



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: May 24, 2016
Jurisdiction: City of Hillsboro
Local file no.: ZC-001-16
DLCD file no.: 005-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/23/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 39 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 005-16 {24358}
Received: 5/23/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Hillsboro

Local file no.: **ZC-001-16**

Date of adoption: 5/17/16

Date sent: 5/23/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 3/25/16

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

N/A

Local contact (name and title): John Boren, Senior Planner

Phone: 503-681-5292

E-mail: PlanningTechs@hillsboro-oregon.gov

Street address: 150 E Main Street

City: Hillsboro

Zip: 97123-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from County FD-20	to I-S Industrial Sanctuary	Acres: 4.58
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 1N2150000203

List affected state or federal agencies, local governments and special districts: Washington County, Metro, Washington County Rural Fire Protection District No. 2.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

City-initiated Zone Change of property 4.58 acres in size from Co. FD-20 Future Development - 20 acres to I-S Industrial Sanctuary

Ordinance Nos. 6165 & 6166 are attached



May 23, 2016

TO: Plan Amendment Specialist
State of Oregon Department of Land Conservation and Development

FROM: Lisa Califf, Planning Technician

RE: Transmittal of DLCD Form 2 Notice of Adoption
Hillsboro Case File No. Zone Change 001-16

I, Lisa Califf, submitted on this date, May 23, 2016, the DLCD Form 2 and attached Ordinance Nos. 6165 and 6166 with exhibits via the DLCD FTP site for the above referenced Case File No., which was adopted by the Hillsboro City Council on May 17, 2016.

If you have any questions regarding this transmittal, please contact me at 503-681-5257. Should you have any questions in regards to the amendments, please contact John Boren at 503-681-5292.



May 19, 2016

TO: Interested Parties

FROM: Planning Department

**RE: NOTICE OF DECISION – Request for Annexation and Zone Change Approval
Case File Nos.: Annexation 001-16 and Zone Change 001-16: Islamic Community Center
of Hillsboro**

This letter is to inform you of a decision of the City Council regarding a request for annexation and City-initiated zone change, in which you may have interest. At their regular meeting on May 17, 2016, the Hillsboro City Council adopted Ordinance No. 6165 approving a request from the property owner for annexation of property identified as Tax Lot 203 on Washington County Assessor's Tax Map 1N2-15. At the same meeting, the City Council adopted Ordinance No. 6166 approving a City-initiated request for a zone change on this property from County FD-20 Future Development 20-acre to City I-S Industrial Sanctuary. The Ordinances are attached for your information.

Please note that the annexation and zone change will not be in effect until the annexation has been finalized by the State of Oregon. A separate notice of final approval will be sent at that time.

Persons who participated either orally or in writing in the City Council proceedings on this matter may appeal the annexation and/or zone change decisions to the Land Use Board of Appeals within 21 days of the mailing of the decision, which is June 9, 2016, under the provisions of ORS 197.830 to 197.845; or the annexation may be contested by referendum within 30 days of the decision date, which is June 16, 2016, pursuant to ORS 222.120.

If you have any questions please call me at (503) 681-6179 or John Boren at (503) 681-5292.

Sincerely,

CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in black ink that reads 'Daniel L. Dias'.

Daniel L. Dias
Development Services Manager

Attachment: Ordinance Nos. 6165 and 6166

cc: File

ORDINANCE NO. 6165

ANNEXATION 001-16: ISLAMIC COMMUNITY CENTER OF HILLSBORO

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORY OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2.

WHEREAS, the City received a complete petition from the owner of a certain tract of land, described in Exhibit "A" attached to this Ordinance, requesting that the property be annexed into the City Limits of Hillsboro; and

WHEREAS, the property has no residents, and the petition represented 100 percent of the owners of the property proposed for annexation, as required by ORS 222.125 for consent to an annexation; and

WHEREAS, the tract of land can be served by City services; and

WHEREAS, as permitted by ORS 222.120(2) and Metro Code Section 3.09.045(A) the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, the current Hillsboro Urban Service Provider Agreement, dated April 2, 2003, does not include areas within the urban growth boundary that were added to the UGB after 2002. Specifically, these areas include the Evergreen and Helvetia industrial lands and the South Hillsboro residential and mixed-use lands, which are nonetheless eligible for annexation into the City of Hillsboro under Metro Code Sections 3.09.070 and 3.09.090. In addition, Metro Code Title 11 Section 3.07.110.C (Planning for Areas Designated Urban Reserves) contemplates cities as the preferred provider of urban services. Therefore, this annexation is consistent with Metro Code because future urbanization will occur within the City and urban services can be provided to this site by the City; and

WHEREAS, the tract of land lies within Washington County Rural Fire Protection District No. 2; and

WHEREAS, notice of the proposed annexation and withdrawal has been published, mailed and posted in the manner provided by law; and

WHEREAS, the City Council conducted a public hearing on this matter on May 3, 2016, and does hereby favor the annexation of the subject tract of land and withdrawal from the district based on the findings attached hereto as Exhibit "B;" and

WHEREAS, the annexation and withdrawal is not contested by any necessary party.

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

Section 1. The tract of land described in Exhibits "A" and "C" is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the Washington County Rural Fire Protection District No. 2. The City Council further supports the future annexation into any special districts necessary for the provision of urban services to the property.

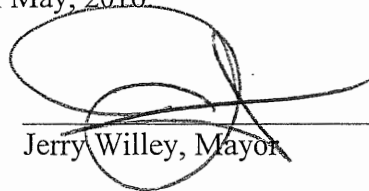
Section 3. The findings attached as Exhibit "B" are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawal shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Section 4. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

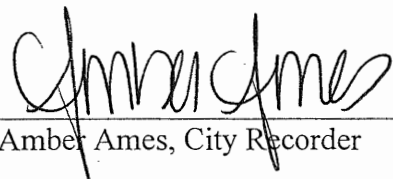
First approval of the Council on the 3rd day of May, 2016.

Second approval and adoption by the Council on this 17th day of May, 2016.

Approved by the Mayor this 17th day of May, 2016.



Jerry Willey, Mayor

ATTEST: 
Amber Ames, City Recorder

AN 001-16: ICCH
Proposed legal description
MF Revised April 8, 2016

EXHIBIT A

A tract of land located in Township 1 North, Range 2 West, Section 15, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Lot 2, Lennox Acres, a duly recorded subdivision in said county, said corner being in the center Helvetia Road (C.R. A-142);

thence South 89°45' East, along the south line of said Lot 2, a distance of 373.15 feet to the southeast corner of that tract of land described in deed to the Islamic Community Center of Hillsboro (ICCH), recorded February 1, 2006 as document number 2016-006881 in deed records of said county;

thence North 17°00' East, along the east boundary of said ICCH tract, a distance of 580.78 feet to the south right-of-way line of NW Pubols Road (27.5.0 feet southerly of centerline);

thence South 89°45' East, along said south right-of-way line, a distance of 373.15 feet to the east line of Lot 2;

thence North 17°00' East, along said east line and the west line of Lot 14, Lennox Acres, a distance of 52.22 feet to the north right-of-way line of NW Pubols Road (22.5 feet northerly of centerline);

thence North 89°45' West, along said north right-of-way line and westerly extension thereof, a distance of 777.63 feet to the west right-of-way line of NW Helvetia Road (C.R A-142);

thence South 17°00' West, along said right-of-way line a distance of 633.0 feet to a point on the westerly extension of the south line of said Lot 2;

thence South 89°45' East, along said westerly extension, a distance of 31.33 feet to the point of beginning.

ANNEXATION CERTIFIED

BY TF

APR 08 2016

WASHINGTON COUNTY A & T
CARTOGRAPHY

EXHIBIT B

FINDINGS IN SUPPORT CASE FILE NO. ANNEXATION 001-16 ISLAMIC COMMUNITY CENTER OF HILLSBORO

BACKGROUND INFORMATION AND SITE DESCRIPTION

The property under consideration for annexation and rezoning is located generally north of NW Schaaf Rd, south of NW Pubols Rd, west of NW Century Blvd and east of NW Helvetia Rd. The property can be more specifically identified as Tax Lot 203 on Washington County Assessor's Tax Map 1N2-15. The total Taxable Assessed Value for the property is \$303,890, and the Market Total Value is \$1,040,310.

The property is currently being farmed. The eastern half of the site is within the FEMA 100 year flood plain. The Clean Water Services Sensitive Areas Pre-Screen Map identifies potential sensitive areas on different portions of the site. The City of Hillsboro Significant Natural Resource Overlay analysis does not identify any Significant Natural Resources on the site.

PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on May 3, 2016.

I. APPLICABLE APPROVAL CRITERIA

Community Development Code Section 12.80.010.E contains the City approval criteria for a proposed Annexation which references the approval criteria in Metro Code 3.09. Metro Code Chapter 3.09.045(D) and (E) specify the minimum review criteria for a proposed annexation. The applicable criteria are as follows:

1. Find that the change is consistent with expressly applicable provisions in:
 - a. *Any applicable urban service agreement adopted pursuant to ORS 195.065;*
 - b. *Any applicable annexation plan adopted pursuant to ORS 195.205;*

FINDING: The current Hillsboro Urban Service Provider Agreement, dated April 2, 2003, does not include areas within the urban growth boundary that were added to the UGB after 2002. Specifically, these areas include the Evergreen and Helvetia industrial lands and the South Hillsboro residential and mixed-use lands, which are nonetheless eligible for

annexation into the City of Hillsboro under Metro Code Sections 3.09.070 and 3.09.090. In addition, Metro Code Title 11 Section 3.07.110.C (Planning for Areas Designated Urban Reserves) contemplates cities as the preferred provider of urban services. Therefore, this annexation is consistent with Metro Code because future urbanization will occur within the City and urban services can be provided to this site by the City. This criterion is met

- c. *Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;*

FINDING: The property is identified as being within the urban growth boundary and annexation of the property will be a contiguous expansion of the Hillsboro city limits. In June and July of 2009, the City of Hillsboro and Washington County passed resolutions acknowledging commitment and consensus policies for the governance and management of existing unincorporated urbanized areas in the County (aka, "Urbanization Forum" resolutions). City of Hillsboro Resolution No. 2291 states that "all future additions to the applicable Urban Growth Boundary in Washington County during and after 2010 must be governed and urbanized by the interested City" and that "in this context, 'urbanized' means that the interested City has planning responsibility under state law, and land use decision making authority with respect to the subject territory." The area being annexed is within an unincorporated area designated as "urban" by the Washington County comprehensive plan and its annexation will implement and be in conformance with the referenced City and County resolutions.

- d. *Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;*
- e. *Any applicable comprehensive plan;*

FINDING: The subject property is within the North Hillsboro Industrial Area Community Plan, which includes an adopted public facilities plan. Facilities and infrastructure would be required to be extended to the site upon development or redevelopment of the site. The subject property is within the North Hillsboro Industrial Area Community Plan, which is an addendum to the Hillsboro Comprehensive Plan. The annexation is accompanied by a proposal to change the zoning of the subject property to I-S Industrial Sanctuary in accordance with the community plan. The proposed annexation is consistent with the Hillsboro Comprehensive Plan policies and implementation measures as described below:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(G) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development,

consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Facilities and Services, Goal (A) Provide public facilities and services in an orderly and efficient manner consistent with the expansion of urbanization into rural areas.

Section 12. Public Facilities and Services, Policy (D) Public facilities and services shall be provided at a level sufficient to create and maintain an adequate supply of housing and service an increasing level of commercial and industrial activity.

Section 12. Public Facilities and Services, Policy (G) The location of schools should be used as a tool in directing future growth within the planning areas.

Section 12. Public Facilities and Services, Policy (K) Utilization of schools and other public facilities as multi-purpose facilities should be encouraged to help meet the education, recreation and civic needs of the community.

Section 12. Public Services Implementation Measure (C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

Section 12. Public Services Implementation Measure (J)(1) Public Facilities planning and projections shall be maintained in five year increments and shall be coordinated with the joint City/County urbanization studies.

Section 30. North Hillsboro Industrial Area Community Plan Goals (A) To identify land planning and design concepts for the North Hillsboro Industrial Area to guide land use, development lotting patterns and public facilities planning and implementation within the Area in order to expand opportunities for job creation.

Section 30. North Hillsboro Industrial Area Community Plan Implementation Measures (A) Prior to their annexation to the City and the concurrent application of Industrial Sanctuary zoning to properties in the North Hillsboro Industrial Area, land uses within the Area shall continue to be governed by the existing Washington County zoning of the properties. Annexation of Area properties to the City shall take place in accordance with annexation policies and practices set forth in the City Municipal Code and in Metro Code Section 3.09.

f. Any applicable concept plan; and

FINDING: The site falls within the North Hillsboro Industrial Area Community Plan which contains concept planning for this area. The annexation and application of the

Industrial Sanctuary zone would be consistent with the North Hillsboro Industrial Area Community Plan.

2. *Consider whether the boundary change would:*

- a. *Promote the timely, orderly and economic provision of public facilities and services;*
- b. *Affect the quality and quantity of urban services; and*

FINDING: The applicant intends to use the site for a small-scale mosque in its current state, and at the time of expansion of their use they would extend utilities/services to the site.

If approved, fire and police protection would be provided to the property by the City of Hillsboro and the property would be automatically withdrawn from the following districts as of the effective date of the annexation:

Washington County Rural Fire Protection District No. 2

Prior to development of the property, the property owner will need to annex the property into the following district:

Clean Water Services District
Metro Service District

Annexation of the subject property will not interfere with the provisions of public facilities and services. This criterion is met.

- c. *Eliminate or avoid unnecessary duplication of facilities or service.*

FINDING: The proposed annexation would eliminate the unnecessary duplication of provision of facilities or services because upon the effective date of the annexation, the property will be withdrawn from the Washington County Rural Fire Protection District No. 2, as the City provides this service. Prior to developing, the property owner will need to annex the property into the Clean Water Services District. This criterion is met.

- E. *A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.*

FINDING: The subject property that is being annexed is entirely within the UGB. This criterion is not applicable.

II. TESTIMONY FROM NECESSARY PARTIES

No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

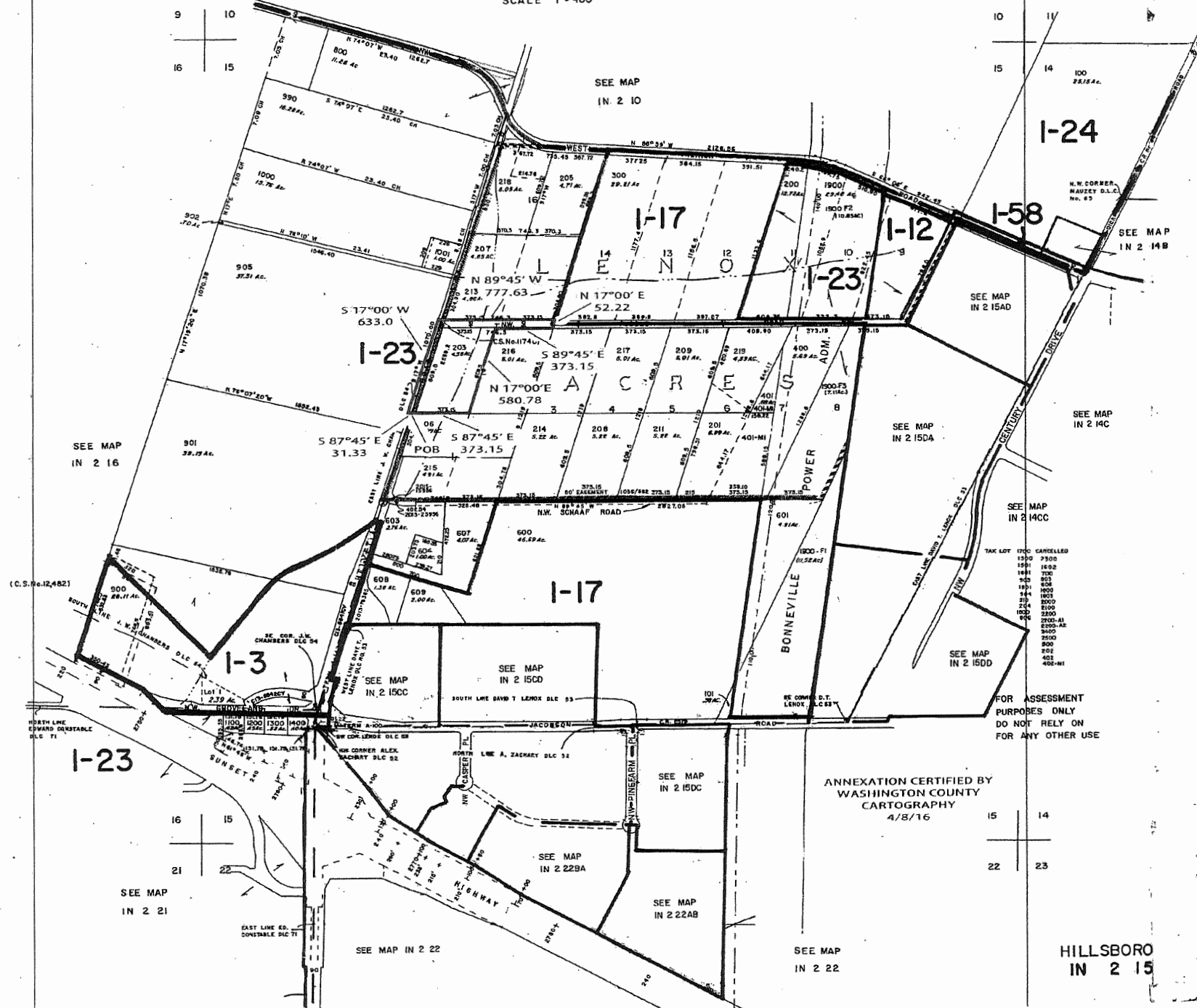
V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED BY REFERENCE IN FINDINGS

- Staff Report dated May 3, 2016.

SECTION 15 T1N R2W WM

WASHINGTON COUNTY OREGON

SCALE 1"=400'



FOR ASSESSMENT PURPOSES ONLY DO NOT RELY ON FOR ANY OTHER USE

ANNEXATION CERTIFIED BY WASHINGTON COUNTY CARTOGRAPHY 4/8/16

HILLSBORO IN 2 15

ORDINANCE NO. 6166

ZONE CHANGE 001-16: ISLAMIC COMMUNITY CENTER OF HILLSBORO

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO COMMUNITY DEVELOPMENT CODE ORDINANCE NO. 6094, AS AMENDED, BY CHANGING THE ZONING OF A TRACT OF LAND FROM COUNTY FD-20 FUTURE DEVELOPMENT, 20-ACRE MINIMUM LOT SIZE, TO CITY I-S INDUSTRIAL SANCTUARY.

WHEREAS, a certain tract of land described herein has been annexed to the City of Hillsboro; and

WHEREAS, the Comprehensive Plan Land Use Map designates the entirety of the subject property as IN Industrial, and

WHEREAS, the property is entirely within the North Hillsboro Industrial Area Community Plan, as noted in Section 30 of the Hillsboro Comprehensive Plan, and

WHEREAS, City Ordinance Nos. 6003 and 5978 created the I-S Industrial Sanctuary zone to be the single zone utilized in the North Hillsboro Industrial Area.

WHEREAS, the City of Hillsboro Planning Commission approved Order No. 8173 on April 13, 2016, initiating the zone change on the annexed property described below; and

WHEREAS, the City Council approves the recommended condition of approval from Clean Water Services which is attached hereto in Exhibit A; and

WHEREAS, the City Council hereby adopts the findings attached hereto as Exhibit B, as findings in support of this decision; and

WHEREAS, based on those findings, the City Council hereby determines that the zone change conforms with the Hillsboro Comprehensive Plan and Community Development Code, and the particular zone recommended by the Planning Commission is the best suited for the subject site.

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

Section 1. The following described tract of land, also shown on Exhibit C, is hereby rezoned from Washington County FD-20 Future Development, 20 acre minimum lot size to City I-S Industrial Sanctuary as defined in the City of Hillsboro Community Development Code No. 6094:

Tax Lot 203 in Section 15, Township 1 North, Range 2 West, Willamette Meridian; and

Section 2. The City Planning Director is hereby instructed to cause the official Zoning Map, a part of Ordinance No. 6094, to be amended to include the zone change set forth in Section 1 hereof, upon the effective date of associated Case File No. Annexation 001-16.

Section 3. Except as herein amended, Community Development Code No. 6094, as amended, shall remain in full force and effect.

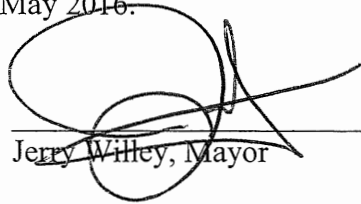
Section 4. The zone change shall become effective upon filing of the associated annexation records of Case File No. Annexation 001-16 with the Secretary of State as provided by ORS 222.180.

Section 5. 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 3rd day of May 2016.


Second approval and adoption by the Council on this 17th day of May 2016.

Approved by the Mayor this 17th day of May 2016.



Jerry Willey, Mayor

ATTEST:



Amber Ames, City Recorder

EXHIBIT A
(Conditions of Approval)

1. The property shall be annexed into the Clean Water Services District prior to any improvements or development on site which meets the definition of "development" pursuant to the Clean Water Services Design and Construction Standards.

EXHIBIT B
(Findings)

The City Council incorporates herein by this reference and adopts as its own, the summary and analysis of the approval criteria set forth in the May 3, 2016 staff report. In addition, the Council adopts the following findings which were initially adopted by the Planning Commission:

1. The City complied with all required notice and hearing procedures for the City Council's May 3, 2016 hearing in this matter. At the commencement of the hearing, the Council made the disclosures and announcements required by ORS 197.763 (5) and (6) and 197.796. No member of the Council claimed any ex parte contacts, conflicts of interest or biases to report. There were no procedural objections, no objections to the participation of any member of the Council in this matter, and no one requested a continuance or that the record be kept open.
2. This Zone Change shall be allowed if there is a preponderance of credible evidence in the record demonstrating that all of the criteria from Community Development Code Section 12.80.160(E) are met or can be met. Those criteria are cited below and each is followed by a finding regarding the proposed Zone Change's compliance:

1. The proposed zone implements and is consistent with the Comprehensive Plan Land Use Map designation for the site. A Zone Change to a zone not consistent with the Comprehensive Plan Map designation cannot be approved prior to approval of an amendment to the Comprehensive Plan Land Use Map to change the designation to one which is implemented by the requested zone;

Finding: The I-S Industrial Sanctuary zone is one of two zones that implement the IN Industrial Comprehensive Plan Map designation in this area, the other being the HSID Helvetia Special Industrial District zone. The North Hillsboro Industrial Area Community Plan Implementation Measure (III)(G) stipulates the appropriateness of applying the I-S zone to this site. Therefore the I-S zone is more appropriate for the subject site than the HSID zone. This approval criterion is met.

2. Where the Comprehensive Plan Map designation has more than one implementing zone, the proposed zone is the most appropriate for the subject site, based on the purposes of each zone and the zoning pattern of surrounding land;

Finding: In this area, there are two zones that implement the IN Industrial Comprehensive Plan Map designation: the proposed I-S Industrial Sanctuary, and HSID Helvetia Special Industrial District. The City of Hillsboro created the I-S zone with the intent to supersede the multitude of special industrial district zones that had been created, of which include the HSID zone and to better implement the North Hillsboro Industrial Area Community Plan. To the south and north of the subject site there are 7 total properties with the HSID zone; those properties would be encouraged or required to change to the I-S zone prior to development provided that a zone change had not already been applied legislatively by a

City-led effort. As the I-S zone is the intended successor of the HSID zone, it is the most appropriate zone to use for the subject site. This approval criterion is met.

3. *Existing or planned transportation facilities are adequate or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zone;*

Finding: The City has conducted analysis of necessary transportation facilities as part of the North Hillsboro Industrial Area Community Plan in order to comply with the Transportation Planning Rule. Specific uses proposed as part of a development review application would require a traffic study, with mitigation measures to be conditioned upon the approval if identified as being necessary. This approval criterion is met.

4. *Existing or planned public infrastructure services (water, wastewater, stormwater, police and fire protection) are adequate or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zone;*

Finding: City Departments were routed the proposed zone change, with none responding that existing or planned public infrastructure services would be compromised by the proposed Zone Change on this site. Infrastructure services was extensively pre-planned during the development of the North Hillsboro Industrial Area Community Plan. Specifics regarding these services will need to be addressed to the satisfaction of the City and service districts during future land use applications for development. This approval criterion is met.

5. *Pursuant to Section 12.70.230, the Transportation Planning Rule Compliance analysis demonstrates that traffic impacts can be reasonably mitigated at the time of development. As an alternative to providing a Transportation Planning Rule Compliance analysis, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning; and*

Finding: The I-S Industrial Sanctuary zone was contemplated as the zone to be applied to the entirety of the Helvetia/West Union subarea as part of the North Hillsboro Industrial Area Community Plan. Therefore, applying this zone would be consistent with what was contemplated for zoning in the Community Plan and its associated Transportation Planning Rule compliance analysis. The Council finds that the proposed zone change will not significantly affect a transportation facility for the purposes of the State of Oregon's Transportation Planning Rule. This approval criterion is met.

6. *Any potential impacts on any designated significant natural resources, cultural resources or areas within the 100-year floodplain as a result of the proposed Zone Change are minimal or can be reasonably mitigated at the time of development.*

Finding: The subject property includes 100-year floodplain associated with Gulch Creek. At the time of development, potential impacts would be identified during that review and the appropriate restrictions and mitigation would be applied.

Section 12.80.160.F of the Community Development Code identifies the findings which must be adopted by the Review Authority to impose conditions on the approval of a Zone Change. These findings must show that:

The Zone Change will allow uses more intensive than those allowed in the current zone;

1. *The conditions are reasonably related to impacts caused by development allowed in the proposed zone or to impacts caused by the specific development proposed on the subject property;*

2. *The conditions will serve a public purpose such as mitigating the negative impacts of allowed uses on adjacent properties; and*

3. *The conditions are based upon policies or standards in the Comprehensive Plan or other standards adopted by the City of Hillsboro.*

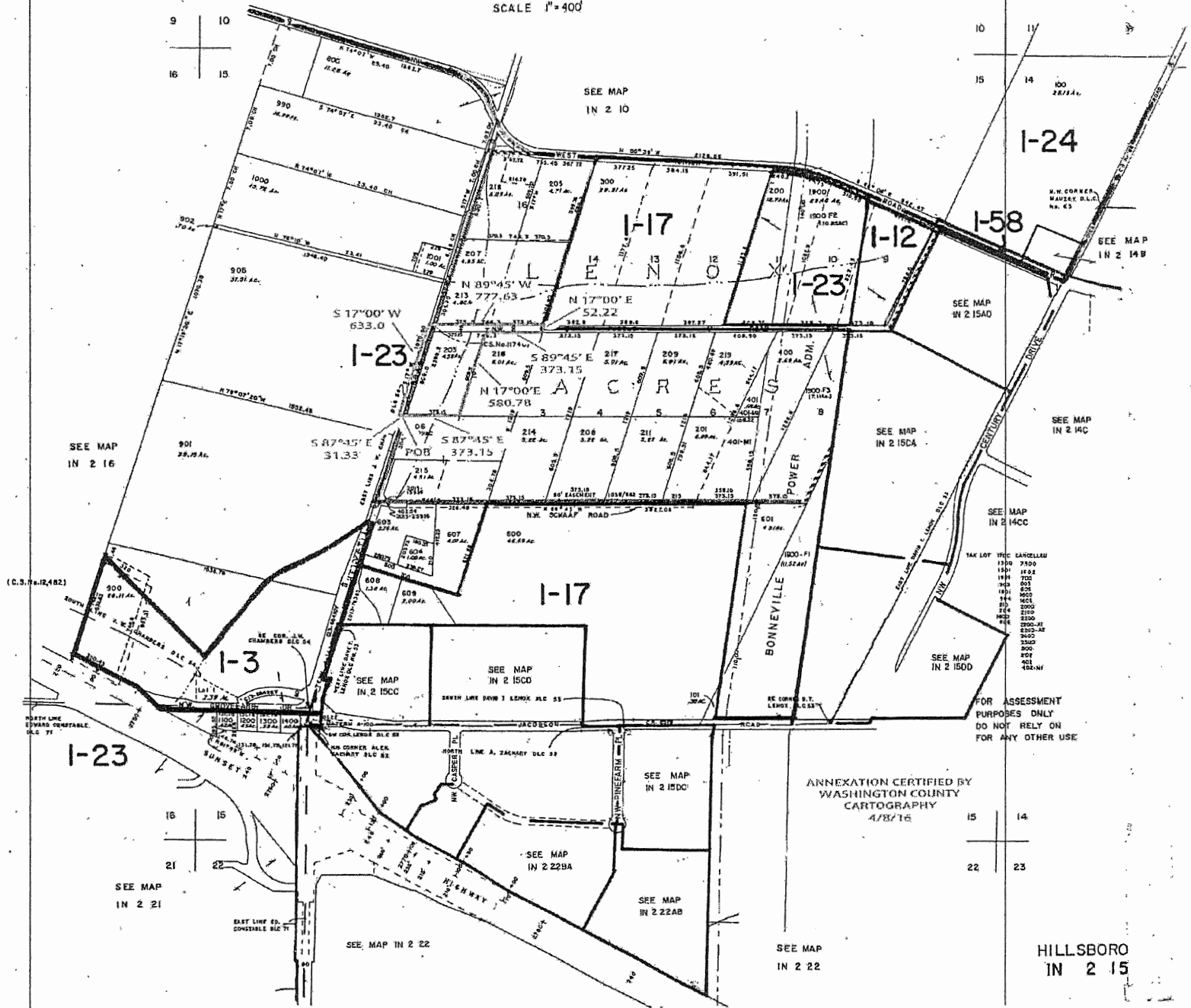
In this case, the only identified need or justification for addition of conditions to this Zone Change come from Clean Water Services. Other development requirements are applied as conditions of approval specific to development applications, and thus would not be appropriate for adoption with this Zone Change.

3. From the foregoing and based on the preponderance of credible evidence in the record, the Council concludes that this Zone Change request meets all six of the zone change approval criteria in Community Development Code Section 12.80.160(E), with the condition of approval noted in Exhibit A. Therefore, the Hillsboro City Council approves this zone change.

SECTION 15 T1N R2W WM

WASHINGTON COUNTY OREGON

SCALE 1"=400'



FOR ASSESSMENT PURPOSES ONLY DO NOT RELY ON FOR ANY OTHER USE

ANNEXATION CERTIFIED BY WASHINGTON COUNTY CARTOGRAPHY 4/8/16

HILLSBORO IN 2 15