



METRO

Agenda

MEETING: METRO COUNCIL WORK SESSION
DATE: October 16, 2007
DAY: Tuesday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- 2:00 PM** **1. ADMINISTRATIVE/CHIEF OPERATING OFFICER
COMMUNICATIONS**
- 2:15 PM** **2. HILLSBORO INDUSTRIAL AREA CONCEPT PLANNING** Batchell
- 3:15 PM** **3. COUNCIL BRIEFINGS/COMMUNICATION**

ADJOURN

HILLSBORO INDUSTRIAL AREA CONCEPT PLANNING

Metro Council Work Session
Tuesday, October 16, 2007
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 16th

Time: 2:15

Length: 60 min.

Presentation Title: Hillsboro Industrial Areas Concept Planning

Department: Planning: LRPP

Presenters: Ray Valone, LRPP

Miranda Bateschell, LRPP

Other department personnel and interested parties:

Chris Deffebach, LRPP

Dick Benner, Metro Attorneys Office

Pat Ribellia, City of Hillsboro and City Planning Consultant

ISSUE & BACKGROUND

Metro council brought the Helvetia Industrial area into the UGB in 2004 and the Evergreen Industrial Area into the UGB in 2005. Hillsboro has completed draft concept plans and draft amendments to the City Comprehensive Plan and City Zoning Ordinance to establish Special Industrial Districts for the two areas. As required, the City of Hillsboro wants to make sure these proposals comply with Title 4 and RSIA requirements as well as Title 11 requirements and Metro UGB Conditions for both Areas particularly in regards to retail/commercial uses and lot size requirements.

The City's proposal for the Helvetia Industrial Area complies with Metro regulations. However, Metro staff is seeking Metro Council feedback on the City of Hillsboro's proposal for the Evergreen Industrial Area, especially regarding the following two elements:

(1) Hillsboro proposes to regulate the creation of parcels and limit partitioning in the Evergreen area in a way that is different from the conditions in Metro's Ordinance No. 05-1070A, which require consolidation of one 100-acre parcel; and (2) Hillsboro proposes to cluster retail uses in two commercial nodes that serve the needs of the Evergreen industrial area rather than allow these uses to scatter throughout the industrial area as allowed under Title 4 and allow larger commercial outlets and structures in these clusters than allowed under Title 4.

The City began the Concept Planning process with an economic development analysis, which informed the concept plans and led to the concepts in this proposal. Findings concluded that industrial land use needs have changed and continue to change. These two area concept plans adopt the latest trends in industrial land use in regards to industrial user demands for commercial uses and parcel size.

Lot size requirements:

Background: There is a RSIA/UGB Condition applicable to the Evergreen Area, which states, "In the course of Title 11 planning, the city shall develop a lot/parcel reconfiguration plan that results in at least one parcel in the Evergreen area that is 100 acres or larger in size. After reconfigurations, the parcel may be divided pursuant to the provision of section 3.07.420E or 3.07.430D, whichever is applicable." (Provisions referenced are from Title 4). There is also a RSIA/UGB Condition applicable to the Helvetia Area, which states "Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land

use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.”

The UGR/Employment analysis leading to the UGB decision, determined there was a need for 14 large parcels (50 acres and larger), 10 in the 50-100 range and four in the 100 and above range. At the conclusion of staff analysis in the proceedings leading to the last industrial land expansion (Ordinance No. 1070A, 2005) Metro reported to LCDC that, with the condition imposed on the addition of land in the Evergreen area in Ordinance 1070A, the region would have a surplus of three large parcels in the 50-100 range, and we would meet the need for four parcels in the 100+ range.

Concept Planning Proposal: The City of Hillsboro proposes setting a 50-acre minimum development lot size standard in the eastern half of the Evergreen Area and a 10-acre minimum in the western half, which is not RSIA and contains mostly smaller existing lots. There are no existing lots in the Evergreen Area containing 50 acres; the largest lot has 48 acres. Therefore, the 50-acre lot size standard is to encourage land assembly and lot consolidation by existing owners in order to create "large, marketable industrial sites" throughout the eastern half of the Evergreen Area (which is designated RSIA). Given the site constraints and property ownership, it may be possible to encourage the creation of more "large lots" than the one, 100-acre RSIA/UGB Condition of Approval and achieve greater total industrial use in the Evergreen area with the use of 50-acre requirements, than one 100-acre site and multiple smaller parcels. The 50-acre lot size would encourage assembling land into sites that are 100 or more acres in size, while allowing for flexibility in locating these larger lots.

In addition, in the eastern half of the Evergreen Area, which is RSIA, the City proposes that subdivisions will only be permitted for lots larger than 50 acres so long as the resulting land division creates one parcel of at least 50 acres and the remaining lots created contain at least one parcel of 25 acres of contiguous land. This prevents the subdivision of any existing parcels in this sub-Area until land assembly occurs, and thereby encourages land assembly.

The City’s proposal would also allow lots of record and contiguous lots in common ownership that are smaller than 50 acres and existing at the time of forming the ESID (Evergreen Special Industrial District), to develop with any of the permitted uses listed in a industrial-restrictive permitted-use list set in the ESID. Allowing existing 'non-conforming-in-size" lots to develop individually only with the type of limited permitted uses allowed by the ESID District is intended to avoid M37 claims from existing owners. The City anticipates that the "market" (i.e., the observed demand for very large sites by the types of industrial uses to be permitted by the ESID District), itself, will limit development w/in these non-conforming lots.

Retail, Commercial, and Professional Office Uses:

Concept Planning Proposal: Hillsboro is proposing to allow no more than two support commercial nodes in the Evergreen Industrial Area - one each on the east (RSIA) and west (Industrial) halves of the area. Commercial, retail, and professional office uses are limited to those two nodes, and each node may not exceed 10 total acres in land area. In addition, a commercial node may not be allowed until at least 1 million sq. ft. of industrial building floor area has been issued by City building permits in the eastern half of the Area, and 1/2 million sq. ft. of floor area has been issued in building permits in the western half of the Area.

In these nodes, the City established a 50,000 square foot maximum of total structural or building floor area for these commercial building clusters and prohibited free-standing, single user commercial retail uses or professional offices. Title 4 allows area-wide distribution of such non-industrial uses, but rather focuses on small floor footprints for individual retail and office buildings throughout the industrial area. Title 4 for RSIA and Industrial areas limits the building footprints of commercial services (3,000 sq. ft. per outlet in RSIA, 5,000 sq. ft. per outlet in an Industrial Area, and 20,000 sq. ft. for a building with multiple outlets) and requires that these commercial developments primarily serve the industrial uses.

The ESID provisions also state that developers must demonstrate that the proposed "support retail and office uses" will primarily serve only the daily commerce needs of the businesses and employees located within the industrial area and an immediate surrounding geographic market area before being permitted. The immediate geographic market area is not defined or delineated. It also states that development of a support commercial service use will require an amendment to the Evergreen Area Plan Map, City zone change, and City Development Review approval of the proposed use. No procedural requirements are outlined for when or how this review occurs.

These retail restrictions will be enforced by policy provisions in the Evergreen Area Industrial Plan and incorporated into the City's comprehensive plan and corresponding land use provisions in an Evergreen Special Industrial District (ESID). This district will become part of the City Zoning Ordinance. The City of Hillsboro believes that the effect of the proposed Evergreen Area commercial development limitations is substantially compliant with Title 4 and its protections of industrial areas.

OPTIONS AVAILABLE

1. The City of Hillsboro can complete their concept plans and amend their zoning codes and comprehensive plan to reflect the Evergreen and Helvetia concept plans. If Metro staff finds these concept plans and amendments to be non-compliant with Metro regulations, then staff can write a letter outlining Metro's concerns during the City's planning and approval process. If the City of Hillsboro approves the plans and amendments without responding to the concerns, Metro Council can then appeal Hillsboro's decisions to the Land Use Board of Appeals.

2. Metro staff could determine that Hillsboro's concept plans and zoning and plan amendments substantially comply with the applicable UGB Conditions of Approval, Title 11 requirements and Title 4 requirements. If Metro Council agrees, there would be no need for Hillsboro to apply for Title 4 exceptions and/or waivers to enable the Evergreen and Helvetia Concept Plans.

3. The City of Hillsboro could also formally apply to the Metro Council to change Ordinance No. 05-1070A to remove the 100+ acre reconfiguration condition and/or for exceptions and/or waivers from Title 4 in order to enable the Evergreen and Helvetia Concept Plans.

IMPLICATIONS AND SUGGESTIONS

Metro staff would like guidance from the Metro Council on the City of Hillsboro's concept plan proposals, particularly related to the retail/commercial uses and lot size requirement issues, to help Metro staff respond to the City and provide City staff with direction on how to proceed to ensure their concept plans are compliant with Metro regulations.

Lot size requirements:

After working with Hillsboro's concept planning team, Metro staff concluded that the City's concept plans and draft amendments encourage land assembly to create large, marketable industrial sites consistent with the intent behind Title 4 and the UGB Conditions of Approval. Staff agrees Hillsboro's proposal complies with Title 4 and it supports the intent of aggregating and preserving large lots in Regionally Significant Industrial Areas, but also acknowledges that the proposal does not technically meet the UGB Conditions of Approval outlined in Ordinance No. 05-1070A.

Retail, Commercial, and Professional Office Uses:

Metro staff concluded that Hillsboro's proposal for the ESID helps restrict retail and professional office encroachment in the industrial area by limiting commercial development within two nodes and requiring substantial industrial development to occur before the commercial, retail, and office uses can be developed in the area. It also restricts large commercial users in the industrial area by prohibiting freestanding, single user commercial retail uses or professional offices.

However, Hillsboro's current proposal seems to be in conflict with Title 4's intent of serving the local industrial community for two reasons:

- (1) The multi-tenant 50,000 sq. ft. limitation per structural floor area does not contain any provision limiting the size of an individual user or tenant within the commercial cluster, which could result in a large, 45,000+ sq. ft., user within a commercial development whereas Title 4 limits the size of an individual retail outlet to 3,000 sq. ft. (RSIA) and 5,000 sq. ft.
- (2) During a development approval process, proposed buildings, not the tenants or users, are reviewed and thus, staff is concerned with the ability to screen the commercial developments to ensure they support the local employees and businesses. The City of Hillsboro's ordinance states that if a question arises, the planning director will review and issue a "determination of consistency" of any proposed Support Commercial Services to limit uses to those that serve the industrial area. However, it does not outline the process or specific criteria for reviewing commercial use proposals during development review to determine this consistency. Also, there is no requirement that outlines whether, or when, there is a review of the size of the different uses or a requirement to specify the uses in an application for the required plan amendment/zone change.

Beyond these two concerns, Metro staff supports the idea of clustering commercial uses within the industrial area. With the node restrictions, it may also be appropriate to allow some increase in the size of outlets and structures within the ESID from what is permitted in Title 4, especially given the lack of services within the larger industrial area of NW Hillsboro.

QUESTION(S) PRESENTED FOR CONSIDERATION

The Hillsboro concept planning team and Metro staff would like guidance from the Metro Council on this matter. Metro staff would like the Metro Council to provide their input on the City's concept plan proposals, particularly related to the retail/commercial uses and lot size requirement issues, to help Metro staff respond to the City and provide the City of Hillsboro with direction on how to proceed to ensure their concept plans are compliant with Metro regulations.

1. Does Metro Council agree with Metro staff that Hillsboro's proposals regarding lot size "substantially comply" with the UGB Conditions of Approval?
2. If not, will the Metro Council consider modifying the ordinance to remove the 100-acre requirement? Or does the Metro Council want staff to continue working with Hillsboro to make amendments that bring the proposal into compliance?
3. Does the Metro Council agree with Metro staff that the proposed comprehensive plan and zoning code restrictions for future commercial in the Evergreen Special Industrial District do not substantially comply with Title 4?
4. If so, what elements of the proposal need to change to come into compliance with Title 4?

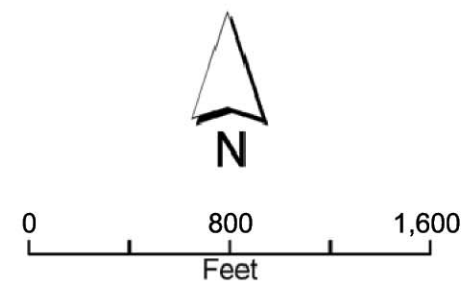
LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes XNo
DRAFT IS ATTACHED Yes XNo

SUPPORTING MATERIALS

Attached are copies of the concept plans for the Evergreen and Helvetia Industrial Districts, a copy of Metro UGB Conditions for these two areas, and Hillsboro's draft comprehensive plan and zoning amendments.

Conceptual Illustration A
7 Sept 07

- Legend**
-  Sustainable Energy & Environmental Business
 -  Industrial Business Park
 -  Commercial Node
location not specific - see ESID



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planning group

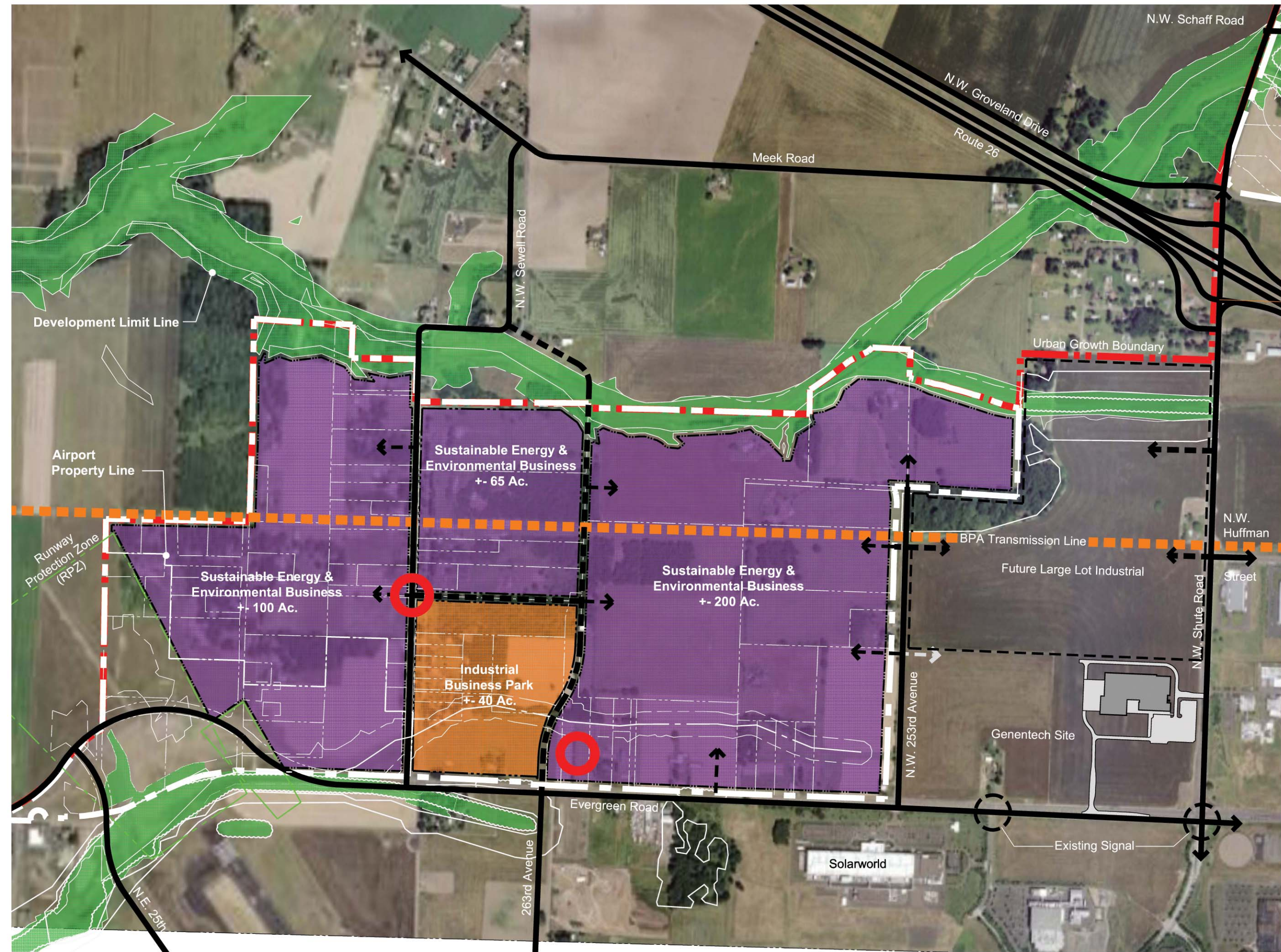
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TRANSPORTATION SOLUTIONS

JLA
Jeanne Lawson Associates, Inc.
PUBLIC DEVELOPMENT SPECIALISTS







 CITY OF HILLSBORO

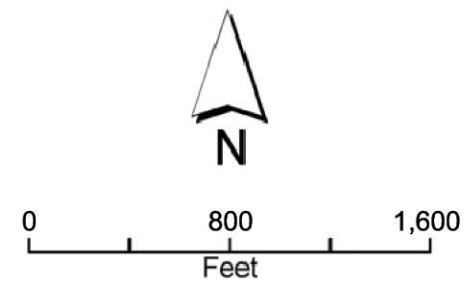


Conceptual Illustration B-1

7 Sept 07

Legend

-  Sustainable Energy & Environmental Business
-  Industry R&D Parks
-  Biotech Campus
-  Industry Suppliers
-  Industrial Business Park
-  Commercial Node
location not specific - see ESID



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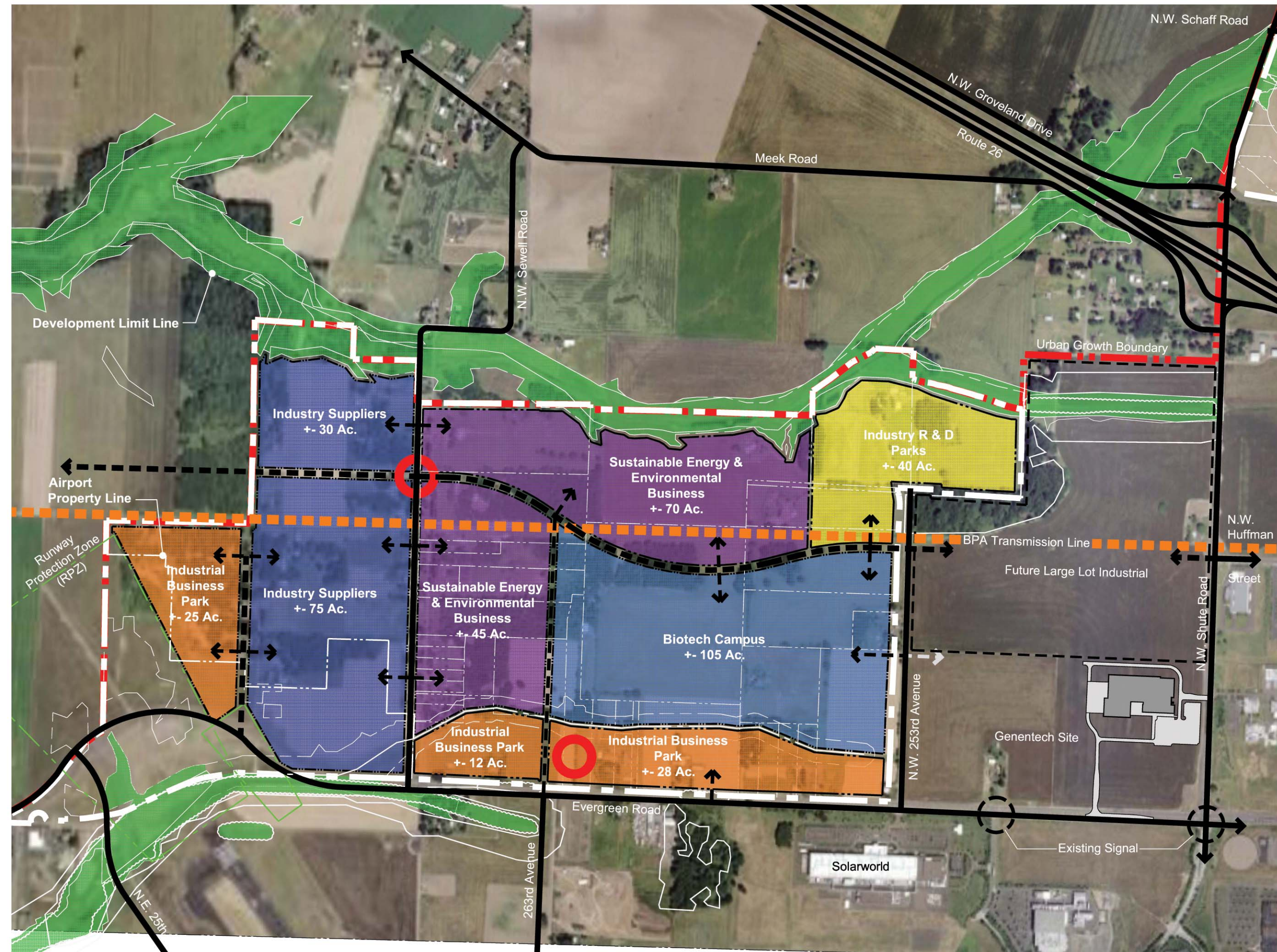
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JLA
Jeanne Lawson Associates, Inc.
public involvement specialists

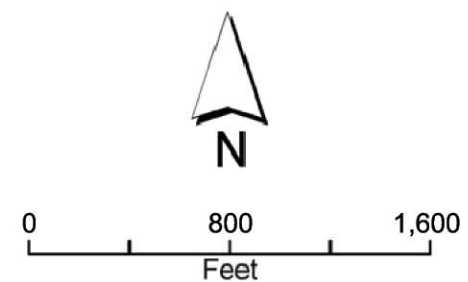
 CITY OF HILLSBORO



Conceptual Illustration B-2
7 Sept 07

Legend

-  Sustainable Energy & Environmental Business
-  Industry R&D Parks
-  Biotech Campus
-  Industry Suppliers
-  Industrial Business Park
-  Commercial Node
location not specific - see ESID



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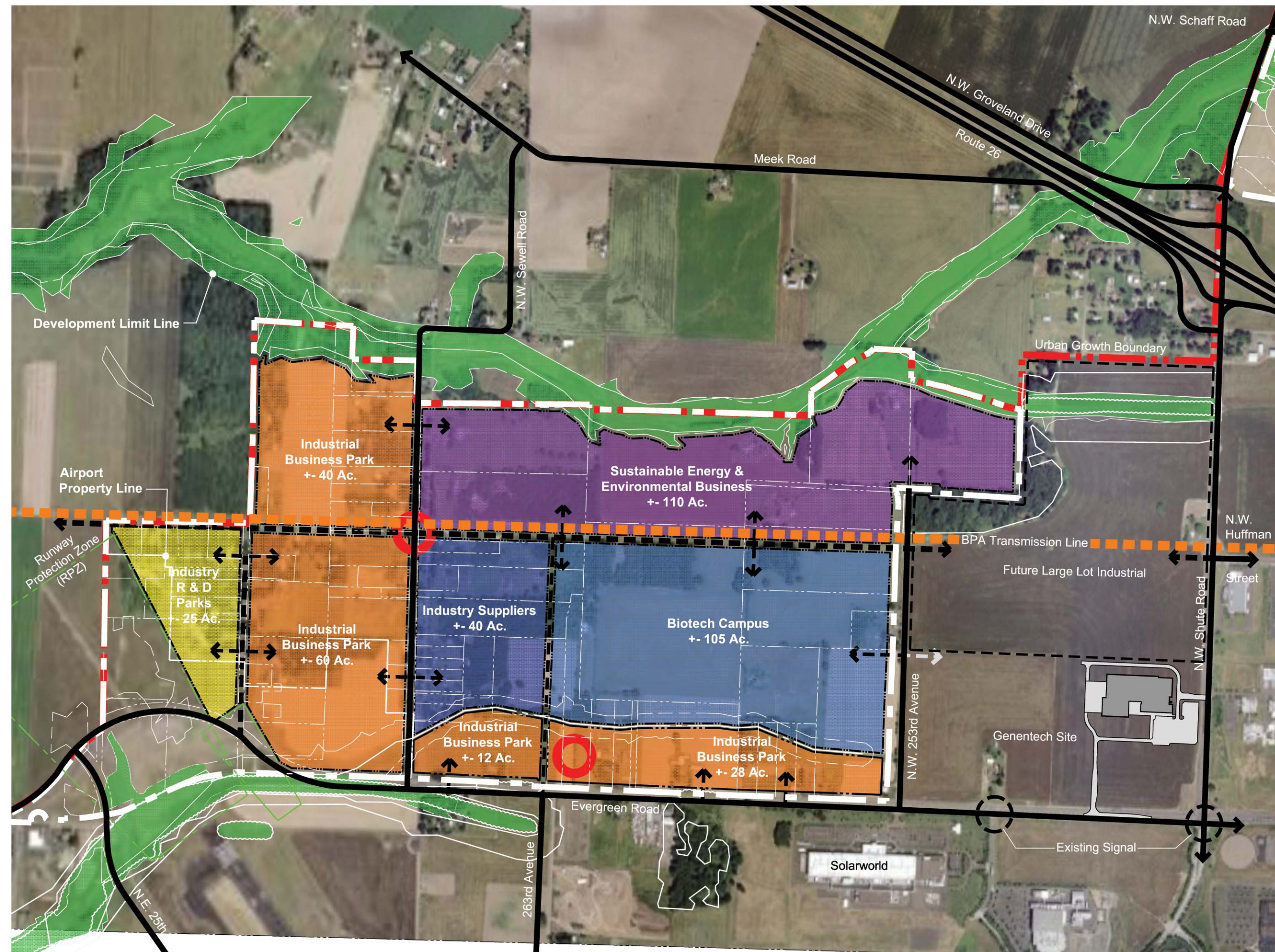
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public involvement specialists

CITY OF HILLSBORO



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RESOLUTION NO. 1630-P

ZOA 2-07 EVERGREEN AREA SPECIAL INDUSTRIAL DISTRICT (ESID)

A RESOLUTION INITIATING AMENDMENTS TO HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, TO ESTABLISH THE *EVERGREEN AREA SPECIAL INDUSTRIAL DISTRICT* (ESID) ZONE.

WHEREAS, the City of Hillsboro is further amending the Hillsboro Comprehensive Plan Ordinance No. 2793, as amended, to add a proposed new Section 24, Evergreen Area Industrial Plan, to the Comprehensive Plan to guide land development within the 534-acres *Evergreen Road Industrial Area* described in the attachments to this Resolution, and

WHEREAS, Implementation Measures (1) and (2) in proposed Comprehensive Plan Section 24 (III) (C), of the Evergreen Area Industrial Plan states in pertinent part that:

1. An *Evergreen Special Industrial District* (ESID) Zone shall be prepared, adopted and applied by the City to generally guide proposed Evergreen Area development toward achievement of the Development Program for the Area.; and,
2. The ESID Zone provisions shall assure that public and private land use and development actions within the Area attain substantial compliance with Regional UGB Conditions of Approval, including conditions requiring compliance with Metro Title 4 Functional Plan requirements and Regionally Significant Industrial Area (RSIA) designations.

WHEREAS, the ESID Zone described in this Resolution, and a corresponding ESID Zoning Map attached to this Resolution shall apply only to properties within the 534-acres Evergreen Road Industrial Area shall be the official City Zoning regulations and map for all properties within the Area upon the effective date of their annexation to the City of Hillsboro, and

WHEREAS, the Hillsboro Planning Commission may initiate amendments to the City Zoning Ordinance No. 1945 pursuant to Section 112 of that Ordinance;

NOW THEREFORE BE IT RESOLVED by the Hillsboro Planning Commission, that the Commission by and through this resolution does hereby initiate the text and map amendments to Zoning Ordinance No. 1945, as amended, to add a new Section 134B to the Ordinance establishing an *Evergreen Area Special Industrial District Zone* and related Zoning Map:

Section 24. Evergreen Area Special Industrial District (ESID)

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(1) **Purpose.** Evergreen Area Special Industrial District (ESID) Zone provisions contained in this Section shall apply to and regulate land within the Evergreen Area shown on attached Map Exhibit Map “A” upon adoption of this Ordinance and annexation of such land to the City. The purpose of the ESID is to:

(a) Provide industrial sites and land development opportunities within the Evergreen Area that can accommodate on large and small development sites *high technology and related companies and businesses* and local, national and international “*sustainable industries*” *businesses and companies* (including uses that support or complement such companies and businesses).

(b) Facilitate and nurture the establishment, development and growth of a “*sustainable industries*” *cluster* and a “*bio-tech/bio-medical/bio-pharmaceutical*” *industry cluster* within the Evergreen Area.

(c) Encourage and accommodate the *creation of larger industrial parcels* within Sub-area “A” of the Evergreen Area through ESID Zone provisions that facilitate land assembly consolidations to create large campus-like industrial sites.

(d) Facilitate and accommodate *business clusters on smaller industrial sites* within Sub-area “B” of the Evergreen Area for business start-ups, incubators and spin-offs that derive from high-tech, sustainable industries and bio-tech/bio-medical/bio-pharmaceutical industry clusters and for supporting public and private facilities and utilities.

(e) Support and implement the development goals, development program, and corresponding implementation measures described in Section 24, Evergreen Area Industrial Plan, of the Hillsboro Comprehensive Plan.

(2) **Applicability.** ESID Zone provisions apply to properties within two ESID Sub-areas: “*East Evergreen*” - Sub-area A, and “*West Evergreen*” – Sub-area B as shown on attached Exhibit Map “A” attached to, and hereby made a part of this ESID Zone Ordinance. Some ESID Zone provisions apply differently in Sub-area A than in Sub-Area B in response to unique industrial development opportunities and constraints presented in each Sub-area. The Official City of Hillsboro Zoning Map shall be amended to incorporate and include the attached Exhibit Map “A” as the official City Zoning Map only for properties in both Evergreen Area Sub-areas upon their annexation to the City.

1 (3) **Definitions.** The industrial use category defined in this Section shall be interpreted and
2 applied narrowly and exclusively to exclude from the ESID Zone land uses that fall under other
3 general industrial categories not specifically listed in this Section. However, the range and types
4 of industry uses covered within each industrial category listed in this Section may be broadly
5 interpreted and applied to include uses currently associated with the category by recognized
6 industry classification systems and new kinds of uses that may evolve in the future from
7 businesses in that category. As used in the application and enforcement of this ESID Zone
8 Ordinance:

- 9
- 10 (a) “*Sustainable Energy and Environmental Businesses*” mean and include industrial
11 businesses and land uses engaged in the research and design or development,
12 manufacturing, processing, marketing (and combinations of such activities) of products or
13 services associated with local, national and international sustainable energy and
14 environmental industries. Such businesses include, but are not limited to large and small
15 firms and companies engaged in high technology research and products development and
16 manufacturing; solar and wind energy products and parts manufacturing; and, other high-
17 tech and sustainable industry operations. These businesses usually require parcels of
18 various sizes, especially large parcels (e.g., 50 – 100 or more acres in size), to
19 accommodate vertically-integrated business operations, entirely within a single business
20 site.
- 21 (b) “*Biotech Campus*” mean and include industrial businesses and land uses engaged in
22 research and design or development, manufacturing and processing, marketing (and
23 combinations thereof) of bio-technology, bio-medical, bio-pharmaceutical business
24 products or services and like-kind businesses. Biotech campuses usually require medium-
25 sized parcels (35 – 50 or more acres in size).
- 26 (c) “*Industrial Incubators, Start-ups and Spin-offs Business Parks*” mean and include
27 small- to medium-sized specialized business parks that contain (within leased, building
28 spaces) a mix of small, emerging industrial companies that evolve from, or support the
29 established, larger high tech, sustainable industries and bio-tech companies nearby.
30 Typical business parks present a unifying brand and image controlled by project
31 covenants or conditions and restrictions (CC&Rs). Some Business Parks may provide
32 raw industrial building space, while others may provide industrial flex building spaces.
33 Leased spaces often contain combined business office and product production operations.
34 These types of business parks usually require medium-sized parcels (20 – 40 acres in
35 size).
- 36 (d) “*Industry Research & Development (R&D) Parks*” mean and include industrial R&D
37 business parks that primarily provide industry flex-space developments for vertically-
38 integrated research and development businesses and research laboratories that develop
39 new products and/or industry technologies in smaller campus-like projects. Industry
40 Business Parks, R& D Parks also usually require small-to-medium sized parcels (20 – 30
41 acres in size).

1 (e) **“Industry Suppliers”** mean and include businesses that manufacture, process, distribute
2 or provide production materials, parts, product components and business services used by
3 local high tech, sustainable industry and bio-tech businesses in the Portland Region.
4 They include, but are not limited to suppliers of test equipment, uniforms and linens, lab
5 supplies, sub-components and circuit boards, and packaging materials. Industry suppliers
6 usually require smaller-sized parcels (10 – 20 or more acres in size).

7 (f) **“Support Commercial Services”** mean and includes a clustering within a single
8 development project of support commercial retail uses and professional services that
9 directly and primarily serve the daily commerce needs of businesses and employees in the
10 immediate surrounding industrial area. Such a building cluster may not contain more
11 than 50,000 sq. ft. of total structural or building floor area. Typical uses include food
12 services and restaurants, banking, convenience shops, automated businesses support
13 services and like-kind limited retail and professional business services. A support
14 commercial service cluster usually requires a small geographic land area (not more than 5
15 - 10 acres of land) located to be both visible to drive-by traffic and within reasonable
16 walking or driving distance to/from businesses and employees in the surrounding
17 industrial area. Free-standing, single user commercial retail uses or professional offices
18 do not fall within this land use category and are not permitted in the ESID.

19 (g) **“Distribution Businesses”** are industries that require good access to the transportation
20 network, via Highway 26, in order to deliver goods throughout the region.

21 (h) **“Lot of Record”** means any lot or parcel of property described on Washington County
22 Tax Maps on the date of annexation of the lot or parcel of land to the City of Hillsboro.
23

24 (i) **“Contiguous Lots of Record in Common Ownership”** means all contiguous lots or
25 parcels which are either owned by a single individual or entity at the time land is placed
26 in this district or which are thereafter acquired by a single individual or entity.
27

28 (j) **“Pre-Existing Use”** means any lawfully created use or structure established and in
29 existence on the date of adoption of this ordinance.
30

31 (4) **Standards.** All land uses, land development and lot partition and lot development
32 requirements within the ESID Zone shall comply with the standards contained in Sections 4 and
33 5 of this ESID Zone Ordinance and the standards of the M-P Industrial Park Zone of Hillsboro
34 Zoning Ordinance specifically identified or referenced in this ESID Ordinance. All land uses,
35 land development and lot partition and lot development requirements within the ESID Zone shall
36 also be subject to review and approval under Section 133, Development Review/Approval, of the
37 Hillsboro Zoning Ordinance:
38

39 (a) **Land Use.** Land uses, new development and redevelopment within the ESID Zone shall
40 be allowed and shall occur in accordance with the following requirements:
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1 **(i) Permitted land uses:**

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3 **Subarea A: East Evergreen:**

4 Permitted uses within Sub-area A: East Evergreen shall be limited to kinds of land uses
5 described in the following Industrial use categories as defined in Section 3 of this ESID
6 Zone Ordinance:

- 7
8 (1) Sustainable, Environmental, and Energy Businesses
9 (2) Biotech Campus
10 (3) Industry Research & Development (R&D) Parks
11 (4) Industrial Incubators, Start-ups and Spin-offs Business Parks
12 (5) Support Commercial Services [see Section 4 (4) of the ESID]
13 (6) Transportation facilities, including public improvements for streets, transit,
14 parking, and bicycle and pedestrian facilities
15 (7) Public service or utility uses and facilities
16 (8) Other uses similar in type and character to the permitted use categories in Sub-
17 area A as determined by the Planning Director pursuant to Section 117 of the
18 Hillsboro Zoning Ordinance if proposed to be developed on properties less than
19 twenty five (25) acres in land area, and by the Planning Commission if proposed
20 to be developed on properties containing twenty five (25) or more acres in land
21 area.

22
23 **Subarea B: West Evergreen**

24 Permitted uses within Sub-area B: West Evergreen shall be limited to the kind of land uses
25 described in the following Industrial use categories as defined in Section 3 of this
26 Ordinance:

- 27
28 (1) Sustainable, Environmental, and Energy Businesses
29 (2) Biotech Campus
30 (3) Industry Research & Development (R&D) Parks
31 (4) Industrial Incubators, Start-ups and Spin-offs Business Parks
32 (5) Distribution Businesses
33 (6) Industry Suppliers
34 (7) Support Commercial Services [see Section 4 (4) of the ESID]
35 (8) Transportation facilities, including public improvements for streets, transit,
36 parking, and bicycle and pedestrian facilities
37 (9) Public service or utility uses and facilities
38 (10) Other uses similar in type and character to the permitted use categories in Sub-
39 area B as determined by the Planning Director pursuant to Section 117 of the
40 Hillsboro Zoning Ordinance if proposed to be developed on properties less than
41 twenty five (25) acres in land area, and by the Planning Commission if proposed to
42 be developed on properties containing twenty five (25) or more acres in land area.
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1 **(ii) Conditional land uses:**
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3 Only the following Conditional Land Uses may be permitted within the ESID Zone when
4 proposed, processed, approved and developed in accordance with the provisions Sections
5 78 to 83 of the Hillsboro Zoning Ordinance and Section 133, Development
6 Review/Approval, of the Zoning Ordinance:
7

- 8 (1) Transit Park and Ride
9 (2) Radio transmission facilities
10

11 **(iii) Excluded uses :**
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13 Unless a use is permitted outright or as a conditional use, or is determined to be permissible
14 by the Planning Director or the Planning Commission in accordance with the provisions of
15 this ESID Zone Ordinance, the use shall be excluded from, and may not be permitted to
16 develop within the ESID.
17

18 **(iv) Special Provisions for Support Commercial Services uses:**
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- 20 (1) At least one million (1,000,000) total square feet of building floor area of
21 permitted industrial development within Sub-area A, and at least one-half million
22 (500,000) total square feet of building floor area of permitted industrial
23 development within Sub-area B, must first be approved by the City (as
24 documented by building permits issued for industrial projects) before the City
25 may consider and approve the development within Sub-area A and Sub-area B,
26 respectively, of a support commercial service use permitted under Section 4 A of
27 this ESID Ordinance. ¹
28
29 (2) Development of the a support commercial service use will require an amendment
30 to the Evergreen Area Plan Map, City zone change, and City Development
31 Review approval of the proposed use.
32
33 (3) Specific retail and professional service uses to be included within a proposed
34 Support Commercial Services development shall be consistent with the kinds of
35 uses described in Section 3 of this ESID which defines “Support Commercial
36 Services”. If a question arises whether a proposed retail or professional service
37 use is consistent with that definition, the Hillsboro Planning Director shall issue a
38 written determination of consistency of the proposed use with the definition of
39 “Support Commercial Services” pursuant to the Section 117 of the Hillsboro

ⁱ This provision limiting the development of retail commercial and professional offices only to one (1) site in Sub-area A and one (1) site in Sub-area B that may not exceed 10 acres in size and must include retail and offices uses demonstrated to directly and primarily serve the daily needs of immediately surrounding industrial businesses and employees is intended to accommodate and achieve the intent and objectives of applicable Metro Urban Growth Management Functional Plan Title 4 restrictions on large retail commercial, professional offices and Title 4 Regionally Significant Industrial Area (RSIA) requirements.

Zoning Ordinance. The Director’s determination shall be based on documents that describe how the proposed retail or profession service use satisfies the definition. The documents shall be compiled and submitted to the director by the party seeking City approval of the proposed support commercial services use.

(4) The land area to be occupied by proposed Support Commercial Services use may not contain more than ten (10) net acres of developed land.

(v) Pre-Existing Uses:

Any lawfully created use of any building, structure or land existing at the time of adoption of this ESID Zone Ordinance may continue to operate and may expand to add up to 20 percent (20%) more floor area and ten percent (10%) more land area.

(b) Lot Size

(i) Sub-area A: East Evergreen:

(1) Industrial developments allowed by this ESID Zone Ordinance within Sub-area A shall have a minimum lot size of 50 acres. All other lots of record or contiguous lots of record in common ownership within the ESID smaller than 50 acres in size may contain any business or use described in Section 4.A.1 of this Ordinance.²

(2) Subdivision of parcels within Sub-area A will be permitted for lots larger than 50 acres in size so long as the resulting land division creates one lot or parcel of at least 50 acres and the remaining lot(s) created contains at least one parcel of 25 acres of contiguous land.

(ii) Sub-area B: West Evergreen:

(1) Industrial developments allowed by this ESID Zone Ordinance within Sub-area B shall have a minimum lot size of 10.0 acres. All other lots of record or contiguous lots of record in common ownership within the ESID smaller than 10 acres in size may contain any business or use listed in Section 4 (A) of this ordinance.

² This 50 acres minimum lot size standard for industrial developments and 50-acres lot-creation subdivision standard established by Subsection 4 B (1) (a) and (b) for Sub-area A are intended to:
1) Encourage and facilitate parcel aggregations and consolidations into several large lots within Sub-area A containing at least 50 acres and, therefore, better accomplish an Evergreen Area UGB Condition of Approval requiring the establishment of one 100-acre industrial lot within the Evergreen Area; and,
2) Addresses ORS 197.352 (Ballot Measure 37) considerations.

1 (2) Subdivision of parcels within Sub-area B will be permitted for lots larger
2 than 10 acres in size so long as the resulting land division creates one lot
3 or parcel of at least 10 acres and the remaining lot(s) contains at least one
4 parcel of 5 acres of contiguous land.
5

6 (c) **Implementing the City Transportation System Plan.** The required minimum lot sizes
7 for Sub-areas A and B may be reduced in size to the extent necessary to allow the dedication
8 and/or construction of public collector or arterial roadways necessary to implement Section 13:
9 Transportation of the Hillsboro Comprehensive Plan.
10

11 (d) **Natural & Hazard Areas.** The required minimum lot sizes for Sub-areas A and B may
12 be reduced in size to the extent made necessary by the presence on the lot(s) of a natural area,
13 flood hazard area or other resource or hazard designation restricting development pursuant the
14 provisions of the Hillsboro Comprehensive Plan or Zoning Ordinance; or for the sole purpose of
15 segregating common or public ownership of natural areas, flood hazard areas or other natural
16 resource or hazard areas within an industrial park.
17

18 (5) **Land Development Standards.** The following M-P District provisions shall apply to
19 all developments within the ESID Zone unless modified by the Planning Director as a result of
20 Development Review to achieve improved project design, protect or enhance significant natural
21 resources, achieve public infrastructure efficiencies and economies of scale or other practicable
22 project development solutions.
23

24 (a) **Setback Requirements.** The yard setback requirements set forth in Section 68 of the
25 Hillsboro Zoning Ordinance shall apply.
26

27 (b) **Height of Buildings.** The building height limits and standards set forth in
28 Section 69 of the Zoning Ordinance shall apply.
29

30 (c) **Lot Coverage.** The maximum lot coverage standard in Section 70 of the Zoning
31 Ordinance shall apply.
32

33 (d) **Off-Street Parking and Loading.** The off-street parking and loading standard in
34 Section 71 of the Zoning Ordinance shall apply.
35

36 (6) **Performance Standards.** The land and structure use and development performance
37 standards in Section 72 of the Zoning Ordinance shall apply. In the ESID Zone, as a condition
38 for granting of a building permit, it shall be agreed that, upon request of the City, information
39 sufficient to determine the extent of compliance with the performance standards in Section 72
40 shall be furnished by the owner of the property to which the building permit was granted or all
41 successors and assignees of the owner. Such requests may include a requirement for continuous
42 records of operation likely to violate the standards, for periodic checks to assure maintenance of
43 standards, or for special surveys in the event a question arises regarding compliance with Section
44 72 performance standards.
45

1 (6) **Development Review Standards.** All developments within the ESID Zone are subject
2 to, and shall comply with the development standards and procedures set forth in Section 133,
3 Development Review/Approval of Plans, of the Hillsboro Zoning Ordinance:

- 4
- 5 (a) The Planning Director shall review and may approve each proposed development
6 within the ESID Zone in accordance with the review standards and procedures
7 prescribed in this ESID Zone Ordinance and in Section 133 of this Zoning
8 Ordinance. If the provisions of this ESID Zone Ordinance and Section 133 are
9 inconsistent or conflict as applied to any proposed development, the provisions of
10 the ESID Zone Ordinance shall apply and control.
- 11
- 12 (b) Within the ESID Zone, final development plans for any proposed land use to be
13 built or site alteration to take place on a lot or record or contiguous lots of record
14 in common ownership within the ESID shall comply with the applicable
15 provisions of Section 133.
- 16
- 17 (c) Any subdivision of lots and parcels within this ESID Zone shall comply with the
18 applicable provisions of this ESID Zone Ordinance and the City of Hillsboro
19 Subdivision Ordinance. If the provisions of this ESID Zone Ordinance and the
20 City Subdivision Ordinance are inconsistent or conflict as applied to any
21 proposed development in the ESID Zone, the provisions of the ESID Zone
22 Ordinance shall apply and control.
- 23
- 24

25 BE IT FURTHER RESOLVED that the Planning Commission hereby directs that these
26 amendments be scheduled for public hearing on November 14, 2007.

27
28
29 Introduced and passed this 26th day of Sept, 2007

30
31
32 John C. Lutter
33 President

34
35
36 ATTEST: Sara Giff
37 Secretary

**Evergreen Area
Special Industrial District
(ESID)**

Legend

Evergreen Sub-areas





-  Sub-area A
-  Sub-area B
-  Urban Growth Boundary (UGB)
-  Hillsboro City Limits

Exhibit A

MEEK

GROVELAND
SUNSET

268TH

BIRCH

OAK

Sub-Area B

ESID

Sub-Area A

253RD

278RD

SEWELL

EVERGREEN

ZACHARY



265TH

268TH

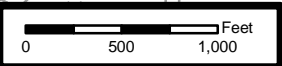
264TH

DANSON CREEK

BROOKWOOD

AIRPORT

48TH



1 WHEREAS, Section 1(III) of the Hillsboro Comprehensive Plan Ordinance, as amended, requires
2 consideration, process, public hearing and recommendation to the Hillsboro City Council by the Hillsboro
3 Planning Commission with respect to proposed major amendments to the Comprehensive Plan such as the
4 proposed Evergreen Area Industrial Plan amendments to the Comprehensive Plan described in the
5 attachments to this Resolution; and
6

7 WHEREAS, if approved, this Resolution would initiate Planning Commission consideration and
8 action on the proposed Evergreen Area Industrial Plan amendments to the Hillsboro Comprehensive Plan
9 Ordinance, as amended;
10

11 NOW, THEREFORE BE IT RESOLVED by the Hillsboro Planning Commission that the
12 Commission by and through this Resolution does hereby initiate proposed *Evergreen Area Industrial*
13 *Plan* Text and Map amendments to Comprehensive Plan Ordinance No. 2793, contained and described in
14 Attachment A attached hereto that further amends Ordinance 2793 to specifically add thereto:
15

- 16 1. A new Section 24 to be added to Hillsboro Comprehensive Plan Ordinance No. entitled
17 *Evergreen Area Industrial Plan* that prescribes and establishes land use Goals, Policies and
18 Implementation Measures for the Area;
- 19 2. *An Evergreen Area Development Program*;
- 20 3. *Alternative Evergreen Area Conceptual Land Use Designs* (Urban Growth Diagrams)
21 Illustrations;
- 22 4. Enabling authority for an *Evergreen Area Special Industrial District* (ESID) to implement the
23 Area Development Program and Conceptual Land Use Designs;
- 24 5. *An Area Annexation Plan* strategy;
- 25 6. *An Area Natural Resources Management Plan*; an *Area Public Infrastructure Management*
26 *Plan* for water, sewer and storm water systems which includes proposed amendments to the
27 Hillsboro Public Facility Plan Water System Improvement Plan Map, Surface Water
28 Management System Improvement Map and Sanitary Sewers System Improvement Map;
- 29 7. *An Area Transportation System Plan* generally shown on each of the alternative Evergreen
30 Area Conceptual Land Use Designs Illustrations which identifies transportation system
31 facilities and improvements to be incorporated into the Hillsboro Transportation System Plan;
32 and,
- 33 8. Such other Comprehensive Plan Ordinance amendments relating to the Evergreen Industrial
34 Area to be included in the *Evergreen Area Industrial Plan* as may be recommended by the
35 Planning Commission; and,
36

37 BE IT FURTHER RESOLVED that the Planning Commission hereby schedules these
38 amendments for public hearing before the Commission on ~~February 23, 2000.~~
39 November 14, 2007

40
41 Introduced and passed this 26th day of September, 2007.
42
43

44
45
46
47 
48 _____
49 President

50
51 ATTEST: 
52 _____
53 Secretary

Section 24. Evergreen Area Industrial Plan.

(I) Goal.

To expand and diversify the Hillsboro industrial economic base by establishing and implementing an *Evergreen Area Development Plan* and *Development Program* that provides for:

- Large parcels for large industrial campuses and other industrial sites that can accommodate large, vertically-integrated companies and related businesses in cutting-edge industry sectors such as high technology sector, sustainable energy /environmental products sector, bio-technology, bio-medical and bio-pharmaceutical sector; and
- Flex building space within small- and medium-size industrial campuses and business parks to accommodate flex uses, research and development companies, incubator businesses, business suppliers, spin-off companies and other businesses that derive from, or are extensions of larger campus users and industrial developments within the Evergreen Area and Portland Region.

(II) Policies.

- (A) Develop, adopt and apply *performance-based* Area Comprehensive Plan and Zoning Implementation Provisions and Measures to guide the development of industrial uses, properties and projects within the Area towards conformance with this Plan and corresponding City land use regulations with sufficient flexibility and authority to enable City Plan and regulatory responsiveness to changing industrial market trends and opportunities for the Area over time.
- (B) Provide development opportunities within the Evergreen Area for industry uses that fall within any of the following preferred industry categories specified in the *Evergreen Area Development Program*:
- High technology sector and related companies and businesses
 - Sustainable industries sector and related businesses and companies
 - Bio-technology, bio-medical, bio-pharmaceutical sector and related businesses and companies
 - Businesses and companies that are incubators, start-ups, spin-offs and research and development firms associated with main industrial sectors
 - Industry supplies and distribution businesses
 - Limited support commercial services

- (C) Encourage and facilitate the creation of large industrial sites (parcels 50 – 100 or more acres in size) for large-scale industrial campuses and development projects, and land assembly and reservation of such sites where large-size parcels form the prevailing land ownership pattern.
- (D) Where smaller parcels form the prevailing lot ownership pattern encourage and facilitate the development of smaller, diversified industrial uses and sites (20 – 50 acres in size) - especially smaller-scaled flex-space industrial business parks - that support the main industry sectors encouraged by this Plan.
- (E) Use the industry land use categories specified in the *Evergreen Area Development Program* and graphically expressed in three alternative conceptual land use design schemes for the Area shown in *Evergreen Conceptual Illustrations “A”, “B-1” and “B-2”* (shown in Figures 1, 2 and 3, respectively) to guide new industrial development within the Area.
- (F) Only two (2) support commercial service developments shall be permitted within the Area; provided, however, that each development demonstrate that its proposed retail and business services will directly and primarily serve the daily commerce needs of businesses and employees in the surrounding industrial area.
- (G) Provide for aesthetically attractive, well designed industrial uses and sites within every development approved for construction in the Evergreen Industrial Area.
- (H) In accordance with ORS 268.390 (SB 722 ('07)), develop and apply an Evergreen Area Industrial Plan and corresponding Evergreen Special Industrial District Ordinance that substantially comply with Metro Urban Growth Boundary (UGB) Conditions of Approval and Urban Growth Management Functional Plan requirements that may apply to the Evergreen Area.

(III) Implementation Measures.

(A) Evergreen Area Development Program:

- (1) The industrial use categories prescribed in Policy (II (B), above, and corresponding *Evergreen Special Industrial District (ESID) Zoning Ordinance* comprise the *Evergreen Area Development Program*. City review and approval of proposed land uses and development activities within the Evergreen Area for compliance with this Plan shall be guided by whether the proposed use or activity: (1) falls within any land use category prescribed by the *Development Program*; and, (2) generally achieves the preferred Area Conceptual Land Use Design identified in Implementation Measure (III) (B) in this Section.

- (2) The *Evergreen Road Area Special Industrial District* (ESID) Ordinance adopted pursuant to Implementation Measure (III) (C) in this Section shall further define and implement the industrial land use categories prescribed by the *Evergreen Area Development Program* as follows:

Evergreen Area Development Program Industrial Use Categories	Preferred Project Development Scale (Range in Acres)
High Technology, Sustainable Industries and Bio-Technology, Bio-Medical, Bio-Pharmaceutical Sectors.	<ul style="list-style-type: none"> • Large campuses: 50-100 or more acres • Small campuses: 30-50 acres
Business incubators, start-ups, spin-offs, expansions, R&D associated with the major industry sectors	Small and medium-size industrial business parks and flex space: 10-40 acres
Industry suppliers and distribution businesses	Smaller- and medium-size bulk storage and distribution space: 10-20 acres
Support Commercial Services	Smaller, visible-to-traffic sites: 5-10 acres

(B) Evergreen Area Conceptual Land Use Designs (Urban Growth Diagram)

Three conceptual land use design schemes for the Area are shown in *Evergreen Conceptual Illustrations “A”, “B-1” and “B-2”* (shown in Figures 1, 2 and 3, respectively). Each alternative design is adopted by reference as a part of this Plan as a distinct Area-wide land use design alternative. Each alternative design can be implemented by a corresponding City *Evergreen Area Special Industrial District* (ESID) Ordinance. Only one of the three land use designs, however, shall be actively used at any given time to generally guide public and private land uses and development in the Area toward implementation of the *Development Program*.

Upon adoption of this Plan Ordinance, Concept “___” shall be the preferred Area land use design scheme to be implemented through applications of the ESID Ordinance to proposed land uses and developments. Over the Plan’s 20-years time, significant shifts or changes in Area industrial market trends and direction may dictate a need to change the preferred alternative either to Concepts “___” or “___” if recommended by the Planning Commission and approved by the City Council.

(C) Evergreen Area Special Industrial District (ESID)

- (1) An *Evergreen Special Industrial District* (ESID) Ordinance shall be prepared, adopted and applied by the City to generally guide proposed Evergreen Area developments toward achievement of the *Development Program* by assuring general development consistency with Concept “___”. As applied to individual properties in the Area, should a land use policy conflict arise between what is specified for a property by the *Development Program* and what is shown for that property by Concept “___”, the *Development Program* provision shall prevail and control. Application of ESID

Ordinance provisions to Area properties may occur only upon their annexation to the City.

- (2) Consistent with ORS 268.390 (SB 722 ('07)), ESID Ordinance provisions shall assure that public and private land use and development actions within the Area attain substantial compliance with Regional UGB Conditions of Approval, including conditions requiring compliance with Title 4 development requirements and Regionally Significant Industrial Area (RSIA) designations.
- (3) Site design and architectural measures that provide for compatibility between and among industrial land uses developed within the Area and nearby agricultural uses and operations shall be considered and required through the City Development Review/Approval process (Section 133 of the Hillsboro Zoning Ordinance), unless demonstrated to be physically or financially impracticable. Possible compatibility measures include, but are not limited to: building orientation and setbacks; landscaping; land buffers; and access easements for farming vehicles and machinery.

(D) Area Annexation Plan.

Prior to their annexation to the City and the concurrent application of the ESID Ordinance to properties in the Evergreen Area, land uses within the Area shall continue to be governed by the existing Washington County zoning of the properties. Annexation of Area properties to the City shall take place in accordance with annexation policies and practices set forth in the City Municipal Code and in the Boundary Change Code of the Portland Metropolitan Service District ("Metro").

(E) Area Natural Resources Management Plan.

In accordance with the City's Goal 5 provisions of Section 6, Natural Resources, Open Space, Scenic and Historical Sites, of the Hillsboro Comprehensive Plan, significant wetland and riparian/upland wildlife habitat resources in the Evergreen Area shall be accorded the appropriate protection level prescribed by Section 131A, Significant Natural Resources Overlay District, of the Hillsboro Zoning Ordinance upon annexation to the City of the land on which they exist.

Within the Evergreen Industrial Area, mitigation and enhancement activities shall emphasize the improvement of the Waible Creek Tributary wetlands, floodplain and riparian upland wildlife habitat resources (Riparian Corridor). The overall guiding principle for the Waible Creek Tributary Riparian Corridor is connectivity of resource types in order to allow wildlife passage between the larger habitat units and genetic flow between plant communities.

For developments within the Evergreen Industrial Area that impact significant natural resources, the City may identify and require appropriate mitigation and enhancement measures to be undertaken by such development to improve connectivity and wetland and riparian upland wildlife habitat resource functions and values within, and connected to the Waible Creek Tributary wetlands, floodplain and riparian upland wildlife habitat resources (Riparian Corridor).

(F) Area Public Infrastructure (Water, Sewer, Stormwater Systems) Management Plan.

The recommended water system, sanitary sewer system and storm water disposal system facilities shown on the Evergreen Area Industrial Plan *Public Facilities and Services Maps* in Figures 4 through 6, shall be incorporated into the following Hillsboro Public Facilities (2001) Maps (as amended) as appropriate:

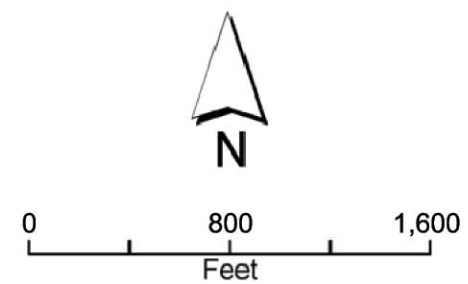
- *Hillsboro Public Facility Plan Water System Improvement Map* (June, 2001) as amended (for proposed Evergreen Area water system and lines).
- *Hillsboro Public Facility Plan Surface Water Management System Improvement Map* (June, 2001) as amended (for proposed Evergreen Area storm water facilities).
- *Hillsboro Public Facility Plan Sanitary Sewers System Improvement Map* (June, 2001) as amended (for proposed Evergreen Area sanitary sewer system and lines).

(G) Area Transportation System Plan.

The conceptual transportation system and facilities shown in Figures 1, 2 and 3 are intended to support development of the land use designs and arrangements shown in corresponding Evergreen Conceptual Illustrations “A”, “B-1” and “B-2”. Proposed roadway improvements include extensions of Huffman Road, improvements to NW 253rd Avenue, NW 264th Avenue, NW Sewell Road, NW 273rd Avenue, NW Evergreen Road to either collector or arterial status, and improvements to the roadway intersections along NW Evergreen Road and NW Shute Road, NW 253rd Avenue, NW 264th Avenue, NW Sewell Road and NW 273rd Avenue as appropriate to support each conceptual alternative design for the Area. The location and design of the transportation facilities shown in Figures 1, 2 and 3 are conceptual and general in nature. Specific roadway alignments for these facilities and specific intersection improvements along NW Evergreen Road will be determined through future studies and shall be incorporated into the City Transportation System Plan (TSP) when such specific Area roadway alignments and intersection improvements have been firmly determined and finalized.

Legend

-  Sustainable Energy & Environmental Business
-  Industrial Business Park
-  Commercial Node
location not specific - see ESID



Angelo
planning group

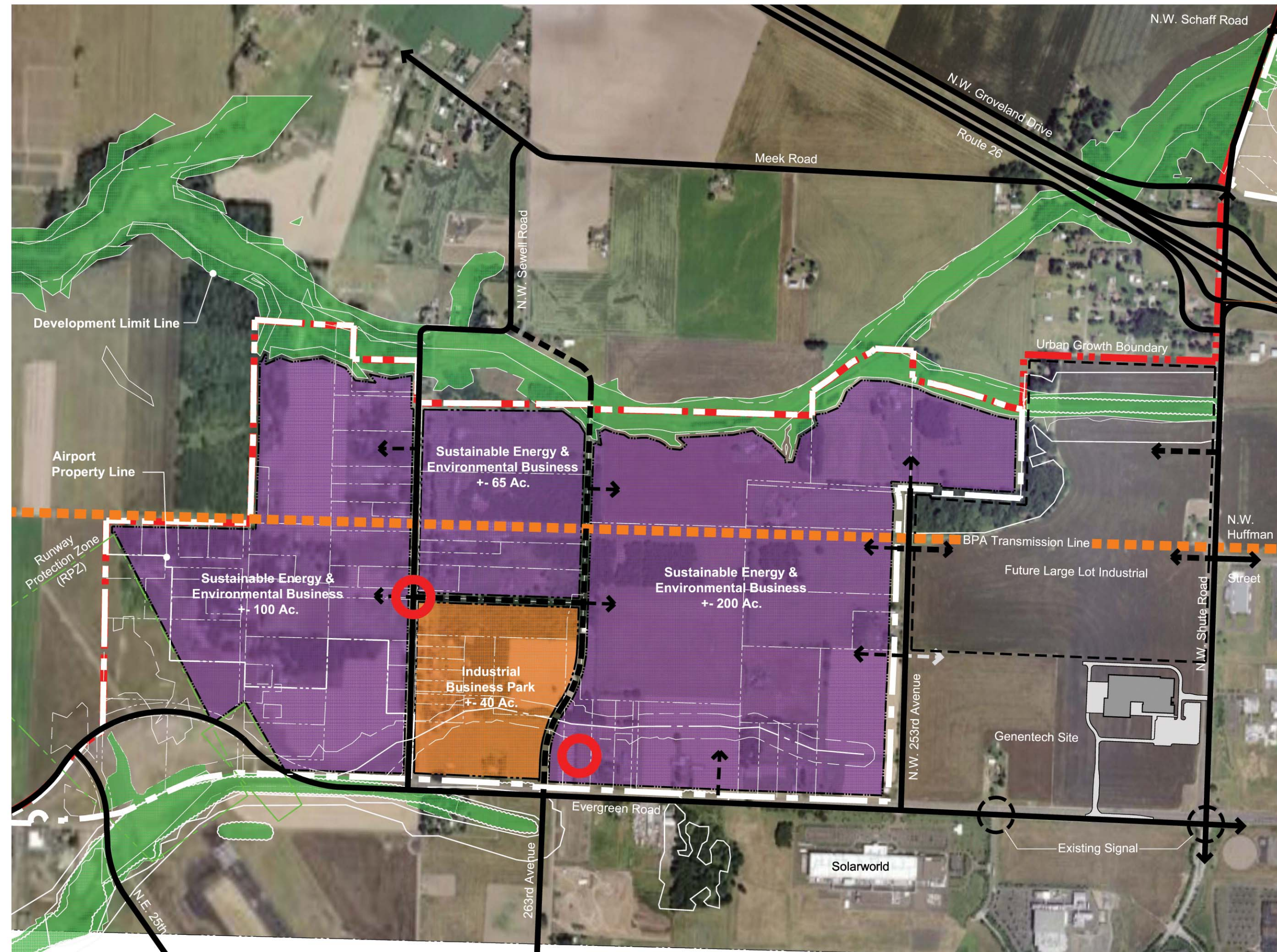
CH2MHILL
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 CITY OF HILLSBORO



Sustainable Energy & Environmental Business
+- 65 Ac.

Sustainable Energy & Environmental Business
+- 100 Ac.

Sustainable Energy & Environmental Business
+- 200 Ac.

Industrial Business Park
+- 40 Ac.

Future Large Lot Industrial

Genentech Site







Solarworld

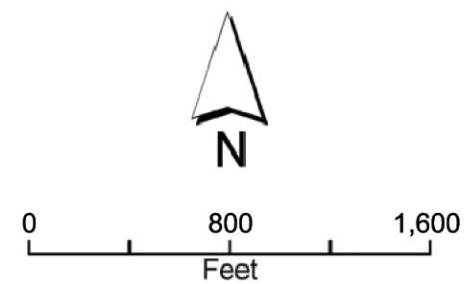
Existing Signal

Conceptual Illustration B-1

7 Sept 07

Legend

-  Sustainable Energy & Environmental Business
-  Industry R&D Parks
-  Biotech Campus
-  Industry Suppliers
-  Industrial Business Park
-  Commercial Node
location not specific - see ESID



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planning group

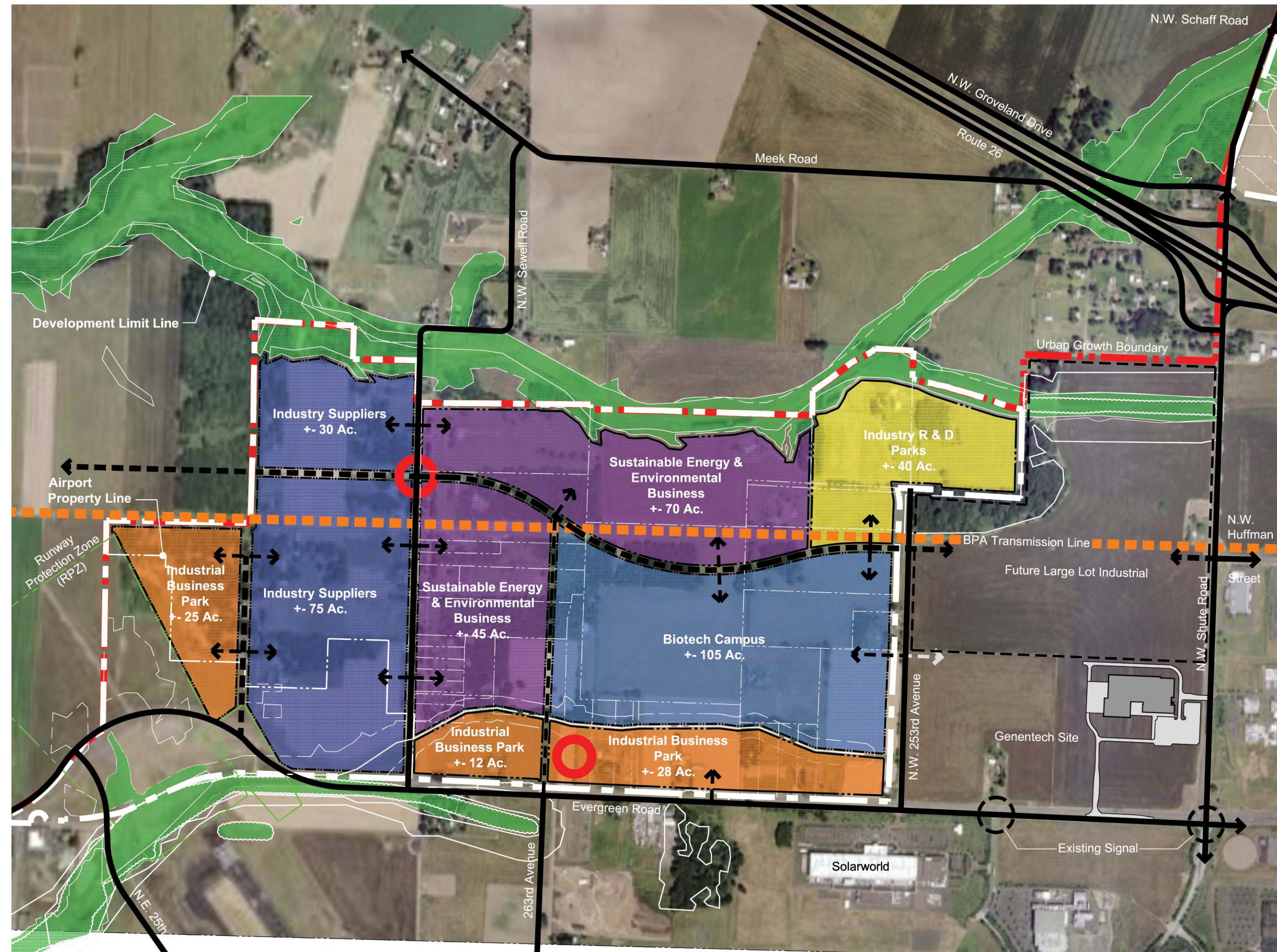
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JLA
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public involvement specialists

 CITY OF HILLSBORO

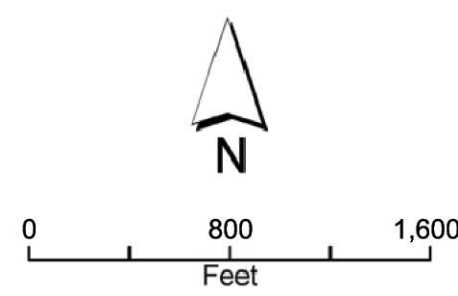


Conceptual Illustration B-2

7 Sept 07

Legend

- Sustainable Energy & Environmental Business
- Industry R&D Parks
- Biotech Campus
- Industry Suppliers
- Industrial Business Park
- Commercial Node
location not specific - see ESID



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CITY OF HILLSBORO

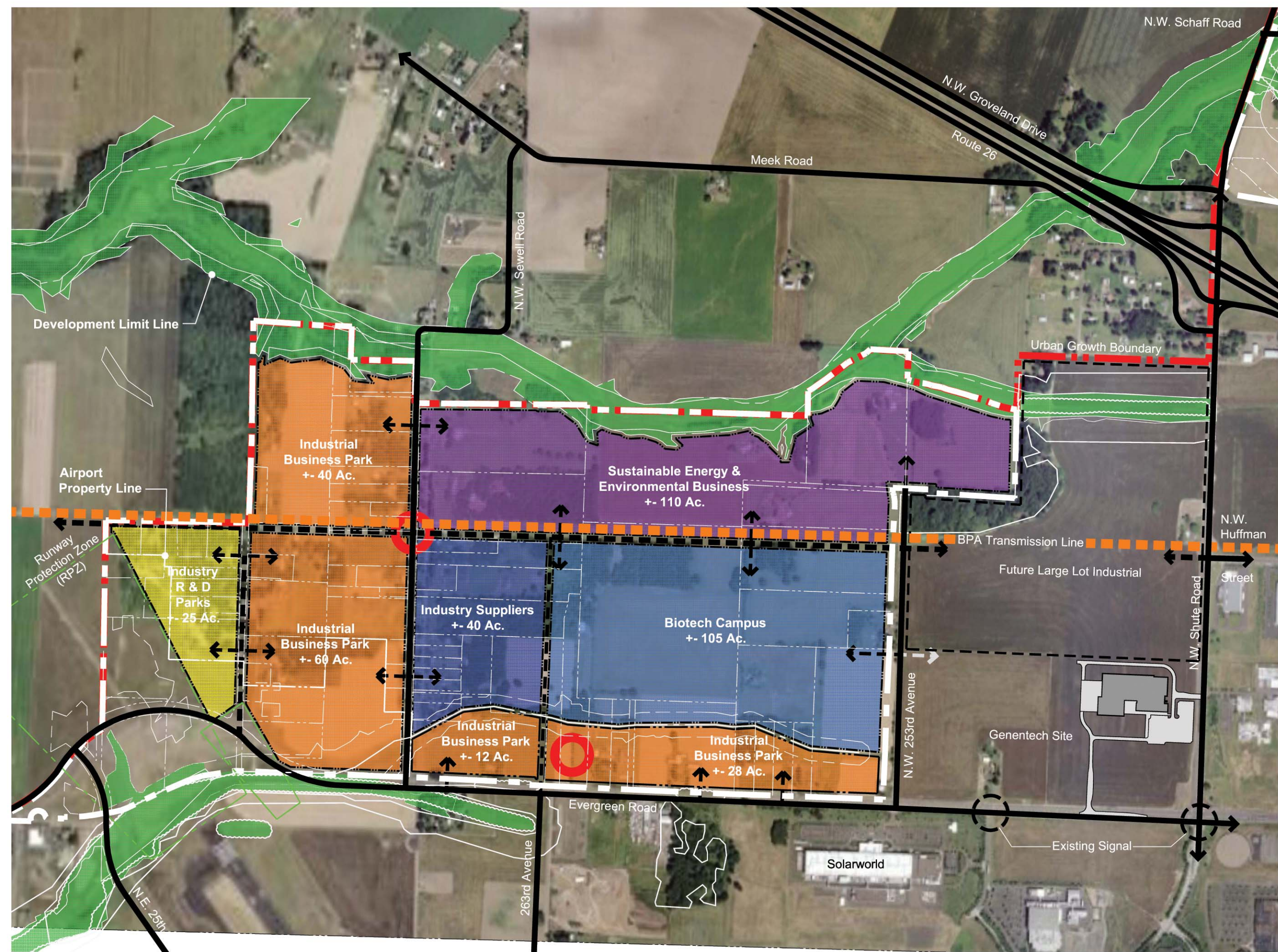


Figure 4
Evergreen Site
Water Infrastructure
Improvements
 Evergreen/Helvetia UGB
 Concept Plans


LEGEND

 Tax Lots

Main

 Concept Water Main

 Existing Water Main

 Evergreen Site
 (Planning Area =
 532.93 ac)

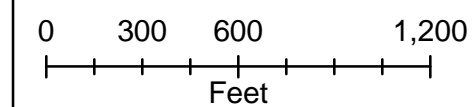
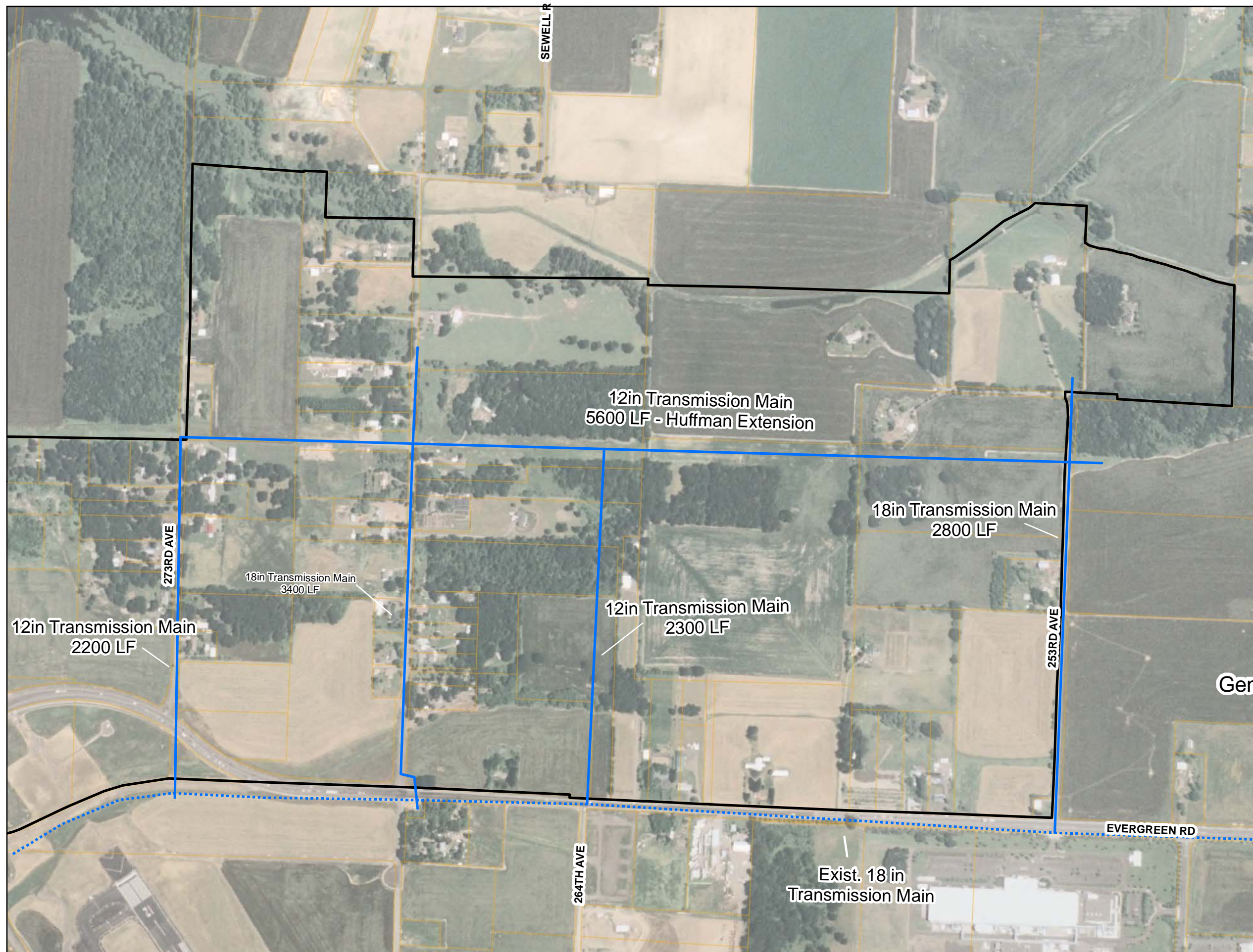
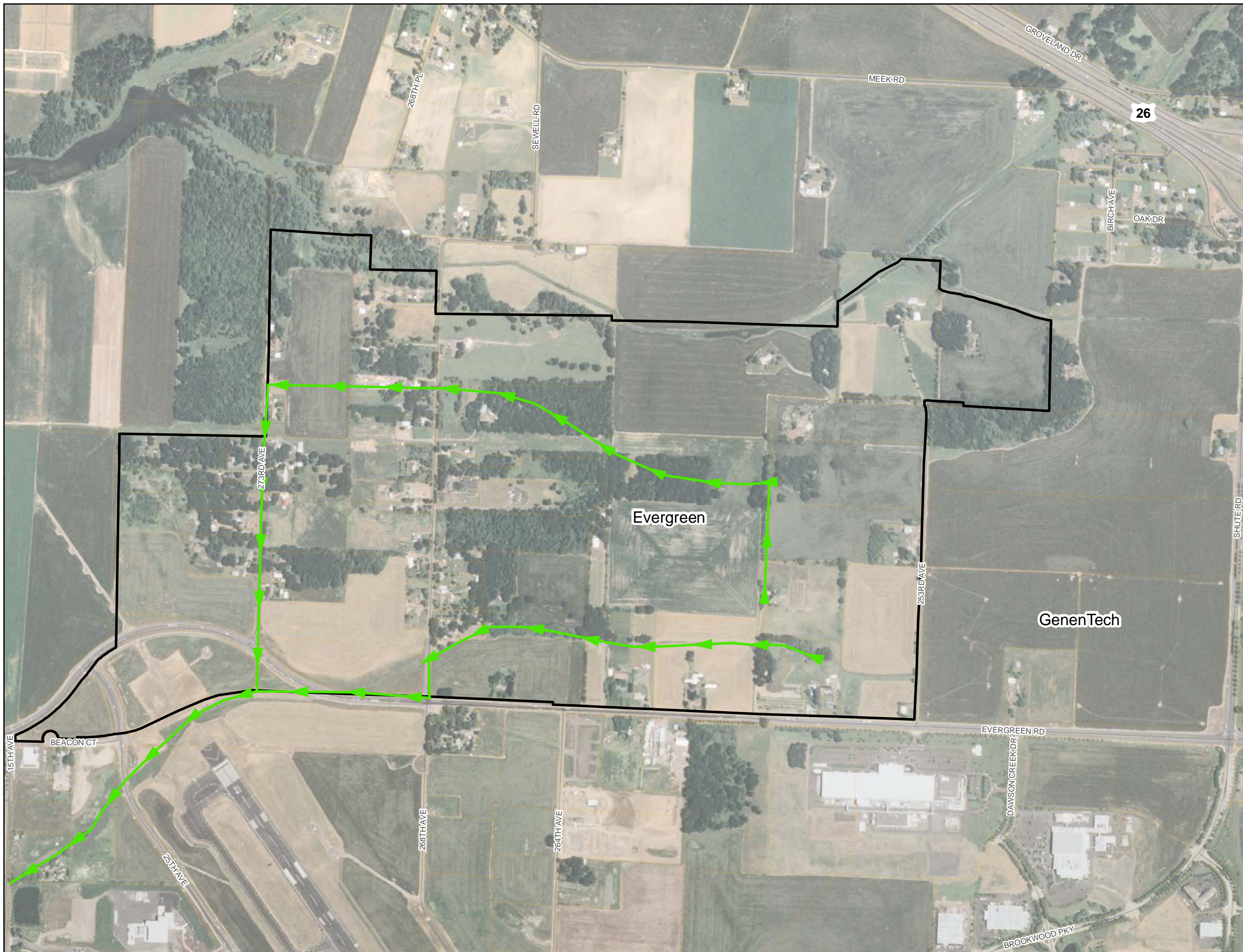






Figure 5
Evergreen Concept
Planning Area
Sanitary Sewer System
Conceptual Alternative One
 Evergreen/Helvetia UGB
 Concept Plans



LEGEND

-  Gravity Pipe
-  Evergreen Site
(Planning Area = 532.93 ac)
-  Roads
-  Tax Lots

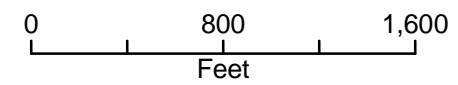
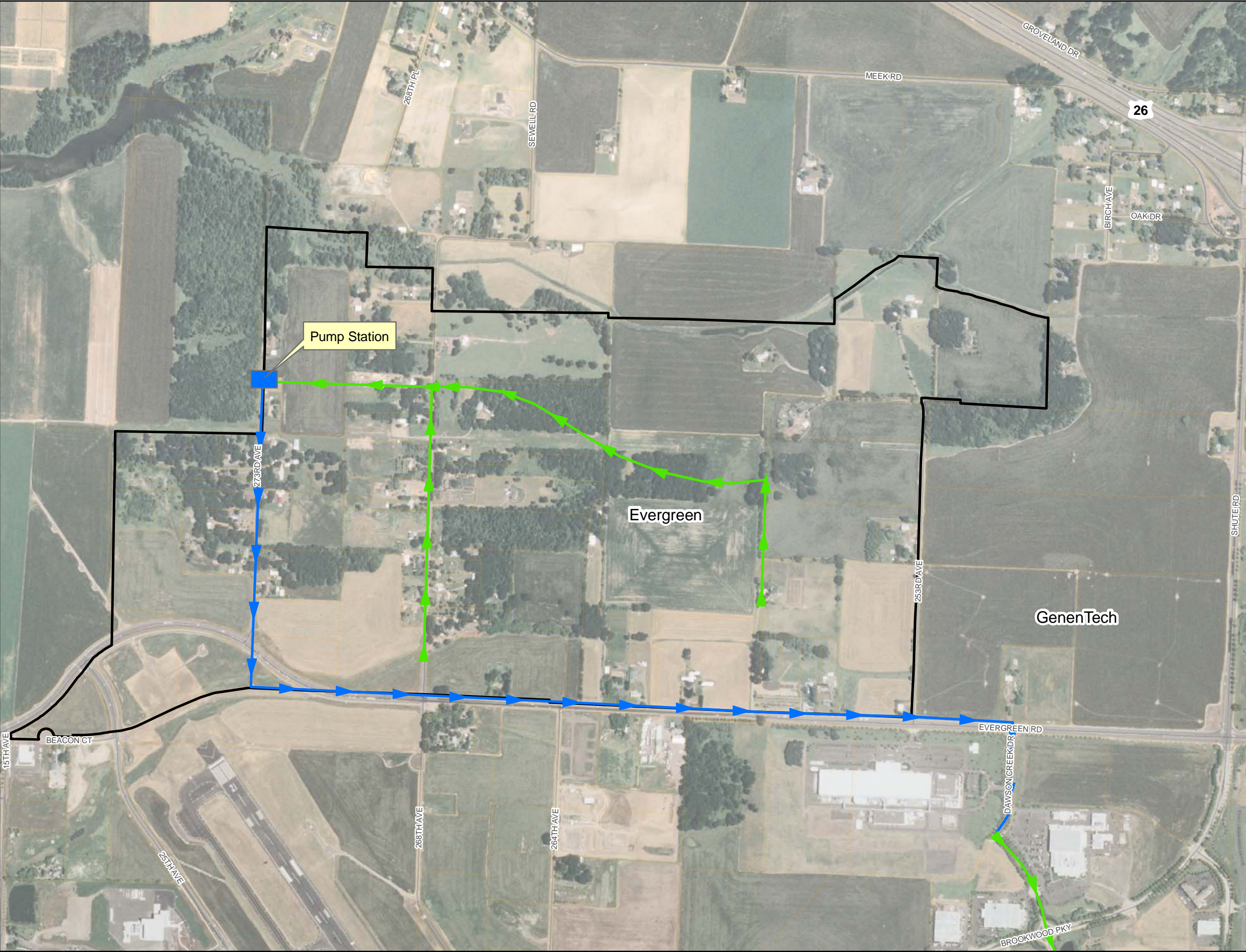





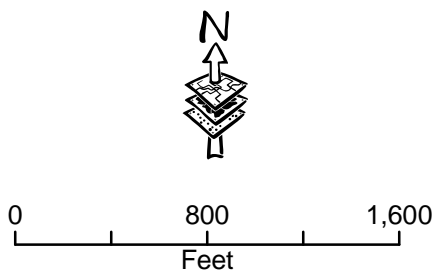


Figure 6
Evergreen Concept
Planning Area
Sanitary Sewer System
Conceptual Alternative Two
 Evergreen/Helvetia UGB
 Concept Plans



- LEGEND**
-  Gravity Pipe
 -  Force Main
 -  Evergreen Site
(Planning Area = 532.93 ac)
 -  Roads
 -  Tax Lots

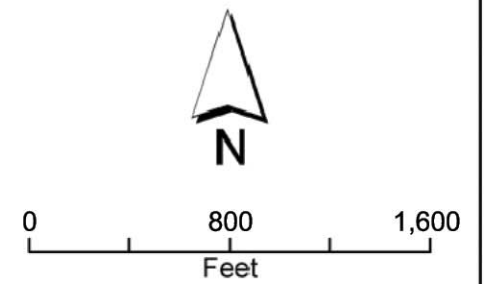


Conceptual Illustration A

7 Sept 07

Legend

-  Industrial Business Park
-  Distribution Business



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DKS Associates
TRANSPORTATION SOLUTIONS

JLA
Jeanne Lawson Associates, Inc.
PUBLIC WORKS DIVISION

 CITY OF HILLSBORO



1 WHEREAS, Section 1(III) of the Hillsboro Comprehensive Plan Ordinance, as amended, requires
2 consideration, process, public hearing and recommendation to the Hillsboro City Council by the Hillsboro
3 Planning Commission with respect to proposed major amendments to the Comprehensive Plan such as the
4 proposed Helvetia Area Industrial Plan amendments to the Comprehensive Plan described in the
5 attachments to this Resolution; and
6

7 WHEREAS, if approved, this Resolution would initiate Planning Commission consideration and
8 action on the proposed Helvetia Area Industrial Plan amendments to the Hillsboro Comprehensive Plan
9 Ordinance, as amended;
10

11 NOW, THEREFORE BE IT RESOLVED by the Hillsboro Planning Commission that the
12 Commission by and through this Resolution does hereby initiate proposed *Helvetia Area Industrial Plan*
13 Text and Map amendments to Comprehensive Plan Ordinance No. 2793, contained and described in
14 Attachment A attached hereto that further amends Ordinance 2793 to specifically add thereto:
15

- 16 1. A new Section 25 to be added to Hillsboro Comprehensive Plan Ordinance No. entitled
17 *Helvetia Area Industrial Plan* that prescribes and establishes land use Goals, Policies and
18 Implementation Measures for the Area;
- 19 2. *An Helvetia Area Development Program*;
- 20 3. *Alternative Helvetia Area Conceptual Land Use Design* (Urban Growth Diagram)
21 Illustration;
- 22 4. Enabling authority for an *Helvetia Area Special Industrial District* (HSID) to implement the
23 Area Development Program and Conceptual Land Use Design;
- 24 5. *An Area Annexation Plan* strategy;
- 25 6. *An Area Natural Resources Management Plan*; an *Area Public Infrastructure Management*
26 *Plan* for water, sewer and storm water systems which includes proposed amendments to the
27 Hillsboro Public Facility Plan Water, System Improvement Plan Map, Surface Water
28 Management System Improvement Map and Sanitary Sewers System Improvement Map;
- 29 7. *An Area Transportation System Plan* generally shown on the *Helvetia Area Conceptual Land*
30 *Use Design* Illustration which identifies transportation system facilities and improvements to
31 be incorporated into the Hillsboro Transportation System Plan; and,
- 32 8. Such other Comprehensive Plan Ordinance amendments relating to the Helvetia Industrial
33 Area to be included in the *Helvetia Area Industrial Plan* as may be recommended by the
34 Planning Commission; and,
35

36 BE IT FURTHER RESOLVED that the Planning Commission hereby schedules these
37 amendments for public hearing before the Commission on November 14, 2007.
38

39
40 Introduced and passed this 26th day of Sept, 2007.
41

42
43
44
45
46 John C. Louette
47 President
48

49
50 ATTEST: Suzanne
51 Secretary
52

Section 25. Helvetia Area Industrial Plan.

(I) Goal.

To expand and diversify the Hillsboro industrial economic base by establishing and implementing a *Helvetia Area Development Plan* and *Development Program* that provides for:

- Large parcels for large industrial campuses and other industrial sites that can accommodate large, vertically-integrated companies and related businesses in cutting-edge industry sectors such as high technology sector, sustainable energy /environmental products sector, bio-technology, bio-medical and bio-pharmaceutical sector; and
- Flex building space within small- and medium-size industrial campuses and business parks to accommodate flex uses, research and development companies, incubator businesses, business suppliers, spin-off companies and other businesses that derive from, or are extensions of larger campus users and industrial developments within the Helvetia Area and Portland Region.

(II) Policies.

- (A) Develop, adopt and apply *performance-based* Area Comprehensive Plan and Zoning Implementation Provisions and Measures to guide the development of industrial uses, properties and projects within the Area towards conformance with this Plan and corresponding City land use regulations with sufficient flexibility and authority to enable City Plan and regulatory responsiveness to changing industrial market trends and opportunities for the Area over time.
- (B) Provide development opportunities within the Helvetia Area for industry uses that fall within any of the following preferred industry categories specified in the *Helvetia Area Development Program*:
- High technology sector and related companies and businesses
 - Sustainable industries sector and related businesses and companies
 - Bio-technology, bio-medical, bio-pharmaceutical sector and related businesses and companies
 - Businesses and companies that are incubators, start-ups, spin-offs and research and development firms associated with main industrial sectors
 - Industry supplies and distribution businesses
 - Limited support commercial services

- (C) Where feasible, accommodate large industrial sites (parcels 50 – 100 or more acres in size) for large-scale industrial campuses and development projects, and land assembly and reservation of such sites where large-size parcels form the prevailing land ownership pattern.
- (D) Where smaller parcels form the prevailing lot ownership pattern encourage and facilitate the development of smaller, diversified industrial uses and sites (20 – 50 acres in size) - especially smaller-scaled flex-space industrial business parks - that support the main industry sectors encouraged by this Plan.
- (E) Use the industry land use categories specified in the *Helvetia Area Development Program* and graphically expressed in the alternative conceptual land use design scheme for the Area shown in *Helvetia Conceptual Illustration “A”*, (shown in Figure 1,) to guide new industrial development within the Area.
- (F) Provide for aesthetically attractive, well designed industrial uses and sites within every development approved for construction in the Helvetia Industrial Area.
- (G) In accordance with ORS 268.390 (SB 722 ('07)), develop and apply a Helvetia Area Industrial Plan and corresponding Helvetia Special Industrial District Ordinance that substantially comply with Metro Urban Growth Boundary (UGB) Conditions of Approval and Urban Growth Management Functional Plan requirements that may apply to the Helvetia Area.

(III) Implementation Measures.

(A) Helvetia Area Development Program:

- (1) The industrial use categories prescribed in Policy (II (B), above, and corresponding *Helvetia Special Industrial District (HSID) Zoning Ordinance* comprise the *Helvetia Area Development Program*. City review and approval of proposed land uses and development activities within the Helvetia Area for compliance with this Plan shall be guided by whether the proposed use or activity: (1) falls within any land use category prescribed by the *Development Program*; and, (2) generally achieves the preferred Area Conceptual Land Use Design identified in Implementation Measure (III) (B) in this Section.

- (2) The *Helvetia Road Area Special Industrial District* (HSID) Ordinance adopted pursuant to Implementation Measure (III) (C) in this Section shall further define and implement the industrial land use categories prescribed by the *Helvetia Area Development Program* as follows:

Helvetia Area Development Program Industrial Use Categories	Preferred Project Development Scale (Range in Acres)
High Technology, Sustainable Industries and Bio-Technology, Bio-Medical, Bio-Pharmaceutical Sectors.	<ul style="list-style-type: none"> • Large campuses: 50-100 or more acres • Small campuses: 30-50 acres
Business incubators, start-ups, spin-offs, expansions, R&D associated with the major industry sectors	Small and medium-size industrial business parks and flex space: 10-40 acres
Industry suppliers and distribution businesses	Smaller- and medium-size bulk storage and distribution space: 10-20 acres

(B) Helvetia Area Conceptual Land Use Design (Urban Growth Diagram)

The conceptual land use design scheme for the Area is shown in the *Helvetia Conceptual Illustration “A”* (shown in Figure 1). The design is adopted by reference as a part of this Plan as the Area-wide land use design alternative. The land use design is implemented by the corresponding City *Helvetia Area Special Industrial District* (HSID) Ordinance. The land use designs shall be actively used to generally guide public and private land uses and development in the Area toward implementation of the *Development Program*.

Upon adoption of this Plan Ordinance, Concept “A” shall be the preferred Area land use design scheme to be implemented through applications of the HSID Ordinance to proposed land uses and developments.

(C) Helvetia Area Special Industrial District (HSID)

- (1) A *Helvetia Special Industrial District* (HSID) Ordinance shall be prepared, adopted and applied by the City to generally guide proposed Helvetia Area developments toward achievement of the *Development Program* by assuring general development consistency with Concept “A”. As applied to individual properties in the Area, should a land use policy conflict arise between what is specified for a property by the *Development Program* and what is shown for that property by Concept “A”, the *Development Program* provision shall prevail and control. Application of HSID Ordinance provisions to Area properties may occur only upon their annexation to the City.
- (2) Consistent with ORS 268.390 (SB 722 ('07)), HSID Ordinance provisions shall assure that public and private land use and development actions within the Area attain substantial compliance with Regional UGB Conditions of Approval, including conditions requiring compliance with Title 4 development requirements and Regionally Significant Industrial Area (RSIA) designations.

- (3) Site design and architectural measures that provide for compatibility between and among industrial land uses developed within the Area and nearby agricultural uses and operations shall be considered and required through the City Development Review/Approval process (Section 133 of the Hillsboro Zoning Ordinance), unless demonstrated to be physically or financially impracticable. Possible compatibility measures include, but are not limited to: building orientation and setbacks; landscaping; land buffers; and access easements for farming vehicles and machinery.

(D) Area Annexation Plan.

Prior to their annexation to the City and the concurrent application of the HSID Ordinance to properties in the Helvetia Area, land uses within the Area shall continue to be governed by the existing Washington County zoning of the properties. Annexation of Area properties to the City shall take place in accordance with annexation policies and practices set forth in the City Municipal Code and in the Boundary Change Code of the Portland Metropolitan Service District (“Metro”).

(E) Area Natural Resources Management Plan.

In accordance with the City’s Goal 5 provisions of Section 6, Natural Resources, Open Space, Scenic and Historical Sites, of the Hillsboro Comprehensive Plan, significant wetland and riparian/upland wildlife habitat resources in the Helvetia Area shall be accorded the appropriate protection level prescribed by Section 131A, Significant Natural Resources Overlay District, of the Hillsboro Zoning Ordinance upon annexation to the City of the land on which they exist.

(F) Area Public Infrastructure (Water, Sewer, Stormwater Systems) Management Plan.

The recommended water system, sanitary sewer system and storm water disposal system facilities shown on the Helvetia Area Industrial Plan *Public Facilities and Services Maps* in Figures 2 through 3, shall be incorporated into the following Hillsboro Public Facilities (2001) Maps (as amended) as appropriate:

- *Hillsboro Public Facility Plan Water System Improvement Map* (June, 2001) as amended (for proposed Helvetia Area water system and lines).
- *Hillsboro Public Facility Plan Surface Water Management System Improvement Map* (June, 2001) as amended (for proposed Helvetia Area storm water facilities).
- *Hillsboro Public Facility Plan Sanitary Sewers System Improvement Map* (June, 2001) as amended (for proposed Helvetia Area sanitary sewer system and lines).

(G) Area Transportation System Plan.

The conceptual transportation system and facilities shown in Figure 1 are intended to support development of the land use designs and arrangements shown in the corresponding Helvetia Conceptual Illustration “A”. Proposed roadway improvements include the realignment of Jacobson Road and the extensions of NW Schaff Road and NW Pubols Road through the area, consistent with the conceptual alternative design for the Area. The location and design of the transportation facilities shown in Figure 1 are conceptual and general in nature. Specific roadway alignments for these facilities and specific intersection improvements along Jacobson will be determined through future studies and shall be incorporated into the City Transportation System Plan (TSP) when such specific Area roadway alignments and intersection improvements have been firmly determined and finalized.

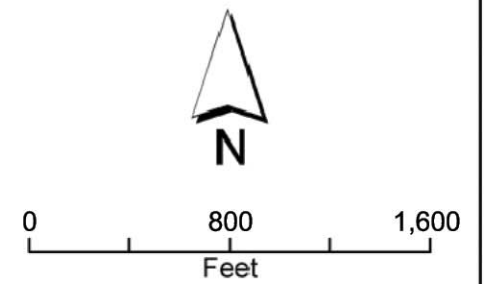
Helvetia

concept plan

Figure 1
Conceptual Illustration A
7 Sept 07

Legend

-  Industrial Business Park
-  Distribution Business



Angelo
planning group

CH2MHILL
IDC

LCG

DKS Associates
TRANSPORTATION SOLUTIONS

JLA
Jeanne Lawson Associates, Inc.
PUBLIC PLANNING SPECIALISTS

 CITY OF HILLSBORO



Figure 2
Helvetia Site
Water Infrastructure
Improvement
 Evergreen/Helvetia UGB
 Concept Plans

- LEGEND**
- Concept Water Main
 - - - Existing Water Main
 - Helvetia Site
(Planning Area = 242.12 ac)
 - Roads
 - Tax Lots

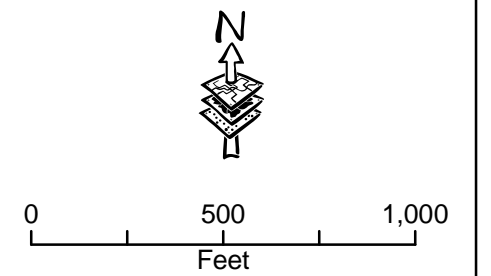





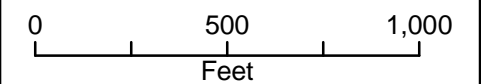


Figure 3
Helvetia Concept
Planning Area
Sanitary Sewer System
Conceptual Alternative
 Evergreen/Helvetia UGB
 Concept Plans



LEGEND

-  Gravity Pipe
-  Force Main
-  Helvetia Site
(Planning Area = 242.12 ac)
-  Roads
-  Tax Lots



Angelo
 planning group



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RESOLUTION NO.1632-P

ZOA 3-07 HELVETIA AREA SPECIAL INDUSTRIAL DISTRICT (HSID)

A RESOLUTION INITIATING AMENDMENTS TO HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, TO ESTABLISH THE *HELVETIA AREA SPECIAL INDUSTRIAL DISTRICT* (HSID) ZONE.

WHEREAS, the City of Hillsboro is further amending the Hillsboro Comprehensive Plan Ordinance No. 2793, as amended, to add a proposed new Section 25, Helvetia Area Industrial Plan, to the Comprehensive Plan to guide land development within the 249-acres *Helvetia Industrial Area* described in the attachments to this Resolution, and

WHEREAS, Implementation Measures (1) and (2) in proposed Comprehensive Plan Section 25 (III) (C), of the Helvetia Area Industrial Plan states in pertinent part that:

1. An *Helvetia Special Industrial District* (HSID) Zone shall be prepared, adopted and applied by the City to generally guide proposed Helvetia Area development toward achievement of the Development Program for the Area.; and,
2. The HSID Zone provisions shall assure that public and private land use and development actions within the Area attain substantial compliance with Regional UGB Conditions of Approval, including conditions requiring compliance with Metro Title 4 Functional Plan requirements and Regionally Significant Industrial Area (RSIA) designations.

WHEREAS, the HSID Zone described in this Resolution, and a corresponding HSID Zoning Map attached to this Resolution shall apply only to properties within the 249-acres Helvetia Road Industrial Area shall be the official City Zoning regulations and map for all properties within the Area upon the effective date of their annexation to the City of Hillsboro, and

WHEREAS, the Hillsboro Planning Commission may initiate amendments to the City Zoning Ordinance No. 1945 pursuant to Section 112 of that Ordinance;

NOW THEREFORE BE IT RESOLVED by the Hillsboro Planning Commission, that the Commission by and through this resolution does hereby initiate the text and map amendments to Zoning Ordinance No. 1945, as amended, to add a new Section 134C to the Ordinance establishing an *Helvetia Area Special Industrial District* Zone and related Zoning Map:

1 **Section 25. Helvetia Area Special Industrial District (HSID)**

2
3 **(1) Purpose.** Helvetia Road Area Special Industrial District (HSID) provisions shall apply
4 to and regulate land within the Helvetia Area shown on Map Exhibit A upon adoption of this
5 Ordinance and land annexation to the City. The purpose of the HSID is to:

- 6
7 (a) Encourage and accommodate the *creation of larger industrial parcels* within the
8 Helvetia Area through HSID Ordinance provisions that facilitate land assembly
9 consolidations to create large campus-like industrial sites.
10
11 (b) Facilitate and accommodate *business clusters on smaller industrial sites* within
12 the Helvetia Area for business start-ups, incubators and spin-offs that derive from high-
13 tech, sustainable industries and bio-tech/bio-medical/bio-pharmaceutical industry clusters
14 and for supporting public and private facilities and utilities.
15
16 (c) Accommodate land development opportunities within the Helvetia Area that can
17 accommodate *high technology and related companies and businesses* and local, national
18 and international “*sustainable industries*” *businesses and companies* (including uses that
19 support or complement such companies and businesses).
20
21 (d) Accommodate the establishment, development and growth of “*sustainable*
22 *industries*” and “*bio-tech/bio-medical/bio-pharmaceutical*” *industries* within the
23 Helvetia Area.
24
25 (e) Support and implement the development goals, development program, and
26 corresponding implementation measures described in Section 25, Hillsboro Area
27 Industrial Plan, of the Hillsboro Comprehensive Plan.
28

29 **(2) Applicability.** HSID Ordinance provisions apply to properties within the Helvetia Area
30 shown on Map Exhibit A. The Official City of Hillsboro Zoning Map shall be amended to
31 incorporate the HSID Ordinance provisions which shall regulate properties within the Helvetia
32 Area upon their annexation to the City.
33

34 **(3) Definitions.** The industrial use category defined in this Section shall be interpreted and
35 applied narrowly and exclusively to exclude from the HSID land uses that fall under other
36 general industrial categories not specifically listed in this Section. However, the range and types
37 of industry uses covered within each industrial category listed in this Section may be broadly
38 interpreted and applied to include uses currently associated with the category by recognized
39 industry classification systems and new kinds of uses that may evolve in the future from
40 businesses in that category. As used in the application and enforcement of this HSID Ordinance:

- 41
42 (a) “*Sustainable Energy and Environmental Businesses*” mean and include industrial
43 businesses and land uses engaged in the research and design or development,
44 manufacturing, processing, marketing (and combinations of such activities) of products or
45 services associated with local, national and international sustainable energy and

1 environmental industries. Such businesses include, but are not limited to large and small
2 firms and companies engaged in high technology research and products development and
3 manufacturing; solar and wind energy products and parts manufacturing; and, other high-
4 tech and sustainable industry operations. These businesses usually require parcels of
5 various sizes, especially large parcels (e.g., 50 – 100 or more acres in size), to
6 accommodate vertically-integrated business operations, entirely within a single business
7 site.

8 (b) **“Biotech Campus”** mean and include industrial businesses and land uses engaged in
9 research and design or development, manufacturing and processing, marketing (and
10 combinations thereof) of bio-technology, bio-medical, bio-pharmaceutical business
11 products or services and like-kind businesses. Biotech campuses usually require medium-
12 sized parcels (35 – 50 or more acres in size).

13 (c) **“Industrial Incubators, Start-ups and Spin-offs Business Parks”** mean and include
14 small- to medium-sized specialized business parks that contain (within leased, building
15 spaces) a mix of small, emerging industrial companies that evolve from, or support the
16 established, larger high tech, sustainable industries and bio-tech companies nearby.
17 Typical business parks present a unifying brand and image controlled by project
18 covenants or conditions and restrictions (CC&Rs). Some Business Parks may provide
19 raw industrial building space, while others may provide industrial flex building spaces.
20 Leased spaces often contain combined business office and product production operations.
21 These types of business parks usually require medium-sized parcels (20 – 40 acres in
22 size).

23 (d) **“Industry Research & Development (R&D) Parks”** mean and include industrial R&D
24 business parks that primarily provide industry flex-space developments for vertically-
25 integrated research and development businesses and research laboratories that develop
26 new products and/or industry technologies in smaller campus-like projects. Industry
27 Business Parks, R& D Parks also usually require small-to-medium sized parcels (20 – 30
28 acres in size).

29 (e) **“Industry Suppliers”** mean and include businesses that manufacture, process, distribute
30 or provide production materials, parts, product components and business services used by
31 local high tech, sustainable industry and bio-tech businesses in the Portland Region.
32 They include, but are not limited to suppliers of test equipment, uniforms and linens, lab
33 supplies, sub-components and circuit boards, and packaging materials. Industry suppliers
34 usually require smaller-sized parcels (10 – 20 or more acres in size).

35 (f) **“Lot of Record”** means any lot or parcel of property described on Washington County
36 Tax Maps on the date of annexation of the lot or parcel of land to the City of Hillsboro.

37
38 (g) **“Contiguous Lots of Record in Common Ownership”** means all contiguous lots or
39 parcels which are either owned by a single individual or entity at the time land is placed
40 in this district or which are thereafter acquired by a single individual or entity.
41

1 (h) “*Pre-Existing Use*” means any lawfully created use or structure established and in
2 existence on the date of adoption of this ordinance.
3

4 (4) **Standards.** All land uses, land development and lot partition and lot development
5 requirements within the HSID shall comply with the standards contained in Sections 4 and 5 of
6 this HSID Ordinance and the standards of the M-P Industrial Park Zone of Hillsboro Zoning
7 Ordinance specifically identified or referenced in this HSID Ordinance. All land uses, land
8 development and lot partition and lot development requirements within the HSID shall also be
9 subject to review and approval under Section 133, Development Review/Approval, of the
10 Hillsboro Zoning Ordinance:
11

12 (a) **Land Use.**

13 Land uses, new development and redevelopment within the HSID shall be allowed and
14 shall occur in accordance with the following requirements:
15

16 (i) **Permitted land uses:**
17

18 Permitted uses within the HSID shall be limited to the kind of land uses
19 described in the following Industrial use categories as defined in Section 3 of
20 this Ordinance:
21

- 22 (1) Sustainable, Environmental, and Energy Businesses
- 23 (2) Biotech Campus
- 24 (3) Industry Research & Development (R&D) Parks
- 25 (4) Industrial Incubators, Start-ups and Spin-offs Business Parks
- 26 (5) Distribution Businesses
- 27 (6) Industry Suppliers
- 28 (7) Support Commercial Services [see Section 4 (4) of the HSID]
- 29 (8) Transportation facilities, including public improvements for streets, transit,
30 parking, and bicycle and pedestrian facilities
- 31 (9) Public service or utility uses and facilities
- 32 (10) Other uses similar in type and character to the permitted use categories in
33 Sub-area B as determined by the Planning Director pursuant to Section 117
34 of the Hillsboro Zoning Ordinance if proposed to be developed on properties
35 less than twenty five (25) acres in land area, and by the Planning
36 Commission if proposed to be developed on properties containing twenty
37 five (25) or more acres in land area.
38

39 (ii) **Conditional land uses:**
40

41 Only the following Conditional Land Uses may be permitted within the HSID when
42 proposed, processed, approved and developed in accordance with the provisions Sections
43 78 to 83 of the Hillsboro Zoning Ordinance and Section 133, Development
44 Review/Approval, of the Zoning Ordinance:
45

- 1 (1) Transit Park and Ride
- 2 (2) Communication transmission facilities

3
4 **(iii) Excluded uses :**

5
6 Unless a use is permitted outright or as a conditional use, or is determined to be permissible
7 by the Planning Director or the Planning Commission in accordance with the provisions of
8 this HSID Ordinance, the use shall be excluded from, and may not be permitted to develop
9 within the HSID.

10
11 **(iv) Special Provisions for Support Commercial Services uses:**

12
13 Commercial land uses within the HSSID shall be limited to:

- 14
15 (1) Retail commercial and professional services uses that primarily serve the needs of
16 the workers within the Evergreen and immediately adjacent industrial areas.
17 Buildings for these retail uses and professional services shall not occupy more
18 than 3,000 square feet of sales or service area in a single outlet, or multiple outlets
19 that occupy more than 20,000 square feet of sales or service area in a single
20 building or in multiple buildings that are part of the same development project.
- 21 (2) Training facilities whose primary purpose is to provide training to meet industrial
22 needs.

23
24 **(v) Pre-Existing Uses:**

25
26 Any lawfully created use of any building, structure or land existing at the time of adoption
27 of this Ordinance may continue to operate and may expand to add up to 20 percent (20%)
28 more floor area and ten percent (10%) more land area.

29
30 **(b) Lot Size**

31
32 **(i) Minimum Lot Size**

- 33
34 (1) Industrial developments allowed by this HSID Ordinance within the HSID shall
35 have a minimum lot size of 10 acres. All other lots of record or contiguous lots
36 of record in common ownership within the HSID smaller than 10 acres in size
37 may contain any business or use listed in Section 4.A.1 of this Ordinance.¹

38

¹ This 10 acre minimum lot size standard for industrial developments and 10-acres lot-creation subdivision standard established by Subsection 4 B (1) (a) and (b) for the HSID are intended to:

- 1) Encourage and facilitate parcel aggregations and consolidations within the HSID, therefore, better accomplish the Helvetia Area UGB Condition of Approval requiring the establishment of one 50-acre industrial lot within the Helvetia Area; and,
- 2) Addresses ORS 197.352 (Ballot Measure 37) considerations.

1 (2) Subdivision of parcels the HSID will be permitted for lots larger than 10 acres in
2 size so long as the resulting land division creates one lot or parcel of at least 10
3 acres and the remaining lot(s) created contains at least one parcel of 5 acres of
4 contiguous land.

5
6 (c) **Implementing the City Transportation System Plan:**

7 The required minimum lot sizes for parcels within the HSID may be reduced in size to
8 the extent necessary to allow the dedication and/or construction of public collector or
9 arterial roadways necessary to implement Section 13: Transportation of the Hillsboro
10 Comprehensive Plan.

11 (d) **Natural & Hazard Areas:**

12 The required minimum lot sizes for parcels within the HSID may be reduced in size to
13 the extent made necessary by the bisection of the lot(s) by a natural area, flood hazard
14 area or other resource or hazard designation restricting development pursuant the
15 provisions of the Hillsboro Comprehensive Plan or Zoning Ordinance; or for the sole
16 purpose of segregating common or public ownership of natural areas, flood hazard
17 areas or other natural resource or hazard areas within an industrial park.

18
19 (5) **Land Development Standards.**

20 The following M-P District provisions shall apply to all developments within the HSID unless
21 modified by the Planning Director as a result of Development Review to achieve improved
22 project design, protect or enhance significant natural resources, achieve public infrastructure
23 efficiencies and economies of scale or other practicable project development solutions.

24
25 (a) **Setback Requirements.**

26 The yard setback requirements set forth in Section 68 of the Hillsboro Zoning Ordinance
27 shall apply.

28 (b) **Height of Buildings.**

29 The building height limits and standards set forth in Section 69 of the Zoning Ordinance
30 shall apply.

31 (c) **Lot Coverage.**

32 The maximum lot coverage standard in Section 70 of the Zoning Ordinance shall apply.

33 (d) **Off-Street Parking and Loading.**

34 The off-street parking and loading standard in Section 71 of the Zoning Ordinance shall
35 apply.

36 (e) **Performance Standards.**

37 The land and structure use and development performance standards in Section 72 of the
38 Zoning Ordinance shall apply. In the HSID, as a condition for granting of a building
39 permit, it shall be agreed that, upon request of the City, information sufficient to
40 determine the extent of compliance with the performance standards in Section 72 shall be
41 furnished by the owner of the property to which the building permit was granted or all
42 successors and assignees of the owner. Such requests may include a requirement for
43 continuous records of operation likely to violate the standards, for periodic checks to
44

1 assure maintenance of standards, of for special surveys in the event a question arises
2 regarding compliance with Section 72 performance standards.

3
4 (5) **Development Review Standards.** All developments within the HSID are subject to, and
5 shall comply with the development standards and procedures set forth in Section 133,
6 Development Review/Approval of Plans, of the Hillsboro Zoning Ordinance:

7
8 (a) The Planning Director shall review and may approve each proposed development
9 within the HSID in accordance with the review standards and procedures
10 prescribed in this HSID Ordinance and in Section 133 of this Zoning Ordinance.
11 If the provisions of this HSID Ordinance and Section 133 are inconsistent or
12 conflict as applied to any proposed development, the provisions of the HSID
13 Ordinance shall apply and control.

14
15 (b) Within the HSID, final development plans for any proposed land use to be built or
16 site alteration to take place on a lot or record or contiguous lots of record in
17 common ownership within the HSID shall comply with the applicable provisions
18 of Section 133.

19
20 (c) Any subdivision of lots and parcels within this HSID shall comply with the
21 applicable provisions of this HSID Ordinance and the City of Hillsboro
22 Subdivision Ordinance. If the provisions of this HSID Ordinance and the City
23 Subdivision Ordinance are inconsistent or conflict as applied to any proposed
24 development in the HSID, the provisions of the HSID Ordinance shall apply and
25 control.

26
27 BE IT FURTHER RESOLVED that the Planning Commission hereby directs that these
28 amendments be scheduled for public hearing on November 19, 2007.




29
30
31 Introduced and passed this 26th day of Sept, 2007

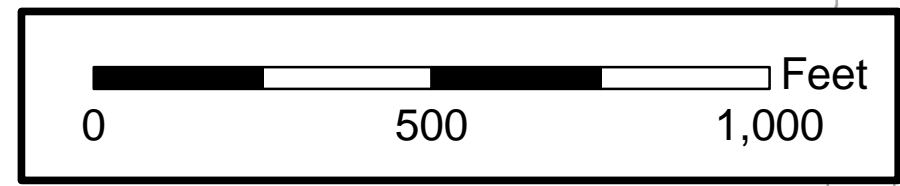
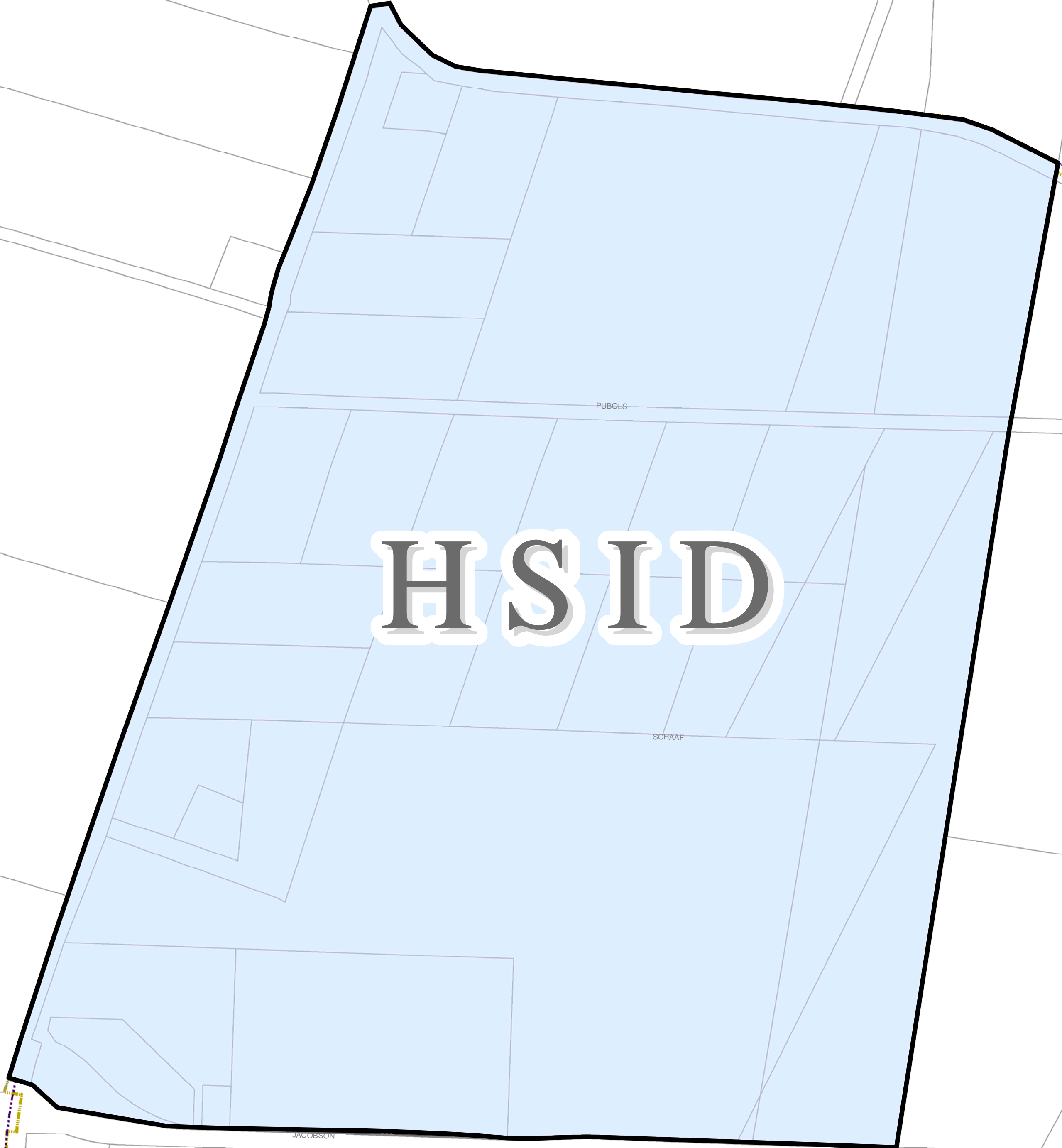
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34 [Signature]
35 President

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37 ATTEST: [Signature]
38 Secretary

Helvetia Area Special Industrial District (HSID)

Legend

-  Helvetia HSID
-  Urban Growth Boundary (UGB)
-  Hillsboro City Limits



ADMITTED 11/17/05

Exhibit B to Ordinance No. 05-1070A
Conditions of Approval

A. Evergreen Area

1. The City of Hillsboro, in coordination with Washington County and Metro, shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan ("UGMFP"), section 3.07.1120 ("Title 11 Planning") for the Evergreen area shown on Exhibit "A" to this ordinance. The city shall ensure that planning for the Evergreen area is coordinated with planning for the Helvetia area added to the UGB by Ordinance No. 04-1040B. The city or county shall complete Title 11 planning within 2 years after the effective date of this ordinance.

2. The city shall apply the 2040 Growth Concept design types shown on Exhibit "A" of this ordinance to the planning required by Title 11 for the study area.

3. The city shall apply the interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the Evergreen area until the effective date of the comprehensive plan provisions and land use regulations are adopted to implement Title 11.

4. The city shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between industrial uses in the Evergreen area and agricultural practices on adjacent land outside the UGB that is zoned for farm or forest use.

5. In the course of Title 11 planning, the city shall comply with the Regional Framework Plan, as implemented by Title 13 ("Nature in Neighborhoods") of the UGMFP for the protection of fish and wildlife habitat in the Evergreen area.

6. In the course of Title 11 planning, the city shall develop a lot/parcel reconfiguration plan that results in at least one parcel in the Evergreen area that is 100 acres or larger in size. After reconfigurations, the parcel may be divided pursuant to the provision to the provision of section 3.07.420E or 3.07.430D, whichever is applicable.

B. Cornelius Area

1. The City of Cornelius, in coordination with Washington County and Metro, shall complete the planning required by Metro Code Title 11, UGFMP, section 3.07.1120 ("Title 11 Planning") for the Cornelius area shown on Exhibit "A" to this ordinance. The city or county shall complete Title 11 planning within 2 years after the effective date of this ordinance.

2. The city shall apply the 2040 Growth Concept design types shown on Exhibit "A" of this ordinance to the planning required by Title 11 for the study area.

3. The city shall apply the interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the Cornelius area until the effective date of the comprehensive plan provisions and land use regulations are adopted to implement Title 11.

4. The city shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between industrial uses in the Cornelius area and agricultural practices on adjacent land outside the UGB that is zoned for farm or forest use.

5. In the course of Title 11 planning, the city shall comply with the Regional Framework Plan, as implemented by Title 13 (“Nature in Neighborhoods”) of the UGMFP for the protection of fish and wildlife habitat in the Cornelius area.

C. Terminal 6 Area





1. The City of Portland shall complete the planning required by Metro Code Title 11, UGMFP, section 3.07.1120 (“Title 11 Planning”) for the Terminal 6 area shown on Exhibit “A” to this ordinance. The city shall complete Title 11 planning within two years after the effective date of this ordinance.

2. The city shall apply the 2040 Growth Concept design type shown on Exhibit “A” of this ordinance to the planning required by Title 11 for the area.

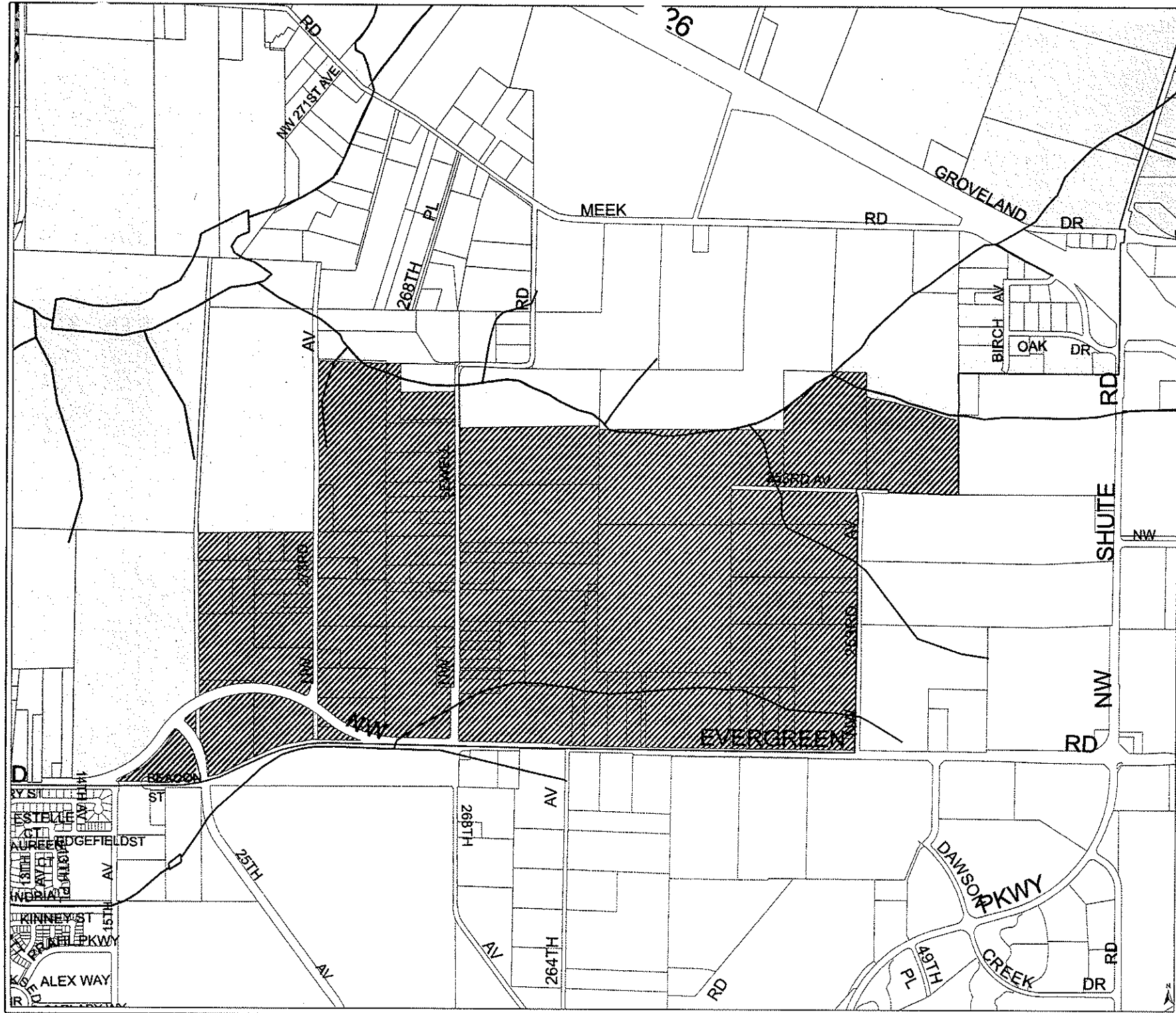
Ordinance 05-1070
Exhibit A-1

LCDC Remand Order
05-WKTASK 001673

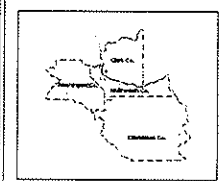
Evergreen

-  Evergreen Study Area
-  Resource Land
-  Exception Land
-  UGB

Total Acres = 550
 Exception Land = 213 ac.
 Resource Land = 337 ac.
 Gross Buildable Acres = 416
 Deduction for Future Streets = 95 ac.
 Net Buildable Acres = 321



THIS MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN TO SHOW THE GENERAL LOCATION OF THE STUDY AREA. THE CITY OF DENVER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY APPEAR HEREIN.







THE CITY OF DENVER LAND INFORMATION SYSTEM
 1400 BROADWAY, SUITE 1000
 DENVER, COLORADO 80202
 TEL: 303.234.3100 FAX: 303.234.3101
 WWW.DENVERGOV.COM

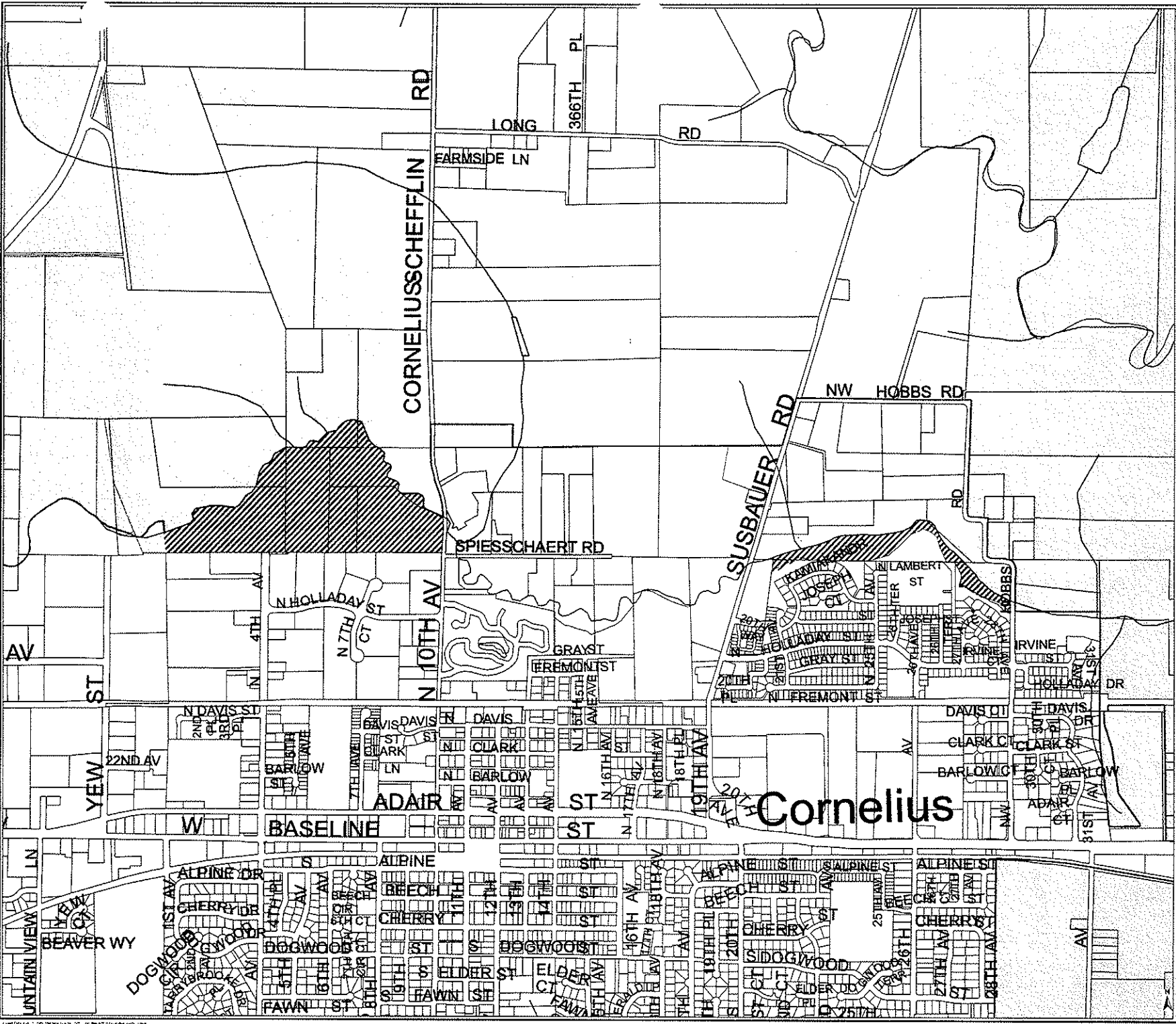
Ordinance 05-1070
Exhibit A-1

LCDC Remand Order
05-WKTASK 001673

Cornelius

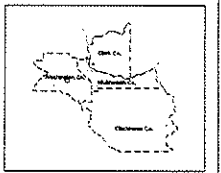
-  Cornelius
-  Resource Land
-  Exception Land
-  UGB

Total Acres = 65
 Exception Land = 10 ac.
 Resource Land = 55 ac.
 Gross Buildable Acres = 30
 Deduction for Future Streets = 6 ac.
 Net Buildable Acres = 24 ac.



Cornelius

Map prepared by the City of Cornelius, Oregon, on 05/10/05. The map is for informational purposes only and does not constitute a contract or warranty of any kind. The City of Cornelius is not responsible for any errors or omissions on this map.



Location Map

Exhibit B to Ordinance No. 02-983BA
Conditions on Addition of Shute Road Site to UGB

1. Washington County or, upon annexation to the city of Hillsboro, the city shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (UGMFP), section 3.07.1120, for the Shute Road site ("the site") within two years following the effective date of this ordinance.
2. Washington County or, upon annexation to the city of Hillsboro, the city shall apply interim protection standards to the site as provided in Metro Code Title 11, UGMFP, section 3.07.1110.
3. The site, as described in this ordinance, shall be designated Regionally Significant Industrial Area on the 2040 Growth Concept Map and shall be subject to Title 4 of the UGMFP of the Metro Code.
4. Washington County or, upon annexation to the city of Hillsboro, the city shall adopt provisions in its comprehensive plan and zoning regulations – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery - to ensure compatibility between industrial uses on the site and agricultural practices on land zoned for farm use to the west and northwest of the site.
5. The city of Hillsboro shall, within two years after the effective date of this ordinance, demonstrate that it has capacity to accommodate the additional dwelling units, as determined in Title 11 planning for the site, likely to be generated by the employment capacity of the site. The city may demonstrate this additional capacity through any measure or set of measures it chooses, including a Center Strategy pursuant to Title 6 of the UGMFP, in any or all of these design type designations: the Hillsboro Regional Center, Tanasbourne Town Center, Orenco Town Center, Station Communities, Corridors or Main Streets.
6. Neither the county nor the city of Hillsboro shall allow the division of a lot or parcel in the site to create a smaller lot or parcel except as part of the plan required in Condition 7 to reconfigure all of the lots and parcels that comprise the site.
7. Washington County or, upon annexation to the city of Hillsboro, the city shall, as part of Title 11 planning for the site in conjunction with property owners and affected local governments, develop a lot/parcel reconfiguration plan that results in (1) at least one parcel that is 100 acres or larger, or (2) at least three parcels 50 acres or larger. In either case the remainder of the site shall be configured pursuant to section 3.07.420 of Title 4 of the UGMFP, providing for protection of the portion of the site subject to Title 3 of the Metro Code.
8. Neither the county nor the city shall allow new commercial retail uses on the site. The county or the city may allow commercial office uses accessory to and in the same building with industrial uses.
9. Washington County or, upon annexation to the city of Hillsboro, the city, as part of Title 11 planning for the site, shall limit industrial uses on the parcels 50 acres or larger on the site that result from the reconfiguration plan required by Condition 7 to high-technology product manufacturing, either as the main activity or in conjunction with experimental product research, testing or prototype production, or other high-technology industrial uses that need a dependable and uninterruptible supply of specialized, dual-feed electric power or nitrogen gas. The county or city shall limit industrial uses on parcels smaller than 50 acres that result from the reconfiguration plan to those that are supportive of the industrial uses described above.

Exhibit F to Ordinance No. 04-1040B
Conditions on Addition of Land to the UGB

I. GENERAL CONDITIONS APPLICABLE TO ALL LANDS ADDED TO THE UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or county’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.

H. Each city and county shall apply the Transportation Planning Rule (OAR 660 Div 012) in the planning required by subsections F (transportation plan) and J (urban growth diagram) of Title 11.

~~3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.~~

HF. Cornelius Area

1. Washington County, or, upon annexation of the area to the City of Cornelius, the city and Metro shall complete the Title 11 planning for the area.

IG. Helvetia Area

1. Washington County, or upon annexation of the area to the City of Hillsboro, the city, and Metro shall complete the Title 11 planning for the area.

2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.