

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING) ORDINANCE NO. 00-877
APPROXIMATELY 14 ACRES OF LAND)
IN THE JACKSON BOTTOM WETLAND)
PRESERVE NEAR THE CITY OF)
HILLSBORO AND DECLARING AN) Introduced by David Bragdon,
EMERGENCY) Presiding Officer

WHEREAS, applicant Unified Sewerage Agency (Applicant), has requested that approximately 14 acres of land in the Jackson Bottom Wetland Preserve near the City of Hillsboro be annexed within Metro jurisdictional boundary; and

WHEREAS, annexation to the Metro jurisdictional boundary of the territory described in Exhibit A would constitute a contiguous boundary change, initiated by a petition of the owners of property in the territory; and

WHEREAS, notice as required by Metro Code 3.09.030 was published on November 24 and December 1, 1999; and

WHEREAS, Metro received consents to the proposed annexation from 100% of the owners of land and 100% of the electors in the territory; and

WHEREAS, Applicant has initiated a Locational Adjustment proceeding seeking to add this land to the Metro Urban Growth Boundary; and

WHEREAS, pursuant to Metro Code Chapter 3.01, the application has been referred to a hearings officer who has conducted a hearing and has recommended approval; and

WHEREAS, no exceptions have been filed to the hearings officer reported recommendation; and

WHEREAS, the Council intends to approve the Locational Adjustment request and add this land to the land inside the Metro Urban Growth Boundary; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:


1. The territory described in Exhibit A is hereby annexed to the Metro jurisdictional boundary.
2. This annexation to the Metro jurisdictional boundary is based on the findings and conclusions set forth in Exhibit B, attached hereto and incorporated by reference herein.

3. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption of this ordinance.

4. This ordinance is necessary for the immediate preservation of public health, safety and welfare because annexation should be effective immediately to allow the Council to consider the Urban Grown Boundary amendment requested by applicant; an emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

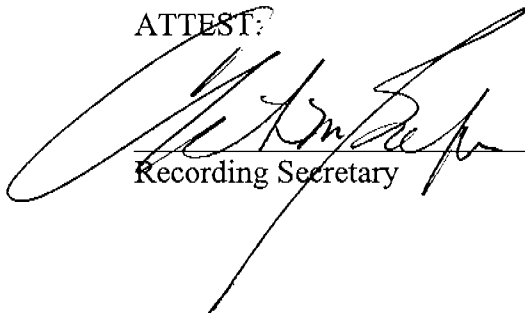
ADOPTED by the Metro Council this 14th day of September, 2000.





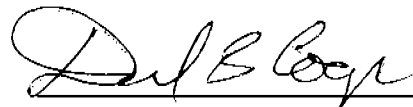
David Bragdon, Presiding Officer

ATTEST:



Recording Secretary

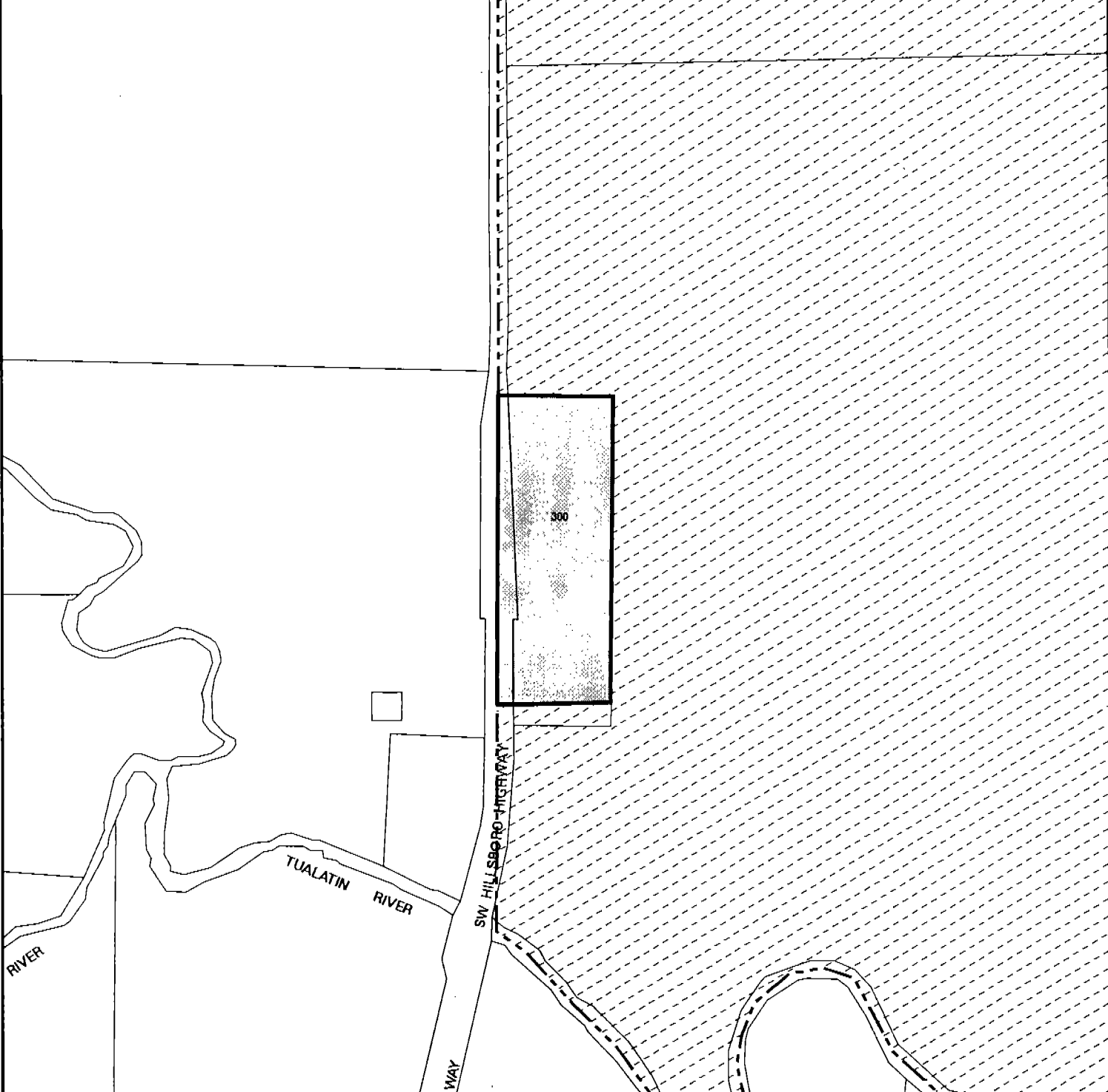
Approved as to Form:



Daniel B. Cooper, General Counsel

Proposal No. MU0500

1S2W07 Annexation to the Metro Boundary Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM

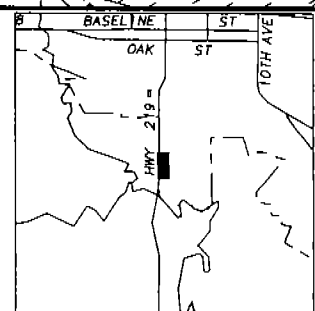
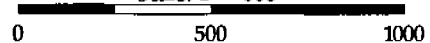


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- Metro boundary
- Annexation boundary
- Area to be annexed

Proposal No. MU0500
METRO BOUNDARY
Figure 1

Scale: 1" = 500'



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Date: August 10, 2000

Exhibit B--Ordinance 00-877
Application Summary Unified Sewerage Agency
Jackson Bottom Wetland Preserve
Metro Jurisdictional Boundary, Case No. 00-837

**STAFF REPORT TO THE
METRO COUNCIL**

Prepared by: Scott Weddle

SECTION I: APPLICATION SUMMARY

CASE: FILE NAME: USA/Jackson Bottom Annexation to the
Metro Jurisdictional Boundary
Case 00-837

APPLICANT: Unified Sewerage Agency
115 N. 1st Avenue, Suite 270
Hillsboro, OR 97124

PROPOSAL: The petitioner is requesting annexation to the Metro jurisdictional boundary of a 13.93-acre area for the purpose of expanding a parking facility for the Unified Sewerage Agency (USA) water quality research lab and dedicating land to the Jackson Bottom Wetland Preserve.

LOCATION: The subject site is located on the eastern side of Highway 219, one mile south of Highway 8 between the USA water quality research lab and the Jackson Bottom Wetland Preserve (Attachment A).

PLAN/ZONING: *Washington County Zoning: EFU*
DESIGNATION *Washington County Comprehensive Plan Designations: Agriculture and Forest*

APPLICABLE
REVIEW CRITERIA: Metro Code 3.09.050

SECTION II: STAFF FINDINGS

Staff finds that the petitioner in Case 00-837: USA, has met the criteria outlined in Metro Code Section 3.09.050.

SECTION III: BACKGROUND INFORMATION

Site Information: The 13.93-acre site is located on the eastern side of Highway 219 roughly one mile south of Highway 8 and roughly 750 feet to the north of the Tualatin River. This site is in single ownership belonging to Mr. Gail Woodworth and located on Map number 1S2W07. The northern, western and eastern edges of the subject property abut the Metro jurisdictional boundary, the Urban Growth Boundary (UGB) and the City of Hillsboro City Limits. The Jackson Bottom Wetland Preserve is adjacent to the north and east. The USA stormwater and sanitary sewer quality treatment lab is

Exhibit B-1 of 7 to Ordinance 00-877
Application Summary Unified Sewerage Agency
Jackson Bottom Wetland Preserve
Metro Jurisdictional Boundary, Case No. 00-837

adjacent to the south. The proposed annexation area currently supports a small-scale trucking operation and aerial photography supplied by the applicant shows that a field crop is being cultivated on the site as well. The site does not include the street right-of-way for Highway 219 yet the Metro jurisdictional boundary and the UGB currently follow the centerline of Highway 219 to the north and south of the subject site. Staff recommends that the Metro jurisdictional boundary be adjusted to the centerline of Highway 219 adjacent to this site should this annexation proposal be approved. Including the eastern right-of-way of Highway 219 adjacent to this site would align the proposed annexed area with the current Metro jurisdictional boundary to the north and south, and facilitate the provision of services.

Case History: USA submitted a petition for annexation of the subject property on behalf of Mr. Gail Woodworth on March 15, 2000. The application was deemed substantially complete on March 17, 2000. The applicants have also submitted a concurrent UGB locational adjustment application for this subject area. The hearings officer recommendation on the locational adjustment will be presented to the Metro Council at a public hearing on August 17, 2000.

Proposal Description: The petitioners propose to annex approximately 13.93 acres of land to the Metro jurisdictional boundary.

The Washington County Assessment and Taxation Office certifies that a total of one elector resides within the proposed area. This elector, Mr. Gail Woodworth, is in favor of annexation to the Metro jurisdictional boundary and is the owner of the subject site. Mr. Gail Woodworth's signature in support of annexation satisfies the double majority requirement in the Metro Code. USA has an option to purchase the property from Mr. Woodworth contingent on the site being annexed to the UGB and the Metro jurisdictional boundary.

SECTION IV: APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro jurisdictional boundary are contained in Metro Code 3.09.050. The criteria with citation (**bold**), petitioner responses (*italics*), and staff analysis follow.

Petitions to add land to the Metro jurisdictional boundary may be approved under the following conditions:

- 1. The extent to which urban services presently are available to serve the affected territory including any extraterritorial extensions of service. [3.09.050(b)(1)]**

Urban facilities and services are currently available to serve the USA water quality lab immediately south of the subject parcel. No extra territorial extensions of service are required. See pages 22-24 of report for findings to address the "orderly and economic provision of public facilities and services." See Appendix A-5 for serve provider comment forms.

Staff Response

Service provider forms submitted as part of the UGB locational adjustment petition (Appendix A-5) state that the subject property could be reasonably provided with public facilities and services with negligible impacts on existing systems. These completed service provider forms corroborate the applicant's statement that no extra territorial extensions of service would be required to serve this site.

The USA's plan for this property consists of placing a new parking facility on roughly four of the 13.93 acres of this site that are above the 100-year flood elevation. This lot will be needed if the USA

completes a planned expansion of the existing USA water quality lab that is located within the existing UGB. On page 5 of the Petition For A Natural Area Locational Adjustment, January 2000 (Attachment B) the applicant states that "public and private facilities and utilities are already in place to serve the water quality lab building and expansion of the building and parking area will not require extension of new infrastructure."

The service provider form submitted by Gail Curtis at the Oregon Department of Transportation (ODOT) stated that ODOT's support for the annexation of this site is conditional. ODOT would require the provision of a left turn refuge, the closing of the driveway on the northern portion of the water treatment facility, and the dedication of the traffic impact fee through Washington County toward the 1st and Walnut Intersection Safety Improvement Project. USA states in their application for locational adjustment that they intend to accommodate ODOT's transportation concerns.

Joe Thompson at the City of Hillsboro Water Department also gave conditional support for the annexation saying that the applicant must not tap high pressure transmission lines and take into account the hydraulic demand of any fire protection for any new structures. The locational adjustment petition states "Expansion of the building will take into account the possible hydraulic demand of any fire protection and required fire flow for the expanded structure."

Based on testimony received from local service providers that no extra territorial extensions of services would be necessary due to the current location of existing services, and that services are in place to serve the relevant portion of the subject site, this criteria has been met.

2. A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties. [3.09.050(b)(2)]

Not applicable. All affected service providers have returned comment forms in support of the Locational Adjustment. See Appendix A-5 of report.

Staff Response

Service providers have indicated to Metro staff that no urban service agreements are presently in place to serve the subject site. Therefore, this criteria has been met.

3. A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties. [3.09.050(b)(3)]

See discussion of Washington County plan designations on page 8 of report. See discussion of City of Hillsboro Jackson Bottom Master Plan and Metro Greenspaces Master Plan on pages 15-16 and 20-21 of report.

p.8 "The subject property (Tax Lot 300) is designated Exclusive Farm Use (EFU) on the Washington County Rural/Natural Resource Plan Map, as are all parcels in the immediate vicinity that lie outside of the UGB. The Washington County Significant Natural Resources Map also identifies the subject property as Water Areas and Wetlands. Property to the north, east and south of the subject property is designated Floodplain on the City of Hillsboro Comprehensive Plan Map and is zoned Industrial."

p.15,16 " ...Jackson Bottom was identified as a significant opens space/natural area at the regional level. Jackson Bottom was identified as one of 14 regional natural areas in Metro's open spaces, parks and streams bond measure (Measure 26)."

p.20 "...The Hillsboro Comprehensive Plan includes the following implementation measure in Section 6 – Open Space, Scenic and Historic Sites: The City shall continue to participate in the Jackson Bottom Area Coordinated Resource Management Plan. (Added by Ord. No. 3130/6-80)."

p.20 "Jackson Bottom is also referenced in the Hillsboro 2020 Vision Statement, approved by the Hillsboro Planning Commission and the City Council in May and June 1999, respectively. The Vision Statement is intended to guide the City's future planning efforts, including update of Hillsboro's Comprehensive Plan."

p.21 "...Jackson Bottom is identified as a regionally significant natural area on page 25 of the Metropolitan Greenspaces Master Plan. The subject property is included within the refinement plan boundary for the Jackson Bottom –Dairy McKay Creeks target area, adopted by Metro Resolution No. 96-2342."

Staff Response

The subject site is designated as Rural Reserve in the 2040 Growth Concept and appears on recent 2040 Growth Concept maps as a riparian corridor due to its location in the Tualatin River floodplain.

Inclusion of the subject site in the Metro jurisdictional boundary would not change the EFU zoning designation placed on this property by Washington County.

The Jackson Bottom Wetlands within the City of Hillsboro are designated as Parks and Open Space on the 2040 Growth Concept Map. Dedication of the roughly ten acres of floodplain located on the subject site to the Jackson Bottom Wetland Preserve would be in harmony with the 2040 designation of Parks and Open Space in this area. The roughly 10 acres of floodplain have the potential to be reconnected to the system of wetlands that surrounds this site to the north and east.

Objective 13 of the 2040 Growth Concept (Public Facilities and Cost) states that "Public services and facilities including stormwater should be developed to: minimize cost, maximize service efficiencies and coordination, result in net improvements in environmental quality and the conservation of natural resources as well as shape and direct growth to meet local and regional objectives." Additionally, Objective 18 of the RUGGOS (Public Services and Facilities) states that stormwater management facilities should be planned to "maximize service efficiencies and coordination and result in maintained or enhanced environmental quality and the conservation of natural resources." The expansion of the water quality laboratory as the applicant states on page 5 of the locational adjustment application, "to streamline and consolidate USA staff and facilities" would seem to satisfy these objectives.

The applicant intends to accommodate improvements to an existing public facility by locating a parking facility on a portion of the subject site. The applicant has also proposed to dedicate the remainder of the site and include it within the adjacent wetland area that is recognized by both the City of Hillsboro and Metro as a significant Parks and Greenspaces area. Based on these facts, it is the position of Metro staff that the applicant has satisfied this criterion. The plan that has been presented for this area is consistent with the adopted 2040 Growth Concept Plan and does not conflict with any local comprehensive plans or urban planning agreements.

4. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party. [3.09.050(b)(4)]

Not applicable to amendments of the Metro jurisdictional boundary.

Staff Response

There are presently no urban service provider agreements in this area. Metro staff has received no comments from affected agencies to note an existing conflict between providers or a withdrawal from a service district. Based on this information, this criterion does not apply.

5. The proposed effective date of the decision. [3.09.050(b)(5)]

USA requests that the annexation to the Metro jurisdictional boundary be consolidated with and made concurrent with the Locational Adjustment.

Staff Response

The conclusion of staff is that this criterion has been satisfied because the applicant has proposed an effective date of the ordinance. Section 39, subsection 1 of the Metro Charter states that an ordinance will take effect ninety (90) days after adoption unless the ordinance specifies otherwise, or if the Metro Council declares an emergency.

SECTION V: SUMMARY

USA is petitioning on behalf of property owner Mr. Gail Woodworth to annex approximately 13.93 acres of land to the Metro jurisdictional boundary for the purpose of expanding a parking facility to serve the USA water quality research laboratory. USA has submitted a concurrent application for a locational adjustment of the UGB. Approval of these boundary annexations will trigger USA to purchase the Woodworth property and dedicate roughly 10 acres of the total acreage of the subject site that is below the flood elevation of the Tualatin River to the Jackson Bottom Wetlands Area. The improvements to the USA Water Quality Research Laboratory will occur on the roughly four acres of land that are above flood elevation and are located on the southern portion of the subject site.

The petitioners have provided sufficient evidence to demonstrate that the subject area can be provided urban services in an orderly and efficient manner. The petitioners have demonstrated that the annexation is not in conflict with existing plans, the Regional Framework Plan, the Urban Growth Management Functional Plan or any other applicable plans. The applicant indicates that the site can be adequately served with sewer, storm, water, police, fire, park and open space and transportation services after inclusion of the area into the UGB and the City limits of Hillsboro (requires subsequent actions).

Based on the above analysis, staff finds that the petitioner has met the criteria.

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Proposal No. MU0500

1S2W07

Annexation to the Metro Jurisdictional Boundary

Washington Co.

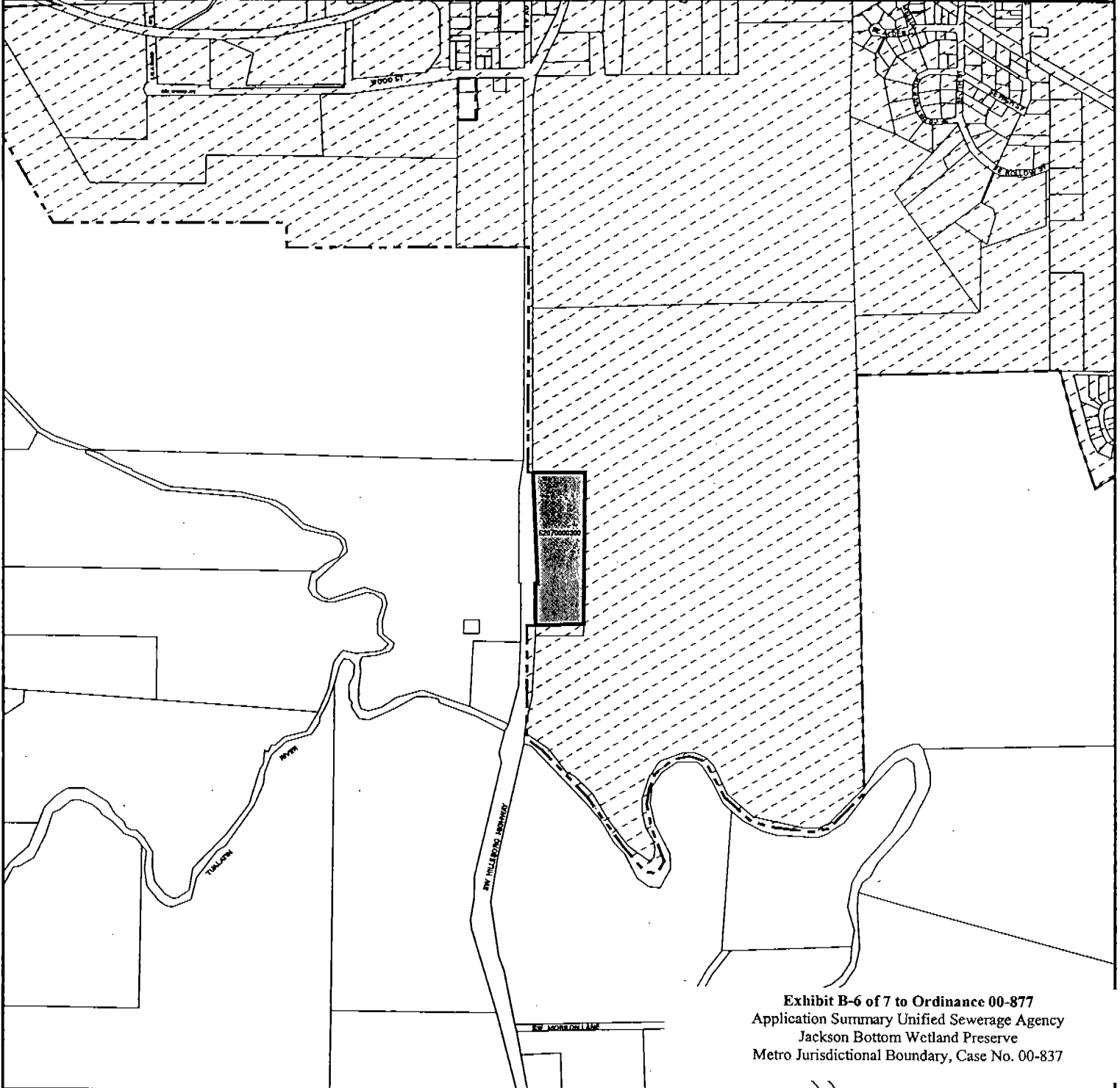


Exhibit B-6 of 7 to Ordinance 00-877
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 Jackson Bottom Wetland Preserve
 Metro Jurisdictional Boundary, Case No. 00-837

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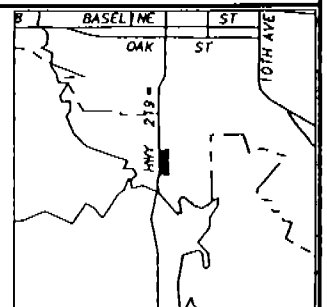
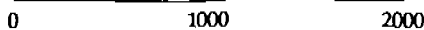
METRO

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- Metro boundary
- Annexation boundary
- Area to be annexed

Proposal No. MU0500
 METRO JURISDICTIONAL BOUNDARY
 Figure 1

Scale: 1" = 1000'



PETITION FOR A NATURAL AREA LOCATIONAL ADJUSTMENT

January 2000

Prepared for:

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