



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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

Date: June 26, 2015
Jurisdiction: City of Hillsboro
Local file no.: PUD-002-15
DLCD file no.: 007-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/24/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

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

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

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

DLCD Contact

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



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

FOR DLCD USE

File No.: 007-15 {23738}

Received: 6/24/2015

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

Jurisdiction: Hillsboro

Local file no.: **PUD-002-15**

Date of adoption: 6/16/15

Date sent: 6/24/2015

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 4/9/15

No

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

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

No

Local contact (name and title): Daniel Dias, Development Services Manager

Phone: 503-681-6214

E-mail: dan.dias@hillsboro-oregon.gov

Street address: 150 E Main Street

City: Hillsboro

Zip: 97123-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

For a change to a zoning map:

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

Change from SFR-6	to PUD SFR-9	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

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

Overlay zone designation: PUD Acres added: 4 Acres removed:

Location of affected property (T, R, Sec., TL and address): 1S202CB00900, 1S202CB01000, 1S202CB01100

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

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



June 24, 2015

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

FROM: Lisa Califf, Planning Technician

RE: Transmittal of DLCD Form 2 Notice of Adoption
Hillsboro Case File No. Planned Unit Development 002-15

I, Lisa Califf, submitted on this date, June 24, 2015, the DLCD Form 2 and attached Ordinance No. 6125 with exhibits via the DLCD FTP site for the above referenced Case File No., which was adopted by the Hillsboro City Council on June 16, 2015.

If you have any questions regarding this transmittal, please contact me at 503-681-5257. Should you have any questions in regards to the amendments, please contact Dan Dias at 503-681-6179.

ORDINANCE NO. 6125

PLANNED UNIT DEVELOPMENT 002-15: LANGWOOD CROSSING

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO COMMUNITY DEVELOPMENT CODE ORDINANCE NO. 6094, AS AMENDED, BY APPROVING A PLANNED UNIT DEVELOPMENT OVERLAY ZONE ON CERTAIN TRACTS OF LAND THROUGH APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A 24-LOT DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON A SITE APPROXIMATELY 4.62 ACRES IN SIZE.

WHEREAS, the owners of certain tracts of land described below, has filed a written application with the City of Hillsboro for approval of a Planned Unit Development overlay to the existing SFR-6 Single Family Residential zone; and

WHEREAS, the Planning Commission held a public hearing on this application on May 13, 2015, and received testimony in support of, and with concerns regarding the application; and

WHEREAS, based on the testimony and material received, the Planning Commission at its May 13, 2015 meeting approved Order No. 8156 which recommended approval of the preliminary development plan for the proposed Planned Unit Development, with the conditions attached hereto as Exhibit A, based on the findings attached hereto as Exhibit B and the site plan attached hereto as Exhibit C; and

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meeting of June 2, 2015, and adopted the site plan, findings and conditions of the Planning Commission as its own in regard to this matter; and

WHEREAS, based on those findings and conditions, the City Council hereby determines that the proposal conforms with the Hillsboro Comprehensive Plan and the Community Development Code.

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

Section 1. The following described tracts of land are hereby rezoned with the addition of a Planned Unit Development overlay zone, as described in Planning Department Case File No. Planned Unit Development 002-15:

Tax Lots 900, 1000 and 1100 on Washington County Assessor's Tax Map 1S2-02CB, on record as of as of February 1, 2012, a copy of which is attached hereto as Exhibit D, and thereby made a part of this Ordinance.

Section 2. Approval of the Planned Unit Development overlay zone is conditioned upon satisfaction of the conditions of approval contained in Exhibit A to this Ordinance.

Section 3. The City Planning Director is hereby instructed to cause the official zoning map, a portion of the Community Development Code, to be amended to include the zone change as set forth in Section 1 hereof.

Section 4. Pursuant to Community Development Code, Section 12.70.140, preliminary approval of the Planned Unit Development overlay zone will expire two years from the date of approval of this Ordinance, unless the final development plan has been approved or unless the preliminary approval is extended or modified per Section 12.70.150 of the Community Development Code.


Section 5. Except as herein amended, Community Development Code Ordinance No. 6094, as amended, shall remain in full force and effect.

Section 6. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

First approval of the Council on this 2nd day of June 2015.

Second approval and adoption by the Council on this 16th day of June 2015.

Approved by the Mayor on this 16th day of June 2015.


for Jerry Willey, Mayor

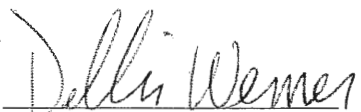
ATTEST: 
for Amber Ames, City Recorder

EXHIBIT A
(Conditions)

1. Development and construction on the site shall conform substantially to the preliminary plat, preliminary site plan and other plans and conditions approved by the Planning Commission, as contained in Case File No. Planned Unit Development-002-15, and specifically to the final construction plans approved by the City Engineer, Planning Director, Building, Fire Prevention and Water Departments.
2. The Planning Department has received recommended conditions of approval from City Departments which are incorporated into the conditions of approval herein. All permit applications shall include a narrative which responds to all conditions, and departmental and agency informational comments associated with the land use decision, which discusses how each condition has or will be satisfied prior to occupancy or final sign off for work on the site. The narrative shall identify any plan revisions which have been necessitated by the requirements of this notice of decision.
3. Prior to the commencement of work on the site, the applicant shall apply for and obtain all necessary permits for the development from the Building, Engineering, Planning and Water Departments and from Clean Water Services.
4. A final landscape plan including a planting plan and schedule for the proposed private park in Tract A for Langwood Crossing shall be submitted with the final development plan. The final landscape plan shall be substantially similar to the landscape plan for the park approved by the Planning Commission. An exterior lighting plan for the park shall also be submitted with the final development plan. Both the landscape plan and exterior lighting plan for the park will be reviewed and approved by the Planning Director prior to approval of the private utility permit.
5. Prior to approval of the final development plan, the proposed fence detail for the 6-foot high, sight-obscuring perimeter fence adjacent to SE 73rd Place shall be submitted as part of the engineering construction plans for the public improvements for review and approval by the Planning Director.
6. Conditions, Covenants and Restrictions (CC& R's) or maintenance agreements for the PUD shall be recorded with the final plat that implements the final development plan and provides for the following:
 - a. The collection and distribution of funds for the maintenance and repair of such elements as, but not limited to, landscaping, irrigation, fences, street signs, public sidewalk in easements on the lots, "No Parking" signs, and any private utilities located within private property;
 - b. Maintenance of all private utilities in open space tracts including domestic water, irrigation water, storm drainage and other private utilities as applicable;

- c. Ownership and maintenance of the private open space (nature park) contained in Tract A that binds the owners of Lots 1-24 of Langwood Crossing to permanent ownership and maintenance for a minimum of 40 years per the standard contained in Section 12.50.210.I.3.a, of the Community Development Code (CDC);
 - d. Ownership and maintenance responsibilities for the shared common driveway on Lots 23 and 24;
 - e. Responsibilities for the maintenance of front and side yard landscaping on the individual lots;
 - f. Authorization for the City to assess the HOA within the Langwood Crossing PUD for any necessary maintenance of landscaping within the public rights-of-way, if not adequately maintained by the HOA. This portion of the CC& R's shall be written to prohibit subsequent revision without consent by the City;
 - g. Prohibition of parking on SE 73rd Place;
 - h. Any parking of vehicles in front of the garages on Lots 20-22, which would encroach into or block the public sidewalk in the easement on these lots is prohibited, where the minimum 20-foot setback to the garage portion of the structure is measured from the west edge of the public sidewalk easement; and
 - i. Ability of residents to utilize the common open space amenities provided in Tract A.
7. The CC& R's or maintenance agreements shall be reviewed and approved by the Planning Director prior to approval of the final development plan.
 8. Modifications to the minimum lot dimension standards of the SFR-6 Single Family Residential zone for the lots in the PUD shall be as follows:
 - Minimum required lot size of 6,000 square feet reduced to:
 - 4,821 square feet for Lot 1
 - 4,503 square feet for Lot 3
 - 4,891 square feet for Lot 4
 - 4,501 square feet for Lot 5
 - 5,375 square feet for Lot 6
 - 5,357 square feet for Lot 7
 - 4,501 square feet for Lot 8
 - 5,567 square feet for Lot 9
 - 5,063 square feet for Lot 10
 - 4,564 square feet for Lot 11
 - 5,030 square feet for Lot 12

- 4,741 square feet for Lot 13
 - 4,715 square feet for Lot 14
 - 4,875 square feet for Lot 15
 - 5,416 square feet for Lot 16
 - 5,774 square feet for Lot 17
 - Approximately 5,915 square feet for Lot 21 and 5,910 square feet for Lot 22, however these two lots may be reduced more in area as necessary to accommodate the public right-of-way for SE 73rd Place
 - Lot 20 which is proposed to be 6,061 square feet in area may also be reduced to less than 6,000 square feet in area in order to accommodate the public right-of-way for SE 73rd Place
- A reduction in the minimum lot width at the front building plane from 55 feet to the following:
- 46 feet for Lot 1
 - 44 feet for Lot 3
 - 47 feet for Lot 4
 - 43 feet for Lot 5
 - 46 feet for Lot 6
 - 49 feet for Lot 7
 - 42 feet for Lot 8
 - 48 feet for Lot 9
 - 49 feet for Lot 10
 - 44 feet for Lot 11
 - 52 feet for Lot 12
 - 50 feet for Lot 13
 - 50 feet for Lot 14
 - 50 feet for Lot 15
 - 53 feet for Lot 16
9. There shall be no vehicular access from Lots 1, 19 or 20, which are corner lots, either to or from SE Frances Street. The vehicular access for Lots 1 and 19 shall be taken from SE 72nd Avenue and from SE 73rd Place for Lot 20.

10. The applicant shall identify what options or combination of options per CDC Section 12.50.230.5 for replacement of the mature trees that will be removed by the applicant (except for the trees considered to be invasive trees as identified by the project arborist in the March 5, 2015 Arborist Report) in order to accommodate site development that will be followed, prior to issuance of the private utility permit or public infrastructure permit for the Langwood Crossing residential development. If new plantings of trees of a similar character at least 2½" in caliper on site is a selected option, a landscape plan showing where the trees are proposed to be planted shall be provided for review and approval by the Planning Director prior to issuance of the private utility permit or public infrastructure permit.
11. The building plans for the new detached single family houses for Lots 1, 3-17 and 19-24 shall address the following in the building permit application submittal:
 - a. Compliance with the minimum setbacks, maximum building height and maximum lot coverage standards for the SFR-6 zone for all lots;
 - b. Use of more green building materials such as low- or no-VOC, low-toxic interior paint and water-based finishes and stains; low-VOC, low-toxic, water-based, solvent-free adhesives, caulks, grouts, mortars and sealants on building interiors; or using formaldehyde-free carpet, cabinets and insulation to improve air quality for future residents per the public benefit standard contained in CDC Section 12.50.930.E, in order to meet the PUD concept plan approval criterion contained in CDC Section 12.80.120.K.f;
 - c. Provide house plans for 5 lots that meet the accessibility and visitability standards contained in CDC Section 12.50.930.G in order to provide some houses for people with disabilities, allow people with disabilities to visit residents of Langwood Crossing, allow residents of Langwood Crossing to age in place in their home without having to move away from their neighborhood and to provide site design in the PUD that creates a diverse neighborhood including age- or disability-friendly features such as "visitability";
 - d. If exterior lighting is proposed on the individual single family dwellings, information shall be provided that demonstrates how the proposed exterior lighting meets the light trespass standards contained in CDC Section 12.50.240.D;
 - e. Compliance with the main entries standard contained in CDC Section 12.50.710.C.1 for all new single family dwellings;
 - f. Compliance with the window standards contained in CDC Section 12.50.710.C.2 for all new single family dwellings;
 - g. Compliance with the articulation standards contained in CDC Section 12.50.710.C.4 by showing that 4 or more of the design elements listed in this Section are provided for all facades facing streets or the nature park in Tract A and for the corner lots: Lots 1, 9, 10, 19 and 20. The building permit applications shall identify which of the 4 design elements are being provided for each applicable facade;

- h. Compliance with the detailed design elements contained in CDC Section 12.50.710.C.5 by providing at least 9 of the design elements listed in this Section on any façade facing a street or the nature park in Tract A and providing at least 4 of the detailed design elements on all other facades. The building permit applications shall identify which of the 9 design elements are being provided for the street facing or park facing facades and which of the 4 design elements are being provided for all other facades.
12. Prior to issuance of building permits, all existing utilities running to the houses to remain on proposed Lots 2 and 18 shall be relocated as to not cross proposed Lots 1 and 19.
 13. Prior to issuance of building permits, the applicant shall provide access plan for Lot 11, Concord Woods. It appears that part of their existing driveway drop on SE Frances Street will become an ADA sidewalk ramp for the proposed SE 73rd Place.
 14. Prior to acceptance of the final plat, all city owned utilities which are located outside of the public right-of-way shall be contained in a 15-foot wide easement to benefit the City of Hillsboro. With City Engineer approval, two utilities may share a 20-foot wide easement.
 15. Prior to approval of final plat, the applicant shall show public right-of-way and utility easement dedications meeting the following requirements:
 - 30 feet of right-of-way on SE Frances Street as measured from centerline.
 - 54 feet of right-of-way on the proposed SE 72nd Avenue north of SE Langwood Street.
 - 50 feet of right-of-way on the proposed SE 72nd Avenue south of SE Langwood Street.
 - 54 feet of right-of-way on the proposed SE Langwood Street connection.
 - 8-foot wide public utility easement (PUE) shall be dedicated adjacent to all rights-of-way listed above.
 - 28 feet of right-of-way for the proposed SE 73rd Place plus additional right-of-way as needed to construct the proposed hammerhead in accordance with Fire Department requirements (Right-of-way will be located at back of curb of proposed improvements). Applicant is encouraged to coordinate with the neighboring property owner to attempt to locate a portion of SE 73rd Place on their property and eliminate the parallel driveway.
 - 10-foot wide sidewalk and public utility easement shall be dedicated adjacent to the west side of the SE 73rd Place right-of-way dedication (not including the westerly extension of the hammerhead).
 16. Prior to approval of construction plans, plans shall show the closure of all existing residential driveways on SE Frances Street with the restoration of 6-inch high curb and reconstruction of adjacent sidewalks. If a portion of SE 73rd Place is located on adjacent properties to the east, the applicant shall also close those driveway connection(s) to SE Frances Street and connect them to SE 73rd Place.

17. Prior to approval of construction plans, applicant shall provide a photometric analysis of the street lighting on SE Frances Street and provide additional street lighting where required to meet City standard. Street lighting shall be PGE Option “C” LED.
18. Prior to approval of construction plans, the plans shall show improvements to SE 72nd Avenue north of SE Langwood Street as follows:
 - Street shall be constructed to 32-foot width as measured between curb faces
 - Curb and gutter
 - Landscape strip with street trees and root barriers
 - 5-foot property line sidewalks
 - PGE Option “C” LED street lighting
19. Prior to approval of construction plans, the plans shall show improvements to SE 72nd Avenue south of SE Langwood Street as follows:
 - Street shall be constructed to 28-foot width as measured between curb faces
 - Curb and gutter
 - Landscape strip with street trees and root barriers
 - 5-foot property line sidewalks
 - PGE Option “C” LED street lighting
 - Signage limiting parking to one side of the street
20. Prior to approval of construction plans, plans shall show improvements to SE Langwood Street as follows:
 - Street shall be constructed to 32-foot width as measured between curb faces
 - Curb and gutter
 - Landscape strip with street trees and root barriers
 - 5-foot property line sidewalks
 - PGE Option “C” LED street lighting
21. Prior to approval of construction plans, plans shall show improvements to SE 73rd Place as follows:
 - Street shall be constructed to 24-foot width as measured between curb faces

- Curb and gutter
 - 5-foot curb tight sidewalk on western side of the street
 - Parking shall be restricted on both sides of the street and “No Parking” signage provided to City standards including any signage that may be necessary to allow unobstructed turning movements by emergency vehicles
 - If street trees are provided, the street trees and root barriers shall be located outside of the PUE
 - PGE Option “C” LED street lighting
22. Prior to approval of construction plans, double ADA ramps shall be shown at each public street corner and “T” intersections shall show six total ramps as specified in the City of Hillsboro Design and Construction Standards, unless otherwise approved by the City Engineer. Receiving ramps shall be constructed on the south side of SE Frances Street at SE 72nd Avenue.
 23. Prior to approval of construction plans, the applicant shall submit a storm drainage report in accordance with CWS standards providing an analysis of the downstream storm sewer system to verify that the existing system has the capacity to accept the increased storm water flows. If required, applicant shall mitigate for any deficiency with either detention or improvements to the downstream system.
 24. Storm water quality for this project is provided through an existing regional public facility. Prior to approval of construction plans, the applicant shall provide a vicinity map showing the location of the facility on the plans.
 25. Prior to approval of construction plans, the plans shall show the public storm sewer in a 15-foot wide easement where located outside of the right-of-way. The storm sewer shall be offset from the property line to prevent damage to the line during future fence line construction.
 26. Prior to approval of construction plans, the plans shall show the storm sewer connection between SE 72nd Avenue and SE 73rd Place to be located along the east/west lot lines dividing Lots 18/19 and Lots 20/21 without any manholes between SE 72nd Avenue and SE 73rd Place. This allows for City work crews to access the line for ordinary maintenance without entering private property.
 27. Prior to approval of construction plans, the plans shall clearly show the location of any existing septic tanks and drain fields. Said facilities shall be abandoned in accordance with applicable regulations. Any existing homes proposed to be retained shall be connected to public sanitary sewer.

28. Prior to approval of construction plans, grading plans shall clearly show no negative impacts such as the impoundment of water, concentrated flow or erosion with regard to storm water drainage and the adjacent properties. Improvements shall not increase concentrated flows or result in the impoundment of water where it did not previously exist.
29. The proposed width of SE 73rd Place is 20 feet. Parking shall be restricted on both sides of the street to maintain a minimum unobstructed width of 20 feet.
 - *503.2.1 Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
 - *D103.6.1 Roads 20 to 26 feet in width.* Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).
30. The proposed width of SE 72nd Avenue south of SE Langwood Street is 28 feet. Parking shall be restricted on one side of the street to maintain a minimum unobstructed width of 20 feet.
 - *503.2.1 Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
 - *D103.6.2 Roads more than 26 feet in width.* Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).
31. Where fire apparatus access roads extend onto private property, an emergency access easement with a minimum width of 20 feet shall be provided.

EXHIBIT B
(Findings)

The City Council incorporates herein by this reference and adopts as its own, the summary and analysis of the approval criteria set forth in these Findings which include findings initially adopted by the Planning Commission on May 13, 2015, as Exhibit B to Order No. 8156:

1. The City complied with all required notice and hearing procedures on this matter. The Planning Commission opened the public hearing on May 13, 2015. At the commencement of the hearing, Senior Planner Jennifer K. Wells made disclosures and announcements required by ORS 197.763 (5) and (6) and 197.796. One member of the Commission made a disclosure: Vice President Brian Roberts stated that he had worked with the Applicant's representative, NW Engineers, LLC, in their office, but he had no contact with the Applicant or the owner on this project and it would have no bearing on his ability to make a fair and impartial decision for this project.

There were no procedural objections or objections to the participation of any member of the Commission on this matter, and no one requested a continuance or that the record be kept open.

2. The proposal at hand is Case File No. Planned Unit Development 002-15: Langwood Crossing, which is a 24-lot planned unit development and subdivision.
3. At the May 13, 2015 hearing, Senior Planner Jennifer K. Wells provided a verbal summary of the May 6, 2015 staff report and the May 13, 2015 supplemental staff report. The applicant, Riverside Homes (Niki Munson and Craig Schuck) and applicant's representative, NW Engineers, LLC (Matthew Newman), presented the application. The Commission asked some questions of the applicant, then President Katie Eyre called for public testimony. The Commission received testimony in support of, and with concerns regarding the application. The applicant provided a rebuttal. The Commission closed the hearing on May 13, 2015, deliberated, directed staff to revise Condition No. 16 to change the width of the right-of-way for proposed street SE 73rd Place from 26 feet to 28 feet in order to accommodate a proposed retaining wall, and voted to forward a recommendation of approval with conditions to City Council.
4. Community Development Code No. 6094, Section 12.80.120.K, specifies the approval criteria for approval of a preliminary development plan for a proposed planned unit development (PUD). Planning staff has provided analysis based on the application materials deemed complete on April 3, 2015 and department and agency comments received.

K. Concept Plan Approval Criteria. To approve a PUD concept plan, the Planning Commission shall make findings, based on evidence provided, that the following criteria are satisfied:

1. *The development concept demonstrates that the PUD has some significant advantages over a standard development allowed under base zoning standards. "Significant advantages" in this context may include, but are not limited to, one or more of the following:*

- a. *The PUD is consistent with the provisions of any applicable adopted Community Plan in the Comprehensive Plan and any applicable Plan District in Subchapters 12.60 through 12.65;*

There is not a Community Plan in the Comprehensive Plan where the proposed PUD is located and there is also not an applicable Plan District. This criterion is not applicable.

- b. *The PUD protects, preserves, and/or manages areas of significant natural resources beyond the requirements of the base zoning regulations;*

There are no significant natural resources on the subject site where the PUD is proposed. This criterion is not applicable.

- c. *The general arrangement of proposed uses in the PUD better integrates future development into the surrounding neighborhood, either through more compatible street layout, architectural styles and housing types, or by providing better transitions between the surrounding neighborhood and the PUD with compatible development or open space buffers;*

Street Layout:

The proposed PUD provides a compatible street layout by extending two existing public streets: SE 72nd Avenue and SE Langwood Street from the current terminus at the north, northeast and northwest portion of the subject site south to connect with SE Frances Street – a Collector street. The extension of these public streets has been identified as Planned Local Street Connection on Figure 1-16: Local Street Connectivity, Southeast Hillsboro in the City Transportation System Plan. The extension of these streets also provides for better pedestrian and bicycle connectivity from the existing neighborhoods to the north, south, east and west.

The applicant also proposes a narrow, north-south public street – SE 73rd Place which provides vehicular, pedestrian and bicycle access to and from SE Frances Street, but also could allow for the future consolidation of two existing driveways (Tax Lot 900 on Washington County Assessor's Tax Map 1S2-02CB – where Lots 20-24 are proposed), one of which provides access to 7305 SE Frances Street and 7347 SE Frances Street (Tax Lots 3800 and 3900, respectively, on Tax Map 1S2-02CB).

The design of the street contemplates expansion of the right-of-way for this street by 12 feet to the east and approximately 96 feet to the north (1,152 square feet) as Tax Lot 3800 (Lot 11 of Concord Woods) which contains an older, one-story, detached single family residence appears to be large enough for future redevelopment (if the existing house is demolished) to contain 2 detached single family dwellings. Staff subtracted the proposed right-of-way expansion from Tax Lot 3800 to establish the net residential acreage and to determine if it could still accommodate 2 detached single family dwellings and meet the minimum lot size requirement of 7,000 square feet for the SFR-7 zone.

The gross acreage for Tax Lot 3800 is 14,713 square feet or 0.34 acre, after subtraction of the right-of-way for the expansion of SE 73rd Place, the net acreage equals 13,561 square feet (0.31 acre). The minimum residential density for the SFR-7 zone is 5 dwelling units/net acre. The minimum density for Tax Lot 3800 for 0.31 net acre equals 1.57 dwelling units which is rounded up to 2 dwelling units. The maximum density for the SFR-7 zone is 6.25 dwelling units/net acre, and for Tax Lot 3800 equals 1.94 dwelling units rounded up to 2 dwelling units.

While the minimum residential density equals 2 dwelling units, the net acreage needs to be a minimum of 14,000 square feet in order to meet the minimum lot size of 7,000 square feet, therefore Tax Lot 3800 could not be divided into 2 lots without a Type II Adjustment per CDC Section 12.80.154, which allows for an adjustment for 10% or less of a numeric or dimensional standard being granted by the Review Authority (Planning Director) for a partition plat. Staff concludes that since Tax Lot 3800 could not be divided in the future without a Type II Adjustment that the design of SE 73rd Place shall meet City standards for a narrow public street as determined by the Public Works Department – Engineering Division.

Architectural Styles and Housing Types:

The applicant proposes two-story, detached single family dwellings (houses) which are of an architectural style which is compatible with the existing single family residential developments that are located to the north, south, east and west of the subject site (see Exhibit No. 15 in the application materials that show elevations of the proposed houses for Langwood Crossing.

Open Space Buffers:

The applicant proposes a 10,609 square foot nature park which preserves an existing grove of Oregon White Oak trees at the northwest corner of the intersection of SE 72nd Avenue and SE Langwood Street. The proposed park serves as a buffer between the proposed PUD and two neighborhoods to the north and west (Frances Green and New Leaf Estates). This criterion is met.

- d. Any requests for Adjustments included in the concept plan, including requests for increased density, comply with the applicable standards in Sections 12.80.154, 12.80.156 and 12.80.158 as applicable;*

The applicant is requesting adjustments to the lot dimension standards (minimum lot area and minimum lot width) for the SFR-6 zone for more than the 20% of the lots that may be permitted per CDC Section 12.50.110.B and Section 12.50.110.I for new developments (subdivisions or planned unit developments) of 8 or more lots. Because the adjustments to the lot dimension standards are to more than 20% of the lots in the proposal, they are considered to be a Type III Adjustment. Per CDC Section 12.80.156, Type III Adjustments can only be submitted with a Type III land use application which is a Planned Unit Development. The applicant's response to the approval criteria for a Type III Adjustment can be found on pages 67-68 of the application narrative.

The approval criteria for a Type III Adjustment per CDC Section 12.80.156 are as follows:

C. Approval Criteria. *To approve a Type III Adjustment, the Review Authority shall make findings of fact, based on evidence provided, that all of the following criteria are satisfied:*

1. *Granting the requested adjustment will not obstruct on- or off-site pedestrian or vehicular movement;*

The proposed adjustments are to the minimum lot area and minimum lot width requirements of the SFR-6 zone and reducing the lot area and lot width does not effect on- or off-site pedestrian or vehicular movement. This criterion has been met.

2. *City-designated significant natural or cultural resources, if present, will be preserved if the adjustment is approved;*

There are no significant natural resources or cultural resources on the subject site therefore this criterion is not applicable.

3. *The development will remain consistent with the overall purpose of the base zone after the adjustment or the combined adjustments if more than one is proposed;*

The SFR-6 zone implements the highest end of the Low Density Residential Comprehensive Plan density range, providing an opportunity for smaller lot residential development in appropriate areas. Staff finds that the proposed single family residential development remains consistent with the overall purpose of the SFR-6 base zone after the combined adjustments as it provides for smaller residential lots that are not reduced below the 75% of minimum lot area of 4,500 square feet for the SFR-6 zone and the smaller compact lots are dispersed throughout the development to the extent practicable. In particular, the applicant proposed larger lots 5,910 square feet to 8,162 square feet for Lots 20-24 which abut single family residential development on land zoned SFR-7 in order to be compatible with this existing development. This criterion is met.

4. *The request for the Adjustment includes building, structure, or site design features, such as the public benefit standards in Section 12.50.900 or the habitat friendly practices in Section 12.50.930, that compensate for the requested Adjustment or better meet the purpose of the standard being adjusted;*

The applicant addresses the building, structure or site design features contained in Section 12.50.900 or the habitat friendly practices in Section 12.50.930 on pages 42-50 of the application narrative. Listed below are the public benefit standards and habitat friendly practices that are applicable to the proposed PUD and the standards that the applicant has indicated that they have addressed in the proposed residential development.

12.50.920 Building and Site Design Guidelines

B. *Edges of development projects should be designed to harmonize with and enhance adjoining public and private streets. Edges adjacent to transit streets and major pedestrian routes should include street furniture such as seating, shelters, ornamental pedestrian scale lighting and an inside row of canopy trees to complement those in the curbside landscape strip.*

The applicant designed the edges of the proposed development to harmonize with and enhance adjoining public and private streets. There is not a transit street or major pedestrian route adjacent to the proposed PUD. This public benefit standard has been met.

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

The applicant is proposing to retain two existing detached single family houses on Lots 2 and 18, and indicates that the 22 proposed single family houses will provide a wider variety of housing types than what would otherwise be provided on larger, more expensive lots. A review of the sample house plans shows that the applicant is proposing two-story houses that are 2,000 square feet in size or larger on lots that range in size from 4,501 square feet to 8,162 square feet. The proposed architectural style of these houses does provide a range of styles. This public benefit standard has been met.

- D. *Building design should be site specific, fit into the context of the area, preserve important view corridors, complement the natural setting and other nearby buildings, and relate to adjacent public and private streets.*

The building design is site specific as the proposed houses front on and take access from SE 72nd Avenue, SE 73rd Place or SE Langwood Street, they are a similar architectural style to the houses in the adjacent neighborhoods and preserve the existing view corridor on SE 72nd Avenue and SE Langwood Street. This public benefit standard has been met.

- E. *Building façades should balance features which make them more prominent while retaining pedestrian scaled detailing. Diversity of architectural styles is encouraged. Building architecture is particularly important at intersections, where special corner architectural features should be incorporated.*

The applicant's response to this building design guideline can be found on page 42 of the application narrative. While the applicant listed this guideline on page 42, the guideline was not specifically addressed, so it is not applicable as a public benefit standard for the proposed PUD.

- F. *Sloped roofs should be compatible with roof lines and slope of adjacent buildings, add interest to and reduce the scale of large buildings, and complement the character of buildings in adjacent developments.*

All of the proposed house styles provided in Exhibit No. 15 show sloped roofs which appear to be compatible with the roof lines and slope of adjacent single family homes and also complement the character of these homes in adjacent residential developments. This public benefit standard has been met.

- G. *Exterior building materials and colors should be harmonious and compatible with materials and colors in adjacent developments. Soft lighting of the building exterior which complements the architectural design is encouraged if the light source is not visible.*

The proposed exterior building materials and colors appear to be harmonious and compatible with materials and colors in adjacent developments. The lighting of the building exteriors shown in Exhibit No. 15 appears to be soft and directed downwards and complements the architectural style of the proposed houses. This public benefit standard has been met.

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

The proposed facades for the future houses show the use of masonry, e.g. different types of cultured stone that employ a decorative pattern. This public benefit standard has been met.

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

The upper stories on the front facades for the proposed houses are articulated with bays. This public benefit standard has been met.

12.50.930 Sustainable Development Practices

A. Habitat Friendly Development Practices. Use of habitat friendly development practices, including Low Impact-Development Approach (LIDA) techniques are a key element of the adopted Tualatin Basin Fish & Wildlife Habitat Program. LID techniques are encouraged to reduce the environmental impacts of new development, and to provide flexibility to encourage the protection of qualified Habitat Benefit Areas. The following recommended habitat-friendly development practices should be considered where technically feasible and appropriate.

The subject site contains a portion of a Habitat Benefit Area (HBA) which consists of the grove of fir trees located on Tax Lot 900 (where Lots 20-21 are proposed) and an existing hedge and grove of deciduous trees located south and east of the house addressed as 7127 SE Frances Street which will be retained on Lot 18. The hedge and the groves of fir trees and deciduous trees are proposed to be removed in order to accommodate the extension of SE 72nd Avenue, Lots 20-21 and SE 73rd Place, and also because the condition of these trees is poor or fair and should be removed according to the applicant's arborist as described in the November 10, 2014 Arborist Report (contained in Exhibit No. 26 of the application materials). As stated in the purpose statement, LID techniques are encouraged in order to protect Habitat Benefit Areas but are not required. The applicant has addressed some of the practices contained in this section in response to the approval criteria for Type III Adjustments.

1. Design and Construction Practices to Reduce Hydrologic Impacts.

a. Amending disturbed soils to original or higher levels of porosity to regain infiltration and stormwater storage capacity.

- b. *Using pervious paving materials for residential driveways, parking lots, walkways, and within centers of cul-de-sacs.*
- c. *Incorporating stormwater management in street rights-of-ways, subject to the approval of the City Engineer.*
- d. *Landscaping with rain gardens to provide on-lot detention and filtering and groundwater recharge.*
- e. *Using green roofs to reduce runoff and energy costs, improve air quality, and enhance aesthetics.*
- f. *Disconnecting downspouts from roofs and direct rainwater to vegetated infiltration / filtration areas.*
- g. *Retaining rooftop runoff in rain barrels for future on-site irrigation.*
- h. *Using multi-functional open drainage systems in lieu of conventional curb-and-gutter systems.*
- i. *Using bioretention cells in parking lot islands to reduce runoff volume and filter pollutants.*
- j. *Applying a site-specific combination of storm water systems (a “treatment train”) to provide multiple opportunities for treatment and to reduce the possibility of system failure.*
- k. *Reducing sidewalk widths and slope grades to drain into front yards or retention areas.*
- l. *Reducing impervious surface areas of residential driveways by narrowing widths or using shared driveways.*
- m. *Reducing widths of residential streets, depending on traffic and parking needs.*
- n. *Reducing street length, primarily in residential areas, by encouraging clustering and using curvilinear designs.*
- o. *Reducing cul-de-sac radii and use pervious vegetated islands in center to minimize impervious effects, and allow them to be utilized for truck maneuvering/loading to reduce need for wide loading areas on site.*
- p. *Eliminating redundant non-ADA sidewalks within a site (i.e., sidewalk to all entryways and/or to truck loading areas may be unnecessary for industrial developments).*
- q. *Minimizing car spaces and stall dimensions, reducing parking ratios, and using shared parking facilities and structured parking.*
- r. *Minimizing the number of stream crossings and place crossings perpendicular to the stream channel if possible.*
- s. *Allowing narrower street right-of-ways through stream corridors whenever possible to reduce adverse impacts of transportation corridors.*

The applicant's response to these guidelines can be found on page 45 of the application narrative. As indicated by the applicant, SE 73rd Place is proposed as a narrow street with a reduced width (only wide enough for fire access), Lots 23-24 share a driveway off the terminus of SE 73rd Place, and the storm water management system is incorporated in the right-of-way of SE 72nd Avenue, SE 73rd Place and SE Langwood Street. The proposed storm water management system does show a public storm line in easements on Lots 16, 17, 22, 23 and 24 in order to connect the storm line and facilities in SE 73rd Place to the storm line and facilities in SE 72nd Avenue. The applicant has used several of these design and construction practices to reduce hydrologic impacts. This public benefit standard has been met.

3. Miscellaneous other Habitat-Friendly Design and Construction Practices.

- a. *Using native plants throughout the development, not only in Habitat Benefit Areas.*
- b. *Locating required landscaping adjacent to Habitat Benefit Areas.*
- c. *Reducing light-spill off into Habitat Benefit Areas from development.*
- d. *Preserving and maintaining existing trees and tree canopy coverage, and plant trees where appropriate to increase future tree canopy coverage.*

As mentioned above, the applicant is removing the trees that make up a portion of the HBA on the subject site, however the applicant is also preserving a grove of Oregon White Oak trees in the nature park which are healthier than the trees in the HBA and using native shrubs, groundcover and grasses in the nature park. This public benefit standard has been met.

B. Water Usage Efficiency and Reduction.

1. *Collecting and storing rainwater and/or graywater with sediment filtration and using for irrigation, especially during summer. Where installed, above-ground cisterns for rainwater or graywater collection must meet the following standards:*
 - a. *Individual cisterns or racks of cisterns larger than 80 gallon capacity may not be attached to the front façade of the primary structure; and*
 - b. *Cisterns must either be painted to match the color of the adjacent building wall, the trim, or the rain gutter; or be screened from the street by structures, plantings, or fences.*
2. *Using efficient irrigation including high efficiency drip irrigation.*
3. *Using native and drought-tolerant vegetation for landscaping; limit lawn to play and recreational areas.*
4. *Using water-conserving plumbing fixtures.*
5. *Installing water conserving or energy efficient appliances.*

The applicant indicates that it does not install standard irrigation but only offers drip irrigation to residents who request an irrigation system. The Special Features sheet for the proposed houses does not state that water-conserving plumbing fixtures or water-conserving appliances would be used. It does state that a highly efficient insulated 50 gallon gas hot water heater would be provided. Staff finds that some of these techniques are proposed to be used by the applicant therefore this public benefit standard has been met.

C. Energy Usage Efficiency and Reduction.

1. *Designing and site buildings to maximize natural ventilation and solar access for heating and lighting.*
2. *Installing operable windows with energy-efficient glazing.*
3. *Using energy-efficient outdoor lighting with low temperature ballasts; fixtures with automatic controls; and solar lighting for walkways or outdoor areas.*
4. *Centrally locating heating/cooling systems to reduce the extent of the distribution system.*
5. *Increasing insulation to at least 10% above IBC requirements.*
6. *Flashing and sealing all penetration points for ducting, wiring, plumbing, lights and fans.*
7. *Using cool roofs wherever practicable.*
8. *Using alternative heating systems, such as ground-source heat pumps; radiant heating; on-demand water heaters; solar heating or others.*
9. *Using alternative electric generation systems, such as solar photovoltaic or wind energy.*
 - a. *Where installed, solar electric systems must meet the following standards.*
 - i. *On a flat roof, the panels must be mounted flush or on racks. Panels or racks cannot extend more than 5 feet above the top of the highest point of the roof, not including the parapet wall, and must be set back at least 5 feet from the edge of the roof.*
 - ii. *On a pitched roof, the plane of the panels must be set back at least 3 feet from both the eave and the ridgeline.*
 - iii. *Photovoltaic roofing shingles or tiles may be directly applied to the roof surface.*
 - iv. *Photovoltaic glazing may be integrated into windows or skylights.*
 - b. *Where installed, roof-mounted wind turbine systems must meet the following standards.*
 - i. *Wind turbines may be proposed only on buildings meeting the minimum setbacks of the applicable zone.*

- ii. *The height of a roof-mounted wind turbine may exceed the base zone height by up to 50 percent, or 25 feet above the height of the building on which it is mounted, whichever is less.*
- iii. *Turbines must have an AWEA-rated sound level of 45dBA or less. The noise standards of the Hillsboro Municipal Code also apply to wind turbine operation.*

The applicant's response to these energy usage efficiency and reduction practices can be found on pages 47-48 of the application narrative. The applicant indicates that 18 lots are oriented east-west which offers the south-facing roof for installation of solar panels. The applicant also states that the homes will be pre-wired for solar panels should residents choose to install them. It appears that House Plan 2440-B may be proposed for Lot 24 where the front façade of the house faces south. This house plan has a considerable expanse of roof on the second story and above the one-car garage that would make it suitable for solar panels. If this plan is proposed for Lot 24, the applicant should consider pre-wiring it for solar panels.

On the Special Features sheet for the proposed houses, it states that low-e vinyl insulated double glazed windows will be used. It does not indicate whether these windows would be operable although it is likely that a fair amount of them are operable as shown on the proposed facades in Exhibit No. 15. Some of these techniques are proposed to be used by the applicant therefore this public benefit standard has been met.

D. Storm Water Management. The following methods should be used to reduce contaminants from hard surfaces, improve infiltration improvement, and reduce or eliminate water quality treatment or detention facilities.

1. *Minimizing impervious surfaces at and above grade.*
2. *Using eco roofs and roof gardens wherever practicable.*
3. *Using pervious paving for parking areas and walkways.*
4. *Using infiltration or flow-through planters, bio-retention cells, and/or rain gardens.*

The applicant is not using any of the storm water management methods described herein, therefore this public benefit standard would not be met by the applicant.

E. Green Building Materials. The following methods should be used to improve indoor air quality.

1. *Using recycled-content building materials where practicable.*
2. *Using locally made or harvested materials and products.*
3. *Using certified or recycled wood.*
4. *Using low- or no-VOC (Volatile Organic Compounds), low-toxic interior paint and water-based finishes and stains.*
5. *Using formaldehyde-free carpet, cabinets and insulation.*

6. *Using low-VOC, low-toxic, water-based, solvent-free adhesives, caulks, grouts, mortars, and sealants on building interiors.*
7. *Using longer life-cycle and/or recyclable exterior materials (roofing and siding).*
8. *Limiting use of carpet; use low pile or less allergen-attracting brands; and install by tacking (without glue).*

The applicant indicates that carpeting is limited to the first floor and no glue is used to install the carpeting. The applicant is using one of these methods to improve air quality. The applicant could use more of these methods such as using low- or no-VOC, low-toxic interior paint and water-based finishes and stains, low-VOC, low-toxic, water-based, solvent-free adhesives, caulks, grouts, mortars and sealants on building interiors, and using formaldehyde-free carpet, cabinets and insulation to improve air quality for its future residents and better meet this public benefit standard.

F. Noise and Privacy. *The following methods should be used to reduce external and internal noise and enhance privacy.*

1. *Using enhanced landscaping or water features to buffer or mask sound.*
2. *Providing internal streets and sidewalks to buffer activity and noise.*
3. *Locating bedrooms and quiet rooms away from noise sources.*
4. *Insulating activity rooms.*
5. *Providing sound-rated walls, floors and sound-absorbing materials on the building exterior.*
6. *Locating shared community and/or commercial spaces on the first floor.*
7. *Defining edges through building locations, elevations or changes in materials, vegetation, fencing, elevated entries or other features.*

The applicant indicates that the bedrooms are typically located on the back side of the homes, away from the street, and that the paths in the nature park do not extend into the north and west portions of Tract A to limit noise impacts on adjacent properties. Some of these methods are proposed to be used by the applicant therefore this public benefit standard has been met.

G. Accessibility and Visitability.

1. *Providing "zero-rise" residential entries without steps or thresholds.*
2. *Providing paths of travel from the street, sidewalk or driveway which have no steps, are at least 36-inches wide and are no steeper than 1:20 (5% grade) for walkways or 1:12 for ramps.*
3. *Providing ground floor residential entries with 32-inch clear opening doorways and 36-inch clear width hallways.*
4. *In dwellings, providing at least a half bath on the ground floor, with adequate dimensions to allow a person in a wheelchair to enter and close the door.*

This standard was not addressed or applied by the applicant.

H. Third Places.

1. *Designing residential developments to include multi-purpose indoor or outdoor spaces. Interior multi-purpose rooms should accommodate both passive and active assembly Uses (such as community meetings and exercise classes). Outdoor multi-purpose spaces should accommodate both passive Uses (such as wetland viewing areas) and active Uses (such as sport courts or community gardens).*
2. *Designing Mixed-Use and non-residential developments to include outdoor hardscaped plazas or courtyards which could accommodate both private Uses (such as sidewalk seating for restaurants) and public Uses (such as farmers markets and street vendors).*

The applicant has indicated that the nature park in Tract A has been designed to provide a third place with passive areas on the north and west sections of the park and active areas in the center and southeast sections adjacent to the public sidewalk. This park is designed for more passive uses such as sitting on the benches, conversing and having picnics and active uses would be in the lawn area which would due to their size most likely limited to tossing a football or Frisbee or playing croquet. This public benefit standard has been met.

12.50.940 *Crime Prevention through Environmental Design*

- A. *Developments should use the following guidelines as appropriate for the specific project type. Other design guidelines may be used if the applicant can demonstrate that the alternative design equally or better meets the CPTED principles.*
- B. *Development applications should demonstrate natural access control, natural surveillance, and territorial reinforcement:*
 1. *Natural access control is physical guidance of pedestrians and vehicles coming and going from an area through placement of entrances, exits, signs, fencing, landscaping and lighting.*
 2. *Natural surveillance is organization of physical features, activities, and people to maximize visibility through clear sight lines and definition of spaces.*
 3. *Territorial reinforcement is use of physical features expressing ownership (fences, pavement treatments, art, signage, and landscaping) to create a public, semi-private, and private hierarchy of spaces.*

The applicant's response to the above guidelines can be found on page 50 of the application narrative. The applicant designed the proposed residential development with safety in mind and used natural access control and natural surveillance techniques. The public benefit standard has been met.

- C. *Site signage should provide information and orientation internally within the site and in reference to adjacent landmarks.*

- D. *This method is applicable to commercial and industrial areas therefore it is not listed as it's not applicable.*
- E. *Points of entry and exit for pedestrians and vehicles should be clearly identified, and designed in a manner which encourages legitimate activity and discourages illegitimate activity.*
- F. *Open spaces should be designed and maintained to maximize visibility and minimize areas of entrapment or concealment. Narrow spaces with poor sight lines or expansive spaces with no definition among uses should be avoided.*
- G. *Open spaces should be located within projects so that surrounding Uses provide natural surveillance. If open spaces are behind buildings, open fences, not walls, should be used to establish territory. Maximum natural surveillance should be provided in children's play areas, but incompatible areas such as basketball courts and tot lots should be separated by distance.*

The applicant's response addresses F and G and can be found on page 51 of the application narrative. F and G have been met by the applicant. C and E cannot be assessed until the proposed PUD is submitted for engineering construction permits.

- H. *Any open space parking areas should be located near streets for easy observation, and internal circulation systems for emergency vehicles should be designed into open spaces located away from streets. Bicycle paths should be located near park activities or on streets.*
- I. *Landscaping should be designed and maintained to minimize concealment or entrapment opportunities, to eliminate potential for loitering or camping by transients, and to maintain clear sight lines from public streets to activity areas wherever possible.*
- J. *This method is applicable to commercial, industrial, mixed-use or multifamily development projects not to single family residential developments therefore it is not listed as it's not applicable.*

The applicant's response to H through J can be found on page 51 of the application narrative. H has been met by the applicant as the parking for the nature park is located on-street adjacent to the park on SE 72nd Avenue with some additional on-street spaces located on SE Langwood Street across the street from the nature park. Although the park concept indicates where native shrubs, groundcover and grasses would be located, an actual landscape plan that would indicate the type of native shrubs, groundcover and grasses and spacing of the native plants was not provided so compliance with I cannot be assessed. A landscape plan for the park would need to be submitted with the final development plan for review and approval by the Planning Director.

- K. *This method is applicable to commercial and industrial buildings therefore it is not listed as it's not applicable.*
- L. *This method is applicable to commercial, industrial, mixed-use or multifamily buildings therefore it is not listed as it's not applicable.*

- M. *This method is applicable to commercial or mixed-use buildings therefore it is not listed as it's not applicable.*
- N. *This method is applicable to commercial, industrial, mixed-use or multifamily development projects therefore it is not listed as it's not applicable.*
- O. *In residential developments, features such as front porches, back porches, and decks which encourage clear sight lines and natural surveillance of front yards, streets and alleys, sidewalks, and common open areas should be encouraged. Fences, hedges and walls that block street views on Local streets and cul-de-sacs should be discouraged.*

The applicant's response to O can be found on page 51 of the application narrative. The applicant indicates that clear sight lines between front porches and the front yards will be provided for each home. This cannot be assessed until the building permits are submitted for each home.

- P. *Sufficient lighting should be provided for both the sidewalk and the street, especially where these elements are separated.*
- Q. *Where appropriate, traffic calming measures such as on-street parking, gateway features, chokers, medians, and chicanes should be used to discourage through traffic on Local streets.*
- R. *Infill development should recognize the location of surrounding buildings and vehicular and pedestrian access routes to avoid creation of leftover or limited use areas which could encourage concealment or entrapment.*

The applicant's response to P can be found on page 52 of the application narrative. The applicant did not propose any traffic calming measures, however the width of the pavement (as measured between curb faces) for SE 72nd Avenue tapers from 32 feet wide north of SE Langwood Street to 28 feet wide south of SE Langwood Street which could potentially act as a traffic calming measure.

In the layout of the proposed residential development, the applicant did not create any leftover or limited use areas which could encourage concealment or entrapment, therefore R has been met. Whether sufficient lighting is provided for both the sidewalk and street cannot be assessed until engineering construction plans are submitted which contain a street lighting plan.

- 5. *The Adjustment complies with any applicable additional criteria in Subsection 12.80.158; and*

There are no applicable additional criteria in Subsection 12.80.158 for the proposed Adjustments to the lot area and lot width standards for the SFR-6 zone.

- 6. *The Type III Adjustment is not a response to special conditions over which the applicant has no control, which would be more appropriately addressed under a Variance procedure.*

The requested Adjustments are not a response to special conditions over which the applicant has no control.

12.80.120.K continued...

- e. Areas of open space, their intended levels of use, and their relationship to other proposed uses in the PUD provide enhanced opportunities for “third place” gathering areas;*

The applicant’s response to this approval criterion can be found on page 61 of the application narrative. As previously found, the proposed 10,608 square foot nature park located in Tract A at the northwest corner of the intersection of SE 72nd Avenue and SE Langwood Street provides enhanced opportunities for “third place” gathering areas. This criterion has been met.

- f. The PUD features outstanding sustainability in site design and construction; including best management practices for on-site storm water management, green building materials, water and energy efficiency, and/or urban agriculture;*

Assessments regarding whether the applicant used sustainable development practices including best management practices for on-site storm water management, green building materials, and water and energy efficiency in site design and construction have been previously described. Assessing “outstanding sustainability” is subjective, however as previously indicated in these findings, the applicant should use more sustainable development practices in site design and construction, as in staff’s assessment, the PUD does not feature “outstanding sustainability” in site design and construction and more sustainable development practices such as use of more green building materials and water and energy efficiency techniques would lead to a PUD that features outstanding sustainability in site design and construction.

- g. Site design in the PUD will create a diverse neighborhood including age- or disability -friendly features such as “visitability”; and*

As previously described in these findings, providing age- or disability-friendly features such as “visitability” was not addressed or applied by the applicant. Some of the single family houses need to be designed to include age- or disability-friendly features. This standard will be met through compliance with the conditions of approval for the Langwood Crossing PUD.

- h. The PUD features enhanced opportunities for walkability or transit ridership, including separated parking bays, off street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.*

As described in the May 6, 2015 Staff Report, the subject site is approximately 1 mile away from the nearest transit stops so it is difficult to provide enhanced opportunities for transit ridership. As stated by the applicant on page 62 of the application narrative, extending SE 72nd Avenue and SE Langwood Street through the PUD to SE Frances Street does provide enhanced opportunities for walkability and shortens the route that a pedestrian can take to Brown Middle School which is located north and east of the subject site and to Reedville Creek Park which is located south and east of the subject site at the southwest corner of the intersection of SW Cornelius Pass Road and SE Frances Street. This criterion has been met.

7. *Any adjustment(s) proposed meet the approval criteria for the specific adjustment(s) as set forth in Section 12.80.158; and*

As previously mentioned, there are no approval criteria for the specific adjustments requested by the applicant in Section 12.80.158, therefore this criterion is not applicable.

8. *If a preliminary plat was submitted for approval with the PUD concept plan, then the preliminary plat complied with the applicable approval criteria in Subsection 12.80.096 D or 12.80.098 F.*

The applicant submitted a preliminary subdivision plat with the PUD concept plan. The approval criteria for a preliminary subdivision plat contained in Subsection 12.80.098F are as follows:

F. Approval Criteria for Subdivision Preliminary Plat. To approve a subdivision preliminary plat, the Review Authority shall make findings of fact, based on evidence provided, that the following criteria are satisfied:

1. *The proposal complies with the criteria and standards of this Code, including the minimum and maximum residential densities of the base zone, if applicable;*

The applicant's responses to the criteria and standards for the SFR-6 zone including the minimum and maximum residential densities can be found on pages 8-10 of the application narrative and are shown on the preliminary plat, where applicable.

The minimum residential density for the SFR-6 zone equals 6 dwelling units/net acre. The net acreage for the subject site according to the applicant is 3.45 acres therefore the minimum residential density equals 21 dwelling units ($6 \times 3.45 = 20.7$ rounded up). The applicant proposes 22 new dwelling units and is retaining 2 dwelling units for a total of 24 dwelling units therefore the minimum density is met.

The maximum residential density for the SFR-6 zone equals 7.5 dwelling units/net acre. The maximum density calculation indicates that the maximum residential density for the subject site equals 26 dwelling units ($3.45 \text{ acres} \times 7.5 = 25.87$ rounded up). The applicant is proposing 24 dwelling units including retention of 2 existing dwelling units which is less than the maximum density for the subject site.

The development standards for the SFR-6 zone are listed in Table 12.21.460-1 of the CDC. In addition to the minimum and maximum residential density standards, these standards include the minimum lot size, minimum lot dimensions: lot width, lot depth and lot frontage, minimum setbacks, minimum and maximum building heights, maximum lot coverage and minimum usable open space.

As previously described in these findings, the applicant has requested adjustments to the minimum lot size and minimum lot width standards. As shown on the preliminary plat and preliminary site plan, the applicant meets the minimum lot depth and minimum frontage standards for all of the lots including Lots 23 and 24 which are flag lots.

The applicant has shown on the preliminary site plan that the minimum setbacks can be met, however whether the minimum setbacks are met cannot truly be determined until review of building permits for the proposed single family dwellings.

Compliance with the maximum building height and maximum lot coverage standards also cannot be assessed until review of building permits for the proposed single family dwellings.

The applicant's compliance with the minimum usable open space standard will be described in the response to Criterion No. 5.

2. *The proposal provides for necessary public utilities and facilities including, but not limited to, water, sanitary sewer, storm sewer, streets, parks, fire protection, and police protection;*

The Public Works – Engineering Division proposed conditions in Exhibit A to Order No. 8156, requiring that public right-of-way be dedicated and improvements made for the extension of SE 72nd Avenue and SE Langwood Street and for the creation of a new street – SE 73rd Place. The required right-of-way of 26 feet and improvement width of 24 feet between curb faces for SE 73rd Place is 3 feet more than the proposed right-of-way width and 4 feet more than the proposed improvement width shown on Sheets 5, 6 and 11 of the application plan set and described in the application narrative. The improvement width of 24 feet is the minimum width for a Local Street with no on-street parking.

As previously mentioned in these findings, the applicant designed SE 73rd Place as a narrow half-street, anticipating that Tax Lot 3800 on Tax Map 1S2-02CB (Lot 11 of Concord Woods) would redevelop (e.g. the existing single family residence would be demolished), the existing driveway which serves both Tax Lot 3800 and Tax Lot 3900 (Lot 12 of Concord Woods) would be closed and access would be via SE 73rd Place. Unfortunately, Tax Lot 3800 would not be able to meet the minimum lot size requirement for the SFR-7 zone with the dedication of public right-of-way for SE 73rd Place without a Type II Adjustment per CDC Section 12.80.154.

The increased right-of-way width for SE 73rd Place would reduce the lot area for Lots 20-22, potentially making Lot 20 which is proposed to be a 6,061 square foot lot and meets the minimum lot size for the SFR-6 zone become less than 6,000 square feet in area. This reduction in lot area is minor and does not substantially affect the site layout or ability to meet the minimum required setbacks for the SFR-6 zone

Additionally, the applicant has shown that there is room on Lots 20-24 for off-street parking for 12 vehicles (including guests) in addition to the off-street parking (accommodated within garages for the future residents). Per CDC Table 12.50.320-1: Required Vehicle Parking Spaces for Residential Uses, the minimum required off-street parking for a detached single family dwelling is 1 parking space and there is no maximum parking for Parking Zone B (where the subject site is located). The applicant has demonstrated that 4 off-street parking spaces per lot can be provided for Lots 20-23 and 6 off-street parking spaces for Lot 24, which is excess parking beyond the minimum required parking. If the future residents of Lots 20-24 occasionally have a party that adds more guests than can be accommodated in their driveways, on-street parking is available approximately 280 feet away on SE 72nd Avenue.

The Engineering Division is also requiring dedication of right-of-way for SE Frances Street and a photometric analysis of the street lighting on SE Frances Street. If the existing street lighting is found to not meet City standards, then the applicant shall provide additional street lighting.

Regarding the location for the proposed public storm line from SE 73rd Place to SE 72nd Avenue as shown on Sheet 7 of the application plan set, the Engineering Division is requiring that it be located along the east/west lot lines dividing Lots 18 and 19 and Lots 20-21 without any manholes between SE 72nd Avenue and SE 73rd Place to allow for City work crews to access the line for ordinary maintenance without entering private property. With this change, the storm line serving Lots 23-24 would become private and it would connect to the public storm line in SE 73rd Place.

The Engineering Division is also requiring that the applicant submit a storm drainage report per Clean Water Services' standards that provides an analysis of the downstream storm sewer system to verify that the existing system has capacity to accept the increased storm water flows from the proposed PUD.

Whether the applicant provides the necessary public utilities and facilities including, but not limited to, water, sanitary sewer, storm sewer, streets, parks, fire protection, and police protection to City standards cannot be assessed until submittal of engineering construction plans for the proposed PUD. The preliminary assessment is that the applicant is providing the necessary public utilities and facilities for the proposed PUD.

3. *The proposal facilitates safe and convenient bicycle and pedestrian connections and access within the proposed subdivision compliant with Section 12.50.420;*

The applicant's response to this standard can be found on page 29 of the application narrative. This standard has been met.

4. *The proposal facilitates the efficient development of and safe access to and from the proposed subdivision and to adjoining undeveloped properties compliant with Sections 12.50.430 and 12.50.520;*

Public street connections are available to and from the proposed PUD therefore the off-site pedestrian and bicycle connectivity standard contained in Section 12.50.430 is not applicable. There are no transit stops or adjacent undeveloped property adjacent to the subject site. The applicant has demonstrated that the proposed internal streets (SE 72nd Avenue, SE 73rd Place and SE Langwood Street) including the pedestrian and bicycle network provide safe and convenient access to adjacent residential development, Brown Middle School and Reedville Creek Park therefore the standards contained in Section 12.50.520 have been met.

5. *The proposal complies with the development and design standards in Subchapter 12.50 relating to street and bicycle/pedestrian design, usable open space, and development and design guidelines, and with any other applicable standards identified at the pre-application conference;*

The applicant's response to the development and design standards in Subchapter 12.50 can be found on pages 17-41 of the application narrative. The off-street parking, access and street standards, public utilities, site grading and storm water management facilities and public benefit standards have already been addressed in these findings, therefore staff's response to the development and design standards contained in Subchapter 12.50 focuses on the site design standards contained in Sections 12.50.210-12.50.250 that address usable open space, landscaping, tree preservation, exterior lighting and fences, the bicycle parking standards in Section 12.50.410 and the design standards contained in Section 12.50.710 for detached single family dwellings.

12.50.210 Usable Open Space

Per Table 12.50.210-1, the required usable open space for residential development with a net acreage between 3.1 to 15.0 acres is 5% of the net acreage. The net acreage for the subject site is 3.45 acres, therefore a minimum of 0.17 acre (7,514 square feet) of usable open space is required. The applicant proposes a 10,609 square foot nature park at the northwest corner of the intersection of SE 72nd Avenue and SE Langwood Street, which is the equivalent of 7% usable open space. The amount of usable open space provide is in excess of the minimum required and this standard has been met.

The locational standards to the usable open space are listed on pages 18-19 of the application narrative. As previously described in these findings, the proposed nature park does provide some small areas for active recreation (tossing a football or Frisbee or playing croquet) in the lawn areas between the public sidewalks on SE 72nd Avenue and SE Langwood Street and does provide "third places" which function as a gathering place for social interaction (conversations and picnics, as benches and picnic tables are provided). The locational standards for usable open space also have been met.

CDC Section 12.50.210.I contains the usable open space standards for maintenance. The proposed nature park is private open space located in Tract A, where ownership and maintenance of the park would be by the homeowners association for Langwood Crossing. The Conditions, Covenants and Restrictions (CC& R's) or a separate ownership and maintenance agreement that binds the owners of Lots 1-24 of Langwood Crossing to permanent ownership and maintenance for a minimum of 40 years per the standard contained in Section 12.50.210.I.3.a shall be provided with submittal of the final plat for Langwood Crossing for review and approval by the Planning Director. Said CC& R's or ownership and maintenance agreement shall be recorded prior to the issuance of the Certificate of Occupancy for any of the new single family dwellings.

12.50.220 Landscaping

Section 12.50.220.B states that the standards of this Section shall apply to all Type II and Type III development projects on properties for which the base zone standards require landscaping. The base zone for the subject site is SFR-6 which states that the landscaping standards are not applicable.

12.50.230 Tree Preservation

C. *Standards for Mature Tree Preservation.* *These standards apply to deciduous trees 8 inches or greater in diameter measured 4 feet above native grade, or coniferous trees 30 feet or taller in height.*

- 1. To the maximum extent practicable, development shall be sited and constructed to avoid removing or damaging mature trees. The burden of proof is on the applicant to demonstrate the necessity of tree removal.*
- 2. Applications for development of sites with stands of 5 or more overlapping mature tree canopies shall include a tree preservation plan prepared by a certified arborist. The plan shall identify trees which can be retained and which must be removed to accommodate the development or promote public safety. The plan shall also identify areas where potential wind throw may occur as a result of partially removing a stand of trees and recommend measures to prevent wind throw.*
- 3. The Review Authority may condition a land use approval to avoid disturbing tree roots by grading activities and to protect trees and other significant vegetation to be retained from construction activity impacts. Such conditions may include the retention of a qualified consulting arborist or horticulturist during and/or after site grading, and a tree maintenance and management program to provide protection to the trees as recommended by the arborist.*
- 4. Trees shown as protected or preserved on the tree protection plan shall be marked and protected on site by a construction fence placed at least 5 feet outside the drip line(s) illustrated in Figure 12.50.230-A. No soil compaction, material or spoils storage shall be allowed within the drip line(s). This provision shall be enforced as a requirement of any Building and Engineering Permits for the project.*
- 5. Where the Review Authority determines it is impracticable or unsafe to preserve mature trees, removal of the trees shall be mitigated by one of the following alternatives, as determined by the Review Authority:*

- a. *The trees shall be replaced in accordance with an approved landscape plan including new plantings of similar character at least 2 1/2" in caliper. The Review Authority may allow the replacement trees to be planted off-site in a public open space or park; or*
- b. *A fee in-lieu-of replacement may be paid by the developer to the city. The amount of the in lieu of payment shall be approximately equal to the market value of the replacement trees cited in Subsection a, above.*
6. *The Review Authority may modify the requirements of this section in a manner which in its determination reasonably satisfies the Purpose Statement in Subsection A above. Where a modification is approved, the Review Authority may impose the conditions in Subsection C.3 above.*
7. *Under Section 12.80.150, the Review Authority may authorize an adjustment or variance for reduced setbacks or a reduction in the number of parking spaces to avoid removal of mature trees, provided measures are also taken to preserve the health of the trees. If approved, reduced setbacks or numbers of parking spaces must remain in compliance with Building Department requirements.*
8. *The Planning Director may request that the Building Official or the Public Works Director issue a Stop Work order to halt construction if site or building construction violates the standards of this section either intentionally or through negligence. If construction is halted, a legally binding mitigation plan and agreement shall be executed prior to resumption.*

The applicant's response to the tree preservation standards listed above can be found on pages 22-23 of the application narrative. The project arborist assessed the overall tree health of the mature trees proposed to be removed and identified which trees can be retained and which must be removed to accommodate the development or promote public safety (see Arborist Report in Exhibit 26 of the application materials). Of the existing trees, approximately 95 trees both deciduous and coniferous trees are 8-inch caliper or greater. Oregon White Oak and Douglas fir trees accounted for most of these trees, however there are also non-native trees which are according to the arborist widely accepted as being invasive including black locust, English hawthorn and sweet cherry trees that accounted for about 12.4% of these trees.

Of all of the existing trees over 6-inches in caliper (evaluated by the project arborist) on the subject site, only 33 trees were considered to be in good condition and 4 trees in excellent condition. Of the trees in good condition, the applicant proposes saving 10 trees (all Oregon White Oak trees). The applicant also proposes saving an Oregon White Oak that is in fair condition. All of the trees proposed to be saved are located in the proposed nature park. The four trees that are in excellent condition are young Giant Sequoias (Tree Nos. 20091, 20092, 20095 and 20096 – see Sheets 3 and 4 of the application plan set for the location of these trees) on Tax Lot 900 (on Tax Map 1S2-02CB) that appear to be planted for landscaping. According to the project arborist, these Sequoia trees are far from their mature size and would require substantial distance from the infrastructure in order to be retained as long-term site amenities, therefore they are proposed to be removed.

Eleven Oregon White Oak trees are proposed to be preserved in the nature park, the remaining trees would need to be removed either due to their poor condition, threat to public safety or to accommodate the proposed development. Per the standard contained in Section 12.50.230.5, regarding mitigation for mature trees that are removed, there are three options that the applicant could follow or a combination of these options. It does not appear on the preliminary development plan for the PUD that there is not enough room on the subject site to replace all of the trees removed, therefore the applicant will need to identify which of the options in Section 12.50.230.5 it will follow prior to issuance of the private utility permit or public infrastructure permit. A condition has been added for mature tree mitigation. It is also reasonable to not require the applicant to pay the fee-in-lieu for the trees that are considered to be invasive trees as identified by the project arborist in the arborist report.

D. Standards for Specimen Tree Preservation. In addition to the standards in Subsection C above, the standards in Subsection D apply to the Specimen Trees described in Table 12.50.230-1.

Table 12.50.230-1: Specimen Tree Sizes

<i>Tree species</i>	<i>Diameter defining Specimen status (measured at 4 feet above native grade)</i>
<i>single Douglas Fir</i>	<i>greater than 24 inches</i>
<i>single Grand Fir, Ponderosa Pine, Western Hemlock, or Western Red Cedar</i>	<i>greater than 12 inches;</i>
<i>any other single conifer</i>	<i>greater than 20 inches</i>
<i>single Red Alder, Big Leaf Maple, or Oregon White Oak</i>	<i>greater than 12 inches; or</i>
<i>any other single deciduous tree</i>	<i>greater than 20 inches</i>

1. *No specimen tree shall be removed or damaged during development construction unless one or more of the following criteria are met:*
 - a. *A Certified Arborist determines that the tree:*
 - i. *Is a safety hazard to persons or property due to its location or condition; or*
 - ii. *Is a dangerous tree as defined in Section 12.04; or*
 - iii. *Was diseased, weakened or dying before construction began and no practicable means is available to preserve it;*
 - b. *A Registered Engineer determines that removal of the tree is necessary:*
 - i. *To accommodate construction equipment access where there is no practicable alternative route; or*
 - ii. *To accommodate grading necessary for required storm water management or structural building integrity, and there is no practicable grading alternative to meet those requirements; or*

iii. To accommodate proposed buildings or other permanent improvements, and there is no practicable alternative location or design option for the improvements at the same scale within the lot.

- 2. Under Section 12.80.150, the Review Authority may authorize an adjustment or variance for reduced setbacks or a reduction in the number of parking spaces to avoid removal of specimen trees, provided measures are also taken to preserve the health of the trees. If approved, reduced setbacks or numbers of parking spaces must remain in compliance with Building Department requirements.*

According to the Arborist Report, there are 26 Oregon White Oak trees that are greater than 12-inches in caliper, 1 Scouler's Willow tree greater than 20-inch caliper, 1 Black Locust tree (invasive tree species), 11 Douglas fir trees greater than 24-inch caliper and 4 Giant Sequoia trees greater than 20-inch caliper, which are all considered to be specimen trees per this Section.

Of these specimen trees, the project arborist indicated that the existing condition of most of these trees is poor or fair condition. Some of these specimen trees (2 Douglas fir trees, 9 Oregon White Oak trees and 4 Giant Sequoia trees) that are in good condition are proposed to be removed due to their location in order to accommodate grading, proposed buildings or permanent improvements and there is no practicable grading alternative or alternative location or design option for the improvements at the same scale within the lot. The applicant has met the standards for removal of specimen trees.

12.50.240 Exterior Lighting

- B. Applicability. Except as provided in Subsection E below, the standards of this section shall apply to all Type II and Type III development applications in which exterior lighting is proposed or required as a condition of approval, unless a Variance or Adjustment has been granted by the Review Authority pursuant to Section 12.80.140 Variances and Adjustments.*
- C. Exterior Lighting Standards.*
- 1. Development applications shall include a lighting plan showing locations and specifications for all lighting used to illuminate public and private streets, buildings, sidewalks, multi-use paths, parking lots, plazas, or open space areas. The lighting plan shall be evaluated during the land use approval process for compliance with the standards of this section.*
 - 2. For safety purposes, lighting shall be provided throughout the on-site pedestrian circulation system, including street frontages, sidewalks, multi-use paths, parking lots, buildings, and plazas. The on-site pedestrian circulation system shall be lighted to a minimum level of 21.5 lumens/square meter to enhance pedestrian safety and allow use at night.*
 - 3. Required bicycle parking shall be lighted to a minimum 32.5 lumens/square meter to allow secure use at night.*

4. *The minimum lighting level for building entries of new multi-family, retail, commercial, office, industrial and institutional buildings located within 300 feet of the property boundaries of a major transit stop shall be 43.0 lumens/square meter. The minimum lighting level for all other primary building entrances shall be 32.5 lumens/square meter. Lights shall be 6 to 12 feet in height and the light source shall be shielded to reduce glare consistent with Subsection D below.*
5. *Maximum lighting levels for pedestrian circulation systems, required bicycle parking, and building entrances shall be 32.5 lumens/square meter.*
6. *Lighting plans shall also show any proposed exterior architectural or aesthetic lighting used to create visual interest or emphasize building features. Aesthetic and architectural lighting shall also be evaluated during the land use approval process for compliance with the standards of this section.*
7. *Foreground spaces, such as building entrances and plaza seating areas, shall use pedestrian-scale lighting that defines the space without glare. Background spaces such as parking lots shall be illuminated as unobtrusively as practicable to meet the functional needs of safe circulation and of protecting people and property.*
8. *Site lighting that could be confused with warning, emergency, or traffic signals is Not Permitted.*
9. *Site lighting that could be confused with airport lighting is Not Permitted.*

D. Light Trespass Standards.

1. *Light Trespass. Maximum lighting levels at property lines generally shall not increase lighting level more than 10.75 lumens/square meter 10 feet beyond the property line, as illustrated in Figure 12.50.240-A:*
2. *Shielding. Any light source or lamp that emits more than 900 lumens (13 watt compact fluorescent or 60 watt incandescent) shall be concealed or shielded with an Illumination Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property. Examples of shielded light fixtures are shown in Figure 12.50.240-B:*

E. Exemptions. The following types of lighting are not subject to the requirements of this Section:

1. *Public street and right-of-way lighting (standards for street lighting are addressed in the Public Works Design and Construction Standards);*
2. *Temporary decorative seasonal lighting;*
3. *Temporary lighting for emergency or nighttime work and construction;*
4. *Temporary lighting for theatrical, television and performance areas, or for special public events;*
5. *Lighting for a special district, street or building that, according to an adopted City plan or ordinance, is determined to require special lighting aesthetics as part of its physical character;*

6. *Lighting required and regulated by the FAA;*
7. *Lighting for outdoor recreational uses such as stadiums, driving ranges, ball diamonds, playing fields, tennis courts and similar uses, provided that (a) light poles are not more than 80 ft. tall, (b) maximum illumination at the property line is not brighter than 21.5 lumens/square meter, and exterior lighting is extinguished no later than 11:00 pm; and*
8. *Architectural lighting installed on buildings or structures as an aesthetic feature.*

The applicant's response to the exterior lighting standards can be found on page 23 of the application narrative. The applicant only describes street lighting which would be exempt per Section 12.50.240.E.1. Per Section 12.50.240.C.1, a lighting plan needs to be provided for open space areas as they are not exempt per Section 12.50.240.E. If exterior lighting is proposed on the individual single family houses to be built on the proposed lots, information would need to be provided with the building permit application submittal that shows how the proposed exterior lighting meets the light trespass standards contained in Section 12.50.240.D.

12.50.250 Fences, Free-Standing Walls, Hedges and Berms

D. Residential Fence and Wall Standards.

1. *Fences and walls in residential zones shall not exceed 7 feet 2 inches in height except where they abut a commercial, Mixed-Use, urban center, institutional or industrial zone. Adjacent to a commercial, Mixed-Use, urban center, institutional or industrial zone, fences in residential zones may be up to 8 feet 2 inches in height with approval of a building permit. Soundwalls installed in single family zones adjacent to light rail facilities are exempt from these height restrictions.*
2. *Fences and walls in residential zones shall not exceed 4 feet 2 inches in height within any front yard setback and shall not conflict with vision clearance requirements in Section 12.50.260. One arbor, gate, or similar garden structure not exceeding 8 feet in height and 4 feet in width is allowed within the front yard outside a vision clearance triangle.*
3. *On corner lots, location of and height of a fence or wall shall be determined by the Planning Director upon submittal of a fence permit application.*
4. *Use of barbed wire, razor wire, and electric fences shall be consistent with the requirements of the Hillsboro Municipal Code.*
5. *Chain link fences shall include a top rail for security and maintenance. Chain link fences installed adjacent to landscaped areas, wetlands, or open space areas shall have a black, dark brown, or dark green powder coating.*
6. *Fencing and Wall Requirements for New Residential Developments.*
 - a. *Applications for Development Review, preliminary Subdivision plat or Planned Unit Development concept plan approval for new residential development shall submit proposed fencing or wall plans in compliance with the standards in Table 12.50.250-1.*

- b. *Perimeter street fences and walls shall be installed by the developer prior to the acceptance of public infrastructure, according to the standards listed in Table 12.50.250-1.*
- c. *Uniform interior yard fences and walls shall be constructed during or after home construction, according to the fencing plan approved during preliminary review.*

**Table 12.50.250-1:
Perimeter Fence and Wall Standards for Residential Developments**

Project Character	Preferred Standard
<i>Arterial or Collector frontage where garages and front doors face the interior street and rear yards face the Arterial or Collector street</i>	<i>1st: Masonry or brick walls; anti-graffiti sealant 2nd: Solid wood fence; masonry or brick columns with cap board; anti-graffiti sealant All fences to be maximum 6 feet high except in vision clearance areas Construction to include a minimum 3- foot wide landscaped strip between the sidewalk and the fence or wall</i>
<i>Arterial or Collector frontage where front doors face the Arterial or Collector street and garages face the interior street</i>	<i>1st: Masonry or brick walls 2nd: Metal fence with masonry or brick columns 3rd: Solid wood fence with cap board All fences to be maximum 4 feet high except in vision clearance areas Individual gates or openings to be provided for single family dwellings; consolidated gates or openings may be provided for multiple dwelling structures and attached two-dwelling structures</i>
<i>Neighborhood route or Local street frontage where garages and front doors face the interior street</i>	<i>Uniform fencing plan to be approved during Type II or Type III application review.</i>
<i>Neighborhood route or Local street frontage where garages and front doors face the neighborhood route street</i>	<i>Uniform fencing plan, to be approved during Type II or Type III application review.</i>
<i>Perimeter fences or walls adjacent to surrounding properties (not street frontage)</i>	<i>Uniform fencing plan, to be approved during Type II or Type III application review</i>

The applicant’s response to the fence and wall standards can be found on page 24 of the application narrative. The applicant is not proposing any hedges or berms. The subject site has frontage on SE Frances Street, which is a Collector street. There are 3 new single family dwellings (on Lots 1, 19 and 20) that have frontage on SE Frances Street. The front doors and the garages for these proposed single family dwellings face the interior streets (SE 72nd Avenue and SE 73rd Place). The applicant proposes a 4-foot high wood good neighbor fence with masonry (brick) columns (see Sheet 6 of the application plan set for fence detail). This standard has been met.

Table 12.50.250-1 states that a uniform fencing plan is to be approved during a Type III application review for local streets where garages and front doors face the local street and for perimeter fences or walls adjacent to surrounding properties. The applicant proposes a 4-foot high split rail fence along the north and west perimeter of the nature park in Tract A and 6-foot high wood good neighbor perimeter fencing in the areas where there is no existing fencing. On the west side of the subject site, south of SE Langwood Street, the perimeter fence is adjacent to SE 71st Court.

The applicant also states that they will install a 6-foot high sight obscuring fence along the eastern property line by the length of SE 73rd Place outside of the vision clearance area at the request of the adjacent property owner. No detail of this sight obscuring fence has been provided in the application materials. The applicant will need to provide a detail of this fence with the submittal of the final development plan for review and approval by the Planning Director.

In order to comply with the standard contained in Section 12.50.250.D.6.b, the developer shall install perimeter street fences and walls prior to the acceptance of public infrastructure. This includes the perimeter street fencing adjacent to SE 71st Court.

12.50.410 Bicycle Parking

Table 12.50.410-1: Required Bicycle Parking Spaces for Housing Types or Residential Uses indicates the number of bicycle spaces required. For detached single family dwellings, no spaces are required if exempt under Subsection 12.50.410.C.1. Subsection 12.50.410.C.1 states that detached single family dwellings with individual assigned and enclosed garage or carport spaces or storage spaces 80 square feet or larger are exempt from the bicycle parking requirements. All of the proposed single family dwellings have minimum 2-car garages that are part of the dwelling structure therefore they are exempt per Subsection 12.50.410.C.1.

12.50.710 Detached Single Family, Duplex and Two-Unit Townhouse Residential Design Standards

C. Standards.

- 1. Main Entries. At least one main entrance to the dwelling shall meet both of the following standards:*
 - a. The entry shall be no further than 8 feet behind the longest street facing-wall of the building, as illustrated in Figure 12.50.710-A; and*
 - b. The entry shall either, face the street, be at an angle of no more than 45 degrees from the street, or open to a porch. If the entry opens to a porch, the porch shall meet all of the following standards:*
 - i. Have a minimum area of 25 square feet, with a minimum depth of 5 feet;*
 - ii. Have at least one porch entry facing the street;*
 - iii. Have a roof that is a maximum of 12 feet above the floor of the porch; and that covers at least 30% of the porch area.*

The applicant's response to this standard can be found on page 38 of the application narrative. The applicant indicates as shown on Sheet 6 of the application plan set and Exhibit No. 15 of the application materials that the proposed homes comply with this standard. While some of the building elevations may appear to show compliance with some of these features, true compliance cannot be determined without the floor plans for the proposed houses that show the depths and widths for the main entry. No floor plans were provided with the PUD application so compliance with this main entry standard cannot be assessed until building permit applications are submitted for the proposed houses for Langwood Crossing. A condition of approval requiring the applicant to provide these materials for review during the final development plan has been added.

The City Urban Design Planner reviewed Sheet 6 and Exhibit No. 15 and stated that "front-loaded home" layouts such as Figure 4, Model Nos. 2407, 2440-B and 2610 (shown in Exhibit No. 15) that use a recessed, narrow entry do not create a porch or clearly mark the point of entry into the home per Figure 12.50.710-A or Figure 12.50.710-B that illustrate the above standard and that the entries appear to be set back from the front façade by more than 8 feet.

The City Urban Design Planner recommends using a less "garage forward" option per Section 12.50.710.5.m, where the garage comprises no more than 35% of the front façade. In order to comply with this standard, the plans for all of the proposed homes will need to demonstrate that this standard for main entries is being met in the building permit application submittal. A condition of approval requiring the applicant to provide these materials for review during the final development plan has been added.

2. *Windows.* At least 15% of the area of each façade facing a street or commonly-accessible open space, and 20% of the ground floor facing those two features, shall be glazing or entry doors with glazing insets, as illustrated in Figure 12.50.710-B.
 - a. *Transparent windows allowing views from the dwelling to the street or public open space meet this standard. Up to 25% of the required area may also be met by privacy (translucent) windows, glass blocks, or entry doors with translucent glass.*
 - b. *Window area is considered the entire area within the outer window frame, including any interior window grid.*
 - c. *All of the window area of the street-facing wall(s) of an attached garage, and half of the total window area in the door(s) of an attached garage may be counted toward this standard.*
 - d. *Doors used to meet this standard contain glass and shall face the street or be at an angle of not more than 45 degrees from the street. Security viewing devices ("peepholes") do not by themselves meet this standard.*
 - e. *Door area is considered the portion of the door that moves. Door frames do not count toward this standard.*

The City Urban Design Planner stated that the recessed entry design used for Figure 4, Model Nos. 2407, 2440-B and 2610 also creates a deficit in the glazing percentage required for this standard. In order to comply with this standard, the plans for all of the proposed homes shall demonstrate that this standard for windows is being met in the building permit application submittal. A condition of approval requiring the applicant to provide these materials for review during the final development plan has been added.

3. *Foundation Materials. Concrete or concrete block may be used as foundation material only if the concrete or concrete block is not exposed above finished grade by more than 3 feet, except that the Review Authority may approve exposure of additional concrete or concrete block for foundations on slopes greater than 20%.*

On page 39 of the application narrative, the applicant states the attached building elevation(s) demonstrate compliance with this section since the foundation is not exposed above finished grade by more than 3 feet. This does appear to be the case for the building elevations contained in Exhibit No. 15.

4. *Articulation. Detached single family residential structures shall incorporate elements that break up all façades facing streets or commonly-accessible open spaces into smaller planes using four or more of the elements listed below, as illustrated in Figure 12.50.710-C. On corner or multi-frontage lots, four or more elements shall be provided on each street- or open space-facing façade. Examples of architectural features that meet the standards in this section include the following or substantially similar features:*
 - a. *A covered porch at least 5 feet deep (measured horizontally from the face of the main façade) and at least 6 feet wide;*
 - b. *A balcony at least 4 feet deep and 8 feet wide, that is accessible from one interior room;*
 - c. *A bay window at least 6 feet wide, bumped out by at least 2 feet; and extending from the top of the foundation to the top of the main façade wall;*
 - d. *A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide;*
 - e. *A section of the façade, at least 6 feet in width, that is either recessed or bumped out by at least 2 feet deep from the front wall plane;*
 - f. *An offset on the building face of at least 16 inches from one exterior wall to the other;*
 - g. *A gabled dormer at least 4 feet wide and integrated into the roof form;*
 - h. *Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other; or*
 - i. *Other architectural features approved by the Review Authority.*

The applicant indicates on page 40 of the application narrative that the building elevations contained in Exhibit No. 15 of the application plan set demonstrate compliance with at least 4 of the above design features. While the building elevations may appear to show compliance with some of these features, true compliance cannot be determined without the floor plans for the proposed houses that show the depths and widths for these design features. No floor plans were provided with the PUD application so compliance with these articulation design features cannot be assessed until building permit applications are submitted for the proposed houses for Langwood Crossing. The building plans for all of the proposed homes shall demonstrate that a minimum of 4 of these architectural features are being provided for each home in the building permit application submittal. A condition of approval requiring the applicant to provide these materials for review during the final development plan has been added.

5. Detailed Design Elements. *Detached single family residential structures shall provide at least nine of the following elements, as illustrated in Figure 12.50.710-D, on any façade facing a street or commonly-accessible open space. On all other façades, at least four of the following elements shall be provided:*
 - a. *A recessed building entry at least 2 feet deep, as measured horizontally from the face of the main building façade, and at least 5 feet wide;*
 - b. *Roof eaves on all elevations that project at least 12 inches from the intersection of the roof and the exterior walls;*
 - c. *Knee- or eave-braces (if appropriate with the architectural style);*
 - d. *Roof line offset of at least 2 feet from the top surface of one roof to the top surface of the other;*
 - e. *Hip or gambrel roof design;*
 - f. *Decorative shingles or varied siding in gables;*
 - g. *Tile or wood shingle roofs;*
 - h. *Wood or fiber-cement horizontal lap siding between 3 and 7 inches wide (the visible portion once installed);*
 - i. *Brick, cedar or fiber-cement shingles, stucco, or other similar decorative materials covering at least 40% of the street-facing façade;*
 - j. *Window trim around all windows at least 3 inches wide and 5/8 inches thick;*
 - k. *On any façade not facing a street or open space, minimum 15% of the area in glazing or entry doors, consistent with Section 12.50.710 C 2 a-e;*
 - l. *Window recesses in all street frontage windows, of at least 3 inches as measured horizontally from the face of the façade;*
 - m. *Attached garage width, as measured on the inside of the garage door frame, of 35% or less of the length of the street-facing façade;*
 - n. *Decorative railing systems for balconies and decks (if appropriate with the architectural style);*
 - o. *Decorative eave or barge boards (if appropriate with architectural style);*

- p. Color palette including four colors; and/or*
- q. Other architectural features approved by the Review Authority.*

On page 41 of the application narrative, the applicant indicates that the building elevations contained in Exhibit No. 15 of the application materials demonstrate compliance with at least 10 of the above design elements which include a, b, c, d, f, h, l, j, o, p and q. Design elements a, b, d, h, j, and l cannot be assessed without viewing floor and building plans for the proposed houses. The color and materials board submitted by the applicant only allows assessment of Figure 4 in Exhibit No. 15 for design elements h, j and p. Color Scheme Nos. 2, 4, 6, 12 and 15 contained in Exhibit No. 15 show compliance with design element p.

The building plans for all of the proposed homes shall demonstrate that a minimum of 9 of these design elements are being provided on any façade facing a street or commonly accessible open space (e.g. Tract A) and a minimum of 4 of these design elements are being provided on all other facades for each home in the building permit application submittal. A condition of approval requiring the applicant to provide these materials for review during the final development plan has been added.

- 6. The proposal complies with the requirements of any other affected agencies, including but not limited to: Washington County; CWS; DSL; and ODOT;*

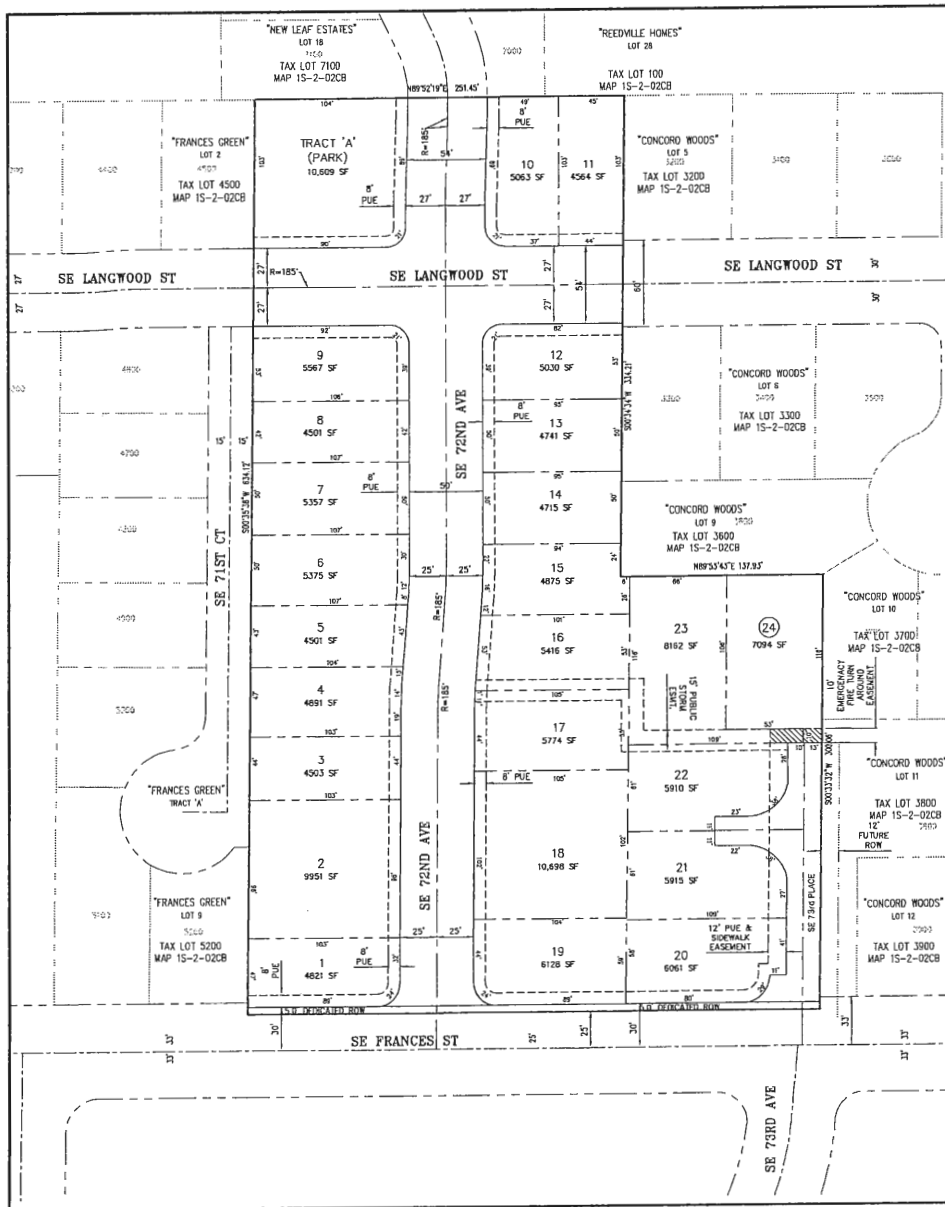
Clean Water Services submitted a letter dated April 14, 2015 which is attached to the April 30, 2015 staff report.

- 7. Any oversized lots within the development are configured to allow future division in accordance with the requirements of this Code; and*

The two oversized lots – Lot 2 and 18 within the proposed PUD were created in order to retain two existing single family dwellings including allowing the owner of the house on Lot 18 to build a detached garage as a portion of the existing garage has to be removed in order to accommodate the extension of SE 72nd Avenue to SE Frances Street. These two lots are not of sufficient size to allow future division and to still be able to meet the minimum lot size for the SFR-6 zone.

- 8. Streets, driveways, and utilities will be sufficiently sized to serve the proposed development and future development on any oversized lots.*

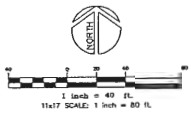
Streets, driveways and utilities appear to be sufficiently sized to serve the proposed development including the two oversized lots described above. The Public Works – Engineering Division, Fire Prevention and Water Departments will ensure that streets, driveways and utilities meet City standards and are sufficiently sized.



PROPOSED 24-LOT PUD

ZONE:
 SITE AREA GROSS:
 RIGHT OF WAY DEDICATION:
 INTERNAL RIGHT OF WAY:
 TRACT "A":
 NET SITE AREA:
 MAX. NET DENSITY 7.5 X AC =
 MIN. NET DENSITY 6.0 X AC =
 TOTAL NUMBER OF LOTS PROPOSED:
 MIN. LOT SIZE:
 MIN. LOT SIZE (ADJUSTED):
 MIN. LOT WIDTH:
 MIN. LOT WIDTH (ADJUSTED):

SFR-6
 200,914 SF = 4.61 AC
 1,940 SF = 0.04 AC
 48,732 SF = 1.12 AC
 10,609 SF = 0.24 AC
 150,234 SF = 3.45 AC
 25.88 LOTS
 23.70 LOTS
 24
 6,000 SF
 4,501 SF
 55-FT
 42-FT

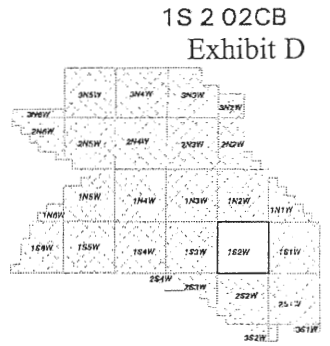
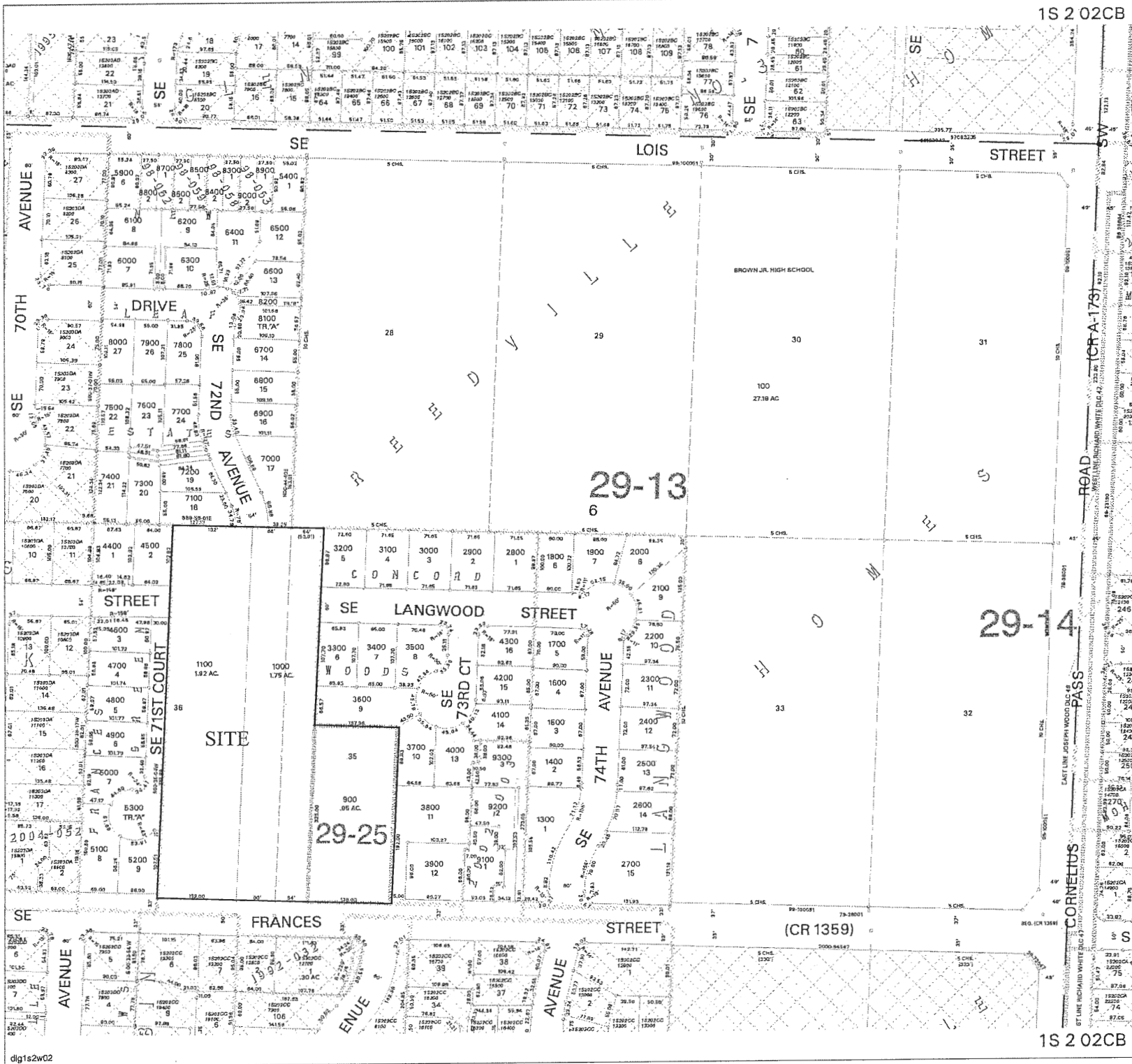


FOR: INVERSIDY HOMES, LLC
 17925 NW EVERGREEN PARKWAY
 BEVINGTON, OREGON 97106
 SITE: TAX LOTS 300, 1000 & 1100
 CITY OF HILLSBORO, OREGON

LANGWOOD CROSSING
 24-LOT PUD
 NO286
 PRELIMINARY PLAT

DESIGNED	BY	DATE

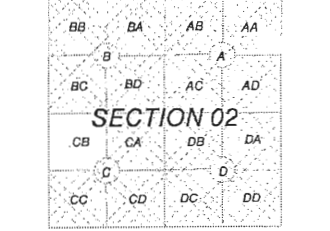
DESIGNED	BY	DATE



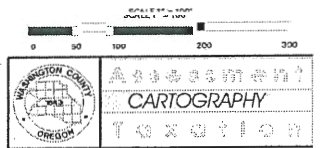
WASHINGTON COUNTY OREGON
 NW1/4 SW1/4 SECTION 02 T1S R2W W.M.
 SCALE 1" = 100'

30	31	32	33	34	35	36	37
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 1S202CB
 400,500,601,700,800,1200,200,5600,5700,5500,5800,5900,
 300,



PLOT DATE: February 01, 2012
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not reflect the most current property boundaries. Please consult the appropriate map for the most current map information.

HILLSBORO
 1S 2 02CB