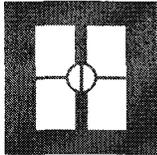


CITY OF HILLSBORO



HILLSBORO CITY COUNCIL

**Preliminary Agenda
Wednesday, January 2, 2008**

**7 PM
Hillsboro Civic Center Auditorium**

**Regular Session
150 E. Main Street**

Hillsboro City Council Meetings are broadcast live by Tualatin Valley Community Television (TVCTV) Government Access Programming. To obtain the monthly programming schedule, contact TVCTV at 503.629.8534 or call the City of Hillsboro at 503.681.6219.

Please silence all electronic devices. Thank you.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting.

The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.

To obtain services, please call 503.681.6100

When addressing the Council, please use the witness table (center front of the room). All testimony is electronically recorded. Public participation is encouraged. If you wish to speak, please raise your hand or walk to the witness table as the Mayor calls the item, or, on any item not on the agenda, as the Mayor calls for "Communications and Non-Agenda Items." If you are speaking on an item not on the regular agenda, please fill out the card on the table in the back of the room and give to the City Recorder. You are not required to give your address when speaking to the City Council, only your name.

Ordinances and Resolutions marked with an asterisk will not be read in full unless requested by a member of the City Council. Copies were distributed to Council and posted for at least seven calendar days, and are available on the north side of the auditorium.

*** SEE ATTACHED AGENDA *
Posted – December 27, 2007**

REGULAR SESSION – 7 PM – AUDITORIUM

PLEDGE OF ALLEGIANCE – Hillsboro Police and Fire Honor Guards

CALL TO ORDER - Roll Call

1. **CONSENT AGENDA:** (The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)

- A. Consider minutes: December 4, 2007
December 18, 2007
- B. Approve the expenditure of Surface Water Management funds for the implementation of the Tree Challenge Program in the amount of up to \$500,000 from 2008-2010, and authorize staff to execute any related documents, including entering into agreements with various contractors based on the Clean Water Services Master Services Agreement. (Park Commission recommendation)
- C. Authorize and ratify expenditures, public contracts, contract amendments and agreements by adopting **Resolution No. *2237.**

2. **PRESENTATIONS AND APPOINTMENTS:**

A. Annual appointments/reappointments to boards and commissions:

Utilities Commission (3-year term)

Bill Crandall – Reappointment

Planning Commission (4-year term)

Ross Mathews – Reappointment

Planning and Zoning Hearings Board (3-year term)

Robert Greaves – Reappointment

Nathan Parent – Reappointment

Park Commission (3-year term)

Gwynne Pitts – Reappointment

Budget Committee (3-year term)

John Crockett – Reappointment

Building Code Board of Appeals (1-year term)

Jim Partin – Reappointment

Gene Zurbrugg – Reappointment

Kevin Clemo – Reappointment

Carl Spitznagel – Reappointment

Jim Muir – Reappointment

Ralph Hill, Alt. – Reappointment

Brad Roast, Alt. – Reappointment

B. Recognition for Ross Mathews' 20 years of service on the Planning Commission.

3. **WAIVER OF ORDINANCE READINGS:**

- A. Consider motion to waive reading in full and read by title only Ordinance Nos. _____. (The ordinances have been posted and are available on the table on the north side of Auditorium.)

4. **PUBLIC HEARINGS:**

- A. CP MISC 1-07: Continuance of public hearing on proposed increases in existing fees for current land use applications and proposed new fees for new (or more widely required) land use applications. (The public hearing was opened at the November 6, 2007 meeting.) **Resolution No. *2228 is available.**
- B. SN 3-07: SW Davis Court to SE Davis Court: Consider renaming SW Davis Court to SE Davis Court. **Ordinance No. * _____ is available.**

5. **UNFINISHED BUSINESS:**

- A. None.

6. **NEW BUSINESS:**

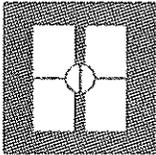
- A. Consider amending the Hillsboro Municipal Code Title 1 to add new subtitles relating to regulation of City elections, and repealing existing provisions and declaring an emergency as necessary to implement requirements of the 2007 City of Hillsboro Charter. **Ordinance No. * _____ is available.**
- B. Consider amending the Hillsboro Municipal Code Title 2 to add a new subtitle relating to the appointment of city officers and declaring an emergency as necessary to implement requirements of the 2007 City of Hillsboro Charter. **Ordinance No. _____ is available.**
- C. Consider resignation of Councilor Joe Keizur and declare Council vacancy.
- D. Consider approving two intergovernmental agreements with Washington County related to sharing of community service revenues relating to "Other Fees" resulting from the Strategic Investment Program (SIP) with Genentech and Intel and authorize the Mayor and City Recorder to execute the documents.
- E. PUD 2-07: Enchantment Glen: Consider Planning Commission recommendation of a preliminary development plan approval for Enchantment Glen, a 31-lot detached single family residential Planned Unit Development (PUD), on approximately 4.81 acres of property zoned A-1 Duplex Residential. The property is generally located east of SW 234th Avenue and west of SW 229th Avenue, south of SE Alexander Street. The property can be specifically identified as Tax Lot 1200 on Washington County Tax Assessor's Map 1S2-10DC. **Ordinance No. * _____ is available.**

7. **COMMUNICATION AND NON-AGENDA ITEMS:** (Persons wishing to speak on matters not on the agenda may be recognized at this time. *Please fill out the card on the table in the back of the room and give to the City Recorder.* You are not required to give your address when speaking to the City Council, only your name. Presentations are limited to three minutes, with a maximum total of 15 minutes for this agenda item. More time, if needed, may be provided upon completion of the regular agenda.)

8. **ADVICE/INFORMATION ITEMS:**

- A. The Shute Park library branch will be closed December 17, 2007 through January 2, 2008 for renovations.
- B. Tuality Healthcare/Pacific University appeal hearing – January 8, 2008, Civic Center Auditorium, 7 PM.
- C. Martin Luther King, Jr. Day Holiday – January 21, 2008. City offices closed.
- D. Joint City Council/Planning Commission Work Session – January 24, 2008, Civic Center Rooms C113B&C, 7 PM.

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HILLSBORO CITY COUNCIL

**Minutes
Tuesday, December 4, 2007**

**7 PM
Hillsboro Civic Center Auditorium**

**Regular Session
150 E. Main Street**

REGULAR SESSION – 7 PM – AUDITORIUM

PLEDGE OF ALLEGIANCE – Mayor Tom Hughes

CALL TO ORDER - Roll Call

Present: Mayor Tom Hughes, Councilors Aron Carleson, Ed Dennis (arrived at 7:13 PM), Joe Keizur, Nenice Andrews, Doug Johnson and Cynthia O'Donnell

Staff Present: Tim Erwert, Sarah Jo Chaplen, Rob Massar, Rob Dixon, Justin Patterson, Tami Cockeram, Sue Boucher, Dacia Ermatinger, Pat Ribellia, Genny Bond, Debbie Brodie, Charlie Shell, Mark Hamerl, Barbara Simon, Teresa Gibson, Debbie Raber, Corinne Bloomfield, Amber Deming, Paul Edwards, Greg Mont, Marion Hemphill and City Attorney Pam Beery

1. CONSENT AGENDA:

- A. Consider minutes: October 2, 2007
October 16, 2007
November 6, 2007
November 20, 2007
- B. Approve a dedication deed of additional right-of-way along the east side of NW 264th Avenue, south of NW Evergreen Road. Petitioners are: David E Highlands Trust, owners of the parcel to the south. Both the Highlands parcel and Cornerstone Business Park parcel shall be required to dedicate additional right-of-way for an east-west street along their common property line. (Transportation Committee recommendation)
- C. Authorize contract amendments for two existing intergovernmental agreements with Washington County for Community Development Block Grant (CDBG) projects, Nos. 7149 and 8128, and authorize the Mayor and City Recorder to execute the documents. (Transportation Committee Recommendation)
- D. SN 3-07: SW Davis Court to SE Davis Court: Set a public hearing for January 2, 2008 regarding the renaming of SW Davis Court to SE Davis Court.
- E. Authorize and ratify expenditures, public contracts, contract amendments and agreements by adopting Resolution No. 2231.

RESOLUTION NO. 2231

A RESOLUTION AUTHORIZING AND RATIFYING THE LISTED EXPENDITURES, PUBLIC CONTRACTS, CONTRACT AMENDMENTS AND AGREEMENTS IN ACCORDANCE WITH CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE.

Motion was made by O'Donnell, seconded by Keizur, to approve the Consent Agenda as presented. The motion passed unanimously with Andrews, Carleson, Dennis, Johnson, Keizur and O'Donnell voting in favor.

2. PRESENTATIONS AND APPOINTMENTS:

A. Presentation of checks to recipients of the Community Programs.

Mayor Hughes presented the checks.

B. Turner Creek status report by Assistant City Manager Rob Dixon.
[Recorder's Note: Councilor Dennis arrived at 7:13 PM]

Rob Dixon presented the status report with assistance from Nora Curtis, Clean Water Services (CWS). Mr. Dixon reported that the storm system responded well overall to the storm that occurred the previous weekend. There was some sewage overflow along Turner Creek; however, the system improvements made over the summer made a significant difference in the ability of the system to handle the additional burden. The following updates were made to the system:

- CWS completed repairs on the 72" trunk line and upsized the line near Maple Street between 3rd and 5th Avenues. The trunk line replacement was done by the City.
- The entire system has been cleaned and televised; 94 manholes were sealed and repaired.
- The piping system at 18th Avenue and Main Street was reconfigured to create more efficient flow.
- Some storm cross-connections were disconnected from the sanitary system and connected to storm sewers.
- Flow from 395 acres of the basin has been permanently diverted away from the Turner Creek system.
- The last of the formal status reports were submitted March 1, 2007 and a follow up meeting with the City, CWS and DEQ occurred in November to specifically discuss status of the projects.

In response to the storm, the automated alarm system alerted the City and CWS, triggering the wet weather response plan. Crews were dispatched to conduct bypass pumping, clean catch basins and check manhole covers. CWS notified DEQ and conducted water sampling.

Ms. Curtis gave some additional information about bacteria systems and standards. The recent improvements enabled the collection system to meet the standard. There were no reports of home sewage backups.

Councilor O'Donnell recognized the efforts of the City and CWS. She asked if there were any opportunities to work with CWS for additional improvements. Councilor Johnson asked about the notification process and if there was any correlation between the level of water in the sewer pipe and the water level in Rock Creek. Ms Curtis said she did not believe there was a correlation. There was some discussion related to plastic lining in the pipes and the notification

process. Councilor Johnson asked if staff would consider utilizing additional staff to place door hangers.

Mayor Hughes stated that storm affected communities statewide and in some cases to a larger degree than Hillsboro. He said that the reality is that a rainstorm could exceed capacity of any system we have in place. Members of the audience came forward for comment: Dave Herb, Carlene Lake and Jerry Cressa. They expressed their concerns on the notification process and reminded that Council that the goal is not reduction of sewer overflow, but elimination.

The Council concurred that a work session should be scheduled to discuss additional improvements and options for the sewer system.

- C. Presentation on alternative energy building improvement suggestions for the Civic Center by Lego Robotics team.

The student group discussed their project and made their recommendations. The recommendations included solar photovoltaic systems either as a rooftop mounted system or a parking lot solar carport. In response to a question from Councilor Dennis on longevity of panels, they said each panel has a lifespan of approximately 20 years.

- D. Appointment:

Library Board – 4-year term limit

Ahne Oosterhof – filling unexpired term until 6/2008

Motion was made by O'Donnell, seconded by Keizur, to confirm the Mayor's appointment. The motion passed unanimously with Carleson, Dennis, Johnson, Keizur, O'Donnell and Andrews voting in favor.

3. WAIVER OF ORDINANCE READINGS:

- A. Consider motion to waive reading in full and read by title only Ordinance Nos. 5812 - 5816.

Motion was made by Dennis, seconded by O'Donnell, to waive the reading in full and read by title only Ordinance Nos. 5812-5816. The motion passed unanimously with Dennis, Johnson, Keizur, O'Donnell, Andrews and Carleson voting in favor.

4. PUBLIC HEARINGS:

- A. CP MISC 1-07: Continuance of public hearing on proposed increases in existing fees for current land use applications and proposed new fees for new (or more widely required) land use applications. (The public hearing was opened on November 6, 2007. Chamber requests, and staff concurs, continuing the public hearing on January 2, 2008.)

Motion was made by Keizur, seconded by O'Donnell, to approve the continuance of the public hearing on proposed increases in existing land use applications and proposed new fees for new (or more widely required) land use applications to the January 2, 2008 City Council meeting. The motion passed unanimously with Johnson, Keizur, O'Donnell, Andrews, Carleson and Dennis voting in favor.

- B. Consider Utilities Commission recommendation to allow extraterritorial water service to Tax Lot 2400 on Washington County Tax Assessor's Map 1S 5 25C.

The property is located in Cherry Grove and northwest of SW Date Street. Resolution No. 2232 was available.

Motion was made by Keizur, seconded by O'Donnell, that Resolution No. 2232 be adopted. The motion passed unanimously with Keizur, O'Donnell, Andrews, Carleson, Dennis and Johnson voting in favor.

RESOLUTION NO. 2232
ET 07-01: OLSON

A RESOLUTION ALLOWING EXTRATERRITORIAL WATER SERVICE TO TAX LOT 2400, ON WASHINGTON COUNTY TAX ASSESSOR'S MAP 1S 5 25C.

5. **UNFINISHED BUSINESS:**

- A. NCU 1-07(APPEAL): Non-Conforming Use Request – Secure Storage Phase II
Consider the appeal of the Planning and Zoning Hearings Board decision to approve NCU 1-07 Secure Storage Phase II, for expansion of a Nonconforming Use. The decision granted approval for expansion of the existing Secure Storage mini-storage on approximately seven acres generally located south of NE Cornell Road, west of its intersection with NE Elam Young Parkway. The site is specifically identified as Tax Lot 1500 on Washington County Assessor's Map 1N2 33AA. (A public hearing was held at the November 6, 2007 meeting.) Resolution No. 2233 was available.

Motion was made by Johnson, seconded by O'Donnell, that Resolution No. 2233 be adopted. The motion passed unanimously with O'Donnell, Andrews, Carleson, Dennis, Johnson and Keizur voting in favor.

RESOLUTION NO. 2233
NCU 1-07: SECURE STORAGE PHASE II

A RESOLUTION APPROVING THE EXPANSION OF A NON-CONFORMING USE FOR SECURE STORAGE MINI-STORAGE PHASE II.

6. **NEW BUSINESS:**

- A. Update on staff response to citizen request for the City to consider an amendment to the Hillsboro Sign Code with regard to clearance areas on sidewalks, specific to bench signs at mass transit stops.

Genny Bond and Debbie Raber, Planning Department, presented the report and received feedback from the councilors. Staff will gather more information for a future presentation.

- B. Consider amending Section 10.08.030 (Stop Streets – Schedule B) of the Hillsboro Municipal Code by removing and replacing existing and new stop signs as the result of a street name change renaming a portion of NW Hornecker Road to NW Connell Avenue and declaring an emergency. Ordinance No. 5812 was available.

Ordinance No. 5812 was read by title only. Motion was made by O'Donnell, seconded by Carleson, that Ordinance No. 5812 do pass. Roll call on the motion was as follows: Dennis, aye,

Keizur, aye, Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5812 was declared passed.

ORDINANCE NO. 5812

AN ORDINANCE AMENDING SECTION 10.08.030 (STOP STREETS – SCHEDULE B) OF THE CITY OF HILLSBORO MUNICIPAL CODE BY REMOVING AND REPLACING EXISTING AND NEW STOP SIGNS AS THE RESULT OF A STREET NAME CHANGE RENAMING A PORTION OF NW HORNECKER RD TO NW CONNELL AVENUE AND DECLARING AN EMERGENCY.

- C. Consider amending Section 10.12.110 (Prohibited Parking – Schedule G) of the Hillsboro Municipal Code by removing and replacing existing parking restrictions as the result of a street name change renaming a portion of NW Hornecker Road to NW Connell Avenue and declaring an emergency. Ordinance No. 5813 was available.

Ordinance No. 5813 was read by title only. Motion was made by Keizur, seconded by O'Donnell, that Ordinance No. 5813 do pass. Roll call on the motion was as follows: O'Donnell, aye, Dennis, aye, Keizur, aye, Andrews, aye, Carleson, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5813 was declared passed.

ORDINANCE NO. 5813

AN ORDINANCE AMENDING SECTION 10.12.110 (PROHIBITED PARKING – SCHEDULE G) OF THE HILLSBORO MUNICIPAL CODE BY REMOVING AND REPLACING EXISTING PARKING RESTRICTIONS AS THE RESULT OF A STREET NAME CHANGE RENAMING A PORTION OF NW HORNECKER ROAD TO NW CONNELL AVENUE AND DECLARING AN EMERGENCY.

- D. Consider Transportation Committee recommendation amending Section 10.08.030 (Stop Streets – Schedule B) of the Hillsboro Municipal Code by creating additional stopped streets on SE Cottonwood Avenue and SE Ironwood Avenue where each meet SE Lone Oak Street and declaring an emergency. Ordinance No. 5814 was available.

Ordinance No. 5814 was read by title only. Motion was made by O'Donnell, seconded by Dennis, that Ordinance No. 5814 do pass. Roll call on the motion was as follows: Dennis, aye, O'Donnell, aye, Carleson, aye, Keizur, aye, Andrews, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5814 was declared passed.

ORDINANCE NO. 5814

AN ORDINANCE AMENDING SECTION 10.08.030 (STOP STREETS – SCHEDULE B) OF THE CITY OF HILLSBORO MUNICIPAL CODE BY CREATING ADDITIONAL STOPPED STREETS AT SE COTTONWOOD AVENUE AND SE IRONWOOD AVENUE WHERE EACH MEET SE LONE OAK STREET AND DECLARING AN EMERGENCY.

- E. Consider Transportation Committee recommendation amending section 10.12.120 (Prohibited During Designated Hours – Schedule H) of the Hillsboro Municipal code by correcting parking restrictions along the south side of NE

Lincoln Street between North 1st and NE 2nd Avenues and declaring an emergency. Ordinance No. 5815 was available.

Ordinance No. 5815 was read by title only. Motion was made by O'Donnell, seconded by Johnson, that Ordinance No. 5815 do pass. Roll call on the motion was as follows: Keizur, aye, Dennis, aye, Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5815 was declared passed.

ORDINANCE NO. 5815

AN ORDINANCE AMENDING SECTION 10.12.120 (PROHIBITED DURING DESIGNATED HOURS – SCHEDULE H) OF THE CITY OF HILLSBORO MUNICIPAL CODE BY CORRECTING PARKING RESTRICTIONS ALONG THE SOUTH SIDE OF NE LINCOLN STREET BETWEEN N 1ST AND NE 2ND AVENUES AND DECLARING AN EMERGENCY.

- F. Consider Transportation Committee recommendation amending Section 10.12.120 (Prohibited During Designated Hours – Schedule H) of the Hillsboro Municipal Code by establishing parking prohibitions from 8 AM to 4 PM Monday through Saturday on the north side of a portion of SE Maple Street between SE 8th and 9th Avenues and declaring an emergency. Ordinance No. 5816 was available.

Ordinance No. 5816 was read by title only. Motion was made by Keizur, seconded by Dennis, that Ordinance No. 5816 do pass. Roll call on the motion was as follows: Dennis, aye, O'Donnell, aye, Carleson, aye, Johnson, aye, Andrews, aye, Keizur, aye. The motion passed unanimously and Ordinance No. 5816 was declared passed.

ORDINANCE NO. 5816

AN ORDINANCE AMENDING SECTION 10.12.120 (PROHIBITED DURING DESIGNATED HOURS – SCHEDULE H) OF THE CITY OF HILLSBORO MUNICIPAL CODE BY ESTABLISHING PARKING PROHIBITIONS ON A PORTION OF SE MAPLE STREET BETWEEN SE 8TH AND 9TH AVENUES AND DECLARING AN EMERGENCY.

- G. Authorize entering into a lease agreement with NW Hayden Enterprises for the Civic Center restaurant space and authorize the Mayor and City Recorder to execute the documents. (Subject to City Attorney approval and revision. This item was discussed in Executive Session on November 6, 2007.)

Motion was made by Keizur, seconded by Dennis, to enter into a lease agreement with NW Hayden Enterprises for the Civic Center restaurant space and authorize the Mayor and City Recorder to execute the documents. The motion passed unanimously with Andrews, Carleson, Dennis, Johnson, Keizur and O'Donnell voting in favor.

- H. Consider approval of an Employment Agreement between the City of Hillsboro and Sarah Jo Chaplen to set out the terms and conditions of the City's employment of a City Manager and authorize the Mayor and City Recorder to execute the documents. (This item was discussed in Executive Session on November 20, 2007.)

Motion was made by Dennis, seconded by O'Donnell, to approve an Employment Agreement between the City of Hillsboro and Sarah Jo Chaplen to set out the terms and conditions of the

City's employment of a City Manager and authorize the Mayor and City Recorder to execute the documents. The motion passed unanimously with Carleson, Dennis, Johnson, Keizur, O'Donnell and Andrews voting in favor.

- I. Consider Transportation Committee recommendation authorizing the City of Hillsboro to enter into a Development Agreement with West Hills Development for cost sharing and an Intergovernmental Agreement with Washington County for design and construction administration services relating to signalization improvements at the intersection of NW Cornelius Pass Road and NW Wilkins Street, and authorize the Mayor and City Recorder to sign and execute the documents (Subject to City Attorney approval and revision).

Motion was made by Dennis, seconded by O'Donnell, to authorize the City of Hillsboro to enter into a Development Agreement with West Hills Development for cost sharing and an Intergovernmental Agreement with Washington County for design and construction administration services relating to signalization improvements at the intersection of NW Cornelius Pass Road and NW Wilkins Street, and authorize the Mayor and City Recorder to sign and execute the documents. The motion passed unanimously with Dennis, Johnson, Keizur, O'Donnell, Andrews and Carleson voting in favor.

- J. Consider Transportation Committee recommendation to adopt the City of Hillsboro MSTIP-4 Project Priority List of candidate projects for consideration in the formation of a County-wide package of transportation improvement projects for voter consideration tentatively in November 2008.

Motion was made by Keizur, seconded by O'Donnell, to adopt the City of Hillsboro MSTIP-4 Project Priority List of candidate projects for consideration in the formation of a County-wide package of transportation improvement projects for voter consideration tentatively in November 2008. The motion passed unanimously with Johnson, Keizur, O'Donnell, Andrews, Carleson and Dennis voting in favor.

7. COMMUNICATION AND NON-AGENDA ITEMS:

- A. Sharon Cornish commented on the Venetian Theatre construction project. She expressed her concerns related to downtown parking and the City's monetary contribution towards the project.
- B. Lee Hammel requested a Parks and Recreation Department contact for issues related to the Hondo Dog Park. Mayor Hughes referred him to Assistant Parks and Recreation Director Justin Patterson.
- C. Bill Stone described his concerns with the Evergreen/Helvetia industrial development area. Mayor Hughes directed staff to contact Mr. Stone.
- D. Jim Long gave information on deceased Hillsboro citizen Mary Ramsey Wood and requested ways to honor her life. Mayor Hughes stated a proclamation honoring Ms. Wood will be placed on the December 18, 2007 City Council agenda.
- E. Councilor Andrews gave an update on the Hillsboro youth swim program.

- F. Councilor Johnson announced the Police Department's apprehension of a burglar suspect for the recent downtown burglaries.

8. **ADVICE/INFORMATION ITEMS:**

A. November 6, 2007 Certified Election Results:

Ballot Measure 34-135 – Proposed Charter	
Yes	13,462
No	4,048
Over Votes	3
Under Votes	1,240

- B. 8th Annual GIS and Technology Fair Public Map Gallery and Poster Session Open House – Wednesday, December 5, 2007, Civic Center Rooms 113B&C from 2 PM to 4 PM.
- C. Oregon Local Climate Protection Workshop – Monday, December 10, 2007, Civic Center Auditorium from 10 AM to 4:30 PM.
- D. Christmas Holiday – Tuesday, December 25, 2007. City offices closed.
- E. New Year's Holiday – Tuesday, January 1, 2008. City offices closed. The first City Council meeting of 2008 will be held Wednesday, January 2, 2008.

9. **WORK SESSION ITEMS (Item A & B will be discussed in work session following regular session in Conference Room C113B.)**

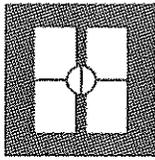
- A. Regional Solid Waste Management Plan and Update on Mandatory Business Recycling – presented by Metro staff
- B. 53rd Avenue Indoor Recreation Center Process Update – presented by Justin Patterson

The work session was held.

There being no further business to come before the Council, the meeting was adjourned at 9:15 PM.

Mayor

ATTEST: _____
City Recorder



HILLSBORO CITY COUNCIL

Minutes
Tuesday, December 18, 2007

6 PM
Hillsboro Civic Center Conference Room C113B

Work Session
150 E. Main Street

7 PM
Hillsboro Civic Center Auditorium

Regular Session
150 E. Main Street

WORK SESSION – 6 PM – CONFERENCE ROOM C113B

- A. Strategic Plan Environmental Scan Draft – presented by Erik Jensen and Carolyn Verheyen and Lynn Weigand of Moore Iacofano Goltsman, Inc. (MIG)

The work session was held.

REGULAR SESSION – 7 PM – AUDITORIUM

PLEDGE OF ALLEGIANCE – Mayor Tom Hughes

CALL TO ORDER - Roll Call

Present: Mayor Tom Hughes, Councilors Doug Johnson, Aron Carleson, Ed Dennis, Cynthia O'Donnell, Nenice Andrews and Joe Keizur (arrived at 7:18 PM)

Staff Present: Tim Erwert, Sarah Jo Chaplen, Rob Massar, Rob Dixon, Debbie Brodie, Debbie Raber, Linda Lybecker, Gary Seidel, Marion Hemphill, Pat Ribellia, Christie Bennett, Barbara Simon, Debbie Werner, Mark Jackson, Steve Greagor, Corinne Bloomfield, Tina Bailey, Don Odermott, Erik Jensen and City Attorney Pam Beery

1. CONSENT AGENDA:

- A. Approve an intergovernmental agreement with Hillsboro School District for the implementation of the Construction Excise Tax authorized by Senate Bill 1036, and authorize the Mayor and City Recorder to execute the documents. (Subject to review and revision by the City Attorney) (Finance Committee recommendation)
- B. Award the purchase of one TV Step Van from Enviro-Clean Equipment in the amount of \$191,889 and reject the low bid for not meeting the specifications contained in the bid documents. (Budgeted item) (Finance Committee recommendation)
- C. Approve fees for recovering city expenses incurred in responding to public records requests and repealing Resolution. No. 2024 by adopting Resolution No. 2234. (Finance Committee recommendation)

RESOLUTION NO. 2234

A RESOLUTION SETTING FEES FOR RECOVERING CITY EXPENSES INCURRED IN RESPONDING TO PUBLIC RECORDS REQUESTS AND REPEALING RESOLUTION NO. 2024.

- D. Award the Main Street Sanitary Sewer and Waterline Replacement to the low responsive bidder, Landis & Landis Construction for \$345,882. (Budgeted item) (Finance Committee & Utilities Commission recommendation)
- E. Approve a Power Purchase Agreement and a Solar Energy License Agreement with Honeywell International, Inc. for the design, installation, operation and maintenance of solar photovoltaic arrays and related equipment at the Shute and Evergreen Water Reservoir, and authorize the Mayor and City Recorder to execute the documents. (Subject to revision and approval by the City Attorney) (Utilities Commission recommendation)
- F. Schedule a joint work session with the Planning Commission on January 24, 2008, 7 PM, Hillsboro Civic Center, Conference Rooms C113B&C, 150 East Main Street.
- G. Authorize and ratify expenditures, public contracts, contract amendments and agreements by adopting Resolution No. 2235.

RESOLUTION NO. 2235

A RESOLUTION AUTHORIZING AND RATIFYING THE LISTED EXPENDITURES, PUBLIC CONTRACTS, CONTRACT AMENDMENTS AND AGREEMENTS IN ACCORDANCE WITH CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE.

Motion was made by O'Donnell, seconded by Johnson, to approve the Consent Agenda as presented. The motion passed unanimously with Carleson, Johnson, O'Donnell, Dennis and Andrews voting in favor.

2. PRESENTATIONS AND APPOINTMENTS:

- A. Proclamation: Mary Ramsey Wood Day – January 1, 2008 – presented to James Andrew Long, northwest historian, and the Hillsboro Historical Society.

Mayor Hughes read the proclamation, presented it to Mr. Long and Kay Demlow, representing the Hillsboro Historical Society, and said the newly formed Landmarks Commission will be discussing a way to commemorate Mary Ramsey Wood's life.

- B. Proclamation: Debbie Brodie Day – December 22, 2007.

Mayor Hughes read the proclamation and presented it to Ms. Brodie.

- C. Proclamation: Tim Erwert Week – December 24-28, 2007.

Mayor Hughes read the proclamation and presented it to Mr. Erwert.

- D. Parks and Recreation Department 2006-07 Annual Report – presented by Steve Greagor and Corinne Bloomfield.

Mr. Greagor and Ms. Bloomfield gave the highlights of the Annual Report and said it is available on the Parks and Recreation Department website for public viewing.

[Recorder's Note: Councilor Keizur arrived at 7:18 PM]

- E. Appointment:

Vision Implementation Committee

Sarah Jo Chaplen – filling unexpired term until 9/01/2009

Motion was made by Dennis, seconded by Andrews, to confirm the Mayor's appointment. The motion passed unanimously with Johnson, O'Donnell, Dennis, Andrews, Carleson and Keizur voting in favor.

3. WAIVER OF ORDINANCE READINGS:

- A. Consider motion to waive reading in full and read by title only Ordinance Nos. 5807 and 5817-5827.

Motion was made by O'Donnell, seconded by Andrews, to waive the reading in full and read by title only Ordinance Nos. 5807 and 5817-5827. The motion passed unanimously with O'Donnell, Dennis, Andrews, Carleson, Keizur and Johnson voting in favor.

4. PUBLIC HEARINGS:

- A. VAC 07-08: Consider vacating a portion of SE 8th Avenue between SE Baseline Street and SE Oak Street in the City of Hillsboro in Washington County. (This is a continuation of a hearing from the November 6, 2007 City Council Meeting.) Ordinance No. 5807 was available.

Mayor Hughes explained the hearing had been continued from November 6, 2007 to give time for staff to receive a traffic report that would aid traffic modeling for 8th Avenue, but the report arrived this morning so he recommends postponing the continuance of the public hearing to the January 15, 2008 City Council meeting. The public was offered the chance to testify, but no one came forward.

Motion was made by Dennis, seconded by Keizur, to continue the public hearing on vacating a portion of SE 8th Avenue between SE Baseline Street and SE Oak Street in the City of Hillsboro in Washington County to the January 15, 2008 City Council meeting. The motion passed unanimously with Dennis, Andrews, Carleson, Keizur, Johnson and O'Donnell voting in favor.

- B. AN 8-07: Betancourt: Consider a request for annexation of one property approximately 0.29 acres in area, together with adjacent rights-of-way into the city limits of Hillsboro. The site is located generally west of NW 228th Avenue, south of NW Dogwood Street, east of NW 229th Avenue, and north of NW Elm Street. The property can be specifically identified as Tax Lot 900 on Washington County Tax Assessor's Map 1N2-34DA. Ordinance No. 5817 was available.

Prior to opening the public hearing Mayor Hughes asked for a staff report on Items 4B through 4E. Debbie Raber, Planning Department, came forth and presented the staff report, including the ORS 197 statement required for public hearings, described the proposed annexations and zone changes and reviewed the approval criteria.

Mayor Hughes opened the public hearing on AN 8-07 and asked for testimony in support or opposition. There was none. The public hearing was closed.

Ordinance No. 5817 was read by title only. Motion was made by Keizur, seconded by O'Donnell, that Ordinance No. 5817 do pass. Roll call on the motion was as follows: Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye. The motion passed unanimously and Ordinance No. 5817 was declared passed.

ORDINANCE NO. 5817
AN 8-07: BETANCOURT

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACTS FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

- C. ZC 16-07: Betancourt: Consider a City-initiated request for approval of a zone change from County R-5 Residential (five units per acre) to City SCR-OTC Station Community Residential – Orenco Townsite Conservation zone on one property. The purpose of the zone change request is to establish City zoning on the property following annexation. The property is designated SCPA Station Community Planning Area on the Comprehensive Plan map. The property under consideration for annexation and zone change is generally located west of NW 228th Avenue, south of NW Dogwood Street, east of NW 229th Avenue, and north of NW Elm Street. The property can be specifically identified as Tax Lot 900 on Washington County Tax Assessor's Map 1N2-34DA. Ordinance No. 5818 was available.

Mayor Hughes opened the public hearing on ZC 16-07 and asked for testimony in support or opposition. There was none. The public hearing was closed.

Ordinance No. 5818 was read by title only. Motion was made by O'Donnell, seconded by Johnson, that Ordinance No. 5818 do pass. Roll call on the motion was as follows: O'Donnell, aye, Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye. The motion passed unanimously and Ordinance No. 5818 was declared passed.

ORDINANCE NO. 5818
ZC 16-07: BETANCOURT

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF ONE TRACT OF RECENTLY ANNEXED PROPERTY FROM COUNTY R-5 RESIDENTIAL (FIVE UNITS PER ACRE) TO CITY SCR-OTC STATION COMMUNITY RESIDENTIAL – ORENCO TOWNSITE CONSERVATION.

- D. AN 9-07: Staley: Consider a request for annexation of one property approximately 0.50 acres in area, together with adjacent rights-of-way into the city limits of Hillsboro. The site is generally located west of SW Brookwood Avenue, south of SE Libby Court, east of SE 43rd Avenue, and north of SE Cedar Street. The property can be specifically identified as Tax Lot 1900 on Washington County Tax Assessor's Map 1S2-04AB. Ordinance No. 5819 was available.

Mayor Hughes opened the public hearing on AN 9-07 and asked for testimony in support or opposition. There was none. The public hearing was closed.

Ordinance No. 5819 was read by title only. Motion was made by O'Donnell, seconded by Dennis, that Ordinance No. 5819 do pass. Roll call on the motion was as follows: Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye. The motion passed unanimously and Ordinance No. 5819 was declared passed.

ORDINANCE NO. 5819
AN 9-07: STALEY

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

- E. ZC 17-07: Staley: Consider a City-initiated request for approval of a zone change from County R-15 Residential (fifteen units per acre) to City A-1 Duplex Residential on one property. The purpose of the zone change request is to establish City zoning on the property following annexation. The property is designated RM Medium Density Residential on the Comprehensive Plan map. The property is generally located west of SW Brookwood Avenue, south of SE Libby Court, east of SE 43rd Avenue, and north of SE Cedar Street. The property can be specifically identified as Tax Lot 1900 on Washington County Tax Assessor's Map 1S2-04AB. Ordinance No. 5820 was available.

Mayor Hughes opened the public hearing on ZC 17-07 and asked for testimony in support or opposition. There was none. The public hearing was closed.

Ordinance No. 5820 was read by title only. Motion was made by Keizur, seconded by Johnson, that Ordinance No. 5820 do pass. Roll call on the motion was as follows: Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye, Carleson, aye. The motion passed unanimously and Ordinance No. 5820 was declared passed.

ORDINANCE NO. 5820
ZC 17-07: STALEY

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF ONE TRACT OF RECENTLY ANNEXED PROPERTY FROM COUNTY R-15 RESIDENTIAL (FIFTEEN UNITS PER ACRE) TO CITY A-1 DUPLEX RESIDENTIAL.

5. **UNFINISHED BUSINESS:**

A. None.

6. **NEW BUSINESS:**

A. **ZOA 4-07: R-10 Minimum and Maximum Densities:** Consider a Planning Commission recommendation to amend Section 8A. "Minimum and Maximum Densities" of the R-10 Single Family Residential Zone of Zoning Ordinance No. 1945. The proposed amendment would increase the minimum required density from 3.0 dwelling units per net acre to 3.5 dwelling units and increase the maximum density from 3.75 dwelling units per net acre to 4.35 dwelling units. Ordinance No. 5821 was available.

Ordinance No. 5821 was read by title only. Motion was made by Dennis, seconded by Johnson, that Ordinance No. 5821 do pass. Roll call on the motion was as follows: Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5821 was declared passed.

ORDINANCE NO. 5821
ZOA 4-07: MINIMUM AND MAXIMUM DENSITIES IN THE R-10 SINGLE FAMILY
RESIDENTIAL ZONE

AN ORDINANCE AMENDING HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, REGARDING THE MINIMUM AND MAXIMUM DENSITIES IN THE R-10 SINGLE FAMILY RESIDENTIAL ZONE.

B. **ZOA 6-07: Authorizing Planning and Zoning Review Fees On Building Permits:** Consider a Planning Commission recommendation to amend Section 129. "Application Fees" of Zoning Ordinance No. 1945 that would add language to this section to be specific on the types of applications being processed by the City (Planning Department) for which application fees are being assessed. Specifically, the proposed amendment changes the title of Section 129 to read "Land Use Application and Permit Review Fees", and states that the types of applications being processed are land use and building permit applications. Ordinance No. 5822 was available.

Ordinance No. 5822 was read by title only. Motion was made by Johnson, seconded by Andrews, that Ordinance No. 5822 do pass. Roll call on the motion was as follows: Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye. The motion passed unanimously and Ordinance No. 5822 was declared passed.

ORDINANCE NO. 5822
ZOA 6-07: PLANNING AND ZONING REVIEW FEES

AN ORDINANCE AMENDING HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, AUTHORIZING ASSESSMENT OF PERMIT REVIEW FEES.

- C. ZC 15-07: Schlottman Residence: Consider a Planning and Zoning Hearings Board recommendation for approval of a zone change from R-7 Single Family Residential to R-6 Single Family Residential on one property approximately 1.92 acres in area. The purpose of the zone change request is to allow the subject parcel to develop in a manner consistent with abutting parcels which also have the RL Residential Low Density Comprehensive Plan designation and are zoned R-6. The property is generally located north of SE Frances Street, east of SE 71st Court, south of the SE 72nd Avenue stub, and west of the SE Langwood Street stub. The property can be specifically identified as Tax Lot 1000 on Washington County Tax Assessor's Map 1S2-02CB. Ordinance No. 5823 was available.

Ordinance No. 5823 was read by title only. Motion was made by O'Donnell, seconded by Johnson, that Ordinance No. 5823 do pass. Roll call on the motion was as follows: O'Donnell, aye, Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye. The motion passed unanimously and Ordinance No. 5823 was declared passed.

ORDINANCE NO. 5823
ZC 15-07: SCHLOTTMAN RESIDENCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF A CERTAIN TRACT OF LAND FROM R-7 SINGLE FAMILY RESIDENTIAL TO R-6 SINGLE FAMILY RESIDENTIAL.

- D. CDP 1-05 (Mod 3): Tuality Healthcare / Pacific University: Receive appeal of Planning Commission decision regarding proposed modifications to the Concept Development Plan. Appellant has requested a "Partial De Novo" hearing.

Mayor Hughes proposed a special meeting on January 8, 2008, following Finance Committee, to hold an appeal hearing. Councilor Dennis asked if the Partial De Novo hearing was the best choice, and Mayor Hughes explained that there is only one item to be discussed, but new information will be presented.

Motion was made by Dennis, seconded by Johnson, to receive an appeal of the Planning Commission decision regarding proposed modifications to the Concept Development Plan and set a Partial De Novo hearing for January 8, 2008. The motion passed unanimously with Andrews, Carleson, Keizur, Johnson, O'Donnell and Dennis voting in favor.

The hearing will be held on January 8, 2008 in the Civic Center Auditorium at 7 PM.

- E. Consider Transportation Committee recommendation to amend Section 10.12.100 (Parking Time Limits – Schedule F) of the City of Hillsboro Municipal Code by extending a two hour parking time limit on the east side of SE 9th Avenue between SE Oak and SE Baseline Streets, amending Section 10.12.110 (Prohibited Parking – Schedule G) by extending a parking prohibition on the west side of SE 9th Avenue between SE Oak and SE Baseline Streets, and declaring an emergency. Ordinance No. 5824 was available.

Ordinance No. 5824 was read by title only. Motion was made by Dennis, seconded by O'Donnell, that Ordinance No. 5824 do pass. Roll call on the motion was as follows: Carleson, aye, Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye. The motion passed unanimously and Ordinance No. 5824 was declared passed.

ORDINANCE NO. 5824

AN ORDINANCE AMENDING SECTION 10.12.100 (SCHEDULE F – PARKING TIME LIMITS) BY EXTENDING A TWO HOUR PARKING TIME LIMIT ON THE EAST SIDE OF SE 9TH AVENUE BETWEEN SE OAK AND SE BASELINE STREETS, AMENDING SECTION 10.12.110 (SCHEDULE G – PROHIBITED PARKING) BY EXTENDING A PARKING PROHIBITION ON THE WEST SIDE OF SE 9TH AVENUE BETWEEN SE OAK AND SE BASELINE STREETS, AND DECLARING AN EMERGENCY.

- F. Consider a resolution adopting the State of Oregon, Archives Division, City Records Retention Schedule. Resolution No. 2236 was available.

Motion was made by Johnson, seconded by Dennis, that Resolution No. 2236 be adopted. The motion passed unanimously with Carleson, Keizur, Johnson, O'Donnell, Dennis and Andrews voting in favor.

RESOLUTION NO. 2236

A RESOLUTION PURSUANT TO THE OREGON ADMINISTRATIVE RULE 166-200, TO ADOPT THE STATE OF OREGON, ARCHIVES DIVISION, CITY RECORDS RETENTION SCHEDULE.

- G. Consider the following actions as necessary to implement requirements of the 2007 City of Hillsboro Charter: (These items were discussed in work session on November 20, 2007.)
 - 1. Consider amending Hillsboro Municipal Code Title 3 to add new subtitles relating to Local Improvement Districts, and repealing existing provisions, and declaring an emergency. Ordinance No. 5825 was available.

Ordinance No. 5825 was read by title only. Motion was made by Keizur, seconded by O'Donnell, that Ordinance No. 5825 do pass. Roll call on the motion was as follows: Johnson, aye, Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye, Carleson, aye. The motion passed unanimously and Ordinance No. 5825 was declared passed.

ORDINANCE NO. 5825

AN ORDINANCE AMENDING HILLSBORO MUNICIPAL CODE TITLE 3 TO ADD NEW SUBTITLES RELATING TO LOCAL IMPROVEMENT DISTRICTS, REPEALING EXISTING PROVISIONS, AND DECLARING AN EMERGENCY.

- 2. Consider adopting boundaries for three City Council wards as required by Section Eight of the 2007 City of Hillsboro Charter, and declaring an emergency. Ordinance No. 5826 was available.

Ordinance No. 5826 was read by title only. Motion was made by O'Donnell, seconded by Keizur, that Ordinance no. 5826 do pass. Roll call on the motion was as follows: Dennis, aye, Keizur, aye, Andrews, aye, O'Donnell, aye, Carleson, aye, Johnson, aye. The motion passed unanimously and Ordinance No. 5826 was declared passed.

ORDINANCE NO. 5826

AN ORDINANCE ADOPTING BOUNDARIES FOR THREE CITY COUNCIL WARDS AS REQUIRED BY SECTION EIGHT OF THE 2007 CITY OF HILLSBORO CHARTER; AND DECLARING AN EMERGENCY.

3. Consider amending the Hillsboro Municipal Code Title 1 to add new subtitles relating to regulation of City elections, and repealing existing provisions and declaring an emergency. Ordinance No. 5827 was available.

Mayor Hughes pulled Item 6G3 from the agenda for further staff review.

- H. Consider Transportation Committee recommendation to authorize entering into a Memorandum of Agreement with the Hillsboro School District for cost sharing and scheduled completion of improvements, and an Intergovernmental Agreement with Washington County for cost sharing, design and construction of signalization and roadway improvements on SE River Road between SE Rood Bridge Road and SE Davis Road; and authorize the Mayor and City Recorder to execute the documents. (Subject to City Attorney approval, and authorization of the Washington County Coordinating Committee for expenditure of Traffic Impact Fees)

Motion was made by Keizur, seconded by O'Donnell, to authorize entering into a Memorandum of Agreement with the Hillsboro School District for cost sharing and scheduled completion of improvements, and an Intergovernmental Agreement with Washington County for cost sharing, design and construction of signalization and roadway improvements on SE River Road between SE Rood Bridge Road and SE Davis Road; and authorize the Mayor and City Recorder to execute the documents. The motion passed unanimously with Keizur, Johnson, O'Donnell, Dennis, Andrews and Carleson voting in favor.

- I. Consider convening in Executive Session under ORS 192.660(2)(e) to deliberate with persons designated by the governing body to negotiate real property transactions. (Conference Room 113B following adjournment of the regular session).

Motion was made by O'Donnell, seconded by Johnson, to convene in Executive Session following the regular session in Conference Room C113B. The motion passed unanimously with Johnson, O'Donnell, Dennis, Andrews, Carleson and Keizur voting in favor.

- J. Consider action related to Executive Session, if needed.

No action taken.

7. COMMUNICATION AND NON-AGENDA ITEMS:

- A. None.

8. **ADVICE/INFORMATION ITEMS:**

- A. Certificate of Achievement for excellence in financial reporting by the Finance Department for fiscal year ended June 30, 2006 from the Government Finance Officers Association (GFOA).
- B. The Shute Park library branch will be closed December 17, 2007 through January 2, 2008 for renovations.
- C. Retirement reception for Library Director Debbie Brodie – Main Library, Saturday, December 22, 2007 at 11 AM.
- D. Christmas Holiday – Tuesday, December 25, 2007. City offices closed.
- E. New Year's Holiday – Tuesday, January 1, 2008. City offices closed. The first City Council meeting of 2008 will be held Wednesday, January 2, 2008.
- F. Tweet of Dweams Birdhouse Contest Deadline – Birdhouses must be delivered between February 1-7, 2008 to the Jackson Bottoms Wetlands Education Center.

9. **WORK SESSION ITEMS (Item A will be discussed in work session preceding regular session in Conference Room C113B.)**

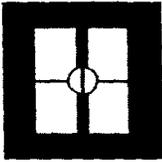
- A. Strategic Plan Environmental Scan Draft – presented by Erik Jensen and Carolyn Verheyen and Lynn Weigand of Moore Iacofano Goltsman, Inc. (MIG)

The work session was held.

There being no further business to come before the Council, the meeting was adjourned at 7:53 PM.

Mayor

ATTEST: _____
City Recorder



MEMORANDUM

DATE: December 20, 2007

TO: City Council; City Manager

FROM: Mary Ordal, Parks & Recreation Project Manager

SUBJECT: Request to approve Tree Challenge expenditures
Implementation of component of Healthy Streams Plan

Request:

Please consider a recommendation from Park Commission to approve the expenditure of SWM funds for Tree Challenge Implementation and authorizing staff to execute any related documents, including entering into agreements with various contractors based on the Clean Water Services, Master Services Agreement.

Background:

At their December 11, 2007 meeting, the Hillsboro Park Commission unanimously forwarded a recommendation that City Council authorize the expenditure of funds for implementation of the Tree Challenge revegetation effort. Their recommendation also included authorization for staff to execute any related documents, including entering into agreements with various contractors based on the Clean Water Services, Master Services Agreement.

In 2005, the Hillsboro City Council and the Clean Water Services Board endorsed the Healthy Streams Plan, a collaborative watershed capital improvements program developed by Clean Water Services in close coordination with member cities in Washington County. The Healthy Streams Plan is an integral part of the Tualatin Basin Goal 5 program as it relates to fish and wildlife habitat. While the overall Healthy Streams Plan deals with many issues including culverts and fish passage, this portion of the effort is directed at implementation of one key element: revegetation. The enhancement and revegetation of native plants along riparian corridors, wetlands and water quality facilities improves water quality in streams through temperature control (shade over streams) and by improving the vegetative buffer along streams. The added vegetation also improves fish and wildlife habitat, helps with storm water management, and improves the scenic attributes along these areas, adding to the quality of life in the community.

The Community Tree Planting Challenge identifies a goal of planting a million trees over 20 years among the various communities in Washington County. Hillsboro's goal is for 238,000 trees and shrubs over this period, the largest goal of any member community. Over the last few years, more than 35,000 plants have been planted in Hillsboro. Our annual target goals will increase significantly in the years ahead to more than 23,000 plants in 2008 and over 35,000 plants in 2009; the goal is for nearly 90,000 plants over these three years.

The Parks and Recreation Department has agreed to lead the City's implementation of the Tree Challenge effort, working closely with the Engineering / Public Works Departments. In addition to planting along wetlands and riparian corridors, revegetation will occur at water quality facilities. It is anticipated that Clean Water Services will provide most of the plant materials, but the cost of preparing sites, installing and maintaining plants until they are established is the

responsibility of each jurisdiction. Surface Water Management (SWM) funds have been collected as part of system development charges, and are available for this purpose.

The Healthy Streams Plan estimates that Hillsboro's cost to implement the Community Tree Challenge over the 20 year period is \$2.4 million. Staff estimates that costs for implementation over the next three years (2008-2010) will be \$500,000. The revegetation contract will be comprised of a series of many smaller contracts for the various sites and tasks.

To facilitate implementation, CWS developed a Master Services Agreement that could be utilized by its member communities. Under this master contract, various contractors have agreed to provide revegetation services at consistent prices. This Master Services Agreement has been reviewed by the City's attorney and is found to be appropriate. An addendum clarifying requirements unique to Hillsboro (e.g. indemnity and hold harmless, City's insurance requirements) will be added to each purchase order under the terms of the contract to insure the City's interests are preserved.

Cost:

Based on target costs identified by CWS in the Master Services Agreement, the estimated cost for implementation in 2008 -2010 is \$500,000 which includes the cost of: site preparation (mowing, removal of invasive plants, spraying, etc.); planting (combination of bare root plants, cuttings and potted plant material); maintenance (spot spraying, cutting, animal control, watering as needed) and personnel time for implementation.

Recommendation:

Staff recommends the City Council approve the expenditure of funds from SWM funds for implementation of the Tree Challenge Program in the amount of up to \$500,000 for FY 08-10 and authorize staff to execute any related documents, including entering into agreements with various contractors based on the Clean Water Services, Master Services Agreement.

RESOLUTION NO. 2237

A RESOLUTION AUTHORIZING AND RATIFYING THE LISTED EXPENDITURES, PUBLIC CONTRACTS, CONTRACT AMENDMENTS AND AGREEMENTS IN ACCORDANCE WITH CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE.

WHEREAS, any public contract not previously awarded by the City Council is not authorized until the City Council passes a resolution, and

WHEREAS, a City of Hillsboro contract is not effective to bind the City until the Mayor signs the contract or an order approving execution of the contract and that execution or order is attested to by the City Recorder,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLSBORO AS FOLLOWS:

Section 1. The contracts to make the expenditures listed in the attached Schedule A and the individual expenditures in that schedule are authorized and ratified.

Section 2. Any contract or contract amendment listed on Schedule B, which has not been previously awarded by the City Council, is authorized and ratified.

Section 3. No contract or contract amendment authorized by this resolution shall be binding upon the City of Hillsboro until it is signed by the Mayor or the execution is ratified by an order of the Mayor and the signature or order is attested to by the City Recorder.

Introduced and passed this 2 day of January, 2008

Mayor

ATTEST: _____
City Recorder

ORDER NO. 32
(Ref. Resolution No. 2237)

**AN ORDER OF THE MAYOR OF THE CITY OF HILLSBORO AUTHORIZING
AND RATIFYING EXPENDITURES, CONTRACTS, CONTRACT AMENDMENTS
AND OTHER AGREEMENTS.**

WHEREAS, any public contract not previously awarded by the City Council is not authorized until the City Council passes a resolution, and

WHEREAS, the City Council has adopted Resolution No. 2237, dated January 02, 2008 authorizing the expenditures listed in Schedule A and the contracts and contract amendments listed in Schedule B, attached to this order and incorporated herein, and

WHEREAS, a contract is not effective to bind the City until the Mayor signs an order approving the contract and that order is attested to by the City Recorder, and,

WHEREAS, the Mayor has delegated authority to execute the contracts and contract amendments listed in Schedule B and wishes to authorize and ratify the execution of those agreements,

IT IS HEREBY ORDERED THAT:

Section 1. The execution of the contracts, contract amendments and agreements to expend money listed in Schedule B and the expenditures listed in Schedule A are ratified and authorized. These listed expenditures, contracts, contract amendments and agreements are considered to be signed by the Mayor and attested to by the City Recorder.

Section 2. A copy of this Order shall be attached to and be a part of each of the contracts, contract amendments, agreements listed in Schedule B and attached to the expenditure list in Schedule A.

Ordered by the Mayor this 2 day of January, 2008

Mayor

ATTEST: _____
City Recorder

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 12/20/07 GF20060 PAGE 1
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200082	433	CLEAN WATER SERVICES	COMPUTER-GEN	12/20/07	72,831.00	
200083	679	EILEEN S KANE	COMPUTER-GEN	12/20/07	225.00	
200084	694	BROWNELLS INC	COMPUTER-GEN	12/20/07	307.80	
200085	704	MOTOR VEHICLE DIVISION	COMPUTER-GEN	12/20/07	90.00	
200086	802	ABE MADRIGAL	COMPUTER-GEN	12/20/07	260.00	
200087	959	MOTOR VEHICLE DIVISION	COMPUTER-GEN	12/20/07	3.50	
200088	1266	WASHINGTON COUNTY	COMPUTER-GEN	12/20/07	35.50	
200089	1459	OREGON CODE ENFORCEMENT ASSOC	COMPUTER-GEN	12/20/07	200.00	
200090	2098	SUZANNE LINNEEN MASSAR	COMPUTER-GEN	12/20/07	41.96	
200091	2108	DICK'S EVERGREEN FENCE&DECK INC	COMPUTER-GEN	12/20/07	2,860.00	
200092	2977	CHEHALEM MOUNTAIN NURSERY INC	COMPUTER-GEN	12/20/07	61.80	
200093	3249	HILLSBORO ROTARY CLUB	COMPUTER-GEN	12/20/07	310.00	
200094	3483	AMERICAN LAFRANCE NW	COMPUTER-GEN	12/20/07	2,691.07	
200095	3493	PITNEY BOWES PURCHASE POWER	COMPUTER-GEN	12/20/07	500.00	
200096	3621	MARIE BUCKLEY	COMPUTER-GEN	12/20/07	400.00	
200097	3623	U S BANK	COMPUTER-GEN	12/20/07	857.50	
200098	3902	BARKER RINKER SEACAT ARCHITECTURE	COMPUTER-GEN	12/20/07	20,751.23	
200099	4422	JUANITA CALDERON	COMPUTER-GEN	12/20/07	68.07	
200100	4809	WASHINGTON COUNTY CARTOGRAPHY&RECORDS	COMPUTER-GEN	12/20/07	212.69	
200101	4950	OREGON FIRE MEDICAL ADMIN ASSOC	COMPUTER-GEN	12/20/07	35.00	
200102	5288	VERIZON - BALTIMORE	COMPUTER-GEN	12/20/07	694.47	
200103	5341	MOORE IACOFANO GOLTSMAN INC	COMPUTER-GEN	12/20/07	30,508.25	
200104	5645	ALLIANT SYSTEMS	COMPUTER-GEN	12/20/07	1,450.00	
200105	5782	OREGON OILS INC	COMPUTER-GEN	12/20/07	75.00	
200106	5838	ALLIED WASTE SERVICES	COMPUTER-GEN	12/20/07	58.75	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 12/20/07 GF20060
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200107	6073	ORWICK ILLUSTRATION (DBA)	COMPUTER-GEN	12/20/07	400.00	
200108	6203	WSC INSURANCE	COMPUTER-GEN	12/20/07	3,000.00	
200109	6411	THAO DO	COMPUTER-GEN	12/20/07	15.00	
200110	6434	NORTHWEST OCCUPATIONAL MEDICINE CENTER	COMPUTER-GEN	12/20/07	865.10	
200111	6461	BETTER ROADS MAGAZINE	COMPUTER-GEN	12/20/07	43.80	
200112	6620	SEEMORE WILDLIFE SYSTEMS INC	COMPUTER-GEN	12/20/07	107.42	
200113	6951	COLUMBIA HYDRONICS CO DBA	COMPUTER-GEN	12/20/07	54,166.00	
200114	7282	BONNIE BURBIDGE	COMPUTER-GEN	12/20/07	230.00	
200115	7317	ARAMARK	COMPUTER-GEN	12/20/07	335.67	
200116	7793	LSK GRAPHICS	COMPUTER-GEN	12/20/07	1,350.00	
200117	7846	OVS - PRO TURF SOLUTIONS	COMPUTER-GEN	12/20/07	3,405.00	
200118	7884	SHIRLEY JOHNSON	COMPUTER-GEN	12/20/07	64.04	
200119	8212	TRI COUNTY WAREHOUSE LLC	COMPUTER-GEN	12/20/07	136.50	
200120	8478	OREGON VOLUNTEER FIREFIGHTERS ASSOC	COMPUTER-GEN	12/20/07	125.00	
200121	8532	SLIGHTLY IIUSIONAL	COMPUTER-GEN	12/20/07	255.00	
200122	8541	DAN SENN	COMPUTER-GEN	12/20/07	799.33	
200123	8543	BECKY BUCHANAN	COMPUTER-GEN	12/20/07	42.00	
200124	8762	MICHAEL BAKKUM	COMPUTER-GEN	12/20/07	415.40	
200125	8842	WERBIN WEST CONTRACTING INC	COMPUTER-GEN	12/20/07	86,609.29	
200126	8893	WASHINGTON STREET PARTNERS	COMPUTER-GEN	12/20/07	1,300.00	
200127	8982	CORNELIUS DISPOSAL SERVICE, INC.	COMPUTER-GEN	12/20/07	553.44	
200128	9082	PACIFIC UNIVERSITY	COMPUTER-GEN	12/20/07	1,750.00	
200129	9120	JOSHUA ELLIS	COMPUTER-GEN	12/20/07	205.00	
200130	9126	ELMERS FLAG & BANNER	COMPUTER-GEN	12/20/07	95.40	
200131	9143	NORTHWEST SURVEYING INC	COMPUTER-GEN	12/20/07	1,205.00	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200132	9153	CYNTHIA PIESKAWSKI-PIESIK	COMPUTER-GEN	12/20/07	140.00	
200133	9428	REED NELSON	COMPUTER-GEN	12/20/07	29.00	
200134	9523	SCOTT PALMER	COMPUTER-GEN	12/20/07	2,409.40	
200135	9524	GARY WILSON	COMPUTER-GEN	12/20/07	92.00	
200136	9525	K MARIE TYLER	COMPUTER-GEN	12/20/07	300.00	
200137	9526	PHUONG TRINH	COMPUTER-GEN	12/20/07	47.00	
200138	9527	PROCLAMATIONS FOR PROFESSIONALS	COMPUTER-GEN	12/20/07	50.00	
200139	9528	JULIE MEWHINNEY	COMPUTER-GEN	12/20/07	50.00	
200140	9529	TARA MCRITCHIE	COMPUTER-GEN	12/20/07	50.00	
200141	9530	RACHEL OCHELTREE	COMPUTER-GEN	12/20/07	50.00	
200142	9531	MIKE BOER	COMPUTER-GEN	12/20/07	7.00	
200143	9532	MONTTI SALSBURY	COMPUTER-GEN	12/20/07	50.00	
200144	9533	PACIFIC PACKAGING	COMPUTER-GEN	12/20/07	548.00	
200145	9534	R&W ENGINEERING INC	COMPUTER-GEN	12/20/07	1,405.07	
200146	9535	JAMES BUTCHER	COMPUTER-GEN	12/20/07	140.00	
200147	9536	BARK BLOWERS	COMPUTER-GEN	12/20/07	1,500.00	
200148	9537	ALBERT TSANG	COMPUTER-GEN	12/20/07	53.65	
200149	9538	LORI LOUNSBURY	COMPUTER-GEN	12/20/07	38.00	
200150	9539	DANA MCCULLOUGH	COMPUTER-GEN	12/20/07	200.00	
200151	9540	JUNEKO MARTINSON	COMPUTER-GEN	12/20/07	34.50	
200152	9541	IAN MCOMIE	COMPUTER-GEN	12/20/07	29.00	
200153	9542	MICHAEL NGO	COMPUTER-GEN	12/20/07	19.00	
200154	9543	JOSE NAVA	COMPUTER-GEN	12/20/07	36.00	
200155	9544	SACRAMENTO COUNTY SHERIFF DEPARTMENT	COMPUTER-GEN	12/20/07	550.00	
200156	9545	CAROLYN WENCE	COMPUTER-GEN	12/20/07	200.00	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200157	9546	HILLSBORO CALVARY LUTHERAN CHURCH	COMPUTER-GEN	12/20/07	355.00	
200158	9547	CORNELL VISION CENTER	COMPUTER-GEN	12/20/07	90.00	
200159	9548	FLORIBERTA EXIQUIO	COMPUTER-GEN	12/20/07	143.75	
200160	9549	QZISAR HAMEED	COMPUTER-GEN	12/20/07	200.00	
200161	9550	ERIC FISCHER	COMPUTER-GEN	12/20/07	97.00	
200162	9551	MICHAEL GOODEY	COMPUTER-GEN	12/20/07	50.00	
200163	9552	FRANCES HILSEN	COMPUTER-GEN	12/20/07	50.00	
200164	9553	RIMON GIRGES	COMPUTER-GEN	12/20/07	50.00	
200165	9554	DARIO FARIAS	COMPUTER-GEN	12/20/07	50.00	
200166	9555	MARK HARRISON	COMPUTER-GEN	12/20/07	50.00	
200167	9556	JOHN & SHARLET GOLESH	COMPUTER-GEN	12/20/07	50.00	
200168	9557	NICOLE DOOLEY	COMPUTER-GEN	12/20/07	200.00	
200169	9558	CATHY GANGER	COMPUTER-GEN	12/20/07	43.00	
200170	9559	MARBLE LAW OFFICE PC	COMPUTER-GEN	12/20/07	500.00	
200171	9560	TYSON WELLINGTON	COMPUTER-GEN	12/20/07	59.99	
200172	10944	AMERICAN RED CROSS	COMPUTER-GEN	12/20/07	8.00	
200173	11000	AMSAN INC	COMPUTER-GEN	12/20/07	489.38	
200174	11835	AT&T	COMPUTER-GEN	12/20/07	30.10	
200175	15299	BILINGUAL CONNECTION	COMPUTER-GEN	12/20/07	2,896.00	
200176	15400	BIO-TEST REVIEW SERVICES	COMPUTER-GEN	12/20/07	272.00	
200177	15600	BLUMENTHAL UNIFORM COMPANY INC	COMPUTER-GEN	12/20/07	1,128.96	
200178	16648	BOOK WHOLESALERS INC	COMPUTER-GEN	12/20/07	227.98	
200179	17748	BRETTAUER OIL CO INC-BULK OIL	COMPUTER-GEN	12/20/07	1,736.54	
200180	20850	CARLSON TESTING INC	COMPUTER-GEN	12/20/07	4,206.00	
200181	21313	CASCADE ARCH & ENG SUPPL	COMPUTER-GEN	12/20/07	738.24	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200182	21316	CASCADE OCCUPATIONAL MEDICINE	COMPUTER-GEN	12/20/07	406.80	
200183	22112	CHEVRON USA	COMPUTER-GEN	12/20/07	337.93	
200184	22116	CHIEF	COMPUTER-GEN	12/20/07	1,352.84	
200185	22373	CITY OF FOREST GROVE	COMPUTER-GEN	12/20/07	35.95	
200186	22395	CITY OF PORTLAND	COMPUTER-GEN	12/20/07	629.21	
200187	22493	CLASS ACT UNIFORMS (DBA)	COMPUTER-GEN	12/20/07	144.00	
200188	22497	CLEAN WATER SERVICES	COMPUTER-GEN	12/20/07	1,193,480.03	
200189	23590	COMCAST CABLE	COMPUTER-GEN	12/20/07	73.58	
200190	23680	CONCORD PIANO	COMPUTER-GEN	12/20/07	60.00	
200191	24440	COSTCO WHOLESALE	COMPUTER-GEN	12/20/07	290.00	
200192	25700	JAN CURRY	COMPUTER-GEN	12/20/07	9.00	
200193	26010	D & H FLAGGING INC	COMPUTER-GEN	12/20/07	320.80	
200194	27511	DHS-DRINKING WATER PROGRAM	COMPUTER-GEN	12/20/07	700.00	
200195	30479	EMERGENCY RESPONDER SERVICES INC	COMPUTER-GEN	12/20/07	130.00	
200196	30480	EMPLOYERS OVERLOAD (DBA)	COMPUTER-GEN	12/20/07	3,487.72	
200197	31700	DAVID EVANS & ASSOC INC	COMPUTER-GEN	12/20/07	692.50	
200198	32250	FARMINGTON LANDFILL INC	COMPUTER-GEN	12/20/07	328.75	
200199	32290	FEDERAL EXPRESS CORP	COMPUTER-GEN	12/20/07	96.10	
200200	32680	FIRE SYSTEMS WEST INC	COMPUTER-GEN	12/20/07	460.00	
200201	35285	ROSA M GALVAN	COMPUTER-GEN	12/20/07	225.00	
200202	35290	GARBARINO DISPOSAL/RECYCLING SERV INC	COMPUTER-GEN	12/20/07	380.85	
200203	36650	G I JOES	COMPUTER-GEN	12/20/07	284.97	
200204	44537	HILLSBORO ARGUS (DBA)	COMPUTER-GEN	12/20/07	396.00	
200205	44567	HILLSBORO TOWING SERVICE DBA	COMPUTER-GEN	12/20/07	65.70	
200206	44572	HILLSBORO YOUTH BASKETBALL	COMPUTER-GEN	12/20/07	7,000.00	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200207	44600	H D SUPPLY WATERWORKS LTD	COMPUTER-GEN	12/20/07	1,597.98	
200208	45252	HONEY BUCKETS (DBA)	COMPUTER-GEN	12/20/07	702.70	
200209	45265	HSM SECURITY MONITORING	COMPUTER-GEN	12/20/07	135.30	
200210	47602	INGERSOLL - RAND EQUIPMENT SALES	COMPUTER-GEN	12/20/07	7,805.00	
200211	47696	INT'L ASSOC OF FIRE FIGHTERS	COMPUTER-GEN	12/20/07	4,627.00	
200212	47708	INT'L INSTITUTE OF MUNICIPAL CLERKS	COMPUTER-GEN	12/20/07	50.00	
200213	48400	J & L JAIME	COMPUTER-GEN	12/20/07	172.37	
200214	50100	KAADY CAR WASHES	COMPUTER-GEN	12/20/07	3,000.00	
200215	51100	KEYSER & ASSOC (DBA)	COMPUTER-GEN	12/20/07	263.21	
200216	54812	LANGUAGE LINE SERVICES INC	COMPUTER-GEN	12/20/07	70.54	
200217	56498	LEGACY LABORATORY SERVICES	COMPUTER-GEN	12/20/07	1,598.60	
200218	56500	LEVEL 3 COMMUNICATIONS LLC	COMPUTER-GEN	12/20/07	5,210.00	
200219	64830	MESHER SUPPLY	COMPUTER-GEN	12/20/07	90.27	
200220	65522	MINUTEMAN PRESS - HILLSBORO	COMPUTER-GEN	12/20/07	52.99	
200221	68158	NATIONAL RECREATION & PARK ASSOC INC	COMPUTER-GEN	12/20/07	100.00	
200222	69650	NW OFFICE INTERIORS	COMPUTER-GEN	12/20/07	645.87	
200223	69665	NORTHWEST TREE SPECIALISTS	COMPUTER-GEN	12/20/07	2,070.00	
200224	70091	OFFICE DEPOT INC	COMPUTER-GEN	12/20/07	299.27	
200225	70099	OFFICEMAX	COMPUTER-GEN	12/20/07	1,245.77	
200226	70550	OPEN ONLINE (DBA)	COMPUTER-GEN	12/20/07	731.00	
200227	70675	OREGONIAN PUBLISHING CO LLC	COMPUTER-GEN	12/20/07	3,329.10	
200228	70850	OUR HOUSE TILE DESIGN	COMPUTER-GEN	12/20/07	424.79	
200229	74163	PORTLAND GENERAL ELECTRIC	COMPUTER-GEN	12/20/07	200,039.95	
200230	74196	POSTMASTER - HLSB BRANCH	COMPUTER-GEN	12/20/07	4,175.00	
200231	76313	REEDVILLE CATERING INC	COMPUTER-GEN	12/20/07	269.25	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200232	80450	SAN DIEGO POLICE EQUIPMENT CO	COMPUTER-GEN	12/20/07	1,842.33	
200233	82555	SEAWESTERN FIRE APPARATUS & EQUIP	COMPUTER-GEN	12/20/07	1,272.72	
200234	87075	STAGG PROPERTY LLC	COMPUTER-GEN	12/20/07	6,400.00	
200235	87076	STAGG PROPERTIES	COMPUTER-GEN	12/20/07	442.34	
200236	90155	TANASBOURNE BUSINESS PARK 1	COMPUTER-GEN	12/20/07	10,421.00	
200237	92510	TV WASTE RECOVERY INC	COMPUTER-GEN	12/20/07	187.50	
200238	93053	UPS	COMPUTER-GEN	12/20/07	41.93	
200239	93119	UNIVAR USA INC	COMPUTER-GEN	12/20/07	7,731.25	
200240	94976	WASHINGTON COUNTY FINANCE DIVISION	COMPUTER-GEN	12/20/07	94,284.19	
200241	96203	WESTERN EQUIPMENT DISTRIBUTORS INC	COMPUTER-GEN	12/20/07	2,966.01	
200242	97055	WHITE CAP	COMPUTER-GEN	12/20/07	30.46	
200243	99980	ZURBRUGG DEVELOPMENT CO - RENTS	COMPUTER-GEN	12/20/07	3,000.00	
TOTAL COMPUTER GN					1,893,464.96	
TOTAL DISBURSEMENTS					1,893,464.96	

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CHK-#	VND-# NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE		
199897	694 BROWNELLS INC	COMPUTER-GEN	12/13/07	1,864.66			
199898	704 MOTOR VEHICLE DIVISION	COMPUTER-GEN	12/13/07	635.00			
199899	959 MOTOR VEHICLE DIVISION	COMPUTER-GEN	12/13/07	50.00			
199900	1074 OREGON CITY/COUNTY MANAGEMENT ASSOC	COMPUTER-GEN	12/13/07	205.12			
199901	1229 CATHI BONATO	COMPUTER-GEN	12/13/07	49.47			
199902	1266 WASHINGTON COUNTY	COMPUTER-GEN	12/13/07	350.00			
199903	1267 WASHINGTON COUNTY	COMPUTER-GEN	12/13/07	131.00			
199904	1407 WATERSHED INC	COMPUTER-GEN	12/13/07	548.90			
199905	1470 ROB MASSAR	COMPUTER-GEN	12/13/07	152.65			
199906	2245 OSU/IPPC	COMPUTER-GEN	12/13/07	170.00			
199907	2427 BRATWEAR (DBA)	COMPUTER-GEN	12/13/07	100.00			
199908	2632 PPI GROUP	COMPUTER-GEN	12/13/07	7,038.14			
199909	2669 GENERAL AUTOMOTIVE SUPPLY CO	COMPUTER-GEN	12/13/07	1,944.00			
199910	2855 GEONORTH LLC INC	COMPUTER-GEN	12/13/07	4,870.55			
199911	3043 DAN O'LOUGHLIN	COMPUTER-GEN	12/13/07	187.41			
199912	3610 ROSE CITY LABEL	COMPUTER-GEN	12/13/07	336.99			
199913	4528 JOHN DEERE GOVERNMENT & NATIONAL SALES	COMPUTER-GEN	12/13/07	20,177.64			
199914	4627 ENVIRO CLEAN EQUIPMENT INC	COMPUTER-GEN	12/13/07	135,500.00			
199915	4636 ATSI	COMPUTER-GEN	12/13/07	685.00			
199916	4748 ACCURATE INSTALLATION SERVICES INC	COMPUTER-GEN	12/13/07	6,626.50			
199917	4753 COVANTA MARION INC	COMPUTER-GEN	12/13/07	63.00			
199918	5341 MOORE IACOFANO GOLTSMAN INC	COMPUTER-GEN	12/13/07	27,721.97			
199919	5463 GREY HOUSE PUBLISHING	COMPUTER-GEN	12/13/07	227.95			
199920	5599 KROHN'S APPLIANCE SERVICE	COMPUTER-GEN	12/13/07	65.00			
199921	5772 RELIANT ELEVATOR COMPANY	COMPUTER-GEN	12/13/07	1,104.61			

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
199922	5973	TRAFSTATS	COMPUTER-GEN	12/13/07	280.00	
199923	6304	WESTON WOODS	COMPUTER-GEN	12/13/07	130.58	
199924	6324	L.E.E.D.	COMPUTER-GEN	12/13/07	114.65	
199925	6450	BEYER CLOSET CO	COMPUTER-GEN	12/13/07	4,000.00	
199926	6529	ANGELO PLANNING GROUP	COMPUTER-GEN	12/13/07	18,967.68	
199927	6782	MUNICIPAL EMERGENCY SERVICES	COMPUTER-GEN	12/13/07	2,163.25	
199928	6876	GALE GROUP	COMPUTER-GEN	12/13/07	147.11	
199929	6926	BRIAN JANSEN	COMPUTER-GEN	12/13/07	85.00	
199930	7242	COASTAL FACILITY PRODUCT CORPORATION	COMPUTER-GEN	12/13/07	169.83	
199931	7317	ARAMARK	COMPUTER-GEN	12/13/07	792.32	
199932	7328	RON'S SERVICE INC	COMPUTER-GEN	12/13/07	818.17	
199933	7682	WILLAMETTE PRINT & BLUEPRINT CO INC	COMPUTER-GEN	12/13/07	30.40	
199934	7882	DAVID FLEMING	COMPUTER-GEN	12/13/07	104.00	
199935	8295	OREGON CONSULAR CORPS	COMPUTER-GEN	12/13/07	150.00	
199936	8338	GVA KIDDER MATHEWS	COMPUTER-GEN	12/13/07	975.00	
199937	8436	NEPTUNE TECHNOLOGY GROUP INC	COMPUTER-GEN	12/13/07	62,618.00	
199938	8534	ASHER GRAPHIC SERVICES	COMPUTER-GEN	12/13/07	150.00	
199939	8549	MODULAR SPACE CORPORATION	COMPUTER-GEN	12/13/07	547.88	
199940	8624	BERNHARDT GOLF	COMPUTER-GEN	12/13/07	248,542.80	
199941	8744	ACCOUNTEMPS	COMPUTER-GEN	12/13/07	1,594.88	
199942	8748	ABC TRANSCRIPTION SERVICES	COMPUTER-GEN	12/13/07	858.00	
199943	8975	WORLD COMMUNITCATION CENTER	COMPUTER-GEN	12/13/07	149.41	
199944	9025	INTERWEST CONSTRUCTION INC	COMPUTER-GEN	12/13/07	81,049.25	
199945	9126	ELMERS FLAG & BANNER	COMPUTER-GEN	12/13/07	68.85	
199946	9182	STEVE CARNES	COMPUTER-GEN	12/13/07	34.71	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
199947	9183	EMERY & SONS CONSTRUCTION, INC.	COMPUTER-GEN	12/13/07	447,208.89	
199948	9279	MELINDA COOPER	COMPUTER-GEN	12/13/07	19.00	
199949	9280	ROBERT DIXON	COMPUTER-GEN	12/13/07	64.03	
199950	9358	TAURUS DEVELOPMENT LLC	COMPUTER-GEN	12/13/07	1,680.11	
199951	9448	D L DESIGN	COMPUTER-GEN	12/13/07	100.00	
199952	9491	SAFEWAY	COMPUTER-GEN	12/13/07	794.86	
199953	9492	DANETTE VANDOMELEN	COMPUTER-GEN	12/13/07	45.00	
199954	9493	ALYCIA STUBER	COMPUTER-GEN	12/13/07	53.00	
199955	9494	CHRISTINA SMITH	COMPUTER-GEN	12/13/07	278.00	
199956	9495	MONTE POE	COMPUTER-GEN	12/13/07	61.00	
199957	9496	JLS CUSTOM HOMES	COMPUTER-GEN	12/13/07	27,180.00	
199958	9497	BATEMAN SEIDEL	COMPUTER-GEN	12/13/07	665.00	
199959	9498	MANTRA LINGUA LTD	COMPUTER-GEN	12/13/07	127.17	
199960	9499	TED BLAIR	COMPUTER-GEN	12/13/07	50.00	
199961	9500	GAIL KIDBY	COMPUTER-GEN	12/13/07	50.00	
199962	9501	LARRY MILLER	COMPUTER-GEN	12/13/07	50.00	
199963	9502	ERIC NOEL	COMPUTER-GEN	12/13/07	50.00	
199964	9503	BRIAN ASMUS	COMPUTER-GEN	12/13/07	50.00	
199965	9504	DONN TAYLOR	COMPUTER-GEN	12/13/07	50.00	
199966	9505	JUSTIN TIPPITS	COMPUTER-GEN	12/13/07	50.00	
199967	9506	BARBARA WERT	COMPUTER-GEN	12/13/07	50.00	
199968	9507	STEVEN TUCKER	COMPUTER-GEN	12/13/07	50.00	
199969	9508	CAMI-SPECTRUM	COMPUTER-GEN	12/13/07	1,750.00	
199970	9509	LESLIE FREEMAN	COMPUTER-GEN	12/13/07	50.00	
199971	9510	SUSAN GARDNER	COMPUTER-GEN	12/13/07	50.00	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
199972	9511	PATRICK HARRIS	COMPUTER-GEN	12/13/07	50.00	
199973	9512	STEVE VANDYKE	COMPUTER-GEN	12/13/07	68.52	
199974	9513	SWINERTON BUILDERS	COMPUTER-GEN	12/13/07	61,104.00	
199975	9514	CHERYL LUND	COMPUTER-GEN	12/13/07	200.00	
199976	9515	JOSHUA SCHERTENLEIB	COMPUTER-GEN	12/13/07	50.00	
199977	9516	ELMA & FERNANDO SANCHEZ	COMPUTER-GEN	12/13/07	50.00	
199978	9517	PAUL TANG	COMPUTER-GEN	12/13/07	50.00	
199979	9518	CAROLYN PAYNE	COMPUTER-GEN	12/13/07	50.00	
199980	9519	GILBERT RAMIREZ	COMPUTER-GEN	12/13/07	50.00	
199981	9520	MATTHEW THORN	COMPUTER-GEN	12/13/07	50.00	
199982	9521	RIJN STAATS	COMPUTER-GEN	12/13/07	339.00	
199983	9522	RANDY BROWN	COMPUTER-GEN	12/13/07	50.00	
199984	10439	AIRGAS-NORPAC INC	COMPUTER-GEN	12/13/07	114.11	
199985	10848	ALOHA OVERHEAD DOOR	COMPUTER-GEN	12/13/07	169.00	
199986	10944	AMERICAN RED CROSS	COMPUTER-GEN	12/13/07	210.00	
199987	10955	AWWA NW ORE SUB-SECTION	COMPUTER-GEN	12/13/07	165.00	
199988	11030	ARCH WIRELESS OPERATING CO IN	COMPUTER-GEN	12/13/07	534.06	
199989	11720	ASAP SOFTWARE	COMPUTER-GEN	12/13/07	121.26	
199990	11835	AT&T	COMPUTER-GEN	12/13/07	1,680.17	
199991	11836	AT&T	COMPUTER-GEN	12/13/07	57.58	
199992	11880	AUTO ADDITIONS INC	COMPUTER-GEN	12/13/07	8,752.30	
199993	11942	AWARD SPECIALTIES DBA	COMPUTER-GEN	12/13/07	5,339.70	
199994	12701	BANK OF AMERICA	COMPUTER-GEN	12/13/07	2,215.09	
199995	13680	BATTERIES PLUS #212 (DBA)	COMPUTER-GEN	12/13/07	42.44	
199996	15292	BIKE N HIKE (DBA)	COMPUTER-GEN	12/13/07	229.97	

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CHK-# VND-# NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
199997 15360 BI-MART CORP	COMPUTER-GEN	12/13/07	166.61	
199998 15600 BLUMENTHAL UNIFORM COMPANY INC	COMPUTER-GEN	12/13/07	2,263.39	
199999 16770 BOUND TREE MEDICAL LLC	COMPUTER-GEN	12/13/07	1,419.38	
200000 17747 BRETTHAUER OIL CO INC	COMPUTER-GEN	12/13/07	23,038.01	
200001 17748 BRETTHAUER OIL CO INC-BULK OIL	COMPUTER-GEN	12/13/07	1,677.68	
200002 20210 CABLE HUSTON BENEDICT & HAAGENSEN LLP	COMPUTER-GEN	12/13/07	1,220.00	
200003 21327 CB DELI	COMPUTER-GEN	12/13/07	463.95	
200004 21525 CEDAR CANYON BOTTLED WATER INC	COMPUTER-GEN	12/13/07	375.00	
200005 21680 SARAH JO CHAPLEN	COMPUTER-GEN	12/13/07	505.63	
200006 22116 CHIEF	COMPUTER-GEN	12/13/07	4,666.28	
200007 22150 CINTAS FIRST AID & SAFETY (DBA)	COMPUTER-GEN	12/13/07	48.94	
200008 22395 CITY OF PORTLAND	COMPUTER-GEN	12/13/07	629.21	
200009 22486 CLAIR COMPANY INC	COMPUTER-GEN	12/13/07	9,769.13	
200010 22493 CLASS ACT UNIFORMS (DBA)	COMPUTER-GEN	12/13/07	3,058.50	
200011 23590 COMCAST CABLE	COMPUTER-GEN	12/13/07	169.95	
200012 23995 COOK PAGING OR (DBA)	COMPUTER-GEN	12/13/07	11.27	
200013 24440 COSTCO WHOLESALE	COMPUTER-GEN	12/13/07	38.81	
200014 27930 DOCUMART COPIES & PRINTING	COMPUTER-GEN	12/13/07	28.20	
200015 27940 DIVERSIFIED PRINTERS INK LLC	COMPUTER-GEN	12/13/07	131.99	
200016 30248 EC POWER SYSTEMS OF OREGON INC	COMPUTER-GEN	12/13/07	931.00	
200017 30479 EMERGENCY RESPONDER SERVICES INC	COMPUTER-GEN	12/13/07	961.60	
200018 30480 EMPLOYERS OVERLOAD (DBA)	COMPUTER-GEN	12/13/07	6,021.96	
200019 35282 GALLS CALIFORNIA AN ARAMARK CO LLC	COMPUTER-GEN	12/13/07	86.94	
200020 35500 GARMENT GRAPHICS INC	COMPUTER-GEN	12/13/07	785.85	
200021 36465 GEOPACIFIC ENGINEERING INC	COMPUTER-GEN	12/13/07	101.00	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 12/13/07 GF20060 PAGE 6
CHECK-DT CHECK-AMT :NOTE

CHK-# VND-# NAME	BOOKKEEPING	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200022 37975 GOVERNMENT FINANCE OFFICERS ASSOC		COMPUTER-GEN	12/13/07	185.00	
200023 38735 GRATTERI'S TIRE & WHEEL CENTERS INC		COMPUTER-GEN	12/13/07	28.00	
200024 38800 GRESHAM FORD INC (DBA)		COMPUTER-GEN	12/13/07	42,018.00	
200025 43695 JAN HERINCKX		COMPUTER-GEN	12/13/07	1,406.00	
200026 44537 HILLSBORO ARGUS (DBA)		COMPUTER-GEN	12/13/07	2,393.86	
200027 44545 HILLSBORO DOWNTOWN BUSINESS ASN		COMPUTER-GEN	12/13/07	130.50	
200028 44552 HILLSBORO GARBAGE DISPOSAL INC		COMPUTER-GEN	12/13/07	2,331.59	
200029 44567 HILLSBORO TOWING SERVICE DBA		COMPUTER-GEN	12/13/07	149.85	
200030 44570 HILLSBORO SHOE REPAIR (DBA)		COMPUTER-GEN	12/13/07	244.95	
200031 44795 H&W EMERGENCY VEHICLES INC		COMPUTER-GEN	12/13/07	1,968.79	
200032 45250 HOME DEPOT CREDIT SERVICES		COMPUTER-GEN	12/13/07	547.73	
200033 45350 LIN HOWELL		COMPUTER-GEN	12/13/07	1,537.00	
200034 47583 IKON OFFICE SOLUTIONS INC		COMPUTER-GEN	12/13/07	1,493.74	
200035 48400 J & L JAIME		COMPUTER-GEN	12/13/07	40.00	
200036 54812 LANGUAGE LINE SERVICES INC		COMPUTER-GEN	12/13/07	171.97	
200037 56520 LENOVO (UNITED STATES) INC.		COMPUTER-GEN	12/13/07	1,918.45	
200038 56524 LEGISLATIVE COUNSEL COMM		COMPUTER-GEN	12/13/07	165.00	
200039 58410 LUCILLE'S THE TOOL STORE		COMPUTER-GEN	12/13/07	8.50	
200040 62050 MCNEIL LAW OFFICE LLC		COMPUTER-GEN	12/13/07	495.00	
200041 64835 METRO SAFETY & FIRE INC		COMPUTER-GEN	12/13/07	302.00	
200042 64846 METRO		COMPUTER-GEN	12/13/07	11,291.84	
200043 64987 MIDWEST TAPE		COMPUTER-GEN	12/13/07	3,962.48	
200044 67208 MOTOR VEHICLES DIV		COMPUTER-GEN	12/13/07	89.42	
200045 69650 NW OFFICE INTERIORS		COMPUTER-GEN	12/13/07	657.98	
200046 70099 OFFICEMAX		COMPUTER-GEN	12/13/07	1,115.18	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 12/13/07 GF20060 PAGE 7
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200047	70422	OREGON BUILDING CODES DIV	COMPUTER-GEN	12/13/07	12,185.63	
200048	70440	OREGON DEPT OF AGRICULTURE	COMPUTER-GEN	12/13/07	50.00	
200049	70620	OREGON ASSOC CHIEFS OF POLICE	COMPUTER-GEN	12/13/07	168.00	
200050	70640	OREGON DEPT OF TRANSPORTATION	COMPUTER-GEN	12/13/07	419.49	
200051	70649	OREGON DEPT OF REVENUE	COMPUTER-GEN	12/13/07	13,497.01	
200052	70667	OREGON JUDICIAL DEPT - FIN & ADMIN SVCS	COMPUTER-GEN	12/13/07	1,326.00	
200053	70850	OUR HOUSE TILE DESIGN	COMPUTER-GEN	12/13/07	270.00	
200054	72020	PAYCHEX INC	COMPUTER-GEN	12/13/07	82.18	
200055	72190	PEPSI-COLA COMPANY INC	COMPUTER-GEN	12/13/07	379.50	
200056	73613	PIONEER AMERICAS INC	COMPUTER-GEN	12/13/07	2,790.00	
200057	74164	PORTLAND GENERAL ELECTRIC /ST LIGHTS	COMPUTER-GEN	12/13/07	68,380.39	
200058	74418	PRECISION GRAPHICS	COMPUTER-GEN	12/13/07	3,422.79	
200059	74659	PROFESSIONAL & BUDGET DRY CLEANERS DBA	COMPUTER-GEN	12/13/07	141.80	
200060	74885	PUBLIC WORKS SUPPLY INC	COMPUTER-GEN	12/13/07	252.00	
200061	75095	QUARTER PIE INC	COMPUTER-GEN	12/13/07	375.00	
200062	75400	RANDOM HOUSE INC	COMPUTER-GEN	12/13/07	297.60	
200063	76315	REEVE KEARNS PC	COMPUTER-GEN	12/13/07	604.37	
200064	76320	REGENT BOOK CO INC	COMPUTER-GEN	12/13/07	25.07	
200065	77288	RHODIA INC	COMPUTER-GEN	12/13/07	11,838.03	
200066	78330	RONJONS UNLIMITED INC	COMPUTER-GEN	12/13/07	50.00	
200067	80295	SAIF CORPORATION	COMPUTER-GEN	12/13/07	17,095.92	
200068	82328	ANDY SCHRODER	COMPUTER-GEN	12/13/07	34.85	
200069	84399	THE SIGN CO	COMPUTER-GEN	12/13/07	980.50	
200070	85662	SMITH CRANE INC	COMPUTER-GEN	12/13/07	486.00	
200071	86330	SONITROL - PORTLAND INC	COMPUTER-GEN	12/13/07	193.00	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

CHK-# VND-# NAME	BOOKKEEPING	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200072 89593 SYSCO FOOD SERVICES		COMPUTER-GEN	12/13/07	2,528.43	_____
200073 91538 TILLAMOOK PEOPLE'S UTILITY DISTRICT		COMPUTER-GEN	12/13/07	46.27	_____
200074 92455 TV COMMUNITY TV		COMPUTER-GEN	12/13/07	70.00	_____
200075 92475 TV FIRE & RESCUE		COMPUTER-GEN	12/13/07	148.50	_____
200076 92476 TV FIRE & RESCUE TRAINING DIVISION		COMPUTER-GEN	12/13/07	60.00	_____
200077 92500 TV IRRIGATION DISTRICT		COMPUTER-GEN	12/13/07	300.32	_____
200078 93119 UNIVAR USA INC		COMPUTER-GEN	12/13/07	15,901.25	_____
200079 93290 VERIZON WIRELESS, BELLEVUE		COMPUTER-GEN	12/13/07	21,796.25	_____
200080 94976 WASHINGTON COUNTY FINANCE DIVISION		COMPUTER-GEN	12/13/07	3,819.58	_____
TOTAL COMPUTER GN				1,510,904.43	
TOTAL DISBURSEMENTS				1,510,904.43	

Schedule B

CONTRACT INPUT FORM

Contract No: 2007-08-221 **Resolution No:** 2237 **Resolution Date:** 1/2/2008

Type of Contract: Contract for the Purchase of Goods or Services **Contract Subtype:**

Contract Name: Professional Services Contract for Interface Engineering

Contract Description: Mechanical and electrical engineering services for the conversion of the old Parks and Recreation maintenance building into a temporary fire station.

Contract With: Interface Engineering

City Dept(s): Capital Planning & Development

City Contact: Toni Plunkett

Total Cost: \$20,000.00 **City Funding Source:** Fund 71

Effective Date: **Termination Date:**

Amendment Description:

Original Contract Effective Date: **Amount:** \$0.00

PROCLAMATION

WHEREAS, January 4th is celebrated as World Hypnotism Day in over 22 nations; and

WHEREAS, hypnotism has been thoroughly researched as a tested and valuable procedure, as well as form of complementary therapy, with almost 12,000 studies and scholarly articles on hypnosis maintained for the general public by the American Society of Clinical Hypnosis; and

WHEREAS, hypnosis has been shown to have the capability to reduce stress, improve the quality of life and provide many other personal and social benefits; and

WHEREAS, hypnosis is widely used by licensed medical professionals and is also emerging as a recognized distinct profession with a rigorous code of ethics under the guidance of the National Guild of Hypnotists; and

WHEREAS, there are practitioners of hypnosis in Hillsboro who are committed to raising public awareness by actively participating in World Hypnotism Day; and

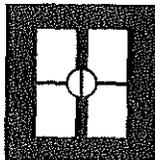
WHEREAS, Hillsboro wishes to recognize the services performed by its citizens and residents in making hypnosis more readily available to the general public.

NOW THEREFORE, BE IT RESOLVED, that I, Tom Hughes, Mayor of Hillsboro, hereby proclaim January 4, 2008

WORLD HYPNOTISM DAY

in Hillsboro and encourage citizens to become educated on the benefits of medical hypnotism.

Tom Hughes, Mayor
January 2, 2008



December 31, 2007

STAFF REPORT

TO: City Council
FROM: Planning Department
RE: Proposed land use application fee increases – Case File CP MISC 1-07

REQUEST

The Planning Department requests that the City Council consider adopting an updated land use application fee schedule, to reflect the following circumstances:

- o Five percent (5%) inflationary adjustment in existing fees
- o Application of the Development Review process to duplexes and two-unit townhouses*
- o Application of the Development Review process to Accessory or Ancillary Dwellings (ADUs)*
- o Creation of a new "Architectural Review" process in eligible subdivisions and Planned Unit Developments*
- o Creation of a new Property Line Adjustment approval process*

* adopted under the Density Design and Open Space Code amendments

BACKGROUND

The City adopted its current land use application fee schedule in January 2006 after an extended Fee Study done by Planning staff in late 2005. As part of the Fee Study, the City initiated and adopted amendments to the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance and Municipal Code to remove the dollar-specific fees from those ordinances and authorizing future fee adjustments to be adopted by City Council resolution after a public hearing. The Council also directed Planning staff to return the fee schedule for reconsideration to reflect necessary adjustments for inflation.

In July 2007, the City Council approved text amendments to the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance regarding density, design, and open space (DDOS). These amendments originated in policy direction from the Council and the Planning Commission to improve design quality of both single family and multi-family developments by requiring usable open space and greater architectural variety. During Planning Commission and Council review of the amendments, both bodies supported creation of an additional

Planning Department position for a staff person with more specialized architectural and/or urban design experience to implement the higher level of review mandated by the amendments. The adopted FY 2007-2008 budget includes this new position, but the Council also directed that the proposed position be funded to the greatest practicable extent by increased revenues.

This matter was originally scheduled for public hearing before the City Council on November 6, 2007. At the request of the Greater Hillsboro Area Chamber of Commerce, the public hearing was postponed to December 4th, and again postponed to January 2, 2008. Planning staff anticipate that personnel from the Chamber will be present to testify at the January 2nd hearing.

PROPOSED FEE SCHEDULE

The table on the following pages shows the proposed inflation adjustments on existing land use application fees, and miscellaneous fees for Municipal Code processes administered by the Planning Department. As noted earlier, the Development Review process is now applied to two-unit townhouses and duplexes, and to accessory and ancillary dwelling units. (Planning staff notes that the terms accessory and ancillary refer to the same type of residential unit. However, “accessory” dwelling is used in Zoning Ordinance Volume 1, and “ancillary” dwelling is used in Volume 2.)

The table also includes new fees for two processes authorized under the DDOS amendments: property line adjustments and “architectural review” for single family dwellings in subdivisions or PUDs of eight or more lots. The latter process is intended to review these projects’ compliance with the “architectural variety” mandates in the new Code amendments.

In addition to these fees, Planning staff proposes a new “Planning and Zoning Review Fee” on residential building permits. Authorization for this fee was inserted into the Zoning Ordinance under a Zoning Ordinance amendment (ZOA) approved by the City Council on December 4th. Since the “Review Fee” was not included in the earlier public notices sent for the January 2nd hearing, Planning staff will return to the Council with a request to schedule another public hearing to establish the Review Fee. The current proposal for the level of the “Planning and Zoning Review” fees would be as follows:

detached Single Family Residential	\$20 per permit
Duplex Residential	\$15 per unit
Multi-Family Residential	\$10 per unit
Mobile Home set up permit	\$20 per unit

RECOMMENDATION

Planning staff requests that the City Council approve the attached draft Resolution adopting the revised Land Use Application Fee Schedule. If adopted, the revised Fee Schedule would become effective February 1, 2008.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in cursive script, appearing to read "Deborah A. Raber".

Deborah A. Raber AICP
Planning Project Manager

Attachments: Fee Increase tables
Draft resolution and attached tables

TABLE 1: APPLICATION FEES AUTHORIZED UNDER ZONING ORDINANCE NO. 1945

Application Type	Current Fee (Effective 3/01/06)	With proposed 5% inflation adjustment
Zone Change	\$2500	\$2625
Conditional Use	\$2500	\$2625
Variance (< \$10,000 project value)	\$500	\$525
Variance (> \$10,000 project value)	\$1700	\$1785
Expansion of Non Conforming Use	\$1700	\$1785
PUD preliminary development plan	\$5000	\$5250
PUD development plan	\$2000	\$2100
PUD modification through Planning Commission	\$1500	\$1575
PUD administrative modification	\$700	\$735
Architectural Review (in projects with 8 or more lots)		
Submitted with preliminary plat	None*	\$20 / lot \$450 maximum
Submitted with final plat	None*	\$40 / lot \$900 maximum
Topographic Alteration or Special Use in Floodplain	\$1500	\$1575
Significant Natural Resource Permit Type 1a	\$750	\$790
Significant Natural Resource Permit Type 1b	\$1250	\$1315
Significant Natural Resource Permit Type 2	\$2000	\$2100
Development Review (by project value)		
\$100 to \$5000 -	\$300	\$315
\$5000 to \$25,000	\$550	\$580
\$25,000 to \$100,000	\$1750	\$1840
\$100,000 to \$500,000	\$2500	\$2625
\$500,000 to \$1,000,000	\$3750	\$3940
\$1,000,000 to \$5,000,000	\$4500	\$4725
Over \$5,000,000	\$5500	\$5775
DR in Conservation Districts	½ standard fee	
Concept Development Plan	\$5000	\$5250
Detailed Development Plan	DR fee for equal project value	DR fee for equal project value
Fences	\$40	\$45
Appeals	½ original fee**	

* New process created under DDOS amendments.

** May be subject to statutory maximum.

TABLE 2: APPLICATION FEES AUTHORIZED UNDER COMPREHENSIVE PLAN ORDINANCE NO. 2793

Application Type	Current Fee (Effective 3/01/06)	With proposed 5% inflation adjustment
Minor Comprehensive Plan Land Use Map Change	\$4000	\$4200

TABLE 3: APPLICATION FEES AUTHORIZED UNDER SUBDIVISION ORDINANCE NO. 2808

Application Type	Current Fee (Effective 3/01/06)	With proposed 5% inflation adjustment
Subdivision preliminary plat		
1 to 10 lots	\$2000 minimum	\$2100
11 to 22 lots	\$200 / lot;	\$210
23 or more lots	\$4500 maximum	\$4725
Subdivision Preliminary Plat Modification	\$1500	\$1575
Subdivision final plat (¾ of preliminary plat fee)		
1 to 10 lots	\$1500 minimum	\$1575
11 to 22 lots	\$150 / lot	\$158 / lot
23 or more lots	\$3375 maximum	\$3545
Architectural Review (in projects with 8 or more lots)		
Submitted with preliminary plat	None*	\$20 / lot \$450 maximum
Submitted with final plat	None*	\$40 / lot \$900 maximum
Major Partition preliminary plat	\$1500	\$1575
Major Partition final plat	\$750	\$790
Minor Partition preliminary plat	\$1500	\$1575
Minor Partition final plat	\$750	\$790
Property Line Adjustments	None*	\$100
Appeals	½ original fee**	

* New process created under DDOS amendments.

** May be subject to statutory maximum.

**TABLE 4: PERMIT FEES AUTHORIZED UNDER MUNICIPAL CODE
CHAPTERS 3.30, 15.20 AND 15.24, AND ANNEXATIONS**

Application Type	Current Fee (Effective 3/01/06)	With proposed With 5% inflation adjustment
Sign Permit (per face)	\$50	\$60
Mobile and Temporary Business Permit	\$100	\$80
Permit plus one site	\$75	\$80
Each additional site	\$25 per site	\$30
Annexation (may include multiple properties)	\$1200	\$1260

RESOLUTION NO. _____

A RESOLUTION REVISING PROCESSING FEES FOR LAND USE APPLICATIONS AND OTHER APPLICATIONS AND PERMITS.

WHEREAS, Hillsboro Comprehensive Plan Ordinance No. 2793, Zoning Ordinance No. 1945, and Subdivision Ordinance No. 2808 allow for revision of land use application fees by City Council resolution following a public hearing, and

WHEREAS, Municipal Code Chapter 15.20 Signs and Chapter 5.04 Business Licenses also allow for revision of fees by City Council resolutions following a public hearing, and

WHEREAS, on January 2, 2008 the City Council held a public hearing on proposed fee increases for land use applications, and other applications and permits, as authorized under the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance, and consistent with Chapters 15.20 and 5.04, and

WHEREAS, following receipt of testimony and discussion, the City Council determines that it is necessary and appropriate to increase the fees for certain land use applications and other fees and permits to adjust for the effects of inflation since the adoption of the current fee schedule, and to recover a portion of the processing costs of new land use requirements adopted under the Density Design and Open Space Code amendments in July 2007, as discussed during the public hearing.

NOW THEREFORE BE IT RESOLVED by the Hillsboro City Council, that the Council hereby adopts the fee schedules for land use applications and certain other fees and permits, attached hereto as Attachments A, B, C, and D, and that the fees established in these schedules shall supersede all other fees established previous to this resolution.

BE IT ALSO RESOLVED that the fees established in Attachments A, B, C, and D shall take effect on February 1, 2008.

Passed by the Council this 2nd day of January, 2008.

Approved by the Mayor this 2nd day of January, 2008.

Mayor

ATTEST: _____
City Recorder

ATTACHMENT A

CITY COUNCIL RESOLUTION NO. _____

Schedule A: Application fees authorized under Comprehensive Plan Ordinance No. 2793

Application Type	Fee Effective 02/01/08
Minor Comprehensive Plan Land Use Map Change	\$4200

ATTACHMENT B

CITY COUNCIL RESOLUTION NO. _____

Schedule B: Application fees authorized under Zoning Ordinance No. 1945

Application Type	Fee Effective 02/01/08
Zone Change	\$2625
Conditional Use	\$2625
Variance (< \$10,000 project value)	\$525
Variance (> \$10,000 project value)	\$1785
Expansion of Non Conforming Use	\$1785
PUD preliminary development plan	\$5250
PUD development plan	\$2100
PUD modification through Planning Commission	\$1575
PUD administrative modification	\$735
Architectural Review (in projects with 8 or more lots)	
Submitted with preliminary plat	\$20 / lot (\$450 maximum)
Submitted with final plat	\$40 / lot (\$900 maximum)
Topographic Alteration or Special Use in Floodplain	\$1575
Significant Natural Resource Permit Type 1a	\$790
Significant Natural Resource Permit Type 1b	\$1315
Significant Natural Resource Permit Type 2	\$2100
Development Review (by project value)	
\$100 to \$5000 -	\$315
\$5000 to \$25,000	\$580
\$25,000 to \$100,000	\$1840
\$100,000 to \$500,000	\$2625
\$500,000 to \$1,000,000	\$3940
\$1,000,000 to \$5,000,000	\$4725
Over \$5,000,000	\$5775
DR in Conservation Districts	
Concept Development Plan	\$5250
Detailed Development Plan	DR fee for equal project value
Fences	\$45
Appeals	½ original fee*

* Subject to statutory maximum.

ATTACHMENT C

CITY COUNCIL RESOLUTION NO. _____

Schedule C: Application fees authorized under Subdivision Ordinance No. 2808

Application Type	Fee Effective 02/01/08
Subdivision preliminary plat	
1 to 10 lots	\$2100
11 to 22 lots	\$210
23 or more lots	\$4725
Subdivision Preliminary Plat Modification	\$1575
Subdivision final plat (¾ of preliminary plat fee)	
1 to 10 lots	\$1575
11 to 22 lots	\$158 / lot
23 or more lots	\$3545
Architectural Review (in projects with 8 or more lots)	
Submitted with preliminary plat	\$20 / lot \$450 maximum
Submitted with final plat	\$40 / lot \$900 maximum
Major Partition preliminary plat	\$1575
Major Partition final plat	\$790
Minor Partition preliminary plat	\$1575
Minor Partition final plat	\$790
Property Line Adjustments	\$100
Appeals	½ original fee*

* May be subject to statutory maximum.

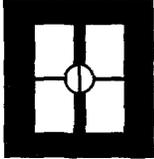
ATTACHMENT D

CITY COUNCIL RESOLUTION NO. _____

**Schedule D: Permit fees authorized under
Municipal Code Chapters 15.20 and 15.04, and Annexations**

Application Type	Fees Effective 02/01/08
Sign Permit (per face)	\$60
Mobile or Temporary Business Permit	\$80
Permit plus one site	\$80
Each additional site	\$30
Annexation (may include multiple properties)	\$1260

CITY OF HILLSBORO



December 26, 2007

STAFF REPORT

TO: City Council

FROM: Planning Department

RE: Request for Street Name Change –
File No. SN 3-07: SW Davis Court to SE Davis Court

BACKGROUND

In October 2007, the City renamed a portion of SW Davis Road in the Witch Hazel neighborhood to SE Davis Road after transfer of jurisdiction from Washington County. A second street, SW Davis Court, loops south from what is now SE Davis Road, as shown on the attached map. During the street name change process it became evident that entering SW Davis Court from SE Davis Road could create confusion. For this reason, on November 14, 2007, the Planning Commission reviewed a request from City Staff to rename the street, as shown on the attached map, as SE Davis Court. Renaming the street would increase safety and make the City's street grid more consistent.

SW Davis Court is currently under the jurisdiction of Washington County. The County has granted the City authorization to rename SW Davis Court without transfer of jurisdiction through a letter dated September 21, 2007, which is attached.

Staff notes that this change would affect several property owners who are currently addressed on SW Davis Court. The attached letter, which was mailed to affected property owners, explains the process for changing the addresses from SW Davis Court to SE Davis Court.

REQUEST

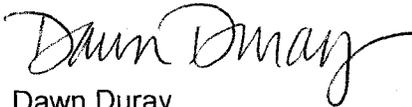
ORS 227.120 sets forth the procedure and approval process for naming or renaming streets. The procedure requires a recommendation from the Planning Commission to the City Council for the renaming of any existing street, highway, or road, other than a County road. Upon receiving the Commission's recommendation, the Council is then required to schedule a public

hearing to consider the matter. On December 4, 2007, the Council set January 2, 2008 as the hearing date on this matter and Planning staff has provided notice to affected property owners as required. No written testimony has been received as of the date of this report.

Pursuant to ORS 227.120, the Planning Staff requests that the Council open the public hearing on the proposed street name change and accept any testimony presented. Should the Council choose to approve the requested street name change, a draft ordinance adopting the street name is attached for the Council members' review.

Respectfully submitted,

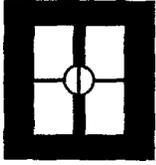
CITY OF HILLSBORO PLANNING DEPARTMENT



Dawn Duray
Urban Planner I

Attachments: September 21, 2007 Letter from Washington County
 Letter to affected property owners
 PC Resolution No. 1640-P
 Draft City Council Ordinance
 Exhibit A: Vicinity Map

CITY OF HILLSBORO



December 26, 2007

Subject: Street Name Change & Site Number Change

Recently the City of Hillsboro processed a street name change for SW Davis Road to SE Davis Road. During this process it came to our attention that there may be potential problems with SW Davis Court remaining as a SW directional coming off a SE street. Because of our primary concern in addressing being from an emergency services point of view we took this concern to the Washington County Surveyor.

The Washington County Surveyor, James H. Elam, agreed that this was a potential safety problem and issued a letter dated September 21, 2007 giving the City of Hillsboro permission to change the street from SW Davis Court to SE Davis Court and issue new site numbers consistent with the City of Hillsboro's addressing grid. (Please see the attached letter).

I do want to let you know that we work to mitigate the impact of these changes as much as we can. Through our readdressing projects within the city we have developed some guide lines that we use to reduce the impact as much as possible. Our letter of change notifies over 50 agencies and utilities of the impending change (this includes PGE, NW Natural, Verizon, Comcast, Washington County Assessment and Taxation, USPS, etc.) and lists both the old address and the new address, and the time frame of implementation. In an instance such as yours, I will assign a date that you can begin making the change of address notifications and also the date that the new address must be in full use by. Typically the time frame that is given is close to or just over 6 months. In addition to this "dual" address time (the six month period) the Post Office continues notifying senders for one additional year after the must use date. Of course you receive a copy of this change letter as well to make copies of and use as you need to. You also have my e-mail address and my direct phone number so that if you have any additional needs or problems you can contact me easily.

You will receive my official letter of change notification close to the street name change date as determined by the cities name change process; however, in the mean time I would encourage you to contact me concerning this whole process if you would like to. My e-mail address is rocknes@ci.hillsboro.or.us and my direct phone number is 503.681.6151. I am generally in the office Monday through Friday from 6:30 am to 4:30 pm.

I would like to close by saying that we work very hard to reduce and limit the impact of this process and I hope that you will contact me with any questions or concerns that you may have.

Sincerely,

City of Hillsboro Planning Department

Rockne Stites
Planning Database
Coordinator
City of Hillsboro



September 21, 2007

Rockne Stites
City of Hillsboro
Planning Department
123 West Main Street
Hillsboro, Oregon 97123

Dear Mr. Stites,

I have reviewed your request to convert the addresses on SW Davis Court from the Washington County addressing grid to the City of Hillsboro grid.

My review revealed that this site is adjacent to the city and has access off a street in the city that is being readdressed to the city grid because of recent annexation of the area by the city. The adjacent street was a county road and has now been transferred to city jurisdiction. The city is undertaking to change SW Davis Road to SE Davis Road and readdressing the properties in that area to the city addressing grid.

It would be confusing to enter into the existing SW Davis Court from SE Davis Road. SW Davis Court lies inside the UGB and will be annexed by the city at a future date. It would be in the public interest to change SW Davis Court to SE Davis Court and readdress those properties at the same time as the ones on SE Davis Road.

My office is charged with addressing the unincorporated areas of Washington County and by that same County Code 11.04.020 I am authorized to approve addressing by the city, on the city addressing grid, within areas of unincorporated Washington County.

I find it to be in the public interest and do hereby authorize the City of Hillsboro to readdress those properties currently addressed off SW Davis Court. The new addresses will be off SE Davis Court and on the city addressing grid. The readdressing will be done consistently with the processes and procedures used to readdress those properties lying in the city.

Sincerely,

James H. Elam
Washington County Surveyor

cc: Greg Miller, County Engineer

PLANNING COMMISSION

RESOLUTION NO. 1640-P
SN 3-07: SW DAVIS COURT TO SE DAVIS COURT

A RESOLUTION TO THE CITY COUNCIL RECOMMENDING THAT SW DAVIS COURT BE RENAMED TO SE DAVIS COURT.

WHEREAS, the Hillsboro City Council recently adopted Ordinance No. 5798, renaming a portion of SW Davis Road to SE Davis Road, and

WHEREAS, this name change creates confusion and inconsistency with the name of the loop street south of SE Davis Road as SW Davis Court, and

WHEREAS, Washington County has granted authorization to the City of Hillsboro to rename SW Davis Court to SE Davis Court, and

WHEREAS, the identification of the right-of-way as SW Davis Court is inconsistent with the City's street naming system, and

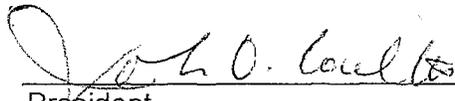
WHEREAS, ORS 227.120 sets forth the procedure for naming and renaming streets and requires the Planning Commission to forward a recommendation to the City Council to hold a public hearing on the proposed street name, and

WHEREAS, renaming SW Davis Court to SE Davis Court would alleviate potential confusion and provide better emergency service, and

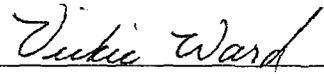
WHEREAS, the Planning Commission considered this matter on November 14, 2007, and supports the proposed street name change as acceptable and appropriate.

NOW, THEREFORE BE IT RESOLVED by the City of Hillsboro Planning Commission that the Commission by and through this resolution hereby recommends that the City Council schedule a public hearing, at a time the Council deems appropriate, to consider naming the street segment identified on Exhibit A as SE Davis Court.

Introduced and passed this 14th day of November, 2007.



President

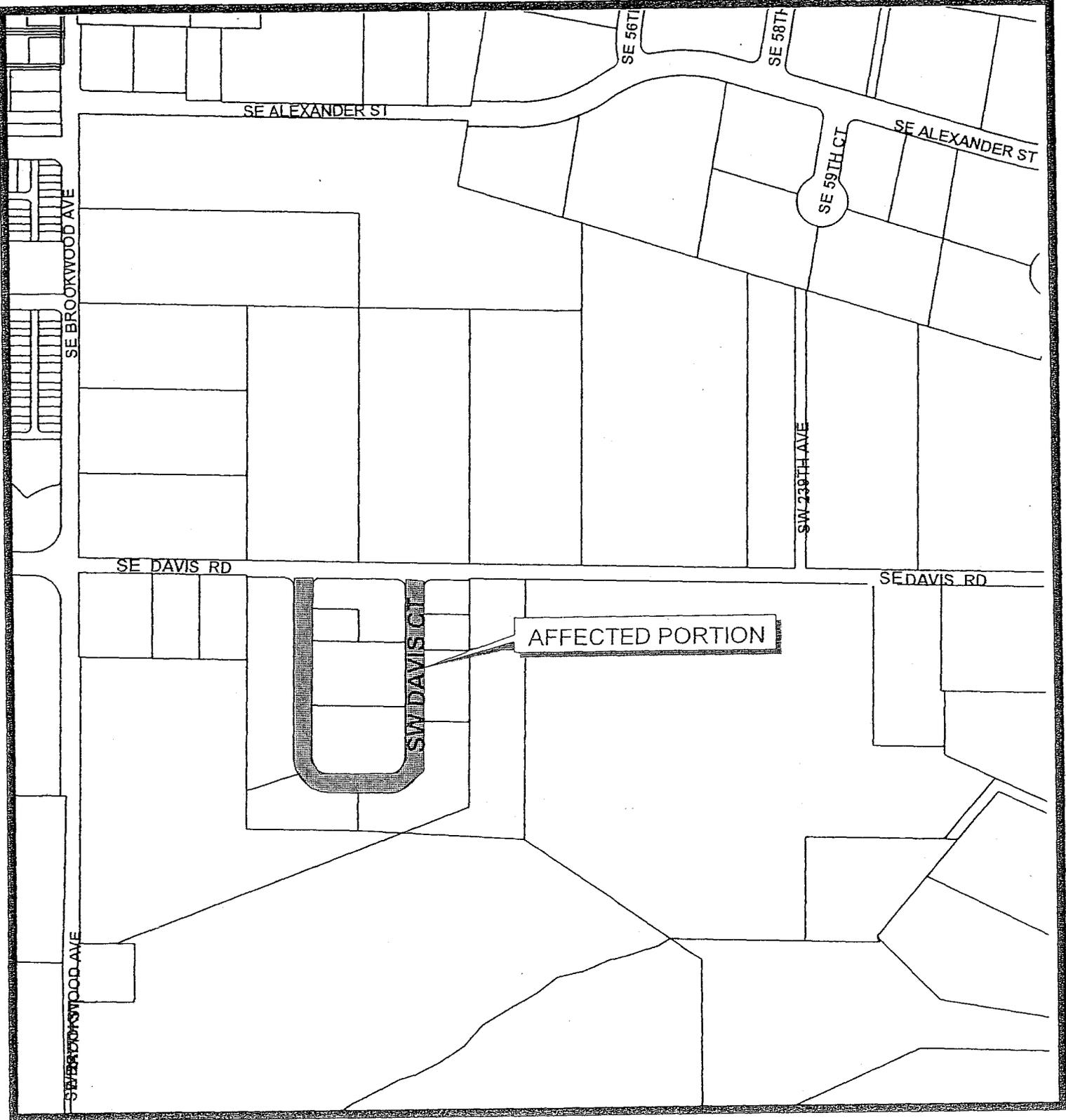
ATTEST: 

Secretary



SN 3-07. SW DAVIS CT TO SE LAVIS CT

VICINITY MAP



ORDINANCE NO. _____
SN 3-07: SW DAVIS COURT TO SE DAVIS COURT

AN ORDINANCE RENAMING SW DAVIS COURT AS SE DAVIS COURT.

WHEREAS, in October 2007, the City renamed a portion of SW Davis Road in the Witch Hazel neighborhood to SE Davis Road after transfer of jurisdiction from Washington County, and

WHEREAS, a second street, SW Davis Court, loops south from what is now SE Davis Road, as shown on Exhibit A, and

WHEREAS, during the Davis Road street name change process it became evident that entering SW Davis Court from SE Davis Road could create confusion, and that renaming the street would alleviate potential confusion and provide better emergency service, and

WHEREAS, although SW Davis Court is currently under the jurisdiction of Washington County, the County has granted the City authorization to rename SW Davis Court without transfer of jurisdiction through a letter dated September 21, 2007, and

WHEREAS, ORS 227.120 sets forth the procedure for naming and renaming streets and requires the Planning Commission to forward a recommendation to the City Council to hold a public hearing on the proposed street name, and

WHEREAS, the Planning Commission considered this matter on November 14, 2007, and adopted Resolution No. 1640-P recommending to the City Council that the Council approve the street name change, and

WHEREAS, pursuant to ORS 227.120 the City Council held a public hearing to consider the recommendation on January 2, 2008, and voted to adopt the Planning Commission's recommendation on this matter.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The street as shown on Exhibit A shall be renamed SE Davis Court.

Section 2. The City Planning Director is hereby instructed to amend the official City maps to reflect the changes in the street names and to notify all pertinent parties and units of government of the change in the street name.

Passed by the Council this 2nd day of January, 2008.

Approved by the Mayor this 2nd day of January, 2008.

Mayor

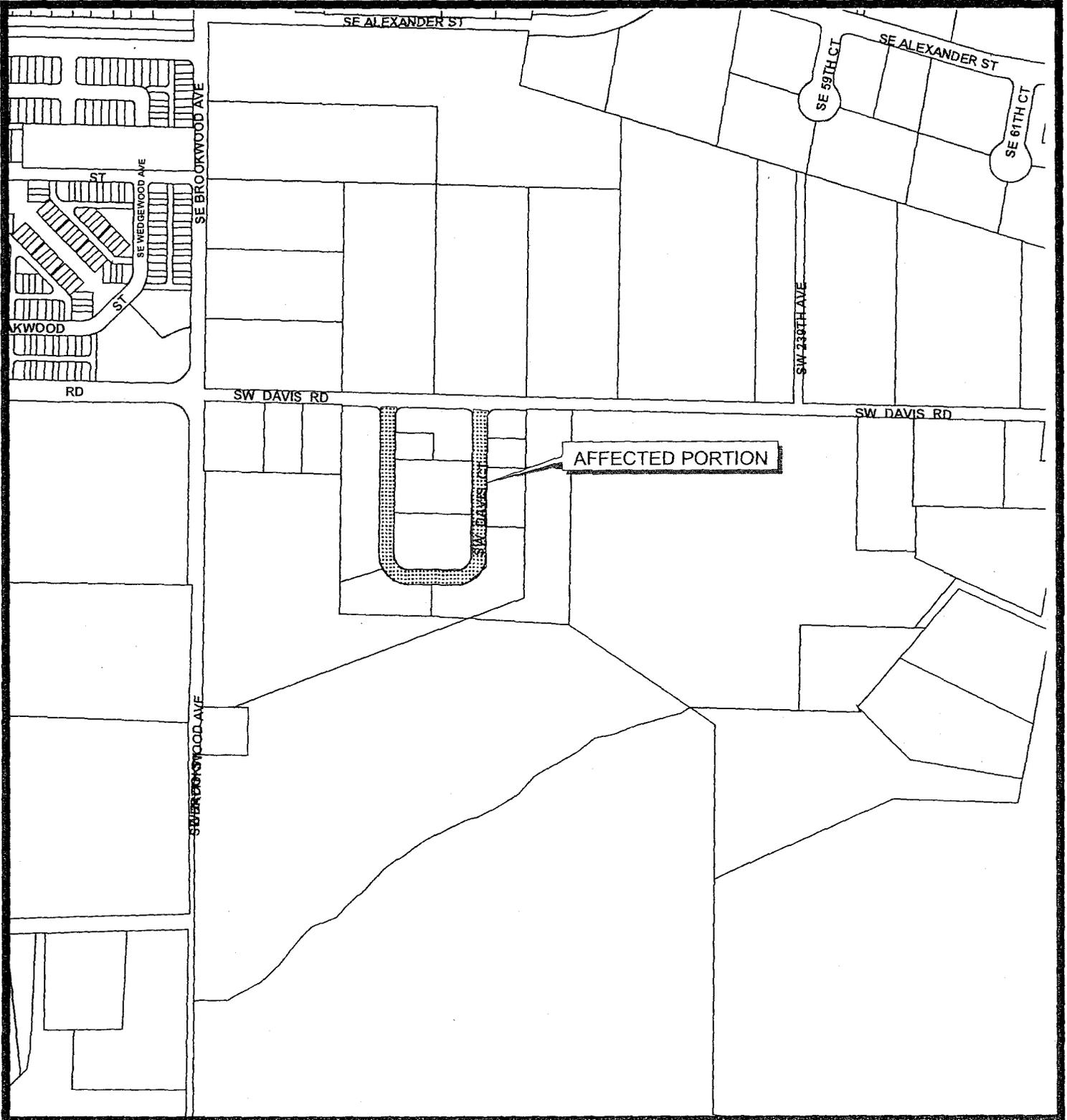
ATTEST: _____
City Recorder



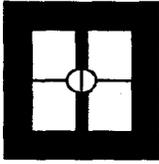
SN 3-07: SW DAVIS CT TO SE DAVIS CT



VICINITY MAP



CITY OF HILLSBORO



January 2, 2008

TO: Mayor and City Council

FROM: Amber Deming, City Recorder

SUBJECT: Ordinances Required by 2007 City of Hillsboro Charter

The City Recorder's office asks the City Council to adopt ordinances as required by the 2007 City of Hillsboro Charter, effective January 1, 2008.

Background

Charter Section 32 requires the passage of an elections ordinance. A second ordinance is required to outline the process to appoint city officers. The following ordinances were identified as Priority Level 1 on the New Charter Implementation worksheet as discussed in work session on November 20, 2007:

1. An ordinance amending the Hillsboro Municipal Code Title 1 to add new subtitles relating to regulation of City elections, and repealing existing provisions and declaring an emergency; and
2. An ordinance amending the Hillsboro Municipal Code Title 2 to add a new subtitle relating to the appointment of city officers and declaring an emergency.

Requested Action

Please consider adoption of ordinances as required by the 2007 City of Hillsboro Charter, effective January 1, 2008.

ORDINANCE NO. _____

AN ORDINANCE AMENDING HILLSBORO MUNICIPAL CODE TITLE 2 TO ADD A NEW SUBTITLE RELATING TO THE APPOINTMENT OF CITY OFFICERS, AND DECLARING AN EMERGENCY.

THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. A new subtitle relating to City Council appointments is added to and made a part of Title 2, Administration and Personnel, of the Hillsboro Municipal Code as follows:

2.02.010 Appointment of City Officers

A. As provided by City Charter section 9, the mayor appoints members of City commissions, boards and committees with the consent of the city council.

B. As provided by City Charter sections 33, 34 and 35, the city manager, city attorney and municipal judge are each appointed by a majority of the mayor and councilors.

C. As provided by City Charter section 32, a vacant city elective position is filled by appointment by a majority of the remaining councilors. The mayor may propose a candidate for a vacant position. The mayor only votes to break a tie and determine who will be appointed to the position when two candidates receive the same number of votes from councilors.

Section 2. This ordinance is necessary to implement a requirement of the 2007 City of Hillsboro Charter so an emergency is declared to exist and this Ordinance takes effect upon its adoption by the City Council and approval by the Mayor.

Passed by the City Council this 2nd day of January, 2008.

Approved by the Mayor this 2nd day of January, 2008.

Mayor

ATTEST: _____

City Recorder

ORDINANCE NO. _____

AN ORDINANCE AMENDING HILLSBORO MUNICIPAL CODE TITLE 1 TO ADD NEW SUBTITLES RELATING TO REGULATION OF CITY ELECTIONS AND REPEALING EXISTING PROVISIONS; AND DECLARING AN EMERGENCY.

THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. New subtitles relating to elections are added to and made a part of Title 1, General Provisions, of the Hillsboro Municipal Code as set forth in Exhibit A attached and incorporated as part of this ordinance.

Section 2. Section 1.12.010 of the current Code is repealed.

Section 3. This ordinance is necessary to implement a requirement of the 2007 City of Hillsboro Charter so an emergency is declared to exist and this ordinance takes effect on January 1, 2008.

Passed by the City Council this 18th day of December, 2007.

Approved by the Mayor this 18th day of December, 2007.

Mayor

ATTEST: _____
City Recorder

EXHIBIT A

Title 1.12

Elections

Sections:

- 1.12.010 State law applies.
- 1.12.020 Definitions.
- 1.12.030 Eligibility.
- 1.12.040 Nomination petition or declaration of candidacy.
- 1.12.050 Petition or declaration contents.
- 1.12.060 Filing.
- 1.12.070 Deficient petitions.
- 1.12.080 Withdrawal of candidacy; refund of filing fee.
- 1.12.090 Certificate of nomination.
- 1.12.110 Vacancy in office.
- 1.12.120 Filing of vacancy.
- 1.12.130 Appointment by council.
- 1.12.140 Prospective petition.
- 1.12.150 Ballot title; appeal.
- 1.12.160 Petition and circulation requirements.
- 1.12.170 Filing and percentage requirements; verification.
- 1.12.180 Measure referred by council.
- 1.12.190 Withdrawal, adoption or election.

INTRODUCTION

- 1.12.010 State law applies.

As provided by City Charter Section 26, state election laws apply to matters not regulated by these subtitles. The City Charter and these Code subtitles prevail over any conflicting state laws.

- 1.12.020 Definitions.

Words or phrases have the following meanings unless the context clearly requires a different meaning:

“Candidate” means an individual whose name appears or is expected to appear on an official ballot.

“City legislation” means an ordinance or proposed ordinance, or a proposed amendment, revision or repeal of the City Charter.

“Elective city position” means the office of Mayor or Councilor.

“Elector” means an individual eligible under state and City law to vote in a City election.

“Initiative” means proposed City legislation submitted to electors by a petition of qualified electors.

“Measure” means City legislation, or a proposition or question submitted to City electors.

“Prospective petition” means information required for a completed petition, except for signatures and other identification of petition signers.

“Qualified elector” means an individual qualified to vote under Section 2, Article II, Oregon Constitution.

“City Recorder” means the City Recorder or authorized representative.

“Referendum” means City legislation submitted to electors by the Council or by a petition of qualified electors, or a proposition or question submitted to City electors by the Council.

“Regular election” means a City election held at the same time as a general biennial election for electing federal, state or county officers.

“Special election” means a City election held on the date other than a regular election.

“Term of office” means the term of office of the last person elected to the office.

“Ward” means one of three areas of the City that have substantially equal populations with boundaries set by Council ordinance.

CANDIDATES

1.12.030 Eligibility.

A qualified elector who has resided in the city during the 12 months immediately preceding the election may be a candidate for an elective City position. Each candidate for Councilor must reside in the ward from which the candidate seeks election at the time the councilor is elected.

1.12.040 Nomination petition or declaration of candidacy.

A. An eligible elector may become a candidate for an elective City position by filing a nomination petition or a declaration of candidacy in a form prescribed by the Secretary of State and available from the City Recorder.

B. A declaration of candidacy must be accompanied by the filing fee set by Council resolution.

C. A nomination petition must contain signatures of at least 20 City-qualified electors as follows:

1. The signatures need not all be attached to one paper, but each separate paper of the petition must be attached to an affidavit of the circulator showing the number of signers and stating that each signature is the genuine signature of the individual.

2. Each signature must have next to it the signer’s residence by its street and number or other description.

3. The City Recorder must certify the signatures in the nomination petition for genuineness by comparing them and the other required information with the elector registration cards on file with the county clerk.

4. After the petition is filed with the City Recorder, the City Recorder has 10 days to verify the signatures, and attach to the petition a certificate stating the number of signatures believed genuine.

1.12.050 Petition or declaration contents.

A. A nomination petition or declaration of candidacy must contain:

1. The name by which the candidate is commonly known. A candidate may use a nickname in parentheses in addition to the candidate's full name;
2. The residence address of the candidate;
3. The office or position number for which the candidate seeks nomination;
4. A statement that the candidate is willing to accept the office if elected;
5. A statement that the candidate will qualify if elected;
6. A statement of the candidate's occupation, educational and occupational background, and prior governmental experience; and
7. The signature of the candidate.

B. A declaration of candidacy must include a statement that the required fee is included with the declaration.

1.12.060 Filing.

A. A nomination petition or declaration of candidacy must be filed with the City Recorder.

B. The City Recorder will date and time stamp immediately each nominating petition, declaration of candidacy, withdrawal or other document required to be filed.

C. A nomination petition or declaration of candidacy may be filed no sooner than 120 days or later than 70 days before the election date.

1.12.070 Deficient petitions.

If a nomination petition is not signed by the required number of qualified electors or the declaration of candidacy is not complete, the City Recorder will notify the candidate within five days after the filing. The City Recorder will return it immediately to the candidate and state in writing how the petition is deficient. The deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed within the time requirements for filing petitions.

1.12.080 Withdrawal of candidacy; refund of filing fee.

A. A candidate who has filed a nomination petition or declaration of candidacy may withdraw not later than the 67th day before the election date by filing a statement of withdrawal with the City Recorder. The withdrawal must be made under oath and state the reasons for the withdrawal.

B. If requested not later than 67 days before the election date, the City Recorder will refund the filing fee of a candidate who dies, withdraws or becomes ineligible for the nomination.

1.12.090 Certificate of nomination.

The City Recorder will certify the nominations to the county clerk in accordance with the time requirements of state law stating the offices and the terms of office for which the candidates are nominated.

VACANCIES IN OFFICE

1.12.110 Vacancy in office.

A City elective office becomes vacant as provided by City Charter Section 31.

1.12.120 Filling of vacancy.

A. Upon becoming aware of a vacancy in an elective office, the Council must promptly determine and declare the date of vacancy.

B. A vacancy in an elective office must be filled as provided by City Charter Section 32.

1.12.130 Appointment by council.

A. The Council will prescribe by ordinance procedures for the appointment of persons for City elective positions.

INITIATIVE AND REFERENDUM

1.12.140 Prospective petition.

A. Before circulating a petition proposing an initiative or referendum for city legislation, the chief petitioners must file a prospective petition with the City Recorder. The City Recorder will provide the form showing:

1. The signatures, printed names and mailing addresses of at least two and not more than three chief petitioners, all of whom must be City electors;
2. For initiative petitions, the text of the City legislation proposed for adoption, and, where applicable, the title, ordinance number, and charter or code section numbers proposed for amendment, revision or repeal;
3. For referendum petitions, the text of the City legislation proposed for referral, and where applicable, the title, ordinance number or code section numbers of the City legislation proposed for referral; and
4. Whether one or more persons will be paid for obtaining signatures on the petition.

B. The City Recorder must date and time stamp any prospective petition filed.

C. After the City Recorder determines that the prospective petition complies with this subchapter and state law, the City Recorder will certify to one of the chief petitioners that petitions may be circulated among City electors in accordance with section 1.12.150.

1.12.150 Ballot Title; appeal.

A. Prior to the end of the fifth business day after a prospective initiative petition is filed and meets all legal requirements, the City Recorder will review the text of the proposed initiative to determine if it complies with the single subject requirement and if it proposes City legislation.

B. If the proposed text does not meet the requirements of subsection A, the City Recorder will notify a chief petitioner by certified mail, return receipt requested, that the prospective petition does not meet the single subject or City legislation requirement.

C. Any City elector dissatisfied with the City Recorder's determination may file a petition for review in circuit court. The petition for review must be filed not later than the seventh business day after the date of the written determination by the City Recorder.

D. If the proposed initiative meets the requirements of subsection A or a referendum petition is certified for circulation, the City Recorder will send two copies of the prospective petition to the City Attorney. The City Attorney has five business days after receipt to prepare a ballot title for the proposed measure. The ballot title must conform to the requirements of state law. The City Attorney or the City Manager will prepare an explanatory statement for the voter's pamphlet.

1. The explanatory statement must consist of an impartial, simple and understandable statement of not more than 500 words explaining the measure and its effect.

2. After preparing the ballot title, the City Attorney will return one copy of the prospective petition and ballot title to the City Recorder and one copy to one of the chief petitioners.

E. After receiving a ballot title from the City Attorney, the City Recorder must publish in a newspaper of general circulation in the City a notice of receipt of the ballot title. The notice must state that a City elector may file a petition for review of the ballot title not later than the date referred to in subsection F.

F. After receiving the prospective petition ballot title from the City Attorney, the City Recorder must write the date of receipt on it. Within seven business days after that date, any City elector may petition in circuit court to challenge the ballot title prepared by the City Attorney. After the seven-day period or following the final adjudication of any legal review, the City Recorder must certify the ballot title as prepared by the City Attorney or as prescribed by the court to a chief petitioner.

G. Any City elector filing a petition of review with the circuit court must file a copy of the challenge with the City Recorder not later than the end of the business day next following the date the petition is filed with the circuit court. This requirement does not invalidate a petition that is timely filed with the circuit court.

H. The procedures in subsections A through G also apply to referendum measures. However, the completion of these procedures is not a prerequisite to the circulation of petitions for referendum measures under section 1.12.150. Ballot titles need not be stated on petitions circulated to propose referendum measures.

1.12.160 Petition and circulation requirements.

A. After the requirements of section 1.12.140C are met for referendum petitions and after the requirements of section 1.12.150F are met for initiative petitions, the chief petitioners may circulate a petition for the measure among City electors. The petition (cover sheet and signature sheet) must conform to the requirements of state law.

B. The petition identification number will be assigned by the City Recorder.

C. Each signature sheet of a referendum petition must contain the title, ordinance number or code section numbers of the City legislation proposed by referral and the date it was adopted by the Council.

D. No signature sheet may be circulated by more than one person. Each signature sheet must contain a statement signed by the circulator that each elector who signed the sheet did so in the circulator's presence, and, to the best of the circulator's knowledge, each signor is a legal elector of the City and that the information placed on the sheet by each signor is correct.

1.12.170 Filing and percentage requirements; verification.

A. The City Recorder will accept for signature verification only petitions that comply with the requirements of this subchapter and other applicable law.

B. No petition may be accepted for filing unless it contains at least the required number of verified signatures to submit the measure to the electors, as prescribed by subsections G, H or I.

C. No initiative petition may be accepted for signature verification more than six months after the date of the City Recorder's certification under section 1.12.150F.

D. Any petition to refer legislation adopted by the Council must be submitted for signature verification not more than 30 days after final Council adoption of the legislation.

E. An initiative or referendum petition may not be accepted for signature verification if it contains less than 100 percent of the required number of signatures.

F. Upon the acceptance of a petition, the City Recorder must verify the signatures. The verification may be performed by random sampling in a manner approved by the Secretary of State. Within 30 days after the City Recorder's acceptance of a petition, the City Recorder must certify to the Council whether the petition contains a sufficient number of qualified signatures to require the submission of the proposed measure to City electors. The City Recorder must state in the certificate the number of qualified signatures prescribed by subsections G, H or I to require the proposed City legislation to be submitted to City electors. The petition is considered filed as of the date of the City Recorder's certification.

G. An initiative measure proposing the amendment, revision or repeal of the City Charter will be submitted to the electors if the number of qualified signatures on the petition equals or exceeds 15 percent of the total number of registered voters in the City on January 1 of the calendar year the petition is filed.

H. An initiative measure proposing the adoption, amendment or repeal of any other City legislation will be submitted to the electors if the number of qualified signatures on the petition equals or exceeds 15 percent of the total number of registered voters in the City on January 1 of the calendar year the petition is filed.

I. A referendum measure will be submitted to the electors if the number of qualified signatures on the petition equals or exceeds 10 percent of the total number of registered voters in the City on January 1 of the calendar year the petition is filed.

1.12.180 Measure referred by council.

A. The Council may directly refer to the electors any ordinance or any proposed ordinance, property tax, bond or other proposition or question. It may also directly refer to the electors any proposed amendment, revision or the repeal of the City Charter.

B. The City Attorney will prepare a ballot title that conforms to the requirements of state law. The Council will certify and file the ballot title and explanatory statement with the City Recorder. The explanatory statement will be prepared by the City Attorney or the City Manager.

C. The City Recorder will publish in a newspaper of general circulation in the City a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title not later than the date set in subsection D.

D. Any City elector may petition the circuit court to challenge the ballot title certified by the Council. Such petition must be filed with the circuit court within seven business days of Council filing of the ballot title. Any person filing a petition of review with the circuit court must file a copy of the challenge with the City Recorder not later than the end of the business day next following the date the petition is filed with the circuit court. This requirement does not invalidate a petition that is timely filed with the circuit court.

E. A measure will be considered filed under this section as of the date the Council delivers its certified ballot title to the City Recorder.

1.12.190 Withdrawal, adoption or election.

A. The chief petitioners may withdraw a verified petition at any time before Council action to adopt the proposed legislation or submit it to the electors. Any withdrawal must be either by written or oral declaration made at a Council meeting and entered in the minutes of that meeting.

B. Unless a petition is withdrawn after receiving a certification from the City Recorder that a petition has sufficient signatures to require the proposed City legislation to be submitted to the electors under section 1.12.170F, the Council may either adopt the proposed legislation by ordinance, or call an election to submit the legislation to the electors. The Council may also call an election to submit matters to the electors upon referral under section 1.12.180.

C. The Council may call the election on the next election date available under state law that is not sooner than the 90th day after the date of the City Recorder's certificate of sufficient signatures, and must call the election no later than the next regular election. For a Council referral, the election on the measure may be held on the next election date available under state law.

1.12.200 Election notice and results.

A. Notice of elections on measures submitted to City electors on regular or special election dates must be given in accordance with state law.

B. Measures referred by the Council will be designated on the ballot: "Referred to the Voters by the City Council."

C. Measures proposed by referendum petition will be designated on the ballot: "Referred by Petition."

D. Measures proposed by initiative petition will be designated on the ballot: "Proposed by Initiative Petition."

E. The City Recorder must certify the election results to the Council at the first Council meeting after the results are certified by the county clerk.

F. A measure adopted by the electors takes effect 30 days after the election, unless the measure expressly provides a later effective date.

Amber Deming

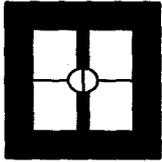
From: Joe Keizur [
Sent: Tuesday, December 18, 2007 11:17 AM
To: Amber Deming; Tom Hughes
Cc: Debbie Werner; Sarah Jo Chaplen
Subject: RE: council vacancy

To Whom it May Concern:

Effective January 31st, 2008, I Joe Keizur, respectfully resign my position on the Hillsboro City Council, Ward 2, Position B.

Joe Keizur

CITY OF HILLSBORO



Memorandum

To: Hillsboro City Council
From: Larry Pederson, Economic Development Director
Date: December 27, 2007
Subject: City/Washington County Memorandums of Understanding Concerning Distribution of SIP funds for Intel (2005) and Genentech Agreements

Background

Both of the Strategic Investment Agreements (Intel in 2005; Genentech 2006) provide for the distribution of "Community Service Fees and other Fees" as per intergovernmental agreement between the City and Washington County. In anticipation of these agreements becoming activated in 2008-2009, the intergovernmental agreements need to be put in place.

In the Intel SIP agreement of 2005, the distribution of Community Service Fees and other Fees from the County to the City is established at 38%; this represents the customary apportionment of property taxes to the City. This proportion is fixed for the term of the 2005 Intel SIP agreement.

In the Genentech agreement of 2006, the distribution of Community Service Fees and other Fees is "based on a formula that is updated annually". The original formula is expected to provide a 38% (approximately) apportionment to the City; the formula could be impacted over the term of the SIP agreement by special levies or other financial considerations.

Requested Action

Staff recommends the Council authorize the Mayor and City Recorder to execute the two intergovernmental agreements with Washington County related to the sharing of the Community Service Fees and Other Fees as established by the Intel 2005 and Genentech SIP agreements.

CITY OF HILLSBORO



December 24, 2007

STAFF REPORT

TO: City Council
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval for a Single Family Residential Planned Unit Development – File No. PUD 2-07: Enchantment Glen

Attached are materials relating to the preliminary development plan for the Enchantment Glen Planned Unit Development (PUD), a 31-lot single family detached residential development on a property approximately 4.81 acres in size. The site is zoned A-1 Duplex Residential and designated RM – Medium Density Residential on the Comprehensive Plan Land Use map.

The proposed PUD is located generally north of SW Davis Road, east of SW 234th Avenue and west of SW 229th Avenue. The property can be specifically identified as Tax Lot 1200 on Washington County Tax Assessor's Map 1S2-10DC

On October 24, 2007, the Planning Commission opened the public hearing and accepted testimony in support of, and with concerns regarding, the preliminary development plan for Enchantment Glen and continued the hearing to November 14th. At the November 14th hearing, the Commission further discussed the project and continued the hearing to November 28th for discussion of conditions only.

On November 28, 2007, the Commission adopted Resolution No. 1647-P, including 50 conditions with supporting findings, recommending that the City Council approve the preliminary development plan for Enchantment Glen. A draft Council ordinance, with the same conditions of approval adopted by the Planning Commission in Resolution No. 1647-P, is included for the Council's consideration. Also included are an aerial vicinity map, a reduced-size tax map, comprehensive plan and zoning maps, a tentative plat, the Planning Commission staff reports and the applicant's supplemental materials and original submittal. Please retain these materials until final action has been taken on this matter.

If you have questions, please contact the Planning Department at (503) 681-6153.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Ruth Klein
Urban Planner III

Attachments: Draft Ordinance and Exhibits
Tax Map (Reduced)
Comp Plan and Zoning Maps
PC Staff Reports
Aerial Vicinity Map
Applicant's Materials

ORDINANCE NO. _____

PUD 2-07: ENCHANTMENT GLEN

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO 1945, AS AMENDED, BY APPROVING A PLANNED UNIT DEVELOPMENT OVERLAY ZONE ON A CERTAIN TRACT OF LAND THROUGH APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A 31-LOT DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON A SITE APPROXIMATELY 4.81 ACRES IN SIZE.

WHEREAS, the owner of a certain tract of land, described below, has filed a written application with the City of Hillsboro for approval of a Planned Unit Development (PUD) overlay to the existing A-1 Duplex Residential zone; and

WHEREAS, the Planning Commission held a public hearing on October 24, November 14, and November 28, 2007 and received testimony in support of, and with concerns regarding, the application; and

WHEREAS, based on the testimony and material received, the Planning Commission recommended approval of the preliminary development plan for the proposed Planned Unit Development, with the conditions listed herein, based on the findings attached hereto as Exhibit "A", the site plan attached hereto as Exhibit "B", the industrial noise disclosure and waiver of remonstrance attached hereto as Exhibit "C", and the lot specific industrial noise disclosure attached hereto as Exhibit "D"; and

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meeting of January 2, 2008, and adopted the noise disclosures, 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 Zoning Ordinance, and that the Planned Unit Development overlay zone is best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The following described tract of land is hereby rezoned with the addition of a Planned Unit Development overlay zone, as described in Planning Department Casefile No. PUD 2-07:

Tax Lot 1200 on Washington County Tax Assessor's Map 1S2-10DC; Section 10, Township 1 South, Range 2 West, Willamette Meridian, on record as of July 3, 2007, and a copy of which is attached hereto and thereby made a part of this Ordinance.

Section 2. Approval of the PUD overlay zone is conditioned upon satisfaction of the following 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. PUD 2-07, and specifically to the construction plans approved by the City Engineer and the Planning Director.

2. The developer shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Hillsboro, except as otherwise approved by the Transportation Committee and the Planning Commission. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the conditions of approval, prior to the approval of the final plat. All construction plans shall be approved by the City Engineer prior to the issuance of construction permits within the planned unit development.
3. Items such as lane striping, signing plans, cross walk markings, speed sign locations, driveway locations, and stop sign locations based on MUTCD standards, vision clearances, and traffic volume shall be identified on the construction plans.
4. Prior to approval of construction drawings, the developer shall petition the Transportation Committee and City Council for imposition of parking restrictions in public rights-of-way where parking is proposed only on one side of the street improvement.
5. The developer shall dedicate and construct a 3/4-street improvement on 234th Avenue to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks and landscape strips with street trees. Sidewalks shall be constructed during initial site improvements. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer.
 - a. 35-foot right-of-way width to centerline
 - b. 33-foot wide improvement with no on-street parking
 - c. 6½-foot wide landscape strip on east side
 - d. 5-foot wide property line sidewalk on east side
6. The developer shall dedicate and construct full-street improvements to a public standard on Wonder Way to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, landscape strips with street trees and "No Parking" signs per the Uniform Fire Code. Dedication and street improvements shall terminate on Imagine Way as a public hammerhead and transition to Imagine Way. Sidewalks shall be constructed along tract frontages during initial site improvements. All improvements shall be subject to approval by the City Engineer. There shall be no parking on the north side of the street and, as per approval by the Fire Marshal, limited parking on the south side of the street.
 - a. 50-foot right-of-way width with on-street parking
 - b. 27-foot wide improvement with on-street parking
 - c. 6-foot wide landscape strip
 - d. 5-foot wide property line sidewalk

7. The developer shall place in tracts on the final plat and construct private full-street improvements on Imagine Way to the widths listed below. The private street shall be improved to a public street section standard of either asphaltic concrete or Portland cement concrete and address means of storm drainage disposal. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, landscape strips with street trees and "No Parking" signs per the Uniform Fire Code. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. The tracts shall be owned and maintained by the Home Owners' Association. There shall be no parking on the south side of the street and, as per approval by the Fire Marshal, limited parking on the north side of the street.
 - a. 50-foot right-of-way width with on-street parking
 - b. 27-foot wide improvement with on-street parking
 - c. 6-foot wide landscape strip
 - d. 5-foot wide property line sidewalk
8. The developer shall place in a tract on the final plat and construct pedestrian, bicycle improvements on Tract "D" to the widths listed below. Street lights, if required, shall be acorn style lights. The improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. The tract shall be owned and maintained by the Home Owners' Association, or may be deeded to the City if approved by the Parks Commission, and be subject to a public pedestrian and bicycle easement over its entirety on the final plat.

Tract "D"

 - a. 15-foot tract width
 - b. 6-foot wide meandering sidewalk
 - c. Landscape strip on both sides of sidewalk
9. Stop signs shall be required at points where a lower classification of street intersects with a higher classification of street.
10. The final plat shall show eight foot wide utility easements along the public rights-of-way and private streets within the plat. In order to modify the eight-foot wide utility easement width the developer must obtain approval for the reduced width from all applicable public and private entities prior to approval of the final plat. Prior to approval of the final plat, the public utility easements shall be approved by the City Engineer
11. The final plat shall provide for public and private utility easements, private access and emergency vehicle access, as required, over the full width and length of the private street improvements.
12. The final plat shall show utility easements to the City of Hillsboro at any location in which water, sanitary sewer, or storm drainage lines are proposed for location outside public right-of-way. The minimum width for such easements shall be 15 feet for a single utility and 25 feet for two utilities placed within the same

easement. Any utility easement to the City shall be reviewed and approved by the City Engineer prior to approval of the final plat.

13. The utility plans, including line sizes for water lines, sanitary sewer lines, and storm drainage lines within the planned unit development, shall be subject to review and approval by the City Engineering, Building, and the Water Departments prior to approval of construction plans for the development. Utilities shall be placed within easements, as approved by the City, when located outside public rights-of-way or when crossing property lines.
14. Sanitary sewer and storm sewer lines shall be built to City and Clean Water Services standards and utilized as part of the public system.
15. Final construction plans for the development shall include the construction of a 24-inch sanitary sewer from Davis Road through the entire length of Imagine Way. The developer shall coordinate the design and upsizing of the sanitary sewer line with the City of Hillsboro Engineering Department.
16. Fire hydrants shall be installed within the planned unit development, at the expense of the developer, in conformance with the requirements of the Fire Marshal and City Engineer. The final utility plans shall show the placement of hydrants located within 300 feet of all exterior building walls as measured along an accessible route of travel.
17. Any lot adjacent to a City-installed water line and/or sanitary sewer line shall be subject to the City-installed rate at the time of building permit issuance.
18. All rain, storm, and other surface water runoff from roofs, exposed stairways, light wells, courts, courtyards, and exterior paved areas shall be disposed of in compliance with local ordinances and state rules and regulations which will not cause flooding to adjacent properties. The approved points of disposal include but are not limited to: a) storm sewer, b) street gutter through curb, and c) engineered storm sewerage system.
23. The developer shall provide a water quality facility, designed and constructed per Clean Water Services and City of Hillsboro standards, to be publicly owned and maintained. A 12-foot wide access gate to the water quality facility shall be located on Tract "F" and an access easement shall be provided over Imagine Way. The landscaping and fencing shall be maintained by the Home Owners Association. The design shall include landscaping and a four-foot, powder coated, chain link fence. The landscaping and fencing plan shall be reviewed and approved prior to approval of construction plans. The water quality facility shall be owned by the City of Hillsboro. Should an interim temporary water quality facility be required for initial phases of the development, then required temporary off-site easements shall be recorded prior to recordation of the applicable phase of the plat.
24. Prior to issuance of construction permits, the developer shall provide an evaluation of downstream storm capacity and mitigate as required by the City Engineer.

25. Final construction drawings for the project shall include grading plans confirming that site grading within the planned unit development will not impede or impound existing storm drainage from surrounding properties. If deemed necessary by the City Engineer, the grading plans and construction drawings shall include drainage tiles, private storm drainage lines or catch basins, or other alternative means to adequately convey the storm runoff away from adjacent properties to the new storm drainage lines in the development. Any drainage tiles, private storm drainage lines, catch basins, or other alternative improvements considered necessary by the City Engineer shall be included in the planned unit development construction. The detailed grading plans shall also accurately depict the finished grades for the subject property.
26. Prior to issuance of construction permits, construction plans shall be submitted to the Engineering Department and shall show the location of any existing wells and septic tank drainfields. Plans shall indicate the method and schedule for abandonment. Disposition of the well and septic system shall be reviewed and approved by the City Engineer.
27. Development of the sanitary and storm sewer systems shall conform to Clean Water Services and City of Hillsboro standards. Prior to construction plan approval, documentation shall be provided to display compliance with the Clean Water Services Service Provider Letter, File No. 07-003226.
30. Prior to approval of the final plat, a landscaping plan for street trees and Tracts "A", "D", "C", "G" and "H" shall be submitted for review and approval by the Planning Director and City Engineer. The landscaping plan shall not be approved prior to approval of the final construction plans. Final construction plans shall include the landscaping plan for Tract "F" (water quality facility). Both plans shall illustrate the location, species and size of the plantings, and details of any in-ground sprinkler systems. Any proposed irrigation system within the planned unit development shall include water conserving sprinkler heads. Approved landscaping for the water quality facility shall be installed prior to acceptance of public infrastructure.
31. Prior to approval of the final plat, the developer shall provide to the City financial guarantees for the provision of open space improvements and street trees. Street trees shall be a minimum of 2.5 inch caliper in size when measured four feet from the ground, and shall be planted within root barriers approved by the City Engineer. All improvements shall be subject to approval by the City Engineer and Planning Director prior to approval of the final plat. Street trees to be installed on public streets within and adjacent to the project.
32. Prior to approval of the final plat, a master fencing plan shall be provided to the Planning Department for review and approval by the Planning Director. The fencing plan shall address the perimeter of the site, the Tract "F" water quality facility frontage along 234th Avenue, the Tract "A" tot lot, and internal fencing between lots. Regarding the water quality frontage along 234th Avenue the applicant shall either: a. obtain a modification from the Clean Water Services fencing standards and extend the wood fence with masonry columns along the above stated frontage; b. install both the Clean Water Services fencing and the wood fencing with masonry columns; c. provide documentation that it is not

possible to implement the above alternatives and propose an alternative for review and approval by the Planning Director. The fence along SE 234th Avenue shall be substantially consistent with Sheet 6 of the plan set. The fence along SE 234th Avenue shall be constructed of quality materials such as 6x6 pressure treated posts, a 2x6 top cap with saw curf to prevent warping, 2x6 rails for horizontal stability, and vertical fence boards with a minimum ¾ inch nominal thickness. The masonry columns shall be faced with cultured stone and the fence shall be treated with an "anti-graffiti" sealant. Fences shall be constructed in accordance with the City of Hillsboro Zoning Ordinance standards. Such plan shall be substantially followed during infrastructure improvements and home construction.

33. Covenants, Conditions, and Restrictions for the planned unit development shall be recorded with the final plat, providing for the formation and continued operation of a Homeowners' Association. The Covenants, Conditions, and Restrictions shall address the following issues:
- a. Formation of a Home Owner's Association (HOA);
 - b. Responsibilities for the shared maintenance of the applicable emergency/pedestrian tracts including landscaping, common amenities and fencing;
 - d. Responsibilities for maintenance of private alley tracts, private pedestrian and bicycle accessways, and private utility lines;
 - e. Requirement of the HOA to maintain street trees and landscaping per City standards and approved Street Tree plan;
 - f. Authorization for the City to assess the HOA for necessary maintenance of the landscaping within the public right-of-way, if not adequately maintained by the Homeowners Association. This portion of the Covenants shall be written to prohibit subsequent revision without consent by the City;
 - g. Responsibility of the HOA for the collection and distribution of funds for the maintenance and repair of such elements as, but not limited to common structures, landscaping, irrigation, fences (including the 234th Avenue fence), walls, entry signs, private parking areas, private sidewalks, and private utilities, private alleyways, open space, and lighting; and
 - h. Parking prohibitions throughout the planned unit development, as required by the Transportation Committee or Fire Marshal.

The Covenants, Conditions, and Restrictions shall be reviewed and approved by the Planning Director prior to approval of the final plat.

34. Dust suppression measures, as approved by the City Engineer, shall be provided during the course of construction within the development.
35. Erosion control measures in compliance with the City standards shall be provided during the course of construction within the development.
36. The developer shall coordinate the location of mailboxes with the City Engineer and the Hillsboro Post Office.

37. Crime Prevention Through Environmental Design (CPTED) concepts shall be incorporated throughout the development, addressing lighting, signage, entryways, and landscaping.
38. Prior to submittal of any building permit applications, the developer shall provide to the Building Official a geotechnical investigation report including slope stability studies, on-site site grading, cutting and filling, structural foundation requirements, surface and subsurface drainage recommendations, erosion vulnerability, and building or grading limitations, including top of slope offsets and areas restricted for site grading. Construction of streets, utilities, and structures on the site shall comply with any recommendations of the geotechnical investigation report. Building permit applications for on-site structures shall include a final geotechnical report identifying any portions of the site requiring further evaluation by a geotechnical or structural engineer.
39. The building permit submittals shall provided and or utilize the following:
- Angle of repose for all utility easements and demonstrate that the proposed structure is placed outside of the angle of repose.
 - Details outlining lateral bracing method proposed and if prescriptive approach is proposed so labeled.
 - Plan review will utilize the 2005 edition of the International Residential Code for One and Two family dwellings with the State of Oregon amendments.
 - All residential buildings shall be provided with final grading such that surface water will drain away from the dwelling, to the public or private way, and not be discharged across adjoining properties, except for portions of Lots 9 through 28 which will drain to Tract C. All roofs shall drain to the public storm system.
40. On front-loaded homes, where possible, adjacent driveways shall be paired as shown on Sheet 6 of the plan set.
41. Adjacent single family detached homes shall not receive the same front elevation or entire color selection.
42. The homes on corner lots, or with side facades visible from the street, (Lots 1, 8, 28, 29, 30, and 31) will be sold with mandatory upgrade packages, which will include, but is not limited too: additional windows, multi-paned windows, window trim, detailed siding such as board and batten or shingles, belly bands and other elements to enhance the street frontage view. No blank walls or blank gable ends will be allowed.
43. Modifications to the minimum standards of the A-1 Duplex Residential zone for lots in the PUD shall be as follows:
- Minimum required lot size of 4,500 square feet reduced to
 - 3,230 square feet for 7 lots
 - 3,400 square feet for 5 lots
 - 3,600 square feet for 12 lots
 - 3,900 square feet for all remaining lots

- Minimum front yard setback for the house from the required 15 feet to 8 feet
 - Minimum front yard setback for the garage from the required 20 feet to 18 feet
 - Minimum street side yard setback from the required 15 feet to 8 feet
 - Minimum hammerhead side yard setback from the required 15 feet to 4 feet for Lot 29
 - Minimum side yard setback from the required 5 feet to 4 feet to the structure and 3 feet to the porch column base
 - Minimum rear yard setback from the required 15 feet to 10 feet for Lot 29 and 8 feet for Lot 31's frontage on Wonder Way.
 - Minimum lot width from the required 50 feet to
 - 33 feet for 2 lots
 - 36 feet for 11 lots
 - 40 feet for all remaining lots
 - Minimum lot depth from the required 85 feet to
 - 63 feet for 1 lot
 - 74 feet for 2 lots
 - No exception for all remaining lots
44. Tract "C", which includes a portion of a future neighborhood bicycle/pedestrian trail, shall be deeded to the City on the final plat, if approved by the Parks Commission. If the Parks Commission declines to accept the tract, it shall be owned and maintained by the Home Owner's Association with a public pedestrian and bicycle easement and a construction, maintenance and repair easement to the City over its entirety.
45. The final plat shall identify Tract "C" as the location of a future public pedestrian/bicycle trail.
46. Roseway Industrial Park is located to the north of the proposed development. Prior to recordation of the final plat, the applicant shall record the "Enchantment Glen Industrial Noise Disclosure and Waiver of Remonstrance", per attached Exhibit "C", in the Washington County records to disclose the noise generated by Roseway Industrial Park to future owners of property within the Enchantment Glen plat. The "Enchantment Glen Industrial Noise Disclosure and Waiver of Remonstrance" shall be noted on the final plat.
47. Building permit submittals for Lots 8, 9 and 10 shall incorporate techniques for noise mitigation such as upgrades in wall construction, triple pane windows, improved caulking and a mechanical source of ventilation to eliminate the necessity for open windows. The submitted building permits shall indicate which techniques were chosen as recommended by the acoustic engineer.
48. The building permit submittals for Lots 8, 9 and 10 shall use the sound attenuation design features cited in Condition No. 47 in accordance with design specifications generated by a professional acoustical engineer to achieve an interior Day-Night noise exposure level (referred to as DNL or L_{dn}) of 45 dBA. In addition, the applicant shall record an industrial noise disclosure for Enchantment Glen Lots 8, 9 and 10 in the Washington County Records prior to issuance of building permits of Lots 8, 9 and 10, respectively. Verbiage of the "Enchantment Glen Lot [Insert Lot #] Industrial Noise Disclosure" shall be per the attached

Exhibit "D", with the exception that specific noise attenuation design features required to be included in the document shall be inserted into the document after a professional acoustical engineer has determined those features and prior to recording of the document.

49. The submittal by the applicant for final plat review and approval shall include but not be limited to the following; a narrative identifying how the required conditions of approval have or will be met; the final plat; the final plat review fee; and any other materials required to display compliance with the conditions of approval. These items and the financial guarantees required in Condition No. 2 shall be provided prior to transmittal of a "plat release letter" to Washington County Survey Department. The applicant may develop the Enchantment Glen planned unit development in three phases. The applicable conditions of approval, and corresponding improvements, shall be addressed for each phase of development.
50. Prior to approval of the final plat, the developer shall coordinate with the adjacent property owner(s) located to the south, and more specifically identified as Tax Lot 1300 on Washington County Tax Map 1S2-10DC regarding the construction of a public crosswalk across 234th Avenue to Davis Road. Prior to recordation of the Enchantment Glen final plat, the off-site improvements shall be either dedicated as right-of-way or provided with a public access easement. If the developer and the adjacent property owner(s) are unable to reach an understanding regarding the public crosswalk improvements and associated provisions of access, then the applicant shall provide the City of Hillsboro Planning Director with documentation showing the applicant made a good faith effort to work with all involved parties. Following provision of this documentation, the Planning Director will release the applicant from this condition.

Section 3. The City Planning Director is hereby instructed to cause the official zoning map, a portion of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof.

Section 4. Pursuant to Zoning Ordinance No. 1945, Section 127 (IV) (I.) and (V), 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 by the Planning Commission upon request.

Section 5. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Passed by the Council this 2nd day of January, 2008.

Approved by the Mayor this 2nd day of January, 2008.

Mayor

ATTEST: _____
City Recorder

EXHIBIT "A"

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF HILLSBORO**

**IN THE MATTER OF AN APPLICATION
FOR PRELIMINARY DEVELOPMENT
APPROVAL OF A 31 LOT PLANNED UNIT
DEVELOPMENT, KNOWN AS ENCHANTMENT GLEN,
CONSISTING OF 31 SINGLE FAMILY DETACHED
LOTS, OPEN SPACE TRACTS, AND ASSOCIATED
PUBLIC AND PRIVATE STREET, WATER,
SANITARY SEWER AND STORM DRAINAGE
IMPROVEMENTS ON APPROXIMATELY 4.78 ACRES**

**CITY OF HILLSBORO
CASE FILE NO. PUD 2-07**

**FINDINGS OF FACT
CONCLUSIONS OF LAW**

I. REQUEST

The applicant, Centex Homes, has requested Planning Commission approval of the preliminary plat for a 31-lot planned unit development (PUD) application on approximately 4.78 acres of property northwest of the intersection of 234th Avenue and Davis Road, located within the Witch Hazel Village Community Plan area. The Enchantment Glen PUD includes 31 lots for single family detached residences, a pedestrian path from Imagine Way to 234th Avenue, open space tracts, and associated public and private street, water, sanitary sewer, and storm drainage improvements.

The existing parcel, which can be identified as Tax Lot 1200 on Tax Map 1S210DC, is part of the larger 318-acre Witch Hazel Village Community Plan area as defined by the Witch Hazel Village Community Plan. The Witch Hazel Village Community Plan is incorporated into the Hillsboro Comprehensive Plan and serves as the master plan to guide all development within the 318-acre area.

The existing parcel is developed with one single family home, two garages, and a barn, which will be removed as part of the proposed development. The site includes a portion of the impact area for the wetland located on the property immediately south of the site.

II. PROCEDURAL STATUS AND PUBLIC TESTIMONY RECEIVED

The original staff report dated October 19, 2007, included such items as the description of the site and surrounding area, project description, department comments, and comments from Clean Water Services.

2007, November 9, 2007, and November 21, 2007, including the final conditions of approval, for the purposes of documenting the factual content of this application and the basic findings of compliance with the applicable standards.

IV. APPLICABLE APPROVAL CRITERIA

For the reasons contained in the incorporated documents, the Planning Commission finds that the applicant has satisfied the following applicable approval criteria for approval of the 31-lot residential PUD. The record contains no contrary evidence. The applicable approval criteria are contained in Sections 21-27 and 127 in Volume I of the Hillsboro Zoning Ordinance No. 1945; and Section 2. Urbanization, IV. Implementation Measures (A-D, H-J), Section 22. Witch Hazel Village Community Plan, II. General Development Policies (A-I), III. Implementation Measures (A-D), and Section 23. City of Hillsboro, Witch Hazel Village Community Plan in the Hillsboro Comprehensive Plan, Ordinance No. 2793-4-77.

V. CONCLUSION

Based upon this documentation and the submittal of testimony during the public hearing process as identified above, the Planning Commission finds that the applicant has sufficiently met all of the relevant subsections of the Zoning and PUD Ordinances, and complies with the Witch Hazel Village Community Plan and Goals and Policies of the Comprehensive Plan. Therefore, the Planning Commission recommends **APPROVAL** of this application for the Enchantment Glen PUD. This approval incorporates the conditions of approval as listed in the Resolution to which these findings are attached.

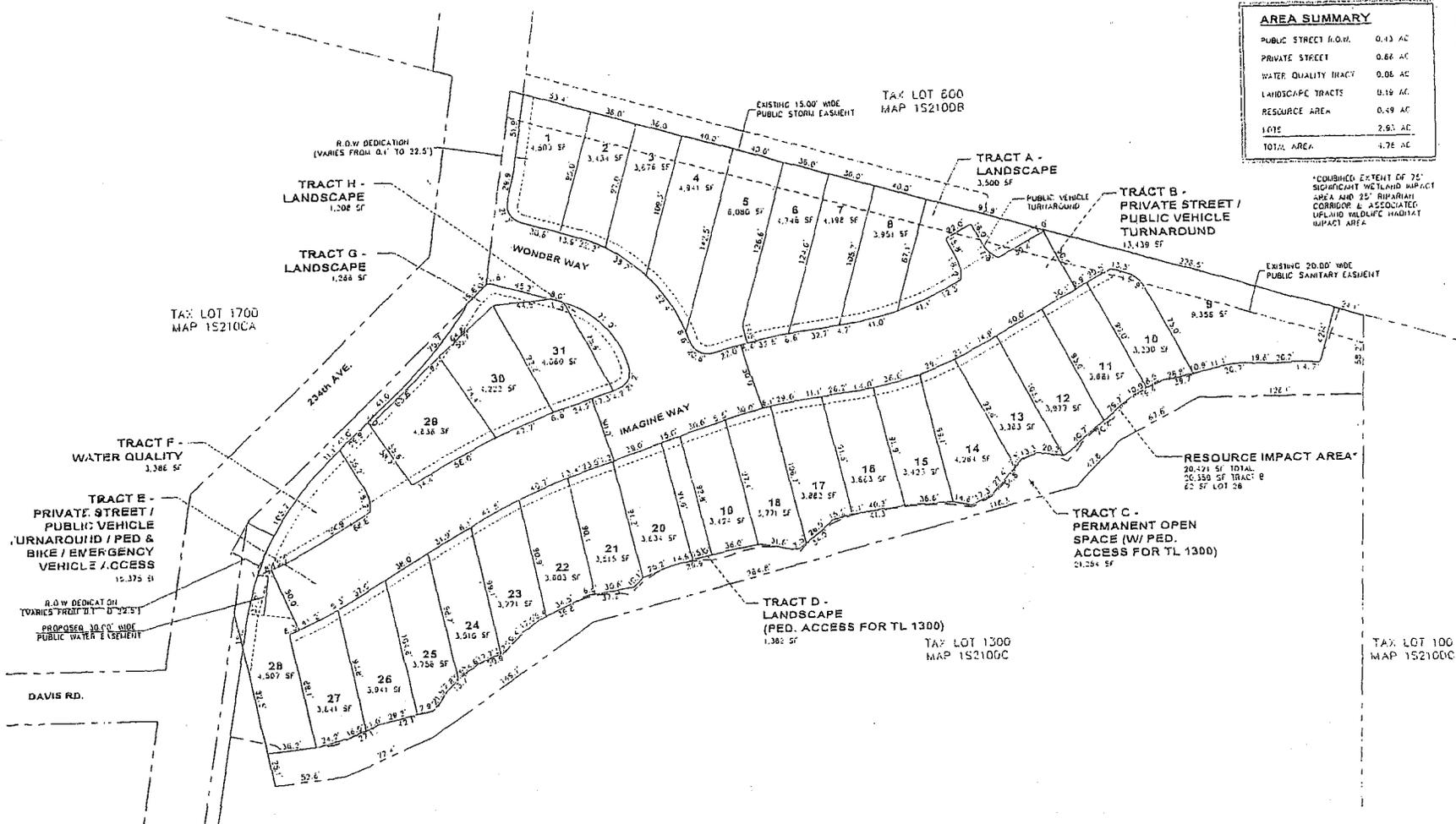
EXHIBIT B

SHEET NOTES:
 A 6 FOOT PUBLIC UTILITY EASEMENT (PUE) WILL BE PROVIDED ALONG PUBLIC STREET FRONTAGES, EXCEPT WHERE PUE WILL BE PROVIDED ALONG 234TH AVE.

LEGEND	
—	RIGHT OF WAY
---	LOT LINE
- - -	PUE

AREA SUMMARY	
PUBLIC STREET (R.O.W.)	0.43 AC
PRIVATE STREET	0.66 AC
WATER QUALITY TRACT	0.06 AC
LANDSCAPE TRACTS	0.19 AC
RESOURCE AREA	0.49 AC
LOTE	2.50 AC
TOTAL AREA	4.76 AC

*COMBINED EXTENT OF 25' SIGNIFICANT WETLAND IMPACT AREA AND 25' RIPARIAN CORRIDOR & ASSOCIATED UPLAND WILDLIFE HABITAT IMPACT AREA



CENTEX HOMES
 14520 SW Upper Boone Ferry Rd, Suite 200
 Portland, OR 97224
 (P) 503-608-3040 (F) 503-608-3061
 www.centexhomes.com

REVISIONS		
NO.	DATE	DESCRIPTION

Enchantment
 Glen

TENTATIVE
 PLAT



9200 SW Nimbus Avenue
 Beaverton, OR 97008
 (P) 503-452-0003 (F) 503-452-0013
 www.alphacommunity.com

PROJECT NO: 300-300
 TYPE: PLANNING
 DATE: 08/19/07

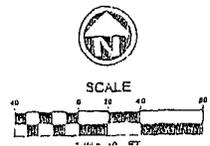


EXHIBIT C

After Recording Return to:
Centex Homes
Attn: Connie Brodehl
16520 SE Upper Boones Ferry Road
Suite 200
Portland, OR 97224

ENCHANTMENT GLEN INDUSTRIAL NOISE DISCLOSURE AND WAIVER OF REMONSTRANCE

The undersigned Declarant, as owner of the property described on Exhibit A attached hereto and commonly referred to as Enchantment Glen subdivision, hereby discloses and represents the following:

The Enchantment Glen subdivision is being created contemporaneously with the recordation of this document pursuant to the plat of Enchantment Glen, the **[Insert First, Second, Third, etc.]** Declaration of Annexation of Real Property to the Declaration of Protective Covenants, Conditions and Restrictions for **[Insert Master Association Name]**, and Bylaws for **[Insert Master Association Name]**. Enchantment Glen lies adjacent to Roseway Industrial Park. As a result, Enchantment Glen, or any portion thereof, may be subject to impacts from noises, traffic and other nuisances associated with the operations within and around the industrial park. By recording this document in the records of Washington County, Oregon, all future owners and occupants of any lot or tract in Enchantment Glen are hereby notified that Enchantment Glen is adjacent to Roseway Industrial Park. All future owners and occupants of any lot or tract in Enchantment Glen hereby waive their right to remonstrate against any industrial activities associated with the industrially zoned properties to the north of the development or future lots created from these properties; to the extent such activities are in compliance with applicable laws, rules, codes and regulations.

IN WITNESS WHEREOF, the undersigned, being the Declarant of Enchantment Glen subdivision, has executed this instrument on the _____ day of _____, 2007.

[SEE SIGNATURES FOLLOWING PAGE]

EXHIBIT C

EXHIBIT A

INSERT LEGAL DESCRIPTION

EXHIBIT D

After Recording Return to:
Centex Homes
Attn: Connie Brodehl
16520 SE Upper Boones Ferry Road
Suite 200
Portland, OR 97224

ENCHANTMENT GLEN LOT [INSERT LOT NUMBER 8, 9 OR 10] INDUSTRIAL NOISE DISCLOSURE

The undersigned Declarant, as owner of the property described on Exhibit A attached hereto and commonly referred to as Enchantment Glen Lot [INSERT LOT NUMBER 8, 9 OR 10], hereby discloses and represents the following:

The Enchantment Glen subdivision is a duly recorded Plat No. _____, located in the City of Hillsboro, Washington County, Oregon, recorded in the plat records of Washington County, Oregon, on _____, as Document No. _____. Enchantment Glen lies adjacent to Roseway Industrial Park. Due to the proximity of Lot [INSERT LOT NUMBER 8, 9 OR 10], "Effected Lot", to Roseway Industrial Park, Declarant shall implement specific sound attenuation design features in the construction of the home on the Effected Lot. The specific sound attenuation design features shall be provided by a professional acoustical engineer to achieve an interior Day-Night noise exposure level (referred to as DNL or L_{dn}) of 45 dBA. The interior noise performance standard of DNL 45dBA was taken from the "Criteria and Standards" section of the U.S. Department of Housing and Urban Development (HUD) regulations; Title 24 Code of Federal Regulations, Pt. 51.103, 2004 ed., 378.

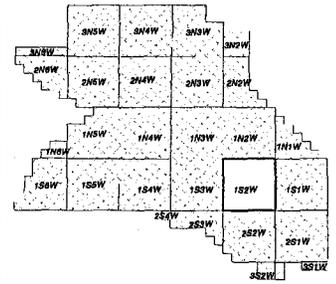
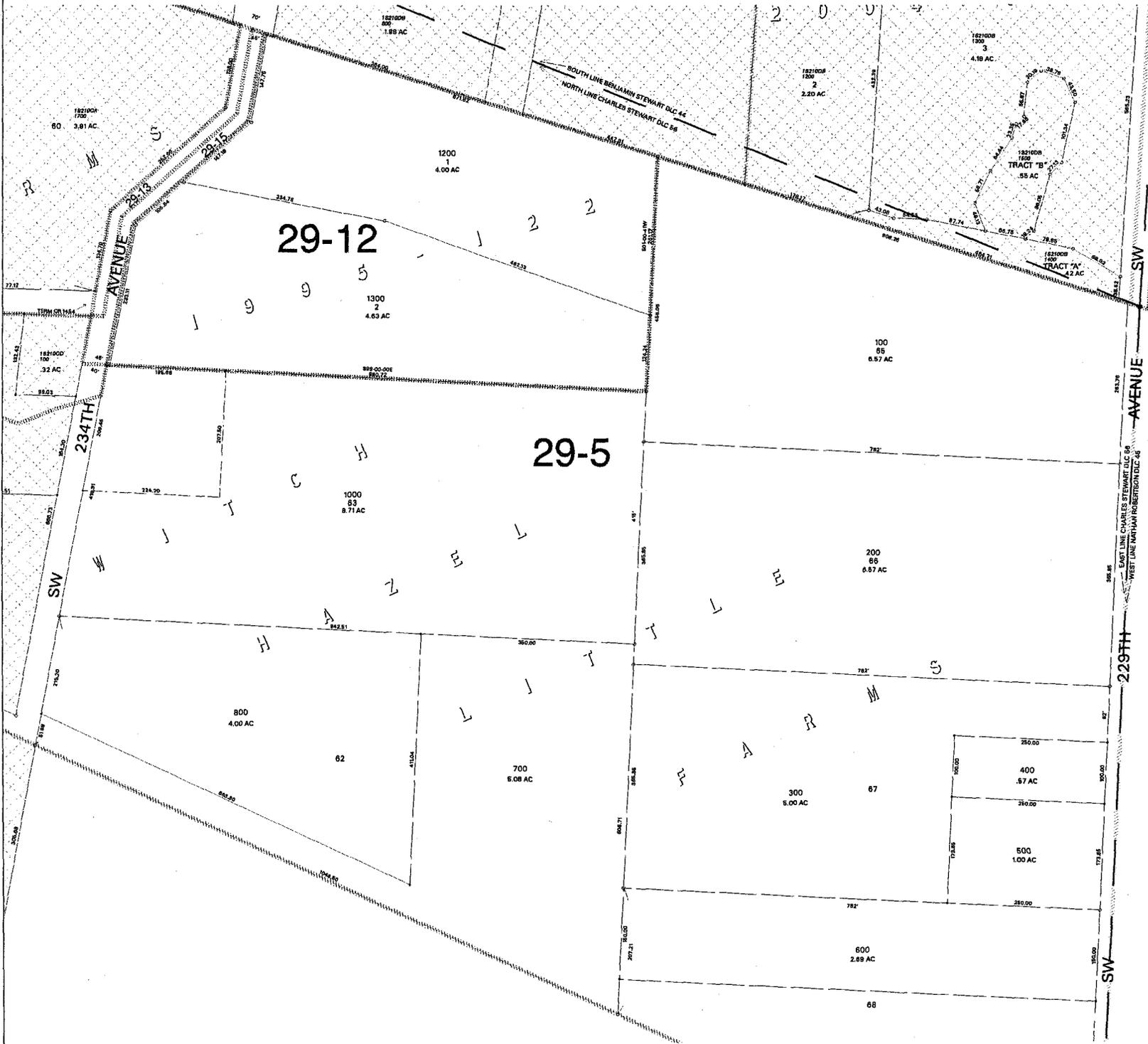
The sound attenuation design features used in the construction of the home on the Effected Lots shall include: i) [to be completed with mitigation techniques provided by acoustical engineer when determined], ii) [to be completed with mitigation techniques provided by acoustical engineer when determined], and iii) [to be completed with mitigation techniques provided by acoustical engineer when determined].

Centex has no control over the current or future business activity that occurs within the Roseway Industrial Park, which could influence the noise levels. Centex does not assume responsibility for any changes that occur in the noise exposure at the Effected Lot caused by changes in activities at the Industrial Park. Therefore, Centex does not assume the responsibility for the installation of any additional sound attenuation features beyond those specified above after the completion of the home and the receipt of occupancy permit from the City of Hillsboro.

EXHIBIT D

EXHIBIT A

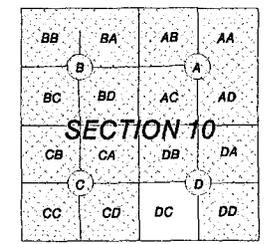
INSERT LEGAL DESCRIPTION



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

36	31	32	33	34	35	38	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	38	31
1	6	5	4	3	2	1	6

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



Cancelled Taxlots For: 1S210DC
 900.



PLOT DATE: July 03, 2007
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

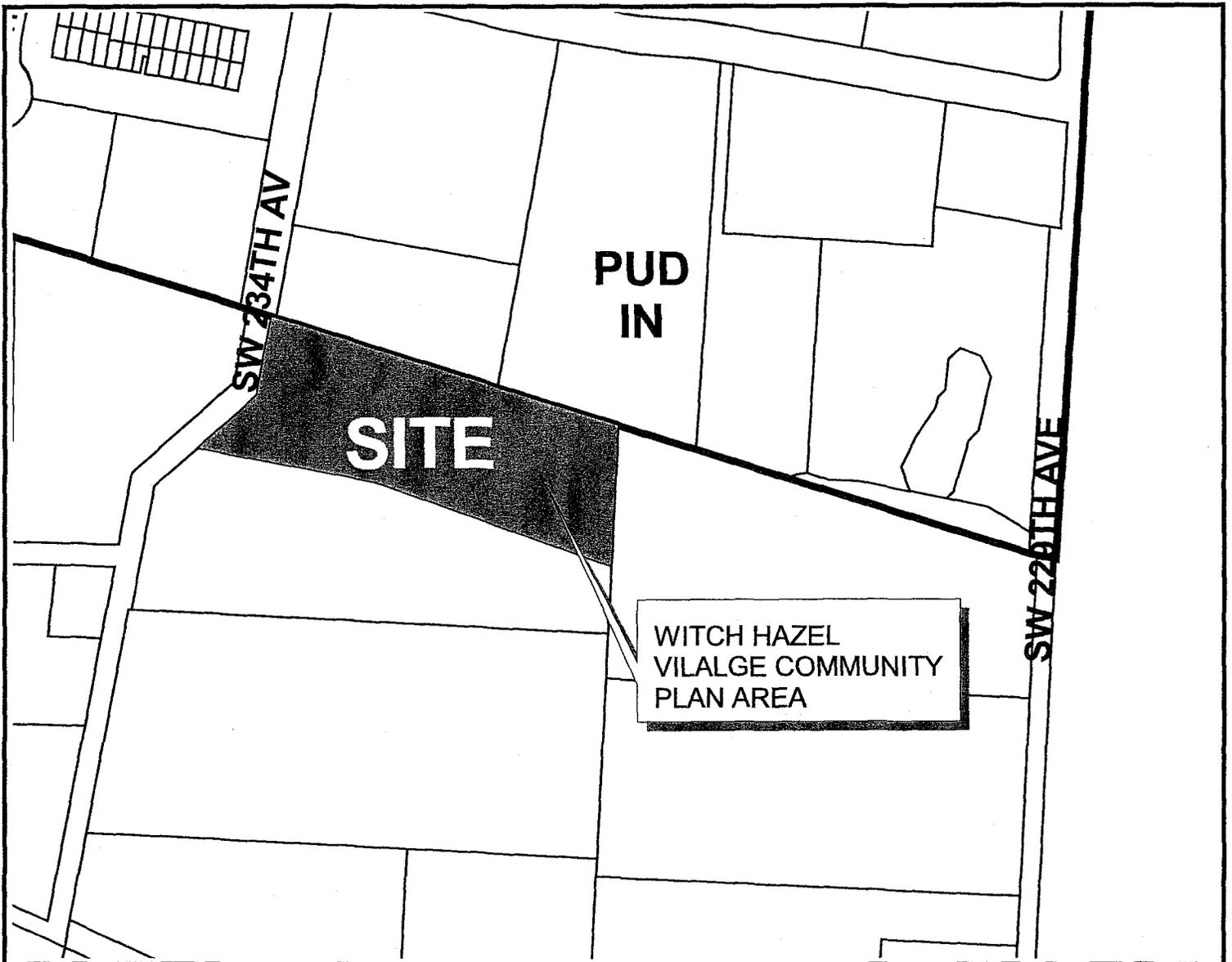
Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.



PUD 2-07: ENCHANTMENT GLEN



REQUEST FOR PRELIMINARY PLAT APPROVAL FOR 31 LOT SINGLE FAMILY DETACHED PLANNED UNIT DEVELOPMENT, ON ONE PROPERTY, APPROXIMATELY 4.81 ACRES IN SIZE IN THE A-1 DUPLEX RESIDENTIAL ZONE.



0 300 600 900 1200 1500 1800 Feet



Comprehensive Plan Designations

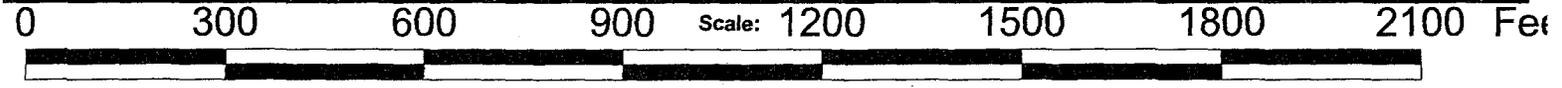
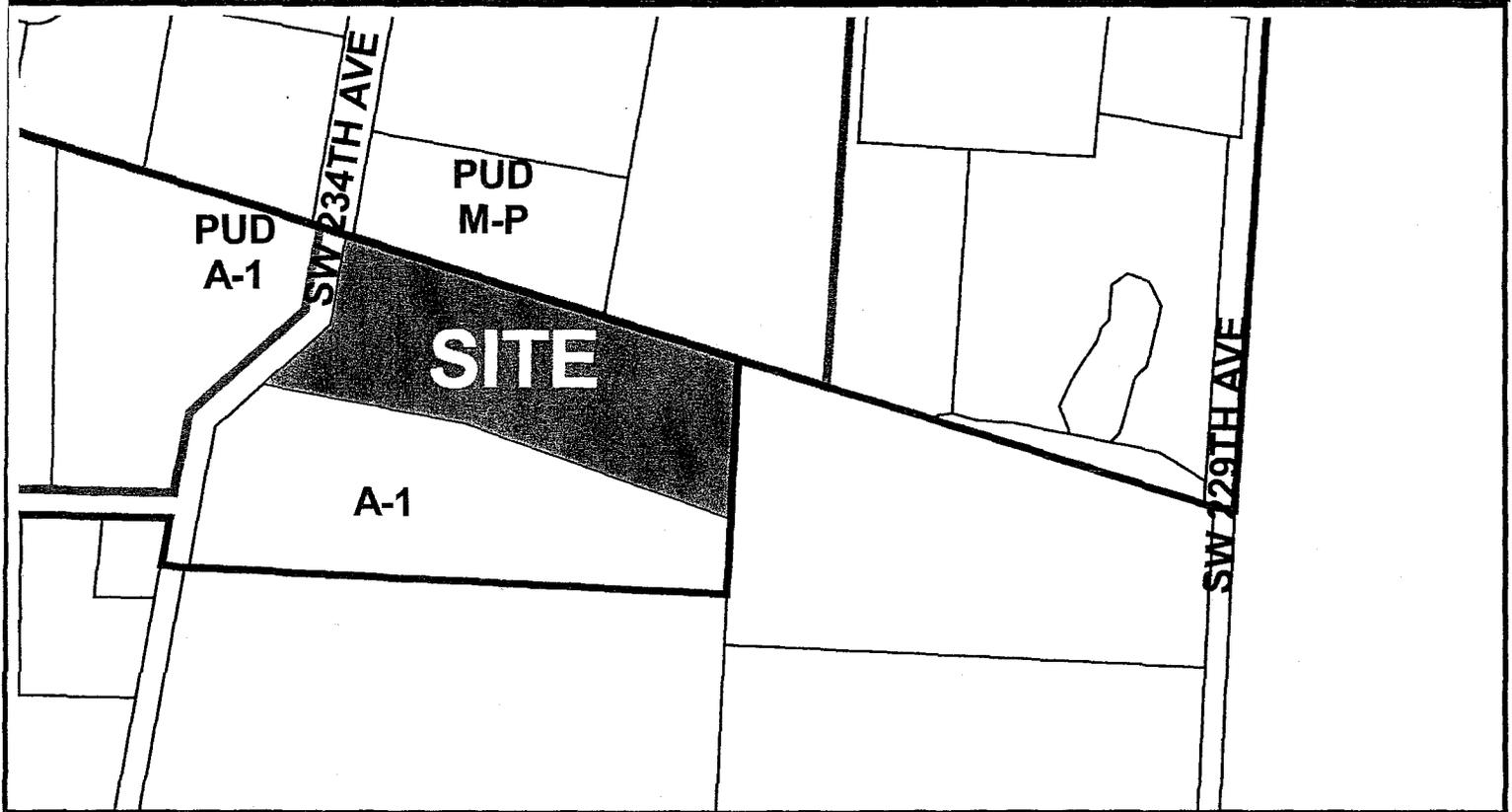
RL - Low Density Residential (3-7 units per acre)	C - Commercial	MU - Mixed Use
RM - Medium Density Residential (8-16 units per acre)	IN - Industrial	CO - County
RH - High Density Residential (17-23 units per acre)	PF - Public Facility	
RMR - Mid-Rise Residential (24 - 30 units per acre)	OS - Open Space	
SCPA - Station Community Planning Area	FP - Floodplain	



PUD 2-07: ENCHANTMENT GLEN



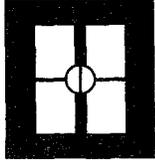
REQUEST FOR PRELIMINART PLAT APPROVAL FOR 31 LOT SINGLE FAMILY DETACHED PLANNED UNIT DEVELOPMENT, ON ONE PROPERTY, APPROXIMATELY 4.81 ACRES IN SIZE IN THE A-1 DUPLEX RESIDENTIAL ZONE.



City of Hillsboro Zoning Designations

R- 4.5	Single Family Residential	R-7	Single Family Residential	R-10	Single Family Residential
R- 6	Single Family Residential	R-8.5	Single Family Residential	A-1	Duplex Residential
SCC-SC	Station Community Commercial - Station Commercial			A-2	Multi-Family Residential
SCC-MM	Station Community Commercial - Multi-Modal			A-3	Multi-Family Residential
SCC-CBD	Station Community Commercial - Central Business District			A-4	Multi-Family Residential
SCC-HOD	Station Community Commercial - Highway Oriented District			C-1	General Commercial
SCBP	Station Community Business Park			C-4	Neighborhood Commercial
SCR-P	Station Community Research Park			PUD	Planned Unit Development
SCI	Station Community Industrial			M-2	Industrial
SCR-HD	Station Community Residential - High Density			M-P	Industrial Park
SCR-MD	Station Community Residential - Medium Density			MU-N	Mixed Use - Neighborhood
SCR-LD	Station Community Residential - Low Density			MU-C	Mixed Use - Commercial
SCR-V	Station Community Residential - Village			SID	Special Industrial District
SCFI	Station Community Fair Complex Institutional			SSID	Shute Special Industrial District
SCR-OTC	Station Community Residential - Orenco Townsite Conservation Overlay				NW TANASBOURNE DR
SCR-DNC	Station Community Residential - Downtown Neighborhood Conservation				SITE SUNSET HWY (US NO 26

CITY OF HILLSBORO



October 19, 2007

STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval for a Single Family Residential Planned Unit Development – File No. PUD 2-07: Enchantment Glen

REQUEST

The applicant's representative, Alpha Community Development, requests Planning Commission approval for the preliminary development plan for Enchantment Glen, a 31-lot single family detached residential Planned Unit Development (PUD), on approximately 4.81 acres of property. The site is designated RM – Medium Density Residential on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The property owners are W.R. Sands and M.P. Barnhart and the applicant is Centex Homes.

The proposal includes the creation of 31 lots for detached single family residential houses, a water quality facility, a public street and a private street.

This application was submitted prior to the implementation of the Zoning Ordinance amendments known as "DDOS" or Density Design and Open Space and thus are subject to the Zoning and Subdivision Ordinance standards which were in effect prior to August 16, 2007.

SITE DESCRIPTION

The proposed PUD is located generally east of SW 234th Avenue and west of SW 229th Avenue. The properties can be specifically identified as Tax Lot 1200 on Washington County Tax Assessor's Map 1S2-10DC.

The site slopes downward from the north toward Gordon Creek, which is located off-site adjacent to the property's southern boundary. The site currently includes a single family residence and a barn which are to be removed to construct the proposed PUD.

SE 234th Avenue is identified as a three lane Collector in the Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory identifies Significant Natural Resources, and associated Impact Areas, related to Gordon Creek on and adjacent to the site. The majority of the site is within areas of potential impact on the Clean Water Services Sensitive

Areas Pre-Screen Map. Both the Significant Natural Resources map and the Clean Water Services map are attached for review.

DESCRIPTION OF SURROUNDING AREA

Area	Plan	Zoning	Land Uses
North	IN - Industrial	M-P PUD Industrial Park Planned Unit Development	Proposed Oakhurst East PUD
East	Area 71, No Plan Designation Assigned	County	Single Family – Undeveloped Large Lots
South	Area 71, No Plan Designation Assigned	County	Single Family – Undeveloped Large Lots
West	RM – Medium Density Residential	A-1 PUD Duplex Residential Planned Unit Development	Meadow Oaks Planned Unit Development

PUBLIC UTILITIES

Service	Provider	Size	Location	Distance from site
Water	City	10"	SW 234 th Avenue	Northeast corner of property
Sanitary Sewer	City	8"	SW 234 th Avenue	310 feet north
Storm Drain	City	42"	SW 234 th Avenue	Adjacent (west)
	City	15"	Along north property line	Adjacent (north)

TRANSPORTATION

Streets	Existing		Plan Designated	
	R-O-W	Improvement	R-O-W*	Improvement*
SW 234 th Avenue	40'	30'+/-	70'	46' +/-
Sidewalk Improvements	Existing		Plan Designated	
SW 234 th Avenue	None		Five Feet	
Mass Transit	Bus Route		Distance to Site	
Bus	#57		1/2 Mile +/- North	
Bicycle Lane	Existing		Plan Designated	
SW 234 th Avenue	None		Six Feet	

* Witch Hazel Village Street Cross Sections

COMPREHENSIVE PLAN GOALS AND POLICIES

Section 23. Hillsboro, Witch Hazel Village Community Plan

(I) **Goals.**

- (A) To provide a framework for development of a community that maintains the existing close knit, small town atmosphere that defines Hillsboro by carefully integrating land uses and the transportation system to create a sense of place.
- (B) To set the tone for “third places”, a central theme of the Hillsboro 2020 Vision by:
- Linking a complex array of land uses with civic places, parks and open spaces throughout the entire site;
 - Including a rich mix of neighborhood oriented opportunities for people to shop or recreate near where they live;
 - Blending the best attributes of quality design, affordability and scale of housing at the Metro required ten dwelling units per net residential acre; and
 - Fully integrating a diverse multi-modal transportation network that emphasizes local service and comfort over regional access and speed – preserving the principle land base for resident uses.

(II) General Development Policies.

(A) Land Use.

Development within the Plan area shall conform substantially to the general land uses and development pattern prescribed by the Witch Hazel Village Community Plan as shown in the Witch Hazel Village Community Plan Map.

(B) Employment.

Provide for limited employment opportunities in the area designated for mixed-use. Additional commercial development could include accessory service and medical office, increasing the commercial concentration. The potential for combined live-work spaces is considered limited, but some of this type of development may be supportable.

(C) Housing Policies.

(1) The planned residential densities within the Witch Hazel Village Community Plan shall be consistent with those established by HCP Section 3, Housing, Subsection (IV)(M).

(2) Encourage a diverse housing stock within the Witch Hazel Village Community Plan area, including but not limited to detached and attached single family units, courtyard clusters, Charlestown row houses, row houses, subdivided manors, garden apartments and condominiums.

(D) Transportation.

The planned transportation system shall be implemented as described in the Witch Hazel Village Community Plan unless future transportation analysis does not support the proposed improvements.

(E) Public Utilities and Facilities.

Provision of public utilities and facilities, such as water, sanitary sewer, and storm water facilities shall conform substantially to that described in the Witch Hazel Village Community Plan.

(F) Parks and Recreation.

Provision of parks, recreation facilities and community amenities, shall conform substantially to the Witch Hazel Village Community Plan Map, which identifies the general location of the following recommended facilities:

- (1) Civic Plaza located at the intersection of SW 247th/Brookwood Avenue and SW Davis Road. The plaza is designed to be the central gathering place in the neighborhood.
- (2) Bike and pedestrian pathways located along stream corridors.
- (3) Allee's – Pedestrian walkways lined with trees. Designed to be primarily an urban greenway providing and designed to provide pedestrian connectivity to the system of parks in the community and are not considered to be part of the primary transportation system.
- (4) Traffic Diamonds – Small gardens that function as traffic diamonds that would be planted with flowers or shrubs to provide greenspace near the high density residential development.
- (5) Two Linear parkways – The linear parkway lanes are 2.5 acres each and are tree lined lawn areas set between one-way travel lanes.
- (6) One Neighborhood Park in the eastern portion of the plan area.
- (7) 13-acre park site located on the west end of the plan area that includes both active parkland and passive natural area uses.

(G) All development within the Witch Hazel Village Community Plan area shall be subject to City Development Review.

(H) Design guidelines and standards for new developments within the area shall be prescribed in zoning ordinance amendments implementing the Community Plan.

(I) Annexation.

Notwithstanding HCP Section 2, Urbanization, Subsection (IV) (G),

annexation within the Witch Hazel Village Community Plan area may be restricted due to inadequate transportation infrastructure and may be subject to certain annexation criteria.

(III) Implementation Measures

- (A) The land use designations shown on the Witch Hazel Village Community Plan Map shall be implemented through appropriate zoning districts. The zoning districts shall identify permitted land uses, minimum densities and floor area ratios, and development and design standards and guidelines, as appropriate.
- (B) All development within the Witch Hazel Village Community Plan General Land Use Plan Map area is required to use the Planned Unit Development (PUD) process established in Section 127 of the Hillsboro Zoning Ordinance No. 1945, as amended. The open space requirement (Section 127, III H) may be waived based on the provision of parks and open space in the Plan.
- (C) The following implementation measures contained in Section 2, Urbanization, Subsections (IV)(A) (1-5), (IV)(B), (IV)(D), (IV)(H), (IV)(I) and (IV)(J) shall apply to developments within the Witch Hazel Village Community Plan area.
- (D) Implementation of the transportation system elements recommended in the Plan shall occur in accordance with the Witch Hazel Village Community Plan Transportation Map (Plan document, Figure 15) until such time as the transportation system policies, provisions and improvements on that Map have been incorporated into the City Transportation System Plan (TSP) (October 2003), at which time the City TSP shall thereafter guide transportation improvements within the Community.

APPROVAL CRITERIA

Zoning Ordinance No. 1945, Section 127 Planned Unit Development, specifies the Purpose, Standards, and Criteria which govern the application for a Planned Unit Development as follows:

- II. Purpose. The purposes of the Planned Unit Development Overlay zone are to provide a means to create planned environments through the application of flexible standards which allow for the application of new techniques and living arrangements; facilitate the efficient use of land; promote an economic arrangement of land uses, buildings, circulation systems, open space and utilities; preserve to the greatest extent possible the existing landscape features and amenities through the use of a planning procedure that can relate the type and design of a development to a particular site; encourage development that recognizes the relationship between buildings, their use, open space, and accessways, thereby increasing the opportunities for innovative and diversified living, shopping, and working environments; permit Mixed Use Developments;

and permit a mix of industrial and commercial uses in a high quality setting on large sites designated Industrial or Commercial by the Hillsboro Comprehensive Plan Map; where the applicant can demonstrate that the site is subject to a master development plan which addresses issues such as development quality, landscaping, traffic and pedestrian circulation, parking and general maintenance standards through developer-recorded covenants, conditions and restrictions.

III. Standards and Criteria. The following standards and criteria shall govern the application for a PUD within the City:

- A. The use (or uses) proposed is (are) consistent with the goals and policies of the Hillsboro Comprehensive Plan.
- B. The tract or tracts of land included in a proposed PUD must be in a single ownership or under the development control of a joint application of owners or authorized agents of the property involved.
- D. Any proposed development subject to the PUD process within the City of Hillsboro, which meets the definition of "development" as contained in Chapter 1 Section 1.02.15 of the *Washington County Unified Sewerage Agency's Construction Standards and Regulations Pertaining to the Sanitary Sewerage and Storm and Surface Water Management Systems, including Regulations for Erosion Control and Protection of Water Quality Sensitive Areas*, shall be reviewed for compliance with, and shall comply with the applicable provisions of Chapter 3, *Standard Design Requirements for Storm and Surface Water* of the USA's Construction Standards and Regulations for Sanitary Sewerage and Storm and Surface Water Management Systems
- E. The allowable residential density shall be established for the net development area of the subject property. This net area is calculated by subtracting the area set aside for non-residential uses (i.e. a school, commercial use, floodplain, wetlands, or wetland buffer) from the gross development area. All land areas intended for other uses such as parking and driveways, public utility easements, recreation, and open space, shall be included in the net development area figure. Except for projects located within or partially within the Significant Natural Resources Overlay (SNRO) District, allowable residential density shall be calculated by multiplying the net development acreage by the minimum units/acre of the density range next highest to that allowed according to the Hillsboro Comprehensive Plan Map designation for the property, to determine the number of units permitted. Allowable residential density for projects located within or partially within the SNRO District shall be calculated pursuant to Section 131A(14).

An increase in density above the minimum units/acre of the next highest designation specified by the Hillsboro Comprehensive Plan may be proposed and can be permitted. The applicant must justify increased density, and the burden of justification shall increase as the proposed density increases. At a minimum, the applicant must explain how the increase can be considered to be in conformance with the Plan

designation for the site and demonstrate that any adverse impacts can be mitigated.

Pursuant to Comprehensive Plan Natural Resources, Open Space, Scenic and Historical Sites Policy (E) (5), in a proposed PUD containing Significant Natural Resource Sites, as shown on the SNRO District Map, the allowable densities shall be reduced within the Significant Natural Resources Overlay District, and may be transferred from the Significant Natural Resources Overlay District to the remainder of the site, as specified in Section 131A.

- F. Building and parking area setbacks, lot coverage and building height must conform to the requirements of the zone underlying a majority of the PUD unless a deviation is proposed, considered and approved as a part of the application process. Any such deviation must be justified by the applicant by addressing the exceptions criteria of subsection (K) below. Such deviation shall only be approved if the Planning Commission finds that the proposal conforms to the exceptions criteria of subsection (K) below.
- G. Parking shall be provided at a minimum ratio of 2.5 spaces per dwelling unit and as specified in Section 84 for other types of uses. The number of spaces may be reduced to 2 spaces per dwelling unit if the PUD is wholly served with a fully improved public street system including on-street parking on at least one side. Further reductions in the amount of parking to be provided may be proposed by the applicant but shall be approved only if they meet the exceptions criteria of Subsection (K) below to the satisfaction of the Planning Commission.
- H. At least fifteen percent (15%) of the net development area shall be utilized as Open Space. Open space, covered or uncovered, is the land area to be used for scenic, cultural, landscaping or recreational purposes within the PUD. Open Space does not include proposed drives, streets, or rights-of-way, parking areas and their accessory uses. A performance bond in an amount up to 120% of the total estimated open space improvement costs may be required by the City to insure that these improvements are installed.

Maintenance of open space and other PUD facilities, such as private streets, shall be the responsibility of the Homeowners' Association created in accordance with Oregon Revised Statutes.

- I. Connectivity. Planning Unit Developments shall provide vehicular, bicycle and pedestrian connections to adjacent and nearby residential areas, transit stops, neighborhood activity centers and other neighborhood facilities in the following manner:
 - 1. In PUDs that are 5 acres or more in size, full street connections with spacing of no more than 530 feet between these connections shall be provided except where barriers such as topography, railroads, freeways, pre-existing development, or regulations implementing Title 3 of the adopted Metro Urban Growth

Management Functional Plan or City Goal 5 Resource Protection requirements prevent their construction or required different street connection standards.

2. Within PUDs in which full street connections are not possible, bicycle and pedestrian connection on public easements or rights-of-way shall be provided with spacing of no more than 330 feet between connections except where barriers such as topography, railroads, freeways, pre-existing development, or regulations implementing Title 3 of the adopted Metro Urban Growth Management Functional Plan or City Goal 5 Resource Protection requirements prevent their construction.
 3. In PUDs, opportunities to incrementally extend and connect proposed new streets with existing streets in adjacent or nearby areas shall be considered in addition to addressing street connectivity recommendations shown on the Local Street Connectivity Maps contained within the City's Transportation System Plan.
 4. The use of cul-de-sac designs and closed street systems shall be limited to circumstances in which barriers such as topography, railroads, freeways, pre-existing development or regulations implementing Title 3 of the adopted Metro Urban Growth Management Functional Plan or City Goal 5 Resource Protection requirements prevent full street extensions. When permitted, cul-de-sacs shall have a maximum length of 200 feet and shall serve no more than 25 dwelling units.
 5. Narrow street designs for local streets may be permitted with city engineer approval, provided that other minimum dimensional requirements are met for travel lanes, bike lanes, parking lanes and sidewalk widths.
- J. [This section is applicable only to proposed Industrial or Commercial PUDs.]
- K. Exceptions.
1. Building Setback or Yard Requirements. The Planning Commission may grant an exception to the dimensional building setback or yard requirements of the applicable standards based on findings that the approval will result in the following:
 - a. No adverse affect to adjoining properties in terms of light, air circulation, noise levels, privacy, and fire hazard.
 - b. At least one of the following:
 - (1) a more efficient use of the site;

- (2) the preservation of natural features which have been incorporated into the overall design of the project;
- (3) safe vehicular and pedestrian access to the site and safe on-site vehicular and pedestrian circulation.

In the instance where adjoining properties to the Planned Unit Development are zoned residential, all structures within the PUD shall be set back from adjoining properties to the minimum setback or yard required of the underlying zone. In addition, the length of a driveway in front of a garage or carport shall not be less than 17 feet when the driveway is intended to be used as parking and not greater than four feet when the driveway is not intended to be used for parking.

2. **Building Height.** The Planning Commission may grant an exception to the applicable height requirements for a specified and defined area within the PUD, based on findings that:
 - a. The transportation system can accommodate increased traffic resulting from additional height; and
 - b. Adequate public utilities are available to serve the additional structural height; and
 - c. The proposal complies with the Federal Aviation Administration's Aviation Regulations (FAR) Part 77; and
 - d. Solar access is maintained to existing solar energy devices on adjacent property.
3. **Parking.** The Planning Commission may grant an exception to the off-street parking dimensional and minimum number of space requirements of the applicable standard based on findings that the approval will result in one of the following:
 - a. An exception which is not greater than ten percent of the required parking.
 - b. At least one of the following:
 - (1) a proposed use which is designed for a specific purpose, is intended to be permanent in nature (for example, a nursing home), and has a low demand for off-street parking;
 - (2) an opportunity for sharing of parking including written evidence that the property owners will enter into a binding legal agreement;

- (3) public transportation is available to the site.
4. Open Space. The Planning Commission may grant an exception to the Open Space requirements of this Section upon a finding that:
 - a. The overall landscape plan provides for a minimum of fifteen (15) percent of the gross site area to be landscaped.
- L. Significant Natural Resource Sites.

Pursuant to Comprehensive Plan Natural Resources, Open Space, Scenic and Historical Sites Policy (E), applications for proposed PUD's containing Significant Natural Resource (SNR) Sites, as shown on the Significant Natural Resources Overlay District Map, shall specifically address preservation of natural vegetation and wildlife habitat within the SNR Site. Applications for PUD's in the SNRO District shall be subject to the provisions in Section 131A.

The applicant's responses to these criteria are included in the attached materials. A reduced-size plan set has been provided for the Planning Commissioners' review, which includes such items as an existing conditions plan, tentative plat, preliminary grading/erosion control plan, preliminary utility plan, preliminary site/parking/street sections plan, circulation plan, street tree and landscape plan, and water quality planting plan. Also included in the applicant's materials are a certificate of service availability, Clean Water Services (CWS) Service Provider Letter, storm water report, traffic report and geotechnical report. The applicant has stated that color conceptual elevations will be provided at the hearing.

PROJECT OVERVIEW

The applicant's representative, Alpha Community Development, requests Planning Commission approval for the preliminary development plan for Enchantment Glen, a 31-lot single family detached residential Planned Unit Development (PUD), on approximately 4.81 acres of property. The site is designated RM – Medium Density Residential on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The property owners are W.R. Sands and M.P. Barnhart and the applicant is Centex Homes.

The proposal includes the creation of 31 lots for detached single family residential homes, open space tract, a water quality facility, a private street, a public street, and a pedestrian access tract which provides access for adjacent Tax Lot 1300.

Through the PUD process, the applicant has requested exceptions to the A-1 Duplex Family Residential development standards as identified in the attached narrative on page 8, Table D. A summary of the exceptions are as follows:

- Minimum required lot size of 4,500 square feet reduced to
 - 3,230 square feet for 7 lots
 - 3,400 square feet for 5 lots

- 3,600 square feet for 12 lots
- 3,900 square feet for all remaining lots
- Minimum front yard setback for the house from the required 15 feet to 8 feet
- Minimum front yard setback for garage from the required 20 feet to 18 feet
- Minimum street side yard setback from the required 15 feet to 8 feet
- Minimum side yard setback from the required 5 feet to 4 feet to the structure and 3 feet to the porch column base
- Minimum lot width from the required 50 feet to
 - 33 feet for 2 lots
 - 36 feet for 11 lots
 - 40 feet for all remaining lots
- Minimum lot depth from the required 85 feet to
 - 63 feet for 1 lot
 - 74 feet for 2 lots
 - No exception for all remaining lots

As per the exceptions stated above, the applicant has provided the building footprints on Sheet 6 of the plan set.

PROJECT DENSITY

Section 127 (III) (E) specifies that the maximum allowable residential density for a PUD is calculated by first establishing the net developable area of the site (gross acres minus floodplain or non-residential uses) and then by multiplying the net development area by the minimum units/acre of the next highest Plan designation. In this case, the next highest Plan designation for the A-1 zone is RH – High Density Residential, at 17-23 units per acre. The density allowable for this area would therefore be calculated as follows:

4.81 gross acres (no subtractions) = 4.81 net acres

4.81 net acres x 17 units/acre = 81.77 = 82 maximum dwelling units allowable

Section 15A of the Zoning Ordinance specifies that the minimum allowable residential density for detached single family lots in the A-1 zone is 8 dwelling units per net residential acre and 12 dwelling units per net acres for attached dwelling units. Section 3(68) defines net residential acreage as adjusting the gross acreage by deducting the amount of “undevelopable” land, which is defined as, and limited to, that which is:

- 1) Required for dedications of public right-of-way and easements, and for internal public-ways required for fire access;
- 2) Required for storm water treatment and detention facilities;
- 3) Required set-asides for and setbacks from wetlands and drainage-ways; and
- 4) Any land with slopes of twenty-five percent (25%) or greater or within the mapped 100-year floodplain, unless used for building or parking purposes.

The application material identifies the A-1 site area as 4.81 gross acres. The net developable area would be found by deducting 1.04 acres for public right-of-way, easements and fire access, 0.08 acres for the water quality facility, and 0.47 acres for the Significant Natural Resources Overlay impact area.

The minimum allowable residential density for the A-1 site area can be calculated as follows:

$$4.81 \text{ acres} - \text{approx. } 1.04 \text{ acres} - \text{approx. } 0.08 \text{ acres} - \text{approx. } 0.47 \text{ acres} = \\ 3.22 \text{ net acres developable}$$

$$3.22 \text{ net acres} \times 8 \text{ dwelling units/net acre} = 25.76 = 26 \text{ dwelling units}$$

The application proposes a total of 31 lots which falls between the minimum density requirement of 26 dwelling units and the maximum density of 82 dwelling units. Staff would note that the gross site size of 4.81 acres was used in the majority of the applicant's material; however, the Residential Density Calculation Worksheet states a different gross acreage of 4.78.

HOUSING TYPES AND LOTTING PATTERN

Lot Size: The applicant's information on lot sizes is provided within Table D located on page 8 of the narrative. In addition, Sheet 6 of the plan set shows the building envelopes based on the requested setbacks. The required minimum lot dimensions for detached single family lots in the A-1 Duplex Residential zone are 4,500 square feet in area, 50 feet in width and 85 feet in depth. Planned Unit Development criteria allow variation from lot area dimensional standards without approval of specific exceptions. As shown on Table D the minimum lot area requested is 3,230 and the average lot size for the detached single family homes is 3,660 square feet.

Setback Requirements: The A-1 zone requires minimum front and rear yard setbacks of 15 feet with 20 feet to the garage within the front yard. Minimum side yard setbacks are five feet.

Table D on page 7 of the applicant's narrative identifies the setback exceptions being requested by the applicant and those exceptions are summarized on pages 10 and 11 of the staff report. Staff would note that the applicant will also be requesting a setback exception for Lot 29 for which the standard is a 15 foot front yard setback adjacent to both Imagine Way and the associated hammerhead.

Zoning Ordinance Section 127 (K) states that in the instance where adjoining properties to the Planned Unit Development are zoned residential, all structures within the PUD shall be set back from adjoining properties to the minimum setback or yard required of the underlying zone. The applicant has not requested an exception to the 15 foot rear yard setback. Planning staff would note that the northern adjoining property is zoned M-2 Industrial and would recommend that a condition be applied to this development requiring disclosure to future homeowners, and requiring a non-remonstrance waiver regarding the potential impacts from industrial noise.

Height of Buildings and Lot Coverage: The applicant did not request a height exception and did request an increase in the maximum lot coverage.

ARCHITECTURAL DRAWINGS

Section 127(B)(7) states that architectural drawings including proposed building elevations, sections and floor plans, except for detached single-family and duplex dwelling units shall be included in the application submittal. The applicant will be providing colored front elevations for the detached structures at the public hearing.

STREETS, ACCESS, AND PARKING

Streets: The Enchantment Glen PUD proposes vehicle access to the site via SW 234th Avenue. Wonder Way is proposed as a public street terminating in a public hammerhead on Imagine Way. Imagine Way is proposed as a private street with a hammerhead at either end for emergency vehicle turnaround.

SW 234th Avenue is identified as a three lane Collector in the Transportation System Plan (TSP).

Access: Within the Enchantment Glen PUD internal access is proposed via Wonder Way and Imagine Way with the rear yards of Lots 28, 29, and 31 facing SW 234th Avenue. All of the structures will be front loaded.

Parking: The PUD regulations require parking to be provided at a minimum ratio of 2.5 spaces per dwelling unit. For 31 residences this means a minimum of 78 parking spaces. The required spaces may be reduced to 2 spaces per dwelling unit if the PUD is wholly served with a fully improved public street system including on-street parking on at least one side. However, this option is not applicable to this application. Sheet 6 of the plan set provides information regarding parking and identifies a total of 20 on-street spaces, 62 garage spaces, and 62 driveway spaces. As per comments from the Fire Department, 6 on street parking spaces will need to be eliminated in order for emergency apparatus to effectively utilize the streets. This leaves a total of 138 parking spaces which meets the PUD parking requirements.

AVAILABILITY OF SERVICES

The preliminary utility plan for the proposed Enchantment Glen PUD is located on Sheet 5 of the plan set. The City Engineering, Building, Water, and Fire Departments and Clean Water Services must review and approve construction details of all public and private utilities. Public and private utility easements will also be shown on the plat.

Water: The applicant has proposed that water service be provided via a new eight-inch line in Imagine Way and Wonder Way which will connect to a ten-inch line in SW 234th Avenue.

Sanitary Sewer: Sanitary sewer will be provided by construction of a 24" trunk line through Imagine Way which will connect to the 24" trunk line in SW Davis Road. Also, an 8" inch gravity line in Wonder Way will connect to the sanitary line in Imagine Way. All of the proposed lots will be served via these two lines.

Storm Drainage: Storm water will be collected in a system conforming to the requirements of the City of Hillsboro. The applicant is proposing to manage storm water with an on-site water quality facility in the southwest corner of the site. The proposed facility shall be sized adequately to treat the impervious surface runoff from the proposed project. Once treated, the storm water will be released into the public storm system within SW 234th Avenue.

OPEN SPACE REQUIREMENTS

Section 127(H) of the Zoning Ordinance requires that 15 percent of the net developable area of a PUD be utilized as open space, however, since development within the Witch Hazel Village Community Plan is required to utilize the PUD process this requirement may be waived. Comprehensive Plan Section 23 Hillsboro, Witch Hazel Village Community Plan Implementation Measure B states:

- (B) All development within the Witch Hazel Village Community Plan General Land Use Plan Map area is required to use the Planned Unit Development (PUD) process established in Section 127 of the Hillsboro Zoning Ordinance No. 1945, as amended. The open space requirement (Section 127, III H) may be waived based on the provision of parks and open space in the Plan.

The Witch Hazel Village Community Plan Map, Figure 8, identifies a future bike/pedestrian trail on the southern boundary of the proposed PUD. Parks and Planning staff are discussing the implementation of this Plan element with the applicant. In addition, Engineering and Planning staff are discussing a sidewalk connection from Davis Road to this development in order to provide greater connectivity to the community's planned Neighborhood Park. Planning staff will provide an update on both of these items at the public hearing.

AVAILABILITY OF OTHER PUBLIC FACILITIES AND SERVICES

The City of Hillsboro Police Department and Fire Department have reviewed the preliminary plat and will provide services to the site.

DEPARTMENTAL COMMENTS

The following comments have been provided by the various City departments regarding the proposed planned unit development:

Administration

- Right-of-way dedication on SW 234th Avenue shall be sufficient to smooth out the existing angles into curves and to handle traffic volumes based on SE Davis Road being a collector.

Building Department

- Buildings shall be placed outside of the angle of repose of all utility easements.
- Provide details outlining lateral bracing method proposed. If prescriptive approach is proposed please label plans to indicate this.
- Buildings to be reviewed using 2005 edition of the International Residential Code for One and Two family dwellings with the State of Oregon amendments.
- Separate submittals required for each building.
- Provide copy of Geotechnical Investigation Report prior to submittal of any building permit applications

- All residential buildings shall be provided with final grading such that surface water will drain away from the dwelling, to the public way, and not be discharged across adjoining properties.
- A demolition permit is required for the removal of existing structures.
- When submitting for a building permit, provide site specific site plans that capture the proposed elevation of the first floor and adjoining grades of the site. Foundation designs shall be specific to each tax lot.

Fire Department

- Fire hydrants are required within 300 feet of all exterior residential building walls as measured along an accessible route of travel.
- Vehicle turnarounds shown on Imagine Way are required for emergency apparatus use.
- The no parking sections of Imagine Way and Wonder Way are to be signed per the Oregon Fire Code as amended by the City of Hillsboro. An approved sign design is attached.
- No parking on the private alleys.

Engineering Department

- Improve SE 234th Avenue to Transportation System Plan (TSP) standards along the project frontage. Improvement shall include road reconstruction, right-of-way dedication, storm sewer, Option B street lights, sidewalks, and landscaping.
- Wonder Way shall hammerhead at Imagine Way and shall be constructed to City of Hillsboro local street standards. The minimum curb to curb width shall be 28 feet.
- Abandon the existing on site wells and septic tank per state and local codes.
- Obtain required permits for all grading and fill work on site.
- The site grading shall not impede or impound overland drainage on adjacent parcels.
- All sanitary sewer and storm sewer shall be public including the water quality facility. All of these systems shall be constructed to Clean Water Services (CWS) standards.
- Co-ordinate with City of Hillsboro Engineering Department for the extension of a 21" sanitary sewer trunk line through the site to the northerly terminus of Imagine Way. Allow for a utility/construction easement through Tract B to the north lot line of the PUD.

Parks Department

- The Parks Commission may be interested in the open space tract.
- Where is the trail/bike/pedestrian connection that is called out in the Witch Hazel Village Plan?

Water Department

- On new planned unit developments the contractor shall install meters 2" and smaller per Water Department standards.
- Water Department does not review fire hydrant locations – contact Hillsboro Fire Department. Any changes to hydrant locations or a new fire service will require a second review of the water system by the Water Department.
- Backflow device required on residential domestic water service unless certification is furnished that water well has been decommissioned.
- Public water line extension required, contact Water Department for specific details.

- Revisions will be required to proposed water service plan. Contact Water Department prior to submitting construction plans.
- Wet tap of existing water main shall be done by City-approved contractor.
- Provide three valves at mainline tees and four valves at mainline crosses. Specify type.
- Water utility connection to Oakhurst East is not possible until that subdivision is constructed. This development shall be required to provide water utility connection independent of the proposed Oakhurst East subdivision; ie, the developer shall be required to extend a new 10" ductile iron water main in the Davis Rd right-of-way from the existing water main in Brookwood Ave to the east boundary of the developed parcels, a distance of approximately 1400 feet.

No other City departments expressed concerns regarding the development of the site.

PUBLIC TESTIMONY RECEIVED

Clean Water Services has submitted comments within a letter, dated October 4, 2007, which is attached for review. Washington County submitted a letter, dated October 12, 2007, stating that they will not be submitting any requirements or conditions for this application. No other public testimony has been received.

RECOMMENDATION

Planning staff recommends that the Planning Commission open the public hearing, accept testimony, and then direct staff and the applicant as to subsequent steps such as preparation of conditions and findings respectively.

Respectfully submitted,

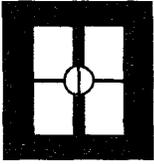
CITY OF HILLSBORO PLANNING DEPARTMENT



Ruth Klein
Urban Planner II

Attachments: Vicinity Maps
Clean Water Services Map
Clean Water Service Letter, dated February 20, 2007
WHV Plan Street Sections
"No Parking" Sign Example
Aerial Vicinity Map
Significant Natural Resources Map
Application Material

CITY OF HILLSBORO



November 9, 2007

STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval for a Single Family Residential Planned Unit Development – File No. PUD 2-07: Enchantment Glen

REQUEST

The applicant's representative, Alpha Community Development, requests Planning Commission approval for the preliminary development plan for Enchantment Glen, a 31-lot single family detached residential Planned Unit Development (PUD), on approximately 4.81 acres of property. The site is designated RM – Medium Density Residential on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The property owners are W.R. Sands and M.P. Barnhart and the applicant is Centex Homes.

The proposal includes the creation of 31 lots for detached single family residential houses, a water quality facility, a public street and a private street.

This application was submitted prior to the implementation of the Zoning Ordinance amendments known as "DDOS" or Density Design and Open Space and thus is subject to the Zoning and Subdivision Ordinance standards in effect prior to August 16, 2007.

The Planning Commission has previously received a staff report, dated October 19, 2007, which included the site description, approval criteria, and analysis of the proposed project.

BACKGROUND

At the October 24, 2007 meeting, the Planning Commission opened the hearing and heard the presentation of the October 19th staff report. The applicant's representative Jennifer Curkendall, of Alpha Community Development, and Andy Tiemann, of Centex Homes, gave an overview of the proposed development.

Testimony was then given by Keith Ristau, President of Far West Fibers, Inc., an adjacent industrial use. Mr. Ristau was concerned that his company's recycling activities would generate complaints from future residents of Enchantment Glen. Mr. Ristau explained that his business operates 24 hours a day and that there are loud noises from truck loads of glass and materials being dumped, and from truck back-up beepers. In response to inquiries from the

Commissioners, Mr. Ristau said that the back-up beepers on trucks belonging to Far West Fibers could be turned down but that State law does not permit garbage haulers bringing in their truck loads to turn down their back-up beepers. Mr. Tiemann responded that he would work with the applicant to do a noise analysis. Commissioner Callaway directed staff to create a draft condition which would insulate the adjacent houses from the noise generated by the recycling plant.

The second issue raised was whether or not the bicycle/pedestrian trail shown on the Witch Hazel Village Plan map should be located on the north side of Gordon Creek. Mr. Tiemann presented his position that the Witch Hazel Village Plan map was conceptual in nature and therefore the Commission could locate the trail on the south side of the creek via interpretation of the plan. Planning and Parks staff disagree with this assessment and have attached two memos detailing why locating a trail on the north side of Gordon creek would better implement the plan and also be environmentally and fiscally more appropriate. The Commissioners postponed further discussion of the issue to the subsequent meeting.

The public hearing was continued to November 14th and staff was directed to write draft conditions. Within the following draft conditions, condition numbers 44 and 45 address the bicycle/pedestrian trail and condition numbers 46, 47 and 48 address the concerns regarding noise. The attached draft noise conditions were adapted from the Stonewater subdivision located east of the Orenco light rail station and south of Cherry Drive. During review of that project the Commission was concerned with the noise generated by the light rail tracks to the south.

RECOMMENDATION

Staff recommends that the Commissioners receive testimony on November 14th and continue deliberation on the proposed Enchantment Glen Planned Unit Development. If the Planning Commissioners believe that the applicant has sufficiently met the PUD criteria and choose to approve the proposed preliminary development plan, the staff recommends that the following conditions be placed on the approval. The Commissioners may wish to further add, delete or modify conditions based on testimony and discussion at the hearing.

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 PUD 2-07, and specifically to the construction plans approved by the City Engineer and the Planning Director.
2. The developer shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Hillsboro, except as otherwise approved by the Transportation Committee and the Planning Commission. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the conditions of approval, prior to the approval of the final plat. All construction plans shall be approved by the City Engineer prior to the issuance of construction permits within the planned unit development.
3. Items such as lane striping, signing plans, cross walk markings, speed sign locations, driveway locations, and stop sign locations based on MUTCD

standards, vision clearances, and traffic volume shall be identified on the construction plans.

4. Prior to approval of construction drawings, the developer shall petition the Transportation Committee and City Council for imposition of parking restrictions in public rights-of-way where parking is proposed only on one side of the street improvement.
5. The developer shall dedicate and construct a 3/4-street improvement on 234th Avenue to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks and landscape strips with street trees. Sidewalks shall be constructed during initial site improvements. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer.
 - a. 35 foot right-of-way width to centerline
 - b. 33-foot wide improvement with no on-street parking
 - c. 6½-foot wide landscape strip on west side
 - d. 5-foot wide property line sidewalk on west side
6. The developer shall dedicate and construct full-street improvements to a public standard on Wonder Way to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, landscape strips with street trees and "No Parking" signs per the Uniform Fire Code. Dedication and street improvements shall terminate on Imagine Way as a public hammerhead and transition to Imagine Way. Sidewalks shall be constructed along tract frontages during initial site improvements. All improvements shall be subject to approval by the City Engineer.
 - a. 50-foot right-of-way width with on-street parking
 - b. 27-foot wide improvement with on-street parking
 - c. 6-foot wide landscape strip
 - d. 5-foot wide property line sidewalk
7. The developer shall place in tracts on the final plat and construct private full-street improvements on Imagine Way to the widths listed below. The private street shall be improved to a public street section standard of either asphaltic concrete or Portland cement concrete and address means of storm drainage disposal. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, landscape strips with street trees and "No Parking" signs per the Uniform Fire Code. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. The tracts shall be owned and maintained by the Home Owners' Association. There shall be no parking on the south side of the street and, as per approval by the Fire Marshall, limited parking on the north side of the street.
 - a. 50-foot right-of-way width with on-street parking
 - b. 27-foot wide improvement with on-street parking
 - c. 6-foot wide landscape strip

d. 5-foot wide property line sidewalk

8. The developer shall place in a tract on the final plat and construct pedestrian, bicycle improvements on Tract D to the widths listed below. Street lights, if required, shall be acorn style lights. The improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. The tract shall be owned and maintained by the Home Owners' Association and be subject to a public pedestrian and bicycle easement over its entirety on the final plat.

Tract D

- a. 15-foot tract width
 - b. 6-foot wide meandering sidewalk
 - c. Landscape strip on both sides of sidewalk
9. Stop signs shall be required at points where a lower classification of street intersects with a higher classification of street.
10. The final plat shall show eight foot wide utility easements along the public rights-of-way and private streets within the plat. In order to modify the eight foot wide utility easement width the developer must obtain approval for the reduced width from all applicable public and private entities prior to approval of the construction plans. Prior to approval of the final plat, the public utility easements shall be approved by the City Engineer
11. The final plat shall provide for public and private utility easements, private access and emergency vehicle access, as required, over the full width and length of the private street improvements.
12. The final plat shall show utility easements to the City of Hillsboro at any location in which water, sanitary sewer, or storm drainage lines are proposed for location outside public right-of-way. The minimum width for such easements shall be 15 feet for a single utility and 25 feet for two utilities placed within the same easement. Any utility easement to the City shall be reviewed and approved by the City Engineer prior to approval of the final plat.
13. The utility plans, including line sizes for water lines, sanitary sewer lines, and storm drainage lines within the planned unit development, shall be subject to review and approval by the City Engineering, Building, and the Water Departments prior to approval of construction plans for the development. Utilities shall be placed within easements, as approved by the City, when located outside public rights-of-way or when crossing property lines.
14. Sanitary sewer and storm sewer lines shall be built to City and Clean Water Services standards and utilized as part of the public system.
15. Final construction plans for the development shall include the construction of a 12-inch sanitary sewer within Davis Road. The sanitary sewer line shall be constructed along the site's Davis Road frontage westerly to Brookwood Avenue and easterly to the plat boundary. The developer shall coordinate the design and

possible upsizing of the sanitary sewer line with the City of Hillsboro Engineering Department.

16. Fire hydrants shall be installed within the planned unit development, at the expense of the developer, in conformance with the requirements of the Fire Marshal and City Engineer. The final utility plans shall show the placement of hydrants located within 300 feet of all exterior building walls as measured along an accessible route of travel.
17. Any lot adjacent to a City-installed water line and/or sanitary sewer line shall be subject to the City-installed rate at the time of building permit issuance.
18. All rain, storm, and other surface water runoff from roofs, exposed stairways, light wells, courts, courtyards, and exterior paved areas shall be disposed of in compliance with local ordinances and state rules and regulations which will not cause flooding to adjacent properties. The approved points of disposal include but are not limited to: a) storm sewer, b) street gutter through curb, and c) engineered storm sewerage system.
23. The developer shall provide a water quality facility, designed and constructed per Clean Water Services and City of Hillsboro standards, to be publicly owned and maintained. A 12 foot wide access gate to the water quality facility shall be located on Tract "F" and an access easement shall be provided over Imagine Way. The landscaping and fencing shall be maintained by the Home Owners Association. The design shall include landscaping and a four-foot powder coated chain link fence. The landscaping and fencing plan shall be reviewed and approved prior to approval of construction plans. The water quality facility shall be owned by the City of Hillsboro. Should an interim temporary water quality facility be required for initial phases of the development, then required temporary off-site easements shall be recorded prior to recordation of the applicable phase of the plat.
24. Prior to issuance of construction permits, the developer shall provide an evaluation of downstream storm capacity and mitigate as required by the City Engineer.
25. Final construction drawings for the project shall include grading plans confirming that site grading within the planned unit development will not impede or impound existing storm drainage from surrounding properties. If deemed necessary by the City Engineer, the grading plans and construction drawings shall include drainage tiles, private storm drainage lines or catch basins, or other alternative means to adequately convey the storm runoff away from adjacent properties to the new storm drainage lines in the development. Any drainage tiles, private storm drainage lines, catch basins, or other alternative improvements considered necessary by the City Engineer shall be included in the planned unit development construction. The detailed grading plans shall also accurately depict the finished grades for the subject property. Particular attention shall be paid to the lot abutting the western edge of the planned unit development boundary and the existing trees.

26. Prior to issuance of construction permits, construction plans shall be submitted to the Engineering Department and shall show the location of any existing wells and septic tank drainfields. Plans shall indicate the method and schedule for abandonment. Disposition of the well and septic system shall be reviewed and approved by the City Engineer.
27. Development of the sanitary and storm sewer systems shall conform to Clean Water Services and City of Hillsboro standards. Prior to construction plan approval, documentation shall be provided to display compliance with the Clean Water Services Service Provider Letter, File No. 07-003226.
30. Prior to approval of the final plat, a landscaping plan for street trees and Tracts A, D, C, G and H shall be submitted for review and approval by the Planning Director and City Engineer. The landscaping plan shall not be approved prior to approval of the final construction plans. Final construction plans shall include the landscaping plan for Tract F (water quality facility). Both plans shall illustrate the location, species and size of the plantings, and details of any in-ground sprinkler systems. Any proposed irrigation system within the PUD shall include water conserving sprinkler heads. Approved landscaping for the open space tracts, landscaping tracts, the pedestrian and bicycle access easement and water quality facility shall be installed prior to acceptance of public infrastructure.
31. Prior to approval of the final plat, the developer shall provide to the City financial guarantees for the provision of open space improvements and street trees. Street trees shall be a minimum of 2.5 inch caliper in size when measured four feet from the ground, and shall be planted within root barriers approved by the City Engineer. All improvements shall be subject to approval by the City Engineer and Planning Director prior to approval of the final plat. Street trees to be installed on public streets within and adjacent to the project.
32. Prior to approval of the final plat, a master fencing plan shall be provided to the Planning Department for review and approval by the Planning Director. The fencing plan shall address the perimeter of the site, the Tract "F" water quality facility frontage along 234th Avenue, and internal fencing between lots. Regarding the water quality frontage along 234th Avenue the applicant shall either: a. obtain a modification from the Clean Water Services fencing standards and extend the wood fence with masonry columns along the above stated frontage; b. install both the Clean Water Services fencing and the wood fencing with masonry columns; c. provide documentation that it is not possible to implement the above alternatives and propose an alternative for review and approval by the Planning Director. The fence along SE 234th Avenue shall be substantially consistent with Sheet 6 of the plan set. The fence along SE 234th Avenue shall be constructed of quality materials such as 6x6 pressure treated posts, a 2x6 top cap with saw curf to prevent warping, 2x6 rails for horizontal stability, and vertical fence boards with a minimum ¾ inch nominal thickness. The masonry columns shall be faced with cultured stone and the fence shall be treated with an "anti-graffiti" sealant. Fences shall be constructed in accordance with the City of Hillsboro Zoning Ordinance standards. Such plan shall be substantially followed during infrastructure improvements and home construction.

33. Covenants, Conditions, and Restrictions for the PUD shall be recorded with the final plat, providing for the formation and continued operation of a Homeowners' Association. The Covenants, Conditions, and Restrictions shall address the following issues:
- a. Formation of a Homeowners Association (HOA);
 - b. Responsibilities for the shared maintenance of the applicable emergency/pedestrian tracts including landscaping, common amenities and fencing;
 - d. Responsibilities for maintenance of private alley tracts, private pedestrian and bicycle accessways, and private utility lines;
 - e. Requirement of the HOA to maintain street trees and landscaping per City standards and approved Street Tree plan;
 - f. Authorization for the City to assess the HOA for necessary maintenance of the landscaping within the public right-of-way, if not adequately maintained by the Homeowners Association. This portion of the Covenants shall be written to prohibit subsequent revision without consent by the City;
 - g. Responsibility of the HOA for the collection and distribution of funds for the maintenance and repair of such elements as, but not limited to common structures, landscaping, irrigation, fences (including the 234th Avenue fence), walls, entry signs, private parking areas, private sidewalks, and private utilities, private alleyways, open space, and lighting; and
 - h. Parking prohibitions throughout the PUD, as required by the Transportation Committee or Fire Marshal.

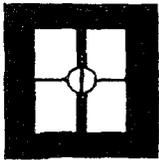
The Covenants, Conditions, and Restrictions shall be reviewed and approved by the Planning Director prior to approval of the final plat.

34. Dust suppression measures, as approved by the City Engineer, shall be provided during the course of construction within the development.
35. Erosion control measures in compliance with the City standards shall be provided during the course of construction within the development.
36. The developer shall coordinate the location of mailboxes with the City Engineer and the Hillsboro Post Office.
37. Crime Prevention Through Environmental Design (CPTED) concepts shall be incorporated throughout the development, addressing lighting, signage, entryways, and landscaping.
38. Prior to submittal of any building permit applications, the developer shall provide to the Building Official a geotechnical investigation report including slope stability studies, on-site site grading, cutting and filling, structural foundation requirements, surface and subsurface drainage recommendations, erosion vulnerability, and building or grading limitations, including top of slope offsets and areas restricted for site grading. Construction of streets, utilities, and structures on the site shall comply with any recommendations of the geotechnical investigation report. Building permit applications for on-site structures shall include a final geotechnical report identifying any portions of the site requiring further evaluation by a geotechnical or structural engineer.

39. The building permit submittals shall provided and or utilize the following:
- a. Angle of repose for all utility easements and demonstrate that the proposed structure is placed outside of the angle of repose.
 - b. Details outlining lateral bracing method proposed and if prescriptive approach is proposed so labeled.
 - c. Plan review will utilize the 2005 edition of the International Residential Code for One and Two family dwellings with the State of Oregon amendments.
 - d. All residential buildings shall be provided with final grading such that surface water will drain away from the dwelling, to the public way, and not be discharged across adjoining properties.
40. On front-loaded homes, where possible, adjacent driveways shall be paired as shown on Sheet 6 of the plan set.
41. Adjacent single family detached homes shall not receive the same front elevation or entire color selection.
42. The homes on corner lots, or with side facades visible from the street, (Lots 1, 8, 28, 29, 30, and 31) will be sold with mandatory upgrade packages, which will include, but is not limited too: additional windows, multi-paned windows, window trim, detailed siding such as board and batten or shingles, belly bands and other elements to enhance the street frontage view. No blank walls or blank gable ends will be allowed.
43. Modifications to the minimum standards of the A-1 Duplex Residential zone for lots in the PUD shall be as follows:
- Minimum required lot size of 4,500 square feet reduced to
 - 3,230 square feet for 7 lots
 - 3,400 square feet for 5 lots
 - 3,600 square feet for 12 lots
 - 3,900 square feet for all remaining lots
 - Minimum front yard setback for the house from the required 15 feet to 8 feet
 - Minimum front yard setback for garage from the required 20 feet to 18 feet
 - Minimum street side yard setback from the required 15 feet to 8 feet
 - Minimum side yard setback from the required 5 feet to 4 feet to the structure and 3 feet to the porch column base
 - Minimum lot width from the required 50 feet to
 - 33 feet for 2 lots
 - 36 feet for 11 lots
 - 40 feet for all remaining lots
 - Minimum lot depth from the required 85 feet to
 - 63 feet for 1 lot
 - 74 feet for 2 lots
 - No exception for all remaining lots
44. Tract "C", which includes a portion of a future neighborhood bicycle/pedestrian trail, shall be deeded to the City on the final plat, if approved by the Park

Commission. If the Parks Commission declines to accept the tract, it shall be owned and maintained by the Home Owners Association with a public pedestrian and bicycle easement over its entirety.

45. The developer shall either construct a bicycle/pedestrian trail along the length of Tract C or pay a fee-in-lieu of the path improvements. Prior to final construction plan approval, either option must be approved by the Parks Commission and City Engineer and implemented via approved construction plans or payment of an in-lieu fee.
46. The final plat shall include provisions for disclosure of potential noise impacts from industrial properties to the north. The disclosure statement shall be prepared as a non-remonstrance clause note on the final plat. The non-remonstrance clause shall provide a statement of intent not to remonstrate against any legal industrial activities associated with the industrially zoned properties to the north of the development, specifically Tax Lots 500, 401 and 1200 on Tax Map 1S2-10DB, or future lots created from these properties. The disclosure statement shall further describe or provide appropriate reference to the legal industrial activities of these properties. The final language of this provision is to be reviewed and approved by the Planning Director prior to final plat approval.
47. Building permit submittals for Lots 8, 9 and 10 shall incorporate techniques for noise mitigation such as upgrades in wall construction, triple pane windows, improved caulking and a mechanical source of ventilation to eliminate the necessity for open windows. The submitted building permits shall indicate which techniques were chosen.
48. The building permit submittals for Lots 8, 9 and 10 shall use the techniques cited in Condition No. 47 to achieve an interior noise performance standard of 45 dBA. In addition, the sales agreement for these units shall disclose to the purchaser of the dwelling unit which noise mitigation techniques were used and stipulate a one year contractual provision requiring the seller to provide additional noise mitigation as necessary to achieve an interior noise performance standard of 45 dBA. The language of this provision is to be reviewed and approved by the Planning Director prior to final plat approval.
49. The submittal by the applicant for final plat review and approval shall include but not be limited to the following; a narrative identifying how the required conditions of approval have or will be met; the final plat; the final plat review fee; and any other materials required to display compliance with the conditions of approval. These items and the financial guarantees required in Condition No. 2 shall be provided prior to transmittal of a "plat release letter" to Washington County Survey Department. The applicant may develop the Enchantment Glen planned unit development in three phases. The applicable conditions of approval, and corresponding improvements, shall be addressed for each phase of development.



CITY OF HILLSBORO
Parks & Recreation

MEMORANDUM

DATE: November 9, 2007
TO: Hillsboro Planning Commission
FROM: Steve Greagor, Parks and Recreation Director 
RE: Location of Bike/Pedestrian Trail – PUD 2-07: Enchantment Glen

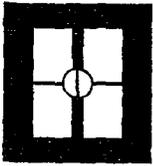
At the request of the Planning Commission and Planning staff, the Parks Department would like to comment with regard to the proposed Enchantment Glen planned unit development. Parks and Recreation staff concurs with the Planning Department's assessment that the Witch Hazel Village Community Plan map identifies a bicycle/pedestrian trail on the north side of Gordon Creek. Natural trails of this kind are viewed as an important amenity and a trail on the north side of the creek would conveniently serve neighborhood residents. In addition, trail development on the south side of the creek would have a more significant impact on the natural resource. We agree with Planning staff's recommendation to locate the trail on the north side of the creek.

The Parks & Recreation Department does accept donated tracts of land from developers when the tracts add to natural open space adjacent to park properties or if they can be added to a trail or stream corridor as part of our open space/trails planning. By accepting these properties, the City of Hillsboro assumes management responsibility including hazard trees and other risks. Many developers are happy to turn these properties over to the City for this reason. We also consider purchasing tracts on a case by case basis if there is some benefit to the parks system.

If Centex Homes chooses not to donate or sell this tract to the City of Hillsboro, easements for public access, trails, construction & maintenance may be an acceptable alternative. Another alternative is to place a public use easement on the trail and have the Home Owner's Association maintain it. In the Jackson School Subdivision PUD (1976), there is a large tract of open space that is owned by the Homeowners Association that has a public use trail easement on it. This is a wood chip trail that extends from Harewood Drive to Parkside and Hamby Park, with links to 3rd Avenue Drive. The trail is used frequently and provides valuable connections between neighborhoods.

Parks and Recreation staff is willing to work directly with Centex Homes regarding this future trail's configuration, construction, maintenance and access.

CITY OF HILLSBORO



November 8, 2007

SUPPLEMENTAL MEMO

TO: Planning Commission
FROM: Karla Antonini, Planning Department
RE: Location of Bike/Pedestrian Trail – File No. PUD 2-07: Enchantment Glen

At the October 24th Planning Commission meeting, Andy Tiemann, of Centex Homes, suggested that the Planning Commission consider relocating the bicycle/pedestrian trail shown on the Witch Hazel Village Community Plan map to the south side of Gordon Creek. Mr. Tiemann's argument was that the Witch Hazel Village Community Plan map is conceptual and a direct path to a future elementary school would be more appropriate.

Planning and Parks staff would disagree with Mr. Tiemann's assessment of the future bicycle/pedestrian trail location for the following reasons:

- ◆ The Witch Hazel Village Street Network Map clearly shows the trail immediately adjacent to the southernmost road. The Open Space designation (depicted with olive green) is shown south of the trail on the Witch Hazel Village Community Plan Map.
- ◆ The planned trail is shown immediately south of the developable land east of 234th Avenue. The Enchantment Glen project boundaries are a result of a property line adjustment that consolidated the developable land east of 234th Avenue. Therefore, the trail's location adjacent to this development would coincide with the Witch Hazel Village Plan.
- ◆ In the interest of preserving the natural resource and avoiding costs associated with mitigation, locating the trail immediately adjacent to a protected natural resource makes the most environmental and fiscal sense. The applicant's property contains a significant portion of land designated Impact Area on the Significant Natural Resources Map which is a designation for land immediately adjacent to a natural resource.
- ◆ If the trail were to follow the south side of Gordon Creek it would have to navigate through existing natural resources which would then require mitigation. The encroachment for a trail into the existing natural resources does not make environmental or fiscal sense. An aerial vicinity map was attached to the staff report dated October 19th.
- ◆ The concept planning for South Hillsboro relies on this segment of trail to connect from the Witch Hazel Village neighborhood to the proposed South Hillsboro town center. Attached is the City's most recent draft of the South Hillsboro Concept Plan Map.

- ◆ Pedestrian and bicycle connections from the South Hillsboro town center to the future school site will be planned for via public streets or trails in the future South Hillsboro residential developments.

Staff recommends that the Commission require the location of this bicycle/pedestrian trail to remain on the north side of Gordon Creak as shown on the Witch Hazel Village Community Plan map and that the above listed reasons provide sufficient documentation that this location is both environmentally and fiscally appropriate.

Respectfully submitted,

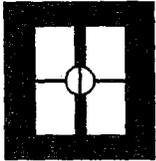
CITY OF HILLSBORO PLANNING DEPARTMENT



Karla Antonini
Urban Planner III

Attachments: Witch Hazel Village Community Plan Street Network Map
 Witch Hazel Village Community Plan Map
 South Hillsboro Concept Plan Map

CITY OF HILLSBORO



November 21, 2007

SUPPLEMENTAL STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval for a Single Family Residential Planned Unit Development – File No. PUD 2-07: Enchantment Glen

REQUEST

The applicant's representative, Alpha Community Development, requests Planning Commission approval for the preliminary development plan for Enchantment Glen, a 31-lot single family detached residential Planned Unit Development (PUD), on approximately 4.81 acres of property. The site is designated RM – Medium Density Residential on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The property owners are W.R. Sands and M.P. Barnhart and the applicant is Centex Homes.

The proposal includes the creation of 31 lots for detached single family residential houses, a water quality facility, a public street and a private street.

This application was submitted prior to the implementation of the Zoning Ordinance amendments known as "DDOS" or Density Design and Open Space and thus is subject to the Zoning and Subdivision Ordinance standards in effect prior to August 16, 2007.

The Planning Commission has previously received staff reports, dated October 19th and November 9th, which included the site description, approval criteria, and analysis of the proposed project.

BACKGROUND

At the November 14, 2007 meeting, the Planning Commission opened the hearing and heard the presentation of the November 9th staff report. The applicant's representative Jennifer Curkendall, of Alpha Community Development, and Andy Tiemann, of Centex Homes, gave an overview of the proposed development. Staff and the applicant provided updates regarding the adjacent industrial noise, the bicycle/pedestrian trail along Gordon Creek and the pedestrian crossing at 234th Avenue. The Commission raised an additional concern regarding fencing around Tract A. No public testimony was provided and the public hearing was continued to November 28th. Staff and the applicant were directed to provide a draft resolution and findings.

RECOMMENDATION

Planning staff has revised Condition Nos. 32, 45, 46, 48 and 50 of the proposed request for preliminary development plan approval as per the Commission's direction at the previous meeting. Deleted text is shown with a ~~strike through~~ and text additions are **bolded**. If the Planning Commissioners believe that the applicant has sufficiently met the PUD criteria and choose to approve the proposed preliminary development plan, then staff recommends that the attached draft resolution, with draft findings, be signed by the Planning Commission President.

32. Prior to approval of the final plat, a master fencing plan shall be provided to the Planning Department for review and approval by the Planning Director. The fencing plan shall address the perimeter of the site, the Tract "F" water quality facility frontage along 234th Avenue, **the Tract "A" tot lot**, and internal fencing between lots. Regarding the water quality frontage along 234th Avenue the applicant shall either: a. obtain a modification from the Clean Water Services fencing standards and extend the wood fence with masonry columns along the above stated frontage; b. install both the Clean Water Services fencing and the wood fencing with masonry columns; c. provide documentation that it is not possible to implement the above alternatives and propose an alternative for review and approval by the Planning Director. The fence along SE 234th Avenue shall be substantially consistent with Sheet 6 of the plan set. The fence along SE 234th Avenue shall be constructed of quality materials such as 6x6 pressure treated posts, a 2x6 top cap with saw curf to prevent warping, 2x6 rails for horizontal stability, and vertical fence boards with a minimum $\frac{3}{4}$ inch nominal thickness. The masonry columns shall be faced with cultured stone and the fence shall be treated with an "anti-graffiti" sealant. Fences shall be constructed in accordance with the City of Hillsboro Zoning Ordinance standards. Such plan shall be substantially followed during infrastructure improvements and home construction.

45. **The final plat shall identify Tract "C" as the location of a future public pedestrian/bicycle trail.** ~~The developer shall either construct a bicycle/pedestrian trail along the length of Tract C or pay a fee in lieu of the path improvements. Prior to final construction plan approval, either option must be approved by the Parks Commission and City Engineer and implemented via approved construction plans or payment of an in-lieu fee.~~

46. **Roseway Industrial Park is located to the north of the proposed development. Prior to recordation of the final plat, the applicant shall record the "Enchantment Glen Industrial Noise Disclosure and Waiver of Remonstrance", per attached Exhibit "C", in the Washington County records to disclose the noise generated by Roseway Industrial Park to future owners of property within the Enchantment Glen plat. The "Enchantment Glen Industrial Noise Disclosure and Waiver of Remonstrance" shall be noted on the final plat.**

~~The final plat shall include provisions for disclosure of potential noise impacts from industrial properties to the north. The disclosure statement shall be prepared as a non-remonstrance clause note on the final plat. The non-remonstrance clause shall provide a statement of intent not to remonstrate against any legal industrial activities associated with the industrially zoned~~

~~properties to the north of the development, specifically Tax Lots 500, 401 and 1200 on Tax Map 1S2-10DB, or future lots created from these properties. The disclosure statement shall further describe or provide appropriate reference to the legal industrial activities of these properties. The final language of this provision is to be reviewed and approved by the Planning Director prior to final plat approval.~~

- 48. The building permit submittals for Lots 8, 9 and 10 shall use the sound attenuation design features cited in Condition No. 47 in accordance with design specifications generated by a professional acoustical engineer to achieve an interior Day-Night noise exposure level (referred to as DNL or L_{dn}) of 45 dBA. In addition, the applicant shall record an industrial noise disclosure for Enchantment Glen Lots 8, 9 and 10 in the Washington County Records prior to issuance of building permits of Lots 8, 9 and 10, respectively. Verbiage of the “Enchantment Glen Lot [Insert Lot #] Industrial Noise Disclosure” shall be per the attached Exhibit “D”, with the exception that specific noise attenuation design features required to be included in the document shall be inserted into the document after a professional acoustical engineer has determined those features and prior to recording of the document.**

~~The building permit submittals for Lots 8, 9 and 10 shall use the techniques cited in Condition No. 47 to achieve an interior noise performance standard of 45 dBA. In addition, the sales agreement for these units shall disclose to the purchaser of the dwelling unit which noise mitigation techniques were used and stipulate a one year contractual provision requiring the seller to provide additional noise mitigation as necessary to achieve an interior noise performance standard of 45 dBA. The language of this provision is to be reviewed and approved by the Planning Director prior to final plat approval.~~

- 50. Prior to approval of the final plat, the developer shall coordinate with the adjacent property owner(s) located to the south, and more specifically identified as Tax Lot 1300 on Washington County Tax Map 1S2-10DC regarding the construction of a public crosswalk across 234th Avenue to Davis Road. Prior to recordation of the Enchantment Glen final plat, the off-site improvements shall be either dedicated as right-of-way or provided with a public access easement. If the developer and the adjacent property owner(s) are unable to reach an understanding regarding the public crosswalk improvements and associated provisions of access, then the applicant shall provide the City of Hillsboro Planning Director with documentation showing the applicant made a good faith effort to work with all involved parties. Following provision of this documentation, the Planning Director will release the applicant from this condition.**

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in black ink, appearing to read "Ruth Klein". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ruth Klein
Urban Planner

Attachments: Draft Resolution, Findings and Exhibits

MEMORANDUM

DATE: November 14, 2007

TO: City of Hillsboro Planning Commission
Ruth Klein, City of Hillsboro Planning Department

FROM: Jennifer Curkendall, AICP

RE: Enchantment Glen – Response to Questions Raised at 10/24/07 Hearing

There were a number of questions raised at the first hearing for Enchantment Glen, held on October 24, 2007. The applicant, Centex Homes, would like to provide the following supplemental information on these topics:

- 1. Noise Mitigation.** Keith Ristau, President of Far West Fibers located northeast of the site, raised concerns about the proximity of the planned homes to the recycling facility. The Commission requested information on the hours of operation as well as possible noise mitigation measures that could be taken for the homes on lots 8 and 9.

The applicant has taken several steps to address this concern including:

- Coordination with Far West Fibers to gather data on the sound levels at various times of the day. Far West Fibers operates continuously from 2:00am on Monday to 5:00pm on Friday, and 7:00am to 5:00pm on Saturday and Sunday. The noise level is primarily from trucks hauling materials in, back-up beepers, and dumping of glass recyclables.
 - Contact with an acoustical engineer to get a professional evaluation of the mitigation measures needed has been initiated.
 - Contact with Clean Water Services to determine any restrictions on landscaping and/or fencing within the 20' easement along the north property line. CWS has informed the applicant that "removable" features such as fencing and landscaping are permitted within the easement.
- 2. Enlarge Lots 30 and 31.** Planning Commission requested that the applicant extend the rear yards of Lots 30 and 31. Attached are a revised site plan and plat showing this enlargement while still maintaining an area along 234th that can be used for an entrance sign and landscaping.

3. **Turnaround on Lot 9.** Planning Commission requested information on how residents of Lot 9 will be able to turn their vehicle around without backing out of the driveway into the street. Attached is an exhibit illustrating how a driveway with a turnaround area can accommodate vehicles parked at the home on this lot.
4. **Pedestrian Crossing at 234th & Davis.** The applicant has entered discussions with the property owner about obtaining right-of-way dedication and easements as necessary to construct a pedestrian crossing at the intersection of 234th Avenue and Davis Road that would connect residents of Enchantment Glen with the rest of the Witch Hazel area. The applicant believes that they will be able to come to an agreement with the property owner to make this crossing possible. The applicant is willing to comply with a condition of approval for a pedestrian crossing as shown in the exhibit submitted at the October 24th hearing.
5. **Tot Lot Amenities within Enchantment Glen.** Pursuant to questions raised by the Planning Commission about opportunities to provide a park area within the neighborhood, the applicant is willing to construct a tot lot park in Tract A. Attached is an exhibit showing how a play structure and benches would fit in this open space area.

Updated Exceptions Request. In addition, please note that per discussions with staff, Lot 31 is a "through lot" with double frontage on Imagine Way and Wonder Way. The applicant would like to clarify that an 8' rear yard setback from Wonder Way is requested for this lot. An updated version of the requested exceptions table is attached with this addition.

Requested Modifications to Conditions of Approval. The applicant would like to request the modifications to the conditions of approval listed in the November 9th Staff Report. The applicant will coordinate with staff to finalize language on the conditions. The requested modifications are attached to this memo.

Thank you for your consideration of this information. We will be happy to discuss these topics in more detail with you at the hearing on November 14th.

Attachments:

1. Revised Tentative Plat
2. Revised Site Plan
3. Lot 9 Turnaround Exhibit
4. Tot Lot Exhibit
5. Updated Table D: Requested Exceptions to A-1 Standards
6. Requested Modifications to Conditions of Approval

MEMORANDUM

DATE: October 24, 2007

TO: City of Hillsboro Planning Commission
 Ruth Klein, City of Hillsboro Planning Department

FROM: Jennifer Curkendall, AICP

RE: Clarification of items in Staff Report for Enchantment Glen PUD 2-07

The applicant would like to provide clarification on a few topics raised in the 10/19/07 Staff Report for the proposed Enchantment Glen PUD (PUD 2-07) as follows:

1. Additional Setback Exception Request. Per staff's description of Lot 29 and the requested setbacks (Staff Report pg. 12), the applicant requests that the portion of Lot 29's front yard setback adjacent to the hammerhead be reduced from 15 feet to 4 feet as shown in the plan set. Below is an updated version of Table D from page 8 of the application narrative that includes this "hammerhead side yard" setback request:

REVISED Table D: Requested Exceptions to A-1 Standards

Requirement	A-1 Standard	Requested Modification
Min. Lot Size	4,500 sq.ft.	3230 sq ft for 7 lots 3400 sq ft for 5 lots 3600 sq ft for 12 lots 3900 sq ft for all remaining lots
Min. Front Yard	20 ft. garage 15 ft. house	18 ft. garage 8 ft. house
Min. Corner Street Side Yard	15 ft.	8 ft.*
Min. Hammerhead Side Yard	15 ft.	4 ft for Lot 29
Min. Rear Yard	15 ft.	10 ft. for 1 lot No exception for all remaining lots
Min. Side Yard	5 ft.	4 ft. 3 ft. column base**
Min. Lot Width	50 ft.	33 ft. for 2 lots 36 ft for 11 lots 40 ft for all remaining lots
Min. Lot Depth	85 ft.	63 ft. for 1 lot 74 ft for 2 lots No exception for all remaining lots
Max. Lot Coverage	50%	None
Max. Building Height	2 ½ stories/35 ft.	None

* A 6-foot Public Utility Easement (PUE) will be provided along internal street frontages, with bump-outs to 8-feet where necessary. An 8-foot PUE will be provided along 234th Avenue.

** See Exhibit G in application binder.

2. Reduction of On-street Parking. Per comments from staff (Staff Report pg. 13), the applicant will eliminate the 6 on-street parking spaces as required for emergency apparatus to use the private streets and turnarounds. As noted by staff, 138 spaces will still be provided, exceeding the requirement of 78 spaces. "No Parking" areas will be signed as required by the City.
3. Future Bicycle/Pedestrian Trail. As noted in the staff report (pgs. 14 & 15), the Witch Hazel Community Plan shows a bicycle/pedestrian trail connection along Gordon Creek. Staff has indicated that the exact alignment of this trail is uncertain as there are plans for it to connect to South Hillsboro, and those plans are still under development. In addition, the majority of the Open Space designated in the Witch Hazel Village Community Plan is currently under private ownership. The applicant has provided sufficient room in the open space tract (Tract C) for the future development of a trail if this is the selected location for the trail. The Parks Department has expressed interest in ownership of Tract C (Staff Report pg. 15). The applicant is interested in engaging in conversations with the Parks Commission regarding City ownership of Tract C.
4. Pedestrian Connection to Davis Road. As noted in the staff report (pg. 14), the applicant has discussed a possible pedestrian connection from Enchantment Glen to the rest of the Witch Hazel area. Per discussions with staff, such a crossing would best be provided at the intersection of Davis Road and 234th Avenue. Attached is a diagram illustrating the proposed crossing at this intersection. The applicant is looking into options including a public easement or right-of-way dedication that would need to be obtained from the property owner for the frontage along Tax Lot 1300 in order to connect the proposed sidewalk to the north side of the Davis Road/234th Avenue intersection. The applicant will be able to provide updated information on this crossing at the subsequent hearing(s).
5. Street Width. The Engineering Department has provided a comment that local streets shall have a minimum curb to curb width of 28 feet (Staff Report pg. 15). The applicant is proposing streets that are 27 feet curb to curb as specified in the Witch Hazel Village Community Plan (Figure 13 attached to Staff Report) and as approved for other projects in Witch Hazel Village (e.g. Oakhurst East, Laurel Oaks, Meadow Oaks).
6. Water Plan. The applicant contacted the Water Department regarding the Department's last comment (pg. 16), which appears to be a carryover from comments provided on previous applications. Upon conversation with the Water Department staff, they provided a different set of comments which did not include on that references Oakhurst East (see attached). As shown on Plan Sheet 5, the applicant is proposing to connect Enchantment Glen to the 10" water line being built with the Meadow Oaks project. The Meadow Oaks project has already received permits and is presently under construction. A bond has been provided to the City ensuring its completion.

Thank you for your consideration of these requests. We will be happy to discuss these items further with you at the hearing on October 24, 2007.

Attachments:

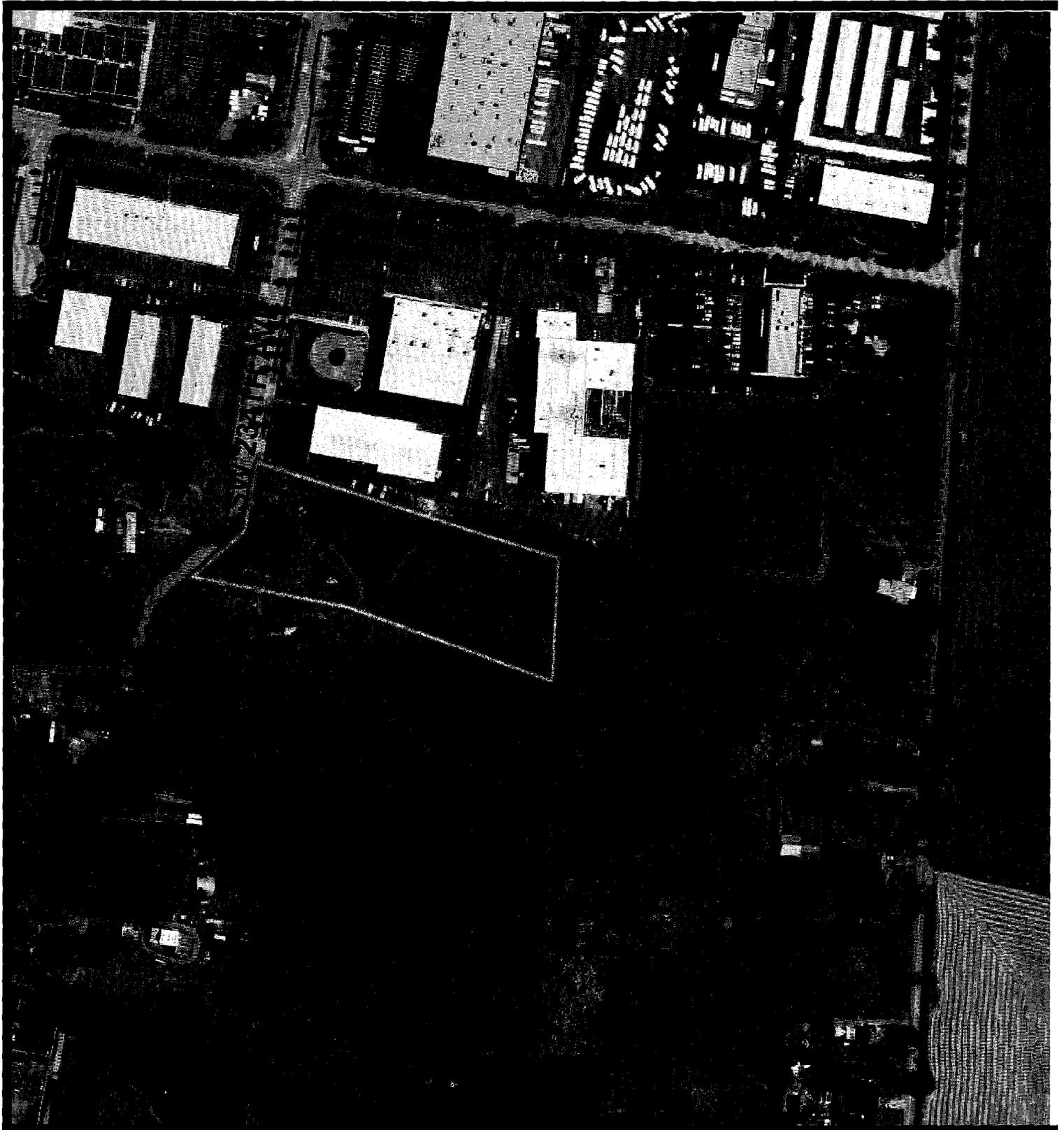
1. 234th Avenue / Davis Road Pedestrian Crossing Diagram
2. Water Department comments provided to applicant by Mark Hammerl



PUD 2-07: ENCHANTMENT GLEN



2006 AERIAL PHOTOGRAPHY



Item #: 7B
Offered By: [REDACTED]
Date: [REDACTED]
Exhibit #: 1

December 18, 2007

Lyle Christensen
Department of Environmental Quality
Northwest Region
2020 S.W. Fourth Avenue, Suite 400
Portland, OR 97201

Subject: Clean Water Services Permit WQMW-NWR0
Watershed Permit

Dear Mr. Christensen:

The purpose of this letter is to provide DEQ with information describing the storm-related events of December 2nd through December 4th, 2007, that impacted the Clean Water Services (District) service area. The events addressed by this letter are:

- Diversion of untreated wastewater through emergency overflow outfall D004 at the Lower Tualatin Interceptor
- Discharge of partially treated wastewater through wet weather outfall D003 at the Durham facility
- Partial loss of dechlorination at the Durham facility
- Blending at the Rock Creek Advanced Wastewater Treatment Facility
- Minor overflows from the collection system upstream of the Durham facility
- Minor overflows on the Turner Creek collection system
- Minor overflows at other points in the collection system

Leading up to the events

Rain from a very large Pacific storm began falling in Washington County late in the afternoon of Saturday, December 1st, 2007. Rain fell steadily overnight and into Sunday the 2nd, increasing in intensity into Sunday evening when rain was falling at approximately 0.20 inches per hour. Rain continued into late in the evening of Monday, December 3rd, when the storm passed.

The District's collection and treatment facilities are designed to convey and treat flows caused by a one-in-five-year 24-hour duration storm event from November 1 through May 21. As will be explained, the extraordinary recent storm exceeded these design capacities. The 24-hour rainfall amounts associated with various recurrence intervals for Washington County and the rainfall data from this storm are shown in the tables below.

Recurrence interval, years	Total precipitation, inches
2	2.50
5	3.10
10	3.45
25	3.90
50	4.20

Location	Location description	Max 24-Hr total, inches
BNR	Butternut Pump Station	3.13
CHR	Cedar Hills Fire Station 254	3.75
CMR	Ironwood Pump Station	3.03
DPR	Durham WWTP	3.00
FGR	Forest Grove WWTP	3.44
HWR	Hillsboro West WWTP	2.98
LTR	Lower Tualatin Pump Station	2.27
RCR	Rock Creek WWTP	3.12
RVR	Beaverton Fire Station 267	3.28
SSR	Sunset Fire Station 256	2.86
TCR	Turner Creek Site	3.65
	Average	3.14
	Median	3.12

The precipitation levels at given recurrence intervals are from the District's Design and Construction Standards. The 5-year and 10-year storm numbers are from "Subbasin Hydrologic Modeling Criteria" by Kramer, Chin, and Mayo Inc., 1991. The NOAA Precipitation-Frequency Atlas of the Western United States Volume X-Oregon (1973) gives the one-in-five year 24-hour duration storm event at 3.0 inches for this area.

To calculate the maximum 24-hour rainfall total during the December 2007 event, a query was run to obtain rainfall totals from each active rain gage for the period December 1st through December 5th. The resulting dataset consisted of rainfall totals for 15-minute intervals during this time period for each of 11 rain gages. For each gage location, a series of moving 24-hour rainfall totals was then calculated, and the maximum of these totals was computed. The table displays these maximum 24-hour totals for each rain gage location, as well as the average and median of these 11 maximums. The data show that the storm exceeded the average one-in-five-year, 24-hour duration storm level, and that rainfall at two stations (including Turner Creek) exceeded the 10-year recurrence level.

In addition to the increased flows from rainfall in Washington County, the City of Portland diverted approximately 970,000 gallons of flow from the Fanno Pump Station to the Durham collection system. This diversion began at approximately 7:50 a.m. December 3rd and continued intermittently, ending at approximately 7:30 p.m. the same day.

Stream flow increased as a result of the rainfall. At noon on December 2nd the Tualatin River at Farmington was running at 1,000 cfs. By 1:00 a.m. on December 3rd flow was over 2,000 cfs, reached 3,000 cfs by 9:00 a.m., exceeded 4,000 cfs at 3:30 p.m. and topped 5,000 cfs by 2:30 a.m. on December 4th. The flow continued to increase, peaking at 11,200 cfs at 6:00 p.m. on December 5th.

District response

The District established an incident command center at the Rock Creek facility on the morning of December 3rd to coordinate staffing, collect information and formulate action plans relative to the treatment plants. Additional staff was called in at all plants and others were placed in on-call status to deal with anticipated problems. The District established a second incident command center at the District's Administrative Building Complex to coordinate activities in the conveyance system. Both incident command centers remained in contact with one another throughout the event.

The District issued a press release at 2:00 p.m. on December 3, informing the public of diversions to the river and local collection system overflows, providing advice to avoid contact with flood waters.

On December 3rd Debra Gorman notified Lyle Christensen of the status of the District's treatment plants, collection system, and Turner Creek, and the District's measures to mitigate the impacts of the high flows and flooding. Debra Gorman updated Lyle Christensen on December 4th at 4:03 p.m. and December 5th at 2:57 p.m.

Durham D004 Diversion

Outfall D004 is a permitted emergency overflow outfall on the Lower Tualatin Interceptor. This outfall diverts excess flow from the interceptor to the river during high flow to protect the District's collection system and homes and businesses in Tualatin. Discharges through this outfall are allowed when storms exceed the one-in-five-year, 24-hour duration rainfall. The diversion began at 9:30 a.m. on December 3rd and continued intermittently until 1:00 a.m. on December 4th. Based on the flow meter, 3,237,000 gallons of untreated diluted wastewater were diverted to the Tualatin River. District crews confirmed that diversion was occurring, posted signs at the diversion structure and along the river alerting the public to the diversion, and took samples of the river. Results of the sampling are given in the table below. Signs were removed on December 6th.

<u>Date</u>	<u>Location</u>	<u>E. coli, MPN/ 100 ml</u>
December 4	Elsner (upstream)	977
December 4	Boones Ferry (downstream)	1300

Durham D003 discharge

Outfall D003 is a permitted wet weather outfall. When the hydraulic capacity of the secondary treatment system is exceeded, primary effluent is diverted to the surge basins. Discharge through D003 occurs once the surge basins are full and continues until secondary treatment capacity becomes available. Before discharge from the surge basins through D003, this flow is chlorinated and then dechlorinated.

The hydraulic capacity of the secondary system was exceeded at 3:00 p.m. on December 2nd and primary effluent began to enter the surge basins. Outfall D003 began discharging to the river at 3:22 p.m. on December 3rd. Discharge continued through D003 until 1:35 p.m., December 4th. The total discharge flow was 7,098,000 gallons. A bisulfite residual was maintained in the discharge throughout the event through the use of a portable system due to problems in the chemical delivery system. The effluent monitoring results were collected separately for D001 and D003. Mass loads from outfalls D001 and D003 were added together and a flow-weighted average was used to calculate average concentrations to demonstrate compliance with all applicable permit limits.

Partial loss of dechlorination at Durham

The Durham facility was without bisulfite delivery to the plant effluent at outfall D001 on December 3rd from 6:06 p.m. to 6:30 p.m. and again from 6:51 p.m. until 7:00 p.m. The estimated chlorine residual in the effluent was 4.0 mg/L. Lab analysis of chlorine demand in the river water demonstrates that the river had sufficient chlorine demand to consume all of the potential residual chlorine.

Durham collection system overflows

At 12:09 p.m., December 3rd, a power bump shut down the raw sewage pumps at the Durham facility. The power bump was caused by the failure of a PGE insulator when a PGE crew restored power to a substation. All pumps were back in operation by 12:19 p.m. At the time of the power bump, the flow into the plant was 114 mgd. During the time that the pumps were not operational, several manholes along the east side of the plant overflowed. Signs were posted to alert the public to the overflows. The signs were removed December 6th.

Blending at the Rock Creek facility

Between 2:00 a.m., December 2nd, and 2:00 p.m., December 4th, the portion of primary effluent flow that exceeded the hydraulic capacity of the secondary treatment processes at the Rock Creek facility was diverted to the chlorine contact basins, where it was blended with the fully treated plant flows and discharged through R001. The amount of the blended flow that was made up of primary effluent during the bypass period is given below.

<u>Date</u>	<u>Primary effluent, mgd</u>
December 2	4.5
December 3	28.7
December 4	<u>2.9</u>
TOTAL	36.1

Turner Creek collections system overflows

On December 3rd overflows were confirmed from manholes at the intersections of 18th and Main (two manholes), 24th and Maple, 24th and Camwal, and south of Main in Hillsboro. The approximate times of these overflows and estimated volumes are given in the table below. Estimated volumes were calculated based on observed flow out of pick holes and around manhole rims.

Location	Time of overflow	Duration of overflow	Volume of overflow
18th and Main	10:40 a.m. - 11:25 a.m.	45 mins.	<100 gallons
South of Main	10:40 a.m. - 11:25 a.m.	45 mins.	320 gallons
24th and Maple	10:20 a.m.- 11:15 am	55 mins.	120 gallons
	12:05 p.m.- 1:35 p.m.	90 mins.	<100 gallons
24th and Camwal	10:20 a.m. -11:15 a.m.	55 mins.	1670 gallons

City of Hillsboro staff posted signs on Turner Creek alerting the public of the overflows. In addition to standard posting procedures, letters and door hangers were sent and delivered to property owners adjacent to the Turner Creek system. District staff collected water samples from Turner Creek on December 3rd through December 7th for analysis by the District's Water Quality Laboratory. The results for *E. coli* analysis are summarized in the table below. Sample locations are listed from upstream to downstream.

Location	E. coli, MPN/100 ml				
	Sampling dates				
	December 3	December 4	December 5	December 6	December 7
18th & Main, upstream	4,260	960	228	166	--
18th & Main, downstream	6,130	896	243	228	488
24th & Maple	22,800	758	282	435	291
Park footbridge	14,000	976	175	517	260
At Camwal	14,800	974	472	1,200	215
At 32nd	14,200	4,370	5,170	1,060	413
At Rock Creek	3,170	4,560	1,090	455	222

Based on these results, signs were removed from the five upstream sites on December 5th and from the two lower sites on December 8th.

On December 3rd, the Rock Creek facility was running four raw sewage pumps and receiving flows of 130 mgd. One of the five pumps was out of service. The four raw sewage pumps had been running for over 24 hours and were losing capacity. In order to restore their full pumping capacity, the pumps needed to be refreshed. Refreshing the pumps in this situation requires powering down and powering back up one pump at a time, involving a short reduction in pumping capacity. Because the Turner Trunk was at capacity, this procedure had to be coordinated with the collection system to avoid overflows from the collection system. The

concern was that if the pumps were not refreshed, further decreases in capacity would cause additional overflows. It was also a concern that when the Rock Creek raw sewage pumps were brought down to refresh them and restore their capacity, the decreased pumping rates would initiate overflows upstream and perhaps cause additional overflows at unknown locations. Since the Rock Creek pumps can also lose capacity due to ragging (which is not alleviated by refreshing), there was also a concern that refreshing the pumps would not restore pumping capacity, which would require an even longer shutdown for maintenance.

The decision was made to establish a controlled emergency overflow at the Morse Brothers site during the refresh to protect the upstream system from further overflows. The Morse Brothers site is on the Turner Creek trunk directly downstream of observed active (although minor) overflows described above. It is also the only site that has paved access to the trunkline and the ability to site the trailer mounted pumping equipment. The controlled overflow would have less chance to come in contact with people than would uncontrolled overflows from manholes.

Between approximately 1:39 p.m. and 1:55 p.m. on December 3rd, two of the Rock Creek raw sewage pumps were sequentially refreshed. During this time, a portion of the flow in the Turner Creek Trunk was pumped into Rock Creek using a portable pump with a pump rate of 1,500 gpm. At 17 minutes of pump time, the total estimated discharge was 25,500 gallons. There were no new overflows on the Turner Trunk and the existing minor overflow at 24th and Main was not worsened during this procedure. (The two remaining raw sewage pumps were refreshed the next day when flows had reduced.) Signs were placed on Rock Creek alerting the public to the overflow.

Other collection system overflows reported

The following table lists the manhole numbers and locations within the District's area of maintenance responsibility where overflows from the collection system occurred. All overflows are estimated to be approximately three hours in duration. Where lids had initially been lifted off, crews replaced the lids and the overflows continued through pick holes. Based on reasonable assumptions, the total flow from these manholes was approximately 21,000 gallons.

Manhole No.	Location	Description
8349	SW 195 th & Farmington Rd.	Lid off
11470	SW 196 th & Farmington Rd.	Pick holes
11478	SW 196 th at Sumac Ct.	Pick holes
7516	SW Cascadia by SW 198 th	Lid off
25309	SW Pike Lane by SW 191 st	Pick holes
7750	SW 188 th by SW Wedgefield Lane	Pick holes
6342	SW 15935 Royalty Parkway	Pick holes
6343	SW 16035 Royalty Parkway	Pick holes
12452	SW Menlo and Farmington Rd.	Lid off
9529	SW 17864 Pheasant Lane	Pick holes
20541	SW Menlo and Farmington	Pick holes

Turner
 Overflows
 10:30 AM
 Releases
 Dixon
 1,000 - 2,000
 gals
 Curtis
 total gals
 2,000 - 2,400

Lyle Christensen, DEQ
December 2007 Overflows
December 18, 2007
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In addition, an overflow occurred within the City of Tigard's area of maintenance responsibility from a manhole at the intersection of SW 89th Avenue and SW Spruce Street on December 4th. It was estimated that approximately 549 gallons of sewage reached Ash Creek. Tigard crews posted signs and cleaned up the site. Tigard made a timely report of the overflow to DEQ and the District.

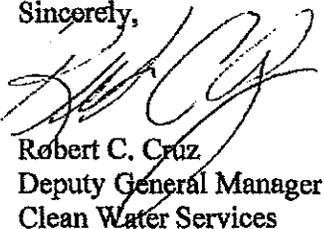
On Friday, December 7th, District staff received a citizen report of an overflow that had occurred during the storm at the Corral Mobile Home Park at 117th and Center in Beaverton. The park's owner reported that Beaverton City crews had been on site and told him that they would respond when flows decreased. According to the park owner, the crews returned later and cleaned up the site. The District informed DEQ of this overflow on Friday, December 7th, at 6:30 p.m. after the District became aware of it. The District is following up with Beaverton on this overflow.

Summary

The District provided the highest and best practicable treatment and control of flows and properly operated the conveyance and treatment facilities in compliance with General Condition B.1. of the District's watershed permit. The District minimized the potential environmental and public health impacts from the overflows and properly maintained the capacity of the conveyance system.

This letter is based on the best information available at the time of its writing. If additional information becomes available or modifications to the information contained within are necessary, Clean Water Services will notify the Department. If you have questions or need further information, please feel free to contact me at (503) 681-3602 or by mail.

Sincerely,



Robert C. Cruz
Deputy General Manager
Clean Water Services

RCC/rdd

c: Debra Gorman, District Regulatory Affairs
Lisa Hershey, District Legal Services