Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
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www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

07/11/2011

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 001-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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, July 28, 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.

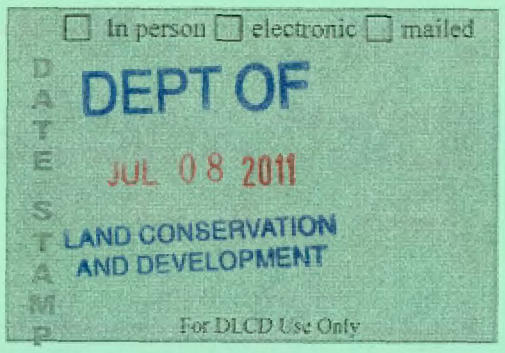
Cc: Karla Antonini, City of Hillsboro
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA/ph

FORM 2

DLCD
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: **ZOA 1-11**

Date of Adoption: **7/5/2011** Date Mailed: **7/7/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/27/2011

☐ 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".

Text amendments to the Hillsboro Zoning Ordinance Sections 136, 137, 138 & 139 to amalgimate three downtown commercial zones into one new zone: SCC-DT Station Community Commercial - Downtown. Legislative map amendments included to replace existing SCC-CBD, SCC-HOD & SCC-SC in downtown to the new SCC-DT zone.

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

Plan Map Changed from: **n/a** to: **n/a**

Zone Map Changed from: **SCC-SC, SCC-HOD, SCC-CBD** to: **SCC-DT**

Location: **downtown Hillsboro, maps attached** Acres Involved: **257**

Specify Density: Previous: **n/a** New: **n/a**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☒	☒	☐	☐	☐	☒	☐	☐	☐	☐	☐

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. 001-11 (18697) [16702]

DLCD file No. _____

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

Washington County, Metro

Local Contact: **Karla Antonini** Phone: **(503) 681-6181** Extension:

Address: **150 E. Main Street** Fax Number: **503-681-5430**

City: **Hillsboro** Zip: **97123-** E-mail Address: **karlaa@ci.hillsboro.or.us**

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. 5973

ZOA 1-11: SCC-DT - STATION COMMUNITY COMMERCIAL - DOWNTOWN ZONE

AN ORDINANCE AMENDING SECTIONS 136, 137, 138 AND 139 OF ZONING ORDINANCE NO. 1945, REGARDING THE NEW STATION COMMUNITY COMMERCIAL DOWNTOWN ZONE (SCC-DT), AMENDING THE OFFICIAL ZONING MAP TO ADOPT THE SCC-DT ZONES ON APPROXIMATELY 542 PROPERTIES IN DOWNTOWN HILLSBORO, AND DECLARING AN EMERGENCY.

WHEREAS, the City obtained a grant to assist in review of zoning regulations affecting the downtown with the objective of facilitating economic vitality of the downtown while preserving the neighboring residential areas, and

WHEREAS, City staff worked with a Technical Advisory Committee as well as with the Downtown Advisory Committee and the Planning Commission in numerous meetings with the objective of developing a new downtown commercial code, and

WHEREAS, the Planning Commission reviewed the proposed Station Community Commercial – Downtown Zone (SCC-DT) amendments at a work session on January 12, 2011, and

WHEREAS, the Planning Commission subsequently adopted Order No. 8037 initiating Zoning Ordinance Amendments to Hillsboro Zoning Ordinance Sections 136, 137, 138 and 139 regarding a new Station Community Commercial – Downtown Zone, and amending the official zoning map to adopt the SCC-DT zones on approximately 542 properties, and

WHEREAS, the Planning Commission held a public hearing on the proposed Zoning Ordinance amendments on March 17th, and received testimony on the proposed amendments. The hearing was subsequently continued three times to April 13th, April 27th, and May 11th, 2011. Supplemental staff reports and additional public testimony were presented at both April hearings. The continuance to May 11th limited further testimony to the subject of the Residential Compatibility Area (RCA) along Washington Street between 5th and 7th Avenues, and

WHEREAS, at the conclusion of the public hearing, the Planning Commission adopted Order No. 8042 on May 11th, 2011 and voted to recommend to the City Council that the subject Zoning Ordinance text and map amendments be approved, based on the testimony and record and the attached Exhibit A, and

WHEREAS, on June 7th, 2011 the City Council received a recommendation from City staff that the Council schedule a limited additional public hearing on the amendments pursuant to Zoning Ordinance Section 116(1)a., to receive citizen input raised after the Planning Commission public hearing was closed on two specific issues, and

WHEREAS, the City Council held a public hearing on July 5th, 2011, received testimony in support of the proposed revisions from citizens and City staff, and found merit in the proposed

changes as noted in the June 1st and June 28th, 2011 staff reports, which are hereby adopted by reference as additional findings in support of the revisions to the Planning Commission recommendation, and

WHEREAS, the City Council finds that the proposed amendments should take effect as soon as possible in order to assure the successful implementation of the new measures in light of the City's receipt of the above-mentioned grant and recent development activity, and that the public interest in economic vitality of the downtown core and preservation of nearby neighborhoods will be best advanced if the new regulations take effect immediately; as such, an emergency should be declared so that this Ordinance may take effect immediately upon its adoption by the Council and approval by the Mayor.

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

Section 1. Zoning Ordinance No. 1945 is amended as described in Exhibit A attached hereto, with language to be added in ***bold italic*** typeface and language to be deleted in ~~overstrike~~ typeface.

Section 2. An emergency is hereby declared, and this ordinance shall be effective immediately following its adoption by the Council and approval by the Mayor.

First approval and adoption by the Council on this 5th day of July 2011.

Approved by the Mayor this 5th day of July 2011.

Jerry Willey, Mayor

ATTEST:
Amber Ames, City Recorder

EXHIBIT A

Downtown Zoning Code Amendments
Amendments to Hillsboro Zoning Ordinance Volume II

Proposed text amendments are shown with new language in ***bold italics***, and language to delete shown with ~~strike through~~.

Section 136: STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. PURPOSE

[No changes to this section proposed]

II. LAND USE DISTRICTS

A Station Community Planning Area shall include one or more of the following zoning designations[1]:

A. Station Community Commercial— ~~Central Business District (SCC-CBD)~~ *Downtown District (SCC-DT)*

The ~~SCC-CBD~~ ***SCC-DT*** District shall apply to property located within ~~the Central Business District of~~ downtown Hillsboro which is identified for mixed use commercial development. ~~The SCC-CBD District is intended to assure an intense mix of pedestrian-sensitive commercial, governmental and community service uses as well as hotels, offices, restaurants, artistic outlets, indoor recreational opportunities and other attractions in order to create a vibrant 18-hour activity window in the Central Business District. Residential uses are allowed as part of a mixed use environment on and above the second story of commercial buildings. A.~~ ***The purpose of the SCC-DT zone is to implement the Downtown Core Vision Statement from the Downtown Framework Plan to create a downtown core that is a vibrant and active place with shopping and dining, entertainment venues, arts and cultural experiences, civic activities and spaces and public gathering places supported by existing and new residents, employees, and students living and working in and around the historic core.***

B. Station Community Commercial—Highway Oriented District (SCC-HOD)

~~The SCC-HOD District shall apply to property generally located within one-half block of the State Highway 8 corridor (Baseline Street, Oak Street, and SE Tenth Avenue) in downtown Hillsboro that is identified for commercial development. The~~

[1] SCPA district boundaries are mapped designations and distances cited herein serve as general guidelines rather than specific measurements.

~~District is intended to recognize and allow for the continuation and expansion of existing, but allow no new, auto oriented commercial uses along Oregon State Highway 8 unless expressly authorized in the Comprehensive Plan and in Section 139. Because of its adjacency to the Central Business District a similar mix of transit supportive, pedestrian sensitive commercial and community service uses, hotels, residential hotels and indoor recreational facilities are encouraged. Residential uses are permitted in free standing residential structures and on or above the second story of commercial buildings throughout the District. Hospitals and their related facilities are permitted as conditional uses. (Amended by Ord. No. 4545/4-97.)~~ ***(Deleted by Ord. No. XXX.)***

C. Station Community Commercial—Station Commercial (SCC-SC)

The SCC-SC District may be applied to property generally located within 1,300 feet of a light rail station site that is identified for mixed use neighborhood commercial development. The SCC-SC District is intended to assure a mix of transit supportive retail, service, professional, community service, child care facilities, recreational and similar uses near, and within easy walking distance of, the light rail stations outside the CBD. More intense uses such as high density housing (both free-standing and in mixed use buildings), hotels and residential hotels are encouraged near the station. Neighborhood commercial uses in the District are intended to be pedestrian-sensitive and compatible with the scale of surrounding residential development. However, where a District is adjacent to or bisected by an arterial street, neighborhood commercial uses may be auto-accommodating provided that the auto-accommodating uses are clustered in a node, as opposed to being extended along the arterial, and provided the amount and intensity of such development is limited so as not to adversely impact the nearby residential areas or take on the look of strip development. (Amended by Ord. No. 5168/7-02.)

D. Station Community Commercial—Multi-Modal (SCC-MM)

[No changes to this section proposed]

E. Station Community Residential—High Density (SCR-HD)

[No changes to this section proposed]

F. Station Community Residential—Medium Density (SCR-MD)

[No changes to this section proposed]

G. Station Community Residential—Low Density (SCR-LD)

[No changes to this section proposed]

H. Station Community Residential—Village (SCR-V)

[No changes to this section proposed]

I. Station Community Residential—Orenco Townsite Conservation (SCR-OTC)

[No changes to this section proposed]

J. Station Community Residential—Downtown Neighborhood Conservation (SCR-DNC)

[No changes to this section proposed]

K. Station Community Industrial (SCI)

[No changes to this section proposed]

L. Station Community Business Park (SCBP)

[No changes to this section proposed]

M. Station Community Research Park (SCRP)

[No changes to this section proposed]

N. Station Community Fair Complex Institutional (SCFI)

[No changes to this section proposed]

III. DEFINITIONS

[No changes to this section proposed]

IV. PERMITTED LAND USES

A. Land uses listed on Tables 1, 2 and 3 shall be allowed, conditionally allowed or not permitted in the Station Community Planning Areas shown. The listed uses must be consistent with the description of the relevant district as set forth in subsection II of this Section, and may be further restricted by subsection V. of this Section and the standards of Sections 136 through 142. Uses listed as being subject to a Conditional Use Permit ("C") shall require findings of fact that the proposed use is, where practicable, transit-supportive. The tables are organized by major types of district along with appropriate use categories for that type of district listed. Use categories vary by table. (Amended by Ord. No. 4930/7-00.)

B. Where a particular use within a broader category (e.g., "indoor cinema" as a "commercial" use) is cited in Tables 1, 2, and 3, it is intended to signify that the use is either not allowed in one or more of the districts, or is an unusual use to be permitted in one or more of the districts and is, therefore, due special recognition of its suitability to be in the district. (Amended by Ord. No. 4930/7-00.)

Table 1: Permitted Uses in Station Community Commercial Districts

Use	~~SCC-CBD~~ *SCC-DT*	~~SCC-HOD~~	SCC-SC	SCC-MM
Commercial Uses[1]	P/C [2, 3, 9]	~~P/C~~ [2, 3]	N	P/C [2, 3]
Neighborhood Commercial[1]	P	~~N~~	P/C [2, 3]	P
Community Service[4]	P/*C* [9]	~~P~~	P	P
Hotels and Residential Hotels	P	~~P~~	P	P
Indoor Recreational Facilities	P	~~P~~	P	P
Outdoor and Land-Extensive Recreational Facilities	N	~~N~~	N	P
Home Occupations	P	~~P~~	P	P
Pedestrian-Oriented Accessory Uses and Outdoor Seating for Restaurants[5]	P	~~P~~	P	P
Light Rail Facilities, other than park and ride lots	P	~~P~~	P	P
Religious Institutions	*P*/C [9]	~~C~~	C	C
Schools: Middle, Junior High, Senior High	~~N~~ *C*	~~C~~	C	C
Schools: Colleges or Universities (Other than Major Institutions)	C	~~C~~	C	C
Hospitals	~~N~~ *P* [6]	~~C~~	N	C
Major Institutions[6]	~~N~~ *P*	~~P~~	P	P
Geriatric Care Facilities	~~N~~ *C*	~~C~~	C	C
Utility Substation or Pumping Station	C	~~C~~	C	C
Radio and Telephone Transmission Facilities	C	~~C~~	N	C
Transit Park-and-Ride	C	~~C~~	C	C
Drive-through Facilities	N/~~P~~ *C* [7]	~~N/P~~[7]	N	P
Motor Vehicle Service, Maintenance or Repair Facilities	N/*C* [7]	~~N/P~~[8]	N	P
Office Uses	P	~~P~~	P	P
Flex Space Uses	~~N~~ C	~~P~~	P	P
Mid-Rise Apartments	P	~~P~~	P	P
Multi-Family Dwellings	P	~~P~~	P	P
Garden Apartments	N	~~P~~	P	P
Townhouses and Rowhouses	~~N~~ *P* [8]	~~P~~	P	P
Permanent Open Space	~~N~~ *P*	~~N~~	P	P
Automobile Sales	N	~~C~~[9]	N	N
Public Parks and Recreational Facilities	C	~~C~~	C	C
Residential Facilities	P	~~P~~	P	P

P Permitted Use **C** Conditional Use **N** Not Permitted

[1] To clarify commercial/neighborhood commercial use restrictions, see "Neighborhood Commercial" definition.

[2] Outdoor exercise areas for animal services facilities permitted only with conditional use approval. (Added by Ord. No. 5960/3-11.)

[3] Overnight pet boarding permitted outright at veterinary clinics; elsewhere only with conditional use approval. (Added by Ord. No. 5960/3-11.)

[4] Excluding religious institutions.

[5] Pedestrian-oriented accessory uses (such as sidewalk flower, food and drink stands) and outdoor seating for restaurants are subject to City permit requirements.

[6] ***Concept Development Plan approval is required for this use.*** A Major Institution relates to a particular type of use, but a variety of use types can be a Major Institution (governmental, educational, medical, etc.) See definition.

[7] ***Drive-through Facilities are subject to conditional use and the standards of 136(VI)(A)(11).*** New ***Motor Vehicle Service, Maintenance or Repair Facilities*** ~~uses~~ are prohibited***, expansion of existing use subject to conditional use***. Existing use are exempt from the provisions of Section 102 ~~as specified in Section 136 (VI)(A)(9) and (VI)(A)(11)~~.

[8] ***New duplexes, townhouses, and rowhouses are only permitted within Residential Compatibility Areas as shown on Figure 139-3 and are subject to minimum densities in Table 1a.*** ~~New uses are prohibited except as provided in Section 139.III. Expansion of existing uses beyond 400 feet from a light rail station is allowed in accordance with the provisions of Section 136.VI.~~

[9] ~~Conditional Use approvals for Automobile Sales in the SCC-HOD District are limited to seven (7) years duration.~~ ***Assembly uses (e.g., religious, institution, auditoriums, and theaters) over 250 persons occupancy require conditional use approval.***

Table 2: Permitted Uses in Station Community Residential Districts

[No changes to this section proposed]

Table 3: Permitted Uses in Station Community Industrial and Institutional Districts

[No changes to this section proposed]

V. DESTRUCTION OR EXPANSION OF EXISTING USES OR STRUCTURES

A. Single family residences ....

B. Except as provided in subsection VI., Restricted Land Uses ***and designated Cultural Resources which are governed under Section 132 Cultural Resource Management Ordinance***, expansion of all other uses lawfully in existence as of the effective date of this Ordinance shall be allowed to expand ***or be altered*** without limit as to the size of contiguous expansion; subject to compliance with:...

C. Expansion of existing uses ....

D. Expansion of existing uses ...

E. Expansion of existing uses ...

F. Interior alterations ...

G. Expansion of existing parking lots and facilities....

VI. RESTRICTED AND SPECIALLY REGULATED LAND USES

A. **Within 2,600 feet of a light rail station site,** except as otherwise provided below, the following uses are not transit-supportive and shall not be established as new uses, nor may existing uses or structures be converted to the following uses:

1. Book bindery, except in a SCI or SCBP District.

2. Building materials sales and supplies, excluding hardware stores not exceeding 10,000 square feet in area.

3. Bulk retail uses.

4. Car washes

5. Cemeteries.

6. Cold storage plants.

7. Commercial or accessory parking structures within 400 feet of a light rail station, excluding parking structures for which the ground floor perimeter adjacent to a street, excluding ramp and pedestrian access to the parking structure, and any required disabled and bicycle parking, is occupied or available for retail or pedestrian-related office or service uses.

8. Commercial or accessory surface parking lots within 850 feet of a light rail station site, unless the lot is located in the center of a block, behind buildings fronting the perimeter of the block face; or similarly situated where grid pattern blocks do not exist.

9. Drive-through and drive-in facilities within 400 feet of a light rail station site, except as provided in subsection 11 below. (Amended by Ord. No. 4737/1-99.)

10. Drive-through and drive-in facilities greater than 401 and less than 850 feet from a light rail station site are allowed provided the drive-through or drive-in component of the operation or service is not the primary method of selling or servicing; unless such uses are prohibited or subject to more restrictive provisions in a particular SCPA District, in which case the more restrictive provisions of the district shall apply.

11. ~~Drive-through and drive-in uses are prohibited throughout the SCC CBD District, with the exception of such uses physically in existence as of April 15, 1997. Such pre-existing drive-through facilities shall be exempt from the provisions of Section 102 regarding discontinuance of a non-conforming use.~~ New drive-through and drive-in uses are ***limited*** ~~prohibited throughout~~ ***in*** the ~~SCC-HOD~~ ***SCC-DT*** District. ~~after the effective date of this Ordinance (April 6, 2001).~~ In all other districts, drive-through and drive-in facilities are allowed beyond 850 feet from a LRT station if the use is permitted in the district. (Amended by Ord. No. 4737/1-99, 4930/7-00 and 5006/3-01.)

Throughout the ***SCC-DT***~~SCC-HOD~~, new drive-through and drive-in facilities are allowed only in compliance with the following criteria:

a. a maximum of one single drive-through lane or window is proposed;

b. the applicant can demonstrate that the drive-through lane is not the primary method of selling or servicing:

c. the development meets all other requirements of Sections 137 through 142, including but not limited to maximum setbacks, minimum floor area ratio, and percentage of front-wall glass;

d. the drive-through lane or window and the associated access drive(s) are designed to minimize disruption of on- and off-site pedestrian and bicycle traffic.

(Amended by Ord. No. 4930/7-00 and by Ord. No. 5006/-01).

12. Electrical power generators.

13. Farm machinery, equipment or implement sales or service.

14. Fuel dealerships and storage yards (including card locks).

15. Furniture and appliance stores, excluding stores not exceeding 10,000 square feet in area which provide home delivery.

16. Junk yards and motor vehicle wrecking yards.

17. Kennels, excluding those accessory to veterinary clinics or medical research facilities.

18. Land-extensive recreational facilities, except in the SCFI District.

19. Manufactured home sales lots.

20. Mini-warehouses and/or mini-storage units.

21. Motels.

22. Motor vehicle service, maintenance or repair facilities within 400 feet of a light rail station site boundary, excluding retail or wholesale outlets selling motor vehicle parts and accessories without provision for on-site installation. (Amended by Ord. 4930/7-00.)

23. Motor vehicle, recreational vehicle, boat and travel trailer sales, leasing, rental or storage, except rentals where the rental vehicles are not stored on a site within 2,600 feet of a light rail station site~~, and except automobile sales permitted as interim conditional uses in the SCC HOD zone as specified in Section 139~~. (Amended by Ord. No. 4930/7-00.)

24. Movie theaters with four or more screens, unless structured or joint use parking is available within 800 feet to accommodate eighty percent (80%) of theater patrons. ***Within the SCC-DT movie theaters with up to eight screens are permitted without complying with the parking restriction noted above.***

25. Nurseries and greenhouses, retail and wholesale***, except that in the SCC-DT District retail nurseries and retail greenhouses less than 5,000 square feet in size are permitted.***

26. Recreational vehicle parks and campgrounds.

27. Seasonal uses, excluding seasonal uses in the ~~SCC HOD~~ ***SCC-DT*** District.

28. Solid waste transfer stations.

29. Truck stops.

30. Warehouses storing materials or products not primarily manufactured or assembled on site or used in the on-site process, or used in the maintenance or operation of on-site facilities, excluding the following:

a. Buildings constructed prior to the effective date of this Ordinance that were originally designed to be used primarily for warehouse use.

b. Buildings storing materials ancillary to the product manufactured on-site and to be marketed in conjunction therewith.

B. Destruction of Restricted Uses

[No changes to this section proposed]

C. Expansion of Restricted Uses

1. Except for drive-through facilities within 400 feet of a light rail station site and surface parking lots adjacent to light rail transit station sites, a restricted land use lawfully in existence as of the effective date of this Ordinance shall be allowed to increase its size through contiguous expansion up to a maximum of 20 percent (20%) of the gross floor area existing as of the effective date of this ordinance provided the requirements of Section 99, Enlargement or Expansion of Non-Conforming Uses, the requirements Section 133, Development Review/Approval of Plans, and the standards of Sections 137 through 142 are met.

2. Notwithstanding the provisions of paragraph 1, above, and subject to the provisions of Section 133, Development Review/Approval of Plans, and the standards of Sections 137 through 142, the following restricted land uses lawfully in existence as of the effective date of this Ordinance and doing business within the ***SCC-DT*** ~~SCC-HOD~~ District shall be allowed to expand without limit as to the size of contiguous expansion:

a. Car washes.

b. Drive-through facilities greater than 400 feet from a light rail station site.

c. Furniture and appliance stores.

d. Motels.

e. Motor vehicle service, maintenance and repair facilities.

D. Specially Regulated Uses

[No changes to this section proposed]

VII. DEVELOPMENT REVIEW AND RELATED CITY DEVELOPMENT CODE

[No changes to this section proposed]

VIII. CALCULATIONS

[No changes to this section proposed]

IX. CONFLICTS

[No changes to this section proposed]

X. VARIANCES

5. Variances under the following circumstances or from the specific development regulations and design standards cited shall not be granted:

a. To allow a development project where the proposed residential density or floor area ratio is less than 90% of the minimum density of the district;
b. To allow residential densities greater than specified for the district;

c. To allow accessory industrial uses to exceed a combined thirty percent (30%) of the net developable area of the campus of a major institution in a SCRP District.

d. To allow a development project with less than 85% of the minimum required usable open space;

e. To the street and alley performance standards contained in Sections 137.XVI.B.1.;

f. To allow surface parking or loading areas between a major pedestrian route and an adjacent building, except as specifically provided in Sections 137 through 142;

g. To allow off-street surface parking lots, or commercial service or loading areas outside the public right-of-way to be located or temporarily located or expanded adjacent to, cater-cornered or across the street from a light rail station site;

h. To the requirement for pedestrian-related office, service or retail uses on the ground floor of parking structures;

i. To the minimum access requirements; and

j. To the requirements of Section 138.XII.C., Streetscape Design Standards.

k. To increase the maximum building height with Residential Compatibility Areas as shown on Figure 139-3.

Section 137: DEVELOPMENT REGULATIONS FOR STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. SCOPE

[No changes to this section proposed]

II. DEVELOPMENT CRITERIA

Tables 1.a through 1.n contain the development criteria which shall apply within each Station Community Planning District. Criteria may vary depending on the distance of the project from a light rail station site. These differences, if any, are shown in the applicable table as requirements applying to development within 1,300 feet of a station site, between 1,301 and 2,599 feet of the station site, and development 2,600 or more feet from a light rail station site. The development criteria for a particular district or use consists of the combined requirements of Tables 1.a through 1.n and subsections III. through XI.

Table 1.a: Development Criteria, Station Community Commercial – *Downtown (SCC-DT)*
~~**Central Business District (SCC-CBD)**~~
~~**This District is not applicable to properties more than 1301 feet from a LRT Station**~~

	DEVELOPMENT CRITERIA	REQUIREMENTS ~~/ ALLOWED WITHIN 1,300' OF LRT STATION~~
1.	MINIMUM LOT SIZE	None
2.	MINIMUM LOT WIDTH	~~25 feet~~ ***None***
3.	MINIMUM LOT DEPTH	~~200 feet~~ ***None***
4.	MINIMUM RESIDENTIAL DENSITY	***Within Residential Compatibility Areas shown on Figure 139-3: Free-standing residential buildings are allowed at a minimum density of 18 dwelling units per acre.*** ***Outside of Residential Compatibility Areas shown on Figure 139-3:*** Free-standing multi-family buildings are allowed at a minimum density of 30 dwelling units per acre.
5.	MAXIMUM RESIDENTIAL DENSITY	***Within Residential Compatibility Areas shown on Figure 139-3:*** 36 units per acre, either in free-standing ~~multi-family~~ ***residential*** buildings or in mixed use buildings~~ on and above the second floor~~. ***Outside of Residential Compatibility Areas shown on Figure 139-3: 90 units per acre, either in free-standing multi-family buildings or in mixed-use buildings.*** Densities are included in the calculation of the minimum floor area ratio of 0.75 for all buildings in the District. Higher ***maximum density*** with discretionary approval.
6.	ANCILLARY DWELLING UNITS	Not allowed
7.	MINIMUM FLOOR AREA RATIO	0.75; minimum: .50 in first phase
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 60 persons per acre.
9.	MINIMUM SETBACK FROM STREETS AND ALLEYS	***Properties subject to a minimum front setbacks of 10 feet are shown on Figure 139-1. For all other properties*** no minimum setbacks ***required*** except as necessary to accommodate building code, public utility easement or public open space requirements.
10.	MAXIMUM SETBACK FROM STREETS AND ALLEYS	Front: ~~0 feet~~ ***(see Section 139)*** Side: ~~0 feet; none on alleys~~***(see Section 139)*** ~~Exceptions of up to ten feet additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.~~
11.	VISION CLEARANCE (STREET & ALLEY INTERSECTIONS)	See Section 137.IX.B.
12.	MINIMUM BUILDING HEIGHT	~~2 stories~~ ***1 to 2 stories (see Section 139.IV.H)***
13.	MAXIMUM BUILDING HEIGHT	5 stories; ***except as follows:*** ***Reduced building heights apply in Residential Compatibility Areas as shown on Figure 139-3. Except in Residential Compatibility Areas, increased height may be allowed*** ~~higher~~ with discretionary approval – ***See Section 137.X.B.3.*** ~~See also Section 139~~
14.	MINIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3
15.	MAXIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3
16.	MINIMUM USABLE OPEN SPACE	~~5% of gross site area~~ ***See Section 139.IV.J***
17.	MINIMUM LANDSCAPING	See Sections 137.XIII., 137.XV.B.1., 137.XVI.B.1.a.(10), 138.IV., and 138.VIII.C.2. and D.
18.	MIXED USE BUILDINGS	~~Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses. Where residential use is provided, retail and/or pedestrian-related office or service uses are permitted on the ground and second floors, office uses are permitted on and above the second floor, and residential units are permitted on and above the second floor.~~ ***See Section 137.XIV***
19.	SIDEWALKS	See Section 137.XV.
20.	MINIMUM LOT FRONTAGE	None
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	See Section 139

(Amended by Ord. No. 4930/7-00.)

Table 1.b: Development Criteria, Station Community Commercial - Highway Oriented District (SCC-HOD)This District is not applicable to properties more than 2600 feet from a LRT Station

[Table 1.b. deleted by Ordinance XX]

	DEVELOPMENT CRITERIA	REQUIREMENTS / ALLOWED WITHIN 1,300' OF LRT STATION	REQUIREMENTS / ALLOWED FROM 1,301' TO 2,599' OF LRT STATION
1.	MINIMUM LOT SIZE	None	
2.	MINIMUM LOT WIDTH	25 feet	
3.	MINIMUM LOT DEPTH	125 feet	
4.	MINIMUM RESIDENTIAL DENSITY:		
a.	MIXED USE COMMERCIAL	If housing is a part of a commercial development, dwellings are permitted on and above the second floor of retail and/or office buildings, with no minimum density. Densities are included in the calculation of the minimum floor area ratio in the District.	
b.	FREE STANDING	30 dwelling units per Net Acre	24 dwelling units per Net Acre
5.	MAXIMUM RESIDENTIAL DENSITY		
a.	MIXED USE COMMERCIAL	If housing is a part of a commercial development, dwellings are permitted on and above the second floor of retail and/or office buildings, up to 36 units per net Acre. Densities are included in the calculation of the minimum floor area ratio in the District.	
b.	FREE STANDING	36 dwelling units per Net Acre. Higher with discretionary approval.	30 dwelling units per Net Acre Higher with discretionary approval.
6.	ANCILLARY DWELLING UNITS	Not allowed	
7.	MINIMUM FLOOR AREA RATIO:		
a.	HOSPITALS	1.0	
b.	ALL OTHER LAND USES	0.50; .35 in first phase	0.40; .25 in first phase
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 60 persons per net acre, except along 10th Avenue where the target employment density is 45 persons per net acre.	
9.	MINIMUM SETBACK FROM STREETS AND ALLEYS	No minimum setbacks except as necessary to accommodate building code, public utility easement or public open space requirements.	
10.	MAXIMUM SETBACK FROM STREETS AND ALLEYS	Front: 10 feet for commercial development; 15 feet for residential development Side: 0 feet; none on alleys Exceptions of up to ten feet additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.	
11.	VISION CLEARANCE (STREET & ALLEY INTERSECTIONS)	See Section 137.IX.B.	
12.	MINIMUM BUILDING HEIGHT	2 stories within 400 feet of a LRT station site; 1 story beyond 400 feet of a LRT station site.	1 story
13.	MAXIMUM BUILDING HEIGHT	5 stories. See also Section 139.	
14.	MINIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3	
15.	MAXIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3	
16.	MINIMUM USABLE OPEN SPACE	5% of gross site area	
17.	MINIMUM LANDSCAPING	See Sections 137.XIII., 137.XV.B.1., 137.XVI.B.1.a.(10), 138.IV., and 138.VIII.C.2. and D.	
18.	MIXED USE BUILDINGS	Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to pedestrian-related retail, office or service uses. Where residential use is provided, retail and/or pedestrian-related office or service uses are permitted on the ground and second floors, offices are permitted on and above the second floor, and residential units are permitted on and above the second floor.	
19.	SIDEWALKS	See Section 137.XV.	
20	MINIMUM LOT FRONTAGE	None	
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	See Section 139	

~~(Amended by Ord. No. 4545/4-97 and 4930/7-00.)~~

Table 1.c: Development Criteria, Station Community Commercial - Station Commercial (SCC-SC)
This District is not applicable to properties more than 2600 feet from a LRT Station.
[No changes to this section proposed]

Table 1.d: Development Criteria, Station Community Commercial – Multi-Modal (SCC-MM)
This District is generally not applicable to properties less than 2600 feet from a LRT station
[No changes to this section proposed]

Table 1.e: Development Criteria, Station Community Residential - High Density (SCR-HD)
This District is not applicable to properties more than 2600 feet from an LRT Station.
[No changes to this section proposed]

Table 1.f: Development Criteria, Station Community Residential - Medium Density (SCR-MD)
[No changes to this section proposed]

Table 1.g: Development Criteria, Station Community Residential - Low Density (SCR-LD)
[No changes to this section proposed]

Table 1.h: Development Criteria, Station Community Residential – Village (SCR-V)
[No changes to this section proposed]

Table 1.i: Development Criteria, Station Community Residential –
Orenco Townsite Conservation (SCR-OTC)
[No changes to this section proposed]

Table 1.j: Development Criteria, Station Community Residential –
Downtown Neighborhood Conservation (SCR-DNC)
[No changes to this section proposed]

Table 1.k: Development Criteria, Station Community Industrial (SCI)
[No changes to this section proposed]

Table 1.n: Development Criteria, Station Community Fair Complex Institutional (SCFI)
This District is not applicable to properties more than 2600 feet from a LRT Station
[No changes to this section proposed]

III. MINIMUM LOT SIZE

[No changes to this section proposed]

IV. MINIMUM LOT WIDTH AND DEPTH

[No changes to this section proposed]

V. MINIMUM AND MAXIMUM RESIDENTIAL DENSITIES, AND ANCILLARY DWELLING UNITS

A. Purpose

[No changes to this section proposed]

B. Standards

1. See Table 1 of this Section.

2. Each project shall meet minimum residential density requirements. Ancillary dwelling units are included for purposes of determining minimum density requirements in new development projects, but in an in-fill situation ancillary dwellings shall not be precluded due solely to maximum density provisions of any district. Dwelling units shall qualify for density calculation purposes regardless of whether owner or renter occupied.

3. Notwithstanding the minimum residential density requirements of this Section, one or more dwelling units may be constructed on an existing, serviced lot of record upon the effective date of this Ordinance within a residential district, in compliance with Implementation Measure (N) of the Housing element of Comprehensive Plan Ordinance No. 2793, provided that the design and siting of the dwelling unit or units would allow future development of the remainder of the parcel to at least the minimum density requirement of the applicable SCPA district in which it is located without necessitating demolition or redevelopment of the unit or units so constructed. (Amended by Ord. No. 4930/7-00.)

4. For the purpose of calculating minimum residential density, development proposals may include a reduction in the net acreage on a particular site containing driplines of existing mature trees as defined in Section 136 (XIII) (B) (3). The net acreage on such a parcel may be reduced by subtracting the area within the dripline of the mature trees. However, in no case shall the net acreage subtracted within the dripline exceed 35% of the original net acreage of the site. If a development proposes a reduction in net acreage for the purpose of retaining existing mature trees, the development application shall include a certified arborist's report and tree preservation plan. The approval of the development may be conditioned upon implementation of the recommendations for tree preservation measures. (Added by Ord. No. 4930/7-00.)

5. Residential density within an SCR-V project is determined based on the amount of net developable acres within three distance categories as measured from the light rail station site:

1,300 feet or less	**24 dwelling units per net acre**
1,301 feet - 2,599 feet	**15 dwelling units per net acre**
2,600 feet or more	**7 dwelling units per net acre**

6. Residential density requirements within an SCR-V project are calculated first, without any deductions or exclusions for other types of uses. Net acreage within each of the categories is multiplied by the required residential density to determine (1) the total required residential dwellings and (2) the average residential density per net acre of the project. Once the total dwelling units required for the project is determined, housing types and built density may vary within the residential village project regardless of distance to the station provided the overall residential density requirement of the project is achieved and at least fifty percent (50%) of net acreage of a project

is used for residential development. An additional twenty percent (20%) of the net acreage may be used for mixed use commercial/residential buildings.

7. No phase of a SCR-V project shall be permitted to develop below the per acre average residential minimum density unless: (1) it is the first phase of the development, consisting of no more than ten percent (10%) of the total project; (2) is a phase, when combined with those phases already constructed, achieves the minimum average density requirement of the district; or (3) the approved Concept Development Plan is amended to indicate where the proposed reduction in density will be made up through increased density in another phase of the project. The project shall not depend on redevelopment of early phases to achieve overall minimum density requirements.

   As an alternative to the phasing provisions of the paragraph above, an individual phase of a project shall be permitted to develop below the required minimum residential density upon a demonstration through covenants applied to the remainder of the site or project, or other binding legal mechanism, that the required density for the project will be achieved at project buildout. The increased density allocated to any future phase through such a transfer mechanism shall not increase the previously allocated density of the subsequent phase by more than ten percent (10%). The Planning Commission, as a condition of Concept Development Plan approval, may limit the number and total amount of such transfers.

8. Notwithstanding any other provision of this subsection, the minimum density of residential structures constructed within a Station Community Residential District on properties within Review Area 6, as identified in Figure 7 and in Table 5 of the Hillsboro Airport Compatibility Study (May 1993), shall not be less than 7 dwelling units per net acre and the maximum density shall not exceed 12 dwelling units per net acre.

9. Where proposed residential uses within a district may be incompatible with an adjacent industrial district created by this Ordinance or an industrial use existing prior to the effective date of this Ordinance or prior to any land use action permitting residential development on an affected parcel, the Planning Commission may establish a non-residential buffer of up to 400 feet within the residential district from the property line of the industry. Such a buffer shall be shown on the zoning map for that district. Non-residential buffers under this provision shall be used as open space or contain any nonresidential uses permitted in the district. The minimum required FAR in such an instance shall be 0.35. If the buffer /open space exceeds the calculated amount of usable open space required of the development project, and if such excess open space causes a development project to fail to meet the residential density requirements of the district, then the excess open space shall be deducted from the net acreage.

~~10. Where a project in the Downtown SCPA includes or abuts the SCR-DNC District, the density, development and design standards contained in Section 138.XIII and Section 139 shall apply.~~

11. Where a project in the Orenco SCPA includes or abuts the SCR-OTC the density, development and design standards contained in Section 138.XIII and Section 140 shall apply.

12. Except where a proposed residential or mixed use project is part of a phased or on-going development under the same or related ownership, residential development within a SCR-HD, SCR-MD, SCR-LD or SCR-V District located adjacent to a neighborhood of single family detached houses located in a subdivision or development platted before the effective date of the Station Area Interim Protection Ordinance, shall transition the type and density of the abutting new housing to be compatible with the single family character of the previously established neighborhood. Development within 100 feet, including road right-of-way, of an existing single family neighborhood shall not exceed a density of 7 dwelling units per net acre unless the existing neighborhood is zoned at a density exceeding 7 units per net acre in which case the new development shall match the density of the existing neighborhood.

13. Ancillary dwelling units are permitted in the SCR-MD, SCR-LD, SCR-V, SCR-DNC, and SCR-OTC Districts, subject to the requirements of Section 133 Development Review / Approval of Plans, and upon compliance with the following standards: (Amended by Ord. No. 5779/8-07.)

    a. The ancillary dwelling unit shall be located on the same lot as an existing single family dwelling or duplex. No more than one ancillary dwelling unit shall be permitted per lot.

    b. No ancillary dwelling shall be permitted on a lot with less area than specified in Tables 1.

    c. An ancillary unit shall comply with applicable building, fire, and health and safety codes.

    d. Placement of an ancillary unit shall conform to existing requirements for the primary residence, including but not limited to building height, setback and side yard requirements. The ancillary unit need not maintain separation from the primary structure when there is an architectural or structural connection between the dwellings.

    e. The total gross floor area of an ancillary unit shall not exceed 1,000 square feet.

    f. An ancillary dwelling unit shall not be occupied by more than three (3) related or unrelated persons. (Added by Ord. No. 5667/9-06.)

    g. One off-street parking space for an ancillary unit shall be required.

    h. The exterior appearance of an ancillary unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, color, exterior building materials, roofing form, other architectural features and landscaping.

14. Where the residential density requirements of any SCPA district conflict or overlap with the adopted residential density requirements of any other zone or district associated with land uses within 1,300 feet of a transit trunk route where peak period service is provided on at least a 20 minute headway basis and service is provided on the route at least every 30 minutes during the off-peak period between the hours of 5:00 a.m. and 1:00 a.m. of the following day, the requirement with the greatest residential density provision that affects the property shall apply, provided such bus service is in place at the time of the Development Review application for the property in question.

15. If a project proposes to meet minimum residential density requirements through or partially through remodeling of and/or additions to an existing dwelling, plans for the additional dwelling units shall be confirmed during the Development Review application process. (Added by Ord. No. 4930/7-00.)

VI. MINIMUM FLOOR AREA RATIOS

A. Purpose

Minimum floor area ratios are a tool for achieving a desired intensity of nonresidential development and encouraging increased use of light rail transit. These provisions are intended to ensure building development will occur at levels supportive of transit in areas identified for commercial, industrial, research park, or institutional uses that are within walking distance of light rail stations.

B. Standards

1. See Table 1 of this Section.
2. Required minimum FARs shall be calculated on a project by project basis and may include multiple contiguous blocks. In mixed use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.

~~3. Within the SCC-HOD District an auto-oriented use may include the entirety of service area permanent canopy coverage as floor space in calculating FAR.~~

4. Within the ***SCC-DT District,*** ~~SCC-CBD and SCC-HOD Districts~~, FARs for new construction may be reduced from the ultimate standard for the first phase, as provided in Table 1.a and Table 1.b. Approvals of reduced first phase FARs may be approved only upon demonstration of compliance with the following criteria:

   a. the construction of the first phase structure is capable of supporting sufficient additional square footage to achieve the ultimate minimum FAR, either vertically, horizontally, or through a combination of both. Demonstration of compliance with this standard shall include structural specifications for potential vertical additions, or location of building footprint and parking, in the case of horizontal additions;

b. the construction of the first phase structure complies with all applicable standards for minimum building height and maximum setbacks.

(Added by Ord. No. 4930/7-00.)

5. Except in accord with an approved Concept Development Plan for a SCR-V project, or within a Planned Unit Development ("PUD") approved prior to adoption of this Ordinance, or within a phased commercial, industrial or institutional project in accord with an approved Concept Development Plan, no phase of a SCR-V or any other phased project shall be permitted to develop below the per acre average minimum floor area ratio density of the District unless: (1) it is the first phase of the development, consisting of no more than ten percent (10%)of the total project; (2) is a phase, when combined with those phases already constructed, achieves the minimum average density requirement of the District; or (3) the approved Concept Development Plan or PUD is amended to indicate where the proposed reduction in density will be made up through increased density at another phase of the project. The project shall not depend on redevelopment of early phases to achieve overall minimum density requirements.

As an alternative to the phasing provisions of the paragraph above, an individual phase of a project shall be permitted to develop below the required minimum floor area ratio density provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project buildout. The increased density allocated to any future phase through such a transfer mechanism shall not increase the previously allocated density of the subsequent phase by more than ten percent (10%). The Planning Commission as a condition of Concept Development Plan approval may limit the number and total amount of such transfers.

6. A bonus exclusion of twenty-five percent (25%) of the employee parking area may be subtracted from the site area in determining floor area ratio, provided the ratio of parking spaces per employee is 0.5 or less as determined based on the average number of employees in any eight-hour work shift.

7. Notwithstanding any other provision of this subsection, the floor area ratio of non-residential structures constructed on properties within Review Area 6, as identified in Figure 7 and in Table 5 of the *Hillsboro Airport Compatibility Study* (May 1993), shall not exceed 0.3.

8. In the SCR-V District, free-standing non-residential development shall not exceed thirty percent (30%) of the net acreage and shall be of neighborhood scale when located more than 1,300 feet from a light rail station site. At least ten percent (10%) of the net acreage may be used for neighborhood commercial uses.

9. Minimum floor area ratios for commercial or mixed use development within the SCR-V District shall be 0.50 within 1,300 feet of a light rail station site

and 0.40 beyond 1,300 feet of a light rail station site. Emergency service facilities, hotels, residential hotels and indoor recreational facilities are allowed in the District as free standing uses at a minimum floor area ratio of 0.50; except hotels within 800 feet of a LRT station shall not be less than 0.75 FAR.

10. In the SCI, SCBP and SCRP Districts, the minimum floor area ratio of commercial uses within 1,300 feet of a light rail station site shall be 0.50 and 0.40 elsewhere in the District. If such commercial uses are not constructed on discrete lots, or if there are multiple buildings on a lot such that it is not practicable to determine the site area[1] of an individual building, and consequently the specific floor area ratio cannot be readily calculated, commercial uses are allowed up to ten percent (10%) of the total built or planned floor space of the development. In either case, no single retail or service commercial use, except when contained in a multi-story multi-tenant building, shall occupy more than 15,000 square feet of the ground floor of any building within the District.

11. Within the SCC-MM, SCBP, SCRP and SCI District, commercial uses greater than 2,600 feet from a light rail station shall have no minimum floor area ratio requirement, and shall not be included in calculating the overall FAR density of a phased project unless requested by the applicant.

12. In any SCPA commercial, industrial or institutional district where a mixed use building contains uses with different FAR requirements, the FAR requirement of the use with the majority of the gross floor area shall apply.

13. Where the FAR requirements of any SCPA District conflict or overlap with FAR requirements of any subsequently adopted zone or district associated with land uses within 1,300 feet of a transit trunk route,[2] the requirement with the greatest FAR provision which affects the property shall apply, provided such bus service is in place at the time of the Development Review application for the property in question.

14. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum floor area ratio of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

VII. MINIMUM NON-RESIDENTIAL DENSITY OBJECTIVES

[No changes to this section proposed]

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[1] Applicable in "campus" or "park" situations where the ground is held in common or where the user leases or owns a building without definition of a "lot" or parcel of land which can be discretely measured and its area used for the denominator in the FAR equation.

[2] As used here, "transit trunk route" shall mean a transit route where weekday peak period service is provided on at least a 20-minute headway basis and service is provided on the route at least every 30 minutes during the off-peak period between the hours of 5:00 a.m. and 1:00 a.m. of the following day

VIII. MINIMUM AND MAXIMUM SETBACKS FROM STREETS AND ALLEYS

A. Purpose

Required maximum building setbacks are intended to complement applicable standards for building heights and floor area ratios as a means of ensuring the placement of buildings to promote an attractive streetscape and pleasant pedestrian environment. These regulations also assist in achieving a compatibility of building scale through the SCPA. Minimum setbacks are intended to ensure new construction occurs in a manner consistent with applicable building code, public utility easement or public open space requirements.

B. Standards

1. See Table 1 of this Section.

2. ***Except in the SCC-DT District, front*** ~~Front~~ setback standards shall apply to all sides of a building abutting a street or alley. ***Within the SCC-DT District, the front setback standards in 139 shall apply.***

3. Required setbacks shall be measured from the street or alley right-of-way, including any landscape strip or sidewalk required to be dedicated or an easement granted under the provisions of this ordinance. ***Except in the SCC-DT District, conformance*** ~~Conformance~~ with the setback requirement is achieved when at least one main entrance to a commercial, industrial, research park, institutional or commercial/multi-family building located on the facade facing the street or alley is located no farther from the property line than the distance specified in the standard; or where at least seventy-five percent (75%) of the facade (excluding any garage or carport) of a residential dwelling facing the street or alley is located no farther from the property line than the distance specified in the standard.

4. ***Except in the SCC-DT District, maximum*** ~~Maximum~~ front setback may be exceeded where the following criteria are met:

   (a) In non-residential districts, additional space in excess of the setback requirements of the district is entirely occupied by usable open space or pedestrian space; and

   (b) In all SCPA Districts where:

      (1) the alternative setback is the minimum practicable to achieve the purpose of the exception;

      (2) the alternative setback, proposed use within the space, and associated design treatments are approved as a part of the Development Review process; and

(3) the proposed exception meets one or more of the following criteria:

i) A project is situated adjacent to an existing curvilinear street or a curvilinear street approved by the City prior to August 6, 1996; or

ii) A project is within a discrete development, business park or campus development existing prior to August 6, 1996, where the majority of the parcels along the applicable block face or multiple block faces within the same line of sight were developed prior to that date and result in a uniform streetscape and pattern of development which would be disrupted by locating the project according to the setback requirements of the applicable district; or

iii) A project is contained within a Planned Unit Development approved prior to August 6, 1996 where deed covenants or contractual arrangements in place prior to that date would be violated if a building or project were to be sited according to the setback requirements of the applicable district; or

iv) Surface parking, maneuvering or loading areas, or a service dock is approved as part of the project in accordance with Section 138.VIII.C. and D.; or

v) A project is located on a "monument lot" at the entrance to, or at an essential point within, a development where the structure occupying the lot establishes the character of the development and where significant art, water features, plazas, landscaping, architectural treatment or other unique features are included in the project and would otherwise be prohibited by adherence to the setback requirements of the applicable district; or

vi) Where the maximum allowed setback of the use is less than eight feet (8') and where a public utility easement greater than the maximum setback of the applicable district is required, and it is not practicable to place the utilities under the sidewalk or within an alley, the building may be set back to

accommodate the easement for the underground utilities; or

vii) Within SCR-V, SCR-MD and SCR-LD Districts, where topography, wetlands, high voltage transmission lines, adverse parcel configuration, or other demonstrable hardships, not self-imposed, preclude platting the affected portion of a proposed subdivision in a connecting grid street pattern as required in Section 137.XVI.B.5. In order to maximize density on the resulting curvilinear streets and within cul-de-sacs, where lots may be created that are exceptionally narrow, or irregularly shaped, the maximum residential setback on such lots may be exceeded provided that:

a) the setback to the front plane of the dwelling is moved back no farther than necessary in order to obtain a 25 foot wide frontage for a townhouse or rowhouse, or a 48 foot frontage width for a detached house or duplex, and

b) the exemption does not apply to more than five (5) individual lots within a subdivision, unless a variance is granted by the Hearing Board to extend the exemption to not more than ten (10) lots in any given subdivision, and provided the variance criteria of Section 136.X.B.3.b and 3.c are met, and

c) such exemption does not reduce the overall residential density required by the applicable district.

(Amended by Ord. No. 4545/4-97 and Ord. No. 5667/9-06.)

5. Where a residential garage or carport is directly accessible from a public or private street or a public alley at the front property line, the setback to the opening of the garage or carport shall be either: (Amended by Ord. No. 4930/7-00.)

a. equal to the setback of the dwelling unit if the setback is equal to or less than five feet (5'); or

b. nineteen feet (19'), except:

(1) where the setback of the dwelling unit is greater than nineteen feet (19'), then the setback to the garage/carport shall be equal to or greater than the dwelling unit; or

(2) where the garage door or carport entrance is oriented perpendicular or nearly perpendicular to the front property line, and there is sufficient distance to park in front of the garage/carport entrance without extending over the property line or the sidewalk, then the setback shall be equal to or greater than the dwelling.

(Amended by Ord. No. 4545/4-97, renumbered as Section 5 to correct scrivener's error.)

6. Where an alley right-of-way is less than twenty feet (20'), buildings, including carports and garages shall be set back on either side an equal distance from the edge of the right-of-way so as to create an emergency fire access corridor of twenty feet (20') clear of obstructions.

(Amended by Ord. No. 4545/4-97, renumbered as Section 6 to correct scrivener's error.)

7. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum and maximum setbacks of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

IX. VISION CLEARANCE

A. Purpose

[No changes to this section proposed]

B. Standards

1. Except at signal controlled intersections in the ***SCC-DT District*** ~~SCC-CBD and SCC-HOD Districts~~, projects constructed on corner lots or adjacent to alleys and driveways shall provide intersection sight distance as measured and recommended in accordance with the most recent adopted issue of A Policy on Geometric Design of Highways and Streets, published by the American Association of State Highway and Transportation Officials ("AASHTO") unless otherwise approved in writing by the City Engineer. Sight distances shall be based on the 85th percentile speed of the cross street as determined by the traffic engineering study done in conjunction with Development Review.

2. Projects within the ***SCC-DT District*** ~~SCC-CBD and SCC-HOD Districts~~ are to meet the intent of the AASHTO standard, except that the sight distance triangle may be occupied by a pedestrian space or other pedestrian amenity,

and/or the second story and floors above may protrude into the visual sight distance triangle and may provide a structural support for the stories above within the sight distance triangle provided the location and size of such a support element or the objects placed within a pedestrian space do not, in the opinion of the City Engineer, create an unsafe situation.

C. Exceptions

At certain intersections on SE Oak Street and SE Baseline Street in the ***SCC-DT*** ~~SCC-HOD~~ District, vision clearance areas at corners on the downstream side of the traffic flow may be waived at the discretion of the City Engineer. (Added by Ord. No. 4930/7-00.)

X. MINIMUM AND MAXIMUM BUILDING HEIGHT REQUIREMENTS

A. Purpose

Minimum and maximum building height standards serve several purposes. They promote a reasonable building scale and relationship of one structure to another. They reflect the general building scale of transit-supportive commercial, residential, industrial, research park, and institutional development in the City's neighborhoods. They help to create a harmonious, pedestrian-sensitive visual setting which enhances the livability of a neighborhood. They also help assure an adequate intensity of development that supports the City's and region's substantial investment in light rail transit.

B. Standards

1. See Table 1 of this Section. Within Station Community Planning Areas, building height is measured from native grade, four feet outside the foundation of the structure. For purposes of calculating minimum and maximum height as cited in Tables 1.a through 1.n for any given District and notwithstanding the provisions of the Oregon Uniform Building Code, a residential use "story" shall be considered to be not greater than ten feet (10"). For all non-residential or mixed-use buildings and parking structures a "story" shall be considered to be not greater than fifteen feet (15'). The maximum height shall not include the roof structure above the ceiling of the top floor of the residential living space or the commercial, industrial, or institutional occupancy, provided the roof pitch does not exceed 12:12. Where construction of grade level floors includes placement of earth berms above the native grade, such grade level floors are considered stories within this standard. However, a basement is not a story in the finished floor of the basement is at least six feet (6') below native grade. (Amended by Ord. No. 4545/4-97 and 4930/7-00.)

2. Private recreation facilities within 800 feet of an LRT station in a SCR-V District may be one (1) story provided the footprint of the building and any outdoor recreation facility does not exceed 7,500 square feet, and such facilities do not abut a major pedestrian route.

3. The maximum height allowed by Variance to Table 1, including any roof-top equipment or structures, for all building types and uses in all Station

Community Planning Area Districts shall be ninety feet (90'); except that industrial uses in the SCI or SCBP Districts may increase the maximum height for the sole purpose of accommodating manufacturing processes, up to a maximum of ninety-nine feet (99'). ***The maximum height allowed in the SCC-DT district for Major Institutions shall be one hundred feet (100') if additional building height is approved as part of a Concept Development Plan. After [Date of this Ordinance], in no case shall a variance or Concept Development Plan be approved which would increase the maximum building height within Residential Compatibility Areas above the maximum building heights shown on Figure 139-3.***

4. In the event a maximum building height permitted by Table 1 or by this subsection as applied to a specific building site conflicts with that specified in the Hillsboro Airport Compatibility Study (May 1993), and the Federal Aviation Administration continues to certify the need for such a height restriction, the Hillsboro Airport Compatibility Study shall supersede and control.

5. A height requirement cited in Tables 1.a through 1.n for any given district does not limit, or require, a specific number of usable floors within a building or structure provided the interior floor-to-ceiling height meets the minimum requirements of the Uniform Building Code. As specified in paragraph 1, above, a story is a numeric measurement used to determine the allowed overall exterior height of a building or structure, including roof-mounted equipment (other than permitted aerials and antennas) and parapet walls or screening materials. However, given the possible variation in usable floor space within a building or structure, the exterior height of a building does not substitute for actual gross square footage of covered floor space when calculating floor area ratio. (Amended by Ord. No. 4545/4-97.)

6. The provisions of Section 94, Exceptions to Building Height Limitations, shall not apply to SCPA Districts except as approved by Variance.

7. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum and maximum building height requirements of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

XI. MINIMUM AND MAXIMUM OFF-STREET PARKING REQUIREMENTS

A. Purpose

Maximum off-street parking standards are intended to provide sufficient on-site parking to accommodate the majority of traffic generated by the range of uses which might locate on the site over time, taking into account the nature of those uses and the proximity and availability of light rail and other transit, as well as alternative modes of travel. Off-street parking standards in Station Community Planning Areas are

lower than in other areas because of the increased availability of alternative modes of travel and in recognition that increased density of residential and pedestrian-oriented commercial uses makes less space available for parking in these areas. Minimum off-street parking standards in Station Community Planning Areas are applicable to dwelling units and are intended to accommodate the parking needs of local residents throughout the day so that travel by other modes is possible without vehicles parked on the street becoming obstacles to traffic and bicyclists on the local street network.

B. Standards

1. Table 2, below, contains the maximum off-street parking ratio standards for non-residential development within all SCPA Districts. ***Except where noted otherwise, the*** ~~The~~ minimum non-residential off-street parking requirements of such uses within SCPAs is equal to fifty percent (50%) of the maximum. Table 3 contains the minimum and maximum off-street parking standards for residential and similar uses. Variance to minimum and maximum parking standards is allowed. Pursuant to the results of the Traffic Impact Study required under Section 137.XVI.C.1., the City Engineer may require off-street parking above the minimum standard to mitigate impacts of a use on the street system.

2. Off-street surface parking provided by any project or use within a Station Community Planning Area shall be at or below the maximum standards listed in this subsection. Multi-family, student housing and senior housing uses listed in Table 3, Maximum Allowed Parking, includes off-street short-term and guest parking.

3. Parking for free-standing residential structures in the ~~SCC-CBD and SCC-HOD Districts~~ ***SCC-DT District*** shall be ~~contained within a parking structure.~~ ***incorporated within the structure.***

4. Exceptions:

   a. Single family detached, single family attached, rowhouse/ townhouse, duplex and attached duplex dwellings allowed within any district may have up to two parking spaces per dwelling unit provided the parking is contained within an attached garage or covered carport. Single family detached dwellings may also allow for parking of up to two (2) vehicles within the driveway provided there is a minimum of nineteen feet (19') between the back of the sidewalk and the front of the garage or carport.

   b. Within the SCR-HD or any Station Community commercial, industrial or institutional district, the maximum off-street surface parking allowed by Table 2 of this Subsection may be exceeded by up to 150% by a project, use, or a consortium or aggregation of uses under the same or different ownerships if the parking is contained in a parking structure. If a parking structure is provided, the project or consortium of projects, or aggregated uses or users shall accommodate 100% of the required bicycle parking on the ground floor of the structure. (Amended by Ord. No. 4545/4-97.)

c. The following parking is exempt from the maximum standards of this subsection:

(1) Employee car/vanpool parking spaces;

(2) Dedicated valet parking spaces;

(3) Fleet parking; and

(4) Commercial parking where the fee or charge is equal to or greater than the average market rate within the Metro boundary; as determined and published regularly by Metro.

Where any of the above listed conditions that warranted the exceptions of this paragraph are no longer the case, the maximum allowed parking standards for the use in question shall apply.

d. The maximum amount of allowed parking for a project or use shall be adjusted upward according to the following formula, provided an applicant for increased parking demonstrates an actual or projected single user and/or tenant within one or more buildings within a project or use can or will generate a density of greater than the target population density for the area in question. The target density for the Regional Center within the Downtown SCPA (the ~~SCC-CBD, the SCC-HOD, the SCC-SC~~ ***SCC-DT District, except for the area northeast of Main and Cornell streets,*** ~~south of East Main Street,~~ and the SCR-HD Districts~~)~~ is sixty (60) people per acre. In the remainder of the Downtown SCPA, and in all other SCPAs the target density is forty-five (45) people per acre. Provided that the applicant demonstrates such density achievements for a particular building or buildings, the maximum amount of parking, if so limited, shall be increased over that shown in Table 2 by eighty percent (80%) of the proportionate ratio by which the actual or projected density exceeds the target. The twenty percent (20%) discount is proportionate to the assumed number of people who will use modes other than the automobile for home-to-work trips. If in the future the modal split for auto based home-to-work trips falls below eighty percent (80%) as determined by Metro, the discount percentage shall change accordingly, but in no case shall it increase above eighty percent (80%). (Amended by Ord. No. 4930/7-00.)

The calculation of an increased parking maximum allowance under this provision is illustrated in the following examples. Say an applicant can demonstrate fifty (50) people per acre normally reside or are employed within a project or use boundary outside the downtown area. The target density for the area is forty-five (45) people per acre. In this case the amount of authorized parking would be allowed to increase to 109% of the maximum parking shown in the table. The math in this case is as follows: {[(50-45)/45] x 80%}+1= 108.8 or 109% of the maximum parking allowed in the

table. If it was shown seventy-five (75) people were at a one acre project or use location on a regular basis, the maximum parking allowed by the table could be multiplied by 153 percent based on the following calculation string:
{[(75-45)/45]x0.8}+1=1.533=153%.

5. Where a development project includes the construction of new or reconstruction of existing streets, either of which includes the addition of on-street parking, the on-street parking spaces may, at the election of the developer, be included in the calculation of maximum allowable parking, provided the adjacent street width accommodates parking without impinging on travel lane width and the on-street parking does not adversely impact adjacent bicycle or pedestrian facilities or adversely impact the overall traffic flow or safety in the vicinity.

6. Mixed use projects, or parking shared jointly by more than one user, may calculate the allowed maximum parking based on the total and proportional square footage of space within a project, or aggregated among the joint users, by each type of use. This provision also applies to campus developments and major institutions which include a mix of uses, whether the uses are under single or multiple ownership. (Amended by Ord. No. 4545/4-97.)

7. No maximum bicycle parking standards apply, but a minimum of two (2) covered spaces (or one (1) locker) per establishment is required regardless of calculation results. Where a calculation would otherwise result in a required bicycle parking requirement of less than two (2) spaces, owners of one or more adjacent small uses, or a single owner of a commercial building with multiple tenants, may aggregate their respective gross square footage into one calculation and provide the requisite number of common or joint use bicycle parking spaces; in which case the requirement for a minimum of two (2)covered spaces per establishment shall no longer apply provided at least two covered joint use spaces are provided by the consortium of users.

8. Where calculation of maximum residential parking results in fewer parking spaces than the required minimum, the minimum requirement shall apply.

Table 2: Maximum Non-Residential Parking Ratios in Station Community Districts [1]
[Minimum ratios equal to fifty percent (50%) of specified maximum ratios]

Land Use[2]	Maximum Parking Within 1,300[3] Feet (1/4 Mile +/-) Of A LRT Station (per 1000 square feet of gross floor area, unless otherwise specified)	Maximum Parking More Than 1,300 Feet And Less Than 2,600 Feet (1/2 Mile +/-) From A LRT Station (per 1000 square feet of gross floor area, unless otherwise specified)	Minimum Bicycle Parking[4] (greater of two spaces or the following):
Retail and Service Commercial[5] [12]	5.1	6.2	0.25[6]
Medical/Dental/Veterinary Clinics, Medical Office Buildings [12]	4.9	5.9	0.25
Office and Similar Uses[7] [12]	3.4	4.1	0.125
Eating or Drinking Establishments: Fast Food [12] Casual Dining[8] [12] Fine Dining [12]	 5.5 10.0 12.0	 9.0 15.0 12.0	 2.0[9] 0.25 0.125
Theaters, Conference Centers and Assembly Halls	0.4 space per seat	0.5 space per seat	1 space per 20 seats
Health Spa, Gym, [12] Indoor Sport Club	5.4	6.5	1.5
Bowling Center	3.2 spaces per lane	6 spaces per lane	0.5 spaces per lane
Social club, amusement or recreation facility	5.4	6.8	0.125
Library or Reading Room	3.5	4.8	2.0
Hotel or Residential Hotel[10]	1.0 space/ guest room	1.0 space/ guest room, plus 0.6 space per employee[11]	0.125
Hospital	3.0		0.125
College, University, Technical School, or High School	0.3 space per FTE student and employee[11]	0.3 space per FTE student and employee	5% of FTE, day students
Elementary, Middle and Junior High Schools	0.8 spaces per employee	0.8 spaces per employee	10% of FTE, non-bussed day students
Places of Worship, Mortuaries and similar peak-loading facilities	0.3 space per seat	0.5 space per seat	1 space per 40 seats
Mixed-Use Residential	100% of the spaces per dwelling unit allowed in Table 3, plus 75% of the spaces required for the commercial		1 per dwelling plus commercial
Fairgrounds and Outdoor Sports Facilities	1.0 per 1,000 sq. ft. of visitor space	1.0 per 1,000 sq. ft. of visitor space	2.0 per 1,000 sq. ft. of visitor space
Manufacturing, Processing, Compounding, Light Industrial, Predominantly Industrial Flex Space, Campus Industrial And Accessory Industrial Uses	2.5	4.5	0.20
Laboratories and Research Facilities	3.5	5.0	0.20

(Amended by Ord. No. 4545/4-97, 4930/7-00, 5667/9-06 and 5893/12-08.)

[1] Parking standards within this table apply only to property within 2,600 feet of a Light Rail Station. For property outside that distance the City-wide parking standards contained in Zoning Ordinance Section 84 shall apply.

Note: Footnotes No. 2 -11 for Table 2 are shown on the following page.

Additional footnotes for Table 2: Maximum Non-Residential Parking Standards in Station Community Districts.

[2] Where a particular use is not listed, approximate based on the most analogous use shown in the table.

[3] Upon the effective date of any City of Hillsboro ordinance to implement Metro legislation adopting Region-wide parking standards for all local jurisdictions within the Metro boundary any maximum parking standards shall be those established by such ordinance.

[4] Except in the case of schools, the first 2 spaces of any required bicycle parking and 10% of those thereafter must be covered or within lockers. Except for schools, at the option of the applicant, required bicycle parking ratios may be reduced by 75% after the first fifty (50) spaces.

[5] Includes automotive service uses in the SCC-HOD.

[6] Required bicycle parking at automotive service uses within the SCC-HOD is 1 space per 20 employees.

[7] Includes office buildings, flex space and mixed use buildings that are predominantly in office use, governmental uses, and child care facilities.

[8] Examples of this type include Applebee's, Elmer's, Hale's, Shari's, Newport Bay, Reedville Café, etc.

[9] Bicycle parking for all restaurant uses shall be calculated using the dining area space only.

[10] May add additional spaces to accommodate restaurants open to non-guests, at the applicable casual dining ratio.

[11] Where a per employee standard is used in this table, the number of employees on the largest eight-hour working shift is to be used in the calculation; except in the case of a continuous industrial process use with approximately equal shift staffing where a multiplication factor of 1.5 may be applied. Otherwise, no additional parking allowance is made for shift overlap.

[12] ***No minimum parking is required for commercial development within the SCC-DT District. For residential development or the residential component of a mixed use development, the parking requirement is 0.75 spaces per unit or less as specified in Table 3.***

Table 3: Residential Parking Standards in Station Community Districts

Housing Type	Minimum Required Parking (Per Dwelling Unit)	Maximum Allowed Parking (Per Bedroom)	Minimum Required Bicycle Parking[1]
Single Family Detached	1.0	0.90	None
Single Family Attached	1.0	0.90	None
Rowhouse	1.0	0.90	None
Townhouse	1.0	0.90	1.0
Duplex	1.0	0.90	1.0
Attached Duplex	1.0	0.90	1.0
Multi-Family Dwelling	1.5[1]	0.90	1.0
Garden Apartment	1.25[1]	0.90	1.0
Mid-rise Multi-family	1.5[1]	0.90	1.0
Flats and Apartments over Commercial space, and for Live/Work units	1.0[1]	0.90	1.0
Senior Housing	0.25	0.75	None
Residential Homes and Facilities	0.25 per resident plus 1 per caregiver	0.75 per resident	None
Group Living Structure (per Volume 1. Section 3)	2.0	1.0	1.0
Student Housing (Per dormitory type room)	0.25	0.75	1 per room

[1] ***Minimum parking shall be reduced to 0.75 spaces per dwelling within the SCC-DT District.***

(Amended by Ord. No. 4930/7-00 and 5667/9-06.)

[1] Expressed in number of covered bicycle parking spaces per dwelling.

XII. MINIMUM USABLE OPEN SPACE REQUIREMENTS

A. Purpose

Open space requirements are intended to assure opportunities for outdoor relaxation or recreation for residents, employees, and customers in Station Community Districts, and to ensure development proposals avoid unnecessary impacts on natural resources in the vicinity of the project. The standards work to ensure a portion of the site not covered by buildings is of adequate size, shape, improvement and location to be usable for outdoor recreation or relaxation, and to ensure the preservation of inventoried significant natural resources in the vicinity of the project. Required open space benefits the public health and is an important aspect of livability. Open space is particularly important in areas of more intensive residential and commercial development.

B. Standards

1. Non-residential projects on less than one-quarter (1/4) gross acre are not subject to open space requirements unless the project is part of or subsequently becomes a part of a series of projects or phases of a larger development in which case the original project shall be joined with all subsequent projects or phases in order to determine the required open space for the whole. Non-residential projects larger than ¼ gross acre, but smaller than one acre, shall provide minimum usable open space equal to five percent (5%) of the project gross acreage. Usable open space in non-residential projects may be privately accessible to customers and/or employees only, without providing public accessibility. (Amended by Ord. No. 4930/7-00.)

2. Residential projects smaller than one acre shall provide a minimum of 100 square feet of usable open space per unit, which may be private yards, courtyards, decks, or commonly owned tracts. Usable open space within such residential projects may be privately accessible to residents and guests only, without providing public accessibility. (Added by Ord. No. 4930/7-00.)

3. Residential subdivisions, Residential Village, commercial and industrial developments in all districts shall include usable open space within a project based on the gross acreage of the project. (Amended by Ord. No. 4930/7-00.)

~~In the SCC-CBD, and SCC-HOD Districts, the minimum amount of usable open space shall be five percent (5%) of gross acreage within the project.~~ In the SCC-MM District the following provisions apply:

Use or Function of an identifiable Area within the SCC-MM District	Usable Open Space Attributable to the Identified Use & Parking (Percentage of Gross Acres of the Identified Area)	Percent Landscaping* Required in the Identified Area
All Commercial Uses, Offices, Hotels and Flex Space Buildings	5%	15%
Mixed Use Residential Buildings	10	10
Residential	15	5

*The actual area of landscaping installed in and around a parking lot pursuant to Section 138.VII.D. shall count towards meeting this requirement.

In all other Districts the following table shall apply:

Project Gross Acres	Required Usable Open Space
1.01 – 5	**5.00%**
5.1 – 15	**7.50**
15.1 – 25	**10.0**
25.1 – 50	**15.00**
51 – 69	**13.50**
70 – 99	**12.50**
100 –149	**11.50**
150 or more	**10.00**

(Amended by Ord. No. 4545/4-97.)

4. In any District where outdoor seating for eating and drinking establishments is a permitted or conditional use, sixty-five percent (65%) of the area of the outdoor seating area may be counted toward the Usable Open Space requirement, even if the area is privately accessible to customers and/or employees only, without providing public accessibility. In addition, thirty-five percent (35%) of the area of the outdoor seating area may be counted toward the applicable Floor Area Ratio requirement. However, in each case, the outdoor seating area may be counted toward the requirement only if the area is fully improved and is located outside the public right-of-way. (Added by Ord. No. 4930/7-00.)

5. In determining where usable open space should be placed within a project, preference shall be given to:

a. Preserving otherwise unprotected natural resources and wildlife habitat on the site, especially as large areas rather than as isolated smaller areas, where there is an opportunity to provide a recreational or relaxation use in conjunction with the natural resource site;

b. Protecting lands where more intense development than an open space use may otherwise have a "downstream" impact on the ecosystem of the vicinity, including stands of mixed species and conifer trees, natural hydrological features, and wildlife feeding areas;

c. Enhancing park sites adjacent to where pedestrian routes converge;

d. Enhancing recreational opportunities near neighborhood commercial activity centers; and

e. Enhancing opportunities for passive relaxation and recreation for employees and/or visitors within a development project.

6. A project within any district containing ten (10) or more gross acres that is to be constructed in more than one phase, may aggregate the usable open space requirements into one or more designated usable open space sites or commons, provided:

a. The total usable open space required is set aside, and

b. The percentage of the total open space requirement that corresponds to the percentage of the development phase as it relates to the total project, is developed prior to, or concurrent with, occupancy of that phase of the first phase project. That is, if the development phase is twenty-five percent (25%) of the entire project, the amount of open space required to be developed is also twenty-five percent (25%)of the total open space requirement.

7. Pursuant to paragraph 4, where a multi-phase project has aggregated usable open space improved to the standards specified in Section 136.III.ccc, a prorated share of the aggregate usable open space may be allocated to a single lot or parcel. The allocated share may then be subtracted from the gross acreage of the subject lot to determine the Net Acreage for purposes of calculating FAR and/or residential density. If a prorated share of aggregated usable open space is not applied to a given lot or parcel, the applicant may request the prorated share be applied to another lot or parcel within the development provided all such open space transfers are accounted for. For purposes of this provision, lands that have been improved to usable open space standards and are subsequently dedicated to the City for park or greenspace purposes shall continue to be counted as part of the project's aggregate usable open space. (Added by Ord. No. 4545.4-97.)

8. To qualify as and meet the definition of usable open space and to be credited towards the requirements of paragraph 2, above, land so designated by an applicant must clearly be planned for that purpose and of sufficient size to serve a legitimate recreational or relaxation opportunity, and not simply be an apparently remnant tract or otherwise unusable or oddly shaped area. Small, odd or remnant parcels may qualify as usable open space provided that an applicant satisfactorily demonstrates special improvements have been made to create a space meeting the purposes and intent of the definition. Examples include: unique landscaping which creates a private contemplative sitting area; a basketball hoop and pavement which creates sufficient area to play a half-court pickup game without traffic or pedestrian safety concerns; a backboard and hard surface which provide a safe all-weather tennis practice area; and a bench and plantings which provide a pocket wildlife viewing area. Conversely, a bulge of land with grass at a street corner or bulbout in a curbside landscape strip does not qualify just because of a tree and a bench.

Vacant land need not be improved unless it is intended to be classified as usable open space. (Added by Ord. No. 4545/4-97.)

9. Usable open space in residential developments shall be sited and improved to provide active recreational and "third place" amenities intended to provide appropriate opportunities for physical activity and interaction among residents within the development. Except where inventoried Resource Level 1, 2, or 3 Significant Natural Resources, 100-year floodplain, or delineated wetlands are present on site, 100% of the required usable open space area shall be improved for active recreational and "third place" use. (Added by Ord. No. 5779/8-07.)

10. Higher density developments nearer light rail stations shall provide usable open space improvements which enhance the pedestrian environment and are appropriate to these higher density urban areas. Such improvements may include, but are not limited to, the following: hardscaped courtyards; weather canopies; water features and drinking fountains; benches or low walls with seating areas; free-standing planters; play structures; public art or other pedestrian space or design features integrated into the overall design of the development. (Added by Ord. No. 5779/8-07.)

XIII. MINIMUM LANDSCAPING, NATURAL RESOURCE AND MATURE TREE PRESERVATION REQUIREMENTS

[No changes to this section proposed]

XIV. MIXED USE BUILDINGS AND MID-RISE APARTMENTS

A. Purpose

[No changes to this section proposed]

B. Standards

Retail, office and residential uses are permitted in mixed use buildings as follows:

1. In the ~~SCC-HOD,~~ SCC-SC, SCC-MM, SCR-HD, and SCR-V Districts, residential dwellings may include business activities either on all or a portion of the first floor of a multi-story dwelling, or on the street-side portion of a single story dwelling existing before the effective date of this Ordinance, provided that such activities are in compliance with all applicable fire and life safety, and building codes. New dwellings that are intended for use as a "live-work" unit shall be designed to have the business activities contained on the first floor with living space above. Existing multi-story dwellings within the named districts may be remodeled to accomplish the same objective. In either case, in conformance to Building Code requirements, first floor facilities may serve common use between the business portion and the living portion of the structure.

2. In the ~~SCC-CBD,~~ SCC-MM, SCC-SC and SCR-V Districts:

a. Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses.

b. Where residential use is provided, retail and/or pedestrian-related office or services uses are permitted on the ground and second floors, and commercial and residential uses are permitted on and above the second floor.

3. In the ***SCC-DT*** ~~SCC HOD~~ District: ***Any combination of permitted uses is permitted on any floor.***

~~a. Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses; except in the case of auto-oriented uses existing on the effective date of this Ordinance, where the first floor may contain motor vehicle service, maintenance or repair facilities, drive-through facilities, and other auto-oriented uses.~~

~~b. Where residential use is provided, retail and/or pedestrian-related office or services uses are permitted on the ground and second floors, and commercial and residential uses are permitted on and above the second floor.~~

4. In the SCC-SC and SCR-V Districts: Where mid-rise multi-family apartment buildings are located within 100 feet of a LRT station site, at least twenty percent (20%) of the ground floor (up to 15,000 sq. ft.) shall be dedicated to neighborhood commercial retail uses.

5. Within the Downtown SCPA, in the SCR-DNC and SCR-MD Districts, and in compliance with the requirements of Section 139 IV.L., residential business uses may combine residential dwellings and business activities either on all or a portion of the first floor of a multi-story dwelling, or on the street-side portion of a single story dwelling existing before the effective date of this Ordinance, provided that such activities are in compliance with all applicable fire and life safety, and building codes. New dwellings that are intended for use as a "live-work" unit shall be designed to have the business activities contained on the first floor with living space above. Existing multi-story dwellings within the named districts may be remodeled to accomplish the same objective. In either case, in conformance to Building Code requirements, first floor facilities may serve common use between the business portion and the living portion of the structure. (Added by Ord. No. 4930/7-00.)

XV. SIDEWALKS

A. Purpose

[No changes to this section proposed]

B. Standards[1]

1. All new development or expansion of existing development on properties abutting the major pedestrian routes listed below, leading to light rail stations or to central commercial areas within the SCPAs shall incorporate, construct and dedicate or provide public easements for sidewalks, of the widths specified below. Except in those exception areas listed in Sections (2), (3), (4) and (5) below, sidewalk improvements shall include a landscape strip, located between the back of the curb and the sidewalk, of not less than four feet (4') in width. Within the listed exception areas, sidewalk improvements shall include street trees planted in wells, with grates. If the existing public right-of-way is insufficient to accommodate such sidewalks and landscape strips, necessary dedications or easements shall be provided to the City prior to the issuance of building permits for the development or expansion. This requirement shall not apply to redevelopment or remodeling where the face of the existing building is not moved from its current position in relation to the street, and there is less than thirteen feet (13') from the face of the curb to the face of the existing building, in which case the dedication or easement shall be adjusted accordingly. Projects seeking approval through the Development Review process applicable to SCR-V and phased commercial, industrial and institutional process contained in Section 136.VII.B., may submit an alternative sidewalk development element during the Concept Development Plan phase of the process. (Amended by Ord. No. 4930/7-00.)

2. Within the Downtown SCPA, sidewalk improvements shall be either ***a minimum of*** twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 1. Sidewalks on streets not specified on Figure 1 shall be ***at least*** five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

3. Within the Fair Complex/Hawthorn Farm SCPA, sidewalk improvements shall be either twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 2. Sidewalks on streets not specified on Figure 2 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

4. Within the Orenco SCPA, sidewalk improvements shall be either twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages

[1] Where any street within a SCPA is under ODOT or Washington County jurisdiction at the time of development application, the street design is subject to County Standards and the approval of ODOT or the County Engineering Division. However, the components, options and design criteria listed shall constitute the City's comment to ODOT or the County on that aspect of the development application.

illustrated on Figure 3. Sidewalks on streets not specified on Figure 3 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

5. Within the 185th/Quatama SCPA, sidewalk improvements shall be eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 4. Sidewalks on streets not specified on Figure 4 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930-7-00 and 5006/3-01.)

6. Sidewalks on all other streets and pedestrian ways within all SCPA Districts shall be constructed and dedicated or a public easement provided as part of any development and shall be a minimum of five feet (5') in width and shall also include a minimum four foot (4') wide landscape strip between the sidewalk and the back of curb.

7. All sidewalks shall meet and fully comply with the requirements of the Americans with Disabilities Act.

8. Street furniture, street lighting poles, fire hydrants, traffic signals, parking meters, telephone booths, newspaper boxes, building protrusions, public utility access vaults, mailboxes, vending carts and stands, and the like shall not reduce the clear sidewalk width to less than five feet (5') in Station Community Planning Areas. If the location of such an obstacle would otherwise reduce the clear walking space to less than five feet (5') such obstacles shall be placed either within the landscape strip area, on the property behind the back edge of the sidewalk, or the width of the sidewalk adjusted accordingly to maintain the minimum clear walkway width called for by this subsection. (Amended by Ord. No. 5676/10-06.)

XVI. STREET AND ALLEY STANDARDS

[No changes to this section proposed]

XVII. LOT ACCESS

[No changes to this section proposed]

SECTION 138: GENERAL DESIGN STANDARDS FOR STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. SCOPE

[No changes to this section proposed]

II. PURPOSE

[No changes to this section proposed]

III. PROCESS

[No changes to this section proposed]

IV. IMPROVEMENTS BETWEEN STREETS AND BUILDINGS

A. Purpose

Landscaping or "hardscaping" of property between public sidewalks and buildings promotes and enhances a comfortable pedestrian scale and orientation and encourages pedestrian use of the area.

B. Applicability

These standards apply to single family residential projects, multi-family units, and commercial, industrial, research park, or institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of arterial streets and along pedestrian ways leading from the arterial street to the commercial activity located within the parcel.

C. Standards

1. Except as provided in Section 138.VIII.C.1, the property between the public sidewalk and an adjacent building shall be landscaped or hardscaped. Landscaping in commercial, industrial, research park, and institutional districts, and in multi-family projects shall be irrigated. (Amended by Ord. No. 4545/4-97.)

2. Except for single family detached dwellings, where a hard-surfaced area, other than a pedestrian connection leading from the sidewalk to a building entrance, is used in lieu of landscaping between the sidewalk and the building, such areas shall contain at least two (2) pedestrian-sensitive amenities. Such amenities include, but are not limited to, benches, low walls with seating or planters atop, drinking fountains, courtyards, free-standing planters, street furniture, public art or other pedestrian space or design features integrated into the overall design of the building or portion of the site in order to enhance the pedestrian environment.

3. ***Street Trees.*** Trees selected from the City's approved street tree list or, if on Washington Street in accord with the tree planting pattern associated with the

LRT project, shall be required within the back of curb landscaping strip. ~~In the Central Business District or other approved commercial area, trees may be within tree wells with a minimum planting area, trees~~

a. ***Where street trees are required, they*** may be within tree wells with a minimum planting area of 15 square feet (with standard 3' x 5', 4' x 4' or 4' diameter cast iron grates.)

b. ***Street trees*** ~~Such trees~~ shall be planted every thirty feet (30') on center (or, depending on species, at some other distance to ensure their proper spacing) so as to develop a continuous canopy when mature.

c. Street trees shall be at least 2½ inches in caliper at planting, shall be planted within an approved root barrier, and shall be irrigated and maintained by the property owner along with other landscaping planted within the parking strip.

d. ***A project may use the alternative street tree spacing standards in subsection (e) where the criteria below are met:*** ~~However, where a project~~

(1) ~~a)~~ fronts on an existing street in an established commercial area; and

(2) ~~b)~~ establishments along such street are uniformly built with zero setback from the sidewalk; and

(3) ~~c)~~ such street is ~~stripped~~ ***striped*** at regular twenty-two foot (22') intervals (or other interval conforming with City Standard) for parallel parking, and

(4) ~~d)~~ such street contains ornamental streetlights uniformly and consistently supplemented with additional decoration (hanging baskets, banners, holiday and festival lighting, etc., maintained on a year-round basis) designed to call special attention to or setoff the commercial neighborhood.

e. ***Alternative street tree spacing standards.*** ~~street~~ ***Street*** trees shall be spaced:

(1) ~~i)~~ every forty-four feet (44') or otherwise located so as to correspond to the dividing line between every-other parking space; or

(2) ~~ii)~~ at some greater or lesser spacing so as not to block, obscure, or interfere with the operation of traffic signals, or any existing marquee, overhanging sign or awning, provided the adjustment is the minimum required for such avoidance; and

(3) ~~iii)~~ at a greater or lesser distance so as to coordinate with the placement of ornamental streetlighting on the same block face and to fit with the photometric analysis guiding streetlight placement; and

(4) ~~iv)~~ to coordinate with ornamental streetlights with supplemental decoration. However, such coordination is predicated on the capital and perpetual operating and maintenance costs of any extra streetlights (those placed in excess of the number required to adequately light the street as determined by a photometric analysis) and the year-round maintenance of the accompanying decoration are funded and assured in the future by the applicant and/or a duly authorized business or civic organization. In that case, the number of street trees on a given block face may be reduced and the number of streetlights increased such that a coordinated, uniform design of streetlights and street trees provide an attractive pedestrian environment. However, such design shall contain at least two trees evenly spaced between every pair of streetlights on the same block face, and, if practicable, one street tree between an intersection and the nearest streetlight to the intersection. With the concurrence of the Street Committee, the placement of street trees and decorated ornamental streetlights may be adjusted to take into account the factors described above.

(Amended by Ord. No. 4545/4-97.)

f. ~~4.~~ Topping, shearing or pollarding of street trees is prohibited.

5. Except as noted below, all public utility distribution and service connections to new buildings and dwellings within all SCPA Districts shall be underground. Aerial utility service (electricity, telephone, cable, etc.) may be used in new construction where all of the following circumstances apply:

a. The project is an in-fill building or dwelling within an existing neighborhood where utility service is provided aerially rather than underground;

b. The project is located between other utility users on the same block face;

c. It would not be practicable to serve the new project underground without also serving the neighboring uses; and

d. The neighboring uses on the same block face and the utility company are unwilling to pay the additional cost of undergrounding their service;

V. BUILDING ENTRIES AND ORIENTATION

A. Purpose

The purpose of this subsection is to require buildings and entrances to be oriented to the street to the maximum extent practicable to encourage pedestrian access and movement. Requirements for orientation and primary entrances are intended to:

1. Provide for convenient, direct and accessible pedestrian routes to and from public sidewalks and transit facilities;

2. Provide for safe, pleasant and convenient pedestrian circulation by connecting activities within a structure to the adjacent sidewalk and to nearby transit stops; and

3. Promote the use of pedestrian and transit modes of transportation to retail and commercial facilities.

B. Applicability

These standards apply to multi-family residential structures with a common entrance, and to all commercial, mixed use, industrial, research park and institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of public streets and along pedestrian ways leading from the public street to the commercial activity located within the parcel. Certain standards, as noted in the text, also apply to residential dwellings adjacent to a public or private street.

C. Standards

1. All buildings shall have at least one main building entrance oriented to the adjacent street. Such an entrance shall open directly to the outside and except as otherwise provided in Section 138.VIII.C., shall not require a pedestrian to first pass through a garage, parking lot or loading area to gain access to the entrance from the street, but the entrance may include architectural features such as arcades, anti-chambers, porticos and the like without being in violation of this provision. If a building has frontage on more than one street, the building shall provide a main building entrance oriented to one of the streets or a single entrance to the corner where both streets intersect. A building may have more than one main building entrance oriented to a major pedestrian route, and may have secondary entrances facing other streets, off-street parking areas and loading areas.

2. Residential dwellings fronting on a public or private street shall have a main entrance to the dwelling opening onto the front of the dwelling at the ground floor level. Such an entrance shall open directly to the outside and shall not require passage through a garage to gain access to the doorway. The doorway may be above final grade where a porch, stoop, portico, anti-chamber, wheelchair ramp or similar architectural feature is included in the

design. Ground floor single family attached and row/townhouse residential units fronting on a major pedestrian route shall have separate entries directly from the major pedestrian route. Ground floor and upper story residential units in a multi-family building fronting on a major pedestrian route may share one or more entries accessible directly from the major pedestrian route.

3. In Station Community residential and commercial districts, building facades over 300 feet in length facing a street shall provide two or more main building entrances. In Station Community industrial and institutional districts, building facades over 400 feet in length facing a street shall provide two or more main building entrances.

4. All building entries shall comply with the accessibility standards as specified in the Uniform Building Code.

5. Entryways into mixed use buildings containing residential units shall be clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.

6. The minimum lighting level for building entrances shall be 3 foot-candles. Lights shall be three (3') to twelve (12') feet in height and the light source shall be shielded to reduce glare.

7. For non-residential buildings on transit or light rail service streets, main building entrances fronting on such streets shall remain open during the normal business hours for the building.

8. An exception to the requirement of paragraph 1, above, shall be allowed upon finding that:

   a. The slope of the land between the building and the street is greater than 1:12 for more than twenty feet (20') and a more accessible pedestrian route to the building is available from a different side of the building;

   b. The land between the building and the street contains a natural resource which would be unavoidably and irreparably degraded by providing a reasonably direct pedestrian connection and an alternative route without such impacts is available; or

   c. The land between the building and the street contains mature, healthy trees of greater than 8" caliper which would be unavoidably destroyed or damaged by any reasonably direct routing of a pedestrian connection and an alternative route without such impacts is available.

VI. GROUND FLOOR WINDOWS AND BUILDING FACADES

A. Purpose

Long expanses of blank walls facing a street or other public areas detract from the attractiveness of the streetscape and perceived safety of pedestrians using those spaces. The standards of this subsection are intended to enhance street safety and provide a comfortable street environment by providing ground-level features of interest to pedestrians along streets. These standards also have the purpose of encouraging surveillance opportunities where buildings face abutting streets and public areas, preventing fortress-like facades, and avoiding a monotonous pedestrian environment. The standards also help enhance the economic vitality of a neighborhood by providing the opportunity for merchants to display goods and advertise their wares to shoppers. By encouraging "window shopping" in commercial districts the activity on the street is increased along with security.

B. Applicability

These standards apply to commercial, mixed use, industrial, business park, research park, and institutional development in all districts; except in the SCC-MM and SCFI Districts these standards apply only along the frontages adjacent to public streets and along pedestrian ways leading from the public street or light rail station site to the activity located within the parcel.

C. Standards

1. All development shall provide ground floor windows on the building facade facing and adjacent to a public street, major pedestrian route, direct pedestrian way leading from a light rail station site, or facing onto a park, plaza or other public outdoor space. Required windows shall allow views into lobbies or similar areas of activity, pedestrian entrances, or display windows. Required windows shall provide a lower sill no more than three feet (3') above grade; except where interior floor levels prohibit such placement, the sill may be located not less than two feet (2') above the finished floor level to a maximum sill height of five feet (5') above exterior grade.

2. Darkly tinted windows and mirrored windows which block two way visibility are prohibited as ground floor windows required under this provision except where the closest face of the building to the nearest edge of the sidewalk within a public right-of-way or private street parallel and adjacent to the building is greater than fifty feet (50'). (Amended by Ord. No. 4545/4-97.)

3. ~~In all districts, building~~ ***Building*** frontages greater than 200 feet in length along streets or major pedestrian routes shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances or other articulation so as to provide pedestrian scale to the first floor.

~~4. In the SCC-CBD District, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least seventy-five percent (75%)of the length and fifty percent (50%) of the area of the ground level wall area, which is defined~~

~~as the area up to the finished ceiling height of the fronting space or fifteen feet (15') above finished grade, whichever is less.~~

~~5. In the SCC-SC and SCC-HOD Districts, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least fifty percent (50%) of the length and twenty five percent (25%) of the area of the ground level wall area, which is defined as the area up to the finished ceiling height of the fronting space or fifteen feet (15') above finished grade, whichever is less.~~

6. ~~In all other districts, any~~ ***Any*** exterior wall which is within twenty feet (20') of and facing onto a route or space described in paragraph 1., above, and which has an unobstructed view of the route or space, shall contain at least twenty percent (20%) of the ground floor wall area facing the street in display area, windows or doorway.

VII. BUILDING STEP-BACK REQUIREMENTS

A. Purpose

Step-back requirements help assure a comfortable street environment by preventing fortress-like facades, providing light and air at the street level, and providing features of interest to pedestrians along streets in commercial districts.

B. Applicability

These standards apply to new in all Station Community Commercial Districts.

C. Standards

1. Step-back requirements shall be achieved, at the option of the applicant, by one of two methods:

   a. Floors above the second floor shall be stepped back a minimum of five feet (5') for the first story above two, and an additional five feet (5') for floors above three (3). The maximum step-back under this method shall not exceed fifteen feet (15'); or

   b. A building shall be stepped-back by an appropriate amount from the plane of the street so as to maintain an angle not greater than sixty (60) degrees between the top of the building facade fronting on to the street and the back of the sidewalk of the opposite side of the same street.

2. Upon petition of the applicant, the Planning Director may waive the building step-back requirements of this subsection provided that the applicant clearly demonstrates the proposed project:

a. includes window treatments, entry placement, facade relief and other architectural treatments to provide visual interest and pedestrian-sensitive design at the street level and to maintain a human scale in the streetscape; and

b. extends the same architectural features described in paragraph (a) above the ground floor level through variations in design, detail, and proportion, and by avoiding designs featuring a monolithic street facade; and

c. is designed so as not to obstruct sunlight from falling on the back of the sidewalk on the opposite side of the street for more than four hours of any given day between March 21 and September 21.

(Amended by Ord. No. 4545/4-97.)

VIII. LOCATION AND DESIGN OF OFF-STREET PARKING

A. Purpose

Parking should be located and a parking facility designed so as to not only facilitate its major function but also to complement and encourage easy and safe pedestrian movement to, through and around the facility. The scale and orientation of parking areas shall be consistent with their purposes in supporting a mix of commercial and residential uses and shall be consistent with the pedestrian- and transit-oriented community to which they contribute.

B. Applicability

Unless otherwise noted, these standards apply to all new uses and expansions of existing uses in all districts.

C. Location of Off-Street Parking

Surface parking areas shall comply with the following provisions:

1. No surface parking, maneuvering area, service dock or loading area shall be located between the facing facade of an adjacent building (or a line extended from the plane thereof) and a major pedestrian route unless the closest street-side edge of such a surface parking lot, maneuvering area, service dock or loading area is greater than fifty feet (50') from the major pedestrian route, as measured from the back of the curb; except that this provision shall not apply: (Amended by Ord. No. 4545/4-97.)

   a. In the SCC-MM, SCBP, SCI, SCRP, or SCFI District where it is not practicable to limit the parking space and other facilities to the side of or behind the building, or more than fifty feet (50') from the right of way of a major pedestrian route, and the facilities have been located as far from the major pedestrian route as practicable, and where:

(1) Ingress and egress to such a facility is, where practicable, provided from a side street or alley, or where such access is not practicable from any location other than from the major pedestrian route, driveways shall be limited to no more than one per 150 feet of frontage and shall not be greater than twenty-four (24') feet in width; and

(2) A landscape buffer at least ten feet (10') in depth is installed between the major pedestrian route and such a facility; and

(3) Such landscape buffer includes trees complementing those in the street-side landscape strip if necessary to provide a continuous canopy over the sidewalk area, and includes other pedestrian amenities, shrubs and landscaping materials to soften the edge between the sidewalk and the facility; and

(4) The facility includes no more than one double loaded parking bay, and a single two-way circulation aisle with internal landscaping islands as described in paragraph D., Off Street Parking Design , below; and

(5) The facility is sited so as not to cause the sidewalk of an adjacent major pedestrian route to be blocked or partially blocked other than during the active ingress or egress of vehicles utilizing the facility; and

(6) A safe and convenient exclusive pedestrian connection meeting the intent and purpose of the Transportation Planning Rule, the provisions of the Americans With Disabilities Act, and the sidewalk width requirements of the district shall be provided and sited so a pedestrian does not have to pass through the parking lot, maneuvering area, service dock or loading area to gain direct access to the building entrance, and if the route of the pedestrian way must unavoidably cross a driveway or circulation aisle, the width of the driveway or aisle shall not exceed twenty-four (24') feet; or

b. In any SCPA District where such areas or facilities are constructed and function wholly within the plane of the building and where, other than the connecting driveway, they are effectively screened from view of the pedestrian route by dense landscaping, art work, operable doors or other approved aesthetically pleasing means and where such screening does not create a public safety hazard. Chain link fence with or without slats does not meet the intent of the screening provision. Examples of a facility that functions "wholly within the plane of the building" include a subterranean or above-grade parking lot or loading dock where the entrance is located on the facing facade of the building but the facility itself is out of sight

within or beneath the structure, or an outside loading dock screened by a high parallel false facade with roll-up doors; or

~~c. In the SCC HOD District where such facilities are approved as part of the Development Review process for permitted expansions of auto-oriented uses in the district existing on the effective date of this Ordinance, and where the design provisions of subsection D., Off-Street Parking Design, are met, and where the surface parking areas does not occupy greater than fifty percent (50%) of the lot frontage.~~

2. Except for Tri-Met park-and-ride lots and the joint-use parking lot located at the Hillsboro Central LRT Station (and other approved joint-use parking lots located adjacent to other LRT stations), no surface parking, maneuvering area, service dock or loading areas shall be located or temporarily located adjacent to, cater-cornered or across the street from a light rail station site.

3. If a major pedestrian route or transit street adjoins a building on two or more sides, or if public or private streets adjoin a building on three or more sides, or if a wetland or natural resource area abuts the parcel, off-street parking between the building and one of the facilities or resource areas shall be allowed in the following order of priority:

1st	**Non-transit street(s)**
2nd	**Transit streets**
3rd	**Wetland or natural resource area**
4th	**Major pedestrian route most directly leading to or adjacent to a LRT station**

In addition, where these circumstances apply, the provisions of Section 138.VIII.C.1.a(4) shall be waived so as to allow additional parking depth between the building and the facility or resource to accommodate the required parking on not more than two sides of the building.

(Amended by Ord. No. 4545/4-97.)

4. Where the combination of the buildings and parking facilities of a project require less than all of the parcel, the parking shall be sited so as to:

   a. Not preclude further development or intensification of the land; and

   b. Afford the opportunity to redevelop the parking, or a portion thereof, to a more intense economic use; and

   c. Not abut a natural resource area.

5. Where a commercial, industrial or institutional use cannot accommodate the allowed parking on-site, the use may locate parking on a surface parking lot or within a parking structure located off-site provided the off-site parking is located and designed in accordance with the requirements of Sections 137 and 138, and provided the off-site location is not greater than eight hundred feet (800') from the use. Where an off-site lot is larger than necessary to accommodate the maximum parking allowed by 137,Table 2, for the use in

question, the remainder of the lot may be used for parking purposes provided that the parking in excess of the allowed maximum parking of the original user is acquired or assigned to other uses in the area as a part of the maximum allowed parking of the secondary users; and provided that in combination, the total amount of off-site parking does not exceed the maximum parking allowed by 137,Table 2, for all joint users of the off-site parking.

6. Except for multi-family and multi-building non-residential complexes with linked parking lots interrupted by buildings, dwellings, and major landscaping features, no surface parking lot, including park-and-ride lots, within 800 feet of a LRT station shall exceed two (2) acres. If parking in excess of the amount that can be contained on two (2) acres is required by a use, at the choice of the applicant:

   a. Structured parking may be constructed on-site without regard to provisions within Sections 137 through 142 which would otherwise prohibit the location of a parking structure at that site; or

   b. A second, non-contiguous surface parking lot farther than 800 feet from the LRT station, may be constructed notwithstanding paragraph 5 of this subsection.

7. An off-street parking structure may be sited adjacent to a light rail station site, a major pedestrian route or a transit street if:

   a. The ground floor of the structure fronting on such streets or station incorporates pedestrian-sensitive design, and retail, commercial, pedestrian-related offices or services, educational uses, or medical outpatient treatment or diagnostic services; or

   b. The parking is contained in a separate structure located behind buildings fronting on such streets or station so as to give the appearance and contain the same type of uses as in paragraph a., above; or

   c. The parking is contained in a semi-subterranean parking structure provided the height of such structure, or portions thereof within fifty feet (50') of the right-of-way adjacent to such streets or station is not greater than three and one-half feet (3½) above the elevation of the adjoining walkway or sidewalk, and the structure is architecturally and functionally incorporated into the design of the streetscape.

(Amended by Ord. No. 4545/4-97.)

8. Where an LRT station, transit street and/or Major Pedestrian Route adjoin a parking structure on two or more sides, the vehicular entrance/exit(s) to the parking structure shall access the adjacent facilities in the following order of priority:

1st	Non-transit street(s)
2nd	Transit street
3rd	Major pedestrian route most directly leading to or adjacent to a LRT Station
4th	Street containing the LRT Station

(Added by Ord. No. 4545/4-97.)

9. Bicycle parking spaces shall be sited so as not to occupy space within, reduce the size of, or impede the use of required sidewalks, pedestrian ways, curbside landscape strips, landscape buffers or usable open spaces. All bicycle parking must be easily accessible and shall be equipped or located so as to allow the bicycle to be conveniently and securely locked to a parking device or within a secured bicycle parking area. Covered bicycle parking shall provide security and protection from the weather. Covered parking may be provided within a parking structure, garage, under a separate roof, within a bicycle locker, or in a designated area within a building or residential complex. Except in single-family detached and duplex dwelling units, allowance for required bicycle parking within an individual residence is not considered to be in compliance with this requirement. (Added by Ord. No. 4545/4-97.)

(Amended by Ord. No. 4930/7-00.)

D. Off-Street Parking Design

Surface parking areas shall comply with the following design standards:

1. **Perimeter Landscape/Screening**. Surface parking areas shall provide perimeter parking lot landscaping adjacent to a street other than a major pedestrian route which meets one of the following standards:

a. A five foot (5') wide planting strip between the right-of-way and the parking area. The planting strip may be pierced by pedestrian-accessible and vehicular accessways. Planting strips shall be planted with large-scale, high canopy, horizontally-branching street tree species and/or an evergreen hedge. Hedges shall be no less than thirty (30") inches or more than forty-two (42") inches in height. Hedges and other landscaping shall be planted and maintained to afford adequate sight distance for vehicles exiting the parking lot to the same standard as described for alleys in Section 137.IX, Visual Clearance; or

b. A decorative wall or fence thirty (30") inches to forty-two (42") inches in height parallel to and not nearer than two feet (2') from the right-of-way line. The area between the wall or fence and the back of the sidewalk shall be landscaped. The required wall or screening shall be designed to allow for access to the site and sidewalk by pedestrians and shall be constructed and maintained to afford adequate sight distance as described above for vehicles exiting the parking lot.

2. **Interior Parking Area Landscaping and Walkways**. Surface parking areas shall provide interior landscaping which meets the following standards:

a. Angled or perpendicular parking spaces shall provide, where needed, extruded curbs (tire stops) or widened curbs to prevent bumper overhang into landscape areas or walkways.

b. All surface parking facilities shall include landscaping along the perimeter of the lot to a depth of at least four feet (4'). Perimeter landscaping shall not be required where two parking lots using a common driveway are joined by a common circulation aisle or other traffic area, and landscaping may be reduced or eliminated adjacent to landscaped open space in order to transition the open space landscaping into the parking area and afford better access between the two areas. Landscaping shall also be installed within planting bays, and in any other area where parking stalls, circulation aisles, driveways, or pedestrian movements would not be precluded by the landscaping. Except where requested by the applicant, if in following these standards, the amount of interior landscaping would exceed ten percent (10%) of the area devoted to outdoor auto parking facilities, the amount of required landscaping shall be limited to ten percent (10%). All landscaping required under the provisions of this subsection may be applied towards compliance with other applicable landscaping requirements. (Amended by Ord. No. 4545/4-97.)

c. A minimum of one 2½" caliper street tree shall be provided in protected planting bays located within the surface parking area at the end of each parking row and at intervals not exceeding 100 feet within the parking rows. Planting bays shall have a minimum width of five feet (5') and a minimum area of 190 square feet for double loaded parking bays and 95 square feet for single loaded parking bays. The remainder of each bay shall be landscaped in a manner consistent with the provisions of this subsection.

d. All parking lot construction, internal walkways, markings and access shall meet and fully comply with the requirements of the Americans with Disabilities Act.

3. **Connection of Parking Areas**. Except in residential areas, parking associated with new development shall be designed to the extent practicable to connect with auto parking areas on adjacent sites to eliminate the necessity of utilizing the street for parallel movements.

4. **General Landscaping Standards.**

a. The minimum planting size for all required trees shall be 2½ inch caliper as measured by American Association of Nurserymen standards. Trees shall be deciduous shade trees capable of at least thirty-five feet (35') in height and spread at maturity.

b. A minimum of seventy percent (70%) of all required landscaped areas, including required planting strips and planting bays, shall be covered with trees, or shrubs. All areas shall also include continuous ground cover consisting of lawn, low growing evergreen shrubs, or evergreen ground cover.

c. Evergreen shrubs shall be not less than two feet (2') higher than finished grade at the time of planting. Evergreen shrubs shall be of the type that grow to be at least thirty-six inches (36") higher than finished grade.

E. Curb Cuts

All curb cuts are subject to approval based on standards to ensure safe pedestrian circulation, traffic flow, access points needed for the proper functioning of the development and the objectives of Sections 136 through 138. To meet these standards, consolidation of curb cuts may be a condition of development approval.

IX. DRIVE-THROUGH USES

[No changes to this section proposed]

X. OUTDOOR DISPLAY AND STORAGE

A. Purpose

These standards are intended to assure exterior display, storage and work activities are consistent with the desired character of SCPAs, will not be a detriment to the overall appearance of any SCPA district, and will not adversely impact adjacent properties or the environment.

B. Applicability

These standards apply to all commercial, industrial, research park, and institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of arterial streets.

C. Standards

1. Except ~~for motor vehicle sales uses allowed within the SCC-HOD District and~~ as otherwise specified in this subsection, permanent outdoor display or storage of materials or equipment by commercial uses is prohibited. The term "equipment" as used in this subsection does not apply to motor vehicles licensed for street use and regularly used in the conduct of business.

2. In all SCPA commercial districts, in the SCR-V District, and adjacent to commercial uses in the SCBP, SCI and SCRP Districts, outdoor seating for restaurants, commercial displays and pedestrian-oriented accessory uses (such as flower, food or drink stands, etc.), displayed or located within the

area between the back of the curb and the back of the sidewalk, are allowed provided:

a. Any seating, display or stand is present only during the business hours of the responsible enterprise, unless otherwise permitted through the terms of a Street Vendor License;

b. The enterprise has obtained a Street Vendor License; and

c. Placement of any seating, display or stand leaves at least five feet (5') of unimpeded sidewalk width open for pedestrian traffic.

(Amended by Ord. No. 5676/10-06.)

3. Within the SCI, SCBP and SCRP Districts, outdoor storage of inventory or equipment shall be permitted adjacent to a transit street, major pedestrian route, or light rail station site, provided that:

a. It is demonstrated there is no other practicable location on-site;

b. Screening material or dense landscaping sufficient to entirely obscure the storage area is installed; and

c. The screening material is comprised of a fence or wall aesthetically designed and constructed of decorative or architectural materials. A chain link fence with or without colored slats, a plain concrete or wood wall or fence does not, by itself, meet this criteria unless supplemented with substantial landscaping, artistic materials or architectural treatments.

4. (Deleted by Ord. No. 5676/10-06.)

5. (Deleted by Ord. No. 5676/10-06.)

XI. ALLEYS

[No changes to this section proposed]

XII. STREETSCAPE DESIGN STANDARDS AND GUIDELINES

A. Purpose

The standards and guidelines contained in this subsection are intended to encourage good quality, pedestrian-sensitive design in new building and residential construction. Good design results in buildings visually compatible with one another and adjacent neighborhoods, contributing to a Station Community Planning Area which is attractive, stimulating, active and safe. These qualities contribute to the creation of a SCPA which facilitates easy pedestrian movement and establishment of a rich mixture of uses. Unless standards expressly indicate otherwise, a diversity of

architectural styles is encouraged. Except where the word "shall" is used, the criteria are not to be construed as mandatory approval standards subject to review and approval.

B. Applicability

These standards and guidelines apply to all new development.

C. Design Standards.

1. Buildings shall promote and enhance a pedestrian scale and orientation on the facade facing the public street. Street-side building facades and dwelling units within all SCPA districts, except where required to be in conformance with the design standards of a Conservation District, shall be varied and articulated to provide visual interest to pedestrians and avoid a flat appearance. In addition, development proposals and residential projects shall make provisions and include designs consistent with the following:

   a. Development projects within the SCR-OTC or SCR-DNC Districts, shall be consistent with the design and development provisions of subsection XIII. of this Section and the provisions of the respective district;

   b. All new commercial, industrial, research park, institutional, mixed use, and multi-family residential buildings constructed within a Station Community Planning Area shall demonstrate during the Development Review process that it promotes and enhances a pedestrian scale and orientation on any facade facing a public or private street and it incorporates discernible and architecturally appropriate features; such as, but not limited to, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas or other treatments for visual interest, to create community character and to promote a sense of pedestrian scale. The design shall recognize that the simple relief provided by window cutouts or sills on an otherwise flat facade, in and of themselves, does not meet the requirements of this subsection; and

   c. All residential dwellings, of any type, constructed within any SCPA district, unless otherwise restricted by the design guidelines of a Conservation District, shall be constructed with exterior building materials and finishes of high quality to convey an impression of permanence and durability. Materials such as, and including, masonry, stucco, stone, terra cotta, tile, cedar shakes and shingles, beveled or ship-lap or other narrow-course horizontal boards or siding, authentic vertical board & batten siding, articulated architectural concrete masonry units (CMU), and similar durable architectural materials are allowed. Materials such as, and including, T-111 siding, plain or plain painted plywood and strandboard sheets, concrete or cinder block, smooth surface concrete panels, and similar quality and non-durable material are prohibited.

2. Commercial buildings and sites shall be organized to group the utilitarian functions away from the public view. Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the building(s) and the landscaping. The visual and acoustic impacts of these functions, along with all wall- or ground-mounted mechanical, electrical and communications equipment shall be out of view from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and not inferior to the principal materials of the building and primary landscaping. The visual and acoustic aspects of roof-mounted equipment, vents and chimneys shall be minimized by placing equipment behind parapets, within architectural screening, roof-top landscaping, or by using other aesthetically pleasing methods of screening and deadening the sound of such equipment; and

3. Within 1,300 feet of a light rail station in all SCPA districts, all street furniture, benches, bicycle racks, trash receptacles; tree grates, all streetlight poles and fixtures all street and sidewalk treatments, patterns and materials; all street signs; and all other appropriate design treatments and fixtures installed after the effective date of this Ordinance shall either be:

   a. The same as those installed on Washington Street as a part of the Hillsboro Light Rail Transit Project; ~~or~~

   b. Of the same general design and standard as those used on Washington Street (or in the case of street lighting, the PGE "Option B" equivalent design luminaire with a direct burial fluted fiberglass pole, or better) and that have been approved by the City Council Street Transportation Committee for the proposed project or a similarly situated previous project approved by the Transportation Street Committee after the effective date of this Ordinance. However, where an arterial or major collector street is within such an area and IES street ;lighting standards require additional street lighting greater than or different from that available solely through the use of ornamental streetlights, street lighting shall be supplemented by the minimum necessary number of "Cobra-head" luminaires mounted on fluted poles painted or otherwise matching as nearly as possible the treatment used on the ornamental streetlight poles***; or***

   c. As identified on an adopted streetscape plan.

4. Stormwater retention, detention and treatment facilities shall be integrated into the site design or placed underground. If constructed on the surface, such facilities shall be treated as a component of the landscaping usable open space or water feature, and shall be constructed so that, at maximum anticipated volume, water depth will not create public safety risks.

   However, if the site is constrained such that underground facilities are impractical and development to the maximum density allowed within the

applicable SCPA District would be precluded by construction of a shallow stormwater facility, the depth of the facility may be increased if the perimeter is fenced to meet public safety standards for a facility of that depth. In this case, landscaping shall be placed both inside and outside the fence. Fencing shall be of such materials and color so as to blend, to the maximum practicable extent, with the landscaping and surroundings. In addition, to minimize the size and depth of such a deeper facility, the site plan shall be designed to use open space and landscaping for natural detention, retention and biofiltration of stormwater on the site. In no case shall a stormwater facility take on the look or character of a utility element.

Further, in campus developments, SCRV developments and other large tract developments, stormwater facilities shall be consolidated to devote the minimum gross acreage to such use. Developers shall work with adjacent property owners to achieve consolidation wherever large, fenced utilitarian stormwater facilities. Consolidated facilities shall also be naturally integrated into the site design, landscaping and usable open space as described above, or shall be placed underground.

(Added by Ord. No. 4545/4-97.)

D. Design Guidelines

The following guidelines are recommendations that can be used in achieving the requirements of paragraph C, above; but shall not be construed as requirements.

1. Building and site design should be site specific and fit into the context of the area, preserve important view corridors, complement the natural setting and other nearby buildings, relate to adjacent public and private streets, and incorporate special features to make the buildings more prominent and appealing while incorporating facades and details to help them better relate to the scale of pedestrians. A diversity of architectural styles is encouraged to create a rich and visually-stimulating environment. Building design is particularly important at major intersections, where special corner architectural design features should be incorporated.

2. Certain buildings, because of their size, purpose or location, should be given special attention in the form of ornamental building features, such as towers, cupolas or pediments. Examples of these special buildings include theaters, hotels, cultural centers and civic buildings.

3. Edges of development projects should be continuous and designed to delineate and enhance adjoining public and private streets, while also providing visible and safe access to stores and other buildings. Edges adjacent to transit streets and major pedestrian routes should include street furniture such as seating, shelters, ornamental pedestrian scale lighting and an inside row of canopy trees to complement those in the curbside landscape strip.

4. Developments should be designed to encourage informal surveillance of public areas from buildings, public and private streets and from adjacent

developments. Sight lines to and from buildings, and within and around the site should maximize pedestrian visibility of store entrances, public areas and transit stops.

5. For buildings designed for occupancy by general retail, office and service commercial businesses, traditional storefront elements are encouraged for any facade facing a major pedestrian route. These elements include:

   a. Front and side building walls placed within 0-10 feet of abutting street right-of-way boundaries.

   b. Clearly delineated upper and lower facades.

   c. A lower facade containing large display windows and a recessed entry or entries.

   d. Smaller, regularly spaced windows in upper stories.

   e. Decorative trim, such as window hoods, surrounding upper floor windows.

   f. A decorative cornice near the top of the facade.

   g. Piers or pilasters, typically of masonry.

6. Upper stories should be articulated with features such as bays and balconies.

7. To balance horizontal features on longer facades, vertical building elements should be emphasized.

8. If sloped roofs are used, they should be compatible with roof lines and slope of adjacent buildings, add interest to and reduce the scale of large buildings, and complement the character of buildings in adjacent developments.

9. Windows allowing views into interior activity areas or displays in non-residential buildings beyond the requirements of Section 138.VI. are encouraged. However, at the pedestrian level, glass curtain walls, reflective glass and painted or darkly tinted glass, smooth faced concrete block, concrete panels, steel panels, and non-durable materials should not be used.

10. Exterior building materials and colors play a significant role in establishing identity and visual interest at the pedestrian scale. As such, materials and colors should be harmonious and compatible with materials and colors in adjacent developments. Soft lighting of the building exterior is permitted, provided the light source is not visible and it complements the architectural design. The lighting should not draw inordinate attention to the building.

11. Entryways are important to a pedestrian environment and provide a special opportunity to make the building unique while at the same time providing a highly visible customer entrance and identifiable public address. Building

entrances should include such features as: canopies, porticoes, overhangs, recessions, projections, arcades, raised cornice parapets over the door, peaked roof forms, arches, hardscaped pedestrian spaces, integral planters or wing walls that incorporate landscaped areas and/or places for sitting, and architectural details such as tile work and moldings which are integrated into the building structure and design.

12. Where masonry is used for exterior finish, decorative patterns should be employed. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile used in conjunction with materials such as concrete or stucco.

13. Ornamental devices, such as molding, entablatures, pediments and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band should be at least eight inches (8") wide.

14. Pedestrian ways should be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, planter walls and other architectural elements which define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window shopping areas. Design of these features and outdoor spaces together should (i) enhance buildings and groups of buildings, (ii) relate to a common use area, and (iii) complement the surrounding streetscape.

15. Landscaping should be designed into and thought of as an integral part of the site, streetscape, building design and the parking area. Landscaping should also be used to enhance the pedestrian orientation of Station Communities by creating a sense of enclosure and to reduce the scale of large buildings and paved areas. Arbors or trellises supporting landscape materials should be considered for ornamentation of exterior walls.

16. (Deleted by Ord. No. 5676/10-06.)

17. In all SCC-SC and SCR-V Districts, housing should be arranged around and integrated with community uses, the LRT station, and pedestrian-sensitive shopping and services. Pedestrian-sensitive retail, services, and employment uses should be provided within 1,300 feet of the LRT station and within 1,300 feet of housing. The highest concentration of housing should generally be within 1,300 feet of the LRT station.

18. In SCPA residential and SCC-SC Districts, multi-purpose streets should extend from the LRT station, and provide convenient pedestrian and bike routes from the station to residential neighborhoods, employment sites and centers, and community retail and service uses. Multi-purpose streets should be designed not only as attractive places to live and work, but also as the location and setting for pedestrian-sensitive shopping and services, and for recreation and social activities.

19. Projects containing residential uses should include a range of housing types and styles to suit a variety of lifestyles and incomes, both on an ownership and rental basis

20. The SCR-V District provides an opportunity to be creative in developing a new, compact community within the City. Application of the Development Regulations and Design Guidelines should result in a residential village designed to achieve:

    a. A balanced multi-modal network of streets and pedestrian ways connecting residential areas with commercial and community activity; with streets laid out in a grid system to facilitate movement within and through the village without being unnecessarily winding or deliberately picturesque.

    b. Housing located intentionally close to the street, but not along a build-to line, with porches and other features to create rhythm and interest along the street.

    c. Groups of small lot houses, condominiums and rowhouses arranged to form architectural spaces, not a variety of different architectural styles. Design decisions should be made for housing and village center buildings based on street orientation, location of front doors, treatments of the space between buildings and streets, pedestrian space lighting and other pedestrian safety and visual enhancements. (Amended by Ord. No. 5676/10-06.)

    d. A network of public and private open spaces, greenways and parks within walking distance of all residents. Choice sites should be set aside for public and neighborhood amenities to encourage use, provide visibility, and to establish a greater sense of community identity.

    e. Neighborhood commercial uses which are varied, complete and of high quality so the need to drive to other shopping areas for routine purchases is minimized. Where practicable, commercial and self-contained light industrial activities should provide employment opportunities for village residents.

21. All commercial, industrial, research park, institutional, mixed use, and multi-family residential buildings constructed in any SCPA district with less than three feet (3') setback between the facade of the building and any parallel public sidewalk or pedestrian way should incorporate features adjacent to and over at least three feet (3') of the public sidewalk or pedestrian way for weather protection. Such features may include, but are not limited to, canopies, awnings, porticoes, arcades, alcoves, building overhangs and recessed entries, and trellises to protect pedestrians from rain or sun.

XIII. STANDARDS FOR PROTECTION WITHIN HISTORIC AND CULTURAL CONSERVATION DISTRICTS

[No changes to this section proposed]

Section 139: DOWNTOWN STATIONS COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS

(AMENDED BY ORD. NO. 4545/4-97 AND 4930/7-00.)

I. SCOPE

This section establishes design standards specific to the Downtown Station Community Planning Area.

II. PURPOSE

A. ~~These~~ ***The community-specific*** Downtown ~~community-specific~~ development regulations and design standards reflect the City's goals and objectives for the Downtown SCPA ~~as described in the Hillsboro Comprehensive Plan, in the *Downtown Station Community Plan* as developed by the Downtown Station Community Planning Advisory Committee, and in the outcome of the workshops held during the SCPA process~~. ***These regulations and standards were developed in two phases: in 1997-2000 during the SCPA adoption process, as reflected in the Downtown Station Community Plan and adopted Comprehensive amendments; and in 2008-2010 during the Downtown Community Plan and Urban Renewal process, as reflected in the Downtown Framework Plan.*** Except as noted below, the purpose for each development regulation and design standard is as described in Sections 136 through 138. Where the regulations or standards of this Section specifically conflict with those contained in Section 136 through 138, the standards of this Section shall prevail.

B. The purpose of the regulations and standards applicable to the Downtown Neighborhood Conservation District (SCR-DNC) is to conserve the historical and cultural significance of the area of the original core of the City of Hillsboro by:

1. preserving and restoring the historic and cultural aspects and small town atmosphere of the community incorporated in 1876 within the site that is now encompassed by the Downtown Station Community Planning Area;

2. preserving, restoring and enhancing the landscape features of the downtown area, especially the large oak and other deciduous trees along the streets;

3. requiring that:

   a) all new residential structures within the District be of compatible character and architectural style with those built during the period 1890's to 1930's; including, but not limited to, residential architectural styles for single-family houses and apartment houses consistent with the period, use of natural appearing materials and paint or finish colors consistent with those in use during the period, and other design and development standards as described in this Section; and

b) the exterior remodeling or expansion of existing residential structures within the District be consistent with the architectural style of the existing structure, with use of compatible materials and colors;

4. requiring that:

a) all new commercial and institutional structures, including public buildings, within the District be of similar character or compatible with the size, scale and architectural styles and treatments used in small towns like Hillsboro during the period 1890's to 1930's.

b) the exterior remodeling or expansion of existing commercial or institutional structures, including public buildings, within the District, be consistent with the architectural style of the existing structure;

C. ***Except as noted below, all*** ~~All other~~ land within the Downtown SCPA will be developed~~, with minor exceptions noted below,~~ in accordance with the applicable SCPA District Development Regulations of Section 137 and under the Design Guidelines of Section 138.

III. MODIFICATIONS TO SECTION 136 STATION COMMUNITY PLANNING AREA PROVISIONS

~~A. Notwithstanding the provisions of Section 136.IV., Table 1, Permitted Uses in Station Community Commercial Districts, and Section 136.V. Restricted And Specially Regulated Land Uses, a motor vehicle service facility with an accessory convenience retail use and an accessory car wash shall be a permitted use on the combined Tax Lots 1N2 31 DD 8300, 8400, 8500 and 8501.~~

~~B. Pursuant to Section 136.IV., Table 1, Automobile Sales uses may be approved as interim Conditional Uses in the SCC-HOD District. If approved, such Conditional Uses shall be effective for a period not to exceed seven years. Automobile Sales uses approved through the Conditional Use process shall comply with all applicable standards for minimum Floor Area Ratio, minimum Sidewalk Improvements, and minimum Open Space, and shall further comply with all applicable design standards in Section 138.IV. through 138.XII. Subsection C., inclusive. Variances to these standards and guidelines shall not be approved.~~

A. ~~C.~~ Notwithstanding the provisions of Section 136.IV., Table 2, Permitted Uses in Station Community Residential Districts, certain properties in the SCR-DNC zone may be eligible for more intensive development, due to their location adjacent to North First Avenue, a classified Arterial Street. Such increased intensity of development may include mixed use buildings, increased residential density and structural heights. To transition more intensive development along North First Avenue from adjacent less intensive development in the SCR-DNC zone, increased intensity development shall be limited to those properties within the SCR-DNC zone located within 200 feet of the right-of-way of North First Avenue, north of NE Lincoln Street, south of NE Rachel Street. Approval of mixed use buildings,

increased residential density and structural heights in this area (hereinafter referred to as the "Arterial Exception Area) shall comply with the following standards:

1. Maximum structural height shall be three (3) stories in the Arterial Exception Area. To buffer this increased structural height from non-Exception properties to the east, three-story structural height shall be limited to a depth of 100 feet from North First Avenue. Structural height for buildings between 100 feet and 200 feet in depth from North First Avenue shall be a maximum of two stories. Standard sideyard setbacks for two-story Arterial Exception uses shall apply to two-story buildings at the 200 foot depth boundary with non-Exception properties, except as specified under Subsection 2.

2. Mixed use buildings shall be a minimum of two stories in height, with residential uses on the second floor. Commercial uses in mixed use buildings in the Arterial Exception area shall be limited to the first and second story only. If commercial uses are proposed on the first and/or second floor of a mixed use building in the Arterial Exception Area, an increased sideyard setback of 10 feet for three-story Arterial Exception uses shall apply at the 200 foot depth boundary with non-Exception properties. The 10-foot sideyard setback shall be planted with species selected for increased height and visual screening qualities. Landscaping materials shall be planted at a density designed to achieve the earliest practicable screening of the commercial first floor use.

3. Within the Arterial Exception Area, in order to encourage pedestrian scale development at street level, ground floor areas of commercial uses shall be limited as follows:

   a. Except as allowed under subsection b. below, the maximum ground floor area for a single commercial use shall be 2500 square feet.

   b. A single commercial use may occupy up to 4000 square feet on the ground floor of a single building only if that occupancy is limited to less than 50% of the total ground floor area of the building, and the remaining ground floor area is divided among separate uses occupying less than 2500 square feet each. For purposes of this subsection, unenclosed pedestrian areas outside the walls of the building are not included in the maximum square footage.

   There are no restrictions on maximum square footage for commercial uses on the second floor. Commercial uses are not permitted above the second floor.

4. If mixed uses are proposed in three story buildings in the Arterial Exception Area, residential density in the second and third stories shall be limited to 18 dwelling units per acre

5. Commercial uses permitted outright in mixed use buildings in the Arterial Exception area are as follows:

   a) Art Gallery.
   b) Bakery.

c) Barber Shop.
d) Beauty shop, including day spa.
e) Confectionary.
f) Delicatessen.
g) Drug store, including fountain.
h) Florist shop.
i) Garden store.
j) Grocery store.
k) Hardware store.
l) Laundry and cleaning, self-service.
m) Office or clinic for the following:
    1) Accountant.
    2) Architect or designer.
    3) Attorney at law.
    4) Dentist.
    5) Doctor or other practitioner of the healing arts.
    6) Engineer or surveyor.
    7) Insurance agent.
    8) Real estate agent.
    9) Travel Agent.
o) Variety or dry good store
p) Restaurant, excluding drive-in facilities

The Planning Commission may interpret additional uses which would be appropriate within the Arterial Exception area pursuant to Zoning Ordinance No. 1945, Section 89 Authorization of Similar Uses.

6. Commercial uses in mixed use buildings in the Arterial Exception Area, except for those uses permitted outright in Subsection 5 above, are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance.

7. All applications for Development Review shall be reviewed by the Planning Commission. Development Review applications for increased intensity development in the Arterial Exception Area shall include a Traffic Impact Report as required by Section 137.XVI. Subsections 2 through 8, inclusive. To mitigate the impacts of such increased intensity development on adjacent non-Exception properties and public streets and alleys, approval of increased intensity development in the Arterial Exception Area may be subject to any of the conditions specified in Section 137(XVI) C.

(Section 139 (III)(C) amended by Ord. No. 5293/7-03)

IV. DEVELOPMENT REGULATIONS

A. Minimum Lot Size

The Standards of Section 137 shall apply.

B. Minimum Lot Width and Depth

The Standards of Section 137 shall apply.~~, except that:~~

~~1. Lots in the SCC-CBD zoned portion of the block located north of West Main Street, south of NW Lincoln Street, west of NW Adams Avenue, and east of the public alley shall have no minimum lot depth if approved through a subdivision or partition. (Amended by Ord. No 5207/11-02.)~~

C. Minimum and Maximum Residential Densities and Ancillary Dwelling Units

The Standards of Section 137 shall apply, except that:

1. If additional dwelling units are proposed on a lot containing an existing residence to be retained, either at the developer's option or as required under Section 138 (XIII) (C), minimum and maximum residential density for the entire parcel shall be determined by applying the minimum and maximum densities specified in Tables 137 (II) 1 to the undeveloped portion of the lot only. Minimum and maximum density calculations shall not include the portion of the lot surrounding the retained house, including minimum required side and rear yard setbacks from the structure. The existing residence shall be included in the overall calculation as a single dwelling unit. (Added by Ord. No. 5206/11-02).

2. In the SCR-DNC zone, a lot containing a main residence and an ancillary dwelling may be partitioned for the purposes of separate ownership provided that:

   a. The overall minimum density for the original parcel can be met after partitioning;

   b. All necessary building codes are met;

   c. The parcel containing the ancillary dwelling unit has frontage on, and obtains access, from a public alley.

3. In the SCR-DNC zone, no more than four (4) dwelling units per structure shall be allowed on lots smaller than 22,000 square feet in area.

D. Minimum Floor Area Ratios

The Standards of Section 137 shall apply, except that:

1. Neighborhood and Downtown Commercial uses on properties in the SCR-DNC shall be exempt from minimum Floor Area Ratio requirements, but shall comply with the parking standards of Section 137 Table 2.

~~2. Notwithstanding Section 137.VI and Table 137.1b, permitted motor vehicle service facilities located on lots in the SCC HOD District may reduce the Floor Area Ratio to as low as 0.35 if required to accommodate adequate visibility, access and safe circulation within the site.~~

E. Minimum Non-Residential Density

The Standards of Section 137 shall apply.

F. Minimum and Maximum Setbacks from Streets, Alleys and Interior Yards

The Standards of Section 137 shall apply, except that:

1. Structures built on properties zoned ***SCC-DT*** ~~SCC-CBD, SCC-HOD, or SCC-SC~~

a. ***Interior Yards. Structures built on properties zoned SCC-DT*** shall have a minimum setback of 10 feet from any shared property line with parcels zoned SCR-HD, SCR-MD, or SCR-DNC. The 10-foot sideyard setback may be required to be planted with species selected for increased height and visual screening qualities. Landscaping materials may be required to be planted at a density designed to achieve the earliest practicable screening of commercial uses above the first floor. ***Properties within the SCC-DT District that are subject to a minimum front setback of 10 feet are shown on Figure 139-1.***

b. ***Street-Facing Yards. Properties within the SCC-DT District that are subject to a minimum front setback of 10 feet are shown on Figure 139-1.***

2. Structures built on properties zoned SCR-DNC, SCR-MD, or SCR-HD shall have a minimum setback of 10 feet from any shared property line with parcels zoned ***SCC-DT*** ~~SCC-CBD, SCC-SC or SCC-HOD~~. The 10-foot sideyard setback may be required to be planted with species selected for increased height and visual screening qualities. Landscaping materials may be required to be planted at a density designed to achieve the earliest practicable screening of upper story uses.

~~3. Notwithstanding the setback provisions of Section 137.VIII and the provisions of Table 137.1b., the maximum setback standards on the combined Tax Lots 1N2 31 DD 8300, 8400, 8500 and 8501 shall be twenty-five feet (25') on the alley, thirty-five feet (35') on 10th Avenue, and forty-five feet (45') on Baseline when, and only when, applied to a motor vehicle facility on such site. The setback distance on 10th Avenue and Baseline shall be measured from the back of the sidewalk to the edge of the nearest service island or service island canopy, whichever is closest.~~

4. In the SCR-DNC zone, where the average front yard setback of existing residences, along the entire block face containing the project, exceeds the applicable front yard setback from a public street standard of Section 137 (II) Table 1.j by more than five feet, new construction shall conform to the average setback of all the existing dwellings along that block face.

5. Within the SCC-DT District, required setbacks from Streets and Alleys are shown on Figure 139-1.

a. Conformance with the setback requirement is achieved when, at a minimum, the percentage of street frontage occupied by the ground level façade of a building(s) is provided as specified in the table below:

Minimum Building Width Required Along Street Frontages

Location as Shown on Figure 139-2	*Minimum Street Frontage**
For properties located on an Active Use Street 1	*100%*
For properties located on an Active Use Street 2	*75%*
For all other properties	*50%*
** Minimum street frontage is the ratio of A to B expressed as a percentage where: A equals the width of the portion of the building(s) meeting the required setback, and B equals the length of the front lot line abutting the public right-of-way.*	

b. Exceptions required for pedestrian and vehicular access, emergency services, and utility easements shall be granted administratively upon determination by the Planning Director that the exception is the minimum necessary to accommodate the required access, emergency services, or utility easements. In no case shall parking or vehicular circulation be located between the building and the street.

c. Exceptions to provide additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.

G. Vision Clearance

The Standards of Section 137 shall apply.

H. Minimum and Maximum Building Height Requirements

The Standards of Section 137 shall apply, except that:

1. *The maximum height of buildings within Residential Compatibility Area shall be as shown on Figure 139-3.* ~~On properties zoned SCC-CBD, SCC-SC, or SCC-HOD, structures built within 100 feet of any shared property line with properties zoned SCR-HD, SCR-MD, or SCR-DNC shall be no greater height than the maximum height of the applicable adjacent residential zone.~~

2. *The minimum height of buildings shall be as shown on Figure 139-4. Exceptions to the required two story minimum building height may be granted through discretionary review upon determination by the Planning Commission that the proposed single story building meets the applicable purpose statements in Section 136.I.B and all of the applicable design guidelines in Section 138.XII.*

I. Minimum and Maximum Off-Street Parking Requirements

The Standards of Section 137 shall apply.

J. Minimum Usable Open Space Requirements

~~The Standards of Section 137 shall apply.~~

1. Non-residential projects on less than one-half (1/2) gross acre are not subject to open space requirements unless the project is part of or subsequently becomes a part of a series of projects or phases of a larger development in which case the original project shall be joined with all subsequent projects or phases in order to determine the required open space for the whole. Mixed use projects with four (4) or fewer dwelling units shall be considered non-residential projects.

2. Non-residential projects ½ gross acre or larger, mixed use projects with more than four (4) dwelling units, and all residential projects shall provide minimum usable open space equal to five percent (5%) of the project gross acreage.

3. Usable open space may include any combination of the following:

a. Private outdoor space accessible only to an individual resident or tenant (e.g., private porches, decks, balconies, patios, atriums, or other private outdoor areas);

b. Shared private outdoor recreation space accessible only to customers, employees or residents (e.g., outdoor seating and dining areas, roof decks or gardens, play areas, outdoor recreation facilities, or similar space); or,

c. Public outdoor space (e.g., public parks, play areas, courtyards, landscaped pedestrian walkways, enhanced extensions to sidewalk depth, or similar space).

d. Alternative approaches to the provision of open space and recreation facilities (e.g., indoor recreation rooms, fee-in-lieu contributions, etc.) may be allowed with discretionary approval.

K. Minimum Landscaping, Natural Resource and Mature Tree Preservation Requirements

The Standards of Section 137 shall apply.

L. Mixed Use Buildings and Mid-Rise Apartments

The Standards of Section 137 shall apply, except that

1. Home Occupations, as described in Section 128A, Live/Work units, as described in Section 137.XIV.B.1., and Bed and Breakfast Inns, as defined in Section 3 (5) are permitted outright in the SCR-DNC District, except that the number of separate bedroom units in a Bed and Breakfast Inn shall not exceed five in the SCR-DNC District.

2. Residential Business uses for certain properties zoned SCR-DNC are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to

the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance. Residential business uses are limited to that portion of the SCR-DNC zone located west of NE Fifth Avenue and north of NE Lincoln Street. In addition to the standards contained in Section 83, Residential Business uses in the SCR-DNC zone shall meet the following standards:

a. Any structure proposed for occupancy by a residential business use shall include a residential occupancy by the business owner/operator or other residential tenant;

b. The maximum commercial floor area for a residential business use is not more than 35% of the floor area of all structures on the lot, or 1500 square feet, whichever is less.

c. The maximum height for any structure proposed for occupancy by a residential business use is two stories;

d. Residential business uses shall have no more than three (3) employees, excluding family members of the business owner/operator or other residential tenant;

e. Residential business uses shall have no more than five (5) off-street parking spaces, and all off-street parking shall be located inside, beside or behind the occupied building. Parking is prohibited between the building and the street;

f. New structures proposed for occupancy by residential business uses shall comply with all applicable design standards in effect on new construction.

3. Residential Business uses for properties zoned SCR-MD are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance. In addition to the standards contained in Section 83, Residential Business uses in the SCR-MD zone shall meet the following standards:

a. Any structure proposed for occupancy by a residential business use shall include a residential occupancy by the business owner/operator or other residential tenant;

b. The maximum commercial floor area for a residential business use is 2500 square feet, with a maximum ground floor area of 1500 square feet;

c. Residential Business uses shall have no more than 5 employees, excluding family members of the business owner/operator or other residential tenant;

d. Residential business uses shall have no more than 10 off-street parking spaces, and all off-street parking shall be located inside, beside or behind the occupied building. Parking is prohibited between the building and the street;

e. New structures proposed for occupancy by residential business uses shall comply with all applicable design standards in effect on new construction.

M. Sidewalks

The Standards of Section 137 shall apply.

N. Street and Alleys, and Lot Access

The Standards of Section 137 shall apply.

V. DESIGN STANDARDS

A. Improvements Between Streets and Buildings

The Standards of Section 138 shall apply.

B. Building Entries and Orientation

The Standard of Section 138 shall apply ***in addition to the standards below***.

1. ***All Active Use Streets (1 and 2) designated on Figure 139-2 shall be considered Major Pedestrian Routes for the purposes of implementing the Building Entries and Orientation standards within the SCC-DT zone.***

2. ***If a building has frontage on more than one street, the building shall provide a main building entrance oriented to the Active Use Street designated on Figure 139-2 (if applicable) or a single entrance to the corner where both streets intersect. Where two Active Use Streets designated on Figure 139-2 intersect, the building shall have a main entrance at the intersection or within 30 feet of the intersection.***

3. ***Building facades over 200 feet in length facing a street shall provide two or more main building entrances oriented toward the street.***

4. ***Building entrances shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.***

C. Ground Floor Windows and Building Facades

The Standards of Section 138 shall apply ***in addition to the standards below***.

1. ***All Active Use Streets (1 and 2) designated on Figure 139-2 shall be considered Major Pedestrian Routes for the purposes of implementing these standards within the SCC-DT zone.***

2. ***Building facades facing an Active Use Street designated on Figure 139-2, all ground floor windows shall have a Visible Transmittance (VT) of 60%***

or higher, with the exception of medical / dental offices, which may have tinted windows.

3. *All building facades greater than 75 feet in length, which are facing a public street, shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances or other articulation so as to provide pedestrian scale.*

4. *Within Residential Compatibility Areas designated on Figure 139-3, building facades greater than 50 feet in length, which are facing a public street, shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances, or other articulation so as to provide pedestrian scale.*

5. *Building facades facing an Active Use Street (1 and 2) designated on Figure 139-2 shall have windows, display areas or doorways for at least seventy percent (70%) of the length and fifty percent (50%) of the ground level wall area. The ground level wall area is the band of wall area above three feet (3') and below twelve feet (12') as measured from finished grade.*

6. *For all other building facades, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least fifty percent (50%) of the length and twenty-five percent (25%) of the ground level wall area. The ground level wall area is the band of wall area above three feet (3') and below twelve feet (12') as measured from finished grade.*

7. *For building facades facing an Active Use Street (1 and 2) designated on Figure 139-2, weather protection for pedestrians shall be provided along a minimum of 50% of the facade. This weather protection shall take the form of an awning, canopy, arcade, colonnade, or recessed entry (or some combination of these elements) and there shall be a minimum 10' clearance from the bottom of such an element to the sidewalk. Awnings and/or canopies shall project a minimum of 5' from the building façade; shall match the width of storefronts or window openings; and shall not obscure transom windows where such windows are present. Awnings and/or canopies shall be constructed of glass, metal, or exterior-grade fabric (or some combination of these materials).*

D. Building Step-Back Requirements

The Standards of Section 138 shall ***not*** apply.

E. Location and Design of Off-Street Parking

The Standards of Section 138 shall apply, except that:

1. In the ***SCC-DT*** ~~SCC-CBD~~ District:

~~a. As applicable, all new development in the CBD shall reserve and dedicate the center portion of each block for use as a common~~

~~surface or structured parking lot. All property within each applicable block of the CBD shall reserve that portion of the property necessary in order to contribute to the aggregation of a 150'x150' parking and pedestrian area in the center of such blocks and, if necessary, an east-west twenty-four foot (24') driveway into the parking located mid-way between the adjacent east west streets. The Planning Department shall prepare drawings illustrating the location of such parking and driveway facility areas for all applicable CBD blocks.~~

~~The parking and pedestrian center block areas shall be linked to perimeter commercial areas with well defined pedestrian connections, and shall contain trees, landscaping, decorative lighting and street furniture to the same extent and standard as those on public streets within the CBD and as required under Off-Street Parking Design provisions of this subsection.~~

~~b. Notwithstanding paragraph a., above, owners of property within a given designated CBD block or group of blocks may provide for alternative parking strategies through the formation of a Traffic Management Association, Local Improvement District, Parking District or other mechanism whereby the parking requirements and needs of all uses within the entire block or group of blocks are met. Such alternatives include, but are not limited to, the construction of one or more parking structures within the CBD or HOD District, joint use parking located off site, remote parking/shuttle strategies, and the solicitation of a commercial parking operator who would construct one or more parking structures in the vicinity that would meet the parking requirements of the entire CBD.~~

~~Until such time that the alternative allowed under this provision is approved by the Planning Commission and implemented, the requirements of paragraph a. shall apply to properties within each designated CBD block without such an approved alternative.~~

a. ***On-site vehicular circulation areas (including surface parking, maneuvering areas, service docks and loading areas) are only allowed on the side or rear of newly constructed buildings. If located on the side, the on-site vehicular circulation area shall:***

i. ***Not exceed 50% of the total frontage of the site;***

ii. ***Provide screening in the form of a six foot (6') wide planting strip between the right-of-way and the parking area is required. The planting strip shall provide screening in the form of a decorative wall and/or landscaping as described in Section 138.VIII.D.1.***

b. ~~c.~~ To accommodate transit-supportive developments and provide adequate off-street parking for mixed use development, required parking may be located up to 800 feet from the development. Such parking shall be designated and signed as belonging to the remote

development and shall be part of the legal requirements for occupancy of the development.

c. ~~d.~~ High-volume, off-peak entertainment uses, such as movie theaters and restaurants, may fulfill all or a portion of their parking requirements ~~on sites located within the CBD~~ by arranging for shared parking in surface or structured parking lots not farther than 800 feet from the designated use.

d. ~~2.~~ ~~In the SCC-HOD District:~~ Development ***located along ODOT facilities*** shall comply with applicable Oregon Department of Transportation access management requirements. When practicable, highway access for new developments in the District shall be combined.

F. Drive Through Uses

The Standards of Section 138 shall apply.

G. Outdoor Display and Storage

The Standards of Section 138 shall apply.

H. Alleys

The Standards of Section 138 shall apply.

I. Streetscape Design Standards and Guidelines

The Standards of Section 138 shall apply. ***In addition the following standard shall apply.***

a. The ground floor of all new buildings shall be articulated through façade design elements so as to provide a "base," "middle," and "top" to the street-facing ground floor. The "base"' extends from the top of the finished sidewalk to the bottom of the window sill, and shall be defined through a masonry or concrete plinth, projecting window sills, and/or bulkhead. The "middle" shall be established through storefront windows, transom windows, awnings or canopies, and /or engaged columns that are part of a series of architectural bays. The "top" shall be established through a projecting cornice. Residential duplexes, townhouses, and rowhouses are exempt from this standard.

b. The front facades of all new buildings two stories or more in height shall have tripartite facades, with distinct ground floors, middles, and tops. The ground floor shall be established through a bulkhead, plinths, projected windowsills, large display windows, and/or the use of distinguishing materials, as described in 139.V.I.a above. The middle shall be established through vertically-oriented windows that signal a change of use, changes in materials, and/or horizontal bands (string course, soldier courses, etc.). The top shall be distinguished through stepbacks, detailed cornices, projecting parapets, and/or a hipped or gabled roof. Residential duplexes, townhouses and rowhouses are exempt from this standard.

J. Downtown Residential Neighborhood Special Standards

1. **Applicable Standards in the SCR-DNC Zone and, in the SCR-MD zone between NE Sixth and NE Ninth Avenues, south of NE Jackson Street, and in the ~~SCC-SC~~ *SCC-DT* zone north of NE Washington Street from NE Fifth Avenue to NE Tenth Avenue.** The standards contained in Section 137 - 138 shall apply and supplement those contained in this subsection. Where standards contained in this subsection conflict with those of Sections 137-138, the standards contained here shall prevail. For purposes of this subsection, "conservation" is differentiated from "restoration" or "preservation" in that new development is allowed to replace deteriorated or marginal structures. Existing structures may be rehabilitated or remodeled provided that the new development or reconstruction meets the applicable standards of Sections 137-139, and the construction conserves, enhances and maintains the historic and cultural character and predominant architecture of the area as it was during the period of the 1890s –1930s.

2. **Residential Construction**. The architectural style of new residential construction in areas cited in Subsection 1 of this Section shall be restricted to those that replicate major design elements characteristic of the 1890s – 1930s architectural styles represented in the District.

   a. **Porches**. Front or wrap-around porches, where consistent with the architectural style of the proposed dwelling, are encouraged on structures along streets. Where provided, porches shall be a minimum of 80 square feet, or 8' X 10', and shall be contained under a roof and separated from the yard by elevation or some form of railing or fence.

   b. **Foundations**. The main floor shall be a minimum of 24 inches to a maximum of 32 inches above finish grade, except where lower elevations are required pursuant to ADA requirements. Plain concrete and plain concrete block may be used as foundation materials when the foundation material does not extend more than three feet above the finished grade level adjacent to the foundation wall.

   c. **Siding**. Siding shall be ship-lap, bevel or other narrow course horizontal material; with Clapboard 3.5" to 6" to the weather and drop-siding less than 10" to the weather. Vertical or diagonal application of siding is prohibited; except that board and batten siding may be applied vertically. Plain concrete, plain concrete block, corrugated metal, plywood, sheet pressboard, T-111, Oriented Strand Board, and aluminum siding are prohibited, except that plain concrete or plain concrete block may be allowed for foundations as specified under subsection (b) above.

   d. **Colors.** Building colors shall be compatible with the surrounding area, and consistent with the color palettes characteristic of architectural styles of the era of the District. Bright primary or fluorescent colors are prohibited on the main body of the structure.

e. **Windows**. Single windows and window pairs should be vertically proportioned and be surrounded by a minimum 3-inch trim. Multi-paned windows are preferable to picture windows for street-facing elevations.

f. **Exterior Lighting**. Entry door and front porch lighting is required on all new dwelling units, and shall be installed so as to not glare or shine onto adjacent property. Exterior lighting on residential dwellings and accessory structures shall be restricted to low-intensity exterior illumination not to exceed 2 lumens.

g. **Roofs**.

(1) **Rooflines**. A variety of rooflines are allowed provided the profile of the new roof is similar in pitch and configuration to those in the area. Gable End, Dutch Gable, Hipped, Gabled, and hipped and shed dormers are the predominating styles in the conservation district. Shed roofs are not allowed as the main roof form for any new dwelling. Flat roofs are allowed on structures having architectural styles such as Italianate or Richardson Romanesque, or similar styles, only on dwellings located within 100 feet of the Central Business District boundaries.

(2) **Roof Pitch and Overhang.** Roof pitch, and overhang at the gable end and eaves, shall be consistent with the selected architectural style.

(3) **Roofing Materials**. Roofing materials shall be 3-tab shingles, architectural style asphalt, shakes, copper, clay tile, slate, simulated slate, or of other ornamental types consistent with the architectural style of the structure. Colors shall be compatible with those in the area.

h. **Exterior Trim and Details**. All new residential units shall incorporate appropriate trim and detail, based on the selected architectural style, including, but not limited to: cornices; pediments; door and window surrounds; pilasters; molding; baseboards; trims; architraves; and lintels. Each new residential structure shall have at least one pediment or dormer, except or flat-roofed structures approved under subsection (g)(1) above. No exterior fire stairs or fire escapes may be located on a structure's street-facing elevation.

i. **Garage Offset.** The front of a garage shall be setback a minimum of five feet from the front façade of a dwelling.

j. **Multi-family Residential Construction**. In addition to the requirements of this subsection, to emphasize each residential unit, all new multi-family units shall include a roof dormer or bay window on the street-facing elevation, or provide a roof gable that faces the street for each dwelling unit.

k. **Retention of Exterior Features**. Certain building features of an existing structure that are on its street-facing elevation shall be retained as part of any project that is altering the structure. Building features that must be retained are entrances, doors, windows exterior siding and the following projecting features: front porches; balconies; bay windows; dormers; and dormer windows.

3. **Mixed Use or Institutional Construction**. The architectural styles of new mixed use or institutional construction, including public buildings, in areas cited in Subsection 1 of this Section, shall be restricted to those that replicate major design elements characteristic of the 1890s-1930s architectural styles represented in the District.

a. **Building Materials.** Materials for new non-residential construction and other exterior features and facilities shall be selected and designed to replicate material that exhibit characteristics of architectural styles of the era of the District. Materials shall have good architectural character, shall be of durable quality, and shall be selected for harmony of the building with adjoining buildings.

b. **Building Colors.** Building colors shall be compatible with adjacent building colors and the era of the Conservation District.

c. **Roofs**. Flat roofs shall include parapets. Roofing materials shall be 3-tab shingles, architectural style asphalt, shakes, copper, or of other ornamental types consistent with the structure. Roll roofing shall only be used in conjunction with parapets. Colors shall be appropriate to the era of the District and compatible with adjacent buildings.

d. **Building Facades**. The facade facing a major pedestrian route shall have display windows, fenestration and entrances as required in Section 138, but in keeping with the era of the District. The ground level must be distinctly separated visually from upper stories. This may be done through introduction of a cornice above the ground level, establishment of an arcade, changes in material or texture, or development of a band of clerestory windows on the building's street-facing elevation.

e. **Awnings, Marquees and Porches**. All building facades facing a major pedestrian route shall provide weather protection in the form of awnings or marquees along at least 90% of the length of the ground floor building façade. Such weather protection may encroach into the public right-of-way subject to applicable City code, and shall meet the requirements of the Uniform Building Code (Chapter 32, Sections 3205, 3206). Building designs shall include porches and awnings, or other weather protection over the entry and adjacent sidewalk, to be designed and constructed of materials that replicate architectural styles consistent with the era of the District.

f. **Exterior Lighting**. Exterior lighting shall be part of the overall architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with the building design. Lighting shall be restricted to low-intensity on-site illumination that produces no direct spillover onto adjoining residential property. A maximum of 4 lumens is allowed. (Amended by Ord. No. 5676/10-06.)

g. (Deleted by Ord. No. 5676/10-06.)

h. **Mechanical Equipment**. Mechanical equipment or other utility hardware on the roof, ground, or building shall be screened from public view with materials harmonious with the building, or they shall so located as not to be visible from any public right-of-ways.

i. **Other Applicable Design Standards**. In addition to the standards specified in this subsection, new mixed use or institutional construction shall also conform to the streetscape design guidelines contained in Section 138 (XII)(D), subsections 1-16, which in the Downtown Neighborhood Conservation District shall be construed as requirements.

Section 140: **ORENCO STATION COMMUNITY PLANNING AREA DEVELOPMENT REGULATIONS AND DESIGN STANDARDS**
(Added by Ord. No. 4455/8-96.)

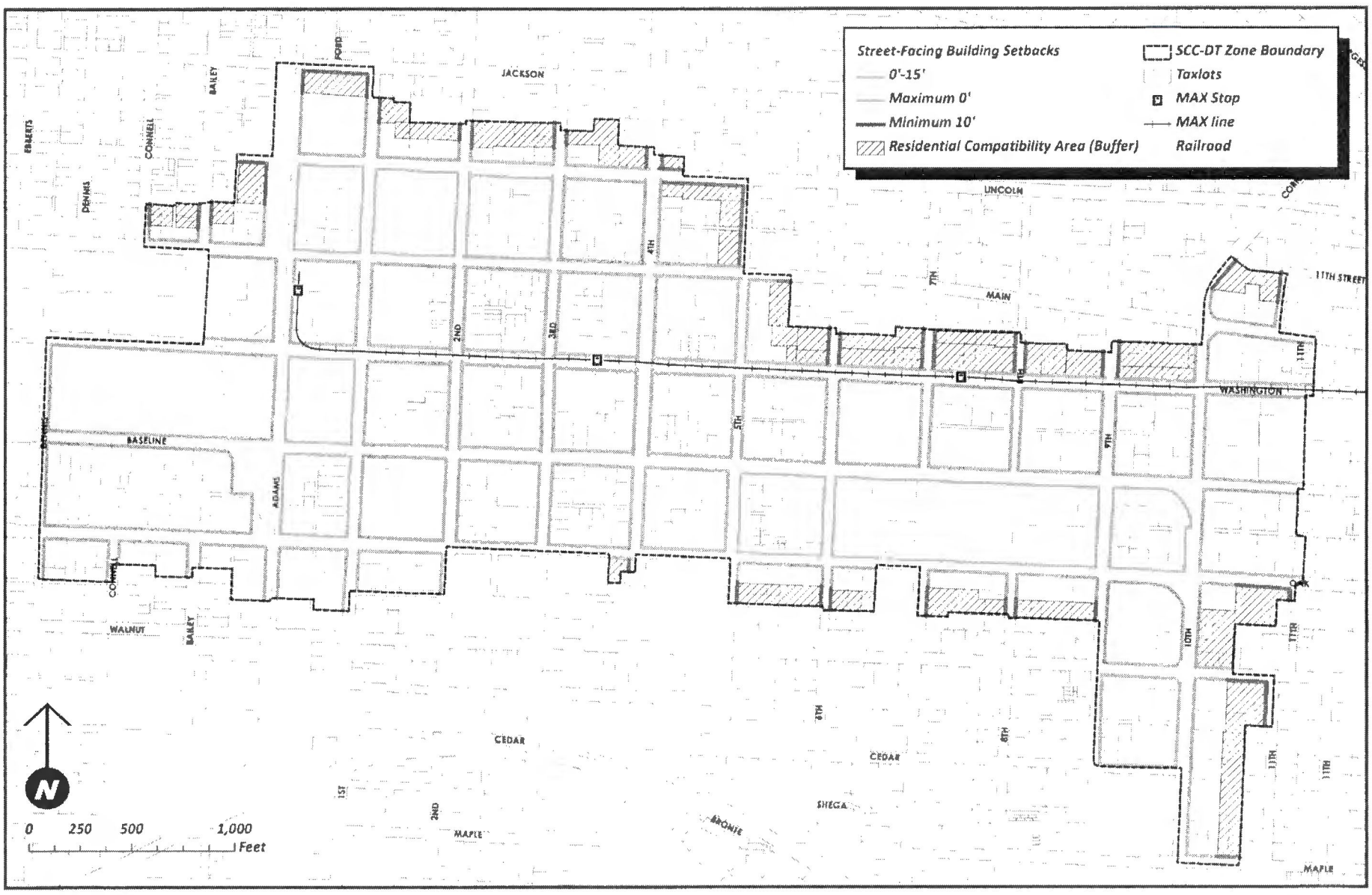
[No changes to this section proposed]

SECTION 141: **185th/QUATAMA STATION COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS**
(Added by Ord. No. 4545/4-97.)

[No changes to this section proposed]

Section 142: **HAWTHORN FARM / FAIR COMPLEX STATIONS COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS**
(Added by Ord. No. 4545/4-97.)

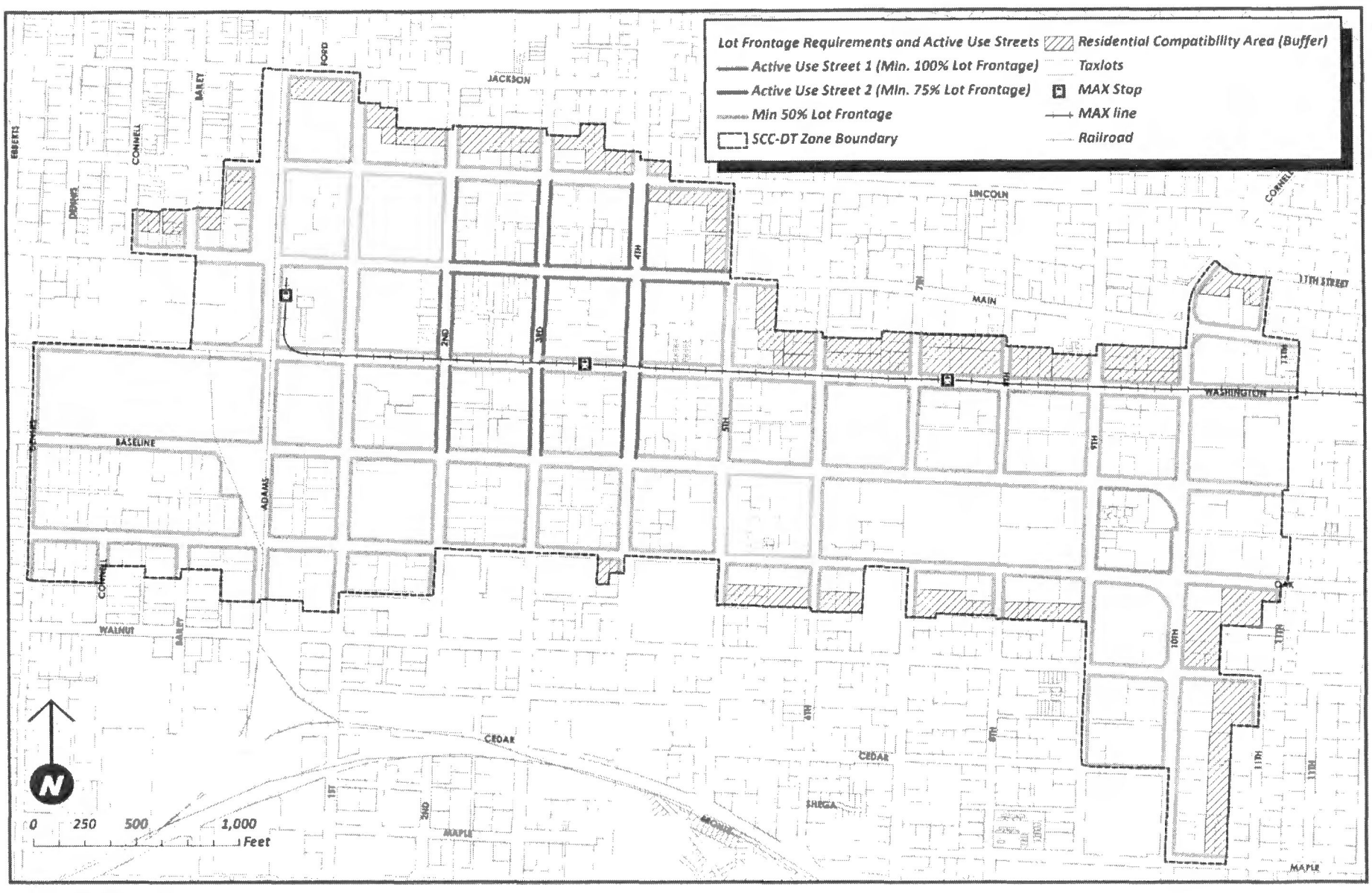
[No changes to this section proposed]



CITY OF HILLSBORO

SCC-DT ZONE

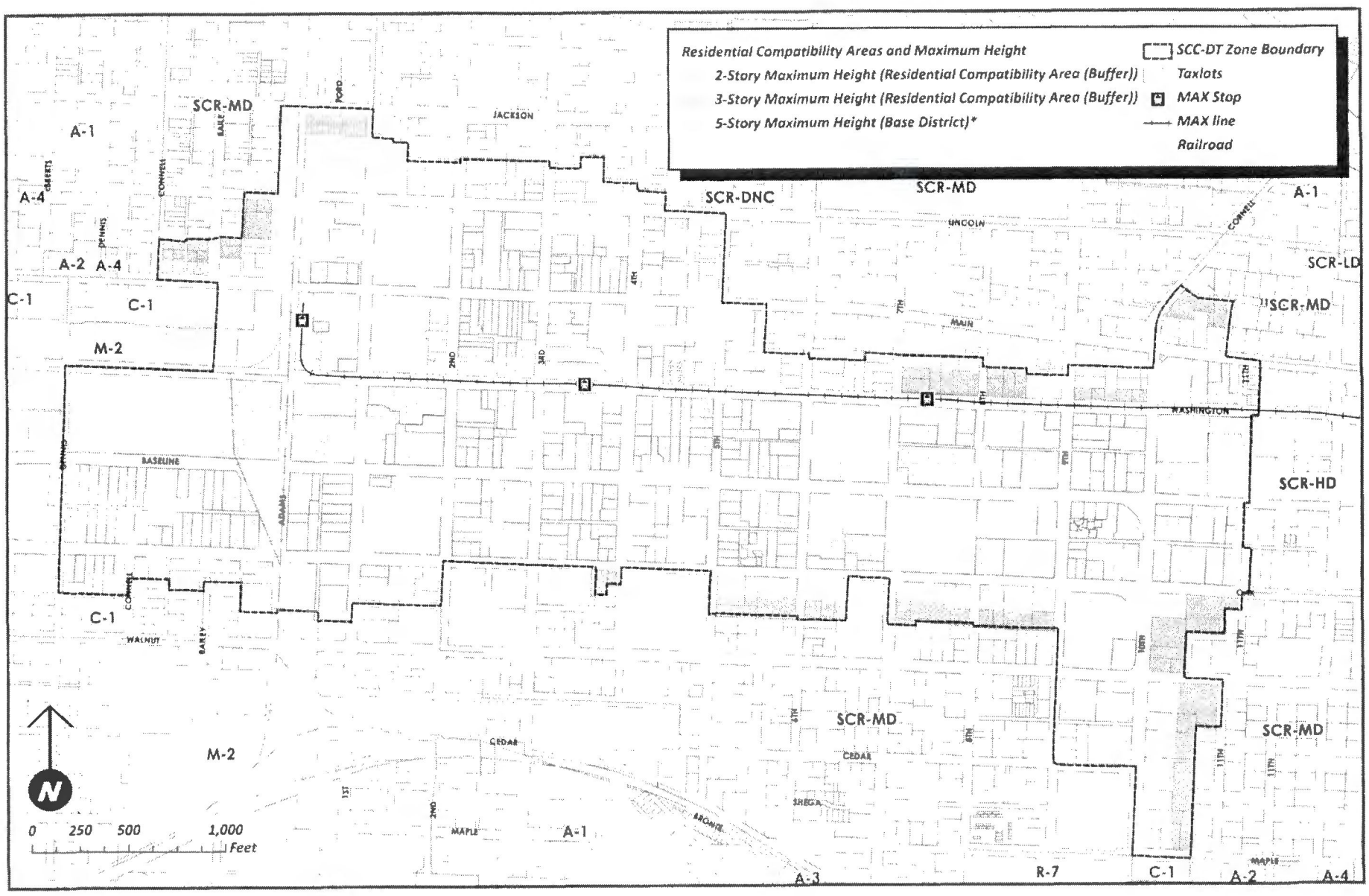
Figure 139-1: Street-Facing Building Setbacks



CITY OF HILLSBORO

SCC-DT ZONE

Figure 139-2: Lot Frontage Requirements and Active Use Streets

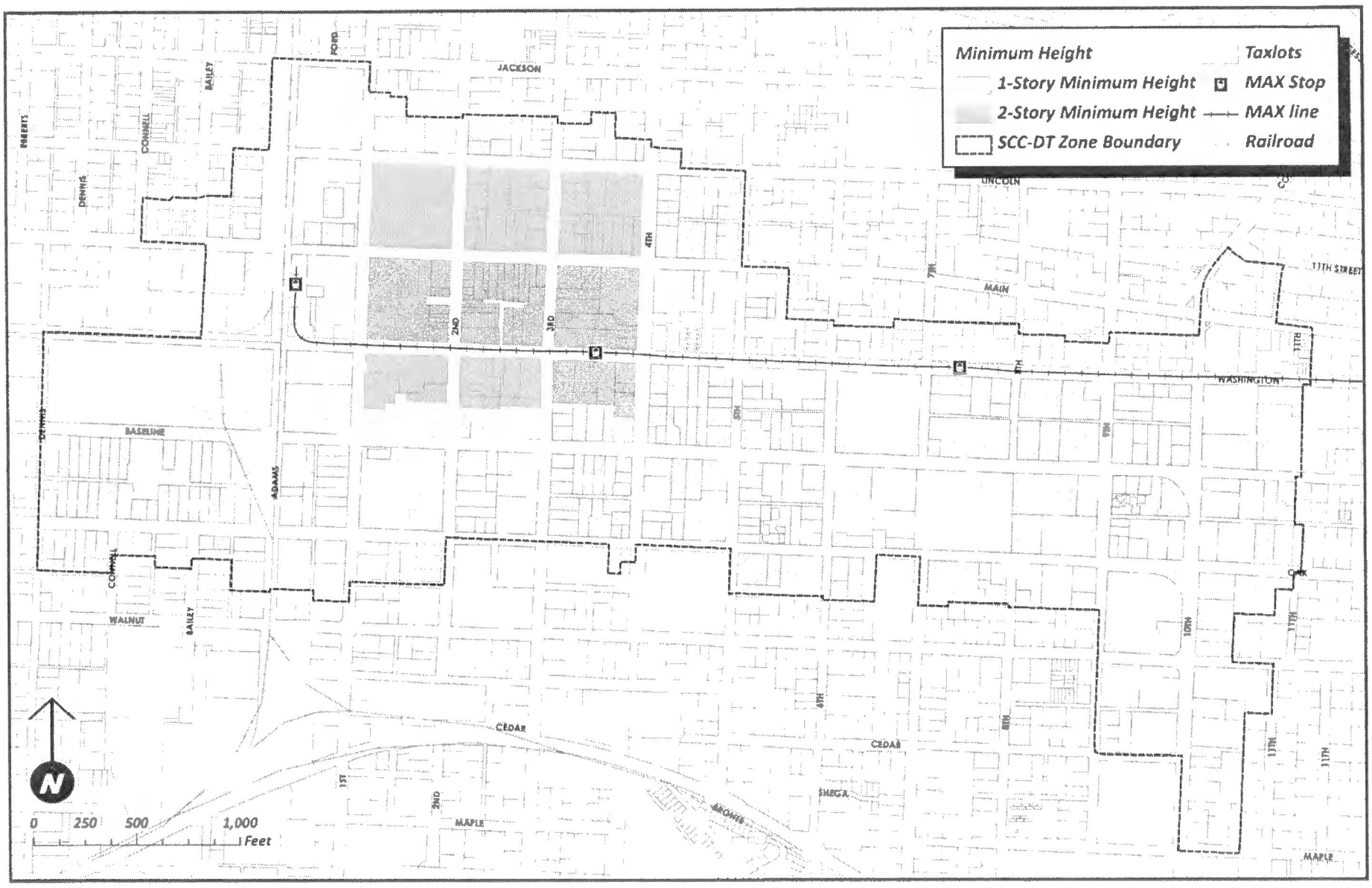


CITY OF HILLSBORO

SCC-DT ZONE

Figure 139-3: Residential Compatibility Areas and Maximum Height

**Except in Residential Compatibility Areas, increased height may be allowed with discretionary approval—See Section 137.X.B.3*



CITY OF HILLSBORO

SCC-DT ZONE

Figure 139-4: Minimum Height

ORDINANCE NO. 5973

ZOA 1-11: SCC-DT - STATION COMMUNITY COMMERCIAL - DOWNTOWN ZONE

AN ORDINANCE AMENDING SECTIONS 136, 137, 138 AND 139 OF ZONING ORDINANCE NO. 1945, REGARDING THE NEW STATION COMMUNITY COMMERCIAL DOWNTOWN ZONE (SCC-DT), AMENDING THE OFFICIAL ZONING MAP TO ADOPT THE SCC-DT ZONES ON APPROXIMATELY 542 PROPERTIES IN DOWNTOWN HILLSBORO, AND DECLARING AN EMERGENCY.

WHEREAS, the City obtained a grant to assist in review of zoning regulations affecting the downtown with the objective of facilitating economic vitality of the downtown while preserving the neighboring residential areas, and

WHEREAS, City staff worked with a Technical Advisory Committee as well as with the Downtown Advisory Committee and the Planning Commission in numerous meetings with the objective of developing a new downtown commercial code, and

WHEREAS, the Planning Commission reviewed the proposed Station Community Commercial – Downtown Zone (SCC-DT) amendments at a work session on January 12, 2011, and

WHEREAS, the Planning Commission subsequently adopted Order No. 8037 initiating Zoning Ordinance Amendments to Hillsboro Zoning Ordinance Sections 136, 137, 138 and 139 regarding a new Station Community Commercial – Downtown Zone, and amending the official zoning map to adopt the SCC-DT zones on approximately 542 properties, and

WHEREAS, the Planning Commission held a public hearing on the proposed Zoning Ordinance amendments on March 17th, and received testimony on the proposed amendments. The hearing was subsequently continued three times to April 13th, April 27th, and May 11th, 2011. Supplemental staff reports and additional public testimony were presented at both April hearings. The continuance to May 11th limited further testimony to the subject of the Residential Compatibility Area (RCA) along Washington Street between 5th and 7th Avenues, and

WHEREAS, at the conclusion of the public hearing, the Planning Commission adopted Order No. 8042 on May 11th, 2011 and voted to recommend to the City Council that the subject Zoning Ordinance text and map amendments be approved, based on the testimony and record and the attached Exhibit A, and

WHEREAS, on June 7th, 2011 the City Council received a recommendation from City staff that the Council schedule a limited additional public hearing on the amendments pursuant to Zoning Ordinance Section 116(1)a., to receive citizen input raised after the Planning Commission public hearing was closed on two specific issues, and

WHEREAS, the City Council held a public hearing on July 5th, 2011, received testimony in support of the proposed revisions from citizens and City staff, and found merit in the proposed

changes as noted in the June 1st and June 28th, 2011 staff reports, which are hereby adopted by reference as additional findings in support of the revisions to the Planning Commission recommendation, and

WHEREAS, the City Council finds that the proposed amendments should take effect as soon as possible in order to assure the successful implementation of the new measures in light of the City's receipt of the above-mentioned grant and recent development activity, and that the public interest in economic vitality of the downtown core and preservation of nearby neighborhoods will be best advanced if the new regulations take effect immediately; as such, an emergency should be declared so that this Ordinance may take effect immediately upon its adoption by the Council and approval by the Mayor.

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

Section 1. Zoning Ordinance No. 1945 is amended as described in Exhibit A attached hereto, with language to be added in ***bold italic*** typeface and language to be deleted in ~~overstrike~~ typeface.

Section 2. An emergency is hereby declared, and this ordinance shall be effective immediately following its adoption by the Council and approval by the Mayor.

First approval and adoption by the Council on this 5th day of July 2011.

Approved by the Mayor this 5th day of July 2011.

Jerry Willey, Mayor

ATTEST:
Amber Ames, City Recorder

EXHIBIT A

Downtown Zoning Code Amendments
Amendments to Hillsboro Zoning Ordinance Volume II

Proposed text amendments are shown with new language in ***bold italics***, and language to delete shown with ~~strike through~~.

Section 136: STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. PURPOSE

[No changes to this section proposed]

II. LAND USE DISTRICTS

A Station Community Planning Area shall include one or more of the following zoning designations[1]:

A. Station Community Commercial— ~~Central Business District (SCC-CBD)~~ *Downtown District (SCC-DT)*

The ~~SCC-CBD~~ ***SCC-DT*** District shall apply to property located within ~~the Central Business District of~~ downtown Hillsboro which is identified for mixed use commercial development. ~~The SCC-CBD District is intended to assure an intense mix of pedestrian sensitive commercial, governmental and community service uses as well as hotels, offices, restaurants, artistic outlets, indoor recreational opportunities and other attractions in order to create a vibrant 18 hour activity window in the Central Business District. Residential uses are allowed as part of a mixed use environment on and above the second story of commercial buildings. A.~~ ***The purpose of the SCC-DT zone is to implement the Downtown Core Vision Statement from the Downtown Framework Plan to create a downtown core that is a vibrant and active place with shopping and dining, entertainment venues, arts and cultural experiences, civic activities and spaces and public gathering places supported by existing and new residents, employees, and students living and working in and around the historic core.***

B. Station Community Commercial—Highway Oriented District (SCC-HOD)

~~The SCC-HOD District shall apply to property generally located within one half block of the State Highway 8 corridor (Baseline Street, Oak Street, and SE Tenth Avenue) in downtown Hillsboro that is identified for commercial development. The~~

[1] SCPA district boundaries are mapped designations and distances cited herein serve as general guidelines rather than specific measurements.

~~District is intended to recognize and allow for the continuation and expansion of existing, but allow no new, auto-oriented commercial uses along Oregon State Highway 8 unless expressly authorized in the Comprehensive Plan and in Section 139. Because of its adjacency to the Central Business District a similar mix of transit supportive, pedestrian-sensitive commercial and community service uses, hotels, residential hotels and indoor recreational facilities are encouraged. Residential uses are permitted in free-standing residential structures and on or above the second story of commercial buildings throughout the District. Hospitals and their related facilities are permitted as conditional uses. (Amended by Ord. No. 4545/4-97.)~~ ***(Deleted by Ord. No. XXX.)***

C. Station Community Commercial—Station Commercial (SCC-SC)

The SCC-SC District may be applied to property generally located within 1,300 feet of a light rail station site that is identified for mixed use neighborhood commercial development. The SCC-SC District is intended to assure a mix of transit supportive retail, service, professional, community service, child care facilities, recreational and similar uses near, and within easy walking distance of, the light rail stations outside the CBD. More intense uses such as high density housing (both free-standing and in mixed use buildings), hotels and residential hotels are encouraged near the station. Neighborhood commercial uses in the District are intended to be pedestrian-sensitive and compatible with the scale of surrounding residential development. However, where a District is adjacent to or bisected by an arterial street, neighborhood commercial uses may be auto-accommodating provided that the auto-accommodating uses are clustered in a node, as opposed to being extended along the arterial, and provided the amount and intensity of such development is limited so as not to adversely impact the nearby residential areas or take on the look of strip development. (Amended by Ord. No. 5168/7-02.)

D. Station Community Commercial—Multi-Modal (SCC-MM)

[No changes to this section proposed]

E. Station Community Residential—High Density (SCR-HD)

[No changes to this section proposed]

F. Station Community Residential—Medium Density (SCR-MD)

[No changes to this section proposed]

G. Station Community Residential—Low Density (SCR-LD)

[No changes to this section proposed]

H. Station Community Residential—Village (SCR-V)

[No changes to this section proposed]

I. Station Community Residential—Orenco Townsite Conservation (SCR-OTC)

[No changes to this section proposed]

J. Station Community Residential—Downtown Neighborhood Conservation (SCR-DNC)

[No changes to this section proposed]

K. Station Community Industrial (SCI)

[No changes to this section proposed]

L. Station Community Business Park (SCBP)

[No changes to this section proposed]

M. Station Community Research Park (SCRP)

[No changes to this section proposed]

N. Station Community Fair Complex Institutional (SCFI)

[No changes to this section proposed]

III. DEFINITIONS

[No changes to this section proposed]

IV. PERMITTED LAND USES

A. Land uses listed on Tables 1, 2 and 3 shall be allowed, conditionally allowed or not permitted in the Station Community Planning Areas shown. The listed uses must be consistent with the description of the relevant district as set forth in subsection II of this Section, and may be further restricted by subsection V. of this Section and the standards of Sections 136 through 142. Uses listed as being subject to a Conditional Use Permit ("C") shall require findings of fact that the proposed use is, where practicable, transit-supportive. The tables are organized by major types of district along with appropriate use categories for that type of district listed. Use categories vary by table. (Amended by Ord. No. 4930/7-00.)

B. Where a particular use within a broader category (e.g., "indoor cinema" as a "commercial" use) is cited in Tables 1, 2, and 3, it is intended to signify that the use is either not allowed in one or more of the districts, or is an unusual use to be permitted in one or more of the districts and is, therefore, due special recognition of its suitability to be in the district. (Amended by Ord. No. 4930/7-00.)

Table 1: Permitted Uses in Station Community Commercial Districts

Use	~~SCC-CBD~~ *SCC-DT*	~~SCC-HOD~~	SCC-SC	SCC-MM
Commercial Uses[1]	P/C [2, 3, 9]	~~P/C [2, 3]~~	N	P/C [2, 3]
Neighborhood Commercial[1]	P	~~N~~	P/C [2, 3]	P
Community Service[4]	P/*C* [9]	~~P~~	P	P
Hotels and Residential Hotels	P	~~P~~	P	P
Indoor Recreational Facilities	P	~~P~~	P	P
Outdoor and Land-Extensive Recreational Facilities	N	~~N~~	N	P
Home Occupations	P	~~P~~	P	P
Pedestrian-Oriented Accessory Uses and Outdoor Seating for Restaurants[5]	P	~~P~~	P	P
Light Rail Facilities, other than park and ride lots	P	~~P~~	P	P
Religious Institutions	*P*/C [9]	~~C~~	C	C
Schools: Middle, Junior High, Senior High	~~N~~ *C*	~~C~~	C	C
Schools: Colleges or Universities (Other than Major Institutions)	C	~~C~~	C	C
Hospitals	~~N~~ *P* [6]	~~C~~	N	C
Major Institutions[6]	~~N~~ *P*	~~P~~	P	P
Geriatric Care Facilities	~~N~~ *C*	~~C~~	C	C
Utility Substation or Pumping Station	C	~~C~~	C	C
Radio and Telephone Transmission Facilities	C	~~C~~	N	C
Transit Park-and-Ride	C	~~C~~	C	C
Drive-through Facilities	N/~~P~~ *C* [7]	~~N/P~~ [7]	N	P
Motor Vehicle Service, Maintenance or Repair Facilities	N/*C* [7]	~~N/P~~ [8]	N	P
Office Uses	P	~~P~~	P	P
Flex Space Uses	~~N~~ C	~~P~~	P	P
Mid-Rise Apartments	P	~~P~~	P	P
Multi-Family Dwellings	P	~~P~~	P	P
Garden Apartments	N	~~P~~	P	P
Townhouses and Rowhouses	~~N~~ *P* [8]	~~P~~	P	P
Permanent Open Space	~~N~~ *P*	~~N~~	P	P
Automobile Sales	N	~~C~~ [9]	N	N
Public Parks and Recreational Facilities	C	~~C~~	C	C
Residential Facilities	P	~~P~~	P	P

P Permitted Use **C** Conditional Use **N** Not Permitted

[1] To clarify commercial/neighborhood commercial use restrictions, see "Neighborhood Commercial" definition.

[2] Outdoor exercise areas for animal services facilities permitted only with conditional use approval. (Added by Ord. No. 5960/3-11.)

[3] Overnight pet boarding permitted outright at veterinary clinics; elsewhere only with conditional use approval. (Added by Ord. No. 5960/3-11.)

[4] Excluding religious institutions.

[5] Pedestrian-oriented accessory uses (such as sidewalk flower, food and drink stands) and outdoor seating for restaurants are subject to City permit requirements.

[6] ***Concept Development Plan approval is required for this use.*** A Major Institution relates to a particular type of use, but a variety of use types can be a Major Institution (governmental, educational, medical, etc.) See definition.

[7] ***Drive-through Facilities are subject to conditional use and the standards of 136(VI)(A)(11).*** New ***Motor Vehicle Service, Maintenance or Repair Facilities*** ~~uses~~ are prohibited***, expansion of existing use subject to conditional use***. Existing use are exempt from the provisions of Section 102 ~~as specified in Section 136 (VI)(A)(9) and (VI)(A)(11)~~.

[8] ***New duplexes, townhouses, and rowhouses are only permitted within Residential Compatibility Areas as shown on Figure 139-3 and are subject to minimum densities in Table 1a.*** ~~New uses are prohibited except as provided in Section 139.III. Expansion of existing uses beyond 400 feet from a light rail station is allowed in accordance with the provisions of Section 136.VI.~~

[9] ~~Conditional Use approvals for Automobile Sales in the SCC-HOD District are limited to seven (7) years duration.~~ ***Assembly uses (e.g., religious, institution, auditoriums, and theaters) over 250 persons occupancy require conditional use approval.***

Table 2: Permitted Uses in Station Community Residential Districts

[No changes to this section proposed]

Table 3: Permitted Uses in Station Community Industrial and Institutional Districts

[No changes to this section proposed]

V. DESTRUCTION OR EXPANSION OF EXISTING USES OR STRUCTURES

A. Single family residences ....

B. Except as provided in subsection VI., Restricted Land Uses ***and designated Cultural Resources which are governed under Section 132 Cultural Resource Management Ordinance***, expansion of all other uses lawfully in existence as of the effective date of this Ordinance shall be allowed to expand ***or be altered*** without limit as to the size of contiguous expansion; subject to compliance with:...

C. Expansion of existing uses ....

D. Expansion of existing uses ...

E. Expansion of existing uses ...

F. Interior alterations ...

G. Expansion of existing parking lots and facilities....

VI. RESTRICTED AND SPECIALLY REGULATED LAND USES

A. **Within 2,600 feet of a light rail station site,** except as otherwise provided below, the following uses are not transit-supportive and shall not be established as new uses, nor may existing uses or structures be converted to the following uses:

1. Book bindery, except in a SCI or SCBP District.

2. Building materials sales and supplies, excluding hardware stores not exceeding 10,000 square feet in area.

3. Bulk retail uses.

4. Car washes

5. Cemeteries.

6. Cold storage plants.

7. Commercial or accessory parking structures within 400 feet of a light rail station, excluding parking structures for which the ground floor perimeter adjacent to a street, excluding ramp and pedestrian access to the parking structure, and any required disabled and bicycle parking, is occupied or available for retail or pedestrian-related office or service uses.

8. Commercial or accessory surface parking lots within 850 feet of a light rail station site, unless the lot is located in the center of a block, behind buildings fronting the perimeter of the block face; or similarly situated where grid pattern blocks do not exist.

9. Drive-through and drive-in facilities within 400 feet of a light rail station site, except as provided in subsection 11 below. (Amended by Ord. No. 4737/1-99.)

10. Drive-through and drive-in facilities greater than 401 and less than 850 feet from a light rail station site are allowed provided the drive-through or drive-in component of the operation or service is not the primary method of selling or servicing; unless such uses are prohibited or subject to more restrictive provisions in a particular SCPA District, in which case the more restrictive provisions of the district shall apply.

11. ~~Drive-through and drive-in uses are prohibited throughout the SCC-CBD District, with the exception of such uses physically in existence as of April 15, 1997. Such pre-existing drive-through facilities shall be exempt from the provisions of Section 102 regarding discontinuance of a non-conforming use.~~ New drive-through and drive-in uses are ***limited*** ~~prohibited throughout~~ ***in*** the ~~SCC-HOD~~ ***SCC-DT*** District. ~~after the effective date of this Ordinance (April 6, 2001).~~ In all other districts, drive-through and drive-in facilities are allowed beyond 850 feet from a LRT station if the use is permitted in the district. (Amended by Ord. No. 4737/1-99, 4930/7-00 and 5006/3-01.)

Throughout the ***SCC-DT***~~SCC-HOD~~, new drive-through and drive-in facilities are allowed only in compliance with the following criteria:

a. a maximum of one single drive-through lane or window is proposed;

b. the applicant can demonstrate that the drive-through lane is not the primary method of selling or servicing:

c. the development meets all other requirements of Sections 137 through 142, including but not limited to maximum setbacks, minimum floor area ratio, and percentage of front-wall glass;

d. the drive-through lane or window and the associated access drive(s) are designed to minimize disruption of on- and off-site pedestrian and bicycle traffic.

(Amended by Ord. No. 4930/7-00 and by Ord. No. 5006/-01).

12. Electrical power generators.

13. Farm machinery, equipment or implement sales or service.

14. Fuel dealerships and storage yards (including card locks).

15. Furniture and appliance stores, excluding stores not exceeding 10,000 square feet in area which provide home delivery.

16. Junk yards and motor vehicle wrecking yards.

17. Kennels, excluding those accessory to veterinary clinics or medical research facilities.

18. Land-extensive recreational facilities, except in the SCFI District.

19. Manufactured home sales lots.

20. Mini-warehouses and/or mini-storage units.

21. Motels.

22. Motor vehicle service, maintenance or repair facilities within 400 feet of a light rail station site boundary, excluding retail or wholesale outlets selling motor vehicle parts and accessories without provision for on-site installation. (Amended by Ord. 4930/7-00.)

23. Motor vehicle, recreational vehicle, boat and travel trailer sales, leasing, rental or storage, except rentals where the rental vehicles are not stored on a site within 2,600 feet of a light rail station site~~, and except automobile sales permitted as interim conditional uses in the SCC HOD zone as specified in Section 139~~. (Amended by Ord. No. 4930/7-00.)

24. Movie theaters with four or more screens, unless structured or joint use parking is available within 800 feet to accommodate eighty percent (80%) of theater patrons. ***Within the SCC-DT movie theaters with up to eight screens are permitted without complying with the parking restriction noted above.***

25. Nurseries and greenhouses, retail and wholesale***, except that in the SCC-DT District retail nurseries and retail greenhouses less than 5,000 square feet in size are permitted***.

26. Recreational vehicle parks and campgrounds.

27. Seasonal uses, excluding seasonal uses in the ~~SCC HOD~~ ***SCC-DT*** District.

28. Solid waste transfer stations.

29. Truck stops.

30. Warehouses storing materials or products not primarily manufactured or assembled on site or used in the on-site process, or used in the maintenance or operation of on-site facilities, excluding the following:

a. Buildings constructed prior to the effective date of this Ordinance that were originally designed to be used primarily for warehouse use.

b. Buildings storing materials ancillary to the product manufactured on-site and to be marketed in conjunction therewith.

B. Destruction of Restricted Uses

[No changes to this section proposed]

C. Expansion of Restricted Uses

1. Except for drive-through facilities within 400 feet of a light rail station site and surface parking lots adjacent to light rail transit station sites, a restricted land use lawfully in existence as of the effective date of this Ordinance shall be allowed to increase its size through contiguous expansion up to a maximum of 20 percent (20%) of the gross floor area existing as of the effective date of this ordinance provided the requirements of Section 99, Enlargement or Expansion of Non-Conforming Uses, the requirements Section 133, Development Review/Approval of Plans, and the standards of Sections 137 through 142 are met.

2. Notwithstanding the provisions of paragraph 1, above, and subject to the provisions of Section 133, Development Review/Approval of Plans, and the standards of Sections 137 through 142, the following restricted land uses lawfully in existence as of the effective date of this Ordinance and doing business within the ***SCC-DT*** ~~SCC-HOD~~ District shall be allowed to expand without limit as to the size of contiguous expansion:

a. Car washes.

b. Drive-through facilities greater than 400 feet from a light rail station site.

c. Furniture and appliance stores.

d. Motels.

e. Motor vehicle service, maintenance and repair facilities.

D. Specially Regulated Uses

[No changes to this section proposed]

VII. DEVELOPMENT REVIEW AND RELATED CITY DEVELOPMENT CODE

[No changes to this section proposed]

VIII. CALCULATIONS

[No changes to this section proposed]

IX. CONFLICTS

[No changes to this section proposed]

X. VARIANCES

5. Variances under the following circumstances or from the specific development regulations and design standards cited shall not be granted:

a. To allow a development project where the proposed residential density or floor area ratio is less than 90% of the minimum density of the district;
b. To allow residential densities greater than specified for the district;

c. To allow accessory industrial uses to exceed a combined thirty percent (30%) of the net developable area of the campus of a major institution in a SCRP District.

d. To allow a development project with less than 85% of the minimum required usable open space;

e. To the street and alley performance standards contained in Sections 137.XVI.B.1.;

f. To allow surface parking or loading areas between a major pedestrian route and an adjacent building, except as specifically provided in Sections 137 through 142;

g. To allow off-street surface parking lots, or commercial service or loading areas outside the public right-of-way to be located or temporarily located or expanded adjacent to, cater-cornered or across the street from a light rail station site;

h. To the requirement for pedestrian-related office, service or retail uses on the ground floor of parking structures;

i. To the minimum access requirements; and

j. To the requirements of Section 138.XII.C., Streetscape Design Standards.

k. To increase the maximum building height with Residential Compatibility Areas as shown on Figure 139-3.

Section 137: DEVELOPMENT REGULATIONS FOR STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. SCOPE

[No changes to this section proposed]

II. DEVELOPMENT CRITERIA

Tables 1.a through 1.n contain the development criteria which shall apply within each Station Community Planning District. Criteria may vary depending on the distance of the project from a light rail station site. These differences, if any, are shown in the applicable table as requirements applying to development within 1,300 feet of a station site, between 1,301 and 2,599 feet of the station site, and development 2,600 or more feet from a light rail station site. The development criteria for a particular district or use consists of the combined requirements of Tables 1.a through 1.n and subsections III. through XI.

Table 1.a: Development Criteria, Station Community Commercial – *Downtown (SCC-DT)*
~~**Central Business District (SCC-CBD)**~~
~~**This District is not applicable to properties more than 1301 feet from a LRT Station**~~

	DEVELOPMENT CRITERIA	REQUIREMENTS ~~/ ALLOWED WITHIN 1,300' OF LRT STATION~~
1.	MINIMUM LOT SIZE	None
2.	MINIMUM LOT WIDTH	~~25 feet~~ ***None***
3.	MINIMUM LOT DEPTH	~~200 feet~~ ***None***
4.	MINIMUM RESIDENTIAL DENSITY	***Within Residential Compatibility Areas shown on Figure 139-3: Free-standing residential buildings are allowed at a minimum density of 18 dwelling units per acre.*** ***Outside of Residential Compatibility Areas shown on Figure 139-3:*** Free-standing multi-family buildings are allowed at a minimum density of 30 dwelling units per acre.
5.	MAXIMUM RESIDENTIAL DENSITY	***Within Residential Compatibility Areas shown on Figure 139-3:*** 36 units per acre, either in free-standing ~~multi-family~~ ***residential*** buildings or in mixed use buildings ~~on and above the second floor~~. ***Outside of Residential Compatibility Areas shown on Figure 139-3: 90 units per acre, either in free-standing multi-family buildings or in mixed-use buildings.*** Densities are included in the calculation of the minimum floor area ratio of 0.75 for all buildings in the District. Higher ***maximum density*** with discretionary approval.
6.	ANCILLARY DWELLING UNITS	Not allowed
7.	MINIMUM FLOOR AREA RATIO	0.75; minimum: .50 in first phase
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 60 persons per acre.
9.	MINIMUM SETBACK FROM STREETS AND ALLEYS	***Properties subject to a minimum front setbacks of 10 feet are shown on Figure 139-1. For all other properties*** no minimum setbacks ***required*** except as necessary to accommodate building code, public utility easement or public open space requirements.
10.	MAXIMUM SETBACK FROM STREETS AND ALLEYS	Front: ~~0 feet~~ ***(see Section 139)*** Side: ~~0 feet; none on alleys~~***(see Section 139)*** ~~Exceptions of up to ten feet additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.~~
11.	VISION CLEARANCE (STREET & ALLEY INTERSECTIONS)	See Section 137.IX.B.
12.	MINIMUM BUILDING HEIGHT	~~2 stories~~ ***1 to 2 stories (see Section 139.IV.H)***
13.	MAXIMUM BUILDING HEIGHT	5 stories; ***except as follows:*** ***Reduced building heights apply in Residential Compatibility Areas as shown on Figure 139-3. Except in Residential Compatibility Areas, increased height may be allowed*** ~~higher~~ with discretionary approval – ***See Section 137.X.B.3.*** ~~See also Section 139~~
14.	MINIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3
15.	MAXIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3
16.	MINIMUM USABLE OPEN SPACE	~~5% of gross site area~~ ***See Section 139.IV.J***
17.	MINIMUM LANDSCAPING	See Sections 137.XIII., 137.XV.B.1., 137.XVI.B.1.a.(10), 138.IV., and 138.VIII.C.2. and D.
18.	MIXED USE BUILDINGS	~~Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses. Where residential use is provided, retail and/or pedestrian-related office or service uses are permitted on the ground and second floors, office uses are permitted on and above the second floor, and residential units are permitted on and above the second floor.~~ ***See Section 137.XIV***
19.	SIDEWALKS	See Section 137.XV.
20.	MINIMUM LOT FRONTAGE	None
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	See Section 139

(Amended by Ord. No. 4930/7-00.)

Table 1.b: Development Criteria, Station Community Commercial - Highway Oriented District (SCC-HOD)This District is not applicable to properties more than 2600 feet from a LRT Station

[Table 1.b. deleted by Ordinance XX]

	DEVELOPMENT CRITERIA	REQUIREMENTS / ALLOWED WITHIN 1,300' OF LRT STATION	REQUIREMENTS / ALLOWED FROM 1,301' TO 2,599' OF LRT STATION
1.	MINIMUM LOT SIZE	None	
2.	MINIMUM LOT WIDTH	25 feet	
3.	MINIMUM LOT DEPTH	125 feet	
4.	MINIMUM RESIDENTIAL DENSITY:		
a.	MIXED USE COMMERCIAL	If housing is a part of a commercial development, dwellings are permitted on and above the second floor of retail and/or office buildings, with no minimum density. Densities are included in the calculation of the minimum floor area ratio in the District.	
b.	FREE STANDING	30 dwelling units per Net Acre	24 dwelling units per Net Acre
5.	MAXIMUM RESIDENTIAL DENSITY		
a.	MIXED USE COMMERCIAL	If housing is a part of a commercial development, dwellings are permitted on and above the second floor of retail and/or office buildings, up to 36 units per net Acre. Densities are included in the calculation of the minimum floor area ratio in the District.	
b.	FREE STANDING	36 dwelling units per Net Acre. Higher with discretionary approval.	30 dwelling units per Net Acre Higher with discretionary approval.
6.	ANCILLARY DWELLING UNITS	Not allowed	
7.	MINIMUM FLOOR AREA RATIO:		
a.	HOSPITALS	1.0	
b.	ALL OTHER LAND USES	0.50; .35 in first phase	0.40; .25 in first phase
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 60 persons per net acre, except along 10th Avenue where the target employment density is 45 persons per net acre.	
9.	MINIMUM SETBACK FROM STREETS AND ALLEYS	No minimum setbacks except as necessary to accommodate building code, public utility easement or public open space requirements.	
10.	MAXIMUM SETBACK FROM STREETS AND ALLEYS	Front: 10 feet for commercial development; 15 feet for residential development Side: 0 feet; none on alleys Exceptions of up to ten feet additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.	
11.	VISION CLEARANCE (STREET & ALLEY INTERSECTIONS)	See Section 137.IX.B.	
12.	MINIMUM BUILDING HEIGHT	2 stories within 400 feet of a LRT station site; 1 story beyond 400 feet of a LRT station site.	1 story
13.	MAXIMUM BUILDING HEIGHT	5 stories. See also Section 139.	
14.	MINIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3	
15.	MAXIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3	
16.	MINIMUM USABLE OPEN SPACE	5% of gross site area	
17.	MINIMUM LANDSCAPING	See Sections 137.XIII., 137.XV.B.1., 137.XVI.B.1.a.(10), 138.IV., and 138.VIII.C.2. and D.	
18.	MIXED USE BUILDINGS	Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to pedestrian-related retail, office or service uses. Where residential use is provided, retail and/or pedestrian-related office or service uses are permitted on the ground and second floors, offices are permitted on and above the second floor, and residential units are permitted on and above the second floor.	
19.	SIDEWALKS	See Section 137.XV.	
20	MINIMUM LOT FRONTAGE	None	
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	See Section 139	

~~(Amended by Ord. No. 4545/4-97 and 4930/7-00.)~~

Table 1.c: Development Criteria, Station Community Commercial - Station Commercial (SCC-SC)
This District is not applicable to properties more than 2600 feet from a LRT Station.
[No changes to this section proposed]

Table 1.d: Development Criteria, Station Community Commercial – Multi-Modal (SCC-MM)
This District is generally not applicable to properties less than 2600 feet from a LRT station
[No changes to this section proposed]

Table 1.e: Development Criteria, Station Community Residential - High Density (SCR-HD)
This District is not applicable to properties more than 2600 feet from an LRT Station.
[No changes to this section proposed]

Table 1.f: Development Criteria, Station Community Residential - Medium Density (SCR-MD)
[No changes to this section proposed]

Table 1.g: Development Criteria, Station Community Residential - Low Density (SCR-LD)
[No changes to this section proposed]

Table 1.h: Development Criteria, Station Community Residential – Village (SCR-V)
[No changes to this section proposed]

Table 1.i: Development Criteria, Station Community Residential – Orenco Townsite Conservation (SCR-OTC)
[No changes to this section proposed]

Table 1.j: Development Criteria, Station Community Residential – Downtown Neighborhood Conservation (SCR-DNC)
[No changes to this section proposed]

Table 1.k: Development Criteria, Station Community Industrial (SCI)
[No changes to this section proposed]

Table 1.n: Development Criteria, Station Community Fair Complex Institutional (SCFI)
This District is not applicable to properties more than 2600 feet from a LRT Station
[No changes to this section proposed]

III. MINIMUM LOT SIZE

[No changes to this section proposed]

IV. MINIMUM LOT WIDTH AND DEPTH

[No changes to this section proposed]

V. MINIMUM AND MAXIMUM RESIDENTIAL DENSITIES, AND ANCILLARY DWELLING UNITS

A. Purpose

[No changes to this section proposed]

B. Standards

1. See Table 1 of this Section.

2. Each project shall meet minimum residential density requirements. Ancillary dwelling units are included for purposes of determining minimum density requirements in new development projects, but in an in-fill situation ancillary dwellings shall not be precluded due solely to maximum density provisions of any district. Dwelling units shall qualify for density calculation purposes regardless of whether owner or renter occupied.

3. Notwithstanding the minimum residential density requirements of this Section, one or more dwelling units may be constructed on an existing, serviced lot of record upon the effective date of this Ordinance within a residential district, in compliance with Implementation Measure (N) of the Housing element of Comprehensive Plan Ordinance No. 2793, provided that the design and siting of the dwelling unit or units would allow future development of the remainder of the parcel to at least the minimum density requirement of the applicable SCPA district in which it is located without necessitating demolition or redevelopment of the unit or units so constructed. (Amended by Ord. No. 4930/7-00.)

4. For the purpose of calculating minimum residential density, development proposals may include a reduction in the net acreage on a particular site containing driplines of existing mature trees as defined in Section 136 (XIII) (B) (3). The net acreage on such a parcel may be reduced by subtracting the area within the dripline of the mature trees. However, in no case shall the net acreage subtracted within the dripline exceed 35% of the original net acreage of the site. If a development proposes a reduction in net acreage for the purpose of retaining existing mature trees, the development application shall include a certified arborist's report and tree preservation plan. The approval of the development may be conditioned upon implementation of the recommendations for tree preservation measures. (Added by Ord. No. 4930/7-00.)

5. Residential density within an SCR-V project is determined based on the amount of net developable acres within three distance categories as measured from the light rail station site:

1,300 feet or less	**24 dwelling units per net acre**
1,301 feet - 2,599 feet	**15 dwelling units per net acre**
2,600 feet or more	**7 dwelling units per net acre**

6. Residential density requirements within an SCR-V project are calculated first, without any deductions or exclusions for other types of uses. Net acreage within each of the categories is multiplied by the required residential density to determine (1) the total required residential dwellings and (2) the average residential density per net acre of the project. Once the total dwelling units required for the project is determined, housing types and built density may vary within the residential village project regardless of distance to the station provided the overall residential density requirement of the project is achieved and at least fifty percent (50%) of net acreage of a project

is used for residential development. An additional twenty percent (20%) of the net acreage may be used for mixed use commercial/residential buildings.

7. No phase of a SCR-V project shall be permitted to develop below the per acre average residential minimum density unless: (1) it is the first phase of the development, consisting of no more than ten percent (10%) of the total project; (2) is a phase, when combined with those phases already constructed, achieves the minimum average density requirement of the district; or (3) the approved Concept Development Plan is amended to indicate where the proposed reduction in density will be made up through increased density in another phase of the project. The project shall not depend on redevelopment of early phases to achieve overall minimum density requirements.

   As an alternative to the phasing provisions of the paragraph above, an individual phase of a project shall be permitted to develop below the required minimum residential density upon a demonstration through covenants applied to the remainder of the site or project, or other binding legal mechanism, that the required density for the project will be achieved at project buildout. The increased density allocated to any future phase through such a transfer mechanism shall not increase the previously allocated density of the subsequent phase by more than ten percent (10%). The Planning Commission, as a condition of Concept Development Plan approval, may limit the number and total amount of such transfers.

8. Notwithstanding any other provision of this subsection, the minimum density of residential structures constructed within a Station Community Residential District on properties within Review Area 6, as identified in Figure 7 and in Table 5 of the Hillsboro Airport Compatibility Study (May 1993), shall not be less than 7 dwelling units per net acre and the maximum density shall not exceed 12 dwelling units per net acre.

9. Where proposed residential uses within a district may be incompatible with an adjacent industrial district created by this Ordinance or an industrial use existing prior to the effective date of this Ordinance or prior to any land use action permitting residential development on an affected parcel, the Planning Commission may establish a non-residential buffer of up to 400 feet within the residential district from the property line of the industry. Such a buffer shall be shown on the zoning map for that district. Non-residential buffers under this provision shall be used as open space or contain any nonresidential uses permitted in the district. The minimum required FAR in such an instance shall be 0.35. If the buffer /open space exceeds the calculated amount of usable open space required of the development project, and if such excess open space causes a development project to fail to meet the residential density requirements of the district, then the excess open space shall be deducted from the net acreage.

~~10. Where a project in the Downtown SCPA includes or abuts the SCR-DNC District, the density, development and design standards contained in Section 138.XIII and Section 139 shall apply.~~

11. Where a project in the Orenco SCPA includes or abuts the SCR-OTC the density, development and design standards contained in Section 138.XIII and Section 140 shall apply.

12. Except where a proposed residential or mixed use project is part of a phased or on-going development under the same or related ownership, residential development within a SCR-HD, SCR-MD, SCR-LD or SCR-V District located adjacent to a neighborhood of single family detached houses located in a subdivision or development platted before the effective date of the Station Area Interim Protection Ordinance, shall transition the type and density of the abutting new housing to be compatible with the single family character of the previously established neighborhood. Development within 100 feet, including road right-of-way, of an existing single family neighborhood shall not exceed a density of 7 dwelling units per net acre unless the existing neighborhood is zoned at a density exceeding 7 units per net acre in which case the new development shall match the density of the existing neighborhood.

13. Ancillary dwelling units are permitted in the SCR-MD, SCR-LD, SCR-V, SCR-DNC, and SCR-OTC Districts, subject to the requirements of Section 133 Development Review / Approval of Plans, and upon compliance with the following standards: (Amended by Ord. No. 5779/8-07.)

    a. The ancillary dwelling unit shall be located on the same lot as an existing single family dwelling or duplex. No more than one ancillary dwelling unit shall be permitted per lot.

    b. No ancillary dwelling shall be permitted on a lot with less area than specified in Tables 1.

    c. An ancillary unit shall comply with applicable building, fire, and health and safety codes.

    d. Placement of an ancillary unit shall conform to existing requirements for the primary residence, including but not limited to building height, setback and side yard requirements. The ancillary unit need not maintain separation from the primary structure when there is an architectural or structural connection between the dwellings.

    e. The total gross floor area of an ancillary unit shall not exceed 1,000 square feet.

    f. An ancillary dwelling unit shall not be occupied by more than three (3) related or unrelated persons. (Added by Ord. No. 5667/9-06.)

    g. One off-street parking space for an ancillary unit shall be required.

    h. The exterior appearance of an ancillary unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, color, exterior building materials, roofing form, other architectural features and landscaping.

14. Where the residential density requirements of any SCPA district conflict or overlap with the adopted residential density requirements of any other zone or district associated with land uses within 1,300 feet of a transit trunk route where peak period service is provided on at least a 20 minute headway basis and service is provided on the route at least every 30 minutes during the off-peak period between the hours of 5:00 a.m. and 1:00 a.m. of the following day, the requirement with the greatest residential density provision that affects the property shall apply, provided such bus service is in place at the time of the Development Review application for the property in question.

15. If a project proposes to meet minimum residential density requirements through or partially through remodeling of and/or additions to an existing dwelling, plans for the additional dwelling units shall be confirmed during the Development Review application process. (Added by Ord. No. 4930/7-00.)

VI. MINIMUM FLOOR AREA RATIOS

A. Purpose

Minimum floor area ratios are a tool for achieving a desired intensity of nonresidential development and encouraging increased use of light rail transit. These provisions are intended to ensure building development will occur at levels supportive of transit in areas identified for commercial, industrial, research park, or institutional uses that are within walking distance of light rail stations.

B. Standards

1. See Table 1 of this Section.
2. Required minimum FARs shall be calculated on a project by project basis and may include multiple contiguous blocks. In mixed use developments, residential floor space will be included in the calculations of floor area ratio to determine conformance with minimum FARs.

~~3. Within the SCC-HOD District an auto-oriented use may include the entirety of service area permanent canopy coverage as floor space in calculating FAR.~~

4. Within the ***SCC-DT District,*** ~~SCC-CBD and SCC-HOD Districts~~, FARs for new construction may be reduced from the ultimate standard for the first phase, as provided in Table 1.a and Table 1.b. Approvals of reduced first phase FARs may be approved only upon demonstration of compliance with the following criteria:

   a. the construction of the first phase structure is capable of supporting sufficient additional square footage to achieve the ultimate minimum FAR, either vertically, horizontally, or through a combination of both. Demonstration of compliance with this standard shall include structural specifications for potential vertical additions, or location of building footprint and parking, in the case of horizontal additions;

b. the construction of the first phase structure complies with all applicable standards for minimum building height and maximum setbacks.

(Added by Ord. No. 4930/7-00.)

5. Except in accord with an approved Concept Development Plan for a SCR-V project, or within a Planned Unit Development ("PUD") approved prior to adoption of this Ordinance, or within a phased commercial, industrial or institutional project in accord with an approved Concept Development Plan, no phase of a SCR-V or any other phased project shall be permitted to develop below the per acre average minimum floor area ratio density of the District unless: (1) it is the first phase of the development, consisting of no more than ten percent (10%)of the total project; (2) is a phase, when combined with those phases already constructed, achieves the minimum average density requirement of the District; or (3) the approved Concept Development Plan or PUD is amended to indicate where the proposed reduction in density will be made up through increased density at another phase of the project. The project shall not depend on redevelopment of early phases to achieve overall minimum density requirements.

As an alternative to the phasing provisions of the paragraph above, an individual phase of a project shall be permitted to develop below the required minimum floor area ratio density provided the applicant demonstrates, through covenants applied to the remainder of the site or project or through other binding legal mechanism, that the required density for the project will be achieved at project buildout. The increased density allocated to any future phase through such a transfer mechanism shall not increase the previously allocated density of the subsequent phase by more than ten percent (10%). The Planning Commission as a condition of Concept Development Plan approval may limit the number and total amount of such transfers.

6. A bonus exclusion of twenty-five percent (25%) of the employee parking area may be subtracted from the site area in determining floor area ratio, provided the ratio of parking spaces per employee is 0.5 or less as determined based on the average number of employees in any eight-hour work shift.

7. Notwithstanding any other provision of this subsection, the floor area ratio of non-residential structures constructed on properties within Review Area 6, as identified in Figure 7 and in Table 5 of the *Hillsboro Airport Compatibility Study* (May 1993), shall not exceed 0.3.

8. In the SCR-V District, free-standing non-residential development shall not exceed thirty percent (30%) of the net acreage and shall be of neighborhood scale when located more than 1,300 feet from a light rail station site. At least ten percent (10%) of the net acreage may be used for neighborhood commercial uses.

9. Minimum floor area ratios for commercial or mixed use development within the SCR-V District shall be 0.50 within 1,300 feet of a light rail station site

and 0.40 beyond 1,300 feet of a light rail station site. Emergency service facilities, hotels, residential hotels and indoor recreational facilities are allowed in the District as free standing uses at a minimum floor area ratio of 0.50; except hotels within 800 feet of a LRT station shall not be less than 0.75 FAR.

10. In the SCI, SCBP and SCRP Districts, the minimum floor area ratio of commercial uses within 1,300 feet of a light rail station site shall be 0.50 and 0.40 elsewhere in the District. If such commercial uses are not constructed on discrete lots, or if there are multiple buildings on a lot such that it is not practicable to determine the site area[1] of an individual building, and consequently the specific floor area ratio cannot be readily calculated, commercial uses are allowed up to ten percent (10%) of the total built or planned floor space of the development. In either case, no single retail or service commercial use, except when contained in a multi-story multi-tenant building, shall occupy more than 15,000 square feet of the ground floor of any building within the District.

11. Within the SCC-MM, SCBP, SCRP and SCI District, commercial uses greater than 2,600 feet from a light rail station shall have no minimum floor area ratio requirement, and shall not be included in calculating the overall FAR density of a phased project unless requested by the applicant.

12. In any SCPA commercial, industrial or institutional district where a mixed use building contains uses with different FAR requirements, the FAR requirement of the use with the majority of the gross floor area shall apply.

13. Where the FAR requirements of any SCPA District conflict or overlap with FAR requirements of any subsequently adopted zone or district associated with land uses within 1,300 feet of a transit trunk route,[2] the requirement with the greatest FAR provision which affects the property shall apply, provided such bus service is in place at the time of the Development Review application for the property in question.

14. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum floor area ratio of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

VII. MINIMUM NON-RESIDENTIAL DENSITY OBJECTIVES

[No changes to this section proposed]

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[1] Applicable in "campus" or "park" situations where the ground is held in common or where the user leases or owns a building without definition of a "lot" or parcel of land which can be discretely measured and its area used for the denominator in the FAR equation.

[2] As used here, "transit trunk route" shall mean a transit route where weekday peak period service is provided on at least a 20-minute headway basis and service is provided on the route at least every 30 minutes during the off-peak period between the hours of 5:00 a.m. and 1:00 a.m. of the following day

VIII. MINIMUM AND MAXIMUM SETBACKS FROM STREETS AND ALLEYS

A. Purpose

Required maximum building setbacks are intended to complement applicable standards for building heights and floor area ratios as a means of ensuring the placement of buildings to promote an attractive streetscape and pleasant pedestrian environment. These regulations also assist in achieving a compatibility of building scale through the SCPA. Minimum setbacks are intended to ensure new construction occurs in a manner consistent with applicable building code, public utility easement or public open space requirements.

B. Standards

1. See Table 1 of this Section.

2. ***Except in the SCC-DT District, front*** ~~Front~~ setback standards shall apply to all sides of a building abutting a street or alley. ***Within the SCC-DT District, the front setback standards in 139 shall apply.***

3. Required setbacks shall be measured from the street or alley right-of-way, including any landscape strip or sidewalk required to be dedicated or an easement granted under the provisions of this ordinance. ***Except in the SCC-DT District, conformance*** ~~Conformance~~ with the setback requirement is achieved when at least one main entrance to a commercial, industrial, research park, institutional or commercial/multi-family building located on the facade facing the street or alley is located no farther from the property line than the distance specified in the standard; or where at least seventy-five percent (75%) of the facade (excluding any garage or carport) of a residential dwelling facing the street or alley is located no farther from the property line than the distance specified in the standard.

4. ***Except in the SCC-DT District, maximum*** ~~Maximum~~ front setback may be exceeded where the following criteria are met:

   (a) In non-residential districts, additional space in excess of the setback requirements of the district is entirely occupied by usable open space or pedestrian space; and

   (b) In all SCPA Districts where:

      (1) the alternative setback is the minimum practicable to achieve the purpose of the exception;

      (2) the alternative setback, proposed use within the space, and associated design treatments are approved as a part of the Development Review process; and

(3) the proposed exception meets one or more of the following criteria:

i) A project is situated adjacent to an existing curvilinear street or a curvilinear street approved by the City prior to August 6, 1996; or

ii) A project is within a discrete development, business park or campus development existing prior to August 6, 1996, where the majority of the parcels along the applicable block face or multiple block faces within the same line of sight were developed prior to that date and result in a uniform streetscape and pattern of development which would be disrupted by locating the project according to the setback requirements of the applicable district; or

iii) A project is contained within a Planned Unit Development approved prior to August 6, 1996 where deed covenants or contractual arrangements in place prior to that date would be violated if a building or project were to be sited according to the setback requirements of the applicable district; or

iv) Surface parking, maneuvering or loading areas, or a service dock is approved as part of the project in accordance with Section 138.VIII.C. and D.; or

v) A project is located on a "monument lot" at the entrance to, or at an essential point within, a development where the structure occupying the lot establishes the character of the development and where significant art, water features, plazas, landscaping, architectural treatment or other unique features are included in the project and would otherwise be prohibited by adherence to the setback requirements of the applicable district; or

vi) Where the maximum allowed setback of the use is less than eight feet (8') and where a public utility easement greater than the maximum setback of the applicable district is required, and it is not practicable to place the utilities under the sidewalk or within an alley, the building may be set back to

accommodate the easement for the underground utilities; or

vii) Within SCR-V, SCR-MD and SCR-LD Districts, where topography, wetlands, high voltage transmission lines, adverse parcel configuration, or other demonstrable hardships, not self-imposed, preclude platting the affected portion of a proposed subdivision in a connecting grid street pattern as required in Section 137.XVI.B.5. In order to maximize density on the resulting curvilinear streets and within cul-de-sacs, where lots may be created that are exceptionally narrow, or irregularly shaped, the maximum residential setback on such lots may be exceeded provided that:

a) the setback to the front plane of the dwelling is moved back no farther than necessary in order to obtain a 25 foot wide frontage for a townhouse or rowhouse, or a 48 foot frontage width for a detached house or duplex, and

b) the exemption does not apply to more than five (5) individual lots within a subdivision, unless a variance is granted by the Hearing Board to extend the exemption to not more than ten (10) lots in any given subdivision, and provided the variance criteria of Section 136.X.B.3.b and 3.c are met, and

c) such exemption does not reduce the overall residential density required by the applicable district.

(Amended by Ord. No. 4545/4-97 and Ord. No. 5667/9-06.)

5. Where a residential garage or carport is directly accessible from a public or private street or a public alley at the front property line, the setback to the opening of the garage or carport shall be either: (Amended by Ord. No. 4930/7-00.)

a. equal to the setback of the dwelling unit if the setback is equal to or less than five feet (5'); or

b. nineteen feet (19'), except:

(1) where the setback of the dwelling unit is greater than nineteen feet (19'), then the setback to the garage/carport shall be equal to or greater than the dwelling unit; or

(2) where the garage door or carport entrance is oriented perpendicular or nearly perpendicular to the front property line, and there is sufficient distance to park in front of the garage/carport entrance without extending over the property line or the sidewalk, then the setback shall be equal to or greater than the dwelling.

(Amended by Ord. No. 4545/4-97, renumbered as Section 5 to correct scrivener's error.)

6. Where an alley right-of-way is less than twenty feet (20'), buildings, including carports and garages shall be set back on either side an equal distance from the edge of the right-of-way so as to create an emergency fire access corridor of twenty feet (20') clear of obstructions.

(Amended by Ord. No. 4545/4-97, renumbered as Section 6 to correct scrivener's error.)

7. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum and maximum setbacks of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

IX. VISION CLEARANCE

A. Purpose

[No changes to this section proposed]

B. Standards

1. Except at signal controlled intersections in the ***SCC-DT District*** ~~SCC-CBD and SCC-HOD Districts~~, projects constructed on corner lots or adjacent to alleys and driveways shall provide intersection sight distance as measured and recommended in accordance with the most recent adopted issue of A Policy on Geometric Design of Highways and Streets, published by the American Association of State Highway and Transportation Officials ("AASHTO") unless otherwise approved in writing by the City Engineer. Sight distances shall be based on the 85th percentile speed of the cross street as determined by the traffic engineering study done in conjunction with Development Review.

2. Projects within the ***SCC-DT District*** ~~SCC-CBD and SCC-HOD Districts~~ are to meet the intent of the AASHTO standard, except that the sight distance triangle may be occupied by a pedestrian space or other pedestrian amenity,

and/or the second story and floors above may protrude into the visual sight distance triangle and may provide a structural support for the stories above within the sight distance triangle provided the location and size of such a support element or the objects placed within a pedestrian space do not, in the opinion of the City Engineer, create an unsafe situation.

C. Exceptions

At certain intersections on SE Oak Street and SE Baseline Street in the ***SCC-DT*** ~~SCC-HOD~~ District, vision clearance areas at corners on the downstream side of the traffic flow may be waived at the discretion of the City Engineer. (Added by Ord. No. 4930/7-00.)

X. MINIMUM AND MAXIMUM BUILDING HEIGHT REQUIREMENTS

A. Purpose

Minimum and maximum building height standards serve several purposes. They promote a reasonable building scale and relationship of one structure to another. They reflect the general building scale of transit-supportive commercial, residential, industrial, research park, and institutional development in the City's neighborhoods. They help to create a harmonious, pedestrian-sensitive visual setting which enhances the livability of a neighborhood. They also help assure an adequate intensity of development that supports the City's and region's substantial investment in light rail transit.

B. Standards

1. See Table 1 of this Section. Within Station Community Planning Areas, building height is measured from native grade, four feet outside the foundation of the structure. For purposes of calculating minimum and maximum height as cited in Tables 1.a through 1.n for any given District and notwithstanding the provisions of the Oregon Uniform Building Code, a residential use "story" shall be considered to be not greater than ten feet (10"). For all non-residential or mixed-use buildings and parking structures a "story" shall be considered to be not greater than fifteen feet (15'). The maximum height shall not include the roof structure above the ceiling of the top floor of the residential living space or the commercial, industrial, or institutional occupancy, provided the roof pitch does not exceed 12:12. Where construction of grade level floors includes placement of earth berms above the native grade, such grade level floors are considered stories within this standard. However, a basement is not a story in the finished floor of the basement is at least six feet (6') below native grade. (Amended by Ord. No. 4545/4-97 and 4930/7-00.)

2. Private recreation facilities within 800 feet of an LRT station in a SCR-V District may be one (1) story provided the footprint of the building and any outdoor recreation facility does not exceed 7,500 square feet, and such facilities do not abut a major pedestrian route.

3. The maximum height allowed by Variance to Table 1, including any roof-top equipment or structures, for all building types and uses in all Station

Community Planning Area Districts shall be ninety feet (90'); except that industrial uses in the SCI or SCBP Districts may increase the maximum height for the sole purpose of accommodating manufacturing processes, up to a maximum of ninety-nine feet (99'). ***The maximum height allowed in the SCC-DT district for Major Institutions shall be one hundred feet (100') if additional building height is approved as part of a Concept Development Plan. After [Date of this Ordinance], in no case shall a variance or Concept Development Plan be approved which would increase the maximum building height within Residential Compatibility Areas above the maximum building heights shown on Figure 139-3.***

4. In the event a maximum building height permitted by Table 1 or by this subsection as applied to a specific building site conflicts with that specified in the Hillsboro Airport Compatibility Study (May 1993), and the Federal Aviation Administration continues to certify the need for such a height restriction, the Hillsboro Airport Compatibility Study shall supersede and control.

5. A height requirement cited in Tables 1.a through 1.n for any given district does not limit, or require, a specific number of usable floors within a building or structure provided the interior floor-to-ceiling height meets the minimum requirements of the Uniform Building Code. As specified in paragraph 1, above, a story is a numeric measurement used to determine the allowed overall exterior height of a building or structure, including roof-mounted equipment (other than permitted aerials and antennas) and parapet walls or screening materials. However, given the possible variation in usable floor space within a building or structure, the exterior height of a building does not substitute for actual gross square footage of covered floor space when calculating floor area ratio. (Amended by Ord. No. 4545/4-97.)

6. The provisions of Section 94, Exceptions to Building Height Limitations, shall not apply to SCPA Districts except as approved by Variance.

7. Expansion of existing ancillary structures or recreational facilities in public parks, and construction of new ancillary structures or recreational facilities in public parks, are exempt from the minimum and maximum building height requirements of the applicable zone. Ancillary structures in public parks and recreational facilities may include, but are not limited to: restrooms; weather shelters; equipment storage buildings; and similar structures. (Added by Ord. No. 5201/11-02).

XI. MINIMUM AND MAXIMUM OFF-STREET PARKING REQUIREMENTS

A. Purpose

Maximum off-street parking standards are intended to provide sufficient on-site parking to accommodate the majority of traffic generated by the range of uses which might locate on the site over time, taking into account the nature of those uses and the proximity and availability of light rail and other transit, as well as alternative modes of travel. Off-street parking standards in Station Community Planning Areas are

lower than in other areas because of the increased availability of alternative modes of travel and in recognition that increased density of residential and pedestrian-oriented commercial uses makes less space available for parking in these areas. Minimum off-street parking standards in Station Community Planning Areas are applicable to dwelling units and are intended to accommodate the parking needs of local residents throughout the day so that travel by other modes is possible without vehicles parked on the street becoming obstacles to traffic and bicyclists on the local street network.

B. Standards

1. Table 2, below, contains the maximum off-street parking ratio standards for non-residential development within all SCPA Districts. ***Except where noted otherwise, the*** ~~The~~ minimum non-residential off-street parking requirements of such uses within SCPAs is equal to fifty percent (50%) of the maximum. Table 3 contains the minimum and maximum off-street parking standards for residential and similar uses. Variance to minimum and maximum parking standards is allowed. Pursuant to the results of the Traffic Impact Study required under Section 137.XVI.C.1., the City Engineer may require off-street parking above the minimum standard to mitigate impacts of a use on the street system.

2. Off-street surface parking provided by any project or use within a Station Community Planning Area shall be at or below the maximum standards listed in this subsection. Multi-family, student housing and senior housing uses listed in Table 3, Maximum Allowed Parking, includes off-street short-term and guest parking.

3. Parking for free-standing residential structures in the ~~SCC-CBD and SCC-HOD Districts~~ ***SCC-DT District*** shall be ~~contained within a parking structure.~~ ***incorporated within the structure.***

4. Exceptions:

   a. Single family detached, single family attached, rowhouse/ townhouse, duplex and attached duplex dwellings allowed within any district may have up to two parking spaces per dwelling unit provided the parking is contained within an attached garage or covered carport. Single family detached dwellings may also allow for parking of up to two (2) vehicles within the driveway provided there is a minimum of nineteen feet (19') between the back of the sidewalk and the front of the garage or carport.

   b. Within the SCR-HD or any Station Community commercial, industrial or institutional district, the maximum off-street surface parking allowed by Table 2 of this Subsection may be exceeded by up to 150% by a project, use, or a consortium or aggregation of uses under the same or different ownerships if the parking is contained in a parking structure. If a parking structure is provided, the project or consortium of projects, or aggregated uses or users shall accommodate 100% of the required bicycle parking on the ground floor of the structure. (Amended by Ord. No. 4545/4-97.)

c. The following parking is exempt from the maximum standards of this subsection:

(1) Employee car/vanpool parking spaces;

(2) Dedicated valet parking spaces;

(3) Fleet parking; and

(4) Commercial parking where the fee or charge is equal to or greater than the average market rate within the Metro boundary; as determined and published regularly by Metro.

Where any of the above listed conditions that warranted the exceptions of this paragraph are no longer the case, the maximum allowed parking standards for the use in question shall apply.

d. The maximum amount of allowed parking for a project or use shall be adjusted upward according to the following formula, provided an applicant for increased parking demonstrates an actual or projected single user and/or tenant within one or more buildings within a project or use can or will generate a density of greater than the target population density for the area in question. The target density for the Regional Center within the Downtown SCPA (the ~~SCC-CBD, the SCC-HOD, the SCC-SC~~ ***SCC-DT District, except for the area northeast of Main and Cornell streets,*** ~~south of East Main Street,~~ and the SCR-HD Districts) is sixty (60) people per acre. In the remainder of the Downtown SCPA, and in all other SCPAs the target density is forty-five (45) people per acre. Provided that the applicant demonstrates such density achievements for a particular building or buildings, the maximum amount of parking, if so limited, shall be increased over that shown in Table 2 by eighty percent (80%) of the proportionate ratio by which the actual or projected density exceeds the target. The twenty percent (20%) discount is proportionate to the assumed number of people who will use modes other than the automobile for home-to-work trips. If in the future the modal split for auto based home-to-work trips falls below eighty percent (80%) as determined by Metro, the discount percentage shall change accordingly, but in no case shall it increase above eighty percent (80%). (Amended by Ord. No. 4930/7-00.)

The calculation of an increased parking maximum allowance under this provision is illustrated in the following examples. Say an applicant can demonstrate fifty (50) people per acre normally reside or are employed within a project or use boundary outside the downtown area. The target density for the area is forty-five (45) people per acre. In this case the amount of authorized parking would be allowed to increase to 109% of the maximum parking shown in the table. The math in this case is as follows: {[(50-45)/45] x 80%}+1= 108.8 or 109% of the maximum parking allowed in the

table. If it was shown seventy-five (75) people were at a one acre project or use location on a regular basis, the maximum parking allowed by the table could be multiplied by 153 percent based on the following calculation string:
{[(75-45)/45]x0.8}+1=1.533=153%.

5. Where a development project includes the construction of new or reconstruction of existing streets, either of which includes the addition of on-street parking, the on-street parking spaces may, at the election of the developer, be included in the calculation of maximum allowable parking, provided the adjacent street width accommodates parking without impinging on travel lane width and the on-street parking does not adversely impact adjacent bicycle or pedestrian facilities or adversely impact the overall traffic flow or safety in the vicinity.

6. Mixed use projects, or parking shared jointly by more than one user, may calculate the allowed maximum parking based on the total and proportional square footage of space within a project, or aggregated among the joint users, by each type of use. This provision also applies to campus developments and major institutions which include a mix of uses, whether the uses are under single or multiple ownership. (Amended by Ord. No. 4545/4-97.)

7. No maximum bicycle parking standards apply, but a minimum of two (2) covered spaces (or one (1) locker) per establishment is required regardless of calculation results. Where a calculation would otherwise result in a required bicycle parking requirement of less than two (2) spaces, owners of one or more adjacent small uses, or a single owner of a commercial building with multiple tenants, may aggregate their respective gross square footage into one calculation and provide the requisite number of common or joint use bicycle parking spaces; in which case the requirement for a minimum of two (2)covered spaces per establishment shall no longer apply provided at least two covered joint use spaces are provided by the consortium of users.

8. Where calculation of maximum residential parking results in fewer parking spaces than the required minimum, the minimum requirement shall apply.

Table 2: Maximum Non-Residential Parking Ratios in Station Community Districts [1]
[Minimum ratios equal to fifty percent (50%) of specified maximum ratios]

Land Use[2]	Maximum Parking Within 1,300[3] Feet (1/4 Mile +/-) Of A LRT Station (per 1000 square feet of gross floor area, unless otherwise specified)	Maximum Parking More Than 1,300 Feet And Less Than 2,600 Feet (1/2 Mile +/-) From A LRT Station (per 1000 square feet of gross floor area, unless otherwise specified)	Minimum Bicycle Parking[4] (greater of two spaces or the following):
Retail and Service Commercial[5] [12]	5.1	6.2	0.25[6]
Medical/Dental/Veterinary Clinics, Medical Office Buildings [12]	4.9	5.9	0.25
Office and Similar Uses[7] [12]	3.4	4.1	0.125
Eating or Drinking Establishments: Fast Food [12] Casual Dining[8] [12] Fine Dining [12]	 5.5 10.0 12.0	 9.0 15.0 12.0	 2.0[9] 0.25 0.125
Theaters, Conference Centers and Assembly Halls	0.4 space per seat	0.5 space per seat	1 space per 20 seats
Health Spa, Gym, [12] Indoor Sport Club	5.4	6.5	1.5
Bowling Center	3.2 spaces per lane	6 spaces per lane	0.5 spaces per lane
Social club, amusement or recreation facility	5.4	6.8	0.125
Library or Reading Room	3.5	4.8	2.0
Hotel or Residential Hotel[10]	1.0 space/ guest room	1.0 space/ guest room, plus 0.6 space per employee[11]	0.125
Hospital	3.0		0.125
College, University, Technical School, or High School	0.3 space per FTE student and employee[11]	0.3 space per FTE student and employee	5% of FTE, day students
Elementary, Middle and Junior High Schools	0.8 spaces per employee	0.8 spaces per employee	10% of FTE, non-bussed day students
Places of Worship, Mortuaries and similar peak-loading facilities	0.3 space per seat	0.5 space per seat	1 space per 40 seats
Mixed-Use Residential	100% of the spaces per dwelling unit allowed in Table 3, plus 75% of the spaces required for the commercial		1 per dwelling plus commercial
Fairgrounds and Outdoor Sports Facilities	1.0 per 1,000 sq. ft. of visitor space	1.0 per 1,000 sq. ft. of visitor space	2.0 per 1,000 sq. ft. of visitor space
Manufacturing, Processing, Compounding, Light Industrial, Predominantly Industrial Flex Space, Campus Industrial And Accessory Industrial Uses	2.5	4.5	0.20
Laboratories and Research Facilities	3.5	5.0	0.20

(Amended by Ord. No. 4545/4-97, 4930/7-00, 5667/9-06 and 5893/12-08.)

[1] Parking standards within this table apply only to property within 2,600 feet of a Light Rail Station. For property outside that distance the City-wide parking standards contained in Zoning Ordinance Section 84 shall apply.

Note: Footnotes No. 2 -11 for Table 2 are shown on the following page.

Additional footnotes for Table 2: Maximum Non-Residential Parking Standards in Station Community Districts.

[2] Where a particular use is not listed, approximate based on the most analogous use shown in the table.

[3] Upon the effective date of any City of Hillsboro ordinance to implement Metro legislation adopting Region-wide parking standards for all local jurisdictions within the Metro boundary any maximum parking standards shall be those established by such ordinance.

[4] Except in the case of schools, the first 2 spaces of any required bicycle parking and 10% of those thereafter must be covered or within lockers. Except for schools, at the option of the applicant, required bicycle parking ratios may be reduced by 75% after the first fifty (50) spaces.

[5] Includes automotive service uses in the SCC-HOD.

[6] Required bicycle parking at automotive service uses within the SCC-HOD is 1 space per 20 employees.

[7] Includes office buildings, flex space and mixed use buildings that are predominantly in office use, governmental uses, and child care facilities.

[8] Examples of this type include Applebee's, Elmer's, Hale's, Shari's, Newport Bay, Reedville Café, etc.

[9] Bicycle parking for all restaurant uses shall be calculated using the dining area space only.

[10] May add additional spaces to accommodate restaurants open to non-guests, at the applicable casual dining ratio.

[11] Where a per employee standard is used in this table, the number of employees on the largest eight-hour working shift is to be used in the calculation; except in the case of a continuous industrial process use with approximately equal shift staffing where a multiplication factor of 1.5 may be applied. Otherwise, no additional parking allowance is made for shift overlap.

[12] ***No minimum parking is required for commercial development within the SCC-DT District. For residential development or the residential component of a mixed use development, the parking requirement is 0.75 spaces per unit or less as specified in Table 3.***

Table 3: Residential Parking Standards in Station Community Districts

Housing Type	Minimum Required Parking (Per Dwelling Unit)	Maximum Allowed Parking (Per Bedroom)	Minimum Required Bicycle Parking[1]
Single Family Detached	1.0	0.90	None
Single Family Attached	1.0	0.90	None
Rowhouse	1.0	0.90	None
Townhouse	1.0	0.90	1.0
Duplex	1.0	0.90	1.0
Attached Duplex	1.0	0.90	1.0
Multi-Family Dwelling	1.5[1]	0.90	1.0
Garden Apartment	1.25[1]	0.90	1.0
Mid-rise Multi-family	1.5[1]	0.90	1.0
Flats and Apartments over Commercial space, and for Live/Work units	1.0[1]	0.90	1.0
Senior Housing	0.25	0.75	None
Residential Homes and Facilities	0.25 per resident plus 1 per caregiver	0.75 per resident	None
Group Living Structure (per Volume 1, Section 3)	2.0	1.0	1.0
Student Housing (Per dormitory type room)	0.25	0.75	1 per room

[1] ***Minimum parking shall be reduced to 0.75 spaces per dwelling within the SCC-DT District.***

(Amended by Ord. No. 4930/7-00 and 5667/9-06.)

[1] Expressed in number of covered bicycle parking spaces per dwelling.

XII. MINIMUM USABLE OPEN SPACE REQUIREMENTS

A. Purpose

Open space requirements are intended to assure opportunities for outdoor relaxation or recreation for residents, employees, and customers in Station Community Districts, and to ensure development proposals avoid unnecessary impacts on natural resources in the vicinity of the project. The standards work to ensure a portion of the site not covered by buildings is of adequate size, shape, improvement and location to be usable for outdoor recreation or relaxation, and to ensure the preservation of inventoried significant natural resources in the vicinity of the project. Required open space benefits the public health and is an important aspect of livability. Open space is particularly important in areas of more intensive residential and commercial development.

B. Standards

1. Non-residential projects on less than one-quarter (1/4) gross acre are not subject to open space requirements unless the project is part of or subsequently becomes a part of a series of projects or phases of a larger development in which case the original project shall be joined with all subsequent projects or phases in order to determine the required open space for the whole. Non-residential projects larger than ¼ gross acre, but smaller than one acre, shall provide minimum usable open space equal to five percent (5%) of the project gross acreage. Usable open space in non-residential projects may be privately accessible to customers and/or employees only, without providing public accessibility. (Amended by Ord. No. 4930/7-00.)

2. Residential projects smaller than one acre shall provide a minimum of 100 square feet of usable open space per unit, which may be private yards, courtyards, decks, or commonly owned tracts. Usable open space within such residential projects may be privately accessible to residents and guests only, without providing public accessibility. (Added by Ord. No. 4930/7-00.)

3. Residential subdivisions, Residential Village, commercial and industrial developments in all districts shall include usable open space within a project based on the gross acreage of the project. (Amended by Ord. No. 4930/7-00.)

~~In the SCC-CBD, and SCC-HOD Districts, the minimum amount of usable open space shall be five percent (5%) of gross acreage within the project.~~ In the SCC-MM District the following provisions apply:

Use or Function of an identifiable Area within the SCC-MM District	Usable Open Space Attributable to the Identified Use & Parking (Percentage of Gross Acres of the Identified Area)	Percent Landscaping* Required in the Identified Area
All Commercial Uses, Offices, Hotels and Flex Space Buildings	5%	15%
Mixed Use Residential Buildings	10	10
Residential	15	5

*The actual area of landscaping installed in and around a parking lot pursuant to Section 138.VII.D. shall count towards meeting this requirement.

In all other Districts the following table shall apply:

Project Gross Acres	Required Usable Open Space
1.01 – 5	**5.00%**
5.1 – 15	**7.50**
15.1 – 25	**10.0**
25.1 – 50	**15.00**
51 – 69	**13.50**
70 – 99	**12.50**
100 –149	**11.50**
150 or more	**10.00**

(Amended by Ord. No. 4545/4-97.)

4. In any District where outdoor seating for eating and drinking establishments is a permitted or conditional use, sixty-five percent (65%) of the area of the outdoor seating area may be counted toward the Usable Open Space requirement, even if the area is privately accessible to customers and/or employees only, without providing public accessibility. In addition, thirty-five percent (35%) of the area of the outdoor seating area may be counted toward the applicable Floor Area Ratio requirement. However, in each case, the outdoor seating area may be counted toward the requirement only if the area is fully improved and is located outside the public right-of-way. (Added by Ord. No. 4930/7-00.)

5. In determining where usable open space should be placed within a project, preference shall be given to:

a. Preserving otherwise unprotected natural resources and wildlife habitat on the site, especially as large areas rather than as isolated smaller areas, where there is an opportunity to provide a recreational or relaxation use in conjunction with the natural resource site;

b. Protecting lands where more intense development than an open space use may otherwise have a "downstream" impact on the ecosystem of the vicinity, including stands of mixed species and conifer trees, natural hydrological features, and wildlife feeding areas;

c. Enhancing park sites adjacent to where pedestrian routes converge;

d. Enhancing recreational opportunities near neighborhood commercial activity centers; and

e. Enhancing opportunities for passive relaxation and recreation for employees and/or visitors within a development project.

6. A project within any district containing ten (10) or more gross acres that is to be constructed in more than one phase, may aggregate the usable open space requirements into one or more designated usable open space sites or commons, provided:

a. The total usable open space required is set aside, and

b. The percentage of the total open space requirement that corresponds to the percentage of the development phase as it relates to the total project, is developed prior to, or concurrent with, occupancy of that phase of the first phase project. That is, if the development phase is twenty-five percent (25%) of the entire project, the amount of open space required to be developed is also twenty-five percent (25%)of the total open space requirement.

7. Pursuant to paragraph 4, where a multi-phase project has aggregated usable open space improved to the standards specified in Section 136.III.ccc, a prorated share of the aggregate usable open space may be allocated to a single lot or parcel. The allocated share may then be subtracted from the gross acreage of the subject lot to determine the Net Acreage for purposes of calculating FAR and/or residential density. If a prorated share of aggregated usable open space is not applied to a given lot or parcel, the applicant may request the prorated share be applied to another lot or parcel within the development provided all such open space transfers are accounted for. For purposes of this provision, lands that have been improved to usable open space standards and are subsequently dedicated to the City for park or greenspace purposes shall continue to be counted as part of the project's aggregate usable open space. (Added by Ord. No. 4545.4-97.)

8. To qualify as and meet the definition of usable open space and to be credited towards the requirements of paragraph 2, above, land so designated by an applicant must clearly be planned for that purpose and of sufficient size to serve a legitimate recreational or relaxation opportunity, and not simply be an apparently remnant tract or otherwise unusable or oddly shaped area. Small, odd or remnant parcels may qualify as usable open space provided that an applicant satisfactorily demonstrates special improvements have been made to create a space meeting the purposes and intent of the definition. Examples include: unique landscaping which creates a private contemplative sitting area; a basketball hoop and pavement which creates sufficient area to play a half-court pickup game without traffic or pedestrian safety concerns; a backboard and hard surface which provide a safe all-weather tennis practice area; and a bench and plantings which provide a pocket wildlife viewing area. Conversely, a bulge of land with grass at a street corner or bulbout in a curbside landscape strip does not qualify just because of a tree and a bench.

Vacant land need not be improved unless it is intended to be classified as usable open space. (Added by Ord. No. 4545/4-97.)

9. Usable open space in residential developments shall be sited and improved to provide active recreational and "third place" amenities intended to provide appropriate opportunities for physical activity and interaction among residents within the development. Except where inventoried Resource Level 1, 2, or 3 Significant Natural Resources, 100-year floodplain, or delineated wetlands are present on site, 100% of the required usable open space area shall be improved for active recreational and "third place" use. (Added by Ord. No. 5779/8-07.)

10. Higher density developments nearer light rail stations shall provide usable open space improvements which enhance the pedestrian environment and are appropriate to these higher density urban areas. Such improvements may include, but are not limited to, the following: hardscaped courtyards; weather canopies; water features and drinking fountains; benches or low walls with seating areas; free-standing planters; play structures; public art or other pedestrian space or design features integrated into the overall design of the development. (Added by Ord. No. 5779/8-07.)

XIII. MINIMUM LANDSCAPING, NATURAL RESOURCE AND MATURE TREE PRESERVATION REQUIREMENTS

[No changes to this section proposed]

XIV. MIXED USE BUILDINGS AND MID-RISE APARTMENTS

A. Purpose

[No changes to this section proposed]

B. Standards

Retail, office and residential uses are permitted in mixed use buildings as follows:

1. In the ~~SCC-HOD,~~ SCC-SC, SCC-MM, SCR-HD, and SCR-V Districts, residential dwellings may include business activities either on all or a portion of the first floor of a multi-story dwelling, or on the street-side portion of a single story dwelling existing before the effective date of this Ordinance, provided that such activities are in compliance with all applicable fire and life safety, and building codes. New dwellings that are intended for use as a "live-work" unit shall be designed to have the business activities contained on the first floor with living space above. Existing multi-story dwellings within the named districts may be remodeled to accomplish the same objective. In either case, in conformance to Building Code requirements, first floor facilities may serve common use between the business portion and the living portion of the structure.

2. In the ~~SCC-CBD,~~ SCC-MM, SCC-SC and SCR-V Districts:

a. Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses.

b. Where residential use is provided, retail and/or pedestrian-related office or services uses are permitted on the ground and second floors, and commercial and residential uses are permitted on and above the second floor.

3. In the ***SCC-DT*** ~~SCC-HOD~~ District: ***Any combination of permitted uses is permitted on any floor.***

~~a. Where residential use is not provided, a combination of retail and office uses is permitted on all floors with ground floor uses restricted to retail and/or pedestrian-related office or service uses; except in the case of auto-oriented uses existing on the effective date of this Ordinance, where the first floor may contain motor vehicle service, maintenance or repair facilities, drive through facilities, and other auto-oriented uses.~~

~~b. Where residential use is provided, retail and/or pedestrian-related office or services uses are permitted on the ground and second floors, and commercial and residential uses are permitted on and above the second floor.~~

4. In the SCC-SC and SCR-V Districts: Where mid-rise multi-family apartment buildings are located within 100 feet of a LRT station site, at least twenty percent (20%) of the ground floor (up to 15,000 sq. ft.) shall be dedicated to neighborhood commercial retail uses.

5. Within the Downtown SCPA, in the SCR-DNC and SCR-MD Districts, and in compliance with the requirements of Section 139 IV.L., residential business uses may combine residential dwellings and business activities either on all or a portion of the first floor of a multi-story dwelling, or on the street-side portion of a single story dwelling existing before the effective date of this Ordinance, provided that such activities are in compliance with all applicable fire and life safety, and building codes. New dwellings that are intended for use as a "live-work" unit shall be designed to have the business activities contained on the first floor with living space above. Existing multi-story dwellings within the named districts may be remodeled to accomplish the same objective. In either case, in conformance to Building Code requirements, first floor facilities may serve common use between the business portion and the living portion of the structure. (Added by Ord. No. 4930/7-00.)

XV. SIDEWALKS

A. Purpose

[No changes to this section proposed]

B. Standards[1]

1. All new development or expansion of existing development on properties abutting the major pedestrian routes listed below, leading to light rail stations or to central commercial areas within the SCPAs shall incorporate, construct and dedicate or provide public easements for sidewalks, of the widths specified below. Except in those exception areas listed in Sections (2), (3), (4) and (5) below, sidewalk improvements shall include a landscape strip, located between the back of the curb and the sidewalk, of not less than four feet (4') in width. Within the listed exception areas, sidewalk improvements shall include street trees planted in wells, with grates. If the existing public right-of-way is insufficient to accommodate such sidewalks and landscape strips, necessary dedications or easements shall be provided to the City prior to the issuance of building permits for the development or expansion. This requirement shall not apply to redevelopment or remodeling where the face of the existing building is not moved from its current position in relation to the street, and there is less than thirteen feet (13') from the face of the curb to the face of the existing building, in which case the dedication or easement shall be adjusted accordingly. Projects seeking approval through the Development Review process applicable to SCR-V and phased commercial, industrial and institutional process contained in Section 136.VII.B., may submit an alternative sidewalk development element during the Concept Development Plan phase of the process. (Amended by Ord. No. 4930/7-00.)

2. Within the Downtown SCPA, sidewalk improvements shall be either ***a minimum of*** twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 1. Sidewalks on streets not specified on Figure 1 shall be ***at least*** five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

3. Within the Fair Complex/Hawthorn Farm SCPA, sidewalk improvements shall be either twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 2. Sidewalks on streets not specified on Figure 2 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

4. Within the Orenco SCPA, sidewalk improvements shall be either twelve (12) feet in width, with street trees in wells (no planter strip); or eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages

[1] Where any street within a SCPA is under ODOT or Washington County jurisdiction at the time of development application, the street design is subject to County Standards and the approval of ODOT or the County Engineering Division. However, the components, options and design criteria listed shall constitute the City's comment to ODOT or the County on that aspect of the development application.

illustrated on Figure 3. Sidewalks on streets not specified on Figure 3 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930/7-00 and 5006/3-01.)

5. Within the 185th/Quatama SCPA, sidewalk improvements shall be eight (8) feet in width, with a minimum four (4) foot planter strip, on the street frontages illustrated on Figure 4. Sidewalks on streets not specified on Figure 4 shall be five (5) feet in width, with a minimum four (4) foot planter strip. (Amended by Ord. No. 4930-7-00 and 5006/3-01.)

6. Sidewalks on all other streets and pedestrian ways within all SCPA Districts shall be constructed and dedicated or a public easement provided as part of any development and shall be a minimum of five feet (5') in width and shall also include a minimum four foot (4') wide landscape strip between the sidewalk and the back of curb.

7. All sidewalks shall meet and fully comply with the requirements of the Americans with Disabilities Act.

8. Street furniture, street lighting poles, fire hydrants, traffic signals, parking meters, telephone booths, newspaper boxes, building protrusions, public utility access vaults, mailboxes, vending carts and stands, and the like shall not reduce the clear sidewalk width to less than five feet (5') in Station Community Planning Areas. If the location of such an obstacle would otherwise reduce the clear walking space to less than five feet (5') such obstacles shall be placed either within the landscape strip area, on the property behind the back edge of the sidewalk, or the width of the sidewalk adjusted accordingly to maintain the minimum clear walkway width called for by this subsection. (Amended by Ord. No. 5676/10-06.)

XVI. STREET AND ALLEY STANDARDS

[No changes to this section proposed]

XVII. LOT ACCESS

[No changes to this section proposed]

SECTION 138: GENERAL DESIGN STANDARDS FOR STATION COMMUNITY PLANNING AREAS

(Added by Ord. No. 4455/8-96.)

I. SCOPE

[No changes to this section proposed]

II. PURPOSE

[No changes to this section proposed]

III. PROCESS

[No changes to this section proposed]

IV. IMPROVEMENTS BETWEEN STREETS AND BUILDINGS

A. Purpose

Landscaping or "hardscaping" of property between public sidewalks and buildings promotes and enhances a comfortable pedestrian scale and orientation and encourages pedestrian use of the area.

B. Applicability

These standards apply to single family residential projects, multi-family units, and commercial, industrial, research park, or institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of arterial streets and along pedestrian ways leading from the arterial street to the commercial activity located within the parcel.

C. Standards

1. Except as provided in Section 138.VIII.C.1, the property between the public sidewalk and an adjacent building shall be landscaped or hardscaped. Landscaping in commercial, industrial, research park, and institutional districts, and in multi-family projects shall be irrigated. (Amended by Ord. No. 4545/4-97.)

2. Except for single family detached dwellings, where a hard-surfaced area, other than a pedestrian connection leading from the sidewalk to a building entrance, is used in lieu of landscaping between the sidewalk and the building, such areas shall contain at least two (2) pedestrian-sensitive amenities. Such amenities include, but are not limited to, benches, low walls with seating or planters atop, drinking fountains, courtyards, free-standing planters, street furniture, public art or other pedestrian space or design features integrated into the overall design of the building or portion of the site in order to enhance the pedestrian environment.

3. ***Street Trees.*** Trees selected from the City's approved street tree list or, if on Washington Street in accord with the tree planting pattern associated with the

LRT project, shall be required within the back of curb landscaping strip. ~~In the Central Business District or other approved commercial area, trees may be within tree wells with a minimum planting area, trees~~

a. ***Where street trees are required, they*** may be within tree wells with a minimum planting area of 15 square feet (with standard 3' x 5', 4' x 4' or 4' diameter cast iron grates.)

b. ***Street trees*** ~~Such trees~~ shall be planted every thirty feet (30') on center (or, depending on species, at some other distance to ensure their proper spacing) so as to develop a continuous canopy when mature.

c. Street trees shall be at least 2½ inches in caliper at planting, shall be planted within an approved root barrier, and shall be irrigated and maintained by the property owner along with other landscaping planted within the parking strip.

d. ***A project may use the alternative street tree spacing standards in subsection (e) where the criteria below are met:*** ~~However, where a project~~

(1) ~~a)~~ fronts on an existing street in an established commercial area; and

(2) ~~b)~~ establishments along such street are uniformly built with zero setback from the sidewalk; and

(3) ~~c)~~ such street is ~~stripped~~ ***striped*** at regular twenty-two foot (22') intervals (or other interval conforming with City Standard) for parallel parking, and

(4) ~~d)~~ such street contains ornamental streetlights uniformly and consistently supplemented with additional decoration (hanging baskets, banners, holiday and festival lighting, etc., maintained on a year-round basis) designed to call special attention to or setoff the commercial neighborhood.

e. ***Alternative street tree spacing standards.*** ~~street~~ ***Street*** trees shall be spaced:

(1) ~~i)~~ every forty-four feet (44') or otherwise located so as to correspond to the dividing line between every-other parking space; or

(2) ~~ii)~~ at some greater or lesser spacing so as not to block, obscure, or interfere with the operation of traffic signals, or any existing marquee, overhanging sign or awning, provided the adjustment is the minimum required for such avoidance; and

(3) ~~iii)~~ at a greater or lesser distance so as to coordinate with the placement of ornamental streetlighting on the same block face and to fit with the photometric analysis guiding streetlight placement; and

(4) ~~iv)~~ to coordinate with ornamental streetlights with supplemental decoration. However, such coordination is predicated on the capital and perpetual operating and maintenance costs of any extra streetlights (those placed in excess of the number required to adequately light the street as determined by a photometric analysis) and the year-round maintenance of the accompanying decoration are funded and assured in the future by the applicant and/or a duly authorized business or civic organization. In that case, the number of street trees on a given block face may be reduced and the number of streetlights increased such that a coordinated, uniform design of streetlights and street trees provide an attractive pedestrian environment. However, such design shall contain at least two trees evenly spaced between every pair of streetlights on the same block face, and, if practicable, one street tree between an intersection and the nearest streetlight to the intersection. With the concurrence of the Street Committee, the placement of street trees and decorated ornamental streetlights may be adjusted to take into account the factors described above.

(Amended by Ord. No. 4545/4-97.)

f. ~~4.~~ Topping, shearing or pollarding of street trees is prohibited.

5. Except as noted below, all public utility distribution and service connections to new buildings and dwellings within all SCPA Districts shall be underground. Aerial utility service (electricity, telephone, cable, etc.) may be used in new construction where all of the following circumstances apply:

a. The project is an in-fill building or dwelling within an existing neighborhood where utility service is provided aerially rather than underground;

b. The project is located between other utility users on the same block face;

c. It would not be practicable to serve the new project underground without also serving the neighboring uses; and

d. The neighboring uses on the same block face and the utility company are unwilling to pay the additional cost of undergrounding their service;

V. BUILDING ENTRIES AND ORIENTATION

A. Purpose

The purpose of this subsection is to require buildings and entrances to be oriented to the street to the maximum extent practicable to encourage pedestrian access and movement. Requirements for orientation and primary entrances are intended to:

1. Provide for convenient, direct and accessible pedestrian routes to and from public sidewalks and transit facilities;

2. Provide for safe, pleasant and convenient pedestrian circulation by connecting activities within a structure to the adjacent sidewalk and to nearby transit stops; and

3. Promote the use of pedestrian and transit modes of transportation to retail and commercial facilities.

B. Applicability

These standards apply to multi-family residential structures with a common entrance, and to all commercial, mixed use, industrial, research park and institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of public streets and along pedestrian ways leading from the public street to the commercial activity located within the parcel. Certain standards, as noted in the text, also apply to residential dwellings adjacent to a public or private street.

C. Standards

1. All buildings shall have at least one main building entrance oriented to the adjacent street. Such an entrance shall open directly to the outside and except as otherwise provided in Section 138.VIII.C., shall not require a pedestrian to first pass through a garage, parking lot or loading area to gain access to the entrance from the street, but the entrance may include architectural features such as arcades, anti-chambers, porticos and the like without being in violation of this provision. If a building has frontage on more than one street, the building shall provide a main building entrance oriented to one of the streets or a single entrance to the corner where both streets intersect. A building may have more than one main building entrance oriented to a major pedestrian route, and may have secondary entrances facing other streets, off-street parking areas and loading areas.

2. Residential dwellings fronting on a public or private street shall have a main entrance to the dwelling opening onto the front of the dwelling at the ground floor level. Such an entrance shall open directly to the outside and shall not require passage through a garage to gain access to the doorway. The doorway may be above final grade where a porch, stoop, portico, anti-chamber, wheelchair ramp or similar architectural feature is included in the

design. Ground floor single family attached and row/townhouse residential units fronting on a major pedestrian route shall have separate entries directly from the major pedestrian route. Ground floor and upper story residential units in a multi-family building fronting on a major pedestrian route may share one or more entries accessible directly from the major pedestrian route.

3. In Station Community residential and commercial districts, building facades over 300 feet in length facing a street shall provide two or more main building entrances. In Station Community industrial and institutional districts, building facades over 400 feet in length facing a street shall provide two or more main building entrances.

4. All building entries shall comply with the accessibility standards as specified in the Uniform Building Code.

5. Entryways into mixed use buildings containing residential units shall be clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.

6. The minimum lighting level for building entrances shall be 3 foot-candles. Lights shall be three (3') to twelve (12') feet in height and the light source shall be shielded to reduce glare.

7. For non-residential buildings on transit or light rail service streets, main building entrances fronting on such streets shall remain open during the normal business hours for the building.

8. An exception to the requirement of paragraph 1, above, shall be allowed upon finding that:

   a. The slope of the land between the building and the street is greater than 1:12 for more than twenty feet (20') and a more accessible pedestrian route to the building is available from a different side of the building;

   b. The land between the building and the street contains a natural resource which would be unavoidably and irreparably degraded by providing a reasonably direct pedestrian connection and an alternative route without such impacts is available; or

   c. The land between the building and the street contains mature, healthy trees of greater than 8" caliper which would be unavoidably destroyed or damaged by any reasonably direct routing of a pedestrian connection and an alternative route without such impacts is available.

VI. GROUND FLOOR WINDOWS AND BUILDING FACADES

A. Purpose

Long expanses of blank walls facing a street or other public areas detract from the attractiveness of the streetscape and perceived safety of pedestrians using those spaces. The standards of this subsection are intended to enhance street safety and provide a comfortable street environment by providing ground-level features of interest to pedestrians along streets. These standards also have the purpose of encouraging surveillance opportunities where buildings face abutting streets and public areas, preventing fortress-like facades, and avoiding a monotonous pedestrian environment. The standards also help enhance the economic vitality of a neighborhood by providing the opportunity for merchants to display goods and advertise their wares to shoppers. By encouraging "window shopping" in commercial districts the activity on the street is increased along with security.

B. Applicability

These standards apply to commercial, mixed use, industrial, business park, research park, and institutional development in all districts; except in the SCC-MM and SCFI Districts these standards apply only along the frontages adjacent to public streets and along pedestrian ways leading from the public street or light rail station site to the activity located within the parcel.

C. Standards

1. All development shall provide ground floor windows on the building facade facing and adjacent to a public street, major pedestrian route, direct pedestrian way leading from a light rail station site, or facing onto a park, plaza or other public outdoor space. Required windows shall allow views into lobbies or similar areas of activity, pedestrian entrances, or display windows. Required windows shall provide a lower sill no more than three feet (3') above grade; except where interior floor levels prohibit such placement, the sill may be located not less than two feet (2') above the finished floor level to a maximum sill height of five feet (5') above exterior grade.

2. Darkly tinted windows and mirrored windows which block two way visibility are prohibited as ground floor windows required under this provision except where the closest face of the building to the nearest edge of the sidewalk within a public right-of-way or private street parallel and adjacent to the building is greater than fifty feet (50'). (Amended by Ord. No. 4545/4-97.)

3. ~~In all districts, building~~ ***Building*** frontages greater than 200 feet in length along streets or major pedestrian routes shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances or other articulation so as to provide pedestrian scale to the first floor.

~~4. In the SCC-CBD District, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least seventy-five percent (75%) of the length and fifty percent (50%) of the area of the ground level wall area, which is defined~~

~~as the area up to the finished ceiling height of the fronting space or fifteen feet (15') above finished grade, whichever is less.~~

~~5. In the SCC-SC and SCC-HOD Districts, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least fifty percent (50%) of the length and twenty-five percent (25%) of the area of the ground level wall area, which is defined as the area up to the finished ceiling height of the fronting space or fifteen feet (15') above finished grade, whichever is less.~~

6. ~~In all other districts, any~~ ***Any*** exterior wall which is within twenty feet (20') of and facing onto a route or space described in paragraph 1., above, and which has an unobstructed view of the route or space, shall contain at least twenty percent (20%) of the ground floor wall area facing the street in display area, windows or doorway.

VII. BUILDING STEP-BACK REQUIREMENTS

A. Purpose

Step-back requirements help assure a comfortable street environment by preventing fortress-like facades, providing light and air at the street level, and providing features of interest to pedestrians along streets in commercial districts.

B. Applicability

These standards apply to new in all Station Community Commercial Districts.

C. Standards

1. Step-back requirements shall be achieved, at the option of the applicant, by one of two methods:

   a. Floors above the second floor shall be stepped back a minimum of five feet (5') for the first story above two, and an additional five feet (5') for floors above three (3). The maximum step-back under this method shall not exceed fifteen feet (15'); or

   b. A building shall be stepped-back by an appropriate amount from the plane of the street so as to maintain an angle not greater than sixty (60) degrees between the top of the building facade fronting on to the street and the back of the sidewalk of the opposite side of the same street.

2. Upon petition of the applicant, the Planning Director may waive the building step-back requirements of this subsection provided that the applicant clearly demonstrates the proposed project:

a. includes window treatments, entry placement, facade relief and other architectural treatments to provide visual interest and pedestrian-sensitive design at the street level and to maintain a human scale in the streetscape; and

b. extends the same architectural features described in paragraph (a) above the ground floor level through variations in design, detail, and proportion, and by avoiding designs featuring a monolithic street facade; and

c. is designed so as not to obstruct sunlight from falling on the back of the sidewalk on the opposite side of the street for more than four hours of any given day between March 21 and September 21.

(Amended by Ord. No. 4545/4-97.)

VIII. LOCATION AND DESIGN OF OFF-STREET PARKING

A. Purpose

Parking should be located and a parking facility designed so as to not only facilitate its major function but also to complement and encourage easy and safe pedestrian movement to, through and around the facility. The scale and orientation of parking areas shall be consistent with their purposes in supporting a mix of commercial and residential uses and shall be consistent with the pedestrian- and transit-oriented community to which they contribute.

B. Applicability

Unless otherwise noted, these standards apply to all new uses and expansions of existing uses in all districts.

C. Location of Off-Street Parking

Surface parking areas shall comply with the following provisions:

1. No surface parking, maneuvering area, service dock or loading area shall be located between the facing facade of an adjacent building (or a line extended from the plane thereof) and a major pedestrian route unless the closest street-side edge of such a surface parking lot, maneuvering area, service dock or loading area is greater than fifty feet (50') from the major pedestrian route, as measured from the back of the curb; except that this provision shall not apply: (Amended by Ord. No. 4545/4-97.)

   a. In the SCC-MM, SCBP, SCI, SCRP, or SCFI District where it is not practicable to limit the parking space and other facilities to the side of or behind the building, or more than fifty feet (50') from the right of way of a major pedestrian route, and the facilities have been located as far from the major pedestrian route as practicable, and where:

(1) Ingress and egress to such a facility is, where practicable, provided from a side street or alley, or where such access is not practicable from any location other than from the major pedestrian route, driveways shall be limited to no more than one per 150 feet of frontage and shall not be greater than twenty-four (24') feet in width; and

(2) A landscape buffer at least ten feet (10') in depth is installed between the major pedestrian route and such a facility; and

(3) Such landscape buffer includes trees complementing those in the street-side landscape strip if necessary to provide a continuous canopy over the sidewalk area, and includes other pedestrian amenities, shrubs and landscaping materials to soften the edge between the sidewalk and the facility; and

(4) The facility includes no more than one double loaded parking bay, and a single two-way circulation aisle with internal landscaping islands as described in paragraph D., Off Street Parking Design , below; and

(5) The facility is sited so as not to cause the sidewalk of an adjacent major pedestrian route to be blocked or partially blocked other than during the active ingress or egress of vehicles utilizing the facility; and

(6) A safe and convenient exclusive pedestrian connection meeting the intent and purpose of the Transportation Planning Rule, the provisions of the Americans With Disabilities Act, and the sidewalk width requirements of the district shall be provided and sited so a pedestrian does not have to pass through the parking lot, maneuvering area, service dock or loading area to gain direct access to the building entrance, and if the route of the pedestrian way must unavoidably cross a driveway or circulation aisle, the width of the driveway or aisle shall not exceed twenty-four (24') feet; or

b. In any SCPA District where such areas or facilities are constructed and function wholly within the plane of the building and where, other than the connecting driveway, they are effectively screened from view of the pedestrian route by dense landscaping, art work, operable doors or other approved aesthetically pleasing means and where such screening does not create a public safety hazard. Chain link fence with or without slats does not meet the intent of the screening provision. Examples of a facility that functions "wholly within the plane of the building" include a subterranean or above-grade parking lot or loading dock where the entrance is located on the facing facade of the building but the facility itself is out of sight

within or beneath the structure, or an outside loading dock screened by a high parallel false facade with roll-up doors; or

~~c. In the SCC-HOD District where such facilities are approved as part of the Development Review process for permitted expansions of auto-oriented uses in the district existing on the effective date of this Ordinance, and where the design provisions of subsection D., Off-Street Parking Design, are met, and where the surface parking areas does not occupy greater than fifty percent (50%) of the lot frontage.~~

2. Except for Tri-Met park-and-ride lots and the joint-use parking lot located at the Hillsboro Central LRT Station (and other approved joint-use parking lots located adjacent to other LRT stations), no surface parking, maneuvering area, service dock or loading areas shall be located or temporarily located adjacent to, cater-cornered or across the street from a light rail station site.

3. If a major pedestrian route or transit street adjoins a building on two or more sides, or if public or private streets adjoin a building on three or more sides, or if a wetland or natural resource area abuts the parcel, off-street parking between the building and one of the facilities or resource areas shall be allowed in the following order of priority:

1st	**Non-transit street(s)**
2nd	**Transit streets**
3rd	**Wetland or natural resource area**
4th	**Major pedestrian route most directly leading to or adjacent to a LRT station**

In addition, where these circumstances apply, the provisions of Section 138.VIII.C.1.a(4) shall be waived so as to allow additional parking depth between the building and the facility or resource to accommodate the required parking on not more than two sides of the building.

(Amended by Ord. No. 4545/4-97.)

4. Where the combination of the buildings and parking facilities of a project require less than all of the parcel, the parking shall be sited so as to:

   a. Not preclude further development or intensification of the land; and

   b. Afford the opportunity to redevelop the parking, or a portion thereof, to a more intense economic use; and

   c. Not abut a natural resource area.

5. Where a commercial, industrial or institutional use cannot accommodate the allowed parking on-site, the use may locate parking on a surface parking lot or within a parking structure located off-site provided the off-site parking is located and designed in accordance with the requirements of Sections 137 and 138, and provided the off-site location is not greater than eight hundred feet (800') from the use. Where an off-site lot is larger than necessary to accommodate the maximum parking allowed by 137,Table 2, for the use in

question, the remainder of the lot may be used for parking purposes provided that the parking in excess of the allowed maximum parking of the original user is acquired or assigned to other uses in the area as a part of the maximum allowed parking of the secondary users; and provided that in combination, the total amount of off-site parking does not exceed the maximum parking allowed by 137,Table 2, for all joint users of the off-site parking.

6. Except for multi-family and multi-building non-residential complexes with linked parking lots interrupted by buildings, dwellings, and major landscaping features, no surface parking lot, including park-and-ride lots, within 800 feet of a LRT station shall exceed two (2) acres. If parking in excess of the amount that can be contained on two (2) acres is required by a use, at the choice of the applicant:

   a. Structured parking may be constructed on-site without regard to provisions within Sections 137 through 142 which would otherwise prohibit the location of a parking structure at that site; or

   b. A second, non-contiguous surface parking lot farther than 800 feet from the LRT station, may be constructed notwithstanding paragraph 5 of this subsection.

7. An off-street parking structure may be sited adjacent to a light rail station site, a major pedestrian route or a transit street if:

   a. The ground floor of the structure fronting on such streets or station incorporates pedestrian-sensitive design, and retail, commercial, pedestrian-related offices or services, educational uses, or medical outpatient treatment or diagnostic services; or

   b. The parking is contained in a separate structure located behind buildings fronting on such streets or station so as to give the appearance and contain the same type of uses as in paragraph a., above; or

   c. The parking is contained in a semi-subterranean parking structure provided the height of such structure, or portions thereof within fifty feet (50') of the right-of-way adjacent to such streets or station is not greater than three and one-half feet (3½) above the elevation of the adjoining walkway or sidewalk, and the structure is architecturally and functionally incorporated into the design of the streetscape.

(Amended by Ord. No. 4545/4-97.)

8. Where an LRT station, transit street and/or Major Pedestrian Route adjoin a parking structure on two or more sides, the vehicular entrance/exit(s) to the parking structure shall access the adjacent facilities in the following order of priority:

1st	Non-transit street(s)
2nd	Transit street
3rd	Major pedestrian route most directly leading to or adjacent to a LRT Station
4th	Street containing the LRT Station

(Added by Ord. No. 4545/4-97.)

9. Bicycle parking spaces shall be sited so as not to occupy space within, reduce the size of, or impede the use of required sidewalks, pedestrian ways, curbside landscape strips, landscape buffers or usable open spaces. All bicycle parking must be easily accessible and shall be equipped or located so as to allow the bicycle to be conveniently and securely locked to a parking device or within a secured bicycle parking area. Covered bicycle parking shall provide security and protection from the weather. Covered parking may be provided within a parking structure, garage, under a separate roof, within a bicycle locker, or in a designated area within a building or residential complex. Except in single-family detached and duplex dwelling units, allowance for required bicycle parking within an individual residence is not considered to be in compliance with this requirement. (Added by Ord. No. 4545/4-97.)

(Amended by Ord. No. 4930/7-00.)

D. Off-Street Parking Design

Surface parking areas shall comply with the following design standards:

1. **Perimeter Landscape/Screening**. Surface parking areas shall provide perimeter parking lot landscaping adjacent to a street other than a major pedestrian route which meets one of the following standards:

a. A five foot (5') wide planting strip between the right-of-way and the parking area. The planting strip may be pierced by pedestrian-accessible and vehicular accessways. Planting strips shall be planted with large-scale, high canopy, horizontally-branching street tree species and/or an evergreen hedge. Hedges shall be no less than thirty (30") inches or more than forty-two (42") inches in height. Hedges and other landscaping shall be planted and maintained to afford adequate sight distance for vehicles exiting the parking lot to the same standard as described for alleys in Section 137.IX, Visual Clearance; or

b. A decorative wall or fence thirty (30") inches to forty-two (42") inches in height parallel to and not nearer than two feet (2') from the right-of-way line. The area between the wall or fence and the back of the sidewalk shall be landscaped. The required wall or screening shall be designed to allow for access to the site and sidewalk by pedestrians and shall be constructed and maintained to afford adequate sight distance as described above for vehicles exiting the parking lot.

2. **Interior Parking Area Landscaping and Walkways**. Surface parking areas shall provide interior landscaping which meets the following standards:

a. Angled or perpendicular parking spaces shall provide, where needed, extruded curbs (tire stops) or widened curbs to prevent bumper overhang into landscape areas or walkways.

b. All surface parking facilities shall include landscaping along the perimeter of the lot to a depth of at least four feet (4'). Perimeter landscaping shall not be required where two parking lots using a common driveway are joined by a common circulation aisle or other traffic area, and landscaping may be reduced or eliminated adjacent to landscaped open space in order to transition the open space landscaping into the parking area and afford better access between the two areas. Landscaping shall also be installed within planting bays, and in any other area where parking stalls, circulation aisles, driveways, or pedestrian movements would not be precluded by the landscaping. Except where requested by the applicant, if in following these standards, the amount of interior landscaping would exceed ten percent (10%) of the area devoted to outdoor auto parking facilities, the amount of required landscaping shall be limited to ten percent (10%). All landscaping required under the provisions of this subsection may be applied towards compliance with other applicable landscaping requirements. (Amended by Ord. No. 4545/4-97.)

c. A minimum of one 2½" caliper street tree shall be provided in protected planting bays located within the surface parking area at the end of each parking row and at intervals not exceeding 100 feet within the parking rows. Planting bays shall have a minimum width of five feet (5') and a minimum area of 190 square feet for double loaded parking bays and 95 square feet for single loaded parking bays. The remainder of each bay shall be landscaped in a manner consistent with the provisions of this subsection.

d. All parking lot construction, internal walkways, markings and access shall meet and fully comply with the requirements of the Americans with Disabilities Act.

3. **Connection of Parking Areas**. Except in residential areas, parking associated with new development shall be designed to the extent practicable to connect with auto parking areas on adjacent sites to eliminate the necessity of utilizing the street for parallel movements.

4. **General Landscaping Standards.**

a. The minimum planting size for all required trees shall be 2½ inch caliper as measured by American Association of Nurserymen standards. Trees shall be deciduous shade trees capable of at least thirty-five feet (35') in height and spread at maturity.

b. A minimum of seventy percent (70%) of all required landscaped areas, including required planting strips and planting bays, shall be covered with trees, or shrubs. All areas shall also include continuous ground cover consisting of lawn, low growing evergreen shrubs, or evergreen ground cover.

c. Evergreen shrubs shall be not less than two feet (2') higher than finished grade at the time of planting. Evergreen shrubs shall be of the type that grow to be at least thirty-six inches (36") higher than finished grade.

E. Curb Cuts

All curb cuts are subject to approval based on standards to ensure safe pedestrian circulation, traffic flow, access points needed for the proper functioning of the development and the objectives of Sections 136 through 138. To meet these standards, consolidation of curb cuts may be a condition of development approval.

IX. DRIVE-THROUGH USES

[No changes to this section proposed]

X. OUTDOOR DISPLAY AND STORAGE

A. Purpose

These standards are intended to assure exterior display, storage and work activities are consistent with the desired character of SCPAs, will not be a detriment to the overall appearance of any SCPA district, and will not adversely impact adjacent properties or the environment.

B. Applicability

These standards apply to all commercial, industrial, research park, and institutional development in all districts; except in the SCC-MM District these standards apply only along the frontages of arterial streets.

C. Standards

1. Except ~~for motor vehicle sales uses allowed within the SCC-HOD District and~~ as otherwise specified in this subsection, permanent outdoor display or storage of materials or equipment by commercial uses is prohibited. The term "equipment" as used in this subsection does not apply to motor vehicles licensed for street use and regularly used in the conduct of business.

2. In all SCPA commercial districts, in the SCR-V District, and adjacent to commercial uses in the SCBP, SCI and SCRP Districts, outdoor seating for restaurants, commercial displays and pedestrian-oriented accessory uses (such as flower, food or drink stands, etc.), displayed or located within the

area between the back of the curb and the back of the sidewalk, are allowed provided:

a. Any seating, display or stand is present only during the business hours of the responsible enterprise, unless otherwise permitted through the terms of a Street Vendor License;

b. The enterprise has obtained a Street Vendor License; and

c. Placement of any seating, display or stand leaves at least five feet (5') of unimpeded sidewalk width open for pedestrian traffic.

(Amended by Ord. No. 5676/10-06.)

3. Within the SCI, SCBP and SCRP Districts, outdoor storage of inventory or equipment shall be permitted adjacent to a transit street, major pedestrian route, or light rail station site, provided that:

a. It is demonstrated there is no other practicable location on-site;

b. Screening material or dense landscaping sufficient to entirely obscure the storage area is installed; and

c. The screening material is comprised of a fence or wall aesthetically designed and constructed of decorative or architectural materials. A chain link fence with or without colored slats, a plain concrete or wood wall or fence does not, by itself, meet this criteria unless supplemented with substantial landscaping, artistic materials or architectural treatments.

4. (Deleted by Ord. No. 5676/10-06.)

5. (Deleted by Ord. No. 5676/10-06.)

XI. ALLEYS

[No changes to this section proposed]

XII. STREETSCAPE DESIGN STANDARDS AND GUIDELINES

A. Purpose

The standards and guidelines contained in this subsection are intended to encourage good quality, pedestrian-sensitive design in new building and residential construction. Good design results in buildings visually compatible with one another and adjacent neighborhoods, contributing to a Station Community Planning Area which is attractive, stimulating, active and safe. These qualities contribute to the creation of a SCPA which facilitates easy pedestrian movement and establishment of a rich mixture of uses. Unless standards expressly indicate otherwise, a diversity of

architectural styles is encouraged. Except where the word "shall" is used, the criteria are not to be construed as mandatory approval standards subject to review and approval.

B. Applicability

These standards and guidelines apply to all new development.

C. Design Standards.

1. Buildings shall promote and enhance a pedestrian scale and orientation on the facade facing the public street. Street-side building facades and dwelling units within all SCPA districts, except where required to be in conformance with the design standards of a Conservation District, shall be varied and articulated to provide visual interest to pedestrians and avoid a flat appearance. In addition, development proposals and residential projects shall make provisions and include designs consistent with the following:

   a. Development projects within the SCR-OTC or SCR-DNC Districts, shall be consistent with the design and development provisions of subsection XIII. of this Section and the provisions of the respective district;

   b. All new commercial, industrial, research park, institutional, mixed use, and multi-family residential buildings constructed within a Station Community Planning Area shall demonstrate during the Development Review process that it promotes and enhances a pedestrian scale and orientation on any facade facing a public or private street and it incorporates discernible and architecturally appropriate features; such as, but not limited to, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas or other treatments for visual interest, to create community character and to promote a sense of pedestrian scale. The design shall recognize that the simple relief provided by window cutouts or sills on an otherwise flat facade, in and of themselves, does not meet the requirements of this subsection; and

   c. All residential dwellings, of any type, constructed within any SCPA district, unless otherwise restricted by the design guidelines of a Conservation District, shall be constructed with exterior building materials and finishes of high quality to convey an impression of permanence and durability. Materials such as, and including, masonry, stucco, stone, terra cotta, tile, cedar shakes and shingles, beveled or ship-lap or other narrow-course horizontal boards or siding, authentic vertical board & batten siding, articulated architectural concrete masonry units (CMU), and similar durable architectural materials are allowed. Materials such as, and including, T-111 siding, plain or plain painted plywood and strandboard sheets, concrete or cinder block, smooth surface concrete panels, and similar quality and non-durable material are prohibited.

2. Commercial buildings and sites shall be organized to group the utilitarian functions away from the public view. Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the building(s) and the landscaping. The visual and acoustic impacts of these functions, along with all wall- or ground-mounted mechanical, electrical and communications equipment shall be out of view from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and not inferior to the principal materials of the building and primary landscaping. The visual and acoustic aspects of roof-mounted equipment, vents and chimneys shall be minimized by placing equipment behind parapets, within architectural screening, roof-top landscaping, or by using other aesthetically pleasing methods of screening and deadening the sound of such equipment; and

3. Within 1,300 feet of a light rail station in all SCPA districts, all street furniture, benches, bicycle racks, trash receptacles; tree grates, all streetlight poles and fixtures all street and sidewalk treatments, patterns and materials; all street signs; and all other appropriate design treatments and fixtures installed after the effective date of this Ordinance shall either be:

   a. The same as those installed on Washington Street as a part of the Hillsboro Light Rail Transit Project; ~~or~~

   b. Of the same general design and standard as those used on Washington Street (or in the case of street lighting, the PGE "Option B" equivalent design luminaire with a direct burial fluted fiberglass pole, or better) and that have been approved by the City Council Street Transportation Committee for the proposed project or a similarly situated previous project approved by the Transportation Street Committee after the effective date of this Ordinance. However, where an arterial or major collector street is within such an area and IES street ;lighting standards require additional street lighting greater than or different from that available solely through the use of ornamental streetlights, street lighting shall be supplemented by the minimum necessary number of "Cobra-head" luminaires mounted on fluted poles painted or otherwise matching as nearly as possible the treatment used on the ornamental streetlight poles***; or***

   c. As identified on an adopted streetscape plan.

4. Stormwater retention, detention and treatment facilities shall be integrated into the site design or placed underground. If constructed on the surface, such facilities shall be treated as a component of the landscaping usable open space or water feature, and shall be constructed so that, at maximum anticipated volume, water depth will not create public safety risks.

   However, if the site is constrained such that underground facilities are impractical and development to the maximum density allowed within the

applicable SCPA District would be precluded by construction of a shallow stormwater facility, the depth of the facility may be increased if the perimeter is fenced to meet public safety standards for a facility of that depth. In this case, landscaping shall be placed both inside and outside the fence. Fencing shall be of such materials and color so as to blend, to the maximum practicable extent, with the landscaping and surroundings. In addition, to minimize the size and depth of such a deeper facility, the site plan shall be designed to use open space and landscaping for natural detention, retention and biofiltration of stormwater on the site. In no case shall a stormwater facility take on the look or character of a utility element.

Further, in campus developments, SCRV developments and other large tract developments, stormwater facilities shall be consolidated to devote the minimum gross acreage to such use. Developers shall work with adjacent property owners to achieve consolidation wherever large, fenced utilitarian stormwater facilities. Consolidated facilities shall also be naturally integrated into the site design, landscaping and usable open space as described above, or shall be placed underground.

(Added by Ord. No. 4545/4-97.)

D. Design Guidelines

The following guidelines are recommendations that can be used in achieving the requirements of paragraph C, above; but shall not be construed as requirements.

1. Building and site design should be site specific and fit into the context of the area, preserve important view corridors, complement the natural setting and other nearby buildings, relate to adjacent public and private streets, and incorporate special features to make the buildings more prominent and appealing while incorporating facades and details to help them better relate to the scale of pedestrians. A diversity of architectural styles is encouraged to create a rich and visually-stimulating environment. Building design is particularly important at major intersections, where special corner architectural design features should be incorporated.

2. Certain buildings, because of their size, purpose or location, should be given special attention in the form of ornamental building features, such as towers, cupolas or pediments. Examples of these special buildings include theaters, hotels, cultural centers and civic buildings.

3. Edges of development projects should be continuous and designed to delineate and enhance adjoining public and private streets, while also providing visible and safe access to stores and other buildings. Edges adjacent to transit streets and major pedestrian routes should include street furniture such as seating, shelters, ornamental pedestrian scale lighting and an inside row of canopy trees to complement those in the curbside landscape strip.

4. Developments should be designed to encourage informal surveillance of public areas from buildings, public and private streets and from adjacent

developments. Sight lines to and from buildings, and within and around the site should maximize pedestrian visibility of store entrances, public areas and transit stops.

5. For buildings designed for occupancy by general retail, office and service commercial businesses, traditional storefront elements are encouraged for any facade facing a major pedestrian route. These elements include:

   a. Front and side building walls placed within 0-10 feet of abutting street right-of-way boundaries.

   b. Clearly delineated upper and lower facades.

   c. A lower facade containing large display windows and a recessed entry or entries.

   d. Smaller, regularly spaced windows in upper stories.

   e. Decorative trim, such as window hoods, surrounding upper floor windows.

   f. A decorative cornice near the top of the facade.

   g. Piers or pilasters, typically of masonry.

6. Upper stories should be articulated with features such as bays and balconies.

7. To balance horizontal features on longer facades, vertical building elements should be emphasized.

8. If sloped roofs are used, they should be compatible with roof lines and slope of adjacent buildings, add interest to and reduce the scale of large buildings, and complement the character of buildings in adjacent developments.

9. Windows allowing views into interior activity areas or displays in non-residential buildings beyond the requirements of Section 138.VI. are encouraged. However, at the pedestrian level, glass curtain walls, reflective glass and painted or darkly tinted glass, smooth faced concrete block, concrete panels, steel panels, and non-durable materials should not be used.

10. Exterior building materials and colors play a significant role in establishing identity and visual interest at the pedestrian scale. As such, materials and colors should be harmonious and compatible with materials and colors in adjacent developments. Soft lighting of the building exterior is permitted, provided the light source is not visible and it complements the architectural design. The lighting should not draw inordinate attention to the building.

11. Entryways are important to a pedestrian environment and provide a special opportunity to make the building unique while at the same time providing a highly visible customer entrance and identifiable public address. Building

entrances should include such features as: canopies, porticoes, overhangs, recessions, projections, arcades, raised cornice parapets over the door, peaked roof forms, arches, hardscaped pedestrian spaces, integral planters or wing walls that incorporate landscaped areas and/or places for sitting, and architectural details such as tile work and moldings which are integrated into the building structure and design.

12. Where masonry is used for exterior finish, decorative patterns should be employed. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile used in conjunction with materials such as concrete or stucco.

13. Ornamental devices, such as molding, entablatures, pediments and friezes, are encouraged at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band should be at least eight inches (8") wide.

14. Pedestrian ways should be anchored by special design features such as towers, arcades, porticos, pedestrian light fixtures, planter walls and other architectural elements which define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window shopping areas. Design of these features and outdoor spaces together should (i) enhance buildings and groups of buildings, (ii) relate to a common use area, and (iii) complement the surrounding streetscape.

15. Landscaping should be designed into and thought of as an integral part of the site, streetscape, building design and the parking area. Landscaping should also be used to enhance the pedestrian orientation of Station Communities by creating a sense of enclosure and to reduce the scale of large buildings and paved areas. Arbors or trellises supporting landscape materials should be considered for ornamentation of exterior walls.

16. (Deleted by Ord. No. 5676/10-06.)

17. In all SCC-SC and SCR-V Districts, housing should be arranged around and integrated with community uses, the LRT station, and pedestrian-sensitive shopping and services. Pedestrian-sensitive retail, services, and employment uses should be provided within 1,300 feet of the LRT station and within 1,300 feet of housing. The highest concentration of housing should generally be within 1,300 feet of the LRT station.

18. In SCPA residential and SCC-SC Districts, multi-purpose streets should extend from the LRT station, and provide convenient pedestrian and bike routes from the station to residential neighborhoods, employment sites and centers, and community retail and service uses. Multi-purpose streets should be designed not only as attractive places to live and work, but also as the location and setting for pedestrian-sensitive shopping and services, and for recreation and social activities.

19. Projects containing residential uses should include a range of housing types and styles to suit a variety of lifestyles and incomes, both on an ownership and rental basis

20. The SCR-V District provides an opportunity to be creative in developing a new, compact community within the City. Application of the Development Regulations and Design Guidelines should result in a residential village designed to achieve:

a. A balanced multi-modal network of streets and pedestrian ways connecting residential areas with commercial and community activity; with streets laid out in a grid system to facilitate movement within and through the village without being unnecessarily winding or deliberately picturesque.

b. Housing located intentionally close to the street, but not along a build-to line, with porches and other features to create rhythm and interest along the street.

c. Groups of small lot houses, condominiums and rowhouses arranged to form architectural spaces, not a variety of different architectural styles. Design decisions should be made for housing and village center buildings based on street orientation, location of front doors, treatments of the space between buildings and streets, pedestrian space lighting and other pedestrian safety and visual enhancements. (Amended by Ord. No. 5676/10-06.)

d. A network of public and private open spaces, greenways and parks within walking distance of all residents. Choice sites should be set aside for public and neighborhood amenities to encourage use, provide visibility, and to establish a greater sense of community identity.

e. Neighborhood commercial uses which are varied, complete and of high quality so the need to drive to other shopping areas for routine purchases is minimized. Where practicable, commercial and self-contained light industrial activities should provide employment opportunities for village residents.

21. All commercial, industrial, research park, institutional, mixed use, and multi-family residential buildings constructed in any SCPA district with less than three feet (3') setback between the facade of the building and any parallel public sidewalk or pedestrian way should incorporate features adjacent to and over at least three feet (3') of the public sidewalk or pedestrian way for weather protection. Such features may include, but are not limited to, canopies, awnings, porticoes, arcades, alcoves, building overhangs and recessed entries, and trellises to protect pedestrians from rain or sun.

XIII. STANDARDS FOR PROTECTION WITHIN HISTORIC AND CULTURAL CONSERVATION DISTRICTS

[No changes to this section proposed]

Section 139: DOWNTOWN STATIONS COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS

(AMENDED BY ORD. NO. 4545/4-97 AND 4930/7-00.)

I. SCOPE

This section establishes design standards specific to the Downtown Station Community Planning Area.

II. PURPOSE

A. ~~These~~ ***The community-specific*** Downtown ~~community specific~~ development regulations and design standards reflect the City's goals and objectives for the Downtown SCPA ~~as described in the Hillsboro Comprehensive Plan, in the *Downtown Station Community Plan* as developed by the Downtown Station Community Planning Advisory Committee, and in the outcome of the workshops held during the SCPA process~~. ***These regulations and standards were developed in two phases: in 1997-2000 during the SCPA adoption process, as reflected in the Downtown Station Community Plan and adopted Comprehensive amendments; and in 2008-2010 during the Downtown Community Plan and Urban Renewal process, as reflected in the Downtown Framework Plan.*** Except as noted below, the purpose for each development regulation and design standard is as described in Sections 136 through 138. Where the regulations or standards of this Section specifically conflict with those contained in Section 136 through 138, the standards of this Section shall prevail.

B. The purpose of the regulations and standards applicable to the Downtown Neighborhood Conservation District (SCR-DNC) is to conserve the historical and cultural significance of the area of the original core of the City of Hillsboro by:

1. preserving and restoring the historic and cultural aspects and small town atmosphere of the community incorporated in 1876 within the site that is now encompassed by the Downtown Station Community Planning Area;

2. preserving, restoring and enhancing the landscape features of the downtown area, especially the large oak and other deciduous trees along the streets;

3. requiring that:

   a) all new residential structures within the District be of compatible character and architectural style with those built during the period 1890's to 1930's; including, but not limited to, residential architectural styles for single-family houses and apartment houses consistent with the period, use of natural appearing materials and paint or finish colors consistent with those in use during the period, and other design and development standards as described in this Section; and

b) the exterior remodeling or expansion of existing residential structures within the District be consistent with the architectural style of the existing structure, with use of compatible materials and colors;

4. requiring that:

a) all new commercial and institutional structures, including public buildings, within the District be of similar character or compatible with the size, scale and architectural styles and treatments used in small towns like Hillsboro during the period 1890's to 1930's.

b) the exterior remodeling or expansion of existing commercial or institutional structures, including public buildings, within the District, be consistent with the architectural style of the existing structure;

C. ***Except as noted below, all*** ~~All other~~ land within the Downtown SCPA will be developed~~, with minor exceptions noted below,~~ in accordance with the applicable SCPA District Development Regulations of Section 137 and under the Design Guidelines of Section 138.

III. MODIFICATIONS TO SECTION 136 STATION COMMUNITY PLANNING AREA PROVISIONS

~~A. Notwithstanding the provisions of Section 136.IV., Table 1, Permitted Uses in Station Community Commercial Districts, and Section 136.V. Restricted And Specially Regulated Land Uses, a motor vehicle service facility with an accessory convenience retail use and an accessory car wash shall be a permitted use on the combined Tax Lots 1N2 31 DD 8300, 8400, 8500 and 8501.~~

~~B. Pursuant to Section 136.IV., Table 1, Automobile Sales uses may be approved as interim Conditional Uses in the SCC-HOD District. If approved, such Conditional Uses shall be effective for a period not to exceed seven years. Automobile Sales uses approved through the Conditional Use process shall comply with all applicable standards for minimum Floor Area Ratio, minimum Sidewalk Improvements, and minimum Open Space, and shall further comply with all applicable design standards in Section 138.IV. through 138.XII. Subsection C., inclusive. Variances to these standards and guidelines shall not be approved.~~

A. ~~C.~~ Notwithstanding the provisions of Section 136.IV., Table 2, Permitted Uses in Station Community Residential Districts, certain properties in the SCR-DNC zone may be eligible for more intensive development, due to their location adjacent to North First Avenue, a classified Arterial Street. Such increased intensity of development may include mixed use buildings, increased residential density and structural heights. To transition more intensive development along North First Avenue from adjacent less intensive development in the SCR-DNC zone, increased intensity development shall be limited to those properties within the SCR-DNC zone located within 200 feet of the right-of-way of North First Avenue, north of NE Lincoln Street, south of NE Rachel Street. Approval of mixed use buildings,

increased residential density and structural heights in this area (hereinafter referred to as the "Arterial Exception Area) shall comply with the following standards:

1. Maximum structural height shall be three (3) stories in the Arterial Exception Area. To buffer this increased structural height from non-Exception properties to the east, three-story structural height shall be limited to a depth of 100 feet from North First Avenue. Structural height for buildings between 100 feet and 200 feet in depth from North First Avenue shall be a maximum of two stories. Standard sideyard setbacks for two-story Arterial Exception uses shall apply to two-story buildings at the 200 foot depth boundary with non-Exception properties, except as specified under Subsection 2.

2. Mixed use buildings shall be a minimum of two stories in height, with residential uses on the second floor. Commercial uses in mixed use buildings in the Arterial Exception area shall be limited to the first and second story only. If commercial uses are proposed on the first and/or second floor of a mixed use building in the Arterial Exception Area, an increased sideyard setback of 10 feet for three-story Arterial Exception uses shall apply at the 200 foot depth boundary with non-Exception properties. The 10-foot sideyard setback shall be planted with species selected for increased height and visual screening qualities. Landscaping materials shall be planted at a density designed to achieve the earliest practicable screening of the commercial first floor use.

3. Within the Arterial Exception Area, in order to encourage pedestrian scale development at street level, ground floor areas of commercial uses shall be limited as follows:

   a. Except as allowed under subsection b. below, the maximum ground floor area for a single commercial use shall be 2500 square feet.

   b. A single commercial use may occupy up to 4000 square feet on the ground floor of a single building only if that occupancy is limited to less than 50% of the total ground floor area of the building, and the remaining ground floor area is divided among separate uses occupying less than 2500 square feet each. For purposes of this subsection, unenclosed pedestrian areas outside the walls of the building are not included in the maximum square footage.

   There are no restrictions on maximum square footage for commercial uses on the second floor. Commercial uses are not permitted above the second floor.

4. If mixed uses are proposed in three story buildings in the Arterial Exception Area, residential density in the second and third stories shall be limited to 18 dwelling units per acre

5. Commercial uses permitted outright in mixed use buildings in the Arterial Exception area are as follows:

   a) Art Gallery.
   b) Bakery.

c) Barber Shop.
d) Beauty shop, including day spa.
e) Confectionary.
f) Delicatessen.
g) Drug store, including fountain.
h) Florist shop.
i) Garden store.
j) Grocery store.
k) Hardware store.
l) Laundry and cleaning, self-service.
m) Office or clinic for the following:
    1) Accountant.
    2) Architect or designer.
    3) Attorney at law.
    4) Dentist.
    5) Doctor or other practitioner of the healing arts.
    6) Engineer or surveyor.
    7) Insurance agent.
    8) Real estate agent.
    9) Travel Agent.
o) Variety or dry good store
p) Restaurant, excluding drive-in facilities

The Planning Commission may interpret additional uses which would be appropriate within the Arterial Exception area pursuant to Zoning Ordinance No. 1945, Section 89 Authorization of Similar Uses.

6. Commercial uses in mixed use buildings in the Arterial Exception Area, except for those uses permitted outright in Subsection 5 above, are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance.

7. All applications for Development Review shall be reviewed by the Planning Commission. Development Review applications for increased intensity development in the Arterial Exception Area shall include a Traffic Impact Report as required by Section 137.XVI. Subsections 2 through 8, inclusive. To mitigate the impacts of such increased intensity development on adjacent non-Exception properties and public streets and alleys, approval of increased intensity development in the Arterial Exception Area may be subject to any of the conditions specified in Section 137(XVI) C.

(Section 139 (III)(C) amended by Ord. No. 5293/7-03)

IV. DEVELOPMENT REGULATIONS

A. Minimum Lot Size

The Standards of Section 137 shall apply.

B. Minimum Lot Width and Depth

The Standards of Section 137 shall apply.~~, except that:~~

~~1. Lots in the SCC-CBD zoned portion of the block located north of West Main Street, south of NW Lincoln Street, west of NW Adams Avenue, and east of the public alley shall have no minimum lot depth if approved through a subdivision or partition. (Amended by Ord. No 5207/11-02.)~~

C. Minimum and Maximum Residential Densities and Ancillary Dwelling Units

The Standards of Section 137 shall apply, except that:

1. If additional dwelling units are proposed on a lot containing an existing residence to be retained, either at the developer's option or as required under Section 138 (XIII) (C), minimum and maximum residential density for the entire parcel shall be determined by applying the minimum and maximum densities specified in Tables 137 (II) 1 to the undeveloped portion of the lot only. Minimum and maximum density calculations shall not include the portion of the lot surrounding the retained house, including minimum required side and rear yard setbacks from the structure. The existing residence shall be included in the overall calculation as a single dwelling unit. (Added by Ord. No. 5206/11-02).

2. In the SCR-DNC zone, a lot containing a main residence and an ancillary dwelling may be partitioned for the purposes of separate ownership provided that:

   a. The overall minimum density for the original parcel can be met after partitioning;

   b. All necessary building codes are met;

   c. The parcel containing the ancillary dwelling unit has frontage on, and obtains access, from a public alley.

3. In the SCR-DNC zone, no more than four (4) dwelling units per structure shall be allowed on lots smaller than 22,000 square feet in area.

D. Minimum Floor Area Ratios

The Standards of Section 137 shall apply, except that:

1. Neighborhood and Downtown Commercial uses on properties in the SCR-DNC shall be exempt from minimum Floor Area Ratio requirements, but shall comply with the parking standards of Section 137 Table 2.

~~2. Notwithstanding Section 137.VI and Table 137.1b, permitted motor vehicle service facilities located on lots in the SCC-HOD District may reduce the Floor Area Ratio to as low as 0.35 if required to accommodate adequate visibility, access and safe circulation within the site.~~

E. Minimum Non-Residential Density

The Standards of Section 137 shall apply.

F. Minimum and Maximum Setbacks from Streets, Alleys and Interior Yards

The Standards of Section 137 shall apply, except that:

1. Structures built on properties zoned ***SCC-DT*** ~~SCC-CBD, SCC-HOD, or SCC-SC~~

a. ***Interior Yards. Structures built on properties zoned SCC-DT*** shall have a minimum setback of 10 feet from any shared property line with parcels zoned SCR-HD, SCR-MD, or SCR-DNC. The 10-foot sideyard setback may be required to be planted with species selected for increased height and visual screening qualities. Landscaping materials may be required to be planted at a density designed to achieve the earliest practicable screening of commercial uses above the first floor. ***Properties within the SCC-DT District that are subject to a minimum front setback of 10 feet are shown on Figure 139-1.***

b. ***Street-Facing Yards. Properties within the SCC-DT District that are subject to a minimum front setback of 10 feet are shown on Figure 139-1.***

2. Structures built on properties zoned SCR-DNC, SCR-MD, or SCR-HD shall have a minimum setback of 10 feet from any shared property line with parcels zoned ***SCC-DT*** ~~SCC-CBD, SCC-SC or SCC-HOD~~. The 10-foot sideyard setback may be required to be planted with species selected for increased height and visual screening qualities. Landscaping materials may be required to be planted at a density designed to achieve the earliest practicable screening of upper story uses.

~~3. Notwithstanding the setback provisions of Section 137.VIII and the provisions of Table 137.1b., the maximum setback standards on the combined Tax Lots 1N2 31 DD 8300, 8400, 8500 and 8501 shall be twenty-five feet (25') on the alley, thirty-five feet (35') on 10th Avenue, and forty-five feet (45') on Baseline when, and only when, applied to a motor vehicle facility on such site. The setback distance on 10th Avenue and Baseline shall be measured from the back of the sidewalk to the edge of the nearest service island or service island canopy, whichever is closest.~~

4. In the SCR-DNC zone, where the average front yard setback of existing residences, along the entire block face containing the project, exceeds the applicable front yard setback from a public street standard of Section 137 (II) Table 1.j by more than five feet, new construction shall conform to the average setback of all the existing dwellings along that block face.

5. Within the SCC-DT District, required setbacks from Streets and Alleys are shown on Figure 139-1.

a. Conformance with the setback requirement is achieved when, at a minimum, the percentage of street frontage occupied by the ground level façade of a building(s) is provided as specified in the table below:

Minimum Building Width Required Along Street Frontages

Location as Shown on Figure 139-2	*Minimum Street Frontage**
For properties located on an Active Use Street 1	*100%*
For properties located on an Active Use Street 2	*75%*
For all other properties	*50%*
** Minimum street frontage is the ratio of A to B expressed as a percentage where: A equals the width of the portion of the building(s) meeting the required setback, and B equals the length of the front lot line abutting the public right-of-way.*	

b. Exceptions required for pedestrian and vehicular access, emergency services, and utility easements shall be granted administratively upon determination by the Planning Director that the exception is the minimum necessary to accommodate the required access, emergency services, or utility easements. In no case shall parking or vehicular circulation be located between the building and the street.

c. Exceptions to provide additional setback adjacent to a public street shall be granted administratively upon determination by the Planning Director that 100% of the additional setback would be used to provide enhanced pedestrian amenities such as plazas, arcades, courtyards, or other such usable pedestrian space as a feature of the development.

G. Vision Clearance

The Standards of Section 137 shall apply.

H. Minimum and Maximum Building Height Requirements

The Standards of Section 137 shall apply, except that:

1. *The maximum height of buildings within Residential Compatibility Area shall be as shown on Figure 139-3.* ~~On properties zoned SCC-CBD, SCC-SC, or SCC-HOD, structures built within 100 feet of any shared property line with properties zoned SCR-HD, SCR-MD, or SCR-DNC shall be no greater height than the maximum height of the applicable adjacent residential zone.~~

2. *The minimum height of buildings shall be as shown on Figure 139-4. Exceptions to the required two story minimum building height may be granted through discretionary review upon determination by the Planning Commission that the proposed single story building meets the applicable purpose statements in Section 136.I.B and all of the applicable design guidelines in Section 138.XII.*

I. Minimum and Maximum Off-Street Parking Requirements

The Standards of Section 137 shall apply.

J. Minimum Usable Open Space Requirements

~~The Standards of Section 137 shall apply.~~

1. Non-residential projects on less than one-half (1/2) gross acre are not subject to open space requirements unless the project is part of or subsequently becomes a part of a series of projects or phases of a larger development in which case the original project shall be joined with all subsequent projects or phases in order to determine the required open space for the whole. Mixed use projects with four (4) or fewer dwelling units shall be considered non-residential projects.

2. Non-residential projects ½ gross acre or larger, mixed use projects with more than four (4) dwelling units, and all residential projects shall provide minimum usable open space equal to five percent (5%) of the project gross acreage.

3. Usable open space may include any combination of the following:

a. Private outdoor space accessible only to an individual resident or tenant (e.g., private porches, decks, balconies, patios, atriums, or other private outdoor areas);

b. Shared private outdoor recreation space accessible only to customers, employees or residents (e.g., outdoor seating and dining areas, roof decks or gardens, play areas, outdoor recreation facilities, or similar space); or,

c. Public outdoor space (e.g., public parks, play areas, courtyards, landscaped pedestrian walkways, enhanced extensions to sidewalk depth, or similar space).

d. Alternative approaches to the provision of open space and recreation facilities (e.g., indoor recreation rooms, fee-in-lieu contributions, etc.) may be allowed with discretionary approval.

K. Minimum Landscaping, Natural Resource and Mature Tree Preservation Requirements

The Standards of Section 137 shall apply.

L. Mixed Use Buildings and Mid-Rise Apartments

The Standards of Section 137 shall apply, except that

1. Home Occupations, as described in Section 128A, Live/Work units, as described in Section 137.XIV.B.1., and Bed and Breakfast Inns, as defined in Section 3 (5) are permitted outright in the SCR-DNC District, except that the number of separate bedroom units in a Bed and Breakfast Inn shall not exceed five in the SCR-DNC District.

2. Residential Business uses for certain properties zoned SCR-DNC are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to

the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance. Residential business uses are limited to that portion of the SCR-DNC zone located west of NE Fifth Avenue and north of NE Lincoln Street. In addition to the standards contained in Section 83, Residential Business uses in the SCR-DNC zone shall meet the following standards:

a. Any structure proposed for occupancy by a residential business use shall include a residential occupancy by the business owner/operator or other residential tenant;

b. The maximum commercial floor area for a residential business use is not more than 35% of the floor area of all structures on the lot, or 1500 square feet, whichever is less.

c. The maximum height for any structure proposed for occupancy by a residential business use is two stories;

d. Residential business uses shall have no more than three (3) employees, excluding family members of the business owner/operator or other residential tenant;

e. Residential business uses shall have no more than five (5) off-street parking spaces, and all off-street parking shall be located inside, beside or behind the occupied building. Parking is prohibited between the building and the street;

f. New structures proposed for occupancy by residential business uses shall comply with all applicable design standards in effect on new construction.

3. Residential Business uses for properties zoned SCR-MD are allowed only upon approval by the Planning and Zoning Hearings Board, pursuant to the conditional use standards and procedures contained in Sections 78 through 83 of this ordinance. In addition to the standards contained in Section 83, Residential Business uses in the SCR-MD zone shall meet the following standards:

a. Any structure proposed for occupancy by a residential business use shall include a residential occupancy by the business owner/operator or other residential tenant;

b. The maximum commercial floor area for a residential business use is 2500 square feet, with a maximum ground floor area of 1500 square feet;

c. Residential Business uses shall have no more than 5 employees, excluding family members of the business owner/operator or other residential tenant;

d. Residential business uses shall have no more than 10 off-street parking spaces, and all off-street parking shall be located inside, beside or behind the occupied building. Parking is prohibited between the building and the street;

e. New structures proposed for occupancy by residential business uses shall comply with all applicable design standards in effect on new construction.

M. Sidewalks

The Standards of Section 137 shall apply.

N. Street and Alleys, and Lot Access

The Standards of Section 137 shall apply.

V. DESIGN STANDARDS

A. Improvements Between Streets and Buildings

The Standards of Section 138 shall apply.

B. Building Entries and Orientation

The Standard of Section 138 shall apply ***in addition to the standards below***.

1. ***All Active Use Streets (1 and 2) designated on Figure 139-2 shall be considered Major Pedestrian Routes for the purposes of implementing the Building Entries and Orientation standards within the SCC-DT zone.***

2. ***If a building has frontage on more than one street, the building shall provide a main building entrance oriented to the Active Use Street designated on Figure 139-2 (if applicable) or a single entrance to the corner where both streets intersect. Where two Active Use Streets designated on Figure 139-2 intersect, the building shall have a main entrance at the intersection or within 30 feet of the intersection.***

3. ***Building facades over 200 feet in length facing a street shall provide two or more main building entrances oriented toward the street.***

4. ***Building entrances shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.***

C. Ground Floor Windows and Building Facades

The Standards of Section 138 shall apply ***in addition to the standards below***.

1. ***All Active Use Streets (1 and 2) designated on Figure 139-2 shall be considered Major Pedestrian Routes for the purposes of implementing these standards within the SCC-DT zone.***

2. ***Building facades facing an Active Use Street designated on Figure 139-2, all ground floor windows shall have a Visible Transmittance (VT) of 60%***

or higher, with the exception of medical / dental offices, which may have tinted windows.

3. All building facades greater than 75 feet in length, which are facing a public street, shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances or other articulation so as to provide pedestrian scale.

4. Within Residential Compatibility Areas designated on Figure 139-3, building facades greater than 50 feet in length, which are facing a public street, shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances, or other articulation so as to provide pedestrian scale.

5. Building facades facing an Active Use Street (1 and 2) designated on Figure 139-2 shall have windows, display areas or doorways for at least seventy percent (70%) of the length and fifty percent (50%) of the ground level wall area. The ground level wall area is the band of wall area above three feet (3') and below twelve feet (12') as measured from finished grade.

6. For all other building facades, exterior walls facing a public street, public open space, pedestrian walkway and/or transit station shall have windows, display areas or doorways for at least fifty percent (50%) of the length and twenty-five percent (25%) of the ground level wall area. The ground level wall area is the band of wall area above three feet (3') and below twelve feet (12') as measured from finished grade.

7. For building facades facing an Active Use Street (1 and 2) designated on Figure 139-2, weather protection for pedestrians shall be provided along a minimum of 50% of the facade. This weather protection shall take the form of an awning, canopy, arcade, colonnade, or recessed entry (or some combination of these elements) and there shall be a minimum 10' clearance from the bottom of such an element to the sidewalk. Awnings and/or canopies shall project a minimum of 5' from the building façade; shall match the width of storefronts or window openings; and shall not obscure transom windows where such windows are present. Awnings and/or canopies shall be constructed of glass, metal, or exterior-grade fabric (or some combination of these materials).

D. Building Step-Back Requirements

The Standards of Section 138 shall ***not*** apply.

E. Location and Design of Off-Street Parking

The Standards of Section 138 shall apply, except that:

1. In the ***SCC-DT*** ~~SCC-CBD~~ District:

~~a. As applicable, all new development in the CBD shall reserve and dedicate the center portion of each block for use as a common~~

~~surface or structured parking lot. All property within each applicable block of the CBD shall reserve that portion of the property necessary in order to contribute to the aggregation of a 150'x150' parking and pedestrian area in the center of such blocks and, if necessary, an east-west twenty-four foot (24') driveway into the parking located mid-way between the adjacent east-west streets. The Planning Department shall prepare drawings illustrating the location of such parking and driveway facility areas for all applicable CBD blocks.~~

~~The parking and pedestrian center block areas shall be linked to perimeter commercial areas with well defined pedestrian connections, and shall contain trees, landscaping, decorative lighting and street furniture to the same extent and standard as those on public streets within the CBD and as required under Off-Street Parking Design provisions of this subsection.~~

~~b. Notwithstanding paragraph a., above, owners of property within a given designated CBD block or group of blocks may provide for alternative parking strategies through the formation of a Traffic Management Association, Local Improvement District, Parking District or other mechanism whereby the parking requirements and needs of all uses within the entire block or group of blocks are met. Such alternatives include, but are not limited to, the construction of one or more parking structures within the CBD or HOD District, joint use parking located off site, remote parking/shuttle strategies, and the solicitation of a commercial parking operator who would construct one or more parking structures in the vicinity that would meet the parking requirements of the entire CBD.~~

~~Until such time that the alternative allowed under this provision is approved by the Planning Commission and implemented, the requirements of paragraph a. shall apply to properties within each designated CBD block without such an approved alternative.~~

a. ***On-site vehicular circulation areas (including surface parking, maneuvering areas, service docks and loading areas) are only allowed on the side or rear of newly constructed buildings. If located on the side, the on-site vehicular circulation area shall:***

i. ***Not exceed 50% of the total frontage of the site;***

ii. ***Provide screening in the form of a six foot (6') wide planting strip between the right-of-way and the parking area is required. The planting strip shall provide screening in the form of a decorative wall and/or landscaping as described in Section 138.VIII.D.1.***

b. ~~c.~~ To accommodate transit-supportive developments and provide adequate off-street parking for mixed use development, required parking may be located up to 800 feet from the development. Such parking shall be designated and signed as belonging to the remote

development and shall be part of the legal requirements for occupancy of the development.

~~c.~~ *c.* ~~d.~~ High-volume, off-peak entertainment uses, such as movie theaters and restaurants, may fulfill all or a portion of their parking requirements ~~on sites located within the CBD~~ by arranging for shared parking in surface or structured parking lots not farther than 800 feet from the designated use.

~~d.~~ *d.* ~~2.~~ ~~In the SCC HOD District:~~ Development ***located along ODOT facilities*** shall comply with applicable Oregon Department of Transportation access management requirements. When practicable, highway access for new developments in the District shall be combined.

F. Drive Through Uses

The Standards of Section 138 shall apply.

G. Outdoor Display and Storage

The Standards of Section 138 shall apply.

H. Alleys

The Standards of Section 138 shall apply.

I. Streetscape Design Standards and Guidelines

The Standards of Section 138 shall apply. ***In addition the following standard shall apply.***

a. The ground floor of all new buildings shall be articulated through façade design elements so as to provide a "base," "middle," and "top" to the street-facing ground floor. The "base"' extends from the top of the finished sidewalk to the bottom of the window sill, and shall be defined through a masonry or concrete plinth, projecting window sills, and/or bulkhead. The "middle" shall be established through storefront windows, transom windows, awnings or canopies, and /or engaged columns that are part of a series of architectural bays. The "top" shall be established through a projecting cornice. Residential duplexes, townhouses, and rowhouses are exempt from this standard.

b. The front facades of all new buildings two stories or more in height shall have tripartite facades, with distinct ground floors, middles, and tops. The ground floor shall be established through a bulkhead, plinths, projected windowsills, large display windows, and/or the use of distinguishing materials, as described in 139.V.I.a above. The middle shall be established through vertically-oriented windows that signal a change of use, changes in materials, and/or horizontal bands (string course, soldier courses, etc.). The top shall be distinguished through stepbacks, detailed cornices, projecting parapets, and/or a hipped or gabled roof. Residential duplexes, townhouses and rowhouses are exempt from this standard.

J. Downtown Residential Neighborhood Special Standards

1. **Applicable Standards in the SCR-DNC Zone and, in the SCR-MD zone between NE Sixth and NE Ninth Avenues, south of NE Jackson Street, and in the ~~SCC-SC~~ *SCC-DT* zone north of NE Washington Street from NE Fifth Avenue to NE Tenth Avenue.** The standards contained in Section 137 - 138 shall apply and supplement those contained in this subsection. Where standards contained in this subsection conflict with those of Sections 137-138, the standards contained here shall prevail. For purposes of this subsection, "conservation" is differentiated from "restoration" or "preservation" in that new development is allowed to replace deteriorated or marginal structures. Existing structures may be rehabilitated or remodeled provided that the new development or reconstruction meets the applicable standards of Sections 137-139, and the construction conserves, enhances and maintains the historic and cultural character and predominant architecture of the area as it was during the period of the 1890s –1930s.

2. **Residential Construction**. The architectural style of new residential construction in areas cited in Subsection 1 of this Section shall be restricted to those that replicate major design elements characteristic of the 1890s – 1930s architectural styles represented in the District.

   a. **Porches**. Front or wrap-around porches, where consistent with the architectural style of the proposed dwelling, are encouraged on structures along streets. Where provided, porches shall be a minimum of 80 square feet, or 8' X 10', and shall be contained under a roof and separated from the yard by elevation or some form of railing or fence.

   b. **Foundations**. The main floor shall be a minimum of 24 inches to a maximum of 32 inches above finish grade, except where lower elevations are required pursuant to ADA requirements. Plain concrete and plain concrete block may be used as foundation materials when the foundation material does not extend more than three feet above the finished grade level adjacent to the foundation wall.

   c. **Siding**. Siding shall be ship-lap, bevel or other narrow course horizontal material; with Clapboard 3.5" to 6" to the weather and drop-siding less than 10" to the weather. Vertical or diagonal application of siding is prohibited; except that board and batten siding may be applied vertically. Plain concrete, plain concrete block, corrugated metal, plywood, sheet pressboard, T-111, Oriented Strand Board, and aluminum siding are prohibited, except that plain concrete or plain concrete block may be allowed for foundations as specified under subsection (b) above.

   d. **Colors.** Building colors shall be compatible with the surrounding area, and consistent with the color palettes characteristic of architectural styles of the era of the District. Bright primary or fluorescent colors are prohibited on the main body of the structure.

e. **Windows**. Single windows and window pairs should be vertically proportioned and be surrounded by a minimum 3-inch trim. Multi-paned windows are preferable to picture windows for street-facing elevations.

f. **Exterior Lighting**. Entry door and front porch lighting is required on all new dwelling units, and shall be installed so as to not glare or shine onto adjacent property. Exterior lighting on residential dwellings and accessory structures shall be restricted to low-intensity exterior illumination not to exceed 2 lumens.

g. **Roofs**.

(1) **Rooflines**. A variety of rooflines are allowed provided the profile of the new roof is similar in pitch and configuration to those in the area. Gable End, Dutch Gable, Hipped, Gabled, and hipped and shed dormers are the predominating styles in the conservation district. Shed roofs are not allowed as the main roof form for any new dwelling. Flat roofs are allowed on structures having architectural styles such as ltalianate or Richardson Romanesque, or similar styles, only on dwellings located within 100 feet of the Central Business District boundaries.

(2) **Roof Pitch and Overhang.** Roof pitch, and overhang at the gable end and eaves, shall be consistent with the selected architectural style.

(3) **Roofing Materials**. Roofing materials shall be 3-tab shingles, architectural style asphalt, shakes, copper, clay tile, slate, simulated slate, or of other ornamental types consistent with the architectural style of the structure. Colors shall be compatible with those in the area.

h. **Exterior Trim and Details**. All new residential units shall incorporate appropriate trim and detail, based on the selected architectural style, including, but not limited to: cornices; pediments; door and window surrounds; pilasters; molding; baseboards; trims; architraves; and lintels. Each new residential structure shall have at least one pediment or dormer, except or flat-roofed structures approved under subsection (g)(1) above. No exterior fire stairs or fire escapes may be located on a structure's street-facing elevation.

i. **Garage Offset.** The front of a garage shall be setback a minimum of five feet from the front façade of a dwelling.

j. **Multi-family Residential Construction**. In addition to the requirements of this subsection, to emphasize each residential unit, all new multi-family units shall include a roof dormer or bay window on the street-facing elevation, or provide a roof gable that faces the street for each dwelling unit.

k. **Retention of Exterior Features**. Certain building features of an existing structure that are on its street-facing elevation shall be retained as part of any project that is altering the structure. Building features that must be retained are entrances, doors, windows exterior siding and the following projecting features: front porches; balconies; bay windows; dormers; and dormer windows.

3. **Mixed Use or Institutional Construction**. The architectural styles of new mixed use or institutional construction, including public buildings, in areas cited in Subsection 1 of this Section, shall be restricted to those that replicate major design elements characteristic of the 1890s-1930s architectural styles represented in the District.

a. **Building Materials.** Materials for new non-residential construction and other exterior features and facilities shall be selected and designed to replicate material that exhibit characteristics of architectural styles of the era of the District. Materials shall have good architectural character, shall be of durable quality, and shall be selected for harmony of the building with adjoining buildings.

b. **Building Colors.** Building colors shall be compatible with adjacent building colors and the era of the Conservation District.

c. **Roofs**. Flat roofs shall include parapets. Roofing materials shall be 3-tab shingles, architectural style asphalt, shakes, copper, or of other ornamental types consistent with the structure. Roll roofing shall only be used in conjunction with parapets. Colors shall be appropriate to the era of the District and compatible with adjacent buildings.

d. **Building Facades**. The facade facing a major pedestrian route shall have display windows, fenestration and entrances as required in Section 138, but in keeping with the era of the District. The ground level must be distinctly separated visually from upper stories. This may be done through introduction of a cornice above the ground level, establishment of an arcade, changes in material or texture, or development of a band of clerestory windows on the building's street-facing elevation.

e. **Awnings, Marquees and Porches**. All building facades facing a major pedestrian route shall provide weather protection in the form of awnings or marquees along at least 90% of the length of the ground floor building façade. Such weather protection may encroach into the public right-of-way subject to applicable City code, and shall meet the requirements of the Uniform Building Code (Chapter 32, Sections 3205, 3206). Building designs shall include porches and awnings, or other weather protection over the entry and adjacent sidewalk, to be designed and constructed of materials that replicate architectural styles consistent with the era of the District.

f. **Exterior Lighting**. Exterior lighting shall be part of the overall architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with the building design. Lighting shall be restricted to low-intensity on-site illumination that produces no direct spillover onto adjoining residential property. A maximum of 4 lumens is allowed. (Amended by Ord. No. 5676/10-06.)

g. (Deleted by Ord. No. 5676/10-06.)

h. **Mechanical Equipment**. Mechanical equipment or other utility hardware on the roof, ground, or building shall be screened from public view with materials harmonious with the building, or they shall so located as not to be visible from any public right-of-ways.

i. **Other Applicable Design Standards**. In addition to the standards specified in this subsection, new mixed use or institutional construction shall also conform to the streetscape design guidelines contained in Section 138 (XII)(D), subsections 1-16, which in the Downtown Neighborhood Conservation District shall be construed as requirements.

Section 140: **ORENCO STATION COMMUNITY PLANNING AREA DEVELOPMENT REGULATIONS AND DESIGN STANDARDS**
(Added by Ord. No. 4455/8-96.)

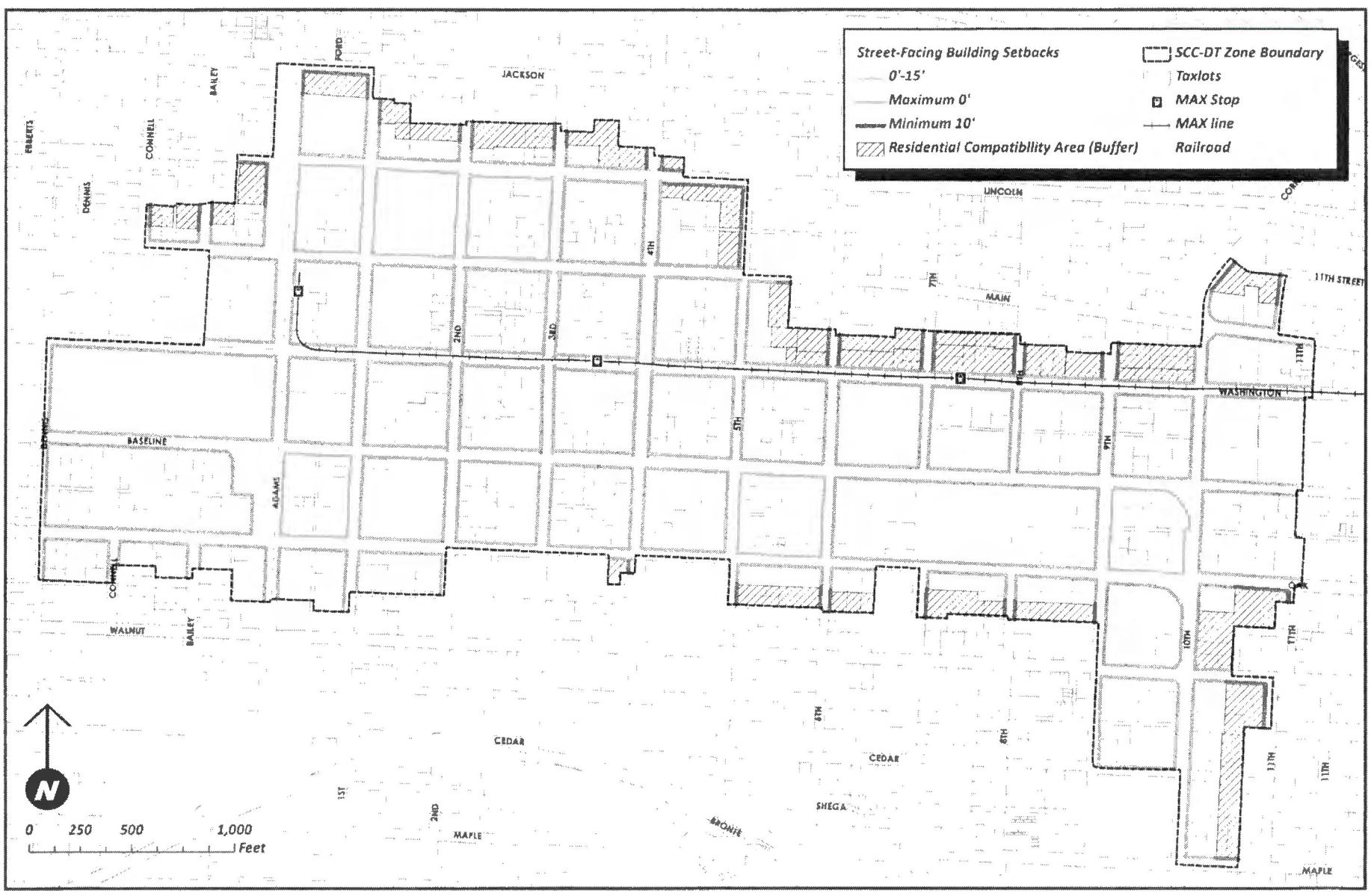
[No changes to this section proposed]

SECTION 141: **185th/QUATAMA STATION COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS**
(Added by Ord. No. 4545/4-97.)

[No changes to this section proposed]

Section 142: **HAWTHORN FARM / FAIR COMPLEX STATIONS COMMUNITY PLANNING AREA SUPPLEMENTAL STANDARDS**
(Added by Ord. No. 4545/4-97.)

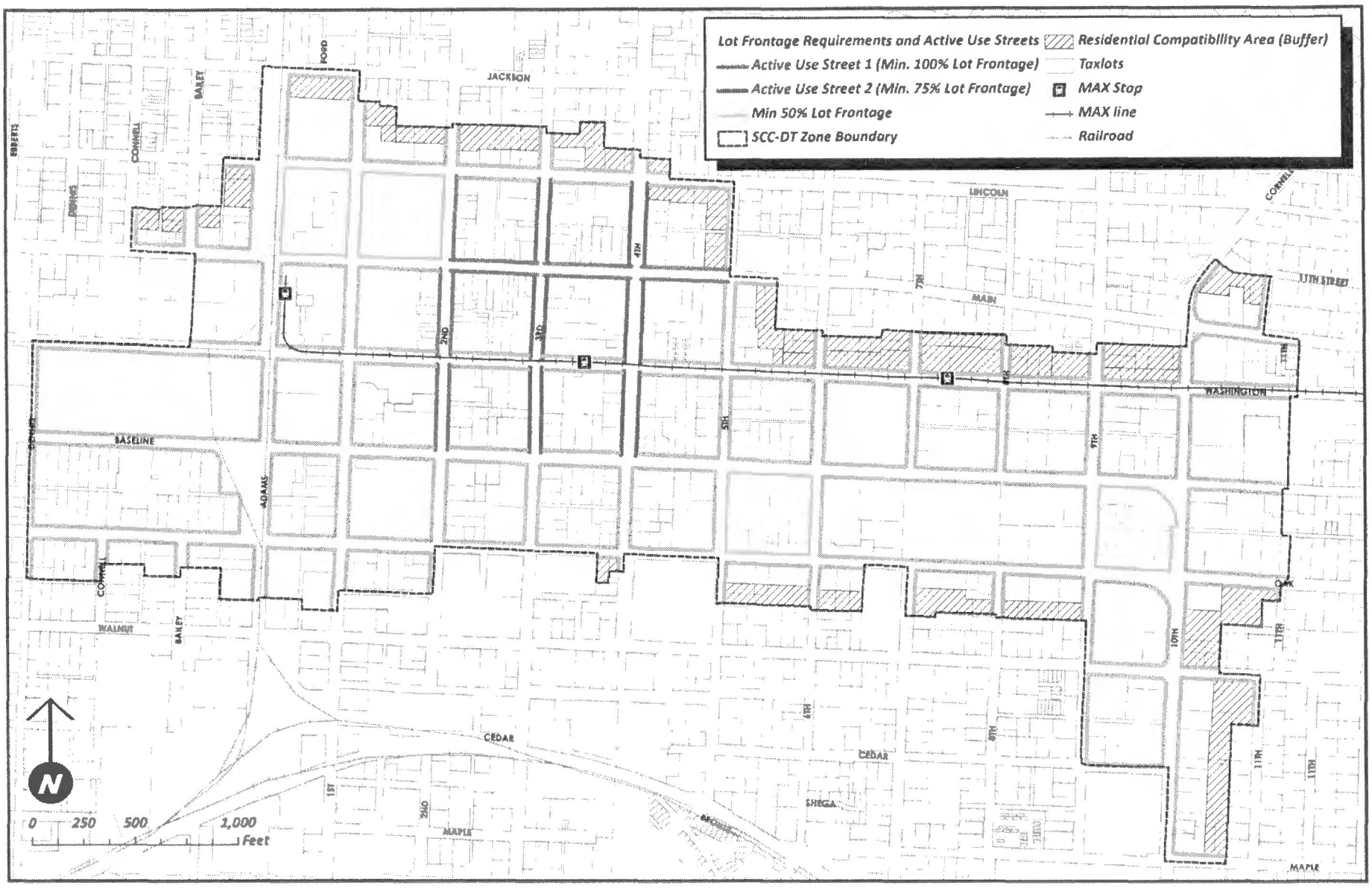
[No changes to this section proposed]



CITY OF HILLSBORO

SCC-DT ZONE

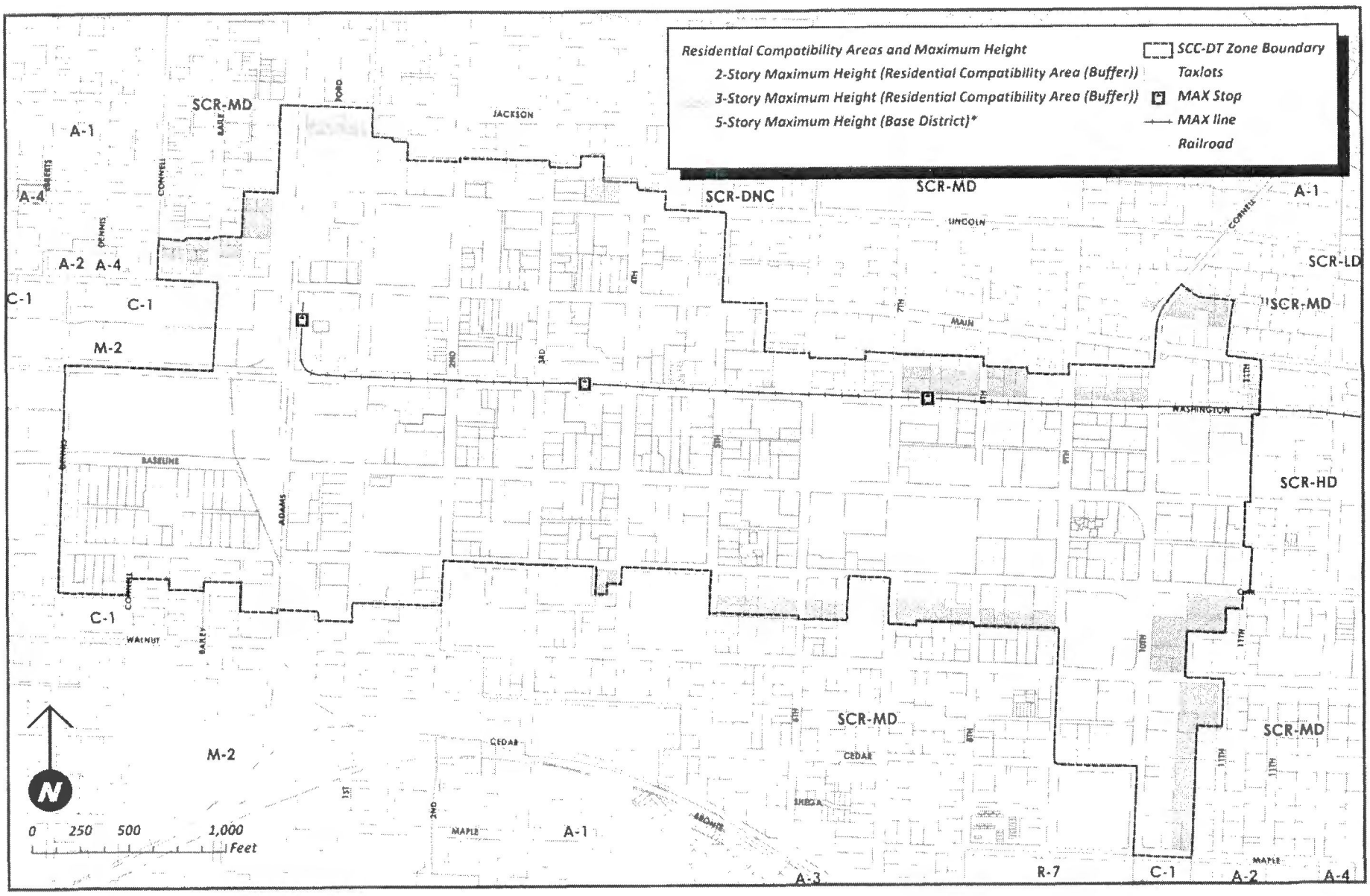
Figure 139-1: Street-Facing Building Setbacks



CITY OF HILLSBORO

SCC-DT ZONE

Figure 139-2: Lot Frontage Requirements and Active Use Streets

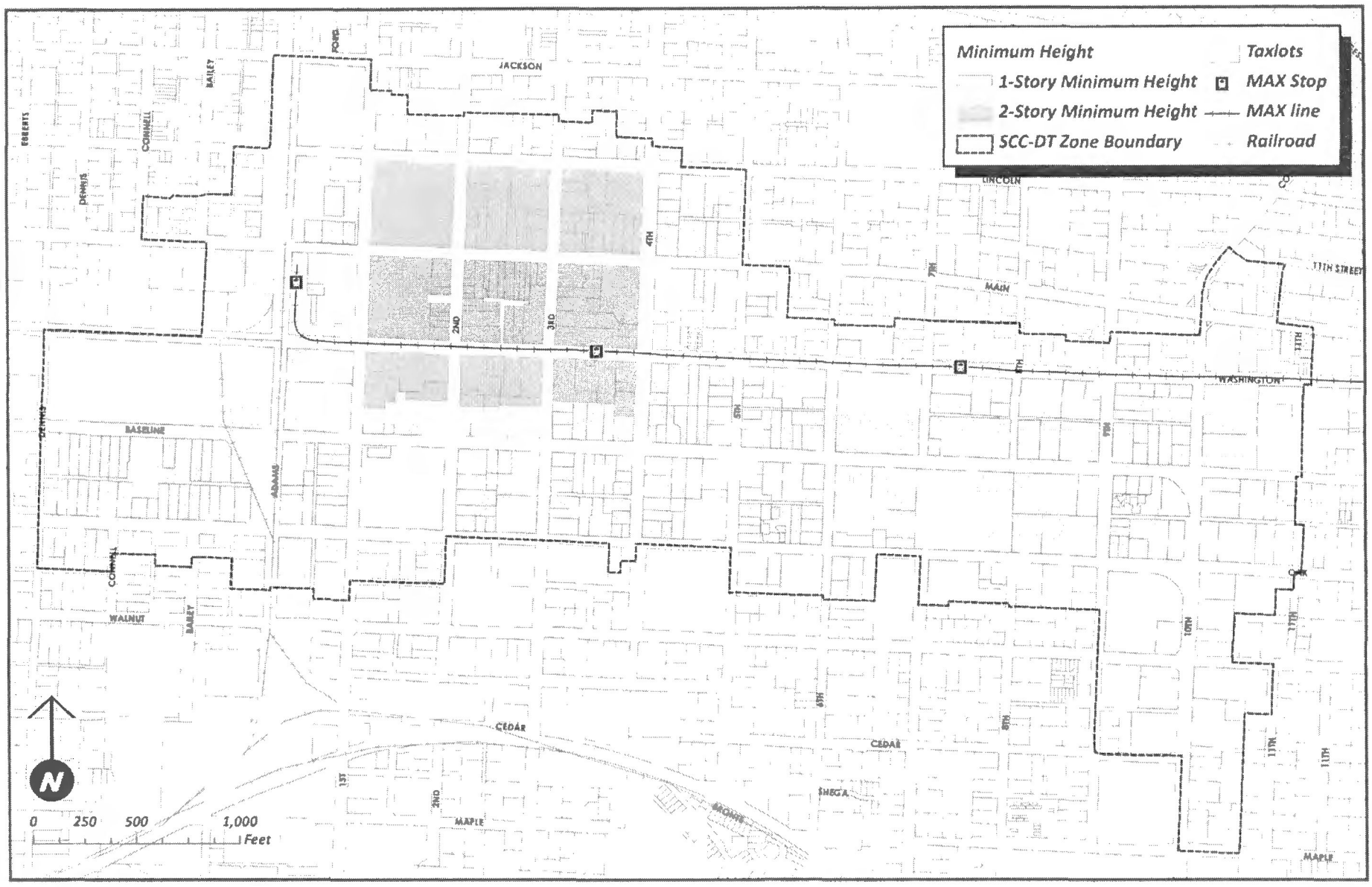


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Figure 139-3: Residential Compatibility Areas and Maximum Height

*Except in Residential Compatibility Areas, increased height may be allowed with discretionary approval—See Section 137.X.B.3



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Figure 139-4: Minimum Height

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