

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 21-1464
METRO DISTRICT BOUNDARY	)	
APPROXIMATELY 1.82 ACRES LOCATED AT	)	Introduced by Chief Operating Officer
7115 NW KAISER ROAD IN THE NORTH	)	Marissa Madrigal with the Concurrence of
BETHANY AREA OF WASHINGTON COUNTY	)	Council President Lynn Peterson

WHEREAS, Sunshine Elite Investment has submitted a complete application for annexation of 1.82 acres located at 7115 NW Kaiser Road (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-987A on December 12, 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 September 9, 2021; 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 August 19, 2021, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 23<sup>rd</sup> day of September 2021.



\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved as to form:



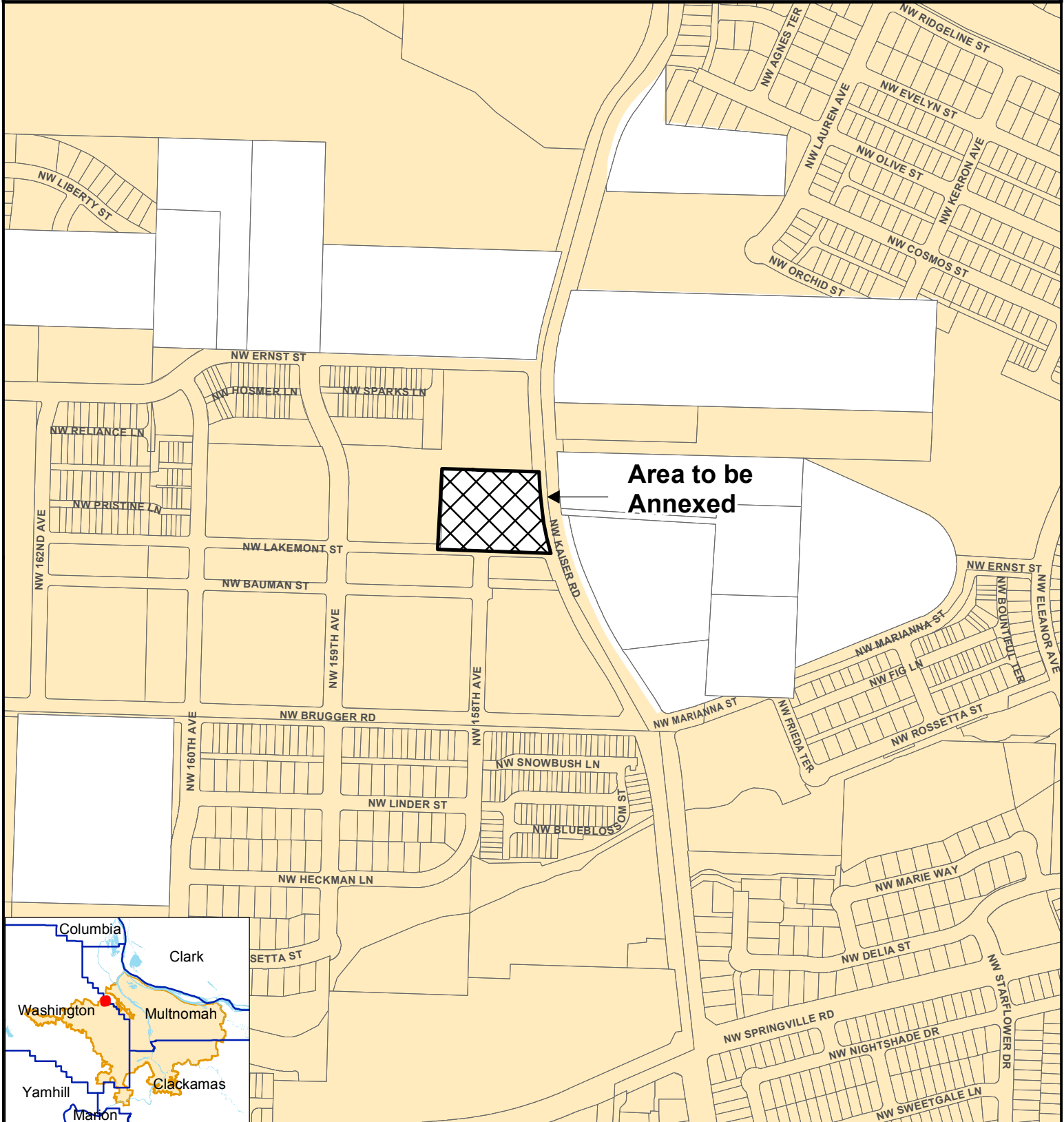
\_\_\_\_\_  
Jaye Cromwell, Recording Secretary



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Carrie MacLaren, Metro Attorney

# Proposal No. AN0321

1N1W17 **Annexation to the Metro Service District** Washington County



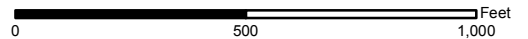
Research Center  
 600 NE Grand Ave  
 Portland, OR 97232-2736  
 (503) 797-1742  
<http://www.oregonmetro.gov/drc>

- Urban growth boundary
- Taxlots
- Metro District Boundary

Proposal No. AN0321



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## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1464, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 1.82 ACRES LOCATED AT 7115 NW KAISER ROAD IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

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Date: August 19, 2021  
Department: Planning & Development

Prepared by: Tim O'Brien  
Principal Regional Planner

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## BACKGROUND

CASE: AN-0321, Annexation to Metro District Boundary

PETITIONER: Sunshine Elite Investment  
15320 NW Central Drive, Ste. D6  
Portland, OR 97229

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

LOCATION: The land in North Bethany is approximately 1.82 acres in size, is located at 7115 NW Kaiser Road and can be seen in Attachment 1.

ZONING: The land is zoned for neighborhood commercial mixed use and residential (NCMU-NB & R-25+NB)

The land was added to the UGB in 2002 and is part of 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:

The land in the North Bethany area of Washington County was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A, thus the affected territory lies 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:

The conditions of approval for Ordinance No. 02-987A 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 the expansion area. 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. Thus, the territory was subject to measures that prevented urbanization until the territory is annexed to the necessary service districts.

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 land 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, the Bethany Community Plan and the Service District agreement and is required by Washington County as part of a land use application. Thus 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 1.82 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 North Bethany Subarea Plan.

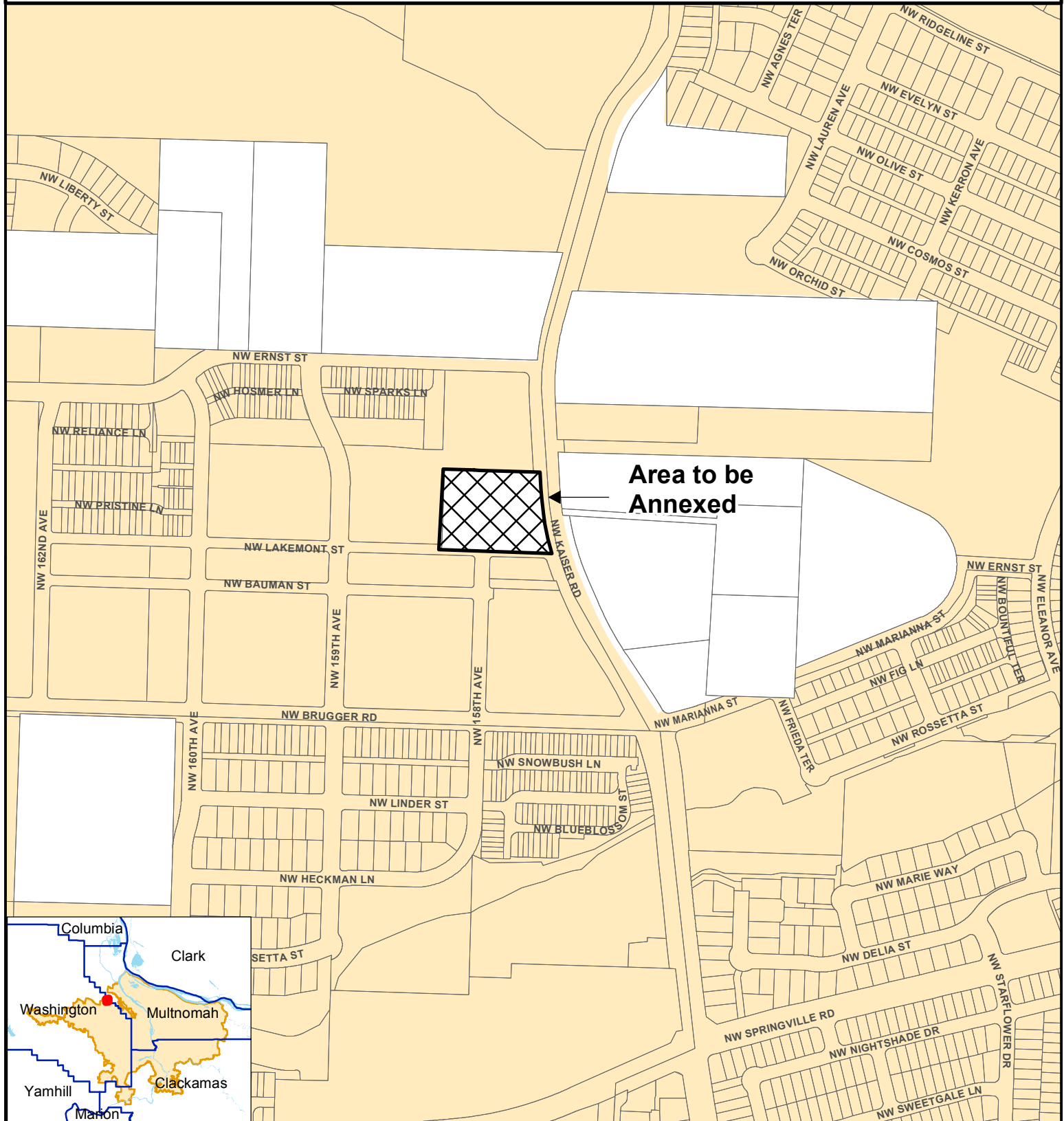
**Budget Impacts:** The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

## RECOMMENDED ACTION




Staff recommends adoption of Ordinance No. 21-1464.

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1N1W17 **Annexation to the Metro Service District** Washington County

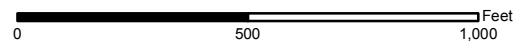


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