

March-09

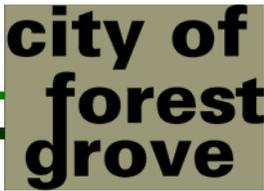
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 CEP Applications Available 2 Planning Comm 7pm	3 COUNCIL WORK SESSION with FG Rural Fire Board 7:00 PM - FIRE CONF RM	4	5 EDC Noon Washington County Cities JT Legislative Session 6:00 PM - McMenamins	6	7 COUNCIL WS 8am-10am Coffee Hour
8 Daylight Savings	9 CITY COUNCIL 5:30 PM - WORK SESS (L&P) 6:00 PM - JT WORK SESS (PC - Reserves) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	10 CCI 4pm	11	12 PAC 5pm	13	14
15	16 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	17 Senior Ctr Bd 6pm Library 7pm	18 P&R 7am CFC 5:15pm	19 Fernhill Wetlands 6pm Notice of Measure Filing Deadline - May Election	20	21
22	23 CITY COUNCIL MEETING RESCHEDULED TO MARCH 30	24 HLB 7pm	25 PSAC 7:30am	26	27	28
29	30 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	31 CEP Applications Due				

April-09

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 City Day at Capitol	2	3	4 COUNCIL WS 8am-10am Coffee Hour
5	6 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	7 Fire Bd 8pm	8 Water Providers EC 5:30 pm	9 EDC Noon PAC 5pm	10 JWC Noon	11
12	13 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	14 CCI 4pm	15 1st Qtrly Disclosure Due Jan 1 - Mar 31 Rpt Period P&R 7am CFC 5:15pm	16 Budget Committee Informational Meeting 7:00 pm - Comm Aud Fernhill Wetlands 6pm	17	18
19	20 Planning Comm 7pm CITY COUNCIL SPECIAL MEETING (CEP Interviews) 6:00 PM - COMMUNITY AUDITORIUM	21 Senior Ctr Bd 6pm Library 7pm	22 PSAC 7:30am	23	24	25
26	27 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	28 HLB 7pm	29	30 Council's CEP Evaluations Due to Staff		

May-09

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 COUNCIL WS 8am-10am Coffee Hour
3	4 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	5 Fire BD 8pm	6 Water Providers CB 7pm	7 EDC Noon	8	9
10	11 CITY COUNCIL 6:00 PM WORK SESS (CEP Allocations) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	12 CCI 4pm	13	14 Budget Committee 1st Meeting 7:00 pm - Comm Aud PAC 5pm	15	16
17	18 Planning Comm 7pm CITY COUNCIL WORK SESSION - TBA	19 Special Election Senior Ctr Bd 6pm Library 7pm	20 P&R 7am CFC 5:15pm	21 Budget Committee 2nd Meeting 7:00 pm - Comm Aud Fernhill Wetlands 6pm	22	23
24	25 CITY OFFICES CLOSED HOLIDAY	26 CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM HLB 7pm	27 PSAC 7:30am	28	29	30
31						



FOREST GROVE CITY COUNCIL

Monday, March 9, 2009

5:30 PM – Work Session (Light and Power)

Community Auditorium

6:00 PM – Joint Work Session (Metro Reserves Update)
with Planning Commission

1915 Main Street
Forest Grove, OR 97116

7:00 PM – Regular Meeting

Forest Grove City Council Meetings are broadcast by Tualatin Valley Community Television (TVCTV) Government Access Programming. To obtain the monthly programming schedule, please contact TVCTV at 503.629.8534 or call the City Recorder at 503.992.3235.

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.

AGENDA

- 5:30 1. WORK SESSION: LIGHT AND POWER DEPARTMENT
- 6:00 2. JOINT WORK SESSION WITH PLANNING COMMISSION (METRO RESERVES UPDATE)
The City Council will convene in the Community Auditorium to conduct the above work sessions. The public is invited to attend and observe the work sessions; however, no public comment will be taken. The Council will take no formal action during the work session.

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- 7:00
1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance
 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 4
 4. **ADDITIONS/DELETIONS:**
 5. **PRESENTATIONS:**
 5. A. 7:10
 - Committee for Citizen Involvement (CCI) Annual Town Meeting Report and Vision Statement & Action Plan Update (Dennis Stoddard, CCI Chair)
 5. B. 7:25
 - Urbanization Forum Update
 6. 7:40 **RESOLUTION NO. 2009-17 AUTHORIZING THE CITY OF FOREST GROVE TO APPLY FOR A TRANSPORTATION AND GROWTH MANAGEMENT (TGM) PROGRAM GRANT FROM THE OREGON DEPARTMENT OF TRANSPORTATION AND THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**
 7. 7:55 **CONTINUE PUBLIC HEARING FROM FEBRUARY 23, 2009: FIRST AND SECOND READING OF ORDINANCE NO. 2009-01 ADOPTING THE CITY OF FOREST GROVE DEVELOPMENT CODE, FOREST GROVE CODE, CHAPTER 9, SECTION 10.1.000-10.12.210, AND DECLARING AN EMERGENCY**
 8. 8:05 **CONTINUE PUBLIC HEARING FROM FEBRUARY 23, 2009: FIRST AND SECOND READING OF ORDINANCE NO. 2009-02 ADOPTING COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS, FILE NO. CPA-08-01, AND DECLARING AN EMERGENCY**
- Jon Holan
Community Development
Director
- Jon Holan
Community Development
Director
- Jon Holan
Community Development
Director
Dan Riordan
Senior Planner
- Jon Holan
Community Development
Director
- Jon Holan
Community Development
Director

**FOREST GROVE CITY COUNCIL AGENDA
MARCH 9, 2009
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- | | | | |
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| Jon Holan
Community Development
Director | 9. | 8:15 | <u>CONTINUE PUBLIC HEARING FROM FEBRUARY 23, 2009:
FIRST AND SECOND READING OF ORDINANCE NO. 2009-03 ADOPTING ZONING MAP AMENDMENTS, FILE NO. ZC-08-01, AND DECLARING AN EMERGENCY</u> |
| Jon Holan
Community Development
Director | 10. | 8:25 | <u>CONTINUE PUBLIC HEARING FROM FEBRUARY 23, 2009:
FIRST AND SECOND READING OF ORDINANCE NO. 2009-04 REPEALING AND REENACTING CHAPTER 9 OF THE FOREST GROVE CODE, ENTITLED PLANNING AND LAND REGULATIONS, FOREST GROVE CODE SECTION 9.005-9.808, REPEALING ORDINANCE NO. 1980-15, 1980-16, AND 1989-01, AND DECLARING AN EMERGENCY</u> |
| Jon Holan
Community Development
Director | 11. | 8:35 | <u>CONTINUE PUBLIC HEARING FROM FEBRUARY 23, 2009:
FIRST AND SECOND READING OF ORDINANCE NO. 2009-05 ADOPTING CITY OF FOREST GROVE DESIGN GUIDELINES, AND DECLARING AN EMERGENCY</u> |
| Rob Foster
Public Works Director
Nick Kelsay
Project Engineer | 12. | 8:45 | <u>APPROVING PLANS AND SPECIFICATIONS FOR 'A' STREET PUBLIC IMPROVEMENTS, COMMUNITY DEVELOPMENT BLOCK GRANT, PROJECT NO. 0127, AND 18TH AVENUE SIDEWALK IMPROVEMENTS, COMMUNITY DEVELOPMENT BLOCK GRANT, PROJECT NO. 9110</u> |
| Michael Sykes
City Manager | 13. | 9:00 | <u>RESOLUTION NO. 2009-18 APPROVING TO RESCHEDULE MONDAY, MARCH 23, 2009, CITY COUNCIL MEETING TO MONDAY, MARCH 30, 2009</u> |
| Michael Sykes
City Manager | 14. | 9:15 | <u>RESOLUTION NO. 2009-19 ADOPTING CITY COUNCIL GOAL OBJECTIVES FOR FISCAL YEAR 2009-10</u> |
| Michael Sykes
City Manager | 15. | 9:20 | <u>CITY MANAGER'S REPORT:</u> |
| | 16. | 9:30 | <u>COUNCIL COMMUNICATIONS:</u> |
| | 17. | 9:45 | <u>ADJOURNMENT</u> |

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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 (Council Goal Objectives) Meeting Minutes of February 23, 2009.
 - B. Approve City Council Regular Meeting Minutes of February 23, 2009.
 - C. Accept Community Forestry Commission Meeting Minutes of November 19, 2008, and January 28, 2009.
 - D. Accept Historic Landmarks Board Meeting Minutes of January 27, 2009.
 - E. Accept Public Safety Advisory Commission Meeting Minutes of January 28, 2009.
 - F. Police Department Monthly Statistics Report for February 2009.
 - G. Accept Resignation on Community Forestry Commission (Harold Roark, Term Expiring December 31, 2009).
 - H. Accept Resignation on Historic Landmarks Board (Lance Schamberger, Term Expiring December 31, 2010).
 - I. **RESOLUTION NO. 2009-16 MAKING APPOINTMENT TO COMMUNITY FORESTRY COMMISSION (LANCE SCHAMBERGER, TERM EXPIRING DECEMBER 31, 2009).**
 - J. **RESOLUTION NO. 2009-20 MAKING APPOINTMENT TO PUBLIC SAFETY ADVISORY COMMISSION (MATT POOL, CHAMBER OF COMMERCE, NON-VOTING REPRESENTATIVE).**
 - K. **ENDORSE LIQUOR LICENSE APPLICATION RENEWALS FOR 2009:**
 - Bi-Mart, 3225 Pacific Avenue, Suite F (Off-Premises Sales)
 - Grampy's Deli and Pub, 1918 Main Street (Limited On-Premises and Off-Premises Sales)
 - La Sierra Mexican Restaurant, 2331 Pacific Avenue (Full-On Premises Sales)

3A

**FOREST GROVE CITY COUNCIL WORK SESSION
(COUNCIL GOALS AND OBJECTIVES)
FEBRUARY 23, 2009 – 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 6:05 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; Jack Hammond, City Attorney; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Tom Gamble, Parks and Recreation Director; and Anna Ruggles, City Recorder.

2. COUNCIL GOALS AND OBJECTIVES FOR FISCAL YEAR 2009-10:

Sykes facilitated the work session, noting the purpose of the work session was so Council could identify its Council key goals and identify, rank, and prioritize its objectives for each of the Council goals. Sykes presented a copy of the Council key goals and a partial list of objectives that Council identified at the work session held on February 9, 2009. Sykes noted at the work session held on February 9, 2009, Council collectively identified the following three key goals for Fiscal Year 2009-10 (no amendments were made to the current goals):

- GOAL 1 PROMOTE SAFE, LIVABLE, AND SUSTAINABLE
 NEIGHBORHOODS AND A PROSPEROUS DYNAMIC GREEN CITY**
- GOAL 2 PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN
 EFFECTIVE SERVICE LEVELS**
- GOAL 3 PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE
 IN REGIONAL AFFAIRS**

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued as Council reviewed the Council key goals for Fiscal Year 2009-10. At the conclusion of the above discussion, Council collectively agreed to amendment Goal 2 as noted below: Underline indicates new language.

- GOAL 2: PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN EFFECTIVE
 SERVICES LEVELS OF A FULL-SERVICE CITY**

**FOREST GROVE CITY COUNCIL WORK SESSION
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Roundtable discussion ensued as Council participated in the second part of the exercise of individually identifying Council objectives for each of the goals identified for Fiscal Year 2009-10. At the conclusion of the above exercise, Council identified their goal objectives and individually ranked their top five goal objectives; refer to Exhibit A for the results.

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

3. ADJOURNMENT:

Mayor Kidd adjourned the work session at 6:55 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

**2009-10 CITY COUNCIL
GOALS AND OBJECTIVES**

Exhibit A

GOAL 1									
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC GREEN CITY									
	Rating Scale from 1 to 5 (1 being highest)								
									Total Points Rec'd
Evaluate Biomass; alternative energy sources	1	2	2						13
Continue pressure for new Post Office or retail store in Town Center; alternative drop sites	4	2	4	4					10
Promote Code/Ordinances Enforcement	5	1	2						10
Economic Development Employment/Training Center	3	1							8
Continue pressure for David Hill connection	3	2							7
Ban backyard burning	2	4							6
Hire additional Police Officers (new police facility)	1								5
Support Fernhill Wetlands	1								5
Install sidewalks near schools and bus #57 stop	1								5
Light Rail; high-capacity transit	1								5
Support FG Senior and Community Center	2								4
Dog Park	3								3
Community Marketing Plan	3								3
Certify Gales Creek	4								2
Promote Emerald Necklace	4								2

**2009-10 CITY COUNCIL
GOALS AND OBJECTIVES**

Exhibit A

GOAL 1 (Continued)									
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC GREEN CITY									
									Rating Scale from 1 to 5 (1 being highest)
									Total Points Rec'd
Facility Master Plan (submit staff recommendations)	5								1
Evaluate Town Center Plaza (Mayors' Institute Model)	5								1
Provide trash bins at all bus stops (provided by Waste Mgmt contractual agreement)	5								1
Library New Book Depositories	5								1
Sign Ordinance	5								1
New Charter	5								1
Acquire grant - Fernhill Wetlands shelter & restrooms									0
Acquire grant - next section of Trails Master Plan									0
Require Municipal Court to extend graffiti cleanup time									0
Promote Public Art									0
Public Safety fenced yard									0
Rights-of-way Ordinance									0
Complete Transportation System Plan									0
Complete Periodic Review									0



**FOREST GROVE CITY COUNCIL REGULAR MEETING
 FEBRUARY 23, 2009 – 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 7:07 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Victoria Lowe, Camille Miller, Thomas Johnston, Ronald Thompson, Peter Truax, Elena Uhing, and Mayor Richard Kidd. **STAFF PRESENT:** Michael Sykes, City Manager; Jack Hammond, City Attorney; Paul Downey, Administrative Services Director; Rob Foster, Public Works Director; Jon Holan, Community Development Director; Kerry Aleshire, Police Chief; Colleen Winters, Library Director; Jeff King, Economic Development Coordinator; and Anna Ruggles, City Recorder.

1. A. MOMENT OF SILENCE:

Truax called for a moment of silence in remembrance of William “Gib” Paterson who recently passed away. Paterson served as City Councilor from 1965 to 1974 and as the City’s 40th mayor from 1982 to 1985 and was a life-long resident of Forest Grove and a second-generation business owner.

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 Regular Work Session (B&C Interview) Meeting February 9, 2009.
- B. Approve City Council Work Session (L&P) Meeting Minutes of February 9, 2009.
- C. Approve City Council Regular Meeting and Work Session (Development Code Review and City Council Goal Setting) Meeting Minutes of March 9, 2009.
- D. Accept Committee for Citizen Involvement Meeting Minutes of January 13, 2009.
- E. Accept Public Arts Commission Meeting Minutes of December 11, 2008, and January 8, 2009.

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- F. Community Development Department Monthly Building Activity Informational Report for January 2009.
- G. Fire Department Monthly Report for January 2009.
- H. Library Department Monthly Circulation Statistics Report for February 2009.
- I. Police Department Monthly Statistics Report for January 2009.
- J. **RESOLUTION NO. 2009-14 MAKING APPOINTMENT TO THE COMMITTEE FOR CITIZEN INVOLVEMENT (JOSIAH BARTLETT, TERM EXPIRING DECEMBER 31, 2011).**
- K. **ENDORSE LIQUOR LICENSE APPLICATION RENEWALS FOR 2009:**
 - Ballad Town Billiards, 2036 Pacific Avenue (Limited On-Premises Sales)
 - Circle Inn Tavern, 3007 Pacific Avenue (Limited On-Premises Sales)
 - Cork and Barrel Wine Shop, LLC, 2004 Main Street (Off-Premises Sales)
 - Cornerstone Pub and Grill, 2307 Pacific Avenue (Off-Premises Sales)
 - Diamond Palace Restaurant, 1921 Main Street (Full On-Premises Sales)
 - El Torero Restaurant, 3300 Main Street (Full On-Premises Sales)
 - Forest Grove Elks Lodge #2440, 2810 Pacific Avenue (Full On-Premises Sales)
 - Forest Grove Food Market (DBA: David Ok Market), 2248 Main Street (Off-Premises Sales)
 - Forest Grove Sushi, 1905 Birch Street (Off-Premises Sales)
 - Forest Grove Theater, 1911 Pacific Avenue (Limited On-Premises Sales)
 - Forest Grove Tobacco, Inc., 3034-B Pacific Avenue (Off-Premises Sales)
 - Godfather's Pizza, 2834 Pacific Avenue (Full On-Premises Sales)
 - Half Moon Sports Bar, 1927 Main Street (Full-On Premises Sales)
 - Hello Market, LLC, 1917 19th Avenue (Off-Premises Sales)
 - Jade Green Palace, 3018 Pacific Avenue (Full On-Premises Sales)
 - Jordy's Pub, 2104 Main Street (Off-Premises Sales)
 - Maggie's Buns, 2007 21st Avenue (Limited On-Premises Sales)
 - Mandarin China, 2338 Pacific Avenue (Limited On-Premises Sales)
 - Mini Mart, 2705 Pacific Avenue (Off-Premises Sales)

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- Phil's 1500 Subs, 2834-D Pacific Avenue (Limited On-Premises Sales)
- Pizza Schmizza, 2042 Main Street (Limited On-Premises Sales)
- Plaid Pantry #20, 2436 19th Avenue (Off-Premises Sales)
- Plaid Pantry #99, 1340 Thatcher Road (Off-Premises Sales)
- Prime Time Sports Bar and Restaurant, 4202 Pacific Avenue (Full-On Premises Sales)
- Rainbow Lanes, 2748 19th Avenue (Limited On-Premises Sales)
- Safeway #0406, 2836 Pacific Avenue, (Off-Premises Sales)
- Super Mercado La Montana, 1905 Mountain View Lane, Suite 100 (Off-Premises Sales)
- The Masonic Grand Lodge (Jennings McCall Center), 2300 Masonic Way (Full On-Premises Sales)
- Urban Decanter, 2030 Main Street (Off-Premises Sales)
- Winners Connection, 2748 19th Avenue, Suite L (Off-Premises Sales)

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

4. **ADDITIONS/DELETIONS:** None.

5. **PRESENTATIONS:**

5. A. **Oregon Reads 2009**

Winters introduced Kari Middleton, Library Volunteer Coordinator, and presented the Council with a copy of the selected Oregon Reads 2009 book "*Stubborn Twig*" in celebration of the State's sesquicentennial. In addition, Winters provided a report outlining the Library's usage statistical information and various programs and events occurring at the Library.

5. B. **Destination Branding and Marketing Strategy Update**

King introduced Bill Baker, Total Designation Development consultant, who provided a PowerPoint presentation outlining the purpose and results of the designation branding and marketing strategic plan. Baker advised that designation branding and marketing strategy is a beacon to guide all of the City's tourism and economic development, noting the proposed strategic plan focuses on the City's greatest strengths and visual identity. Baker reported research was conducted with an international panel to test three

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logo options (51 responses were received), noting the panel choose "*Forest Grove, Where Oregon pinot was born*". Baker displayed an example of a new logo design and explained the rationale for selecting the logo and theme. In addition, Lois Hornberger, Economic Development Commission (EDC) and Branding Advisory Subcommittee, reported on various consultations and research the EDC, subcommittee, Chamber of Commerce, and Pacific University underwent in assisting in the design of the new logo and theme branding and marketing strategy.

Council Discussion:

Johnston commented that he liked the idea of stepping back, breaking away from the norm, and really exploring what Forest Grove has to offer.

Uhing recognized and commended the EDC members, who were present in the audience, for their assistance in the project.

Mayor Kidd commented that he is pleased with his first impression of the new logo, noting this is the first time City Council has previewed the findings. In addition, Mayor Kidd asked staff to obtain a copy of Baker's PowerPoint presentation.

**6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2009-01
ADOPTING THE CITY OF FOREST GROVE DEVELOPMENT CODE, FOREST
GROVE CODE, CHAPTER 9, SECTION 10.1.000-10.12.210**

Staff Report:

Holan presented the above-proposed ordinance requesting to adopt the proposed City of Forest Grove Development Code as recommended by the Planning Commission. Holan reported the overall intent of the adoption of the new Development Code is to replace, consolidate, and streamline the current Zoning and Land Division ordinance into one document. In addition, Holan reported the Planning Commission proposed additional amendments to the proposed Development Code as outlined in Attachment 1 of the staff report. Council discussed the Planning Commission's proposed amendments at its work sessions held on January 26 and February 9, 2009. Council also reviewed a memorandum submitted by Jeff King, Economic Development Coordinator, recommending further amendments as outlined in Attachment 3 of the staff report. In addition, staff received comments from the City Attorney as outlined in the staff report. In conclusion, Holan asked for Council direction on the proposed Development Code amendments before

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considering adoption of the above-proposed ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed Development Code amendments as outlined below. After Council discussion, Council collectively concurred with the following amendments:

Development Code Amendments:

- 10.1.610 C 5: Eliminate the requirement of return receipt.
- 10.2.100 et. seq.: Retain 20 percent administrative adjustments.
- Table 3-5 of Section 10.3.130: Minimum parcel size in single-family residential zones is based on 70 percent of the average lot size.
- 10.4.225 C 6: Add reference to geotechnical requirements in Article 8.
- 10.5.100 et. seq. and 10.8.450: Consolidate tree requirements into Article 5 and eliminate requirements in Article 8.
- 10.7.070 H: Retain Planning Commission's recommendation to require manufactured homes on individual lots to face the street.
- 10.8.140 C 3 b: Add "public" to seating areas.
- 10.8.414 A: Add "non-invasive" to native vegetation.
- 10.8.755: Add lighting intensity standards based on similar provisions.
- Figure 8-12: Eliminate dimensions from the figure.
- 10.12.120 B: Add additional language to the definition of "Major Utilities Transmission Facilities" to include major sewer and water lines.
- City Attorney's Recommended Changes: Add recommended changes to Sections 10.1.420(A), 10.1.515, 10.1.540, 10.1.545(A), and other Sections where there are similar issues.

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- Economic Development Coordinator's Recommendation: Incorporate changes identified in Attachment 3 pertaining to Light Industrial uses in the Community Commercial District, Call Centers, Data Centers (Information), Light Industrial Uses in the Town Center zones, and self-service storage.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to defer first and second reading of Ordinance No. 2009-01 until the Council meeting of March 9, 2009, in order to add, delete, or modify language pertaining to the proposed Development Code as noted above.

MOTION: Councilor Truax moved, seconded by Councilor Johnston, to defer first and second reading of Ordinance No. 2009-01 until the Council meeting of March 9, 2009, in order to add, delete, or modify the language pertaining to the proposed Development Code as noted above.
MOTION CARRIED 7-0 by voice vote.

First and second reading of Ordinance No. 2009-01 by title and final vote will occur at the meeting of March 9, 2009.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

Roger Alfred, Perkins Coie, 1120 NW Couch Street, Tenth Floor, Portland, OR 97209, voiced concern of recreational vehicle parks development standards and suggested adding language to indicate, "the recreational vehicle parks development standards do not apply to an existing Conditional Use Permit (referring to the approval of the Conditional Use Permit for Rose Grove Recreational Vehicle Park), to which Holan advised the standards would only apply to a new Conditional Use Permit and not an existing valid Conditional Use Permit.

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Public Hearing Left Opened:

Mayor Kidd left the Public Hearing open until the Council meeting of March 9, 2009, at which time, Council will consider first and second reading of Ordinance No. 2009-01 as amended.

**7. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2009-02
ADOPTING COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS, FILE NO.
CPA-08-01**

Staff Report:

Holan presented the above-proposed ordinance requesting to adopt the proposed Comprehensive Plan text and map amendments, noting the adoption of the proposed amendments would implement the proposed Town Center designations; redesignate the area currently within the Commercial Heavy designation at the intersection of Elm Street and Highway 47; and redesignate the area currently within the Commercial Heavy designation north of Highway 8 and east of Highway 47. Holan reported Council discussed the Planning Commission's proposed redesignation for the Elm Street area north of Highway 47 at its work sessions held on January 26 and February 9, 2009. In conclusion, Holan asked for Council direction on the proposed Comprehensive Plan text and map amendments before considering adoption of the above-proposed ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed Comprehensive Plan text and map amendments for the Elm Street area north of Highway 47. After Council discussion, Council collectively concurred with the following amendment:

Comprehensive Plan Text and Map Amendment (File No. CPA-08-01):

- Elm Street Area: Redesignate the area north of Highway 47 from Commercial Heavy to Community Commercial.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to defer first and second reading of Ordinance No. 2009-02 until the Council meeting of March 9, 2009, in order to add, delete, or modify language and maps pertaining to the proposed Comprehensive Plan text and map amendment as noted above.

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MOTION: Councilor Truax moved, seconded by Councilor Uhing, to defer first and second reading of Ordinance No. 2009-02 until the Council meeting of March 9, 2009, in order to add, delete, or modify the language and maps pertaining to the proposed Comprehensive Plan Text and Map Amendment as noted above. MOTION CARRIED 7-0 by voice vote.

First and second reading of Ordinance No. 2009-02 by title and final vote will occur at the meeting of March 9, 2009.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

Public Hearing Left Opened:

Mayor Kidd left the Public Hearing open until the Council meeting of March 9, 2009, at which time, Council will consider first and second reading of Ordinance No. 2009-02 as amended.

**8. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2009-03
ADOPTING ZONING MAP AMENDMENTS, FILE NO. ZC-08-01**

Staff Report:

Holan presented the above-proposed ordinance requesting to adopt the proposed Zoning Map amendments, noting the adoption of the proposed amendments would implement the proposed Town Center zone changes; rezone the area currently within the Commercial Heavy designation at the intersection of Elm Street and Highway 47; and rezone the area currently within the Commercial Heavy designation north of Highway 8 and east of Highway 47. Holan reported Council discussed the Planning Commission's proposed rezoning change for the Elm Street area north of Highway 47 at its work sessions held on January 26 and February 9, 2009. In conclusion, Holan

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asked for Council direction on the proposed Zoning Map amendments before considering adoption of the above-proposed ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed Zoning Map amendments for the Elm Street area north of Highway 47. After Council discussion, Council collectively concurred with the following amendment:

Zoning Map Amendment (File No. ZC-08-01):

- **Elm Street Area:** Rezone the area north of Highway 47 from Commercial Heavy to Community Commercial.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to defer first and second reading of Ordinance No. 2009-03 until the Council meeting of March 9, 2009, in order to add, delete, or modify maps to the proposed Zoning Map amendment as noted above.

MOTION: Councilor Uhing moved, seconded by Councilor Miller, to defer first and second reading of Ordinance No. 2009-03 until the Council meeting of March 9, 2009, in order to add, delete, or modify the maps to the proposed Zoning Map Amendments as noted above. **MOTION CARRIED 7-0 by voice vote.**

First and second reading of Ordinance No. 2009-03 by title and final vote will occur at the meeting of March 9, 2009.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

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Public Hearing Left Opened:

Mayor Kidd left the Public Hearing open until the Council meeting of March 9, 2009, at which time, Council will consider first and second reading of Ordinance No. 2009-03 as amended.

**9. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2009-04
REPEALING AND REENACTING CHAPTER 9 OF THE FOREST GROVE CODE,
ENTITLED BOARDS AND COMMISSIONS AND MISCELLANEOUS PLANNING
PROVISIONS, FOREST GROVE CODE SECTION 9.000-9.810**

Staff Report:

Holan presented the above-proposed ordinance requesting to adopt the proposed Forest Grove Code text amendments to reenact Chapter 9, entitled “Boards and Commissions and Miscellaneous Planning Provisions”, noting the adoption of the new Development Code will replace the Zoning Ordinance; replace the Land Division Ordinance; and replace the Solar Access Ordinance. Holan reported Council discussed the Planning Commission’s proposed Code text amendments at its work sessions held on January 26 and February 9, 2009. In conclusion, Holan asked for Council direction on the proposed Code text amendments before considering adoption of the above-proposed ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed Code text amendments as noted below. After Council discussion, Council collectively concurred with the following amendment:

Forest Grove Code:

- Forest Grove Code: Add “or designee” under Section 9.020.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to defer first and second reading of Ordinance No. 2009-04 until the Council meeting of March 9, 2009, in order to add, delete, or modify language to the proposed Code text amendment as noted above.

MOTION: Councilor Miller moved, seconded by Councilor Uhing, to defer first and second reading of Ordinance No. 2009-04 until the Council meeting of March 9, 2009, in order to add, delete, or modify language to the proposed Code text amendment as noted above. MOTION CARRIED 7-

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0 by voice vote.

First and second reading of Ordinance No. 2009-04 by title and final vote will occur at the meeting of March 9, 2009.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

Public Hearing Left Opened:

Mayor Kidd left the Public Hearing open until the Council meeting of March 9, 2009, at which time, Council will consider first and second reading of Ordinance No. 2009-04 as amended.

**10. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2009-05
ADOPTING CITY OF FOREST GROVE DESIGN GUIDELINES**

Staff Report:

Holan presented the above-proposed ordinance requesting to adopt the proposed City of Forest Grove Design Guidelines, noting the adoption of the new Development Code establishes clear and objective design standards. Holan indicated the adoption of the Design Guidelines will offer an alternative way to achieve well designed developments in the Town Center area as well as for commercial and multi-family residential developments. Holan reported Council discussed the Planning Commission's proposed Design Guidelines at its work sessions held on January 26 and February 9, 2009. In conclusion, Holan asked for Council direction on the proposed Design Guidelines before considering adoption of the above-proposed ordinance.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued pertaining to the proposed Design Guidelines. After Council discussion, Council

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collectively concurred they had no additional amendments to the proposed Design Guidelines.

Before proceeding with the Public Hearing and Council discussion, Mayor Kidd asked for a motion to defer first and second reading of Ordinance No. 2009-05 until the Council meeting of March 9, 2009, at which time, Council will consider adoption of the proposed Design Guidelines along with the other pertinent ordinances.

MOTION: Councilor Uhing moved, seconded by Councilor Thompson, to defer first and second reading of Ordinance No. 2009-05 until the Council meeting of March 9, 2009. MOTION CARRIED 7-0 by voice vote.

First and second reading of Ordinance No. 2009-05 by title and final vote will occur at the meeting of March 9, 2009.

Public Hearing Opened:

Mayor Kidd opened the Public Hearing.

Proponents:

No one wished to testify and no written comments were received.

Opponents:

No one wished to testify and no written comments were received.

Others:

No one wished to testify and no written comments were received.

Public Hearing Left Opened:

Mayor Kidd left the Public Hearing open until the Council meeting of March 9, 2009, at which time, Council will consider first and second reading of Ordinance No. 2009-05.

11. RESOLUTION NO. 2009-15 ADOPTING CITY COUNCIL GOALS FOR FISCAL YEAR 2009-10

Staff Report:

Sykes reported the City Council met in work sessions on February 9 and February 23, 2009, to discuss setting Council goals for Fiscal Year 2009-10. Sykes noted at the work session held on February 9, 2009, Council

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collectively identified the following three key goals for Fiscal Year 2009-10 (no amendments were made to the current goals):

- GOAL 1 PROMOTE SAFE, LIVABLE, AND SUSTAINABLE
NEIGHBORHOODS AND A PROSPEROUS DYNAMIC GREEN CITY**
- GOAL 2 PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN
EFFECTIVE SERVICE LEVELS**
- GOAL 3 PROMOTE THE INTERESTS AND NEEDS OF FOREST GROVE
IN REGIONAL AFFAIRS**

Sykes noted at the work session held prior to this meeting, Council collectively agreed to make the following amendment to Goal 2: Underline indicates new language.

- GOAL 2 PROMOTE A PRUDENT FINANCIAL PLAN TO MAINTAIN
EFFECTIVE SERVICE LEVELS OF A FULL-SERVICE CITY**

Sykes advised the above-proposed resolution adopts the three City Council Goals for Fiscal Year 2009-10 as identified at the work session of February 9, 2009, noting a motion to amend will be needed by Council to include the new amendment to Goal 2. Upon adoption of the new City Council Goals, staff will incorporate the new goals into the budget statement for Fiscal Year 2009-10.

Before proceeding with the Council discussion, Mayor Kidd asked for a motion to adopt Resolution No. 2009-15 as amended.

Hammond read Resolution No. 2009-15 by title.

MOTION: Councilor Miller moved, seconded by Councilor Uhing, to adopt Resolution No. 2009-15 Adopting the City Council Goals for Fiscal 2009-10 as amended.

Council Discussion:

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

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ROLL CALL VOTE: AYES: Councilors Lowe, Johnston, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

12. ADOPT CITY COUNCIL TEAM AGREEMENT FOR 2009:

Sykes presented a copy of the current Council Team Agreement and asked if Council had any amendments to the agreement.

Council Discussion:

Mayor Kidd opened the floor and roundtable discussion ensued as Council members reviewed their Council Team Agreement.

Hearing no concerns from the Council, Mayor Kidd asked for a motion and roll call vote to adopt the Council Team Agreement for 2009 as presented.

MOTION: Councilor Johnston moved, seconded by Councilor Lowe, to adopt the Council Team Agreement for 2009 as presented.

ROLL CALL VOTE: AYES: Councilors Lowe, Johnston, Miller, Thompson, Truax, Uhing, and Mayor Kidd. NOES: None. MOTION CARRIED 7-0.

13. QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING DECEMBER 31, 2008:

Downey presented the quarterly financial report ending December 31, 2008, noting the report outlines the revenues and expenditures for each department in the General Fund and revenue and expenditures for all other funds. Downey reported a new fund has been established for the Public Arts Commission to allow for separate accounting of fundraising and expenditures for the Commission. Downey advised the slowdown in the economy is beginning to adversely effect the City's revenue and expenditure projections in many of the City's funds, noting staff is continuing to monitor the City's finances and the impact of the current economic situation on the City's budget. In conclusion, Downey addressed concerns pertaining to the projected property tax revenue, building activity, solid waste franchise revenue, and medical insurance costs, noting staff is preparing projections to be presented to the Budget Committee in April, 2009.

14. 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. Sykes advised he is proposing to move the March 23rd meeting to March 30, 2009,

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due to spring break. In addition, Sykes reported the City has received an outstanding response to the joint Western Washington County Legislative Work Session that has been scheduled for March 5, 2009, noting the State senators and representatives have confirmed they are planning to attend. In addition, Sykes presented the 2008 Citizen Attitude Survey Summary Report for Council's review, noting 613 citizens responded to the survey. Sykes addressed various inquiries pertaining to the survey results.

15. COUNCIL COMMUNICATIONS:

Johnston reported on various meetings he attended and the upcoming meetings he was planning to attend. In addition, Johnston provided an update on proposed improvements to Purdin Road intersection.

Lowe reported on the various meetings she attended and the upcoming meetings she was planning to attend. In addition, Lowe provided an update on Fernhill Wetlands-related matters.

Miller reported on the Committee for Citizen Involvement, noting the Committee reviewed the results of the Annual Town Meeting. Miller reported she attended the first Police Citizen's Academy, noting the academy was very informative. In addition, Miller reported on various community-related events and activities.

Thompson reported the Transit Advisory Committee received approximately 500 survey responses. In addition, Thompson reported on various meetings he attended and the upcoming meetings he was planning to attend.

Truax reported on the Forest Grove Rural Fire Protection District meeting, noting discussion focused on their budget process. In addition, Truax reported on various meetings he attended and the upcoming meetings he was planning to attend, noting Council will be meeting in work session with the Forest Grove Rural Fire Protection District on March 3, 2009.

Uhing commended the Economic Development Commission for their participation in the designation branding and marketing project. In addition, Uhing reported on various meetings she attended and the upcoming meetings she was planning to attend.

Mayor Kidd reported on various Metro and Washington County meetings and tours he attended and upcoming meetings and events he was planning to

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attend. Mayor Kidd reported on various Washington County transportation issues, various regional and local issues, and various upcoming community events and activities.

16. ADJOURNMENT:

Mayor Kidd adjourned the meeting at 9:55 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

APPROVED



CITY OF FOREST GROVE
COMMUNITY FORESTRY COMMISSION
COMMUNITY AUDITORIUM CONFERENCE ROOM, 1915 MAIN STREET
WEDNESDAY, JANUARY 28, 2009 - 5:30 P.M.

Stephanie Beall - Present
Brandy Dodd - Absent
Scott Hanselman - Present
David Hunter – Present

Mark Nakajima - Present
Harold Roark - Excused
Dale Wiley - Present
Ron Thompson - Present

All public meetings are open to the public and all persons are permitted to attend any meetings except as otherwise provided by ORS 192:

→ **Citizen Communications** – Anyone wishing to speak 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. Each person must state his or her name and give an address for the record.

All public 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.

MINUTES – JANUARY 28, 2009

1. **Call to Order** and Approval of Community Forestry Commission Meeting Minutes of November 19, 2008 meeting. Chair Beall, noting a quorum was present, called the meeting to order at 5:40 PM. Approval of the November 19, 2008 meeting was deferred until the February meeting.

2. **Citizen Communication.** Anyone wishing to speak on an item not on the agenda may be heard at this time. In the interest of time, please limit comments to three minutes or less. No citizens wishing to speak were in attendance.

3. **Previous Business:**

(1) Commission Retreat – January 9, 2009

Chair Beall provided an overview of the January 9, 2009 Commission retreat for the members that could not attend. Members present at the retreat included Chair Beall and David Hunter. Councilor Thompson, Steve Huffman and Dan Riordan were also in attendance. Chair Beall mentioned the topic of discussion was the Tree City Growth Award Program. Staff handed out copies of the program guidelines. Chair Beall asked that members of the committee select one activity from the list of eligible activities to take on during 2009.

4. New Business:

(1) Election of Officers (Chair, Vice-Chair, Secretary)

Dale Wiley made a motion seconded by David Hunter to re-elect Stephanie Beall as Chair, Mark Nakajima as Vice-Chair and to elect Scott Hanselman as Secretary. The motion passed unanimously.

(2) Schedule Joint Work Session with Planning Commission – Topic:
Sustainability

The idea of scheduling a joint work session with the Planning Commission was tabled until staff drafts a definition of “sustainability” for consideration by the Planning Commission.

5. Project Reports:

(1) Arbor Day Fun Run/Walk & Library Display – Brandy

The committee discussed the idea of holding an Arbor Day Fair as part of the Arbor Day fun run/walk. The Fair could include activities and demonstrations related to trees and wood working demonstrations.

(2) Neighborwoods – Dale

Dale provided an overview of the Neighborwoods tree planting held on January 17, 2009. Commission members participating included Dale Wiley and Mark Nakajima. Others in attendance included Councilor Thompson, Mrs. Wiley, Steve Huffman and Dan Riordan. Overall the tree planting was successful with 11 trees planted. The cost for tree purchases totaled approximately \$1,400. The Commission reached consensus to revise the Neighborwoods application form to include a waiver releasing any liability for damage to underground irrigation lines. Chair Beall suggested that a thank you letter be sent to the Ash Street property owners thanking them for their help preparing the site for planting. The Commission also discussed ideas to improve the program in 2009 including focusing on a specific area with greater interest expressed by property owners.

(3) Street Tree Inventory – David

David is reviewing the condition of street trees include in the inventory and will be conducting site visits soon.

(4) Register of Significant Trees – Dan

Dan reported that the City received a request from Nancy Lambert (2617 17th Avenue) to remove two Giant Sequoia trees from the Register of Significant Trees. The Commission discussed the property owners request to remove the trees from the Register to determine appropriate follow-up. Staff visited the site and reported the trees appear to be in good shape with several large branches extending over the property line. The Commission agreed that staff should contact the property owner to discuss options including code requirements allowing pruning of the trees. The Commission also agreed to amend the annual notice to property owners to clarify requirements and process for removing trees from the Register.

Dan also reported that four letters of interest were received for arborist inspection services. Firms submitting letters included Multnomah Tree Experts, AKS Engineering and Forestry, Applied Horticultural Consulting, and David D. Hunter. Bids for services ranged from \$175 to \$500 per inspection and report. The Commission agreed to review bids and take action during the February meeting.

(5) Farmers' Market & Website & Tree City Growth Award – Stephanie

The Commission discussed possible ideas to improve participation at the Farmers' Market booth. Ideas include a woodworking demonstration, tree tour, barrel making demonstration, and games to highlight wood sporting equipment.

(6) City Wood Ornaments – Steve H.

Steve provided the Commission with examples of the Oregon White Oak wood that could be used for the city wood ornaments. The Commission agreed to discuss ideas for the ornaments at the February meeting.

(7) Tree Tour Guide – Harold

Scott agreed to complete the final edits and requested that the brochure be made available in the original format used to create the document.

(8) Commemorative Trees – Mark

Mark requested Commission approval to send an E-mail to the principal of Tom McCall Middle School to seek permission to hold the 5th grade essay contest. The Commission reached consensus that Mark should contact the principal.

6. Other Business – No other business was discussed.

7. Adjourn – Dale made a motion, seconded by Mark to adjourn the meeting at 6:45 PM. The motion passed unanimously.

Respectfully submitted by: Daniel Riordan

APPROVED

CITY OF FOREST GROVE
COMMUNITY FORESTRY COMMISSION
COMMUNITY AUDITORIUM CONFERENCE ROOM, 1915 MAIN STREET
WEDNESDAY, NOVEMBER 19, 2008 - 5:30 P.M.

Stephanie Beall - Present
Brandy Dodd - Present
Scott Hanselman - Absent
David Hunter – Present

Mark Nakajima - Present
Harold Roark – Present
Dale Wiley - Present
Ron Thompson - Absent

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MINUTES – NOVEMBER 19, 2008

1. **Call to Order** Chair Beall, noting a quorum was present, called the meeting to order at approximately 5:35 PM. Approval of the November 19, 2008 meeting was deferred until the February meeting. The meeting minutes of October 15, 2008 were amended to show Chair Beall as being absent. Harold Roark made a motion, seconded by Mark Nakajima to approve the meeting minutes of October 15, 2008, as amended.

2. **Citizen Communication.** Anyone wishing to speak on an item not on the agenda may be heard at this time. In the interest of time, please limit comments to three minutes or less. There were no citizens wishing to speak in attendance.

3. Previous Business:

(1) City Vision Statement and Action Plan Implementation – Discussion

The Commission discussed possible follow-up related to implementation of the Vision Statement and Action Plan. Discussion followed regarding the Commission's role related to sustainability. The Commission reached consensus that more definition is needed. The idea of a sustainability commission with representatives from various boards and commission was discussed. The Commission expressed interest in being involved earlier in the development process and reviewing plans prior to Engineering Department approval. The Commission expressed interest in meeting with the City Council and Planning Commission to discuss Action Plan implementation further.

(2) Sunset Drive Tree Planting Project

Staff reported completion of the Sunset Drive tree re-planting project.

(3) Gales Creek Tree Removal Status

Staff provided the Commission with options for re-planting trees along Gales Creek Road. Discussion ensued regarding the adjacent property owners lack of interest to maintain the trees and whether it would be a good use of funds to plant new trees. The Commission discussed the possibility of planting a low maintenance tree variety such as a conifer.

(4) Arborist Inspection Services

The Commission discussed the idea of creating a list of arborists qualified to perform tree assessments under the Register Tree program. The Commission reviewed the list of firms to contact to request letters of interest and estimated lump sum fee for performing the inspection and drafting a summary report meeting ASCA standards.

(5) Dedication of Street Trees downtown

The Commission briefly discussed the idea of reinstating the tree dedication program and possibly dedicating some of the street trees planted downtown. Consensus was reached that it is premature to dedicate street trees. The Commission also discussed the idea of creating three levels of dedication

4. New Business:

(1) Commission Retreat – Schedule Date

The Commission reached consensus to hold the retreat on Friday, January 9th. Brandy Dodd offered a motion, seconded by Dale Wiley, to purchase food for the retreat including a main dish and refreshments. The motion passed unanimously.

5. Project Reports:

(1) Arbor Day Fun Run/Walk & Library Display – Brandy

Brandy handed-out a list of tasks for the Arbor Day fun run. Tasks included advertisement, donations, volunteer coordination, T-Shirts, table organization, Mayor's invitation, and securing Lincoln Park for the day. The Commission discussed distributing the Arbor Day fun run flyer with the utility billing statements and posting the brochure on the City's Web site. Chair Beall volunteered to coordinate media outreach and the invitation to the Mayor. Steve Huffman agreed to take care of the banners and get totes

for storage. Dan Riordan will take care of ordering T-shirts.

(2) Neighborwoods – Dale Wiley

Commission members reviewed the Neighborwoods Applications received. The Commission agreed to hold the applications open until mid-December.

(3) Street Tree Inventory – David

The Commission deferred discussion on the street tree inventory.

(4) Register of Significant Trees – Dan

No new items to discuss.

(5) Farmer's Market & Website & Tree City Growth Award – Stephanie

No discussion

(6) City Wood Ornaments – Steve H.

The Commission discussed possible ideas for ornaments. Steve H. will bring wood samples at an upcoming meeting.

(7) Tree Tour Guide – Harold

The Commission briefly discussed final edits.

(8) Commemorative Trees – Mark

The Commission briefly discussed relocating the commemorative tree plaque.

6. Other Business

7. Adjourn – The meeting adjourned at approximately 6:30 PM.

Respectfully submitted by: Dan Riordan



Members Present: George Cushing, Kevin Kamberg, Neil Poulsen, Claude Romig, Lance Schamberger, Margie Waltz-Actor
Members Excused: Cindy Kistler
Staff Present: James Reitz
Council Liaison: Elena Uhing
Citizens Present: 01 (Kim Fitzgerald)

1. **Call to Order:** Chair pro tem Romig called the meeting to order at 6:58 p.m. New Board member Schamberger introduced himself and discussed his background. **The December 16, 2008 meeting minutes were approved as submitted.**

2. **Citizen Communication:** None.

3. **Action Items/Discussion:**

(a) **Election of Officers:** By unanimous consent, Poulsen was elected Chair and Cushing was re-elected Secretary.

(b) **Walker's/Naylor's Update Project:** Fitzgerald distributed a map showing contributing and non-contributing buildings, and she is working on preparing a database. Reitz reiterated that the state historian had suggested enlarging the proposed district to include some areas adjacent to but not within these two plats. As those areas would not likely be in any other potential district, they should at least be studied for possible inclusion in this one.

(c) **Painter's Woods District Update:** Fitzgerald has updated the application including suggested additions stressing the agricultural basis of the original Clark District. She reported that a SACHP member had audited the revised application and will support the nomination when the SACHP reconsiders it next month.

(d) **Retreat/Vision Statement Action Plan/Annual Goal-Setting:** After discussing the possibility of a retreat to work on goals or to delay the discussion to the February meeting, the Board decided to proceed with review of their goals and how they compared to the City's goals as tabulated by the CCI.

Short Term Goals

- Designate a downtown historic district: Already a Board goal.
- Information about historic resources: Already a Board goal.
- Work with other boards to coordinate efforts: Uhing noted that the city is working on how best to do this and that the Board could consider this topic at a later date.
- Explore Fernhill Wetland Trail Heritage Park: This goal is partially addressed in the Board's support of the FHFG's efforts to create a museum at the A. T. Smith house. Although the Board supports this, this is primarily a city project.
- Update and expand historic resource inventories: Already a Board goal.
- Create a program of monthly recognition of properties: The Board decided to add this to their 2009-2010 goals. Details are yet to be determined, but it was discussed that a quarterly program might be more feasible, as it could then be incorporated into the newsletter.

Long Term Goals

- Promote preservation of downtown: Already included in the Medium Term goals; it could also be considered as part of the Board's educational program.
- Town Center: Questions were raised about the difference between a historic town center and historic downtown. Uhing advised she will work on this question.
- Secure grants: This is a continuing effort and will be included in 2009-2010 goals.

- Clark District Design Guidelines: These are essentially complete and made more general so as to be more widely applicable. Adoption by the City Council is a goal for 2009-2010.
- Ways to incorporate history into community events: Already a Board short-term goal.

Based on the discussion above, Cushing and Reitz will prepare a new goals document and submit it to the Board for adoption in February.

- (e) **Design Guidelines:** With completion of the draft document, the Board will be beginning the public outreach effort. Poulsen will prepare an article for the newsletter; press releases also need to be prepared, and the information added to the web site.
- (f) **Winter (February) Newsletter:** Poulsen will forward his articles to Romig this week. Waltz-Actor said she had already forwarded an article on ranch houses to Romig.

4. Old Business/New Business:

- **Council Liaison Update:** Uhing reported that the Council too is working on goal setting and will also be reviewing the C.E.P. Grant procedures in February.
- **A. T. Smith House:** Waltz-Actor said that the Friends have now moved into the Woodfold Marco railroad depot building at 19th Avenue and Main Street. They are starting to move museum pieces there as well. Woodfold Marco has generously donated the space; the Friends are only responsible for utility expenses.
- **Boards and Commissions Reception:** Cushing described his presentation at the reception. The Board thanked both him and Romig for his work putting together the Powerpoint presentation.
- Fitzgerald noted that she has taken on another part-time position, this with the City of Salem. She noted that the Hillsboro Landmarks Commission is working on an Orenco historic district, and that Hillsboro is developing a photo book which could be available by next Christmas.

5. Adjournment: The January 27, 2009 meeting adjourned at 8:53 p.m.

These minutes respectfully submitted by George Cushing

PUBLIC SAFETY ADVISORY COMMISSION
FOREST GROVE FIRE STATION,
1919 ASH STREET
January 28, 2009
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1. **ROLL CALL:**

Chair Randy Roedl called the meeting to order at 7:35 a.m

MEMBERS PRESENT: Randall Roedl, Herb Drew, Susan Aguilar, Sharon Boge, Bob Mills, and Russell Redmond

IAISONS PRESENT: Tom Johnston, and Matt Pool

STAFF PRESENT: Fire Chief Michael Kinkade, Division Fire Chief Bill Bench, Police Chief Kerry Aleshire, Captain Jeffrey Williams, and Carol Lorenz.

MEMBERS NOT PRESENT: Rod Fuiten

IAISONS NOT PRESENT: Brandon Hundley, Bob Davis, Naomi Montelongo, Ralls Hall, and Tim Dierickx

2. **CITIZEN COMMUNICATIONS:**

3. **APPROVAL OF MINUTES:** January 28, 2009

4. **ADDITIONS/DELETIONS:**

5. **ACTION ITEMS/DISCUSSION:**

Correction to Gales Creek Station Open House: There was no activity at the Gales Creek station that day. Instead, all of the volunteers from the Gales Creek station were involved with the American Tree Farm System national convention. The convention was held at the Portland Hilton Hotel during the week and finished on Saturday with the field day and then a final banquet in Portland. There were around 800 people at the field day event in Gales Creek at Richard and Anne Hanschu's tree farm on Parson Rd. The State Forestry also participated.

Police:

PSAC Objectives: Hand out: Resolution No. 2005-56 Resolution Establishing Public Safety Advisory Commission. II Objectives – The objectives of the Public Safety Advisory Commission. PSAC reviewed and discussed the objectives listed. Under C. To review and recommend public safety policies and plans. PSAC felt that they should not be involved in reviewing and recommending changes to policies and that this statement needs to be changed.

Citizen Academy: The police department is holding a Citizen's Academy during the months of February 18th through April 15th. The primary goal is to build a better long-term relationship with community members and to increase understanding of police services in the community.

**PUBLIC SAFETY ADVISORY COMMISSION
FOREST GROVE FIRE STATION,
1919 ASH STREET
January 28, 2009
PAGE 2 OF 3**

Police Department Accomplishments – 2008: PSAC asked how this information is going to be advertized. The police department will be putting together an annual report regarding accomplishments for the year 2008. Citizens will also be able to access this information on the city web site. PSAC also felt that using neighborhood watch to put out this information might also be a good idea.

Special Olympics: The Forest Grove Police Department stated that they are planning on participating in the Special Olympics this year.

Fire:

Neighborhood watch: The fire department would like to start being involved in neighborhood as part of their outreach program.

Sprinkler Ordinance: The fire department is looking into a sprinkler ordinance. The fire department asked if they should bring the ordinance to PSAC for review before proposing the ordinance to council. PSAC feels that this is a good idea so that they could review the ordinance and provide support for or against the ordinance before it goes to council.

Upcoming community activities: Wrecked car in front of the high school. Child safety seat education program. Fire prevention team.

PSAC:

Agenda: PSAC would like to receive the council agenda so that PSAC knows what is going to be discussed at the council meeting. It was stated that the commissioned groups should be attending the council meetings. PSAC asked if an email could go out to remind them of the council meetings and what would be listed on the agenda. PSAC would like to look at the idea of a work session with council. PSAC also would like to receive a list from Police and Fire of ideas that they feel PSAC could possibly help with.

Elect new chairperson: PSAC nominated Rod Fuiten as the new chair and it was seconded. Since Rod Fuiten was not present they stated they would ask him and report back with his answer.

IAISONS Tom Johnston: Tom Johnston reported a lot of positive discussions were discussed down in Salem. Tom reported that Bruce Starr will be at the auditorium Feb. 4th at 6:00 if anyone would like to ask questions.

6. **COMMISSIONER'S REPORTS:** None

7. **STAFF REPORT:** None

8. OLD BUSINESS:

CCI Presentation: Handout – Public Safety Action Plan Tasks. A representative from CCI talked with PSAC in regards to 1.) Investigating a burn ban replaced by weekly yard debris pick-up – possibly survey City residents. 2.) Consider having two designated yard debris burn days per year held in a specific location in conjunction with a community event, I.E. a homecoming bonfire. PSAC informed CCI that there is already a weekly yard debris pick up so PSAC felt that it was not necessary to have an organized community burn. Questions asked by PSAC: Would there be a Burn Ban Ordinance? Who would issue citations? To have a homecoming bonfire or community burn, what would be the cost of cleanup? Would having a fire in the backyard to sit around be in violation? It was decided that the fire department would provide the input into a burn ban. PSAC decided since there would be members leaving as of January 1st and new members coming on that this subject should be tabled until after January and more information was available.

Forest Grove Vision Statement and 2007 Action Plan: PSAC had questions regarding the Public Safety & Municipal Services >Vision< statement page. PSAC questioned why Police and Fire were 3 and 4 under the objectives instead of 1 and 2. PSAC was also concerned about some of the wording under the objectives. PSAC questioned who approved the statement and how it could be changed. PSAC was informed that council had voted on it but that it could still be changed by a majority vote. PSAC also questioned why police and fire did not have their own vision statement separate from the municipal services. PSAC wanted to know when this had been voted on and asked why they had not seen this document before it was approved by the council. PSAC was informed that the vision statement was voted on 3 months ago by the council. PSAC felt that they should have been invited to view this document before it was voted on and that they should be receiving the council's agenda and be invited to the council meetings. PSAC helped pass the levy and PSAC is now waiting to hear from council as to what direction the council would like PSAC to take.

Fire Department: The fire department is still trying to fill 1 more position. They will be interviewing 7 prospective employees. The fire department is expecting 2 new fire engines. The fire department should receive the first one on November 28 and the second one should arrive on December 3rd. PSAC asked why they had purchased two fire engines. The fire department explained that the cost was less to purchase both at this time and it takes time to break a new engine in before it is put into service. The Forest Grove Fire Department was very pleased with the turn out for their open house this year with around 700 people in attendance. The Gales Creek Fire Station also reported a very nice turnout.

9. ANNOUNCEMENT OF NEXT MEETING: February 25, 2009

10. ADJOURNMENT:

Randy Roedl adjourned the meeting at 08:40 a.m.

Respectfully submitted by:

Carol Lorenz

POLICE MONTHLY STATS FOR SELECTED REPORTED CRIMES / INCIDENTS

**February 2009
Reported Cases**

3F

	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	7	5	12	ASSAULTS	6	0	13	FRAUD	4	7	7
ARRESTS	0	1	0	ARRESTS	3	0	9	ARRESTS	3	2	5
THEFTS	40	37	81	SEX CRIMES	3	3	4	UUV	1	5	10
ARRESTS	6	6	11	ADULT	1	2	1	ARRESTS	1	3	5
				JUVENILE	0	1	0	RECOVERED	0	0	2
ROBBERY	0	0	4	CRIMES AGAINST CHILDREN	6	5	12	ABAND. VEHICLES	31	21	62
ARRESTS	0	0	1	DOMESTIC VIOLENCE	12	18	23	RADAR BOARD	0	0	0
VANDALISM	42	33	95	MIP/TOB/LIQUOR	3	5	3	MVA	9	10	29
ARRESTS	8	9	10	ARRESTS	8	7	9	DUII	8	10	14
								TRAFFIC CITES	233	272	450
TRESPASS	1	1	6	DRUGS	0	8	1	TOTAL ARRESTS	107	136	196
ARRESTS	1	5	14	ARRESTS	0	9	2	ADULTS	70	99	146
								JUVENILES	37	37	50
SEARCH WARRANTS	0	1	0	FUGITIVES	19	19	29				

Total Contacts by Offense for Patrol Officers - 722 : Vehicle Impounds by Patrol Officers - 4 : 28 DHS 307's were reviewed and documented : MVA includes 3 hit and run : Crimes Against Children - 5 runaway, 0 recovered, 0 arrest : Patrol Traffic Citations do not include 16 citations from CSO's

COPIED Chief Aleshire
Capt. Williams
Capt. Ashbaugh
Sgt. Foster
Ofc. Mgr. Hayes
CSO Hartung 3/3/09

Memorandum

To: Mayor Kidd and City Councilors

From: Anna D. Ruggles, CMC, City Recorder

Subject: Accept Resignation on Community Forestry Commission

Date: March 9, 2009

Harold Roark, Community Forestry Commission, term expiring December 31, 2009, has informed staff of his desire to resign from the Community Forestry Commission as per his attached resignation.

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

Memorandum

To: Mayor Kidd and City Councilors

From: Anna D. Ruggles, CMC, City Recorder

Subject: Accept Resignation on Historic Landmarks Board

Date: March 9, 2009

Lance Schamberger, Historic Landmarks Board, term expiring December 31, 2010, has informed staff of his desire to resign from the Historic Landmarks Board so that he can be appointed to the Community Forestry Commission as per his attached e-mail.

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

Memorandum

TO: Mayor Kidd and City Councilors

FROM: Anna D. Ruggles, CMC, City Recorder

DATE: March 9, 2009

SUBJECT: Appointment to Community Forestry Commission

The Council interviewed Lance Schamberger at its work session of December 1, 2008, and at that time, Council collectively agreed to appoint Schamberger as an interim appointment to the Historic Landmarks Board pending a vacancy on the Community Forestry Commission. Due to a recent resignation, there currently is a vacancy on the Community Forestry Commission, term expiring December 31, 2009.

Recommendation: Staff recommends Council approve the resolution appointing Lance Schamberger, term expiring December 31, 2009. If Council desires not to make this appointment, Council may pull this item from the Consent Agenda for separate consideration.



RESOLUTION NO. 2009-16

RESOLUTION MAKING APPOINTMENT
TO THE CITY OF FOREST GROVE
COMMUNITY FORESTRY COMMISSION

WHEREAS, the City of Forest Grove has provided for a Community Forestry Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards, Committees and Commissions brought about by resignation or removal shall be filled by appointment to fill the full unexpired term of that seat by the City Council; and

WHEREAS, there currently exist a vacancy on the Community Forestry Commission; and

WHEREAS, the City Council has received an application from a citizen desiring to serve on the Community Forestry Commission, and subsequently interviewed this citizen making application for service on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed to the City of Forest Grove Community Forestry Commission for the following term (new appointment noted in **CAPS** and **BOLD**):

<u>Last Name</u>	<u>First Name</u>	<u>Term Expires</u>
Beall	Stephanie	December 31, 2010
Dodd	Brandy	December 31, 2011
Hanselman	Scott	December 31, 2009
Hunter	David	December 31, 2011
Nakajima	Mark	December 31, 2010
SCHAMBERGER	LANCE	DECEMBER 31, 2009
Wiley	Dale	December 31, 2010

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

TO: Mayor Kidd and City Councilors

PROJECT TEAM: Anna D. Ruggles, CMC, City Recorder
Michael J. Sykes, City Manager

DATE: March 9, 2009

SUBJECT: Appointment to Public Safety Advisory Commission

The City received recommendation from the Forest Grove Chamber of Commerce requesting to appoint Matt Pool, as their non-voting representative to the Public Safety Advisory Commission, to replace Melanie Stagnitti.

RECOMMENDATION: Staff recommends Council approve the resolution appointing Matt Pool, as a non-voting representative, to the Public Safety Advisory Commission. Since the Chamber of Commerce is making this recommendation, staff is not requesting an applicant/Council interview for this specific appointment; however, if Council desires not to make this appointment, Council may pull this item from the Consent Agenda for separate consideration.



RESOLUTION NO. 2009-20

RESOLUTION MAKING APPOINTMENT TO
PUBLIC SAFETY ADVISORY COMMISSION
NON-VOTING LIAISON REPRESENTATIVE

WHEREAS, Resolution No. 2005-56 has provided for a Public Safety Advisory Commission; and

WHEREAS, Resolution Number 2006-10 provides that vacancies on City Advisory Boards and Commissions brought about by resignation or removal shall be filled by appointment to fill the full unexpired term of that seat by the City Council; and

WHEREAS, there currently exists one vacancy brought about by the resignation of Melanie Stagnitti, Forest Grove Chamber of Commerce representative, on the Public Safety Advisory Commission; and

WHEREAS, it is the desire of the Forest Grove Chamber of Commerce to select Matt Pool serve as the Chamber representative on this Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the following person is hereby appointed as a non-voting liaison representative to the City of Forest Grove Public Safety Advisory Commission:
(New appointment noted in **BOLD CAPS**):

<u>Last Name</u>	<u>First Name</u>	<u>Non-Voting Representative for:</u>
Dierickx	Tim	FG Rural Fire Protection District (Primary)
Spiesschaert	Lyle	FG Rural Fire Protection District (Alternate)
POOL	MATT	FG CHAMBER OF COMMERCE
Montelongo	Naomi	FG School District (Primary)
Hundley	Brandon	FG School District (Alternate)
Hall	Ralls	Pacific University

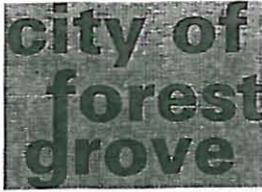
Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor



3K

FOR CITY USE ONLY
 (Please return to City Recorder)

The Forest Grove City Council
 Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
 Acct No. 100-21-10-450050 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT
LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT _____ Dan Chin _____

NAME OF BUSINESS: _____ Bi-Mart Corporation _____

BUSINESS ADDRESS: _____ 3225 Pacific Avenue, Suite F, Forest Grove _____

TYPE OF LICENSE REQUESTED:
Application is being made for

<p>ACTION:</p> <p><input type="checkbox"/> Change in Application</p> <p><input type="checkbox"/> New Application</p> <p><input checked="" type="checkbox"/> Renewal</p> <p><input type="checkbox"/> Temporary</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.</p>	<p><input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises.</p> <p><input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.</p>
<p><input type="checkbox"/> New Business</p> <p><input type="checkbox"/> Change of Ownership</p> <p><input type="checkbox"/> Greater Privilege</p> <p><input type="checkbox"/> Additional Privilege</p> <p><input type="checkbox"/> Other _____</p>	<p><input type="checkbox"/> F - CAT Caterer</p> <p><input type="checkbox"/> F - COM Commercial Establishment</p> <p><input type="checkbox"/> F - PC Passenger Carrier</p> <p><input type="checkbox"/> F - CLU Private Club</p> <p><input type="checkbox"/> F - SE Special Event</p> <p><input type="checkbox"/> F - PL Other Public Location</p>	<p><input type="checkbox"/> Brewery Public House</p> <p><input type="checkbox"/> Fuel Pumps</p> <p><input type="checkbox"/> Grower</p> <p><input type="checkbox"/> Winery</p> <p><input type="checkbox"/> Other: _____</p>

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

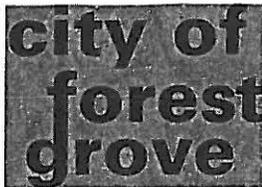
Kerry P. Aleshire

Kerry Aleshire, Chief of Police
 - or Designee

2-4-09

Date

Police Department Recommendation Revised 12/07



FOR CITY USE ONLY
(Please return to City Recorder)

The Forest Grove City Council
Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
Acct No. 100-21-10-450050 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT
LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT _____ Christopher F. Somers

NAME OF BUSINESS: _____ Grampy's Deli and Pub

BUSINESS ADDRESS: _____ 1918 Main Street, Forest Grove

TYPE OF LICENSE REQUESTED:

Application is being made for

ACTION: <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.	<input checked="" type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input checked="" type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

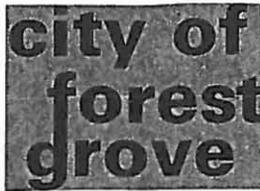
Kerry P. Alshire

Kerry Alshire, Chief of Police
- or Designee

3-3-09

Date

Police Department Recommendation Revised 12/07



FOR CITY USE ONLY
 (Please return to City Recorder)

The Forest Grove City Council
 Recommends that license be

Granted Denied

\$25.00 Liquor License Fee: Paid: _____
 Acct No. 100-21-10-450050 Receipt#: _____

FOREST GROVE POLICE DEPARTMENT
LIQUOR LICENSE RECOMMENDATION

NAME OF APPLICANT Felix Lopez Arechiga

NAME OF BUSINESS: La Sierra Mexican Restaurant

BUSINESS ADDRESS: 2331 Pacific Avenue, Forest Grove

TYPE OF LICENSE REQUESTED:
Application is being made for

ACTION: <input type="checkbox"/> Change in Application <input type="checkbox"/> New Application <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Temporary <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> FULL ON-PREMISES SALES: F-COM licenses are required to have dining seating. Allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off the licensed premises.	<input type="checkbox"/> LIMITED ON-PREMISES SALES: Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off the licensed premises. <input type="checkbox"/> OFF-PREMISES SALES: Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider.
<input type="checkbox"/> New Business <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other _____	<input type="checkbox"/> F - CAT Caterer <input type="checkbox"/> F - COM Commercial Establishment <input type="checkbox"/> F - PC Passenger Carrier <input type="checkbox"/> F - CLU Private Club <input type="checkbox"/> F - SE Special Event <input type="checkbox"/> F - PL Other Public Location	<input type="checkbox"/> Brewery Public House <input type="checkbox"/> Fuel Pumps <input type="checkbox"/> Grower <input type="checkbox"/> Winery <input type="checkbox"/> Other: _____

APPLICABLE CRIMINAL/DRIVING RECORD:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)

Kerry P. Aleshire
Kerry Aleshire, Chief of Police
 - or Designee

2.25.09
Date

Police Department Recommendation Revised 12/07

Memorandum

To: City Council
From: Jon Holan, Community Development Director
Michael Sykes, City Manager
Date: March 9, 2009
Re: Discussion of Urbanization Resolution

Attached is a copy of a proposed resolution and background explanation about a proposed resolution pertaining to Urbanization. As explained in the background material, 36 elected and appointed officials from around Washington County held a series of meetings to discuss approaches to urbanization. The discussion looked at policy approaches concerning 1. governing future urbanized areas outside the current UGB and 2. governing existing urban unincorporated areas within the current UGB.

Focusing on future urbanized areas outside the current UGB, there has evolved an agreed upon approach that all future additions to the applicable UGB must be governed and urbanized by a city. The next steps are the development of proposed Urban Planning Area agreements and SB 122 agreements where needed, and the adoption of the attached resolution (see Specific recommendations for next steps discussed at the end of the background material).

Staff would like to discuss with the Council the proposed resolution. We have two concerns with it as proposed. These issues pertain to Items (3) and (6) of the Resolution.

Item (3) proposes an agreement that roadways that the County deems part of the county-wide road system remain under jurisdiction of the County. It also proposes that "Concurrent with annexation, the relevant City shall request all other roads that are not part of the Countywide Road System be transferred and the County shall transfer these roads."

The latter provision is unclear as to what roads would be considered for transfer. It may be limited to only those roads within the area to be annexed. It could also mean all roads within the City that are under the jurisdiction of the County. Under this

interpretation, this may create the opportunity for the County to transfer county roads that are currently within the UGB and not part of any future urbanized area. Such roads would include portions of Willamina, 26th, Hawthorne, Raymond, Oak, Fern Hill, Pacific/Ritchey (west of E Street), David Hill, Watercrest, Thatcher and Gales Creek. This interpretation would have implications on the City's budget and ability to maintain these facilities.

Item (6) states, "we will join fellow Jurisdictions that participated in the Urbanization Forum in identifying and developing financial tools for Washington County...to provide urban services as needed..." Staff is concerned what type of financial tools this may be and how it may affect resources for Forest Grove. For example, road funds from the state could be diverted from Forest Grove and other cities to Washington County to help pay for infrastructure improvements.

PROPOSED RESOLUTION

The following Resolutions will be presented for discussion and potential adoption by each jurisdiction participating in the Urbanization Forum. The Resolutions will be accompanied by this summary, any additional commentary provided by the Steering Committee and, if available, draft amendments to Urban Planning Area and SB 122 agreements. The Steering Committee will make the Facilitator and Steering Committee members available to meet as requested with Council, Board and Commission members and staff of each jurisdiction to discuss the process, work and recommendations of the Urbanization Forum, including the Resolutions.

Whereas, in 2008 the Cities of Washington County including mayors and managers, Board of Commissioners of Washington County and managers, the largest Service Districts of Washington County including chief executive officers and board chairs (TVF&R; THPRD; TVWD; CWS), and Washington County Sheriff convened a public Washington County Urbanization Forum and held four (4) public Urbanization Forum meetings in 2008 to discuss key urbanization issues, including listening to public comments on such issues;

Whereas, during Urbanization Forum discussion the participants explored issues and conditions pertaining to forming consensus policies for the governance and management of: (1) existing unincorporated urbanized areas in the County that contain approximately 200,000 residents; and, (2) areas added to the regional UGB in the County for future urban development and growth in the County, and imminent growth management issues confronting all Urbanization Forum participants as forecasted population growth in Washington County takes shape;

Whereas, Washington County citizens and civic organizations participated in the Urbanization Forum, principally through CPO leadership, in public large group and small group meetings held in April, June, October, November and December of 2008;

Whereas, it was determined during Urbanization Forum discussions that the following seven (7) urban unincorporated areas within the existing UGB required an area-by-area approach to determine if any changes are appropriate or desired in current service and governance solutions, and separate area-by-area discussions were conducted in each of these areas:

- (1) Cedar Hills/Raleigh Hills/West Slope/Garden Home;
- (2) Bethany/Rock Creek/North Bethany;
- (3) Cedar Mill;
- (4) Bull Mt/Areas 63&64;
- (5) Metzger;
- (6) Reedville; and
- (7) Aloha;

Whereas, it was also determined in Urbanization Forum discussions that resolution of matters of urbanization governance and management of areas added to the Urban Growth Boundary in

Washington County by Metro requires consensus among the Urbanization Forum participants and Metro on a separate urbanization policy prepared by the Urbanization Forum for these areas;

Whereas, the Urbanization Forum used a Steering Committee, a working group and a series of public meetings to formulate and draft proposed policies pertaining to future governance and urbanization within existing unincorporated urban areas and areas outside the UGB that are added to the UGB by Metro;

Whereas, Urbanization Forum participants agree that, while an urbanization policy that assigns to cities the governance and management of new as-yet undeveloped areas added to the UGB engenders different urbanization issues and, accordingly, should be considered distinct from an urbanization policy for existing unincorporated urban areas not likely to become part of a city in the foreseeable future and already governed by Washington County, both urbanization policies are connected in terms of the quality and delivery of public services to such areas by their service providers and governing institutions, and the quality of urban life and amenities of residents and communities in both areas; and

Whereas, future actions of the jurisdictions within Washington County and Metro will be well served by each jurisdiction considering and adopting the consensus recommendations of the Urbanization Forum to serve as guideposts for decisions of the individual jurisdictions on matters of concern to the Urbanization Forum;

Now, Therefore, Be it Resolved, the governing body of _____, together with the Cities, County and Service Districts which participated in the Urbanization Forum (Cities of Beaverton, Cornelius, Forest Grove, Hillsboro, King City, North Plains, Sherwood, Tigard and Tualatin; Washington County; CWS, THPRD, TVF&R; TVW), hereby adopts this proposed Urbanization Forum Resolution and hereby commits to undertake and complete the specific actions listed below at the earliest practicable time:

(1) We expressly recognize and support the process and work of the Urbanization Forum;

(2) We will join fellow Jurisdictions that participated in the Urbanization Forum in preparing and executing amendments by December 2009 to Urban Planning Area Agreements ("UPAA's") and/or executed and pending Urban Service Agreements ("SB 122 Agreements"), as deemed necessary and appropriate by its counsel, to provide that all future additions to the applicable Urban Growth Boundary in Washington County during and after 2010 must be governed and urbanized by the interested City in the County. Urbanized means land use decision making authority. The decision as to how urban services will be delivered shall be determined by the interested City in consultation with area service providers in accordance with existing law and applicable agreements. "Interested" includes but is not limited to designations under SB 122 Agreements;

(3) In conjunction with paragraph (2) we will join fellow Jurisdictions that participated in the Urbanization Forum in commonly supporting actions as appropriate to abide by a policy

which ensures jurisdiction of roadways which are deemed by the County to be part of the county-wide road system, shall be under the jurisdiction of Washington County. Concurrent with annexation, the relevant City shall request all other roads that are not part of the Countywide Road System be transferred and the County shall transfer these roads;

(4) We will join fellow Jurisdictions that participated in the Urbanization Forum in commonly urging Metro to expand the existing Urban Growth Boundary only to such areas as are contiguous to incorporated areas of Washington County;

(5) While it is the high priority of Urbanization Forum participants that UGB expansion by Metro in Washington County be contiguous to a governing City, in the event the Urban Growth Boundary in Washington County is expanded to include areas non-contiguous to an incorporated area, we will work with fellow Jurisdictions that participated in the Urbanization Forum, Metro and other interested entities to seek legislation or other enabling authority, as may be needed, to enable the inclusion of such areas outside the existing Urban Growth Boundary within the interested City;

(6) With respect to those existing areas of urban unincorporated Washington County in which the interested Cities do not pursue annexation activities such that these areas remain within the governance of Washington County, we will join fellow Jurisdictions that participated in the Urbanization Forum in identifying and developing financial tools for Washington County, and legislation attendant thereto, to provide urban services as needed to such areas while they remain outside the governance of Cities; and

(7) We will continue to work with fellow jurisdictions in Washington County and the public through the Urbanization Forum and/or other appropriate mechanisms to explore and discuss on a continuing basis the needs of current and future urbanized Washington County; and

Be It Finally Resolved, that a copy of this Resolution adopted this ___ day of _____, 2009, be hereby transmitted to all jurisdictions who participated as members of the Washington County Urbanization Forum, Metro, the Washington County CPO's, and other interested civic and community organizations.

BACKGROUND MATERIAL

Progress Report on the Urbanization Forum

I want to summarize the work of the Urbanization Forum. This Report includes recommendations on next steps and draft Resolutions for the participating jurisdictions to consider and support. The Resolutions address issues of urban unincorporated Washington County within and outside the existing Urban Growth Boundary. The Steering Committee met three times in January to review, discuss and edit the Report, Recommendations and Resolutions. This document is being presented today to the full Urbanization Forum, CPO organizations and public.

Meetings

The Forum officially commenced on April 24, 2008 at a public meeting in Hillsboro with 36 elected and appointed officials from throughout the county. This meeting was preceded by individual meetings held by the facilitator (Mark L. Cushing) in February, March and April with the leadership of all of the Cities, County, Service Districts, Metro and Sheriff's Office. Additional public meetings were conducted in June, October and December, and numerous individual, small group and working group meetings were held throughout the year. In November and December we conducted seven area meetings with community leaders and public officials involving Cedar Hills/Raleigh Hills/West Slope/Garden Home; Bethany/Rock Creek/North Bethany; Cedar Mill; Bull Mt/Areas 63&64; Metzger; Reedville; and Aloha. The Steering Committee met monthly through January 2009.

Issues

At the initial public meeting in April the discussion among public officials concentrated on two related but distinct issues: (1) policy governing future urbanized areas within Washington County outside the current Urban Growth Boundary, and (2) policy governing existing urban unincorporated areas within Washington County inside the current Urban Growth Boundary. As a result of these discussions the Steering Committee determined that the Forum should address these issues in order. The June public meeting and most of the work during the summer concentrated on the future urbanized area issue, and the meetings and discussions in the fall and early winter concentrated on both issues.

(1) Future Urbanized Areas Outside Current UGB

The June 19 public meeting produced a preliminary consensus that the jurisdictions should enter into agreements to support a policy that all future urbanization outside the current UGB be governed by Cities, with a directive to Metro that this policy be taken into consideration when the UGB is expanded. Questions surfaced about how to implement such a policy and a working group was convened over the summer to address these issues. The working group met through

early October to review and ultimately approve drafts of the proposed policy prepared by Brent Curtis of Washington County and Pat Ribellia of Hillsboro.

The draft policies were discussed at the October 9 public Forum in Tigard and the December 11 public Forum in Hillsboro. Questions remain about how to implement the policy, particularly with respect to requiring Metro to condition any expansion of the UGB on governance by a City and, in so doing, to limit expansion to areas contiguous to an existing city (assuming that the expanded area does not itself become a city which, of course, is an option). Urban Planning Area agreements have been identified as the primary tool for enforcing the policy, which will require approval by the affected jurisdictions. Provided that the expanded areas are contiguous to an existing City, then the proposed policy will not require legislation to clarify annexation tools for Cities in addressing areas to be urbanized outside the current UGB which are not contiguous to an existing City. If the expanded areas are not contiguous to an existing City then legislation may be required to provide Washington County cities with annexation tools to reach these areas. The public Forum in December also resolved an issue raised in October concerning the allocation of responsibilities for roadways in future urbanized areas outside the current UGB. The complete text of the Policy for areas outside the existing UGB is set out below.

Policy: "Washington County, the Cities and Service Districts within Washington County and Metro agree to abide by a policy whereby all future additions to the applicable Urban Growth Boundary must be governed and urbanized by a City. Urbanized means land use decision making authority. The decision as to how urban services will be delivered shall be determined by the impacted City in consultation with area service providers in accordance with existing law and applicable agreements.

- This policy will be implemented by amendments to relevant Urban Planning Area Agreements, SB 122 Agreements and conditioning by Metro of all future UGB additions within Washington County.
 - Corollary Policies and Implementation Mechanisms:
 - Issues of contiguity may impact a City's ability to annex newly included additions to the UGB.
 - It may become necessary to provide Cities with annexation tools to reach such non-contiguous properties.
 - Further, the County and Cities agree to abide by a policy which ensures jurisdiction of roadways which are deemed by the County to be part of the county-wide road system, shall be under the jurisdiction of Washington County. Concurrent with annexation, the relevant City shall request all other roads that are not part of the Countywide Road System be transferred and the County shall transfer these roads.
-
- Question: Is there an available, enforceable means to ensure all future additions to the Urban Growth Boundary must be governed and urbanized by a City?

- Short Answer: Yes. Urban Planning Area Agreements between each City and the County can require all future additions to the UGB be annexed to a City. Additionally, SB122 Urban Service Agreements applicable to such UGB additions can and should include identical annexation requirements. Additionally, Metro should condition future Washington County UGB changes to require implementation of the policy requiring annexation to a city prior to urbanization."

Work remains to be done in describing the proposed policy and presenting draft Urban Planning Area and/or SB 122 agreements or amendments as appropriate for implementation. We will work from the revised policy outline created at the December 11 public Forum. While Metro councilors participated in the public Forums, no formal discussions have been held with Metro by the County or Cities concerning this proposed policy. The Forum has recognized that the future urbanized policy cannot be separated from any policies governing existing urbanized areas, so the ultimate resolution awaits resolution of these policies as well. The working group is an effective, ad hoc vehicle to continue this work for the Steering Committee.

(2) Existing Urbanized Areas Within Current UGB

The Urbanization Forum was launched by the jurisdictions in large part due to ongoing debate and issues concerning the approximately 200,000 citizens of Washington County residing in urban areas outside Cities. The two basic questions for each of the urban unincorporated areas involved (a) governance and (b) service delivery and (c) its associated costs. While these three issues inevitably are intertwined with an ongoing debate about annexation of the existing unincorporated areas, annexation policy is only one of the topics requiring resolution.

At the initial public Forum on April 24 the public officials agreed that consideration of existing urban unincorporated areas required an area-by-area approach. A consensus was reached early in the discussion that no single policy or solution fits all areas. This decision provided the framework for the Forum's treatment of existing areas. We conducted individual, ad hoc small group and more formal area group discussions in the seven areas designated around the county. The seven areas are: Cedar Hills/Raleigh Hills/West Slope/Garden Home; Bethany/Rock Creek/North Bethany; Cedar Mill; Bull Mt/Areas 63&64; Metzger; Reedville; and Aloha. The area-by-area discussions were structured to address three issues:

- a. The adjacent or affected City of interest's plans, if any, regarding annexation of the area in question.
- b. The community's response to the City's plans, in particular the CPO and neighborhood groups' views of the area's interests in pursuing governance and service alternatives other than the status quo or annexation.
- c. The financial implications for Washington County in responding to an area's interest in expanded services while remaining unincorporated.

The results of the discussions about these three issues in each area are presented below.

Raleigh Hills/Cedar Hills/West Slope/Garden Home

There was a general sense that the status quo is working and that there is no need for initiating discussions with Beaverton about annexation, or to explore alternative governance options. However, this area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons.

Bethany/Rock Creek/North Bethany

This area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons. While there was a general expression of satisfaction with the status quo, there are community leaders interested in continued exploration of governance alternatives ranging from incorporation to service districts to annexation. It is my recommendation that some vehicle be created to continue the dialogue while broadening the base of participation.

Cedar Mill

This area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons. Cedar Mill represents the most advanced level of internal discussion and historical awareness of service and governance options. There is a diversity of views about the ideal outcome, but clearly an interest in continuing some level of dialogue and evaluation. I recommend that the Steering Committee reach out to CPO leadership and discuss the merits, and particulars, of ongoing activity.

Bull Mountain/Area 63 & 64

This area has the most intensive history of debating alternatives for service delivery and governance. Tigard is not intending to initiate discussion with Bull Mountain residents about service or governance changes, but it is possible that residents may want to explore alternatives. In particular, Bull Mountain residents are concerned about parks, and there may be a valuable dialogue among the County, Tigard and Bull Mountain on this issue, partly connected to the development of Areas 63 & 64. I recommend that further small group discussion explore this possibility.

Metzger

The Metzger CPO and neighborhood leadership are very satisfied with the status quo and there is no interest in examining alternative service or governance options. There is interest in working with Washington County and relevant Service Districts to develop additional trails and bike paths for the community.

Reedville

The City of Hillsboro is exploring the possibility of initiating long-term community dialogue about Reedville coming in to Hillsboro. It is my recommendation that the Forum not involve itself in this process unless the City requests otherwise.

Aloha

We had an intensive discussion of alternatives for Aloha, but there was not a broad base of citizen participation in the conversation. Clearly there is interest in evaluating alternatives, but much work needs to be done in structuring the process and broadening its reach within the Aloha community. It is my recommendation that the Steering Committee devote a separate meeting to exploring the issue of whether and how an ongoing process could assist Aloha.

This summary reflects a view that ongoing Forum activity will be useful in certain areas. However, it is not necessary to convene the full 36-member Forum in the near term to do this. Instead, I recommend that the Steering Committee explore customized options for continuing activity and discussions in select areas. In addition, the discussions in each area, and at public Forums, made clear that the County is not in a position to provide expanded services to existing urban unincorporated areas without additional financial tools. I recommend that the Steering Committee create a working group to move forward in exploring and recommending specific solutions to this issue.

Specific recommendations for next steps:

1. Direct working group on issues Outside Existing UGB to draft amendments to Urban Planning Area Agreements and, as appropriate, SB 122 Agreements, to present to jurisdictions and the public in conjunction with consideration of Resolutions to support and implement this policy. A realistic timetable is for the Working Group to prepare this by early March for approval and distribution to the jurisdictions and public.

2. Revise and approve Resolutions for jurisdictions to discuss and, hopefully, approve jurisdiction-by-jurisdiction. The Resolutions are provided at the conclusion of this document. The Resolutions address areas both inside and outside the existing Urban Growth Boundaries. A realistic timetable is for jurisdictions to act on the proposed Resolutions within 2-4 months.

3. The Steering Committee should consider creating two groups to develop ideas and issues discussed during the Forum, as follows:

- (a) An Information working group representing Cities, Service Districts, the County, the Sheriff's Office and the public. This working group should consider how to collaborate with the jurisdictions and other resources, as appropriate, to generate data about services and related costs. Each of the area working groups and CPO's should be involved in developing the issues for consideration by this task force.

(b) A working group should be formed with active involvement by the area CPOs to conduct ongoing discussions of service options for the six areas (excluding Reedville) within urban unincorporated Washington County, including options of the status quo, incorporation, creation of one or more Service Districts, or annexation terms for the relevant city. This working group should consider the relative merits and issues surrounding area-by-area service districts for expanded services to unincorporated Washington County or a county-wide service district to do the same. This working group should also explore financial implications of significant areas remaining unincorporated within the existing UGB, and the resources required for the County to provide enhanced services, if appropriate, to these areas.

4. The Steering Committee needs to ensure the most effective and inclusive means of public involvement in the next phase including CPO's and other community organizations.

5. The Steering Committee should monitor legislative developments in the 2009 Oregon Legislature and, as appropriate, speak with a common voice on behalf of the Urbanization Forum on matters of interest.

Memorandum

To: City Council

From: Daniel Riordan Senior Planner
Jon Holan, Community Development Director
Michael Sykes, City Manager

Date: March 9, 2009

Re: Adoption of a resolution in support of the City's application for grant funding through the State of Oregon Transportation Growth Management (TGM) Program

Request: That City Council adopt a resolution in support of Oregon Transportation and Growth Management Program grant funding to prepare alternative concept plans and an implementation strategy for potential high capacity transit-oriented development areas (Attachment A). If funded, this project would be complementary to and support the City's ongoing comprehensive plan periodic review efforts.

Background: The Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD) recently issued a request for project proposals seeking ideas for grant funding under Oregon's TGM Program during 2009-2011 biennium. The TGM Program provides resources to local governments to address pressing transportation-related growth management issues. Pending legislative approval, up to \$5 million will be available statewide for grants to local jurisdictions for 2009-2011. TGM projects fall into two categories. Category 1 projects include preparation of transportation system plans. Category 2 projects include integrated land-use and transportation planning projects. The City's proposal to prepare station area concept plans and implementation strategy is considered a Category 2 project. If awarded grant funding, the City will have two-years to complete the project.

Community Development staff submitted two separate project ideas to ODOT for potential funding during the initial pre-application period. One proposal addressed the City's desire to prepare alternative concept plans for high capacity transit station communities located along the underused Portland and Western rail corridor located north of Pacific Avenue. Attachment B provides a summary of the proposed project approach and expected outcomes of the station area planning project.

The second project proposal addressed preparation of a general redevelopment strategy for the City of Forest Grove. Attachment C provides an overview of the proposed project approach and expected outcomes for this project.

Based on initial feedback from TGM Program staff, City staff recommends that the proposed concepts be combined into one project with a single integrated approach focusing on transit-oriented development areas. This integrated approach would include transit-oriented development area concept planning as well as preparation of a strategy to implement the planning concept including assessing the feasibility of establishing a tax increment financing (urban renewal) district and/or creation of a vertical housing zone (Attachment D). A tax increment financing district or vertical housing zone could provide financial incentives for increasing development densities and funding needed infrastructure improvements.

As proposed, the integrated project will address local objectives for increasing development intensity to support high capacity transit such as light- or commuter rail. Increasing development densities near station areas could also support the possible reduction of allowed development density within established single family residential areas.

This project is intended to address objectives from a variety of state and regional agencies including transportation investment, efficient land use, housing options, and economic opportunity. Implementation of the redevelopment strategy could also help address the recent designation by the Oregon Economic and Community Development Department of Forest Grove as an economically severely distressed community by promoting economic development opportunities.

This project is expected to result in the following outcomes:

1. Public involvement and affected property owner outreach including an examination of property owner objectives and opportunities to blend property owner objectives with transit-oriented development concepts;
2. Preparation of a report documenting the feasibility of establishing a tax increment financing/urban renewal district to foster public and private investments supportive of high capacity transit and mixed-use development options;
3. Alternative land use concepts for transit-oriented development areas;
4. Design guidelines and standards for transit-oriented development;
5. Assessment of the existing and planned transportation system leading to the identification of needed transportation infrastructure improvements, conceptual level cost estimates and recommended changes to the local Transportation System Plan;
6. Preparation of a vertical housing zone application for submittal to the Oregon Department of Housing and Community Services to promote housing options and efficient land uses; and

7. Recommended amendments to the Forest Grove Comprehensive Plan and development code ready for implementation and consistent with local periodic review efforts.

The TGM program grant application includes specific evaluation criteria that must be addressed in the application (Attachment E). Evaluation criteria include:

1. Timeliness of the project;
2. Ability of the project to effectively address a community transportation and land use issue;
3. Demonstration of clear statement of expected and reasonably achievable outcomes;
4. Indication that the project contributes to achieving TGM program objectives including contribution to economic revitalization, urban growth area planning, safe routes to schools, or climate change;
5. Reasonable approach and budget; and
6. Demonstration that there is local commitment and capability to manage the project.

Adoption of a resolution in support of the grant application specifically addresses evaluation criteria 6 above.

The anticipated budget for this project is approximately \$80,000 to \$95,000 for consultant services. If funded, the City would be obligated to provide a match of 11% or more of the total cost of the project. This amounts to a minimum of \$8,800 and maximum of \$10,450 during the upcoming fiscal year. The required match may be in the form of cash or staff time and direct project expenses. Communities defined as distressed by OECD may request a partial match waiver.

Attachment A:	Station Area Location Map
Attachment B:	Station Area Planning Pre-Application Form
Attachment C:	Redevelopment Strategy Pre-Application Form
Attachment D:	Vertical Housing Program Fact Sheet
Attachment E:	TGM Grant Application

PRE-APPLICATION

TGM Program Services 2009 – 2011 Biennium

Please submit a separate pre-application for each project idea.

Pre-Applicant Information

Contact Dan Riordan

Jurisdiction City of Forest Grove

Mailing Address PO Box 326

Phone/Fax p. (503) 992-3226, f. (503) 992-3202

E-mail driordan@forestgrove-or.gov

City/Zip Forest Grove 97116

Type of Request

Grant Project

- Transportation System Planning
- Integrated Land Use and Transportation Planning

Direct Community Assistance

- Code Assistance
- Quick Response
- TSP Assessment Outreach Workshop
- School Siting/ Safe Routes to School*
- Smart Development*
- Main Street Road Show*

Project Title: City of Forest Grove High Capacity Transit Station Area Concept Plan

Description of Issue:

The City's northeast industrial area is characterized by low intensity food processing and warehousing activities located along an under-used railroad corridor. It is the City's belief that over the long term the industrial area is better suited for high density/mixed-use development supportive of high capacity transit. The purpose of this project is to identify the locations for potential station areas and assessment of conceptual land uses, needed infrastructure improvements and transportation linkages to support high density/mixed-use development. In addition, this project will support the City's aspirations including work underway with Metro and Tri-Met to extend light rail service to Forest Grove. The Forest Grove high capacity transit corridor is being studied by Metro as part of the Regional Transportation Plan and has passed the initial screening process.

Project Objectives/Expected Outcomes:

Project objectives include public involvement, identification of potential station community areas, adoptable land use recommendations to support local comprehensive plan periodic review efforts, identification of needed infrastructure improvements, assessment of pedestrian, bicycle and auto transportation linkages and preparation of conceptual project costs.

Estimated Budget \$ 35,000

PRE-APPLICATION

TGM Program Services 2009 – 2011 Biennium

Please submit a separate pre-application for each project idea.

Pre-Applicant Information

Contact Daniel Riordan

Jurisdiction City of Forest Grove

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Phone/Fax p. (503) 992-3226, f. (503) 992-3202

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- School Siting/ Safe Routes to School*
- Smart Development*
- Main Street Road Show*

Project Title: City of Forest Grove Redevelopment Strategy

Description of Issue:

The City of Forest Grove desires to expand the tools available to promote redevelopment and transportation investment within the community. In order to encourage residential and mixed-use development opportunities and promote transportation investment, the City desires to assess the benefits of establishing a vertical housing zone and potential tax increment financing district in the City.

Project Objectives/Expected Outcomes:

The City of Forest Grove is interested in developing a redevelopment strategy leading to the potential creation of a vertical housing zone and/or tax increment financing district. This project will address objectives from a variety of State and regional agencies including ODOT (transportation investment), DCLD (efficient land use), OHCS (housing options), OECDD (economic opportunity), and Metro (2040 land use concept). Implementation of the redevelopment strategy will also help address the recent designation, by OECDD, of Forest Grove as an economically "severely distressed" community.

Estimated Budget \$ 50,000

Oregon Housing and Community Services Department

Vertical Housing Program

(Program Factsheet)

Housing Finance Loan Officer

Debie Zitzelberger

Ph: (503) 986-2038

Email: Debie.Zitzelberger@hcs.state.or.us

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Program Overview

The 2005 Legislature passed legislation moving the Vertical Housing Program from Oregon Economic and Community Development Department (OECDD) to Oregon Housing and Community Services (OHCS) beginning in November 2005. The purpose of the Program is to encourage investment in and rehabilitation of properties in targeted areas of a city or community, to augment the availability of appropriate housing, and to revitalize communities. The program encourages mixed-use developments that contain both non-residential and residential uses in areas (zones) designated by local jurisdictions. The residential portion may be for market rate or lower income households. Eligible projects receive a partial property tax exemption which varies with the number of "Equalized Floors" in a project, with a maximum property tax exemption of 80 percent over a 10 year term. An additional partial property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80 percent of area median income or below).

Eligible Zones

Any area that meets the criteria for a Vertical Housing Zone which has been designated by the local jurisdiction and has been approved by the Department.

Eligible Projects

A mixed-use project that contains both non-residential and residential uses that meets the certified project criteria located in a Vertical Housing Zone designated by the local jurisdiction and approved by the Department. The project can be new construction or rehabilitation of a multiple-story building, or group of buildings with at least one multiple-story building.

Certified Project

Any project that has made application to and has been approved by the Department may receive a partial tax exemption as determined by the number of Equalized Floors for a maximum of 10 years.

Equalized Floors

The tax exemption will be based on the number of Equalized Floors as determined by the total square footage divided by the number of actual floors of the project that are at least 500 square feet per floor. Equalized floors will be rounded down to the nearest whole number (e.g., any equalized quotient between 1.0 and 1.99 will have a rounded Equalized Floor equivalent of 1.0).

Charges

A non-refundable Project Application charge of \$550. A one-time Monitoring charge of \$150 for projects with no low-income units, and \$200 for projects with low-income units.

Continued -



725 Summer St NE Suite B, Salem, Oregon 97301-1266 | www.oregon.gov/ohcs

TEL 503.986.2000 | FAX 503.986.2020 | TTY 503.986.2100

Edited Date: 04/12/2007 4:17 PM



Oregon Housing and Community Services Department

Vertical Housing Program

(Program Factsheet)

Housing Finance Loan Officer

Debie Zitzelberger

Ph: (503) 986-2038

Email: Debie.Zitzelberger@hcs.state.or.us

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Applications

Applications can be accessed via the OHCS Web site. Eligible criteria and instructions can be accessed through the Oregon Administrative Rules for the Vertical Housing Program.

Applications are to be submitted to OHCS, Vertical Housing Program, 725 Summer Street NE, Suite B, Salem, OR 97301-1266.

For More Information

For more information, contact **Debie Zitzelberger**, Loan Officer, at 503.986.2038 or by E-mail Debie.Zitzelberger@hcs.state.or.us.

To talk with someone about developing affordable housing in your area, contact a **Regional Advisor to the Department** at 503.986.2000 or visit the website at:

http://www.ohcs.oregon.gov/OHCS/DO_RegionalAdvisors.shtml

OHCS is the state housing finance agency, providing financial and program support to create and preserve opportunities for quality, affordable housing for lower income Oregonians. The agency also administers federal and state antipoverty, homeless and energy assistance community service programs.



725 Summer St NE Suite B, Salem, Oregon 97301-1266 | www.oregon.gov/ohcs

TEL 503.986.2000 | FAX 503.986.2020 | TTY 503.986.2100

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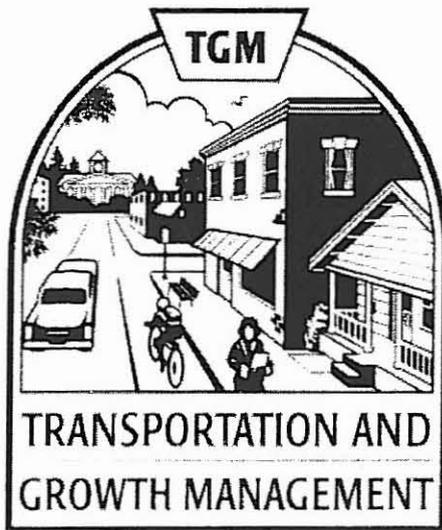


2009 – 2011

Transportation and Growth Management
Grants to Local Governments

Application Packet

Application Deadline:
4:00 p.m.
Friday, March 13, 2009



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A joint program of the
Oregon Department of Transportation and the
Oregon Department of Land Conservation and Development

Better Ways to Better Places

TGM APPLICATION CHECKLIST

The electronic Cover Sheet, Application Form, and this Application Packet can be downloaded at: <http://egov.oregon.gov/LCD/TGM/grants.shtml>

- Email the electronic Cover Sheet to cindy.l.lesmeister@odot.state.or.us
- Mail 5 paper copies and one electronic CD copy of each complete application. One project per application.

Complete mailed applications must include:

- Printed electronic Cover Sheet.
- Downloaded and printed Application Form (please limit to 8 pages)
- 8-1/2" x 11" project area map.
- Letters or resolutions of support. *Note: these may be submitted separately from the application. Letters and resolutions of support may be submitted through April 1, 2009. Those submitted after March 13, 2009 must be submitted electronically to cindy.l.lesmeister@odot.state.or.us.*

Format: All copies must be submitted on white, three-hole punched, 8-1/2" x 11" recycled paper. NO covers or additional binding.

Applications must be received by **4:00 p.m.** Friday, March 13, 2009.

Deliver applications to:

Cindy Lesmeister
Transportation and Growth Management Program
ODOT Mill Creek Building
555 13th Street NE, Suite 2
Salem, OR 97301

INTRODUCTION & GRANT BASICS

The Transportation and Growth Management (TGM) Program invites grant applications for the 2009-2011 biennium. For the last 16 years the TGM Program has provided resources to help Oregon communities prepare transportation and land use plans to respond to pressing transportation-related growth management issues. Pending legislative approval, up to \$5 million will be available for grants to local jurisdictions for the 2009-2011 biennium.

The TGM Program is a joint program of the Oregon Department of Transportation (ODOT) and the Oregon Department of Land Conservation and Development (DLCD). It is funded with federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and State of Oregon funds.

ELIGIBLE APPLICANTS

Cities, counties, some special districts, councils of governments (COGs) (working on behalf of member governments), tribal governments, metropolitan planning organizations (MPOs), and Metro. Special districts – such as school districts – may be eligible as part of a joint application with a local government for an otherwise eligible project

NEW FOR THE 2009 AWARDS!

Annual Award Cycle

Starting this year, the TGM Program will award grants on an annual, rather than biennial, basis. The aim of moving to an annual award cycle is to be more responsive to the needs of local communities and provide planning assistance closer to the times when it is needed.

Grant awards will be made both at the start and near the midpoint of a state budget biennium. **All grants will still have a two year period for projects to be negotiated and completed.** Please note, however, that our new timelines require that project negotiations be completed prior to the next round of grants or your grant award will be withdrawn.

Climate Change Planning

Changes to land use and transportation plans will be a key part of the state's emerging strategy to reduce emissions that contribute to climate change. TGM grant award criteria have been revised to encourage projects that change transportation and land use plans to support compact growth, increase the availability and convenience of alternative modes of transportation, and reduce the need for automobile travel.

Additional information on this topic is available on these TGM web pages:

<http://www.oregon.gov/LCD/TGM/carbonfootprint/index.shtml>

<http://www.oregon.gov/LCD/TGM/docs/Grants/ClimateChange.doc>

GRANT CATEGORIES

TGM awards two types of grants:

Category 1. Transportation System Planning

Category 2. Integrated Land Use & Transportation Planning

See page 5 for a description of eligible projects for each grant category.

GRANT SELECTION

Projects are selected on a competitive basis. Applications that score the highest in each category in each of the five ODOT regions will be considered for a grant. A further award consideration will be ensuring a fair distribution of grant funds to smaller communities.

In May 2009, successful applicants will receive a grant offer. The successful applicant and a TGM grant manager will prepare a statement of work, select a consultant (as appropriate), and complete an Intergovernmental Agreement by a negotiated deadline. **Project negotiations must be completed by December 2009 or the grant award will be withdrawn.**

The grant award becomes final when the Intergovernmental Agreement with ODOT and the local government is signed by all parties.

USE OF CONSULTANTS

Due to federal funding requirements, ODOT, rather than local grantees, will contract with consultants to provide needed planning services for those jurisdiction that choose to use consultant services.

TGM staff will work with grantees to select a project consultant from teams already under contract to the TGM Program.

GRANTEE OBLIGATIONS

Match. Grantees are responsible for providing a match of 11% or more of the total cost of the project. This may be in the form of cash or staff time and direct project expenses. Communities defined as "distressed" by the Oregon Economic and Community Development Department may request a partial match waiver.

The means to fulfill match requirements vary:

- Grantees not using consultants will bill ODOT for eligible project costs, such as in-house staff labor or other eligible items. ODOT will reimburse the grantee for those costs, less the required match amount.
- Grantees using consultants must submit match reports that document eligible local project costs to meet the match requirement.
- Grantees using consultants and being partially reimbursed for their own work will bill all of their work and be reimbursed for those costs less the required match. Consultants will bill and be paid at 100%.
- Grantees may send cash directly to ODOT.

Statement of Work. Grantees are expected to help prepare a project statement of work. This is done before an Intergovernmental Agreement is signed and is *not* a reimbursable expense.

Project Management. Local commitment is the key ingredient to a successful TGM grant project. Grantees must provide a project manager who will:

- monitor and coordinate work, including consultant work;
- work with the TGM grant manager to ensure completion of all work on time and within budget;
- serve as principal contact person for the project;
- review consultant work products and payment requests; and
- prepare progress reports and reimbursement requests.

Eligible Costs TGM grants and required match can only be spent on “direct project related costs.” Eligible costs include salary of local government employees assigned to the project, postage, travel, supplies and printing.

Equipment purchases and indirect costs, including general administrative overhead, are *not* eligible costs unless you have a federally approved indirect cost plan. *Please Note:* Local expenses for persons or firms that contract with a local government for planning or other services are *not* eligible costs

Costs incurred prior to signing an Intergovernmental Agreement are not eligible project costs. This includes costs of preparing the grant application, preparing a statement of work for the Intergovernmental Agreement, and selecting a consultant.

SCHEDULE

<i>March 13, 2009</i>	Grant Applications due by 4:00 p.m.
<i>April 2009</i>	TGM staff score applications
<i>May 2009</i>	Preliminary project selection announcements
<i>December 2009</i>	Must have reached agreement on a detailed statement of work <u>and</u> must have entered the consultant selection and negotiation phase if using a consultant or begun preparation of an Intergovernmental Agreement (IGA) if not.
<i>June 30, 2011</i>	End of 2009-2011 biennium. Projects designed to take more than two years to complete may be phased. Phase two of a project will not have to compete for a TGM grant in the next biennium; continued funding is subject to available funding and continued eligibility of the project.

ELIGIBLE PROJECTS

CATEGORY 1 – TRANSPORTATION SYSTEM PLANS

PURPOSE	Help local governments develop transportation system plans and plan updates and ordinances that implement the Transportation Planning Rule and the 1999 Oregon Highway Plan.
ELIGIBLE USES	<p>Projects in this category address planning for transportation facilities that result in a balanced, multi-modal system that addresses and accommodates a range of transportation needs, including movement of freight. These projects typically include preparation and adoption of:</p> <ul style="list-style-type: none">• Complete Transportation System Plans (TSP),• Discrete portions of TSPs, including such elements as: bike and pedestrian plans, transit plans, capital improvement plans, transportation system management plans, demand management plans, Safe Routes to School-related plans, parking plans, freight plans, etc.;• TSP implementing measures such as street design plans, Safe Routes to School-related plans, capital improvement plans, and ordinance amendments required by the Transportation Planning Rule (OAR 660-012-0045);• Refinement plans included in an adopted TSP such as corridor plans, access management plans, interchange management plans, or other planning to implement the 1999 Oregon Highway Plan;• Project-level planning for facilities or improvements included in an adopted TSP that results in resolving important transportation and land uses issues required to move projects forward toward funding consideration.• Detailed access and circulation planning to improve readiness of key employment centers.
EXAMPLES	http://egov.oregon.gov/LCD/TGM/docs/Grants/examples-Category1.doc

CATEGORY 2 – INTEGRATED LAND USE AND TRANSPORTATION PLANNING

PURPOSE	<p>Help local governments address transportation needs by adopting changes to land use and transportation system plans to:</p> <ul style="list-style-type: none">• Bring planned land uses and the planned transportation system into balance;• Reduce reliance on the state highway for local travel needs;
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- Promote transportation-efficient development patterns that support compact, mixed-use, pedestrian-friendly development;
- Increase opportunities for transit, walking and cycling.

ELIGIBLE USES

Projects in this category integrate land use planning with transportation facility planning to meet transportation needs. Category 2 projects may include preparation and/or update and adoption of:

- Transportation-efficient land use plans for an entire urban area - in metropolitan areas, such plans should be designed to address state goals for reducing greenhouse gas emissions by reducing vehicle miles traveled.
- Land use and transportation concept plans for areas brought into an urban growth boundary.
- Interchange Area Management Plans (if land use focused).
- Specific development and refinement plans for a downtown, mixed-use commercial area, or residential neighborhoods.
- Implementing measures, such as code amendments, infill and redevelopment strategies, and intergovernmental agreements.
- Transportation and Land Use Planning related to the Oregon Main Streets Program.

EXAMPLES

<http://egov.oregon.gov/LCD/TGM/docs/Grants/examples-category2.doc>

GRANT ELIGIBILITY REQUIREMENTS

The following are pass/fail requirements for all grant applicants.

1. A proposed project must have a clear transportation relationship and benefits. A project must entail research, analysis, evaluation of alternative scenarios, development of implementation measures, or public involvement that result in a transportation plan, land use plan, or other product that addresses a transportation problem, need, opportunity, or issue of local, regional or statewide importance.
2. A proposed project must result in adoption of a specific product or products that directly address the project objectives, such as a comprehensive plan amendment or element, land use regulation, or Intergovernmental Agreement (e.g., an urban service agreement or access management agreement). Projects that are adoption-ready also are eligible. Products that will primarily do outreach, study an issue, or compile data generally are not eligible.
3. A proposed project must clearly demonstrate that local officials understand the purpose of the grant application and support the outcomes of the project

GRANT AWARD CRITERIA

1. The project is timely. 25 Points
 - A. The project enables the jurisdiction to complete or make significant progress in completing planning needed to comply with the Transportation Planning Rule (TPR) and implement the Oregon Highway Plan (OHP) or helps meet state goals for reducing transportation-related emissions that contribute to climate change.
 - B. The project will (1) result in ready-to-implement solutions to a transportation problem or need that are financially reasonable and fully address relevant planning and regulatory requirements, or (2) will contribute to resolving transportation- or land use-related issues affecting the project readiness of local, regional or state transportation projects necessary to complete the planning required to move projects forward for funding consideration;
 - C. The project involves substantial coordination and leveraging of other local, regional, and state planning efforts.
2. The project clearly and effectively addresses a community transportation and land use issue, problem, need or opportunity, and demonstrates a clear statement of expected and reasonably achievable outcomes. 15 points
3. The project contributes to achieving TGM objectives. 20 Points
 - A. A transportation system or development pattern that results in a balanced, multi-modal transportation system and that enhances opportunities for walking, bicycling or using transit in areas planned for transit service;
 - B. Preservation or enhancement of the "through movement" function of a state highway;

- C. Increased convenience or availability of alternative modes of transportation;
 - D. Alternatives to, or delay of the need for, a major transportation improvement;
 - E. Alternatives to, or delay of the need for, expansion of an urban growth boundary;
 - F. Increased efficiency in the use of land, including areas planned for future urban development.
 - G. Reduced emissions that contribute to climate change through changes to transportation or land use plans that reduce expected automobile vehicle miles traveled.
4. The project emphasizes work in a TGM focus area for the 2009-2011 Biennium. Note: Scoring will depend on the potential to contribute meaningfully to a TGM focus area, not necessarily on the number of TGM focus areas to which the project may contribute: 10 Points
- A. *Contribution to Economic Revitalization*: Resolves transportation and land use related issues needed to make key industrial sites (including certified sites) and employment centers ready for development;
 - B. *Urban Growth Area Planning*: Planning to address transportation considerations as part of the UGB amendment process or to plan for transportation needs in areas that have been added to UGBs;
 - C. *Safe Routes to School*: Planning in coordination with school districts to improve bike and pedestrian access for existing and new schools.
 - D. *Climate Change*: Evaluating revisions to transportation or land use plans that will significantly reduce transportation-related emissions that contribute to climate change.
5. The approach, budget and products are reasonable considering scope, objectives, and benefits of the project. 20 points
6. The application demonstrates that there is local commitment and capability to manage the project considering the complexity of the project, the size of the jurisdiction, and performance on previous TGM projects. 10 points

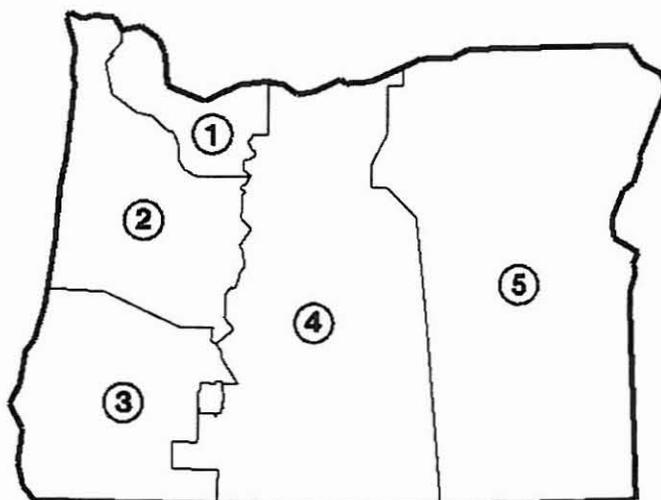
TGM STAFF CONTACTS

For general questions about the application process, contact Cindy Lesmeister at cindy.l.lesmeister@odot.state.or.us or 503.986.4349.

TGM planners can provide specific advice on your project and assistance with filling out your grant application. TGM planners to contact are listed below.

ODOT Region 1 Portland	Lidwien Rahman 503.731.8229 lidwien.rahman@odot.state.or.us
ODOT Region 2 Salem	Sue Geniesse 503.986.4442 sue.geniesse@odot.state.or.us
ODOT Region 3 Roseburg	Lisa Cortes 541.957.3643 lisa.cortes@odot.state.or.us
ODOT Region 4 Bend	Devin Hearing 541.388.6388 devin.hearing@odot.state.or.us
ODOT Region 5 La Grande	Cheryl Jarvis-Smith 541.963.1574 cheryl.jarvis-smith@odot.state.or.us
Statewide	Bob Cortright 503.373.0050 extension 241 bob.cortright@state.or.us

ODOT Regions





RESOLUTION NO. 2009-17

RESOLUTION AUTHORIZING THE CITY OF FOREST GROVE TO APPLY FOR A TRANSPORTATION AND GROWTH MANAGEMENT (TGM) PROGRAM GRANT FROM THE OREGON DEPARTMENT OF TRANSPORTATION AND THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

WHEREAS, on November 7, 2008, the Oregon Department of Transportation issued a request for project proposals under the TGM program; and

WHEREAS, on December 16, 2008, the City of Forest Grove submitted Project proposals, including the preparation of a redevelopment strategy and high capacity transit station area concept planning; and

WHEREAS, formal applications for TGM project are due to the Oregon Department of Transportation by March 13, 2009; and

WHEREAS, the City of Forest Grove has entered into comprehensive plan periodic review and the proposed TGM project will support and be complementary to ongoing periodic review efforts; and

WHEREAS, the City of Forest Grove City Council desires to partner with the Oregon Department of Transportation and Department of Land Conservation and Development to meet TGM program goals, including bringing planned land uses and the planned transportation system into balance; reducing the reliance on state highways for local travel needs; promoting transportation-efficient development patterns that support mixed-use and pedestrian-friendly development; and increasing opportunities for transit, walking and cycling; and

WHEREAS, the City of Forest Grove City Council supports the City's application to the Oregon Department of Transportation and Oregon Department of Land Conservation and Development, under the Transportation and Growth Management Program, to prepare alternative concept plans and an implementation strategy for potential transit-oriented development areas; and

WHEREAS, the City of Forest Grove City Council acknowledges the expected project outcomes, including preparation of alternative land use concepts for transit-oriented development areas; public involvement, design guidelines and standards for transit-oriented development, assessment of the existing and planned transportation system leading to the identification of needed transportation infrastructure improvements, conceptual level cost estimates and possible recommended changes to the local transportation system plan; preparation of a vertical housing zone application for evaluation and possible submittal to the Oregon Department of Housing and Community Services; and recommended amendments to the Forest Grove Comprehensive Plan and Development Code ready for implementation consistent with local periodic review efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the City of Forest Grove be authorized to apply for a TGM program grant as specified above.

Section 2. Michael Sykes, City Manager, or designee, is hereby authorized to submit the grant application on behalf of the City of Forest Grove and to make technical changes to the grant application materials, as necessary, after adoption of this resolution.

Section 3. That the City of Forest Grove be prepared to contribute funding as specified in the grant application for any awarded grants.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of March 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March 2009.

Richard G. Kidd, Mayor

Memorandum

To: City Council
From: Jon Holan, Community Development Director
Michael Sykes, City Manager
Date: March 9, 2009
Re: Transmittal of Final Development Code and Attendant Actions

Request: Attached are the ordinances for Council adoption of the:

- Development Code;
- Comprehensive Plan Amendment CPA 08-01;
- Zoning Map Amendment ZC 08-01;
- Forest Grove Code Amendment; and
- Design Guidelines.

Through discussion with the City Recorder, if the City Council intends to adopt the various actions as an emergency at this meeting, then the motion for adoption needs to reflect that action. The ordinances are prepared for such an action.

Background: The final version of the Development Code, Comprehensive Plan, Zoning Map and Forest Grove Code amendments reflects the recommended changes proposed by the Planning Commission that are consistent with the changes and direction given by the City Council at the February 23rd meeting based on those topics presented in the February 23rd memo to the Council. Those Council changes are as follows:

Development Code

- 10.1.610 C 5: Elimination of the requirement of return receipt.

- 10.2.100 et. seq.: Retain the 20% administrative adjustments.
- Table 3-5 of Section 10.3.130: Minimum parcel size in the single family residential zones is based on 70% of average lot size.
- 10.4.225 C 6: Added reference to geotechnical requirements in Article 8.
- 10.5.100 et. seq. and 10.8.450: Consolidated tree requirements into Article 5 and eliminated requirements in Article 8.
- 10.7.070 H: Retained Planning Commission's recommendation to require manufactured homes on individual lots to face the street.
- 10.8.140 C 3 b: Added "public" to seating areas.
- 10.8.414 A: Added "non-invasive" to native vegetation.
- 10.8.755: Added lighting intensity standards based on similar provisions in Oregon City code requirements as follows:

Luminous Standards. Light intensity standards shall be as follows:

1. Outdoor lighting shall be provided in a manner that enhances security, is appropriate for the use, and avoids adverse impacts on surrounding properties. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 foot-candles of light.
2. Street lights shall meet the lighting requirements of the Public Works Director upon consultation with the Light and Power Director.
3. Pedestrian lighting standards:
 - a. Lighting for on-site pedestrian circulation system shall be lighted to a minimum level of 0.5 foot-candles, a 1.5 foot-candle average, and a maximum to minimum ratio of seven-to-one to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night.
 - b. Pedestrian walkway lighting through parking lots shall be lighted to a 0.5 foot-candle average and a maximum to minimum ratio of ten-to-one to light the walkway and enhance pedestrian safety. Artificial lighting which may be provided shall enhance security, be appropriate for the use, and avoid adverse impacts on surrounding properties and the night sky through appropriate shielding. The lighting shall not cause a measurement in excess of 0.5 foot-candles of light on other properties.

- Figure 8-12: Eliminated dimensions from the figure.
- 10.12.120 B: Added additional language to the definition of “Major Utilities Transmission Facilities” to include major sewer and water lines.
- City Attorney’s Recommended Changes: Added City Attorney’s recommended changes to Sections 10.1.420 A, 10.1.515, 10.1.540, 10.1.545 A and other sections where there were similar issues.
- Economic Development Recommendations: Incorporated changes identified in the February 12th memo to the City Council from Jeff King, Economic Development Coordinator, pertaining to Light Industrial uses in the Community Commercial District, Call Centers, Data Centers (Information), Light Industrial Uses in the Town Center zones, and self service storage.
- Elm Street Area: The area north of Highway 47 is revised to re-designate and re-zone the area from Commercial Heavy to Community Commercial.
- Forest Grove Code: The proposed Forrest Grove Code amendment adds, “or designee” under Section 9.020.

Recommendation: Receive any additional testimony, close the Public Hearing, and adopt first and second readings of Ordinance Nos. 2009-01, 2009-02, 2009-03, 2009-04, and 2009-05, declaring an emergency.

ORDINANCE NO. 2009-01

**ORDINANCE ADOPTING THE CITY OF FOREST GROVE DEVELOPMENT CODE,
FOREST GROVE CODE, CHAPTER 10, SECTION 10.1.000-10.12.210,
AND DECLARING AN EMERGENCY**

WHEREAS, the Zoning and Land Division ordinances for the City of Forest Grove establishes the land development requirements for the community; and

WHEREAS, the Zoning Ordinance was adopted by Ordinance Number 1980-15 on September 8, 1980; and

WHEREAS, the Land Division Ordinance was adopted by Ordinance Number 1980-16 on September 8, 1980; and

WHEREAS, there are inherit connections between the two ordinances which have resulted in overlap and gap in standards; and

WHEREAS, there have been numerous changes in state, regional and local policies since that date which has resulted in numerous amendments to the ordinances; and

WHEREAS, the above situation has resulted in two documents that is difficult to use and that there is a need to make it more user friendly; and

WHEREAS, the Town Center Plan was developed in 1997 with three proposed land use designations for downtown; and

WHEREAS, there is no need for the Heavy Commercial Land Use designation and Heavy Commercial Zone District since uses allowed in this district can be accommodated in other land use designation and districts and the nature of commercial development is moving away from the type of land uses intended for this designation; and

WHEREAS, there is a need for a general update to the development standards and requirements to meet current needs of the community and new state and regional requirements; and

WHEREAS, the City formed a 13 member citizen committee in 2000 that conducted a year long review of the proposed Development Code; and

WHEREAS, in 2003-04, the City Council and Planning Commission conducted a series of work sessions to discuss the proposed Code and associated policy issues; and

WHEREAS, letters were sent to land owners potentially affected by proposed comprehensive plan map and zone map changes in 2003 soliciting their concerns and staff met with individuals and interest groups in the Town Center and other areas to discuss the proposed zone changes over the time period; and

WHEREAS, pursuant to ORS 197.610 and Metro Code, notice with a copy of the proposed amendments was sent to Department of Land Conservation and Development, Department of Transportation and Metro on July 1, 2008; and

WHEREAS, Measure 56 notices as required by ORS 227.186 were sent on July 24, 2008, to property owners affected by the proposed map amendments; and

WHEREAS, notice announcing the Planning Commission hearing was also published in the Forest Grove *News Times* on August 6 and 13, 2008, and published on February 18, 2009, for the City Council hearing; and

WHEREAS, the Planning Commission conducted a public hearing on August 18, 2008 and continued to September 15, October 6, October 20, November 3, November 17 and December 15, 2008, and January 5, 2009; and

WHEREAS, the City Council conducted work sessions on January 26 and February 9, 2009, and conducted a public hearing on February 23 and March 9, 2009.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The Forest Grove City Council does hereby approve and adopt the City of Forest Grove Development Code as included in Exhibit A.

Section 2. Chapter 10 of the Forest Grove Code, entitled Development Code, Code Section 10.1.000 through 10.12.210, is hereby added as shown in the attached Exhibit A.

Section 3. The Forest Grove City Council adopts the following reports, analysis and findings in support of this action:

1. Adopts by reference the staff report, including findings and recommendations, dated August 11, 2008 and memos dated January 5, January 26, February 12, February 23, and March 9, 2009.
2. Based on the staff report, finds that the proposal as amended are consistent with State Planning Goals, Metro Functional Plan requirements and Comprehensive Plan amendment criteria, and is in substantial compliance with applicable Comprehensive Plan Goals and Policies.

3. Finds that medium density housing rather than high density is more appropriate designation for land use designation at Elm Street north of State Highway 47 due to the proximity to existing low density, single family residential in the area and lack of transit services while still considering potential noise and other impacts from the state highway.
4. Finds that the State Standards for Recreational Vehicle Parks are minimums and that there is a need to adopt specific development standards for recreational vehicle parks with standards that equal or exceed the State standards to assure appropriate development near residential areas and that is consistent with other development standards for the City.

Section 4. It is hereby found and determined that adoption of this ordinance is immediately necessary, due to the current ambiguity of existing policies pertaining to the implementation of the current Zoning and Land Division ordinances, for preservation of public, health, safety and welfare; and therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon its adoption.

PRESENTED AND PASSED the first reading the 9th day of March, 2009.

PASSED the second reading the 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

Exhibit A
Development Code



ORDINANCE NO. 2009-02

**ORDINANCE ADOPTING COMPREHENSIVE PLAN TEXT AND MAP
AMENDMENTS, FILE NO. CPA-08-01, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Forest Grove City Council has adopted a new Development Code pursuant to Ordinance Number 2009-01; and

WHEREAS, the Town Center Plan was developed in 1997 with three proposed land use designations for downtown; and

WHEREAS, the Development Code eliminates the Heavy Commercial and Central Business District Comprehensive Plan designations; and

WHEREAS, the Development Code replaces with Central Business District designation with three designations identified as Town Center Core, Town Center Support and Town Center Transitional as created by the Town Center Plan; and

WHEREAS, the Town Center Plan intended to establish town center designations on both sides of streets to maintain the same development standards which requires some certain lands north of 21st Avenue and west of A Street to be redesignated from High Density Residential to Town Center Support; and

WHEREAS, letters were sent to land owners potentially affected by proposed comprehensive plan map and zone map changes in 2003 soliciting their concerns and staff met with individuals and interest groups in the Town Center and other areas to discuss the proposed Comprehensive Plan map changes over the time period; and

WHEREAS, pursuant to ORS 197.610 and Metro Code, notice with a copy of the proposed amendments was sent to Department of Land Conservation and Development, Department of Transportation and Metro on July 1, 2008; and

WHEREAS, Measure 56 notices as required by ORS 227.186 were sent on July 24, 2008, to property owners affected by the proposed map amendments; and

WHEREAS, notice announcing the Planning Commission hearing was also published in the Forest Grove *News Times* on August 6 and 13, 2008, and published on February 18, 2009, for the City Council hearing; and

WHEREAS, the Planning Commission conducted a public hearing on August 18, 2008 and continued to September 15, October 6, October 20, November 3, November 17 and December 15, 2008, and January 5, 2009; and

WHEREAS, the City Council conducted work sessions on January 26 and February 9, 2009, and conducted a public hearing on February 23 and March 9, 2009.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The Forest Grove City Council does hereby approve and adopt the Comprehensive Plan Text and Map amendments as included in Exhibits A and B.

Section 2. The Forest Grove City Council adopts the following reports, analysis and findings in support of this action:

1. Adopts by reference the staff report, including findings and recommendations, dated August 11, 2008 and memos dated January 5, January 26, February 12, February 23, and March 9, 2009.
2. Based on the staff report, finds that the proposal as amended are consistent with State Planning Goals, Metro Functional Plan requirements and Comprehensive Plan amendment criteria, and is in substantial compliance with applicable Comprehensive Plan Goals and Policies.
3. Finds that medium density housing rather than high density is more appropriate designation for land use designation at Elm Street north of State Highway 47 due to the proximity to existing low density, single family residential in the area and lack of transit services while still considering potential noise and other impacts from the state highway.
4. Based on the staff report, finds that the proposal as amended are consistent with State Planning Goals, Metro Functional Plan requirements and Comprehensive Plan amendment criteria, and is in substantial compliance with applicable Comprehensive Plan Goals and Policies.
5. Finds that it is in the public interest to implement the Town Center Plan to encourage economic development and a well designed downtown.
6. Finds that the General Industrial designation located south of 19th Avenue, between B Street and Cedar Street does not comply with the Comprehensive Plan locational criteria because of its proximity to planned and existing residential areas to the south without an adequate buffer.
7. Finds that medium density housing rather than high density is more appropriate designation for land use designation at Elm Street north of State Highway 47 due to the proximity to existing low density, single family residential in the area and lack of transit services while still considering potential noise and other impacts from the state highway.

Section 3. It is hereby found and determined that adoption of this ordinance is immediately necessary, due to the current ambiguity of existing policies pertaining to the implementation of the current Zoning and Land Division ordinances, for preservation of public, health, safety and welfare; and therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon its adoption.

PRESENTED AND PASSED the first reading the 9th day of March, 2009.

PASSED the second reading the 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

Exhibit A
Text Amendments

COMMERCIAL LAND USE

Issue

To meet the future shopping and employment needs of the community in the year 2005, Forest Grove must plan and adequately provide a sufficient amount of land for commercial use in a manner which is consistent with adopted municipal policies. This development should make efficient use of the land while maintaining a stable economic base for the community. Sufficient land must be designated for commercial use if the Comprehensive Plan is not to adversely affect the future economic growth of the City by limiting market opportunities. Commercial land designations within the urban growth area should be consistent with the carrying capacity of the land, established land use patterns, and existing as well as planned community facilities.

Summary of Findings

1. Forest Grove needs 116 acres of additional commercial land by the year 2005. In 1985, 217 acres were available in commercial districts, including 77 acres of vacant land and 140 acres in residential use.
2. Far more land is designated for commercial use than will be needed in the next 20 years. This is likely to encourage a scattered pattern of development, intense competition among competing "community shopping centers", and vacant storefronts in shopping centers developed on speculation.
3. The CH, Commercial-Heavy, district is not necessary. ~~The uses that are exclusively permitted there can be reassigned to other zoning districts where similar uses are not permitted. Areas that are currently zoned CH can be rezoned to other districts that are compatible with the current uses in those areas since many of the uses are incorporated in other commercial and industrial zone districts.~~
4. The CPD, Commercial Planned Development district on the north edge of the Urban Planning Area at Sunset Drive and Beal Road is not needed. The area can be redesignated for either residential or industrial use.
5. At the east and west edges of the CBD, Central Business District, are included blocks which the Development Regulations Task force recommends be rezoned to CA, Commercial-Auto. Rezoning of the blocks to a new "limited commercial" district may also be appropriate.
6. The west half of the block north of 22nd Avenue between "A" and Main is not particularly attractive for commercial development and is presently occupied by several apartment buildings. Rezoning to A-2, Multi-family may be appropriate.
7. Serious conflicts between commercial and residential land uses are possible in parts of the CA, Commercial-Auto zone -- on the west side of "B" Street, between Douglas and Hawthorne, and south of 19th to Maple Street. Creation of a new limited commercial district, where certain intensive commercial uses are prohibited, may help prevent some conflicts.

Goals and Policies

Based on the information outlined in the plan element along with supporting documentation, the City of Forest Grove adopts as part of the Comprehensive Plan the following goals and policies which shall form the basis for future decisions by the City relative to commercial land development proposals. L.C.D.C. goal is provided as a reference and base.

L.C.D.C. Goal 9 -

TO DIVERSIFY AND IMPROVE THE ECONOMY OF THE STATE.

BOTH STATE AND FEDERAL ECONOMIC PLANS AND POLICIES SHALL BE COORDINATED BY THE STATE WITH LOCAL AND REGIONAL NEEDS. PLANS AND POLICIES SHALL CONTRIBUTE TO A STABLE AND HEALTHY ECONOMY IN ALL REGIONS OF THE STATE. PLANS SHALL BE BASED ON INVENTORIES OF AREAS SUITABLE FOR INCREASED ECONOMIC GROWTH AND ACTIVITY AFTER TAKING INTO CONSIDERATION THE HEALTH OF THE CURRENT ECONOMIC BASE; MATERIALS AND ENERGY AVAILABILITY; LABOR MARKET FACTORS; TRANSPORTATION; CURRENT MARKET FORCES; AVAILABILITY OF RENEWABLE AND NON-RENEWABLE RESOURCES; AVAILABILITY OF LAND; AND POLLUTION CONTROL REQUIREMENTS. ECONOMIC GROWTH AND ACTIVITY IN ACCORDANCE WITH SUCH PLANS SHALL BE ENCOURAGED IN AREAS THAT HAVE UNDERUTILIZED HUMAN AND NATURAL RESOURCE CAPABILITIES AND WANT INCREASE GROWTH AND ACTIVITY. ALTERNATIVE SITES SUITABLE FOR ECONOMIC GROWTH AND EXPANSION SHALL BE DESIGNATED IN SUCH PLANS.

Local Goals -

1. STRENGTHEN FOREST GROVE'S POSITION AS A COMMERCE CENTER OF WESTERN WASHINGTON COUNTY, AND ENCOURAGE SHOPPING BY RESIDENTS OF THAT AREA.
2. ENCOURAGE THE OPPORTUNITY FOR REVITALIZATION OF THE ~~CENTRAL BUSINESS DISTRICT~~ TOWN CENTER AREA. (Amended by Ord. 87-7.)
3. PROVIDE FOR A MIX OF COMMERCIAL USES AND MULTI-FAMILY HOUSING IN THE COMMERCIAL CORE AREA. (Amended by Ord. 87-7.)
4. ENCOURAGE DEVELOPMENT OF NEIGHBORHOOD CONVENIENCE CENTERS AS NEEDED IN OUTLYING AREAS OF THE CITY TO SERVE EXISTING AND FUTURE RESIDENTIAL DEVELOPMENT.
5. ADOPT POLICIES THAT MODERATE THE NEGATIVE IMPACTS OF COMMERCIAL STRIP DEVELOPMENT ALONG PACIFIC AND 19th AVENUES. (Amended by Ord. 87-7.)
6. PROVIDE FOR THE SAFE AND EFFICIENT USE OF BUS TRANSPORTATION, BICYCLING, AND WALKING AS ALTERNATIVES TO AUTOMOBILE TRAVEL ALONG THE PACIFIC/19TH AVENUE COMMERCIAL STRIP. (Amended by Ord. 87-7.)

Local Policies –

1. Provide at least 116 acres of land for additional commercial development over the next 20 years. (Amended by Ord. 87-7.)
2. Land designated for commercial use shall have a slope of 5% or less, be free of building hazards, have proximity to peak traffic flows, access to mass transit service, space to accommodate a variety of services and have availability to full urban services. (Amended by Ord. 87-7.)
3. Encourage improvement of the ~~Central Business District~~ Town Center area by cooperating with ~~the Downtown Business Association and the Oregon Downtown Development Association in their Main Street Program~~ various applicable local, regional and statewide agencies and organizations. (Amended by Ord. 87-7.)
4. Multi-family dwellings shall be permitted in the ~~Central Business District~~ Town Center area. (Amended by Ord. 87-7.)
5. Sufficient land shall be included in the ~~Central Business District~~ Town Center area to allow the opportunity for growth and expansion. (Amended by Ord. 87-7.)
6. Off-street parking for new uses in the ~~Central Business District~~ Town Center area shall be provided in the best manner possible, provided that it may not be located at the front of buildings. (Amended by Ord. 87-7.)
7. Provide standards for screening, access, location, circulation, parking, landscaping, density, and scale for both commercial and multi-family uses to reduce conflicts between adjoining uses and protect the liveability of residences. (Amended by Ord. 87-7.)
8. The Comprehensive Plan Map and corresponding zoning standards shall provide for a neighborhood convenience center near newly developing areas in the City. (Amended by Ord. 87-7.)
9. Limit the overall space available in neighborhood commercial zones through appropriate zoning standards. (Amended by Ord. 87-7.)
10. Require that proposed development along arterial streets make provision for limiting access to its site by sharing curb cuts with adjoining property, at such time as the adjoining property is developed. (Amended by Ord. 87-7.)
11. Adopt standards related to landscaping, access, signing, utility locations and building orientation which minimize the negative features of commercial strip development.
12. Provide standards which encourage grouping, clustering, and/or master planning of consolidated tracts of commercial property along arterial streets. (Amended by Ord. 87-7.)
13. Make provision in development proposals along arterial streets for financial participation by property owners in traffic management projects which may be developed at a later date. (Amended by Ord. 87-7.)
14. Through appropriate ordinances and design measures, ensure that accessibility for non-auto traffic (pedestrian, bicycle, mass transportation) is not impeded along arterial streets. (Amended by Ord. 87-7.)

15. Explore the possibility of placing all existing, overhead power and telephone lines underground along Pacific and 19th Avenues. (Amended by Ord. 87-7).
16. Refer to the *Forest Grove Town Center Plan* for guidance on all downtown-area policies and strategies. (Ord. 99-17, 12/13/99)

Locational Requirements for Commercial Land

When identifying vacant buildable land within Forest Grove, certain locational criteria were established to assess the suitability of that land for various types of urban land use. The criteria established for identification of suitable commercial land are presented below:

<u>Land Use</u>	<u>Description</u>	<u>Criteria for Allocation</u>
Commercial	Neighborhood and community shopping centers and office use.	<ul style="list-style-type: none"> * Hazard free location suitable for heavy buildings * Level land of 5% or less slope * Proximity to peak traffic flows * Easily accessible parking adequate for uses * Direct Mass Transit service * Neighborhood commercial within convenient driving distance for surrounding neighborhood * Community-serving commercial within walking distance to high density residential * Site large enough to accommodate a variety of services * Size of commercial areas consistent with market demand * Availability of full urban services

These criteria along with the goals, objectives, and base data such as physical hazards were used in the location of various future land use categories.

Designation of Commercial Land

The actual designation of commercial land use is presented on the Comprehensive Plan Map (separate attachment). As identified on the map, these commercial designations satisfy (1) the identified commercial land needs, (2) the goals and policies adopted by the City, (3) the locational requirements for commercial land, and (4) the location of vacant buildable land identified as suitable for commercial land use.

Commercial areas as designated on the Comprehensive Plan Map generally recognize and reinforce existing development and zoning patterns within the planning area, and suggest locations for additional commercial centers. Most existing commercial uses in the planning area occur as part of the commercial strip along Pacific Avenue, or form the nucleus of downtown Forest Grove. These

commercial areas account for more than two-thirds of all the existing commercial land use in the planning area.

It is not the intent of the comprehensive plan to limit commercial activity, but rather to direct it into areas where it can develop harmoniously with the rest of the community, and with less ultimate public cost. The plan proposes relationships between commercial uses and other elements of the community which can be achieved with minimum conflicts between uses.

An economic analysis was made of existing and future commercial land requirements in the planning area and is included in the Land Use Element of the Plan. As the population increases, the need for commercial land and shopping opportunities will also increase. To represent this need, the comprehensive plan utilizes ~~five~~ four types of commercial areas: a ~~central business district (CBD)~~ Town Center; a ~~heavy commercial~~; commercial auto; a planned shopping center; and a neighborhood commercial. The paragraphs that follow treat each of the various commercial classifications in terms of example uses, location within the planning area, and special considerations or problems.

~~Central Business District~~

~~The central business district is, as the name implies, downtown Forest Grove. The retailing and service establishments in this area constitute the city's commercial core which can be enhanced and maintained as the center of the community's identity and commerce. Commercial uses which should be encouraged to locate in the CBD should be compatible with the existing commercial and residential land uses, and have a high dollar value per square foot of floor area. Professional services which should be encouraged to locate downtown can include law, insurance, real estate and medical offices, banks and savings and loan offices, and educational services. Multi-family housing would be allowed.~~

~~With the continuing opportunities for consumers outside the City in eastern Washington County, to survive, the existing downtown must accommodate growth to a point where it can offer a wide range of goods and services which are accessible and attractive to the shopper. To accomplish this, the area designated on the plan map represents that area around the existing CBD which offers developmental advantages for core expansion. With the presence of a developed transportation network, the serviceability of the area for public transit, and the attractiveness of the large square blocks for commercial development, this area will accomplish the comprehensive plan goal for a strong downtown and meet many of the shopping needs of the residents of Forest Grove and surrounding area in the most cost effective manner possible.~~

~~Heavy Commercial~~

~~Heavy commercial areas will act as a transition zone between commercial and industrial uses and provide for general business activities in the community where the business requires a relatively large tract of land for a low intensive use and does not attract a large volume of vehicle traffic. Examples of some of the commercial uses which would be permitted include automobile and farm implement sales and service, building supply dealers, mobile home sales, and commercial nurseries.~~

~~On the comprehensive plan map, two areas of the City have been given this map designation. The first is located on the east end of town along the north side of the Tualatin Valley (T.V.) Highway, where similar uses to those above can be found today. By applying this map designation, the comprehensive plan will establish this area for heavy commercial use, allowing existing businesses the opportunity to expand in the future. The second area to be given the heavy commercial map designation is found on the south end of town at the intersection of Elm Street and the T.V. Highway by pass. This area is currently utilized by a building supply company and a heavy equipment for hire operation. Because of~~

~~the limited area for this designation, a number of uses listed in the Commercial Heavy Zone were also listed in other compatible zones as part of the 1985-1987 Major Update.~~

Town Center

The Town Center area represents the downtown area of the community. It is intended to accommodate uses and activities found in a vibrant downtown setting including retail, offices, services and residential of the highest density in the community. To differentiate the characteristics of the Town Center, appropriate transition of uses within the area and assure an appropriate transition to areas outside of the Town Center, three different designations are established for the area. These designations and their purposes are as follows:

A. Town Center Core (TCC)

The Town Center Core encompasses the traditional downtown core along Main Street. The purpose of this zone is to provide a concentration of retail and office uses in a defined area. Retail and service uses are required on the ground floor, with an emphasis on those uses that serve a walk-in clientele. Office and/or residential uses are allowed on upper floors. The design standards for this designation require a continuous storefront facade featuring streetscape amenities for the pedestrian.

B. Town Center Transition (TCT)

The Town Center Transition is established to increase employment and housing opportunities in close proximity to the Town Center Core. A mix of retail, office, light industrial and residential uses are allowed in the TCT zone, but ground floor retail uses are permitted but not required. Consistent streetscape improvements such as street lighting, street trees and sidewalks will link the Town Center Transition zone with the Town Center Core.

C. Town Center Support (TCS)

The Town Center Support is established to increase employment and housing opportunities that support the Town Center Core. A mix of office, light industrial and residential uses are allowed in the TCS zone. Ground floor retail uses are permitted but not required. Pedestrian and bicycle improvements will link the Town Center Support zone with the Town Center Core.

Commercial Auto Zone -

Commercial Auto Zone areas are intended to provide locations for businesses and services along major transportation arterials in Forest Grove, while dealing with circumstances which could result in the undesirable by-products of uncontrolled strip commercial development. It is the intent of establishing this map designation to allow a wide range of retail, commercial, service, and office development, as well as multi-family residential development.

Recognizing that intense commercial development adjacent to an arterial can interfere with the ability of the arterial to operate at the desired level-of-service, an access management plan was developed in Fiscal Year 1980-81 and will be utilized in this zone as a means of encouraging joint use of driveways and to apply standards for accesses which will minimize traffic conflicts between abutting uses and through traffic on the arterial. In combination with access controls, improvements to the major arterials will be required to serve both private developments and through traffic, as outlined in the Transportation Element. Procedures will be established whereby abutting property owners in this zone will be required to participate financially in these improvements as they become necessary. To deal with the visual impacts of strip commercial development, standards for landscaping, setbacks, and signs, appropriate for the scale of development in this zone, will be developed.

A limited amount of Commercial Auto Zone is shown on the map along Pacific Avenue between "B" Street and "E" Street. The bulk of this area is located along State Highway 8 (Pacific Avenue and 19th Avenue) from Cedar Street to the city limits.

By regulating the impact of commercially generated traffic, providing for the improvement of the arterials and requiring appropriate aesthetic and design treatment for development, the negative aspects of strip commercial development will be minimized and this area can become more of an asset to the community.

Planned Shopping Center -

Planned shopping center areas are intended to provide shopping opportunities in developing areas of the City where little to no commercial activity exists today. Development would be limited in scale in order to protect the integrity of the surrounding land use and any proposal for development would have to consider the entire zone. To limit the impact of commercial development on adjacent arterial and collector streets, access would be restricted with no driveways allowed along surrounding arterial and collector streets. Access to the property would be approved based upon the use of an interior drive designed to meet local street standards. All planned shopping centers would follow planned development procedures as established in the zoning and subdivision regulations.

These satellite shopping centers are of limited size and will be restricted to uses which would not be detrimental to the ~~CBD~~ Town Center area. Uses which would be permitted within this map designation could include a neighborhood gas station, convenience grocery store, recreation center, laundry, restaurant, etc.

Two locations were originally designated for planned shopping centers. The first is located in the northwest portion of the City at the intersection of Gales Creek and Thatcher Roads. The second location is in the vicinity of the intersection of State Highway and Beal Road. The latter was changed to Light Industrial PD as part of the 1985-1987 Major Plan Update.

Neighborhood Commercial -

Neighborhood commercial centers are intended to provide for the frequent shopping or service needs of nearby residents. They will consist principally of a convenience grocery and/or drug store. Other related uses such as barber and beauty shops, laundry and dry cleaner service, small bakery and similar uses would be appropriate in these neighborhood centers.

Neighborhood commercial centers should be located on major arterials or collector streets, preferably at or near an intersection with another similar street and have a maximum site size of 1-1/2 to 2 acres. In order that neighborhood centers remain oriented toward serving neighborhoods and do not expand to serve much larger parts of the community, commercial floor area will be limited in the zoning ordinance.

Neighborhood centers should be compatible with adjacent residential areas and land uses, architectural and traffic conflicts should be minimized. Parking facilities, signs, landscaping, and the architecture of these centers will be of a quality equal to that of nearby residences - sensitively designed so that they are physically and visually comfortable with the residential world of which it is a part.

A neighborhood commercial center has been identified at the intersection of Willamina Avenue and State Highway 47, recognizing existing commercial development in that area.

Implementation

To ensure that the intent of the goals and policies set forth within this plan element are achieved, the City of Forest Grove shall revise the zoning ordinance and prepare an Access Management Plan according to the following schedule:

Zoning Ordinance - F.Y. 1979-80

Access Management Plan - F.Y. 1980-81

Funding Alternative

Zoning Ordinance -

General Fund - Planning Budget

L.C.D.C. Planning Assistance Grant

Access Management Plan -

General Fund - Planning Budget

L.C.D.C. Planning Assistance Grant

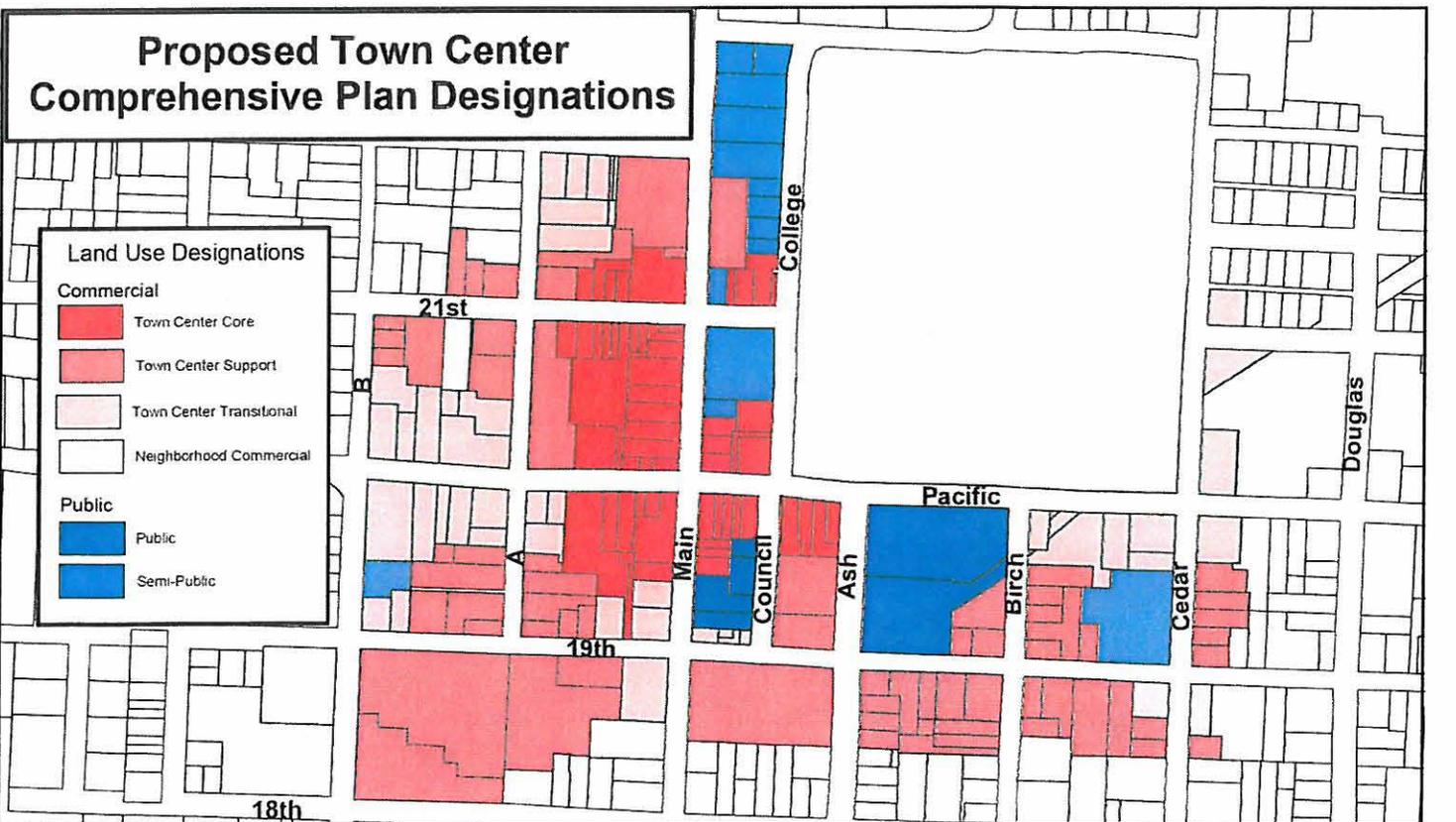
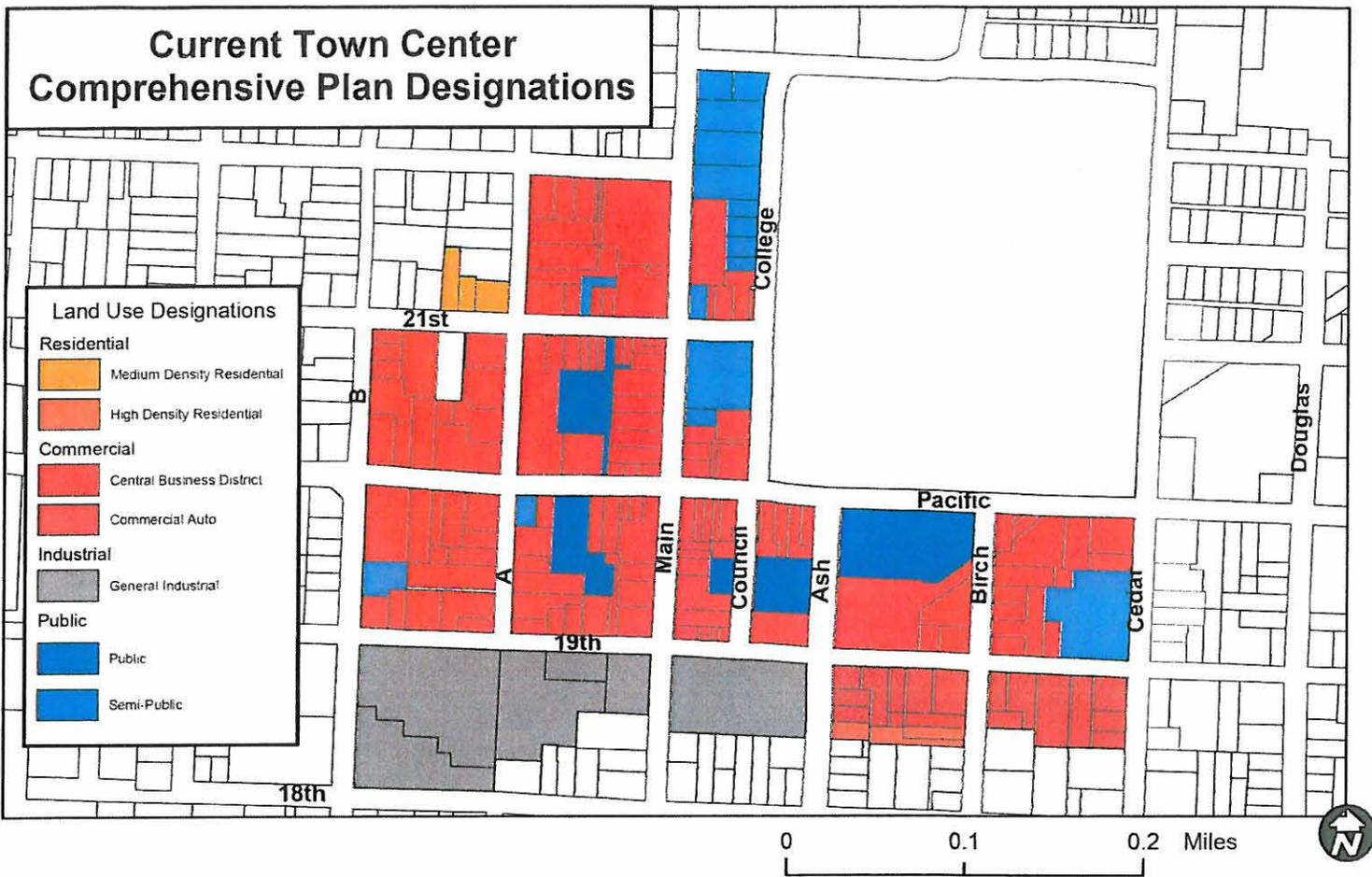
Exhibit B

Map Amendments

- **Proposed Amendments To The Comprehensive Plan Map**
 - 1 Amendment to Implement Proposed Town Center Designations**
 - 2 Amendment to Redesignate the area currently within the Commercial Heavy Designation at the intersection of Elm Street and Highway 47**
 - 3 Amendment to Redesignate the area currently within the Commercial Heavy Designation north of State Highway 8 and East of Highway 47**

City of Forest Grove

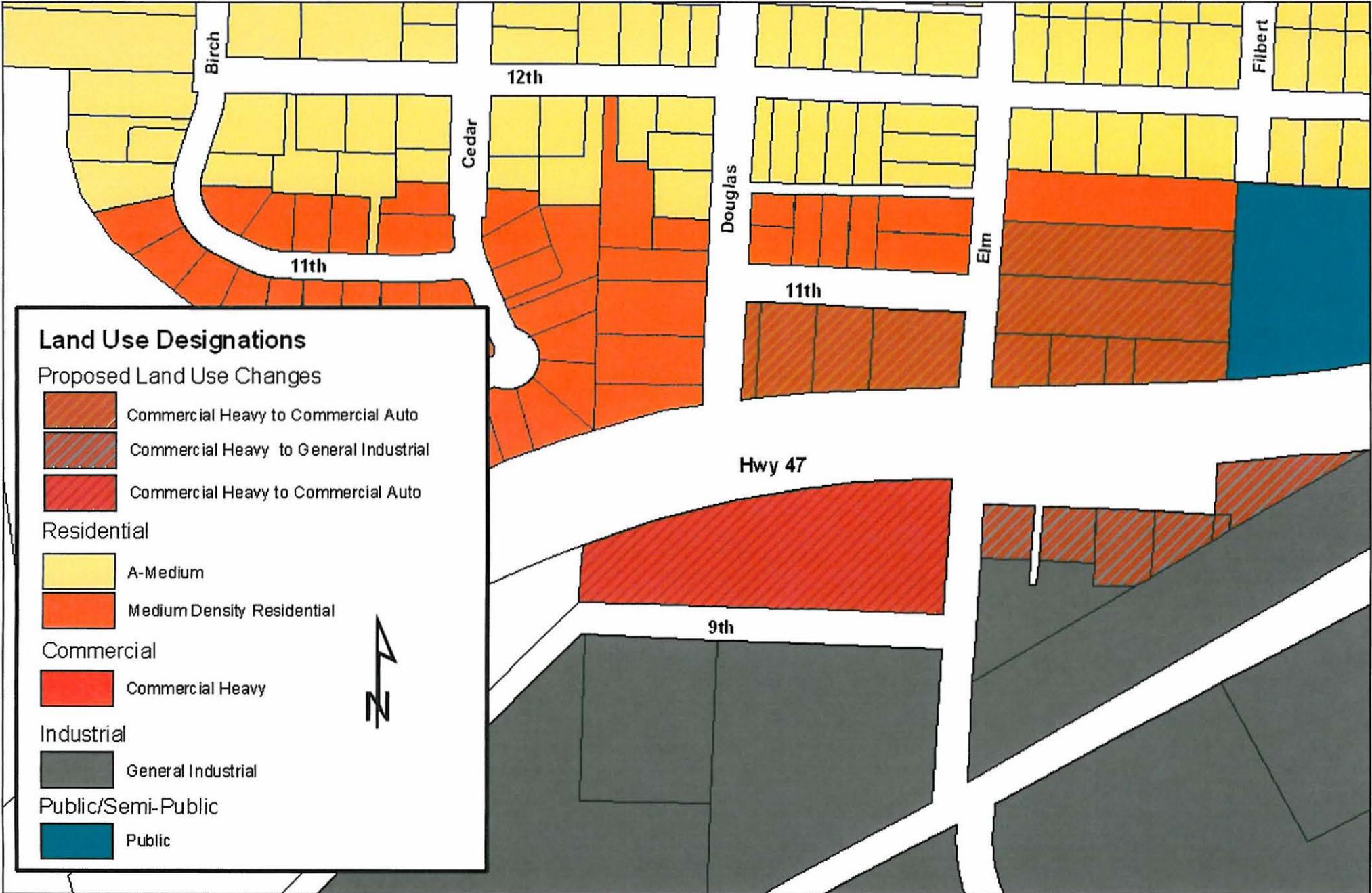
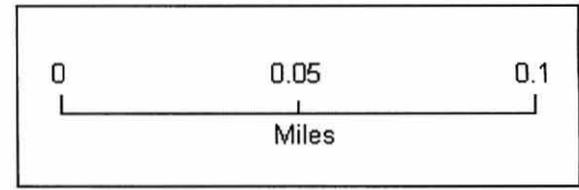
Proposed Comprehensive Plan Changes for the Town Center



City of Forest Grove

South Commercial Heavy Area

Proposed Comprehensive Plan Changes

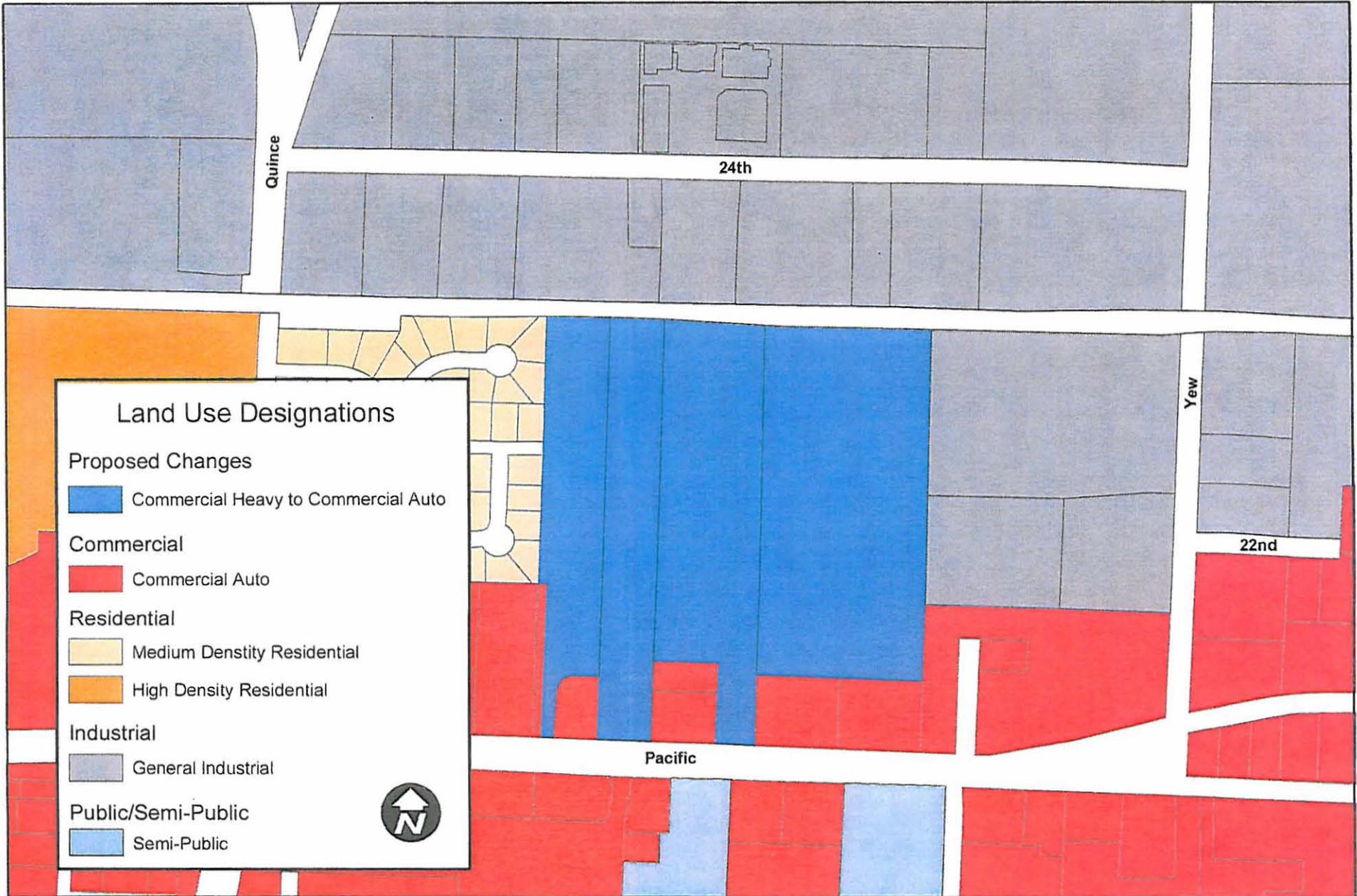
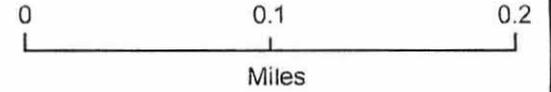


city of
forest
grove

1924 Council Street
P.O. Box 326
Forest Grove, OR 97116

Created 3/24/08
City of Forest Grove
Community Development
Department
Product# K03-06-04.2

City of Forest Grove North Commercial Heavy Area Proposed Comprehensive Plan Changes



ORDINANCE NO. 2009-03

**ORDINANCE ADOPTING ZONING MAP AMENDMENTS, FILE NO. ZC-08-01,
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Forest Grove City Council has adopted new Development Code pursuant to Ordinance Number 2009-01; and

WHEREAS, the Town Center Plan was developed in 1997 with three proposed land use designations for downtown; and

WHEREAS, the Development Code eliminates the Heavy Commercial and Central Business District zone districts; and

WHEREAS, the Development Code replaces with Central Business District designation with three designations identified as Town Center Core, Town Center Support and Town Center Transitional zone districts as created by the Town Center Plan; and

WHEREAS, the Town Center Plan intended to establish town center designations on both sides of streets to maintain the same development standards which requires some certain lands north of 21st Avenue and west of A Street to be rezoned from High Density Residential to Town Center Support; and

WHEREAS, letters were sent to land owners potentially affected by proposed comprehensive plan map and zone map changes in 2003 soliciting their concerns and staff met with individuals and interest groups in the Town Center and other areas to discuss the proposed zone changes over the time period; and

WHEREAS, pursuant to ORS 197.610 and Metro Code, notice with a copy of the proposed amendments was sent to Department of Land Conservation and Development, Department of Transportation and Metro on July 1, 2008; and

WHEREAS, Measure 56 notices as required by ORS 227.186 were sent on July 24, 2008, to property owners affected by the proposed map amendments; and

WHEREAS, notice announcing the Planning Commission hearing was also published in the Forest Grove *News Times* on August 6 and 13, 2008, and published on February 18, 2009, for the City Council hearing; and

WHEREAS, the Planning Commission conducted a public hearing on August 18, 2008 and continued to September 15, October 6, October 20, November 3, November 17 and December 15, 2008, and January 5, 2009; and

WHEREAS, the City Council conducted work sessions on January 26 and February 9, 2009, and conducted a public hearing on February 23 and March 9, 2009.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The Forest Grove City Council does hereby approve and adopt the Zoning Map amendments as included in Exhibit A.

Section 2. The Forest Grove City Council adopts the following reports, analysis and findings in support of this action:

1. Adopts by reference the staff report, including findings and recommendations, dated August 11, 2008 and memos dated January 5, January 26, February 12, February 23, and March 9, 2009.
2. Based on the staff report, finds that the proposal as amended are consistent with State Planning Goals, Metro Functional Plan requirements and Comprehensive Plan amendment criteria, and is in substantial compliance with applicable Comprehensive Plan Goals and Policies.
3. Finds that medium density housing rather than high density is more appropriate designation for land use designation at Elm Street north of State Highway 47 due to the proximity to existing low density, single family residential in the area and lack of transit services while still considering potential noise and other impacts from the state highway.
4. Based on the staff report, finds that the proposal as amended are consistent with State Planning Goals, Metro Functional Plan requirements and Comprehensive Plan amendment criteria, and is in substantial compliance with applicable Comprehensive Plan Goals and Policies.
5. Finds that it is in the public interest to implement the Town Center Plan to encourage economic development and a well designed downtown.
6. Finds that the General Industrial District located south of 19th Avenue, between B Street and Cedar Street does not comply with the Comprehensive Plan locational criteria because of its proximity to planned and existing residential areas to the south without an adequate buffer.
7. Finds that medium density housing rather than high density is more appropriate designation for land use designation at Elm Street north of State Highway 47 due to the proximity to existing low density, single family

residential in the area and lack of transit services while still considering potential noise and other impacts from the state highway.

Section 3. It is hereby found and determined that adoption of this ordinance is immediately necessary, due to the current ambiguity of existing policies pertaining to the implementation of the current Zoning and Land Division ordinances, for preservation of public, health, safety and welfare; and therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon its adoption.

PRESENTED AND PASSED the first reading the 9th day of March, 2009.

PASSED the second reading the 9th day of March, 2009.

Anna D. Ruggles, City Recorder

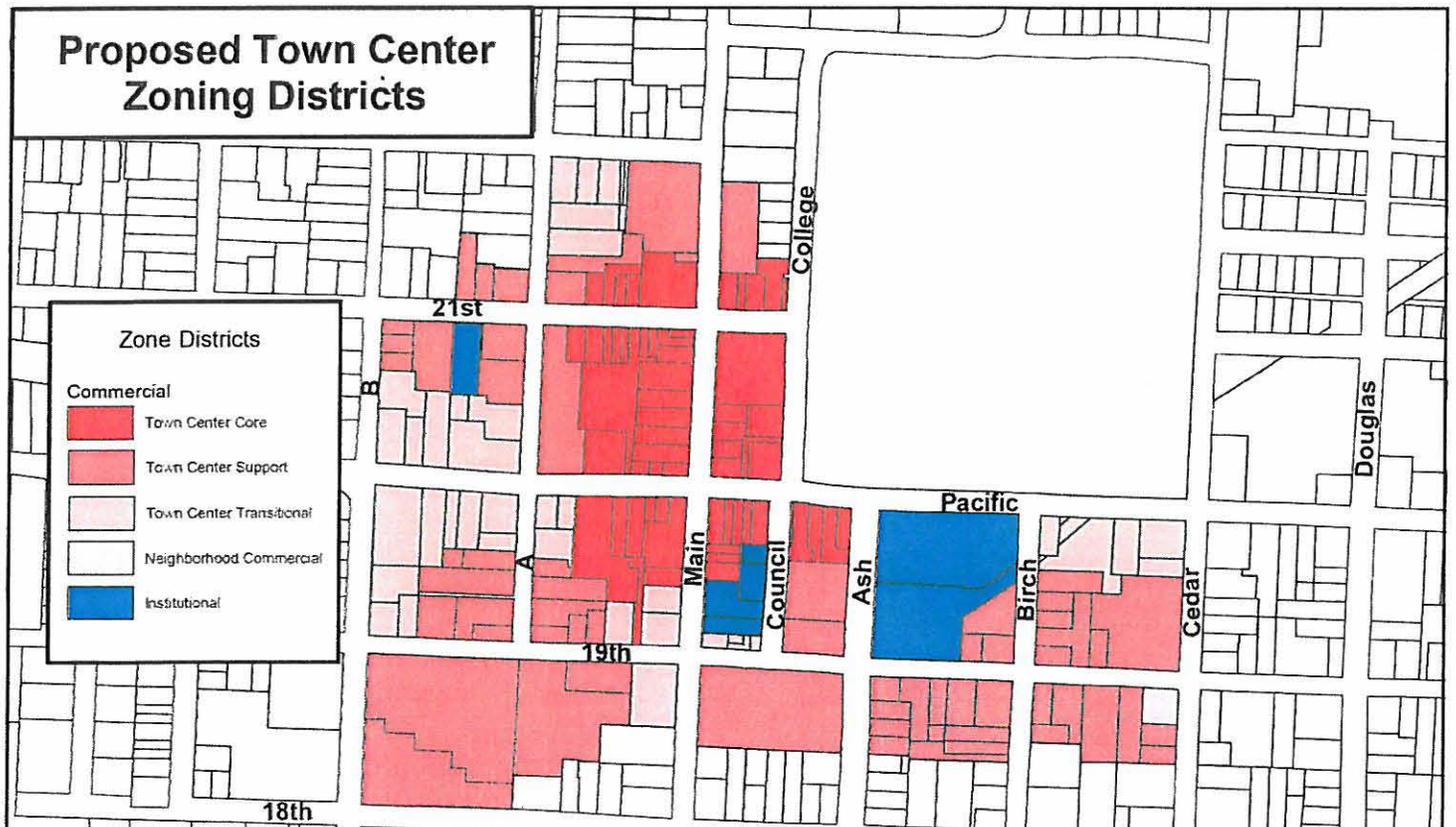
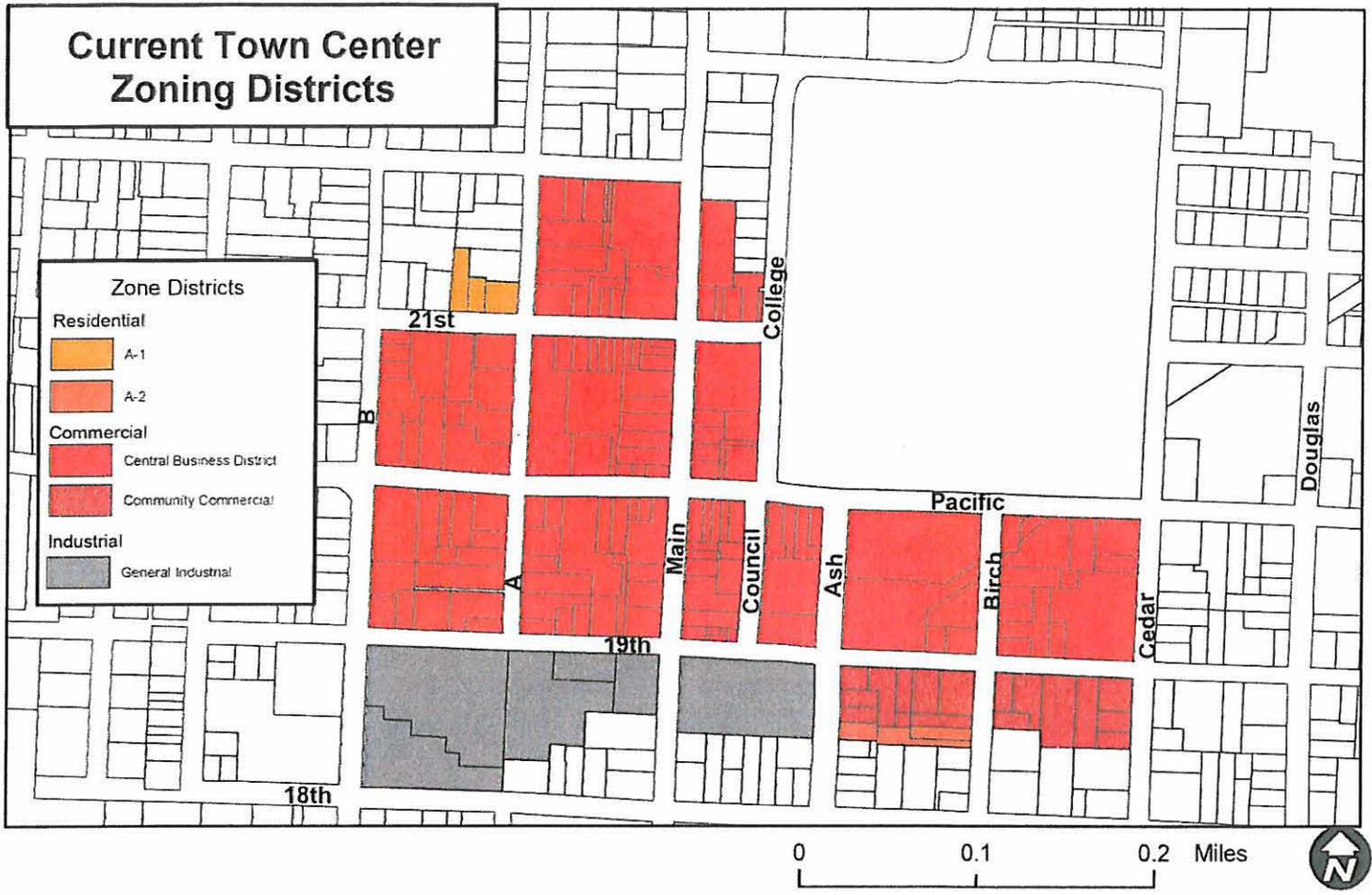
APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

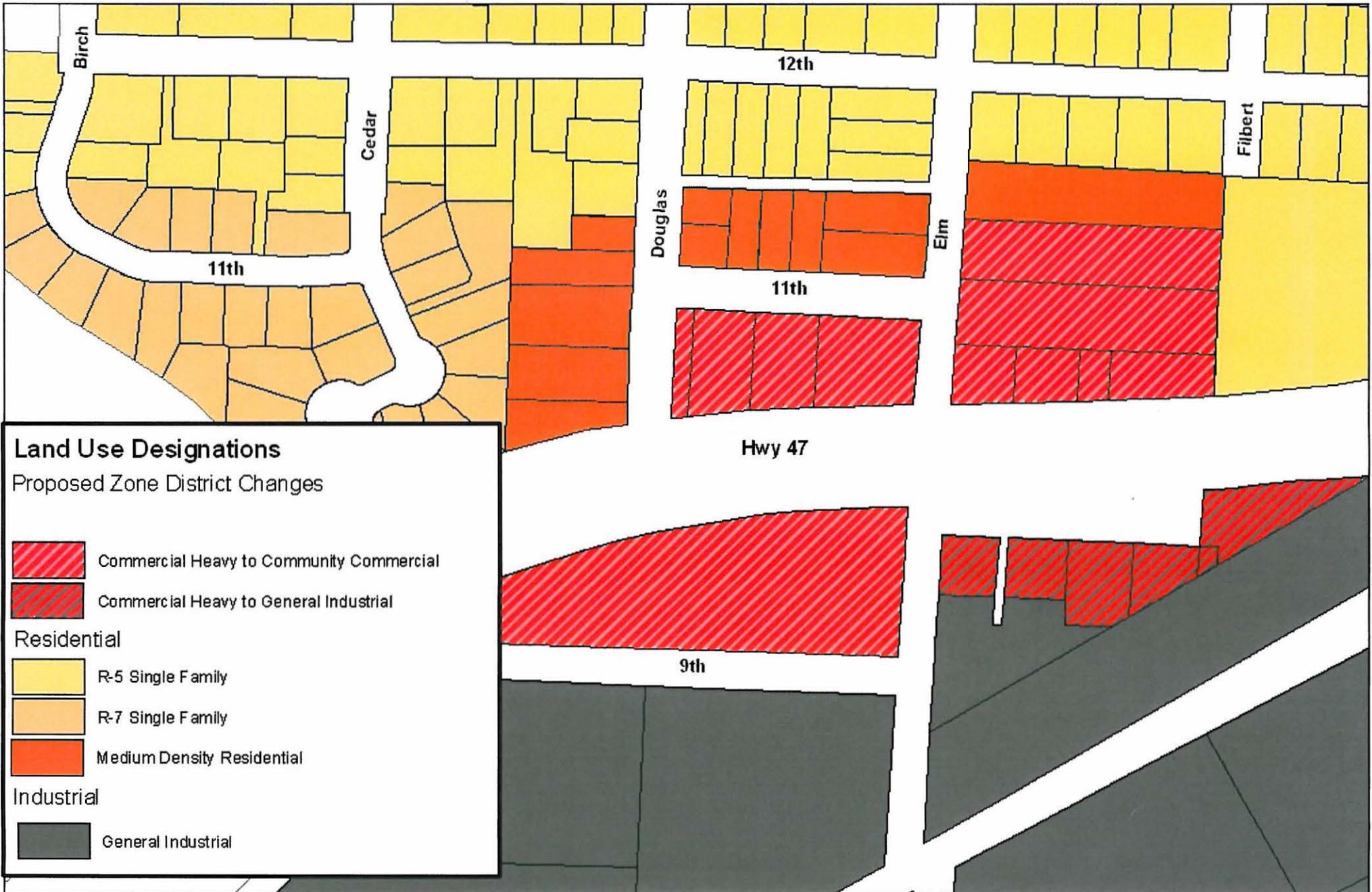
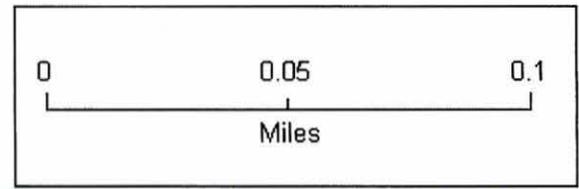
Exhibit A

Zone District Map Amendments

City of Forest Grove Proposed Town Center Zoning Changes



City of Forest Grove South Commercial Heavy Area Proposed Zoning Changes



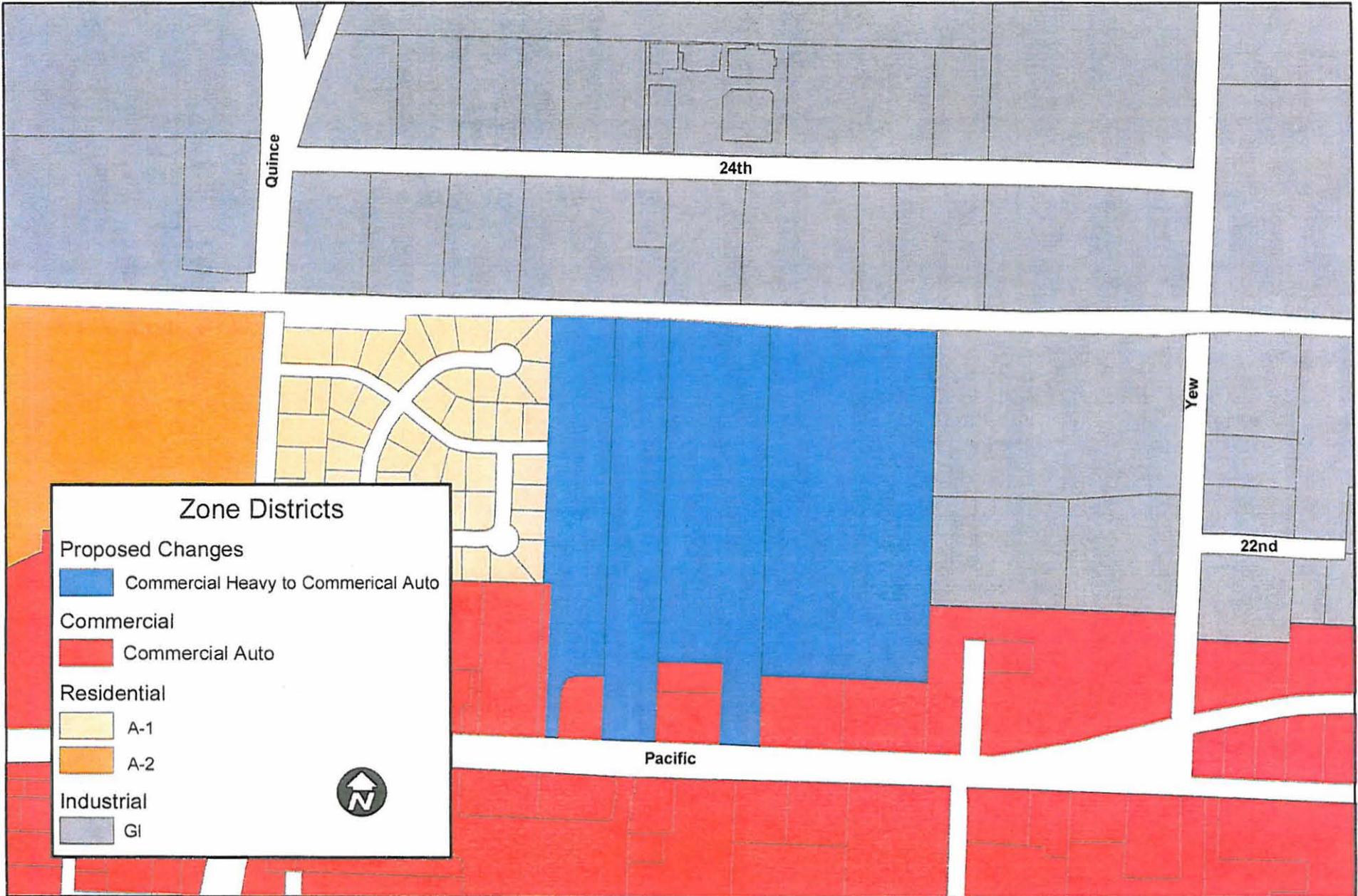
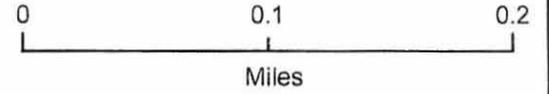
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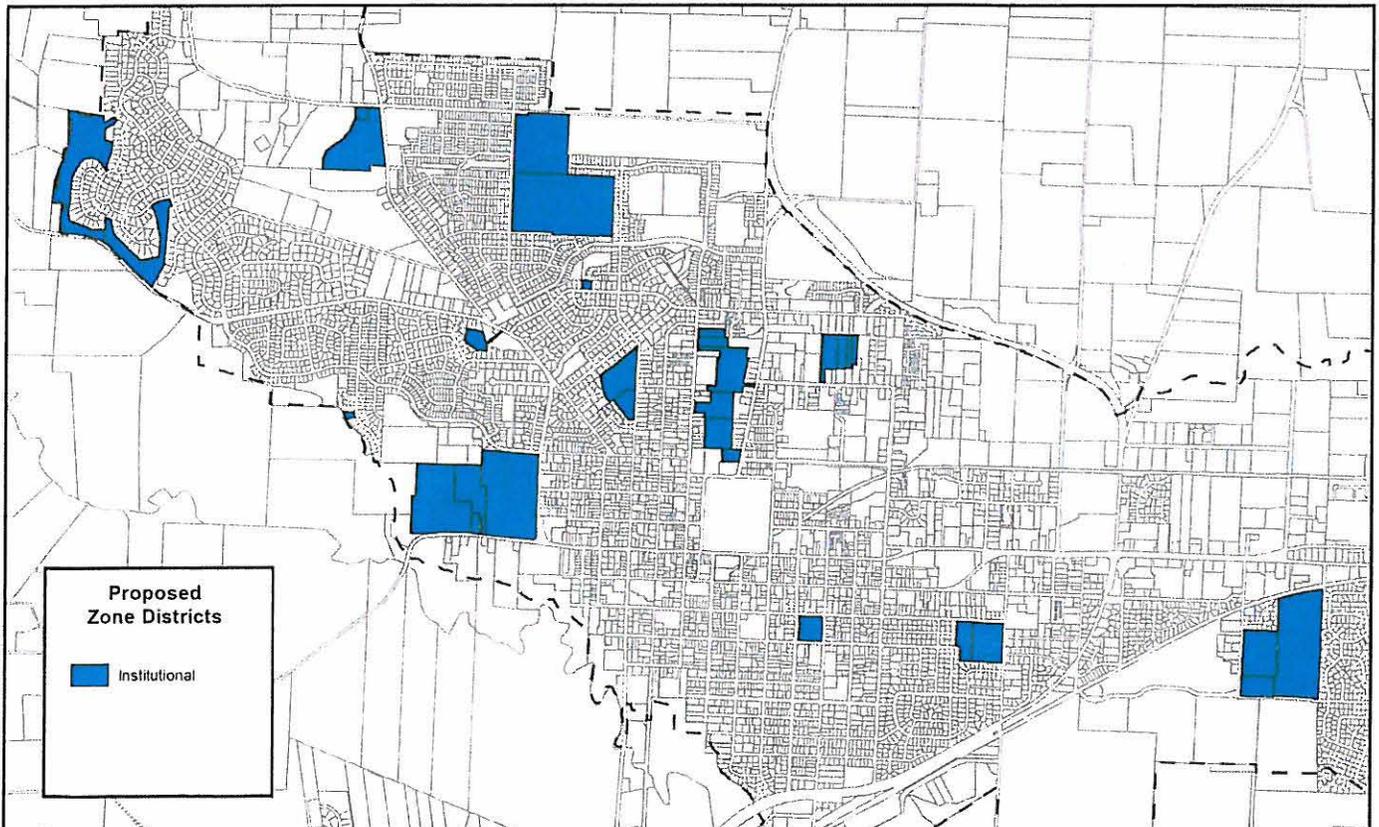
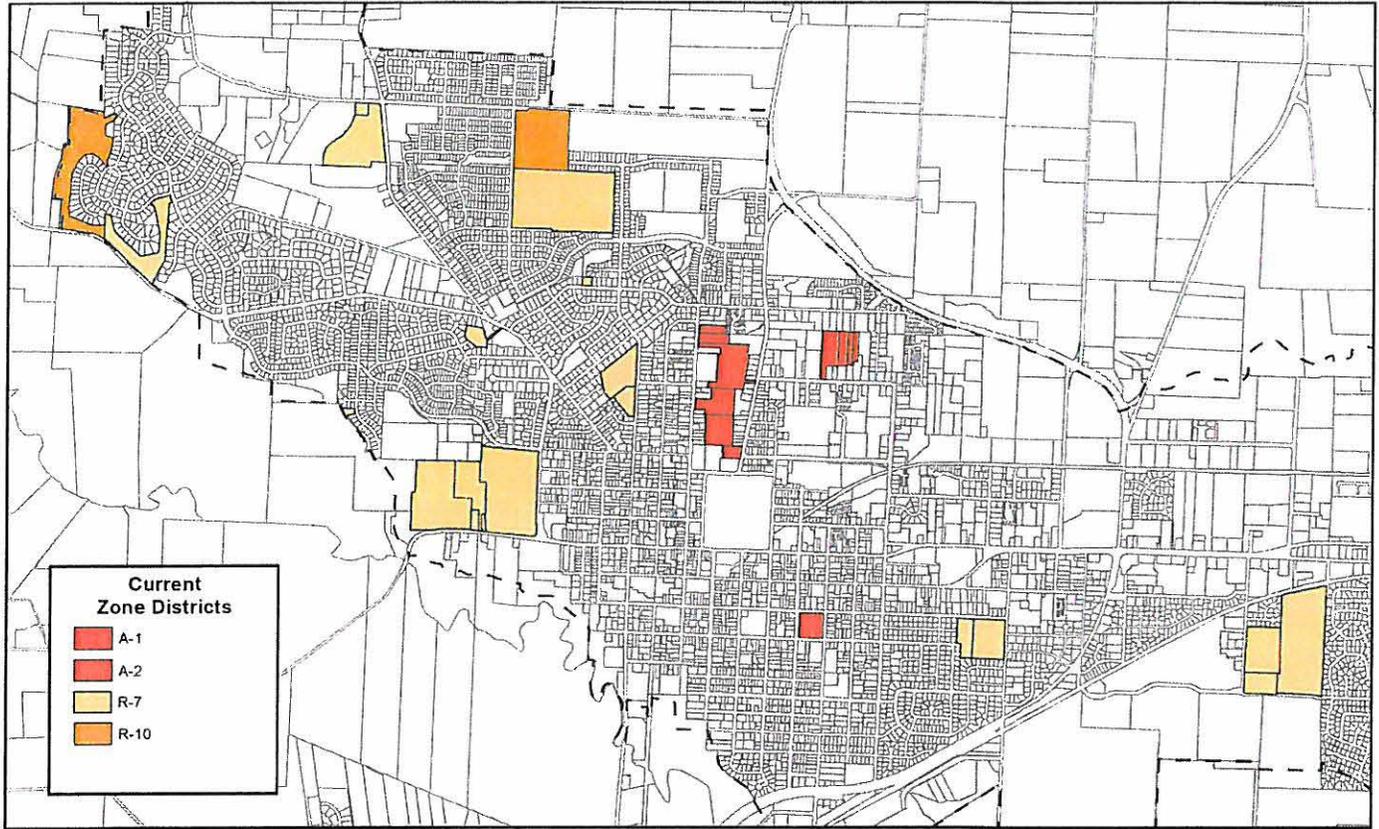
Created 3/24/08
City of Forest Grove
Community Development
Department

Product # M33-06-03_2

City of Forest Grove North Commercial Heavy Area Proposed Zoning Changes



City of Forest Grove Proposed Zoning Changes for Public Facilities Outside of Town Center



ORDINANCE NO. 2009-04

ORDINANCE REPEALING AND REENACTING CHAPTER 9 OF THE FOREST GROVE CODE, ENTITLED BOARDS AND COMMISSIONS AND MISCELLANEOUS PLANNING PROVISIONS, FOREST GROVE CODE SECTION 9.000-9.810, REPEALING ORDINANCE NO. 1980-15, 1980-16, AND 1989-01, AND DECLARING AN EMERGENCY

WHEREAS, the City of Forest Grove City Council has adopted a new Development Code pursuant to Ordinance Number 2009-01; and

WHEREAS, the Development Code replaces the Zoning Ordinance that was adopted by Ordinance Number 1980-15 on September 8, 1980; and

WHEREAS, the Development Code replaces the Land Division Ordinance that was adopted by Ordinance Number 1980-16 on September 8, 1980; and

WHEREAS, the Development Code replaces the Solar Access Ordinance that was adopted by Ordinance Number 1989-01 on January 23, 1989; and

WHEREAS, the City formed a 13 member citizen committee in 2000 that conducted a year long review of the proposed Code amendments; and

WHEREAS, in 2003-04, the City Council and Planning Commission conducted a series of work sessions to discuss the proposed Code amendments and associated policy issues; and

WHEREAS, notice announcing the Planning Commission hearing was also published in the Forest Grove *News Times* on August 6 and 13, 2008, and published on February 18, 2009, for the City Council hearing; and

WHEREAS, the Planning Commission conducted a public hearing on August 18, 2008 and continued to September 15, October 6, October 20, November 3, November 17 and December 15, 2008, and January 5, 2009; and

WHEREAS, the City Council conducted work sessions on January 26 and February 9, 2009, and conducted a public hearing on February 23 and March 9, 2009.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The Forest Grove City Council does hereby approve repealing Forest Grove Code, Chapter 9, entitled Development Regulations, and reenacting a new Chapter 9 of the Forest Grove Code, entitled Boards and Commissions and Miscellaneous Planning Provisions, Code Section 9.000-9.810, as included in Exhibit A.

Section 2. Adopts by reference the staff report, including findings and recommendations, dated August 11, 2008 and memos dated January 5, January 26, February 12, February 23, and March 9, 2009.

Section 3. Ordinance Number 1980-15, 1980-16, and 1989-01 are hereby repealed in its entirety and all other ordinances or portions thereof inconsistent of conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. It is hereby found and determined that adoption of this ordinance is immediately necessary, due to the current ambiguity of existing policies pertaining to the implementation of the current Zoning and Land Division ordinances, for preservation of public, health, safety and welfare; and therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon its adoption.

PRESENTED AND PASSED the first reading the 9th day of March, 2009.

PASSED the second reading the 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

Exhibit A

Forest Grove Code

Chapter 9

Boards and Commissions and Miscellaneous Planning Provisions

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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Underline indicates new language

CHAPTER 9

BOARDS AND COMMISSIONS AND MISCELLANEOUS PLANNING PROVISIONS DEVELOPMENT REGULATIONS

BOARDS AND COMMISSIONS

PLANNING COMMISSION

9.005 **Membership.** The City Planning Commission shall consist of seven members to be appointed by the Council. No more than one member of the Commission shall be engaged principally in the buying, selling or developing of real estate for profit as an individual, as a member of any partnership, or as an officer or employee of any corporation. No more than two members of the Commission shall be engaged in the same kind of business, trade, occupation or profession. No more than two of the members shall be nonresidents of the City. (ORD. 1995-13, 11/13/1995; ORD. 2000-06, 08/14/2000)

9.010 **Terms of Office.** The term of office shall be four years with the terms staggered. A member may be removed by the Council, after hearing, for misconduct or nonperformance of duty. Vacancies shall be filled by the Council for the unexpired term of the predecessor in the office.

9.015 **Officers.** Each year at the first regularly scheduled meeting in January, which shall be the annual meeting, the Commission shall elect a chairman and vice-chairman who shall be voting members and shall hold office at the pleasure of the Commission.

9.020 **Secretary.** The City Planning Director, or designee, shall serve as secretary to the Commission. The secretary shall keep an accurate record of all Commission proceedings.

9.025 **Annual Report.** The Commission shall, on October 1 of each year, make and file a report of its transactions with the Council.

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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9.030 **Expenses.** Commission members shall receive no compensation but shall be reimbursed for duly authorized expenses.

9.035 **Meetings and Rules.** A majority of the Commission shall constitute a quorum. The Commission shall meet at least once a month. The Commission may make and alter rules and regulations for its government and procedure consistent with the laws of this State and with the City Charter and ordinances. (ORD. 2000-06, 08/14/2000)

9.040 **Conflict of Interest.** A member of a Planning Commission shall not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest: the member or member's spouse, brother, sister, child, parent, father-in-law or mother-in-law; any business in which the member is then serving or has served within the previous two years; or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being taken.

9.045 **Powers and Duties.** The Planning Commission is advisory to the Council and shall, except as otherwise provided by law:

(1) Prepare and recommend to the Council and consult with other public authorities concerning community development plans for regulation of the future growth, development and beautification of the municipality in respect to its public and private buildings and works, streets, parks, grounds and vacant lots in order to secure to the City and its inhabitants amenity, sanitation and proper service of all public facilities.

(2) Recommend to the Council concerning the laying out, widening, extending and locating of streets, bikeways, sidewalks, boulevards and parking, the relief of traffic congestion, the betterment of housing and sanitation conditions, and the establishment of zoning and building districts limiting the use of lands and the use, height, area, bulk and construction of structures and buildings within such districts.

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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Underline indicates new language

(3) Hold hearings and recommend to the Council the boundaries of zoning and building districts and appropriate regulations and restrictions to be enforced in the districts before the Council shall take any action thereon.

(4) Hold hearings and make final determinations pending appeal to the Council authorized or required by the ordinances and regulations of the City adopted to implement regulations and restrictions applicable to any zoning and building district.

(5) Hold hearings and make recommendations to the Council concerning the rules and regulations for subdivision and partitioning of land located within the City limits.

(6) Give consideration to all plans or plats for laying out or vacating, widening, extending and locating streets and to plans for public buildings and make recommendations to the Council accordingly.

(7) The Commission may make studies, hold hearings and prepare reports and recommendations on its own initiative or at the request of the Council. All reports and recommendations made by the Commission to the Council shall be in writing.

9.050 Procedures for Hearing. The Council shall by resolution adopt procedures for the conduct of hearings. The procedures shall be applicable to the determination of contested cases and to all requests for permits. As used in this Code, unless the context requires otherwise, the following mean:

Contested case. A proceeding in which the legal rights, duties or privileges of specific parties determined under general rules, policies, ordinances or regulations adopted pursuant to State statute relating to zoning and building districts and regulation only after a hearing at which specific parties are entitled to appear and be heard.

Hearing. A quasi-judicial hearing, authorized or required by the ordinances and regulations adopted by the City pursuant to State statute relating to zoning and building districts and regulations.

Permit. Authority or approval of a proposed use of land for which approval is a matter of discretion and is required pursuant to State statute relating to zoning and building

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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Underline indicates new language

districts and regulation. The term includes, but is not limited to, conditional use, special exceptions, variance, special design zone or review and other similar permits.

SUBDIVISION OF LAND

~~9.100 Adoption. There is hereby adopted as the land~~
~~division ordinance of the city of Forest Grove the Land~~
~~Division Ordinance, marked Exhibit A, and by reference~~
~~incorporated herein. The complete text of the ordinance, as~~
~~amended, is on file in the office of the city recorder.~~

9.100 Repealed in its entirety per ORD. 2009-04, 03/09/09

HISTORIC LANDMARKS BOARD

9.105 Purpose. Pursuant to the State of Oregon's enabling
legislation (ORS Chapter 197) and in recognition of the
public education, economical, environmental and cultural value of
the heritage and character of Forest Grove to the welfare of its
citizens, the following sections create a comprehensive program
to identify, designate and protect the history, culture,
archaeology and landscape of Forest Grove.

9.110 Membership. The Historic Landmarks Board (HLB) shall
be composed of seven members who shall be appointed by
the City Council. All members shall have a demonstrated positive
interest, competence or knowledge of historic preservation. At
least five of the members shall be residents of the City of
Forest Grove, and nonresident members shall reside within a
reasonable distance of the City. When making appointments to the
Board, the Council should consider the applicants' qualifications
in the fields of history, architecture, architectural history,
and archaeology, as well as in the arts, culture, city planning,
landscape architecture, business, real estate, law, government,
engineering or construction.

9.115 Terms of Office. The term of each member of the HLB
shall be four years with terms staggered. A member may

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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Underline indicates new language

be removed by the City Council, after hearing, for misconduct or nonperformance of duty. Vacancies shall be filled by the Council for the unexpired term of the predecessor in office.

9.120 Officers. At the first meeting in January of each year, the members shall elect a chair, vice-chair and secretary who shall be voting members and hold office at the pleasure of the HLB.

9.125 Expenses. Board members shall not receive compensation nor shall incur expenses of any kind unless such expenses or expenditures have first been approved by the City Council.

9.130 Meetings and Rules. A majority of the members serving on the Board at any time shall constitute a quorum. The Board shall conduct at least one meeting every three months or as needed. The Board shall have the right to adopt such rules of order and procedure as they deem necessary provided that it is consistent with the laws of this State and with the City Charter and ordinance.

9.135 Powers and Duties. The HLB is authorized to:

(1) Maintain the Forest Grove Register of Historic and Cultural Landmarks (Historic Register), by:

(a) Recommending to the City Council the designation as historic or cultural landmark properties that meet the criteria for designation. All such designated landmarks shall be included in the Historic Register; and

(b) Recommending to the City Council the removal of a landmark from the Historic Register.

(2) Regulate and protect landmarks through the review and approval or disapproval of certain proposed changes in accordance with the criteria for alterations or demolition of landmarks as contained in the Development Code.

(3) Review proposed activities by the City and other agencies that may seriously affect designated landmarks and advise the Planning Commission and City Council regarding such matters.

PROPOSED AMENDMENTS TO CHAPTER 9 OF THE FOREST GROVE CODE

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Underline indicates new language

(4) Perform other activities relating to historic and cultural landmark preservation, including but not limited to:

(a) Providing public education on the history, scenic and cultural landmarks of Forest Grove;

(b) Providing advice to the City Council and other City Boards on preservation of historic and cultural landmarks;

(c) Providing technical economic information on preservation of historic and cultural landmarks;

(d) Making recommendations to the City Council for historic and cultural landmark preservation programs such as tax incentives to preserve designated landmarks;

(e) Securing the views of the public and owners of landmarks regarding the community's cultural, historic, and scenic values;

(f) Maintaining criteria for inventory and evaluation to implement the purposes of this Section;

(g) Periodically reviewing and making recommendations for updating the Historic Register; and

(h) Recommending to the City Council the acceptance of donations of funds and property, including partial interest in property such as facade easements.

(5) Adopt rules and procedures for the operation of the HLB.

HISTORIC OR CULTURAL LANDMARKS

9.150 Criteria for Landmark Designation. The HLB may recommend to the City Council for designation as a historic or cultural landmark and for inclusion in the Historic Register any structure, archaeological or prehistoric site, or historic site, upon a finding by the Board that the subject property:

(1) Is associated with events that have made a significant contribution to the history of Forest Grove, Washington County, the State of Oregon, or the nation; or

(2) Is associated with the lives of persons holding a significant place in the history of Forest Grove, Washington County, the State of Oregon, or the nation; or

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(3) Embodies distinguishing architectural characteristics, in exterior design, of a period, style, method of construction, craftsmanship, or in use of indigenous materials; or

(4) Is representative of the work of a designer, architect, or master builder who influenced the development and appearance of Forest Grove, the State of Oregon, the Pacific Northwest or the nation; or

(5) In the case of proposed designation of a site, yields, or may be likely to yield, information in history, prehistory or archaeology.

9.155 Procedure for Landmark Designation

(1) Designation of property as a Historic or Cultural Landmark may be proposed by a property owner or his authorized agent, by the HLB, or by the City Council. An application shall be filed with the Community Development Department, using forms provided by the Director.

(2) Designation of property as a Historic or Cultural Landmark is classified as a Type IV procedure, and is subject to all of the procedures and timelines outlined in the Development Code. Designation requires public hearings before the following review bodies: (a) Historic Landmarks Board; (b) City Council.

(3) If the HLB acts to reject a proposed designation, no further action shall be taken unless the applicant files an appeal of the action with the City Council.

(4) If the Council acts to approve the proposed designation, or to approve the proposal with modifications, it shall adopt an ordinance setting forth the findings of fact on which such approval is based, and order an amendment of the zoning map to label the designated property with the HL overlay zone. Immediately upon designation of the property as a landmark, the designated landmark (not the entire tax lot) shall be subject to the provisions of this Code.

(5) Individual historic resources listed on the National Register of Historic Places shall automatically receive landmark designation on the date the property is listed. However, a landmark that is removed from the National Register of Historic Places will retain its local landmark designation unless

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the designation is removed through the procedures listed in this Code.

9.160 Procedure for Removal of a Landmark Designation

(1) Removal of a designated landmark from the Register may be proposed by a property owner or his authorized agent, by the HLB, or by the City Council. An application shall be filed with the Community Development Department.

(2) Removal of a designated Landmark from the Register is classified as a Type IV procedure, and is subject to all of the notice procedures and timelines outlined in the Development Code. Removal of the HL overlay designation requires two (2) sequential public hearings before the following review bodies:

(a) Historic Landmarks Board;

(b) City Council

(3) The HLB shall make its decision on the basis of the criteria contained in Section 9.155 and shall make specific findings of fact as to whether the landmark has lost its historic or cultural value based on these criteria.

(4) If the Board acts to deny a request for removal of a landmark from the Register, no further action shall be taken unless the applicant files an appeal of the Board's action with the City Council.

(5) Within sixty (60) days from the date of the recommendation by the HLB to approve a request to remove a landmark from the Register, the City Council shall conduct a public hearing to consider the request and recommendation of the HLB. Public notice shall be provided in accordance with Type IV procedures. Following the public hearing, the Council shall act to approve the removal of the landmark designation as requested, or to remove some portion of the landmark from the Register, or to deny the request. When removing a landmark designation from the Register, the ordinance shall amend the zoning map to remove the HL overlay zone from the property.

9.165 Annual Notification.

(1) Once each year, between January 1 and April 1, the Director shall mail notice to the owners and occupants on which each Historic Register landmark is located.

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(2) The list of owners shall be drawn from the most recent tax roll of the County Assessor. The list of residents shall be drawn from the most recent listings posted in the unified billing accounts of the City. The purpose of the notice shall be to inform or remind the owners and occupants of each landmark listed on the Historic Register that such landmark has been found by the City to be a significant historic or cultural landmark, and that its listing on the Historic Register subjects the property to certain review requirements. The notice shall also include, at a minimum, the following:

(a) A brief explanation of the existence and function of the Forest Grove Register of Historic and Cultural Landmarks.

(b) A statement that particular actions affecting the exterior appearance of landmarks will require prior review and action by the HLB or City staff, as provided in the Code.

(c) A statement that the HLB is available and willing to review on an informal basis any plans that may affect the historic or architectural integrity of the landmark.

(d) A statement that the Community Development Department has access to resource materials and persons to provide guidance in developing plans for work that may affect the historic or architectural integrity of the landmark, and to assist in researching the history of the landmark.

COMMUNITY FORESTRY COMMISSION

9.205 Membership. The Community Forestry Commission (CFC) shall be composed of seven members who shall be appointed by the City Council. Members shall be selected from a variety of organizations, interest groups, people with expertise in the growing, planting, and maintenance of trees, and the public at large. Three members may reside outside the corporate limits of Forest Grove.

9.210 Terms of Office. The term of each member of the CFC shall be three years with the terms staggered. A member may be removed by the City Council, after hearing, for misconduct or nonperformance of duty. Vacancies shall be filled

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by the Council for the unexpired term of the predecessor in office.

9.215 Officers. At the first meeting in January of each year, the members shall elect a chair, vice-chair and secretary who shall be voting members and hold office at the pleasure of the CFC.

9.220 Expenses. CFC member shall not receive compensation or shall not incur expenses of any kind unless such expenses or expenditures have first been approved by the City Council.

9.225 Meetings and Rules. A majority of the members serving on the CFC at any time shall constitute a quorum. The CFC shall conduct at least one meeting every three months or as needed. The CFC shall have the right to adopt such rules of order and procedure as they deem necessary provided that it is consistent with the laws of this State and with the City Charter and ordinance.

9.230 Powers and Duties. The CFC is authorized to:

(1) Maintain the Forest Grove Significant Tree Register (Tree Register), by:

(a) Recommending to the City Council the designation of properties with significant trees that meet the criteria for designation. All such designated landmarks shall be included in the Significant Tree Register.

(b) Recommending to the City Council the removal of a tree from the Significant Tree Register, pursuant to Section.

(2) Ensure that significant trees are protected and pruned appropriately through the review and approval or disapproval of major pruning in accordance with the criteria in the Development Code.

(3) Review proposed activities by the City and other agencies that may seriously affect register trees and advise the Director, the Planning Commission and City Council regarding such matters.

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(4) Perform other activities relating to community trees, including but not limited to:

(a) Providing public education on the history and importance of the Register Trees;

(b) Providing advice to the City Council and other City Boards on protection of trees in the community;

(c) Providing technical information of community tree issues;

(d) Making recommendations to the City Council for community forestry related programs;

(e) Maintaining criteria for inventory and evaluation to implement the purposes of this Section;

(f) Periodically reviewing and making recommendations for updating the Significant Tree Register; and

(g) Recommending to the City Council the acceptance of grant funds and donations towards the protection and planting of trees in the community.

(5) Adopt rules and procedures for the operation of the CFC.

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REGISTER TREES

9.305 Procedure for Designation of Register Trees.

(1) Inventory. An inventory shall be conducted of significant trees (including groves) which could qualify for being placed in the Register. Criteria are as follows:

(a) Tree Criteria. An individual tree shall be considered significant if the CFC finds:

1. The tree has a distinctive size, shape or location which warrants a significant status; or

2. The tree has a special botanical significance as a specimen in the Forest Grove area; or

3. The tree possesses exceptional beauty which warrants a significant status; or

4. The tree is significant due to a functional or aesthetic relationship to a natural resource; or

5. Along with one of the above, the tree is significant based upon its association with historic figures, properties, or the general growth and development of the City.

(b) Grove Criteria. A tree grove shall be considered significant if the CFC finds:

1. The grove is relatively mature and evenly aged;

2. The grove has a purity of species composition, is of a rare or unusual nature, or is an exceptional example of a type of forest such as riparian or woodland;

3. The grove is in a healthy growing condition;

4. The grove has a crucial functional and/or aesthetic relationship to a natural resource; or

5. The grove has a historic significance based upon its association with historic figures, properties or the general growth and development of the City.

(2) Update of Tree Inventory. Provisions shall be made for periodic updates of the tree inventory and possible Register as required by changes in the number and condition of significant trees.

(3) Preparation of Potential Register Tree List. The CFC shall review the Inventory and other pertinent information and draw up a proposed list of significant trees and groves of

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trees that the CFC believes meets the criteria to be placed on the Register.

(4) Notification. Prior to the public hearings specified in Step (5) below, each property owner of the tree or trees under consideration for Register status shall be notified by mail. The notice shall inform tree owners that they can request in writing that the tree(s) on their property not be considered for Register status. Attached to the recommendation to Council shall be a list of current property owners who have requested their tree(s) not be placed on the Register. The notice shall also include, at a minimum the following:

(a) A brief explanation of the existence and function of the Forest Grove Register of Significant Trees.

(b) A statement that particular actions affecting the tree or grove will require prior review and action by the CFC or City staff, as provided in the Development Code.

(c) A statement that the CFC is available and willing to review on an informal basis any plans that may be prepared for work which might affect the tree or grove.

(d) A statement that the City can provide resource materials and guidance in developing plans for work which may affect the tree or grove.

(4) Public Hearings. The designation and updating of the Register Tree List is classified as a Type IV procedure and is subject to all of the procedures and timelines outlined in Section 10.1.170 of this Code. Designation requires public hearing before the following review bodies:

(a) Community Forestry Commission;

(b) City Council.

9.310 Removal of Register Tree Designation.

(1) Removal of a designated tree from the Register may be proposed by a property owner or his authorized agent, by the CFC, or by the City Council. In proposing removal, an application shall be prepared and filed with the City, using prescribed forms. Notice of the public hearing shall be given as prescribed in the Development Code, Section 10.1.610 and 10.1.620 for a Type III review.

(2) The CFC shall consider and act on the request. The CFC shall act to recommend approval of the request as

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submitted, approve the request with modifications, or delay the request.

(a) The CFC shall make its decision on the basis of the criteria contained in Section 9.255 and shall make specific findings of fact as to whether the tree has lost its significant value based on these criteria.

(b) The CFC has one of two options as follows:

1. The CFC can stay the request for removal from the Register by making specific findings of fact as to why the tree should be retained on the Register, and request review by the City Council. Council review shall meet the notice and public hearing requirements of Section 10.1.715 for quasi-judicial hearings. The City Council can approve the request, approve with conditions, or deny the request. OR

2. The CFC can require a delay of up to one (1) year to explore methods and options of retaining the tree on the Register in its present location, or having the tree moved at a cost to the applicant of less than \$300. If at the end of one (1) year the tree has not been moved or protective arrangements completed, the owner may remove the tree from the register. Under an appeal of the delay requirement, the City Council has the option of denying a request for removal from the Register.

9.315 Annual Notification of Register Tree Owners

(1) Once each year, between January 1 and April 1, the City shall mail a notice to the owners and occupants of the property on which each Register Tree is located.

(2) The list of owners shall be drawn from the most recent tax roll of the county Assessor. The list of occupants shall be drawn from the most recent listings posted in the unified billing accounts of the City.

(3) The purpose of the notice shall be to inform or to remind the owners and occupants of the property that such tree or grove has been found by the City to be a significant tree or grove, and that its listing on the Register subjects the tree or grove to certain review requirements.

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STREET TREES

9.400 **Enforcement Authority.** The City Manager or designee shall be charged with the enforcement of sections 9.300 et al.

9.405 **Permission to Plant Trees.** No trees or shrubs shall be planted in or removed from any public parking strip or other public place in the city without prior permission from the City Manager or designee.

9.410 **Street Tree Plan.** All trees and shrubs planted in any public parking strip or other public place in the city shall conform as to species and location to the street tree plan and regulations which may be promulgated by resolution of the Council.

9.415 **Prohibited Trees.** It shall be unlawful to plant in any public parking strip, public alley or easement the following trees: poplar, willow, cottonwood, fruit trees, nut trees, ailanthus. Selected conifers may be planted in a public parking strip, public alley or easement only with the written approval of the City Manager or designee. It shall be unlawful to plant willows, cottonwoods or poplar trees anywhere in the city unless the City Manager approves the site as one where the tree roots will not interfere with a public sewer.

9.420 **Removal of Trees.** The City Manager or designee may cause to be trimmed, pruned or removed any trees, shrubs, plants or vegetation in any parking strip or other public place or may require any property owner to trim, prune or remove any trees, shrubs or vegetation in a parking strip abutting the owner's property. Failure to comply with the request after 30 days' notice by the City Manager shall be deemed a violation.

9.425 **Dangerous Trees a Nuisance; Summary Powers to Remove Dangerous Trees.**

(1) Any tree or shrub growing in a parking strip, any public place, or in private property, which is endangering or may endanger the security or usefulness of any public street,

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sewer, utility service or sidewalk is hereby declared to be a public nuisance. The city may remove or trim such tree, or may require the property owner to remove or trim the tree or shrub on private property, or in a parking strip abutting the owner's property.

(2) It shall be the duty of every property owner to cut off and remove all branches and limbs of trees which extend over or upon any street or sidewalk adjacent to the owner's property for a distance of at least eight feet above the street or sidewalk. (ORD. 2003-07, 04/28/2003)

(3) Failure of the property owner to remove or trim any tree or shrub which constitutes a nuisance or exceeds the limitations specified in this Code, after 30 days' notice by the Manager, shall be deemed a violation. The City may then remove or trim the tree or shrub and assess the costs against the property. (ORD. 2003-07, 04/28/2003)

9.430 Appeals. Appeals from orders made under this Code may be made by filing written notice of appeal with the City Manager within 10 days after the order is received. The City Manager shall notify the Council of the appeal at the next regular Council meeting, at which meeting the appellant and the City Manager may present evidence. Action taken by the Council after the hearing shall be conclusive.

9.435 Abuse or Mutilation of Trees. It shall be unlawful to abuse, destroy or mutilate any tree, shrub or plant in a public parking strip or any other public place or to attach or place any rope, wire (other than one used to support a young or broken tree), sign, poster, handbill or other thing to or on any tree growing in a public place, or to cause or permit any wire charged with electricity to come in contact with any tree, or to allow any gaseous, liquid or solid substance which is harmful to a tree to come in contact with its roots or leaves.

9.440 Permit Required. A tree permit shall be obtained prior to any modification or removal of trees subject to City tree protection requirements. ORD. 2003-07, 04/28/2003)

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~~SOLAR ACCESS~~

~~9.140 Adoption of Solar Access Ordinance. There is hereby adopted as the solar access ordinance of the City of Forest Grove the Solar Access Ordinance, and by this reference incorporated herein. The complete text of the solar access ordinance, as amended, is included in the Zoning Ordinance on file in the office of the city recorder. (ORD. 1989-01, 01/23/89; ORD 1989-06, 03/13/1989)~~

9.140 Repealed in its entirety per ORD. 2009-04, 03/09/09

HOUSE NUMBERING

9.200 505 Definitions. As used in sections 9.200 to 9.210, the following means:

Street. Any public thoroughfare, either part of the original town of Forest Grove, or platted and so designated in a subdivision, or conveyed to the public or to the city for use as a public thoroughfare.

9.205 510 Street Names.

(1) The names of the streets and thoroughfares of the city shall be known on and after January 1, 1950, as those set out and described upon the map designated as the street name map of the city and made a part of this Code by reference. The map shall be kept in the city engineer's office.

(2) The street in the Sills Addition to the city, officially platted and designated as Camino Real, is renamed Camino Drive and shall be officially named and designated and for all purposes known as Camino Drive.

9.210 515 Street Numbers. The numbers for buildings and structures abutting upon the streets of the city shall be assigned, designated and used on and after January 1, 1950, in the manner indicated and described upon the street name map, according to the following system:

(1) On Pacific Avenue, and all avenues and thoroughfares parallel with Pacific Avenue, the numbers east of

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Main Street shall commence with 1900 and increase in an easterly direction with even numbers on the south side of the street and odd numbers on the north side;

(2) On Pacific Avenue, and all avenues and thoroughfares parallel with Pacific Avenue, the numbers west of Main Street shall commence with 1900 and decrease in a westerly direction with even numbers on the south side of the street and odd number on the north side;

(3) On Main Street, and all streets and thoroughfares parallel with Main Street, the numbers north of Pacific Avenue shall commence with the number 2000 and increase in a northerly direction with even numbers on the west side of the street and odd numbers on the east side;

(4) On Main Street, and all streets and thoroughfares parallel with Main Street, the numbers south of Pacific Avenue shall commence with the number 1900 and decrease in a southerly direction with even numbers on the west side of the street and odd numbers on the east side.

(5) Wherever practicable, building and structure numbers shall be assigned at a frequency of each 20 feet.

(6) The plan of numbering is to be applied and extended throughout the present corporate limits of the city and into contiguous territory as may from time to time be annexed to the city.

9.215 520 House Numbers - Location and Type. House numbers shall be affixed in a conspicuous location which is clearly visible from the fronting street. Numbers shall be of contrasting color to the surface upon which they are affixed. They may be painted or metallic, plastic, wooden or ceramic fixtures, or other material that will not rust or corrode. For structures that are given street addresses subsequent to the effective date of this ordinance, numbers shall be at least four inches high. (ORD. 1997-14, 09/08/1997)

PARKWAY

9.3605 Parkway. Upon all residence streets and avenues the city shall reserve street widths as allowed by the land division ordinance for ordinary travel by the public.

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The remainder of the street or avenue, except that used for walks, shall be used as a parkway. The parties owning the abutting property shall have the right to enter upon and cultivate the parkway by planting grass, flowers, shrubs, or trees.

9.3610 **Abutting Owners Duty.** It shall be the duty of the abutting property owners to keep the parkway in good condition; to trim and care for any trees and shrubs; to care for the flowers or grass; and to maintain the parkway in a sightly condition.

9.3615 **Flowers and Fruits.** All flowers or fruit grown or produced on the parkway shall belong to and be at the disposal of the property owner who plants and cares for the plants.

9.3620 **Prohibitions.** No person shall cut, remove or deface any tree in the parkway without first obtaining the consent of the City Manager or designee. No person shall ride or drive or park any vehicle, trailer, camper or motor home upon the parkway. (Ord. 1997-14, 09/08/1997)

9.3625 **Entry.** The city may enter at any time upon the parkway and do necessary work upon water pipes, sewers, drainage, wiring, poles, etc. and may condemn the parkway when it deems necessary to properly conduct the business of the city.

9.3630 **Newspaper Receptacles.** Newspaper receptacles shall be located in compliance with the following requirements:

(1) Newspaper receptacles located within a street right-of-way will be permitted in only the parkway portion of the right-of-way and only if attached to the structural supports of mailboxes.

(2) Newspaper receptacles placed on private property shall not be allowed to protrude or extend into any portions of the public street right-of-way.

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COMPREHENSIVE PLAN

9.5700 Adoption.

(1) The following portions of the Forest Grove Comprehensive Plan, being necessary for the effective implementation of the Plan, and accurate interpretation of the goals and policies, bearing the date September 8, 1980, and by reference incorporated herein, are hereby adopted:

- Chapter II - The Planning Process
- Chapter III - Goals and Policies, and the Citizen Involvement Plan
- Chapters V, VII, VIII, IX, XI and - Summary of Findings, Goals and Policies, and Implementation
- Chapter VI - Summary of Findings, Goals and Policies, Acknowledgement of Responsibility, and Implementation
- Chapter X - Summary of Findings, Goals and Policies, Urban Growth Boundary and Findings, and Implementation
- Chapter XIII - Findings, Goals and Policies, Master Water Plan, Master Sewer Plan, Acknowledgement of Responsibility, and Implementation

The Comprehensive Plan Map

(2) The complete text of the Comprehensive Plan, as amended, and the Comprehensive Plan Map are on file in the office of the City Recorder.

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ZONING

~~9.600 Adoption of Zoning Ordinance. There is hereby adopted as the zoning ordinance of the city of Forest Grove the Zoning Ordinance, marked Exhibit A, and by this reference incorporated herein. The complete text of the Zoning Ordinance, as amended, and the Zoning Map are on file in the office of the city recorder.~~

9.600 Repealed in its entirety per ORD. 2009-04, 03/09/09

EROSION CONTROL STANDARDS

(Adopted by ORD. 1989-13, 11/27/89)

~~9.701~~ 805 Definitions:

As used in Section 9.702 the following means:

(1) "Land Development" refers to any human-induced change to improved or unimproved real estate, including but not limited to construction, installation or expansion of a building or other structure, land division, drilling, site alteration such as that due to land surface mining, dredging, grading, construction of earthen berms, paving, improvements for use as parking or storage, excavation or clearing.

(2) "Erosion Control Plan" shall be a plan containing a list of best management practices to be applied during construction to control and limit soil erosion.

(3) "Public Works Project" means any land development conducted or financed by a local, state, or federal governmental body.

~~9.702~~ 810 The following subsections shall apply to any new land development within the City, except those developments with application dates prior to January 1, 1990. The application date shall be the date on which a complete application for development approval is received by the City in accordance with the regulations of the City.

(1) For land development, no preliminary plat,

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site plan, permit or public works project shall be approved by the City unless the conditions of the plat permit or plan approval includes an erosion control plan containing methods and/or interim facilities to be constructed or used concurrently with land development and to be operated during construction to control the discharge of sediment in the stormwater runoff. The Erosion Control Plan shall utilize:

(a) Protection techniques to control soil erosion and sediment transport to less than one ton per acre per year as calculated using the soil conservation service universal soil loss equation or other equivalent methods. The Erosion Control Plan shall include temporary sedimentation basins when, because of steep slopes or other sites specific considerations, other on-site sediment control methods will not likely keep the sediment transport to less than one ton per acre per year. The City may establish additional requirements for meeting an equivalent degree of control. Any sediment basins constructed shall be sized using 1.5 feet minimum sediment storage depths plus 2.0 feet storage depth above for a settlement zone. The storage capacity of the basin shall be sized to store all of the sediment that is likely to be transported and collected during construction while the erosion potential exists. When the erosion potential has been removed, the sediment basin, or other sediment facilities, can be removed and the site restored as per the final site plan. All sediment basins shall be constructed with an emergency overflow to prevent erosion or failure of the containment dike, or

(b) A soil erosion matrix derived from and consistent with the universal soil loss equation approved by the City.

COMPENSATION UNDER ARTICLE 1, SECTION 18, OF THE CONSTITUTION OF OREGON (BALLOT MEASURE 7, PASSED NOVEMBER 7, 2000)

(ORD. 2000-12, 11/28/2000; ORD. 2000-48, 11/27/2000; Repealed in its entirety per ORD. 2003-05, 01/13/2003)

ORDINANCE NO. 2009-05

**ORDINANCE ADOPTING CITY OF FOREST GROVE DESIGN GUIDELINES,
AND DECLARING AN EMERGENCY**



WHEREAS, the Development Code adopted by Ordinance Number 2009-01 establishes clear and objective design standards; and

WHEREAS, pursuant to ORS 197.610 and Metro Code, notice with a copy of the proposed design guidelines was sent to Department of Land Conservation and Development, Department of Transportation and Metro on July 1, 2008; and

WHEREAS, notice announcing the Planning Commission hearing was also published in the Forest Grove *News Times* on August 6 and 13, 2008, and published on February 18, 2009, for the City Council hearing; and

WHEREAS, the Planning Commission conducted a public hearing on August 18, 2008 and continued to September 15, October 6, October 20, November 3, November 17 and December 15, 2008, and January 5, 2009; and

WHEREAS, the City Council conducted work sessions on January 26 and February 9, 2009, and conducted a public hearing on February 23 and March 9, 2009.

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1. The Forest Grove City Council does hereby approve and adopt the Design Guidelines as included in Exhibit A.

Section 2. The Forest Grove City Council adopts the following reports, analysis and findings in support of this action:

1. Adopts by reference the staff report, including findings and recommendations, dated August 11, 2008 and memos dated January 5, January 26, February 12, February 23, and March 9, 2009.
2. Finds that there is a public need to adopt design guidelines to offer an alternative way to achieve well design developments in the Town Center area as well as for commercial and multi-family residential developments.

Section 3. It is hereby found and determined that adoption of this ordinance is immediately necessary, due to the current ambiguity of existing policies pertaining to the implementation of the current Zoning and Land Division ordinances, for preservation of public, health, safety and welfare; and therefore, an emergency is declared to exist and this ordinance shall become effective immediately upon its adoption.

PRESENTED AND PASSED the first reading the 9th day of March, 2009.

PASSED the second reading the 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

Exhibit A
Design Guidelines



TO: City Council

FROM: Michael Sykes, City Manager
Rob Foster, Director of Public works

DATE: February 27, 2009

RE: 18th Avenue Sidewalk Improvements (CDBG #9110)
'A' Street Public Improvements (CDBG #0127)

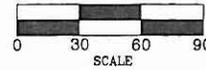
Background: City staff has prepared plans for public improvements to, 18th Avenue from Hawthorne to Maple Street, and 'A' Street from 23rd Avenue to 26th Avenue. Staff will present the 80% complete plans for Council approval on March 9, 2009.

18th Avenue: This project will construct sidewalks along 18th Avenue between Hawthorne and Maple Streets in the vicinity of Joseph Gale School. The City applied for and received Block Grant funding through the Washington County Office of Community Development with approval coming in July of 2007. The estimated total cost for these improvements is \$190,000 of which \$85,000 will come from Block Grant funds.

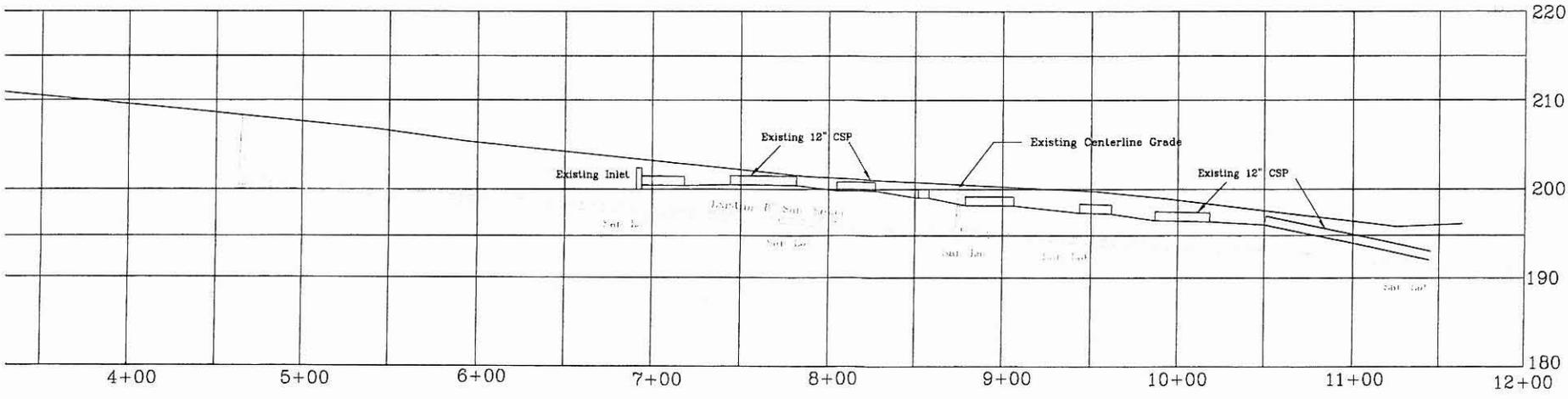
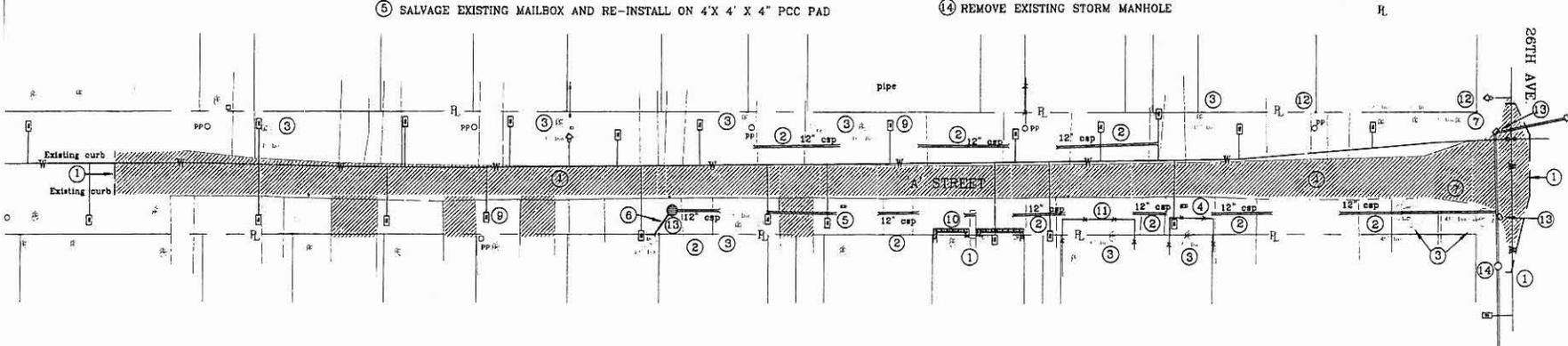
'A' Street: This project will improve a portion of 'A' Street between 23rd Avenue and 26th Avenue to City standards. The City applied for and received Block Grant funding through the Washington county Office of Community Development with approval coming in July of 2008. 'A' Street is currently fully improved (curbs and sidewalks) from 23rd Avenue north approximately 300 feet. This project will improve the remaining approximate 700 feet north to 26th Avenue with the installation of curbing, sidewalks, driveways, storm sewer, asphalt pavement, and landscape elements. The estimated cost for this project is \$317,000 with \$148,000 being Block Grant funds.

City staff has been corresponding with residents in the area about the upcoming projects. Staff held an Open House on January 14, 2009 in the Community Auditorium so persons interested in the projects could see the preliminary designs and have input. The response by area residents to these projects has been very positive.

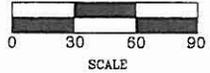
Recommendation: City staff is asking for Council approval to proceed with the bidding and construction of these projects.



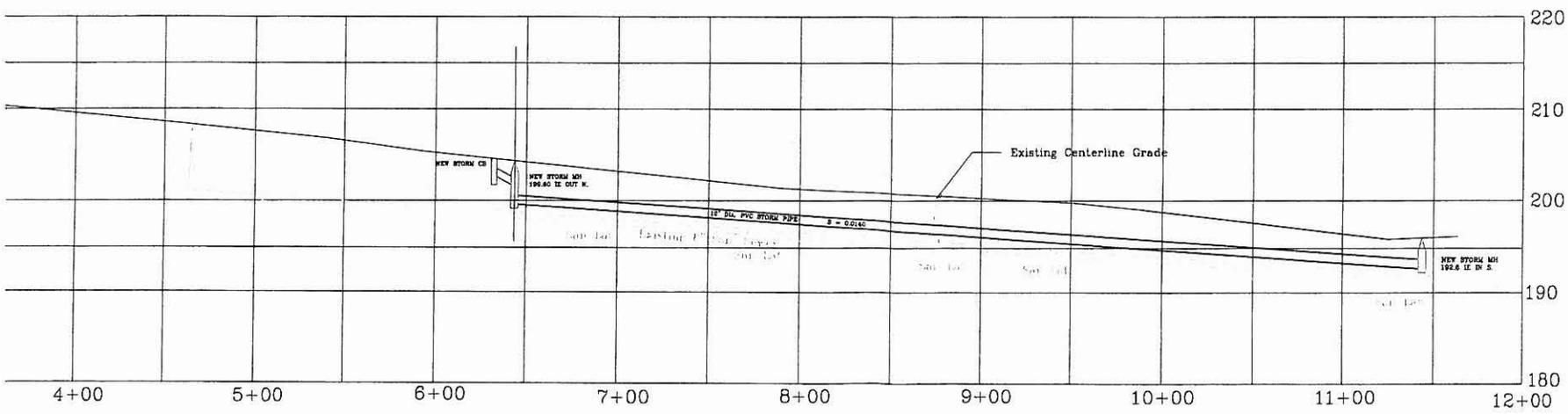
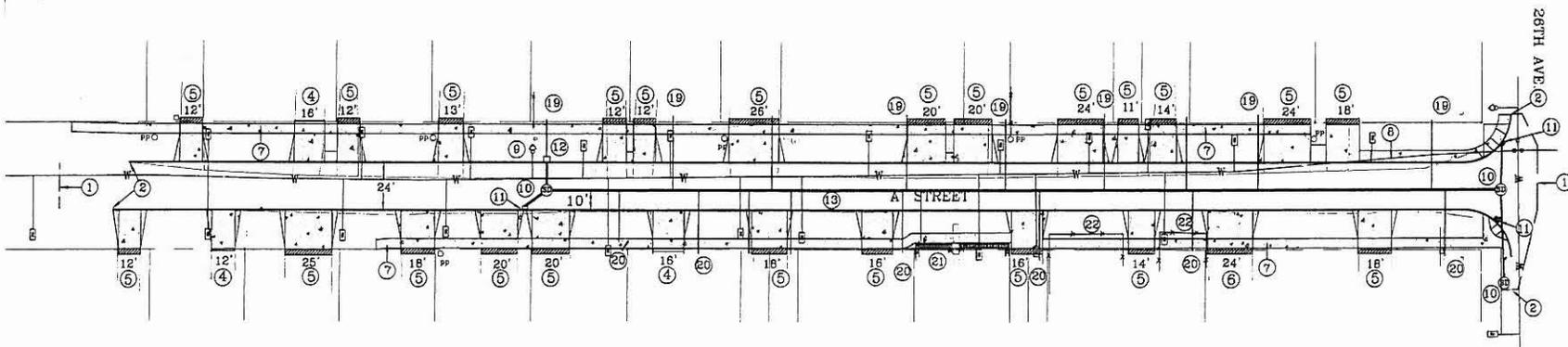
- ① SAW-CUT AND REMOVE EXISTING ASPHALT PAVEMENT/
PCC CURB/ PCC SIDEWALK
- ② REMOVE EXISTING STORM SEWER PIPING AND LOCATE
CONNECTIONS FOR TO NEW STORM SEWER. BACKFILL
DITCH LINES WITH CRUSHED AGGREGATE
- ③ REMOVE EXISTING TREES/SHRUBS AND REMOVE OR GRIND STUMPS
TO BELOW PROPOSED GRADE.
- ④ SALVAGE EXISTING MAILBOXES AND REINSTALL ON NEW POSTS.
- ⑤ SALVAGE EXISTING MAILBOX AND RE-INSTALL ON 4'X 4' X 4" PCC PAD
- ⑥ CUT OFF AND MARK EXISTING RAIN DRAIN PIPING FOR FUTURE CONNECTION
- ⑦ SALVAGE EXISTING STREET SIGN AND INSTALL ON NEW POST.
- ⑧ PROTECT EXISTING TREE
- ⑨ ADJUST WATER METER BOXES TO NEW GRADE (TYP)
- ⑩ PROTECT EXISTING ROCK PLANTER
- ⑪ REMOVE AND RECONSTRUCT EXISTING FENCE 7' EAST
- ⑫ PROTECT EXISTING SURVEY MARKERS
- ⑬ REMOVE EXISTING CATCH BASIN
- ⑭ REMOVE EXISTING STORM MANHOLE



DESIGNED: NTK	DRAWN: NTK	CHECKED: RLF	DATE: FEB 2009
NO. DATE	REVISION	BY	SCALE



- ① SAW-CUT AND BEGIN REMOVAL OF EXISTING ASPHALT PAVEMENT. PCC CURB, PCC SIDEWALK
- ② BEGIN INSTALLATION OF STANDARD PCC CURB/SIDEWALK. TIE IN TO MATCH EXISTING CURB/SIDEWALK
- ③ INSTALL WC RAMP
- ④ INSTALL PCC RESIDENTIAL DRIVEWAY/MATCH EXISTING PCC DRIVEWAY WIDTH AS SHOWN
- ⑤ INSTALL PCC RESIDENTIAL DRIVEWAY WITH ASPHALT TRANSITION WIDTH AS SHOWN
- ⑥ INSTALL PCC COMMERCIAL DRIVEWAY WITH ASPHALT TRANSITION WIDTH AS SHOWN
- ⑦ INSTALL NEW PCC SIDEWALK 5' WIDTH
- ⑧ INSTALL NEW PCC SIDEWALK 6' WIDTH
- ⑨ REMOVE EXISTING FIRE HYDRANT/INSTALL NEW HYDRANT ASSEMBLY
- ⑩ INSTALL NEW SHALLOW STORM DRAIN MANHOLE
- ⑪ INSTALL NEW CATCH BASIN
- ⑫ INSTALL NEW CURB INLET
- ⑬ INSTALL 500 LF OF 12" DIA C900 PVC STORM SEWER PIPING S = 0.014
- ⑭ REMOVE EXISTING STORM SEWER MANHOLE
INSTALL NEW SHALLOW STORM MANHOLE
- ⑮ INSTALL SALVAGED STOP SIGN ON NEW POST
- ⑯ INSTALL SALVAGED STREET SIGN ON NEW POST
- ⑰ INSTALL SALVAGED NO PARKING SIGN ON NEW POST
- ⑱ INSTALL SALVAGED MAILBOX ON 4' X 4' X 4" PCC PAD
- ⑲ INSTALL 37 LF OF 4" DIA. C900 PVC PIPE STORM LATERAL (S = 0.010)
- ⑳ INSTALL 31 LF OF 4" DIA C900 PVC PIPE STORM LATERAL (S = 0.010)
- ㉑ PROTECT EXISTING ROCK PLANTER
- ㉒ MOVE EXISTING WOOD FENCE 7' EAST.



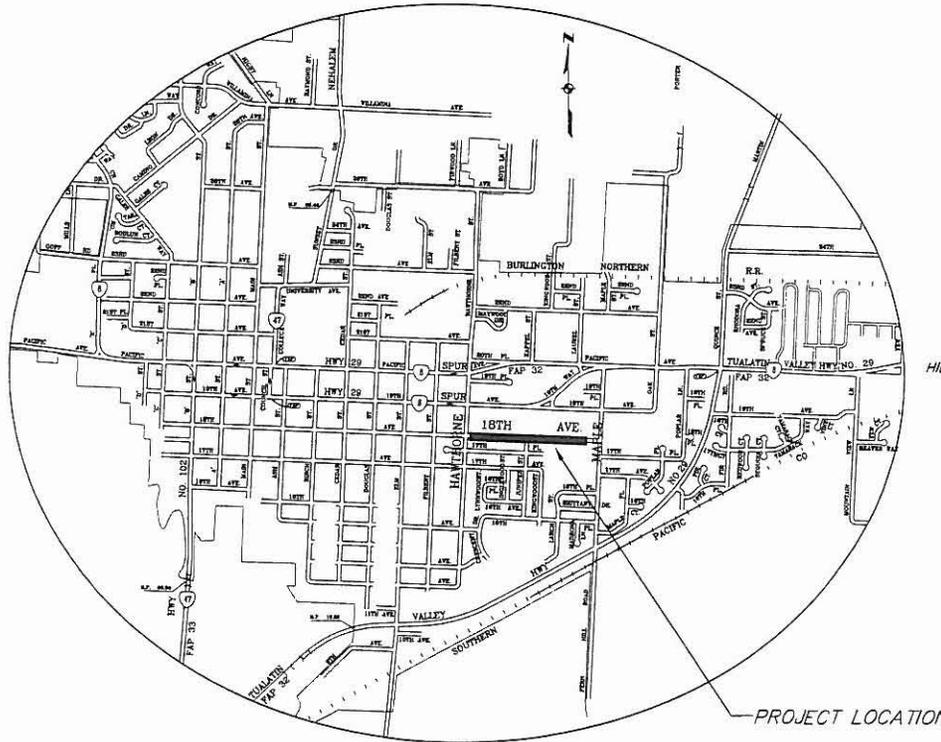
NO.	DATE	REVISION	BY	SCALE
DESIGNED: NTK	DATE: FEB 2009			
DRAWN: NTK	CHECKED: BAF			

'A' STREET PUBLIC IMPROVEMENTS
CDBG #0127

SHEET
3

CITY OF FOREST GROVE 18TH AVENUE SIDEWALK IMPROVEMENT PROJECT FOREST GROVE, OREGON

CDBG # 9110
MARCH 2009



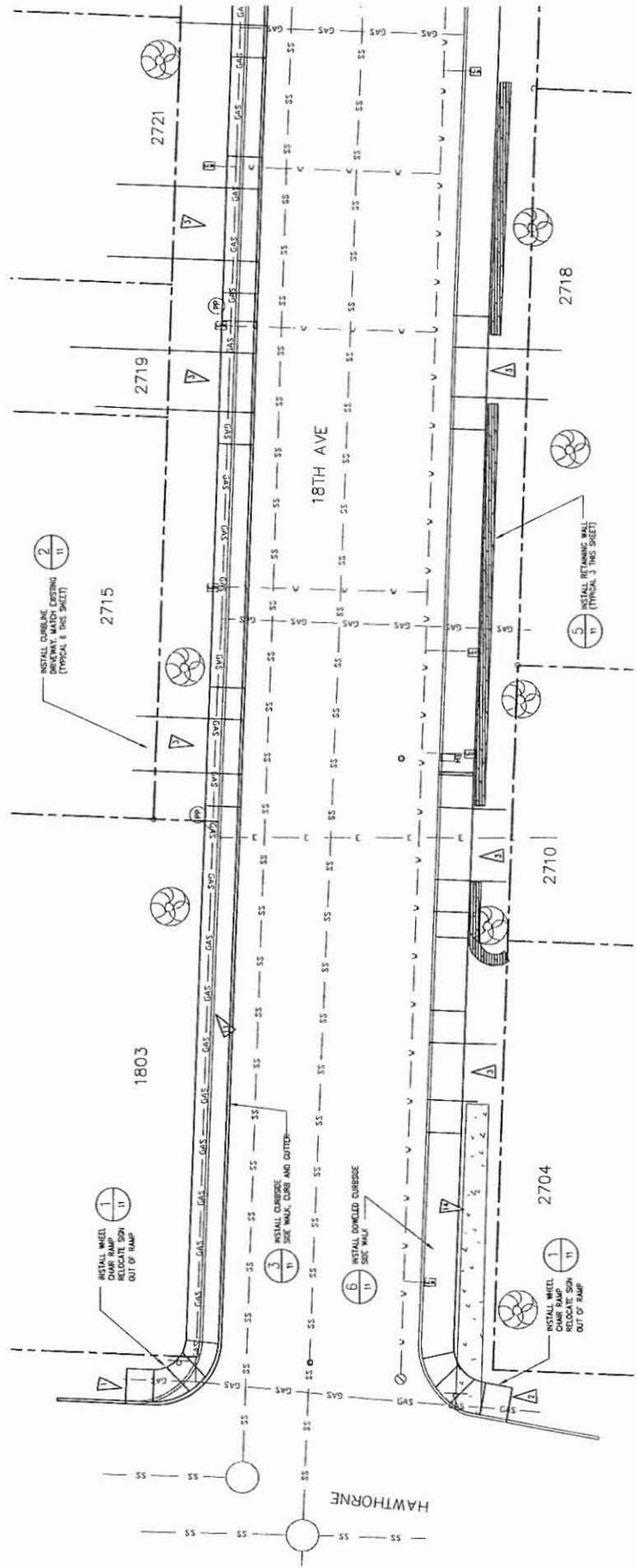
CITY OF FOREST GROVE
VICINITY MAP
N.T.S.

UTILITY CONTACTS		
Agency	Contact	Telephone
City of Forest Grove		
Engineering	Derek Robbins	503-992-3292
Light & Power	Nick LaFollet	503-992-3255
Water Dept.	Lenny Somnick	503-992-3258
Private Utilities		
Verizon (Telephone)	Jackie Beach	503-630-9827
Comcast (Cable)	David Hirschert	503-650-4530
N.W. Natural Gas	Giff Crewford	503-226-4211

SHEET INDEX	
SHEET	TITLE
1 OF 11	Title Sheet
2 OF 11	CONSTRUCTION NOTES
3 OF 11	STREET PLAN
4 OF 11	STREET PLAN
5 OF 11	STREET PLAN
6 OF 11	STREET PLAN
7 OF 11	STREET PLAN
8 OF 11	STREET PLAN
9 OF 11	STREET PLAN
10 OF 11	STREET PLAN
11 OF 11	DETAILS

80 % SUBMITTAL

<p>USE OF DOCUMENTS</p> <p>THIS DOCUMENT, INCLUDING THE INCORPORATED DESIGN, IS AN INSTRUMENT OF SERVICE FOR THIS PROJECT AND SHALL NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CITY OF FOREST GROVE.</p>	<p>SCALES</p> <p>0" = 1' = 30mm</p> <p>IF THIS BAR IS NOT DIMENSION SHOWN, ADJUST SCALES ACCORDINGLY.</p>		<p>DESIGNED: DJR</p> <p>DRAWN: DJR</p> <p>CHECKED: NWK / DJR</p>	<p>18TH AVENUE SIDEWALK IMPROVEMENT PROJECT</p> <p>City of Forest Grove Engineering Department</p> <p>1924 Council Street, P.O. Box 326, Forest Grove, OR 97116</p>		<p>TITLE SHEET, VICINITY MAP, AND LIST OF DRAWINGS</p>	<p>FILE NAME: SHEET 1</p> <p>JOB NO:</p> <p>DATE: MARCH 2009</p> <p>SHEET: 1</p>
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- NOTES**
- 1. BEGN CONSTRUCTION OF NEW PCC SIDEWALK AND PCC CURB AND GUTTER.
 - 2. BEGN CONSTRUCTION OF NEW PCC SIDEWALK.
 - 3. MATCH NEW PCC DRIVEWAY TO EXISTING AND EXTEND WORK BACK FOR SMOOTH TRANSITION. EXISTING CONCRETE DRIVEWAYS SHALL BE REPLACED BACK TO NEAREST JOINT. EXISTING WINGS SHALL BE REPLACED TO MATCH ADJACENT SURFACE.
 - 4. PROTECT EXISTING SURVEY MONUMENT.
 - 5. EXPANSION JOINTS AND CONSTRUCTION JOINTS SHALL CONFORM TO CITY STANDARD DETAILS.
 - 6. RECONNECT EXISTING RAIN DRAINS.
 - 7. INSTALL SALVAGED STREET SIGNS ON NEW POST.
 - 8. REMOVE TREE.
 - 9. REMOVE EXISTING CURB AND SAW CUT EXISTING ASPHALT PAVEMENT. REPLACE WITH NEW PCC SIDEWALK, CURB, AND GUTTER.
 - 10. REMOVE EXISTING SIDEWALK AND REPLACE WITH MINIMUM 1 FT TOP SOIL AND SEED LANA.
 - 11. CITY OF FOREST GROVE CHECKS TO RELOCATE WATER METERS AND WATER INKS.
 - 12. ADJUST ALL WATER METER BOXES WITHIN LIMITS OF NEW SIDEWALK TO FINISH GRADE.
 - 13. REPLACE ALL WEHPILES FOR CITY STANDARD. SEE DETAIL 4 SHEET 1.
 - 14. INSTALL AND MAINTAIN BOOTLETS BAGS AROUND INLET DURING CONSTRUCTION.
 - 15. REMOVE MAILBOX/PAPER BOX AND POST AND REPLACE IN SAME LOCATION RELATIVE TO STREET CONTACT. LOCAL MAIL/PAPER BRANCH AND COORDINATE WITH PROPERTY OWNER FOR ALTERNATE DELIVERY LOCATION DURING CONSTRUCTION.

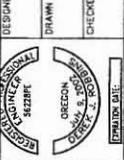
PLAN
 SCALE 1" = 20'

80% SUBMITTAL



18TH AVENUE SIDEWALK
 IMPROVEMENT PROJECT
 City of Forest Grove Engineering Department
 1924 Grand Street, P.O. Box 238, Forest Grove, OR 97116

DESIGNED	DM
DRAWN	DM
CHECKED	DK



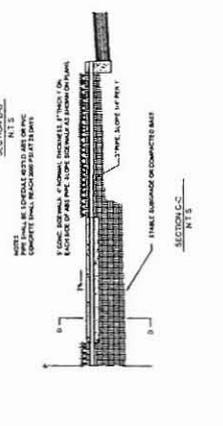
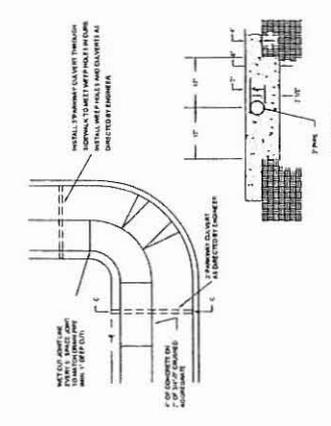
SCALES
 0 1' 25mm
 0 1" 25mm
 IF THIS DRAWING IS NOT
 ACCURATELY REPRODUCED,
 IT SHALL BE CONSIDERED
 VOID.

NO.	REVISION	DATE	BY

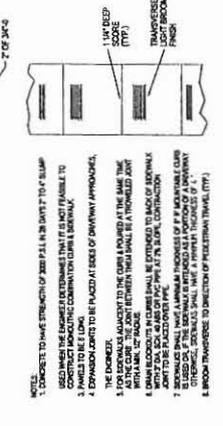
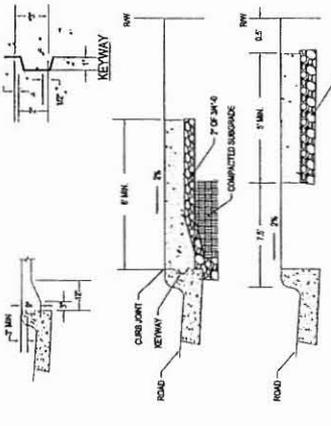
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FULL NAME	DM
JOB NO.	
DATE	MARCH 2009
SHEET	3

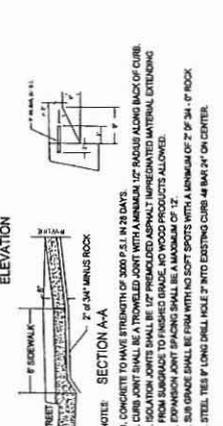
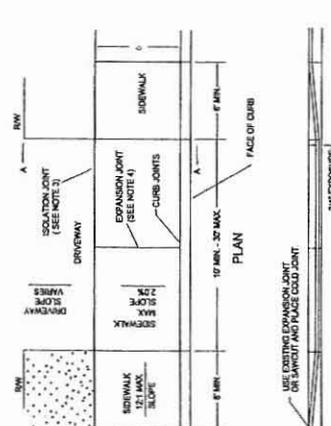
STREET PLAN



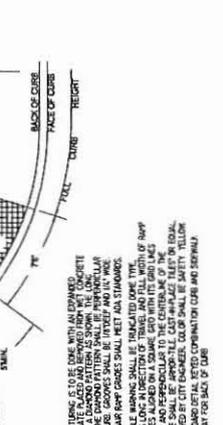
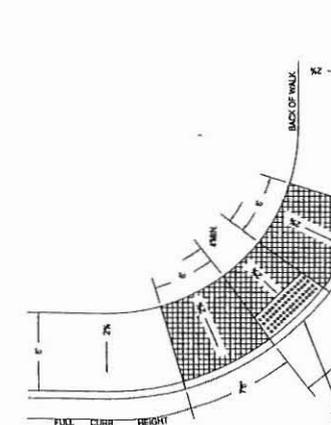
SIDEWALK CURB RAMP
SCALE: NTS



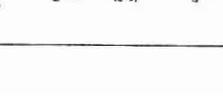
CONCRETE SIDEWALK
SCALE: NTS



RESIDENTIAL DRIVEWAY
SCALE: NTS

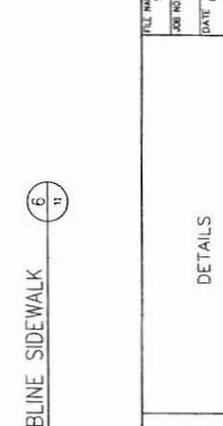
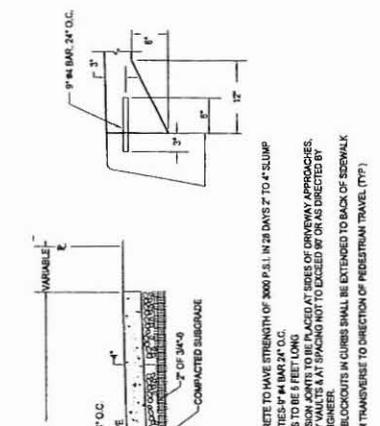


RETAINING WALL DETAIL
SCALE: NTS

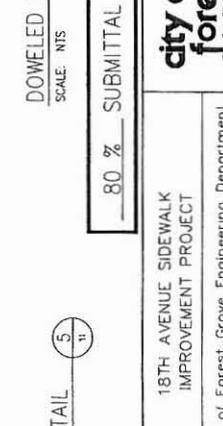
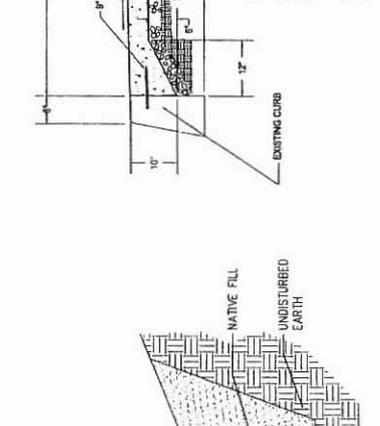


DOWELED CURBLINE SIDEWALK
SCALE: NTS

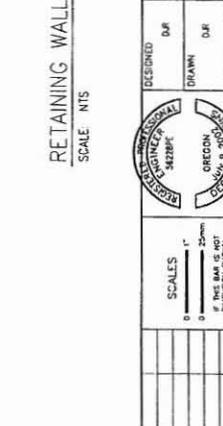
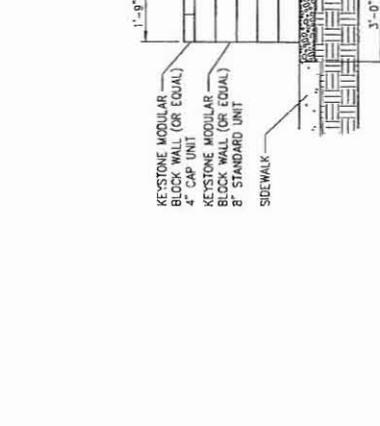
SIDEWALK RAIN DRAIN
SCALE: NTS



CONCRETE SIDEWALK
SCALE: NTS



RESIDENTIAL DRIVEWAY
SCALE: NTS



SIDEWALK CURB RAMP
SCALE: NTS



RETAINING WALL DETAIL
SCALE: NTS



DOWELED CURBLINE SIDEWALK
SCALE: NTS

SIDEWALK RAIN DRAIN
SCALE: NTS

NOTES:
1. CONCRETE TO HAVE STRENGTH OF 3000 P.S.I. IN 28 DAYS 7' TO 4' SLUMP
2. STEEL TIES P#4 BAR 24" O.C.
3. PANELS TO BE 8 FEET LONG
4. UTILITY WALKS AT SPACING NOT TO EXCEED 60' OR AS DIRECTED BY THE ENGINEER.
5. DRAIN BLOCKOUTS IN CURBS SHALL BE EXTENDED TO BACK OF SIDEWALK
6. BROOM TRANSVERSE TO DIRECTION OF PEDESTRIAN TRAVEL (TYP.)

NOTES:
1. CONCRETE TO HAVE STRENGTH OF 3000 P.S.I. IN 28 DAYS 7' TO 4' SLUMP
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3. PANELS TO BE 8 FEET LONG
4. UTILITY WALKS AT SPACING NOT TO EXCEED 60' OR AS DIRECTED BY THE ENGINEER.
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6. BROOM TRANSVERSE TO DIRECTION OF PEDESTRIAN TRAVEL (TYP.)

NOTES:
1. CONCRETE TO HAVE STRENGTH OF 3000 P.S.I. IN 28 DAYS
2. CURB JOINT SHALL BE A TROWELED JOINT WITH A MINIMUM 1/2" RADIUS ALONG BACK OF CURB.
3. ISOLATION JOINTS SHALL BE 1/2" PRECURED ASPHALT IMPREGNATED MATERIAL, EXTENDING THROUGH THE ENTIRE CURB AND SIDEWALK.
4. EXPANSION JOINT SPACING SHALL BE A MAXIMUM OF 32'.
5. SUB GRADE SHALL BE FIRM WITH NO SOFT SPOTS WITH A MINIMUM OF 2" OF 3/4" OF ROCK
6. STEEL TIES P#4 LONG SHALL HOLE 2" INTO EXISTING CURB 4" BAR 24" ON CENTER.

NOTES:
1. RAMP PAVING IS TO BE DONE WITH AN EDGED CURB TO BE PLACED IN POSITION TO LEAVE A FINISHED RAMP AS SHOWN. THE CURB SHALL BE 1/2" HIGH AND 1/2" WIDE TO THE CURB. GROOVES SHALL BE 1/2" DEEP AND 1/2" WIDE.
2. WHEEL CHAIR RAMP GROOVES SHALL MEET ADA STANDARDS.
3. DETECTABLE WARNING STRIPS TO BE PLACED AT THE END OF EACH RAMP AND AT THE END OF EACH RAMP. THE STRIPS SHALL BE 1/2" HIGH AND 1/2" WIDE.
4. RAMP SHALL BE APPROX. 1/2" SLOPE UP OR DOWN.
5. AS APPROVED BY CITY ENGINEER, COLOR SHALL BE SAFETY YELLOW FOR SIDEWALK, SAFETY YELLOW FOR DRIVEWAY, AND SAFETY YELLOW FOR DRIVEWAY FOR BACK OF CURB.

NOTES:
1. CONCRETE TO HAVE STRENGTH OF 3000 P.S.I. IN 28 DAYS 7' TO 4' SLUMP
2. STEEL TIES P#4 BAR 24" O.C.
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5. DRAIN BLOCKOUTS IN CURBS SHALL BE EXTENDED TO BACK OF SIDEWALK
6. BROOM TRANSVERSE TO DIRECTION OF PEDESTRIAN TRAVEL (TYP.)

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CHECKED	NK

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18TH AVENUE SIDEWALK IMPROVEMENT PROJECT
City of Forest Grove Engineering Department
1924 Coated Street, P.O. Box 336, Forest Grove, OR 97116

80% SUBMITTAL

DETAILS

city of forest grove

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March 9, 2009

**REPORT AND RESOLUTION REQUESTING TO RESCHEDULE
THE MARCH 23, 2009, CITY COUNCIL MEETING TO MONDAY, MARCH 30, 2009**

**Project Team: Michael Sykes, City Manager
Anna D. Ruggles, CMC, City Recorder**

BACKGROUND:

Section III (A) of the Forest Grove City Council Rules and Procedures requires the Council to designate by resolution the meeting dates of the Council. Council adopted Resolution No. 2009-01 setting Council meeting dates for 2009.

DISCUSSION:

Management staff is seeking City Council approval to reschedule the March 23, 2009, regular City Council meeting to Monday, March 30, 2009, due to spring break and Council members who are unavailable that week.

RECOMMENDATION:

Management staff is requesting that City Council consider adopting the attached resolution approving to reschedule the March 23, 2009, regular City Council meeting to Monday, March 30, 2009.

RESOLUTION NO. 2009-18**RESOLUTION APPROVING TO RESCHEDULE THE MARCH 23, 2009,
CITY COUNCIL MEETING TO MONDAY, MARCH 30, 2009**

WHEREAS, Section III (A) of the Forest Grove City Council Rules and Procedures requires the Council to designate by resolution the meeting dates of the Council; and

WHEREAS, Council adopted Resolution No. 2009-01 setting Council meeting dates for 2009; and

WHEREAS, the Council desires to reschedule the March 23, 2009, regular City Council meeting to Monday, March 30, 2009, due to spring break and council members who are unavailable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The Forest Grove City Council hereby approves rescheduling the regular City Council meeting for Monday, March 23, 2009, to be held on Monday, March 30, 2009.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

March 9, 2009

**REPORT AND RESOLUTION ADOPTING CITY COUNCIL GOAL OBJECTIVES
FOR FISCAL YEAR JULY 1, 2009, THROUGH JUNE 30, 2010**

**Project Team: Michael J. Sykes, City Manager
Department Directors
Anna D. Ruggles, CMC, City Recorder**

BACKGROUND:

Each year the governing body sets broad goals and objectives to help guide City administration and departments as they plan for the upcoming budget year.

DISCUSSION:

City Council adopted three key Council Goals for Fiscal Year 2009-10 pursuant to Resolution No. 2009-15. City Council and management staff met in Council Goal Setting Work Sessions on February 9 and February 23, 2009, to discuss goal objectives for Fiscal Year 2009-10. Council identified, ranked, and prioritized the Council Goal Objectives for Fiscal Year 2009-10 (refer to Exhibit A). The intent of asking for Council priority goals/objectives for the coming fiscal year is to know if there are specific goals/objectives that require budget and/or staff resources in order to be accomplished.

Upon adoption of the City Council Goal Objectives for Fiscal Year 2009-10, Department Directors will be asked to incorporate the priority Council goals/objectives into their 12-month work plans. It is recognized that not all of the objectives can be financially accomplished in the upcoming budget year; however, this will provide a framework for each department to focus their activities and prioritize resources during budget preparations. In some cases, funds may be available; in other cases, this will help guide efforts to find resources, such as grants. Department Directors will be presenting their finalized department work plans to Council at the meetings scheduled for March 30, April 13, and April 27, 2009.

RECOMMENDATION:

Management staff is requesting that City Council approve the attached resolution adopting the City Council Goal Objectives for Fiscal Year 2009-10.

RESOLUTION NO. 2009-19**RESOLUTION OF THE CITY OF FOREST GROVE CITY COUNCIL
ADOPTING CITY COUNCIL GOAL OBJECTIVES FOR FISCAL YEAR 2009-10**

WHEREAS, the City Council adopted three key Council Goals for Fiscal Year 2009-10 pursuant to Resolution No. 2009-15; and

WHEREAS, the City Council and Management Team met in Council Goal Setting Work Sessions on February 9 and February 23, 2009, to discuss goal objectives for Fiscal Year 2009-10; and

WHEREAS, the City Council has identified, ranked, and prioritized the City Council Goal Objectives for Fiscal Year 2009-10 as attached in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. That the City of Forest Grove City Council hereby adopts the City Council Goal Objectives for Fiscal Year 2009-10 as attached in Exhibit A.

Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 9th day of March, 2009.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 9th day of March, 2009.

Richard G. Kidd, Mayor

**2009-10 CITY COUNCIL
GOALS AND OBJECTIVES**

Resolution No. 2009-19
Exhibit A
Final Score Sheet

GOAL 1										
PROMOTE SAFE, LIVABLE, AND SUSTAINABLE NEIGHBORHOODS AND A PROSPEROUS DYNAMIC GREEN CITY										
										Total Scoring:
Promote Code/Ordinances Enforcement										27
Continue pressure for David Hill connection										26
Continue pressure for new Post Office or retail store in Town Center; alternative drop sites										25
Light Rail; high-capacity transit										25
Acquire grant - Fernhill Wetlands shelter & restrooms										25
Acquire grant - next section of Trails Master Plan										25
Economic Development Employment/Training Center										24
Promote Emerald Necklace										24
Complete Transportation System Plan										24
Facility Master Plan (submit staff recommendations)										23
New Charter										23
Complete Periodic Review										22
Install sidewalks near schools and bus #57 stop										21
Evaluate Biomass; alternative energy sources										20
Support FG Senior and Community Center										20
Certify Gales Creek										20

