

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE)	ORDINANCE NO. 21-1471
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 7.67 ACRES LOCATED IN)	Introduced by Chief Operating Officer
THE VICINITY OF NW BRUGGER ROAD AND)	Marissa Madrigal with the Concurrence of
NW 160 TH AVENUE IN THE NORTH)	Deputy Council President Shirley Craddick
BETHANY AREA OF WASHINGTON COUNTY)	

WHEREAS, Noyes Development Co. has submitted a complete application for annexation of 7.67 acres located in the vicinity of NW Brugger Road and NW 160th Avenue (“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 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 November 18, 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 October 28, 2021, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 2nd day of December 2021.

Shirley Craddick

 Shirley Craddick, Deputy Council President

Attest:

Approved as to form:

Jaye Cromwell

 Jaye Cromwell, Recording Secretary

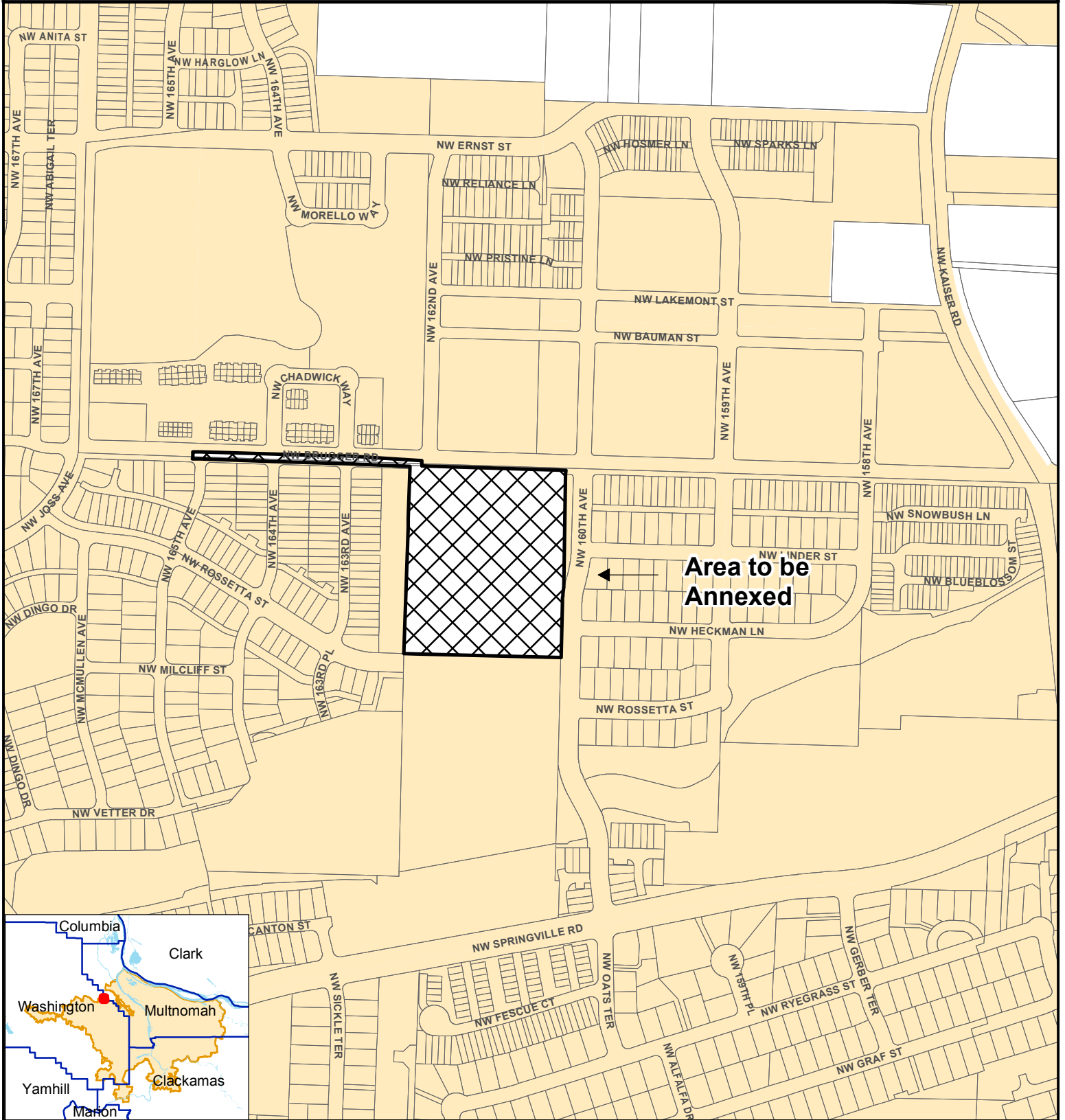
Carrie MacLaren

 Carrie MacLaren, Metro Attorney



Exhibit A

Proposal No. AN0621

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



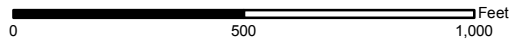
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Metro District Boundary

Proposal No. AN0621



1:5,000



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1471, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 7.67 ACRES LOCATED IN THE VICINITY OF NW BRUGGER ROAD AND NW 160TH AVENUE IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: October 28, 2021
Department: Planning & Development

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0621, Annexation to Metro District Boundary

PETITIONER: Noyes Development Co.
16305 NW Bethany Court, Suite 101
Beaverton, OR 97006

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 7.67 acres in size, is located in the vicinity of NW Brugger Road and NW 160th Avenue, includes one parcel and some adjacent street right-of-way, and can be seen in Attachment 1.

ZONING: The land is zoned for residential use (R6-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 recently completed. 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 land 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 7.67 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.

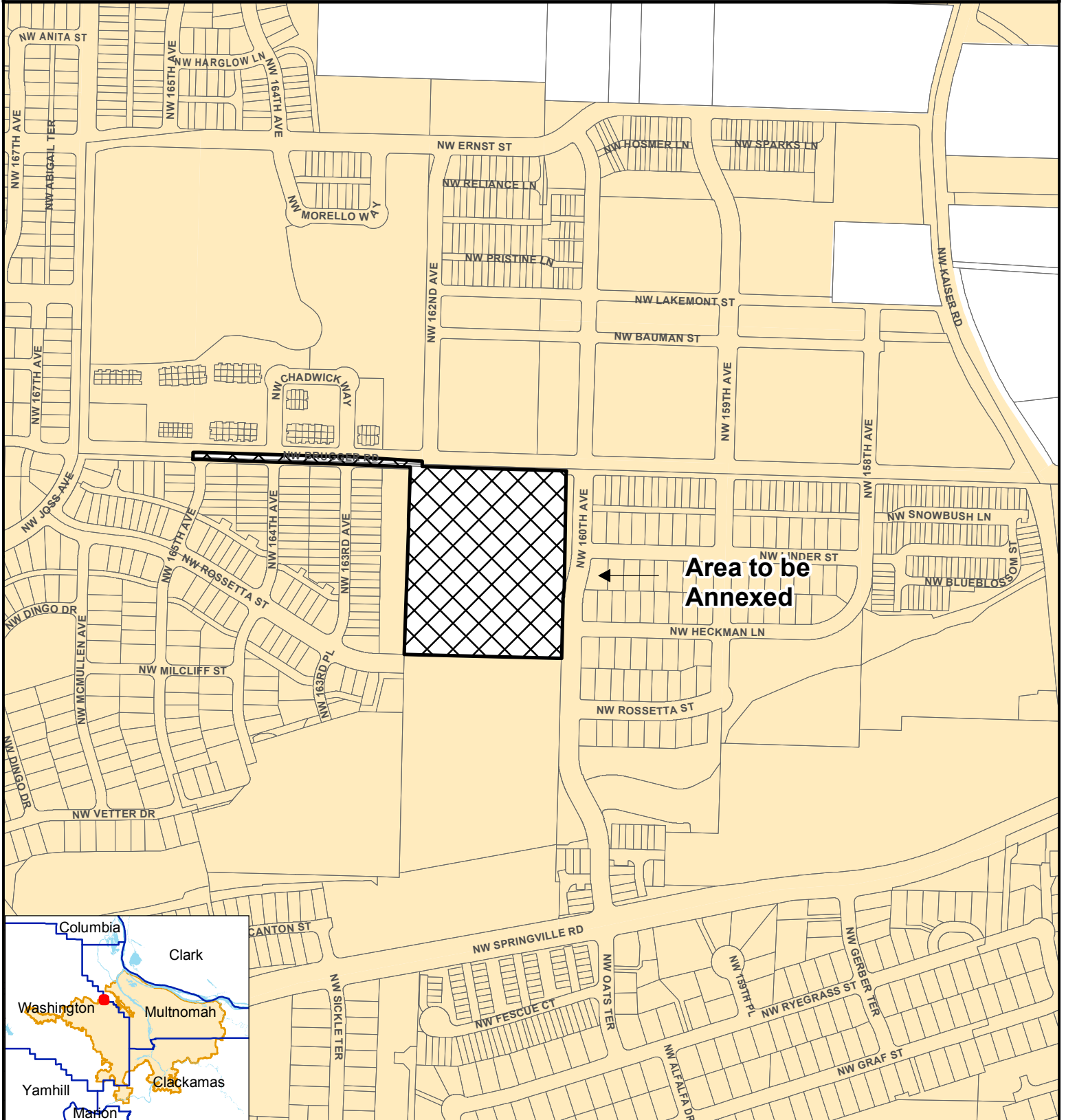
Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 21-1471.

Proposal No. AN0621

1N1W17 Annexation to the Metro Service District Washington County



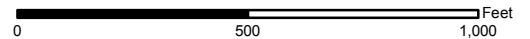
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