

EXHIBIT A

CDCA-001-19: JACKSON EAST

Language proposed to be added shown in ***bold italic*** typeface.
Language proposed to be deleted shown in ~~overstrike~~ typeface.

Explanatory comments not included in amendments
Shown in *[bracketed italic gray highlight]*.

SUBCHAPTER 12.01
GENERAL PROVISIONS

12.01.500 Definitions.

[Changes only as shown; no changes proposed in definitions not shown]

Hotel, Executive Suites. *Hotel where food service is included in the use along with one or more business-oriented amenities such as conference rooms, business centers, banquet facilities, and meeting facilities.*

SUBCHAPTER 12.10
USE CATEGORIES

[No changes to sections 12.10.010-12.10.200]

12.10.210 Commercial Lodging.

A. Characteristics. Commercial Lodging includes commercially-owned and -operated overnight accommodations where tenancy is typically arranged on a daily, weekly, or monthly basis and for which transient lodging tax should be paid.

B. Examples of Uses.

- Bed and breakfast inns
- Hotels and motels
- ***Executive suite hotels***
- Extended stay hotels or suites

C. Examples of Accessory Uses.

- Banquet, ballroom and conference center facilities
- Lobbies
- Offices
- Parking for customers and employees
- Restaurant and bars
- Support retail activities
- Indoor or outdoor recreation facilities for use by customers only

D. Exceptions.

1. Emergency Shelters as defined in Section 12.01.500 are classified as community services.

[Remainder of the subchapter unchanged]

SUBCHAPTER 12.25
INDUSTRIAL ZONES

[No changes to sections 12.25.010-12.25.280]

12.25.300 I-S Industrial Sanctuary. The I-S zone includes the following sections:

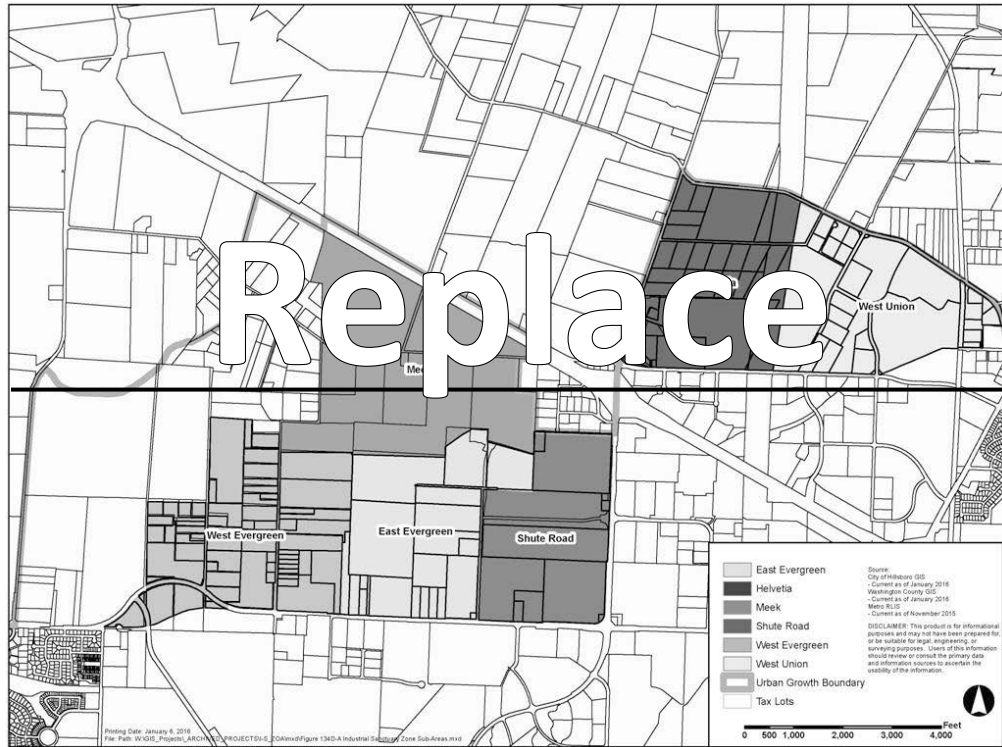
- 12.25.310 Purpose and Applicability
 - 12.25.320 Housing Types
 - 12.25.330 Uses
 - 12.25.340 Accessory Uses Permitted by Right
 - 12.25.345 Accessory Structures
 - 12.25.350 Special Provisions Regarding Uses
 - 12.25.360 Development Standards
 - 12.25.370 Variances and Adjustments
 - 12.25.380 Other Pertinent Regulations
- (Ord. 6323 § 1, 2019)

12.25.310 Purpose and Applicability.

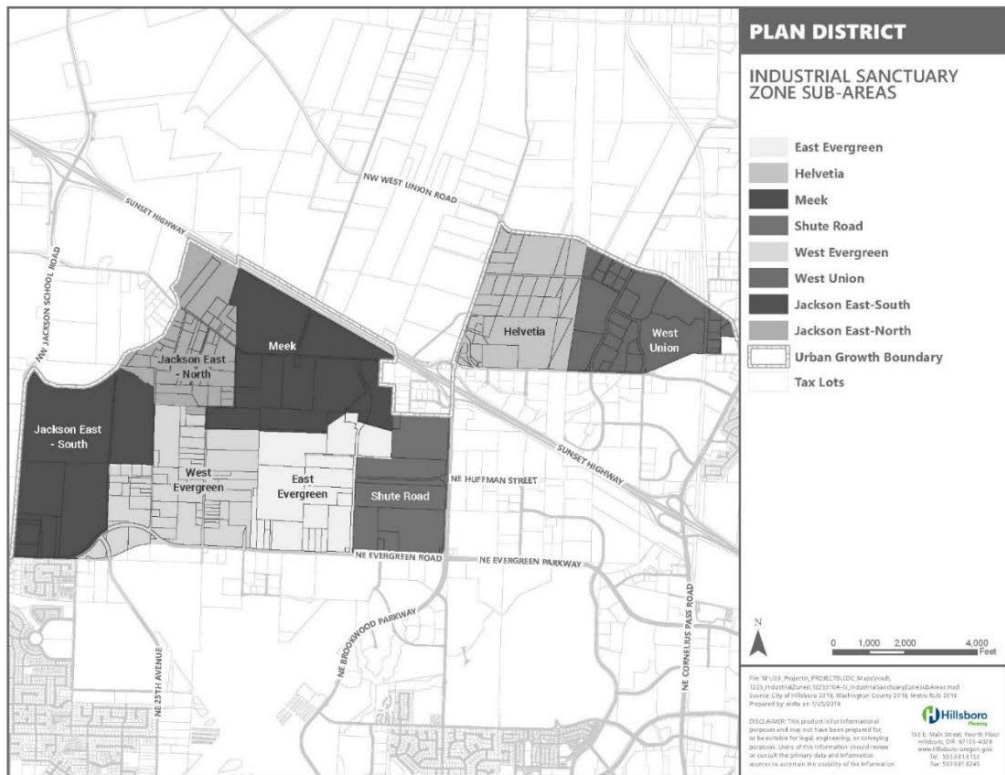
- A. Provide a Full Range of Industrial Uses and Limited Commercial Support Services. The I-S zone implements the Industrial Comprehensive Plan designation, and is intended to provide a full range of industrial Uses and limited support services in areas brought into the Regional Urban Growth Boundary (UGB) for industrial development, in order to support the goals and policies of Section 14 (Economic Development) of the City’s Comprehensive Plan and Statewide Planning Goal 9 (Economy of the State).
- B. Accommodate the Region-Wide Need to Create and Preserve Industrial Lands. The I-S zone accommodates the region-wide need to create and preserve large lots for industrial Use, as set forth in Title 4 of the Metro 2040 Urban Growth Management Functional Plan.
- C. Create High-Quality, Attractive Industrial Parks. The standards of the I-S zone are intended to create attractive site amenities such as deeper setbacks and increased landscaping, thereby creating high-quality industrial neighborhoods which attract and maintain the value of their investments.
- D. Reduce Vehicle Miles Traveled. By allowing siting of supporting commercial Uses within industrial areas, the standards of the I-S zone help to reduce vehicle trips and miles travelled by employees to these services and/or to access them by walking or bicycling.
- E. Applicability. The I-S zone can be applied generally to properties north of NE Evergreen Rd or NE Jacobsen St, and west of NE Cornelius Pass Rd. The zone contains ~~eight~~ **Sub-Areas** as shown on Figure 12.25.310-A: West Union; Helvetia; Shute Road; Evergreen East; Evergreen West; ~~and~~ Meek Road; **Jackson East-South; and Jackson East-North.** (Ord. 6322 § 1, 2019; Ord. 6294 § 1, 2019; Ord. 6250 § 1, 2017)

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**Figure 12.25.310-A:
I-S Industrial Sanctuary Zone Sub-Areas**



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1 **12.25.320 Housing Types.** Table 12.25.320-1 lists housing types permitted in the I-S zone.
 2 Housing types are defined in Section 12.01.500.

3
 4 **Table 12.25.320-1:**
 5 **Housing Types Permitted in the I-S Zone**

| Housing Type | Status | Clarifications |
|-----------------------------|--------|--|
| Single detached dwelling | L/N | On-site dwelling for caretaker only; expansion of existing dwellings subject to Subchapter 12.30; all other uses Not Permitted |
| Duplex | N | |
| Triplex | N | |
| Quadplex | N | |
| Townhouse | N | |
| Cottage Cluster | N | |
| Multiple-dwelling structure | N | |
| Manufactured dwelling | N | |
| Manufactured dwelling park | N | |
| Live-work dwelling | N | |

6 (P) Permitted (C) Conditional (L) Limited (N) Not Permitted

7
 8 **12.25.330 Uses.** Table 12.25.330-1 lists Uses Permitted, Conditionally Permitted, Limited, or
 9 Not Permitted in the I-S zone.

10 **Table 12.25.330-1:**
 11 **Use Categories in the I-S Zone**

| Use | Status | Clarifications |
|-----------------------------------|--------|---|
| Residential Use Categories | | |
| Household Living | L/N | See Housing Types Table 12.25.320-1. |
| Group Living | N | |
| Residential Service | N | |
| Residential Business | N | |
| Commercial Use Categories | | |
| Commercial Lodging | L/N | <i>Subject to limitations in Section 12.25.350. All other uses Not Permitted.</i> |
| Commercial Recreation | N | |

| Use | Status | Clarifications |
|------------------------------------|--------|--|
| Commercial Parking | N | |
| Durable Goods Sales | N | |
| Eating and Drinking Establishments | L | Subject to limitations in Section 12.25.350. |
| Educational Services | L | Subject to limitations in Section 12.25.350. Subject to additional regulations in Section 12.25.380.C.4. |
| Office | C/L/N | Subject to limitations in Section 12.25.350. Subject to additional regulations in Section 12.25.380.C.4. |
| Retail Products and Services | L/C/N | Subject to limitations in Section 12.25.350. Minor assembly facilities permitted with Conditional Use approval and subject to additional standards in Section 12.40.210. Retail sales of marijuana Not Permitted. |
| Self-Service Storage | N | |
| Vehicle Service and Repair | C/L/N | Automobile service stations permitted with Conditional Use approval, subject to limitations in Section 12.25.350. All other uses Not Permitted. |
| Industrial Use Categories | | |
| Industrial Service | P/L/N | Subject to limitations Uses listed in Section 12.25.350 not permitted. Data storage, processing and information technology centers in the Meek Sub Area are limited to accessory use(s) to a permitted primary use in the zone and subject to Section 12.25.340. Subject to additional regulations in Section 12.25.380.C.4. |

| Use | Status | Clarifications |
|--|--------|--|
| Manufacturing and Production | P/N | Uses listed in Section 12.25.350 Not Permitted. Subject to additional regulations in Section 12.25.380.C.4. |
| Solid Waste Treatment and Recycling | N | |
| Vehicle Storage | N | |
| Warehouse And Freight Movement | P/L | Subject to limitations in Section 12.25.350. Subject to additional regulations in Section 12.25.380.C.4. |
| Wholesale Sales | P/N | Uses listed in Section 12.25.350 Not Permitted. Subject to additional regulations in Section 12.25.380.C.4. |
| Institutional Use Categories | | |
| Colleges and Universities | N | |
| Community Services | P/N | Public safety facilities permitted; all other uses Not Permitted. Subject to additional regulations in Section 12.25.380.C.4. |
| Detention Facilities | N | |
| Hospitals | N | |
| Major Assembly Facilities | C/N | Permitted with Conditional Use approval in certain subareas and subject to limitations in. See Section 12.25.350 and additional regulations in Section 12.25.380.C.4. |
| Schools | C/N | Permitted with Conditional Use approval in certain subareas and subject to limitations in. See Section 12.25.350 and additional regulations in Section 12.25.380.C.4. |
| Infrastructure and Utilities Use Categories | | |
| Aviation Uses | L/N | Subject to limitations in Section 12.25.350. |
| Parks and Open Space | C/N | Permitted with Conditional Use approval in certain subareas and subject to limitations in. See Section 12.25.350. Not permitted in all other sub-areas. Cemeteries subject to additional standards in Section 12.40.140. |

| Use | Status | Clarifications |
|---|--------|---|
| Public Safety Facilities | P | |
| Surface Alternative Transportation Facilities | C | Permitted with Conditional Use approval. |
| Telecommunications Facilities | C | Permitted with Conditional Use approval and subject to additional standards in Section 12.40.240. |
| Utility Facilities | L | Subject to additional standards in Section 12.40.260. |

1 (P) Permitted (C) Conditional (L) Limited (N) Not Permitted

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3 (Ord. 6322 § 1, 2019; Ord. 6294 § 1, 2019; Ord. 6232 § 1, 2017; Ord. 6160 § 1, 2016; Ord. 6149 §
4 1, 2015)

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6 **12.25.340 Accessory Uses Permitted by Right.** Accessory Uses are permitted in conjunction
7 with the primary industrial Use on the site and subject to the same regulations as the primary Use
8 unless stated otherwise in the Code. Accessory Uses to permitted Uses shown on Table 12.25.330-
9 1 include but are not limited to: administrative offices; conference rooms/conference facilities; data
10 storage, processing and information technology centers; food service such as cafeterias,
11 delicatessens and coffee shops; personal retail services, exercise facilities; and child care. Such
12 accessory Uses are subject to the following standards:

- 13 A. The accessory Uses are intended to serve only employees, visitors, and operations of the
14 primary Use; and
15 B. The accessory Uses are located entirely within the building containing the primary permitted
16 Use. If the primary Use has a multiple-building campus, the accessory Uses may be located
17 in a free-standing building within the campus perimeter. (Ord. 6322 § 1, 2019)

18
19 **12.25.345 Accessory Uses and Structures Permitted by Right.** Accessory uses vary based
20 on the use categories contained in Subchapter 12.10. Accessory uses are permitted in conjunction
21 with the primary industrial use on the site and are subject to the same regulations as the primary use
22 unless stated otherwise in the Code. Accessory structures as defined in Section 12.01.500 are
23 permitted subject to the additional requirements in Section 12.40.100. (Ord. 6323 § 1, 2019; Ord.
24 6149 § 1, 2015)

25
26 **12.25.350 Special Provisions Regarding Uses.**

- 27 A. Eating and Drinking Establishments, Office Uses, Retail Products and Services, and Vehicle
28 Service and Repair. Eating and drinking establishments, office Uses except as described in
29 subsection C below, retail products and services and vehicle service and repair shall be
30 limited in scale and location to serve primarily the needs of the businesses and employees in
31 the surrounding industrial area. Such Uses are subject to the following limitations in location
32 and size:
33 1. Permitted Uses are limited to locations only in those commercial support nodes identified
34 in Comprehensive Plan Section 30 North Hillsboro Industrial Area Community Plan. The

node between the Shute Road and Evergreen East sSub-aAreas shall be located in the Evergreen East sSub-aArea.

2. Development of a commercial support node in an identified sub-area is permitted only after certain thresholds of industrial development are met or exceeded. These thresholds are considered met when the City has issued building permits for permitted manufacturing and production and industrial services Uses as categorized in Subchapter 12.10 within the sub-area at the cumulative levels established in Table 12.25.350-1 below.
3. No single commercial node shall occupy more than 5 gross acres of developed land; with not more than 50,000 gross square feet of total structural or building floor area per node; and
4. Within any commercial support node, no single Use shall exceed 20,000 square feet gross floor area.
5. Certain Retail Products and Services Uses and Vehicle Service and Repair Uses are subject to additional standards in Subchapter 12.40 as follows:
 - a. Animal Service Facilities: see Section 12.40.110;
 - b. Day Care Facilities: see Section 12.40.150; and
 - c. Automobile Service Stations: see Section 12.40.120.

**Table 12.25.350-1:
Commercial Support Thresholds in the I-S Zone by Sub-Area**

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

B. Commercial Lodging. Executive suite hotels are permitted within the Jackson East-North Sub-Area. All food service and other business-oriented amenities associated with the hotel shall be located entirely within the building or group of buildings containing the lodging units.

BC. Educational Services. Community colleges or trade schools are limited to those with offerings that provide basic skills and vocational training to employees in the industrial area.

CD. Corporate or Company Headquarters Office Uses. Corporate or company headquarters offices are permitted *in the Jackson East-South and Jackson East-North Sub-Areas, and are permitted* with Conditional Use approval *in all other sub-areas*. Such headquarters offices are not subject to the limitations in Section 12.25.350 while they remain in use by the original occupant.

E. Corporate Office Uses. Corporate offices are permitted in the Jackson East-South and Jackson East-North Sub-Areas. A corporate office is a single tenant office building with key managerial staff that provide internal administration services for a large organization serving regional, national, or international clientele.

1 ~~DF.~~ Industrial Services Uses. The following types of industrial services Uses are not
2 permitted:

3 **1. The following types of industrial services uses are not permitted:**

4 **1a.** Building, heating, plumbing and electrical contractors *except in the Jackson East-South*
5 *and Jackson East-North Sub-Areas;*

6 **2b.** Extermination services;

7 **3c.** Fuel oil distribution and solid fuel yards;

8 **4d.** Heavy truck servicing and repair;

9 **5e.** Bulk sales of building materials and landscaping materials;

10 **6f.** Repair and servicing of heavy construction or farm equipment;

11 **7g.** Tire retreading or recapping;

12 **8h.** Truck driving schools;

13 **9i.** Truck stops

14 **10j.** Marijuana testing laboratories.

15 **2. Building, heating, plumbing and electrical contractors are limited in the Jackson East-**
16 **South and Jackson East-North Sub-Areas as follows:**

17 **a.** *The cumulative acreage of building, heating, plumbing and electrical contractors as a*
18 *primary use in the Jackson East-South Sub-Area may not exceed 35 total gross acres*
19 *and may not exceed 21 total gross acres in the Jackson East-North Sub-Area.*

20 **i.** *For development sites with multiple uses, the number of gross acres of the site area*
21 *which counts toward this limitation is equal to the fraction of the building(s)*
22 *footprint devoted to building, heating, plumbing and electrical contractor primary*
23 *uses.*

24 **3. Data storage, processing and information technology centers are limited as follows:**

25 **a.** *Data storage, processing and information technology centers in the Meek Sub-Area*
26 *are limited to accessory use(s) to a permitted primary use in the zone and subject to*
27 *Section 12.25.340.*

28 **b.** *Data storage, processing and information technology centers in the Jackson East-*
29 *South and Jackson East-North Sub-Areas are limited to accessory use(s) to a*
30 *permitted primary use except as follows:*

31 **i.** *The cumulative acreage of data storage, processing and information technology*
32 *centers as a primary use in the Jackson East-South Sub-Area may not exceed 62*
33 *total gross acres and may not exceed 21 total gross acres in the Jackson East-*
34 *North Sub-Area.*

35 **ii.** *For development sites in the Jackson East-South and Jackson East-North Sub-*
36 *Areas with multiple uses, the number of gross acres of the site area which counts*
37 *toward this limitation is equal to the fraction of the building(s) footprint devoted*
38 *to data storage, processing and informational technology centers.*

39 ~~EG.~~ Manufacturing and Production Uses. The following types of manufacturing and production
40 Uses are not permitted:

41 1. Concrete and asphalt batch plants;

42 2. Animal slaughtering and processing;

43 3. Fossil fuel products manufacturing;

44 4. Production of soil amendments (fertilizers, pesticides, fungicides, etc.).

45 5. Marijuana production and processing facilities.

1 ***H. Warehouse And Freight Movement Uses Warehouse And Freight Movement are limited***
2 ***in the Jackson East-South and Jackson East-North Sub-Areas as follows:***

3 ***1. The cumulative acreage of Warehouse And Freight Movement in the Jackson East-***
4 ***South Sub-Area as a primary use may not exceed 52 total gross acres and may not***
5 ***exceed 21 gross acres in the Jackson East-North Sub-Area.***

6 ***a. For development sites with multiple uses, the number of gross acres of the site area***
7 ***which counts toward this limitation is equal to the fraction of the building(s)***
8 ***footprint devoted to Warehouse and Freight Movement.***

9 ***FI. Wholesale Sales.*** Marijuana wholesale facilities are not permitted.

10 ***GJ. Institutional Uses.*** Major assembly facilities are subject to additional standards in Section
11 12.40.210.

12 1. In the West Union and West Evergreen sSub-aAreas, major assembly facilities uses and
13 schools are permitted with Conditional Use approval.

14 2. In the Helvetia, Shute Road, East Evergreen and Meek Road sSub-aAreas, the following
15 types of major assembly facilities are not permitted:

- 16 a. Auditoriums;
17 b. Coliseums, stadiums and sports arenas;
18 c. Convention and conference centers;
19 d. Outdoor amphitheaters.

20 ***3. In the Jackson East-North and Jackson East-South Sub-Areas, major assembly***
21 ***facilities and schools are not permitted.***

22 ***K. Infrastructure and Utilities Uses.***

23 1. The following types of aviation uses are limited to properties owned by the Port of
24 Portland at the Portland-Hillsboro Airport: runways, taxiways, aprons, air operations
25 areas for unobstructed movement of aircraft, security areas, terminals and associated
26 parking, and aircraft storage hangars.

27 2. Parks and open space uses are permitted with Conditional Use approval, unless otherwise
28 not permitted by the Code. (Ord. 6322 § 1, 2019; Ord. 6294 § 1, 2019; Ord. 6160 § 1,
29 2016; Ord. 6149 § 1, 2015)

30
31 **12.25.360 Development Standards.** Base zone development standards in the I-S zone are
32 listed in Table 12.25.360-1. Certain standards are illustrated in Figure 12.25.360-A.

33
34 **Table 12.25.360-1:**
35 **Development Standards in the I-S Zone**

| Standard | Requirement | Clarifications |
|------------------|--------------------|------------------------|
| Minimum Lot Size | Varies | See Section 12.25.380. |
| Maximum Lot Size | None | |
| Minimum Density | Not applicable | |
| Maximum Density | Not applicable | |
| Minimum FAR | Not applicable | |

| Standard | Requirement | Clarifications |
|--|--|---|
| Maximum FAR | Not applicable | |
| Minimum Lot Dimensions <ul style="list-style-type: none"> • Width (at front building plane) • Depth • Frontage | 300 feet 600 feet 25 feet | |
| <i>Minimum Lot Dimensions in Jackson East-North Sub-Area</i> <ul style="list-style-type: none"> • <i>Width (at front building plane)</i> • <i>Depth</i> • <i>Frontage</i> | <i>None</i> <i>None</i> <i>25 feet</i> | |
| Minimum Setbacks* <ul style="list-style-type: none"> • Buildings up to 45 feet high <ul style="list-style-type: none"> ○ Front ○ Side ○ Rear • Buildings > 45 feet in height <ul style="list-style-type: none"> ○ Front ○ Side ○ Rear | 35 feet 10 or 25 feet 35+ feet 10+ feet 10+ feet | Parking permitted in front setback only if a 20-foot minimum landscaped buffer provided at the front property line. 10 foot setback applicable abutting non-residential zones; 25 foot setback applicable abutting residential zones. Minimum setbacks increase 1 additional foot for each foot of structural height over 45 feet. Parking permitted in front setback only if a 20-foot minimum landscaped buffer provided at the front property line. |
| Maximum Setbacks | None | |
| Minimum Building Height* | None | |

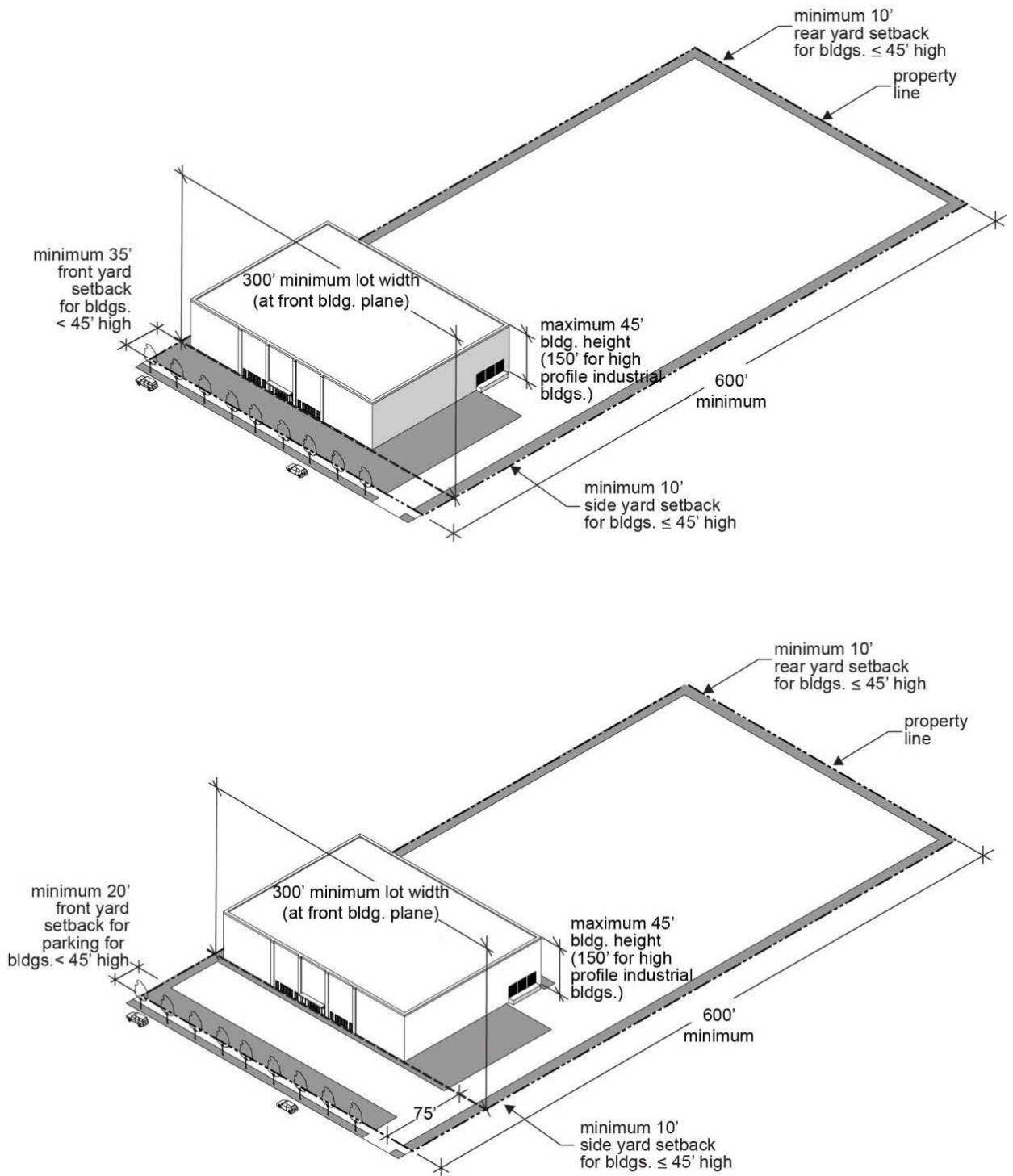
| Standard | Requirement | Clarifications |
|---|------------------|-----------------------|
| Maximum Building Height <ul style="list-style-type: none"> • High Profile Industrial Buildings | 150 feet or less | |
| All other buildings | 45 feet or less | |
| Maximum Building Coverage | 50% | |
| Minimum Useable Open Space | Not applicable | |
| Minimum Landscaping | 15% | See Section 12.50.220 |

* Standards illustrated in Figure 12.25.360-A

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**Figure 12.25.360-A:
Minimum Lot Dimensions, Setbacks
and Height Requirements in the I-S Zone***



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****Minimum lot width and depth standards do not apply in the Jackson East-North Sub-Area.***

1 **12.25.370 Variances and Adjustments.** Applications for Variances and Adjustments to base
2 zone standards in the I-S zone may be approved under 1 of 4 processes:

- 3 A. As a Variance pursuant to Section 12.80.152;
- 4 B. As a Minor Adjustment in conjunction with a primary Type II or Type III application pursuant
5 to Section 12.80.154;
- 6 C. As a Major Adjustment in conjunction with a primary Type III application pursuant to Section
7 12.80.156; or
- 8 D. With a Significant Natural Resource Permit pursuant to Section 12.80.130. (Ord. 6120 § 1,
9 2015)

10
11 **12.25.380 Other Pertinent Regulations.**

12 A. Applicable Sections. Additional standards such as parking, landscaping, vision clearance, and
13 street improvements also apply to development in the I-S zone as follows:

- 14 • Section 12.50.200 **and 12.66.200** Site Design
- 15 • Section 12.50.300 **and 12.66.300** Vehicle Parking
- 16 • Section 12.50.400 **and 12.66.400** Bicycle Parking / Bicycle and Pedestrian Circulation
17 and Connectivity
- 18 • Section 12.50.500 **and 12.66.500** Access and Street Standards
- 19 • Section 12.50.600 **and 12.66.600** Public Utilities, Site Grading and Storm Water
20 Management Facilities Site Integration
- 21 • Section 12.50.800 **and 12.66.800** Design Standards for Non-Residential and Mixed-Use
22 Development

23
24 B. Site Development Standards. In addition to the standards listed in subsection A above, the
25 following standards apply to all development in the I-S zone:

- 26 1. Off-Street Parking and Loading. Off-street parking and loading are not permitted in
27 required front yards, or in required side or rear yards abutting a residential zone, unless
28 building setbacks are increased to 75 feet and a 20 foot landscaped buffer is provided
29 adjacent to the property line:
- 30 2. Site Storage and Maintenance.
 - 31 a. Materials, equipment and waste must be stored and grounds must be maintained in a
32 manner which will not attract insects or vermin or create a health hazard.
 - 33 ~~b. Yards adjacent to streets and those abutting a residential zone shall be landscaped and~~
34 ~~continuously in groundcovers, trees or shrubs as required by Section 12.50.220. All~~
35 ~~other yards and unused property shall be maintained in grass or other suitable ground~~
36 ~~cover.~~
- 37 3. Boundary Fences and Landscaping.
 - 38 ~~a. Properties abutting a residential zone~~**The following properties** shall provide and
39 maintain a dense evergreen landscape buffer with a minimum mature height of 7 feet.:
 - 40 **i. In any Sub-Area, properties abutting a residential zone; and**
 - 41 **ii. In the Jackson East-North Sub-Area, properties abutting a residential use.**
 - 42 ~~b. Yards adjacent to streets and those abutting a residential zone shall be landscaped and~~
43 ~~continuously maintained in suitable groundcovers, trees or shrubs as required by~~
44 ~~Section 12.50.220. All other yards and unused property shall be maintained in grass~~
45 ~~or other suitable ground cover.~~

**Table 12.25.380-2: Evergreen East
Lot Division or Assembly and Reconfiguration Calculations**

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

3. Lot Reconfiguration and Division Requirements in Shute Road Sub-Area. Prior to development, properties shall be aggregated into parcels at least 50 gross acres in area, with the exception of the area north of the Waibebe Creek drainage, which may be reconfigured as a separate lot less than 50 gross acres in area.
4. Lot Reconfiguration and Division Requirements in Meek Sub-Area. Lot division, assembly and/or reconfiguration shall provide for, or not preclude the creation of, at least 1 lot of 100 acres or more in area, and at least 2 lots of 50 acres or more in area. Lots 50 acres in size or greater shall be limited to a single user of permitted uses shown on Table 12.25.330-1.
5. ***Minimum Lot Size in the Jackson East-South Sub-Area.*** Lot division, assembly and/or reconfiguration shall provide for at least one development site in the Jackson East-South Sub-Area of 50 acres or more in size. Development on this site is limited to a single user of a permitted use.
6. Exceptions to Minimum Lot Sizes. Lot sizes in ~~any~~*the West Union, Helvetia, Shute Road, Evergreen East, Evergreen West, and Meek* sSub-aAreas may be reduced below the standards listed in paragraphs 2, 3 or 4 above to allow:
 - a. Provision of public facilities and services;
 - b. Dedication and/or construction of public Collector or Arterial streets necessary to implement Comprehensive Plan Section 20 Transportation and the adopted Transportation System Plan cited in Comprehensive Plan Section 23;
 - c. To separate common or public ownership of natural areas or flood hazard areas; or
 - d. To separate an existing non-conforming Use from the remainder of the lot.
6. Property Line Adjustments. Property line adjustments between lots of record individually smaller than 5 acres are exempt from the standards listed paragraphs 2 and 3. If an applicant proposes to reconfigure 2 lots of record in common or varied ownership, such reconfiguration may be approved as a Property Line Adjustment under Section 12.80.092. All other property line adjustments shall result in lots which are in compliance with Subsections ~~2, 3 or 4~~ **through 5** above, as applicable.
7. Lot Division, Assembly and/or Reconfiguration by Partition or Subdivision. A land division or reconfiguration of lots may be approved as a Partition or as a Subdivision under Section 12.80.090.

1 3. Expansion onto Adjacent Property. Where existing non-conforming structures are expanded and
2 some portion of the expansion is sited on an adjacent property, the expansion area shall meet the
3 minimum FAR of the applicable base zone if the gross floor area of the expansion on the adjacent
4 property is 40% of more of the net acreage of the adjacent property. If the expansion on the adjacent
5 property is less than 40% of the net acreage, the expansion is exempt from the minimum FAR,
6 provided that the location of the expansion does not prevent further construction on the combined
7 properties.

8 E. Enlargement of Existing Parking Facilities in Light Rail Zones. Existing parking facilities may
9 be enlarged only if the associated Uses of the facility are enlarged. Parking facility enlargements
10 shall comply with the parking ratios in Section [12.50.320](#) and the design standards in Section
11 [12.50.360](#). Commercial parking facilities are exempt from this standard.

12 ***F. Expansion of Non-Conforming Residential Uses or Structures in Jackson East-North Sub-***
13 ***Area. Existing residential uses and structures in the Jackson East-North Sub-Area may be***
14 ***expanded with no limitation on floor area and no land use review provided the expansion area***
15 ***meets the development standards of the I-S Industrial Sanctuary zone.***

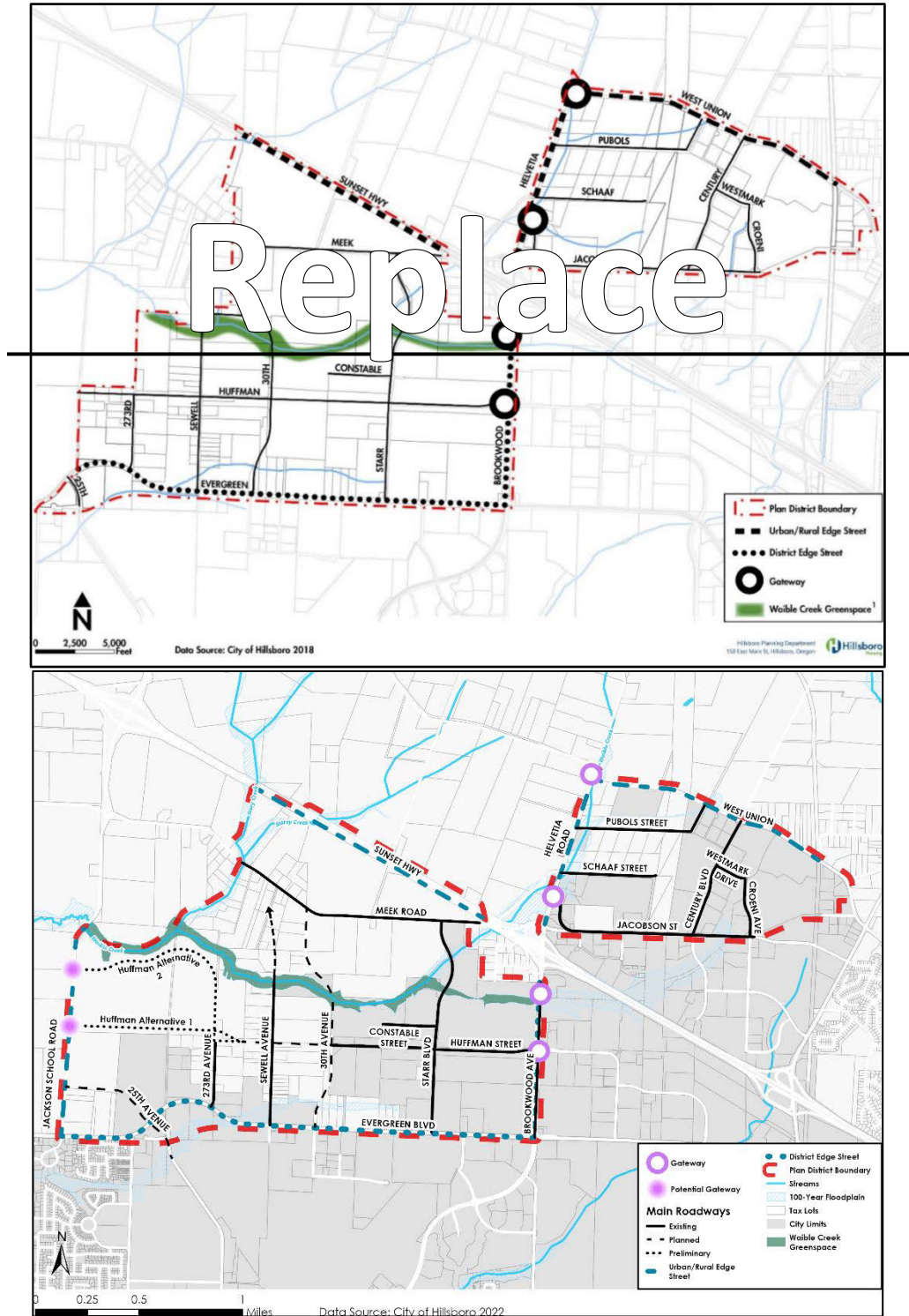
16
17 SUBCHAPTER 12.66
18 NORTH HILLSBORO INDUSTRIAL AREA PLAN DISTRICT
19 *[No changes to Section 12.66.010]*
20

21 **12.66.020 Applicability and Designation of Special Features.**

- 22 A. Plan District Boundary. The standards of this Section apply only within the North Hillsboro
23 Industrial Area Plan District boundary as shown on Figure 12.66.020-A.
- 24 B. Base Zones. The base zones used to implement the Industrial Comprehensive Plan
25 designation within North Hillsboro include: I-P (Industrial Park), I-S (Industrial Sanctuary),
26 HSID (Helvetia Special Industrial District), ESID (Evergreen Special Industrial District) and
27 SSID (Shute Special Industrial District). In some cases, the base standards of these zones are
28 modified by this plan district to achieve the purpose of the North Hillsboro Industrial Area
29 Plan District.
- 30 C. Special Features. Specific standards within this Section apply to the following special features
31 as shown on Figure 12.66.020-A.
- 32 • Urban/Rural Edge Street
 - 33 • District Edge Streets
 - 34 • Gateways
 - 35 • Waible Creek Greenspace
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**Figure 12.66.020-A:
North Hillsboro Industrial Area Plan District Boundary and Special Features**



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¹ Greenspace corridor location shown is approximate. See Section 12.66.130.C for instructions on calculating the Waible Creek Greenspace setback. (Ord. 6274 § 1, 2018)

1
2 [Remainder of the subchapter unchanged]
3

4 **12.66.040 Annexation Agreements – Jackson East-North and Jackson East-South Sub-Areas.**

- 5 A. **Purpose.** *The annexation agreement is intended to ensure awareness of the annexation*
6 *process as well as reasonable certainty to the property owner, the City, Washington County,*
7 *and the public that the scope and timing of subsequent development of the property will*
8 *occur in a manner that facilitates the timely and equitable construction of necessary*
9 *infrastructure improvements. The agreement is intended to describe the intended use of the*
10 *property following annexation, the process for development review, the parties’*
11 *commitments regarding the subsequent development, and the infrastructure anticipated to*
12 *be necessary to support development.*
- 13 B. **Applicability.** *Unless waived by the City under Subsection 12.66.040.D, an annexation*
14 *agreement consistent with this Section shall be executed prior to and included with any*
15 *owner-initiated annexation application under Section 12.80.010 for any property located*
16 *in the Jackson East-North or Jackson East-South Sub-Areas, the boundaries of which are*
17 *depicted on Figure 12.25.310-A.*
- 18 C. **Contents.** *Unless otherwise agreed by the City, an annexation agreement shall include the*
19 *following information and, at a minimum, address the following elements to the City’s*
20 *satisfaction:*
- 21 1. *A legal description of the property;*
 - 22 2. *The current zoning;*
 - 23 3. *The owner’s intended urban use of the property in sufficient detail to allow the City to*
24 *determine the public facility impacts and required infrastructure improvements*
25 *necessary to support the intended use. The description should include the anticipated*
26 *type, size and density of the use, the timing of any anticipated phases, and an*
27 *engineering assessment of impact on urban services at full build-out and for each phase*
28 *of a phased project;*
 - 29 4. *A Transportation Study consistent with the requirements of Sections 12.70.200 that*
30 *includes the portion of Jackson School Road between Waible Creek and US Highway*
31 *26 and describes:*
 - 32 a. *The existing transportation facilities that serve the property, including the existing*
33 *and planned capacity of the facilities;*
 - 34 b. *The committed and funded multi-modal transportation facilities expected to be*
35 *available at full buildout of the property, and at each development phase of a phased*
36 *project;*
 - 37 c. *The intended size, type, location and phased development timing, if any, of*
38 *occupancy;*
 - 39 d. *The transportation impact of the intended use(s) at full buildout, and at each*
40 *development phase of a phased project;*
 - 41 e. *Any transportation improvements that may be necessary to accommodate full*
42 *buildout, and each development phase of a phased project, including the potential*
43 *impacts of anticipated future development; and*
 - 44 f. *Information establishing compliance with ORS 215.296 for any road improvements*
45 *deemed necessary by the Transportation Study conducted pursuant to subsection*
46 *(C)(4); and*

1 **D. Timing.** *The City will not execute an annexation agreement until Washington County and*
2 *the City have entered into an agreement regarding transportation system improvements*
3 *and financing for Jackson East-South and Jackson East-North Sub-Areas outlined in the*
4 *adopted Urban Planning Area Agreement (UPAA) between Washington County and the*
5 *City.*

6 **E. Waiver.**

- 7 1. *The City may waive the requirement to execute and submit an annexation agreement*
8 *if the City, in its sole discretion, determines the agreement is not necessary and would*
9 *not achieve the purposes described in Section 12.66.040.A.*
10 2. *As a condition of waiving the requirement to execute and submit an annexation*
11 *agreement, the City may require a development agreement prior to approval of any*
12 *necessary land use applications for development. Any such development agreement*
13 *may require, to the City's satisfaction, the information and elements described in*
14 *Section 12.66.040.C.*

15 **F. Owners Commitments.** *The annexation agreement shall provide for at least the following*
16 *owner commitments:*

- 17 1. *To limit development of the property such that it will not exceed the capacity of affected*
18 *transportation facilities, as determined by the Transportation Study, including any*
19 *improvements proposed and constructed as part of the development;*
20 2. *Authorize the City to limit or condition any land use decision or entitlements consistent*
21 *with the Transportation Study, as determined by the City, to ensure that adequate public*
22 *transportation infrastructure is available to serve the proposed development; and*
23 3. *Authorize the City to limit or condition any land use decision or entitlements consistent*
24 *with Section 12.27.200, the City's Significant Natural Resources Overlay District.*

25 **G. City Commitments.** *The annexation agreement shall provide for at least the following City*
26 *commitments:*

- 27 1. *To initiate the zone change process to rezone the property to the appropriate City zone*
28 *at the time of annexation or such other time as parties agree.*

29 **H. General Provisions.**

- 30 1. *An annexation agreement shall include the parties' intended schedule of significant*
31 *development-related events, including annexation, zone change, land use, and land*
32 *division, if applicable.*
33 2. *An annexation agreement expires one year from the last date it is signed by the parties*
34 *unless the City has received an annexation application for the property and deemed the*
35 *application complete.*
36 3. *The provisions of an annexation agreement may be included in and made part of a*
37 *subsequent land use decision, in which case the provisions of the land use decision*
38 *supersede any conflicting provisions in the annexation agreement.*
39 4. *An annexation agreement is not effective and binding on the parties until the*
40 *annexation application is approved by the City Council under Section 12.80.010.*

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43 **12.80.040 Development Review.**

44 *[No changes to paragraphs A-C]*

- 1 D. Exemptions. The activities, development and construction projects listed below are exempt
2 from Development Review approval, but are subject to all other applicable provisions of this
3 Code, and may be subject to Zoning Review under Section 12.80.170:
- 4 1. Middle housing and single detached dwellings in the MR-1, SCR-LD, or SCR-MD
5 zones, or any R zone when no Adjustment to residential design and development
6 standards are requested;
 - 7 2. Accessory dwelling units and residential accessory structures in any zone when no
8 Adjustments to residential design and development standards are requested;
 - 9 3. Horticultural uses not involving buildings;
 - 10 4. Minor site alterations as defined in Section 12.01.500;
 - 11 5. Expansion of existing multi-family residential, commercial, or mixed-use buildings
12 which increases existing floor area by less than 10% and is not visible from a public
13 right-of-way or an adjacent residential zone;
 - 14 6. Expansion of existing industrial buildings which increases existing floor area by less
15 than 15% and is not visible from a public right-of-way or an adjacent residential
16 zone;
 - 17 7. Alteration of up to and including 10% or 500 sq. ft., whichever is less, of the façade of
18 any multi-dwelling, commercial, mixed-use, industrial or institutional building where
19 the façade is not visible from a public right-of-way;
 - 20 8. Manufactured dwellings on individual lots where allowed under Subchapters 12.21
21 through 12.26;
 - 22 9. Interior remodeling of an existing building or structure (also called tenant
23 improvements) or building alterations required to meet ADA or Oregon Residential
24 Specialty Code or Oregon Structural Specialty Code requirements as applicable;
 - 25 10. Certified or registered family child care or licensed residential senior care home;
 - 26 11. Home Occupation Permits;
 - 27 12. Maintenance of a building, structure, or site consistent with previous approvals;
 - 28 13. Temporary structures associated with temporary uses;
 - 29 14. Accessory structures not requiring a building permit but subject to other provisions of
30 this Code (such as accessory structures in the SCR-OTC or SCR-DNC zones);
 - 31 15. Commercial or industrial equipment or accessory structures that are screened from view
32 from the public rights-of-way by structure or natural grade; ~~and~~
 - 33 16. Construction, alteration, or maintenance of public infrastructure including streets, traffic
34 control devices, drainage ways, sanitary and storm sewers, stormwater quality facilities,
35 water lines, electrical power or gas distribution lines, or telephone or television cable
36 systems; *and*
 - 37 17. ***Enlargement, expansion, or replacement of residential non-conforming uses and***
38 ***structures in the Jackson East-North Sub-Area of the I-S Industrial Sanctuary zone***
39 ***where allowed under Subchapter 12.30.***

40
41 [Remainder of the section unchanged]