



Malynda Wenzl, Mayor

Timothy A. Rippe, Council President
Donna Gustafson, Councilor
Michael Marshall, Councilor

Karen Martinez, Councilor
Elena Uhing, Councilor
Mariana Valenzuela, Councilor

[TVCTV Livestream](#)

[Zoom Webinar](#) Meeting ID: 850 7572 2488 Passcode: 97116

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CITY COUNCIL WORK SESSIONS

No public comment will be taken. The Council will take no formal action.

5:30 Light and Power: Rate Schedule Four

Staff: Keith Hormann, Light & Power Director

6:00 Council Rules: Proclamations and Council President

Staff: Mariah Woods, City Recorder, Jesse VanderZanden, City Manager

6:30 Senior and Community Center: Next Steps

Staff: Paul Downey, Assistant City Manager/Finance Director

CITY COUNCIL MEETING

A. 7:00 Call to Order

1. Roll Call
2. Land Acknowledgement
3. Pledge of Allegiance

B. Public Comment: Time provided for anyone wishing to speak to City Council on an item not on the agenda or on the agenda but not scheduled for a public hearing. Comments are limited to 2 minutes unless additional time is granted by the Presiding Officer. The public comment period shall not exceed 30 minutes unless a majority of Councilors present vote to extend the time. Zoom attendees may use the "Raise Hand" option to be called on.

1. Written Public Comment

C. Consent Agenda: Items under the Consent Agenda are considered routine and will all be adopted with a single motion, without separate discussion. Councilors who wish to remove an item from the Consent Agenda may do so prior to the motion. Any item(s) removed will be discussed and acted upon following the approval of the remaining item(s).

1. Monthly Building Report - October

D. Additions/Deletions

1. City Manager
2. Proposed by Councilors

E. Presentations: The Council will hold questions until the end of each presentation. A two-minute reminder will be given to the presenter to conclude remarks.

1. 7:15 **CECOP Intern Presentation**
Staff: Estephano Soto, Engineering Intern

F. Public Hearings, Ordinances, and Resolutions

1. Public Hearing & First Reading
7:30 **ORDINANCE 2024-07 AMENDING THE FOREST GROVE DEVELOPMENT CODE ARTICLE 8- DEVELOPMENT STANDARDS, AND ARTICLE 12- USE CATEGORIES AND DEFINITIONS FILE NO. 311-24-000034-PLNG**
Staff: Bryan Pohl, Community Development Director

G. 7:40 Council Communications:

1. Councilor Reports
2. City Manager's Report
3. Mayor's Report

H. 8:00 Adjournment

URBAN RENEWAL AGENCY MEETING

See separate agenda.



Light & Power Rate Schedule 4 Review Work Session

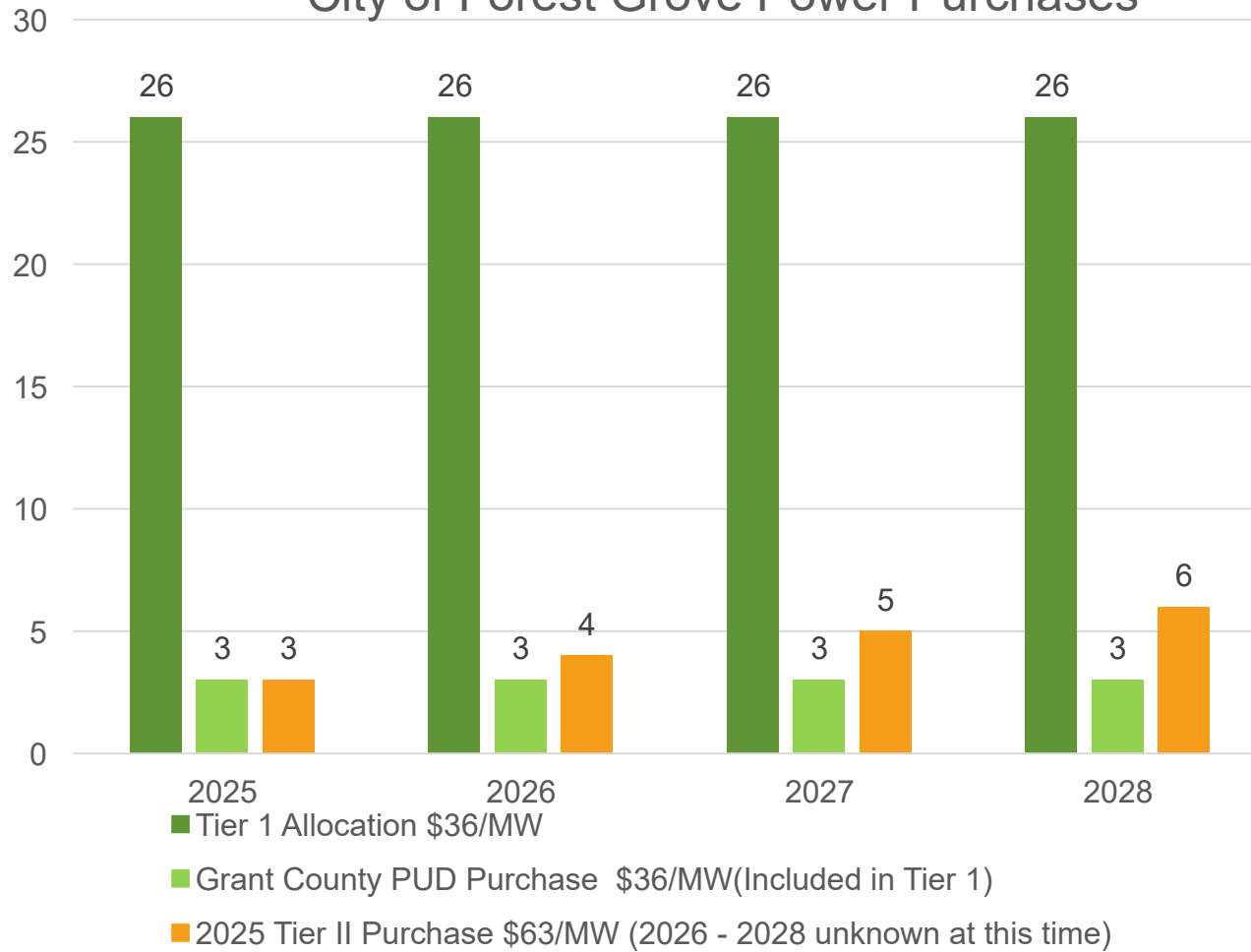
Keith Hormann, L&P Director
Paul Downey, Asst. City Manager

- **The purpose of tonight's presentation is to brief City Council on the impacts of power rate increases the City may see from the City's power purchasing provider, the Bonneville Power Administration (BPA).**
- **The City purchases all its power through BPA. The City's power purchases are placed in two categories: Tier 1 and Tier 2. Tier 1 power is typically less expensive than Tier 2 power.**
- **The City's Tier 1 purchases as a preference customer of BPA are the City's allocation of the Federal Columbia River Power System (FCRPS). The City shares this preference power with approximately 130 other preference customers.**

- **Once the City's power needs exceed the Tier 1 allocation, the City then purchases power from the Tier 2 category.**
- **The City's power needs began exceeding our Tier 1 allocation approximately 6 years ago. In the current 2024/2025 rate period, the City is purchasing approximately 3 megawatts of Tier 2 power on an hourly basis out of total power purchases of 32 megawatts.**
- **For context, during the current 2024/2025 rate period, the price of Tier 1 power is approximately \$36/megawatt while Tier 2 power is \$63/megawatt.**

- **As the city grows, power purchase needs will continue to increase.**
- **BPA's current review process places initial estimates of the City's power needs growth at a 1.8% rate. At this rate of increase, the City's Tier 2 purchases will increase to six megawatts by 2028.**
- **Staff is currently working with BPA on the load forecast for the final rate period of our 20-year contract with BPA which is for a three-year period starting October 1, 2026, and ending September 30, 2028.**

City of Forest Grove Power Purchases



2029 – Unknown at this time, due to contract renewals with BPA

- **BPA is also pre-messaging that the price of Tier 2 power is likely to increase during the 2026-2028 period to the \$90 to \$120 per megawatt range. This will be defined during the rate-setting process being performed soon.**
- **Due to the additional purchases and the expected price increases based on current customer needs and projected normal growth, the City will most likely need to consider rate increases for our customers during the 2026-2028 rate period.**

- **The next long-term purchasing contract with BPA is tentatively planned to be from October 1, 2029, through September 30, 2044. Contract language is still being developed by BPA with customer input.**
- **Staff will be providing more contract content as it becomes available. Contract signing for the 2029-2044 contract period is tentatively set for late 2025.**

Possible Rate Increase Exposure Discussion

L&P Electric Rate Schedule 4 Proposed Revisions

- **This portion of the presentation is to discuss staff's recommended revisions to Electric Rate Schedule 4.**
- **All Forest Grove Light & Power customer's electric rates are applied through a Schedule that applies to their type of service. There are currently 11 various Rate Schedules. The current rate schedule and the proposed revisions to Schedule 4 are attached and are also part of this presentation.**

- **On November 27, 2023, City Council approved the addition of Rate Schedules 4 & 5. Staff has identified an issue with Schedule 4 that needs to be addressed. Schedule 5 does not have that same issue, so no change is necessary.**
- **As a reminder, Schedule 4 addresses industrial loads larger than 2 megawatts but smaller than 10 megawatts, and Schedule 5 addresses industrial loads larger than 10 megawatts.**
- **Energy charges under Schedule 4 will be assessed at the value of the BPA Tier 2 product during that rate period.**

- **Load forecasting is a process that L&P staff performs with BPA during each biannual rate period for the next rate period. This BPA-driven load forecast determines how much power the City will be purchasing in the upcoming rate period.**
- **While new large customers will pay Tier 2 prices for their power purchases, staff's concern for the City is if that customer's actual power purchases are lower than its forecasted load because the City is purchasing power based on the forecasted load.**
- **In consultation with the City's power attorney issues and the City power rate financial consultant, staff identified language that should be revised in Schedule 4 regarding this issue of actual purchases versus forecasted purchases.**

- **Due to the significant exposure related to the potential differences in forecasted power purchases versus actual power purchases forecasted under Schedule 4, staff is proposing revisions in the language to protect the City for the difference in costs when a large customer's actual power use is lower than the forecasted load for that customer.**
- **The revised language in Schedule 4 will alleviate this risk to the City. The revised language states the City will charge the customer for the forecasted power load. If the customer's actual power is less, the City will attempt to remarket the excess power and provide the customer a credit based on the proceeds from the remarketed power.**

Current Rate Schedule 4 Language

CHARGES PER BILLING INTERVAL

Customer's monthly billing will consist of the the following energy charges (customer and demand charges are applicable based on schedule 3).

Energy Charge:

BPA Rate Year 2024 through 9/30/24	\$6.92 cents/kWh
BPA Rate Year 2025 (10/01/24-9/30/25)	\$6.53 cents/kWh

FY2025 Renewable Energy Compliance: passthrough based on actual cost \$/kWh

Customer's energy rates will be based on the greater of the average energy rate for schedule 3 or any additional costs the City incurs from either Bonneville Power Administration (BPA) Short Term Tier 2, or equivalent rates being procured to provide above rate high watermark energy compared to the (BPA) Tier 1 rate. The rate may recover costs incurred by the City, including transmission, scheduling, overhead, in-lieu of tax transfers, cost of renewable, costs associated with regulatory compliances, and losses.

Proposed Schedule 4 Revised Language

LOAD FORECAST AND MINIMUM BILLING DETERMINANT:

Except as may otherwise be agreed by the parties in an Energy Service Agreement, all energy and capacity used to serve the customer load will be procured by the City Light and Power Department from the Bonneville Power Administration (BPA) or equivalent market purchases. As part of the power planning process, Customer shall provide forecasts of customer's reasonably expected demand and energy usage for each calendar month of the following twenty-four (24) month period (or for such longer period as may be required by BPA or market purchase agreements). The load forecast will, in part, determine the amount of power that the City Light and Power Department is required to purchase from BPA or market-equivalent sources. Thus, the City Light and Power Department will charge the customer a minimum monthly Energy Charge and Demand Charge based on the customer's load forecast, even if the customer's actual demand and energy consumption are less than the forecast. If, and to the extent that, the City is able to remarket any energy and capacity that has been forecasted by customer but is not actually needed to serve the customer load, then the City Light and Power Department will allocate to customer's account any corresponding bill credit actually received from BPA or market equivalent resale. The City will determine the wholesale power supply at its discretion.

Proposed Schedule 4 Revised Language Continued

CHARGES PER BILLING INTERVAL

Customer's monthly billing will consist of the the following energy charges (customer and demand charges are applicable based on schedule 3).

ENERGY CHARGE:

Customer's energy rates will be based on the greater of the average energy rate for schedule 3 or any additional costs the City incurs from either BPA Short Term Tier 2, or equivalent rates being procured to provide above rate high watermark energy compared to the BPA Tier 1 rate. The rate may recover costs incurred by the City, including but not limited to, transmission, scheduling, overhead, in-lieu of tax transfers, cost of renewable, costs associated with regulatory compliances, and losses.

Customer's energy charge will be calculated each billing period by multiplying the applicable energy rate with the greater of: (1) the forecast customer load for such billing period; or (2) customer's actual energy consumption during such billing period.

Questions and Rate Schedule 4 Discussion

ELECTRIC SERVICE
DEFINITIONS AND DESCRIPTIONS

RESIDENTIAL SERVICE:

Service furnished to customers using energy for domestic purposes in single family dwellings, apartments where each dwelling unit is separately metered, mobile homes being utilized as a family dwelling, and farms.

Where a portion of the electric energy in a residential premise is used regularly for the conduct of a business or profession, electric service used in such portion must be metered separately and billed under a nonresidential schedule; otherwise, the entire premises will be classified as nonresidential.

Service through one meter to two dwelling units will be classified as residential where an existing dwelling unit is or has been divided into two dwelling units. However, in the case where service is supplied through one meter to two or more new dwelling units, or to three or more existing dwelling units, service will be classified as nonresidential.

Additional meters on residential premises will be classified as residential, provided energy is used for domestic purposes and each such meter is on a separate building or structure separated from the other meters by such distance that service through the same point of delivery is impractical. Should any portion of the energy used on an additional meter on a residential premises be used for the conduct of a business or profession, the service will be classified as nonresidential. Service through additional meters will be supplied only when additional facilities can be installed under the Department's line extension rules. All residential customers are billed according to the terms and rates as stated in Schedule 1.

SWIMMING POOL SERVICE:

Existing service furnished to residential swimming pools which is a separate service in addition to the service to the dwelling. This service is limited to providing electrical energy to equipment directly related to the operation and maintenance of domestic swimming pools and only to those having had the service previously installed. All Swimming Pool Service customers are billed according to the terms and rates as stated in Schedule 6.

GENERAL SERVICE:

Nonresidential service furnished to businesses and professions whose electrical energy requirements are limited to less than 50 KW demand for any month during the prior 12-month period. This service is further limited to exclude irrigation customers. General Service customers are billed according to the terms and rates as stated in Schedule 2.

LARGE COMMERCIAL AND INDUSTRIAL SERVICE:

Nonresidential service furnished to businesses and professions whose electrical energy requirements include three phase service and with a demand of over 50 KW for any month during the previous 12-month period. This service is further limited to exclude irrigation service, and any electrical service having a measured demand of 5,000 kW or greater. This service is also limited to exclude any electrical service exceeding 22,000,000 annual kWh consumption. Large Commercial and Industrial Service customers are billed according to the terms and rates as stated in Schedule 3.

NEW LARGE COMMERCIAL AND INDUSTRIAL SERVICE EXCEEDING 2,000 kW DEMAND

Nonresidential service furnished to businesses and professions whose electrical energy requirements for any request for new electrical service, or an increase to existing electrical service, received on or after January 1, 2024, exceeding 2,000 kW maximum measured demand or 8,760,000 annual kWh consumption. Not applicable to agricultural irrigation or pumping.

NEW LARGE SINGLE LOAD (NLSL) GREATER THAN 10 AVERAGE MW

Any electrical service to any customer facility to the extent that such facility has been designated as a New Large Single Load or planned New Large Single Load by the Bonneville Power Administration. Deliveries at more than one point, or more than one voltage, will be separately metered and billed, as determined by the City.

IRRIGATION SERVICE:

Nonresidential service provided only for agricultural irrigation and drainage pumping. This service is totally limited to the described usage and, therefore, absolutely no portion of this electrical service may be used for any other function or process. Irrigation Service customers are billed according to the terms and rates as stated in Schedule 8.

STREET LIGHTING SERVICE:

Service provided to City and publicly owned streets, highways, roadways, bikeways, walkways, parking lots, parks and traffic control lights. Street Lighting Service customers are billed according to the terms and rates of Schedule 4.

NONMETERED GENERAL SERVICE:

Nonresidential service provided to loads utilizing relatively small amounts of electrical energy and demand and, which remain constant from day to day. Typical loads are telephone booths, cable television in-line amplifiers, etc. This service is provided only at the option of the Light and Power Department. Monthly billing is a fixed amount computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department. Non-metered General Service customers are billed according to the terms and rates of Schedule 5.

OUTDOOR AREA LIGHTING SERVICE:

Outdoor rental light service is available and provided upon request to all Light and Power Department customers. The type and size of lighting fixtures, poles, and related equipment that can be provided is limited to the Department's normal inventory items. Outdoor Area Lighting Service customers are billed according to the terms and rates of Schedule 7.

CONTRACTED SERVICE:

Any special services not covered by the afore-written definitions (i.e., services at transmission voltages, services having a demand of 5000 KW or greater, and alternate service) are provided in accordance with a negotiated service contract.

ALTERNATE SERVICE:

Service provided to a customer from a second, electrically independent primary voltage circuit. This service is available to 3 phase large commercial and industrial customers only who have a higher-than-normal degree of need for service continuity. The design and arrangement of both the preferred and alternate services will be the option of the Light and Power Department. Customers receiving alternate service will be billed an additional amount on their normal monthly demand charge.

DISCONNECT/RECONNECT CHARGES AND METER TAMPERING:

The Reconnection Service fee shall apply during normal business hours, and the After-Hours Reconnection Service fee shall apply during the hours of 5:01 pm – 8:00 pm, Monday through Friday, for reconnection service resulting from failure to pay. An Electric Meter Tamper/Damage Fee shall be imposed where applicable. Referenced fees are published in the Forest Grove Fee Schedule as adopted by City Council.

SURGE SUPPRESSION SERVICE:

Utility-provided whole-house surge suppression service is available through a utility installed, meter mounted device. This service is available to residential customers and small commercial customers with single phase, self-contained meters only.

TIME OF USE SERVICE

All large commercial and industrial customers with demand metered service will be billed for energy usage on a time of use basis. Time of use service will be available to all general service customers at their option. This service will feature a separate kilowatt hour rate for heavy load hours and light load hours. Heavy load hours are from 6:00am to 10:00pm Monday through Saturday. Light load hours are all other times.

NET METERING

The City will enter into an agreement with customer-generators that own a net metering facility. A net metering facility is an electric generation facility that uses solar, wind, fuel cell, or hydroelectric power to generate electricity. The rated generating capacity of any residential customer-generator facility cannot exceed 25 kilowatts. The net metering facility must be located on the customer's property, must comply with all applicable safety provisions, and must be compatible with the City's distribution system. The primary intent of the net metering facility will be to offset part or all of the customer's own electric power requirements. The Customer will be required to enter into a net metering agreement with the City, and all customer-generation facilities must be inspected by the City prior to inter-connection. The energy charge for customers with an approved Net Metering facility will be determined by net kWh consumption (kWh delivered by City less kWh generated by customer). For the billing period ending in March of each year, any unused credits that have accumulated during the previous twelve months will be applied to FGL&P's low-income assistance program. Residential meter aggregation and Commercial Net Metering up to 199kW will be permitted.

GREEN POWER SERVICE

Voluntary program to support green power resources. Green power may be purchased in 200 kWh units. This program is available to all electric customers of the City of Forest Grove.

ENERGY ANALYSIS SOFTWARE

Voluntary service offered to large commercial and industrial customers. The Energy Analysis Software is a web-based energy management/analysis service that provides customers with interval usage data depicted in charts and graphs for the purpose of comparing current and historic load data, identifying anomalies in usage, tracking savings from efficiency projects, and understanding usage.

CUSTOMER CHARGE

Customer Charge is defined as a flat fee charged per billing interval when the meter is read which may or may not coincide with a calendar month. The Customer Charge is assessed when a new billing interval begins or when occupancy changes and a different customer is established on the account.

SCHEDULE 1
RESIDENTIAL SERVICE

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AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to domestic use of all residential and farm customers.

Service under the residential rate shall apply only to electrical service in a single private dwelling and its appurtenances, for general farm service or for heating or pumping water in a private swimming pool, and not for resale to others.

Electricity consumed in that portion at a private dwelling regularly used for the conduct of a business will be separately metered and billed under the General Service Rate. If separate circuits are not provided by the customer, the entire premises shall be classified as non-residential and billed accordingly.

The residential rate shall not apply to service institutions such as clubs, fraternities, orphanages or homes, to recognized rooming or boarding houses, or to the spaces in an apartment or other residential building primarily devoted to use as an office or studio for professional or other gainful purposes or to general use by tenants.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

CHARGES PER BILLING INTERVAL:

Customer Charge:	\$21.39
Energy Charge:	0-1000 kWh at 7.34 cents/kWh 1001+ kWh at 8.63 cents/kWh

SURGE SUPPRESSION SERVICE:

At the customer's option, whole house surge suppression service is available at a monthly rate of \$5.51.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City, as set out in Sections 51.01 through 51.03 of the Code and elsewhere.

SCHEDULE 2
GENERAL SERVICE

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AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial, non-agricultural pumping and other non-residential electrical service. Not applicable to agricultural irrigation or pumping, or services with a demand of 50 KW or more for any month during the previous 12-month period..

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Single phase or three phase, sixty hertz alternating current at such voltage as the Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	\$24.59 - Single-phase service \$38.53 - Three-phase service
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Energy Charge:	8.10 cents/kWh
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OPTIONAL TIME OF USE RATE:

Customer Charge:	\$24.59 - Single-phase service \$38.53 - Three-phase service
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Energy Charge:	
Heavy Load hours	8.53 cents/kWh
Light Load hours	7.59 cents/kWh

SURGE SUPPRESSION SERVICE:

For qualified customers, surge suppression service is available at a monthly rate of \$5.51.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

NOTE: Customers opting for time of use service will be charged a one-time meter conversion fee of \$122.11.

SCHEDULE 3
LARGE COMMERCIAL AND INDUSTRIAL SERVICE

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AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial, industrial, non-agricultural pumping, and other non-residential electrical service with a minimum electrical demand of 50 kW for any month during the previous 12-month period. Not applicable to any request for new or increased electrical service on or after January 1, 2024 to the extent that Schedule 4 applies. Also, not applicable to any electrical service exceeding 5,000 kW measured demand. Not applicable to any electrical service exceeding 22,000,000 annual kWh consumption. Electric service that exceeds 5,000kW measured demand or 22,000,000 annual kWh consumption shall be provided pursuant to a special contract. Not applicable to agricultural irrigation or pumping.

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Three Phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	\$78.59
Energy Charge:	
Heavy Load hours	5.84 cents/kWh
Light Load hours	4.85 cents/kWh
Demand Charge:	\$7.97/kW

DEMAND CHARGE:

Based on the highest 15 minute average demand recorded during the billing period measured in kilowatts (kW).

REACTIVE DEMAND:

In addition to the energy and demand charges, the customer shall pay \$2.90 for each kilovolt ampere of reactive demand in excess of 40 percent of the kilowatt billing demand.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply to the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

SCHEDULE 3
LARGE COMMERCIAL AND INDUSTRIAL SERVICE
Page 2 of 2

ALTERNATE SERVICE:

Customers receiving alternate service under this rate schedule shall pay an additional \$1.05 per kilowatt of demand per month.

SPECIAL CONDITIONS:

If the Department's transformers are used exclusively for service to the customer, the Department may, at its option, permit installation of metering equipment on the primary voltage side of the transformers. In this case, billing will be based on meter registration less a deduction of 2.0 percent to compensate for transformer losses. Metering equipment will be installed at customer expense and all distribution and service facilities on the load side of the meter, except for transformers, will be owned and maintained by the customer.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 4
NEW LARGE COMMERCIAL AND INDUSTRIAL SERVICE
EXCEEDING 2,000 kW DEMAND

Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY

Applicable to any request for new electrical service, or an increase to existing electrical service, received on or after January 1, 2024, exceeding 2,000 kW maximum measured demand or 8,760,000 annual kWh consumption. Not applicable to agricultural irrigation or pumping.

Any new electrical service, or increase in existing electrical service, under this Schedule 4 must be established pursuant to the City Light and Power Department's New Large Retail Customer Interconnection Policy. Energy supplied under this schedule shall not be resold to others.

SERVICE AGREEMENT:

At all times while receiving service under Schedule 4, the customer must have in place a valid and binding Energy Service Agreement with City Light & Power Department in a form prescribed by the City Light and Power Department. The terms and conditions of any written agreement between the City and customer for electric service may supersede the applicable requirements of this schedule if expressly stated in the written agreement.

CHARACTER OF SERVICE:

Three Phase, sixty-hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL

Customer's monthly billing will consist of the the following energy charges (customer and demand charges are applicable based on schedule 3).

Energy Charge		
:		
	BPA Rate Year 2024 through 9/30/24	\$6.92 cents/kWh
	BPA Rate Year 2025 (10/01/24-9/30/25)	\$6.53 cents/kWh
	FY2025 Renewable Energy Compliance: passthrough based on actual cost \$/kWh	

Customer's energy rates will be based on the greater of the average energy rate for schedule 3 or any additional costs the City incurs from either Bonneville Power Administration (BPA) Short Term Tier 2, or equivalent rates being procured to provide above rate high watermark energy compared to the (BPA) Tier 1 rate. The rate may recover costs incurred by the City, including transmission, scheduling, overhead, in-lieu of tax transfers, cost of renewable, costs associated with regulatory compliances, and losses.

DEMAND CHARGE:

Based on the highest 15-minute average demand recorded during the billing period measured in kilowatts (kW).

SCHEDULE 4
NEW LARGE COMMERCIAL AND INDUSTRIAL SERVICE
EXCEEDING 2,000 kW DEMAND

Page 2 of 2

REACTIVE DEMAND:

In addition to the energy and demand charges, the customer shall pay \$2.80 for each kilovolt ampere of reactive demand in excess of 40 percent of the kilowatt billing demand.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply to the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

ALTERNATE SERVICE:

Customers receiving alternate service under this rate schedule shall pay an additional \$1.02 per kilowatt of demand per month.

SPECIAL CONDITIONS:

If the Department's transformers are used exclusively for service to the customer, the Department may, at its option, permit installation of metering equipment on the primary voltage side of the transformers. In this case, billing will be based on meter registration less a deduction of 2.0 percent to compensate for transformer losses. Metering equipment will be installed at customer expense and all distribution and service facilities on the load side of the meter, except for transformers, will be owned and maintained by the customer.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 5
NEW LARGE SINGLE LOAD (NLSL)
GREATER THAN 10 AVERAGE MW

Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY

Applicable to electrical service to any customer facility to the extent that such facility has been designated as a New Large Single Load or planned New Large Single Load by the Bonneville Power Administration. Deliveries at more than one point, or more than one voltage, will be separately metered and billed, as determined by the City.

Any new electrical service, or increase in existing electrical service, under this Schedule 5 must be established pursuant to the City Light and Power Department's New Large Retail Customer Interconnection Policy.

Energy supplied under this schedule shall not be resold to others.

SERVICE AGREEMENT

At all times while receiving service under this Schedule 5, the customer must have in place a valid and binding Energy Service Agreement with City Light & Power Department in a form prescribed by the City Light & Power Department. The terms and conditions of any written agreement between the City and customer for electric service may supersede the applicable requirements of this schedule if expressly stated in the written agreement.

CHARACTER OF SERVICE:

Three Phase, sixty-hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL

The City will pass through to customer, without markup or deduction, all charges and costs reasonably incurred by the City to acquire power, transmission, and related services necessary to serve the Requirements Load². If the Requirements Load is less than the Scheduled Load³, then the City will pass through to Customer, without markup or deduction, all losses or credits received by the City to dispose of surplus wholesale power, transmission, or related services acquired by the City in reliance on the Scheduled Load.

The City makes no warranty or representation that customer is entitled to or will be charged a particular rate for wholesale power, transmission, or related services necessary to serve the Requirements Load.

DELIVERY CHARGE

The City will charge accounts under this schedule a Delivery Charge of \$1.10 per kVA of installed Capacity⁴ per month. The Delivery Charge is calculated taking into consideration the City's costs to serve the account, including but not limited to, overhead costs, capital costs, operations, and maintenance costs.

SCHEDULE 5
NEW LARGE SINGLE LOAD (NLSL)
GREATER THAN 10 AVERAGE MW

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OTHER CHARGES AND CREDITS

The City will pass through to Customer, without markup or deduction, all other charges and credits not otherwise recovered in the Energy and Transmission Services Charge or the Delivery Charge, reasonably incurred by the City to provide electrical service to the Requirements Load. Such charges may include but are not limited to all charges and costs reasonably incurred by the City to comply with renewable portfolio standards or similar legislative or administrative programs or requirements to the extent such charges and costs are attributable to the City's provision of electric service to the Requirements Load.

FRANCHISE FEES AND TAXES CHARGE

The City will pass through to customer all applicable franchise or in-lieu tax fees incurred.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

¹Maximum kW Demand is the highest metered kW demand for any 15-minute period during the billing month.

²Requirements Load: the amount of energy required by the Facility over the course of any period of time. Requirements Load shall be measured in kilowatt-hours.

³Scheduled Load: the adjusted load forecast for the Facility provided by the customer to provide Electric Service to the Facility.

⁴Installed Capacity: the base nameplate rating of electrical transformer(s) as measured in kVA, used by the City to provide Electric Service to the Facility.

SCHEDULE 6
STREET LIGHTING SERVICE

Page 1 of 1

AVAILABILITY:

Available within the corporate city limits of the City of Forest Grove.

APPLICABILITY:

Applicable for lighting of City owned streets, roadways, bikeways, walkways, parking lots, parks and traffic control lights.

CHARACTER OF SERVICE:

From dusk to dawn daily, controlled by photo-electric control or time switch.

CHARGES PER BILLING INTERVAL:

Energy Charge: 7.92 cents/kWh

ANNUAL INVESTMENT CHARGE:

The investment in property and equipment used as a basis for the investment charge shall consist of the installed cost of the property and equipment used solely for lighting purposes such as fixtures, brackets, mast-arms, conductors, poles, posts, standards, control equipment, switches, transformers, etc. computed on June 30 of each year. The annual investment charge shall be 10.5 percent of such investment.

LIGHT SYSTEM MAINTENANCE:

All maintenance expenses shall be borne by the City Light and Power Department.

METERING:

For billing purposes, the total energy consumed by the street lighting system shall be computed by application of a meter multiplier to the meter reading of a selected part of the system which is metered. The meter multiplier shall represent the ratio of the entire system load to the load being metered. Accuracy of the meter multiplier will be verified at least annually by the Light and Power Department and any changes reported to the City Management and Finance Department.

If more than one part of the street lighting system is metered, the meter multiplier shall be applied to only one selected meter and the other metered loads shall not be included in the multiplier calculation. In the event of multiple meters, the readings shall be consolidated for billing purposes.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City, as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 7
NONMETERED GENERAL SERVICE
Page 1 of 1

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to commercial service where both electric demand and energy usage are small and constant such as telephone booths, traffic signals, cable television, in-line amplifiers, etc. Under such circumstances, and at the Light and Power Department's option, service may be provided without metering. A monthly billing amount will be computed from equipment design load data furnished by the customer or from tests performed by the Light and Power Department and thereafter will be a fixed charge.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:	\$13.57
Energy Charge:	7.97 cents/kWh

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery point. Charges for a separate supply for the same customer at other points of consumption shall be computed on the same rate basis but may be consolidated on a common monthly bill.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 8
SWIMMING POOL SERVICE
Page 1 of 1

AVAILABILITY:

Available only to those customers and for those loads presently served under this rate schedule.

APPLICABILITY:

Applicable to residential customers for heating water for private swimming pools and for other electrical loads directly related to swimming pool operation.

CHARACTER OF SERVICE:

Single phase, sixty hertz alternating current at 120/240 volts, or at the City Light and Power Department's option, 120/208 volts.

CHARGES PER BILLING INTERVAL:

Customer Charge:	\$10.21
Energy Charge:	8.29 cents/kWh (for all kWhs)

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

SPECIAL CONDITIONS:

A customer being served under this rate schedule may continue to be served only so long as no increase in capacity is made in this service equipment. If such changes are needed by the customer, the entire service load will be reclassified as Residential Service, Schedule 1. The customer may, at his option and expense, combine this load with his existing Residential Service.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 9
OUTDOOR AREA LIGHTING SERVICE

Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to outdoor area lighting.

CHARACTER OF SERVICE:

Outdoor area lighting from dusk to dawn daily, by means of Department-owned luminaries mounted on Department-owned poles, in accordance with Department specifications as to equipment, installation, maintenance and operations.

Maintenance by the Department includes lamp replacement on a scheduled basis. Individual lamps will be replaced on burnout as soon as reasonably possible after notification by the customer and subject to the Department's operating schedules and requirements. Current standard lamps will be used for replacement purposes.

CHARGES PER BILLING INTERVAL:

LAMP TYPE AND WATTAGE

<u>HPS</u>	<u>MH</u>	<u>FIXTURE STYLE</u>	<u>RATE PER MONTH</u>
100	---	Security	\$10.35
100*	---	Post Top and Pole	\$17.41
100*	---	Post Top w/o Pole	\$10.64
100	---	Projection Flood	\$11.54
200	---	Projection Flood	\$17.05
250*	---	Projection Flood	\$17.41
400	400	Projection Flood	\$26.49
---	1000	Projection Flood	\$55.59
100	---	Cobra Head Type	\$9.44
200	---	Cobra Head Type	\$13.48
400	---	Cobra Head Type	\$20.75
LED 53	---	Parking Lot Cobra Head	\$1.71**

HPS - High Pressure Sodium MH - Metal Halide

* No new service offered.

** Energy Only, Future Availability TBD

SCHEDULE 9
OUTDOOR AREA LIGHTING SERVICE
Page 2 of 2

All rates, except that for the post top light and pole, are based on mounting the light fixture on an existing pole. Special poles required for service hereunder will be billed according to the following schedule:

<u>POLE TYPE</u>	<u>LENGTH</u>	<u>FIXTURE HEIGHT</u>	<u>RATE PER MONTH</u>
Pressure Treated Wood	30'	25 ft.	\$2.79
Pressure Treated Wood	45'	39 ft.	\$5.22
Galvanized Steel with Arm*	25'	26 ft.	\$5.17
Aluminum with Arm*	25'	26 ft.	\$5.17
Fiberglass with Arm	30'	25 ft.	\$6.01

INSTALLATION CHARGES:

Installation charges will be calculated and billed to the customer for lighting systems not mounted on existing power poles, for those systems employing underground electrical feed, and for temporary installations. Such charges will be paid upon completion of the lighting system installation.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

* No new service offered.

SCHEDULE 10
IRRIGATION SERVICE
Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable only to agricultural irrigation and drainage pumping electrical service.

Energy supplied under this schedule shall not be resold to others.

CHARACTER OF SERVICE:

Single or three phase, sixty hertz alternating current of such voltage as the City Light and Power Department may have available.

CHARGES PER BILLING INTERVAL:

Customer Charge:

March 16-October 15	\$22.78
October 16-March 15	none

Energy Charge:	6.78 cents/KWh
----------------	----------------

SEASONAL DEFINITION AND BILLING:

Irrigation season is defined as starting on March 16 and ending on October 15. All irrigation services will be available for use during this period. Use outside of this period must be specifically requested by the customer. Meters will be read on March 15 and again on October 16 and will be the basis for the seasonal energy billings. Customers will receive monthly service charge bills only during the irrigation season. No disconnect/reconnect charges will be assessed.

SCHEDULE 10
IRRIGATION SERVICE
Page 2 of 2

CONNECTION CHARGE:

Line Extension charges will be calculated and billed to the customer for all electrical services provided under the Irrigation Service Schedule. Connection charges must be paid upon completion of service installation. At the City Light and Power Department's option, all or part of the connection charge may be in the form of facilities provided by the customer for the Department's use. Such facilities must be inspected by the Department and must meet all applicable City, County, State, and National Electrical Codes.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply for the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 11
GREEN POWER SERVICE
Page 1 of 1

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY:

Applicable to all customers who sign up for the voluntary program to help support the production of green power.

CHARACTER OF SERVICE:

Funds collected in this program will be used to purchase renewable energy resources, which will in turn use the funds to support the production of new green power sources throughout the region.

CHARGES PER BILLING INTERVAL:

Customer Charge: \$4.00 /200kWh unit

SPECIAL CONDITIONS:

Customers may sign up voluntarily for the program. A minimum six-month commitment to the program is required.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.

SCHEDULE 4
NEW LARGE COMMERCIAL AND INDUSTRIAL SERVICE
EXCEEDING 2,000 kW DEMAND

Page 1 of 2

AVAILABILITY:

Available in all territory served by the City Light and Power Department.

APPLICABILITY

Applicable to any request for new electrical service, or an increase to existing electrical service, received on or after January 1, 2024, exceeding 2,000 kW maximum measured demand or 8,760,000 annual kWh consumption. Not applicable to agricultural irrigation or pumping.

Any new electrical service, or increase in existing electrical service, under this Schedule 4 must be established pursuant to the City Light and Power Department's New Large Retail Customer Interconnection Policy. Energy supplied under this schedule shall not be resold to others.

SERVICE AGREEMENT:

At all times while receiving service under Schedule 4, the customer must have in place a valid and binding Energy Service Agreement with City Light & Power Department in a form prescribed by the City Light and Power Department. The terms and conditions of any written agreement between the City and customer for electric service may supersede the applicable requirements of this schedule if expressly stated in the written agreement.

CHARACTER OF SERVICE:

Three Phase, sixty-hertz alternating current of such voltage as the City Light and Power Department may have available.

LOAD FORECAST AND MINIMUM BILLING DETERMINANT:

Except as may otherwise be agreed by the parties in an Energy Service Agreement, all energy and capacity used to serve the customer load will be procured by the City Light and Power Department from the Bonneville Power Administration (BPA) or equivalent market purchases. As part of the power planning process, Customer shall provide forecasts of customer's reasonably expected demand and energy usage for each calendar month of the following twenty-four (24) month period (or for such longer period as may be required by BPA or market purchase agreements). The load forecast will, in part, determine the amount of power that the City Light and Power Department is required to purchase from BPA or market equivalent sources. Thus, the City Light and Power department will charge customer a minimum monthly Energy Charge and Demand Charge based on customer's load forecast, even if customer's actual demand and energy consumption is less than the forecast. If, and to the extent that, the City is able to remarket any energy and capacity that has been forecasted by customer but is not actually needed to serve the customer load, then the City Light and Power Department will allocate to customer's account any corresponding bill credit actually received from BPA or market equivalent resale. The City will determine the wholesale power supply at its discretion.

CHARGES PER BILLING INTERVAL

Customer's monthly billing will consist of the the following energy charges (customer and demand charges are applicable based on schedule 3).

ENERGY CHARGE:

Customer's energy rates will be based on the greater of the average energy rate for schedule 3 or any additional costs the City incurs from either BPA Short Term Tier 2, or equivalent rates being procured to provide above rate high watermark energy compared to the BPA Tier 1 rate. The rate may recover costs incurred by the City, including but not limited to, transmission, scheduling, overhead, in-lieu of tax transfers, cost of renewable, costs associated with regulatory compliances, and losses.

Customer's energy charge will be calculated each billing period by multiplying the applicable energy rate with the greater of: (1) the forecasted customer load for such billing period; or (2) customer's actual energy consumption during such billing period.

DEMAND CHARGE:

Based on the greater of: (1) the peak demand forecasted by customer for such billing period; or (2) the highest 15-minute average demand recorded during the billing period measured in kilowatts (kW).

REACTIVE DEMAND:

In addition to the energy and demand charges, the customer shall pay \$2.80 for each kilovolt ampere of reactive demand in excess of 40 percent of the kilowatt billing demand.

DELIVERY POINT:

The above rates are based on the supply of service at a single voltage through a single delivery and metering point. Separate supply to the same customer at a different voltage or at other points of consumption shall be separately metered and billed.

ALTERNATE SERVICE:

Customers receiving alternate service under this rate schedule shall pay an additional \$1.02 per kilowatt of demand per month.

SPECIAL CONDITIONS:

If the Department's transformers are used exclusively for service to the customer, the Department may, at its option, permit installation of metering equipment on the primary voltage side of the transformers. In this case, the parties shall mutually agree in the Energy Service Agreement whether, and to what extent, there may be a deduction in metered energy to compensate for transformer losses. In no case, however, shall such deduction exceed two percent (2%). Metering equipment will be installed at customer expense and all distribution and service facilities on the load side of the meter, except for transformers, will be owned and maintained by the customer.

RULES AND REGULATIONS:

Service under this classification is subject to the rules and regulations of the City as set out in Code Sections 51.01 through 51.03 and elsewhere.



Council Rules: Proclamations and Council President

Jesse VanderZanden | City Manager

Mariah Woods | City Recorder

Work Session 11.12.2024

PURPOSE

2

- **Work Session requested by City Council to discuss Council Rules pertaining to:**
 - **Council President Term**
 - **Proclamations**

Council President Term

3

- **Existing City Charter language reads:**
 - **SECTION 9. COUNCIL PRESIDENT** - At its first meeting each year, the Council must elect a President from its membership. The President presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform duties.
- **Existing Council Rule language reads:**
 - **SECTION 4.2 COUNCIL PRESIDENT** – Pursuant to City Charter, Section 9, the Council shall elect a Council President from its membership. The Council President presides in the absence of the Mayor and acts as the Mayor when the Mayor is unable to perform duties. In the absence of the Mayor and Council President at a meeting where a quorum is present, the Councilmember with the longest continuous service shall serve as Presiding Officer pro-tem until such time the meeting is adjourned.

Council President Term

4

- **Charter Review Committee recommended limiting the term of the Council President by changing the Charter to:**
 - **SECTION 9. COUNCIL PRESIDENT - At its first meeting each year, the Council must elect a President from its membership. The President shall not serve for more than two consecutive years. The President presides in the absence of the Mayor and acts as Mayor when the Mayor is unable to perform duties.**

Council President Term

5

- **At the June 24, 2024 work session, the Council reached a consensus to address this issue in the Council Rules, not the Charter. If the Council wishes to make the same change to the Council Rules that the Committee proposed for the Charter, the Council Rules would read:**
 - **SECTION 4.2 COUNCIL PRESIDENT – Pursuant to City Charter, Section 9, the Council shall elect a Council President from its membership. The President shall not serve for more than two consecutive years. The Council President presides in the absence of the Mayor and acts as the Mayor when the Mayor is unable to perform duties. In the absence of the Mayor and Council President at a meeting where a quorum is present, the Councilmember with the longest continuous service shall serve as Presiding Officer pro tem until such time the meeting is adjourned.**

Council President Term

6

- **Discussion**

Proclamations – Rule Language

7

- **Proclamations are not in the City Charter.**
- **Existing Council Rule language reads:**
 - **SECTION 13.1 Request for Proclamations – Organizations, citizens, or Councilmembers may request proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals. Upon receipt, the City Recorder will notify the Mayor of the request. Upon approval of the Mayor, the City Recorder shall prepare the proclamation for the Mayor's signature.**
 - **SECTION 13.2 Reading of Proclamations – At the discretion of the Mayor, a proclamation shall be read at the Council meeting and presented or mailed to the requesting organization or group.**

Proclamations – Definition

8

- **Proclamations are not defined in the Council Rules. The most common definition is “*the action of proclaiming*” and “*an official formal public announcement*”.**
- **The State of Oregon defines proclamations as “...ceremonial documents issued by the Office of the Governor. They may recognize a day, week, or month. The goal of a proclamation is to honor, celebrate, or create awareness of an event or significant issue.”**
- **This is contrasted by Council Rule language that enumerates Council authority in the form of ordinances, resolutions, and orders; all of which the Council can bind the City to a specific action or decision.**
- **In other words, proclamations are non-binding and not authoritative.**

Proclamations – Examples

9

- **Staff researched Cornelius, Washington County, Hillsboro, Sherwood, Tualatin, Tigard, North Plains, and Beaverton. Findings include:**
 - **Unlike Forest Grove, none of them define or have a proclamations process in their Council Rules.**
 - **Like Forest Grove, Tualatin, Tigard, and Beaverton allow for on-line applications. Forest Grove recently revamped the website to accommodate this. Similarities of the application include:**
 - **Must submit at least 4 weeks in advance**
 - **Must fill out the on-line form to be considered**
 - **Must recognize a day, week, or month in honor of a cause, commemoration, person or group, or occasion that has significance to the community**
 - **May not be used as an advertisement or promotion**
 - **At the discretion of the Mayor to approve, edit, or deny**
 - **Does not set the policy direction of the Council**

Proclamations – Wording

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0

- **Currently, the template Proclamation wording states:**

“NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM...”

- **Some municipalities use the language:**

“NOW, THEREFORE, THE MAYOR OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM...”

- **If City Council approval is required for proclamations, it would require that they be placed on the prior meetings agenda.**

Proclamations – Options

1
1

- **Remove from Council Rules and adopt a policy for proclamations by resolution**
- **Retain Council Rules as-is and adopt policy by resolution that clarifies the process for proclamations**
- **Amend Council Rules to clarify policy**
- **No longer include “on behalf of City Council” in the wording of the proclamation. This does not require a Council Rule change.**



SENIOR CENTER PROPOSAL SELECTION PROCESS

Paul Downey| Assistant City Manager
Work Session 11/12/2024

AGENDA

Purpose

History

RFP Process

Scoring and Questions

Options

PURPOSE AND HISTORY

3

- **Continue discussion on terms and conditions of an Operation Agreement between the City and Centro Cultural to operate, manage, and maintain the Forest Grove Senior and Community Center (Center) for the provision of health and wellness, socialization, and personal growth programs for senior and community members.**
- **On August 8, 2024, a letter was received from the FGSCC Board that they will exit the contract with the City on November 15, 2024. The FGSCC Board later amended that date until December 31, 2024.**

HISTORY

4

- **In response, City Council held Work Sessions on August 26, 2024, and September 23, 2024. The Council reached consensus to issue a Request for Proposals (RFP) for qualifying non-profits. The Council also reached consensus on the following general terms and conditions of the RFP:**
 - **Exclusive use of the Center**
 - **Must offer health and wellness, social, and personal growth programs for seniors and community members**
 - **2-year contract with a 1-year extension, subject to Council approval**
 - **Must be financially self-sustaining**
 - **Must honor existing leases through 2025**
 - **Non-profit responsible for day-to-day maintenance and operations**
 - **City responsible for utilities, capital/exterior maintenance, and landscaping**
 - **Requires appointment of City Council liaison to facilitate communications**
 - **Requires a presentation to City Council every six months. This frequency can be increased at Council's request.**

RFP PROCESS

5

- **An RFP was issued on October 1, 2024, with the objective of a non-profit beginning operations on January 1, 2025. The City used its standard RFP process. City Council comprised the interview panel due to their approval authority of the Operating Agreement. The RFP process consists of:**
 - Issue RFP
 - For this RFP, a mandatory pre-proposal meeting was held
 - Answer questions from potential proposers up to a certain date
 - Receive proposals which are reviewed and scored by a selection committee
 - Based on the selection committees scoring, interview selected proposers
 - Score the interviews
 - Based on scores, decide how to proceed – issue contract or not

HISTORY

6

- **Council held a work session on November 4, 2024. City Council interviewed and scored proposals from the City Club and Centro Cultural. The scoring criteria was as follows:**
 - Qualifications and Experience – 30%
 - Financial and Operational Stability – 25%
 - Proposed Programs, Approach, and Project Staff Qualifications and Experience – 25%
 - Partnerships – 10%
 - Transition Plan – 10%
- **Centro Cultural scored higher by the City Council and the Selection Review Committee. Council reached a consensus to offer a 1-year contract. The Operation Agreement includes an extension of 1 year if approved by Council. The Operation Agreement is subject to change until approved by City Council.**

ACTIONS SINCE LAST WORK SESSION

7

- **Per Council's consensus, on November 5, 2024:**
 - Staff issued a Notice of Intent to Award the Operation Agreement to Centro Cultural, subject to final City Council approval and agreement on all terms and conditions.
 - Staff issued a Notice of Intent to Award to City Club stating the City's intent to award to Centro Cultural and that City Club had 7 days to protest the RFP's provisions to City staff.
- **The Protest period ended November 12, 2024, at 4:00 p.m. City staff received no protests.**
- **Staff began initial negotiations with Centro Cultural.**
- **The RFP schedule had the Operations Agreement being awarded on November 25, 2024, to enable a transition between then and January 1, 2025, when the successful proposer would assume operations.**

Next Steps

8

- **Staff report on negotiations with Centro Cultural.**
 - **Centro has stated they require the contractual terms in the RFP (2 year + 1 year extension) as 1 year is insufficient time.**
- **Discussion of options and next steps.**

Mariah Woods

From: noreply@civicplus.com
Sent: Wednesday, October 30, 2024 2:04 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

Contact City Council

First Name	Azumi
Last Name	Stapp
City	Forest Grove
State	OR
Zip	97116
Email	
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	Yes
Question / Comment	Hello, I am writing this regarding the city's field usage for youth sports leagues for the citizens of Forest Grove. I was informed that the city is modifying its policy and fees for the fields and am concerned that the change creates financial hardship for families in order to participate recreational sports. If this happens, I am concerned that many families have to find more affordable leagues elsewhere or give up on sports. Sports is essential part of children's development, and if we want a stronger community, we need to raise physically and mentally resilient children. Sports can help with that. Thanks for listening, a mother and educator.

Email not displaying correctly? [View it in your browser.](#)

Mariah Woods

From: [REDACTED]
Sent: Tuesday, November 05, 2024 1:43 AM
To: 'Kathryn Harrington'; Jerry Willey; 'Pam Treece'; 'Roy Rogers'; 'Nafisa Fai'; Malynda Wenzl; 'Steve Callaway'
Cc: 'Tanya Ange'; Diane Taniguchi-Dennis Taniguchi-Dennis; Washington County Administrative Office; Amber Ames; City Councilors; betsyhammond@oregonian.com; ncrombie@oregonian
Subject: Re: election irregularities, election officials rebut claims- public comment by Dale Feik
Attachments: Oregon elections officials rebut claim of 2022 election irregularities The Oregonian Nov 2 2024.docx

To: Kathryn Harrington, Chair of Washington County Commission and Commissioners Roy Rogers, Jerry Willey, Pam Treece, Nafisa Fai

To: Malynda Wenzl, Mayor of Forest Grove, and City Councilors

To: Steve Callaway, Mayor of Hillsboro, City Councilors

Re: Election officials rebut claim of election irregularities

Yesterday, Nov. 4, 2024, the Office of the Director of National Intelligence (ODNI), the Federal Bureau of Investigation (FBI), and the Cybersecurity and Infrastructure Security Agency (CISA) warned that foreign adversaries, especially Russia, are working “to undermine public confidence in the integrity of U.S. elections and stoke divisions among Americans.” The intelligence community urged Americans to “seek out information from trusted, official sources, in particular, state and local election officials.”

Oregon elections officials rebut claim of 2022 election irregularities, cite flaws in ‘amateur analysis’

· Updated: Nov. 02, 2024, 11:22 a.m.

By Betsy Hammond | The Oregonian/OregonLive and Noelle Crombie | The Oregonian/OregonLive

A claim from a Missouri-based “sovereign Americans” group that Oregon election officials allowed massive irregularities and illegal voting in November 2022 is riddled with misunderstandings and doesn’t hold up to scrutiny, state election officials told The Oregonian/OregonLive this week.

At a meeting of the Clackamas County Commission last week, Oregon-based members of the group, United Sovereign Americans, cited the detailed 13-page complaint sent the Oregon Elections Division two months ago as a basis to ask for new barriers to voting in this fall’s election.

Commission Chair Tootie Smith and Commissioner Mark Shull both praised the group and its claims, with Smith calling the group’s proposal “riveting.” But Smith later canceled this week’s meeting, when

the commission was expected to consider a resolution calling for new election rules, including requirements for some voters to show IDs in person at election offices. Smith said she wanted to “lower the temperature” on rhetoric surrounding Tuesday’s election.

The document the group sent to the state cites alleged discrepancies between a snapshot of Oregon’s voter rolls from May 2022 and another from September 2023. It said its analysis suggests there were “massively compromised systems” and “potential crimes” in the state’s November 2022 general election.

Oregon elections officials were able to explain why each of the group’s 23 allegations of voter registration and election irregularities lack merit. The allegations involved more than 97,000 voter registrations and 70,000 votes cast.

The vast majority of the allegations are based on United Sovereign Americans’ misunderstanding of the “effective registration date” listed for each of the state’s 3 million-plus voters.

The group claimed, for example, that more than 31,000 people, representing about 1.6% of voters who turned in ballots for the November 2022 election, registered to vote after the Oct. 17, 2022, registration deadline.

But the voter file the group checked, from September 2023, shows only the most recent registration update for each voter.

A voter who was properly registered ahead of the October 2022 deadline but who subsequently told election officials they moved to a new Oregon address or who changed their party identification before the Nov. 8, 2022, election was flagged as “apparently” voting illegally in the United Sovereign Americans’ analysis.

“That wouldn’t ... disqualify them from being able to vote,” said Laura Kerns, a spokesperson for the Elections Division. Oregon’s online voter registration record-keeping system “is appropriately coded to handle those situations,” she said.

Michael Stettler, a resident of Christmas Valley in southeast Oregon’s Lake County and founding member of United Sovereign Americans, sent the 13-page complaint to state elections officials in August. He remains incensed that state officials did not respond to him in any way, including dismissing his offer to meet with them and refusing to look at the detailed data his group amassed.

He decried their “error of arrogance” and said public voter files should contain more information about when voters update their addresses and party affiliations to assure the public that registrations are legitimate.

His group’s analysis called out as “anomalies” or “discrepancies” things that are perfectly legal under Oregon law, such as people having a first or last name that is a single letter or others whose date of birth and other identifying information is omitted from public voter files because election officials determined they qualify for privacy protection, including for domestic violence victims. The group’s analysis said granting those voters privacy makes their right to vote “suspect.”

Luke Belant, Oregon’s deputy elections director, said voter records are complex with many variables. “It’s entirely possible that someone who does not have an understanding of election administration

practices conducting an amateur analysis ... may be confused” into thinking they see discrepancies in voter files that in fact are sound, legal and accurate, he said.

One of the more serious allegations in the United Sovereign Americans report was that the Oregon Secretary of State’s Office certified that 1,997,689 ballots were cast in Oregon 2022 general election, yet the state’s September 2023 voter file contains only registrations for 1,977,585 Oregon voters shown as voting that fall.

The group’s report homes in on the 20,000 plus votes not reflected in the September 2023 dataset. “No one knows who cast them,” its documents say.

That 20,000-plus voter difference is unsurprising, however, state election officials said. Any voter who voted in November 2022 and then moved out of Oregon, died or for another reason canceled their Oregon voter registration would not be included on the September 2023 rolls. Given that Oregon has 3 million registered voters, 20,000 would represent fewer than 1% of them and it would not be unusual for that many to move or die within 10 months after election, they said.

A national nonpartisan organization that works to strengthen and advance democracy warned this week that Oregon will be impacted by a national strategy intended to “disrupt and sow distrust” in the integrity of the elections process.

Kate Titus, executive director of Common Cause Oregon, said while the national focus remains on battleground states pivotal in deciding the outcome of the election, grassroots election denial activists are laying the groundwork to challenge the results. She described the effort as a 50-state strategy by groups intent on disrupting the election.

“They may hope to contest the results in those swing states, but their work to build a case is taking place in small towns and cities across the country, including here in Oregon,” Titus said in a conference call Thursday with national media and Common Cause representatives from around the country.

Titus said her organization is focused on disseminating accurate information about the election. “We’ve been working to preempt mis- and disinformation where possible,” she said.

“We know that those who want to contest the election have been organizing here in Oregon,” she said.

— Betsy Hammond oversees coverage of state politics and government as well as education, Portland City Hall, Multnomah County and homelessness. Reach her at betsyhammond@oregonian.com or follow her at @OregonPolEds — Noelle Crombie is an enterprise reporter with a focus on criminal justice. Reach her at 503-276-7184; ncrombie@oregonian.com.

Respectfully,

Dale Feik
Forest Grove, Oregon

"Justice and freedom; discussion and criticism; intelligence and character--these are the indispensable ingredients of the democratic state. We can be rich and powerful without them but not for long." -Robert M. Hutchins

Cc: Tanya Ange, WCounty Administrator
Diane Taniguchi-Dennis, Clean Water Services Chief Executive Officer
Kevin Moss, WC Clerk
Amber Ames, Hillsboro City Council clerk
Mariah Woods, Recorder/clerk, Forest Grove City Council
Betsy Hammond, The Oregonian reporter
Noelle Crombie, The Oregonian reporter

Mariah Woods

From: noreply@civicplus.com
Sent: Wednesday, November 06, 2024 3:42 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

Contact City Council

First Name	Mary
Last Name	Whitmore
City	Forest Grove
State	OR
Zip	97116
Email	
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	Yes
Question / Comment	Trimet is soliciting comments about 57 route. Please ask them or whoever, to take out the awful, unsightly, unhealthy garbage receptacles at the shelters on 19th and Pacific They are beyond disgusting. Thanks again to Mayor Wenzl re the litter on Hwy 47. South of TV hwy

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Submitted to
full Council

November 7, 2024

Mayor Malynda Wenzl
Po Box 326
Forest Grove, OR 97116

Dear Mayor Wenzl,

We, as a complete and unified Board of Directors of Forest Grove Senior and Community Center (FGSCC), protest the Council's decision to continue forward with Centro Cultural to perform services at 2037 Douglas St. Forest Grove, OR 97116. It would not longer be a Senior or Community Center, so we cannot call it anything except the street address of the property. We know that there are many feelings from many different people. The Council members, the Board of Centro Cultural, the citizens of Forest Grove, even the city staff of Forest Grove. With all of that in mind, we chose it was only fitting and also necessary to formally protest this action by the City Council.

We feel as though it is Centro Cultural's main focus to serve the Latino and Hispanic community. We do not feel that them performing services for that part of the community is unfair or unjust. We only feel that if they take over operations here in Forest Grove, they will carry the same focus. I know they have changed their Mission statement quite a few years ago, but looking at their Mission statement just one day ago it began with "A Home for Latino Culture..." That does not sound like the diverse community of Forest Grove. Looking at their web page of events, they have two current events listed, both of which are directed specifically at Latino and Hispanic Ethnicities. Then digging further into their events page and looking at past events, only one of the last eighteen events were not specifically geared and directed toward the Latino and Hispanic groups.

Why does an organization with over sixteen million dollars in revenue need the city of Forest Grove to allow them to utilize city owned land and property for free? In their own proposal, Centro Cultural states they have been looking for more space to acquire for quite some time, as they need more office space, and this building would align with their strategic plan. So, they are jumping for joy hearing free rent on a city owned piece of land. Also, I did not hear from them, or see on their proposal, that their strategic plan included expanding their services into another city, just that they needed more space for their existing operations. That sure doesn't leave much room to have the new operations they would be acquiring. In the past Centro Cultural had a working relationship with the Meals on Wheel People. Somehow that soured at their Cornelius location. Meals on Wheels People is a nationwide program with nationwide support in communities all over. Why couldn't Centro Cultural work with them? How does that bolster confidence that they will work with any of their current partners, or any future partners that the Council of Forest Grove desires them to work with. What will the Council do if Brian Schimmel is elected to the Council. That looks very suspicious to me. He is a paid employee of Centro Cultural is seems, so how can he serve on the Council when he would very clearly be receiving benefit from this alliance? Recusing himself when anything came up would certainly not be enough.

We also have some question as to the legal ability of this RFP to even be started in the first place. Upon further review of the contract between the City and FGSCC, there is no early termination clause. Meaning any notice from FGSCC would in effect be terminating the contract at the next renewal, which appears to be August 17, 2025. Even though FGSCC and the city had discussions of certain dates, none of those conversations were valid and binding. For the contract to be changed allowing early termination, five Council members would have been necessary to vote on and approve the contract being reopened for discussion of possible change.

In the end, we, as a board do not feel as though moving forward with Centro Cultural at this time and in this timeline is appropriate for the citizens of Forest Grove. We request that you immediately cease any further negotiations with them at this time.

On Behalf of the Board of Directors

A handwritten signature in blue ink, appearing to read 'Adam Kolb', with a stylized flourish extending from the end.

Adam Kolb, President

From: noreply@civicplus.com
Sent: Saturday, November 09, 2024 7:04 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

Contact City Council

First Name	Adam
Last Name	Kolb
City	Forest Grove
State	OR
Zip	97116
Email	
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	No
Question / Comment	November 7, 2024

Dear Mayor Wenzl & FG City Council,

We, as a complete and unified Board of Directors of Forest Grove Senior and Community Center (FGSCC), protest the Council's decision to continue forward with Centro Cultural to perform services at 2037 Douglas St. Forest Grove, OR 97116. It would not longer be a Senior or Community Center, so we cannot call it anything except the street address of the property. We know that there are many feelings from many different people. The Council members, the Board of Centro Cultural, the citizens of Forest Grove, even the city staff of Forest Grove. With all of that in mind, we chose it was only fitting and also necessary to formally protest this action by the City Council.

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unjust. We only feel that if they take over operations here in Forest Grove, they will carry the same focus. I know they have changed their Mission statement quite a few years ago, but looking at their Mission statement just one day ago it began with "A Home for Latino Culture..." That does not sound like the diverse community of Forest Grove. Looking at their web page of events, they have two current events listed, both of which are directed specifically at Latino and Hispanic Ethnicities. Then digging further into their events page and looking at past events, only one of the last eighteen events were not specifically geared and directed toward the Latino and Hispanic groups.

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would have been necessary to vote on and approve the contract being reopened for discussion of possible change.

In the end, we, as a board do not feel as though moving forward with Centro Cultural at this time and in this timeline is appropriate for the citizens of Forest Grove. We request that you immediately cease any further negotiations with them at this time.

On Behalf of the Board of Directors
Adam Kolb, President

Email not displaying correctly? [View it in your browser.](#)

Mariah Woods

From: Donna Gustafson [REDACTED]
Sent: Sunday, November 10, 2024 9:49 AM
To: City Councilors
Cc: Adam Kolb; Raeann Johnston
Subject: Senior Center Award

City Staff and Counselors,

This letter is my opinion and observations as a concerned resident of Forest Grove not as a city councilor.

I'd like to voice clarifications, concerns and hopes for the future.

The City Club of Forest Grove is small and does not have the organizational program experience or finances of Centro, but everyone starts small and is given the opportunity to grow.

We will continue to patiently wait for the City Council to recognize the urgency of this growth opportunity. While we have received written assurances of support, we've been unable to secure the necessary partnership to capitalize and realize this support and growth. We are confident that our program will drive positive change for the city, and we urge the Council to join us in making it a reality.

Staffing:

The proposed model, as demonstrated by Centro, will unfortunately result in the elimination of all current FGSCC staff positions. This decision would directly impact dedicated, compassionate individuals who have contributed significantly to our community. It's important to consider the human cost of this change and the potential challenges faced by these employees as they transition to new opportunities. With your vote you have unemployed an entire organization. I hope you will strongly consider offering each employee at the FGSCC one years' worth of their salary should they be displaced.

The CCFG Statement in the application

"Current FGSCC Staff: We will immediately meet with the current Executive Director to discuss current business plan, staffing needs and desires, expectations etc to establish a positive relationship and continued support of current staff, programs, volunteers etc."

When asked by councilor Rippe about staffing my response was "for now it will be status quo", this means no changes, and everyone keeps their jobs. When Councilor Uhing asked a similar follow up question I stated "The staffing will stay as is....we would leave as is and get familiar with the staff and who is interested in staying and who is not. The staff there now works very well. Eventually we will increase staffing as programs increase." In this scenario 100% retain their position if they chose. Somehow it was misunderstood that we will have no staff for 1.5 years. That is not correct. I explained the staffing would remain "status quo" with executive team stepping in immediately as a shadow. No disruption, no changes in programming until Q2 as per the application response.

As I've stated, my experience in mergers and acquisitions makes me uniquely qualified to address this situation. Regardless of the initiating party, this transition is inherently an acquisition, complete with associated complexities, uncertainties, and emotional impact.

It's imperative to avoid disruptive changes, as such actions can negatively impact the organization. The proposed transition, characterized by the replacement of existing staff with Centro's personnel, aligns with the definition of a

hostile takeover as in Centros application they seem to have no plans to keep or invite current staff to remain employed.

Exclusivity

By the very nature of Centro they will be providing services in an exclusive manner. With your vote you have essentially excluded many FG residents. On the Centro website both their CURRENT mission and in their values, they specify “Latino” as the culture they support. This is an organization created and maintained for a particular culture with exclusive behavior, and you have approved them to manage an inclusive community.

Perception and perspective are reality. Although I believe the FGSCC could improve their strategies of outreach to Latino and other minority groups, the FG community will view this as an exclusion of voices who are non-Latino.

All people should be represented. I was asked about racism, and I was clear, it would not be allowed. Racism includes exclusion of other races. Latino culture is accepted and embraced in the CCFG as part of the community. We do not have anywhere in our mission that we focus on a particular culture, race, orientation, or belief. In addition, I voiced that the CCFG’s current practice is and will continue to be one of inclusion of all cultures, believes, race, and including LGBTQIA+ We currently ensure we have volunteer positions for those who are developmentally and physically disabled which is important to make people feel valued. We meet them where they are. DEI is important but what covers it even better is “belonging”.

There was no reason to rush this decision. Council and the city have it within their power and ability to extend the RFP and receive other options. Doing the right thing is better than doing the quick and easy thing. They also have it within their power to support a new and growing organization who is housed in Forest Grove who they have supported verbally but have not backed this support up as other cities have. An example of the city supporting large organizations but ignoring the small.

I wish Centro well as they continue services for our community, at the same time I have an apprehensive feeling of loss of a community center.

Lastly.

Behavior of the Mayor

The mayor’s recent behavior was deeply disappointing and disrespectful. A good facilitator never creates an environment where people are afraid to give their honest opinions and thoughts. Publicly shaming council members is unacceptable and undermines the principles of open and honest dialogue. The primary role of the mayor is to facilitate productive discussions, encourage diverse perspectives, and work towards consensus. All council members deserve to be treated with respect and have their opinions heard without fear of retribution or being called racist. The mayor should focus on fostering a collaborative environment where everyone feels valued and empowered to contribute to the betterment of our community instead of shaming, monopolizing the conversation or trying to convince council to agree with her. If this weren’t a pattern it would not be as concerning.

Respectfully,

Donna Gustafson, President

The City Club of Forest Grove

Concerned citizen

Mariah Woods

From: Donna Gustafson [REDACTED]
Sent: Sunday, November 10, 2024 10:00 AM
To: City Councilors
Cc: Adam Kolb; Raeann Johnston; Tkbb2me@pacbell.net
Subject: Deadline for protest

Hello,

This email is in my capacity as a resident and not a city councilor.

I just sent a previous email explaining the important negative impacts of your decision. Here is a follow up regarding allowing our community a word.

I respectfully request the deadline for protest is extended to at the very least allow for communication, QA and responses to be heard by the Forest Grove community. There is a lot of rumor and chatter going on and it is clear the community was not notified properly for this change in leadership for THEIR community center.

This is a glaring example of government opacity, a concern widely shared by the Forest Grove community. The largest stakeholder group, those most directly impacted by the community center, have been entirely overlooked. The rushed nature of this RFP, combined with the city's failure to engage the community, raises serious questions about the city's intentions. Such behavior is unacceptable and undermines public trust.

Sincerely,
Donna Gustafson, President
The City Club of Forest Grove

Mariah Woods

From: Trudy Hull [REDACTED]
Sent: Sunday, November 10, 2024 10:16 AM
To: City Councilors
Subject: Forest Grove Senior & Community Center

I guess perhaps I live in a bubble because I have heard nothing about this issue with the current people that run the facility and the fact they will be leaving at the end of this year. The first I ever heard anything about it was overhearing a comment from someone last Friday.

Please can you extend the comment period and/or put off making any decisions until further input from the community? I also heard a contract has been awarded to Centro Cultural to make an attempt to run this facility for the next year. Don't know if that's true either, but another comment I have heard recently. My opinion is that is not an appropriate option and overall, should be managed by the City of Forest Grove, making perhaps City Club a better fit as it pairs well with other activities currently going on.

First of all, this is someplace specifically for the Senior population, but does offer activities and/or help for others of the community as well, one of which is Meals on Wheels. I would also think being one of those older seniors in the community, that most are NOT informed, but if they were, would have lots of comments to offer. Please rethink these decisions and really come to a conclusion that would actually benefit the elderly population of this City.

Thank you for any help.
Trudy Hull

Mariah Woods

From: noreply@civicplus.com
Sent: Sunday, November 10, 2024 4:11 PM
To: City Councilors
Subject: Online Form Submittal: Contact City Council

Contact City Council

First Name	Panvadee
Last Name	Moore
City	Forest Grove
State	OR
Zip	97116
Email	[REDACTED]
Whom would you like to contact?	Entire Forest Grove City Council (Includes Mayor Wenzl)
Would you like a response?	Yes
Question / Comment	Regarding the proposed change in the management of the Senior and Community Center. I am concerned that a change in management will lessen the availability of services to the Forest Grove Senior Community and that the cost of available services or the use of the facility will increase. I am also concerned that a change in management will lessen the commitment to reach out to the Forest Grove Senior Community.

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Mariah Woods

From: Gail Beach [REDACTED]
Sent: Sunday, November 10, 2024 4:45 PM
To: City Councilors
Subject: FGSC

City Councilors:

You need to slow down and extend the deadline to protest the awarding of the FGSC. There has been very little information or time allowed for the community to weigh in on this matter. Nor was there enough time or communication for others to put forth an application.

Why is the time to protest this end 3 hours before the next council meeting? This is before anyone hears their next steps.

Why hasn't the community been informed of this and our input requested??

I want more information and the deadline to protest should be a week after the meeting and the community should be allowed to speak before a final decision is made.

I am protesting this awarding of the contract to Centro.

Extend the deadline for applications/proposals.

Be more forthcoming and transparent to the community about this. An obscure post on the city government web page doesn't cut it!!!

Seek the Community's input allowing time for them to evaluate and respond.

Get the above done!! Please!!!!

Mariah Woods

From: David Haworth [REDACTED]
Sent: Monday, November 11, 2024 8:53 AM
To: City Councilors
Subject: Tech Billionaires' Shocking Plot for Rural America

<https://youtu.be/PHlcAx-l0oY?si=inrCCyk3Pvhd4cQQ>

Sent from my iPhone

Mariah Woods

From: brian.h.schimmel@gmail.com
Sent: Monday, November 11, 2024 10:01 AM
To: City Councilors; Malynda Wenzl
Cc: Jesse VanderZanden; Paul Downey
Subject: Honor vision, values, and goals

Mayor and City Councilors

As the vote counting for city council seats continues, I want to reflect on this candidacy journey, which has been both enlightening and has renewed my sense of personal agency, regardless of the final outcome. I'm genuinely excited for the direction of the new council, as chosen by residents, will undoubtedly enhance the quality of life for everyone who calls Forest Grove home. A council seat is a temporal instrument that should deepen one's commitment to ensure performance standards are clearly defined and met.

As the terms of current council members draw to a close, I want to express my gratitude. Councilor Rippe, thank you for your service to our country and to the City of Forest Grove. Councilor Uhing, thank you as well for your advocacy for affordable housing and homelessness initiatives. We've had meaningful exchanges over the years, and I hope your careers and public service continue to be your legacy. My hope, as your terms conclude, is that your decisions in these final weeks honor the vision, values, and goals that you have worked toward.

Truth, Grace, and Justice.

Brian Schimmel


Mariah Woods

From: kristin ludwig [REDACTED]
Sent: Tuesday, November 12, 2024 10:25 AM
To: City Councilors
Subject: Members of FG City Council re. 12 Nov. meeting

Esteemed Forest Grove Mayor, Council President and Council Members,

My understanding is that you will be in discussion about what organization will be taking the reins of the FG Senior and Community Center.

I feel fortunate to possess an historical memory as a resident of Washington County since 1975 and homeowner in Forest Grove since 1996. I am a Senior myself, at 75.

Our local Senior Center has been a gathering place for decades, providing lunches and dinners, transport options, Meals & Wheels, a place to donate items in the gift shop, to plant vegetables in the raised beds, and to find resources and a listening ear.

I have referred many Elders and those with mobility challenges to the storage on site that holds walkers and wheelchairs and other durable goods at no-cost, for our increasingly aging neighbors.

I understand that the population of our city consists of residents aged 65 and better.

A Center where people of all ages and walks of life can sense their belonging and purpose is needed now, more than ever.

I have shared lunch numerous times and attended events there, such as Writers in the Grove, memorials for those in the community, presentations regarding food and nutrition resources.

The Center provides rentals for weddings and other events, generating funds and creating community.

In 2020 I was hired at Centro Cultural to reach out to Latino Elders and offer material and emotional support.

I have seen what can happen when Elders are listened to and made comfortable in our communities.

Centro is an organization with longevity and numerous connections. Centro, as well, has demonstrated expertise with successful grant and foundation applications to both develop and sustain programs and service delivery.

I trust that the leadership and outreach Centro offers, serving in collaboration with area nonprofits and governmental agencies, as well as area businesses and Pacific University, would assist to maintain and strengthen the vitality of our local FG Senior and Community Center.

Thank you for your consideration.

Kristin Noel Ludwig MSW

[REDACTED]
Forest Grove Or 97116 [REDACTED]
[REDACTED]

Dear Mayor and Council:

First of all, thank you for finally getting to the details regarding the future of the Forest Grove Senior and Community Center. I fully accept the blame for being part of that Council that continually kicked the can down the road regarding the future of the Senior Center. Councilor Uhing had it right when she indicated that this should have been addressed some time ago. We didn't and I and Council have to live with that failure.

Having said that I find it unfortunate that, despite the scores both you and the Selection Review Committee came up with regarding the worthiness of the proposals, you continued the debate. The Site Selection Committee came up with scores of 92.55 for the City Club and 390.25 for Centro Cultural. The City Club's score was roughly a quarter of Centro's (23.7%). City Council was a little more balanced: 180.45 for the City Club and 278.5 for Centro Cultural. The City Club score was roughly two-thirds of the Centro score (64.8%). Adding the two scores, we get 273 for the City Club and 668.75 for Centro. the composite score had City Club at a shade over 40 per cent (40.8%). I know that using such figures could take you down a rabbit hole, but those percentages make it extremely difficult to arrive at any other conclusion. It would take an evaluation and a process that you didn't iterate.

To list that evaluation tool as the prescription for determining the award and then talk about other issues as more important is, frankly, at best, stretching the process, and at worst, grossly inappropriate. For example, when it was stated that some seniors would not attend the Center if it was run by Centro, because there was a "perception" of racial favoritism puts the onus on the wrong party. If I refuse to attend a meeting because I have the perception that some of the attendees are of a certain race, or gender, or lifestyle, then the perception issue is mine.

My sense of history tells me that the Center was the product of several CDBG grants from HUD through Washington County. The aim of those grants was to provide a senior center, and that aim never changed. When the Center Board changed the name to include "Community", there was a brief proposal to change the name again to just Forest Grove Community Center, and I opposed that because it would violate the spirit of the center's reason for existence. So, it has remained "Forest Grove Senior and Community Center". And in the years since, there have been discussions concerning the future, but, as I alluded to in the opening paragraph, a few parties let opportunities go by the boards. So, to be candid, let's hold off on the finger-pointing and work toward a solution that benefits the larger community, **especially seniors**.

To close, it would be nice if we could, as a community, practice DEI. When I was Mayor, I had the privilege of speaking before the new students at Pacific University, the summer of the "Take Back the Night" horror in Williamsburg, Virginia. I commented at that welcome that such a thing wouldn't happen in Forest Grove, because this was a town "where hate would not find a home". I hope I wasn't wrong.

Thank you for your time,

Pete Truax



November 11, 2024

Dear Mayor and City Councilors,

The Executive Board of Directors for the Forest Grove Cornelius Chamber of Commerce is writing to express our continued support for the City Council's original decision to entrust Centro Cultural of Washington County with a one-year contract to lead the operations of the Forest Grove Senior and Community Center. We stand firmly behind this decision, made with careful consideration of Centro's proven ability to serve and engage our community.

Centro Cultural's extensive work with their "Golden Age"/Edad de Oro Senior Program over the past seven years exemplifies their commitment to our senior citizens. This program has provided enriching experiences, essential services, and meaningful connections for seniors. We encourage the Council and community to explore this and other innovative programs Centro has designed to meet the specific needs of diverse populations. These efforts reflect their unwavering dedication to fostering inclusion and equity while addressing the unique needs of seniors, families, and youth alike.

Centro's established reputation for community engagement, coupled with their financial stability, organizational capacity, and history of success, positions them as the ideal organization to lead this project. Centro Cultural's ongoing work and long-standing partnerships in Forest Grove, Cornelius, and beyond clearly demonstrate their ability to connect with the community.

The Chamber urges the Council to reaffirm its commitment to this original decision, granting Centro Cultural the full year to demonstrate their impact and ability to lead the Senior and Community Center toward success. Revisiting this decision risks halting progress and undermining the trust placed in this proven organization.

The Forest Grove Cornelius Chamber of Commerce stands ready to partner with Centro Cultural and the City to ensure this endeavor succeeds. We believe their leadership will create a vibrant, inclusive space that reflects the needs and values of our community.

Thank you for your leadership and dedication to Forest Grove. We trust the Council will remain steadfast in its decision and look forward to the continued growth and success of this project under Centro Cultural's leadership.

Sincerely,

Steve Krautscheid, Board Chair

Evelyn Orr, Vice Chair

Michael Cook, Treasurer

Parri VanDyke, Secretary

Robert Groves, Past Board Chair

Claudia Yakos, Executive Director

Forest Grove Cornelius Chamber of Commerce

Attn: City Councilors, Forest Grove

I am very concerned regarding the future of the Forest Grove Senior and Community Center. As a long time resident of the city I feel the need to address this.

It is my hope that the City of F.G. will assume responsibility for the center. The City already owns the building, which is in good repair and with many upgrades paid for, in part, by the outgoing Board of Directors. The center would need financing for one and a half positions, which the current outgoing board is willing to underwrite and work with the city on. This is a win, win position and I'm failing to understand the unwillingness of the city staff to go forward with this.

I feel it is an important part of city government to be mindful of the needs of all citizens, and this certainly includes seniors. We are the ones who have voted positively for city budgets, bonds, and been responsive to city needs. I am sure I do not need to list the ways in which the Senior Center is important to senior well being.

Now it is time for the city to support the senior citizens as they have supported the city in the past.

As a voting citizen, I try to vote for councilors whom I feel will support all segments of our city. I fear there are some members of the council who are losing sight of their role to serve all citizens. Please reconsider your decision to turn the building over to a non profit who has their own plan for the building.

Nancy Bond

2025 Health Insurance for Senior Citizens

This is the time of the year when Senior Citizens can choose their health and drug plans for the year. We have chosen Regence Blue Cross Blue Shield. The reason we chose them was because Regence will pay for our Exercise Class **at the Forest Grove Senior Center in Forest Grove for 2025** which is run by an individual who has many years of experience and is kind, thoughtful and has added years onto the lives of her students by improving their health.

Just in case you don't know, the Hillsboro Senior Center also has an 2025 exercise class that will be paid by various sources including Health Insurance. If they can do it why can't Forest Gove do it?

Thank you.

James Crisp

[REDACTED]

Forest Grove, OR , a resident since 1987

Monthly Building Activity Report

October-24

2023-2024

Category	Period: October-23		Period: October-24	
	# of Permits	Value	# of Permits	Value
Man. Home Setup	1	\$ 82,000.00		
Res 1 & 2 Family New			12	\$ 3,807,551.86
SFR Addition & Alt/Repair	4	\$ 92,500.00	6	\$ 77,228.72
MultiFamily New				
Multi Family Alterations/Repair/Additions				
Group Care Facility Alt/Repair	1	\$ 1,340.00		
Commercial New	1	\$ 91,357.00		
Commerical Addition				
Commercial Alt/Repair	5	\$ 86,989.00	1	\$ 225,250.00
Industrial New				
Industrial Addition				
Industrial Alt/Repair	1	\$ 15,000.00		
Gov/Pub/Inst (new/add)				
Signs			4	
Grading				
Demolitions			1	
Total	13	\$369,186	24	\$ 4,110,030.58

Fiscal Year-to-Date

2023-2024		2024-2025	
Permits	Value	Permits	Value
97	\$23,518,457	129	\$36,512,667



CITY OF FOREST GROVE

OREGON

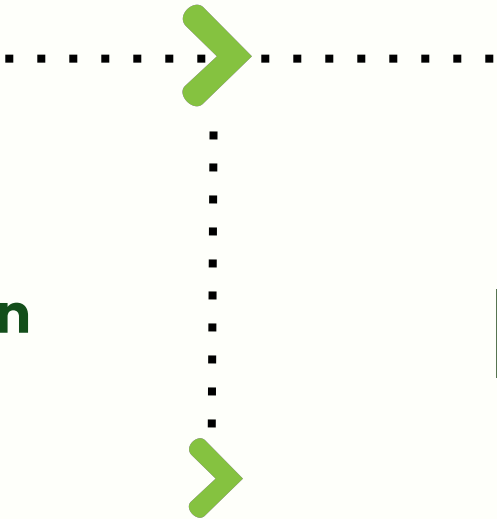


**CECOP INTERNSHIP
SUMMER – FALL 2024
ESTEPHANO MUÑOZ SOTO**

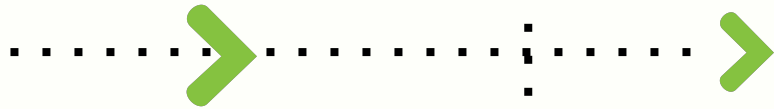


REPORTING STRUCTURE ENGINEERING DEPARTMENT

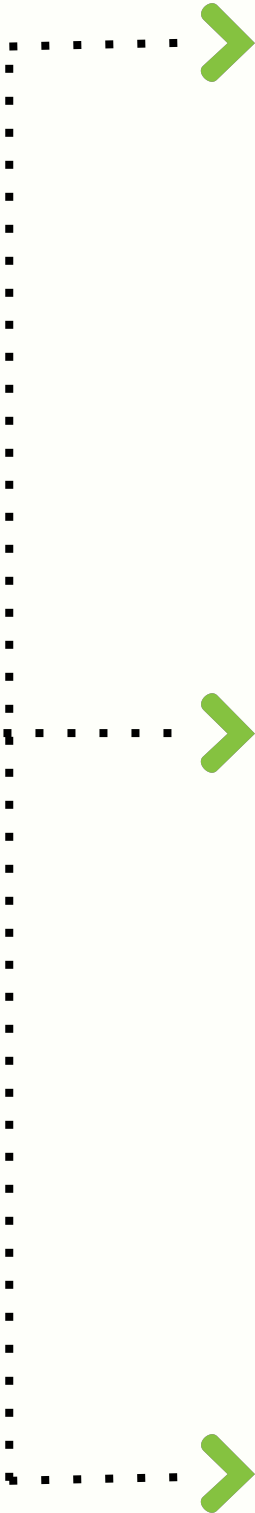
G
> **Greg Robertson**
Public Works
Director



R
> **Rich Blackmun**
Engineer Division and
Project Manager



N
> **Nick Kelsey**
Project Engineer



D
> **Derek Robbins**
Project Engineer

D
> **Deisy Dorado**
Engineering Adminstrative Assistant



E
> **Estephano Muñoz Soto**
CECOP Intern



DEPARTMENT INTERACTIONS



Within the city:

- **Building Dept**
- **Planning Dept**
- **Community Development Dept**
- **Public Works Dept**



Outside the city:

- **Engineer Firms; AKS, Stantec, Jacobs, Kittelson, Ironmark, etc.**
- **Contractors**
- **ODOT**
- **Washington County**
- **Clean Water Services**
- **Product Manufacturers**



PROJECTS

Major Projects:

- **Parkview Terrace**
- **Davis Estates**
- **Countryman Estates**
- **Emergency Water Intertie**
- **CoFG Water Reservoir Replacement**
- **CoFG Annual Paving and Curb Ramp Improvement**
- **Inspections**



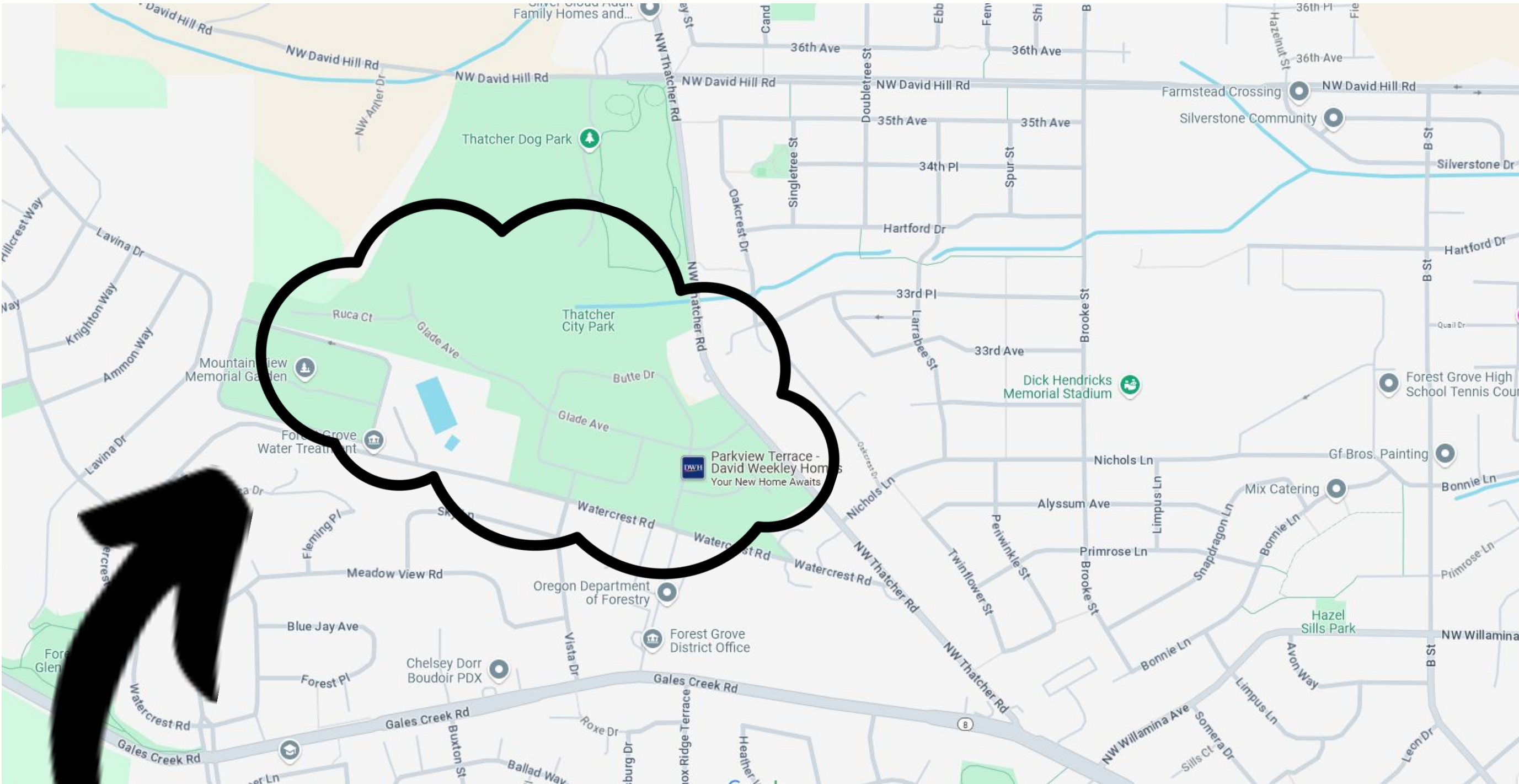
Subdivisions



Public



Commercial

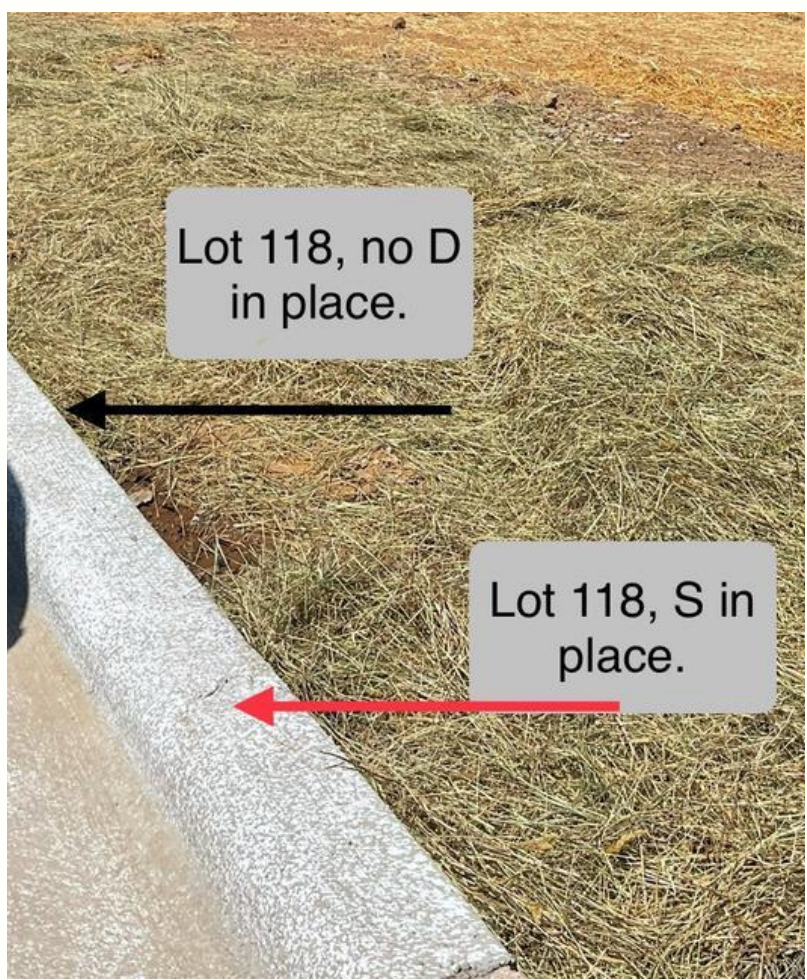
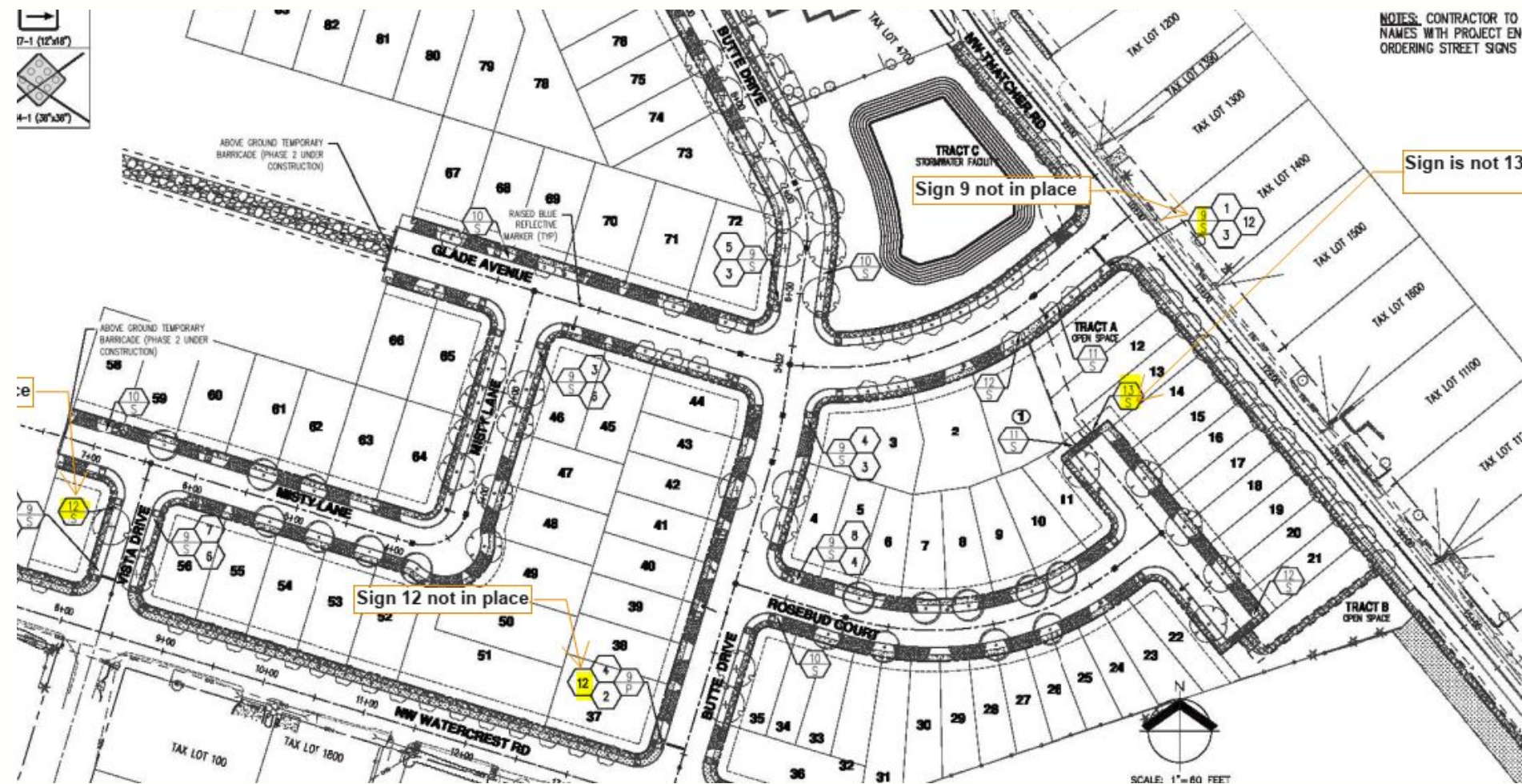
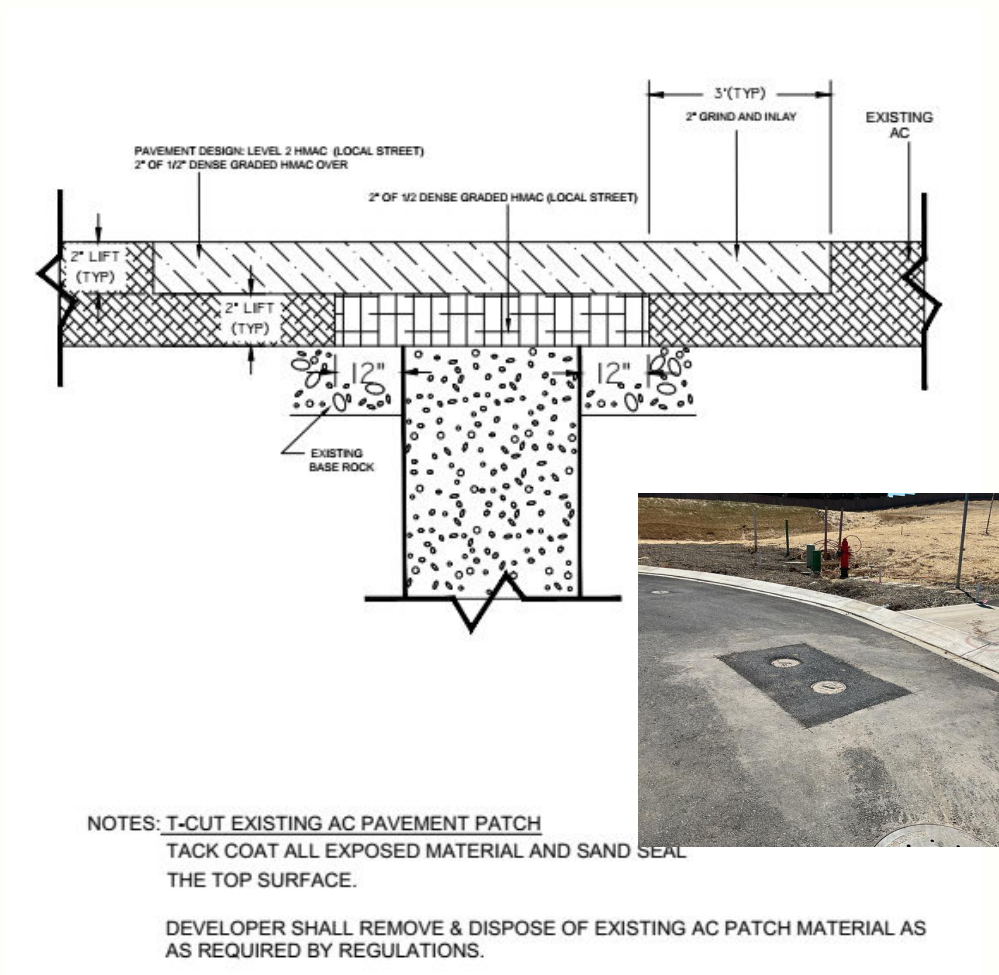
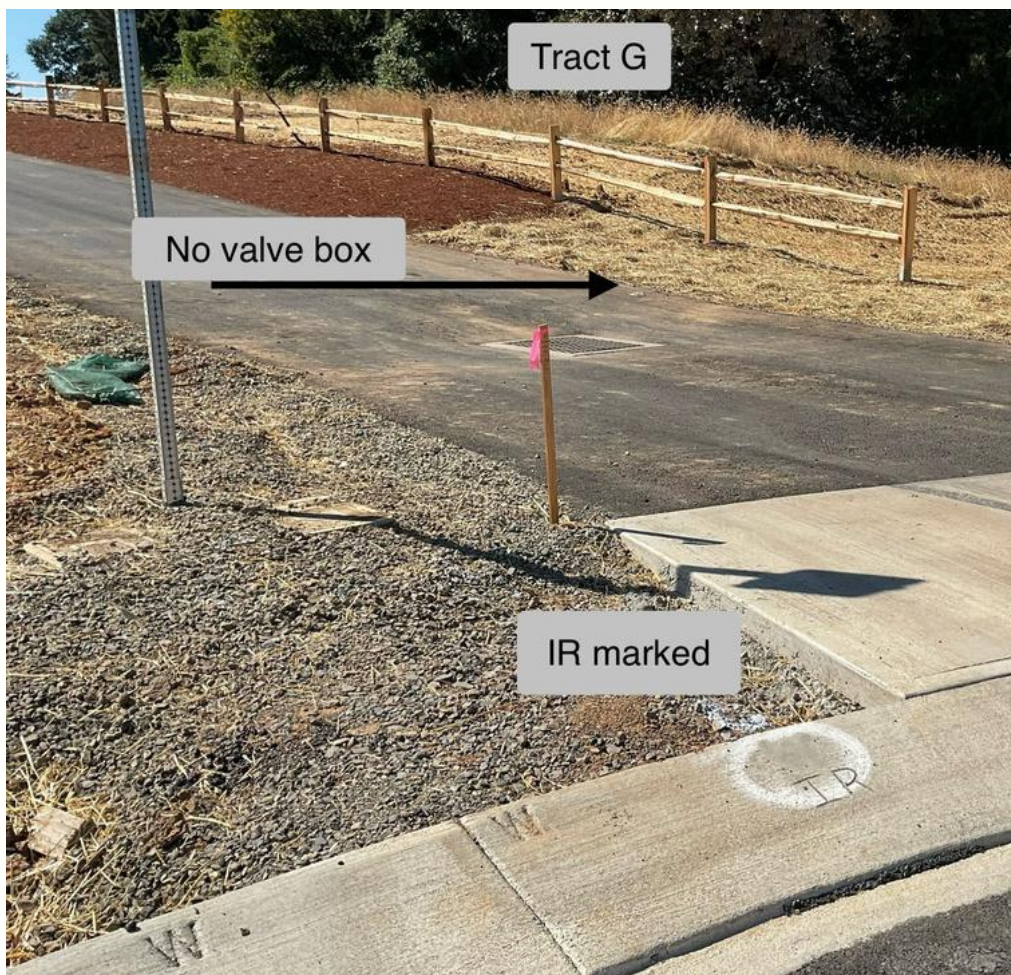


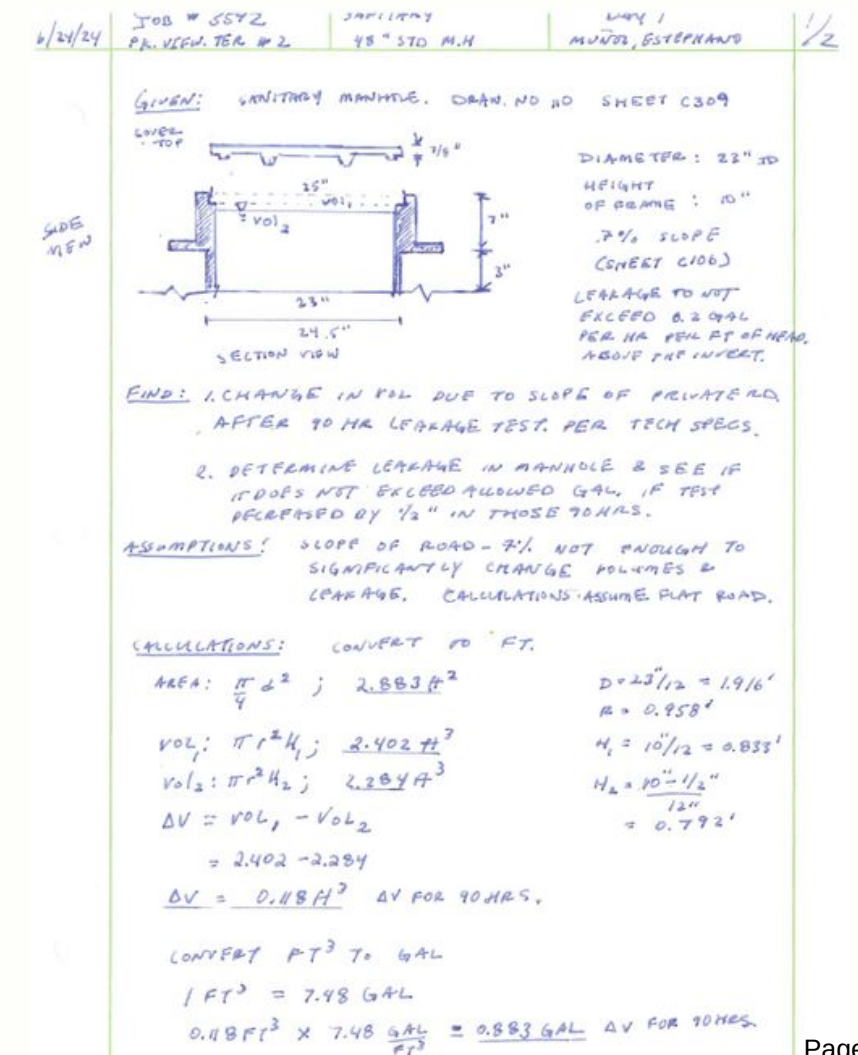
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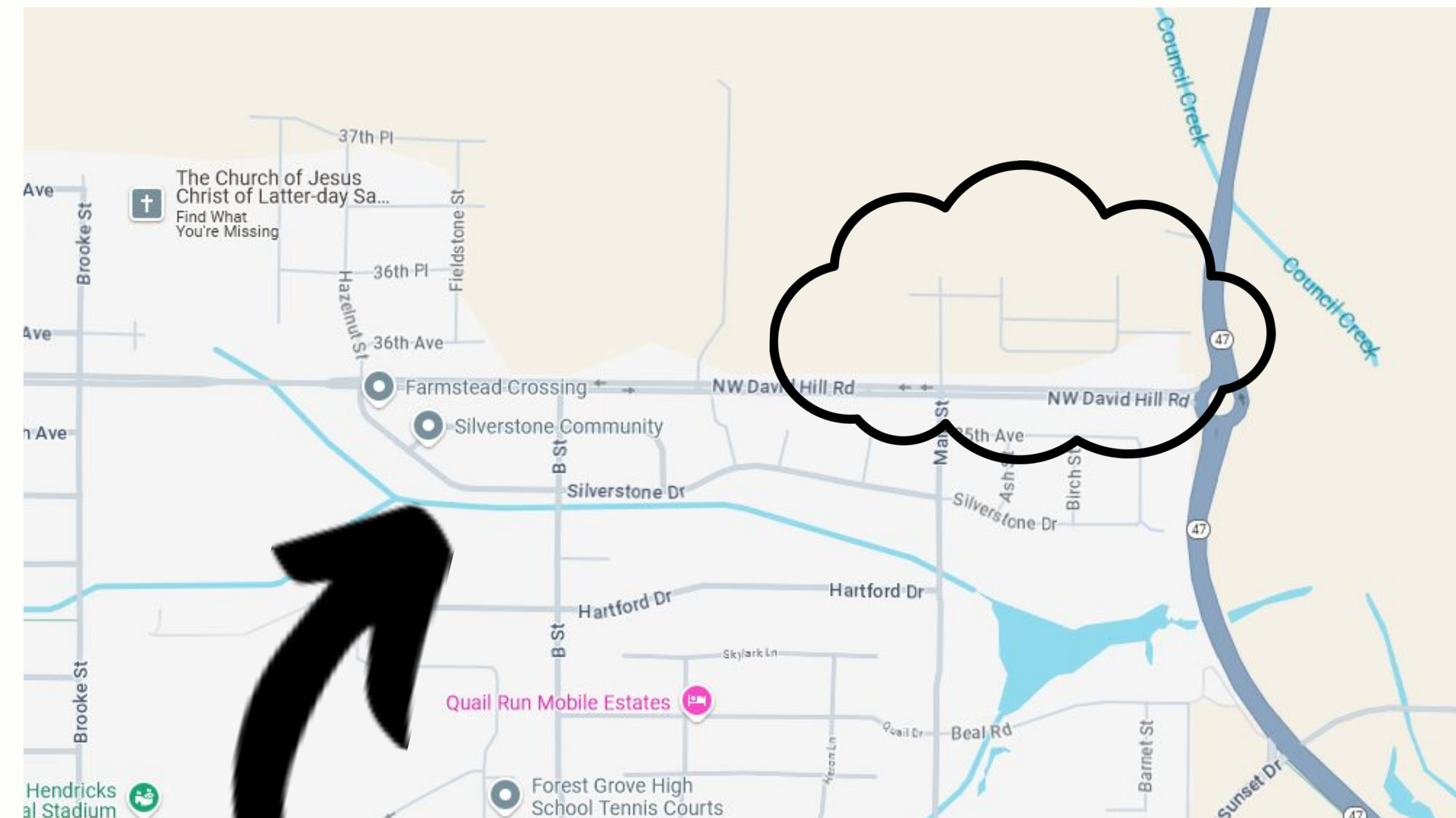
- **ROW Infrastructure Inspections**
 - **Utility Connections**
 - **Lateral Markings**
 - **Sidewalk**
 - **Signage**
- **Erosion Control Inspections**
- **ADA Curb Ramp Inspections**
- **As-built reviews**
- **Code Ordinance Enforcement**
 - **Signs**
 - **Clear Path**

PARKVIEW TERRACE SUBDIVISION







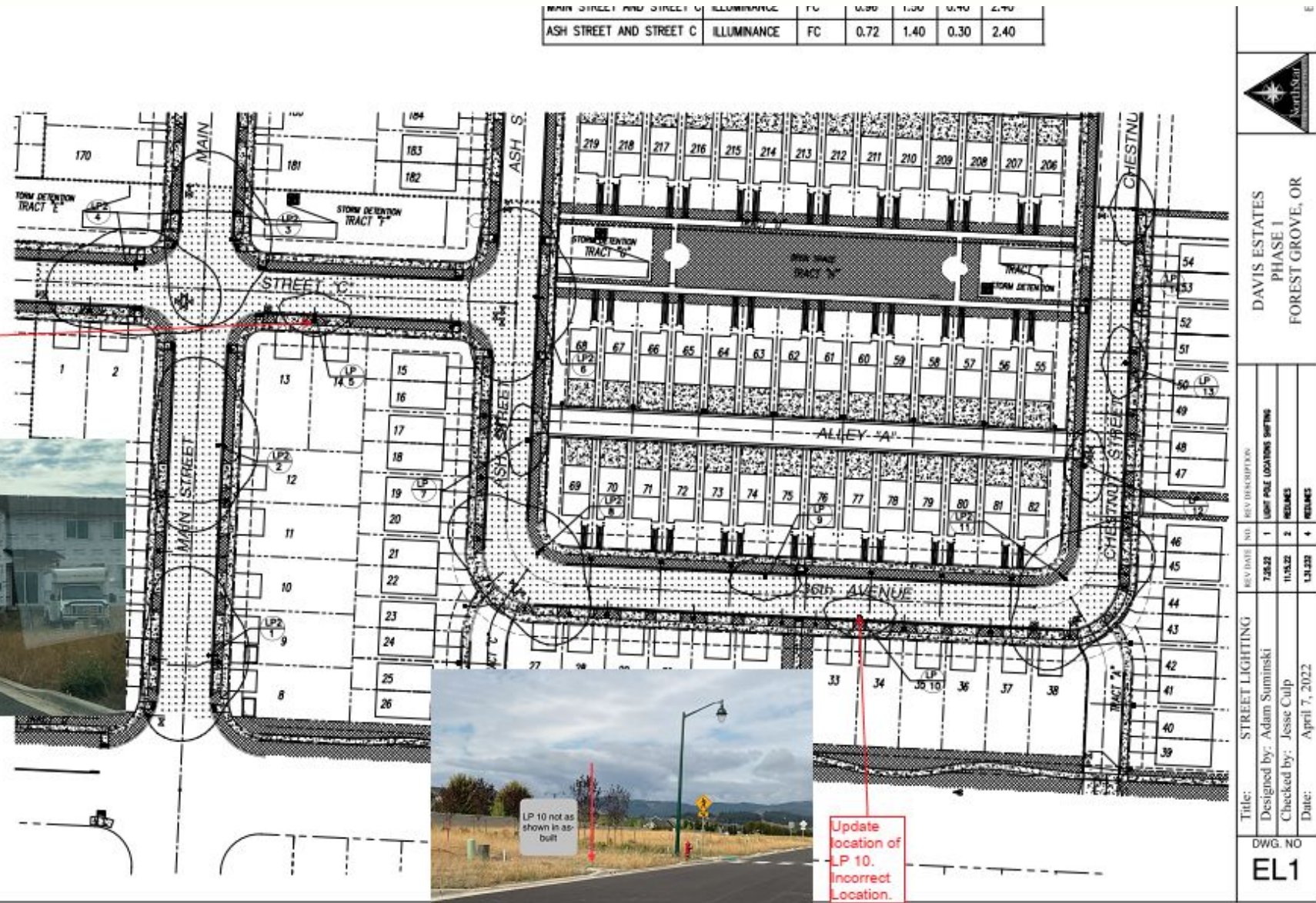
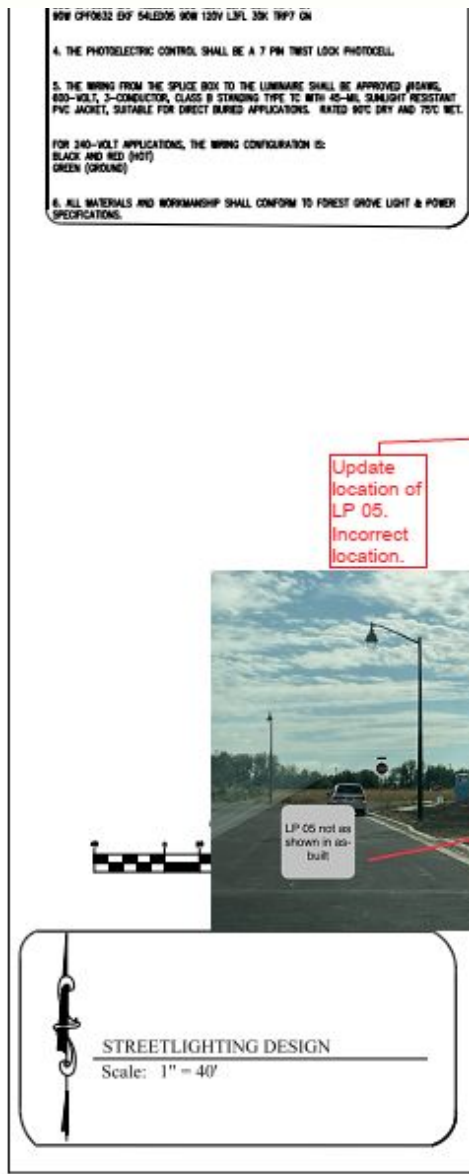
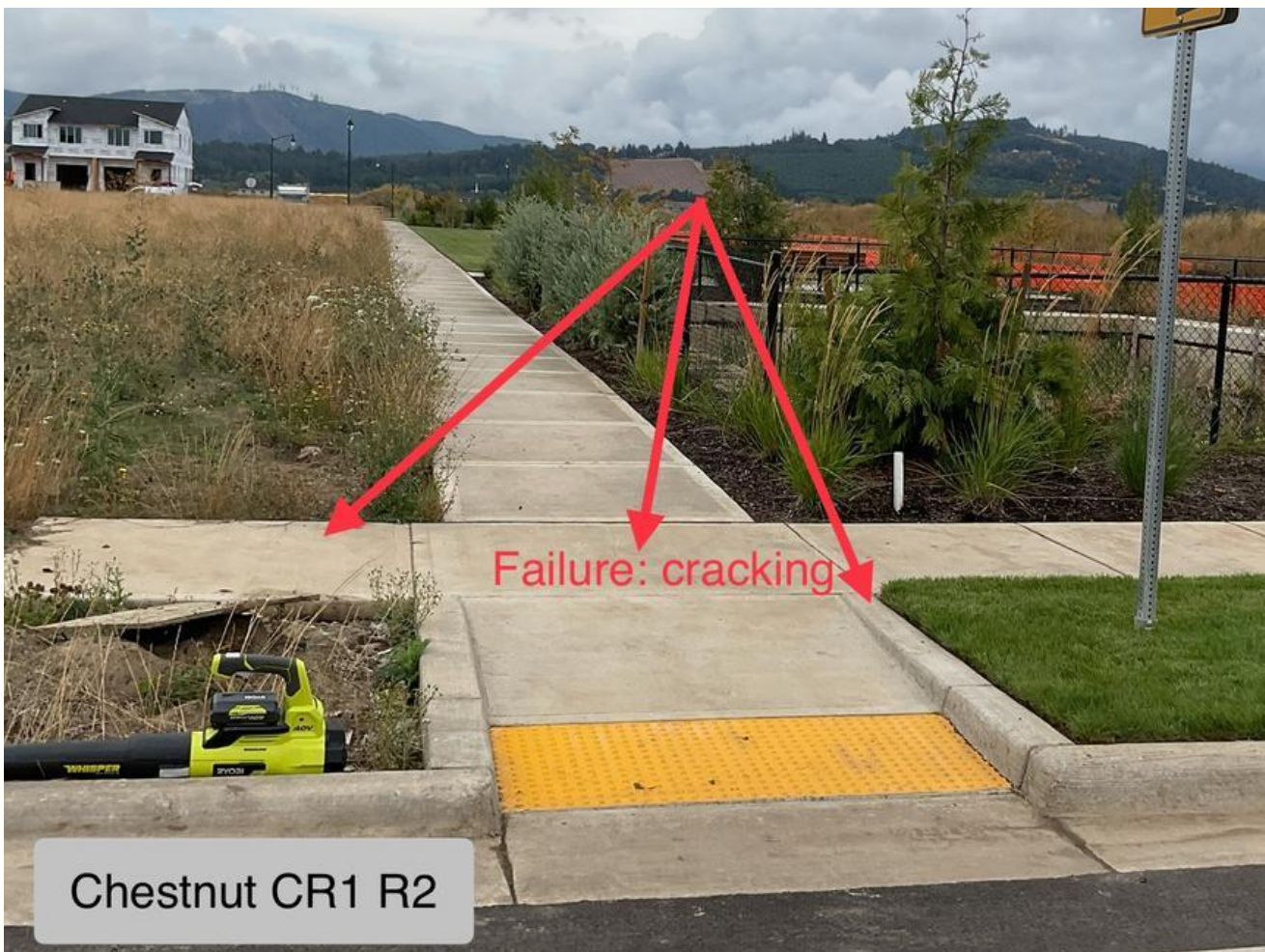


What did I do?

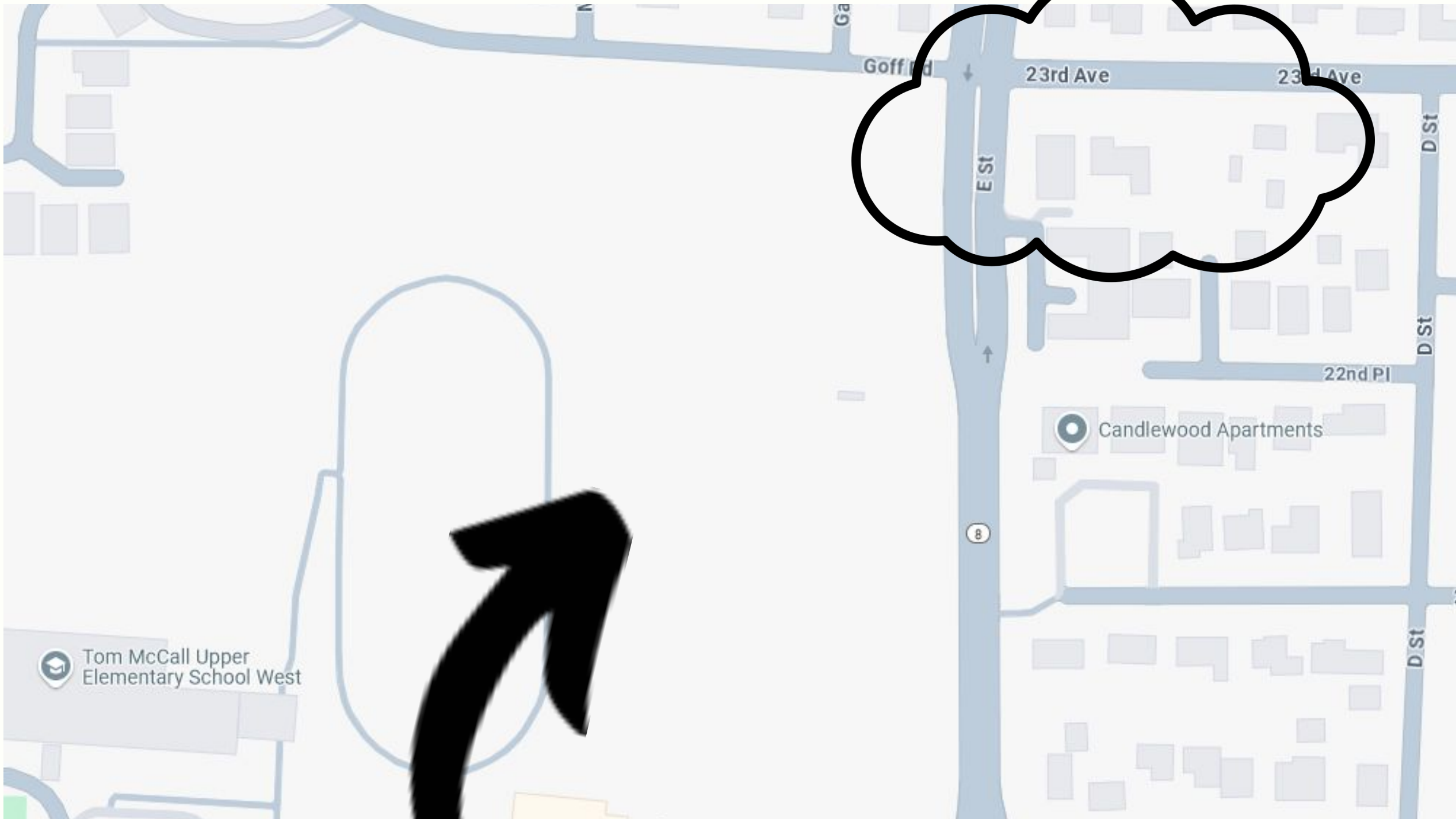
- **ROW Infrastructure Inspections**
 - **Main Pipe & Lateral connections**
 - **Manhole Pressure testing**
 - **Sidewalk & Driveway Approaches**
- **Erosion Control Inspections**
 - **Daily Logs**
 - **Weekly Erosion Control Inspections**
- **ADA Curb Ramp Inspections**
- **As-built reviews**
- **Material Submittal Reviews**

DAVIS ESTATES SUBDIVISION









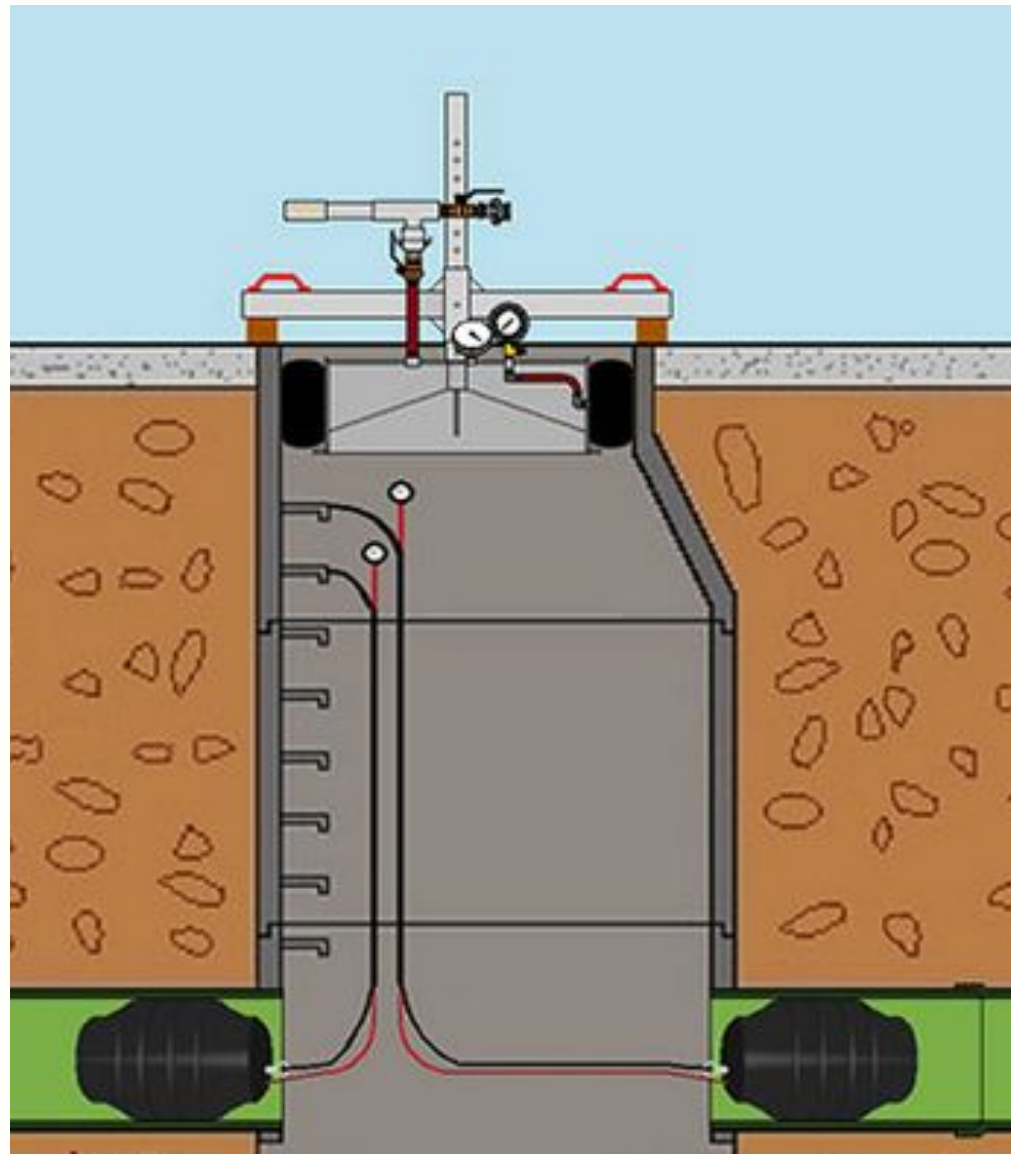
What did I do?

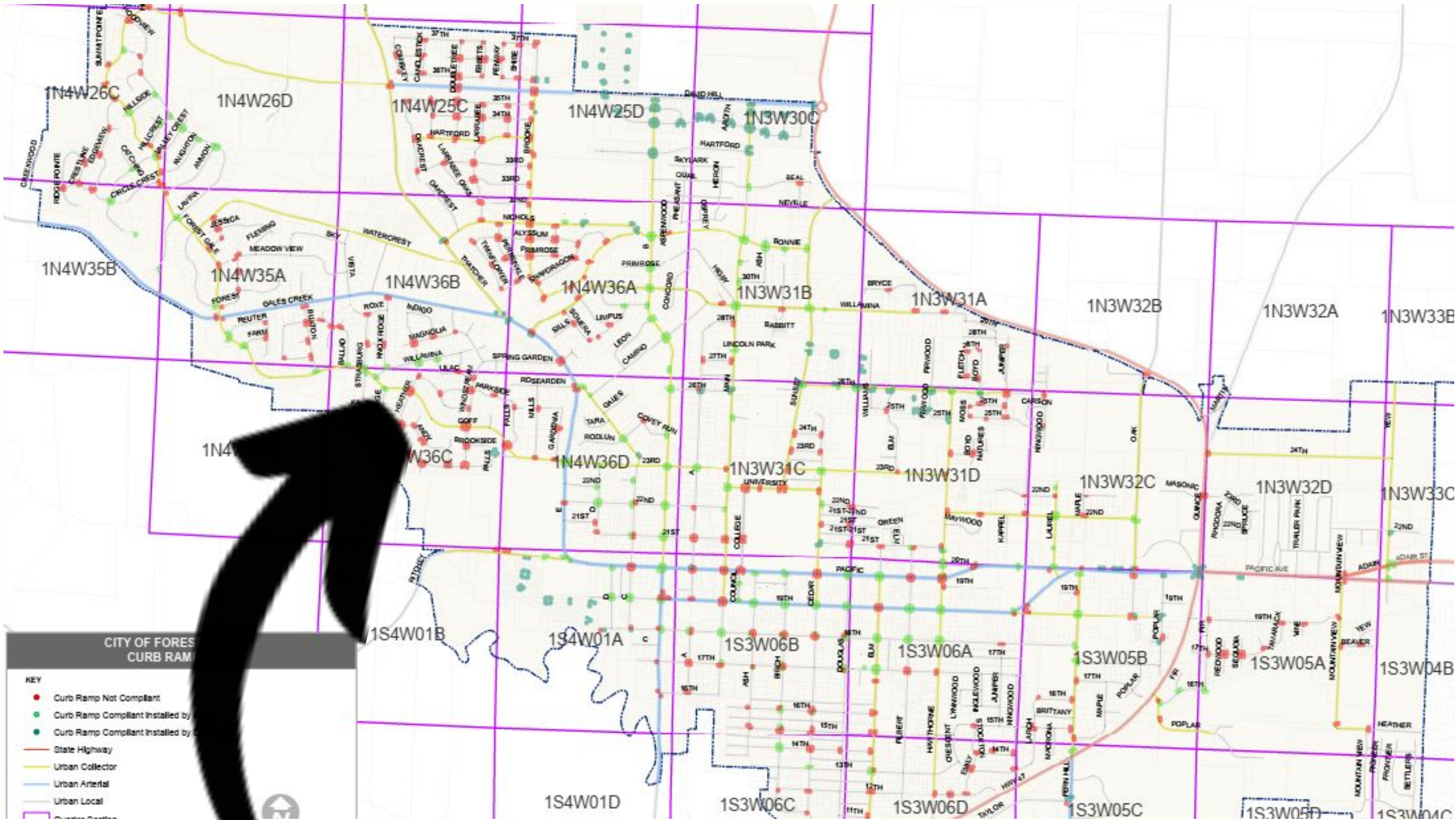
- **ROW Infrastructure Inspections**
 - **Main Pipe & Lateral connections**
 - **Manhole Pressure testing**
 - **Sidewalk & Driveway Approaches**
- **Erosion Control Inspections**
 - **Daily Logs**
 - **Weekly Erosion Control Inspections**
- **ADA Curb Ramp Inspections**
- **As-built reviews**
- **Material Submittal Reviews**

COUNTRYMAN ESTATES









What did I do?

- **ADA Curb Ramp Inspections**
 - **GIS Data Tracking**
 - **Slopes**
 - **Lengths**
 - **ADA Compliant / Non- Compliant**
- **ODOT ADA Curb Ramp Inspector Certification**
 - **2- Year Certification**
- **Asphalt Paving Logs**
 - **Temperatures**
 - **Quantity**
- **Asphalt Grind and Inlay Inspections**

CITY ANNUAL PAVING AND CURB RAMP IMPROVEMENT PROJECT





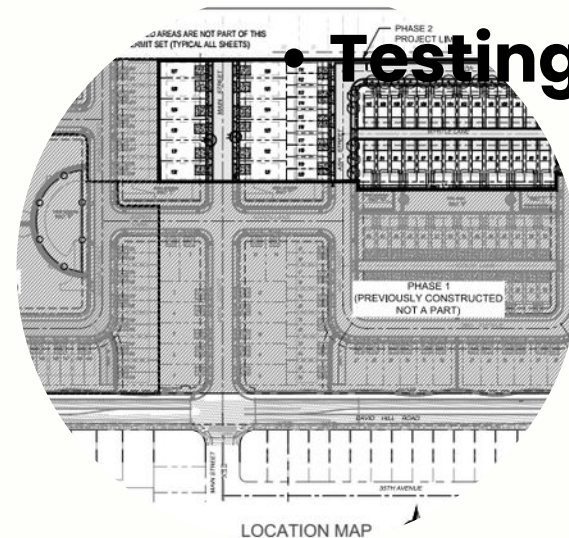
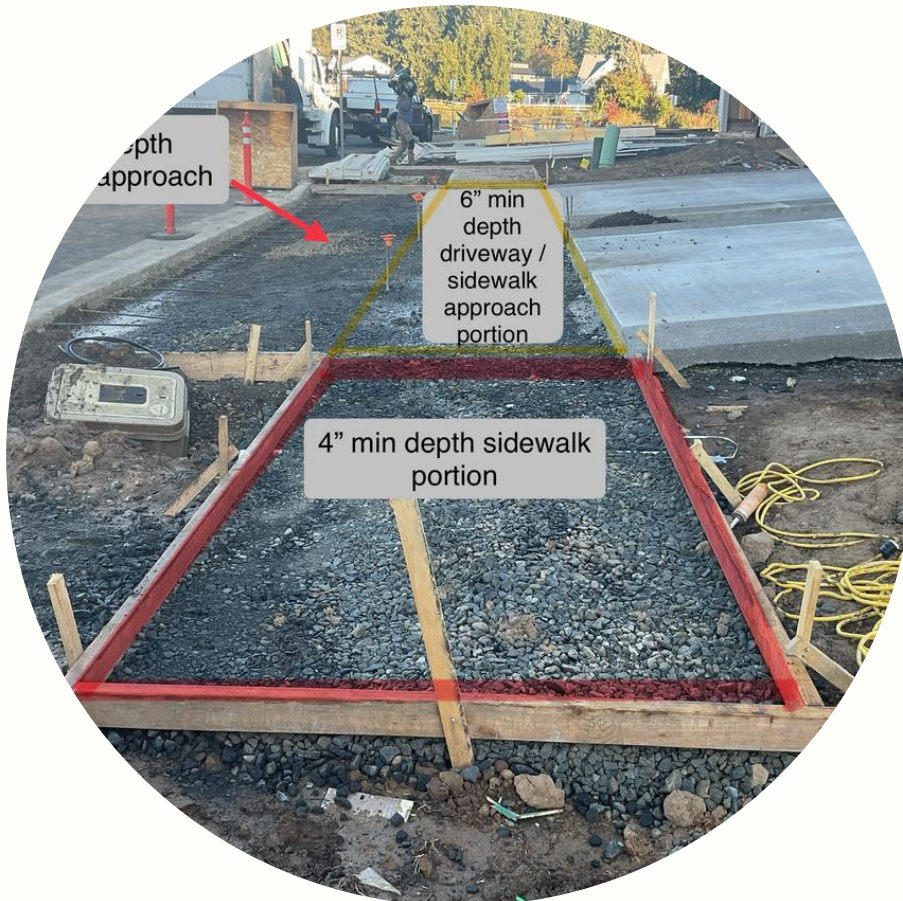
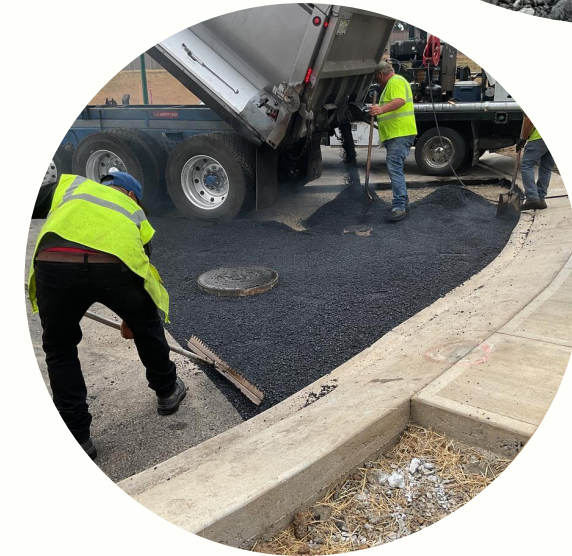
The certification(s) for **Estephano Munoz-Soto**, ID No. 52905:

Certification Type	Certified	Expiration
26 ADA Curb Ramp Certification	08/14/2024	08/31/2026



WHAT DID I LEARN?

- Civil Plan Reviews
- Submittal Reviews
- Construction and Design Standards for CoFG
- Development Code for CoFG
- Code Of Ordinances for CoFG
- Clean Water Services Standards
- Right-of-Way guidelines
- Public Utility Easement
- Certificate of Acceptance
- Public Improvement Agreement
- Testing and Inspections Requirements



OVERALL IMPRESSION

- **Great Project Variety**
- **Experiencing Project Phases**
 - **Greater Understanding of The Civil Engineer Process**
- **Opportunity To Do Field Work**
- **There Was Always An Opportunity To Learn Something New**
- **Patient and Encouraging Team**



THANK YOU!

**Forest Grove, a perfect blend of a charming small-town
and vibrant culture of the Pacific Northwest.**



CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *November 12, 2024*

PROJECT TEAM: *Matt Johnson, AICP, Senior Planner
Bryan Pohl, Community Development Director*

SUBJECT TITLE: *ORDINANCE NO. 2024-07 AMENDING THE FOREST GROVE
DEVELOPMENT CODE ARTICLE 8- DEVELOPMENT STANDARDS, AND
ARTICLE 12- USE CATEGORIES AND DEFINITIONS FILE NO. 311-24-
000034-PLNG*

ACTION REQUESTED:	☒ Ordinance	☐ Order	☐ Resolution	☐ Motion	☐ Informational
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X all that apply

ISSUE STATEMENT:

The proposal would amend the Development Code addressing Climate-Friendly and Equitable Communities (CFEC) Rules mandated by the State, with revisions to Article 8 “General Development Standards”, and Article 12 “Use Categories and Definitions”.

BACKGROUND:

The Development Code was adopted in 2009. Occasionally it is necessary to update the code to address changes in state rules, policies, and definitions. In 2020, the Governor issued Executive Order 20-04, directing the state to reduce greenhouse gas emissions (GHG’s). Shortly thereafter, the LCDC adopted the CFEC rules to help meet the State’s long-term goals to reduce GHG’s, which primarily affects transportation related development standards. Local jurisdictions subject to the State rules are required to choose one of three options to reform their development code.

The first option is to repeal all parking mandates, and the second and third options contain various mandates that reduce parking burdens. The City Council held a work session to discuss CFEC rules on September 26, 2022. During the Joint Work Session held on July 8th, 2024, members of the City Council and Planning Commission directed City Staff to pursue “option 2” under State Rule OAR660-012-0445. Option 2 requires the City to choose two of the following five options: unbundle parking for residential units, unbundle leased commercial parking, flexible commute benefit with more than 50 employees, tax on parking lot revenue, and no more than one-half parking space mandated for multifamily development. In lieu of repealing all parking mandates, the City chose to require parking spaces that serve leased commercial developments and multi-unit housing developments to be unbundled. All options are described in detail within the Joint Work Session PowerPoint (attached).

Post Acknowledgement Plan Amendment (PAPA) notice of this proposal was provided to the Department of Land Conservation and Development (DLCD) on September 18, 2024, and published in the *News Times* on October 25, 2024. As of the date of this report, no comments have been received in response to these notices.

The specifics of each proposed amendment are described in the Planning Commission staff report. On November 4, 2024 the Planning Commission voted 7-0 to recommend the adoption of the proposed amendments to the Development Code. There was no public testimony offered. Below are summaries of the proposed amendments.

Exhibit A: Off Street Parking and Loading- Applicability (FGDC §17.8.505)

- Eliminates the requirement to provide conforming parking whenever there is a change of use on the property.

Exhibit B: Off Street Parking and Loading- Off Street Parking Requirements (FGDC §17.8.515)

- Increases the distances for off-site parking (2000 ft of pedestrian travel from the site).
- Prioritizes the location of car/van pool parking on sites that provide more than 50 parking spaces.
- Increases the distance for the classification of parking requirements near a transit corridor (Parking Zone A).
- Provides a revision to multifamily parking requirements in parking table 8-4.

Exhibit C: Reduction or Modification of Off- Street Parking Requirement (FGDC §17.8.520)

- Provides opportunity to allow existing spaces to be converted into alternative transit-oriented facilities.
- Provides additional opportunities for reductions in parking requirements.

Exhibit D: Climate Mitigation Actions for Parking Areas (FGDC §17.8.525)

- Creates additional standards for larger parking areas (parking lot trees, pedestrian connections, etc.).

Exhibit E: Unbundling of Parking (FGDC §17.8.530)

- Creates policy for parking in multi-unit residential and commercial tenant parking.

Exhibit F: Design and Maintenance Standards for Off- Street Parking and Loading (FGDC §17.8.535)

- Requires certain types of development to provide the basic infrastructure to allow retroactive installation of electric vehicle charging stations.

Exhibit G: Definitions – Meaning of Specific Words and Terms (FGDC §17.12.210)

- Section numbers following CFEC amendments are revised to maintain order.
- The proposed amendment includes two new definitions to support CFEC amendments.

FISCAL IMPACT:

Adoption of the ordinance will have no fiscal impact on the City's budget.

STAFF RECOMMENDATION:

Staff recommends adoption of the ordinance to amend the Development Code as recommended by the Planning Commission.

ATTACHMENTS:

- ORDINANCE 2024-07
- Planning Commission Findings and Decision #2024-07
- Planning Commission Staff Report dated November 4, 2024
- Joint Work Session PowerPoint dated July 8th, 2024

ORDINANCE NO. 2024-07

ORDINANCE AMENDING FOREST GROVE DEVELOPMENT CODE ARTICLE 8- DEVELOPMENT STANDARDS, AND ARTICLE 12 – USE CATEGORIES AND DEFINITIONS FILE NO. 311-24-000034-PLNG

WHEREAS, the Development Code was adopted in 2009 and needs periodic updating to reflect changes in regional and state policies, codes and definitions; and

WHEREAS, the State of Oregon adopted rules addressing climate-friendly communities, with application to all urban and metropolitan areas; and

WHEREAS, the city desires to amend the Development Code to update procedures and review standards to comply with rules mandated by the State; and

WHEREAS, the City Council held a work session to discuss State rules on September 26, 2022; and

WHEREAS, the City Council and Planning Commission held a joint work session to determine options to comply on July 8, 2024; and

WHEREAS, notice of the proposed amendments was provided to the Department of Land Conservation and Development on September 18th, 2024; and

WHEREAS, the Planning Commission held a public hearing on the proposed ordinance on November 4, 2024, and recommended approval of the proposed amendments; and

WHEREAS, the City Council held a duly-noticed public hearing on the proposed ordinance on November 12, 2024, and continued the hearing on November 25, 2024.

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

Section 1. The City Council of the City of Forest Grove hereby adopts text amendments to Development Code Article 8, General Development Standards, and Article 12, Use Categories and Definitions, as shown on Exhibits A through G.

Section 2. The City Council hereby finds that the proposed amendments are consistent with and meet the provisions of Development Code section 17.2.630 Review Criteria pertaining to Zoning Text Amendments.

Section 3. The City Manager is hereby authorized to make necessary edits to the Development Code amendments (Exhibits A-G) for purposes of formatting, correcting scrivener errors and ensuring consistency with City Council's final decision.

Section 4. This ordinance is effective 30 days upon its enactment by the City Council.

PRESENTED AND PASSED the first reading the 12th day of November, 2024.

PASSED the second reading the 25th day of November, 2024.

Mariah S. Woods, City Recorder

APPROVED by the Mayor this 25th day of November, 2024.

Malynda H. Wenzl, Mayor

Exhibit A

OFF-STREET PARKING AND LOADING

§ 17.8.500 PURPOSE.

A. *Ensure adequate vehicle parking.* These parking requirements are intended to provide sufficient vehicle parking in close proximity to the various uses for residents, customers and employees , and to establish standards that will maintain the traffic carrying capacity of nearby streets .

B. *Adequate capacity.* These regulations are also intended to establish vehicle parking areas which have adequate capacity and which are appropriately located and designed to minimize any hazardous conditions on the site and at access points.

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013)

§ 17.8.505 APPLICABILITY.

A. *New construction* . At the time of the erection of a new structure within any residential, commercial, institutional and industrial zoning district , off-street vehicle parking shall be provided in accordance with this section. Except as specified in subsection D. below, uses in the Town Center zones are exempt from the requirement to provide off-street parking.

B. *Expansion of existing use* . At the time of an enlargement of a structure , which increases the on-site vehicle parking requirement, off-street vehicle parking shall be provided in accordance with this section, subject to the following:

1. On the date of adoption of this Code, the number of vehicle parking and loading spaces required shall be based only on floor area or capacity of such enlargement .
2. Except in multi-tenant buildings or complexes with shared parking facilities, where a change results in an intensification of use in terms of the number of vehicle parking spaces required, additional vehicle parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the more intensive use.

~~C. *Change of use* . When an existing structure is changed from one use to another as listed in this section, the following provisions shall apply.~~

~~—1. If the parking requirements for each use are the same, no additional vehicle parking shall be required.~~

~~—2. Except in multi-tenant buildings or complexes with shared parking facilities, where a change results in an intensification of use in terms of the number of vehicle parking spaces required, additional vehicle parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the more intensive use.~~

~~—3. Where the change results in a decrease in intensity of use , the applicant may eliminate excess vehicle parking spaces in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the less intensive use.~~

~~D. *Parking exemption for the town center zones.* Except for new multi-family dwelling units, all development in the Town Center zones shall be exempt from off-street parking requirements for new construction , expansion of existing use and change of use . New multi-family or mixed-use developments (residential portion only) shall provide the minimum required spaces in accordance with Table 8-4 except that:~~

~~—1. In order to encourage the preservation and reuse of historic buildings , no parking shall be required for new or existing multi-family units above the ground floor in buildings built before 1950;~~

Exhibit A

~~— 2. A 25% reduction in the minimum number of parking spaces required is allowed for age-restricted senior housing; and~~

~~— 3. A reduction of three parking spaces is allowed for every one dedicated carshare space provided.~~

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013; Ord. 2020-05, passed 11-9-2020)

Exhibit B

§ 17.8.515 OFF-STREET PARKING REQUIREMENTS.

A. *Multiple uses.* In the event several uses occupy a single building or parcel of land, a reduction of 25% of the total required parking is allowed for projects that utilize shared parking on a blended ratio for complementary uses.

B. *Location of off-street parking.* ~~Off-street parking spaces for dwellings shall be located on the same lot with the dwelling . For all other uses, required off-street parking spaces shall be located not farther than 500 feet from the building or use they are required to serve, except as exempted in the Town Center zones.~~ **Required parking spaces may be provided off-site, within 2,000 feet pedestrian travel of a site. If any non-loading parking is provided on site, all required parking for people with disabilities shall be on site. If all parking is off-site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance.**

C. *Improvements.* Required parking spaces shall be improved to the standards as contained in this article and available for use at the time of the final building inspection.

D. *Carpool and vanpool parking.* Commercial, industrial and institutional developments (including but not limited to hospitals, nursing and retirement homes, schools , churches, auditoriums and transit park-and-ride facilities) with 20 or more long-term parking spaces shall designate at least 10% of those spaces for carpool and vanpool parking. These spaces shall be located closer to the primary public or employee entrance than all other parking spaces with the exception of handicapped parking spaces . Carpool and vanpool parking spaces shall be full-sized and clearly designated for use by carpools or vanpools. **Designated employee parking areas in new developments with more than 50 parking spaces shall provide preferential parking for carpools and vanpools.**

E. *Minimum/maximum parking.* Unless specified below or otherwise exempted by this Code, the minimum and maximum number of required parking spaces shall be provided for all uses in accordance with the specifications of Table 8-4.

F. *Exemptions from maximum parking standards.* The following uses shall be exempt from the maximum allowable parking standards of Table 8-4. This exemption does not limit any provision or authority to restrict the size, location or design of such uses. On sites where the following parking is provided, it shall not be included in the parking count used for determining the maximum allowable number of parking spaces :

1. Structured parking;
2. Valet lots;
3. Pay lots;
4. Employee carpool parking, when such areas are dedicated by way of on-site reservation;
5. Fleet parking;
6. Automobile sales lots; and
7. Park-and-ride lots and area-wide public parking facilities.

G. *Unlisted use .* Where a use is not specifically listed in Table 8-4, determination of the applicable parking standards shall be made in accordance with the following procedure:

1. The Director shall determine the minimum and maximum parking spaces for all uses not listed in Table 8-4, unless an application is under review by the Planning Commission or Design Review Commission, in which case the Commission shall make the determination.

2. In all determinations for unlisted uses, the applicant shall be required to submit studies or technical information about the use , parking demand, vehicle trip generation and/or other

Exhibit B

information as deemed necessary to make a determination. The city may consider testimony and publications of individuals, agencies or institutions experienced in parking and traffic engineering in its determination of parking standards.

H. *Determination of parking zone classification.* Except as provided for in this article or as modified under the variance process outlined in § 17.2.700, parking provided shall not be less than the amount specified in the “Minimum Parking Required” column nor greater than the amount specified in the “Maximum Parking Allowed” column of Table 8-4 based on the appropriate Parking Zone Classification.

1. *Parking Zone A.* **All properties located within the town center core (TC Core) zone, town center transition (TC transition) zone, and properties one-quarter-half mile walking distance of a transit bus stop corridor that provides at least 20-15-minute peak hour service shall be classified as Parking Zone A. This measurement shall be measured from the nearest right-of-way line of the subject corridor to the subject site. If a portion of a property is within the one-half mile walking distance, the entire property shall be deemed to fall within Parking Zone A**

~~—In determining walking distance, the shortest distance measured along sidewalks, improved pedestrian ways or streets, where sidewalks or improved pedestrian ways are not present, shall be used. Walking distance shall be measured from the nearest point of the subject lot located along the nearest street frontage that allows for the shortest walking distance.~~

~~—The transit provider shall be the official source for transit stop location and peak service availability.~~

2. *Parking Zone B.* All properties not located within Parking Zone A shall be classified as Parking Zone B.

Exhibit B

Table 8-4: Parking Requirements			
Land Use	Minimum Parking Required	Maximum Parking Allowed	
		Parking Zone A	Parking Zone B
RESIDENTIAL	-	-	-
Household Living	-	-	-
—Single Units, Attached/Townhomes	1.0/DU	None	None
—Single Units, Detached	1.0/DU	None	None
—Accessory Dwelling Units	None	None	None
—Duplexes	1.0/DU	None	None
—Triplexes	3.0/Development	None	None
—Quadplexes	4.0/Development	None	None
—Cottage Clusters	1.0/DU provided for individual units or in shared parking areas	None	None
—Courtyard Housing	1.0/DU provided for individual units or in shared parking areas	None	None
—Multi-Family Units (outside the Town Center)	DU<500 sq. ft: 1.0/DU 1 bedroom: 1.25/DU 2 bedroom: 1.50/DU 3 bedroom: 1.75/DU	None	None
—Multi-Family Units (within the Town Center)	DU<500 sq. ft: 0.5/DU 1 bedroom: 0.75/DU 2 bedroom: 1.25/DU 3 bedroom: 1.75/DU	None	None
—Manufactured Units	1.0/DU	None	None
—Mobile Home Parks	1.0/DU	None	None
Group Living	1.0/room 1.0/2.5 beds	None 2.7/1000[2]	None
Transitional Housing	1.0/2.5 beds	None	None
Home Occupation	None	None	None
CIVIC	-	-	-
Basic Utilities	None	None	None
Colleges	1.0/5 students/staff	1.0/3.3 students/staff	1.0/3.3 students/staff
Community Recreation	2.0/1,000[2]	2.5/1,000[2]	4.0/1,000[2]
Cultural Institutions	2.5/1,000[2]	3.5/1,000[2]	4.5/1000[2]
Day Care—Home	None	None	None
—Commercial	2.0/classroom	2.7 / 1,000[2]	3.2/1,000[2]

Exhibit B

Emergency Services	3.0/1,000[2]	3.5/1,000[2]	4.5/1,000[2]
Postal Services	2.5/1,000[2]	3.0/1,000[2]	4.5/1,000[2]
Religious Institutions	1.0/4 seats in main assembly area	1.0/1.7 seats in main assembly area	1.0/1.3 seats in main assembly area
Schools	-	-	-
—Preschool	5.0 + 1/classroom	7.0 + 1/classroom	10.0 + 1/classroom
—K-8	2.0/classroom	2.5/classroom	3.5/classroom
—9-12	1.0/5 students/staff	1.0/3.3 students/staff	1.0/3.3 students/staff
Social/Fraternal Clubs/Lodges	10.0/1,000[2] in main assembly area	12.0/1,000 in main assembly area	14.0/1,000[2] in main assembly area
COMMERCIAL	-	-	-
Commercial Lodging	1.0/room	1.2/room	1.4/room
Eating and Drinking Establishments	Fast food: 9.9/1,000[2] Other: 15.3/1,000[2]	12.4 / 1,000[2] 19.1/1,000[2]	14.9/1,000[2] 23.0/1,000[2]
Entertainment Oriented:	-	-	-
—Major Event	1.0/3 seats or 1.0/6' bench	1.0/ 2.5 seats or 1.0/5' bench	1.0/2 seats or 1.0/4' bench
Entertainment	-	-	-
—Outdoor Entertainment	4.0/1,000[2]	4.5/1,000[2]	5.0/1,000[2]
—Indoor Entertainment	4.3/1,000[2]	5.4/1,000[2]	6.5/1,000[2]
—Theater	1.0/3 seats	1.0/2.5 seats	1.0/2.0 seats
General Retail	-	-	-
—Sales Oriented	3.7/1,000[2]	5.1/1,000[2]	6.2 / 1,000[2]
—Personal Services	2.5/1,000[2]	3.0/1,000[2]	4.5/1,000[2]
—Bank with drive-in	4.3/1,000[2]	5.4/1,000[2]	6.5/1,000[2]
—Repair Oriented	3.3/1,000[2]	4.0/1,000[2]	4.5/1,000[2]
—Bulk Sales	1.0/1,000[2] but not less than 10.0	1.3/1,000[2]	2.0 / 1,000[2]
—Outdoor Sales	1.0/1,000[2] sales area	1.3/1,000[2] sales area	2.0/1,000[2] sales area
—Animal Related	3.3/1,000[2]	4.0/1,000[2]	4.5/1,000[2]
Medical Centers	2.0/1,000[2][3]	2.7/1,000[2][3]	3.2/1,000[2][3]
Motor Vehicle Related	-	-	-
—Motor Vehicle Sales/Rental	2.0/1,000[2] but no less than 4.0	2.3/1,000[2] but no less than 4.0	2.0/1,000[2] but no less than 4.0
—Motor Vehicle Servicing/Repair	2.0/1,000[2] but no less than 4.0	2.3/1,000[2] but no less than 4.0	2.6/1,000[2] but no less than 4.0
—Vehicle Fuel Sales	3.0 + 2.0/service bay	4.0 + 2.0/service bay	4.0 + 2.5/service bay

Exhibit B

Office	2.7/1,000[2]	3.4/1,000[2]	4.1/1,000[2]
–Medical/Dental Office	3.9/1,000[2]	4.9/1,000[2]	5.9/1,000[2]
Self-Service Storage	4.0 at office	None	None
Non-Accessory Parking	None	None	None
INDUSTRIAL	-	-	-
Industrial Services	0.8/1,000[2]	1.2/1,000[2]	1.8/1,000[2]
Manufacturing and Production:	-	-	-
–Light Industrial	1.6/1,000[2]	None	None
–General Industrial	1.6/1,000[2]	None	None
Railroad Yards	None	None	None
Research and Development	2.0/1,000[2]	3.0/1,000[2]	3.8/1,000[2]
Warehouse/Freight Movement	<150,000 square feet: 0.5/1,000[2] >150,000 square feet 0.3/1,000[2]	0.8 / 1,000[2] - 0.4/1,000[2]	1.2/1,000[2] - 0.5/1,000[2]
Waste Related	5.0	7.0	10.0
Wholesale Sales	0.8/1,000[2]	1.2/1,000[2]	1.8/1,000[2]
Agriculture/Horticulture	2.5/1,000[2] sales area but no less than 4.0	None	None
Cemeteries	Exempt	Exempt	Exempt
Detention Facilities	1.0/2.5 beds	None	None
Heliports	None	None	None
Mining	<5.0	None	None
Wireless Communication Facilities	None	None	None
Rail Lines Utility Corridors	None	None	None
NA: Not Addressed — DU: Dwelling Unit			
[1] To be determined by the City of Forest Grove based on Metro criteria.			
[2] Refers to 1,000-square feet of floor area, unless otherwise stated.			
[3] Does not include outpatient clinics or medical offices; see Medical/Dental Office.			

Exhibit B

Table 8-4: Parking Requirements				
<u>Land Use</u>	<u>Minimum Parking Required</u>		<u>Maximum Parking Allowed</u>	
	<u>Parking Zone A</u>	<u>Parking Zone B</u>	<u>Parking Zone A</u>	<u>Parking Zone B</u>
<u>Affordable Housing</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Single Units, Attached/Townhomes</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Single Units, Detached</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Accessory Dwelling Units</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Duplexes</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Triplexes</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Quadplexes</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Cottage Clusters</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Courtyard Housing</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Units smaller than 750 square feet</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Multi-Family Units</u>	<u>None</u>	<u>1.0/DU</u>	<u>1.2 per studio / 2.0 per non-studio</u>	<u>None</u>
<u>Manufactured Units</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Mobile Home Parks</u>	<u>None</u>	<u>1.0/DU</u>	<u>None</u>	<u>None</u>
<u>Group Living</u>	<u>None</u>	<u>None</u>	<u>2.7/1000[2]</u>	<u>None</u>
<u>Transitional Housing</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Home Occupation</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>CIVIC</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Basic Utilities</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Colleges</u>	<u>None</u>	<u>1.0/5 students/staff</u>	<u>1.0/3.3 students/staff</u>	<u>1.0/3.3 students/staff</u>
<u>Community Recreation</u>	<u>None</u>	<u>2.0/1,000[2]</u>	<u>2.5/1,000[2]</u>	<u>4.0/1,000[2]</u>
<u>Cultural Institutions</u>	<u>None</u>	<u>2.5/1,000[2]</u>	<u>3.5/1,000[2]</u>	<u>4.5/1000[2]</u>
<u>Day Care - Home</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Day Care - Commercial</u>	<u>None</u>	<u>None</u>	<u>2.7 / 1,000[2]</u>	<u>3.2/1,000[2]</u>
<u>Emergency Services</u>	<u>None</u>	<u>3.0/1,000[2]</u>	<u>3.5/1,000[2]</u>	<u>4.5/1,000[2]</u>
<u>Postal Services</u>	<u>None</u>	<u>2.5/1,000[2]</u>	<u>3.0/1,000[2]</u>	<u>4.5/1,000[2]</u>
<u>Religious Institutions</u>	<u>None</u>	<u>1.0/4 seats in main assembly area</u>	<u>1.0/1.7 seats in main</u>	<u>1.0/1.3 seats in main</u>

Exhibit B

			<u>assembly area</u>	<u>assembly area</u>
<u>Schools</u>				
<u>Preschool</u>	<u>None</u>	<u>5.0 + 1/classroom</u>	<u>7.0 + 1/classroom</u>	<u>10.0 + 1/classroom</u>
<u>Grades K through 8</u>	<u>None</u>	<u>2.0/classroom</u>	<u>2.5/classroom</u>	<u>3.5/classroom</u>
<u>Grades 9 through 12</u>	<u>None</u>	<u>1.0/5 students/staff</u>	<u>1.0/3.3 students/staff</u>	<u>1.0/3.3 students/staff</u>
<u>Social/Fraternal Clubs/Lodges</u>	<u>None</u>	<u>10.0/1,000[2] in main assembly area</u>	<u>12.0/1,000 in main assembly area</u>	<u>14.0/1,000[2] in main assembly area</u>
<u>COMMERCIAL</u>				
<u>Commercial Lodging</u>	<u>None</u>	<u>1.0/room</u>	<u>1.2/room</u>	<u>1.4/room</u>
<u>Eating and Drinking Establishments</u>	<u>None</u>	<u>Fast food: 9.9/1,000[2]</u> <u>Other: 15.3/1,000[2]</u>	<u>12.4 / 1,000[2]</u> <u>19.1/1,000[2]</u>	<u>14.9/1,000[2]</u> <u>23.0/1,000[2]</u>
<u>Multi-tenant Commercial Buildings or Commercial facilities with Shared Parking – NC and NMU Zones</u>	<u>None</u>	<u>2.5/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Multi-tenant Commercial Buildings or Commercial Facilities with Shared Parking – CC Zone</u>	<u>None</u>	<u>3.5/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Entertainment</u>				
<u>Major Event Entertainment</u>	<u>None</u>	<u>1.0/3 seats or 1.0/6' bench</u>	<u>1.0/ 2.5 seats or 1.0/5' bench</u>	<u>1.0/2 seats or 1.0/4' bench</u>
<u>Outdoor Entertainment</u>	<u>None</u>	<u>4.0/1,000[2]</u>	<u>4.5/1,000[2]</u>	<u>5.0/1,000[2]</u>
<u>Indoor Entertainment</u>	<u>None</u>	<u>4.3/1,000[2]</u>	<u>5.4/1,000[2]</u>	<u>6.5/1,000[2]</u>
<u>Theater</u>	<u>None</u>	<u>1.0/3 seats</u>	<u>1.0/2.5 seats</u>	<u>1.0/2.0 seats</u>
<u>General Retail</u>				
<u>Sales Oriented</u>	<u>None</u>	<u>3.7/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Personal Services</u>	<u>None</u>	<u>2.5/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Bank with drive-in</u>	<u>None</u>	<u>4.3/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Repair Oriented</u>	<u>None</u>	<u>3.3/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Bulk Sales</u>	<u>None</u>	<u>1.0/1,000[2] but not less than 10.0</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Outdoor Sales</u>	<u>None</u>	<u>1.0/1,000[2] sales area</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Animal Related</u>	<u>None</u>	<u>3.3/1,000[2]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>
<u>Medical Centers</u>	<u>None</u>	<u>2.0/1,000[2][3]</u>	<u>5/1,000 [2]</u>	<u>5/1,000 [2]</u>

Exhibit B

<u>Motor Vehicle Related</u>				
<u>Motor Vehicle Sales/Rental</u>	<u>None</u>	<u>2.0/1,000[2] but no less than 4.0</u>	<u>2.3 / 1,000 [2] but no less than 4.0</u>	<u>2.0 / 1,000 [2] but no less than 4.0</u>
<u>Motor Vehicle Servicing/Repair</u>	<u>None</u>	<u>2.0/1,000[2] but no less than 4.0</u>	<u>2.3/1,000[2] but no less than 4.0</u>	<u>2.6/1,000[2] but no less than 4.0</u>
<u>Vehicle Fuel Sales</u>	<u>None</u>	<u>3.0 + 2.0/service bay</u>	<u>4.0 + 2.0/service bay</u>	<u>4.0 + 2.5/service bay</u>
<u>General Office</u>	<u>None</u>	<u>2.7/1,000[2]</u>	<u>3.4/1,000[2]</u>	<u>4.1/1,000[2]</u>
<u>Medical/Dental Office</u>	<u>None</u>	<u>3.9/1,000[2]</u>	<u>4.9/1,000[2]</u>	<u>5.9/1,000[2]</u>
<u>Self-Service Storage</u>	<u>None</u>	<u>4.0 at office</u>	<u>None</u>	<u>None</u>
<u>Non-Accessory Parking</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>INDUSTRIAL</u>				
<u>Industrial Services</u>	<u>None</u>	<u>0.8/1,000[2]</u>	<u>1.2/1,000[2]</u>	<u>1.8/1,000[2]</u>
<u>Manufacturing and Production:</u>				
<u>Light Industrial</u>	<u>None</u>	<u>1.6/1,000[2]</u>	<u>None</u>	<u>None</u>
<u>General Industrial</u>	<u>None</u>	<u>1.6/1,000[2]</u>	<u>None</u>	<u>None</u>
<u>Railroad Yards</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Research and Development</u>	<u>None</u>	<u>2.0/1,000[2]</u>	<u>3.0/1,000[2]</u>	<u>3.8/1,000[2]</u>
<u>Warehouse/Freight Movement</u>	<u>None</u>	<u><150,000 square feet: 0.5/1,000[2]</u> <u>>150,000 square feet 0.3/1,000[2]</u>	<u>0.8 / 1,000[2]</u> <u>0.4/1,000[2]</u>	<u>1.2/1,000[2]</u> <u>0.5/1,000[2]</u>
<u>Waste-Related</u>	<u>None</u>	<u>5</u>	<u>7</u>	<u>10</u>
<u>Wholesale Sales</u>	<u>None</u>	<u>0.8/1,000[2]</u>	<u>1.2/1,000[2]</u>	<u>1.8/1,000[2]</u>
<u>Agriculture/Horticulture</u>	<u>None</u>	<u>2.5/1,000[2] sales area but no less than 4.0</u>	<u>None</u>	<u>None</u>
<u>Cemeteries</u>	<u>None</u>	<u>Exempt</u>	<u>Exempt</u>	<u>Exempt</u>
<u>Detention Facilities</u>	<u>None</u>	<u>1.0/2.5 beds</u>	<u>None</u>	<u>None</u>
<u>Heliports</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Mining</u>	<u>None</u>	<u>< 5.0</u>	<u>None</u>	<u>None</u>
<u>Wireless Communication Facilities</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Rail Lines Utility Corridors</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
NA: Not Addressed DU: Dwelling Unit				
<u>[1] To be determined by the City of Forest Grove based on Metro criteria.</u>				
<u>[2] Refers to 1,000 square feet of floor area , unless otherwise stated.</u>				
<u>[3] Does not include outpatient clinics or medical offices; see Medical/Dental Office.</u>				

Exhibit C

§ 17.8.520 REDUCTION OR MODIFICATION OF OFF-STREET PARKING REQUIREMENT.

A. *Parking reductions allowed by right.* The following reductions of minimum required parking may be taken by right. Reductions provided below may not be taken jointly. The reductions allowed by this section may not be used in conjunction with the reductions allowed by subsection B. below. In determining walking distance, the shortest distance measured along sidewalks, improved pedestrian ways or streets, where sidewalks or improved pedestrian ways are not present, shall be used. Walking distance shall be measured from the point on the subject lot located nearest to the transit stop along the shortest course.

~~1. Parking for multi-family, commercial and industrial uses may be reduced by 10% providing the development is within one-fourth mile distance of frequent transit service with at least 20-minute headways.~~

~~2. Parking facilities may be reduced to the extent necessary to accommodate transit stop and shelters.~~

1. Property owners shall be allowed to redevelop any portion of existing off-street parking areas for bicycle-oriented and transit-oriented facilities, including bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities. This provision applies even if the reduction in parking spaces results in fewer parking spaces than this code requires.

2. Parking requirements shall be reduced by one off-street parking space for each three kilowatts of capacity in solar panels or wind power that will be provided in a development

3. Parking requirements shall be reduced by one off-street parking space for each dedicated car-sharing parking space in a development. Dedicated car-sharing parking spaces shall count as spaces for parking requirements.

4. Parking requirements shall be reduced by two off-street parking spaces for every electric vehicle charging station provided in a development. Parking spaces that include electric vehicle charging while an automobile is parked shall count towards parking requirements.

5. Parking requirements shall be reduced by one off-street parking space for every two units in a development above minimum requirements that are fully accessible to people with mobility disabilities

6. Any reductions under options (2) through (5) of this section shall be cumulative and not capped

B. *Modification of minimum off-street parking requirements.* ~~Minimum parking required may be decreased as follows:~~ **Subject to § 17.2.200, Conditional Uses:**

~~1. For uses requiring a minimum of ten or more parking spaces, inclusive of all uses in the case of mixed-use development, required parking may be reduced by up to 15% of the minimum required for sites located in Parking Zone A, upon demonstration that the modification is warranted and meets the following criteria:~~

~~a. Will not result in undue site congestion;~~

~~b. Will not result in traffic hazards on the site or adjoining streets; and~~

Exhibit C

~~—c. Will not result in an undue reduction in the availability of on-street parking or parking located in facilities owned and/or operated by the city—~~

~~2.1. Subject to § 17.2.200, Conditional Uses,~~ A reduction of up to 25% of the total required parking may be granted for new development, redevelopment and substantial improvements , subject to the other requirements of this section, in such cases where:

a. The project is utilizing shared parking where the amount of shared parking is based on a blended ratio and the land uses are shown to be complimentary and will, by virtue of their proximity, reduce the number of vehicle trips generated and the amount of parking needed.

b. For mixed use projects, the site is located within Parking Zone A and no less than one-half of the total gross floor area is dedicated to residential uses.

c. For the purposes of this section, “substantial improvement ” shall mean any construction, renovation, or modification where the value of the proposed site and building improvements exceeds 30% of the value of the land and buildings thereon.

C. *Modification of maximum off-street parking requirements.* Maximum parking allowed may be ~~increased~~ **modified** as follows.

1. Maximum parking allowed may be increased up to 15% of the applicable standard, subject to the requirements of this section and further subject to compliance with all zoning standards and management of related stormwater runoff.

2. Overflow parking areas using “grass-crete” or similar reinforced, drained and seeded hard surface alternatives may be approved for up to an additional 25% of parking spaces allowed in Table 8-4.

3. Mitigation of adverse impacts may be required as a condition to make an increase of required parking acceptable.

4. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section

D. *Procedure for review.* The Director may authorize modifications pursuant to this section; unless the application is under review by the Planning Commission or the Design Commission, in which case the Planning Commission or the Design Commission shall consider the request for modification.

1. Parking and traffic analyses needed to demonstrate the feasibility of modifications requested pursuant to this section shall be prepared by a qualified professional, using methods generally accepted in the field.

2. The applicant shall follow procedures and criteria for Adjustments or Variances as described in Article 2.

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013; Ord. 2022-01, passed 5-9-2022)

Exhibit D

§ 17.8.525 CLIMATE MITIGATION ACTIONS FOR PARKING AREAS.

A. Uses containing more than 65,000 square feet of floor area. For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building.

B. New development that includes more than one-half acre of new off-street surface parking.

1. Developments not required to comply with OAR 330-135-0010 (1.5% for Green Public Buildings) that provide more than one-half acre of new off-street parking must provide a climate mitigation action. Climate mitigation actions shall include at least one of the following:

a. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new off-street parking space. Panels may be located anywhere on the property.

b. Payment of at least \$1,500 per new off-street parking space into a city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose;

c. Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting; or

d. A mixture of actions under paragraphs (a) through (c) the city or county deems to meet the purpose of this section.

2. Developments must provide tree canopy. Developments shall provide either trees along driveways or a minimum of 30 percent tree canopy coverage over new parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted must be designed to maintain a continuous canopy except when interrupted by driveways, drive aisles, and other site design considerations. Developments providing 40 percent tree canopy to comply with paragraph (1)(c) comply with this subsection.

3. Developments must provide pedestrian connections throughout the parking lot, connecting at minimum the following, except where not practical due to site-specific conditions:

a. building entrances;

b. existing or planned pedestrian facilities in the adjacent public rights-of-way;

c. transit stops; and

d. accessible parking spaces.

4. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.

5. In providing trees under subsections (1) and (2), the following standards shall be met.

a. Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species.

b. Trees should be planted in continuous trenches where possible.

c. The minimum standards for tree planting are no lower than the 2021 American National Standards Institute (ANSI A300 standards).

Exhibit E

§ 17.8.530 UNBUNDLING OF PARKING

A. In new developments, parking spaces for each residential unit in multi-unit housing developments must be unbundled parking upon lease creation, lease renewal, or sale.

B. In new developments, parking spaces serving leased commercial developments must be unbundled parking upon lease creation or renewal.

Exhibit F

§ 17.8.525~~35~~ DESIGN AND MAINTENANCE STANDARDS FOR OFF-STREET PARKING AND LOADING.

A. *No backing movement.* Excluding single-family and duplex residences, groups of more than two parking spaces shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way would be required.

B. *Free flow of traffic.* Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress , and maximum safety of pedestrians and vehicular traffic on the site .

C. *Parking accessible from street .* Each parking and/or loading space shall be accessible from a street and the access shall be of a width and location as described in §§ 17.8.100 et seq. for Access and Circulation.

D. *Parking space , stall and access aisle dimensions.* Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicles turning and maneuvering, based on the standards shown in Figures 8-11 and 8-12.

E. *Permanent marking.* Except for single-family and duplex residences, any area intended to be used to meet the off-street parking requirements shall have all parking spaces clearly marked using permanent paint. All interior drives and access aisles shall be clearly marked and signed to show direction of traffic flow and maintain vehicular and pedestrian safety.

F. *Surfacing.*

1. Except for single-family and duplex residences, all areas used for the parking and/or storage and/or maneuvering of any vehicle, boat and/or trailer shall be improved with asphalt or concrete surfaces according to the same standards required for the construction and acceptance of city streets .

2. Off-street parking spaces for single-family and duplex residences shall be improved with an asphalt or concrete surface to specifications as approved by the Building Official.

3. Where possible, pervious surfacing should be used for off-street parking areas.

4. The uses and operations listed below may provide alternative surfacing, such as gravel or other similar semi-pervious surfaces, from the above requirements for vehicular parking or storage areas. Driveways and access aprons which connect to any paved access road and/or public street shall meet the surfacing requirements listed above.

- a. Community recreation;
- b. Agriculture/horticulture;
- c. Outdoor storage.

i. Allowed as an accessory use to a primary use and limited to uses located in the Light Industrial (LI) and General Industrial (GI) zones;

ii. Any outdoor storage that would otherwise be visible at the property line shall be screened from view at the abutting property line by a sight obscuring fence or planting not less than six feet in height;

iii. The property owner shall maintain a gravel storage area to ensure continued drainage and dust control; and

iv. Does not include self-service storage provided for rental of storage space to the public for personal vehicles, recreational vehicles, boats or other personal property. Self-service storage shall be subject the surfacing requirements of § 17.8.525.F.1 above.

G. *Wheel stops.* Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four inches high located one and one-half feet back from the front of the parking stall as defined in Figure 8-7.

Exhibit F

H. *Drainage*. Off-street parking and loading areas shall provide stormwater drainage in accordance with specifications approved by the City Engineer . Off-street parking and loading facilities shall be drained to avoid flow of water across public sidewalks.

I. *Lighting*. Artificial lighting on all off-street parking facilities shall be designed to deflect all light away from surrounding residences and so as not to create a glare hazard to the public use of any road or street .

J. *Maintenance*. All parking lots shall be kept clean and in good repair at all times. Breaks in paved surfaces shall be repaired promptly and broken or splintered wheel stops shall be replaced so that their function will not be impaired.

K. *Parking lots over three acres in size*. Parking lots over three acres in size shall be designed to incorporate curbs and sidewalks along major drive aisles .

L. *Electric Vehicle Charging*. For new multifamily residential buildings with five or more residential dwelling units, and new mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, cities shall require the provision of electrical service capacity, as defined in ORS 455.417, to serve 40 percent of all vehicle parking spaces.

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013; Ord. 2022-01, passed 5-9-2022; Ord. 2022-03, passed 8-8-2022)

Exhibit G

§ 17.8.53040 RESERVOIR REQUIREMENTS.

A. All uses providing drive-in service as defined by this Code shall provide on the same site a reservoir for inbound vehicles as shown in Table 8-5.

B. Minimum required reservoir space may be decreased based on the following criteria:

1. Will not result in undue site congestion;
2. Will not result in traffic hazards on the site or adjoining streets ; and
3. Will not result in an undue reduction in the availability of on-site or on-street parking.

C. Modifications to this section may be authorized by the Planning Director; unless the application is under review by the Planning Commission or the Design Review Commission, in which case the Planning Commission or the Design Review Commission shall consider the request for modification.

D. Article 2 procedures and criteria for Adjustments and Variances shall be applicable to a request for modification of the reservoir requirements.

Table 8-5: Minimum Reservoir Requirements	
Use	Reservoir Requirement
Table 8-5: Minimum Reservoir Requirements	
Use	Reservoir Requirement
Drive-in banks	4 spaces/service terminal
Drive-in restaurants	10 spaces/service window
Drive-in theaters	10% of theater capacity
Gasoline service stations	3 spaces/fueling position
Mechanical car washes	3 spaces/washing unit
Parking facilities – free flow entry	1 space/entry driveway
Parking facilities – ticket dispense entry	2 spaces/entry driveway
Parking facilities – manual ticket dispensing	8 spaces/entry driveway
Attendant parking	10% of portion of parking capacity served by the driveway
All other drive-in facilities	Determined by the Director

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013)

Exhibit G

§ 17.8.53~~54~~⁴⁵ OFF-STREET LOADING SPACE.

A. *Required.* Buildings or structures to be built or substantially altered which receive and distribute material or merchandise by truck shall provide and maintain off-street loading and maneuvering space in accordance with the requirements of Table 8-6.

B. *Separation from off-street parking area.* Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and appropriately designed to prevent the encroachment of delivery vehicles into off-street parking areas or into public streets .

C. *Loading area for schools .* A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school having a capacity greater than 25 students.

D. *Reduction of loading space .* Minimum loading berths may be decreased based on the following criteria:

1. Will not result in undue site congestion;
2. Will not result in traffic hazards on the site or adjoining streets ; and
3. Will not result in undue reduction in the availability of on-site or on-street parking.

E. *Modifications.* The Director may grant modifications to this section; unless the application is under review by the Planning Commission or the Design Review Commission, in which case the Planning Commission or the Design Review Commission shall consider the request for modification.

Article 2 procedures and criteria for Adjustments and Variances shall apply, depending on the magnitude of the adjustment requested.

Table 8-6: Minimum On-Site Loading Requirement		
Land Use	Gross Floor Area at Which 1st Berth is Required	Gross Floor Area at Which 2nd Berth is Required
Table 8-6: Minimum On-Site Loading Requirement		
Land Use	Gross Floor Area at Which 1st Berth is Required	Gross Floor Area at Which 2nd Berth is Required
Industrial		
- Manufacturing	5,000 square feet	40,000 square feet
- Warehouse	5,000 square feet	40,000 square feet
- Storage	10,000 square feet	100,000 square feet
Commercial		
- Wholesale	10,000 square feet	40,000 square feet
- Retail	10,000 square feet	20,000 square feet
- Service Establishments	10,000 square feet	40,000 square feet
- Commercial Recreational (including bowling alleys)	10,000 square feet	100,000 square feet
- Restaurants	5,000 square feet	25,000 square feet
- Laundry	10,000 square feet	25,000 square feet

Exhibit G

- Office Building	10,000 square feet	100,000 square feet
- Hotel	10,000 square feet	100,000 square feet
Institutional		
- Schools	10,000 square feet	100,000 square feet
- Hospitals	10,000 square feet	100,000 square feet
- Sanitariums (homes)	10,000 square feet	100,000 square feet
Public Buildings		
- Terminals	5,000 square feet	40,000 square feet
- Auditoriums	10,000 square feet	100,000 square feet
- Arenas	10,000 square feet	100,000 square feet
- Funeral Homes	10,000 square feet	100,000 square feet

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013)

Exhibit G

§ 17.8.54050 BICYCLE PARKING.

A. *When required.* Bicycle parking shall be provided on-site in conjunction with the following uses:

1. Multi-family housing;
2. Retail and office development ;
3. Industrial development ;
4. Institutional development ; and
5. Transit stations, park-and-ride lot and automobile parking structures .

B. *Required number of spaces.* The number of bicycle parking spaces required shall be at least 20% of the required automobile parking for the use , but not less than two spaces.

C. *Location and design standards.* Bicycle parking facilities shall be:

1. Located within 75 feet of a primary building entrance and dispersed for multiple entrances;
2. Designed to provide direct access to a public right-of-way, but not to obstruct sidewalks or walkways. Public sidewalks may be utilized for bicycle parking when parking can't be reasonably accommodated on-site and the location is convenient to the building 's primary entrance . If a public sidewalk is used for bicycle parking, a minimum of six feet of clear and unobstructed sidewalk must be maintained;
3. In a location visible to building occupants or from the main parking lot;
4. Thoroughly illuminated during working hours. Bicycle parking areas shall be at least as well lit as automobile parking areas;
5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary rack to which the bicycle can be locked. All bicycle racks, lockers or other facilities shall be securely anchored to the ground or to a structure . Bicycle racks shall be designed so that bicycles may be securely locked to them without undue inconvenience. Such racks shall be designed to hold bicycles securely by means of the frame, with the frame supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels; and
6. Bicycle parking spaces shall be at least six feet long and two feet wide with an overhead clearance of at least seven feet. An access aisle of at least five feet shall be provided and maintained beside or between each row of bicycle parking. Each required bicycle parking space shall be accessible without moving another bicycle.

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013)

Exhibit G

§ 17.8.54~~55~~ LANDSCAPING AND SCREENING OF PARKING AND LOADING AREAS.

A. *Purpose.* The purpose of this section is to improve the appearance of off-street parking and open lot sales and service areas in Forest Grove and to protect and preserve the appearance, character and value of the surrounding neighborhoods. It is also the purpose of this section to allow for increased seepage by providing openings in impervious surface ; increased safety by breaking up large expanses of pavement; and increased shading to reduce overheating of car interiors, and reduce glare and radiation from large number of vehicles.

B. *Applicability.* This section is applicable to all areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use , hereinafter referred to as “other vehicular uses,” including but not limited to activities of a drive-in nature such as, but not limited to, filling stations, grocery and dairy stores, banks, restaurants and the like. Screening and landscaping of parking and loading areas is required, with the exception of parking areas serving single-family dwellings and duplexes , and parking areas that are under or within buildings . The interior landscaping requirements do not apply to parking areas for industrial uses in the industrial zones.

C. *Required landscaping for parking lots adjacent to public rights-of-way.* A minimum five-foot landscaped strip is required between the abutting right-of-way and the off-street parking area or vehicle use area.

D. *Perimeter parking lot landscaping.* When the off-street parking area or other vehicular use area is not visually screened from an abutting property by an intervening building or structure , a minimum five-foot landscaped strip shall be installed between the common property line and the off-street parking area or other vehicular use area that is visually exposed.

E. *Interior parking lot landscaping.* Landscaped areas shall be appropriately distributed to break up large expanses of pavement, improve the appearance and climate of the site , improve safety and delineate pedestrian walkways and traffic lanes. For the purpose of this section, interior parking lot area is defined as the hard surface parking area (parking stalls and aisles). Such area does not include loading and unloading zones or perimeter landscaping around the lot .

1. At least 8% of the interior parking lot area shall be landscaped. Landscaped areas should include water quality features such as bio-swales or wetlands , trees , grass, shrubs and other material when possible so as to cover the landscape area.

2. A required landscaped area shall have a minimum interior dimension of six feet and be no less than 48 square feet in area. Landscaping shall be protected from vehicular damage by some form of wheel guard or curb.

3. One tree shall be required for every 1,600 square feet of interior parking lot area. Trees shall have a minimum two-inch caliper and six-foot branch height at the time of planting.

4. Interior parking area landscaping and trees must be dispersed throughout the parking area. Some trees may be grouped, but the groups must be dispersed.

5. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends four feet or more into the parking area from the perimeter landscape line.

F. *Landscaping within clear vision areas .* All landscaping of parking lots within clear vision areas shall provide unobstructed cross-visibility at a level between three to ten feet above the curb line. With the exception of grass or groundcover, no landscaping shall be located closer than three feet from the edge of any accessway pavement.

(Ord. 2009-01, passed 3-9-2009; Ord. 2013-3, passed 5-22-2013)

Exhibit G

DEFINITIONS

§ 17.12.210 MEANING OF SPECIFIC WORDS AND TERMS.

Pedestrian Travel- The measurement of pedestrian travel as it relates to off-street parking shall be as follows: Measured in a direct line from the property line of the site and in a direct line across street intersections. If all parking is located off-site, parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from the that entrance.

Unbundled Parking- A requirement that parking spaces for each unit in a development be rented, leased, or sold separately from the unit itself. The parking space(s) must be rented, leased, or sold at market rates for compatible local off-street parking. The renter, lessor, or buyer of the unit must be allowed to opt out of renting, leasing, or buying the parking space.

Planning Commission Findings and Decision Number 2024-02
Recommendation to City Council to Adopt Amendments to Forest Grove
Development Code- Article 8- *Development Standards*, And Article 12 – *Use*
Categories and Definitions
FILE NO. 311-24-000034-PLNG

WHEREAS, the Development Code was adopted in 2009 and needs periodic updating to reflect changes in regional and state policies, codes and definitions; and

WHEREAS, the State of Oregon adopted rules addressing climate-friendly communities, with application to all urban and metropolitan areas; and

WHEREAS, the Planning Commission and City Council held a joint work session to determine options to comply on July 8, 2024; and

WHEREAS, notice of the proposed amendments was provided to the Department of Land Conservation and Development on September 18th, 2024; and

WHEREAS, notice of the Planning Commission hearing on this ordinance was published in the *Forest Grove News Times* on October 25th, 2024; and

WHEREAS, the Planning Commission held a public hearing on the proposed ordinance on November 4, 2024; and

WHEREAS, the Planning Commission adopted a motion on November 4th, 2024, to recommend that City Council adopt an ordinance amending the text of the Forest Grove Development Code as provided in Exhibits A-G; and

NOW, THEREFORE, City of Forest Grove Planning Commission does hereby recommend that City Council adopt an ordinance amending the text of the Forest Grove Development Code as provided in exhibits A-G; making the following findings in support of this decision:

1. Development Code §17.2.630, *Review Criteria*, lists two standards to be satisfied to adopt a text amendment:

A. The text amendment is consistent with relevant goals and policies of the Forest Grove Comprehensive Plan:

Finding: The proposed amendments would update development standards and definitions related to parking to comply with State administrative rule. These include amendments, primarily related to parking requirements, which are ultimately focused on reducing GHG's (§ 17.8.505 Off Street Parking and Loading- Applicability; § 17.8.515 Off Street Parking and Loading- Off Street Parking Requirements; §17.8.520 Reduction or Modification of Off-Street Parking Requirements; §17.8.525 Climate Mitigation Actions for Parking Areas; §17.8.530 Unbundling of Parking; §17.8.535 Design and Maintenance Standards for Off-Street Parking and Loading; and ;§17.12.210 Definitions – Meaning of Specific Words and Terms.

Since the Development Code serves as a primary tool for implementing the City's Comprehensive Plan, actions initiated under the Development Code are deemed consistent with the adopted Comprehensive Plan and applicable federal, state and regional laws.

B. The text amendment is consistent with relevant statewide planning goals and plans:

Statewide Planning Goal 1: Citizen Involvement

It is the purpose of this Goal to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Planning Commission and City Council's work sessions on the proposed amendments and the City's development code legislative process ensure the opportunity for public engagement.

Statewide Planning Goal 2: Land Use Planning

It is the purpose of this Goal to establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Finding: The development of the proposed amendments has followed the City's established land use planning process and included meetings and work sessions, public outreach through information on the city's website, and opportunities for public comment. The proposed CFEC amendments help meet state goals to reduce climate pollution, especially from transportation by reducing or eliminating parking standards. Additionally, the state requires the local jurisdiction to implement CFEC regulations.

Statewide Planning Goal 5: Natural Resources, Scenic & Historic Areas, & Open Spaces

It is the purpose of this Goal to protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed text amendments are not applicable to goals and policies in the City's Comprehensive Plan pertaining to the protection of natural resources and conservation of scenic and historic areas and open spaces.

Statewide Planning Goal 6: Air, Water and Land Resources Quality

This Goal instructs local governments to consider the protection of air, water, and land resources from pollution and pollutants when developing comprehensive plans.

Finding: The proposed text amendments are not applicable to goals and policies in the City's Comprehensive Plan pertaining to the protection of air, water, and land resources from pollution and pollutants.

Statewide Planning Goal 7: Natural Hazards

This Goal requires local comprehensive plans to address Oregon's natural hazards.

Finding: The proposed text amendments are not applicable to identified natural hazards within the Forest Grove community.

Statewide Planning Goal 8: Recreational Needs

It is the purpose of this Goal to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities.

Finding: The proposed text amendments are not applicable to recreational needs within the Forest Grove community. The City has an adopted Parks and Recreation Master Plan.

Statewide Planning Goal 9: Economic Development

The purpose of Goal 9 planning is to make sure cities and counties have enough land available to realize economic growth and development opportunities.

Finding: The proposed text amendments would allow redevelopment of underutilized parking lots and creating the opportunity for additional development that support a better balance of jobs to housing within the City. Therefore, the proposed amendments meet the intent of Goal 9, Economic Development.

Statewide Planning Goal 10: Housing

The purpose of this Goal is to make sure that a community has adequate housing supply for the twenty-year planning period through a range of densities to choose from and serves people at a variety of income levels.

Finding: The proposed text amendments will reduce and/or remove minimum off-street vehicle parking requirements throughout the city, which will make more housing developments physically and financially feasible. The amendments will also allow the development community to choose to provide less or no off-street parking along the transit corridor, ultimately allowing for more flexibility of housing location, type, and density. The proposed amendments will not reduce the city's housing capacity of the Building Lands Inventory. Therefore, the proposed amendments meet the intent of Goal 10, Housing.

Statewide Planning Goal 11: Public Facilities and Services

It is the purpose of this Goal to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 12: Transportation

This Goal requires cities, counties, and the state to create a transportation system plan that considers all relevant modes of transportation: mass transit, air, water, rail, highway, bicycle and pedestrian.

Finding: The City has an adopted Transportation System Plan (TSP), and the proposed amendments are applicable relative to parking regulations which are addressed later in this report under the Transportation Planning Rule (TPR). Based on the findings under the TPR, the proposed amendments are consistent with the TSP and therefore, this goal.

Statewide Planning Goal 13: Energy

This Goal requires local governments to consider the effects of its comprehensive planning decision on energy consumption.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 14: Urbanization

The purpose of this goal is to ensure land inside a UGB, is considered urbanizable. A city must plan to include a twenty-year supply of land for housing, employment, industry, open space and recreational needs. A UGB should also provide plans for transition from urban to rural land uses to avoid conflicts and encourage efficient use of the land to provide more livable, walkable, and densely built communities.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Metro Regional Framework Plan

The Functional Framework Plan Six Outcomes are statements adopted by the Metro Council that synthesize the 2040 Growth Concept and regional policies.

1. People live, work, and play in vibrant communities where their everyday needs are easily accessible.
2. Current and future residents benefit from the region's sustained economic competitiveness and prosperity.
3. People have safe and reliable transportation choices that enhance their quality of life.
4. The region is a leader in minimizing contributions to global warming.
5. Current and future generations enjoy clean air, clean water, and healthy ecosystems.
6. The benefits and burdens of growth and change are distributed equitably.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan; therefore, the amendment is consistent with the 2040 Growth Concept and regional policies



Ginny Sanderson, Chair

November 5, 2024

Date



Forest Grove Code Text Amendments Staff Report and Recommendation

Community Development Department, Planning Division

REPORT DATE:	October 25, 2024
HEARING DATE:	November 4, 2024
REQUEST:	Legislative amendments to the Forest Grove Development Code pertaining to new Climate-Friendly and Equitable Communities (CFEC) rules as mandated by the State. Proposed amendments include modifications to off-street parking and loading, new climate mitigation actions for parking areas, unbundling of parking, along with other miscellaneous provisions and definitions.
FILE NUMBER:	311-24-000034-PLNG
PROPERTY LOCATION:	Not applicable
LEGAL DESCRIPTION:	Not applicable
APPLICANT:	City of Forest Grove
APPLICABLE STANDARDS AND CRITERIA:	City of Forest Grove Development Code: §17.1.700 et. seq. <i>Legislative Land Use Decision</i> §17.2.600 et. seq. <i>Development Code Text Amendment</i>
REVIEWING STAFF:	Matt Johnson, AICP, Senior Planner Bryan Pohl, Community Development Director
RECOMMENDATION:	Staff recommends approval of the proposed amendments listed in attached Exhibits A-G, as well as any revisions found appropriate by the Planning Commission.

I. BACKGROUND

The City of Forest Grove Development Code was adopted in 2009. Occasionally, it is necessary to update the code to reflect changes in state rules, policies, and definitions.

On March 10, 2020, the Governor issued Executive Order 20-04, directing the State to reduce greenhouse gases (GHG's). In July 2022, the Oregon Land Conservation and Development Commission (LCDC) adopted the CFEC rules to help meet the State's long-term goals to reduce GHG's, which primarily affects transportation related development standards. These rules apply to all metropolitan areas throughout Oregon.

The City of Forest Grove is proposing to adopt new CFEC regulations as mandated by the state. The proposed amendments were developed from the following rules: (OAR 660-012-0430), parking reform near transportation corridors (OAR-660-012-0440), electric vehicle

charging (OAR 660-012-0440), parking regulation improvements (OAR 660-012-0405), reducing the burden of parking mandates (OAR 660-012-0425), and fair parking policies (OAR 660-012-0445).

During the Joint Work Session held on July 8th, 2024, members of the City Council and Planning Commission directed City Staff to pursue “option 2” under State Rule OAR660-012-0445

Post Acknowledgement Plan Amendment (PAPA) notice of this proposal was provided to the Department of Land Conservation and Development (DLCD) on September 18, 2024, and published in the *News Times* on October 25, 2024. As of the date of this report, no comments have been received in response to these notices.

II. PROPOSED AMENDMENTS

Each exhibit listed below refers to a specific section of the Development Code. Proposed new text located within each exhibit attached are **bolded**, while text proposed to be deleted in the exhibits are ~~struck through~~. Below are summaries of the proposed amendments.

Exhibit A: Off Street Parking and Loading- Applicability (FGDC §17.8.505)

- Eliminates the requirement to provide conforming parking whenever there is a change of use on the property.

Exhibit B: Off Street Parking and Loading- Off Street Parking Requirements (FGDC §17.8.515)

- Increases the distances for off-site parking (2000 ft of pedestrian travel from the site).
- Prioritizes the location of car/van pool parking on sites that provide more than 50 parking spaces.
- Increases the distance for the classification of parking requirements near a transit corridor (Parking Zone A).
- Provides a revision to multifamily parking requirements in parking table 8-4.

Exhibit C: Reduction or Modification of Off- Street Parking Requirement (FGDC §17.8.520)

- Provides opportunity to allow existing spaces to be converted into alternative transit-oriented facilities.
- Provides additional opportunities for reductions in parking requirements.

Exhibit D: Climate Mitigation Actions for Parking Areas (FGDC §17.8.525)

- Creates additional standards for larger parking areas (parking lot trees, pedestrian connections, etc.).

Exhibit E: Unbundling of Parking (FGDC §17.8.530)

- Creates fair policy for parking in multi-unit residential and commercial tenant parking.

Exhibit F: Design and Maintenance Standards for Off- Street Parking and Loading (FGDC §17.8.535)

- Requires certain types of development to provide the basic infrastructure to allow retroactive installation of electric vehicle charging stations.

Exhibit G: Definitions – Meaning of Specific Words and Terms (FGDC §17.12.210)

- Section numbers following CFEC amendments are revised to maintain order.
- The proposed amendment includes two new definitions to support CFEC amendments.

III. APPROVAL CRITERIA AND FINDINGS

Development Code §17.2.630, *Review Criteria*, lists two standards to be satisfied to adopt a text amendment:

A. The text amendment is consistent with relevant goals and policies of the Forest Grove Comprehensive Plan:

Finding: The proposed amendments would update development standards and definitions related to parking to comply with State administrative rule. These include amendments, primarily related to parking requirements, which are ultimately focused on reducing GHG's (§ 17.8.505 Off Street Parking and Loading- Applicability; § 17.8.515 Off Street Parking and Loading- Off Street Parking Requirements; §17.8.520 Reduction or Modification of Off-Street Parking Requirements; §17.8.525 Climate Mitigation Actions for Parking Areas; §17.8.530 Unbundling of Parking; §17.8.535 Design and Maintenance Standards for Off-Street Parking and Loading; and §17.12.210 Definitions – Meaning of Specific Words and Terms.

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B. The text amendment is consistent with relevant statewide planning goals and plans:

Statewide Planning Goal 1: Citizen Involvement

It is the purpose of this Goal to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

Finding: Planning Commission and City Council's work sessions on the proposed amendments and the City's development code legislative process ensure the opportunity for public engagement.

Statewide Planning Goal 2: Land Use Planning

It is the purpose of this Goal to establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

Finding: The development of the proposed amendments has followed the City's established land use planning process and included meetings and work sessions, public outreach through information on the city's website, and opportunities for public comment. The proposed CFEC amendments help meet state goals to reduce climate pollution, especially from transportation by reducing or eliminating parking standards. Additionally, the state requires the local jurisdiction to implement CFEC regulations.

Statewide Planning Goal 5: Natural Resources, Scenic & Historic Areas, & Open Spaces

It is the purpose of this Goal to protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The proposed text amendments are not applicable to goals and policies in the City's Comprehensive Plan pertaining to the protection of natural resources and conservation of scenic and historic areas and open spaces.

Statewide Planning Goal 6: Air, Water and Land Resources Quality

This Goal instructs local governments to consider the protection of air, water, and land resources from pollution and pollutants when developing comprehensive plans.

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Statewide Planning Goal 7: Natural Hazards

This Goal requires local comprehensive plans to address Oregon's natural hazards.

Finding: The proposed text amendments are not applicable to identified natural hazards within the Forest Grove community.

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It is the purpose of this Goal to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities.

Finding: The proposed text amendments are not applicable to recreational needs within the Forest Grove community. The City has an adopted Parks and Recreation Master Plan.

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The purpose of Goal 9 planning is to make sure cities and counties have enough land available to realize economic growth and development opportunities.

Finding: The proposed text amendments would allow redevelopment of underutilized parking lots and creating the opportunity for additional development that support a better balance of jobs to housing within the City. Therefore, the proposed amendments meet the intent of Goal 9, Economic Development.

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The purpose of this Goal is to make sure that a community has adequate housing supply for the twenty-year planning period through a range of densities to choose from and serves people at a variety of income levels.

Finding: The proposed text amendments will reduce and/or remove minimum off-street vehicle parking requirements throughout the city, which will make more housing developments physically and financially feasible. The amendments will also allow the development community to choose to provide less or no off-street parking along the transit corridor, ultimately allowing for more flexibility of housing location, type, and density. The proposed amendments will not reduce the city's housing capacity of the Building Lands Inventory. Therefore, the proposed amendments meet the intent of Goal 10, Housing.

Statewide Planning Goal 11: Public Facilities and Services

It is the purpose of this Goal to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 12: Transportation

This Goal requires cities, counties, and the state to create a transportation system plan that considers all relevant modes of transportation: mass transit, air, water, rail, highway, bicycle and pedestrian.

Finding: The City has an adopted Transportation System Plan (TSP), and the proposed amendments are applicable relative to parking regulations which are addressed later in this report under the Transportation Planning Rule (TPR). Based on the findings under the TPR, the proposed amendments are consistent with the TSP and therefore, this goal.

Statewide Planning Goal 13: Energy

This Goal requires local governments to consider the effects of its comprehensive planning decision on energy consumption.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Statewide Planning Goal 14: Urbanization

The purpose of this goal is to ensure land inside a UGB, is considered urbanizable. A city must plan to include a twenty-year supply of land for housing, employment, industry, open space and recreational needs. A UGB should also provide plans for transition from urban to rural land uses to avoid conflicts and encourage efficient use of the land to provide more livable, walkable, and densely built communities.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

The following State Land Use Goals are not applicable to this proposal:

Goal 3: Agricultural,

Goal 4: Forest Lands,

Goal 15: Willamette River Greenway,

Goal 16: Estuarine Resources,

**Goal 17: Coastal Shorelands,
Goal 18: Beaches and Dunes; and
Goal 19: Ocean Resources**

Metro Regional Framework Plan

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1. People live, work, and play in vibrant communities where their everyday needs are easily accessible.
2. Current and future residents benefit from the region's sustained economic competitiveness and prosperity.
3. People have safe and reliable transportation choices that enhance their quality of life.
4. The region is a leader in minimizing contributions to global warming.
5. Current and future generations enjoy clean air, clean water, and healthy ecosystems.
6. The benefits and burdens of growth and change are distributed equitably.

Finding: The proposed amendments are consistent with the City's Comprehensive Plan; therefore, the amendment is consistent with the 2040 Growth Concept and regional policies.

IV. ALTERNATIVES

The Planning Commission may recommend that the City Council approve the proposals as submitted, approve them with modifications, or the Commission may continue deliberations to a date certain. However, it should be noted that, if CFEC regulations are not in place by January 1, 2025, then the City must directly apply OAR 660-012-0420, repealing parking mandates City-wide.

V. RECOMMENDATION

Based on the findings above, staff recommends approval of the proposed amendments listed in attached Exhibits A-G, as well as any revisions found appropriate by the Planning Commission.

VI. 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	<u>Off Street Parking and Loading- Applicability (FGDC §17.8.505)</u>
Exhibit B	<u>Off Street Parking and Loading- Off Street Parking Requirements (FGDC §17.8.515)</u>
Exhibit C	<u>Reduction or Modification of Off- Street Parking Requirement (FGDC §17.8.520)</u>
Exhibit D	<u>Climate Mitigation Actions for Parking Areas (FGDC §17.8.525)</u>
Exhibit E	<u>Unbundling of Parking (FGDC §17.8.530)</u>
Exhibit F	<u>Design and Maintenance Standards for Off- Street Parking and Loading (FGDC §17.8.535)</u>
Exhibit G	<u>Modified Section Numbers Following CFEC Amendments & Definitions – Meaning of Specific Words and Terms (FGDC §17.12.210)</u>



C.F.E.C. & Parking

Development Code Updates

City Council Meeting
11/12/24

Matt Johnson, AICP
Senior Planner

PURPOSE

- To consider text amendments to the Forest Grove Development Code pertaining to Climate-Friendly and Equitable Communities (CFEC) Rules as mandated by the State.
- Goal of CFEC: Implement local standards to achieve science-based target reductions for greenhouse gas emissions by 2050.
- CFEC Rules affect both transportation and housing policy.

BACKGROUND

- In March 2020, the Governor issued Executive Order 20-04: Climate Friendly and Equitable Communities.
- CFEC rules were adopted by LCDC in July 2022. The rules apply to urban, metropolitan areas throughout Oregon.
- Forest Grove joined lawsuit with 13 other cities and counties challenging the Rules. The lawsuit was largely rejected in May, 2024.

BACKGROUND

- The Oregon Department of Land Conservation and Development (DLCD) granted Forest Grove an extension to implement parking rules until 12/31/24. If local development codes are not implemented by that date, per state law, the City will default to no parking mandates city-wide.
- The City Council held a work session to discuss CFEC rules on September 26, 2022.
- The City Council and Planning Commission held a joint work session to determine options to comply with CFEC rules on July 8, 2024.
- On November 4, 2024 The Planning Commission held a public hearing to consider the CFEC legislative text amendments. The text amendments were recommended to the City Council for approval (7-0)

RULE CONTENTS

Key parts of CFEC rules include:

- Reform of parking requirements
- Multi-modal access to streets
- Dense development near transit lines
- Electric vehicle readiness

SPECIFIC DEVELOPMENT CODE AMENDMENTS

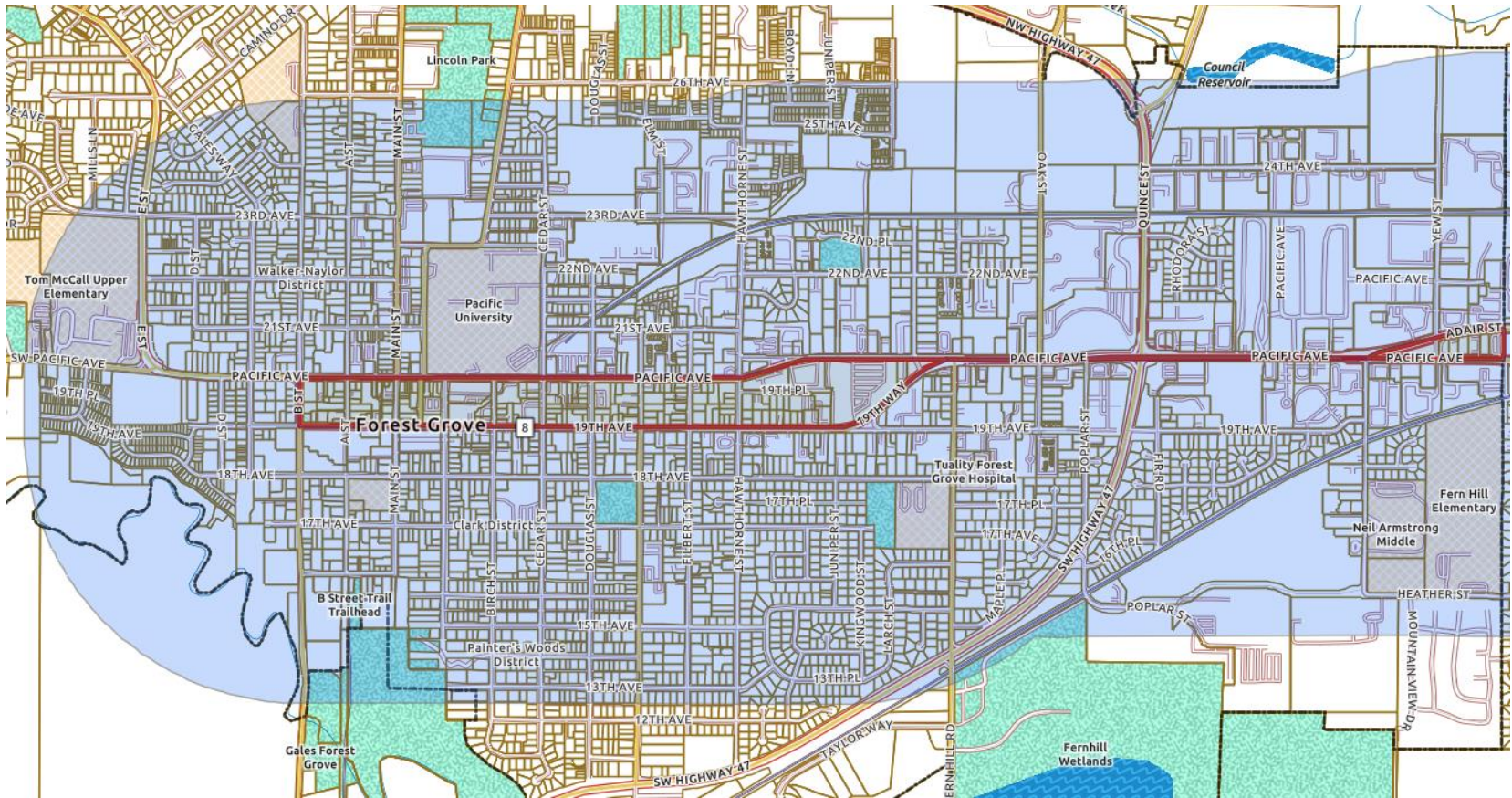
Reduction of Parking Mandates:

- City can not require more than one parking space for each residential unit.
- Greater allowances for shared parking/ off-site parking
- City can not require parking for day cares, residential living facilities, affordable housing, and several other development types.

Parking Reform Near Transit Corridors:

- Prohibits City from imposing any minimum parking standards within ½ mile of bus line (Parking can still be provided and maximums still apply)

SPECIFIC DEVELOPMENT CODE AMENDMENTS



1/2 Mile Transit Corridor Buffer

SPECIFIC DEVELOPMENT CODE AMENDMENTS

Electric Vehicle Charging, Rideshare, & Multimodal Infrastructure:

- Electrical vehicle charging conduit must be installed with new multifamily development so that parking could be retrofitted with charging stations.
- Reduction to minimum parking requirements when providing electric charging station spaces.
- Preferential placement of carpool/vanpool parking.
- Redevelopment of existing parking for bicycle and transit uses.

SPECIFIC DEVELOPMENT CODE AMENDMENTS

Parking Management Alternative Approaches- Unbundled Parking:

- In lieu of adopting regulations without parking mandates, the City will require that parking spaces serving leased commercial developments and multi-unit housing developments be unbundled.
- Unbundled Parking- A requirement that parking spaces for each unit in a development be rented, leased, or sold separately from the unit itself. The parking space(s) must be rented, leased, or sold at market rates for compatible local off-street parking. The renter, lessee, or buyer of the unit must be allowed to opt out of renting, leasing, or buying the parking space.

CONCLUSION

Staff recommends approval of the text amendments.

- Questions?