

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 26-1543, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 10 ACRES IN NORTH BETHANY ALONG NORTHWEST KAISER ROAD

Date: May 6, 2026
Department: Planning, Development & Research

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BACKGROUND

CASE: AN0226, Annexation to Metro Boundary

PETITIONER: Otak, Inc.
808 SW Third Ave., Ste. 800
Portland, OR 97204

PROPOSAL: The petitioner requests annexation of territory in Washington County to Metro's service district boundary (the "Metro boundary").

LOCATION: The subject territory, totaling approximately 10 acres in area, is located in unincorporated Washington County on the east side of Northwest Kaiser Road, south of Northwest Raywood Lane. The subject territory can be seen as the cross-hatched area in Attachment 1.

ZONING: Separate portions of the subject territory are zoned by Washington County as follows: R-6 North Bethany District (R-6 NB); R-9 North Bethany District (R-9 NB); R-15 North Bethany District (R-15 NB); R-24 North Bethany District (R-24 NB); and R-25+ North Bethany District (R-25+ NB).

The subject territory was added to the urban growth boundary (UGB) in 2002. The territory must be annexed into the Metro boundary for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for annexation to the Metro boundary are contained in Metro Code section 3.09.070.

3.09.070 Changes to the Metro Boundary

(e) The following criteria apply in lieu of the criteria set forth in section 3.09.050(d). The Metro Council's final decision on a boundary change must 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. 02-987A. Publicly available online maps, including Metro's MetroMap service, also identify the territory as within the UGB. No parties have contested that the property is within the UGB. Because the territory is in fact within the UGB, the application meets the criteria of section 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 is already zoned R-6 NB, R-9 NB, R-15 NB, R-24 NB, and R-25+ NB, each of which are urban residential zoning districts of Washington County. The territory is also already in the Tualatin Valley Fire District and the TriMet transit service district. However, the territory cannot be developed with urban uses until it is also annexed to the Metro district, as well as certain other service districts. Washington County staff have confirmed that section 501-10.2 of Washington County's Community Development Code provides the following: "...an application for development approval within the North Bethany Subarea Plan shall be denied unless the applicant demonstrates that: (A) The property(ies) has been annexed to the following jurisdictions: Clean Water Services, Metro, Tualatin Hills Park & Recreation District, Tualatin Valley Fire and Rescue, Tualatin Valley Water District, Enhanced Sheriff's Patrol District, and Urban Road Maintenance District." The territory is in the County's North Bethany Subarea Plan and is therefore subject to measures that prevent its urbanization until it is annexed to service districts that will provide necessary urban services. The application meets the criteria in section 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 already within the UGB and has been planned and zoned for urban residential land uses; it is therefore not subject to any urban reserve concept plan. The territory is specifically in the North Bethany Subarea of Washington County's "Comprehensive Framework Plan for the Urban Area." Chapter 390-8 of the Community Development Code of Washington County states that the various residential zones that apply to the subject territory generally allow for between six and 25 dwelling units per acre. As noted above, the territory is already in the Tualatin Valley Fire District and TriMet's transit service district. Notice of this application was provided to Washington County and to urban service providers; neither the County nor any service provider has asserted that the proposal to annex the territory to the Metro boundary is inconsistent with any adopted cooperative or urban service agreement. The Tualatin Valley Water District (TVWD) submitted a copy of TVWD Board Resolution 05-12 endorsing annexation of the subject territory to the TVWD service area. The application meets the criteria in section 3.09.070(e)(3).

ANALYSIS/INFORMATION

Known Opposition: Notice of this annexation application was mailed to nearly 300 nearby property owners and other interested parties. One party submitted written testimony in opposition to the application on May 4, 2026; their testimony is included in the record.

Legal Antecedents: Metro Code section 3.09.070 allows for annexation to the Metro boundary.

Anticipated Effects: This amendment will add approximately 10 acres to the Metro boundary. 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 Washington County Comprehensive Framework Plan for the Urban Area.

Budget Impacts: The only resources expended for this request are for associated staff time and for routine printing and postage for required public notices, which are already in the approved budget. Territories annexed to the Metro boundary are subject to relevant Metro tax requirements.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 26-1543.