

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF TA2019-0004 A) ORDER NO. 2753
REQUEST TO AMEND THE BEAVERTON) APPROVING REQUEST
DEVELOPMENT CODE TO ADD HOME)
TESTING OF CONSUMER ELECTRONIC)
PRODUCTS AS A NEW USE IN RESIDENTIAL) ZONING DESIGNATIONS (HOME TESTING
OF CONSUMER ELECTRONIC PRODUCTS)
TEXT AMENDMENT). BACHRACH LAW P.C.,) APPLICANT
APPLICANT

The matter of TA2019-0004 (Home Testing of Consumer Electronic Products Text Amendment) was initiated by Bachrach Law P.C. through the submittal of a Text Amendment application from the Community Development Department.

Pursuant to the amendment procedures as described in Section 50.50 of Ordinance 2050, the Development Code, effective through Ordinance 4759, the Planning Commission conducted a public hearing on April 8, 2020, and considered oral and written testimony and exhibits for the proposed amendment to the Beaverton Development Code.

TA2019-0004 (Home Testing of Consumer Electronic Products Text Amendment) proposes to amend the Beaverton Development Code to add the new use to Chapter 20 (Land Uses) and Chapter 90 (Definitions).

The Commission raised concern that the text amendment definition of the use was generic and could allow uses that staff had not considered. The

Commission was also concerned that the uses could include uses or technology onsite that would emit noise, light or odors that would not be compatible with a residential neighborhood. Staff responded that these uses will have to comply with residential code in the Beaverton Development Code that regulates residential uses, in addition to the proposed use restrictions contained in Chapter 20. Staff suggested that footnote 13 could be amended to include a condition that the use must comply with noise and odor limits of the City Code. Chair Nye asked each commissioner if the footnote should be amended to include the addition restrictions. Three commissioners were in favor of the amendment, one commissioner was opposed and two commissioners did not have a preference.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated April 1, 2020.

IT IS HEREBY ORDERED that pursuant to Section 50.50.1 of the Beaverton Development Code the Planning Commission recommends approval of TA2019-0004 (Home Testing of Consumer Electronic Products Text Amendment) to the Beaverton City Council and adoption of the Development Code Text Amendment described herein, based on the facts and findings in the Staff Report dated April 1, 2020 and this land use order, with footnote 13 amended as follows:

13. Home Testing of Consumer Electronic Products uses shall:
 - a. be limited to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, in which technicians are allowed to occupy the residence;

- b. have at least two off-street parking spaces for technicians, so no on-street parking would occur with the use;
- c. be limited to two vehicles on-site at any one time. Testing sites shall not host meetings or house visitors;
- d. have a 24-hour on-site security system;
- e. have a contract for landscape and maintenance services to ensure that the home testing properties are well maintained for the neighborhood;
- f. be limited to no more than three home testing dwelling units within a quarter mile radius at any time;
- g. be limited to detached, single-family dwelling units; and
- h. comply with the noise and odor limits contained in the City Code.

Motion **CARRIED** by the following vote:

AYES: Lawler, Saldanha , Nye, Overhage, Uba, Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: Brucker.

Dated this 20 day of April, 2020

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2753, an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 4:30 p.m. on April 30, 2020.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

Sierra Peterson
I attest to the accuracy and
integrity of this document
2020.04.17 15:30:00-07'00'

SIERRA PETERSON
Associate Planner

APPROVED:



Digitally signed by Jennifer
Nye
Date: 2020.04.17
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JENNIFER NYE
Chair

Jana Fox

Digitally signed by Jana Fox
DN: C=US, E=jfox@beavertonoregon.gov,
O=City of Beaverton, OU=Planning Division,
CN=Jana Fox
Date: 2020.04.17 16:11:44-07'00'

JANA FOX
Current Planning Manager