

**ORDER NO. 2018-01**

**ADOPTING AN AMENDMENT TO THE OFFICIAL ZONING MAP  
FOR A CERTAIN TRACT OF LAND AT 600 ELM STREET  
(WASHINGTON COUNTY TAX LOT 1S307AB01200) SUBJECT TO ANNEXATION  
INTO THE CITY LIMITS OF FOREST GROVE; FILE NO. 311-18-000007-PLNG**

**WHEREAS**, the owner of property located at 600 Elm Street (Washington County Tax Lot 1S307AB01200) submitted an annexation petition on November 2, 2016, and resubmitted the annexation petition on March 26, 2018; and

**WHEREAS**, the annexation petitioner filed a concurrent land use application to amend the Official Forest Grove Zoning Map as required by Forest Grove Development Code §10.2.160 (Assignment of Zoning Designations); and

**WHEREAS**, the zoning of said tract is designated FD-20 (Future Development) by Washington County; and

**WHEREAS**, the Forest Grove Comprehensive Plan Map designates the tract subject to annexation as Campus Employment; and

**WHEREAS**, Forest Grove Development Code §10.3.510(C) states the BIP zone is intended to implement the Campus Employment Comprehensive Plan Map designation; and

**WHEREAS**, the annexation petitioner seeks to designate the subject tract as Business Industrial Park (BIP) on the Official Forest Grove Zoning Map; and

**WHEREAS**, the amendment to the Forest Grove Official Zoning Map complies with the review criteria contained Forest Grove Development Code §10.2.770 (Zoning Change Review Criteria); and

**WHEREAS**, the Planning Commission held a duly-noticed Public Hearing on June 4, 2018, and adopted findings and a motion to recommend the City Council approve amending the Official Zoning Map to designate the subject tract BIP upon annexation; and

**WHEREAS**, City Council held a duly-noticed Public Hearing on August 13, 2018, to consider the Planning Commission's recommendation and the Order assigning the BIP zoning designation to the territory subject to annexation; and

**WHEREAS**, a report was prepared as required by law and the City Council having considered the report and the testimony at the public hearing does hereby favor the amendment to the Official Zoning Map.

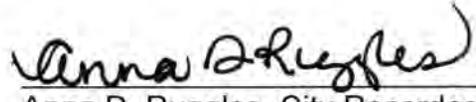
**NOW, THEREFORE, THE CITY OF FOREST GROVE ORDERS AS FOLLOWS:**

**Section 1.** The City of Forest Grove hereby approves and adopts the amendment to the Official Zoning Map and designates the subject tract Business Industrial Park (BIP) as described in Exhibit A and Exhibit B.

**Section 2.** The Planning Commission Findings and Decision 18-02 attached as Exhibit C are hereby adopted.

**Section 3.** This Order is enacted by the City Council and shall be effective upon the implementation date of Ordinance No. 2018-04, Ordinance approving the annexation of the tract, File No. 311-18-000007-PLNG.

**PRESENTED AND PASSED** the 13<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 13<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Peter B. Truax, Mayor

# Exhibit A

LAND SURVEYING PLANNING ENGINEERING WATER RIGHTS FORESTRY GPS & GIS



TELEPHONE (503) 357-5717  
FAX (503) 357-5698  
WEBSITE: [www.stuntzner.com](http://www.stuntzner.com)  
2318-B Pacific Avenue  
Forest Grove, OR 97116

## HAWORTH ANNEXATION

### AREA TO BE ANNEXED

A parcel of land situated in Section 6 and Section 7, Township 1 South, Range 3 West, Willamette Meridian, Washington County, Oregon, being a portion of Parcel 1 of Document No. 2005-106608, more particularly described as follows:

Beginning at a 5/8" iron rod marking the southwest corner of Parcel 2, Partition Plat 2017-035, Records of Washington County, Oregon, said iron rod also lying on the northerly boundary of Parcel 1 of Document No. 2005-106608, thence along said northerly boundary, South 56°44'55" West 702.29 feet to a 5/8" iron rod set per SN 32,423, Records of the Washington County Surveyor;  
thence North 79°23'45" East 29.48 feet to a 5/8" iron rod;  
thence South 66°40'52" East 64.45 feet to a 5/8" iron rod;  
thence South 25°17'17" East 189.21 feet to a 5/8" iron rod;  
thence South 22°30'36" East 107.79 feet to a 5/8" iron rod;  
thence South 18°01'04" East 110.93 feet to a 5/8" iron rod;  
thence South 07°00'57" West 48.14 feet to a 5/8" iron rod;  
thence South 03°29'50" East 87.08 feet to a 5/8" iron rod;  
thence South 11°26'09" West 105.85 feet to a 5/8" iron rod;  
thence South 03°53'34" East 66.19 feet to a 5/8" iron rod;  
thence North 81°33'33" East 365.59 feet to a 5/8" iron rod;  
thence North 63°58'49" East 253.81 feet to a 5/8" iron rod;  
thence North 58°19'14" East 264.78 feet to a 5/8" iron rod;  
thence North 53°04'36" East 246.10 feet to a 5/8" iron rod;  
thence North 38°59'28" East 244.68 feet to a 5/8" iron rod;  
thence North 26°44'33" East 266.56 feet to a 5/8" iron rod;  
thence North 39°40'07" East 261.82 feet to a 5/8" iron rod;  
thence North 34°52'32" East 263.14 feet to a 5/8" iron rod;  
thence North 30°05'27" East 267.37 feet to a 5/8" iron rod;  
thence North 17°12'02" East 134.83 feet to a 5/8" iron rod;  
thence North 32°49'47" East 148.37 feet to a 5/8" iron rod;  
thence North 19°55'37" East 137.61 feet to a 5/8" iron rod;  
thence North 16°20'55" West 163.35 feet to a 5/8" iron rod set per said SN 32,423 on said northerly line of Parcel 1 of Document No. 2005-106608;  
thence along said northerly line, South 56°44'55" West 1726.08 feet to a 5/8" iron rod marking the southeast corner of said Parcel 2;  
thence continuing S56°44'55" West 66.09 feet to the point of beginning.

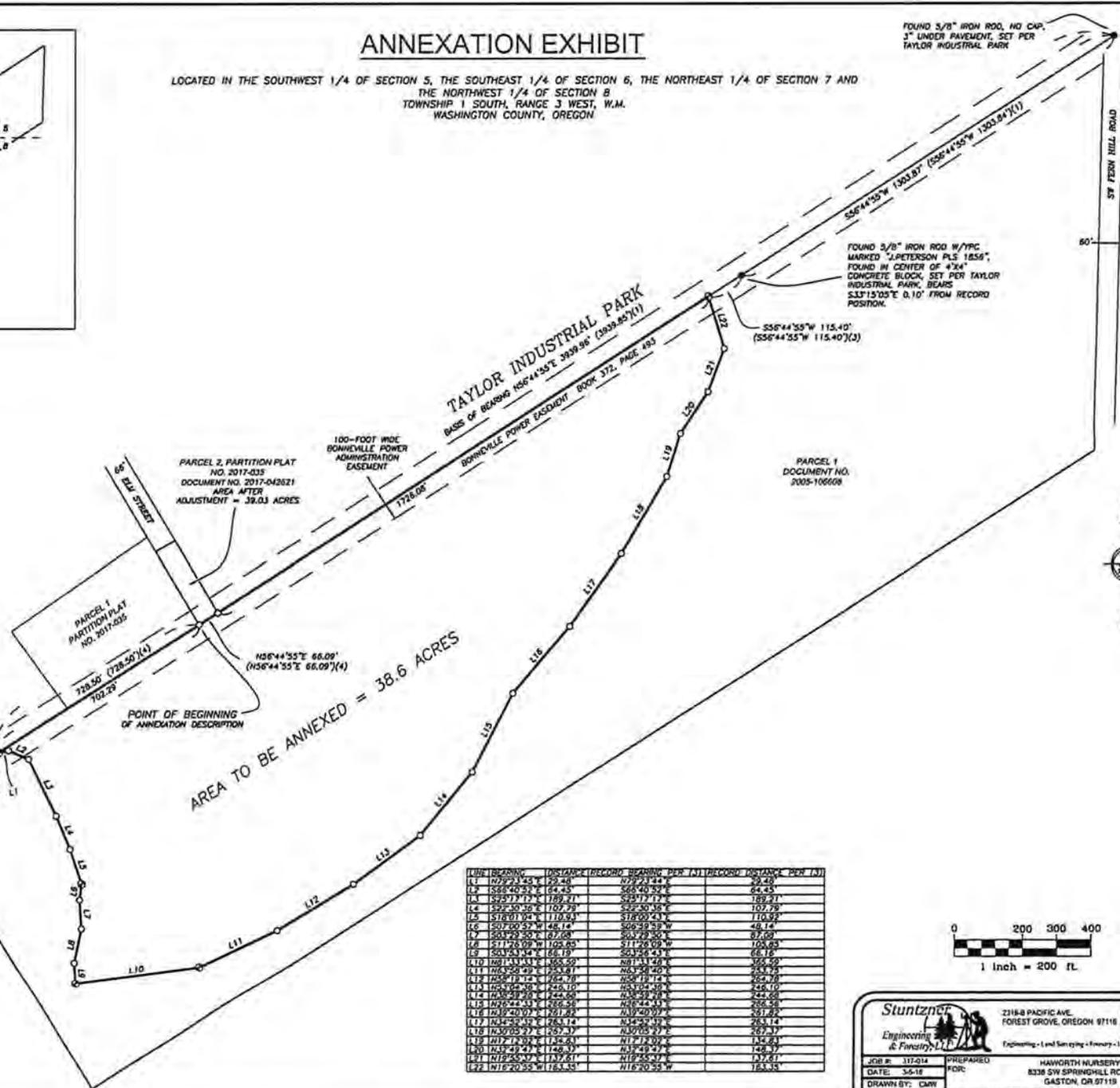
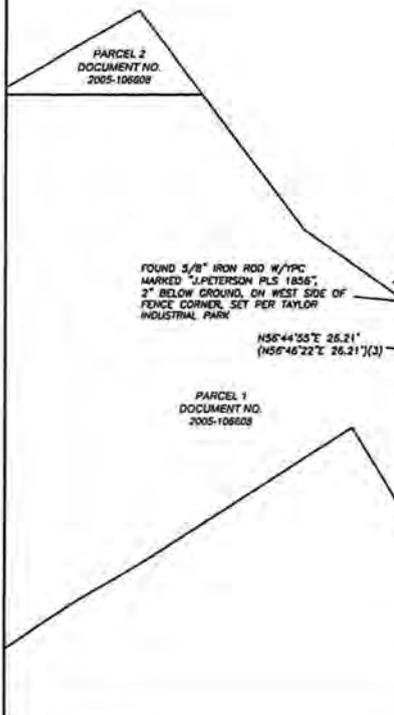
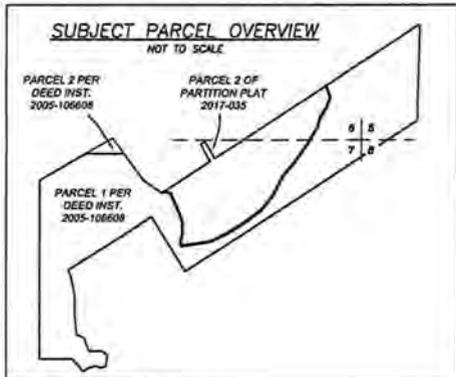
Containing 38.6 acres, more or less.

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# ANNEXATION EXHIBIT

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 5, THE SOUTHWEST 1/4 OF SECTION 6, THE NORTHEAST 1/4 OF SECTION 7 AND THE NORTHWEST 1/4 OF SECTION 8 TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M. WASHINGTON COUNTY, OREGON

FOUND 3/8" IRON ROD, NO CAP, 1" UNDER PAVEMENT, SET PER TAYLOR INDUSTRIAL PARK



AREA TO BE ANNEXED = 38.6 ACRES

LINE	BEARING	DISTANCE	RECORD	BEARING	PER (A)	RECORD	DISTANCE	PER (A)
L1	N79°23'43"W	25.48		N79°23'44"W			25.48	
L2	S68°40'32"E	64.45		S68°40'32"E			64.45	
L3	S89°14'14"W	189.31		S89°14'14"W			189.31	
L4	S92°30'50"E	102.79		S92°30'50"E			102.79	
L5	S174°01'04"W	110.93		S174°00'43"W			110.93	
L6	S01°00'57"W	48.14		S01°00'57"W			48.14	
L7	S84°29'30"E	87.08		S84°29'30"E			87.08	
L8	S11°26'09"W	108.83		S11°26'09"W			108.83	
L9	S03°53'04"E	68.19		S03°53'04"E			68.19	
L10	N81°14'14"E	165.59		N81°14'14"E			165.59	
L11	N63°50'49"E	253.81		N63°50'49"E			253.75	
L12	N58°17'12"E	262.78		N58°17'12"E			262.78	
L13	N64°04'50"E	438.10		N64°04'50"E			438.10	
L14	N38°59'23"E	244.68		N38°59'23"E			244.68	
L15	N29°44'31"E	216.58		N29°44'31"E			216.58	
L16	N33°40'02"E	261.49		N33°40'02"E			261.68	
L17	N34°52'42"E	263.14		N34°52'42"E			263.14	
L18	N30°05'27"E	267.37		N30°05'27"E			267.37	
L19	N17°21'20"E	146.57		N17°21'20"E			146.61	
L20	N33°49'44"E	146.57		N33°49'44"E			146.57	
L21	N19°55'32"E	137.81		N19°55'32"E			137.81	
L22	N18°20'55"W	183.35		N18°20'55"W			183.35	

**Stuntzner**  
Engineering & Forestry, L.L.C.

2218-B PACIFIC AVE.  
FOREST GROVE, OREGON 97116  
Engineering - Land Surveying - Forestry - Land Planning - Water Rights

PHONE: (503) 351-6717  
FAX: (503) 351-6698  
www.stuntzner.com

JOB #: 317-014 PREPARED FOR: HAWORTH NURSERY  
DATE: 3-6-18 FOR: 8338 SW SPRINGHILL ROAD  
DRAWN BY: CMW GASTON, OR 97115  
CHECKED BY: JMI P&E NAME: 317014 annexation exhibit.dwg SHEET 1 OF 1

EXHIBIT B

## **EXHIBIT C**

### **Planning Commission Findings and Decision No. 18-02 to Assign the Business Industrial Park Zoning Map Designation to Property Subject to an Annexation Petition at 600 Elm Street (Haworth Annexation)**

**File No. 311-18-000007-PLNG**

**WHEREAS**, the owner of property at 600 Elm Street submitted an annexation petition and zone change application on November 2, 2016; and

**WHEREAS**, the annexation petition and zone change application were resubmitted on March 26, 2018 after completing a property partition and property line adjustment; and

**WHEREAS**, the partition and property line adjustment were necessary for annexing and zoning only territory within the urban growth boundary; and

**WHEREAS**, the annexation petition and zone change affects portions of Washington County Tax Lots 1S3070000100, 1S306D000700 AND 1S307AB01200); and

**WHEREAS**, Forest Grove Development Code Section 10.2.160 requires assignment of a City zoning designation concurrent with an annexation petition; and

**WHEREAS**, the applicant requests an amendment to the City of Forest Grove zoning map to designate the subject territory Business Industrial Park (BIP) consistent with the Forest Grove Campus Employment Comprehensive Plan Map designation; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on the zoning map amendment on June 4, 2018; and

**WHEREAS**, the Planning Commission reviewed the staff report presented on June 4, 2018; and

**WHEREAS**, the Planning Commission considered the staff report and information provided during the June 4, 2018 public hearing and after careful deliberation determined the zoning map amendment complies with the criteria for a zone change as described in Forest Grove Development Code Section 10.2.770; and

**WHEREAS**, the Planning Commission unanimously approved a motion on a 4-0 vote that City Council amend the Forest Grove Zoning Map to designate the territory subject to annexation as Business Industrial Park (BIP).

**NOW THEREFORE, THE CITY OF FOREST GROVE PLANNING COMMISSION DOES HEREBY RECOMMEND CITY COUNCIL AMEND THE ZONING MAP TO DESIGNATE THE SUBJECT PROPERTY BUSINESS INDUSTRIAL PARK MAKING THE FOLLOWING SPECIFIC FINDINGS IN SUPPORT OF THE DECISION:**

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated June 4, 2018.

- 2) Development Code Section 10.2.770 *Review Criteria* establishes the review criteria to consider. The zone change shall be approved if findings are made that each of the following criteria are satisfied:

**ZONE CHANGE REVIEW CRITERIA (DEVELOPMENT CODE SECTION 10.2.770)**

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

Finding A.1: The subject territory is designated Campus Employment on the Forest Grove Comprehensive Plan Map.

Finding A.2: The Business Industrial Park (BIP) zone is the only implementing zone for the Campus Employment designation as stated by Forest Grove Development Code (Section 10.3.500(C)):

"The BIP [Business Industrial Park] zone is intended to implement the Campus Employment designation of the Forest Grove Comprehensive Plan through the identification of allowed uses and the establishment of development standards."

Finding A.3: Development Code Section 10.3.500(C) describes the purpose of the BIP zone. This section states the "BIP zone allows a mixture of light industrial, employment, and office uses, together with some small-scale commercial uses with controlled external impacts. The development standards within the zone require well-landscaped, attractive and cohesive developments."

Finding: A.4: The subject territory is adjacent to property within the urban growth boundary zoned General Industrial on the Forest Grove Zoning Map. This industrial area is characterized by a variety of land uses including warehouse, concrete batch plant, armory, and light manufacturing.

Finding A.5: The subject territory is adjacent to a designated historic resource the AT Smith House. Development Code Section 10.3.530 and 10.3.540 contains development standards for the City's industrial zoning districts including the BIP zone. Development proposal(s) for the subject territory will be reviewed during site plan review and the standards in Development Code Sections 10.3.530 and 10.3.540 will be applied to mitigate off-site development impacts on the designated historic resource.

Conclusion: The Planning Commission concludes zoning the subject territory BIP is consistent with the Comprehensive Plan Map and is the most appropriate zone for the subject territory since the BIP zone is the only implementing zone for the Campus Employment Comprehensive Plan Map designation. Furthermore, the BIP zone allows for a mixture of light industrial, employment and office uses generally consistent with the zoning pattern of the surrounding land within the urban growth boundary. In addition, development standards for the BIP zone allow for mitigating adverse development impacts affecting nearby land uses, if any. For these reasons the Planning Commission concludes this criterion is met.

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

Finding B.1: The Director identifies the following Comprehensive Plan Goal and Policy as being relevant to the zone change:

Economic Development Goal 8: Ensure an adequate supply of land for office campus development.

Finding B.2: The subject property is approximately 38.6 acres in area based on the legal description and map prepared by an Oregon registered surveyor contained in the annexation File (File No. 311-18-000007-PLNG).

Finding B.3: The Planning Commission recommends zoning the property subject to annexation Business Industrial Park consistent the Campus Employment Comprehensive Plan Map designation.

Finding B.4: The Forest Grove Economic Opportunity Analysis (Figure 27) identifies a projected demand of 30 acres of land for business park use over the next twenty years.

Conclusion: Zoning the 38.6 acre subject property Business Industrial Park helps ensure an adequate supply of land for office campus/business park development based on a projected demand of 30 acres over the next twenty years and furthers Comprehensive Plan Economic Development Goal 8. Therefore, the Planning Commission concludes the zone change is consistent with the 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.*

Finding C.1: The subject 38.6 acre parcel is designated Campus Employment on the Forest Grove Comprehensive Plan Map. The property was designated Campus Employment in 2016 by adoption of Forest Grove Ordinance 2016-09.

Finding C.2: There is only one location on the Comprehensive Plan Map designated Campus Employment which is the subject property.

Finding C.3: The Comprehensive Plan establishes the following location factors for designating a site Campus Employment:

- Greater than 25 gross acres
- Direct access to arterial streets
- Buffered from surrounding and agricultural uses

Finding C.4: The only implementing zone for the Campus Employment designation is Business Industrial Park.

Finding C.5: Since the Comprehensive Plan map only designates the subject territory as Campus Employment, the size of the vicinity for purposes of Review Criterion C is the subject territory.

Conclusion: The Comprehensive Plan Map designates the subject territory as Campus Employment. A finding was made supporting Ordinance 2016-09, designating the subject territory Campus Employment, that the subject territory is suitable for this designation. Since the Business Industrial Park zone implements the Campus Employment Comprehensive Plan designation and the subject territory is the only area designated Campus Employment on the Comprehensive Plan Map there is a lack of appropriately designated alternative sites within the vicinity. For these reasons the Planning Commission concludes this review criterion is met.

- 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 minimum acceptable levels identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed change if it may impact transportation facilities.*

Finding D.1: Elm Street provides access to the subject property. Elm Street is designated as a collector street on the Updated Street Functional Classification System Map (Figure 8-1) contained in the Forest Grove Transportation System Plan.

Finding D.2: Elm Street provides direct access to Oregon Highway 47. Oregon Highway 47 is designated as a Principal Arterial street on the Updated Street Functional Classification System Plan (Figure 8-1) contained in the Forest Grove Transportation System Plan.

Finding D.3: Potential transportation impacts were considered when the subject territory was designated on the Comprehensive Plan Map by Forest Grove Ordinance 2016-09. The record indicates future development allowed by the land use designation will not substantially impact the functional classification or operation of transportation facilities or reduce levels of service below the minimum acceptable levels identified in the Transportation System Plan.

Finding D.4: The subject property is subject to an annexation petition. No development is proposed as part of the annexation petition and zone change request.

Finding D.5: Development Code Section 10.1.225(D) grants authority to the Community Development Director to require a transportation study if proposed projects would have potential circulation or safety impacts, need for off-site street improvements or would increase traffic on City streets by at least 50 peak hourly trips or a transportation impact study is required by ODOT.

Conclusion: The zone change is part of a pending annexation petition. The annexation petition does not identify a specific use for the property. Assessment of potential transportation impacts will be completed as part of the standard development review process consistent with Development Code Section 10.1.225(D). Since there is no information in the record to suggest development in the subject area will substantially impact the functional classification or operation of the transportation facilities below

minimum acceptable levels identified in the Transportation System Plan the Planning Commission concludes this review criterion has been met.

- 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.*

Finding E.1: The subject territory was added to the urban growth boundary by the Oregon Legislature in 2014.

Finding E.2: The subject territory is subject to an annexation petition.

Finding E.3: Forest Grove Development Code Section 10.2.160 requires a request for a concurrent zone change pursuant to Section 10.2.750 et. Seq. (Zoning) and the zone change shall meet the review criteria in Development Code Section 10.2.770. Development Code Section 10.2.160 does not require a specific development proposal for a complete annexation petition and concurrent zone change.

Finding E.4: The annexation petition does not include a specific development proposal allowing assessment of service demands and the ability of the public services to accommodate those demands.

Finding E.5: The Water Master Plan, Waste Water System Plan, and Storm Drainage Master Plan do not address providing service to the subject property. As such, evaluation of public service needs will be considered as part of the development review process after annexation into the City. The development review process includes assessing adequacy of services based on projected service demands of the site and ability of the public services to accommodate those demands.

Finding E.6: Information from Clean Water Services shows the location of existing sanitary sewer lines. The nearest sanitary sewer line is located in the Elm Street right-of-way approximately 250 feet north of the subject property.



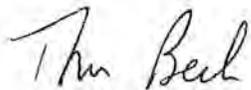
Conclusion: The subject territory is subject to an annexation petition. A complete annexation petition does not require a concurrent development proposal. Development Code Section 10.2.160 requires a concurrent zone change for territory subject to

annexation. Since an annexation petition does not require a concurrent development proposal for a complete annexation petition assessment of public service demands cannot be made at this time. Assessment of public service demand will be done as part of the standard development review process. Since development review requires adequate public services necessary to serve the territory this review criterion will be addressed at that time.

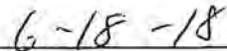
*F. The establishment of a zone district is not subject to the meeting of conditions.*

Finding F.1: No conditions are recommended for establishing the zone district. The purpose of the establishing the zone district is to apply a zoning designation consistent with the Comprehensive Plan to the subject property upon annexation.

Conclusion: Since no conditions are proposed as part of establishing the zone district the Planning Commission concludes this review criterion is met.



Tom Beck, Chair



Date

Date: **AUGUST 13, 2018**

Agenda Item: **6.**

Subject: CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2018-04 ANNEXING A CERTAIN TRACT OF LAND, LOCATED AT 600 ELM STREET (WASHINGTON COUNTY TAX LOT 1S307AB01200), INTO THE CITY LIMIT OF FOREST GROVE AND ADDING TRACT TO THE CLEAN WATER SERVICES DISTRICT AND WITHDRAWING THE TRACT FROM THE FOREST GROVE RURAL FIRE PROTECTION DISTRICT; PETITIONER: HALLY AND MARY HAWORTH. FILE NO. 311-18-000007-PLNG

# CITY COUNCIL MEETING

## Request to Testify at Public Hearing

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

*Please sign-in below to testify.*

**PROPONENTS:** (Please print legibly)

**First & Last Name:**

*David Mozell*

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**Address:**

**City, State & Zip Code:**

*1320 Cedar St 97116*

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**OPPONENTS:** (Please print legibly)

**First & Last Name:**

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**Address:**

**City, State & Zip Code:**

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**OTHERS:** (Please print legibly)

**First & Last Name:**

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**Address:**

**City, State & Zip Code:**

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A place where families and businesses thrive.

CITY RECORDER USE ONLY:	
AGENDA ITEM #:	7.
MEETING DATE:	8-13-18
FINAL ACTION:	order no. 2018-01

**CITY COUNCIL STAFF REPORT**

**TO:** City Council

**FROM:** Anna Ruggles, City Recorder

**MEETING DATE:** August 13, 2018

**PROJECT TEAM:** Daniel Riordan, Senior Planner, Bryan Pohl, Community Development Director

**SUBJECT TITLE:** Public Hearing and City Council consideration of an Order Amending the Official Zoning Map and Assigning the Business Industrial Park (BIP) Zoning Designation to a Tract of Land subject to Annexation, Located at 600 Elm Street (Washington County Tax Lot 1S307AB01200). File No. 311-18-000007-PLNG

**ACTION REQUESTED:**

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

**ISSUE STATEMENT:** The owner of property located near the terminus of Elm Street near the Taylor Way Industrial Park submitted a petition for annexation of a 36.8 acre tract of land. As required by Forest Grove Development Code §10.2.160, the property owner submitted a concurrent application to amend the City’s official zoning map. The purpose of the zoning map amendment is to assign a City zoning designation to territory subject to annexation consistent with the Forest Grove Comprehensive Plan map. The subject territory is currently zoned FD-20 (Future Development) by Washington County.

The subject territory is designated Campus Employment on the Comprehensive Plan map. Comprehensive Plan designations are implemented by the zoning districts shown on the zoning map. The Business Industrial Park (BIP) zoning district implements the Campus Employment Comprehensive Plan designation. As such, the property owner seeks assignment of the BIP designation upon annexation of the property subject this annexation petition. To assign the BIP zoning to the subject territory City Council must adopt an order amending the City’s official zoning map. An order amending the official zoning map is attached for Council consideration.

**BACKGROUND:** Annexation is a two-process requiring City Council adoption of an ordinance annexing territory into the Forest Grove city limits and adoption of an order assigning a City zoning designation to the subject territory upon annexation. Forest Grove Development Code §10.2.160 states: “before an annexation application is deemed complete, the applicant shall initiate a zone change pursuant to §10.2.750 et. seq. Zoning of the property shall meet the review criteria in §10.2.770:

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the corresponding table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purpose 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 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 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 Planning Commission considered this matter on June 4, 2018, and unanimously adopted a motion recommending City Council approve an amendment to the official Forest Grove zoning map to designate territory subject to annexation Business Industrial Park. Exhibit C to the order (Attachment A) describes how the zone change review criteria are met. The staff report provided to the Planning Commission is also attached for additional information (Attachment B).

**STAFF RECOMMENDATION:** Staff recommends the City Council accept the Planning Commission's recommendation and approve the attached Order amending the official Forest Grove zoning map to assign the Business Industrial Park zoning designation to the 38.6 acre tract of land located at 600 Elm Street (Washington County Tax Lot 1S307AB01200), File No. 311-18-000007-PLNG.

**ATTACHMENT(s):**

- A. Order Amending the Forest Grove Zoning Map
- B. Planning Commission Staff Report, June 4, 2018



*A place where families and businesses thrive.*

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## **NOTICE OF PUBLIC HEARING CITY OF FOREST GROVE ZONING DESIGNATION TO TRACT OF LAND SUBJECT TO ANNEXATION FILE NO. 311-18-000007-PLNG**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, August 13, 2018, 7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider assigning the Forest Grove Business Industrial Park (BIP) zoning designation to a 38.6 acre tract of land, located at 600 Elm Street (Washington County Map and Tax Lot 1S307AB01200). The property is currently zoned by Washington County for future development and is designated Campus Employment on the Forest Grove Comprehensive Plan map. The BIP zone implements the Campus Employment plan designation. If enacted by City Council, the proposed order would be effective immediately.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the staff report and proposed order are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, at 503.992.3235.

### **Applicable Standards and Criteria:**

Forest Grove Development Code Section 10.1.600 et. seq. (Quasi-Judicial Land Use Decisions).

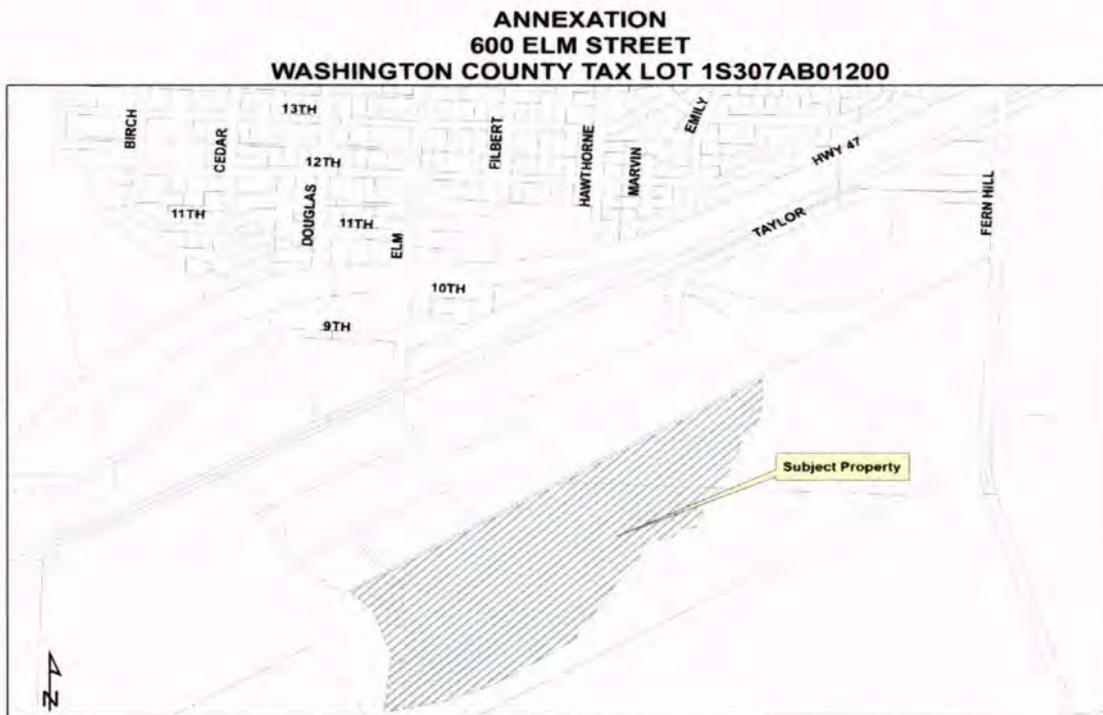
Forest Grove Development Code Section 10.2.150 et. seq. (Annexation)

Forest Grove Development Code Section 10.2.770 (Zoning Change 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 Corresponding 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, stormwater 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.



**Anna D. Ruggles, CMC, City Recorder  
City of Forest Grove**

Wednesday, August 8, 2018



**Annexation Zoning Map Amendment  
Staff Report and Recommendation**  
Community Development Department, Planning Division

- HEARING DATE:** June 4, 2018
- REQUEST:** Type III (quasi-judicial) zone change to amend the Forest Grove Zoning Map to assign the Business Industrial Park (BIP) zoning designation to a 38.6 acre parcel of land shown on Attachment A subject to an annexation petition. The subject property is currently zoned by Washington County as Future Development with a 20 acre minimum lot size. The property is designated Campus Employment on the Forest Grove Comprehensive Plan Map.
- PRIMARY FILE NUMBER:** 311-18-000007-PLNG
- PROPERTY LOCATION:** 600 Elm Street
- LEGAL DESCRIPTION:** Affected Tax Lots: 1S3070000100, 1S306D000700, and 1S307AB01200
- APPLICANT:** Hally and Mary Haworth, 8338 SW Springhill Rd., Gaston, OR 97119
- APPLICABLE STANDARDS AND CRITERIA:**
- Development Code Section 10.1.600 et. seq. (Type III Process – Quasi-Judicial Land Use Decisions)
  - Development Code Section 10.2.150 et. seq. (Annexation)
  - Development Code Section 10.2.770 et. Seq. (Zone Change Review Criteria)
- REVIEWING STAFF:** Daniel Riordan, Senior Planner
- RECOMMENDATION:** The Planning Commission adopt findings (Attachment C) and provide a recommendation to the City Council to adopt an order amending the Forest Grove Zoning Map to designate a 38.6 acre parcel of land located at 600 Elm Street as Business Industrial Park (BIP) upon annexation consistent with the Forest Grove Comprehensive Plan Map Campus Employment designation.

## **I. BACKGROUND**

Mr. and Mrs. Haworth own property near the terminus of Elm Street south of the current city boundary near the Taylor Way Industrial Park. A portion of the Haworth ownership, totaling approximately 38.6 gross acres, was added to the urban growth boundary by the Oregon Legislature in 2014 as part of the urban/rural reserve "grand bargain." Subsequently, the Comprehensive Plan Map was amended by City ordinance (Ordinance 2016-09) to designate the site Campus Employment.

The Haworth's approached the City about annexation in November 2016. The Haworth's are working with the City's economic development manager to qualify the property as "shovel ready" under the State of Oregon industrial site certification program. Annexation furthers the site qualification process by removing a barrier to development. Annexation also provides the opportunity to extend needed public infrastructure to the site including water, sanitary sewer and storm sewer lines.

Development Code Section 10.2.150 (Annexation Procedure) and 10.2.160 (Assignment of Zoning Designations) identifies requirements for annexation of territory into the City. As indicated by Section 10.2.160, a complete annexation application requires a concurrent zone change complying the review criteria in Development Code Section 10.2.770 (Zone Change Review Criteria). Development Code Section 10.1.605 (Type III Applications and Approval Criteria) requires a Planning Commission *recommendation* to City Council for quasi-judicial zone changes such as this.

The proposal is to change the zoning of the subject property from Washington County Future Development (FD-20) to Forest Grove Business Industrial Park (BIP) upon annexation (Attachment B). This report addresses the zoning aspect of the annexation proposal.

The Haworth's submitted their annexation application and petition in November 2016. However, the annexation could not be processed at that time since the urban growth boundary bisects the Haworth ownership and the Haworth's desired to annex only their property within the urban growth boundary. To annex only the territory within the urban growth boundary a land partition and property line adjustment were necessary. Both the partition and property line adjustment have been completed. On March 26, 2018, subsequent to the partition and property line adjustment the Haworth's resubmitted their annexation application. The annexation application was deemed complete by staff on April 13, 2018.

## **II. PROPERTY DESCRIPTION**

The subject property is located adjacent to the current City boundary near the terminus of Elm Street. (Attachment A). The property generally flat with a gentle slope toward the Tualatin River floodplain. Gales Creek is located west of the subject property.

The property is above is 100-year floodplain elevation which also serves as the urban growth boundary. The urban growth boundary also serves as the annexation boundary.

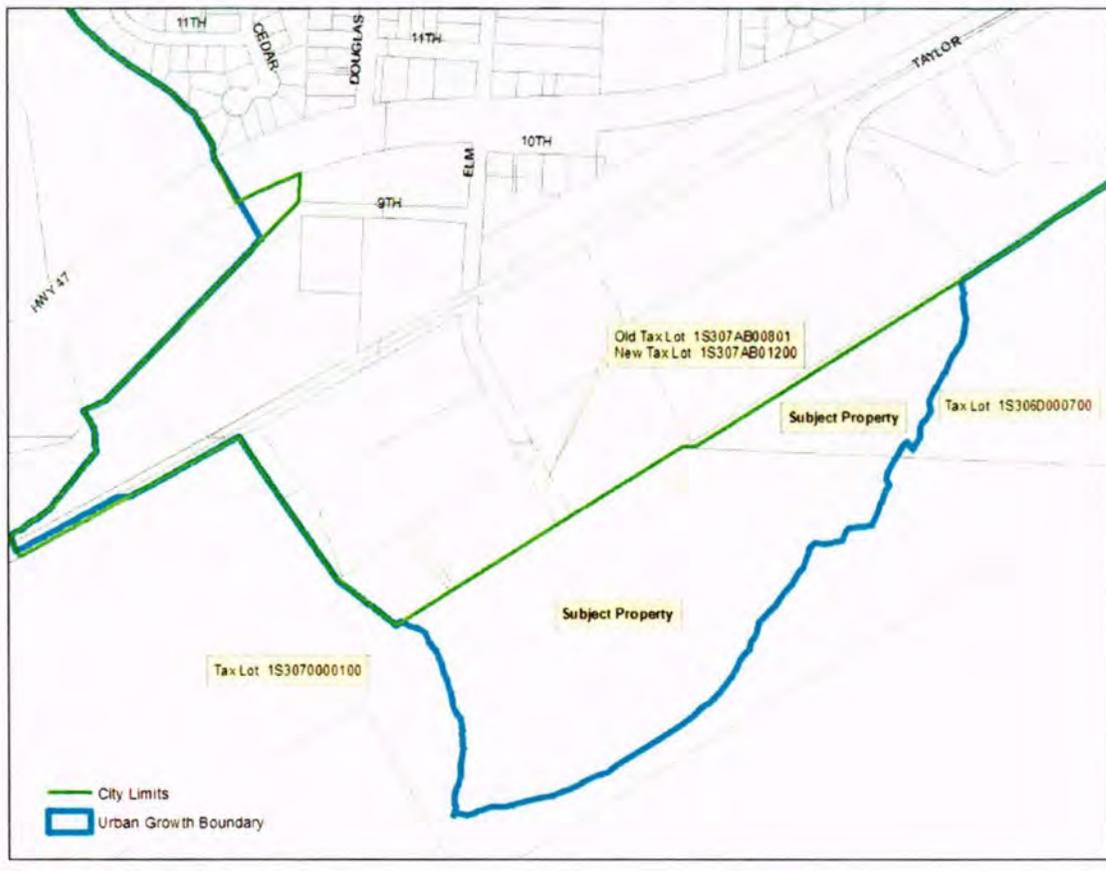
The property is largely vacant with several agricultural buildings and a dwelling. Historically the property has been in agricultural use and continues as such.

Access to the site is provided from Elm Street. Elm Street is a collector street in the Forest Grove Transportation System Plan. Elm Street provides direct access to Oregon Highway 47 to the north. Internal access within the site is provided by unimproved dirt roads skirting the northern property line. The dirt road provides access to the buildings located on the site.

A Bonneville Power Administration easement and overhead power lines run along the northern boundary of the property. The easement is 50 feet in width and follows the current city boundary.

The vicinity map below shows the subject property and its relationship with surrounding area. The green line on the map represents the current city limits. The blue line shows the urban growth boundary. The Haworth's own parcels 1S307AB01200, 1S3070000100, and 1S306D000700.

Vicinity Map



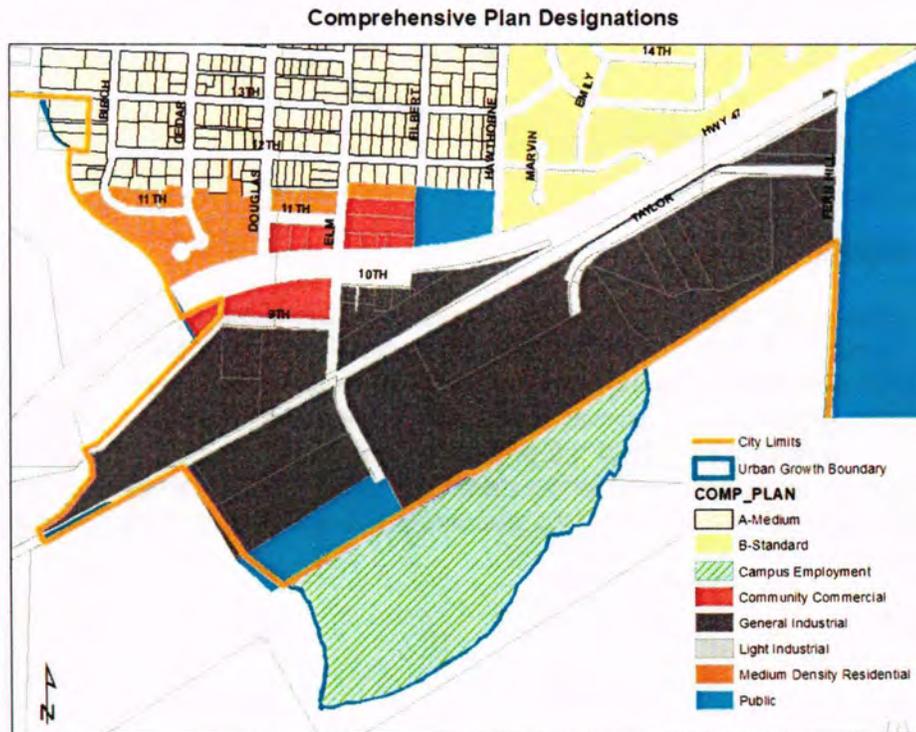
### Vicinity Analysis

The aerial photos below shows points of interest near the subject property. The area to the north of the subject territory includes the Taylor Way Industrial Park, the MGC Pure site, the Forest Grove School District alternative learning center classrooms and the Forest Grove School District's bus barn. The A.T. Smith House is also located immediately north of the subject property. The City owns land for a possible future park north of the property along Elm Street. The area to north of the subject property is largely developed with land extensive and light industrial uses. The area to the south and west is largely agricultural and natural areas along Gales Creek and the Tualatin River.



Comprehensive Plan and Zoning Analysis

The Forest Grove Comprehensive Plan map designates the area subject to annexation as Campus Employment. The map below shows the Comprehensive Plan map designation of the territory subject to annexation and the surrounding area within the urban growth boundary.

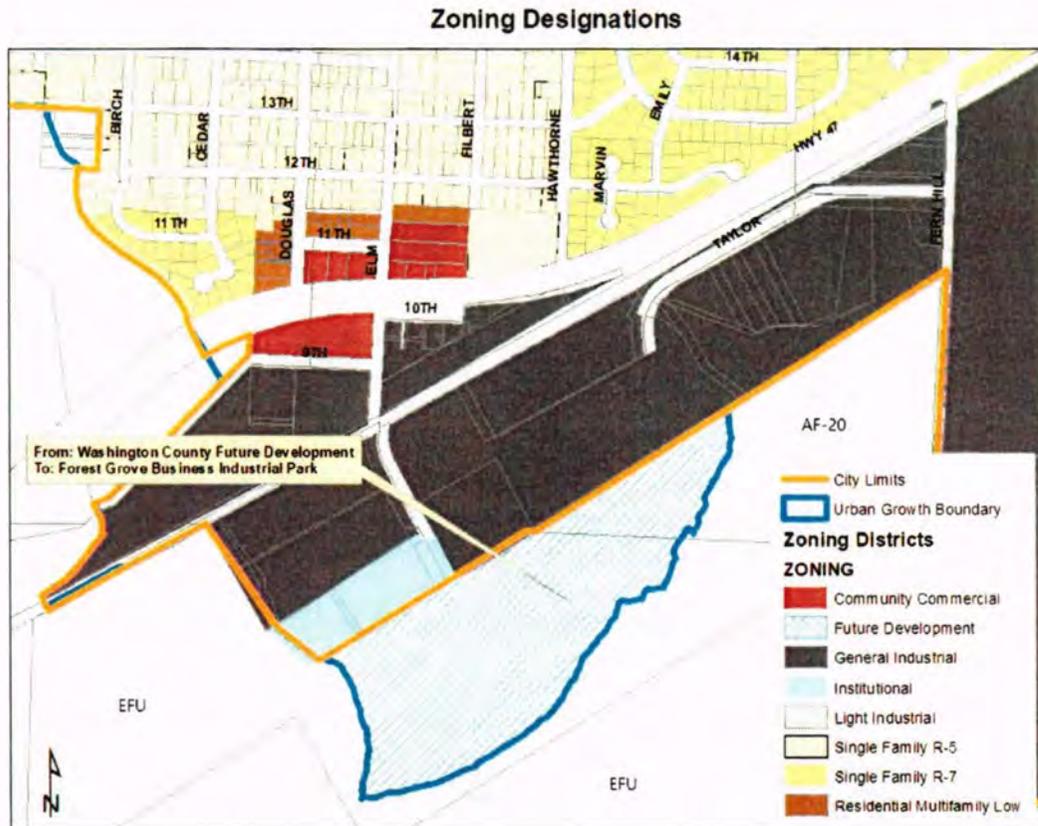


The Comprehensive Plan describes the Campus Employment district as follows:

*“The Campus Employment designation is intended for development of industrial and office parks with a high level of amenity value including landscaping and open space. Typical uses include high technology companies, call centers, research and development firms, and business incubators. Industrial activities typically take place in enclosed structures. The district is intended to contain supportive retail development and business services.”*

The Campus Employment designation is implemented by the City’s Business Industrial Park (BIP) zoning designation. The use regulations and development standards for the City’s industrial zoning districts including the Business Industrial Park are described in Attachment B for reference.

The zoning north of the subject territory is largely General Industrial. The exceptions are the AT Smith Housing site and vacant property owned by the City between the AT Smith House and Elm Street. Both properties are zoned Institutional on the Forest Grove zoning map. The image below shows the Zoning designations for the area within the urban growth boundary. The area shown as Future Development on the map below is the area proposed for the Business Industrial Park zoning designation upon annexation to the City.



The subject territory is currently zoned by Washington County as Future Development (FD) with a 20-acre minimum lot size. The FD zone is a holding zone applied to property within the urban growth boundary subject to annexation by a city. The County zone is replaced by a city zoning designation consistent with the city’s comprehensive plan map at time of annexation

The area south and west of the subject territory is zoned by Washington County as Exclusive Farm Use (EFU). The area immediately to the east of the territory subject to annexation is Agricultural and Forestry with a twenty acre minimum lot size. This area is shown as (AF-20) on the map above.

The table below provides a summary of the Comprehensive Plan map and Zoning Map designations for the site subject to annexation and nearby vicinity.

### Comprehensive Plan and Zoning Summary

	Comprehensive Plan Map Designation	Zoning Map Designation
Site	Campus Employment	Current: Washington County FD-20 Proposed: Business Industrial Park
North	General Industrial Public	General Industrial Institutional
South	Not Applicable	Washington County Exclusive Farm Use
East	Within City: General Industrial	Washington County Agriculture/Forestry General Industrial
West	Not Applicable	Exclusive Farm Use

### III. REVIEW CRITERIA

The subject territory is subject to an annexation petition for consideration by City Council. Forest Grove Development Code (FGDC) section 10.2.160 states:

*"Before an annexation application is deemed complete, the applicant shall initiate a zone change pursuant to Section 10.2.750 et. seq. Zoning of the property shall meet the review criteria in Section 10.2.770."*

The review criteria applicable to a zone change are shown below. Attachment C (Draft Findings and Conclusions) describes how the zone change review criteria are met by the annexation petition.

- 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 corresponding table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purpose 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 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 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.

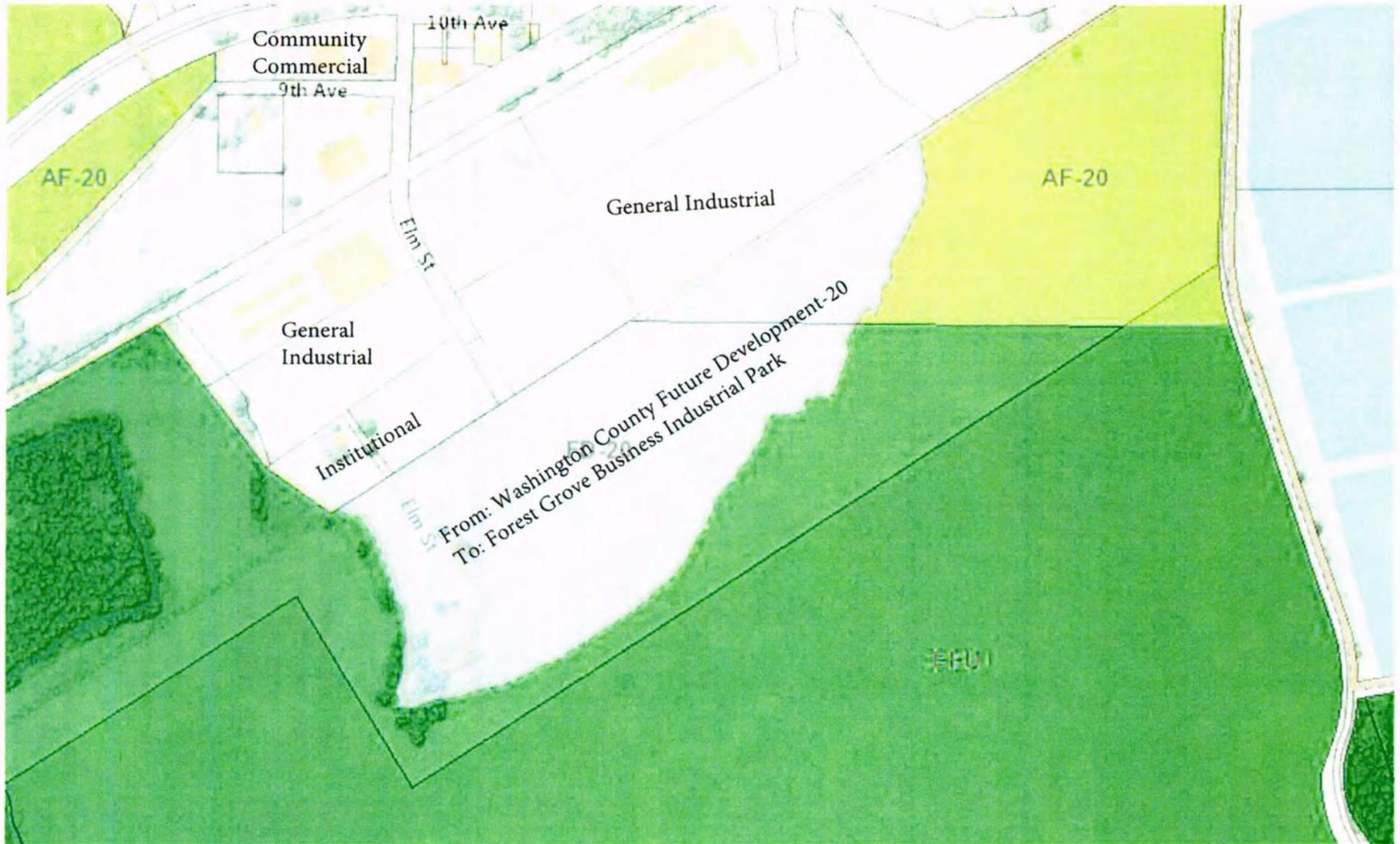
#### **IV. RECOMMENDATION**

Staff recommends the Planning Commission adopt findings (Attachment C) and provide a recommendation to City Council to adopt an order amending the Forest Grove Zoning Map upon annexation to designate a 38.6 acre parcel located at 600 Elm Street as Business Industrial Park (BIP) consistent with the Forest Grove Comprehensive Plan Map Campus Employment designation.

#### **V. ATTACHMENTS**

- Attachment A: Subject Property Map
- Attachment B: Industrial Zones Text
- Attachment C: Draft Findings and Conclusions, Haworth Annexation Zone Change

# Zoning



## INDUSTRIAL ZONES

### 10.3.500 PURPOSE

The City of Forest Grove has established two industrial zones to implement the Industrial designation of the Comprehensive Plan. Non-industrial uses are restricted to protect industrial lands for employment and to minimize land use conflicts.

### 10.3.510 LIST OF INDUSTRIAL ZONES

#### A. Light Industrial (LI)

The LI zone is intended for a wide variety of manufacturing and other industrial uses with controlled external impacts. These types of industries are often involved in the secondary processing of materials into components, the assembly of components into finished products, transportation, communication and utilities, wholesaling and warehousing. Industrial activities occur within enclosed buildings. On a limited basis, supporting commercial and office uses are permitted in the LI zone.

#### B. General Industrial (GI)

The GI zone is intended for industrial uses that are generally not compatible with residential development because of their operational characteristics. This district is also intended for uses that may require extensive outdoor areas to conduct business activities or for product storage or display. General industrial uses include those involved in the processing of raw materials into refined products and/or industrial uses that have external impacts. The purpose of this district is to permit the normal operations of any industry that can meet and maintain compliance with established state and federal performance standards. The district is intended to contain supportive retail development. Commercial or retail uses that do not primarily serve the needs of people working or living in the employment and industrial areas are prohibited in this district. New residential uses are not permitted in the GI zone.

#### C. Business Industrial Park (BIP)

The BIP zone is intended to implement the Campus Employment designation of the Forest Grove Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The BIP zone allows a mixture of light industrial, employment, and office uses, together with some small-scale commercial uses with controlled external impacts. The development standards within the zone require well-landscaped, attractive and cohesive developments.

**Attachment B**

**10.3.520 USE REGULATIONS**

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

- A. Permitted Uses. Uses allowed in the Industrial zones are listed in Table 3-14 with a “P”. These uses are allowed if they comply with the development standards and other regulations of this Code.
- B. Limited Uses. Uses that are allowed subject to specific limitations are listed in Table 3-14 with an “L”. These uses are allowed if they comply with the limitations listed in the footnotes to the table and the development standards and other regulations of this Code.
- C. Conditional Uses. Uses that are allowed if approved through the conditional use process are listed in Table 3-14 with a “C”. These uses are allowed provided they comply with the conditional use approval criteria, the development standards, and other regulations of this Code. §10.2.200 contains the conditional use process and approval criteria.
- D. Prohibited Uses. Uses listed in Table 3-14 with an “N” are prohibited. Existing uses may be subject to the regulations of §10.7.700 Nonconforming Development.
- E. Accessory Uses. Uses that are accessory to a primary use are allowed if they comply with specific regulations for accessory uses and all development standards.

**TABLE 3-14: Industrial Zones Use Table**

<b>USE CATEGORY</b>	<b>LI</b>	<b>GI</b>	<b>BIP</b>
<b>RESIDENTIAL</b>			
Household Living	L <sup>[1]</sup>	L <sup>[1]</sup>	N
Group Living	N	N	N
Transitional Housing	N	N	N
Home Occupation	N	N	N
Bed and Breakfast	N	N	N
<b>CIVIC / INSTITUTIONAL</b>			
Basic Utilities	P	P	P
Major Utility Transmission Facilities	C	C	C
Colleges	N	N	N
Community Recreation	N	N	C
Cultural Institutions	N	N	C
Day Care	L <sup>[2]</sup>	L <sup>[2]</sup>	L <sup>[2]</sup>
Emergency Services	C	C	C
Postal Services	C	N	C
Religious Institutions	N	N	N
Schools	L <sup>[3]</sup>	L <sup>[3]</sup>	L <sup>[3]</sup>
Social/ Fraternal Clubs / Lodges	N	N	N
<b>COMMERCIAL</b>			
Commercial Lodging	N	N	N
Eating & Drinking Establishments	L <sup>[4]</sup>	L <sup>[4]</sup>	L <sup>[4]</sup>

<b>USE CATEGORY</b>	<b>LI</b>	<b>GI</b>	<b>BIP</b>
<b>COMMERCIAL</b>			
Entertainment – Oriented:			
- Major Event Entertainment	N	N	N
- Outdoor Entertainment	N	N	N
- Indoor Entertainment	N	N	C
General Retail:			
- Sales – Orientated	N	L <sup>[4]</sup>	L <sup>[4]</sup>
- Personal Services	N	N	L <sup>[10]</sup>
- Repair – Oriented	N	N	P
- Bulk Sales	N	N	N
- Outdoor Sales	N	N	N
- Animal - Related	N	N	N
Medical Centers	N	N	C
Motor Vehicle Related:			
- Motor Vehicles Sale / Rental	N	N	N
- Motor Vehicle Servicing / Repair	N	N	N
- Motor Vehicle Fuel Sales	N	N	N
Non-Accessory Parking	N	N	N
Office	L <sup>[3]</sup>	L <sup>[5]</sup>	L <sup>[11]</sup>
<b>INDUSTRIAL</b>			
Industrial Services	L <sup>[6]</sup>	P	L <sup>[6]</sup>
Manufacturing and Production:			
- Light Industrial	P <sup>[8]</sup>	P <sup>[8]</sup>	L <sup>[8]</sup>
- General Industrial	N	P	L <sup>[8]</sup>
- Medical and Recreational Marijuana Processors	N	C	N
Call Centers	P	P	P
Railroad Yards	N	P	N
Research and Development	P	P	P
Warehouse / Freight Movement	P/C(X)	P/C(X)	P/C(X)
Waste – Related	C	C	C
Wholesale Sales	P <sup>[8]</sup> /C(Y)	P <sup>[8]</sup> /C(Y)	C
<b>OTHER</b>			
Agriculture / Horticulture	P <sup>[8]</sup>	P <sup>[8]</sup>	P
- Medical and Recreational Marijuana Producers (Outdoor)	N	N	N
- Medical and Recreational Marijuana Producers (Indoor)	C	C	N
Cemeteries	N	N	N
Detention Facilities	C	P	C
Mining	N	C	N
Wireless Communication Facilities	L <sup>[9]</sup>	L <sup>[9]</sup>	L <sup>[9]</sup>
Information	P	P	P

P = Permitted    L = Limited    C = Conditional Use    N = Not Permitted  
X = Marijuana facilities including warehousing requires a conditional use permit.  
Y = Wholesale activities for marijuana requires a conditional use permit in the LI and GI zone.

Table 3-6 Footnotes:

- [1] One (1) dwelling is permitted for a watchman employed on the premises.
- [2] On-site day care for employees is permitted in the LI and GI zones. Conditional use permit approval is required for a day care facility that is intended to serve more than on-site employees.
- [3] Educational uses for high school or college level programs governed by ORS Chapter 300 et. seq. comprising no more than 20% of the floor space of a building owned by a governmental agency shall be permitted provided that the following are met: (1) the use is separated from all industrial activities located on the site; (2) the use is located totally within a building; and (3) hours of operation are limited from 7:00 a.m. to 7:00 p.m.
- [4] Supportive retail or commercial use, such as convenience store, coffee shop, deli or business service, up to 3,000 square feet per use, permitted if the Director finds that it primarily serves the needs of the people working or living in the industrial area (drive-through prohibited). Employee cafeterias are permitted as an accessory uses.
- [5] In the LI zone, up to 50% and in the GI zone, up to 20% of the total floor area of the development may consist of executive and administrative offices if the development, in its entirety, is traded sector or other industrial use. Stand-alone offices in association with uses allowed in the LI but are at other locations are allowed in that district. Multiple tenant office buildings are prohibited.
- [6] Industrial services in the LI and BIP zones must take place within an enclosed building.
- [7] All processing and manufacturing must take place within a building or enclosed structure. Outdoor storage of raw materials, finished products and vehicles is prohibited.
- [8] Industrial users may have up to 5,000 square feet but no more than 40% of the total floor area of the operation devoted to selling the product the company manufactures.
- [9] Wireless communication facilities are regulated by the standards in Article 7.
- [10] Personal services limited to 3,000 square feet in conjunction with larger uses.
- [11] Limited to corporate offices where the majority of traffic generated comes from employees and not the general public.

**10.3.530 INDUSTRIAL ZONE DEVELOPMENT STANDARDS**

The development standards listed below are applicable to all development within the Light Industrial, General Industrial, and Business Industrial Park zones. Development within these zones shall also comply with all other applicable requirements of this Code, including the general development standards in Article 8.

**TABLE 3-15: Industrial Zone Dimensional Requirements**

<b>STANDARD</b>	<b>LI</b>	<b>GI</b>	<b>BIP</b>
Minimum Lot Size	10,000 square feet	10,000 square feet	20,000 square feet
Minimum Lot Width	100 feet	100 feet	100 feet
Minimum Lot Depth	None	None	None

STANDARD	LI	GI	BIP
Minimum Yard Setbacks <sup>[1]</sup>	None	None	Front: 20 feet Interior Side: 10 feet Rear: 10 feet
Maximum Building Height <sup>[2]</sup>	None	None	45 feet
Maximum Building Coverage			50%
Minimum Landscaping			15%

Footnotes:

- [1] A setback and buffer may be required where a LI or GI boundary abuts a less intensive zone. See screening and buffering standards in Article 8. When an industrial site is separated from a residential zone by either a dedicated public street, or a railroad main line or spur track, no setback shall be required in that yard adjacent to the residential zone.
- [2] Building height unlimited per the Building Code with the installation of a sprinkler system approved by the Forest Grove Fire Department in all buildings over two (2) stories.

**10.3.540 ADDITIONAL INDUSTRIAL ZONE STANDARDS**

- A. Site Plan Review Required. Development in the LI, GI and BIP zones is subject to a Type II site plan review process.
- B. Parking. Parking, loading and unloading areas shall not be located within a required setback area.

No loading or unloading facilities shall be located adjacent to a residential district if there is an alternative location of adequate size for loading and unloading facilities that is not adjacent to a residential district.

Off-street surface parking shall not occupy more than 33% of the public street frontage. Where a site has frontage along a side street, a surface parking lot may occupy more than 33% of the side street frontage. Parking areas located along a public street frontage shall be screened with any one or combination of the following techniques: solid perimeter wall, earthen berm or evergreen hedge with a minimum spacing of 3 feet and maximum height of 5 feet. Parking areas shall be landscaped as required in §10.8.415.

- C. Performance Standards. No land or structure in the LI, GI and BIP zones shall be used or occupied unless there is continuing compliance with the standards set forth by the Environmental Protection Agency, Oregon Department of Environmental Quality and Metro relative to noise, vibration, smoke and particulate matter, odors, heat and glare, and insects and rodents.
- D. Solid Waste Collection Areas. Exterior solid waste dumpsters and solid waste collection areas must be screened from the public street and any abutting residential, commercial or town center zones.

- E. Mechanical Equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators, must be screened from the street and any abutting residential zones by walls, fences, or vegetation tall enough to screen the equipment. Mechanical equipment on roofs must be screened from the ground level of any abutting residential zone.
- F. Building Façade and Massing. Where building elevations are oriented to the street, architectural features, such as windows, pedestrian entrances, building off-sets, projections, change in materials or change in colors shall be used to break-up building surfaces and volumes.

Buildings exceeding 100 feet in the horizontal direction facing a public street shall include vertical relief using windows or vertical design elements incorporating change in exterior building materials or landscape screening.

Recessed entries or canopies shall be used at the entrances of buildings in order to reinforce a pedestrian-scale and to break-up large blank walls.

- G. Landscaping. Except for driveways and parking areas, the front setback area along a primary public street frontage shall be landscaped with lawn, trees, hedges or ornamental flowers. Such landscaping shall be maintained in good order.
- I. Signage. Pole signs are prohibited within areas zoned as Business Industrial Park. Free standing signs shall be monument-type signs no more than five feet in height with a maximum area of 40 square feet including face and pedestal.

Multi-tenant complexes shall provide unified monument signage for individual tenants near an access point for the complex. Such signs shall comply with the requirements of §10.8.830(D). Monument signs shall be not be placed within any clear vision area required in §10.8.155.

- J. Site Circulation. All roadways and drives shall include sidewalks on at least one side of the roadway or drive with the exception of vehicle facilities that provide access solely to loading and service areas.

All pedestrian connections to the public sidewalk shall include canopy trees spaced at a maximum of 30 feet on-center. Coniferous trees are permitted with approval of the Director. Trees shall be placed within planting beds sized appropriately for the tree species using tree planting best practices adopted by the International Society of Arboriculture or similar professional organization.

- K. Surface Water Management. When required, on-site surface water management facilities, such as detention ponds and swales, shall be incorporated into open space and landscaped areas through the use of unifying landscape elements. The Director shall make a determination as to whether the design meets the intent of this standard. The Director's determination is appealable to the Planning Commission.

## Attachment C

### Findings and Conclusions Haworth Annexation Zone Change File No. 311-18-000007-PLNG

- 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 corresponding table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purpose of each zone and the zoning pattern of surrounding land.

Finding A.1: The subject property is designated Campus Employment on the Forest Grove Comprehensive Plan Map. Forest Grove Development Code (Section 10.3.500(C)) describes the Campus Employment designation as follows:

“The BIP [Business Industrial Park] zone is intended to implement the Campus Employment designation of the Forest Grove Comprehensive Plan through the identification of allowed uses and the establishment of development standards.”

The BIP zone is the only implementing zone for the Campus Employment designation. Therefore, application of the BIP zone to the subject property is consistent with the Comprehensive Plan Map Campus Employment designation

Conclusion: The recommended Business Industrial Park Zoning Map designation is consistent with the Campus Employment Comprehensive Plan Map designation. The Business Industrial Park Zoning Map designation is the only implementing zone for the Campus Employment designation. Therefore, the Planning Commission concludes the recommended Business Industrial Park Zoning Map designation is consistent with the Comprehensive Plan Map and therefore this criterion is met.

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

Finding B.1: The Director identifies the following Comprehensive Plan Goal and Policy as being relevant to the zone change:

Economic Development Goal 8: Ensure an adequate supply of land for office campus development.

Finding B.2: The subject property is approximately 38.6 acres in area based on the legal description and map prepared by an Oregon registered surveyor contained in the annexation File (File No. 311-18-000007-PLNG).

Finding B.3: The Planning Commission recommends zoning the property subject to annexation Business Industrial Plan consistent the Campus Employment Comprehensive Plan Map designation and Review Criterion A above.

Conclusion: The subject property comprises approximately 38.6 acres. The Comprehensive Plan Map identifies the subject property as Campus Employment. Since the Business Industrial Park zone implements the Campus Employment Comprehensive Plan designation applying the Business Industrial Park zone to the subject property furthers Comprehensive Plan Economic Development Goal 8 by identifying 38.6 acres of land for business industrial parks uses on the Forest Grove Zoning Map. Zoning the subject property is an initial step in making land available for development. Making land available for development supports ensuring an adequate supply of land for office campus employment development.

Conclusion: For the reasons stated above, zoning the subject property Business Industrial Park furthers Comprehensive Plan Economic Development Goal 8. Therefore, the Planning Commission concludes Review Criterion B is met.

- 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.

Finding C.1: The subject 38.6 acre parcel is designated Campus Employment on the Forest Grove Comprehensive Plan Map. The property was designated Campus Employment in 2016 by adoption of Ordinance 2016-09.

Finding C.2: There is only one location on the Comprehensive Plan Map designated Campus Employment which is the subject property.

Finding C.3: The Comprehensive Plan establishes the following location factors for designating a site Campus Employment:

- Greater than 25 gross acres
- Direct access to arterial streets
- Buffered from surrounding and agricultural uses

Finding C.4: Elm Street provides access to the subject property. Elm Street provides direct access to Oregon Highway 47. Oregon Highway 47 is designated as a Principal Arterial on the Transportation System Plan Updated Street Functional Classification System (Figure 8-1).

Finding C.4: The urban growth boundary is the southern boundary of the subject property. The urban growth boundary provides a buffer between the subject property and surrounding agricultural uses.

Finding C.5: The only implementing zone for the Campus Employment designation is Business Industrial Park.

Finding C.6: The size of the vicinity for purposes of Review Criteria C is the subject property.

Conclusion: The Comprehensive Plan designates the subject territory as Campus Employment. A finding was made at the time the site was designated Campus

Employment in 2016 by Ordinance 2016-09 that the site is suitable for the Campus Employment Comprehensive Plan designation and by default the Business Industrial Park zone since the Business Industrial Park zone implements the Campus Employment Comprehensive Plan designation. Since the subject property is the only area designated Campus Employment there is a lack of appropriately designated alternative sites within the vicinity. For these reasons this Review Criterion is met.

- 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 minimum acceptable levels identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed change if it may impact transportation facilities.

Finding D.1: Elm Street provides access to the subject property. Elm Street is designated as a collector street on the Updated Street Functional Classification System Map (Figure 8-1) contained in the Forest Grove Transportation System Plan.

Finding D.2: Elm Street provides direct access to Oregon Highway 47. Oregon Highway 47 is designated as a Principal Arterial street on the Updated Street Functional Classification System Plan (Figure 8-1) contained in the Forest Grove Transportation System Plan.

Finding D.3: There is no information in the record to suggest development in this area of the City will substantially impact the functional classification or operation of transportation facilities below minimum acceptable levels of service identified in the Transportation System Plan.

Finding D.4: The subject property is subject to an annexation petition. No development is proposed as part of the annexation petition and zone change request.

Finding D.5: Development Code Section 10.1.225(D) grants authority to the Community Development Director to require a transportation study if proposed projects would have potential circulation or safety impacts, need for off-site street improvements or would increase traffic on City streets by at least 50 peak hourly trips or a transportation impact study is required by ODOT.

Conclusion: The zone change is part of a pending annexation petition. The annexation petition does not identify a specific use for the property. Assessment of potential transportation impacts will be completed as part of the standard development review process consistent with Development Code Section 10.1.225(D). Since there is no information in the record to suggest development in the subject area will substantially impact the functional classification or operation of the transportation facilities below minimum acceptable levels identified in the Transportation System Plan this Review Criterion is met.

- 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.

Finding E.1: The subject territory was added to the urban growth boundary by the Oregon Legislature in 2014.

Finding E.2: The subject territory is subject to an annexation petition.

Finding E.3: Forest Grove Development Code Section 10.2.160 requires a request for a concurrent zone change pursuant to Section 10.2.750 et. Seq. (Zoning) and shall meet the review criteria in Section 10.2.770. Development Code Section 10.2.160 does not require a specific development proposal for an annexation petition and concurrent zone change.

Finding E.4: The annexation petition does not include a specific development proposal allowing assessment of service demands and the ability of the public services to accommodate those demands.

Finding E.5: The Water Master Plan, Waste Water System Plan, and Storm Drainage Master Plan do not address providing service to the subject property. As such, evaluation of public service needs will be considered as part of the development review process after annexation into the City. Consideration as part of the development review process includes assessing adequacy of services based on projected service demands of the site and ability of the public services to accommodate those demands.

Conclusion: The subject territory is subject to an annexation petition. Annexation of the subject territory requires a zone change in order to apply a City zoning designation to the subject territory upon annexation. Since the annexation petition does not include a development proposal assessment of public service demands cannot be made at this time. Assessment of public services demand will be done as part of the standard development review process. Since approval of development requires adequate public services this Review Criterion will be met at that time.

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

Finding F.1: No conditions are recommended for establishing the zone district. The purpose of the establishing the zone district is to apply a zoning designation consistent with the Comprehensive Plan to the subject property upon annexation.

Conclusion: Since no conditions are proposed as part of establishing the zone district this Review Criterion is met.



# Haworth Annexation Zoning Application

## File No. 311-18-000007-PLNG

Daniel Riordan, Senior Planner  
Bryan Pohl, Community Development Director

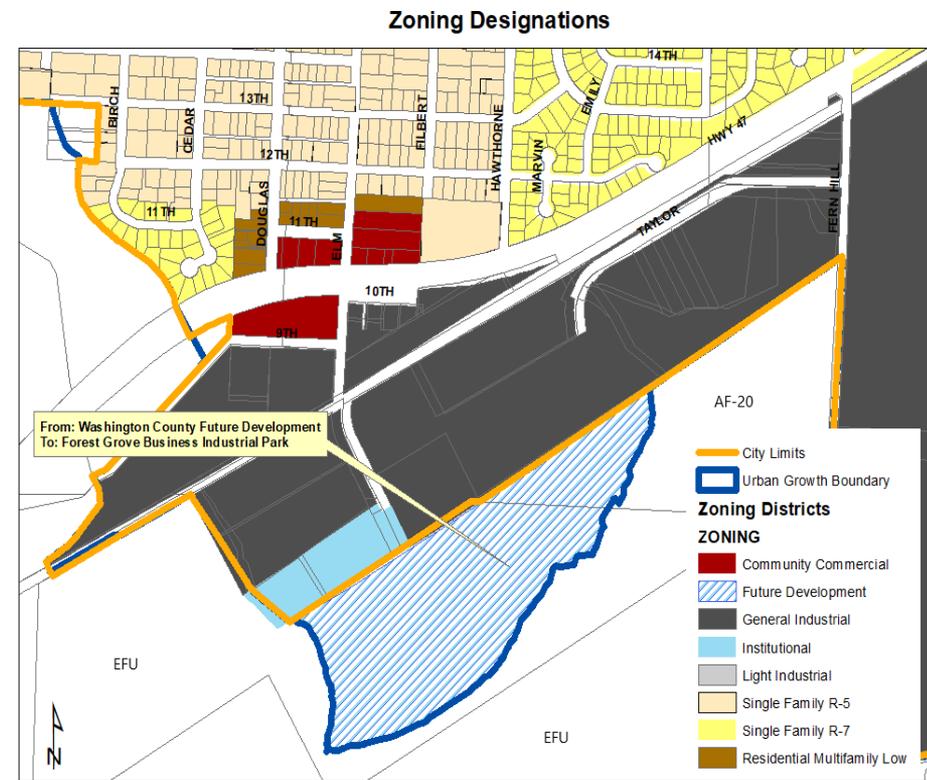
City Council  
August 13, 2018

# Request

- Applicant initiated zoning map amendment to assign a City of Forest Grove zoning designation to property subject to an annexation petition.
- Development Code (Sec. 10.2.160) requires that an applicant initiate a zone change concurrent with an annexation petition.
- The subject property is currently designated Campus Employment on the Comprehensive Plan map.
- The applicant's request is to zone the property Business Industrial Park (BIP) The BIP zone allows for a mixture of light industrial, employment and office uses, together with some small-scale commercial uses. All activities must take place indoors.
- Typically, the zoning designation assigned to the property is the one that most closely matches the Comprehensive Plan designation. This is the case with this request.

# The Site

- The subject territory was added to urban growth boundary by Oregon Legislature in 2016 as part of Urban Reserve “grand bargain.”
- The territory is approximately 38.6 gross acres.
- The site currently includes a residential structure and several accessory structures.
- The territory is adjacent to General Industrial, Institutional (AT Smith House and City-owned land) and Agricultural zoning.



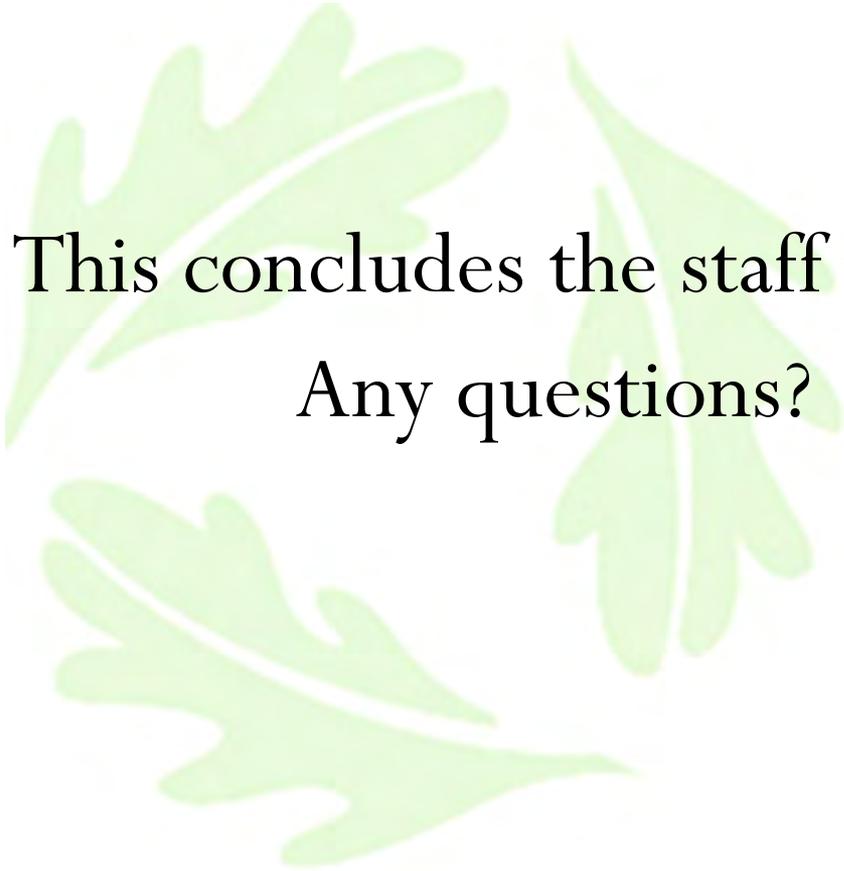
# Review Standards & Analysis

- Zone Change Review Criteria:
  - Consistent with Comp. Plan Map and relevant goals.
  - The site is suitable for the proposed zone and there is a lack of alternative sites.
  - The zone change is consistent with adopted Transportation System Plan.
  - Public facilities are capable of supporting the uses allowed by the zone.
  - The establishment of the zone district is not subject to the meeting of conditions.
- Additional details in the written staff report and Exhibit C.
- The analysis shows the proposed zoning map amendment meets the applicable review criteria.

# Staff Recommendation

- Staff recommends the City Council accept the Planning Commission's recommendation and approved the order amending the official Forest Grove zoning map to assign the Business Industrial Park (BIP) zoning designation to the 38.6 acre tract of land located at 600 Elm Street (Washington County Tax Lot 1S307AB01200); City File No. 311-18-000007-PLNG.

This concludes the staff report.  
Any questions?



Date: AUGUST 13, 2018

Agenda Item: 7.

Subject: PUBLIC HEARING AND ORDER NO. 2018-01 ADOPTING AMENDMENT TO OFFICIAL ZONING MAP FOR TRACT OF LAND LOCATED AT 600 ELM STREET (WASHINGTON COUNTY TAX LOT 1S307AB1200). PETITIONERS: HALLY AND MARY HAWORTH. FILE NO. 311-18-000007-PLNG

# CITY COUNCIL MEETING

## Request to Testify at Public Hearing

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

*Please sign-in below to testify.*

**PROPONENTS:** (Please print legibly)

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

David Morelli  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1320 Cedar St F.G 97116  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OPPONENTS:** (Please print legibly)

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

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**OTHERS:** (Please print legibly)

**First & Last Name:**

**Address:**

**City, State & Zip Code:**

\_\_\_\_\_  
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6605 SE Lake Road, Portland, OR 97222  
PO Box 22109 Portland, OR 97269-2169  
Phone: 503-684-0360 Fax: 503-620-3433  
E-mail: legals@commnewspapers.com

**AFFIDAVIT OF PUBLICATION**

State of Oregon, County of Washington, SS I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of the **Forest Grove News Times**, a newspaper of general circulation, serving Forest Grove in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

**City of Forest Grove  
NOTICE OF PUBLIC HEARING  
CITY OF FOREST GROVE ZONING DESIGNATION  
TO TRACT OF LAND SUBJECT TO ANNEXATION  
FILE NO. 311-18-000007-PLNG**

**Ad#: 61566**

A copy of which is hereto annexed, was published in the entire issue of said newspaper(s) for 1 week(s) in the following issue(s):  
**08/08/2018**

*Charlotte Allsop*

Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this 08/08/2018.

*Sue Ellen Casey*  
NOTARY PUBLIC FOR OREGON



**Attn: Anna Ruggles**  
FOREST GROVE, CITY OF  
PO BOX 326  
FOREST GROVE, OR 97116

**NOTICE OF PUBLIC HEARING  
CITY OF FOREST GROVE ZONING DESIGNATION  
TO TRACT OF LAND SUBJECT TO ANNEXATION  
FILE NO. 311-18-000007-PLNG**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, August 13, 2018, 7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider assigning the Forest Grove Business Industrial Park (BIP) zoning designation to a 38.6 acre tract of land, located at 600 Elm Street (Washington County Map and Tax Lot 1S307AB01200). The property is currently zoned by Washington County for future development and is designated Campus Employment on the Forest Grove Comprehensive Plan map. The BIP zone implements the Campus Employment plan designation. If enacted by City Council, the proposed order would be effective immediately.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the staff report and proposed order are available for inspection before the hearing at the City Recorder's Office or by visiting the City's website at [www.forestgrove-or.gov](http://www.forestgrove-or.gov). Written comments or testimony may be submitted at the hearing or sent to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, prior to the hearing. For further information, please call Anna Ruggles, City Recorder, at 503.992.3235.

**Applicable Standards and Criteria:**

Forest Grove Development Code Section 10.1.600 et. seq. (Quasi-Judicial Land Use Decisions).

Forest Grove Development Code Section 10.2.150 et. seq. (Annexation)

Forest Grove Development Code Section 10.2. 770 (Zoning Change 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 Corresponding 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.

# Pamplin Media Group

6605 SE Lake Road, Portland, OR 97222  
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NOTARY PUBLIC FOR OREGON



**Attn: Anna Ruggles**  
FOREST GROVE, CITY OF  
PO BOX 326  
FOREST GROVE, OR 97116

- 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, stormwater 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.



**Anna D. Ruggles, CMC, City Recorder**  
City of Forest Grove  
Publish August 8, 2018.

FGNT61566