

# Appeals of Director's Interpretation for Beverage Container Redemption Centers (DI2017-0003)

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APP2018-0001, APP2018-0002

June 19, 2018

# Timeline

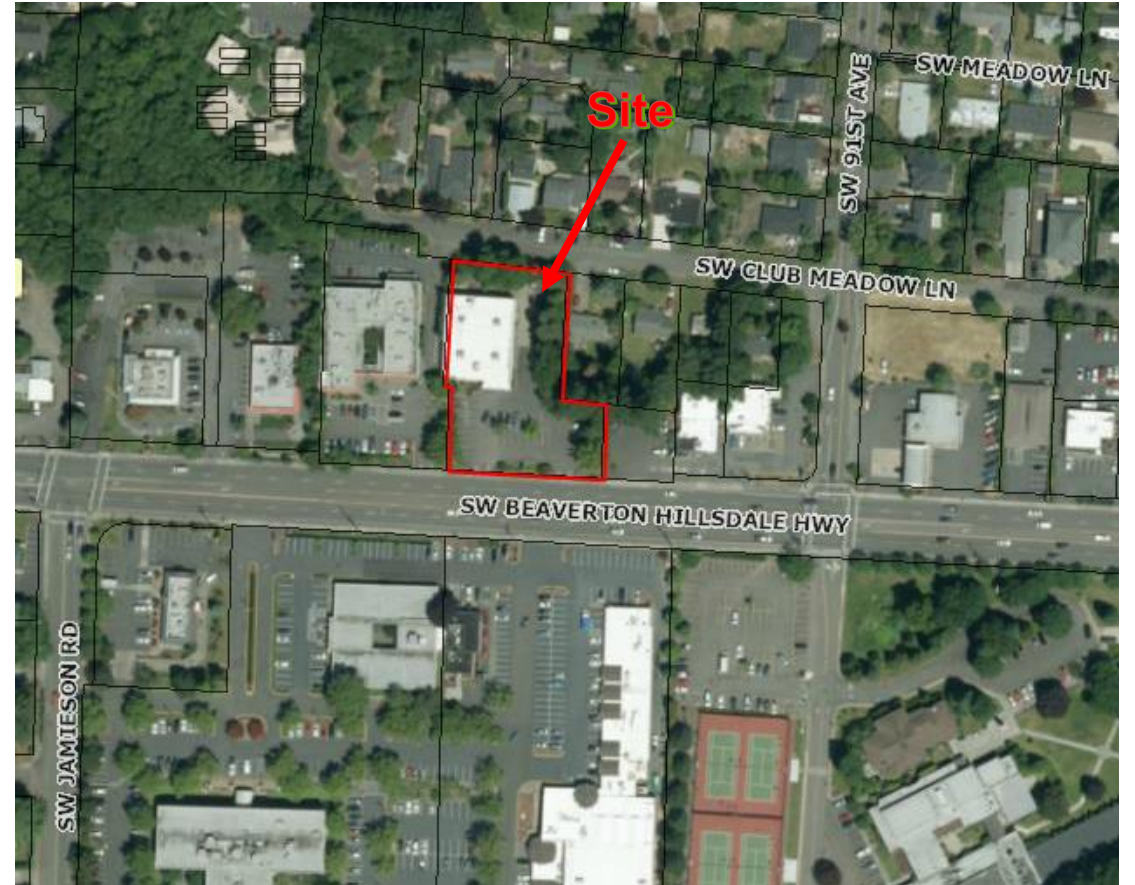
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- Planning Division issued a Design Review Compliance Letter to facilitate establishment of a Beverage Container Redemption Center (BCRC) at 9307 SW Beaverton Hillsdale Highway on February 22, 2017.
- This approval was appealed to the Land Use Board of Appeals (LUBA) which determined that a Director's Interpretation was needed to determine whether the BCRC use is permitted by the Beaverton Development Code in the Community Service Zoning District.
- OBRC filed an application for the Director's Interpretation in December 2017. The Director's Interpretation decision was issued on April 30, 2018.
- Two appeals of the Director's Interpretation were filed during the appeal period in May and are now before the Council for a public hearing.

# Approval Criteria

## Key Criteria for the Director's Interpretation (BDC 40.25.15):

- The interpretation is consistent with the Beaverton Comprehensive Plan
- When interpreting a use which is not identified in the BDC, that use must be substantially similar to a use identified in that zoning district.



# Summary of Director's Interpretation

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- BDC 20.15.20.18 identifies “Salvage Yards, Recycling Centers, and Solid Waste Transfer Stations” as a conditional use in Industrial Zoning Districts.
- BDC Chapter 90 (Definitions) provides a definition of only “Salvage Yards”:  
*A place out-of-doors where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including vehicle wrecking yards, building wrecking yards, used lumber yards and places of storage of salvaged building; wrecking and structural steel materials and equipment, but not including rummage, yard or garage sales of no more than four (4) days duration. Three or more dismantled or inoperable vehicles on one lot shall constitute a salvage yard.*
- Community Service Zoning District allows a very wide range of commercial uses, including:
  - Large-scale retail shopping centers, full service grocery stores
  - Drive-through fast food restaurants
  - Bars, Marijuana retailers and liquor stores

# Appeal

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- The Agenda Bill details the appellants' contentions made in the appeal, with Director responses.
- Additional material was submitted after the agenda was published, and has been provided with a supplemental memorandum from staff.
- The Director's recommendation is to uphold the Director's Interpretation decision that the Beverage Container Redemption Center is a permitted use in the Community Service District.

Thank you. Questions?

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