



## **NOTICE OF DECISION**

August 23, 2021

To Whom It May Concern:

The Beaverton **PLANNING COMMISSION** issued a recommendation of **APPROVAL** of **TA2021-0004 (LABORATORY TEXT AMENDMENT)** to **CITY COUNCIL** at the Commission's August 18, 2021, meeting. The Land Use Order summarizing the Commission's decision can be viewed and downloaded at <http://apps2.beavertonoregon.gov/DevelopmentProjects/>. You may contact the staff planner identified below to have a copy of the land use order mailed to you.

The **PLANNING COMMISSION** decision is final, but may be appealed within ten (10) calendar days after the date the signed notice is dated and mailed. The appeal closing date is **5:00 p.m., September 2, 2021**. Pursuant to Section 50.70, an appeal application shall contain the following minimum information:

1. The case file number designated by the City.
2. The name and signature of each appellant.
3. Reference to the oral or written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
4. If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
5. The specific approval criteria, condition, or both being appealed, the reasons why the finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
6. The appeal fee, as established by resolution of the City Council.

The appellate decision making authority on appeal of Type 4 decisions shall be the City Council. The appeal hearing shall be *de novo*, which means new evidence and argument can be introduced in writing, orally, or both. The hearing of the appeal shall be conducted in the manner specified in Section 50.85 through 50.88 except as otherwise required by statute.

Please note that failure to comply with the requirements of Sections 50.75.1 and 50.75.2 is jurisdictional and deprives the appellant of an opportunity for the appellate decision making authority to hear an appeal.

The current appeal fee due at time of filing is \$2,134. The fee amount depends upon the action being appealed and the number of appeals being filed.

The complete case file is available for review, for more information about the project, please contact **Sambo Kirkman, Senior Planner** at **(503) 214-0843**.

Sincerely,

Sambo Kirkman, AICP  
Senior Planner

**BEFORE THE PLANNING COMMISSION FOR  
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF TA2021-0004 A	)	ORDER NO. 2836
REQUEST TO AMEND THE BEAVERTON	)	TA2021-0004 ORDER RECOMMENDING
DEVELOPMENT CODE TO ADD	)	APPROVAL OF LABORATORY TEXT
LABORATORY USES AS A PERMITTED USE	)	AMENDMENT
IN ALL INDUSTRIAL ZONING DISTRICTS	)	
AND SOME MULTIPLE USE ZONING	)	
DISTRICTS. (LABORATORY TEXT	)	
AMENDMENT). CITY OF BEAVERTON,	)	
APPLICANT	)	

The matter of TA2021-0004 (Laboratory Text Amendment) was initiated by the City of Beaverton through the submittal of a Text Amendment application from the Community Development Department.

Pursuant to the amendment procedures as described in Section 50.50 of the Beaverton Development Code, effective through Ordinance 2836, the Planning Commission conducted a public hearing on August 18, 2021, and considered oral and written testimony and exhibits for the proposed amendment.

TA2021-0004 (Laboratory Text Amendment) proposes to amend the Beaverton Development Code to update Chapter 20 Land Use to add laboratory as a permitted use in all industrial zoning districts and some multiple use zoning districts.

*Clarifying Activities Prohibited in Laboratory Uses.* The Commission requested that the use restrictions for industrial zones (Note 13) and for

multiple use zones (Note 57) clarify that laboratory activities like experimenting and testing of explosive materials are also prohibited.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 11, 2021, as amended and supplemental findings contain herein, as applicable to the criteria contained in Section 40.85.15.1.C.1-7 of the Development Code.

**IT IS HEREBY ORDERED** that pursuant to Section 50.50.1 of the Beaverton Development Code the Planning Commission recommends approval of TA2021-0004 (Laboratory Text Amendment) to the Beaverton City Council and adoption of the Text Amendment described herein, based on the facts and findings in the Staff Report dated August 11, 2021, as amended.

Motion **CARRIED** by the following vote:

<b>AYES:</b>	Overhage, Teater, McCann, Nye, Saldanha, and Winter.
<b>NAYS:</b>	None.
<b>ABSTAIN:</b>	None.
<b>ABSENT:</b>	Lawler.

Dated this 23 day of August, 2021.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2836, an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 4:00 p.m. on September 2, 2021.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

Digitally signed by Sambo Kirkman  
DN: cn=Sambo Kirkman,  
o=City of Beaverton, ou=City  
of Beaverton, email=skirkman@beavertonoregon.gov,  
c=US

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**SAMBO KIRKMAN**  
Senior Planner

Digitally signed by Jana Fox  
DN: cn=Jana Fox,  
o=City of Beaverton, ou=Planning Division,  
email=jfox@beavertonoregon.gov, c=US,  
Date: 2021.08.20 16:21:30-0700'

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**JANA FOX**  
Current Planning Manager

APPROVED:



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**SCOTT WINTER**  
Vice-Chair