

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE)	ORDINANCE NO. 24-1511
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 203.79 ACRES LOCATED)	Introduced by Chief Operating Officer
IN THE CARVER AREA OF HAPPY VALLEY)	Marissa Madrigal with the Concurrence of
NORTH OF HIGHWAY 224 AND SOUTH OF)	Council President Lynn Peterson
SE ECKERT LN)	

WHEREAS, the City of Happy Valley has submitted a complete application for annexation of 203.79 acres of Happy Valley (“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 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 May 9, 2024; 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 April 19, 2024, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this 23rd day of May 2024.



Christine Lewis, Metro Councilor

Attest:

Approved as to form:

Connor Ayers

Carrie MacLaren

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

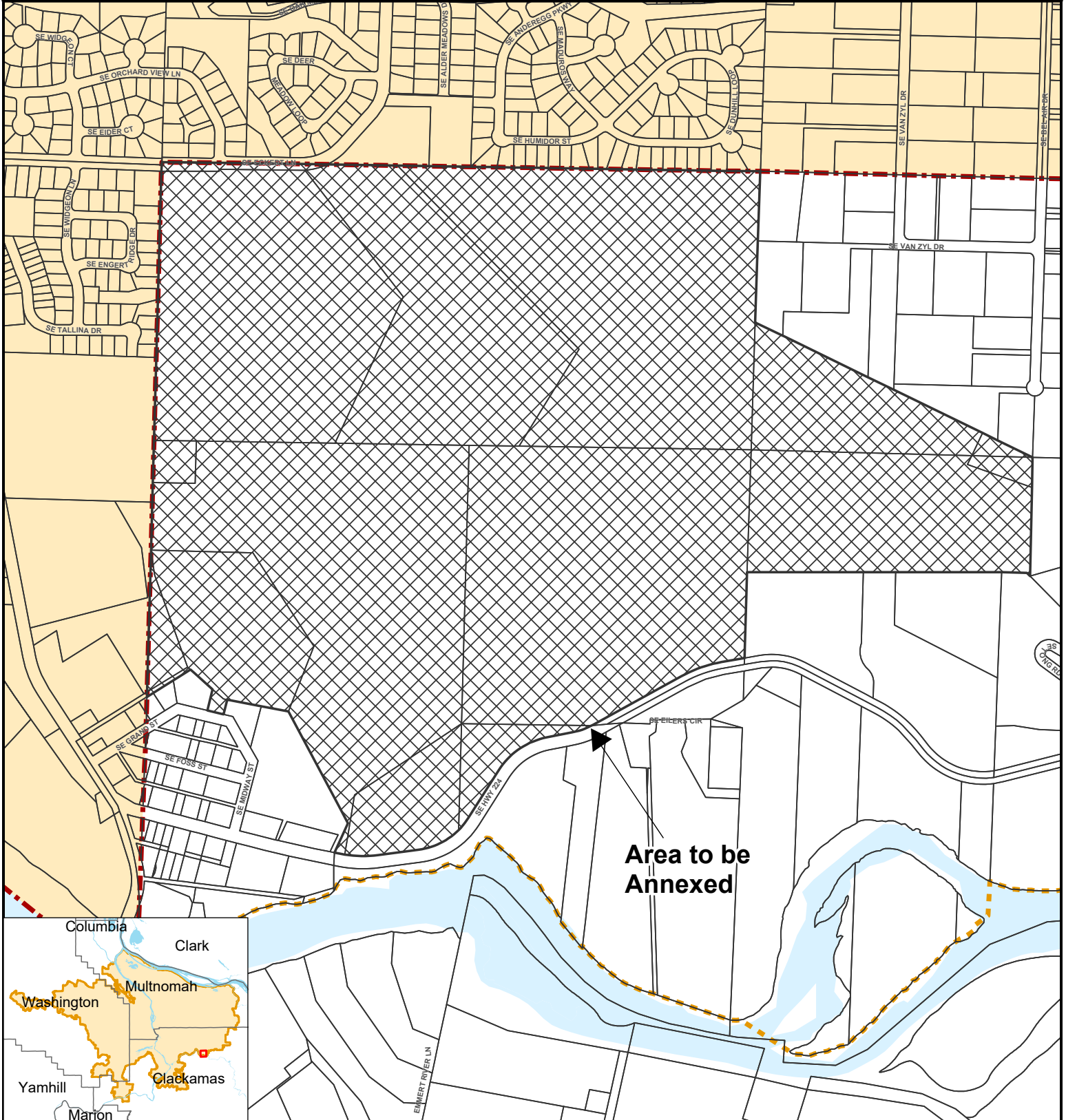
Exhibit A

Proposal No. AN0124

2S3E18

Annexation to the Metro Service District




Clackamas County



Area to be Annexed



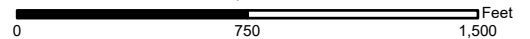
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0124



1:7,500



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.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 24-1511, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 203.79 ACRES LOCATED IN THE CARVER AREA OF HAPPY VALLEY NORTH OF HIGHWAY 224 AND SOUTH OF SE ECKERT LN

Date: April 19, 2024
Department: Planning, Development & Research

Prepared by: Glen Hamburg
Associate Regional Planner

BACKGROUND

CASE: AN-0124, Annexation to Metro District Boundary

PETITIONER: City of Happy Valley
16000 Misty Dr, Happy Valley, OR 97086

PROPOSAL: The petitioner requests annexation of territory in Happy Valley to the Metro District Boundary.

LOCATION: The subject territory, totaling approximately 203.79 acres in area, includes 15 tax lots and portions of adjacent rights-of-way in the Carver area north of Hwy 224 and south of SE Eckert Ln. The subject territory can be seen in Attachment 1.

ZONING: The territory is zoned Community Commercial Center (CCC), Institutional and Public Use (IPU), Mixed Use Residential – Single-Family District (MUR-S), Mixed Use Buildings with Residential Emphasis (MUR-X), and Residential (R-15 and R-20) by the City of Happy Valley.

The territory was added to the urban growth boundary (UGB) in 2002 and is part of the Pleasant Valley / North Carver Comprehensive Plan. The territory must be annexed into the Metro District for urbanization to occur. The subject territory is adjacent to Council Districts 1 and 2. When annexed territory is adjacent to two Council districts, current practice is to prioritize adding the territory to the district with the smaller population, while also using existing rights-of-way and natural features as dividing lines between districts and, when possible, including territories under common ownership in the same district. Consistent with that practice, Tax Lots 22E13A 01600 and 23E18 01800 (approximately 1.59 combined acres) would be made part of Council District 2; the remainder of the subject territory (approximately 202.2 acres) would be added to Council District 1, which has a smaller population than District 2.

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 territory was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B. Therefore, the affected 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 subject territory has already been annexed to the City of Happy Valley by City File Nos. ANN-03-16 and ANN-02-17. The subject territory was rezoned for urban uses in 2023 with adoption of the Pleasant Valley / North Carver Comprehensive Plan in Ordinance No. 573. Therefore, the application meets the criteria in 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 included in the Pleasant Valley / North Carver Comprehensive Plan (the Plan) adopted by the Happy Valley City Council in 2023 by Ordinance No. 573. The Plan calls for urban residential development of the subject territory. Consistent with the Plan, the subject territory has zoning designations of Community Commercial Center (CCC), Institutional and Public Use (IPU), Mixed Use Residential – Single-Family District (MUR-S), Mixed Use Buildings with Residential Emphasis (MUR-X), and Residential (R-15 and R-20). The proposed Metro District Boundary change would allow for urban commercial, institutional/public use, mixed use, and residential development of the subject territory. The subject territory is already within the UGB and the corporate limits of the City of Happy Valley; it is not in an urban reserve with a concept plan or in the land use jurisdiction of a county (i.e., Clackamas County), and urban services will be provided by the City, Sunrise Water Authority (SWA), and Water Environment Services (WES). 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 203.79 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's Pleasant Valley / North Carver Comprehensive Plan.

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

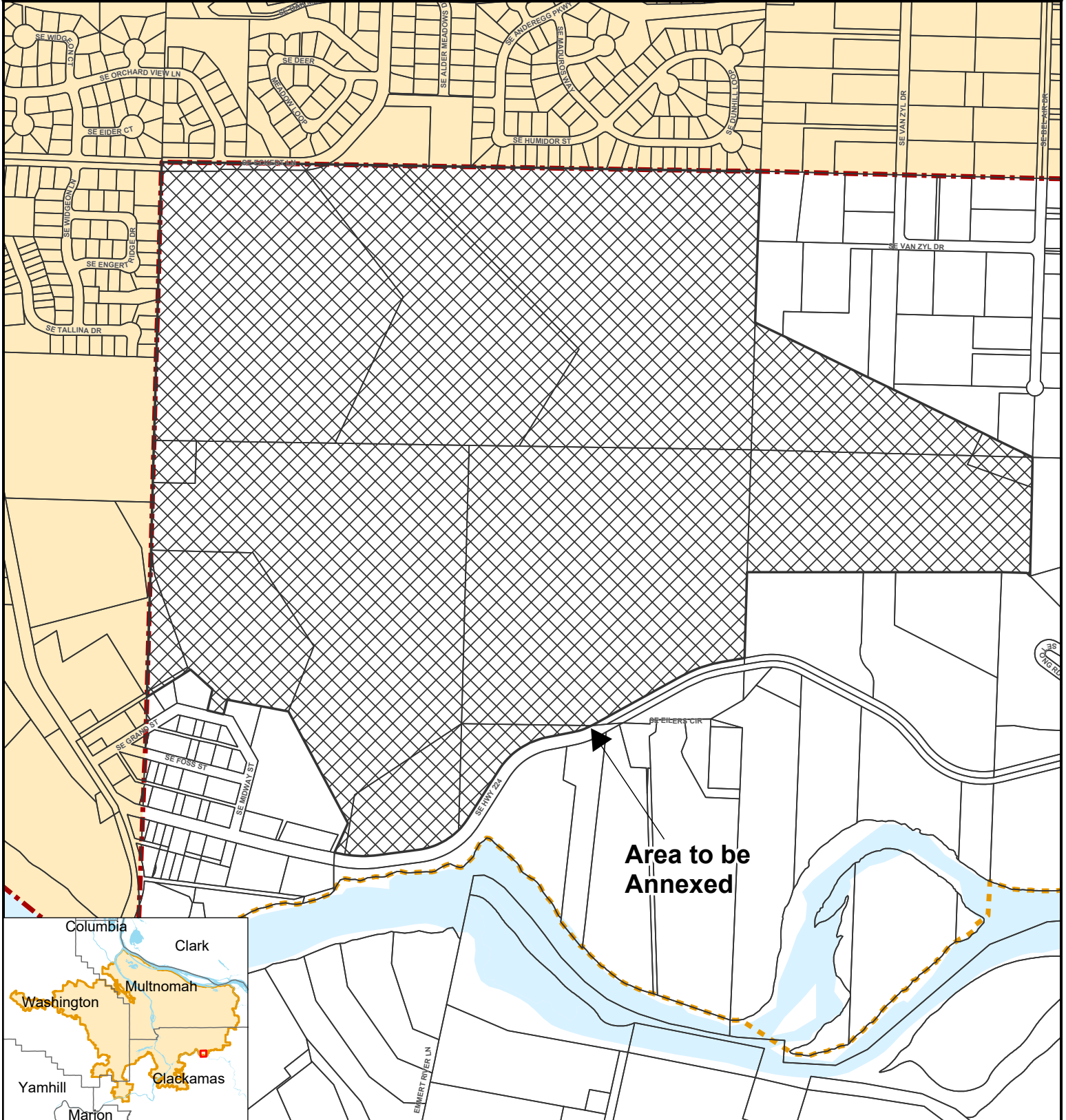
Staff recommends adoption of Ordinance No. 24-1511.

Proposal No. AN0124




2S3E18

Annexation to the Metro Service District

Clackamas County



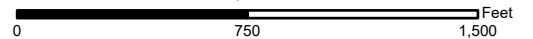
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Taxlots
-  Urban growth boundary
-  Metro district boundary

Proposal No. AN0124



1:7,500



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.