries pertaining to Col-Pac and its Legislative Priorities for 2008. McArthur reported Col-Pac has identified three key components of Oregon's economic development: 1) recapitalization of infrastructure funding; 2) support for regional and local economic development service delivery capacity; and 3) continue to provide region-based lottery funding for local development projects as determined by local needs and issues.

3. LEGISLATIVE OPEN DISCUSSION:

Sykes facilitated the following exercise, noting the purpose of the exercise was to identify the legislative issues and concerns for Western Washington County Cities. Sykes opened the floor and roundtable discussion ensued as the various Cities participated in the exercise of identifying their legislative issues and concerns. At the conclusion of the above exercise, the Cities identified 15 priorities and ranked each of the priorities on a scale of 1 to 3 (1 being the highest); refer to Exhibit A for the results of the above exercise.

In addition, Sykes solicited feedback on whether or not the Cities found the joint work session to be beneficial, to which the Cities voiced eagerness in holding a joint session every year and suggested that each City take turns hosting a session.

**FOREST GROVE CITY COUNCIL
WESTERN WASHINGTON COUNTY CITIES
JOINT LEGISLATIVE WORK SESSION
SEPTEMBER 11, 2008 – 7:00 P.M.
MCMENAMINS GRAND LODGE, ALICE INKLEY CONFERENCE ROOM
PAGE 3**

4. ADJOURNMENT

The Council took no formal action nor made any formal decisions while at the work session.

Mayor Kidd adjourned the work session at 9:15 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

JOINT LEGISLATIVE WORK SESSION
SEPTEMBER 11, 2008
CITIES OF BANKS, CORNELIUS, FOREST GROVE,
GASTON (not present), HILLSBORO, AND NORTH PLAINS

	SCALE 1- 3 (1 Highest):	1 (Green)	2 (Blue)	3 (Yellow)	TOTAL:
1	SUBREGIONS (Metro)	21	6	2	29
2	PUBLIC SAFETY (repeal BM 5 47 & 50)	15	10	3	28
3	REVISE POPULATION FORECASTING RULES	12	2		14
4	INFRASTRUCTURE	9	16		25
5	TRANSPORTATION	9	2	6	17
6	WATER ISSUES	3	2	2	7
7	NO PREEMPTION	3		1	4
8	ANNEXATION INCENTIVES AND LAWS (service districts)		2		2
9	PUBLIC TRANSPORTATION (intra-city)		2		2
10	SUPPORT COUNCIL CREEK REGIONAL TRAIL (from Hillsboro, through Cornelius, FG, Banks, connection to Banks-Vernonia State Trail)			2	2
11	RESTRUCTURE OREGON ECONOMIC & COMMUNITY DEVELOPMENT BOARD (OECDB)			1	1
12	REVISIT MOBILE HOME PARK LEGISLATION			1	1
13	RESTRUCTURE OF LOCAL FINANCING (protect State Revenue vs. local financing)				
14	CREATION OF CERTAIN SPECIAL DISTRICTS				
15	METRO BOARDS INFLUENCE				

DRAFT –

Western Washington County Cities Legislative Priorities

Subregions

The Cities of Western Washington believed that Metro and/or the Legislature should allow Western Washington County to be treated as a subregion. This would allow Washington County to consider the needs of this area, separate from the needs of other Metro subregions. As part of creating Great Communities, it is critical to consider the housing/job balance in determining areas to expand within the Metro region.

Modify BM 5, 47 & 50

Local Government finance has been seriously hamstrung by recent ballot measures that have been passed via the Initiative process. Without revenues for an operating levy, many cities do not have resources to provide adequate public safety services.

Revise population forecasting rules

Smaller cities are finding it difficult to expand urban growth boundaries because of requirements to meet the DLCD population forecast rules.

Infrastructure/Economic Development resources

The Legislature has dramatically reduced a number of critical OECD programs that have traditionally assisted cities in economic development recruitment activities. The dramatic reduction of SPW funds and Regional Strategy/Regional Investment Funds has made recruitment more difficult. Without State support, Economic Development tools are virtually nonexistent. With the current state of Oregon's economy, the State needs to allocate resources to help bolster cities' efforts to build our local economy.

Transportation

Cities desperately need additional resources to maintain local streets. Local resources have been declining. The State has not modified the gas tax since 1993. In addition, funding for multi-modal transportation needs continues to be a priority.

APPROVED

COMMITTEE for CITIZEN INVOLVEMENT

Tuesday, July 8, 2008

Community Auditorium Meeting Room

3D

Attendees:

Members: Deborah Delfs, Ed Nigbor, Deniis Stoddard, Mo Nkiwane,
Absent: Aaron Savage Michelle Ashton Jolynne Pena,
City Staff: Dan Riordan
City Council: Camille Miller

Call To Order: The meeting was called to order at 4:15 p.m. There were enough members present for a quorum.

Minutes of Last Meeting: Minutes from the June 10, 2008, meeting were approved.

Land Use Acitivities: None

Old Business: CCI will be at the City's booth at the Farmer's Market on July 9th and September 17th. CCI members are asked to plan ahead and volunteer for September.

New Business:

- Dan Riordan spoke of recent memorandum and Vision Statement Action Plan implementation, assigning tasks to the various Boards and Commissions
- Public meetings in Beaverton drew 42 persons and 60 persons attended the Forest Grove Open House.
- Dan Riordan gave a presentation on the Reserves Program and Periodic Review.

Other Business:

The group discussed CCI involvement, other than one meeting a month. Does CCI, as a group or as individuals, invision more commitment to what CCI does? What happened to the plans for neighborhood block parties of discussions? Should CCI have some materials in Spanish? Should CCI contact Adelante Mujeres to get more local Hispanic involvement, possible on CCI?

Next Meeting: The next meeting will be held on August 12, 2008.

Adjourn: The meeting was adjourned at 5:00 p.m.

Respectfully Submitted
Marcia Phillips
City of Forest Grove Permit Coordinator

APPROVED

3E

Minutes approved by the PAC on September 11, 2008.

1. CALL TO ORDER:

Present were PAC members: Donna House, Linda Taylor, Jim Flory, Kathy Broom, Vicki Pich, Kathleen Leatham, and Ruth Anne McCullough. Staff present: Colleen Winters. A big welcome and commissioner introductions were given to Jim Flory, Dept. Head for Art at Pacific University and newest PAC member.

2. CITIZEN COMMUNICATIONS: NONE

3. APPROVAL OF PUBLIC ARTS COMMISSION REGULAR MEETING MINUTES

FROM JULY 10, 2008: Three edits were found and Ruth Anne will send those updated notes to Bev Maughan. Kathleen moved to approve the minutes as edited. Donna seconded. Passed unanimously.

4. ADDITIONS/DELETIONS:

Goal Setting Follow Up "5 D" on the agenda was deleted.

5. BUSINESS:

A. Election of Chair:

The chair person is the contact person between the PAC commission and the City Council. Tom and Colleen would be the liaison present at the meetings. Vicki moved for Ruth Anne and Kathleen to be our new secretary and chairperson of PAC. Donna seconded. The vote was unanimous.

B. Mini-Grant Applications:

- 1. Chalk Art Grant for \$500**—The Festival will be on September 20, 2008 from 9 a.m. to 3 p.m. Linda moved that we accept application and Vicki seconded. The project fits our "promotion and tourism" goals for spending our funds. The vote was unanimous.
- 2. Mensch: Promoting Gender Equality through Music and Art for \$500**—on September 12, Friday, at 4 p.m. to September 13, Saturday, at midnight. Linda moved and Donna seconded. Vote was unanimous.

C. Art Collection Management Policy Review:

Several editing comments for improvement were made: p. 1 Instead of "MISSION" write in "PURPOSE". First and only sentence is recommended to read: "To maintain the high quality of art in the Forest Grove area, the City and its Public Arts Commission establishes the following accession/deaccession policy. (Basically, eliminate the first sentence.) p. 2 under "Purchases" no. 1--the words in the brackets can be deleted and no. 3—the deletion "objected" is accepted. P. 3 "b" at the top, the word "it" should be deleted and in "c" the sentence should read: "The object duplicates other objects of the same type that are sufficient or better suited to City needs". Ruth Anne made the motion to accept the edits and Vicki seconded. Vote was unanimous. The edits will be recommended to the City Council and Kathy made that motion with Jim seconding. Vote unanimous. Colleen will take the edited version to City Council.

D. Goal Setting Follow Up: Was deleted.

E. "Meet the Artist" Dinner Fundraising Update: Linda Taylor

Linda reported that the July Fundraiser with Eric Canon was very successful bringing in \$2250 profit to the commission. She said there was a nice mix of community people

including folks from Portland and Lake Oswego. Ann Cullen provided harp music and Eric Canon was the guest artist. The Frye's would like to host a winter hors d'oeuvres and dessert fundraiser. Discussion of Meet the Artist's future could include authors, poets, painters, and musicians.

F. 2008-09 CEP Grant Allocation Update:

Table till September.

G. Finance Report

Kathleen suggested changes for clarity and will make those changes to Bev Maughan. Such as the changes with the names of the PAC commissioners, the three mini-grants that have been accepted, etc.

6. COMMISSIONERS' COMMUNICATIONS:

A. **Music Resource Guide:** Commissioners need to bring in names of known musicians to develop a resourceful list in the area and give them to Phil. This will be ongoing. Kathy and Ruth Anne report that they have some names for Phil.

7. STAFF COMMUNICATIONS:

Kathleen will ask Bev about the membership form for the W.C.A.

8. ANNOUNCEMENT OF NEXT MEETING: Thursday, September 11, 2008

9. ADJOURNMENT: Meeting adjourned at 6:15 p.m. Ruth Anne moved and Vicki seconded adjournment. Vote passed.

Respectfully submitted,

Ruth Anne McCullough

Memorandum

To: Mayor Kidd and City Councilors

From: Anna D. Ruggles, CMC, City Recorder

Subject: Accept Resignation on Committee for Citizen Involvement

Date: September 22, 2008

Jolynne Pena, Committee for Citizen Involvement, term expiring December 31, 2011, has informed staff of her desire to resign from the Committee for Citizen Involvement as per her attached resignation.

STAFF RECOMMENDATION: Staff recommends Council accept the above resignation and deem the seat vacant.

From: [REDACTED]
Sent: Monday, August 18, 2008 11:12 PM
To: Marcia Phillips
Subject: Re: CCI meeting follow-up

Hi,

It is with regret that I must inform you of my decision to resign from the Committee for Citizen Involvement immediately. The demands of my daughters schooling, work and personal obligations leave me with the task of determining where best to place my time and efforts. Unfortunately this means that I will be unable to continue my work on this commission. I apologize for any inconvenience this causes.

I am grateful for the time and encouragement I have received from committee members and that of Jon Holan. I hope that if sometime in the future I am able to return to volunteer work for the city that I would be able to do so. I wish you all the best in your continuing service to the City of Forest Grove as you strive to make our great city a better place to live, work and play.

Thank you.

Sincerely,

Jolynne R. Peña

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Monthly Building Activity Report

August-08

2008-09

Category	Period: August-07		Period: August-08	
	# of Permits	Value	# of Permits	Value
Man. Home Setup		n/a	2	DEMO & SETUP
Sing-Family New	10	\$2,363,998	4	\$1,187,071
SFR Addition & Alt/Repair	4	\$60,302	2	\$83,500
Mult. Fam. New/At				
Group Care Facility				
Commercial New	1	Modular Office for Pacific University	1	Change in Occupancy
Commerical Addition	3	\$23,576		
Commercial Alt/Repair			1	\$9,500
Industrial New				
Industrial Addition				
Industrial Alt/Repair	1	\$1,352	2	\$25,280
Gov/Pub/Inst (new/add)	5	\$162,130	1	Footbridge @ Fern Hill Wetlands
Signs	1	\$1,200		
Grading	5			
Demolitions	2		1	STORAGE BUILDING
Total	32	\$2,612,558	14	\$1,305,351

Year-to-Date

2007-08		2008-09	
Permits	Value	Permits	Value
63	\$7,064,342	33	\$2,257,826

3H

FIRE DEPARTMENT MONTHLY REPORT

August 2008

ALARM RESPONSE	THIS MONTH			7 AM - 4:59 PM			5 PM - 6:59 AM	
TOTAL CALLS	228			107			121	
TYPES OF ALARMS	City	THIS MONTH Dist	Total	City	THIS Y-T-D DIST	Total	THIS MONTH LAST YEAR	LAST Y-T-D
Rescue & First Aid	127	31	158	1117	175	1292	131	1219
Structure Fire	0	0	0	15	7	22	6	31
Vehicle Fire (mobile property)	0	2	2	4	4	8	0	6
Brush, Grass, Leaves	1	2	3	15	9	24	8	34
Trash, Rubbish	1	1	2	9	3	12	2	8
Smoke & Odor Investigation	6	5	11	23	13	36	12	54
Illegal Burn	2	1	3	11	13	24	4	30
Hazardous Mat/Situation	3	2	5	23	11	34	2	12
Public Service/Good Intent	22	2	24	156	20	176	29	171
Mutual Aid	0	0	11	0	0	66	14	63
False Alarm/Alarm Malfunctions	9	0	9	101	10	111	17	122
Other	0	0	0	0	0	0	0	1
TOTAL CALLS	171	46	228	1474	265	1805	225	1751
CAUSES OF FIRES	City	Dist	Total	City	Dist	Total	Last Year	Last Y-T-D
Matches,smoking,discarded matl	1	-	1	10	2	12	3	19
Electrical, battery	-	-	-	6	2	8	1	9
Appliance Malfunction	-	-	-	1	-	1	-	-
Chimneys, flues, pellet stoves	-	-	-	3	3	6	-	5
Spontaneous Combustion,Rekindle	-	-	-	-	3	3	1	3
Machinery/Mechanical	-	1	1	1	3	4	2	3
Ignition of Hot Grease/Cooking	-	-	-	3	-	3	1	5
Explosions	-	-	-	-	1	1	-	1
Fuel System Malfunction	-	1	1	-	2	2	-	1
Sparks, Embers, Rekindle,lightning	-	2	2	3	4	7	-	6
Fireworks	-	-	-	2	-	2	2	5
Contact W/Heating Device	-	-	-	2	-	2	-	4
Incendiary/Suspicious	1	-	1	4	1	5	5	12
Undetermined	-	-	-	3	-	3	-	1
Juveniles With Fire	-	-	-	3	-	3	1	2
Burning Out of Control	-	-	-	-	1	1	-	4
Vehicle Problems, oil, trans, etc.	-	1	1	2	1	3	-	-
Other	-	-	-	-	-	-	-	-

LEADING CAUSE THIS MONTH: Sparks,embers, coals, lightning
 LEADING CAUSE THIS Y-T-D: Matches, smoking & discarded material

CAUSE LAST YEAR: Incendiary
 LAST YEAR TO DATE: Matches, smoking & discarded material

FIRE DEPARTMENT MONTHLY REPORT

AUGUST 2008

	This Month	This Y-T-D	Last Year	Last Y-T-D
Calls occurring at same time	44	251	33	247
FIRE COSTS	This Month	This Y-T-D	Last Year	Last Y-T-D
Persons Injured by Fire	0	0	0	1
Fatalities by Fire	0	0	0	0
Estimated Fire Loss	\$ 6,615	\$ 779,855	\$ 7,010	\$ 285,845
Estimated Fire Savings	\$ 2,080,465	\$ 22,121,960	\$ 1,939,000	\$ 48,911,284
TRAINING	This Month	This Y-T-D	Last Year	Last Y-T-D
Total Hours	315.80 hrs	4,555.50 hrs	509.45 hrs	7,166.35 hrs
COMPANY ACTIVITIES	This Month	This Y-T-D	Last Year	Last Y-T-D
Assemblies	12	62	4	108
Educational Inspections	10	43	2	42
Institutional Inspections	1	27	0	35
Residential/Apts.,Motels,etc.	7	25	9	148
Stores & Offices	19	148	7	121
Industrial & Mfg Inspection	1	9	3	30
Storage/Farm,wrhses,etc.	0	1	2	13
Special/Bridges,vacant blds	1	34	0	9
Complaint Inspections	4	19	3	10
Home Business	3	12	0	8
Driveway Inspections	6	26	3	31
Smoke Alarms	10	39	0	11
Self Inspected Businesses	0	0	0	30
Total Inspections	74	445	33	596
PERSONNEL	This Month	Last Month	Last Year	
Total Paid Personnel	19	21	18	
Volunteer Roster	33	31	35	
Total Hours Lost for Sickness (paid)	85.25 hrs	160.50 hrs	135 hrs	
Total Hours Lost for Injury	0 hrs	120 hrs	0 hrs	
APPARATUS	This Month	Last Month	Last Year	
Gasoline	gals	51.80 gals	23.50 gals	
Diesel	gals	744.90 gals	589.10 gals	
Total Fuel Usage	gals	796.70 gals	612.60 gals	
Total Pump Hours	hrs	22.50 hrs	7.75 hrs	

REMARKS:

44 calls @ same time. 25 times 2 calls @ same time, 3 times 3 calls @ same time, 3 times 4 calls @ same time, 1 time 5 calls @ same time.

42 calls to Assisted Living Facilities

MONTHLY RECORD

MONTH/YEAR: AUGUST 2008

NEW SMOKE ALARMS	10	COMPLAINTS	4	DRIVEWAYS	6
LOANER SMOKE ALARMS	0	INVESTIGATIONS	2	PLANS REVIEWED	
SELF INSPECTED BUSINESSES	0	JUVENILES	3	- COMMERCIAL	2
HOME OCCUPATIONS	3	ADDRESS SIGNS	9	- SUB-DIVISIONS	

OCCUPANCY	REGULAR INSPECTION	RE-INSPECTION	SPECIAL INSPECTION	HAZARDS NOTED	HAZARDS ABATED	PUBLIC EDUCATION PROGRAMS
ASSEMBLIES Amusement, recreation, churches, restaurants, clubs, etc.	3	6	3	5	9	0
EDUCATIONAL Schools, Colleges, Trade Schools, etc.	0	2	8	1	2	0
INSTITUTIONAL Day care, Hospitals, Assisted Living, Nursing, Jails, etc.	0	0	1	0	0	0
RESIDENTIAL Apartments, Hotels, Dorms, Motels, etc.	4	0	3	4	0	0
STORES AND OFFICES Retail, equipment sales and service, offices, repair shops, etc.	14	3	2	24	4	2
INDUSTRIAL AND MANUFACTURING Labs, Farms, Metal, Wood Products, Petroleum, Textile, Chemical, etc.	1	0	0	12	0	0
STORAGE Farms, Lumber, Petroleum, Chemicals, General Warehouses, etc.	0	0	0	0	0	0
SPECIAL PROPERTIES Vacant property, equipment, vehicles, bridges, etc.	0	0	1	0	0	0

POLICE MONTHLY STATS FOR SELECTED REPORTED CRIMES / INCIDENTS

**August 2008
Reported Cases**

	This Year This Month	Same Month Year Ago	YTD Current Year		This Year This Month	Same Month Year Ago	YTD Current Year		This Year This Month	Same Month Year Ago	YTD Current Year
BURGLARIES	6	4	56	ASSAULTS	1	6	34	FRAUD	6	2	45
ARRESTS	1	0	14	ARRESTS	1	3	25	ARRESTS	2	3	10
THEFTS	52	30	363	SEX CRIMES	2	7	28	UUV	3	2	30
ARRESTS	13	8	77	ADULT	0	4	7	ARRESTS	0	0	13
				JUVENILE	2	3	18	RECOVERED	1	1	5
ROBBERY	2	0	4	CRIMES AGAINST CHILDREN	16	8	100	ABAND. VEHICLES	6	36	137
ARRESTS	3	0	3	DOMESTIC VIOLENCE	15	18	116	RADAR BOARD	0	0	0
VANDALISM	52	38	352	MIP/TOB/LIQUOR	4	0	45	MVA	6	11	82
ARRESTS	9	8	98	ARRESTS	9	0	81	DUII	8	11	59
								TRAFFIC CITES	223	263	1863
TRESPASS	3	4	24	DRUGS	2	8	32	TOTAL ARRESTS	117	127	1049
ARRESTS	4	2	35	ARRESTS	3	13	42	ADULTS	62	113	643
								JUVENILES	55	14	390
SEARCH WARRANTS	0	0	3	FUGITIVES	10	18	99				

COPIED Chief Aleshire
 Capt. Ashbaugh
 Sgt. Foster
 Ofc. Mgr. Taylor
 CSO Hartung

Total Contacts by Offense for Patrol Officers - 868 : Vehicle Impounds by Patrol Officers - 18 : 7 DHS 307's were reviewed and documented : MVA includes 3 hit and run : Crimes Against Children included 8 runaways, 0 recovered, 0 arrests : Patrol Traffic Citations do not include 12 citations from CSO's :

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TO: City Council

FROM: James Reitz, Senior Planner
Jon Holan, Community Development Director
Michael Sykes, City Manager

DATE: September 22, 2008

RE: Rose Grove Recreational Vehicle Park

ISSUE STATEMENT: The applicant requested a conditional use permit to develop a 21-unit recreational vehicle park at 4015 Pacific Avenue. The Planning Commission voted to deny the permit, following testimony about the City's apparent inability to limit length of stay, potential trespassing by RV park patrons, and nuisance activity allegedly caused by residents of Rose Grove Mobile Home Park. The applicant has appealed that decision to the City Council.

RECOMMENDATION: Staff believes that one of the major objections of the Commission, involving limitations on the length of stay, has been addressed through further interpretation of state law which occurred after the hearing. Based on that factor, staff would recommend approval of the appeal and the use permit. However, the Council needs to provide interpretation and direction on the appropriateness of applying other Commission findings for denial on safety. It is staff's opinion that there are some policy considerations concerning the Commission's finding and that imposing stay limits may eliminate the basis for this finding.

Attached are two resolutions: one to sustain the Commission's decision, one to overturn it. The second resolution also has attached a list of proposed conditions of approval, and includes a provision to limit the length of stay. Staff has proposed a one month (31-day) limit. The applicant testified before the Planning Commission in favor of a 45-day limit. Further discussion about length of stay follows in the Background section below.

The Planning Commission decision, minutes, staff report, and application, are attached. Also attached is the applicant's appeal, responding to the various issues raised before the Commission, and a section of ORS Chapter 446 *Tourist Facilities*.

BACKGROUND: The 2008 application essentially duplicates an application reviewed and approved by the Planning Commission in 2005. That approval lapsed in 2006 because the applicant took no action to initiate construction of the RV park within one year of the Commission's approval in 2005 (as required by Zoning Ordinance Section 9.876). In June 2008, the applicant filed a new application. The design of the 2008 proposal is the same as that of the 2005 proposal. The following comments are in response to the issues raised in the appeal.

1. Compliance with conditional use permit criteria: Please see following discussion. Given the ability to limit length of stay, staff concurs that the application, with the proposed conditions, appears to meet the criteria for approval of a conditional use permit.

2. Similar Use Authorization: While the Planning Commission did discuss whether or not to reverse its 1995 Similar Use Authorization (which allowed an RV park based on its similarity to other uses in the Community Commercial zone), their decision to deny this application was based on other factors, more particularly the length of stay issue, potential trespass and nuisance concerns, and the lack of a landscape plan.
3. Rose Grove MHP resident activities: The question for the Council is whether there is misbehavior by any Rose Grove MHP resident and if so, how relevant is the issue to the conditional use permit application. The relevant portion of the conditional use permit criteria of Zoning Ordinance Section 9.873 states:

"CONSIDERATION OF CONDITIONAL USE APPLICATION. Before the Planning Commission approves or denies a conditional use, the Commission shall determine that the proposed use meets the following requirements...:

- (3) That the proposed use will ensure that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare;"

Thus, the criteria pertain to how a property could be developed and whether it creates a nuisance condition that may be injurious to public safety. The Commission's concern was with conditions present in the mobile home park and its impact on the RV facility. In other words, the RV facility approval would cause to be created a public nuisance condition that may be injurious to public safety since more persons (in the proposed RV facility) would be exposed to an unsafe condition. Further, based on the testimony that there exists another RV facility that is part of the Rose Grove Mobile Home Park which is the source of the inappropriate activity, the Commission determined that the applicant did not demonstrate that the nuisance activity would be controlled at the proposed facility. Thus, the Commission found that the approval may create a public nuisance by the expansion of a mobile home park that, based on testimony, has been the source of that type (nuisance) activity.

In essence, the Council need to determine that exposure to an existing condition is a basis for denial. From staff's perspective, an exposure to a social nuisance condition should not be a basis for denial. This policy position would prevent change in areas where continued investment may result in improve to an area. Further, in this particular situation, any exposure would be temporary provided that stay limitations are imposed (see discussion below). Staff would also mention that potential design solutions could be required to further minimize exposure. In this situation, a high fence between the RV facility and the mobile home park could deter entry from the park into the facility. Another aspect of this argument is the intent of the section. It may be that the focus of the section is oriented to physical impacts on a neighborhood. An extreme example could be a rock crushing operation in a neighborhood. That type of operation may generate noise, vibration, air and water quality impacts on the surrounding area. However, the Council should keep in mind that certain types of proposed uses could generate social safety related impacts and may not want to address this issue at this time.

Regarding the potential expansion of nuisance activity, assuming the nuisance activity in the park exists (as was indicated by the testimony), it is speculative that this behavior would extend to this area. Further, this is not an issue by requiring the length of stay limitation and avoiding conversion of the use to the mobile home park

4. Length of Stay: Testimony was presented to the Planning Commission that the City cannot regulate the length of time that an RV could remain at the park. Testimony was also offered that Rose Grove MHP has an existing 21-unit RV park that has converted over time to long-term residency. Further, testimony was received that state law (ORS 197) did not allow the City to regulate the length of stay in RV park facilities. The applicant indicated that they would willingly limit occupancy to 45 days. Based on this testimony, the Planning Commission was concerned that there is no assurance that the proposed facility over time could cease to operate as a RV facility become an extension of the Mobile Home Park. The applicant's proposed time limit did not provide certainty for the long-term stay limitation since it would be self-imposed and the City would have no control if the stay limitation was lifted by the proponent.

Following the Commission's denial of the conditional use permit, staff further investigated how length of stay is regulated by Oregon Revised Statutes (this issue was not raised in 2005). The chapter cited to the Commission (a section of ORS 197, included in the appellant's response) pertains to RVs used as residences. Another chapter--ORS 446--pertains to "recreation parks" and other "tourist facilities" such as an RV park. Staff consulted with the City Attorney and concluded that the prohibition to impose stay limitations in the provisions of ORS 197 only apply if the facility is for *residential use*. In this instance the Rose Grove RV Park is not intended to be used for residential purposes. Rather, the intent is to develop a "travelers accommodation" where "facilities (are) rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities." (ORS 446.310(12)). Under those provisions, the City has the authority to limit length of stay.

As noted above, staff is proposing a one-month (31 day) limit on length of stay. This duration is recommended to ensure that a residential use is not established in a commercial zone. As a note, this proposal consistent with the proposed development code definition of Household Living, which is defined as follows:

Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping and hygiene. Tenancy is longer than one (1) month. Examples include single family detached and attached dwellings, duplexes, multifamily dwellings, and manufactured homes. The household living category includes most types of senior housing, e.g., congregate care and assisted living, if residents live in self-contained units. The Uniform Building Code shall determine the maximum number of people who may reside in any given dwelling unit. (emphasis added)

In conclusion, imposing a 31-day limit as a condition of approval would ensure that the use would comply with the similar use determination made for the Community Commercial zone as well as the proposed development code.

5. Nuisance/criminal activity: As with #3 above, the Council needs to determine whether or not the alleged nuisance or criminal activity of any Rose Grove MHP resident is relevant to the approval criteria for a conditional use permit application.

6. Landscape Plan: As a condition of approval, staff proposed that the applicant be required to submit a landscape plan (see attached, #15. In addition, several other conditions (9 through 13) stipulate what the landscape plan must include). The proposed condition duplicates that approved by the Planning Commission in 2005.
7. De novo hearing: The Zoning Ordinance is not clear as to when or if to hold the hearing on the record. To do so would make the hearing more manageable as the Council would not have to review new evidence. To open the hearing could delay a final decision if the Council wanted time to analyze any new material or allow the parties' time to respond. Staff therefore recommends conducting the hearing on the record.

ALTERNATIVES: The Council may:

1. Sustain the Planning Commission's denial of the conditional use permit; or
2. Overturn the Planning Commission's decision, and approve the conditional use permit; or
3. Continue the matter for further considerations; or
4. Since new information on the provisions of state law has been ascertained after the Commission hearing and not considered by the Commission, the Council could remand the application to the Planning Commission for further consideration. To do so may require the applicant's waiving of the 120-day rule. The application was filed on June 25th, and the 120th day would be October 23rd. While the Commission could consider a remand at either their October 6th or 20th meeting dates, any subsequent appeal to the City Council would not be heard before October 23rd.

6.1.

RESOLUTION NO. 2008-61
RESOLUTION DENYING AN APPEAL OF THE PLANNING COMMISSION'S DENIAL
OF THE PROPOSED ROSE GROVE RECREATIONAL VEHICLE PARK AT 4015
PACIFIC AVENUE (FILE NO. CU-08-01)

WHEREAS, the applicant filed a conditional use permit request for a proposed 21-unit recreational vehicle park on June 25, 2008; and

WHEREAS, the Planning Commission held a duly-advertised public hearing on July 21, 2008, and continued the hearing to August 4, 2008; and

WHEREAS, the Planning Commission issued Decision Number 2008-04 to deny the conditional use permit on August 13, 2008, finding in part that ORS Chapter 197 superseded the City's ability to limit length of stay and that the recreational vehicle units could be occupied as single-family homes, a use prohibited in the Community Commercial zone; and

WHEREAS, the applicant thereafter filed an appeal of the Planning Commission decision, and notice of the City Council hearing on this appeal was mailed to affected parties on September 9, 2008, as required by Zoning Ordinance Section 9.915. Notice was also published in the *News Times*, as required by Zoning Ordinance Section 9.915; and

WHEREAS, the City Council held a public hearing on the appeal on September 22, 2008; and

WHEREAS, the City Council agrees with the Planning Commission that the proposed use would be considered a single-family residential use; and

WHEREAS, the City Council agrees with the Planning Commission that single-family residential uses are not permitted in the Community Commercial zone.

NOW, THEREFORE, THE CITY COUNCIL OF FOREST GROVE does hereby find that the action taken by the Planning Commission is legally correct and the Council does hereby DENY the appeal, and sustains the denial made by Planning Commission Decision Number 2008-04.

In support of this Resolution, the Council hereby adopts the Planning Commission findings in Decision No. 2008-04, which findings are attached hereto and incorporated herein by this reference.

This Resolution shall be effective on the date it is adopted by the Council and signed by the Mayor.

PRESENTED AND PASSED the 22nd day of September, 2008.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 22nd day of September, 2008.

Richard G. Kidd, Mayor

**Planning Commission Findings and Decision Number 2008-04 to Deny
Conditional Use Permit CU-08-01 for the Rose Grove Recreational Vehicle Park**

WHEREAS, Rose Grove Mobile Home Park filed for a conditional use permit on June 25, 2008, to construct a new 21-space recreational vehicle park and that said site is within the Community Commercial Zone district; and

WHEREAS, the application was deemed complete on June 25, 2008; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on June 30, 2008, as required by Zoning Ordinance Section 9.915. Notice was also published in the *News Times* on July 16, 2008, as required by Zoning Ordinance Section 9.915. No written comments were received in response to these notices; and

WHEREAS, the Planning Commission held the duly noticed public hearing on the proposed conditional use permit on July 21 and August 4, 2008.

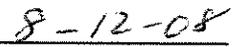
The City of Forest Grove Planning Commission does hereby **DENY** the conditional use permit for the Rose Grove Recreational Vehicle Park, making the following specific findings in support of this decision:

- (A) The Planning Commission adopts by reference the staff report, including findings and recommendations, dated July 14, 2008. In the event that there is any inconsistency between the staff report and this decision, this decision shall control.
- (B) Although in 1998, the Planning Commission determined that recreational vehicle facilities are a conditionally-permitted similar use in the Community Commercial Zone, this Commission disagrees with that interpretation to the extent it would allow a single-family residential use in the Community Commercial zone. This Commission agrees with the earlier interpretation to the extent it would allow commercial recreational vehicle facilities (e.g. sales and service) in the Community Commercial zone.
- (C) The application does not meet the criteria for a conditional use permit for the following reasons:
 - 1. Testimony was provided that the applicant has an existing 21-unit RV park on the property in which the RVs are used as primary residences and has been determined by staff to be a non-conforming use.
 - 2. The Commission finds that it cannot limit the length of residency in a recreational vehicle in a Recreational Vehicle Park under ORS 197.493.
 - 3. The Commission finds that the applicant's application for an additional 21-unit RV park is intended to be used as a single-family residential use in the Community Commercial Zone.

4. The Commission finds that the only residential use allowed in the Community Commercial Zone is multi-family dwellings.
5. The Commission finds that recreational vehicles are not multi-family dwellings and therefore are not an allowed residential use in the Community Commercial Zone.
6. Public testimony was entered into the record that some residents of Rose Grove Mobile Home Park have trespassed onto and damaged adjacent properties.
7. There is evidence in the record that there is on-going nuisance activity (criminal, gangs, and graffiti) in the adjacent mobile home and RV park.
8. The applicant has not sufficiently demonstrated that this activity will not extend to or adversely affect the proposed use. Particularly in light of the fact that the existing park that generates the nuisance activities includes an RV park and is operated by the applicant for the proposed RV Park, the Commission does not find that the land will not "be used for any purpose that creates or causes to be created any public nuisance."
9. The Commission finds that because no landscape plan was submitted, the applicant did not demonstrate that the proposal would provide adequate landscaping and aesthetic design to mitigate the effect of the RV Park on surrounding properties and uses.



TOM BECK, Chair



Date

6.2

RESOLUTION NO. 2008-61
RESOLUTION APPROVING AN APPEAL OF THE PLANNING COMMISSION'S
DENIAL OF THE PROPOSED ROSE GROVE RECREATIONAL VEHICLE PARK AT
4015 PACIFIC AVENUE, AND ADOPTING CONDITIONS OF APPROVAL
(FILE NO. CU-08-01)

WHEREAS, the applicant filed a conditional use permit request for a proposed 21-unit recreational vehicle park on June 25, 2008; and

WHEREAS, the Planning Commission held a duly-advertised public hearing on July 21, 2008, and continued the hearing to August 4, 2008; and

WHEREAS, the Planning Commission issued Decision Number 2008-04 to deny the conditional use permit on August 13, 2008, finding in part that ORS Chapter 197 superseded the City's ability to limit length of stay and that the recreational vehicle units could be occupied as single-family homes, a use prohibited in the Community Commercial zone; and

WHEREAS, the applicant thereafter filed an appeal of the Planning Commission decision, and notice of the City Council hearing on this appeal was mailed to affected parties on September 9, 2008, as required by Zoning Ordinance Section 9.915. Notice was also published in the *News Times*, as required by Zoning Ordinance Section 9.915; and

WHEREAS, the City Council held a public hearing on the appeal on September 22, 2008; and

WHEREAS, the City Council finds that the length of stay prohibition of ORS Chapter 197 pertains to residential units, not to "camping vehicles" and "recreation parks" as defined by ORS Chapter 446 *Tourist Facilities*; and

WHEREAS, the City Council understands that the use as conditioned is a commercial use in a commercial zone.

NOW, THEREFORE, THE CITY COUNCIL OF FOREST GROVE does hereby find that the action taken by the Planning Commission was incorrect and the Council does hereby APPROVE the appeal, and adopts the Conditions of Approval in the attached Exhibit A.

This Resolution shall be effective on the date it is adopted by the Council and signed by the Mayor.

PRESENTED AND PASSED the 22nd day of September, 2008.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 22nd day of September, 2008.

Richard G. Kidd, Mayor

**CONDITIONS OF APPROVAL
ROSE GROVE RECREATIONAL VEHICLE PARK
4015 PACIFIC AVENUE
FILE NUMBER: CU-08-01**

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. The applicant shall comply with all applicable City building and development standards, including all dimensional standards and public works specifications.
3. The applicant shall demonstrate compliance with the applicable provisions of ORS 446.310-446.350 *Tourist Facilities*.
4. The applicant shall demonstrate compliance with the applicable provisions of OAR 918-650-0000 et. seq. *Recreation Parks and Organizational Camps*.
5. Length of stay shall be limited to one month (31 days) annually.
6. Install full street improvements (curb, gutter, sidewalk, drive approach, street trees and parkway landscaping including vegetative ground cover) along Pacific Avenue (Zoning Ordinance Section 9.855 *Site Plan Approval and Compliance with Public Facility Standards Required*).
7. A lighting plan, in accordance with the landscape plan, shall be reviewed and approved by the Community Development Director prior to the issuance of a building permit. Lighting standards shall not exceed fourteen feet in height and shall be shielded to minimize glare into the adjacent residential area and Pacific Avenue (ZO Section 9.963 *General Guidelines for Commercial Design Review/Accessories, Signage and Landscaping*).
8. All underground utilities shall be required.
9. A minimum three-foot-wide landscaped buffer shall be required along the north and east property lines. This buffer shall include landscaping to reduce the massing of the fence. (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
10. A minimum three-foot-wide landscaped buffer shall be required along the west property line. This buffer shall include:
 - Vegetative ground cover; and
 - At least five trees within the first 100 feet north of the Pacific Avenue right-of-way (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
11. A minimum eighteen-foot wide landscaped buffer shall be required along the south property line. The water quality facility may be located within this area (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
12. Install a minimum of twenty trees, dispersed throughout the site. These trees shall be "Medium" or "Large" trees from the City's approved street tree list or an equivalent species approved by the Community Development Director. Trees shall have minimum two-inch caliper and six-foot branch height upon installation (ZO Sections 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
13. All landscaping shall comply with Zoning Ordinance Section 9.858(3) *General Landscaping Standards—Development Standards* upon installation.

EXHIBIT A

14. A site-obscuring "good-neighbor" fence or equivalent shall be installed along the north, east, and west property lines. This fence shall have a minimum height of six feet. The east and west fences shall terminate at least ten feet north of the Pacific Avenue right-of-way.
15. A landscape plan shall be submitted for review and approval by the Community Development Director prior to the issuance of a building permit. This plan shall include:
 - A fence along the Pacific Avenue frontage, on the south side of the water quality facility. The fence shall also extend at least ten feet north of the right-of-way on the east and west property lines. It shall be constructed of durable and attractive materials and shall be at least three-to-four feet tall. Additional height may be required around the water quality facility.
 - High-density landscaping on the north side of the fence.
 - Additional landscaping on the south side of the fence where appropriate.
16. No more than 25 off-street parking stalls shall be permitted.
17. The applicant shall enforce park rules and regulations.



NOTICE OF PUBLIC HEARING: FOREST GROVE CITY COUNCIL

A **PUBLIC HEARING** will be held before the Forest Grove City Council to review the following:

PROPOSAL: Appeal of the Planning Commission's Denial of a Conditional Use Permit to Allow Construction of a 21-Space Recreational Vehicle Park

Location: 4015 Pacific Avenue (Washington County Tax Lot 1N3 32D-1400)

Applicant: Rose Grove Mobile Home Park (Dorothy Royce)

File Number: CU-08-01

Criteria: Before the City Council approves a conditional use, it shall determine that the proposed use meets the following requirements:

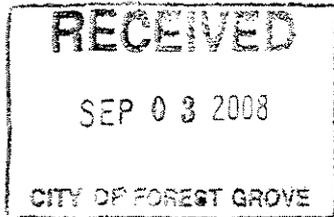
- (1) That all public facilities serving the proposed use, including but not limited to sanitary sewers, water, streets, storm drains, electrical distribution, parks and public safety and schools are adequate, and meet current City Standards;
 - (2) That the proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect of said use on surrounding properties and uses;
 - (3) That the proposed use will ensure that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare;
 - (4) That the proposed use will comply with the purpose of the conditional use permit section and with all applicable provisions of the Zoning Ordinance.
-

This Public Hearing will take place before the Forest Grove City Council on **Monday, September 22, 2008, at 7:00 p.m., or thereafter**, in the Community Auditorium, 1915 Main Street, Forest Grove. At this time and place all persons will be given a reasonable opportunity to give testimony about this proposal. If an issue is not raised in the hearing (by person or by letter) or if the issue is not explained in sufficient detail to allow the Council to respond to the issue, then that issue cannot be used for an appeal to the Land Use Board of Appeals (LUBA).

If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing. Information pertaining to this request may be obtained from James Reitz, Senior Planner, Community Development Department, PO Box 326, 1924 Council Street, Forest Grove, between 8 a.m. and 5 p.m., (503) 992-3233, jreitz@forestgrove-or.gov. The staff report will be available seven (7) days prior to the hearing; copies will be available at cost. This notice is sent by the authority of the Forest Grove City Council.

Anna D. Ruggles, CMC, City Recorder

Published: September 17, 2008



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September 3, 2008

VIA MESSENGER

Mayor Richard Kidd
City of Forest Grove, Oregon
P. O. Box 326
Forest Grove, OR 97116-0326

**Re: Appeal of Planning Commission Decision Denying a Conditional Use Permit
for a 21-Space Recreational Vehicle Park at 4015 Pacific Avenue**

Dear Mayor Kidd and Members of the Forest Grove City Council:

This office represents the applicant. This letter is the applicant's appeal of the Planning Commission's denial of the conditional use permit. Enclosed with this letter is a check made payable to the City of Forest Grove in the amount of \$313.00 as the applicable appeal fee. This letter explains why the Planning Commission's decision should be reversed by the City Council because the application is consistent with the City's zoning ordinance. I will supplement this letter with a legal memorandum.

1. This appeal meets the requirements of Forest Grove Development Code ("FGDC") 9.911(2).

The applicant is adversely affected and aggrieved by the Planning Commission's denial of its application. The applicant has standing to file this appeal. This appeal is timely filed within twenty-one (21) days of the Planning Commission's August 13, 2008 decision. The application meets the conditional use approval criteria.

2. The Planning Commission cannot reverse its 1995 interpretation that recreational vehicle parks are similar to uses allowed in the Community Commercial zoning district.

No party appealed the 1995 interpretation allowing recreational vehicle parks as a similar use and a collateral attack now is improper and unlawful. Moreover, this application did not request that the 1995 decision be analyzed and the parties were given no opportunity to brief or argue the matter. Arguing the matter after the Planning Commission has made a decision is unhelpful and unfair. The 1995 interpretation is an approval criterion and the City may not change the rules after the Rose Grove Mobile Home Park submitted its application. The City Council should reverse the Planning Commission and uphold the 1995 interpretation that Rose Grove Mobile Home Park relied on in both 2005 when the Planning Commission first approved the recreational vehicle park application and in 2008 when it submitted this application.

3. Testimony about activities in the existing mobile home park is irrelevant because the mobile home park is not before the City Council.

A new 21-space recreational vehicle park was the application before the Planning Commission. The testimony from Best Western is hearsay at best and, at worst, is an attack on the people who reside in the park. The City Council knows that Best Western built its hotel in light of both the existence of the mobile home park (which is not relevant to this decision). It is too late for Best Western to now complain about the existing mobile home park and the potential for a small recreational vehicle park next to them. Testimony about the existing mobile home and recreational vehicle park is irrelevant to the application that was before the Planning Commission and the approval criteria for that decision.¹

4. The fact that the Planning Commission cannot limit the length of residency in a recreational vehicle park is not a reason to deny the application.

State law expressly prohibits cities from taking actions based on the length of residency in a recreational vehicle park. ORS 197.493(1) (**Exhibit 1**). However, the applicant volunteered to limit the length of stays in the recreational vehicle park and the Planning Commission Chairman's opinion that the condition could not be imposed

¹ The mobile home park manager testified that there is a recreational vehicle park within the mobile home park. It does not fulfill the need that the new park will fulfill for visitors to Forest Grove.

improperly influenced the Planning Commission. The City can impose and enforce an applicant-offered condition of approval such as this. Furthermore, there is nothing in the record that the applicant intends the recreational vehicle park to be used as a single-family residential use. If the applicant states that that is not the case, that is substantial evidence which cannot be controverted.

The recreational vehicle park is appropriately allowed in this zoning district because of the 1995 interpretation decision. However, even if the Planning Commission and City Council could consider this interpretation anew, the short-term residential occupancy issue is no different than the Best Western itself, because the FGDC does not limit the length of stays in the hotel. FGDC 9.603(74) defines hotels and motels without imposing a length of stay requirement. Therefore, the Planning Commission improperly imposed a standard on this use not imposed on its neighbor, which is also a temporary lodging facility.

5. There is clearly no ongoing nuisance and criminal activity at the Rose Grove Mobile Home Park.

The only testimony from Best Western is that people with tattoos on their necks occasionally drove into the park. Having a tattoo is not a criminal act and is not a nuisance. There is no evidence of graffiti in any of the photos of the mobile home park presented to the Planning Commission and the record contains substantial evidence about how well the mobile home park residents and the community work together. The only alleged criminal activity other than people in cars driving into the park (which is neither criminal, gang related or induces graffiti) is that children occasionally ate in the hotel buffet and occasionally swam in the hotel pool. This does not rise to the level of criminal activity or nuisance.

Moreover, there is no evidence of any criminal activity. There is no evidence of police reports and no evidence other than that the Best Western's motivation is its unhappiness that the Rose Grove owners many years ago refused to give them an easement for their driveway.

Further, even if crime were a real issue, the applicant is required to install a locked, emergency access-only gate at the driveway now open to the mobile home park next to the Best Western. In other words, even if criminal activity is going on (which it is not), the activity will cease to affect the Best Western because there will be no access to the mobile home park next to the hotel.

6. The lack of a landscaping plan is not a basis for denial.

The Planning Commission imposed a requirement in its 2005 approval of the recreational vehicle park that a landscaping plan be submitted to staff for its review. It is unfair and improper to now require the landscaping plan to be submitted to the Planning Commission and to deny the application because the plan was not submitted. The City Council knows that this kind of condition is routinely imposed by the Planning Commission. If the Planning Commission now seeks to change its mind regarding the landscaping plan, then it should have continued the hearing and given the applicant an opportunity to submit the plan.

Further, in a conversation between the managing member of the LLC that owns the Best Western, Mr. Scott Mary, and the applicant's attorney, Best Western acknowledged that additional landscaping between the two properties was unnecessary. Mr. Mary said that he only wanted a fence installed between the Best Western and the recreational vehicle park. I have attached the email that I sent to the City staff documenting this conversation which Mr. Mary did not dispute after it was submitted to the Planning Department on July 31, 2008. (**Exhibit 2**). Further, Mr. Mary told us he intended to take down some of his trees. Therefore, lack of adequate landscaping cannot be a basis for denying this application.

Finally, the recreational vehicle park site is already well screened from the hotel as shown by the photographs. Mr. Mary agreed that more landscaping was unneeded. (**Exhibit 3**, July 31, 2008 letter, Page 2, Heading 2, second paragraph).

7. The City Council's hearing is not *de novo*.

The City Attorney believes that the City Council can hear this matter *de novo*. The applicant believes that it can be heard *de novo* only according to FGDC 9.917(4) (**Exhibit 4**), which requires the City Council to recess if it wants to take new evidence. Accordingly, the hearing should be on the record and only in the event the City Council

Mayor Richard G. Kidd
September 3, 2008
Page 5

determines to take new evidence may it do so after a recess and a continued hearing.

8. Conclusion.

It appears to the applicant that Best Western has a grudge against the applicant and that its erroneous and false testimony induced the Planning Commission to deny this application. It is equally unfortunate because it appears that the Planning Commission denied the application because of the people who live in the existing mobile home park. If the park were the problem that the decision might lead people to believe it is, then we would have real and substantial evidence of criminal activity instead of none.

The Planning Commission's action in light of its 2005 approval and the Planning staff's recommendation for approval is unfair, unlawful and presents the worst possible image of Forest Grove. The City Council can undo this unfortunate action by approving the application with reasonable conditions of approval because it meets the criteria for approval of a conditional use.

Very truly yours,



Michael C. Robinson

MCR/cfr

Enclosures

cc: Mrs. Dorothy Royce (w/encls.) (via email)
Mr. Harvey Miller (w/encls.) (via email)
Ms. Eviva Fink (w/encls.) (via email)
Ms. Deborah Kleinman (w/encls.) (via email)
Mr. Chris Crean (w/encls.) (via email)

197.467 Conservation easement to protect resource site. (1) If a tract to be used as a destination resort contains a resource site designated for protection in an acknowledged comprehensive plan pursuant to open spaces, scenic and historic areas and natural resource goals in an acknowledged comprehensive plan, that tract of land shall preserve that site by conservation easement sufficient to protect the resource values of the resource site as set forth in ORS 271.715 to 271.795.

(2) A conservation easement under this section shall be recorded with the property records of the tract on which the destination resort is sited. [1993 c.590 §5]

MOBILE HOME, MANUFACTURED DWELLING AND RECREATIONAL VEHICLE PARKS

197.475 Policy. The Legislative Assembly declares that it is the policy of this state to provide for mobile home or manufactured dwelling parks within all urban growth boundaries to allow persons and families a choice of residential settings. [1987 c.785 §3; 1989 c.648 §53]

197.480 Planning for parks; procedures; inventory. (1) Each city and county governing body shall provide, in accordance with urban growth management agreements, for mobile home or manufactured dwelling parks as an allowed use, by July 1, 1990, or by the next periodic review after January 1, 1988, whichever comes first:

(a) By zoning ordinance and by comprehensive plan designation on buildable lands within urban growth boundaries; and

(b) In areas planned and zoned for a residential density of six to 12 units per acre sufficient to accommodate the need established pursuant to subsections (2) and (3) of this section.

(2) A city or county shall establish a projection of need for mobile home or manufactured dwelling parks based on:

(a) Population projections;

(b) Household income levels;

(c) Housing market trends of the region; and

(d) An inventory of mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development.

(3) The inventory required by subsection (2)(d) and subsection (4) of this section shall establish the need for areas to be planned and zoned to accommodate the potential displacement of the inventoried mobile home or manufactured dwelling parks.

(4) Notwithstanding the provisions of subsection (1) of this section, a city or county within a metropolitan service district, established pursuant to ORS chapter 268, shall inventory the mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development no later than two years from September 27, 1987.

(5)(a) A city or county may establish clear and objective criteria and standards for the placement and design of mobile home or manufactured dwelling parks.

(b) If a city or county requires a hearing before approval of a mobile home or manufactured dwelling park, application of the criteria and standards adopted pursuant to paragraph (a) of this subsection shall be the sole issue to be determined at the hearing.

(c) No criteria or standards established under paragraph (a) of this subsection shall be adopted which would preclude the development of mobile home or manufactured dwelling parks within the intent of ORS 197.295 and 197.475 to 197.490. [1987 c.785 §4; 1989 c.648 §54]

197.485 Prohibition on restrictions of manufactured dwelling. (1) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, in a mobile home or manufactured dwelling park in a zone with a residential density of eight to 12 units per acre.

(2) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, on a buildable lot or parcel located outside urban growth boundaries or on a space in a mobile home or manufactured dwelling park, if the manufactured dwelling is being relocated due to the closure of a mobile home or manufactured dwelling park or a portion of a mobile home or manufactured dwelling park.

(3) A jurisdiction may impose reasonable safety and inspection requirements for homes that were not constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403). [1987 c.785 §5; 1989 c.648 §55; 2005 c.22 §143; 2005 c.926 §12; 2007 c.906 §10]

197.490 Restriction on establishment of park. (1) Except as provided by ORS 446.105, a mobile home or manufactured dwelling park shall not be established on land, within an urban growth boundary, which is planned or zoned for commercial or industrial use.

(2) Notwithstanding the provisions of subsection (1) of this section, if no other access is available, access to a mobile home or manufactured dwelling park may be provided

through a commercial or industrial zone. [1987 c.785 §6; 1989 c.648 §56]

197.492 Definitions for ORS 197.492 and 197.493. As used in this section and ORS 197.493:

(1) "Manufactured dwelling park," "mobile home park" and "recreational vehicle" have the meaning given those terms in ORS 446.003.

(2) "Recreational vehicle park":

(a) Means a place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose:

(A) The renting of space and related facilities for a charge or fee; or

(B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

(A) An area designated only for picnicking or overnight camping; or

(B) A manufactured dwelling park or mobile home park. [2005 c.619 §11]

Note: 197.492 and 197.493 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 197 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

197.493 Placement and occupancy of recreational vehicle. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(b) Occupied as a residential dwelling; and

(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12]

Note: See note under 197.492.

MORATORIUM ON CONSTRUCTION OR LAND DEVELOPMENT

197.505 Definitions for ORS 197.505 to 197.540. As used in ORS 197.505 to 197.540:

(1) "Public facilities" means those public

facilities for which a public facilities plan is required under ORS 197.712.

(2) "Special district" refers to only those entities as defined in ORS 197.015 (19) that provide services for which public facilities plans are required. [1980 c.2 §2; 1991 c.839 §1; 1993 c.438 §4; 1995 c.463 §1; 1999 c.838 §1; 2005 c.22 §144; 2007 c.354 §29]

197.510 Legislative findings. The Legislative Assembly finds and declares that:

(1) The declaration of moratoria on construction and land development by cities, counties and special districts may have a negative effect not only on property owners, but also on the housing and economic development policies and goals of other local governments within the state, and therefore, is a matter of statewide concern.

(2) Such moratoria, particularly when limited in duration and scope, and adopted pursuant to growth management systems that further the statewide planning goals and local comprehensive plans, may be both necessary and desirable.

(3) Clear state standards should be established to ensure that:

(a) The need for moratoria is considered and documented;

(b) The impact on property owners, housing and economic development is minimized; and

(c) Necessary and properly enacted moratoria are not subjected to undue litigation. [1980 c.2 §1; 1991 c.839 §2; 1995 c.463 §2]

197.520 Manner of declaring moratorium. (1) No city, county or special district may adopt a moratorium on construction or land development unless it first:

(a) Provides written notice to the Department of Land Conservation and Development at least 45 days prior to the final public hearing to be held to consider the adoption of the moratorium;

(b) Makes written findings justifying the need for the moratorium in the manner provided for in this section; and

(c) Holds a public hearing on the adoption of the moratorium and the findings which support the moratorium.

(2) For urban or urbanizable land, a moratorium may be justified by demonstration of a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. Such a demonstration shall be based upon reasonably available information, and shall include, but need not be limited to, findings:

(a) Showing the extent of need beyond the estimated capacity of existing public fa-

Robinson, Michael C. (Perkins Coie)

From: Ryan, Corinne F. (Perkins Coie) on behalf of Robinson, Michael C. (Perkins Coie)
Sent: Thursday, July 31, 2008 12:47 PM
To: 'SMary@gbcblue.com'
Cc: 'hjmesq2@aol.com'; 'ppdot@aol.com'; 'deb@rkleinman.com'; Robinson, Michael C. (Perkins Coie)
Subject: Rose Grove Recreational Vehicle Park in Forest Grove, Oregon

Dear Scott,

I am writing to confirm our conversation on Tuesday, July 29, 2008. As you know, we had originally intended to talk last week but your schedule prevented it. We ended up speaking for about 45 minutes on Tuesday.

1. Will the RV park have bathrooms?

No. Each RV space will have a connection to the City's sanitary sewer system but no bathroom buildings will be provided.

2. Will the RV have a laundry building?

No. The Planning Commissioner approval of the RV park in 2005 did not allow accessory buildings and the applicant has not proposed to establish any accessory buildings.

3. What about gang activity?

The applicant has worked with the Forest Grove Police Department to identify gang members and evict them from the park. Additionally, the applicant works actively with the Forest Grove Boys and Girls Club to provide activities within the park. However, the mobile home park is not what is before the Planning Commission; it is the establishment of a 21 space recreational vehicle park. As we discussed on Tuesday, approval of the recreational vehicle park includes approval by the Oregon Department of Transportation ("ODOT") for a driveway access to Oregon Highway 8. The ODOT approach road permit condition includes a requirement that the current driveway into the Rose Grove Mobile Home Park be blocked with a locked gate accessible to emergency providers. A locked pedestrian gate for the manager's use will be the only connection between the recreational vehicle park side and the mobile home park. You commented that you liked the idea of a closed road. We agree and believe this will significantly reduce pedestrian and vehicular traffic on the driveway adjacent to your property.

4. Landscaping and fencing along the common boundary line between Best Western and recreational vehicle park site.

We discussed your storm water area which has arbor vitae planted adjacent to the street right-of-way and uses boulders for landscaping. A metal white fence separates the storm water area from the driveway. You requested that the RV park keep its landscaping trimmed and clean. We agree to that condition of approval. We also discussed the current Best Western landscaping which includes a 3-4 foot high hedge along the length of the common property line (between the highway and the mobile home park boundary) and 6 plum trees planted on the Best Western property. Three plum trees are planted adjacent to the parking lot and 3 plum trees are planted adjacent to the 3-story Best Western building. The plum trees adjacent to the building obscure the views of the only windows which are located at the hallways. There are no windows on the east end of the Best Western building from rooms.

We also discussed fencing. You noted that two properties in Cornelius have wrought iron fencing: the Walgreens Shopping Center (developed by my client, Kite Development), and the United States Post Office. However, none of us could identify any properties in Forest Grove that have wrought iron fencing and the Planning Commission did not condition this approval on wrought iron fencing in 2005.

We left fencing as follows. Our mutual goal is to have an attractive fence that also provides a secure barrier between the two properties. By agreeing to a secure barrier, we are not acknowledging that there is a security problem but rather that it is an appropriate dividing line between the Best Western and the RV park.

We also agreed as follows. First, a good neighbor fence is not an appropriate fence type. Second, your preference is for a wrought iron fence while ours is not. Third, our preference is for a PVC "ranch rail" fence. We will propose to the Planning Commission that we compare the cost of both types of fences but we would prefer a PVC ranch rail fence because it is easily maintained, durable and not subject to graffiti or if graffiti is on the fence, it can be easily removed.

Please look this over and let me know if you have any questions or comments. We appreciate your working with us and will continue to work with you in the spirit of good neighborliness.

Mike

Michael C. Robinson
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sent by Corinne F. Ryan
Legal Secretary to Michael C. Robinson,
Seth J. King and Joseph A. Romberg
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IMPORTANT TAX INFORMATION: This communication is not intended or written by Perkins Coie LLP to be used, and cannot be used by the taxpayer, for the purpose of avoiding penalties that may be imposed on the taxpayer under the Internal Revenue Code of 1986, as amended.



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July 31, 2008

VIA EMAIL

Mr. Thomas Beck, Chairman
Forest Grove Planning Commission
1924 Council Street
Forest Grove, OR 97116

Re: Forest Grove File Nos. CU-08-01 and CU-05-02

Dear Chairman Beck and Members of the Planning Commission:

This office represents the applicant. I am writing to respond to the issues raised at the public hearing on July 21, 2008 and to answer the questions that you asked the applicant to address in the continued hearing on August 4, 2008. I have asked your Planning Department to place this letter in the official Planning Department file and before the Planning Commission at the continued hearing.

I. Introduction.

The Planning Commission opened the public hearing on this application on July 21, 2008 and continued the hearing until August 4, 2008. As explained below, the Planning Commission asked the applicant to address three questions:

- (i) Provide information on whether the length of stay of recreational vehicles can be limited.
- (ii) How is a recreational vehicle defined?
- (iii) Provide landscaping plans to the Planning Commission and discuss with the Best Western representative how landscaping and fencing should be provided on the common boundary of the west side of the recreational vehicle park.

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Perkins Coie LLP and Affiliates

EXHIBIT 3

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July 31, 2008
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This letter addresses those questions and also includes numerous photographs showing the recreational vehicle park site, the Best Western site and how the two sites relate to one another.

As the Planning Commission knows, it approved this application in 2005 with numerous conditions of approval. The approval was based upon a 1995 interpretation by the Planning Commission concluding that recreational vehicle parks offering temporary lodging are a similar use to permitted uses in the Community Commercial ("CC") zoning district.

When the Planning Commission first approved the recreational vehicle park in 2005, the uses were the same as they were today. In fact, Best Western built its current motel next to the mobile home park knowing full well what was there and, had it asked the Planning Department, would have known that the Planning Commission in 1995 had interpreted the Code to allow recreational vehicle parks as similar uses. The staff and the applicant have both testified that there is a need for temporary housing facilities in Forest Grove.

2. Conversation with Best Western representative Scott Mary.

Following the July 21, 2008 public hearing, the applicant's attorney spoke by phone with Mr. Mary that night. We had originally scheduled a conference with Mr. Mary for Monday, July 28. Mr. Mary emailed me on July 23 saying that he needed to move it to Tuesday, July 29, 2008. We spoke with Mr. Mary on the afternoon of Tuesday, July 29. I have attached an email sent to Mr. Mary this same date describing our conversation on Tuesday. I have asked Mr. Mary to comment on the email.

As to landscaping, the applicant and Mr. Mary have agreed that the applicant need not install additional landscaping on the common property line. To the extent Mr. Mary wants to remove some of his 6 existing plum trees and replace them with other trees, the applicant would agree to share the cost equally with Mr. Mary for the replacements.

As to fencing, the applicant and Mr. Mary have agreed that a good neighbor fence is not an appropriate type of fence for this site. Recommended condition of approval 12 requires a sight-obscuring good neighbor fence. Instead, Mr. Mary and the applicant agreed on the following. First, Mr. Mary's preference is for a wrought iron fence. In fairness to the applicant, there is no other wrought iron fencing that we are aware of located in Forest Grove and the only two wrought iron fencing examples identified by Mr. Mary are in the City of Cornelius, both in commercial projects (the Walgreens development and the United States Post Office). Mr. Mary chose to use a white metal fence at his entrance. We agreed that in the event the Planning Commission requires a wrought iron fence, we would like the Planning Commission to give the applicant an opportunity to provide cost estimates for the installation of a wrought iron fence versus the installation of a PVC "ranch rail" fence. In the event the cost is substantially different,

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the applicant requests that it be allowed to install a PVC fence which is both attractive and durable.

As to landscaping and fencing on the south and east sides of the park, Mr. Mary and the applicant agreed that a PVC "ranch rail" fence would be more appropriate on the east and south sides. The fence provides a barrier but does not allow a surface for graffiti and does not hide the recreational vehicle park which the Forest Grove Chief of Police testified in 2005 he did not want to encourage. Moreover, the Best Western storm water facility located adjacent to the highway (just as the RV park storm water facility will be) has only a row of arbor vitae separating the storm water facility from the street. The applicant requests that the Planning Commission approve the same treatment for this site.

3. Issues raised at the public hearing by Mr. Mary.

A. Impact.

As an initial point, the relevant approval criteria for the conditional use permit are found in Forest Grove Zoning Ordinance ("FGZO") 9.873(1)-(4). None of the approval criteria have a compatibility standard for adjacent land uses. The closest that the criteria come to that requirement is found in FGZO 9.873(2) which requires that "The proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect on said use on surrounding properties and uses." The staff report at pages 9 and 10 found this application satisfied. The applicant understands that it needs to provide an appropriate landscaping plan around the perimeter of the park and it intends to do so. It did not provide a landscaping plan to the Planning Commission with this submittal because condition of approval 13 provided that the landscaping plan would be submitted for review and approval by the Community Development Director. The applicant requests that the Planning Commission impose this condition of approval but provide an opportunity for the landscaping plan to come back to the Planning Commission for review and approval separate from the conditional use permit.

The existing Best Western landscaping is adequate to mitigate any possible adverse effect on Best Western from the proposed recreational vehicle park. First, the Best Western motel is at least 30 feet from the 4 closest spaces proposed for the RV park. Second, the existing Best Western hedge and trees provide an adequate visual buffer. The fence to be installed by the applicant will provide a physical barrier.

Additionally, as the photographs attached to this letter demonstrate, the Best Western hotel has no room windows on its east side facing the RV park. The existing plum trees on the east side of the Best Western motel adequately screen the hallway windows from the RV park. In fact, the plum trees are so tall they almost obscure the Best Western sign on that end of the

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building. The Best Western sign on the highway is visible from the east as motorists approach it and landscaping to be installed by the recreational vehicle park will not impede visibility of the sign.

Mr. Mary also raised issues of trespassing and gangs. Those issues have to do with the mobile home park and they have nothing to do with the proposed RV park. Further, as the Planning Commission is aware, the grant of access to the state highway by the Oregon Department of Transportation requires the existing through driveway between the highway and the mobile home park to be closed with a vehicle gate to be open only by emergency providers and a locked pedestrian gate to be provided for the manager. This will substantially reduce, if not completely eliminate, traffic between the mobile home park and the highway past the Best Western motel which should eliminate Mr. Mary's concerns about trespassing. As to gangs, the park manager testified that she works closely with the Chief of Police to identify and evict gang members. The park also works with the Forest Grove Girls and Boys Club to provide activities in the park for the children who live there. Moreover, this is not a land use issue – it can adequately be dealt with through a partnership between the hotel, the applicant and the Forest Grove Police Chief. It is notable that the Forest Grove Police Chief did not oppose this application in 2005 and does not oppose it now.

Edward Barigan, the Best Western manager, stated "What level of folks are we going to be having there?" The Planning Commission cannot make its decision based on the characteristics of individuals and the reality is that despite how individuals look, the testimony from the park manager is that they do not tolerate gang activity and work actively with the Police Department and the Police Department is not opposed to this application.

Mr. Mary was also concerned about sight distance for the driveway. The driveway is existing and in the event the RV park is not approved, will not go away. Instead, it will have far more traffic as it does now than if it is limited to a 21 space RV park. Moreover, both the Forest Grove Public Works Department and the Oregon Department of Transportation have approved the driveway location and have concurred that it does not present a sight distance issue.

In summary, the applicant understands it has an obligation to be a good neighbor to both Best Western and to the surrounding community and will continue to do so. The pictures submitted with this letter of the mobile home park demonstrate a clean and presentable mobile home park. The owners intend to continue that pattern with the recreational vehicle park.

4. Issues raised by the Planning Commission.

(i) Commissioner McIntyre asked whether there would be a waste dumping station. The answer is no. Each recreational vehicle space will be connected to a City sanitary sewer line, a City water line and electric service. Storm water will drain to the storm water facility.

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(ii) Commissioner Beck asked about a tree at each recreational vehicle location and wanted to see more trees located on the southeast corner. The applicant agrees to Mr. Beck's recommendation provided they are approved by a registered Oregon arborist. The applicant wants to ensure that landscaping is appropriately sited and located.

(iii) Commissioner Beck asked Mr. Mary if he thought a 6-foot high good neighbor fence was appropriate. As explained above, both Mr. Mary and the applicant agree that a good neighbor fence is not an appropriate fence between the two uses. Mr. Mary has since determined that additional landscaping is not required.

(iv) Commissioner Nakajima noted that there is a need for overnight accommodations and thought this use was somewhat complimentary. The applicant agrees and notes that individuals who want to stay in an RV park are not lost customers to the Best Western.

(v) Commissioner Hymes noted that she had visited an RV park in Tualatin and that it looked lovely. She also noted that the RV park is not in competition with the hotel. The applicant agrees that an RV park can be appropriately maintained with attractive fencing and landscaping and be an asset and not a detriment to the community

(vi) Commissioner Hymes asked the mobile home park manager what her office hours were. She noted that she and her husband are on-site resident managers and have two assistants. The office is open 7 days a week between 8:30 a.m. and 5:00 p.m. with a 24-hour phone. Lighting is at City standards and lighting can be conditioned to prohibit glare onto adjacent property.

(vii) Commissioner Beck asked the distinction between a mobile home park and a recreational vehicle park. A recreational vehicle park is defined in OAR Chapter 446 and in ORS 197.492 (attached). A recreational vehicle is defined in OAR Chapter 446 as "a vehicle with or without motor power, that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and is further defined, by rule, by the director." The applicant would agree to prohibit residential trailers as that term is defined, which means a structure constructed for movement on the public highway before January 1, 1962. This would have the effect of implementing the mobile home park manager's testimony about their desire to have attractive recreational vehicles in the park. OAR Chapter 446 defines mobile homes and manufactured homes. The distinction between the two is principally that a manufactured home or mobile home has a particular license and tax, whereas a recreational vehicle does not. Moreover, the two types of structures are often indistinguishable in terms of attractiveness. The applicant requests that the Planning Commission impose a condition of approval prohibiting mobile homes or manufactured homes as defined in applicable Oregon Administrative Rule and Oregon Revised Statute provisions from being located in the RV park.

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(viii) Commissioner Beck also asked about the ability to limit the duration of a stay. ORS 197.492(1) prohibits a state agency or the City from prohibiting the placement or occupancy of a recreational vehicle park solely on the grounds that the occupancy is in a recreational vehicle nor may a state agency or a local government impose any limit on the length of occupancy of a recreational vehicle. This is conditioned upon being located in a manufactured dwelling park where the recreational vehicles are occupied as a residential dwelling, lawfully connected to water, electric supply systems and a sewage disposal system. The City found that it was prohibited from limiting the duration of stays. However, the applicant will limit the duration of stays because it wants a turnover in the RV park.

(ix) Commissioner Beck also asked about parking spaces. Commissioner Beck said that he did not want to limit parking on the west side if it is already there. The west side of the driveway adjacent to the Best Western is currently signed for no parking. The applicant requests that the Planning Commission approve as many parking spaces as it believes is reasonable and appropriate.

5. Conclusion.

For the reasons contained herein, the applicant respectfully requests that the Planning Commission again approve this conditional use permit with appropriate conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:sv
Enclosures

Cc: Mr. Harvey Miller (w/encls.) (via email)
Ms. Dorothy Royce (w/encls.) (via email)
Mr. Scott Mary (w/encls.) (via email)

ADMINISTRATIVE PROVISIONS

9.910 ADMINISTRATION. The Community Development Director or his designee shall have the power and duty to enforce this ordinance. An appeal from a ruling of the Community Development Director or his designee may be made to the City Planning Commission.

9.911 APPEALS.

- (1) An appeal from a decision by the Community Development Director or his designee regarding a requirement of this ordinance may be made by an affected party to the Planning Commission within 21 days of such decision. Any action by the Community Development Director or his designee shall become final 21 days after notice of decision is mailed unless the decision is appealed to the Planning Commission. The Planning Commission shall conduct a public hearing pursuant to Sections 9.915 and 9.916 of this ordinance to hear the appeal at their next regular meeting, if said appeal is submitted to the Community Development Director or his designee prior to the established submittal date for said meeting. (Ord. 92-01, 1/13/92)
- (2) An action or ruling of the Planning Commission pursuant to this ordinance may be appealed by anyone who participated in the hearing, either in person or by written communication, to the City Council within 21 days of the Planning Commission's decision. If the appeal is not filed within that period, the decision of the Planning Commission shall be final. If an appeal is filed, the City Council shall receive a report and recommendation thereon from the Planning Commission including the findings of the Planning Commission, the relevant staff report, and actions recommended thereby. The City Council shall hold a public hearing pursuant to Sections 9.915 and 9.917 of this ordinance on the appeal before rendering a decision. (Ord. 92-01, 1/13/92)
- (3) A written notice of an appeal shall be filed with the Community Development Director or his designee.

9.912 FEE ESTABLISHED. Application fee for submission of an appeal shall be established by resolution of the City Council.

9.913 FORMS FOR PETITIONS, APPLICATIONS, AND APPEALS. All petitions, applications, and appeals provided for in this ordinance shall be made on forms prescribed by the City. All applications shall be accompanied by a site plan pursuant to Section 9.855(2) of this ordinance, and such other information as is needed to determine conformance with this ordinance.

9.914 SCHEDULE OF FEES, CHARGES, AND EXPENSES. The City Council shall establish a schedule of fees, charges, and expenses and a collection procedure on matters pertaining to this ordinance. The schedule of fees shall be posted in the Community Development Department, and may be altered or amended only by resolution of the City Council. All fees are non-refundable. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

9.915 NOTICE OF PUBLIC HEARINGS AND LIMITED LAND USE DECISIONS.

- (1) When the Planning Commission is required to hold a public hearing, notice of the hearing shall be given in the following manner: Each notice of public hearing for any purpose shall be published in a newspaper of general circulation in the city at least 5 days prior to the date of the hearing. For any planning action that is property specific, at least 20 days prior to the date of the hearing, notices shall be mailed to all affected parties within 300 feet of the exterior boundary of the property for which the application is made, exclusive of streets and alleys. The list of residents shall be drawn from the most recent listing posted in the unified billing accounts of the City. The list of property owners shall be drawn from the most recent tax roll of the County Assessor. (Ord. 88-1, 1/25/88; Ord. 90-12, 11/13/90; Ord. 92-01, 1/13/92)
- (2) When the City Council is required to hold a public hearing, notice of the hearing shall be given in the same manner as prescribed in Section 9.915(1) of this ordinance, except that notice shall be mailed only to those who submitted comments--orally or in writing--to the Planning Commission. This notice shall be mailed at least 10 days prior to the date of the hearing. (Ord. 92-01, 1/13/92)
- (3) Failure of a person to receive a notice prescribed in this Section shall not impair the validity of the hearing.
- (4) Notice of a pending limited land use decision shall be mailed at least 14 days prior to the decision, to all affected parties within 100 feet of the exterior boundary of the property for which the application is made, exclusive of streets and alleys. (Ord. 92-01, 1/13/92)
- (5) Notice of a limited land use decision shall be mailed to those parties who responded--orally or in writing--to the notice of pending decision. (Ord. 92-01, 1/13/92)

9.916 PROCEDURE FOR PLANNING COMMISSION ACTION AT A PUBLIC HEARING.

- (1) The Planning Commission, in considering an application for a variance, conditional use, amendment to the ordinance, or an appeal from the Community Development Director or his designee shall make findings of fact consistent with the requirements of this ordinance and the Comprehensive Plan of the City.
- (2) The Community Development Director or his designee shall keep a record of any public hearing held by the Planning Commission.
- (3) The Planning Commission shall not approve or allow a request for which the findings of fact are not in conformance with the Comprehensive Plan for the City and the requirements of this ordinance.
- (4) The Planning Commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

9.917 PROCEDURES FOR CITY COUNCIL ACTION AT A PUBLIC HEARING.

- (1) The City Council, in considering an amendment to the zoning ordinance, or an appeal from the Planning Commission, shall make findings of fact consistent with the requirements of this ordinance and consistent with the Comprehensive Plan of the City.
- (2) The City Council shall not approve or allow a request for which the findings of fact are not in conformance with the Comprehensive Plan of the City and the requirements of this ordinance.

- (3) The City Council shall keep a record of any public hearing held in consideration of an item pertaining to this ordinance.
- (4) The City Council may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

9.918 NOTIFICATION OF ACTION. The Community Development Director or his designee shall notify the applicant in writing of the Planning Commission and/or City Council action within 7 days after the decision has been rendered.

TOURIST FACILITIES

446.310 Definitions for ORS 446.310 to 446.350. As used in ORS 446.310 to 446.350, unless the context requires otherwise:

(1) "Camping vehicle" means either a vacation trailer or a self-propelled vehicle or structure equipped with wheels for highway use and that is intended for human occupancy and is being used for vacation and recreational purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet.

(2) "Construction" means work regulated by the state building code as defined in ORS 455.010.

(3) "Department" means the Department of Human Services.

(4) "Director" means the Director of Human Services.

(5) "Health official" means a local public health administrator appointed pursuant to ORS 431.418.

(6) "Hostel" means any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and that is operated, managed or maintained under the sponsorship of a nonprofit organization that holds a valid exemption from federal income taxes under the Internal Revenue Code of 1954 as amended.

(7) "Organizational camp" includes any area designated by the person establishing, operating, managing or maintaining the same for recreational use by groups or organizations that include but are not limited to youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps, camps that are operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

(8) "Picnic park" means any recreation park that is for day use only and provides no recreation vehicle or overnight camping spaces.

(9) "Recreation park" means any area designated by the person establishing, operating, managing or maintaining the same for picnicking, overnight camping or use of recreational vehicles by the general public or any segment of the public. "Recreation park" includes but is not limited to areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to, those areas divided into two or more lots, parcels, units or other interests for purposes of such use.

(10) "Regulating agency" means, with respect to a tourist facility, the Department of Human Services.

(11) "Tourist facility" means any travelers' accommodation, hostel, picnic park, recreation park and organizational camp.

(12) "Travelers' accommodation" includes any establishment, which is not a hostel, having rooms, apartments or sleeping facilities rented or kept for rent on a daily or weekly basis to travelers or transients for a charge or fee paid or to be paid for rental or use of facilities. [1969 c.533 §2; 1973 c.560 §13; 1981 c.749 §27; 1983 c.707 §8; 1985 c.809 §5; 1987 c.414 §23; 1997 c.259 §1; 2001 c.900 §194; 2005 c.22 §316]

446.315 Policy. It is the public policy of this state to encourage construction of recreation parks by public agencies and private industry to satisfy the demand for outdoor recreation while establishing standards for recreationists and landowners so that these parks are maintained in a safe and sanitary condition. [1969 c.533 §1]

446.320 Tourist facility license required. (1) No person shall establish, operate, manage or maintain a tourist facility, without a license from the Director of Human Services.

(2) Organizational camps operated under rental or leasehold agreements may be licensed either to the landlord or to the tenant provided that the license holder shall be responsible for compliance with ORS 446.310 to 446.350 and the rules adopted thereunder. [1969 c.533 §3; 1973 c.560 §14; 1979 c.696 §4; 1979 c.789 §2a; 1983 c.707 §9]

446.321 Fee for license; rules. (1) Every applicant for licensing of a tourist facility as defined in ORS 446.310 and required by ORS 446.320 shall pay to the Department of Human Services a fee established by department rule. The fee may not exceed \$60, except that recreation parks shall pay an additional fee not to exceed \$2 for each space.

(2) Rules adopted pursuant to subsection (1) of this section shall be adopted in accordance with ORS chapter 183. [1983 c.707 §12; 2005 c.22 §317]

446.322 Issuance of license. Upon receipt of a completed application on a Department of Human Services form, required fee, and after representation by the applicant that the facility is in compliance with the provisions of ORS 446.310 to 446.350, and the rules adopted pursuant thereto, and the requirements of the Department of Consumer and Business Services, the Department of Human Services shall issue a license, unless there is reason to believe noncompliance exists. [1983 c.707 §13; 1985 c.809 §1; 1987 c.414 §24; 1993 c.744 §58; 1995 c.79 §223]

446.323 Failure to apply for or renew license; transferability of license; refunds. (1) Any person failing to apply for licensing within 30 days after engaging in the recreation park or travelers' accommodation business is delinquent and shall pay a penalty fee equal to the license fee plus the fee provided in ORS 446.321.

(2) Any person, initially licensed under ORS 446.310 to 446.350 for engaging in the recreation park or travelers' accommodation business who has failed to renew a license on or before the expiration date is delinquent. If delinquency extends 15 days past the expiration date, a penalty fee of 50 percent of the annual license fee shall be added. The penalty fee shall be increased by 50 percent of the license fee on the first day of each succeeding month of delinquency.

(3) Licenses issued under ORS 446.310 to 446.350 shall not be transferable and no refund representing any unused portion of any license shall be made. [1983 c.707 §14]

446.324 Denial, suspension or revocation of license; civil penalty; hearing. (1) If any applicant for licensing or any person to whom a license has been issued fails to comply with the provisions of ORS 446.310 to 446.350 or with the rules adopted pursuant thereto, the Department of Human Services may deny issuance of, suspend or revoke the license or assess a civil penalty.

(2) Hearings on the denial, suspension or revocation of a license or on assessing a civil penalty shall be conducted as a contested case in accordance with ORS chapter 183. [1983 c.707 §15]

446.325 Exemptions from license requirement. (1) Public entities, private persons or nonprofit organizations described under ORS 446.265 (3), timber companies and private utilities shall not establish or operate a recreation park without complying with the rules of the Department of Human Services and securing the approval of the Director of Human Services or designee but shall be exempt from the licensing requirement of ORS 446.320. The director or designee may delegate, to a health official having sufficient environmental health specialists, the authority to approve such recreation parks.

(2) ORS 446.310 to 446.350 do not apply to:

(a) Any structure designed for and occupied as a single family residence in which no more than two sleeping rooms are provided on a daily or weekly basis for the use of no more than a total of six travelers or transients at any one time for a charge or fee paid or to be paid for the rental or use of the facilities;

(b) Any temporary camping sites used solely and incidentally in the course of backpacking, hiking, horseback packing, canoeing, rafting or other expedition, unless the expedition is part of an organizational camp program; or

(c) A yurt, as defined in ORS 446.265, that is used as a living unit in transitional housing accommodations. [1969 c.533 §4; 1983 c.707 §10; 1999 c.758 §8; 2003 c.547 §113]

446.330 Rules. In accordance with ORS chapter 183, the Department of Human Services may adopt any rules necessary for the administration of ORS 446.310 to 446.350 and 446.990, including but not limited to rules, concerning the construction, operation and use of tourist facilities that are necessary to protect the health and welfare of persons using these facilities. The rules shall pertain but not be restricted to water supply, final sewage disposal, surface drainage, maintenance, insect and rodent control, garbage disposal, designation and maintenance of camping space and the cleanliness of the premises. [1969 c.533 §5; 1973 c.560 §16; 1983 c.707 §16; 1985 c.809 §2]

446.335 Inspection of parks and camps; right of access; notice of reopening seasonal facility.

(1) The Director of Human Services or designee may inspect every tourist facility to determine whether it conforms with ORS 446.310 to 446.350 and the rules adopted pursuant thereto. A person operating such facility shall permit the director or designee access to all of the facility at any reasonable time.

(2) The operator of a seasonal facility which customarily is closed for 120 days or more in any 12-month period shall notify the director in writing of the intention to reopen at the beginning of a season. Notice shall be given at least 30 days prior to the reopening. [1969 c.533 §6; 1973 c.560 §17; 1983 c.707 §17]

446.337 [1981 c.749 §26; 1983 c.707 §18; 1985 c.809 §4; renumbered 456.837 and then 455.680 in 1987]

446.340 Responsibility of owner or operator for sanitary conditions. (1) The owner or operator of a recreation park or organizational camp is responsible for the sanitary condition of the park grounds and buildings.

(2) If sanitary facilities are not provided in a recreation park or organizational camp for the safe disposal of sewage or other wastes from a camping vehicle, a notice shall be posted in a conspicuous place stating that camping vehicles are permitted overnight only if the vehicle's waste holding tanks are used.

(3) Notwithstanding ORS 446.330, the Department of Human Services shall not require an owner or operator of a recreation park or organizational camp to provide both toilets and dumping stations. [1969 c.533 §7; 1973 c.560 §18]

446.342 [1979 c.789 §4; repealed by 1983 c.707 §29]

446.345 Prohibited acts. No person shall:

(1) Use kitchen or toilet facilities in a camping vehicle being operated on a highway or parked overnight at a place where sanitary facilities are not provided unless the person makes provision whereby sewage and other waste materials can be held in watertight and sanitary containers of a type approved by the Department of Human Services.

(2) Empty a container described in subsection (1) of this section except into a public sewerage system, septic tank or cesspool of a type approved by the department. However, in isolated areas where space is not available in a recreation park or organizational camp and such facilities are not available, these containers may be emptied into the ground if all sewage and other waste materials are buried at least one foot below the surface of the ground.

(3) When using a recreation park or organizational camp, create an insanitary condition or deposit putrescible or nonputrescible waste any place other than in appropriate containers designated for such purposes. [1969 c.533 §8; 1973 c.560 §19]

446.347 Civil penalties; notice. (1) In addition to any other penalty provided by law, any person who violates any rule of the Department of Human Services relating to the construction, operation or maintenance of a tourist facility or part thereof may incur a civil penalty not to exceed \$1,000 per violation.

(2) No civil penalty prescribed under subsection (1) of this section shall be imposed until the person incurring the penalty has received five days' advance notice in writing from the department or unless the person incurring the penalty shall otherwise have received actual notice of the violation not less than five days prior to the violation for which a penalty is imposed. [1983 c.707 §25]

446.348 Determining amount of penalty; rules; schedule; factors. (1) The Director of Human Services shall adopt by rule a schedule or schedules establishing the amount of civil penalty that may be imposed for a particular violation.

(2) The director may impose the penalty without hearing but only after the notice required by ORS 446.347 (2). In imposing a penalty pursuant to the schedule or schedules adopted pursuant to this section, the director shall consider the following factors:

(a) The past history of the person incurring a penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation.

(b) Any prior violations of statutes, rules, orders and permits pertaining to the water system.

(c) The economic and financial conditions of the person incurring the penalty.

(3) The penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the Department of Human Services considers proper and consistent with the public health and safety. [1983 c.707 §26]

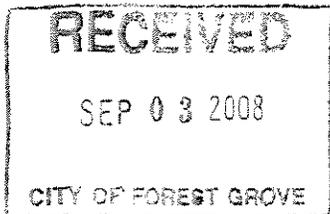
446.349 Civil penalty. (1) Any civil penalty under ORS 446.348 shall be imposed in the manner provided in ORS 183.745.

(2) Failure to remit civil penalty within 10 days after the order becomes final is grounds for license revocation.

(3) All amounts recovered under this section shall be paid into the State Treasury and credited to the General Fund. [1983 c.707 §27; 1989 c.706 §14; 1991 c.734 §26]

446.350 Tourist Facility Account. The Tourist Facility Account is established in the General Fund of the State Treasury. All moneys received under ORS 446.310 to 446.350 by the Director of Human Services shall be credited to the Tourist Facility Account. All moneys in the account are appropriated continuously to the Department of Human Services for the purpose of administering and enforcing ORS 446.310 to 446.350. [1969 c.533 §9; 1973 c.560 §20; 1983 c.707 §19]

446.375 [1981 c.190 §2; repealed by 1983 c.707 §29]



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September 3, 2008

VIA MESSENGER

Mayor Richard Kidd
City of Forest Grove, Oregon
P. O. Box 326
Forest Grove, OR 97116-0326

**Re: Appeal of Planning Commission Decision Denying a Conditional Use Permit
for a 21-Space Recreational Vehicle Park at 4015 Pacific Avenue**

Dear Mayor Kidd and Members of the Forest Grove City Council:

This office represents the applicant. This letter is the applicant's appeal of the Planning Commission's denial of the conditional use permit. Enclosed with this letter is a check made payable to the City of Forest Grove in the amount of \$313.00 as the applicable appeal fee. This letter explains why the Planning Commission's decision should be reversed by the City Council because the application is consistent with the City's zoning ordinance. I will supplement this letter with a legal memorandum.

1. This appeal meets the requirements of Forest Grove Development Code ("FGDC") 9.911(2).

The applicant is adversely affected and aggrieved by the Planning Commission's denial of its application. The applicant has standing to file this appeal. This appeal is timely filed within twenty-one (21) days of the Planning Commission's August 13, 2008 decision. The application meets the conditional use approval criteria.

2. The Planning Commission cannot reverse its 1995 interpretation that recreational vehicle parks are similar to uses allowed in the Community Commercial zoning district.

No party appealed the 1995 interpretation allowing recreational vehicle parks as a similar use and a collateral attack now is improper and unlawful. Moreover, this application did not request that the 1995 decision be analyzed and the parties were given no opportunity to brief or argue the matter. Arguing the matter after the Planning Commission has made a decision is unhelpful and unfair. The 1995 interpretation is an approval criterion and the City may not change the rules after the Rose Grove Mobile Home Park submitted its application. The City Council should reverse the Planning Commission and uphold the 1995 interpretation that Rose Grove Mobile Home Park relied on in both 2005 when the Planning Commission first approved the recreational vehicle park application and in 2008 when it submitted this application.

3. Testimony about activities in the existing mobile home park is irrelevant because the mobile home park is not before the City Council.

A new 21-space recreational vehicle park was the application before the Planning Commission. The testimony from Best Western is hearsay at best and, at worst, is an attack on the people who reside in the park. The City Council knows that Best Western built its hotel in light of both the existence of the mobile home park (which is not relevant to this decision). It is too late for Best Western to now complain about the existing mobile home park and the potential for a small recreational vehicle park next to them. Testimony about the existing mobile home and recreational vehicle park is irrelevant to the application that was before the Planning Commission and the approval criteria for that decision.¹

4. The fact that the Planning Commission cannot limit the length of residency in a recreational vehicle park is not a reason to deny the application.

State law expressly prohibits cities from taking actions based on the length of residency in a recreational vehicle park. ORS 197.493(1) (**Exhibit 1**). However, the applicant volunteered to limit the length of stays in the recreational vehicle park and the Planning Commission Chairman's opinion that the condition could not be imposed

¹ The mobile home park manager testified that there is a recreational vehicle park within the mobile home park. It does not fulfill the need that the new park will fulfill for visitors to Forest Grove.

improperly influenced the Planning Commission. The City can impose and enforce an applicant-offered condition of approval such as this. Furthermore, there is nothing in the record that the applicant intends the recreational vehicle park to be used as a single-family residential use. If the applicant states that that is not the case, that is substantial evidence which cannot be controverted.

The recreational vehicle park is appropriately allowed in this zoning district because of the 1995 interpretation decision. However, even if the Planning Commission and City Council could consider this interpretation anew, the short-term residential occupancy issue is no different than the Best Western itself, because the FGDC does not limit the length of stays in the hotel. FGDC 9.603(74) defines hotels and motels without imposing a length of stay requirement. Therefore, the Planning Commission improperly imposed a standard on this use not imposed on its neighbor, which is also a temporary lodging facility.

5. There is clearly no ongoing nuisance and criminal activity at the Rose Grove Mobile Home Park.

The only testimony from Best Western is that people with tattoos on their necks occasionally drove into the park. Having a tattoo is not a criminal act and is not a nuisance. There is no evidence of graffiti in any of the photos of the mobile home park presented to the Planning Commission and the record contains substantial evidence about how well the mobile home park residents and the community work together. The only alleged criminal activity other than people in cars driving into the park (which is neither criminal, gang related or induces graffiti) is that children occasionally ate in the hotel buffet and occasionally swam in the hotel pool. This does not rise to the level of criminal activity or nuisance.

Moreover, there is no evidence of any criminal activity. There is no evidence of police reports and no evidence other than that the Best Western's motivation is its unhappiness that the Rose Grove owners many years ago refused to give them an easement for their driveway.

Further, even if crime were a real issue, the applicant is required to install a locked, emergency access-only gate at the driveway now open to the mobile home park next to the Best Western. In other words, even if criminal activity is going on (which it is not), the activity will cease to affect the Best Western because there will be no access to the mobile home park next to the hotel.

6. The lack of a landscaping plan is not a basis for denial.

The Planning Commission imposed a requirement in its 2005 approval of the recreational vehicle park that a landscaping plan be submitted to staff for its review. It is unfair and improper to now require the landscaping plan to be submitted to the Planning Commission and to deny the application because the plan was not submitted. The City Council knows that this kind of condition is routinely imposed by the Planning Commission. If the Planning Commission now seeks to change its mind regarding the landscaping plan, then it should have continued the hearing and given the applicant an opportunity to submit the plan.

Further, in a conversation between the managing member of the LLC that owns the Best Western, Mr. Scott Mary, and the applicant's attorney, Best Western acknowledged that additional landscaping between the two properties was unnecessary. Mr. Mary said that he only wanted a fence installed between the Best Western and the recreational vehicle park. I have attached the email that I sent to the City staff documenting this conversation which Mr. Mary did not dispute after it was submitted to the Planning Department on July 31, 2008. **(Exhibit 2)**. Further, Mr. Mary told us he intended to take down some of his trees. Therefore, lack of adequate landscaping cannot be a basis for denying this application.

Finally, the recreational vehicle park site is already well screened from the hotel as shown by the photographs. Mr. Mary agreed that more landscaping was unneeded. **(Exhibit 3, July 31, 2008 letter, Page 2, Heading 2, second paragraph)**.

7. The City Council's hearing is not *de novo*.

The City Attorney believes that the City Council can hear this matter *de novo*. The applicant believes that it can be heard *de novo* only according to FGDC 9.917(4) **(Exhibit 4)**, which requires the City Council to recess if it wants to take new evidence. Accordingly, the hearing should be on the record and only in the event the City Council

Mayor Richard G. Kidd
September 3, 2008
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determines to take new evidence may it do so after a recess and a continued hearing.

8. Conclusion.

It appears to the applicant that Best Western has a grudge against the applicant and that its erroneous and false testimony induced the Planning Commission to deny this application. It is equally unfortunate because it appears that the Planning Commission denied the application because of the people who live in the existing mobile home park. If the park were the problem that the decision might lead people to believe it is, then we would have real and substantial evidence of criminal activity instead of none.

The Planning Commission's action in light of its 2005 approval and the Planning staff's recommendation for approval is unfair, unlawful and presents the worst possible image of Forest Grove. The City Council can undo this unfortunate action by approving the application with reasonable conditions of approval because it meets the criteria for approval of a conditional use.

Very truly yours,



Michael C. Robinson

MCR/cfr

Enclosures

cc: Mrs. Dorothy Royce (w/encls.) (via email)
Mr. Harvey Miller (w/encls.) (via email)
Ms. Eviva Fink (w/encls.) (via email)
Ms. Deborah Kleinman (w/encls.) (via email)
Mr. Chris Crean (w/encls.) (via email)

197.467 Conservation easement to protect resource site. (1) If a tract to be used as a destination resort contains a resource site designated for protection in an acknowledged comprehensive plan pursuant to open spaces, scenic and historic areas and natural resource goals in an acknowledged comprehensive plan, that tract of land shall preserve that site by conservation easement sufficient to protect the resource values of the resource site as set forth in ORS 271.715 to 271.795.

(2) A conservation easement under this section shall be recorded with the property records of the tract on which the destination resort is sited. [1993 c.590 §5]

MOBILE HOME, MANUFACTURED DWELLING AND RECREATIONAL VEHICLE PARKS

197.475 Policy. The Legislative Assembly declares that it is the policy of this state to provide for mobile home or manufactured dwelling parks within all urban growth boundaries to allow persons and families a choice of residential settings. [1987 c.785 §3; 1989 c.648 §53]

197.480 Planning for parks; procedures; inventory. (1) Each city and county governing body shall provide, in accordance with urban growth management agreements, for mobile home or manufactured dwelling parks as an allowed use, by July 1, 1990, or by the next periodic review after January 1, 1988, whichever comes first:

(a) By zoning ordinance and by comprehensive plan designation on buildable lands within urban growth boundaries; and

(b) In areas planned and zoned for a residential density of six to 12 units per acre sufficient to accommodate the need established pursuant to subsections (2) and (3) of this section.

(2) A city or county shall establish a projection of need for mobile home or manufactured dwelling parks based on:

(a) Population projections;

(b) Household income levels;

(c) Housing market trends of the region; and

(d) An inventory of mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development.

(3) The inventory required by subsection (2)(d) and subsection (4) of this section shall establish the need for areas to be planned and zoned to accommodate the potential displacement of the inventoried mobile home or manufactured dwelling parks.

(4) Notwithstanding the provisions of subsection (1) of this section, a city or county within a metropolitan service district, established pursuant to ORS chapter 268, shall inventory the mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development no later than two years from September 27, 1987.

(5)(a) A city or county may establish clear and objective criteria and standards for the placement and design of mobile home or manufactured dwelling parks.

(b) If a city or county requires a hearing before approval of a mobile home or manufactured dwelling park, application of the criteria and standards adopted pursuant to paragraph (a) of this subsection shall be the sole issue to be determined at the hearing.

(c) No criteria or standards established under paragraph (a) of this subsection shall be adopted which would preclude the development of mobile home or manufactured dwelling parks within the intent of ORS 197.295 and 197.475 to 197.490. [1987 c.785 §4; 1989 c.648 §54]

197.485 Prohibition on restrictions of manufactured dwelling. (1) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, in a mobile home or manufactured dwelling park in a zone with a residential density of eight to 12 units per acre.

(2) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, on a buildable lot or parcel located outside urban growth boundaries or on a space in a mobile home or manufactured dwelling park, if the manufactured dwelling is being relocated due to the closure of a mobile home or manufactured dwelling park or a portion of a mobile home or manufactured dwelling park.

(3) A jurisdiction may impose reasonable safety and inspection requirements for homes that were not constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403). [1987 c.785 §5; 1989 c.648 §55; 2005 c.22 §143; 2005 c.826 §12; 2007 c.906 §10]

197.490 Restriction on establishment of park. (1) Except as provided by ORS 446.105, a mobile home or manufactured dwelling park shall not be established on land, within an urban growth boundary, which is planned or zoned for commercial or industrial use.

(2) Notwithstanding the provisions of subsection (1) of this section, if no other access is available, access to a mobile home or manufactured dwelling park may be provided

through a commercial or industrial zone. [1987 c.785 §6; 1989 c.648 §56]

197.492 Definitions for ORS 197.492 and 197.493. As used in this section and ORS 197.493:

(1) "Manufactured dwelling park," "mobile home park" and "recreational vehicle" have the meaning given those terms in ORS 446.003.

(2) "Recreational vehicle park":

(a) Means a place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose:

(A) The renting of space and related facilities for a charge or fee; or

(B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

(A) An area designated only for picnicking or overnight camping; or

(B) A manufactured dwelling park or mobile home park. [2005 c.619 §11]

Note: 197.492 and 197.493 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 197 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

197.493 Placement and occupancy of recreational vehicle. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(b) Occupied as a residential dwelling; and

(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12]

Note: See note under 197.492.

MORATORIUM ON CONSTRUCTION OR LAND DEVELOPMENT

197.505 Definitions for ORS 197.505 to 197.540. As used in ORS 197.505 to 197.540:

(1) "Public facilities" means those public

facilities for which a public facilities plan is required under ORS 197.712.

(2) "Special district" refers to only those entities as defined in ORS 197.015 (19) that provide services for which public facilities plans are required. [1980 c.2 §2; 1991 c.839 §1; 1993 c.438 §4; 1995 c.463 §1; 1999 c.838 §1; 2005 c.22 §144; 2007 c.354 §29]

197.510 Legislative findings. The Legislative Assembly finds and declares that:

(1) The declaration of moratoria on construction and land development by cities, counties and special districts may have a negative effect not only on property owners, but also on the housing and economic development policies and goals of other local governments within the state, and therefore, is a matter of statewide concern.

(2) Such moratoria, particularly when limited in duration and scope, and adopted pursuant to growth management systems that further the statewide planning goals and local comprehensive plans, may be both necessary and desirable.

(3) Clear state standards should be established to ensure that:

(a) The need for moratoria is considered and documented;

(b) The impact on property owners, housing and economic development is minimized; and

(c) Necessary and properly enacted moratoria are not subjected to undue litigation. [1980 c.2 §1; 1991 c.839 §2; 1995 c.463 §2]

197.520 Manner of declaring moratorium. (1) No city, county or special district may adopt a moratorium on construction or land development unless it first:

(a) Provides written notice to the Department of Land Conservation and Development at least 45 days prior to the final public hearing to be held to consider the adoption of the moratorium;

(b) Makes written findings justifying the need for the moratorium in the manner provided for in this section; and

(c) Holds a public hearing on the adoption of the moratorium and the findings which support the moratorium.

(2) For urban or urbanizable land, a moratorium may be justified by demonstration of a need to prevent a shortage of public facilities which would otherwise occur during the effective period of the moratorium. Such a demonstration shall be based upon reasonably available information, and shall include, but need not be limited to, findings:

(a) Showing the extent of need beyond the estimated capacity of existing public fa-

Robinson, Michael C. (Perkins Coie)

From: Ryan, Corinne F. (Perkins Coie) on behalf of Robinson, Michael C. (Perkins Coie)
Sent: Thursday, July 31, 2008 12:47 PM
To: 'SMary@gbcblue.com'
Cc: 'hjmesq2@aol.com'; 'ppdot@aol.com'; 'deb@rkleinman.com'; Robinson, Michael C. (Perkins Coie)
Subject: Rose Grove Recreational Vehicle Park in Forest Grove, Oregon

Dear Scott,

I am writing to confirm our conversation on Tuesday, July 29, 2008. As you know, we had originally intended to talk last week but your schedule prevented it. We ended up speaking for about 45 minutes on Tuesday.

1. Will the RV park have bathrooms?

No. Each RV space will have a connection to the City's sanitary sewer system but no bathroom buildings will be provided.

2. Will the RV have a laundry building?

No. The Planning Commissioner approval of the RV park in 2005 did not allow accessory buildings and the applicant has not proposed to establish any accessory buildings.

3. What about gang activity?

The applicant has worked with the Forest Grove Police Department to identify gang members and evict them from the park. Additionally, the applicant works actively with the Forest Grove Boys and Girls Club to provide activities within the park. However, the mobile home park is not what is before the Planning Commission; it is the establishment of a 21 space recreational vehicle park. As we discussed on Tuesday, approval of the recreational vehicle park includes approval by the Oregon Department of Transportation ("ODOT") for a driveway access to Oregon Highway 8. The ODOT approach road permit condition includes a requirement that the current driveway into the Rose Grove Mobile Home Park be blocked with a locked gate accessible to emergency providers. A locked pedestrian gate for the manager's use will be the only connection between the recreational vehicle park side and the mobile home park. You commented that you liked the idea of a closed road. We agree and believe this will significantly reduce pedestrian and vehicular traffic on the driveway adjacent to your property.

4. Landscaping and fencing along the common boundary line between Best Western and recreational vehicle park site.

We discussed your storm water area which has arbor vitae planted adjacent to the street right-of-way and uses boulders for landscaping. A metal white fence separates the storm water area from the driveway. You requested that the RV park keep its landscaping trimmed and clean. We agree to that condition of approval. We also discussed the current Best Western landscaping which includes a 3-4 foot high hedge along the length of the common property line (between the highway and the mobile home park boundary) and 6 plum trees planted on the Best Western property. Three plum trees are planted adjacent to the parking lot and 3 plum trees are planted adjacent to the 3-story Best Western building. The plum trees adjacent to the building obscure the views of the only windows which are located at the hallways. There are no windows on the east end of the Best Western building from rooms.

We also discussed fencing. You noted that two properties in Cornelius have wrought iron fencing: the Walgreens Shopping Center (developed by my client, Kite Development), and the United States Post Office. However, none of us could identify any properties in Forest Grove that have wrought iron fencing and the Planning Commission did not condition this approval on wrought iron fencing in 2005.

We left fencing as follows. Our mutual goal is to have an attractive fence that also provides a secure barrier between the two properties. By agreeing to a secure barrier, we are not acknowledging that there is a security problem but rather that it is an appropriate dividing line between the Best Western and the RV park.

We also agreed as follows. First, a good neighbor fence is not an appropriate fence type. Second, your preference is for a wrought iron fence while ours is not. Third, our preference is for a PVC "ranch rail" fence. We will propose to the Planning Commission that we compare the cost of both types of fences but we would prefer a PVC ranch rail fence because it is easily maintained, durable and not subject to graffiti or if graffiti is on the fence, it can be easily removed.

Please look this over and let me know if you have any questions or comments. We appreciate your working with us and will continue to work with you in the spirit of good neighborliness.

Mike

Michael C. Robinson
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sent by Corinne F. Ryan
Legal Secretary to Michael C. Robinson,
Seth J. King and Joseph A. Romberg
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July 31, 2008

VIA EMAIL

Mr. Thomas Beck, Chairman
Forest Grove Planning Commission
1924 Council Street
Forest Grove, OR 97116

Re: Forest Grove File Nos. CU-08-01 and CU-05-02

Dear Chairman Beck and Members of the Planning Commission:

This office represents the applicant. I am writing to respond to the issues raised at the public hearing on July 21, 2008 and to answer the questions that you asked the applicant to address in the continued hearing on August 4, 2008. I have asked your Planning Department to place this letter in the official Planning Department file and before the Planning Commission at the continued hearing.

1. Introduction.

The Planning Commission opened the public hearing on this application on July 21, 2008 and continued the hearing until August 4, 2008. As explained below, the Planning Commission asked the applicant to address three questions:

- (i) Provide information on whether the length of stay of recreational vehicles can be limited.
- (ii) How is a recreational vehicle defined?
- (iii) Provide landscaping plans to the Planning Commission and discuss with the Best Western representative how landscaping and fencing should be provided on the common boundary of the west side of the recreational vehicle park.

29346-0002/LEGAL14538987.1

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Perkins Coie LLP and Affiliates

EXHIBIT 3

Mr. Thomas Beck, Chairman
July 31, 2008
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This letter addresses those questions and also includes numerous photographs showing the recreational vehicle park site, the Best Western site and how the two sites relate to one another.

As the Planning Commission knows, it approved this application in 2005 with numerous conditions of approval. The approval was based upon a 1995 interpretation by the Planning Commission concluding that recreational vehicle parks offering temporary lodging are a similar use to permitted uses in the Community Commercial ("CC") zoning district.

When the Planning Commission first approved the recreational vehicle park in 2005, the uses were the same as they were today. In fact, Best Western built its current motel next to the mobile home park knowing full well what was there and, had it asked the Planning Department, would have known that the Planning Commission in 1995 had interpreted the Code to allow recreational vehicle parks as similar uses. The staff and the applicant have both testified that there is a need for temporary housing facilities in Forest Grove.

2. Conversation with Best Western representative Scott Mary.

Following the July 21, 2008 public hearing, the applicant's attorney spoke by phone with Mr. Mary that night. We had originally scheduled a conference with Mr. Mary for Monday, July 28. Mr. Mary emailed me on July 23 saying that he needed to move it to Tuesday, July 29, 2008. We spoke with Mr. Mary on the afternoon of Tuesday, July 29. I have attached an email sent to Mr. Mary this same date describing our conversation on Tuesday. I have asked Mr. Mary to comment on the email.

As to landscaping, the applicant and Mr. Mary have agreed that the applicant need not install additional landscaping on the common property line. To the extent Mr. Mary wants to remove some of his 6 existing plum trees and replace them with other trees, the applicant would agree to share the cost equally with Mr. Mary for the replacements.

As to fencing, the applicant and Mr. Mary have agreed that a good neighbor fence is not an appropriate type of fence for this site. Recommended condition of approval 12 requires a sight-obscuring good neighbor fence. Instead, Mr. Mary and the applicant agreed on the following. First, Mr. Mary's preference is for a wrought iron fence. In fairness to the applicant, there is no other wrought iron fencing that we are aware of located in Forest Grove and the only two wrought iron fencing examples identified by Mr. Mary are in the City of Cornelius, both in commercial projects (the Walgreens development and the United States Post Office). Mr. Mary chose to use a white metal fence at his entrance. We agreed that in the event the Planning Commission requires a wrought iron fence, we would like the Planning Commission to give the applicant an opportunity to provide cost estimates for the installation of a wrought iron fence versus the installation of a PVC "ranch rail" fence. In the event the cost is substantially different,

Mr. Thomas Beck, Chairman
July 31, 2008
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the applicant requests that it be allowed to install a PVC fence which is both attractive and durable.

As to landscaping and fencing on the south and east sides of the park, Mr. Mary and the applicant agreed that a PVC "ranch rail" fence would be more appropriate on the east and south sides. The fence provides a barrier but does not allow a surface for graffiti and does not hide the recreational vehicle park which the Forest Grove Chief of Police testified in 2005 he did not want to encourage. Moreover, the Best Western storm water facility located adjacent to the highway (just as the RV park storm water facility will be) has only a row of arbor vitae separating the storm water facility from the street. The applicant requests that the Planning Commission approve the same treatment for this site.

3. Issues raised at the public hearing by Mr. Mary.

A. Impact.

As an initial point, the relevant approval criteria for the conditional use permit are found in Forest Grove Zoning Ordinance ("FGZO") 9.873(1)-(4). None of the approval criteria have a compatibility standard for adjacent land uses. The closest that the criteria come to that requirement is found in FGZO 9.873(2) which requires that "The proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect on said use on surrounding properties and uses." The staff report at pages 9 and 10 found this application satisfied. The applicant understands that it needs to provide an appropriate landscaping plan around the perimeter of the park and it intends to do so. It did not provide a landscaping plan to the Planning Commission with this submittal because condition of approval 13 provided that the landscaping plan would be submitted for review and approval by the Community Development Director. The applicant requests that the Planning Commission impose this condition of approval but provide an opportunity for the landscaping plan to come back to the Planning Commission for review and approval separate from the conditional use permit.

The existing Best Western landscaping is adequate to mitigate any possible adverse effect on Best Western from the proposed recreational vehicle park. First, the Best Western motel is at least 30 feet from the 4 closest spaces proposed for the RV park. Second, the existing Best Western hedge and trees provide an adequate visual buffer. The fence to be installed by the applicant will provide a physical barrier.

Additionally, as the photographs attached to this letter demonstrate, the Best Western hotel has no room windows on its east side facing the RV park. The existing plum trees on the east side of the Best Western motel adequately screen the hallway windows from the RV park. In fact, the plum trees are so tall they almost obscure the Best Western sign on that end of the

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building. The Best Western sign on the highway is visible from the east as motorists approach it and landscaping to be installed by the recreational vehicle park will not impede visibility of the sign.

Mr. Mary also raised issues of trespassing and gangs. Those issues have to do with the mobile home park and they have nothing to do with the proposed RV park. Further, as the Planning Commission is aware, the grant of access to the state highway by the Oregon Department of Transportation requires the existing through driveway between the highway and the mobile home park to be closed with a vehicle gate to be open only by emergency providers and a locked pedestrian gate to be provided for the manager. This will substantially reduce, if not completely eliminate, traffic between the mobile home park and the highway past the Best Western motel which should eliminate Mr. Mary's concerns about trespassing. As to gangs, the park manager testified that she works closely with the Chief of Police to identify and evict gang members. The park also works with the Forest Grove Girls and Boys Club to provide activities in the park for the children who live there. Moreover, this is not a land use issue – it can adequately be dealt with through a partnership between the hotel, the applicant and the Forest Grove Police Chief. It is notable that the Forest Grove Police Chief did not oppose this application in 2005 and does not oppose it now.

Edward Barigan, the Best Western manager, stated "What level of folks are we going to be having there?" The Planning Commission cannot make its decision based on the characteristics of individuals and the reality is that despite how individuals look, the testimony from the park manager is that they do not tolerate gang activity and work actively with the Police Department and the Police Department is not opposed to this application.

Mr. Mary was also concerned about sight distance for the driveway. The driveway is existing and in the event the RV park is not approved, will not go away. Instead, it will have far more traffic as it does now than if it is limited to a 21 space RV park. Moreover, both the Forest Grove Public Works Department and the Oregon Department of Transportation have approved the driveway location and have concurred that it does not present a sight distance issue.

In summary, the applicant understands it has an obligation to be a good neighbor to both Best Western and to the surrounding community and will continue to do so. The pictures submitted with this letter of the mobile home park demonstrate a clean and presentable mobile home park. The owners intend to continue that pattern with the recreational vehicle park.

4. Issues raised by the Planning Commission.

(i) Commissioner McIntyre asked whether there would be a waste dumping station. The answer is no. Each recreational vehicle space will be connected to a City sanitary sewer line, a City water line and electric service. Storm water will drain to the storm water facility.

Mr. Thomas Beck, Chairman
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(ii) Commissioner Beck asked about a tree at each recreational vehicle location and wanted to see more trees located on the southeast corner. The applicant agrees to Mr. Beck's recommendation provided they are approved by a registered Oregon arborist. The applicant wants to ensure that landscaping is appropriately sited and located.

(iii) Commissioner Beck asked Mr. Mary if he thought a 6-foot high good neighbor fence was appropriate. As explained above, both Mr. Mary and the applicant agree that a good neighbor fence is not an appropriate fence between the two uses. Mr. Mary has since determined that additional landscaping is not required.

(iv) Commissioner Nakajima noted that there is a need for overnight accommodations and thought this use was somewhat complimentary. The applicant agrees and notes that individuals who want to stay in an RV park are not lost customers to the Best Western.

(v) Commissioner Hymes noted that she had visited an RV park in Tualatin and that it looked lovely. She also noted that the RV park is not in competition with the hotel. The applicant agrees that an RV park can be appropriately maintained with attractive fencing and landscaping and be an asset and not a detriment to the community

(vi) Commissioner Hymes asked the mobile home park manager what her office hours were. She noted that she and her husband are on-site resident managers and have two assistants. The office is open 7 days a week between 8:30 a.m. and 5:00 p.m. with a 24-hour phone. Lighting is at City standards and lighting can be conditioned to prohibit glare onto adjacent property.

(vii) Commissioner Beck asked the distinction between a mobile home park and a recreational vehicle park. A recreational vehicle park is defined in OAR Chapter 446 and in ORS 197.492 (attached). A recreational vehicle is defined in OAR Chapter 446 as "a vehicle with or without motor power, that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and is further defined, by rule, by the director." The applicant would agree to prohibit residential trailers as that term is defined, which means a structure constructed for movement on the public highway before January 1, 1962. This would have the effect of implementing the mobile home park manager's testimony about their desire to have attractive recreational vehicles in the park. OAR Chapter 446 defines mobile homes and manufactured homes. The distinction between the two is principally that a manufactured home or mobile home has a particular license and tax, whereas a recreational vehicle does not. Moreover, the two types of structures are often indistinguishable in terms of attractiveness. The applicant requests that the Planning Commission impose a condition of approval prohibiting mobile homes or manufactured homes as defined in applicable Oregon Administrative Rule and Oregon Revised Statute provisions from being located in the RV park.

Mr. Thomas Beck, Chairman
July 31, 2008
Page 6

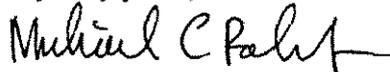
(viii) Commissioner Beck also asked about the ability to limit the duration of a stay. ORS 197.492(1) prohibits a state agency or the City from prohibiting the placement or occupancy of a recreational vehicle park solely on the grounds that the occupancy is in a recreational vehicle nor may a state agency or a local government impose any limit on the length of occupancy of a recreational vehicle. This is conditioned upon being located in a manufactured dwelling park where the recreational vehicles are occupied as a residential dwelling, lawfully connected to water, electric supply systems and a sewage disposal system. The City found that it was prohibited from limiting the duration of stays. However, the applicant will limit the duration of stays because it wants a turnover in the RV park.

(ix) Commissioner Beck also asked about parking spaces. Commissioner Beck said that he did not want to limit parking on the west side if it is already there. The west side of the driveway adjacent to the Best Western is currently signed for no parking. The applicant requests that the Planning Commission approve as many parking spaces as it believes is reasonable and appropriate.

5. Conclusion.

For the reasons contained herein, the applicant respectfully requests that the Planning Commission again approve this conditional use permit with appropriate conditions of approval.

Very truly yours,



Michael C. Robinson

MCR:sv
Enclosures

Cc: Mr. Harvey Miller (w/encls.) (via email)
Ms. Dorothy Royce (w/encls.) (via email)
Mr. Scott Mary (w/encls.) (via email)

ADMINISTRATIVE PROVISIONS

9.910 ADMINISTRATION. The Community Development Director or his designee shall have the power and duty to enforce this ordinance. An appeal from a ruling of the Community Development Director or his designee may be made to the City Planning Commission.

9.911 APPEALS.

- (1) An appeal from a decision by the Community Development Director or his designee regarding a requirement of this ordinance may be made by an affected party to the Planning Commission within 21 days of such decision. Any action by the Community Development Director or his designee shall become final 21 days after notice of decision is mailed unless the decision is appealed to the Planning Commission. The Planning Commission shall conduct a public hearing pursuant to Sections 9.915 and 9.916 of this ordinance to hear the appeal at their next regular meeting, if said appeal is submitted to the Community Development Director or his designee prior to the established submittal date for said meeting. (Ord. 92-01, 1/13/92)
- (2) An action or ruling of the Planning Commission pursuant to this ordinance may be appealed by anyone who participated in the hearing, either in person or by written communication, to the City Council within 21 days of the Planning Commission's decision. If the appeal is not filed within that period, the decision of the Planning Commission shall be final. If an appeal is filed, the City Council shall receive a report and recommendation thereon from the Planning Commission including the findings of the Planning Commission, the relevant staff report, and actions recommended thereby. The City Council shall hold a public hearing pursuant to Sections 9.915 and 9.917 of this ordinance on the appeal before rendering a decision. (Ord. 92-01, 1/13/92)
- (3) A written notice of an appeal shall be filed with the Community Development Director or his designee.

9.912 FEE ESTABLISHED. Application fee for submission of an appeal shall be established by resolution of the City Council.

9.913 FORMS FOR PETITIONS, APPLICATIONS, AND APPEALS. All petitions, applications, and appeals provided for in this ordinance shall be made on forms prescribed by the City. All applications shall be accompanied by a site plan pursuant to Section 9.855(2) of this ordinance, and such other information as is needed to determine conformance with this ordinance.

9.914 SCHEDULE OF FEES, CHARGES, AND EXPENSES. The City Council shall establish a schedule of fees, charges, and expenses and a collection procedure on matters pertaining to this ordinance. The schedule of fees shall be posted in the Community Development Department, and may be altered or amended only by resolution of the City Council. All fees are non-refundable. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

9.915 NOTICE OF PUBLIC HEARINGS AND LIMITED LAND USE DECISIONS.

- (1) When the Planning Commission is required to hold a public hearing, notice of the hearing shall be given in the following manner: Each notice of public hearing for any purpose shall be published in a newspaper of general circulation in the city at least 5 days prior to the date of the hearing. For any planning action that is property specific, at least 20 days prior to the date of the hearing, notices shall be mailed to all affected parties within 300 feet of the exterior boundary of the property for which the application is made, exclusive of streets and alleys. The list of residents shall be drawn from the most recent listing posted in the unified billing accounts of the City. The list of property owners shall be drawn from the most recent tax roll of the County Assessor. (Ord. 88-1, 1/25/88; Ord. 90-12, 11/13/90; Ord. 92-01, 1/13/92)
- (2) When the City Council is required to hold a public hearing, notice of the hearing shall be given in the same manner as prescribed in Section 9.915(1) of this ordinance, except that notice shall be mailed only to those who submitted comments--orally or in writing--to the Planning Commission. This notice shall be mailed at least 10 days prior to the date of the hearing. (Ord. 92-01, 1/13/92)
- (3) Failure of a person to receive a notice prescribed in this Section shall not impair the validity of the hearing.
- (4) Notice of a pending limited land use decision shall be mailed at least 14 days prior to the decision, to all affected parties within 100 feet of the exterior boundary of the property for which the application is made, exclusive of streets and alleys. (Ord. 92-01, 1/13/92)
- (5) Notice of a limited land use decision shall be mailed to those parties who responded--orally or in writing--to the notice of pending decision. (Ord. 92-01, 1/13/92)

9.916 PROCEDURE FOR PLANNING COMMISSION ACTION AT A PUBLIC HEARING.

- (1) The Planning Commission, in considering an application for a variance, conditional use, amendment to the ordinance, or an appeal from the Community Development Director or his designee shall make findings of fact consistent with the requirements of this ordinance and the Comprehensive Plan of the City.
- (2) The Community Development Director or his designee shall keep a record of any public hearing held by the Planning Commission.
- (3) The Planning Commission shall not approve or allow a request for which the findings of fact are not in conformance with the Comprehensive Plan for the City and the requirements of this ordinance.
- (4) The Planning Commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

9.917 PROCEDURES FOR CITY COUNCIL ACTION AT A PUBLIC HEARING.

- (1) The City Council, in considering an amendment to the zoning ordinance, or an appeal from the Planning Commission, shall make findings of fact consistent with the requirements of this ordinance and consistent with the Comprehensive Plan of the City.
- (2) The City Council shall not approve or allow a request for which the findings of fact are not in conformance with the Comprehensive Plan of the City and the requirements of this ordinance.

- (3) The City Council shall keep a record of any public hearing held in consideration of an item pertaining to this ordinance.
- (4) The City Council may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

9.918 NOTIFICATION OF ACTION. The Community Development Director or his designee shall notify the applicant in writing of the Planning Commission and/or City Council action within 7 days after the decision has been rendered.

Memorandum

To: Planning Commission

CC:

From: James Reitz, Senior Planner 

Date: 7/31/2008

Re: Proposed Rose Grove RV Park

Michael Robinson, the applicant's representative, has prepared the attached material to respond to the issues raised at the July 21 hearing. It appears that most of the concerns about the type and intensity of landscaping along the common property line with Best Western have been resolved.

One issue not fully resolved is the type of fencing to be erected. Mr. Robinson is proposing the installation of a PVC "ranch rail" fence. He will be supplying photos of such a fence at the meeting.

In addition to his memo, there is attached:

- ORS 90.230 pertaining to RV Park tenancy
- ORS 197.493 pertaining to length of stay
- OAR Chapter 446 pertaining to manufactured dwellings, etc.

Lastly, more than sixty photos were submitted of the site and environs. We are working with the IT Department to see if we can have all the photos available for viewing at the meeting.



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Michael C. Robinson
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FAX: (503) 346-2264
EMAIL: MRobinson@perkinscoie.com

July 31, 2008

VIA EMAIL

Mr. Thomas Beck, Chairman
Forest Grove Planning Commission
1924 Council Street
Forest Grove, OR 97116

Re: Forest Grove File Nos. CU-08-01 and CU-05-02

Dear Chairman Beck and Members of the Planning Commission:

This office represents the applicant. I am writing to respond to the issues raised at the public hearing on July 21, 2008 and to answer the questions that you asked the applicant to address in the continued hearing on August 4, 2008. I have asked your Planning Department to place this letter in the official Planning Department file and before the Planning Commission at the continued hearing.

1. Introduction.

The Planning Commission opened the public hearing on this application on July 21, 2008 and continued the hearing until August 4, 2008. As explained below, the Planning Commission asked the applicant to address three questions:

- (i) Provide information on whether the length of stay of recreational vehicles can be limited.
- (ii) How is a recreational vehicle defined?
- (iii) Provide landscaping plans to the Planning Commission and discuss with the Best Western representative how landscaping and fencing should be provided on the common boundary of the west side of the recreational vehicle park.

29346-0002/LEGAL14538987.1

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Perkins Coie LLP and Affiliates

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This letter addresses those questions and also includes numerous photographs showing the recreational vehicle park site, the Best Western site and how the two sites relate to one another.

As the Planning Commission knows, it approved this application in 2005 with numerous conditions of approval. The approval was based upon a 1995 interpretation by the Planning Commission concluding that recreational vehicle parks offering temporary lodging are a similar use to permitted uses in the Community Commercial ("CC") zoning district.

When the Planning Commission first approved the recreational vehicle park in 2005, the uses were the same as they were today. In fact, Best Western built its current motel next to the mobile home park knowing full well what was there and, had it asked the Planning Department, would have known that the Planning Commission in 1995 had interpreted the Code to allow recreational vehicle parks as similar uses. The staff and the applicant have both testified that there is a need for temporary housing facilities in Forest Grove.

2. Conversation with Best Western representative Scott Mary.

Following the July 21, 2008 public hearing, the applicant's attorney spoke by phone with Mr. Mary that night. We had originally scheduled a conference with Mr. Mary for Monday, July 28. Mr. Mary emailed me on July 23 saying that he needed to move it to Tuesday, July 29, 2008. We spoke with Mr. Mary on the afternoon of Tuesday, July 29. I have attached an email sent to Mr. Mary this same date describing our conversation on Tuesday. I have asked Mr. Mary to comment on the email.

As to landscaping, the applicant and Mr. Mary have agreed that the applicant need not install additional landscaping on the common property line. To the extent Mr. Mary wants to remove some of his 6 existing plum trees and replace them with other trees, the applicant would agree to share the cost equally with Mr. Mary for the replacements.

As to fencing, the applicant and Mr. Mary have agreed that a good neighbor fence is not an appropriate type of fence for this site. Recommended condition of approval 12 requires a sight-obscuring good neighbor fence. Instead, Mr. Mary and the applicant agreed on the following. First, Mr. Mary's preference is for a wrought iron fence. In fairness to the applicant, there is no other wrought iron fencing that we are aware of located in Forest Grove and the only two wrought iron fencing examples identified by Mr. Mary are in the City of Cornelius, both in commercial projects (the Walgreens development and the United States Post Office). Mr. Mary chose to use a white metal fence at his entrance. We agreed that in the event the Planning Commission requires a wrought iron fence, we would like the Planning Commission to give the applicant an opportunity to provide cost estimates for the installation of a wrought iron fence versus the installation of a PVC "ranch rail" fence. In the event the cost is substantially different,

the applicant requests that it be allowed to install a PVC fence which is both attractive and durable.

As to landscaping and fencing on the south and east sides of the park, Mr. Mary and the applicant agreed that a PVC "ranch rail" fence would be more appropriate on the east and south sides. The fence provides a barrier but does not allow a surface for graffiti and does not hide the recreational vehicle park which the Forest Grove Chief of Police testified in 2005 he did not want to encourage. Moreover, the Best Western storm water facility located adjacent to the highway (just as the RV park storm water facility will be) has only a row of arbor vitae separating the storm water facility from the street. The applicant requests that the Planning Commission approve the same treatment for this site.

3. Issues raised at the public hearing by Mr. Mary.

A. Impact.

As an initial point, the relevant approval criteria for the conditional use permit are found in Forest Grove Zoning Ordinance ("FGZO") 9.873(1)-(4). None of the approval criteria have a compatibility standard for adjacent land uses. The closest that the criteria come to that requirement is found in FGZO 9.873(2) which requires that "The proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect on said use on surrounding properties and uses." The staff report at pages 9 and 10 found this application satisfied. The applicant understands that it needs to provide an appropriate landscaping plan around the perimeter of the park and it intends to do so. It did not provide a landscaping plan to the Planning Commission with this submittal because condition of approval 13 provided that the landscaping plan would be submitted for review and approval by the Community Development Director. The applicant requests that the Planning Commission impose this condition of approval but provide an opportunity for the landscaping plan to come back to the Planning Commission for review and approval separate from the conditional use permit.

The existing Best Western landscaping is adequate to mitigate any possible adverse effect on Best Western from the proposed recreational vehicle park. First, the Best Western motel is at least 30 feet from the 4 closest spaces proposed for the RV park. Second, the existing Best Western hedge and trees provide an adequate visual buffer. The fence to be installed by the applicant will provide a physical barrier.

Additionally, as the photographs attached to this letter demonstrate, the Best Western hotel has no room windows on its east side facing the RV park. The existing plum trees on the east side of the Best Western motel adequately screen the hallway windows from the RV park. In fact, the plum trees are so tall they almost obscure the Best Western sign on that end of the

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building. The Best Western sign on the highway is visible from the east as motorists approach it and landscaping to be installed by the recreational vehicle park will not impede visibility of the sign.

Mr. Mary also raised issues of trespassing and gangs. Those issues have to do with the mobile home park and they have nothing to do with the proposed RV park. Further, as the Planning Commission is aware, the grant of access to the state highway by the Oregon Department of Transportation requires the existing through driveway between the highway and the mobile home park to be closed with a vehicle gate to be open only by emergency providers and a locked pedestrian gate to be provided for the manager. This will substantially reduce, if not completely eliminate, traffic between the mobile home park and the highway past the Best Western motel which should eliminate Mr. Mary's concerns about trespassing. As to gangs, the park manager testified that she works closely with the Chief of Police to identify and evict gang members. The park also works with the Forest Grove Girls and Boys Club to provide activities in the park for the children who live there. Moreover, this is not a land use issue – it can adequately be dealt with through a partnership between the hotel, the applicant and the Forest Grove Police Chief. It is notable that the Forest Grove Police Chief did not oppose this application in 2005 and does not oppose it now.

Edward Barigan, the Best Western manager, stated "What level of folks are we going to be having there?" The Planning Commission cannot make its decision based on the characteristics of individuals and the reality is that despite how individuals look, the testimony from the park manager is that they do not tolerate gang activity and work actively with the Police Department and the Police Department is not opposed to this application.

Mr. Mary was also concerned about sight distance for the driveway. The driveway is existing and in the event the RV park is not approved, will not go away. Instead, it will have far more traffic as it does now than if it is limited to a 21 space RV park. Moreover, both the Forest Grove Public Works Department and the Oregon Department of Transportation have approved the driveway location and have concurred that it does not present a sight distance issue.

In summary, the applicant understands it has an obligation to be a good neighbor to both Best Western and to the surrounding community and will continue to do so. The pictures submitted with this letter of the mobile home park demonstrate a clean and presentable mobile home park. The owners intend to continue that pattern with the recreational vehicle park.

4. Issues raised by the Planning Commission.

(i) Commissioner McIntyre asked whether there would be a waste dumping station. The answer is no. Each recreational vehicle space will be connected to a City sanitary sewer line, a City water line and electric service. Storm water will drain to the storm water facility.

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(ii) Commissioner Beck asked about a tree at each recreational vehicle location and wanted to see more trees located on the southeast corner. The applicant agrees to Mr. Beck's recommendation provided they are approved by a registered Oregon arborist. The applicant wants to ensure that landscaping is appropriately sited and located.

(iii) Commissioner Beck asked Mr. Mary if he thought a 6-foot high good neighbor fence was appropriate. As explained above, both Mr. Mary and the applicant agree that a good neighbor fence is not an appropriate fence between the two uses. Mr. Mary has since determined that additional landscaping is not required.

(iv) Commissioner Nakajima noted that there is a need for overnight accommodations and thought this use was somewhat complimentary. The applicant agrees and notes that individuals who want to stay in an RV park are not lost customers to the Best Western.

(v) Commissioner Hymes noted that she had visited an RV park in Tualatin and that it looked lovely. She also noted that the RV park is not in competition with the hotel. The applicant agrees that an RV park can be appropriately maintained with attractive fencing and landscaping and be an asset and not a detriment to the community

(vi) Commissioner Hymes asked the mobile home park manager what her office hours were. She noted that she and her husband are on-site resident managers and have two assistants. The office is open 7 days a week between 8:30 a.m. and 5:00 p.m. with a 24-hour phone. Lighting is at City standards and lighting can be conditioned to prohibit glare onto adjacent property.

(vii) Commissioner Beck asked the distinction between a mobile home park and a recreational vehicle park. A recreational vehicle park is defined in OAR Chapter 446 and in ORS 197.492 (attached). A recreational vehicle is defined in OAR Chapter 446 as "a vehicle with or without motor power, that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and is further defined, by rule, by the director." The applicant would agree to prohibit residential trailers as that term is defined, which means a structure constructed for movement on the public highway before January 1, 1962. This would have the effect of implementing the mobile home park manager's testimony about their desire to have attractive recreational vehicles in the park. OAR Chapter 446 defines mobile homes and manufactured homes. The distinction between the two is principally that a manufactured home or mobile home has a particular license and tax, whereas a recreational vehicle does not. Moreover, the two types of structures are often indistinguishable in terms of attractiveness. The applicant requests that the Planning Commission impose a condition of approval prohibiting mobile homes or manufactured homes as defined in applicable Oregon Administrative Rule and Oregon Revised Statute provisions from being located in the RV park.

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July 31, 2008
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(viii) Commissioner Beck also asked about the ability to limit the duration of a stay. ORS 197.492(1) prohibits a state agency or the City from prohibiting the placement or occupancy of a recreational vehicle park solely on the grounds that the occupancy is in a recreational vehicle nor may a state agency or a local government impose any limit on the length of occupancy of a recreational vehicle. This is conditioned upon being located in a manufactured dwelling park where the recreational vehicles are occupied as a residential dwelling, lawfully connected to water, electric supply systems and a sewage disposal system. The City found that it was prohibited from limiting the duration of stays. However, the applicant will limit the duration of stays because it wants a turnover in the RV park.

(ix) Commissioner Beck also asked about parking spaces. Commissioner Beck said that he did not want to limit parking on the west side if it is already there. The west side of the driveway adjacent to the Best Western is currently signed for no parking. The applicant requests that the Planning Commission approve as many parking spaces as it believes is reasonable and appropriate.

5. Conclusion.

For the reasons contained herein, the applicant respectfully requests that the Planning Commission again approve this conditional use permit with appropriate conditions of approval.

Very truly yours,



Michael C. Robinson

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Enclosures

Cc: Mr. Harvey Miller (w/encls.) (via email)
Ms. Dorothy Royce (w/encls.) (via email)
Mr. Scott Mary (w/encls.) (via email)

90.230 Rental agreements for occupancy of recreational vehicle in park; remedy for noncompliance; exception. (1) If a tenancy is for the occupancy of a recreational vehicle in a manufactured dwelling park, mobile home park or recreational vehicle park, all as defined in ORS 197.492, the landlord shall provide a written rental agreement for a month-to-month, week-to-week or fixed-term tenancy. The rental agreement must state:

(a) If applicable, that the tenancy may be terminated by the landlord under ORS 90.427 without cause upon 30 days' written notice for a month-to-month tenancy or upon 10 days' written notice for a week-to-week tenancy.

(b) That any accessory building or structure paid for or provided by the tenant belongs to the tenant and is subject to a demand by the landlord that the tenant remove the building or structure upon termination of the tenancy.

(c) That the tenancy is subject to the requirements of ORS 197.493 (1) for exemption from placement and occupancy restrictions.

(2) If a tenant described in subsection (1) of this section moves following termination of the tenancy by the landlord under ORS 90.427, and the landlord failed to provide the required written rental agreement before the beginning of the tenancy, the tenant may recover the tenant's actual damages or twice the periodic rent, whichever is greater.

(3) If the occupancy fails at any time to comply with the requirements of ORS 197.493 (1) for exemption from placement and occupancy restrictions, and a state agency or local government requires the tenant to move as a result of the noncompliance, the tenant may recover the tenant's actual damages or twice the periodic rent, whichever is greater. This subsection does not apply if the noncompliance was caused by the tenant.

(4) This section does not apply to a vacation occupancy. [2005 c.619]

197.492 Definitions for ORS 197.492 and 197.493. As used in this section and ORS 197.493:

(1) "Manufactured dwelling park," "mobile home park" and "recreational vehicle" have the meaning given those terms in ORS 446.003.

(2) "Recreational vehicle park":

(a) Means a place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose:

(A) The renting of space and related facilities for a charge or fee; or

(B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

(A) An area designated only for picnicking or overnight camping; or

(B) A manufactured dwelling park or mobile home park. [2005 c.619 §11]

Note: 197.492 and 197.493 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 197 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

197.493 Placement and occupancy of recreational vehicle. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(b) Occupied as a residential dwelling; and

(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12]

(22)(a) "Manufactured dwelling" means a residential trailer, mobile home or manufactured home.

(b) "Manufactured dwelling" does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or any unit identified as a recreational vehicle by the manufacturer.

(23) "Manufactured dwelling park" means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the local government unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

(24)(a) "Manufactured home," except as provided in paragraph (b) of this subsection, means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

(b) For purposes of implementing any contract pertaining to manufactured homes between the department and the federal government, "manufactured home" has the meaning given the term in the contract.

(25)(a) "Manufactured structure" means a recreational vehicle, manufactured dwelling or recreational structure.

(29) "Mobile home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

(30) "Mobile home park" means any place where four or more manufactured structures are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Mobile home park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.190.

(33) "Recreational vehicle" means a vehicle with or without motive power, that is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes and as further defined, by rule, by the director.

(34) "Residential trailer" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed before January 1, 1962.

(9) "Recreation park" means any area designated by the person establishing, operating, managing or maintaining the same for picnicking, overnight camping or use of recreational vehicles by the general public or any segment of the public. "Recreation park" includes but is not limited to areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to, those areas divided into two or more lots, parcels, units or other interests for purposes of such use.

From: Ryan, Corinne F. (Perkins Coie) on behalf of Robinson, Michael C. (Perkins Coie)
Sent: Thursday, July 31, 2008 12:47 PM
To: 'SMary@gbcblue.com'
Cc: 'hymesq2@aol.com'; 'ppdot@aol.com'; 'deb@rkleinman.com'; Robinson, Michael C. (Perkins Coie)
Subject: Rose Grove Recreational Vehicle Park in Forest Grove, Oregon

Dear Scott,

I am writing to confirm our conversation on Tuesday, July 29, 2008. As you know, we had originally intended to talk last week but your schedule prevented it. We ended up speaking for about 45 minutes on Tuesday.

1. Will the RV park have bathrooms?

No. Each RV space will have a connection to the City's sanitary sewer system but no bathroom buildings will be provided.

2. Will the RV have a laundry building?

No. The Planning Commissioner approval of the RV park in 2005 did not allow accessory buildings and the applicant has not proposed to establish any accessory buildings.

3. What about gang activity?

The applicant has worked with the Forest Grove Police Department to identify gang members and evict them from the park. Additionally, the applicant works actively with the Forest Grove Boys and Girls Club to provide activities within the park. However, the mobile home park is not what is before the Planning Commission; it is the establishment of a 21 space recreational vehicle park. As we discussed on Tuesday, approval of the recreational vehicle park includes approval by the Oregon Department of Transportation ("ODOT") for a driveway access to Oregon Highway 8. The ODOT approach road permit condition includes a requirement that the current driveway into the Rose Grove Mobile Home Park be blocked with a locked gate accessible to emergency providers. A locked pedestrian gate for the manager's use will be the only connection between the recreational vehicle park side and the mobile home park. You commented that you liked the idea of a closed road. We agree and believe this will significantly reduce pedestrian and vehicular traffic on the driveway adjacent to your property.

4. Landscaping and fencing along the common boundary line between Best Western and recreational vehicle park site.

We discussed your storm water area which has arbor vitae planted adjacent to the street right-of-way and uses boulders for landscaping. A metal white fence separates the storm water area from the driveway. You requested that the RV park keep its landscaping trimmed and clean. We agree to that condition of approval. We also discussed the current Best Western landscaping which includes a 3-4 foot high hedge along the length of the common property line (between the highway and the mobile home park boundary) and 6 plum trees planted on the Best Western property. Three plum trees are planted adjacent to the parking lot and 3 plum trees are planted adjacent to the 3-story Best Western building. The plum trees adjacent to the building obscure the views of the only windows which are located at the hallways. There are no windows on the east end of the Best Western building from rooms.

We also discussed fencing. You noted that two properties in Cornelius have wrought iron fencing: the Walgreens Shopping Center (developed by my client, Kite Development), and the United States Post Office. However, none of us could identify any properties in Forest Grove that have wrought iron fencing and the Planning Commission did not condition this approval on wrought iron fencing in 2005.

We left fencing as follow. Our mutual goal is to have an attractive fence that also provides a secure barrier between the two properties. By agreeing to a secure barrier, we are not acknowledging that there is a security problem but rather that it is an appropriate dividing line between the Best Western and the RV park.

We also agreed as follows. First, a good neighbor fence is not an appropriate fence type. Second, your preferences is for a wrought iron fence while ours is not. Third, our preference is for a PVC "ranch rail" fence. We will propose to the Planning Commission that we compare the cost of both types of fences but we would prefer a PVC ranch rail fence because it is easily maintained, durable and not subject to graffiti or if graffiti is on the fence, it can be easily removed.

Please look this over and let me know if you have any questions or comments. We appreciate your working with us and will continue to work with you in the spirit of good neighborliness.

Mike

Michael C. Robinson
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sent by Corinne F. Ryan
Legal Secretary to Michael C. Robinson,
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Conditional Use Permit Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE: July 14, 2008

HEARING DATE: July 21, 2008

LAND USE REQUEST: Conditional Use Permit to construct a new 21-space Recreational Vehicle Park

FILE NUMBER(S): CU-08-01
CU-05-02

PROPERTY LOCATION: 4015 Pacific Avenue

LEGAL DESCRIPTION: Washington County Tax Lot 1N3 32D-1400

OWNER/APPLICANT(S): Applicant: Rose Grove Mobile Home Park (Dorothy Royce), PO Box 1750, Pacific Palisades, California 90272
Property Owner: Same
Applicant's Representative: Perkins Coie (Michael Robinson), 1120 NW Couch Street, Tenth Floor, Portland, Oregon 97209

COMPREHENSIVE PLAN MAP AND ZONING MAP DESIGNATIONS: Community Commercial (CC)
Community Commercial (CC) with a Commercial Auto (CA) Overlay

APPLICABLE STANDARDS AND CRITERIA: City of Forest Grove Zoning Ordinance:
 Section 9.700 et. seq. *Community Commercial Zone (CC)*
 Section 9.820 et. seq. *Off-Street Parking and Loading*
 Section 9.830 et. seq. *Access, Egress and Circulation*
 Section 9.855 *Site Plan Approval*
 Section 9.870 et. seq. *Conditional Use Provisions*
 Section 9.960 et. seq. *General Guidelines for Commercial Design Review*

REVIEWING STAFF: James Reitz, AICP, Senior Planner

RECOMMENDATION: Staff recommends approval with conditions

I. LAND USE HISTORY

The site abuts Pacific Avenue just east of the Best Western Inn. It has been vacant for several years, but has historically been used as a sales lot for manufactured homes.

As recreational vehicle parks are not listed as either permitted or conditional uses in the Forest Grove Zoning Ordinance Section, the applicant requested a Similar Use Authorization. The Planning Commission approved allowing a recreational vehicle park as a conditional use in the Community Commercial zone in 1998, and reaffirmed that decision in 2005.

ZO Section 9.873 *Consideration of a Conditional Use Permit* authorizes the Planning Commission to act on a request for a conditional use permit after holding a public hearing pursuant to Sections 9.915 *Notice of Public Hearings and Limited Land Use Decisions* and 9.916 *Procedure for Planning Commission Action at a Public Hearing*.

The applicant requested and received approval for a conditional use permit for a recreational vehicle park in 2005. At that hearing, the Commission discussed a number of design issues, primarily concerning the perimeter treatment:

- The Commission concluded that a tall fence surrounding the site would not be appropriate, as no other site along Pacific Avenue has such a fence.
- The Commission concurred with staff's recommendation to require a landscape buffer along the north and east property lines.
- On the south side, adjacent to Pacific Avenue, staff had recommended installation of a decorative wall to reduce sound transmission and increase the visual separation from the street. However, the Commission opted instead for a low fence and enhanced landscaping.

A copy of the Commission's 2005 Decision is attached. However, as construction of the park was not initiated within one year (as required by ZO Section 9.876) that application was voided.

The current application was deemed complete on June 25, 2008. Public notice for this application was mailed to property owners and residents within 300 feet of the site on June 30, 2008, as required by Section 9.915. Notice of this request was also provided to the Plans Review Board, the Oregon Department of Transportation (ODOT), Tri-Met, and published in the *News Times*.

As of the writing of this report, no written comments have been received from the public or outside agencies. Comments were received from the Plans Review Board pertaining to various building, fire, and public works improvement requirements, which have been incorporated into the proposed conditions of approval or that will be attached to the building permit.

II. PROJECT DESCRIPTION AND ANALYSIS

- A. Description of Proposal: The proposal would result in a new 21-space recreational vehicle park. No other on-site improvements are proposed except for the required water quality facility. No fire pits, picnic tables, cooking facilities, or any other site amenities are proposed. Guests would be permitted to use the restroom, laundry facilities, and playground located nearby in the Rose Grove Mobile Home Park (see Applicant's Narrative, p. 14 *Amenities*).

- B. Site Examination: The subject site totals 1.15 acres. It is vacant and virtually devoid of landscaping save for a few trees. Access to the site is proposed via an existing driveway with access to Pacific Avenue. This driveway is located on the west side of the property and also serves as one of the Rose Grove MHP driveways.
- C. Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	Community Commercial (CC)	Community Commercial (CC)	Vacant
North	Community Commercial (CC)	Community Commercial (CC)	Rose Grove MHP
South	Community Commercial (CC)	Community Commercial (CC)	Church AutoZone
East	Community Commercial (CC)	Community Commercial (CC)	Vacant
West	Community Commercial (CC)	Community Commercial (CC)	Best Western Motel

- D. Site Design: Access to the RV spaces would be provided by a looped driveway. RV spaces would range in length from 25 to 35 feet. Each space would also be provided one car-length parking stall. A pedestrian walkway would be provided parallel to the driveway (see Applicant's *Site Plan* Sheet 1). The water quality facility is proposed to be located adjacent to the Pacific Avenue right-of-way. A fence would be erected on the north, east and west property lines. All utilities would be underground.
- E. Tree Removal: Five trees are proposed to be removed to allow for construction of the RV park. According to ZO Section 9.945 *Trees on Developable Land, Prior to and During Development*, removal of trees over six inches in diameter or larger at four feet above the ground is to be evaluated as part of the conditional use permit process.

ZO Section 9.945(4) *Review Criteria* regulates when trees can be removed. Removal criteria include:

- (a) Necessity to remove trees which pose a safety hazard to pedestrians, property or vehicular traffic or threaten to cause disruption of public service; or which pose a safety hazard to persons or buildings.
- (b) Necessity to remove diseased trees or trees weakened by age, storm, fire or other injury.
- (c) Necessity to observe good arboricultural practices.
- (d) Need for access immediately around the proposed structure for construction equipment.
- (e) Need for access to the building site for construction equipment.
- (f) Essential grade changes. Essential grade changes are those grade changes needed to implement safety standards common to standard engineering or architectural practices.
- (g) Surface water drainage and utility installations.
- (h) Location of driveways, buildings or other permanent improvements so as to avoid unreasonable economic hardship.
- (i) Compliance with other ordinances or codes.
- (j) Necessity to install solar energy equipment.

A tree permit will need to be obtained, pursuant to Section 9.945(D)(4). The Commission needs to determine if the trees should be removed.

Not all of the above criteria would be applicable to this application. One tree is located under the Pacific Avenue utility lines and has previously been topped to maintain line clearance. It could be removed for that reason alone, but would also need to be removed to provide for a new sidewalk. A second tree proposed for removal would fall within the water quality facility. The remaining three trees would fall within the driveway or an RV parking space.

Staff is recommending a condition that the trees be allowed to be removed. ZO Section 9.950(A) requires that the applicant replace any removed trees. The new trees must be at least two inches in caliper, meeting City requirements for tree type, placement, installation, and watering provisions. The tree permit would address these detailed requirements, and staff has included a condition to address the tree removals.

F. Landscaping: The landscape plan proposes the following:

- North property line: an evergreen hedge with a minimum 6-foot height at full growth; Arborvitae or similar.
- East property line: a five-foot-wide planting area grass and vegetative screen, groundcover and shrubbery.
- South property line: the water quality facility.
- West property line: no landscaping (due to the existing driveway).
- Turf in the remaining area.
- Underground irrigation throughout.
- A sight-obscuring fence along the north, west, and east boundaries of the site.

An RV park is, in essence, a parking lot. As such, it should comply with the City's car park landscaping requirements. In the CC Zone, this would require a minimum five-foot-wide landscape buffer on three sides (north, east and west) and a minimum ten-foot-wide buffer along Pacific Avenue (ZO Section 9.708 *Landscaping Required*).

All parking areas are also required to comply with the provisions of ZO Section 9.826 *Landscaping Required*. This section requires:

- Landscaping at least equal to 8% of the Interior Parking Area.
- One tree per 1,600 square feet of the Interior Parking Area. These trees are to be dispersed throughout the parking area.

The Interior Parking Area would equal 0.75 acres or 32,670 square feet (1.15 acres less the 0.40-acre landscaped area). Dividing by 1,600 would equal a requirement of twenty trees. Staff is proposing a condition to require at least twenty trees (five of which would be replacement trees as described in Section (E) above) spread throughout the site to maximize shading. Twenty trees were required by the Commission when the project was approved in 2005 (see Exhibit B).

When the Planning Commission reviewed the application in 2005, these landscaping conditions were attached to the approval:

1. *A minimum three-foot-wide landscaped buffer shall be required along the north and east property lines. This buffer shall include landscaping to reduce the*

- massing of the fence. (ZO Section 9.826 Off-Street Parking and Loading/Parking Lot Design Standards).
2. A minimum three-foot-wide landscaped buffer shall be required along the west property line. This buffer shall include:
 - Vegetative ground cover; and
 - At least five trees within the first 100 feet north of the Pacific Avenue right-of-way (ZO Section 9.826 Off-Street Parking and Loading/Parking Lot Design Standards).
 3. A minimum eighteen-foot wide landscaped buffer shall be required along the south property line. The water quality facility may be located within this area (ZO Section 9.826 Off-Street Parking and Loading/Parking Lot Design Standards).
 4. Install a minimum of twenty trees, dispersed throughout the site. These trees shall be "Medium" or "Large" trees from the City's approved street tree list or an equivalent species approved by the Community Development Director. Trees shall have minimum two-inch caliper and six-foot branch height upon installation (ZO Sections 9.826 Off-Street Parking and Loading/Parking Lot Design Standards).
 5. All landscaping shall comply with Zoning Ordinance Section 9.858(3) General Landscaping Standards—Development Standards upon installation.
 6. A site-obscuring "good-neighbor" fence or equivalent shall be installed along the north, east, and west property lines. This fence shall have a minimum height of six feet. The east and west fences shall terminate at least ten feet north of the Pacific Avenue right-of-way.
 7. A landscape plan shall be submitted for review and approval by the Community Development Director prior to the issuance of a building permit. This plan shall include:
 - A fence along the Pacific Avenue frontage, on the south side of the water quality facility. The fence shall also extend at least ten feet north of the right-of-way on the east and west property lines. It shall be constructed of durable and attractive materials and shall be at least three-to-four feet tall. Additional height may be required around the water quality facility.
 - High-density landscaping on the north side of the fence.
 - Additional landscaping on the south side of the fence where appropriate.
 - A minimum five-foot-wide landscaped buffer shall be required along the north and east property lines.
 - A minimum ten-foot wide landscaped buffer shall be required along the south property line. The water quality facility may be located within this area.
 - If this were an undeveloped site, the new driveway would have to be located at least five feet from the property line. Its minimum width would be 24 feet. The existing driveway is 36 feet wide. The applicant is proposing to locate several nine-foot-wide parallel parking spaces along the west property line, leaving an effective driveway width of 27 feet. The three-foot "overage" would then be available for additional landscaping. Staff is proposing a condition install a buffer along the west property line; this would effectively increase the Best Western buffer by three feet.

With the proposed conditions, staff finds that the proposed landscaping and trees meet or exceed the standards of Zoning Ordinance Sections 9.708 CC Zone Landscaping Required, 9.826 Parking Area Landscaping Required and 9.858 General Landscaping Standards.

G. Architecture: Not applicable, as no buildings are proposed.

H. Compatibility:

- Lighting: Lighting would be provided by two 30-foot-tall cobra head lamps, located at the southeast and northwest corners of the site. ZO Section 9.963 *General Guidelines for Commercial Design Review/Accessories, Signage and Landscaping* recommends that lighting standards not exceed 14 feet in height. As the lights would be sited outside the driveway and parking areas, they should not interfere with the antennae systems of any RV.

- Compatibility: The General Guidelines for Commercial Design Review note that *"The establishment of design principals is essential to an improved quality of life and a positive visual image. . . The purposes of design review are to (in part):*
 - *Provide those qualities in the environment which bring value to the local community.*
 - *Foster the attractiveness and functional utility of the local community as a place to live and work.*
 - *Protect public and private investments in the local area.*
 - *Encourage a mix of uses."*

As this location is one of the primary gateways into the community, staff believes that the RV park should be made as attractive as possible. In 2005, the Planning Commission approved the application with the following condition to address the site's prominent location:

A landscape plan shall be submitted for review and approval by the Community Development Director prior to the issuance of a building permit. This plan shall include:

- *A fence along the Pacific Avenue frontage, on the south side of the water quality facility. The fence shall also extend at least ten feet north of the right-of-way on the east and west property lines. It shall be constructed of durable and attractive materials and shall be at least three-to-four feet tall. Additional height may be required around the water quality facility.*
- *High-density landscaping on the north side of the fence.*
- *Additional landscaping on the south side of the fence where appropriate.*

As for the other site boundaries, the application notes that "A sight-obscuring fence will be placed along the north, west and east boundaries of the site" but does not describe its height or materials. Staff has proposed a condition to require a "good-neighbor" fence or equivalent with a minimum height of six feet along the north, east, and west property lines. With the proposed conditions, staff finds that the proposed landscaping and trees meet or exceed the standards of ZO Section 9.963 *General Guidelines for Commercial Design Review*.

- I. Environmental Quality: There is no City record of any prominent environmental conditions. The applicant will be required to construct a water quality facility in compliance with CWS standards and specifications to receive and treat the runoff from this project. Due to the installation of landscaping where there is none presently, air quality may be slightly improved.

- J. Density: Not applicable, as this is not a residential project.

- K. Traffic and Circulation: The site will take its access from Pacific Avenue, a designated Arterial street. It is under ODOT jurisdiction, and has not been improved to an urban standard, lacking curbs, gutters, a sidewalk, and street trees. As of the writing of this report, ODOT has not commented on this proposal. As a condition of approval, staff has proposed that the street frontage be improved to an urban standard, including curbs, gutters, a sidewalk, and street trees.

Because Pacific Avenue is a designated Arterial street, the traffic generated by this proposal is not anticipated to have a significant adverse affect on the existing street system capacity. As projected by the applicant's traffic analysis, evening peak hour traffic would increase by only eight trips (five inbound, three outbound. See Kittelson page 11). While the anticipated left-turn movements outbound from the site would remain few in number, this too was analyzed to determine if any safety improvements were warranted. The applicant's traffic analyst concluded that "A review of the crash data along Pacific Avenue does not suggest that a roadway/traffic design deficiency exists (Kittelson, page 8) and has not recommended any safety improvements. Staff is not award of any other information to disagree with this conclusion.

- L. Parking: Parking demand is based on the number of "rooms" provided. For Commercial Lodging, ZO Section 9.823 *Parking Requirements* stipulates a minimum of one off-street space and a maximum of 1.2 spaces per room. A total of 25 spaces are therefore permitted. The proposal includes one off-street parking stall for each RV space. Nine additional spaces are proposed along the west side of the driveway, for a total of 29 spaces. Because the proposed number of spaces exceeds the maximum number permitted, staff has proposed a condition to limit the number of off-street parking spaces to 25.
- M. Public Services: Generally, the project location is at an infill site with services available (see Applicant's Narrative p. 14 *Utilities*).

Sanitary Sewer: City sanitary sewer facilities are available in the Rose Grove driveway. Capacity is adequate to serve the proposed use. A hook-up will be provided at each space.

Water: City water facilities are available in Pacific Avenue. Water supply will be adequate to serve the proposed use. Each RV space will be served by a private water meter.

Storm Drainage: Storm drainage facilities are available in Pacific Avenue, but will need to be extended from their current terminus west of the site. Capacity is adequate to serve the proposed use. In addition, the applicant will be required to construct a water quality facility in compliance with CWS standards and specifications.

Electrical Service: Electrical supply is adequate to serve the proposed use.

Park and Public School Systems: As this is not a residential project, this criterion is not applicable.

Other Public Services: Police, fire, and sanitation services are available and are adequate to serve the proposed use. Because the nearest existing fire hydrant is located across Pacific Avenue from the site, the applicant has proposed to install an additional fire hydrant near the park's entrance.

III. APPROVAL CRITERIA, FINDINGS AND ANALYSIS

Zoning Ordinance Section 9.873 *Consideration of Conditional Use Application* requires that the Commission find that the proposal complies with the following criteria:

- (1) **That all public facilities serving the proposed use, including but not limited to sanitary sewers, water, streets, storm drains, electrical distribution, parks and public safety and schools are adequate, and meet current City standards;**

Applicant's Response:

Sewer, Water and Storm Water Facilities: Sewer, water and storm facilities are all available to the site within the Pacific Avenue right-of-way and are of adequate size to allow connection and service to the proposed site. A pre-application conference was held with the City of Forest Grove on December 15 (2004). At that time issues associated with providing water and sanitary storm drain services were discussed and no issues were raised regarding capacity of current city systems or issues associated with build-out of the site.

In addition, many more intensive uses are allowed in the CC zone at this location. Examples of more intensive uses include motels, hotels and restaurants, including fast food restaurants. Compared to the level of service that would be required to serve many of the uses allowed outright in the CC zone, the RV park is a relatively minor user of sanitary sewer, water and storm drain services.

Streets: Kittelson & Associates were retained to assess the impact of the proposed RV Park on the surrounding street system. The complete report is located in the Appendix of this report. The study identified intersections to be potentially impacted which included the following:

Mountain View Lane/Pacific Avenue intersection
Private drive west/Pacific Avenue intersection
Private drive east/ Pacific Avenue intersection
Best Western-Auto Zone Driveway/Pacific Avenue intersection

Pacific Avenue is operated and maintained by ODOT. ODOT evaluates intersection performance based on the intersection's volume-to-capacity ratio. The Kittelson report concludes that at each intersection, the v/c ratio meets or exceeds the performance standard established by ODOT during P.M. peak periods under existing and future (with site traffic) conditions. Kittelson's report indicates that the 21 space RV Park will generate 8 trips during the PM peak hour. The street system has adequate capacity to accommodate traffic generated by the proposed RV Park.

Electrical Service: Electrical service is available to the site. Therefore, the site can be connected to existing electrical service.

Schools and Parks: *The RV Park use will not provide a permanent housing option. Therefore, it is not anticipated that the use of the site for an RV park will generate any demand on school facilities.*

Public Safety: *The site is located within the city limits and fire and police protection services are provided by the city. Based on the comments that were received from the Forest Grove Fire Department, the radius curves within the park were modified from the original design in part to accommodate the turning movements of emergency vehicles. In addition, a fire hydrant is proposed on the east side of the private drive near Pacific Avenue.*

Security issues have been addressed by the provision of adequate lighting and proposed fencing around the perimeter of the site. A new fence will be located along the eastern, western, and northern boundaries of the site. This should limit intrusion by RV park guests into the neighboring properties. Exterior lighting will be provided near the four corners of the park to provide adequate lighting for park visitors and adding to the security of the park.

Given the proximity of the site to existing services the public services are adequate to serve the proposed RV Park and this criterion is met.

Staff Analysis and Findings: *Based on the analysis in the staff report, the impact to public facilities and services will be negligible as the parcel is adequately served.*

(2) That the proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect on said use on surrounding properties and uses;

Applicant's Response: *It is important to note the surrounding land uses and properties. To the north is the existing Rose Grove Mobile Home Park. Three mobile homes are located along the northern boundary of the proposed RV Park. West of the proposed RV park is the Best Western Motel. Exhibit Four illustrates the footprint of the motel as it relates to the subject property. Note that the private driveway is located between the motel, the motel parking lot and the proposed RV park. To the south of the site is Pacific Avenue, which provides 110 feet of distance between the proposed RV park and the uses on the south side of Pacific Avenue. To the east of the site is vacant property, which is zoned identically to the subject property.*

The design of the park together with the park regulations intentionally mitigates adverse effects of the RV park on surrounding properties and their use. The following specific open space, landscaping and design features prevent adverse effects on surrounding properties and uses:

- *The RV spaces are arranged around the southern, northern and eastern perimeter of the site, thereby minimizing the impact of the interior loop road on adjacent properties. The spaces at the northern edge of the site back up to three existing mobile homes and buffer the noise caused by on-site vehicles.*
- *The exterior lighting for the site is located around the four corners of the site and east of the private driveway. The lighting is designed to provide maximum illumination within the park but creates minimal impact on adjacent*

properties. The location of the lighting on the east side of the private driveway will allow minimal disruption to guests of the adjacent motel.

- *Thirty-five percent (35%) of the site is dedicated to landscaping.*
- *Fencing is provided along the northern, western and eastern edge of the site, except across the private driveway, which will minimize trespassing of RV park visitors onto adjacent properties.*
- *The proposed vegetated swale, which functions as a storm water facility, also provides a landscaped buffer between the RV spaces and the traffic along Pacific Avenue. The distance of the spaces from Pacific Avenue is 20 feet.*
- *The RV park and the motel located to the west of the site have many similar characteristics. Both cater to visitors, accept guests 24 hours per day, are auto-dependant uses and are dependant on the exposure from Pacific Avenue. The motel located to the west of the northern portion of the site will be separated from the RV spaces by the 35-foot-wide private driveway, thereby minimizing the impact of the RV guests on motel guests.*

Staff Analysis and Findings: Approximately 35% of the site would be landscaped open space. However, as proposed the development would not comply with the minimum five-foot setback requirements of a parking area. In addition, the proposed landscape plan was devoid of any trees, as required by ZO Section 9.826. The recommended increase in the perimeter setback requirements and the inclusion of at least twenty trees to the landscape plan will provide adequate buffering.

No fence or landscaping (aside from the water quality facility) was proposed adjacent to Pacific Avenue. The park's aesthetic design treatment is important due to the site's prominent location along the primary entrance into the city. A condition to require a fence along Pacific Avenue, combined with high-density landscaping and street trees, would provide greater visual separation from the street. These improvements would thus reduce the adverse visual impacts on the adjacent area.

- (3) **That the proposed use will ensure that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety, and welfare;**

Applicant's Response: *The city has determined that the RV park is similar in character and use to other uses allowed in the CC zone. The site will be served with public services for sewer, water, storm water drainage, garbage and will not cause degradation to air, land, or water resources. Glare from outdoor lighting will be minimized based on the type of lighting used and its placement which is shown on Exhibit Four to provide maximum illumination within the park while minimizing impact on the adjacent motel use. The park's regulations regarding garbage pickup, speed limit, required hook-ups, and other issues, will ensure that the park maintains a clean and safe environment for park residents and for the area surrounding the site.*

Staff Analysis and Findings: No air, land, heat, noise, or vibration issues are anticipated as a result of this project. Glare may be a factor, but should be adequately mitigated by the proposed fencing and the landscaping as recommended by staff. As the proposed facilities would be located well away

from most adjacent uses, no conditions are anticipated to be created that would be injurious to public health, safety, or welfare.

- (4) **That the proposed use will comply with the purpose of this section and with all of the applicable provisions of the Zoning Ordinance.**

Applicant's Response: *The Forest Grove Zoning Ordinance does not identify a purpose in the Conditional Use Provision. Section 9.874 however, states that "the Planning Commission may make its approval of a conditional use application subject to any conditions necessary to protect the neighborhood, surrounding property, and the City as a whole, in addition to the express requirements of the Zoning Ordinance; provided that the provisions of the Section shall not apply to Manufactured Home Subdivisions and Manufactured Dwelling Parks." It can be interpreted that the purpose of the Conditional Use Provisions is to protect the neighborhood, surrounding property and the city as whole. The applicant has demonstrated that the request is consistent with criteria 1, 2 and 3 and thereby when constructed in accordance with the proposed plans will be consistent with Section 9.874 of the Code.*

Staff Analysis and Findings: With the proposed conditions, this project will comply with all applicable provisions of the Zoning Ordinance.

IV. ALTERNATIVES

The Planning Commission may approve as submitted, approve with conditions, continue deliberations to a date certain, or deny this request.

V. RECOMMENDATION

Based on the information provided in the application and the findings above, staff recommends approval of the application for a conditional use permit for the proposed Rose Grove Recreational Vehicle Park, with the following conditions:

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. The applicant shall comply with all applicable City building and development standards, including all dimensional standards and public works specifications.
3. The applicant shall demonstrate compliance with the applicable provisions of OAR 918-650-0000 et. seq. *Recreation Parks and Organizational Camps*.
4. Install full street improvements (curb, gutter, sidewalk, drive approach, street trees and parkway landscaping including vegetative ground cover) along Pacific Avenue (Zoning Ordinance Section 9.855 *Site Plan Approval and Compliance with Public Facility Standards Required*).
5. A lighting plan, in accordance with the landscape plan, shall be reviewed and approved by the Community Development Director prior to the issuance of a building permit. Lighting standards shall not exceed fourteen feet in height and shall be shielded to minimize glare into the adjacent residential area and Pacific Avenue (ZO Section 9.963 *General Guidelines for Commercial Design Review/Accessories, Signage and Landscaping*).
6. All underground utilities shall be required.
7. A minimum three-foot-wide landscaped buffer shall be required along the north and east property lines. This buffer shall include landscaping to reduce the massing of

- the fence. (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
8. A minimum three-foot-wide landscaped buffer shall be required along the west property line. This buffer shall include:
 - Vegetative ground cover; and
 - At least five trees within the first 100 feet north of the Pacific Avenue right-of-way (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
 9. A minimum eighteen-foot wide landscaped buffer shall be required along the south property line. The water quality facility may be located within this area (ZO Section 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
 10. Install a minimum of twenty trees, dispersed throughout the site. These trees shall be "Medium" or "Large" trees from the City's approved street tree list or an equivalent species approved by the Community Development Director. Trees shall have minimum two-inch caliper and six-foot branch height upon installation (ZO Sections 9.826 *Off-Street Parking and Loading/Parking Lot Design Standards*).
 11. All landscaping shall comply with Zoning Ordinance Section 9.858(3) *General Landscaping Standards—Development Standards* upon installation.
 12. A site-obscuring "good-neighbor" fence or equivalent shall be installed along the north, east, and west property lines. This fence shall have a minimum height of six feet. The east and west fences shall terminate at least ten feet north of the Pacific Avenue right-of-way.
 13. A landscape plan shall be submitted for review and approval by the Community Development Director prior to the issuance of a building permit. This plan shall include:
 - A fence along the Pacific Avenue frontage, on the south side of the water quality facility. The fence shall also extend at least ten feet north of the right-of-way on the east and west property lines. It shall be constructed of durable and attractive materials and shall be at least three-to-four feet tall. Additional height may be required around the water quality facility.
 - High-density landscaping on the north side of the fence.
 - Additional landscaping on the south side of the fence where appropriate.
 14. No more than 25 off-street parking stalls shall be permitted.
 15. The applicant shall enforce park rules and regulations.

VI. LIST OF EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

Exhibit A Conditional Use Permit narrative and application materials, prepared and submitted by Michael Robinson, on behalf of the applicant.

Exhibit B Planning Commission Decision 2005-07

**Planning Commission Findings and Decision Number 2008-04 to Deny
Conditional Use Permit CU-08-01 for the Rose Grove Recreational Vehicle Park**

WHEREAS, Rose Grove Mobile Home Park filed for a conditional use permit on June 25, 2008, to construct a new 21-space recreational vehicle park and that said site is within the Community Commercial Zone district; and

WHEREAS, the application was deemed complete on June 25, 2008; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on June 30, 2008, as required by Zoning Ordinance Section 9.915. Notice was also published in the *News Times* on July 16, 2008, as required by Zoning Ordinance Section 9.915. No written comments were received in response to these notices; and

WHEREAS, the Planning Commission held the duly noticed public hearing on the proposed conditional use permit on July 21 and August 4, 2008.

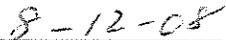
The City of Forest Grove Planning Commission does hereby **DENY** the conditional use permit for the Rose Grove Recreational Vehicle Park, making the following specific findings in support of this decision:

- (A) The Planning Commission adopts by reference the staff report, including findings and recommendations, dated July 14, 2008. In the event that there is any inconsistency between the staff report and this decision, this decision shall control.
- (B) Although in 1998, the Planning Commission determined that recreational vehicle facilities are a conditionally-permitted similar use in the Community Commercial Zone, this Commission disagrees with that interpretation to the extent it would allow a single-family residential use in the Community Commercial zone. This Commission agrees with the earlier interpretation to the extent it would allow commercial recreational vehicle facilities (e.g. sales and service) in the Community Commercial zone.
- (C) The application does not meet the criteria for a conditional use permit for the following reasons:
 - 1. Testimony was provided that the applicant has an existing 21-unit RV park on the property in which the RVs are used as primary residences and has been determined by staff to be a non-conforming use.
 - 2. The Commission finds that it cannot limit the length of residency in a recreational vehicle in a Recreational Vehicle Park under ORS 197.493.
 - 3. The Commission finds that the applicant's application for an additional 21-unit RV park is intended to be used as a single-family residential use in the Community Commercial Zone.

4. The Commission finds that the only residential use allowed in the Community Commercial Zone is multi-family dwellings.
5. The Commission finds that recreational vehicles are not multi-family dwellings and therefore are not an allowed residential use in the Community Commercial Zone.
6. Public testimony was entered into the record that some residents of Rose Grove Mobile Home Park have trespassed onto and damaged adjacent properties.
7. There is evidence in the record that there is on-going nuisance activity (criminal, gangs, and graffiti) in the adjacent mobile home and RV park.
8. The applicant has not sufficiently demonstrated that this activity will not extend to or adversely affect the proposed use. Particularly in light of the fact that the existing park that generates the nuisance activities includes an RV park and is operated by the applicant for the proposed RV Park, the Commission does not find that the land will not "be used for any purpose that creates or causes to be created any public nuisance."
9. The Commission finds that because no landscape plan was submitted, the applicant did not demonstrate that the proposal would provide adequate landscaping and aesthetic design to mitigate the effect of the RV Park on surrounding properties and uses.



TOM BECK, Chair



Date

**city of
forest
grove**

Rose Grove Mobile Home Park

To Whom It May Concern,

August 4, 2008

I would like to extend my appreciation to Terri Hughes for the continued effort in making the Rose Grove Mobile Home Park a safer community for the residents and children who live there

She has strived to form a community watch group, involving residents in the park to participate in learning how to protect themselves and their properties from crime. She has also commenced in clean up efforts and environmental improvements with the removal of trees and brush that could hide unwanted individuals in the community

Terri has also formed activities for the children in the park and created safe places for them to gather and play.

I know she will continue to reach out to the community there with ideas for safe and constructive ways to improve the park and to help rid the gang and drug elements that used to dominate the area.

Thank you again Terri for your continued support in helping to keep crime at bay

Stay safe


Community Service Officer
Sharon Hartung

Handout #2





Activities to help stop gangs

I hope this is what you wanted from me. I did write out as much as possible to show how Clarence and I think we can overcome some of the social issues that allow the bad things like gangs to creep in. I believe that gangs getting a grip in any neighborhood, is a social problem. I cannot be convinced that it is because of a particular race or culture. In fact, most of the past problems with gang and drug activity in this park was an equal mix of races, maybe a little heavier on the Caucasians.

When Clarence and I first accepted the job as managers, we tackled 2 issues that we felt were contributing factors for gang activity and drugs. Clean up of the common areas and evicting known drug places.

We held tenant meetings and talked to everyone about being a community that has pride in what they own. I tried to get a neighborhood watch group started. Unfortunately, some tenants thought it gave them permission to march up and down the streets, finding fault with everyone, so we tried something different. We started having meetings with 2 streets at a time and started a tenant committee. We have had the chief of police and other officers come to the meetings.

The next item we believed was a priority is to reach the young people in this park. Forest Grove does not offer after school free activities. There is nothing to keep their minds and bodies active. We thought a sports program would help the entire situation. Unfortunately, it takes more than wishful thinking to get it going. We put tetherballs at the playground the first summer. We had some playground activities. We moved the bus stop to the front of the office.

We have organized some all park activities such as BBQ's at the playground, which are a combination of owner paid for and potluck. These include karaoke, games, and food. Another activity is the Costume Party and parade in October. We have added a carnival to this activity as of 2007. We have a tenant who donates many hours of time and her own money to make this function happen. Every child attending gets prizes, candy, and more prizes. We have food and drinks. The plans for 2008 Party are already in the process.

This year, Dorothy Royce paid for a lot of equipment such as volleyball nets and balls, soccer goals and balls, ping pong tables and paddle and balls, Badmitten sets, and kick balls. We organized a check out program. Currently we are organizing teams with adult coaches and teenage assistants.

We have a college student, Josh Russell, who is our paid playground supervisor. He will be a sophomore at Southern Oregon University, in Ashland, OR. During the school year he has a Sports Radio Show and he referees for the So Or Univ sports department. He will be checking out the equipment, training and supervising teen coaches, and watching the children play.

Another issue that we felt caused problems in the park was the fact that some families do not have enough food. Children seem to get into trouble more often when there is a constant financial struggle. We started a tenant supported food bank. Every once in a while we actually get donations of milk and fresh vegetables. But for the most part, it is canned goods, beans, rice, and other staples.

On holidays, Clarence and I cook many turkeys, make enough potatoes, dressings, salads, pies, and vegetable trays, to feed about 100 people. We have tenants who cannot get out and about so we deliver. We have an open to anyone, dinner in the rec room. We normally will have single working moms, elderly people and people that have no family. Our friends and family know that they can join us; it is how we celebrate the holidays. (They have to work on the cooking, if they are here.) The money we used in the past was from the savings I had to paint Clarence's truck. I am a little concerned this year because we could not put off the truck and some other things. But, I believe it will work out.

We start getting donations of toys and other items for the children for Christmas. I used Clarence and my bonus checks from the owners to buy vegetables, fruit, milk, and other items to give to the families, along with the donated toys. Plus last year, Dorothy helped. We were able to deliver food boxes to 60 homes, presents to over 100 homes. This makes a difference. Children need to have things and when the parents cannot afford even a special dinner, let alone buying toys, it hurts. Gangs recruit the needy kids.

Twice a year we have a clothes give away. People donate clothes, shoes, jackets, and other items. A lot of things are brand new. We set up the rec room and let people help themselves. We have rules, no dirty items or trashy stuff. Last time, we had more than 50 jackets, 100 pairs of jeans, and stacks of other good, clean, usable clothes. We also had blankets and sheets.

To help teach the children the correct way to do things, we bring in programs like Oregon State University Extension Services to teach and train. The Washington County sent us a group to teach children how to have fun with a few items around the home.

Washington County Community Action comes in once a year for a weatherization program. They have college students that will go to homes to help weatherize the windows. Rebuilding Together is another program that is helping our tenants with painting their homes, new windows, roofs, and other repairs. The work and materials are donated. Many tenants cannot afford to repair their homes. This program helps a lot.

All of these activities help fight the drugs and gangs. Children always go for the best offer. I still want more for this park and the people that work hard. Yes, we have the problem tenants, but they are the minority. Yes, we have graffiti, but so does all of Cornelius, Forest Grove, and Hillsboro. Yes, our children throw down trash when they walk someplace. We clean it up, grumbling all the time. But, we are a clean park. If someone would research any neighborhood with this many homes, they would find problems. That does not make the whole neighborhood rotten. We continue, on a daily basis, to improve the park and better the tenants. We do attract a better class of persons wanting to buy here because of the improvements.

P.O. Box 1131
Meeting on Sunday at 1050 Mt. View
Forest Grove, Oregon 97113
503-799-1607 - Web site - [fccoforestgrove.com](http://www.fccoforestgrove.com)

Rose Grove Mobile Home Park
Attention: Terri

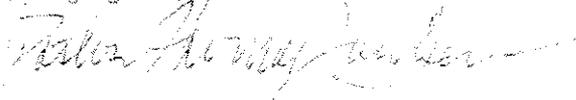
To whom it might concern:

My name is Tom Jacobsen and I'm the senior Pastor of Fellowship Community Church. For eight weeks this summer we have had a children's noon time feeding program at Rose Grove Mobile Home park where we have feed anywhere from 35-85 children.

This program has been very successful. The residents and their children have warmly received us and the children have been well kept, very polite, and easy to help and work with. In conjunction with our program, that is run through Washington County, two other programs were working with us to provide the children with activities during the noon time hour. One, Washington County provided 2 part time activity assistants to play and provided activities to the playground where we feed them lunch. Second, Oregon State University Extension provided a three day program to teach the kids how to make for themselves healthy snacks. Both of these activities were well attended and again all reports showed that the kids were well behaved. They now have a playground supervisor to encourage playground activities.

This has been a good summer at Rose Grove and Fellowship Community Church intends to do this program next year because of the wonderful co-operation we received from the staff at Rose Grove and the attitude of the kids and parents of the park.

Serving together,



Pastor Thomas Jacobsen

cc. To: [illegible]
cc. Alice Beggs



1120 N.W. Couch Street, Tenth Floor

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Michael C. Robinson
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FAX (503) 346-2264
EMAIL MRobinson@perkinscoie.com

June 25, 2008

VIA MESSENGER

Mr. James Reitz
Associate Planner
City of Forest Grove
P. O. Box 326
Forest Grove, OR 97116-0326

Re: Application by Charles and Dorothy Royce for Reapproval of Conditional Use Permit for Recreational Vehicle Park

Dear Mr. Reitz:

Please find enclosed a complete application for this matter. I have also enclosed a check in the amount of the applicable application fee and a City of Forest Grove application form signed by Mr. Royce.

As you know, the Forest Grove Planning Commission previously approved this application in 2005. Unfortunately, the approval expired. Since that time, I have discussed with you and Mr. Holan how to process this application and the information required for a complete application. I have also enclosed three (3) copies of the narrative addressing the applicable approval criteria, a copy of the final order previously approved by the Planning Commission, and the previous staff report.

Because we have previously addressed the issues associated with this application and because nothing has changed, I would appreciate your placing this application on the next available Planning Commission agenda and providing me with notice of the hearing. I am the applicant's representative and all correspondence concerning this matter should be sent to me.

29346-0002 LEGAL14410834 1

ANCHORAGE BEIJING BELLEVUE BOISE CHICAGO DENVER LOS ANGELES MENLO PARK
OLYMPIA PHOENIX PORTLAND SAN FRANCISCO SEATTLE SHANGHAI WASHINGTON, D.C.

Perkins Coie LLP and Affiliates

Mr. James Reitz
June 25, 2008
Page 2

Please call me with any questions.

Very truly yours,

 for Michael C. Robinson
Michael C. Robinson

MCR/cfr

Enclosures

cc: Ms. Dorothy Royce (w/encls.) (via U.S. Mail)

CONDITIONAL USE PERMIT & SITE PLAN APPROVAL

For

Rose Grove Recreational Vehicle Park

Prepared for:

Rose Grove Mobile Home Park, LTD.
PO Box 1750
Pacific Palisades, CA 90272

July 2005

Prepared By:

Stiven Planning and Development Services LLC
22400 Salamo Road, Suite 201
West Linn, OR 97068

Sisul Engineering
375 Portland Ave.
Gladstone, OR 97027

Kittieson & Associates
610 SW Alder, Ste. 700
Portland, OR 97205

Perkins Coie LLP
1120 NW Couch St., 10th Fl.
Portland, OR 97209

**ROSE GROVE RECREATIONAL VEHICLE PARK
CONDITIONAL USE PERMIT
SITE PLAN APPROVAL**

SUMMARY OF FACTS

Applicant: Charles and Dorothy Royce
Rose Grove Mobile Home Park, LTD.
PO Box 1750
Pacific Palisades, CA 90272
(310) 459-5235

Owner: Dorothy Royce
C/o Rose Grove Mobile Home Park, LTD.
PO Box 1750
Pacific Palisades, CA 90272
(310) 459-5235

Applicants' Representative: Martha F. Stiven
Stiven Planning & Development Services, LLC.
22400 Salamo Road, Suite 201
West Linn, OR 97068
Telephone: 503-650-8806
Fax: 503-650-3668
Email: mstiven@aol.com

Request: Approval of a Conditional Use Permit and Site Plan to allow a 21 space recreational vehicle park.

Location: The site is located on the north side of Pacific Avenue, between the existing Best Western Motel and Doherty Ford.

Tax Map: 1N3 32D Tax Lot 1400 (See Appendix for Metes and Bounds Legal Description).

Address: 4015 Pacific Avenue, Forest Grove, OR.

Size: 1.15 Acres.

Zoning: City of Forest Grove - Community Commercial (CC).

DEVELOPMENT TEAM:

Land Planning: **Martha F. Stiven**
Stiven Planning & Development Services LLC
22400 Salamo Road, Suite 201
West Linn, OR 97068
Telephone: 503-650-8806
Fax: 503-650-3668
Email: mstiven@aol.com

Civil Engineering: **Thomas Sisul, P.E.**
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Fax: 503-657-5779
Email: tomsisul@sisulengineering.com

Legal: **Mike Robinson**
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Fax: 503-727-2222
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Traffic: **Brandon Nevers**
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Portland, OR 97205
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E-mail: bnevers@kittelsohn.com

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Letter Approving Similar Use Authorization, dated August 29, 1997

CWS Sensitive Area Pre-Screening Site Assessment File Number 4949

Rose Grove Mobile Home Park Site Plan

Traffic Impact Analysis

Metes and Bounds Legal Description

I. Introduction and Request

Charles and Dorothy Royce, the applicants, are requesting approval of a recreational vehicle park on a 1.15 acre parcel located along Pacific Avenue adjacent to the Rose Grove Mobile Home Park. The applicants own Rose Grove Mobile Home Park as well as the 1.15 acre parcel of property adjacent to the existing park. They wish to develop a 21 space recreational vehicle park which will provide short term spaces for those visiting the Forest Grove area.

The Forest Grove Zoning Ordinance does not provide for recreational vehicle park uses in any zone. Specifically, Recreational Vehicle Park is not defined nor listed as a permitted or conditional use in the Zoning Ordinance. However, in 1997 a "Similar Use Authorization" to allow a recreational vehicle park in what was then the Commercial Auto (CA) zone was approved by the Planning Commission. (See Appendix for the Letter Approving Similar Use Authorization dated August 29, 1997). The approval of the similar use authorization allowed the future RV Park to be developed within the CA zone as a conditional use. Subsequent to the approval of the similar use authorization, the CA zone was consolidated into the Community Commercial Zone (CC). Although the Forest Grove Zoning map shows the subject property as Commercial Auto Overlay zone (CA), the Zoning Ordinance text no longer contains or references the CA zone. According to planner James Reitz, the CA zone was merged with the CC zone. When the zones were merged, the area containing the subject property was geographically described in the ordinance and specifically exempted from the building orientation provisions.

Because the existing CC zone represents a consolidation of the former CA zone within the existing CC zone, the former similar use provision applies to the use within the CC zone. Therefore, the proposed RV park use is considered similar to the other uses in the CC zone and is thereby processed in accordance with the Planning Commission's desire to review the application, subject to the city's conditional use provisions.

This application provides the supporting documentation to demonstrate that the proposed RV Park is consistent with the applicable provisions of the Forest Grove Zoning Ordinance (FGZO) regarding conditional use, approval and site plan review.

In order to develop the site, the applicant must receive approval of an approach road permit from the Oregon Department of Transportation (ODOT). However, ODOT staff has indicated that the request for a road approach permit will not be approved until the appropriate local land use permits have been granted. Upon approval of the CUP, the applicant will apply for the ODOT permit.

The applicant respectfully requests approval of a conditional use permit for the Rose Grove RV Park, subject to approval of a road approach permit by ODOT.

II. Site Characteristics

A. Location and Size

The site is located on tax lot 1400 of Map 1N3 32D in Forest Grove. The address of the site is 4015 Pacific Avenue. The site is 1.5 acres, or 50,094 square feet. (See Exhibit One, Site Identification Map).

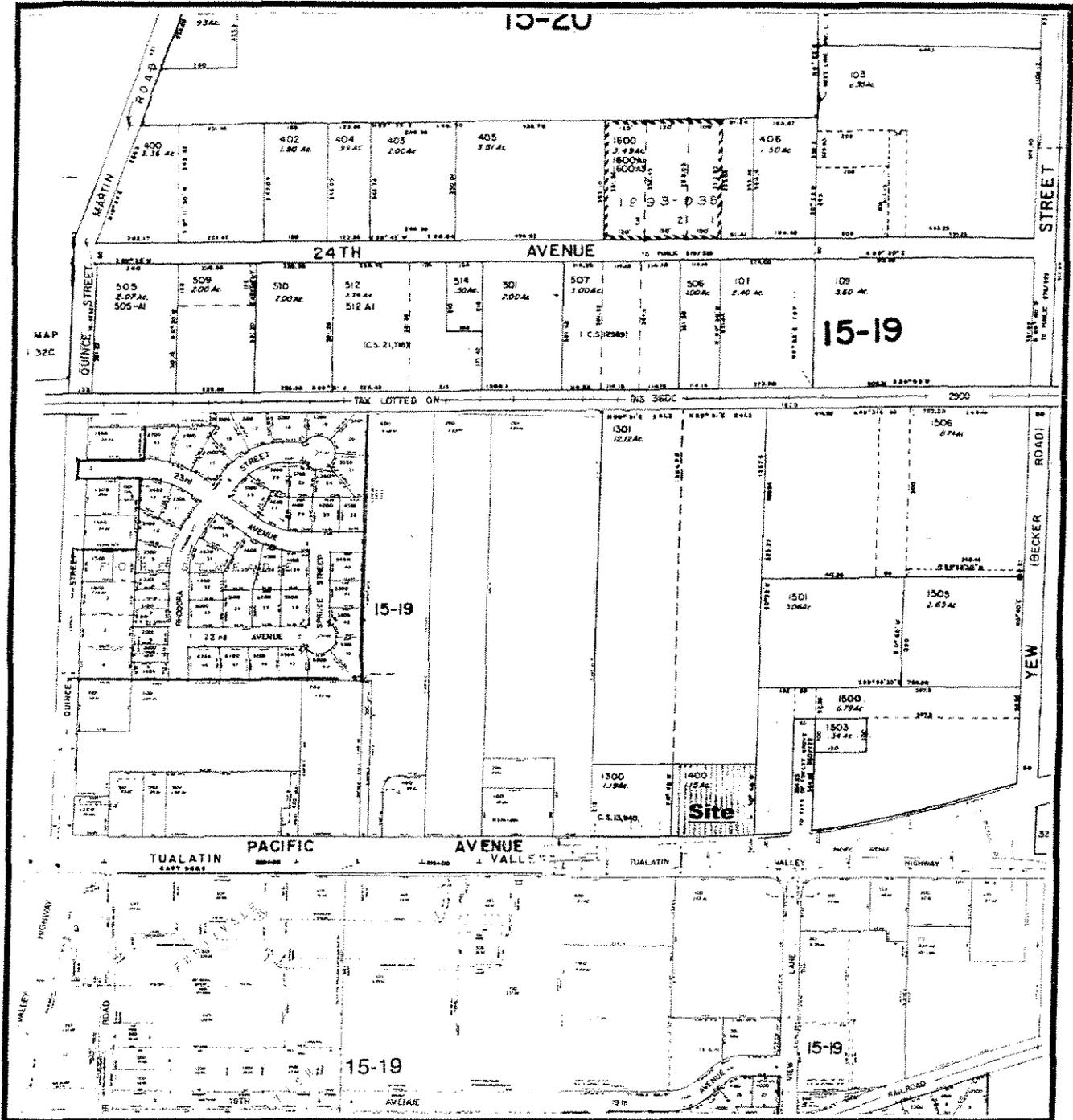
B. Past Land Use Actions

In 1997 the site was zoned Commercial Auto (CA). At that time the FGZO did not provide for RV parks as allowed or conditional uses in any zone. Therefore, the owners applied for and the city approved a similar use authorization that determined that a RV park could be allowed as a conditional use in the CA zone. In 1998 the FGZO was amended and zoned the area east of Oak Street to the city limits as Community Commercial (CC) and exempted the same area from the building orientation provisions of Section 9.7004(1)(b) through (d) and Section 9.8555(5)(c)(iii)(A). The zoning ordinance does not currently provide for RV parks as allowed or conditional uses in any zone.

Prior to this land use action, the applicant considered applying for a conditional use permit for the RV park, but it was determined that an access permit is required from Oregon Department of Transportation (ODOT) in order to use the proposed access to the site. However, since then, it has been determined that in order to move forward on the access permit, the site needs to be approved for the conditional use permit.

C. Existing Zoning and Land Use

The site is zoned Community Commercial (CC). The intent of the CC zone is to promote a concentration of mixed uses including intensive retail, service, office and residential uses, located along the regional transit system. The subject site is exempt from specific building orientation provisions.



Site Location Map

Rose Grove Recreational Vehicle Park
 Conditional Use Permit & Site Plan Review
 February 2005

Stiven Planning & Development Services, LLC
 22400 Salamo Road, Suite 201
 West Linn, OR 97068
 503-650-8806

EXHIBIT ONE

In 1997 the intent of the Commercial Auto zone was described in the FGZO as follows:

"It is the intent of the CA zone to provide locations for businesses, services, and multi-family uses along major transportation arterials while preventing the occurrence of uncontrolled strip commercial development. This is accomplished by providing for adequate landscaping and buffering between incompatible uses, by controlling access to adjoining properties to minimize reduction in the capacity of the adjacent arterial and by allowing and encouraging the combination of uses in joint development projects."

The CA zone no longer exists as a zone. The CC zone exempts all properties located in the area east of Oak Street to the city limits, from the city' building orientation standards.

The site is currently vacant and contains a driveway located along the western boundary serving the Rose Grove Mobile Home Park, located directly north of the subject property.

The site is surrounded by property zoned and developed with uses consistent with the CC Zone. Table One illustrates the zoning and uses of the properties surrounding the subject site.

The properties to the north and west are developed with the Rose Grove Mobile Home Park. Property to the immediate west is the site of a Best Western Inn. Property to the east is owned by Doherty Ford and is adjacent to the Ford Dealership. Property to the south of Pacific Avenue is a mixture of commercially developed and vacant lands.

Table One
Existing and Surrounding Zoning and Land Uses

Site Identification	Zoning	Land Use
Tax Lot 1400 (Subject Property)	Community Commercial	Vacant/Driveway to Rose Grove Mobile Home Park
Tax lot 1300 (west)	Community Commercial	Motel
Tax lots 1301, 1501, 1505 (north and northeast)	Community Commercial	Rose Grove Mobile Home Park
Tax lot 1500 (east)	Community Commercial	Auto Dealership
South of Pacific Avenue	Community Commercial	Church and Retail Commercial

D. Existing Physical Features

The site is relatively flat. An open ditch currently runs along the site frontage along the highway right-of-way. A gravel driveway serving the existing Rose Grove Mobile Home Park exists along the western edge of the site. There are four trees located on the site. (See Exhibit Two, Existing Conditions).

According to the City Planner, none are significant enough to warrant preservation and can be removed. (See Exhibit Three, Site Photographs). An existing power pole is located near the center of the site.

There are no sensitive areas identified by Clean Water Services (CWS). CWS completed a sensitive area pre-screening site assessment on November 26, 2004, and determined that sensitive areas do not appear to exist on site or within 200 feet of the site. (See Appendix for CWS Sensitive Area Pre-Screening Site Assessment File Number 4949).

E. Existing Utilities

Sanitary Sewer - There is an existing 12" sanitary sewer line located within the north side of the highway right-of-way and an existing 16" sanitary sewer line located under the on-site driveway. (See Exhibit Two, Existing Conditions).

Water – There is a 6" waterline located in the northern portion of the highway right-of-way. (See Exhibit Two, Existing Conditions).

Storm Drainage – There is an existing 18" storm drain located west of the western property line. (See Exhibit Two, Existing Conditions).

F. Existing Streets and Access

The site fronts on Pacific Avenue, also known as Tualatin Valley Highway and/or State Highway 8. Pacific Avenue is classified as an ODOT Statewide Highway and by Washington County as an Arterial. It has a posted speed of 40 miles per hour. Sidewalks exist on the south side of Pacific Avenue, across the street from the site, and to the west of the site. No sidewalk currently exists along the subject property. Bike lanes exist on the south side of Pacific Avenue to the west of Mountain View Lane. No on-street parking is allowed along Pacific Avenue.

The site is served by an existing 35' wide, private access which currently serves as a secondary access to the existing Rose Grove Mobile Home Park. The private access will continue to provide access to the Mobile Home Park

G. Existing Transit

The site is served by TriMet bus line #57. A stop for TriMet bus route #57 is located approximately 200 feet to the east of the eastern edge of the site. Another stop is provided on the south side of Pacific Avenue facing the primary access to Rose Grove Mobile Home Park.

Photo One:

View of site
from access
road looking
northeast



Photo Two:

View of site
from access
road looking
east along
Pacific Avenue.

Site Photographs

Rose Grove Recreational Vehicle Park
Conditional Use Permit & Site Plan Review
February 2005

Stiven Planning & Development Services, LLC
22400 Salamo Road, Suite 201
West Linn, OR 97068
503-650-8806

EXHIBIT THREE

III. The Proposed Site Plan

The proposed site plan for Rose Grove RV Park consists of 21 spaces for recreational vehicles. Each space accommodates one additional vehicle, individualized hookups for sanitary sewer, water, telephone and electricity. **(See Exhibit Four, Site Layout)**. The length of the RV parking stalls range in length from 25 – 35 feet. The parking pad for the RV is proposed to be concrete and the parking pad for the additional vehicle is proposed to be asphalt. All utilities will be located below ground. Thirteen RV spaces are provided around the perimeter of the site. An additional 8 spaces are provided in the island created by the loop road system. The pads have been arranged in a manner that creates the most privacy for the RV owners. In all cases, there is room for the parking of a vehicle in between each RV pad. In addition the stalls are designed to accommodate the “pop-outs” typical of newer RV’s. All spaces are designed to allow for a minimum of 15 feet between RV’s when both RV’s use pop-outs. Where the RV’s have no pop-outs, there may be up to 23 feet between spaces.

Depending on the length of the RV, there will be approximately 22 feet between the RV’s parked at the southern boundary of the site and the Pacific Avenue right-of-way. The area between the RV’s and the highway will be buffered by landscaping, which includes a vegetated swale, which functions as a storm water facility. Along the eastern and northern site boundaries, the RV’s may be approximately 3 to 5 feet from the property lines, again depending on the length of the actual RV.

Site Access: The site will be accessed from the existing private drive currently located at the western boundary of the site. The driveway is currently 35 feet wide. A sidewalk is proposed along the eastern side of the private roadway and guest parking is proposed along the western side. This road currently serves as a secondary access to the existing Rose Grove Mobile Home Park. A two-way loop road will serve as access to the RV spots.

Circulation: The loop road is designed to be asphalt paved and 20 feet wide and will accommodate two-way traffic. No on-street parking will be allowed. A maneuvering area is provided at the northeast corner of the site, which provides access to the north easternmost space and maneuvering room for emergency vehicles. The curved portions of the loop roads are designed to accommodate both emergency vehicles as well

as the largest of RV's. Sidewalks will be provided along the eastern side of the private driveway and along the north side of Pacific Avenue, along the site frontage.

Utilities

Water: The attached water line will connect to the existing waterline, located in Pacific Avenue. **(See Exhibit Five, Utility Plan)**. Each RV space will be served with water. The RV Park will be set up with separate private water meters so that tenants pay only for the water they use, thereby encouraging conservation. Initially a centralized meter will be installed, but use will be tracked by individual meters as multiple spaces are used.

Sanitary Sewer: The park sanitary sewer system will be connected to the city sanitary sewer system and hook up is required for overnight stay. The system is shown on **Exhibit Five**. The spaces will tie into the existing 12 inch sanitary line, currently located in Pacific Avenue.

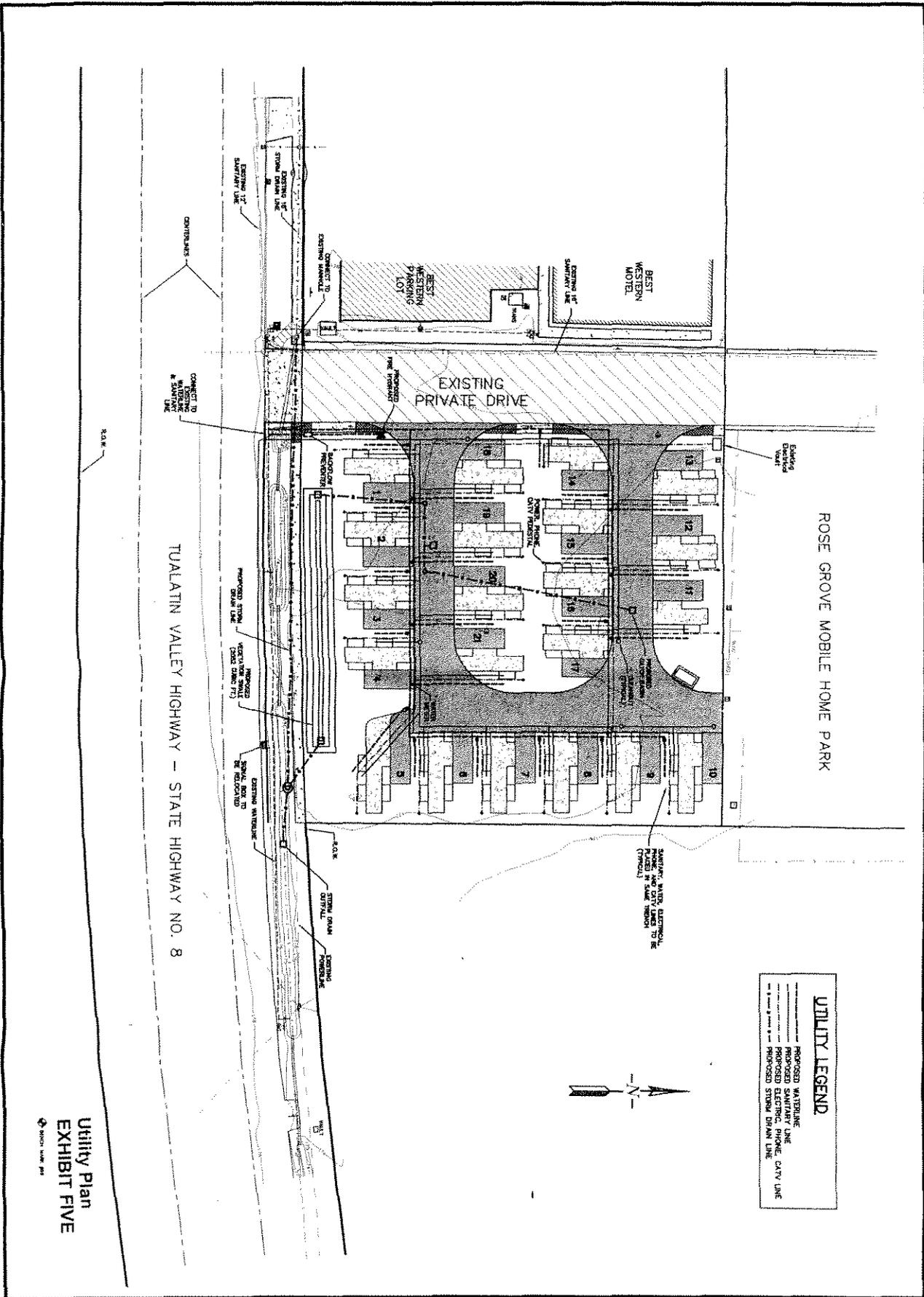
Storm Sewer: An existing storm drain line is located in the Pacific Avenue right-of-way ending west of the private driveway. It will be extended to nearly the eastern edge of the site. **(See Exhibit Five, Utility Plan)**. A catch basin is proposed in each of the two interior streets and in the proposed vegetated swale. Storm water will be collected in the catch basins, piped to the swale and drained to the storm drain outfall, proposed to be located in the Pacific Avenue right-of-way in a new storm drain outfall facility.

A storm water facility will be located at the southern boundary of the site, between the northern boundary of Pacific Avenue and the southern row of RV's. The storm water facility has been sized in accordance with the CWS and ODOT requirements.

Electrical: Electrical, water and sanitary lines will be placed in the same trench. Each RV space will have an electrical hookup. Similar to the water system, each space will be privately metered, but will also have a centralized meter which will be used until occupancy warrants individualized meter hook-up.

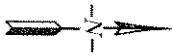
Amenities: The site has been designed to rely on the restroom, playground, and laundry room facilities located in the Rose Grove Mobile Home Park. As a practical matter, the RV's using the proposed RV Park will have bathroom facilities and will not need to use the mobile home park facilities. **(See Appendix for Rose Grove Mobile Home Park Site Plan)**.

Landscaping: Thirty five percent (35%) of the site will be landscaped as shown on the site plan. The attached site plan illustrates the areas to be landscaped, but specific details as to planting materials and sizes will be provided prior to approval of the building permit. The majority of the landscaping will be provided along the perimeter of the



UTILITY LEGEND

- PROPOSED WATERLINE
- PROPOSED SANITARY LINE
- PROPOSED ELECTRIC, PHONE, CITY LINE
- PROPOSED STORM DRAIN LINE



Utility Plan
EXHIBIT FIVE

site for buffering purposes. Additional landscaping, approximately 1,700 square feet are provided in the proposed vegetation swale.

Lighting and Fencing: As shown on **Exhibit Four**, outdoor lighting and perimeter fencing will be provided in order to create a secure environment for residents. Both lighting and fencing have been designed to minimize impacts on adjacent properties. A sight-obscuring fence will be placed along the north, west and east boundaries of the site. The western boundary will be fenced along the western side of the private driveway to provide screening for the adjacent motel property. The northern fence will provide separation between the adjacent mobile home park and the proposed RV Park.

Lighting has been proposed in accordance with Forest Grove standards and will provide interior light to the site while minimizing impacts on adjacent mobile home park residents and motel guests.

Park Rules and Regulations:

The proposed RV park will be regulated by certain operating rules that are designed to create a more pleasant, secure and enjoyable stay while visiting the park and at the same time minimize impact on neighboring properties. The following regulations will be imposed on all RV park guests:

RV Rules and Regulations

1. RENT is paid in advance to the DATE OUT. Anyone not doing so will be asked to leave ROSE GROVE MHP on the basis that we reserve the right to refuse service to anyone. We are not responsible for injuries to you or for the damage or loss of personal property. Rent is based on 2 (two person occupancy). A charge of \$2.00 a day per extra person will be charged. Sleeping in cars or trucks is not allowed. Also, no tent or temporary shelters are allowed.
2. Garbage will be picked up every Tuesday morning between 8:30 – 9:00AM. Loose bags are not allowed to be put out on the ground because of animals.
3. Laundry Room hours are 7 AM to 9 PM. Please close the door to prevent pipes from freezing.
4. Phone and cable are to the pole at your space. The Park does not pay for these services.
5. RV must be clean and in good repair.
6. Spaces must have a neat, clean, attractive, and uncluttered appearance. Only outside furniture, BBQ, and carpeting is allowed. No appliances shall be kept outside.

7. ALL SEWER AND GREY WATER CONNECTIONS MUST BE AIRTIGHT. Please use connections specific for RV's; they can be bought at an RV supply store. No water leaks of any kind from under the RV. Water hose must be portable hose (no garden hoses). Please replace sewer cap when leaving.

8. For emergency purposes space #'s must be displayed on front side of the RV and be clearly visible from the street. The Park has provided reflective numbers on a block.

9. No loud music, parties, etc., that would disturb neighbors is allowed.

10. The speed limit for the Park is 10 MPH and is posted and must be obeyed.

11. The use of oversized propane tanks, not attached to the RV, needs permission of the Park.

12. No fireworks, firecrackers or similar devices are allowed.

13. Bathrooms are for RV Park guests and Mobile Home Park tenants only. Children must be accompanied by an adult. You must get a combination from the office.

14. PETS MUST BE REGISTERED. Maximum height 16" at the hip. No aggressive breeds. No unsupervised pets. Pets must be on a leash when outside. Pet droppings must be cleaned up, put in plastic, sealed bags and placed in the plastic bag liner in the trash cans.

IV. Consistency with Conditional Use Permit and Site Plan Review Standards

Section 9.873 of the FGZO outlines the criteria for approval of a conditional use permit. They are as follows:

1. **That all public facilities serving the proposed use, including but not limited to sanitary sewers, water, streets, storm drains, electrical distribution, parks and public safety and schools are adequate, and meet current City Standards.”**
2. **That the proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect of said use on surrounding properties and uses.**
3. **That the proposed use will ensure that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare.**
4. **That the proposed use will comply with the purpose of this section and with all of the applicable provisions of this ordinance.**

The following narrative demonstrates that the proposal is consistent with all of the criteria listed above. The criterion is listed in **bold typeface** and the finding demonstrating that the request complies immediately follows.

1. **That all public facilities serving the proposed use, including but not limited to sanitary sewers, water, streets, storm drains, electrical distribution, parks and public safety and schools are adequate, and meet current City Standards.”**

Finding:

Sewer, Water and Storm Water Facilities: Sewer, water and storm facilities are all available to the site within the Pacific Avenue right-of-way and are of adequate size to

allow connection and service to the proposed site. A pre-application conference was held with the City of Forest Grove on December 15. At that time issues associated with providing water and sanitary storm drain services were discussed and no issues were raised regarding capacity of current city systems or issues associated with build-out of the site.

In addition, many more intensive uses are allowed in the CC zone at this location. Examples of more intensive uses include motels, hotels and restaurants, including fast food restaurants. Compared to the level of service that would be required to serve many of the uses allowed outright in the CC zone, the RV park is a relatively minor user of sanitary sewer, water and storm drain services.

Streets: Kittelson & Associates were retained to assess the impact of the proposed RV Park on the surrounding street system. The complete report is located in the Appendix of this report. The study identified intersections to be potentially impacted which included the following:

- Mountain View Lane/Pacific Avenue intersection
- Private drive west/ Pacific Avenue intersection
- Private drive east/ Pacific Avenue intersection
- Best Western-Auto Zone Driveway/Pacific Avenue intersection

Pacific Avenue is operated and maintained by ODOT. ODOT evaluates intersection performance based on the intersection's volume-to-capacity ratio. The Kittelson report concludes that at each intersection, the v/c ratio meets or exceeds the performance standard established by ODOT during P.M. peak periods under existing and future (with site traffic) conditions. Kittelson's report indicates that the 21 space RV Park will generate 8 trips during the PM peak hour. The street system has adequate capacity to accommodate traffic generated by the proposed RV Park.

Electrical Service: Electrical service is available to the site. Therefore, the site can be connected to existing electrical service.

Schools and Parks: The RV park use will not provide a permanent housing option. Therefore, it is not anticipated that the use of the site for an RV park will generate any demand on school facilities.

Public safety: The site is located within the city limits and fire and police protection services are provided by the city. Based on the comments that were received from the Forest Grove Fire Department, the radius curves within the park were modified from the original design in part to accommodate the turning movements of emergency vehicles. In addition, a fire hydrant is proposed on the east side of the private drive near Pacific Avenue.

Security issues have been addressed by the provision of adequate lighting and proposed fencing around the perimeter of the site. A new fence will be located along the eastern, western and northern boundaries of the site. This should limit intrusion by RV park guests into the neighboring properties. Exterior lighting will be provided near the four corners of the park to provide adequate lighting for park visitors and adding to the security of the park.

Given the proximity of the site to existing services the public services are adequate to serve the proposed RV Park and this criterion is met.

2. That the proposed use provides adequate open space, landscaping, and aesthetic design treatment to mitigate any possible adverse effect of said use on surrounding properties and uses.

Finding: It is important to note the surrounding land uses and properties. To the north is the existing Rose Grove Mobile Home Park. Three mobile homes are located along the northern boundary of the proposed RV Park. **(See Appendix for Rose Grove Mobile Home Park Site Plan).** West of the proposed RV park is the Best Western Motel.

Exhibit Four illustrates the footprint of the motel as it relates to the subject property. Note that the private driveway is located between the motel, the motel parking lot and the proposed RV park. To the south of the site is Pacific Avenue, which provides 110 feet of distance between the proposed RV park and the uses on the south side of Pacific Avenue. To the east of the site is vacant property, which is zoned identically to the subject property.

The design of the park together with the park regulations intentionally mitigates adverse effects of the RV park on surrounding properties and their use. The following specific open space, landscaping and design features prevent adverse effects on surrounding properties and uses;

- The RV spaces are arranged around the southern, northern and eastern perimeter of the site, thereby minimizing the impact of the interior loop road on adjacent properties. The spaces at the northern edge of the site, back up to three existing mobile homes and buffer the noise caused by on-site vehicles.
- The exterior lighting for the site is located around the four corners of the site and east of the private driveway. The lighting is designed to provide maximum illumination within the park but creates minimal impact on adjacent properties. The location of the lighting on the east side of the private driveway will allow minimal disruption to guests of the adjacent motel.
- Thirty five percent (35%) of the site is dedicated to landscaping.

- Fencing is provided along the northern, western and eastern edge of the site, except across the private driveway, which will minimize trespassing of RV park visitors onto adjacent properties.
- The proposed vegetated swale, which functions as a stormwater facility, also provides a landscaped buffer between the RV spaces and the traffic along Pacific Avenue. The distance of the spaces from Pacific Avenue is 20 feet.
- The RV park and the motel located to the west of the site have many similar characteristics. Both cater to visitors, accept guests 24 hours per day, are auto-dependant uses and are dependant on the exposure from Pacific Avenue. The motel located to the west of northern portion of the site, will be separated from the RV spaces by the 35 foot wide private driveway, thereby minimizing impact of the RV guests on motel guests.

3. That the proposed use will ensure that no land will be used for any purpose which creates or causes to be created any public nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare.

Finding: The city has determined that the RV park is similar in character and use to other uses allowed in the CC zone. The site will be served with public services for sewer, water, storm water drainage, garbage and will not cause degradation to air, land or water resources. Glare from outdoor lighting will be minimized based on the type of lighting used and its placement which is shown on **Exhibit Four** to provide maximum illumination within the park while minimizing impact on the adjacent motel use. The parks regulations regarding, garbage pickup, speed limit, required hook-ups, and other issues, will ensure that the park maintains a clean, and safe environment for park residents and for the area surrounding the site.

4. That the proposed use will comply with the purpose of this section and with all of the applicable provisions of this ordinance.

Finding: The Forest Grove Zoning Ordinance does not identify a purpose in the Conditional Use Provision. Section 9.874 however, states that “the Planning Commission may make its approval of a conditional use application subject to any conditions necessary to protect the neighborhood, surrounding property, and the City as a whole, in addition to the express requirements of the Zoning Ordinance; provided that the provisions of this Section shall not apply to Manufactures Home Subdivisions and Manufactured Dwelling Parks.” It can be interpreted that the purpose of the Conditional Use Provisions is to protect the neighborhood, surrounding property and the City as a whole. The applicant has demonstrated that the request is consistent with criteria 1, 2 and 3 and thereby when constructed in accordance with the proposed plans will be consistent with Section 9.874 of the Code.

Other applicable provisions of the code including the following:

A. Community Commercial Zone:

Section 9.700 Intent: The CC zone is intended to promote a concentration of mixed uses including intensive retail, service, office and residential uses, located along the regional transit system. This linkage between land use and transit is designed to result in an efficient development pattern that supports the regional transit system and makes significant progress in reducing traffic congestions and air pollutants. The location, mix and configuration of land uses are designed to encourage convenient alternatives to the auto, efficient land utilization, a safe and attractive streetscape, and a more livable community. Community Commercial zoned land east of Oak Street to the city limits is exempt from the building orientation provisions of Section 9.704(1) (b) through (d) and Section 9.855(5)(C)(iii)(A).

Finding: The proposed RV park is consistent with the intent of the CC zone. It is an auto dependant use and is located adjacent to Pacific Avenue. The use maximizes use of the highway and is an efficient use of the transportation facility. The traffic impact study demonstrates that the use can exist at the proposed location with no negative impact on the transportation system. The proposed storm water facility along the Pacific Avenue frontage will improve the appearance of the street frontage, creating a more attractive streetscape and contributing to a more livable community.

Section 9.702 Conditional Uses Permitted:

Finding: The City found that the proposed RV use was a similar use to those permitted in the CC zone, and allowed the use to be reviewed as a conditional use. As explained earlier in this application, the CA zone and the CC zone were consolidated into the CC zone. Therefore, the RV park is now considered a similar use to the uses allowed in the CC zone. (See Appendix for Letter Approving Similar Use Authorization dated August 29, 1997).

Section 9.703 Lot Size and Density in the CC Zone:

Minimum Lot Area: 5,0000 square feet

Minimum lot width between property lines: 50 feet;

Finding: The subject site is 1.15 acres. The lot width is 241.2 feet. Therefore, the site is consistent with the dimensional standards.

Section 9.704 Setback Requirements in the CC Zone:

Finding: There are no minimum front, side or rear yard setbacks. There are however, maximum setbacks for front yards. As no buildings are proposed the maximum building setback is irrelevant to this request. However, the building pads are set back from the front property line approximately 20 feet.

Section 9.705 Height of Building:

No buildings are proposed. Therefore, this standard is not applicable.

Section 9.706 Off-Street Parking and Loading Space Requirements

Finding: Section 9.823 of the FGZO governs the provision of off-street parking and loading. There are no specific parking requirements for RV parks. However, the minimum parking required for mobile home parks, is one per unit. There is no maximum provided for mobile home parks. However, research was conducted during the preparation of this application to determine how other jurisdictions treated parking for RV parks. A search was conducted of the following zoning ordinances: Albany, Brookings, Corvallis, Hood River, Hermiston, Pendleton, Bend, Medford, Hood River, Hillsboro, North Plains, Cornelius and Clackamas County. Only Albany, Medford and Clackamas County had provisions for RV park parking which are summarized in the table below:

*Table Two
RV Park Parking Requirements*

<i>Jurisdiction</i>	<i>Parking Standard</i>
Albany	1 space/ RV
Medford	1.5 space/RV plus 1/employee
Clackamas	1/RV plus additional space for employees

The site plan provided by the applicant illustrates the parking provided on-site. As shown on **Exhibit Four**, each space accommodates the RV plus an additional car. An additional eight guest parking spaces have also been provided along the western edge of the private drive. Given that not all RV's tow vehicles that require parking and that the proposed parking provided is in excess of the parking requirements of the jurisdictions researched, the parking proposed is adequate and reasonable.

Section 9.822 dictates the standards of measurement for parking spaces. One standard parking space is measured as 9 feet in width and 18 feet in length. As shown on the site plan, all stalls meet this dimensional standard.

Section 9.823 identifies the bicycle parking requirements as well. There are no bicycle parking requirements identified.

All parking facilities will meet the design and maintenance standards identified in Section 9.825.

Section 9.707 Access and Egress

Finding: This section of the code addresses shared access and access spacing. Sub-section (1) suggests that when a building permit or occupancy permit is requested for a use allowed in this zone which will be located on a lot abutting a lot or lots which are vacant or not fully developed in the judgment of the

Community Development Director or his designee, the owner of the lot for which a permit is requested may be required by the Community Development Director or his designee to grant an easement for joint access to the owner or owners of any such abutting vacant or not fully developed lot or lots. The property to the east of the subject site is vacant. However, an existing driveway currently exists to serve the subject site along the western boundary of the site which also provides access to the existing Rose Grove Mobile Home Park. The existing driveway will provide shared access to the mobile home park and the proposed RV park. It is not reasonable to provide a shared access to the subject property and to the property to the east. Such shared access would require a revised circulation plan for the existing mobile home park.

Section (3) of the access and egress standards state that no portion of any access for any non-residential use on an arterial street in the CC zone shall be located nearer than 150 feet from any portion of any other non-residential or multi-family access on the same side of the street. This Standard applies to City arterials. Pacific Avenue is a State facility and spacing standards are governed by ODOT. The approval for use of the private driveway accessing from Pacific Avenue will be evaluated at the time the ODOT road approach permit is requested. Therefore, this standard is not applicable.

Section 9.708 Landscaping Required

(1) Minimum landscaping requirements shall be as follows:

(a) A landscaped strip at least 10 feet in width shall be provided abutting any property line facing a street, and shall be appropriately landscaped with ground cover, earth berm, shrubbery and/or trees, as specified in Section 9.858. Such landscaping shall be subject to the vision clearance requirements of Section 9.850.

(b) All uses shall provide landscaping and buffering pursuant to Section 9.858

(3) Prior to issuance of a building permit or other permit for any use allowed in this zone, a landscape plan shall be submitted and approved by the Planning Division showing how the requirements of this Section and Section 9.858 shall be satisfied.

As shown on the site plan, a vegetative swale is proposed along the Pacific Avenue frontage. The landscaped area along the frontage is approximately 20 feet in length and includes the storm water facility. Although areas to be landscaped are shown on the site plan, the applicant requests that specific landscape plans be provided prior to the issuance of a building permit, in accordance with provision 9.708(3) above. All landscaping and buffering will be provided in accordance with the relevant sections of 8.858 of the FGZO.

Section 9.709 Signs

Section 9.709 provides the standards regarding the placement, size and design of signs. Subsection 14 states that no sign in the CC zone shall be erected, replaced, constructed, or altered prior to issuance of a sign permit by the Building Official. No sign permit shall be issued prior to approval by the Building Official of plans which demonstrate full compliance with all provisions of this Section and The City Sign Code.

The applicant understands that approval of the Conditional Use Permit will be subject to future approval of a sign plan by the Building Official. No signs are proposed at this time.

9.709.5 Additional Requirements

Subsection (1) addresses service, repair and storage activities. No such activities are proposed at this location. Therefore, these standards are not applicable.

Subsection (2) addresses trash storage areas: As shown on **Exhibit Three**, enclosed trash enclosures are provided near the northeast corner of the site, on the west side of the road.

V. Consistency with Applicable Oregon Administrative Rules

Land use applications in the state of Oregon are required to comply with applicable administrative rules. OAR 918-650-0000 through 0080 governs recreational vehicle parks. The applicant proposes that the City approve this application with the following condition: "The applicant shall demonstrate compliance with applicable provisions of OAR 918-650-0000 through 0080 prior to the issuance of a building permit."

VI. Conclusion

The proposed Rose Grove RV Park meets all of the criteria necessary for approval of the conditional use permit. In addition, the applicant has provided the necessary information and demonstrated consistency with the relevant portions of the code to receive site plan approval. Therefore, the applicant respectfully requests approval of the conditional use permit and site plan subject to the following conditions:

1. Approval of the required ODOT road approach permit;
2. Approval of a landscaping plan by the Planning Director or his designee;
3. Approval of a sign permit, if signs are requested by the applicant; and
4. Compliance with applicable provisions of OAR 918-650-0000 through 0080 prior to the issuance of a building permit.

APPENDIX

- 1) Letter and Planning Commission Minutes Approving Similar Use Authorization, dated August 29, 1997
- 2) CWS Sensitive Area Pre-Screening Site Assessment File Number 4949
- 3) Rose Grove Mobile Home Park Site Plan
- 4) Traffic Impact Analysis Legal Description
- 5) Metes and Bounds Legal Description

grove

August 29, 1997

Bob McNeely
Norwester Industries
1144 79th Avenue, SE
Tumwater, WA 98501

Re: Similar Use Authorization

Dear Bob:

On August 18, 1997, the Planning Commission determined that a recreational vehicle park was a similar use to the other uses allowed in the Commercial Auto zone. As you'll recall from the meeting, there was some question as to whether the Commission could require that a proposed RV park be reviewed as a conditional use (at a hearing before the Commission), or whether it would be allowed as a permitted use (staff review only). At the Commission's request, we put that question to the City Attorney.

A copy of his opinion is enclosed. He has determined that the Commission can require that a proposed use be reviewed as a conditional use.

Please call me at 359-3233 if you have any questions, or when you are ready to schedule a pre-application meeting to discuss your proposal with the review staff.

Sincerely,



James Reitz, AICP
Associate Planner

Enclosure

1. **CALL TO ORDER:** Commissioner David Morelli called the meeting to order at 7:05 p.m. **PRESENT:** Commissioners Dave Frechette, Aldie Howard, Steve Matiaeo, Dale Mitcheltree, and Pete Truax. **Excused:** Michael Maloney and Steve Chohan. Sharon Durbin arrived at 7:10 p.m. Staff present Community Development Director Karl Mawson, Associate Planner James Reitz, and Recording Secretary Dawn Schaal. There were 14 citizens present.

APPROVAL OF PLANNING COMMISSION MINUTES OF JULY 21, 1997:
Frechette/Mitcheltree to approve the meeting minutes of July 21, 1997. Motion carried.

APPROVAL OF PLANNING COMMISSION MINUTES OF AUGUST 4, 1997:
Truax/Howard to approve the meeting minutes of August 4, 1997. Motion carried.

2. **REPORT ON COUNCIL MEETING OF AUGUST 11, 1997:** Howard attended the Council meeting and reviewed the Council's actions.
3. **COMMISSIONER COMMUNICATION:** None
4. **CITIZEN COMMUNICATION:** None
5. **PUBLIC HEARING: Similar Use Authorization to permit a recreational vehicle park in the Commercial Auto zone. Applicants: Robert McNeely and Dorothy Royce. File Number: SUA-97-1.**

The public hearing was opened. Reitz reviewed the staff report and the property involved. He explained that the applicants are the owners of Rose Grove Mobile Home Park. Because "recreational vehicle park" isn't defined in the zoning ordinance it is by definition not allowed. The city attorney has determined that a similar use authorization is the proper procedure and the staff recommends approval of the request.

PROPOSERS:

Robert McNeely, 1144 79th Avenue SE, Tumwater, WA explained that he represents the Royces. His request is for an elite RV park. Size, landscaping and site size along with paving makes it elite. This proposal is not intended for long term residents.

Jerry LaRue, 19921 Whales Head Road, Brookings, OR explained he worked with McNeely, and is involved with the design of this park. They expect to preserve the trees, put in curbs, sidewalks, a vegetation buffer and storm drainage. They believe this project will improve the site and will be a credit to the community.

OPPOSER:

Bonnie Combs, 1908 "C" Street, explained that she thinks this particular proposal sounds desirable but is concerned about the precedent it might set. She thinks there should be standards set before it is approved.

AUGUST 18, 1997 -- 4:00 P.M. PAGE 2

REBUTTAL:

Robert McNeely noted that the owner establishes how a project will be designed and maintained, and that just because this proposal is for an RV park doesn't mean that the area is going to deteriorate.

Durbin suggested that this be made a conditional use; Matiaco concurred.

Frechette agreed that it sounds like a good improvement, but also favored reviewing it as a conditional use.

Morelli thought it necessary to find a similar conditional use, if the Commission wanted to make an RV park a conditional use versus permitted use. Durbin responded that it didn't seem necessary to change everything on the books, and that perhaps the City Attorney should be consulted on just what the Commission could require. Frechette summarized that the Commission seems to want to make an RV park a conditional use, if possible.

Durbin/Matiaco to approve the request that the RV Park be found a similar but conditional use in the Commercial Auto zone, subject to approval by the City Attorney. If the City Attorney finds that is not acceptable as a conditional use, then staff is directed to initiate a text amendment. Motion carried 5-2 (Morelli/Truax).

PUBLIC HEARING, Continued: Variance from Land Division Ordinance Section 9.110(3)(c) Lot and Parcel Frontage to reduce the amount of required lot street frontage. Location: 421 Gales Creek Road (Washington County tax lot 1N4 35AA-7300). Applicants: Cary and Dorce Redwine. File Number: VAR-97-5.

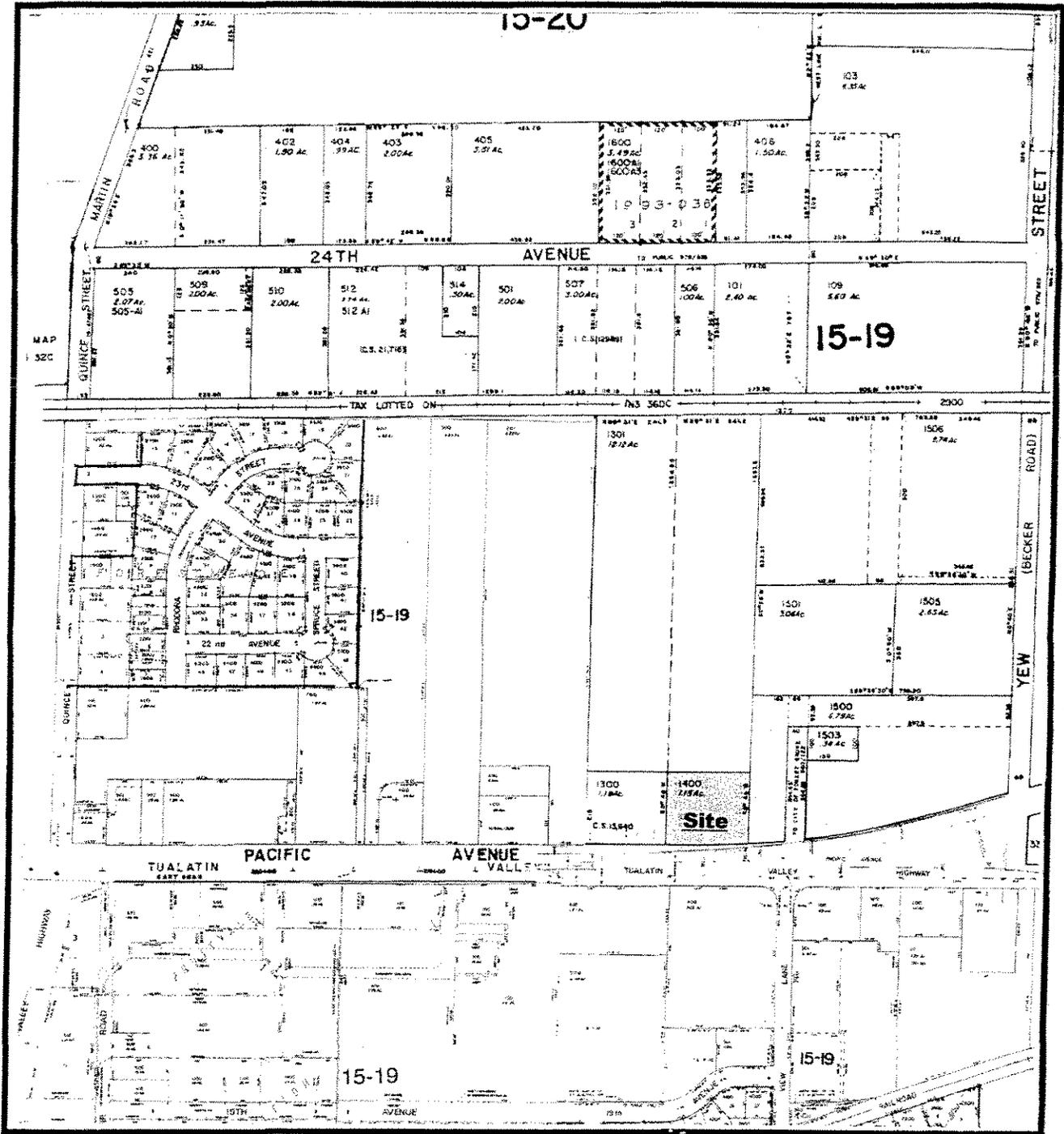
Morelli called for disclosure of ex parte contacts or conflicts of interest. There were none. The public hearing was opened.

Reitz presented a local street plan designed to serve the Redwine's property and others in the vicinity. This plan had been provided to each of the property owners for their review. The proposal is to obtain an access and public utility easement for the short term, which would then be converted to a public right-of-way as the area developed. The Redwine's new lot would, for the short term, have frontage only onto this easement, but it would eventually front a public street. All property owners would have to agree to this proposal in order to make it work.

PROPOSERS:

Cary Redwine, 421 Gales Creek Road, explained that there is sewer and power available to the proposed lot. She would like to add a condition to the approval of the variance so that any new homes would face the proposed streets. She stated that they are willing to dedicate the property needed for the new street, and if her neighbors (the Weavers) need an easement from their property to the new street, she would be willing to work with them.

OPPOSERS: None.



Site Location Map

Rose Grove Recreational Vehicle Park
 Conditional Use Permit & Site Plan Review
 February 2005

Stiven Planning & Development Services, LLC
 22400 Salamo Road, Suite 201
 West Linn, OR 97068
 503-650-8806



File Number 4949

Sensitive Area Pre-Screening Site Assessment

Jurisdiction City of Forest Grove Date 11/17/04
 Map & Tax Lot IN3 32D TL 1400 Owner Charles Boyce
 Site Address none
 Proposed Activity (see attached map) proposed Restorations Contact Martina Stiven
Vehicle Park - 18-20 spaces Address Stiven Planning & Development
22400 Selma Road, Suite 201
 Phone West Linn, OR 97068
(503) 650-8806

Official use only below this line

Y	N	NA		Y	N	NA	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sensitive Area Composite Map Map # <u>IN3WC</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Stormwater Infrastructure maps QS # <u>3590</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Locally adopted studies or maps Specify _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Specify _____

Based on a review of the above information and the requirements of Clean Water Services Design and Construction Standards Resolution and Order No. 04-9:

- Sensitive areas potentially exist on site or within 200' of the site. THE APPLICANT MUST PERFORM A SITE CERTIFICATION PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER OR STORMWATER CONNECTION PERMIT. If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- Sensitive areas do not appear to exist on site or within 200' of the site. This pre-screening site assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property. NO FURTHER SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED. THIS FORM WILL SERVE AS AUTHORIZATION TO ISSUE A STORMWATER CONNECTION PERMIT.
- The proposed activity does not meet the definition of development. NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

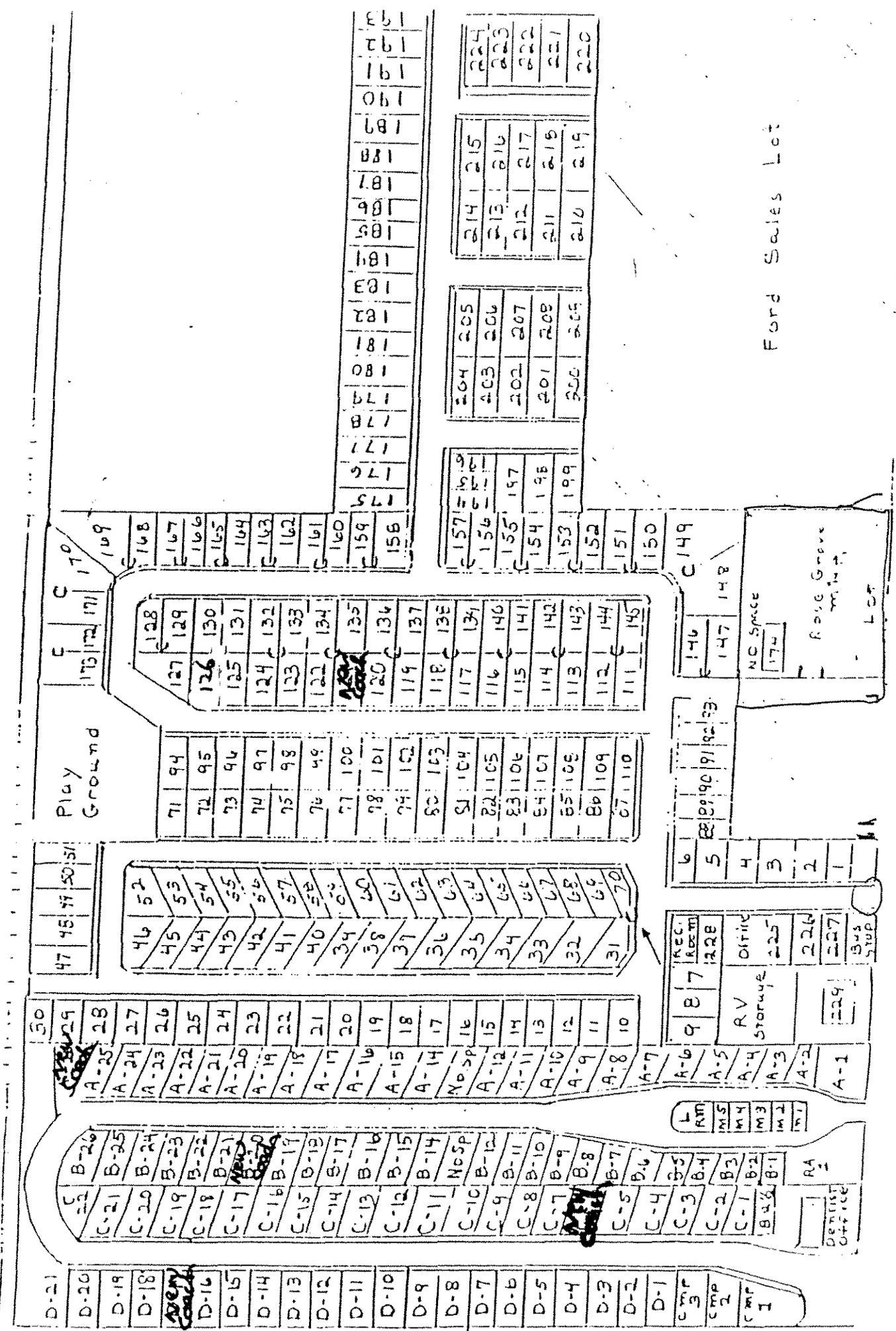
Comments:

Reviewed By: Clark [Signature]

Date: 11/26/04

Returned to Applicant
 Mail Fax Counter
 Date 11/26/04 By [Signature]

3839 Pacific Avenue, #225
 Forest Grove, Oregon 97116
 (503) 357-7817



Ford Sales Lot

C - Canyon



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION PLANNING/TRAFFIC ENGINEERING

610 SW ALDER, SUITE 700 • PORTLAND, OR 97205 • (503) 228-5230 • FAX (503) 273-8169

March 16, 2005

Project #: 5907.0

Charles Royce
Rose Grove Mobile Home Park LTD
PO Box 1750
Pacific Palisades, CA 90272

RE: *Transportation Impact Study for the Proposed Rose Grove RV Park - Forest Grove, Oregon*

Dear Mr. Royce:

Per your request, we have prepared the following transportation impact analysis for the proposed Rose Grove Recreational Vehicle Park development located in Forest Grove, Oregon. The methodology of our analysis as well as pertinent findings and recommendations are documented herein.

INTRODUCTION

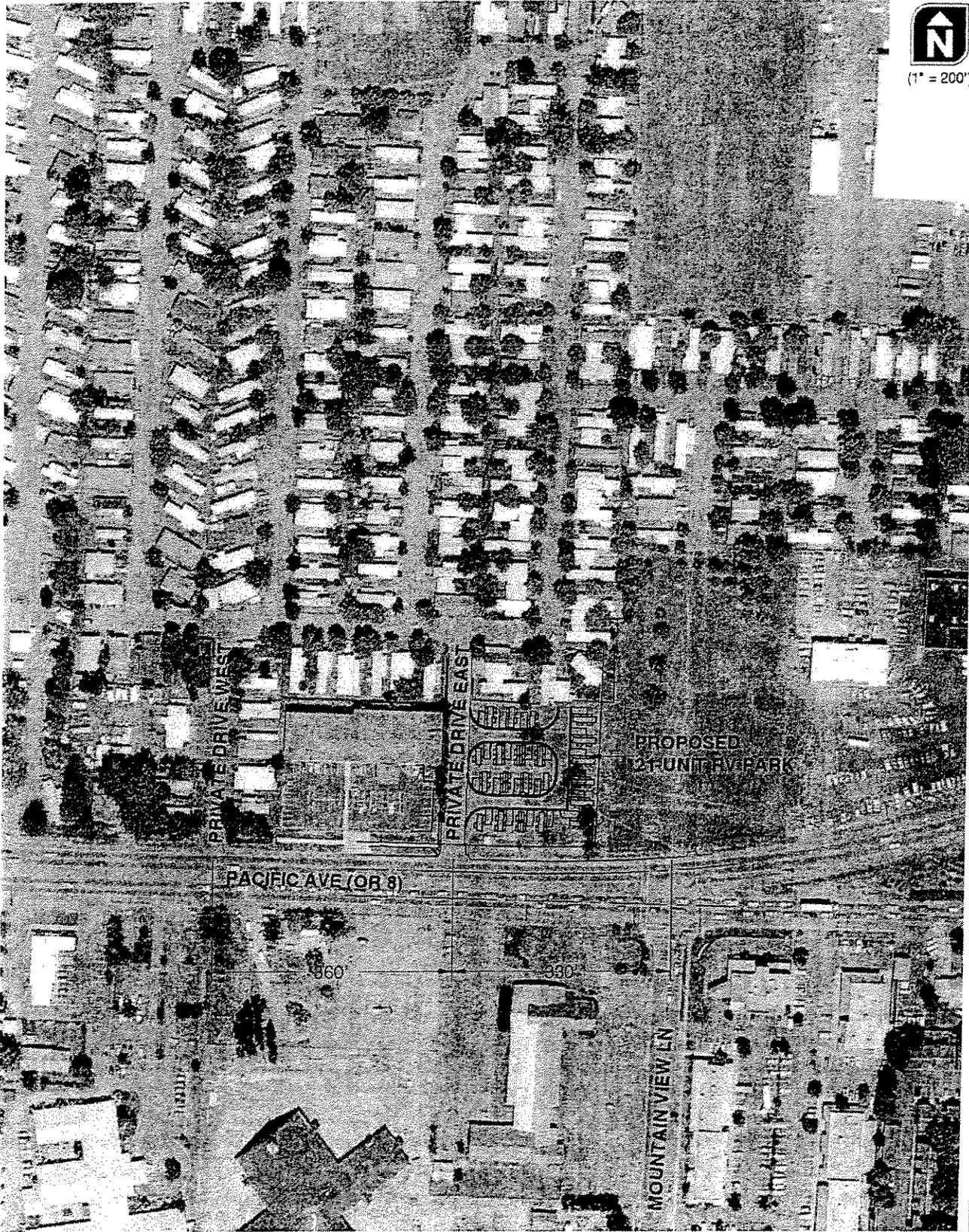
Royce Development is proposing to develop a 21-unit recreational vehicle park northwest of the Pacific Avenue (Oregon Highway 8)/Mountain View Lane intersection in the City of Forest Grove. The site, whose location is illustrated in Figure 1, currently consists of a vacant open field. Access to the site is proposed via a connection to the existing private roadway located east of the Best Western. Construction and occupancy of the recreational vehicle park is currently planned to occur in 2005. Figure 2 illustrates the site plan.

Scope of the Report

This report summarizes the existing transportation conditions within the site vicinity and estimates the transportation impacts of the proposed Rose Grove development on the surrounding transportation system under projected year 2005 weekday p.m. peak hour conditions. This analysis was prepared in accordance with the City of Forest Grove and the Oregon Department of Transportation's (ODOT) Transportation Impact Analysis requirements. The study intersections and overall study area for this project were selected based on review of the existing travel patterns within the site vicinity and discussions with ODOT and the City of Forest Grove. Operational analyses were performed at the Mountain View Lane/Pacific Avenue, Private Drive West/Pacific Avenue, Private Drive East/Pacific Avenue, and Best Western-AutoZone Driveway/Pacific Avenue intersections.



(1" = 200')



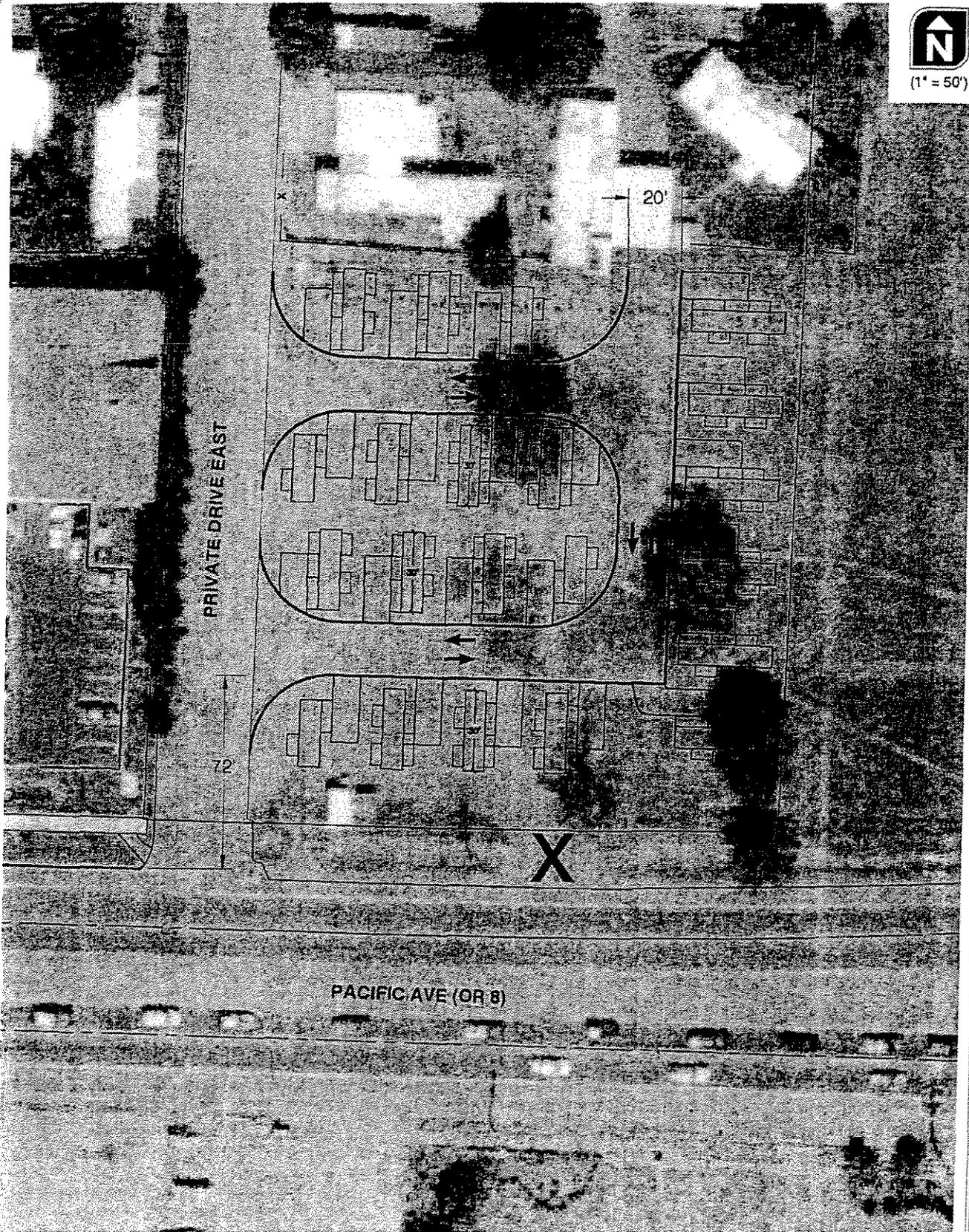
SITE VICINITY MAP
FOREST GROVE, OREGON

FIGURE
1

5 907/AERIAL DWG



(1" = 50')



PROPOSED SITE PLAN
FOREST GROVE, OREGON

FIGURE
2

5907AERIAL.DWG

This report addresses the following transportation issues:

- Year 2004 existing land use and transportation conditions within the site vicinity.
- Planned developments and transportation improvements in the study area.
- Forecast year 2005 background traffic conditions during the weekday p.m. peak period.
- Trip generation and distribution estimates for the proposed development.
- Forecast year 2005 total traffic conditions with full build-out of the site during the weekday p.m. peak period.
- A review of on-site traffic operations and circulation.
- Conclusions and recommendations.

EXISTING CONDITIONS

The existing conditions analysis identifies site conditions and the current operational and geometric characteristics of the roadways within the study area.

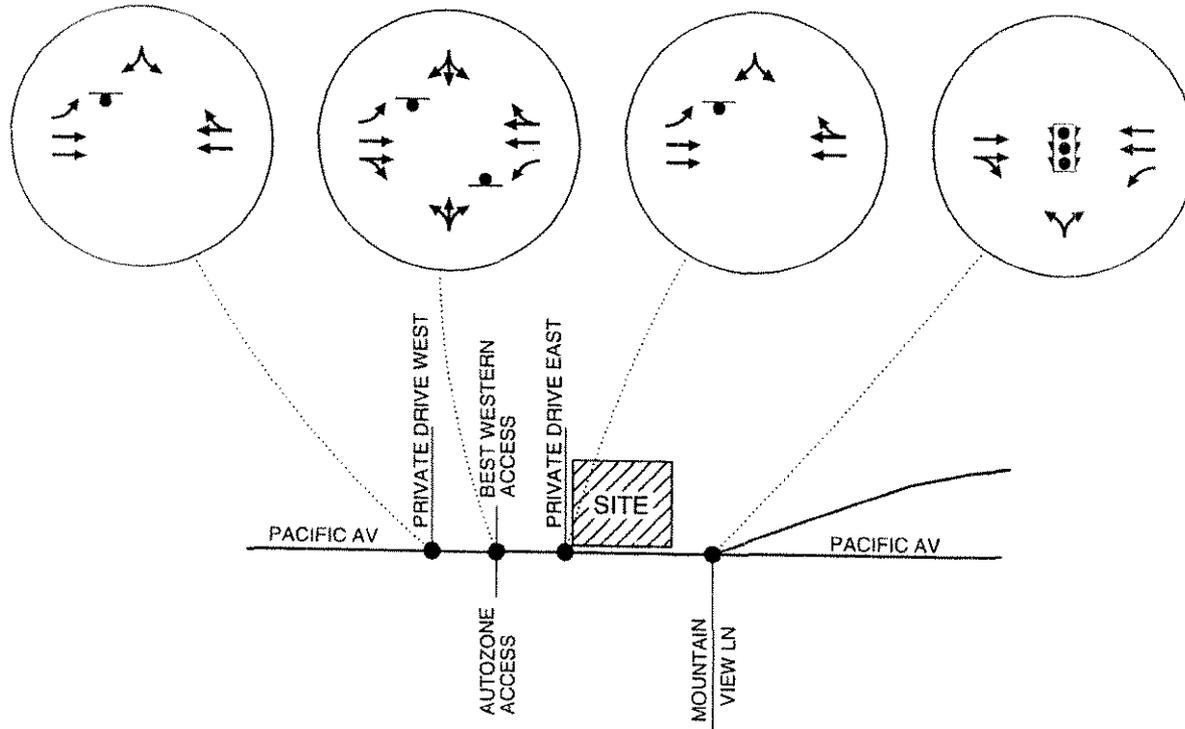
Information was collected regarding site conditions, adjacent land uses, existing traffic operations, and nearby transportation facilities. Figure 3 illustrates the locations of these facilities, as well as the existing lane configurations and traffic control devices at the study intersections. Table 1 summarizes the existing public transportation facilities in the vicinity of the site.

**Table 1
 Existing Transportation Facilities**

Roadway	Classification	Posted Speed (mph)	Sidewalks	Bike Lanes	On-street Parking
Pacific Avenue (Oregon Highway 8)	ODOT Statewide Highway Washington County Arterial	40	Yes*	Yes**	No
Private Drive East	Local	None	No	No	No
Mountain View Lane	Washington County Collector	None	Yes	No	No

*Sidewalks exist on both sides of Pacific Avenue to the west of Private Drive East; to the east they continue only on the south side of the street.

**A bike lane exists only on the south side of Pacific Avenue to the west of Mountain View Lane.



LEGEND

-  - STOP SIGN
-  - TRAFFIC SIGNAL

**EXISTING LANE CONFIGURATIONS AND TRAFFIC CONTROL DEVICES
FOREST GROVE, OREGON**

FIGURE
3

5907figs

Existing Traffic Volumes and Peak Hour Operations

The weekday p.m. commuter peak period represents the most critical period for evaluating the surrounding transportation system. The weekday a.m. peak hour was not evaluated given the site is expected to generate negligible traffic volumes during this period. Manual turning movement counts were obtained at the following intersections:

- Mountain View Lane/Pacific Avenue
- Private Drive West/Pacific Avenue
- Private Drive East/Pacific Avenue
- Best Western-AutoZone Driveway/Pacific Avenue

These counts were conducted during the weekday evening (4-6 p.m.) hour. Traffic counts for all intersections were originally conducted in July 2003. The Mountain View Lane/Pacific Avenue intersection was re-counted in November 2004 and the traffic volumes for the Pacific Avenue approaches at the remaining intersections were updated based on this count to reflect 2004 conditions. The weekday evening peak hour was found to occur between 4:00 and 5:00 p.m. The turning movement counts from the weekday p.m. peak hour are summarized as shown in Figure 4. *Appendix "A" contains the traffic count sheets used in this study.*

Current Levels of Service

All level-of-service analyses described in this report were performed in accordance with the procedures stated in the *2000 Highway Capacity Manual* (Transportation Research Board). *Appendix "B" includes a description of level-of-service and the criteria by which they are determined.*

For ODOT facilities, the *1999 Oregon Highway Plan* requires that a peak hour volume-to-capacity ratio of 0.75 be maintained at signalized intersections and 0.85 at non-signalized intersections along Pacific Avenue (Highway 8). Given the size of the proposed RV Park, the mobility standards apply to year of opening conditions.

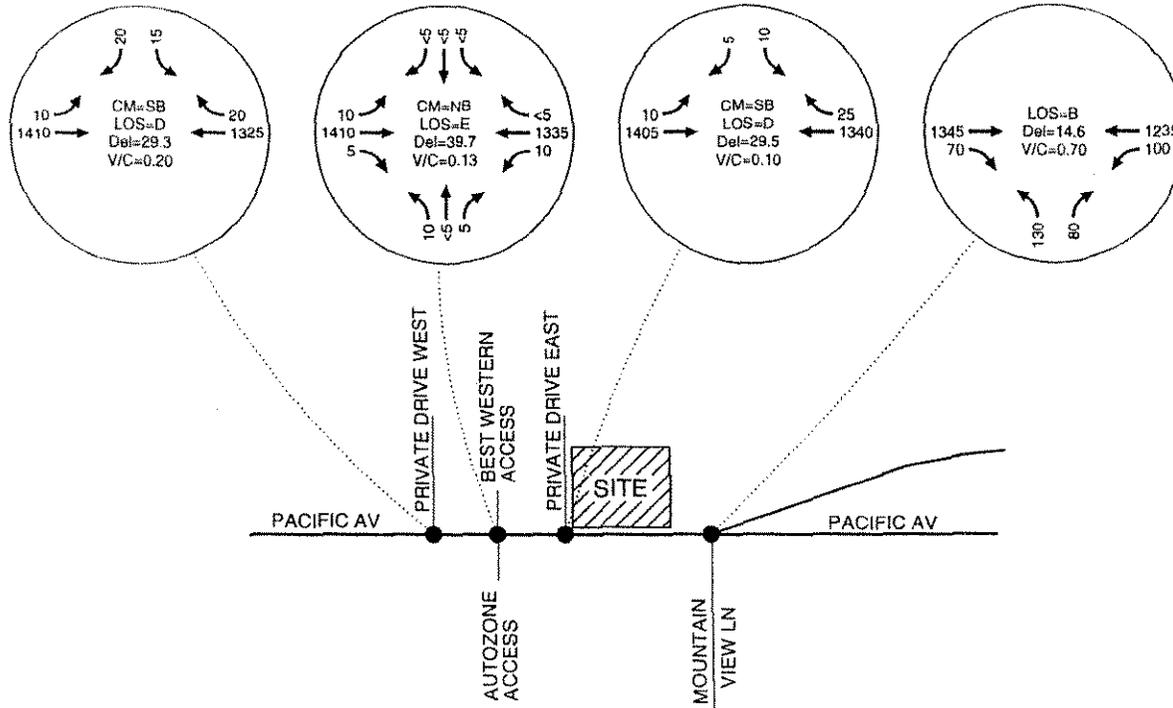
Figure 4 summarizes the level-of-service results for the unsignalized and signalized study intersections during the weekday p.m. peak hour. The results presented in the figure indicates that all study intersections are currently operating within acceptable operating thresholds during the weekday p.m. peak hour. *Appendix "C" includes the 2004 existing conditions intersection operations worksheets.*

Transit Service

The City of Forest Grove is served by TriMet bus line #57. A stop for TriMet bus route #57 is located approximately 200 feet to the east of the eastern edge of the proposed Rose Grove development, in the northeastern quadrant of the intersection of Mountain View Lane/Pacific Avenue. Another stop for the same route is located on the south side of Pacific Avenue facing the intersection of Private Drive West/Pacific Avenue.



(NO SCALE)



LEGEND

- CM = CRITICAL MOVEMENT (UNIGNALIZED)
- LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED) CRITICAL MOVEMENT LEVEL OF SERVICE (UNIGNALIZED)
- Del = INTERSECTION AVERAGE DELAY (SIGNALIZED) CRITICAL MOVEMENT DELAY (UNIGNALIZED)
- V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2004 EXISTING TRAFFIC CONDITIONS
WEEKDAY PM PEAK HOUR
FOREST GROVE, OREGON**

FIGURE

4

5907Figs

Pedestrian and Bicycle System

Within the site vicinity, sidewalks currently exist along the entire southern side of Pacific Avenue, and on both sides of Mountain View Lane. Additionally, sidewalks exist on the northern side of Pacific Avenue starting at the frontage of Best Western and extending to the west. However, sidewalks do not yet exist along the site or to the east of the property. A bike lane exists on the southern side of the eastbound portion of Pacific Avenue east of the Mountain View Lane/Pacific Avenue intersection.

Crash History

Crash data was obtained from ODOT for Pacific Avenue (ORE 8) for the three-year period between January 2001 and December 2003. The purpose of obtaining the crash data is to examine the frequency, type, and severity of collisions in the vicinity of the site. The crash analysis was summarized for the Pacific Avenue segment between Mile Post 17.46 (Mountain View Lane) and Mile Post 17.65 (just west of Private Drive West). Table 2 provides a summary of the crash data. *Appendix "D" includes all raw crash data received from ODOT.*

Table 2
Crash Data Summary (Jan 2001 to Dec 2003)

Intersection/Segment	Number of Crashes	Collision Type			Severity		
		Rear-End	Turn	Pedestrian	PDO	Injury	Fatality
Pacific Avenue between Mountain View Lane and Private Drive West (0.19 miles)	14	9	3	2	5	8	1

As shown in Table 2, a total of 14 crashes were reported along Pacific Avenue between Mountain View Lane and Private Drive West between January 2001 and December 2003. The majority of these crashes (9) involved rear-end collisions on Pacific Avenue.

One fatality occurred along this segment in November 2002. A pedestrian was crossing Pacific Avenue near the Best Western Driveway at 5 p.m. and was struck and killed by a motorist traveling in the westbound direction. The crash report indicates the pedestrian was illegally crossing between intersections.

Of the three crashes involving turn movements, one occurred at Private Drive East. A review of the crash data along Pacific Avenue does not suggest that a roadway/traffic design deficiency exists.

TRAFFIC IMPACT ANALYSIS

The transportation impact analysis identifies how the study area's transportation system will operate in the year that the proposed development will be fully built-out. The impact of traffic generated by the proposed RV park was examined as follows:

- Planned developments and transportation improvements in the site vicinity were identified and reviewed.
- Background weekday p.m. peak hour traffic conditions for the year 2005 were analyzed.
- Future daily and evening peak hour site-generated trips were estimated for build-out of the site.
- A trip distribution pattern was derived through a review of the existing turning movement volumes at the study intersections and existing travel patterns in the study area.
- Predicted site-generated traffic volumes from the residential development were added to the background traffic volumes to evaluate total traffic operations at the study area intersection during the weekday p.m. peak hour.
- On-site circulation issues were evaluated.

2005 Background Traffic Conditions

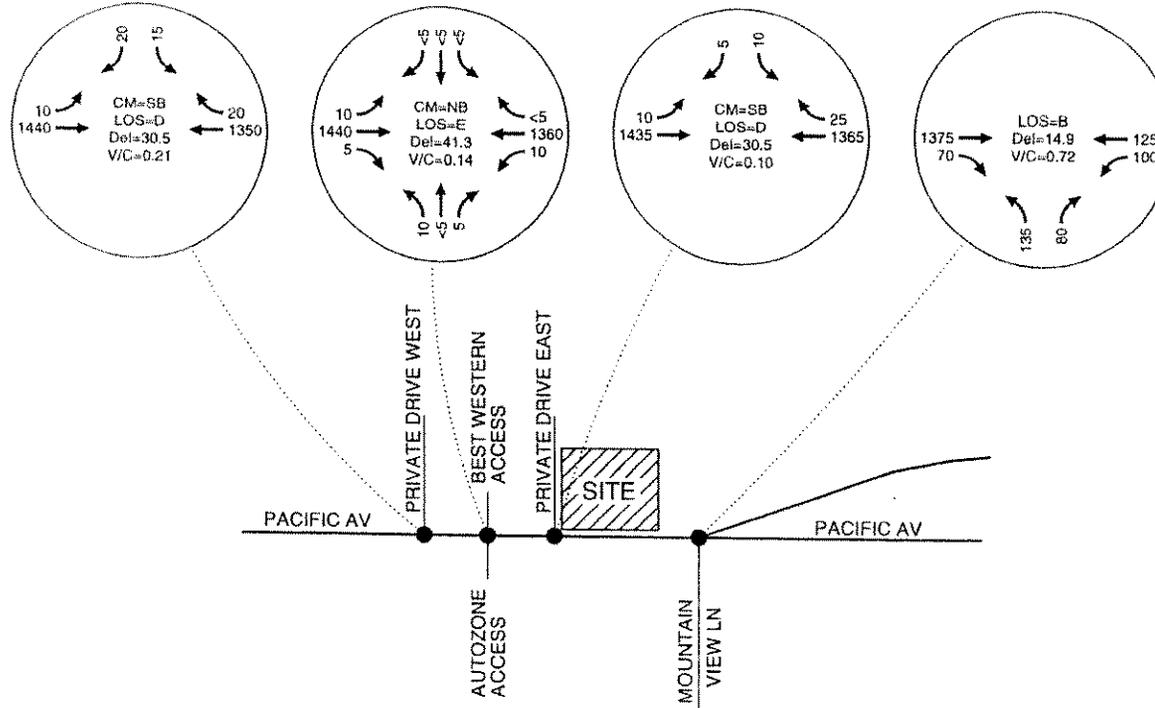
The background traffic analysis includes traffic growth due to development within the study area and from general growth in the region, but does not include traffic from the proposed residential development.

Planned Developments and Transportation Improvements

Based on discussions with City of Forest Grove and ODOT staff, there are no known planned developments or transportation improvements within the immediate site vicinity.

Traffic Volumes

Year 2005 background traffic volumes were developed to account for the regional growth that is occurring within the site vicinity. An annual growth rate of 2.0 percent was applied to the existing traffic volumes to account for near-term regional growth in the area. This growth rate was developed based on a review of historical traffic volumes. Figure 5 illustrates the resulting forecast year 2005 background traffic volumes and levels-of-service during the weekday p.m. peak period.



LEGEND

- CM = CRITICAL MOVEMENT (UNSIGNALIZED)
- LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED) CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)
- Del = INTERSECTION AVERAGE DELAY (SIGNALIZED) CRITICAL MOVEMENT DELAY (UNSIGNALIZED)
- V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2005 BACKGROUND TRAFFIC CONDITIONS
WEEKDAY PM PEAK HOUR
FOREST GROVE, OREGON**

FIGURE
5

Intersection Operations

An operational analysis was conducted at the study intersection to determine the forecast 2005 background traffic conditions. As indicated in Figure 5, the background traffic analysis determined that all study intersections are forecast to operate within ODOT's acceptable volume-to-capacity (v/c) ratios of 0.75 for signalized intersections and 0.85 for non-signalized intersections during the weekday p.m. peak period. *Appendix "E" contains the 2005 background traffic intersection operations worksheets.*

Proposed Development Plan

Royce Development is proposing to develop a 21-unit recreational vehicle park to be located within the City of Forest Grove. The development site is located north of Pacific Highway and east of Mountain View Lane. Figure 2 illustrates the site plan.

Access to the site is proposed via a roadway connection to a private roadway approach (referred to as Private Drive East throughout this report). Private Drive East will serve as the external roadway connection between the proposed site and the surrounding transportation network for general public travel. Private Drive East currently provides access to a mobile home park.

Trip Generation

Estimates of daily and weekday p.m. peak hour trip generation were derived from empirical observations of similar land uses summarized in the standard reference manual, *Trip Generation*, 7th Edition, published by the Institute of Traffic Engineers, 2003. The land use category of *Campground/Recreational Vehicle Park* was used for estimating trip generation for the proposed RV Park. Table 3 provides daily and weekday p.m. peak hour trip generation estimates for the Rose Grove development.

Table 3 Trip Generation Summary

Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips		
				Total	In	Out
Campground / RV Park	416	21 occupied spaces	80 ¹	8	5	3

1. The ITE Trip Generation Manual does not provide a daily rate for this use. The number of peak hour trips is assumed to be approximately 10 percent of the number of daily trips; thus, the number of daily trips was estimated by multiplying the number of peak hour trips by 10.

As shown in Table 3, the proposed Rose Grove development is estimated to generate 8 trips (5 inbound and 3 outbound) during the weekday p.m. peak hour.

Trip Distribution and Assignment

The distribution of site-generated trips onto the roadways in the study area was estimated based on existing traffic patterns determined by the weekday p.m. peak hour counts. Figure 6 illustrates the estimated trip distribution patterns for those trips generated by the proposed development. Based on this estimated trip distribution, Figure 7 illustrates the projected site-generated traffic volumes at the study intersections during the average weekday p.m. peak hour.

2005 TOTAL TRAFFIC CONDITIONS

The total traffic conditions analysis forecasts how the study area's transportation system will operate with the inclusion of traffic from the proposed development. The 2005 background traffic volumes for the weekday p.m. peak hour shown in Figure 5 were added to the site-generated traffic shown in Figure 7 to arrive at the total traffic volumes shown in Figure 8.

Intersections Operations

Figure 8 provides a summary of the forecast total traffic levels of service and the volume/capacity analyses associated with full build-out of the proposed development during the weekday p.m. peak period. As indicated in the figure, this analysis determined that all study intersections are forecast to continue to meet ODOT's volume-to-capacity (v/c) ratio standards of 0.75 for signalized intersections and 0.85 for non-signalized intersections during the weekday p.m. peak period. *Appendix "F" contains 2005 total traffic operations worksheets.*

Sight Distance

Sight distance was evaluated at the Private Drive East approach to Pacific Highway. Given the posted speed limit of 40 miles per hour on Pacific Highway, a total of 558 feet of sight distance is required per the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (Greenbook). Sight distance along Pacific Avenue meets and exceeds 600 feet in both directions at the intersection with Private Drive East.

Site Access and Circulation

A review of the site plan shows that the proposed access and circulation is adequate to accommodate the traffic patterns and design vehicle for the RV Park. Adequate spacing is available along Private Drive East between Pacific Highway and the south access to the RV Park to accommodate vehicle storage and turning movements.

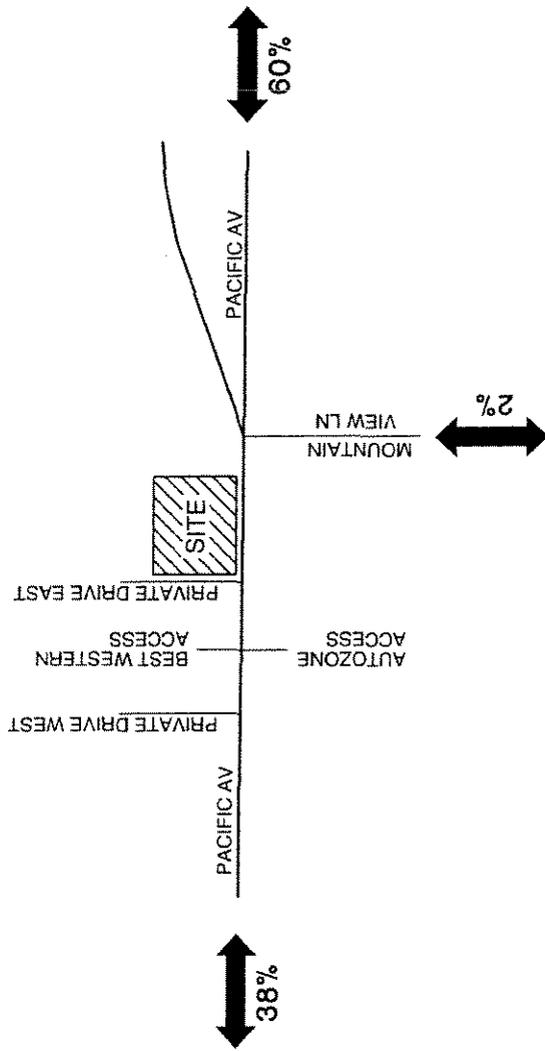
Queuing

A queuing analysis was performed to determine if eastbound vehicles queues at the Mountain View Lane/Pacific Avenue intersection extend to the Private Drive East approach. Approximately 250 feet of storage is available between Mountain View Lane and the Private Drive East approach.

In the queuing analysis, a Poisson distribution was applied at a 95 percent confidence level to determine maximum vehicle queues. The assumed length-of-red interval was obtained from the signal timing parameters. A storage length of 25 feet per vehicle was assumed. Table 4 presents the results of this analysis. *Appendix "G" includes the queuing analysis worksheets.*



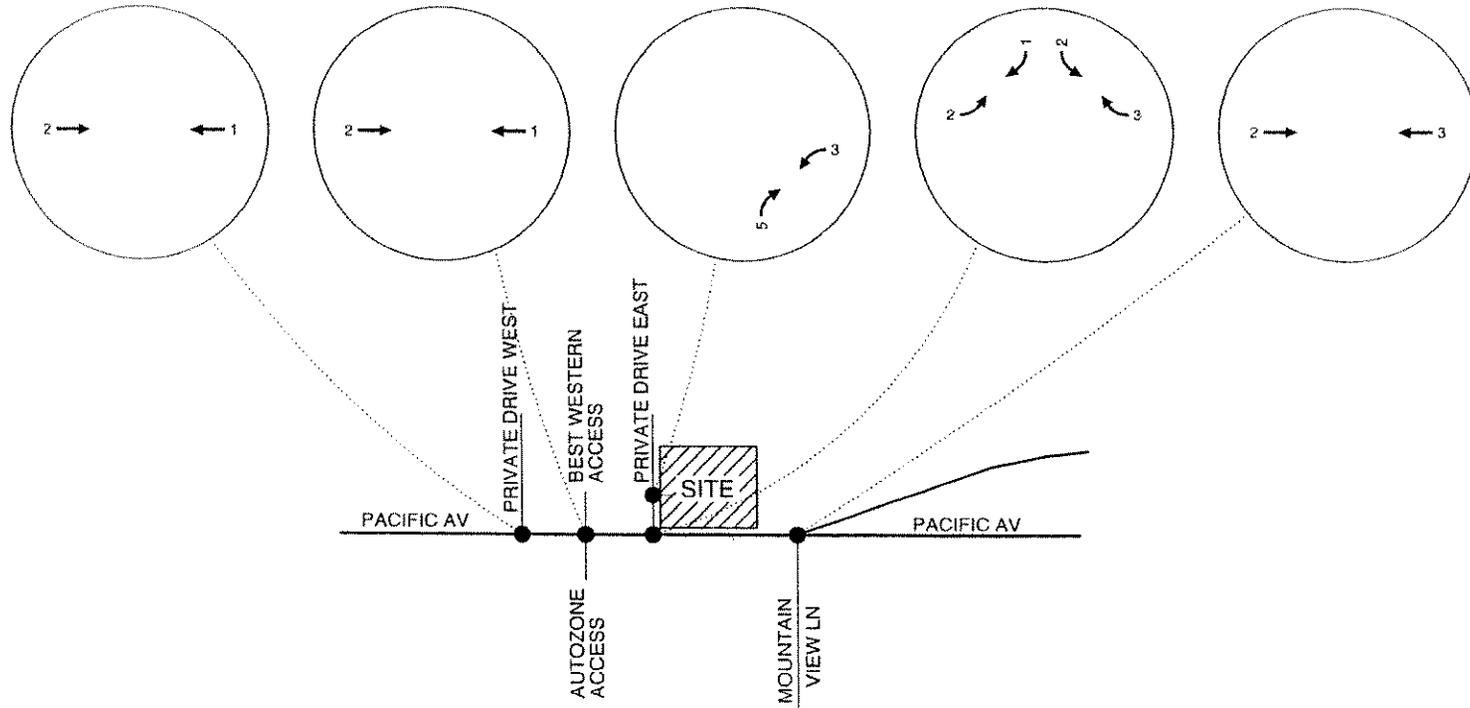
(NO SCALE)



ESTIMATED TRIP DISTRIBUTION FACTOR
FOREST GROVE, OREGON



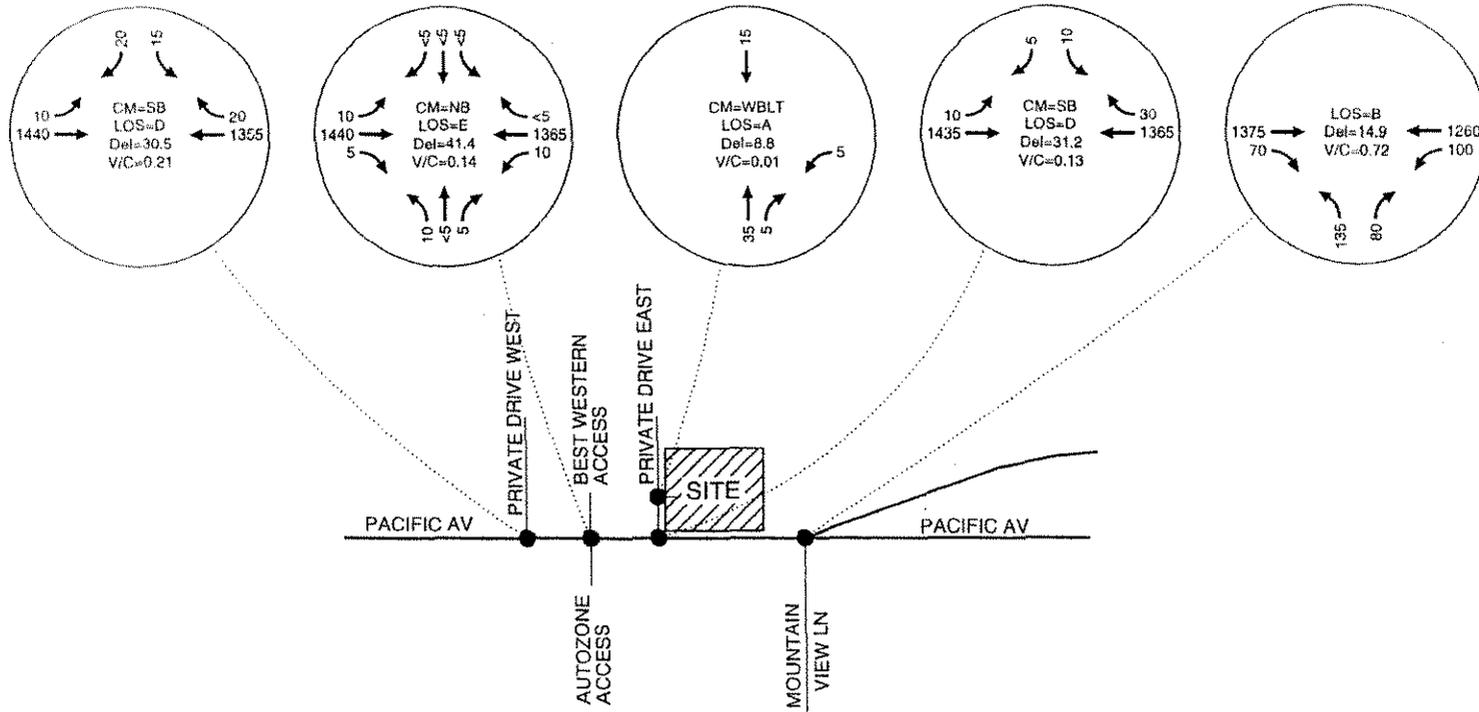
(NO SCALE)



**SITE-GENERATED TRAFFIC VOLUMES
WEEKDAY PM PEAK HOUR
FOREST GROVE, OREGON**

**FIGURE
7**

5507Figs



LEGEND

CM = CRITICAL MOVEMENT (UNSIGNALIZED)
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED) CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)
 Del = INTERSECTION AVERAGE DELAY (SIGNALIZED) CRITICAL MOVEMENT DELAY (UNSIGNALIZED)
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**2005 TOTAL TRAFFIC CONDITIONS
 WEEKDAY PM PEAK HOUR
 FOREST GROVE, OREGON**

**FIGURE
 8**

Table 4
Queuing Analysis

Intersection	Lane	Required Storage (feet per lane)			Available Storage (feet per lane)
		2004 Existing Conditions	2005 Background Conditions	2005 Total Traffic Conditions	
Mountain View Lane/ Pacific Avenue	EB Through	275	275	275	250
Private Drive East/ Pacific Avenue	SB Left/Right	25	25	25	75

As shown in Table 4, under existing and future conditions the eastbound queue from the signalized Mountain View Lane/Pacific Avenue intersection is expected to extend beyond Private Drive East by one vehicle during the weekday p.m. peak hour. This condition only occurs during a limited portion of the weekday p.m. peak hour and is not expected to adversely impact operations of the Private Drive East/Pacific Avenue intersection. The addition of traffic from the RV Park is not anticipated to impact existing queuing conditions at the Mountain View Lane/Pacific Avenue and Private Drive East/Pacific Avenue intersections.

Evaluation of Access Alternatives

A traffic operations analysis was performed to identify the impacts associated with closing access to Private Drive East and directing all traffic to Private Drive West. The re-routed traffic includes existing traffic to the mobile home park located north of the site and the forecast site-generated traffic to and from the proposed RV Park. Table 5 outlines the estimated operational characteristics of each intersection under each of the scenarios.

Table 5
LOS Summary for Access Alternatives

Intersection	With Private Drive East			Without Private Drive East		
	V/C	Avg. Delay	LOS	V/C	Avg. Delay	LOS
Private Drive West/Pacific Avenue	0.21	30.5	D	0.35	38.5	E
Private Drive East/Pacific Avenue	0.13	31.2	D	-	-	-

As shown in Table 5, with both approaches in place, the West and East intersections with Pacific Avenue will operate with a volume-to-capacity ratio of 0.21 and 0.13, respectively. If the two Private Drive approaches are consolidated to one, the volume-to-capacity ratio at the Private Drive West/Pacific Avenue intersection is forecast to increase from 0.21 to 0.35. The delay for the corresponding southbound movement is expected to increase from level-of-service "D" to level-of-service "E".

While the east driveway is forecast to operate within ODOT's acceptable limits in the near term under the "Without Private Drive East" scenario, as traffic volumes on Pacific Avenue increase the driveway will reach ODOT's operational standard (volume-to-capacity ratio of 0.85) sooner compared to the "With Private Drive East" scenario and no alternative access would be available to motorists traveling to Pacific Avenue.

CONCLUSIONS AND RECOMMENDATIONS

Based on the results of the transportation impact analysis, the proposed Rose Grove Recreational Vehicle Park can be developed while maintaining acceptable levels of service and safety on the surrounding transportation system. The analysis developed the following findings and recommendations:

Findings

2004 Existing Conditions

- During the weekday p.m. peak hours, all study intersections were found to be operating at an acceptable level of service.

Year 2005 Background Traffic Conditions

- Year 2005 background conditions (without construction of the proposed RV Park) were estimated assuming a year of continued local and regional growth. Operational analyses indicate that all study intersections are forecast to continue to operate within acceptable operating standards during the weekday p.m. peak hour.

Proposed Development Activities

- The proposed development is estimated to generate 8 trip ends during the weekday p.m. peak hour.
- Access to the site is proposed via a driveway located on Private Drive East.

Year 2005 Total Traffic Conditions

- Under forecast year 2005 total traffic conditions (with the proposed RV Park), all study intersections and driveways are forecast to operate acceptably during the weekday p.m. peak hour.
- Private Drive East is expected to adequately accommodate all existing and future traffic volume levels.

Recommendations

- Retain the Private Drive East approach to Pacific Avenue to provide access to the proposed RV Park and the existing mobile home court for the following reasons:
 - Retaining the Private Drive East approach, compared to closing the approach, improves connectivity to the parcels north of Pacific Avenue and helps relieve congestion for vehicles turning onto Pacific Avenue by providing multiple points of access.
 - Consolidating approaches will increase motorist delay and out-of-direction travel.

- Retaining the Private Drive East approach will reduce conflicts between RV vehicles and other motorists and pedestrians on the internal streets within the existing mobile home park.
- Private approaches such as Private Drive East are common along Pacific Avenue in the vicinity of the site and no traffic safety or operational issues have been identified along Pacific Avenue.
- No off-site improvements are required as part of the proposed RV Park.
- Landscaping along the site frontage should be maintained to ensure that adequate sight distance is maintained at the site-access driveway.

We trust this letter adequately addresses the transportation impacts associated with the proposed Rose Grove Recreational Vehicle Park in Forest Grove, Oregon. Please do not hesitate to call me at (410) 347-9610 with any questions.

Sincerely,
KITTELSON & ASSOCIATES, INC.



Brandon Nevers, P.E.
Associate Engineer



cc: Mike Robinson, Perkins Coie, LLP

Appendices

- Appendix A: Traffic Count Data
- Appendix B: Level of Service Description
- Appendix C: 2004 Existing Conditions Operations Worksheets
- Appendix D: Crash Data
- Appendix E: 2005 Background Conditions Operations Worksheets
- Appendix F: 2005 Total Conditions Operations Worksheets
- Appendix G: Queuing Analysis Worksheets

Appendix "A"

Traffic Count Data

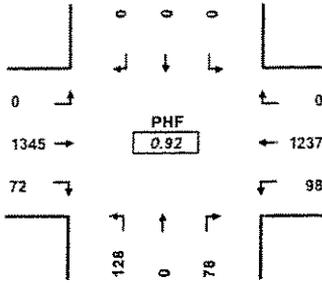
INTERSECTION: Mountain View Lane--Pacific Ave--
 PROJECT ID#:
 QC JOB #: 10067001

START TIME: 4:00 PM
 END TIME: 6:00 PM
 DATE: 11/16/2004

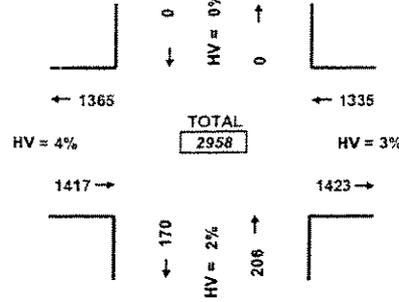


QUALITY COUNTS
 1625 SW 85th Avenue, Ste. 105
 Tigard, OR 97224
 Phone: 503-620-4242
 Fax: 503-620-4545
 email: jr@qualitycounts.net
 www.qualitycounts.net

PEAK HOUR TURNING MOVEMENTS



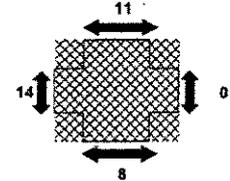
PEAK HOUR LINK VOLUMES



PEAK HOUR: 4:00 PM TO 5:00 PM

PEAK 15 MINUTES: 4:30 PM TO 4:45 PM

PEAK HOUR PED CROSSING VOLUMES



5-MINUTE COUNT PERIOD BEGINNING AT	Mountain View Lane--(Southbound)			Pacific Ave--(Westbound)			Mountain View Lane--(Northbound)			Pacific Ave--(Eastbound)			Crosswalk Usage (Peds By Approach)				TOTAL	
	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	North	East	South	West	Veh	Peds
4:00 PM	0	0	0	0	102	8	4	0	6	7	86	0	1	0	0	0	213	1
4:05 PM	0	0	0	0	106	11	6	0	12	4	95	0	1	0	0	1	234	2
4:10 PM	0	0	0	0	120	8	13	0	14	6	114	0	0	0	3	3	275	6
4:15 PM	0	0	0	0	120	5	4	0	7	7	146	0	3	0	1	4	289	8
4:20 PM	0	0	0	0	110	8	8	0	11	7	111	0	1	0	1	2	255	4
4:25 PM	0	0	0	0	99	12	3	0	7	6	110	0	0	0	0	1	237	1
4:30 PM	0	0	0	0	110	6	10	0	9	8	112	0	0	0	0	0	255	0
4:35 PM	0	0	0	0	121	16	15	0	16	3	102	0	0	0	0	0	273	0
4:40 PM	0	0	0	0	117	6	4	0	17	4	125	0	0	0	0	0	273	0
4:45 PM	0	0	0	0	98	6	3	0	12	6	131	0	2	0	2	0	256	4
4:50 PM	0	0	0	0	73	5	4	0	10	7	91	0	2	0	1	3	190	6
4:55 PM	0	0	0	0	61	7	4	0	7	7	122	0	1	0	0	0	208	1
5:00 PM	0	0	0	0	71	6	8	0	13	2	82	0	0	0	1	1	182	2
5:05 PM	0	0	0	0	68	4	5	0	9	6	103	0	0	0	2	2	195	4
5:10 PM	0	0	0	0	58	8	7	0	16	5	85	0	0	0	1	2	179	3
5:15 PM	0	0	0	0	64	2	4	0	11	12	104	0	1	0	3	0	197	4
5:20 PM	0	0	0	0	64	6	3	0	10	9	69	0	1	0	0	0	161	1
5:25 PM	0	0	0	0	62	6	5	0	7	2	89	0	2	0	1	2	171	5
5:30 PM	0	0	0	0	72	3	5	0	8	9	67	0	0	0	0	0	164	0
5:35 PM	0	0	0	0	68	7	4	0	5	3	91	0	0	0	0	0	178	0
5:40 PM	0	0	0	0	75	5	2	0	11	1	70	0	0	0	0	0	164	0
5:45 PM	0	0	0	0	97	5	3	0	4	3	72	0	0	0	1	0	184	1
5:50 PM	0	0	0	0	99	8	2	0	6	1	58	0	0	0	0	1	174	1
5:55 PM	0	0	0	0	55	1	4	0	8	4	83	0	2	0	1	2	155	5
HOURLY TOTALS	Southbound			Westbound			Northbound			Eastbound			Pedestrians By Approach				TOTAL	
	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	North	East	South	West	Veh	Peds
4:00 PM	0	0	0	0	1237	98	78	0	128	72	1345	0	11	0	8	14	2958	33
4:15 PM	0	0	0	0	1106	89	75	0	134	68	1320	0	9	0	9	15	2792	33
4:30 PM	0	0	0	0	967	78	72	0	137	71	1215	0	9	0	11	10	2540	30
4:45 PM	0	0	0	0	834	65	54	0	119	69	1104	0	9	0	11	10	2245	30
5:00 PM	0	0	0	0	853	61	52	0	108	57	973	0	6	0	10	10	2104	26

TURNING MOVEMENT WORKSHEET

Project Name: Rose Grove Mobil Home Park
 Project Number: 5907
 Analyst: WLG
 Date: 7/21/2003
 Filename: _____



KITTELSON & ASSOCIATES, INC.
 610 SW Alder, Suite 700
 Portland, Oregon 97205
 (503) 228-5230
 Fax: (503) 273-8169

Intersection: Pacific Avenue / BW and AutoZone Entries
 County: Washington
 State: OR

PM Peak Period

	WB LT	WB TH	WB RT	EB LT	EB TH	EB RT	NB LT	NB TH	NB RT	SB RT	SB TH	SB LT	TEV
4:00-4:15	2	-	1	1	-	2	5	-	3	0	-	0	-
4:15-4:30	1	415	0	3	324	1	0	0	1	2	0	0	745
4:30-4:45	1	448	0	1	382	2	3	0	0	1	0	0	837
4:45-5:00	6	511	1	1	306	4	3	0	1	1	0	2	833
5:00-5:15	4	509	0	0	337	2	3	0	1	0	0	0	856
5:15-5:30	2	329	0	0	292	4	2	0	2	1	0	0	631
5:30-5:45	2	467	0	0	292	3	1	0	3	0	0	2	768
5:45-6:00	2	441	0	0	315	1	4	0	3	1	0	1	766
6:00-6:15	-	-	-	-	-	-	-	-	-	-	-	-	-

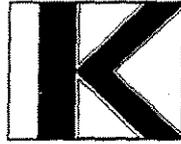
PM Peak Hour

4:15-5:15	12	1883	1	5	1349	9	9	0	3	4	0	2	3271
-----------	----	------	---	---	------	---	---	---	---	---	---	---	------

PM Peak Hour 4:15-5:15
 PM Peak Hour Volume 3271
 PM PHF 0.96

TURNING MOVEMENT WORKSHEET

Project Name: Rose Grove Mobil Home Park
 Project Number: 5907
 Analyst: WLG
 Date: 7/21/2003
 Filename:



KITTELSON & ASSOCIATES, INC.
 610 SW Alder, Suite 700
 Portland, Oregon 97205
 (503) 228-5230
 Fax: (503) 273-8169

Intersection: Pacific Avenue / W Private Drive
 County: Washington
 State: OR

PM Peak Period

	WB TH	WB RT	EB LT	EB TH	SB LT	SB RT	TEV
4:00-4:15	-	7	0	-	0	2	-
4:15-4:30	412	5	3	324	4	5	753
4:30-4:45	449	3	3	381	4	4	844
4:45-5:00	510	5	0	307	4	6	832
5:00-5:15	506	6	3	336	3	3	857
5:15-5:30	327	5	4	291	5	2	634
5:30-5:45	464	4	5	293	2	5	773
5:45-6:00	444	2	3	310	6	2	767
6:00-6:15	-	-	-	-	-	-	-

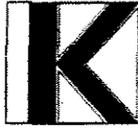
PM Peak Hour

4:15-5:15	1877	19	9	1348	15	18	3286
-----------	------	----	---	------	----	----	------

PM Peak Hour 4:15-5:15
 PM Peak Hour Volume 3286
 PM PHF 0.96

TURNING MOVEMENT WORKSHEET

Project Name: **Rose Grove Mobil Home Park**
 Project Number: **5907**
 Analyst: **WLG**
 Date: **7/21/2003**
 Filename:



KITTELSON & ASSOCIATES, INC.
 610 SW Alder, Suite 700
 Portland, Oregon 97205
 (503) 228-5230
 Fax: (503) 273-8169

Intersection: **Pacific Avenue / E Private Drive**
 County: **Washington**
 State: **OR**

PM Peak Period

	WB TH	WB RT	EB LT	EB TH	SB LT	SB RT	TEV
4:00-4:15	-	7	3	-	4	1	-
4:15-4:30	414	8	3	322	2	2	751
4:30-4:45	447	7	3	379	2	2	840
4:45-5:00	518	2	1	308	3	0	832
5:00-5:15	511	7	1	337	5	2	863
5:15-5:30	321	8	2	292	4	10	637
5:30-5:45	468	10	4	293	3	1	779
5:45-6:00	439	5	2	317	7	4	774
6:00-6:15	-	-	-	-	-	-	-

PM Peak Hour

4:15-5:15	1890	24	8	1346	12	6	3286
-----------	------	----	---	------	----	---	------

PM Peak Hour 4:15-5:15
 PM Peak Hour Volume 3286
 PM PHF 0.95

Intersection: **Pacific Avenue / W Private Drive**
 County: **Washington**
 State: **OR**

PM Peak Period

	WB TH	WB RT	EB LT	EB TH	SB LT	SB RT	TEV
4:00-4:15	-	7	0	-	0	2	-
4:15-4:30	412	5	3	324	4	5	753
4:30-4:45	449	3	3	381	4	4	844
4:45-5:00	510	5	0	307	4	6	832
5:00-5:15	506	6	3	336	3	3	857
5:15-5:30	327	5	4	291	5	2	634
5:30-5:45	464	4	5	293	2	5	773
5:45-6:00	444	2	3	310	6	2	767
6:00-6:15	-	-	-	-	-	-	-

PM Peak Hour

4:15-5:15	1877	19	9	1348	15	18	3286
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PM Peak Hour 4:15-5:15
 PM Peak Hour Volume 3286
 PM PHF 0.96

Appendix "B"

Level of Service Description

Appendix B

Level of Service Concept

Level of service (LOS) is a concept developed by traffic engineers to gauge the overall quality of the travel experience through an intersection or roadway segment as it is perceived by the traveler. Six categories are used to denote the various levels of service, which range from A to F.¹

Signalized Intersections

At signalized intersections, level of service is defined by a single performance measure: average control delay per vehicle. Control delay is defined to include initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Table B1 provides a qualitative description of each LOS category as it applies to signalized intersections, and Table B2 identifies the average control delay threshold point used as the boundary for each LOS category. LOS thresholds for the specific reviewing jurisdiction(s) are described in the body of the report.

Table B1
Level of Service Definitions (Signalized Intersections)

Level of Service	Average Delay per Vehicle
A	Very low average control delay, less than 10 seconds per vehicle. This occurs when progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	Average control delay is greater than 10 seconds per vehicle and less than or equal to 20 seconds per vehicle. This generally occurs with good progression and/or short cycle lengths. More vehicles stop than for a level of service A, causing higher levels of average delay.
C	Average control delay is greater than 20 seconds per vehicle and less than or equal to 35 seconds per vehicle. These higher delays may result from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
D	Average control delay is greater than 35 seconds per vehicle and less than or equal to 55 seconds per vehicle. The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle length, or high volume/capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Average control delay is greater than 55 seconds per vehicle and less than or equal to 80 seconds per vehicle. This is usually considered to be the limit of acceptable delay. These high delay values generally (but not always) indicate poor progression, long cycle lengths, and high volume/capacity ratios. Individual cycle failures are frequent occurrences.
F	Average control delay is in excess of 80 seconds per vehicle. This is considered to be unacceptable to most drivers. This condition often occurs with oversaturation. It may also occur at high volume/capacity ratios below 1.0 with many individual cycle failures. Poor progression and long cycle lengths may also contribute to such high delay values, even when the volume/capacity ratio is significantly below 1.0.

¹ Most of the material in this appendix is adapted from the Transportation Research Board, *Highway Capacity Manual*, (2000).

Table B2
Level of Service Criteria for Signalized Intersections

Level of Service	Average Control Delay per Vehicle (Seconds)
A	≤10
B	>10 and ≤20
C	>20 and ≤35
D	>35 and ≤55
E	>55 and ≤80
F	>80

Unsignalized Intersections

Unsignalized intersections include two-way stop-controlled (TWSC) and all-way stop-controlled (AWSC) intersections. The 2000 Highway Capacity Manual provides models for estimating average control delay at both TWSC and AWSC intersections. Table B3 provides a qualitative description of each LOS category as it applies to unsignalized intersections, and Table B4 identifies the average control delay threshold point used as the boundary for each LOS category. LOS thresholds for the specific reviewing jurisdiction(s) are described in the body of the report.

Table B3
Level of Service Criteria for Unsignalized Intersections

Level of Service	Average Delay per Vehicle to Minor Street
A	<ul style="list-style-type: none"> Nearly all drivers find freedom of operation with very little time spent waiting for an acceptable gap. Very seldom is there more than one vehicle in queue.
B	<ul style="list-style-type: none"> Some drivers begin to consider the average control delay an inconvenience, but acceptable gaps are still very easy to find. Occasionally there is more than one vehicle in queue.
C	<ul style="list-style-type: none"> Average control delay becomes noticeable to most drivers, even though acceptable gaps are found on a regular basis. It is not uncommon for an arriving driver to find a standing queue of at least one additional vehicle.
D	<ul style="list-style-type: none"> Average control delay is long enough to be an irritation to most drivers. Average control delay is long because acceptable gaps are hard to find, because there is a standing queue of vehicles already waiting when the driver arrives, or both.
E	<ul style="list-style-type: none"> Drivers find the length of the average control delay approaching intolerable levels. Average control delay is long because acceptable gaps are hard to find, because there is a standing queue of vehicles already waiting when the driver arrives, or both. There may or may not be substantial excess capacity remaining at the intersection when this condition is encountered.
F	<ul style="list-style-type: none"> Most drivers encountering this condition consider the length of the average control delay to be too long. Average control delay is long because acceptable gaps are hard to find, because there is a standing queue of vehicles already waiting when the driver arrives, or both. There may or may not be substantial excess capacity remaining at the intersection when this condition is encountered.

Table B4
Level of Service Criteria for Unsignalized Intersections

Level of Service	Average Control Delay per Vehicle (Seconds)
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

It should be noted that the level of service criteria for unsignalized intersections are somewhat different than the criteria used for signalized intersections. The primary reason for this difference is that drivers expect different levels of performance from different kinds of transportation facilities. The expectation is that a signalized intersection is designed to carry higher traffic volumes than an unsignalized intersection. Additionally, there are a number of driver behavior considerations that combine to make delays at signalized intersections less onerous than at unsignalized intersections. For example, drivers at signalized intersections are able to relax during the red interval, while drivers on the minor street approaches to TWSC intersections must remain attentive to the task of identifying acceptable gaps and vehicle conflicts. Also, there is often much more variability in the amount of delay experienced by individual drivers at unsignalized intersections than signalized intersections. For these reasons, the control delay threshold for any given level of service has been set to be less for an unsignalized intersection than for a signalized intersection. **While overall intersection level of service is calculated for AWSC intersections, level of service is only calculated for the minor approaches and the major street left turn movements at TWSC intersections.** No delay is assumed to the major street through movements. For TWSC intersections, the overall intersection level of service remains undefined: level-of-service is only calculated for each minor street lane.

In the performance evaluation of unsignalized intersections, it is important to consider other measures of effectiveness (MOE's) in addition to delay, such as v/c ratios for individual movements, average queue lengths, and 95th-percentile queue lengths. By focusing on a single MOE for the worst movement only, such as delay for the minor-street left turn, users may make inappropriate traffic control decisions.

Appendix "C"

Year 2004 Level-of-Service Worksheets

Kittelson & Associates, Inc. -- Project #5907
Rose Grove RV Park -- Forest Grove, Oregon
Existing Traffic Conditions -- Weekday PM Peak Hour

Scenario Report

Scenario: PM
Command: PM
Volume: PM
Geometry: PM
Impact Fee: Default Impact Fee
Trip Generation: PM
Trip Distribution: Default Trip Distribution
Paths: Default Paths
Routes: Default Routes
Configuration: Default Configuration

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 Existing Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Operations Method (Base Volume Alternative)

 Intersection #1 Mt. View Lane / Pacific Avenue

Cycle (sec): 90 Critical Vol./Cap. (X): 0.703
 Loss Time (sec): 12 (Y+R = 4 sec) Average Delay (sec/veh): 14.6
 Optimal Cycle: 58 Level Of Service: B

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	0	0	1	0	0	0	0	0	1	1	0	2

Volume Module:

Base Vol:	130	0	80	0	0	0	0	1345	70	100	1235	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	130	0	80	0	0	0	0	1345	70	100	1235	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	141	0	87	0	0	0	0	1462	76	109	1342	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	141	0	87	0	0	0	0	1462	76	109	1342	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Vol.:	141	0	87	0	0	0	0	1462	76	109	1342	0

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	1.00	1.00	1.00	1.00	0.97	0.97	0.91	0.91	1.00
Lanes:	0.62	0.00	0.38	0.00	0.00	0.00	0.00	1.90	0.10	1.00	2.00	0.00
Final Sat.:	1083	0	666	0	0	0	0	3515	183	1736	3473	0

Capacity Analysis Module:

Vol/Sat:	0.13	0.00	0.13	0.00	0.00	0.00	0.00	0.42	0.42	0.06	0.39	0.00
Crit Moves:	****						****			****		
Green/Cycle:	0.19	0.00	0.19	0.00	0.00	0.00	0.00	0.59	0.59	0.09	0.68	0.00
Volume/Cap:	0.70	0.00	0.70	0.00	0.00	0.00	0.00	0.70	0.70	0.70	0.57	0.00
Delay/Veh:	41.1	0.0	41.1	0.0	0.0	0.0	0.0	13.9	13.9	53.4	7.8	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	41.1	0.0	41.1	0.0	0.0	0.0	0.0	13.9	13.9	53.4	7.8	0.0
AustraQueue:	4	0	3	0	0	0	0	26	2	3	18	0

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 Existing Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #2 Private Drive East/ Pacific Avenue

Average Delay (sec/veh): 0.2 Worst Case Level Of Service: D[29.5]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	1	0	2	0	0	1

Volume Module:

Base Vol:	0	0	0	10	0	5	10	1405	0	0	1340	25
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	0	10	0	5	10	1405	0	0	1340	25
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	11	0	5	11	1527	0	0	1457	27
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	11	0	5	11	1527	0	0	1457	27

Critical Gap Module:

Critical Gp:	xxxxx	xxxx	xxxxx	6.8	xxxx	6.9	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	xxxxx	3.5	xxxx	3.3	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxx	xxxx	xxxxx	2752	xxxx	905	1811	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	13	xxxx	232	275	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	13	xxxx	232	275	xxxx	xxxxx	xxxx	xxxx	xxxxx
Total Cap:	647	662	xxxxx	142	669	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	xxxx	0.08	xxxx	0.02	0.04	xxxx	xxxx	xxxx	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx	0.1	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx
Stopped Del:	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx	18.6	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT	LTR	RT									
Shared Cap.:	xxxx	xxxx	xxxxxx	xxxx	163	xxxxxx	xxxx	xxxx	xxxxxx	xxxx	xxxx	xxxxxx
SharedQueue:	xxxxxx	xxxx	xxxxxx	xxxxxx	0.3	xxxxxx	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx
Shrd StpDel:	xxxxxx	xxxx	xxxxxx	xxxxxx	29.5	xxxxxx	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxx			29.5			xxxxxx			xxxxxx		
ApproachLOS:	*			D			*			*		

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 Existing Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #3 Best Western-AutoZone Driveway / Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: E [39.7]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	1	0	0	1	1	0	1	1	0	1

Volume Module:

Base Vol:	10	0	5	2	0	2	10	1410	5	10	1335	2
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	10	0	5	2	0	2	10	1410	5	10	1335	2
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	11	0	5	2	0	2	11	1533	5	11	1451	2
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	11	0	5	2	0	2	11	1533	5	11	1451	2

Critical Gap Module:

Critical Gp:	7.5	xxxx	6.9	7.5	xxxx	6.9	4.1	xxxx	xxxxx	4.2	xxxx	xxxxx
FollowUpTim:	3.5	xxxx	3.3	3.5	xxxx	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	2819	xxxx	769	2767	xxxx	889	1778	xxxx	xxxxx	1538	xxxx	xxxxx
Potent Cap.:	7	xxxx	348	8	xxxx	237	282	xxxx	xxxxx	419	xxxx	xxxxx
Move Cap.:	7	xxxx	348	7	xxxx	237	282	xxxx	xxxxx	419	xxxx	xxxxx
Total Cap:	90	643	xxxxx	112	650	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	0.12	xxxx	0.02	0.02	xxxx	0.01	0.04	xxxx	xxxx	0.03	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.1	xxxx	xxxxx	0.1	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	18.3	xxxx	xxxxx	13.8	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	B	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	120	xxxxx	xxxx	152	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	0.5	xxxxx	xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	39.7	xxxxx	xxxxx	29.4	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	E	*	*	D	*	*	*	*	*	*	*
ApproachDel:	39.7			29.4			xxxxxxx			xxxxxxx		
ApproachLOS:	E			D			*			*		

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 Existing Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #4 Private Drive West/ Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: D[29.3]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	1	0	2	0	0	1

Volume Module:	North Bound			South Bound			East Bound			West Bound		
Base Vol:	0	0	0	15	0	20	10	1410	0	0	1325	20
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	0	15	0	20	10	1410	0	0	1325	20
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	16	0	22	11	1533	0	0	1440	22
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	16	0	22	11	1533	0	0	1440	22

Critical Gap Module:	North Bound			South Bound			East Bound			West Bound		
Critical Gp:	xxxxx	xxxx	xxxxx	6.8	xxxx	6.9	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	xxxxx	3.5	xxxx	3.3	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx

Capacity Module:	North Bound			South Bound			East Bound			West Bound		
Cnflct Vol:	xxxx	xxxx	xxxxx	2739	xxxx	894	1789	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	14	xxxx	235	280	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	13	xxxx	235	280	xxxx	xxxxx	xxxx	xxxx	xxxxx
Total Cap:	599	660	xxxxx	145	667	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	xxxx	0.11	xxxx	0.09	0.04	xxxx	xxxx	xxxx	xxxx	xxxx

Level Of Service Module:	North Bound			South Bound			East Bound			West Bound		
Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	18.4	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	186	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	xxxx	xxxxx	xxxxx	0.7	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	29.3	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxxx			29.3			xxxxxxx			xxxxxxx		
ApproachLOS:	*			D			*			*		

Appendix "D"

Crash Data

07/24/2002

CONTINUOUS SYSTEM ACCIDENT LISTING
HIGHWAY 8 BETWEEN QUINCE AND YEM (FOREST GROVE) 01/01/97-12/31/01

PAGE 7

29, TUNLAWIN VALLEY HWY

SERIAL NO.	DATE	COUNTY	SYSTEM	FIRST	INTER	ROAD	TYPE	WEATH	ACC	PARTI	YEM	RES	MOVE	ERROR	EVENT	
NO.	DAY	CITY	PPX-MILEP	INTERST	CONN	CHAR	TYDB/TURN	SURF	COLL	CIPNT	OWNER	LIC	FR-TO	ACTION	CAUSE	
INVEST TIME					-RAMP	-LOC	[LANES]	LIGHT	CLASS	SEVRTY	TYPE	SEX				
										02	MVOP	PRI	ORI-Y	STOP	NONE	
										DDO	PASS	56	F	E	W	
															STOPPED	
06504	07/19/00	WASHINGTON	PR-ART	1504	INTER	SW 6	3-LEG	CLDY	E REAR	01	MVOP	PRI	ORI-Y	STRGHT	REAR-END	
CITY	WBD 05A	FOREST GROV 0		17.46 2301			NONE	DRY	DNRM	DNJ	DDO	PASS	16	M	SW	NR
													15	M	PSNGR	DISTRCTD
																FOL-CLOS
										02	INJC					
										03	MVOP	PRI	ORI-Y	STOP	NONE	
										INJC	PASS	15	M	SH	NR	
															STOPPED	
03649	05/03/99	WASHINGTON	PR-ART	1504	INTER	N 6	3-LEG	CLR	R REAR	01	MVOP	PRI	ORI-Y	STRGHT	INATTEN	
NONE	MMH 07A	FOREST GROV 0		17.46 2301			NONE	DRY	DAY	DDO	DDO	PASS	26	M	W	E
													26	M	W	E
																DISTRCTD
																FOL-CLOS
										02	MVOP	PRI	ORI-Y	STOP	NONE	
										DDO	PASS	50	F	W	E	
															STOPPED	
11400	12/22/99	WASHINGTON	PR-ART	1504	INTER	CM 3	3-LEG	CLR	R TURN	01	MVOP	PRI	ORI-Y	STRGHT	NONE	
NOTREC	WBD 07A	FOREST GROV 0		17.46 2301			NONE	DRY	DAY	INJ	INJC	PASS	23	F	W	E
																NONE
																NONE
										02	MVOP	PRI	ORI-Y	TURN-L	L IN TRF	
										DDO	PASS	27	M	E	S	
																NO-YIELD
09891	10/19/01	WASHINGTON	PR-ART	2301	STRGHT	W 4	(UNDIV)	CLR	R REAR	01	MVOP	PRI	ORI-Y	STRGHT	REAR-END	
NOTREC	FRI 10A	FOREST GROV 0		17.49 1504			(2)	DRY	DAY	DDO	DDO	PASS	36	F	W	E
																SKIDDED
																FOL-CLOS
										02	MVOP	PRI	ORI-Y	STOP	NONE	
										DDO	PASS	30	F	W	B	
																STOPPED
										03	UNDA		04	M	PSNGR	
01273	02/10/00	WASHINGTON	PR-ART	2301	STRGHT	W 5	(UNDIV)	CLR	R REAR	01	MVOP	PRI	ORI-Y	STRGHT	REAR-END	
CITY	THU 12M	FOREST GROV 0		17.49 1504			(4)	DRY	DAY	INJ	DDO	PASS	79	F	W	E
																DISTRCTD
																OTH-IMP
																EVERNLD
										02	MVOP	PRI	ORI-Y	STOP	NONE	
										INJC	PASS	34	M	W	R	
																STOPPED
										03	MVOP	PRI	ORI-Y	STOP	NONE	
										DDO	PASS	36	M	W	R	
																STOPPED
11098	12/01/00	WASHINGTON	PR-ART	2301	STRGHT	SW 3	(UNDIV)	CLR	R REAR	01	MVOP	PRI	ORI-Y	STRGHT	REAR-END	
CITY	FRI 01P	FOREST GROV 0		17.53 2302			(4)	DRY	DAY	INJ	DDO	PASS	40	F	NE	SW
																NONE
																FOL-CLOS
																HURD13
										02	MVOP	PRI	ORI-Y	STOP	NONE	
										INJC	PASS	42	M	NE	SW	
																STOPPED
										03	INJC		43	M	PSNGR	

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CONTINUOUS SYSTEM ACCIDENT LISTING
HIGHWAY 8 BETWEEN QUINCE AND TRN (FOREST GROVE) 01/01/97-12/31/01

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29. TURLATIN VALLEY HWY

SERIAL NO./ INVEST	DATE/ TIME	COUNTY/ CITY	SYSTEM/ PEX-MILEP	FIRST/ INTRST	ROAD- (CLEAR/ RAMP)		INTER OR (MEDIAN)	TYPE	PARTI- CLEM/ SEVRY	VESI OWNER/ TYPE	RES- LIC/ AGE- SHI	MOVE/ FR-TO	ERROR/ ACTION	EVENI/ CAUSE			
					DIRCC	LOC	TEER/TURN								WEATH/ (LANES)	HEATH/ SURF- COLL/ CLASS	
									04	MVOP PRI	ORI-Y	STOP	NONE				
									PDO	PASS	27 M	DR SW	STOPPED				
11223	12/12/99	WASHINGTON	PR-ART	2301			INTER	CROSS	RAIN	A TURN	01	H-R	PRI	ORI-Y TURN-R	WIDE TRN		
		CITY	SUN 03P	FOREST GROV 0	17.55	2301	W	6	2	WET DAY	EDO			00 M	N W	NONE	IMP-TURN
									02	MVOP PRI	ORI-Y	STOP	NONE				
									PDO	PASS	50 F	W E	WAITFORL				
									03	PDO			50 F	PSNGR			
11924	12/25/00	WASHINGTON	PR-ART	2301			ALLEY	0-LEG	CLDY	6 TURN	01	MVOP PRI	ORI-Y TURN-R	NONE			
		CITY	MON 02P	FOREST GROV 0	17.56	1506	W	2	2	DRY DAY	INJ			82 M	E N	ENTER DW	
									02	MISC DIC	BIC	STRGHT	WRNGSIDE				LEFT-CEN
										INJB			48 M	W E	NONE		
02084	03/12/97	WASHINGTON	PR-ART	2301			ALLEY	0-LEG	RAIN	8 TURN	01	MVOP PRI	ORI-Y STRGHT	NONE			
		CITY	WED 05P	FOREST GROV 0	17.56	1504	W	1	4	WET BLIT	INJ			17 M	H W	NONE	
									02	INJC			18 F	PSNGR			
									03	INJC			16 F	PSNGR			
									04	MVOP PRI	ORI-N TURN-L	NO ROPWY					
									INJA	PASS	43 M	N E	EXIT DRY		NO-YIELD		
07430	08/28/01	WASHINGTON	PR-ART	2301			ALLEY	0-LEG	CLR	H TURN	01	MVOP PRI	ORI-Y STRGHT	NONE			
		COUNTY	TUE 09A	FOREST GROV 0	17.63	2001	E	6	4	DRY DAY	INJ			37 F	W E	NONE	
									02	MVOP PRI	ORI-Y TURN-L	L IN TRF					
									PDO	PASS	45 M	E S	ENTER DW		IMP-TURN		
02901	04/05/99	WASHINGTON	PR-ART	2301			ALLEY	0-LEG	CLR	8 FIX	01	MVOP PRI	ORI-Y TURN-L	WIDE TRN	DITCH		
		NOTREC	MON 06A	FOREST GROV 0	17.68	2302	SW	6	2	DRY DUND	EDO			22 M	E S	ENTER DW	IMP-TURN
									02	MVOP PRI	ORI-Y TURN-L	WIDE TRN					
									PDO	PASS	22 M	E S	ENTER DW		IMP-TURN		
02899	04/10/97	WASHINGTON	PR-ART	2301			STRGHT (UNDIV)	CLR	8 REAR	01	MVOP PRI	ORI-Y STRGHT	REAR-BND				
		NOTREC	THU 02P	FOREST GROV 0	17.70	1504	W	4	(4)	DRY DAY	INJ			50 M	E W	NONE	PQC-CLOS
									02	MVOP PRI	ORI-Y STOP	NONE					
									INJC	PASS	63 M	E W	STOPPED				
03536	05/11/98	WASHINGTON	PR-ART	2301			ALLEY	0-LEG	CLR	8 TURN	01	MVOP PRI	ORI-Y STRGHT	NONE			
		CITY	MON 06P	FOREST GROV 0	17.71	0803	E	4	2	DRY DAY	INJ			26 F	E W	NONE	
									02	MVOP PRI	ORI-N TURN-R	NO ROPWY					
									PDO	PASS	22 M	N W	EXIT DRY		NO-YIELD		

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CONTINUOUS SYSTEM ACCIDENT LISTING
HIGHWAY 8 BETWEEN QUINCE AND YEW (FOREST GROVE) 01/01/97-12/31/01

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29, TOLLETTIN VALLEY HWY

SERIAL NO.	DATE/TIME	COUNTY/CITY	SYSTEM/PR-MILEP	FIRST/INJECT	CONC -RAMP	ROAD-CHAR/DIR	INTER OR (MEDIAN) TYPE/TURN	WEATH/ SURF- LIGHT	ACC- COLL/ CLASS	PARTI- CIPRT/ SEVRTY	VEH OWNER/ TYPE	REG- LIC/ AGR- SEX	MOVH/ FR-TO	HROD/ ACTION	EVENT/ CAUSE			
																NO.	DAY	NO.
02903	04/01/00	WASHINGTON	PR-ART	1504		INTER	CROSS	CLR	H REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	NOVRE	SAT	64P	FOREST GROV -	17.46	W	6	NONE	DRY DAY	INJ	PDO	PASS	17 M	N	E	NONE	POL-CLOS	
											02	MVOP PRI	ORI-Y	STOP	NONE			
											PDO	PASS	66 M	N	E	STOPPED		
											03	INJC	16 M	PSNGR				
03522	04/17/00	WASHINGTON	PR-ART	1504		INTER	CROSS	CLR	E REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	NONE	MON	13N	FOREST GROV -	17.46	N	6	NONE	DRY DAY	INJ	PDO	PASS	30 M	N	E	NONE	POL-CLOS	
											02	MVOP PRI	ORI-Y	STOP	NONE			
											INJC	PASS	37 M	N	N	STOPPED		
03199	03/11/00	WASHINGTON	PR-ART	2302		STRECH	(UNDIV)	CLR	E REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	MON	SAT	09P	FOREST GROV -	17.50	E	4	(2)	DRY	DLIT	INJ	PDO	PASS	41 M	E	W	NONE	DRINKING
											02	MVOP PRI	ORI-Y	STOP	NONE			
											INJC	PASS	29 M	E	W	STOPPED		
											03	INJC	29 F	PSNGR				
											04	INJC	05 M	PSNGR				
02979	04/05/00	WASHINGTON	PR-ART	2301		INTER	3-LE	CLR	H REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	CITY	WED	05P	FOREST GROV -	17.51	N	6	NONE	DRY DAY	INJ	PDO	PASS	38 M	N	E	DISTRCTD	POL-CLOS	
											02	MVOP PRI	ORI-Y	STOP	NONE			
											PDO	PASS	20 F	W	E	STOPPED		
											03	INJC	22 M	PSNGR				
05470	05/19/00	WASHINGTON	PR-ART	2302		STRECH	(UNDIV)	CLR	E REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	CITY	MON	12N	FOREST GROV -	17.62	N	3	(2)	DRY DAY	PDO	PDO	PASS	65 F	W	E	NONE	WORK ZNE	
											02	MVOP PRI	ORI-Y	STOP	NONE		POL-CLOS	
											PDO	PASS	54 M	W	E	STOPPED		
04641	06/06/01	WASHINGTON	PR-ART	1504		INTER	CROSS	CLR	E REAR	01	MVOP PRI	ORI-Y	STRECH	REAR-END				
	CITY	FRI	08A	FOREST GROV 2	17.56	N	6	NONE	DRY DAY	INJ	PDO	PASS	44 F	E	W	DISTRCTD	DIR-IMP	
											02	MVOP PRI	ORI-Y	STOP	NONE			
											INJC	PASS	23 F	R	W	PRIOR AC		
											03	MVOP PRI	ORI-Y	STOP	NONE		EVENT13	
											PDO	PASS	46 M	R	W	STOPPED		

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CONTINUOUS SYSTEM ACCIDENT LISTING
HIGHWAY 8 BETWEEN QUINCE AND YEW (FOREST GROVE) 01/01/97-12/31/01

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19, FORCASTEN VALLEY HWY

SERIAL NO.	DATE/TIME	COUNTY/CITY	SYSTEM/EX-MILE	FIRST/INTRCT	ROAD-CHAR/ -RAMP -LOC	INTER OR (MEDIAN) TYPE/TURN LEGS OR (LANES)	WEATH/ SURF- LIGHT	ACC- COLL/ CLASS	PARTI- CIPNT/ SEVRTY	VEH OWNER/ TYPE	RES- LIC/ AGE- SEX	MOVH/ FR-TO	ERROR/ ACTION	EVENT/ CAUSE
02903	06/01/00	WASHINGTON	PR-ART	1504		INTER	CROSS CLR	H REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	NOVRE	SAT 04P	FOREST GROV -	17.46	2302	N 6	NONE DRY DAY	INJ		PDO PASS	17 M W E	NONE		FOL-CLOS
									02	MVOP PRI	ORI-Y	STOP	NONE	
										PDO PASS	66 M W E	STOPPED		
									03	INJC	36 M W	PSNR		
01522	04/17/00	WASHINGTON	PR-ART	1504		INTER	CROSS CLR	E REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	NOVRE	MON 12N	FOREST GROV -	17.46	2302	N 6	NONE DRY DAY	INJ		PDO PASS	10 M W E	NONE		FOL-CLOS
									02	MVOP PRI	ORI-Y	STOP	NONE	
										INJC PASS	37 M W N	STOPPED		
01199	03/11/00	WASHINGTON	PR-ART	2302		STRGHT	(UNDIV) CLR	E REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	NOVRE	SAT 09P	FOREST GROV -	17.50	2301	E 4	(2) DRY BLIT	INJ		PDO PASS	41 M E W	NONE		DRINKING
									02	MVOP PRI	ORI-Y	STOP	NONE	
										INJC PASS	29 M E W	STOPPED		
									03	INJC	29 E	PSNR		
									04	INJC	05 M W	PSNR		
02977	04/04/00	WASHINGTON	PR-ART	2301		INTER	3-LEA CLR	H REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	CITY	WED 05P	FOREST GROV -	17.51	2302	N 6	NONE DRY DAY	INJ		PDO PASS	38 M W E	DISTRCTD		FOL-CLOS
									02	MVOP PRI	ORI-Y	STOP	NONE	
										PDO PASS	20 F W E	STOPPED		
									03	INJC	22 M W	PSNR		
05470	05/19/00	WASHINGTON	PR-ART	2302		STRGHT	(UNDIV) CLR	H REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	CITY	MON 12N	FOREST GROV -	17.62	1504	N 3	(2) DRY DAY	PDO		PDO PASS	45 F W E	NONE		FOL-CLOS
									02	MVOP PRI	ORI-Y	STOP	NONE	
										PDO PASS	54 M W E	STOPPED		
05641	06/06/01	WASHINGTON	PR-ART	1504		INTER	CROSS CLR	E REAR	01	MVOP PRI	ORI-Y	STRGHT	REAR-END	
	CITY	FRI 08A	FOREST GROV 2	17.56	2302	N 6	NONE DRY DAY	INJ		PDO PASS	44 F E W	DISTRCTD		OTH-IMP
									02	MVOP PRI	ORI-Y	STOP	NONE	
										INJC PASS	23 F E W	PRIOR AC		
									03	MVOP PRI	ORI-Y	STOP	NONE	EVENT13
										PDO PASS	46 M E W	STOPPED		

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OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING
 CRASH SUMMARIES BY YEAR - REPORT EPSUMS2A

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MOUNTAIN VIEW LANE AT HIGHWAY 8 (FOREST GROVE) 01/01/97-12/31/01

YEAR	COLLISION TYPE	FATAL CRASHES	NON- FATAL CRASHES	PROP. DAMAGE ONLY	CRASHES TOTAL	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER- SECTION	OFF- ROAD
1997	REAR-END		3		3		9		2	1	3		3	
1997	YEAR TOTALS		3		3		9		2	1	3		3	
1998	REAR-END		1	2	3		1		2	1		1	3	
1998	SIDESWIPe-OVERTAKING			1	1				1		1		1	
1998	YEAR TOTALS		1	3	4		1		3	1	1	1	4	
1999	REAR-END		1	2	3		1	1	2	1	9		3	
1999	TURNING MOVEMENTS		1		1		1		1		1		1	
1999	YEAR TOTALS		2	2	4		2	1	3	1	4		4	
2000	REAR-END		4	2	6		6		5	1	5	1	6	
2000	YEAR TOTALS		4	2	6		6		5	1	5	1	6	
2001	REAR-END		2		2		2		2		2		2	
2001	YEAR TOTALS		2		2		2		2		2		2	
FINAL TOTALS			13	7	19		20	1	15	4	15	4	19	

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OREGON DEPARTMENT OF TRANSPORTATION - TRANSPORTATION DEVELOPMENT DIVISION
 TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING
 CRASH SUMMARIES BY YEAR - REPORT EPR0002A

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MOUNTAIN VIEW LANE AT HIGHWAY 8 (FOREST GROVE) 01/01/97-12/31/01

YEAR	COLLISION TYPE	FATAL CRASHES	NON- FATAL CRASHES	PROP. DAMAGE ONLY	CRASHES TOTAL	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER- SECTION	OFF- ROAD
1997	REAR-END		3		3		9		2	1	3		3	
1997	YEAR TOTALS		3		3		9		2	1	3		3	
1998	REAR-END		1	2	3		1		2	1		3	3	
1998	SIDESWIPER-OVERTAKING			1	1				1		1		1	
1998	YEAR TOTALS		1	3	4		1		3	1	1	3	4	
1999	REAR-END		1	2	3		1	1	2	1	3		3	
1999	TURNING MOVEMENTS		1	1	2		1	1	1		1		1	
1999	YEAR TOTALS		2	3	5		2	2	3	1	4		4	
2000	REAR-END		4	2	6		6		5	1	5	1	6	
2000	YEAR TOTALS		4	2	6		6		5	1	5	1	6	
2001	REAR-END		2		2		2		2		2		2	
2001	YEAR TOTALS		2		2		2		2		2		2	
FINAL TOTALS			12	7	19		20	1	15	4	15	1	29	

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MOUNTAIN VIEW LANE AT HIGHWAY 4 (FOREST GROVE) 01/01/97-12/31/01

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25, TOLLATTIN VALLEY HWY

SERIAL NO./INVEST	DATE/ TIME	COUNTY/ CITY	SYSTEM/ PTX-MILE	FIRST/ INTERSECT	CORR. DIR/ RAMP	DIR/ LOC	INTER OR (MEDIAN) TYPE		WEATH/ SURF- COLL/ LIGHT CLASS	PARTI- CLIPMT/ SEVRYTY	VEH OWNER/ TYPE	RES- LIC/ AGE- SEX	MOVE/ FR-TO	ERROR/ ACTION	EVENT/ CAUSE	
							TYPE/TURN	LEGS OR (LANES)								
03708 CITY	10/14/97 TUE 10A	WASHINGTON FOREST GROV 0	PR-ART 17.46	ME-ART 2301	1504	INTER E 6	3-LEG NONE	CLR DRY DAY	E REAR IMP	01	MVOP	PRI	OR1-Y	STRGHT	REAR-END	POL-CLOS EVENT13
											IMPJB	PASS	82 F	E W	NONE	
										02	MVOP	PRI	OR1-Y	STOP	NONE	
											IMPJB	PASS	53 F	H W	STOPPED	
										03	MVOP	PRI	OR1-Y	STOP	NONE	
											IMPJB	PASS	33 F	E W	STOPPED	
										04	IMPJB		35 M	PSNGR		
05	IMPJC		57 F	PSNGR												
06	IMPJB		22 M	PSNGR												
07	MVOP	PRI	OR1-Y	STOP	NONE											
										IMPJC	PASS	36 F	E W	STOPPED		
02964 NONE	04/17/98 FRI 12M	WASHINGTON FOREST GROV 0	PR-ART 17.46	PR-ART 2301	1504	INTER E 6	3-LEG NONE	CLR DRY DAY	E SS-D PDO	01	MVOP	PRI	OR1-Y	STRGHT	IMP LANE	OTH-IMP
											PDO	PASS	57 M	E W	AVOIDING	
02	MVOP	PRI	OR1-Y	STOP	NONE											
										PDO	PASS	28 M	E W	WAITFORL		
06498 NOTREC	10/01/98 THU 07P	WASHINGTON FOREST GROV 0	PR-ART 17.46	PR-ART 2301	1504	INTER E 6	3-LEG NONE	RAIN NET DRIT	E REAR PDO	01	MVOP	PRI	OR1-Y	STRGHT	REAR-END	POL-CLOS
											PDO	PASS	47 M	E W	NONE	
02	MVOP	PRI	OR1-Y	STOP	NONE											
										PDO	PASS	21 F	R W	STOPPED		
10878 NOTREC	12/08/98 TUE 05P	WASHINGTON FOREST GROV 0	PR-ART 17.46	PR-ART 2301	1504	INTER E 6	3-LEG NONE	CLR DRY DLET	E REAR PDO	01	MVOP	PRI	OR2-Y	STRGHT	REAR-END	POL-CLOS EVENT13
											PDO	PASS	80 F	E W	NONE	
										02	MVOP	PRI	OR1-Y	STOP	NONE	
										PDO	PASS	47 M	E W	STOPPED		
03	MVOP	PRI	OR1-Y	STOP	NONE											
										PDO	PASS	90 F	E W	STOPPED		
04409 NOTREC	05/28/99 FRI 03P	WASHINGTON FOREST GROV 0	PR-ART 17.46	PR-ART 2301	1504	INTER E 6	3-LEG NONE	CLR DRY DAY	E REAR PDO	01	MVOP	PRI	OR2-Y	STRGHT	REAR-END	POL-CLOS
											PDO	TROCK	49 M	E W	NONE	
02	MVOP	PRI	OR1-Y	STOP	NONE											
										PDO	PASS	78 M	E W	STOPPED		
00520 CITY	01/25/00 TUE 01P	WASHINGTON FOREST GROV 0	PR-ART 17.46	PR-ART 2301	1504	INTER E 6	3-LEG NONE	CLDY DRY DAY	E REAR IMP	01	MVOP	PRI	OR1-Y	STRGHT	REAR-END	POL-CLOS EVENT13
											EDG	PASS	65 M	E W	NONE	
02	MVOP	PRI	OR1-Y	STOP	NONE											
										IMPJB	PASS	69 M	E W	STOPPED		

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MOUNTAIN VIEW LANE AT HIGHWAY 9 (FOREST GROVE) 01/01/97-12/31/01

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SERIAL NO./INVEST	DATE/TIME	COUNTY/CITY	SYSTEM/PEX-MILEP	FIRST/INTERSECT	ROAD-CHAR/DIR/LOC	INTR OR (MEDIAN) TYPE/TURN LEGS OR (LANE)	WEATH/DRY/RAIN/CLD/DRY	TYPE/ACC-COLL/CLASS	PARTI-CIENT/SEVRY	VEH OWNER/TYPE	RES-LIC/AGE/SEX	MOVE/PR-TO	ERRDR/ACTION	EVENT/CAUSE
									01	MVOP PRI	ORI-Y STOP	NONE		
									INJC	PASS	03 F E W	STOPPED		
01100	02/02/00	WASHINGTON	PR-ART			INTER	3-LEG CLR	B REAR	01	MVOP PRI	UNK-U STRGHT	REAR-END		
NONE	MON 02P	RURAL	0	17.46		H 6	NONE	DRY DAY	PDO	PASS	00 M E W	NONE	FOL-CLOS	
									02	MVOP PRI	ORI-Y STOP	NONE		
									PDO	PASS	01 F E W	STOPPED		
03406	04/27/00	WASHINGTON	PR-ART	1504		INTER	3-LEG RAIN	C REAR	01	MVOP PRI	ORI-Y STRGHT	NO SLOW		
NOTREC	THU 12N	FOREST GROV	0	17.46	2301	E 6	NONE	WET DAY	PDO	PASS	19 M E W	NONE	FOL-CLOS	
									02	MVOP PRI	ORI-Y STRGHT	NONE		
									PDO	PASS	29 F E W	NONE		
07766	09/06/01	WASHINGTON	PR-ART	1504		INTER	3-LEG CLDY	E REAR	01	MVOP PRI	ORI-Y STRGHT	REAR-END		
CITY	THU 02P	FOREST GROV	0	17.46	2301	E 6	NONE	DRY DAY	INJC	PASS	71 F E W	NONE	FOL-CLOS	
									02	MVOP PRI	ORI-Y STOP	NONE		
									PDO	PASS	56 F E W	STOPPED		
06594	07/19/00	WASHINGTON	PR-ART	1504		INTER	3-LEG CLDY	E REAR	01	MVOP PRI	ORI-Y STRGHT	REAR-END		
CITY	WED 05A	FOREST GROV	0	17.46	2301	SW 6	ICMB	DRY DAWN	PDO	PASS	18 M SW NE	DISTRCTD	FOL-CLOS	
									02	INJC	19 M SW NE			
									03	MVOP PRI	ORI-Y STOP	NONE		
									INJC	PASS	16 M SW NE	STOPPED		
03549	05/03/99	WASHINGTON	PR-ART	1504		INTER	3-LEG CLR	E REAR	01	MVOP PRI	ORI-Y STRGHT	INATTEN		
NONE	MON 07A	FOREST GROV	0	17.46	2301	W 6	ICMB	DRY DAY	PDO	PASS	26 M W E	DISTRCTD	FOL-CLOS	
									02	MVOP PRI	ORI-Y STOP	NONE		
									PDO	PASS	50 F W E	STOPPED		
11400	12/22/98	WASHINGTON	PR-ART	1504		INTER	3-LEG CLR	N TURN	01	MVOP PRI	ORI-Y STRGHT	NONE		
NOTREC	WED 07A	FOREST GROV	0	17.46	2301	CH 3	NONE	DRY DAY	INJC	PASS	23 F W E	NONE		
									02	MVOP PRI	ORI-Y STRGHT	L IN TRF		
									PDO	PASS	27 M W E	NONE	NO-YIELD	
01333	02/19/97	WASHINGTON	PR-ART	1504		INTER	CROSS CLDY	E REAR	01	MVOP PRI	ORI-Y STRGHT	TO CLOSE		
CITY	WED 03A	FOREST GROV	-	17.46	2302	W 6	NONE	WET DAY	PDO	PASS	02 M W E	NONE	FOL-CLOS	
									02	MVOP PRI	ORI-Y STOP	NONE		
									INJC	PASS	21 M W E	STOPPED		

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MOUNTAIN VIEW LANE AT HIGHWAY # (FOREST GROVE) 01/01/97-12/31/01

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79, TUALATIN VALLEY HWY

SERIAL NO.	DATE/TIME	COUNTY/CITY	SYSTEM/PPX-MILE	FIRST/INTRSCT	ROAD-CHAR/CONT DIREC	INTER OR (MEDIAN) TYPE/LEGS OR (LANES)	WEATH/SURF- LIGHT	ACC-COLL/CLASS	PARTI- VEH CIPNT/ OWNER/ SEVRITY TYPE	RES- LIC/ ASE- MOVE/ FR-TO	ERROR/ ACTION	EVENT/ CAUSE
08538	08/06/97	WASHINGTON	PR-ART	1504	INTER	CROSS	CLR	R REAR	01 MVOP PRI PDO PASS	ORI-Y-STRAIGHT 72 F W E	REAR-END NONE	FOL-CLOS EVENT13
		NOTREC	4WD 05P	FOREST GROV - 17.46 2302	W 6	NONE	DRY DAY	INJ	02 MVOP PRI INJC PASS	ORI-Y-STOP 14 F W E	NONE STOPPED	
									03 MVOP PRI PDO PASS	ORI-Y-STOP 03 U W E	NONE STOPPED	
10553	11/28/98	WASHINGTON	PR-ART	1504	INTER	CROSS	CLOY	R REAR	01 MVOP PRI INJB PASS	ORI-Y-STRAIGHT 16 M W E	REAR-END NONE	FOL-CLOS
		CITY	SAT 05P	FOREST GROV - 17.46 2302	N 6	NONE	DRY DLIT	INJ	02 MVOP PRI PDO PASS	ORI-Y-STOP 41 F W E	NONE STOPPED	
01622	05/01/99	WASHINGTON	PR-ART	1504	INTER	CROSS	RAIN	R REAR	01 MVOP PRI PDO PASS	ORI-Y-STRAIGHT 37 M W E	REAR-END NONE	FOL-CLOS
		NONE	SAT 09A	FOREST GROV - 17.46 2302	W 6	NONE	WET DAY	INJ	02 MVOP PRI INJC PASS	ORI-Y-STOP 23 F W E	NONE STOPPED	
02903	04/01/00	WASHINGTON	PR-ART	1504	INTER	CROSS	CLR	R REAR	01 MVOP PRI RDD PASS	ORI-Y-STRAIGHT 17 M W E	REAR-END NONE	FOL-CLOS
		NOTREC	SAT 04P	FOREST GROV - 17.46 2302	W 6	NONE	DRY DAY	INJ	02 MVOP PRI PDO PASS	ORI-Y-STOP 66 M W E	NONE STOPPED	
									03 INJC		35 M PSNGR	
03532	04/17/00	WASHINGTON	PR-ART	1504	INTER	CROSS	CLR	R REAR	01 MVOP PRI PDO PASS	ORI-Y-STRAIGHT 30 M W E	REAR-END NONE	FOL-CLOS
		NONE	MON 12N	FOREST GROV - 17.46 2302	N 6	NONE	DRY DAY	INJ	02 MVOP PRI INJC PASS	ORI-Y-STOP 37 M W N	NONE STOPPED	
04641	08/08/01	WASHINGTON	PR-ART	1504	INTER	CROSS	CLR	R REAR	01 MVOP PRI PDO PASS	ORI-Y-STRAIGHT 44 F W E	REAR-END DISTRACTD	OTH-IMP
		CITY	FRI 08A	FOREST GROV 2 17.50 2302	W 6	NONE	DRY DAY	INJ	02 MVOP PRI INJC PASS	ORI-Y-STOP 23 F W E	NONE PRIOR AC	
									03 MVOP PRI PDO PASS	ORI-Y-STOP 46 M W W	NONE STOPPED	EVENT13

07/24/2003

08/06/97

11/28/98

05/01/99

04/01/00

04/17/00

08/08/01

Appendix "E"

*2005 Background Conditions
Operations Worksheets*

Kittelson & Associates, Inc. -- Project #5907
Rose Grove RV Park -- Forest Grove, Oregon
2005 Background Traffic Conditions -- Weekday PM Peak Hour

Scenario Report

Scenario: PM
Command: PM
Volume: PM
Geometry: PM
Impact Fee: Default Impact Fee
Trip Generation: PM
Trip Distribution: Default Trip Distribution
Paths: Default Paths
Routes: Default Routes
Configuration: Default Configuration

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 Background Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Operations Method (Base Volume Alternative)

 Intersection #1 Mt. View Lane / Pacific Avenue

Cycle (sec): 90 Critical Vol./Cap. (X): 0.717
 Loss Time (sec): 12 (Y+R = 4 sec) Average Delay (sec/veh): 14.9
 Optimal Cycle: 60 Level Of Service: B

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	0	0	1	0	0	0	0	0	1	1	0	2

Volume Module:

Base Vol:	130	0	80	0	0	0	0	1345	70	100	1235	0
Growth Adj:	1.02	1.02	1.02	1.00	1.00	1.00	1.02	1.02	1.02	1.02	1.02	1.02
Initial Bse:	133	0	82	0	0	0	0	1372	71	102	1260	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	144	0	89	0	0	0	0	1491	78	111	1369	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	144	0	89	0	0	0	0	1491	78	111	1369	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Vol.:	144	0	89	0	0	0	0	1491	78	111	1369	0

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	1.00	1.00	1.00	1.00	0.97	0.97	0.91	0.91	1.00
Lanes:	0.62	0.00	0.38	0.00	0.00	0.00	0.00	1.90	0.10	1.00	2.00	0.00
Final Sat.:	1083	0	666	0	0	0	0	3515	183	1736	3473	0

Capacity Analysis Module:

Vol/Sat:	0.13	0.00	0.13	0.00	0.00	0.00	0.00	0.42	0.42	0.06	0.39	0.00
Crit Moves:	****						****			****		
Green/Cycle:	0.19	0.00	0.19	0.00	0.00	0.00	0.00	0.59	0.59	0.09	0.68	0.00
Volume/Cap:	0.72	0.00	0.72	0.00	0.00	0.00	0.00	0.72	0.72	0.72	0.58	0.00
Delay/Veh:	41.9	0.0	41.9	0.0	0.0	0.0	0.0	14.2	14.2	54.7	7.9	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	41.9	0.0	41.9	0.0	0.0	0.0	0.0	14.2	14.2	54.7	7.9	0.0
AustraQueue:	4	0	3	0	0	0	0	27	2	3	18	0

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 Background Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #2 Private Drive East/ Pacific Avenue

Average Delay (sec/veh): 0.2 Worst Case Level Of Service: D[30.5]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	0	2	0	0	1	1

Volume Module:

Base Vol:	0	0	0	10	0	5	10	1405	0	0	1340	25
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	0	0	0	10	0	5	10	1433	0	0	1367	25
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	11	0	5	11	1558	0	0	1486	27
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	11	0	5	11	1558	0	0	1486	27

Critical Gap Module:

Critical Gp:	xxxxx	xxxxx	xxxxx	6.8	xxxxx	6.9	4.1	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
FollowUpTim:	xxxxx	xxxxx	xxxxx	3.5	xxxxx	3.3	2.2	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxxx	xxxxx	xxxxx	2827	xxxxx	930	1860	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Potent Cap.:	xxxxx	xxxxx	xxxxx	12	xxxxx	222	261	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Move Cap.:	xxxxx	xxxxx	xxxxx	11	xxxxx	222	261	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Total Cap:	641	656	xxxxx	138	664	xxxxx						
Volume/Cap:	xxxxx	xxxxx	xxxxx	0.08	xxxxx	0.02	0.04	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

Level Of Service Module:

Queue:	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	0.1	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Stopped Del:	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	19.4	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxxx	xxxxx	xxxxx	xxxxx	158	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
SharedQueue:	xxxxx	xxxxx	xxxxx	xxxxx	0.3	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Shrd StpDel:	xxxxx	xxxxx	xxxxx	xxxxx	30.5	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxxx			30.5			xxxxxxx			xxxxxxx		
ApproachLOS:	*			D			*			*		

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 Background Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #3 Best Western-Autozone Driveway / Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: E[41.3]

Approach:	North Bound			South Bound			East Bound			West Bound						
Movement:	L	T	R	L	T	R	L	T	R	L	T	R				
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled						
Rights:	Include			Include			Include			Include						
Lanes:	0	0	1	0	0	0	0	0	1	1	0	1	0	1	1	0

Volume Module:

Base Vol:	10	0	5	2	0	2	10	1410	5	10	1335	2
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	10	0	5	2	0	2	10	1438	5	10	1362	2
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	11	0	5	2	0	2	11	1563	5	11	1480	2
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	11	0	5	2	0	2	11	1563	5	11	1480	2

Critical Gap Module:

Critical Gp:	7.5	xxxx	6.9	7.5	xxxx	6.9	4.1	xxxx	xxxxx	4.2	xxxx	xxxxx
FollowUpTim:	3.5	xxxx	3.3	3.5	xxxx	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	2888	xxxx	784	2835	xxxx	911	1822	xxxx	xxxxx	1569	xxxx	xxxxx
Potent Cap.:	6	xxxx	340	7	xxxx	228	270	xxxx	xxxxx	407	xxxx	xxxxx
Move Cap.:	6	xxxx	340	6	xxxx	228	270	xxxx	xxxxx	407	xxxx	xxxxx
Total Cap:	87	639	xxxxx	108	647	xxxxx						
Volume/Cap:	0.13	xxxx	0.02	0.02	xxxx	0.01	0.04	xxxx	xxxx	0.03	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.1	xxxx	xxxxx	0.1	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	18.9	xxxx	xxxxx	14.1	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	B	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	115	xxxxx	xxxx	147	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Shared Queue:	xxxxx	0.5	xxxxx	xxxxx	0.1	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	41.3	xxxxx	xxxxx	30.3	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	E	*	*	D	*	*	*	*	*	*	*
ApproachDel:	41.3			30.3			xxxxxxx			xxxxxxx		
ApproachLOS:	E			D			*			*		

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 Background Traffic Conditions -- Weekday PM Peak Hour

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Base Volume Alternative)

 Intersection #4 Private Drive West/ Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: D [30.5]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	0	2	0	0	0	1

Volume Module:

Base Vol:	0	0	0	15	0	20	10	1410	0	0	1325	20
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	0	0	0	15	0	20	10	1438	0	0	1352	20
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	16	0	22	11	1563	0	0	1469	22
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	16	0	22	11	1563	0	0	1469	22

Critical Gap Module:

Critical Gp:	xxxxx	xxxx	xxxxx	6.8	xxxx	6.9	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	xxxxx	3.5	xxxx	3.3	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxx	xxxx	xxxxx	2815	xxxx	919	1838	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	12	xxxx	225	266	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	12	xxxx	225	266	xxxx	xxxxx	xxxx	xxxx	xxxxx
Total Cap:	592	655	xxxxx	140	662	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	xxxx	0.12	xxxx	0.10	0.04	xxxx	xxxx	xxxx	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	19.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	179	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	xxxx	xxxxx	xxxxx	0.8	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	30.5	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxxx			30.5			xxxxxxx			xxxxxxx		
ApproachLOS:	*			D			*			*		

Appendix "F"

*2005 Total Conditions Operations
Worksheets*

Kittelsohn & Associates, Inc. -- Project #5907
Rose Grove RV Park -- Forest Grove, Oregon
2005 PM Total Traffic Conditions -- With Private Drive East

Scenario Report

Scenario: PM
Command: PM
Volume: PM
Geometry: PM
Impact Fee: Default Impact Fee
Trip Generation: PM
Trip Distribution: Default Trip Distribution
Paths: Default Paths
Routes: Default Routes
Configuration: Default Configuration

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Trip Generation Report

Forecast for PM

Zone #	Subzone	Amount	Units	Rate In	Rate Out	Trips In	Trips Out	Total Trips	% Of Total
1	Rose Grove R	1.00	Residential	5.00	3.00	5	3	8	100.0
	Zone 1 Subtotal					5	3	8	100.0
TOTAL						5	3	8	100.0

Kittelsohn & Associates, Inc. -- Project #5907
Rose Grove RV Park -- Forest Grove, Oregon
2005 PM Total Traffic Conditions -- With Private Drive East

Trip Distribution Report

Percent Of Trips PM

Zone	To Gates		
	1	2	3
1	36.0	61.0	3.0

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Level Of Service Computation Report
 2000 HCM Operations Method (Future Volume Alternative)

 Intersection #1 Mt. View Lane / Pacific Avenue

Cycle (sec): 90 Critical Vol./Cap. (X): 0.717
 Loss Time (sec): 12 (Y+R = 4 sec) Average Delay (sec/veh): 14.9
 Optimal Cycle: 60 Level Of Service: B

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Split Phase			Split Phase			Protected			Protected		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	0	0	1	0	0	0	0	0	1	1	0	2

Volume Module:

Base Vol:	130	0	80	0	0	0	0	1345	70	100	1235	0
Growth Adj:	1.02	1.02	1.02	1.00	1.00	1.00	1.02	1.02	1.02	1.02	1.02	1.02
Initial Bse:	133	0	82	0	0	0	0	1372	71	102	1260	0
Added Vol:	0	0	0	0	0	0	0	2	0	0	3	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	133	0	82	0	0	0	0	1374	71	102	1263	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	144	0	89	0	0	0	0	1493	78	111	1373	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	144	0	89	0	0	0	0	1493	78	111	1373	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Final Vol.:	144	0	89	0	0	0	0	1493	78	111	1373	0

Saturation Flow Module:

Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.92	1.00	0.92	1.00	1.00	1.00	1.00	0.97	0.97	0.91	0.91	1.00
Lanes:	0.62	0.00	0.38	0.00	0.00	0.00	0.00	1.90	0.10	1.00	2.00	0.00
Final Sat.:	1083	0	666	0	0	0	0	3515	183	1736	3473	0

Capacity Analysis Module:

Vol/Sat:	0.13	0.00	0.13	0.00	0.00	0.00	0.00	0.42	0.42	0.06	0.40	0.00
Crit Moves:			****					****		****		
Green/Cycle:	0.19	0.00	0.19	0.00	0.00	0.00	0.00	0.59	0.59	0.09	0.68	0.00
Volume/Cap:	0.72	0.00	0.72	0.00	0.00	0.00	0.00	0.72	0.72	0.72	0.58	0.00
Delay/Veh:	41.9	0.0	41.9	0.0	0.0	0.0	0.0	14.2	14.2	54.8	7.9	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	41.9	0.0	41.9	0.0	0.0	0.0	0.0	14.2	14.2	54.8	7.9	0.0
AustraQueue:	4	0	3	0	0	0	0	27	2	3	18	0

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Future Volume Alternative)

 Intersection #2 Private Drive East/ Pacific Avenue

Average Delay (sec/veh): 0.3 Worst Case Level Of Service: D[31.2]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	1	0	2	0	0	1

Volume Module:

Base Vol:	0	0	0	10	0	5	10	1405	0	0	1340	25
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	0	0	0	10	0	5	10	1433	0	0	1367	25
Added Vol:	0	0	0	2	0	1	2	0	0	0	0	3
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	0	12	0	6	12	1433	0	0	1367	28
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	13	0	7	13	1558	0	0	1486	30
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	13	0	7	13	1558	0	0	1486	30

Critical Gap Module:

Critical Gp:	xxxxx	xxxx	xxxxx	6.8	xxxx	6.9	4.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	xxxxx	3.5	xxxx	3.3	2.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxx	xxxx	xxxxx	2837	xxxx	933	1865	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	12	xxxx	221	260	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	11	xxxx	221	260	xxxx	xxxxx	xxxx	xxxx	xxxxx
Total Cap:	635	653	xxxxx	137	662	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	xxxx	0.10	xxxx	0.03	0.05	xxxx	xxxx	xxxx	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.2	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	19.6	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT - LTR - RT											
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	157	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	xxxx	xxxxx	xxxxx	0.4	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	31.2	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxxx			31.2			xxxxxxx			xxxxxxx		
ApproachLOS:	*			D			*			*		

 Kittelson & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Level Of Service Computation Report

2000 HCM Unsignalized Method (Future Volume Alternative)

 Intersection #3 Best Western-Autozone Driveway/ Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: E[41.4]

Approach:	North Bound			South Bound			East Bound			West Bound									
Movement:	L	T	R	L	T	R	L	T	R	L	T	R							
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled									
Rights:	Include			Include			Include			Include									
Lanes:	0	0	1	0	0	1	0	0	1	1	0	1	0	1	0	1	0	1	0

Volume Module:

Base Vol:	10	0	5	2	0	2	10	1410	5	10	1335	1
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	10	0	5	2	0	2	10	1438	5	10	1362	1
Added Vol:	0	0	0	0	0	0	0	2	0	0	1	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	10	0	5	2	0	2	10	1440	5	10	1363	1
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	11	0	5	2	0	2	11	1565	5	11	1481	1
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	11	0	5	2	0	2	11	1565	5	11	1481	1

Critical Gap Module:

Critical Gp:	7.5	xxxx	6.9	7.5	xxxx	6.9	4.1	xxxx	xxxxx	4.2	xxxx	xxxxx
FollowUpTim:	3.5	xxxx	3.3	3.5	xxxx	3.3	2.2	xxxx	xxxxx	2.2	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	2902	xxxx	785	2848	xxxx	914	1829	xxxx	xxxxx	1571	xxxx	xxxxx
Potent Cap.:	6	xxxx	340	7	xxxx	226	268	xxxx	xxxxx	406	xxxx	xxxxx
Move Cap.:	6	xxxx	340	6	xxxx	226	268	xxxx	xxxxx	406	xxxx	xxxxx
Total Cap:	86	637	xxxxx	108	644	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Volume/Cap:	0.13	xxxx	0.02	0.02	xxxx	0.01	0.04	xxxx	xxxx	0.03	xxxx	xxxx

Level of Service Module:

Queue:	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx	0.1	xxxx	xxxxxx	0.1	xxxx	xxxxxx			
Stopped Del:	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx	19.0	xxxx	xxxxxx	14.1	xxxx	xxxxxx			
LOS by Move:	*	*	*	*	*	*	C	*	*	B	*	*			
Movement:	LT	-	LTR	-	RT	LT	-	LTR	-	RT	LT	-	LTR	-	RT
Shared Cap.:	xxxx	115	xxxxxx	xxxx	146	xxxxxx	xxxx	xxxx	xxxxxx	xxxx	xxxx	xxxxxx			
SharedQueue:	xxxxxx	0.5	xxxxxx	xxxxxx	0.1	xxxxxx	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx			
Shrd StpDel:	xxxxxx	41.4	xxxxxx	xxxxxx	30.3	xxxxxx	xxxxxx	xxxx	xxxxxx	xxxxxx	xxxx	xxxxxx			
Shared LOS:	*	E	*	*	D	*	*	*	*	*	*	*			
ApproachDel:	41.4			30.3			xxxxxxx			xxxxxxx					
ApproachLOS:	E			D			*			*					

Kittelston & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Future Volume Alternative)

 Intersection #4 Private Drive West/ Pacific Avenue

Average Delay (sec/veh): 0.4 Worst Case Level Of Service: D[30.5]

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0	0	0	0	0	1	0	2	0	0	0	1

Volume Module:

Base Vol:	0	0	0	15	0	20	10	1410	0	0	1325	20
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.02	1.00	1.00	1.02	1.00
Initial Bse:	0	0	0	15	0	20	10	1438	0	0	1352	20
Added Vol:	0	0	0	0	0	0	0	2	0	0	1	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	0	0	15	0	20	10	1440	0	0	1353	20
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
PHF Volume:	0	0	0	16	0	22	11	1565	0	0	1470	22
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	16	0	22	11	1565	0	0	1470	22

Critical Gap Module:

Critical Gp:	xxxxx	xxxxx	xxxxx	6.8	xxxxx	6.9	4.1	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
FollowUpTim:	xxxxx	xxxxx	xxxxx	3.5	xxxxx	3.3	2.2	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxxx	xxxxx	xxxxx	2820	xxxxx	920	1841	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Potent Cap.:	xxxxx	xxxxx	xxxxx	12	xxxxx	224	265	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Move Cap.:	xxxxx	xxxxx	xxxxx	12	xxxxx	224	265	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Total Cap:	591	654	xxxxx	140	662	xxxxx						
Volume/Cap:	xxxxx	xxxxx	xxxxx	0.12	xxxxx	0.10	0.04	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

Level Of Service Module:

Queue:	xxxxxx	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx	0.1	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx
Stopped Del:	xxxxxx	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx	19.2	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx
LOS by Move:	*	*	*	*	*	*	C	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxxx	xxxxx	xxxxxx	xxxxx	179	xxxxxx	xxxxx	xxxxx	xxxxxx	xxxxx	xxxxx	xxxxxx
SharedQueue:	xxxxxx	xxxxx	xxxxxx	xxxxxx	0.8	xxxxxx	xxxxxx	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx
Shrd StpDel:	xxxxxx	xxxxx	xxxxxx	xxxxxx	30.5	xxxxxx	xxxxxx	xxxxx	xxxxxx	xxxxxx	xxxxx	xxxxxx
Shared LOS:	*	*	*	*	D	*	*	*	*	*	*	*
ApproachDel:	xxxxxxx			30.5			xxxxxxx			xxxxxxx		
ApproachLOS:	*			D			*			*		

Kittelston & Associates, Inc. -- Project #5907
 Rose Grove RV Park -- Forest Grove, Oregon
 2005 PM Total Traffic Conditions -- With Private Drive East

Level Of Service Computation Report
 2000 HCM Unsignalized Method (Future Volume Alternative)

 Intersection #6 RV Park Access/Private Drive East

Average Delay (sec/veh): 0.5 Worst Case Level Of Service: A[8.8]

Approach:	North Bound			South Bound			East Bound			West Bound					
Movement:	L	T	R	L	T	R	L	T	R	L	T	R			
Control:	Uncontrolled			Uncontrolled			Stop Sign			Stop Sign					
Rights:	Include			Include			Include			Include					
Lanes:	0	0	1	0	0	1	0	0	0	0	1	0	0	0	0

Volume Module:

Base Vol:	0	35	0	0	15	0	0	0	0	0	0	0
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	35	0	0	15	0	0	0	0	0	0	0
Added Vol:	0	0	5	0	0	0	0	0	0	3	0	0
PasserByVol:	0	0	0	0	0	0	0	0	0	0	0	0
Initial Fut:	0	35	5	0	15	0	0	0	0	3	0	0
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	35	5	0	15	0	0	0	0	3	0	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	35	5	0	15	0	0	0	0	3	0	0

Critical Gap Module:

Critical Gp:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	6.4	xxxx	xxxxx
FollowUpTim:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	3.5	xxxx	xxxxx

Capacity Module:

Cnflct Vol:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	53	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	961	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	961	xxxx	xxxxx
Volume/Cap:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	0.00	xxxx	xxxx

Level Of Service Module:

Queue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	0.0	xxxx	xxxxx
Stopped Del:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	8.8	xxxx	xxxxx
LOS by Move:	*	*	*	*	*	*	*	*	*	A	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
SharedQueue:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	*	*	*
ApproachDel:	xxxxxx			xxxxxx			xxxxxx			8.8		
ApproachLOS:	*			*			*			A		

Appendix "G"

Queuing Analysis Worksheets

SIGNALIZED QUEUE ANALYSIS

Project Name: Rose City
Project Number: 5907
Analyst: RLK
Date: 2/9/2005
Filename: H:\profile\5907\Report\Appendix(AppG Queues 1.xls)\SIGLEUE



KITTELSON & ASSOCIATES, INC.
 610 SW Alder, Suite 700
 Portland, Oregon 97205
 (503) 228-5230
 Fax: (503) 273-8169

Intersection: Mountain View Lane
Conditions (yr, alt., etc.): PM Peak Hour

GENERAL INPUT PARAMETERS:

Cycle Length:	60 sec
Confidence Level (C.L.):	95%
Storage length/vehicle:	275 feet

	APPROACH/MOVEMENT							
	#1	#2	#3	#4	#5	#6	#7	#8
INPUT PARAMETERS:								
Volume (pre-PHF) (vph):	1330	1340	1320					
G/C for movement:	0.50	0.50	0.50					
Number of lanes:	2	2	2					
CALCULATIONS:								
Length of red interval (sec):	36.9	36.9	36.9					
Average total queue (veh):	14.5	14.8	14.8					
Maximum total queue (veh):	21	21	21					
Total queue length (feet):	525	525	525					
Required storage/lane (feet):	275	275	275					
PERMITTED LEFT TURNS:								
Opposing volume (pre-PHF):								
Opposing sat. flow rate:								
CALCULATIONS:								
Opposing flow ratio (Yo):								
Unblocked G/C:								
Effective red interval (sec):								
Average total queue (veh):								
Maximum total queue (veh):								
Total queue length (feet):								
Required storage/lane (feet):								

METHODOLOGY AND FORMULAS USED:

Length of red interval = (1 - G/C) * Cycle length

Queue length = Maximum queue * Storage length per vehicle

Average queue/lane = Volume * Red Interval / 3600

Required storage per lane = Queue length / Number of lanes, rounded up to the next highest whole vehicle

Maximum queue: Random arrival/Constant service

Opposing flow ratio Yo = opposing volume vo / opposing sat. flow rate sop

Random arrivals behaves according to a Poisson distribution. There is a probability equal to the confidence level desired (e.g. 95%) that the queue formed during each red interval will be less than or equal to the maximum queue.

Unblocked G/C (gu/C) = (g/C - Yo)/(1 - Yo)

(Prob. of arrivals = N) = (Red Interval)^N * exp(-N) / N! (the Poisson distribution)

(Prob. of arrivals >= N) = 1 - Sum of probabilities for vehicles 0, 1, ..., N-1

Max N: Highest N such that the sum of probabilities > (1 - confidence level)

Project Name: Rose Grove Mobile Home Park
 Project #: 5907
 Analysis Scenario: PM Peak Hour
 Analysis Period: 1 (peak 15 minute analysis)
 Analyst: BLN
 Date: February 9, 2005

V = flow rate for movement
 C = capacity of movement
 Q = 95th percentile queue (veh)
 S = storage need (ft)

of Int: 3
 Veh. Length (ft): 25

* Queue length calculated using Equation (17-37) presented in Highway Capacity Manual 2000.

		NB LT	NB TH	NB RT	SB LT	SB TH	SB RT	EB LT	EB TH	EB RT	WB LT	WB TH	WB RT
1	Private	V				15		10					
	Drive East:	C				163		275					
	Existing	Q				0.3		0.1					
		S				25		25					
2	Private	V				15		10					
	Drive East:	C				158		261					
	Background	Q				0.3		0.1					
		S				25		25					
3	Private	V				18		12					
	Drive East:	C				157		260					
	Total	Q				0.4		0.1					
	Traffic	S				25		25					

LEGAL DESCRIPTION
Rose Grove Recreational Vehicle Park

A tract of land being a portion of the William Catching Donation Land Claim No. 62, situated in the Southeast one-quarter of Section 32, Township 1 North, Range 3 West of the Willamette Meridian, in the City of Forest Grove, County of Washington, State of Oregon, being more particularly described as follows:

Commencing at a point on the Base line which bears North $89^{\circ} 47'00''$ West, a distance of 1675.90 feet from the East line of said Donation Land Claim, thence leaving said line, North $00^{\circ}46'02''$ East, a distance of 79.91 feet to the North right-of-way line of Tualatin Valley Highway, also being the True Point of Beginning of this description:

Thence North $00^{\circ}46'02''$ East, a distance of 210.18 feet to an iron rod set in s. N. 21367, Washington County Survey Records; thence parallel with said Base Line, South $89^{\circ}47'00''$ East, a distance of 238.81 feet; thence parallel with the East Line of said Donation Land Claim, South $00^{\circ}23'05''$ West, a distance of 206.89 feet to the North right-of-way line of Tualatin Valley Highway, also being a point of non-tangent curve; thence along the North right-of-way line of said Tualatin Valley Highway, along the arc of a 2251.83 foot radius circular curve to the left through a central angle of $00^{\circ}13'13''$, a distance of 8.65 feet (long chord bears South $87^{\circ}36'03''$ West, a distance of 8.65 feet), to a point of tangency; thence continuing along said North right-of-way line of Tualatin Valley Highway South $89^{\circ}22'53''$ West, a distance of 198.24 feet; thence continuing along said North right-of-way line of Tualatin Valley Highway, North $89^{\circ}47'20''$ West, a distance of 32.76 feet to the True Point of Beginning.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM CONFERENCE ROOM**

APPROVED

July 21, 2008 -7:00 P.M.

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1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:05 p.m. **Planning Commission Present:** Tom Beck, Al Miller, Carolyn Hymes, Luann Arnott, Lisa Nakajima and Cindy McIntyre. **Absent:** Ed Nigbor. **Staff Present:** Jon Holan, Community Development Director; James Reitz, Senior Planner; Marcia Phillips, Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

Chairman Beck announced that the two applicants agreed to switch the agenda items, so Maplewood Estates would be heard first because it would take a shorter period of time. Tom Beck noted for the record that the agenda should have read 2008 instead of 2007 and that Maplewood Estates should have been an Action Item rather than part of the public hearing.

Conditional Use Permit Number CU-08-01: Rose Grove Mobile Home Park (Dorothy Royce), as applicant, is requesting a Conditional Use Permit to construct a new 21-space Recreational Vehicle Park on a 1.15 acre site located immediately north of State Highway 8 and about 160 feet west of the intersection of State Highway 8 and Mountain View Lane (Washington County Tax Lot 1N3 32D-1400.)

Chairman Beck read the hearing procedures and asked for disclosure of any conflicts of interest, ex-parte contacts, bias or abstentions. Commissioner Nakajima stated that Rose Grove Mobile Home Park does a fair amount of business with Ace Hardware, of which the Commissioner is part owner, but she did not feel this would affect her decision. There were no other disclosures, and no challenges from the audience.

Chairman Beck opened the public hearing at 7:12 p.m. and called for the staff report.

Reitz stated that the applicant requested and received approval for a conditional use permit for a recreational vehicle park in 2005. At that hearing the Commission discussed a number of design issues, primarily concerning the perimeter treatment. As construction of the park was not initiated within one year (as required by Zoning Ordinance Section 9.876) that application was voided. The applicant has reapplied for a conditional use permit and has resubmitted the original design, with no changes. The proposal would result in a new 21-space recreational vehicle park. No other on-site improvements are proposed except for the required water quality facility. No fire pits, picnic tables, cooking facilities, or any other site amenities are proposed. Guests would be permitted to use the restroom, laundry facilities and playground located nearby in the Rose Grove Mobile Home Park.

PLANNING COMMISSION MEETING MINUTES
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Reitz explained that staff looked at the site as essentially a parking lot, and recommends enhanced landscaping. Parking is based on equivalents (i.e. motels) which require one parking space per unit. The RV Park has more than the required number of parking spaces, and staff recommends a reduction in the number of spaces along the east side. Additional landscape "islands" could be required where the number of parking spaces has been reduced. The application will also undergo ODOT review to make sure it complies with state regulations. The state also has administrative rules governing RV parks, as stated in Condition # 3 of the staff report, with which the park must comply.

Chairman Beck stated that it seems reasonable to have one tree per unit for shade, especially on the lower southwest area.

Reitz said there is a possibility of street trees, but that will not be determined until ODOT makes a decision. There are currently few street trees on the other side of Pacific Avenue.

Commissioner McIntyre asked if there would be a dump station.

PROPONENT:

Michael Robinson, Applicant's Representative, 1120 NW Couch St. Tenth Floor, Portland, OR 97209. Mr. Robinson explained that each vehicle in the park would hook directly to city sewer, so no dump station would be required. The approval from ODOT is finished. Mr. Robinson concurred with Chairman Beck that more trees would be a good idea. The applicant did not submit a formal landscape plan, because Robinson forgot to recommend she do so. The applicant will work with the Community Development Department staff on the landscaping. Robinson asked that the Commission leave some latitude in the landscaping requirements. The applicant is in agreement with staff's recommendation for enhanced landscaping along Pacific Avenue. The more attractive the park looks, the easier it is to rent spaces. An easement has been recorded for emergency access per the Fire Department's request. Mr. Robinson explained that his client did not know about the 1 year expiration period, and by the time the applicant called Robinson it was well past the expiration date.

Commissioner Hymes said she was disappointed that with the reapplication there was no landscape plan.

Commissioner Nakajima said blank walls invite graffiti, so she would prefer to see wrought iron fencing. The church across the street from the proposed park has a combination of wrought iron and stone for their fence. It would be nice to see a landscape plan.

Robinson stated that the applicant wants to do a good job on the landscaping. If there are any concerns after the landscape plan is submitted, the Planning Commission can ask to look at it again. The applicant is agreeable to 25 parking spaces, one parking space per unit with some guest parking.

**PLANNING COMMISSION MEETING MINUTES
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Terry Hughs, Manager of Rose Grove Mobile Home Park, 3839 Pacific Avenue, Forest Grove, OR 97116. Ms. Hughs stated that she and her husband manage the Rose Grove Mobile Home Park, and have worked very hard in the last two years to improve the appearance of the park. They have been experimenting with various trees to see which ones grow well in Forest Grove. Landscaping is important. Ms. Hughs stated that she receives five phone calls per week from people who are looking for a place to stay while receiving medical treatment, short term jobs, etc. These people have RVs and no place to stay.

OPPONENTS:

Scott Mary, Manager of Best Western Motel, 61547 Tam McArthur Loop, Bend OR 97702. Mr. Mary stated that he is manager of the Best Western motel adjacent to the proposed RV park. He is concerned about pulling out onto Pacific Avenue heading either direction due to the speed of traffic and the nearby corner. Mr. Mary said he is impressed with the improvements that have been made along Pacific Avenue during the past three years, but expressed concern about driving into Forest Grove and seeing an RV park right on the main street. The Commission is talking about requiring more trees to hide the park. Why have it on the main street at all? This park has acres of mobile homes. Do we need more spaces right along the highway? There has been an increase in gang activity/graffiti. He has seen people going back into the park, but has not caught anyone yet. There is constant tagging, and people do not pull in and stay at a motel if it is tagged. Mr. Mary stated that he objects to the proposed conditional use permit.

Chairman Beck asked Mr. Mary what his thoughts were on improvements along his property line, assuming approval of the permit.

Mr. Mary stated that he would like to see the front area open, so people can see his motel and come in. He would prefer no fence and enhanced landscaping. Mr. Mary wants to be involved in the landscape design.

Commissioner Nakajima said she has called the motel and it is full. The motel needs to expand, which would provide additional places to stay.

Commissioner Hymes said there is an RV park in Tualatin on the main road. It is lovely.

Mr. Mary said kids and others walk through the motel to try and use the pool and help themselves to the Continental breakfast.

Edward Berrington, Manager of Best Western Motel, 1111 E. 4th Street, Newberg, OR. Mr. Berrington said he has had a tour of Forest Grove and likes where it is heading. Foot traffic from the park is bad now. The RV park would increase foot traffic. There have been repeated incidences of tagging. Auto Zone was tagged three times in the past six weeks. The fence at the motel has been tagged three times since he has been there. Mr. Berrington stated that it is difficult enough to pull out onto Pacific Avenue without a fence being there. Putting in a

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fence would drop visibility to a dangerous level. What type of folks will be staying in the RV park?

REBUTTAL

Ms. Hughs said she is actively involved with finding out who is doing the tagging. They have no seedy people in the park currently. The RV park would be for people who are here for medical treatment. The park would provide places to stay during graduation and the car show. People wanting to stay in the park must have a decent looking motor home. Ms. Hughs said she has a waiting list, and no spaces available. The mobile home park has been greatly improved, and is having to overcome a bad reputation.

Commissioner Hymes asked what office hours the park currently keeps, does the management walk the park at night and how the rules are enforced.

Ms. Hughs said the office is open from 8:30 to 5 p.m. each day. The phones are answered twenty-four hours a day seven days a week. Someone is on site at all times. The park has city lighting with a flood light on the storage area.

Commissioner Hymes asked what the maximum length of stay will be.

Ms. Hughs stated that she believes the state just changed the law, and people can stay as long as they want.

Holan said on page 19 of the applicant's submittal it states that this will not provide permanent housing.

Chairman Beck asked what the distinction is between a mobile home park and a recreational vehicle park.

Holan stated that there is no distinction, and is not sure the city has any authority due to the state law.

Ms. Hughs said that the RV park will allow no tents or campers.

Chairman Beck asked whether the city can create a definition, or is the Commission really granting an extension of the mobile home park without knowing it. The Commission is sympathetic to the RV park, but not sympathetic to an extension of the mobile home park.

Robinson said there are numerous distinctions between RVs and mobile homes, and are defined in the state's administrative rules. Restrictions could be written into the Conditions of Approval. The applicant can accept a condition of approval even if the state does not limit the length of stay. Mr. Robinson said he is not sure there is no state rule on length of stay.

Chairman Beck suggested that the Commission hear Mr. Robinson's rebuttal, the Commission can discuss, and then continue the hearing for two weeks to get

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clarification on the legal aspects.

Robinson said the applicant has approval from ODOT, and has approval on the public improvements. There is adequate open space. There is no land use condition such as noise. The application complies with the Zoning Ordinance. During the previous hearing, the Chief of Police did not want landscaping to obscure. The landscaping is to make the park attractive. Mr. Robinson talked with Mr. Mary before the hearing, and the applicant is willing to work with him.

Robinson stated that the safety of the community is not a land use decision. The fence stops ten feet before the front property line. Taller landscaping could be in the back of the property and shorter in the front. The applicant can work with the city on the landscaping. The RV park that Commissioner Hymes visited in Tualatin is owned by the applicant. The park in Tualatin is mainly used during the summertime. It is the onsite manager that makes a nice park. If the park is well done, there is no reason for it not to be on the main street. Mr. Robinson will mention to the applicant about people from the park going into the motel. Tagging is not a land use decision. Mr. Robinson said he had no problem with closing the public hearing as long as he be allowed to come back and discuss some things.

Chairman Beck stated that there are questions regarding landscaping. Putting a six foot good neighbor fence and tagging is not a good idea. A 6-foot wrought iron fence keeps people out and cannot be tagged. Beck said he appreciates staff recommending only 25 parking spaces, but would prefer that the whole strip be used for visitor parking.

Chairman Beck stated that the Commission needs explicit information on state rules regarding length of stay and description of recreational vehicles. Landscape plans would be very helpful. The type of fencing could be discussed with the management of the Best Western motel, and mutually agreed upon. Mr. Mary seems to want the landscaping more for aesthetics than a barrier.

Commissioner Miller made a motion to keep the public hearing on CU-08-01 open until August 4, 2008. Commissioner Arnott seconded. Motion passed 6-0.

3.0 BUSINESS MEETING:

3.1 ACTION ITEMS:

Planned Residential Development Number PRD-06-03, Maplewood Estates: WRG Design, applicant, is requesting a one-year time extension due to the down turn in the housing market in association with the approved planned residential development. The subject site is located north of 26th Avenue and adjacent to and east of Sunset Drive.

Reitz stated that Maplewood Estates PRD was approved a year ago, but due to the down turn in the housing market, the applicant is requesting that the Planning Commission grant a one year time extension.

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The applicant's representative declined to speak, but made himself available for questions.

Commissioner Hymes asked what impact this PRD would have on the other PRDs that were approved around the same time last year.

Reitz explained that this is a stand alone project. The other projects are located farther to the east.

Chairman Beck stated that the Commission is sympathetic to the housing market, and is willing to grant up to two one year extensions. After two extensions, the applicant will have to go through the process again.

Commissioner Miller made a motion to approve a one year time extension for Maplewood Estates. Commissioner Arnott seconded. Motion passed 6-0.

3.2 APPROVAL OF MINUTES: The minutes from the April 21, 2008 and June 30, 2008, meetings were approved without corrections.

3.3 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.4 DIRECTOR'S REPORT:

Representatives from Oregon's Big Look Land Use Task Force for reforming Oregon's Land Use Planning Program would like to meet with various Planning Commissions. Holan asked if the Commissioners are interested in inviting their consultants to the September 15, 2008, meeting.

Chairman Beck said the Commission is interested.

Holan said the August 4th meeting will be a continuation of the conditional use hearing on the RV park. August 18th is the first hearing for the Development Code update. Staff would rather have no other items on the agenda. The September 2nd meeting will be a conditional use permit for expansion of the Charter School by adding two modular units and a restroom facility.

Reitz stated that the City Council endorsed the submission of the application for a new historical district named Painter's Woods to the state. The application has been sent.

3.5 ANNOUNCEMENT OF NEXT MEETING: The next meeting will be held on August 4, 2008.

3.6 ADJOURNMENT: The meeting was adjourned at 8:58 p.m.

Respectfully submitted by:
Marcia Phillips

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APPROVED

1. CALL TO ORDER:

Chairman Beck called the meeting to order at 7:05 p.m. **Planning Commission Present:** Tom Beck, Al Miller, Ed Nigbor, Luann Arnott, Lisa Nakajima and Cindy McIntyre. **Absent:** Carolyn Hymes **Staff Present:** Jon Holan, Community Development Director; James Reitz, Senior Planner; Marcia Phillips, Assistant Recorder.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS: None.

2.2 PUBLIC HEARING:

A. Conditional Use Permit Number CU-08-01: Rose Grove Mobile Home Park (Dorothy Royce), as applicant, is requesting a Conditional Use Permit to construct a new 21-space Recreational Vehicle Park on a 1.15 acre site located immediately north of State Highway 8 and about 160 feet west of the intersection of State Highway 8 and Mountain View Lane (Washington County Tax Lot 1N3 32D-1400.) (Continued from the July 21, 2008, meeting.)

Chairman Beck stated that Conditional Use Permit CU-08-01 was continued from the July 21, 2008, meeting. Beck asked for disclosure of any conflicts of interest, ex-parte contacts, bias or abstentions. Commissioner Nakajima said she had a call from Terri Hughes after the last meeting requesting information about the Commission's decision, and she directed Ms. Hughes to staff to obtain the minutes. Commissioner Miller stated that he knows all of the participants. Chairman Beck stated that he had visited the site. There were no challenges from the audience.

Chairman Beck asked staff if there was any additional information regarding the application.

Reitz stated that the applicant submitted additional information, which was included in the Commissioners' packets. The Commission was also given a letter from the Forest Grove Police Department (Handout # 1) regarding Rose Grove Mobile Home Park's efforts to make the park a safer community for the residents and children who live there. Reitz handed out two photographs (Handout # 2) of two types of fencing suggested by the applicant.

Chairman Beck asked staff which of the two types of fences the applicant indicated was preferable.

Reitz said the applicant was proposing the split rail fence. Reitz explained that the applicant had submitted sixty-five pictures of the area around the site, and the pictures were available for viewing at any point during the meeting.

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Chairman Beck said the Commission would leave the photographs to the wishes of the applicant's representatives, who could show as many or as few as they wanted.

APPLICANT:

Roger Alfred, Perkins & Coie, 1120 N.W. Couch, Portland, OR 97215. Mr. Alfred stated that he was present as the applicant's representative, since Michael Robinson could not attend. Alfred said the Conditional Use Permit for the RV Park had been approved in 2005, but was allowed to expire. Mr. Alfred had a letter from Pastor Thomas Jacobsen which showed the pastor's support of the program for children being conducted at the Rose Grove Mobile Home Park. Alfred stated that Washington County has provided two part time activity assistants. Alfred stated that these were examples of what the management of Rose Grove Mobile Home Park has been doing to improve the conditions of the park.

Terri Hughes, Manager of Rose Grove Mobile Home Park, 3839 Pacific Avenue Space # 225, Forest Grove, OR 97116. Ms. Hughes addressed one of the items that came up at the last meeting regarding graffiti and gang activity. Ms. Hughes explained that, in the past, Rose Grove Mobile Home Park was a pretty rough place. Current management of the park is working to remove drug and gang activity. Gangs seem to go after the most vulnerable kids, and there are many low income families living in the park. Ms. Hughes stated that the owners, managers and staff of the park are dedicated to making Rose Grove Mobile Home Park a good place to live.

Alfred addressed the concern the Commission had at the last meeting regarding length of stay in the RV Park. He stated that the park owners plan a forty-five day stay limit. This allows the owners to stay within State of Oregon rules of tenancy. The Commission also had a concern about the compatibility of the RV Park with the Best Western Motel next door. Alfred stated that Mr. Robinson (applicant's representative) and Mr. Mary (Manager of Best Western) had met and conversed on July 31, 2008. It was determined during the conversation that there should be no additional landscaping between the park and the motel. It was also decided that a "good neighbor fence" was not appropriate in this situation. The applicant is proposing a white plastic ranch rail fence. This would provide a good boundary, graffiti can be easily cleaned off, and it is attractive.

Chairman Beck asked the applicant to show the picture of the boundary between the Best Western and the park looking west. Beck stated that the area is well paved right up to the property line. The vegetation is all on the Best Western's property, and the picture shows the barrier that currently exists.

Commissioner Nakajima asked whether there is a landscape plan.

Alfred stated that in the prior approval of the conditional use permit, the

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landscaping was to be approved by the Community Development Director. Alfred explained that an old landscape plan does exist, but is quite old, and there was not enough time between the recent hearings to put together a new landscape plan.

Chairman Beck wanted to clarify the statement he made at the last meeting regarding the placement of one tree per site in the RV Park, with an arborist's approval. The thought was that the trees should be tall enough at maturity that the RVs can park underneath.

Commissioner McIntyre stated that regarding fencing, she prefers wrought iron. Of the two pictures submitted by the applicant, she prefers the picket fence rather than the rail fence.

Chairman Beck explained that the concept behind the "good neighbor fence" is internal and external privacy. In this situation the fence should form a significant barrier. A rail fence does not provide that function.

PROPOSERS: None.

OPPOSERS:

Scott Mary, Manager of Best Western Motel, 61547 Tam McArthur Loop, Bend OR 97702. Mr. Mary thanked the Commission for keeping the hearing open. He stated that things have changed since the Conditional Use Permit was approved in 2005. Why allow an RV Park in this location that does not comply with the zoning? Is this the highest and best use for this location? Mr. Mary said he appreciated the opportunity to talk with the applicant's legal representative, but has still not received a landscape plan. The applicant should sketch out something.

Mr. Mary said he was a participant in a phone conversation with the owner of the park, Mr. Robinson, and another attorney from Los Angeles. Mr. Mary asked the owner what is the vision was for the park. Mr. Mary indicated that the owner stated that an expanded mobile home park is preferred, but the proposed RV Park would be short stay for travelers.

Mr. Mary said he drove through the existing RV Park which will be like the proposed park. The RVs there are obviously long term stays. Mary said no one knows whether the next owners will turn the proposed RV Park into an extension of the mobile home park. The state does not allow local government to put a limit on length of stay. Mr. Mary asked how the people in the proposed RV Park will get to the facilities and office in the mobile home park. Will the people walk through the Best Western property?

Mr. Mary said this area is the east entrance into the City of Forest Grove, and the Commission is talking about trees and fences to hide and disguise the RV Park. Mr.

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Mary said he is proud of the Best Western motel, and encouraged the Commission to keep the zoning as it is and not grant the Conditional Use Permit.

Commissioner Nakajima asked Mr. Mary whether the Best Western has a maximum stay.

Mr. Mary said the Best Western has no minimum or maximum stay.

Edward Berrygan, Manager of Best Western Motel, 1111 E. 4th Street, Newberg, OR. Mr. Berrygan said he had nothing further to add since the last meeting.

Pat Doherty, Doherty Ford, 4223 Pacific Avenue, Forest Grove, OR 97116. Mr. Doherty said it was necessary to secure the back of his property due to theft. A cyclone fence and barbed wire were installed. Vandals cut the fence and stole from customer's cars. Mr. Doherty said he was also concerned about the aesthetics when entering Forest Grove.

REBUTTAL:

Mr. Alfred stated that the proposal does comply with zoning regulations. It was approved once before. A new landscape plan will be submitted to the Community Development Director for approval.

Chairman Beck said the landscape plan submitted in 2005 was undoubtedly the old plan referred to by Mr. Robinson in his letter.

Mr. Alfred stated that the owners are committed to a forty-five day occupancy. It is to the owner's advantage. ORS 90.100 subsection 44 contains the definition of vacation occupancy. People will be required to sign an agreement that the site will be used for vacation purposes, and that the people have another permanent residence.

Chairman Beck said there is a contradiction in the State regulations. It defines vacation occupancy as temporary, but puts no limit on length of stay.

Mr. Alfred suggested that the Conditions of Approval could state that the park shall provide spaces for vacation rentals.

Chairman Beck asked if there is currently another section of the mobile home park reserved for RVs.

Ms. Hughes stated that there is another section of the mobile home park that is an existing RV Park. The tenants have become long term residents. Those tenants in the existing RV Park had to sign a rental agreement. There are twenty-one spaces

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in the existing RV Park, which have access to restroom and laundry facilities. The existing RV Park is right in front area of the mobile home park. One RV has been there for over ten years. The management is very careful about whom they allow to stay, and a criminal check is done. If anyone is caught doing anything illegal, they have to leave. The new RV Park would have a new and different rental agreement.

Chairman Beck closed the public hearing at 7:50 p.m.

COMMISSION DISCUSSION:

Chairman Beck asked staff whether there are particular criteria on which the Commission must base their decision. He asked staff to go through some possible scenarios if the Commission wanted to deny the Conditional Use Permit. Beck asked whether the issue of having an RV Park in the Community Commercial zone district is on the table.

Holan stated that the Commission would have to refer to the criteria when considering a denial of the Conditional Use Permit. Holan encouraged the Commission to keep in mind that there was a determination by the Planning Commission in 1998, which determined that an RV Park was a similar use to other uses within the Community Commercial zone. The question would be whether the 1998 determination should still be sustained, if the feeling is that determination is not consistent with other uses in the CC zone.

Reitz stated that RV Parks are not listed in any zone as either a permitted or conditional use.

Holan explained that similar use determinations the Planning Commission is authorized to make, according to the ordinance, are those similar uses which are permitted uses rather than conditionally permitted uses. One question would be whether the Commission has the authority to extend similar use determination to conditionally permitted uses as well as permitted uses. It should be noted that, although it is not necessarily a similar use, recreational vehicle sales, and service and sales of manufactured homes is a permitted use in the Community Commercial zone. In terms of approval or denial of the conditional use permit, the issue would be where the proposed use will ensure that no land will be used for any purpose that creates or causes to be created any public nuisance including but not limited to air, land or water degradation, noise glare, heat, vibration or other conditions which would be injurious to public health, safety and welfare. Under that provision, if there is some belief by the Commission that some aspect of the RV Park would be injurious to the public, then a denial could be based on that criterion. Those are areas on which Holan recommended the Commission focus, if the Commission chooses to go that route.

Commissioner Nakajima asked staff if the applicant was asking to expand the

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mobile home park out to Pacific Avenue, would they be permitted to do so.

Holan said expansion of the park would not be allowed, because it is not a permitted use.

Chairman Beck stated that he is taken aback that there is an existing RV Park with facilities. Thinking back to the Commission's decision three years ago, he recalled the level of discomfort he had that also came up with other Commissioners during the discussion. Beck stated that the fact that there is an existing RV Park with facilities available now makes him question the need for the proposed RV Park, especially with the scaled down facilities. The Commission has heard testimony from two neighbors regarding aesthetics. Beck asked whether the Commissioners shared his doubts.

Commissioner Miller said it has not been made clear exactly what an RV Park is. Is the proposed park an RV Park per state code? Is it an RV Park per the City's code?

Chairman Beck said the mobile home park is a nonconforming use, and asked staff to explain how the RV Park evolved.

Reitz said no one knows when the existing RV Park was begun. It has been in existence more than twenty years. The 1998 determination was about this site.

Commissioner McIntyre stated that she shared Chairman Beck's reservations.

Commissioner Arnott said she also shared Beck's reservations.

Commissioner Nakajima stated that the reason the Commission talked so much about landscape is because it is the entrance to Forest Grove, and the Commission wanted it to be beautiful. It was not to hide or disguise anything.

Commissioner McIntyre said that as Holan read through the criteria regarding creating a public nuisance, she could understand how some of the things mentioned could apply to this RV Park and could create a public nuisance.

Commissioner Nakajima stated her major concern is that the Commission cannot legislate the length of stay. The existing RV Park is no longer truly an RV Park. It has become a long term park.

Commissioner Arnott said she is concerned about what happens five years from now, when it is decided the park will just leave the RVs there long term.

Chairman Beck asked staff if there is a process the Commission could go through at this time to reverse the 1998 determination.

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Holan suggested that the Commission could come back with a discussion of the similar use at a later meeting and review that determination. That would allow staff time to put together information from the 1998 decision.

Chairman Beck stated that he would like to give the applicant a decision tonight. Testimony has made it clear that the state, within the last ten years, has changed their definition of how RV Parks can be dealt with, and this is clearly of grave concern to the Commission. The Commission is considering the alteration of the 1998 opinion, since the Commission has learned that according to law, RV Parks really do not exist in the way the Commission thought they did in 1998. With that in mind, and with the issues raised by both neighbors regarding public safety and aesthetics, Beck said he would base his vote on these issues.

Holan said staff received a comment from Mr. Robinson that if there were some issue associated with the proposed RV Park, Robinson indicated he would prefer to have the hearing continued, so the Commission could direct staff to review the similar use determination, and provide an analysis to the Commission. This would allow Robinson to participate in the discussion.

Chairman Beck said, speaking for himself, he would respectfully reject that line of thought. It is true the 1998 decision needs to be resolved, and in his opinion taken off the books. The Commission has information tonight, and knows what it is concerned about. Beck said he was ready to make a decision. The applicant has the opportunity to appeal the Commission's decision to the City Council.

Chairman Beck asked for a motion to approve, continue or deny.

Commissioner McIntyre made a motion to deny Conditional Use Permit CU-08-01. Commissioner Arnott seconded.

Holan asked the Commission to state the basis for the denial, so the findings could be written.

Commissioner McIntyre said she made her motion based on public safety, and the inability of the Commission to set limits on length of stay.

Commissioner Arnott said public safety was one reason for denial. Another reason for denial is that the state ordinance has changed so drastically that the Commission does not have enough to work with to make sure the RV Park is safe for everyone, and to ensure that the RV Park is not become just an extension of the mobile home park.

Holan asked what was meant by public safety.

Chairman Beck said regarding public safety, there was testimony from both

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neighbors that there are concerns about trespass issues, and attracting people who are not necessarily staying in the RV Park, but people who are not the best citizens going through the RV Park. Other reasons for denial are aesthetics, and the 1998 decision, which needs to be reversed based on the fact that the state has changed its definition during the past ten years so the Commission is dealing with a new situation.

Commissioner Miller said he would vote for denial because it is not clear what an RV Park is by definition.

Motion to deny was approved 5-0.

Commissioner Nigbor was excused from voting, because he was not in attendance at the previous meeting, and had not listened to the recording of that meeting.

ACTION ITEMS:

A. Planned Residential Development Number PRD-06-04, Gales Creek Terrace: Gales Creek Terrace LLC, applicant, is requesting a one-year time extension due to the down turn in the housing market in association with the approved planned residential development. The subject site is located south of 19th Avenue and west of “D” Street.

Chairman Beck explained that the applicant is requesting a one year time extension for Gales Creek Terrace Planned Residential Development, and asked if the applicant was present.

Mr. Alfred stated that he was representing the applicant, who is requesting the extension because the housing market is so bad that more time is needed.

Chairman Beck explained that the first time an extension is requested is fairly straight forward. The second time an extension is requested is fairly straight forward, but the third request for a one year extension is not straight forward.

Commissioner Miller made a motion to grant approval of a one year time extension for Gales Creek Terrace PRD. Commissioner Nakajima seconded. Motion passed 6-0.

WORK SESSION ITEMS: None Scheduled

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES: Minutes from the July 21, 2008, meeting were approved with corrections.

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3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES: None.

3.3 DIRECTOR'S REPORT:

Holan said the Reserves Program is gearing back up, and staff will be attending a Planning Directors meeting. There will be two items on the agenda for the next Planning Commission meeting. One will be a Conditional Use Permit for two modular units at the Forest Grove Charter School. The second item will be the first review of the proposed Development Code.

Holan said Metro staff is interested in coming out for a joint study session with the Council and Commission in October. This will probably be held before a regularly scheduled Council meeting. Holan asked the Commissioners to tentatively mark their calendars.

Holan said there has been a request for a joint meeting of the Forest Grove, Hillsboro and Beaverton Planning Commissions. Staff will work to put together an agenda.

3.4 ANNOUNCEMENT OF NEXT MEETING: Next meeting will be held on August 18, 2008.

3.5 ADJOURNMENT: The meeting was adjourned at 8:23 p.m.

Respectfully submitted by:
Marcia Phillips
Assistant Recorder