



City of Tigard Memorandum

To: Mayor Cook and Tigard City Council
From: John Floyd, Associate Planner
Re: Summit Ridge Annexation (ZCA2014-00002)
Date: March 10, 2015

Summary

On March 17, Council will hold a second public hearing on the Summit Ridge Annexation, a continued item from the February 10th Council meeting. At that hearing Council considered an annexation request by Venture Properties which intends to develop three unimproved parcels owned by the Zeiders and Andersons, but which must be first annexed to obtain needed services. As detailed below, the applicant has amended their request and staff can now support a recommendation of approval.

Background

At the February 10th hearing, staff recommended denial of the annexation request based upon Policy 14.2.4 of the Comprehensive Plan, which requires the City to consider the following when approving annexation requests:

“Policy 14.2.4: The City shall evaluate and may require that parcels adjacent to proposed annexations be included to:

- A) avoid creating unincorporated islands within the City;
- B) enable public services to be efficiently and effectively extended to the entire area;”

At issue were two additional parcels of land owned by the same property owners, each improved with a single-family home, but excluded from the annexation request. While the exclusion of these two parcels would not immediately result in the creation of an unincorporated island, failure to annex these properties could delay or prohibit future annexations to the west if the owners declined to participate. Such a configuration could also prohibit the efficient and effective delivery of services to the entire area by delaying or precluding future urbanization of adjacent parcels and associated extensions of public services to the area.

Revised Proposal

In response to the original staff recommendation and feedback from Council, the applicant has proposed the City accept annexation contracts for the two excluded parcels as a means of satisfying Policy 14.2.4. These contracts would cause the properties to be annexed in four years, or sooner at the written request of the property owner. Under the terms of the contract, each owner consents to annexation and waives any right to object. The City Attorney has reviewed and edited the contract language and finds the proposed contracts enforceable and transferable to future property owners should a sale occur before the annexation occurs.

Staff Analysis and Recommendation

While the proposed contracts may not be the quickest or administratively efficient method to addressing the policy, the proposed contracts allow the City to find the application consistent with Policy 14.2.4 of the Tigard Comprehensive Plan and other applicable approval criterion for annexations.

Should Council find in favor of the revised application, staff recommends Council withhold final action until the applicant provides signed contracts for both affected properties. To account for potential delays in obtaining signatures from both property owners, additional time has been reserved on April 14, 2015.

Attachments:

1. Draft Ordinance to Approve ZCA2014-00002
2. Draft Annexation Contract (Janet Zeider and Richard Zeider)
3. Draft Annexation Contract (Sohee Anderson and Scott Anderson)
4. Email from Carrie Brickey; February 20, 2015