



DOWNTOWN HISTORIC DISTRICT COMPREHENSIVE PLAN TEXT AMENDMENT PUBLIC HEARING



Dan Riordan, Senior Planner

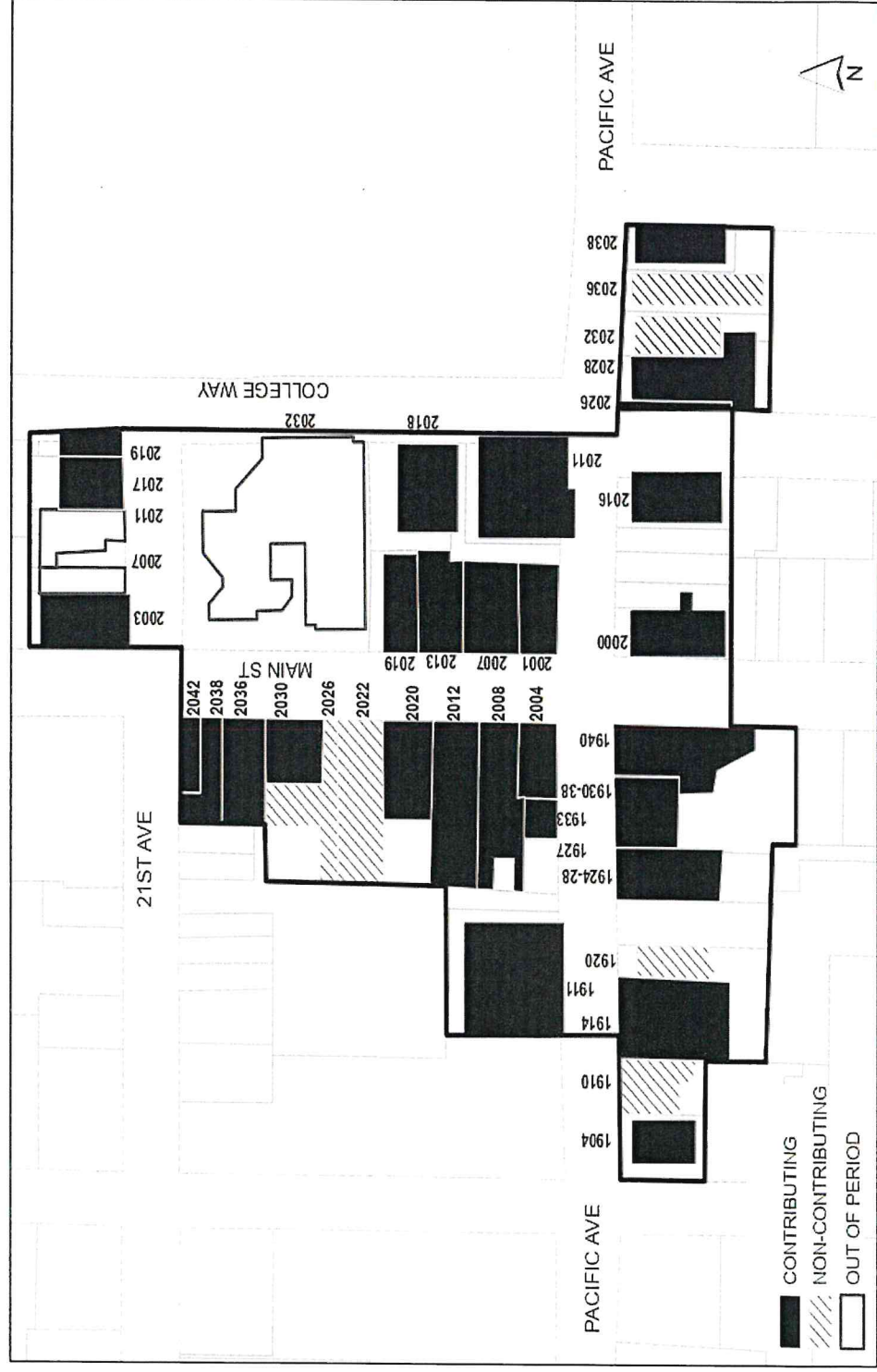
4/3/23

PUBLIC HEARING PURPOSE

- ❑ Provide opportunity for public review of the proposed amendment to the Forest Grove Comprehensive Plan to add the Downtown Historic District into the Chapter 7 of the Comprehensive Plan pertaining to cultural resources.
- ❑ The amendments are needed to comply with changes to the Oregon Administrative Rules related to historic resources
- ❑ The Planning Commission is being asked to approve a motion to forward a favorable recommendation to the amend the text of the Forest Grove Comprehensive Plan to add the Downtown Historic District.
- ❑ The amendment comply with the applicable Oregon Statewide Land Use Planning Goals, Forest Grove Comprehensive Plan policies and Metro policies as described in the written staff report

DOWNTOWN HISTORIC DISTRICT

BOUNDARY



COMP. PLAN AMENDMENT

- ☐ The Comprehensive Plan amendment is needed due to changes to State rules affecting historic resources.
- ☐ Due to these changes if a local government wishes to apply design guidelines or code standards to historic resources the jurisdiction can do so only after adding them to the local register.
- ☐ The City's local register is in the Comp. Plan.
- ☐ The State's rules change eliminated the ability to automatically add nationally registered resources to the local register. This had been the City's practice.

COMP. PLAN AMENDMENT

- ❑ Property owners were made aware of the historic design guidelines and code standards that would apply during the Downtown Historic District nomination process.
- ❑ The proposed Comp. Plan amendment is clean-up since staff was not aware of the State rules changes during the nomination process.
- ❑ City Council must amend the Comp. Plan to list the Downtown Historic District on the local register if the City desires to apply the historic design guidelines and code standards.
- ❑ If the Downtown Historic District is not listed on the local register the only regulation that will apply is the allowed 120-day demolition delay.

COMP. PLAN AMENDMENT

Forest Grove Downtown Historic District

The Forest Grove Downtown Historic District was approved by the National Park Service in October 2020. The district is roughly bounded by 21st Avenue, Ash Street, 19th Street and A Street as shown below.

As noted in the nomination (Exhibit A), the 9.2-acre district is a commercial area comprised of one-to-three story buildings of primarily brick and concrete construction. Of the 39 buildings within the district, 27 are contributing and 10 are non-contributing buildings. Two buildings were listed on the National Register of Historic Buildings prior to establishment of the Downtown Historic District. This includes the former Woods and Caples General Store (2020 Main Street) and the First Church Christ Scientist (1904 Pacific Avenue).

Most buildings in the downtown district were constructed in the last decade of the 19th century and the first three decades of the 20th century. The largest number of buildings that are still extant today were constructed in the 1920s. Buildings within the district represent a variety of architectural styles including Italianate, Colonial Revival, Bungalow, and Art Deco. The district conveys a cohesive urban character with many traditional storefronts. The Forest Grove Downtown Historic District retains its traditional character and continues to convey its significance as the urban and historic heart of Forest Grove.

The Forest Grove downtown area is eligible for listing in the National Register of Historic Places as a cohesive commercial district that represents the business history of Forest Grove. The period of historic significance is 1890 to 1940. The district has remarkable integrity with almost 70% of the buildings contributing to the district.

COMP. PLAN AMENDMENT

CONTRIBUTING RESOURCES

Address	Name
2003 21 st Avenue	American Legion Post No. 2
2017 21 st Avenue	Creamery Building
2019 21 st Avenue	Rogers Building
2018 College Way	Western Oregon Telephone and Telegraphy Company
2001-2003 Main Street	Miller-Anderson Building
2004 Main Street	First National Bank of Forest Grove
2007-2011 Main Street	Anderson/Chowning Building
2008-2010 Main Street	Anderson Building
2012-2016 Main Street	Nixon Building
2013-2017 Main Street	Paterson Building
2019 Main Street	Masonic Holbrook Lodge #30
2020 Main Street	Woods and Caples Building
2030 Main Street	Buxton and Roe Building
2032-2036 Main Street	Ingles and Porter Building
2038-2040 Main Street	Wagner Building
2042 Main Street	Keep Building
1904 Pacific Avenue	First Church of Christ Scientist
1911-1923 Pacific Avenue	Forest Theater
1914 Pacific Avenue	Forest Grove Memorial Chapel
1924-1926 Pacific Avenue	Knights of Pythias Building
1930-1936 Pacific Avenue	Timmerick and McNichol Building
1933-1937 Pacific Avenue	Holtroyd Building
1940 Pacific Avenue	Forest Grove National Bank
2000-2002 Pacific Avenue	Johnson & Son Livery Building
2011-2019 Pacific Avenue	Good Building
2016 Pacific Avenue	Hoffman Building
2026 Pacific Avenue	J.N. Hoffman Building
2028 Pacific Avenue	Star Theater
2038 Pacific Avenue	News-Times Building/Forest Grove Grange

The End



Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE: March 27, 2023

HEARING DATE: April 3, 2023

LAND USE REQUEST: Comprehensive Plan Text Amendment to add the Downtown Forest Grove Historic District

FILE NUMBER: 311-23-000003-PLNG

PROPERTY LOCATION: Downtown Forest Grove

OWNER/APPLICANT(S): Applicant: City of Forest Grove

COMPREHENSIVE PLAN MAP AND ZONING MAP DESIGNATIONS: Town Center Core (TCC)

APPLICABLE STANDARDS AND CRITERIA: Oregon Statewide Land Use Planning Goal 5 and Administrative Rules Chapter 660-023-0200 (Historic Resource Protection)

Forest Grove Comprehensive Plan Chapter 7, Public Facilities and Community Services (Cultural Resources)

REVIEWING STAFF: Daniel Riordan, Senior Planner
Amy Kreimeier, AICP, Senior Planner

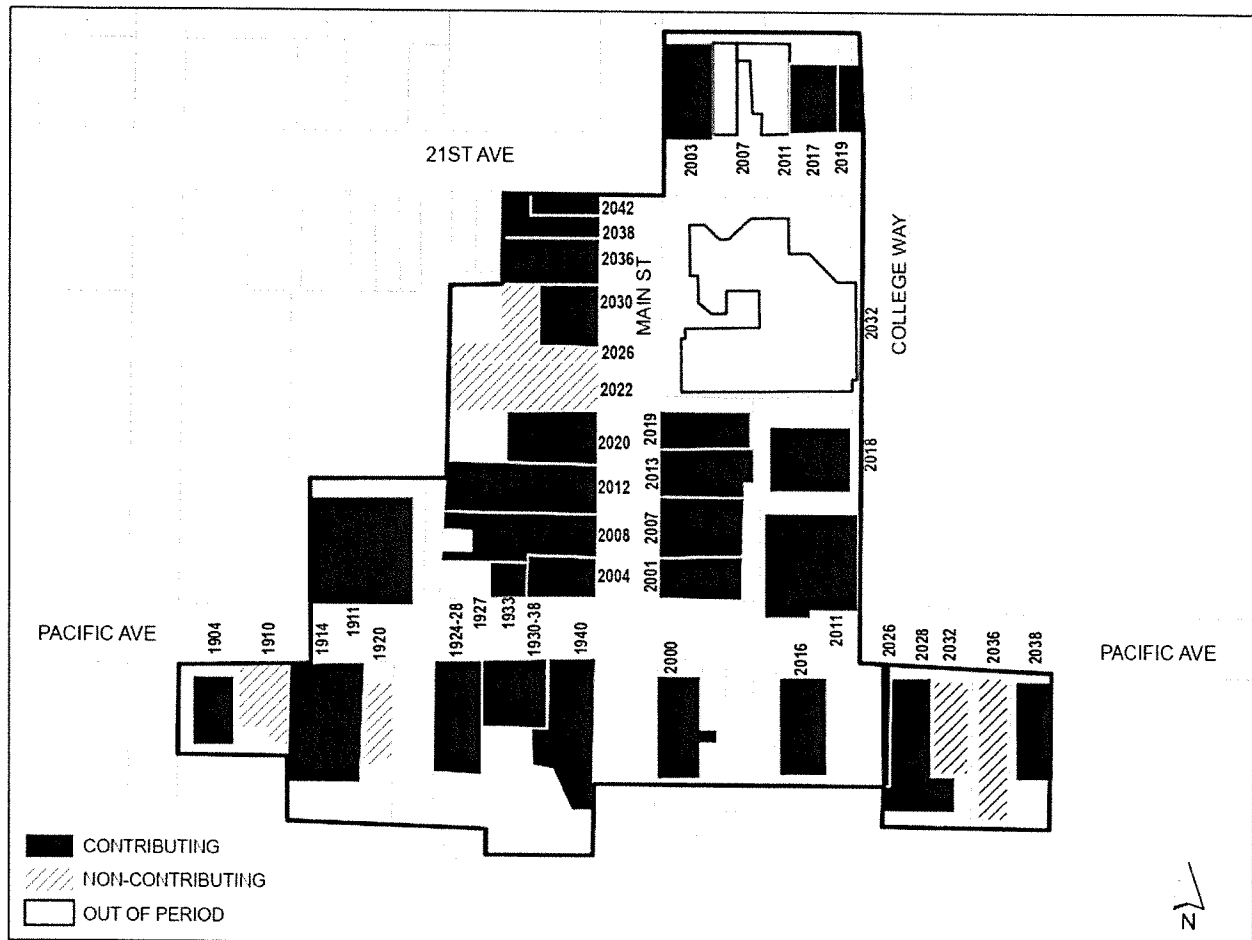
RECOMMENDATION: The Planning Commission forward a recommendation to City Council to adopt an ordinance amending the Forest Grove Comprehensive Plan Text to add the Downtown Forest Grove Historic District and list of designated historic resources.

I. COMPREHENSIVE PLAN AMENDMENT OVERVIEW

In May 2020, City Council adopted Resolution 2020-43 granting authority to the City Manager to submit, to the Oregon State Historic Preservation Office, the City's nomination to add the Forest Grove Downtown Historic District (District) Nomination (Exhibit A) on the National Register of Historic Places. The Forest Grove Downtown Historic District was officially listed on the National Register of Historic Places on October 26, 2020.

The District is generally defined by 21st Avenue, Ash Street, 19th Street and A Street. The area includes approximately 9.2 acres and includes 39 buildings constructed between 1890 and 1990. Of these buildings, 27 are contributing historic resources. Two buildings are listed on the National Register of Historic Places. This includes Woods & Caples General Store (2020 Main Street) and First Church of Christ Scientist (1904 Pacific Avenue).

Forest Grove Downtown Historic District



In 2018, the Oregon Administrative Rules (Rules) regarding historic resource protection changed. As a result, the City must update the 2014 Forest Grove Comprehensive Plan to formally add the District to the Plan. Changes to the Rules affect delay of approval to demolish historic structures and adopting regulations to protect historic resources. This explained below.

If a local government wishes to apply additional protection measures for historic resources such as design guidelines or code standards the jurisdiction may do so only after adding the resources to local register with a public hearing.

Essentially, the rule changes eliminated the ability for local governments to automatically add nationally registered resources to the local register in the jurisdictions Comprehensive Plan. This approach had been Forest Grove's practice and is even included in the City's Code of Ordinances. As a result, when the public outreach for the National Register described below was done, it was assumed that the Downtown Historic District would automatically be added the local register and design guidelines would apply. Property owners were made aware of the Code standards and design guidelines that would apply and staff has been applying them.

This Comprehensive Plan amendment is clean-up because staff was not aware of the rules changes during the process to place the Downtown Historic District on the National Register of Historic Places. If the City desires to apply the historic district design guidelines to the Downtown Historic District the City Council must list the District and the historic resources on the local register. If the City does not the only regulations that the City can enforce is the 120-day demolition delay.

Property owners affected by listing the District on the National Register Of Historic Places were provided ample opportunity to withhold consent to listing the district and designating contributing historic buildings. For example, the Historic Landmarks Board hosted an open house for property owners with the proposed district area in November 2018. All property owners in the district were invited to attend. Ten property owners attended and all expressed support for the nomination.

In addition to the open house, notices of the prospective nomination were sent to all property owners within the proposed district. Through this outreach effort all property owners are given an opportunity to express support or opposition to the district. If a property owner wishes to vote not then they must sign their vote in the presence of a notary. No votes in opposition were received during this process.

Finally, in addition to addressing the change to state law affecting demolition of historic resources amending the Comprehensive Plan will also provide authority to City Council to amend the Forest Grove Development Code to include standards and guidelines to protect the integrity of the Downtown Historic District and designated historic resources. Development Code Article 5 already includes standards that apply to Clark, Painters Woods and Walker-Naylor Historic Districts.

III. COMPREHENSIVE PLAN TEXT AMENDMENT

The following underlined text is proposed for addition to Forest Grove Comprehensive Plan Chapter 7, Cultural Resources (Exhibit B).

Forest Grove Downtown Historic District

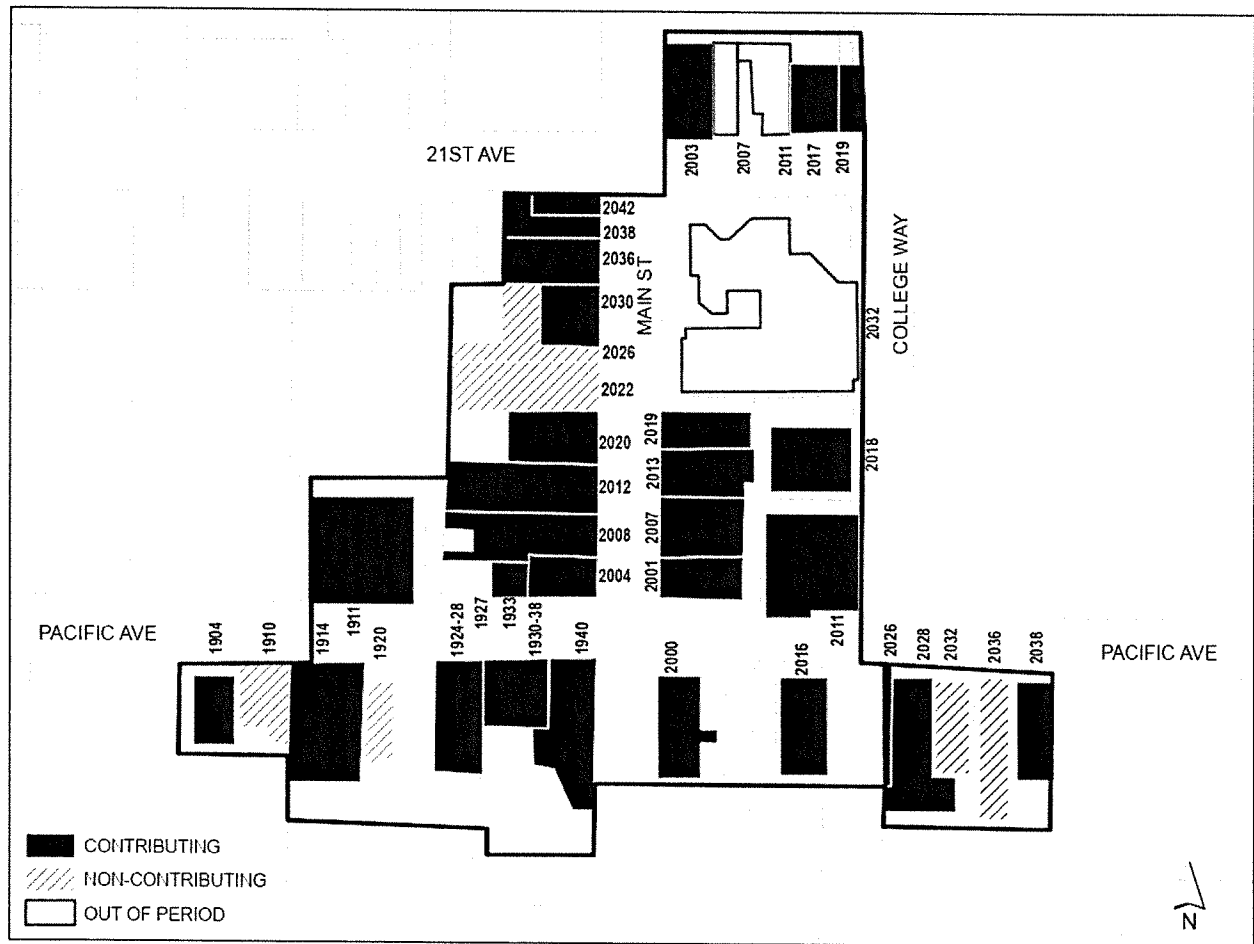
The Forest Grove Downtown Historic District was approved by the National Park Service in October 2020. The district is roughly bounded by 21st Avenue, Ash Street, 19th Street and A Street as shown below.

As noted in the nomination (Exhibit A), the 9.2-acre district is a commercial area comprised of one-to-three story buildings of primarily brick and concrete construction. Of the 39 buildings within the district, 27 are contributing and 10 are non-contributing buildings. Two buildings were listed on the National Register of Historic Buildings prior to establishment of the Downtown Historic District. This includes the former Woods and Caples General Store (2020 Main Street) and the First Church Christ Scientist (1904 Pacific Avenue).

Most buildings in the downtown district were constructed in the last decade of the 19th century and the first three decades of the 20th century. The largest number of buildings that are still extant today were constructed in the 1920s. Buildings within the district represent a variety of architectural styles including Italianate, Colonial Revival, Bungalow, and Art Deco. The district conveys a cohesive urban character with many traditional storefronts. The Forest Grove Downtown Historic District retains its traditional character and continues to convey its significance as the urban and historic heart of Forest Grove.

The Forest Grove downtown area is eligible for listing in the National Register of Historic Places as a cohesive commercial district that represents the business history of Forest Grove. The period of historic significance is 1890 to 1940. The district has remarkable integrity with almost 70% of the buildings contributing to the district.

Downtown Forest Grove Historic District



Downtown Historic District
Contributing Historic Resources

<u>Address</u>	<u>Name</u>
<u>2003 21st Avenue</u>	<u>American Legion Post No. 2</u>
<u>2017 21st Avenue</u>	<u>Creamery Building</u>
<u>2019 21st Avenue</u>	<u>Rogers Building</u>
<u>2018 College Way</u>	<u>Western Oregon Telephone and Telegraphy Company</u>
<u>2001-2003 Main Street</u>	<u>Miller-Anderson Building</u>
<u>2004 Main Street</u>	<u>First National Bank of Forest Grove</u>
<u>2007-2011 Main Street</u>	<u>Anderson/Chowning Building</u>
<u>2008-2010 Main Street</u>	<u>Anderson Building</u>
<u>2012-2016 Main Street</u>	<u>Nixon Building</u>
<u>2013-2017 Main Street</u>	<u>Paterson Building</u>
<u>2019 Main Street</u>	<u>Masonic Holbrook Lodge #30</u>
<u>2020 Main Street</u>	<u>Woods and Caples Building</u>
<u>2030 Main Street</u>	<u>Buxton and Roe Building</u>
<u>2032-2036 Main Street</u>	<u>Ingles and Porter Building</u>
<u>2038-2040 Main Street</u>	<u>Wagner Building</u>
<u>2042 Main Street</u>	<u>Keep Building</u>
<u>1904 Pacific Avenue</u>	<u>First Church of Christ Scientist</u>
<u>1911-1923 Pacific Avenue</u>	<u>Forest Theater</u>
<u>1914 Pacific Avenue</u>	<u>Forest Grove Memorial Chapel</u>
<u>1924-1926 Pacific Avenue</u>	<u>Knights of Pythias Building</u>
<u>1930-1936 Pacific Avenue</u>	<u>Timmerick and McNichol Building</u>
<u>1933-1937 Pacific Avenue</u>	<u>Holroyd Building</u>
<u>1940 Pacific Avenue</u>	<u>Forest Grove National Bank</u>
<u>2000-2002 Pacific Avenue</u>	<u>Johnson & Son Livery Building</u>
<u>2011-2019 Pacific Avenue</u>	<u>Good Building</u>
<u>2016 Pacific Avenue</u>	<u>Hoffman Building</u>
<u>2026 Pacific Avenue</u>	<u>J.N. Hoffman Building</u>
<u>2028 Pacific Avenue</u>	<u>Star Theater</u>
<u>2038 Pacific Avenue</u>	<u>News-Times Building/Forest Grove Grange</u>

IV. FINDINGS OF FACT SUPPORTING AMENDMENT

The Forest Grove Comprehensive Plan demonstrates local compliance with the Oregon Statewide Land Use Planning Goals Goal 5 addresses natural resources, scenic, historic areas and open spaces. Goal 5 requires current inventories of historic resources. Local historic resources are identified in the Forest Grove Comprehensive Plan in Chapter 7 (Cultural Resources).

Finding: Forest Grove Comprehensive Plan Chapter 2 includes decision considerations for Comprehensive Plan amendments. Amendments to the Comprehensive Plan will be considered by the Planning Commission and City Council based on:

- Consistency with applicable Comprehensive Plan policies
- Consistency with the Metro Regional Framework Plan
- Consistency with the Metro Urban Growth Management Functional Plan (Metro Code Chapter 3.07) or Regional Transportation Functional Plan as applicable
- Consistency with the Oregon Statewide Land Use Planning Goals.

Each decision consideration is addressed below.

Finding: As stated in the City's Vision Statement included in the Comprehensive Plan "Forest Grove is a destination that offers visitors and residents a rich heritage preserved by honoring the city's natural, cultural, and historic treasures while also embracing the future. Amending the Comprehensive Plan to include the Downtown Historic District is consistent with this vision by designating historic resources for protection and preserving the City's commercial heritage.

Finding: The proposed amendment to the Forest Grove Comprehensive Plan to add the Forest Grove Downtown Historic District is consistent with the following Comprehensive Plan policy:

- Economic Development Goal 7: Promote the Forest Grove Town Center as the focal point of the Community.
 - Policy 7.12: Encourage uses in the Town Center to bring residents throughout the City into the Town Center.

Adding the Downtown Historic District to the Comprehensive Plan promotes the Forest Grove Town Center as the focal point of the community by designating historic resources for protection and encouraging continued use of the historic resources to bring residents into the Town Center.

Finding: Adding the Downtown Historic District to the Comprehensive Plan is consistent with Regional Framework Policy 1.7.3 to "Identify historic, cultural, topographic and biological features of the regional landscape that contribute significantly to this region's identity and "senses of place". Downtown Forest Grove Historic District includes 39 buildings of which 27 (69%) are contributing historic resources. Two buildings are individually listed on the National Register of Historic Places. Preserving these resources promotes Downtown Forest Grove's sense of place as a commercial center in western-Washington County.

Finding: Downtown Forest Grove is a designated Town Center in the Urban Growth Management Function Plan. The Urban Growth Management Functional Plan does not specifically address historic resources.

Finding: Amending the Comprehensive Plan to add the Downtown Historic District is consistent with Oregon Land Use Planning Goal 5 (Natural Resources, Scenic, Historic Areas, and Open Spaces) since Goal 5 and the associated Oregon Administrative Rules (OAR 660-023-0200) encourage local governments to maintain current inventories of historic resources.

Finding: The Historic Landmarks Board held an open house in November 2018. All property owners within the proposed Downtown Historic District were invited to attend. Ten property owners attended and all expressed support for the Downtown Historic District nomination.

Finding: Notices were sent to all property owners within the proposed Downtown Historic District. All property owners were given an opportunity to express support of opposition to the district. No votes in opposition were received during this process.

Finding: In addition to adding the Downtown District the proposed amendment formally adds 1205 Cedar Street to the local historic inventory. The property at 1205 Cedar Street was designated a local historic resource by City Council in 2017 (Ordinance 2017-03). The house at 1205 Cedar Street is representative of a typical home constructed in the early 20th Century. Because the home exhibits architectural features characteristic of the Craftsman bungalow style it complies with the Development Code criteria for land mark designation because it "embodies distinguishing architectural characteristics, in exterior design, of a period style, method of construction, craftsmanship, or in use of indigenous materials."

V. PROPOSED CONDITIONS OF APPROVAL

No conditions of approval are recommended.

VI. PLANNING COMMISSION ALTERNATIVES

There are two alternatives for Planning Commission consideration:

1. Recommend City Council adopt an ordinance amending the Forest Grove Comprehensive Plan text to add the Downtown Forest Grove Historic District. This alternative ensures local compliance with Oregon Administrative Rules pertaining to Statewide Land Use Planning Goal 5 and provides a policy basis for local rules and regulations intended to protect historic resources in the Downtown Historic District.
2. Recommend that City Council reject adopting an ordinance amending the Forest Grove Comprehensive Plan to include the Downtown Forest Grove Historic District. If City Council accepts this recommendation it would result in noncompliance with Oregon Administrative Rules.

VII. STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend adopting an ordinance to amend the Forest Grove Comprehensive Plan text to add the Downtown Forest Grove Historic District.

VIII. LIST OF EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

- Exhibit A City Council Resolution 2020-43
- Exhibit B Forest Grove Comprehensive Plan, Chapter 7 (Cultural Resources)
- Exhibit C Draft Planning Commission Decision 2023-01

RESOLUTION NO. 2020-43

**RESOLUTION AUTHORIZING CITY MANAGER TO SUBMIT THE
FOREST GROVE DOWNTOWN HISTORIC DISTRICT NOMINATION
TO THE STATE ADVISORY COMMITTEE ON HISTORIC PRESERVATION**

WHEREAS, the 1994 Original Town Context Statement included a recommendation to create a downtown historic district; and

WHEREAS, the Historic Landmarks Board adopted the *2017-2026 Preservation Plan* which was accepted by the City Council on January 23, 2017; and

WHEREAS, the *Preservation Plan* identified a downtown district nomination as the next project to be initiated following completion of the Original Town plat re-survey and context statement update; and

WHEREAS, the Original Town Context Statement was updated in 2018, and again included a recommendation to create a downtown historic district; and

WHEREAS, the *Forest Grove Downtown Historic District* nomination document is now complete; and

WHEREAS, the nomination must be reviewed and approved by the State Advisory Committee on Historic Preservation (SACHP) before it is forwarded to the National Park Service.

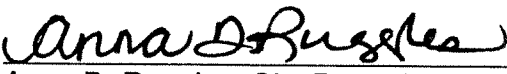
NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City Council hereby authorizes the City Manager to submit the proposed *Forest Grove Downtown Historic District* nomination to the State Advisory Committee on Historic Preservation.

Section 2. The City Council further requests that the SACHP forward the nomination to the National Park Service with a positive recommendation.

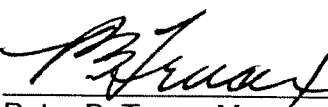
Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 11th day of May, 2020.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 11th day of May, 2020.



Peter B. Truax, Mayor



A place where families and businesses thrive.

CITY RECORDER USE ONLY:

AGENDA ITEM #: 7.

MEETING DATE: 05/11/2020

FINAL ACTION: RESO 2020-43

CITY COUNCIL STAFF REPORT

TO: City Council

FROM: Jesse VanderZanden, City Manager

MEETING DATE: May 11, 2020

PROJECT TEAM: James Reitz, AICP, Senior Planner
Bryan Pohl, Community Development Director

SUBJECT TITLE: Downtown Historic District Nomination

ACTION REQUESTED:

	Ordinance		Order	X	Resolution	X	Motion		Informational
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X all that apply

ISSUE STATEMENT: The Historic Landmarks Board (HLB) is pursuing the establishment of a fourth National Register Historic District. The three districts created to date (Clark, Walker-Naylor and Painter's Woods) are all residential in nature; the current proposal is to nominate a downtown district. The purpose of this memo is to provide a status report on the effort and request Council action on the next step of the process.

BACKGROUND: Consideration of a downtown district was anticipated by the HLB's 2017-2026 Preservation Plan, which was accepted by the City Council on January 23, 2017.

The first step in developing a potential district is conducting background research. The downtown is part of the Original Town which was recorded in 1872. The City completed an updated historic survey of the Original Town, along with an updated context statement, in 2018. The consultant hired to prepare the update was also directed to recommend a boundary for a potential downtown district. The recommended area included 33 structures.

The HLB hosted an open house for property owners within the proposed district area on November 8, 2018. All property owners in the district area were invited, and about 10 attended. At the open house, the State Historic Preservation Office (SHPO) National Register coordinator gave a presentation on the benefits and responsibilities associated with being in a district. All who attended the meeting expressed support of the nomination.

At the January 14, 2019 City Council meeting, the Council was asked to adopt a resolution in support of submitting a grant request to the State Historic Preservation Office (SHPO). The Council adopted the resolution, the SHPO grant request was approved, and those funds were used to hire Painter Preservation to prepare the nomination and take it through the adoption process.

At that same meeting, the Council requested that staff investigate whether the district could be expanded to include additional buildings on the north side of 21st Avenue between Main Street and College Way. Staff, the consultant and SHPO staff devised a way to do so, expanding the boundary to include those additional buildings. A district should have at least 50% + 1 "historic contributing" and "historic significant" structures. Of the 39 buildings within the expanded boundary, 29 (or about 74%) would be classified as contributing or significant (for comparison, in the Walker-Naylor district only about 59% of the buildings are contributing, and none are classified as significant).

While the nomination process has continued, staff has mailed periodic updates to the property owners. To date staff has received only positive comments about the nomination.

Painter Preservation has now completed the nomination document (it may be viewed in its entirety on the HLB webpage). Before proceeding any further, the Council is being asked to adopt a resolution in support of the nomination's submittal. If the Council approves, the nomination will be submitted to the State Advisory Committee on Historic Preservation (SACHP) at their June 19 meeting (the SACHP will not consider the nomination without a resolution of the Council's support). The SACHP decides whether or not to move forward on the nomination.

If it does decide the district nomination meets all the review criteria, notices of the prospective nomination are sent to property owners within the proposed district. To form a district, a kind of vote is conducted: If a property owner wishes to vote "no" then he/she must sign their vote in the presence of a notary, and mail that back to SHPO. If more than 50% of the owners vote no, then the district application fails. If less than a 50% remonstrance is received, then the district nomination can proceed. (Forest Grove has had a highly successful nomination process to date: only one remonstrance was received during the nomination processes for all three of the city's current districts.)

Once the SACHP approves, a nomination is submitted to the National Park Service in Washington, D.C. It too must approve a nomination before a district is officially formed.

FISCAL IMPACT: Adoption of the resolution would have no fiscal impact on the City.

STAFF RECOMMENDATION: Staff recommends adoption of the attached resolution.

ALTERNATIVES: The Council may:

1. Approve submitting the nomination; or
2. Not approve submittal of the nomination, in which case, no further action would be taken; or
3. Continue the matter for further deliberation.

ATTACHMENTS: Map of Proposed Downtown Historic District & Resolution

United States Department of the Interior
National Park Service

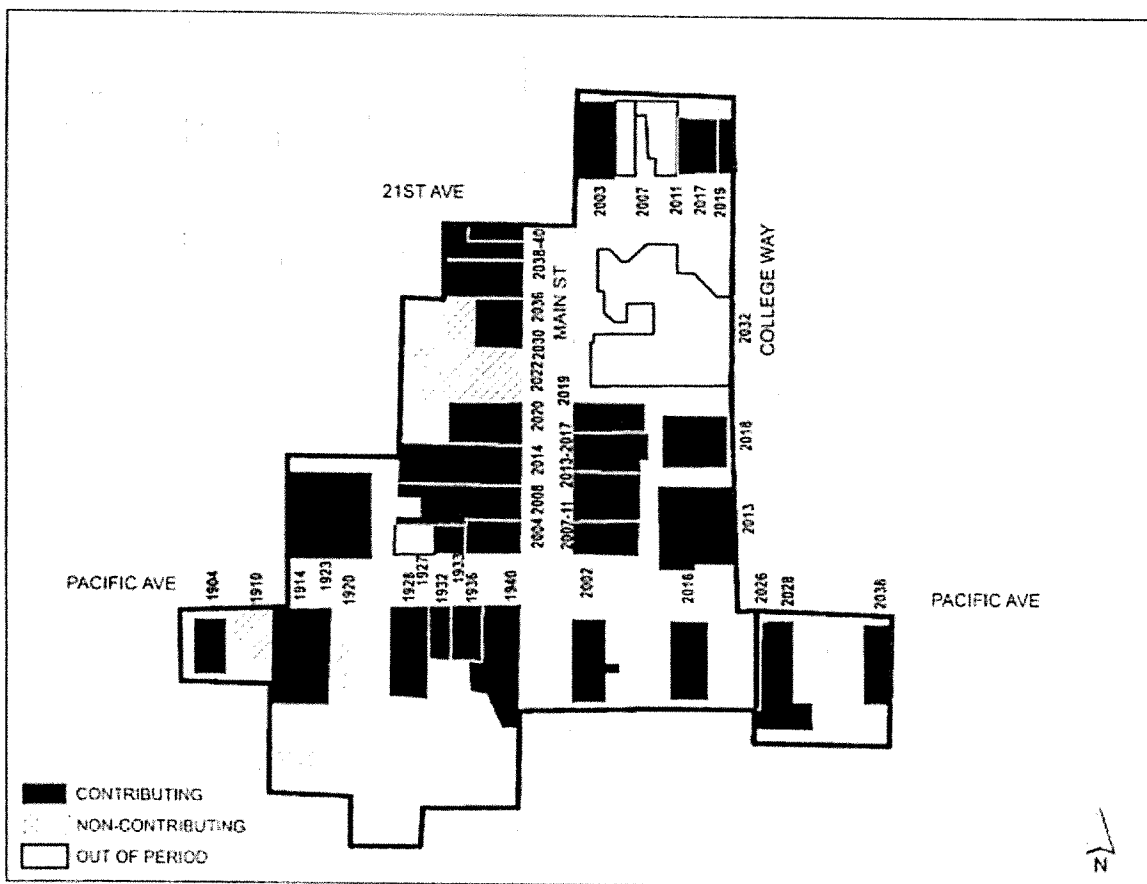
National Register of Historic Places Continuation Sheet

Section number Additional Documentation

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Forest Grove Downtown Historic District
Name of Property
Washington Co., OR
County and State
N/A
Name of multiple listing (if applicable)

Figure 4: Contributing and Non-contributing Map



Source: City of Forest Grove

- A building is **contributing** if it adds to the historical integrity or architectural qualities that make a historic district significant.
- An **out-of-period** building is one that was erected before or after the historic district's Period of Significance. The Forest Grove Downtown District's Period of Significance is 1890-1940.

Cultural Resources

Introduction

As stated in the City's Vision Statement; Forest Grove is a designation that offers visitors and residents a rich heritage preserved by honoring the city's natural, cultural, and historic treasures while also embracing the future. Forest Grove has embraced this heritage a number of ways. First, the Forest Grove City Council established, and continues to support a Historic Landmarks Commission. Second, city residents and property owners have worked together with the local, state and federal governments to establish three National Register Historic Districts in Forest Grove. In addition, the City of Forest Grove received designation as a "Certified Local Government" from the Oregon State Historic Preservation Office. Many properties have agreed to have their properties designated as historic resources on the Register of Historic Places. Property owners have also voluntarily included historic and significant trees on the City's Register of Significant Trees to ensure preservation. Many of the trees on the Register are community landmarks such as several Giant Sequoia and many Oregon White Oak trees. The Oregon White Oak is the official City tree.

Public Facilities & Community Services

Cultural Resources

Certified Local Government Program

The City of Forest Grove is designated a historic preservation Certified Local Government (CLG) by the Oregon Park and Recreation Department's State Historic Preservation Office. The CLG designation is a federal program administered in Oregon by the Oregon State Historic Preservation Office. The intent of the program is to promote historic preservation at the local level.

Local governments must meet certain qualifications to become "certified" and thereby qualify to receive matching grants from SHPO. The basic certification requirements include:

- Establish a historic preservation commission and appoint interested and qualified residents to serve. To the extent they are available, at least some of the commission members should meet "professional" qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields;
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues;
- Agree to participate in updating and expanding the state's historic building inventory program. SHPO takes the lead in this effort by maintaining the master database and the files for the statewide inventory and by providing grants to survey additional properties;
- Agree to review and comment on any National Register of Historic Places nominations of properties within the local government boundaries. Nominations are usually submitted by the property owners themselves or other members of the public. SHPO administers the National Register program in Oregon; and

- Affirm that it will fulfill its obligation to enforce existing state preservation laws.

Historic Structures

The City's historic resources provide a sense of place that distinguishes Forest Grove. The historic Main Street continues to be a focal point for community residents and visitors alike. The historic Grand Lodge on Pacific Avenue offers a well needed respite for visitors enjoying all that the Forest Grove area has to offer.

The historic neighborhoods, south of the Forest Grove Town Center, also contribute to the City's sense of place.

Below is a list of historic structures on the local register (for reference only).

Historic Structures

ADDRESS	PROPERTY NAME
1221 BIRCH ST	WILLIAM MCCREEDY HOUSE
1306 BIRCH ST	BURLINGHAM HOUSE
1414 BIRCH ST	TEMPLETON-SCHULTZ HOUSE
1506 CEDAR ST	F.J. MILLER HOUSE
1603 ASH ST	JAMES DEEKS HOUSE
1604 BIRCH ST	THOMAS HINES HOUSE
1619 MAPLE ST	TEMPLETON HOUSE
1621 MAIN ST	LOYAL GRAHAM HOUSE
1623 ASH ST	IVES J. HOAR HOUSE
1631 ASH ST	NICHOLSON-DEEKS HOUSE
1632 MAIN ST	JOHN ABBOTT HOUSE
1651 HAWTHORNE ST	HINMAN HOUSE
1653 BIRCH ST	RASMUSSEN-PRICE HOUSE
1703 MAIN ST	A.G. HOFFMAN HOUSE
1724 21ST AVE	GRIEBELER HOUSE
1736 PACIFIC AVE	EMERSON HOUSE
1803 ASH ST	IRELAND HOUSE
1803 MAIN ST	LOOMIS HOUSE
1804 MAIN ST	HINES HOUSE
1807 ASH ST	W.A. GOODIN HOUSE
1810 PACIFIC AVE	VIA HOUSE
1825 MOUNTAIN VW	PARSONS HOUSE
1839 ASH ST	CHANDLER HOUSE
1904 PACIFIC AVE	CHRISTIAN SCIENCE CHURCH
1923 ELM ST	TUCKER HOUSE
1926 PACIFIC AVE	KNIGHTS OF PYTHIAS BLDG
1933 16TH AVE	MERTZ HOUSE #2
ADDRESS	PROPERTY NAME

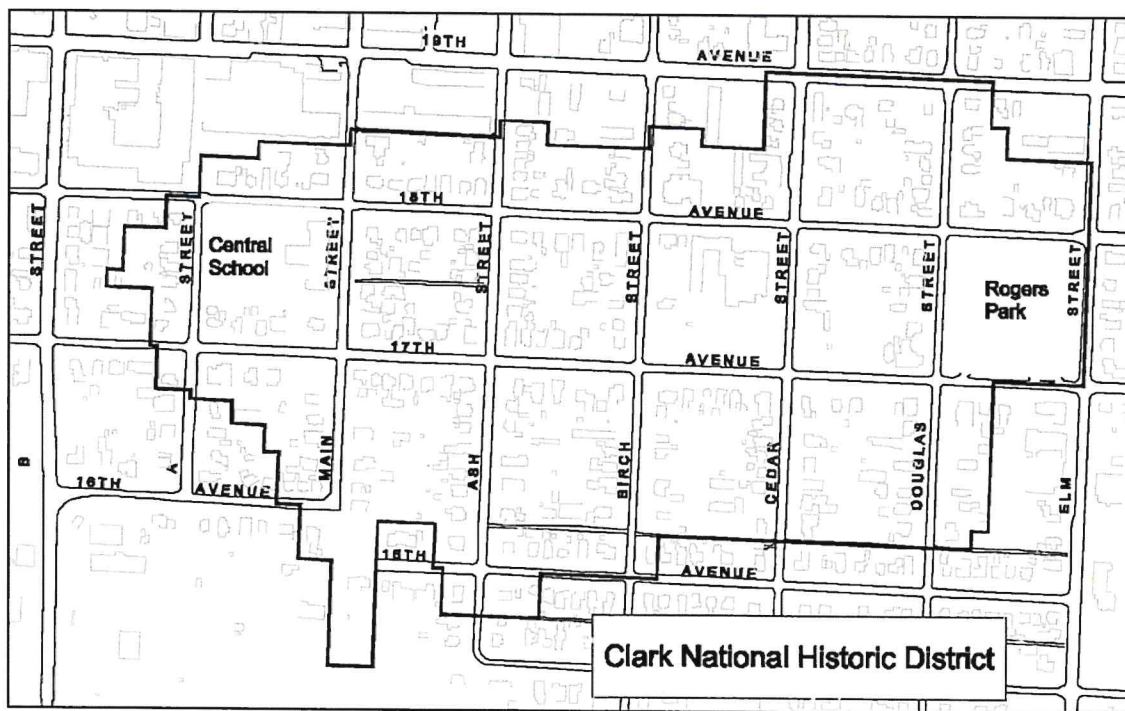
1938 16TH AVE	I.L. SMITH HOUSE
2003 21ST AVE	AMERICAN LEGION BUILDING
2004 MAIN ST	1ST NAT'L BANK OF OREGON BLDG
2008 MAIN ST	HAINES AND BAILEY BLDG
2015 18TH AVE	LAUGHLIN-MARSHALL HOUSE
2016 MAIN ST	NIXON BLDG
2017 21ST AVE	PALACE GARAGE/FG CREAMERY
2018 17TH AVE	SCOTT HOUSE
2018 COLLEGE WAY	GENERAL TELEPHONE BLDG
2019 21ST AVE	OLD ROGER'S CITY LIBRARY
2019 MAIN ST	HOLBROOK LODGE #30
2020 MAIN ST	WOODS AND CAPLES BLDG
2028 PACIFIC AVE	STAR THEATRE/THEATRE IN THE GROVE
2030 MAIN ST	INGLES AND POPE BLDG
2033 18TH AVE	E.A. JEROME HOUSE
2036 MAIN ST	INGLES AND PORTER BLDG
2038 17TH AVE	THORNBURG HOUSE ENGLISH
2038 B ST	MCCURDY HOUSE
2038 MAIN ST	WAGNER BLDG
2039 18TH AVE	AUSTIN-MCNAMER-HUGHES HOUSE
2043 COLLEGE WAY	PACIFIC UNIVERSITY - MARSH HALL
2117 A ST	STEPHEN/PARTHENA BLANK HOUSE
2119 B ST	JEROME PORTER HOUSE
2120 17TH AVE	CHARLES ROE HOUSE
2125 18TH AVE	CONGREGATIONAL CHURCH PARSONAGE
2125 A ST	HARRY CROSLEY HOUSE
2126 17TH AVE	THOMAS ROE HOUSE STEINBACH
2128 15TH AVE	DR. CHARLES HINES HOUSE
2211 A ST	CHARLES WALKER HOUSE
2212 A ST	W.R. TAYLOR HOUSE
2214 PACIFIC AVE	J.W. HUGHES HOUSE (PACIFIC U.)
2225 12TH AVE	I.A. MACRUM HOUSE
2234 B ST	BUXTON HOUSE
2307 18TH AVE	THOMAS HOUSE
2314 19TH AVE	BENJAMIN CORNELIUS HOUSE
2325 A ST	OSCAR BROWN HOUSE #1
2328 18TH AVE	FORTNER HOUSE
2335 A ST	OSCAR BROWN HOUSE #2
2336 GALES WAY	RODLUN HOUSE
2338 17TH AVE	HARRIS-ATKINS HOUSE
240 ELM ST	A.T. SMITH HOUSE
2406 15TH AVE	W.P. SPAULDING HOUSE
2422 15TH AVE	JOHN BAILEY HOUSE
2434 15TH AVE	LAVINA LYON WATTS HOUSE TEEL,
2606 17TH AVE	ROBB-ROBERTS HOUSE
ADDRESS	PROPERTY NAME

2617	17TH AVE	DANIEL BUMP HOUSE
2620	18TH AVE	HOLLIS HOUSE
3081	SUNSET	A.C. BROWN HOUSE

Historic Districts

Clark Historic District

The Clark Historic District was established in 2002. The Clark Historic District is generally bounded by 18th Avenue and 19th Avenue on the north, Elm Street on the east, 16th Avenue on the south and A Street on the west.



The district is named after Reverend Harvey Clark and his wife Emeline who arrived in the Forest Grove area in 1842. At that time the Forest Grove area was known as the West Tualatin Plains.

Land within the Clark Historic District was originally platted into one-acre lots. Lots were purchased and homes were built for local residents working in various occupations, including doctors, lawyers,

merchants, farmers, and railroad employees. This diverse population is reflected in the broad spectrum of architectural styles found within the Clark district.

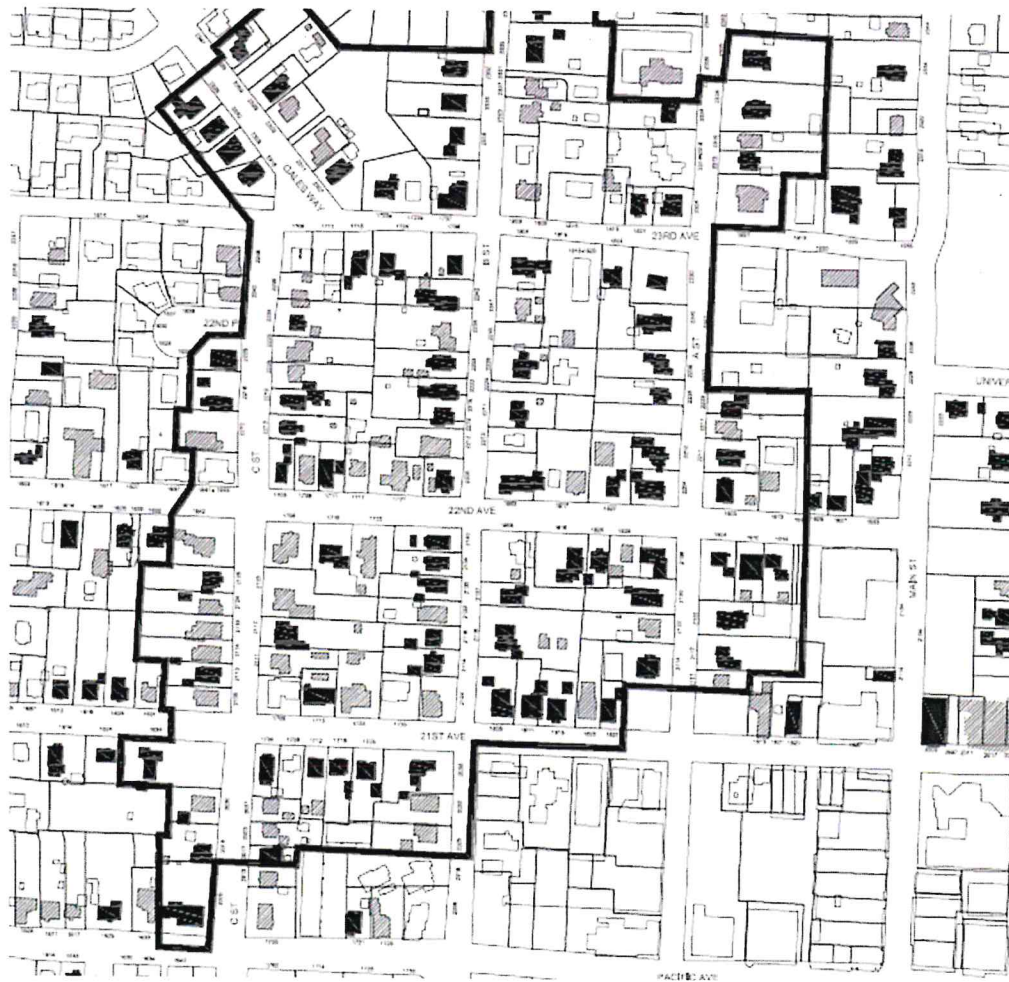
Historically significant structures in the Clark District include:

- Central School located at 1728 Main Street;
- Smith-Schofield House located at 2011 18th Avenue;
- Congregational Church Parsonage located at 2125 18th Avenue;
- B. Cornelius House located at 2314 19th Avenue;
- C.L. Large House located at 1804 Douglas Street;
- A.C. Hoffman House located at 1703 Main Street;
- Mills House located at 1648 Ash Street;
- I.J. Hoar House located at 1623 Ash Street;
- Thomas Hines House located at 1604 Birch Street; and
- Rasmussen-Price House located at 1653 Birch Street.

Walker-Naylor Historic District

In 2011, the Walker-Naylor district became Forest Grove's third National Historic District. The Walker-Naylor Historic District is generally bounded by 23rd Avenue on the north, 21st Avenue on the south, A Street on the east, C Street on the west and Gales Way on the northwest corner. The map below shows the Walker-Naylor area.

Walker-Naylor Historic District



The Walker-Naylor district includes portions of two early Donation Land Claims. The first was granted to Thomas G. Naylor and the second was granted to Elkanah Walker in 1849. Homes in the district were predominantly built between 1858 and 1959. Very few residences, however, existed in the area until after the Oregon State Legislature granted a charter to the Town of Forest Grove in 1872 and the Walker and Naylor additions to the City were platted in 1873.

From its early history the Walker-Naylor area as desirable place to reside due to close proximity to major transportation routes, the downtown business area and Pacific University. Pacific University strongly influenced the neighborhood's development in the early 1900s with students, their families, and professors seeking out homes in the district.

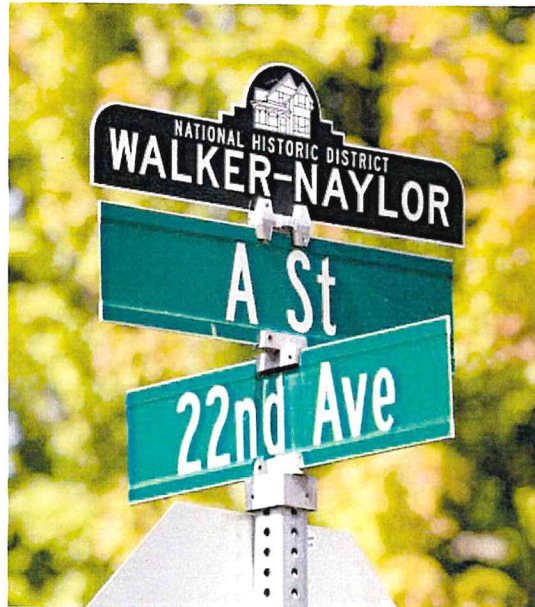
Historically significant homes in the district include:

- McElDowney House #2 located at 2114 B Street;
- McCurdy House located at 2038 B Street;
- Broderson House located at 2204 A Street;
- Blank House located at 2117 A Street; and
- Crosley House located at 2125 A Street

McCurdy House



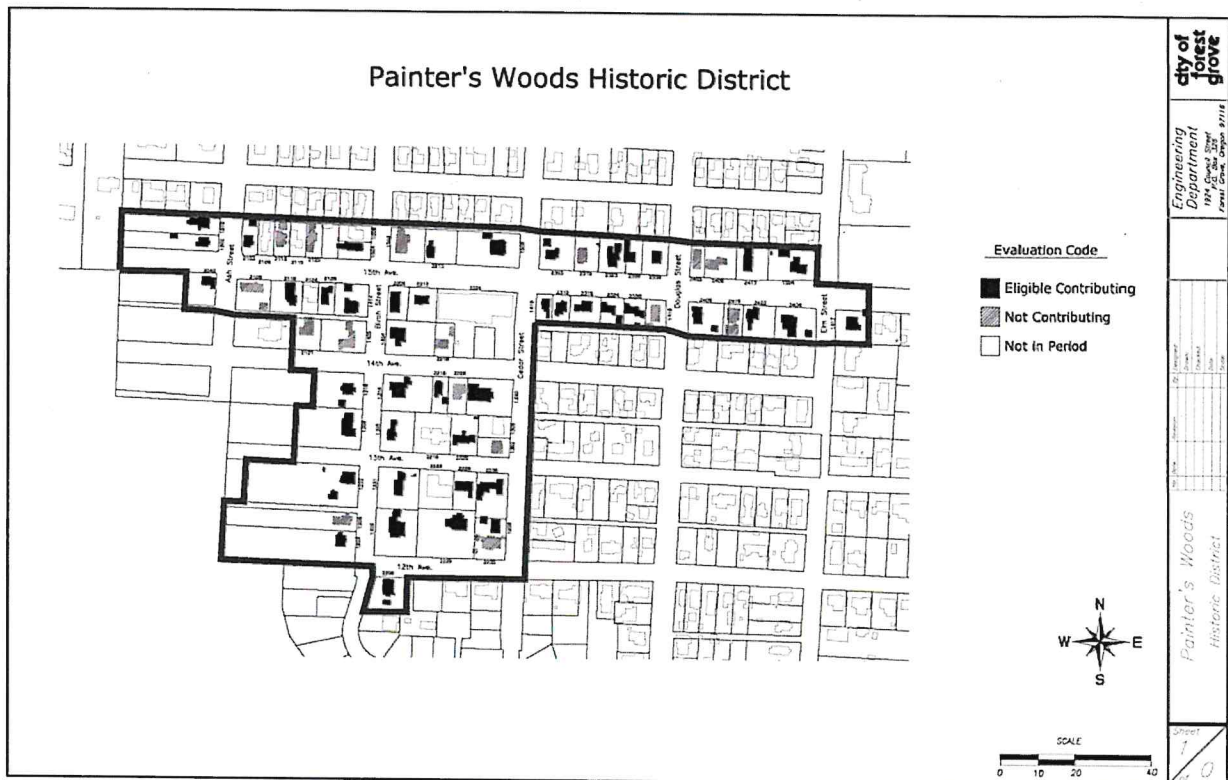
Walker-Naylor Historic District Street Sign



Painters Woods

The Painters Woods historic district was established in 2009. The Painters Woods district is located on land originally purchased by R.M. Painter from Forest Grove co-founder Harvey Clark. The Painters Woods district includes portions of the first subdivisions in Forest Grove including the South Park Addition (1891) and Knobb Hill Addition (1909). The district is a well-preserved example of residential development in Forest Grove between 1880 and 1948.

The Painters Woods district is located 15th and 12th Avenues running north and south, and between Elm and Ash Streets running east and west.



Unlike the Clark Historic district with large lots, the Painters Woods area included smaller lots (5,000 square feet) designed for residential use. This marked the beginning of Forest Grove's transition from a semi-rural community to a more modern suburban community.

The Painters Woods neighborhood includes examples of Queen Anne, Craftsman, Bungalow, Foursquare, Colonial Revival, English Cottage, Vernacular, World War II era cottage and ranch architectures.

Historically significant structures in the Painters Woods district include:

- Wilson House located at 1305 Birch Street;
- Shultz House located at 2204 15th Avenue;
- Abraham House located at 1320 Cedar Street;
- Miller House located at 1506 Cedar Street;
- Marble House located at 1504 Elm Street;
- Buxton House located at 2206 12th Avenue;
- Macrum House located at 2225 12th Avenue;
- World War II era cottage located at 2324 15th Avenue;
- Bailey House located at 2422 15th Avenue; and
- Watts House located at 2434 15th Avenue.

Other Cultural Resources

Pacific University, founded in 1849, is one of the oldest educational institutions in the western United States. Marsh Hall on the Pacific University campus is listed on the City's historic register.

Pacific University maintains an active presence in Hawaii and as a result many students from Hawaii attend classes in Forest Grove. The University provides a bridge between Hawaiian culture and Forest Grove. The University holds an annual luau which provides a cultural link between Forest Grove and Hawaii that is widely anticipated.

The former **Star Theater** building on Pacific Avenue in the Forest Grove Town Center is listed on the City's historic register. The Theater in the Grove which occupies the space conducts many live performances and productions.

Washington County Museum showcases the history of Washington County from its agricultural roots. The museum is operated by the Washington County Historical Society and is located in downtown Hillsboro. The museum hosts exhibits and lectures on variety of topics related to the history of the area.

Rice Museum. The Rice Northwest Museum of Rocks and Minerals is another cultural resource in the area. The museum highlights the geological resources. The main building is also listed on the National Register of Historic Places.

Friends of Historic Forest Grove Old Train Station Museum and Library – The Old Train Station in downtown Forest Grove has been renovated by the Friends of Historic Forest Grove. The station now includes a museum and library for research.

City Advisory Boards and Commissions

The City Council established ten advisory boards and commission to promote public involvement in decision making. These boards and commissions are identified below:

- Committee for Citizen Involvement;
- Budget Committee;
- Planning Commission;
- Economic Development Commission;
- Historic Landmarks Board;
- Community Forestry Commission;
- Sustainability Commission;
- Parks and Recreation Commission;
- Public Safety Advisory Commission;
- Library Commission; and
- Public Arts Commission.

The Boards and Commissions provide a variety of services for the City including:

Committee for Citizen Involvement – conducts the Annual Town Meeting and advises the City Council on ways to include residents in planning Forest Grove's future with an emphasis on communication and land use.

Historic Landmarks Board which oversees grants for improvements to historic structures and publishes a newsletter related to historic preservation.

Community Forestry Commission undertakes activities that assist the City in meeting National Arbor Day Foundation Tree City USA requirements and tree planting activities; the Public Arts Commission which allocates funding for public art efforts; the Economic Development Commission which develops marketing materials for business recruitment activities; Library Commission which promotes community outreach efforts related to library activities.

Planning Commission which reviews and approves certain development proposals and makes recommendation on land use policies.

Library Commission which undertakes public outreach efforts related to Library programs and services.

Economic Development Commission which develops and reviews marketing materials related to business expansion and recruitment.

Parks and Recreation Commission which promotes park and recreation programs.

Public Arts Commission which fosters relationships between organizations and individuals on matters pertaining to art and culture. The Commission supports fund raising efforts and oversees the acquisition of public art.

Sustainability Commission which helps the City build community connections with the aim of implementing strategies related to community sustainability efforts.

Budget Committee which reviews and makes recommendations to the City Council on the annual budget.

Parks and Recreation Commission which promotes public recreation programs that fosters learning and improves public health.

Public Safety Advisory Commission which promotes safe and livable neighborhoods and builds awareness on service levels and budgetary needs related to police and fire protection.

Library Commission which conducts community outreach on the variety of services and programs offered by the Forest Grove Library.

EXHIBIT C

**PLANNING COMMISSION FINDINGS AND DECISION NUMBER 2023-01
COMPREHENSIVE PLAN TEXT AMENDMENT TO ADD THE DOWNTOWN FOREST
GROVE HISTORIC DISTRICT
FILE NUMBER 311-23-000003-PLNG**

WHEREAS, on May 11, 2020, City Council adopted Resolution 2020-043 granting authority to the City Manager to submit to the Oregon State Historic Preservation Office (SHPO), the City's nomination to place Downtown Forest Grove (Exhibit A) on the National Register of Historic Places (Register); and

WHEREAS, SHPO review and approved the City's nomination and forwarded the nomination to the National Park Service (NPS); and

WHEREAS, The NPS reviewed and approved the nomination to place and Downtown Forest Grove on the Register; and

WHEREAS, Downtown Forest Grove was officially listed on the Register on October 26, 2020; and

WHEREAS, the Oregon Department of Land Conservation and Development (DLCD) amended State of Oregon Administrative Rules (Rules) affected historic resources; and

WHEREAS, as a result of the Rules changes the text of the Forest Grove Comprehensive Plan must be amended to the include the Downtown Forest Grove District and list of historic resources; and

WHEREAS, the Planning Commission held the duly noticed public hearing on the proposed amendment to the Forest Grove Comprehensive Plan on April 3, 2023; and

WHEREAS, the Planning Commission approved a motion to recommend City Council adopt an ordinance amending the text of the Forest Grove Comprehensive Plan to add the Downtown Forest Grove Historic District and list of historic resources.

NOW THEREFORE, the City of Forest Grove Planning Commission does hereby recommend that City Council adopt an ordinance amending the text of the Forest Grove Comprehensive Plan to add the Downtown Forest Grove Historic District and list of contributing resources making the following specific findings in support of this recommendation:

1. As demonstrated in the staff report dated March 27, 2023, the Planning Commission finds the amendment to the Forest Grove Comprehensive Plan complies with Oregon Statewide Planning Goal 5 for historic resources and applicable policies contained in the Comprehensive Plan, Metro Regional Framework Plan and Metro Urban Growth Management Functional Plan.

Planning Commission Chair

Date



Development Code Update

Planning Commission Work Session

Amy Kreimeier, AICP
Senior Planner

4/03/23

BACKGROUND

- The Development Code was adopted in 2009.
- Its Purpose is to:
 - Implement and codify the Comprehensive Plan
 - Satisfy federal, state, and regional laws, goals and rules
 - Guide planning policies and actions
 - Facilitate review of development proposals

2023 UPDATE

- Dwelling Diversity
- Residential Access Drives & Driveways
- Residential Accessory Structures
- Home Occupations
- Type I Site Development Review
- Type I, II, & III applications

2023 UPDATE

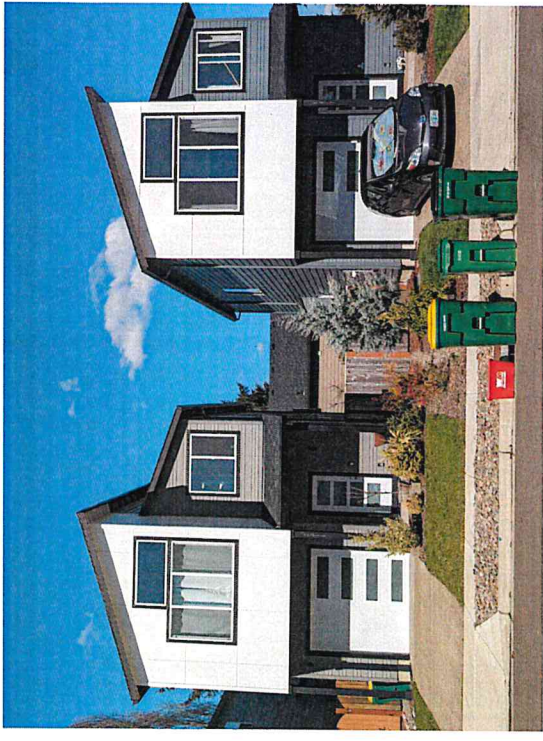
- Director's Interpretation
- Similar Use Authorization
- Other Amendments:
 - Approval time limit increase
 - Require mylar copies of recorded plats
 - Manufactured homes on lots
 - Root barriers
- Application forms & fee schedule

DWELLING DIVERISTY

- Intent:
 - Increase architectural variety
 - Limit the replication of house plans and facades within a project
- Previous standard:
 - *Front elevations shall not be replicated on adjacent lots nor on lots directly across the street, within any 24-month period or replicated within a subdivision over a 12 month period more than the larger number of a) 5 times or b) 10% of the total number of subdivision lots. These provisions can be met by having the requirements included in the Conditions, Covenants, and Restrictions of the subdivision. For this section the definition of replication includes mirrored images (where the main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim, and paint changes.*

DWELLING DIVERISTY

- Previous standard:
 - Arbitrary timelines
 - Not clear and objective
 - Not easily tracked or enforced
 - 50% effective
- Removed as part of HB 2001 code updates



DWELLING DIVERISTY

- Question - Should Dwelling Diversity requirements be included in the code?

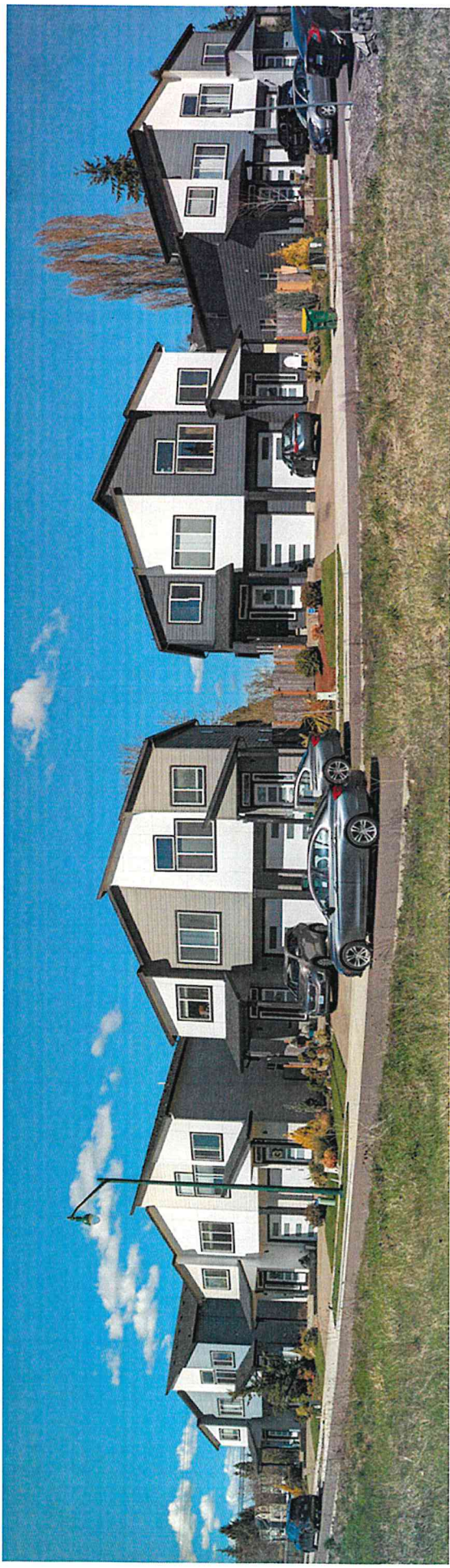


DWELLING DIVERISTY

- Proposed amendments – replication:
 - a. *The same building plan, street facing façade, or combination thereof, shall not be replicated for structures that are adjacent and along the same street or face each other across any street. Replication includes mirrored images (where the main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim, siding, and paint changes (less than 50%).*
 - b. *Street facing facades shall not be replicated within a subdivision on more than 45% of the total number of units on the same street or the project as a whole.*

DWELLING DIVERISTY

- Question - Should replication be prohibited for adjacent structures along the same street or structures that face each other across any street?
- Question - Should replication of street facing facades be limited to a specific amount for units on the same street or project as a whole?

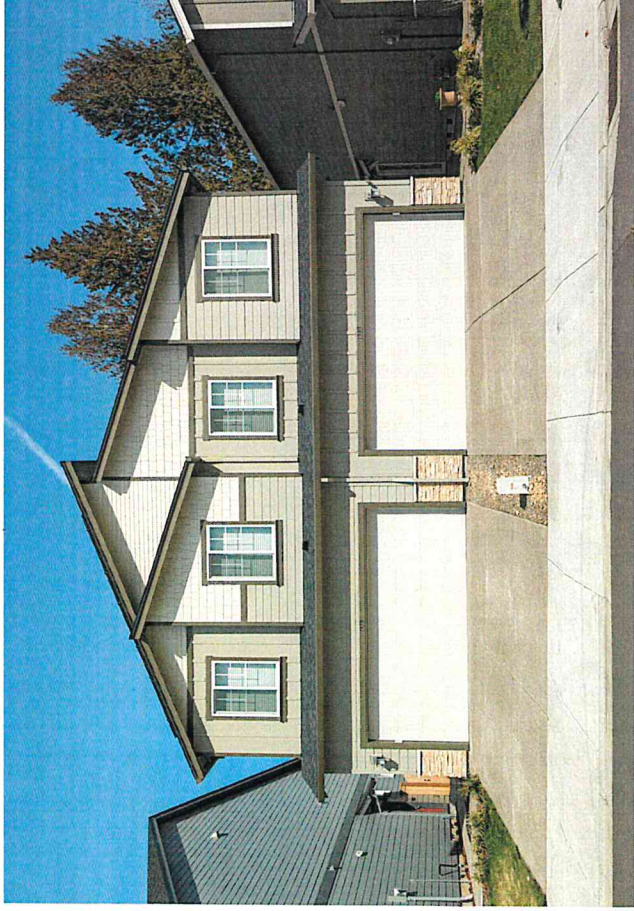


DWELLING DIVERSITY

- HB 2001 amendments included building design standards for triplexes, quadplexes, townhomes, and cottage clusters
- No building design standards for single-unit detached and duplex
- Proposed amendments – architectural variety:
 - Single-unit detached, duplex, triplex, and quadplex development be subject to the same design standards for:
 - Entry orientation
 - Windows
 - Garage and off-street parking areas

DWELLING DIVERSITY

- Question - Should single-unit detached and duplex development be subject to building design standards?
- Question - Does the commission have any dwelling diversity recommendations or requirements you wish to see included in the code?



RESIDENTIAL ACCESS DRIVES & DRIVEWAYS

- Residential access drives for multi-family
 - Increase required driveway width
 - Sixteen feet – one-way
 - Twenty-four feet – two-way
- Driveway widths
 - Smaller lots mean more of the frontage is dedicated to driveways
 - No room for street trees or street parking
 - Limited area for utility placement

RESIDENTIAL ACCESS DRIVES & DRIVEWAYS

- Question – Should driveway widths be limited to:
- *Twenty-four feet or 50% of the lot frontage, whichever is less, for lots with less than 60 feet of street frontage*



RESIDENTIAL ACCESSORY STRUCTURES

- Clarify § 17.7.020 – Accessory Structures is applicable only to residential accessory structures
- Attached accessory structures – patio covers
 - Smaller lot sizes & reduced rear setbacks eliminate ability to construct attached patio covers
 - Cannot meet rear setback requirement (same as for existing home)
 - Detached accessory structures only 5-foot setback required

RESIDENTIAL ACCESSORY STRUCTURES



RESIDENTIAL ACCESSORY STRUCTURES

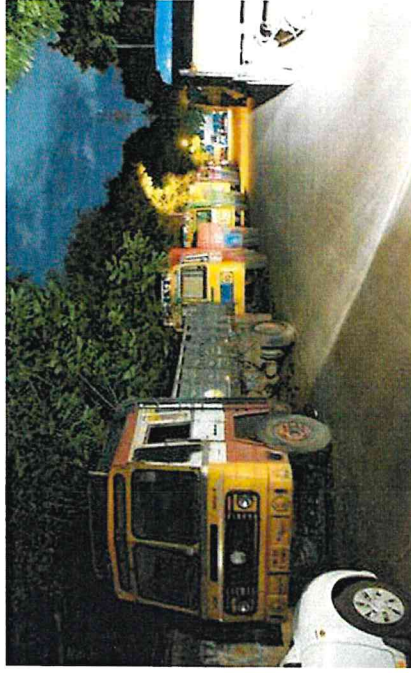
- Attached accessory structures – patio covers
- *Attached accessory structures which are open on three or more sides, such as a patio cover, shall not be located closer than five feet to the rear property line and shall comply with the required side setbacks for the principal building*
- Question - Should attached patio covers, which are open on three or more sides, be permitted consistent with detached accessory structures (5 feet from rear property line)?

HOME OCCUPATIONS

- Complete overhaul of § 17.7.055 – Home Occupations
- Ensure that home occupations are conducted as lawful uses subordinate to the residential use of the property
- Update existing requirements to create clear and objective standards for operating a home occupation
 - Number of patron visits per day
 - Number of deliveries per day
 - Operations shall comply with noise ordinance and shall not generate any vibration, smoke, dust, odors, heat or glare detectable at or beyond the property line.

HOME OCCUPATIONS

- Add new requirements for work vehicles:
- No exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 0.75-ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property in connection with the home occupation provided such parking complies with all parking restrictions
- Prohibit the home occupation location from being used as a headquarters or meeting location for the assembly of off-site employees or subcontractors, including staging or dispatch of off-site employees or subcontractors to other locations
- Off-site employees and subcontractors may not store or park their motor vehicles at the home occupation location.



HOME OCCUPATIONS

- Create a Home Occupation Permit process
 - Type 1 Process
 - Verify compliance with home occupation standards
-
- Enforcement
 - Complaints / nuisance
 - Invalidation
 - Revocation



TYPE I SITE DEVELOPMENT REVIEW

- Clarify planning review process for residential development on individual lot
- Single-unit detached, middle housing, additions, & accessory structures
- Creates planning application
- Ability to track conditions & requirements for entire site rather than per structure
- Review to remain concurrent with Building Permit

TYPE I, II, & III APPLICATIONS

- Update lists of Type I, II, & III applications
- Type 1 Process – Administrative Decisions
 - Clarify how to document Type I decisions
 - Not a land use decision – no findings required
- Appeal of Type I applications
 - Only an applicant may appeal
 - Appeal to PC – PC decision is final
 - No appeal to City Council
 - Can appeal to LUBA

DIRECTOR'S INTERPRETATION & SIMILAR USE AUTHORIZATION

- Clarify process
- Director's Interpretation – Type 1
 - Resolves ambiguity in Code based on current & historical practices
 - Consistent with § 17.1.120 INTERPRETATION - *The Director shall have the authority and responsibility to interpret terms, provisions and requirements of this Code.*
- Similar Use Authorization – Type III
 - Quasi-judicial - amends permitted uses, land use table
 - Move section to Article 2 – Land Use Reviews

OTHER AMENDMENTS

- Approval time limits increased from 1 to 2 years
- Require mylar copies of plats once recorded by County
- Update § 17.7.070 - Manufactured homes on lots to comply with HB 2001 requirements and subsequent code updates
- Require root barriers for all street tree plantings

CONCLUSION

- Questions?
- Future updates
 - Residential access
 - Street standards
 - Parking requirements



A place where families and businesses thrive.

Date: March 27, 2023

To: Planning Commission

From: Amy Kreimeier (AICP), Senior Planner
Bryan Pohl, Community Development Director

Re: Development Code Topics

BACKGROUND: The purpose of this work session is to review possible amendments to the Development Code (DC). They are being drafted per the Commission's direction, as responses to citizen requests, and to address code omissions or inconsistencies.

Attached is a draft of proposed amendments to the Development Code. The proposed amendments can be categorized as either a procedural amendment or design & development related amendment. Procedural amendments are being proposed in order to improve internal consistency and cross-referencing, clarify procedures, and address code omissions and deficiencies identified by staff. Design & development amendments are being proposed per the Commission's direction, as responses to citizen requests, and as necessary to update the Development Code to be compliant with current State statutes.

The primary focus of this work session is to obtain the Commission's direction on potential design & development amendments regarding "Dwelling Diversity."

Following this meeting, the draft will be revised as per the Commission's direction. Depending on the extent of those revisions, the draft will either be further reviewed in another work session, or scheduled for public hearing.

DWELLING DIVERSITY

The Commission has expressed a desire to amend requirements for Dwelling Diversity. The term Dwelling Diversity is the name used for code standards which increase architectural variety in residential development and limit the replication of house plans and front façade elevations within a project. Diversity in design improves the way that new residential buildings relate to the public right-of-way, which has a positive influence on the livability a neighborhood.

Both the Development Code and the Land Division Ordinance that preceded it have included requirements for dwelling diversity in various iterations. The most recent iteration of the Dwelling Diversity standard was updated in 2017:

Dwelling Diversity Standard - Front elevations shall not be replicated on adjacent lots nor on lots directly across the street, within any 24-month period or replicated within a subdivision over a 12 month period more than the larger number of a) 5 times or b) 10% of the total number of subdivision lots. These provisions can be met by having the requirements included in the Conditions, Covenants, and Restrictions of the subdivision. For this section the definition of replication includes mirrored images (where the main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim, and paint changes.

The intent of this standard was to prohibit replication of front elevations on adjacent lots and lots directly across the street and restrict replication of any front elevation with a project to no more 10% of the total number of lots. The dwelling diversity standard is not entirely clear and objective and sets somewhat arbitrary conditions. For example, it's unclear why similar housing facades are not allowed with either a 24- or 12-month period. In addition, minor trim and paint changes is open to interpretation. This made compliance difficult to track and enforce. In practice, this standard did not achieve its intended purpose.

Of the 5 residential subdivisions approved & under construction since this standard was adopted, 2 subdivisions comply with the standard and 2 subdivisions do not comply. One subdivision (Farmstead Crossing) proposed a special dwelling diversity condition which was approved. The two most recent subdivision projects that went before the Commission, Parkview Terrace & Davis Estates, were each approved with special dwelling diversity conditions rather than the code standard. At the public hearing for Parkview Terrace, former Chair Phil Ruder expressed a desire to see the code standard revised to remove arbitrary timelines & improve clarity so that intended outcome could be achieved.

Following those hearings the Development Code was updated to comply with HB2001, the middle housing bill. This bill required Cities to permit duplexes, triplexes, quadplexes, townhomes, and cottage clusters to be permitted in any zone where single-family dwelling units were permitted and apply the same application review process to middle housing types that also apply to single unit homes. This also required that any design requirements imposed on single-unit and middle housing be clear and objective. The dwelling diversity standard was therefore removed from the code as part of the HB2001 updates with the intent to come back to the Commission at a work session with proposals for dwelling diversity standards that are clear and objective and able to achieve their intended purpose.

Question – Should “Dwelling Diversity” requirements be included in the code?

The intent of the previous dwelling diversity standard was to limit the replication of house plans and facades within a project. At the direction of the Commission, staff is proposing clear and objective requirements which focus on limiting the replication of house plans and facades within a development. These requirements eliminate the arbitrary timelines in the previous dwelling diversity standard. They are based upon conditions of approval applied to the Davis Estates Planned Development which the Commission had previously expressed a preference for. The proposed requirements are:

- a. The same building plan, street facing façade, or combination thereof, shall not be replicated for structures that are adjacent and along the same street or face each other across any street. Replication includes mirrored images (where the main features such as windows, door location, garage location, roof peak, etc. are reversed), and minor trim, siding, and paint changes (less than 50%).*
- b. Street facing facades shall not be replicated within a subdivision on more than 45% of the total number of units on the same street or the project as a whole.*

These code amendments would increase architectural variety by limiting the number of times a façade can be replicated on a street or within a subdivision without adding unreasonable cost or delay to projects which may have occurred with the previous, more restrictive requirement. The amendments remove the ability for interpretation by clarifying the amount of trim and paint changes that would be necessary so as not to be considered replicated. The 45% limit on replication of units on the same street or in a project as a whole, represents a reasonable middle ground between the two options in the previous requirement (5 times or 10%). At 45%, a minimum of three different street facing facades would be required in order for a subdivision to comply. This standard ensures variety without adding unreasonable design costs regardless of subdivision size.

Question – Should replication be prohibited for adjacent structures along the same street or structures that face each other across any street?

Question - Should replication of street facing facades be limited to a specific amount for units on the same street or project as a whole?

The previous dwelling was not accompanied by any building design standards which would dictate how architectural variety could be achieved, such as requirements for specific building features, building articulation or detailed design elements. The lack of specific design standards led to numerous issues with applicants as to what design variations were sufficient so as not be considered replication. One common method used by cities to achieve architectural variety is an “a-la-carte” option where the code includes a number of options for providing articulation or detailed design elements and the applicant is required to provide a specific number of each and can choose the option that best suits their design plan. Both Cornelius and Hillsboro take this approach. Currently this “a-la-carte” method is only required for townhome development to create definition and distinction between attached units. This method is much more prescriptive than the approach to building design that Forest Grove has historically taken. Staff is instead proposing a more incremental approach to achieve dwelling diversity.

There are currently no design standards for single-unit detached development, the most common residential development in the City. HB 2001 amendments included building design standards for triplexes, quadplexes, townhomes, and cottage clusters. There are requirements for specific building features such as entry orientation, windows, and off-street parking areas. Townhomes are also required to provide unit definition through an “a-la-carte” option. Staff is proposing that single-unit detached, duplex, triplex, and quadplex development be subject to the same design standards for entry orientation, windows, and garage and off-street parking areas. Applying these requirements to single-unit detached and duplex development is one simple and straightforward method to achieve architectural variety and improve the way these buildings relate to the public right-of-way.

Question – Should single-unit detached and duplex development be subject to requirements for entry orientation, windows, and garage and off-street parking areas?

Question – Does the commission have any dwelling diversity recommendations or requirements you wish to see included in the code?

RESIDENTIAL ACCESS DRIVES & DRIVEWAYS

Staff is proposing to increase the width of one-way and two-way residential access drives for multi-family projects to be consistent with the street standards and fire access requirements. Driveway widths for single-family homes and duplexes on lots less than 60 feet wide will be limited to 24 feet or 50% of the lot width, whichever is less. As lots are getting smaller, this change will limit the amount of frontage utilized for vehicles. Limiting driveways widths will preserve space available for street trees and on-street parking. This change is consistent with the proposed dwelling diversity changes for single-unit detached and duplex development and with the limitations on driveways adopted as part of the HB 2001 amendments. The design and development standards adopted for triplexes, quadplexes, and townhomes limit the width of driveways and off-street parking areas not to exceed 50% of the lots frontage.

RESIDENTIAL ACCESSORY STRUCTURES

An accessory structure is defined as “A freestanding structure incidental and subordinate to the main use of property and located on the same lot as the main use.” It can be attached to the principal building on the lot or free standing. Attached accessory structures are required to meet all setbacks required for the

principal building while detached structures may be located up to 5-feet from side or rear property lines and 6-feet from any other structure on site.

As residential lot sizes are getting smaller, it is common to have housing built up to the required setback line to maximize the size of the home. This makes construction of an attached patio cover impermissible for a large number of homeowners. Because they are attached, patio covers are subject to the same setback requirement as the existing home. Attached patio covers provide protection from the elements and are increasingly seen as an integral part of the home. To circumvent these requirements many homeowners have built attached patio covers without permits. Staff suggests revising the requirement for attached accessory structures to provide homeowners an opportunity to develop their property in a manner consistent with properties of similar uses in the vicinity. Staff suggests adding language to the code which would allow attached accessory structures, which are open on three or more sides like a patio cover, to be constructed provided they meet required side and front setbacks and are setback 5 feet from the rear property line.

Question – Should attached accessory structures which are open on three or more side be permitted within the required rear setback provided they are 5 feet from the rear property line?

Additionally, staff is proposing to add the word Residential to the accessory structure section of the code. This will make it clear that this section is applicable only to accessory structures on residentially zoned sites and not to new structures or additions on commercial, industrial, or institutionally zoned properties. Land use review and development requirements for new structures or additions on commercial, industrial, or institutionally zoned properties are outlined in other sections of the code.

HOME OCCUPATIONS

At the request of, and in partnership with, Code Enforcement, staff is proposing a complete overhaul of the home occupation section of the code. Staff has been made aware of an increasing number of code enforcement concerns regarding home occupations. The purpose of these amendments is to ensure that home occupations are conducted as lawful uses subordinate to the residential use of the property which do not alter the residential character and livability of the neighborhood, infringe upon the right of neighboring residents to the peaceful enjoyment of their neighborhood and homes, or otherwise be detrimental or disruptive in terms of appearance or operation to neighboring properties, residents, or the community at large. The proposed amendments create clear and objective standards by which home occupations must operate. Most of the standards have been retained from the existing code text but have been revised to be clear and objective, removing vague or subjective language.

Requirements regarding vehicles related to the home occupation have been expanded upon. This includes limiting exterior storage of vehicles of any kind used for the business to one commercially licensed vehicle, which is not larger than a 0.75-ton pick-up, passenger van, or other vehicle of similar size, which may be parked outside on the subject property in connection with the home occupation provided such parking complies with all parking restrictions. Another requirement would prohibit the home occupation location from being used as a headquarters or meeting location for the assembly of off-site employees or subcontractors for any reason, including staging or dispatch of off-site employees or subcontractors to other locations. Off-site employees and subcontractors would be prohibited from storing or parking their motor vehicles at the home occupation location. These requirements are intended to alleviate the large number of complaints and code enforcement actions regarding work related vehicles in residential zones.

Home occupations will be required to obtain approval of a home occupation permit prior to operating a home occupation. An application for a home occupation permit shall be processed according to the Type 1 procedure, using the provisions and standards applicable to home occupations as approval criteria. This

permit creates a mechanism by which compliance with home occupation standards can be verified and enforced and establishes procedures to revoke a home occupation permit if necessary. Staff will create a home occupation permit application and prepare a resolution to establish a fee for the permit.

TYPE I SITE DEVELOPMENT REVIEW

The Site Development Review section of Article 2 is being revised to clarify and codify the process for reviewing residential development on an individual lot consistent with current practices. Type I Site Development review is required for construction of single-unit detached, middle housing, additions, and accessory structures on an individual residential lot. This change now specifies middle housing, additions and accessory structures in addition to single-unit detached. It also clarifies the procedure.

Review of such development has historically been done during the building permit process. However, building permits are issued per structure not per site. The adopted middle housing code amendments permit construction of middle housing in multiple structures on one residential lot. Staff has identified a need to review and track conditions and requirements for the individual lot as a whole rather than by individual structure. This will allow staff to comprehensively review individual lot development and is intended to prevent site development issues resulting from piecemealed development of structures. Staff will create a new application form for such applications as currently no planning application is required. This will aide in planning review and create a planning record which can be tracked separate from the building permit. Type I Site Development review for residential development on an individual lot may be processed concurrently with a building permit application.

OTHER AMENDMENTS

Manufactured Homes on Lots – This section is being revised to comply with HB 2001 requirements and code updates.

Root Barriers – Addition of a requirement to install root barriers for all street tree plantings.

Type I, II, & III Process – These sections of the code are being updated to list all Type I, II & III applications. Additional amendments are proposed to the Type I process specifying how a decision is to be documented. Type I applications are not land use or limited land use decisions; no findings are required. Only the applicant may appeal a Type I application and the Planning Commission shall have the final decision on any appeal of a Type I application.

Similar Use Authorization – § 17.12.160 – Similar Use Authorization is being moved from Article 12 – Definitions to Article 2 – Land Use Review and is being revised to make clear it is a Type III process requiring review of Planning Commission.

Director's Interpretation – Clarifying the procedure for Director's interpretations. Consistent with § 17.1.120 - Interpretation, the Director has the authority and responsibility to interpret terms, provisions and requirements of the code, a Type I procedure appealable to the Planning Commission.

Approval Time Limits – Staff is proposing to increase the approval time limit from 1 to 2 years.

Recorded Mylar Copies of Plats – Staff is adding language to codify the requirement for an applicant to provide mylar copies of plats to the city once they have been recorded by the county.

As mentioned in previous sections of this memo, Staff will be creating new application forms for Home Occupation Permits and Type I Site Development Reviews. Staff has also identified a need to update existing Planning applications and forms for consistency with recent code changes. Formatting and design

changes are also necessary. Staff will be reviewing and updating all Planning applications and forms as needed.

RECOMMENDATION: Following this meeting, draft text amendments will be developed as per the Commission's direction. Depending on their extent, the draft will either be further reviewed and refined in another work session, or scheduled for public hearing.

Attachments:

1. Draft Development Code amendments

ORDINANCE NO. 2023-XX
EXHIBIT A – ARTICLE 1 AMENDMENTS
(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)

INTRODUCTION AND PROCEDURES

GENERAL ADMINISTRATION

§ 17.1.130 WHEN LAND USE PERMITS ARE REQUIRED.

F. All land use permits, with the exception of a subdivision or a planned development , shall expire ~~one year~~ **two years** from the date of issuance unless:

1. Substantial construction or operation of the development has begun within that time and has continued toward final completion;
2. Development is proceeding in accordance with an approved phasing plan; or
3. A written extension is granted by the Director under the Type I review process.

TYPE I PROCESS – ADMINISTRATIVE DECISIONS

§ 17.1.405 TYPE I APPLICATIONS AND APPROVAL CRITERIA.

Applications so designated throughout the Development Code are reviewed under the Type I process, based on the requirements and criteria set forth for each application in other sections of this Code.

— Examples of actions subject to a Type I application and review process include:

- Certain types of Zoning Standard Adjustments
- **Director's Interpretation**
- Certain projects within an approved Master Plan
- Tree Permit
- **Temporary Use Permit**
- Lot Line Adjustment, **Lot Consolidation, Lot Line Re-establishment**
- Final partition plat
- Final subdivision plat
- Final Plan for planned development
- Accessory Dwelling Units
- Certain Bed and Breakfast Inns
- Home Occupations
- Certain types of Wireless Communication Facilities
- **Certain types of alterations of a Historic Landmark**
- Landscape Review not subject to Site Development or Design Review
- Parking Plan not subject to Site Development or Design Review
- Existing and New Signs

Any application that is not specifically designated in the Code as being under one of the four review processes, and which the Director determines is similar in impact and scope to other Type I applications , shall be processed as a Type I application .

§ 17.1.410 NOTICE.

A Type I application does not require notice to anyone other than the applicant .

§ 17.1.415 DECISION AUTHORITY.

The Director or his or her designee shall make all Type I decisions. The Director may approve, approve with conditions or deny the application. The Director 's decision shall be based on standards set forth within this Code ~~and shall be accompanied by brief findings as required under § 17.1.305A. through C.,~~ and provided in writing to the applicant.

The Director shall document the decision on Type I reviews with the following information:

- A. **A statement that explains the criteria and standards considered relevant to the request;**
- B. **A statement of the facts relied upon in making the decision; and**
- C. **An explanation of the justification for the decision based on the criteria, standards and facts set forth.**

§ 17.1.420 APPEALS OF TYPE I DECISION.

Only an applicant may appeal a Type I decision. A Type I decision by the Director is final unless appealed. The appeals will be heard by the Planning Commission, under the following conditions.

- A. The applicant must submit a written appeal petition and pay the required fee to the city within 14 calendar days of the written notice of the decision. The written petition shall specifically state the issues being appealed.
- B. Notice of the appeal hearing shall be provided as required for quasi-judicial (Type III) public hearings.
- C. The Planning Commission shall conduct a de novo appeal hearing.
- D. The Planning Commission decision on an appeal is the city 's final decision. , ~~unless an optional second appeal to the City Council is filed by the applicant , as specified in § 17.1.425.~~

~~§ 17.1.425 SECOND APPEAL OPTION OF TYPE I DECISION~~

~~—A second appeal of an administrative decision can be heard by the City Council , under the following conditions:~~

~~—A. The applicant is the only party with standing to file a second appeal . The city must receive an appeal petition in writing and the required fee within 14 calendar days of the written notice of the decision. The written petition shall specifically state the~~

~~issues being appealed and the City Council shall be limited to the consideration of those issues.~~

~~—B. Only issues on the record at the Planning Commission hearing submitted in writing or orally can be appealed to the City Council.~~

~~—C. Notice of the appeal hearing shall be provided to parties having standing.~~

~~—D. The City Council hearing shall be limited only to those issues raised in the appeal petition.~~

~~—E. The City Council decision on an appeal is the city's final decision.~~

TYPE II PROCESS – LIMITED LAND USE DECISIONS

§ 17.1.505 TYPE II APPLICATIONS AND APPROVAL CRITERIA.

Applications so designated throughout the Development Code are reviewed under the Type II process, based on the requirements and criteria set forth for each application in other sections of this Code.

— Examples of these applications include:

- Certain types of Zoning Standard adjustments
- Minor Modification to a Conditional Use Permit
- Certain type of Design Review
- Site Development Review
- Certain projects within an approved Master Plan
- **Certain Bed and Breakfast Inns**
- Tentative partition plat
- Tentative subdivision plat
- Adjustments to public improvement requirements
- **Alterations of a nonconforming structure**

Any application that is not specifically designated in the Code as being under one of the four review processes, and which the Director determines is similar in impact and scope to other Type II applications, shall be processed as a Type II application.

TYPE III PROCESS – QUASI-JUDICIAL LAND USE DECISIONS

§ 17.1.605 TYPE III APPLICATIONS AND APPROVAL CRITERIA.

Applications so designated throughout the Development Code are reviewed under the Type III process based on the requirements and criteria for each application set forth in other sections of this Code. Examples of these applications include:

- Quasi-Judicial Zoning Map Amendments with review by Planning Commission and approval by City Council
- New Conditional Use Permit or Major Modification of Use Permit
- Certain types of Design Review
- Variance
- Elevation by Director of a Type II permit
- Preliminary Plan for Planned Development
- Demolition or relocation of a Historic Landmark
- **Certain types of alterations of a Historic Landmark**
- Manufactured Dwelling Parks
- Removal of Registered Tree from the Register
- Certain Types of Wireless Communication Facilities

Any application that is not specifically designated in the Code as being under one of the four review processes, and which the Director determines is similar in impact and scope to other Type III applications , shall be processed as a Type III application .

ORDINANCE NO. 2023-XX
EXHIBIT B – ARTICLE 2 AMENDMENTS

*(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)*

LAND USE REVIEWS

SITE DEVELOPMENT REVIEW

§ 17.2.420 EXEMPTIONS.

The following development is exempt from site development review:

- A. Home occupations; **and**
- B. Family day care; ~~and~~
- ~~C. Accessory structures.~~

§ 17.2.430 PROCEDURE.

Site development review ~~is categorized as a Type I procedure for a single-unit detached dwelling on an individual lot; townhouse on an individual lot; duplex on an individual lot; triplex on an individual lot; cottage cluster project~~ **Middle Housing dwelling; or manufactured home on an individual lot; accessory dwelling unit; or residential accessory structure on an existing individual lot shall follow the Type I procedure. A Type I Site Development Review may be processed concurrently with a building permit application.**

All other site development reviews shall follow the Type II procedure unless exempt.

§ 17.2.440 SUBMITTAL REQUIREMENTS.

A Type I application shall be accompanied by all information required by the application form. In addition to the standard submittal requirements for a **Type I or** Type II application, the following plans and information are required for Site Development Review. The Director may waive specific submittal requirements for a **Type II application** at the pre-application conference, if warranted.

DIRECTOR'S INTERPRETATION

§ 17.2.500 PURPOSE.

It is expected that some terms or phrases within the Code may be ambiguous and may therefore have two or more reasonable meanings. Because it is not possible to identify or remove all ambiguities in the Code, the following process has been established for resolving these ambiguities. This process may be requested as a separate and individual action, or in advance of or concurrent with applying for a land use permit or other action.

~~The Director's interpretation process is also followed for determining Unlisted Use : Authorization of Similar Use requests (§ 17.12.160).~~

For the purposes of this section, the term "interpretation" applies to all of the Director's formal, written interpretations made consistent with the provisions of this section ~~and Unlisted Use : Authorization of Similar Use requests (§ 17.12.160).~~ Any interpretation may be appealed to the Planning Commission as provided below.

§ 17.2.510 PROCEDURE.

- A. Requests. A request for an interpretation shall be made in writing on the proper form and submitted to the Director.
- B. Decision to issue. The Director shall have the authority to consider the request for an interpretation. The Director shall respond within 14 days after the request is made and indicate whether or not the Director will issue the requested interpretation.
- C. Director may decline. The Director is authorized to issue or decline to issue a requested interpretation. The Director's decision to issue or decline to issue an interpretation is final when such decision is mailed to the party requesting the interpretation.
- D. Written interpretation. If the Director decides to issue an interpretation as requested, it shall be made within 14 days, labeled as a "Director's Interpretation" and shall be mailed to the person requesting the interpretation and to any other person that has specifically requested, in writing, a copy of such interpretation. Failure to receive the interpretation shall not invalidate the decision if the interpretation was sent to the address provided by the interested party.
- E. Appeal to Planning Commission. The applicant and any party who received notice of the interpretation or a determination not to make an interpretation may appeal to the Planning Commission within 14 days after the determination was mailed to the applicant. The appeal may be initiated by filing a notice of appeal with the Director.
- F. Final decision. The Planning Commission shall consider the appeal of the interpretation at a public hearing. Notice of the hearing shall be provided to the applicant, any other party who has filed a notice of appeal, and any other person who has specifically requested notice. The decision of the ~~City Council~~ **Planning Commission** on an appeal of an interpretation shall be final when it is mailed to the applicant.
- G. Interpretations on file. The Director shall keep a record of all interpretations on file in the Department of Community Development.

UNLISTED USE AUTHORIZATION.

§ 17.2.1000 PURPOSE.

It is not possible to contemplate all of the various uses that will be compatible within a zoning district. Therefore, unintentional omissions occur. The purpose of this section is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with the listed uses.

§ 17.2.1005 APPLICABILITY

An Unlisted Use Authorization may be requested for new or noncategorized uses which are not listed or defined in the Development Code.

The Director is authorized to decline an application for an unlisted use in a zoning district if the use is specifically listed in another zone as either a permitted use or a conditional use. Such requests shall be processed as Development Code text amendments under § 17.2.600 of this code.

§ 17.2.1010 PROCEDURE.

The Planning Commission is the review authority and shall render an interpretation, pursuant to the Type III process by § 17.1.600 of this Code.

The Director shall maintain a list by zoning district of approved unlisted uses on file in the Community Development Department and the list shall have the same effect as an amendment to the use provisions of the applicable zone.

§ 17.2.1015 REVIEW CRITERIA.

Approval or denial of an unlisted use application by the Planning Commission shall be based on the following criteria:

- A. The use is consistent with the intent and purpose of the applicable zoning district;
- B. The use is similar to and of the same general type as the uses listed in the zoning district;
- C. The use has similar intensity, density and off-site impacts as the uses listed in the zoning district; and
- D. The use has similar impacts on community facilities as the listed uses. Community facilities include streets, schools, libraries, parks, police and fire stations, and water, sanitary sewer and storm drainage systems.

ORDINANCE NO. 2023-XX
EXHIBIT C – ARTICLE 3 AMENDMENTS

*(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)*

ORDINANCE NO. 2023-XX
EXHIBIT D – ARTICLE 4 AMENDMENTS

*(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)*

ORDINANCE NO. 2023-XX
EXHIBIT E – ARTICLE 5 AMENDMENTS

(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)

SPECIAL PROVISIONS

TREE PROTECTION

§ 17.5.120 STREET TREES (TREES IN PUBLIC RIGHTS-OF-WAY).

A. *Standards and requirements.*

4. *Size and spacing of street trees.* The specific spacing of street trees by size of tree shall be as follows.
 - a. Small or narrow-stature trees under 25 feet tall and less than 16 feet wide branching at maturity shall be spaced no greater than 20 feet apart.
 - b. Medium-sized trees 25 to 40 feet tall, 16 to 35 feet wide branching at maturity shall be spaced no greater than 30 feet apart.
 - c. Large trees over 40 feet tall and more than 35 feet wide branching at maturity shall be spaced no greater than 40 feet apart.
 - d. Except for signalized intersections, trees shall not be planted closer than 20 feet from a street intersection, nor closer than two feet from private driveways (measured at the back edge of the sidewalk), fire hydrants or utility poles to maintain visual clearance.
 - e. No new utility pole location shall be established closer than five feet to any existing street tree.
 - f. Street trees shall not be planted closer than 20 feet to light standards.
 - g. Where there are overhead power lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines.
 - h. **Root barriers shall be installed at time of street tree planting.**
- ~~h.i.~~ i. Street trees shall not be planted within two feet of any permanent hard surface paving or walkway:
 - i. Space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks and cobblestones; and
 - ii. Sidewalk cuts in concrete for tree planting shall be at least four feet by four feet to allow for air and water into the root area.

ORDINANCE NO. 2023-XX
EXHIBIT F – ARTICLE 6 AMENDMENTS

*(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)*

LAND DIVISIONS

PARTITIONS

§ 17.6.085 RECORDING OF FINAL PLAT.

When all required signatures have been obtained on the final partition plat, the applicant shall record the plat and any required covenants with the County Recorder. **Mylar copies of the recorded plat shall be returned to the city.**

SUBDIVISIONS

§ 17.6.160 FINAL PLAT TIME LIMITS, APPROVAL AND RECORDING.

When all required signatures have been obtained on the final subdivision plat, the applicant shall record the subdivision plat and any required covenants with the County Recorder.

Consistent with § 17.1.130G.2., recordation shall occur within one year after the plat has been submitted to the city. **Upon recordation with the County, a mylar copy of the recorded plat shall be returned to the city.**

ORDINANCE NO. 2023-XX
EXHIBIT G – ARTICLE 7 AMENDMENTS

(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)

MISCELLANEOUS PROVISIONS

RESIDENTIAL ACCESSORY STRUCTURES

§ 17.7.020 STANDARDS.

Residential A ~~a~~ accessory structures shall comply with all requirements for the principal building ~~dwelling~~, except where specifically modified by this Code, and shall comply with the following limitations:

- A. Accessory structures are limited to a maximum ground floor area of 720 square feet;
- B. Accessory structures shall not be located in any required front yard;
- C. Accessory structures shall not be located closer than five feet to any side or rear property line;
- D. **Attached accessory structures which are open on three or more sides such as a patio cover shall not be located closer than five feet to the rear property line and shall comply with the required side and front setbacks for the principal building;**
- ~~D.~~ **E.** Detached accessory structures shall not be located within six feet of the principal building or other accessory building on the same lot;
- ~~E.~~ **F.** Any accessory structure attached to the principal building, **excepting those that are open on three or more sides,** must comply with all setbacks for the principal building (attached means wall-to-wall or any permanent roof attachment such as a breezeway); and
- ~~F.~~ **G.** Portable metal structures that require no assembly, such as shipping containers, are prohibited in residential zones beyond 60 days; and
- ~~G.~~ **H.** No accessory structure shall encroach upon or interfere with the use of adjoining property or public right-of-way, including but not limited to streets, alleys and public and/or private easements.

HOME OCCUPATIONS

~~§ 17.7.055 PURPOSE.~~

~~Home occupations are activities that are accessory and incidental to the primary residential use of a property. Standards ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The home occupation provisions recognize that many types of jobs can be performed in a home with little or no effects on the surrounding neighborhood.~~

~~§ 17.7.060 PROCEDURE.~~

~~A home occupation is permitted in conjunction with any residential use under the Type I procedure, provided it complies with the standards listed below.~~

~~§ 17.7.065 STANDARDS.~~

~~The home occupation shall not change the residential character of the dwelling and shall meet all of the following standards and limitations.~~

~~—A. Any product produced on site for sale must be hand manufactured or grown using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed horsepower or other measurements of power, which would typically be used by a residential homeowner.~~

~~—B. There shall be no outdoor storage of material or products on the premises. Indoor storage of material or products shall not exceed the limitations imposed by the Building, Fire, Health and Housing Codes.~~

~~—C. The home occupation shall not generate vehicular traffic measurably in excess of that normally associated with single family uses.~~

~~—D. No more than 20% of the floor area of the dwelling shall be used for the home occupation.~~

~~—E. One sign shall be permitted, not exceeding six square feet in area, non-illuminated and professionally prepared.~~

~~—F. The home occupation shall not cause the elimination of required off-street parking.~~

~~—G. The home occupation shall not cause any external effects such as increased noise, excessive lighting or excessive odor that is incompatible with the characteristics of the residential zone, or in violation of any applicable government code.~~

~~—H. There shall be no more than two outside paid employees.~~

~~—I. A business occupancy permit is required for the home occupation.~~

~~—J. All marijuana-related activities are prohibited as a home occupation.~~

§ 17.7.055 PURPOSE.

It is the purpose of this sub-article is to:

- 1. Support the needs or desires of residents to use their homes to engage in small-scale business ventures or activities.**
- 2. Recognize that many types of occupations can be performed at home as accessory and incidental to the primary residential use of a property with little or no effects on the surrounding neighborhood.**
- 3. Establish standards and provisions by which home occupations operate.**
- 4. Ensure that home occupations are conducted as lawful uses subordinate to the residential use of the property and do not alter the residential character**

and livability of the neighborhood, infringe upon the right of neighboring residents to the peaceful enjoyment of their neighborhood and homes, or otherwise be detrimental or disruptive in terms of appearance or operation to neighboring properties, residents, or the community at large.

§ 17.7.060 APPLICABILITY

The provisions of this sub-article apply to all home occupations as defined § 17.12.210 of this code unless exempt.

A. Exemptions. The following activities and uses are exempt from the provisions of this chapter:

1. The noncommercial on-premises sale of used household goods by a person who resides on the premises (a yard or garage sale) so long as the sales are conducted on no more than six days in any 12-month period.
2. Child care facilities for up to 16 children or adult day care for up to 12 adults, pursuant to ORS 657A.440 and ORS 657A.250;
3. Residential homes or adult foster homes providing residential treatment or training for up to five adults who are not related to the provider by blood or marriage under ORS 443.705 (1), pursuant to ORS 197.665.
4. For-profit production of produce or other vegetative agricultural products grown on the premises. This may include the temporary or seasonal sale of produce or other food products grown on premises by a person who resides on the premises or their immediate families.

B. Uses not permitted as home occupations. The following uses are not permitted as home occupations:

1. Motor vehicle sales, rental, servicing, repair, or painting
2. Waste related, junk and salvage operations
3. Storage and/or sale of fireworks
4. Cannabis related uses
5. Any use not conducted within a wholly enclosed building
6. Any use that consists of the manufacturing, processing, generation, or storage of materials that constitute a fire, explosion, or health hazard as defined by the Building Code, Fire Code, or both.
7. Any other use with characteristics consistent with home occupations but non-compliant with the standards and provisions of this chapter.

§ 17.7.065 GENERAL PROVISIONS

A. Zoning. A home occupation shall comply with the requirements of the zoning district for the property upon which the occupation is located upon.

B. Compliance. All home occupations must comply with the requirements and standards of this code. No person shall carry on a home occupation, or permit such use to occur on property, which that person owns or is in lawful control, contrary to the provisions of this code.

- C. Business License Required. Home occupations are required to apply for and maintain a City of Forest Grove business license and comply with all provisions of Title 6 of the Forest Grove City Code.
- D. Agency Licensing. The home occupation shall maintain all other licenses or permits as required by other agencies for the proposed use.
- E. Alterations and Classification of Dwelling. A home occupation shall not alter the residential character of the dwelling. The dwelling unit shall not be altered in a manner that changes its primary residential appearance or use. A home occupation may not necessitate a change in the state building code use classification as a dwelling unit. Any accessory building used for a home occupation shall meet building code requirements.

§ 17.7.070 HOME OCCUPATION STANDARDS.

- A. Home occupations shall be owned and operated by a principal occupant of the dwelling unit residing on premises. The home occupation may employ no more than two on-site employees who are not a resident of the dwelling unit. Off-site employees are permitted.
- B. The home occupation must be operated wholly within the primary dwelling or accessory structure. Exterior storage of materials or products is prohibited. Indoor storage of material or products shall not exceed the limitations imposed by the Building, Fire, Health and Housing Codes.
- C. All business operations shall comply with the City of Forest Grove noise ordinance and shall not generate any vibration, smoke, dust, odors, heat or glare detectable at or beyond the property line.
- D. There shall be no exterior storage of vehicles of any kind used for the business except that one (1) commercially licensed vehicle, which is not larger than a 0.75-ton pick-up, passenger van, or other vehicle of similar size, may be parked outside on the subject property in connection with the home occupation provided such parking complies with all parking restrictions.
- E. The home occupation location shall not be used as a headquarters or meeting location for the assembly of off-site employees or subcontractors for any reason, including staging or dispatch of off-site employees or subcontractors to other locations. Off-site employees and subcontractors may not store or park their motor vehicles at the home occupation location.
- F. Any product produced on-site for sale must be hand manufactured or grown using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed horsepower or other measurements of power, which would typically be used by a residential homeowner.
- G. One sign, not exceeding six square feet in area, non-illuminated and professionally prepared, may be permitted.
- H. No more than ten customer or client visits per day are permitted. Customers and clients are prohibited from visiting the business between the hours of 10 pm and 7 am.
- I. Excluding regular U.S. Postal Service delivery, no more than one pick-up or delivery related to the home occupation is permitted per day.

§ 17.7.075 HOME OCCUPATION PERMIT

Unless specifically listed as exempt, no home occupation shall be established or operated without obtaining city approval. An application for a home occupation permit shall be processed according to the Type 1 procedure, using the applicable provisions and standards of this sub-article as approval criteria. The Director shall approve or approve with conditions a home occupation permit when all of the applicable general provisions in Section 17.7.065 and Section 17.7.070 are met. The Director may impose conditions on the approval of a Home Occupation Permit to ensure compliance with Section 17.7.065 and Section 17.7.070.

§ 17.7.080 PERMIT REQUIREMENTS

An application for a home occupation permit shall be submitted by a principal resident of the subject property, or their authorized agent, on forms provided by the City. An application for a home occupation permit may be filed prior to or in conjunction with an application for a city business license. The home occupation permit shall be accompanied by the information required by the application form. At a minimum, a home occupation permit application shall include the following:

- A. Signatures of the applicant or the applicant's representative and the property owner or the property owner's representative;
- B. A detailed description of the business; and
- C. Other information as the city determines necessary to demonstrate compliance with this chapter.

§ 17.7.085 INVALIDATION OF A HOME OCCUPATION PERMIT

A home occupation permit is site-specific to the property and applicant designated on the application form. The permit is invalidated if an applicant moves from the residence.

§ 17.7.090 REVOCATION OF A HOME OCCUPATION PERMIT

A. Grounds for Revocation.

1. The Director may revoke a home occupation permit at any time for the following reasons:
 - a. A violation of any provision or standard of this code;
 - b. A violation of any term or condition of the permit;
 - c. Failure to pay the City of Forest Grove Business License fee in a timely manner.
2. Complaints. The Director may revoke the home occupation permit, approve the use as it exists, or compel measures to be taken to ensure the use does not infringe upon the right of neighboring residents to the peaceful enjoyment of their residential neighborhood and homes, or otherwise be detrimental or disruptive in terms of appearance or operation to neighboring properties, residents, or the community at large and conformance with this code after reviewing a formal complaint. Complaints may be originated by the City of Forest Grove or the public. Complaints from the public must clearly state the objection to the home occupation.

3. Nuisance. A home occupation that is established or operating in violation of this code may be declared to be a nuisance and may be abated as such (Municipal Code §91.050 et. seq. Abatement Procedure). The Director shall revoke a home occupation permit upon declaration of a public nuisance.
4. The Director may discontinue the revocation proceeding if the basis for revocation is corrected.
- B. Procedure. Revocation of a Home Occupation permit shall be considered and decided by the Planning Commission. Type III notice procedures shall be followed. The Director or any private complaining party shall have the burden to prove, based on substantial evidence in the whole record, that the applicant has violated the city's approval or code.
- C. Cessation of Home Occupation Pending Review. If it is determined by the Director in exercise of reasonable discretion, that the home occupation in question will affect public health, welfare, or safety, the use may be ordered to cease pending review or exhaustion of all appeals. Uses declared a public nuisance shall cease operations pending review or exhaustion of all appeals.
- D. Waiting Period for Re-application. When a home occupation permit has been revoked due to a violation of the standards and provisions of the code or any condition of approval attached to the permit, a minimum period of 1 year shall elapse before another application for the subject property or applicant will be considered.
- E. City of Forest Grove Business License. Revocation of a home occupation permit will initiate revocation proceedings for the associated business license.

§ 17.7.095 PERMIT FEE

The fee for a home occupation permit described above shall be set by City Council by resolution.

MANUFACTURED HOMES ON LOTS

§ 17.7.070100 PURPOSE.

§ 17.7.075105 STANDARDS.

A manufactured home may be located on an individual lot outside of a manufactured home park provided:

- A. It complies with the Building Design and Development Standards of § 17.8.710.F; ~~It is multi-sectional and encloses a space of not less than 1,000 square feet;~~
- B. It is placed on an excavated and back-filled foundation that is enclosed at the perimeter such that the manufactured home is not more than 12 inches above grade;
- C. ~~It has a pitched roof, with a slope of at least three feet in height for each 12 feet in width;~~

- ~~D. It has exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings;~~
- E. C. It is certified by the manufacturer to have an exterior thermal envelope meeting performance standard which reduce levels to the performance standards required of single-family dwellings constructed under the State Building Code;
- ~~F. It has a garage or carport with exterior materials matching the residential unit;~~
- G. D. It is not sited adjacent to any structure designated as a Historic Landmark; and
- ~~H. Front doors shall face streets excluding those homes obtaining access from a driveway.~~

NONCONFORMING DEVELOPMENT

§ 17.7.400200 PURPOSE.

§ 17.7.405205 APPLICABILITY.

§ 17.7.410210 LOSS OF NONCONFORMING STATUS.

§ 17.7.415215 ALTERATION OF A NONCONFORMING USE.

§ 17.7.420220 ALTERATION OF A NONCONFORMING STRUCTURE.

§ 17.7.425225 EXCEPTIONS.

SOLID WASTE AND RECYCLING

§ 17.7.200300 PURPOSE.

§ 17.7.205305 SIZE, LOCATION, DESIGN AND ACCESS STANDARDS FOR STORAGE AREAS.

WIRELESS COMMUNICATION FACILITIES

§ 17.7.300400 PURPOSE.

§ 17.7.305405 EXEMPTIONS.

§ 17.7.310410 PROCEDURE.

§ 17.7.315415 HISTORIC DISTRICTS AND STRUCTURES.

§ 17.7.320420 SUBMITTAL REQUIREMENTS.

§ 17.7.325425 REVIEW CRITERIA.

RESIDENTIAL DENSITY INCENTIVES

§ 17.7.400500 PURPOSE.

§ 17.7.405~~505~~ APPLICABILITY.

§ 17.7.410~~510~~ STANDARDS.

ORDINANCE NO. 2023-XX
EXHIBIT H – ARTICLE 8 AMENDMENTS

*(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)*

GENERAL DEVELOPMENT STANDARDS

ACCESS AND CIRCULATION

§ 17.8.120 MINIMUM ACCESS REQUIREMENTS FOR RESIDENTIAL USES.

A. Direct access to arterial streets from a residential dwelling established after the effective date of this Code is prohibited. The city may permit direct access to an arterial for lots of subdivisions approved prior to the effective date of this Code, and for multi-family residential complexes if the access is designed to local residential street standards.

B. Single-family dwellings and duplexes shall be required to have one driveway, fully improved with hard surface pavement, with a minimum width of ten feet.

C. **Residential access drives and** ~~S~~service drives for multi-family dwellings shall be fully improved with hard surface pavement with a minimum width of:

1. ~~Twelve~~ **Sixteen** feet when accommodating one-way traffic; or
2. ~~Twenty-four~~ feet when accommodating two-way traffic.

In no case shall the design of said ~~service drive or drives~~ require or facilitate the backward movement or other maneuvering of a vehicle within a street.

§ 17.8.130 WIDTHS AND LOCATIONS OF DRIVEWAYS AND CURB CUTS.

A. Minimum driveway widths at the street right-of-way line shall be 15 feet for institutional, commercial, industrial and multi-family residential uses, and ten feet for single-family and two-family residential uses.

B. Maximum driveway widths at the street right-of-way line shall be as follows.

1. In residential zones:
 - a. Twenty-four feet **or 50% of the lot frontage, whichever is less,** for lots with less than 60 feet of street frontage;

BUILDING DESIGN AND DEVELOPMENT STANDARDS

F. Single-Unit and Middle Housing Types

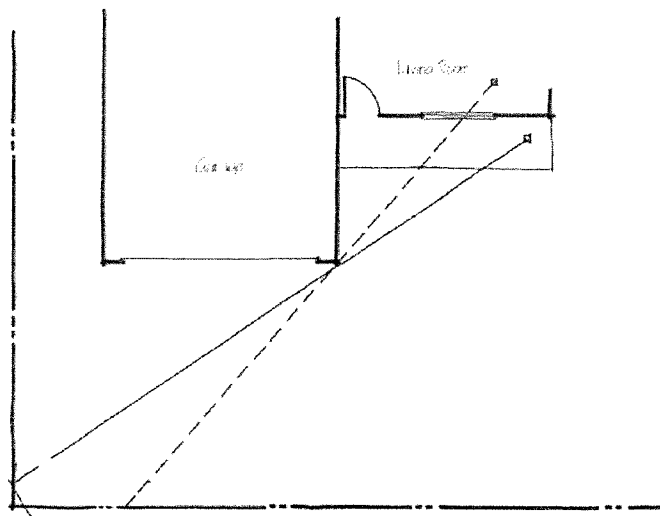
1. Purpose. The purpose of the design standards is to ensure that new residential development has a positive influence on the livability and safety of surrounding neighborhoods. The standards are narrowly focused on improving the way that new residential buildings relate to the public right-of-way (streets, sidewalks and parkways).

2. Applicability

- a. Unless otherwise noted, the standards in this section apply to all single-unit detached and middle housing dwelling types.
- b. These standards do not apply to middle housing created through conversion of, or addition to, an existing single-unit detached dwelling or duplex. The internal conversion or addition of an existing detached single-unit structure or duplex is allowed provided the conversion meets building codes and does not create nonconformance with clear and objective development standards.
- c. Facades of dwellings that are separated from the street property line by another dwelling are exempt from meeting building design standards.
- d. a-The standard relating to street connection is applicable to construction of single unit dwellings, townhouses, manufactured homes, duplexes, triplexes, and quadplexes. The intent of the standard is to ensure that dwellings on smaller lots are oriented to and visible from the public street and to enhance the pedestrian environment. Compliance with the design standards is checked during building plan review. ~~Facades of dwellings that are separated from the street property line by another dwelling are exempt from meeting building design standards.~~

Figure 8-18: Visual Surveillance Standard

Figure 8-19: Visual Surveillance Standard



3. General Standards

- a. Street Connection and Visual Surveillance Standard. All habitable rooms facing a street shall have a window.
- b. The same building plan, street facing façade, or combination thereof, shall not be replicated for structures that are adjacent and along the same street or face each other across any street. Replication includes mirrored images (where the main features such as windows, door

location, garage location, roof peak, etc. are reversed), and minor trim, siding, and paint changes (less than 50%).

4. 4. Building Façade and Elevation Standards

- a. No more than six (6) single-family attached units shall be allowed in a series.
- b. **Street facing facades shall not be replicated on more than 45% of the total number of units on the same street or the project as a whole.**

5. ~~Duplex Design Standards~~

- a. ~~New duplexes shall meet all clear and objective standards that apply to detached single unit dwellings in the same zoning district.~~
- b. ~~Conversion of an existing detached single unit dwelling to a duplex is allowed provided the conversion meets building codes and does not create nonconformance with applicable clear and objective development standards.~~

6. **5. Single-unit detached, Duplex, Triplex and Quadplex Design Standards**

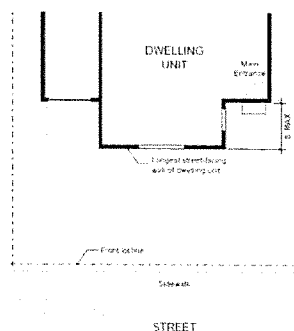
- a. Entry Orientation: **An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.** At least one main entrance for each triplex or quadplex structure **containing at least one dwelling unit** must meet the following standards:

1. The entrance must be within eight (8) feet of the longest street-facing wall of the dwelling unit; and the entrance must either:

- i. Face the street as shown by the figure below:

Figure 8-20: Dwelling Unit Entrance

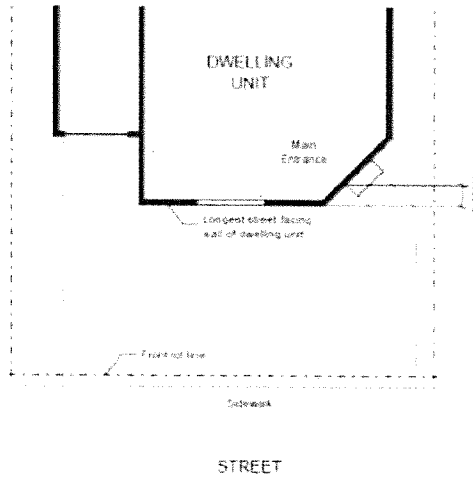
Figure 8-20: Dwelling Unit Entrance



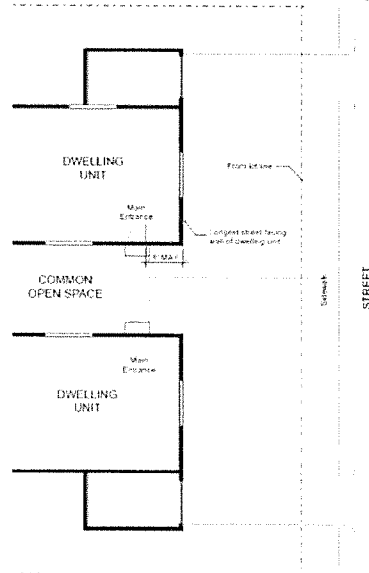
- ii. Be at an angle up to forty-five (45) degrees from the street as shown by the figure below:

Figure 8-21: Dwelling Unit Entrance

Figure 8-21: Dwelling Unit Entrance



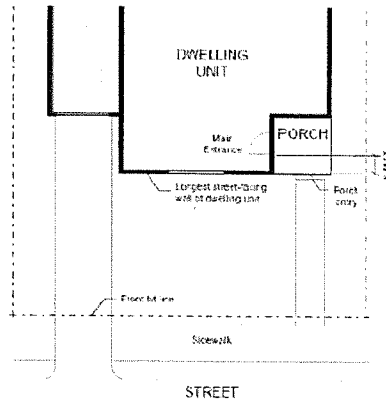
- iii. Face a common space that is adjacent to the street and is abutted by dwellings on at least two sides: or
Figure 8-22: Common Open Space



- iv. Open onto a porch. The porch must be at least twenty-five (25) square feet in area and have at least one entrance facing the streets.

Figure 8-23: Front Porch

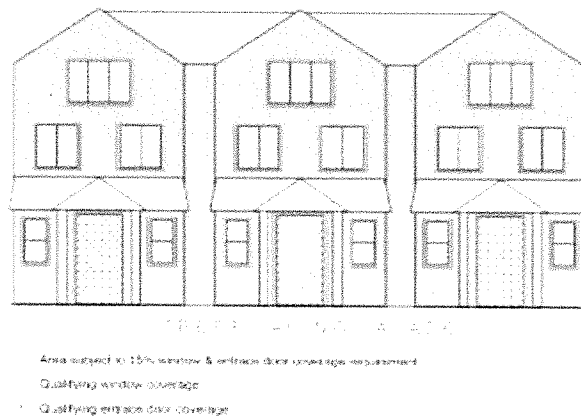
Figure 8-23: Front Porch



- b. Windows: A minimum fifteen (15) percent of the area of all street facing facades must include windows or entrance doors **with windows**. Facades separated from the street property line by a dwelling are exempt from this standard.

Figure 8-24: Street Facing Façades

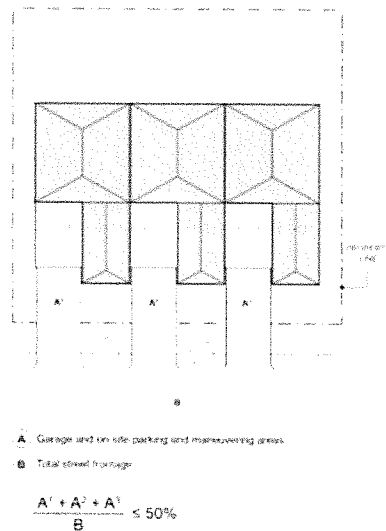
Figure 8-24: Street Facing Façades



- c. Garages and Off-Street Parking Areas: The combined width of all garages and outdoor on-site parking and maneuvering area shall not exceed a total of fifty (50) percent of the street frontage, **except those which are accessed from an alley.**

Figure 8-24: Garages and Off-Street Parking

Figure 8-25: Garages and Off-Street Parking



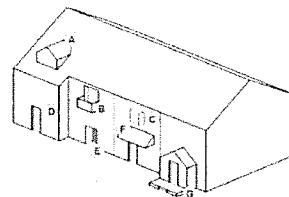
- d. ~~Internal conversion of an existing detached single unit structure or duplex is allowed provided the conversion meets building codes and does not create nonconformance with clear and objective development standards.~~

7. 6. Townhouse Design Standards

- a. Entry Orientation: **An entry is a building opening designed to be used by pedestrians. It does not include any door exclusively designated as an emergency exit, any door that leads to a utility room or closet, or a garage door not designed as a pedestrian entrance.** At least one main entrance for each townhouse unit must meet the following standards:
1. The entrance must be within eight (8) feet of the longest street-facing wall of the dwelling unit; and the entrance must be either:
 - i. Face the street as shown by the figure below **Figure 8-20**;
 - ii. Be at an angle up to 45 degrees from the street as shown by **Figure 8-20**;
 - iii. Face a common open space that is adjacent to the street and is abutted by dwellings on at least two sides **as shown by Figure 8-22**; or
 - iv. Open onto a porch. The porch must be at least 25 square feet in area and have at least one entrance facing the street **as shown by Figure 8-23**.
- b. Windows: A minimum 15% of the area of all street facing facades must include windows or entrance doors **with windows**. Facades separated from the street property line by a dwelling are exempt from this standard.
- c. Driveway Access and Parking:
1. A maximum of one (1) driveway approach is allowed for each townhouse unit.

2. Outdoor on-site parking and maneuvering areas shall not exceed the lesser of twelve (12) feet wide on any lot or fifty (50)% of the lot frontage.
 3. The width of garage entrances shall not exceed twelve (12) feet as measured from the inside of the garage door frame.
 4. A townhouse unit on a corner lot shall take access from a single driveway approach.
 5. A townhouse project that includes consolidated access or shared driveways shall grant access easements to allow normal vehicular access.
 6. Townhouses adjacent to an alley shall take vehicular access only from the alley.
- d. Unit Definition. Each townhouse must include at least one of the following on at least one street facing façade:
1. A roof dormer a minimum of four (4) feet in width; or
 2. A balcony a minimum of two (2) feet in depth and four (4) feet in width and accessible from an interior room; or
 3. A bay window that extends from the façade a minimum of two (2) feet; or
 4. An offset of the façade a minimum of two (2) feet in depth, either from the neighboring townhouse or with the façade of a single townhouse; or
 5. An entryway that is recessed a minimum of three (3) feet; or
 6. A covered entryway with a minimum depth of four (4) feet; or
 7. A porch of at least 25 square feet in area with at least one entrance facing the street or have a roof.

Figure 8-26: Unit Definition



- A. Roof dormer, minimum of 4 feet wide
- B. Balcony, minimum of 2 feet deep and 4 feet wide, accessible from interior room
- C. Bay window, minimum of 2 feet deep
- D. Recessed entryway, minimum of 3 feet deep
- E. Covered entryway, minimum of 4 feet deep
- F. Porch, minimum of 25 square feet in area, with at least one entrance facing the street or have a roof
- G. Roof over a porch, minimum of 25 square feet in area

8. 7. Cottages and Cottage Clusters

ORDINANCE NO. 2022-03
EXHIBIT I – ARTICLE 12 AMENDMENTS

(New text is indicated by **bold - underline** and text being deleted is ~~struck through~~)

USE CATEGORIES AND DEFINITIONS

USE CATAGORIES

§ 17.12.110 RESIDENTIAL USE CATEGORY.

A. *Household living.* Living facilities for small groups (households) of people who are related or unrelated, featuring self-contained units including facilities for cooking, eating, sleeping and hygiene. Tenancy is longer than one month. ~~Examples include single-family detached and attached dwellings, duplexes, multifamily dwellings and manufactured dwellings.~~ The household living category includes most types of senior housing, e.g., congregate care and assisted living, if residents live in self-contained units. The Uniform Building Code shall determine the maximum number of people who may reside in any given dwelling unit.

~~§ 17.12.160 UNLISTED USE: AUTHORIZATION OF SIMILAR USE.~~

~~A. *Purpose.* It is not possible to contemplate all of the various uses that will be compatible within a zoning district. Therefore, unintentional omissions occur. The purpose of this section is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with the listed uses.~~

~~B. *Process.* The Planning Commission shall render an interpretation, pursuant to the Type III process by § 17.1.600 of this Code.~~

~~C. *Approval standards.* Approval or denial of an unlisted use application by the Director shall be based on findings that:~~

- ~~1. The use is consistent with the intent and purpose of the applicable zoning district;~~
- ~~2. The use is similar to and of the same general type as the uses listed in the zoning district;~~
- ~~3. The use has similar intensity, density and off-site impacts as the uses listed in the zoning district; and~~
- ~~4. The use has similar impacts on community facilities as the listed uses. Community facilities include streets, schools, libraries, parks, police and fire stations, and water, sanitary sewer and storm drainage systems.~~

~~D. *Other provisions:*~~

- ~~1. The Director shall not authorize an unlisted use in a zoning district if the use is specifically listed in another zone as either a permitted use or a conditional use.~~
- ~~2. The Director shall maintain a list by zoning district of approved unlisted uses and the list shall have the same effect as an amendment to the use provisions of the applicable zone.~~

§ 17.12.210 MEANING OF SPECIFIC WORDS AND TERMS.

F1. FAÇADE. An exterior face of a building.

F2. ~~F1.~~ FACE

F3. ~~F2.~~ FAMILY

F4. ~~F3.~~ FENCE

F5. ~~F4.~~ FINAL ACTION, FINAL DECISION, OR FINAL ORDER

F6. ~~F5.~~ FINDINGS

F7. ~~F6.~~ FLOOD RELATED DEFINITIONS

F8. ~~F7.~~ FLOOR AREA

F9. ~~F8.~~ FLOOR AREA RATIO

F10. ~~F9.~~ FRONTAGE

F11. ~~F10.~~ FRONT PORCH, STANDARD

H2. ***HOME OCCUPATION.*** Any occupation or activity which is clearly incidental and secondary to the principal use of the premises or dwelling and which is carried on wholly within the ~~main building~~ **primary dwelling or residential accessory structure on the premises** by a member of the family **principal occupant of the dwelling unit** residing on the premises.