



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
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NOTICE OF ADOPTED AMENDMENT

02/10/2014

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 016-13

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: Friday, February 07, 2014

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: John Boren, City of Hillsboro
Gordon Howard, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA



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

FOR DLCD USE

File No.: 016-13 (20118)
[17751]
Received: 2/6/2014

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

Jurisdiction: Hillsboro

Local file no.: **ZOA 004-13**

Date of adoption: 2/04/14 Date sent: 2/6/2014

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

 Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12/4/13 NoIs the adopted change different from what was described in the Notice of Proposed Change? Yes No

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

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

Phone: 503-681-5292 E-mail: john.boren@hillsboro-oregon.gov

Street address: 150 E Main Street City: Hillsboro Zip: 97123-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY**For a change to comprehensive plan text:**

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

NA

For a change to a comprehensive plan map:

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

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

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

 The subject property is entirely within an urban growth boundary The subject property is partially within an urban growth boundary

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

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

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

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

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

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

Zoning Ordinance, Section 134D Industrial Sanctuary zone (I-S)

For a change to a zoning map:

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

Change from to . Acres:
Change from to . Acres:
Change from to . Acres:
Change from to . Acres:

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

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address): S of Sunset Hwy, N of Evergreen, W of 253rd, E of Sewell

List affected state or federal agencies, local governments and special districts: Washington County, Metro, Clean Water Services

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

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@state.or.us with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at http://www.oregon.gov/LCD/Pages/papa_submittal.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail plan.amendments@state.or.us.

Notice checklist. Include all that apply:

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:
 - A map showing the area changed and applicable designations, and
 - Electronic files containing geospatial data showing the area changed, as specified in [OAR 660-018-0040\(5\)](#), if applicable
- Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change

ORDINANCE NO. 6074

**ZONING ORDINANCE AMENDMENT 004-13:
INDUSTRIAL SANCTUARY ZONE AMENDMENT**

AN ORDINANCE AMENDING SECTION 134D OF THE HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED. THE AMENDMENTS WILL ADD THE MEEK SUB-AREA TO THE INDUSTRIAL SANCTUARY ZONE IN SUBSECTION 2, REDUCE THE MINIMUM LOT WIDTH IN SUBSECTION 10.A.1 AND CLARIFY THE SUB-AREAS WHERE THE MAJOR ASSEMBLY FACILITY USE TYPE IS PERMITTED IN SUBSECTIONS 5.C AND 7.C.

WHEREAS, the City Council adopted Ordinance No. 6047 on April 16, 2013 which assigned the Industrial Comprehensive Plan designation to 330 acres within the North Hillsboro Industrial Area, otherwise known as the Meek sub-area; and

WHEREAS, the Industrial Sanctuary zone was created to comply with Metro conditions of approval for the Urban Growth Boundary expansion involving areas within the City's North Industrial Sanctuary, and can currently only be applied to the five existing sub-areas; and

WHEREAS, amending the text of the Industrial Sanctuary zone to include the Meek sub-area will satisfy Metro conditions of approval ensuring that large lots are preserved for industrial uses including at least two 50 acre and one 100 acre parcels and will allow the City to apply the I-S zone at time of annexation of properties in this sub-area; and

WHEREAS, prospective developers on sites in areas anticipated to be zoned Industrial Sanctuary have noted that the current minimum lot width of 600 feet and lot depth of 600 feet standards are problematic to apply in practice; and

WHEREAS, Planning staff have identified that a minimum lot width of 300 feet would ensure greater flexibility for future lot division and/or consolidation and would still ensure that each lot has sufficient public street frontage; and

WHEREAS, the Major Assembly Facilities use is not clearly identified as to which sub-areas that it is conditionally permitted in or prohibited from; and

WHEREAS, the City Council further believes it is necessary to consider this amendment prior to adoption of the Community Development Code, in order to facilitate large lot industrial development in North Hillsboro; and

WHEREAS, the Planning Commission therefore initiated amendments to Zoning Ordinance Section 134D to make the changes to the Industrial Sanctuary zone through adoption of Order No. 8097 on December 11, 2013, held a hearing on the matter on January 8, 2014, and adopted Order No. 8104 recommending the amendments for approval by City Council; and

WHEREAS, the Planning Commission adopts the Planning Department staff report dated December 31, 2013 and attached as Exhibit "A" as findings in support of this matter, and hereby determines that the amendments to Zoning Ordinance Section 134D conform to the Comprehensive Plan and to all other applicable criteria.

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

Section 1. The City Council decision in this matter is based on the findings attached as Exhibit A.

Section 2. The City Council approves amendments to Zoning Ordinance No. 1945 Section 134D in accordance with the changes shown in the attached Exhibit B.

Section 3. The Planning Director is hereby instructed to cause Zoning Ordinance No. 1945, Section 134D to be amended as set forth in Section 2 hereof, upon the effective date of this ordinance.

Section 4. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Section 5. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval of the Council on this 21st day of January, 2014.

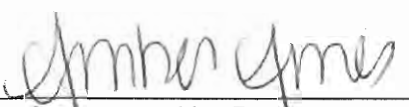
Second approval and adoption by the Council on this 4th day of February, 2014.

Approved by the Mayor this 4th day of February, 2014.



Jerry Willey, Mayor

ATTEST:



Amber Ames, City Recorder



EXHIBIT A

STAFF REPORT

To: Planning Commission

From: John Boren, Urban Planner II

Date: December 31, 2013

Subject: Hearing of Proposed Zoning Ordinance Amendment
Case File No. Zoning Ordinance Amendment 4-13: Industrial Sanctuary Zone
Amendment

Requested Planning Commission Action:

Planning Department staff request that the Planning Commission recommend City Council approval to amend Section 134D: Industrial Sanctuary zone the Hillsboro Zoning Ordinance. The first purpose of the Zoning Ordinance amendment is to amend the Industrial Sanctuary (I-S) zone to include the 330 acres in the North Hillsboro Industrial area which recently received an Industrial Comprehensive Plan designation (Case File No. Hillsboro Comprehensive Plan Change 1-13: North Hillsboro Industrial Area: Path to Tier 1 Shovel Ready). The City is not proposing to apply this zoning to the Hillsboro zoning map at this time. The zone will be applied upon future annexation of this area. The second purpose is to change the minimum lot dimension standards for width in the I-S zone to allow for greater flexibility in lot configurations upon future land divisions. The final purpose is to clarify existing language on where Major Assembly Facilities uses are either permitted as conditional uses or not permitted in the I-S zone.

The Planning Commission is scheduled to open the public hearing on the amendments on January 8, 2014. On December 11, 2013, the Planning Commission initiated amendments through adoption of Order No. 8097. Notice of the hearing was published in the December 18th, December 25th, and January 1st issue of the Forest Grove News Times, and in the December 20th, December 27th, and January 3rd issue of the Hillsboro Tribune in accordance with Section 116.1 of the Hillsboro Zoning Ordinance.

Background on the Industrial Sanctuary (I-S) zone:

The City Council adopted Ordinance No. 6047 on April 16, 2013 which assigned the Industrial Comprehensive Plan designation to 330 acres within the North Hillsboro Industrial Area, which is referred to as the "Meek" sub-area in this staff report. This area was brought into the Urban Growth Boundary (UGB) in 2011 to provide employment land for industrial uses. One of the Metro conditions of approval was the requirement that at least two 50 acre and one 100 acre parcels are created.

Addition of the Meek sub-area

The City created the I-S zone to comply with Metro conditions of approval for the UGB expansion involving areas in the City's Northern Industrial Sanctuary per the Metro Title IV Map. The I-S zone is distinct in that it only applies to the following defined sub-areas in the North Hillsboro Industrial Area:

- West Union
- Helvetia

- Shute Road
- East Evergreen
- West Evergreen

The result of this geographic specificity within the I-S zone is that it must be amended to include new areas, such as the Meek sub-area.

Minimum Lot Width Standard

Planning Staff have received inquiries about partitioning or subdividing land in areas that are currently or proposed to be zoned I-S. In these conversations, prospective applicants have noted that the 600' width and 600' depth requirements in Section 134D.10.A results in a de facto lot size minimum of 360,000 square feet or 8.26 acres. Tables 134D-2 and 134D-3 allow for lot reconfiguration and division to as small as 5 acre parcels in the existing defined sub-areas of the I-S zone. Thus, the minimum lot size as specified in the dimensional standards is more restrictive than that within the lot division, assembly and/or reconfiguration tables.

The intent of the lot dimensional standards was to ensure that all I-S zoned parcels can be efficiently used for industrial and employment uses following land division. Reducing the minimum lot width standard to 300' would still prevent irregularly shaped lots from being created and also not conflict with minimum lot size requirements in Tables 134D-2 and 134D-3, and would allow for greater flexibility for lot division and reconfiguration. This proposed change has been flagged for discussion in the ongoing Community Development Code (CDC) work sessions; however the interest in industrial development in North Hillsboro may result in a lot division and/or assembly application prior to the CDC being formally adopted.

Major Assembly Facilities Use Clarification

Major Assembly uses are noted as being conditionally permitted in the I-S zone where otherwise not prohibited by Metro Code. The proposed text change would strike the reference to Metro and instead specify which sub-areas that Major Assembly uses are conditionally permitted. Within the prohibited uses section, Major Assembly Facilities uses are referred to without any note as to which sub-areas they are to be prohibited from. As with the proposed changes to the conditional uses permitted section, the changes to the prohibited uses section would clarify the sub-areas that Major Assembly uses are to be prohibited. Major Assembly and Major Assembly Facilities uses are both used interchangeably throughout Section 134D, and Planning staff recommend utilizing Major Assembly Facilities for consistency and to match the same use category in the draft Community Development Code.

Proposed Zoning Ordinance Amendment:

The proposed Zoning Ordinance Amendment includes text changes to the I-S zone, as well as an update of Figure 134D-A, Industrial Sanctuary Zone Sub-Areas. The newly included 330 acres is referred to as the "Meek" sub-area on Figure 134D-A and in the proposed text changes to Section 134D of the Zoning Ordinance.

Procedure for Initiation and Processing of a Zoning Ordinance Text Amendments:

The procedures for initiating and processing a Zoning Ordinance text amendment are found in HZO Sections 112 and 116 as shown below. Sections not relevant are omitted for brevity.

Section 112. Authorization to Initiate Amendments. Amendment to the text of this Ordinance may be initiated by the City Council or Planning Commission. Consideration of amendments to the text of this Ordinance shall be by the Planning Commission.

Section 116. Public Hearing on an Amendment. Before taking action on a proposed *[text]* amendment to this Ordinance, the Planning Commission shall hold a public hearing thereon within 40 calendar days after receiving the application.

- (1) Notice of hearing. Notice of time, place, and purpose of the public hearing before the Planning Commission, on a proposed amendment shall be given by the City Recorder in the following manner:
 - a. If an amendment to the text of this Ordinance is proposed, notice shall be by three publications in a newspaper of general circulation in the City, the first to be not more than 30 calendar days and the last not more than 10 calendar days prior to the date of hearing.
- (2) Recess of hearing. The Planning Commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposed amendment. Upon recessing for this purpose, the Planning Commission shall announce the time and date when the hearing will be resumed or other manner, such as written evidence, in which additional information will be considered.
- (3) Action of the Planning Commission. A decision by the Planning Commission to deny an amendment shall be final unless appealed to the City Council according to the provisions of this ordinance. An action favoring an amendment shall be in the form of a recommendation to the City Council. The City Council may, on its own initiative or upon appeal, hold such hearing as it deems appropriate upon proposed amendments. The City Council may pass an ordinance amending the Zoning Ordinance text based upon the recommendation of the Planning Commission or based on findings of the City Council.

Cost:

There is no fee associated with this request as it is City initiated. The costs associated with this request are staff time.

Recommendation:

Staff recommends that the Planning Commission approve the attached order, recommending approval of the proposed amendments to Section 134D of the Hillsboro Zoning Ordinance. Draft Order No. 8104 has been prepared for your consideration.

Respectfully,

CITY OF HILLSBORO PLANNING DEPARTMENT



John Boren
Urban Planner II

Attachments: Zoning Ordinance Section 134D with proposed amendments
Figure 134D-A Industrial Sanctuary Zone Sub-Areas
Draft Order No. 8104

Note: Deletions shown through ~~striketthrough~~
Additions italicized and underlined
 Highlighted items amended since initiation

Section 134D. Industrial Sanctuary zone (I-S)
 (Added by Ord. No. 5978/1-12)

1. **Purpose.** The purposes of the I-S Zone are as follows:
 - A. To provide a full range of industrial uses and limited support services in areas brought into the Regional Urban Growth Boundary (UGB) for industrial development, in order to support the goals and policies of Section 10 (Economy) of the City's Comprehensive Plan and Statewide Planning Goal 9 (Economy of the State); and
 - B. To accommodate the region-wide need to create and preserve large lots for industrial use, as set forth in Title 4 of the Metro 2040 Urban Growth Management Functional Plan.
2. **Applicability.** The provisions of this zone shall generally apply to properties, north of NW Evergreen Road or NW Jacobsen Road, and west of NW Cornelius Pass Road. The zone contains four Sub-areas as shown on Figure 134D-A: West Union / Helvetia; Shute Road; Evergreen East; and Evergreen West; *and Meek.*
3. **Use Categories.** For the purposes of this Zone, permitted uses are categorized as follows:

Aviation Uses include landing, take-off, servicing and storage of aircraft including airplanes, jets, helicopters and gliders, and activities related to or using aircraft or aviation services. Example of aviation uses include but are not limited to: aviation-related activities, including taxiing, take-offs and landings; air passenger and air freight services and facilities; emergency medical flight services; flight instruction; aircraft service, maintenance and training; aircraft rental and supporting facilities; aircraft and aeronautic equipment and supplies sales; indoor or outdoor storage of aircraft; crop-dusting activities; commercial supporting uses and at terminal buildings; and aeronautic educational, recreational and sporting activities.

Eating and Drinking Establishments sell food and/or beverages to the general public as the primary use, for on-site consumption and/or take-away service. Examples of eating and drinking establishments include cafes, coffee shops and delicatessens; dine-in restaurants with or without take-out facilities; drive-up or drive-through restaurants with or without seating; and taverns, brew pubs, bars and night clubs.

Industrial Services uses are engaged in repair and/or servicing of industrial, business or consumer machinery, equipment, products or by-products or in training or instruction of such repair or servicing. Contractors and building maintenance firms and similar uses perform services on- or off-site. Examples of industrial services uses include but are not limited to: information technology centers; building, heating, plumbing and electrical contractors; laundry, dry-cleaning and carpet cleaning plants; extermination services; fuel oil distribution and solid fuel yards; heavy truck servicing and repair; janitorial and building maintenance services; printing, publishing and lithography shops; research and development facilities;

bulk sales of building materials and landscaping materials; repair and servicing of heavy construction or farm equipment; tire retreading or recapping; tool, electric motor and scientific or professional instrument repair; trade schools where industrial vehicles and equipment are operated; welding and machine shops; and contracting firms with on-site storage of equipment and materials.

Manufacturing and Production uses involve the manufacturing, processing, fabrication, packaging and/or assembly of products on-site, using natural, man-made, raw, secondary or partially-completed materials. Products are generally not displayed or sold on site, but if so, sales and displays are accessory to the primary use. Examples of manufacturing and production uses include but are not limited to: breweries, distilleries and wineries; concrete batching and asphalt mixing plants; manufacture of solar, wind-power or other energy production devices; food, beverage, and related product processing; manufacture or assembly of machinery, equipment and instruments; manufacture of micro-processors and computer components; production of artwork and toys; production of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; production of prefabricated structures, including manufactured dwellings; production or fabrication of metals or metal products including enameling and galvanizing; sign making; weaving or production of textiles or apparel; woodworking, including cabinet makers; and printing, publishing, and lithography shops.

Office uses provide professional services in an office setting including but not limited to: computer system design and programming; data processing; engineering, architectural, planning, and similar services; graphic and industrial design; medical, dental and allied health clinics and offices; financial, insurance, and real estate services; scientific and technical services; software and internet content development and publishing; and telecommunication service providers.

Major Assembly Facilities are uses that attract a large number of people who participate as a group in a specific activity or event that may be religious, cultural, educational, social or recreational. An assembly facility is a Major Assembly Facility use when the maximum Building Code occupancy within the primary assembly area is equal to or greater than 250 persons. Examples of Major Assembly Facilities include churches, synagogues, mosques or temples; auditoriums; coliseums, stadiums and sports arenas; convention and conference centers; fairgrounds; race tracks; and outdoor amphitheaters.

Parks and Open Areas are primarily publicly-owned or non-profit facilities featuring natural or cultivated landscaping; active and passive outdoor recreation including playing fields, basketball and tennis courts, swimming pools and trails; community gardens and public squares. Examples of parks and open spaces include botanical gardens, cemeteries, community gardens, nature preserves, parks, public squares and plazas, and recreational trails

Public Safety Facilities provide police, fire, ambulance and emergency services to the community. With the exception of ambulance services, these facilities are typically publicly-owned and -operated. Examples of public safety facilities include: emergency communications centers; police and fire stations; publicly- and privately-operated ambulance facilities; and public agency or private utility operations centers.

Retail Products and Services sell, lease, rent and/or repair new or used products and provide personal services. These services typically are provided directly to consumers, as opposed to wholesale products and services provided to industrial, institutional, or commercial users. Activities associated with this use classification include but are not limited to: sales, leasing or rental of products and equipment; repair or servicing of products or equipment generally performed on-site; processing of products or equipment; personal services; and catering or food preparation without on-site consumption.

Schools are public and private educational facilities providing state-mandated basic education. Schools may serve any ages of students from kindergarten through 12th grade. Examples of schools include public and private elementary, middle and high schools, with or without kindergartens, and boarding schools and military academies that have residential facilities for students.

Telecommunication Facilities include all devices, equipment, machinery, structures and supporting structures necessary to produce or transfer a signal or message. Only free-standing towers are classified as Telecommunication Facilities. Examples include: AM and FM radio and television towers; wireless transmission towers; point-to-point microwave towers; two-way radio towers; and receive only antennas.

Warehousing and Distribution uses are involved in the storage, repackaging, delivery and movement of products. Examples of warehouse and distribution uses include but are not limited to: centralized warehouses; cold storage plants, including frozen food lockers; general freight storage; household and business moving operations; major wholesale distribution centers; parcel or postal distribution facilities; storage and stockpiling of sand, gravel, or other aggregate or raw materials; freight terminals and yards; mail-order merchandise warehouses; and heavy rail facilities; transfer and storage facilities without individual units.

Wholesale Sales are firms involved in the sale, lease and/or rental of products primarily to businesses. On-site sales to the general public are limited. Examples of wholesale sales include but are not limited to: mail order houses; sale and/or rental of construction and farm machinery, equipment, and vehicles, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; wholesalers of food, clothing, auto parts, building hardware and office supplies; and suppliers of test equipment, uniforms and linens, lab supplies, sub-components and circuit boards, and packaging materials.

Utility Facilities are local and regional infrastructure facilities which must be located in or near the area to which the infrastructure is provided. Utilities may be publicly or privately owned and operated. Most facilities have few or no on-site employees, although treatment plants may be staffed continuously. Examples of utility facilities include but are not limited to: electrical substations; high tension electrical power lines; sewage disposal and conveyance systems; telephone exchange equipment; water or sewage pump stations; water towers and reservoirs; water quality and flow control facilities; and water or sewage treatment plants.

- 4. Permitted Uses.** In the I-S Zone, the following uses and their accessory uses are allowed outright:

- A. Industrial services
- B. Manufacturing and production
- C. Public safety facilities
- D. Warehousing and distribution
- E. Wholesale sales
- F. Utility facilities

5. **Conditional Uses Permitted.** In the I-S Zone, the following uses and their accessory uses are permitted with Conditional Use approval according to the requirements contained in Sections 78-83:

- A. Automobile service stations, subject to additional requirements in Section 128.
- B. Telecommunications facilities
- C. Major Assembly *Facilities* uses, Schools, and Parks and Open Space *in the West Union and West Evergreen sub-areas*, ~~where not otherwise prohibited by Metro Code.~~
- D. Corporate or company headquarters offices for firms allowed in the I-S zone as permitted or conditional uses. Such headquarters offices are not subject to the limitations in Subsection 134D 6 so long as they remain in use by the original occupant.

6. **Limited Uses.** In the I-S Zone, the following uses and their accessory uses are allowed subject to the limitations listed below:

- A. Aviation uses are limited to locations within the boundaries of a public-use airport.
- B. Community colleges or trade schools are limited to those with offerings that provide basic skills and vocational training to employees in the industrial area.
- C. Eating and drinking establishments, general office uses, and retail goods and services are limited in scale and location to serve primarily the needs of the businesses and employees in the industrial area. Such uses are subject to the following limitations in location and size:
 - 1. Location only in those commercial support nodes identified in Comprehensive Plan Section 30 North Hillsboro Industrial Area Community Plan. The node between the Shute Road and Evergreen East sub-areas shall be located in the Evergreen East sub-area;
 - 2. within any commercial support node, no single use shall exceed 20,000 square feet;
 - 3. no single commercial node shall occupy more than five gross acres of developed land; with not more than 50,000 gross square feet of total structural or building floor area per node; and
 - 4. Development of a commercial support node in an identified sub-area is permitted only after certain thresholds of industrial development are met or exceeded. These thresholds are considered met when the city has issued building permits for permitted manufacturing and production and industrial services development as defined in Section 134D 3) within the sub-area at the cumulative levels established in Table 134D-1:

**TABLE 134D-1: COMMERCIAL SUPPORT THRESHOLDS
IN THE I-S ZONE BY SUB-AREA**

Sub-Area	Industrial Development Threshold for Commercial Support Nodes
West Union/Helvetia	500,000 total gross square feet of permitted building space
Shute Road and Evergreen East	1,000,000 total gross square feet of permitted building space within both sub-areas
Evergreen West	500,000 total gross square feet of permitted building space

7. **Prohibited Uses.** Any use not contained explicitly in Section 134D is prohibited in the I-S zone. In addition, the following uses are prohibited:

A. Manufacturing and production uses:

- Concrete and asphalt batch plants
- Animal slaughtering and processing
- Fossil fuel products manufacturing
- Production of soil amendments (fertilizers, pesticides, fungicides, etc.)

B. Industrial Services uses:

- Building, heating, plumbing and electrical contractors
- Extermination services
- Fuel oil distribution and solid fuel yards
- Heavy truck servicing and repair
- Bulk sales of building materials and landscaping materials
- Repair and servicing of heavy construction or farm equipment
- Tire retreading or recapping
- Truck driving schools
- Truck stops

C. Major Assembly Facilities uses *in the Helvetia, Shute Road, East Evergreen and Meek sub-areas*:

- Auditoriums
- Coliseums, stadiums and sports arenas
- Convention and conference centers
- Outdoor amphitheaters

8. **Accessory Uses.** Accessory uses to permitted uses listed in Subsection 4 and conditional uses listed in Subsection 5, include but are not limited to: administrative offices; conference rooms/conference facilities; food service such as cafeterias, delicatessens and coffee shops; personal retail services, exercise facilities; and child care. Such accessory uses are subject to the following standards:

- A. The accessory uses are intended to serve only the primary use's employees and visitors; and
- B. The uses are located entirely within the building containing the primary permitted use, or if the primary use has a multiple building campus, in a free-standing building within the campus perimeter.

9. Pre-Existing Uses or Structures. Any land use, building, structure or site improvement permitted by right prior to January 17, 2012 is deemed pre-existing and can continue to operate and expand subject to the standards and requirements of Sections 98-105 regarding Non-Conforming Uses and Structures.

10. Development Standards. The following development standards apply to all proposed development within the I-S zone except where the applicant has obtained a Variance(s) as governed by Sections 106 – 109.

A. Minimum lot dimensions:

- 1. Width: ~~600~~ 300 feet for newly created lots smaller than 10 acres; otherwise none.
- 2. Depth: 600 feet for newly created lots smaller than 10 acres; otherwise none.
- 3. Area: subject to Section 134D 10 Land Division Regulations.

B. Minimum front setbacks:

- 1. Buildings up to 45 feet in height: 35 feet
- 2. Buildings taller than 45 feet in height: 35 feet plus 1 foot for each additional foot of height over 45 feet.

C. Minimum side and rear setbacks:

- 1. Buildings up to 45 feet in height: 10 feet
- 2. Buildings taller than 45 feet in height: 10 feet plus 1 foot for each additional foot of height over 45 feet.

D. Maximum setbacks: none.

E. Maximum lot coverage: 50%

F. Maximum building height:

- 1. High profile industrial buildings: 150 feet
- 2. All other buildings: 45 feet

G. Landscaping and parking:

- 1. Minimum landscaping: 15% of lot area, including all minimum setbacks;
- 2. Parking: permitted within the minimum front setback only if a 20-foot wide landscaped buffer is maintained at the front property line.

11. Performance Standards. All development in the I-S zone is subject to the following performance standards:

- A. the standards of the M-P Industrial Park zone as specified in Section 72; and
- B. where applicable, the Airport Safety and Compatibility Overlay zone standards as specified in Section 135B regarding outdoor lighting, reflectivity, steam or particulate emissions and water impoundments.

12. Lot Reconfiguration and Division Standards

- A. Intent of lot reconfiguration and division requirements. Land in the I-S zone was added to the regional Urban Growth Boundary with the expressed purpose of maintaining and creating large lots for industrial use. To accomplish this purpose, lot reconfiguration and division approvals shall require retention and creation of lots of certain sizes, as described in subsections B, C and D below.
- B. Development on lots of record. Lots of record or contiguous lots of record, existing on or after January 17, 2012 in common ownership may be developed in compliance with Tables 134D-2 and 134D-3 below:

TABLE 134D-2: WEST UNION / HELVETIA AND EVERGREEN WEST LOT DIVISION, ASSEMBLY AND/OR RECONFIGURATION CALCULATIONS

Lot of Record or Assembly area	number of required lots larger than 20 acres	number of required lots 10 to 20 acres	number of allowable lots 5 to 10 acres
Less than 16 acres	none	none	up to 2
16 to 30.99 acres	none	at least 1	up to 2
31 to 35.99 acres	at least 1	none	up to 2
36 to 49.99 acres	at least 1	at least 1	up to 2
over 50 acres	at least 2	none	up to 2

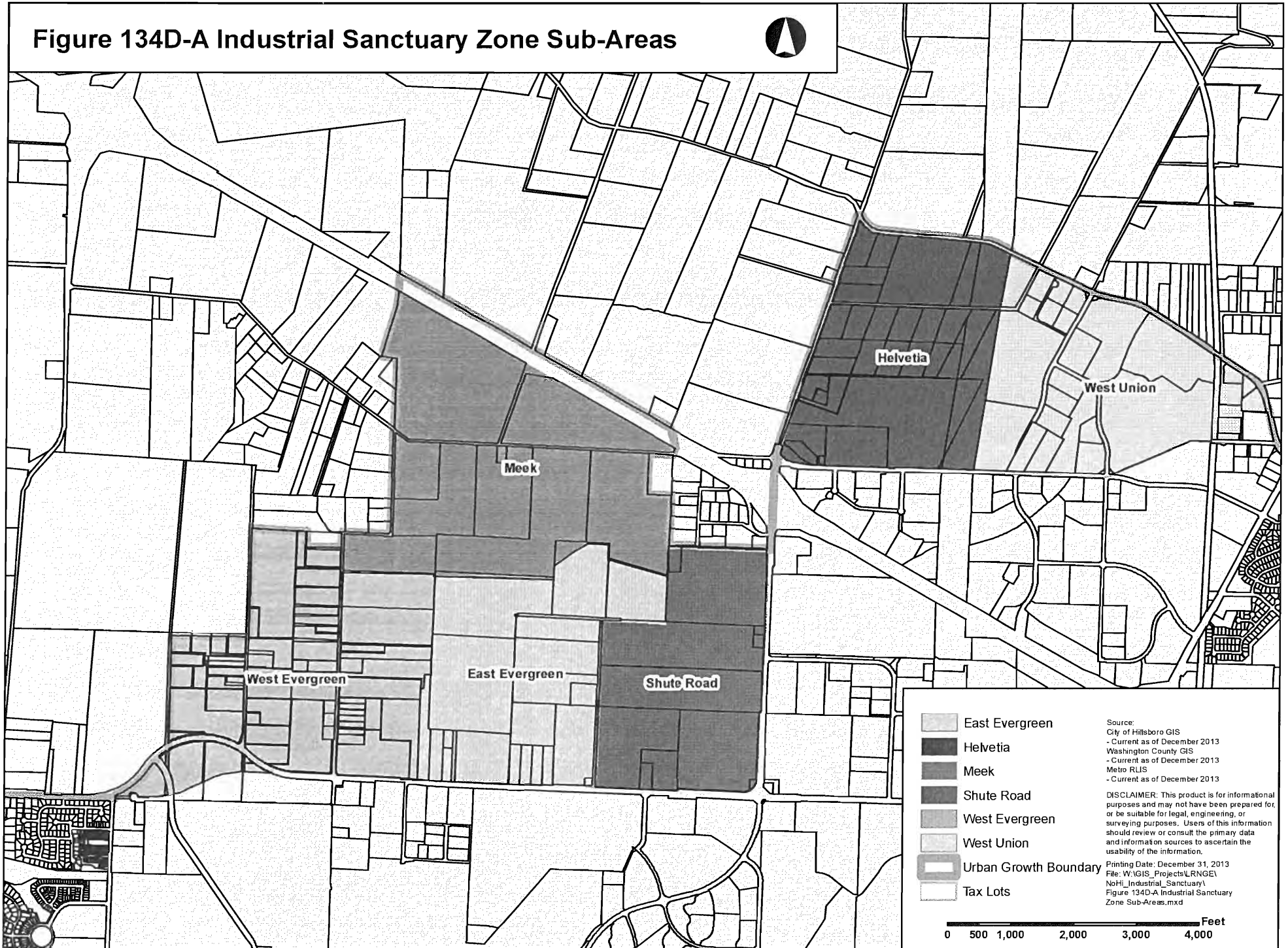
TABLE 134D-3: EVERGREEN EAST LOT DIVISION OR ASSEMBLY AND RECONFIGURATION CALCULATIONS

Lot of Record or Assembly area	number of required lots larger than 50 acres	number of required lots 25 to 50 acres	number of allowable lots 5 to 25 acres
Less than 36 acres	none	none	up to 2
36 to 55.99 acres	none	at least 1	up to 2
56 to 65.99 acres	none	at least 2	up to 2
66 to 85.99 acres	at least 1	none	up to 2
over 86 acres	at least 1	at least 1	up to 2

- C. Lot reconfiguration and division requirements in Shute Road sub-area. Prior to development, properties shall be aggregated into parcels at least 50 gross acres in area; with the exception of the area north of the Waibel Creek drainage, which may be reconfigured as a separate lot less than 50 gross acres in area.
- D. Lot reconfiguration and division requirements in Meek sub-area. Lot division, assembly and/or reconfiguration shall provide for, or not preclude the creation of, at least one parcel of 100 acres or more and at least two parcels of 50 acres or more.
- ~~D.E.~~ Exceptions to minimum lot sizes. Lot sizes in any sub-area may be reduced below the standards listed in subsections B and C above to allow:
1. Provision of public facilities and services;
 2. Dedication and/or construction of public collector or arterial streets necessary to implement Comprehensive Plan Section 13 Transportation;
 3. To separate common or public ownership of natural areas or flood hazard areas; or
 4. To separate an existing non-conforming use from the remainder of the lot.
- ~~E.F.~~ Property line adjustments. Property line adjustments between lots of record individually smaller than 5 acres are exempt from the standards listed Subsections B and C. If an applicant proposes to reconfigure two lots of record in common or varied ownership, such reconfiguration may be approved as a Property Line Adjustment under Subdivision Ordinance Article VI. All other property line adjustments shall result in lots which are in compliance with Subsection B ~~or C~~, or D as applicable.
- ~~F.G.~~ Lot division, assembly and/or reconfiguration by partition or subdivision. A land division or reconfiguration of lots may be approved as a Partition under Subdivision Ordinance Article V or as a Subdivision under Articles II and III.
- ~~G.H.~~ Sequential lot reconfiguration or division restrictions. Lots of record or lot assemblies reconfigured or divided through property line adjustments, partitions or subdivisions under Subsections ~~E.F.~~ or ~~F.G.~~ shall not be reconfigured or redivided for a minimum of five years following the recordation of the deed or plat for such reconfiguration or division. This restriction against reconfiguration or redivision may be waived for purposes described in subsection 10 ~~DE~~ above.

(Section 134D added by Ord. No. 5978/1-12.

Figure 134D-A Industrial Sanctuary Zone Sub-Areas



-  East Evergreen
-  Helvetia
-  Meek
-  Shute Road
-  West Evergreen
-  West Union
-  Urban Growth Boundary
-  Tax Lots

Source:
City of Hillsboro GIS
- Current as of December 2013
Washington County GIS
- Current as of December 2013
Metro RLIS
- Current as of December 2013

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