



## STAFF REPORT

**Report date:** June 22, 2022

**Application/project name:** Multiple Use Districts Retail Trade Text Amendment

**Application Number:** TA2022-0003

**Proposal:** The City of Beaverton proposes to amend the Beaverton Development Code (BDC) in Table 20.20.20.A at line 15 to remove maximum building footprint and maximum square footage restrictions that were erroneously applied to the RC-E, C-WS, TC-MU, and SC-S zoning districts.

**Proposal location:** All properties zoned RC-E, C-WS, TC-MU, and SC-S.

**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

In 2020 City Council approved omnibus text amendment TA2019-0003 which was intended to: correct minor errors and inconsistencies in the BDC, clarify code language, improve the organization of the Code, make the Code easier to understand and apply, and to implement minor policy changes considered not large enough to warrant separate text amendment applications. During the text amendment process, superscript number nine was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts.

The verbiage associated with superscript number nine in Table 20.20.20 reads as follows: *The maximum building footprint size for a building involving a single use shall be 10,000 square feet. In addition, the maximum square footage for these uses within a multiple use development shall*

*be 25% of the total square footage of the development.* Staff has reviewed the TA2019-0003 public record, including the staff report and the minutes from both the public hearing and Planning Commission work session, and have confirmed that the superscript was applied in error. The unintentional application of superscript nine has prevented potential new tenants to conduct Retail Trade in areas where the use is otherwise permitted. Staff therefore proposes text amendment TA2022-0003 to correct this development code error that was created during the 2019 omnibus text amendment process.

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## Exhibits

Exhibit 1: Proposed Development Code

Exhibit 2: Public Comments

# TA2022-0003 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 Development 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 TA2022-0003 Multiple Use Districts Retail Trade 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 a proposed change to the BDC, excluding changes to the zoning map. TA2022-0003 proposes to make changes to BDC Table 20.20.20 at Line 15.A to remove superscript nine from the RC-E, C-WS, TC-MU, and SC-S zoning districts.

**Conclusion:** Staff finds that the proposed text amendment meets the approval criterion.

## 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:** Staff finds the criterion is not applicable to the proposed text 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 comprised of 11 titles. The titles are addressed below:

#### Title 1: Housing Capacity

This title addresses how cities and counties maintain or increase housing capacity. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. While each of the four affected zones permit residential uses to some degree, the proposed amendment does not impact the existing residential uses currently permitted in those zones.

#### Title 2: Regional Parking Policy

According to the UGMFP, this title is repealed.

#### Title 3: Water Quality and Flood Management

This title addresses the protection of beneficial water uses and functions. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade

uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. Therefore, staff finds that UGMFP Title 3 is not applicable to the proposed text amendment.

#### Title 4: Industrial and Other Employment Areas

The goal of this title is to provide and protect a supply of sites for employment by limiting types and scale of non-industrial uses in regionally significant industrial areas, industrial and employment areas, and by "clustering" those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. BDC Section 20.15 identifies the Office Industrial (OI), Office Industrial – Nike Campus (OI-NC), and Industrial (IND) zones as Employment/Industrial Land Use Districts. None of these zones are affected by the proposed amendment. Further, none of the areas on the UGMFP Title 4 Industrial and Other Employment Areas Map identified as either Employment Areas, Industrial areas, or Regionally Significant Industrial Areas are affected by the proposed amendment.

The zones affected by the proposed amendment are the RC-E, C-WS, TC-MU, and SC-S zoning districts. BDC Section 20.20 identifies these zoning districts as multiple use land use districts intended to establish varied levels of residential and commercial uses, supporting transit and pedestrian oriented development. The RC-E and C-WS zones are both intended to support businesses. The TC-MU and SC-S zones both permit a combination of commercial and residential uses.

The proposed amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposed amendment does not impact areas addressed under UGMFP Title 4.

#### Title 5: Neighbor Cities

According to the UGMFP, this title is repealed.

#### Title 6: Centers, Corridors, Station Communities, and Main Streets

This title addresses Centers, Corridors, Main Streets, and Station Communities throughout the region. Title 6 addresses calls for actions and investments by cities and counties, complemented by regional investment, to enhance this role. Portions of the C-WS and SC-S zoning districts are identified on the UGMFP Title 6 Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map.

The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposed amendment does not impact any actions or investments addressed under UGMFP Title 6.

#### Title 7: Housing Choice

This title addresses the establishment of affordable housing and methods to encourage affordable housing. The proposed amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposed text amendment does not impact the establishment of affordable housing under UGMFP Title 7.

#### 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 UGMFP and requires cities to submit proposed comprehensive plan amendments to Metro for their review. Metro requires the city to submit notice of the proposed amendment to Metro at least 35 days before the first evidentiary hearing, which is the Planning Commission hearing. The city provided notice to Metro on May 24, 2022, 36 days before the Planning Commission hearing scheduled for June 29, 2022. The city has not received any comments from Metro. The proposed text amendment complies with this title.

#### Title 9: Performance Measures

According to the UGMFP, this title is repealed.

#### Title 10: Functional Plan Definitions

This title addresses definitions for terminology contained in the UGMFP. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposed text amendment complies with this title.

#### Title 11: Planning for New Urban Areas

This title addresses long-range planning for areas brought into the UGB. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. Therefore, staff finds that UGMFP Title 11 is not applicable to the proposed text amendment.

#### Title 12: Protection of Residential Neighborhoods

This title protects existing neighborhoods and provides adequate levels of public services. The proposed amendment does not impact residential neighborhoods. The proposed amendment is limited in scope to removing superscript number nine in the

BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposed text amendment complies with this title.

Title 13: Nature in Neighborhoods

This title addresses the conservation, protection, and restoration of streamside corridor systems. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. Therefore, staff finds that UGMFP Title 13 is not applicable to the proposed text amendment.

Title 14: Urban Growth Boundary

This title addresses the criteria and procedures for amendments to the urban growth boundary. The proposed amendment is limited in scope to removing superscript number nine in the BDC where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. Therefore, staff finds that UGMFP Title 14 is not applicable to the proposed text amendment.

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

## 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 amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally

imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The erroneously applied standards resulted in new development restrictions without first establishing positive findings to demonstrate how the text amendment is consistent with the Comprehensive Plan. The proposed amendment to remove the erroneously applied superscript therefore realigns the BDC and Comprehensive Plan, implementing greater consistency between the two documents.

The applicable goals of Comprehensive Plan are addressed below. Each goal is followed by staff's findings in response to the goal:

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, which are outlined in BDC Section 50.50. City staff provided notice of the proposed amendment 35 days prior to the public hearing before Planning Commission to all NAC Chairs, all Chairs of Washington County's Community Participation Organizations, the Chair of the Beaverton Committee for Community Involvement, the Department of Land Conservation and Development, Metro, and the Washington County Department of Land Use and Transportation. Public notice was also published in a local newspaper, and posted at City Hall, the City Library, and on the city's website. The goals of Chapter 2 Community Involvement are met.

Chapter 3: Land Use:

*Goal 3.4.1: Provide effective and inclusive planning and development review services.*

*Policy a) Ensure that development regulations are consistent with and implement the Comprehensive Plan.*

The proposed amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The erroneously applied standards resulted in new development restrictions without first establishing positive findings to demonstrate how the text amendment was consistent with the Comprehensive Plan.

Chapter 4: Housing

The proposed amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposal does

not alter the potential for any property to be developed with housing, and it will not impact the city's existing housing supply or future housing goals.

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

## **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 amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The erroneously applied standards resulted in new development restrictions without first establishing any positive findings to demonstrate how the text amendment was consistent with the Comprehensive Plan per BDC Section 40.85.15.1.C.4 or the Development Code per BDC Section 40.85.15.1.C.5. Therefore, the proposed text amendment resolves Development Code inconsistencies created during omnibus text amendment TA2019-0003.

**Conclusion:** Staff finds that the proposed text amendment meets the approval criterion.

## **Section 40.85.15.1.C.6**

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

### **FINDING:**

As discussed in this staff report, the proposed amendment is consistent with all applicable City ordinance requirements and regulations.

**Conclusion:** Staff finds that the proposed text amendment meets the approval criterion.

## 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:

This application is for a Type 4 Text Amendment that affects BDC Chapter 20. Staff finds that no other applications or documents related to this request are required.

**Conclusion:** Staff finds that the proposed text amendment meets the approval criterion.

### ***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.

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.*

### FINDING:

This application is for a Type 4 Text Amendment, and staff followed the required public noticing procedures in BDC Section 50.50. City staff provided notice of the proposed amendment 35 days prior to the public hearing before Planning Commission to all NAC Chairs, all Chairs of Washington County's Community Participation Organizations, the Chair of the Beaverton Committee for Community Involvement, the Department of Land Conservation and Development, Metro, and the Washington County Department of Land Use and Transportation. Public notice was also published in a local newspaper, and posted at City Hall, the City Library, and 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.*

### FINDING:

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 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 9 Economic Development: *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:**

The proposed amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. Staff finds that the proposed text amendment will contribute to a stable and healthy economy, and will support economic growth within the City of Beaverton.

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

**FINDING:**

Beaverton's Housing Needs Analysis (HNA) was published in October 2015. It demonstrates 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 amendment is limited in scope to removing superscript number nine where it was erroneously applied to Table 20.20.20.A at line 15.A, unintentionally imposing maximum building footprint and maximum square footage restrictions to Retail Trade uses in the RC-E, C-WS, TC-MU, and SC-S zoning districts. The proposal 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. Additionally, the proposal will not negatively impact the opportunity for needed housing to be developed in the city.

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

**Conclusion:** Staff finds that the proposed text amendment meets the approval criterion.

## Conclusion and Recommendation

Based on the facts and findings presented, staff offers the following recommendation for the conduct of the June 29, 2022, public hearing for TA2022-0003 Multiple Use Districts Retail Trade Text Amendment:

- A. Conduct the public hearing and receive all public testimony relating to the proposal.
- B. Consider 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 TA2022-0003, Multiple Use Districts Retail Trade Text Amendment, to City Council.

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
12. Parking as the Principal Use		C	C	C	C N <sup>24</sup>	C	C	C	C	C N <sup>24</sup>	C N <sup>24</sup>
13. Rental Business		P	P	P <sup>25</sup>	P <sup>7, 22, 26</sup>	P <sup>26, 27</sup>	P <sup>27</sup>	P <sup>27</sup>	P <sup>28, 29</sup>	P <sup>25</sup>	N
14. Rental of Equipment Only		N	P <sup>61</sup>	N	N	N	N	N	N	N	N
15. Retail	A. Retail Trade	P <sup>9, 26, 30, 31</sup>	P C <sup>32</sup>	P <sup>9, 25</sup>	N P <sup>9, 22, 26, 33</sup>	P <sup>13, 26</sup>	P <sup>9, 25, 34</sup>	P <sup>13, 25</sup>	P <sup>9, 25</sup>	P <sup>9, 28</sup> C <sup>35</sup>	P <sup>9, 28</sup>
	B. Bulk Retail	N	N	N	N	N	N	N	N	N	N
16. Service Business/Professional Services		P <sup>9, 36</sup>	P C <sup>32</sup>	P <sup>25</sup>	N P <sup>22, 26, 33</sup>	P <sup>13, 26</sup>	P <sup>8, 9</sup>	P <sup>9</sup>	P	P <sup>9, 10, 28</sup>	P <sup>9, 10, 28</sup>
17. Marijuana Dispensaries		N	N	N	N	N	N	N	N	N	N
18. Retail and Wholesale Marijuana Sales		N	N	N	N	N	N	N	N	N	N
19. Storage	A. Self Storage	N	N	P <sup>37</sup>	N	N	N	N	N	N	N
	B. Storage Yards	C <sup>38</sup>	N	N	N	N	N	C <sup>39</sup>	N	N	P <sup>40</sup>
20. Temporary Living Quarters		C <sup>41</sup>	N	P	C <sup>41</sup>	C <sup>41</sup>	P <sup>41</sup>	C <sup>41</sup>	C <sup>42</sup>	C <sup>42</sup>	C <sup>42</sup>
21. Vehicles	A. Automotive Service, Major	C <sup>25</sup>	N	N	C N <sup>43</sup>	N	N	N	N	N	N
	B. Automotive Service, Minor	P	N	C	C	C <sup>25</sup>	N P C <sup>17</sup>	C <sup>25</sup>	N P C <sup>17</sup>	N	N
	C. Bulk Fuel Dealerships	N	N	N	N	N	N	N	N	N	N
	D. Sales or Lease	C <sup>45</sup>	N	N	C <sup>9, 22, 26</sup>	N	P <sup>9, 28</sup>	P <sup>9, 46</sup>	P <sup>28, 47</sup>	N	N
	E. Rental	C <sup>45</sup>	N	N	C <sup>9, 22, 26</sup>	N	P <sup>9, 28</sup>	P <sup>9, 46</sup>	P <sup>28</sup>	P	P
22. Food Cart Pods <sup>68</sup>		P	P	P	P	N	P	N	P	N	N
<b>Civic<sup>(19)</sup></b>											
23. Education	A. Commercial Schools	P	C	P	P C N <sup>33, 48</sup>	P <sup>13</sup>	P	P	P	P <sup>9</sup>	C <sup>9</sup>
	B. Educational Institutions	P	C P <sup>67</sup>	P	P	P	P	P	P	P <sup>9</sup>	C <sup>9</sup>
24. Places of Worship		P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P <sup>9</sup>	P C <sup>48</sup>
25. Public Buildings, Services and Uses		C	P	C	C	C	C	C	C	C P <sup>49</sup>	C P <sup>49</sup>
26. Railroad Tracks and Facilities	A. Passenger	P <sup>50</sup>	P	P	P	P	P	P	P	P	P
	B. Freight	P	P <sup>51</sup>	P	N	N	N	N	N	P <sup>51</sup>	P <sup>51</sup>
27. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	P <sup>52</sup>	P	P	P	P	P	P	P <sup>53</sup>	P <sup>53</sup>
	B. Public Dog Parks or Dog Runs	C	C	C	C	C	C	C	C	C	C
	C. Recreational Facilities	P <sup>11</sup>	P <sup>13</sup>	P	C	C	C <sup>54</sup>	C <sup>54</sup>	P	N	N
28. Social Organizations		P <sup>48</sup>	N	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P C <sup>48</sup>	P	C	C
29. Transit Centers		N	P	P	C	C	C	C	P	P	P

**Aaron Harris**

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**From:** Joe Kappler <joek@macadamforbes.com>  
**Sent:** Tuesday, June 7, 2022 3:39 PM  
**To:** Aaron Harris; Mailbox CDD Planning  
**Subject:** [EXTERNAL] RE: Case file No: TA2022-0003 Project Name: Multiple Use Districts Retail Trade Text Amendment

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Good afternoon-

Regarding Case file No: TA2022-0003 Project Name: Multiple Use Districts Retail Trade Text Amendment, I strongly agree with the action to remove the maximum building footprint and maximum square footage restrictions within the RC-E, C-WS, TC-MU, and SC-S zoning districts as it is contrary to the nature of these zones and most of the retail users within the C-WS zone are not in line with this retail trade restriction. Furthermore this current restriction is counterintuitive to most retail layouts and it forces retail businesses to lease more space in order to meet their desired retail trade square footage size (which saddles them with unintended higher occupancy costs). If left unchanged, we will see more vacant spaces within these zones.

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[Initial Agency Disclosure Pamphlet](#)

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June 15, 2022

Aaron Harris  
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*Via Email: [aharris@beavertonoregon.gov](mailto:aharris@beavertonoregon.gov)*

Re: Case File No. TA2022-0003  
Amendment to Beaverton Development Code in Table 20.20.20A

Dear Mr. Harris:

We are the owners of the Washington Green Shopping Center located at 9120 – 9180 SW Hall Blvd., Beaverton, Oregon. The property is within the Washington Square Regional Commercial District (C-WS) and offers both retail and restaurant services to its customers.

We are writing this letter in support of the proposed amendment to the Beaverton Development Code in Table 20.20.20A at line 15 to remove the maximum footprint and maximum square footage restrictions that were clearly applied in error to several zoning districts, including the C-WS zoning district.

Please include this letter of support in the public hearing record scheduled for June 29, 2022.

Thank you.

Sincerely,



Brian Craner  
Director of Real Estate

BC/cl

cc: [mailboxcddplanning@beavertonoregon.gov](mailto:mailboxcddplanning@beavertonoregon.gov)  
M-0174.02

**GRIFFITH CENTER, LLC**

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June 15, 2022

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PO Box 4755  
Beaverton, OR 97076

*Via Email: [aharris@beavertonoregon.gov](mailto:aharris@beavertonoregon.gov)*

Re: Case File No. TA2022-0003  
Amendment to Beaverton Development Code in Table 20.20.20A

Dear Mr. Harris:

We are the owners of the Griffith Center located at 4655 SW Griffith Drive, Beaverton, Oregon. The property is within the Downtown Regional Center East District (RC-E) and offers both retail and restaurant services to its customers.

We are writing this letter in support of the proposed amendment to the Beaverton Development Code in Table 20.20.20A at line 15 to remove the maximum footprint and maximum square footage restrictions that were clearly applied in error to several zoning districts, including the RC-E zoning district.

Please include this letter of support in the public hearing record scheduled for June 29, 2022.

Thank you.

Sincerely,



Brian Craner  
Director of Real Estate

BC/cl

cc: [mailboxcddplanning@beavertonoregon.gov](mailto:mailboxcddplanning@beavertonoregon.gov)  
M-0174.10