

CITY COUNCIL MONTHLY MEETING CALENDAR

Jun-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	Planning Comm 7pm			5	6	8
		3	4	Municipal Court PAC SubComm 5pm FGRFD Mtg	Municipal Court EDC Noon	7
						15
9	CITY COUNCIL 5:30 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	10	11	12	13	14
		Red Cross Blood Drive (Canceled)		Sister Cities (canceled)	PAC 5pm	LOC Board Mtg
		Library Comm 6:30pm	FG/Nyuzen Delegation Visit (Mayor Truax & Councilor Thompson depart 06/12)			
16	Chamber Luncheon Planning Comm 7pm		18	19		22
				P&R 7am CFC 5:15pm		
FG/Nyuzen Delegation Visit (Mayor Truax & Councilor Thompson return 06/19)						
						29
23	CITY COUNCIL 5:30 PM - EXECUTIVE SESSION (CM Eval) 6:15 PM - WORK SESSION (ED Strategic) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	24	25	26	27	28
		Red Cross Blood Drive 1pm-6pm, Comm Aud		Municipal Court		
		HLB 6:30pm		PSAC (Mtg Canceled)	Sustainability (Canceled)	
Council President Johnston out until 08/03						
30						
Jul-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						6
Council President Johnston out until 08/03						
	Planning Comm 7pm					13
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	9	10	11	12
		Red Cross Blood Drive 1pm-6pm, Comm Aud		Municipal Court	Red Cross Blood Drive 1pm-6pm, Comm Aud EDC Noon PAC 5pm	
		Library Comm 6:30pm		Sister Cities 4:45pm		FGS&CC Cruis'n Grove
City Manager's OCCMA Conference out until 07/12						
14	Chamber Luncheon Planning Comm 7pm		16	17		20
				P&R 7am CFC 5:15pm		
21	NO CITY COUNCIL MEETING SCHEDULED	22	23	24	25	26
Pacific University Concours		HLB 6:30pm		Municipal Court		
				PSAC 7:30am	Sustainability 6pm	
28		29	30	31		
Council President Johnston out until 08/03						
Aug-19						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						3
Council President Johnston returns 08/3						
						10
4	Planning Comm 7pm					17
						24
11	CITY COUNCIL 5:30 PM - WORK SESSION(s) 7:00 PM - REGULAR COUNCIL MEETING COMMUNITY AUDITORIUM	12	13	14	15	16
		Red Cross Blood Drive 1pm-6pm, Comm Aud		Municipal Court		
		Library Comm 6:30pm		City Watershed Tour 8:30am	PAC 5pm	
18	Chamber Luncheon Planning Comm 7pm		20	21		24
				Barney/JWC Staff Tour 8:45am, JWC Plant P&R 7am CFC 5:15pm	Sustainability 6pm	
25	NO CITY COUNCIL MEETING SCHEDULED	26	27	28	29	30
		HLB 6:30pm		Municipal Court		
				PSAC 7:30am		

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CITY COUNCIL MEETING AGENDA

**MONDAY, JUNE 24, 2019
COMMUNITY AUDITORIUM
1915 MAIN STREET**

- 5:30 PM EXECUTIVE SESSION (City Manager Evaluation)**
- 6:15 PM WORK SESSION (Economic Development Strategic Plan)**
- 7:00 PM CITY COUNCIL REGULAR MEETING**

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

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

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

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

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

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

Peter Truax, Mayor

5:30

The City Council will convene in the Community Auditorium – Conference Room to hold the following executive session(s):

In accordance with ORS 192.660(2)(i) to review and evaluate the employment-related performance of the City Manager.

EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC.

Representatives of the news media and designated staff may attend Executive Session(s). Representatives of the news media are specifically directed not to report (tape/video record) any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

6:15

WORK SESSION(s):

The City Council will convene in the Community Auditorium – Conference Room to conduct the following work session(s). The public is invited to attend and observe the work session(s); however, no public comment will be taken. The Council will take no formal action during the work session(s).

- ***Economic Development Strategic Plan***
(45 Minutes)

(PowerPoint Presentation)
 Jeff King, Economic Development
 Manager
 Jesse VanderZanden, City Manager

7:00

1. **REGULAR MEETING:** Roll Call and Pledge of Allegiance
2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer.* In the interest of time, please limit comments to two minutes. Thank you.
3. **CONSENT AGENDA:** See Page 5
4. **ADDITIONS/DELETIONS:**
5. **PRESENTATIONS:**

(PowerPoint Presentation)
 Elizabeth Stover, Program
 Coordinator
 Paul Downey, Administrative
 Services Director
 J. F. Schutz, Police Chief

7:10
 15mins

5. A.
 - *Police Facility Outreach*

(PowerPoint Presentation)
 Dan Riordan, Senior Planner
 Bryan Pohl, Community
 Development Director

7:25
 15mins

5. B.
 - *Tualatin Valley Highway Improvement Plan*

-
- James Reitz, Senior Planner
Bryan Pohl Community
Development Director
Jesse VanderZanden, City Manager
- 7:40 6. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-05 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLES 1 INTRODUCTION AND PROCEDURES, 2 LAND USE REVIEWS, 3 ZONING DISTRICTS, 5 SPECIAL PROVISIONS, 7 MISCELLANEOUS PROVISIONS, 8 GENERAL DEVELOPMENT STANDARDS, AND 12 USE CATEGORIES AND DEFINITIONS; AND REPEALING ORDINANCE NO. 2009-08; FILE NUMBER 311-19-000002-PLNG**
- James Reitz, Senior Planner
Bryan Pohl Community
Development Director
Jesse VanderZanden, City Manager
- 7:45 7. **CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-06 REPEALING ORDINANCE NO. 2004-08, CHAPTER 33 (REGULATORY MEASURE 37 CLAIMS PROCEDURE) IN ITS ENTIRETY AND ADOPTING FOREST GROVE CODE OF ORDINANCES, TITLE IX (GENERAL REGULATIONS), CHAPTER 93 (§93.01 THROUGH §93.04), DOMESTICATED FOWL; AND AMENDING FOREST GROVE CODE §90.25 (B); FILE NO. 311-19-000002-PLNG**
- (PowerPoint Presentation)
James Reitz, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager
- 7:50 8. A. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-07 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE ONE PARCEL FROM NEIGHBORHOOD COMMERCIAL (CN) TO TOWN CENTER TRANSITION (TCT); WASHINGTON COUNTY TAX LOT 1S306BA09600; LOCATED AT 1836 CEDAR STREET, PROPERTY OWNER: JOSEPH TRETTER; FILE NO. 311-19-000005-PLNG**
- (PowerPoint Presentation)
James Reitz, Senior Planner
Bryan Pohl, Community
Development Director
Jesse VanderZanden, City Manager
- 8:05 8. B. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-08 AMENDING THE ZONING MAP TO RE-DESIGNATE ONE PARCEL FROM NEIGHBORHOOD COMMERCIAL (CN) TO TOWN CENTER TRANSITION (TCT); WASHINGTON COUNTY TAX LOT 1S306BA09600; LOCATED AT 1836 CEDAR STREET, PROPERTY OWNER: JOSEPH TRETTER; FILE NO. 311-19-000005-PLNG**
- Paul Downey, Administrative
Services Director
Jesse VanderZanden, City Manager
- 8:15 9. **PUBLIC HEARING AND RESOLUTION NO. 2019-33 ADOPTING BUDGET FOR FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020**

- | | | |
|---|--------------------|---|
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:25 | 10. <u>RESOLUTION NO. 2019-34 MAKING APPROPRIATIONS FOR THE CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:30 | 11. <u>RESOLUTION NO. 2019-35 LEVYING AND CATEGORIZING TAXES FOR THE CITY OF FOREST GROVE FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:35 | 12. <u>RESOLUTION NO. 2019-36 ADOPTING THE FISCAL YEAR 2019-24 CAPITAL IMPROVEMENTS PROGRAM</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:40 | 13. <u>PUBLIC HEARING AND RESOLUTION NO. 2019-37 CERTIFYING SERVICES PROVIDED BY THE CITY OF FOREST GROVE</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:45 | 14. <u>PUBLIC HEARING AND RESOLUTION NO. 2019-38 DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:50 | 15. <u>PUBLIC HEARING AND RESOLUTION NO. 2019-39 ADOPTING CAPITAL IMPROVEMENTS PROGRAM EXCISE TAX AND REPEALING RESOLUTION NO. 2018-64</u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 8:55 | 16. <u>RESOLUTION NO. 2019-40 TRANSFERRING APPROPRIATIONS WITHIN VARIOUS FUNDS FOR THE FISCAL YEAR 2018-19</u> |
| City Councilors | 9:00 | 17. <u>CITY COUNCIL COMMUNICATIONS:</u> |
| Jesse VanderZanden, City Manager | 9:20 | 18. <u>CITY MANAGER'S REPORT:</u> |
| Peter Truax, Mayor | 9:25 | 19. <u>MAYOR'S REPORT:</u> |
| | <u>9:30</u> | 20. <u>ADJOURNMENT:</u> |

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 (Housing Needs Analysis Update) Meeting Minutes of June 10, 2019.
 - B. Approve City Council Regular Meeting Minutes of June 10, 2019.
 - C. Accept Library Commission Meeting Minutes of May 14, 2019.
 - D. Accept Parks and Recreation Commission Meeting Minutes of May 15, 2019.
 - E. Accept Planning Commission Meeting Minutes of June 3, 2019.
 - F. Accept Public Arts Commission Meeting Minutes of May 9, 2019.
 - G. Endorse Liquor License Application Change of Ownership (Limited On-Premises Sales) for Bon Appetit Management Company, located at Pacific University Campus, 2043 College Way.

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	_____
MEETING DATE:	06/24/2019
FINAL ACTION:	WORK SESSION

CITY COUNCIL STAFF REPORT

WORK SESSION:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Jesse VanderZanden, City Manager
Jeff King, Economic Development Coordinator*

SUBJECT TITLE: *Economic Development Strategic Plan*

ACTION REQUESTED: Ordinance Order Resolution Motion Informational

X all that apply

PURPOSE:

The purpose of the Work Session is to review the draft Economic Development Strategic Plan and allow Council an opportunity to comment prior to scheduling for final acceptance by the Council in July or August.

BACKGROUND:

In 2009, the Economic Development Commission (EDC) developed a Strategic Plan (Plan) to guide economic development programs and efforts within the City. A new three-year plan was developed for the 2015-2018 period. Recognizing the Plan needed an update, the City Council passed Objective 3.17 in 2019 which states, "Update Economic Development Strategic Plan."

In furtherance of this goal, staff worked with EDC to conduct a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis, review the current plan, make recommendations, and compose an updated Plan for Council's review and consideration.

The draft Plan differs from the current Plan in the following ways: 1) it includes a Vision Statement, 2) it consolidates 19 previous goals into 7 goals, 3) it contains a list of external partners for each goal, 3) it adds equity elements, and 4) it contains performance metrics to measure success.

The EDC approved the draft Plan at their June 6th meeting, however, they recognized it was in "draft" form and subject to further revision by staff and Council.

NEXT STEPS:

Notwithstanding comments by Council, the Plan will be scheduled for approval in July or August.

ATTACHMENTS:

- Work Session PowerPoint
- Draft Economic Development Strategic Plan

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ECONOMIC DEVELOPMENT STRATEGIC PLAN

WORK SESSION

JESSE VANDERZANDEN, CITY MANAGER

JEFF KING, ECONOMIC DEVELOPMENT MANAGER

Purpose

- Review draft Strategic Plan
- Solicit Council feedback

Background

- Economic Development Commission (EDC) passed Strategic Plan in 2009 and a three-year update in 2015.
- City Council passed Objective 3.17 in 2019 which states: “Update Economic Development Strategic Plan.”
- EDC approved Draft Strategic Plan on June 6 and forwarded to Council for consideration.

Background

- The draft Plan differs from the current Plan in the following ways:
 1. Vision Statement
 2. Consolidates 19 previous goals into 7 goals
 3. Lists key external partners for each goal
 4. Adds equity elements
 5. Contains performance metrics

Vision

A strong, sustainable, local economy that provides opportunity and prosperity for the whole community.

Mission

We foster a vibrant economic climate that encourages and attracts sustainable and equitable business development through strategically focused policies and programs, collaboration and partnerships.

Goals

1. Support Industrial and Commercial Business Growth
2. Expand Opportunities for Entrepreneurship and Innovation
3. Support Small Business Development
4. Assist in the Development of a Prosperous Downtown
5. Expand the Economic Impact of Tourism
6. Foster a Competitive Business Climate That Supports Economic Growth
7. Expand Partnership, Outreach and Equity Efforts

Objectives

- This discussion will review the short and long-term Objectives under each Goal. Please refer to the draft Strategic Plan in the Council packet and offer comments.

External Partners

- This discussion will review the External Partners under each Goal. Please refer to the draft Strategic Plan in the Council packet and offer comments.

Performance Measures

- This discussion will review the Performance Measures in the last section of the draft Strategic Plan. Please refer to the draft Strategic Plan in the Council packet and offer comments.

Next Steps

- Incorporate Council feedback.
- Final review and approval by City Council at the July or August meeting.

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ECONOMIC DEVELOPMENT STRATEGIC PLAN

Forest Grove, Oregon
1924 Council Street
Forest Grove, OR 97116
www.forestgrove-or.gov

DRAFT

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- MISSION STATEMENT 2**
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 - GOAL 2. EXPAND OPPORTUNITIES FOR ENTREPRENEURSHIP AND GROWTH 3
 - GOAL 3. SUPPORT SMALL BUSINESS DEVELOPMENT 4
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 - GOAL 6. CREATE A COMPETITIVE BUSINESS CLIMATE 7
 - GOAL 7. FURTHER PARTNERSHIP, OUTREACH, AND EQUITY EFFORTS 8
- APPENDIX**
 - PERFORMANCE MEASURES 9

ECONOMIC DEVELOPMENT STRATEGIC PLAN

VISION STATEMENT

A strong, sustainable, local economy that provides opportunity and prosperity for the whole community.

MISSION STATEMENT

We foster a vibrant economic climate that encourages and attracts sustainable and equitable business development through strategically focused policies and programs, collaboration and partnerships.

GOAL 1. SUPPORT INDUSTRIAL AND COMMERCIAL BUSINESS GROWTH

OBJECTIVES

SHORT TERM

- Provide direct assistance and high quality customer service to help new companies navigate the permitting process and access program resources.
- Proactively work to identify a 20-year supply of employment lands and target initiatives to increase market-ready certified sites.
- Evaluate and refine permitting process, where needed, to increase efficiencies and predictability and ensure a user-friendly experience.
- Review Forest Grove's competitive advantages and ensure that these are on the City's website and part of advertising and marketing collateral.

- Maintain and market an inventory of available sites and buildings, socio-economic data, program resources and incentives.
- Complete Oak Street Area Concept Plan.

LONG TERM

- Implement business attraction strategies for both traded sector and larger commercial businesses tailored to their specific needs.
- Respond, in collaboration with partners, to business leads and companies whose targets include Forest Grove.
- Maintain and manage business retention and expansion program.
- Prioritize marketing to targeted traded sector key industry clusters such as Advanced Manufacturing and those identified in the Economic Opportunity Analysis. Maintain an incentive toolkit.
- Convene local industry clusters to build networks, understand needs and address priorities.

STRATEGIC EXTERNAL PARTNERS

Forest Grove-Cornelius Chamber of Commerce, Business Oregon, Forest Grove EDC, Greater Portland Inc., Westside Economic Alliance, Commercial Brokers, and Site Selectors.

GOAL 2. EXPAND OPPORTUNITIES FOR ENTREPRENEURSHIP AND INNOVATION

OBJECTIVES

SHORT TERM

- Study opportunities with partners to establish an accelerator, incubator, or maker space to support entrepreneurship and innovation.

- Host and participate in conferences, workshops, and training that promote innovation and entrepreneurial development.

LONG TERM

- Establish and maintain stronger ties with Pacific University School of Business and related institutes, Forest Grove High School, and emerging Clean Water Services environmental and wetland technologies and concepts to encourage innovation and entrepreneurship opportunities.
- Disseminate information on efforts to encourage start-ups and innovation strategies in Forest Grove.

STRATEGIC EXTERNAL PARTNERS

Pacific University-School of Business, Forest Grove High School, Portland Community College, Clean Water Services, Oregon Entrepreneurs Network, PCC Small Business Development Center, SCORE.

GOAL 3. SUPPORT SMALL BUSINESS DEVELOPMENT

OBJECTIVES

SHORT TERM

- Disseminate and maintain information, technical assistance, programs, initiatives, and incentives that support small business growth and operations.
- Work to identify and address the challenges and barriers faced by Latino businesses and other groups in an effort to support a more diverse and inclusionary business community.

LONG TERM

- Convene resource partners and small businesses to better understand existing resources and the needs and challenges faced by small business.

STRATEGIC EXTERNAL PARTNERS

Forest Grove-Cornelius Chamber of Commerce, Pacific University- School of Business, PCC Small Business Development Center, Columbia-Pacific Economic Development District, Adelante Mujeres, Micro-Enterprise Services of Oregon, Mercy Corps NW, SCORE, Local and Regional Banks, Commercial Brokers.

GOAL 4. ASSIST IN THE DEVELOPMENT OF A PROSPEROUS DOWNTOWN

OBJECTIVES

SHORT TERM

- Partner with the private sector to improve the attractiveness of downtown through implementation of the Town Center Plan.
- Work with partners to enhance organizational capacity to better promote downtown events, activities, and the interests of downtown. Research the possibility of a Main Street program.

LONG TERM

- Continue to work with property owners and brokers with site development and vacant space reduction while seeking a diverse mix of businesses.
- Support and promote a vibrant and active City Center through unique, colorful, and family-friendly events that draw new visitors.

STRATEGIC EXTERNAL PARTNERS

City Club of Forest Grove, Forest Grove -Cornelius Chamber of Commerce, Small Business Development Centers, Micro-Enterprise Services of Oregon, Oregon Main Street, Commercial Brokers, Property Owners.

GOAL 5. EXPAND THE ECONOMIC IMPACT OF TOURISM

OBJECTIVES

SHORT TERM

- Serve on the tourism advisory committee (TAC) to increase support and awareness of tourism strategies.

LONG TERM

- Develop strategies for marketing, branding, capital projects, and event development through contracted services.
- Enhance and strengthen collaborations with tourism amenity operators and opportunities: local wineries, Hagg Lake, bicycling trails, and regional parks and forests.

STRATEGIC EXTERNAL PARTNERS

Washington County Visitors Association, Forest Grove Tourism Services Contractor, Forest Grove-Cornelius Chamber of Commerce, Travel Portland, Travel Oregon, Washington County Parks & Recreation (Hagg Lake), Oregon Forestry Department (Tillamook Forest), Oregon Parks & Recreation, North Willamette Vintners Assoc., Local Tourism Amenity Operators.

GOAL 6. FOSTER A COMPETITIVE BUSINESS CLIMATE THAT SUPPORTS ECONOMIC GROWTH

OBJECTIVES

SHORT TERM

- Support transportation investments that enhance freight mobility and access, community livability, connectivity, congestion reduction, and public transit options.
- Maintain adequate supply of water, wastewater capacity, and power and telecommunication utilities to support planned business growth.
- Maintain affordable power as a competitive advantage for Forest Grove.
- In collaboration with the Forest Grove-Cornelius Chamber of Commerce, Forest Grove High School and Pacific University, Increase local employment opportunities through the establishment of a local job board: employee-employer job match platform.

LONG TERM

- Work with businesses to enhance understanding, access, and use of workforce programs.
- Coordinate K-12 and higher education institutions with local companies to better understand current and future needs of business, enhance workforce skills, and identify employment opportunities.

STRATEGIC EXTERNAL PARTNERS

Portland Community College, Pacific University , Forest Grove High School, Oregon Work Source Centers, Work system, Inc. Frontier, Electric Light Wave, Comcast, Washington County Land Use and Transportation. Oregon Department of Transportation, Metro, Tri-Met, Forest Grove Light and Power, Clean Water Services.

GOAL 7. EXPAND PARTNERSHIP, OUTREACH, AND EQUITY EFFORTS

OBJECTIVES

SHORT TERM

- Work to understand and reduce barriers that Latinos and other diverse populations face in starting and operating businesses.
- Proactively coordinate with regulatory agencies to reduce delays and barriers to development.

LONG TERM

- Work to increase access and utilization of services to diverse members of community.
- Collaborate locally and regionally to establish strategic relationships in support of economic development priorities.
- Represent Forest Grove’s economic development interests and needs externally in the region and state by increasing visibility and engagement.
- Develop outreach strategies to educate the public about the City’s economic development strategies.
- In coordination with the leadership of the Forest Grove –Cornelius Chamber, celebrate business achievements and consider an annual awards program.

STRATEGIC EXTERNAL PARTNERS

Pacific University, Forest Grove-Cornelius Chamber of Commerce, City Club of Forest Grove, Adelante Mujeres, Business Oregon, Greater Portland Inc., Portland Community College, Work Source/Oregon Employment Department, Metro, Washington County Visitors Association, Micro Enterprise Services of Oregon, PCC Small Business Development Center.

APPENDIX A

PERFORMANCE MEASURES

- Number of jobs.
- Total assessed value – industrial.
- Total assessed value – commercial.
- Number of leads generated.
- Total square footage – industrial.
- Total square footage – commercial.
- Vacancy rate – industrial.
- Vacancy rate – commercial.
- Equity research study regarding barriers for Latino small businesses.
- Number of minority owned businesses.
- Increase understanding and reduce barriers for minority-owned start-ups.
- Assure minority representation on EDC through outreach efforts.
- Number of impressions per marketing product.
- Prepare a report on the potential to establish innovation/entrepreneurship initiatives, including a center in Forest Grove.
- Number of Marketlink Market Analysis Reports completed.
- Number of Business Incentive Program applications.
- Number of Enterprise Zone Program applications.
- Number of businesses provided assistance.

- Overnight lodging stays per year.
- Transit Lodging Tax revenues per year.
- Number of businesses accessing workforce services.
- Power price benchmarked against regional providers.
- Water price benchmarked against regional providers.
- Broadband infrastructure in Forest Grove benchmarked against regional providers.

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3A



A place where families and businesses thrive.

**City Council Work Session Minutes
Housing Needs Analysis Update**

**Monday, June 10, 2019
5:30 p.m., Community Auditorium**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 5:32 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; Bryan Pohl, Community Development Director; and Anna Ruggles, City Recorder.

2. WORK SESSION: HOUSING NEEDS ANALYSIS UPDATE

Pohl and VanderZanden facilitated the above-noted work session, noting the purpose of the work session was to brief Council on the 2009 Housing Needs Analysis (HNA) Update. Pohl presented a PowerPoint presentation overview on the culmination of the technical analysis performed by FSC Group, consultant, noting significant findings include the current housing inventory (8,440); housing forecast for the next 20 years (Forest Grove's population is expected to increase by about 9,600 persons over the next 20 years and 3,400 housing units will be needed for expected population growth); reconciliation of housing supply and demand; and assessment of land needs for housing for the next 20 years. In general, the HNA includes an inventory of existing housing stock by type and price range; housing demand projections by type and price range for the next 20 years; and an assessment of housing land needs based on how land is currently zoned and the housing projections. In conclusion of the above-noted staff report, Pohl advised the Oregon Department of Land Conservation and Development selected the City as a recipient of a grant to update the HNA to reflect housing trends since 2009 and to identify housing needs for the next 20 years, noting the City's final HNA must be completed by the consultant by June 30th.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as Pohl and VanderZanden responded to various Council inquiries and scenarios pertaining to the projected housing forecast, housing types, and infrastructure funding, noting the Project Advisory Committee met three times to assist the consultant and review the work products. The Committee discussed several housing policies for consideration to promote needed housing, such as:

- Adopt cottage/cluster housing development standards.

- Compact development providing more affordable housing options.
 - Reduce required parking for certain housing types, such as regulated affordable housing.
 - Reduce cost of development and encourage efficient use of land.
- Review MINIMUM residential densities. The minimum is currently set at 80% of zone target density.
- Reduce System Development Charge (SDC) Methodology. Tier SDC amount to unit size (sliding scale).
- Revisit establishing a Construction Excise Tax. State law requires that a percentage of collected tax go to: The developer incentives for affordable housing; home ownership programs run by the State; and City initiatives related to housing

In conclusion of the above-noted Council discussion, VanderZanden and Pohl advised the next steps are completed the HNA draft and housing policy recommendations for formal 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 6:16 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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A place where families and businesses thrive.

City Council Regular Meeting Minutes **Monday, June 10, 2019**
7:00 p.m., Community Auditorium

Minutes are unofficial until approved by Council.

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:10 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; Michael Kinkade, Fire Chief; Bryan Pohl, Community Development Director; Gregory Robertson, Public Works Director; Colleen Winters, Library Director; James Reitz, Senior Planner; and Anna Ruggles, City Recorder.

2. CITIZEN COMMUNICATIONS: None.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are 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 Executive Session (City Manager Performance Evaluation) Meeting Minutes of May 28, 2019.
- B. Approve City Council Work Session (Light and Power Solar Feasibility Study) Meeting Minutes of May 28, 2019.
- C. Approve City Council Regular Meeting Minutes of May 28, 2019.
- D. Accept Planning Commission Meeting Minutes of May 6, 2019.
- E. Accept Sustainability Commission Meeting Minutes of April 25, 2019.
- F. Community Development Department Monthly Building Activity Informational Report for May 2019.

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

4. ADDITIONS/DELETIONS: None.

5. **PRESENTATIONS:**

5. A. Engineering/Public Works Update

Robertson presented a PowerPoint presentation update of the Department's completed projects and the planning statuses of current projects. In conclusion of the above-noted presentation, Robertson addressed various Council inquiries pertaining to the sidewalk improvement program; ADA improvements; street overlay program; and the concept design for 21st Avenue/Main Street intersection.

5. B. Second Annual Severe Rent Burden Meeting Report

Pohl presented a PowerPoint presentation summarizing the Second Annual Severe Rent Burden Meeting held on May 14th, noting staff presented the Housing Needs Analysis data at the meeting. Pohl noted approximately 15 people attended, including several people who attended the first meeting held on December 5th. In response to various Council inquiries, Pohl advised he would provide follow-up information to Council the next time staff gives an update, such as the number of households in Forest Grove that are moderately (25%) to severely (more than 50%) cost-burdened households as well as examples of the housing costs.

6. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-05 AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLES 1 INTRODUCTION AND PROCEDURES, 2 LAND USE REVIEWS, 3 ZONING DISTRICTS, 5 SPECIAL PROVISIONS, 7 MISCELLANEOUS PROVISIONS, 8 GENERAL DEVELOPMENT STANDARDS, AND 12 USE CATEGORIES AND DEFINITIONS; AND REPEALING ORDINANCE NO. 2009-08; FILE NUMBER 311-19-000002-PLNG**

Staff Report:

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is amending Development Code, Title XVII, Article 1, Introduction and Procedures; Article 2, Land Use Reviews; Article 3, Zoning District; Article 5, Special Provisions; Article 7, Miscellaneous Provisions; Article 8, General Development Standards; and Article 12, Use Categories and Definitions; and Repealing Ordinance No. 2009-08; File No. 311-19-000002-PLNG. Reitz presented a PowerPoint Presentation summarizing the proposed code amendments as outlined below:

1. Add Housing Types in the Commercial and Town Center zones, which is not currently listed in the Development Code.
2. Revise Bed and Breakfast Inns (B&B) regulations to reduce the number of allowable guest rooms from 27 to 10, and require a Type II review process for more than five guest rooms.
3. Remove the Domesticated Fowl code and relocate to City Code Title IX, General Regulations, Chapter 93 *Animals*.

4. Eliminate the length of stays in Recreational Vehicle (RV) Parks (to comply with current State statute). Code currently limits RV stays to 30 days or less for any one year.
5. Amend Accessory Dwelling Units (ADU) standards (to comply with current State statute) to include a manufactured home. This would prohibit manufactured home as ADU within historic districts and prohibit converted shipping containers as an ADU.
6. Provide additional Incentives to increase Residential Density.
7. Update Signs Code §17.8.00 through 17.8.875, to remove the prohibition of off-premise signs (conflicts with First Amendment), and adopt new sign-related regulations for Feather Banner and Air-Blown Device. Allow Monument signs in the Town Center Transition zoning district.

In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, Exhibit B, Signs Code, and Exhibit C, Planning Commission Findings and Decision No. 2019-06, noting the Planning Commission approved the proposed code amendments on May 1, 2019.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-05 for first reading.

VanderZanden read Ordinance No. 2019-05 by title for first reading.

MOTION: Council President Johnston moved, seconded by Councilor Wenzl, to adopt Ordinance No. 2019-05 Amending Forest Grove Development Code Articles 1 Introduction and Procedures, 2 Land Use Reviews, 3 Zoning Districts, 5 Special Provisions, 7 Miscellaneous Provisions, 8 General Development Standards, and 12 Use Categories and Definitions; and Repealing Ordinance No. 2009-08; File No. 311-19-000002-PLNG.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received.

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.

Council Discussion:

In response to various Council inquiries pertaining to the definition and provisions regulating RV parks, Reitz advised he would provide follow-up information to Council at the next meeting regarding the definition of RV Park (ORS 197.493) and whether or not the Elks Lodge (2810 Pacific Avenue) is in compliance with that definition as well as the provisions.

Public Hearing Continued:

Hearing no further concerns from the Council, Mayor Truax continued the Public Hearing to June 24, 2019.

7. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-06 REPEALING ORDINANCE NO. 2004-08, FOREST GROVE CODE CHAPTER 33 (REGULATORY MEASURE 37 CLAIMS PROCEDURE) IN ITS ENTIRETY AND ADOPTING FOREST GROVE CODE, TITLE IX (GENERAL REGULATIONS), CHAPTER 93 (§93.01 THROUGH §93.04), DOMESTICATED FOWL; AND AMENDING FOREST GROVE CODE §90.25 (B); FILE NO. 311-19-000002-PLNG**

Staff Report:

Reitz and Pohl presented the above-proposed ordinance for first reading, noting the proposed ordinance is repealing Ordinance No. 2004-08, Forest Grove Code Chapter 33 (Regulatory Measure 37 Claims Procedure) in its entirety; adopting Forest Grove Code, Title IX (General Regulations), Chapter 93 (§93.01 Through §93.04), Domesticated Fowl; and amending Forest Grove Code §90.25(B), Tree Nuisance, to correct a housekeeping typographical error; File No. 311-19-000002-PLNG. Reitz presented a PowerPoint Presentation summarizing the proposed code amendments, noting as a result of Ballot Measure 37 (2004) being repealed and amended by Ballot Measure 49 (2007) it is no longer applicable and is being repealed in its entirety, and the Domesticated Fowl regulation in the Development Code is being repealed and being replaced in Chapter 93, Animals, which is the appropriate codification for this type of regulation. The Planning Commission also recommended reducing the age of fowl to three (3) ~~six (6)~~ months as meat harvesting occurs at about three months of age. Staff also is proposing to add violation penalties and abatement procedures as set forth in the code for similar types of regulations. In conclusion of the above-noted staff report, Reitz and Pohl advised staff is recommending Council approve the proposed ordinance, as outlined in Exhibit A, noting the Planning Commission approved the proposed code amendments on May 1, 2019.

Before proceeding with the Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Ordinance No. 2019-06 for first reading.

VanderZanden read Ordinance No. 2019-06 by title for first reading.

MOTION: Councilor Valfre moved, seconded by Councilor Rippe, to adopt Ordinance No. 2019-06 Repealing Ordinance No. 2004-08, Forest Grove Code Chapter 33 (Regulatory Measure 37 Claims Procedure), in its entirety and Adopting Forest Grove Code, Title IX (General Regulations), Chapter 93 (§93.01 through §93.04), Domesticated Fowl; and Amending Forest Grove Code §90.25(B); File No. 311-19-000002-PLNG.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received.

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 Continued:

Hearing no further concerns from the Council, Mayor Truax continued the Public Hearing to June 24, 2019.

8. PUBLIC HEARING AND RESOLUTION NO. 2019-24 SETTING FEES AND CHARGES (3% INCREASE), EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-53

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase fees and charges, excluding building permit fees, by three percent (3%), effective July 1, 2019. Downey highlighted the following updates to the fee schedules: 1) Permit to Construct Public Improvements fee is being retitled to Public Improvements Review and Inspection Fee to more accurately reflect the purpose of the fee; 2) Water Stand-by Services Fees are being move to the Water Rate Schedule; and 3) WCCLS Processing Fee has been deleted as WCCLS no longer charges the fee. In addition, Downey reported staff is putting together a fee book that will have all of the fees, rates, and charges in one document, which will be made available on the City's website later this summer. In conclusion of the above-noted staff report, Downey advised based on Fiscal Year 2019-20 budget proposal, staff is not recommending any increases to the building permit fees, noting the proposed resolution is setting Planning Fees as outlined in Exhibit 1, and setting

other fees and charges as outlined in Exhibit 2, effective July 1, 2019.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-24.

VanderZanden read Resolution No. 2019-24 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-24 Setting Fees and Charges, Effective July 1, 2019, and Repealing Resolution No. 2018-53.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

No written testimony was received.

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. **PUBLIC HEARING AND RESOLUTION NO. 2019-25 ADOPTING NEW LIGHT AND POWER ELECTRIC RATE (4.6% INCREASE) SCHEDULES AND DEFINITIONS AND DESCRIPTIONS FOR THE CITY OF FOREST GROVE, EFFECTIVE AUGUST 13, 2019, AND REPEALING RESOLUTION NO. 2018-14**

Staff Report:

Downey and Hormann presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase Light and

Power (L&P) electric rates to achieve an average of 4.0 percent (4%) rate increase, effective for services provided on or after August 13, 2019. Downey reported the 2019 rate study projected a 4% rate increase through 2026, noting based on two Council work sessions held, staff is proposing rate increases by customer service class, which will narrow the gap between revenue generated and costs allocated to each customer service class. Staff is proposing the Residential and General Service Classes increase by 4.6% and Large Commercial/Industrial Class increase by 3%. Other small classes of service, such as irrigation, rental lighting and street lighting, are proposed to increase by 4%. Downey referenced a comparison chart, which compared estimated residential bills between the City and other utility providers and presented a summary showing an Average Single-Family Residence, Total – All Utilities (proposed increases to Electricity \$3.97; Water \$0.78; City/CWS Sewer \$1.39 and City/CWS SWM \$0.54) totaling a current cost of \$184.04 and a proposed cost of \$190.72, for an overall increase of \$6.68 (3.6%). In conclusion of the above-noted staff report, Downey and Hormann referenced the proposed L&P rate schedules (Exhibit A), noting an average residential energy bill (estimated at 1,100 kilowatt hours per month) would increase by \$3.97 from \$87.11 in 2018 to \$91.08 in 2019, of which \$18.87 is the customer charge and \$69.07 is the energy charge.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-25.

VanderZanden read Resolution No. 2019-25 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to approve Resolution No. 2019-25 Adopting New Light and Power Department Electric Rates (4.6% Increase), Effective August 13, 2019, and Repealing Resolution No. 2018-14.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony:

The following written testimony was submitted in opposition of the proposed utility rate increases:

- 5 e-mails (Robin Davis, Stephen Webber, Bryan Luciani, Roy Woo and Charlene Hostynek);
- 1 petition letter signed by 10 residents (Rubena Sheppard, Debra Roger, Dave Snook, Kim Larson, Jamie Turnbull, Eva Andrade Avalos, Amber Clark, William Larrimore, Ann Cullen and Dinah Sackett), and
- 1 letter (Lin Vanderzanden) dated 06/10/2019 was submitted too late for the meeting and it was sent to Council the following date.

Proponents:

No one testified and no other written comments were received.

Opponents:

Margaret Ledford, FG, submitted written testimony and testified in opposition of the proposed utility rate increases. Ledford, who is disabled, voiced concern that this year's combined increases would total 17.1%. In addition, Ledford suggested implementing a tiered program for seniors and low-income residents.

No one else testified and no other written comments were received.

Others:

No one else testified and no other written comments were received.

Public Hearing Closed:

Mayor Truax closed the Public Hearing.

Council Discussion:

In response to testimony heard pertaining to the percentage of the proposed rate increases, Downey referenced a chart and explained how cumulative percentages are calculated, noting the total increase for all utilities is \$6.68 per month, 3.6% more per month, not 17%. Downey noted staff would do a better job of clarifying the anticipated rate increases per month and providing a break-down of rates imposed by the City and rates collected by the City but imposed by other entities, such as Clean Water Services.

Uhing indicated she struggles every year when rate increases occur, noting the City provides safe and quality services that must be maintained. In addition, Uhing concurred that Council needs to have a deeper conversation regarding rates for low-income residents.

Valfre echoed the same concerns, noting a much better job could be done so that the ratepayers have a better understanding.

Rippe indicated having a city-owned utility allows the City to control operational costs based on actual costs and not for-profit (market rate), noting raising rates is a very sensitive issue.

Council President Johnston indicated that PGE rates apply to the rest of the residents residing in Washington County, noting city residents pay a lower rate than PGE (Forest Grove is currently \$87.11 and PGE is \$135.82). In addition, Johnston reported the City set asides a budget allocation annually (\$75,000) to assist residents with utility bills when it is needed.

Mayor Truax gave examples of how cumulative percentages are calculated, noting

the total increase in costs for all utilities combined is \$6.68 more per month or 3.6%, which is a reasonable increase. In addition, Mayor Truax reported the Council holds prior discussions and does not take raising rates lightly, noting if the City were to move from cost-based to market-rate, it would hurt Forest Grove significantly.

Hearing no further 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.

10. **PUBLIC HEARING AND RESOLUTION NO. 2019-26 FIXING WATER RATES (2% INCREASE) FOR THE CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-50**

Staff Report:

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase water rates by a system-wide average of two percent (2%), effective July 1, 2019. Downey reported staff is proposing to lower the forecasted rate increase from 3.5% to 2% to cover increasing operational costs while the master plan is being completed and the rate analysis is updated. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting for an average single-family residential user using 7,000 gallons of water per month, the proposed rate increase is about \$0.78 per month.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-26.

VanderZanden read Resolution No. 2019-26 by title.

MOTION: Councilor Rippe moved, seconded by Council President Johnston, to adopt Resolution No. 2019-26 Fixing Water Rates for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-50.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

Mayor Truax referenced the written testimony received, which was noted above.

Proponents:

No one testified and no written comments were received.

Opponents:

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else 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.

11. PUBLIC HEARING AND RESOLUTION NO. 2019-27 ESTABLISHING SANITARY SEWER UTILITY RATES (2% INCREASE) FOR CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-51

Staff Report:

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City sanitary sewer utility rate by two percent (2%) per month per equivalent dwelling unit (EDU), effective July 1, 2019. Downey reported Clean Water Services (CWS) is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-through resolution for Council consideration that allows the City to bill the rates on behalf of CWS. Downey reported CWS is proposing increases to its regional sanitary sewer utility rates (3%) and sanitary sewer system development charges (SDC) (\$150 from \$5,650 to \$5,800 per EDU), effective July 1, 2019. The City retains 20% of the sanitary sewer SDC as set forth by CWS. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's sanitary sewer rate will be a Monthly Base Charge of \$9.10 per EDU and a Use Charge of \$0.442 per 1,000 gallons per month for individual customer winter average. For a typical residential consumption of 8ccf or 5,894 gallons per month of winter water usage, the proposed sewer rate increases by CWS and City is about \$1.39 per month per EDU.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-27.

VanderZanden read Resolution No. 2019-27 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-27 Establishing Sanitary Sewer Utility Rates for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-51.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

Mayor Truax referenced the written testimony received, which was noted above.

Proponents:

No one testified and no written comments were received.

Opponents:

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else 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.

12. PUBLIC HEARING AND RESOLUTION NO. 2019-28 ESTABLISHING SURFACE WATER MANAGEMENT RATE (5.5% INCREASE) FOR CITY OF FOREST GROVE, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-52

Staff Report:

Robertson and Downey presented the above-proposed resolution for Council consideration, noting the proposed resolution is requesting to increase the City surface water management (SWM) rate by 5.5 percent (\$0.42 per EDU per month), effective July 1, 2019. Downey reported CWS is requiring jurisdictions to set their own local rates separately from the regional rates, noting staff has prepared a pass-through resolution for Council consideration that allows the City to bill the rates on

behalf of CWS. Downey reported CWS is proposing increases to its regional SWM rate (5.5%) and SWM SDC (\$15 from \$545 to \$560 per EDU), effective July 1, 2019. Downey advised the City's costs are increasing in the SWM Fund due to reallocation of labor costs for Public Works staff based on actual time spent working on SWM activities and two major capital improvement projects (repair a culvert at Hawthorne Street and repair a slide at Forest Glen Park). In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed resolution as outlined in Exhibit A, noting the City's monthly SWM rate will increase from \$7.52 to \$7.94 per month per EDU for a residential customer.

Before proceeding with Public Hearing and Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-28.

VanderZanden read Resolution No. 2019-28 by title.

MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-28 Establishing Surface Water Management Rate for the City of Forest Grove, Effective July 1, 2019, and Repealing Resolution No. 2018-52.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Written Testimony Received:

Mayor Truax referenced the written testimony received, which was noted above.

Proponents:

No one testified and no written comments were received.

Opponents:

Mayor Truax referenced the oral testimony heard, which is noted above.

No one else 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.

13. **RESOLUTION NO. 2019-29 ACCEPTING CLEAN WATER SERVICES SANITARY SEWER UTILITY RATES; SURFACE WATER MANAGEMENT RATES; SURFACE WATER MANAGEMENT SYSTEM DEVELOPMENT CHARGES; AND SANITARY SEWER SYSTEM DEVELOPMENT CHARGES, EFFECTIVE JULY 1, 2019, AND REPEALING RESOLUTION NO. 2018-66**

Staff Report:

Downey presented the above-proposed resolution for Council consider, noting the pass-through resolution is for the purpose of establishing CWS regional rates, effective July 1, 2019. Downey advised City Code 52.01(A), and as governed by the intergovernmental agreement, requires that the City establish CWS rates annually by Council resolution. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider adopting the proposed pass-through resolution, noting the CWS Board of Directors will be considering establishing the regional rates in mid-June as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-29.

VanderZanden read Resolution No. 2019-29 by title.

MOTION: Council President Johnston moved, seconded by Councilor Valfre, to adopt Resolution No. 2019-29 Accepting Certain Clean Water Services (CWS) Sanitary Sewer Utility Rates; Surface Water Management Rates; Surface Water Management System Development Charges; and Sanitary Sewer System Development Charges, Effective July 1, 2019, and Repealing Resolution Nos. 2018-66.

Council Discussion:

In response to various Council concerns pertaining to CWS establishing its rates in mid-June, Downey explained if the rates change, the City is still required to collect the established rates as a pass-through.

Hearing no further 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.

14. **RESOLUTION NO. 2019-30 ACCEPTING THE PUBLIC ARTS COMMISSION (PAC) STRATEGIC PLAN 2019-2021**

Staff Report:

Winters presented the above-proposed resolution for Council consideration, noting the above-proposed resolution is requesting to accept the "Public Arts Commission (PAC) Strategic Plan 2019-2021". Winters reported the PAC used the Strategic Planning in Nonprofits (SPIN) as a tool for developing its Plan, noting the PAC formally approved the Plan on December 13, 2018, for Council consideration. In conclusion of the above-noted staff report, Winters advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A, noting a presentation was made to Council on May 28, 2019.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-30.

VanderZanden read Resolution No. 2019-30 by title.

MOTION: Council President Johnston moved, seconded by Councilor Wenzl, to adopt Resolution No. 2019-30 Accepting the Public Arts Commission Strategic Plan 2019-2021.

Council Discussion:

Rippe advised when the presentation was made on May 28, 2019, he voiced concerns pertaining to Objective, Strategic Priority 2, providing funding to support Professional Development opportunities for artists. Rippe voiced concern that the PAC is currently an advisory committee, and not a nonprofit, noting he needs to understand the PAC's plan, which has not been addressed in the staff report. In response to Rippe's concerns, Winters advised the PAC has not met; however, she will communicate concerns and report back to Council.

Council President Johnston reported the PAC cannot use Community Enhancement Program Grant funds for professional development, noting the PAC has been discussing about starting a foundation.

Uhing concurred that the PAC needs to commit to implementing strategies based on their current status as an advisory committee and not as a non-profit.

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

ROLL CALL VOTE: AYES: Councilors Johnston, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: Councilor Rippe. MOTION CARRIED 6-1.

15. **RESOLUTION NO. 2019-31 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE, A MUNICIPAL CORPORATION OF THE STATE OF OREGON,**

BY AND THROUGH ITS FIRE DEPARTMENT (“GRANTEE”), AND THE FOLLOWING: THE CITY OF HILLSBORO, BY AND THROUGH ITS FIRE DEPARTMENT; THE CITY OF CORNELIUS, BY AND THROUGH ITS FIRE DEPARTMENT; TUALATIN VALLEY FIRE AND RESCUE; BANKS FIRE DISTRICT NO. 13; CORNELIUS RURAL FIRE PROTECTION DISTRICT; FOREST GROVE RURAL FIRE PROTECTION DISTRICT; GASTON RURAL FIRE PROTECTION DISTRICT

Staff Report:

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute an Intergovernmental Agreement (IGA) for Regional Self-Contained Breathing Apparatus (SCBA) as required for applying for the Assistance to Firefighters Grant of \$2,999,000 from the U. S. Department of Homeland Security. Kinkade reported all the above-mentioned jurisdictions are in need of standardized, interoperable replacement apparatus that will protect regional firefighters. The City (Grantee, host) will apply for the grant and will coordinate with all Parties (Subrecipients) for apportion of monies should the grant be awarded. Kinkade noted if successful, the grant will save jurisdictions \$2,726,000. Forest Grove would save approximately \$288,000, with \$32,670 matching cost (10% of which would be split between the City and Forest Grove Rural Fire Protection District), which would allow replacing 45 packs, 105 bottles and 72 masks. In conclusion of the above-noted staff report, Kinkade advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-31.

VanderZanden read Resolution No. 2019-31 by title.

MOTION: Council President Johnston moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-31 Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) Between the City of Forest Grove, a Municipal Corporation of the State of Oregon, by and through its Fire Department (“Grantee”), and the Following: The City of Hillsboro, by and through its Fire Department; The City of Cornelius, by and through its Fire Department; Tualatin Valley Fire and Rescue; Banks Fire District No. 13; Cornelius Rural Fire Protection District; Forest Grove Rural Fire Protection District; Gaston Rural Fire Protection District.

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.

Council President Johnston announced that he would recused himself due to a conflict of interest. Johnston left the dais at 9:56 p.m. and he did not participate in the discussion or vote on Agenda Item 16 below.

16. RESOLUTION NO. 2019-32 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FOREST GROVE, THE CITY OF CORNELIUS, AND THE GASTON RURAL FIRE PROTECTION DISTRICT FOR THE PROVISION OF SHARED LOGISTICS TECHNICIAN SERVICES

Staff Report:

Fire Chief Kinkade presented the above-proposed resolution for Council consideration, noting the proposed resolution is authorizing the City Manager to execute an Intergovernmental Agreement (IGA) for the provisions of shared Logistics Technician Services for the Fire Department. Kinkade reported under the proposed cost formula, Forest Grove would employ a 1.0 FTE logistic technician with total compensation costs shared equitably by the three agencies: Forest Grove will contribute 55%; Cornelius will contribute 35%; and Gaston Rural Fire Protection District will contribute 10%. In conclusion of the above-noted staff report, Kinkade advised staff is recommending Council approve the proposed resolution as outlined in Exhibit A, noting the cost formula was discussed and approved by Forest Grove Budget Committee for Fiscal Year 2019-20.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2019-32.

VanderZanden read Resolution No. 2019-32 by title.

MOTION: Councilor Wenzl moved, seconded by Councilor Rippe, to adopt Resolution No. 2019-32 Authorizing the City Manager to Execute an Intergovernmental Agreement (IGA) Between the City of Forest Grove, the City of Cornelius, and the City of Gaston Rural Fire Protection District for the Provision of Shared Logistics Technician Services.

Council Discussion:

In response to various Council inquiries and scenarios pertaining to Forest Grove's obligations and how the cost formula was determined, Kinkade explained the logistics technician will be an employee of Forest Grove and perform shared services, noting the total compensation, including benefits, were divided based on the workload analysis. Kinkade added he would track actual time spent to determine if the percentages need to be reevaluated and to ensure costs are shared equally among

the three agencies.

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

ROLL CALL VOTE: AYES: Councilors Rippe, Thompson, Uhing, Valfre, Wenzl, and Mayor Truax. NOES: None. ABSTAINED: Council President Johnston. MOTION CARRIED 6-0.

Council President Johnston returned to the dais at 10:01 p.m.

17. CITY COUNCIL COMMUNICATIONS:

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

18. City Manager's Report:

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

19. Mayor's Report:

Due to adjournment, Mayor Truax carried over the above-noted agenda item to the next Council meeting.

20. ADJOURNMENT:

Mayor Truax adjourned the regular Council meeting at 10:10 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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Library Commission approved minutes as presented on date June 11, 2019

1. CALLED TO ORDER AND ROLL CALL:

Pamela Bailey, Chair, called the meeting of the Library Commission to order at 6:30PM on Tuesday May 14, 2019.

Members Present: Pamela Bailey, Chair; Kathleen Poulsen, Vice-Chair; Jon Youngberg; Kirsten Beier; Valyrie Ingram;

Members Absent: Nickie Augustine (excused); Elizabeth Beechwood (excused); Matthew Hampton, Student (excused);

Staff: Colleen Winters, Library Director

Council Liaison: Adolph "Val" Valfre

Others: None.

2. ADDITIONS/DELETIONS: Jon asked for a review of the effects of the recently passed changes to B's & C's on the Library Commission.

3. APPROVE LIBRARY COMMISSION MEETING MINUTES OF Apr 9, 2019:

MOTION: Valyrie moved, seconded by Kirsten, to approve the Apr 9, 2019 minutes as presented. **MOTION CARRIED** by all.

4. CITIZEN COMMUNICATIONS: None.

5. INFORMATIONAL ITEMS:

5a. FOUNDATION REPORT: Colleen Winters shared comments about the activities of the Library Foundation of Forest Grove:

- a) The Foundation board continued to consider the **Memorial Garden Project** and the **Ginsburg Memorial**. Eric Canon has been hired to design and make archway entrance (arbor) to the Memorial Garden, including two benches. Has drawing – site, benches, pathway. Now can work with Parks Dept. Decisions to be made on the placement of the two existing healthy trees.
- b) See the Library Foundation of Forest Grove's web site at: www.fglf.org.

5b. FRIENDS REPORT: Colleen Winters shared comments about the activities of the Friends of the Forest Grove Library:

- a) **Friends Annual Meeting** was held recently. Year's achievements discussed. Officers elected. Marsha Robertson was chosen to be a new board member.
- b) The **Spring 2019 Used Book Sale** was held April 15 – 20, 2019. The \$7255 sales result is considered to be very healthy, if not a record.
- c) **Summer Reading program** to begin very soon. The Friends will pay 100% of library expenses for the Summer Reading Program.
- d) At a recent Friends Board meeting, looked for additional useful ways to spend money at the library (\$14,000 spent last year). Two new items chosen are:
 - 1. **Book Club Kits**. Multiple copies of a book, and a Reader's Guide, all in a white plastic box. The Friends Board has approved purchase of 6 book club kits. Will get those that are not already available at any WCCLS libraries.
 - 2. **"Binge Boxes"**. Themed box of movies. 3 or 4 other WCCLS libraries have them now. Ten "binge boxes" to be purchased at first. Come in a container. No more than 6 "related" movies in a "binge box". Start with "binge boxes" for grown-ups. Will see later if it is desirable to purchase kid-oriented "binge boxes".
- e) The Friends web site is at: fglibraryfriends.org.

5c. COUNCIL LIAISON REPORT: Adolph "Val" Valfre shared comments about the recent activities of the Forest Grove City Council:

- a) Severe rent burden committee meeting was held tonight. Housing needs for community studied. Presentation on Metro bond that passed last year (low income housing). Hoping for Forest Grove to receive some of that.
- b) B's & C's review process was completed, and proposal was passed.
- c) Utility increases going into effect soon. Electricity by 4.6%, water by < 2.5%.
- d) Two budget meetings held, more to be held by end of June.
- e) Washington County Fire departments. Efforts being made to get them to work together more.
- f) Need for new Forest Grove Police Station – education starting – in the next utility bill insert. Will invite city residents to June 22 tours of the current Police Department building.

5d. LIBRARY DIRECTOR'S REPORT: Colleen Winters reported these items:

- a) **Summer Reading program**. Starts June 1 and continues through the end of August. Programs and events for all ages. Expecting close to 2,000 readers again.
- b) **Oregon author Willy Vlautin** – a number of copies of two of his books will be made available for the Summer Reading program. Book discussion groups from July thru Sept on these novels, and hope to create a discovery experience for patrons unfamiliar with Vlautin.
- c) Ariel Yang will be leaving library staff adult reference position June 7, 2019 (Fri). Recruitment options to be decided.

- d)** The library's Teen Library Council hosted the "May the 4th Be With You" party in honor of Star Wars Day on Sat May 4. 120 attendees, many children in costumes. Were able to make light sabers, fight bubbles, and complete Jedi Training (obstacle course). Also visited by members of "Star Wars Oregon". Entire program designed and executed by Teen Library Council (eight teens, ages 13 to 18).
- e)** Nathan and Adriana completed outreach events at two Oregon Child Development Coalition (OCDC) locations. Over 240 bilingual Library Welcome bags were delivered to Head Start families. Bags contained a book, and early literacy and library information.
- f)** Second "Repair Fair in the Grove" event to occur Sat May 18 from 2 to 5PM. Can sign up to bring in items that need fixing – including jewelry, appliances, bicycles.

6. DISCUSSION OF ITEMS:

a) 2019 Library Commission goals. Second draft of document (from our Retreat) examined. One small further change was made. **MOTION:** Valyrie moved, seconded by Kathleen, to approve the 2019 Library Commission Goals, as amended. **MOTION CARRIED** by all.

b) Changes made to City Boards and Commissions. Colleen mentioned the most important effects on the Library Commission:

1. Library Commission members will (eventually) serve four-year terms, after a transition period or process changing from our current two-year terms. The Library Commission had asked for this!
2. Will be a 48-consecutive-month term limit for officers (Chair and Vice-Chair) serving a board or commission.
3. Will be a new Bylaws template. So, each board and commission will be expected to review and possibly update its Bylaws document.
4. There will no longer be a Secretary officer for a board or commission.
5. Regarding meeting minutes – there may be a template for minutes documents. A volunteer can be chosen to take meeting notes and produce minutes. But Colleen will need to see, check, and approve the minutes.

c) 110th Anniversary of the founding of the Forest Grove City Library in 2019. Colleen wants to hold a month-long birthday party for our library in October 2019. The Friends have offered to pay expenses.

First week: Local Oregon author Willy Vlautin will appear at a reception and author event Thurs Oct 3, 2019. An invitation-only reception?

Second week: Memorial Garden and Ginsburg Memorial dedication

Third week: Fall Used Book Sale – Oct 21 thru Oct 26, 2019.

Fourth week: Community Party with various events planned. Community can participate during the party: contests, events, activities, etc., planned by staff.

Colleen wants the Library Commission to do something – a day publicized – get a treat or a gift like a fancy bookmark. Colleen wants the Library Commission to start thinking about this.

d) Reservation Guidelines for Study – Meeting Spaces. This was the result of a library staff “in-service day” break-out session. A one-page guidelines document was reviewed by the Library Commission. The commission was in favor of the plan. As it was not a change in policy, but a new guidelines document, no vote was taken.

Questions: Increase of staff time needed to implement the guidelines? (yes). Able to have standing weekly or daily room reservations? (not sure). How will staff get someone to leave when their time is up? (notify, not require).

Colleen mentioned that the current honor system has been in place for 12 years, and that library patrons have been nice about this until recently, when there has been increased demand for meeting rooms. Not comfortable allowing the Stewart History Room as a study room. Rolling these guidelines out as a trial program over several months. Pilot program to be run over a 6-month period. Can adjust the guidelines later.

7. ANNOUNCEMENT OF NEXT MEETING:

The next Library Commission meeting will be held on Tuesday June 11, 2019 at 6:30PM, in the Library’s Rogers Room.

8. ADJOURNMENT:

Hearing no further business, Chair Bailey adjourned the meeting at 8PM.

Minutes respectfully submitted by:

Colleen Winters, Library Director
Jon Youngberg, minute-taker

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, MAY 15, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 1 OF 3**

1) ROLL CALL:

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

2) CITIZEN COMMUNICATIONS: None**3) APPROVAL OF MINUTES: The minutes of the April 17, 2019 meeting were approved.****4) ADDITION/DELETIONS: None****5) OLD BUSINESS:****a) Bike Hub Rogers Park**

- i) The informational kiosk will be placed at Rogers Park, which is a good central location with a bathroom, water and shelter.
- ii) There will be another informational kiosk place at Fernhill Wetlands.
- iii) The kiosk states what's there, where to find other amenities and how to access on-line information. (ridewithGPS.com)
- iv) A repair station will be installed by the Plaid Pantry on Elm and 19th. The bike shop across the street makes it a good choice.

b) Rogers Park

- i) Restroom
 - i) The restroom should arrive and be installed the first week of June.
 - ii) The infrastructure is in place. This includes the sewer, water and electrical.
- ii) Anna/Abby's Yard
 - i) The project came in \$750,000 higher than expected, so a 12 person conference call determined some project reductions.
 - (i) Some items were taken out of the plan.
 - (ii) The goal is to make the playground whole.
 - (iii) Add alternates for all the other elements. (Seven pages of items.)
 - ii) There are only 6 pre-qualified contractors in the Portland area and all are committed to other projects for this summer, which affected our numbers.
 - iii) We are still working on a finished 100% drawing.
 - iv) The plan now is to go out to bid in December and start construction in early March and finish by June.
 - v) Clean Water Services won't issue permits until after the drawings are complete.
 - vi) The tennis court conversion is off the table for now. We will deep clean it.
 - vii) MIG is producing nice signage with images showing what's to come.
- iii) Harper's Playground
 - i) They pledged \$350,000 and \$248,000 has been raised so far.
 - ii) They are producing a catalog of elements for donors to support.
 - iii) TTM is fundraising and the employees want more connection to the community and want to have a presence in Forest Grove.

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, MAY 15, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 2 OF 3**

- iv) Harper's has a connection with the Timbers and they will be rolling out a special Timbers scarf on Saturday, May 25 at Diversity Café. The cost will be \$25.

c) Veterans Memorial Park

- i) Councilor Rippe shared his experience in the creation of a Veteran's memorial park in Cedar Falls, Iowa. They sold bricks for \$50 a piece and received in kind donations from various contractors.
- ii) He advised forming a small sub-committee to determine what we want with a couple of representatives from the commission and some community members.
- iii) A Veteran's memorial park is on the list of Councils goals and objectives.
- iv) The Recreation Commission will notify the Council that they are "in support of a veteran's park and the creation of a sub-committee.

6) NEW BUSINESS:

a) Pool Rules/Swim Wear Policy

- i) After a new swim wear policy was released some local youths spoke at a City council meeting and stated they felt the policy was sexist.
- i) The wording was taken from the policy used in Washington D.C.
- ii) The Recreation Commission will be asked to weigh in on a new policy.
- iii) The City Attorney will be consulted about the legality in implementing a new policy.

b) R.F.P. Projects/Next Up

- i) The current conditions of Lincoln Park, Stites Property, AT Smith House and the pool are being evaluated.
- ii) A tent will be set up with displays at the Farmers Market on June 5. We will be taking comments from the public.
- iii) The consultants received input from the Community Garden Organization, Adelante Mujeres, the school district and the swim club.

c) C.E.P. Grant

- i) Our application for a grant for signs was denied. The Council feels signs should come from other funding sources.

7) COMMISSIONER'S REPORTS: None

8) COUNCIL LIAISON REPORT: None

9) STAFF REPORTS:

a) Matt:

- i) Work on the big dog park is moving along. It was vandalized, so things will take a little longer. The trees are in on 28th. New play equipment will be rolled out over summer and fall. There will be a regular maintenance and irrigation schedule.
- ii) The Parks crew is finishing up their "need to do list" in the parks.

b) Tom:

- i) Clean Water Services will be doing a stream enhancement project on the B Street trail from mid-August to mid-September. The bridge will be closed during this time.

**PARKS AND RECREATION COMMISSION REGULAR MEETING
WEDNESDAY, MAY 15, 2019
COMMUNITY AUDITORIUM CONFERENCE ROOM
PAGE 3 OF 3**

- ii) City Council approved the changes to Commission Rules and Procedures.
- iii) There will be several baseball tournaments at Lincoln Park this year, NW Nations and Forest Grove Youth Baseball.
- iv) The track at Lincoln will be closing June 24 for about one month for resurfacing.
- v) The practice field should be ready for use later this week.
- vi) The pool will be closed for 3 weeks in September while we refinish the locker room floors and the bottom of the activity pool.
- vii) Skyhawks Sports Camps will be running again this summer with a few new offerings including futsal and lacrosse.
- viii) Work will be done on the Forest Glen Park slide this summer. The project is going out to bid today.

10) ANNOUNCEMENT OF NEXT MEETING: The next meeting will be Wednesday, June 19, 2019 at 7:00 a.m.

11) ADJOURNMENT: The meeting was adjourned at 8:30 a.m.

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**Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, June 3rd, 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 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; Cassi Bergstrom, Planning Commission Coordinator

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) File No. 311-19-000005-PLNG –Comprehensive Plan Map Amendment and Development Code Zoning Map Amendments to re-designate and rezone one parcel from Neighborhood Commercial to Town Center Transition

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. Commissioner Nakajima disclosed that the property owner frequents her business, and no challenges to her disclosure.

Chair Beck stated for the record that the Planning Commission considers issues of land use, not of personalities in response to a letter of correspondence that was received as part of the file. Mr. Reitz stated that the City Attorney was consulted regarding the correspondence, and the city was advised against redacting the correspondence due to it being part of the record.

James Reitz, Senior Planner, gave a summary of the location of the property and the fact this is a city-initiated application due to the spot-zoning of the parcel. Archived findings were looked at, and the city is not able to determine why the

property was zoned Neighborhood Commercial and the property surrounding zoned as Town Center Transition. The property is located within the Clark Historic District.

Staff recommends that the Planning Commission forward the application to rezone the one parcel from Neighborhood Commercial to Town Center Transition to City Council with a positive recommendation.

CORRESPONDENCE:

There were two letters of correspondence received: One letter in opposition and a letter in support from the property owner of the parcel being re-designated.

APPLICANT:

None.

PROPONENTS:

Joey Tretter, 1836 Cedar Street, Forest Grove, OR 97116:

Mr. Joey Tretter explained to the Commissioners that he bought the house in 2008, and was not aware of the zoning change. He is currently trying to build a garage on his property and has been stopped by the city. Mr. Tretter stated that he had no idea he would have to deal with this process.

Rex Brown, 1804 Cedar Street, Forest Grove, OR 97116:

Mr. Rex Brown came forward, and told the Commissioners that he has two properties located nearby the parcel being re-zoned tonight. Mr. Brown has no problem with the garage being proposed by Mr. Tretter, but is concerned about his garages being not in compliance if a fire or something happened to the garages that are on the property line.

Mr. Reitz explained that Mr. Brown's property is located within a different zoning district of Residential Multifamily High, and the garages would be required to have a setback of 5 feet from the foundation to the property line. Staff can make an adjustment of 4 feet depending on the need.

OPPONENTS:

None.

OTHER:

None.

REBUTTAL:

None.

Chair Beck closed the public hearing at 7:16 p.m.

COMMISSIONER DISCUSSION:

Commissioner Nakajima agreed with staff recommendation, and the application is straight forward.

Vice Chair Ruder moved to make a positive recommendation to City Council to approve file No. 311-19-000005-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone one parcel from Neighborhood Commercial to Town Center Transition. Commissioner Nakajima seconded the motion.

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

Mr. Tretter inquired when he could begin work on his garage, and Chair Beck stated that the motion will need to go forward to City Council for two hearings prior to being approved for final re-designation. The Planning Commission does not have the power to issue a building permit.

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 May 6th, 2019 meeting. Commissioner Sanderson seconded. Motion passed 5-0.

B. REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:

None.

C. DIRECTOR'S REPORT:

Mr. Bryan Pohl gave the update, stating there will be some discussion with City Council regarding sheltering issues.

The Dollar General site plan and design review will come to the Planning Commission on June 17th, and this has been a controversial topic so Mr. Pohl reminded the Commissioners to respect the ex parte contact rules.

House Bill 2001 was referred to the Ways and Means Committee, and will trigger legislative process for the city in order to become compliant. It is also known as the "Missing Middle Housing" bill, densifying the single family zoning districts within

certain cities determined by population. More information will be available in the next coming months.

Mr. Pohl gave an update on the Town Center parking study, conducted by Lancaster Engineering. The study has been pushed to August in order to get the most optimal data as that will be peak demand for the university.

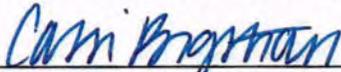
D. ANNOUNCEMENT OF NEXT MEETING:

The next meeting is scheduled for June 17th, 2019.

E. ADJOURNMENT:

The meeting was adjourned at 7:31 p.m.

Respectfully submitted by:



Cassi Bergstrom
Planning Commission Coordinator

3F

MINUTES APPROVED BY THE PAC ON JUNE 13, 2019

Commission Members Present: Linda Taylor, Dana Eytzen, Laura Frye, Amy Tracewell, Kathy Broom, Pat Truax, Kathleen Leatham, Michael Goetzke. **Excused:** Emily Lux. **Council Liaison Excused:** Tom Johnston. **Staff Present:** Tom Gamble **Staff Liaison Excused:** Colleen Winters. **Guest(s):** Anne Kennedy

1. CALL TO ORDER: By Dana Eytzen at 5:00 pm.

2. CITIZEN COMMUNICATION: None

3. APPROVAL OF PAC MEETING MINUTES: • Motion to approve April meeting minutes made by Pat. Laura Seconded. Motion carried, unanimously.

4. ADDITIONS/DELETIONS • Remove CALC Painting Mini-Grant from Agenda. Add PAC Marketing/Advertising discussion. Add Judging pictures for Historic Landmarks Board.

5. DISCUSSION/DECISION ITEMS:

A. Mini-Grant Consideration:

- Anne Kennedy submitted a grant request for \$500 for Musicville for young children – July 29 - August 11, 2019. They are requesting funds to help pay for the performance royalties and scripts for 5 performances of "Musicville"
- Anne Kennedy submitted a grant request for \$500 for Anything Goes, Young Performers Edition" for kids ages 11-18 to be performed in August 12-August 25, 2019. They are requesting funds to help pay for the performance royalties and scripts for 5 performances of "Anything Goes, Young Performers Edition"
- Anne Kennedy submitted a grant request for \$500 for Technical Theatre Intensive workshop. This is for 12 and older. 16-20 students that will learn the technical side of theatre. They are requesting funds to help pay for staffing and supplies for the technical intensive workshop.
- Motion by Laura to approve Technical Theatre Intensive Mini-Grant for \$450.87 from CEP grant and the remaining \$49.13 to be from Discretionary Funds. Kathy Seconded. Motion carried, unanimously.
- Motion by Laura to approve Musicville Mini-Grant for \$500 from Discretionary Funds. Linda Seconded. Motion carried, unanimously.
- Motion by Laura to approve Anything Goes Mini-Grant for \$500 from Discretionary Funds. Linda Seconded. Motion carried, unanimously.

B. CALC mini-grant request withdrawn

C. Historic Landmarks Board Photo Contest:

- Judged entries in Historic Landmarks Board Photo Contest with a winner picked for each category.

D. Strategic Plan Objectives Updates

- Pop Up Shows Update – The show is planned for Saturday, October 12. The theme will involve the history of indigenous people in the Forest Grove Area

- Professional Development Update – Professional Development Fund will support opportunities for professional artistic skill development (one-time award per artist). Applicants may request up to \$2,000. Funding will be available twice each year (February and September).
- Meet the Artist Update – Forest Grove News Times will be writing an article about the upcoming Meet the Artists events. Marketing material has been created for the event with Emily Lux and Angenette Escobar.
- Marketing Plan Update – A work session is scheduled for the June meeting to discuss marketing mission statement rollout and the general marketing plan.

6. INFORMATION ITEMS • Finance Report: The financial report was reviewed. Pat made motion to spend the remaining \$20 from CEP Advertising on Facebook. Linda Seconded. Motion carried, unanimously.

7. COMMISSION COMMUNICATION • Sesquicentennial: Linda brought up the Open House on June 2nd from 2 pm to 6 pm at the Green Grove Cohouse.

8. STAFF COMMUNICATION • None.

9. COUNCIL LIAISON COMMUNICATION: None.

10. ADJOURNMENT: Dana Eytzen adjourned the meeting at 6:16 pm.

Respectfully Submitted by Michael Goetzke



A place where families and businesses thrive.

36

CITY RECORDER USE ONLY:

AGENDA ITEM #: _____

MEETING DATE: _____

FINAL ACTION: _____

LIQUOR LICENSE RECOMMENDATION

BUSINESS NAME / INDIVIDUAL: Bon Appetit Management Company

Legal Dept: 2400 Yorkmont Rd, Charlotte, NC 28217

BUSINESS LOCATION ADDRESS: 2043 College Way – Pacific University

LIQUOR LICENSE TYPE: Limited On-Premises Sales

CITY BUSINESS LICENSE: BL-

1. TYPE OF LICENSE:		2. LICENSE FEE:	
F-COM – Full On-Premises Sales	X	L – Limited On-Premises Sales	\$100.00 New Application
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
FULL ON-PREMISES SALES	X	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.	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

6/13/2019
Date



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

3. Applicant #1 Bon Appetit Management Co. (Master File)		Applicant #2	
Applicant #3		Applicant #4	
4. Trade Name of the Business (Name Customers Will See) Bon Appetit @ Pacific University			
5. Business Address (Number and Street Address of the Location that will have the liquor license) 2043 College Way			
City Forest Grove	County Washington County	Zip Code 97116	
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO License No. 290572 held by Aramark Educational Services, LLC			
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) Attn: Legal Department, 2400 Yorkmont Road			
City Charlotte	State North Carolina	Zip Code 28217	
9. Phone Number of the Business Location TBD	Email Contact for this Application [REDACTED]		
Contact Person for this Application DUKE TUFTY		Phone Number [REDACTED] (NO SOLICITATIONS)	
Mailing Address [REDACTED]	City PORTLAND	State OR	Zip Code 97213

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] EVP + Sec.

 (Applicant #1) (Applicant #2)

 (Applicant #3) (Applicant #4)



**OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION**

Please Print or Type

Applicant Name: Bon Appetit Management Co. Phone: _____

Trade Name (dba): Bon Appetit @ Pacific University

Business Location Address: 2043 College Way

City: Forest Grove ZIP Code: 97116

DAYS AND HOURS OF OPERATION

We will be in charge of catering the University's events when they take place.

Business Hours:

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

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: Days and hours are subject to client request.

ENTERTAINMENT

Check all that apply:

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

DAYS & HOURS OF LIVE OR DJ MUSIC

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

SEATING COUNT

N/A - Depends on client event

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: 5.28.19

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)



POLICE STATION OUTREACH PROGRAM

PAUL DOWNEY
JANIE SCHUTZ

POLICE STATION OUTREACH PROGRAM

Timeline including:

- Milestones
- Public Outreach Events
- Community Events

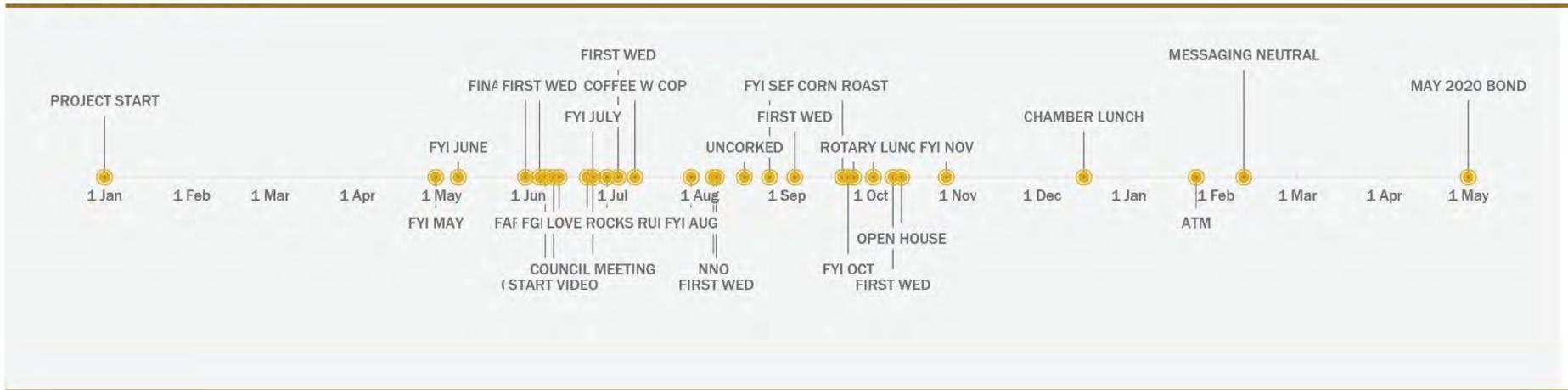
Script to inform:

- Video
- Website
- Collateral

PROJECT TIMELINE

(Based on potential May, 2020 bond)

PROJECT TIMELINE



COLLATERAL

RACK CARD

FOREST GROVE POLICE STATION

A glimpse into our current police station

The City is considering building a new police station. Forest Grove has grown from 11,000 residents in 1978 to over 24,000, increasing the needs of the community and the burdens placed on the police station.

PAST, PRESENT, FUTURE

1978

The current station was built. It no longer adequately serves the needs of our community.

2019

The department has doubled in size, resulting in substandard and overcrowded working conditions.

2059

The new station would be double the current station's size and enable a more productive environment for police to protect our community.

CHALLENGES

The department stores 6,000+ items of evidence, including drugs and firearms. Space is limited, so much of the evidence is stored in outdoor areas with no climate control.

6K

1

The station has one interview room. The same room designed for interviewing criminal suspects is undesirable for interviewing citizens disclosing personal information, including children and victims of domestic violence and sexual assault.

The station does not have an appropriate place to hold juvenile offenders. Minors are placed in open areas and conference rooms, hampering police productivity and interrupting operations. It is also difficult to separate juvenile offenders from adult offenders.

0



It is common for the lobby to be occupied by victims, offenders, and individuals seeking assistance. A victim reporting a crime may be overheard by an offender who is picking up property or updating their registration.



The patrol room — where officers write reports, perform briefings, conduct follow up interviews, investigate crime — only has four workstations in an area that may be occupied with as many as 10 officers. This impedes productivity and could result in delays resolving cases.



The new police station would require a general obligation bond to pay for it, approved by City Council and the residents of Forest Grove.

To learn more about this project, please visit us at www.forestgrove-or.gov/station

1824 Council Street
Forest Grove, OR
97116
503.992.3200



DRAFT
PDF Page 77

FLYER

FOREST GROVE POLICE STATION



WHAT

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HOW MUCH

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DRAFT



INADEQUATE STORAGE SPACE FOR EVIDENCE

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RESPECT FOR VICTIMS AND THEIR FAMILIES

Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat. Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur.

MEETING THE CITY'S NEEDS IN FUTURE DECADES

Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat. Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur.

VIDEO

- Informed by the public opinion poll
- Features Chief Schutz and Mayor Truax
- Produced by TVCTV
 - TVCTV has done like projects in other cities
 - Completion scheduled in July
 - Will be posted to website and social media

WEBSITE

- Information based on video and collateral
- Similar page layout as current site
- Hosted by Municode
- Features video produced by TVCTV

QUESTIONS?

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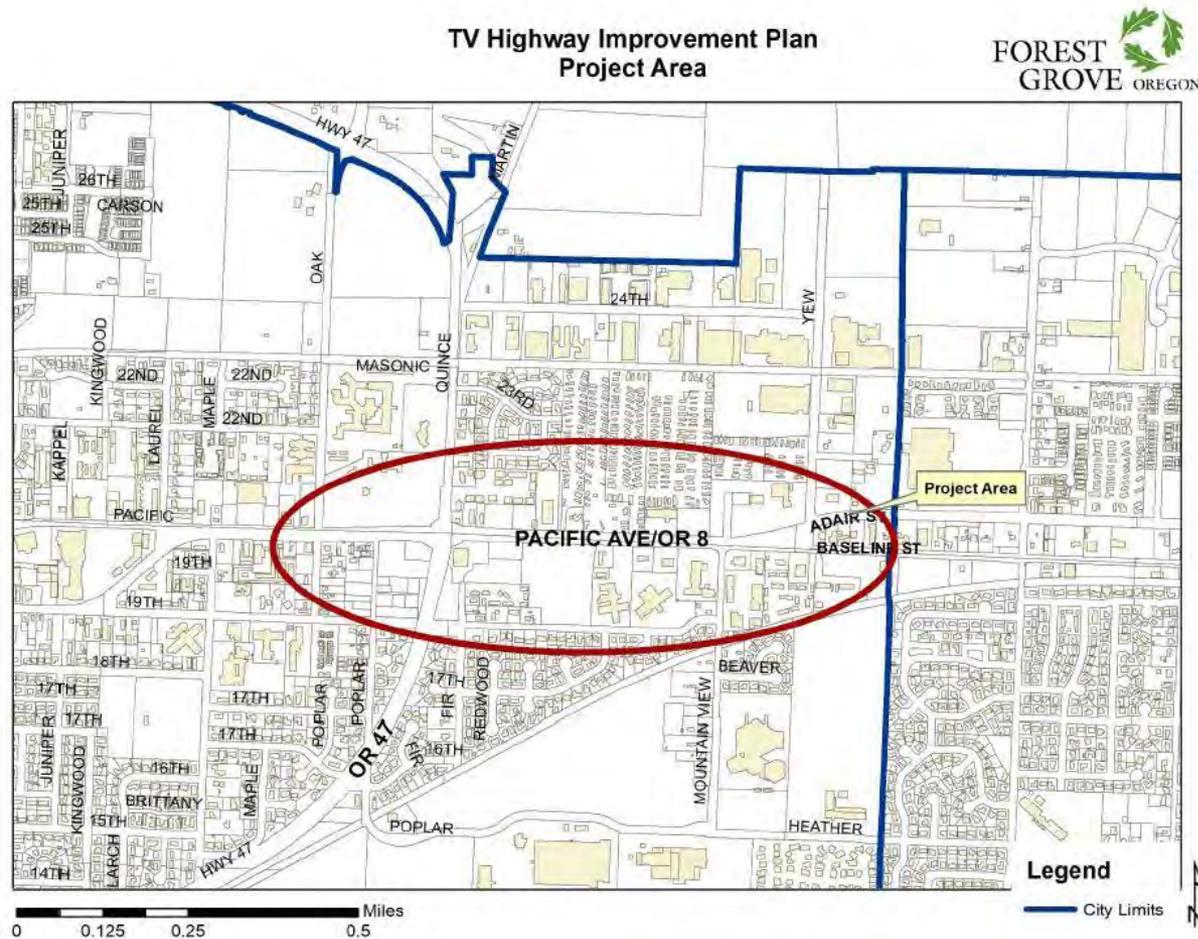


TV HIGHWAY IMPROVEMENT PLAN

Community Development
Department

PURPOSE OF PRESENTATION

- Tonight's presentation will update Council on the TV Highway Improvement Plan.



BACKGROUND

- ❑ The TV Highway Improvement Plan (Plan) is intended to identify ways to improve travel along the corridor including:
 - ❑ Safe and reliable travel for all users.
 - ❑ Better access to transit.
 - ❑ Walking and bicycling improvements.

- ❑ Recommendations for better streetscape is also part of the project.

BACKGROUND

- ❑ The Plan is a partnership between the Oregon Department of Transportation and the City of Forest Grove.
- ❑ ODOT is funding consultant assistance.
- ❑ The City will provide in-kind support to the project including necessary City staff assistance.



THE PROJECT

- ❑ The consultant team has expertise in:
 - ❑ Transportation engineering;
 - ❑ Streetscape and urban design;
 - ❑ Public involvement;
 - ❑ Traffic safety analysis;
 - ❑ Cost estimating; and
 - ❑ ODOT permitting.

The logo for Jacobs, featuring the word "JACOBS" in a bold, blue, sans-serif font with a registered trademark symbol.The logo for DKS, consisting of the letters "DKS" in a white, bold, sans-serif font centered within a solid black square.

THE PROJECT

- ❑ The goal of the plan is to identify targeted improvements that can be made over time.
- ❑ This approach will help position the City for grant funding opportunities.



PARTNERS

- ❑ A Technical Advisory Committee (TAC) is being formed to assist the project.

- ❑ Key partners invited include:
 - ❑ ODOT;
 - ❑ Washington County;
 - ❑ TriMet;
 - ❑ Ride Connection;
 - ❑ City of Cornelius; and
 - ❑ Centro Cultural



COMMUNITY INVOLVEMENT

- ❑ The consultant team is now working on a community involvement plan.
- ❑ The involvement plan will be presented to the Committee for Community Involvement for feedback.



COMMUNITY INVOLVEMENT

- ❑ The involvement plan is expected to include (at a minimum):
 - ❑ Attendance at community gatherings;
 - ❑ One-on-one and small group meetings;
 - ❑ Project specific community events;
 - ❑ Website; and
 - ❑ An online survey.

- ❑ Outreach will be conducted in English and Spanish.



NEXT STEPS

- ❑ Between now and the end of fall we expect to:
 - ❑ Launch the website.
 - ❑ Begin the assessment of needs, gaps and safety issues.
 - ❑ Start gathering input from project area stakeholders.

- ❑ In 2020, we will bring forward for Council and Planning Commission feedback:
 - ❑ Proposed design solutions;
 - ❑ Implementation strategy; and
 - ❑ Funding plan.

The End

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>6.</u>
MEETING DATE:	<u>06/24/2019</u>
FINAL ACTION:	<u>2nd Reading: ORD 2019-05</u>

CITY COUNCIL STAFF REPORT

SECOND READING:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

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

SUBJECT TITLE: *Public Hearing; Second Ordinance Reading to Amend the Development Code*

ACTION REQUESTED: Ordinance Order Resolution Motion Informational
X all that apply

ISSUE STATEMENT: At the June 10, City Council hearing, staff was asked to investigate the state statute definition of Recreational Vehicle Park. Furthermore, staff was asked whether or not the recreational vehicles parked at the Elks Lodge (2810 Pacific Avenue) would fall within that definition.

STATUTORY DEFINITION: Per ORS 197.493 *Placement and occupancy of recreational vehicle(s)*, the definition of Recreational vehicle park is as follows –

(2) “Recreational vehicle park”:

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

- (A) The renting of space and related facilities for a charge or fee; or
- (B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

- (A) An area designated only for picnicking or overnight camping; or
- (B) A manufactured dwelling park or mobile home park.

CONCLUSION: As two or more recreational vehicles are located within 500 feet of one another on the lot at 2810 Pacific Avenue, and those spaces are made available to Elks Lodge patrons, staff concludes that the use would be defined as a recreational vehicle park.

RVs were present on the site before 2009. (The same is true of the RVs parked at 2829 Pacific Avenue.) The zoning ordinance in effect before 2009 did not specifically regulate RV parks in any way. Staff consulted with the City Attorney, who observed that “Because both parks were established before the City had any zoning code provisions regulating RV parks, they are “grandfathered” – i.e. valid nonconforming uses and/or nonconforming structure(s).”

New RV parks would be conditional uses in the Community Commercial zoning district, where both sites are located. They would be reviewed under DC Section 17.5.500 et. seq. *Recreational Vehicle Parks*.



ORDINANCE NO. 2019-05

**ORDINANCE AMENDING FOREST GROVE DEVELOPMENT CODE
ARTICLES 1 INTRODUCTION AND PROCEDURES, 2 LAND USE REVIEWS,
3 ZONING DISTRICTS, 5 SPECIAL PROVISIONS, 7 MISCELLANEOUS
PROVISIONS, 8 GENERAL DEVELOPMENT STANDARDS, AND 12 USE
CATEGORIES AND DEFINITIONS; AND REPEALING ORDINANCE NO. 2009-08;
FILE NUMBER 311-19-000002-PLNG**

WHEREAS, the Development Code was adopted in 2009 and needs periodic updating to reflect changes in local, regional and state policies, codes and definitions; and

WHEREAS, the City also desires to make amendments to the Development Code to update procedures and review standards; and

WHEREAS, notice of the proposed amendments was provided to the Department of Land Conservation and Development on March 29, 2019; and

WHEREAS, the Planning Commission held a Public Hearing on the proposed amendments on May 6, 2019; and

WHEREAS, the Planning Commission adopted Planning Commission Findings and Decision Number 2019-06 recommending approval of the proposed amendments; and

WHEREAS, the City Council held a duly-noticed Public Hearing on the proposed ordinance on June 10, 2019, and continued the hearing on June 24, 2019.

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

Section 1: The City Council of the City of Forest Grove hereby repeals Ordinance No. 2009-08, re "Domesticated Fowl".

Section 2: The City Council of the City of Forest Grove hereby adopts the text amendments to Development Code Article 1 *Introduction and Procedures*, 2 *Land Use Reviews*, Article 3 *Zoning Districts*, Article 5 *Special Provisions*, Article 7 *Miscellaneous Provisions*, Article 8 *General Development Standards*, and Article 12 *Use Categories and Definitions* as shown on Exhibits A and B.

Section 3: The City Council hereby finds that the proposed amendments are consistent with and meet the provisions of Development Code §17.2.630 *Review Criteria Pertaining to Zoning Text Amendments* as shown on Exhibit C.

Section 4: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading this 10th day of June, 2019.

PASSED the second reading this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

EXHIBIT A
ORDINANCE NO. 2019-05

CITY OF FOREST GROVE DEVELOPMENT CODE

INTRODUCTION AND PROCEDURES

17.1.810 PENALTY

- A. ~~A violation of this Code shall constitute a Class 1 civil infraction, which shall be processed according to the procedures, established in the Forest Grove Municipal Code.~~

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to §10.99 of this code of ordinances.

- B. Each violation of a separate provision of this Code shall constitute a separate infraction, and each day that a violation is committed or permitted to continue shall constitute a separate infraction.
- C. A finding of a violation of this Code shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the City.
- D. If a firm or corporation violates a provision of this Code, the officer or officers, or person or persons responsible for the violation shall be subject to the penalties imposed by this section.

ZONE CHANGE

17.2.770 REVIEW CRITERIA

- 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~~ Classification 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.

RESIDENTIAL ZONES

17.3.100 PURPOSE

The City of Forest Grove has established ~~five~~ six residential zones to implement the Residential designations of the Comprehensive Plan....

17.3.120 USE REGULATIONS

TABLE 3-2 Residential Zones: Use Table

USE CATEGORY	SR	R-10	R-7	R-5	RML	RMH
RESIDENTIAL						
Household Living	P	P	P	P	P	P
Group Living	L ^[1]					
Transitional Housing	N	N	N	N	C	C
Home Occupation	L ^[2]					
Bed and Breakfast	L ^[3]					
HOUSING TYPES						
Single Units, Detached	P	P	P	P	P	L ^[4]
Single Units, Attached	L ^[5]	L ^[5]	L ^[5]	L ^[5]	P	P
Accessory Units	L ^[6]					
Duplexes	L ^[5]	L ^[5]	L ^[5]	L ^[5]	P	P
Manufactured Homes	L ^[7]					
Manufactured Home Park	N	C	C	C	C	C
Multi-Family Units	N	N	N	N	P	P
OTHER						
Agriculture / Horticulture	L ^{[11]††2}	N				
Cemeteries	P	P	P	P	N	N
Detention Facilities	N	N	N	N	N	N
Mining	N	N	N	N	N	N
Wireless Communication Facilities	L ^{††3} [12]					
Self-Service Storage	N	N	N	N	N	N
Information Centers	N	N	N	N	N	N
Office	N	N	N	N	N	N

P P = Permitted L = Limited C = Conditional Use N = Not Permitted

Footnotes:

- [1] Group living
- [2] Home occupation...
- [3] Bed & Breakfast Inn limited to ~~three (3)~~ five (5) guest rooms in the SR, R-10, R-7, R-5 and RML zones and ~~twenty seven (27)~~ ten (10) guest rooms in the RMH zone, subject to compliance with the Bed & Breakfast Inn standards in Article 7.
- [4] To preserve RMH land...
- [5] For subdivision of twenty (20) or more lots...
- [6] Accessory dwelling units – including manufactured homes - are allowed in conjunction with a single-family dwelling in any residential zone, subject to compliance with the accessory dwelling unit standards in Article 7. Manufactured home ADUs are prohibited in historic districts.
- [7] Manufactured homes on individual lots...

- [8] Commercial recreation uses...
- [9] A day care facility...
- [10] A neighborhood store...
- [11] Agriculture uses such as truck farming ... and buildings and the keeping of livestock and poultry (other than ordinary household pets, ~~and domesticated fowl as identified in footnote (12))~~ are not permitted.
- [12] ~~Domesticated fowl are allowed in single family residences primarily for personal use. Domesticated fowl are allowed subject to these conditions.~~
 - ~~(a) Up to 4 adult fowl over 6 months of age may be kept on any lot with a minimum area of 5,000 square feet. One additional adult fowl shall be permitted for each 2,000 square feet of additional lot area, up to a maximum of 12 fowl.~~
 - ~~(b) No roosters shall be permitted.~~
 - ~~(c) Animal waste matter shall not be allowed to accumulate.~~
 - ~~(d) All animal food shall be stored in metal or other rodent proof containers.~~
 - ~~(e) Fencing shall be designed and constructed to confine all animals to the owner's property.~~
 - ~~(f) All structures that house fowl shall be located at least 20 feet from all residences (except the animal owner's).~~
 - ~~(g) All structures that house fowl shall be located at least 5 feet from any side or rear property line.~~
- [13] [12] Wireless communication facilities...

17.3.130 RESIDENTIAL ZONE DEVELOPMENT STANDARDS

H. Setback Standards

TABLE 3-7: Setback Requirements

Front Yard, Dwelling ^[1, 2]	20 feet (possible reduction to 14 feet)
Front Yard, Garage	20 feet
Interior Side Yard ^[3, 4]	Either 5 feet or 1 foot for each 3 feet of building height, whichever is greater
Corner Side Yard	Same as front yard
Rear Yard ^[5, 6]	15 feet or 2 feet for every 3 feet in building height at the eave line, whichever is greater.

Footnotes:

- [1] The front yard setback...
- [2] On an infill lot...
- [3] The side yard setback ...
- [4] Accessory buildings (including accessory dwellings and detached garages) that do not exceed one (1) story in height ~~may~~ shall not be located closer than ~~on or within~~ five (5) feet to any of an interior side yard property line or a rear property line.
- [5] Attached garages...
- [6] A larger rear yard setback ...

COMMERCIAL AND MIXED USE ZONES

17.3.320 USE REGULATIONS

TABLE 3-10: Commercial and Mixed Use Zones Use Table

USE CATEGORY	NC	CC	NMU
RESIDENTIAL Household Living	L ^[1]	L ^[2]	P/L ^[13] [14]

Group Living	N	P	N
Transitional Housing	N	C	N
Home Occupation	<u>L^[3]</u>	<u>L^[3]</u>	<u>L^[3]</u>
Bed and Breakfast	<u>L^[4]</u>	P	<u>L^[4]</u>
HOUSING TYPES			
<u>Single Units, Detached</u>	<u>N</u>	<u>N</u>	<u>L^[18]</u>
<u>Single Units, Attached</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Accessory Units</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Duplexes</u>	<u>N</u>	<u>P</u>	<u>P</u>
<u>Manufactured Dwellings</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Manufactured Dwelling Park</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Multi-Family Units</u>	<u>P</u>	<u>P</u>	<u>P</u>
CIVIC / INSTITUTIONAL			
Basic Utilities	P	P	P
Major Utility Transmission Facilities	C	C	C
Colleges	N	C	N
Community Recreation	N	P	<u>L^[16][15]</u>
Cultural Institutions	P	P	<u>L^[16][15]</u>
Day Care	P	P	<u>L^[16][15]</u>
Emergency Services	C	C	<u>L^[16][15]</u>
Postal Services	C	P	<u>L^[16][15]</u>
Religious Institutions	C	P	<u>L^[16][15]</u>
Schools	C	C	<u>L^[16][15]</u>
Social/ Fraternal Clubs / Lodges	C	P	<u>L^[16][15]</u>
COMMERCIAL			
Commercial Lodging	N	<u>L^[5]</u>	<u>L^[16][15]</u>
Eating and Drinking Establishments	<u>L^[6]</u>	P	<u>L^[16][15]</u>
Entertainment – Oriented:			
- Major Event Entertainment	N	N	N
- Outdoor Entertainment	N	N	N
- Indoor Entertainment	N	P	<u>L^[16][15]</u>
General Retail:			
- Sales – Oriented	<u>L^[7]</u>	<u>L^[7]</u>	<u>L^[16][15]</u>
- Personal Services	P	P	<u>L^[16][15]</u>
- Repair – Oriented	P	P	<u>L^[16][15]</u>
- Bulk Sales	N	P	N
- Outdoor Sales	<u>L^[8]</u>	<u>L^[8]</u>	<u>L^[16][15]</u>
- Animal – Related	N	P	N
Medical Centers	N	<u>L^[12]</u>	N
Motor Vehicle Related:			
- Motor Vehicles Sale / Rental	N	<u>L^[9]</u>	N
- Motor Vehicle Servicing / Repair	N	P	<u>L^[17][16]</u>
- Motor Vehicle Fuel Sales	<u>P^[10]</u>	P	N
Non-Accessory Parking	N	P	N
Office	<u>L^[18][17]</u>	<u>L^[18][17]</u>	<u>L^[16][18]</u> [17]
Self-Service Storage	N	C	N

INDUSTRIAL			
Industrial Services	N	N	N
Manufacturing and Production:			
- Light Industrial	N	C ^[11]	N
- General Industrial	N	N	N
- Medical and Recreational			
Marijuana Processors and Production	N	N	N
Railroad Yards	N	N	N
Research and Development	N	N	N
Warehouse / Freight Movement	N	N	N
Waste – Related	N	N	N
Wholesale Sales	N	N	N
OTHER			
Agriculture / Horticulture	L ^[44]	L ^[44]	L ^[44]
Cemeteries	N	N	N
Detention Facilities	N	N	N
Mining	N	N	N
Wireless Communication Facilities	L ^[13]	L ^[13]	L ^[13]

P = Permitted L = Limited C = Conditional Use N = Not Permitted

Footnotes:

- [1] Residential units are permitted in conjunction with a mixed-use development in the NC zone, at a minimum density of 3.48 and a maximum density of 4.35 dwelling units/net acre.
- [2] 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.
- [3] Home occupations ...
- [4] Bed & breakfast inn limited to ~~three (3)~~ five (5) guest rooms in the NC zone, subject to compliance with the bed & breakfast inn standards in Article 7.
- [5] Recreational Vehicle Parks...
- [6] Restaurants are permitted ...
- [7] Marijuana retailers are prohibited ...
- [8] Outdoor sales in the NC zone are limited ...
- [9] Cleaning, sales and repair of motor vehicles and light equipment is permitted ...
- [10] Automobile service station in the NC zone is limited ...
- [11] As a conditional use pursuant to §17.2.200 et. seq.,...
- [12] Medical marijuana dispensaries ...
- [13] Wireless communication facilities ...
- [14] ~~Domesticated fowl are allowed in conjunction with existing single-family uses and primarily for personal use. Domesticated fowl are allowed subject to these conditions:~~
- a. ~~Up to 4 adult fowl over 6 months of age may be kept on any lot with a minimum area of 5,000 square feet. One additional adult fowl shall be permitted for each 2,000 square feet of additional lot area, up to a maximum of 12 fowl.~~
 - b. ~~No roosters shall be permitted.~~
 - c. ~~Animal waste matter shall not be allowed to accumulate.~~
 - d. ~~All animal food shall be stored in metal or other rodent proof containers.~~
 - e. ~~Fencing shall be designed and constructed to confine all animals to the owner's property.~~
 - f. ~~All structures that house fowl shall be located at least 20 feet from all residences (except the animal owner's).~~

- ~~g. All structures that house fowl shall be located at least 5 feet from any side or rear property line.~~
- ~~[15][14] Residential and day care uses – Existing uses are permitted outright. New uses are permitted within a Mixed Use Planned Development approved in accordance with §10.4.300. Residential density shall be established in the Mixed Use Planned Development.~~
- ~~[16][15] Use is only permitted within a Village Center of a Mixed Use Planned Development approved in accordance with §17.4.300.~~
- ~~[17][16] Restricted to uses existing as of 03/28/2016.~~
- ~~[18][17] Marijuana testing laboratories ...~~
- ~~[18] Lot area per unit shall not exceed 4,000 square feet.~~

TOWN CENTER ZONES

17.3.420 USE REGULATIONS

TABLE 3-12: Town Center Zones Use Table

USE CATEGORY	TC - Core	TC - Transition
RESIDENTIAL		
Household Living	L ^[1]	L ^[1]
Group Living	P ^[1]	P
Transitional Housing	N	C
Home Occupation	L ^[2]	L ^[2]
Bed and Breakfast	C ^[2]	P
<u>HOUSING TYPES</u>		
<u>Single Units, Detached</u>	<u>N</u>	<u>N</u>
<u>Single Units, Attached</u>	<u>N</u>	<u>P</u>
<u>Accessory Units</u>	<u>N</u>	<u>N</u>
<u>Duplexes</u>	<u>N</u>	<u>P</u>
<u>Manufactured Dwellings</u>	<u>N</u>	<u>N</u>
<u>Manufactured Dwelling Park</u>	<u>N</u>	<u>N</u>
<u>Multi-Family Units</u>	<u>P</u>	<u>P</u>

INDUSTRIAL ZONES

17.3.520 USE REGULATIONS

TABLE 3-14: Industrial Zones Use Table

USE CATEGORY	LI	GI	BIP
COMMERCIAL			
Entertainment – Oriented:			
- Major Event Entertainment	N	N	N
- Outdoor Entertainment	N	N	N
- Indoor Entertainment	N	N	C
General Retail:			
- Sales – Orientated <u>Oriented</u>	N	L ^[4]	L ^[4]

TREE PROTECTION

17.5.140 PROTECTION OF REGISTER TREES

- B. When development is proposed within a significant grove or when Register trees are located within a site proposed for development, a tree protection plan pursuant to §17.5.110 §17.5.115 shall be submitted for approval....

HISTORIC LANDMARKS

17.5.205 HISTORIC LANDMARKS BOARD

~~§9.105 et. seq.~~ §35.066 of the Forest Grove Municipal Code establishes a Historic Landmarks Board (HLB).

17.5.210 HISTORIC OR CULTURAL LANDMARK DESIGNATION

The procedure and criteria to designate or remove landmarks from the *Forest Grove Register of Historic and Cultural Landmarks* is established by ~~Section 9.150 et. seq.~~ §35.072 of the Municipal Code.

RECREATIONAL VEHICLE PARKS

17.5.515 DEVELOPMENT STANDARDS

- A. Parks shall serve recreational vehicles:
1. As defined by OAR 918-650-0005 (18) excluding:
 - a. “Park trailer” as defined by that section; and
 - b. “Recreational structures” as defined by ORS 446.003.
 2. Intended to be used for recreational purposes; ~~and~~
 3. ~~Length of stays shall be limited to 30 days or less for any one year period beginning from the date of the first overnight stay at that facility.~~
 4. ~~Length of stays can be waived by the Director if the Mayor or Governor declares an emergency affecting Forest Grove and temporary housing is needed to meet that emergency. Once the need has been met, the park shall only allow recreational vehicles consistent with this Code and any unit installed for purposes of the emergency shall be removed within 30 days after notification is made by the Director that the emergency has ended.~~

ACCESSORY DWELLING UNITS

17.7.015 STANDARDS

One (1) accessory dwelling unit may be allowed in conjunction with a single-family dwelling by conversion of an existing space, by means of an addition, or as an accessory structure – including

a manufactured home - on the same lot with an existing dwelling, subject to the following standards and limitations:

- A. ~~The owner(s) of the primary dwelling shall occupy at least one (1) of the units;~~ Manufactured home ADUs are not allowed in historic districts.
- B. Any addition shall not increase the gross floor area of the original dwelling by more than 10%;
- C. The gross floor area of the accessory dwelling unit shall not exceed ~~30% of the primary dwelling's gross floor area, or 720 square feet, whichever is less;~~ However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would exceed 720 square feet.
- D. ~~One (1) additional off-street parking space shall be provided in addition to the required parking for the primary dwelling;~~ ADUs may not be constructed from portable metal structures that require no assembly, such as shipping containers.
- E. ~~The accessory dwelling unit shall have exterior siding and roofing similar in color, material and appearance to that used on the primary dwelling; and~~
- G. The accessory dwelling unit shall comply with applicable fire and life safety codes.

BED AND BREAKFAST INN

17.7.030 PROCEDURE

A bed and breakfast inn limited to ~~three (3)~~ five (5) guest rooms is permitted with Type I review in the single-family zones and the RML, RMH and Neighborhood Commercial zones. A bed and breakfast inn with ~~up to twenty-seven (27)~~ six (6) to ten (10) guest rooms is permitted with ~~Type I~~ Type II review in the RMH zone. A bed and breakfast inn is permitted outright in all other zones that allow motel/hotel uses.

17.7.035 STANDARDS

- A. The bed and breakfast inn shall be owner/operator occupied and limited to the number of guest rooms specified above;
- B. The bed and breakfast inn shall provide breakfast to overnight guests of the establishment only; and
- C. The bed and breakfast inn shall provide one (1) off-street parking space for each two (2) guest rooms in addition to ~~two (2)~~ the one (1) off-street parking spaces required for the permanent residents.
- D. A reduction in the off-street parking requirements may be permitted with Type III conditional use review if the applicant shows that:
 - 1. There is adequate and safe off-street parking available to the guests within 300 feet of the bed and breakfast inn; or
 - 2. In the case of a property listed on the Forest Grove Inventory of Historic and Cultural Resources, there is adequate on-street parking available to the guest which will not adversely affect neighboring property owners; and

3. Provision of the required off-street parking would not be detrimental to the historic or cultural value of the site.

NONCONFORMING DEVELOPMENT

17.7.100 PURPOSE

Within the zoning districts established by this Code, development that was lawful at the time it was established, but would be prohibited under the terms of this Code or future amendments may exist. As used in this section, nonconforming development includes nonconforming structures and nonconforming uses.

17.7.110 LOSS OF NONCONFORMING STATUS

- B. **Accidental Destruction.** When a structure containing a nonconforming use is damaged by fire or other causes beyond the control of the owner, the reestablishment of the nonconforming use is prohibited if the repair cost of the structure is more than 60% of its assessed value.

17.7.125 EXCEPTIONS

The following exceptions to the nonconforming development regulations are allowed by this Code:

- E. ~~Any property use that was classified a non-conforming use under the Forest Grove Zoning Ordinance on December 2, 1982, shall be considered a permitted use.~~

RESIDENTIAL DENSITY INCENTIVE ABOVE BASE REQUIREMENT

17.7.410 STANDARDS

TABLE 7-3: AMENITY CATEGORIES AND VALUES

Amenity Category	Value	Description
Bicycle Amenities	1 point	Provide residents with enhanced bicycle amenities (parking and repair area). The area dedicated to long-term bicycle parking shall be sized to accommodate 0.5 bicycles per unit and must be covered and secure. The area dedicated to bicycle repair shall be a minimum of 50 square feet in area and designed and equipped to facilitate bicycle maintenance.
Energy Efficiency	2 points	Energy efficiency improvements compliant with Energy Trust of Oregon. Projects must enroll in the Energy Trust’s Design Assistance program during schematic design or earlier and commit to exceeding Oregon code requirements by a minimum of 5%.
	2 points	Achieve an Energy Star score of 7 or better, as calculated by the EPA online tool.
	3 points	Project designed to Net Zero Energy Certification.
“Green” Materials	2 points	Use environmentally sensitive (“Green”) materials on at least 50% of the building’s interior surfaces including:

		<ul style="list-style-type: none"> • Wall and Ceiling Latex Paint: Low VOC • Paint with recycled content: minimum 50% post-consumer • Countertop with recycled content: 25% Post-consumer content • Carpet with post-consumer recycled content (+50%) • Renewable flooring materials: Linoleum, cork, bamboo, or wool • Forest Stewardship Council-certified Reclaimed Wood
	3 points	Use of “Green Material” on at least 75% of the building’s interior.
Low Impact Design	1 point	Manage all storm water from the site using low impact design techniques from <i>Clean Water Services Low Impact Development Handbook for the Tualatin Basin</i> .
Ground Floor Retail	3 points	Provide at least 5,000 square feet of retail or space which is designed to be convertible to ground level retail. A density bonus for this amenity is available in the TCT zone only.
Residential Gardening	2 points	Provide a community garden for use by residents. The garden must include raised beds (minimum size 3’ by 5’) with improved soil and a water source for irrigation. The garden may be at grade or rooftop, but must be located in an area with adequate sunlight (minimum 6 hours/day). The area dedicated to the community garden shall be sized to accommodate 0.3 raised beds per unit plus walkways.
Rooftop Garden or Eco-Roof	2 points	Provide a rooftop garden or an eco-roof. The rooftop garden or eco-roof must cover at least 50% of the roof area of the building. Rooftop gardens must be accessible to residents and at least 30% of the garden area must contain plants. The remaining area must include seating areas and other amenities. Eco-roofs must be designed to reduce storm water and be entirely covered with vegetation.
<ul style="list-style-type: none"> • Public Plaza • Outdoor Patio • Seating Area 	2 points	Where ground floor retail is planned, provide a patio area for outdoor seating between the retail and the primary public street frontage which is designed to activate the street frontage. The patio and seating area must extend along at least 20 feet of the frontage and be at least 10 feet deep.
	3 points	Provide a public plaza with a minimum area of 2,000 square feet. Seating areas and landscape plantings are required amenities. Water features are encouraged. To promote a sense of openness and safety, public plazas shall be completely visible from an adjacent street frontage.
Structured Parking	10 points	At least 80% of the required parking is provided in a parking structure. Structures may be at- or below-grade.
LEED Certification	Silver: 8 points Gold: 10 points Platinum: 12 points	Project designed to achieve LEED Silver, Gold, or Platinum certification. Project features required to qualify for LEED certification cannot be used to qualify for points in other amenity categories.
<u>Enterprise Green Communities</u>	<u>8 points</u>	<u>Projects must be designed to achieve compliance with the mandatory EGC Criteria measures applicable to that construction type and must achieve 35 optional EGC points. Project features required to qualify for EGC certification cannot be used to qualify for points in other amenity categories.</u>
<u>Earth Advantage Homes</u>	<u>Silver: 8 points Gold: 10 points Platinum: 12 points</u>	<u>Projects must be designed to achieve Earth Advantage Silver, Gold, or Platinum certification. Project features required to qualify for EA certification cannot be used to qualify for points in other amenity categories.</u>

Other	TBD	Other amenity approved by Planning Commission. <u>Amenities may include (but are not limited to) compliance with the Oregon Housing and Community Services Department Sustainable Design Program, the National Council on Independent Living visitability basic requirements, etc.</u>
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BUILDING DESIGN AND DEVELOPMENT STANDARDS

17.8.710 STANDARDS

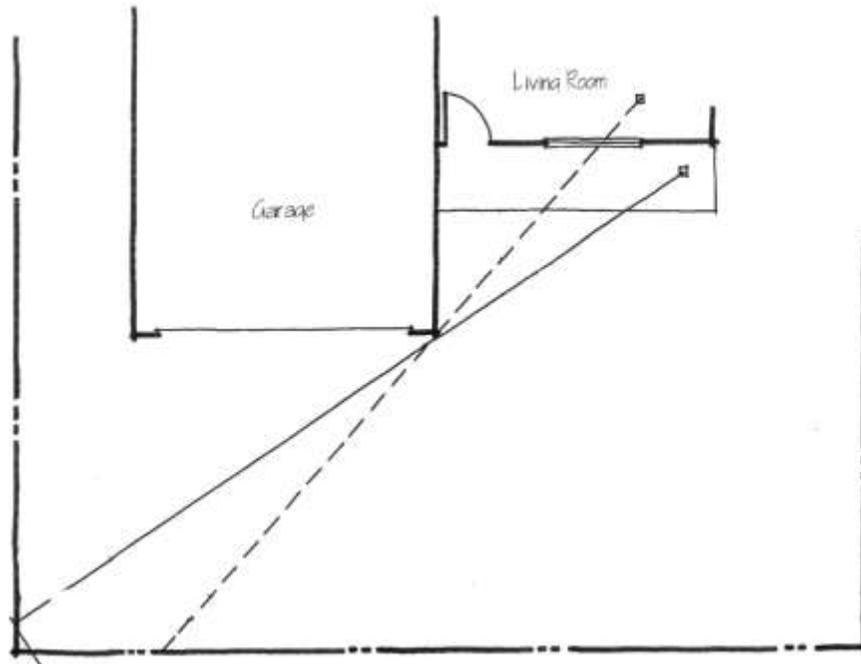
- A. Building Design Standards for Multi-Unit Development except within Town Center zones.
- B. Building Design Standards for Commercial Development in Commercial ~~except within Town Center or~~ and Mixed Use zones.
 - 1. Building Orientation
 - 2. Massing and Form
 - 3. Design Elements
 - 4. Compatibility
 - 5. Safety
 - 6. Single-Family and Duplexes in the NMU zone shall comply with 17.8.710(F).
- C. Building Design Standards within Town Center Districts
- D. Building Design Standards for Institutional Development not within the Institutional Zone.
- E. Building Design Standards for Historic Landmarks and within Historic Districts.
- F. Single-Family and Duplexes (section moved from 17.8.880)

1. Purpose. The purpose of the design standards is to ensure that new residential development has a positive influence on the livability and safety of surrounding neighborhoods. The standards are narrowly focused on improving the way that new residential buildings relate to the public right-of-way (streets, sidewalks and parkways).

2. Applicability

- a. The standard relating to street connection is applicable to construction of single-family dwellings, manufactured homes and duplexes on lots 9,000 square feet or smaller with an average slope of 12% or less. The intent of the standard is to ensure that dwellings on smaller lots are oriented to and visible from the public street and to enhance the pedestrian environment. The dwelling diversity standard is applicable to new subdivisions. Compliance with the design standards is checked during building plan review.

Figure 8-16: Visual Surveillance Standard



3. Standards

- a. Street Connection and Visual Surveillance Standard. The front facade shall be designed to provide a line of sight starting at a point five (5) feet above the floor and two (2) feet directly back from any Standard Front Porch (see definitions) or front-facing window such that a person, if there were no vegetation, would be able to see 100% of their front property line. The intent is to create a physical connection between the dwelling unit and the public sidewalk and/or street, and to allow the dwelling units occupants to see the public sidewalk and/or street for visual surveillance and crime prevention.
- b. Lot Diversity Requirement. For subdivisions of six (6) lots or more, there shall be a variety of lot sizes, with at least a 50% increase between the smallest and largest lots.
- c. Dwelling Diversity Standard. Front elevations shall not be replicated on adjacent lots nor on lots directly across the street, within any 24 month period or replicated within a subdivision over a 12 month period more than the larger number of a) 5 times or b) 10% of the total number of subdivision lots. These provisions can be met by having the requirements included in the Conditions, Covenants, and Restrictions of the subdivision. For this section the definition of replication includes mirrored images (where the main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim, and paint changes.

4. Building Façade and Elevation Standards

- a. No more than six (6) single-family attached units shall be allowed in a series.

- b. Duplex units with single family districts shall be designed and constructed to give the impression from the street of one single-family unit or, one corner lots, or two different units facing different directions.
 - c. No more than thirty-five percent (35%) of the front façade area of an attached single family or duplex unit shall be used for garage doors.
 - d. Front elevations shall provide design variation to avoid repetition and create architectural interest.
 - e. No building elevation shall have a horizontal or vertical blank wall section greater than fifteen feet (15’).
5. The Director may approve an increase of the allowable percentage of duplex or single family attached units within SR, R-10, R-7 or R-5 district is the following criteria are adequately addressed:
- a. The location and placement of the duplex and townhouse units maintain the appearance and single-family character of the subdivision, especially in regards to adjacent single-family development.
 - b. Proposed duplex designs convey the appearance of single-family units. For larger subdivisions, a number of different duplex designs would be required to justify the increase percentage.
 - c. The units visibility to the street, for example by having front porches or provide vehicular or parking access from a back alley.

G. Institutional Zone Design Standards (section moved from 17.8.885)

1. Purpose. The purpose of the institutional design standards is to ensure that new development has a positive influence on the livability and safety of the Forest Grove community. The standards are focused on improving the way that new institutional buildings relate to the surrounding neighborhood, help create a pleasant pedestrian environment and support available public transit service.
2. Applicability
 - a. Development in the INST zone is subject to Design Review under a Type II process.
 - b. Design Review for projects within the INST zone may be conducted as part of a Type III, Conditional Use permit process.
3. Design Standards for Multi-Unit Residential Buildings in the INST Zone. Multi-unit residential buildings in the Institutional District shall meet the standards of Multi-Unit development found in this Article.
4. Design Standards for Non-Residential Buildings in the INST Zone.
 - a. Building Location. The building location should imitate the pattern set by surrounding residential development. For example, if adjacent dwellings are set back twenty (20) feet from the street, the INST building(s) should maintain the same setback.

- b. Building Orientation and Entrance. At least one (1) main entrance to the INST building(s) shall be oriented to the street and sidewalk rather than toward the parking area. A direct sidewalk connection shall extend from the public sidewalk to the main entrance.
- c. Parking Location. Off-street parking for the INST building(s) should be located to the side or behind the building and shall not be located between the building and the street(s). To minimize the extent of paved areas, on street parking available along the frontage of the INST lot may be counted toward off-street parking requirements.
- d. Trash Storage Area. The INST building(s) shall provide an adequate sized trash storage area to accommodate waste generated on-site. The trash storage area shall be screened from public view from the sidewalk.
- e. Pedestrian connections and travel shall be given clear priority in INST district. The on-site pedestrian circulation system shall connect to public sidewalks adjacent to the site.
- f. Primary entrances shall be architecturally emphasized and visible from the street. Building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes, or awnings that protect pedestrians from the rain and sun.

~~OTHER DEVELOPMENT REVIEW STANDARDS~~ (Section moved to 17.8.710 BUILDING DESIGN AND DEVELOPMENT STANDARDS - STANDARDS)

LAND DIVISION STANDARDS

17.8.905 STANDARDS

G. Public Use Areas

- 1. Dedication Requirements.
 - a. Where a proposed park, playground or other public use shown in a development plan adopted by the City is located in whole or in part in a subdivision, the ~~Commission~~ City may require the dedication or reservation of such area within the subdivision.
 - b. Where considered desirable by the ~~Commission~~ City in accordance with adopted comprehensive plan policies, and where a development plan of the City does not indicate proposed public use areas, the ~~Commission~~ City may require the dedication or reservation of areas within the subdivision or sites of a character, extent and location suitable for the development of parks and other public use.

DEFINITIONS

17.12.210 MEANING OF SPECIFIC WORDS AND TERMS

D9. ~~Domesticated Fowl. Chickens, quail, pheasants, and ducks.~~

D13. Dwelling-Related Definitions:

b. ~~Accessory Dwelling Unit – One (1) or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling.~~ An interior, attached, or detached residential structure that is used in connection with, or that is accessory to, a single-family dwelling.

S3. Sign-Related Definitions.

c. Air-Blown Device (a.k.a. air-blown dancer): Any device not otherwise specifically defined in this Code that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by mechanically-forced air. This definition specifically includes but is not limited to those devices referred to commercially as “air puppets” and “air dancers.” For purposes of this Code, air-blown devices are advertising devices.

p. Feather Banner: A vertical portable sign, made of lightweight material that is prone to move in the wind, and that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, feather, and U-shaped. For purposes of this Code, a feather banner is an advertising device and sign.

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EXHIBIT B
ORDINANCE NO. 2019-05

CITY OF FOREST GROVE DEVELOPMENT CODE

Development Code §17.8.000 through §17.8.875
is replaced in its entirety with the following:

SIGNS

17.8.800 PURPOSE

- A. The purposes of §17.8.800 through §17.8.875 (the “Sign Code”) are:
1. To promote the neat, clean, orderly and attractive appearance of the community;
 2. To accommodate the need of sign users while avoiding nuisances to nearby properties;
 3. To ensure safe construction, location, erection and maintenance of signs; and
 4. To minimize distractions for motorists on public highways and streets.
- B. The Sign Code is not intended to allow the construction, erection or maintenance of any sign in a place or manner that is unlawful under any state or federal law or City ordinance.

17.8.805 GENERAL PROVISIONS

- A. Compliance with Sign Code. All signs erected, constructed or maintained in the City must comply with this Sign Code (§17.8.800 through §17.8.875). A sign that is erected, constructed or maintained in violation of the Sign Code is declared to be a nuisance and may be abated as such.
- B. Oregon Motorist Information Act. The Oregon Motorist Information Act, ORS Chapter 377 (2017) is adopted by reference and incorporated into §17.8.800 to §17.8.875 as if fully set forth herein.

17.8.810 EXEMPTED SIGNS

The following signs do not require planning approval, although some may require a building permit to ensure compliance with structural requirements. Use of these signs does not affect the amount or type of signage otherwise allowed by this Sign Code. All signs listed in this section are subject to all other applicable provision(s) of the Sign Code.

- A. Official signs placed or authorized by the city, county, state, or federal government in the publicly owned right-of-way as well as signs required by city, state, or federal government located on private property.
- B. Flags adopted by a governmental agency.
- C. Tablets, cornerstones, or commemorative plaques.
- D. Signs intended to be viewed from within a building.

- E. Seasonal decorations on private property.
- F. Signs erected by a recognized neighborhood watch group.
- G. Handheld signs.
- H. Accessory signs.
- I. Landmark signs.
- J. Signs for hospital or emergency services and railroads.
- K. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than three (3) signs allowed for each permitted structure.
- L. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area. This type of sign is typically used to identify and locate a property feature.
- M. Any sign that is not visible to motorists or pedestrians from a public highway, sidewalk, street, alley, or other area open to public travel.
- N. One indirectly illuminated or non-illuminated wall sign not exceeding one-and-one-half (1.5) square feet in area placed on any residential building. This type of sign is typically used as a name or address plate.
- O. Signs placed in or attached to a motor vehicle, bus, railroad car, or light rail car that is regularly used for purposes other than the display of signs.
- P. Signs, up to four (4) square feet and no taller than two (2) feet, constructed or placed within a parking lot. These signs are typically used to direct traffic and parking.
- Q. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected where there is a danger to the public or to which public access is prohibited.
- R. Signs located within a sports stadium or athletic field, or other outdoor assembly area which are intended and oriented for viewing by persons within the facility.
- S. Covered flier boxes under one (1) square foot in area when attached to a temporary or permanent sign.
- T. Banner signs placed or authorized by the City in the publicly owned right-of-way.

17.8.815 PROHIBITED SIGNS

Notwithstanding §17.8.810 above, the following signs are prohibited:

- A. Signs or sign structures that may pose a hazard to pedestrian or vehicular traffic, including but not limited to signs which obstruct clear vision areas as defined in §17.8.155 *Clear Vision Areas*.
- B. Signs that are not in compliance with applicable setback requirements.
- C. Signs within or which overhang the public right-of-way except signs installed or authorized by a governmental agency or public utility as permitted under the provision(s) of §90.01 et. seq. *Permitted Uses of the Public Way*.
- D. Portable signs in the following categories:
 1. Signs on a parked vehicle unless the vehicle is being used for transport in the normal day-to-day operations of a business.
 2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Billboards.
- F. Moving signs.
- G. Festoons.

- H. Balloon signs.
- I. Hazardous signs.
- J. Flashing signs.
- K. Roof signs.
- L. Signs that appear similar to traffic control devices.
- M. Signs not in compliance with this Chapter.

17.8.820 TEMPORARY SIGNS

General provisions.

- A. Temporary signs may be erected and maintained only in compliance with the following provisions. A temporary sign shall:
 - 1. Contain no moving parts and shall not be lighted.
 - 2. Be affixed to a permanent structure.
 - 3. Be placed no higher than the building's eave, top of wall, or parapet.
- B. Permitted temporary signs. Temporary signs are allowed on each lot in the following zones:
 - 1. Residential (R-5, R-7, R-10, SR, RML, RMH) Zones (a permit is not required for such signs):
 - i. One temporary sign per frontage, not exceeding four (4) square feet in area, per side, which is erected for a maximum of eight (8) days in any calendar year and is removed by sunset on any day it is erected. Such signs are typically used for garage sales and other domestic purposes.
 - ii. Two temporary signs not exceeding 32 (thirty-two) square feet in a subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. A sign may not be erected for an inhabited residence.
 - iii. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.
 - 2. Commercial (CC, CN, TC) and Industrial (LI, GI) Zones:
 - i. Up to two temporary signs not exceeding 100 square feet each (such as banner signs).
 - ii. Temporary signs shall be erected for no more than 30 consecutive days and for no more than sixty (60) days per calendar year.
 - iii. One temporary sign per frontage, not exceeding thirty-two (32) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.
 - 3. Institutional Zone:
 - i. Up to two temporary signs not exceeding 100 square feet each (such as banner signs).
 - ii. Temporary signs shall be erected for no more than 120 days per calendar year.
 - iii. One temporary sign per frontage, not exceeding thirty-two (32) square feet in area, during the time of sale, lease or rental of the lot/structure provided that the sign is removed within 30 (thirty) days of the sale, lease or rental of the lot/structure.

C. All Zones:

1. Signs not exceeding six (6) square feet each in area during the period from six (6) weeks prior to a public election or the time the election is called, whichever is earlier, to 14 (fourteen) days after the public election. A permit is not required for such signs.
2. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within 30 (thirty) days of the completion of any construction, landscaping, or remodeling.

17.8.825 PORTABLE SIGNS

General provisions. Portable signs may be erected and maintained only in compliance with the following provisions:

- A. Portable signs are allowed only in the Commercial (CN, CC, TC), Industrial (LI, GI), and Institutional zones.
- B. Portable signs shall not be lighted.
- C. Each property is permitted one rigid portable sign, not exceeding six (6) square feet in area.
- D. Each property is permitted one feather banner, not exceeding 20 square feet in area.
- E. Each property is permitted one air-blown device.
- F. Portable signs shall be located on private property directly adjacent to the business or institution that is responsible for the sign, unless permitted to be in the public right-of-way under the provision(s) of §90.01 et. seq. *Permitted Uses of the Public Way*.
- G. Portable signs shall be removed at the close of the business day.

17.8.830 PERMANENT SIGN REGULATIONS

General provisions. Permanent signs may be erected and maintained only in compliance with the following provisions:

- A. General permanent sign provisions.
 1. Signs are not permitted within a public right-of-way unless authorized by a public agency.
 2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.
 3. Maximum square footage restrictions include changeable copy and exclude accessory and incidental signs.
 4. Minimum clearance for projecting, canopy, blade and hanging signs when over a walkway or access area is eight (8) feet. A sign shall not project beyond the canopy.
 5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over 24 (twenty-four) square feet in area on each side.
 6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs must meet the clear-vision provision(s) of §17.8.155 *Clear Vision Areas*.

B. Residential (R-5, R-7, R-10, SR, RML, RMH) Zones.

1. A subdivision, manufactured home park, or multi-family complex is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. The sign shall be non-illuminated or indirectly illuminated.
2. A church or public school is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. Each sign may include changeable copy (manual or electronic). Any electronic changeable copy sign must have all illumination turned off between the hours of 9 p.m. and 7 a.m. Each sign must meet the setbacks applicable to the residential zone in which it is located.
3. Home occupation signs, not exceeding six (6) square feet in area, non-illuminated.

C. Institutional Zone.

1. An institution is permitted one (1) permanent monument sign not to exceed eight (8) feet in height and 40 (forty) square feet in area. The sign may include changeable copy (manual or electronic). Any electronic changeable copy sign must have all illumination turned off between the hours of 9 p.m. and 7 a.m. The sign must meet the setback provision(s) of §17.3.220(C) *Setbacks*.
2. In lieu of a monument sign, an institution is permitted a wall sign of up to 40 (forty) square feet in area.

D. Commercial (CC, CN), Neighborhood Mixed Use (NMU) and Industrial (LI, GI) Zones. Signs in these zones may be directly or indirectly lit and shall meet all setback provision(s) of its zone.

1. Monument Signs: Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed 40 (forty) square feet in area and eight (8) feet in height per 400 feet of frontage, not to exceed three (3) per site or multi-tenant complex.
2. Wall signs (including window signs) shall not have a gross area greater than 15% of the face of the building to which the sign is attached or painted.
3. A canopy or hanging sign shall not exceed 15% of each wall face of the building to which the sign is attached.
4. No more than two (2) lighted signs are permitted in the windows of a business.

E. Commercial (CC) Zone:

1. In lieu of a monument sign, no more than one (1) pylon sign is allowed per street frontage. Multiple-tenant developments may be allowed additional pylon signs as provided in section (D)(1) above.
2. All pylon signs shall have a minimum clearance of ten (10) feet below the sign and shall have a maximum, overall height of twenty (20) feet above grade. A pylon sign may not have a total area of more than forty (40) square feet per face, except as provided in section (3) below.
3. Pylon signs for properties with three or more businesses may have up to seventy (70) square feet per face.

F. Commercial (TC) Zones:

1. Monument Signs: Each site or multi-tenant complex in the TCT Zone is allowed one (1) permanent monument sign not to exceed 40 (forty) square feet in area and eight (8) feet in height per 400 feet of frontage, not to exceed three (3) per site or multi-tenant complex.
2. A canopy or hanging sign shall not exceed 15% of each wall face of the building to which the sign is attached.
3. A wall sign (including window signs) may have a gross area not greater than 15% of the face of the building to which the sign is attached or painted.
4. A wall sign may not project more than 18 inches from the wall to which it is attached.
5. A business with a ground-floor entrance where the front building line is within five (5) feet of the public right-of-way is permitted one (1) projecting sign on the front building face, side, or corner in lieu of a wall sign. A projecting sign shall project no more than six (6) feet, have a maximum vertical dimension of six (6) feet, and is limited to a maximum of 24 (twenty-four) square feet of area per face.
6. Lighting for signs in the TC zones is limited to internal lighting, where the light source is inside the sign, or to indirect lighting screened from view, where the light source is located below the sign, and is part of an ornamental feature of the sign structure. Braces and struts that support indirect lighting from the top or sides of the sign are prohibited. This section does not apply to signs and lighting approved through Town Center Track 2 *Design Guidelines*.
7. No more than two (2) lighted signs are permitted in the windows of each business.
8. A lighted sign visible to and located within 100 feet of a residential zone must be turned off from 10:00 p.m. to sunrise.

Figure 8-17: Signs in the Town Center



G. Video display and changeable copy signs (manual and electronic) are subject to the following standards:

1. Video display signs are allowed only as part of a permanent monument or wall sign.
2. Manual changeable copy signs are allowed as part of a permanent monument, wall, or pylon sign.
3. The video display and changeable copy portion of a sign may not exceed 24 (twenty-four) square feet in area.
4. Electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display shall not change at intervals of less than seven (7) seconds.
5. Video display and electronic changeable copy signs shall not exceed a maximum illumination of 5000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk and dawn as measured from the sign's face at maximum brightness.
6. Video display and electronic changeable copy signs shall have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour (1-1/2 hour) before sunset and one half-hour (1-1/2 hour) after sunrise.

17.8.835 SIGN PERMITS

A sign that is not specifically listed as exempt from the provisions of this Sign Code may not be erected, constructed, attached, relocated, or structurally altered without obtaining City approval. Approval is not required for signs listed as exempt or for routine sign maintenance.

- A. A permit to modify an existing sign, or to legalize a sign for which a permit was not obtained when it was constructed, will be processed by a Type 1 procedure.
- B. A permit for new signs will be processed by means of a Type 1 procedure, using the applicable standards of this Sign Code as approval criteria.

17.8.840 PERMIT REQUIREMENTS

An applicant for a sign permit shall supply the following information on forms provided by City:

- A. Size, height, location, description, and material of the sign;
- B. Name of the manufacturer, contractor, owner, and business advertised;
- C. Scaled drawing(s) and description of copy, structure, and lighting;
- D. Photo(s) or drawing(s) of the proposed sign location(s); and
- E. Signature of property owner or designee.
- F. Other information as the City determines necessary to demonstrate compliance with this Sign Code.

17.8.845 LANDMARK AND ABANDONED SIGNS

Landmark signs and abandoned signs are subject to the following provisions:

- A. Landmark Signs may be exempted from the provisions of this Sign Code upon the recommendation of the Historic Landmarks Board.

- B. Abandoned signs shall be removed or made conforming within 45 (forty-five) days of the date they become classified as abandoned.

17.8.850 CONSTRUCTION AND MAINTENANCE STANDARDS

The following standards apply to the construction and maintenance of signs in the City:

- A. All permanent signs shall be constructed and erected in accordance with the design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.
- B. All illuminated signs are subject to the provisions of the State Electrical Specialty Code. It is the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.
- C. All signs shall be maintained at all times in a state of good repair. A person shall not maintain or permit to be maintained on their premises any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

17.8.855 NONCONFORMING SIGNS

- A. Non-conforming signs shall be brought into compliance with this Sign Code when:
 - 1. The sign is physically modified to the extent that a building permit is required; or
 - 2. The use of the building or tenant space to which the sign pertains changes (e.g., office to retail); or
 - 3. The site is subject to conditional use permit review, or design review as defined in §17.2.310.
- B. All temporary or portable signs not in compliance with the provisions of this Sign Code shall be removed or made compliant immediately following adoption of this code.

17.8.860 VARIANCES

A sign that does not comply with the provision(s) of this Sign Code may be approved pursuant to §17.2.720 *Variance Review Criteria*.

17.8.865 ENFORCEMENT

The Community Development Director or designee shall have the authority to order or effect the removal of any sign which does not conform to the provision(s) of this Sign Code.

17.8.870 PENALTY IMPOSED

A person who violates any provision(s) of this Sign Code may be subject to a civil penalty in an amount of not less than \$100 for the first violation, \$500 for the second violation, and \$1,000 for any subsequent violation occurring in a two-year period starting from the issuance of the first notice of violation. In the event of a violation, the Community Development Director or person designated by the Director may cite the violator into Municipal Court.

17.8.875 PERMIT FEE

The fee for a sign permit described above shall be set by City Council by resolution.

**Planning Commission Findings and Decision Number 2019-06
To Recommend Approval of an Ordinance to Amend Forest Grove
Development Code Article 3 Zoning Districts, Article 5 Special Provisions,
Article 7 Miscellaneous Provisions, Article 8 Development Standards and Article 12
Definitions to Update the Code Pertaining to Accessory Dwelling Units, Housing Types
Allowed in the Town Center and Commercial Zones, Recreational Vehicles, Bed and
Breakfast Inns, Design Standards in the Neighborhood Mixed Use Zone, Residential
Incentives, and the Sign Code.**

File Number 311-19-000002-PLNG

WHEREAS, the Development Code was adopted in 2009; and

WHEREAS, the purpose of the proposed amendments are to update the code to incorporate changes in State statutes, clarify processes and procedures, correct several omissions and inconsistencies, and update definitions; and

WHEREAS, the Planning Commission held a work session to discuss the proposed amendments on February 4, 2019; and

WHEREAS, notice of the proposed amendments was provided to the Department of Land Conservation and Development (DLCD) on March 27, 2019; and

WHEREAS, notice of the Planning Commission hearing on this ordinance was published in the *Forest Grove News Times* on May 1, 2019; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on May 6, 2019; and

The City of Forest Grove Planning Commission does hereby recommend to the City Council approval of the Development Code amendments as provided in Exhibit A and Exhibit B, making the following specific findings in support of this decision:

Development Code §17.2.630 *Review Criteria* lists two standards to be satisfied to adopt a text amendment:

A. The text amendment is consistent with relevant goals and policies of the Forest Grove Comprehensive Plan; and

Finding: Several of the proposed amendments would clarify development requirements, or would update definitions and standards to comply with State codes. These include amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations*, §17.3.420 *Town Center – Use Regulations*, §17.5.515 *Recreational Vehicle Parks*, and §17.7.015 *Accessory Dwelling Units*. Since the Development Code serves as the principal tool for implementing the City's Comprehensive Plan, actions initiated under the Development Code are deemed consistent with the adopted Comprehensive Plan and applicable federal, state and regional laws.

Finding: Relevant goals and policies related to the proposed changes are addressed as follows:

Forest Grove Comprehensive Plan - Residential Goals and Policies

Residential Goal #1. RESIDENTIAL AREAS SHALL BE DEVELOPED IN A SAFE, AESTHETICALLY PLEASING, AND EFFICIENT MANNER.

Finding: The amendment to §17.7.015 *Accessory Dwelling Unit – Standards* would restrict the use of shipping containers as accessory dwelling units. With this amendment, residential neighborhoods can continue to be developed in an aesthetically pleasing manner by not allowing industrial-type structures in residential areas.

Forest Grove Comprehensive Plan - Housing Goals and Policies

Housing Goal #3: Promote mixed use development opportunities throughout the community.

Policy 3.1 Identify locations on the Comprehensive Plan and Zoning maps for mixed-use development opportunities. Establish standards for residential and commercial densities, desired building mix, and building design in mixed use areas.

Finding: Permitted Housing Types in the commercial and town center zoning districts are not currently listed in the Development Code. The amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* and §17.3.420 *Town Center – Use Regulations* would establish a list of Housing Types permitted in the Commercial and Mixed Use zoning districts, thus further fulfilling Policy 3.1.

Forest Grove Comprehensive Plan - Land Use Policies

Land Use Policy #8. Land designated for single-family attached and multi-family developments shall be distributed throughout the city taking into consideration availability of public services, topography and environmental constraints. Preferred locations for medium and higher density residential development include areas within walking distance of schools, parks, commercial areas, or existing/planned transit service.

Finding: The Pacific Avenue/19th Avenue Corridor Study (2005) noted that the “*corridor contains a significant amount of vacant land and vacant or underutilized buildings.*” While the corridor study recommended an increase in the number of housing units along the corridor, it did not suggest or recommend specific housing types. The amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* would identify housing types that would be suitable in the corridor.

Finding: An objective of the Comprehensive Plan is to “*Implement development standards to promote transit-oriented land use within walking distance of planned high capacity transit corridors.*” A frequent service transit corridor already exists along Pacific and 19th avenues. The amendments §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* would specifically identify the high-density housing types permitted along the corridor, thus promoting transit-oriented land uses within walking distance of a transit corridor.

Land Use Policy #9. Development regulations shall promote a variety of housing types suitable for owner- and renter-occupants. The Economic Opportunity Analysis indicates a need for 3,859 owner-occupied units and 878 renter-occupied units over the next 20 years.

Finding: Permitted Housing Types in the commercial and town center zoning districts are not currently listed in the Development Code. The amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* and §17.3.420 *Town Center – Use Regulations* would establish standards as to what kind of Housing Types are permitted in the Commercial and Mixed Use zoning districts, thus ensuring that a variety of housing types are available.

Land Use Policy # 12. Amend the land use regulations to expand the definition of accessory dwelling units to include units not attached or within an existing residential structure.

Finding: While the City has had code regulating accessory dwelling units since 1992, that code is not in compliance with current State codes. The amendments to §17.7.015 *Accessory Dwelling Unit – Standards* would bring this section of the Development Code into compliance.

Forest Grove Comprehensive Plan – Historic Preservation Goals and Policies

Historic Preservation Goal #1. PRESERVE AND ENHANCE AREAS, SITES AND STRUCTURES OF HISTORIC OR CULTURAL SIGNIFICANCE TO THE FOREST GROVE AREA.

Finding: An amendment to §17.5.015 *Accessory Dwelling Units – Standards* would prohibit manufactured home accessory dwelling units within historic districts. This limitation would help preserve the character of the three historic districts in the community by not allowing structures that are clearly not part of the era that the three historic districts reflect. Thus, the amendment promotes the preservation of historically significant areas.

B. The text amendment is consistent with relevant statewide and regional planning goals, programs and rules.

Finding: The City of Forest Grove Comprehensive Plan and implementing regulations have been acknowledged by the Oregon Department of Land Conservation and Development as being in compliance with Statewide Goals. Many of the proposed amendments would simply update and clarify processes and procedures, correct typographical errors, or bring the Development Code into compliance with State statutes. As such, they are consistent with relevant statewide and regional planning goals, policies and rules.

Finding: Relevant statewide and regional goals and policies related to the amendments are addressed as follows:

Statewide Planning Goal 10 Housing – To provide for the housing needs of citizens of the state.

Metro Urban Growth Management Functional Plan - Title 1: Housing Capacity

Finding: Permitted Housing Types in the commercial and town center zoning districts are not currently listed in the Development Code. The amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* and §17.3.420 *Town Center – Use Regulations* would establish standards as to what kind of Housing Types are permitted in the Commercial and Mixed Use zoning districts, thus ensuring that housing capacity targets can be met.

Metro Regional Framework Plan Policy 1.3 Housing Choices and Opportunities

Finding: Permitted Housing Types in the commercial and town center zoning districts are not currently listed in the Development Code. The amendments to §17.3.320 *Commercial and Mixed Use Zones – Use Regulations* and §17.3.420 *Town Center – Use Regulations* would establish standards as to what kind of Housing Types are permitted in the Commercial and Mixed Use zoning districts, thus ensuring that a variety of housing types are available.

Finding: While the City has had code regulating accessory dwelling units since 1992, that code is not in compliance with current State codes. The amendments to §17.7.015 *Accessory Dwelling Unit – Standards* would bring this section of the Development Code into compliance.

Finding: While the City has had code regulating accessory dwelling units since 1992, this code has not permitted the use of manufactured homes as ADUs. Amendments to §17.7.015 *Accessory Dwelling Unit – Standards* would allow manufactured homes as ADUs so long as they comply with other ADU standards, thus increasing housing choices and opportunities.

Finding: The City already offers a variety of incentives to increase residential densities above base requirements. The proposed amenities would provide additional opportunities for increased densities, thus offering greater housing choices and opportunities, and, due to the increased densities, potentially lower per-unit expenses.



PHIL RUDER, Vice-Chair

May 9, 2019
Date

ORDINANCE NO. 2019-06

**ORDINANCE REPEALING ORDINANCE NO. 2004-08, FOREST GROVE CODE CHAPTER 33 (REGULATORY MEASURE 37 CLAIMS PROCEDURE) IN ITS ENTIRETY AND ADOPTING FOREST GROVE CODE, TITLE IX (GENERAL REGULATIONS), CHAPTER 93 (§93.01 THROUGH §93.04), DOMESTICATED FOWL; AND AMENDING FOREST GROVE CODE §90.25 (B);
FILE NO. 311-19-000002-PLNG**

WHEREAS, Oregon Ballot Measure 37 was passed in 2004; and

WHEREAS, Ordinance No. 2004-08 was adopted to implement Measure 37 and was incorporated into Forest Grove Code (FGC) Chapter 33; and

WHEREAS, Measure 49 was passed in 2007 which overturned and modified many of the provisions of Measure 37, thus rendering FGC Chapter 33 moot; and

WHEREAS, the Development Code was amended in 2009 to adopt regulations allowing domesticated fowl; and

WHEREAS, the purpose of the Development Code is to govern the development and use of land; and

WHEREAS, the domesticated fowl regulations would be more appropriately located in Forest Grove Code Chapter 93 *Animals*; and

WHEREAS, the City Council held a duly-noticed Public Hearing on the proposed ordinance on June 10, 2019, and continued the hearing on June 24, 2019.

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

Section 1: The City Council of the City of Forest Grove hereby repeals Ordinance No. 2004-08, Chapter 33 (Regulatory Measure 37 Claims Procedure) in its entirety.

Section 2: The City Council of the City of Forest Grove hereby amends Forest Grove Code of Ordinances adopting Title IX (General Regulations), Chapter 93 (§93.01 through §93.04), titled Domesticated Fowl, as set forth below (new text is underlined):

CHAPTER 93: ANIMALS

SECTION 93.03 DOMESTICATED FOWL

- (A) As used in this section, "allowed" **DOMESTICATED FOWL** means chickens, ducks, pheasants and quails three (3) months of age or older.
- (B) Fowl shall be permitted in single-family residential zoning districts only and in compliance with the following regulations and limitations and all other applicable provisions of this Code.

- (C) Any keeping of fowl shall be for personal use, and any related commercial production is prohibited.
- (D) Roosters are prohibited.
- (E) Up to four (4) adult fowl shall be allowed on any lot with a minimum area of 5,000 square feet. One (1) additional adult fowl is allowed for each 2,000 square feet of additional lot area, up to a maximum of 12 fowl.
- (F) The owner or person in charge of real property shall not allow animal waste to accumulate.
- (G) All animal food shall be stored in metal or other rodent-proof containers.
- (H) Fencing shall be designed and constructed to confine all allowed fowl to the owner's property at all times.
- (I) Structures that house fowl shall be located at least 20 feet from all abutting residences.
- (J) Structures that house fowl shall be located at least five (5) feet from any side or rear property line.
- (K) Any violation of this section shall be declared public nuisances and may be abated by the procedures set forth in § 91.050 through § 91.054.
- (L) Violation of this section constitutes a violation. Penalty, see § 91.999 (Prior Code, § 17.3.320[14] and § 17.12.210[D9])

Section 3: The City Council hereby amends Forest Grove Code of Ordinances Title IX (General Regulations), Chapter 90, Code §90.25, as set forth below (strikethrough is deleted and new text is underlined):

90.25 (B) It shall be the duty of every property owner to cut off and remove all branches and limbs of trees which extend over or upon any street or sidewalk adjacent to the owner's property for a distance of at least eight (8) feet above ~~the street or sidewalks~~, 13 feet above local streets, and 15 feet above collector and arterial street roadway surfaces.

Section 4: This ordinance is immediately effective upon enactment by the City Council.

PRESENTED AND PASSED the first reading this 10th day of June, 2019.

PASSED the second reading this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor



<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	8. A.
MEETING DATE:	06/24/2019
FINAL ACTION:	First Reading: ORD 2019-07

CITY COUNCIL STAFF REPORT

FIRST READING:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 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 property owner of 1836 Cedar Street is requesting a change on one parcel from a Comprehensive Plan and zoning designation of Commercial Neighborhood (CN) to Town Center Transition (TCT). The parcel totals 0.21 acres in area.

BACKGROUND: When the current Development Code was adopted in 2009, this parcel – and this parcel only – was rezoned to Neighborhood Commercial. City records are unclear as to the purpose of this change. In 2016 the surrounding properties that had previously been zoned Community Commercial were rezoned to Town Center Transition.

At the June 3, 2019, Planning Commission hearing, only one person aside from the applicant testified. That person was not concerned with the application, but simply wanted clarification of accessory building setbacks in an adjoining zoning district. None of the Commissioners who were on the Commission in 2009 could recollect why this one property was re-zoned at that time. All concurred that designating the site to Town Center Transition was logical and reasonable, and the Commission voted unanimously to recommend approval.

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.

ATTACHMENTS:

- Ordinance to Amend Forest Grove Comprehensive Plan Map
- Ordinance to Amend Forest Grove Zoning Map
- Planning Commission Decision #2019-07

- Planning Commission Minutes (draft) of June 3, 2019
- Planning Commission Staff Report dated June 3, 2019



1836 CEDAR
STREET
COMPREHENSIVE
PLAN MAP AND
ZONING MAP
AMENDMENTS

James Reitz, AICP
Senior Planner

Washington County Tax Map



1836 Cedar Street
 Tax Lot 1S306BA09600
 0.21 Acres

Aerial Photo of Site and Area



Comprehensive Plan Map

SITE – Commercial
Neighborhood

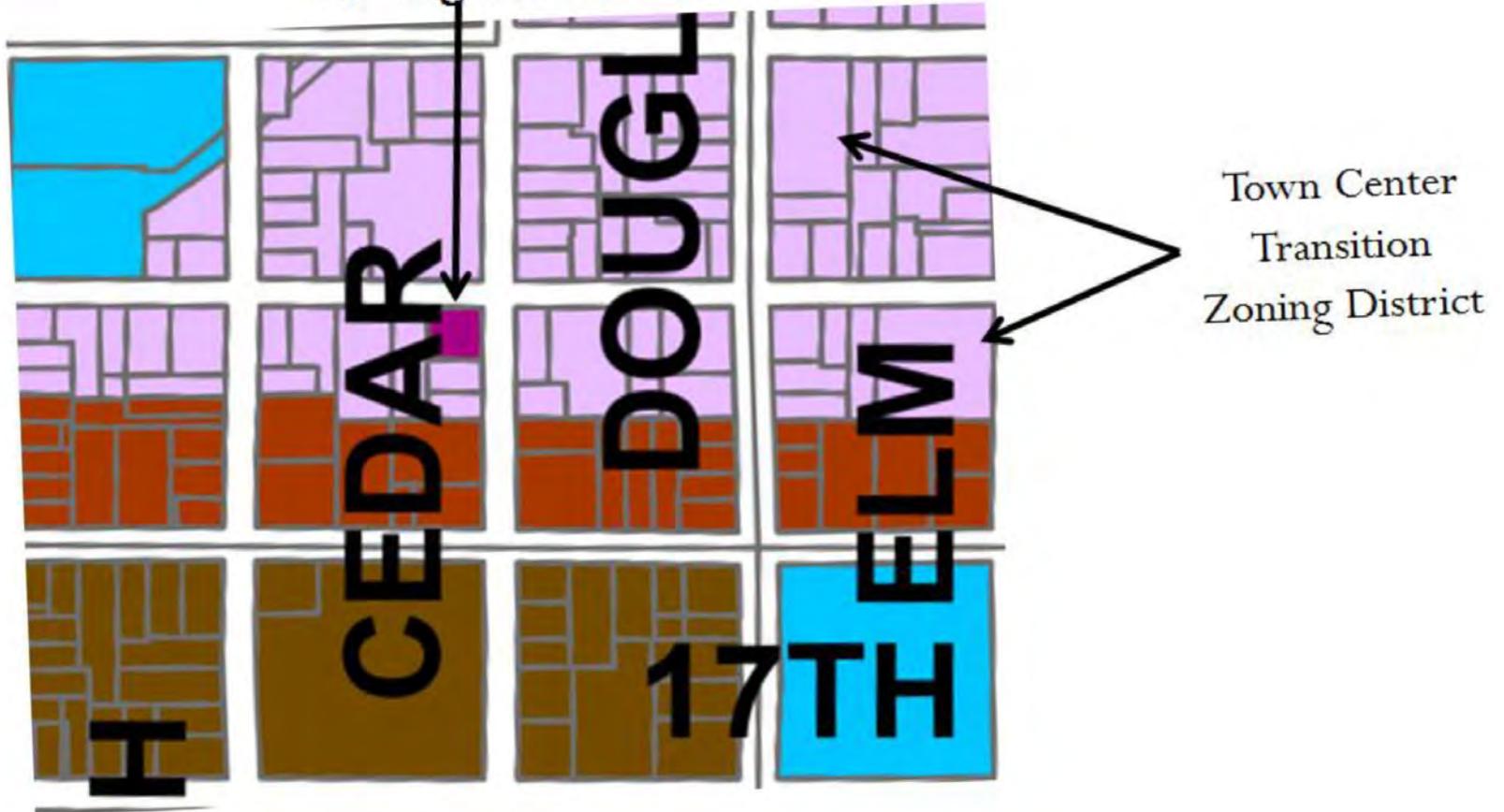


Town Center
Transition

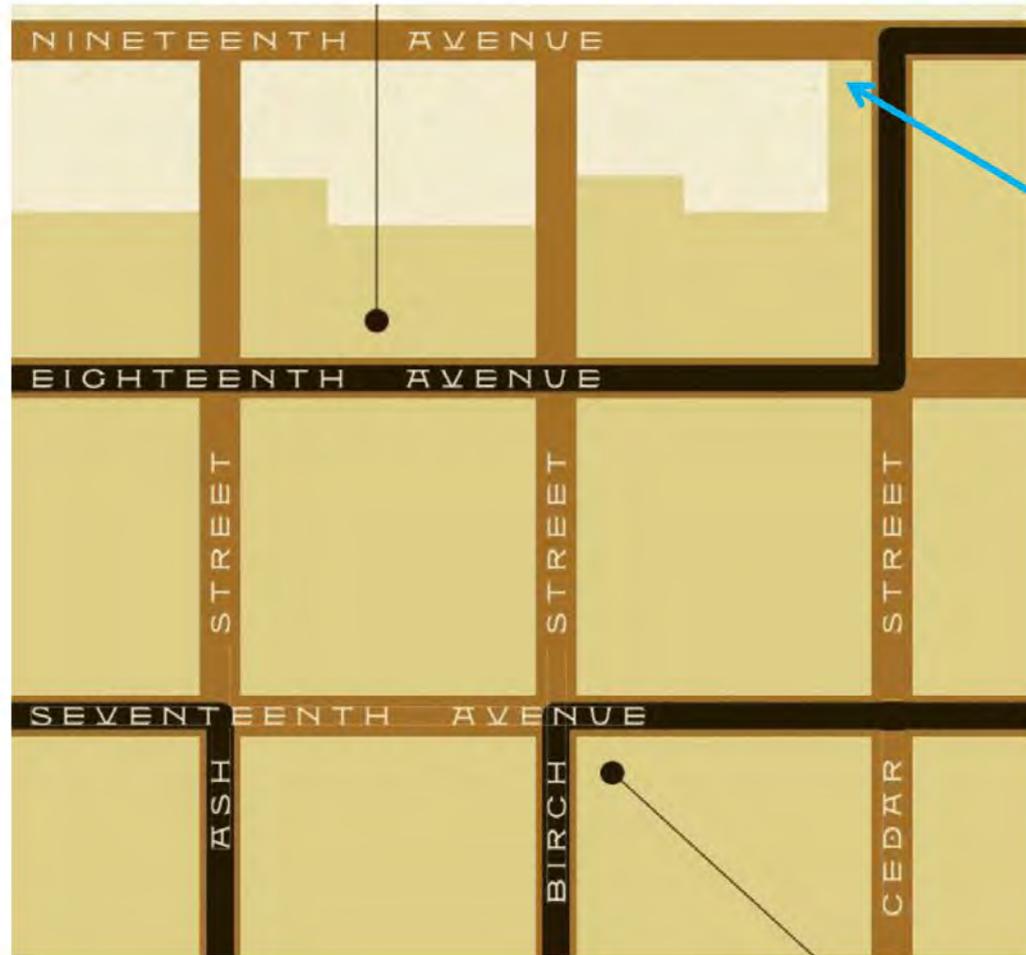
Cross-Hatching = Clark Historic District

Zoning Map

SITE – Commercial Neighborhood
Zoning District



Clark Historic District



SITE

Planning Commission Hearing

- Only 1 person testified, about setbacks in an adjoining zoning district.
- The Planning Commission unanimously endorsed the proposal to re-zone the property.

Summary and Recommendation

- The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria.
- Therefore, the Planning Commission and staff recommend approval of the application.

ORDINANCE NO. 2019-07

ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE ONE PARCEL FROM NEIGHBORHOOD COMMERCIAL (CN) TO TOWN CENTER TRANSITION (TCT); WASHINGTON COUNTY TAX LOT 1S306BA09600; FILE NUMBER 311-19-000005-PLNG

WHEREAS, the property at 1836 Cedar Street is completely surrounded by property designated Town Center Transition; and

WHEREAS, the property owner wishes to further develop the site consistent with Town Center Transition standards; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on April 10, 2019. DLCD staff did not register any comments; and

WHEREAS, notice of the Planning Commission hearing was mailed to property owners and residents within 300 feet of the subject site on May 13, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 29, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on June 3, 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 #2019-07; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on June 13, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on June 19, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on June 24 and July 8, 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 311-19-000005-PLNG), the minutes of the Planning Commission meeting of June 3, 2019, and Planning Commission Findings and Decision Number 2019-07 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 Lot 1S306BA09600 from Neighborhood Commercial to Town Center Transition 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 24th day of June, 2019.

PASSED the second reading this 8th day of July, 2019.

Anna D. Ruggles, City Recorder

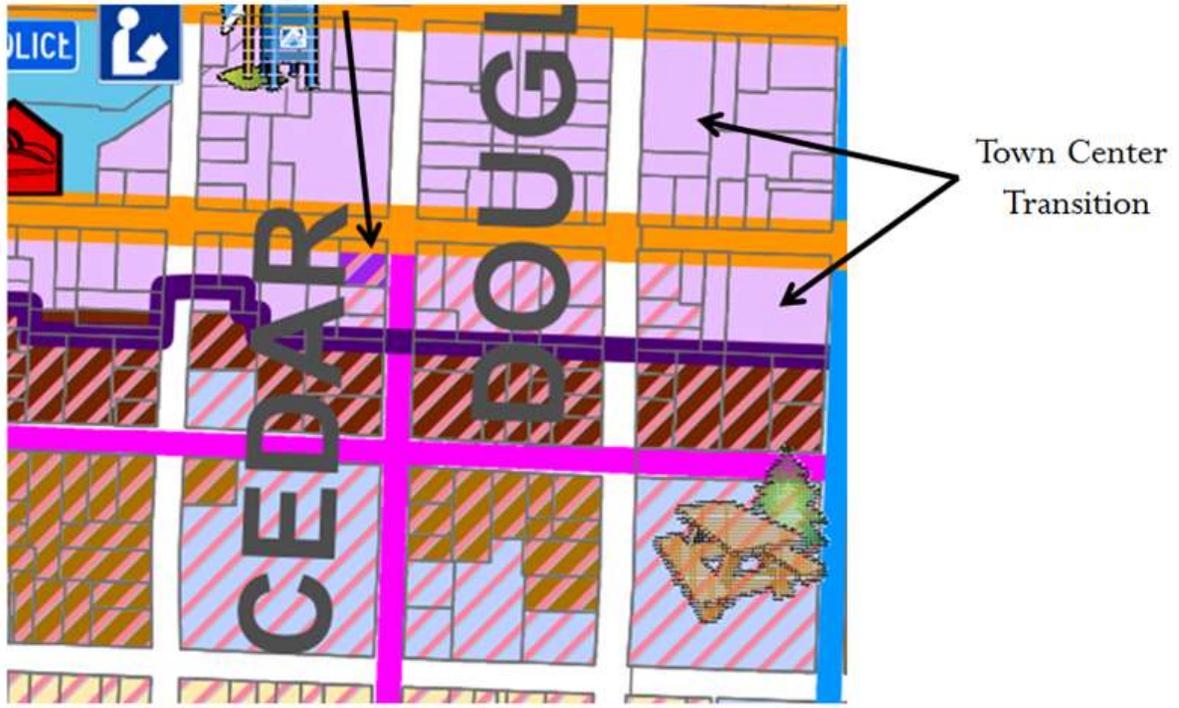
APPROVED by the Mayor this 8th day of July, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Comprehensive Plan Map Amendment
Neighborhood Commercial to Town Center Transition
Washington County Tax Lot 1S306BA09600

SITE – Commercial
Neighborhood



Cross-Hatching = Clark Historic District

EXHIBIT B

PLANNING COMMISSION DECISION #2019-07

Planning Commission Findings and Decision Number 2019-07
To Approve a Comprehensive Plan Map Amendment and Development Code
Zoning Map Amendment to Re-Designate One Parcel from Neighborhood
Commercial to Town Center Transition

Washington County tax lot 1S306BA09600
1836 Cedar Street
File Number: 311-19-000005-PLNG

WHEREAS, prior to 2009, the property at 1836 Cedar Street had been in the CC Community Commercial zoning district, as were all the surrounding properties; and

WHEREAS, when the Development Code was adopted in 2009, this parcel – and this parcel only – was rezoned to Neighborhood Commercial (CN); and

WHEREAS, City records are unclear as to the purpose of this change; and

WHEREAS, in 2016 the surrounding properties that had previously been zoned Community Commercial were rezoned to Town Center Transition; and

WHEREAS, the property owner wishes to construct additional improvements on the property which would be located closer to the side and rear property lines than the Commercial Neighborhood zoning would permit, but which could be allowed under the TCT designation; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development on April 10, 2019; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on May 13, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 29, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on June 3, 2019.

The City of Forest Grove Planning Commission does hereby recommend approval of the comprehensive plan map and zoning map amendments for Washington County tax lot 1S306BA09600, 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 June 3, 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 only one parcel with an area of 0.21 acres. Re-designating the property from Commercial Neighborhood to Town Center Transition will not have a significant effect and is therefore considered to be a minor amendment.

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 parcel from Neighborhood Commercial to Town Center Transition will provide

an opportunity to meet the identified housing need. If zoned TCT, the parcel could support 3 to 8 dwelling units (at 16.22 to 40.00 DUA), versus the 1 unit permitted under the NC designation (at 4.35 DUA).

Designating the property as Town Center Transition 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 0.21 acres of land from Commercial Neighborhood to Town Center Transition. The subject area is surrounded on all four sides by lands designated as Town Center Transition. The amendments would support the Metro Regional Framework Plan by promoting additional housing opportunities in the Town Center and along the Pacific Avenue / 19th Avenue corridor.

Finding: The Metropolitan Housing Rule (OAR §660-007-0035(2)) *Minimum Density Allocation for New Construction* requires that Forest Grove provide for an overall density of 8 or more units per net acre. The maximum by-right allowed density in the Town Center Transition zoning district is 40 units per net acre. Increasing the allowed housing density on this site would be consistent with the Metropolitan Housing Rule and support Forest Grove achieving an overall density of eight or more units per net acre.

Forest Grove Comprehensive Plan Policies

Because this proposal would amend the Comprehensive Plan map to re-designate the parcel from one commercial designation (Commercial Neighborhood) to a different commercial designation (Town Center Transition), only one Comprehensive Plan policy appears to apply to this request.

Economic Development Goal 5 – Promote Retail Activities

Policy 5.3 Promote opportunities for mixed use development, including retail, near major transportation intersections (nodes) within the city including the Forest Grove Town Center.

Finding: The intersection of 19th Avenue and Cedar Street could be considered a major transportation intersection because it is the intersection of an Arterial Street and a Neighborhood Route. Furthermore, it is also the location of a bus stop serving the Town Center. The parcel would have greater opportunity to develop with a mixture of uses because the Town Center Transition zoning district would allow for a wider variety of permitted uses, including group living, commercial lodging, and indoor entertainment.

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 parcel is re-designated to Town Center Transition, then the Town Center Transition zone would be appropriate, especially as all the surrounding parcels are also zoned TCT.

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 Economic Development Policy 5.3 which states "Promote opportunities for mixed-use development, including retail, near major transportation intersections (nodes) within the city including the Forest Grove Town Center." The finding pertaining to consistency with this policy is 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 parcel totals only 0.21 acres in area. The zone change is consistent with the adopted Transportation System Plan because the parcel is small and the development allowed by the proposed Town Center Transition zone would not be significantly different from the development permitted under the current Neighborhood Commercial designation. Traffic generated under either zoning district designation would not be expected to significantly increase traffic volumes assumed in the TSP for this area.

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 parcel is located within a developed area of the city and is served by the full array of City services. 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 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

Planning Commission Decision Number 2019-07

6-3-19

Date

Page 4 of 4



**Comprehensive Plan Map and
Zoning Map Amendments
Staff Report and Recommendation**
Community Development Department, Planning Division

Report Date	May 24, 2019
Hearing Date	June 3, 2019
Land Use Request	Comprehensive Plan Map and Zoning Map Amendment to re-designate and rezone one parcel from Neighborhood Commercial to Town Center Transition
File Number	311-19-000005-PLNG
Property Location	1836 Cedar Street
Legal Description	Washington County tax lot 1S306BA09600
Owner	Joseph Tretter, 1836 Cedar Street Forest Grove, Oregon 97116
Comprehensive Plan Designation	Neighborhood Commercial
Zoning Map Designation	Neighborhood Commercial
Historic District	Clark Historic District
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 §17.2.770 <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 home on this site was constructed c. 1943. It is located in the Clark National Register Historic District, created in 2002. Because the home has not been significantly remodeled, it is considered a Contributing resource to the district. New construction must comply with both the base zone standards and the historic district design standards of Development Code §17.5.220, or the historic design guidelines of Design Guidelines Handbook Section V as determined by the Historic Landmarks Board.

The applicant purchased the property in 2008. Prior to 2009, the property had been in the CC Community Commercial zoning district. All surrounding properties were also in the CC zoning district.

When the current Development Code was adopted in 2009, this parcel – and this parcel only – was rezoned to Neighborhood Commercial (CN). City records are unclear as to the purpose of this change. Several properties in the vicinity were considered for rezoning to “Neighborhood Services” (a designation that does not exist), but this was the only parcel in this area whose zoning designation was changed. As adoption of the Development Code and the related map amendments were legislative in nature, notice to specific property owners may not have occurred. In 2016 the surrounding properties that had previously been zoned Community Commercial were rezoned to Town Center Transition.

The applicant wishes to construct additional improvements on the property which would be located closer to the side and rear property lines than the Commercial Neighborhood zoning would permit, but which could be allowed under the TCT designation.

II. DESCRIPTION OF PROPOSAL

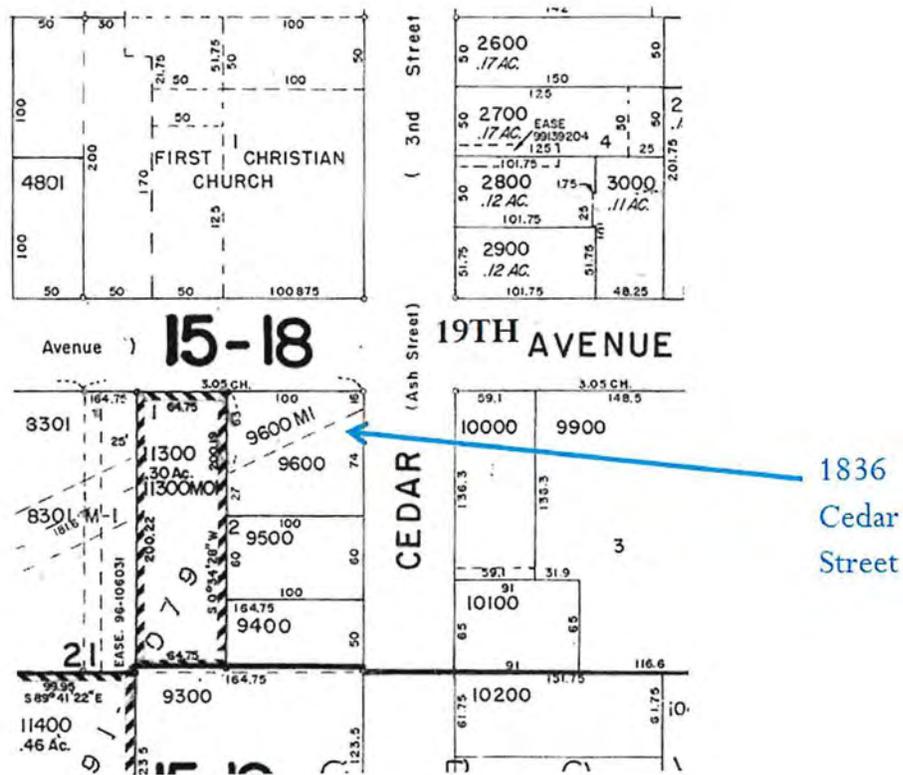
The proposal is an amendment to the Comprehensive Plan Map to re-designate one parcel from Commercial Neighborhood (CN) to Town Center Transition (TCT), and an amendment to the Zoning Map to re-designate the same parcel from Commercial Neighborhood to Town Center Transition. Maps of the proposals are attached in Exhibit A.

III. SITE EXAMINATION

The subject area totals 0.21 acres (9,200 square feet). It is developed with a single-family home. A detached, single-car garage was recently demolished. The garage took access exclusively from Cedar Street. The site also has a drive approach to 19th Avenue.

Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONING DISTRICT	LAND USE
Site	Commercial Neighborhood	Commercial Neighborhood	Single-Family Home
North	Town Center Transition	Town Center Transition	Church
South	Town Center Transition	Town Center Transition	Single-Family Home
East	Town Center Transition	Town Center Transition	Duplex
West	Town Center Transition	Town Center Transition	Apartments



WASHINGTON COUNTY TAX MAP



AERIAL PHOTO OF SITE AND AREA

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)

Because it is unclear as to why this site was designated Neighborhood Commercial in 2009, this amendment was initiated by the Community Development Director.

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

Zoning Map Amendment Process: Development Code §17.2.760 *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 April 10, 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 May 13, 2019; and published in the *News Times* on May 29, 2019, as required by Development Code §17.1.610.

As of the writing of this report, one written comment has 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 §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 only one parcel with an area of 0.21 acres. Re-designating the property from Commercial Neighborhood to Town Center Transition will not have a significant effect and is therefore considered to be a minor amendment.

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 parcel from Neighborhood Commercial to Town Center Transition will provide an opportunity to meet the identified housing need. If zoned TCT, the parcel could support 3 to 8 dwelling units (at 16.22 to 40.00 DUA), versus the 1 unit permitted under the NC designation (at 4.35 DUA).

Designating the property as Town Center Transition 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 0.21 acres of land from Commercial Neighborhood to Town Center Transition. The subject area is surrounded on all four sides by lands designated as Town Center Transition. The amendments would support the Metro Regional Framework Plan by promoting additional housing opportunities in the Town Center and along the Pacific Avenue / 19th Avenue corridor.

Finding: The Metropolitan Housing Rule (OAR §660-007-0035(2)) *Minimum Density Allocation for New Construction* requires that Forest Grove provide for an overall density of 8 or more units per net acre. The maximum by-right allowed density in the Town Center Transition zoning district is 40 units per net acre. Increasing the allowed housing density on this site would be consistent with the Metropolitan Housing Rule and support Forest Grove achieving an overall density of eight or more units per net acre.

Forest Grove Comprehensive Plan Policies

Because this proposal would amend the Comprehensive Plan map to re-designate the parcel from one commercial designation (Commercial Neighborhood) to a different commercial designation (Town Center Transition), only one Comprehensive Plan policy appears to apply to this request.

Economic Development Goal 5 – Promote Retail Activities

Policy 5.3 Promote opportunities for mixed use development, including retail, near major transportation intersections (nodes) within the city including the Forest Grove Town Center.

Finding: The intersection of 19th Avenue and Cedar Street could be considered a major transportation intersection because it is the intersection of an Arterial Street and a Neighborhood Route. Furthermore, it is also the location of a bus stop serving the Town Center. The parcel would have greater opportunity to develop with a mixture of uses because the Town Center Transition zoning district would allow for a wider variety of permitted uses, including group living, commercial lodging, and indoor entertainment.

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 parcel is re-designated to Town Center Transition, then the Town Center Transition zone would be appropriate, especially as all the surrounding parcels are also zoned TCT.

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 Economic Development Policy 5.3 which states "Promote opportunities for mixed-use development, including retail, near major transportation intersections (nodes) within the city including the Forest Grove Town Center." The finding pertaining to consistency with this policy is 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 parcel totals only 0.21 acres in area. The zone change is consistent with the adopted Transportation System Plan because the parcel is small and the development allowed by the proposed Town Center Transition zone would not be significantly different from the development permitted under the current Neighborhood Commercial designation. Traffic generated under either zoning district designation would not be expected to significantly increase traffic volumes assumed in the TSP for this area.

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 parcel is located within a developed area of the city and is served by the full array of City services. 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 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 PowerPoint Slides

Exhibit B Correspondence Received

EXHIBIT A

PowerPoint

Of

Proposed Comprehensive Plan Map

And

Zoning Map Amendments



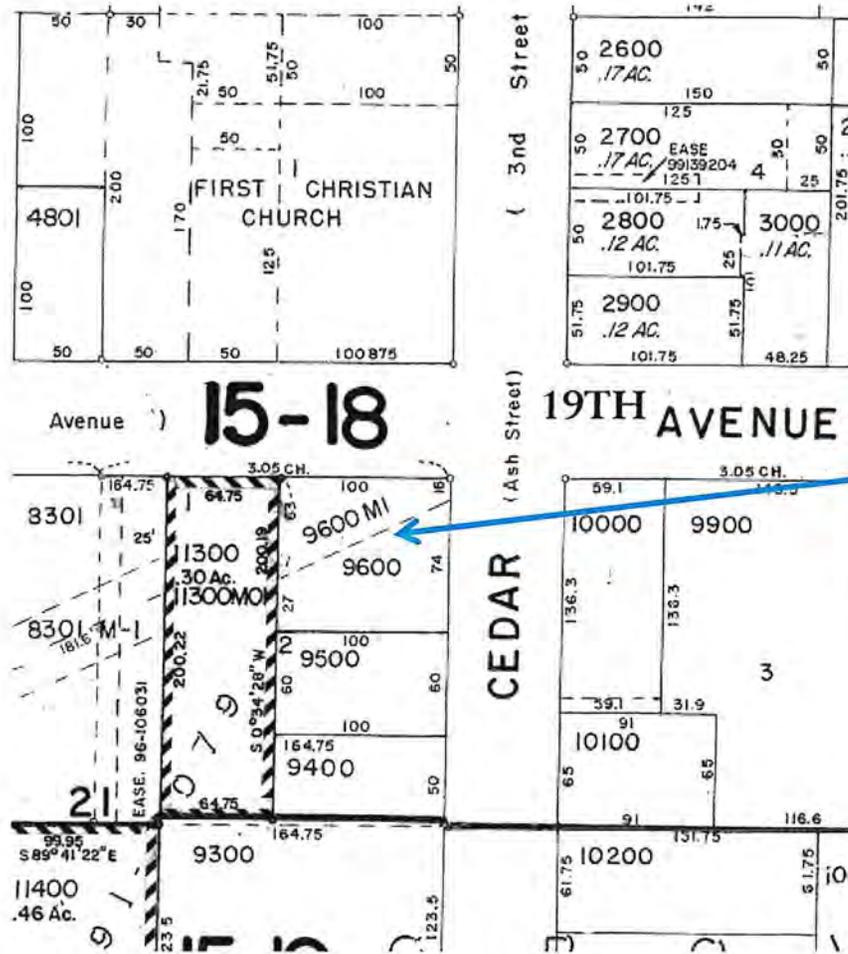
Planning Commission Meeting June 3, 2019

1836 CEDAR STREET COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

James Reitz (AICP), Senior Planner

A place where families and businesses thrive.

Washington County Tax Map



1836 Cedar Street
Tax Lot 1S306BA09600
0.21 Acres

A place where families and businesses thrive.

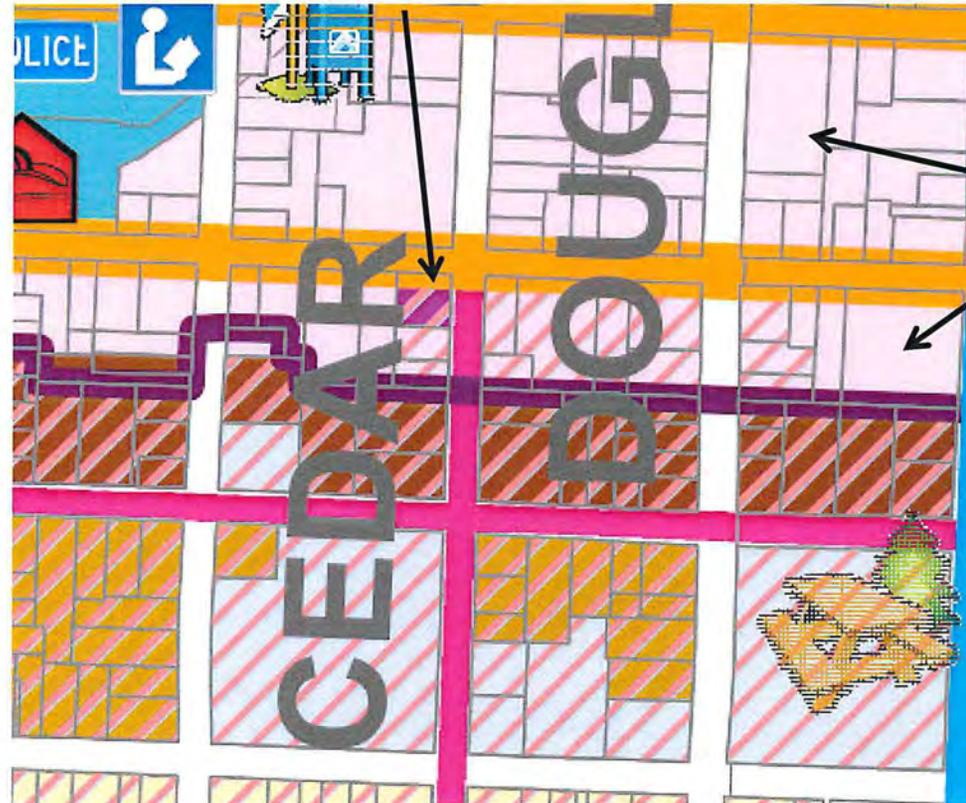
Aerial Photo of Site and Area



A place where families and businesses thrive.

Comprehensive Plan Map

SITE – Commercial Neighborhood



Town Center Transition

Cross-Hatching = Clark Historic District

A place where families and businesses thrive.

Zoning Map

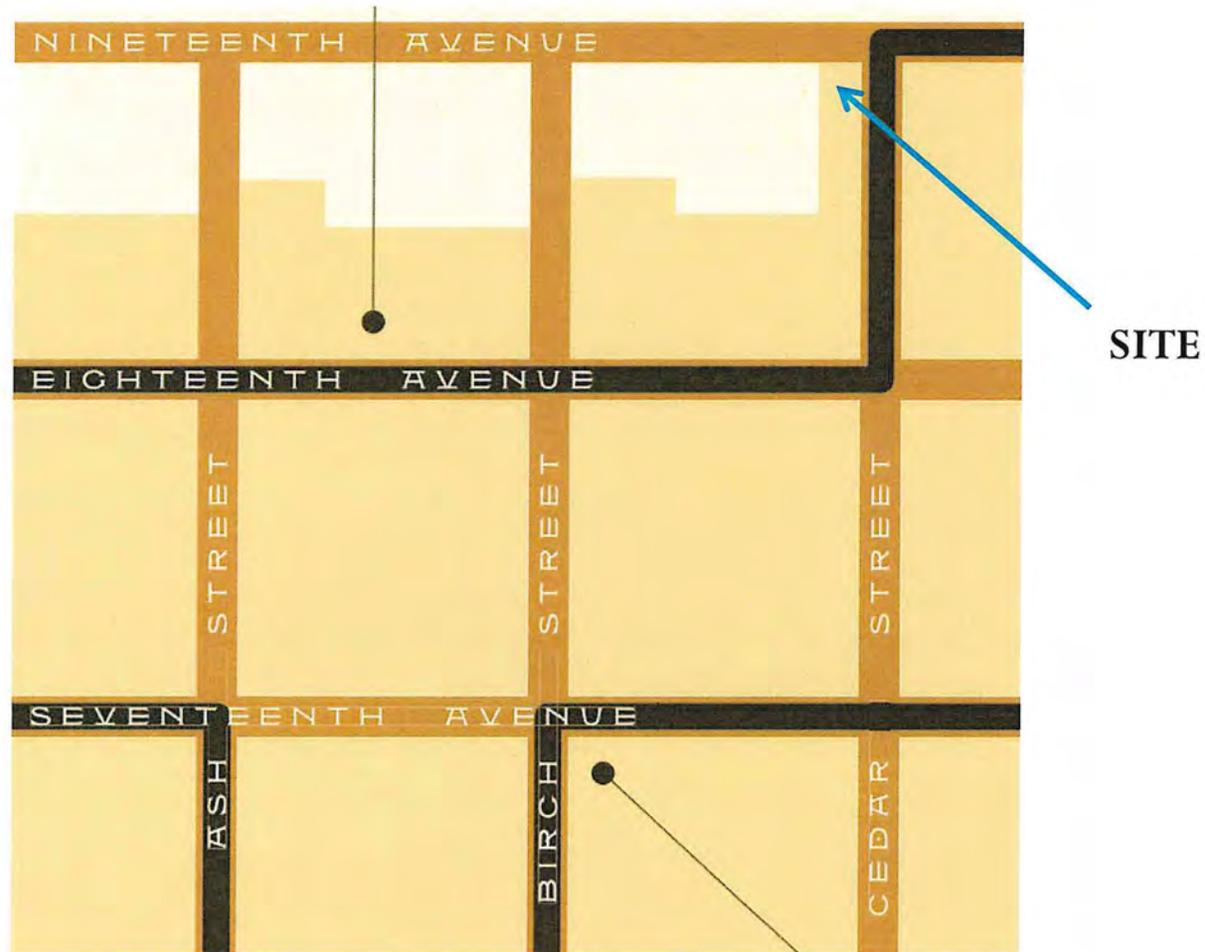
SITE – Commercial Neighborhood
Zoning District



A place where families and businesses thrive.

Clark Historic District

(Shaded Area)



A place where families and businesses thrive.



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.

A place where families and businesses thrive.

EXHIBIT B

Correspondence

Consider Rejection Town Center Transition proposal - file# 311-19-000005-PLNG

My name is Joel White and I have lived at 1828 Cedar Street for the past twelve years, and neighbor to 1836 Cedar Street. I am unable to attend the hearing on Monday, June 3rd, 2019 at 7:00 PM, and am using this letter to voice my concerns.

TCT definition states that a mix of retail, office, light industrial and residential uses are allowed in the TCT zone.

If the owner is converting his lot into a garage for a construction business or similar business involving working on, moving and storing heavy (commercial) vehicles, I do not recommend the proposal concerning 1836 Cedar Street to re-designate this address to a Town Center Transition for the following reasons:

1. Noise pollution - revving of engines

This has been a problem in the past (I called Forest Grove police to deal with the matter during August, 2018) as the owner was revving engines on his commercial and recreational vehicles that surpassed acceptable decibel levels. One concern if the city allows the owner's lot to be re-designated as a Town Center Transition, then there will certainly be excessive noise from vehicles and heavy equipment.

Forest Grove noise code states that exhausts without a muffler and revving engines are not permissible:

Exhausts. Discharging into the open air the exhaust of any steam engine, internal combustion engine, or any mechanical device operated by compressed air or steam without a muffler, or with a sound control device less effective than that provided on the original engine or mechanical device.

Revvng engines. Operating a motor vehicle engine above idling speed off the public right-of-way so as to create excessive or unnecessary sounds that exceed(s) the maximum permissible sound levels set forth in § 91.034.

2. Physical pollution - carbon monoxide exhaust, oil and gas and/or hydraulic fluid waste causing smell and soil contamination

Since I am a neighbor to 1836 Cedar Street (also the townhouse/duplex units located at 2218 19th Ave - located behind the property), we will certainly be affected by excessive exhaust from commercial vehicles, possibly contamination of the soil from oil, gas and other waste. This would be a violation of our rights to simply enjoy our property free from these hazards.

3. Traffic and parking problems

There are two access points to 1836 Cedar Street, from 19th Ave and from Cedar Street. There is parking along 19th Ave although there is a bus stop at the corner of 19th/Cedar, which is an issue for people trying to walk along the sidewalk of 19th and possible endangerment as heavy vehicles are moving in/out of the owner's property

with more than the usual frequency. Another option is Cedar Street, but there is limited parking as only the west side of the street is available for legal parking. If customers were to need parking, or the owner needs extra parking for commercial or for his several recreational vehicles, there is no prevention in place for the owner to simply use the two or three blocks of available parking and create headaches for other residents who may want family and friends to visit. Additionally, my driveway (1828 Cedar Street) is adjoining to the 1836 Cedar Street driveway, and may pose as a problem with my access being blocked by illegal parking either in the street or simply a customer or employee using my driveway believing it belonged to 1836 Cedar Street.

4. No fence between properties - a fence may be a requirement for commercial use of the property

Currently there is a thirty feet opening between 1836 and 1828 Cedar Street backyards due to the owner recently demolishing a detached garage that acted as a barrier between our properties. He had also poured cement and began other work that covered most of his backyard area, what appears to be the foundation of a large structure. I had mailed my concern to Forest Grove planning on April 19th, 2009 and received a reply on the 24th and 25th.

James Reitz responded:

Joel, we are aware of the situation. A building permit has not been issued. The neighbor acknowledged (in writing) that he was proceeding at his own risk. There should be no further activity until/unless the proper permits are obtained. Please keep us informed if you observe any activity in the meantime.

The City does not require fencing at this scale; for subdivisions, apartment complexes, commercial or industrial projects, maybe, depending on each project's circumstances. But on individual single-family lots, no.

It does not appear that a demolition permit was issued. But the City also has no authority to prohibit demolition or attach conditions unrelated to the actual demolition. Meaning, it's not a land use decision, it is simply a building permit.

I am surprised to find that the owner of 1836 Cedar Street hasn't already been shut down by Forest Grove due to blatantly not acquiring the permits, and would hope that a fence or wall will be required between our properties at some point. Currently I am unable to enjoy the privacy in my backyard due to no fault of my own; and especially if 1836 Cedar Street is allowed to have commercial vehicles going in and out of the property, I will not have much peace and quiet. The townhouses/duplexes at 2218 19th Ave will also bear the brunt of activity from 1836 Cedar Street as there is a cyclone fence but no real sound protection between properties.

5. Poor character - owner has history of judgements against him

As previously mentioned, the owner acknowledged (in writing) that he was proceeding at his own risk without any permits, which means that he has little or no regard for following rules, and doesn't care about the consequences of his actions.

According to court records within the past several years, the owner at 1836 Cedar Street has two contempt charges and various small claims against both he and his wife Patricia Tretter aka Patricia Yvonne Madden:

Feb. 12, 2018 - Offense - Contempt of Court/Remedial - Case Number 18CN00672, Offense Code 33.055 - Destruction of motor vehicles or motor vehicle facilities

Jan. 22, 2016 - Offense - Contempt of Court/Remedial - Case Number 16CN03590, Offense Code 33.055 - Destruction of motor vehicles or motor vehicle facilities

Apr. 14, 2014 - Charges Filed - Small Claims Contract - Case Number C142745SC, Fines \$49,836

Sep. 30, 2013 - Charges Filed - Small Claims Contract - Case Number C135915SC, Fines \$35,858

There are more small claims judgements between the two of them that go back to Aug. 29, 2006, Jan. 29, 2007 and Nov. 26, 2008.

I list these charges to bring to light that the owner of 1836 Cedar Street (Joseph Glen Tretter aka Joey Tretter) is not a stand-out citizen (appears to have more issues with his wife as the two aforementioned contempt judgements were titled Patricia Yvonne Tretter vs Joseph Glen Tretter and Patricia Y Madden vs Joseph Glen Tretter) where I am deeply concerned that his business will fail, they will file bankruptcy (which they have previously filed Chapter 7 in 2005 and again in 2011) and then the lot will be sold off for pennies on the dollar, looking like a ridiculous home/warehouse/garage-looking hybrid structure, and possibly will lower my property value.

Please reject Town Center Transition proposal - file# 311-19-000005-PLNG and allow the residents to have some peace of mind without the Tretter nuisance.

Joel White
1828 Cedar Street
Forest Grove, OR

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 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; Cassi Bergstrom, Planning Commission Coordinator

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) File No. 311-19-000005-PLNG –Comprehensive Plan Map Amendment and Development Code Zoning Map Amendments to re-designate and rezone one parcel from Neighborhood Commercial to Town Center Transition

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. Commissioner Nakajima disclosed that the property owner frequents her business, and no challenges to her disclosure.

Chair Beck stated for the record that the Planning Commission considers issues of land use, not of personalities in response to a letter of correspondence that was received as part of the file. Mr. Reitz stated that the City Attorney was consulted regarding the correspondence, and the city was advised against redacting the correspondence due to it being part of the record.

James Reitz, Senior Planner, gave a summary of the location of the property and the fact this is a city-initiated application due to the spot-zoning of the parcel. Archived findings were looked at, and the city is not able to determine why the

property was zoned Neighborhood Commercial and the property surrounding zoned as Town Center Transition. The property is located within the Clark Historic District.

Staff recommends that the Planning Commission forward the application to rezone the one parcel from Neighborhood Commercial to Town Center Transition to City Council with a positive recommendation.

CORRESPONDENCE:

There were two letters of correspondence received: One letter in opposition and a letter in support from the property owner of the parcel being re-designated.

APPLICANT:

None.

PROPONENTS:

Joey Tretter, 1836 Cedar Street, Forest Grove, OR 97116:

Mr. Joey Tretter explained to the Commissioners that he bought the house in 2008, and was not aware of the zoning change. He is currently trying to build a garage on his property and has been stopped by the city. Mr. Tretter stated that he had no idea he would have to deal with this process.

Rex Brown, 1804 Cedar Street, Forest Grove, OR 97116:

Mr. Rex Brown came forward, and told the Commissioners that he has two properties located nearby the parcel being re-zoned tonight. Mr. Brown has no problem with the garage being proposed by Mr. Tretter, but is concerned about his garages being not in compliance if a fire or something happened to the garages that are on the property line.

Mr. Reitz explained that Mr. Brown's property is located within a different zoning district of Residential Multifamily High, and the garages would be required to have a setback of 5 feet from the foundation to the property line. Staff can make an adjustment of 4 feet depending on the need.

OPPONENTS:

None.

OTHER:

None.

REBUTTAL:

None.

Chair Beck closed the public hearing at 7:16 p.m.

COMMISSIONER DISCUSSION:

Commissioner Nakajima agreed with staff recommendation, and the application is straight forward.

Vice Chair Ruder moved to make a positive recommendation to City Council to approve file No. 311-19-000005-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone one parcel from Neighborhood Commercial to Town Center Transition. Commissioner Nakajima seconded the motion.

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

Mr. Tretter inquired when he could begin work on his garage, and Chair Beck stated that the motion will need to go forward to City Council for two hearings prior to being approved for final re-designation. The Planning Commission does not have the power to issue a building permit.

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 May 6th, 2019 meeting. Commissioner Sanderson seconded. Motion passed 5-0.

B. REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:

None.

C. DIRECTOR'S REPORT:

Mr. Bryan Pohl gave the update, stating there will be some discussion with City Council regarding sheltering issues.

The Dollar General site plan and design review will come to the Planning Commission on June 17th, and this has been a controversial topic so Mr. Pohl reminded the Commissioners to respect the ex parte contact rules.

House Bill 2001 was referred to the Ways and Means Committee, and will trigger legislative process for the city in order to become compliant. It is also known as the "Missing Middle Housing" bill, densifying the single family zoning districts within

certain cities determined by population. More information will be available in the next coming months.

Mr. Pohl gave an update on the Town Center parking study, conducted by Lancaster Engineering. The study has been pushed to August in order to get the most optimal data as that will be peak demand for the university.

D. ANNOUNCEMENT OF NEXT MEETING:

The next meeting is scheduled for June 17th, 2019.

E. ADJOURNMENT:

The meeting was adjourned at 7:31 p.m.

Respectfully submitted by:

Cassi Bergstrom
Planning Commission Coordinator

DRAFT



<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	8. B.
MEETING DATE:	06/24/2019
FINAL ACTION:	First Reading: ORD 2019-08

CITY COUNCIL STAFF REPORT

FIRST READING:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 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: Ordinance Order Resolution Motion Informational
X all that apply

ISSUE STATEMENT: The property owner of 1836 Cedar Street is requesting a change on one parcel from a Comprehensive Plan and zoning designation of Neighborhood Commercial (CN) to Town Center Transition (TCT). The parcel totals 0.21 acres in area.

BACKGROUND: When the current Development Code was adopted in 2009, this parcel – and this parcel only – was rezoned to Neighborhood Commercial. City records are unclear as to the purpose of this change. Several properties in the vicinity were considered for rezoning to “Neighborhood Services” (a designation that does not exist), but this was the only parcel in this area whose zoning designation was changed. In 2016 the surrounding properties that had previously been zoned Community Commercial were rezoned to Town Center Transition.

At the June 3, 2019, Planning Commission hearing, only one person aside from the applicant testified. That person was not concerned with the application, but simply wanted clarification of accessory building setbacks in an adjoining zoning district. None of the Commissioners who were on the Commission in 2009 could recollect why this one property was re-zoned at that time. All concurred that designating the site to Town Center Transition was logical and reasonable, and the Commission voted unanimously to recommend approval.

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.

ATTACHMENTS:

- Ordinance to Amend Forest Grove Comprehensive Plan Map

- Ordinance to Amend Forest Grove Zoning Map
- Planning Commission Decision #2019-07
- Planning Commission Minutes (draft) of June 3, 2019
- Planning Commission Staff Report dated June 3, 2019

ORDINANCE NO. 2019-08**ORDINANCE AMENDING THE ZONING MAP TO RE-DESIGNATE ONE PARCEL FROM NEIGHBORHOOD COMMERCIAL (CN) TO TOWN CENTER TRANSITION (TCT); WASHINGTON COUNTY TAX LOT 1S306BA09600
FILE NUMBER 311-19-000005-PLNG**

WHEREAS, the property at 1836 Cedar Street is completely surrounded by property zoned Town Center Transition; and

WHEREAS, the property owner wishes to further develop the site consistent with Town Center Transition standards; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on April 10, 2019. DLCD staff did not register any comments; and

WHEREAS, notice of the Planning Commission hearing was mailed to property owners and residents within 300 feet of the subject site on May 13, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 29, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on June 3, 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 #2019-07; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on June 13, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on June 19, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on June 24 and July 8, 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 311-19-000005-PLNG), the minutes of the Planning Commission meetings of June 3, 2019, and Planning Commission Findings and Decision Number 2019-07 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 Lot 1S306BA09600 from Neighborhood Commercial to Town Center Transition 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 24th day of June, 2019.

PASSED the second reading this 8th day of July, 2019.

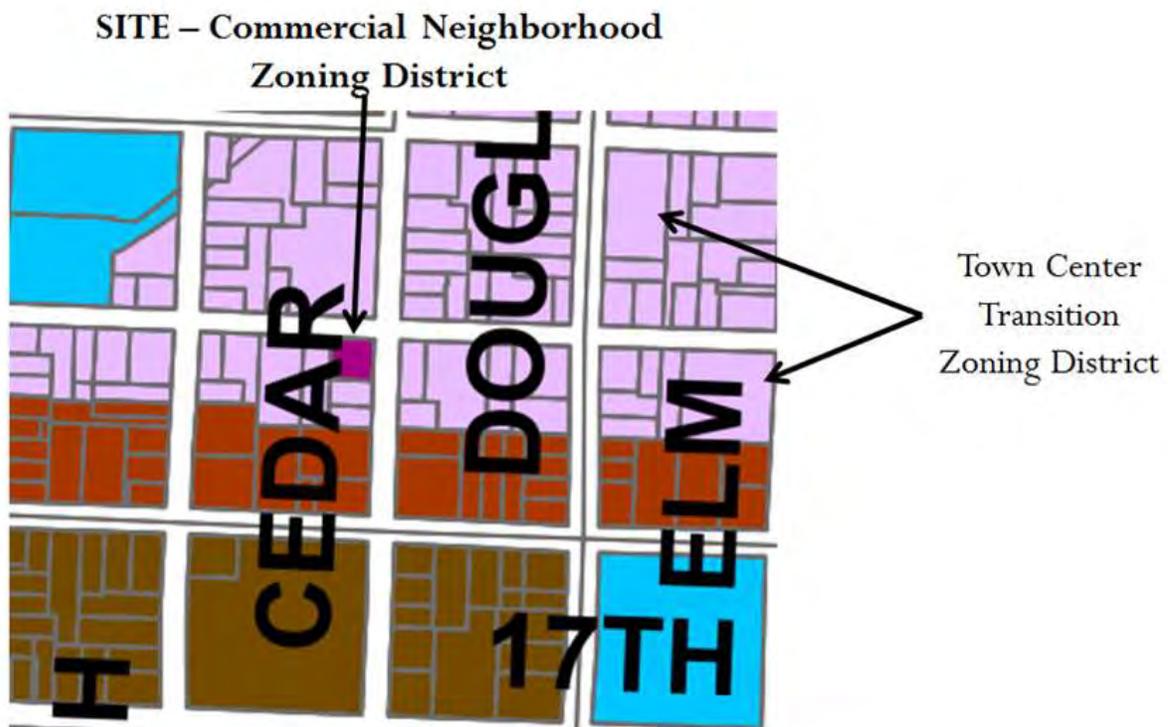
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 8th day of July, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Zoning Map Amendment
Neighborhood Commercial to Town Center Transition
Washington County tax lot 1S306BA09600



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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>9., 10. & 11.</u>
MEETING DATE:	<u>06/24/2019</u>
FINAL ACTION:	<u>RESO 2019-33</u>
	<u>RESO 2019-34</u>
	<u>RESO 2019-35</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Paul Downey, Administrative Service Director*

SUBJECT TITLE: *Resolutions to Adopt FY 2019-20 Budget, Make Appropriations for FY 2019-20, and Levy Property Taxes for FY 2019-20*

ACTION REQUESTED:

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

ISSUE STATEMENT: The Budget Committee approved the Proposed FY 2019-20 Budget of \$120,237,091 on May 9, 2019. The City Council now needs to adopt the FY 2019-20 Approved Budget with any changes approved by the City Council, levy the property taxes for FY 2019-20, and make the appropriations that set the legal expenditure level in each fund.

BACKGROUND: Staff is proposing the following three changes to the Approved Budget:

- Increase in Capital Outlay in the Water Fund of \$125,000 for the replacement of a flow meter on the 24-inch pipe from the Joint Water Commission (JWC) plant to the City’s distribution system. The meter is not reading correctly so the City is not correctly recording the amount of water it is receiving from the JWC plant. This issue was not known when the budget was prepared and the flow meter needs to be replaced. The funds for this project will come from Water Fund Reserves.
- Increase in Professional Services in the Building Permits Fund of \$12,000 to scan large plans that need to be retained by the City and an increase in Building Permits Fund Capital Outlay for making changes to the building inspectors’ work areas to improve their working area. The funds for these changes will come from Building Fund Reserves.
- Corrections to Engineering Personnel Services due to a calculation error when personnel services were budgeted. The correction lowers Engineering Personnel Services by \$47,373. The correction was made as it reduces the amount of the General Fund Support Services charge paid to the General Fund by the Water, Sewer, Street, and Surface Water Management Funds. Ending Fund Balances in all of the funds affected by the correction were increased by the amount of correction applied to each of the funds.

After working with Bonneville Power Administration for the last few years, Light and Power has received approval from BPA to install a feeder line from Filbert Street Substation to the Thatcher Substation. The new line will fix the brief outages that are caused by issues from the BPA line from Tillamook as the new feeder line will receive power from the BPA line from McMinnville. An initial estimate of the cost of the project is about \$900,000. The project is expected to take two years and will involve changes to the Filbert Substation, the installation of the power line, and the replacement of about 100 poles along the route. Staff is not asking for additional budget resources as the project will be completed by deferring other maintenance projects that can be safely delayed, some of the poles along the route were already budgeted to be replaced, and existing funds for outside design services are already in the Budget.

The Adopted Budget decreased by \$47,373 to \$120,189,718 after the above changes. Staff has prepared the necessary resolutions, which incorporate the changes in this memorandum for Council's consideration.

FISCAL IMPACT: The fiscal impact of the changes has been discussed above.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolutions to adopt the FY 2019-20 Budget, levy the taxes approved by the Budget Committee for FY 2019-20, and establish the legal appropriations for FY 2019-20.

ATTACHMENT(s):

Resolutions:

1. Adopting Budget for Fiscal Year Commencing July 1, 2019, and Ending June 30, 2020;
2. Levying and Categorizing Taxes for the City of Forest Grove, Washington County, Oregon, for the Fiscal Year Commencing July 1, 2019, and Ending June 30, 2020; and
3. Making Appropriations for the City of Forest Grove, Washington County, Oregon, for the Fiscal Year Commencing July 1, 2019, and Ending June 30, 2020

FORM LB-1

NOTICE OF BUDGET HEARING

A public meeting of the City of Forest Grove City Council will be held on June 24, 2019, at 7:00 p.m. at the Community Auditorium, 1915 Main Street, Forest Grove, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2019, as approved by the City of Forest Grove Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at City Hall, 1924 Council Street, Forest Grove, Oregon between the hours of 9:00 a.m. and 5:00 p.m. or online at www.forestgrove-or.gov. This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as the preceding year.

Contact: Paul Downey, Director of Administrative Services Telephone:503-992-3200 Email: pdowney@forestgrove-or.gov

FINANCIAL SUMMARY - RESOURCES			
TOTAL OF ALL FUNDS	Actual Amount 2017-18	Adopted Budget This Year 2018-19	Approved Budget Next Year 2019-20
Beginning Fund Balance/Net Working Capital	50,549,917	53,857,474	61,594,958
Fees, Licenses, Permits, Fines, Assessments & Other Service	38,347,616	36,343,388	37,246,407
Federal, State and all Other Grants, Gifts, Allocations and Revenue from Bonds and Other Debt	5,703,058	6,239,491	6,273,096
Interfund Transfers / Internal Service Reimbursements	3,729,105	3,215,362	2,635,976
All Other Resources Except Current Year Property Taxes	3,021,186	2,130,127	2,447,446
Current Year Property Taxes Estimated to be Received	9,122,835	9,594,255	10,039,208
Total Resources	110,473,717	111,380,097	120,237,091

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
Personnel Services	20,817,596	22,966,378	24,053,762
Materials and Services	23,894,793	25,309,570	26,502,788
Capital Outlay	5,180,446	24,649,918	25,760,941
Debt Service	856,948	729,351	851,460
Interfund Transfers	1,965,455	3,215,362	2,632,975
Contingencies		5,146,250	5,118,147
Special Payments			
Unappropriated Ending Balance and Reserved for Future Expenditure	57,758,479	29,363,268	35,317,018
Total Requirements	110,473,717	111,380,097	120,237,091

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *			
Name of Organizational Unit or Program FTE for that unit or program			
Administration	11,189,907	11,780,136	12,428,780
FTE	30.55	31.05	31.05
Public Safety	11,066,029	12,080,333	13,178,570
FTE	58.00	59.00	60.00
Community Services	3,236,667	3,532,791	3,678,835
FTE	31.13	31.12	31.30
Public Works	52,022,816	53,044,598	59,397,726
FTE	29.89	29.89	29.64
Light & Power	25,283,771	23,711,040	24,577,334
FTE	24.66	23.66	22.66
Not Allocated to Organizational Unit or Program	7,674,527	7,231,199	6,975,846
FTE	0.00	0.00	0.00
Total Requirements	110,473,717	111,380,097	120,237,091
Total FTE	174.23	174.72	174.65

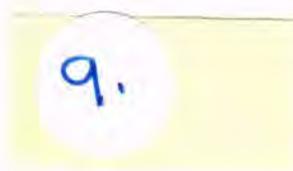
STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *
 The Proposed Budget for FY 2019-20 is relatively unchanged for services included in the budget and the revenue sources to fund those services. Total staffing is almost unchanged although there are changes in some departments with the main changes being: 1) in the Police Department, conversion of a 1.0FTE vacant Administrative Sergeant's position to a 1.0 FTE Police Officer and adding 0.50 FTE of non-sworn support staff; 2) removing a 1.0 FTE vacant Operations Superintendent in the Light & Power Department; and 3) adding 0.5 FTE to the Fire Department Logistics Technician with the funding for that increase mostly coming from other fire agencies. Major capital projects include repairing and increasing surface water drainage capacity on Hawthorne Street and the repair of sewer and surface water issues in Forest Glen Park. For more detailed information, please go to the FY 2019-20 Proposed Budget on the City's website at www.forestgrove-or.gov.

PROPERTY TAX LEVIES			
	Rate or Amount Imposed 2017-18	Rate or Amount Imposed This Year 2018-19	Rate or Amount Approved Next Year 2019-20
Permanent Rate Levy (rate limit \$3.9554 per \$1,000)	3.9554	3.9554	3.9554
Local Option Levy	1.60	1.60	1.60
Levy For General Obligation Bonds			

STATEMENT OF INDEBTEDNESS		
LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds	\$0	
Other Bonds	\$0	
Other Borrowings	\$5,482,165	
Total	\$5,482,165	

* If more space is needed to complete any section of this form, insert lines (rows) on this sheet. You may delete blank lines.
 150-504-073-2 (Rev. 02-14)

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RESOLUTION NO. 2019-33

**RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR
COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020**

WHEREAS, the Budget Committee of the City of Forest Grove has approved a budget for the City for the Fiscal Year commencing July 1, 2019, pursuant to the provisions of Oregon Local Budget Law; and

WHEREAS, changes have been proposed to the Budget approved by the Budget Committee, and

WHEREAS, a hearing has been held before the City Council as required by law and it appears to the Council that the Approved Budget as changed by the City Council should be adopted.

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

Section 1. That the City Council hereby adopts the FY 2019-20 Budget approved by the Budget Committee of the City of Forest Grove in the amount of \$120,189,718.

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

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RESOLUTION NO. 2019-34

**RESOLUTION MAKING APPROPRIATIONS FOR THE CITY OF
FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE
FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020**

WHEREAS, the City Council has adopted the FY 2019-20 Budget now on file in the office of the City Recorder.

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

Section 1. That the amounts shown below are hereby appropriated for the fiscal year beginning July 1, 2019, and for the following purposes are hereby appropriated as follows:

	<u>General Fund</u>	
Legislative & Executive	\$	658,767
Administrative Services		3,310,879
Library		1,375,735
Planning		571,925
Engineering		980,941
Police Services		6,674,081
Fire Department		4,949,795
Aquatics		714,996
Parks and Recreation		795,631
Municipal Court		410,143
Non-Departmental		10,000
Contingencies		1,000,000
Transfers		650,000
Total General Fund Appropriations	\$	<u>22,102,893</u>

Light Fund

Electric Services	\$ 19,513,068
Debt Service	305,313
Transfers	1,115,465
Contingencies	<u>1,000,000</u>
Total Light Fund Appropriations	\$ <u>21,933,846</u>

Sewer Fund

Sewer Services	\$ 1,726,927
Transfers	87,192
Contingencies	<u>750,000</u>
Total Sewer Fund Appropriations	\$ <u>2,564,119</u>

Sewer SDC Fund

Sewer Infrastructure Construction	\$ 70,000
Debt Service	111,222
Contingencies	<u>100,000</u>
Total Sewer SDC Fund Appropriations	\$ <u>281,222</u>

Water Fund

Water Services	\$ 4,793,586
Debt Service	434,925
Transfers	332,230
Contingencies	<u>1,303,250</u>
Total Water Fund Appropriations	\$ <u>6,863,991</u>

Water SDC Fund

Water Infrastructure Construction	\$ 813,000
Transfers	1,400
Contingencies	<u>150,000</u>
Total Water SDC Fund Appropriations	\$ <u>964,400</u>

Surface Water Management Fund

SWM Services	\$ 1,614,377
Transfers	55,682
Contingencies	150,000
Total SWM Fund Appropriations	\$ <u>1,820,059</u>

SWM SDC Fund

SWC Infrastructure Construction	442,000
Contingencies	64,897
Total SWM SDC Fund Appropriations	\$ <u>506,897</u>

Street Fund

Street Services	\$ 2,340,274
Contingencies	100,000
Total Street Fund Appropriations	\$ <u>2,440,274</u>

Building Permits Fund

Building Permit Services	\$ 970,586
Transfers	56,936
Contingencies	120,000
Total Building Permits Fund Appropriations	\$ <u>1,147,522</u>

Community Enhancement Fund

Materials & Services	\$ 104,000
Transfers	8,000
Total Community Enhancement Fund Appropriations	\$ <u>112,000</u>

Library Endowment Fund

Materials & Services	\$ 4,008
Total Library Endowment Fund Appropriations	\$ <u>4,008</u>

Street Tree Fund

Materials & Services	\$ 78,395
Transfers	1,000
Total Street Tree Fund Appropriations	\$ <u>79,395</u>

Transportation System Fund

Materials & Services	\$ 550,000
Total Transportation System Fund Appropriations	\$ <u>550,000</u>

Public Arts Donations Fund

Materials & Services	\$	<u>19,899</u>
Total Public Arts Donations Fund Appropriations	\$	<u>19,899</u>

Facility Major Maintenance Fund

Capital Outlay	\$	<u>1,003,845</u>
Total Facility Major Maint. Fund Appropriations		<u>1,003,845</u>

Forfeiture Fund

Materials & Services	\$	<u>4,733</u>
Total Forfeiture Fund Appropriations		<u>4,733</u>

Equipment Fund

Vehicle Services	\$	1,228,302
Contingencies		<u>250,000</u>
Total Equipment Fund Appropriations	\$	<u>1,478,302</u>

Fire Equipment Replacement Fund

Capital Outlay	\$	670,000
Contingencies		<u>80,000</u>
Total Fire Equip. Replacement Fund Appropriations	\$	<u>750,000</u>

Information Systems Fund

Information System Services		486,107
Contingencies		<u>20,000</u>
Total Information Systems Fund Appropriations	\$	<u>506,107</u>

City Utility Fund

Materials & Services	\$	<u>230,622</u>
Total City Utility Appropriations & Fund	\$	<u>230,622</u>

Risk Management Fund

Risk Management Services	\$	663,001
Transfers		40,000
Contingencies		<u>30,000</u>
Total Risk Management Fund Appropriations	\$	<u>733,001</u>

Bikeway Improvements Fund

Capital Outlay	\$	<u>18,162</u>
Total Bikeway Improvements Fund Appropriations	\$	<u>18,162</u>

<u>Park System Development Fund</u>	
Park System Construction	\$ <u>3,550,844</u>
Total Park System Develop. Fund Appropriations	\$ <u>3,550,844</u>
<u>Traffic Impact Fund</u>	
Capital Outlay	\$ <u>2,627,356</u>
Total Traffic Impact Fund Appropriations	\$ <u>2,627,356</u>
<u>Transportation Development Tax Fund</u>	
Capital Outlay	\$ <u>11,240,163</u>
Total Traffic Impact Fund Appropriations	\$ <u>11,240,163</u>
<u>Capital Projects Fund</u>	
Capital Projects	\$ <u>669,481</u>
Total Capital Projects Fund Appropriations	\$ <u>669,481</u>
<u>CIP Excise Tax Fund</u>	
Capital Outlay	\$ 253,668
Transfers	<u>285,070</u>
Total CIP Excise Tax Fund Appropriations	\$ <u>538,738</u>
<u>Trail Systems Fund</u>	
Materials & Services	\$ <u>1,309</u>
Total Trail Systems Fund Appropriations	\$ <u>1,309</u>
<u>City Transient Lodging Tax Fund</u>	
Materials & Services	\$ 159,000
Capital Outlay	\$ <u>74,700</u>
Total Transient Lodging Tax Fund Appropriations	\$ <u>233,700</u>
Total APPROPRIATIONS, All Funds	\$ 84,976,888
Total Unappropriated Amounts, All Funds	\$ <u>35,212,830</u>
TOTAL ADOPTED BUDGET	\$ <u>120,189,718</u>

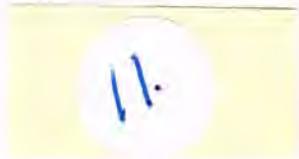
Section 2. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor



RESOLUTION NO. 2019-35

RESOLUTION LEVYING AND CATEGORIZING TAXES FOR THE CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON, FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020

WHEREAS, the City Council has adopted the FY 2019-20 Budget now on file in the office of the City Recorder.

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

Section 1. That the following ad valorem property taxes are hereby imposed and categorized for tax year 2019-20 upon the assessed value of all taxable property within the City for tax year 2019-20: 1) at the rate of \$3.9554 per \$1,000 of assessed value for the permanent rate tax; and 2) at the rate of \$1.60 per \$1,000 of assessed value for the local option levy expiring June 30, 2023.

Section 2. The taxes imposed are hereby categorized for purposes of Article XI section 11b as:

	<u>Subject to the General Government Limitation</u>	<u>Excluded from the Limitation</u>
General Fund – Permanent Rate	\$3.9554/\$1,000	
General Fund – Local Option Levy	\$1.6000/\$1,000	
	-----	-----
Category Total	\$5.5554/\$1,000	\$0

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>12.</u>
MEETING DATE:	<u>06/24/2019</u>
FINAL ACTION:	<u>RESO 2019-36</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *Resolution Adopting the FY 2019-24 Capital Improvements Program*

ACTION REQUESTED:

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

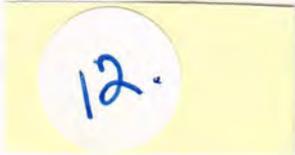
ISSUE STATEMENT: The Capital Improvements Program (CIP) for FY 2019-24 was approved by the Budget Committee and now needs to be adopted by the City Council.

BACKGROUND: The CIP forms the basis of the capital projects that the City is planning to accomplish over the next five years. Projects funded by SDC funds need to be listed in the CIP in order for SDC funds to be expended on those projects. No changes have been made to the CIP for FY 2019-24 that was approved by the Budget Committee.

FISCAL IMPACT: Projects to be completed in FY 2019-20 are reflected in the appropriate funds in the FY 2019-20 Budget that the Council will be asked to adopt tonight.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution adopting the FY 2019-24 Capital Improvement Program.

ATTACHMENT(s):
 Resolution Adopting the FY 2019-24 Capital Improvements Program



RESOLUTION NO. 2019-36

**RESOLUTION ADOPTING THE FY 2019-24
CAPITAL IMPROVEMENTS PROGRAM**

WHEREAS, the Capital Improvements Program is an ongoing five-year schedule of physical improvements and major equipment purchases; and

WHEREAS, the Capital Improvements Program is a planning and budgeting tool used to ensure residents continue to receive services in the future; and

WHEREAS, projects to be funded with system development charges need to be included in the Capital Improvements Program; and

WHEREAS, the Budget Committee has reviewed and approved the Capital Improvements Program.

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

Section 1. That the City Council hereby adopts the FY 2019-24 Capital Improvements Program.

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor



<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	13. & 14.
MEETING DATE:	06/24/2019
FINAL ACTION:	RESO 2019-37 RESO 2019-38

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *State Revenue Sharing Resolutions*

ACTION REQUESTED:

Ordinance	Order	X	Resolution	Motion	Informational
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X all that apply

ISSUE STATEMENT: In order to receive State Revenue Sharing, the City is required by the State to elect to participate in the State Revenue Sharing Program and to certify services. The attached resolutions fulfill the requirement of certifying the services provided by the City and electing to receive state revenues for FY 2019-20.

BACKGROUND: Before the City can elect to participate in the State Revenue Sharing Program, the City is required to hold two hearings on the use of the funds. The Budget Committee meeting of May 2, 2019, was one of those meetings and the second will occur June 24, 2019, when the Council holds its public hearing on the budget. For fiscal year 2019-20, the City is projected to receive \$447,760 in Alcohol Tax revenue, \$28,709 in Cigarette Tax revenue, \$76,000 in State Marijuana Tax revenue, and \$304,477 in State Revenue Sharing. For budgetary purposes, the Alcohol Tax is allocated to the Police Department, the Cigarette Tax is allocated to the Fire Department, and the State Marijuana Tax and the State Shared Revenue is put in General Fund Discretionary Revenue.

FISCAL IMPACT: If the City decided not to accept the State Shared Revenue, the City will have to reduce General Fund expenditures by \$856,946 or use General Fund reserves to make up for the loss of that revenue.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolutions so the City can receive State Shared Revenue in FY 2019-20.

ATTACHMENT(s):

1. Resolution Certifying Services Provided by the City of Forest Grove
2. Resolution Declaring the City’s Election to Receive State Revenues

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RESOLUTION NO. 2019-37**RESOLUTION CERTIFYING SERVICES PROVIDED
BY THE CITY OF FOREST GROVE**

WHEREAS, ORS 221.760 provides as follows:

Section 1: The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police Protection
- (2) Fire Protection
- (3) Street Construction, Maintenance and Lighting
- (4) Sanitary Sewer
- (5) Storm Sewers
- (6) Planning, Zoning and Subdivision Control
- (7) One or more Utility Services

WHEREAS, City officials recognize the desirability of assisting the State Officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760;

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

Section 1. That the City of Forest Grove hereby certifies that it provides the following municipal services enumerated in Section 1, ORS 221.760:

- (1) Police Protection
- (2) Fire Protection
- (3) Street Construction, Maintenance and Lighting
- (4) Sanitary Sewer
- (5) Storm Sewers
- (6) Planning, Zoning and Subdivision Control
- (7) Municipal Electric and Water Utility Services

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

14.

RESOLUTION NO. 2019-38

**RESOLUTION DECLARING THE CITY'S ELECTION
TO RECEIVE STATE REVENUES**

The City of Forest Grove resolves as follows:

Section 1. Pursuant to ORS 221.770, the City hereby elects to receive state revenues for Fiscal Year 2019-20.

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED By the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

I certify that a Public Hearing before the Budget Committee was held May 2, 2019, and a Public Hearing before the City Council was held June 24, 2019, giving citizens an opportunity to comment on use of State Revenue Sharing.

Attested: _____
Anna D. Ruggles, City Recorder



<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	15.
MEETING DATE:	06/24/2019
FINAL ACTION:	RESO 2019-39

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *Capital Improvements Program Excise Tax Renewal for FY 2019-20*

ACTION REQUESTED: Ordinance Order Resolution Motion Informational
X all that apply

ISSUE STATEMENT: The ordinance that created the Capital Improvements Program (CIP) Excise Tax requires the tax to be re-authorized by resolution each fiscal year.

BACKGROUND: The CIP excise tax was initiated in 1990. The City Code restricts the use of the revenue generated by the CIP excise tax to the General Government and Public Safety programs within the Capital Improvements Program. The Code requires the tax be reviewed on an annual basis by the Budget Committee and be approved each year by the City Council. If the tax is not reauthorized, the City cannot collect the revenue.

The City last increased the tax rate on July 1, 2014. Staff is not proposing any fee increase for the coming fiscal year. The City expects to collect about \$355,153 in revenue from the CIP excise tax in FY 2019-20.

Most of the excise tax is used to fund public safety capital needs particularly police and fire vehicle replacements. As in prior years, 90% of the revenue will be used in the Fire and Police Departments, while the other 10% will be used in General Government Programs. Other proposed expenditures in the CIP Excise Tax Fund in FY 2019-20 include implementing police electronic ticket software, minor improvements in Thatcher Park, and a sign for a City park.

The CIP Excise Tax is accounted for in a separate fund to ensure that the tax proceeds are spent as required by the resolution.

FISCAL IMPACT: If the CIP Excise Tax is not renewed, the City will need to find an alternative source of revenue for police vehicle and fire apparatus replacement. Also, some of the other projects that would be funded with this revenue will not occur unless alternative revenue is found for those projects.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution adopting the renewal of the CIP Excise Tax for FY 2019-20.

ATTACHMENT(s):
Resolution Adopting the Capital Improvements Program Excise Tax and Repealing Resolution 2018-64

RESOLUTION NO. 2019-39

**RESOLUTION ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM
EXCISE TAX AND REPEALING RESOLUTION 2018-64**

WHEREAS, the Budget Committee has reviewed and the City Council has adopted the FY 2019-24 Capital Improvements Program (CIP); and

WHEREAS, the City has an ordinance to impose a CIP Excise Tax to fund the Public Safety and General Government programs within the Capital Improvements Program; and

WHEREAS, the City Council recognizes the relationship between quality service delivery and investments in capital equipment and facilities; and

WHEREAS, funding for capital equipment and facilities is necessary to ensure residents of Forest Grove continue to receive quality services in the future.

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

Section 1. Resolution 2018-64 is repealed effective June 30, 2019.

Section 2. The City shall impose a CIP Excise Tax for the purpose of funding the Public Safety and General Government Programs within the CIP.

Section 3. The tax shall be based on the amount of required revenue distributed among residential, general service and industrial classes of utility customers. The tax will appear on each utility bill. The CIP Excise Tax shall be fixed as follows:

<u>CLASS</u>	<u>MONTHLY RATE</u>
Residential	\$3.00
Commercial – Single Phase	\$7.50
All Others	\$15.00

Section 4. The CIP Excise Tax will be effective July 1, 2019.

Section 5. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

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<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>16.</u>
MEETING DATE:	<u>06/24/2019</u>
FINAL ACTION:	<u>RESO 2019-40</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *June 24, 2019*

PROJECT TEAM: *Paul Downey, Administrative Services Director*

SUBJECT TITLE: *FY 2018-19 Appropriations Transfers*

ACTION REQUESTED:

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

ISSUE STATEMENT: The adopted budget for a fiscal year is based upon best estimates at the time the budget is adopted. During the fiscal year, unanticipated events may occur and actual expenditures become known.

At the end of the fiscal year, it is standard procedure to review expenditures throughout the budget and to modify appropriations, which are legal expenditure limits, for expenditures which may exceed the appropriated levels by the end of the fiscal year. ORS Chapter 294 permits the governing body to transfer appropriations within a fund so the budgeted appropriations are not exceeded. The attached resolution authorizes the appropriation transfers necessary for FY 2018-19.

BACKGROUND: Upon review of the preliminary year-to-date expenditures as of June 17, 2019, staff has prepared a resolution for Council consideration to avoid potential appropriation over expenditures in the General Funds at the end of FY 2018-19. The reasons for the proposed transfers are discussed below. The numbers for the reasons correspond to the transfer numbers in the proposed resolution:

1. In the Parks Department, appropriations need to be increased to cover a possible over expenditure in Personnel Services. Staff does not think the Parks Department will exceed the budget but it could be close depending on how much watering is done in the parks during June. Parks Department appropriations are proposed to be increased by \$5,000.
2. In the Building Permits Fund, the Budget will be exceeded due to inspections performed by other government agencies, such as electrical and outside consulting engineering calculations, due to the high level of building activity. Revenue was collected to pay for the inspections and outside engineering reviews. \$120,000 will be transferred from Contingency to cover the expenditures incurred.

3. In the Street Tree Fund, the budget will be exceeded by approximately \$181 due to the number of trees required to be planted. In order not to exceed budget appropriations, the Transfer to the General Fund will be reduced by \$250 and the budget for tree planting will be increased by \$250.
4. In the Light and Power Fund, \$700,000 will be transferred from Contingency to Power Purchases to pay for the actual costs of power purchases. Additional revenue to pay for those increased power purchases was collected through higher electric sales. \$11,000 will be transferred from Contingency to Debt Service to cover the actual costs of the debt service payments due to an error when the budget was prepared.
5. In the Water Fund, \$400 needs to be transferred to Water Fund Debt Service to fully fund the required debt service payments. An input error was made when the budget was prepared last year.
6. In the Fire Equipment Replacement Fund, \$51,000 need to be transferred from Contingency to Capital Outlay to pay for the City's purchase of one-half of the Gales Creek Lot where the manufactured home for the volunteers is located. The Council approved this purchase earlier this fiscal year. The purchase will not affect the apparatus acquisition schedule as funds from the City's share of conflagration payments was used to acquire the property.

FISCAL IMPACT: Fiscal impact was explained above.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution transferring appropriations within the FY 2018-19 Budget.

ATTACHMENT(s):

Resolution Transferring Appropriations Within Various Funds for the Fiscal Year 2018-19

RESOLUTION NO. 2019-40

**RESOLUTION TRANSFERRING APPROPRIATIONS
WITHIN VARIOUS FUNDS FOR THE FISCAL YEAR 2018-19**

WHEREAS, the City Council has determined that due to unforeseen expenditures it is necessary to increase the appropriations for the operation of the General Fund.

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

Section 1. The following appropriations transfers for FY 2018-19 will be made:

1. Transfer \$5,000 from General Fund Contingency (1001800 8300) to Parks and Recreation Regular Wages (1001600 5000). Total Parks and Recreation Appropriations are increased to \$751,791.
2. Transfer \$120,000 from Building Permits Fund Contingency (2053200 8300) to: 1) \$80,000 to Intergovernmental Services (2053200 6230); and 2) \$40,000 to Professional Services (2053200 6300). Total Building Fund Permit Services Appropriations are increased to \$947,366.
3. Transfer \$250 from Street Tree Fund Transfers to the General Fund (2123100 8200) to Street Tree Fund Street Tree Planting (2123100 6095). Total Street Tree Fund Street Services appropriations are increased to \$43,794 and Total Street Tree Fund Transfer Appropriation is reduced to \$750.
4. Transfer \$711,000 from Light and Power (L&P) Fund Contingency (6104100 8300) to: 1) \$700,000 to Purchased Power (6104110 6075); and 2) \$11,000 to Interest-Substations (6104100 8112). L&P Electric Services Appropriations are increased to \$19,346,848 and L&P Debt Service Appropriations are increased to \$306,975.
5. Transfer \$400 from Water Fund Contingency (6305300 8300) to Water Fund Interest-Scoggins Reservoir (6305300 8110). Total Water Fund Debt Service appropriations are increased to \$433,776.
6. Transfer \$51,000 from Fire Equipment Replacement Fund (FERF) Contingency (3552300 8300) to FERG Major Tools and Work Equipment (3552300 7035). Total FERG Capital Outlay Appropriations are increased to \$537,600.

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

PRESENTED AND PASSED this 24th day of June, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 24th day of June, 2019.

Peter B. Truax, Mayor

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