

**ORDINANCE NO. 2014-07**

**ORDINANCE MAKING CERTAIN DETERMINATIONS AND  
ADOPTING THE FOREST GROVE URBAN RENEWAL PLAN**

**WHEREAS**, the Urban Renewal Agency of the City of Forest Grove (“Agency”), as the duly authorized and acting urban renewal agency of the City of Forest Grove, is proposing to undertake certain redevelopment activities in a designated area of the City of Forest Grove pursuant to ORS Chapter 457 (Urban Renewal); and

**WHEREAS**, the Agency, pursuant to ORS Chapter 457, prepared an urban renewal plan (“Plan”) which is attached to this Ordinance as Exhibit 1, and incorporated herein by this reference; and

**WHEREAS**, the Plan authorizes urban renewal projects to be undertaken by the Agency within the Forest Grove Urban Renewal Area as described therein and by Exhibit 2; and

**WHEREAS**, the Plan provides an outline for accomplishing the urban renewal projects described in the Plan pursuant to ORS Chapter 457.085; and

**WHEREAS**, the Agency prepared a report (“Report”) accompanying the Plan as required by ORS 457.085, attached to this Ordinance as Exhibit 3 and incorporated herein by this reference; and

**WHEREAS**, opportunities for public involvement were provided during development of the Plan through community open houses in September 2012 and May 2014, and a stakeholder advisory committee that included property owners, business owners and other interested persons; and

**WHEREAS**, the City Council forwarded the Plan and Report to the governing body of each overlapping taxing district potentially affected by the plan on May 2, 2014, and the City provided opportunities for consultation and comment with the taxing districts pursuant to ORS Chapter 457.085(5); and

**WHEREAS**, the City Council and Agency received written comments from Portland Community College and Metro; and

**WHEREAS**, Portland Community College requested clarification regarding the Plan adoption process and proposed maximum amount of indebtedness; and

**WHEREAS**, staff responded to Portland Community College’s request for clarification on May 15, 2014; and

**WHEREAS**, Metro provided a letter dated May 20, 2014 supporting adoption of the proposed Forest Grove Urban Renewal Plan; and

**WHEREAS**, On May 5, 2014, the City Council forwarded the Plan and Report to City of Forest Grove Planning Commission for recommendation and determination of

Plan's conformance with the Forest Grove Comprehensive Plan and Economic Development Strategy (Exhibit 4); and

**WHEREAS**, on May 5, 2014, the City of Forest Grove Planning Commission adopted a motion finding the Plan to be in conformance with the Forest Grove Comprehensive Plan and Economic Development Strategy; and

**WHEREAS**, on May 5, 2014, the City of Forest Grove Planning Commission also adopted a motion and recommended that the City Council adopt the Plan; and

**WHEREAS**, during May 2014, the City provided notice of the hearings to be held before the City Council on the Plan, including the required statements of ORS 457.120(3), to all City utility billing customers pursuant to 457.120(1)(c); and

**WHEREAS**, on June 9 and June 23, 2014, the City Council held duly-noticed public hearings to review and consider the Plan, Report, recommendation of the Planning Commission, and the public testimony received; and

**WHEREAS**, the City Council finds the Plan complies with all requirements of ORS Chapter 457 including ORS Chapter 457.095(1) through ORS Chapter 457.095(7):

1. The area identified in the Plan as the Plan Area meets the statutory definition of "blight" as defined by ORS 457.010(1) and is therefore eligible for inclusion in the Plan due to: depreciated land and improvements values, obsolescence, deterioration, mixed character and shifting of uses, the existence of inadequate streets and other rights of way, open spaces and utilities, and a growing lack of proper utilization of land resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety and welfare of the City;
2. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to address the conditions identified above by removing barriers to private property investment, improving general economic conditions and promoting increases in property values;
3. The Plan provides an outline for accomplishing the urban renewal projects described in the Plan;
4. The Plan conforms to the Forest Grove Comprehensive Plan generally and the policies, goals and objectives of the Land Use, Housing, Economic Development, Urbanization, and Sustainability chapters specifically. The Plan also conforms to the Forest Grove Economic Development Strategy including recommendations to promote development on vacant land and establishing an urban renewal area;
5. The Plan does not include provisions to acquire real property, and therefore no residential displacement is anticipated as the result of real property acquisition or disposition and redevelopment activities proposed in the Plan;

6. Adoption and carrying out the Plan is economically sound and feasible; and
7. The City shall assume and complete any activities prescribed to it by the Plan; and

**WHEREAS**, the City has complied with all notice and hearing requirements and the City Council has considered comments received on the Plan and Report and findings of fact.

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

**Section 1.** The City Council approves the Forest Grove Urban Renewal Plan attached hereto as Exhibit A, and it incorporates that Plan by reference.

**Section 2.** The City Council adopts as its determinations and findings in support of the Ordinance the Report accompanying the Plan attached hereto as Exhibit B and the staff report dated June 9, 2014 attached hereto as Exhibit C.

**Section 3.** The City Recorder shall forward to the Agency and Washington County Recorder's Office certified copies of this Ordinance and the Plan upon adoption by City Council to be recorded into the Deed Records of Washington County, Oregon.

**Section 4.** In accordance with ORS 457.095 and ORS 457.115, the City Recorder shall place a notice of the adoption of this Ordinance and the provisions of ORS 457.135, in the *Forest Grove NewsTimes* no later than four days following the adoption of this ordinance.

**Section 5.** In accordance with ORS 457.135, the Plan has been adopted in conformance with all applicable legal requirements and shall be conclusively presumed valid for all purposes 90 days after adoption of this ordinance. No direct or collateral attack on the action may thereafter be commenced.

**Section 6.** This ordinance is effective 30 days following its enactment by the City Council.

**PRESENTED AND PASSED** the first reading this 9<sup>th</sup> day of June, 2014.

**PASSED** the second reading this 23<sup>rd</sup> day of June, 2014.

  
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Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 23<sup>rd</sup> day of June, 2014.

  
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Peter B. Truax, Mayor