

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**

**SUBJECT:** An Ordinance Amending the Beaverton Development Code Relating to Laboratory Uses, TA 2021-0004

**FOR AGENDA OF:** 09-07-21 **BILL NO:** 21223

**CITY MANAGER APPROVAL:** [Signature]

**DEPARTMENT OF ORIGIN:** CDD CT

**DATE SUBMITTED:** 08-17-21

**CLEARANCES:** City Attorney [Signature]  
Planning AS  
Public Works U  
Engineering GH

**PROCEEDING:** ORDINANCE  
-FIRST READING

**EXHIBITS:** 1. Ordinance

**BUDGET IMPACT**

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED \$0	BUDGETED \$0	REQUIRED \$0

**RECOMMENDED ACTION:**

The Mayor reads aloud and verbatim the following regarding the proposed ordinance (Exhibit 1): "On September 14, 2021, during the regularly scheduled City Council meeting, a public hearing will be held regarding, 'An Ordinance Amending the Beaverton Development Code Relating to Laboratory Uses, TA 2021-0004.'"

**FOR MORE INFORMATION:**

Contact Senior Planner Sambo Kirkman, 503-214-0843 or skirkman@beavertonoregon.gov

**ORDINANCE NO. TBD****AN ORDINANCE AMENDING  
THE BEAVERTON DEVELOPMENT CODE  
RELATING TO LABORATORY USES, TA 2021-0004**

**WHEREAS**, on August 18, 2021, the Planning Commission conducted a public hearing to consider a City-initiated application to permit laboratory uses in all industrial zoning districts and some multiple use zoning districts; and

**WHEREAS**, the Planning Commission received and considered the submitted staff report, exhibits, and proposal to recommend approval of this text amendment to the City Council; and

**WHEREAS**, the Planning Commission voted to recommend approval of the text amendment on August 18, 2021; and

**WHEREAS**, no appeal of the Planning Commission's decision was filed; and

**WHEREAS**, the Council adopts the findings in the Planning Division Staff Report dated August 11, 2021, and Planning Commission Land Use Order No. 2836;

Now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

**Section 1. Amendment.** The Beaverton Development Code is amended as set forth in Exhibit A, which is attached and incorporated by this reference.

**Section 2. Severability.** The sections and subsections of this ordinance are severable. If any part of this ordinance is held unconstitutional or otherwise invalid by a court of competent jurisdiction, the remaining parts shall remain in full force and effect unless:

A. The remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid part that it is apparent that the remaining parts would not have been enacted without the unconstitutional or invalid part; or

B. The remaining parts, standing alone, are incomplete and incapable of being executed according to the legislative intent.

**Section 3. Effective Date.** This ordinance takes effect thirty days after its passage.

First reading this \_\_\_ day of \_\_\_\_\_, 2021.

Public hearing this \_\_\_ day of \_\_\_\_\_, 2021.

Duly passed by the City Council this \_\_\_ day of \_\_\_\_\_, 2021.

ATTESTED:

SIGNED:

\_\_\_\_\_  
CATHERINE JANSEN, City Recorder

\_\_\_\_\_  
LACEY BEATY, Mayor



# 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
12 <u>Laboratories, m</u> Manufacturing, assembly, fabricating, processing, packing, storage, wholesale and distribution activities shall meet the following requirements: <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>			
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>
<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