



CITY OF BEAVERTON  
Planning Division  
Community Development Department  
Tel: 503-526-2420  
[www.beavertonoregon.gov](http://www.beavertonoregon.gov)

## STAFF REPORT

**Report date:** June 14, 2023

**Application:** LU32023-00186 Leupold & Stevens, Inc. Annexation

**Application Numbers:** CPMA32023-00184 / ZMAX32023-00185

**Proposal:** The City of Beaverton proposes to amend the City Comprehensive Plan Land Use Map and Zoning Map to apply city land use and zoning designations to one parcel at 14500 NW Greenbrier Parkway (Tax Lot 01300 on Washington County Tax Assessor's Map 1N132DA) and abutting portions of NW Greenbrier Parkway, as shown on the attached vicinity map. The property is currently designated Washington County Industrial.

The proposed amendment to the Land Use Map (CPMA32023-00184) would apply the city's Industrial land use designation. The proposed amendment to the Zoning Map (ZMAX32023-00185) would apply the city's Industrial zone. A list of uses that may be allowed in the Industrial zone can be found in Section 20.15.20 of the Beaverton Development Code.

**Proposal location:** The site is at 14500 NW Greenbrier Parkway, specifically identified as Tax Lot 01300 on Washington County Tax Assessor's Map 1N132DA.

**Applicant:** City of Beaverton

**Recommendation:** Recommendation of APPROVAL of CPMA32023-00184 / ZMAX32023-00185 to City Council

Planning Commission approval would be forwarded as a recommendation to City Council to adopt an ordinance applying the Industrial land use designation and the Industrial zoning district to the subject property and right of way, effective 30 days after adoption of the proposed ordinance or upon the effective date of the related annexation, whichever occurs later.

**Hearing information:** June 21, 2023, at 6:30 p.m. in the City Council Chambers, First Floor, Beaverton Building, 12725 SW Millikan Way

**Note: Public hearings are held remotely** and can be viewed at the following link:

<https://beavertonoregon.gov/913/Agendas-Minutes>

**Contact information:**

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503-278-0318 / [lrussell@beavertonoregon.gov](mailto:lrussell@beavertonoregon.gov)

Applicant: City of Beaverton  
12725 SW Millikan Way  
Beaverton, OR 97005

Property Owner: Leupold & Stevens Inc.  
PO Box 688  
Beaverton, OR 97075

## Background

CPMA32023-00184 proposes an amendment of the Land Use Map, and ZMAX32023-00185 proposes an amendment of the Zoning Map. The amendments are requested to apply a City land use designation and zoning to one parcel and right of way being annexed into the City through a separate but concurrent process. The parcel currently carries Washington County's Industrial designation, as depicted on the County's Land Use Districts Map.

The Washington County-City of Beaverton Urban Planning Area Agreement (UPAA) states in Section V.B that:

Upon annexation, the CITY shall initiate changes to the Comprehensive Plan land use and zoning designations corresponding as closely as possible to designations already adopted by the COUNTY. The CITY shall maintain a list of COUNTY land use designations and the corresponding CITY comprehensive plan and zoning designations. If a property is subject to a concept, neighborhood, or community plan adopted by the CITY, the CITY shall apply the applicable CITY comprehensive plan and zoning designations upon annexation. In addition, the COUNTY shall advise the CITY of adopted policies that apply to the annexed area.

Table 1 in Section 1.5.2 of the Comprehensive Plan was adopted pursuant to UPAA Section V, which requires the City to maintain a list of corresponding County-to-City plan and zone designations where the decision to apply a specific Land Use Map designation is made under land use standards that do not require interpretation or the exercise of policy or legal judgment. Comprehensive Plan Section 1.5.2.A states that County land use districts not consistent with Table 1 and associated footnotes shown shall be subject to a Type 3 discretionary process. Table 1 does not contain the County Industrial land use district. Therefore, a discretionary process is required to determine the corresponding City plan and zone designations for the subject parcel zoned County Industrial.

# Existing Conditions

**Zoning:** Industrial

**Site Conditions:** Warehouse and office building with associated parking.

**Site Size:** 4.87 acres

**Location:** The subject site is located on the south side of NW Greenbrier Parkway. It is bound by Greenbrier Parkway to the north, industrial property to the east, and Pioneer Park to the south.

**Neighborhood Association Committee:** The property abuts the Five Oaks/Triple Creek Neighborhood Association Committee

**Table 1: Surrounding Uses**

| Direction | Zoning                             | Uses   |
|-----------|------------------------------------|--|
| North     | Washington County Industrial (IND) | Leupold & Stevens industrial use   |
| South     | Residential Mixed C (RMC)          | Pioneer Park   |
| East:     | Washington County Industrial (IND) | Leupold & Stevens industrial use   |
| West:     | Office Industrial (OI)             | Office use and a parking lot within property owned by the federal government |

## Application Information

**Table 2: Application Summaries**

| Application     | Application type                             | Proposal summary                           | Approval criteria location            |
|-----------------|--|--|---------------------------------------|
| CPMA32023-00184 | Comprehensive Plan Amendment (discretionary) | Applying the city's Industrial designation | Comprehensive Plan Section 1.5.1.B    |
| ZMAX32023-00185 | Zoning Map Amendment (discretionary)         | Applying the city's Industrial zone        | Development Code Section 40.97.15.4.C |

**Table 3: Key Application Dates**

| Application     | Submittal Date | Deemed Complete | 120-Day | 365-Day |
|-----------------|----------------|-----------------|---------|---------|
| CPMA32023-00184 | April 5, 2023  | N/A             | N/A     | N/A     |
| ZMAX32023-00185 | April 5, 2023  | N/A             | N/A     | N/A     |

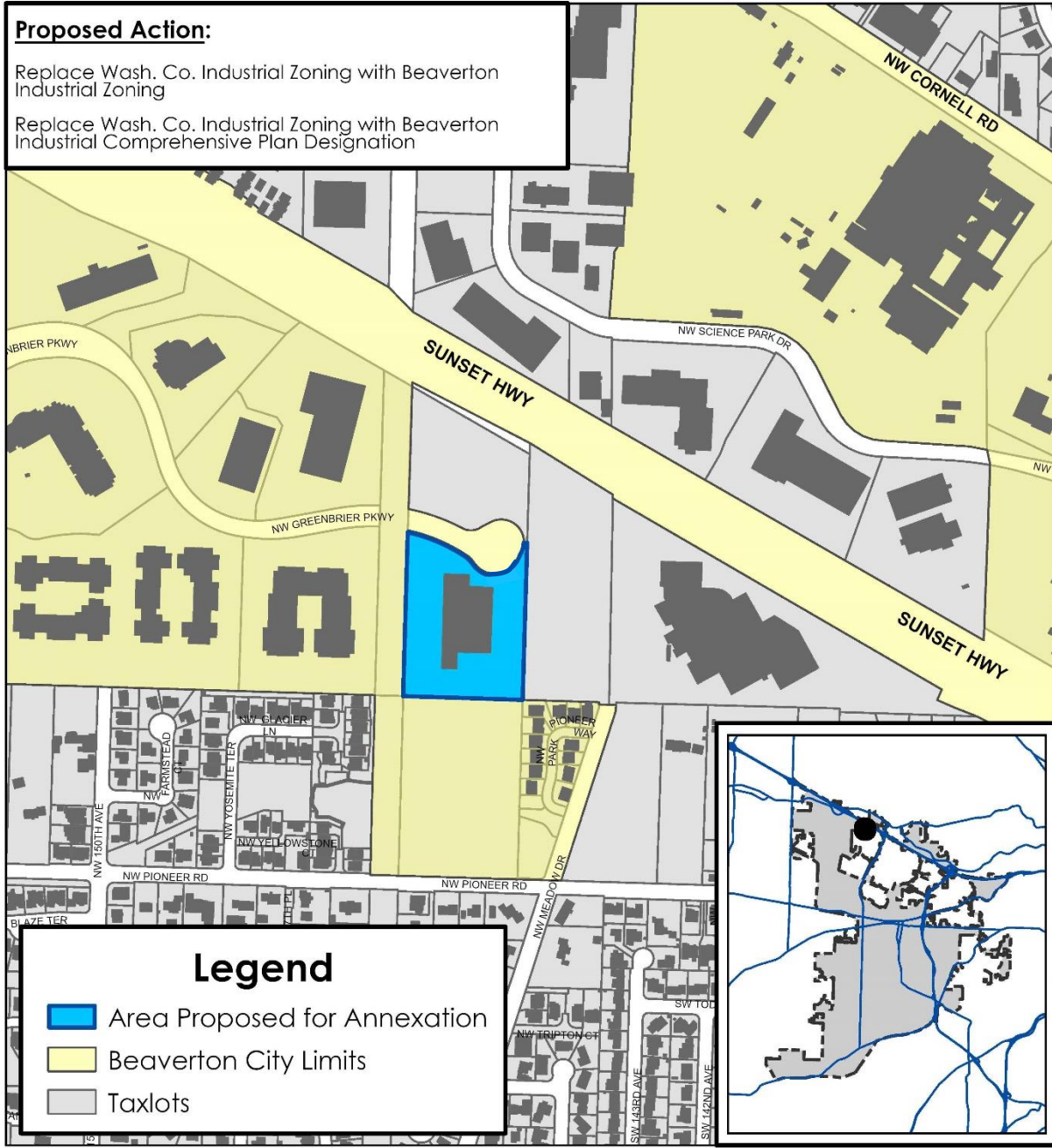


# VICINITY MAP

### Proposed Action:

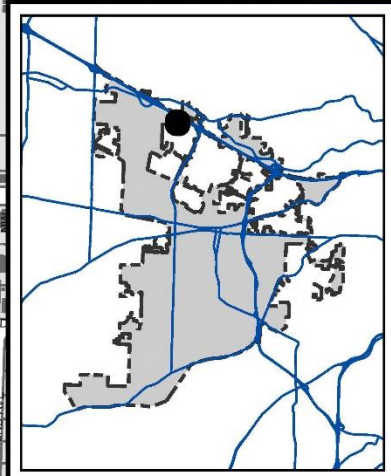
Replace Wash. Co. Industrial Zoning with Beaverton Industrial Zoning

Replace Wash. Co. Industrial Zoning with Beaverton Industrial Comprehensive Plan Designation



**Legend**

- Area Proposed for Annexation
- Beaverton City Limits
- Taxlots



|   |  |
|---|--|
| <p><b>LU32023-00186 Leupold &amp; Stevens Inc. Annexation</b><br/> <b>(CPMA32023-00184 / ZMAX32023-00185)</b></p> <p>ANNEXATION-RELATED COMP PLAN AND ZONING MAP AMENDMENTS</p> | <p>05/17/2023</p> <p>Tax map: 1N132DA<br/>Tax lot: 01300</p> |
|---|--|

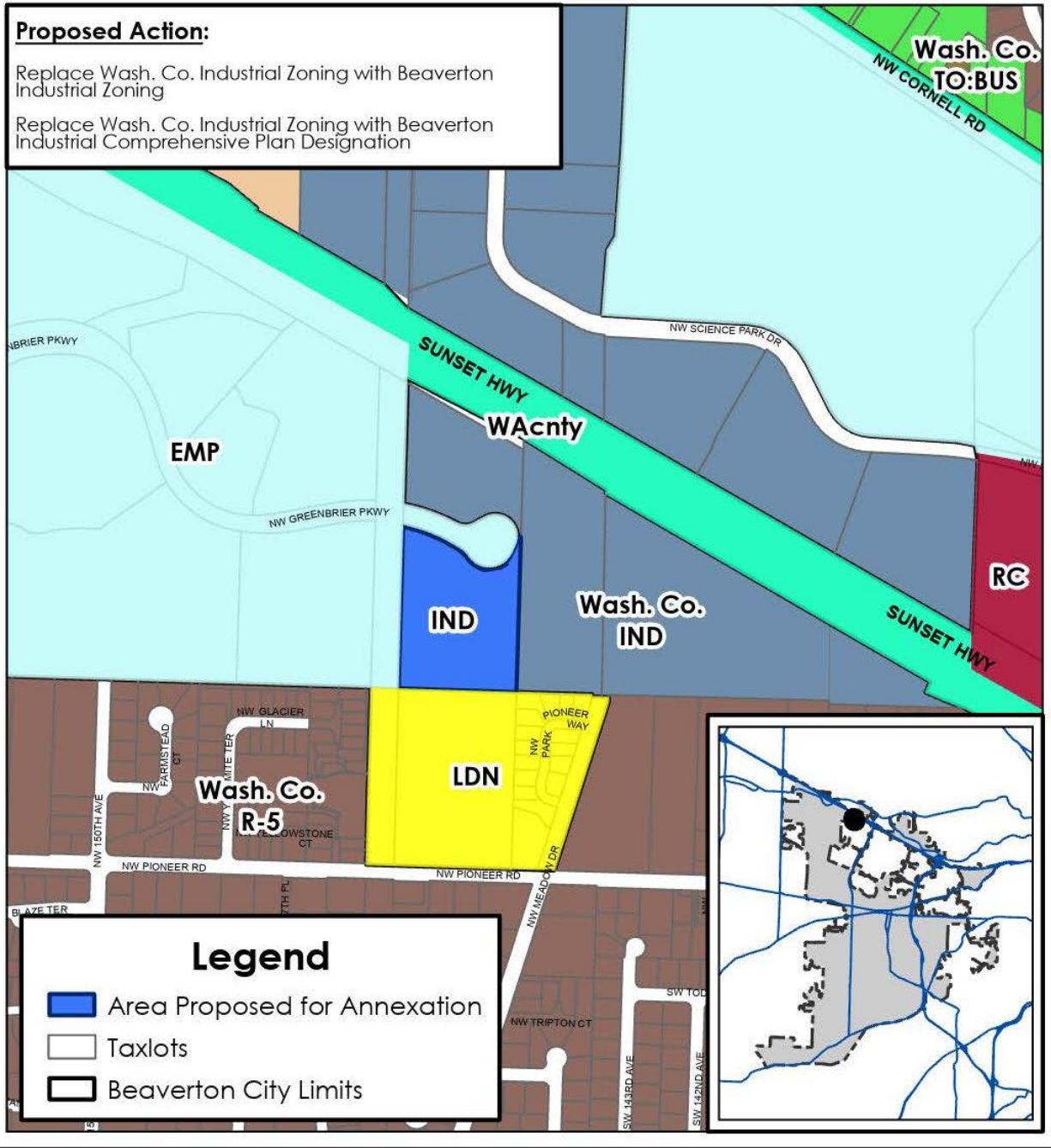


# LAND USE MAP

### Proposed Action:

Replace Wash. Co. Industrial Zoning with Beaverton Industrial Zoning

Replace Wash. Co. Industrial Zoning with Beaverton Industrial Comprehensive Plan Designation



**Legend**

- Area Proposed for Annexation
- Taxlots
- Beaverton City Limits

**LU32023-00186 Leupold & Stevens, Inc. Annexation**  
**(CPMA32023-00184 / ZMAX32023-00185)**  
 ANNEXATION-RELATED COMP PLAN AND ZONING MAP AMENDMENTS

06/14/2023   
 Tax map: 1N132DA  
 Tax lot: 01300







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**Exhibits:**

**Exhibit 1. Materials Submitted by Staff**

- Exhibit 1.1 Vicinity Map (page 6 of this report)
- Exhibit 1.2 Land Use Map (page 7 of this report)
- Exhibit 1.3 Zoning Map (page 8 of this report)

**Exhibit 2. Public Comment**

None received

**Exhibit 3. Agency Comment**

- Exhibit 3.1 Email from Glen Hamburg, Metro, received June 5, 2023

# Attachment A: CPMA32023-00184 Comprehensive Plan Map Amendment

## ANALYSIS AND FINDINGS FOR COMPREHENSIVE PLAN AMENDMENT APPROVAL

**Recommendation:** Recommendation of APPROVAL of CPMA32023-00184 to City Council.

### Section 1.3 Amendment Procedural Categories

Quasi-Judicial Amendments are amendments to a Land Use Map designation as it applies to specific parcels or that applies to a small number of individuals or properties or locations.

#### FINDING:

The subject property is at 14500 NW Greenbrier Parkway (Tax Lot 01300 on Washington County Tax Assessor's Map 1N132DA). The proposed amendment is to apply the city's Industrial land use designation to the property and abutting portions of NW Greenbrier Parkway. Because this amendment applies to a specific property and right of way, it meets the definition of a Quasi-Judicial Amendment and is subject to the approval criteria in Section 1.5.1.B.

**Conclusion:** Therefore, staff finds that this Comprehensive Plan Amendment is an Annexation Related Quasi-Judicial application and must meet the relevant approval criteria in Section 1.5.1.B.

### Section 1.4.2 Notice Requirements: Quasi-Judicial Amendments

A. Notice of the initial hearing shall be provided as follows:

1. By providing the required inter-agency DLCD notice to DLCD, Metro, and Washington County at least thirty-five (35) calendar days prior to the initial hearing;
2. By mailing the required inter-agency DLCD notice to the chair(s) of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Beaverton Committee for Community Involvement at least thirty-five (35) calendar days prior to the initial hearing;
3. By publication of a notice with the information specified in 1.4.2.B.1, 2, 3, and 4 in a newspaper of general circulation within the City;

4. By posting notice with the information specified in 1.4.2.B at Beaverton City Hall and the Beaverton City Library;
5. By mailing notice with the information specified in 1.4.2.B to property owners included in the proposed change area, if applicable, and within an area enclosed by lines parallel to and 500 feet from the exterior boundary of the property for which the change is contemplated; and
6. By placing notice with the information specified in 1.4.2.B on the City's web site.

Notice required by Oregon Revised Statutes (ORS 227.186, also known as Ballot Measure 56) shall be provided, when applicable. ORS 227.186(6) specifies notice requirements for city-initiated amendments related to Periodic Review.

Hearing notices required by numbers 3 through 6 of this subsection shall be given not less than twenty (20) and not more than forty (40) calendar days prior to the date of the initial hearing.

B. Notice required in subsection 1.4.2.A.4. and 5. shall:

1. State the date, time, and location of the hearing, and the hearings body;
2. Explain the nature of the application and the use or uses, which could be authorized;
3. Include the case file number, title or both of the proposed ordinance to be considered at the time of hearing;
4. List the applicable criteria from the Comprehensive Plan by section number that apply to the application at issue;
5. State that a copy of the application, all documents and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost and include the days, times and location where available for inspection;
6. State that a copy of the staff report will be available for inspection at no cost at least seven (7) calendar days prior to the hearing and will be provided at reasonable cost include the days, times and location where available for inspection;
7. Include the name and phone number of the City staff person assigned to the application from whom additional information may be obtained;
8. State that failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the Planning

Commission an opportunity to respond to the issue precludes appeal to the City Council and the Land Use Board of Appeals based on that issue;

9. Include a general explanation of the requirements for submission of testimony and procedure for conduct of the hearing; and
  10. Set forth the street address or other easily understood geographical reference to the subject property and include a map, if applicable.
- C. If an application is City-initiated and would change the Land Use Plan Map for a property to a designation that would require a rezone, a notice must be sent to the owner pursuant to Oregon Revised Statutes (ORS 227.186(3) also known as Ballot Measure 56).

### **FINDING:**

Notice of the initial hearing for the proposed discretionary map amendment was provided to DLCD on May 17, 2023, which was 35 days prior to the initial hearing and a copy of the DLCD notice was mailed the same day to Metro, Washington County, the Chair of the Five Oaks / Triple Creek NAC, the Chairs of Community Participation Organizations 1 and 7, and the Chair of the Beaverton Committee for Community Involvement. Notice was published in the Beaverton Valley Times, mailed to the required parties, and posted at City Hall and the City Library and placed on the City's website on May 25, 2023, which was 27 days prior to the initial hearing. All distributed notices included the required information outlined in Section 1.4.2.B.

Because the proposed amendment also includes a rezone of the subject property, a Measure 56 Notice was mailed to the property owner at least 20 days but not more than 40 days prior to the initial hearing on this application, pursuant to ORS 227.186.

**Conclusion:** Therefore, staff finds that the application satisfies the notice requirements for Quasi-Judicial Amendments, as outlined in Section 1.4.2.

## **Section 1.5.1 Criteria for Legislative and Quasi-Judicial Comprehensive Plan Amendments**

The adoption by the City Council of any amendment to the Plan shall be supported by findings of fact, based on the record, that demonstrate the criteria of this Section have been met. The City Council and Planning Commission may incorporate by reference facts, findings, reasons, and conclusions proposed by the City staff or others into their decision.

### **Section 1.5.1.B**

**Approval Criterion:** The following criteria apply to all annexation-related quasi-judicial Comprehensive Plan Amendments.

1. In applying the most appropriate Comprehensive Plan designation, the decision-making authority shall use the relevant criteria below.
  - a. If the property is or properties are subject to a Beaverton approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A wherein the zoning is specified, the decision-making authority shall apply the specified Comprehensive Plan designation or designations; or
  - b. If the Washington County designation is Institutional, the decision-making authority shall find that the designation is consistent with Beaverton Comprehensive Plan policies in the Land Use Element; or
  - c. If neither Section 1.5.1.B.1 or 2 apply, the decision-making authority shall find that the designation is consistent with one or more of the following criteria in applying a Beaverton Comprehensive Plan designation;
    - i. City Comprehensive Plan policies in the Land Use Element
    - ii. Consistency with the County Land Use Districts.

## FINDING:

The subject property is not subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan approved consistent with Section 1.5.1.A wherein zoning is specified. The subject property does not carry the Washington County Institutional designation. Therefore, the decision-making authority shall find that the designation is consistent with City Comprehensive Plan policies in the Land Use Element or is consistent with the County Land Use Districts.

### City Comprehensive Plan Policies

The subject property currently carries Washington County's Industrial designation and is developed with an approximately 47,000-square-foot warehouse building with accessory offices. For these reasons, staff only analyzed City Comprehensive Plan policies for the Industrial land use designation. Section 3.9 of the Comprehensive Plan, Employment and Industrial Land, contains one goal that is specific to the Industrial land use district.

Goal 3.9.3, Industrial Areas, is to accommodate industrial and manufacturing uses that may conflict with housing and uses that draw the general public. Policy 3.9.3.e states that the Industrial designation may be applied in areas with excellent truck route access and/or access to freight rail lines.

The subject property is in an area with excellent truck route access. The site is at the cul-de-sac end of NW Greenbrier Parkway, which is 0.8 mile from the intersection of NW Greenbrier Parkway and NW 158<sup>th</sup> Avenue. NW 158<sup>th</sup> Avenue is classified as a through truck route in the Transportation System Plan (TSP). The Through Truck Routes (Figure



6.24 of the TSP) map indicates truck routes along several primary arterials that were established to provide for efficient movement of raw materials and finished products while at the same time maintaining neighborhood livability, public safety, and minimizing maintenance costs of the roadway system. NW 158<sup>th</sup> Avenue also provides access to other through truck routes, including NW Cornell Road and U.S. 26 to the north and SW Baseline Road and SW Jenkins Road to the south.

The subject property is not in an area with excellent access to freight rail lines. The Rail Lines Master Plan (TSP Figure 6.25) indicates the location of existing freight and passenger rail lines. The Regional Transportation Plan designates the rail lines traveling along Highway 217 and SW Tualatin Valley Highway as part of the regional freight system. These lines serve many areas of regional concern including industrial areas, truck terminals, and several employment areas along the route. The freight rail lines provide additional connections to the main roadway freight truck routes. The subject site is more than 2 miles from the closest rail line along SW Tualatin Valley Highway.

Because the subject property is in an area with excellent truck route access, which is consistent with Comprehensive Plan Policy 3.9.3.e for Industrial Areas, staff finds that the Industrial land use designation is appropriate for the subject site.

#### Washington County Industrial District

The City's Industrial land use designation is also consistent with Washington County's Industrial Land Use District. The Washington County Community Development Code states the intent of the Industrial District is to provide sites for all types of industrial uses, to provide for the recognition and regulation of existing industrial sites, and to provide the regulatory framework for future industrial development, as well as to allow some commercial, office, and service uses as accessory uses through mixed use developments where all uses conform to environmental performance standards. This intent is consistent with several policies under Goal 3.9.1 Successful Employment Lands and Goal 3.9.3 Industrial Areas in the Land Use Element, which are:

- Policy 3.9.1.a) Emphasize and prioritize employment and industrial uses – ensure that other uses allowed within these plan designations support and do not detract from the desirability of these areas for employment and industrial uses.
- Policy 3.9.1.c) Provide employment land suitable to meet long-term and short-term employment growth forecasts, including encouraging increased employment densities and the reuse of underutilized employment land.
- Policy 3.9.3.a) Protect space and land for uses needing access to freight routes and facilities.
- Policy 3.9.3.c) Allow uses that complement industrial uses and provide an appropriate amount of retail and services needed by employees with limitations that ensure the area functions well for industry and freight.

Because both the City's Industrial land use designation and the County's Industrial District prioritize industrial uses while allowing some limited commercial uses to serve employees, staff finds that applying the City's Industrial land use designation to the subject property is consistent with the County's Industrial Land Use District.

**Conclusion:** Therefore, staff finds that the application satisfies Comprehensive Plan Section 1.5.1.B for annexation-related quasi-judicial Comprehensive Plan Amendments.

## Oregon Statewide Planning Goals

As a post-acknowledgement plan amendment to the City's Comprehensive Plan Land Use Map, the proposed comprehensive plan map amendment is subject to ORS 197.175(1), which requires the City to demonstrate that the proposal is consistent with the relevant Statewide Planning Goals. Staff has determined that Goals 1, 2, 9, and 12 are applicable.

ORS 197.175(1) requires cities to exercise their planning responsibilities consistent with Statewide Planning Goals and ORS Chapters 195, 196, and 197.

### Goal 1: Citizen Involvement

Goal 1 requires each city and county to have a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

#### FINDING:

The proposal is to amend the city's Comprehensive Plan Land Use Map and apply a city land use designation to the portion of the subject site in the county's Industrial Land Use District. This proposal is subject to the public notice requirements in Section 1.4.2 of the Comprehensive Plan.

At the public hearing, the Planning Commission considers written comments and oral testimony before making a decision. The procedures outlined in Comprehensive Plan Section 1.4.2 allow for proper notice and public comment opportunities on the proposed amendment, as required by Statewide Planning Goal 1.

Beaverton's Comprehensive Plan procedures have been acknowledged as consistent with Statewide Planning Goal 1. These Comprehensive Plan procedures were followed, as described under the Comprehensive Plan Amendment analysis and findings in this staff report.

**Conclusion:** Therefore, staff finds that the application is consistent with Statewide Planning Goal 1.

## Goal 2: Land Use Planning

Goal 2 requires each city and county to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

### FINDING:

Beaverton's Comprehensive Plan contains procedures for applying Comprehensive Plan land use designations and policies regarding use of land in the Plan's Land Use Element. The Comprehensive Plan has been found to be consistent with the Metro Urban Growth Management Functional Plan and Oregon's Statewide Planning Goals and it has been acknowledged by the Land Conservation and Development Commission.

Changes to the Comprehensive Plan Land Use Map require a Type 3 process, which includes noticing and a comment period prior to an initial public hearing before the Planning Commission. The hearing is open to the public and testimony, if any, will be received. At the conclusion of the hearing, the Planning Commission can continue the hearing to a later date, keep the record open for more information, or make a recommendation to the City Council, which is the ultimate decision-making authority for annexation-related discretionary Comprehensive Plan amendments.

Staff fulfilled all public notice requirements for the proposed amendment, as detailed in Section 1.4.2 of this staff report.

**Conclusion:** Therefore, staff finds that the application is consistent with Statewide Planning Goal 2.

## Goal 9: Economic Development

Goal 9 requires each city and county to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

### FINDING:

Beaverton's Economic Opportunities Analysis was published in July 2015. It demonstrated a need for industrial land in the 20-year period ending in 2035. The state Department of Land Conservation and Development (DLCD) found it to be consistent with the requirements of Statewide Planning Goal 9. See the table below, which is an excerpt of Figure 8.1 in the Economic Opportunities Analysis, for the amount of industrial land projected to be needed.

**Table 4: Projected 5- and 20-Year Industrial Land Need and Existing Supply for Beaverton’s Assumed Urban Service Boundary (including the city)**

|                                  | Land Demand (acres) |              | Vacant Acres | Redevelopment Capacity |
|----------------------------------|---------------------|--------------|--------------|------------------------|
|                                  | 5-Year              | 20-Year      |              |                        |
| Industrial Flex                  | 23.9                | 106.4        |              |                        |
| Industrial General Manufacturing | 25.1                | 110.6        |              |                        |
| Industrial Warehouse             | 28.5                | 125.2        |              |                        |
| <b>Total</b>                     | <b>77.4</b>         | <b>342.1</b> | <b>61.1</b>  | <b>148.9</b>           |

Based on the findings in Beaverton’s Economic Opportunities Analysis in Volume II of the Comprehensive Plan, which includes the city’s Buildable Lands Inventory, Beaverton updated its Comprehensive Plan’s Economy Element and Land Use Element to address the identified industrial land needs. DLCD also found these Comprehensive Plan changes consistent with the Statewide Planning Goals.

Table 4 illustrates the that while the current capacity of industrial lands is likely adequate to meet the needs over a five-year horizon, it is unlikely to meet longer term needs. The combined capacity of vacant land and land that could be redeveloped is 210 acres, which exceeds the 5-year need of 77.4 acres but falls short of the 20-year need of 342.1 acres by 132.1 acres. The subject site is 4.87 acres and is currently occupied by Leupold & Stevens, Inc.’s approximately 47,000-square-foot warehouse building with accessory offices surrounded by surface parking. Because this site is within Beaverton’s assumed Urban Service Boundary, its acreage is included in the above calculations. Annexing this property and applying the City’s Industrial land use designation would maintain the industrial land supply.

**Conclusion:** Therefore, staff finds that the application is consistent with Statewide Planning Goal 9.

## Goal 12: Transportation

Goal 12 requires each city and county to provide and encourage a safe, convenient, and economic transportation system.

### FINDING:

OAR (Oregon Administrative Rules) 660-012-000 through 660-012-0070, referred to as the Transportation Planning Rule (TPR), provide guidance on compliance with Statewide Planning Goal 12. The Transportation Planning Rule requires local governments to review

Comprehensive Plan and land use regulation amendments and contains standards by which to review the effect of the proposed amendment on existing or planned transportation facilities. The Transportation System Plan (TSP), adopted pursuant to OAR Division 12, fulfills the requirements for public facilities planning required under ORS 197.712(2)(e), Goal 11 and OAR Chapter 660, Division 12 as they relate to transportation facilities. Volume IV of the Comprehensive Plan contains the City's adopted TSP, effective October 21, 2010.

### Significant Effects

The TPR states that "if an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule."

"A plan or land use regulation significantly affects a transportation facility if it would:

- a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- b) Change standards implementing a functional classification system; or
- c) Result in ...
  - A. Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - B. Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
  - C. Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan."

### Potential Significant Effect

The proposed Comprehensive Plan and Zoning Map Amendments are not proposing to change the functional classification of an existing or planned street, nor is the proposal changing the City's adopted street standards which implement street functional classifications. Therefore, subsections (a) and (b) above are not applicable. Subsection (c)(B) is applicable. The site is adjacent to a local street, NW Greenbrier Parkway, under Beaverton's jurisdiction, and is 0.8 mile from the intersection of NW Greenbrier Parkway and NW 158<sup>th</sup> Avenue, which is an arterial street under the County's jurisdiction. The volume to capacity ratio for this intersection is not studied in City's nor County's TSP.



### Permitted Land Uses

The discretionary annexation-related zone change from Washington County Industrial to City of Beaverton Industrial would be applied to the 4.87 acre property. The site is relatively flat without any environmental designations or overlays that have affected the developable area. Based on setbacks, the developable area of the site is 3.58 acres. For the purposes of demonstrating compliance with Statewide Planning Goal 12, Transportation, staff provides the following example of a “reasonable worst-case scenario” under both the current zoning and the proposed City Industrial zoning.

For the existing County Industrial district, a government building of approximately 85,000 square feet, which is comparable to the State’s Department of Human Services building several parcels west of the subject site, would generate roughly 1,900 vehicle trips per day. For the proposed City Industrial zone, a 4,500 square foot eating and drinking establishment building that does not contain a drive-through would generate roughly 1,550 vehicle trips per day, or an office building of approximately 90,000 square feet would generate roughly 1,100 vehicle trips per day. In either of these City scenarios, there would be a modest reduction in expected trip generation. Therefore, the discretionary zone change would not create a significant impact to the transportation network.

**Conclusion:** Therefore, staff finds that the application is consistent with Statewide Planning Goal 12.

## Oregon Administrative Rules

### **660-009-0025 Designation of Lands for Industrial and Other Employment Uses**

As a post-acknowledgement plan amendment to the City’s Comprehensive Plan Land Use Map, the proposed comprehensive plan map amendment is subject to ORS 197.175(1), which requires the City to demonstrate that the proposal is consistent with the relevant Statewide Planning Goals.

Oregon Administrative Rule 660-009-025 requires the City of Beaverton to designate sufficient buildable land to provide the opportunity for industrial and other employment uses.

#### **FINDING:**

Beaverton’s Economic Opportunities Analysis, in Figure 8.1 on Page 62, shows that the combined capacity of vacant land and land that could be redeveloped is 210 acres, which exceeds the 5-year need of 77.4 acres but falls short of the 20-year need of 342.1 acres by 132.1 acres. The subject site is 4.87 acres and is currently occupied by Leupold & Stevens, Inc.’s approximately 47,000-square-foot warehouse building with accessory offices surrounded by surface parking. Because this site is within Beaverton’s assumed

Urban Service Boundary, its acreage is included in the above calculations. Annexing this property and applying the City's Industrial land use designation would maintain the industrial land supply.

**Conclusion:** Therefore, staff finds that the application is consistent with OAR 660-009-020 and OAR 660-009-025.

# Attachment B: ZMAX32023-00185 Zoning Map Amendment

## ANALYSIS AND FINDINGS FOR ZONING MAP AMENDMENT APPROVAL

**Recommendation:** Recommendation of APPROVAL of ZMAX32023-00185 to City Council.

### Section 40.97.05 Purpose

The purpose of a Zoning Map Amendment application is to provide for the consideration of legislative and quasi-judicial amendments to the zoning map. Legislative amendments to the zoning map are amendments of generally large size, diversity of ownership or of interest to a large geographic area. Quasi-judicial amendments to the zoning map are amendments that are generally small in size, single ownership or affect only a relatively small geographic area. Annexation related amendments to the zoning map are those amendments, whether legislative or quasi-judicial, which are associated with land being annexed into the City. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires. This Section is carried out by the approval criteria listed herein.

### Section 40.97.15.4.C Discretionary Annexation Related Zoning Map Amendment Approval Criteria

In order to approve a Discretionary Annexation Related Zoning Map Amendment application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

#### Section 40.97.15.4.C.1

**Approval Criterion:** The proposal satisfies the threshold requirements for a Discretionary Annexation Related Zoning Map Amendment application.

#### FINDING:

The proposal meets threshold:

1. The change of zoning to a City zoning designation as a result of annexation of land into the City consistent with 10.40.3.B.

Section 10.40.3.B states that for parcels where Table 1 in Section 1.5.2 of the Comprehensive Plan does not identify a specific City zone and discretion is required, a public hearing shall be held. Table 1 does not identify a specific City zone for parcels that carry Washington County's Industrial designation.

**Conclusion:** Therefore, staff finds that the application meets the approval criterion.

## **Section 40.97.15.4.C.2**

**Approval Criterion:** All City application fees related to the application under consideration by the decision making authority have been submitted.

### **FINDING:**

There is no fee associated with a Discretionary Annexation Related Zoning Map Amendment application.

**Conclusion:** Therefore, staff finds that the application meets the approval criterion.

## **Section 40.97.15.4.C.3**

**Approval Criterion:** In applying the most appropriate zoning, the decision-making authority shall use the relevant criteria below.

- a. If the property is or properties are subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan wherein the zoning is specified, the decision-making authority shall apply the specified zoning district or districts.
- b. If the Washington County designation is Institutional, the decision-making authority shall at its discretion consider one or more of the following criteria in applying a Beaverton zoning district:
  - i. Existing or planned use of the property.
  - ii. Zoning allowed in the most appropriate Beaverton Comprehensive Plan designation.
  - iii. Zoning on adjacent properties.
  - iv. Uses on adjacent properties.
- c. If neither Section 40.97.15.C.3. a. nor b. apply, the decision-making authority shall consider the following criteria:
  - i. City zoning districts allowed by the City Comprehensive Plan designation to be applied to the property or properties.
  - ii. How closely the proposed City zone corresponds to the County designation in allowed uses; minimum and/or maximum density; and/or floor-area ratio minimum and/or maximums.

- iii. Other relevant County and City zone/designation purpose statements or site development standards as determined by the decision-making body.

## FINDING:

The subject property is not subject to a Beaverton-approved Community Plan, Neighborhood Plan, or Concept Plan wherein zoning is specified. The subject property does not carry the Washington County Institutional designation. Therefore, the decision-making authority shall consider the criteria in Section 40.97.15.C.3.c.

Staff has proposed that the Industrial land use designation be applied to the subject property. According to the Comprehensive Plan and Zoning District Matrix found in Chapter 3 of the Comprehensive Plan, the Industrial comprehensive plan designation has two implementing zoning districts:

- Industrial (IND)
- Office Industrial (OI)

The site development standards for the City's Industrial (IND) and Office Industrial (OI) zones are found in Beaverton Development Code Table 20.15.15, Employment/Industrial Site Development Standards. The IND and OI zones have the same requirements for minimum parcel area, minimum and maximum residential density, minimum and maximum floor area ratio, minimum lot width and depth, and minimum yard setbacks. The only standard where the two zones differ is building height. The maximum building height in the IND zone is 45 feet and in the OI zone is 80 feet. The maximum building height in the County's Industrial (IND) designation is 65 feet. While the City OI zone more closely corresponds to the County IND designation in building height, both City zones otherwise equally correspond to the County IND designation in site development standards.

The following table summarizes the uses that are Permitted (P), allowed with a Conditional Use (C), or Prohibited (N) in the City's Industrial (IND) and Office Industrial (OI) zones compared to the uses permitted through a Type I procedure (P), a Type II or III procedure (C), or prohibited (N) in the County's Industrial (IND) designation. There are 61 uses listed in Beaverton Development Code Table 20.15.20.A, Employment/Industrial – Category and Specific Use. Thirty-six of these uses are either outright or conditionally permitted in the County IND designation. While 34 of the uses allowed in the County IND designation would also be either outright or conditionally permitted in the City IND zone, only 17 uses would also be outright or conditionally permitted in the City OI zone. Therefore, the City IND zone more closely corresponds to the County IND designation in allowed uses.



**Table 5: Employment/Industrial Zones Use Comparison**

| Use   | City IND zone | City OI zone | County IND designation |
|---|---------------|--------------|------------------------|
| Animal Care, Major  | C             | N            | C                      |
| Animal Care, Minor  | P             | P            | C                      |
| Hospitals   | C             | P            | N                      |
| Medical Clinics   | C             | P            | N                      |
| Child Care Facilities   | P             | P            | N                      |
| Structured Parking as the Principal Use   | C             | P            | N                      |
| Surface Parking as the Principal Use  | C             | N            | N                      |
| Eating and Drinking Establishments  | C             | P            | N                      |
| Equipment and Supply Sales  | P             | P            | C                      |
| Equipment Rental Agencies   | C             | C            | C                      |
| Freestanding Retail or Service Business up to and Including 5,000 square feet                                 | N             | P            | N                      |
| Freestanding or Combination of Retail or Service Business of More than 5,000 but less than 30,000 square feet | N             | C            | N                      |
| Professional Services   | C             | P            | N                      |
| Wholesale or Retail Lumber, Building, and/or Landscaping Materials Yard                                       | P             | P            | C                      |
| Wholesale Marijuana Sales   | P             | P            | N                      |
| Marijuana Dispensaries  | N             | N            | C                      |
| Retail Marijuana Sales  | N             | N            | C                      |
| Cold Storage Plants   | P             | N            | C                      |
| Self Storage Facilities   | C             | N            | C                      |
| Storage or Sale Yard  | P             | N            | C                      |
| Storage Yard for Building Materials   | P             | N            | C                      |
| Temporary Living Quarters   | N             | C            | N                      |
| Auto, Truck, or Trailer Rental  | C             | N            | C                      |

| <b>Use</b>   | <b>City IND zone</b> | <b>City OI zone</b> | <b>County IND designation</b> |
|--|----------------------|---------------------|-------------------------------|
| Automotive Service, Major  | P                    | N                   | C                             |
| Automotive Service, Minor  | P                    | N                   | C                             |
| Bulk Fuel Dealerships  | P                    | N                   | N                             |
| Heavy Equipment Sales  | P                    | N                   | C                             |
| Trailer, Recreational Vehicle, or Boat Storage                                   | P                    | N                   | C                             |
| Trailer Sales or Repair  | C                    | N                   | C                             |
| Vehicle Storage Yards  | C                    | N                   | C                             |
| Food Cart Pods   | N                    | P                   | N                             |
| Concrete Mixing and Asphalt Batch Plants   | C                    | N                   | C                             |
| Fuel Oil Distributors  | P                    | N                   | C                             |
| Heliport   | C                    | C                   | C                             |
| Mail Order Houses, Wholesale or Retail, Exclusive of On-Site Sales to the Public | P                    | P                   | N                             |
| Manufacturing, Fabricating, Assembly, Processing, Packing, and Storage           | P                    | P                   | C                             |
| Marijuana Processing   | P                    | P                   | C                             |
| Motor Freight Terminal   | C                    | N                   | C                             |
| Operation Centers  | P                    | N                   | C                             |
| Laboratory   | P                    | P                   | C                             |
| Salvage Yards, Recycling Centers, and Solid Waste Transfer Stations              | C                    | N                   | C                             |
| Warehousing, Wholesale, and Distributive Activities                              | P                    | P                   | C                             |
| Commercial Schools   | N                    | C                   | N                             |
| Educational Institutions   | C                    | C                   | N                             |
| Job Training and Vocational Rehabilitation Services                              | P                    | P                   | C                             |
| Public Buildings and Uses  | C                    | P                   | C                             |
| Freight Railroad Tracks and Facilities   | P                    | P                   | N                             |

| Use                                      | City IND zone | City OI zone | County IND designation |
|--|---------------|--------------|------------------------|
| Passenger Railroad Tracks and Facilities | P             | P            | N                      |
| Public Parks and Recreational Facilities | P             | P            | N                      |
| Public Dog Parks and Dog Runs            | C             | C            | N                      |
| Private Recreational Facilities          | P             | P            | N                      |
| Domestic Violence Shelters               | P             | P            | N                      |
| Emergency Shelters                       | P             | P            | P                      |
| Mass Shelters                            | P             | P            | N                      |
| Transit Centers                          | C             | P            | C                      |
| Utilities                                | C             | C            | C                      |
| Vehicle Camping                          | P             | P            | P                      |
| Wireless Communication Facilities        | P             | P            | P/C                    |
| Office                                   | P             | P            | N                      |
| Financial Institutions                   | C             | P            | N                      |
| Planned Unit Development                 | C             | C            | C                      |

For these reasons, staff finds that the most appropriate zone for the subject property is the City's Industrial zone.

**Conclusion:** Therefore, staff finds that the application meets the approval criterion.

### **Section 40.97.15.4.C.4**

**Approval Criterion:** Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

#### **FINDING:**

The Zoning Map Amendment application is being reviewed concurrently with the Comprehensive Plan Map Amendment application and separate annexation petition. The request will not require additional applications or documents.

**Conclusion:** Therefore, staff finds that the application meets the approval criterion.