

## 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

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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.