



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



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

Date: June 26, 2015
Jurisdiction: City of Hillsboro
Local file no.: PUD-001-15
DLCD file no.: 008-15

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.: 008-15 {23739}
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-001-15**

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): Ruth Klein, Senior Planner

Phone: 503-681-6465

E-mail: ruth.klein@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 MU-N	to PUD MU-N	Acres:
Change from MFR-1	to PUD MFR-1	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: 3 Acres removed:

Location of affected property (T, R, Sec., TL and address): 1S210CB00700, 1S210CB00800

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.

ORDINANCE NO. 6124

PLANNED UNIT DEVELOPMENT 001-15: BROOKWOOD MEADOWS

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF THE 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 26-LOT RESIDENTIAL DEVELOPMENT ON A SITE APPROXIMATELY 2.95 ACRES IN SIZE.

WHEREAS, the owner of certain tracts of land in the MFR-1 Multi Family Residential zone and MU-N Mixed Use – Neighborhood zone, and more specifically described below, has filed a written application with the City of Hillsboro requesting approval of a 26 lot residential planned unit development that includes 5 attached single family residential live/work units and 21 detached single family residential units; and

WHEREAS, the Planning Commission held a public hearing on this application on May 13, 2015, and received testimony in support of the application and no other testimony, the Planning Commission closed the public hearing, deliberated and approved Order No. 8155, with its attached exhibits, which recommended approval to the City Council.

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 001-15:

Tax Lots 700 and 800 on Washington County Assessor's Tax Map 1S2-10CB, on record as of February 3, 2011, and made a part of this Ordinance as Exhibit C.

Section 2. The Planning Commission recommendation of approval is based on the conditions of approval as set forth in Exhibit A, findings as set forth in Exhibit B and preliminary plat as set forth in Exhibit D.

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.

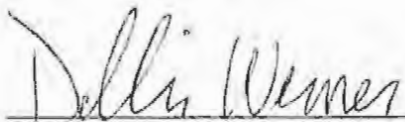
Section 6. This ordinance shall be effective from and after 30 days following its passage and approval by the Mayor.

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 this 16th day of June 2015.

ATTEST:


for Amber Ames, City Recorder

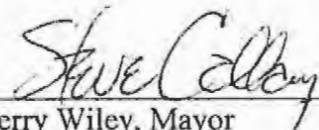

for Jerry Wiley, Mayor

EXHIBIT A
(Conditions)

1. Development and construction on the site shall conform substantially to the preliminary development plans and conditions approved by the Planning Commission, as contained in Case File No. Planned Unit Development 001-15, and specifically to the approved final construction plans.
2. Prior to the commencement of work on the site, the applicant shall apply for and obtain all necessary permits for the development.
3. All permit applications shall include a narrative on the second plan sheet 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.
4. Prior to approval of the final plat, the final plat shall address the following items:
 - a) Shall show a bearing and distance for exterior boundary line "L1".
 - b) Shall show a revised enlarged configuration for Tract A resulting from the removal of the fourth parking space for Lot 5.
 - c) Dedication of additional right-of-way along SE Alexander Street to a distance of 36 feet from centerline and dedication of an 8 foot wide public utility easement (PUE) adjacent to said right-of-way.
 - d) Dedication of an 8 foot Public Utility Easement adjacent to the SE Brookwood Avenue right-of-way.
 - e) Dedication of an 8 foot Public Utility Easement adjacent to SE Oakmeade Avenue right-of-way. The street side yard building setbacks can be reduced to 8 feet and the Public Utility Easement reduced if approved by the City Engineering Department. Foundations shall be engineered to not encroach into the ultimate Public Utility Easement width.
 - f) Dedication of right-of-way for the extension of SE White Oak Avenue to a width of 50-54 feet ending in a cul-de-sac with a minimum right-of-way radius of 32 feet. An 8 foot wide Public Utility Easement shall be dedicated adjacent to said rights-of-way.
 - g) Identification of no direct vehicular access from the individual lots on to either SE Brookwood Avenue or SE Alexander Street.
 - h) For the extension of SE Oaktree Way either:
 - i. Dedicated as a public street to be maintained by the City if the owners of Tract M of Parks at Laurel Oaks No. 2 agree to dedicate said tract to the City as public right-of-way. The dedication of right-of-way for the extension of the public alley connecting SE White Oak Avenue to SE Oakmeade Avenue shall be a minimum width of 22 feet; or
 - ii. Established as a private street tract with a connection to the existing private street. This will require the Brookwood Meadows Home Owners Association to join with the Parks at Laurel Oaks No. 2 Home Owners Association for the maintenance of the adjoining private tracts in each subdivision. The extension of the private street tract connecting SE White Oak Avenue to SE Oakmeade

Avenue shall be a minimum width of 22 feet. The entire tract shall have a blanket easement over it for public storm and sanitary sewer; or

- iii. If determined necessary by the City Engineer, an 8 foot wide Public Utility Easement shall be dedicated adjacent to the Oaktree Way right-of-way (or Tract) on one or both sides. If the City Engineer determines the Public Utility Easement to be unnecessary then the garage setback shall be reduced to 5 feet for Lots 25 and 26 and Lot 5.
5. Covenants, Conditions and Restrictions (CC&R's) or maintenance agreements for the planned unit development shall be recorded with the final plat and provide for the following:
 - a) The collection and distribution of funds for the maintenance and repair of common elements such as, but not limited to, landscaping, irrigation, fences, signs, and private utilities;
 - b) Maintenance of all private utilities such as, but not limited to, irrigation in open space tracts and utilities within the potential private street tract;
 - c) Ownership and maintenance of the private open space tract;
 - d) Responsibilities for the maintenance of front and side yard landscaping on the individual lots;
 - e) Authorization for the City to assess the planned unit development for any necessary maintenance of landscaping within the public rights-of-way, if not adequately maintained. This portion of the CC&R's shall be written to prohibit subsequent revision without prior consent by the City;
 - f) Parking of vehicles which would encroach into or block the sidewalk;
 - g) Ability of anyone to utilize the common open space amenities, including but not limited to, the residents of the Parks at Laurel Oaks development;
 - h) Fencing restrictions adjacent to the common open space tract;
 - i) Lots 1 through 5 shall be identified as Live/Work Dwelling units and include information on the allowed occupancies and construction upgrades to accommodate those occupancies;
 - j) Lot 5 shall be limited to one outside parking space; and
 - k) A reference shall be made to the reciprocal side yard easements that will be established for the single family detached lots.
 6. The Covenants, Conditions and Restrictions shall be reviewed and approved by the Planning Director prior to recordation of the final plat.
 7. Prior to approval of the final plat, a reciprocal side yard access easement and maintenance easement shall be reviewed and approved by the Planning Director and Building Official.
 8. Prior to approval of the construction plans, provide an updated landscaping plan for Tract A, the pedestrian walkway, and Tract B, the linear park, for review and approval by the Planning Director. The landscaping plan for Tract A shall be revised to expand the entrance point onto the walkway using the area that was previously the parking space for a fourth car for Lot 5. The landscaping plan shall provide details that show how the pathway is designed for safety. A supplemental conceptual landscape plan shall be provide for Tract A for when the traffic circle is changed to a four way intersection. The landscape plans

shall illustrate the location, species and size of plantings. Any proposed irrigation system within the planned unit development shall include water conserving sprinkler heads.

9. Prior to approval of the construction plans, a master fencing plan shall be provided to the Planning Department for review and approval by the Planning Director. The fencing plan shall address new fencing around the perimeter of the site, new fencing for individual lots and new fencing adjacent to the open space tract. The master fencing plan shall show the proposed height of the fencing and that the fencing materials match the fencing styles of the adjacent Parks at Laurel Oaks development.
10. Prior to approval of construction plans, plans shall show improvements to SE Alexander Street with widening to 18 feet from centerline to curb where there is no parking and 25 feet from centerline to curb where parking is proposed. Improvements shall include bike lane, curb and gutter, 5 foot landscape strip with trees, property line sidewalks, and decorative Option "C" LED street lighting.
11. Prior to approval of construction plans, plans shall show the completion of sidewalk construction along SE Brookwood Avenue filling in the gap between the existing sidewalks. Proposed sidewalks shall match existing improvements for width and location.
12. Prior to approval of construction plans, plans shall show improvements to SE Oakmeade Avenue with a 27 foot wide street (parking on one side of the street only) as measured between curb faces, curb and gutter, a 6.5 foot planter strip with trees, 5 foot property line sidewalks, decorative Option "C" LED street lighting and an ADA ramp adjacent to Tract "B".
13. Prior to approval of construction plans, plans shall show improvements to SE White Oak Avenue with a 27 foot wide street (parking on one side of the street only) as measured between curb faces, curb and gutter, a 6.5 foot planter strip with trees, 5 foot property line sidewalks, and decorative Option "C" LED street lighting. Curb radius at the cul-de-sac shall be a minimum of 25 feet. The property line radius of the cul-de-sac shall be 32 feet with a 6 foot sidewalk. An alternative street improvement plan for SE White Oak Avenue is a 32 foot wide street (parking on both sides of the street) as measured between curb faces, curb and gutter, a 6.5 foot planter strip with trees, 5 foot property line sidewalk, and decorative Option "C" LED street lighting.
14. Prior to approval of construction plans, plans shall show improvements to the public alley connecting SE White Oak Avenue to SE Oakmeade Avenue with 20 feet of pavement between the faces of mountable curbs. The alley shall be posted with "No Parking" signage. Alley connections to SE White Oak and SE Oakmeade Avenues shall be made utilizing a reinforced commercial driveway entrance.
15. Prior to approval of construction plans, plans shall show improvements to SE Oaktree Way with 16 feet of pavement between mountable curb faces. Pavement section shall be constructed to meet public street design standards. SE Oaktree Way shall be posted with "No Parking" signage and shall connect to SE White Oak Avenue with a reinforced commercial driveway entrance. The applicant shall demonstrate with turning templates that emergency vehicles can negotiate the proposed 90 degree bend.

16. Prior to approval of construction plans, plans shall show any storm line serving more than one proposed lot to be public and constructed to public standards.
17. Prior to approval of construction plans, the applicant shall submit a storm drainage report providing an analysis of the downstream storm sewer system in accordance with Clean Water Services standards. If required per said report, construction plans shall show provision for storm water detention. Storm detention shall be in a publicly owned and maintained facility.
18. Prior to approval of construction plans, plans shall show provision for storm water quality in accordance with Clean Water Services requirements. The proposed storm water quality facility shall be publicly owned and maintained.
19. Prior to approval of construction plans, the applicant shall provide an analysis of the need to extend public storm sewer to the terminus of the SE Alexander Street improvements. Said analysis shall examine how upstream storm basins will be served. Construction plans shall show the extension public storm sewer in Alexander Street in accordance with said report.
20. Prior to approval of construction plans, plans shall show public sanitary sewer to be constructed in a manner that allows City work crews access to each line with maintenance vehicles. As shown in the application, the line proposed in Tract "O" is not accessible. Applicant shall extend said line east to a point where the manhole at the line's terminus can be accessed from SE Oakmeade Avenue. Any public sewer line located outside of a public right-of-way shall be in an easement with a minimum width of 15 feet.
21. Prior to approval of construction plans, utility plan shall show a sanitary lateral for Lot 6.
22. Prior to approval of construction plans, plans shall show any existing wetlands and buffers on site. Permits for the mitigation of wetlands and buffers will be required and must be referenced on the plans. If wetlands and buffers no longer exist on site due to previous mitigation, plans shall reference previous permits.
23. Prior to approval of construction plans, plans shall clearly show the location of any existing septic tanks and drain fields. Said facilities shall be abandoned in accordance with applicable regulations.
24. Prior to approval of construction plans, plans shall show Fire Department access is provided within 150 feet of all portions of each home from a fire apparatus access road. Fire Department access roads shall be a minimum of 20 feet in width with a vertical clearance of 13 feet 6 inches. The required inside turning radius is 28 feet and the outside turning radius is 48 feet. The surface shall be designed to support the imposed load of fire apparatus weighting at least 75,000 pounds and shall be surfaced with asphalt, concrete or other approved driving surface.

25. Prior to approval of construction plans, plans shall show a signage plan with "No Parking" signage posted on both sides of the Fire Department access (SE Redberry Place and SE Oaktree Way) where the access is less than 26 feet in width.
26. Prior to approval of construction plans, plans shall show that the average spacing between fire hydrants does not exceed 500 feet as measured along the Fire Department access road. Provide a hydrant(s) within the development to meet the minimum spacing requirement between hydrants.
27. Prior to building permit submittal for the first home in the subdivision:
 - a) The Final Subdivision plat shall be recorded with Washington County; and
 - b) A Building Permit Authorization Form shall be approved by the Building, Planning, Public Works, and Water Departments.
 - c. Should the applicant request approval for any building permit prior to recording of the subdivision plat, then prior to submittal of building permit application the applicant shall request a meeting with the Building, Planning, Public Works, and Water Departments to determine minimum requirements for said permit.
28. Building permit submittals for the houses shall be reviewed using the current Oregon Residential Specialty Code (ORSC) at the time of application. The 2014 ORSC is currently adopted.
29. Building permit submittals for Lots 1 through 5 shall be classified as Live/Work Dwelling units with a R-2 Occupancy and designed out of the 2014 OSSC Section 419, or future OSSC if superceded, and equipped with an NFPA 13R sprinkler system. H and S use occupancies shall not be allowed in the unit. The exception: dwelling units that include an office that is less than 10% of the area of the dwelling unit are permitted to be designed in accordance with Section 508.2 and equipped with an NFPA 13D sprinkler system.
30. A demo permit is required prior to removal of the accessory building. If the structure has existing plumbing fixtures to be removed or moved, please make sure to identify the existing plumbing fixture type and quantity at the time of application so credits may be applied to the property accordingly.
31. Demolition of structures with lead paint shall require licensure and abatement as regulated through the Oregon Construction Contractors Board (BCD). Demolition of structures with asbestos, fuel oil tanks, septic tanks, mercury, etc shall require licensure and abatement as regulated through the Oregon Department of Environmental Quality (DEQ).
32. Building permit submittals shall include a Geotechnical Investigation Report.
33. All residential buildings shall be provided with final grading such that surface water will drain away from the building, to the public way, and not be discharged across adjoining properties.

34. Building permit submittals shall show that the plumbing fixtures proposed to be installed have a connection to a public or private sewer.
35. Building permit submittals shall show exterior lighting for the attached and detached buildings. The light fixtures shall be on the front and rear of the buildings and complementary to the architectural design.
36. Prior to approval of the applicable final building inspections, underground electrical, plumbing and gas utilities that are shared or in common use shall lie within a recorded easement and be recorded in a maintenance agreement as required by the ORSC. Separate utility services shall be proposed for each individual dwelling unit. The locations of all site utilities, service equipment, and easements shall be clearly shown on the plans. Private utility easements shall be required when the utilities for one tax lot must run across another tax lot.
37. Prior to approval of construction plans, the plans shall show that fire hydrants are provided along a fire apparatus access road so that there is no point on a one and two family home that is more than 600 feet from a fire hydrant. Fire hydrants shall be spaced not more than 500 feet on center along the fire apparatus access road.
38. Prior to approval of construction plans, the plans shall show that the Fire Department access is a minimum of 20 feet wide and provides an inside turning radius of 28 feet and outside turning radius of 48 feet. "No Parking" signs and striping shall be added to maintain this unobstructed width and location.
39. Prior to approval of final building inspections, provide building address numbers in a location that is plainly legible from the street fronting the property. Address numbers shall be a minimum of six inches tall with a minimum stroke width of one inch and be positioned at a minimum of 80 inches above grade. The address numbers shall contrast with the background.
40. Water Department shall install meter services 2" and smaller off existing public water lines. Contractor shall coordinate public improvement work with Water Department installation crew.
41. On new subdivisions the contractor shall install meter services 2" and smaller per Water Department standards.
42. Water Department does not review fire hydrant locations - contact Hillsboro Fire Department. Any changes to hydrant locations or a new fire service connection will require a second review of the water system by the Water Dept.
43. Landscape irrigation meter requires an approved backflow device.
44. Backflow device required on domestic water service unless certification is furnished that water well has been decommissioned.

45. Backflow device required if there is a residential fire service connection. Contact Hillsboro Fire Department to verify if fire service will be required.
46. Public water line extension required, contact Water Department for specific details.
47. Wet tap of existing water main shall be done by City-approved contractor.
48. Blow-off assembly required at end of public water line.
49. Setback requirements for Lots 1-5, the attached single family residential, live/work units are as follows:
 - a) Lots 1-5 have a minimum front yard setback of 8 feet. This is measured from the closest edge of the structure, porch, or porch stairs to the property line.
 - b) Lots 1-4 have a minimum first floor rear yard setback of 19 feet. This is measured from the property line to the garage face.
 - c) Lot 5 has a variable minimum first floor rear yard setback of 8 to 12 feet. This is measured from the property line to the garage face. Should the City Engineer approve a reduction in the 8 foot public utility easement width the driveway length shall be correspondingly reduced.
 - d) Lots 1-4 have a minimum second and third floor rear yard setback of 10 feet. This is measured from the outside edge of the structure to the property line. The rear yard setback for Lots 5, 25 and 26 is 5 feet if a reduction to the Public Utility Easement occurs.
 - e) Lots 1-5 have a minimum side yard setback of 5 feet.
50. Setback requirements for Lots 6-26, the detached single family residential are as follows:
 - a) Lots 6-26 have a minimum front yard setback of 10 feet. This is measured from the closest edge of the structure, porch, or porch stairs to the property line. Lot 6, the northwest corner of the structure has a minimum setback of 8.5 feet.
 - b) Lots 6-24 have a minimum setback of 19 feet to the face of the garage.
 - c) Lots 25 and 26 have a minimum setback of 10 feet to the face of the garage. Should the City Engineer approve a reduction in the 8 foot public utility easement width the driveway length shall be correspondingly reduced.
 - d) Lots 6-26 have a minimum street side yard setback of 8 feet and a minimum interior side yard setback of 4 feet.
 - e) Lots 17-24 have a minimum rear yard setback of 15 feet.
51. For the detached residential, the driveway length shall not exceed a maximum length of 22 feet.

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 the application. In addition, the City Council adopts the following findings:

The City complied with all required notice and hearing procedures for the Planning Commission's May 13, 2015 hearing in this matter. At the commencement of the hearing the Senior Planner Ruth Klein made the disclosures and announcements required by ORS 197.763(5) and (6) and 197.796. No member of the Planning Commission had any ex parte contacts, conflicts of interest or biases to report. There were no procedural objections or objections to the participation of any member of the Planning Commission in this matter, and no one requested a continuance or that the record be kept open.

At the hearing, Senior Planner Ruth Klein provided a verbal summary of the May 6, 2015 Staff Report, described the proposal, and generally discussed the significant issues relative to the approval criteria. The applicant provided a presentation in support of the application. The applicant stated that all of the conditions recommended in the staff report were accepted.

A motion was made to approve the application with the conditions identified in Exhibit A. That motion passed unanimously, approving Order No. 8155 which recommended approval of the preliminary development plan for the proposed planned unit development, with conditions.

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). Analysis is based on the application materials deemed complete on March 31, 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;**

Both parcels are located within the Witch Hazel Village Community Plan. The Community Plan requires all development to be processed as a Planned Unit Development. On May 1, 2007 these two parcels were approved as Phase 3 of the Oakhurst East/Parks at Laurel Oaks planned unit development. The development approval for the 3 phases included 112 lots (98 detached houses and 14 attached live/work townhouses). Phase 3 was not constructed by Centex due to the recession and its ownership remained with the original property owners. No extension was requested by the property owners and the City's approval expired on December 20, 2012, two years following the recordation of Phase 2.

On December 17, 2007, the Planning Director approved a planned unit development modification that impacted the lot configurations of Phase 3. The modification was necessary to “accommodate both the developer’s need to move forward with construction and the County and City’s need to design a traffic roundabout at the Brookwood Avenue and Alexander Street intersection.” The modification approved two site plans based on two potential locations for the roundabout.

- Alternative A – North Roundabout: 15 attached live/work townhouses along SE Brookwood Avenue with 5 of them being located within Phase 3. 23 detached houses within Phase 3 with 5 of the houses facing SE White Oak Avenue.
- Alternative B – South Roundabout: 13 attached live/work townhouses along SE Brookwood Avenue with 4 of them being located within Phase 3. 22 detached houses with 4 of the houses facing SE White Oak Avenue.

There is a difference of two dwelling units between the north and south roundabout proposals that were created in 2007. For the north: 28 units and for the south: 26 units.

- Applicant’s Proposal – 2015: The applicant’s proposed site plan is impacted by several items: the ultimate southern configuration of the roundabout; the adoption of the Community Development Code and the repeal of the Zoning Ordinance under which this development was originally approved and the City’s policy limit utilization of private streets or alleys. Additionally, the proposed site plan is appropriately influenced by surrounding development patterns regarding lot configurations and housing types that are comparable to what was constructed within Phases 1 and 2 of Parks at Laurel Oaks.

The planned unit development is consistent with the provisions of the adopted Witch Hazel Community Plan in the Comprehensive Plan. This community plan does not have a corresponding Plan District within the Community Development Code (CDC). This criterion is met.

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

This criteria is addressed separately within the findings.

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

The applicant has demonstrated compliance with the subdivision approval criteria within Section 12.80.098 F and the development review approval criteria within Section 12.80.040 H. The applicant’s response to these criteria is encompassed within both the narrative, site plans and submitted building elevations. This criterion is met.

Section 12.80.156 Type III Adjustments

The applicant is requesting adjustments to the lot dimension standards that are greater than the 20% of the lots that may be permitted per CDC Section 12.50.11.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 exceed 20% of the lots in the project, they are considered to be Type III Adjustments. 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.

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 planned unit development provides a street layout that is comparable to the Community Plan and the prior land use approval for the Parks at Laurel Oaks planned unit development phases one and two. Existing streets and alleys are extended and have configurations that include pedestrian and bicycle connections per the Community Plan.

The proposed private open space tract completes the linear park that was originally contemplated and the architecture is visually similar to what was previously approved in Parks at Laurel Oaks phases one and two. The architectural details conform to Community Development Code Section 12.50.700 Design Standards for Residential Development.

The adjustments that are to the minimum setback requirements do not effect on- or off-site pedestrian or vehicular movement. The adjustment to the setback to the garage face may impede circulation if a car is parked within the shortened driveway. However, the request of 5 feet or 19 feet for the garage setback is equivalent to what is allowed within the light rail zones and will minimize any impacts to pedestrian or vehicular movement.

A substandard driveway depth is also requested for Lot 5. Lot 5 is a wedge shaped piece of land with a curved alley access along the rear. Due to the curve of the street one portion of the driveway is deeper than the other. To assist in mitigating the possibility of an individual parking in the space, the Fire Department is requiring the posting of signs that state "No Parking" and can issue citations if this fire access route is blocked.

For Lot 5, the applicant proposes two parking spaces within the garage and two parking spaces within the side yard. Per the conditions of approval, the parking space immediately adjacent to the pedestrian access way will be removed due to visibility from the street; the improved opportunity to create a safe and attractive pedestrian access way; and consistency with the prior Parks at Laurel Oaks planned unit development approval which contemplated private open space at this corner.

Increasing the number of allowed parking spaces for all of the housing will improve the likelihood of people parking in a manner that is respectful to adjacent residents and compliant with Fire Department requirements. This criterion has been met.

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

The applicant has provided documentation that the sensitive areas identified by Clean Water Services are being mitigated via off-site mitigation. There is no City of Hillsboro Significant Natural Resource Overlay or Cultural Resources on the site. This criterion is met.

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 gross acreage of the site is 2.95 acres. The applicant has identified 0.55 acres as public right of way dedication. The net acreage equals 2.39 acres. The residential density for the MFR-1 Multi-Family Residential zone is a minimum of 11 dwelling units/net acre and a maximum of 16. The residential density for the MU-N Mixed Use-Neighborhood zone varies based on the classification of the street which the development faces. SE Brookwood Avenue is classified as a collector street in the Transportation System Plan. The residential density for the MU-N Mixed Use – Neighborhood zone along a collector is a minimum of 8 dwelling units/net acre and a maximum of 11.

The applicant has elected to propose all small lot single family detached houses within the MFR-1 zone. However, in order to meet the MFR-1 minimum density requirements a mixture of attached and detached houses need to be provided. In lieu of providing this mixture the applicant request that the density between the MFR-1 zone and the MU-N zone be blended. The request for a blended density is appropriate due to the prior Parks at Laurel Oaks planned unit development approval which contemplated small lot single family detached houses and the expectation of the residents that this development pattern would be continued.

The overall blended density of the development is 10.83 units per net acre (2.39 acres/26 dwelling units = 10.87 units). The density of the MFR-1 zone is 9.77 units per acre. The density of the MU-N zone is 21.65 units per acre. With the blended density this criterion is met.

In addition to the blended density, the development includes adjustments for lot size, setbacks and increasing the minimum allowed parking spaces. The applicant's response to the approval criteria for a Type III Adjustment can be found on pages 40-45 of the application narrative.

For Lots 1-5, the attached single family residential, live/work units the adjustments are as follows:

- a) Lots 1-5 have a minimum front yard setback of 8 feet. This is measured from the closest edge of the structure, porch, or porch stairs to the property line.
- b) Lots 1-4 have a minimum first floor rear yard setback of 19 feet. This is measured from the property line to the garage face.
- c) Lot 5 has a variable minimum first floor rear yard setback of 8 to 12 feet. This is measured from the property line to the garage face. Should the City Engineer approve a reduction in the 8 foot public utility easement width the driveway length shall be correspondingly reduced.
- d) Lots 1-5 have a minimum second floor rear yard setback of 10 feet. This is measured from the outside edge of the structure to the property line.
- e) Lots 1-5 have a minimum side yard setback of 5 feet.

For Lots 6-26, the detached single family residential the adjustments are as follows:

- a) Lots 6-26 have a minimum front yard setback of 10 feet. This is measured from the closest edge of the structure, porch, or porch stairs to the property line. Lot 6, the northwest corner of the structure has a minimum setback of 8.5 feet.
 - b) Lots 6-24 have a minimum setback of 19 feet to the face of the garage.
 - c) Lots 25 and 26 have a minimum setback of 10 feet to the face of the garage. Should the City Engineer approve a reduction in the 8 foot public utility easement width the driveway length shall be correspondingly reduced.
 - d) Lots 6-26 have a minimum street side yard setback of 10 feet and a minimum interior side yard setback of 4 feet.
 - e) Lots 17-24 have a minimum rear yard setback of 15 feet.
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;*

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 edges of this development have landscaping and great architectural elevations that are compatible with surrounding development.

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.

Multiple housing types are provided within the development. There are alley loaded houses which face on to SE Alexander Street and alley loaded houses which front onto the linear park. The park will provide recreational opportunities and a restful visual buffer. Additionally, there are attached townhouses that will be constructed to allow for live/work opportunities.

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 house designs are very similar to existing houses in the surrounding area and will incorporate into the context of the neighborhood while offering visual variety. The development will include an open space tract that will complete the linear park that connects the Parks at Laurel Oaks development to Brookwood Meadows. The house designs along SE Alexander Street have porches and front doors that face the street and provide a traditional and visually interesting streetscape.

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.

Pedestrian access and front porches are provided within each of the designs. The alley access to the houses allows the front porch to be a dominate design element since the garage door is not competing with the front door on the front elevation. The application includes four design options for the single family houses.

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

The roof lines are very similar to existing houses in the area as demonstrated by the proposed building elevations and the photos of existing houses in the area included with this application.

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 building materials are fiber cement board, shingle details and masonry details which are compatible with the existing houses in the neighborhood. Special lighting of the building exterior is not appropriate for the residential buildings. However, a condition of approval for front and rear lighting that is complementary to the architectural design for the attached and detached buildings has been applied.

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.

Masonry is incorporated into the design of some of the units to provide architectural diversity.

I. Ornamental features such as molding, entablatures, pediments and friezes are encouraged at the roofline. Linear features such as molding should be at least 8-inches wide.

The ornamental features include pop outs, variable roof lines, porch columns, recessed entryways, garage door windows, horizontal bands and bay windows. These are ornamental features that are appropriate to the single family scale of the buildings.

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

The attached buildings include balconies on the upper stories.

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

Vertical elements are provided such as pop outs, variable roof lines, porch columns, recessed entryways, garage door windows, horizontal bands and bay windows.

O. Building entrances should include clearly recognizable features such as: canopies, porticoes, recessions, projections, arcades, and raised cornice parapets. Pedestrian spaces at entrances incorporating landscaping and eating amenities are encouraged.

The building entrances are clearly recognizable and emphasized with design features appropriate to attached and detached buildings.

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.

1. Design and Construction Practices to Reduce Hydrologic Impacts.

- 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.*
- q. Minimizing car spaces and stall dimensions, reducing parking ratios, and using shared parking facilities and structured parking.*

The amount of street length has been reduced as much as possible. The cul-de-sac radius at the end of SE White Oak Avenue was reduced from 48 feet to 25 foot to allow turn around for passenger and small delivery vehicles. Access and back up for fire trucks and larger delivery vehicles are provided by the 23 foot alleys at each end of the cul-de-sac and drive thru along the alleys. The parking spaces for the houses in front of the garages have been reduced from 20 feet to 19 feet.

H. Third Places.

- 1. Designing residential developments to include multi-purpose indoor or outdoor spaces.*

A "Third Place" open space is provided with this development that will be combined with the open space to the south and east to create a much larger open space.

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

Additional applicable criteria are found in Subsection 12.80.158.

B. Criteria for Adjustments to Building Setback Requirements. *Building setbacks may be reduced or increased below or above the minimum and maximum setbacks of the underlying base zone if the following criteria are met:*

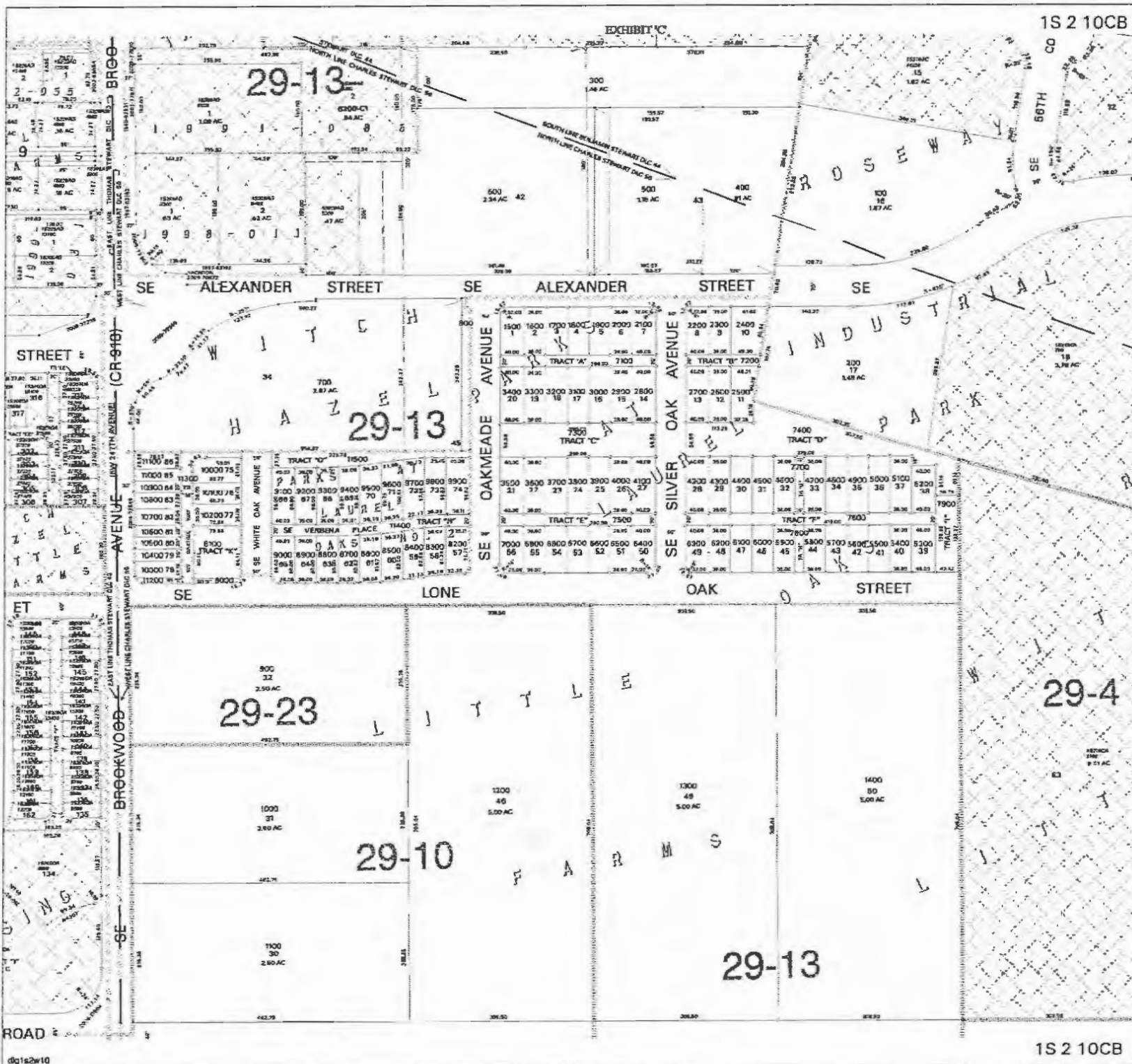
1. *The requested adjustment has been verified compliant with building codes by the Building Official;*
2. *The requested adjustment will not adversely affect adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazard; and*
3. *The requested adjustment provides at least one of the following:*
 - a. *More efficient use of the site;*
 - b. *Preservation of Significant Natural Resource Areas or Habitat Benefit Areas which will be incorporated into site design; and/or*
 - c. *Safer vehicular and pedestrian access and circulation to and within the site.*

The requested changes to building setbacks and driveway lengths has been reviewed by the City Building, Fire and Engineering Department regarding potential issues. Comments were received from these Departments and none indicated concerns regarding these modifications. The applicant is proposing shared side yard easements so that side yard spaces can become usable. For example, if each house has a four foot setback to the property line then there is 8 feet between the houses. An easement would allow the residents of one house to use that entire 8 foot width and the adjacent house would use the entire 8 feet on the other side of the house. A reduced side yard setback allows a larger house which increases the efficient use of the lot area for people who are interested in larger houses. The reduced setbacks will not impede safe vehicular or pedestrian circulation. These criterion are met.

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.

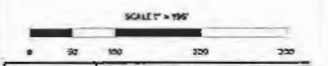
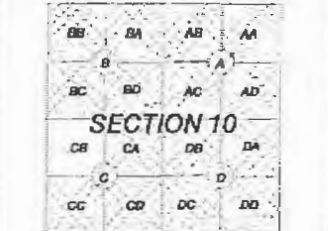
The applicable approval criteria for Development Review are contained in Community Development Code Section 12.80.040. Based upon the findings set forth in this decision, the applicant's justification for the proposal set forth in the application materials these approval criteria have been conditionally met.



WASHINGTON COUNTY OREGON
 NW1/4 SW1/4 SECTION 10 T1S R2W W.M.
 SCALE 1" = 100'

30	31	32	33	34	35	36	37
1	8	5	4	3	2	1	6
12	7	6	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

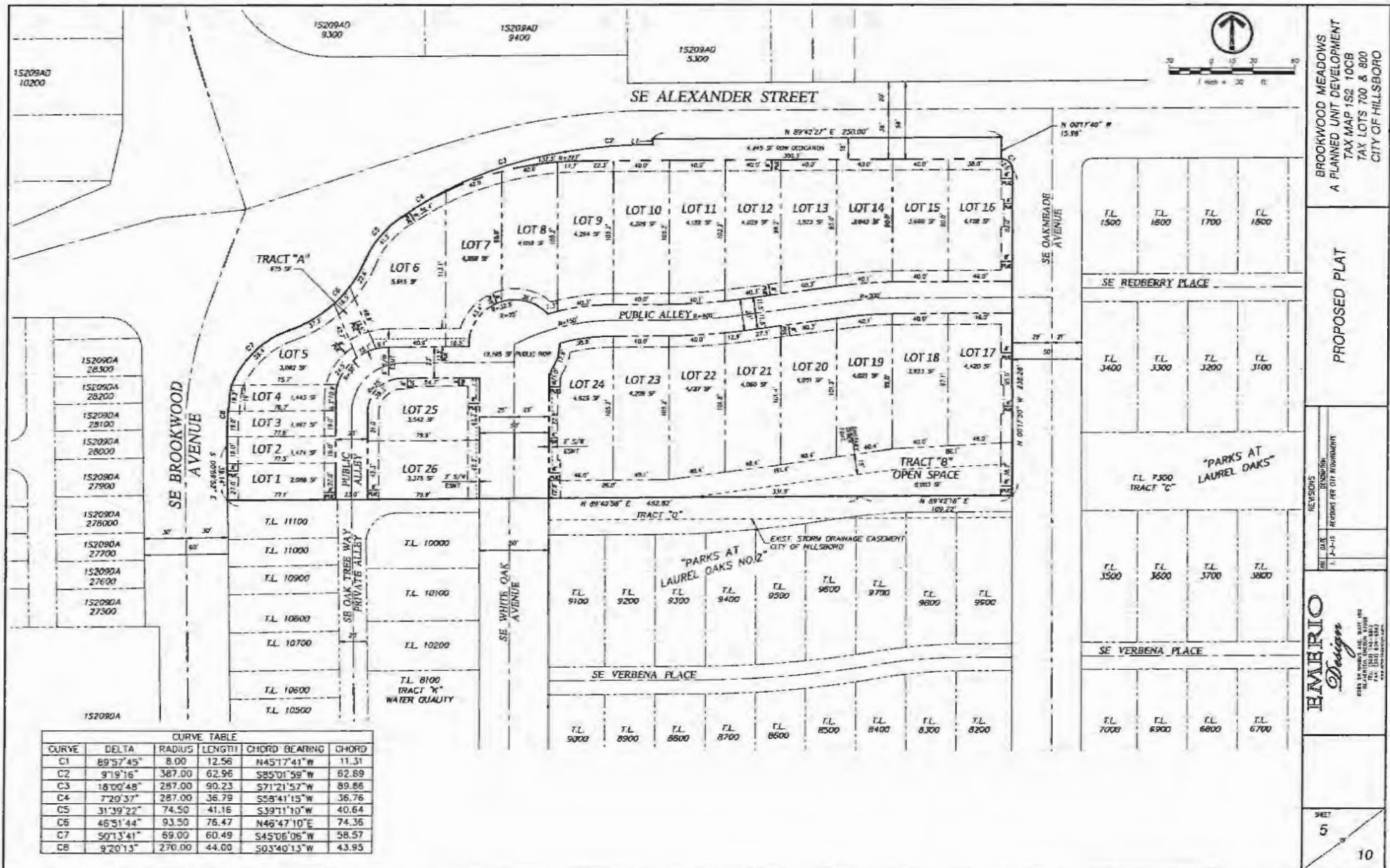


PLOT DATE: February 03, 2011
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by authority of the assessor or a similar official program are to be used for assessment purposes only. Do not rely on the map for current property boundaries. Please consult the appropriate map for the most current information.

HILLSBORO
 1S 2 10CB

EXHIBIT 'D'



BROOKWOOD MEADOWS
A PLANNED UNIT DEVELOPMENT
TAX MAP 152-10CB
TAX LOTS 700 & 800
CITY OF HILLSBORO

PROPOSED PLAT

REVISIONS
DATE DESCRIPTION
1 1-2-15 RECORD PER CITY RECORDING

EMERIO
Design
1800 N. 10th Street, Suite 100
Hillsboro, OR 97124
Tel: (503) 261-1811
Fax: (503) 261-1812
www.emeriodesign.com

SHEET
5
10

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	89°57'45"	8.00	12.58	N45°17'41"W	11.31
C2	9°19'16"	367.00	62.96	S85°01'59"W	62.89
C3	16°00'48"	287.00	90.23	S71°21'57"W	89.86
C4	7°20'37"	287.00	36.79	S58°41'15"W	36.76
C5	31°39'22"	74.50	41.16	S39°11'10"W	40.64
C6	46°51'44"	93.50	76.47	N46°47'10"E	74.36
C7	50°13'41"	69.00	60.49	S45°06'06"W	58.57
C8	9°20'13"	270.00	44.00	S03°40'13"W	43.95