

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING)
TEMPORARY PROCEDURES FOR HEARING)
PETITIONS FOR MAJOR AMENDMENTS)
TO THE URBAN GROWTH BOUNDARY)

ORDINANCE NO. 85-189

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The purpose of this ordinance is to establish procedures for hearing petitions for major amendments of the Urban Growth Boundary (UGB) received by January 1, 1986. A petition for major amendment of the UGB is any petition to amend the UGB which does not qualify as a petition for locational adjustment as defined by Code Section 3.01.010(h).

Section 2. The following sections of the Code, amended as shown, shall apply to petitions for major amendments:

3.01.010 Definitions:

(a) "UGB" means the District Urban Growth Boundary adopted pursuant to ORS 268.390 and 197.005 to 197.430.

(b) "District" has the same meaning as in Chapter 1.01.

(c) "Council" has the same meaning as in Chapter 1.01.

(d) "Goals" means the statewide planning Goals adopted by the Oregon Land Conservation and Development Commission at OAR 660-15-000.

(e) "Petition" means a petition to amend the UGB.

(f) "Property owner" means a person who owns a legal interest in the property.

(g) "Legal Description" means a written description which appears on the UGB map as adopted by the Council or a written description from which the adopted map was drafted or which was adopted by Metro or its predecessor CRAG to describe the mapped UGB.

(h) "Locational Adjustment" means an amendment to the District UGB which includes an addition or deletion of 50 acres or less or a combination of an addition and deletion resulting in a net change of

10 acres of vacant land or less, and which is otherwise consistent with the standards indicated in Section 3.01.040.

(i) "Irrevocably committed to non-farm use" means, in the case of a plan acknowledged by LCDC, any land for which a Goal No. 3 exception has been approved by LCDC, or in the case of a plan that has not yet been acknowledged by LCDC, land that is [not possible] impractical to preserve for farm use, within the meaning of Goal No. 2, Part II.

(j) "Vacant land" means:

- (1) for lots of one acre or less with a dwelling unit, no vacant land;
- (2) for lots of one acre or less with no dwelling unit, vacant land is the entire lot;
- (3) for lots in excess of one acre, vacant land is the gross area of a lot, less one acre multiplied by the number of dwelling units on the lot, but not less than zero.

3.01.025 Local Position on Petition:

(a) Except as provided in subsection (b) of this section, a petition shall not be [accepted and shall not be] considered [a] completed [petition under Section 3.01.020] for hearing unless the petition includes a written action by the governing body of each city or county with jurisdiction over the area included in the petition which:

- (1) recommends that Metro approve the petition; or
- (2) recommends that Metro deny the petition; or
- (3) expresses no opinion on the petition.

(b) The requirement of paragraph (a) of this section shall be waived if the applicant shows that a recommendation from the governing body was requested six months or more before the petition was filed with the District and that the governing body has not reached a decision on that request.

(c) If a city or county holds a public hearing to establish its position on a petition, the city or county should:

- (1) provide notice of such hearing to the District and to any city or county whose municipal boundaries or urban planning area boundary abuts the area affected; and
- (2) provide the District with a list of the names and addresses of parties testifying at the hearing and copies of any exhibits or written testimony submitted for the hearing.

3.01.030 Local Action to Conform to District Boundary:

(a) A city or county may, in addition to the action required in Section 3.01.025, approve a plan or zone change to implement the proposed adjustment in the area included in a petition prior to an amendment of the District UGB if:

- (1) The District is given notice of the local action,
- (2) The notice of the local action states that the local action is contingent upon subsequent action by the District to amend its UGB, and
- (3) The local action to amend the local plan or zoning map becomes effective only if the District amends the UGB consistent with the local action.

(b) If the city or county has not contingently amended its plan or zoning map to allow the use proposed in a petition, and if the District does approve the UGB amendment, the local plan or map change shall be changed to be consistent with the UGB amendment. That change shall be made at the next regularly scheduled plan or zoning map review or within 1 year, whichever comes first.

3.01.035 Standing to Petition for Amendment:

(a) A petition may be filed by:

- (1) A county with jurisdiction over the property or a city with a planning area that includes or is contiguous to the property; or
- (2) The owners of the property included in the petition or a group of more than 50 percent of the property owners who own more than 50 percent of the land area in each area included in the petition.

(b) Petitions to extend the UGB to include land outside the District shall not be accepted unless accompanied by:

- (1) A copy of a petition for annexation to the District to be submitted to the Portland Metropolitan Area Local Government Boundary Commission pursuant to ORS ch. 199; and
- (2) A statement of intent to file the petition for annexation within ninety (90) days of Metro action to approve the petition for UGB amendment under Section 3.01.070 of this chapter. (Ordinance No. 81-105, Sec. 7; amended by Ordinance No. 82-133, Sec. 1)

3.01.050 Filing Fee: Each petition submitted by a property owner or group of property owners pursuant to this chapter shall be accompanied by a filing fee in an amount [to be] established by resolution of the Council. Such fees shall be generally sufficient

to defray the actual cost to the District of processing such petitions.

3.01.055 Notice of UGB Adjustment Hearing:

(a) The notice provisions established by this section shall be followed in UGB hearings on petitions for UGB adjustments. These notice provisions shall be in addition to the District notice provisions for contested case hearings contained in the District Code Section 2.05.005 and to the notice requirements of OAR 660-18-000.

(b) Notice of public hearing shall include:

(1) The time, date and place of the hearing.

(2) A description of the property reasonably calculated to give notice as to its actual location.

(3) A summary of the proposed action.

(4) Notice that interested persons may submit written comments at the hearing and appear and be heard.

(5) Notice that the hearing will be conducted pursuant to District rules for contested cases.

(c) Not less than 10 days before the hearing, notice shall be mailed to the following persons:

(1) The petitioner(s).

(2) All property owners of record within 500 feet of the property subject to petition. For purposes of this subsection, only those property owners of record within 500 feet of the subject property as determined from the maps and records in the county departments of taxation and assessment are entitled to notice by mail. Failure of a property owner to receive actual notice will not invalidate the action if there was a reasonable effort to notify record owners.

(3) All cities and counties in the District and affected agencies as determined by the Executive Officer.

(d) Notice shall be published in a newspaper of general circulation in the District not more than twenty (20) nor less than ten (10) days prior to the hearing.

(e) The hearing may be continued without additional notice.

3.01.060 Hearing:

(a) All petitions accepted under this chapter shall receive a contested case hearing. The hearing shall be conducted by a

hearings officer pursuant to District procedures for contested cases contained in District Code Chapter 2.05.

(b) Proposed UGB amendments may be consolidated by the hearings officer or presiding officer for hearings where appropriate.

(c) The proponent of a proposed UGB amendment shall have the burden of proving that the proposed amendment complies with the applicable standards in this chapter.

3.01.065 Staff Review and Report: All petitions shall be reviewed by District staff and a report and recommendation submitted to the Hearings Officer or the Council not less than five (5) days before the required hearing. A copy of the staff report and recommendation shall simultaneously be sent to the petitioner(s) and others who have requested copies.

3.01.070 Council Action on Petitions:

(a) Following public hearings on all petitions for UGB changes, the Council shall act to approve or deny the petitions in whole or in part or approve the petitions in whole or in part subject to conditions consistent with the [applicable] standards in Section[s] 3[.01.040 through 3.01.050] of this [chapter] ordinance.

(b) Final Council action following a hearing shall be as provided in Code Section 2.05.045. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to 1979 Or. Laws, ch. 772.

(c) When the Council acts to approve in whole or in part a petition affecting land outside the District:

(1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the District within six months of the date of adoption of the Resolution.

(2) The Council shall take final action, as provided for in paragraphs (b) and (c) of this section, within thirty (30) days of notice from the Boundary Commission that annexation to the District has been approved.

3.01.075 Notice of District Action: The District shall give each county and city in the District notice of each amendment of the UGB. Such notice shall include a statement of the local action that will be required to make local plans consistent with the amended UGB and the date by which that action must be taken.

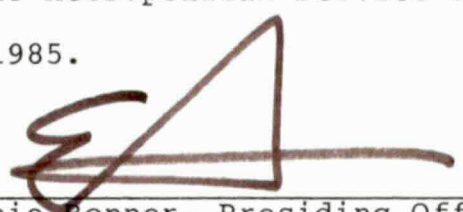
Section 3. The standards for approval of petitions for major amendment of the UGB shall be the applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission.

Section 4: Petitions received before October 7, 1985, shall not be scheduled for hearing until after October 7, 1985. Petitions received after October 7, 1985, shall not be heard until after those presented before October 7, 1985, have been decided.

Section 5: The Executive Officer shall select from the list of names approved by the Council one Hearings Officer to hear all petitions for major amendment of the UGB received by October 6, 1985. Following consultation with District staff and prospective petitioners, this Hearings Officer shall issue rules for the consolidation of related cases and allocation of charges. These rules shall be designed to avoid duplicative or inconsistent findings, promote an informed decision-making process, protect the due process rights of all parties, and allocate the charges on the basis of cost incurred by each party.

Section [4] (6). This ordinance shall apply only until new procedures for major amendment hearings are adopted as part of Metro's periodic review of the UGB.

ADOPTED by the Council of the Metropolitan Service District
this 6th day of August, 1985.



Ernie Bonner, Presiding Officer

JH/gl
3879C/236-5
08/09/85

ATTACHMENT 1

Proposed Process for Hearing Petitions
for Major Amendment of the Urban Growth Boundary

1. Petitions submitted as completed. (Petitioners are encouraged but not required to use the forms available for the locational adjustment process.)
2. Comment requested from affected local governments.
3. Hearing date scheduled following local action.
4. LCDC 45-day notice issued.
5. Notice to property owners and affected groups mailed.
6. Staff report released.
7. Hearing held.
8. Hearings Officer Report served on parties.
9. Parties may file written exceptions to Hearings Officer's Report.
10. Hearings Officer's Report, and any exceptions, presented to Council for consideration on the record. If Council, on its own motion, or upon the recommendation of staff or Hearings Officer, identifies any findings in Hearings Officer's report that are incompatible with findings in previous decision, it may remand the case for a limited hearing on the issue in question.
11. Parties have opportunity at remand hearing to argue why earlier adopted findings should be superseded.
12. An amended report is returned to Council; exceptions taken only on new evidence.
13. Council makes its final decision.

3879C/236

CONSIDERATION OF ORDINANCE NO. 85-189 ESTABLISH-
ING TEMPORARY PROCEDURES FOR HEARING PETITIONS
FOR MAJOR AMENDMENTS TO THE URBAN GROWTH BOUNDARY
(Second Reading)

Date: July 16, 1985

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

Up to six petitions for major amendment of the Urban Growth Boundary (UGB) may be received this year, three of them for contiguous parcels in the Sunset Corridor. The Metropolitan Service District (Metro) has not adopted specific procedures for major UGB amendments. The attached ordinance would adopt, with some minor changes, the procedures for hearing minor amendment requests (locational adjustments) and identify the LCDC goals as the applicable standards.

The ordinance thus establishes a procedure familiar to petitioners, staff and the Council. The Council should be aware, however, that when it discovers overlapping issues between cases, it will have to take certain special steps to protect the due process rights of affected parties. Furthermore, it may sometimes find itself presented with facts and argument in one case that convince it that its findings and decision in an earlier case were incorrect, without being able to amend the previous action.

An alternative approach was considered to try to provide the Council with more information before it made any decisions. This alternative would have postponed hearings on any petitions until all were received, and then allowed the Hearings Officer to consolidate cases for hearing as needed to address interrelated issues.

Staff met with all potential petitioners to discuss the process, and found uniform opposition to consolidation of cases. Petitioners argue that consolidation would cause harmful delay for some parties, place them in a seemingly more competitive position relative to one another, and dramatically expand the cost and complexity of the process.

On balance, the case-by-case approach seems the simplest, fairest and most manageable. It follows a process the parties, Council, and the Hearings Officer are most familiar with, and

reduces the burden on petitioners. In addition, Hearings Officer changes can be apportioned according to costs under Metro's current fee schedule. With consolidation, it would be difficult to determine how to allocate total changes appropriately. An outline of the steps in this process is enclosed as Attachment 1.

At its July 25 meeting, the Council approved one amendment to the Ordinance which has been incorporated in the attached version. Other material requested by Council members will be forwarded to the Council and interested parties prior to the August 6 meeting. The public hearing on this matter has been continued to the August 6 meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 85-189.

JH/srs
3879C/236-5
07/26/85

STAFF REPORT

Agenda Item No. _____

Meeting Date 7-25-85

CONSIDERATION OF ORDINANCE NO. 85-189 ESTABLISH-
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Staff met with all potential petitioners to discuss the process, and found uniform opposition to consolidation of cases. A letter received from one future petitioner is enclosed as Attachment 1.

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reduces the burden on petitioners. In addition, Hearings Officer changes can be apportioned according to costs under Metro's current fee schedule. With consolidation, it would be difficult to determine how to allocate total changes appropriately. An outline of the steps in this process is enclosed as Attachment 2.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 85-189.

JH/gl
3879C/236-4
07/16/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING)
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(b) The requirement of paragraph (a) of this section shall be waived if the applicant shows that a recommendation from the governing body was requested six months or more before the petition was filed with the District and that the governing body has not reached a decision on that request.

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(b) Petitions to extend the UGB to include land outside the District shall not be accepted unless accompanied by:

- (1) A copy of a petition for annexation to the District to be submitted to the Portland Metropolitan Area Local Government Boundary Commission pursuant to ORS ch. 199; and
- (2) A statement of intent to file the petition for annexation within ninety (90) days of Metro action to approve the petition for UGB amendment under Section 3.01.070 of this chapter. (Ordinance No. 81-105, Sec. 7; amended by Ordinance No. 82-133, Sec. 1)

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(b) Notice of public hearing shall include:

- (1) The time, date and place of the hearing.
- (2) A description of the property reasonably calculated to give notice as to its actual location.
- (3) A summary of the proposed action.
- (4) Notice that interested persons may submit written comments at the hearing and appear and be heard.
- (5) Notice that the hearing will be conducted pursuant to District rules for contested cases.

(c) Not less than 10 days before the hearing, notice shall be mailed to the following persons:

- (1) The petitioner(s).
- (2) All property owners of record within 500 feet of the property subject to petition. For purposes of this subsection, only those property owners of record within 500 feet of the subject property as determined from the maps and records in the county departments of taxation and assessment are entitled to notice by mail. Failure of a property owner to receive actual notice will not invalidate the action if there was a reasonable effort to notify record owners.
- (3) All cities and counties in the District and affected agencies as determined by the Executive Officer.

(d) Notice shall be published in a newspaper of general circulation in the District not more than twenty (20) nor less than ten (10) days prior to the hearing.

(e) The hearing may be continued without additional notice.

3.01.060 Hearing:

(a) All petitions accepted under this chapter shall receive a contested case hearing. The hearing shall be conducted by a

hearings officer pursuant to District procedures for contested cases contained in District Code Chapter 2.05.

[(b) Proposed UGB amendments may be consolidated by the hearings officer or presiding officer for hearings where appropriate.]

(c) The proponent of a proposed UGB amendment shall have the burden of proving that the proposed amendment complies with the applicable standards in this chapter.

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(a) Following public hearings on all petitions for UGB changes, the Council shall act to approve or deny the petitions in whole or in part or approve the petitions in whole or in part subject to conditions consistent with the applicable standards in Sections 3.01.040 through 3.01.050 of this chapter.

(b) Final Council action following a hearing shall be as provided in Code Section 2.05.045. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to 1979 Or. Laws, ch. 772.

(c) When the Council acts to approve in whole or in part a petition affecting land outside the District:

(1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the District within six months of the date of adoption of the Resolution.

(2) The Council shall take final action, as provided for in paragraphs (b) and (c) of this section, within thirty (30) days of notice from the Boundary Commission that annexation to the District has been approved.

3.01.075 Notice of District Action: The District shall give each county and city in the District notice of each amendment of the UGB. Such notice shall include a statement of the local action that will be required to make local plans consistent with the amended UGB and the date by which that action must be taken.

Section 3. The standards for approval of petitions for major amendment of the UGB shall be the applicable Statewide Planning

Goals adopted by the Land Conservation and Development Commission.

Section 4. This ordinance shall apply only until new procedures for major amendment hearings are adopted as part of Metro's periodic review of the UGB.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

JH/gl
3879C/D1-3
07/16/85



JUL 6 1985

BenjFran Development, Inc., Franklin Bldg., Suite 101, 9370 S.W. Greenburg Road, Portland, Oregon 97223, (503) 796-1519

July 3, 1985

Metropolitan Service District Council
527 S. W. Hall Street
Portland, Oregon 97201

Re: Urban Growth Boundary Annexations

BenjFran Development, Inc. is in the early stages of preparing a request to your agency for consideration of extending the Urban Growth Boundary on certain properties within Washington County. As part of that process I have been advised by Gordon Davis, our consultant commissioned to proceed with this work, that the policy of Metro is to consolidate all Urban Growth Boundary annexation applications into a concurrent hearing for review at some subsequent date. I am concerned that this type of review will not only prove cumbersome for the Council from a review of information standpoint, but will also create an environment that the process becomes a contest between participating landowners. It is my belief that each property should be reviewed on its own merits, and that expansions or contractions of the Urban Growth Boundary, although based on overall metropolitan policies, should be reviewed as to how they particularly relate to each property.

It is the intention of BenjFran Development to submit its application on or before November 1st of this year. I do believe that if other properties are presented prior to that date, that they should proceed in a timely manner and be reviewed under your previous calendar deadlines. This will provide for individual review of each application and an independent hearing process that will deal with each submission on its own merits, rather than in the arena of competing properties.

One of the concerns that I have as a developer in this community is the extensive delays caused by a variety of legislative and administrative reviews. This not only causes great uncertainty in planning for the placement of our capital requirements for the future, it also adds substantially to the cost of development resulting in increased user prices. I do not believe that the benefits gained by a consolidation are superior to the impact caused by the delays that we, or our friendly competitors, may have under the new policy.

July 3, 1985

Again I urge your consideration of each application before you in a timely manner without consideration of subsequent applications by others and without the substantial delay caused by the consolidation of requests. Thank you for the opportunity to present my views.

Respectfully,

A handwritten signature in dark ink, appearing to read "Dale Johnson", with a long horizontal flourish extending to the right.

Dale C. Johnson
President

DCJ/lt

cc: Gordon Davis

ATTACHMENT 2

Proposed Process for Hearing Petitions
for Major Amendment of the Urban Growth Boundary

1. Petitions submitted as completed. (Petitioners are encouraged but not required to use the forms available for the locational adjustment process.)
2. Comment requested from affected local governments.
3. Hearing date scheduled following local action.
4. LCDC 45-day notice issued.
5. Notice to property owners and affected groups mailed.
6. Staff report released.
7. Hearing held.
8. Hearings Officer Report served on parties.
9. Parties may file written exceptions to Hearings Officer's Report.
10. Hearings Officer's Report, and any exceptions, presented to Council for consideration on the record. If Council, on its own motion, or upon the recommendation of staff or Hearings Officer, identifies any findings in Hearings Officer's report that are incompatible with findings in previous decision, it may remand the case for a limited hearing on the issue in question.
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ATTACHMENT 1

not adopted

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3879C/236

- 6.2 Resolution No. 85-582, Amending the FY 1985 Transportation Improvement Program to Include an Updated Program of Projects Using Section 9 Funds
- 6.3 Resolution No. 85-583, Amending the Transportation Improvement Program to Add Five New Preliminary Engineering Projects in Clackamas County
- 6.4 Resolution No. 85-584, Amending the Regional Transportation Plan and the FY 1985 Transportation Improvement Program to Include the Multnomah County 242nd Avenue Widening Project

7. ORDINANCES

7.1 Consideration of Ordinance No. 85-189, for the Purpose of Establishing Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary (First Reading)

The clerk read the Ordinance by title only.

Motion: Councilor Kafoury moved adoption of the Ordinance and Councilor Kirkpatrick seconded the motion.

Presiding Officer Bonner opened the public hearing on the Ordinance and announced staff would give its presentation after the public hearing.

Bob Stacey, staff attorney for the 1000 Friends of Oregon, 300 Willamette Building, 534 S.W. 3rd Avenue, Portland, testified staff had initially recommended a more coordinated process of considering amendments to the Urban Growth Boundary (UGB). That process would have contemplated consolidation of cases, perhaps under one hearings officer, and perhaps under a unified recommendation for certain aspects of amendments. Mr. Stacey said he favored that process and was dismayed that staff recommended a process to consider each case as an independent event. Although Mr. Stacey did not want to cause delays in the process, the four applicants appealing to amend the UGB were requesting a significant change to the most fundamental provision of the region's Comprehensive Plan, he explained. Mr. Stacey urged each case be considered in relation to the others in order to protect the integrity of the UGB. Finally, he recommended the Council accelerate the periodic review process, accept applications for amending the UGB during that process and solve the remand problem by developing a new factual basis for the UGB in the course of performing the periodic review.

Jack Orchard, 1100 One Main Place, Portland, representing a potential applicant, testified he and his client were comfortable with

the process recommended by staff. Each applicant would be subject to the same set of rules, he said, and the possibility of creating individual hardships by imposing meritorious applications would not exist. If applications were considered on a case-by-case basis, it would be the applicant's burden to demonstrate compliance with the statewide planning goals, he explained.

Tom VanderZanden, Planning & Economic Development Director of Clackamas County, 902 Abernethy Road, Oregon City, Oregon, said his letter to the Council dated July 25, 1985, summarized his comments. He questioned whether the proposed case-by-case process for hearing petitions for major UGB amendments would jeopardize Clackamas County's efforts to become more economically diversified. The County was currently conducting an industrial property inventory and a Comprehensive Plan update, he said, along with an economic development plan. These studies were likely to show a significant lack of quality industrial inventory to meet long-range economic aspirations. Therefore, he said, it was likely the County would request an amendment to the UGB. He suggested that if the Council wanted to adopt Ordinance No. 85-189, some latitude be included in the procedures to examine subregional needs and that the County's application not be jeopardized because it was submitted after others.

Gordon Davis, representing BenjFran Development, Inc., a potential petitioner, 1020 S.W. Taylor, #555, Portland, Oregon, referred the Council to a letter from the organization's President Dale Johnson dated July 3, 1985. The letter stated support for the Ordinance. Mr. Gordon said a consolidated process would imply that if an amendment to the UGB were needed, it would be needed in one location or for one increment of change. He did not think that assumption was supported by factual conclusions. He affirmed that each applicant's case was meritorious and could be justified. To proceed on a case-by-case basis would eliminate any assumption for one amendment, he explained, and each case could be evaluated according to actual fact.

In response to Presiding Officer Bonner's question, Jill Hinckley explained the first applicant's petition would be reviewed shortly. She expected subsequent applicants' petitions to be submitted at about the same time with the exception of Clackamas County who would probably submit their's a year later.

Ms. Hinckley referred the Council to a letter from James Ross, Director, Department of Land Conservation and Development (DLCD), dated July 25, 1985. In response to the DLCD letter, she recommended the Council amend Definition (i) of the Ordinance to read:
"Irrevocably committed to non-farm use' means in the case of a plan acknowledged by LCDC, any land for which a Goal No. 3 exception has

been approved by LCDC, or in the case of a plan that has not yet been acknowledged by LCDC, land that is impractical (not possible) to preserve for farm use, within the meaning of Goal No. 2, Part II." This, she said, would be consistent with current law. (Note: new language is underlined and deleted language is in parenthesis.)

Regarding Clackamas County's concerns, Ms. Hinckley said LCDC had adopted policy to examine a petition on a county-wide level.

Motion: Councilor Kirkpatrick moved to amend Definition (i), line 4, of the Ordinance by replacing with word "not possible" with the word "impractical." Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper, DeJardin and Myers

The motion carried and the Ordinance was amended.

There being no further public comment, Presiding Officer Bonner closed the public hearing and announced a second public hearing would take place at the Council meeting of August 6, 1985.

Councilor Gardner said DLCD's letter also suggested the Ordinance be amended to apply only in exceptional or emergency situations. He asked Ms. Hinckley to comment on the suggestion. Ms. Hinckley responded she had received the letter that evening but assumed they were addressing the differences between petitions for specific locations and single purposes versus more general petitions addressing regional needs reviewed as part of the periodic review process. In response to Councilor Waker's question, Ms. Hinckley said the proposed Ordinance would apply until it was superceded by permanent procedures to be established by the Legislature.

Ms. Baxendale said she had talked with Jim Sitzman, co-author of the DLCD letter, and said he understood the petitions currently before Metro were emergency situations and that the periodic review process would be defined as the non-emergency situation.

Councilor Kafoury requested staff prepare an amended version of the Ordinance for consideration if the Council chose to hear petitions on a consolidated basis.

The Presiding Officer suggested that if petitions were heard on a case-by-case basis, staff prepare background information that would include a regional perspective of land use. Ms. Hinckley said staff was preparing an industrial land inventory which would be entered into the record.

In response to Councilor Kafoury's question, Ms. Hinckley said the examination of Clackamas County's subregional needs would be considered in the petition process. She said she would suggest an amendment to the Ordinance on August 6 to clarify how and when this should be considered.

7.2 Consideration of Ordinance No. 85-190, for the Purpose of Amending Metro Code Section 2.05.045, Final Orders in Contested Cases (First Reading)

The Clerk read the Ordinance by title only.

Motion: Councilor Kirkpatrick moved the Ordinance be adopted and Councilor Waker seconded the motion.

There was no public or Council comment on the Ordinance. Presiding Officer Bonner announced a second public hearing would occur on August 6.

8. RESOLUTIONS

8.1 Consideration of Resolution No. 85-585, for the Purpose of Transferring Solid Waste Disposal Franchise Permit No. 1 from Marine Drop Box Corporation to Marine Drop Box Service and Granting a Variance from User Fee and Regional Transfer Charge Collection Requirements

Rich McConaghy reported the Resolution would transfer the franchise from a former owner to a new owner. He then explained the disposal site operation as discussed in the staff report. He said the new owner had requested a fee variance because a large portion of the materials handled were recycled or reused. The owner would continue to pay user fees for materials landfilled, he said. In response to Councilor Gardner's question, he explained the original owner did not request a user fee variance but a similar variance was granted to another franchisee in January.

In response to Councilor Van Bergen's question, Mr. McConaghy said Metro did not limit the number of franchises granted. The new owner requested a transfer of the franchise and the transfer process required compliance with strict application, bonding and insurance requirements.

5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. APPROVAL OF MINUTES

Motion: Councilor Gardner moved the approval of the Council Meeting minutes of July 11, 1985. Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilor Hansen

The motion carried and the minutes were approved.

7. ORDINANCES

7.1 Consideration of Ordinance No. 85-189, for the Purpose of Establishing Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary (Second Reading and Public Hearing)

Motion: A motion to adopt the Ordinance was made by Councilors Kafoury and Kirkpatrick at the Council meeting of July 25, 1985.

The Clerk read the Ordinance by title only. Presiding Officer Bonner opened a public hearing on the Ordinance.

Councilor Kafoury explained at the meeting of July 25, she had asked staff to prepare language for two possible amendments to the Ordinance which would address two issues of concern. The first issue was on what basis would potential additions to the Urban Growth Boundary (UGB) be analyzed. She said language for an amendment on page 1 of the memo to the Council from Jill Hinckley dated August 2, 1985, was proposed. However, Councilor Kafoury did not recommend adoption of that language because it did not address her specific concern. The second concern she had raised on July 25 was that the Ordinance should allow consolidation of petitions for amendments to the UGB. The existing language would provide for review on a case-by-case basis. Councilor Kafoury then proposed the following amendment that would allow consolidation of petitions:

Motion: Councilor Kafoury moved to amend the Ordinance by adding subsection (b) back into Section 3.01.060 and to add Sections 4 and 5 to the Ordinance as proposed on page 2 of Ms. Hinckley's memo to the Council dated August 2, 1985. Councilor Kirkpatrick seconded the motion.

Councilor Kelley said she was concerned the proposed amendment did not appear to state when, where and how consolidation would occur. Councilor Kafoury explained the deadline for submitting petitions was October 7 and petitions received before that deadline would be reviewed at a hearing after the deadline. Petitions received after the deadline would be heard following July 1, 1986. Therefore, she said, the proposed amendment established a cutoff point by which all petitions to be heard by the Hearings Officer must be received by Metro.

Councilor Kelley questioned whether the proposed amendment would delay the UGB review process, as stated by some parties testifying at the July 25 Council meeting. Ms. Hinckley explained the intent of the deadline was to eliminate the possibility of delaying the hearings process for applicants. It was her understanding the current petitioners would be able to meet the October 7 deadline. She also clarified that the proposed amendment language did not automatically assume all cases would be consolidated. Rather, it empowered the Hearings Officer to consolidate if he/she deemed it appropriate.

Presiding Officer Bonner said he supported the proposed amendment because some cases could be considered in connection with the five-year review process.

Councilor Kelley remained concerned that the proposed amendment did not clearly state under what conditions consolidation of cases would occur. Ms. Hinckley explained the last sentence of Section 5 of the amendment defined the standards by which petitions could be consolidated. Councilor Kafoury suggested the Hearings Officer's specific criteria could be approved by the Council before cases were heard. Ms. Hinckley thought that plan would make it difficult for petitioners to respond to specific, Council-adopted criteria by the October 7 deadline.

A discussion followed regarding whether a case-by-case or consolidated review process was more fair. Councilor Kafoury said after meeting with the Executive Officer, she was not persuaded that the case-by-case process was more advantageous than a consolidated. She maintained the case-by-case process gave an unfair and irrevocable advantage to the first petitioner. Councilor Waker was concerned a

consolidated process would put the Council in a position of substituting their judgment for that of the market place.

Susan Quick, representing the Kaiser Development Company, testified she had understood the Council would be reviewing petitions for major UGB amendments on a case-by-case basis. Considerable time and effort had been spent in preparing Kaiser's petition, she said, and to change the rules now would be an unfair disadvantage to petitioners. She thought the questions asked each petitioner were specific enough in nature to satisfy the Council's concern that no one petitioner be favored. Ms. Quick also thought the periodic review process would allow the Council to review amendments on a regional basis.

There being no further public comment, Presiding Officer Bonner closed the public hearing.

In an effort to address concerns about the timing of hearing consolidated petitions, Councilor Oleson proposed to change the last sentence of Section 4 of the proposed amendment to read: "It is our intent to consolidate the hearings on petitions received after October 7." Ms. Hinckley suggested alternate language for Section 4 of the proposed amendment: "Petitions received after October 7, 1985, shall not be heard until after those presented before October 7, 1985, have been decided by the Council." Councilor Oleson said he was still having problems with the language in Section 4 of the proposed amendment. He wanted to accommodate Councilor Kafoury's request for an amendment without imposing unnecessary hardships on the applicants.

Councilor Kirkpatrick said she and others who previously worked to adopt the UGB perceived it as a serious intent to protect agricultural space and to prevent ungainly urban growth. Therefore, she said, the standards were purposefully onerous and she did not think it improper to require applicants to wait until the Council conducted its five-year periodic review. She offered this as an alternate amendment if Councilor Kafoury's amendment was not adopted.

Motion: Councilor Gardner moved the amend Section 4 of the main amendment to read: "Petitions received after October 7, 1985, shall not be heard until after those presented before October 7, 1985, have been decided by the Council."

Vote: A vote on the motion to amend the amendment resulted in:

Ayes: Councilors Cooper, Dejardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

The motion carried and the proposed amendment was amended.

Presiding Officer Bonner called for a vote on the main amendment, as amended.

Councilor Kelley, referring to proposed Section 5 of the main amendment, asked whether the Council should approve the rules issued by the Hearings Officer for the consolidation of related cases. Councilor Kirkpatrick suggested the Presiding Officer appoint three Councilors to approve the rules in order to expedite the process. If necessary, the three Councilors could have the option of referring the rules to the Council for final approval, she said.

Steve Siegel explained the Council was now debating the same issue discussed by staff. He urged adoption of the Ordinance as recommended by the Executive Officer rather than revising an established procedure that worked reasonably well. Councilor Kafoury stated the argument of maintaining a safe and comfortable procedure in face of potential major changes to the UGB was not convincing.

Vote: A vote was taken on the main motion, as amended, to amend the Ordinance. The main motion now provided for adding Section 3.01.060(b) back into the Ordinance; adding a Section 4 which was amended by the previous motion; and adding a Section 5 as proposed in Ms. Hinckley's memo to the Council dated August 2. The vote resulted in:

Ayes: Councilors Gardner, Hansen, Kirkpatrick, Kafoury, Myers, Oleson and Bonner

Nay: Councilors Cooper, Dejardin, Kelley, Van Bergen and Waker

The motion carried and the proposed Ordinance was amended.

Ms. Hinckley proposed that Section 3.01.070(a) of the Ordinance be amended to read: ". . .consistent with the (applicable) standards in Sections (3.01.040 through 3.01.050) Section 3 of this (chapter) ordinance." (Note: deleted language is in parenthesis and proposed, new language is underlined.) She explained the proposed language would be consistent with procedures for major UGB amendments.

Motion: Councilor Kafoury moved the Ordinance be amended to include the changes in Section 3.01.070(a) of the Ordinance discussed by Ms. Hinckley.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

The motion carried and the Ordinance was amended.

Vote: A vote on the motion to adopt the ordinance, as amended, resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Ordinance No. 85-189 was adopted as amended.

7.2 Consideration of Ordinance No. 85-190, for the Purpose of Amending Metro Code Section 2.05.045, Final Orders in Contested Cases (Second Reading and Public Hearing)

Motion: The motion to adopt the Ordinance was made by Councilors Kirkpatrick and Waker on July 25, 1985.

The Clerk read the Ordinance by title only. Presiding Officer Bonner opened the public hearing. There was no comment.

Vote: A vote on the motion to adopt the Ordinance resulted in:

Ayes: Councilors Cooper, DeJardin, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

The motion carried and the Ordinance was adopted.

8. OTHER BUSINESS

8.1 Consideration of a Contract with The Hallock Agency for Zoo Advertising Agency Services

At the request of the Presiding Officer, this item was considered before Item 7.1. In the absence of Jane Hartline, Councilor Kirkpatrick presented information about the contractor selection

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING)	ORDINANCE NO. 85-189
TEMPORARY PROCEDURES FOR HEARING)	AS AMENDED BY
PETITIONS FOR MAJOR AMENDMENTS)	ORDINANCE NO. 86-204
TO THE URBAN GROWTH BOUNDARY)	

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The purpose of this ordinance is to establish procedures for hearing petitions for major amendments of the Urban Growth Boundary (UGB). A petition for major amendment of the UGB is any petition to amend the UGB which does not qualify as a petition for locational adjustment as defined by Code Section 3.01.010(h).

Section 2. The following sections of the Code, amended as shown, shall apply to petitions for major amendments:

3.01.010 Definitions:

(a) "UGB" means the District Urban Growth Boundary adopted pursuant to ORS 268.390 and 197.005 to 197.430.

(b) "District" has the same meaning as in Chapter 1.01.

(c) "Council" has the same meaning as in Chapter 1.01.

(d) "Goals" means the statewide planning Goals adopted by the Oregon Land Conservation and Development Commission at OAR 660-15-000.

(e) "Petition" means a petition to amend the UGB.

(f) "Property owner" means a person who owns a legal interest in the property.

(g) "Legal Description" means a written description which appears on the UGB map as adopted by the Council or a written description from which the adopted map was drafted or which was adopted by Metro or its predecessor CRAG to describe the mapped UGB.

(h) "Locational Adjustment" means an amendment to the District UGB which includes an addition or deletion of 50 acres or less or a combination of an addition and deletion resulting in a net change of 10 acres of vacant land or less, and which is otherwise consistent with the standards indicated in Section 3.01.040.

(i) "Irrevocably committed to non-farm use" means, in the case of a plan acknowledged by LCDC, any land for which a Goal No. 3 exception has been approved by LCDC, or in the case of a plan that has not yet been acknowledged by LCDC, land that is impractical to preserve for farm use, within the meaning of Goal No. 2, Part II.

(j) "Vacant land" means:

(1) for lots of one acre or less with a dwelling unit, no vacant land;

(2) for lots of one acre or less with no dwelling unit, vacant land is the entire lot;

(3) for lots in excess of one acre, vacant land is the gross area of a lot, less one acre multiplied by the number of dwelling units on the lot, but not less than zero.

3.01.025 Local Position on Petition:

(a) Except as provided in subsection (b) of this section, a petition shall not be considered completed for hearing unless the petition includes a written action by the governing body of each city or county with jurisdiction over the area included in the petition which:

(1) recommends that Metro approve the petition; or

(2) recommends that Metro deny the petition; or

(3) expresses no opinion on the petition.

(b) The requirement of paragraph (a) of this section shall be waived if the applicant shows that a recommendation from the governing body was requested six months or more before the petition was filed with the District and that the governing body has not reached a decision on that request.

(c) If a city or county holds a public hearing to establish its position on a petition, the city or county should:

(1) provide notice of such hearing to the District and to any city or county whose municipal boundaries or urban planning area boundary abuts the area affected; and

(2) provide the District with a list of the names and addresses of parties testifying at the hearing and copies of any exhibits or written testimony submitted for the hearing.

3.01.030 Local Action to Conform to District Boundary:

(a) A city or county may, in addition to the action required in Section 3.01.025, approve a plan or zone change to implement the

proposed adjustment in the area included in a petition prior to an amendment of the District UGB if:

- (1) The District is given notice of the local action,
- (2) The notice of the local action states that the local action is contingent upon subsequent action by the District to amend its UGB, and
- (3) The local action to amend the local plan or zoning map becomes effective only if the District amends the UGB consistent with the local action.

(b) If the city or county has not contingently amended its plan or zoning map to allow the use proposed in a petition, and if the District does approve the UGB amendment, the local plan or map change shall be changed to be consistent with the UGB amendment. That change shall be made at the next regularly scheduled plan or zoning map review or within 1 year, whichever comes first.

3.01.035 Standing to Petition for Amendment:

(a) A petition may be filed by:

- (1) A county with jurisdiction over the property or a city with a planning area that includes or is contiguous to the property; or
- (2) The owners of the property included in the petition or a group of more than 50 percent of the property owners who own more than 50 percent of the land area in each area included in the petition.

(b) Petitions to extend the UGB to include land outside the District shall not be accepted unless accompanied by:

- (1) A copy of a petition for annexation to the District to be submitted to the Portland Metropolitan Area Local Government Boundary Commission pursuant to ORS ch. 199; and
- (2) A statement of intent to file the petition for annexation within ninety (90) days of Metro action to approve the petition for UGB amendment under Section 3.01.070 of this chapter. (Ordinance No. 81-105, Sec. 7; amended by Ordinance No. 82-133, Sec. 1)

3.01.050 Filing Fee: Each petition submitted by a property owner or group of property owners pursuant to this chapter shall be accompanied by a filing fee in an amount established by resolution of the Council. Such fees shall be generally sufficient to defray the actual cost to the District of processing such petitions.

3.01.055 Notice of UGB Adjustment Hearing:

(a) The notice provisions established by this section shall be followed in UGB hearings on petitions for UGB adjustments. These notice provisions shall be in addition to the District notice provisions for contested case hearings contained in the District Code Section 2.05.005 and to the notice requirements of OAR 660-18-000.

(b) Notice of public hearing shall include:

(1) The time, date and place of the hearing.

(2) A description of the property reasonably calculated to give notice as to its actual location.

(3) A summary of the proposed action.

(4) Notice that interested persons may submit written comments at the hearing and appear and be heard.

(5) Notice that the hearing will be conducted pursuant to District rules for contested cases.

(c) Not less than 10 days before the hearing, notice shall be mailed to the following persons:

(1) The petitioner(s).

(2) All property owners of record within 500 feet of the property subject to petition. For purposes of this subsection, only those property owners of record within 500 feet of the subject property as determined from the maps and records in the county departments of taxation and assessment are entitled to notice by mail. Failure of a property owner to receive actual notice will not invalidate the action if there was a reasonable effort to notify record owners.

(3) All cities and counties in the District and affected agencies as determined by the Executive Officer.

(d) Notice shall be published in a newspaper of general circulation in the District not more than twenty (20) nor less than ten (10) days prior to the hearing.

(e) The hearing may be continued without additional notice.

3.01.060 Hearing:

(a) All petitions accepted under this chapter shall receive a contested case hearing. The hearing shall be conducted by a hearings officer pursuant to District procedures for contested cases contained in District Code Chapter 2.05.

(b) Proposed UGB amendments may be consolidated by the hearings officer or presiding officer for hearings where appropriate.

(c) The proponent of a proposed UGB amendment shall have the burden of proving that the proposed amendment complies with the applicable standards in this chapter.

3.01.065 Staff Review and Report: All petitions shall be reviewed by District staff and a report and recommendation submitted to the Hearings Officer or the Council not less than five (5) days before the required hearing. A copy of the staff report and recommendation shall simultaneously be sent to the petitioner(s) and others who have requested copies.

3.01.070 Council Action on Petitions:

(a) Following public hearings on all petitions for UGB changes, the Council shall act to approve or deny the petitions in whole or in part or approve the petitions in whole or in part subject to conditions consistent with the standards in Section 3 of this ordinance.

(b) Final Council action following a hearing shall be as provided in Code Section 2.05.045. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to 1979 Or. Laws, ch. 772.

(c) When the Council acts to approve in whole or in part a petition affecting land outside the District:

(1) Such action shall be by resolution expressing intent to amend the UGB if and when the affected property is annexed to the District within six months of the date of adoption of the Resolution.

(2) The Council shall take final action, as provided for in paragraphs (b) and (c) of this section, within thirty (30) days of notice from the Boundary Commission that annexation to the District has been approved.

3.01.075 Notice of District Action: The District shall give each county and city in the District notice of each amendment of the UGB. Such notice shall include a statement of the local action that will be required to make local plans consistent with the amended UGB and the date by which that action must be taken.

Section 3. The standards for approval of petitions for major amendment of the UGB shall be the applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission.

Section 4:

(a) Petitions shall be heard twice yearly. The deadlines for submittal shall be April 1 and October 1. Petitions not received by

April 1 of each calendar year shall not be scheduled for hearing until after October 1 of that year. Petitions received after October 1 shall not be scheduled for hearing until after April 1 of the next calendar year.

(b) Upon request by a Councilor or the Executive Officer, the Council may, by majority vote, waive the filing deadlines for a particular petition or petitions and hear such petitions or petitions at any time if warranted by unusual circumstances. Such waiver shall not waive any other requirement of this Ordinance.

(c) In addition, upon request by a Councilor or the Executive Officer, the Council may at any time by majority vote, initiate consideration of a major amendment without petition or filing fee. Such consideration shall be in accordance with all other requirements of this Ordinance.

(d) All hearings on petitions received in one half of the year should be closed and completed no later than thirty (30) days before the deadline for filing petitions for hearing in the next half of the year. If a petitioner requests an opportunity to submit new evidence at a continued, re-opened, or de novo hearing that would occur less than thirty (30) days before the deadline for filing petitions for hearing in the next half of the year, such a request shall be reviewed for possible consolidation with petitions submitted by the deadline for hearings in the next half of the year, consistent with the provisions of Section 5 of this Ordinance.

Section 5: The Executive Officer shall select from the list of names approved by the Council one Hearings Officer to hear all petitions for major amendment of the UGB received by the application deadline. Following consultation with District staff and prospective petitioners, this Hearings Officer shall issue rules for the consolidation of related cases and allocation of charges. These rules shall be designed to avoid duplicative or inconsistent findings, promote an informed decision-making process, protect the due process rights of all parties, and allocate the charges on the basis of cost incurred by each party.

Section 6. This ordinance shall apply only until new procedures for major amendment hearings are adopted as part of Metro's periodic review of the UGB.

ADOPTED by the Council of the Metropolitan Service District this 6th day of August, 1985; and amended the 10th day of July 1986.


Richard Waker, Presiding Officer

ATTEST:

Clerk of the Council

JH/gl/3879C/236-5
07/28/86

August 14, 1985

Mr. Don Stilwell
County Administrator
Washington County
150 N. First Avenue
Hillsboro, Oregon 97123

Dear Mr. Stilwell

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District on August 6, 1985:

Ordinance No. 85-189, Establishing Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary

Ordinance No. 85-190, Amending Metro Code Section 2.05.045, Final Orders in Contested Cases

Please file these ordinances in the Metro ordinance files maintained by your county.

Sincerely,

A. Marie Nelson
Clerk of the Council

amn

Enclosures

August 14, 1985

Ms. Juanita Orr
Clackamas County Clerk
Clackamas County Courthouse
8th & Main
Oregon City, Oregon 97045

Dear Ms. Orr:

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District on August 6, 1985:

Ordinance No. 85-189, Establishing Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary

Ordinance No. 85-190, Amending Metro Code Section 2.05.045, Final Orders in Contested Cases

Please file these ordinances in the Metro ordinance files maintained by your County.

Sincerely,

A. Marie Neason
Clerk of the Council

amn

Enclosures

August 14, 1985

Ms. Jane McGarvin
Clerk of the Board
Multnomah County
1021 S.W. Fourth Avenue
Portland, Oregon 97204

Dear Jane:

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District on August 6, 1985:

Ordinance No. 85-189, Establishing Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary

Ordinance No. 85-190, Amending Metro Code Section 2.05.045, Final Orders in Contested Cases

Please file these ordinances in the Metro ordinance files maintained by your county.

Sincerely,

A. Marie Nelson
Clerk of the Council

amn

Enclosures



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

August 19, 1986

Ms. Jane McGarvin
Clerk of the Board
Multnomah County Courthouse
1021 S.W. Fourth Avenue
Portland, Oregon 97204

Dear Jane:

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District. Please file these ordinances in the Metro ordinance files maintained by your county.

Ordinance No. 86-203, Amending Metro Code Section 2.05 Regarding Deadlines for Submitting Exceptions and New Evidence to Revised Orders

Ordinance No. 86-204, Amending Ordinance No. 85-189 (Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary)

Revised Ordinance No. 85-189

Sincerely,

A. Marie Nelson
Clerk of the Council

Enclosures

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Bob Oleson
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

(Vacant)
District 8

Hardy Myers
District 9

Larry Cooper
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

Executive Officer
Rick Gustafson



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

August 19, 1986

Mr. Charles D. Cameron
County Administrator
Washington County Courthouse
150 North First Avenue
Hillsboro, Oregon 97123

Dear Mr. Cameron:

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District. Please file these documents in the Metro ordinance file maintained by your county.

Ordinance No. 86-203, Amending Metro Code Section 2.05 Regarding Deadlines for Submitting Exceptions and New Evidence to Revised Orders

Ordinance No. 86-204, Amending Ordinance No. 85-189 (Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary)

Revised Ordinance No. 85-189

Sincerely,

A. Marie Nelson
Clerk of the Council

Enclosures

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Bob Oleson
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

(Vacant)
District 8

Hardy Myers
District 9

Larry Cooper
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

Executive Officer
Rick Gustafson



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

August 19, 1986

Ms. Juanita Orr
County Clerk
Clackamas County Courthouse
8th and Main
Oregon City, Oregon 97045

Dear Ms. Orr:

Enclosed are true copies of the following ordinances adopted by the Council of the Metropolitan Service District. Please file these ordinances in the Metro ordinance files maintained by your county.

Ordinance No. 86-203, Amending Metro Code Section 2.05 Regarding Deadlines for Submitting Exceptions and New Evidence to Revised Orders

Ordinance No. 86-204, Amending Ordinance No. 85-189 (Temporary Procedures for Hearing Petitions for Major Amendments to the Urban Growth Boundary)

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