

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 19-1436
METRO DISTRICT BOUNDARY	)	
APPROXIMATELY 21.57 ACRES LOCATED	)	Introduced by Chief Operating Officer
AT 4091 NE CONSTABLE STREET AND	)	Martha J. Bennett with the Concurrence of
APPROXIMATELY 12.1 ACRES LOCATED	)	Council President Lynn Peterson
WEST OF NE STARR BLVD AND SOUTH OF	)	
NE HUFFMAN ROAD IN HILLSBORO	)	

WHEREAS, Flexential Colorado Corp. has submitted a complete application for annexation of 21.57 acres and T5 Data Centers has submitted a complete application for annexation of 12.1 acres in the Evergreen area of North Hillsboro ("the territory") to the Metro District; and

WHEREAS, the Metro Council added the Evergreen Industrial Area to the UGB, including the territory, by Ordinance No. 05-1070A on November 17, 2005; 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

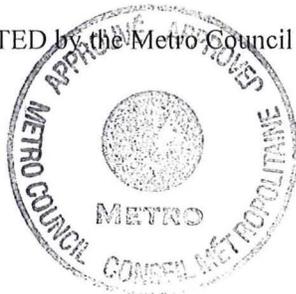
WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on April 11, 2019; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, 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 March 22, 2019, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 25<sup>th</sup> day of April 2019.



  
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 Lynn Peterson, Council President

Attest:  
  
 \_\_\_\_\_  
 Sara Farrokhzadian, Recording Secretary

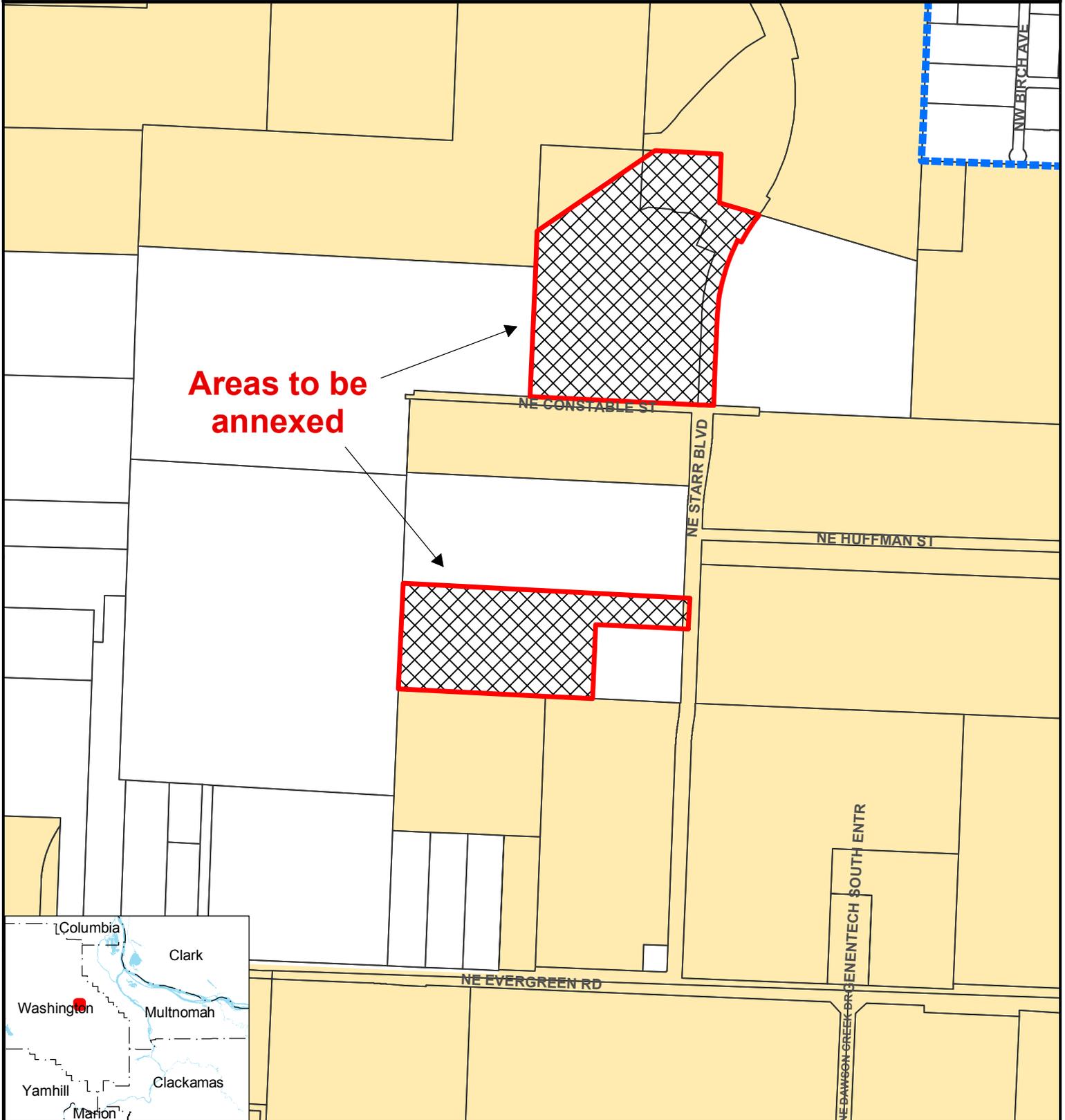
Approved as to form:  
  
 \_\_\_\_\_  
 Nathan A. S. Sykes, Acting Metro Attorney

# Proposal No. AN-0119

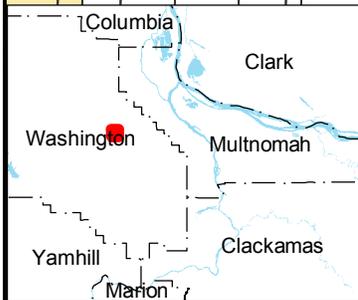
1N2W21

Annexation to the Metro District Boundary

Washington County



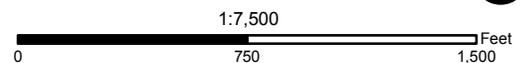
**Areas to be annexed**



Research Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.oregonmetro.gov/drc>

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

## Proposal No. AN-0119 Metro District Boundary



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## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 19-1436, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 21.57 ACRES LOCATED AT 4091 NE CONSTABLE STREET AND APPROXIMATELY 12.1 ACRES LOCATED WEST OF NE STARR BLVD AND SOUTH OF NE HUFFMAN ROAD IN HILLSBORO

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Date: March 22, 2019

Prepared by: Tim O'Brien  
Principal Regional Planner

### BACKGROUND

CASE: AN-0119, Annexation to Metro District Boundary

PETITIONER: Flexential Colorado Corp.  
11900 E Cornell Ave, Building B 3<sup>rd</sup> Floor  
Aurora, Colorado 80014

T5 Data Centers  
3344 Peachtree Road NE, Suite 2550  
Atlanta, GA 30326

PROPOSAL: The two petitioners request annexation of land in North Hillsboro to the Metro District Boundary.

LOCATION: The two parcels are in the North Hillsboro Industrial Area Plan District. The first parcel located at 4091 NE Constable Street is approximately 21.57 acres in size. The second parcel located west of NE Starr Blvd and south of NE Huffman Road is approximately 12.1 acres in size. Both parcels can be seen in Attachment 1.

ZONING: The properties are zoned for industrial use (I-S) by Hillsboro.

Both parcels were added to the UGB in 2005 and are part of the Evergreen Area Industrial Plan that was adopted by Hillsboro. The Evergreen Area Industrial Plan area was incorporated into the North Hillsboro Industrial Area Plan District. 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 parcels were brought into the UGB in 2005 through the Metro Council's adoption of Ordinance No. 05-1070A. Thus the affected territory is within the UGB.

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:

Washington County applied the Future Development-20 Acres (FD-20) designation to all the land included in Ordinance No. 05-1070A to prevent premature urbanization of the expansion area prior to the completion of the comprehensive planning of the area and annexation to the City of Hillsboro. The conditions of approval for Ordinance No. 05-1070A include a requirement that interim protection measures be implemented as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. The Flexential property was annexed to the City of Hillsboro on February 19, 2019 and the T5 Data Centers property will be annexed to Hillsboro in the near future. Thus the affected territory is subject to measures that prevent urbanization until the territory is annexed to the City.

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 two parcels proposed for annexation are part of Hillsboro's Evergreen Area Industrial Plan adopted by the City of Hillsboro in 2008. The Evergreen Area Industrial Plan area was incorporated into the North Hillsboro Industrial Area Plan District. The proposed annexation is consistent with these two plans and the Urban Planning Area Agreement between Washington County and the City of Hillsboro adopted in 2017. Thus the inclusion of the affected territory within the Metro District is consistent with all applicable plans and agreements.

## **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 two parcels totaling approximately 33.67 acres in the North Hillsboro Industrial Area. 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 Evergreen Area Industrial 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**

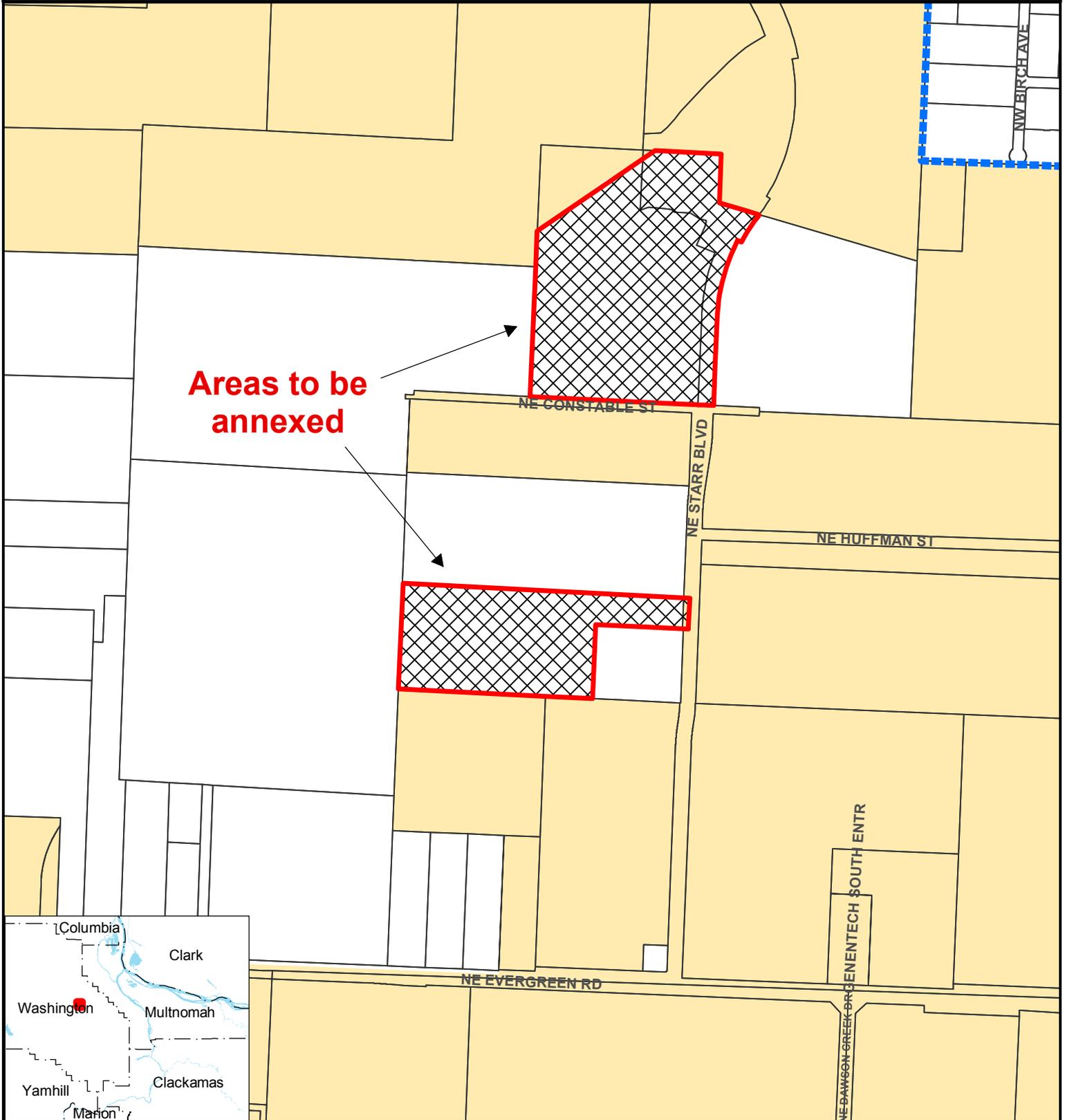
Staff recommends adoption of Ordinance No. 19-1436.

# Proposal No. AN-0119

1N2W21

Annexation to the Metro District Boundary

Washington County



**Areas to be annexed**

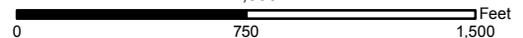


## Proposal No. AN-0119 Metro District Boundary



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

1:7,500



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