

**FINDINGS OF FACT
PLANNING COMMISSION
AMENDMENT FILE NUMBER 25-000229**

REQUEST: To amend the City of Boardman Development Code to add standards allowing the use of Shipping Containers. Changes are proposed to Chapter 1.2 Definitions; Chapter 2.1 Residential; Chapter 2.2 Commercial Districts; Chapter 2.3 General Industrial; Chapter 2.4 Light Industrial; and Chapter 4.4 Conditional Use Permits.

APPLICANT: City of Boardman
Planning Official
Post Office Box 229
200 City Center Circle
Boardman, Oregon 97818

- I. GENERAL INFORMATION:** The current Boardman Development Code (BDC) is, for the most part, over 20 years old and in significant need of an update. While that update process is being planned and implemented there are some minor amendments that city Planning staff are going to initiate. This amendment addresses the use of Shipping Containers to be repurposed for use in all Boardman use zones.

To implement the proposed changes consistent with the City Council policy determination from earlier this year the following is provided:

Chapter 1.2 Definitions: Four new definitions are proposed to be added to the Development Code: Habitable Space, Occupiable Space, Shipping Container, and Shipping Container Reuse.

Chapter 2.1 Residential: In the Residential use zone Shipping Containers are proposed to only be allowed for storage or as an alternative to a shed. As a part of the changes to the section on Accessory Uses and Structures the intent is to further clarify the siting of not only Shipping Containers but also structures within this category including the requirement for a Building Permit.

Chapter 2.2 Commercial Districts: In the Commercial and Industrial use zones Shipping Containers are currently allowed for storage with this amendment providing some clarity about the approval process. New is the allowance for Occupiable Space which would allow the use of Shipping Containers for retail and related uses with a Conditional Use Permit.

Chapter 2.3 General Industrial: See the description just above.

Chapter 2.4 Light Industrial: See the description above.

Chapter 4.4 Conditional Use Permits: The Occupiable Space in Commercial and Industrial use zones requires a Conditional Use Permit. In this section the specific requirements for approval are outlined.

- II. **PROCEDURE:** This amendment is being processed using Type IV procedures found within the Boardman Development Code. The Type IV process requires a hearing before the Planning Commission with a recommendation to the City Council. The final hearing will occur before the City Council.
- III. **APPROVAL CRITERIA:** The request has been filed under the BDC Chapter 4.1 Types of Applications and Review Procedures, more specifically 4.1.600 Type VI Procedures (Legislative). The criteria are identified below in **bold** type with responses in regular type.

G. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

1. Approval of the request is consistent with the Statewide Planning Goals.

The Statewide Planning Goals applicable to this request are Goal 1, Citizen Involvement and Goal 2, Coordination.

Goal 1 requires the City to “develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” Because the proposed legislative amendment will be heard by both the Planning Commission and the City Council, there will be at least two opportunities for public comment to the proposed change. This proposal has also been put forward by members of the community, one focusing on residential use and the other commercial use. This proposal and the public hearing process are both consistent with the City’s acknowledged citizen involvement program. (Goal 1, Policy 4: The Planning Commission is officially designated as the Citizen Involvement Committee.)

Goal 2 requires the City to adopt a comprehensive plan and implement the plan through its development code and by extension other planning level documents. The proposed amendment is consistent with and will support the comprehensive plan relative to both residential and employments lands. (Goal 2, Policy 3: The City has adopted the City of Boardman Development Code, a unified zoning and subdivision land use code to facilitate the development process and implement the land use goals of the City as outlined in the Comprehensive Plan.)

For these reasons, the criterion is met.

2. Approval of the request is consistent with the Comprehensive Plan.

The Boardman Comprehensive Plan (BCP) has a variety of policies that support the proposed amendment, and the process used to achieve it. Goal 1 policies support citizen involvement and the public hearing process. Goal 1, Policy 4, designates the Planning Commission as the City’s official Citizen Involvement Committee. Therefore, review by the Planning Commission ensures compliance with the comprehensive plan.

While none of the Goal 2 Policies are specifically applicable to this action, staff assert that the land use planning process required through Goal 2 is supported with the update of the BDC and

that the adoption of these changes further supports that action. The desired result is a BDC that provides for reasonable uses that are beneficial to the community and can be achieved in the respective use zones.

For these reasons, the criterion is met.

3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

The proposed changes, to allow the use of Shipping Containers to be repurposed for storage in all use zones and for occupiable uses in the Commercial and Industrial use zones, will not change the use of public facilities, services, or the transportation network.

For these reasons, the criterion is met.

- IV. LEGAL NOTICE PUBLISHED:** June 25, 2025
East Oregonian
- V. DLCD 35-DAY NOTICE:** June 16, 2025
- VI. AGENCIES NOTIFIED:** Dawn Hert, Department of Land Conservation and Development; Chief Hughes and Fire Marshall Broadbent, Boardman Fire Rescue District; Glenn McIntire, Building Official; Mike Gorman, Morrow County Assessor; Lisa Mittelsdorf, Port of Morrow.
- VII. HEARING DATES:**
- | | |
|------------------------|------------------------|
| Planning Commission | City Council |
| July 17, 2025 | August 5, 2025 |
| Council Chambers | Council Chambers |
| Boardman City Hall | Boardman City Hall |
| 200 City Center Circle | 200 City Center Circle |
| Boardman, Oregon 97818 | Boardman, Oregon 97818 |
- VIII. PLANNING OFFICIAL RECOMMENDATION:** The Planning Official recommends the Planning Commission forward the request to the City Council with a ‘do adopt’ recommendation.

Zack Barresse, Chair
Planning Commission

Date

ATTACHMENTS:

- Redlines of portions of Chapter 1.2 Definitions; Chapter 2.1 Residential; Chapter 2.2 Commercial Districts; Chapter 2.3 General Industrial; Chapter 2.4 Light Industrial; and Chapter 4.4 Conditional Use Permits.