



CITY OF BEAVERTON  
Planning Division  
Community Development Department  
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## STAFF REPORT

**Report date:** August 11, 2021

**Application/project name:** Laboratory Text Amendment

**Application Numbers:** TA2021-0004

**Proposal:** The City proposes to amend the Beaverton Development Code (BDC) updating the land use tables for the industrial and multiple use zoning districts to allow laboratory use in certain zones. The proposal affects Chapter 20 of the Development Code.

**Proposal location:** Citywide

**Applicant:** City of Beaverton

**Recommendation:** Staff recommend the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

**Contact information:**

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## Background

Chapter 20 of the Beaverton Development Code (BDC) identifies uses as permitted, conditional or prohibited for each zoning district. Laboratories are listed as a permitted in only two zoning districts, Office Industrial-Nike Campus (OI-NC) and Industrial (IND), and as a conditional use in the Office Industrial (OI) zones. Pursuant to BDC Section 10.20.5, "Uses of land not expressly allowed or not incidental to a Permitted or Conditional Use are Prohibited." Additionally, BDC Section 10.50 states:

*The Director may authorize that a use, not specifically named in the allowed uses, be Permitted if the use is of the same general type and is similar to the allowed uses; provided, however, that the Director may not permit a use already allowed in any other zoning district of this Code..*

Since the laboratory use is listed in the OI-NC, IND, and OI zones, for all other zoning districts laboratory uses would be a prohibited use.

Laboratory uses are defined as:

**Laboratory.** A facility equipped for scientific research, experimentation or testing; or a facility where chemicals, dental equipment and supplies, medical devices, pharmaceuticals or explosives are prepared or manufactured.

The definition identifies not only testing but manufacturing of certain product type. This definition was updated in March 2020 as part of the City's most recent Omnibus text amendment (ORD 4782). This definition compliments the manufacturing definition which reads:

**Manufacturing.** The assembly, fabrication, processing, and/or packing and storage of products for wholesale distribution or other similar uses.

Manufacturing is a permitted use in all industrial zoning districts (Office Industrial, Office Industrial-Nike Campus, and Industrial) and some multiple use zoning districts (Regional Center-East, Office Industrial-Washington Square, Town Center Mixed Use, Station Community-Mixed Use, Station Community-Sunset District, and Station Community – Employment).

In 2010 the Office-Industrial-Washington Square zoning district was established replacing Campus Industrial (CI) zoning (ORD. 4542). Prior to this change in zoning designations, the CI zoning district permitted laboratory uses.

Staff proposes this text amendment to accommodate laboratory uses in zones where manufacturing is permitted as they are similar in nature as shown in the definitions and accommodate additional employment opportunities in Beaverton. Laboratory uses are not only compatible with all Employment/Industrial zones, but they also implement city policy for these zones by providing locations for workplaces and for industrial operations as described in the Land Use Element of the Beaverton Comprehensive Plan.

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## Exhibits

Exhibit A Modified Development Code Text

Exhibit B Proposed Development Code

Exhibit C Public Comments

Exhibit C.1: Letter dated August 5, 2021, from Bill Berg, City of Beaverton Economic Development Division

# TA2021-0004 ANALYSIS AND FINDINGS FOR TEXT AMENDMENT

**Recommendation:** Based on the facts and findings presented below, staff recommends the Planning Commission review the proposal, take public testimony, deliberate on the proposal, and make a recommendation to City Council.

## Section 40.85.05 Purpose

The purpose of a Text Amendment application is to provide a mechanism for legislative amendments to the Development Code. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires, to fulfill regional obligations, and to address changes in the law. This Section is carried out by the approval criteria listed herein.

## Section 40.85.15.1.C Approval Criteria:

Section 40.85.15.1.C of the Code specifies that in order to approve a Text Amendment application, the decision-making authority shall make findings of fact, based on evidence provided by the applicant, that all the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following are the findings of fact for TA2021-0004 Laboratory Text Amendment:

### Section 40.85.15.1.C.1

**Approval Criterion:** *The proposal satisfies the threshold requirements for a Text Amendment application.*

#### FINDING:

Section 40.85.15.1.A specifies that an application for a text amendment shall be required when there is proposed any change to the BDC, excluding changes to the zoning map. TA2021-0004 proposes to make changes to BDC Chapter 20 permitting laboratory uses in additional zoning districts, as shown in Exhibit A.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

### Section 40.85.15.1.C.2

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

## FINDING:

Policy Number 470.001 of the City's Administrative Policies and Procedures manual states that fees for a City initiated application are not required where the application fee would be paid from the City's General Fund. The Planning Division, which is a General Fund program, initiated the application. Therefore, the payment of an application fee is not required.

**Conclusion:** Therefore, staff finds the criterion is not applicable to the amendment.

## Section 40.85.15.1.C.3

**Approval Criterion:** *The proposed text amendment is consistent with the provisions of the Metro Urban Growth Management Functional Plan.*

## FINDING:

Metro's Urban Growth Management Functional Plan (UGMFP) is the document that defines how local governments are to implement the Metro Regional Goals and Objectives. The UGMFP is made of 11 titles. The applicable titles are addressed below:

### Title 1: Housing Capacity

This title addresses how cities and counties maintain or increase housing capacity. The proposed amendment to allow laboratory uses in certain zoning district does not affect density requirements or modify any standards for housing and therefore will not impact housing capacity or compliance with this title.

### Title 3: Water Quality and Flood Management

This title addresses water uses and resources within water quality and flood management areas. The proposed amendment is permit laboratory uses in other zoning districts. The amendment does not affect water quality and flood plain management as proposed developments are required to meet all necessary environmental regulations and therefore not impact compliance with this title.

### Title 7: Housing Choice

This title addresses establishment of affordable housing and methods to encourage affordable housing. The proposed amendment is to permit laboratory uses in other zoning districts. The amendment does not affect housing opportunities and will not impact this title.

### Title 8: Compliance Procedures

Title 8 establishes a process for determining whether City or county comprehensive plans and land use regulations substantially comply with requirements of the Functional Plan and requires cities to submit proposed comprehensive plan amendments to Metro

for their review. Metro requires the City to submit the proposed amendment to Metro at least 35 days before the first evidentiary hearing, which is the Planning Commission hearing. The City provided the notice on July 13, 2021, more than 35 days before the Planning Commission hearing. The City has not received any comments from Metro. The proposed amendment complies with this title.

Title 12: Protection of Residential Neighborhoods

This title protects existing neighborhoods and provides adequate level of public services. The proposed amendment to permit laboratory uses in additional multiple use and employment districts does not affect the protection of residential neighborhoods and will not impact compliance with this title.

Title 13: Nature in Neighborhoods

This title addresses conservation of streamside corridor systems. The proposed amendment to permit laboratory uses in additional multiple use and employment districts does not affect protection of viable stream corridors and will not impact compliance with this title.

**Conclusion:** Staff finds that the proposed text amendment is consistent with the applicable provisions of the UGMFP. Therefore, staff finds the amendment meets the criterion for approval.

## **Section 40.85.15.1.C.4**

**Approval Criterion:** *The proposed text amendment is consistent with the City's Comprehensive Plan.*

### **FINDING:**

Beaverton's Comprehensive Plan provides policy direction on matters related to future growth and physical development of the City including land use, economy, transportation, housing, natural resources, and other relevant topics. Oregon state law requires all cities and counties to prepare and adopt comprehensive plans that are consistent with Statewide Planning Goals. The proposed changes in this text amendment do not create any new policies or regulations in the BDC, but instead proposes to allow laboratory uses in additional zoning districts. The applicable goals of Comprehensive Plan are addressed below, and the following are staff's findings in response to the applicable goals:

Chapter 2: Community Involvement Element

*Goal 1: The Planning Commission, City Council, and other decision making bodies shall use their best efforts to involve the community in the planning process*

The Beaverton Development Code establishes the noticing requirements as part of the Text Amendment process. The proposed amendment included notices to NAC chairs, the Chair of the BCCI, Washington County's Department of Land Use and Transportation, and the Department of Land Conservation and Development. Copies of the hearing notice were posted at City Hall and the City Library and published in the newspaper. A notice was also posted on the city's website. The goals of Chapter 2 Community Involvement are met.

### Chapter Three: Land Use

*Goal 3.2.1 Provide for thoughtful and strategic infill and redevelopment*

*Goal 3.6.5 Mixed Use Corridor: Promote a mix of residential and commercial uses that complement and serve adjacent neighborhoods in a pedestrian-friendly environment*

*Goal 3.9.1 Successful employment lands*

*Goal 3.9.2 Employment Areas: Provide desirable locations for mix of office and flexible employment space and complementary uses*

*Goal 3.9.3 Industrial Areas: Accommodate industrial and manufacturing uses that may conflict with housing and uses that draw the general public*

The proposed text amendment is to permit laboratory uses in additional zoning district. Currently only two zoning districts OI-NC and IND outright permit laboratory uses while in the OI zone, it is listed as a conditional use. Laboratory, as defined in Chapter 90 of the BDC, reads:

**Laboratory.** A facility equipped for scientific research, experimentation or testing; or a facility where chemicals, dental equipment and supplies, medical devices, pharmaceuticals or explosives are prepared or manufactured.

Activities associated with the Laboratory uses are virtually identical to those associated with manufacturing; however, manufacturing is a permitted use in all industrial zoning districts (OI, OI-NC, IND), and some multiple use zoning districts (RC-E, OI-WS, TC-MU, SC-MU, SC-S, SC-E), with restrictions that address livability issues such as noise, odor, and use of explosive materials. With the similarities between laboratory uses and manufacturing staff proposes that the zones in which laboratory uses be permitted align with zoning districts in which manufacturing uses are permitted, including similar use restrictions to minimize potential impacts. Expanding zoning districts in which laboratory uses would be permitted consistent with manufacturing uses would create the opportunity for complimentary uses in these zoning districts.

### Chapter 4: Housing

The proposed amendment is to permit laboratory uses in industrial and some multiple use zones and is not expected to impact the City's housing goals.

#### Chapter 5: Public Facilities and Services

Chapter 5 generally address provision of public services, and adequacy of services as it relates to growth and development. The proposed amendment is to permit laboratory uses in industrial and some multiple use zones where similar uses are already permitted and is not expected to impact the City's goals to provide adequate public facilities and services.

#### Chapter 6: Transportation

The proposed amendment is to permit laboratory uses in industrial and some multiple use zones and is not expected to impact the transportation goals and policies. Impacts to the transportation system would be addressed as part of a development application.

#### Chapter 7: Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources

The proposed amendment is to permit laboratory uses in industrial and some multiple use zones and is not expected to impact the goals and policies in Chapter 7.

#### Chapter 8: Environmental Quality and Safety

Chapter 8 contains goals and policies intended to protect and maintain the condition of air, water, and land resources and to protect public safety by prohibiting or regulating development of land in hazardous areas or by managing the hazards to protect existing development. The proposed amendment is to permit laboratory uses in industrial and some multiple use zones and does include any changes to the environmental quality and safety goals and policies found in Chapter 8.

#### Chapter 9 Economy Element

*Goal 9.1.1 Maximize efficient use of the city's employment land*

*Goal 9.2.1 Provide Programs and Services that Support Existing Businesses and Attract New Businesses*

*Goal 9.3.1: Identify and Support Existing and Future Targeted Industries*

*Goal 9.4.1: Position Downtown Beaverton and Surrounding Areas as a Major Employment Center and an Attractive Urban Lifestyle Center*

Permitting the laboratory use in other zoning districts would support the City's goals of economic and employment growth by providing the opportunity for this employment use in other zoning districts. In the letter dated August 5, 2021, the City's Economic Development Division (Exhibit C.1) supports the addition of laboratory uses in other zoning districts as an opportunity to "attract high-growth companies" into the City.

#### Chapter 10: Community Health

The proposed amendment is to permit laboratory uses in industrial and some multiple use zones and is not expected to impact the Community Health as addressed in Chapter 10.

**Conclusion:** Staff finds that the proposed text amendment is consistent with the goals of the Comprehensive Plan. Therefore, staff finds the amendment meets the criterion for approval.

## Section 40.85.15.1.C.5

**Approval Criterion:** *The proposed text amendment is consistent with other provisions within the City’s Development Code.*

### FINDING:

The proposed text amendment permits laboratory uses in additional multiple use and employment districts. Laboratory uses as defined by the BDC has similarities to activities associated with manufacturing, however the BDC is more restrictive to this use by permitting it only a few zoning districts compared to the manufacturing use. The proposed modifications will permit laboratory uses in zoning district in which manufacturing is permitted. Staff site the table below providing additional findings in permitting laboratory uses in other zoning districts:

**Table 1 Analysis of Proposed Amendments to the Development Code**

Proposed new language is underlined

Proposed deleted language is ~~stricken~~

Proposed Text Amendment	Staff Comments
<b>Chapter 20.15.20. Land Uses (Employment/Industrial)</b>	
<p>Laboratory:</p> <p>Office Industrial: <u>P<sup>12,13</sup></u> <del>C</del></p> <p><sup>12</sup> <u>Laboratories</u>, mManufacturing, assembly, fabricating, processing, packing, storage, wholesale and distribution activities shall meet the following...</p> <p><sup>13</sup>. Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.</p>	<p>The proposal is to make laboratory uses a permitted use instead of a conditional use in the Office Industrial zone consistent with manufacturing uses. Restrictions to this use are proposed which, align with the restrictions for manufacturing.</p>
<b>Chapter 20.20.20. Land Uses (Multiple Use)</b>	
<p><b>Laboratory:</b></p> <p>Regional Center-East: <u>P</u> <del>C</del><sup>55</sup></p> <p>Office Industrial-Washington Square: <u>P</u><sup>56,57</sup></p> <p>Commercial-Washington Square: <u>N</u></p> <p>Town Center-Mixed Use: <u>P</u><sup>60</sup></p> <p>Town Center-High Density Residential: <u>N</u></p> <p>Station Community-Mixed Use: <u>P</u><sup>28</sup></p> <p>Station Community-High Density Residential: <u>N</u></p> <p>Station Community-Sunset <u>P</u><sup>28</sup></p> <p>Station Community-Employment 1: <u>P</u><sup>56,57</sup></p> <p>Station Community-Employment 2: <u>P</u><sup>56,57</sup></p> <p><sup>28</sup> This activity is conducted wholly within an enclosed structure. No accessory open-air sales, display, or storage and no sales or outdoor storage of animals or livestock are allowed with this use.</p>	<p>The proposal is to make laboratory uses a permitted use in multiple use zoning districts except C-WS, TC-HDR, and SC-HDR, consistent with how manufacturing uses are permitted in the multiple use zone. Restrictions to the laboratory use are included, aligning with the restrictions found with the manufacturing uses.</p> <p>Permitting laboratory uses are consistent with the purpose statements of OI-WS for “combining light manufacturing, research, and development” and supports the development of mixed-use development by encouraging</p>

<p>55 <u>Laboratories and m</u>Manufacturing uses that exceed 10,000 square feet in floor area require Conditional Use approval.</p> <p>56 <u>Laboratories, m</u>Manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities shall meet the following ...</p> <p>57 Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.</p> <p>60 Permitted only within multiple use developments, as long as the floor area of this use does not exceed 50% of the total proposed floor area within a multiple use development</p>	<p>employment opportunities in other multiple use districts.</p>
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**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

### Section 40.85.15.1.C.6

**Approval Criterion:** *The proposed amendment is consistent with all applicable City ordinance requirements and regulations.*

**FINDING:**

The proposed amendment proposes to expand the laboratory uses to other zoning district in the BDC and does not conflict with other City ordinance requirements and regulations.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

### Section 40.85.15.1.C.7

**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 text amendment proposes changes to the BDC to permit laboratory uses in other zoning districts in the City. Staff finds no other applications or documents related to this proposal are required.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

# Other applicable approval criteria

As a post-acknowledgement amendment to the City’s Code, the proposed text amendment is subject to ORS 197.175(1), which requires that the City demonstrate that the proposed text amendment be consistent with the relevant Statewide Planning Goals. Staff have determined that the following goals apply.

## FINDING:

Goal 1 Citizen Involvement: *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

Consistent with procedures outlined in the BDC, notice of the proposed text amendment was sent to all NAC chairs, the Chair of the BCCI, Washington County’s Department of Land Use and Transportation, and the Department of Land Conservation and Development. Copies of the hearing notice were posted at City Hall and the City Library, and published in the newspaper, consistent with Type 4 noticing requirements. A notice was also posted on the City’s website. Staff finds that the City has provided adequate notice and opportunity for public involvement.

Goal 2 Land Use Planning: *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 actual basis for such decisions and actions.*

Changes to the BDC require a Type 4 review process, which includes noticing and a public comment period, prior to a hearing before the Planning Commission. The hearing is open to the public and includes an opportunity to receive public testimony. 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, the ultimate decision-making authority. Prior to adoption of the any text amendments, the City Council will consider all the evidence in the record, including any testimony provided at the Planning Commission hearing and any recommended changes to the proposal.

Staff finds that the proposed text amendment fits within the established process and framework. Furthermore, the findings contained within this report establish an adequate factual basis for the proposal.

Goal 6 Air, Water and Land Resources Quality: *To maintain and improve the quality of air, water and land resources of the state.*

The proposed amendment is to permit laboratory uses in other zoning districts. Staff finds that the proposal will not exempt laboratory uses from regulations pertaining to the protection of air, water and land resources and therefore will not have a negative impact on the air, water, or land resources quality of the state.

Goal 9 Economy of State: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The proposed amendment would allow laboratory uses in additional zoning districts, providing additional employment opportunity in the City. Goal 9 looks to cities to create opportunities for diverse economic activities, which the city has established through policies in the Comprehensive Plan and regulations in the Beaverton Development Code. By expanding the permitted uses allowed in the City encourages new businesses to consider establishing new employment opportunities in the city improving the health, welfare, and property to residents in Beaverton, thereby potentially having a positive impact on the economy of the state.

Goal 10 Housing: *To provide for the housing needs of the citizens of the state.*

Beaverton's Housing Needs Analysis (HNA) was published in October 2015. It demonstrated a need for all housing types in the 20-year period ending in 2035. This was true both for the current Beaverton city limits as well as the city limits plus the assumed urban service area, which is an area where it is assumed Beaverton will provide governance in the future. The state Department of Land Conservation and Development (DLCD) found it to be consistent with the requirements of Statewide Planning Goal 10.

Based on the findings in Beaverton's Housing Strategies Report in Volume II of the Comprehensive Plan, which includes the city's Buildable Lands Inventory and Housing Needs Analysis, Beaverton updated its Comprehensive Plan's Housing Element and Land Use Element to address the identified housing needs. DLCD also found these Comprehensive Plan changes consistent with the Statewide Planning Goals.

The proposed text amendment would allow Laboratory uses to be established in Employment and Industrial zoning districts in the city and does not alter the potential for any property to be developed with housing, nor does it alter regulations governing design and construction of housing.

Staff finds the proposal will not have a negative impact to housing as it does not affect development opportunities for housing or will not negatively impact the opportunity for needed housing to be developed in the City.

Goal 11 Public Facilities and Services: *To plan and develop a timely, orderly, and efficient arrangement of public facilities and service to serve as a framework for urban and rural development.*

Goal 11 requires cities to establish policies and regulations to ensure adequate public facilities are provided as part of development. The proposed text amendment permitting laboratory uses in other zoning districts will not adversely impact development of public

facilities and services as they will be reviewed through applicable land use applications with future development.

Goal 12 Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

The proposed amendment permits laboratory uses in other zoning districts and does not alter existing polices and regulations regarding the City's transportation system. Staff finds the proposal will not have a negative effect on the transportation system of the City or surrounding area. All future development will be reviewed through the applicable land use review procedures specified in the Code.

Goal 13 Energy Conservation: *To conserve energy.*

The text amendment proposes to allow laboratory uses in additional zoning districts and does not propose new energy policies or regulations. Staff finds that the proposed changes will not change the City's ability to conserve energy or promote energy-efficiency measures.

Goal 14 Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

Staff finds that the proposal only applies to area already urbanized and therefore does not alter the transition from rural to urban land use. Therefore, this land use goal does not apply.

**State Land Use Goal Compliance Summary:** Therefore, staff finds that the proposed text amendment complies with all the applicable Statewide Planning Goals.

**Conclusion:** Therefore, staff finds the amendment meets the criterion for approval.

## Conclusion and Recommendation

Based on the facts and findings presented, staff offers the following recommendation for the conduct of the August 18, 2021, public hearing for TA2021-0004 Laboratory Text Amendment:

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Considering the public testimony and the facts and findings presented in the staff report, deliberate on policy issues and other issues identified by the Commission or the public.
- C. Recommend **APPROVAL** of text amendment application TA2021-0004 Laboratory Text Amendment to City Council.

# **DEVELOPMENT CODE OF THE CITY OF BEAVERTON**

## **CHAPTER 20 - LAND USES**

### **20.15. Employment/Industrial Land Use Districts**

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#### **20.15.20. Land Uses**

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Employment and Industrial Zoning Districts.

Table 20.15.20.A Employment/Industrial - Category and Specific Use	P: Permitted C: Conditional N: Prohibited Superscript Numbers Refer to Footnote		
	OI	OI-NC	IND
***			
<b>Industrial</b>			
***			
13. Manufacturing, Fabricating, Assembly, Processing, Packing, and Storage <sup>1</sup>	<u>P</u> <sup>12 13</sup>	P	<u>P</u> <sup>13</sup>
14. Marijuana Processing	<u>P</u> <sup>12</sup>	N	<u>P</u> <sup>12</sup>
15. Motor Freight Terminal	N	N	C
16. Operation Centers <sup>14</sup>	N	N	P
17. Laboratory <sup>1</sup>	<u>P</u> <sup>12 13</sup> <del>C</del>	P	P
<p>12 <u>Laboratories, m</u>Manufacturing, assembly, fabricating, processing, packing, storage, wholesale and distribution activities shall meet the following requirements:</p> <ol style="list-style-type: none"> <li>Activities are entirely enclosed within a building or structure whose appearance is compatible with normal industrial or office building design.</li> <li>Odors, noise, vibrations or other emissions are controlled within the confines of the building or structure.</li> <li>Are not for servicing or use by the general public.</li> <li>Do not entail outdoor storage of raw materials or finished products.</li> <li>Do not entail movement of heavy equipment on and off the site, except truck deliveries.</li> <li>Do not involve bringing live animals or the waste or by product of dead animals to the site.</li> <li>Do not involve outdoor testing of products or processes on the site.</li> <li>Do not involve highly combustible, explosive or hazardous materials or waste.</li> <li>Examples of uses which normally meet all of the above characteristics include but are not limited to: printing, publishing and allied arts, communications equipment, electronic components, measuring, analyzing and controlling instruments manufacturing.</li> </ol> <p>13. Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.</p>			

## 20.20. Multiple Use Land Use Districts

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### 20.20.20. Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use zoning districts.

[ORD 4576; January 2012] [ORD 4578; March 2012] [ORD 4706; May 2017] [ORD 4779; March 2020] [ORD 4782; April 2020]

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
***										
<b>Industrial</b>										
31. Manufacturing, Fabricating, Assembly, Processing, and Packing	P C <sup>55</sup>	P <sup>56 57</sup>	N	P <sup>60</sup>	N	P <sup>28</sup>	N	P <sup>28</sup>	P <sup>56 57</sup>	P <sup>56 57</sup>
32. Marijuana Processing	N	N	N	N	N	N	N	N	N	N
33. Warehousing <sup>58</sup>	P	P	P	P	P	N	N	P	P <sup>59</sup>	P <sup>59</sup>
<u>34 Laboratory</u>	<u>P C<sup>55</sup></u>	<u>P<sup>56 57</sup></u>	<u>N</u>	<u>P<sup>60</sup></u>	<u>N</u>	<u>P<sup>28</sup></u>	<u>N</u>	<u>P<sup>28</sup></u>	<u>P<sup>56 57</sup></u>	<u>P<sup>56 57</sup></u>

The following Use Restrictions refer to superscripts found in Section 20.20.20.

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28. This activity is conducted wholly within an enclosed structure. No accessory open-air sales, display, or storage and no sales or outdoor storage of animals or livestock are allowed with this use.

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55 Laboratories and mManufacturing uses that exceed 10,000 square feet in floor area require Conditional Use approval.

56 Laboratories, mManufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities shall meet the following requirements:

- a. Activities are entirely enclosed within a building or structure whose appearance is compatible with normal industrial or office building design.
- b. Odors, noise, vibrations or other emissions are controlled within the confines of the building or structure.
- c. Are not for servicing or use by the general public.
- d. Do not entail outdoor storage of raw materials, finished products, animals or livestock.
- e. Do not entail movement of heavy equipment on and off the site, except truck deliveries.
- f. Do not involve bringing live animals or the waste or by product of dead animals to the site.
- g. Do not involve outdoor testing of products or processes on the site.
- h. Do not involve highly combustible, explosive or hazardous materials or waste.
- i. Examples of uses which normally meet all of the above characteristics include but are not limited to: printing, publishing, communications equipment, electronic components, measuring, analyzing and controlling instruments manufacturing.

57 Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.

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60. Permitted only within multiple use developments, as long as the floor area of this use does not exceed 50% of the total proposed floor area within a multiple use development

# DEVELOPMENT CODE OF THE CITY OF BEAVERTON

## CHAPTER 20 - LAND USES

### 20.15. Employment/Industrial Land Use Districts

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#### 20.15.20. Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Employment and Industrial Zoning Districts.

<b>Table 20.15.20.A</b> <b>Employment/Industrial - Category and Specific Use</b>	<b>P: Permitted C: Conditional</b> <b>N: Prohibited</b> <b>Superscript Numbers Refer to</b> <b>Footnote</b>		
	OI	OI-NC	IND
<b>Industrial</b>			
***			
13. Manufacturing, Fabricating, Assembly, Processing, Packing, and Storage <sup>1</sup>	P <sup>12 13</sup>	P	P <sup>13</sup>
14. Marijuana Processing	P <sup>12</sup>	N	P <sup>12</sup>
15. Motor Freight Terminal	N	N	C
16. Operation Centers <sup>14</sup>	N	N	P
17. Laboratory <sup>1</sup>	P <sup>12 13</sup>	P	P
12 Laboratories, manufacturing, assembly, fabricating, processing, packing, storage, wholesale and distribution activities shall meet the following requirements: <ol style="list-style-type: none"> <li>a. Activities are entirely enclosed within a building or structure whose appearance is compatible with normal industrial or office building design.</li> <li>b. Odors, noise, vibrations or other emissions are controlled within the confines of the building or structure.</li> <li>c. Are not for servicing or use by the general public.</li> <li>d. Do not entail outdoor storage of raw materials or finished products.</li> <li>e. Do not entail movement of heavy equipment on and off the site, except truck deliveries.</li> <li>f. Do not involve bringing live animals or the waste or by product of dead animals to the site.</li> <li>g. Do not involve outdoor testing of products or processes on the site.</li> <li>h. Do not involve highly combustible, explosive or hazardous materials or waste.</li> <li>i. Examples of uses which normally meet all of the above characteristics include but are not limited to: printing, publishing and allied arts, communications equipment, electronic components, measuring, analyzing and controlling instruments manufacturing.</li> </ol>			
13. Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.			

## 20.20. Multiple Use Land Use Districts

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### 20.20.20. Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use zoning districts.

[ORD 4576; January 2012] [ORD 4578; March 2012] [ORD 4706; May 2017] [ORD 4779; March 2020] [ORD 4782; April 2020]

Table 20.20.20.A Multiple Use - Category and Specific Use	P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
***										
<b>Industrial</b>										
31. Manufacturing, Fabricating, Assembly, Processing, and Packing	P C <sup>55</sup>	P <sup>56 57</sup>	N	P <sup>60</sup>	N	P <sup>28</sup>	N	P <sup>28</sup>	P <sup>56 57</sup>	P <sup>56 57</sup>
32. Marijuana Processing	N	N	N	N	N	N	N	N	N	N
33. Warehousing <sup>58</sup>	P	P	P	P	P	N	N	P	P <sup>59</sup>	P <sup>59</sup>
34 Laboratory	P C <sup>55</sup>	P <sup>56 57</sup>	N	P <sup>60</sup>	N	P <sup>28</sup>	N	P <sup>28</sup>	P <sup>56 57</sup>	P <sup>56 57</sup>

The following Use Restrictions refer to superscripts found in Section 20.20.20.

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28. This activity is conducted wholly within an enclosed structure. No accessory open-air sales, display, or storage and no sales or outdoor storage of animals or livestock are allowed with this use.

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55 Laboratories and manufacturing uses that exceed 10,000 square feet in floor area require Conditional Use approval.

56 Laboratories, manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities shall meet the following requirements:

- a. Activities are entirely enclosed within a building or structure whose appearance is compatible with normal industrial or office building design.
- b. Odors, noise, vibrations or other emissions are controlled within the confines of the building or structure.
- c. Are not for servicing or use by the general public.
- d. Do not entail outdoor storage of raw materials, finished products, animals or livestock.
- e. Do not entail movement of heavy equipment on and off the site, except truck deliveries.
- f. Do not involve bringing live animals or the waste or by product of dead animals to the site.
- g. Do not involve outdoor testing of products or processes on the site.
- h. Do not involve highly combustible, explosive or hazardous materials or waste.
- i. Examples of uses which normally meet all of the above characteristics include but are not limited to: printing, publishing, communications equipment, electronic components, measuring, analyzing and controlling instruments manufacturing.

57 Any use having the primary function of storing, utilizing or manufacturing of explosive material is Prohibited.

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60. Permitted only within multiple use developments, as long as the floor area of this use does not exceed 50% of the total proposed floor area within a multiple use development



## Economic Development Department

August 5, 2021

City of Beaverton Planning Commission

Re: TA2021-0004 Laboratory Text Amendment

Dear Commissioners,

The Economic Development Department supports the approval of this Text Amendment providing for Laboratory as a Permitted Use in our Employment/Industrial and selected Multiple Use Districts.

The Life Sciences industry sector includes a wide variety of companies engaged in activities ranging from basic scientific research through development of consumer products such as pharmaceuticals and medical devices. These firms continue to grow and provide well-paying jobs averaging \$77,000 per year<sup>1</sup>. Companies in nearby markets, such as the San Francisco Bay Area, are looking north where wages are lower and real estate costs are more reasonable. In addition to businesses locating here from outside the region, Portland-area life science hubs such as OHSU and Oregon Bioscience Incubator (OTRADI) support startups that graduate from those facilities and need space to grow.

Our existing inventory of flex commercial buildings in Beaverton gives us a competitive advantage in attracting companies engaged in the Life Science sector. These buildings are located primarily in our OI and OI-WS zones, including Parkside Business Center at Hall Blvd and Hwy 217 (735,000 SF in 33 buildings) and Nimbus Corporate Center (700,000 SF in 16 buildings). This proposed Text Amendment allows Beaverton to strongly compete for businesses that are included under the Laboratory definition that were previously not allowed in these buildings by now classifying them as a Permitted Use.

We believe that the proposed text amendment as written, including the reasonable Use Restrictions specified, allows Beaverton to effectively attract and retain these high-growth companies and their high-wage jobs and provides us with a strong competitive advantage in the region.

Should you have questions or require any additional information, please do not hesitate to contact me at (503) 350-4037.

Sincerely,

A handwritten signature in black ink that reads "Bill Berg". The signature is written in a cursive, slightly slanted style.

Bill Berg

Business Development Manager, Economic Development Department

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<sup>1</sup> Colliers, Portland Life Science Report, Q2 2021