

CITY COUNCIL MONTHLY MEETING CALENDAR

May-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			Municipal Court 1	Budget Committee & URA Meetings (1st) 6pm - Comm Aud EDC Noon <i>Mayor Truax out JPACT until 05/3</i>	CEP Allocations Due FGS&CC 1st Friday	
5	Planning Comm 7pm	6 CCI 5:30pm WC Fire Task Force TBD FG Tuality HC Forum, 6pm Comm Aud	7 Sister Cities 4:45pm	8 Municipal Court	9 Budget Committee & URA Meetings (2nd) 6pm - Comm Aud PAC 5pm	10 11
12	CITY COUNCIL 5:30 PM - CEPC ADVISORY MEETING 6:15 PM - URBAN RENEWAL MEETING 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	13 Red Cross Blood Drive 1pm-6pm, Comm Aud Library Comm 6:30pm	14 P&R 7am CFC 5:15pm	15 Municipal Court	16 Budget Committee & URA Meetings (3rd TBD) 6pm - Comm Aud	17 18
19	Chamber Luncheon Planning Comm 7pm	20 FG/Nyuzen Delegation 5:30pm HLB 6:30pm	21 PSAC (Mtg canceled)	22 Municipal Court	23 Sustainability 6pm <i>Councilor Rippe out</i>	24 25
26	CITY OFFICES CLOSED	27 CITY COUNCIL 5:30 PM - EXECUTIVE SESSION (CM Eval) 6:00 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM <i>Councilor Wenzl out</i>	28 FG Tuality HC Forum, 6pm	29	30	31
Jun-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	Planning Comm 7pm	3 CCI 5:30pm	4 Municipal Court	5 EDC Noon	6 FGS&CC 1st Friday	7 8
9	CITY COUNCIL 5:30 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM <i>Council's CM Evaluation Due</i>	10 Red Cross Blood Drive 1pm-6pm, Comm Aud Library Comm 6:30pm	11 Sister Cities 4:45pm TBA	12 PAC 5pm	13 FG/Nyuzen Delegation Visit (Mayor Truax & Councilor Thompson depart 06/12)	14 18 LOC Board Mtg
16	Chamber Luncheon	17 FG/Nyuzen Delegation Visit (Mayor Truax & Councilor Thompson return 06/19)	18 P&R 7am	19	20	21 22 Coffee w/Cop
23	CITY COUNCIL 5:30 PM - EXECUTIVE SESSION (CM Eval) 6:00 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	24 Red Cross Blood Drive (Extra) 1pm-6pm, Comm Aud HLB 6:30pm	25 Municipal Court	26 PSAC (Mtg Canceled)	27 Sustainability 6pm	28 29
30						
Jul-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Planning Comm 7pm	1 CCI 5:30pm	2	3 CITY OFFICES CLOSED	4 FGS&CC 1st Friday	5 6
7	CITY COUNCIL 5:30 PM - EXECUTIVE SESSION (CM Eval) 6:00 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	8 Red Cross Blood Drive 1pm-6pm, Comm Aud Library Comm 6:30pm	9 Municipal Court	10 EDC Noon PAC 5pm	11	12 13 FGS&CC Cruis'n Grove
14	Chamber Luncheon Planning Comm 7pm	15 <i>City Manager's OCCMA Conference out until 07/12</i>	16 P&R 7am CFC 5:15pm	17	18	19 20
21	Pacific University Concourse NO CITY COUNCIL MEETING SCHEDULED	22 HLB 6:30pm	23 Municipal Court	24 PSAC 7:30am	25 Sustainability 6pm	26 27
28		29	30	31		

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A place where families and businesses thrive.

CITY COUNCIL MEETING AGENDA

MONDAY, MAY 13, 2019

**5:30 PM – CEPC Advisory Committee Meeting
6:15 PM – Urban Renewal Agency Meeting
7:00 PM – City Council Regular Meeting**

**Community Auditorium
1915 Main Street
Forest Grove, OR 97116**

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit <http://www.tvctv.org/government-programming/government-meetings/forest-grove>.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President
Timothy A. Rippe
Ronald C. Thompson

Elena Uhing
Adolph “Val” Valfre, Jr.
Malynda H. Wenzl

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➔ **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.

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<p>(PowerPoint Presentation) Paul Downey, Administrative Services Director Bev Maughan, Executive Assistant Jesse VanderZanden, City Manager</p>	<u>5:30</u>	<p><u>SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM ADVISORY COMMITTEE (CEPC) MEETING</u> The Solid Waste Community Enhancement Program Advisory Committee (CEPC) will convene in the Community Auditorium. <i>(Refer to separate meeting agenda and packet)</i></p>
	<u>6:15</u>	<p><u>URBAN RENEWAL AGENCY MEETING:</u> The Forest Grove Urban Renewal Agency Board will convene in the Community Auditorium to conduct an Urban Renewal Agency Meeting. <i>(Refer to separate agenda).</i></p>
	<u>7:00</u>	<p>1. <u>REGULAR MEETING:</u> Roll Call and Pledge of Allegiance</p> <p>1. A. <u>PROCLAMATION:</u></p> <ul style="list-style-type: none"> • <i>Emergency Medical Services Week, presenting to Metro West Ambulance</i> <p>2. <u>CITIZEN COMMUNICATIONS:</u> Anyone wishing to speak to Council on an item <u>not on the agenda</u> may be heard at this time. <i>Please sign-in before the meeting on the Citizen Communications form posted in the foyer.</i> In the interest of time, please limit comments to two minutes. Thank you.</p> <p>3. <u>CONSENT AGENDA:</u> See Page 4</p> <p>4. <u>ADDITIONS/DELETIONS:</u></p> <p>5. <u>PRESENTATIONS:</u></p>
<p>(PowerPoint Presentation)</p>	<p>7:10 20mins</p>	<p>5. A. <ul style="list-style-type: none"> • <i>Ride Connection, Julie Wilcke Pilmer, Chief Executive, Deb Bratland; Forest Grove Transportation Coordination; and John Whitman, Service Planner</i> </p>
<p>(PowerPoint Presentation)</p>	<p>7:30 25mins</p>	<p>5. B. <ul style="list-style-type: none"> • <i>Washington County Affordable Housing Bond Local Implementation Strategy, Komi Kalevor, Executive Director, and Shannon Wilson, Housing Development Coordinator, Housing Authority of Washington County</i> </p>
<p>(PowerPoint Presentation)</p>	<p>7:55 20mins</p>	<p>5. C. <ul style="list-style-type: none"> • <i>Regional Parks and Nature Funding, Juan Carlos Gonzalez, Metro Councilor District 4, and Jonathan Blasher, Metro Parks and Nature Director</i> </p>
<p>(PowerPoint Presentation) James Reitz, Senior Planner Bryan Pohl, Community Development Director Jesse VanderZanden, City Manager</p>	8:15	<p>6. <u>ORDER NO. 2019-03 APPROVING A SITE PLAN APPROVAL APPLICATION FOR A 16-UNIT MANUFACTURED DWELLING PARK EXPANSION AT 4015 PACIFIC AVENUE; WASHINGTON COUNTY TAX LOT 1N332DD01400; APPLICANT: ROSE GROVE MOBILE HOME PARK; FILE NO. 311-18-000036-PLNG</u></p>

<p>(PowerPoint Presentation) James Reitz, Senior Planner Bryan Pohl, Community Development Director Jesse VanderZanden, City Manager</p>	8:25	7. A.	<p><u>PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-02 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH; FILE NUMBER 311-19-000001-PLNG</u></p>
<p>(PowerPoint Presentation) James Reitz, Senior Planner Bryan Pohl, Community Development Director Jesse VanderZanden, City Manager</p>	8:35	7. B.	<p><u>PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-03 AMENDING ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH FILE NUMBER 311-19-000001-PLNG</u></p>
<p>(PowerPoint Presentation) Anna Ruggles, City Recorder Paul Downey, Administrative Services Director Jesse VanderZanden, City Manager</p>	8:45	8.	<p><u>PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-04 ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009</u></p>
<p>Anna Ruggles, City Recorder Peter Truax, Mayor</p>	8:50	9.	<p><u>PUBLIC HEARING AND RESOLUTION NO. 2019-21 ADOPTING CITY MANAGER PERFORMANCE REVIEW CRITERIA AND REPEALING RESOLUTION NO. 2018-47</u></p>
<p>Paul Downey, Administrative Services Director Jesse VanderZanden, City Manager</p>	8:55	10.	<p><u>RESOLUTION NO. 2019-22 AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS FOR EXTERNAL WORK PERFORMED IN THE LIGHT AND POWER FUND FOR FISCAL YEAR 2018-19</u></p>
<p>Paul Downey, Administrative Services Director Jesse VanderZanden, City Manager</p>	9:00	11.	<p><u>RESOLUTION NO. 2019-23 AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS FROM STATES OF OREGON AND CALIFORNIA FOR FIRE CONFLAGRATION COSTS INCURRED IN THE GENERAL FUND FOR FISCAL YEAR 2018-19</u></p>
<p>City Councilors</p>	9:05	12.	<p><u>CITY COUNCIL COMMUNICATIONS:</u></p>
<p>Jesse VanderZanden, City Manager</p>	9:20	13.	<p><u>CITY MANAGER'S REPORT:</u></p>
<p>Peter Truax, Mayor</p>	9:25	14.	<p><u>MAYOR'S REPORT:</u></p>
	<u>9:30</u>	15.	<p><u>ADJOURNMENT:</u></p>

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 remaining Consent Agenda item(s).
- A. Approve City Council Work Session (Light and Power Electric Cost-of-Service Rate Study Options) Meeting Minutes of April 22, 2019.
 - B. Approve City Council Regular Meeting Minutes of April 22, 2019.
 - C. Accept Committee for Community Involvement Meeting Minutes of March 5, 2019.
 - D. Accept Economic Development Commission Meeting Minutes of April 4, 2019.
 - E. Accept Historic Landmarks Board Meeting Minutes of March 26, 2019.
 - F. Accept Parks and Recreation Commission Meeting Minutes of February 27, 2019.
 - G. Accept Planning Commission Meeting Minutes of April 1 and April 15, 2019.
 - H. Endorse New Liquor License Application (Full-On Premises Catering) for Ridgewalker Brewing Company Event Center – The Mail Room, 1822 21st Avenue.
 - I. Endorse New Liquor License Application (Off-Premises Sales) for Forest Grove Liquor Store, 3130 Pacific Avenue.
 - J. Community Development Department Monthly Building Activity Informational Report for April 2019.



URBAN RENEWAL AGENCY MEETING AGENDA

MONDAY, MAY 13, 2019

6:15 PM – Urban Renewal Agency Meeting

**Community Auditorium
1915 Main Street
Forest Grove, OR 97116**

PETER B. TRUAX, DIRECTOR BOARD CHAIR

Thomas L. Johnston, Vice Chair
Timothy A. Rippe
Ronald C. Thompson

Elena Uhing
Adolph “Val” Valfre, Jr.
Malynda H. Wenzl

All meetings of the Urban Renewal Agency Board 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 Urban Renewal Agency Board as follows:

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- 6:15**
1. **URBAN RENEWAL AGENCY MEETING:** Roll Call
 2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Urban Renewal Agency Board 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:**
 - A. *Approve Urban Renewal Agency Work Session (B/C Reform; Urban Renewal Advisory Committee) Meeting Minutes of April 22, 2019.*
 - B. *Approve Urban Renewal Agency Regular Meeting Minutes of April 22, 2019.*
 4. **ADDITIONS/DELETIONS:**
 5. **PRESENTATIONS:** None
- 6:20**
6. **URA RESOLUTION NO. 2019-04 ESTABLISHING THE FOREST GROVE URBAN RENEWAL ADVISORY COMMITTEE**
- 6:35**
7. **URA RESOLUTION NO. 2019-05 AUTHORIZING THE EXECUTIVE DIRECTOR TO DEVELOP AN INSTALLATION PUBLIC ART PROGRAM**
- 6:55**
8. **ADJOURNMENT:**

Dan Riordan, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager

Dan Riordan, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager

PROCLAMATION

Emergency Medical Services Week May 19 – 25, 2019

WHEREAS, Emergency Medical Services is a vital public service to the community; and

WHEREAS, the members of emergency medical service teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services systems consist of emergency physicians, emergency room nurses, emergency medical technicians, paramedics, firefighters educators, administrators, and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM THE WEEK OF MAY 19 – 25, 2019, as

Emergency Medical Services Week

With the theme, **“EMS Strong: Stronger Together”**, we encourage the community to observe this week with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 13th day of May, 2019.



Peter B. Truax, Mayor of Forest Grove



Metro West Ambulance

invites you to celebrate

EMS WEEK

with a

**TEXAS
BBQ**



FRIDAY MAY 24TH
3PM-7PM

**Metro West Ambulance
Headquarters**

***GAMES, FACE PAINTING,
INFLATABLE SLIDES
FOR THE WHOLE FAMILY!***

CONTACT KELSI DOW AT 503-648-6658 EXT.111 WITH QUESTIONS.

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**City Council Work Session Minutes
Light and Power Cost-of-Service Study**

**Monday, April 22, 2019
6:15 p.m., Community Auditorium**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:12 p.m.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph "Val" Valfre; Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Keith Hormann, Light and Power Director; and Anna Ruggles, City Recorder.

2. WORK SESSION: LIGHT AND POWER COST-OF-SERVICE AND RATE STUDY OPTIONS

Hormann, Downey, and VanderZanden facilitated the above-noted work session, noting the purpose of the work session was to continue discussion regarding the preliminary results of the Rate and Cost-of-Service Allocation Study for Light and Power Department, which was presented to Council in work session held on March 18, 2019. Downey reported the study showed the need for ongoing rate increases to fund operations, system maintenance and capital projects. Hormann and Downey presented a PowerPoint presentation overview showing the imbalance of costs allocated between all classes of service, noting staff is proposing the following three options for Council consideration:

- Option 1 – a planned across-the-board increase of four percent (4.0%) to all classes of services each year. This continues the current imbalance of costs allocated between classes of service.
- Option 2 – Implement the 4% increase using different increases between the classes of services to try to remove the imbalance of costs between classes of services. Would require annual residential rate increases averaging 5.41% over the next 7 years.
- Option 3 – Implement 4% overall increase using different increases between classes of services to lessen but not remove the imbalance of costs between classes of services. Example shown limits the residential rate increase to 4.5% per year.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to the imbalance of costs allocated between all classes of service and the three proposed

options for Council consideration. Hormann, Downey and VanderZanden responded to various Council inquiries and scenarios pertaining to the cost-of-service analysis, noting the Study demonstrated a proposed rate increase in FY2020 of 5.50% and proposed phase-in rate increases of 3.50% per year in FY2021-2026. Downey advised staff revised wage and benefits increases for year 1, which reduced the first year overall rate increase from 5.50% to 4.75%. Subsequent rate increases remained the same. Downey reported the consultant was asked to smooth the overall rate increases over the next seven years, which resulted in an annual rate increase of 4.0% across-the-board. Downey advised if the current imbalance of costs of services between classes of services is acceptable, staff recommends implementing 4.0% across-the-board increase each year, noting this increase would cost the average residential customer about \$3.50 more per month. Downey advised if Council wants to lessen the imbalance of costs of services between classes of services, staff recommends Option 3 with a minor adjustment of increase for both Residential and General Service Classes to 4.6%, noting changing residential from 4.5% to 4.6% in Option 3 will cost an average residential customer about \$0.08 more per month. Difference in a 4.6% increase and 4.0% increase for an average residential customer is about \$0.50 more per month. In conclusion of the above-noted discussion, Council collectively concurred with Option 3, with a minor adjustment of increase for both Residential and General Service Classes to 4.6%, to which VanderZanden advised staff will bring back a proposed resolution for Council consideration at a later date.

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

3. ADJOURNMENT:

Mayor Truax adjourned the work session at 6:35 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:01 p.m. and led the Pledge of Allegiance.

ROLL CALL: COUNCIL PRESENT: Thomas Johnston, Council President; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph "Val" Valfre; Malynda Wenzl; and Mayor Peter Truax.

STAFF PRESENT: Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Tom Gamble, Parks and Recreation Director; Michael Kinkade, Fire Chief; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

1. A. IF I WERE MAYOR CONTEST:

Mayor Truax announced the 2019 "If I Were Mayor Student Contest" participant as noted below (winner in bold):

- Poster (grades 4-5): **Elisabeth Hansen**
- Essay (grades 6-8): No entries
- Video/PowerPoint (high school/college): No entries

The participant received a cash prize and a class pizza party hosted by Mayor Truax. The winners at the state level will be announced during the Oregon Mayors Association Summer Conference to be held July 2019.

1. B. EMPLOYEE RETIREMENT RECOGNITION:

Mayor Truax, on behalf of the Council, presented a Certificate of Retirement honoring Kevin Ellingsburg, Police Captain, for his exceptional employment and years of service, noting Ellingsburg has been an law enforcement officer with the Forest Grove Police Department since 1993 (26 years) and is retiring on April 30, 2019.

2. CITIZEN COMMUNICATIONS:

Johanna Peeters Weem, Forest Grove, addressed Council voicing concern that the dress code policy at the Forest Grove Aquatic Center was outdated, discriminatory and gender-based. In addition, Peeters Weem voiced concern of cameras videotaping patrons and photos of patrons being published without their knowledge.

3. CONSENT AGENDA:

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- A. Approve City Council Work Session (Light and Power Electric Cost-of-Service Study) Meeting Minutes of March 18, 2019.
- B. Approve City Council Work Session (Boards/Commissions Reform) Meeting Minutes of March 18, 2019.
- C. Approve City Council Meeting Minutes of March 18, 2019.
- D. Approve City Council Executive Session (Labor Negotiations) Meeting Minutes of April 8, 2019.
- E. Approve City Council Work Session (Fire Governance) Meeting Minutes of April 8, 2019.
- F. Approve City Council Work Session (Boards/Commission Reform) Meeting Minutes of April 8, 2019.
- G. Approve City Council Regular Meeting Minutes of April 8, 2019.
- H. Accept Economic Development Commission Meeting Minutes of February 7 and March 7, 2019.
- I. Accept Library Commission Meeting Minutes of March 19, 2019.
- J. Accept Planning Commission Meeting Minutes of March 4, 2019.
- K. Accept Public Arts Commission Meeting Minutes of March 14, 2019.
- L. Accept Sustainability Commission Meeting Minutes of December 20, 2018, and February 28, 2019.

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

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

5. A. Metro Update

Juan Carlos Gonzalez, Metro Councilor District 4 (newly-elected), presented a PowerPoint presentation highlighting Metro's Parks and Nature; garbage and food recycling; regional transportation; affordable housing; and upcoming events at various Metro venues.

5. B. Parks Facilities Schematic Design and Water Space Needs Study

Gamble presented a PowerPoint presentation overview on the Park Facilities Schematic Design and Water Space Needs Study, noting the scope will examine schematic design opportunities for North Lincoln Park, A. T. Smith Property and Stites Park, including parking and concept plans, and a facility assessment/water space

needs study for the Forest Grove Aquatic Center, including parking, mechanical systems, pool systems, space needs and existing and proposed program options. Gamble noted a site analysis for an east side park may be added contingent upon discussions with the Parks and Recreation Commission. In conclusion of the above-noted presentation, Gamble advised the concepts for each of the three parks will be based on assessments and public engagement, noting the consultant will work with the City to present the final projects to Council for consideration at a later date.

6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-01 ADOPTING AN UPDATE TO CITY OF FOREST GROVE 2009 ECONOMIC OPPORTUNITIES ANALYSIS AND AMENDING FOREST GROVE COMPREHENSIVE PLAN; FILE NO. 311-18-000044-PLNG**

The first reading of Ordinance No. 2019-01 by title occurred at the Council meeting of April 8, 2019.

Staff Report:

Riordan and Pohl presented the above-proposed ordinance for second reading and distributed the following supplemental information as reference:

1. Pacific University Master Plan, Page II-1, Table I-1, City adoption, May 14, 2018, Ordinance 2018-01.
2. Washington County Economic Indicators, Oregon Employment Department, March 2019.
3. Metro Equitable Housing Strategy Summary, March 28, 2018.
4. U. S. Census Bureau, American Community Survey, Table S1903, 2013-2017 Median Income in the past 12-Months.

Public Hearing Continued:

Mayor Truax continued the Public Hearing from the meeting of April 8, 2019, and explained hearing procedures.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the

motion made at the meeting of April 8, 2019.

VanderZanden read Ordinance No. 2019-01 by title for second reading.

ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

7. MOTION FOR A CONTINUANCE OF ORDER NO. 2019-03 TO CITY COUNCIL MEETING OF MAY 13, 2019; FILE NO. 311-18-000036-PLNG

Staff Report:

Riordan and Pohl reported at the Council meeting of March 18, 2019, the Council reversed the Community Development Department's denial of appeal decision and approved the preliminary site plan pending review of Order No. 2019-03, Final Findings and Conditions of Approval, at the April 22, 2019, Council Meeting (16-Unit Manufactured Dwelling Park Expansion at 4015 Pacific Avenue; Washington County Tax Lot 1N332DD01400; File No. 311-18-000036-PLNG). Riordan and Pohl reported the applicant's attorney, City Attorney and staff has been working to complete Final Findings and Conditions of Approval for Council consideration; however, further refinement is necessary. In conclusion of the above-noted staff report, Riordan and Pohl advised staff is recommending Council consider approving the continuance of Order No. 2019-03, Final Findings and Conditions of Approval, to May 13, 2019, Council Meeting, noting the applicant's attorney has submitted a written waiver of the 120-day rule.

Questions of Staff:

Hearing no concerns from the Council, Mayor Truax asked for a motion.

MOTION: Councilor Wenzl moved, seconded by Councilor Thompson, to approve the continuance of Order No. 2019-03, Final Findings and Conditions of Approval to May 13, 2019, Council Meeting; File No. 311-18-000036-PLNG.

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

8. PUBLIC HEARING AND RESOLUTION NO. 2019-18 SETTING FEES AND CHARGES FOR AQUATIC CENTER (3.0%), EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-44

Staff Report:

Gamble and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is increasing the Aquatic Center fees and charges by 3.0 percent (3.0%), rounded to the nearest increment, effective July 1, 2019. For in-City (18-64 years) public and fitness swim, the fee would increase from \$5.80 to \$6.00. For in-City (2-17 years), Senior and Veteran, the fee would increase from \$4.05 to \$4.20. In conclusion of the above-noted staff report, Gamble and Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, so the Aquatic Center can publish its summer brochure, noting the other proposed fee increases will be considered at a later date.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-18.

VanderZanden read Resolution No. 2019-18 by title.

MOTION: Councilor Rippe moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-18 Setting Fees and Charges for Aquatic Center, Effective July 1, 2019, and Repealing Resolution No. 2018-44.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Proponents:

No one testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

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

ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

9. **RESOLUTION NO. 2019-19 SUPPORTING THE WESTERN WASHINGTON COUNTY FIRE TASK FORCE FOUNDATIONAL PRINCIPLES**

Staff Report:

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is supporting the Washington County Fire Task Force Foundational Principles, which the Task Force developed to use as a guide in evaluating the three governance models: 1) continue with current system of individual intergovernmental agreements (IGA); 2) establish a comprehensive IGA that essentially forms a fire authority; or 3) establish a Western Washington County Fire District. Kinkade reported the goal of the Task Force is to study the above-noted potential governance models and provide a consensus proposal to the five governing agencies. In conclusion of the above-noted staff report, Chief Kinkade advised staff is recommending Council consider supporting the proposed resolution as outlined in Exhibit A, noting Cornelius, Gaston and Forest Grove Rural Fire Protection Districts approved the foundational principles in early April.

Before proceeding with Council discussion, Mayor Truax asked for a motion to approve Resolution No. 2019-19.

VanderZanden read Resolution No. 2019-19 by title.

MOTION: Council President Johnston moved, seconded by Councilor Valfre, to approve Resolution No. 2019-19 Supporting the Western Washington County Fire Task Force Foundational Principles.

Council Discussion:

In response to Uhing's inquiry pertaining to next steps, Kinkade advised the task force will provide a consensus proposal to the five governing agencies at a later date.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

10. **RESOLUTION NO. 2019-20 AMENDING CITY COUNCIL RULES OF PROCEDURE, §14, ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES, AND REPEALING RESOLUTION NO. 2006-10 AND AMENDING RESOLUTION NO. 2009-45**

Staff Report:

VanderZanden presented the above-proposed resolution for Council consideration, noting the proposed resolution is amending Council Rules of Procedure, §14, Advisory Boards, Commissions and Committees (B/C), to clarify the purpose, role and operation of all B/C, including implementing a consistent B/C appointment process, defining liaisons' roles and responsibilities and to reflect current public meetings laws,

public records laws and ethic laws. VanderZanden reported the Council Subcommittee, consisting of Council President Johnston, Councilor Rippe and Councilor Wenzl, advanced numerous proposals which were the subject of Council work sessions held on September 24, October 8 and October 22, 2018.

VanderZanden added to facilitate obtaining feedback from all B/C an informational meeting was held on November 19, 2018, noting all the B/C considered the potential rules changes at their December, January and/or February meetings, of which five of the 11 B/C submitted formal comments for Council consideration. In addition, VanderZanden reported Council reviewed the B/C comments in work session held on March 18 and April 8, 2019, and concurred as summarized below:

1) *Revise Council Rule 14.3 to limit student participation to juniors and seniors;* Council concurred to not revise; thereby, retaining to allow all high school grade levels to serve as student members.

2) *Revise Council Rule 14.4 to no longer limit the size of a B/C to nine members;*

Council concurred to not revise; thereby, recognizing that as proposed the rule already allows Council to approve more than nine members on a Board or Commission if necessary. This change would only effect Economic Development Commission and Sustainability Commission.

3) *Revise Council Rule 14.6 to eliminate the 24-month consecutive service term for the Chair;*

Council concurred to eliminate the 24-month consecutive service limitation. All B/C elect a Chair and Vice Chair each year by the voting members.

4) *Revise Council Rule 14.9 to allow volunteers to take minutes;*

Council concurred to allow volunteers to take minutes, however, stipulate in the Council Rules that a) a minute template be required for all minutes, b) City staff be required to take minutes if the B/C requests the City to do so, c) City staff be required to review the minutes to assure compliance with state law, and d) City staff be required to post the minutes to the website as soon as possible after acceptance by City Council.

5) *Revise Council Rule 14.10 to eliminate the requirement that B/C members reapply and re-interview after every four-year term of service;*

Council concurred to not revise; thereby, retaining the requirement for B/C members to reapply and re-interview every four years.

In conclusion of the above-noted staff report, VanderZanden advised staff is recommending Council consider adopting the proposed resolution, as outlined in Exhibit A, and/or as amended by Council.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-20.

VanderZanden read Resolution No. 2019-20 by title.

MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-20 Amending City Council Rules of Procedure, Section 14, Advisory Boards, Commissions and Committees, and Repealing Resolution No. 2006-10 and Amending Resolution No. 2009-45.

Council Discussion:

In response to Wenzl's concern pertaining to Council Rule 14.6, terms ending December 31, VanderZanden advised the Committee for Community Involvement's bylaws will retain their term ending January 31.

Uhing voiced concern of eliminating the 24-month term for the Chair and instead proposed extending the term to no more than 48-consecutive months, noting she thought the subcommittee made this recommendation because of the importance of cross-training and succession planning.

Wenzl advised the subcommittee discussed the importance of succession; however, at this time, she has concerns of establishing a rule for B/C that is not consistent or that has not been established at the Council level, i.e., term limits for Mayor and Council President.

Rippe advised the subcommittee discussed the importance of succession planning; however, the subcommittee agreed that the Council's term limits be discussed separately and not as part of the B/C reform discussion. Rippe concurred extending the Chair appointment term to no more than 48-consecutive months.

Valfre supported extending the Chair appointment term to no more than 48-consecutive months.

Mayor Truax opposed setting term limits.

MOTION TO AMEND: Councilor Uhing moved, seconded by Councilor Rippe, to amend Resolution No. 2019-20, Exhibit A, §14.6 to read: *"The Chair may not serve more than 48-consecutive months."*

ROLL CALL VOTE MOTION TO AMEND: AYES: Councilors Johnston, Rippe, Uhing, and Valfre. NOES: Councilors Thompson, Wenzl, and Mayor Truax. None. MOTION CARRIED 4-3.

Council Discussion:

Hearing no further concerns from Council, Mayor Truax asked for a roll call vote on the above motion as amended.

ROLL CALL VOTE AS AMENDED: AYES: Councilors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION

CARRIED 7-0.

11. CITY COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Chamber Board meeting. Johnston reported the Public Arts Commission discussed at its retreat exploring the possibilities of a foundation. Johnston reported on Historic Landmarks Board's photo contest and other upcoming activities. In addition, Johnston reported on other related matters of interest and upcoming meetings he was planning to attend.

Rippe reported attending various legislation-related meetings, reported on other related matters of interest and upcoming meetings he was planning to attend.

Thompson reported on matters of interest and upcoming meetings he was planning to attend.

Uhing reported Sustainability Commission (SC) held a very successful Earth Day Litter Clean-Up Event, noting SC is considering hosting an annual event. In response to Uhing's inquiry pertaining to the Forest Grove United Church of Christ's Community Enhancement Grant Program application for their Temporary Emergency Shelter, VanderZanden advised he would report back to Council on the status of the shelter's zoning. In response to earlier concerns heard under Citizen Communications and the language read below pertaining to swimwear rules, Uhing concurred the rules, especially for women swimwear, were outdated. In addition, Uhing reported on upcoming meetings she was planning to attend.

Valfre reported on matters of interest and upcoming meetings he was planning to attend.

Wenzl reported attending Committee for Community Involvement (CCI) meeting, noting CCI is working on various tasks, including with the League of Women Voters and scheduling dates to attend other B/C meetings. Wenzl reported attending Parks and Recreation Commission (P&R) meeting, noting P&R is seeking clarification pertaining to Council's new Objective pertaining to P&R's review of a Veterans Memorial Park, to which Council collectively concurred a joint work session would be needed to discuss, i.e., funding and land donations. In response to earlier concerns heard under Citizen Communications, Wenzl reported the swim team does not require its members to get uniforms, noting the Aquatic Center's updated swimwear rules read: *"Regulation swim wear only. Street clothes, Brazil/French-cut, thong style and/or revealing swim wear, cut-off jeans, skirts, shorts, sport bras, leotards, leggings, compression shorts and compression shirts are prohibited. Underwear and undergarments are not allowed to be worn under swimsuits."* In addition, Wenzl reported on upcoming meetings she was planning to attend.

12. City Manager's Report:

VanderZanden reported on upcoming meetings and events as noted in the Council calendar. In addition, VanderZanden referenced the City Manager's Report to Council, which outlined various upcoming meetings and updates on department-related activities and projects, including Administrative Services; Community Development; Economic Development; Engineering/Public Works; Fire; Library; Light and Power; Parks and Recreation and Police.

13. Mayor's Report:

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported attending various town halls and attending the Governor's Tourism Conference, on behalf of the Washington County Visitors Association Board of Directors. Mayor Truax reported he plans to travel to Washington, D. C., on behalf of the Joint Policy Advisory Committee, on April 29 to May 2, 2019. In addition, Mayor Truax reported on various legislation and local, regional, Metro, and Washington County-related meetings he attended and upcoming community-related events and meetings he was planning to attend.

14. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 9:18 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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APPROVED

CITY OF FOREST GROVE
COMMITTEE FOR COMMUNITY INVOLVEMENT
COMMUNITY AUDITORIUM CONFERENCE ROOM, 1915 MAIN STREET
March 5, Tuesday, 2019

Chairperson (Vacant)

David Andersen (Acting Chair)
Kristen Tangen
Charlene Murdock
Student Advisor: Ashley Terry

Tom Cook (Secretary)
Devon Downeysmith
Pamela Sprague
Matthew Stone

Council Liaison: Malynda Wenzl

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.

Present: Tom Cook, David Andersen, Devon Downeysmith, Kristen Tangen, Charlene Murdock, Pamela Sprague, Council Liaison Malynda Wenzl, City Staff Bryan Pohl, Ashley Terry (student advisor).

Absent: Matthew Stone

1. **Call to Order:** 5:31 and approved minutes of December 4th, 2018 and January 8th, 2019.
2. **Community Action Inbox.** Welcomed new members. Each member introduced themselves around the table.
3. **Election of New Officers:** It was motioned and seconded that new officers for the next year are: Devon Downeysmith (Chair), Kristen Tangen (Vice-chair), and Tom Cook (Secretary). Motion passed.
3. **2019 ATM.** Review of the "Emergency Preparedness Fair." Good reports all around. About 200 in attendance. Good feedback. Some attendees stated that they would like to have more contact/input directly with city staff/council.
4. **Latino Summit.** Devon: Nothing new to present.
6. **Council Liaison Report.** Councilor Wenzl spoke of the upcoming proposed changes to the Board and Committees policies. She spoke of new grants, new vision statement from city being reviewed. Discussion of CCI's relation to Sustainability Commission. Discussion of CCI's participation in CPO in future.

7. **Student Involvement.** David discussed new coalition on how to promote student (High School and college) in civic involvement. Next meeting March 20th at 5pm.

7. Adjourn: 6:32 Next meeting April 2, 2019.

New member e-mails:

Kristen Tangen: kristentangy@gmail.com

Charlene Murdock: Charlene.nanacardron@gmail.com

Pamela Sprague: echogirlpam@comcast.net

1. CALL TO ORDER:

The meeting was called to order at 12:05 p.m. by EDC Chair, James Draznin.

ROLL CALL: EDC MEMBERS PRESENT: James Draznin, Chair; Brad Bafaro; Tim Budelman; Kevin Emerick; Mark Nakajima; Guy Storms; Howard Sullivan; and Jonathan Yawson

EDC MEMBERS ABSENT (EXCUSED): Steve Krautscheid; Jennifer Prickett; Tom Raabe; Javier Urenda; Jill Verboort; Christopher Wilmeth; and Kevin Yamada

OTHERS PRESENT: Kelsey Lewis; Bruce McVean; and Barbara Wineman

COUNCIL LIAISON: Councilor Rippe

STAFF PRESENT: Jeff King, Economic Development Coordinator; Shannon Reynolds, Administrative Specialist; Jesse VanderZanden, City Manager

2. CITIZEN COMMUNICATION:

None

3. APPROVAL OF ECONOMIC DEVELOPMENT COMMISSION MINUTES:

Howard Sullivan moved a motion to approve the meeting minutes from March 7, 2019. Tim Budelman seconded. The motion passed unanimously.

4. ADDITIONS/DELETIONS:

None

5. BUSINESS:

A. Strategic Plan: Review SWOT- Chair Draznin

Chair Draznin reviewed the successful SWOT (Strengths, Weaknesses, Opportunities, and Threats) work session that was held last month. He spoke positively in regard to all the great input that was given by each Commissioner.

B. Strategic Plan: Proposed Staff Plan – Jeff King, Economic Development Mngr.

Jeff presented the first draft of the Economic Development Proposal as well as any new objectives to the existing goals. He explained that there were several inputs that help inform this draft: the SWOT, the previous 3-year EDC Strategic Plan, review of other plans in Oregon and staff analysis, He also stated that main change is that this plan may serve as the City's Economic Development Strategic Plan as well. Jeff also explained that in the current economic environment there are three challenges that have come to the forefront. They are:

- Moving industrial sites to shovel-ready status.
- Finding qualified workforce/talent for expanding and business.
- Adequate organization capacity to undertake activities, events, promotion and other tasks needed for a prosperous downtown.

Jeff then discussed objectives for each goal:

- Business Retention & Expansion
- Business Attraction & Recruitment
- New Business Formation & Innovation
- Small Business Development
- Downtown Development
- Tourism Development
- Target Key Industry Clusters
- Marketing
- Utilities & Infrastructure
- Workforce Development

Members discussed the various goals and gave input. Transportation was an important ongoing issue to the Commission. Mr. VanderZanden discussed Holladay Street in Cornelius and noted continued plans connect that street into Forest Grove from Cornelius. The City of Cornelius has approved the connection point.

Forest Grove’s workforce supply and finding enough employees was another issue discussed. Input was given on possible ways to coordinate with both Forest Grove High School as well as Pacific University to give exposure to companies within Forest Grove that could utilize local workers. Various points of employment advertisement were discussed as well.

Jeff encouraged the members to read through each of the goals objectives and to continue to submit feedback. Councilor Rippe also commented on the importance of feedback from all board members as Council moves forward to adopt the new Strategic Plan for the City.

Jeff will continue to make any changes or edits as needed. A possible work session with Council may be added in May to continue drafting the City’s Strategic Plan. The next EDC meeting will be a facilitated session to develop priorities.

6. STAFF AND BOARD MEMBER COMMUNICATIONS:

Howard Sullivan made mention of the “Rise and Shine” on Friday, April 5, at 8 am held by the Cornelius/Forest Grove Chamber of Commerce at Pacific University’s Berglund Hall.

The Growler Garage will have a ribbon cutting Friday, April 5, at 4:30 p.m.

7. ANNOUNCEMENT OF NEXT MEETING:

James Draznin announced that the next meeting of the EDC will be on Thursday, May 2, at 12:00 p.m. in the Alice Inkley Room at McMenamins Grand Lodge.

8. ADJOURNMENT: James Draznin adjourned the meeting at 1:30 p.m. by consensus.

Respectfully submitted by:
Shannon Reynolds
Administrative Specialist
City of Forest Grove

Approved by the Forest Grove EDC:

Date: Approved on 5/2/19

APPROVED

Forest Grove Historic Landmarks Board
Community Auditorium, 1915 Main Street
March 26, 2019 -- 6:30 P.M. Page 1 of 2

BE

Members Present: George Cushing, Larissa Whalen Garfias, Kelsey Trostle, Bill Youngs
Members Excused: Jennifer Brent, Mark Fischer, Holly Tsur
Staff Present: James Reitz
Council Liaison: Tom Johnston
Citizens Present: 01 (Melody Haveluck)

1. **Call to Order:** Youngs opened the meeting at 6:35 p.m.

2. **Citizen Communication:** None.

3. **Action Items / Discussion:**

A. **CEP Grant Application Preparation:** Youngs reviewed the grant proposal drafted by Tsur, and clarified a of couple points. **Cushing/Trostle to approve and submit the application. Motion carried unanimously.** Reitz will inform Tsur of the vote.

B. **Photo Contest Planning:** Whalen Garfias discussed the progress to date. She said not much was confirmed for prizes at this point. Youngs volunteered to check with other vendors for prizes. It was suggested and agreed that if all Board members could donate \$10 apiece, we could still have prizes. Johnston recommended the Board contact the chamber of commerce to ask for certificates from members and also to check with the Rotary Clubs. It was also suggested the Board might be able to get a small grant from the Public Arts Commission next year.

Youngs also volunteered to print the posters. They can then be distributed around town, including the schools. Cushing will take posters to the Fire Department and Tidwell Dental so they can put the information on their video display boards.

C. **Stewart Award:** Some suggestions were made but the strongest was for the owners of the Thornburg house for the recent repair and update project. Everyone was encouraged to come forth with possible recipients for discussion and selection at the April meeting. Reitz will forward the information developed last year on past award recipients and preservation grant projects. Youngs would try to take some photos of various possibilities also.

D. **Editorial Calendar:** Trostle discussed the calendar over the next few months and it was decided that what with the photo contest and the Stewart Award, the Board would concentrate on them for now.

E. **Policy Review:** Cushing went over the information provided by staff and a few points were clarified. All agreed that the preservation grant requirement to get Board approval for a project before start of work must be included in the policy statement as well as in the application. Reitz will update the policy accordingly.

Cushing asked about the Board's policy concerning renovations done outside of the Board's review. If the responsible party didn't correct the situation voluntarily, Reitz advised that there is procedure in place for enforcement -

- Staff would prepare and present a report at a Board meeting, with appropriate advance notice to all interested persons (a Type III process)
- The responsible party and others in support would testify
- All other interested people would testify
- The Board would deliberate and make a decision
- Anyone who testified would have 14 days to appeal the Board's decision
- If an appeal were filed, the matter would go before the City Council

- If anyone disagreed with the City Council decision, the matter would then go into the court system.

In response to a question as to why the storm window award is only 25% versus the standard preservation grant award of 50%, Reitz responded that it is because there are additional rebates available through the Light and Power Department.

In response to a question about circa dates and preservation grant eligibility, Reitz responded that the date range was developed by and is consistent with the SHPO standard.

- F. **SB 927 and SB 929:** Both of these bills concern historic properties. They are presently under review by a state senate committee. The Board decided at this point that they just want to remain informed of the bills' status and that no action was needed by the Board at this time. Once the bills are reported out of committee, the Board may opt to take more formal action.

4. Old Business/New Business:

- Approval of Historic Landmarks Board Meeting Minutes. **The meeting minutes of February 26, 2019 were approved with one typographical correction.**
- Council Liaison Report. Councilor Johnston reported on a recent visit to Washington, D.C. that was very productive. In local matters, he said that funds from the City's transit lodging tax were being used to hire a tourism director to work on branding and tourism. He also reported on a recent City Council hearing about expanding a manufactured home park at the east edge of town.
- FHFG Report. Haveluck reported on the affairs of the Friends of Historic Forest Grove, including:
 - May 6-18th - FHFG will have a display in the library case
 - May 15th – Annual meeting with a guest speaker from the Tualatin Riverkeepers
 - June 2nd- Garden Tour
 - September 28th - Heritage Tour

In other news, she said they were doing a bottle return bag that was designed to encourage recycling; and that Neil Poulsen was in the final stages of designing a brochure describing resources in Forest Grove.

- Staff Update. Reitz reported that he was expecting the SHPO grant approval soon. He reminded everyone that the May meeting was the same evening as the City Council meeting (due to the Memorial Day holiday). Johnston mentioned that there might be a City Council work session before their meeting, so the Board may need to relocate from the conference room. Reitz will follow up on that matter with the city recorder.
- April 23 Agenda. Photo contest, Stewart Award, editorial calendar

5. Adjournment: The March 26, 2019 meeting adjourned at 8:18 p.m.

These minutes respectively submitted by George Cushing, Secretary

APPROVED

3F

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, FEBRUARY 27, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 1 OF 3**

1) ROLL CALL:

- a) Commissioners – Ralph Brown, Kenneth Cobleigh, Tammi McLaughlin, Howard Sullivan, Susan Taylor and Paul Waterstreet. Absent: Brad Bafaro, Mackenzie Johnston Carey and Glenn VanBlarcom.
- b) Council Liaison – Malynda Wenzl
- c) Staff – Matt Baum and Tom Gamble

2) CITIZEN COMMUNICATIONS: None

3) APPROVAL OF MINUTES: The minutes of the January 16, 2019 meeting were approved.

4) ADDITION/DELETIONS: None

5) OLD BUSINESS:

a) Rogers Park Update

- i) There has been lots of interest in the project and we will be opening bids for the restroom portion tomorrow.
- ii) The prefab restroom will be done soon.
- iii) The rest of this phase includes pulling utilities, the cement pad for the restroom, sidewalk, bench and a bike rack.
- iv) The Forest Grove Foundation will be transferring locally raised funds for Anna and Abby's Yard to the City.
- v) Harpers Playground has applied for 20 different grants and is waiting to hear the results.
- vi) The construction documents should be 100% completed by next week.
- vii) A storm water plan and a drainage plan (Clean Water Services) will need to be in place before the rest of the project goes out to bid.
- viii) Work should start the first of June and be completed by October 20.
- ix) The wood/tree design elements are still being worked on.
- x) The biggest piece will remain intact with a walk through arch with stained glass inserts and another 35 foot long section will become a climbing piece.
- xi) Part of the project will be the tennis/pickle ball courts.

b) Volunteer of the Year Nominations and Selection Discussion

- i) There were several worthy nominations and after a discussion the Commission voted on an individual and a project as Volunteers of the Year.
- ii) They will be recognized at the City Council meeting on April 8 at 7:00 p.m.

6) NEW BUSINESS:

a) R.F.P. Park Design/Aquatics Study

- i) Place was awarded the contract to study North Lincoln, A.T. Smith House, Stites Property and aquatic water space.
- ii) Place has worked in our community and is known for their creativity and ideas. It will be a fresh set of eyes on our facilities.
- iii) The park portion will begin today.
- iv) The Aquatic Center needs analysis will be done by Councilman Hunsacker.

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, FEBRUARY 27, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 2 OF 3**

7) COMMISSIONER'S REPORTS:

a) Howard:

- i) "Stars In The Grove" was very successful and featured diverse talent with participants from 7 to 70 years old. They raised \$2300 which will be donated to the "Theater In The Grove".

b) Susan:

- i) "Peace Village" will take place in August for 30 middle school children. It is a weeklong program that will deal with peace and conflict resolution.

c) Tammi:

- i) OSAA is looking at lacrosse as a sport to sanction. It would be a spring sport with teams for both boys and girls.

d) Paul:

- i) The swimming district meet was reduced to one day because of weather. The Forest Grove girls placed second and the boys placed sixth. The number of 6A swimmers qualifying for State finals was reduced to the top 9 this year, instead of 18 qualifying and 12 returning for finals as in years past.

8) COUNCIL LIAISON REPORT:

a) Malynda:

- i) Nothing has been happening on the Boards & Commission revisions, but hopefully soon.
- ii) In February the Council will be determining their goals and objectives. They will decide on their action items at the March 8 meeting.
- iii) Community Enhancement Projects (CEP's) grant application will be out soon. Presentations will be made on April 18.
- iv) Budget information will be submitted on April 11 and budget meetings will start in May.

9) STAFF REPORTS:

a) Matt:

- i) This weekend "Friends of Trees" will be planting about 100 plants and 50 oak trees at the Stites Property along the seasonal waterway. This will be a nice addition and jumpstart to the project. If there are shrubs left over they will be planted at the North Entrance.
- ii) The Forestry Commission decided to install 6 bigger oak trees (nursery stock) at Reuters Farm. The parks crew will dig the holes and provide watering bags.
- iii) The public doesn't like to see trees come down, but we plant more than we cut.
- iv) "A" Street irrigation has been figured out for the hanging baskets by Jessie Quinn.
- v) We have finalized the type of light fixtures and picnic shelter that will be installed at Rogers Park.
- vi) Pacific University has a new Facilities Manager, her name is Kira and she is very knowledgeable and so far great to work with.
- vii) There is a new contractor working on the "B" Street trail. The section from the footbridge to the trailhead will be closed for about a month in August.
- viii) We are ready for Spring!

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, FEBRUARY 27, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 3 OF 3**

b) Tom:

- i) We will be taking a look at the trees in Rogers Park before the project begins and trimming will happen to reduce the weight in trees if necessary.
 - ii) Budget season has begun. Our work plan comes from our Master Plan and the Council objective is for us to instigate elements of the Master Plan, since all the effort has already gone into it.
 - iii) The budget for the pool will include the refinishing of the pool deck and locker room floors.
 - iv) One item not in the Master Plan is to determine a site for a Veterans Memorial Park.
- Paul brought up the application for the C.E.P. grants and the commission voted to submit an application to purchase more park entrance signs.

10) ANNOUNCEMENT OF NEXT MEETING: The next meeting will be Wednesday, March 20 at 7:00 a.m.

11) ADJOURNMENT: The meeting was adjourned at 8:35 a.m.

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A place where families and businesses thrive.

**Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 1st, 2019, 7:00 pm**

1. CALL TO ORDER:

Chair Tom Beck called the meeting to order at 7:00 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair; Commissioners Sebastian Bannister Lawler, Lisa Nakajima, Ginny Sanderson and Hugo Rojas.

Planning Commission Excused: Commissioner Dale Smith.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Cassi Bergstrom, Planning Commission Coordinator.

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the quasi-judicial public hearing at 7:02 p.m., reading the hearing procedures, criteria, and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were none, and no challenges from the public. Chair Beck called for the staff report.

James Reitz, Senior Planner, gave the presentation showing the aerial view of the properties as well as the established property lines, wetland map nearby, and easements. The three lots are located near Casey Meadows and Casey West subdivisions. An area street plan was shown for future potential improvements, drainage way, and also shows the railroad isolating the currently zone Industrial parcels.

Chair Beck inquired about the access to these properties, and Mr. Reitz gave some insight as to the future access as well as the current.

Commissioner Nakajima inquired if the railroad has been recently utilized, and Mr. Reitz responded that it has not and could be vacated at some point in the future.

Chair Beck reminded Commissioners that the railroad easement was discussed to be a future Max Lightrail line, and gave the Planning Commission meeting history on the industrial area along Oak Street.

Mr. Reitz stated that the third parcel was included in the review as to not create spot zoning. Chair Beck asked what has been heard from the owner of that third parcel located at 2352 Kingwood Street, and Mr. Reitz responded that the property owner never contacted the city. Notifications were sent to property owners and parcels located within 300 feet of the project site, as per protocol.

Mr. Reitz stated the application complies with the review criteria, and staff recommends forwarding a positive recommendation of approval to City Council.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that he has been working on this application for about five years, and the parcel is owned by an estate. The parcel is hard to sell as industrial because of the development issues and cost associated with development. With the residential homes nearby, the parcel would be more viable zoned as such.

Mr. Vanderzanden decided to wait awhile after talking with staff until after the Economic Opportunities Analysis and Affordable Housing Analysis were completed and could confirm that there was a need for residential housing with Forest Grove. The applicant went through the pre-application review to figure out the infrastructure that would need to be completed to accommodate the development, and the utilities are set up from the previous subdivisions to extend to these parcels. A traffic report was also done. The demand for industrial is low, and the demand for housing is going up making the applicant's parcel more profitable.

Roberta Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Ms. Roberta Reynolds gave the history on how she acquired the property, as it is part of the estate left by her father in 2005. Ms. Reynolds and her sister are trying to sell the property, but have not had interest in the property zoned as industrial. They gave a five foot easement to the Casey Woods [sic] development when it was being constructed. The hope is to change the property to residential in order to put the property to good use.

Chair Beck asked the applicant if she has made contact with the owner of the property to the west, and Ms. Reynolds responded that she has not contacted them for a few years. She did ask the owner if they were interested in buying their property a few years ago but that did not happen.

PROPONENTS:

None.

OPPONENTS:

None.

OTHER:

Jane Falcone, 2525 Juniper Street, Forest Grove, OR 97116:

Ms. Jane Falcone came forward and expressed her concerns with the limited access into Casey West, along with the traffic issues within the neighborhood. An extension of 23rd Street to Martin Road/Highway 47 was part of the Comprehensive Transportation Plan, but has not happened. It would create much more direct access to the homes. The intersection of Hawthorne St/26th Avenue is very dangerous with poor visibility and no sidewalks within that area. The only other way out is down Juniper Street. There is a lot more traffic going through the neighborhood, and a collector route from 23rd to Highway 47 will alleviate some of the issues.

Doug Fowler, 2844 25th Avenue, Forest Grove, OR 97116:

Mr. Doug Fowler came forward and expressed his concerns regarding the wetlands area, but the Senior Planner addressed some of his concerns within his staff report. Mr. Fowler is concerned specifically about what to do with the water in the wetlands.

REBUTTAL:

Mr. Mark Vanderzanden came forward and addressed the concerns, stating a traffic report was done and there are less trips for residential uses than industrial uses. Currently the trips calculated fall into satisfactory levels.

Regarding the wetlands, Mr. Vanderzanden stated they will be well protected by the Clean Water Services regulations that will be mandated.

Chair Beck closed the public hearing at 7:40 p.m.

COMMISSIONER DISCUSSION:

Chair Beck has concerns about traffic, and a broader picture is needed that just the three parcels listed on the application. An extension of Maple Street and 23rd Avenue is needed. Another concern is that the largest piece of property's owner has not responded to the City, and may not be aware this re-zoning could occur. Commissioner Lawler agreed that not hearing from the property owner is concerning.

Commissioner Sanderson stated that the issue before Commissioners tonight is in regards to the zoning, not the theoretical traffic problems. If something comes before the Commission regarding the properties in the future, then the traffic can be addressed.

Bryan Pohl, Community Development Director, reminded the Commissioners that this is a quasi-judicial hearing so a decision needs to be made based on a timeline set by Oregon State Law. Part of the City Council goals is setting a Master Plan for the Oak Street industrial, working with a consultant. The area could look like a mixed-use concept in the future. The Economic Opportunities Analysis showed that there is not a need for industrial land with Forest Grove for the next 20 years.

Chair Beck suggested a two week continuance of this public hearing so a registered letter with response could be sent to the property owner that is not aware of the re-zoning. Commissioners discussed this option and agreed.

Commissioner Lawler moved a motion to continue this public hearing to April 15th, 2019. Commissioner Nakajima seconded the motion. All in favor.

C. **ACTION ITEMS:**

None.

D. **WORK SESSION ITEMS:**

None.

3. **BUSINESS MEETING:**

A. **APPROVAL OF MINUTES:**

Vice Chair Ruder moved a motion to approve the minutes of the March 4, 2019 meeting. Commissioner Nakajima seconded. Motion passed 6-0.

B. **REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:**

None.

C. **DIRECTOR'S REPORT:**

Mr. Bryan Pohl gave the update, stating that the City Council unanimously overturned staff's decision regarding the Rose Grove appeal.

There will be some draft development code edits coming to the Commissioners in May.

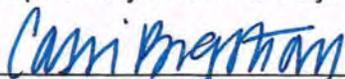
D. **ANNOUNCEMENT OF NEXT MEETING:**

The next meeting is April 15th, 2019.

E. **ADJOURNMENT:**

The meeting was adjourned at 8:06 p.m.

Respectfully submitted by:



Cassi Bergstrom
Planning Commission Coordinator

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Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 15th, 2019, 7:00 pm

1. **CALL TO ORDER:**

Chair Tom Beck called the meeting to order at 7:05 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair;
Commissioners Lisa Nakajima, Ginny Sanderson and Dale Smith.

Planning Commission Excused: Commissioners Sebastian Bannister Lawler and Hugo Rojas.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Shannon Reynolds, Administrative Specialist.

2. **PUBLIC MEETING:**

A. **PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:**

None.

B. **PUBLIC HEARING:**

(1.) Continuance of the Public Hearing held on April 1st, 2019 for File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the continuation of the quasi-judicial public hearing at 7:07 p.m., and called for the staff report.

James Reitz, Senior Planner, gave a summary of the application. The third property owner had not been notified previously due to an incorrect zip code pulled from the Washington County tax roll records. The property owner was mailed a second notice via certified mail, which was then received.

Mr. Reitz reviewed the slideshow presentation with the three properties proposed to be rezoned from General Industrial to High Density Residential. Staff recommends an approval of the request to rezone the three properties.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that they applied for the two lots on their initial application, and the City added a third lot to the re-designation and rezoning. Long term trends show more housing for Forest Grove is needed, and it seems sensible to rezone the two lots that are already close to current high density housing areas. Future light rail may become available with the current railroad lines close by. A map was pulled up by Mr. Vanderzanden, showing how the designation of the two lots could help aid in several ways including better roads, improved connection points, etc.

Mr. Vanderzanden stated that he feels there is still plenty of land left over for other uses, two of the three tax lots for re-zoning have current non-conforming uses happening, and this change would only increase the property value of the current tax lots.

Dick Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Mr. Dick Reynolds came forward, stating he is the husband of applicant Roberta Reynolds. As the land is currently zoned as General Industrial, they have hit road blocks with marketing. Over the years they have contacted surrounding property owners for potential purchase interest, and have not received any. Industrial developers and storage companies have also been contacted within surrounding jurisdictions for possible development, and all resulted in zero interest for a sale.

Mr. Reynolds stated an industrial realtor was hired, and the conclusion was that the best option was to rezone the property for high density residential and city staff agreed as it conformed to the surrounding zoning.

Chair Beck inquired about the private road, and Mr. Reynolds stated that he believes there was an easement created for utilities and access and discussed who maintains the easement.

PROPONENTS:

None.

OPPONENTS:

Craig Enstrom, PO Box 6825, Aloha, OR 97007

Mr. Craig Enstrom came to the front, explaining that he is the owner of the third parcel to the west and explained his frustrations of not being notified initially. Mr. Enstrom is not looking to cause problems, however he does not want his parcel to be rezoned. The easement has been there as long as he has owned the property, and Casey Meadows inherited the easement rights. Currently he is having issues with vagrants, and enjoys his farm with small animals. Mr. Enstrom does not wish to join the high density residential area, and was totally unaware of the hearing.

Chair Beck stated that is why the Commission delayed the process.

Mr. Enstrom went on to give them plans he has for his property, with one being a towing facility for impounding cars as well as currently raising goats/sheep. The 30 foot wide buffer that would be required between industrial and residential zones is a concern to him as well.

Chair Beck stated that regardless of the outcome of the re-zoning, Mr. Enstrom can continue to do what he wants with his property.

Commissioner Sanderson inquired if Mr. Enstrom currently lives on the property, and he stated he does not. Commissioner Sanderson asked Mr. Enstrom if he has given any thought to what the re-zoning would do to his property value, and he doesn't feel the value would be great considering the cost to develop it and does not want houses all around him.

Chair Beck and Mr. Enstrom discussed the access to his property off of 25th Avenue.

OTHER:
None.

REBUTTAL:
Mr. Reynolds came forward and explained how the proposal is compatible and complimentary with the abutting property, and makes both lots more conforming to the area.

Chair Beck closed the public hearing at 7:45 p.m.

COMMISSIONER DISCUSSION:
Vice Chair Ruder wanted some clarification on the 30 foot buffer Mr. Enstrom brought up, and Mr. Reitz explained Article 8 in the Development Code requires buffers to be set between zoning districts, and General Industrial has a large buffer. This area has to be used for landscaping only, thus providing a visual buffer/separation between the two zoning districts.

Commissioner Sanderson inquired if a new industrial use could be introduced when it is rezoned as RMH, and Mr. Reitz said no.

Commissioners discussed whether they should rezone all three properties, or only rezone the two properties as applied for by the applicant.

Commissioner Sanderson moved a motion to make a recommendation to City Council to approve file No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from

General Industrial to High Density Residential. Vice Chair Phil Ruder seconded the motion.

Commissioner Nakajima moved to exclude tax lot 1N331DA07400. Commissioner Smith seconded the motion.

Roll Call Vote on Amendment: AYES: Vice Chair Ruder; Commissioners Nakajima and Smith. NOES: Chair Beck; Commissioner Sanderson. ABSENT: Commissioners Bannister Lawler and Rojas. MOTION CARRIED 3-2.

Chair Beck called the question as amended to make a recommendation to City Council.

Roll Call Vote on Main Motion as Amended: AYES: Chair Beck; Vice Chair Ruder; Commissioners Nakajima, Sanderson, and Smith. NOES: None. ABSENT: None. MOTION CARRIED 5-0.

C. ACTION ITEMS:
None.

D. WORK SESSION ITEMS:
None.

3. BUSINESS MEETING:

A. APPROVAL OF MINUTES:
Commissioner Smith moved to approve the minutes of the April 1st, 2019 meeting. Motion passed 5-0.

B. REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:
None.

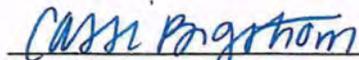
C. DIRECTOR'S REPORT:
Mr. Bryan Pohl gave the update, stating that there will be some draft development code edits coming to the Commissioners in May.

D. ANNOUNCEMENT OF NEXT MEETING:
The next meeting is May 6th, 2019.

E. **ADJOURNMENT:**

The meeting was adjourned at 7:56 p.m.

Respectfully submitted by:



Cassi Bergstrom
Planning Commission Coordinator

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A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>3. H. & 3. I.</u>
MEETING DATE:	<u>05/13/2019</u>
FINAL ACTION:	_____

CITY COUNCIL MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Anna Ruggles, CMC, City Recorder*

DATE: *May 13, 2019*

SUBJECT TITLE: *Liquor License New Application(s)*

BACKGROUND:

ORS 471.166 establishes the process for local government to make recommendation to the Oregon Liquor Control Commission (OLCC) concerning the suitability of a new liquor license application. The local government is allowed up to 45 days to process the application and provide a recommendation to the OLCC. The OLCC requires posting a public notice of the license application at the proposed business location. The OLCC also conducts its investigation, i.e., if the business location has had problems with OLCC, police or neighbors; the applicant has a criminal history; the applicant has provided false information; and/or the applicant has a history of abusing drugs or alcohol.

City Code, §110.071-110.073, requires any applicant/business requesting City Council endorsement for a new liquor license application to submit to a criminal background check and have a valid City business license in accordance with City Code. The Police Chief has reviewed the applicable criminal records check of the licensee and responsible parties and has made recommendation to forward for Council’s consideration the attached new liquor license application(s), along with one of the following recommendations:

- **Forward with Approval – No legal basis for denial.**
- **Forward with Approval, Supporting Documentation.** A criminal record exists; however, the record does not contain valid basis for denial as provided by Oregon liquor laws (i.e., felony drug or alcohol-related convictions). (*Dissemination of criminal record checks is prohibited by State law and is exempted from public disclosure*).
- **Reject Application, Memorandum required.** There is substantial evidence and opposition that warrants a Public Hearing before the City Council to hear testimony and to be used in the City’s decision-making process.

STAFF RECOMMENDATION:

Staff recommends City Council authorize endorsement of the attached new liquor license application(s). The City’s endorsement will be submitted to OLCC and OLCC approves, denies, restricts, or makes recommendations to OLCC Commissioners. If the application(s) is approved, the OLCC will issue the license(s). If the application is denied or restricted, there is a process to contest the decision.

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CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____ **3H** _____

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: Forest Grove Liquor Store

BUSINESS LOCATION ADDRESS: 3130 Pacific Avenue

LIQUOR LICENSE TYPE: Off-Premises Sales

CITY BUSINESS LICENSE: BL-000139

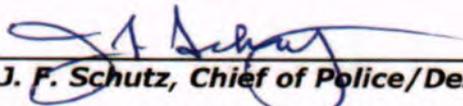
1. TYPE OF LICENSE:		2. LICENSE FEE:	
F-COM – Full On-Premises Sales		L – Limited On-Premises Sales	\$100.00 New Application
F-CAT – Full ON-Premises Sales, Caterer	x	O – Off-Premises Sales	x \$ 75.00 Change of License
F-FPC/F-CLU – Full On-Premises, Private		SEW – Special Event Winery	\$ 35.00 Temporary Sales
F-PL – Full On-Premises Public Location		SEG – Special Event Grower	\$ 35.00 Annual Renewal
TSL – Temporary Sales License		SED – Special Event Distillery	\$ 20.00 Event License
BP – Brewery Public House			\$ No Charge: Temp Annual Use
FULL ON-PREMISES SALES		LIMITED ON-PREMISES SALES	X OFF-PREMISES SALES
Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.		Allows sale and service of malt beverages, wine and cider for consumption on licensed premises. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.	Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off licensed premises. Also allows applying for sample tasting on premises.
		BREWERY – PUBLIC	
		Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.	

APPLICABLE CRIMINAL RECORDS CHECK:

NONE SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL REJECT APPLICATION (Memorandum Required)


 J. F. Schutz, Chief of Police/Designee

5/6/19
 Date



LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received:
<input type="checkbox"/> Brewery 2 nd Location	
<input type="checkbox"/> Brewery 3 rd Location	Name of City or County:
<input type="checkbox"/> Brewery-Public House 1 st location	
<input type="checkbox"/> Brewery-Public House 2 nd location	Recommends this license be:
<input type="checkbox"/> Brewery-Public House 3 rd location	
<input type="checkbox"/> Distillery	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Commercial	By: _____
<input type="checkbox"/> Full On-Premises, Caterer	Date: _____
<input type="checkbox"/> Full On-Premises, Passenger Carrier	OLCC USE ONLY Date application received: <u>4/2/19</u> By: <u>Jan Z.</u> Date application accepted as initially complete: <u>4/26/19</u> By: <u>Jan Z.</u> License Action(s): <u>N/O</u>
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1 st location	
<input type="checkbox"/> Grower Sales Privilege 2 nd location	
<input type="checkbox"/> Grower Sales Privilege 3 rd location	
<input type="checkbox"/> Limited On-Premises	
<input checked="" type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
<input type="checkbox"/> Winery 2 nd Location	
<input type="checkbox"/> Winery 3 rd Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s): Hochstetern Enterprises, Inc.

[Redacted] [Redacted]

(Applicant #1)

NS (Applicant #2)

(Applicant #3)

(Applicant #4)

OLCC USE ONLY	OLCC FINANCIAL SERVICES USE ONLY



LIQUOR LICENSE APPLICATION

3. Applicant #1 Hochstein Enterprises, Inc. Gail Hochstein v52		Applicant #2 Bruce Hochstein	
Applicant #3		Applicant #4	
4. Trade Name of the Business (Name Customers Will See) Forest Grove Liquor			
5. Business Address (Number and Street Address of the Location that will have the liquor license) 3130 Pacific Av.			
City Forest Grove Or	County Wash	Zip Code 97113	
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) Same as above			
City	State	Zip Code	
9. Phone Number of the Business Location 503-359-5586		Email Contact for this Application [REDACTED]	
Contact Person for this Application Gail Hochstein		Phone Number [REDACTED]	
Mailing Address [REDACTED]	City Hillsboro	State Or	Zip Code 97124

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

[REDACTED SIGNATURE] (Applicant #1)

[REDACTED SIGNATURE] (Applicant #2)



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Gail Hochstein Phone: 503-359-5586

Trade Name (dba): Forest Grove Liquor

Business Location Address: 3130 Pacific Av

City: Forest Grove, Or ZIP Code 97116

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>11</u>	to	<u>5</u>
Monday	<u>10</u>	to	<u>7</u>
Tuesday	<u>10</u>	to	<u>7</u>
Wednesday	<u>10</u>	to	<u>7</u>
Thursday	<u>10</u>	to	<u>7</u>
Friday	<u>10</u>	to	<u>8</u>
Saturday	<u>10</u>	to	<u>7</u>

Outdoor Area Hours:

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

The outdoor area is used for:

- Food service Hours: _____ to _____
- Alcohol service Hours: _____ to _____
- Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: _____ Outdoor: _____
 Lounge: _____ Other (explain): _____
 Banquet: _____ Total Seating: _____

OLCC USE ONLY	
Investigator Verified Seating: _____(Y) _____(N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: _____ Date: 4/10/19

1-800-452-OLCC (6523)



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____ **3/21** _____

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: Ridgewalker Brewing Company Event Center - The Mail Room

BUSINESS LOCATION ADDRESS: 1822 21st Avenue

LIQUOR LICENSE TYPE: Full On-Premises

CITY BUSINESS LICENSE: BL # 001972

1. TYPE OF LICENSE:		2. LICENSE FEE:	
	F-COM – Full On-Premises Sales	L – Limited On-Premises Sales	\$100.00 New Application
x	F-CAT – Full ON-Premises Sales, Caterer	O – Off-Premises Sales	x \$ 75.00 Change of License
	F-FPC/F-CLU – Full On-Premises, Private	SEW – Special Event Winery	\$ 35.00 Temporary Sales
	F-PL – Full On-Premises Public Location	SEG – Special Event Grower	\$ 35.00 Annual Renewal
	TSL – Temporary Sales License	SED – Special Event Distillery	\$ 20.00 Event License
	BP – Brewery Public House		\$ No Charge: Temp Annual Use
X	FULL ON-PREMISES SALES	LIMITED ON-PREMISES SALES	OFF-PREMISES SALES
Allows sale and service of distilled spirits, malt beverages, wine and cider for consumption on licensed premises and required to have dining seating. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.		Allows sale and service of malt beverages, wine and cider for consumption on licensed premises. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises. Also allows applying for temporary use of annual license for special events off-premises.	
		BREWERY – PUBLIC	
		Allows manufacturing malt beverages and to sell and distribute to patrons and wholesalers. Allows sale of malt beverages, wine and cider in securely covered container (growler) for consumption off licensed premises.	

APPLICABLE CRIMINAL RECORDS CHECK:

NONE

SUPPORTING DOCUMENTATION ATTACHED

RECOMMENDED ACTION:

FORWARD WITH APPROVAL

REJECT APPLICATION (Memorandum Required)

J. F. Schutz, Chief of Police/Designee

4/20/19
Date



LIQUOR LICENSE APPLICATION

LICENSE FEE: Do not include the license fee with the application (the license fee will be collected at a later time).

APPLICATION: Application is being made for:

- Brewery
- Brewery-Public House
- Distillery
- Full On-Premises, Commercial
- Full On-Premises, Caterer
- Full On-Premises, Passenger Carrier
- Full On-Premises, Other Public Location
- Full On-Premises, Nonprofit Private Club
- Full On-Premises, For-Profit Private Club
- Grower Sales Privilege
- Limited On-Premises
- Off-Premises
- Off-Premises with Fuel Pumps
- Warehouse
- Wholesale Malt Beverage & Wine (WMBW)
- Winery

CITY AND COUNTY USE ONLY

Date application received 04-24-2019

Name of City or County FOREST GROVE

Recommends this license be Granted Denied

By _____

Date _____

OLCC USE

Application received by San Z.

Date 4/9/19

License Action: N/O

1. LEGAL ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license:

Applicant #1 Ridgewalker Brewing Company LLC	Applicant #2
Applicant #3	Applicant #4

2. Trade Name of the Business (the name customers will see):
Ridgewalker Brewing Event Center- The Mail Room

3. Business Location: Number and Street 1822 21st Ave

City <u>Forest Grove</u>	County <u>Washington</u>	ZIP <u>97116</u>
--------------------------	--------------------------	------------------

4. Is the business at this location currently licensed by the OLCC? Yes No

5. Mailing Address (where the OLCC will send your mail):

PO Box, Number, Street, Rural Route <u>PO Box 365</u>	State <u>OR</u>	ZIP <u>97116</u>
---	-----------------	------------------

6. Phone Number of the Business Location: 503-747-0271

7. Contact Person for this Application:

Name <u>Christopher M. Cirilincione</u>	Phone Number <u>[REDACTED]</u>
Mailing Address, City, State, ZIP <u>[REDACTED]</u>	
Email <u>Chris@ridgewalkerbrewing.com</u>	

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is prohibited on the licensed premises.

Signature of Applicant #1 <u>[REDACTED]</u>	Signature of Applicant #2
Signature of Applicant #3 <u>[REDACTED]</u>	Signature of Applicant #4



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Ridgewalker Brewing Company LLC Phone: 503-621-6320

Trade Name (dba): Ridgewalker Brewing

Business Location Address: 1822 21st Ave

City: Forest Grove ZIP Code: 97116

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 7:00 am to 12:00 am
Monday 7:00 am to 12:00 am
Tuesday 7:00 am to 12:00 am
Wednesday 7:00 am to 12:00 am
Thursday 7:00 am to 12:00 am
Friday 7:00 am to 12:00 am
Saturday 7:00 am to 12:00 am

Outdoor Area Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for:

Food service Hours: to
Alcohol service Hours: to
Enclosed, how
The exterior area is adequately viewed and/or supervised by Service Permittees.
(Investigator's Initials)

Please See Attached Narrative

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music, Recorded Music, DJ Music, Dancing, Nude Entertainers, Karaoke, Coin-operated Games, Video Lottery Machines, Social Gaming, Pool Tables, Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday 12:00 pm to 12:00 am
Monday 12:00 pm to 12:00 am
Tuesday 12:00 pm to 12:00 am
Wednesday 12:00 pm to 12:00 am
Thursday 12:00 pm to 12:00 am
Friday 12:00 pm to 12:00 am
Saturday 12:00 pm to 12:00 am

SEATING COUNT

Restaurant: 150 Text Outdoor:
Lounge: Other (explain):
Banquet: 150 Total Seating: 150

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Date: 3/24/19

RIDGEWALKER BREWING COMPANY

1921 21ST AVE
FOREST GROVE, OR 97116

CHRISTOPHER M. CIRLINCIONE
MEMBER
503-621-6320
CHRIS@RIDGEWALKERBREWING.COM



APRIL, 05 2019

February 05, 2015

Business Information Narrative:

New Location: Ridgewalker Brewing Company Event Center – The Mail Room
1822 21st Ave, Forest Grove, OR 97116

Requested License: Full On Premises

Ridgewalker Brewing Company (RW) recognizes that a more detailed explanation of the daily operations of the Event Center at the location described above.

Ridgewalker will be operating its event center and its mobile catering team from this location. Events will range from small private business seminars, gaming and movie events, wedding receptions, as well as Ridgewalker sponsored events such as dance parties, music events, beer pairings, and intermittent public openings.

Ridgewalker understands that any given event could fall under a different set of OLCC guidelines regarding minor postings and time and durations of each events.

During any given situation Ridgewalker will be able to provide the attached "Late Night Menu" as the minimum required menu to maintain the requested FOP.

It is Ridgewalker's hope to develop a standard operating procedure with the OLCC to avoid constant back and forth of event license approval while insuring that Ridgewalker operates within the OLCC guidelines and provides a safe and responsible experience for its community and customers.

Sincerely yours,

Christopher M. Cirilincione MBR

Monthly Building Activity Report
 April-19
 2018-2019

Category	Period: April-18		Period: April-19	
	# of Permits	Value	# of Permits	Value
Man. Home Setup	1	\$ 14,000.00	1	\$ 14,900.00
Sing-Family New	17	\$5,006,632	5	\$1,873,445
SFR Addition & Alt/Repair	2	\$43,736	3	\$22,000
MultiFamily New	2	\$1,288,364		
MultiFamily Alteration/Repair	3	\$20,450		
Group Care Facility			1	\$2,800
Commercial New	2	\$2,898,484	1	\$48,240
Commerical Addition				
Commercial Alt/Repair	7	\$252,700	2	\$172,927
Industrial New			1	\$3,035,017
Industrial Addition				
Industrial Alt/Repair	2	\$291,145		
Gov/Pub/Inst (new/add)			11	\$72,708
Signs	1	\$3,500	1	\$2,600
Grading	1			
Demolitions				
Total	38	\$9,819,011	26	\$5,244,637

Fiscal Year-to-Date

2017-2018		2018-2019	
Permits	Value	Permits	Value
298	\$57,696,320	284	\$61,968,514

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GroveLink

Transit in Forest Grove

Presentation to Forest
Grove City Council

May 13, 2019

Goals for this evening

- Overview of Ride Connection
- Provide a brief history of Grovelink and other area services
- Review current operations
- Discuss new funding and expansion planning

Ride Connection in Washington County

Tualatin – Beaverton – Hillsboro – Forest Grove

Community Connectors

RideAbouts

Demand Response

Volunteers

Shared Vehicle Agreements



GroveLink





GroveLink

2018 Rider Survey

- 31% of riders identify as either being an older adult or have a disability
- 26% identify as being low income
- 33% of riders are commuters
- 85% ride Grovelink at least once a week
- 96% expressed high satisfaction with the service



Impacts, Value and Benefits

- Creates community connections and enhances livability
- Boosts economic vitality by providing access to jobs and ability to buy local
- Supports community's long standing desire to expand transit service in Forest Grove
- Reduces greenhouse gas emissions
- Increases mobility for vulnerable residents
- Supported through TriMet's service enhancement plan
- Provides safe transportation option during inclement weather
- Serves as a model for the region

Funding Status

- STIF Formula Funding
 - HB 2017 created the Statewide Transportation Improvement Fund (STIF).
 - Washington County is projected to receive \$3.5 million for public transportation FY19-21.
 - Washington county will receive the funds and contract with Ride Connection
 - Funds will be used to expand and enhance last-mile connections and support expansion of rural service
- STIF Discretionary Funding - pending
 - Ride Connection has applied for funding to improve safety and technology across its Washington County services.

Proposed Grovelink Expansion options

- Additional service hours Monday through Friday
- New weekend service
- Possible route adjustments
- Coordinated marketing effort



Proposed Rural Expansion options

- Westlink bus
 - Additional trips throughout the week.
 - Possible route modification
- Rural demand response
- Possible new modes
 - Agriculture workforce shuttle
 - Shopping shuttles
 - Vanpools
 - Ride-share
 - Microtransit



Planning Process

1. Stakeholder Outreach
2. Community Engagement
3. Drafting Alternatives
4. Community Outreach/Marketing
5. Implementation



Decision making process

- Weighing community input with desired service outcomes
- Determining greatest community priorities and needs
- What can be implemented now and what will be possible in the future
- Regional coordination
- Ride Connection's role in the community

Thank you!

Project Contacts

- Planning:
John Whitman (503) 290-3684
jwhitman@rideconnection.org
- Forest Grove Operations:
Debra Bratland (503) 290-3681
dbratland@rideconnection.org



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Washington County Affordable Housing Bond Local Implementation Strategy

Forest Grove City Council
May 13, 2019

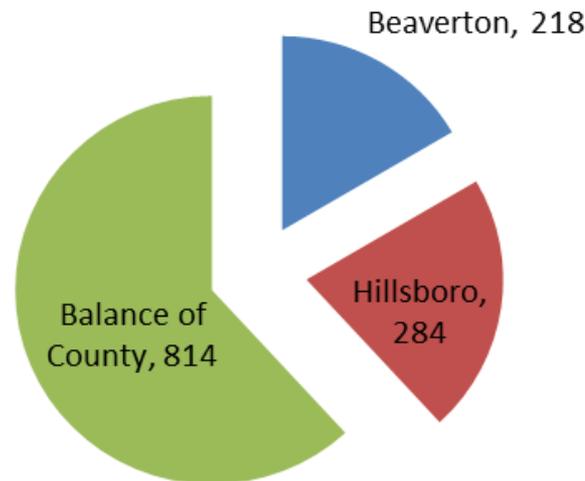
Komi Kalevor, Executive Director
Shannon Wilson, Housing Development Coordinator
Housing Authority of Washington County

Metro Regional Housing Bond

(Measure 26-199 and Oregon Measure 102)

- \$652.8 million in bond proceeds to be used in Washington, Multnomah, Clackamas (area within the UGB)
- In Washington County – \$188 million for housing projects; target is to build or acquired 1,316 units of regulated affordable housing in the county between 2019-2026 (5-7 years)

Units to be Produced with Metro Bond



Metro Housing Bond Framework in Washington County Bond Area

- Leading with Racial Equity and Community Engagement
- 334 units (in Washington County) serving households at or below 30% Median Family Income
- 407 units for families (2+ bedroom units)
- Up to 81 units created serve 'workforce households' earning 61–80% Median Family Income

Household Size	30% Median Family Income	60% Median Family Income	80% Median Family Income
1 person	\$17,100	\$34,200	\$45,600
4 people	\$24,420	\$48,840	\$65,120

Source: HUD.gov accessed on 9/10/2018



Local Implementation Strategy

Key Features of LIS

- Each implementing jurisdiction develops their own strategy
- Outlines how the jurisdiction envisions achieving its unit production target
- Four guiding principles
 1. Housing development plan, including criteria and selection process for projects
 2. Strategy for advancing racial equity throughout implementation
 3. Engagement report summarizing how stakeholder input shaped development of the strategy
 4. Plan for ongoing community engagement

Key Features of LIS

- Each Implementing Jurisdiction develops its own strategy
 - Autonomy
 - Collaboration
 - Coordination
- Each Implementing Jurisdiction has a unique strategy
 - Land Availability
 - Local Development Partners
 - Major transportation and economic corridors
 - High Opportunity Areas
 - HUD –Qualified Census Tracts (QCTs) and Small Area Difficult to Develop Areas (SADDAs)

Guiding Principles



1) Housing Development Plan

- Targeted balance between HAWC-owned, private developer-owned housing and non-profit developer-owned housing
- Geographic distribution of bond-funded projects
- Balance between new construction and acquisition/rehabilitation of existing housing
- Connection with supportive housing services

2) Strategy for advancing racial equity

- MWESB Contracting
- Affirmative outreach and marketing to target populations
- Low-barrier screening criteria
- Project Based Voucher (PBV) process

Guiding Principles

3) Community Engagement

- Coordinated outreach to communities of color
- Development community, public and private
- Identification of key issues and priorities for the community

4) Plan for Ongoing Community Engagement

- Phase 2 – contract with community engagement practitioner
- Focused on reaching underrepresented communities, neighborhoods impacted by a proposed housing project, and general community members



Leveraging Resources

- Maximize use of non-competitive resources
- Maximize use of private resources
- Maximize local resources
 - Project Based Rental assistance
 - Property tax exemption and/or PILOT agreement
 - HAWC Conduit Bonds
 - Housing Production Opportunity Fund and Washington County General Fund
 - Resources of partner jurisdictions



LIS Development Next Steps

- **4/23** – 30-day Public Comment period begins
- **5/7** – Board of Commissioners Public Hearing
- **5/1–5/31** – Presentations/Listening Sessions with each City Council, Washington County Planning Commission and Policy Advisory Board
- **5/28** – Board of Commissioners Work Session to review LIS Draft 2
- **6/11** – Board of Commissioners Work Session to review LIS Draft 3
- **6/25** – Board of Commissioners considers approval of LIS
- **7/24** – LIS review by Metro Community Oversight Committee
- **8/1** – Metro Council considers approval of LIS

For more information:

<https://www.co.washington.or.us/Housing/regional-affordable-housing-bond.cfm>

To provide public comment:

AffordableHousingBond@co.washington.or.us

Greater Portland's nature: Protect and connect



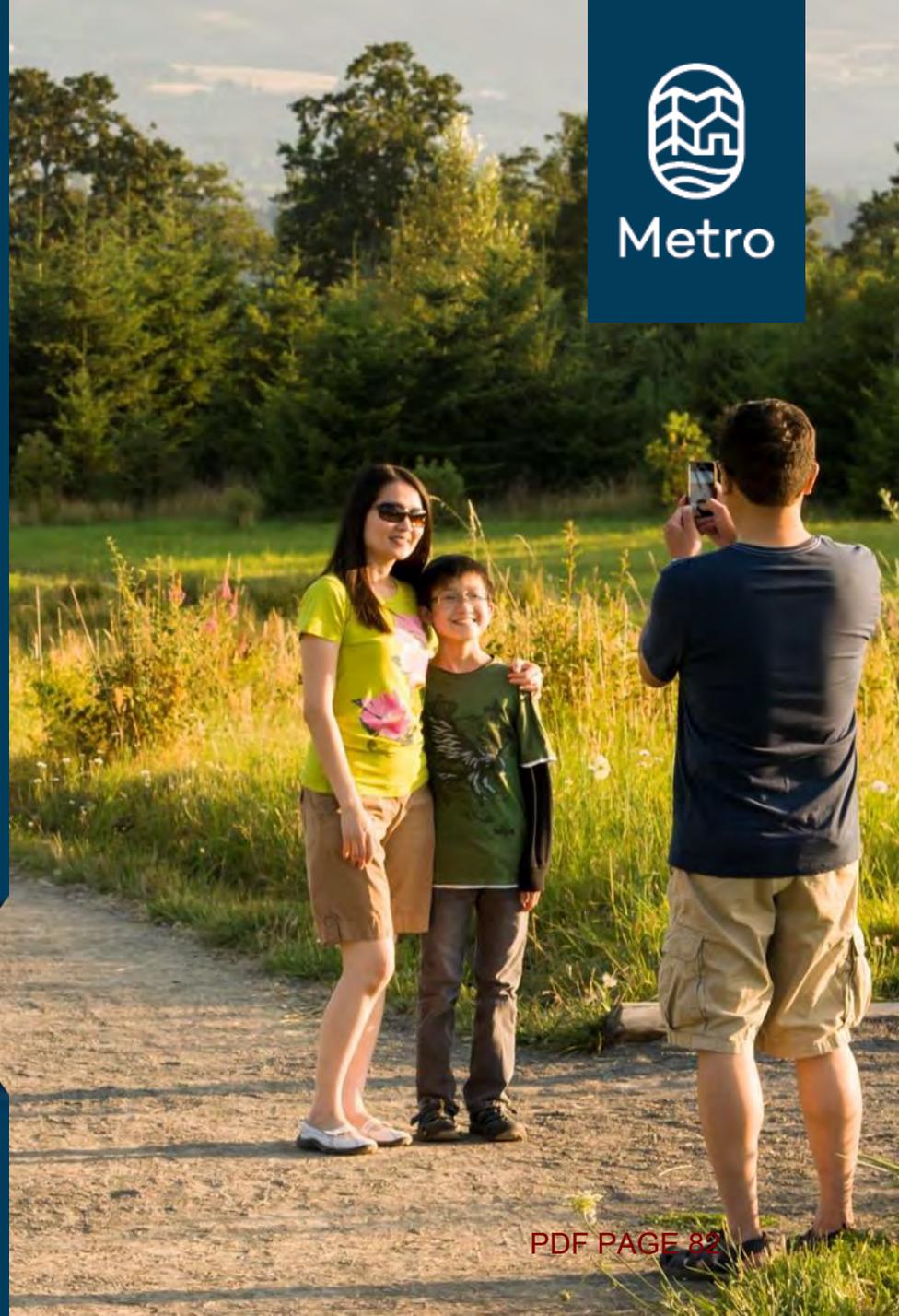
Metro

Forest Grove City Council
May 13, 2019



Metro

Clean water,
healthy habitat,
happy people





Metro

**Three decades
protecting
what makes
this place
special**



Metro

Changing the future: Newell Creek Canyon



Metro

Changing the future: Graham Oaks Nature Park

PDF PAGE 85



Metro



Changing the future: Chehalem Ridge



Metro

Where do we go
from here?





Shaped by the community

Maintain tax rate

Put people first

**Advance
racial equity**

**Prepare for
climate change**



Metro



\$400-450 million across six areas:

1. Protect and restore land
2. Take care of Metro parks
3. Award community grants
4. Support local projects
5. Create trails for walking and biking
6. Advance large-scale community visions



Metro





Metro

**Protecting and
restoring land:
\$130-140 million**



Metro

**Taking care of
Metro parks:
\$100-105 million**





Metro

**Supporting local
projects:
\$65-70 million**





Metro

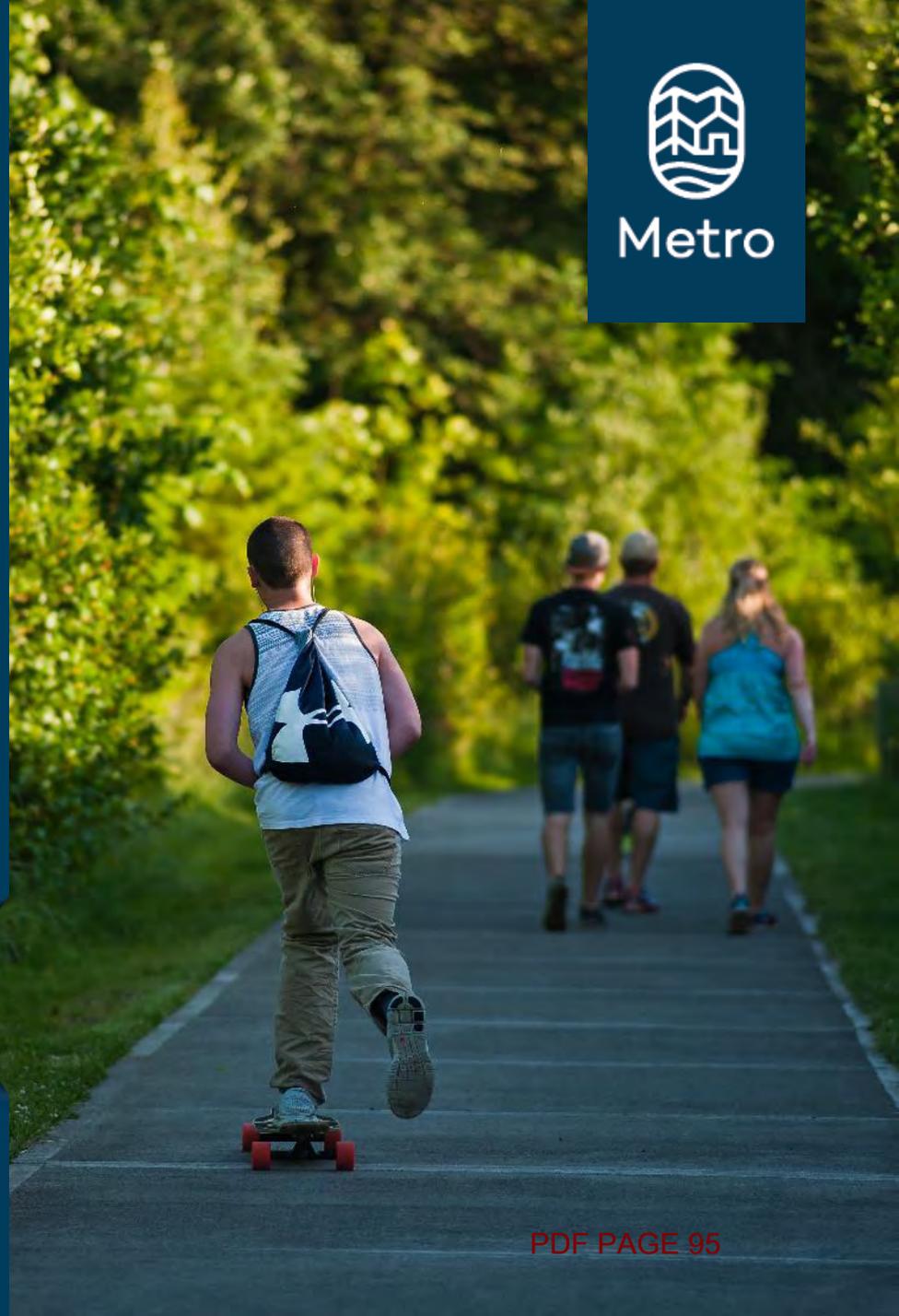
**Awarding
community
grants:
\$25-30 million**





Metro

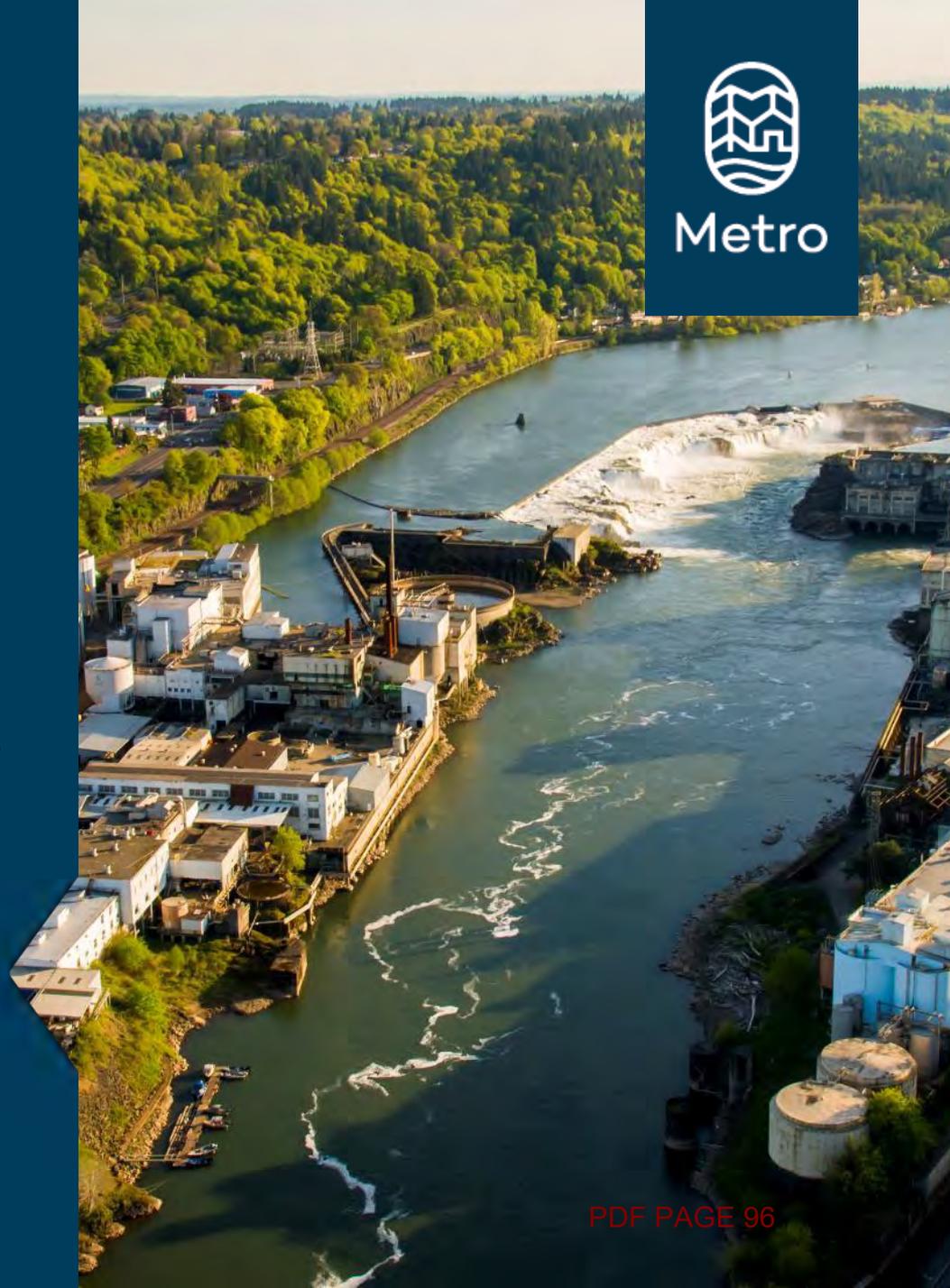
**Creating trails for
walking, biking:
\$40-50 million**





Metro

**Advancing large-scale community visions:
\$40-50 million**



Moving forward

Engagement



Final
package



Council
referral



Refinement
After election





Metro



Questions?

oregonmetro.gov



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A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	
MEETING DATE:	6.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Bryan Pohl, Community Development Director
Chris Crean, City Attorney
James Reitz (AICP), Senior Planner*

MEETING DATE: *May 13, 2019*

SUBJECT TITLE: *Motion for Adoption of Order No. 2019-03
File No. 311-18-000036-PLNG*

ACTION REQUESTED:

	Ordinance	X	Order		Resolution	X	Motion		Informational
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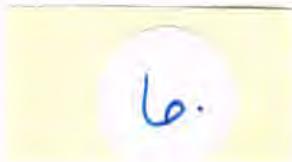
X all that apply

BACKGROUND: At the March 18, 2019, City Council meeting, the Council voted to approve a 16-unit expansion of the Rose Grove Manufactured Home Park (MHP). The Council directed the applicant and staff to prepare an Order memorializing this decision. The applicant’s attorney, City Attorney and staff have prepared the attached Order and findings for adoption.

STAFF RECOMMENDATION: Staff recommends that the City Council adopt Order Number 2019-03.

ATTACHMENT(s): Order Number 2019-03 and Exhibit A “Findings.” (Note: Exhibit “B” as referenced in the Order is the revised application with a new site plan).

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ORDER NO. 2019-03

**ORDER APPROVING A SITE PLAN APPROVAL APPLICATION
FOR A 16-UNIT MANUFACTURED DWELLING PARK EXPANSION
AT 4015 PACIFIC AVENUE; WASHINGTON COUNTY TAX LOT
1N332DD01400, FILE NUMBER 311-18-000036-PLNG**

WHEREAS, an application (the "Application") for a site plan approval was submitted on November 8, 2018, by Rose Grove Mobile Home Park ("Rose Grove") for development of sixteen (16) mobile home park spaces on a vacant lot owned by Rose Grove; and

WHEREAS, City planning staff ("Staff") deemed the Application complete on December 6, 2018; and

WHEREAS, Staff denied the Application on December 12, 2018, because Staff's interpreted Forest Grove Municipal Code Section 17.3.320 to conclude that mobile homes are not permitted in the Community Commercial (CC) Zoning District; and

WHEREAS, Rose Grove appealed Staff's decision to the Planning Commission on December 26, 2018; and

WHEREAS, the Planning Commission held a Public Hearing on January 22, 2019 and deadlocked on a 3-3 vote, and thereby sustaining Staff's denial by default; and

WHEREAS, Rose Grove filed a timely appeal of the Planning Commission decision on February 4, 2019; and

WHEREAS, the City Council held a Public Hearing on March 18, 2019, to consider Rose Grove's appeal of the Planning Commission's decision; and

WHEREAS, the City Council heard testimony from Rose Grove, members of the public and Staff, and carefully considered the different interpretations of the Forest Grove Development Ordinance offered by Staff and Rose Grove; and

WHEREAS, the City Council closed the Public Hearing and voted unanimously to reverse Staff's denial and approve the Application.

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

Section 1. Based on the evidence, testimony and argument in the record, the application for a 16-unit manufactured dwelling park expansion at 4015 Pacific Avenue is **APPROVED** by the City of Forest Grove City Council.

Section 2. The City Council hereby adopts the attached Findings of Fact and Conclusions of Law, attached as **Exhibit A**, and the project narrative attached as **Exhibit B**.

Section 3. This Order is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED the 13th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 13th day of May, 2019.

Peter B. Truax, Mayor

ORDER NO. 2019-03

Exhibit A

Final Findings of Fact and Conclusions of Law

Regarding an Appeal from the Planning Commission of the Community Development Department's denial of Site Plan Approval for a 16-unit manufactured dwelling park expansion at 4015 Pacific Avenue, Washington County Tax Lot 1N332DD01400; File Number 311-18-000036-PLNG.

Decision: Based on substantial evidence in the whole record and the findings of fact below, the application for Site Development Review for sixteen new mobile home dwelling unit spaces within the Rose Grove Manufactured Dwelling Park, on vacant property addressed as 4015 Pacific Avenue, is hereby **APPROVED**, subject to the following conditions:

Condition 1: The Applicant shall construct the revised plan submitted on April 12, 2019.

Condition 2: To address the fire department turnaround requirements described below, the Applicant shall post Fire Lane No Parking signs on proposed drive-aisles in accordance with the 2010 Oregon Fire Code Appendix D §D103.6 *Signs*.

Plan Revisions: At the March 18, 2019 Hearing, the Council expressed concerns regarding the lack of pedestrian connections between units and abutting public sidewalks, and the need for the plan to satisfy fire department turnaround requirements. On April 12, 2019, the Applicant submitted a revised plan and associated findings addressing these concerns, which are attached to the Final Order as **Exhibit B**. The Council finds that the Application has been adequately revised to include a new fire department turnaround meeting applicable code standards and new pedestrian walkways along the internal drive aisles to connect the units to the abutting public sidewalks.

State of Oregon Needed Housing Requirements (ORS 197.302–307): As explained below, the Council finds that the CC zoning district allows residential and mixed residential/commercial uses. The Council also finds that the Application is for “needed housing” as defined in ORS 197.303. Therefore, the Council finds that the City “may [...] apply only clear and objective standards, conditions and procedures” to the Application, as required by ORS 197.307(4). Where standards otherwise applicable to the Application are not “clear and objective,” the Council finds that they do not apply, although it finds that the Application satisfies such standards regardless, as explained in **Exhibit B** to the Council's Order.

Review Criteria: The review criteria are set forth in DC §10.2.450 A–F, §10.3.000 et. seq, §10.500 and §10.8.000 et. seq.

Criteria: DC §10.2.450.A. The site development plan complies with all applicable standards of the base zoning district, any overlay district and the applicable general development standards of Article 8.

Finding: *The Subject Property is located within the Community Commercial (“CC”) zone. Permitted uses within the CC zone are set forth in DC Table 3-10, the “Commercial and Mixed Use Zones Use Table.” The table identifies “Household Living” as a limited ([L]) use, subject to footnote [2]. Footnote [2] provides as follows:*

“Residential units are permitted as a stand-alone use or as part of a mixed-use development in the CC zone, at a minimum density of 16.22 units/net acre and a maximum density of 30.00 units/net acre. Stand-alone residential projects shall have a minimum density of 16.22 units/net acre. There is no minimum density requirement when residential units are constructed over first floor commercial uses. Residential density for affordable housing may be increased to 50.00 units/net acre pursuant to § 17.7.410 Table 7-2 Tier 2.”

Based on the proposal described in Exhibit B attached to the Council’s Order, the Council finds that the Application satisfies minimum density requirements. The site is .98 acres, which requires a minimum of 16 dwelling units. The Applicant’s revised site plans shows the site will include 16 sites for manufactured dwellings. As such, the applicant complies with the density requirement.

DC §17.1.120.A. provides that “except as otherwise specified, the definitions included in Article 12 shall be used to interpret the provisions of this Code.” Therefore, the Council finds that, in the absence of any specific regulation of residential development types in the CC zoning district, that the definition of “Household Living” determines which types of residential uses are permissible in that zone.

The definition of household living is set forth in DC §17.12.110.A, as follows:

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

The Council finds that the Application proposes “manufactured dwellings,” which are included in the definition of “household living.” The Council also finds that “Household Living” is permitted in the CC zoning district. Therefore, the Council

finds that the proposed “manufactured dwellings” are permitted in the CC zoning district.

Further, the Council finds that, to the extent that “Manufactured Home Park” or “Manufactured Dwelling Park” is a separately-defined residential development type specifically regulated in other zones, the CC zoning district makes no distinction between “Manufactured Homes,” which is stated in the plural, and “Manufactured Home Park.”

The Council finds that the special development standards applicable to “Manufactured Dwelling Parks” stated in DC §17.5.300 – 335 do not apply in the CC zoning district for two reasons. First, the CC zoning district broadly allows “household living” subject to the minimum density standards stated in Table 3-10, note [2], and without regard to residential development type. Second, the purposes statement of the special development standards set forth in §17.5.300.A explains that those standards apply to manufactured dwelling parks in the R-10, R-7, R-5, RML, and RMH zoning districts, and therefore do not apply in the CC zoning districts.

*Findings of compliance with the applicable standards of Article 8 are set forth below and as explained in **Exhibit B**.*

Criteria: §10.2.450.B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:

1. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties; and
2. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.

Finding: *The Council finds that the above criterion and its related factors are not “clear and objective” and are therefore inapplicable under the Needed Housing Statute (ORS 197.307(4)). To the extent the criteria applies, as explained in Exhibit B, the adjacent property to the north is part of the same manufactured home park. To the east is the Doherty Ford dealership and to the west is the 2-story Best Western University Inn, both of which are much greater in building mass and scale than the proposed home sites. There are no off-site impacts such as noise, glare and odors associated with the proposed use. The criteria are met.*

Criteria: §10.2.450.C. The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:

1. Significant on-site vegetation and trees;
2. Prominent topographic features; and

3. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.

Finding: *The Council finds that the above criterion and its related factors are not “clear and objective” because it does not define “significant on-site vegetation and trees,” “prominent topographic features,” or “sensitive natural resources,” or how a development can “adequately mitigate impacts” to such natural features.” Therefore, the above criterion is inapplicable under the Needed Housing Statute (ORS 197.307(4)). However, to the extent it does apply, the Council finds that there are no prominent topographic features or sensitive natural resources on the subject property.*

*In addition, as explained in **Exhibit B**, there is no significant on-site vegetation, trees, or prominent topographic features. As explained in the Clean Water Services Service Provider Letter, there are no sensitive natural areas on the site. The criteria are met.*

Criteria: §10.2.450.D. The site development plan preserves or adequately mitigates impacts to designated historic resources.

Finding: *The Council finds that there are no designated historic resources on or near the Subject Property. Therefore, this criterion does not apply.*

Criteria: §10.2.450.E. The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the city. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

Finding: *The Council finds that the above criterion is not “clear and objective” because it does not identify the “street standards of the city,” what those regulations require,” and how facilities are determined to be needed because of “anticipated vehicular and pedestrian traffic generation. It is therefore inapplicable under the Needed Housing Statute (ORS 197.307(4)).*

However, to the extent the criteria applies, the revised site plan in Exhibit B shows there will be sufficient right-of-way to meet the applicable city street standards right-of-way. The site plan and revised narrative also demonstrate that 4-foot-wide sidewalks will be constructed adjacent to the drive aisles and connect to existing sidewalk connections. This criteria is met.

Criteria: §10.2.450.F. The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities and other parts of a site or abutting properties that may attract pedestrians.

Finding: *The Council finds that the above criterion is not “clear and objective” because it does not define what a “safe, attractive and usable pedestrian facility” is, or how a development plan must “promote” such facilities. Therefore it does not apply under the Needed Housing Statute (ORS 197.307(4)).*

*However, to the extent it applies, as explained in **Exhibit B** and shown on the revised site plan, the proposed addition of 16 home sites will utilize an extension of the existing on-site pedestrian/bicycle/vehicle shared connectivity network successfully serving the residents of the park. In addition, the site plan has been revised to include sidewalks connecting the new residences to the facilities within the Rose Grove Park and to the public right-of-way sidewalk on Pacific Avenue. Rose Grove MHP is on the free GroveLink community bus line and the #57 Trimet bus route. Public sidewalks connect the park within a mile to employment opportunities, shopping centers, medical offices, restaurants and other services. This standard is met.*

Criteria: §10.3.320.B. (Commercial Zones) Limited Uses. Uses that are allowed subject to specific limitations are listed in Table 3-10 with an “L”. These uses are allowed if they comply with the limitations listed in the footnotes to the table and the development standards and other regulations of this Code.

Finding: *As described above, this section allows “household living” as a “limited use” in the Community Commercial zoning district, and the proposed manufactured dwellings are considered household living. Further, the site plan shows that the proposed density meets the required 16 units per acre. This criterion is met.*

Criteria: §10.3.330.B. Development Standards.

Finding: *The applicable development standards are set forth in **Exhibit B**. As explained in the revised narrative and shown on the revised site plan, the lot size exceeds the 5,000 square foot minimum and the lot width exceeds the 50-foot minimum. No buildings will exceed the 45-foot height maximum. A minimum of 15% of the site will be landscaped, as shown on the submitted site plan. This standard is met.*

Criteria: §10.5.100-145. (Tree Protection). The applicable provisions of the City’s regulations governing tree protection are set forth in Exhibit B.

Finding: *For the reasons described in **Exhibit B**, which is adopted by the City Council, the criteria are met.*

Criteria: §10.8.000 et. seq. (General Development Standards). The applicable general development standards are set forth in **Exhibit B**.

Finding: *For the reasons described in **Exhibit B**, which is adopted by the City Council, the criteria are met.*

Conclusion: For the above reasons, the Council finds that the Application satisfies all applicable criteria and is approved on that basis.

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EXHIBIT B



ROSE GROVE MOBILE HOME PARK

3839 SW PACIFIC AVENUE | FOREST GROVE, OR

SITE DEVELOPMENT REVIEW

NOVEMBER 2018

[REVISED- APRIL 2019](#)

OWNER | APPLICANT

ROSE GROVE MOBILE HOME PARK LTD.

201 OCEAN AVENUE #507B

SANTA MONICA, CA 90402

CONTACT: DEBORAH KLEINMAN

PHONE: (310) 422-5461

APPLICANT'S REPRESENTATIVE:

3J CONSULTING, INC

5075 SW GRIFFITH DRIVE, SUITE 150

BEAVERTON, OR 97005

CONTACT: Heather Austin, AICP

PHONE: (503) 946-9365 x.206

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Attachments

- Land Use Application
- CWS Service Provider Letter
- Preliminary [and Revised](#) Land Use Plans

GENERAL INFORMATION

Property Owner and Applicant: **Rose Grove Mobile Home Park Ltd.**
201 Ocean Avenue #507B
Santa Monica, CA 90402
Contact: Deborah Kleinman
Phone: 310-422-5461
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Applicant's Representative: **3J Consulting, Inc.**
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Beaverton, OR 97005
Contact: Mercedes Smith
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SITE INFORMATION

Parcel Number: 1N332D001400
Address: 3839 SW Pacific Ave
Size: 0.98 acres
Zoning Designation: CC- Community Commercial
Existing Use: Vacant
Street Functional Classification: SW Pacific Avenue is classified as an arterial
Surrounding Zoning: The property is surrounded on all sides by CC- Community Commercial zoning.

INTRODUCTION

APPLICANT'S REQUEST

Rose Grove Mobile Home Park Ltd. is proposing to develop this site to accommodate 16 manufactured homes. This site is immediately adjacent to the existing Rose Grove development, which contains 329 homes. The access to this site is proposed through the existing street network within Rose Grove. The existing curb cut to SW Pacific Avenue at this site will be limited to an emergency-vehicle-only access. This narrative has been prepared to describe the proposed development and to document compliance with the relevant sections of Forest Grove's Development Code.

SITE DESCRIPTION/SURROUNDING LAND USE

This site is located at 3839 SW Pacific Avenue within the City of Forest Grove and is identified as Tax Lot 1400 on Washington County Tax Assessor's Map Number 1N332D. The subject site is approximately 0.98 acres in size (pending recordation of a lot line adjustment approved by the City of Forest Grove on September 12, 2018). The site is vacant and generally flat. There is public sidewalk adjacent to the park along SW Pacific Street. All of the surrounding property is zoned Community Commercial (CC). North of the site is the Rose Grove Mobile Home Park. West of the site is the Best Western University Inn & Suites. East of the site is Doherty Ford, a vehicle sales and repair business. South of the site is SW Pacific Avenue, across which is a Seventh Day Adventist church.

PROPOSAL

The Rose Grove Mobile Home Park is a residential neighborhood in Forest Grove providing needed housing to over 300 families, including 800 children. This proposal seeks to add sixteen (16) spaces for manufactured homes, expanding the park's ability to serve Forest Grove families.

Utility connections will be provided via the existing lines in SW Pacific Avenue (TV Highway). The frontage of SW Pacific Street adjacent to this property includes a public sidewalk. Access to the new 16 homes will be from an internal connection to Rose Grove, with the current driveway apron on SW Pacific Avenue serving as emergency-access only. Trash and recycling in Rose Grove is collected at each individual home. The 16 new homes will also be served with garbage and recycling directly with no group enclosure proposed.

APPLICABLE CRITERIA

The following sections of Forest Grove's Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Site Development Review Application.

This Application is for the "development of housing." Therefore, ORS 197.307(4) requires that only "clear and objective standards, conditions and procedures" may be applied to the project. A number of site development review criteria are not clear and objective, including:

- 10.2.450.B, C, D, E, and F.
- 10.8.410.A, B, C, D, and F.
- 10.8.425.A.

These criteria do not apply to the Application under ORS 197.307(4). However, in the alternative, the Applicant provides responses to these criteria, below.

ARTICLE 2- LAND USE REVIEWS

SITE DEVELOPMENT REVIEW

10.2.450 REVIEW CRITERIA

The Director shall review and approve, conditionally approve, or deny the site development plan based on the following criteria:

A. The site development plan complies with all applicable standards of the base zoning district, any overlay district, and the applicable general development standards of Article 8.

Applicant's Finding: As described within this narrative, the site development plan complies with all applicable standards of the Community Commercial (CC) zoning district, and the applicable general development standards of Article 8. This standard is met.

B. The site development plan ensures reasonable compatibility with surrounding uses as it relates to the following factors:

- 1. Building mass and scale do not result in substantial visual and privacy impacts to nearby residential properties; and**
- 2. Proposed structures, parking lots, outdoor use areas or other site improvements that could cause substantial off-site impacts such as noise, glare and odors are oriented away from nearby residential uses and/or adequately mitigated through other design techniques.**

Applicant's Finding: The adjacent property to the north is part of the same manufactured home park. To the east is the Doherty Ford dealership and to the west is the 2-story Best Western University Inn, both of which are much greater in building mass and scale than the proposed home sites. There are no off-site impacts such as noise, glare and odors associated with the proposed use. This standard is met.

C. The site development plan preserves or adequately mitigates impacts to unique or distinctive natural features including, but not limited to:

- 1. Significant on-site vegetation and trees;**
- 2. Prominent topographic features; and**
- 3. Sensitive natural resource areas such as wetlands, creek corridors and riparian areas.**

Applicant's Finding: There are no significant on-site vegetation, trees, or prominent topographic features. As stated in the submitted Clean Water Services Service Provider Letter, sensitive natural resource areas. This standard is met.

D. The site development plan preserves or adequately mitigates impacts to designated historic resources.

Applicant's Finding: There are no designated historic resources on this site. This standard is met.

E. The site development plan provides adequate right-of-way and improvements to abutting streets to meet the street standards of the City. This may include, but not be limited to, improvements to the right-of-way, sidewalks, bikeways, and other facilities needed because of anticipated vehicular and pedestrian traffic generation.

Applicant's Finding: This site is adjacent to SW Pacific Avenue, a fully-developed arterial with adequate public sidewalk. No additional public improvements are anticipated with this proposal. This standard is met.

F. The site development plan promotes safe, attractive and usable pedestrian facilities that connect building entrances, public sidewalks, bicycle and auto parking spaces, transit facilities, and other parts of a site or abutting properties that may attract pedestrians.

Applicant's Finding: The proposed site development plan will connect in to the Rose Grove Mobile Home Park. Rose Grove is home to 1,300 people, 800 of whom are children. Rose Grove constructed a large playground and open space in the fall of 2017 to support the families within the park. The proposed addition of 16 home sites will utilize an extension of the existing on-site pedestrian/bicycle/vehicle shared connectivity network successfully serving the residents of the park. [In addition, based on comments from City Council at their hearing on March 18, 2019, the site plan has been revised to include sidewalks connecting the new residences to the facilities within the Rose Grove Park and to the public right-of-way sidewalk on SW Pacific.](#) Rose Grove is on the free Grovelink community bus line and the #57 Trimet bus route. Public sidewalks connect the park within a mile to employment opportunities, shopping centers, medical offices, restaurants and other services. This standard is met.

ARTICLE 3- ZONING DISTRICTS

COMMERCIAL AND MIXED USE ZONES

10.3.320 USE REGULATIONS

Refer to Article 12 for information on the characteristics of uses included in each of the Use Categories.

B. Limited Uses. Uses that are allowed subject to specific limitations are listed in Table 3-10 with an "L". These uses are allowed if they comply with the limitations listed in the footnotes to the table and the development standards and other regulations of this Code.

Applicant's Finding:

The Property is zoned “Community Commercial” (CC). The purpose of the zone is described as follows:

“The CC zone is established to promote a concentration of mixed uses – including retail, service, office and residential uses – along the regional transit corridor. The link between land use and transit is intended to result in an efficient development pattern that supports the regional transit system and makes progress in reducing traffic congestion and air pollution. The location, mix and configuration of land uses are designed to encourage convenient alternatives to the auto, a safe and attractive streetscape, and a more livable community.” FGZO 10.3.310.B.

The CC zone allows all residential uses as “household living” (FGZO Table 3-10), the definition of which includes manufactured homes:

“Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping and hygiene. Tenancy is longer than one (1) month. Examples include single family detached and attached dwellings, duplexes, multifamily dwellings, and manufactured homes. The household living category includes most types of senior housing, e.g., congregate care and assisted living, if residents live in self-contained units. The Uniform Building Code shall determine the maximum number of people who may reside in any given dwelling unit.” FGZO 10.12.110.A.

Stand-alone residential projects, such as the one proposed, which is not part of a mixed-use development, require a density of between 16.22 and 30 dwelling units per acre. The proposed stand-alone residential development proposes 16 units on 0.98 acres, or a density of 16.32 dwelling units per acre. This standard is met.

10.3.330 COMMERCIAL AND MIXED USE ZONE DEVELOPMENT STANDARDS

B. Development Standards

STANDARD	CC Zone
Maximum Use Size	No maximum
Minimum Lot Size	5,000 square
Minimum Lot Width	50 feet
Minimum Lot Depth	None
Minimum Setbacks	
- Front	None
- Interior Side	None
- Corner (street side)	None
- Rear 15	None
Maximum Setback	None- Property is East of Oak Street
Maximum Building Height	45 feet
Minimum Landscaped Area	15% of site

Applicant's Finding: The lot size far exceeds the 5,000 square foot minimum and the lot width far exceeds the 50-foot minimum. No buildings will exceed the 45-foot height maximum. A minimum of 15% of the site will be landscaped, as shown on the submitted site plan. This standard is met.

ARTICLE 5- SPECIAL PROVISIONS

TREE PROTECTION

10.5.110 CITY APPROVAL REQUIRED

A. In no case can trees within the public right-of-way that are deemed by the City to be healthy and pose no risk of property damage or personal injury be removed or topped. In addition, unless approved by a tree permit or specifically exempted under subsection (C) below, it shall be unlawful within any one year to modify protected trees included in §10.5.100 as follows:

1. Remove or prune as to remove over 20% of a tree's canopy,
2. Top a tree, or
3. Disturb over 10% of the critical root zone of any protected tree or vegetation except in accordance with the provisions of this Code.

B. Permit Requirements

1. The applicant shall file an application for protected tree removal or pruning with the City. The application shall include information on the location and size of the parcel, the location, type, and size of the tree or trees proposed for removal or pruning, and the reasons for the request. Where specified by this code, a tree protection plan shall be provided in accordance with the provisions of §10.5.120. The application and reasons shall address appropriate criteria based on the categories in described in §10.5.100 (i.e., street trees, trees on developable land, etc.)
2. Where an application involves infested tree(s), the application shall contain an analysis of the tree(s) by an arborist.
3. The Director shall determine whether the request is valid under the terms of this Code within four working days of submittal of the application. If valid, the application shall be processed as a Type I permit within seven working days unless referred or appealed to the Community Forestry Commission (CFC).
4. Applications for the removal or pruning of trees pursuant to §10.5.125 shall be submitted as part of the land use permit application or grading permit, whichever is first. The application shall be reviewed and acted upon by the Community Forestry Commission prior to the issuance of any land use approval for new development or grading permit. Notice will be sent consistent with the Type II procedures with appeal to the City Council.

C. Permit Exemption. The following activities do not require a permit:

1. **Imminent Danger.** If an imminent danger exists to the public or any property owner or occupant, the City may issue an emergency removal permit. The removal shall be in accordance with accepted arboricultural standards and be the minimum necessary to eliminate the danger.
2. **Penalty for Incorrect Danger Assessment.** If it is determined that imminent danger did not exist or that the hazardous condition had existed for over sixty (60) days and the owner delayed in applying for a permit, mitigation shall be required as established in §10.5.150 of this Code.
3. **Maintenance.** Regular maintenance which does not require removal of over 20% of the tree's canopy, tree topping, or disturbance of over 10% of the root system.

Applicant's Finding: There are no existing street trees on this site. The trees on-site are addressed in Section 10.5.130, below. This standard is met.

10.5.120 STREET TREES (TREES IN PUBLIC RIGHTS-OF-WAY)

A. Standards and Requirements.

- 1. Street Trees Required.** All development projects fronting on a public or private street more than 100 feet in length approved after the adoption of this title shall be required to plant street trees.
- 2. Street Tree Planting List.** Certain trees can severely damage utilities, streets and sidewalks or can cause personal injury. Approval of any planting list shall be subject to review by the Director.
- 3. Tree Plan Required.** New street trees shall conform to an existing tree plan unless a specific exemption is granted. When a tree plan does not exist, the City shall determine tree species. In selection of tree species, the City shall consider the list of prohibited trees, the available planting area, above or below ground restrictions, the need for tree diversity, and the requests of adjacent property owners.
- 4. Size and Spacing of Street Trees.** The specific spacing of street trees by size of tree shall be as follows:
 - a. Small or narrow-stature trees under twenty-five (25) feet tall and less than sixteen (16) feet wide branching at maturity shall be spaced no greater than twenty (20) feet apart;
 - b. Medium-sized trees twenty-five to forty (25-40) feet tall, sixteen to thirtyfive (16-35) feet wide branching at maturity shall be spaced no greater than thirty (30) feet apart;
 - c. Large trees over forty (40) feet tall and more than thirty-five (35) feet wide branching at maturity shall be spaced no greater than forty (40) feet apart.
 - d. Except for signalized intersections, trees shall not be planted closer than twenty (20) feet from a street intersection, nor closer than two (2) feet from private driveways (measured at the back edge of the sidewalk), fire hydrants or utility poles to maintain visual clearance.
 - e. No new utility pole location shall be established closer than five (5) feet to any existing street tree.
 - f. Street trees shall not be planted closer than twenty (20) feet to light standards.
 - g. Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines.
 - h. Street trees shall not be planted within two (2) feet of any permanent hard surface paving or walkway:
 - i. Space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks and cobblestones; and
 - ii. Sidewalk cuts in concrete for tree planting shall be at least four feet by four feet (4 X 4) to allow for air and water into the root area.
- 5. Pruning Requirements.** Trees or shrubs within any public right-of-way, or on public and private grounds and having branches projecting into the public street or sidewalk, shall be kept pruned by the owner or owners of property adjacent to or in front of which such trees, shrubs or plants are growing and shall meet the following:

- a. At least eight (8) feet of clearance above sidewalks, thirteen (13) feet above local streets, and fifteen (15) feet above collector and arterial street roadway surfaces shall be provided.
 - b. The branches of any tree, shrub, or other vegetation shall be pruned so as to maintain the clear vision area requirements as set forth in §10.8.150.
 - c. Newly planted trees may remain untrimmed, provided they do not interfere with street traffic or persons using the sidewalk.
6. **Cut And Fill Around Existing Trees.** Existing trees may be used as street trees if no cutting or filling takes place within the drip-line of the tree.
7. **Granting Of Adjustments.** Adjustments to the street tree requirements may be granted by the Director by means of a Type I or II procedure, using approval criteria in Article 2 for Adjustments.
8. **Street Tree Maintenance – Property Owner Responsibility**
- a. The adjacent property owner shall appropriately water the tree for two (2) years following planting, unless a City irrigation system, maintenance program, or separate maintenance contract is developed which specifically removes the property owner of this responsibility.
 - b. Pruning requirements. Trees or shrubs within any public right-of-way, or on public and private grounds and having branches projecting into the public street or sidewalk, shall be kept pruned according to city standards by the owner or owners of property adjacent to or in front of which such trees, shrubs or plants are growing.
 - c. Where tree roots create hazardous sidewalk conditions, the owner is responsible for pruning the roots or modifying the sidewalk to alleviate the hazardous condition.
9. **City Maintenance of Street Trees**
- a. The City may perform pruning on any street tree within the rights-of-way without a permit if total pruning results in removal of less than 20% of the crown or disturbance of less than 10% of the root system. Major pruning of a series of street trees may be combined in one permit.
 - b. If the owner or owners, lessees, occupants or person in charge of the property shall fail and neglect to trim such trees, shrubs or plants within ten (10) to forty-five (45) days after notice, the City shall trim such trees, shrubs or plants and shall bill the property owner for the cost of the work. Such trimming by the City shall not relieve such owner, lessee, occupant or person in charge of responsibility for violation of the code.
10. **Additional Requirements**
- a. It shall be unlawful to attach anything to a tree, or to the support of protection devices of a tree, except that which is used for support or protection or approved by the City.
 - b. It shall be illegal to remove protective devices from around a tree, or in any way damage a street tree.
 - c. The applicant shall state when products of pruning or tree removal will be used for a financial return. The commercial harvesting of tree products (e.g. harvesting and selling of spring foliage) shall not be the primary purpose for pruning or cutting street trees.
 - d. If removal is allowed, the stump shall be removed to a depth of six (6) inches below the surface of the ground or finish grade of the street, whichever is of greater depth.
 - e. A tree of at least two (2) -inch or larger caliper size shall be planted within one (1) year of removal of the street tree.

B. Criteria for Pruning or Removal. The permit for major pruning or removal shall be granted if any of the following criteria are met:

1. The tree is dead or diseased. This criterion shall not be used as the sole reason for removal if the cost of curing the disease is less than one-fourth of the value of the tree. Criterion 1 is to determine if major pruning or removal is appropriate, and shall not be used to require treatment of the tree.
2. The tree has become a major nuisance by virtue of damage to personal property or improvements, either public or private, on the subject site or adjacent sites, and that the maintenance required to prevent damage to such improvements or property outweighs the value of the tree to the community.
3. The tree is unsafe to the occupants of the property, an adjacent property or the general public.
4. The removal has been approved as part of a development project, pursuant to the provisions of §10.5.135.
5. The removal is for a public purpose, and there is no alternative without significant cost or safety problems.
6. The removal is part of a street tree improvement program, such as improving the streetscape, or improving the age and species diversity within the City.

Applicant's Finding: Street trees are proposed along the SW Pacific Avenue frontage of this site at the eastern end. The existing tree remaining on site is also located so as to serve as a street tree. The remainder of the SW Pacific Avenue frontage will include shrubs as the edge of the storm water detention pond. This standard is met.

10.5.130 TREES ON DEVELOPABLE LAND, PRIOR TO AND DURING DEVELOPMENT

A. Protected Trees Prior to Development

1. A permit shall be required for the removal or major pruning for trees six (6) - inches or greater in diameter or Oregon White Oaks three (3) – inches or greater in diameter, measured 4 ½ feet above natural grade, or other Protected Trees as defined in this code. A permit may cover a tree management plan which specified cutting, pruning, and thinning on a six (6)-month to two (2)-year basis.

B. Tree Removal Criteria. The permit for removal of tree(s) on developable land shall be granted if any of the following criteria have been met:

1. The tree is dead or diseased. Criterion 1 shall not be used as the sole reason for removal if the cost of curing the disease is less than one-fourth (1/4) of the value of the tree. Criterion 1 is to determine if major pruning or removal is appropriate, and shall not be used to require treatment of the tree.
2. Removal of the tree is necessary to accomplish a public purpose, such as the installation of public utilities or provision of public streets by a public agency. The applicant shall show evidence of alternative designs.
3. Removal of the tree is for thinning purposes following accepted arboricultural practices.

C. Review Standards During Development Review

1. Prior to the removal of any protected trees a tree permit is required. If there is a land use or other permit which may result in modification of the site the tree permit shall be reviewed concurrent with that other permit and follow the same process.

2. **Permit Requirements.** In conjunction with the development permit requested, the applicant shall include the location, size, and species of all trees subject to this code. Groves or trees that are to be protected do not have to be individually delineated; however, the approximate number of trees in each grove shall be indicated.

3. **Protection Plan.** For all trees proposed to be preserved, the applicant shall submit a protection plan consistent with the provisions of §10.5.120. Protected trees shall be identified on landscape plans.

4. **Review Criteria.** Protected Trees, as defined in §10.5.100 shall be preserved unless the applicant proves to the satisfaction of the reviewing body that removal is necessary as a result of:

a. Need to remove trees that pose a safety hazard to pedestrians, property or vehicular traffic or threaten to cause disruption of public service; or which pose a safety hazard to persons or buildings.

b. Need to remove diseased trees or trees weakened by age, storm, fire or other injury.

c. Need to observe good arboricultural practices.

d. Need for access to the building site or immediately around the proposed structure for construction equipment.

e. Need for essential grade changes to implement safety standards common to standard engineering or architectural practices.

f. Surface water drainage and utility installations.

g. Locations of driveways, buildings or other permanent improvements so as to avoid unreasonable economic hardship.

h. Compliance with other ordinances or codes.

i. Need to install solar energy equipment. For criteria d-g above, the applicant shall provide evidence of exploring alternate designs that would increase tree protection. Removal of register trees shall also comply with the criteria in §10.5.145.

5. **Yard Setback Adjustment**

a. The Director may authorize adjustments from the setback requirements of this Code where it can be shown that, owing to special and unusual circumstance related to a specific property, a proposed development would result in the removal of trees designated in the Register. An adjustment to the side, front, and/or rear yard setback by up to 50% may be authorized if necessary to retain designated Register trees.

b. The Director may grant only the minimum adjustment necessary to retain the designated Register trees. In granting the adjustment, the Director may attach conditions necessary to protect the interests of the surrounding property or neighborhood. The adjustment to setbacks to protect Register trees shall be consolidated with the land use application and reviewed under the procedures specified for Adjustments in §10.2.100.

**Applicant's
Finding:**

Three deciduous trees are proposed for removal with this application, measuring 27" DBH, 30" DBH and 48" DBH. These trees are proposed for removal with this development application in order to develop this site to the minimum density standards of the C-2 zoning district. The removal of the three trees will also result in the ability to locate structures and driveways so as to avoid unreasonable economic hardship. This standard is met.

ARTICLE 8- GENERAL DEVELOPMENT STANDARDS

ACCESS AND CIRCULATION

10.8.110 GENERAL PROVISIONS

A. Continuing Obligation of Property Owner. The provision and maintenance of access and egress stipulated in this section are continuing requirements for the use of any structure or parcel of real property in the City.

B. Access Plan Requirements. No building or other permit shall be issued until a scaled site plan is submitted that shows how access, egress and circulation requirements are to be fulfilled. The Director shall provide the applicant with information about the submittal requirements for an access plan.

C. Joint Access. Owners of two or more uses, structures, or parcels of land may agree to jointly use the same access and egress when the combined access and egress of both uses, structures, or parcels of land satisfies their requirements as designated in this Article, provided:

1. Satisfactory legal evidence shall be presented in the form of deeds, easements, leases or contracts to establish the joint use; and
2. Copies of the deeds, easements, leases or contracts are placed on permanent file with the City.

D. Public Street Access. All vehicular access and egress shall connect directly with a public or private street approved by the City for public use, except where joint access is provided through adjacent or other property which is connected to a street. Vehicular access to a residential use shall be provided within the same lot for single-family and two-family dwellings, and within the same lot or development for multi-family dwellings. Access to multi-family units shall avoid being located through single family residential areas before being connected to a collector or arterial as designated by the City's Transportation Plan.

E. Transit Agency Referral. The City shall submit all development proposals located along the Pacific Avenue/19th Avenue transit corridor to Tri-Met and along existing and proposed collectors and arterials in the Westside Planning Area to Ride Connection/GroveLink for review and comment regarding facilities necessary to support transit. The following facilities may be required as a condition of a permit:

1. Walkways to transit stops;
2. Bus stop shelters or waiting areas;
3. Turnouts for buses.

F. Where hard surfaces are stipulated by these requirements, pervious surfaces are encouraged to be used. Where improvements are within the public rights-of-way, such surfaces can be used upon approval by the City Engineer.

G. Landscaped areas should include water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other plant material when possible so as to cover landscape areas.

Applicant's Finding: This submittal includes a scaled site plan showing how access, egress and circulation is accomplished on the site. Access to the proposed 16 additional units will be via the main (existing) entrances of Rose Grove Mobile Home Park. The access drive currently accessing Tax Lot 1400, where the additional 16 units are proposed, will be emergency-vehicle access only. This standard is met.

10.8.115 ON-SITE PEDESTRIAN WALKWAYS

A. Required Walkways. On-site pedestrian walkways are required as follows:

- 1. Walkways shall extend from the ground floor entrances or from the ground floor landing of stairs, ramps, or elevators of all commercial, institutional, and industrial uses, to the public sidewalk or curb of the public street or streets which provide the required access and egress. Walkways shall provide convenient connections between buildings in multi-building commercial, institutional, and industrial complexes. Walkways shall be constructed between a new development and neighboring developments. If connections aren't currently available, then planned connections shall be designed to provide an opportunity to connect adjoining developments.**
- 2. The maximum distance between a parking space and a walkway shall not exceed forty-five (45) feet. All walkways constructed within parking lots shall be raised to standard sidewalk height. All surface treatment of walkways shall be firm, stable and slip resistant.**
- 3. Required walkways shall be paved with hard-surfaced materials such as concrete, asphalt, stone, brick, etc. Walkways may be required to be lighted and/or signed as needed for safety purposes. Lighting and or signs may be required for walkways for safety purposes.**
- 4. Whenever required walkways cross vehicle access driveways or parking lots, such crossings shall be designed and located for pedestrian safety. Required walkways shall be physically separated from motor vehicle traffic and parking by either a minimum six (6)-inch vertical separation (curbed) or a minimum three (3)-foot horizontal separation, except that pedestrian crossings of traffic aisles are permitted for distances no greater than thirty-six (36) feet if appropriate landscaping, pavement markings, or contrasting pavement materials are used. Walkways shall be a minimum of four (4) feet in width, exclusive of vehicle overhangs and obstructions such as mailboxes, benches, bicycle racks, and signposts, and shall be in compliance with ADA standards.**
- 5. Where required for pedestrian access, interior landscape areas in combination with pedestrian walkways between rows of parking shall be at least ten (10) feet in width to accommodate walkways, shrubbery, and trees 20 to 30 feet on-center. This ten (10) foot width may be reduced between tree areas depending on the characteristics of the vegetation. Angled or perpendicular parking spaces shall provide bumper stops or widened curbs to prevent bumper overhang into interior landscaped areas or walkways.**

Applicant's Finding: Section 10.8.115.A.1 identifies on-site pedestrian walkways as required for all “commercial, institutional, and industrial uses”. This proposal is for a residential development and, as such, these standards are not applicable. [However, the site development plan has been updated to provide 4-foot-wide sidewalks adjacent to the proposed drive aisles. In this way, convenient pedestrian access is provided from the housing units into the larger Rose Grove community and out to the public sidewalk on SW Pacific.](#)

10.8.120 MINIMUM ACCESS REQUIREMENTS FOR RESIDENTIAL USES

A. Direct Access to Arterial Streets from a residential dwelling established after the effective date of this Code is prohibited. The City may permit direct access to an arterial for lots of subdivisions approved prior to the effective date of this Code, and for multi-family residential complexes if the access is designed to local residential street standards.

B. Single-Family Dwellings and Duplexes shall be required to have one driveway, fully improved with hard surface pavement, with a minimum width of 10 feet.

C. Service Drives for Multi-Family Dwellings shall be fully improved with hard surface pavement with a minimum width of:

1. 12 feet when accommodating one-way traffic, or
2. 20 feet when accommodating two-way traffic.

In no case shall the design or said service drive or drives require or facilitate the backward movement or other maneuvering of a vehicle within a street.

D. Private Residential Access Drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.

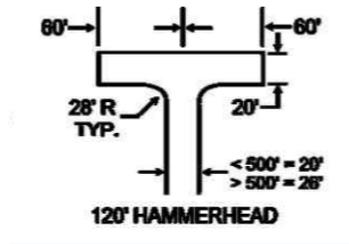
E. Dead End Access Drives In Excess Of 150 Feet shall be provided with approved provisions for the turning around of fire apparatus by one of the following:

1. A circular, paved surface having a minimum turn radius measured from center point to outside edge of thirty-five (35) feet; or
2. A hammerhead, paved surface with each leg of the hammerhead having a minimum depth of forty (40) feet and a minimum width of twenty (20) feet.
3. The maximum cross slope of a required turnaround is 5%.

F. Driveway Grades shall not exceed a maximum of 20%.

Applicant's Finding: SW Pacific Avenue is an arterial and, as such, new direct residential access is not permitted or proposed with this application. The proposed 16-lots will be served by new private residential access drives matching those within the Rose Grove Mobile Home Park, designed to meet Uniform Fire Code. [Each unit is provided](#)

with a 10-foot-wide individual driveway onto a private drive aisle. No dead-end access drives will exceed 150 feet without providing approved provisions and no driveway grades will exceed a maximum of 20%. The site plan has been revised to include a 120-foot-long, 24-foot-wide east-west drive aisle terminating in a 185-foot-long, 24-foot-wide, drive aisle, creating a fire access turnaround meeting City and Fire District Apparatus Access standards. The revised roadway configuration satisfies the requirements of 10.8.120.E.2, above. The revised roadway also complies with the Fire District's Apparatus Access standards, identified in Figure 1, below. This standard is met.



[Figure 1- Fire Apparatus Access Standards for Dead End Roads](#)
Source: 2006 Oregon Fire Code-Metro Code Committee, [Fire Code Applications Guide](#)

10.8.140 SPECIFIC SITE ACCESS AND CIRCULATION STANDARDS

The following access and circulation standards apply specifically to certain types of development or apply within certain locations within the community.

CLEAR VISION AREA

10.8.155 STANDARDS Except in the Town Center zones, a clear vision area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street, excluding alleys.

Applicant's Finding: This property is not adjacent to the intersection of two streets, a street and a railroad, or a driveway providing vehicular access to a public street due to the access restriction to SW Pacific Avenue. This standard does not apply to this proposal.

LANDSCAPING, SCREENING AND BUFFERING

10.8.410 GENERAL PROVISIONS

A. Obligation to Maintain. It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained.

B. Ground Preparation. The ground in all required landscaped areas should be properly prepared with suitable soil and fertilizer. Specifications shall be submitted with the landscape plans showing that

adequate preparation of the top soil and sub-soil will be undertaken prior to planting to support the plantings over a long period of time.

C. Installation Requirements. The installation of all landscaping shall be as follows:

1. All landscaping shall be installed according to accepted planting procedures and the provisions of this article;
2. The plant materials shall be of high grade, and shall meet the size and grading standards of the American Standards for Nursery Stock;
3. All required landscaped areas must be provided with a piped underground irrigation system unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation.

D. Pruning Required. All plant growth in landscaped areas of developments shall be controlled by pruning or trimming so that it will not:

1. Interfere with the maintenance or repair of any public utility;
2. Restrict pedestrian or vehicular access; and
3. Constitute a traffic hazard because of reduced visibility.

E. Certificate of Occupancy. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the City such as the posting of a performance bond or security equal to 125% of the cost of the landscaping.

F. Care Of Landscaping Along Public Rights-Of-Way. Appropriate methods for the care and maintenance of street trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way unless otherwise required for emergency conditions and the safety of the general public.

Applicant's Finding: The landscaping on site is maintained by the management of Rose Grove Mobile Home Park. Any new landscaping included with this proposal will be maintained by the management of Rose Grove Mobile Home Park as well. There have been no issues with the continued maintenance of healthy landscaping on the site within the park and this will continue after the addition of the 16 proposed home sites. This standard is met.

10.8.415 GENERAL STANDARDS

A. Non-invasive native vegetation is encouraged to be used for all landscaping except within 100 feet of a natural resource area. In such situations, native vegetation is required.

B. Installation of bio-swales or preservation of wetlands should be located where possible in landscaped areas.

C. Required Landscaping Adjacent to Public Rights-Of-Way -- A strip of land at least 5 feet in width located between the abutting right-of-way and the off-street parking area or vehicle use area which is exposed to an abutting right-of-way, except in required vision clearance areas.

D. Perimeter Landscaping Relating to Abutting Properties -- On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, a 5-foot landscaped strip shall be between the common lot line and the off-street parking area or other vehicular use area exposed to abutting property. Landscaped areas should include where possible water quality features such as bio-swales or wetlands, trees, grass, shrubs, and other plant material so as to cover the landscape area.

Applicant's Finding: A 10-foot landscaped strip is required by 10.8.420, below, along SW Pacific Avenue and, therefore, a minimum 5-foot landscaped strip will be provided within the 10-foot landscaped strip between SW Pacific Avenue and the east-west drive aisle on the site. There are no on-site parking areas aside from adjacent to individual homes. There are no on-site natural resource areas or wetlands. This standard is met.

10.8.420 LANDSCAPING REQUIREMENTS BY ZONE

B. Landscaping Required in the Community Commercial Zones. A landscaped strip at least ten (10) feet in width shall be provided abutting any property line facing a street. The landscape strip shall be appropriately landscaped with ground cover, planted berm, shrubbery and/or trees.

E. 75% Coverage. Except in the Town Center Core Zone, at least 75% of the required landscaped area shall be planted with any suitable combination of trees, shrubs, or evergreen ground cover. The required 75% coverage shall be based on the size of the plant material within a specified time as follows:

- 1. Trees – within five (5) years from the date of final inspection by the Building Official.**
- 2. Shrubs – within two (2) years from the date of final inspection by the building Official.**
- 3. Ground covers – at the time of final inspection by the Building Official.**

F. 25% Architectural Features. Except in the Town Center Core Zone, landscaped areas as required by this article may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, fences, rock groupings, decorative hard paving and gravel areas, interspersed with planting areas. The exposed area developed with such features shall not exceed 25% of the required landscaped area. Artificial plants are prohibited in any required landscaped area.

Applicant's Finding: A minimum 10-foot landscaped strip will be provided abutting the southern property line, which faces SW Pacific Avenue. The landscaped strip will be planted according to Subsections E. and F. above, including shrubs and evergreen ground cover. This standard is met.

10.8.425 BUFFERING AND SCREENING STANDARDS

A. General Provisions

1. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles;
2. Buffering and screening is required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrices in this chapter (Tables 8-2, 8-3 and 8-4). The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening.
3. In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the Director's approval as an alternative to the standards, provided it affords the same degree of buffering and screening as required by this code.

B. Buffering and Screening Requirements

1. A buffer consists of an area within a required setback adjacent to a property line and having a depth equal to the amount specified in the buffering and screening matrix and containing a length equal to the length of the property line of the abutting use or uses.

Applicant's Finding: This standard applies to buffer areas within a required setback adjacent to property lines shared with other property owners. As this property is within the CC zoning district, there is no minimum side yard setback. Footnote [2] of Table 3-11 states that, "Side or rear yard setbacks may be required where the CC zone abuts a Residential zone". In this case, the CC zone abuts other CC-zoned properties. A landscaped buffer is therefore not required along the property lines of abutting uses.

OFF-STREET PARKING AND LOADING

Table 8-5: Parking Requirements lists "Single [Residential] Units, Detached" as needing a minimum of 1.0 parking spaces per dwelling unit. There is no maximum parking allowed for residential development.

Applicant's Finding: This proposal includes 1 parking space per dwelling unit located adjacent to each home site. This standard is met.

PUBLIC IMPROVEMENTS

10.8.610 STREETS

A. Improvements. No development shall occur unless the development has frontage or approved access to a public street:

1. Streets within a development and streets adjacent shall be improved in accordance with this article;
2. Any new street or additional street width planned as a portion of an existing street shall be dedicated and improved in accordance with this code;
3. New development shall be connected to a collector or arterial by a paved street;
4. Where transportation-related improvements are required as a result of a transportation study pursuant to §10.1.225(D), the developer shall install said improvements to the satisfaction of the City Engineer, or participate in the financing of said improvement where the impacts are beyond the responsibility of one project; and
5. The City Engineer may accept a future improvement guarantee in lieu of street or other transportation related improvements if one or more of the following conditions exist:
 - a. A partial improvement is not feasible due to the inability to achieve proper design standards;
 - b. A partial improvement may create a potential safety hazard to motorists or pedestrians;
 - c. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;
 - d. The improvement would be in conflict with an adopted capital improvement plan;
 - e. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets; or
 - f. Additional planning work is required to define the appropriate design standards for the street and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.
6. Improvements to streets shall be made according to adopted City standards, unless the approval authority determines that the standards will result in an unacceptable adverse impact on existing development or on the proposed development or on natural features such as wetlands, steep slopes or existing mature trees.

Applicant's Finding: This site is adjacent to SW Pacific Avenue, a fully-developed public arterial. There is no new right-of-way proposed with this development application. This standard is met.

E. Minimum Rights-Of-Way and Street Widths. Unless otherwise indicated on an approved street plan, or as needed to continue an existing improved street, street right-of-way and roadway widths shall not be less than the minimum width described below. Where a range is indicated, the width shall be determined by the appropriate decision-making authority based upon anticipated average daily traffic (ADT) on the new street segment. These are presented in Table 8-8.

1. The decision-making body shall make its decision about desired right-of-way width and pavement width of the various street types within the subdivision or development after consideration of the following:

- a. The type, design and location of the road as set forth in the Transportation System Plan. Standards for specific streets identified in the Transportation System Plan shall apply;
- b. Anticipated traffic generation;
- c. On-street parking needs;
- d. Sidewalk and bikeway requirements;
- e. Requirements for placement of utilities;
- f. Street lighting;
- g. Drainage and slope impacts;
- h. Street tree location;
- i. Planting and landscape areas;
- j. Safety and comfort for motorists, bicyclists, and pedestrians;
- k. Access needs for emergency vehicles.

Applicant's Finding:

Table 8-8: Street Standards identifies the minimum R.O.W Width for a Principal Arterial of 90-96 feet and the minimum for an Arterial of 66 feet. The width of the R.O.W. of SW Pacific Avenue, an arterial, adjacent to this site, is 110 feet, exceeding the minimum R.O.W. width. The minimum roadway width for a Principal Arterial is 52-64 feet and the minimum roadway width for an arterial is 40 feet. The roadway width of SW Pacific Avenue is 40 feet, meeting the minimum required. This standard is met.

10.8.615 EASEMENTS

A. Easements. Easements for sewers, drainage, water mains, electric lines or other public utilities shall be either dedicated or provided for in the deed restrictions, and where a development traversed by a watercourse, or drainageway, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse.

B. Utility Easements. A property owner proposing a development shall make arrangements with the City, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be fifteen (15) feet unless otherwise specified by the utility company, applicable district, or City Engineer.

C. Where the alignment of a utility easement (other than those required perimeter easements) is such that it would also serve as a suitable easement for originating or continuing a pedestrian/bicycle path, the Community Development Director may require that such easement be designated as serving both

functions. The walkway shall be designed and improved consistent with the requirements of §10.8.100 Access and Circulation.

Applicant's There are no public utility easements existing or proposed with this development.
Finding: This standard is met.

10.8.620 SIDEWALKS

A. Sidewalks Required. Sidewalks shall be constructed, replaced or repaired to City design standards as set forth in the standard specifications manual and located as follows:

1. On both sides of arterial and collector streets to be built at the time of street construction;
2. On both sides of all other streets and in pedestrian easements and rights-of-way, except as provided further in this section, to be constructed along all portions of the property designated for pedestrian ways in conjunction with development of the property; and
3. On one side of any industrial street to be constructed at the time of street construction or after determination of curb cut locations.

Applicant's This site is adjacent to SW Pacific Avenue, a public arterial. There is an existing
Finding: sidewalk within the Pacific Avenue right-of-way. This standard is met.

10.8.625 SANITARY SEWERS

A. Sewers Required. Sanitary sewers shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 1996 and including any future revisions or amendments) and the adopted policies of the Comprehensive Plan and the City's Master Sewer Plan.

B. Sewer Plan Approval. The City Engineer shall approve all sanitary sewer plans and proposed systems prior to issuance of development permits involving sewer service.

C. Over-Sizing. Proposed sewer systems shall include consideration of additional development within the area as projected by the Comprehensive Plan.

D. Permits Denied. Development permits may be restricted by the Commission or Hearings Officer where a deficiency exists in the existing sewer system or portion thereof which cannot be rectified within the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of the sewage treatment system.

Applicant's This site will be provided with sanitary sewer service from the main line located in
Finding: SW Pacific Avenue. This standard is met.

10.8.630 WATER FACILITIES

A. Water Facilities Required. Water facilities shall be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in the adopted policies of the Comprehensive Plan and the City’s Master Water Plan.

B. Water Plan Approval. The City Engineer shall approve all plans for water facilities and proposed systems prior to issuance of development permits involving water service.

C. Over-Sizing. Proposed water facilities shall include consideration of additional development within the area as projected by the Comprehensive Plan.

D. Permits Denied. Development permits may be restricted by the Planning Commission or Hearings Officer where a deficiency exists in the existing water system or portion thereof which cannot be rectified within the development and which, if not rectified, will result in a threat to public health or safety or violations of local, state or federal standards pertaining to the operation of the water system.

Applicant's Finding: This site will be provided water via an existing water main in SW Pacific Avenue and an existing water meter on the southwest corner of the site. This standard is met.

10.8.635 STORM DRAINAGE

A. General Provisions. The Director and City Engineer shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made, and:

1. The storm water drainage system shall be separate and independent of any sanitary sewerage system;
2. Where possible, inlets shall be provided so surface water is not carried across any intersection or allowed to flood any street; and
3. Surface water drainage patterns shall be shown on every development proposal plan.

B. Easements. Where a watercourse, drainageway, channel or stream traverses a development, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance.

C. Accommodation of Upstream Drainage.

1. A culvert or other drainage facility shall be large enough to accommodate runoff from its entire upstream drainage area, whether inside or outside the development, and;
2. The City Engineer shall approve the necessary size of the facility, based on the provisions of Design and Construction Standards for Sanitary and Surface Water Management (as adopted and amended by Clean Water Services) and the City’s Master Storm Water Sewer Plan.

D. Effect on Downstream Drainage. Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the Director and Engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with the Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services and including any future revisions or amendments).

Applicant's Finding: Storm drainage is proposed as roof drains on each unit and on-site catch basins draining to an on-site storm line that leads to a detention pond on the southern side of the site. The pond outfall is then collected by the public system in SW Pacific Avenue. This standard is met.

10.8.645 UTILITIES

A. Underground Utilities. All utility lines in new developments shall be placed underground, and:

- 1. The developer shall make all necessary arrangements with the serving utility to provide the underground services;**
- 2. The City reserves the right to approve location of all surface mounted facilities;**
- 3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and**
- 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**

B. Information on Development Plans. The applicant for a development shall show on the development plan or in the explanatory information, easements for all underground utility facilities, and:

- 1. Plans showing the location of all underground facilities as described herein shall be submitted to the City Engineer for review and approval; and**
- 2. Care shall be taken in all cases to ensure that above ground equipment does not obstruct vision clearance areas for vehicular traffic.**

C. Exception to Under-Grounding Requirement for Infill Development. An applicant for infill development, which is served by above ground utilities, may be exempt from the requirement for undergrounding utilities. This exception shall apply only to existing utility lines.

Applicant's Finding: All proposed utilities will be located underground. Existing overhead utilities will remain with this infill development. This standard is met.

10.8.650 AGREEMENT For projects involving public improvements, the applicant shall enter into an agreement with the City Engineer prior to any site preparation or, where there is a partition or subdivision, prior to approval of the final map. The agreement shall be in a form as approved by the

City Engineer. At a minimum, it shall include detailed plans for public improvements and provide adequate assurance to guarantee the installation of the improvements (known as Performance Assurance) and the workmanship and material of the installation (known as Maintenance Assurance). The agreement may be waived by the City Engineer if the level of work is considered minor. However, the assurances shall be required for any public improvements. The assurance shall be based on the following requirements:

A. Maintenance Assurance. All improvements installed by the developer shall be guaranteed as to workmanship and material for a period of one (1)-year following acceptance by the City Engineer.

B. Form of Assurance. All assurances shall be secured by cash deposit, bond or irrevocable letter of credit in the amount of 100% of the cost to complete the project as set by the City Engineer.

Applicant's Finding: The property owners will provide adequate assurance of any required public improvement work. This standard is met.

10.8.660 INSTALLATION PREREQUISITE

A. Approval Required. No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued.

B. Permit Fee. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by Council resolution.

10.8.665 INSTALLATION CONFORMATION

A. Conformance Required. In addition to other requirements, improvements installed by the developer either as a requirement of these regulations or at his own option, shall conform to the requirements of this chapter and to improvement standards and specifications followed by the City.

B. Adopted Installation Standards. The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A., and Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services and including any future revisions or amendments) shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.

10.8.670 PLAN CHECK

A. Submittal Requirements. Work shall not begin until construction plans and construction estimates have been submitted and checked for adequacy and approved by the City Engineer in writing. The developer can obtain detailed information about submittal requirements from the City Engineer.

B. Compliance. All such plans shall be prepared in accordance with requirements of the City.

10.8.675 NOTICE TO CITY

A. Commencement. Work shall not begin until the City has been notified in advance.

B. Resumption. If work is discontinued for any reason, it shall not be resumed until the City is notified.

10.8.680 CITY INSPECTION

A. Inspection of Improvements. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest.

Applicant's Finding: No public improvement installation will begin prior to public improvement permit issuance or submittal of construction plans and estimates. All public improvements plans will be prepared and installed in accordance with City standards. The City will be notified prior to commencement of any public improvement work. Public improvements are subject to City inspection. This standard is met.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the applicant respectfully requests approval from the City's Planning Department of this application for a Type II Site Development Review Application.

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	7. A. & 7. B.
MEETING DATE:	05/13/2019
FINAL ACTION:	First Readings: ORD 2019-02 ORD 2019-03

CITY COUNCIL STAFF REPORT

FIRST READINGS:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *James Reitz, AICP, Senior Planner
Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Public Hearing and First Ordinance Reading to Amend the Comprehensive Plan Map and First Ordinance Reading to Amend the Zoning Map*

ACTION REQUESTED:

<input checked="" type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	Motion	<input type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT: The applicants are requesting a change on two parcels from a Comprehensive Plan designation of General Industrial (GI) to High Density Residential (HDR) and a change in the Zoning Map from General Industrial to Residential Multi-Family High Density (RMH). The two parcels total 1.93 acres in area.

BACKGROUND: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. According to the City 2019 Economic Opportunity Analysis, there will be an excess of industrial land over a 20-year planning period of 40 to about 197 acres, and a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

A third parcel (Washington County tax lot 1N331DA07400) was included in the review process because it would be bounded on three sides by a residential designation, if this application is approved for only the other two parcels. This property has an area of 3.06 acres. That property owner testified in opposition to the rezoning of his property, and the Planning Commission voted to remove it from their recommendation.

In Other testimony, two nearby residents commented on traffic circulation, pedestrian safety, and potential wetland impacts. In Rebuttal, it was noted that residential traffic generation is less than industrial traffic generation, and that pedestrian safety and wetland impacts would be considered concurrent with an actual development proposal.

No other testimony in opposition to the proposal was received, and the Planning Commission voted unanimously to recommend approval to rezone the two parcels requested by the applicants.

FISCAL IMPACT: Adoption of the Ordinances will have no fiscal impact on the City.

STAFF RECOMMENDATION: Staff recommends adoption of the Ordinances to amend the Comprehensive Plan Map and Zoning Map as recommended by the Planning Commission.

The City Council has the option to include tax lot 1N331DA07400, should the Council find that it would be appropriate to do so. To include this additional parcel, a motion would be required.

ATTACHMENTS:

- PowerPoint Presentation
- Ordinance to Amend Forest Grove Comprehensive Plan Map
- Ordinance to Amend Forest Grove Zoning Map
- Planning Commission Decision #2019-05
- Planning Commission Minutes of April 1 (approved) and April 15 (draft), 2019
- Planning Commission Staff Report dated April 1, 2019



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NOTICE OF PUBLIC HEARING FOREST GROVE CITY COUNCIL FILE NO. 311-19-00001-PLNG

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing on Monday, May 13, 2019, at 7:00 p.m. or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to review the following:

Proposal: Comprehensive Plan Map Amendment and Development Code Zoning Map Amendment to re-designate three parcels from General Industrial to Residential Multi-Family High Density
Location: 2352 and 2355 Kingwood Street and one unaddressed parcel Washington County tax lots 1N331DA07400, 1N331DA07500 and 1N332C000800
Applicants: Roberta Reynolds, Linda Eshraghi, Shannon Polich
File Number: 311-19-00001-PLNG
Criteria: The City Council will consider the proposal and make a decision based on the following considerations, standards and criteria:

Comprehensive Plan Map Amendment:

Consistency with the applicable Comprehensive Plan policies; Metro Regional Framework Plan, Metro Urban Growth Management Functional Plan; and Oregon Statewide Land Use Planning Goals.

Development Code Zoning Map Amendment Criteria:

- A. The zone change is consistent with the Comprehensive Plan Map.
- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity.
- D. The zone change is consistent with the adopted Transportation System Plan.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone.
- F. The establishment of a zone district is not subject to the meeting of conditions.

At this time and place, all persons will be given reasonable opportunity to give testimony about the proposal. If an issue is not raised in the hearing (by person or by letter) or if the issue is not explained in sufficient detail to allow the City Council to respond to the issue, then that issue cannot be used for an appeal to the Land Use Board of Appeals. Information pertaining to this request may be obtained from Senior Planner James Reitz at (503) 992-3233 or e-mail jreitz@forestgrove-or.gov. A copy of the **staff report is available seven days prior to the hearing at the City Recorder's Office** or by visiting the City's website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent prior to the hearing to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, aruggles@forestgrove-or.gov.

Anna D. Ruggles, CMC, City Recorder
City of Forest Grove
Published Wednesday May 8, 2019
FG NewsTimes

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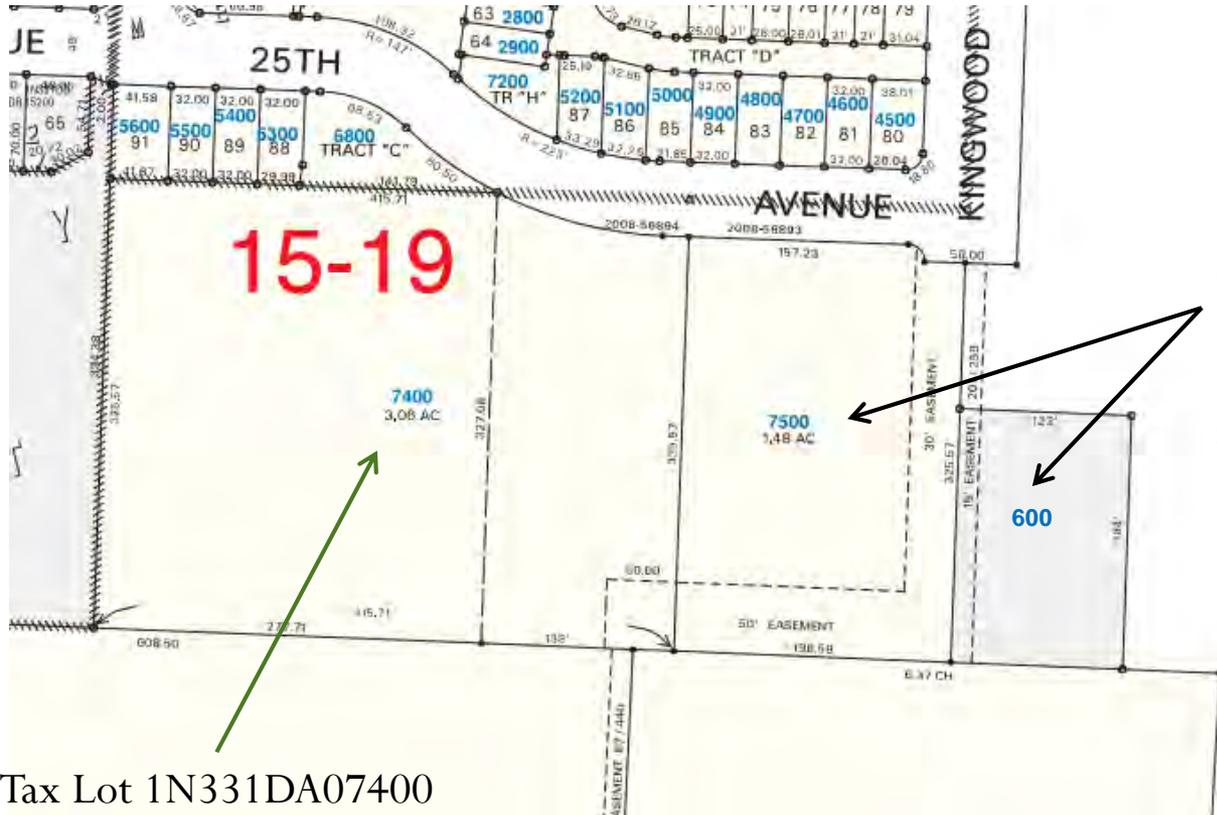
City Council Meeting May 13, 2019

KINGWOOD STREET AREA COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

James Reitz (AICP), Senior Planner

Washington County Tax Map

Tax Lots 1N331DA07500 and 1N332C000800



Tax Lot 1N331DA07400
3.06 Acres

Subject
Parcels
1.48 and
0.45 Acres

Oblique View



Proposed Map Amendments

Comprehensive Plan Map Amendment - General Industrial to High Density Residential
 Zoning Map Amendment - General Industrial to Residential Multi-Family High Density

HDR/RMH

GI/GI



Tax Lot
 1N331DA07400
 Would Remain
 GI; bounded on 3
 sides by RMH

Subject
 Parcels

Comprehensive Plan Designations: HDR = High Density Residential
 Zoning Designations: RMH = Residential Multi-Family High Density

GI = General Industrial
 GI = General Industrial

Summary and Recommendation

- The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria.
- The Planning Commission recommends approval of the application to re-designate and re-zone the subject parcels totaling 1.93 acres in area from General Industrial to High Density Residential.
- The City Council may include tax lot 1N331DA07400 (a 3.06-acre parcel) if the Council finds that it too complies with the review criteria.

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ORDINANCE NO. 2019-02

ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; FILE NUMBER 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on February 22, 2019. DLCD did not register any comments; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019, and continued the hearing to April 15, 2019; and

WHEREAS, no objections to the amendment were registered at the Planning Commission hearing; and

WHEREAS, the Planning Commission recommended approval of the amendment as documented in Planning Commission Decision and Findings #2019-05; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on May 1, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 8, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on May 13 and May 28, 2019, and made a determination on the basis of the findings contained in Section 1 below; and

WHEREAS, there is on file with the City Council a staff report which includes the criteria, facts, and conclusions which collectively are the findings supporting this request:

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

Section 1: The findings contained in the staff report for this proposal (File Number 311-19-000001-PLNG), the minutes of the Planning Commission meetings of April 1 and April 15, 2019, and Planning Commission Findings and Decision Number 2019-05, are hereby adopted and incorporated by reference into this ordinance.

Section 2: The City Council hereby adopts the amendment to re-designate Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to High Density Residential (HDR) on the Comprehensive Plan Map as shown on Exhibit A.

Section 3: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 13th day of May, 2019.

PASSED the second reading the 28th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Comprehensive Plan Map Amendment
General Industrial to High Density Residential
Washington County Tax Lots 1N331DA07500 and 1N332C000800



Comprehensive Plan Designations: HDR = High Density Residential GI = General Industrial
Zoning Designations: RMH = Residential Multi-Family High Density GI = General Industrial

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ORDINANCE NO. 2019-03

ORDINANCE AMENDING THE ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; FILE NUMBER 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on February 22, 2019. DLCD did not register any comments; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019, and continued the hearing to April 15, 2019; and

WHEREAS, no objections to the amendment were registered at the Planning Commission hearing; and

WHEREAS, the Planning Commission recommended approval of the amendment as documented in Planning Commission Decision and Findings #2019-05; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on May 1, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 8, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on May 13 and May 28, 2019, and made a determination on the basis of the findings contained in Section 1 below; and

WHEREAS, there is on file with the City Council a staff report which includes the criteria, facts, and conclusions which collectively are the findings supporting this request:

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

Section 1: The findings contained in the staff report for this proposal (File Number 311-19-000001-PLNG), the minutes of the Planning Commission meetings of April 1 and April 15, 2019, and Planning Commission Findings and Decision Number 2019-05, are hereby adopted and incorporated by reference into this ordinance.

Section 2: The City Council hereby adopts the amendment to re-zone Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to Residential Multi-Family High Density (RMH) on the Zoning Map as shown on Exhibit A.

Section 3: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 13^h day of May, 2019.

PASSED the second reading the 28th day of May, 2019.

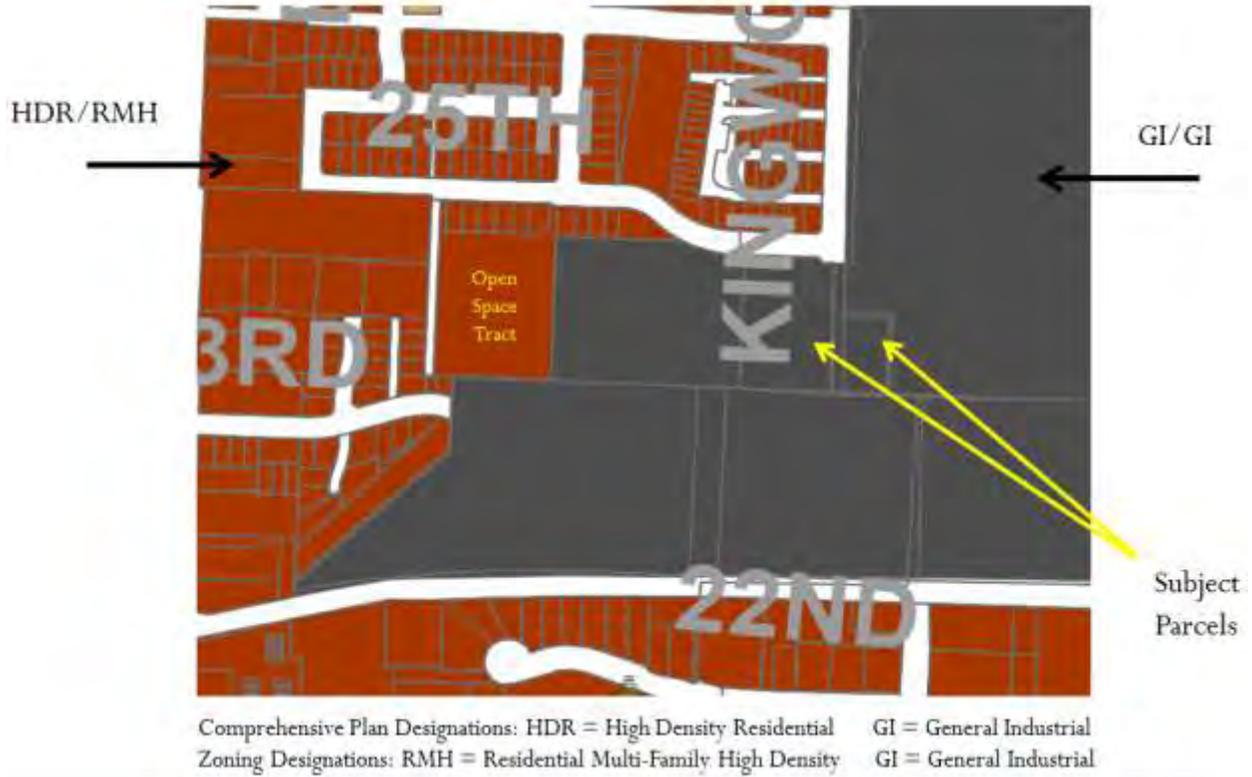
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Zoning Map Amendment General Industrial to Residential Multi-Family High Density Washington County Tax Lots 1N331DA07500 and 1N332C000800



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EXHIBIT B

PLANNING COMMISSION DECISION #2019-05

Planning Commission Findings and Decision Number 2019-05
To Approve a Comprehensive Plan Map Amendment and Development Code
Zoning Map Amendment to Re-Designate Two Parcels From General
Industrial to Residential Multi-Family High Density
Washington County tax lots 1N331DA07500 and 1N332C000800
File Number: 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich, owners of Washington County tax lots 1N331DA07500 and 1N332C000800, filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, because tax lot 1N331DA07400 would be bounded on three sides by a residential designation (if the application was approved for the other two parcels) it was also included in this review process; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development on February 22, 2019; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019 and continued the hearing to April 15, 2019; and

WHEREAS, testimony was received that the owner of tax lot 1N331DA07400 is interested in developing the site with an industrial use and therefore wishes to retain the General Industrial designation on that parcel.

The City of Forest Grove Planning Commission does hereby recommend approval of the comprehensive plan map and zoning map amendments for Washington County tax lots 1N331DA07500 and 1N332C000800, making the following specific findings in support of this decision:

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated April 1, 2019.
- 2) The following decision considerations apply to the proposed Comprehensive Plan Map amendment –
 - Applicable Oregon Statewide Land Use Planning Goals;
 - Applicable Comprehensive Plan policies;
 - Metro Regional Framework Plan; and
 - Metro Urban Growth Management Functional Plan.

The following criteria apply to the proposed Zoning Map amendment (DC §17.2.770) –

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

The applicable decision considerations and approval criteria are described more fully below. Findings are also provided below.

Oregon Statewide Land Use Planning Goals

Goal 2 – Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan. Goal 2 stipulates that a minor change should be based on information that will serve as the factual basis to support the change. The public need and justification for the change should be established.

Finding for Goal 2: The proposed Comprehensive Plan amendment affects two parcels with a combined area of less than two acres. Re-designating the properties from General Industrial to High Density Residential will not have a significant effect beyond the immediate area of the change and is therefore considered to be a minor amendment. This determination is based on the aggregate area of the parcels and their limited individual areas:

- Tax lot 1N331DA07500 is 1.35 acres with no known constraints;
- Tax lot 1N332C000800 is 0.45 acres but has no frontage onto any public street.

The public benefit of the proposed Comprehensive Plan Map and Zoning Map amendment is to promote development on the property, thereby increasing the City's tax base. The properties have not developed with industrial uses and they are unlikely to become industrial given their adjacency to a residential neighborhood, lack of access to a Collector or Arterial street (access for the near term would only be via Local streets through a residential area), and small lot sizes. The conceptual 23rd/24th Avenue Collector extension between Hawthorne and Oak streets may not directly serve these properties, as it may need to be sited farther south in order to avoid a wetland.

Goal 10 – Housing: Goal 10 specifies that each city and county must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Economic Opportunity Analysis shows a need for 3,900 housing units over the next 20 years, based on the Baseline Growth Scenario of 2% per year. Re-designating the subject area from General Industrial to High Density Residential will provide opportunity to meet the identified housing need. If zoned for high density residential development the two parcels could

accommodate as few as about 29 units and as many as about 37 units, based on gross acreage. The actual number of units would be based on net acreage.

Designating the property as High Density Residential would also help the City achieve a minimum development residential density allocation for new construction of 8 units per acre that the City must meet overall under the Metropolitan Housing Rule (OAR 660-0007-0035).

Metro Regional Framework Plan

The Metro Regional Framework Plan establishes a land use concept for the Portland region. Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with the Regional Framework Plan.

The plan contains policies for growth management and land use planning for matters of metropolitan concern. It establishes a hierarchy of mixed-use, pedestrian friendly centers that are well connected by high capacity transit and corridors. It establishes Regional Centers, Town Centers, Corridors, Transit Station Communities, neighborhoods, and Industrial and Employment areas.

Finding: The proposed Comprehensive Plan Map and Zoning Map amendments will result in the re-designation of 1.80 acres of land from General Industrial to High Density Residential/Residential Multi-Family High density. The subject area is bounded on the north side by lands designated as High Density Residential. The amendment supports the Metro Regional Framework Plan by promoting additional housing opportunities near the Town Center and Highway 8 (Pacific Avenue) corridor, and a nearby industrial area.

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan implements provisions of the Metro Regional Framework Plan including promoting a compact urban form. The following chapter of the Metro Urban Growth Management Functional Plan is applicable to this proposal, since the subject area is currently zoned for industrial uses:

Title 4: Industrial and Other Employment Areas - The subject properties are identified as within an Industrial Area on the Metro Employment and Industrial Area Map. Therefore, the provisions of Title 4 pertaining to map amendments apply. The subject properties are connected to the Industrial Areas located to the east and south.

Under Urban Growth Management Functional Plan §3.07.450(C), a city or county may amend its comprehensive plan or zoning map designation to allow uses in an Employment or Industrial area upon making a demonstration that:

- (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two;

Finding: The subject properties are not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two. The subject properties are bounded on the north by land designated Residential Multi-Family High density on the Zoning Map. Therefore, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (2) The amendment will not reduce the employment capacity of the city or county.

Finding: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. The amendment would have little impact on the employment capacity of the city or county because the subject site is less than two acres in size and has been partially developed with a single-family home that does not contribute to the employment of the area.

Given the minor impact to the city's or county's employment capacity, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities.

Finding: The subject properties are not designated as a Regionally Significant Industrial Area. Since they are not designated as a Regionally Significant Industrial Area, this criterion does not apply.

- (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to TRP standards within two years after approval of uses.

Finding: The subject properties are located on or near 25th Avenue and Kingwood Street. Neither street is designated as a Main Roadway Route or Roadway Connector on the Regional Freight Network Map in the RTP. Therefore, the amendment will not allow uses that would reduce off-peak performance on Main Roadway Routes or Roadway Connectors or impact volume-to-capacity standards in the RTP. Thus, the subject properties qualify for re-designation from General Industrial to Residential Multi-Family High density.

- (5) The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas.

Finding: The proposed amendment will allow for residential development. As such, it would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area.

- (6) If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 4 acres or less.

Finding: The site is not designated as a Regionally Significant Industrial Area or an Employment Area. It is designated as an Industrial Area. As the site totals 1.80 acres in area, it complies with the criterion that the area subject to the amendment is 20 acres or less.

Functional Plan §3.07.450(D)

A city or county may also amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- (1) The entire property is not buildable due to environmental constraints; or

Finding: The subject properties are buildable in their entirety.

- (2) The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and

Finding: The site borders land designated as an Industrial area on the Metro - Title 4, Industrial and Other Employment Areas Map. Therefore, the subject area does not qualify for re-designation from General Industrial to High Density Residential/Residential Multifamily High under this criterion. As indicated elsewhere, the parcels do qualify for re-designation based on other Metro Functional Plan Title 4 criteria.

- (3) The assessed value of a building or buildings on the property, built prior to March 5, 2004 and historically occupied by uses not allowed by this title, exceeds the assessed value of land by a ratio of 1.5-to-1.

Finding: The home at 2355 Kingwood Street (tax lot 1N332C000800) was built in 1900. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$118,440. The estimated assessed value of the land is \$159,590. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The property at tax lot 1N331DA07500 is unimproved. The estimated value of the land is \$179,950. As there are no buildings on this parcel, the improved value does not exceed the 1.5-to-1 ratio.

Forest Grove Comprehensive Plan Policies

The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states: "Evaluate requests for re-zoning from non-residential to residential development zones based on the following factors:

- (A) Identified housing needs contained in an adopted Goal 9 Analysis;
- (B) Ability to provide services in a cost-effective and efficient manner;
- (C) Potential of the site to support higher density development;
- (D) Site characteristics including topography; and
- (E) Land use location policies of the Comprehensive Plan."

Finding for Factor A: The City's Goal 9 Economic Opportunity Analysis shows a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

Finding for Factor A: The City's 2019 Economic Opportunity Analysis shows an excess of industrial land over a 20-year planning period of 40 to about 197 acres. Thus, because these parcels total less than two acres in area, re-designating them to a non-industrial use would have minimal impact on the city's industrial land supply.

Finding for Factor B: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. Given the presence of utilities, there is the ability to provide services in a cost-effective and efficient manner.

Finding for Factor C: The properties meet the location factors for high density residential development as indicated below. However, the size of 2355 Kingwood Street (0.45 acres) is a limiting factor; because it is less than 0.50 acres in size, it is exempt from the minimum density requirement as per Development Code §17.3.130(D) *Exemptions from Minimum Density Requirements*.

Finding for Factor D: The subject properties are flat with a slope of less than 5%. Topography is not a limiting factor for development of this area. In addition, the parcels are not irregularly shaped and are configured to allow for further development.

Findings for Factor E: Land Use Location Factors – High Density Residential

FACTOR	FINDING
Slope is less than 10%.	The subject site is flat with a cross-slope of less than 5%.
Carrying capacity of the land given the presence of wetlands, soil characteristics And infrastructure capacity.	There are no known wetlands on the subject parcels. The site is served by the full array of City services including water, storm sewer, sanitary sewer and electricity. Sufficient infrastructure capacity exists and urban development is assumed in the City's Water, Waste Water, Storm Drainage and Transportation Systems plans.
Sites are located within ¼ mile of planned or existing transit service.	The parcels are located within ¼ mile of the GroveLink east loop, which has a route on Hawthorne Street and 22 nd Avenue.
Sites are adjacent to existing or planned parks or open space.	No existing or planned parks are adjacent, but Stites Park is approximately ¼ mile from the site. The site is adjacent to open spaces located at Casey West Tract A, 2922 25 th Avenue and 2930 26 th Avenue.
Sites are within ¼ mile of designated employment areas.	The site is not located within ¼ mile of a designated employment area.
Constructed with single-family residential development if approved through planned residential development process.	No development is proposed. Therefore, this factor is not applicable.
Creation of nodes to facilitate transit extension.	This location is not part of a node intended to support transit service. Therefore, this factor is not applicable.

Zoning Map Amendments Review Criteria (DC §17.2.770)

1. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Finding: If the properties are re-designated to High Density Residential, the RMH Multi-Family High Residential zone would be appropriate.

2. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs contained in an adopted Goal 9 Analysis;
- B. Ability to provide services in a cost-effective and efficient manner;
- C. Potential of the site to support higher density development;
- D. Site characteristics including topography; and
- E. Land use location policies of the Comprehensive Plan."

Findings pertaining to consistency with the applicable Comprehensive Plan policies are provided above.

3. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The zone change is consistent with the adopted Transportation System Plan since development allowed by the proposed Residential Multi-Family High density zone will not substantially impact the operation of 25th Avenue or Kingwood Street. Both roadways are Local streets serving residential uses. The areas to the north and west are currently zoned Residential Multi-Family High density. The addition of less than two acres of multi-family zoned land should not significantly increase traffic volumes assumed in the TSP for this area, especially when the street network is completed.

Finding: The applicant submitted a traffic assessment prepared by a professional transportation planning and engineering firm. This assessment was based on the two eastern parcels which total 2.0 acres in area. The assessment reviewed the traffic implications of developing the properties under the General Industrial designation and under the RMH designation. The assessment modeled the traffic that would be generated by the highest trip generation rates (a call center and manufacturing) and compared that with the traffic that would be generated if the properties were developed at the highest residential density possible (20.28 DUA). The assessment notes that "traffic impacts are typically measured during p.m. peak hours...."

- Industrial average daily trips (ADT) would range from 171 (manufacturing) to 255 (a call center).
- Residential ADT would be 293.
- Evening peak hour trips would be 29 for manufacturing and 30 for a call center.
- Residential evening peak hour trips would total 22.

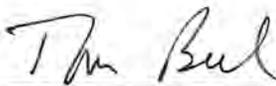
The study concluded that:

- "The proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met."
 - With the change, "the level of travel and access would be consistent with that of the surrounding streets."
4. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

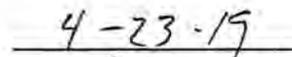
Finding: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. The proposed amendment would not be anticipated to create any greater demand for public facilities and other public services than that which would be demanded under the existing industrial designation.

5. The establishment of a zone district is not subject to the meeting of conditions.

Finding: No conditions of approval are proposed.



TOM BECK, Chair



Date

EXHIBIT C

PLANNING COMMISSION MINUTES OF APRIL 1
(APPROVED) AND APRIL 15 (DRAFT), 2019



A place where families and businesses thrive.

Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 1st, 2019, 7:00 pm

1. **CALL TO ORDER:**

Chair Tom Beck called the meeting to order at 7:00 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair; Commissioners Sebastian Bannister Lawler, Lisa Nakajima, Ginny Sanderson and Hugo Rojas.

Planning Commission Excused: Commissioner Dale Smith.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Cassi Bergstrom, Planning Commission Coordinator.

2. **PUBLIC MEETING:**

A. **PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:**

None.

B. **PUBLIC HEARING:**

(1.) File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the quasi-judicial public hearing at 7:02 p.m., reading the hearing procedures, criteria, and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were none, and no challenges from the public. Chair Beck called for the staff report.

James Reitz, Senior Planner, gave the presentation showing the aerial view of the properties as well as the established property lines, wetland map nearby, and easements. The three lots are located near Casey Meadows and Casey West subdivisions. An area street plan was shown for future potential improvements, drainage way, and also shows the railroad isolating the currently zone Industrial parcels.

Chair Beck inquired about the access to these properties, and Mr. Reitz gave some insight as to the future access as well as the current.

Commissioner Nakajima inquired if the railroad has been recently utilized, and Mr. Reitz responded that it has not and could be vacated at some point in the future.

Chair Beck reminded Commissioners that the railroad easement was discussed to be a future Max Lightrail line, and gave the Planning Commission meeting history on the industrial area along Oak Street.

Mr. Reitz stated that the third parcel was included in the review as to not create spot zoning. Chair Beck asked what has been heard from the owner of that third parcel located at 2352 Kingwood Street, and Mr. Reitz responded that the property owner never contacted the city. Notifications were sent to property owners and parcels located within 300 feet of the project site, as per protocol.

Mr. Reitz stated the application complies with the review criteria, and staff recommends forwarding a positive recommendation of approval to City Council.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that he has been working on this application for about five years, and the parcel is owned by an estate. The parcel is hard to sell as industrial because of the development issues and cost associated with development. With the residential homes nearby, the parcel would be more viable zoned as such.

Mr. Vanderzanden decided to wait awhile after talking with staff until after the Economic Opportunities Analysis and Affordable Housing Analysis were completed and could confirm that there was a need for residential housing with Forest Grove. The applicant went through the pre-application review to figure out the infrastructure that would need to be completed to accommodate the development, and the utilities are set up from the previous subdivisions to extend to these parcels. A traffic report was also done. The demand for industrial is low, and the demand for housing is going up making the applicant's parcel more profitable.

Roberta Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Ms. Roberta Reynolds gave the history on how she acquired the property, as it is part of the estate left by her father in 2005. Ms. Reynolds and her sister are trying to sell the property, but have not had interest in the property zoned as industrial. They gave a five foot easement to the Casey Woods [sic] development when it was being constructed. The hope is to change the property to residential in order to put the property to good use.

Chair Beck asked the applicant if she has made contact with the owner of the property to the west, and Ms. Reynolds responded that she has not contacted them for a few years. She did ask the owner if they were interested in buying their property a few years ago but that did not happen.

PROPONENTS:

None.

OPPONENTS:

None.

OTHER:

Jane Falcone, 2525 Juniper Street, Forest Grove, OR 97116:

Ms. Jane Falcone came forward and expressed her concerns with the limited access into Casey West, along with the traffic issues within the neighborhood. An extension of 23rd Street to Martin Road/Highway 47 was part of the Comprehensive Transportation Plan, but has not happened. It would create much more direct access to the homes. The intersection of Hawthorne St/26th Avenue is very dangerous with poor visibility and no sidewalks within that area. The only other way out is down Juniper Street. There is a lot more traffic going through the neighborhood, and a collector route from 23rd to Highway 47 will alleviate some of the issues.

Doug Fowler, 2844 25th Avenue, Forest Grove, OR 97116:

Mr. Doug Fowler came forward and expressed his concerns regarding the wetlands area, but the Senior Planner addressed some of his concerns within his staff report. Mr. Fowler is concerned specifically about what to do with the water in the wetlands.

REBUTTAL:

Mr. Mark Vanderzanden came forward and addressed the concerns, stating a traffic report was done and there are less trips for residential uses than industrial uses. Currently the trips calculated fall into satisfactory levels.

Regarding the wetlands, Mr. Vanderzanden stated they will be well protected by the Clean Water Services regulations that will be mandated.

Chair Beck closed the public hearing at 7:40 p.m.

COMMISSIONER DISCUSSION:

Chair Beck has concerns about traffic, and a broader picture is needed that just the three parcels listed on the application. An extension of Maple Street and 23rd Avenue is needed. Another concern is that the largest piece of property's owner has not responded to the City, and may not be aware this re-zoning could occur. Commissioner Lawler agreed that not hearing from the property owner is concerning.

Commissioner Sanderson stated that the issue before Commissioners tonight is in regards to the zoning, not the theoretical traffic problems. If something comes before the Commission regarding the properties in the future, then the traffic can be addressed.

Bryan Pohl, Community Development Director, reminded the Commissioners that this is a quasi-judicial hearing so a decision needs to be made based on a timeline set by Oregon State Law. Part of the City Council goals is setting a Master Plan for the Oak Street industrial, working with a consultant. The area could look like a mixed-use concept in the future. The Economic Opportunities Analysis showed that there is not a need for industrial land with Forest Grove for the next 20 years.

Chair Beck suggested a two week continuance of this public hearing so a registered letter with response could be sent to the property owner that is not aware of the re-zoning. Commissioners discussed this option and agreed.

Commissioner Lawler moved a motion to continue this public hearing to April 15th, 2019. Commissioner Nakajima seconded the motion. All in favor.

C. ACTION ITEMS:

None.

D. WORK SESSION ITEMS:

None.

3. BUSINESS MEETING:

A. APPROVAL OF MINUTES:

Vice Chair Ruder moved a motion to approve the minutes of the March 4, 2019 meeting. Commissioner Nakajima seconded. Motion passed 6-0.

B. REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:

None.

C. DIRECTOR'S REPORT:

Mr. Bryan Pohl gave the update, stating that the City Council unanimously overturned staff's decision regarding the Rose Grove appeal.

There will be some draft development code edits coming to the Commissioners in May.

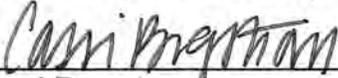
D. ANNOUNCEMENT OF NEXT MEETING:

The next meeting is April 15th, 2019.

E. **ADJOURNMENT:**

The meeting was adjourned at 8:06 p.m.

Respectfully submitted by:



Cassi Bergstrom
Planning Commission Coordinator

DRAFT



A place where families and businesses thrive.

Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 15th, 2019, 7:00 pm

1. CALL TO ORDER:

Chair Tom Beck called the meeting to order at 7:05 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair;
Commissioners Lisa Nakajima, Ginny Sanderson and Dale Smith.

Planning Commission Excused: Commissioners Sebastian Bannister Lawler and Hugo Rojas.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Shannon Reynolds, Administrative Specialist.

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) Continuance of the Public Hearing held on April 1st, 2019 for File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the continuation of the quasi-judicial public hearing at 7:07 p.m., and called for the staff report.

James Reitz, Senior Planner, gave a summary of the application. The third property owner had not been notified previously due to an incorrect zip code pulled from the Washington County tax roll records. The property owner was mailed a second notice via certified mail, which was then received.

Mr. Reitz reviewed the slideshow presentation with the three properties proposed to be rezoned from General Industrial to High Density Residential. Staff recommends an approval of the request to rezone the three properties.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that they applied for the two lots on their initial application, and the City added a third lot to the re-designation and rezoning. Long term trends show more housing for Forest Grove is needed, and it seems sensible to rezone the two lots that are already close to current high density housing areas. Future light rail may become available with the current railroad lines close by. A map was pulled up by Mr. Vanderzanden, showing how the designation of the two lots could help aid in several ways including better roads, improved connection points, etc.

Mr. Vanderzanden stated that he feels there is still plenty of land left over for other uses, two of the three tax lots for re-zoning have current non-conforming uses happening, and this change would only increase the property value of the current tax lots.

Dick Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Mr. Dick Reynolds came forward, stating he is the husband of applicant Roberta Reynolds. As the land is currently zoned as General Industrial, they have hit road blocks with marketing. Over the years they have contacted surrounding property owners for potential purchase interest, and have not received any. Industrial developers and storage companies have also been contacted within surrounding jurisdictions for possible development, and all resulted in zero interest for a sale.

Mr. Reynolds stated an industrial realtor was hired, and the conclusion was that the best option was to rezone the property for high density residential and city staff agreed as it conformed to the surrounding zoning.

Chair Beck inquired about the private road, and Mr. Reynolds stated that he believes there was an easement created for utilities and access and discussed who maintains the easement.

PROPOSERS:

None.

OPPONENTS:

Craig Enstrom, PO Box 6825, Aloha, OR 97007

Mr. Craig Enstrom came to the front, explaining that he is the owner of the third parcel to the west and explained his frustrations of not being notified initially. Mr. Enstrom is not looking to cause problems, however he does not want his parcel to be rezoned. The easement has been there as long as he has owned the property, and Casey Meadows inherited the easement rights. Currently he is having issues with vagrants, and enjoys his farm with small animals. Mr. Enstrom does not wish to join the high density residential area, and was totally unaware of the hearing.

Chair Beck stated that is why the Commission delayed the process.

Mr. Enstrom went on to give them plans he has for his property, with one being a towing facility for impounding cars as well as currently raising goats/sheep. The 30 foot wide buffer that would be required between industrial and residential zones is a concern to him as well.

Chair Beck stated that regardless of the outcome of the re-zoning, Mr. Enstrom can continue to do what he wants with his property.

Commissioner Sanderson inquired if Mr. Enstrom currently lives on the property, and he stated he does not. Commissioner Sanderson asked Mr. Enstrom if he has given any thought to what the re-zoning would do to his property value, and he doesn't feel the value would be great considering the cost to develop it and does not want houses all around him.

Chair Beck and Mr. Enstrom discussed the access to his property off of 25th Avenue.

OTHER:
None.

REBUTTAL:

Mr. Reynolds came forward and explained how the proposal is compatible and complimentary with the abutting property, and makes both lots more conforming to the area.

Chair Beck closed the public hearing at 7:45 p.m.

COMMISSIONER DISCUSSION:

Vice Chair Ruder wanted some clarification on the 30 foot buffer Mr. Enstrom brought up, and Mr. Reitz explained Article 8 in the Development Code requires buffers to be set between zoning districts, and General Industrial has a large buffer. This area has to be used for landscaping only, thus providing a visual buffer/separation between the two zoning districts.

Commissioner Sanderson inquired if a new industrial use could be introduced when it is rezoned as RMH, and Mr. Reitz said no.

Commissioners discussed whether they should rezone all three properties, or only rezone the two properties as applied for by the applicant.

Commissioner Sanderson moved a motion to make a recommendation to City Council to approve file No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from

General Industrial to High Density Residential. Vice Chair Phil Ruder seconded the motion.

Commissioner Nakajima moved to exclude tax lot 1N331DA07400. Commissioner Smith seconded the motion.

Roll Call Vote on Amendment: AYES: Vice Chair Ruder; Commissioners Nakajima and Smith. NOES: Chair Beck; Commissioner Sanderson. ABSENT: Commissioners Bannister Lawler and Rojas. MOTION CARRIED 3-2.

Chair Beck called the question as amended to make a recommendation to City Council.

Roll Call Vote on Main Motion as Amended: AYES: Chair Beck; Vice Chair Ruder; Commissioners Nakajima, Sanderson, and Smith. NOES: None. ABSENT: None. MOTION CARRIED 5-0.

C. **ACTION ITEMS:**

None.

D. **WORK SESSION ITEMS:**

None.

3. **BUSINESS MEETING:**

A. **APPROVAL OF MINUTES:**

Commissioner Smith moved to approve the minutes of the April 1st, 2019 meeting. Motion passed 5-0.

B. **REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:**

None.

C. **DIRECTOR'S REPORT:**

Mr. Bryan Pohl gave the update, stating that there will be some draft development code edits coming to the Commissioners in May.

D. **ANNOUNCEMENT OF NEXT MEETING:**

The next meeting is May 6th, 2019.

E. ADJOURNMENT:

The meeting was adjourned at 7:56 p.m.

Respectfully submitted by:

Cassi Bergstrom
Planning Commission Coordinator

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EXHIBIT D

PLANNING COMMISSION STAFF REPORT DATED APRIL 1, 2019



Comprehensive Plan Map and Zoning Map Amendments Staff Report and Recommendation

Community Development Department, Planning Division

Report Date	March 22, 2019
Hearing Date	April 1, 2019
Land Use Request	Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential
File Number	311-19-000001-PLNG
Property Location	2352 and 2355 Kingwood Street, and one unaddressed parcel
Legal Description	Washington County tax lots 1N331DA07400, 1N331DA07500 and 1N332C000800
Owners/Applicants	Roberta Reynolds, PO Box 431, Banks, Oregon 97106 Donald and Daryl Polich, PO Box 44, Forest Grove, Oregon 97116
Comprehensive Plan Designation	GI General Industrial
Zoning Map Designation	GI General Industrial
Historic District	Not applicable
Applicable Decision Considerations, Standards and Criteria	<u>Comprehensive Plan Amendment</u> <ul style="list-style-type: none">▪ Oregon Statewide Land Use Planning Goals▪ Forest Grove Comprehensive Plan Policies▪ Metro Regional Framework Plan▪ Metro Urban Growth Management Functional Plan <u>Zoning Map Amendment</u> <ul style="list-style-type: none">▪ Development Code §10.2.770 <i>Map Amendment Criteria</i>
Reviewing Staff	James Reitz (AICP), Senior Planner
Recommendation	The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria. Staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.

I. LAND USE HISTORY

The subject properties have been designated General Industrial since at least 1987. The adjoining properties to the west and north (west of an unnamed Council Creek tributary) were re-designated from General Industrial to Residential Multi-Family High Density in 1990. Much of that area has since been developed with residential subdivisions, including Casey West, Casey Meadows and Hawthorne Meadows.

The three parcels making up this application historically took their access from Kingwood Street via a private railroad crossing to the south. With the completion of the Casey Meadows neighborhood, two of the parcels now have frontage onto 25th Avenue; the remaining parcel has access to 25th Avenue via an easement.

II. DESCRIPTION OF PROPOSAL

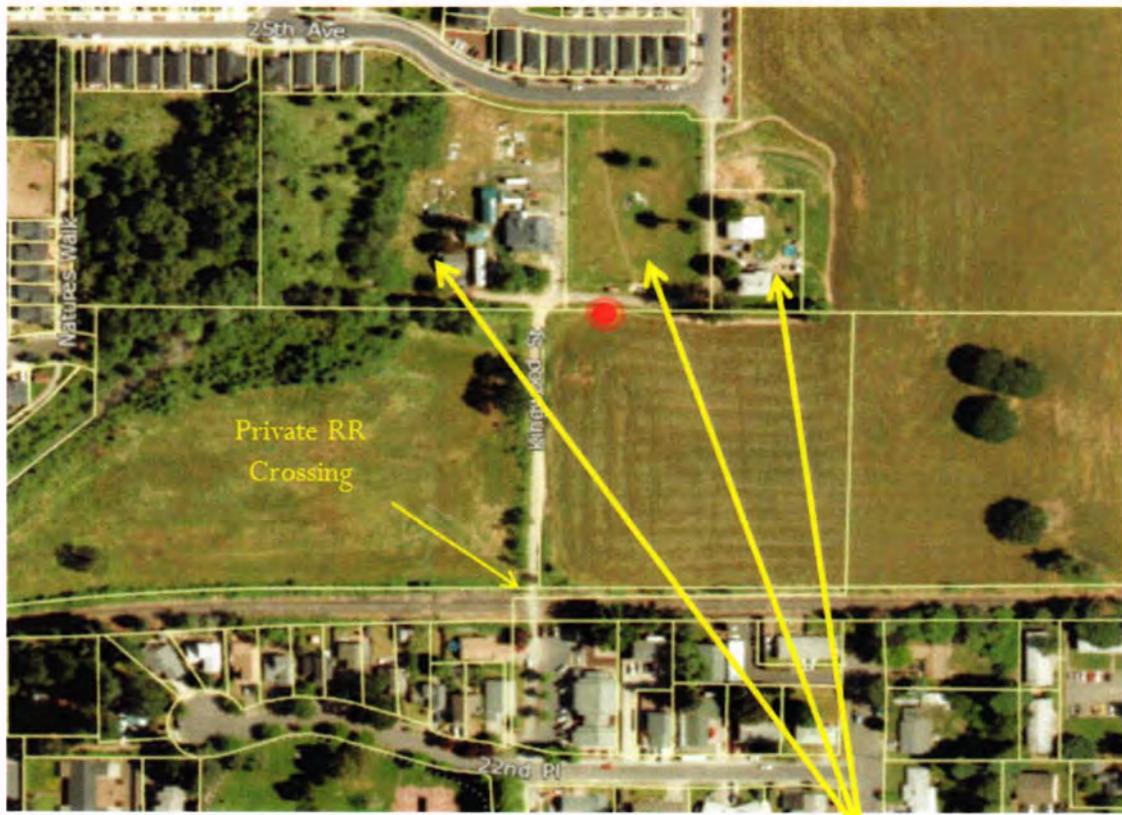
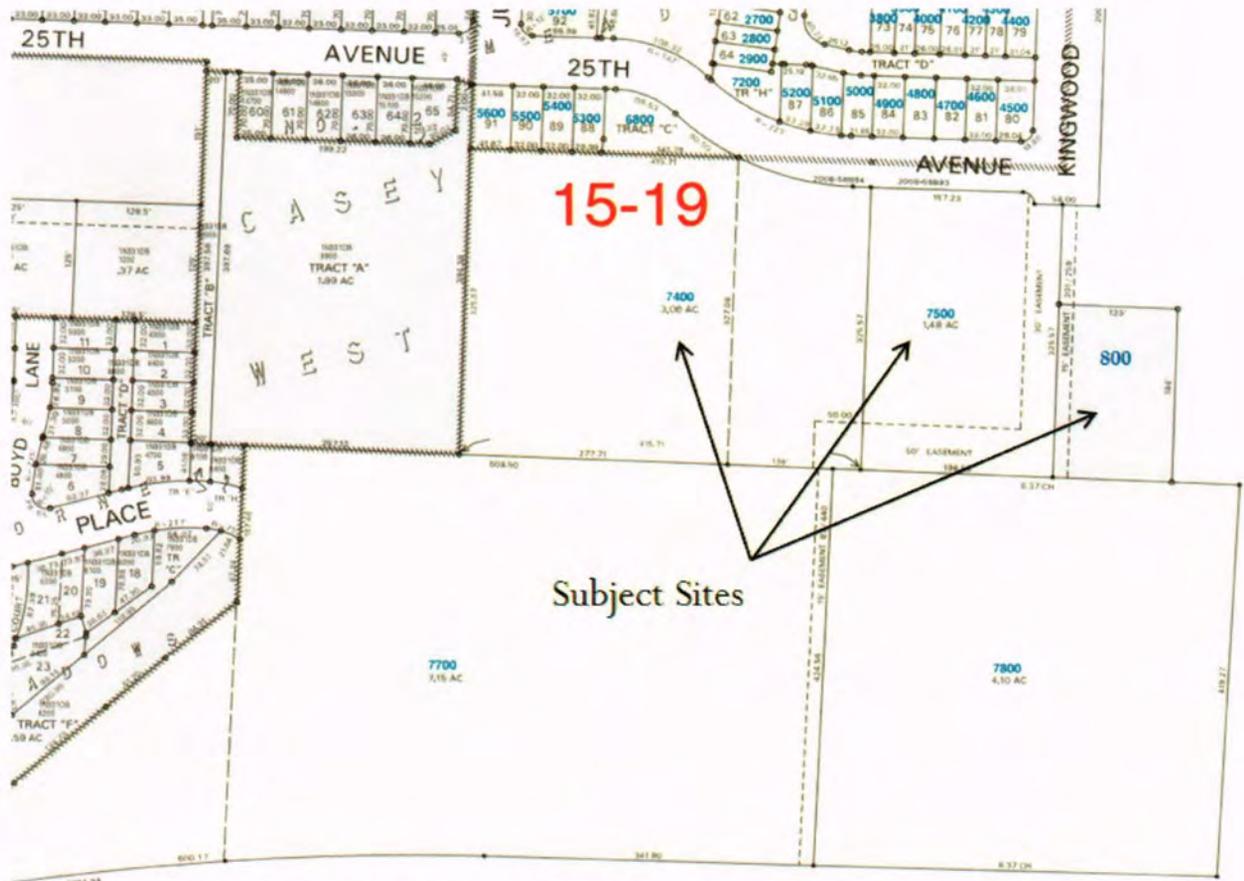
The proposal is an amendment to the Comprehensive Plan Map to re-designate three parcels from General Industrial (GI) to High Density Residential (HDR), and an amendment to the Zoning Map to re-designate those same parcels from General Industrial (GI) to Residential Multi-Family High Density (RMH).

III. SITE EXAMINATION

The subject area totals 4.86 acres. Washington County tax lot 1N331DA07400 is developed with a single-family home and outbuildings; it is also bisected by a tributary to Council Creek (see Wetland Map in Section V below). Tax lot 1N331DA07500 is vacant. Tax lot 1N332C000800 is developed with a single-family home. The area is flat and landscaped with field grass and a scattering of trees and shrubs. The 25th Avenue street frontage is partially improved, lacking only sidewalks and parkway landscaping.

Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONING DISTRICT	LAND USE
Tax Lot 800	General Industrial (GI)	General Industrial (GI)	Single-Family Home
Tax Lot 7400	General Industrial (GI)	General Industrial (GI)	Single-Family Home
Tax Lot 7500	General Industrial (GI)	General Industrial (GI)	Vacant
North	High Density Residential (HDR)	Residential Multi-Family High Density (RMH)	Casey Meadows Subdivision
South	General Industrial (GI)	General Industrial (GI)	Vacant
East	General Industrial (GI)	General Industrial (GI)	Vacant
West	High Density Residential (HDR)	Residential Multi-Family High Density (RMH)	Casey West Subdivision - Open Space & Wetland Tract



Subject Parcels

IV. PROCEDURAL REQUIREMENTS

Comprehensive Plan Map Amendment Process: “Plan amendments may be initiated by the following parties: property owner of record or authorized agent of the property owner of record; contract purchaser, City Council, Planning Commission, City Manager, or Community Development Director.” (Forest Grove Comprehensive Plan - Volume 1 p. 27)

This application was initiated by the owners of the two eastern-most properties. Because tax lot 1N331DA07400 to the west would otherwise be bounded on three sides by a residential designation (if this application is approved for the other two parcels) staff has included it in this review process.

The Planning Commission will consider the merits of the proposal and prepare a recommendation to the City Council.

Zoning Map Amendment Process: Development Code §10.2.760 *Procedure* authorizes the Planning Commission to make a recommendation to the City Council after reviewing the application pursuant to a Type 3 procedure.

Comprehensive Plan Amendment and Zoning Map Amendment approval criteria follow in Section V below.

DLCD and Metro Notification and Review: Notice of the proposed comprehensive plan and zoning map amendments was provided to the Department of Land Conservation and Development (DLCD) and Metro on February 22, 2019 pursuant to ORS 197.610, OAR Chapter 660 – Division 18, and Metro Code §3.07.820 (Functional Plan Title 8). Neither agency has registered any comments.

Public Notice: Public notice for this application was mailed to property owners and residents within 300 feet of the site on March 11, 2019; and published in the *News Times* on March 27, 2019, as required by Development Code §10.1.610.

As of the writing of this report, no written comments have been received from the public.

V. REQUIRED APPROVALS AND FINDINGS

The following decision considerations apply to the proposed Comprehensive Plan Map amendment –

- Applicable Oregon Statewide Land Use Planning Goals;
- Applicable Comprehensive Plan policies;
- Metro Regional Framework Plan; and
- Metro Urban Growth Management Functional Plan.

The following criteria apply to the proposed Zoning Map amendment (DC §10.2.770) –

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

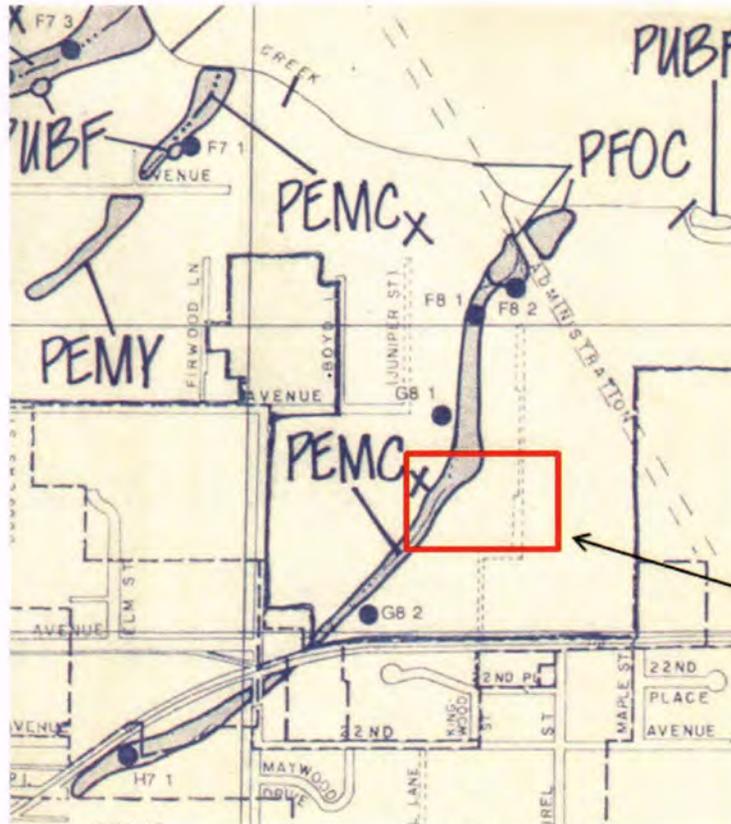
The applicable decision considerations and approval criteria are described more fully below. Findings are also provided below.

Oregon Statewide Land Use Planning Goals

Goal 2 – Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan. Goal 2 stipulates that a minor change should be based on information that will serve as the factual basis to support the change. The public need and justification for the change should be established.

Finding for Goal 2: The proposed Comprehensive Plan amendment affects three parcels with a combined area of 4.86 acres. Re-designating the properties from General Industrial to High Density Residential will not have a significant effect beyond the immediate area of the change and is therefore considered to be a minor amendment. This determination is based on the aggregate area of the parcels and their limited individual areas:

- Tax lot 1N331DA07400 is 3.06 acres. It's development potential is constrained because it is bisected by a creek, and CWS standards require a minimum 50-foot-wide buffer on either side (see Wetland Map, below);
- Tax lot 1N331DA07500 is 1.35 acres with no known constraints;
- Tax lot 1N332C000800 is 0.45 acres but has no frontage onto any public street.



Wetland Map

Site
 Location
 (approx)

The public benefit of the proposed Comprehensive Plan Map and Zoning Map amendment is to promote development on the property, thereby increasing the City's tax base. The properties have not developed with industrial uses and they are unlikely to become industrial given their adjacency to a residential neighborhood, lack of access to a Collector or Arterial street (access for the near term would only be via Local streets through a residential area), small lot sizes, and, in the case of tax lot 1N331DA07400, the wetland and required buffer area. The conceptual 23rd/24th Avenue Collector extension between Hawthorne and Oak streets shown below may not actually serve these properties, as it may need to be sited farther south in order to avoid the wetland.



Goal 10 - Housing: Goal 10 specifies that each city and county must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Economic Opportunity Analysis shows a need for 3,900 housing units over the next 20 years, based on the Baseline Growth Scenario of 2% per year. Re-designating the subject area from General Industrial to High Density Residential will provide opportunity to meet the identified housing need. If zoned for high density residential development the three parcels could accommodate as few as about 80 units and as many as about 100 units, based on gross acreage. The actual number of units would be based on net acreage, i.e., the area remaining that is not environmentally-constrained and following any rights-of-way and/or open space dedications.

Designating the property as High Density Residential would also help the City achieve a minimum development residential density allocation for new construction of 8 units per acre that the City must meet overall under the Metropolitan Housing Rule (OAR 660-0007-0035).

Metro Regional Framework Plan

The Metro Regional Framework Plan establishes a land use concept for the Portland region. Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with the Regional Framework Plan.

The plan contains policies for growth management and land use planning for matters of metropolitan concern. It establishes a hierarchy of mixed-use, pedestrian friendly centers that are well connected by high capacity transit and corridors. It establishes Regional Centers, Town Centers, Corridors, Transit Station Communities, neighborhoods, and Industrial and Employment areas.

Finding: If approved, the proposed Comprehensive Plan Map and Zoning Map amendments will result in the re-designation of 4.86 acres of land from General Industrial to High Density Residential/Residential Multi-Family High density. The subject area is bounded on two sides (north and west) by lands designated as High Density Residential. The amendment supports the Metro Regional Framework Plan by promoting additional housing opportunities near the Town Center and Highway 8 (Pacific Avenue) corridor, and a nearby industrial area.

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan implements provisions of the Metro Regional Framework Plan including promoting a compact urban form. The following chapter of the Metro Urban Growth Management Functional Plan is applicable to this proposal, since the subject area is currently zoned for industrial uses:

Title 4: Industrial and Other Employment Areas - The subject properties are identified as within an Industrial Area on the Metro Employment and Industrial Area Map as shown below. Therefore, the provisions of Title 4 pertaining to map amendments apply.

For context, the blue areas on the map are designated Industrial areas and the green areas are Employment lands. The subject properties are connected to the Industrial Areas located to the east and south.



Under Urban Growth Management Functional Plan §3.07.450(C), a city or county may amend its comprehensive plan or zoning map designation to allow uses in an Employment or Industrial area upon making a demonstration that:

- (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two;

Finding: The subject properties are not surrounded by land by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two. The subject properties are bounded on the north and west by land designated Residential Multi-Family High density on the Zoning Map. Therefore, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (2) The amendment will not reduce the employment capacity of the city or county.

Finding: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. The amendment would have little impact on the employment capacity of the city or county because the subject site is less than 5 acres in size and has been partially developed with two single-family homes that do not contribute to the employment of the area. Furthermore, the largest parcel is bisected by a creek and wetland thus further limiting the potential developable area. Given the minor impact to the city's or county's employment capacity, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities.

Finding: The subject properties are not designated as a Regionally Significant Industrial Area. Since they are not designated as a Regionally Significant Industrial Area, this criterion does not apply.

- (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to TRP standards within two years after approval of uses.

Finding: The subject properties are located on or near 25th Avenue and Kingwood Street. Neither street is designated as a Main Roadway Route or Roadway Connector on the Regional Freight Network Map in the RTP. Therefore, the amendment will not allow uses that would reduce off-peak performance on Main Roadway Routes or Roadway Connectors or impact volume-to-capacity standards in the RTP. Thus, the subject properties qualify for re-designation from General Industrial to Residential Multi-Family High density.

- (5) The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas.

Finding: The proposed amendment will allow for residential development. As such, it would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area.

- (6) If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 4 acres or less.

Finding: The site is not designated as a Regionally Significant Industrial Area or an Employment Area. It is designated as an Industrial Area. As the site totals 4.86 acres in area, it complies with the criterion that the area subject to the amendment is 20 acres or less.

Functional Plan §3.07.450(D)

A city or county may also amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- (1) The entire property is not buildable due to environmental constraints; or

Finding: Two of the subject properties are buildable in their entirety. The property at 2352 Kingwood Street (tax lot 1N331DA07400) is bisected by an unnamed tributary of Council Creek, as documented in the 1993 Local Wetland Inventory. The creek and its associated wetland and buffer area are not buildable.

- (2) The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and

Finding: The site borders land designated as an Industrial area on the Metro - Title 4, Industrial and Other Employment Areas Map. Therefore, the subject area does not qualify for re-designation from General Industrial to High Density Residential/Residential

Multifamily High under this criterion. As indicated elsewhere, the parcels do qualify for re-designation based on other Metro Functional Plan Title 4 criteria.

- (3) The assessed value of a building or buildings on the property, built prior to March 5, 2004 and historically occupied by uses not allowed by this title, exceeds the assessed value of land by a ratio of 1.5-to-1.

Finding: The home at 2352 Kingwood Street (tax lot 1N331DA07400) was built in 1920. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$2,000. The estimated assessed value of the land is \$343,480. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The home at 2355 Kingwood Street (tax lot 1N332C000800) was built in 1900. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$118,440. The estimated assessed value of the land is \$159,590. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The property at tax lot 1N331DA07500 is unimproved. The estimated value of the land is \$179,950. As there are no buildings on this parcel, the improved value does not exceed the 1.5-to-1 ratio.

Forest Grove Comprehensive Plan Policies

The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states: "Evaluate requests for re-zoning from non-residential to residential development zones based on the following factors:

- (A) Identified housing needs contained in an adopted Goal 9 Analysis;
- (B) Ability to provide services in a cost-effective and efficient manner;
- (C) Potential of the site to support higher density development;
- (D) Site characteristics including topography; and
- (E) Land use location policies of the Comprehensive Plan."

Finding for Factor A: The City's Goal 9 Economic Opportunity Analysis shows a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

Finding for Factor A: The City's 2019 Economic Opportunity Analysis shows an excess of industrial land over a 20-year planning period of 40 to about 197 acres (see Exhibit C). Thus, because these parcels total less than 5 acres in area, re-designating them to a non-industrial use would have minimal impact on the city's industrial land supply.

Finding for Factor B: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. Given the presence of utilities, there is the ability to provide services in a cost-effective and efficient manner.

Finding for Factor C: The properties meet the location factors for high density residential development as indicated below. However, the size of 2355 Kingwood Street (0.45 acres) is a limiting factor, if it is developed independently of the others. Because it is less than 0.50 acres in size, it is exempt from the minimum density requirement as per Development Code §10.3.130(D) *Exemptions from Minimum Density Requirements*.

Finding for Factor D: The subject properties are flat with a slope of less than 5%. Topography is not a limiting factor for development of this area. In addition, the parcels are not irregularly shaped and are configured to allow for further development.

Findings for Factor E: Land Use Location Factors – High Density Residential

FACTOR	FINDING
Slope is less than 10%.	The subject site is flat with a cross-slope of less than 5%.
Carrying capacity of the land given the presence of wetlands, soil characteristics And infrastructure capacity.	The City's 1992 Wetland Inventory has documented a wetland on tax lot 1N331DA07400 (2352 Kingwood Street). There are no known wetlands on the other 2 parcels. The site is served by the full array of City services including water, storm sewer, sanitary sewer and electricity. Sufficient infrastructure capacity exists and urban development is assumed in the City's Water, Waste Water, Storm Drainage and Transportation Systems plans.
Sites are located within ¼ mile of planned or existing transit service.	The parcels are located within ¼ mile of the GroveLink east loop, which has a route on Hawthorne Street and 22 nd Avenue.
Sites are adjacent to existing or planned parks or open space.	No existing or planned parks are adjacent, but Stites Park is approximately ¼ mile from the site. The site is adjacent to open spaces located at Casey West Tract A, 2922 25 th Avenue and 2930 26 th Avenue.
Sites are within ¼ mile of designated employment areas.	The site is not located within ¼ mile of a designated employment area.
Constructed with single-family residential development if approved through planned residential development process.	No development is proposed. Therefore, this factor is not applicable.
Creation of nodes to facilitate transit extension.	This location is not part of a node intended to support transit service. Therefore, this factor is not applicable.

Zoning Map Amendments Review Criteria (DC §10.2.770)

1. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Finding: If the properties are re-designated to High Density Residential, the RMH Multi-Family High Residential zone would be appropriate.

2. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs contained in an adopted Goal 9 Analysis;
- B. Ability to provide services in a cost-effective and efficient manner;
- C. Potential of the site to support higher density development;

- D. Site characteristics including topography; and
- E. Land use location policies of the Comprehensive Plan.”

Findings pertaining to consistency with the applicable Comprehensive Plan policies are provided above.

3. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The zone change is consistent with the adopted Transportation System Plan since development allowed by the proposed Residential Multi-Family High density zone will not substantially impact the operation of 25th Avenue or Kingwood Street. Both roadways are Local streets serving residential uses. The areas to the north and west are currently zoned Residential Multi-Family High density. The addition of 5 acres of multi-family zoned land should not significantly increase traffic volumes assumed in the TSP for this area, especially when the street network is completed.

Finding: The applicant submitted a traffic assessment prepared by a professional transportation planning and engineering firm. This assessment was based on the two eastern parcels which total 2.0 acres in area. The assessment reviewed the traffic implications of developing the properties under the General Industrial designation and under the RMH designation. The assessment modeled the traffic that would be generated by the highest trip generation rates (a call center and manufacturing) and compared that with the traffic that would be generated if the properties were developed at the highest residential density possible (20.28 DUA). The assessment notes that “traffic impacts are typically measured during p.m. peak hours....”

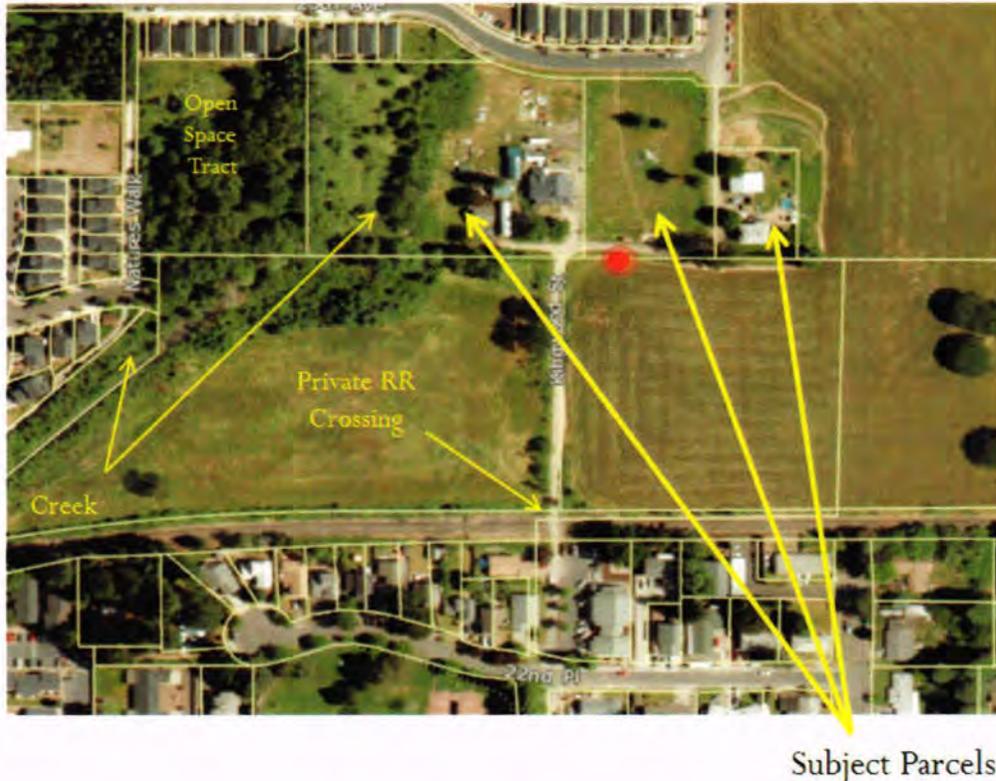
- Industrial average daily trips (ADT) would range from 171 (manufacturing) to 255 (a call center).
- Residential ADT would be 293.
- Evening peak hour trips would be 29 for manufacturing and 30 for a call center.
- Residential evening peak hour trips would total 22.

The study concluded that:

- “The proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met.”
- With the change, “the level of travel and access would be consistent with that of the surrounding streets.”

Finding: The parcels included in the traffic assessment total 2.0 acres in area. A third parcel - tax lot 1N331DA07400 – is also under consideration. It has a gross area of 3.06 acres. It is bisected nearly down the middle by a tributary of Council Creek. The tributary and 100-foot-wide buffer (50 feet on either side of the tributary) would be required to remain in a natural state, regardless of how the lot might develop. The parcel west of the tributary is also contiguous to a wetland and open space tract.

Because tax lot 1N331DA07400 is so bisected, development of its western portion would be problematic at best. For this reason, extrapolating anticipated traffic generation is based on the assumption that only half of the parcel (1.50 acres) could be developed.



At 1.5 acres, the area of this parcel is 75% of the 2.0-acre area included in the traffic assessment. Extrapolating from the forecasted numbers cited above, the anticipated traffic that could be generated from this parcel would be as follows -

- Industrial ADT would range from 128 (75% of the 171 ADT forecast for manufacturing) to 191 (75% of the ADT forecast for a call center).
- Residential ADT would be 220 (75% of the 293 ADT forecast for the adjacent sites).
- Evening peak hour trips would be 22 for manufacturing and 23 for a call center.
- Residential evening peak hour trips would total 17.

Combined with the other two parcels, the totals would be -

- Industrial ADT would range from 299 (for manufacturing) to 446 (for a call center).
- Residential ADT would be 513.
- Evening peak hour trips would be 51 for manufacturing and 53 for a call center.
- Residential evening peak hour trips would total 39.

Development of tax lot 1N331DA07400 for high density residential use would still result in a net decrease in p.m. peak hour trip generation (39 trips versus 51-53 trips for industrial uses). As such, including tax lot 1N331DA07400 would still comply with the requirements of the TPR and the level of travel and access would remain consistent with that of the surrounding streets.

4. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

Finding: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. The proposed amendment would not be anticipated to create any greater demand for public facilities and other public services than that which would be demanded under the existing industrial designation.

5. The establishment of a zone district is not subject to the meeting of conditions.

Finding: No conditions of approval are proposed.

VI. ALTERNATIVES

The Planning Commission has the following alternatives:

1. Recommend approval of the Comprehensive Plan Map and Zoning Map amendments as proposed; or
2. Recommend approval with modifications; or
3. Recommend denial; or
4. Continue deliberations to a date certain.

VII. SUMMARY AND RECOMMENDATION

The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria as described above. Therefore, staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.

VIII. LIST OF EXHIBITS

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

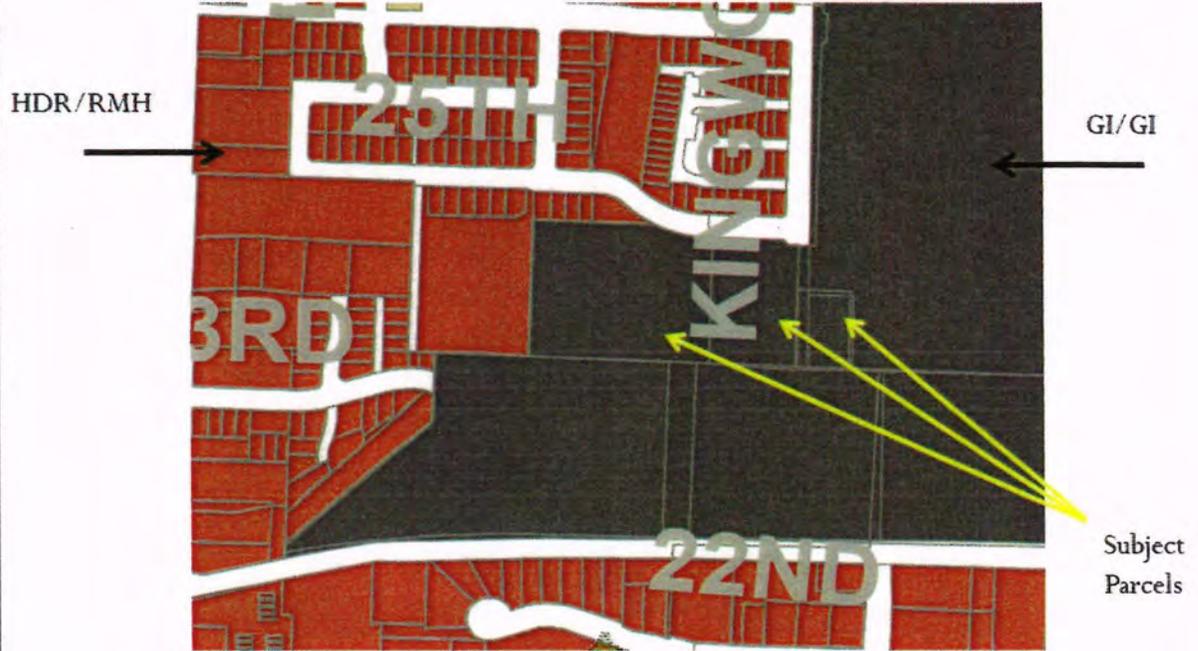
- Exhibit A** Map of the proposed Comprehensive Plan and Zoning Amendments
- Exhibit B** Applicant's Submittal
- Exhibit C** Excerpt from the 2019 Economic Opportunities Analysis
- Exhibit D** PowerPoint Slides

EXHIBIT A

Proposed Comprehensive Plan Map
And
Zoning Map Amendments

Proposed Map Amendments

Comprehensive Plan Map Amendment - General Industrial to High Density Residential
Zoning Map Amendment - General Industrial to Residential Multi-Family High Density



Comprehensive Plan Designations: HDR = High Density Residential GI = General Industrial
Zoning Designations: RMH = Residential Multi-Family High Density GI = General Industrial

EXHIBIT B

Applicant's Submittal



January 13, 2019

Comprehensive Plan Map and Zoning Map amendment application narrative for parcels 1N332C000800 and 1N331DA07500

1. Application overview

- a. Applying parties- see attached application forms
- b. Tax lots- see attached tax lot maps.
- c. General overview
- d. attachments

This proposal seeks to amend the Comprehensive Plan and Zoning maps, to revise the land use designation from Industrial use, to High Density Residential (RMH). These parcels are more suitable and meets the city criteria and requirements for infill residential and much less suitable for Industrial uses. The factors involved:

Residential use:

- Has adequate road, utilities and infrastructure adjacent, and able to serve it.
- Has a significant demand beyond the supply.
- Has a small size suitable for infill residential development.
- Would likely facilitate further construction of connecting roads through dedications, and frontage improvements.
- Is more compatible with the existing high density residential use to the north.
- Add much more revenue to the city property tax base.

Industrial use:

- Requires significant new roads and infrastructure.
- Is too small for most modern industrial uses.
- Is incompatible and creates conflicts with the existing high density use to the north.
- The economics of Industrial use land value make development unlikely, given the costs to build on such a small lot.

Recently the City of Forest Grove analyzed both the need for affordable housing (Affordable Housing Strategy) and separately, and the land inventory for employment

for employment uses. The City of Forest Grove has provided adequate analysis of demands and land supply to make these changes.

- ii. Transportation- This proposal will meet the requirements of Metro transportation goals, as an incremental addition to the systems already in place. The uses proposed are readily served by existing roads and systems. Conversely, the existing zoning uses would have inadequate roads to support industrial development.
- c. Consistency with Metro Urban Growth Management Functional plan
 - i. Title 1 housing capacity-no reductions in housing capacity are proposed.
 - ii. Title 4 industrial and employment areas- This metro title allows for the changes of use providing certain criteria are met, as noted within the functional plan:

3.07.450 Employment an Industrial Area

(c) A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- d. (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;

-These combined parcels are not surrounded by Industrial land and they abut complementary and compatible high density residential development to the north.

- e. (2) The amendment will not reduce the employment capacity of the city or county;

- We believe that the City has performed adequate analysis with the recent Economic Opportunities Analysis Update, to meet the Metro criteria for comprehensive plan change; specifically, that there is a surplus of land zoned for employment, and that this small amendment wouldn't reduce the immediate or long- term employment capacity of the City of Forest Grove.

- f. (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans- shipment facilities;

-The parcels are not Regionally significant Industrial Area (Metro Title 4, Industrial and Other Employment Area Map).

- g. (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on

III. GOAL 10 HOUSING- This proposal would provide much needed housing land inventory, consistent with Goal 10. The City has analyzed and noted a deficit of suitable housing land, as noted by the Forest Grove Affordable Housing Strategic Plan. The 2015 Metro Regional Inventory found a need for 14,000 affordable housing units in Washington County. Of that need 1,400 exist in the City of Forest Grove.

IV. Goal 11 PUBLIC FACILITIES AND SERVICES- This proposal does not alter the City's planning for public facilities and or services. The City has adequate planning in place to allow these plan map amendments.

V. Goal 12 TRANSPORTATION- This proposal includes a Transportation Analysis Letter, (TAL), that shows the proposal addresses and complies with the City Transportation Plan, which addresses State Goal 12.

The other State Goals are not relevant to this proposal.

3. Zoning map change approval criteria

- a. Consistency with Comprehensive plan. The proposal includes an amendment to the Comprehensive plan, and if approved, the zone change would be consistent.
- b. Consistency with the goals and policies of the comprehensive plan. See above section 2, as the comprehensive plan would be amended.
- c. Suitability:
 - i. The site is suitable for the proposed zone and use. The proposed land use designation is the same as the adjacent development "Casey Meadows". Roads and utilities are in place up to the site, adequate for immediate development.
 - ii. There is a lack of appropriate alternatives for housing of this type. As stated in the City of Forest Grove Affordable Housing Strategic Plan, which notes a lack of suitable sites.
 - iii. The site is less suitable for the current zoned use, due to a lack of roads, infrastructure, and economic impetus.
- d. The site is consistent with the transportation system plan. As demonstrated in the attached transportation analysis letter.
- e. Public facilities and services are currently capable of serving the proposed uses. The proposers met with City staff and was informed that all utilities are in place to the site. The City Storm water system was designed to accommodate these parcels when the "Casey Meadows" development occurred on the adjacent parcel. The first responders stated they would endorse this proposal.
- f. The establishment of a zone district is not subject to the meeting of the conditions.

Conclusion: In conclusion our proposed map amendment creating approximately 2.5 acres of High Density Residential land would provide for short term construction jobs and long term increased tax revenue for the City. As demonstrated by the City's Economic Opportunities Analysis there is a large surplus of Industrial Lands in Forest Grove. The loss



December 13, 2018
#01578

Mark VanderZanden
Surround Architecture
503-224-6484 office
503-789-7388 mobile

re: Transportation Planning Rule – Traffic Assessment Letter for an 2.0 Acre Zone Change – Forest Grove, OR

INTRODUCTION & SUMMARY

As requested, we have prepared this traffic-assessment letter a for a proposed rezone/comprehensive-plan map amendment for a 2.0 acre site in Forest Grove, Oregon. The site is located as shown in Figure 1. The purpose of this letter is to present the analysis of the proposed change under Oregon's Transportation Planning Rule (TPR). It was found that the proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met. This report details how this conclusion was reached.

DESCRIPTION OF PROJECT

The land-use application is for a change in the zoning and the comprehensive-plan map designation. The proposed zone change is from GI, General Industrial to RMH, Residential Multifamily High (which is called High Density Residential in on the comprehensive plan map).

The site consists of two parcels. The smaller 0.45 acre parcel (Tax map 1N332C000800) is currently occupied by a single family home. The larger 1.48 square foot lot (Tax Map 1N331DA07500) is currently vacant. The parcel sizes shown in the tax maps (as shown above) are slightly smaller than what is calculated using the dimensions shown on the tax map. To be conservative, it was assumed that the total size would be 2.0 acres.

This application is not being submitted concurrently with site plan application. As such, no preliminary site plans have been developed. Assumed densities and land uses discussed below.

TABLE 1 – TRIP GENERATION FORECAST – WITH PROPOSED CHANGE

ITE LAND USE*	TRIP ENDS RATE (trips per tsf)		IN/OUT SPLIT (percent)	SIZE (units)	PM PEAK HOUR TRIP ENDS			
	DAILY	PM PEAK HOUR			IN	OUT	TOTAL	DAILY
	220	7.32	0.56	63/37	40	14	8	22

Notes: *Source: *Trip Generation* (ITE, 10th Edition, 2017), land use code 220, Multifamily Housing (Low Rise).

TRIP GENERATION – EXISTING ZONING/MAP DESIGNATION

The ITE Land Use Categories listed above and their respective p.m. peak hour trip rates are:

- Light Industrial – 0.63 trips per thousand square feet;
- Manufacturing – 0.67 trips per thousand square feet;
- Research and Development – 0.49 trips per thousand square feet;
- Call Center (office) – 1.15 trips per thousand square feet;

While a call center has the highest trip rate, the parking needs of a call center are typically higher than other uses allowed in the zone, as they tend to have more employees per square foot than uses such as manufacturing or industrial. This would result in a lower floor-area-ratio, which would push the total trip generation of the site down. For this reason, the use with the second highest trip generation rate, Manufacturing, was also selected for evaluation.

As shown in Table 2, the outright permitted land use with the highest trip generation potential would be a call center. As such, the site has the potential to generate a 30 p.m. peak hour trips and 255 daily trips under the existing zoning/map designation.

TABLE 2 – TRIP GENERATION FORECAST – EXISTING ZONING/MAP DESIGNATION

ITE LAND USE*	TRIP ENDS RATE (trips per tsf)		IN/OUT SPLIT (percent)	SIZE (t.s.f.)	PM PEAK HOUR TRIP ENDS			
	DAILY	PM PEAK HOUR			IN	OUT	TOTAL	DAILY
	140	3.93	0.56	63/37	43.56	9	20	29
710	9.74	1.15	16/84	26.14	5	25	30	255

Notes: *Source: *Trip Generation* (ITE, 10th Edition, 2017), land use code 220, Multifamily Housing (Low Rise).

NET IMPACT – CHANGE IN TRIP GENERATION

The horizon year for a TPR evaluation is typically the planning horizon used in the Transportation System Plan (TSP), but is generally accepted that it must be at least 15 years from the current year. The net change in trip generation during this time period, as shown below in Table 3, would be a net reduction

SUMMARY AND CONCLUSIONS

1. As shown in Table 3, there would be a net decrease p.m. peak hour trips to the site with the proposed changes.
2. It was concluded that the proposed change from GI to RMH would not have a significant effect on the transportation system as per TPR criteria and as such, the requirements of the TPR are met.
3. At such time that the applicant moves forward with a site plan, a traffic stound would not be required since the site would generate less than 30 p.m. peak hour trips.

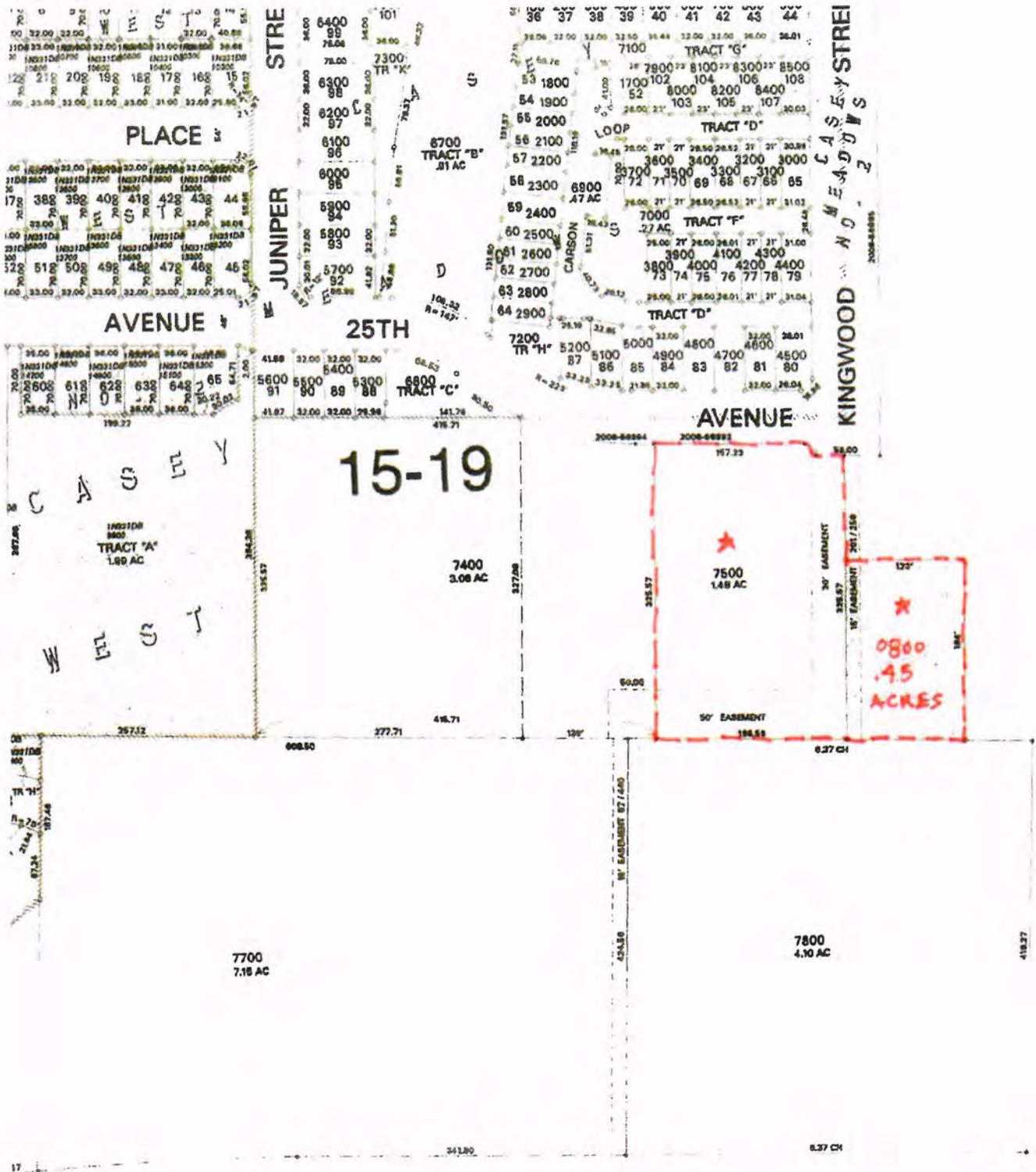
* * * * *

It is trusted that the above analysis adequately addresses the question of trip generation and assessment of the impacts under the Oregon Transportation Planning Rule for the proposed change in zoning and change the map designation found in the Forest Grove comprehensive plan. Please feel free to call at your convenience if you would like to discuss any elements of this letter-report.

Very truly yours,
FERGUSON & ASSOCIATES, INC.

Scott Ferguson, PE
Attachment: Figure 1





project	KINGSWOOD STREET	
issue date	09.21.2018	
ref. dwg.	ZONE CHANGE	
surround architecture, inc. - portland, or - 503.224.6484		
© 2015 surround architecture, inc.		

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EXHIBIT C

Excerpt

From The

2019 Economic Opportunities Analysis

VII. RECONCILIATION OF LAND NEED AND SUPPLY

Figure 7.1 presents the reconciliation of the findings of 20-year employment land need (Section V) with the estimated supply of buildable lands (Section VI).

Figure 7.1: Reconciliation of 20-Year Demand and Supply

SAFE HARBOR FORECAST

LAND USE	DEMAND		SUPPLY	Surplus or Deficit	
	Safe Harbor Forecast		Buildable	5-year 20-year	
	5-year	20-year	Acres	5-year	20-year
Industrial Land	9	40	237.1	228	196.75
Mixed-Use Land	33	146	55.0	22	(91.15)
TOTAL:	42	186	292.1	250	105.60

METRO 2040 (TAZ) FORECAST

LAND USE	DEMAND		SUPPLY	Surplus or Deficit	
	Metro 2040 Forecast		Buildable	5-year 20-year	
	5-year	20-year	Acres	5-year	20-year
Industrial Land	11	48	237.1	226	189.16
Mixed-Use Land	37	170	55.0	18	(114.55)
TOTAL:	48	217	292.1	244	74.60

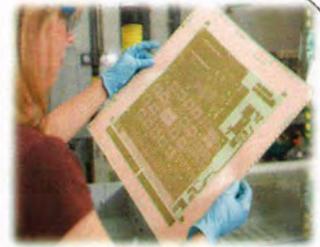
Source: Metro, City of Forest Grove, Johnson Economics

Major Findings

- Current buildable land supply is estimated to be sufficient to meet short term needs, but not long term needs.
- Over the 20-year period, the buildable supply does exceed the long term demand. However, this analysis finds that the classification of available land (mostly industrial) is a poorly matched to future employment needs.
- The demand for Mixed Use lands to accommodate commercial uses will exceed the supply of these land categories over the planning period.
- Many of the same types of uses (office and retail) can be suitable to either Commercial or Mixed Use land, so the balance between these two zoning types are somewhat fungible. In other words, some of the estimated demand for new land could be accommodated by new commercial or mixed use land, or a mix.
- This analysis indicates that there may be a significant oversupply of designated industrial land in Forest Grove, and that some of this might be repurposed for other employment uses.

EXHIBIT D

PowerPoint Slides



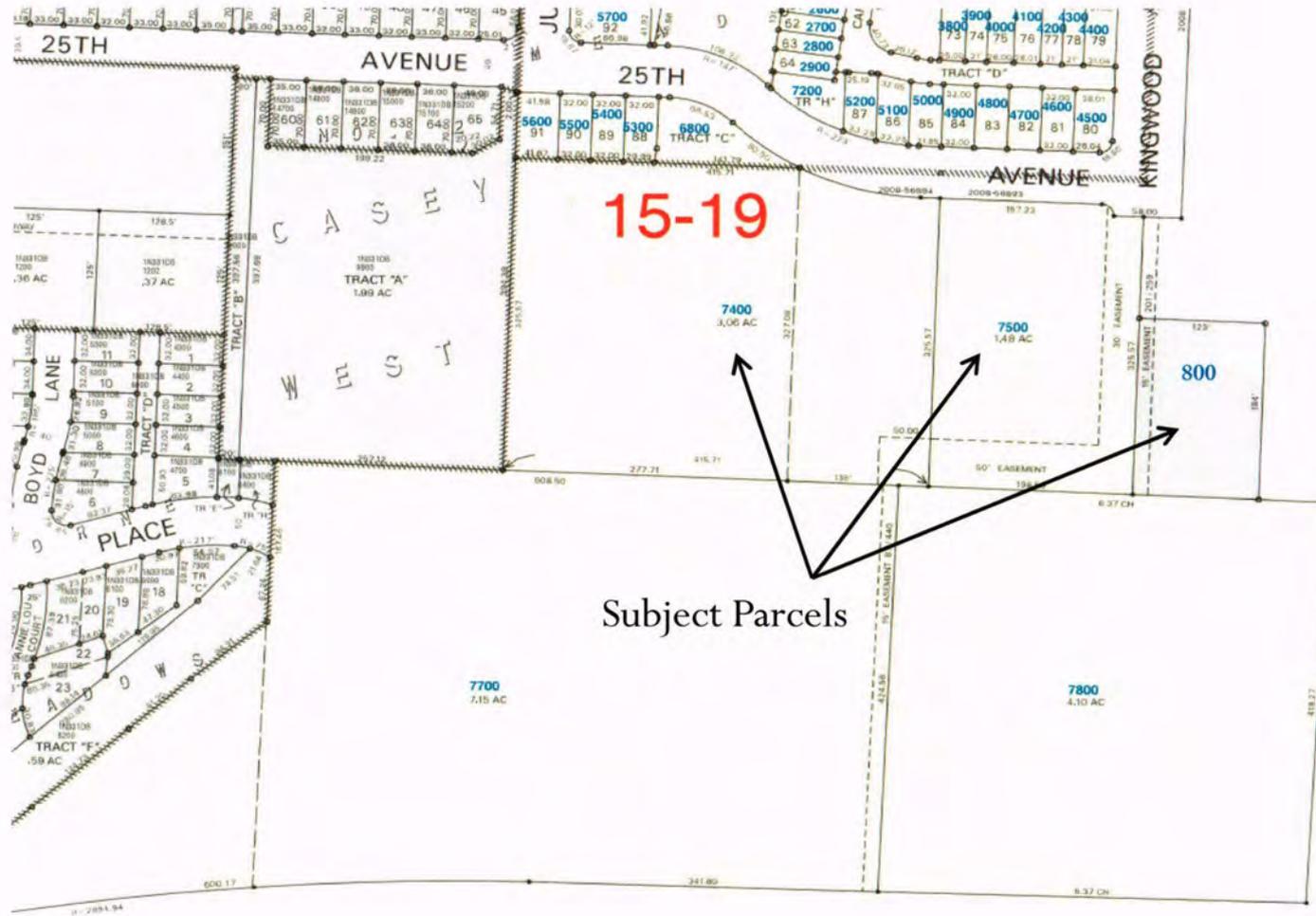
Planning Commission Meeting April 1, 2019

KINGWOOD STREET AREA COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

James Reitz (AICP), Senior Planner

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Washington County Tax Lot Map

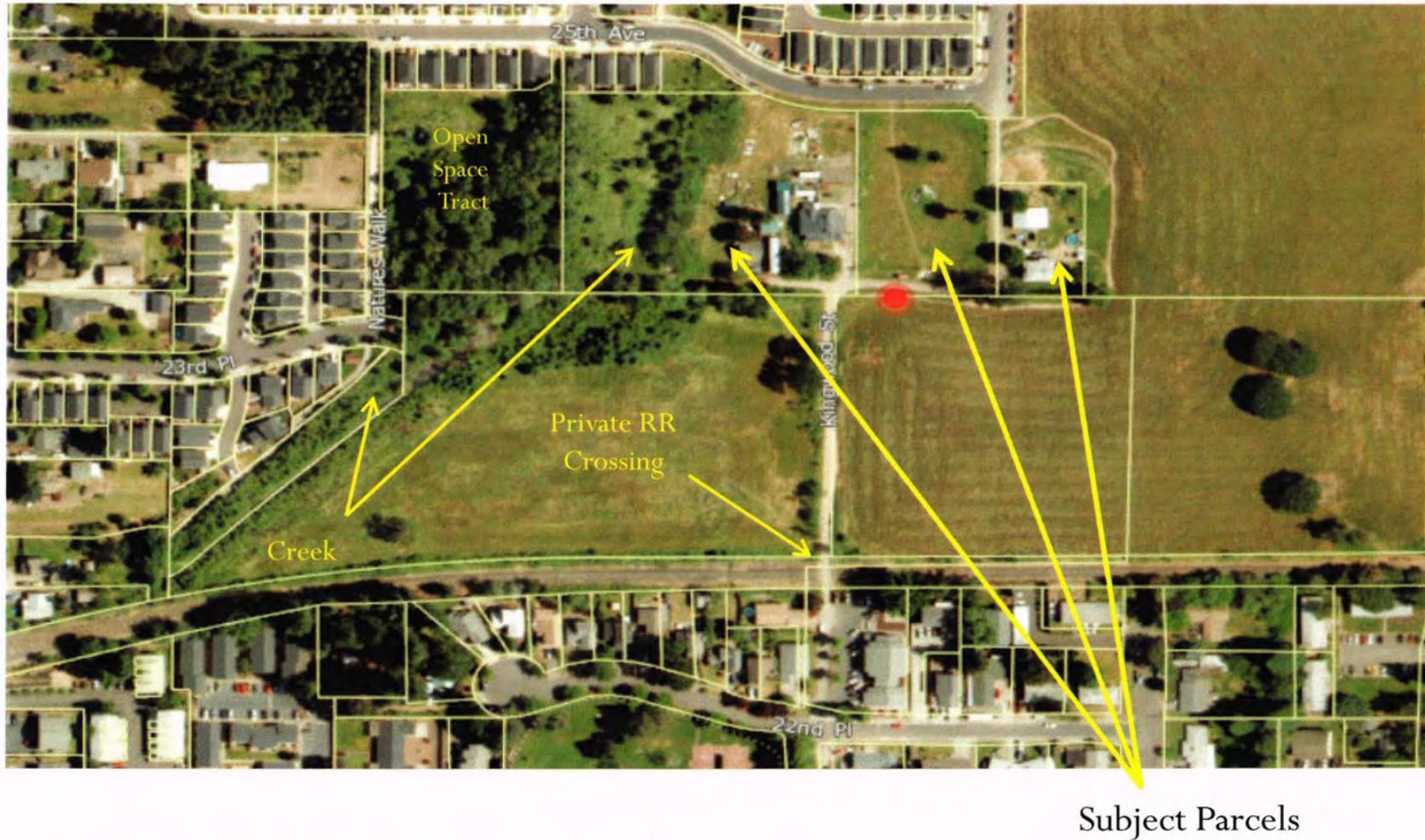


15-19

Subject Parcels

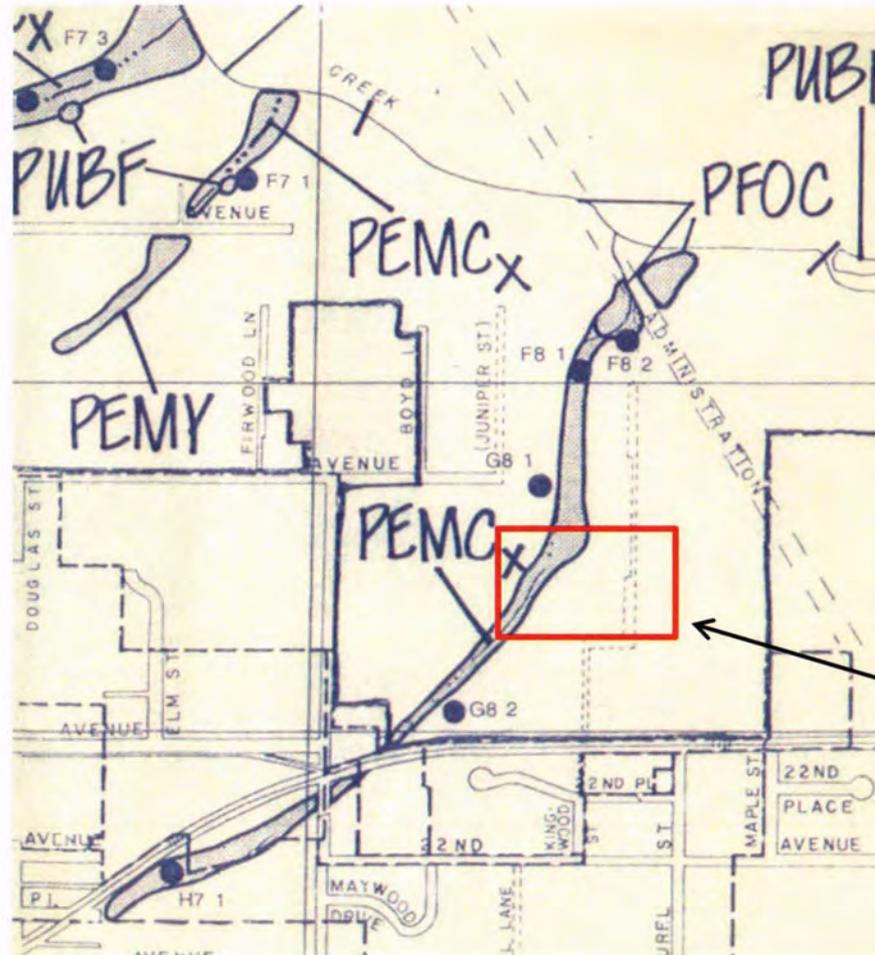
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Aerial View – Site & Neighborhood



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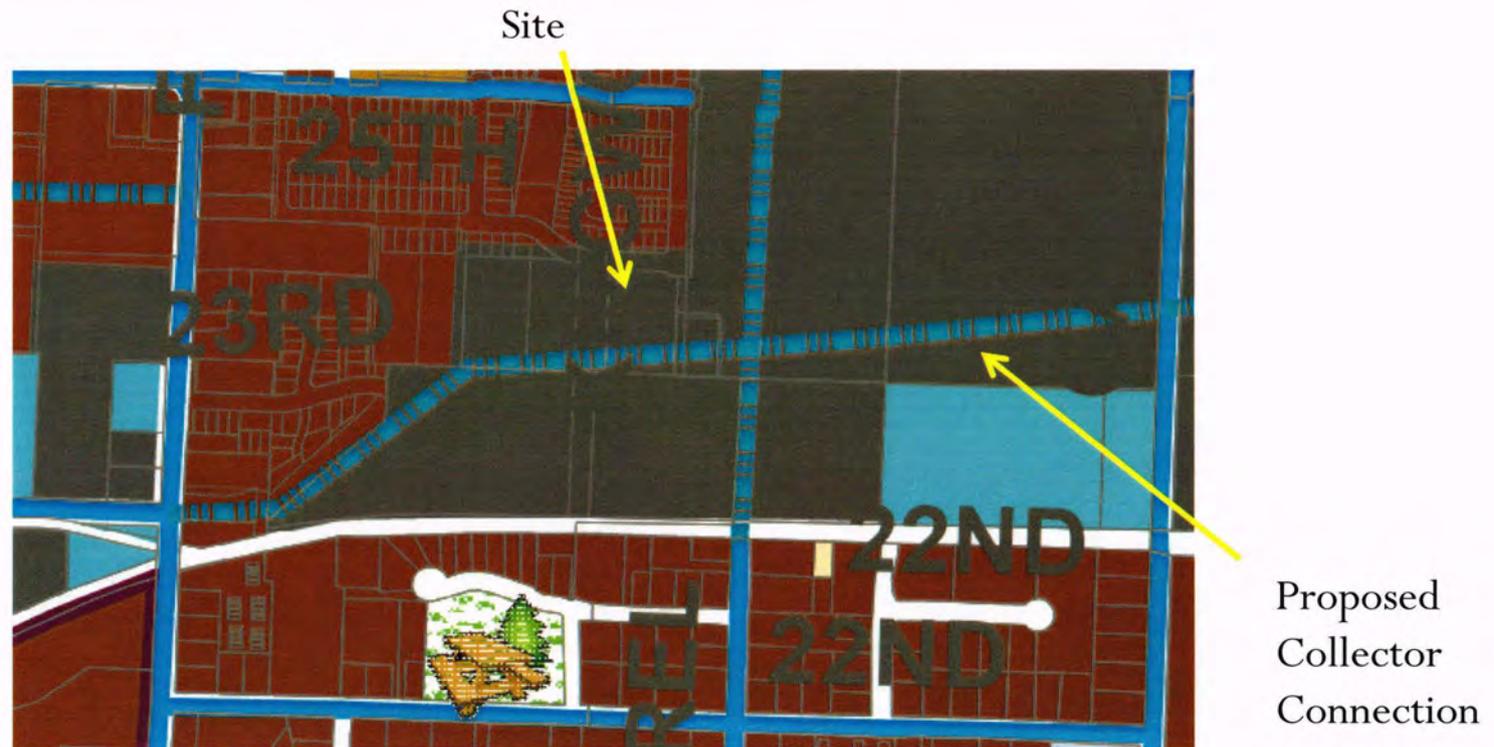
Wetland Map



Site
Location
(approx)

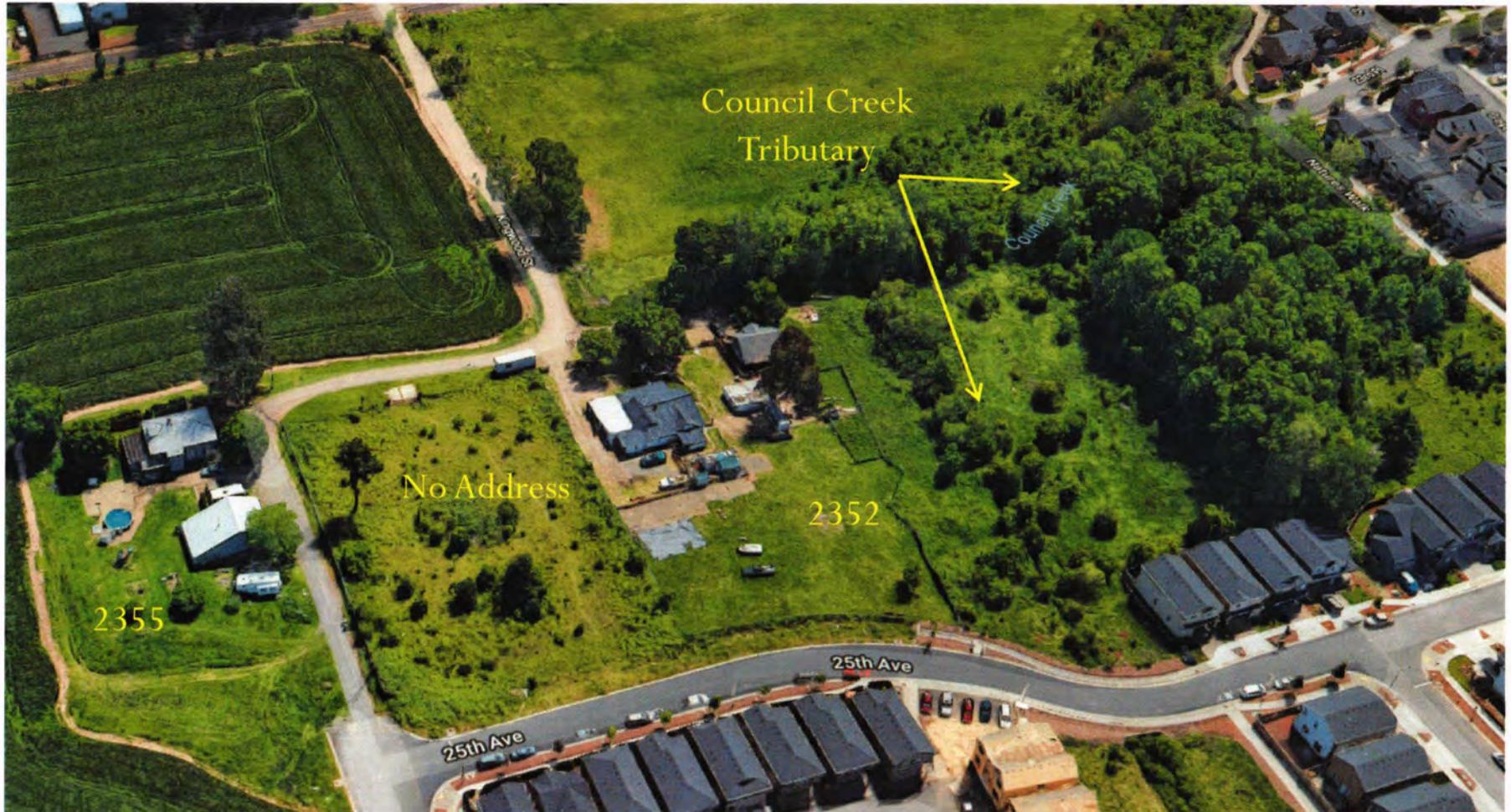
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Area Street Plan



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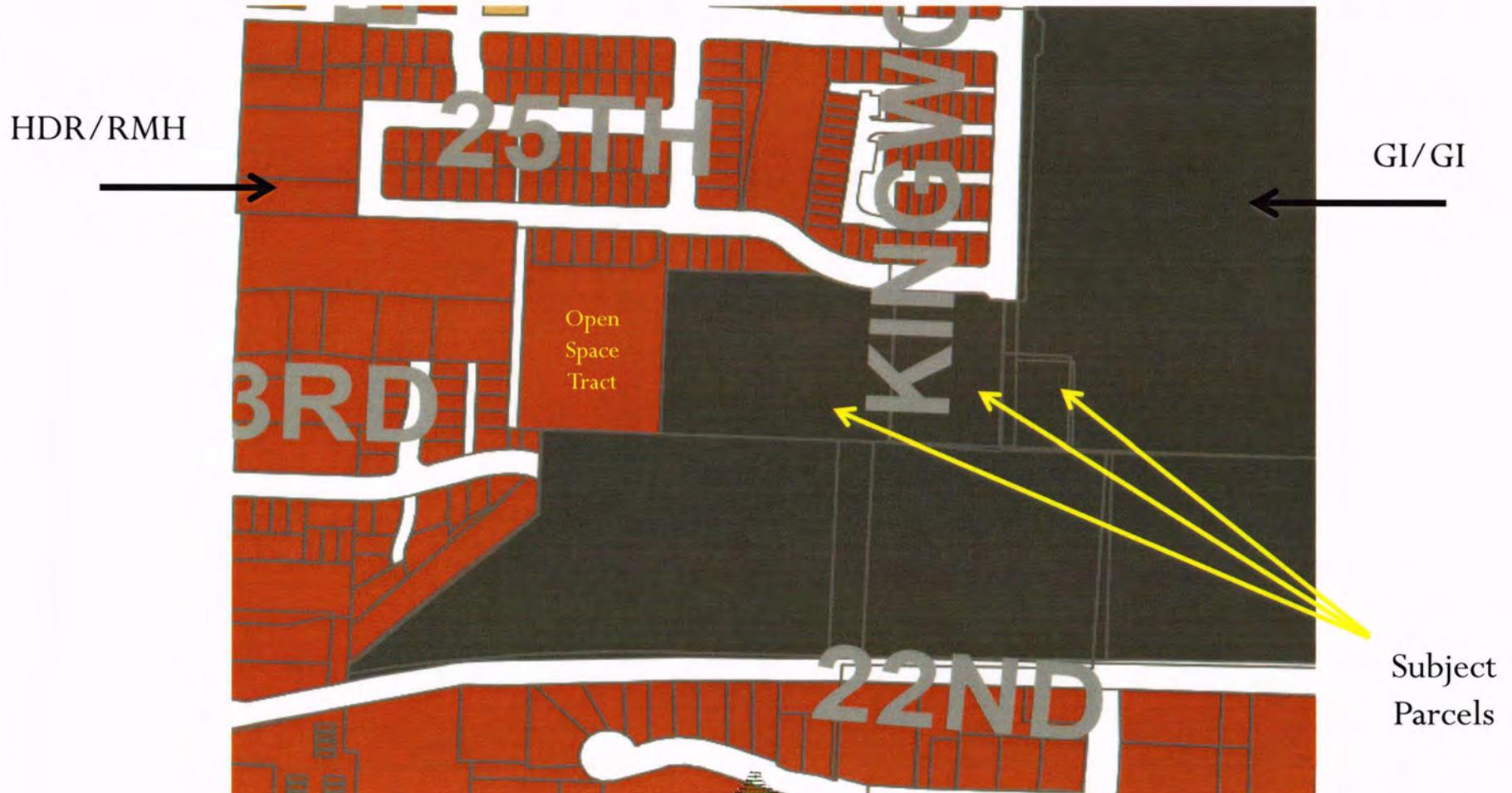
Oblique View



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Proposed Map Amendments

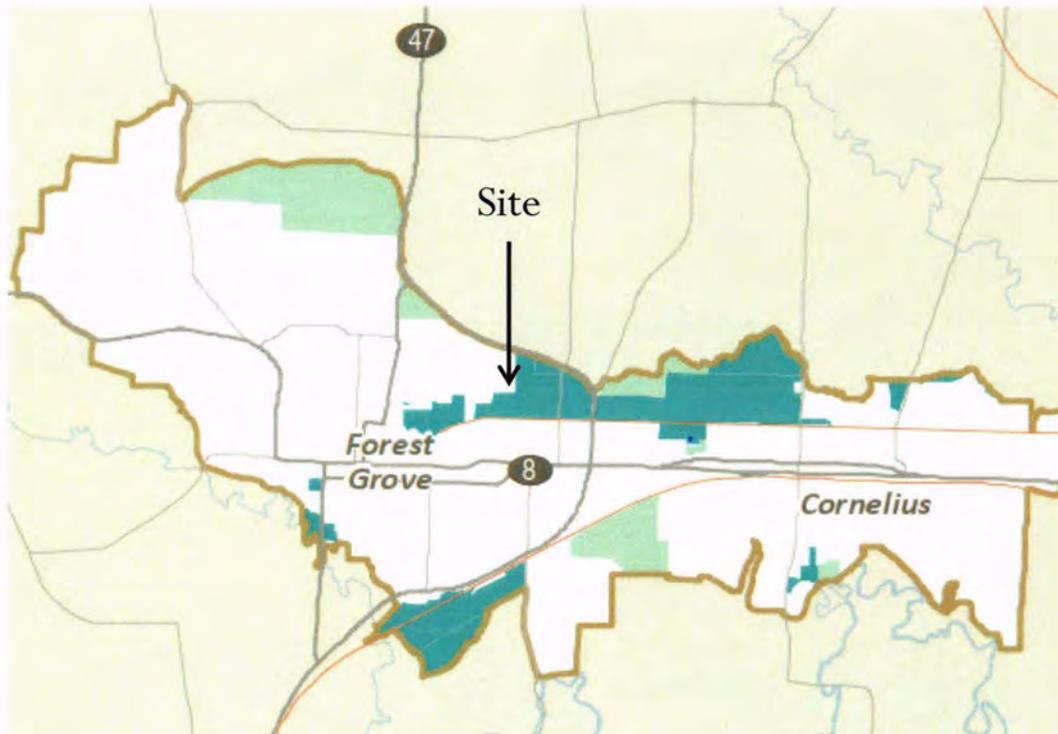
Comprehensive Plan Map Amendment - General Industrial to High Density Residential
Zoning Map Amendment - General Industrial to Residential Multi-Family High Density



Comprehensive Plan Designations: HDR = High Density Residential
Zoning Designations: RMH = Residential Multi-Family High Density
GI = General Industrial
GI = General Industrial

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Metro Title 4 - Industrial & Other Employment Areas



-  Employment areas
-  Industrial areas
-  Regionally significant industrial areas

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Summary and Recommendation

- The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria.
- Therefore, staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	8.
MEETING DATE:	MAY 13, 2019
FINAL ACTION:	FIRST READING ORD 2019-04

CITY COUNCIL STAFF REPORT

FIRST READING:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

PROJECT TEAM: *Anna Ruggles, CMC, City Recorder; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director*

MEETING DATE: *May 13, 2019*

SUBJECT TITLE: *Public Hearing and First Reading of Ordinance Enacting City of Forest Grove Development Code of 2019*

ACTION REQUESTED:

<input checked="" type="checkbox"/>	Ordinance	<input type="checkbox"/>	Order	<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	Motion	<input type="checkbox"/>	Informational
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X all that apply

ISSUE STATEMENT:

The adoption of the recodification of the Forest Grove “Development Code” as Title 17 of the Code of Ordinances, copyrighted 2019, published by American Legal Publishing Corporation (Publisher), League of Oregon Cities, containing current existing ordinances through Ordinance 2018-07, dated 10/08/2018.

BACKGROUND:

In February, 2018, the City entered into an agreement with the American Legal Publishing Corporation (Publisher) to provide Codification Services. The City’s Development Code, which is separate from the City’s Code of Ordinances, has kept the numbering and organization and text predominantly as it was provided to the Publisher by the City, expect changing Code Section 10, Articles 10.1.000 to 10.12.210, as Title 17, Articles 17.1.000 to 17.12.210, and including the Design Guide Handbook 2009 as reference. The provisions appearing in the Development Code are the same as those ordinances or prior code sections existing at the time of the comprehensive review. The Development Code includes reformatting of the current code for easy access and searching as well as merging the “Development Code” as one City document with the “Code of Ordinances”.

Once the Development Code is reenacted, the Code will be available on-line (webhosting through Publisher) as a comprehensive, searchable and easy-to-use code. Making the Code available online is part of the Council and staff’s continued commitment to support technology improvements and enhance communication with the public. The Development Code of 2019 is linked below as reference:

TITLE XVII: DEVELOPMENT CODE:

[ARTICLE 1: INTRODUCTION AND PROCEDURES](#)

[ARTICLE 2: LAND USE REVIEWS](#)

[ARTICLE 3: ZONING DISTRICTS](#)

[ARTICLE 4: OVERLAY DISTRICTS](#)

[ARTICLE 5: SPECIAL PROVISIONS](#)

[ARTICLE 6: LAND DIVISIONS](#)

[ARTICLE 7: MISCELLANEOUS PROVISIONS](#)

[ARTICLE 8: GENERAL DEVELOPMENT STANDARDS](#)

[ARTICLE 9: RESERVED](#)

[ARTICLE 10: RESERVED](#)

[ARTICLE 11: RESERVED](#)

[ARTICLE 12: USE CATEGORIES AND DEFINITIONS](#)

[DEVELOPMENT CODE PARALLEL REFERENCES](#)

[DESIGN GUIDELINE HANDBOOK](#)

FISCAL IMPACT: The City will submit future supplements every six months to the Publisher under signed agreement at a cost of \$150 for each six-month period and \$250 semiannually for online hosting. Staff will update forms, letters, notices, signage, etc., in accordance with the new code sections. Staff anticipates printing costs to be minimal.

STAFF RECOMMENDATION: Staff recommends the Council adopt the attached ordinance enacting the Forest Grove Development Code as Title 17 of the Code of Ordinances, attached as Exhibit A, and deeming the Development Code published as of the day of the enactment of this ordinance by the Council (enacted May 28, 2019).

ATTACHMENT(s)/LINK(s):

1. Recodification Development Code 2019:
2. [http://library.amlegal.com/nxt/gateway.dll/Oregon/forestgrovedevcode_or/titlexviidevelopmentcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:forestgrove_or](http://library.amlegal.com/nxt/gateway.dll/Oregon/forestgrovedevcode_or/titlexviidevelopmentcode?f=templates$fn=default.htm$3.0$vid=amlegal:forestgrove_or)
3. Ordinance and Exhibit A



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**NOTICE OF PUBLIC HEARING
FOREST GROVE CITY COUNCIL
ORDINANCE REENACTING FOREST GROVE DEVELOPMENT CODE,
TITLE 17 OF THE MUNICIPAL CODE**

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing on **Monday, May 13, 2019, 7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting an ordinance reenacting the City of Forest Grove “Development Code”, Title 17 of the Municipal Code, published by American Legal Publishing Corporation, League of Oregon Cities. The Development Code contains current existing ordinances and will replace the code enacted in 2009. The proposed ordinance, if enacted by the City Council, would take effect on the enactment date of the ordinance unless City Council declares an emergency.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the staff report, proposed ordinance, new Development Code and existing code are available for inspection before the hearing at the City Recorder’s Office or by visiting the City’s website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder’s Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For information, please contact Anna Ruggles, City Recorder, 503.992.3235, e-mail aruggles@forestgrove-or.gov.

**Anna D. Ruggles, CMC, City Recorder
City of Forest Grove**

Published Wednesday, May 8, 2019
FG NewsTimes

ORDINANCE NO. 2019-04**ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009**

The City of Forest Grove ordains as follows:

Section 1. Adoption. The provisions of the code designated as the City of Forest Grove, Oregon, "Development Code", Title 17, copyrighted 2019, published by American Legal Publishing Corporation (Publisher), League of Oregon Cities, containing current existing ordinances through Ordinance 2018-07, dated 10/08/2018, (Exhibit A), a copy of which is placed on file in the office of the City Recorder and certified as the official copy by the recorder are hereby enacted as law of the City of Forest Grove, Oregon; and

Section 2. The City Council authorized a general compilation, editing and the codification of the existing ordinances of a general and permanent nature and publications of such ordinances in book form; and

Section 3. The Development Code, which has been separate from the Code of Ordinances, has kept the numbering and organization and text predominantly as it was provided to the Publisher by the City, except changing Code Section 10, Articles 10.1.000 to 10.12.210, as Title 17, Articles 17.1.000 to 17.12.210, and including the Design Guide Handbook 2009 as reference; and

Section 4. The provisions appearing in the "Development Code", so far as they are the same as those ordinances or prior code sections existing at the time of the effective date of this Ordinance, shall be considered as continuations thereof and not as new enactments; and

Section 5. Ordinance No. 2009-01, which enacted Forest Grove Development Code of 2009, is hereby repealed on the effective date of this Ordinance.

Section 6. The "Forest Grove Development Code of 2019", Title 17, shall be deemed published as of the day of the enactment of this Ordinance by the City Council.

PRESENTED AND PASSED the first reading this 13th day of May, 2019.

PASSED the second reading this 28th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.

Peter B. Truax, Mayor



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>9.</u>
MEETING DATE:	<u>05/13/2019</u>
FINAL ACTION:	<u>RESO 2019-21</u>

CITY COUNCIL STAFF REPORT

TO: *Mayor and City Councilors*

FROM: *Anna D. Ruggles, CMC, City Recorder*

MEETING DATE: *May 13, 2019*

SUBJECT TITLE: *Public Hearing & Resolution Adopting City Manager’s Performance Review Criteria*

ACTION REQUESTED:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Ordinance		Order	X	Resolution	X	Motion		Informational

X all that apply

ISSUE: Pursuant to City Manager’s Employment Agreement, Section 6, Performance Review, the City Council must annually evaluate the City Manager’s performance, and establish the criteria for evaluation in accordance with open meetings law. A Public Hearing Notice was published in the *NewsTimes* on Wednesday, May 9, 2019.

BACKGROUND: The purpose of this report is to consider the following: 1) 2019 City Manager Performance Review Process and Target Dates; 2) Memorandum to Department Directors; and 3) Resolution adopting the City Manager Performance Review Criteria.

The City Manager’s Annual Performance Review is as follows:

1. City Manager is directed to prepare a self-evaluation.
2. Department Directors are asked to submit input with an option to remain confidential. Council has named the City Attorney, as third-party person, who will prohibit disclosure of information submitted in confidence as provided by ORS 192.355(4).
3. City Attorney compiles submitted comments into a single document and distributes results in a sealed envelope directly to Council.
4. Council reviews compiled responses with City Manager in Executive Session.
5. Each Councilmember submits directly to Mayor their performance appraisals.
6. Mayor and Council President tabulate and summarize results of the performance appraisals and presents findings to City Manager in Executive Session.
7. The City Council authorizes the City Manager’s salary by Resolution as provided in Section 5, Compensation, of the Employment Agreement (Current Salary Resolution 2018-71: (\$12,482/Monthly; \$149,784/Annually (2.5% Increase) and Vehicle Allowance \$250/Monthly, through June 30, 2019).

STAFF RECOMMENDATION: The City Council may approve, deny and/or amend by motion the City Manager Performance Review Criteria attached as Exhibit A.

ATTACHMENTS:

Attachment A: 2019 City Manager Performance Review Criteria and Target Dates

Attachment B: Draft Memorandum to Department Directors

Exhibit A: Resolution and City Manager Performance Review Criteria



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**NOTICE OF PUBLIC HEARING
FOREST GROVE CITY COUNCIL
CITY MANAGER ANNUAL PERFORMANCE
EVALUATION STANDARDS AND CRITERIA**

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing on **Monday, May 13, 2019**, at **7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting a resolution approving the City Manager Annual Performance Evaluation Standards and Criteria.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the proposed resolution and performance evaluation standards and criteria are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, P.O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For information, please contact Anna Ruggles, City Recorder, 503.992.3235, e-mail aruggles@forestgrove-or.gov.

Anna D. Ruggles, CMC, City Recorder
City of Forest Grove

Published Wednesday, May 8, 2019
FG NewsTimes

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2019 City Manager Annual Performance Review and Target Dates:

Monday, May 13	<p>Public Hearing and Resolution Approving City Manager Performance Review Criteria for period July 1, 2019, to current: If approved:</p> <ol style="list-style-type: none"> 1) A letter on behalf of the Council is sent to Department Directors requesting comments on City Manager's performance; 2) Each Councilmember is emailed a performance review form to complete; and 3) Council directs City Manager to prepare a self-evaluation
Tuesday, May 21	Department Directors deadline to submit comments to City Attorney
Friday, May 24	City Attorney (third-party) deadline to submit directly to Council compilation of Department Directors comments in a sealed envelope
Tuesday, May 28	<p>First Executive Session is held to review and discuss:</p> <ol style="list-style-type: none"> 4) City Manager's Self-Evaluation
Monday, June 10	<p>Councilmembers deadline to submit directly to Mayor their performance review forms:</p> <ol style="list-style-type: none"> 5) Mayor and Council President tabulate and summarize the results of the performance appraisals
Monday, June 24	<p>Second Executive Session is held to review and discuss:</p> <ol style="list-style-type: none"> 6) Performance appraisal with City Manager
Monday, July 8	<p>Third Executive Session if necessary is held to:</p> <ol style="list-style-type: none"> 7) Finalize Performance appraisal with City Manager
Monday, July 8	<p>Council returns to Regular Council Meeting and in accordance with State law:</p> <p>Mayor gives a summary of the City Manager's performance appraisal, Council discusses authorizing compensation for FY 2019-20, and Council considers the following action items:</p> <ol style="list-style-type: none"> 8) RESOLUTION ACCEPTING CITY MANAGER'S PERFORMANCE REVIEW; and 9) RESOLUTION AUTHORIZING COMPENSATION FOR CITY MANAGER, FY2019-20 (Current Salary Resolution 2018-71: (\$12,482/Monthly; \$149,784/Annually (2.5% Increase) and Vehicle Allowance \$250/Monthly, through June 30, 2019).



CITY COUNCIL MEMORANDUM

TO: *Department Directors*

FROM: *City Council*

PROJECT TEAM: *Anna D. Ruggles, CMC, City Recorder*

DATE: *May 13, 2019*

SUBJECT TITLE: *City Manager's Performance Review*

The City Council approved the City Manager's evaluation performance standards and criteria, and as part of the evaluation process, the Council is seeking Department Director input on the performance appraisal of the City Manager for the evaluation period of July 1, 2018, to current. The Council's goal is to establish a thoughtful and considered process that also expedites the City Manager's evaluation. The Council recognizes the importance of giving Department Directors an option to remain confidential. To achieve this, the Council has named City Attorney, as a third-party person, who will keep your name confidential upon your request. The City Attorney will remove the name of the evaluator, unless the evaluator waives the promise of confidentiality. Information submitted in confidence is exempt from public disclosure under ORS 192.355(4).

The Council encourages you to submit your input **no later than Tuesday, May 21, 2019**, directly to City Attorney, preferably by e-mail at: [Ashley Driscoll \[AshleyD@gov-law.com\]](mailto:AshleyD@gov-law.com). If submitting comments by e-mail and you wish to remain anonymous, please advise the City Attorney of your desire to remain anonymous.

The City Attorney will compile the submitted comments into a single document and distribute sealed to the Council **no later than Friday, May 24, 2019**. The Council will review comments with City Manager in executive session unless City Manager requests an open hearing.

Thank you for your sincere consideration of the above request.

RESOLUTION NO. 2019-21

RESOLUTION ADOPTING THE CITY MANAGER PERFORMANCE REVIEW CRITERIA AND REPEALING RESOLUTION NO. 2018-47

WHEREAS, pursuant to Section 33 (a) of the City Charter, the City Manager is the administrative head of the City, which reports directly to the City Council and is supervised by the governing body; and

WHEREAS, pursuant to Section Six of the City Manager’s Employment Agreement, the City Council shall evaluate the City Manager’s performance at least once a year, and establish criteria for evaluation in accordance with the open meetings law; and

WHEREAS, the City Council held a duly-noticed Public Hearing on May 13, 2019.

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

Section 1. The City Council hereby adopts the City Manager Performance Review Criteria attached as Exhibit A.

Section 2. Resolution No. 2018-47 is hereby repealed.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 13th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 13th day of May, 2019.

Peter B. Truax, Mayor

CITY MANAGER PERFORMANCE REVIEW

Instructions:

This evaluation has two parts. Part I involves an evaluation of the annual performance of the City Manager during the evaluation period of JULY 1, 2018, TO CURRENT. Part II concerns your expectations and goals for **the City Manager during the coming year. In evaluating the Manager's** past performance, you are asked to rate that conduct according to the following categories:

- (1) NI = Needs Improvement
- (2) M = Meets Standards
- (3) E = Exceeds Standards
- NO = Not observed

Following each performance standard, please provide any appropriate comments in that area.

Part I. Performance Standards

1. Personal Traits / Professionalism

NI	M	E	NO

Positive attitude, self-motivating; self-confident; creative; uses common sense; professional and personal integrity; emotional stability; takes initiative; receptive to new ideas and changes; maturity in relations with others; prepares quality products; willingness to seek personal growth and development; takes consistent position with different audiences; adherence to high professional ethical standards; exercises diplomacy; demonstrates high personal integrity.

Comments:

2. City Council Relationships

NI	M	E	NO

Effectively implements policies and programs approved by City Council; reporting to City Council is timely, clear, concise, and thorough; accepts direction or instructions in a positive manner; effectively aids the City Council in establishing long-range goals; keeps Council informed of current plans and activities of administration and new development; sensitive to and perceptive of Council needs and desires; maintains a relationship of trust with each Council member and the Mayor; available to members of the Council; properly orients new Council members.

Comments:

3. Technical Knowledge and Use

NI	M	E	NO

General overall knowledge of city operations and responsibilities; willing and able to learn; keeps current on professional issues, trends, techniques, and methods of operation; keeps current on legislation, funding opportunities and regulations; administrative knowledge (budget, personnel, grants, and purchasing rules and regulations); knowledge of city developments in public policy.

Comments:

4. Problem Solving and Decision Making:

NI	M	E	NO

Anticipates problems; identifies problems, issues and concerns; ability to analyze problems (to honestly identify and assess alternatives); develops and recommends creative, innovative and realistic solutions and implements and refines such solutions; considers alternatives and available facts before making decisions; resolves problems at lowest possible level (takes responsibility for decisions); gets affected parties involved in problem solving; reaches timely decisions; flexibility and receptiveness to suggestions; resolves problems under strained and unpleasant conditions; achieves goals set by or in conjunction with City Council; consults with Council when appropriate.

Comments:

5. External Relations

NI	M	E	NO

Projects positive public image; effectively handles citizens complaints and inquiries; educates public on city problems, programs and operations; keeps commitments to the public; maintains contact/liason with community groups; maintains effective intergovernmental relations; maintains effective relations with media representatives.

Comments:

6. Fiscal Management

NI	M	E	NO

Prepares realistic annual budgets; seeks efficiency, economy and effectiveness in all programs; controls expenditures in accordance with approved budgets; keeps City Council informed about revenues and expenditures, actual and projected; is cost effective; assures that Budget Committee is well informed of short and long-term City financial status; involves Council in fiscal affairs.

Comments:

7. Personnel Management & Supervision

NI	M	E	NO

Maintains adequate levels of supervisions and internal control and communication; employees are given necessary guidance regarding responsibilities and tasks; follow-up is initiated to properly account for employee activities; disciplinary matters and corrective actions are appropriate and applied in a timely fashion. Management atmosphere encourages professional growth; encourages initiative and creativity; allows subordinates to grow professionally.

Comments:

Part II. Future Expectations

1. What objectives should the City Council set for the City Manager for the coming year?



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	
MEETING DATE:	10.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *Budget Resolution – L&P External Work*

ACTION REQUESTED:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ordinance	Order	X	Resolution	Motion	Informational

X all that apply

ISSUE STATEMENT: During a major snow event south of Eugene, Oregon, Light and Power dispatched the majority of its line crews to assist in the restoration of service for the utility companies that serve those areas. The City incurred significant overtime costs for which the other utilities have fully reimbursed the City. A budget appropriation for those incurred costs needs to be made to prevent an appropriation overexpenditure.

BACKGROUND: Oregon Local Budget Law (ORS 294.471(1)(c)) allows the expenditure of funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget or a previous supplemental budget for the current year or current budget period. The funding was not included in the current City budget when the budget was prepared as the City cannot forecast this level of emergency assistance to outside agencies.

FISCAL IMPACT: There is no fiscal impact as the City was fully reimbursed for all of the personnel and equipment costs incurred.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution.

ATTACHMENT(s): Resolution Authorizing the Expenditure of Additional Funds for External Work Performed in the Light and Power Fund for Fiscal Year 2018-19

RESOLUTION NO. 2019-22**RESOLUTION AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS
FOR EXTERNAL WORK PERFORMED IN THE LIGHT AND POWER FUND
FOR FISCAL YEAR 2018-19**

WHEREAS, Oregon Local Budget Law (ORS 294.471(1)(c)) allows the expenditure of funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget or a previous supplemental budget for the current year or current budget period; and

WHEREAS, the City of Forest Grove (City) has received reimbursement from other electric utilities in the amount of \$263,115 for personnel and equipment costs incurred by the City for costs related to providing assistance to restore electric utility services to those utilities during 2019 snow events; and

WHEREAS, these funds have been paid to staff; and

WHEREAS, the expenditure of the additional funds needs to be appropriated.

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

Section 1. In the Light and Power Fund, External Work Performed Revenue (revenue line item 6104100 4450) will be increased by \$263,115 and the Light and Power Overtime appropriation (expenditure line item 1002200 5000) will be increased by \$263,115 for the payment of the staffing costs. Total Light and Power Fund Electric Services Appropriations are increased by \$263,115 to \$18,646,848.

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

PRESENTED AND PASSED this 13th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 13th day of May, 2019.

Peter B. Truax, Mayor



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CITY RECORDER USE ONLY:	
AGENDA ITEM #:	
MEETING DATE:	11.
FINAL ACTION:	

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *Budget Resolution – State Fire Conflagration Funds*

ACTION REQUESTED:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ordinance	Order	X	Resolution	Motion	Informational

X all that apply

ISSUE STATEMENT: In FY 2018-19, the City has or will receive \$508,616 in funds from the States of Oregon and California to reimburse the City of Forest Grove for staff and equipment sent on various fire conflagrations during FY 2018-19. The City incurred additional staffing and equipment expense on these conflagrations and the appropriation of the expenditure of these additional funds needs to be made to prevent an appropriation overexpenditure.

BACKGROUND: Oregon Local Budget Law (ORS 294.471(1)(c)) allows the expenditure of funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget or a previous supplemental budget for the current year or current budget period. The funding was not included in the current City budget when the budget was prepared as the City cannot forecast participation on conflagration efforts.

The City needs to appropriate the additional staffing costs to send personnel to the fires, the overtime costs of bringing staff back to maintain staffing at the City’s fire station, and a portion of the equipment reimbursement for operating and repair costs of the dispatched apparatus.

FISCAL IMPACT: There is no fiscal impact to the City as both States will fully reimburse the City for all of the personnel and equipment costs incurred related to the conflagration firefighting efforts.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution.

ATTACHMENT(s): Resolution Authorizing the Expenditure of Additional Funds from the States of Oregon and California for Fire Conflagration Reimbursement in the General Fund for Fiscal Year 2018-19

RESOLUTION NO. 2019-23

**RESOLUTION AUTHORIZING THE EXPENDITURE OF ADDITIONAL FUNDS
FROM THE STATES OF OREGON AND CALIFORNIA FOR FIRE CONFLAGRATION
COSTS INCURRED IN THE GENERAL FUND FOR FISCAL YEAR 2018-19**

WHEREAS, Oregon Local Budget Law (ORS 294.471(1)(c)) allows the expenditure of funds that are made available by another unit of federal, state or local government and the availability of which could not reasonably be foreseen when preparing the original budget or a previous supplemental budget for the current year or current budget period; and

WHEREAS, the City of Forest Grove (City) has or will receive fire conflagration reimbursement funds from the States of Oregon and California in the amount of \$508,616 for personnel costs incurred by the City for staffing costs related to the fire conflagrations; and

WHEREAS, these funds have been paid to staff; and

WHEREAS, the expenditure of the additional funds needs to be appropriated.

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

Section 1. In the General Fund, State Fire Conflagration Reimbursement Revenue (revenue line item 1002200 4170) will be increased by \$508,616. Fire Department Regular Wages appropriations (expenditure line item 1002200 5000) will be increased by \$72,404; Fire Department Overtime Costs (expenditure line item 1002200 5300) will be increased by \$398,998; and Fire Department Vehicle Maintenance and Operating Supplies (expenditure line item 1002200 6345) will be increased by \$37,214. Total Fire Department appropriations in the General Fund are increased by \$508,616 to \$4,909,398.

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

PRESENTED AND PASSED this 13th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 13th day of May, 2019.

Peter B. Truax, Mayor



URBAN RENEWAL AGENCY MEETING AGENDA

MONDAY, MAY 13, 2019

6:15 PM – Urban Renewal Agency Meeting

Community Auditorium
1915 Main Street
Forest Grove, OR 97116

PETER B. TRUAX, DIRECTOR BOARD CHAIR

Thomas L. Johnston, Vice Chair
Timothy A. Rippe
Ronald C. Thompson

Elena Uhing
Adolph “Val” Valfre, Jr.
Malynda H. Wenzl

All meetings of the Urban Renewal Agency Board 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 Urban Renewal Agency Board 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 Board, 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 Board action.

➔ **Citizen Communications** – Anyone wishing to address the Board 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 Board, 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 Urban Renewal Agency Board, please contact the City Recorder, aruggles@forestgrove-or.gov, 503-992-3235.

All 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, aruggles@forestgrove-or.gov, 503-992-3235, at least 48 hours prior to the meeting.

- 6:15**
1. **URBAN RENEWAL AGENCY MEETING:** Roll Call
 2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Urban Renewal Agency Board 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:**
 - A. *Approve Urban Renewal Agency Work Session (B/C Reform; Urban Renewal Advisory Committee) Meeting Minutes of April 22, 2019.*
 - B. *Approve Urban Renewal Agency Regular Meeting Minutes of April 22, 2019.*
 4. **ADDITIONS/DELETIONS:**
 5. **PRESENTATIONS:** None
- 6:20**
6. **URA RESOLUTION NO. 2019-04 ESTABLISHING THE FOREST GROVE URBAN RENEWAL ADVISORY COMMITTEE**
- 6:35**
7. **URA RESOLUTION NO. 2019-05 AUTHORIZING THE EXECUTIVE DIRECTOR TO DEVELOP AN INSTALLATION PUBLIC ART PROGRAM**
- 6:55**
8. **ADJOURNMENT:**

Dan Riordan, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager

Dan Riordan, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager

3A



**Urban Renewal Agency Work Session Minutes
B/C Reform; Urban Renewal Advisory Committee**

**Monday, April 22, 2019
5:30 p.m., Community Auditorium**

Minutes are unofficial until approved by the Urban Renewal Agency.

1. CALLED TO ORDER AND ROLL CALL:

Peter Truax, Urban Renewal Agency (URA) Director Chair, called the URA work session to order at 5:30 p.m.

ROLL CALL: URA DIRECTORS PRESENT: Thomas Johnston, Vice-Chair; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph "Val" Valfre; Malynda Wenzl; and Peter Truax, Chair.

STAFF PRESENT: Jesse VanderZanden, Executive Director; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner (in the audience); and Anna Ruggles, City Recorder.

2. WORK SESSION: BOARDS, COMMISSIONS AND COMMITTEES REFORM: URBAN RENEWAL AGENCY ADVISORY COMMITTEE

Pohl and VanderZanden facilitated the work session, noting the purpose of the work session was to discuss establishing an Urban Renewal Advisory Committee (URAC). VanderZanden reported at the Council work session held on April 8, 2019, Boards, Commissions and Committees Reform, Council discussed establishing an URAC as well as the role of the Economic Development Commission in urban renewal matters. Pohl presented a PowerPoint Presentation overview of the benefits and costs, best practices and other jurisdictional URAC examples, noting there is no legal authority to establish an URAC. Pohl noted the URA Plan includes a goal for public participation (Goal 1) and establishes Plan Objective 1.1, which states: "At the discretion of the Agency establish an URAC with broad representation to assist the Agency Board of Directors with implementation of the urban renewal program." In conclusion of the above-noted staff report, Pohl and VanderZanden advised staff is seeking input from the Board on the URAC's composition, noting it is typical for an URAC to include property owners and business owners within the urban renewal area as well as at-large members from the community and some committees include a member with expertise in finance and real estate to inform the Board on loan and grant programs and property acquisition and disposition.

URA Board Discussion:

Director Chair Truax opened the floor and roundtable discussion ensued as Directors had an opportunity to discuss the URAC's purpose and scope, such as

advising the Board on urban renewal plan amendments, projects, budget, property acquisition and disposition, i.e., disposition alternatives for Site B. Roundtable discussion ensued as Directors had an opportunity to discuss the URAC's size and composition, i.e., seven members who represent the following:

- 3 members representing property and/or business owners from the URA
- 2 at-large city residents
- 1 EDC representative
- 1 Chamber of Commerce representative
- 1 non-voting member, URA Board member

The Board wanted to see a cross-section of interest in the community, such as a member with expertise in finance and real estate, an Adelante Mujeres representative, and that the Chamber representative be a Chamber Board Member. In addition, Board discussion ensued as Directors had an opportunity to discuss staff support and frequency of URAC meetings:

- Staff support would be assigned to the Community Development Department by the Agency's Executive Director (City Manager).
- Meetings would be held at least quarterly or as needed. The URAC would establish meeting frequency in the Bylaws.

In response to various concerns pertaining to whether it was an appropriate time to establish a URAC and instead consider establishing an ad-hoc committee until more budgetary funding became available (5-7 years), VanderZanden advised an ad-hoc committee would have a specific purpose and specified start/end timeline, noting while the URA is projected to have limited funding until 2026, when the loan to the City is repaid, the URA is currently working on programs with limited funding to continue to improve the downtown area, such as parklets and installation of public art. In conclusion of the above-noted discussion, the Board collectively concurred establishing an URAC at this time, to which VanderZanden advised staff will bring back a proposed resolution establishing an URAC for Board consideration at a later date.

The URA Board took no formal action nor made any formal decisions during the work session.

3. ADJOURNMENT:

Director Chair Truax adjourned the URA work session meeting at 6:10 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder



Monday, April 22, 2018

Urban Renewal Agency Meeting Minutes

9:05 p.m., Community Auditorium

Minutes are unofficial until approved by the Urban Renewal Agency.

1. CALLED TO ORDER AND ROLL CALL:

Peter Truax, Urban Renewal Agency (URA) Director Chair, called the regular URA meeting to order at 9:25 p.m.

ROLL CALL: URA DIRECTORS PRESENT: Thomas Johnston, Vice-Chair; Timothy Rippe; Ronald Thompson; Elena Uhing; Adolph "Val" Valfre; Malynda Wenzl; and Peter Truax, Chair.

STAFF PRESENT: Jesse VanderZanden, Executive Director; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; Michael Kinkade, Fire Chief (in the audience); and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA:

A. Approve Urban Renewal Agency Regular Meeting Minutes of April 8, 2019.

MOTION: Director Uhing moved, seconded by Director Wenzl, to approve the Consent Agenda as presented. **MOTION CARRIED 7-0 by voice vote.**

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS: None.

6. URA RESOLUTION NO. 2019-02 APPROVING A MINOR AMENDMENT TO THE FOREST GROVE URBAN RENEWAL PLAN TO ADD THE STREETScape IMPROVEMENT PROJECT

Staff Report:

Riordan and Pohl presented the above-proposed resolution for Urban Renewal Agency (URA) Board consideration, noting a minor amendment is necessary to the Forest Grove Urban Renewal Plan, §III, Outline of Projects and Redevelopment Activities, to add "I". Streetscape Improvement Project, as outlined in Exhibit A. Riordan and Pohl reported the Streetscape Improvement Project description identifies a range of streetscape improvements in the Town Center, including installation public art acquisition and

placement, festival street design, funding for parklet construction, street tree replacement and general wayfinding enhancements, noting guidelines and standards for specific project elements will be adopted by URA resolution to refine project elements as needed for implementation. Riordan and Pohl reported the Streetscape Element is estimated to cost \$230,000 and includes:

- Public Arts Program, \$100,000
- Festival Street Design \$50,000
- Parklet Pilot Program \$10,000
- Wayfinding \$50,000
- Street Tree Replacement and Planting \$20,000

In addition, Riordan and Pohl advised a future plan amendment will be necessary to exceed the project amount, noting estimated cost does not include construction of the festival street project. In conclusion of the above-noted staff report, Riordan and Pohl advised staff is recommending the URA Board approve the proposed resolution making the second amendment to the Forest Grove Urban Renewal Plan as outlined in Exhibit A.

Before proceeding with Board discussion, Director Chair Truax asked for a motion to adopt URA Resolution No. 2019-02.

VanderZanden read URA Resolution No. 2019-02 by title.

MOTION: Director Vice Chair Johnston moved, seconded by Director Rippe, to approve URA Resolution No. 2019-02 Approving a Minor Amendment to the Forest Grove Urban Renewal Plan to Add the Streetscape Improvement Project.

Board of Directors Discussion:

Hearing no discussion from the Board, Director Chair Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Directors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Director Chair Truax. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

7. URA RESOLUTION NO. 2019-03 ESTABLISHING A PARKLET PILOT PROGRAM AND AUTHORIZING THE EXECUTIVE DIRECTOR TO IMPLEMENT THE PROGRAM

Staff Report:

Riordan and Pohl presented the above-proposed resolution for Urban Renewal Agency (URA) Board consideration, noting the proposed resolution is authorizing the Executive Director to implement the Parklet Pilot Program Guidelines as outlined in Exhibit A. Riordan and Pohl reported the two-year Parklet Pilot Program (2019 and 2020) was identified as URA Goal 4, Objective 6, for the purpose of creating new open space for pedestrians in the Town Center. Riordan and Pohl outlined the program guidelines, noting

the URA will solicit applications for up to one parklet for the period of May-October 2020-2021 for the following locations:

- Main Street between 19th Avenue and 21st Avenue
- 21st Avenue between College Way and A Street
- A Street between 19th Avenue and 21st Avenue

Subject to funding available, the URA will reimburse up to \$2,500 for a private parklet and up to \$5,000 for a public parklet. Applications will be reviewed on first-come, first-serve basis. In conclusion of the above-noted staff report, Riordan and Pohl advised staff is recommending the URA Board approve the proposed resolution implementing the Parklet Pilot Program Guidelines, as outlined in Exhibit A, noting the program will not exceed \$10,000 during the two-year trial period.

Before proceeding with Board discussion, Director Chair Truax asked for a motion to adopt URA Resolution No. 2019-03.

VanderZanden read URA Resolution No. 2019-03 by title.

MOTION: Director Wenzl moved, seconded by Director Vice Chair Johnston, to approve URA Resolution No. 2019-03 Establishing a Parklet Pilot Program and Authorizing the Executive Director to Implement the Program.

Board of Directors Discussion:

Riordan and Pohl addressed various Council inquiries pertaining to parklet types and locations, noting parklets for public use will be available with no restrictions and parklets for private use will be for the operator's patrons (private use), noting staff will evaluate the pilot program for refinements.

Hearing no further concerns from the Board, Director Chair Truax asked for a roll call vote on the above motion.

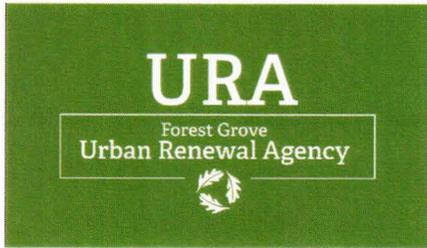
ROLL CALL VOTE: AYES: Directors Johnston, Rippe, Thompson, Uhing, Valfre, Wenzl, and Director Chair Truax. NOES: None. ABSENT: None. MOTION CARRIED 7-0.

8. ADJOURNMENT:

Director Chair Truax adjourned the URA regular meeting at 9:41 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder



CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

URBAN RENEWAL AGENCY STAFF REPORT

TO: *Urban Renewal Agency Board of Directors*

FROM: *Jesse VanderZanden, Executive Director*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *Daniel Riordan, Senior Planner; and Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Resolution Establishing the Forest Grove Urban Renewal Advisory Committee (URAC)*

ACTION REQUESTED:

	Ordinance	Order	X	Resolution	Motion	Informational
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X all that apply

ISSUE STATEMENT: The Board expressed a desire to establish a URAC to assist the Board on matters related to the Forest Grove Urban Renewal Plan. The attached resolution for Board consideration outlines URAC role and responsibilities, membership and administration.

BACKGROUND: On April 8th, the Board discussed Board and Commission reforms and the idea of establishing a URAC. This was followed by a Board work session on April 22nd to further discuss the idea of establishing the URAC to advise the Board on urban renewal plan matters.

In 2014 City Council established the Forest Grove Urban Renewal Agency and adopted the Forest Grove Urban Renewal Plan. Plan Goal Objective 1.1 states:

“At the discretion of the Agency establish an urban renewal advisory committee with broad representation to assist the Agency Board of Directors with implementation of the urban renewal program.”

In 2014, the Board approved bylaws governing the conduct and business of the Agency. The Board’s bylaws provides authority to the Board to establish standing, advisory and special committees.

The attached resolution establishing the URAC outlines recommended role and responsibilities, membership and administration of the committee. This is described further below.

URAC Role and Responsibilities

As proposed, the URAC would be advisory to the Board and serves to:

- Provide a forum for public discussion on implementation of the Plan;
- Give consideration and make recommendations regarding urban renewal policies, projects and program budgets;
- Review or propose Plan amendments for consideration by the Board; and
- Conduct studies and prepare reports at the request of the Board.

The Board may amend the proposed resolution to alter this list of responsibilities at the Board's discretion.

URAC Membership

Based on direction from the Board's April 22nd work session, URAC membership would be limited to seven (7) voting members:

- One Economic Development Commission representative and/or member of the Forest Grove-Cornelius Chamber of Commerce;
- One representative from a non-profit organization located in the Plan area;
- One professional representing finance, banking, or lending industry;
- One professional representing real estate, development, or construction industry;
- One at-large resident of the City; and
- Two Commercial property owners and/or business owners within the Plan area.

The Board may amend the proposed resolution to alter URAC membership at the Board's discretion.

Terms would be staggered amongst the membership so that no more than the three members' terms will expire in any year.

- | | |
|------------------------------|-------------------|
| • EDC / Chamber: | December 31, 2021 |
| • Non-profit: | December 31, 2021 |
| • Finance / lending: | December 31, 2022 |
| • Real estate / development | December 31, 2022 |
| • At-large resident: | December 31, 2023 |
| • Property / business owner: | December 31, 2023 |
| • Property / business owner: | December 31, 2023 |

Board Liaison

The resolution states The Board Chairperson shall appoint liaison(s) to serve as a non-voting member of the URAC. As stipulated by the Board's bylaws no more than three (3) Board members may serve on the URAC. A Board liaison shall act as URAC Chair until the initial election of Chair and Vice Chair at the first regularly scheduled meeting occurring after January 1, 2020.

URAC Administration

Administration of the URAC would be the responsibility of the Agency Executive Director, or designee. As written the proposed resolution identifies the Agency Executive Director, or designee, as staff liaison to the URAC. The Secretary is charged with keeping an accurate record of URAC proceedings. The Agency Executive Director, or designee, would serve as staff liaison to the URAC. As allowed by the Board's bylaws the Executive Director may refer matters to the URAC.

In addition, the resolution requires that all proceedings and actions of the URAC shall comply with City Council rules of the City of Forest Grove for Boards and Commissions and applicable state laws and administrative rules regulating committee and board member activities.

FISCAL IMPACT: Establishing the URAC will increase administration cost for the Urban Renewal Agency due to increased staffing costs to support the URAC. This cost is undetermined and will be largely contingent on the URAC's work program and number of URAC meetings held.

STAFF RECOMMENDATION: Staff recommends that Agency Board consider the proposed resolution establishing the Urban Renewal Advisory Committee as presented by staff and make any changes desired by the Board.

ATTACHMENT(s):

- A. Resolution
- B. PowerPoint presentation



URA Resolution Establishing Urban Renewal Agency Advisory Committee

Urban Renewal Agency Board Meeting
May 13, 2019

Purpose

- On April 8th City Council discussed board and commission reforms and the idea of establishing an urban renewal advisory committee (URAC).
- On April 22nd the Urban Renewal Agency Board held a work session to discuss aspects of establishing the URAC including responsibilities, membership, frequency of meetings and possible costs and benefits.
- Staff prepared a resolution for Board consideration establishing the URAC based on the direction provided April 22nd.

Background

- In 2014, City Council established the Forest Grove Urban Renewal Agency and adopted the Forest Grove Urban Renewal Plan.
- Plan Goal Objective 1.1 states:

“At the discretion of the Agency establish an urban renewal advisory committee with broad representation to assist the Agency Board of Directors with implementation of the urban renewal program.”

Background

- In 2014, the Board approved bylaws governing the conduct and business of the Agency.
- The Board's bylaws provides authority to the Board to establish standing, advisory and special committees.

URAC Responsibilities

- As outlined in the resolution URAC's responsibilities include:
 - Providing a public form for public discussion on implementation of the urban renewal plan;
 - Giving consideration and making recommendations regarding urban renewal policies, projects and program budgets;
 - Reviewing or proposing Plan amendments for consideration by the Board; and
 - Conducting studies and preparing reports at the request of the Board.

URAC Membership

- Based on direction from the Board's direction on April 22nd work session the URAC would be limited to 7 voting members appointed by the Board Chairperson and have the following representation;
 - (1) EDC and/or Chamber of Commerce member
 - (1) Representative from a non-profit organization located in the Plan area
 - (1) Professional representing finance, banking, or lending industry;
 - (1) Professional representing real estate, development or construction industry;
 - (1) At-large resident of the City; and
 - (2) Commercial property owners and/or business owners within the Plan area.
- The Board may amend the proposed resolution to alter URAC membership if desired at the Board's discretion.

URAC Member Terms

- Terms would be staggered amongst the membership so that no more than the three members' terms will expire in any year.
- EDC / Chamber: December 31, 2021
- Non-profit: December 31, 2021
- Finance / lending: December 31, 2022
- Real estate / development December 31, 2022
- At-large resident: December 31, 2023
- Property / business owner: December 31, 2023
- Property / business owner: December 31, 2023

Board Liaison

- The Board Chairperson shall appoint liaison(s) to serve as a non-voting member of the URAC. As stipulated by the Board's bylaws no more than three (3) Board members may serve on the URAC.
- A Board liaison shall act as URAC Chair until the initial election of Chair and Vice Chair at the first regularly scheduled meeting occurring after January 1, 2020.

URAC Administration

- Administration of the URAC would be the responsibility of the Agency Executive Director, or designee.
- The Agency Executive Director, or designee, would serve as staff liaison to the URAC. As allowed by the Board's bylaws the Executive Director may refer matters to the URAC.

Member Activities

- As stated in the resolution, all proceedings and actions of the URAC shall comply with City Council rules for Boards and Commission and applicable state laws and administrative rules regulating committee and member activities.

Recommendation

- Staff recommends the Agency Board consider the resolution establishing the Urban Renewal Advisory Committee as presented by staff and make any changes desired by the Board.

The End





URA RESOLUTION NO. 2019-04

**RESOLUTION OF THE URBAN RENEWAL AGENCY
OF THE CITY OF FOREST GROVE ESTABLISHING THE
FOREST GROVE URBAN RENEWAL ADVISORY COMMITTEE**

WHEREAS, City Council adopted Ordinance 2014-05 establishing the Forest Grove Urban Renewal Agency; and

WHEREAS, City Council adopted Ordinance 2014-07 adopting the Forest Grove Urban Renewal Plan; and

WHEREAS, Goal 1 of the Forest Grove Urban Renewal Plan (Plan) promotes opportunities for public participation in the preparation and adoption of urban renewal plans, plan amendments and policies; and

WHEREAS, Plan Goal Objective 1.1 states: “At the discretion of the Agency establish an urban renewal advisory committee with broad representation to assist the Agency Board of Directors with implementation of the urban renewal program”; and

WHEREAS, the Board approved URA Resolution 2014-01 establishing bylaws governing the conduct and business of the Agency; and

WHEREAS, Article 6 of the Board’s bylaws provides authority to the Board to establish standing, advisory and special committee’s; and

WHEREAS, on April 8, 2019, the City Council held a work session on to consider boards and commissions reforms and discussed the idea of establishing an Urban Renewal Advisory Committee (URAC); and

WHEREAS, on April 22, 2019, the URA Board held a work session to further discuss establishing the URAC.

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

Section 1. The Forest Grove Urban Renewal Agency Board hereby establishes the Forest Grove Urban Renewal Advisory Committee (URAC).

Section 2. The URAC is advisory to the Board and serves to:

- a. Provide a forum for public discussion on implementation of the Plan;
- b. Give consideration and make recommendations regarding urban renewal policies, projects and program budgets;
- c. Review or propose Plan amendments for consideration by the Board; and
- d. Conduct studies and prepare reports at the request of the Board.

Section 3. The Board Chairperson shall appoint liaison(s) to serve as a non-voting member of the URAC. As stipulated by Article 6.2 of URA Resolution 2014-01, no more than three (3) Board members may serve on the URAC.

Section 4. As stipulated by Article 6.2 of URA Resolution 2014-01, all URAC members shall be appointed by the Board Chairperson unless otherwise ordered by a majority vote of the Board. URAC membership shall be limited to seven (7) voting members:

- Position 1: Economic Development Commission representative and/or member of the Forest Grove-Cornelius Chamber of Commerce.
- Position 2: Representative from a non-profit organization located in the Plan area.
- Position 3: Professional representing finance, banking, or lending industry.
- Position 4: Professional representing real estate, development, or construction industry.
- Position 5: At-large resident of the City.
- Position 6: Commercial property and/or business owner within the Plan area.
- Position 7: Commercial property and/or business owner within the Plan area.

Section 5. Members of the URAC will be appointed by the Board Chairperson unless otherwise ordered by a majority vote of the Board for terms of up to four (4) years, or a portion of four years if appointed to fill an unexpired term. URAC vacancies shall be filled as soon as practicable.

Terms shall be staggered amongst the membership so that no more than the three members' terms will expire in any year. Initial terms shall be staggered as follows:

- Position 1: December 31, 2021
- Position 2: December 31, 2021
- Position 3: December 31, 2022
- Position 4: December 31, 2022
- Position 5: December 31, 2023
- Position 6: December 31, 2023
- Position 7: December 31, 2023

Section 6. The Chair and Vice Chair shall be elected by the voting members at the first regularly scheduled URAC meeting of each calendar year. The Board liaison shall act as Chair until the initial election of Chair and Vice Chair at the first regularly scheduled meeting occurring after January 1, 2020.

Section 7. The Executive Director, or designee, shall serve as staff liaison to the URAC. As authorized by Article 6.2 of URA Resolution 2014-01, the Executive Director is authorized to refer items to the URAC for recommendation and report.

Section 8. All proceedings and actions of the URAC shall comply with City Council Rules related to Boards and Commissions and applicable state laws and administrative rules regulating committee and member activities.

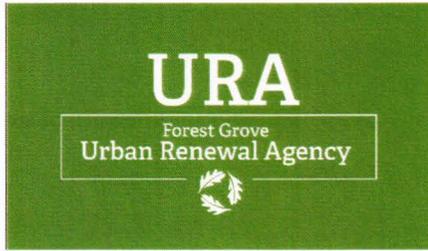
Section 9. This resolution is effective immediately upon its enactment by the Urban Renewal Board of Directors.

PRESENTED AND PASSED this 13th day of May, 2019.

Jesse VanderZanden
Urban Renewal Executive Director

APPROVED by the Urban Renewal Agency of the City of Forest Grove at a regular meeting thereof this 13th day of May 2019, and filed with the Forest Grove City Recorder this date.

Peter B. Truax
Urban Renewal Agency Chair



CITY RECORDER USE ONLY:

AGENDA ITEM #: 7

MEETING DATE: _____

FINAL ACTION: _____

URBAN RENEWAL AGENCY STAFF REPORT

TO: *Urban Renewal Agency Board of Directors*

FROM: *Jesse VanderZanden, Executive Director*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Resolution Authorizing staff to develop an Installation Public Art Program.*

ACTION REQUESTED:

Ordinance	Order	X	Resolution	Motion	Informational
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X all that apply

ISSUE STATEMENT: The Board expressed a desire to establish an installation art program in order to implement certain parts of the Forest Grove Town Center Plan. The attached resolution for Board consideration broadly outlines objectives for a public installation art program and gives direction to staff to work with both the Urban Renewal Advisory Committee (URAC), Public Arts Commission (PAC), and other Boards and Commissions as necessary, to develop such a program.

BACKGROUND: The City Council has held numerous work sessions and presentations to develop Town Center Plan concepts and funding strategies. During that process, Urban Renewal funding was identified as a possible revenue source that could fund the installation art program.

Because streetscape improvements were not specifically identified within the original Urban Renewal Plan, staff brought back an amendment to the URA Board on April 22, 2019, that included streetscapes as an objective within the Urban Renewal Plan. The URA Board unanimously approved the amendment, enabling staff to bring this resolution to the Board.

This resolution directs staff to work with the URAC and the PAC to develop a public installation art program. As proposed in the Resolution, staff would work with the PAC to develop goals and priorities, including opportunity sites for public installation art, then develop a process to solicit, receive, and evaluate proposals for art, with the URAC having final selection authority.

FISCAL IMPACT: Subject to funding availability and yearly appropriations, it is anticipated that the public installation art program will be a five-year program, budgeted at \$20,000 per year, for a total of \$100,000 over the life of the program.

STAFF RECOMMENDATION: Staff recommends that Agency Board consider the proposed resolution directing staff to work with the PAC and URAC to develop a public installation art program as presented by staff and make any changes desired by the Board.

ATTACHMENT(s):

- A. Resolution
- B. PowerPoint presentation



URA Resolution Authorizing to Develop Installation Art Program

Urban Renewal Agency Board Meeting
Bryan Pohl, Community Development Director
May 13, 2019

Purpose

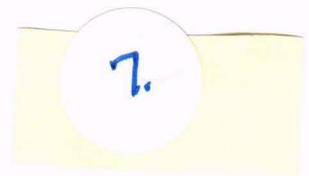
- The purpose of the Resolution is to:
 - Gain URA Board approval to work with other boards and commissions to develop an installation art program
- This work is part of the broader Town Center initiative that also includes streetscapes, crosswalks, parklets, and street trees.
- Seven presentations and work sessions with City Council or Urban Renewal Agency Board on the Town Center occurred between July 2018 through April 2019.

Background

- This program has its roots in the Town Center Concept Plan Discussion. URA funding was identified as a method to fund installation art during the years in which the URA would be paying back debt from the Jesse Quinn project.
- March 14 – Met with Public Arts Commission to discuss the possibility of engaging in an installation art program.
- April 22 – URA Board passed a URA Plan amendment to include an installation art program subject to available funding. This is envisioned to be a five-year, \$100,000 program.

Tonight's Resolution

- Tonight's resolution only directs staff to engage with the Public Arts Commission (PAC) and Urban Renewal Advisory Commission (URAC) to develop an installation art program.
- Staff will work with the PAC and URAC and other boards and commissions as necessary to establish a program for prioritizing, soliciting, evaluating, selecting, and awarding installation art pieces within the URA.



URA RESOLUTION NO. 2019-05

**RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY
OF FOREST GROVE AUTHORIZING THE EXECUTIVE DIRECTOR
TO DEVELOP AN INSTALLATION PUBLIC ART PROGRAM**

WHEREAS, the Urban Renewal Agency of the City of Forest Grove (“Agency”) adopted the Urban Renewal Plan on June 24, 2014; and

WHEREAS, Urban Renewal Plan Goal 4 promotes a vibrant Town Center through strategic urban renewal investments; and

WHEREAS, a public installation art program for the Forest Grove Urban Renewal Area supports Plan Goal 4 by enhancing the pedestrian environment and encouraging people to visit and spend time in the Town Center; and

WHEREAS, City Council and the Urban Renewal Agency Board conducted multiple work sessions to discuss improvements in the Town Center including installation public art; and

WHEREAS, the Agency amended the Urban Renewal Plan on April 8, 2019, to include the Streetscape Improvement Project (“Project”); and

WHEREAS, a public installation art program is consistent with and partially implements the Project included in the Forest Grove Urban Renewal Plan; and

WHEREAS, the Public Arts Commission met on March 14, 2019, and discussed the concept of an public installation art program; and

WHEREAS, a public installation art program supports the mission of the City’s Public Arts Commission “To enhance the cultural and aesthetic quality of life in Forest Grove by serving to promote, preserve, and develop access to the arts.”

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF FOREST GROVE RESOLVES AS FOLLOWS:

Section 1. The Urban Renewal Agency Board does hereby direct the Executive Director, or designee, to develop a public installation art program in accordance with Exhibit A.

Section 2. This resolution is effective immediately upon its enactment by the Urban Renewal Agency Board of Directors.

PRESENTED AND PASSED this 13th day of May, 2019.

Jesse VanderZanden
Urban Renewal Executive Director

APPROVED by the Urban Renewal Agency of the City of Forest Grove at a regular meeting thereof this 13th day of May, 2019, and filed with the Forest Grove City Recorder this date.

Peter B. Truax
Urban Renewal Agency Chair

Exhibit A

1. Installation art, as used in this Resolution, means a sculpture, fountain, bench, trash receptacle, kiosk, or mechanical device affixed to the ground or mural or architectural adornment attached to a building facade.
2. URA directs the Executive Director, or designee, to engage with the Public Arts Commission and Urban Renewal Advisory Commission (URAC) to establish a process and prepare guidelines for the acquisition and installation of public art, including:
 - a. General goals and values concerning installation art within the URA and selection of up to seven preferred locations for public art.
 - b. Criteria to support these goals and values that will be used to solicit and evaluate proposals for installation art pieces.
 - c. A process by which to solicit, evaluate, and select proposals.