

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 21-1464, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 1.82 ACRES LOCATED AT 7115 NW KAISER ROAD IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: August 19, 2021
Department: Planning & Development

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Principal Regional Planner

BACKGROUND

CASE: AN-0321, Annexation to Metro District Boundary

PETITIONER: Sunshine Elite Investment
15320 NW Central Drive, Ste. D6
Portland, OR 97229

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 1.82 acres in size, is located at 7115 NW Kaiser Road and can be seen in Attachment 1.

ZONING: The land is zoned for neighborhood commercial mixed use and residential (NCMU-NB & R-25+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 is in the process of completing. 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 property 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 1.82 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. 21-1464.