

ORDER NO. 2020-07

**ORDER AMENDING THE FOREST GROVE COMPREHENSIVE PLAN MAP FOR
PROPERTY SUBJECT TO ANNEXATION; WASHINGTON COUNTY TAX LOT
1N4250000600; FILE NUMBER 311-20-000167-PLNG**

WHEREAS, Venture Properties, Inc., representing the property owner, VDS Peschka, submitted an annexation petition on September 4, 2020; and

WHEREAS, as authorized by Forest Grove Development Code §17.1.210(D), the applicant initiated a consolidated land use application for property subject to annexation; and

WHEREAS, the consolidated application includes a request for approval of amendments to the Forest Grove Comprehensive Plan Map as shown on Exhibit A and Exhibit B; and

WHEREAS, as required by Oregon Administrative Rules Chapter 660-018-0022, notice of this application was provided to the Oregon Department of Land Conservation and Development on May 6, 2020, which is more than 35 days prior to the Planning Commission's public hearing on this matter; and

WHEREAS, as required by Forest Grove Development Code §17.1.610(C), notice of this application was mailed to all property owners of record and other interested parties within 300 feet of the boundaries of the subject properties; and

WHEREAS, as required by the Forest Grove Development Code §17.1.610(C), notice of said notice was mailed at least 20 days before the Planning Commission's public hearing on this matter; and

WHEREAS, as required by Forest Grove Development §17.1.610(A) notice of the Planning Commission's Public Hearing to consider this application was published in the Forest Grove News Times; and

WHEREAS, the Planning Commission held the duly-noticed Public Hearing on this matter on November 16, 2020; and

WHEREAS, the Planning Commission closed the Public Hearing and voted unanimously to recommend City Council approval of the amendments to the Forest Grove Comprehensive Plan Map as described by Planning Commission Decision No. 2020-10, Exhibit C; and

WHEREAS, Planning Commission Decision No. 2020-10 was forwarded to City Council for Public Hearing on December 14, 2020; and

WHEREAS, notice of the City Council Public Hearing was published on December 3, 2020, and December 10, 2020; and

WHEREAS, the City Council conducted the duly-noticed Public Hearing on December 14, 2020; and

WHEREAS, the City Council closed the Public Hearing and voted unanimously to approve Planning Commission Decision and Recommendation No. 2020-10.

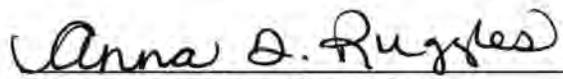
NOW, THEREFORE, THE CITY OF FOREST GROVE ORDERS AS FOLLOWS:

Section 1. The City Council hereby orders approval of the amendments to the Forest Grove Comprehensive Plan Map.

Section 2. Annexation of the subject territory is support by the findings of fact and conclusions described in Exhibit C and Exhibit D.

Section 3. This order is effective immediately upon adoption by the City Council.

PRESENTED AND PASSED, this 14th day of December 14, 2020.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 14th day of December 14, 2020.

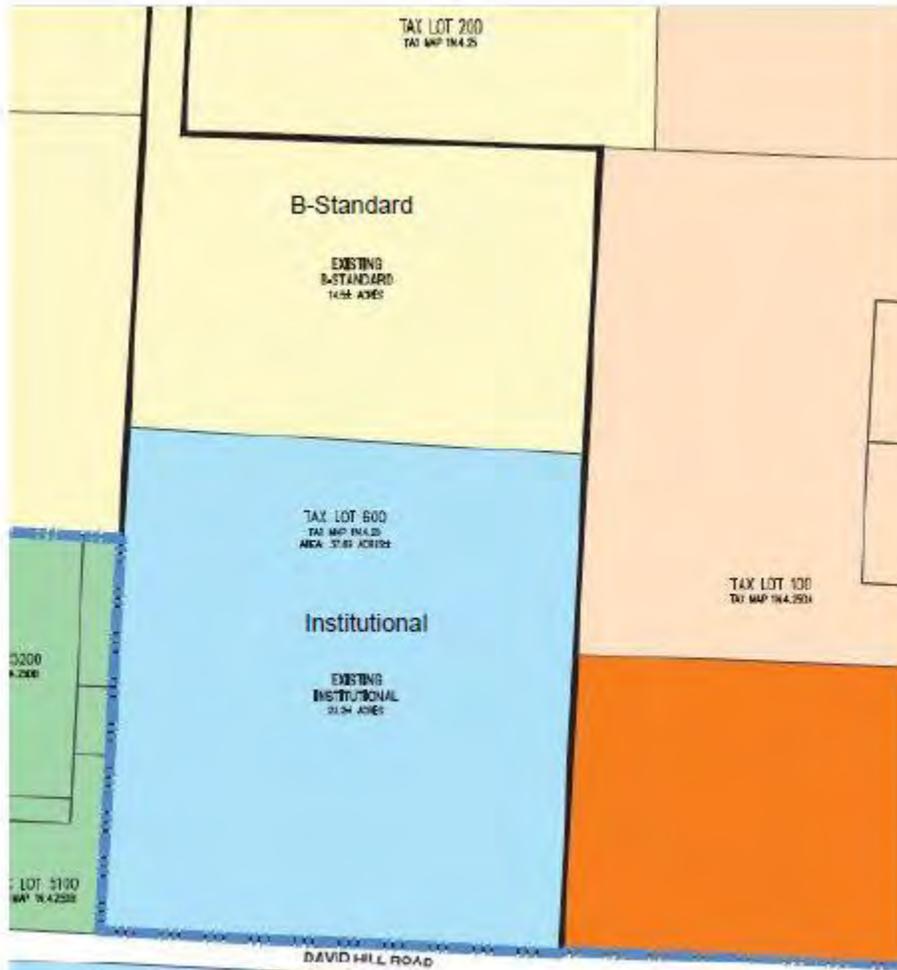


Peter B. Truax, Mayor

EXHIBIT A

PROPOSED COMPREHENSIVE PLAN MAP AMENDMENTS	
From	To
Institutional	Single Family Residential A-Medium (8.7 dwellings per net acre – 5,000 square foot average lot size)
Single Family Residential B-Standard (6.22 dwellings per net acre – 7,000 square foot average lot size)	Institutional

EXHIBIT B
EXISTING COMPREHENSIVE PLAN MAP



PROPOSED COMPREHENSIVE PLAN MAP

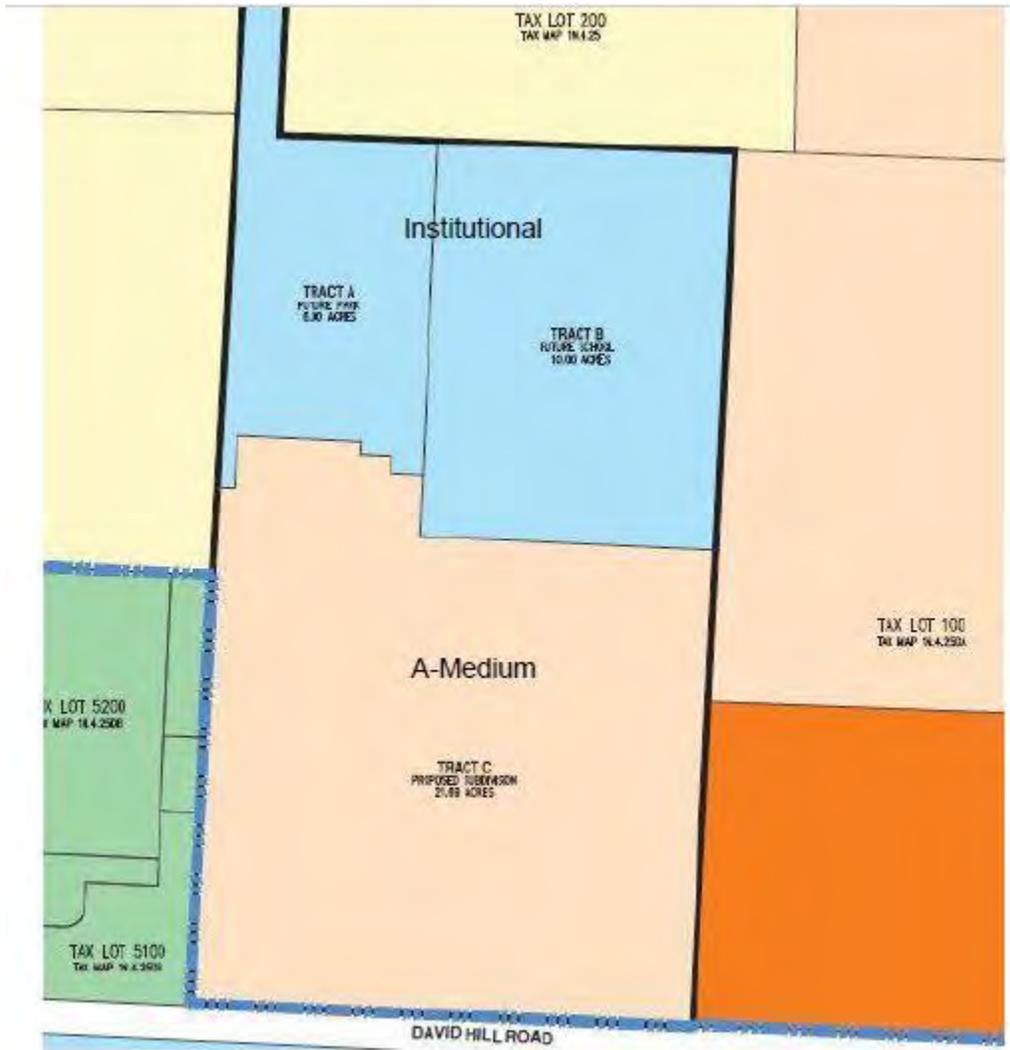


EXHIBIT C

Planning Commission Findings and Decision Number 2020-10 Annexation of 37.7 +/- acres and Concurrent Comprehensive Plan Map Amendment, Zoning Map Amendment and Tentative Partition File Number 311-20-000167-PLNG

WHEREAS, on September 4, 2020, Venture Properties, Inc., submitted a land use application for an annexation, Comprehensive Plan Map amendment, Zoning Map amendment and tentative partition; and

WHEREAS, as required by Oregon Administrative Rules Chapter 660-018-0022, notice of this application was provided to the Oregon Department of Land Conservation and Development on October 5, 2020, being at least 35 days prior to the Planning Commission's public hearing on this matter; and

WHEREAS, as required by Forest Grove Development Code §17.1.610(A), notice of the Planning Commission's public hearing to consider this application was published in the Forest Grove News Times on November 5, 2020, being at least five days prior to the public hearing; and

WHEREAS, notice of the Planning Commission's public hearing was posted in locations accessible to the public as required by Development Code §17.1.610(B)

WHEREAS, as required by Forest Grove Development Code §17.1.610(C), notice of this application was mailed to all property owners of record and other interested parties within 300 feet of the boundaries of the subject properties; and

WHEREAS, as required by Forest Grove Development Code §17.1.610(C), notice of said notice was mailed on October 26, 2020, being at least 20 days before the Planning Commission's public hearing on this matter; and

WHEREAS, as required by Forest Grove Development Code §17.1.610(D), the property subject to this application was posted with a notice of public hearing on October 26, 2020; and

WHEREAS, the Planning Commission held the duly noticed public hearing on this matter on November 16, 2020.

NOW THEREFORE, the City of Forest Grove Planning Commission does hereby recommend that City Council adopt an ordinance annexing the subject property, and orders to approve the proposed Comprehensive Plan Map amendment, Zoning Map amendment and tentative partition as shown in the staff report dated November 16, 2020, making the following specific findings in support of the decision.

1. The Planning Commission finds there is substantial evidence in the record to support a Planning Commission recommendation to City Council that the City Council to approve the proposal subject to certain conditions. The evidence relied upon includes:

- a. The land use application dated September 2020 and received by the City on September 4, 2020;
 - b. The written staff report dated November 16, 2020 provided to the Planning Commission; and
 - c. Testimony provided to the Planning Commission during the public hearing on November 16, 2020, to support a Planning Commission recommendation to City Council to approve the proposals subject to certain conditions.
2. The Planning Commission finds the evidence relied upon including the land use application and written staff report dated November 16, 2020 demonstrates the land use application meets the applicable review criteria and considerations including:
 - a. Oregon Revises Statutes Chapter 222 (Boundary Changes, Mergers and Consolidation).
 - b. Metro Code Chapter 3.09 (Local Government Boundary Changes)
 - c. Oregon Statewide Land Use Planning Goal 1 (Citizen Involvement), Goal 2 (Land Use), Goal 10 (Housing), Goal 11 (Public Facilities and Services), and Goal 12 (Transportation)
 - d. Metro Urban Growth Management Plan
 - e. Forest Grove Comprehensive Plan Community Sustainability Goals and Forest Grove Comprehensive Plan Housing Goals and Policies
 - f. Forest Grove Comprehensive Plan Public Facilities and Services Goal and Policies
 - g. Forest Grove Comprehensive Plan Urbanization Goals and Policies
 - h. Oregon Transportation Planning Rule (OAR 660-12)
 - i. Development Code §17.6.060 (Tentative Partition Review Criteria)
3. The Planning Commission finds the annexation of the subject property meets the applicable review criteria described in the written staff report dated November 16, 2020.
4. The Planning Commission finds the proposal to amend the Forest Grove Comprehensive Plan Map to redesignate property designated Institution to Residential A-Medium and property designated Residential B-Standard to Institutional as proposed in the land use application meets the applicable review criteria and considerations as described in the written staff report dated November 16, 2020.
5. The Planning Commission finds the proposal to amend the Forest Grove Zoning Map to redesignate property zoned Washington County Future Development to Forest Grove Institutional and Residential R-5 consistent with the

Comprehensive Plan Map amendment meets the applicable review criteria and considerations as described in the written staff report dated November 16, 2020.

6. The Planning Commission finds the proposed tentative partition plat meets the applicable review criteria and considerations as described in the written staff report dated November 16, 2020.
7. The Planning Commission adopts the following condition of approval:
 - a. The applicant, shall in coordination with the owners of Washington County Tax Lot 1N4250000200 and 1N425B001400, identify on the approved tentative and final partition plat, easements for access, an irrigation line, and drainage tile.

EXHIBIT D

REQUIRED APPROVALS AND FINDINGS FOR COMPREHENSIVE PLAN MAP AMENDMENTS

The following decision considerations apply to the proposed Comprehensive Plan Map amendment:

- Applicable Oregon Statewide Land Use Planning Goals.
- Applicable Comprehensive Plan policies.
- Metro Regional Framework Plan.
- Metro Urban Growth Management Functional Plan.

Oregon Statewide Land Use Planning Goals

Goal 1 – Citizen Involvement: Goal 1 requires local governments develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding for Goal 1: The City of Forest Grove has a citizen involvement program that is overseen by the City Council and the City’s Committee for Community Involvement. The Forest Grove Development Code also promotes community involvement in the land use application process by encouraging neighborhood meetings prior to submittal of land use applications. In addition, this application will be processed as a Type III land use application elevated to City Council for final City action after public hearings. The Forest Grove Development Code in §17.1.600 to §17.1.640 establishes procedures for processing Type III land use applications including requirements for providing public notices. Required public notices include mailing public hearing announcements to potential affected property owners within 300 feet of the subject property at least twenty days in advance of public hearings, publication of legal notices in the Forest Grove News-Times and posting notices at the property and other locations with the City. Mailed notice to property owners was provided on October 26, 2020, a notice was placed at the subject property on October 26, 2020 and notice of the Planning Commission’s public hearing was published in the Forest Grove News-Times on November 5, complying with Development Code §17.1.610.

Finding for Goal 1: The applicant held a neighborhood meeting on August 24, 2020, prior to submittal of the land use application. The neighborhood meeting provided opportunity for community input into the proposal consistent with Goal 1.

Conclusion: Based on the findings above for Goal 1, there is substantial evidence that the annexation and land uses intended for the subject property are consistent and complies with the requirements of Goal 1.

Goal 2 - Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan.

- Major revisions include land use changes that have widespread and significant impact beyond the immediate area, such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of

residential to industrial use; or a spatial change that affects large areas or many different ownerships.

- Minor changes are those which do not have significant effect beyond the immediate area of the change.

Finding for Goal 2: The proposed Comprehensive Plan Map amendment will not have a significant effect beyond the immediate area for the following reasons. First, the proposed amendment does not change the land uses anticipated for the site as described in the Westside Refinement Plan and shown on the Forest Grove Comprehensive Plan map. Anticipated land uses for the subject property include a single-family residential subdivision, neighborhood park and elementary school. Second, the proposed increase in density for the residential subdivision, from B-Standard to A-Medium, will allow approximately 23 additional dwellings resulting in a minor increase in development potential.

Finding for Goal 2: As noted in the Transportation Impact Study (Application, Exhibit J), the proposed Comprehensive Plan Map and Zoning Map amendments will result in a small increase in traffic due to increasing permissible development density. This conclusion is based on the Oregon Highway Plan definition of a small increase in traffic being less than 400 average daily trips. The estimated increase in average daily trips resulting from the map amendments, if approved, is 358 average daily trips as indicated in the applicant's traffic impact study. Therefore, the proposal is a minor change that will not have a significant effect beyond the immediate area of the change.

Goal 10 - Housing: Goal 10 specifies that each city must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Housing Needs Analysis, adopted in 2019, shows a need for approximately 3,900 housing units over the next 20 years. If approved, the proposed Comprehensive Plan Map and Zoning Map amendments would increase permissible development density from 6.2 units per net acre to 8.7 units per net acre. This provides opportunity for construction of additional dwellings (albeit minor) helping to meet housing needs identified in the Housing Needs Analysis.

Finding for Goal 10: As noted above, the proposed Comprehensive Plan Map amendment will result in an increase in allowed residential development density. The Westside Refinement Plan and current Comprehensive Plan map shows the residential portion of the subject property as B-Standard. The B-Standard Comprehensive Plan Map designation corresponds to the R-7 Zoning Map designation. The R-7 Zoning Map designation has a target development density of 6.22 dwellings per net acre and a required average lot size of 7,000 square feet.

The proposed Comprehensive Plan Map designation for the residential portion of the site is A-Medium. The A-Medium Comprehensive Plan Map designation corresponds to R-5 Zoning Map designation. The R-5 Zoning Map designation has a target density of 8.7 dwellings per net acre and a required average lot size of 5,000 square feet.

If adopted, the increase in allowed density resulting from the Comprehensive Plan Map amendment is 2.5 dwellings per net acre. This increase will help the City provide additional opportunity for meeting housing needs identified in the City's Housing Needs Analysis. In

addition, use of buildable land will be more efficient since the required average lot size within subdivisions will decrease by 2,000 square feet.

Finding for Goal 10: The City of Forest Grove is subject to the Metropolitan Housing Rule (OAR 660-007-0035(1)). Under OAR 660-007-0035(1), Forest Grove is required to provide the opportunity to achieve an overall residential development density of eight or more dwelling units per net buildable acre. As noted in the application on page 10, replacing the current B-Standard designation with the A-Medium designation will permit a density of more than eight dwellings per net buildable acre on the subject property thereby supporting the City’s compliance with the Metropolitan Housing Rule.

Finding for Goal 10: The R-5 zone allows a variety of housing types and lots sizes based on type of unit as shown on the table below. Currently, the Development Code allows up to 20% of lots for duplex and attached single family units with approval by the Community Development Director provided the subdivision has more than 20 lots.

Table 3-5: Lot Dimensional Requirements (Low Density Residential)

<i>Housing Type</i>	<i>Minimum Lot Size</i>	<i>Lot Dimensions [1]</i>	
Single-family detached	70% of average lot size	Depth: 75 feet	Width: 50 feet
Manufactured home	70% of average lot size	Depth: 75 feet	Width: 50 feet
Duplex	5,000 square feet	Depth: 75 feet	Width: 50 feet
Single-family attached	2,500 square feet	Depth: 75 feet	Width: 25 feet
Other uses	5,000 square feet	Depth: 75 feet	Width: 50 feet
Footnote: [1] Lot width is measured at the front building line			

This variety in lot size and housing types provides opportunity for construction of homes at different price points. This is consistent with Goal 10 which encourages the availability of adequate numbers of needed housing units at price ranges which are commensurate with the financial capabilities of Oregon households.

Additional findings addressing housing can be found in the section of this report pertaining to the housing element of the Forest Grove Comprehensive Plan below and are not repeated here for brevity.

Finding for Goal 10: The City’s adopted Housing Needs Analysis (2019) shows the following housing need for various housing types over the next twenty years:

	Owner-Occupied Dwelling Units	Renter-Occupied Dwelling Units	Vacant Dwelling Units	Net New Dwelling Units
Housing Tenure Distribution:	1,948	1,305	174	3,426
	57%	38%	5%	100%
Housing Unit/Type				
Single Family Detached	1,558	326	104	1,988
Mfg. Housing (SFD)	97	0	0	97
Townhomes / Plexes (2-4 units)	195	391	52	638
Multifamily (5+ units)	97	587	17	702
Total Dwelling Units	1,948	1,305	174	3,426
Group Quarters		256		256

Finding for Goal 10: Based on City building permit records a total of 92 new single family detached housing units were produced during 2019. This represents approximately 4.6% of the City’s identified housing need for this type of housing as shown on the table above.

Finding for Goal 10: The proposed Comprehensive Plan Map and Zoning Map amendments support meeting some of the housing need for single family detached units above (1,988 units).

The current B-Standard/R-7 map designation has a target residential development density of 6.2 units per net acre. Assuming 20% of the 21.7 acres designated for residential is developed for residential purposes, as proposed by the applicant, the potential unit yield under the R-7 zoning district is estimated to range from 86 to 124 units. The 20% figure accounts for “netting out” street rights-of-way and other areas reserved for public purposes. The unit yield range assumes development at either the permitted minimum or maximum (incentive) densities. Minimum density is 80% of the target density and maximum density is 115% of the target if the development is approved by the Planning Commission as a planned development. The estimated range of 86 to 124 units represents approximately 4.3% to 6.2% of the City’s identified housing need for single family detached units as shown on the table above.

Development under the proposed A-Medium/R-5 designation has a target density of 8.7 units per net acre. Based on the development assumptions above for net land area, the potential unit yield under the R-5 zoning district is estimated to range from 121 to 174 units. This range represents approximately 6.1% to 8.8% of the City’s identified need for single family detached units as shown on the table above.

Finding for Goal 10: Based on the analysis above, the proposed Comprehensive Plan Map amendment satisfies Goal 10 since the increase in development density described above provides greater opportunity for meeting the City’s identified housing need for single family residential development identified in the 2019 Housing Needs Analysis.

Goal 11 – Public Facilities and Services: To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. A timely, orderly, and efficient arrangement refers to a system or plan that coordinates the type, locations and delivery of public facilities and services in a manner that

best supports the existing and proposed land uses. Urban facilities and services refers to key facilities and to appropriate types and levels of at least the following: police protection; sanitary facilities; storm drainage facilities; planning, zoning, and subdivision control; health services; recreation facilities and services; and community government services.

Finding for Goal 11: The property subject to annexation is located within the urban growth boundary adjacent to the Forest Grove city limits. The Urban Planning Area Agreement between the City and Washington County includes the subject property, and the site is in the City's planning area. The Forest Grove Comprehensive Plan assigns land use district within the city limits and within the City's unincorporated planning area. The property subject to annexation is identified for residential and institutional uses on the Comprehensive Plan Map. The Comprehensive Plan also addresses appropriate types and levels for the following services: emergency services including police and fire protection, sanitary facilities, storm drainage facilities, healthcare facilities and education services. The City's Water, Sanitary Sewer, Storm Drainage and Transportation System implement the infrastructure policies of the Comprehensive Plan and provide a basis for efficiently serving new development. In addition, the Comprehensive Plan also provides the policy basis for planning, zoning and subdivision control implemented through the Forest Grove Development Code. Annexation and subsequent development of the subject property must comply with the policies and requirements contained in the Forest Grove Comprehensive Plan and Development Code.

Finding for Goal 11: The subject property is also included in the Westside Refinement Plan. The Westside Refinement Plan serves as a framework for urban development in the unincorporated area including the subject property consistent with the requirements of Goal 11. For example, the Westside Refinement Plan identifies infrastructure needs for water, sanitary sewer, and transportation. This framework promotes a timely, orderly, and efficient arrangement of public facilities consistent with Goal 11.

Finding for Goal 11: The subject property is subject to the Urban Planning Area Agreement (UPAA) between the City of Forest Grove and Washington County. The UPAA assigns respective roles and responsibilities in the planning area and having interests in carrying-out Goal 11 consistent with Goal 11 Section B.6. (Implementation).

Finding for Goal 11: The subject property will be annexed into the Clean Water Services district concurrently with annexation into the City. Therefore, development of the property must comply with applicable Clean Water Services design standards.

Goal 12- Transportation: Goal 12 promotes and encourages a safe, convenient, and economic transportation system for the community including future development. The Oregon Transportation Plan Rule (TPR) (Oregon Administrative Rules Chapter 660-012-0000) implements Goal 12 and requires analysis of transportation impacts as a result of changes to approved comprehensive plans. In part, the TPR promotes coordinated land use and transportation planning including the construction and implementation of transportation facilities, improvements, and services necessary to support approved comprehensive plans. The TPR also ensures that changes to comprehensive plans are supported by adequate planned transportation facilities.

Finding for Goal 12: The subject property is located within the City's planning area as defined in the Urban Planning Area Agreement with Washington and is therefore subject to the Forest Grove Transportation System Plan.

Finding for Oregon Transportation Planning Rule (OAR 660-012-660): Lancaster Engineering prepared a Transportation Impact Study for the consolidated land use application (Application, Exhibit J). The Transportation Impact Study includes an analysis addressing the Transportation Planning Rule. As noted in Application, Exhibit J on page 30, the Transportation Planning Rule strives to ensure the transportation system is capable of supporting possible increases in traffic intensity that could result from changes to adopted plans and land use regulations.

OAR 660-012-0060(1) states “If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation significantly affects a transportation if it would:

- a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).
- b) Change standards implementing a functional classification system.
- c) Result in any effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.
 - A. Types of levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility.
 - B. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
 - C. Degrade the performance of an existing or planned transportation facility that is otherwise protected to not meet the performance standards identified in the TSP or comprehensive plan.

Finding for Oregon Transportation Planning Rule (OAR 660-012-660): Subsections a) and b) are not triggered by the proposal since the proposed Comprehensive Plan Map and Zoning Map amendments will not impact or alter the functional classification of any existing or planned facility including David Hill Road and Oregon Highway 47. David Hill Road is classified as an Arterial street in the Transportation System Plan and Oregon Highway 47 is classified as a Principal Arterial street. The trip generation analysis prepared by Lancaster Engineering

shows the proposed Comprehensive Plan Map and Zoning Map amendments could increase traffic by 358 average daily trips above the adopted land use concept in the Westside Refinement Plan. The Oregon Highway Plan in Action 1F.5 states: “The threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volumes as follows: Any proposed amendment that does not increase the average daily trips by more than 400.” The estimated daily trip generation resulting from the proposed map amendments is within the 400-trip impact threshold that is considered a small increase in traffic. Without evidence to the contrary, the estimated small increase in traffic will not cause further degradation or cause a change in the functional classification of the identified nearby transportation facilities serving the subject property.

Metro Urban Growth Management Functional Plan: The purpose of the Metro Urban Growth Management Functional (UGMFP) plan is to implement regional goals and objectives adopted by the Metro Council including the Regional Urban Growth Goals and Objectives (RUGGO) and the Metro 2040 Growth Concept and Regional Framework Plan (§3.07.010). The local comprehensive plan changes and related actions, including implementing regulations, required by the functional plan must be comply with the UGMFP as required by Section 5(e)(2) of the Metro Charter.

Finding Urban Growth Management Functional Plan: The proposed Comprehensive Plan amendment complies with Metro Urban Growth Management Functional Plan Title 1 (Housing Capacity). Section 3.07.110 (Purpose and Intent) states: “The Regional Framework Plan calls for a compact urban form and a “fair share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in Section 3.07.120.”

The proposed Comprehensive Plan Map amendment, if adopted, would increase the permissible density for residential development from 6.2 dwellings per net acre to 8.7 dwellings per net acre. This increase in density increases housing capacity within the urban growth boundary and City. Therefore, the proposed Comprehensive Plan Map amendment complies with the Metro Urban Growth Management Functional Plan §3.07.110 by increasing housing capacity.

Finding Urban Growth Management Functional Plan: Title 11 of the Metro Urban Growth Management Functional Plan requires planning for new urban areas. Section 3.07.1105 (Purpose and Intent) states the Regional Framework Plan calls for long-range planning to ensure that areas brought into the urban growth boundary are urbanized efficiently and become or contribute to walkable, transit-friendly communities. The City completed long-range planning for the territory subject to this application in 2017 and the concept was adopted as part of the Westside Refinement Plan.

The adopted land use concept identifies the subject area for single family residential development, a neighborhood park site and elementary school. The proposed Comprehensive Plan Map amendment also includes the residential development, park, and school site but in locations different than those adopted in the Westside Refinement Plan. Since these uses are included in the proposed Comprehensive Plan Map amendments the amendments are deemed to comply with the intent of the Westside Refinement Plan concept to include a variety of land uses proximate to residential areas.

Forest Grove Comprehensive Plan Policies

Community Sustainability Goals and Policies

The following Community Sustainability Goals and Policies are deemed applicable to this application:

- Community Sustainability Goal 7: Promote interconnected land uses that encourages diverse, accessible, and proximate land uses that promote active living and access to vital services including employment, education, and healthy food.
- Community Sustainability Goal 8: Create complete neighborhoods, through land use regulations, with housing, recreational opportunities, retail, services, and employment nearby.
- Community Sustainability Goal 18: Increase the amount of park land and natural areas serving the community.
- Community Sustainability Policy Measure 11: Ensure that needed housing for all segments of the population in the community is met through land use policy.

Findings supporting the Community Sustainability Goals and Policies are provided below.

Finding for Community Sustainability Goal 7: The subject property is identified for residential and institutional uses including a neighborhood park and elementary school. The property is also near land designated for mixed use development allowing retail and office uses. The site plan provided in the application for future development of the subject property supports interconnected land uses and access to recreation (neighborhood park) and education (elementary school).

Finding for Community Sustainability Goal 8: As noted above, the subject property is currently designated for a variety of complementary uses. This will continue if the subject is re-designated as proposed in the application. Allowing homes near a park and school supports completed neighborhoods consistent with Goal 8.

Finding for Community Sustainability Goal 18: A portion of the subject property is identified for a neighborhood park. Annexing the property and assigning the Institutional zoning district to the park site will increase the amount of park land serving the community consistent with the City's adopted 2016 Parks, Recreation and Open Space Master Plan since the Master Plan identifies the need for a neighborhood park north of David Hill Road at the subject property.

Finding for Community Sustainability Policy Measure 11: A portion of the subject property is designated for residential development. The applicant proposes the A-Medium Comprehensive Plan designation for the residential portion of the site. As stated in part in the Comprehensive Plan, "[T]he A-Medium designation corresponds to the R-5 single family

residential zone district. This designation is intended for development of housing at a target density of 8.71 dwellings per net acre. Detached single family housing is the predominant housing type in this zone. Accessory dwelling units, duplexes and attached housing types are also permitted subject to the density limitations of zone.” Although the A-Medium designation is primarily intended for single family homes a variety of housing types are allowed. Therefore, the A-Medium designation supports construction of needed housing for a variety of households needs including home size, lot size, and purchase price. While not all segments of the population will be served by the A-Medium designation, this designation provides an opportunity through land use policy to meet some of the City’s housing need consistent with the intent of Policy Measure 11.

Housing Goals and Policies

The following section address the housing goals and polices contained in the Housing Chapter of the Comprehensive Plan.

Policy 1.1: Establish the location and density of residential development based on the following factors:

- A. The type and distribution of housing units required to meet projected population needs.
- B. The capacity of land resources given the slope, elevation, wetlands, floodplains, geological hazards, soil characteristics and urban/rural interface.
- C. Capacity of public services and facilities including but not limited to water, sanitary sewer, fire and police protection and transportation facilities.
- D. Proximity to services including but not limited to, shopping, employment areas, parks, schools, and municipal services. Proximity shall be determined by distance access, and ability to provide public and private infrastructure service to the site.
- E. Density standards for minimum residential development for new construction established by the Metropolitan Housing Rule (OAR 660-007-0035)

Policy 1.2: Evaluate request for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs identified in an adopted Goal 10 analysis.
- B. Ability to provide public facilities to the site in a cost-effective and efficient manner.
- C. Potential of the site to support higher density development.
- D. Site characteristics including topography.
- E. Land Use Location policies of the Comprehensive Plan.

Policy 1.3: Evaluate requests for rezoning from lower density zones to higher density zones based on the following factors:

- A. Identified housing needs identified in an adopted Goal 10 analysis.
- B. Ability to provide public facilities to the site in a cost-effective and efficient manner.
- C. Potential of the site to support higher density development.
- D. Site characteristics including topography.
- E. Land Use Location policies of the Comprehensive Plan.

Finding for Comprehensive Plan Housing Policy 1.1(A): The applicant provided the following response addressing Policy 1.1(A): “As discussed in the Westside Refinement Plan and depicted on the current Comprehensive Plan Map, the northern portion of the subject property is designated B-Standard and is identified as appropriate for residential use. The Comprehensive Plan Map Amendment to locate the residential plan designation location to the southern half of the property and change the designation to A-Medium will allow for residential development in accordance with the R-5 Zone District. The City of Forest Grove population is projected to increase by 9,622 persons over the next twenty years and there is an identified need for ±1,988 single-family detached homes and ±638 townhomes/plexes, representing ±54 percent and ±17 percent of the project net new housing mix (Housing Needs Analysis, 19). The Plan Map Amendment will support the housing needs identified in the Westside Refinement Plan and Housing Needs Analysis by allowing for an increase in allowable housing units and providing a mix of housing types for households at a variety of income levels within close proximity to existing and future schools, parks, established transportation networks and future commercial/office uses. The policy is met.”

Finding for Comprehensive Plan Housing Policy 1.1(B): The applicant provided the following response addressing Policy 1.1(B). “The subject property was identified in the Westside Refinement Plan and subsequent Comprehensive Plan updates are suitable for residential and institutional use. The subject property does not contain floodplains, geological hazards, or steep slopes. An unnamed tributary of Council Creek flows along a portion of the northern flagpole piece of the property, and the southwestern corner of the property also includes a partial boundary of a wetland and associated vegetated corridor. The Comprehensive Plan Amendment to swap the residential and institutional plan designation locations and amend the current B-Standard designation to A-Medium does not impact the capacity of the land resources to allow R-5 density.”

Finding for Comprehensive Plan Housing Policy 1.1(C): The applicant provided the following information in support of Policy 1.1(C): “The subject property was identified in the Westside Refinement Plan and subsequent Comprehensive Plan updates are suitable for residential and institutional use. The subject property is located adjacent to an urbanized area that can be adequately served by public facilities, such as water, sanitary sewer, police, fire, and roadways. The Plan Map Amendment to swap the residential and institutional designations will result in the residentially designated portion and future subdivision located at the southern end of the property along NW David Hill Road. This will allow for a more convenient and logical development layout in regard to the extension of utilities and the planned street network. The request to amend the residential designation from B-Standard to A-Medium would allow for the R-5 zone to be implemented on the residentially designated portion of the property. R-7 standards would allow up to 108 lots under the Incentive density standard (7.15), whereas the planned density for the site per R-5 standards is ±8.70 units per acre, permitting ±131 lots. This represents a lot increase of ±23 dwelling units or ±21 percent. Additionally, as discussed in the Transportation Impact Study (Exhibit J), the Plan Map Amendment and Zone Change will generate an increase of less than 400 average daily

trips: therefore, the change in the site’s zoning will not significantly degrade operation of nearby transportation facilities. The Plan Map Amendment and Zone change is not anticipated to have a significant impact on the ability to serve the property via current and future

transportation network and/or public utilities and services, consistent with the needs identified in the WRP.”

Finding for Comprehensive Plan Housing Policy 1.1(D): The applicant provided the following information in support of Policy 1.1(D): “The subject property has been identified as suitable for residential and institutional uses as contemplated in the Westside Refinement Plan and depicted on the Comprehensive Plan Map. The subject property is located adjacent to an urbanized area that can be adequately served by nearby shopping, employment areas, parks, schools, municipal services, and public and private infrastructure. The Plan Amendment and Zone Change will place a higher concentration of future residents at a variety of income levels closer to nearby services, such as Forest Grove High School, future mixed-use land to the east, as well as the potential park and school sites on the subject property. The property is within the South of Purdin Road/Council Creek urban growth area which is an area slated for future development to promote complete neighborhoods with housing, limited commercial, office, and public facilities.”

Finding for Comprehensive Plan Housing Policy 1.1(E): The applicant provided the following information in support of Policy 1.1(E): “Under OAR 660-007-0035(1), the City is required to achieve an “overall density of eight or more dwelling units per net buildable acre.” Replacing the current B-Standard designations under the Comprehensive Plan Map with the A-Medium designation will provide a target density of more than eight dwelling units per net acre. The planned A-Medium designation is implemented by the R-5 Zone District and generates a target density of 131 units. Pursuant to Section 17.3.130(A) the net area of the site is 15.06 acres. Therefore, the resulting density generated by the site is 8.7 units per net acre. Furthermore, according to the 2019 Draft Housing Needs Analysis, “The City Planning Division estimates the current zoning and comprehensive plan designations provide an opportunity for about 9.8 dwellings per net buildable acre” (p. 2). The Comprehensive Plan Map Amendment/Zone Change to allow for an increase in density for the residentially designated portion of the property would not lower this estimate. Accordingly, the proposed Comprehensive Plan Map/Zoning Map Amendment satisfies OAR 660-007-0035(1).”

Finding for Comprehensive Plan Housing Policy 1.2(A): The applicant provided the following information in support of Policy 1.2(A): “The subject property has been identified as suitable for residential and institutional uses as contemplated in the Westside Refinement Plan and depicted on the Comprehensive Plan Map. The Plan Map Amendment and Zone Change will support the housing needs and housing mix identified in the City of Forest Grove 2019 Draft Housing Needs Analysis by allowing for a diversity of housing type for households at a variety of income levels. Projected population increases due to Forest Grove’s livability, quality schools, and access to nearby major employers project an increased need for single family housing at a variety of price points (2019 Housing Needs Analysis, p. 21). Furthermore, to address a variety of housing needs, from first-time homebuyers to retirees, there is an increased demand for smaller lot housing and townhome units (ibid., 21). The Plan Map Amendment and associated Zone Change to implement the R-5 Zone District will allow smaller lot sizes that accommodate a variety of housing styles to serve future residents at a multitude of price points in close proximity to existing and future schools and parks. Further, the Plan Amendment and Zone Change will allow Forest Grove to get closer to the goal of providing 3,426 housing units over the next 20 years (ibid., 19). The policy is met.”

Finding for Comprehensive Plan Housing Policy 1.2(B): The applicant provided the following information in support of Policy 1.2(B): “The subject property has been identified as suitable for residential and institutional uses as contemplated in the Westside Refinement Plan and depicted on the Comprehensive Plan Map. The subject property is located adjacent to an urbanized area that can be adequately served by public facilities, such as water, sanitary sewer, police, fire, and roadways. The Plan Map Amendment to swap the residential and institutional designations will result in the residentially designated portion and future subdivision located at the southern end of the property along NW David Hill Road. This will allow for a more convenient and logical development layout in regard to the extension of utilities and the planned street network.”

The request to amend the residential designation from B-Standard to A-Medium would allow for the R-5 zone to be implemented on the residentially designated portion of the property. Further, under the R-7 zone district, the residential portion of the property could build up to 108 lots under the Incentive density standard (7.15), whereas the planned density for the site per R-5 standards is ± 8.70 units per acre, permitting ± 131 lots. This represents a lot increase of ± 21 percent. Additionally, as discussed in the Transportation Impact Study (Exhibit J), the Plan Map Amendment and Zone Change will generate an increase of less than 400 average daily trips; therefore, the change in the site’s zoning will not significantly degrade operation of nearby transportation facilities. The Plan Map Amendment and Zone Change is not anticipated to have a significant impact on the ability to serve the property via current and future transportation network and/or public utilities and services, consistent with the needs identified in the WRP.”

Finding for Comprehensive Plan Housing Policy 1.2(C): The applicant provided the following information in support of Policy 1.2(C): “The subject property has been identified as suitable for residential and institutional uses as contemplated in the Westside Refinement Plan and depicted on the Comprehensive Plan Map. Property directly to the west is designated A-Medium and Neighborhood Mixed Use and the Silverstone residential development to the south is also zoned R-5; therefore, the Plan Map Amendment will not result in a permitted density significantly different from neighboring properties. Furthermore, A-Medium is considered to be low density, the applicant is not requesting a zone which would be out of character with the area and there is no evidence indicating the property cannot support the requested density. The policy is met.”

Finding for Comprehensive Plan Housing Policy 1.2(D): The applicant provided the following information in support of Policy 1.2(D): “The subject property has been identified as suitable for residential and institutional uses as contemplated in the Westside Refinement Plan and depicted on the Comprehensive Plan Map. The property is essentially flat and includes no significant geologic features, hazards or identified severe hazard soils. The property contains no areas over 20% slope. The site characteristics do not preclude the ability of the site to develop at R-5 density or to allow institutional uses.”

Finding for Comprehensive Plan Housing Policy 1.2(E): The applicant provided the following information in support of Policy 1.2(E): “The land use location policies applicable for low density residential zones are discussed above. The policy is met.”

Finding for Policy 1.3(A): The applicant provided the following information in support of Policy 1.3(A): “The subject property is currently zoned FD-20 and designated Institutional and B-Standard on the Comprehensive Plan Map. The Comprehensive Plan Map amendment to rearrange land use designations and change the residential portion from B-Standard - implemented by the R-7 Zone—to A-Medium will align the land use designation with the planned R-5 zoning upon annexation. While changing the land use designation and zoning from R-7 to R-5 does not constitute a change to “High Density Residential,” where allowed density exceeds 8.71 units per acre, these policies are addressed to demonstrate the requested Plan Map Amendment and Zone Change can meet applicable Plan policies. The Plan Map Amendment will support the housing needs and housing mix identified in the City of Forest Grove 2019 Draft Housing Needs Analysis by allowing for a diversity of housing type for households at a variety of income levels. Projected population increases due to Forest Grove’s livability, quality schools, and access to nearby major employers project an increased need for single family housing at a variety of price points (2019) Housing Needs Analysis, p. 21). Furthermore, to address a variety of housing needs, from first-time homebuyers to retirees, there is an increased demand for smaller lot housing and townhome units (ibid., 21). The Comprehensive Plan Amendment and associated zone change to implement the R-5 Zone District will allow smaller lot sizes that accommodate a variety of housing styles to serve future residents at a multitude of price points within close proximity to existing and future schools and parks. Further, the Plan Amendment and Zone Change will allow Forest Grove to get closer to the goal of providing 3,426 housing units over the next 20 years (ibid., 19).”

Finding for Policy 1.3(B): The applicant provided the following information in support of Policy 1.3(B): “Future Subdivision applications will require the analysis of existing utility services. However, a summary of existing utility services is included in this narrative and has been analyzed in the Westside Refinement Plan. The request to rearrange plan designation

locations and shift the Institutional designation/zone to the north is a direct result of the need to efficiently extend utility services to serve residential lots by connecting to existing utility services in NW David Hill Road and Silverstone Drive. Locating the potential school and park sites along NW David Hill Road, as is contemplated in the Westside Refinement Plan, and designated on the Comprehensive Plan Map, would require utility connections below open space and school areas, and would not align with the planned street network.

The Plan Map Amendment and Zone Change will not lead to a significant alteration of population distribution in the surrounding neighborhood, given the existing housing mix, densities, and surrounding development pattern. Furthermore, the Plan Map Amendment from B-Standard to A-Medium—and the diversification of densities and lot sizes will be consistent with the surrounding development pattern and population distribution in an area where future projects can take advantage of the surrounding transportation network, public facilities, urban services—including Forest Grove High School and the potential school and park site on the subject property.

Approval of the Plan Map Amendment and Zone Change will facilitate approval and construction of future projects under the A-Medium Plan Designation and R-5 Zone. Future projects will be required to demonstrate compliance with applicable density standards and all other applicable standards and requirements of the FGDC, which ensure efficient, healthy, and accessible housing projects and further implement this policy.

The rearrangement of the residentially designated portion and Institutional portion of the site will provide a more logical and orderly development layout, street network, utility extensions, and safer access from NW David Hill Road. The quantity of land designated Institutional will be consistent with the needs identified in the Westside Refinement Plan; therefore, these public facilities can still serve current and future residents.”

Finding for Policy 1.3(C): The applicant provided the following information in support of Policy 1.3(C): “As discussed throughout this narrative, the property is currently designated B-Standard on the Comprehensive Plan Map. The request Comprehensive Plan Amendment and Zone Change will change a portion of the property—approximately ±21.69 acres—to A-Medium, which is implemented by the R-5 Zone. The R-7 would allow up to 108 lots, under the incentive density standards of the respective zone, while the R-5 Zone allows

up to 131 lots. This represents an increase of 21 percent and can adequately be served by the extension of nearby utilities and the surrounding transportation network.”

Finding for Policy 1.3(D): The applicant provided the following information in support of Policy 1.3(D): “As discussed throughout the Westside Refinement Plan, the subject property has been identified as suitable for housing and institutional uses. The Plan Map Amendment and Zone Change do not proposed changes to the allowable uses on the subject property. The Plan Map Amendment from B-Standard to A-Medium and rearrangement of the residential and institutional portions represent the most efficient and logical configuration of land uses in order to facilitate the extension of utilities through the residential areas and provide efficient internal transportation circulation. The specific land use location policies of the Comprehensive Plan are discussed above.”

Finding for Policy 1.3(E): The applicable land use location policies of the Comprehensive Plan for low density residential development are found on Table 2 of the Comprehensive Plan Housing Chapter:

- Hazard free location suitable for homes sites
- Consideration of density related to building limitation (slope, soil, geology)
- 20% or less slope
- Location not bounded but not penetrated by arterials or railroads
- Convenient driving distance to schools and neighborhood commercial
- Availability of full urban services

The area of the property proposed for residential development is the southern portion of the parcel adjacent to David Hill Road. This area is not impacted by the Council Creek floodplain or other identified hazard areas as shown on the FEMA 100-year floodplain map. In addition, the subject property is generally flat. The subject property is adjacent to an arterial roadway (David Hill Road). No arterial roadways or railroads penetrate the site. The subject property includes a site for an elementary school and is near property to the east designated as Neighborhood Mixed Use which allows for neighborhood commercial uses. As such, the subject property is within convenient driving distance to schools and potential neighborhood commercial uses. Full urban services including water area sewer are found at David Hill Road. Therefore, urban services are available to serve the subject property. Based on the

information above, the proposed Zoning Map amendment rezoning the subject property from the lower density (R-7 zone) to the higher density (R-5 zone) complies with Policy 1.3(E).

Finding for Comprehensive Plan Housing Goals and Policies: Housing Goal 6 promotes neighborhoods complete with residences, open space, schools, parks, and shopping opportunities within close proximity to each other. Avoid stand-alone residential developments lacking support activities. The Comprehensive Plan Map amendment incorporates the land uses for the subject property adopted as part of the Westside Refinement Plan including a residential development, neighborhood park, and elementary school. These disparate uses support a complete neighborhood with residences, school, and park. The subject property is also near land adjacent to David Hill Road to the east of the subject property designated as Neighborhood Mixed Use. The Neighborhood Mixed Use zone allows retail and office uses.

The applicant provided the following information in support of Goal 6: “A portion of the subject property is designated Institutional on the existing Comprehensive Plan Map. This application includes a Plan Map Amendment to locate the Institutional portion at the northern end of the property and a concurrent Zone Change to zone this portion Institutional and implement the land use designation. The Westside Refinement Plan identified a need for a future park and school site based on the anticipated housing growth in the South of Purdin Road/Council Creek Urban Growth Boundary Area and included a conceptual location for a future park and school site on the subject property. The relocation of the Institutional designation will not diminish future access to a potential park and school site. The Institutional areas will be connected to NW David Hill Road via a local street network which will include sidewalks and will provide a connection to the Silverstone neighborhood to the south as well future connections to the north, east, and west as abutting property which may develop in the future. As is required by the FGDC, the planned street network will connect to abutting undeveloped properties to provide future connections to the potential park and school site.”

Public Facilities and Community Services Goals and Policies

The following section addresses the public facilities and community services goals and policies contained in the Public Facilities Chapter of the Comprehensive Plan.

Local Public Services Policy 1: It is the policy of the City of Forest Grove to require new development within the city limits to connect to public services for access [to], sewer, water, and storm water unless private access is approved through issuance of a land use permit.

Finding for Local Public Services Policy 1: Under the City’s Urban Planning Area Agreement with Washington County, annexation of the subject property is necessary to receive public sewer, water, and storm water utilities. Furthermore, the Comprehensive Plan prohibits extra-territorial extension of public utilities. Approval of the annexation request ensures compliance with Local Public Services Policy 1.

Urbanization Goals and Policies

The following section addresses the urbanization goals and policies contained in the Urbanization Chapter of the Comprehensive Plan.

Urbanization Goal 2: Land shall be made available within the urban growth boundary to meet all local urban land use needs.

Finding for Urbanization Goal 2: The subject property is located within the urban growth boundary but is not currently within Forest Grove city limits. Annexation of the subject property makes the land available for development. The subject property is designated for residential development, a neighborhood park and elementary school. Annexation of the subject property and assignment of City zoning designations adds land to the City to meet housing, park, and school land use needs.

Urbanization Goal 4: Implement policies to create complete neighborhoods in areas undergoing urbanization.

Finding for Urbanization Goal 4: The subject property is within the urban growth boundary and is intended for urbanization. The Forest Grove Comprehensive Plan establishes policies for development within the urban growth boundary and designates the subject for residential and institutional uses. Annexation of the subject property and assignment of City zoning designations will implement policies to create a complete neighborhood in the vicinity of the subject property with homes, a park, and a school. This is deemed consistent with the complete neighborhood concept described in the Comprehensive Plan and Westside Refinement Plan.

Urbanization Goal 5: Utility services shall be provided incrementally without by-passing large parcels of vacant land to serve peripheral areas.

Finding for Urbanization Goal 5: The subject property is located adjacent to development. Utility services are available adjacent to the site along David Hill Road. Annexation of the property will allow extension of utility services needed to support future development at the site. Since the site is adjacent to utilities utility services will be provided incrementally without by-passing large parcels of vacant land to serve peripheral areas.

Urbanization Policy 5: Sewer and water utilities shall not be extended beyond the City's corporate limits and shall be provided only after annexation.

Finding for Urbanization Policy 5: The application includes annexation of the subject property in order to receive sewer and water utilities. Annexation ensures sewer and water utilities are not extended beyond the City's corporate limits and will be provided only after annexation.

Urbanization Policy 11: The City will monitor housing development trends to ensure that Forest Grove complies with the Metropolitan Housing Rule requirement that the City provide for an opportunity for development at a minimum average density of eight units per acre of developable land.

Finding for Urbanization Policy 11: The applicant requests a Comprehensive Plan Map to designate the residential portion of the site with the A-Medium Comprehensive Plan Map designation. The A-Medium designation corresponds with the City's R-5 Zoning Map designation. The A-Medium and R-5 designations have a target density of 8.7 dwelling per net acre. The Metropolitan Housing Rule requires residential development across the City to average eight units per net acre of land. With the target density required by the A-Medium and R-5 map designations the Comprehensive Plan Map amendment helps ensure the City meets the Metropolitan Housing Rule.

Urbanization Policy 12: Promote the efficient delivery of public services through annexation of land into the City of Forest Grove.

Finding for Urbanization Policy 12: The application includes a request for annexation in order to receive public services provided by the City. The subject property is located adjacent to the city limits. As such, annexation of the subject property promotes the efficient delivery of public services through annexation of land into the City of Forest Grove.

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A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>6. A. & 6. B.</u>
MEETING DATE:	<u>12/14/2020</u>
FINAL ACTION:	<u>ORDER 2020-07</u> <u>ORDER 2020-08</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *December 14, 2020*

PROJECT TEAM: *Dan Riordan, Senior Planner; and Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Public hearing on City Council Orders amending the Forest Grove Comprehensive Plan Map and Zoning Map for property subject to annexation; Washington County Tax Lot 1N4250000600; File Number 311-20-000167-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 north of David Hill Road and east of the Forest Grove LDS Church submitted a petition for annexation of approximately 37.7 acres of land added to the urban growth boundary in 2014. The Forest Grove Development Code §§17.2.750 states before an annexation application is deemed complete the applicant shall initiate a zone change. The applicant submitted a concurrent application to initiate a Comprehensive Plan Map and Zoning Map change with the annexation petition.

City Council is being asked to adopt orders amending the Forest Grove Comprehensive Plan Map and Zoning Map to support future development of the property as requested by the applicant. The City Council is being asked to approve orders amending the Forest Grove Comprehensive Plan Map and Zoning Map as described below and shown on Attachment A.

Adoption of the orders is a quasi-judicial action under the City Charter since the action affects only one property owner. Quasi-judicial actions follow a standard procedure providing an opportunity for testimony from members of the public. The applicant also has an opportunity to respond the issues raised during the public hearing. Approval of the orders does not bind the City to annexation of the subject property.

PROPOSED COMPREHENSIVE PLAN MAP AMENDMENTS	
From	To
Institutional	Single Family Residential A-Medium (8.7 dwellings per net acre – 5,000 square foot average lot size)
Single Family Residential B-Standard (6.22 dwellings per net acre – 7,000 square foot average lot size)	Institutional

PROPOSED ZONING MAP AMENDMENTS	
From	To
Washington County Future Development	Institutional and Single Family Residential (R-5) (8.7 dwellings per net acre - 5,000 square foot average lot size)

BACKGROUND: The Forest Grove Comprehensive Plan Map assigns land use designations to property within the urban growth boundary including unincorporated property that hasn't been annexed. The Comprehensive Plan Map is implemented by the Zoning Map. Until property is annexed into the city limits it retains a Washington County zoning designation. Concurrent with annexation a City zoning designation is applied.

The Comprehensive Plan map identifies the subject property for institutional uses, including a neighborhood park and elementary school, and single-family residential development at a density of 6.22 homes per net acre. The Comprehensive Plan map locates the institutional uses on the southern portion of the property adjacent to David Hill Road. The residential uses are located north of the institutional uses adjacent to and south of Council Creek.

The applicant requests modifications to the adopted Comprehensive Plan Map designations to reverse the locations of the institutional and residential uses. The reason for this is for placement of needed utilities and on-site drainage.

The applicant also requests a modification to the adopted density of the residential area. The current Comprehensive Plan Map designation establishes a target density of 6.22 dwellings per net acre. This corresponds with the City's R-7 zoning designation which requires an average lot size of 7,000 square feet. The applicant requests the R-5 zoning designation which has a target density of 8.7 dwellings per net acre and an average lot size of 5,000 square feet. For context, the Silverstone development south of David Hill Road is zoned R-5.

Decision considerations for Comprehensive Plan Map amendments include:

- Consistency with applicable Comprehensive Plan policies.
- Consistency with the Metro Regional Framework Plan.
- Consistency with the Metro Urban Growth Management Function Plan (Metro Code Chapter 3.07) or Regional Transportation Functional Plan as applicable.

- Consistency with the Oregon Statewide Land Use Planning Goals.

The criteria for a zoning map amendment is found in Development Code §17.2.770 and include:

- 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 Classification Table in [Article 3](#), it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.
- 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.

Findings addressing the approval criteria for the requested Comprehensive Plan Map and Zoning Map amendments are attached as exhibits to the orders for City Council consideration.

FISCAL IMPACT: The estimated market value of the property is \$6,419,350.00. After annexation and future development, land will be assessed by the Washington County Assessor based on the zoning assigned to the property and how the land is used. The Westside Refinement Plan identifies the subject property for residential and institutional uses including a future neighborhood park and elementary school. Combined, the institutional uses total 16 acres or approximately 42% of the subject property. This area will become tax exempt when the property is publicly owned.

The remaining area that is developed, exclusive of public rights-of-way and environmentally constrained areas, will be subject to property taxation based on the formula used by the Washington County Assessor's office for residential development. The amount of tax revenue benefitting the

City for public services is undetermined at this time since it will be based on taxable assessed value of the individual homes.

ALTERNATIVES:

City Council has the following alternatives available under state law:

- Adopt the Ordinance: If the City Council finds the applicant has demonstrated to the Council's satisfaction that the applicable decision criteria are met, City Council should adopt the ordinance annexing the subject territory; or
- Request additional information: The Council may request additional information from the applicant to address identified deficiencies in the application including lack of evidence demonstrating the applicable decision criteria are met; or
- Deny the application: The Council may deny the application if it is the Council's determination the applicable decision criteria cannot be met by the applicant.

PLANNING COMMISSION REVIEW: The Planning Commission held a public hearing on this request on November 16, 2020. No one testified in opposition to the proposal. The Planning Commission approved a motion recommending City Council approve the annexation package including required orders making the map amendments. The motion carried on a 6-0 vote.

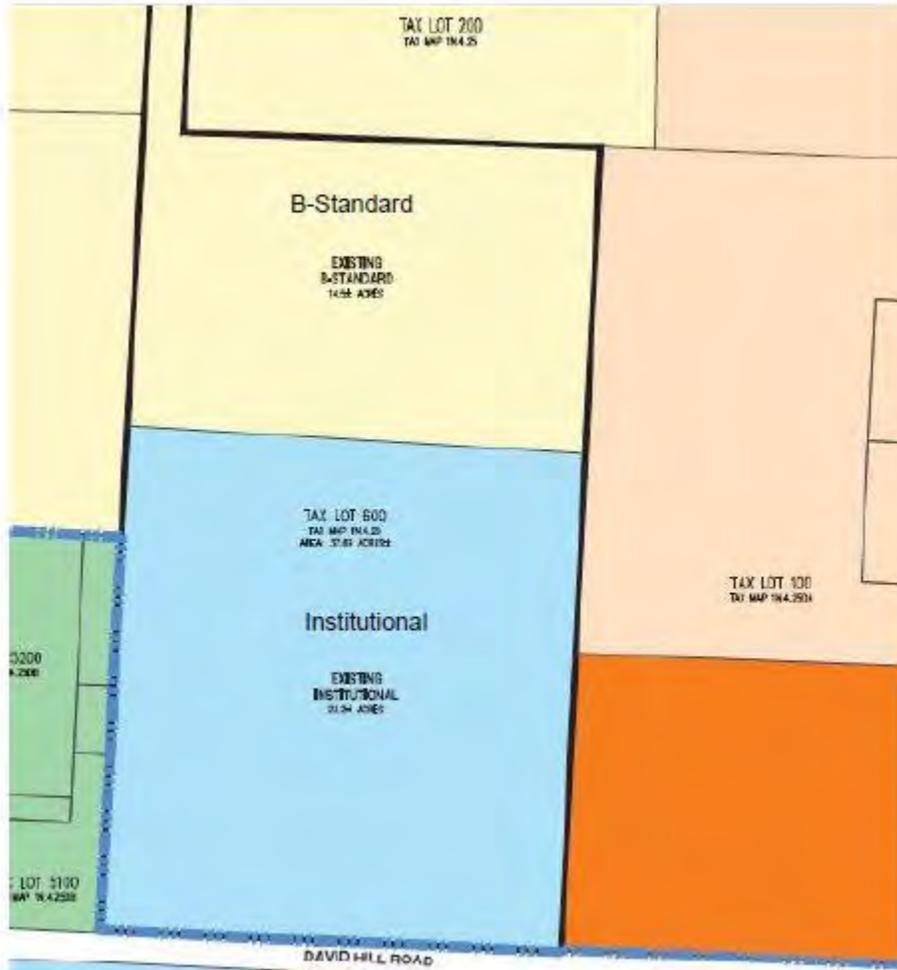
STAFF RECOMMENDATION: Staff recommends City Council select Alternative 3 above and approve the applicant's request and adopt orders amending the Comprehensive Plan Map and Zoning Map consistent with the applicant's request.

ATTACHMENTS:

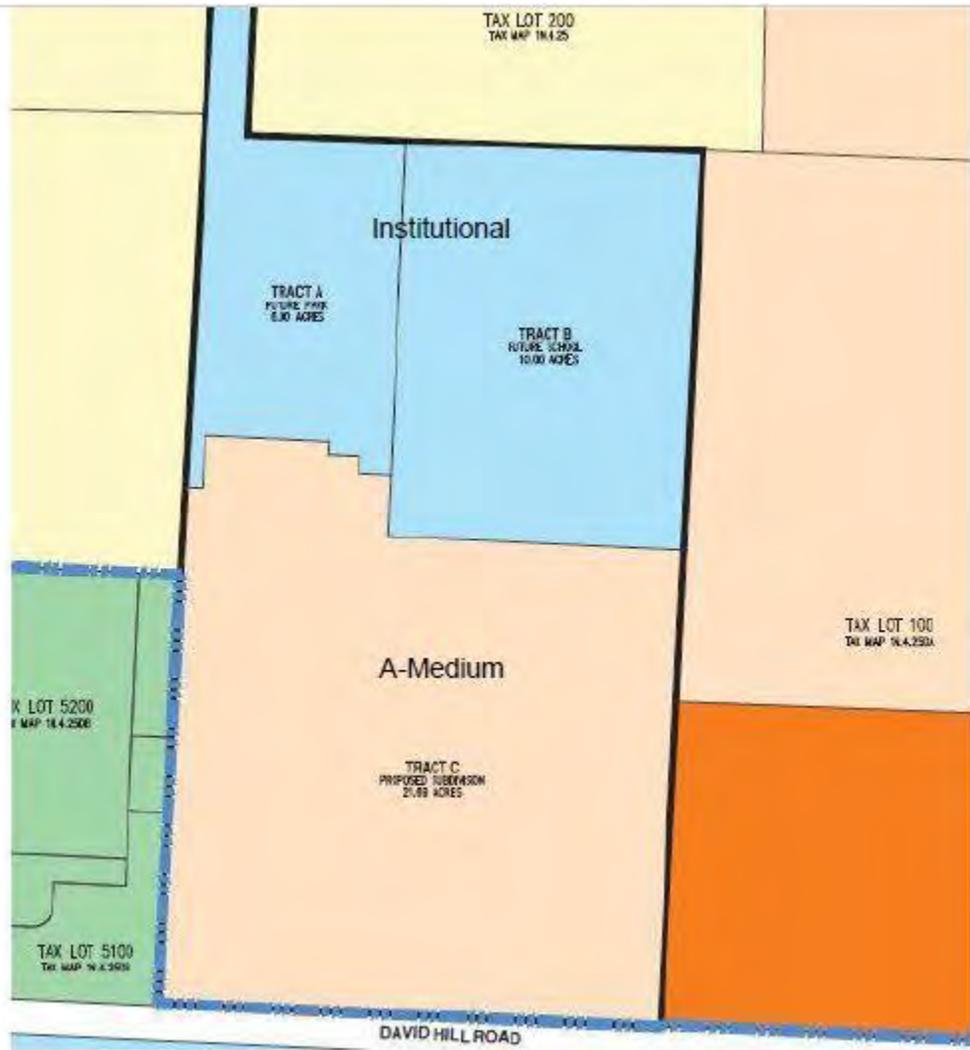
- A. Proposed Map Amendments
- B. Order Approving Comprehensive Plan Amendments
- C. Order Approving Zoning Map Amendments
- D. PowerPoint Presentation
- E. Planning Commission Record (available at [Planning Commission Hearing 11-16-20](#))
- F. Quasi-Judicial Public Hearing Script

ATTACHMENT A

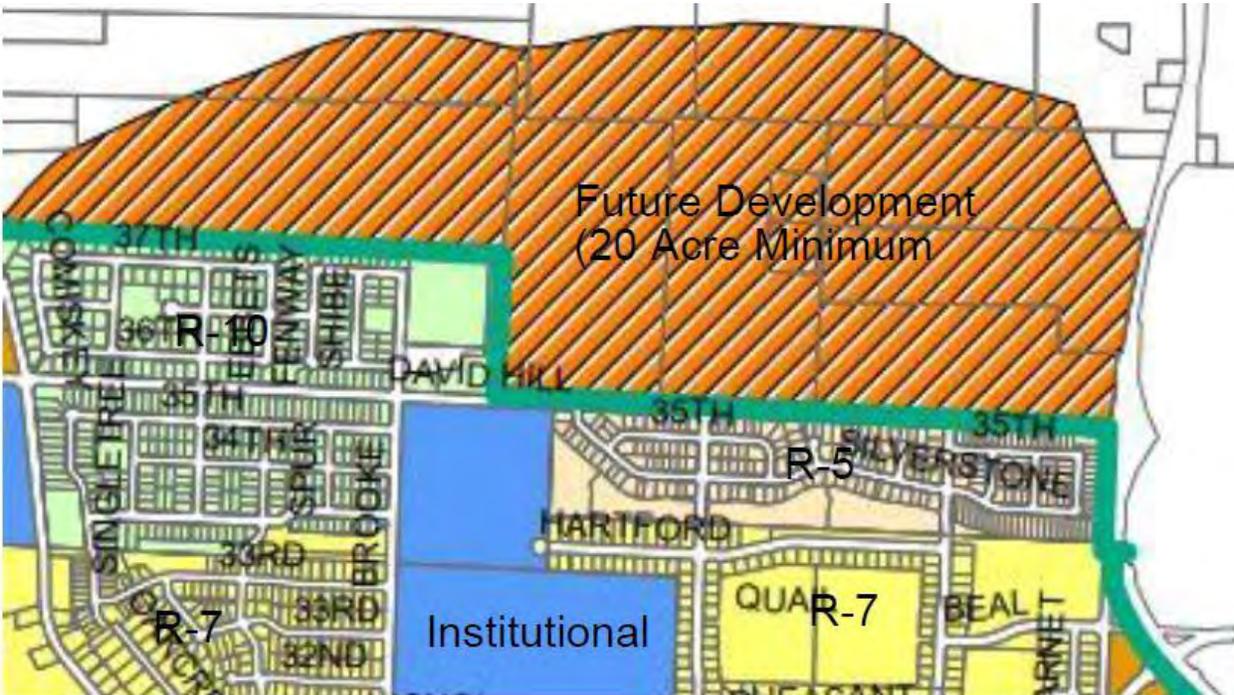
EXISTING COMPREHENSIVE PLAN



PROPOSED COMP PLAN



EXISTING ZONING



PROPOSED ZONING



FARMSTEAD CROSSING

File No. 311-20-000167-PLNG

PUBLIC HEARING

PROPOSED PLAN AND ZONING MAP AMENDMENTS

BRYAN POHL, COMMUNITY
DEVELOPMENT DIRECTOR

DAN RIORDAN, SR. PLANNER



12/14/2020

PURPOSE OF HEARING/COUNCIL ACTION

- The applicant requests City Council approval of amendments to the City's Comprehensive Plan Map and Zoning Map for property subject to annexation.

PURPOSE OF HEARING/COUNCIL ACTION

- ❑ The Council is being asked to approve Orders granting approval of the applicant's request.
- ❑ Approval of orders are necessary since the map amendments are classified as a quasi-judicial action affecting one property and the exercise of discretion.

INTRODUCTION

- ❑ The applicant requests City Council approval for amendments to the City’s Comprehensive Plan Map and Zoning Map for property subject to annexation.
- ❑ For context, the Comprehensive Plan Map shows land use districts and the permissible use of land.
- ❑ The Comp. Plan Map districts apply throughout the City including land that has yet to be annexed, “unincorporated territory.”

INTRODUCTION

- ❑ The Forest Grove Zoning Map implements the Comprehensive Plan Map.
- ❑ Both maps show how land may be used.
- ❑ The Zoning Map only applies to land within the Forest Grove city limits. Hence, the need to apply a City zoning designation when property is annexed.
- ❑ The Comp. Plan Map and Zoning Map should be consistent.

INTRODUCTION

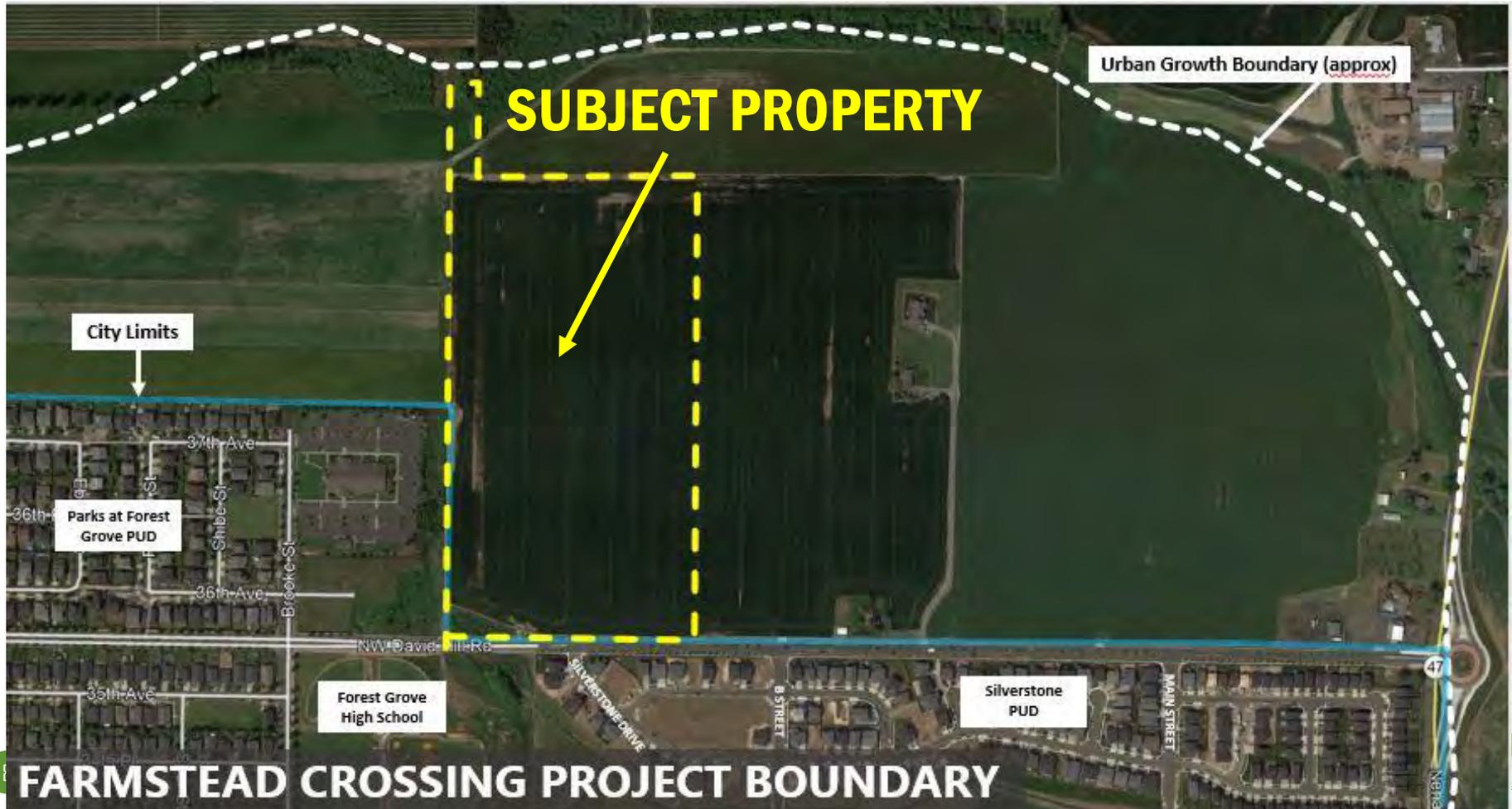
- ❑ Usually, when land is annexed, the zoning district that is applied is the one that most closely matches the Comprehensive Plan Map designation.
- ❑ However, an applicant has the right to request a different Map designation.
- ❑ This is the case here.

INTRODUCTION

- ❑ City Council has discretion to approve or deny a Map amendment request based on the applicable decision criteria.
- ❑ The applicable criteria are listed in the staff memo.
- ❑ The burden of proof is on the applicant to demonstrate the criteria are met.

THE SITE

- The subject property is located north of David Hill Road and east of the Forest Grove LDS Church.



THE REQUEST

- ❑ The applicant requests the Map amendments to:
- ❑ Adjust the placeholder land use districts adopted as part of the Westside Refinement Plan and shown on the Comprehensive Plan Map.
- ❑ The placeholder land use districts were intended to accommodate a neighborhood park, elementary school and single-family residential subdivision.

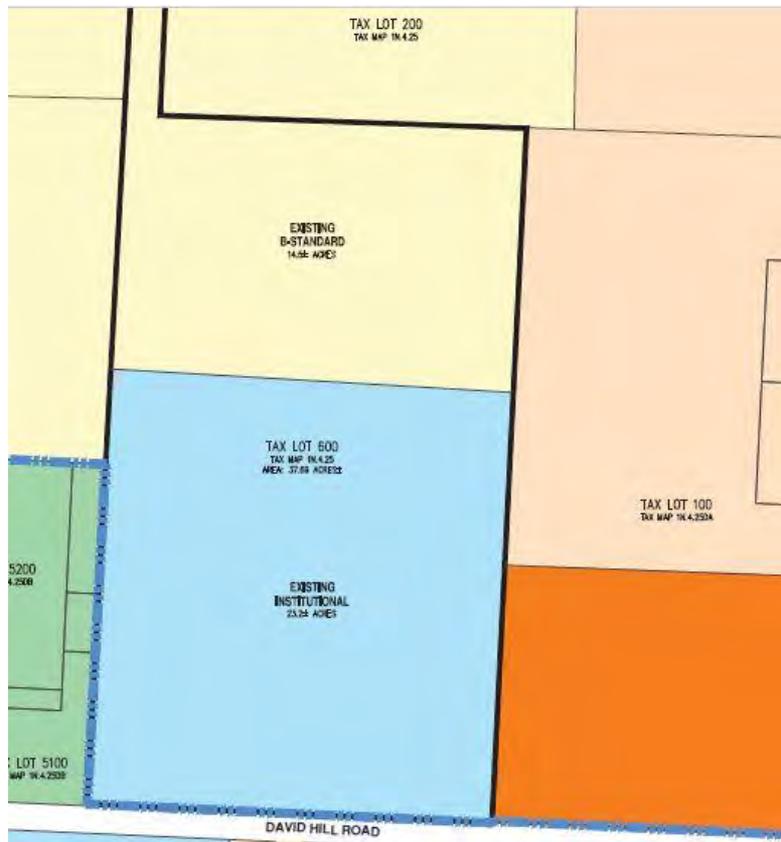
THE REQUEST

- ❑ The current Comprehensive Plan “sets-aside” about 20 acres for the combined park and school site.
- ❑ The applicant requests 16 acres for these uses based on discussions with the future property owners.

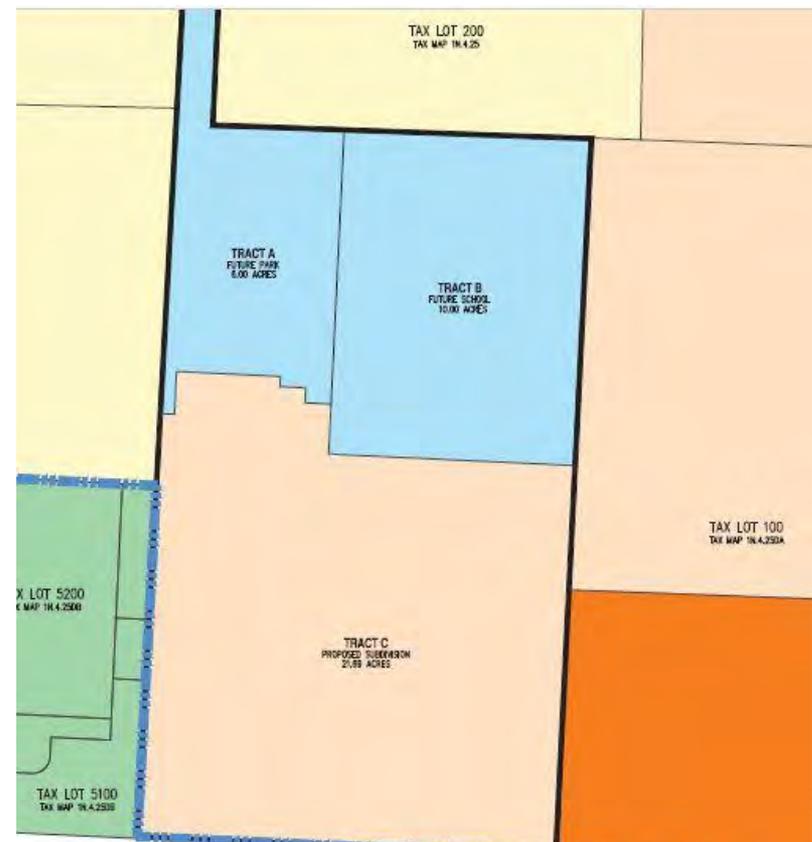
OVERVIEW

- The applicant also requests to “flip” the Institutional (blue) and residential (beige/rose) uses as shown on the Comprehensive Plan Map.

Existing Map



Proposed Map



OVERVIEW

- For context, the current Comprehensive Plan Map designations for the immediate area are shown below.



OVERVIEW

- ❑ The applicant also requests the City's A-Medium Comp. Plan designation/R-5 Single Family Residential zoning district for the residential area of the property.
- ❑ The subject area is currently designated B-Standard on the Comp. Plan Map, which corresponds with the City's R-7 zoning district.
- ❑ The R-7 zoning district has a target development density of 6.22 dwellings per net acre and required average lot size of 7,000 square feet.

OVERVIEW

- ❑ In contrast, the R-5 Zoning designation has a target density of 8.7 dwellings per net acre and required average lot size of 5,000 square feet.
- ❑ Zoning the property R-5 instead of R-7 would allow more homes (108 vs. 150) based on the target densities. Minimum allowed density is 80% of the target density.
- ❑ For context, the Silverstone development south of this property along the south side of David Hill Road is zoned R-5.

PLANNING COMMISSION REVIEW

- ❑ The Planning Commission held a public hearing on this request on November 16, 2020.
- ❑ No one testified in opposition to the requested Map amendments.
- ❑ The Planning Commission approved a motion recommending City Council approve the annexation applications including required orders making the Map amendments. The motion carried on a 6-0 vote.

CITY COUNCIL ALTERNATIVES

- ❑ The following alternatives are available to the City Council:
 - ❑ Approve the both orders if the Council finds the applicant has demonstrated the applicable criteria are met;
 - ❑ Request additional information from the applicant to address deficiencies in the application identified by the Council;
 - ❑ Deny the application if in the Council's determination the applicable decision criteria cannot be met by the applicant.

STAFF RECOMMENDATION

- ❑ Staff finds the request for the Map amendments meets all applicable decision considerations, standards, and criteria as described in the application, Planning Commission record, and findings attached to the orders for Council review.
- ❑ Therefore, staff recommends that the City Council adopt the orders approving the applicant's request.

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Farmstead Crossing

Annexation, Comprehensive Plan Map,
Zoning Map Amendment, & Partition

City of Forest Grove City Council

December 14, 2020

City File# 311-20-0000167-PLNG

Project Team

Venture Properties, Inc. – Kelly Ritz and Al Jeck

- Applicant



VentureProperties
INCORPORATED

Creating
Tomorrow's
Communities
Today

VDS Farms, Inc.

- Owner

AKS Engineering & Forestry, LLC – Mimi Doukas and Darko Simic

- Land Use Planning, Civil Engineering, Surveying, Landscape Architecture



Lancaster Mobley – Todd Mobley

- Transportation Engineering



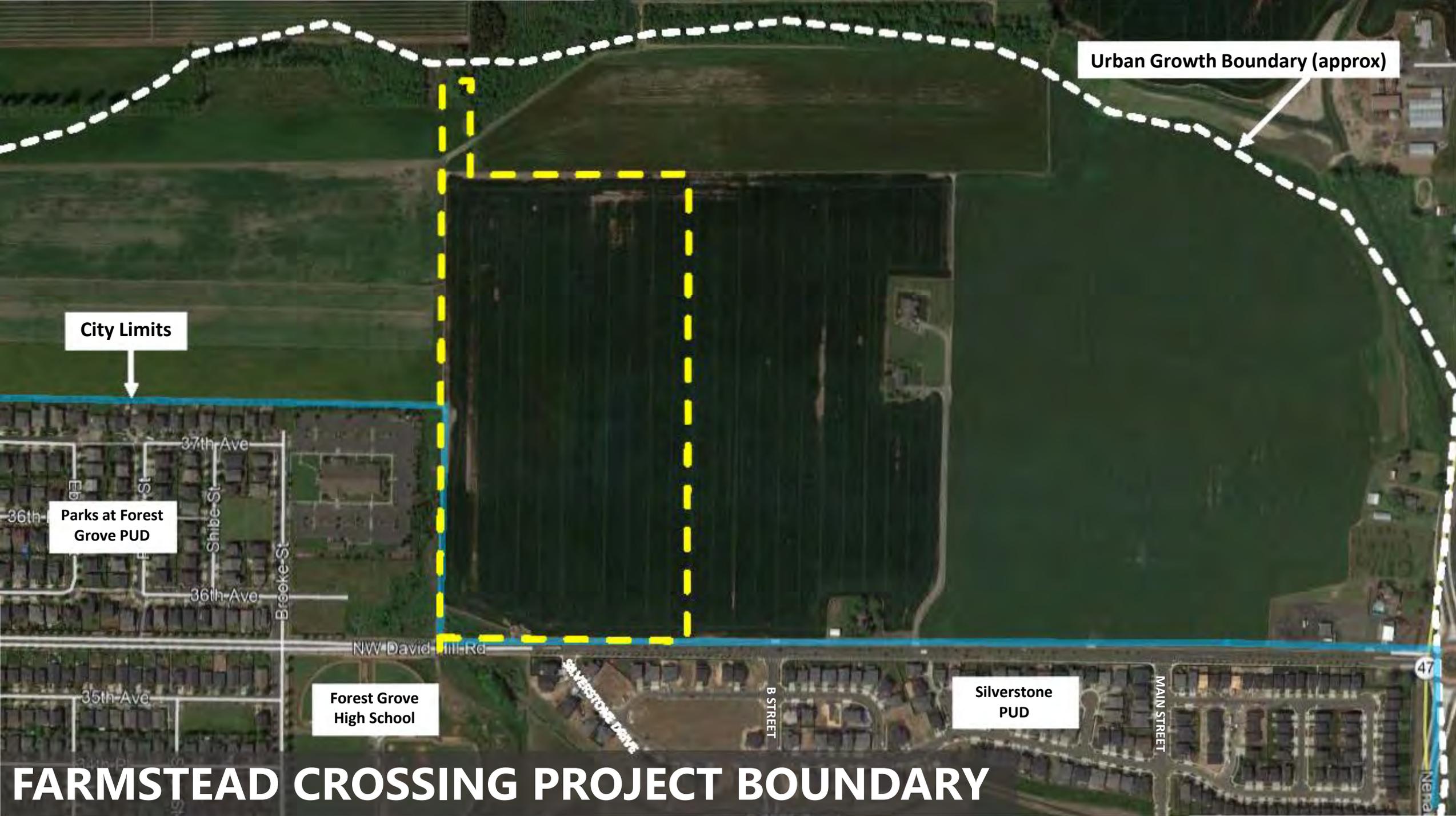
Project Overview – 4 applications

- » Annexation of ±37.7 acres into City limits
- » Comprehensive Plan Map Amendment from B-Standard to A-Medium for residential portion and rearrangement of land use designations
 - » Institutional Designation in North, Residential in South (abutting NW David Hill Road)
- » Zone Change to implement Institutional Zone for potential park and school site and R-5 Zone for residential portion
- » Three-parcel Partition to establish lot configuration to accommodate future neighborhood and potential park and school sites

Background – Westside Refinement Plan

- » ± 240-acre South of Purdin Road/
Council Creek Area added to UGB in
2014
- » Westside Refinement Plan adopted by
Forest Grove City Council in 2017
- » Created conceptual land use plan to
guide development of this area for next
20-30 years





Urban Growth Boundary (approx)

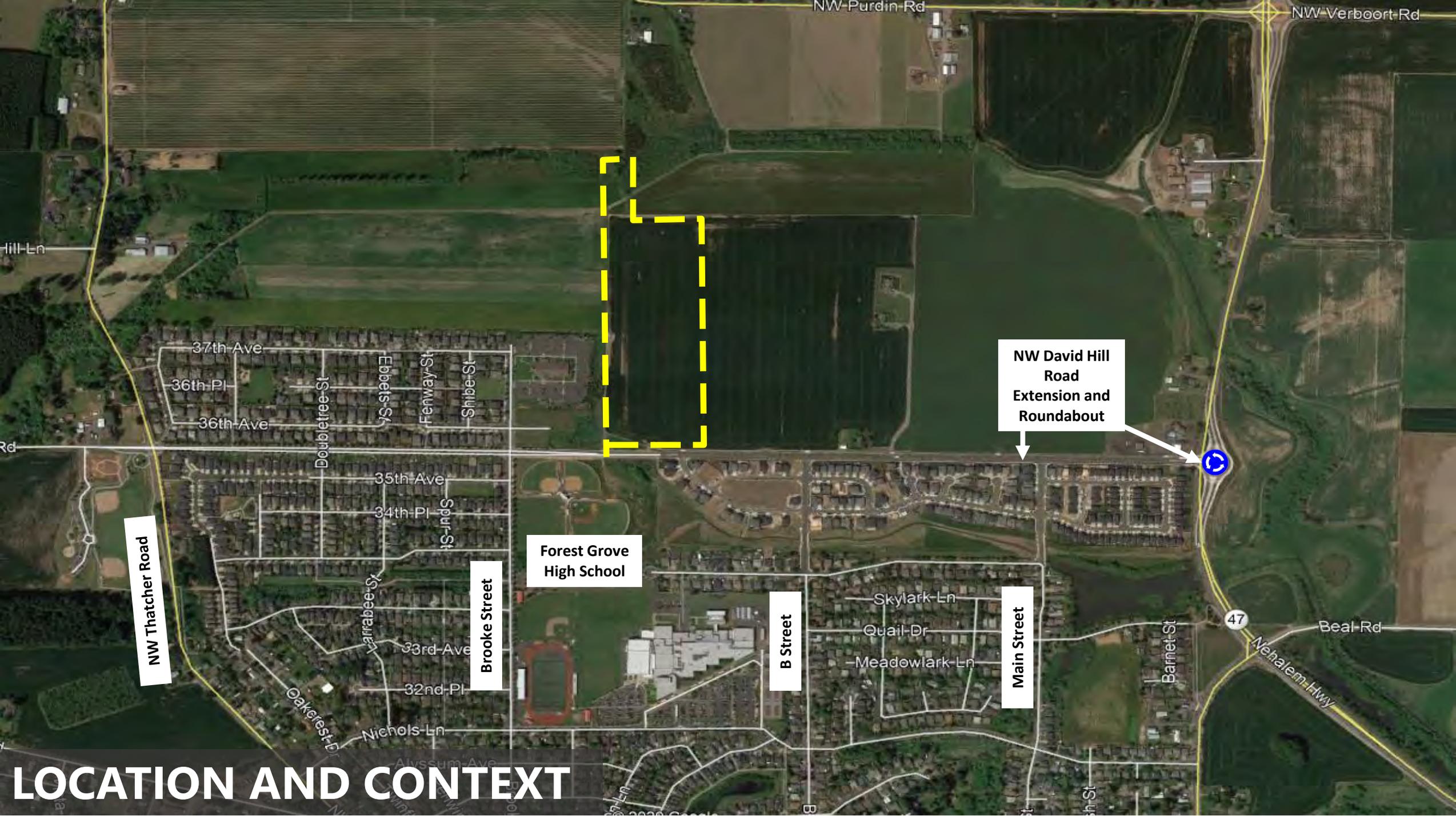
City Limits

Parks at Forest Grove PUD

Forest Grove High School

Silverstone PUD

FARMSTEAD CROSSING PROJECT BOUNDARY



NW Purdin Rd

NW Verboort Rd

Hill Ln

37th Ave
36th Pl
36th Ave

Doubletree St
Ebbels St
Fenway St
Shibe St

NW David Hill Road
Extension and
Roundabout

NW Thatcher Road

35th Ave
34th Pl
Spur St

Forest Grove
High School

Brooke Street

B Street

Skylark Ln
Quail Dr
Meadowlark Ln

Main Street

33rd Ave
32nd Pl
Nichols Ln

47

Nehalem Hwy

Beal Rd

Barnet St

LOCATION AND CONTEXT

Application 1 – Annexation

- » Annexation of ±37.7 acres into City limits and Clean Water Services Boundary (CWS)
- » Initiated by property owner
- » Considerations:
 - » Promote the timely, orderly and economic provision of public facilities and services;
 - » Affect the quality and quantity of urban services; and
 - » Eliminate or avoid unnecessary duplication of facilities or services

Served by Infrastructure

- » Water, Sewer, and Storm are readily available and adjacent
- » Well served by Transportation – NW David Hill Road and Hwy 97 (arterial)
 - » Facilitates future connections consistent with TSP

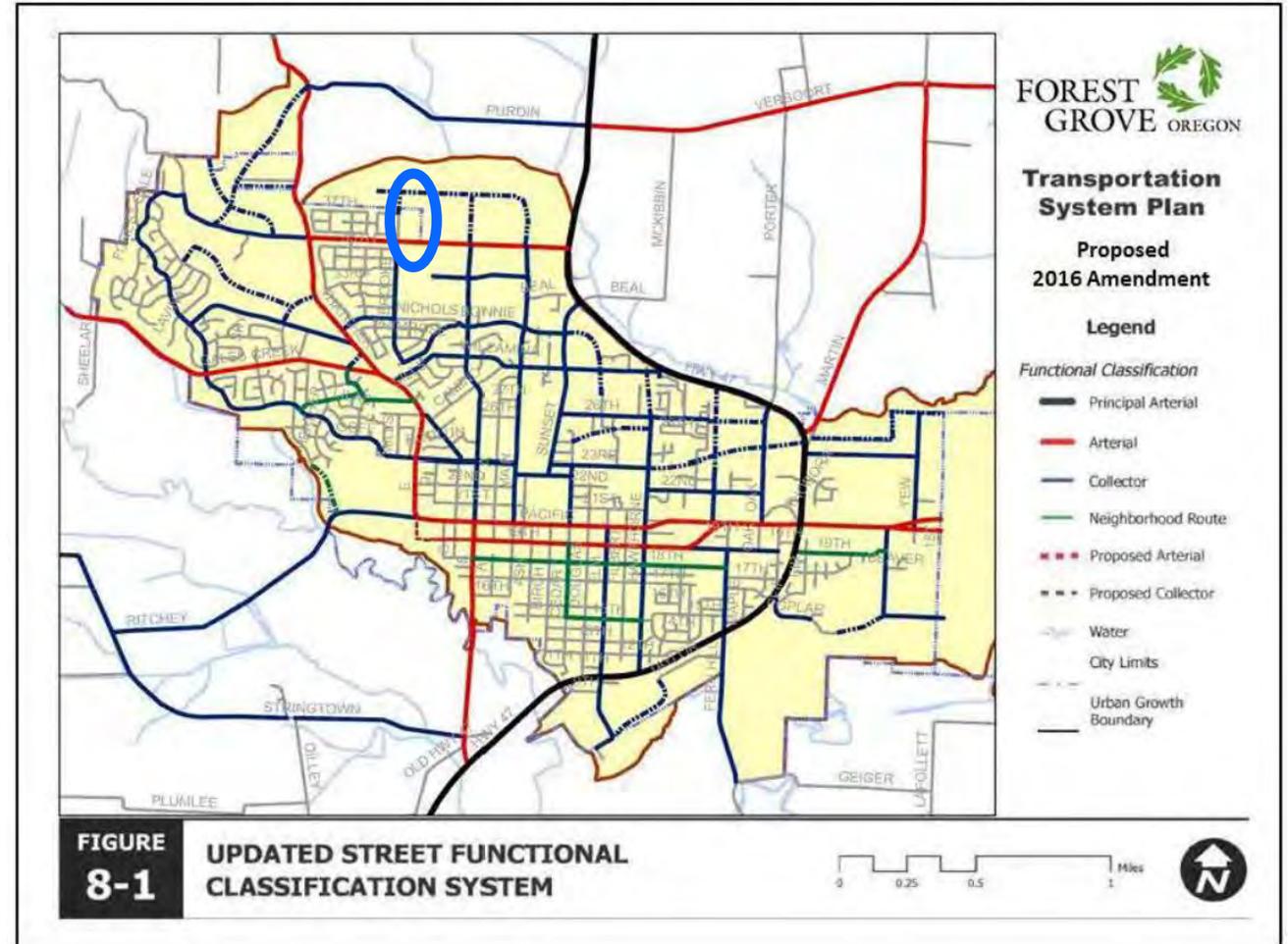
Table 1: Existing Public Utilities

Service	Provider	Size	Location
Water	City of Forest Grove	12-inch diameter	David Hill Road
Sanitary Sewer	City of Forest Grove	8-inch diameter	Silverstone Drive
Storm Sewer	City of Forest Grove	3 culverts, 12-inch, 24-inch	David Hill Road

Transportation

- » Increase in total average daily trips by ± 358
 - » 400 trips is impact threshold for ODOT
- » No change to classification of David Hill Road and Hwy 47
- » Facilitate street connections to abutting properties consistent with TSP

Figure 8-1: Updated Street Classification System

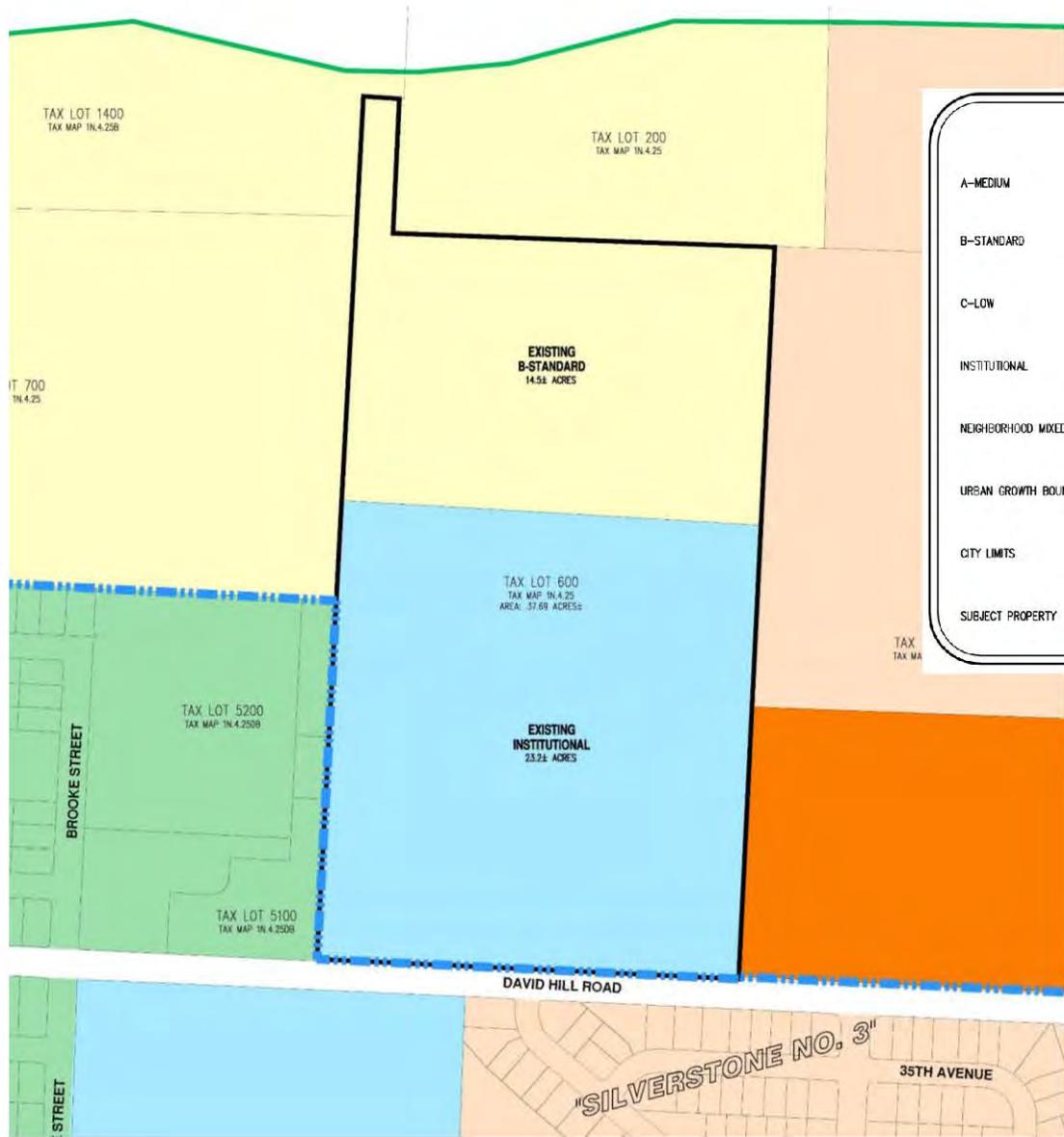


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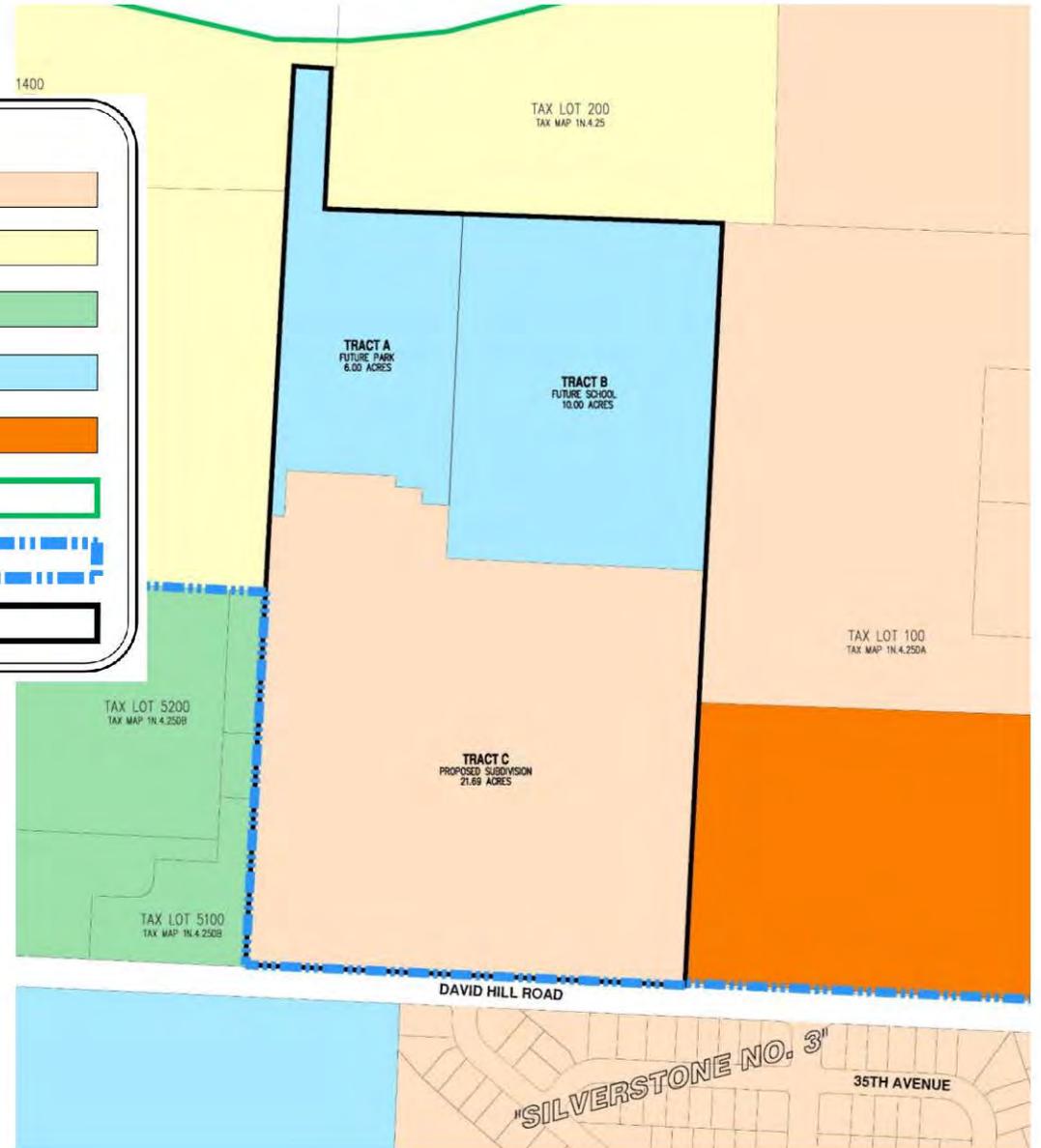
Application 2 and 3 – Comprehensive Plan Amendment and Zone Change

- » Comprehensive Plan Map Amendment from B-Standard to A-Medium for residential portion and rearrangement of land use designations
 - » Institutional Designation in North, Residential in South (abutting NW David Hill Road)
- » Zone Change to implement Institutional Zone for potential park and school site and R-5 Zone for residential portion

Existing Comprehensive Plan Map



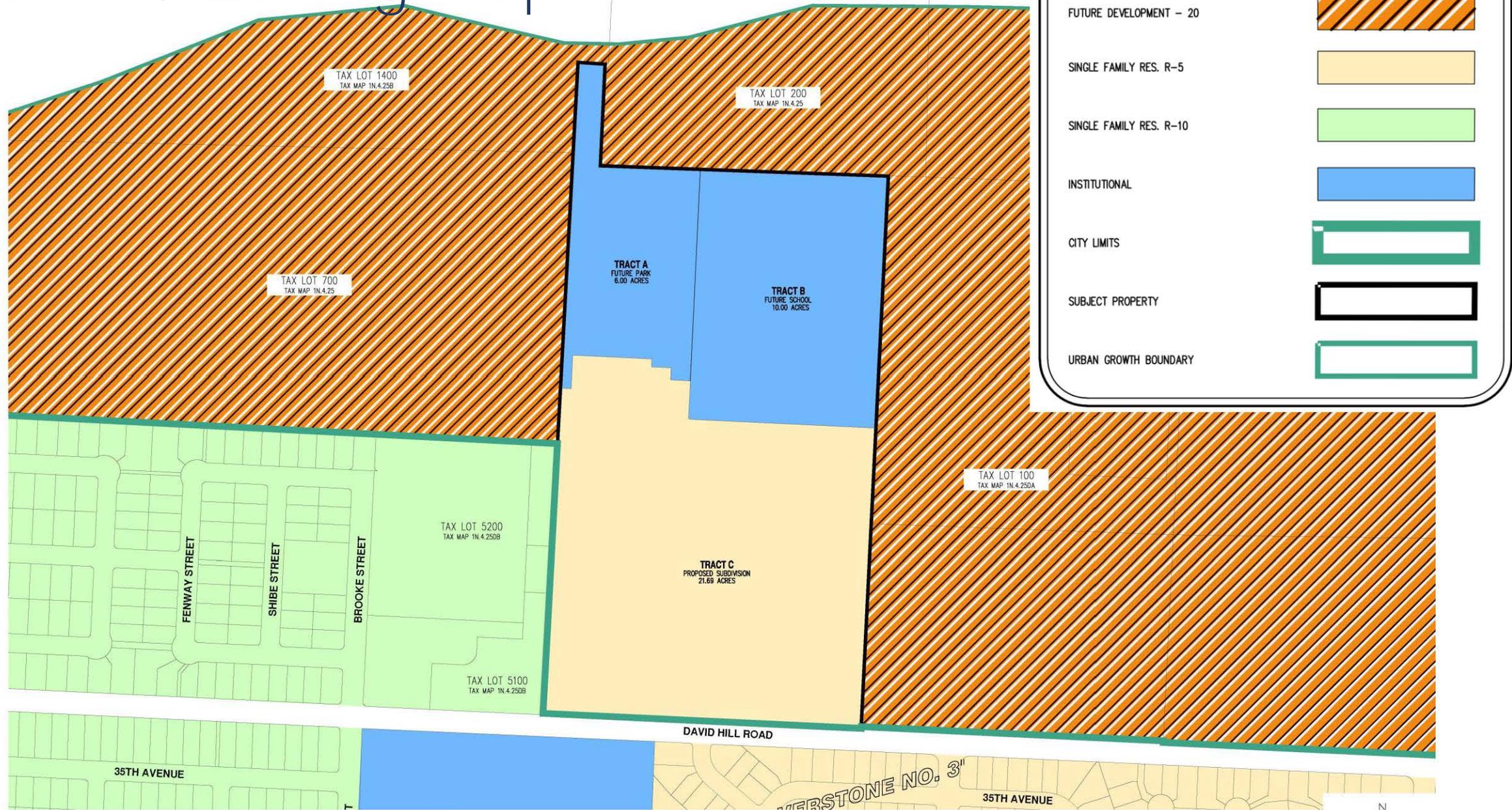
Planned Comprehensive Plan Map



LEGEND

- A-MEDIUM (Light Orange)
- B-STANDARD (Yellow)
- C-LOW (Green)
- INSTITUTIONAL (Light Blue)
- NEIGHBORHOOD MIXED USE (Orange)
- URBAN GROWTH BOUNDARY (Green line)
- CITY LIMITS (Blue dashed line)
- SUBJECT PROPERTY (Black outline)

Planned Zoning Map



Benefits to the Community

- **Implements the City's vision for the Westside Refinement Plan Area**
- Provides needed housing with a variety of lot sizes to serve evolving demographics
- Potential opportunities for future school and park sites to serve current and future residents and meet identified needs of City
- Re-arrangement of uses helps transition between urban and rural
- Infrastructure improvements and connections
- Preservation and enhancement of natural resource areas
- Unlocks future housing, employment, recreational, commercial opportunities in UGB Growth Area to serve current and future residents

Forest Grove Comp Plan (FGCP) Policies

Housing Policies 1.1 – 1.3

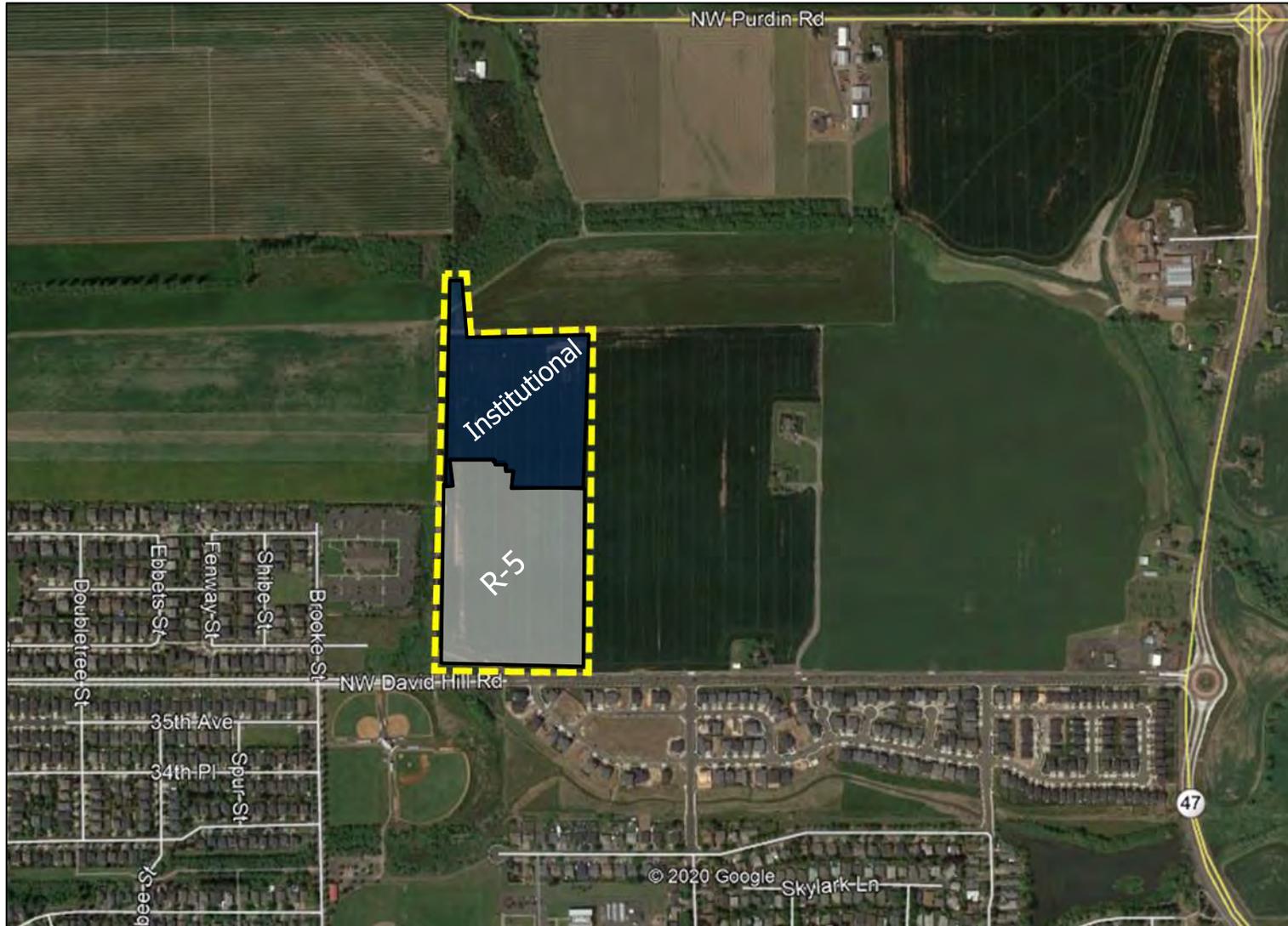
- » Housing types and densities that can meet projected population needs
- » Capacity of public services and facilities and ability to provide in cost-effective and efficient manner
- » Proximity to services (shopping, employment areas, parks, schools)
- » Site characteristics

Housing Goal 6 – **“Complete” neighborhoods**

Community Sustainability Goals/Policy 7, 8, 11,18

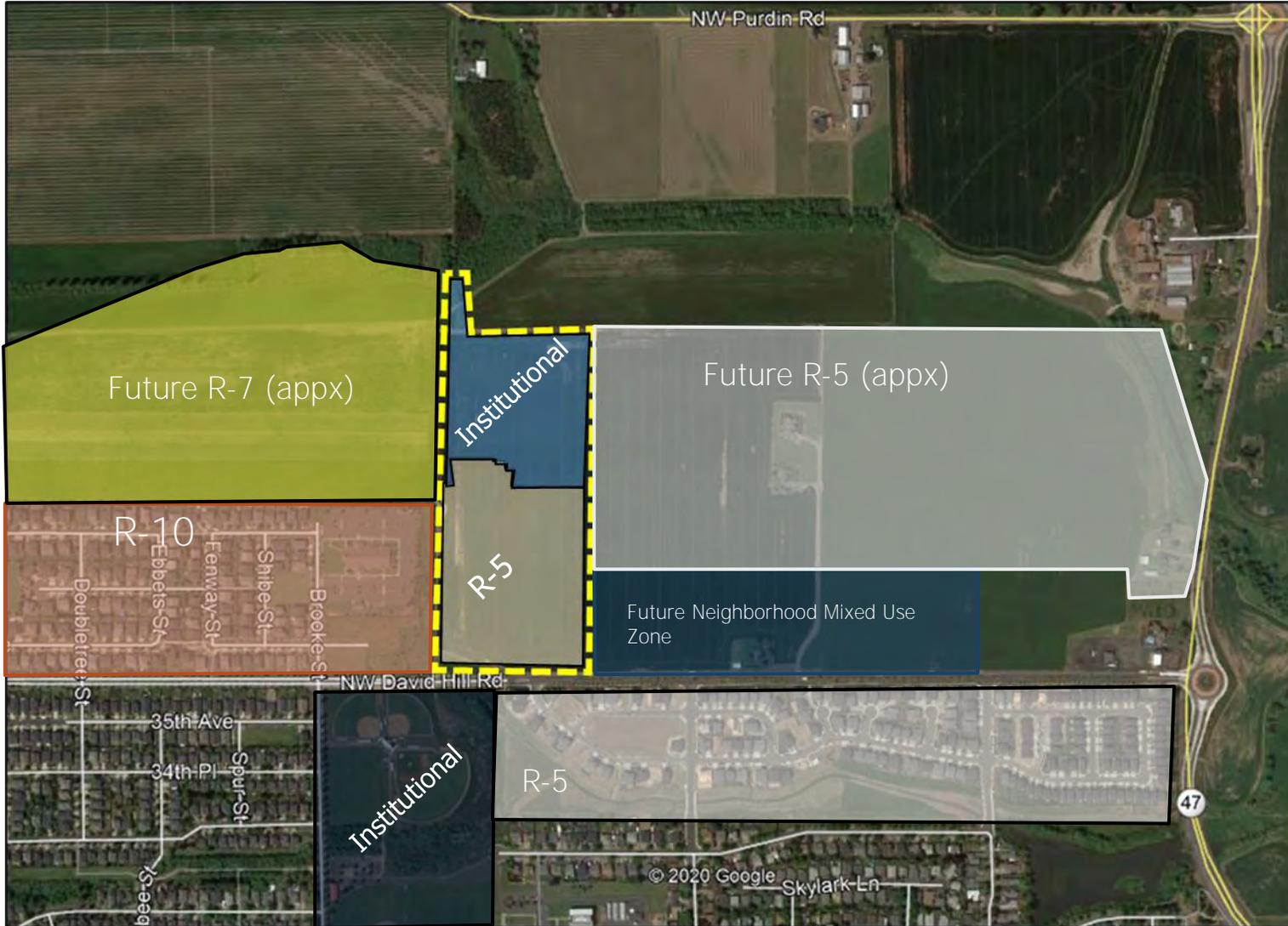
- » Interconnected land uses promoting active living
- » Increase the amount of park land and natural areas
- » Needed housing for all segments of the population

Locational Consideration



- » Residential uses to the west and south
- » Park and school site in north buffer agricultural uses to the north from residential
- » Facilitates efficient connections to existing utilities in NW David Hill Road and Silverstone Drive

Locational Consideration



- » Compatible with existing residential uses to west and south
- » Future residential (R-5) and neighborhood mixed use to the east
- » Park and school site in north buffer existing agricultural uses to the north from residential
- » Facilitates efficient connections to existing utilities in NW David Hill Road and Silverstone Drive
- » Establishes transportation network that can be extended to serve future development within the UGB

Farmstead Crossing – Needed Housing

- » Planned uses consistent with Westside Refinement Plan
- » Needed Housing accommodating a variety of demographics
- » ±21.7 acres to be designated A-Medium (implemented by R-5 Zoning)
 - » Mix of housing types, attached and detached homes
 - » Planned Development and Subdivision designed to accommodate ±131 future homes (net difference of ±23 units from maximum permissible under R-7)



QUASI-JUDICIAL PUBLIC HEARING SCRIPT

Instructional Note: Only read text in blue.

1. **Call to order and open the hearing – The Public Hearing on File 311-20-000167:**
 - a. **For Hearing 1: Ordinance No. 2020-06 annexation of 37.7 acres of land into the Forest Grove city limit.**
 - b. **For Hearing 2:**
 1. **Order No. 2020-07 approving Comprehensive Plan Map amendments, and**
 2. **Order 2020-08 approving Zoning Map amendments for property subject to annexation.**
 - c. **For Hearing 3: Order No. 2020-09 approving a tentative partition plat for property subject to annexation.**
2. **Hearing procedure - Tonight’s Public Hearing will be conducted as follows:**
 - a. **Individual City Councilors will be asked to disclose any ex-parte comments, bias, or conflicts of interest**
 - b. **Staff will provide a report briefly summarizing the proposal, correspondence received, applicable decision criteria and staff recommendation.**
 - c. **The applicant will present their proposal and respond to Commissioner’s questions about the proposal.**
 - d. **Persons in support, opposition, and neutral about the proposal will be called to testify. If you testify, speak into the microphone, state your name, and address, and direct your comments to the criteria listed in the staff report. The City Council must base its recommendation on these criteria.**
 - e. **Following public testimony, the applicant will be asked to provide a rebuttal on issues raised, if any.**
3. **LUBA statement - Failure to raise an issue with sufficient detail to allow the City Council, applicant, or staff to respond precludes an appeal to the Oregon Land Use Board of Appeals on that issue.**
4. **Circuit Court statement - Failure to raise constitutional issues relating to proposed conditions of approval with sufficient specificity to all the City Council, applicant, or staff to respond precludes an action of damages in circuit court.**

Disclosure - Before we open the hearing, do any City Councilors need to disclose any ex parte contacts, bias, or conflicts of interest? If so, please indicate the nature of the ex parte contact, bias or conflicts of interest and indicate whether you intend to participate in an impartial manner or abstain from the hearing.

5. **Disclosure challenge** - Does anyone in the audience wish to challenge a City Councilor's impartiality?
6. **Question for staff (staff report)** - Senior Planner Dan Riordan will now present the staff report and staff recommendation and state if additional correspondence has been received.
7. **Question for staff** - Do any Councilors have questions for staff?
8. **After Staff Report - Question for the applicant** - Does the applicant wish to present the proposal? Please state your name and address for the record.
9. **Question for applicant** - Do any Councilors have questions for the applicant?
10. **Public testimony** – I will now call on persons who would like to comment on the proposal. Is there anyone signed-up to testify?
11. **Public testimony** - Please state your name and address for the record.
12. **After Public Testimony - Question for the applicant** - Does the applicant wish to rebut any of the testimony presented?
13. **Continue the Public Hearing** – The Public Hearing and Second Reading of Ordinance No. 2020-06 is continued to January 11, 2021.



A place where families and businesses thrive.

**NOTICE OF PUBLIC HEARING
FOREST GROVE CITY COUNCIL
FILE NUMBER 311-20-000167-PLNG**

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold **Public Hearings** on **Monday, December 14, 2020, and Monday, January 11, 2021**, at **7:00 p.m.** or thereafter, at the Community Auditorium, 1915 Main Street, to review the following proposals:

- Ordinance annexing 37.7 +/- acres of land into the City limits of Forest Grove and Clean Water Services District and withdrawing the tract from the Forest Grove Rural Fire Protection District; Washington County Tax Lot 1N4250000600
- Order adopting amendments to the Forest Grove Comprehensive Plan Map to redesignate property subject to annexation from Institutional to Residential A-Medium and from Residential B-Standard to Institutional; Washington County Tax Lot 1N4250000600
- Order adopting amendments to the Forest Grove Zoning Map to designate property subject to annexation from Washington County Future Development to Forest Grove Institutional and Residential R-5; Washington County Tax Lot 1N4250000600; and
- Order approving a tentative partition plat for property subject to annexation to create separate parcels for land zoned institutional and Residential R-5; Washington County Tax Lot 1N4250000600.

The City Council will consider these proposals and base its decision on the following review criteria. Comments in response to this proposal must address the criteria below:

- Oregon Revised Statutes Chapter 222.111 & 222.112 (Boundary Changes)
- Oregon Statewide Land Use Planning Goals 2 (Land Use), 10 (Housing), Goal 11 (Public Facilities), Goal 12 (Transportation) and Goal 14 (Urbanization)
- Forest Grove Comprehensive Plan Community Sustainability, Land Housing, Public Facilities and Urbanization chapters
- Metro Code Chapter 3.09 (Local Government Boundary Changes)
- Metro Urban Growth Management Functional Plan
- Forest Grove Development Code Sections 17.2.770 (Zone Change Criteria), 17.6.045 et. seq. (Land Divisions)

All persons will be given reasonable opportunity to give testimony about this proposal responding to the review criteria above. If an issue is not raised in the hearing (by person or by letter) or if the issue is not explained in sufficient detail to allow the City Council to respond to the issue, then that issue cannot be used for an appeal to the Land Use Board of Appeals. A copy of the report will be available for inspection at least seven days before the hearing at the Community Development Department or by visiting www.forestgrove-or.gov.

COVID-19 NOTICE: The City Council meeting will be conducted remotely by video conferencing. The public may observe and participate in the Community Auditorium as space allows. However, the Commission encourages the public to submit written comments or testimony to City Recorder, Anna Ruggles, aruggles@forestgrove-or.gov, or sent to PO Box 326, 1924 Council Street, Forest Grove, Oregon 97116, prior to the hearing. For further information pertaining to this proposal, please contact the Community Development Department, 1924 Council Street, (503) 992-3227, Monday to Friday, between 8 am and 5 pm.



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

Publish: December 3 & December 10, 2020

**NOTICE OF PUBLIC HEARING
FOREST GROVE CITY COUNCIL
FILE NUMBER 311-20-000167-PLNG**

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Anna D. Ruggles, CMC, City Recorder
City of Forest Grove
Publish Dec. 3, 10, 2020

NT185497

Date: December 14, 2020

Agenda Item: 6. A.

Subject: PUBLIC HEARING AND ORDER NO. 2020-07 AMENDING THE FOREST GROVE COMPREHENSIVE PLAN MAP FOR PROPERTY SUBJECT TO ANNEXATION; WASHINGTON COUNTY TAX LOT IN4250000600; FILE NUMBER 311-20-000167-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:

OPPONENTS: (Please print legibly)

First & Last Name:

Address:

City, State & Zip Code:

OTHERS: (Please print legibly)

First & Last Name:

Address:

City, State & Zip Code:

Please continue on Page 2: