



NOTICE OF DECISION

TO: Affected Parties

FROM: Daniel Riordan
Senior Planner

DATE: June 23, 2017

RE: Planning Commission decision to recommend City Council approval of the Westside Refinement Plan and accompanying implementation measures with modification to the proposal

City File Number: 311-17-000013-PLNG

This is your notice that on June 5, 2017, the Forest Grove Planning Commission voted to recommend that City Council approve the Westside Refinement Plan with modification. The Planning Commission also voted to recommend approval of amendments to the City's Comprehensive Plan, Zoning Map, Development Code and Transportation System Plan. A copy of the Planning Commission's *Findings and Decision*, signed by the Commission Chair on June 19, 2017, is attached for your information. The findings and decision describe the modifications to the Plan recommended by the Planning Commission.

The Planning Commission decision will be considered by the Forest Grove City Council on July 10, 2017, and August 14, 2017. The City Council meetings are open to the public and will begin at 7:00 PM, or thereafter. The Council meetings will take place at the Forest Grove Community Auditorium at 1915 Main Street. There will be an opportunity to provide written and verbal comments about the proposal during the meetings. Written comments may also be submitted by E-mail to driordan@forestgrove-or.gov or by postal mail to:

Dan Riordan, Senior Planner
City of Forest Grove
PO box 326
Forest Grove, OR 97116

Please call or E-mail me if you have any questions at (503) 992-3226 or driordan@forestgrove-or.gov.

**Planning Commission Findings and Decision Number 2017-09
Recommendation to Adopt Westside Refinement Plan and Accompanying
Implementation Measures
File Number 311-17-000013-PLNG**

WHEREAS, the City applied for and received a Community Planning Development Grant award from Metro to prepare a refinement plan for the Westside planning area comprised of the area within the urban growth boundary north of Watercrest Road and west of Thatcher Road and the area added to the urban growth boundary by the Oregon Legislature in 2014 north of David Hill Road and west of Highway 47 and east of Thatcher Road; and

WHEREAS, Oregon Revised Statutes (ORS) §197.200 provides authority to local governments to adopt refinement plans for areas within urban growth boundaries; and

WHEREAS, the Westside Refinement Plan complies with the provisions of ORS §197.200 and findings demonstrating compliance are contained in Attachment B to the Planning Commission staff report dated May 15, 2017; and

WHEREAS, the Westside Refinement Plan addresses the requirements of Metro Urban Growth Management Function Title 11 (Planning for New Residential Areas) and findings demonstrating compliance are contained in Attachment B to the Planning Commission staff report dated May 15, 2017; and

WHEREAS, the following background documents were prepared and provide the factual basis supporting the Westside Refinement Plan:

- Westside Infrastructure Overview, December 2014;
- Westside Transportation Baseline Report, January 2015;
- Westside Natural Resources Overview, January 2015;
- Geological and Geotechnical Assessment Report, February 2015;
- Revised Final Westside Water, Sewer, and Stormwater Infrastructure Report, June 2016;
- Infrastructure Funding Approach Report, December 2016; and
- Revised 2035 PM Peak Hour Traffic Operations Analysis of Revised Land Use Alternative, March 2017; and

WHEREAS, the Westside Refinement Plan provided opportunities for community participation to influence preparation of recommendations; and

WHEREAS, community participation included stakeholder interviews during November 2014, design charrettes on April 20, 2015 and May 20, 2015, a community open house on March 2, 2017, work sessions with the Planning Commission on October 6, 2014, July 6, 2015, May 2, 2016 and February 6, 2017, and work sessions with the City Council on November 14, 2016 and December 12, 2016; and

WHEREAS, the Planning Commission held public hearings on May 15, 2017, May 30, 2017, and June 5, 2017 on the proposed Westside Refinement Plan and accompany implementation measures; and

WHEREAS, the proposed implementation measures include proposed amendments to the Forest Grove Comprehensive Plan Map, Forest Grove Zoning Map, Forest Grove Development Code and Forest Grove Transportation System Plan; and

WHEREAS, notice of the public hearings were mailed to affected property owners and property owners within 300 of the affected area on April 26, 2017 and May 11, 2017 as required by Oregon Ballot Measure 56 and Development Code §10.1.715); and

WHEREAS, notice of public hearing was published in the Forest Grove News-Times as required by Forest Grove Development Code (§10.1.715) on May 10, 2017; and

WHEREAS, a staff report addressing the applicable review criteria was published on May 8, 2017, and is hereby incorporated by reference; and

WHEREAS, staff reports responding to public testimony and Planning Commission considerations were published on May 23, 2017, and June 2, 2017, the staff reports are hereby incorporated by reference; and

WHEREAS, the Planning Commission accepted written testimony on May 15, 2017 and oral testimony on May 30, 2017 and June 5, 2017 on the proposed Westside Refinement Plan and accompanying implementation measures and the testimony was considered by the Planning Commission in preparing recommendations for consideration by City Council.

NOW THEREFORE, The Planning Commission does hereby recommend City Council approve the Westside Refinement Plan and accompanying implementation measures, with modification, making the following specific findings in support of this decision:

Section 1: The Planning Commission adopts by reference the findings attached as Attachment B to the staff report prepared for the May 15, 2017 public hearing.

Section 2: The Planning Commission approves the following modifications to the Westside Refinement Plan and accompanying implementation measures:

- A. Modify the proposed Zoning Map to apply the Neighborhood Mixed Use zone to the Nixon Property (Washington County Map and Tax Lot Number 1N4260002602) consistent with the current Comprehensive Plan designation which is also Neighborhood Mixed Use. Apply the provisions of Mixed Use Area 1 – David Hill shown on Table 4-2 of Development Code §10.4.315(F) to the Nixon property to provide the opportunity for a maximum of 15,000 square feet of commercial/institutional space for uses shown on Table 3-10 of Development Code §10.3.320. In support of this recommendation the Planning Commission makes the following finding: Applying the Neighborhood Mixed Use zone to the Nixon Property implements the Forest Grove Comprehensive Plan designation which is also Neighborhood Mixed Use and this action makes the zoning and Comprehensive Plan designation consistent. In addition, applying the Neighborhood Mixed Use zoning designation to the Nixon property will provide an opportunity to establish a complete neighborhood in the area with a variety uses in proximity consistent with Comprehensive Plan Sustainability Goal 8 which state: “Create complete neighborhoods, through land use regulation, with housing, recreational opportunities, retail, services and employment nearby.” Furthermore, applying the NMU zoning designation to the Nixon Property will provide flexibility in site design, housing types and density.
- B. Retain the Suburban Residential zone above the 440 foot contour elevation. In support of this recommendation the Planning Commission makes the following finding: The Suburban Residential zone was created to establish a land use designation allowing for one acre lots due to topography and inherent difficulty of providing sanitary sewer and

water infrastructure. The large lots are intended to accommodate wells and septic systems on large lots and retaining the SR designation will achieve this objective.

- C. Modify Table 4-2 of Development Code §10.4.315(F) to add Area 4 - East David Hill Road establishing a maximum square footage of 150,000 square feet of commercial/institutional space for uses shown on Table 3-10 of Development Code §10.3.320. To support this recommendation the Planning Commission makes the following finding: The Neighborhood Mixed Use zone is intended to allow a variety of land uses in proximity to establish complete neighborhoods consistent with Comprehensive Plan Sustainability Goal 8 which state "Create complete neighborhoods, through land use regulation, with housing, recreational opportunities, retail, services and employment nearby." The Planning Commission recommendation does not require a minimum amount of commercial development and is intended to provide flexibility to respond to market demands and needs.
- D. Include a Policy Statement in the Westside Refinement Plan recognizing the Westside planning area includes three subareas:
 - 1. The area above the 440 foot contour elevation;
 - 2. The area west of Thatcher Road below the 400 foot contour elevation; and
 - 3. The area north of David Hill Road, east of Thatcher Road and west of Highway 47.

To support this recommendation the Planning Commission makes the following finding: The Westside Planning Area is characterized by distinct areas based on elevation, topography, and ability to provide cost-effective public infrastructure. The area east of Thatcher Road is flat and public infrastructure in nearby allowing for extension in the near-term. The area west of Thatcher Road has the highest elevations in the urban growth boundary, is relatively steep, and has a variety of environmental constraints including adverse soils and a historic landslide area. Public infrastructure is lacking and extension of necessary infrastructure is costly as reflected in the Revised Final Westside Water, Sewer and Stormwater Infrastructure Analysis, June 24, 2016 and Funding Approach Report, December 2016. These factors identified above distinguish the subareas and provide the basis for the Planning Commission recommendation to address infrastructure needs on a subarea basis.

- E. Include a Policy Statement and Action Item in the Westside Refinement Plan stating the water system for the area above the 440 foot contour elevation requires a slow, careful, long-term approach for addressing water needs. To support this recommendation the Planning Commission makes the following finding: The area above the 440 foot contour elevation cannot currently be served by the municipal water system due to the elevation of the current water reservoir on David Hill. A new reservoir is required at a higher elevation to ensure adequate water pressure and provide additional storage as described in the Revised Final Westside, Water, Sewer and Stormwater Infrastructure Analysis, June 24, 2016. The Planning Commission recommends a slow, careful and long-term approach to addressing water needs to ensure needs are considered comprehensively and to minimize costs associated with improving the system.
- F. Add a Policy Statement and Action Item to the Westside Refinement Plan to recognize that the street system should follow contours when designed and engineered. To support this recommendation the Planning Commission makes the following finding: The proposed Westside Refinement Plan identifies as a goal in Chapter 13 – Policy Direction to "Establish a context sensitive street network addressing the characteristics

of the Westside Planning Area (Goal 8.1). This goal recognizes the David Hill area is characterized by steep slopes as documented in the Geological and Geotechnical Assessment Report, February 2015, prepared by PBS Engineering and Environmental. A context sensitive approach is recommend to minimize environmental disturbance including cut-and-fill and potential visual impacts. For this reason, the Planning Commission recommends that roads follow contours when designed and engineered.

- G. Add a Policy Statement and Action Item to the Westside Refinement Plan to evaluate Septic Tank Effluent Gravity (STEP) and Septic Tank Effluent Pump (STEP) sewerage treatment approaches as a potential cost-effect strategy for addressing sewerage needs in the area west of Thatcher Road:

Policy 7.5.1: Through the next update of the City of Forest Grove Wastewater Management Plan evaluate the feasibility of implementing sanitary sewer systems such as Septic Tank Effluent Gravity (STEG) and Septic Tank Effluent Pump (STEP) in the Westside planning area.

Action 7.5.1: Initiate discussions with Clean Water Services to evaluate the feasibility of implementing sanitary sewer systems such as Septic Tank Effluent Gravity (STEG) and Septic Tank Effluent Pump (STEP) in the Westside planning area.

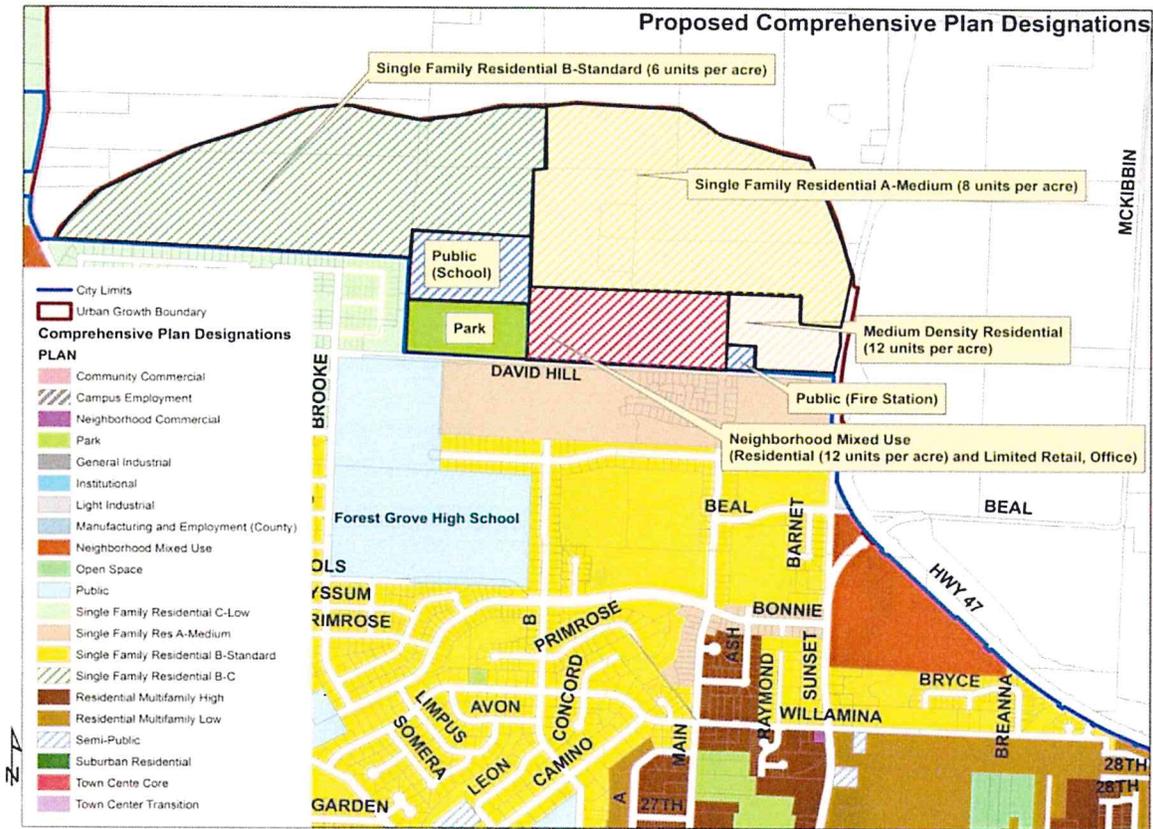
To support this recommendation the Planning Commission makes the following finding: Testimony was provided to the Planning Commission on May 15, 2017, May 30, 2017 and June 5, 2017 regarding the use of Septic Tank Effluent Gravity (STEG) and Septic Tank Effluent Pump (STEP) systems as a lower cost solution for addressing sanitary sewerage needs compared to the traditional method of conveyance to a treatment plant. The Planning Commission endorses further evaluation of such systems to determine if it is a feasible way to address sanitary sewerage needs in the David Hill area.

- H. Add to the proposed Transportation System Plan amendments evaluation of an east-west collector street in the general vicinity of Plum Hill Lane. To support this recommendation the Planning Commission makes the following finding: The Planning Commission received testimony on June 5, 2017, recommending that an alternative to improving Plum Hill Lane as an east-west collector street be considered. The Planning Commission endorses evaluating an alternative east-west collector street in the vicinity of Plum Hill Lane during the next update to the Transportation System Plan due to the steep grade of Plum Hill Lane near its intersection with Thatcher Road.

Section 3: The Planning Commission recommends approval of the following amendments to the Comprehensive Plan Map for the new urban growth boundary area north of David Hill Road, west of Highway 47 and east of Thatcher Road. No Comprehensive Plan Map amendments are recommended for the area west of Thatcher Road.

From	To	Gross Acres
Washington County Future Development-20 acre min.	A-Medium (8.95 dwellings/net acre)	86.18
Washington County Future Development-20 acre min.	B-Standard (6.22 dwellings per net acre)	98.62
Washington County Future Development-20 acre min.	Medium Density Residential (12 dwellings per net acre)	10.82
Washington County Future Development-20 acre min.	Neighborhood Mixed Use (12 dwellings per net acre)	24.63

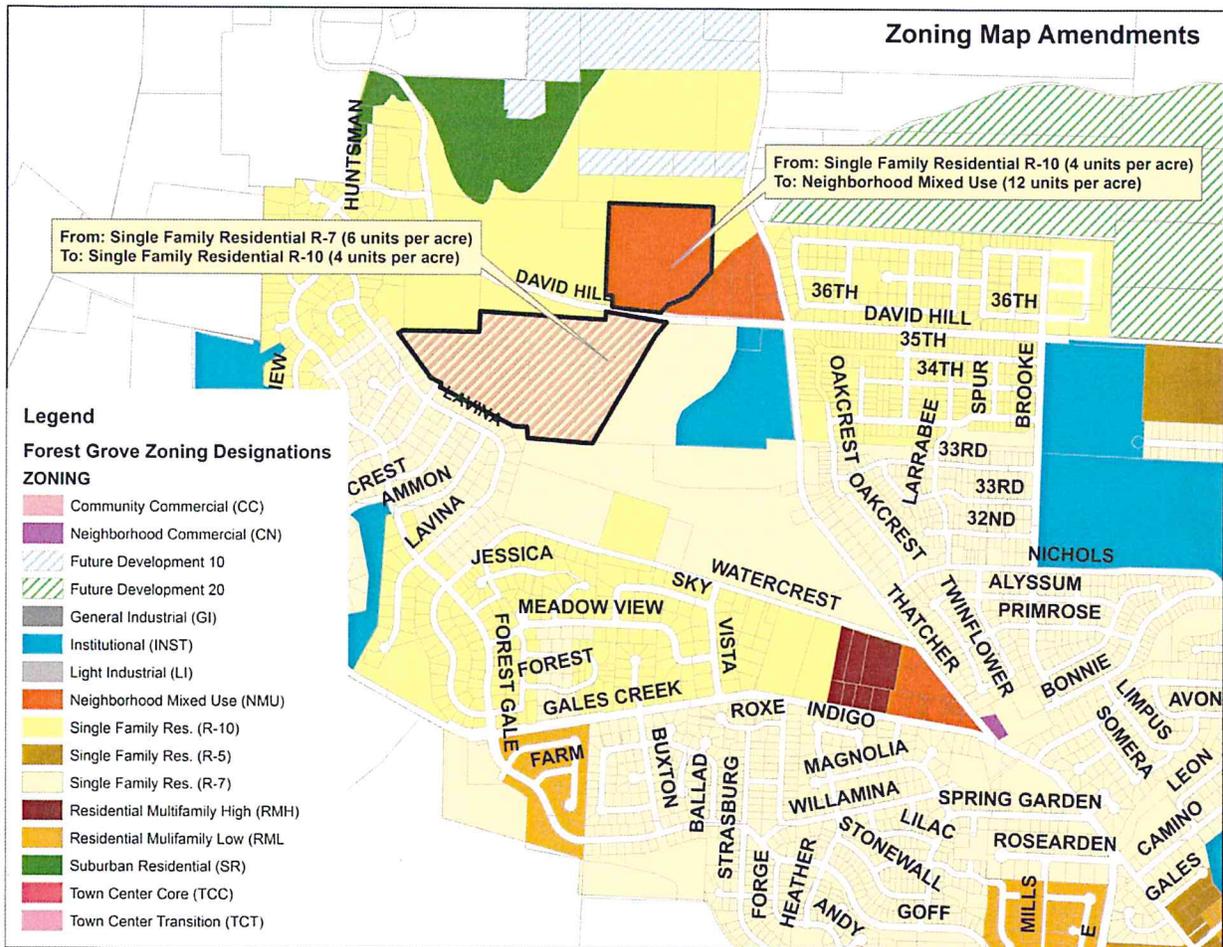
Washington County Future Development-20 acre min.	Public (School)	10.00
Washington County Future Development-20 acre min.	Public (Fire Station)	2.40
Washington County Future Development-20 acre min.	Park	6.00



The findings supporting the recommended Comprehensive Plan Map amendments are contained in Attachment B to the May 15, 2017 staff report and are incorporated by herein by reference.

Section 4: The Planning Commission recommends the following amendments to the Zoning Map for the area west of Thatcher Road. No zoning map amendments are recommended for the new urban growth boundary area north of David Hill Road, west of Highway 47 and east of Thatcher Road.

From	To	Gross Acres
R-7 (6.22 dwellings per net acre)	R-10 (4.35 dwellings per net acre)	36.96
R-10	NMU (Neighborhood Mixed Use)	20.67



The Planning Commission recommends the change from R-7 zoning to R-10 for a portion of the area south of David Hill Road to reflect constraints to development documented in the Geological and Geotechnical Report, February 2015, prepared by PBS Engineering and Environmental.

The Planning Commission recommends the change from R-10 to NMU for the Nixon Property (Washington County Map and Tax Lot Number 1N4260002602) in order to zone the property consistent with the corresponding NMU designation shown on the Comprehensive Plan Map.

Section 5: The Planning Commission recommends the following amendment to the Forest Grove Development Code to implement the Westside Refinement Plan:

§10.4.315(F) TABLE 4-2: Commercial/Institutional Uses within the Village Center

NMU Zoned Area	Minimum Square Footage	Maximum Square Footage
Area 1 - David Hill/Nixon	None	15,000 SF Gross Floor Area
Area 2 - Gales Creek	None	25,000 SF Gross Floor Area
Area 3 - Davidson	25,000 SF Gross Floor Area	130,000 SF Gross Floor Area ¹
Area 4 – East David Hill Rd.	None	150,000 SF Gross Floor Area ²

§10.8.610(M) Grades and Curves – Grades shall not exceed 10% on arterials, 12% **15%** on collector streets for distances of no greater than 250 feet, or any other street (except that local or residential access streets may have concrete segments with grades of up to 15% for distances of no greater than 250 feet), and:

§10.8.310 (Hazard Areas)

2. For development sites having slopes of 20% **10%** or more, the following requirements shall be met. To ensure compliance with the provisions of this ordinance, prior to the issuance of a building permit for the construction of any new building³ within the city, and prior to any grading, excavation or filling or other site modification within areas having a slope of 20% **10%** or greater, there shall be submitted to the Community Development Department for review and approval, or approval with modifications:
 - a. A site plan (showing any grading, excavating or filling) drawn to scale of the entire property developed and of the proposed construction;
 - b. The submission of a geological assessment and geotechnical report prepared and stamped by a Certified Engineering Geologist who is a registered geologist certified in the specialty of Engineering Geology under provisions of ORS 672.505 to 672.705 **and a Geotechnical Engineer under provisions of ORS 672.002 to 672.325.** The assessment and report shall address the entire site and meet the following requirements:
 - i. The geological **and engineering** assessment shall include information and data regarding the nature, distribution of underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site, and conclusions regarding the effect of geo-logic conditions on the proposed development.

The findings supporting the recommended amendments to the Development Code are contained in Attachment B to the staff report for the May 15, 2017, Planning Commission public hearing.

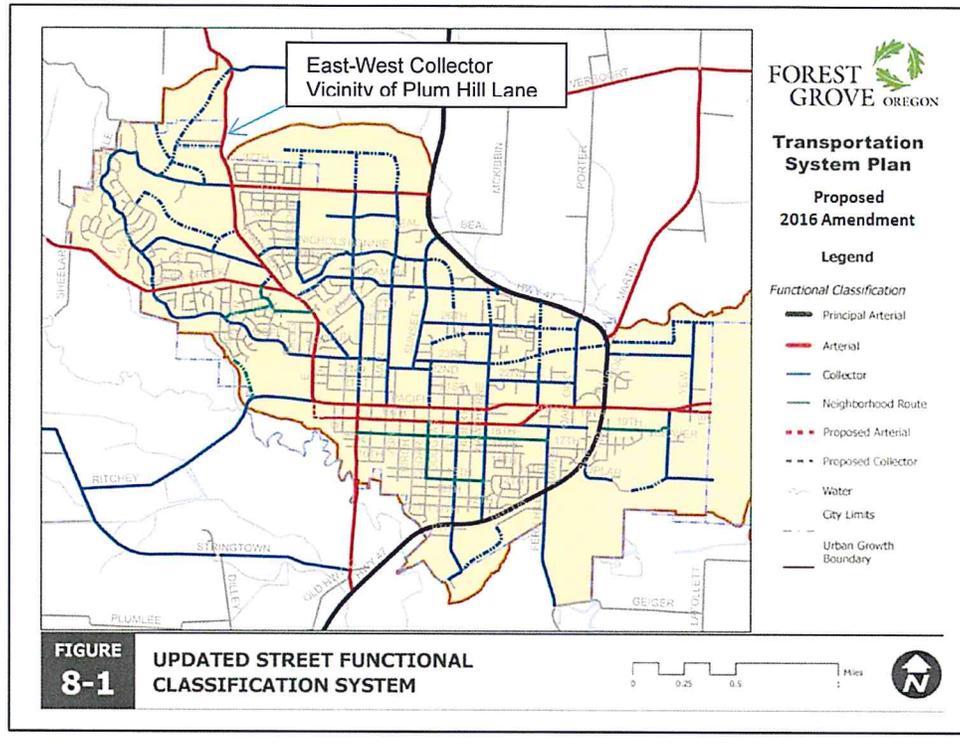
¹ Maximum building footprint is 50,000 square feet.

² Maximum building footprint is 50,000 square feet.

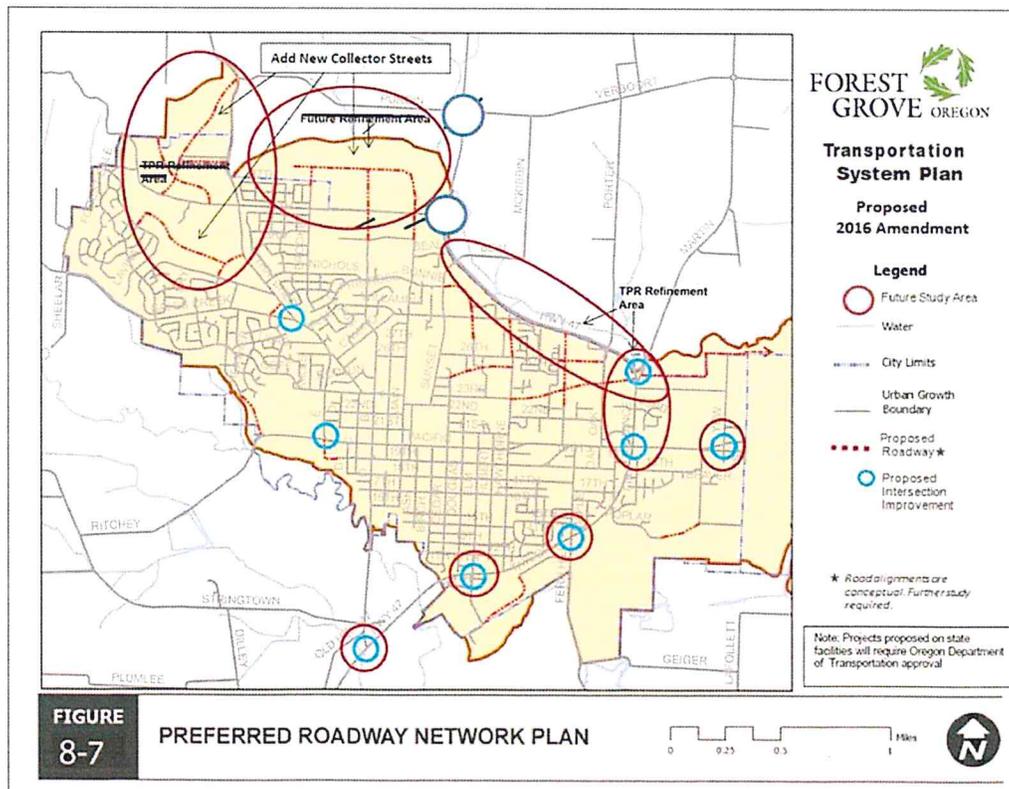
³ Building: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Section 6: The Planning Commission recommends the following amendments to the Forest Grove Transportation System Plan to implement the Westside Refinement Plan:

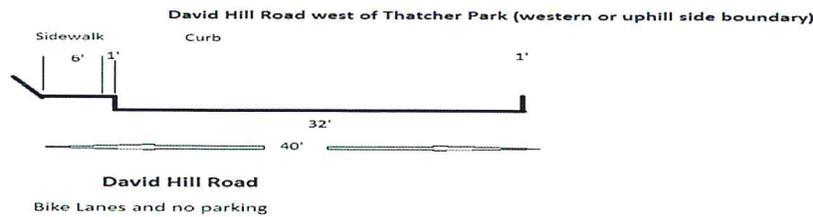
Recommended amendments to Transportation System Plan Figure 8-1



Recommended amendments to the Transportation System Plan Figure 8-7



Recommended revised cross-section for David Hill Road west of Thatcher Road:



Recommended amendments to the Transportation System Plan project tables to add needed mitigation to the Highway 47 roundabouts at David Hill Road and Purdin/Verboort Roads required for compliance with the Oregon Transportation Planning Rule (OAR 660-012-0060). The Planning Commission finds the mitigation projects are needed due to anticipated traffic generation from growth in the new urban growth boundary area north of David Hill Road west of Highway 47 and east of Thatcher Road. The Planning Commission also finds that traffic volumes from the David Hill Road area have been accounted for in the TSP and therefore, do not have a significant effect on transportation facilities for purposes of Transportation Planning Rule Compliance (OAR 660-012-0060(9)). The proposed mitigation measure for the Highway 47 roundabouts at David Hill Road and Purdin/Verboort Road will be recommended by the City for addition to the Metro Regional Transportation Plan to be updated in 2018.

Roadway Projects (TSP Table 8-3)

No.	Name	Description	Purpose	Metro Project ID*	Total Cost (\$Million)
1	David Hill Road / Hwy. 47 Intersection Capacity Improvements Extension	Construct new 2-lane collector with bicycle lanes, sidewalks and street lights from existing east terminus to Highway 47. Add an additional second circulating lane to the roundabout to provide separation for northbound left turning and through traffic as well as a separate lane for southbound turns.	Improve connectivity and balance circulation. Improve operational deficiencies to ensure mobility standards are met.	10772	\$13.61 \$2.5
2	Highway 47 / Pacific Avenue Intersection Improvements *	Additional channelization, crosswalk, and traffic signal modification at intersection. Specific improvements may be modified at a future date.	Improve access and mobility. Improve substandard turn radius and pedestrian crossing.	10780a	\$1.3
13	Hwy 47 and Purdin Road Intersection Improvements *	Construct improvements at Highway 47 (e.g. roundabout) to connect Purdin and Verboort Roads. Add a northbound right turn slip lane on the south leg of the roundabout and a southbound right turn slip	Improve operational deficiencies to ensure mobility standards are met.	10780f	\$3.17 \$4.0



<u>lane on the south leg of the roundabout to the overall roundabout intersection.</u>	
TOTAL	\$122.44 \$110.86

Notes: * Projects will require ODOT approval. Inclusion of a project in this table does not obligate or imply the obligation of funds for any specific project.

Forest Grove Financially Constrained Project List (TSP Table 1-2)

#	Name	Description	Jurisdiction Owner/ Operator	Metro Project ID	RTP Financially Constrained	Total Cost	Non-City Funds	City Funds	Project Timing
1	David Hill Road Extension-/ Hwy. 47 Intersection Capacity Improvements	Construct new 2-lane collector with bicycle lanes, sidewalks and street lights from existing terminus to Highway 47. Add an additional second circulating lane to the roundabout to provide separation for northbound left turning and through traffic as well as a separate lane for southbound turns.	City <u>ODOT & County</u>	10772	Add ⁴	\$13.61 ** \$2.5 **/**	\$13.61 \$2.50	\$0.0	0-5 years 6-10 years
5	Highway 47 / Pacific Avenue Intersection Improvements*	Additional channelization, crosswalk, and traffic signal modification at intersection. Specific improvements may be	ODOT	10780a	Yes	\$1.3 **	\$0.8	\$0.5	0-5 years

⁴ The City of Forest Grove will nominate this project for addition to the Metro RTP Financially Constrained Project List through the Washington County Coordinating Committee process.

Source: City of Forest Grove. Estimated share of city cost provided by City of Forest Grove.
Notes: **PROJECT PRIORITIES ARE BASED ON ANTICIPATED PROJECT TIMING**

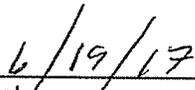
*Project will require ODOT approval. Inclusion of a project in this table does not obligate or imply the obligation of funds for any specific project.

**Partially or fully funded by jurisdictional agency (i.e. TriMet, ODOT, Washington County, Metro or other).

***Partially or fully funded by private development exactions.



Tom Beck, Chair



Date