

ORDER NO. 2020-08

**ORDER AMENDING THE FOREST GROVE ZONING 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 Farms, Inc., 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 Zoning 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.

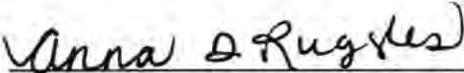
NOW, THEREFORE, THE CITY OF FOREST GROVE ORDERS AS FOLLOWS:

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 supported by the findings of fact and conclusions described in Exhibit C and Exhibit D.

Section 3. This order is effective upon the effective date of the annexation of Washington County Tax Lot 1N4250000600.

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 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)

PROPOSED ZONING 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 ZONING MAP AMENDMENTS

The following criteria apply to the proposed Zoning Map amendment (DC §17.2.770):

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the 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, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

Finding for (§17.2.770(A)): As noted in the application on page 27, the Zoning Map amendment is accompanied by a concurrent Comprehensive Plan Map amendment. If the Comprehensive Plan amendment is approved the proposed Zoning Map amendment will be consistent with the Comprehensive Plan Map and criterion §17.2.770(A) will be met.

Finding for (§17.2.770(B)): As noted in the application on page 27, and described in Section VIII above, report, the Zoning Map amendment supporting the proposed Comprehensive Plan Map amendment is consistent with the applicable policies of the Forest Grove Comprehensive Plan policies.

Finding for (§17.2.770(C)): As noted in the application on page 28, the Comprehensive Plan Map, updated in accordance with the conceptual land use designations identified in the Westside Refinement Plan, has identified the subject property as appropriate for residential and institutional uses including a neighborhood park and elementary school. Also as noted in the application, the subject property is generally rectangular in shape and of sufficient size to support a six-acre neighborhood park, ten-acre elementary school, and 21.7-acre residential subdivision. In addition, there is a lack of vacant developable sites within the city limits in the area west of Oregon Highway 47 and east of Thatcher Road for urban development. Assigning Zoning Map designations concurrently with the annexation of the subject property will add buildable land needed to meet housing needs identified in the City's 2019 Housing Needs Analysis, park needs identified in the City's Parks and Recreation Master Plan, recent update to the Forest Grove School District's Facility Master Plan and school needs identified in the Forest Grove Comprehensive Plan (2014).

Finding for (§17.2.770(D)): As noted in the application on page 28 and Exhibit J, the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with the Forest Grove Transportation System Plan. Future development must comply with the conceptual collector street network identified in the Transportation System Plan and the proposed map amendments does not preclude compliance. In addition, the application in Exhibit J, demonstrates the proposed map amendments will not substantially impact the functional classification of nearby roadways nor degrade operations of nearby roadways including David Hill Road (arterial roadway) and Oregon Highway 47 (major arterial roadway). The planned density under the R-5 zone may result in an increase of 38 evening peak hourly vehicle trips and less than 400 average daily trips over and above was estimated in the Westside Refinement Plan traffic analysis. Potential development of the subject property is expected to generate up to 98 site trips during the morning peak period, 131 site trips during the evening peak period, and 1,246 site trips during a typical weekday (Application, Exhibit J, page 12 Of 32). The applicant provided evidence contained in the record in Application Exhibit J and summarized on page 10, that the net change in trip generation potential allowed by the map amendments may be considered to be a small increase in traffic per the Oregon Department of Transportation's Oregon Highway Plan. Without information in the record to the contrary, the proposed map amendments comply with (§17.2.770(D)).

Finding for (§17.2.770(D)): The applicant's traffic analysis (Application Exhibit J includes information demonstrating that intersection of Oregon Highway 47 and Martin Road is currently and projected to operate within acceptable standards and in excess of minimum Oregon Department of Transportation performance standards. A planned roundabout at this intersection is funded and scheduled for construction supporting operation of the intersection within acceptable standards identified in the Forest Grove Transportation System Plan (Level of Service D).

Finding for (§17.2.770(D)): The applicant provided engineering analysis demonstrating that all other studied intersections are currently operating acceptably per City of Forest Grove and Oregon Department of Transportation standards and are projected to continue operating acceptable regardless of development of the subject property.

Finding for (§17.2.770(E)): As noted in the application on pages 28-29, the installation of infrastructure improvements associated with the Silverstone development directly south of the subject property and existing facilities along David Hill Road will allow connections to the subject property to serve future development. Existing public facilities and services for water supply, sanitary sewer, and storm water drainage include:

- Water: Existing 8-inch waterline along David Hill Road.
- Sanitary Sewer: Existing 8-inch sanitary sewer line along Silverstone Drive.
- Stormwater: Existing storm culverts along David Hill Road.

Finding for (§17.2.770(E)): Upon annexation the subject property will be served by Forest Grove Fire and Rescue and Forest Grove Police Department. The subject property is located within Forest Grove's planning area and the Urban Planning Area Agreement with Washington County identifies Forest Grove as the appropriate provider of urban services. Both Forest Grove Fire and Rescue and Forest Grove Police Department have the capacity and capability to provide services to the subject property and permitted future development considering financial resources identified in the adopted City of Forest Grove Budget.

Finding for (§17.2.770(E)): Clean Water Services issued a service provider letter (SPL) in accordance with Clean Water Services Design and Construction Standards for the application on August 19, 2020 (CWS File No. 20-002043). The SPL expires on August 19, 2022. The SPL includes the site plan for the proposed project and is included as part of the application as Exhibit K.

Finding for (§17.2.770(F)): The assignment of the proposed Zoning Map designations will not be subject to the meeting of conditions.

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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

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

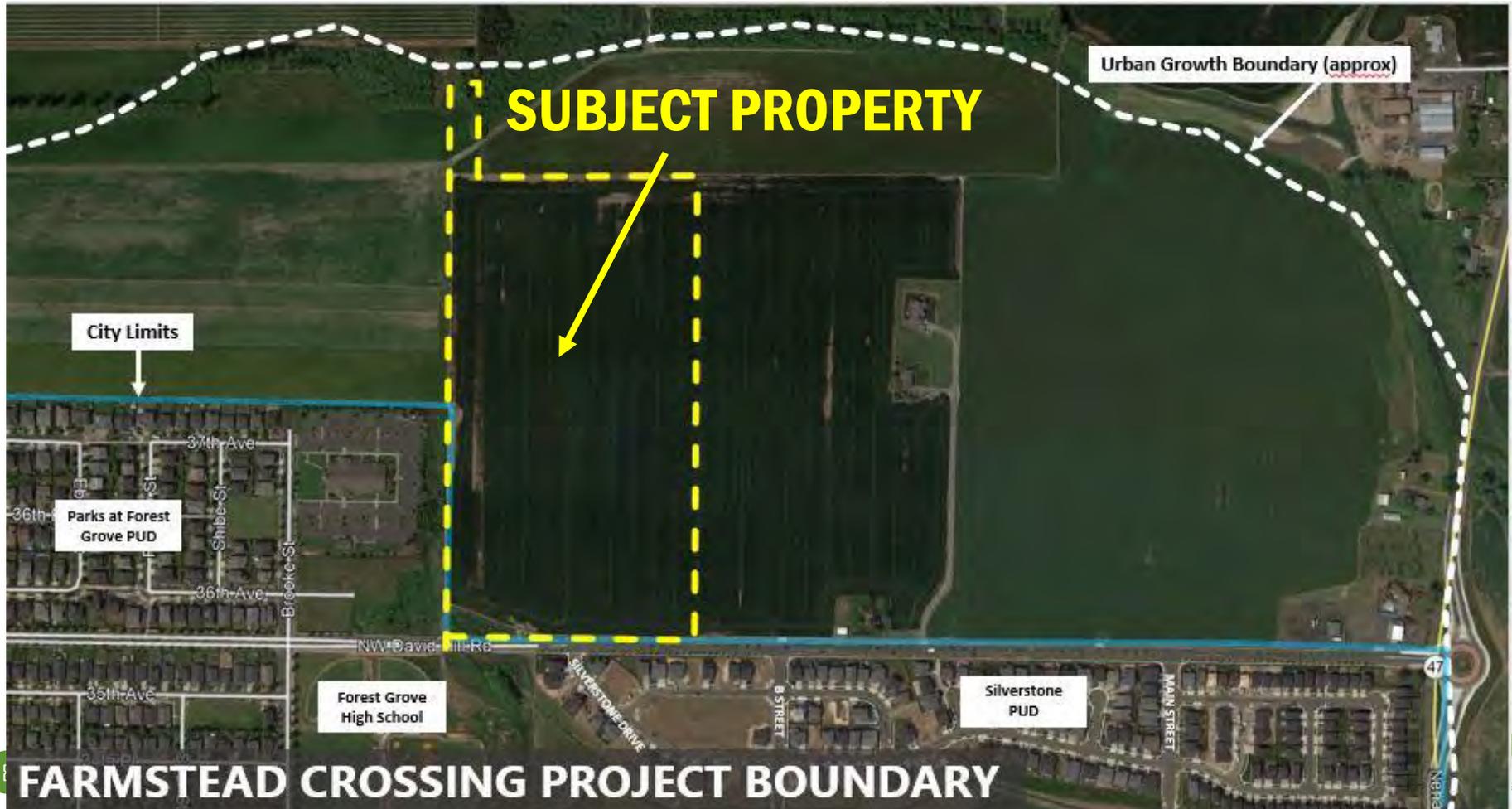
- ❑ Usually, when land is annexed, the zoning district that is applied is the one that most closely matches the Comprehensive Plan Map designation.
- ❑ However, an applicant has the right to request a different Map designation.
- ❑ This is the case here.

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.

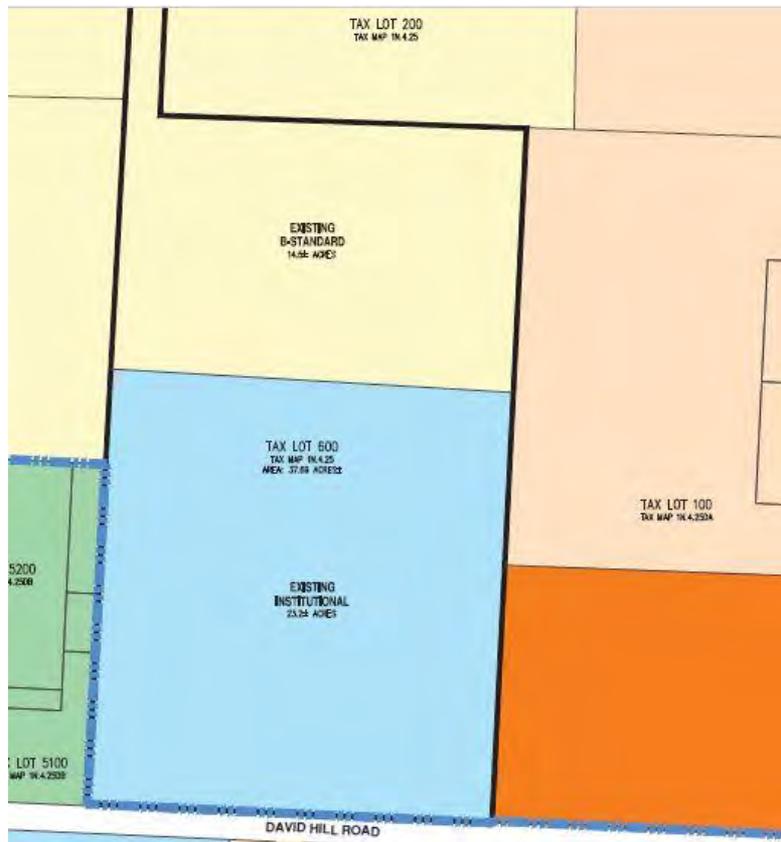
THE REQUEST

- ❑ 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.

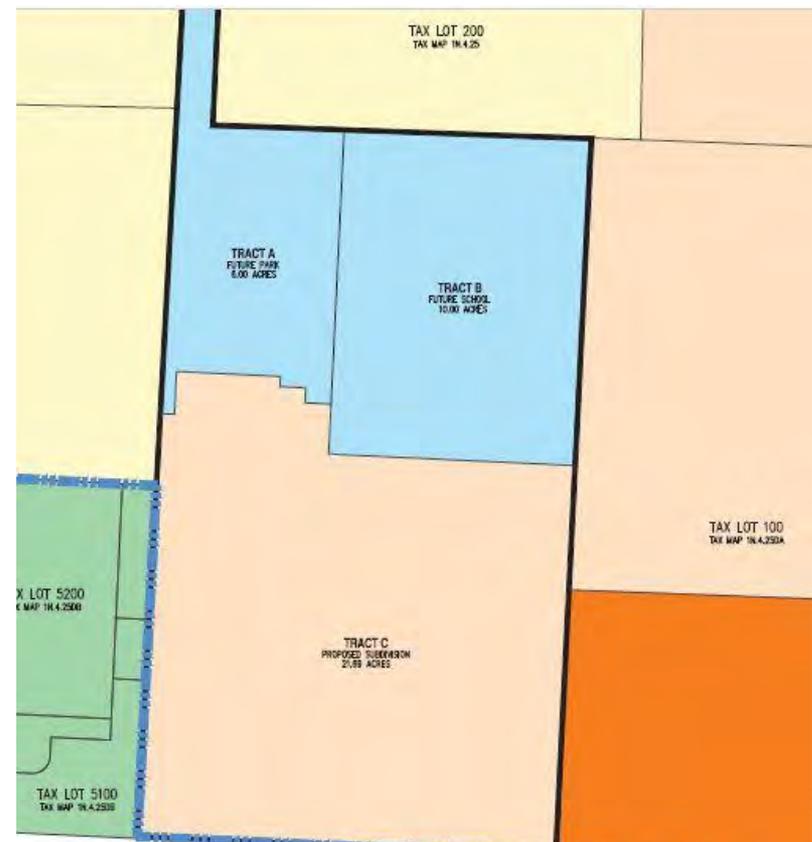
OVERVIEW

- 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
I N C O R P O R A T E D

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



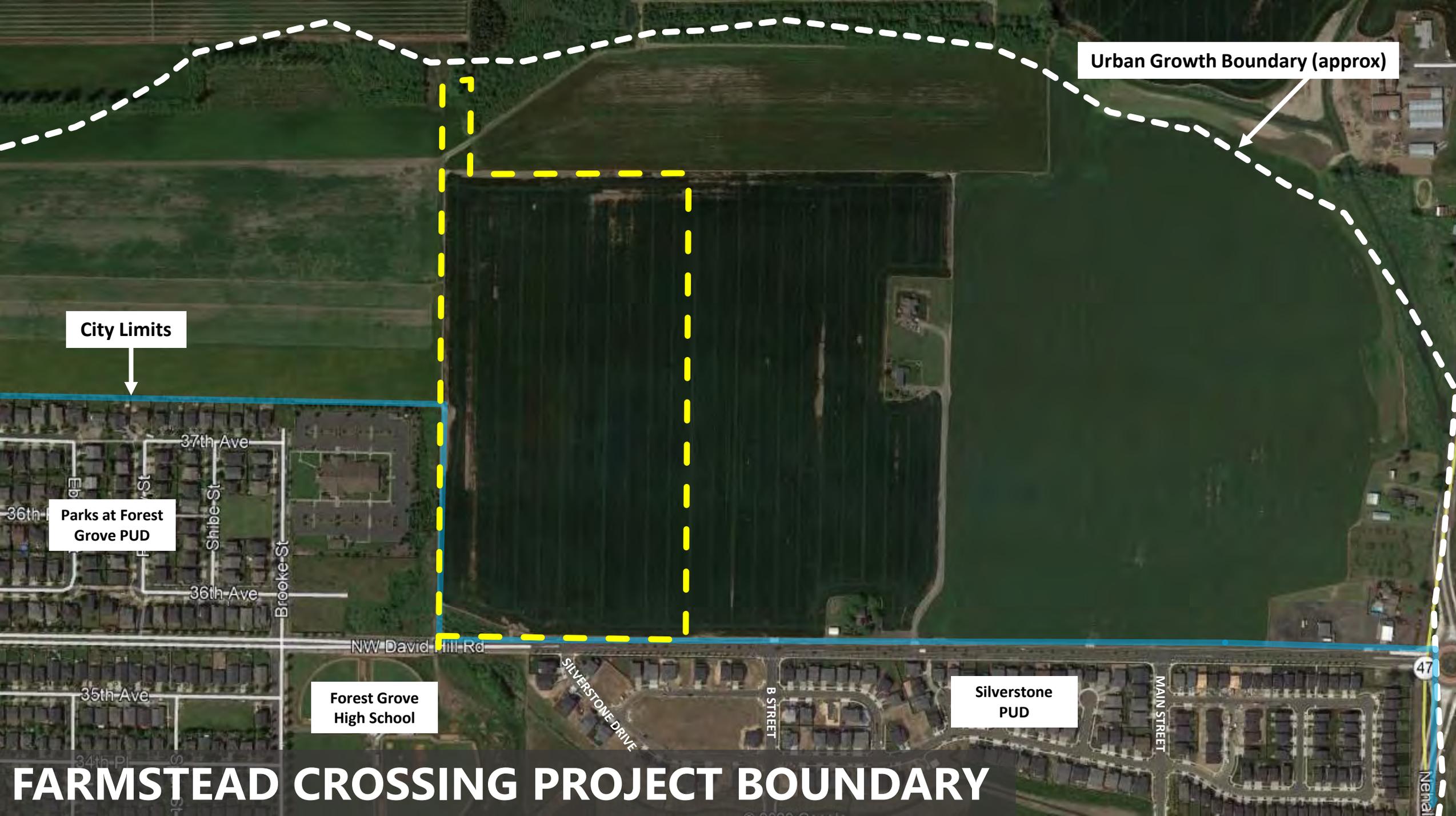
Project Overview – 4 applications

- » 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)

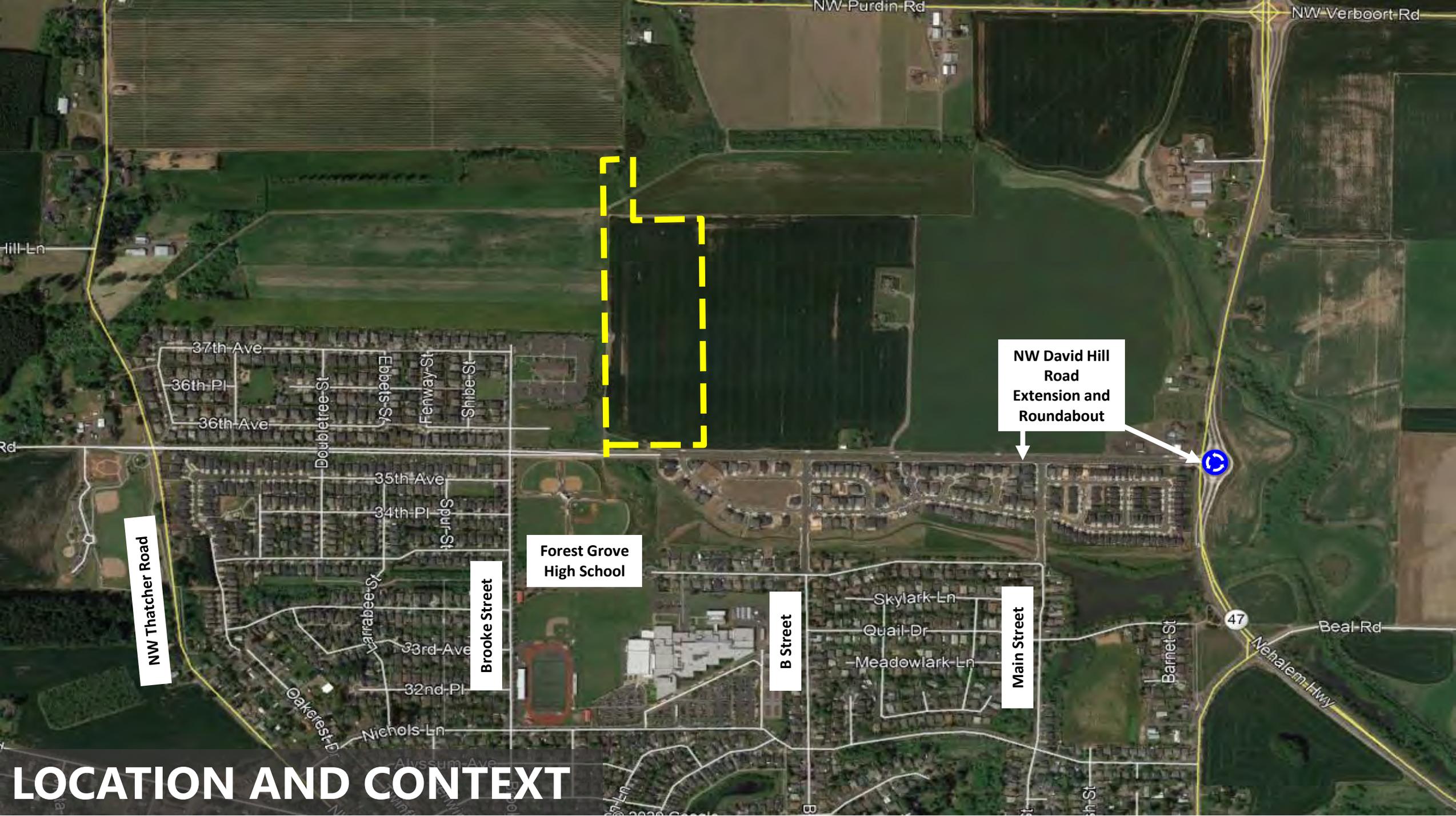
City Limits

Parks at Forest Grove PUD

Forest Grove High School

Silverstone PUD

FARMSTEAD CROSSING PROJECT BOUNDARY



NW Thatcher Road

Brooke Street

B Street

Main Street

Forest Grove High School

NW David Hill Road Extension and Roundabout

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

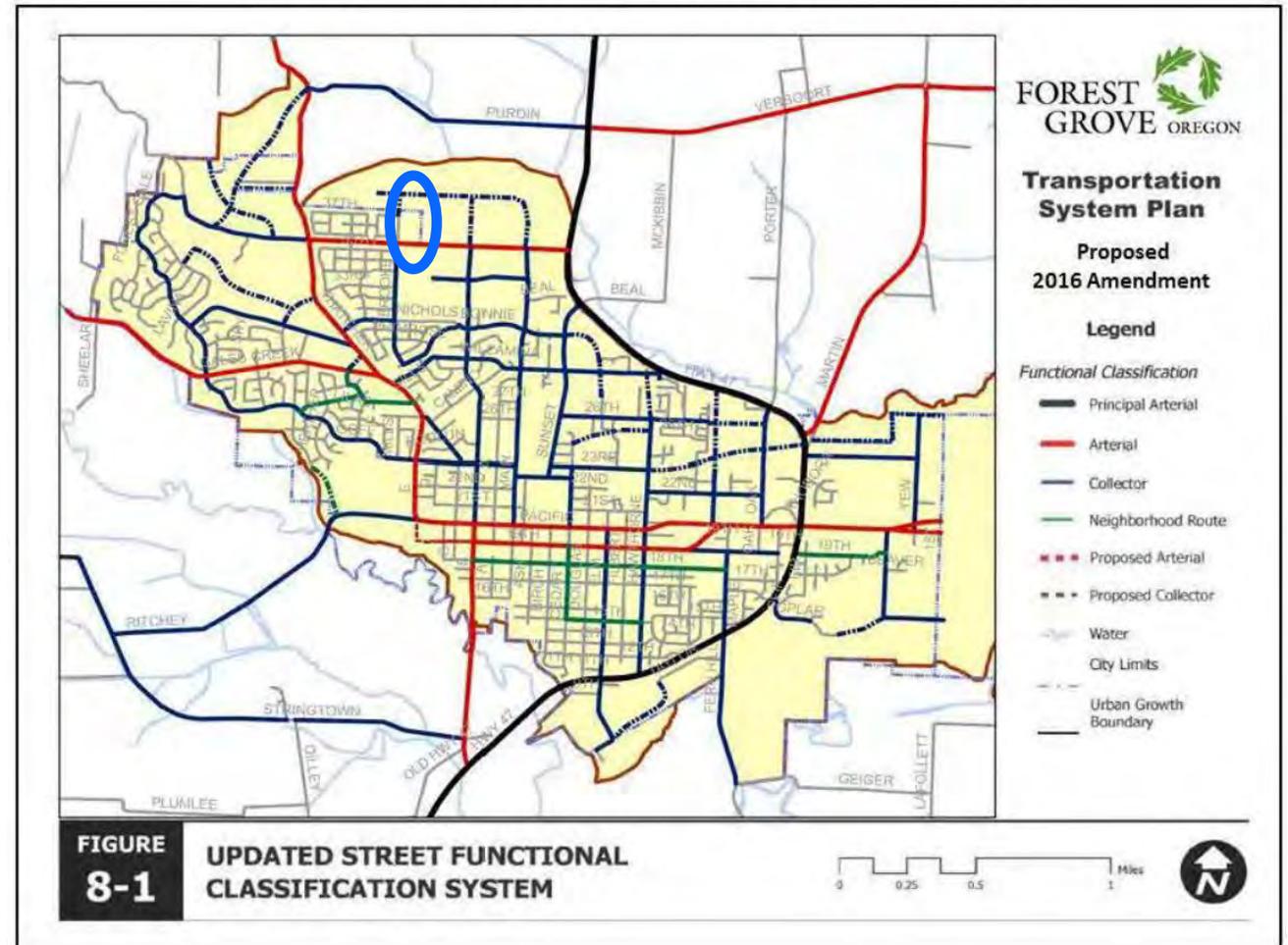
Table 1: Existing Public Utilities

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

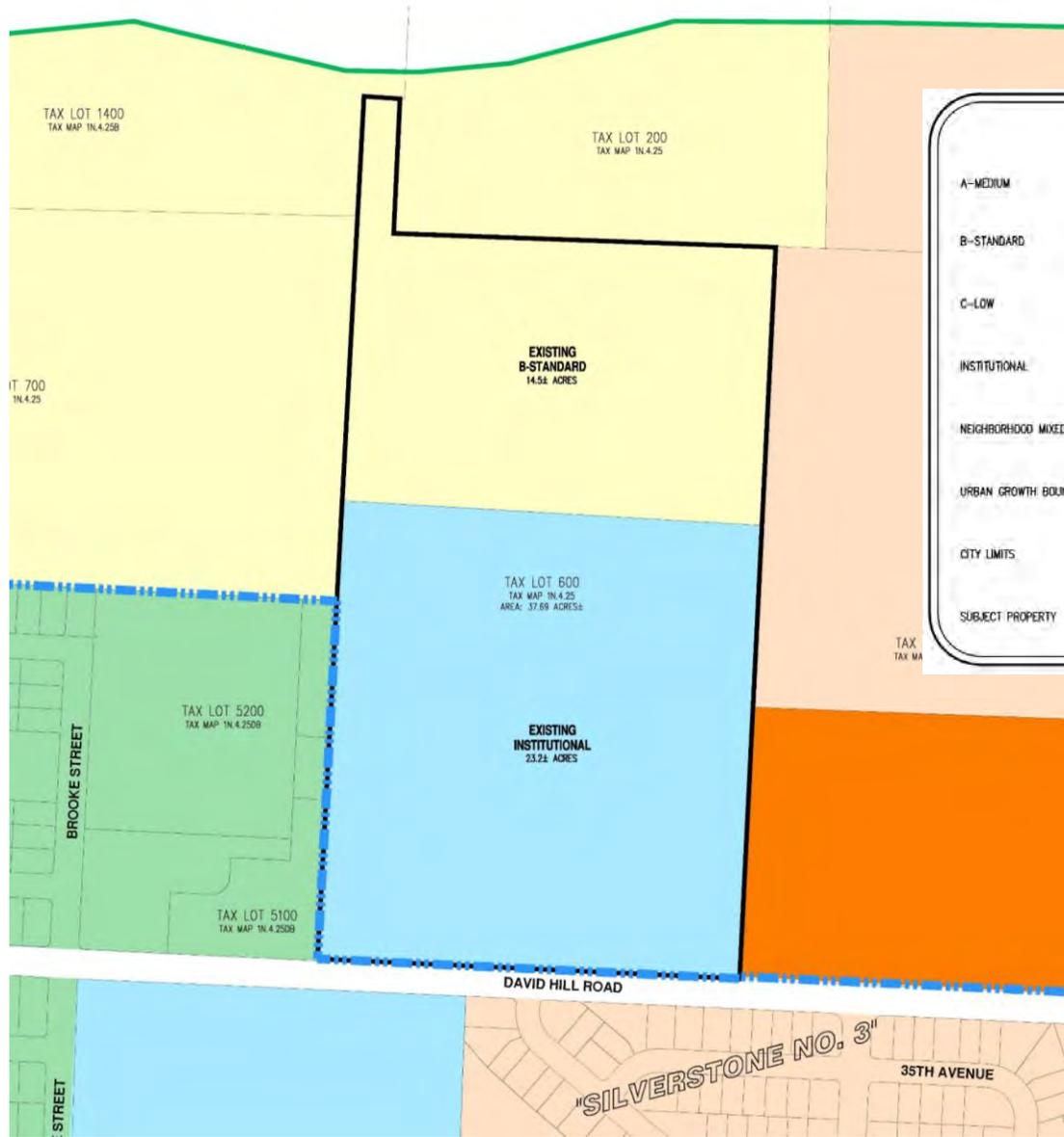


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Application 2 and 3 – Comprehensive Plan Amendment and Zone Change

- » 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

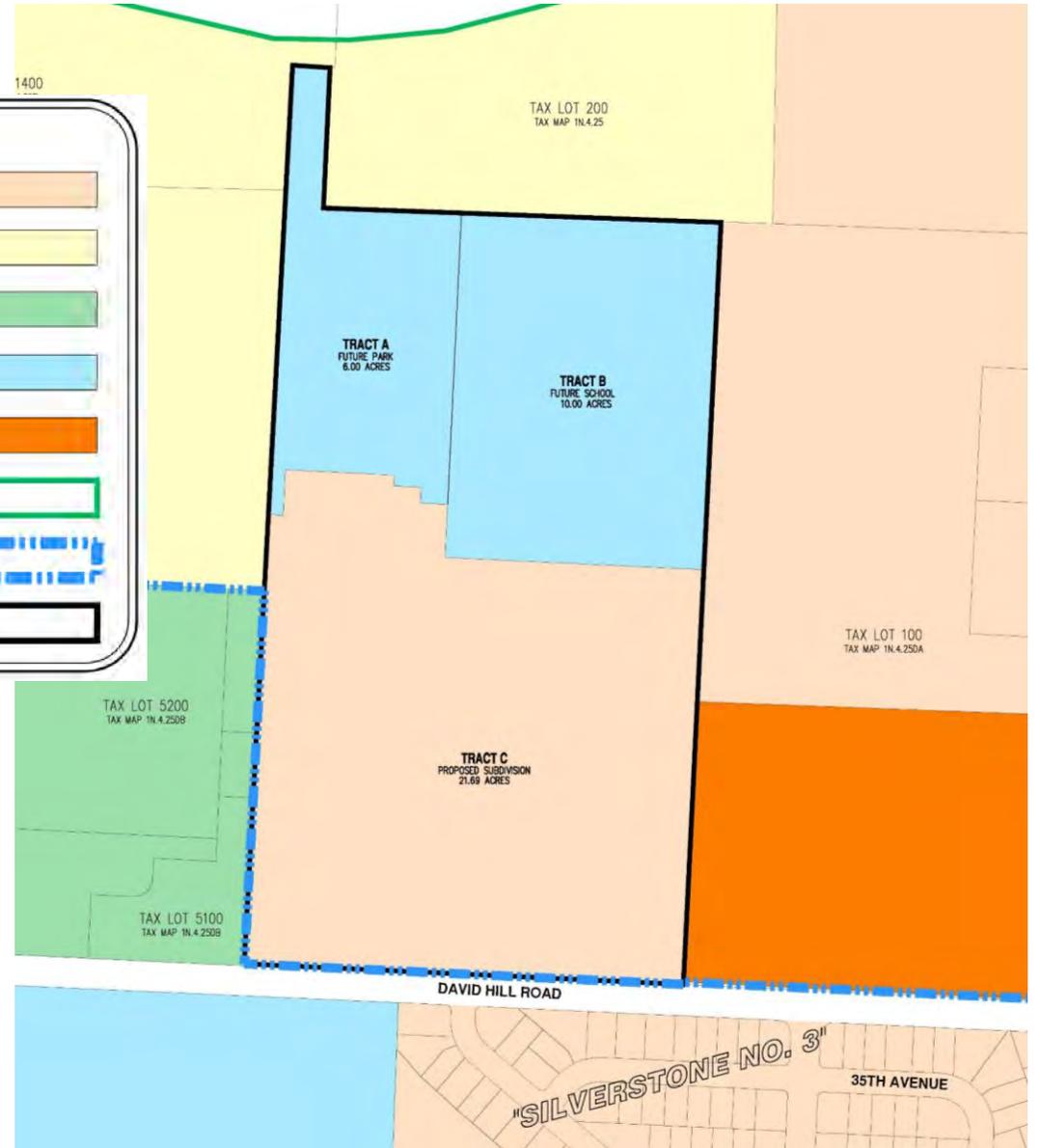
Existing Comprehensive Plan Map



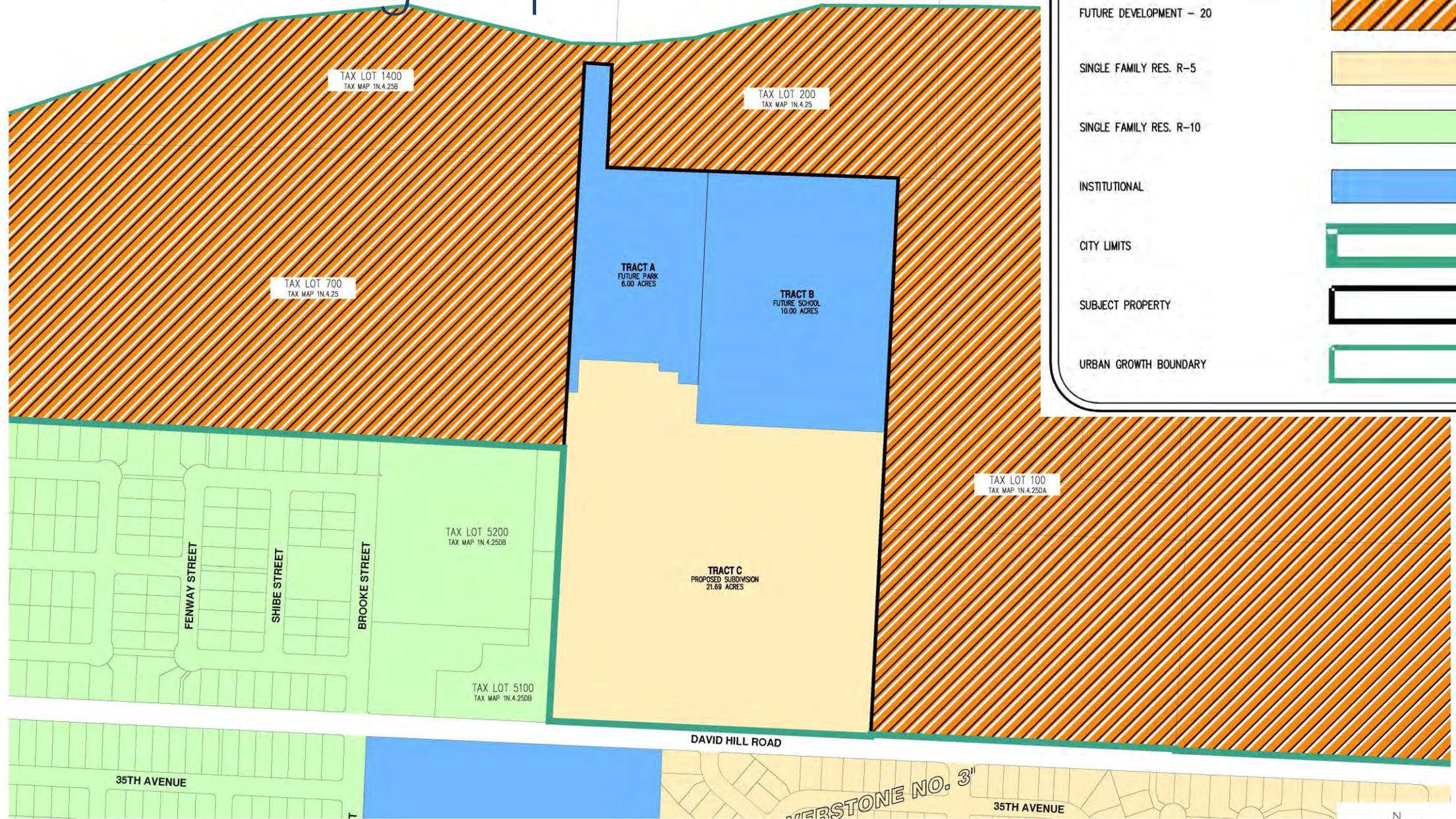
LEGEND

- A-MEDIUM
- B-STANDARD
- C-LOW
- INSTITUTIONAL
- NEIGHBORHOOD MIXED USE
- URBAN GROWTH BOUNDARY
- CITY LIMITS
- SUBJECT PROPERTY

Planned Comprehensive Plan Map



Planned Zoning Map



LEGEND

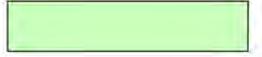
FUTURE DEVELOPMENT - 20



SINGLE FAMILY RES. R-5



SINGLE FAMILY RES. R-10



INSTITUTIONAL



CITY LIMITS



SUBJECT PROPERTY



URBAN GROWTH BOUNDARY



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

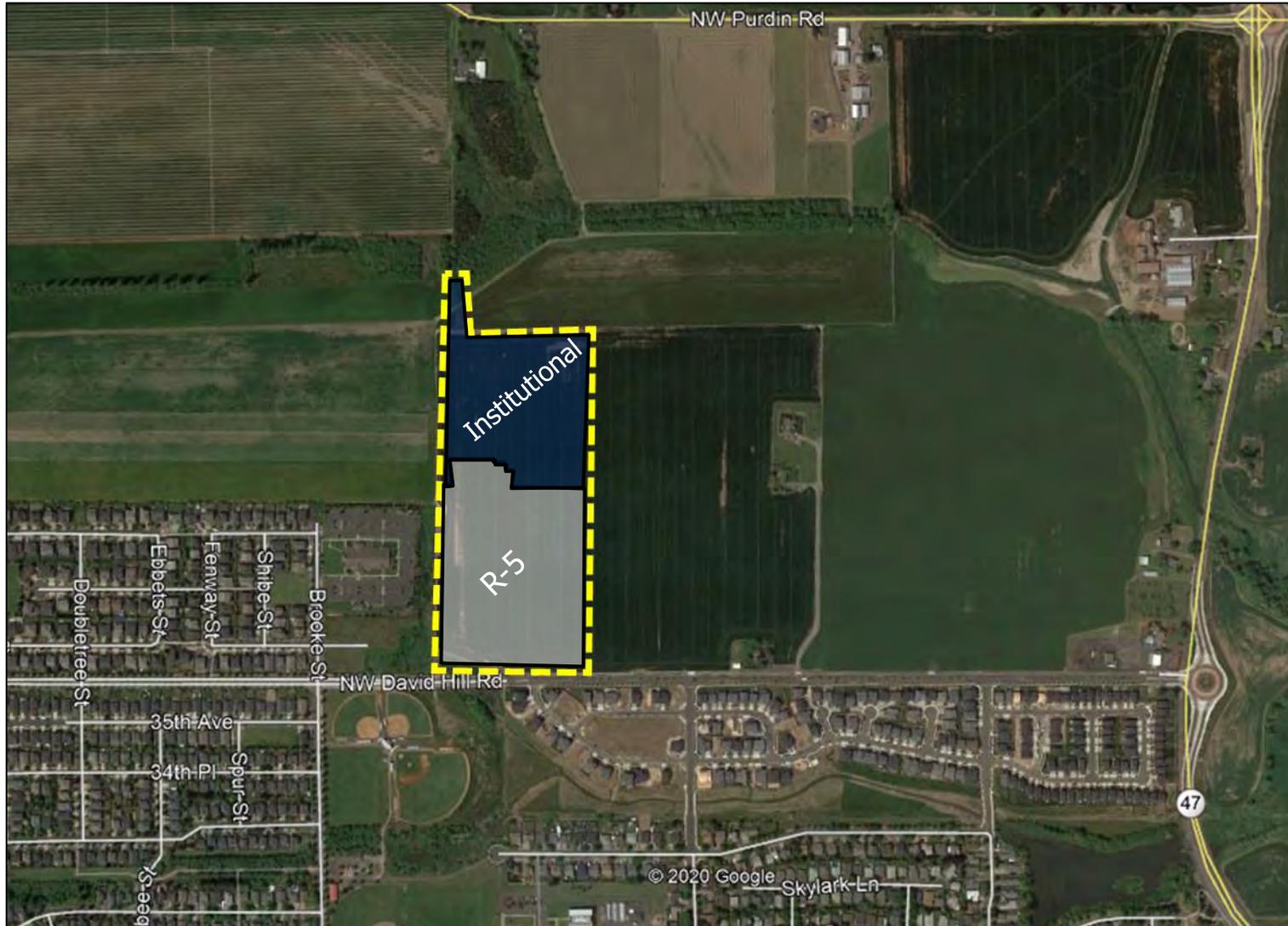
- » Housing types and densities that can meet projected population needs
- » Capacity of public services and facilities and ability to provide in cost-effective and efficient manner
- » Proximity to services (shopping, employment areas, parks, schools)
- » Site characteristics

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

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

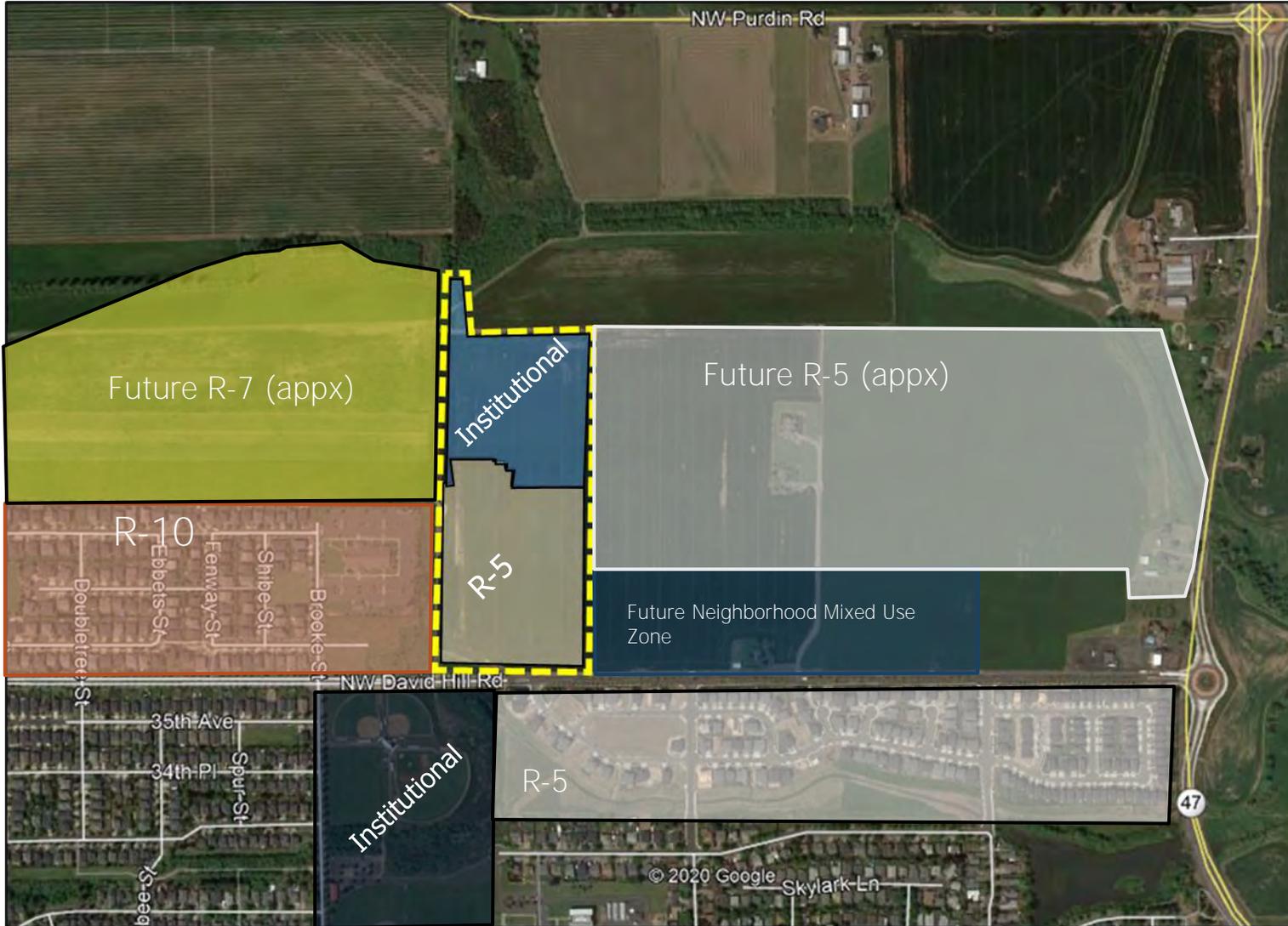
- » Interconnected land uses promoting active living
- » Increase the amount of park land and natural areas
- » Needed housing for all segments of the population

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 allow 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.

**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.



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

NT185497

Date: December 14, 2020

Agenda Item: 6. B.

Subject: PUBLIC HEARING AND ORDER NO. 2020-08 AMENDING THE FOREST GROVE ZONING MAP FOR PROPERTY SUBJECT TO ANNEXATION; WASHINGTON COUNTY TAX LOT 1N4250000600; 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: