



**CITY OF BEAVERTON
STAFF REPORT**

TO: Planning Commission

STAFF REPORT DATE: September 23, 2015

HEARING DATE: September 30, 2015

STAFF: Sandra Monsalvè, AICP, Planning Manager

SUBJECT: **TA2015-0003 (*Meeting Facilities - The Falls Event Center*)**

REQUEST: To amend the Beaverton Development Code to allow Meeting Facilities as a Permitted use type in certain Multiple-Use Zones, with modified use restrictions if less than 20,000 square feet.

APPLICANT: The Falls Event Center (Radler White Parks & Alexander)

APPLICABLE CRITERIA: Development Code Section 40.85.15.1.C.1-7 (Text Amendment Approval Criteria)

RECOMMENDATION: Staff recommend the Planning Commission review the proposal, take public testimony, deliberate on the proposal and make a recommendation of approval to the City Council.

1. Summary of Proposed Text Amendment

Section 20.20.20 *Land Uses* of the Beaverton Development Code identifies *Meeting Facilities* (20.20.20.9) as a Permitted use within the Downtown Regional Center – Transit Oriented zoning district (RC-TO), subject to Use Restriction No. 21. Section 20.20.25.21 of the Code states that Meeting Facilities less than 20,000 sq. ft. are Permitted; however, only if the use is accessory to temporary living facilities or office uses. If the accessory meeting facility is greater than 20,000 sq.ft, then the meeting facility use would be subject to a Conditional Use permit.

The applicant, The Falls Event Center, LLC, represented by Radler White Parks & Alexander has requested a text amendment to the City of Beaverton’s Development Code to modify the use restrictions applicable to Meeting Facilities within the RC-TO zoning district, a Multiple-Use zoning district. Existing Code provisions do not allow Meeting Facilities as a stand-alone use. As noted above, existing Code requires Meeting Facilities to be an accessory use to temporary living quarters or office uses. The proposal is to

amend this accessory use restriction thereby making Meeting Facilities permitted as a stand-alone use.

The applicant is requesting this text amendment in order to locate an event center within an already established building located at 12655 SW Millikan Way. Currently the building has vacant retail space available below the existing parking garage facility at The Round, adjacent to City Hall. Therefore, the applicant's proposal is specific to the RC-TO zone. However, the existing Code provision for Meeting Facilities are applicable to the RC-TO, RC-E, RC-OT, OI-WS, TC-MU, SC-MU, SC-E1, and SC-E3 zones. This proposed amendment will be applicable only to the RC-TO zone.

2. Public Comment

Public notice was provided consistent with Section 50.50 of the Development Code. As of the date of issuance of the staff report and recommendation, no written comments from the public were received and/or submitted to the record. Staff has also not received any written comments from Metro, Washington County, or the Oregon Department of Land Conservation and Development (DLCD) staff.

3. Facts and Findings

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 of the criteria specified in Section 40.85.15.1.C.1-7 are satisfied. The following are the findings of fact for TA2015-0003 (*Meeting Facilities – The Falls Event Center*):

Development Code Approval Criteria

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

Section 40.85.15.1.A specifies that an application for a text amendment shall be required when there is any proposed change to the Development Code, excluding changes to the zoning map. TA2015-0003 proposes to make changes to Chapter 20 of the Development Code, as shown in the attached Exhibit 1.1. Therefore, staff find that approval criterion one has been met.

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

The applicant has submitted and paid for the application fee accordingly. Therefore, staff finds that approval criterion two has been met.

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

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 the following titles:

- Title 1: Requirements for Housing and Employment Accommodations
- Title 2: Regional Parking Policy (Repealed and moved to Title 4 of the Regional Transportation Functional Plan (RTFP))
- Title 3: Water Quality and Flood Management
- Title 4: Industrial and Other Employment Areas
- Title 5: Neighbor Cities and Rural Reserves
- Title 6: Centers, Corridors, Station Communities and Main Streets
- Title 7: Housing Choice
- Title 8: Compliance Procedures
- Title 9: Performance Measures (Repealed)
- Title 10: Functional Plan Definitions
- Title 11: Planning for New Urban Areas
- Title 12: Protection of Residential Neighborhoods
- Title 13: Nature in Neighborhoods
- Title 14: Urban Growth Boundary

The City is required to bring its land use regulations into conformance with the UGMFP. This proposed text amendment does not conflict with and titles of the UGMFP. Therefore, staff find that approval criterion three has been met.

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

Staff finds that the following Comprehensive Plan Policies apply to this proposal:

Chapter Three: Land Use Element

Section 3.5: Mixed Use Areas:

- Section 3.07.130 of the Metro Functional Plan states that “nine regional centers will become the focus of compact development, redevelopment and high-quality transit service and multimodal street networks.” Because the text amendment will be applicable to the Multiple Use Land Use District of RC-TO *Downtown Regional Center – Transit Oriented District* – categorized as a Regional Center, the text amendment addresses a change in a use restriction as part of the land use regulation; and thereby supports the requirements of the Functional Plan – *2040 Growth Concept*.
- The applicant has reiterated that Station Communities and Regional Centers are considered mixed use areas, and the RC-TO zone is a mixed-use area zoning designation, consequently any change in the RC-TO zone must be in compliance with this section of the Comprehensive Plan.

Goal 3.5.1: *Beaverton mixed use areas that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.*

Policy a) *Regulate new development in Regional Centers, Town Centers, Station Communities and Main Streets (see Figure III-1, Comprehensive Plan Land Use Map) to ensure compact urban development.*

The proposed use is already allowed as an accessory use within the RC-TO zone when accessory to temporary living quarters and offices. As a stand-alone use within the RC-TO zone, a mixed-use zone, the impacts would be negligible, as the use has already been contemplated within the Development Code.

Staff find that because the use will be supported by existing transportation infrastructure within the mixed-use zoning district, that approval criterion four, Policy (a) has been met.

Policy b) *Allow a mix of complementary land use types, which may include housing, retail, office, small manufacturing or industry, and civic uses to encourage compact neighborhoods with pedestrian oriented streets in order to promote:*

- **Independence of movement, especially for the young and elderly to enable them to conveniently walk, cycle, or die transit;**

- ***Safety in commercial areas, through round-the-clock presence of people.***
- ***Reduction in auto use, especially for shorter trips;***
- ***Support for those who work at home, through the nearby services and parks;***
- ***A range of housing choices so that people of varying cultural, demographic, and economic circumstances may find places to live.***

The applicant states that by allowing *Meeting Facilities* as a stand-alone use, it will encourage greater concentration of people after typical business hours, and therefore provide for “safety in commercial areas, through round-the-clock presence of people” especially on the weekends and during evening hours.

Staff find that the use type Permitted outright supports both, safety in commercial areas and a reduction in auto use, especially shorter trips, due to its proximity to light rail services, therefore approval criterion four, Policy (b) has been met.

Goal 3.6.1: Regional Centers that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.

Policy a) Regulate new development in Regional Centers to ensure compact urban development and to maximize the public infrastructure investment in light rail.

The applicant states the text amendment, if approved, will allow for more flexibility for *Meeting Facilities* within the RC-TO zone. Specifically that these facilities which typically host weddings, parties, business meetings and other social events, are attended by out-of-town guests which would use public transportation to travel to and from the event. Additionally, using light rail typically found within the RC-TO zone, guests who attend events would be afforded a safe mode of transportation from the event.

Staff find that the text amendment supports Policy 3.6.1 (a), and therefore find that approval criterion four has been met.

5. The proposed text amendment is consistent with other provisions within the City’s Development Code.

The applicant has stated the text amendment will allow for more flexibility to site *Meeting Facilities* within the RC-TO zone. By allowing this use type outright as applicable to facilities less than 20,000 sq. ft., increased use at The Round and increased employment opportunities could result.

The text amendment is intended to work within the existing framework of the Development Code, specifically Chapter 20 - Land Uses, and Chapter 60 - Special Requirements. In particular Section 60.30.10.5.A of the Development Code sets forth requirements for Off-Street Parking. The *Meeting Facilities* use type requires 0.25 parking spaces per seat, at maximum occupancy. At the time of development review for The Falls Event Center, the applicant will be required to comply with all applicable sections of the Development Code. The proposed amendment does not create conflicts with other provisions of the Development Code. Therefore, staff find that approval criterion five has been met.

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

Staff has not identified any other applicable City ordinance requirements and regulations that would be affected by the proposed text amendment. Therefore, staff find that approval criterion six has been met.

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

Staff have determined that there are no other applications and documents related to the request that will require further City approval. Therefore, staff find that approval criterion seven has been met.

Other applicable approval criteria

As a post-acknowledgement amendment to the City's Development 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	Goal 2	Goal 9	Goal 10
Goal 11	Goal 12	Goal 14	

Goal 1: *Citizen Involvement To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Staff find that the City has provided adequate notice and opportunity for public involvement for the proposed text amendment and public hearing.

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 factual basis for such decisions and actions.*

Staff find 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: Economy of State To diversify and improve the economy of the state.

The removal of the use restrictions for *Meeting Facilities* within the City of Beaverton allows for expanding opportunities for small businesses. Staff find that the proposal will not have a negative impact on the economy of the state.

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

As stated above in response to the Comprehensive Plan Policies relating to housing and Metro Title 1, staff find that the proposal will not negatively impact the ability of the City to meet its share of the housing needs of the citizens of the state.

Goal 11: Public Facilities and Services To plan and develop a timely, orderly, and efficient arrangement of public facilities and service to serve as a framework for urban and rural development.

Staff find that the proposal will not impair the City's ability to provide the necessary services.

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

Staff find that the proposal supports the use of public transportation by maintaining the location of *Meeting Facilities* within established Regional Centers and Station Communities, as an allowed use if under 20,000 square feet; and a conditional use if greater than 20,000 square feet. Additionally a conditional use permit for *Meeting Facilities* may require a Transportation Impact Analysis (TIA) in order to mitigate any potential negative traffic impacts.

Goal 14: Urbanization To provide for an orderly and efficient transition from rural to urban land use.

Staff find that the proposal only applies to already urbanized land and therefore does not alter the transition from rural to urban land use.

State Land Use Goal Compliance Summary: Therefore, staff find that the proposed text amendment complies with all of the applicable State Planning Goals.

4. Conclusions

Based on the facts and findings presented, staff conclude that the proposed amendment to the Development Code is consistent with all the text amendment approval criteria of Section 40.85.15.1.C.1-7 of the Development Code.

5. Staff Recommendation(s)

Staff offers the following recommendation for the conduct of the September 30, 2015 public hearing for TA2015-0003 (Meeting Facilities – The Falls Event Center):

- 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 TA2015-0003 (*Meeting Facilities – The Falls Event Center*) to the City Council.

6. Exhibits

Exhibit 1.1 Chapter 20 Proposed Text