

Final Documents

For

Annexation to the
City of Tigard

WA4003
Ordinance #2003-06
DOR 34-1625-2003
SOS AN-2003-0173

Final to DOR: _____

Signature:

 _____

Date of

Mailing: 7/30/03

Final to Secretary of State _____

Signature:

 _____

Date of

Mailing: 8/11/03

WA4003

Sent

Received

DOR:

7/30/03

8/4/03

Sec. State:

8/11/03

9/8/03

Assessor:

8/11/03

Elections:

8/11/03

Mapped:

Yes

Addresses:

2S115AA01400

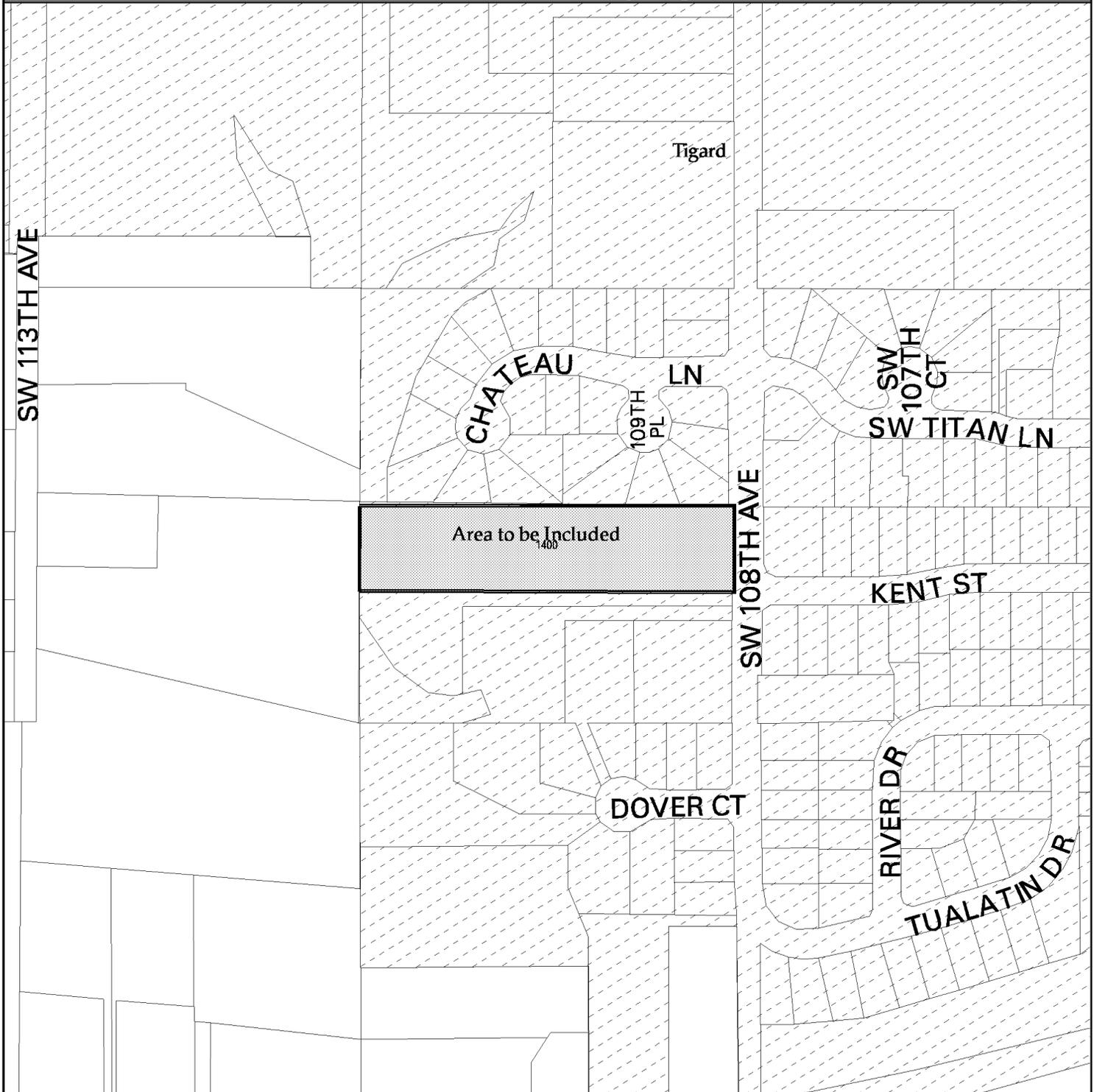
16455 SW 108th

Proposal No. WA4003

2S1W15

Annexation to the City of Tigard

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



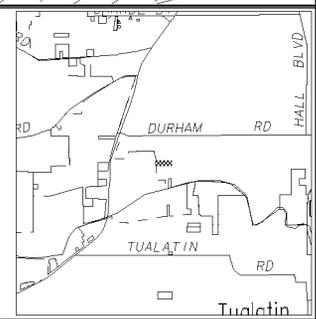
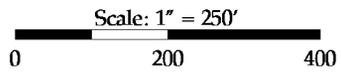
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

METRO

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-  County lines
-  City
-  Annexation boundary
-  Urban Growth Boundary

Proposal No. WA4003
CITY OF TIGARD
Figure 1



Notice to Taxing Districts

ORS 308.225



Cartographic Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of Tigard
Finance Director
13125 SW Hall Blvd
Tigard, OR 97223

Description and Map Approved
August 4, 2003
As Per ORS 308.225

Description Map received from: METRO
On: 7/31/2003

This is to notify you that your boundary change in Washington County for

ANNEX TO THE CITY OF TIGARD & WITHDRAWAL FROM SEVERAL DIST.

ORD. #2003-06

has been: Approved 8/4/2003
 Disapproved

Notes:

Department of Revenue File Number: 34-1625-2003

Prepared by: Jennifer Dudley, 503-945-8666

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

Office of the Secretary of State

Bill Bradbury
Secretary of State



Archives Division
ROY TURNBAUGH
Director

800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701

Facsimile (503) 373-0953

September 5, 2003

Metro
600 NE Grand Ave
Portland, OR 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
2360	Lake Oswego	AN 2003-0157
03-1011	Metro Boundary	SD 2003-0092
2003-138	Clackamas Co. SD	SD 2003-0091
2298	Lake Oswego	AN 2003-0168
03-1008	Oregon City	AN 2003-0169
03-1009	Oregon City	AN 2003-0170
214-03	Durham	AN 2003-0171
1143-03	Tualatin	AN 2003-0172
2003-06	Tigard	AN 2003-0173
2002-1137	Sherwood	AN 2003-0174
2003-1146	Sherwood	AN 2003-0175

All the above Final Order(s) determination of the effective date is subject to ORS199.461 and/or ORS 222.180 and/or ORS 222.750

Our assigned file number(s) are included with the above information.

Sincerely,

Rita F. Mathews
Official Public Documents

cc: County Clerk
ODOT/Highway Dept
PSU/Population Research Ctr.

CITY OF TIGARD, OREGON
ORDINANCE NO. 2003- 06

AN ORDINANCE ADOPTING FINDINGS AND CONCLUSIONS TO APPROVE AN ANNEXATION (ZCA) 2003-00001/BRETTON WOODS SUBDIVISION ANNEXATION AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, CLEAN WATER SERVICES, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on July 22, 2003 to consider the annexation of a parcel of land consisting of 2.34 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District on July 22, 2003; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current and proposed zoning district is R-4.5, therefore, no zone change is necessary; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcel described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcel from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: The City Recorder is hereby directed to file certified copies of the Ordinance with Metro for administrative processing.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, Clean Water Services, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2004.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

PASSED: By UNANIMOUS vote of all Council members present after being read by number and title only, this 22nd day of July, 2003.

Catherine Wheatley
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 22nd day of July, 2003.

James E. Griffith
James E. Griffith, Mayor

Approved as to form:
Larry Fox Stone
City Attorney

July 22, 2003
Date

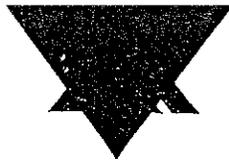


EXHIBIT A

ALPHA ENGINEERING, INC.

APRIL 9, 2003

LEGAL DESCRIPTION
ANNEXATION OF PROPOSED "BRETTONWOOD"
TO CITY OF TIGARD

JOB NO. 328-014

A PARCEL OF LAND BEING A PORTION OF LOT 28 AND LOT 29, "WILLOWBROOK FARM", LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT OF "REBECCA PARK", WASHINGTON COUNTY PLAT RECORDS; THENCE ALONG THE SOUTH LINE OF SAID PLAT AND ITS EASTERLY EXTENSION THEREOF, (BEING ALSO THE EXISTING CITY LIMIT LINE OF THE CITY OF TIGARD) SOUTH $89^{\circ}45'38''$ EAST, 666.51 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTHWEST 108TH AVENUE (C.R. NO. 1366) (BEING 20.00 FEET WESTERLY AT RIGHT ANGLE MEASURE FROM THE CENTERLINE OF SOUTHWEST 108TH AVENUE); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH $00^{\circ}11'57''$ EAST, 150.36 FEET TO THE SOUTH LINE OF THE LAND DESCRIBED IN DEED DOCUMENT 2001-015347, WASHINGTON COUNTY DEED RECORDS; THENCE LEAVING SAID RIGHT-OF-WAY LINE ALONG THE SOUTH LINE OF SAID DEED, SOUTH $89^{\circ}48'40''$ WEST, 666.49 FEET TO THE SOUTHWEST CORNER OF SAID DEED; THENCE LEAVING SAID LINE, ALONG THE WEST LINE OF SAID DEED, NORTH $00^{\circ}11'57''$ WEST, 155.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.34 ACRES MORE OR LESS.

BASIS OF BEARING PER THE PLAT OF "REBECCA PARK", WASHINGTON COUNTY PLAT RECORDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jean M. Dalrymple-Feigion

OREGON
JULY 14, 1998
JEAN M. DALRYMPLE-FEIGION
2875

EXP 12-31-03

N:\proj\328-014\Word\32814Annexation_leg.doc

Plaza West • Suite 230 • 9600 SW Oak • Portland, Oregon 97223

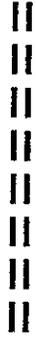
Office 503-452-8003 • Fax 503-452-8043

• www.alpha-eng.com •

CITY OF TIGARD

GEOGRAPHIC INFORMATION SYSTEM

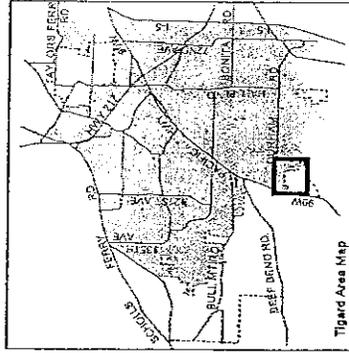
VICINITY MAP



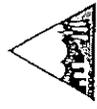
ZCA2003-00001



**BRETTON WOODS
SUBDIVISION
ANNEXATION**



1" = 357 feet

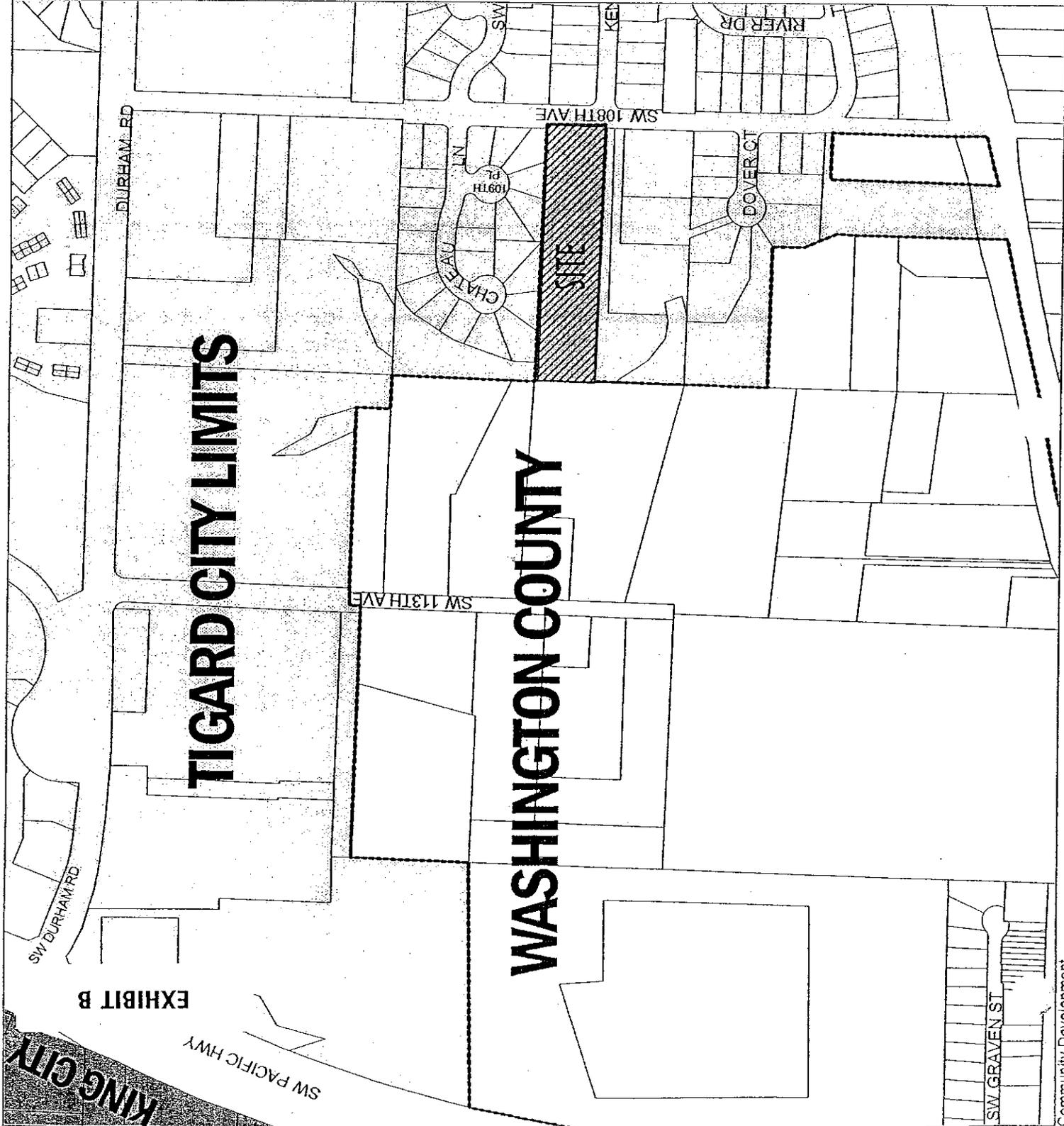


City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division, 13125 SW Hall Blvd, Tigard, OR (503) 637

http://www.ci.tigard.or.us

Plot date: Jun 3, 2003; C:\magicle\MAGIC03.APR



TIGARD CITY LIMITS

WASHINGTON COUNTY



ANNEXATION/ZONE CHANGE TYPE IV APPLICATION

13125 SW Hall Blvd., Tigard, OR 97223 (503) 639-4171 FAX: (503) 684-7297

PRE-APP. HELD WITH: Brad Kilby
DATE OF PRE-APP.: 11-7-02

GENERAL INFORMATION

Property Address/Location(s): 16455 SW 108th

Tax Map & Tax Lot #(s): 25115AA

Lots 1301 + 1400 (1301 previously annexed)

Site Size: 2.34 Acres

Property Owner/Deed Holder(s)* (NOTE: If more than one (1) property owner, please complete the attached petition form):

Walter Lissy Family Trust

Address: 16455 SW 108th Phone: _____

City: Tigard, OR Zip: 97224

Applicant*: Alpha Engineering, Matt Sprague

Address: 9600 SW Oak St. #230 Phone: 503-452-8003

City: Portland, OR Zip: 97223

* When the owner and the applicant are different people, the applicant must be the purchaser of record or a lessee in possession with written authorization from the owner or an agent of the owner with written authorization. The owner(s) must sign this application in the space provided on the back of this form or submit a written authorization with this application.

PROPOSAL SUMMARY

The owner(s) of record of the subject property(ies) request to Annex 2.34 acres into the City of Tigard and a **Zone Change Annexation** from Washington County's Zone: _____ to City of Tigard Zone: _____ (if applicable). The current use of the area requesting to be Annexed is: single-family residential

FOR STAFF USE ONLY

Case No.(s): 2003-0000 /

Other Case No.(s): PDR 2003-0001 / 200

Receipt No.: SUB 2003-0001

Application Accepted By: MAS

Date: 01-28-03

Date Determined To Be Complete: _____

Current Comp Plan/Zone Designation: R4.S / Low Density Res.

CIT Area: WEST

Rev. 15-Aug-02 i:\cpr\pl\masters\revised\annex-zc.doc

REQUIRED SUBMITTAL ELEMENTS

- Application Elements Submitted:
- Application Form
- Completed Annexation Petition for "Double Majority" Annexation (attached)
- Legal Description of Area to be Included in the Annexation
- Map Identifying Areas to be Included in the Annexation
- Applicant's Statement/Narrative (# of copies based on pre-app check list)
- 2 Sets of Pre-Addressed/Pre-Stamped Legal Size Envelopes
- Filing Fee \$1,780.00
- Metro Filing Fee (payable to Metro) as follows:
 - (Single tax lot less than 1 acre).....\$100.00
 - (1-5 acres)\$200.00
 - (5-40 acres)\$250.00
 - (Greater than 40 acres).....\$350.00

APPLICANTS:

To consider an application complete, you will need to submit ALL of the REQUIRED SUBMITTAL ELEMENTS as described on the front of this application in the "Required Submittal Elements" box.

THE APPLICANT(S) SHALL CERTIFY THAT:

- ◆ The above request does not violate any deed restrictions that may be attached to or imposed upon the subject property.
- ◆ If the application is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- ◆ All of the above statements and the statements in the plot plan, attachments, and exhibits transmitted herewith, are true; and the applicants so acknowledge that any permit issued, based on this application, may be revoked if it is found that any such statements are false.
- ◆ The applicant has read the entire contents of the application, including the policies and criteria, and understands the requirements for approving or denying the application.

SIGNATURE(S) of Applicant(s) representing property owners listed on the attached petition:

DATED this 28th day of January, 2003

Matthew S. Spray
Signature

Signature

Signature

Signature

**DEVELOPMENT APPLICATION FOR AN
ANNEXATION OF TAX LOT 1400
OF TAX MAP 2S1 15AA**

OWNER:

Walter Lissy Family Trust
16455 SW 108th Avenue
Tigard, OR 97224

APPLICANT'S REPRESENTATIVE:

Alpha Engineering, Inc.
9600 SW Oak Street #230
Portland, OR 97223
(503) 452-8003
Project Planner: Matthew L. Sprague

FACTS:

Project Name: Annexation
Tax Lots: 1301 (Previously annexed) & 1400
Tax Map: 2S 1 15AA

Owner: Walter Lissy Family Trust
16455 SW 108th Avenue
Tigard, OR 97224

Size: 101,930.4 Sq. Ft./2.34 Acres
Location: SW 108th Avenue, south of SW Durham Road
Zone: R-4.5 Residential, Low density residential
Water: City of Tigard
Sewer: Clean Water Services
Drainage: Clean Water Services
Fire: Tualatin Valley Fire & Rescue
School: City of Tigard
Roads: City of Tigard
Police: City of Tigard

INTENT

This application is being submitted to obtain approval for an annexation approval for property located at 16455 SW 108th Avenue. The property is currently within unincorporated Washington County and is zoned R-4.5. It is also intended that the property be developed in the near future into a 10-lot subdivision through a planned development process.

APPLICANT’S STATEMENT

The following information is the narrative addressing the approval criteria listed within the Annexation/Zone Change, Type IV Application package.

The Decision To Approve, Approve With Modification, Or Deny An Application To Annex Property To The City Of Tigard Shall Be Based On The Following Criteria:

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and*

A pre-application conference was held with the City of Tigard Staff and it was determined all necessary services are available to serve the proposed annexation area. See below for more detail.

2. *The applicable Comprehensive Plan policies and implementing ordinance provisions have been satisfied.*

All of the applicable Comprehensive Plan policies are listed in the application packet from the City of Tigard and they have been addressed below.

The Comprehensive Plan Lists The Following Approval Criteria Applicable To Annexation Requests:

1. *The annexation eliminates an existing "pocket" or "island" of un-incorporated territory; or*

The subject site eliminates a "pocket" of un-incorporated territory.

2. *The annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the City;*

The boundary created by the annexation does not create irregularities that make it difficult for the police in an emergency situation to determine whether the parcel is located within or outside the City. The SW 108th Avenue right-of-way that the subject site fronts on is already within the City of Tigard. With the inclusion of this parcel in the City of Tigard, any confusion is mitigated. The result will be that the land on both sides of SW 108th Avenue in this area would be within the City instead of one side.

3. *The police department has commented upon the annexation;*
4. *The land is located within the Tigard Urban Planning Area and is contiguous to the City Boundary; and*

The subject site is located within the Tigard Urban Planning Area and is contiguous to SW 108th Avenue which is within the City of Tigard.

5. *The annexation can be accommodated by the services listed in 10.1.1(a).*

See below for description of accommodating services.

The Services Listed In 10.1.1(a) Of The City Of Tigard Comprehensive Plan Include:

1. *Water*

A City of Tigard 8" waterline is located within SW 108th Avenue that is adequate to serve the subject site.

2. *Sewer*

An existing 8" sanitary sewer line is located in SW 108th Avenue that is adequate to serve the subject site.

3. *Drainage*

The Clean Water Services Agency will review drainage. An existing storm drainage line is available in SW 108th Avenue. Storm water from a water quality and detention facility can be released into that drainage system without any off-site improvements or impacts.

4. *Streets*

The parcel is contiguous with SW 108th Avenue.

5. *Police and Fire Protection*

Police and Fire Protection is already provided to the area by the City of Tigard and Tualatin Valley Fire and Rescue. Adequate police and fire protection is available with the annexation of the site.

Order No: 254175

LEGAL DESCRIPTION

PARCEL I: *

A part of Lot 29, WILLOWBROOK FARM, in Section 15, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon more particularly described as the North 150 feet of said Lot 29, the Southerly line being parallel to the Northerly line of said Lot 29.

PARCEL II: (Already in City)

Situate in the Northeast one-quarter of Section 16, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Tigard, County of Washington and State of Oregon and being a portion of Lot 28 of the recorded plat of WILLOWBROOK FARM, Washington County Records with bearings based on the North line of said Northeast one-quarter being North $89^{\circ}52'07''$ East, and more particularly described as follows:

Beginning at a point on the West right-of-way line of S.W. 108th Avenue which bears South $89^{\circ}52'07''$ West, on said North line, a distance of 706.97 feet and South $0^{\circ}12'00''$ East, on said West right-of-way line, a distance of 1137.39 feet from the Northeast corner of said Section 15; thence North $89^{\circ}45'38''$ West, a distance of 666.42 feet to a point on the West line of said Lot 28; thence South $0^{\circ}12'00''$ East, on said West line, a distance of 5.42 feet to the Southwest corner thereof; thence North $89^{\circ}52'07''$ East, on the South line of said Lot 28, a distance of 666.40 feet to the Southeast corner thereof; thence North $0^{\circ}12'00''$ West, on the West right-of-way line of said S.W. 108th Avenue, a distance of 1.11 feet to the point of beginning.

CITY OF TIGARD
CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 181 15AA) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Heather Sabank
TITLE Cartographer Assistant
DEPARTMENT A&T
COUNTY OF Washington
DATE 1-13-03

Hearing Date: July 22, 2003 7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**

**SECTION I. APPLICATION SUMMARY**

FILE NAME: BRETTON WOODS ANNEXATION
CASE NO.: Zone Change Annexation (ZCA) ZCA2003-00001

APPLICANT: Alpha Engineering, Inc.
 Attn: Matt Sprague
 9600 SW Oak Street, Suite 230
 Portland, OR 97223
OWNER: Walter Lissy Family Trust
 16455 SW 108th Avenue
 Tigard, OR 97223

PROPOSAL: To annex 1 parcel consisting of approximately 2.34 acres of land into the City of Tigard.

CURRENT ZONING

DESIGNATION: R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally.

EQUIVALENT CITY ZONING

DESIGNATION: R-4.5: Low Density Residential. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units, at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally.

LOCATION: 16455 SW 108th Avenue; WCTM 2S115AA, Tax Lot 1400.

APPLICABLE REVIEW

CRITERIA: Community Development Code Chapters 18.320 and 18.390; Comprehensive Plan Policies 2 and 10; Metro Code Chapter 3.09; and ORS Chapter 222.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Council find that the proposed Annexation will not adversely affect the health, safety and welfare of the City. Therefore, staff recommends **APPROVAL** of the Annexation by adoption of the attached Ordinance.

SECTION III. BACKGROUND INFORMATION

Site information and proposal description:

The property is currently developed with a single-family residence. The site was also a previous Christmas tree farm. The applicant has obtained preliminary approval for a 10-lot subdivision and Planned Development named Bretton Woods on the subject site from the Planning Commission. At the time this report was written, the application was under appeal. The site is located at 16455 SW 108th Ave. The site is surrounded by single-family housing. There is an existing single-family home and several small outbuildings located on the property. All structures will be demolished and removed to accommodate the layout of the new proposed subdivision. The proposal is to annex approximately 2.34 acres of land into the City of Tigard with an assessed value of \$240,210.

Vicinity Information:

The area to be annexed consists of 2.34 acres. The existing city boundary runs along the north, east, and south property lines. The subject property and the properties to the west are outside the Tigard city limits.

SECTION IV. APPLICABLE REVIEW CRITERIA AND FINDINGS

The relevant criteria in this case are Tigard Comprehensive Plan Policies 2.1.1, 10.1.1, 10.1.2, and; Tigard Community Development Code Chapter 18.320.

Staff has determined that the proposal is consistent with the relevant policies of the Comprehensive Plan based on the following findings:

Policy 2.1.1:

This Policy requires an ongoing citizen involvement program. The West CIT and surrounding property owners have been notified of the public hearing and notice of the hearing was published in a newspaper of general circulation (Tigard Times) on July 3rd and July 10th of 2003. The site has also been posted since June 4, 2003. There have been a number of opportunities for citizens to be involved in the decision making process.

Policy 10.1.1:

This Policy requires adequate service capacity delivery to annexed parcels. The City of Tigard Police, Engineering, Public Works and Water Department, Metro Area Communications, NW Natural Gas, AT&T Cable, Tri-Met, PGE, Verizon, Qwest, Comcast Cable, the Beaverton School District, the Tigard Tualatin School District, Tualatin Valley Water District, and the Tualatin Valley Fire and Rescue have all reviewed the annexation request and have offered no objections or indicated that there would be a lack of service capacity for this proposal. This policy has been complied with.

Policy 10.1.2:

This Policy pertains to boundary criteria for annexations and is satisfied. The property is adjacent to the Tigard city limits on the north, east and south boundaries, and is eliminating one lot that is currently a pocket of unincorporated Washington County surrounded by the city limits.

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

Section 18.320.020: This Section addresses approval standards for annexation proposals and is satisfied because:

The applicable Comprehensive Plan Policies and Community Development Code provisions have been reviewed and satisfied as previously indicated in this report.

The property is currently zoned R-4.5. Because this property is in the Urban Services Area, the equivalent zoning has already been attached to the property, therefore, the property does not need to be rezoned upon annexation.

Metro 3.09 requires the additional standards to be addressed in annexation decisions, in addition to the local and state review standards. These are addressed and satisfied as discussed below:

Consistency with the directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

The processing has been done consistent with applicable Urban Service Provider agreements.

Consistency with directly applicable provisions of urban planning or other agreement, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The process required by the Development Code and Comprehensive Plan is consistent with the Urban Planning Agreement for annexations.

Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;

This has been discussed previously in this report and, as discussed, this criterion is satisfied.

Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plans;

Because the Development Code has been amended to comply with applicable Metro Functional Plan requirements, by complying with the Development Code and Comprehensive Plan, the annexation is consistent with the applicable Functional Plan and the Regional Framework Plan.

Whether the proposed changes will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;

The proposed annexation will not interfere with the provision of public facilities or services because it is adjacent to existing city limits and services. Many services have been extended to that area as a result of prior development.

If the proposed boundary change is for annexation of territory to Metro, a determination by Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval;

The subject property is already within the Metro boundaries.

Consistency with other applicable criteria for the boundary change in question under state and local law.

The Oregon Dept. of Revenue, and the Washington County Cartographers office have both verified boundary dimensions, and consistency with other applicable criteria has been discussed previously in this report.

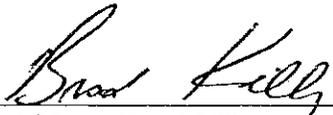
SECTION V. OTHER STAFF COMMENTS

The City of Tigard Engineering, Building, Police Department, Tualatin Valley Fire and Rescue, Public Works, and Water Department have all reviewed this proposal and have offered no objections to annexation.

SECTION VI. AGENCY COMMENTS

Metro Area Communications, NW Natural Gas, AT&T Cable, Tri-Met, PGE, Verizon, Qwest, Comcast Cable, the Beaverton School District, the Tigard Tualatin School District, Tualatin Valley Water District, and the Tualatin Valley Fire and Rescue have all reviewed the annexation request and have offered no objections or indicated that there would be a lack of service capacity for this proposal.

BASED ON THE FINDINGS INDICATED ABOVE, PLANNING STAFF RECOMMENDS APPROVAL OF ZONE CHANGE ANNEXATION (ZCA) 2003-00001 - BRETTON WOODS SUBDIVISION ANNEXATION.



PREPARED BY: Brad Kilby
Associate Planner

July 2, 2003
DATE

APPROVED BY: Richard Bewersdorff
Planning Manager

July 2, 2003
DATE