

Section 3. Housing.

- (I) **Goal.** To provide for the housing needs of the citizens of Hillsboro and surrounding community by encouraging the construction, maintenance, development and availability of a variety of housing types, in sufficient number and at price ranges and rent levels which are commensurate with the financial capabilities of the community's residents.

- (II) **Definitions.**
 - (A) **Buildable lands.** Refers to land in urban and urbanizable areas that are suitable, available and necessary for residential use.

 - (B) **Household.** Refers to one or more persons occupying a single household.

 - (C) **Pedestrianway.** A path designed for pedestrian use constructed of asphalt, concrete or gravel and located along streets (example, sidewalks) and through public rights-of-way or public access easements.

- (III) **Policies.**
 - (A) Buildable land sufficient to meet the community's projected population growth and resulting housing needs shall be designated within the planning area. The development of housing shall be coordinated with the extension of public facilities and services necessary to assure safe, healthy, and convenient living conditions. (Amended by Ord. No. 3433/12-83.)

 - (B) A variety of housing units shall be encouraged throughout the planning area for households of all incomes, ages and living patterns. Such housing should include, but not be limited to, single-family residences, accessory dwellings, duplexes, apartments, attached single-family residences, co-op housing, condominiums, townhouses and manufactured housing. Specific locations for each type of housing shall be consistent with the comprehensive plan map and zoning map. Each type of housing should be available at various prices and rents in order to maximize housing choices of the public. (Amended by Ord. Nos. 4212/3-95 and 4901/5-00.)

 - (C) Housing in the planning area shall be designed and constructed in a manner that assures safe, healthy and convenient living conditions for the community's citizens. Residential projects shall be designed to promote a diverse, pedestrian-scale environment; respect surrounding context and enhance community character; consider security and privacy; and provide usable open space. Construction shall be sound, energy-efficient, and of a quality that assures a reasonable structural life and attractive appearance with

normal maintenance. To apply this policy, the City may adopt development standards and design guidelines to be used in evaluation of residential projects through the subdivision, planned unit development, or development review process. (Amended by Ord. No. 5777/8-07)

- (D) The provision of housing of various types and prices/rents and developments which provide for an efficient and compatible mix of housing types shall be encouraged. This will increase the choice of housing and will act to disperse housing types throughout the planning area in developments of design and construction consistent with policy (C) of this Section.
- (E) In order to promote home ownership and to increase efficient land use, developments with lots less than 7,000 square feet shall be allowed when specifically authorized by the Zoning Ordinance. Because the social and aesthetic impact of poorly designed residential developments increases with density, such developments shall be of a quality and design which effectively offsets increases in density and/or smaller lots and through provisions of usable open space as well as other amenities. (Amended by Ord. Nos. 4312/2-95 and 4351/6-95 and 4454/8-96.)
- (F) The development of low income housing is appropriate throughout the planning area and shall be of a design and construction consistent with policy (C) of this Section. Such housing shall not be so concentrated as to create a recognizable or exclusively low income district.
- (G) Manufactured homes are appropriate within the planning area when located in well planned and developed manufactured home parks or in areas that permit single family dwellings. (Amended by Ord. No. 4212/3-94.)
- (H) The maintenance and rehabilitation of the existing housing stock shall be encouraged in areas of the planning area designated for residential use.
- (I) The development of buildings which compatibly accommodate housing units and commercial activities shall be encouraged in the downtown area.
- (J) The development of mid-rise housing (3-6 stories) is appropriate near the downtown area, in Station Community Planning Area Districts, and in other designated areas adjacent to arterial streets that are transit trunk routes. Such developments shall be subject to special planning and development review or meet specific Station Community Planning Area design and development standards. (Amended by Ord. No. 4454/8-96.)

- (K) The development of housing designed to meet the needs of senior citizens shall be encouraged, particularly in areas close to downtown, shopping, public transportation, medical and other similar facilities.
- (L) New residential areas shall have water, sewers, storm drainage, street lights and underground utilities. In addition, new residential areas shall have paved streets, curbs, and pedestrianways; and where site conditions are favorable to stormwater infiltration, the use of vegetated stormwater management facilities, pervious pavement and similar "green streets" elements is encouraged where technically feasible and appropriate. The provision of such services in older residential areas shall be encouraged. (Amended by Ord. No. 5728/3-07)
- (M) The development of housing shall allow for the retention of lands for open space and recreation within the planning area, encourage the preservation of trees within developments where possible, and be consistent with goals and policies of this Plan.
- (N) Housing shall be developed to a density sufficient to allow for commercial, industrial, recreation and other land uses within the planning area in sufficient quantity to meet other citizens' needs and goal requirements.
- (O) Residential areas should be designated to avoid incompatible commercial, industrial and other uses, but criteria should not be so restrictive as to create large, exclusively residential areas that deprive their residents of convenient access to necessary commercial, cultural and transportation facilities.
- (P) Nonresidential public and quasi-public uses may be located in residential areas subject to special planning and design review to insure their compatibility with surrounding residences.
- (Q) The Planning Commission may approve housing developments which utilize new and innovative design techniques that, while different from standard subdivision developments and design requirements, are consistent with the policies of this goal.
- (R) The City may encourage redevelopment activities and increased population densities in certain areas after taking into consideration key facilities, economic, environmental, energy and social consequences, and the optimal use of existing land, particularly in areas containing a significant number of unsound substandard housing units which cannot feasibly be rehabilitated.
- (S) The City may use the following or similar implementation measures to encourage achievement of the housing goal: tax incentives and disincentives, zoning and land use controls, subsidies and loans, fee and less-than-fee acquisition techniques,

enforcement of local health and safety codes, coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.

- (T) The City shall review housing needs and projections and make necessary revisions during the major revision process as outlined in the Planning and Citizen Involvement section of the Comprehensive Plan.
- (U) Implementation measures should be sufficiently flexible to allow residents of all incomes and life styles the widest possible choice of housing types and locations.
- (V) Minimum and maximum densities shall be established for all areas designated for residential use or mixed-use on the Comprehensive Plan Land Use Map. Minimum residential density zoning standards shall be prescribed for all residential areas. Minimum density standards shall result in the building of at least 80 percent of the maximum number of dwelling units per net residential acre permitted by the applicable residential zone. The minimum densities are intended to ensure the Hillsboro Comprehensive Plan achieves the residential density objectives identified in the Region 2040 Growth Concept and Regional Framework Plan, while retaining flexibility for residential development patterns and projects tailored to local conditions. No land use regulation provision or process may be applied, nor shall any condition of approval be imposed that would have the effect of reducing the density permitted under the minimum density standard of an applicable residential zone, or which would cause the City's comprehensive plan to be in noncompliance with the adopted Metro Urban Growth Management Functional Plan. (Amended by Ord. Nos. 3075/1-80, 4454/8-96, and 4901/5-00.)
- (W) In determining residential densities, developers may be given credit for land donated and accepted by the City for needed public facilities. (Amended by Ord. No. 3075/1-80.)
- (X) Certain areas designated residential on the comprehensive plan map shall be considered appropriate for local commercial convenience activities. Specific locations will be determined as a result of detailed land use studies to be initiated in 1977. Until specific locations have been determined, lands designated residential on the plan map but presently zoned for neighborhood commercial use shall be considered appropriate for such uses.
- (Y) Residential land shall develop within the density range designated by the Comprehensive Plan unless higher densities are approved by the City under the Planned Unit Development process. Density reductions and transfers may also be allowed within the Significant Natural Resource Overlay (SNRO) District and within Habitat Benefit Areas that fall outside of the SNRO District.

(Added by Ord. No. 3075/1-80 and Amended by Ord. No. 3450/3-84, 5728/3-07, and Ord. No. 5777/8-07)

(IV) Implementation Measures. (Added by Ord. No. 2970/2-79.)

- (A) Developers of tracts of land which are sufficiently large to allow for comprehensive planning shall be encouraged to use the Planned Unit Development (PUD) process in order to permit the application of new technology, greater freedom of design, land development and ownership patterns, greater population densities and economy of land use, thereby promoting a harmonious variety of uses, a more efficient use of public facilities, and the creation of attractive, healthful and stable environments for living, shopping or working. The Planned Unit Development shall be a superimposed zone applied over the existing zone designation(s).

The procedural requirements for processing an application shall be that minimum necessary to adequately review the proposed development, and shall be coordinated with all other required reviews (i.e. Development Review). The PUD provisions of the Zoning Ordinance shall include clear and objective standards consistent with Section 2(III)(C)(6) herein.

Any ownership patterns and dwelling unit types which are allowable in the Residential designation could be included in a Planned Unit Development. Non-residential uses could be included if the use is supportive of the Residential use and is economically justified by the applicant.

Within a PUD, densities may reach 120 percent of the maximum density allowed in the implementing zone of the applicable Plan designation. Such a density increase must be mitigated by the applicant through provision of usable open space and amenities, innovative site design, architectural variety, and quality of construction. The level of mitigation shall increase as the density increases above that cited. (Added by Ord. No. 2970/2-79, and Amended by Ord. Nos. 3080/1-80, 3414/7-83, 3450/3-84 and Ord. No. 5777/8-07.)

- (B) (Added by Ord. No. 2970/2-79 and Deleted by Ord. No. 4212/3-94.)
- (C) Manufactured home parks provide a needed housing alternative for the citizens of Hillsboro and shall be permitted outright in those areas of the City designated Medium Density Residential on the Comprehensive Plan Land Use Map. The Zoning Ordinance shall contain specific requirements to assure the manufactured home park developments will be well planned, internally consistent and harmonious with surrounding land uses. (Added by Ord. No. 2970/2-79 and Amended by Ord. No. 4212/3-94.)

(D) Manufactured home units meeting specific standards shall be a permitted use in all zones that permit single family dwellings. Standards shall include: conformance with applicable local, state, and federal standards in force at the time of installation pursuant to Chapter 50 - Prefabricated Structure Code, installation on excavated and backfilled foundations, and removal of all transport related gear. In addition, other placement standards allowed by State statute may be imposed to insure the harmonious integration of this housing type with other housing in the surrounding vicinity. (Added by Ord. No. 2970/2-79 and Amended by Ord. No. 4212/3-94.)

(E) Duplex units shall be encouraged in new single-family subdivisions as a means of providing increased density and a needed housing option in a manner which melds with the existing community and is energy and cost efficient.

The Zoning Ordinance shall allow new R-10, R-8.5, R-7, or R-6 subdivision proposals to designate a maximum of 20% of the lots as duplex lots. Duplex lots shall allow duplex or single-family dwellings and the lot designations shall be reviewed by the Planning Commission concurrently with review of the tentative plats. After final subdivision approval, lots designated for duplexes will be considered fixed and may be changed only upon approval of the Planning Commission after adequate notification of surrounding property owners. (Added by Ord. No. 2970/2-79, and Amended by Ord. Nos. 3414/7-83 and 3450/3-84.)

(F) (Deleted by Ord. No. 3414/7-83.)

(G) In order to provide greater flexibility and economy of land use, the Zoning and Subdivision Ordinance(s) shall require variable lot sizes and setbacks in single-family residential subdivisions of eight lots or larger. At least 30% of the lots in a new subdivision shall contain less than the average lot area allowed in the applicable zone, but the average of the lot sizes must be that specified for the zone. In addition, the minimum lot size approved in a subdivision or Planned Unit Development shall not be less than 75% of the average lot size established for each applicable zone. The Subdivision Ordinance shall provide clear and objective standards for variations in lot dimensions and structural setbacks, which may also be applied in residential Planned Unit Developments and through the Development Review process. (Added by Ord. No. 2970/2-79 , Amended by Ord. No. 5777/8-07.)

(H) Housing for the elderly shall be encouraged. The livability of these developments shall be a prime concern in the review process. Large-scale developments for the elderly would be most appropriately located near the City core area. Alternative living

patterns, cooperative housing and/or common facilities, which might better meet the needs of the elderly, shall be allowable outright in medium or high density areas and as a conditional use in low density areas in the Zoning Ordinance. (Added by Ord. No. 2970/2-79.)

- (I) The City shall cooperate with the Washington County Housing Authority, regional agencies, State Housing Division, HUD, FmHA, and other agencies for the provision of moderate to low income housing and maintenance and rehabilitation activities in the City.

Housing units pursuant to the above shall not be concentrated in any one area, but shall be dispersed throughout the City. The City shall participate in the Areawide Housing Opportunity Plan for the Portland Metropolitan Area. (Added by Ord. No. 2970/2-79.)

- (J) The City shall propose and hold public hearings on an ordinance to establish a development review process, a development review board and broad design standards for all developments except single family dwellings. The proposal shall reflect the recommendation of the development review study committee, the views presented during the neighborhood workshops and public hearings on the Housing Element, and shall be altered during the hearing process so that a final action reflects the needs of the community. (Added by Ord. No. 2970/2-79, and Amended by Ord. No. 3080/1-80.)

- (K) In order to reduce the potential danger and serious damage to Hillsboro households due to flooding, the City shall adopt regulations governing development on property located within the 100 year floodplain. (Added by Ord. No. 2970/2-79.)

- (L) The City shall maintain and periodically review an ordinance regulating the subdivision and major and minor partitioning of land. (Added by Ord. No. 2970/2-79.)

- (M) Residential density designations are intended to discourage development at lower densities. The densities of new developments shall be monitored and reviewed annually to assure that residential construction is implementing the Comprehensive Plan designations. If the residential density designations are not being implemented, additional land shall be designated or redesignated to help assure that the overall density will be attained. (Added by Ord. No. 3075/1-80.)

- (N) If a parcel of land is sized and designated to allow development of substantially more than one dwelling unit, the siting of a single new dwelling unit on the parcel shall allow development of the

remainder of the parcel to the density range of the designation.
(Added by Ord. No. 3450/3-84.)