

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE)	ORDINANCE NO. 17-1394
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 45.98 ACRES LOCATED IN)	Introduced by Chief Operating Officer
THE RIVER TERRACE AREA OF TIGARD AND)	Martha J. Bennett with the Concurrence of
17.32 ACRES LOCATED IN THE NORTH)	Council President Tom Hughes
BETHANY AREA OF WASHINGTON COUNTY)	

WHEREAS, Polygon WLH LLC has submitted a complete application for annexation of 45.98 acres in the River Terrace area of Tigard and 17.32 acres in the North Bethany area of Washington County ("the territory") to the Metro District; and

WHEREAS, the Metro Council added the River Terrace and the North Bethany areas to the UGB, including the territory, by Ordinance No. 02-969B on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

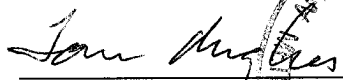
WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on February 9, 2017; now, therefore,

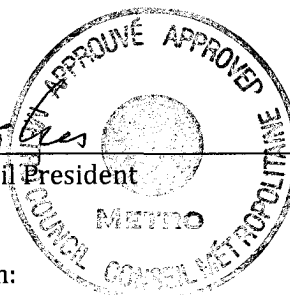
THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A and Exhibit B, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated January 18, 2017, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 16 day of February 2017.



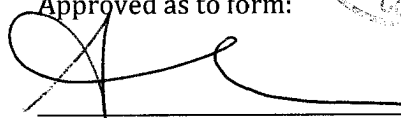
 Tom Hughes, Council President



Attest:



 Nellie Papsdorf, Recording Secretary

Approved as to form:


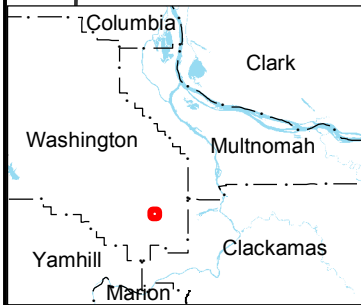
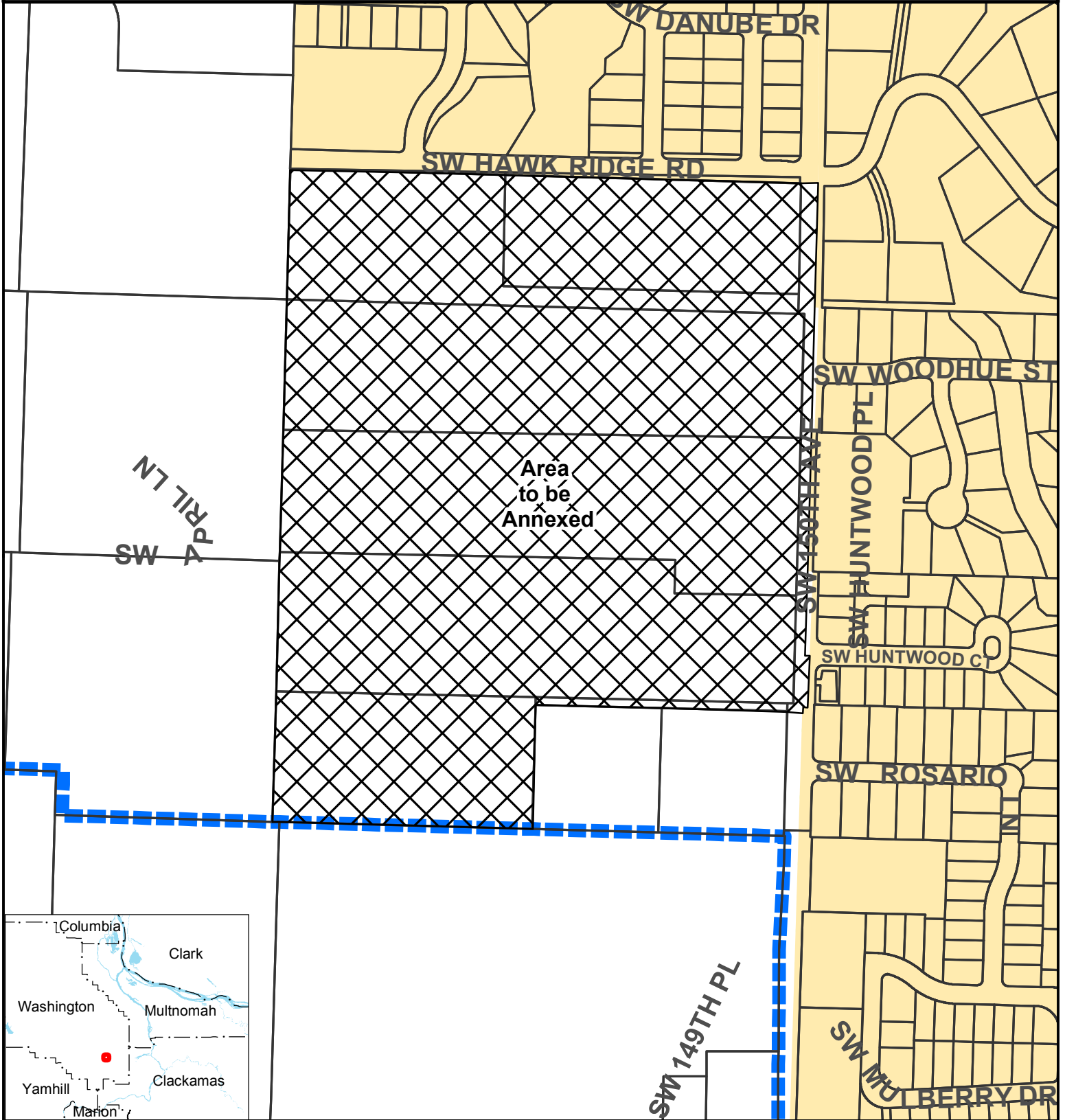
 Alison R. Kean, Metro Attorney

Proposal No. AN-0117





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Annexation to the Metro District Boundary

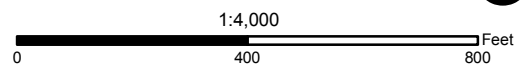
Washington County



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-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

Proposal No. AN-0117 Metro District Boundary



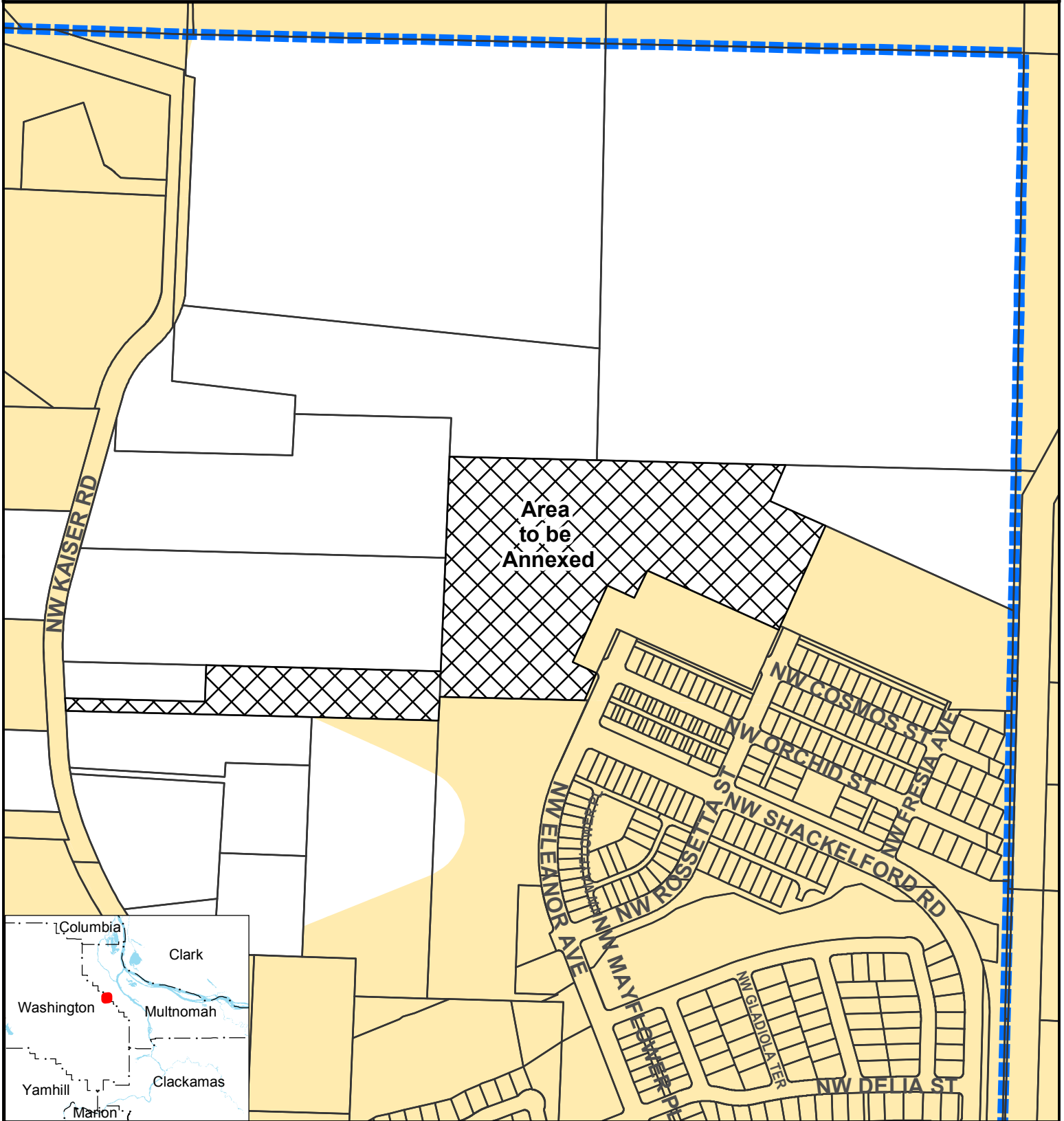
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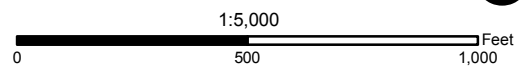
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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 17-1394, FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 45.98 ACRES LOCATED IN THE RIVER TERRACE AREA OF TIGARD AND 17.32 ACRES LOCATED IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: January 18, 2017

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0117, Annexation to Metro District Boundary

PETITIONER: Polygon WLH LLC
109 E. 13th Street
Vancouver, WA 98660

PROPOSAL: The petitioner requests annexation of land in the River Terrace area of Tigard and in the North Bethany area of Washington County to the Metro District Boundary.

LOCATION: The land in the River Terrace area of Tigard is approximately 45.98 acres in size, located west of SW 150th Ave and south of SW Ridge Road and can be seen in Attachment 1.

The land in the North Bethany area of Washington County is approximately 17.32 acres in size, is located east of NW Kaiser Road and west of NW Eleanor Ave and can be seen in Attachment 2.

ZONING: The land in the River Terrace area of Tigard is zoned for residential use (R-4.5 & R-7) by Tigard.

The land in the North Bethany area of Washington County is zoned for residential (R-15NB, R-24NB & R-25+NB) and neighborhood commercial (NCC NB)

The land was added to the UGB in 2002 and is part of the River Terrace Community Plan that was adopted by Tigard or the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

Both the land in the River Terrace area of Tigard and the North Bethany area of Washington County was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B.

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-969B include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County applied the Future Development 20 (FD-20) zone to both expansion areas.

The River Terrace property was annexed to Tigard in January 2013 and the River Terrace Community Plan was adopted in 2014. The applicant is currently moving forward with annexation to Clean Water Services. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

For the land in North Bethany, Washington County requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring, which the applicant is in the process of completing. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The River Terrace property is part of Tigard's River Terrace Community Plan Area, adopted by the City of Tigard in 2014. The proposed annexation is consistent with the community plan and is required by Tigard as part of a land use application. The inclusion of the property within the Metro District is consistent with applicable cooperative urban service agreements.

The North Bethany property is part of Washington County's North Bethany Subarea Plan and was included in the North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with the Subarea Plan and the Service District agreement and is required by Washington County as part of a land use application. The inclusion of the property within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 45.98 acres in the River Terrace area of Tigard and 17.32 acres in the North Bethany area of Washington County to the Metro District. All of the land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the River Terrace Community Plan and the North Bethany Subarea Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

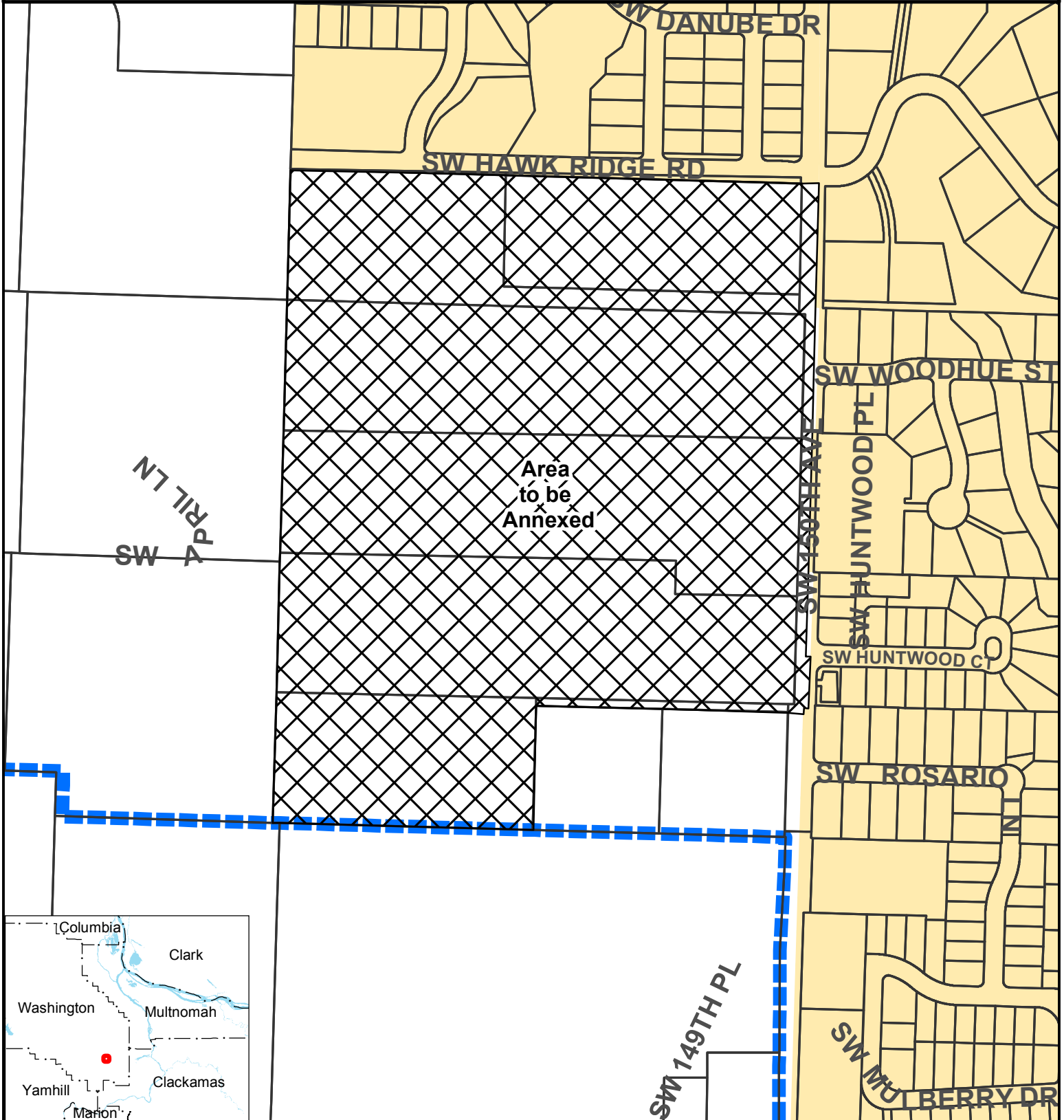
Staff recommends adoption of Ordinance No. 17-1394.

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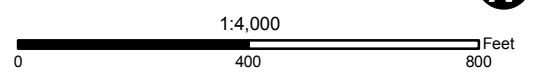
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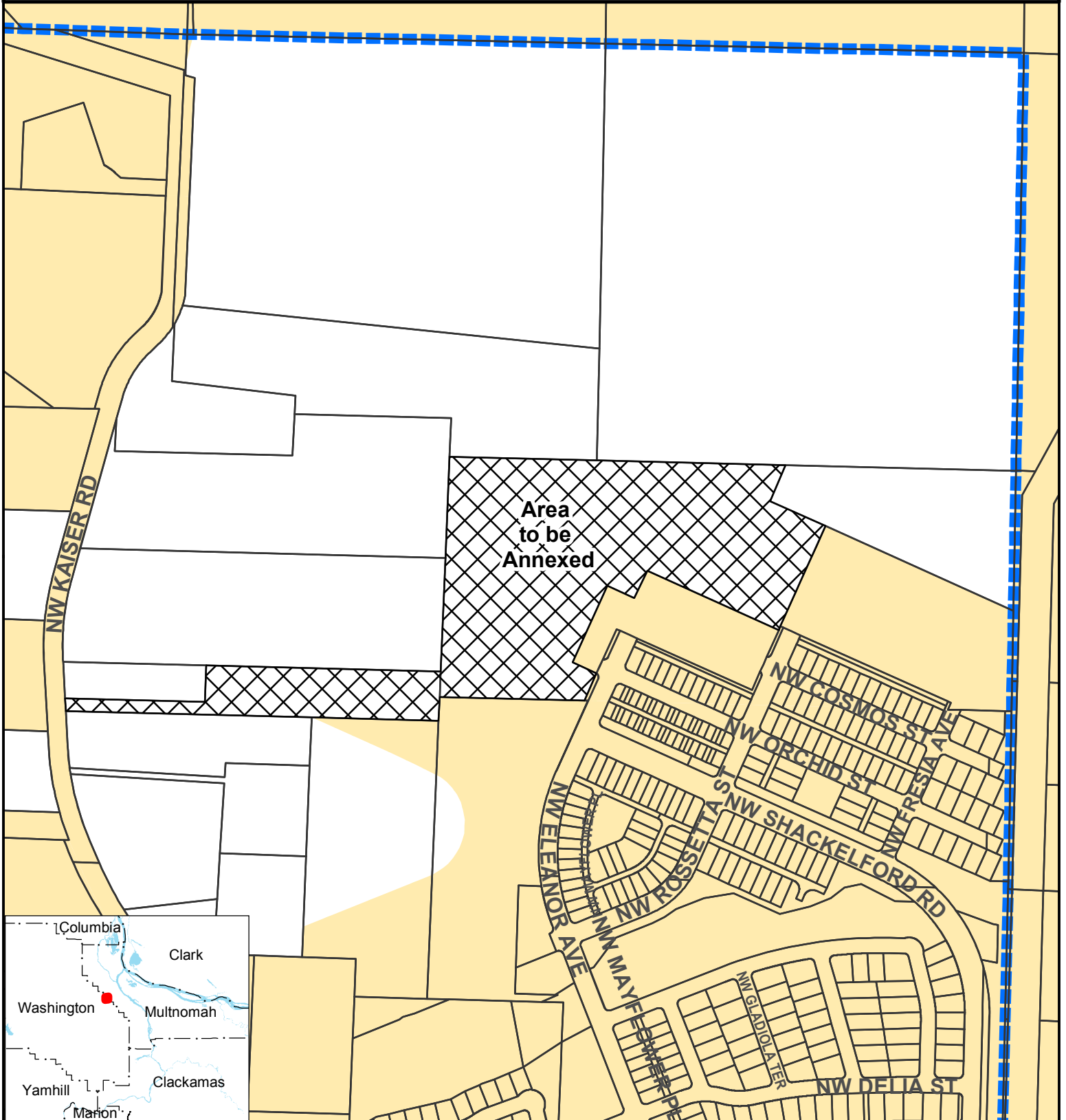
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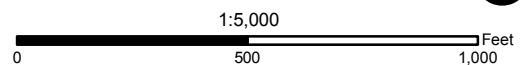
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