

**ORDINANCE NO. 2019-04**

**ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009**

The City of Forest Grove ordains as follows:

**Section 1.** Adoption. The provisions of the code designated as the City of Forest Grove, Oregon, "Development Code", Title 17, copyrighted 2019, published by American Legal Publishing Corporation (Publisher), League of Oregon Cities, containing current existing ordinances through Ordinance 2018-07, dated 10/08/2018, (Exhibit A), a copy of which is placed on file in the office of the City Recorder and certified as the official copy by the recorder are hereby enacted as law of the City of Forest Grove, Oregon; and

**Section 2.** The City Council authorized a general compilation, editing and the codification of the existing ordinances of a general and permanent nature and publications of such ordinances in book form; and

**Section 3.** The Development Code, which has been separate from the Code of Ordinances, has kept the numbering and organization and text predominantly as it was provided to the Publisher by the City, except changing Code Section 10, Articles 10.1.000 to 10.12.210, as Title 17, Articles 17.1.000 to 17.12.210, and including the Design Guide Handbook 2009 as reference; and

**Section 4.** The provisions appearing in the "Development Code", so far as they are the same as those ordinances or prior code sections existing at the time of the effective date of this Ordinance, shall be considered as continuations thereof and not as new enactments; and

**Section 5.** Ordinance No. 2009-01, which enacted Forest Grove Development Code of 2009, is hereby repealed on the effective date of this Ordinance.

**Section 6.** The "Forest Grove Development Code of 2019", Title 17, shall be deemed published as of the day of the enactment of this Ordinance by the City Council.

**PRESENTED AND PASSED** the first reading this 13<sup>th</sup> day of May, 2019.

**PASSED** the second reading this 28<sup>th</sup> day of May, 2019.

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

**APPROVED** by the Mayor this 28<sup>th</sup> day of May, 2019.

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

The Development Code of 2019 is linked below as reference:

[TITLE XVII: DEVELOPMENT CODE:](#)

[ARTICLE 1: INTRODUCTION AND PROCEDURES](#)

[ARTICLE 2: LAND USE REVIEWS](#)

[ARTICLE 3: ZONING DISTRICTS](#)

[ARTICLE 4: OVERLAY DISTRICTS](#)

[ARTICLE 5: SPECIAL PROVISIONS](#)

[ARTICLE 6: LAND DIVISIONS](#)

[ARTICLE 7: MISCELLANEOUS PROVISIONS](#)

[ARTICLE 8: GENERAL DEVELOPMENT STANDARDS](#)

[ARTICLE 9: RESERVED](#)

[ARTICLE 10: RESERVED](#)

[ARTICLE 11: RESERVED](#)

[ARTICLE 12: USE CATEGORIES AND DEFINITIONS](#)

[DEVELOPMENT CODE PARALLEL REFERENCES](#)

[DESIGN GUIDELINE HANDBOOK](#)

Date: **MAY 28, 2019**

Agenda Item: **7.**

Subject: **SECOND READING OF ORDINANCE NO. 2019-04 ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009**

# **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:**

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**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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*A place where families and businesses thrive.*

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	8.
MEETING DATE:	MAY 13, 2019
FINAL ACTION:	FIRST READING ORD 2019-04

**CITY COUNCIL STAFF REPORT**

**FIRST READING:**

**TO:** *City Council*

**FROM:** *Jesse VanderZanden, City Manager*

**PROJECT TEAM:** *Anna Ruggles, CMC, City Recorder; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director*

**MEETING DATE:** *May 13, 2019*

**SUBJECT TITLE:** *Public Hearing and First Reading of Ordinance Enacting City of Forest Grove Development Code of 2019*

**ACTION REQUESTED:**

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

**ISSUE STATEMENT:**

The adoption of the recodification of the Forest Grove “Development Code” as Title 17 of the Code of Ordinances, copyrighted 2019, published by American Legal Publishing Corporation (Publisher), League of Oregon Cities, containing current existing ordinances through Ordinance 2018-07, dated 10/08/2018.

**BACKGROUND:**

In February, 2018, the City entered into an agreement with the American Legal Publishing Corporation (Publisher) to provide Codification Services. The City’s Development Code, which is separate from the City’s Code of Ordinances, has kept the numbering and organization and text predominantly as it was provided to the Publisher by the City, expect changing Code Section 10, Articles 10.1.000 to 10.12.210, as Title 17, Articles 17.1.000 to 17.12.210, and including the Design Guide Handbook 2009 as reference. The provisions appearing in the Development Code are the same as those ordinances or prior code sections existing at the time of the comprehensive review. The Development Code includes reformatting of the current code for easy access and searching as well as merging the “Development Code” as one City document with the “Code of Ordinances”.

Once the Development Code is reenacted, the Code will be available on-line (webhosting through Publisher) as a comprehensive, searchable and easy-to-use code. Making the Code available online is part of the Council and staff’s continued commitment to support technology improvements and enhance communication with the public. The Development Code of 2019 is linked below as reference:

**TITLE XVII: DEVELOPMENT CODE:**

**[ARTICLE 1: INTRODUCTION AND PROCEDURES](#)**

[ARTICLE 2: LAND USE REVIEWS](#)

[ARTICLE 3: ZONING DISTRICTS](#)

[ARTICLE 4: OVERLAY DISTRICTS](#)

[ARTICLE 5: SPECIAL PROVISIONS](#)

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[DEVELOPMENT CODE PARALLEL REFERENCES](#)

[DESIGN GUIDELINE HANDBOOK](#)

**FISCAL IMPACT:** The City will submit future supplements every six months to the Publisher under signed agreement at a cost of \$150 for each six-month period and \$250 semiannually for online hosting. Staff will update forms, letters, notices, signage, etc., in accordance with the new code sections. Staff anticipates printing costs to be minimal.

**STAFF RECOMMENDATION:** Staff recommends the Council adopt the attached ordinance enacting the Forest Grove Development Code as Title 17 of the Code of Ordinances, attached as Exhibit A, and deeming the Development Code published as of the day of the enactment of this ordinance by the Council (enacted May 28, 2019).

**ATTACHMENT(s)/LINK(s):**

1. Recodification Development Code 2019:
2. [http://library.amlegal.com/nxt/gateway.dll/Oregon/forestgrovedevcode\\_or/titlexviidevelopmentcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:forestgrove\\_or](http://library.amlegal.com/nxt/gateway.dll/Oregon/forestgrovedevcode_or/titlexviidevelopmentcode?f=templates$fn=default.htm$3.0$vid=amlegal:forestgrove_or)
3. Ordinance and Exhibit A



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**NOTICE OF PUBLIC HEARING  
FOREST GROVE CITY COUNCIL  
ORDINANCE REENACTING FOREST GROVE DEVELOPMENT CODE,  
TITLE 17 OF THE MUNICIPAL CODE**

**NOTICE IS HEREBY GIVEN** that the Forest Grove City Council will hold a Public Hearing on **Monday, May 13, 2019, 7:00 p.m.** or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to consider adopting an ordinance reenacting the City of Forest Grove “Development Code”, Title 17 of the Municipal Code, published by American Legal Publishing Corporation, League of Oregon Cities. The Development Code contains current existing ordinances and will replace the code enacted in 2009. The proposed ordinance, if enacted by the City Council, would take effect on the enactment date of the ordinance unless City Council declares an emergency.

This hearing is open to the public and interested parties are encouraged to attend. A copy of the staff report, proposed ordinance, new Development Code and existing code are available for inspection before the hearing at the City Recorder’s Office or by visiting the City’s website at [www.forestgrove-or.gov](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 information, please contact Anna Ruggles, City Recorder, 503.992.3235, e-mail [aruggles@forestgrove-or.gov](mailto:aruggles@forestgrove-or.gov).

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

Published Wednesday, May 8, 2019  
*FG NewsTimes*

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**PRESENTED AND PASSED** the first reading this 13<sup>th</sup> day of May, 2019.

**PASSED** the second reading this 28<sup>th</sup> day of May, 2019.

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

**APPROVED** by the Mayor this 28<sup>th</sup> day of May, 2019.

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

Date: **MAY 13, 2019**

Agenda Item: **8.**

Subject: **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2019-04 ENACTING CITY OF FOREST GROVE DEVELOPMENT CODE AS TITLE 17 OF THE CODE OF ORDINANCES, COPYRIGHTED 2019, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION AND REPEALING ORDINANCE NO. 2009-01, DEVELOPMENT CODE OF 2009**

# CITY COUNCIL MEETING

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