



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

03/20/2012

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 009-11

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

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, April 03, 2012

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: Ruth Klein, City of Hillsboro  
Angela Lazarean, DLCD Urban Planner  
Anne Debbaut, DLCD Regional Representative

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FORM 2

DLCD

# Notice of Adoption

In person  electronic  mailed

DATE STAMP

DEPT OF

MAR 14 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Hillsboro**

Local file number: **ZOA 6-11**

Date of Adoption: **3/6/2012**

Date Mailed: **3/12/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date:

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".

ZONING ORDINANCE AMENDMENT TO SECTIONS 136, 137, AND 140 REGARDING AN INDUSTRIAL/RESIDENTIAL BUFFER, COMPOSITION OF USES WITHIN MIXED USE BUILDINGS AND BUILDING HEIGHT

Does the Adoption differ from proposal? Yes, Please explain below:

The previous language required mid-rise multi-family buildings within 100 feet of a light rail station to have commercial space. The new language requires the mix of uses for property within 200 feet of a light rail station. The second change was a typographical correction of inches versus feet in a height measurement.

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **NA**

Acres Involved:

Specify Density: Previous:

New:

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...

35-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. 009-11 (19102) [16971]

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**DLCD file No.** \_\_\_\_\_

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

WASHINGTON COUNTY, METRO

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Local Contact: **Ruth Klein**

Phone: (503) 681-6465 Extension:

Address: **150 E Main Street**

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

City: **Hillsboro**

Zip: **97124-**

E-mail Address: **ruthk@ci.hillsboro.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**ORDINANCE NO. 6005**

**ZOA 6-11: INDUSTRIAL/RESIDENTIAL BUFFER, BUILDING  
HEIGHT IN SCC-SC, AND SCPA MIXED USE**

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE ZONING ORDINANCE: TO REMOVE AN INDUSTRIAL/RESIDENTIAL BUFFER; CLARIFY BUILDING HEIGHT; CREATE AN SCC-SC ZONE HEIGHT VARIANCE PROCESS; AND REDUCE COMMERCIAL OVERSUPPLY IN SCPA MIXED USE AREAS, AND DECLARING AN EMERGENCY.

WHEREAS, Zoning Ordinance Section 112 authorizes the Planning Commission to initiate and hold public hearings on Zoning Ordinance text amendments, and

WHEREAS, the Zoning Ordinance, Volume II, has language regarding an industrial buffer that was designed to protect future industrial development of an 86.1 acre site located west of NW 231<sup>st</sup> Avenue and south of the light rail line from future residential development in the Orenco Station community; and

WHEREAS, the industrial site was sold, rezoned and developed with residential housing which therefore made the need for an industrial buffer moot; and

WHEREAS, the proposal to remove the industrial buffer language has created an opportunity to consider updates to development standards for mixed use buildings and mixed use developments both in general and specifically for sites zoned SCC-SC Station Community Commercial – Station Commercial; and

WHEREAS, the Zoning Ordinance, Volume II, has language that does not clearly define the composition of a mixed use building and this amendment will provide clarifications that will allow the regulations to be consistently applied; and

WHEREAS, the Zoning Ordinance, Volume II, does not clearly incorporate live/work units into the definition of “Mixed Use Buildings or Development”, and live/work uses are compatible with the purpose of the SCC-SC zone and increasing the variety of uses within a mixed use building or development improves the vitality of the development and neighborhood; and

WHEREAS, the current regulations require more commercial than a neighborhood can support and commercial spaces within mixed use buildings need to be strategically placed and appropriately sized so that the businesses, and by association the neighborhoods, are more economically successful; and

WHEREAS, the reduction of the required amount of neighborhood commercial within a mixed use building is a better match with the amount of retail a typical household can support and this change will encourage new mixed use and keep existing mixed use businesses healthy; and

WHEREAS, the Zoning Ordinance, Volume II, has language that does not clearly define building height or the maximum height of mixed use buildings and clarification of the language will allow the regulations to be consistently applied; and

WHEREAS, the expansion of the discretionary review process for a variance to building height in the SCC-SC zone will allow the City an opportunity to weigh the benefits of increased activity at light rail stations with the appropriateness of the specific request; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on February 8, 2012 and received testimony both in support and neutral, and no testimony in opposition, and

WHEREAS, based on the testimony received and the December 7, 2011, January 19, 2012 and February 1, 2012 staff reports, which are attached hereto as Exhibit B, the Planning Commission determined that the amendments attached hereto as Exhibit A conformed to the Hillsboro Comprehensive Plan and to all other applicable criteria and believed it appropriate to recommend approval to the City Council the amendments to Zoning Ordinance Volume II to address the removal of the non-residential buffer near the Orenco Station site; expand the variety of uses within mixed use buildings and mixed use developments in SCPA zones; incorporate live/work uses into mixed use standards in SCPA zones; revise the required ratio of commercial space to residential units within mixed use buildings; update SCPA residential parking standards for mixed use buildings and live/work units; create a discretionary review process for increasing the height of a mixed use building in the SCC-SC zone; and update development criteria tables to reflect the above changes; and

WHEREAS, the City Council considered the Planning Commission's recommendation at its regular meeting on February 21, 2012.

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

Section 1. The Hillsboro Zoning Ordinance is amended as shown on attached Exhibit A.

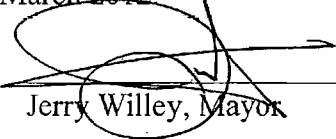
Section 2. The findings, attached as Exhibit B, are adopted in support of this decision.

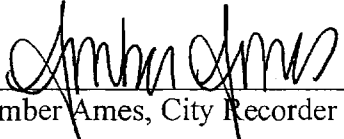
Section 3. This ordinance clarifies and amends existing policy and the clarifications and amendments would be of immediate benefit to City officers and commissions. An emergency is declared. This ordinance is effective immediately upon its passage and approval by the Mayor.

First approval of the Council on this 21<sup>st</sup> day of February 2012.

Second approval and adoption by the Council on this 6<sup>th</sup> day of March 2012.

Approved by the Mayor this 6<sup>th</sup> day of March 2012

  
\_\_\_\_\_  
Jerry Willey, Mayor

ATTEST:   
\_\_\_\_\_  
Amber Ames, City Recorder

## EXHIBIT A

This Exhibit documents the changes that have occurred between initiation and adoption. The proposed amendments at initiation have text proposed for deletion shown as ~~strikethrough~~ and new text shown as ***bold italics***. The changes following initiation are shown in red.

### INDUSTRIAL BUFFER

#### Zoning Ordinance Section 140.III.C.2

~~(2) The SCC-SC District west of 231<sup>st</sup> Avenue and south of Campus Court shall be within an industrial buffer zone authorized by Section 137.V.7. of this Ordinance and shown on the zoning map as an overlay zone which prohibits residential development within that portion of the District but allows the full range of non-residential permitted and conditional uses allowed within the District.~~

### SCPA DEFINITIONS

#### Zoning Ordinance Section 136.III.FF

**FF. Mixed Use Building or Development.** A building or development characterized by either a vertical or horizontal physical integration of uses. A mixed use building is a structure at least two stories in height which includes a mix of uses such as retail and office uses, ***live/work units***, residential and commercial uses, or commercial and light industrial uses. A mixed use development includes multiple buildings, usually of multiple stories, designed to assure a diversity of compatible land uses which may include a mixture of residential, office, retail, services, recreational, live/work units, flex space uses, and other miscellaneous uses allowed in a district. A campus development is considered a mixed use development. However, within a mixed use development, a mix of residential and industrial uses is prohibited in a single building or on immediately adjoining land.

**HH. Neighborhood Commercial.** Neighborhood commercial includes ***live/work units in the SCC-SC district and "commercial uses"*** as defined in this subsection, provided they are small scale retail and service uses primarily serving nearby residential areas and neighborhood businesses and their employees. General office and other commercial uses which are not retail or service in nature are allowed on and above the second floor of a neighborhood commercial building. This term applies to the size and scale of a commercial use and is different from the C-4 Zone of the same name.

Neighborhood commercial uses are limited in size and intensity to promote a local orientation and to limit adverse impacts on nearby residential areas. The footprint of a single story, single tenant neighborhood commercial building shall not exceed 10,000 gross square feet. The building footprint of multi-storied single tenant neighborhood commercial buildings shall not exceed 20,000 gross square feet. ***A mixed use building with multi-tenant neighborhood commercial building use(s) has no limit on building footprint if containing at least two (2) stories of residential uses above the first floor, or***

*containing at least three (3) stories of residential uses if residential uses are incorporated into a portion of the first floor* ~~has no limit on building footprint.~~ Neighborhood commercial uses may be auto-accommodating and provide off-street parking behind the building, but the overall development is intended to be predominantly pedestrian-sensitive and compatible with the scale of surrounding residential development. (Amended by Ord. No. 4930/7-00.)

## COMMERCIAL SPACE REQUIREMENTS

### Zoning Ordinance Section 137.XIV

#### XIV. Mixed Use Buildings and Mid-Rise Apartments

##### A. Purpose

These standards are intended to assure an appropriate mix of uses within mixed use buildings and apartments in Station Community commercial districts.

##### B. Standards

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

1. In the 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. (Amended by Ord. No. 5973/7-11.)
2. In the 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~~ *neighborhood commercial, office and residential* uses are permitted on the ground and second floors, and neighborhood commercial, office and residential uses are permitted on *all floors, so long as at least 5,000 gross square feet of neighborhood commercial uses (other than live/work) is located on the ground floor.* ~~and above the second floor.~~ (Amended by Ord. No. 5973/7-11.)

3. In the SCC-DT District: Any combination of permitted uses is permitted on any floor. (Amended by Ord. No. 5973/7-11.)
4. In the SCC-SC and SCR-V Districts: Where mid-rise multi-family apartment buildings are located within 200 feet of a LRT station site, at least ~~twenty~~ **ten** percent (~~20%~~ **10%**) of the ground floor (up to ~~15,000~~ **5,000 gross** sq. ft.) shall be dedicated to neighborhood commercial ~~retail~~ uses *other than live/work*.
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.)

## **UPDATED DEVELOPMENT CRITERIA**

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.



	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	25 feet	
4.	MINIMUM RESIDENTIAL DENSITY:		
a.	MIXED USE COMMERCIAL	None	
b.	FREE STANDING	30 dwelling units per net acre (18 adjacent to SCR-DNC)	24 dwelling units per net acre
5.	MAXIMUM RESIDENTIAL DENSITY:		
a.	MIXED USE <i>BUILDING</i>	If housing is a part of a <i>mixed use building with neighborhood commercial uses</i> development, dwellings <i>consistent with Section 137.XIV</i> are permitted on and above the second floor of retail and/or office buildings with no minimum or maximum density.	
b.	FREE STANDING	36 dwelling units per acre Higher with discretionary approval. (24 adjacent to SCR-DNC)	30 dwelling units per net acre Higher with discretionary approval.
6.	ANCILLARY DWELLING UNITS	Not allowed	
7.	MINIMUM FLOOR AREA RATIO	0.50 0.75 for hotels or residential hotels within 800 feet of an LRT station	0.40 0.50 for hotels or residential hotels
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 45 persons per net acre outside the downtown SCPA; 60 persons per net acre within the Downtown SCPA.	
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 non-residential development, 15 feet for residential development Side: None for non-residential or attached dwellings; 5 feet all others (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 800 feet of a LRT station, otherwise 1 story	1 story
13.	MAXIMUM BUILDING HEIGHT	75 feet See also Section 137.X.B 139.(IV) (H).	
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	See Section 137.XII.	
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 AND MID-RISE APARTMENTS §	See Section 137.XIV.B on how to combine uses in mixed use buildings and mid-rise apartments. <del>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.</del>	
19.	SIDEWALKS	See Section 137.XV.	
20.	MINIMUM LOT FRONTAGE	25 feet	
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	At least 20% (up to 15,000 square feet) of the ground floor of mid-rise apartments located within 100 feet of a LRT station site shall be commercial retail uses.	

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

DEVELOPMENT CRITERIA		REQUIREMENTS / ALLOWED 2,600' OR MORE FROM A LRT STATION
1.	MINIMUM LOT SIZE	None
2.	MINIMUM LOT WIDTH	None
3.	MINIMUM LOT DEPTH	None
4.	MINIMUM RESIDENTIAL DENSITY:	
a.	MIXED USE COMMERCIAL	None
b.	FREE STANDING	15 dwelling units per net acre
5.	MAXIMUM RESIDENTIAL DENSITY:	
a.	MIXED USE <i>BUILDING</i>	If housing is a part of a <i>mixed use building/development with neighborhood commercial uses</i> development, dwellings <i>consistent with Section 137.XIV</i> are permitted on and above the second floor of retail and/or office buildings with no maximum.
b.	FREE STANDING	None
6.	ANCILLARY DWELLING UNITS	Not allowed
7.	MINIMUM FLOOR AREA RATIO	None
8.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 45 employees per 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: 20 feet for commercial development and 15 feet for residential development for any building or structure constructed within fifty feet of the property line adjacent to a transit trunk route or major pedestrian route. Elsewhere in the District, None, unless otherwise required by Section 133. Side: None 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	1 story
13.	MAXIMUM BUILDING HEIGHT	4 stories <i>See also Section 137.X.B.3</i>
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	See Section 137.XII.
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 AND MID-RISE APARTMENTS	See Section 137.XIV.B on how to combine uses in mixed use buildings and mid-rise apartments. <del>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.</del>
19.	SIDEWALKS	See Section 137.XV.
20.	MINIMUM LOT FRONTAGE	25 feet
21.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	

Table 1.h: Development Criteria, Station Community Residential – Village (SCR-V)

DEVELOPMENT CRITERIA	REQUIREMENTS / ALLOWED WITHIN 1,300' OF LRT STATION	REQUIREMENTS / ALLOWED FROM 1,301' TO 2,599' OF LRT STATION	REQUIREMENTS / ALLOWED 2,600' OR MORE FROM A LRT STATION

	DEVELOPMENT CRITERIA	REQUIREMENTS / ALLOWED WITHIN 1,300' OF LRT STATION	REQUIREMENTS / ALLOWED FROM 1,301' TO 2,599' OF LRT STATION	REQUIREMENTS / ALLOWED 2,600' OR MORE FROM A LRT STATION
1.	MINIMUM LOT SIZE	2,000 square feet for a single family detached dwelling without an ancillary dwelling unit; 4,500 square feet for a duplex or a single family detached dwelling with a detached ancillary dwelling unit; or 3,200 square feet for a detached single family dwelling with an attached ancillary dwelling unit. None for other use types.		
2.	MINIMUM LOT WIDTH	None		
3.	MINIMUM LOT DEPTH	None		
4.	RESIDENTIAL DENSITY:			
a.	MINIMUM	24 dwelling units per net acre	15 dwelling units per net acre	7 dwelling units per net acre
b.	MINIMUM/MAXIMUM ADJACENT TO ESTABLISHED RESIDENTIAL NEIGHBORHOODS	See Section 137.V.		
c.	MAXIMUM	None	60 dwelling units per net acre	45 dwelling units per net acre
5.	ANCILLARY DWELLING UNITS	Allowed See Section 137		
6.	MINIMUM FLOOR AREA RATIO	For non-residential uses, 0.50 within 1,300 feet of a light rail station site; 0.40 elsewhere in the District. 0.50 in all areas for emergency service facilities, hotels, residential hotels and indoor recreational facilities in free standing buildings, except hotels within 800 feet of a LRT station shall be 0.75		
7.	NON-RESIDENTIAL DENSITY OBJECTIVE	Target employment density within the District is 45 persons per net acre		
8.	MINIMUM SETBACK FROM STREETS AND ALLEYS	No minimum setbacks except as necessary to accommodate building code, public utility easement or public open space requirements.		
8b.	MINIMUM SETBACK ELSEWHERE	Sides: 5 feet; 0 feet on common wall of attached units; Rear: 10 feet for structures with front loaded garages; for structures with rear loaded garages, either 5 feet or less, or 19 feet or more, measured to the garage door.		
9.	MAXIMUM SETBACK FROM STREETS AND ALLEYS	Front: Mid-Rise Apartments: 15 feet Front: Multi-Family and Garden Apartments: 15 feet Front: Rowhouses and Townhouses: 13 feet Front: Single family detached and duplexes: 19 feet Side (all housing types): None Commercial development in the SCR-V shall comply with the setback requirements for the SCC-SC District.		
10.	VISION CLEARANCE (STREET & ALLEY INTERSECTIONS)	See Section 137.IX.		
11.	MINIMUM BUILDING HEIGHT	2 stories within 800 feet of a LRT station, otherwise 1 story. See also 137.X	1 story	
12.	MAXIMUM BUILDING HEIGHT	3 stories <b>See also Section 137.X.B.3</b>		
13.	MINIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3		
14.	MAXIMUM OFF-STREET PARKING	Commercial: See Table 2 Residential: See Table 3		
15.	MINIMUM USABLE OPEN SPACE	See Section 137.XII.		
16.	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.		
17.	MIXED USE BUILDINGS AND MID RISE APARTMENTS	See Section 137.XIV.B on how to combine uses in mixed use buildings and mid-rise apartments. <del>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.</del>		
18.	SIDEWALKS	See Section 137.XV.		
19.	MINIMUM LOT FRONTAGE	None. All lots to be served by public or private streets or alleys.		
20.	OTHER REQUIREMENTS UNIQUE TO THE DISTRICT	At least 50% of the net acreage in a SCR-V project shall be residential. Mixed use residential/commercial buildings may be up to an additional 20%. Up to 10% of net acreage may be neighborhood commercial uses. Up to 20% of net acreage may be other employment uses.		

**“MIXED USE BUILDING” PARKING CLARIFICATION**

**Zoning Ordinance Section 137 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	1.5	0.90	1.0

Dwelling			
Garden Apartment	1.25	0.90	1.0
Mid-rise Multi-family	1.5	0.90	1.0
Flats and Apartments over Commercial space, and for Live/Work units <b>Dwelling Unit within a Mixed Use Building</b>	1.0	0.90	1.0
<b>Live/Work Unit</b>	<b>1.0</b>	<b>0.90</b>	<b>1.0</b>
Senior Housing	0.25	0.75	None
Student Housing (Per dormitory type room)	0.25	0.75	1 per room

## SCPA MAXIMUM HEIGHT

### **Zoning Ordinance Section 137.X.B.3**

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, "story" in a free standing residential building 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.)
  
3. When requesting a *building height variance, the building height is measured in feet, not stories, as set forth in Volume 1, Section 3(40) and the Exceptions to Building Height Limitations in Volume 1, Section 94.* 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 *by Variance* increase the maximum height for the sole purpose of accommodating manufacturing processes, up to a maximum of ninety-nine feet (99') *and mixed use buildings in the SCC-SC District may by Variance increase the maximum height up to a maximum of one hundred twenty (120') feet.* 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 July 5, 2011, 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. (Amended by Ord. No. 5973/7-11.)

*\*\*For reference, the cited building height standards from Volume 1 are:*

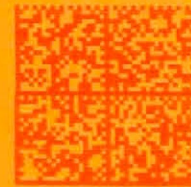
**Section 3. Definitions. 40. Height of building.** *The vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the point midway between the ridge and the eaves of a pitch or hip roof.*

**Section 94. Exceptions to Building Height Limitations.**

*(1) Except for the limitations set forth in Subsection (2) hereof, the following types of structures or structural parts are not subject to the building height limitations of this Ordinance: chimneys, tanks, church spires, belfries, domes, monuments, fire and hose towers, observation towers,*

*masts, aerals, cooling towers, elevator shafts, transmission towers, smokestacks, flagpoles, radio and television towers and other similar projections.*

*(2) In order to assure safe airport operation, no structure or structural part shall exceed height standards established for the vicinity of the Portland-Hillsboro Airport. (Amended by Ord. No. 3343/7-82.)*



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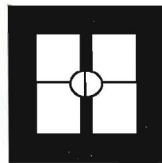
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## CITY OF HILLSBORO

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