

Received
Planning Division
3-26-20

EXHIBIT A

TEXT AMENDMENT FOR HOME ELECTRONICS TESTING

Beaverton, Oregon

A Land Use Application for:
Type IV Development Code Text Amendment

Submitted:
January 30, 2020

Applicant:
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EXHIBITS

- A. In-Home Consumer Product Testing Trip Comparison
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I. GENERAL INFORMATION

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Zoning:

Text Amendment to permitted uses in R1, R2, R4, R5, R7, and R10 zones

Comprehensive Plan Designation:

Standard and Low-Density Neighborhoods

II. INTRODUCTION

Located at the center of the expanding high-tech industry in Washington County and near the budding software and web-based industries within the City of Portland, Beaverton is in a strategic location where high-tech businesses can locate and their workers can reside. As the technology industry evolves, it is important for the City to eliminate barriers in the zoning code to support industry trends. This application requests a Type IV Zoning Text Amendment to allow a new use, "Home Testing of Consumer Electronic Products" in the City of Beaverton's R1, R2, R4, R5, R7 and R10 zoning districts. This narrative further describes the nature and need for the proposal, followed by findings of compliance with the City's approval criteria. This includes findings of consistency with the local, regional and state policies that help guide the City's decision on the matter.

Within the Beaverton area, Allion Test Homes is the only business currently involved with the testing of pre-released home electronic products for performance in a single-family residence before the product is released to the open market. This testing will ultimately determine if the product is ready for release or if changes need to be made to the product before its release. It is critical that this testing occurs in a true residential setting to account for the many variables that occur in a home environment. These variables may include power surges, in-home Wi-Fi, interference with wireless communications due to construction materials, furniture, appliances, etc. Because of these variables, it is critical for the testing to occur in a true single-family residence that is 100% reflective of the consumer environment in which the product will be used. The single-family residential types allowed in the City's R1, R2, R4, R5, R7, and R10 zoning districts most closely reflect the desired testing environment and, therefore, the applicant is seeking to introduce "home testing of consumer electronic products" as an allowed use in these zoning districts. Section III of this narrative includes the specific zoning text amendments requested by the applicant.

For the most effective testing environment, it is important that the testing location is constructed, furnished and functions as a single-family residence. Therefore, the residences would meet all building, plumbing, electrical, fire and zoning code requirements of a single-family residence and would be available for residential occupancy when and if the home electronic testing would discontinue. Combined with the fact that the new code provisions have been crafted to limit the concentration of home testing uses to no more than three testing sites within a quarter mile radius, the proposed amendments would have negligible near term and long-term impacts on the City's housing inventory.

The potential impacts that could occur from the activities associated with the testing use would be mitigated by the following provisions:

- **Hours of operation:** Hours of operation in which technicians occupy the residence would be limited to between 7:00 AM and 7:00 PM, Monday through Saturday.
- **Parking:** The residence must have at least two off-street parking spaces for technicians so no on-street parking would occur with the use.
- **Traffic:** Testing sites will not host meetings or house visitors. As mentioned in Exhibit A, the operation will typically consist of two technicians that drive separate vehicles, park in off-street spaces, and conduct all testing inside the home. Technician visits to the site will be within the typical range of rates of traffic levels experienced at a typical owner-occupied or rented dwelling.
- **Security:** The use must have a 24-hour on-site security system.

- **Maintenance:** Landscaping and home maintenance will be contracted to ensure that the home testing properties are well maintained for the neighborhood.
- **Concentration and proximity:** The Home Testing of Consumer Electronic Products use would be permitted in the R1, R2, R4, R5, R7, and R10 districts and provisions will limit their concentration to no more than three home testing uses within a quarter mile of one another at any given time.

III. PROPOSED REVISIONS TO BEAVERTON DEVELOPMENT CODE

[CHAPTER 20 – LAND USES

20.05. RESIDENTIAL LAND USE DISTRICTS

20.05.20. LAND USES

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25. [ORD 4584; June 2012]

Category and Specific Use Superscript Refers to Use Restrictions		R1 ¹¹	R2 ¹¹	R4 ¹¹	R5 ¹¹	R7 ¹¹	R10
		P: Permitted C: Conditional N: Prohibited					
Residential							
1. Care	A. Care Facilities	P	P	P	P	P	P
2. Dwellings	A. Accessory Dwelling Units	P	P	P	P	P	P
	B. Attached ¹	P	P	P	N C ²	N	N
	C. Detached ¹²	P	P	P	P	P	P
	D. Home Occupation	P	P	P	P	P	P
	E. Manufactured and Mobile Homes ³	N	P ⁴	P	P	P	P
	F. Manufactured and Mobile Homes Parks and Subdivisions	N	C	C	P	N	N
	G. Planned Unit Development	C	C	C	C	C	C
Commercial							
4. Care	A. Hospitals	C	C	C	C	C	C
	B. Medical Clinics	C	C	C	C	C	C
	C. Child Care Facilities	C	C	C	C	C	C
	D. Residential Care Facilities	C	C	C	C	C	C
5. Lodging	A. Temporary Living Quarters	C ⁵	C ⁵	C ⁵	N	N	N

Category and Specific Use Superscript Refers to Use Restrictions		R1 ¹¹	R2 ¹¹	R4 ¹¹	R5 ¹¹	R7 ¹¹	R10
		P: Permitted C: Conditional N: Prohibited					
6. Storage	A. Self-Storage Facilities	C	C	C	N	N	N
	B. Storage Yards ⁶	C	C	C	C	C	C
7. Marijuana Dispensary, Retail Marijuana Sales, Wholesale Marijuana Sales, Marijuana Processing		N	N	N	N	N	N
8. Home Testing of Consumer Electronic Products		<u>p</u> ¹³	<u>p</u> ¹³	<u>p</u> ¹³	<u>p</u> ¹³	<u>p</u> ¹³	<u>p</u> ¹³

20.05.25. USE RESTRICTIONS

The following Use Restrictions refer to superscripts found in Section 20.05.20. [ORD 4584; June 2012]

1. Existing duplexes as of June 17, 2010 in the R10, R7, and R5 zones are Permitted uses.
2. Duplexes are Conditional Uses, other attached dwellings are Prohibited.
3. The placement of a manufactured home is subject to the design and placement criteria found in Section 60.20.20.
4. Manufactured Homes and Mobile Homes are Permitted in approved Manufactured Home Subdivisions and Parks.
5. Limited to uses of Boarding, Rooming, and Lodging House.
6. Storage yards for recreational vehicles, boats, and trailers owned by residents in a residential development or planned unit development.
7. Only when abutting or directly across the street from Regional Center zones.
8. On a location containing an existing tower supporting one carrier and shall be consistent with previous land use approvals.
9. Not permitted on single family dwellings.
10. W3 when located on streetlights or utility poles in the right-of-way of designated Collector, Neighborhood Route, or Local Streets; W2 when located on streetlights or utility poles in the right-of-way of designated Freeways and Arterial Streets. [ORD 4702; January 2017]
11. A Conditional Use Permit-Planned Unit Development pursuant to 40.15.15.4 shall be required for residential development of a site equal to or greater than 10 acres and located within the boundary of the South Cooper Mountain Community Plan Area. [ORD 4654; March 2015]
12. Compact Detached Dwellings on lots fronting common greens, shared courts, or public streets may be permitted on sites that are two acres or greater in size through the Conditional Use-Planned Unit Development process. [ORD 4654; March 2015]
13. A residence used for home testing of consumer electronic products shall include the following provisions:
 - a. The residence must have at least two off-street parking spaces.
 - b. The residence must have a security system that is monitored 24 hours a day/ 7 days a week.

c. The residence shall maintain landscaping and other exterior features to ensure its condition is in good repair and consistent with the appearance and condition of properties in the general vicinity

d. There shall be no more than 3 houses used for Home Testing within a quarter mile (1,320 feet) of one another.

CHAPTER 90 - DEFINITIONS

The applicant proposes to add the following definition to Chapter 90, Definitions.

Home Testing of Consumer Electronic Products. The use of a residence, designed and built to residential standards for the purpose of setting up and testing of a variety of pre-market consumer electronic products to evaluate how they perform in a realistic setting. The home is not occupied by residents while used as a testing site and business meetings are not permitted. Generally, two technicians will be on-site monitoring the equipment during normal business hours (Monday - Saturday from 7:00 AM to 7:00 PM).

IV. COMPLIANCE WITH APPLICABLE REGULATIONS & POLICIES

A. BEAVERTON DEVELOPMENT CODE

40.85. TEXT AMENDMENT

40.85.15. Application.

C. Approval Criteria. In order to approve a Text Amendment application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- **The proposal satisfies the threshold requirements for a Text Amendment application.**

Response:

The applicant has satisfied the threshold submittal requirements for a Text Amendment application by providing the following materials:

- A pre-application conference was held on September 11, 2019 and the meeting notes are attached to this application as Exhibit B.
- Findings of compliance with the applicable review criteria, policies and standards are included in the land use narrative herein.
- Requisite application fees have been submitted with the application.

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

Response:

All City application fees related to the application have been submitted.

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

Response:

The proposed text amendment is consistent with the applicable provisions of the Metro Urban Growth Management Functional Plan as further demonstrated in this narrative.

- **The proposed text amendment is consistent with the City's Comprehensive Plan.**

Response:

The proposed text amendment is consistent with the provisions of the City's Comprehensive Plan as further demonstrated in this narrative.

- **The proposed text amendment is consistent with other provisions within the City's Development Code.**

Response:

The proposed text amendment would change the City's Development Code to allow Home Testing of Consumer Electronics in the R1, R2, R4, R5, R7 and R10 zoning districts, subject to proposed use restrictions listed in BDC 20.05.25. Because the testing sites will be *actual* single-family residences that will be maintained to look and feel like other occupied residences, there are no anticipated impacts of the use that would conflict with other BDC code provisions.

- **The proposed amendment is consistent with all applicable City ordinance requirements and regulations.**

Response: Because the home testing use would occupy single family residences built in accordance with building, plumbing, electrical and zoning codes, there are no anticipated conflicts between the proposed use and current City ordinance requirements and regulations.

- **Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

Response: There are no other applications related to the request that would require further City approvals.

B. BEAVERTON COMPREHENSIVE PLAN

Goal 3.3.1 Promote sustainable development, resilience, and resource protection

Policy 3.3.1.a Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests and natural resources.

Response: Adding Home Testing of Consumer Electronics as an allowed land use promotes sustainable development by using available residences for this unique high-tech service, rather than expending resources to create simulated residential environments. Beaverton is in a strategic location for emerging software and web-based industries and the proposed text amendment will enable the local tech industry to provide a unique service within the City without looking to other communities for this service.

In addition, because the testing environment is an *actual* single-family residence built for residential occupancy, residences where testing occurs can be returned to residential use when and if the home testing use is discontinued. Due to the highly specialized nature of the proposed use and the use limitations that will limit the concentration of these uses, the proposed amendment will not limit residential land supply and will allow the continued effective and efficient use of urban areas within the City.

Goal 3.8.1 Complete and livable Neighborhoods

Policy 3.8.1.b Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.

Response: It is expected that testing would occur within existing single-family homes built for residential occupancy and according to the density provisions in place at the time of development. Because the testing environment is an *actual* single-family residence built for residential occupancy, residences where testing occurs can be returned to residential use when and if the home testing use is discontinued. Due to the highly specialized nature of the proposed use and the use limitations that will limit the concentration of these uses, the proposed amendment will not limit residential land supply and will allow the continued efficient use of residential land within the City.

Policy 3.8.1.h Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians.

Response: The proposed text amendment includes use restrictions under BDC 20.05.25 that would require that home testing uses include a security system that is monitored 24 hours a day/ 7 days a week to ensure that the testing sites are not places for loitering, vandalism or other types of property crime.

Goal 3.8.2 Low and Standard Density Neighborhoods: Provide residential neighborhoods that emphasize detached housing and integrate parks, schools, and other community institutions

Response: The proposed text amendment provides an opportunity to accommodate the local high-tech industry while maintaining the detached single-family residential housing stock and single-family residential character of neighborhoods in Beaverton. The use of a limited number of residences in the City for consumer electronics testing will not impact the integration of parks, schools and other community institutions into the City’s single-family neighborhoods.

Goal 4.1.1 Provide an adequate supply of housing to meet future needs

Policy 4.1.1.f Strive to meet the city’s future housing demand within city limits, while coordinating with Washington County and Metro to assess future housing needs at a larger geographic scale, especially for detached single family units.

Response: Occupation of existing single-family homes with a home testing use would occur on a limited basis and the concentration of such uses would be limited to no more than three testing uses within a quarter mile of each other. The applicant for a Home Testing of Consumer Electronic Product use will be required to complete a form with the City’s planning department to verify that the use will comply with the required location and operational criteria.

Because the testing environment is an *actual* single-family residence built for residential occupancy, residences where testing occurs can be returned to residential use when and if the home testing use is discontinued. Therefore, the proposed amendment will not limit residential land supply in the City and broader region.

Goal 4.5.1: Ensure that Beaverton continues to be one of the most livable communities in the region

Policy 4.5.1.a Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources and scenic view corridors

Response: Residences occupied by the home testing use will be required to meet the same building and zoning code provisions of other single-family residences in the City and the proposed text amendment would not impact the design of neighborhoods where the use occurs. As a part of the use limitations proposed under BDC 20.05.25, home testing properties will be required to be regularly maintained and kept in as good a condition as the other properties in the general

neighborhood. Therefore, the home testing residences would not change the quality of design or neighborhood character.

C. METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Title 1 Housing Capacity: To provide for the housing needs of citizens of the state.

Response: The proposed text amendment will allow a single-family house to be used for the testing of consumer electronic products in the R1, R2, R4, R5, R7, and R10 zoning districts. This proposed amendment is anticipated to have a negligible impact on housing availability in Beaverton and in the region for the following two primary reasons:

- (1) Very few instances of this use are anticipated to occur and use limitations proposed under BDC 20.05.25 would limit the concentration of such uses to no more than three home testing residences within one quarter mile of one another. Prior to occupation of the use, the City planning department will require an applicant for a home testing residence to complete a form that will verify that the locational and operational criteria for the use are met.
- (2) The residences would meet all building, plumbing, electrical, fire and zoning code requirements of a single-family residence and would be available for residential occupancy when and if the home electronic testing is discontinued. Given that the lifespan of a single-family home can extend for over one hundred years, it is likely that the residences will return to residential occupancy at some point in time.

For these reasons, this text amendment will not impact the City's ability to meet the housing needs of citizens of the state.

Title 12 Protection of Residential Neighborhoods: Protects existing residential neighborhoods from air and water pollution, noise, and crime and provides adequate levels of public services.

Response: The home testing use will not generate air, water or noise pollution. Examples of potential product types that might be tested include devices such as wireless access points, personal assistants, thermostats, internal lighting controls, shower controls, etc., uses that do not have the potential to create pollution impacts. As a part of the use limitations proposed for addition to BDC 20.05.25, 24-hour security systems will be a requirement of all home testing sites to minimize the potential for property crime.

Other public services will be unimpacted by the proposed text amendment. The proposed home testing use would not generate the need for additional school capacity, emergency or police services, parks or other public services. Therefore, the proposed amendment would not impact the availability of adequate levels of public service in the community.

D. STATEWIDE PLANNING GOALS

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

Response: The proposed text amendment will allow a single-family house to be used for the testing of consumer electronic products in the R1, R2, R4, R5, R7, and R10 zoning districts. This proposed amendment is anticipated to have a negligible impact on housing availability in Beaverton and in the region for the following two primary reasons:

- (3) Very few instances of this use are anticipated to occur and use limitations proposed under BDC 20.05.25 would limit the concentration of such uses to no more than three home testing residences within one quarter mile of one another. Prior to occupation of the use, the City planning department will require an applicant for a home testing residence to complete a form that will verify that the locational and operational criteria for the use are met.
- (4) The residences would meet all building, plumbing, electrical, fire and zoning code requirements of a single-family residence and would be available for residential occupancy when and if the home electronic testing is discontinued. Given that the lifespan of a single-family home can extend for over one hundred years, it is likely that the residences will return to residential occupancy at some point in time.

For these reasons, this text amendment will not impact the City's ability to meet the housing needs of citizens of the state.

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

Response: As noted in the attached traffic memorandum (Exhibit A), dated December 4th, 2019 and prepared by Transight Consulting, the traffic impacts of the proposed use will be equivalent or less than those of an average single-family residence.

VII. CONCLUSION

As noted in the responses in this land use narrative and as demonstrated by the attached supporting materials, the applicant's request for a Type IV zoning text amendment meets the local approval criteria and the local, regional and state policy requirements that guide the City's decision-making process. As a consequence, the applicant respectfully requests City approval of this zoning text amendment application.



Received
Planning Division
 3-26-20



Date:	December 4, 2019
To:	Jerry Jones
From:	Joe Bessman, PE
Project Reference No.:	1391
Project Name:	In-Home Consumer Product Testing Trip Comparison

The purpose of this memorandum is to provide supporting transportation materials for the proposed Home Testing of Consumer Products within a residential site. As described within the project narrative, this use provides in-home testing of consumer products to simulate environmental conditions within a typical residence prior to public release. As the homes used for this testing were originally approved as part of a residential subdivision this letter provides a trip generation comparison between a single-family home and this testing operation.

TRIP CHARACTERISTICS

The in-home consumer products testing occurs Monday through Saturday throughout the year, and between the hours of 7:00 a.m. and 7:00 p.m. The operation consists of two technicians that drive separate vehicles, park in off-street spaces, and conduct all testing inside the home. The technicians could theoretically travel to the site in the morning, leave for lunch, and return after lunch to continue testing. In addition to technician trips there can be additional trips to and from the site for other ancillary services such as groundskeeping, trash, routine home maintenance, or deliveries. However, with the exception of lawncare these services would be intermittent and not occur on a regular basis.

Trip generation estimates are typically obtained from the standard reference *Trip Generation*, published by the Institute of Transportation Engineers (ITE). This manual contains national surveys of suburban and urban uses to statistically identify the anticipated number of trips for similar developments. Standardized trip generation estimates for a unique use such as in-home consumer product testing is not an available land use classification within this manual. With the frequency of users as described above the overall trips are expected to be negligible compared to a typical single-family residence.

TRIP GENERATION COMPARISON

To provide a reasonable comparative trip rate, the most relevant available trip generation corollary identified was ITE's *Manufacturing* land use (ITE Land Use 140). A description of this land use classification is shown below:

A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research, and associated functions. General light industrial (Land Use 110) and industrial park (Land Use 130) are related uses.

While manufacturing of consumer products is not provided within the residence, this use fulfills the “research” function described in this classification. Trip generation would be best correlated to the number of employees, but additional trip characteristics for this use based on square-footage are also available as summarized in Table 1. For trip estimates based on enclosed area it was assumed that each residence contains approximately 2,000 square-feet.

Another potential comparison would be ITE’s *Research and Development Center* (ITE 760), again based on the number of employees¹. The land use description for this use is presented below:

A research and development center is a facility or group of facilities devoted almost exclusively to research and development activities. The range of specific types of businesses contained in this land use category varies significantly. Research and development centers may contain offices and light fabrication areas.

For comparison purposes, ITE’s Single Family Detached Housing land use classification was applied (ITE Land Use 210). This land use description is as follows:

Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

¹ Research and Development Centers have a much higher employee density than the proposed use (more similar to an office); application of building size would not be a reasonable comparison.

Table 1. Trip Generation Comparison Summary

ITE Land Use	Weekday Daily Trips	Weekday AM Peak Hour Trips	Weekday PM Peak Hour Trips	Saturday Daily Trips
Approved Residential Use				
ITE 210: Single-Family Detached Housing	9.44 Trips 9.44 Trips/Dwelling Unit <i>(Range: 4.81 to 19.39)</i>	0.74 Trips 0.74 Trips/Dwelling Unit <i>(Range: 0.33 to 2.27)</i>	0.99 Trips 0.99 Trips/Dwelling Unit <i>(Range: 0.44 to 2.98)</i>	9.54 Trips 9.54 Trips/Dwelling Unit <i>(Range: 5.32 to 15.25)</i>
Proposed Consumer Testing Use Trip Generation Options				
ITE 140: Manufacturing (Per Employee) <i>2 Employees Total</i>	4.94 Trips 2.47 Trips/Employee <i>(Range: 1.60 to 6.66)</i>	0.74 Trips 0.37 Trips/Employee <i>(Range: 0.03 to 0.94)</i>	0.66 Trips 0.33 Trips/Employee <i>(Range: 0.06 to 1.18)</i>	2.48 Trips 1.24 Trips/Employee <i>(Range: 1.24)</i>
ITE 140: Manufacturing (Per 1,000 SF) <i>2,000 SF Assumed</i>	7.86 Trips 3.93 Trips/KSF <i>(Range: 0.83 to 49.50)</i>	1.24 Trips 0.62 Trips/KSF <i>(Range: 0.01 to 11.93)</i>	1.34 Trips 0.67 Trips/KSF <i>(Range: 0.07 to 11.37)</i>	12.84 Trips 6.42 Trips/KSF <i>(Range: 6.42)</i>
ITE 760: Research and Development Center <i>2 Employees Total</i>	6.58 Trips 3.29 Trips/Employee <i>(Range: 1.60 to 10.63)</i>	1.02 Trips 0.51 Trips/Employee <i>(Range: 0.28 to 0.88)</i>	1.04 Trips 0.52 Trips/Employee <i>(Range: 0.36 to 1.07)</i>	1.12 Trips 0.56 Trips/Employee <i>(Range: 0.03 to 2.97)</i>
Comparison				
Comparison Notes	Lower Daily Trip Rates	Equal to slightly higher rates possible, within range of residential uses	Lower to slightly higher rates possible, within range of residential uses	Lower weekend trip rates than residential uses.

Table 1 shows that a typical manufacturing facility with two employees would generate about half the number of weekday daily trips as a typical residence. The weekday daily trips for a manufacturing use on a square-footage basis or using the research classification are also lower but could be slightly more impactful during the peak commute periods. With any of the available classifications this level of impact would be imperceptible and within the typical range of rates experienced at a typical residence.

FINDINGS AND RECOMMENDATIONS

The proposed in-home consumer product testing serves as a final stage in developing consumer products. This memorandum shows that with the on-site operations described as providing two technicians, adequate off-street parking, and typical business hours (7:00 a.m. to 7:00 p.m. Monday through Saturday) the vehicular trip impacts will be equivalent or less than those of an average single-family residence.

Please let me know if you have any questions or comments on these materials via email at joe@transightconsulting.com or (503) 997-4473.



Received
Planning Division
3-26-20

September 25, 2019

Bachrach Law P.C.
Attn: Jeff Bachrach
921 SW Washington St Suite 320
Portland, OR 97205

Subject: Pre-Application Summary Notes for Home Testing Text Amendment

Dear Jeff Bachrach,

Thank you for attending the Pre-Application Conference held on September 11, 2019. We are pleased to provide you with the following notes prepared in response to your proposal.

Comments prepared by staff are reflective of the proposal considered at the Pre-App. A copy of your proposal was also sent to other members of staff who did not attend the Pre-App. Please feel free to contact anyone who provided comments. Contact names, telephone number and e-mail addresses are listed herein.

Following every Pre-App, staff understands that there may be changes to the plan or use considered. If these changes effectively re-design the site plan or involve a change to a use not discussed, please be advised that such change could require different land use application(s) than were identified by staff at the Pre-App. It's also possible that different issues or concerns may arise from such change. In these cases, we highly encourage applicants to request a second Pre-App for staff to consider the change and provide revised comments accordingly.

In part, the Pre-App is intended to assist you in preparing plans and materials for staff to determine your application(s) to be "complete" as described in Section 50.25 of the City Development Code. For your application(s) to be deemed complete on the first review, you must provide everything required as identified on the Application Checklist(s) (provided at the Pre-App) in addition to any materials or special studies identified in the summary notes hereto. If you have questions as to the applicability of any item on the checklist(s) or within this summary, please contact me directly.

On behalf of the staff who attended the Pre-App, we thank you for sharing your proposal with us. If we can be of further assistance, please do not hesitate to call.

Sincerely,

Lauren Russell, AICP
Associate Planner
(503) 526-3718

PRE-APPLICATION CONFERENCE MEETING SUMMARY NOTES

Prepared for Home Testing Text Amendment PA2019-0062, September 11, 2019

The following pre-application notes have been prepared pursuant to Section 50.20 of the Beaverton Development Code. All applicable standards, guidelines and policies from the City Development Code, Comprehensive Plan and Engineering Design Manual and Standard Drawings identified herein are available for review on the City's web site at: www.beavertonoregon.gov. Copies of the Development Code and Comprehensive Plan are also available for review at the City's Customer Service Kiosk located within the Community Development Department. Copies of these documents are also available for purchase.

The following is intended to identify applicable code sections, requirements and key issues for your proposed development application. Items checked are to be considered relevant to your proposed development.

PRE-APPLICATION CONFERENCE DATE: September 11, 2019

PROJECT INFORMATION:

Project Name: **Home Testing Text Amendment**

Project Description: Text Amendment to amend the city code to add a definition of "Home Testing of Consumer Electronic Products" to make it a permitted use under BDC 20.05.20 in the R5, R7, and R10 districts.

Property/Deed Owner: N/A

Site Address: N/A

Tax Map and Lot: N/A

Zoning: R5, R7, and R10

Comp Plan Designation: Standard and Low Density Neighborhoods

Site Size: N/A

APPLICANT INFORMATION:

Applicant's Name: Jerry Jones
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Email: jeffb@bachrachlaw.com

PREVIOUS LAND USE HISTORY: None

SECTION 50.25 (APPLICATION COMPLETENESS):

The completeness process is governed by Section 50.25 of the Development Code. The applicant is encouraged to contact staff to ask any questions or request clarification of any items found on the application checklists that were provided to the applicant at the time of the pre-application conference. In addition, the applicant should be aware that staff is not obligated to review any material submitted 14 days or later from the time the application has been deemed “complete” that is not accompanied with a continuance to provide staff the necessary time to review the new material.

APPLICATION FEES:

Based on the plans/materials provided, the identified application fees (**land use only**) are as follows:

Text Amendment	\$7,076.00
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***See Key Issues/Considerations herein** for description of applications and associated process. No fee increase are scheduled at this time; however, the fees are subject to change. Fees in effect at the time of application submittal will control. Please contact Current Planning (503-526-2420) or visit our website www.beavertonoregon.gov/bib prior to submittal of your application to confirm the current application fee(s).

SECTION 50.15. CLASSIFICATION OF APPLICATIONS:

Applications are subject to the procedure (Type) specified by the City Development Code. Per Section 50.15.2 of the Code, when an applicant submits more than one complete application for a given proposal, where each application addresses separate code requirements and the applications are subject to different procedure types, all of the applications are subject to the procedure type which requires the broadest notice and opportunity to participate. For example, a proposal that includes a **Text Amendment** application is subject to a **Type 4** procedure.

SECTION 50.30 (NEIGHBORHOOD REVIEW MEETING):

A Neighborhood Review Meeting is not required because the proposal is subject to a Type 4 procedure. However, staff always recommends community outreach through a neighborhood meeting. Beaverton Neighborhood Office Contact: **Miles Glowacki** mglowacki@beavertonoregon.gov 503-526-3706

CHAPTER 20 (LAND USES):

Zoning: R5, R7, and R10

Applicable Code Sections: **20.05.15 – Site Development Standards** and **20.05.20 – Land Uses.**

CHAPTER 30 (NON-CONFORMING USES):

Proposal subject to compliance to this chapter?

Yes

No

CHAPTER 40 (PERMITS & APPLICATIONS):

Facilities Review Committee review required? Yes No

Please Note: Applicant’s written response to Section 40.03 (Facilities Review) should address each criterion. If response to criterion is “Not Applicable”, please explain why the criterion is not applicable.

Applicable Application Type(s):

	<u>Application Description</u>	<u>Code Reference</u>	<u>Application Type</u>			
1.	Text Amendment (Threshold #1)	<u>40.85.15.1.C</u>	<input type="checkbox"/> Type 1	<input type="checkbox"/> Type 2	<input type="checkbox"/> Type 3	<input checked="" type="checkbox"/> Type 4

Comments: In order for your application(s) to be deemed complete, a written statement necessary, supported by substantial evidence in response to all applicable approval criteria. Specifically, your application narrative(s) will need to explain how and why the proposed application meets the applicable approval criteria for the land use applications identified above. Approval criteria and development regulations in effect at the time an application is received will control. Approval criteria and development regulations are subject to change.

CHAPTER 60 (SPECIAL REGULATIONS):

The following special requirements when checked are applicable to your development. You should consult these special requirements in the preparation of written and plan information for a formal application:

- | | |
|--|---|
| <input type="checkbox"/> Section 60.05 (Design Review Principles Standards and Guidelines) | <input type="checkbox"/> Section 60.07 (Drive-Up Window Facilities) |
| <input type="checkbox"/> Section 60.10 (Floodplain Regulations) | <input type="checkbox"/> Section 60.15 (Land Division Standards) |
| <input type="checkbox"/> Section 60.20 (Mobile & Manufactured Home Regulations) | <input type="checkbox"/> Section 60.25 (Off-Street Loading) |
| <input type="checkbox"/> Section 60.30 (Off-Street Parking) | <input type="checkbox"/> Section 60.33 (Park and Recreation Facilities) |
| <input type="checkbox"/> Section 60.35 (Planned Unit Development) | <input type="checkbox"/> Section 60.40 (Sign Regulations) |
| <input type="checkbox"/> Section 60.45 (Solar Access Protection) | <input type="checkbox"/> Section 60.50 (Special Use Regulations) |
| <input type="checkbox"/> Section 60.55 (Transportation Facilities) | <input type="checkbox"/> Section 60.60 (Trees and Vegetation) |
| <input type="checkbox"/> Section 60.65 (Utility Undergrounding) | <input type="checkbox"/> Section 60.67 (Significant Natural Resources) |
| <input type="checkbox"/> Section 60.70 (Wireless Communication) | |

Comments: For the application(s) to be deemed complete, written analysis will need to identify and explain how the proposal meets all applicable provisions/requirements as checked above.

OTHER DEPARTMENT/AGENCY CONTACTS:

Your project may require review by other City departments and outside agencies. Please plan to contact the following staff persons at the City of Beaverton or other agencies when their name is checked. In some instances, some or all of these staff persons may submit written comments for the pre-application conference. These comments may be discussed at the pre-application conference and will be attached to this summary:

<p>Recommended contact for further information if checked</p> <input type="checkbox"/>	<p>Clean Water Services (CWS) regulates sanitary sewer, storm and surface water management within Washington County in coordination with the City of Beaverton. CWS also conducts environmental review for proposed development projects that are located in proximity to sensitive areas (generally wetlands, riparian areas and stream corridors). Staff recommends that applicants contact <u>CWS staff as early as possible in order to obtain a Service Provider Letter (SPL)</u>. For many development permits, the SPL is required before the application is determined to be complete (BDC 50.25.1.F) which starts the Beaverton land use review processes. CWS environmental regulations are explained in Chapter 3 of the Design and Construction Standards at: www.cleanwaterservices.org/permits-development/design-construction-standards</p> <p>If no sensitive areas exist on or within 200 feet of the project site, CWS can also issue a statement indicating no sensitive areas exist which the city will also accept as documentation under Section 50.25.1.F. To start the environmental review process and obtain an SPL, complete the pre-screening site assessment form. For more information about CWS environmental review, you may email splreview@cleanwaterservices.org or contact Laurie Bunce, CWS Engineering Technician, at (503) 681-3639.</p>
<input type="checkbox"/>	<p>Kimberlee McArthur, Building, City of Beaverton (503) 526-2524 / kimberleemcarthur@beavertonoregon.gov</p> <input type="checkbox"/> No written comments provided to date / not expected.
<input type="checkbox"/>	<p>Steve Brennen, Operations, City of Beaverton (503) 526-2200 / sbrennen@beavertonoregon.gov</p> <input type="checkbox"/> No written comments provided to date / not expected.
<input type="checkbox"/>	<p>Connie Rodriguez, Site Development, City of Beaverton (503) 350-4018 / crodriguez@beavertonoregon.gov</p> <input type="checkbox"/> No written comments provided to date / not expected.
<input checked="" type="checkbox"/>	<p>Jabra Khasho, Transportation, City of Beaverton (503) 526-2221/ jkhasho@beavertonoregon.gov</p> <input checked="" type="checkbox"/> Plan reviewed. See attached memo.
<input type="checkbox"/>	<p>Marah Danielson, ODOT Development Review (503) 731-8258/ marah.b.danielson@odot.state.or.us</p> <input type="checkbox"/> No written comments provided to date / not expected.
<input type="checkbox"/>	<p>Naomi Vogel, Washington County (503) 846-7623/ naomi_vogel@co.washington.or.us</p> <input type="checkbox"/> No written comments provided to date / not expected.
<input type="checkbox"/>	<p>Elizabeth Cole, Recycling, City of Beaverton (503) 526-2460/ ecole@beavertonoregon.gov</p> <input type="checkbox"/> No written comments provided to date / not expected.

KEY ISSUES/CONSIDERATIONS:

Staff has identified the following key development issues, or design consideration or procedural issues that you should be aware of as you prepare your formal application for submittal. The identification of these issues or considerations here does not preclude the future identification of other key issues or considerations:

1. **Land Use Applications.** A **Text Amendment** application will be required for this proposal. Staff recommends adding a “Home Testing” definition to Beaverton Development Code (BDC) Chapter 90 as well as amending BDC Chapter 20 to add “Home Testing” to the Land Uses table subject to use restrictions. Along with the on-site parking spaces, 24/7 security system, and landscape maintenance proposed, staff recommends restricting the use to inside the home only. Additionally, explore whether a limitation of no more than two houses being used for “Home Testing” within a ½ mile and ¼ mile radius can accommodate the existing home sites. Staff was concerned that the proposed 400 foot radius could allow for too many houses in any one area being used for “Home Testing.”

Your application will need to include a narrative that demonstrates that the proposal is consistent with applicable provisions of Metro Urban Growth Management Functional Plan, Beaverton’s Comprehensive Plan, Beaverton’s Development Code, and Oregon Statewide Planning Goals. Staff has identified the following applicable goals and policies:

- **Metro Urban Growth Management Functional Plan**
 - **Title 1 Housing Capacity:** Requires each city and county to maintain or increase its housing capacity per the Regional Framework Plan, which calls for a compact urban form and a “fair share” approach to meeting regional housing needs.
 - **Title 12 Protection of Residential Neighborhoods:** Protects existing residential neighborhoods from air and water pollution, noise, and crime and provides adequate levels of public services.
- **Beaverton Comprehensive Plan**
 - **Goal 3.3.1:** Promote sustainable development, resilience, and resource protection.
 - Policy 3.3.1.a): Use land effectively in urban areas to relieve development pressure in rural areas and help protect farms, forests, and natural resources.
 - **Goal 3.8.1:** Complete and livable neighborhoods.
 - Policy 3.8.1.b): Regulate minimum residential density to ensure efficient use of residential land and meet regional housing needs.
 - Policy 3.8.1.h): Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism, and other property crimes and to promote a feeling of safety for pedestrians.
 - **Goal 3.8.2:** Low and Standard Density Neighborhoods: Provide residential neighborhoods that emphasize detached housing and integrate parks, schools, and other community institutions.
 - **Goal 4.1.1:** Provide an adequate supply of housing to meet future needs.
 - Policy 4.1.1.f): Strive to meet the city’s future housing demand within city limits, while coordinating with Washington County and Metro to assess future housing needs at a larger geographic scale, especially for detached single family units.
 - **Goal 4.5.1:** Ensure that Beaverton continues to be one of the most livable communities in the region.
 - Policy 4.5.1.a): Encourage quality design throughout the city that acknowledges neighborhood character, provides safe and direct connections for pedestrians and bicyclists to a variety of destinations, and integrates open space, natural resources, and scenic view corridors.
- **Oregon Statewide Planning Goals**
 - **Goal 10 Housing:** To provide for the housing needs of citizens of the state.

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

It will be important to explain how the “Home Testing” use will not permanently alter the residential occupancy of the single-family detached house so the house continues to be part of the housing supply and that the use will function the same as neighboring houses in terms of the impact on the transportation system.

Staff estimates that the Text Amendment could become effective approximately 19 weeks from when the application is deemed complete.

2. **Electronic Plan Review.** The City of Beaverton offers electronic plan submission for Planning, Site Development, and Building permit review. For more information please visit our Apply for Permits page at <https://www.beavertonoregon.gov/2047/Apply-for-Permits> or contact staff.