

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE	)	ORDINANCE NO. 23-1495
METRO DISTRICT BOUNDARY	)	
APPROXIMATELY 4.86 ACRES LOCATED IN	)	Introduced by Chief Operating Officer
TIGARD ON THE WEST SIDE OF SW 150 <sup>th</sup>	)	Marissa Madrigal with the Concurrence of
AVE	)	Council President Lynn Peterson

WHEREAS, CTH Investments LLC has submitted a complete application for annexation of 4.86 acres of Tigard (“the territory”) to the Metro District; and

WHEREAS, the Metro Council added the territory to the urban growth boundary (UGB) by Ordinance No. 02-969B adopted on December 4, 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 June 15, 2023; 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 May 19, 2023, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 22nd day of June 2023.



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Lynn Peterson, Council President

Attest:

Approved as to form:

*Connor Ayers*

*Carrie MacLaren*

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Connor Ayers, Recording Secretary

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Carrie MacLaren, Metro Attorney



## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 23-1495, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 4.86 ACRES LOCATED IN TIGARD ON THE WEST SIDE OF SW 150<sup>th</sup> AVE

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Date: May 19, 2023  
Department: Planning, Development & Research

Prepared by: Glen Hamburg  
Associate Regional Planner

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## BACKGROUND

CASE: AN-0423, Annexation to Metro District Boundary

PETITIONER: CTH Investments LLC  
14787 SW Millikan Way  
Beaverton, OR 97003

PROPOSAL: The petitioner requests annexation of land in Tigard to the Metro District Boundary.

LOCATION: The subject territory includes two tax lots and right-of-way on the west side of SW 150<sup>th</sup> Ave, between SW Huntwood St to the north and SW Beef Bend Rd to the south. The subject territory is approximately 4.86 acres in area and can be seen in Attachment 1.

ZONING: The territory is zoned Residential-C (RES-C) by the City of Tigard.

The subject territory was added to the urban growth boundary (UGB) in 2002. The territory 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 (MC) 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 subject territory was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B. Therefore, the territory is within the UGB and the application meets the criteria of MC Subsection 3.09.070(E)(1).

- 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 City of Tigard has already annexed the subject territory with approval of City File No. ZCA2012-00003. The application meets the criteria of MC Subsection 3.09.070(E)(2).

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 subject territory is zoned for residential use by the City of Tigard. The proposed boundary change would allow for residential development of the subject territory. The subject territory is already within the UGB and is not in an urban reserve with a concept plan. Urban services will be provided by the City of Tigard and Clean Water Services (CWS). The application meets the criteria in MC Subsection 3.09.070(E)(3).

## 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 4.86 acres to the Metro District. The territory is currently within the UGB and approval of this request will allow for the urbanization of the territory to occur consistent with the City of Tigard Comprehensive Plan and Community Development Code.

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

## RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 23-1495.

# Proposal No. AN0423

2S1W08

Annexation to the Metro Service District




Washington County



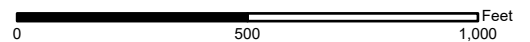
Area to be Annexed



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

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0423



The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.