



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

01/03/2011

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Hillsboro Plan Amendment
DLCD File Number 003-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, January 13, 2011

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

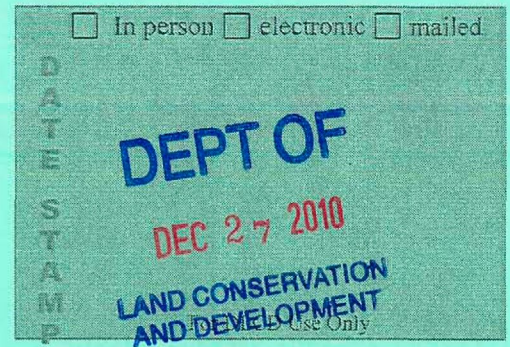
*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Debbie Raber, City of Hillsboro
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Hillsboro**

Local file number: **HCP 1-10**

Date of Adoption: **12/21/2010**

Date Mailed: **12/22/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 8/26/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FROM RMR MID-RISE DENSITY RESIDENTIAL TO RM MEDIUM DENSITY RESIDENTIAL ON 16 PROPERTIES LOCATED NORTH OF DOWNTOWN HILLSBORO.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **RMR**

to: **RM**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **North of downtown/see map attached to Ordinance**

Acres Involved: **3**

Specify Density: Previous: **24-30 du/na**

New: **8-16 du/na**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Deborah Raber**

Phone: **(503) 681-6155** Extension:

Address: **150 E Main St**

Fax Number: **503-681-6245**

City: **Hillsboro**

Zip: **97123-**

E-mail Address:

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 5954

HCP 1-10: DOWNTOWN RMR MID-RISE DENSITY RESIDENTIAL

AN ORDINANCE AMENDING COMPREHENSIVE PLAN ORDINANCE NO. 2793 AS AMENDED, SECTION 14 COMPREHENSIVE PLAN MAPS, APPROVING A MINOR AMENDMENT TO THE LAND USE MAP TO CHANGE THE DESIGNATION ON SIXTEEN PROPERTIES NORTH OF DOWNTOWN HILLSBORO FROM RMR MID-RISE DENSITY RESIDENTIAL TO RM MEDIUM DENSITY RESIDENTIAL.

WHEREAS, Comprehensive Plan Section 1 Planning and Citizen Involvement subsection (IV) (B) sets forth the procedures and criteria for the City to initiate minor Comprehensive Plan Land Use Map changes, and

WHEREAS, a request was received from a property owner north of downtown Hillsboro for the City to initiate a minor Comprehensive Plan Land Use Map change from RMR Mid-Rise Density Residential to RM Medium Density Residential on sixteen properties north of downtown Hillsboro, and

WHEREAS, based on the compliance of the proposed Plan Land Use Map amendment with the criteria for initiation in HCP Section 1 (IV) (B) (1) and the endorsement of the majority of the affected property owners as represented by an informal petition, the Planning Commission adopted Order No. 8028 on August 25, 2010, initiating such a minor Comprehensive Plan Land Use Map change, and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment on October 13 and November 10, 2010 and received testimony in support of the amendment from affected owners and residences in the surrounding area, and

WHEREAS, at the conclusion of the public hearing the Planning Commission adopted Order No. 8032 on November 10, 2010, recommending City Council approval of the amendment, with the Planning Department staff reports on this matter dated August 19, October 6, and November 4, 2010, with their attachments, and the memorandum from Transportation Planning Engineer Don Odermott dated October 15, 2010 as findings in support, and

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meeting of December 7, 2010, and

WHEREAS, the City Council adopts the findings attached hereto as Attachments A, B, C and D in support of their decision.

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. Comprehensive Plan Ordinance No. 2793, Section 14 Comprehensive Plan Maps subsection (B) (1) is amended to change the land use designation from Mid-Rise Density Residential to Medium Density Residential on the following described sixteen properties:

Tax Lots 100, 101, 200, 300, 400, 500, 600, 700, 1500, 1600, 1700, 1800, 1900, 2000, 2100, and 2200 on Washington County Assessor's Tax Map 1N2-31CB, on record as of November 5, 2007, a copy of which is attached hereto and thereby made a part of this Ordinance.

Section 2. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

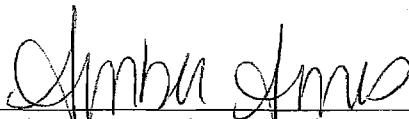
First approval of the Council on this 7th day of December 2010.

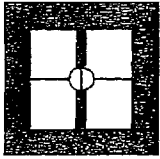
Second approval and adoption by the Council on this 21st day of December 2010.

Approved by the Mayor this 21st day of December 2010.



Jerry Willey, Mayor

ATTEST: 
Amber Ames, City Recorder



August 19, 2010

STAFF REPORT

TO: Planning Commission

FROM: Planning Department

RE: Proposed initiation of minor Comprehensive Plan Land Use Map change on 16 properties north of downtown Hillsboro – Case File No. HCP 1-10 Downtown Mid-Rise Density Residential

REQUEST

Planning staff requests that the Planning Commission adopt the attached Order initiating a minor Comprehensive Plan Land Use Map amendment on 16 properties north of downtown Hillsboro. The proposed Plan Land Use Map amendment would change the Land Use Map designation on the 16 properties from the current RMR Mid-Rise Density Residential to RM Medium Density Residential.

BACKGROUND

Situations involving “outdated” Plan designations occur throughout the City where changed circumstances or land uses have created inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties.

In response to the December 2009 request and at the direction of the Council and the Planning Commission, Planning staff prepared a Comprehensive Plan text amendment to Hillsboro Comprehensive Plan (HCP) Section I (IV) (B) to insert new language authorizing City initiation of Comprehensive Plan Map amendments, and to add a new criterion requiring that all minor Plan Map amendments be consistent with the goals and policies of the Plan (Case File HCP 5-09).

After initiation by the Planning Commission in January 2010 and public hearings in March and April, the City Council approved Ordinance No. 5938 in May, adopting the amendments.

As discussed during the Plan Text amendment process, the proposed Plan Map amendment is the second and final step in the process to remove the outdated RMR remnant and make the Plan designations on the 16 affected properties consistent with the density on surrounding properties.

CRITERIA FOR A CITY-INITIATED PLAN MAP AMENDMENT

The criteria for a City-initiated Comprehensive Plan Map amendment are listed in HCP Section 1 Planning and Citizen Involvement, subsection (IV) (B) as shown below. It should be noted that among the four criteria for initiation, only the fourth and one of the first three need be satisfied, as noted by the language italicized and underlined for emphasis.

(B) Minor Plan Amendment: Plan Map.

A minor plan amendment proposing a change to the Comprehensive Plan Map designation shall be processed pursuant to quasi-judicial notice and procedures and may be requested at any time by a property owner(s), a person(s) purchasing property under contract, or a person(s) who has the written consent of the property owner. A minor Plan Map amendment may also be initiated by the City Council or the Planning Commission where:

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation; or
- (2) The subject property has passed from public ownership and use to private ownership and use, or the reverse; or
- (3) The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; and
- (4) The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.

Approval of a minor Plan Map amendment shall be based on demonstration that all of the following criteria are satisfied:

- (1) The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;
- (2) A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area; and

- (3) The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.

RESPONSES TO CRITERIA FOR CITY INITIATION

- (1) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation; or

Land uses on the 16 subject properties have not changed substantially since adoption of the RMR designation. This criterion is not applicable.

- (2) The subject property has passed from public ownership and use to private ownership and use, or the reverse; or

Ownership of the 16 subject properties has not passed from public to private ownership or the reverse. This criterion is not applicable.

- (3) The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties; and

Earlier Map changes: The RMR designation on the 16 properties was originally adopted in the mid-1970s, to increase residential densities near downtown immediately north of the (then) commercial core, as shown on the attached Comprehensive Plan Map from 1995. The City subsequently substantially revised the downtown Plan designations and zoning:

- 1. In 1996, by applying the SCPA Station Community Planning Area designation to downtown, including the majority of the RMR area with the exception of the northernmost ½ block;*
- 2. In 1997, by applying SCPA commercial zoning downtown to properties south of the mid-block point between Lincoln and Jackson, leaving a residential buffer between the commercial zoning and the remnant RMR; and*
- 3. In 2000, by applying lower density residential zoning (SCR-DNC Station Community Residential-Downtown Neighborhood Conservation zone and SCR-LD Station Community Residential-Low Density) between the RMR remnant properties and the newer downtown SCPA commercial zoning;*

Substantial adverse effects on surrounding properties: The RMR designation is implemented by the A-3 Mid-Rise Density Residential zone, which allows construction of three- to five-story residential structures at densities between 23 and 28.75 units per acre. For comparison, the Palladia, Lionsgate, and Rock Creek Landing developments in Tanasbourne are developed at this density. Since the affected properties are no longer contiguous to the downtown commercial core, and are instead surrounded by

designations and zoning at 15 dwelling units /net acre (du/na) or less, development at 23+ du/na acre would result in losses of mature trees, structural overshadowing of adjacent properties, and potential traffic and parking congestion.

- (4) The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.

Housing Policies C and J apply to the proposed Plan Map amendment (underlining added for emphasis):

(C) Housing in the planning area shall be designed and constructed in a manner that assures safe, healthy and convenient living conditions for the community's citizens. Residential projects shall be designed to promote a diverse, pedestrian-scale environment; respect surrounding context and enhance community character; consider security and privacy; and provide usable open space. Construction shall be sound, energy-efficient, and of a quality that assures a reasonable structural life and attractive appearance with normal maintenance. To apply this policy, the City may adopt development standards and design guidelines to be used in evaluation of residential projects through the subdivision, planned unit development, or development review process.

(J) The development of mid-rise housing (3-6 stories) is appropriate near the downtown area, in Station Community Planning Area Districts, and in other designated areas adjacent to arterial streets that are transit trunk routes. Such developments shall be subject to special planning and development review or meet specific Station Community Planning Area design and development standards.

Although Policy J states that 3-6 story housing is appropriate "near the downtown area" and "in SCPA Districts" the need for such housing can be better addressed within the existing SCPA downtown zones themselves, which allow 5 story residential and mixed use buildings outright. Policy J requires special planning and development review: Planning Commission approval is required in the A-3 zone for development at four or five stories. However, the relatively narrow configuration of the remnant RMR site, combined with the anticipated impacts cited above, would create circumstances where compliance with Policy C ("respect [for] surrounding context and enhance [ment of] community character") difficult to achieve.

NEIGHBORHOOD OUTREACH

Given that the City proposes to initiate a significant land use amendment on private properties, Planning staff sent the attached letter and maps to each property owner and resident in the 16-property affected area, inviting all parties to a neighborhood meeting on Thursday August 19th.

Planning staff will report the outcome of this meeting to the Planning Commission on August 25th.

In addition, one of the affected owners, Ms. Sharon Cornish, took the initiative to circulate a petition among the other affected owners and the surrounding residents. Ms. Cornish's petition, stating that "We the undersigned from 1st to 3rd St., from Alley Way ½ block to Jefferson, want RMR (5 story) removed and replaced with (3 story) RM, changing Comp Plan" was signed by all of the affected property owners and residents.

RECOMMENDATION

Based on the compliance of the proposed Comprehensive Plan Land Use Map amendment with the criteria for initiation, and the endorsement of the affected property owners as represented by Ms. Cornish's petition, Planning staff requests that the Planning Commission authorize initiation of the amendment by adopting the attached draft Order.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Deborah A. Raber AICP
Planning Project Manager

Attachments:

- Excerpt from 1977 Comprehensive Plan Land Use Map
- Letter to affected property owners and residents, with attached maps
- Draft Order initiating proposed Comprehensive Plan Land Use Map amendment

ORDER NO. 8028

HCP 1-10: DOWNTOWN RMR MID-RISE DENSITY RESIDENTIAL

AN ORDER INITIATING AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP SECTION 14 (D) (B) (1) TO CHANGE THE DESIGNATION ON SIXTEEN PROPERTIES NORTH OF DOWNTOWN HILLSBORO FROM RMR MID-RISE DENSITY RESIDENTIAL TO RM MEDIUM DENSITY RESIDENTIAL.

WHEREAS, Comprehensive Plan Section 1 Planning and Citizen Involvement subsection (IV) (B) sets forth the procedures and criteria for the City to initiate minor Comprehensive Plan Land Use Map changes, and

WHEREAS, a request was received from a property owner north of downtown Hillsboro for the City to initiate a minor Comprehensive Plan Land Use Map change from RMR Mid-Rise Density Residential to RM Medium Density Residential on sixteen properties north of downtown Hillsboro, and

WHEREAS, based on the compliance of the proposed Plan Land Use Map amendment with the criteria for initiation in HCP Section 1 (IV) (B) (1) and the endorsement of the majority of the affected property owners as represented by an informal petition, the Planning Commission believes it may be appropriate to consider such a Plan Map change.

THE CITY OF HILLSBORO PLANNING COMMISSION ORDERS AS FOLLOWS:

Section 1. The Planning Director is directed to schedule a public hearing before the Planning Commission on October 13, 2010, on a proposed Minor Comprehensive Plan Land Use Map change from RMR Mid-Rise Density Residential to RM Medium Density Residential on the following described sixteen properties:

Tax Lots 100, 101, 200, 300, 400, 500, 600, 700, 1500, 1600, 1700, 1800, 1900, 2000, 2100, and 2200 on Washington County Assessor's Tax Map 1N2-31CB.

Section 2. The Planning Director is further directed to notify all affected and surrounding property owners, agencies, and interested parties as required by the Hillsboro Comprehensive Plan and by state statute.

Section 3. This order takes effect immediately upon approval.

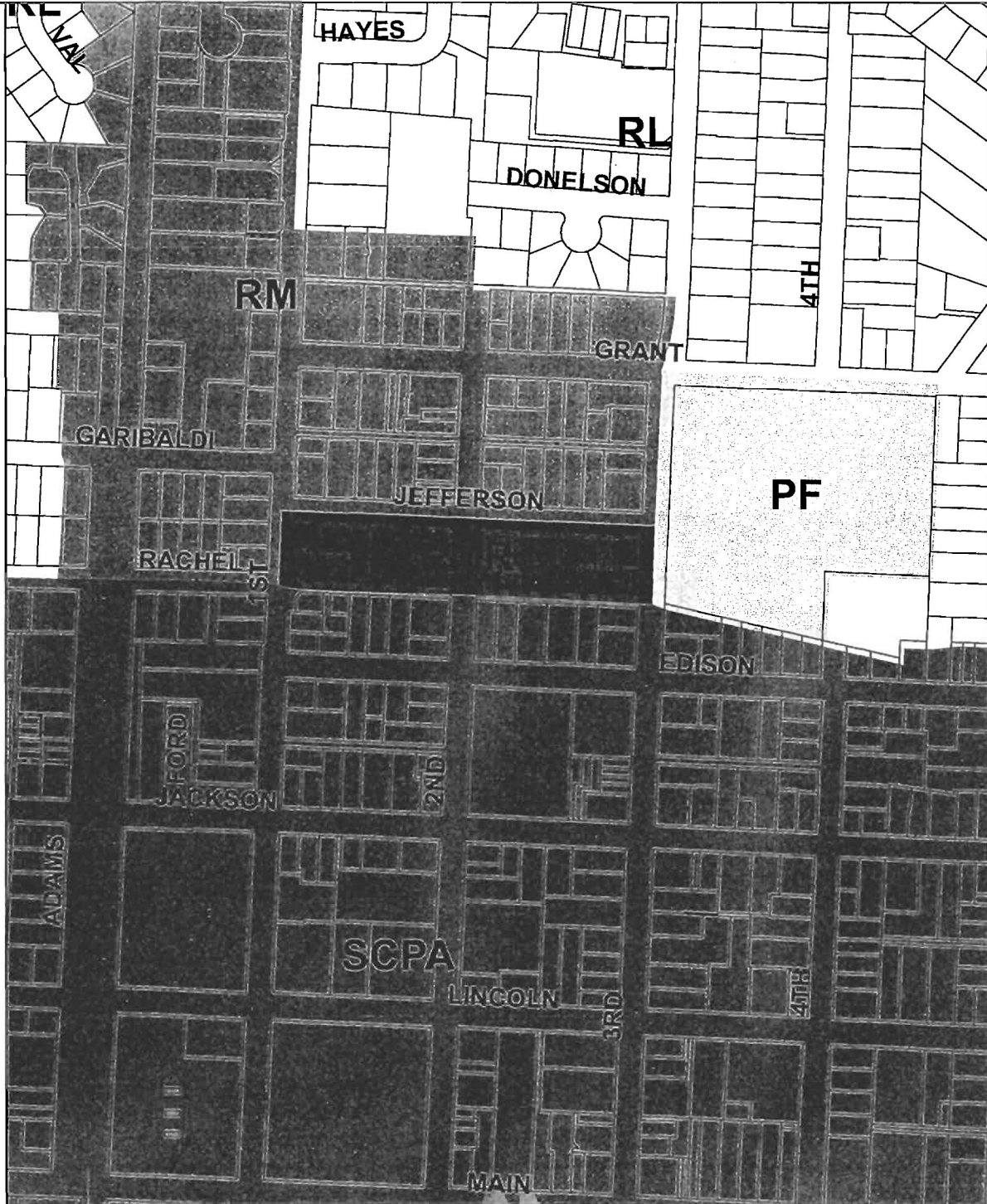
Approved this 25th day of August, 2010.

President
















ATTEST:

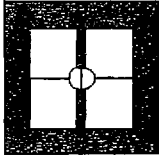
Secretary

Comprehensive Plan Designations North of Downtown



Legend

	FP	Flood Plain		RM	Residential Medium density		MU-UR	Mixed Use - Urban Residential
	OS	Open Space		RH	Residential High density		MU	Mixed Use
	I	Industrial		RMR	Residential Mid Rise density		MU-UC	Mixed Use - Urban Commercial
	PF	Public Facility		C	Commercial		MU-UE	Mixed Use - Urban Employment
	RL	Residential Low density		SCPA	Station Community Planning Area		MU-I	Mixed Use Institutional



October 6, 2010

STAFF REPORT

TO: Planning Commission

FROM: Planning Department

RE: Proposed minor Comprehensive Plan Land Use Map change on 16 properties north of downtown Hillsboro: Case File No. HCP 1-10 - Downtown Mid-Rise Density Residential

REQUEST

The City of Hillsboro acting as applicant requests that the Planning Commission recommend City Council approval of a minor Comprehensive Plan Land Use Map amendment on 16 properties north of downtown Hillsboro. The proposed Plan Land Use Map amendment would change the Land Use Map designation on the 16 properties from the current RMR Mid-Rise Density Residential (24-30 dwelling units per net acre) to RM Medium Density Residential (8-16 dwelling units per net acre).

SITE DESCRIPTION

The proposed Plan Map amendment would affect 16 properties located on the south side of NE Jefferson Street, north of the "Rachel Street" alley, between NE First Avenue and NE Third Avenue. The properties can be specifically identified as Tax Lots 100, 101, 200, 300, 400, 500, 600, 700, 1500, 1600, 1700, 1800, 1900, 2000, 2100, and 2200 on Washington County Assessor's Tax Map 1N2-31CB. Fourteen of the 16 properties are developed with a single family home; one with a duplex; and one with a single family dwelling and an accessory dwelling. All the properties are zoned A-1 Duplex Residential, the implementing zone of the proposed RM Plan designation. The attached 11" x 17" oblique aerial photograph shows the character of the site.

On the Transportation System Plan, surrounding streets are classified as follows:

NE First Avenue	(west of site)	Arterial Street
NE Third Avenue	(east of site)	Collector Street
NE Jefferson Street	(north of site)	Local Street
"Rachel Street"	(south of site)	Alley

BACKGROUND

Throughout the City, situations involving "outdated" Plan designations occur where changed circumstances or land uses create inconsistency between the Plan Map designation and the use on the ground, or between the current designation and new designations on surrounding properties.

To respond to these situations, the City Council adopted amendments to the Comprehensive Plan text in May 2010. The amendments, to Section I (IV) (B), inserted new language authorizing City initiation of Comprehensive Plan Map amendments, and added a new criterion requiring that all minor Plan Map amendments be consistent with the goals and policies of the Plan

The current proposal is the first city-initiated Plan Map amendment under the new Comprehensive Plan provisions, as directed by the City Council. The Planning Commission initiated the Map amendment through adoption of Order No. 8028 on August 25th.

On August 19th, Planning staff attended a neighborhood meeting at the Berger residence to explain the Plan change process and answer property owners' questions. At the meeting, the affected property owners present unanimously supported the proposed amendments.

DENSITY ANALYSIS OF PROPOSED PLAN CHANGE

The 16 properties affected by the proposed Plan change range in area from 4500 sq. ft. to 11,800 sq. ft. Fourteen of the properties are occupied by detached single family dwellings; one is occupied by a single family dwelling and an accessory dwelling; and one by a duplex. The Table on the next page shows the square footages of each tax lot, the current number of units, and the minimum and maximum units possible under the proposed Medium Density Residential designation (as implemented by the current A-1 zoning at 11 to 16 units per acre) and the existing Mid-Rise Density Residential designation (if implemented by the appropriate A-3 Multi-Family Residential zoning at 23 to 28.75 units per acre)

The total area of the 16 properties is 113,160 sq. ft., or approximately 2.60 acres, presently occupied by 18 dwelling units. Under the proposed RM designation, development potential could increase to 31 units minimum and 42 units maximum. Under the existing RMR designation (assuming zone changes to the appropriate implementing A-3 Multi-Family Residential zone) development potential could increase to 60 units minimum and 70 units maximum. Underlying assumptions for this table are the density ranges and minimum lot sizes of the respective implementing zones for the RM and RMR designations.

HCP 1-10 Density Analysis, by Tax Lot

Tax Lot	Square Footage	Current # units	units possible under RM / A-1 (min / max)	units possible under RMR / A-3 (min / max)
100	6,750	1	2 / 2	4 / 4
101	4,500	1	1 / 1	1 / 1
200	11,250	2	3 / 4	6 / 7
300	7,500	1	2 / 3	4 / 5
400	7,500	1	2 / 3	4 / 5
500	8,250	1	2 / 3	4 / 4
600	7,650	1	2 / 3	4 / 5
700	6,600	2	2 / 2	4 / 4
1500	7,500	1	2 / 3	4 / 5
1600	7,500	1	2 / 3	4 / 5
1700	7,500	1	2 / 3	4 / 5
1800	7,200	1	2 / 3	4 / 5
1900	7,200	1	2 / 3	4 / 5
2000	5,560	1	1 / 1	1 / 1
2100	5,650	1	1 / 1	1 / 1
2200	11,800	1	3 / 4	6 / 8
Totals	113,160	18	31 / 42	60 / 70

COMPLIANCE WITH CRITERIA SPECIFIC TO CITY INITIATION

The criteria for a City-initiated Comprehensive Plan Map amendment are listed in HCP Section 1 Planning and Citizen Involvement, subsection (IV) (B). The first four criteria (1A, 1B, 1C, and 2) apply only to city-initiated Plan Map amendments: Criterion 2 and at least one criterion among 1A, 1B and 1C must be met. These criteria and the City's responses are shown below:

- (1A) The land use on the subject property has changed substantially since the adoption of the Plan Map designation, and is inconsistent with the current Plan Map designation;
or

Land uses on the 16 subject properties have not changed substantially since adoption of the RMR designation. This criterion is not applicable.

- (1B) The subject property has passed from public ownership and use to private ownership and use, or the reverse; *or*

Ownership of the 16 subject properties has not passed from public to private ownership or the reverse. This criterion is not applicable.

- (1C) The current Plan Map designation on the subject property is inconsistent with surrounding properties, based on earlier Plan Map changes, and development of the

subject property under the implementing zone of the Plan Map designation would have substantial adverse effects on the surrounding properties;

Earlier Map changes: *The RMR designation on the 16 properties was originally adopted in the mid-1970s, to increase residential densities near downtown immediately north of the (then) commercial core, as shown on the attached Comprehensive Plan Map from 1995. The City subsequently substantially revised the downtown Plan designations and zoning as follows:*

1. *In 1996, by applying the SCPA Station Community Planning Area designation to downtown, including the majority of the RMR area with the exception of the northernmost ½ block;*
2. *In 1997, by applying SCPA commercial zoning downtown to properties south of the mid-block point between Lincoln and Jackson, leaving a residential buffer between the commercial zoning and the remnant RMR; and*
3. *In 2000, by applying lower density residential zoning (SCR-DNC Station Community Residential-Downtown Neighborhood Conservation zone and SCR-LD Station Community Residential-Low Density) between the RMR remnant properties and the newer downtown SCPA commercial zoning;*

Substantial adverse effects: *As implemented by the A-3 Mid-Rise Density Residential zone, the RMR designation allows construction of three- to five-story residential structures at densities between 23 and 28.75 units per acre. For comparison, the Palladia, Lionsgate, and Rock Creek Landing developments in Tanasbourne are developed at this density. To achieve these densities, a minimum three story building height is required and 5 stories is permitted with Planning Commission approval. By contrast, the maximum building height in the surrounding A-1 zone is 2½ stories. Development at the A-3 densities would be entirely inconsistent and incongruous with the surrounding neighborhood, and would result in losses of mature trees and open yards on this site, and traffic and parking congestion, loss of neighborhood continuity and character in the surrounding area. Placement of substantially higher densities directly abutting lower densities is usually avoided because it creates these adverse effects.*

- (2) The proposed designation is supportive of and implements goals and policies of the Comprehensive Plan.

Housing Policies C and J apply to the proposed Plan Map amendment (underlining added for emphasis):

- (C) Housing in the planning area shall be designed and constructed in a manner that assures safe, healthy and convenient living conditions for the community's citizens. Residential projects shall be designed to promote a diverse, pedestrian-scale environment; respect surrounding context and enhance community character; consider security and privacy; and provide usable open space. Construction shall be sound, energy-efficient, and of a

quality that assures a reasonable structural life and attractive appearance with normal maintenance. To apply this policy, the City may adopt development standards and design guidelines to be used in evaluation of residential projects through the subdivision, planned unit development, or development review process.

- (J) The development of mid-rise housing (3-6 stories) is appropriate near the downtown area, in Station Community Planning Area Districts, and in other designated areas adjacent to arterial streets that are transit trunk routes. Such developments shall be subject to special planning and development review or meet specific Station Community Planning Area design and development standards.*

Policy C emphasizes that development should respect surrounding context and enhance community character. Development of the site at RMR densities (24-30 units per net acre) would be strongly inconsistent with the context of the surrounding neighborhood, which is planned and zoned for 8-16 units per net acre.

Although Policy J states that 3-6 story housing is appropriate "near the downtown area" the need for such housing can be more compatibly addressed farther south within the SCPA downtown commercial zones, which allow 5 story residential and mixed use buildings outright.

COMPLIANCE WITH GENERAL PLAN MAP CHANGE CRITERIA

In addition to the criteria listed in the previous section, both owner-initiated and city-initiated Plan Map change proposals must demonstrate compliance with three additional general criteria, also in HCP Section 1 Planning and Citizen Involvement, subsection (IV) (B).

- (1) The property is better suited for uses proposed than for the uses for which the property is currently designated by the Plan;

As shown on the attached vicinity maps, the neighborhood surrounding the affected properties is planned and zoned for development at either 11-16 units per acre in the A-1 zone or 9-14 units per acre in the SCR-DNC zone to the south. Current development intensity on the affected properties (18 units on 2.60 acres) is approximately 6.9 units per acre. The A-1 Duplex Residential and SCR-DNC zones both allow single family dwellings, townhouses and accessory dwellings, but prohibit multi-family residential development. The A-3 Multi-Family zone (which implements the existing RMR designation) allows the uses that these zones prohibit, and prohibits single family and accessory dwellings.

The uses proposed for the site are, therefore, more single family houses, accessory dwellings, and townhouses. The uses currently designated by the Plan are 3-5 story multi-family residential apartments and condominiums.

If the subject properties were directly adjacent to the downtown core, redevelopment at the higher A-3 densities (23 to 28.75 units per acre) would be a logical geographic extension of the SCC-CBD zoning (30 to 36 units per acre). However, following the Plan changes in 1996 and the zone changes in 1997 and 2000, the subject properties two city blocks (800+ feet) separated from the downtown core.

Given the substantial physical separation from the higher downtown densities and inconsistency of the Plan-designated redevelopment with the surrounding area, the site is better suited for and RM designation than for the current RMR.

- (2) A need exists for the proposed Plan Map designation that is not already met by existing Plan Map designations in the general area;

The majority of proposed minor Plan Map changes are requests for "higher" designations allowing increased residential densities or employment or industrial capacity. In these proposals, the "need" cited in Criterion #2 refers to the desirability to change or intensify land uses on a site. The response to the criterion involves submittal of market studies or housing analyses documenting that the changes or increased capacities would reduce present or projected deficits that would not be met by development in the general area, and that reducing such deficits would benefit the neighborhood or the city as a whole.

In the case of the present proposal, the request is for a "lower" designation, which allows decreased residential densities on the affected properties. As discussed earlier, the current RMR designation on the 16 properties is an outdated anomaly. The "need" for these properties to be redeveloped over time consistently and harmoniously with the surrounding neighborhood is not already met, and cannot be met in the future, by the existing designations in the general area.

Although the 16 affected properties are not included in the "historic" Downtown Neighborhood Conservation zone, the area between Edison and Grant Streets and First and Third Avenues is a stable neighborhood containing one Cultural Resource and several other properties potentially eligible for the Cultural Resource Inventory. The policy direction in Housing Policy D "to respect surrounding context and enhance community character" could not be met on these properties by its application elsewhere in the neighborhood and not here.

- (3) The proposed designation is consistent with relevant goals and policies of the Hillsboro Comprehensive Plan.

The proposed RM designation is consistent with Housing Policies C and J:

(C) Housing in the planning area shall be designed and constructed in a manner that assures safe, healthy and convenient living conditions for the community's citizens. Residential projects shall be designed to promote a

diverse, pedestrian-scale environment; respect surrounding context and enhance community character; consider security and privacy; and provide usable open space. Construction shall be sound, energy-efficient, and of a quality that assures a reasonable structural life and attractive appearance with normal maintenance. To apply this policy, the City may adopt development standards and design guidelines to be used in evaluation of residential projects through the subdivision, planned unit development, or development review process.

- (J) The development of mid-rise housing (3-6 stories) is appropriate near the downtown area, in Station Community Planning Area Districts, and in other designated areas adjacent to arterial streets that are transit trunk routes. Such developments shall be subject to special planning and development review or meet specific Station Community Planning Area design and development standards.

Policy C emphasizes that development should respect surrounding context and enhance community character. As documented in the density analysis table on page 3, development of the site at RMR densities (24-30 units per net acre) would be strongly inconsistent with the context of the surrounding neighborhood, which is planned and zoned for 8-16 units per net acre.

Although Policy J states that 3-6 story housing is appropriate "near the downtown area," the need for such housing can be more compatibly addressed farther south within the SCPA downtown commercial zones, which allow 5 story residential and mixed use buildings outright. After the application of lower densities zones between the site and downtown in 1997 and 2000, the subject site should not longer be considered "near" the higher density downtown area.

NEIGHBORHOOD OUTREACH

Prior to initiation of the proposed Plan Map change in August, Planning staff sent a letter and maps to each property owner and resident in the 16-property affected area, inviting all parties to a neighborhood meeting on Thursday August 19th. The property owners in attendance that night unanimously supported the proposed Plan change.

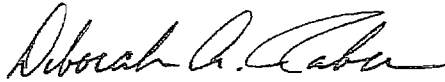
In addition, one of the affected owners, Ms. Sharon Cornish, took the initiative to circulate a petition among the other affected owners and the surrounding residents. Ms. Cornish's petition, stating that "We the undersigned from 1st to 3rd St., from Alley Way ½ block to Jefferson, want RMR (5 story) removed and replaced with (3 story) RM, changing Comp Plan" was signed by all of the affected property owners and residents.

RECOMMENDATION

Based on the compliance of the proposed Comprehensive Plan Land Use Map amendment with the applicable criteria in HCP Section 1 Planning and Citizen Involvement, subsection (IV) (B), and the endorsement of the affected property owners as represented by Ms. Cornish's petition, Planning staff requests that the Planning Commission adopt the attached draft Order 8032, recommending City Council Approval of HCP 1-10. The Order cites the August 19th and October 6th staff reports and their attachments as findings in support of the amendment.

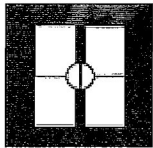
Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



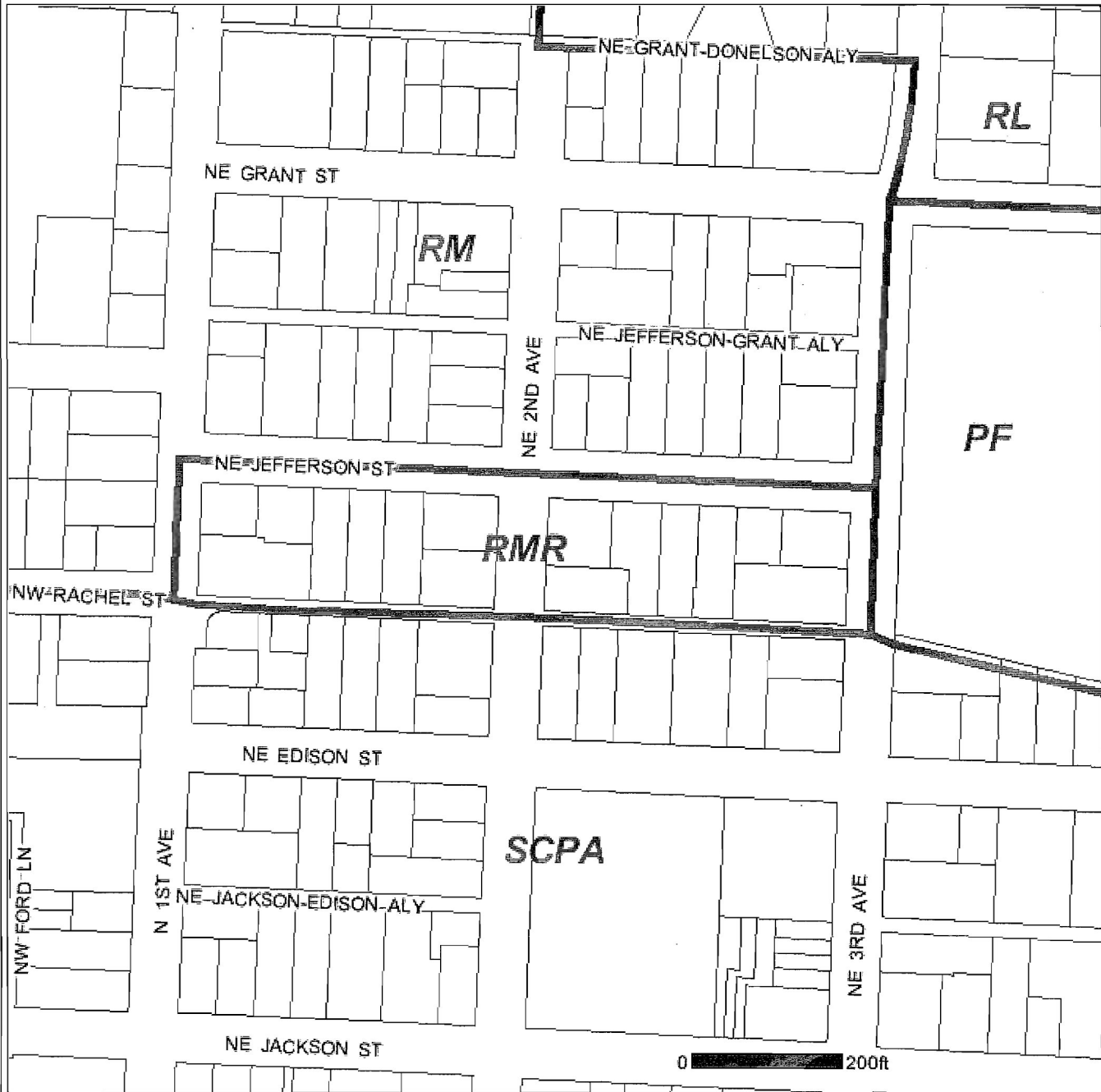
Deborah A. Raber AICP
Planning Project Manager

Attachments: Vicinity Maps (2)
Aerial photograph
Excerpt from historic Comp Plan map
Petitions circulated by Sharon Cornish
Draft Order No. 8032



HCP 1-10: RMR TO RM NORTH OF DOWNTOWN HILLSBORO

COMPREHENSIVE PLAN MAP



CITY OF HILLSBORO COMPREHENSIVE PLAN DESIGNATIONS

C	Commercial	RL	Low Density Residential (3-7 units per acre)	MU	Mixed Use
CO	County	RM	Medium Density Residential (8-16 units per acre)	MU-I	Mixed Use Institutional
FP	Floodplain	RH	High Density Residential (17-23 units per acre)	MU-UC	Mixed Use Urban Commercial
I	Industrial	RMR	Mid-Rise Residential (24-30 units per acre)	MU-UE	Mixed Use Urban Employment
OS	Open Space	SCPA	Station Community Planning Area	MU-UR	Mixed Use Urban Residential
PF	Public Facility				

DISCLAIMER: This product is for information purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. SOURCE: Hillsboro & WaCo Data: Updated Weekly, Metro Data Updated Quarterly

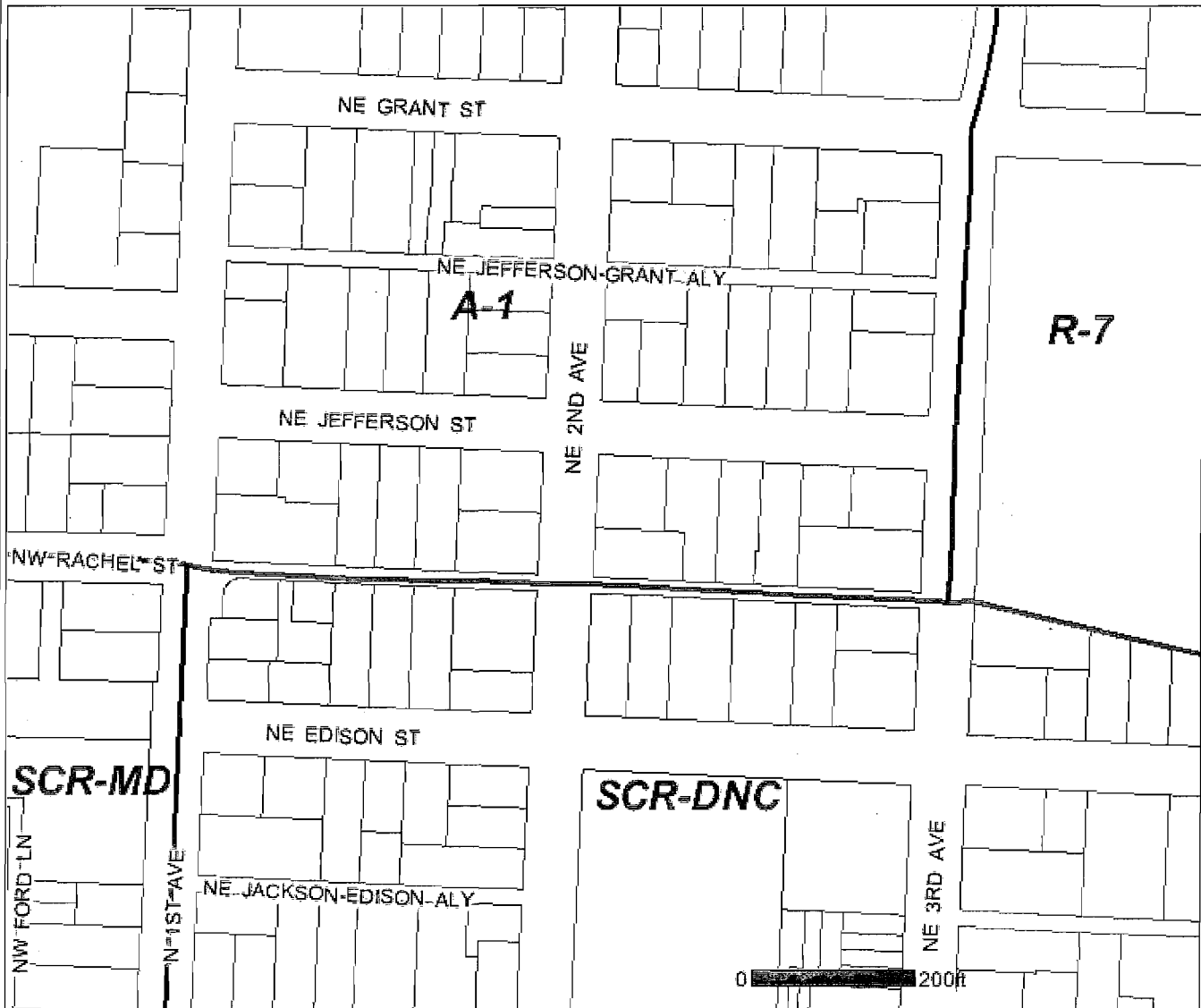
City of Hillsboro Planning Department: (503) 681-6153



HCP 1-10: RMR TO RM NORTH OF DOWNTOWN HILLSBORO



ZONING MAP



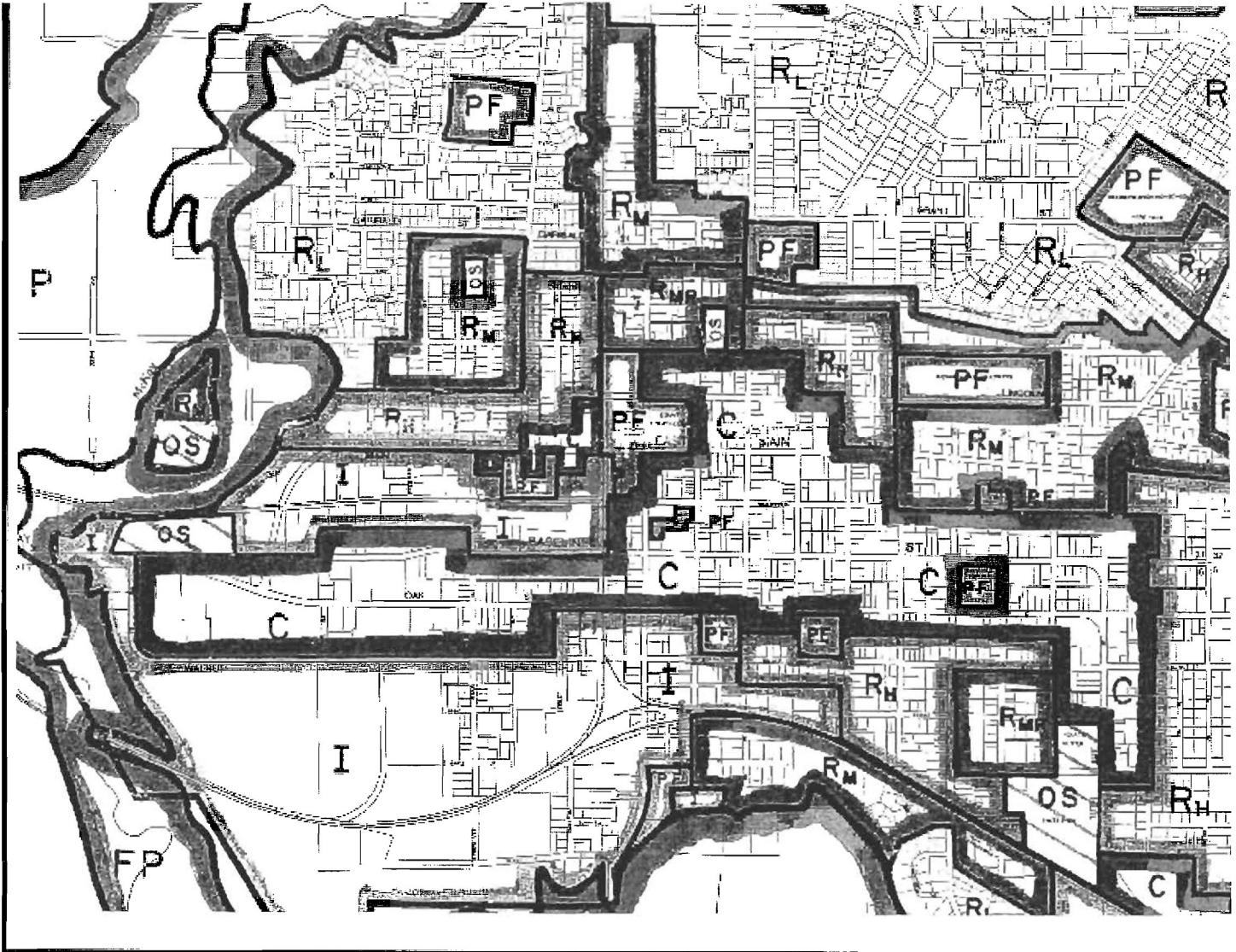
CITY OF HILLSBORO ZONING DESIGNATIONS

ANX Recent Annexation	SID Special Industrial District	AU Airport Use
CO County	SSID Shute Road	C-1 General Commercial
Single Family Residential	ESID Evergreen Area	C-4 Neighborhood Commercial
R-4.5 Single Family	HSID Helvetia Area	M-2 Industrial
R-6 Single Family	Multi-Family Residential	M-P Industrial Park
R-7 Single Family	A-1 Multi-Family	MU-C Mixed Use - Commercial
R-8.5 Single Family	A-2 Multi-Family	MU-N Mixed Use - Neighborhood
R-10 Single Family	A-3 Multi-Family	PUD Planned Unit Development
SCR Station Community	A-4 Multi-Family	SCR Station Community Residential
SCBP Business Park	SCC Station Community Commercial	SCR-HD High Density
SCR-P Research Park	SCC-SC Station Commercial	SCR-MD Medium Density
SCI Industrial	SCC-MM Multi-Modal	SCR-LD Low Density
SCFI Fair Complex Institutional	SCC-CBD Central Business District	SCR-V Village
	SCC-HOD Highway Oriented District	SCR-OTC Orenco Townsite Conservation
		SCR-DNC Downtown Neighborhood Conservation

DISCLAIMER: This product is for information purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. SOURCE: Hillsboro & WaCoty Data: Updated Weekly, Metro Data Updated Quarterly

City of Hillsboro Planning Department: (503) 681-6153

1995 Comprehensive Plan Designations Excerpt



Legend

	FP	Flood Plain		RM	Residential Medium density		MU-UR	Mixed Use - Urban Residential
	OS	Open Space		RH	Residential High density		MU	Mixed Use
	I	Industrial		RMR	Residential Mid Rise density		MU-UC	Mixed Use - Urban Commercial
	PF	Public Facility		C	Commercial		MU-UE	Mixed Use - Urban Employment
	RL	Residential Low density		SCPA	Station Community Planning Area		MU-I	Mixed Use Institutional

We to, Underway 2d from 1st to 3rd St, from Alleyway 1/2 block to Jefferson Wash Rm (5 story) removed and replaced with (3 story) Rm, changing Comp Plan

Address

439 E 3rd Sharon Carnish (owner)

433 E 3rd Sharon Carnish (owner)

459 E 3rd Patricia J. Breen

256 Jeff. Juli [unclear]

248 Jeff. J.M. [unclear] (renter) Alan Shere Spray (sic) *Signed w/ permission*

236 Jeff. Bill & Vicki July

208 Jeff. Dallas [unclear]

459 2nd [unclear]

152 Jeff. [unclear]

146 Jeff. *(unable to connect w/ phone or at address)*

138 Jeff. Jon Edgerton

138 Jeff. Mary Edgerton

452 1st Ave. So of 13

124 Jeff. [unclear]

112 Jeff. Commercial Agency

255 Edison Jackie Ward

255 Edison Jim & Wae

440 2nd [unclear]

442 2nd R. Nilsen Dona Barriatt

439 2nd [unclear]

224 Jeff. Kellan [unclear]

Page #2
of 2

We the undersigned from 1st to
3rd from Alleyway 1/2 block to
Jefferson, want Rm K (5 Story) re-
moved and replaced with (3 Story
Rm. Changing Comp Plan.

146
RL

Jaelyn Bouchert

Circulated by

Sharon Cornish

8-19-10

RE Boy 312 - 97123

(Meeting

503 648 2335

at 459

Mr. Berger)

We the undersigned do not want RMR (5 story) abutting our properties. Please restore to a compatible height. We do not want to be in the shadow of 5 story buildings. It will ruin our neighborhood!

129 Jeff - Robm Coon

131 Jeff. Angela K Lockwood

1450 Jeff

1539 Jeff Alicia Spraul

503 2nd Sheron Phillips

506A 2nd Jeff

225 Jeff John Dwyer + Suzanne Wiley

235 Jeff

237 Jeff Ci. Fitzgerald Chris + Ginger Abell

245 Jeff

2550 Jeff

273 NE EDISON ST Susan Brown + Roger Brown

273 Edison Chris Diller

243 NE Edison Janet Hetzel

215 NE EDISON Tom Tan

235 NE Edison # Debra + Browning

423 NE Edison Bode Murphy - Matt Cross Matt Lora

413 Edison Paul ^{wife} Atkinson - Lindsay Atkinson

187 Edison Tomijs Meier T. Man

135 Edison ~~Pat~~

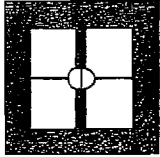
111 Edison Sharen E.

416 1st Pat Yelle

429 5th Gene Saubert

245 Jeff Tony + Barbara Wright





November 4, 2010

SUPPLEMENTAL STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Proposed minor Comprehensive Plan Land Use Map change on 16 properties north of downtown Hillsboro: Case File No. HCP 1-10 - Downtown Mid-Rise Density Residential

At its regular meeting on October 13, 2010 the Planning Commission heard testimony on proposed minor Comprehensive Plan Land Use Map amendment on 16 properties north of downtown Hillsboro. The amendment would change the Land Use Map designation on the 16 properties from the current RMR Mid-Rise Density Residential (24-30 dwelling units per net acre) to RM Medium Density Residential (8-16 dwelling units per net acre). The proposed Plan Map amendment would affect 16 properties located south of NE Jefferson Street, north of the "Rachel Street" alley, between NE First Avenue and NE Third Avenue. The Commission had received an earlier staff report on this matter, dated October 6th.

Following receipt of testimony on October 13th, the hearing was continued to the Planning Commission's next regular meeting on October 27, 2010 to provide opportunity for a Transportation Planning Rule (TPR) analysis by Transportation Planning Engineer Don Odermott. However, the October 27th meeting was cancelled, and this matter was continued to November 10th.

TPR ANALYSIS

In the attached memorandum to the Planning Commission, Mr. Odermott describes the threshold criteria in the TPR and the "worst case scenarios" under the existing RMR designation (as implemented by A-3 zoning) and the proposed RM designation (as implemented by the existing A-1 zoning). Although the number of potential dwelling would be significantly reduced under the RM designation, the greater traffic generation anticipated from single family homes and townhouses, as opposed to apartments, offsets the density reduction. However, the Plan change would not increase "worst case" traffic generation, and Mr. Odermott therefore concludes that the TPR standard is met.

RECOMMENDATION

Based on the compliance of the proposed Comprehensive Plan Land Use Map amendment with the applicable criteria in HCP Section 1 Planning and Citizen Involvement, subsection (IV) (B), its compliance with the Transportation Planning Rule, and the endorsement of the affected property owners as represented by Ms. Cornish's petition, Planning staff requests that the Planning Commission adopt the attached draft Order 8032, recommending City Council Approval of HCP 1-10. The Order cites the August 19th, October 6th, and November 4 staff reports and Mr. Odermott's memorandum as findings in support of the amendment.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Deborah A. Raber AICP
Planning Project Manager

Attachments: memorandum from Don Odermott
Draft Order No. 8032

ORDER NO. 8032

HCP 1-10: DOWNTOWN RMR MID-RISE DENSITY RESIDENTIAL

AN ORDER RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP SECTION 14 (I) (B) (1) TO CHANGE THE DESIGNATION ON SIXTEEN PROPRERTIES NORTH OF DOWNTOWN HILLSBORO FROM RMR MID-RISE DENSITY RESIDENTIAL TO RM MEDIUM DENSITY RESIDENTIAL.

WHEREAS, Comprehensive Plan Section 1 Planning and Citizen Involvement subsection (IV) (B) sets forth the procedures and criteria for the City to initiate minor Comprehensive Plan Land Use Map changes, and

WHEREAS, a request was received from a property owner north of downtown Hillsboro for the City to initiate a minor Comprehensive Plan Land Use Map change from RMR Mid-Rise Density Residential to RM Medium Density Residential on sixteen properties north of downtown Hillsboro, and

WHEREAS, based on the compliance of the proposed Plan Land Use Map amendment with the criteria for initiation in HCP Section 1 (IV) (B) (1) and the endorsement of the majority of the affected property owners as represented by an informal petition, the Planning Commission adopted Order No. 8028 on August 25, 2010, initiating such a minor Comprehensive Plan Land Use Map change, and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment on October 13 and November 10, 2010 and received testimony in support of the amendment from affected owners and residences in the surrounding area, and

WHEREAS, the Planning Commission hereby adopts the Planning Department staff reports on this matter dated August 19, October 6, and November 4, 2010, with their attachments, and the memorandum from Transportation Planning Engineer Don Odermott dated October 15, 2010 as findings in support of the Plan Land Use Map change.

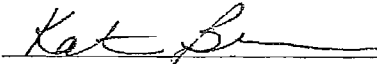
THE CITY OF HILLSBORO PLANNING COMMISSION ORDERS AS FOLLOWS:

Section 1. Based on the testimony and Record, the Planning Commission recommends that the City Council approve the proposed Minor Comprehensive Plan Land Use Map change from RMR Mid-Rise Density Residential to RM Medium Density Residential on the following described sixteen properties:


Tax Lots 100, 101, 200, 300, 400, 500, 600, 700, 1500, 1600, 1700, 1800, 1900, 2000, 2100, and 2200 on Washington County Assessor's Tax Map 1N2-31CB.

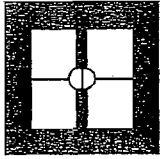
Section 2. This order takes effect immediately upon approval.

Approved this 10th day of November, 2010.


Vice-President


ATTEST:


Secretary



October 15, 2010

MEMORANDUM

TO: Hillsboro Planning Commission
FROM: Don Odermott, P.E. Transportation Planning Engineer. 
RE: Traffic Impacts of HCP 1-10 Downtown RMR to RM

OAR 660-12-0060 the Transportation Planning Rule (TPR) requires one of two findings when the City amends its comprehensive plan map:

- Either the map change does not “significantly affect” the street system; or
- If the change does “significantly affect” the street system, then the allowed uses under the new map designation would be consistent with the classifications, capacities, and performance standards of the street system.

The change does not significantly affect if it does not cross any of the following thresholds:

- Change the functional classification of an existing or planned street;
- Change the implementing standards for the TSP;
- Allow development resulting in trip generation inconsistent with the functional classification of the streets;
- Reduce the performance of an existing or planned street below the minimum acceptable TSP performance standard; or
- Worsen the performance of an existing or planned street that would otherwise meet the TSP performance standard.

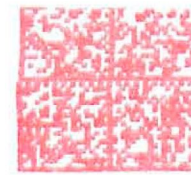
HCP 1-10 affects 16 properties (2.6 acres). Table 1 on the following page summarizes estimated afternoon peak hour trip generation for alternative development options under the existing and proposed zoning scenarios. The “worst case scenario” with the current RMR designation and A-3 zoning would be development of approximately 60-70 apartments and townhouses. Under the proposed RM designation with the current A-1 zoning, the “worst case scenario” would be approximately 31 to 42 single family houses and townhouses.

Since the change would not result in an increase in vehicular trip generation from the site, it would not cross any of the thresholds in the TPR regarding reduced street performance or inconsistent trip generation.

HCP 1-10 would not significantly affect the City’s transportation system; and the TPR is therefore met.

**Table 1: HCP 1-10: Downtown RMR to RM: Trip Generation
under existing and proposed Plan designations and implementing zoning**

Existing RMR Plan designation (implemented by A-3 zoning)			Proposed RM Plan designation (implemented by A-1 zoning)		
Development Alternative	ITE Manual classification	PM peak hour trips	Development Alternative	ITE Manual classification	PM peak hour trips
#1 70 mid-rise apts.	223	27	#1 42 SF dwellings	210	42
#2 70 low-rise apts.	221	41	#2 42 townhouses	230	22
#3 70 average apts.	220	42			



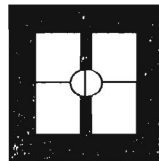
request #

\$02.41₀
12/23/2010
Mailed From 97123
US POSTAGE

First Class Mail

Planning Department
150 E. Main Street, Fourth Floor Hillsboro OR 97123

CITY OF HILLSBORO



Attn: Plan Amendment Specialist
Dept of Land Conservation &
Development
635 Capitol Street NE
Suite 150
Salem Oregon 97301