

APPROVED

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017–7:00 P.M.

PAGE 1 of 6

1. CALL TO ORDER:

Chair Beck called the meeting to order at 7:02 p.m. Roll Call:

Planning Commission Present: Chair Tom Beck; Vice Chair Phil Ruder; Commissioners Lisa Nakajima, Dale Smith, and Hugo Rojas.

Planning Commission Excused: Commissioners Sebastian Lawler and Carolyn Hymes.

Staff Present: CD Director Bryan Pohl; James Reitz, Senior Planner; Dan Riordan, Senior Planner; Cassi Bergstrom, Planning Commission Coordinator.

2. PUBLIC MEETING:

2.1 PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

2.2 PUBLIC HEARING:

A. File No. 311-16-000175-PLNG – Legislative amendments to the Forest Grove Development Code pertaining to planned developments, adjustments, definitions, increasing the target density in the RMH zoning district to 30 dwelling units per acre and up to 50 dwelling units per acre for affordable housing, solar access, non-conforming uses, accessory structures.

Chair Tom Beck opened the public hearing at 7:04 p.m., reading the legislative hearing script and applicable review criteria for the Development Code text amendment. The staff report was then requested.

Senior Planner James Reitz gave a Power Point presentation starting by giving the background of the Development Code that was adopted in 2009. The major and minor amendments that have occurred since the adoption were briefly described. This will be the first comprehensive amendment process since the Development Code was originally adopted.

Chair Beck inquired about the flood plain management and if those amendments are done. Mr. Reitz stated that the text amendment is completed, but the maps still have some changes that could occur.

Chair Beck suggested that the domesticated fowl code be revised due to a flaw regarding the age of fowl allowed, as broiler pullets are under 6 months of age when processed. Mr. Reitz stated that he would like more time to research before proposing an amendment.

Mr. Reitz went over what is being proposed by city staff for text amendments to the Development Code: Increasing target density in RMH Zoning District from 20.28 to 30.00 dwelling units per acre (DUA); Allowing bonus density for up to 50.00 DUA for Affordable Housing; Allowing incentive density in the Community Commercial (CC) Zoning District using the same incentives as allowed in the Town Center (TC) Zoning District; and revising the Planned Development section.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017--7:00 P.M.

PAGE 2 of 6

Mr. Reitz went over the minor amendments proposed: Expanding and clarifying the provisions of the Adjustments, Solar Access, Non-Conforming Development, Dwelling Diversity, Off-Street Parking, and Subdivision Open Space codes; stipulating that marijuana processing and production is not permitted in the CC zoning district; and expanding/clarifying the day care, religious institutions, and density definitions.

Chair Beck requested that staff elaborate on the day care proposal. Mr. Reitz explained that the state code changed from 12 to now 16 kids and above being a facility, and city and state code need to align accordingly. Chair Beck inquired if the city code could supersede the state law. Mr. Riordan interjected that state law supersedes city code as long as a live-in resident is running the facility. If a non-resident is running the facility, then the city can require a conditional use permit going forward. Commissioner Ruder stated that 16 children seems like a shockingly high number.

Mr. Reitz went on to show a map of the RMH target density increase, explaining the half mile wide transit corridor and the redevelopment opportunity areas. The quarter mile district on each side shows the areas where people are more likely to walk to their destination. City is exploring further tonight increasing the target density up to 30 DUA within these RMH zoning areas, and up to 50 DUA for affordable housing bonuses.

Commissioner Ruder asked for clarification on how density increases. Mr. Reitz gave examples on current projects: Hawthorne Street/21st Avenue is right at 20 DUA and The Jesse Quinn is at 50 DUA. Chair Beck stated that adding floors increases the density.

Mr. Reitz stated that more recently developers are saying that 20 DUA is too low, and 25-27 DUA is more viable. The 30 DUA suggested by staff is not a scientifically vested number. Staff was hoping for testimony to get some direction on a number of dwelling units per acre.

Chair Beck asked what the height limit in these areas is, and Mr. Reitz responded that it is 45 feet so potentially four stories.

Chair Beck asked how 50 DUA is achieved, and Mr. Reitz stated it is likely studio units being built, not 3bed/2bath units.

Commissioner Nakajima inquired about the building of tiny houses, and Mr. Reitz explained that this affordable housing component needs more research.

Mr. Reitz continued with his presentation by showing an oblique view of an RMH zone in Forest Grove with single-family detached as an example of the planned development. In order to make this work, all had small yards, multiple driveways, limited on-street parking, views into neighbor's yards/homes, limited area for utility placement, similar architecture and color palette, and limited active recreation space. The city wants to make this better by requiring different housing types within the RMH zone. A new proposal to the code requires dedicated recreation space without loopholes.

Commissioner Nakajima stated that during prior planned developments, builders have told Commissioners the market is for single-family detached homes. Mr. Reitz said that

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017–7:00 P.M.

PAGE 3 of 6

in today's market there is an extremely low vacancy rate making for a strong apartment market.

Mr. Reitz went on to discuss the accessory dwelling unit "tower", showing a picture from inside a neighbor's house as an example of the view of the "tower". Current code allows for an accessory dwelling unit (ADU) to be built as tall as the primary dwelling unit. Staff suggests dropping the height regulation of the ADU down 10 feet.

Chair Beck asked what the maximum square footage of an ADU can be, and Mr. Reitz stated that is was 720 square feet. Chair Beck suggested the ADU be made proportional to the primary dwelling, relative to what is there. Mr. Reitz stated that lowering the height will make only a half story above the main floor.

Commissioner Nakajima suggested a requirement to offset the windows.

Mr. Reitz presented his last slide, showing a picture of a subdivision recreation tract that is graveled and not developed with recreational facilities. Commissioner Nakajima inquired if this was a failure of enforcement. Mr. Reitz stated that is a failure of follow through and lack of an HOA that would take care of these common subdivision tracts. Plans for these recreation tracts were not stipulated as to what needed to be there.

Chair Beck stated that his biggest doubt for having incentives on affordable housing is who will enforce it and wanted Commissioners to further discuss the slides presented.

Commissioner Ruder stated there is a pretty big jump in 20 to 30 DUA, and has a hard time seeing Forest Grove supporting the idea of transit-using households. Past developers were saying there was no market for dense apartment housing, which makes him skeptical. Testimony to that affect would have been helpful.

Mr. Reitz stated that TriMet is counting on increasing the residential density along transit lines. Commissioner Ruder brought up the example of a recent land use action, and the neighbors were upset about the denser housing. A bigger push is needed and it isn't being seen by the Commission.

Chair Beck stated the 3-story apartments being built on Hawthorne are out of character for that area of Forest Grove.

Mr. Riordan clarified that there will be a City Council work session in November about affordable housing, so there will be more opportunity to look at the density. Chair Beck stated that he does not think increasing the density is effective. Family-size apartments are needed, not studio apartments.

Mr. Riordan went on to say that there currently is only incentive density for affordable housing within the Town Center district, with stipulations. It takes a certain amount of expertise for a builder to pull these affordable housing projects off. The Jesse Quinn was built at over 50 units per acre and given density bonuses, but did not offer affordable housing rates.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017–7:00 P.M.

PAGE 4 of 6

Chair Beck doesn't think increasing density within the Development Code doesn't address what really needs to be done. The incentives are a nice nod to doing the right thing, but do we really want units along Pacific Ave that could potentially be 90 units per acre?

Commissioner Ruder responded that it depends on if the Town Center gets built up, then yes, but not until the Town Center has no development left. That preserves the character of the town.

Commissioner Rojas stated that these projects with variety will not be allowed unless a change is made to the Development Code.

Commissioner Nakajima stated that 5 years for the Planned Development and to allow an extension is too long, and needs to be revisited after 3 years. Chair Beck agreed.

Chair Beck asked Mr. Reitz to go over exactly what the City wants to change in the Development Code. Mr. Reitz stated the following major changes to the Development Code: a variety/mixture in building types and architectural styles; an architectural pattern book for a variety of styles to be submitted; garage setbacks to be minimum of 20 feet; peripheral yards along the PD boundary will not be allowed a 3 foot setback; the planned development process cannot take an exemption for street standards; phasing will be required if taking longer than 24 months to complete; and planned development shall not exceed 5 years to completion.

Mr. Reitz went on to explain the minor changes to the Development Code: consistency in adjustment; solar access; non-conforming development clarification; dwelling diversity to limit replication; and off-street parking to lower requirements for self-service storage facilities.

Chair Beck brought up the off-street parking limits for the university and apartment buildings due to the on-street parking available. Commissioner Nakajima stated there should be a limit for on-street parking, but not sure on the percentage. Mr. Reitz agreed to work on a proposal for the parking issue.

CORRESPONDENCE:

None.

PROPONENTS:

None.

OPPONENTS:

None.

OTHER:

None.

Chair Beck closed the public hearing at 8:21 p.m.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017--7:00 P.M.

PAGE 5 of 6

COMMISSIONER DISCUSSION:

Chair Beck opened the discussion and went through each amendment individually.

Regarding the increase in RMH zoning district density, Chair Beck asked what the Commission would like to recommend. The recommendation was to leave it at the current 20.28 DUA as there was no pressing need to raise the rate. Commissioner Rojas was the only Commissioner that agreed with the increase to 30 DUA. Commissioner Nakajima inquired if this rate could be revisited under a future development agreement, and Mr. Reitz stated that yes, there were options.

Regarding the bonus for incentive density, the Commission was in agreeance with 30 DUA.

Regarding the passing of incentives from the Town Center (TC) to Community Commercial (CC) Zone, the Commission was in agreeance with increasing in TC first before passing to CC.

Regarding the planned development deadline, the Commission was in agreeance with a 3 year deadline for approval and a one year extension, making it the same for the subdivision approval.

Regarding the day care approval within a residential zone, a non-resident (not living at location) will be required to obtain a conditional use permit regardless of the number of children. State code will be followed as well.

Commissioner Rojas moved a motion that the Planning Commission recommends to the City Council file number 311-16-000175-PLNG, legislative amendments to the Forest Grove Development Code with the amendments discussed. Commissioner Smith seconded.

Roll Call Vote: AYES: Chair Beck, Commissioners Ruder, Smith, Rojas, and Nakajima. NOES: None. ABSENT: Commissioner Lawler and Hymes. **MOTION CARRIED 5-0.**

2.3 ACTION ITEMS:

None.

2.4 WORK SESSION ITEMS:

None.

3.0 BUSINESS MEETING:

3.1 APPROVAL OF MINUTES:

Commissioner Nakajima moved a motion to approve the minutes of the September 18, 2017 meeting. Chair Beck seconded. Motion passed 5-0.

3.2 REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:

None.

**PLANNING COMMISSION MEETING MINUTES
FOREST GROVE COMMUNITY AUDITORIUM**

October 16, 2017–7:00 P.M.

PAGE 6 of 6

3.3 DIRECTOR'S REPORT:

Chair Beck welcomed the new Community Development Director, Bryan Pohl. Mr. Pohl gave a background of his experience in policy and land use.

Mr. Riordan stated that there may be a potential appeal to bring forward to the Planning Commission.

Mr. Reitz gave an update on the progress of the Pacific University Master Plan. The university plans on meeting with the city next week to further discussion on their response. A timeline is not yet known when it will come back to the Commission.

Commissioner Nakajima inquired about the status of Gales Creek Terrace, and Mr. Riordan responded that the project was granted a one-year extension.

Commissioner Ruder stated there are a lot of apartment units coming online in the next few months and wondered the increase in percentage. Mr. Riordan stated it is about a ten percent increase.

Mr. Riordan stated there are several work sessions set up with City Council for direction on affordable housing.

Mr. Reitz gave an update on land use applications coming in, and a lot is under construction right now.

3.4 ANNOUNCEMENT OF NEXT MEETING:

Next meeting is tentative.

3.5 ADJOURNMENT:

The meeting was adjourned at 8:44 p.m.

Respectfully submitted by:
Cassi Bergstrom
Planning Commission Coordinator