

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AN ORDINANCE )           ORDINANCE NO. 86-209  
AMENDING ORDINANCE NO. 83-162 TO )  
ELIMINATE CONDITIONS IMPOSED ON )  
THE URBAN GROWTH BOUNDARY AMEND- )  
MENT ADOPTED FOR CONTESTED CASE )  
NO. 81-2 )

WHEREAS, In October 1983 the Council of the Metropolitan Service District (Metro) adopted Ordinance No. 83-162, amending the Metro Urban Growth Boundary (UGB) in Clackamas County for Contested Case No. 81-2; and

WHEREAS, Ordinance No. 83-162 adopted as Exhibit C Findings, Conclusions and Recommendations of the Regional Development Committee in the Matter of Contested Case No. 81-2, a petition by Clackamas County for an amendment of the Urban Growth Boundary to add Waldo Estates and remove Canemah; and

WHEREAS, That Exhibit C imposed certain conditions upon the development of Waldo Estates; and

WHEREAS, Vancouver Federal Savings Bank has petitioned Metro to remove or modify those conditions; and

WHEREAS, That petition was given a hearing as Contested Case No. 81-2C on July 10, 1986; and

WHEREAS, The Hearings Officer has submitted his Report and Recommendation on that petition; and

WHEREAS, The Council agrees with the Report and Recommendation of the Hearings Officer; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. The conditions adopted by Ordinance No. 83-162 are hereby deleted and replaced with the following conditions:
  - a. The Waldo Estates property is annexed to the Tri-Cities Service District.
  - b. The development approved for Waldo Estates does not include any lots smaller than five acres on the land designated as "reduced density area" on Exhibit A-3 of Resolution No. 82-293.
2. Ordinance No. 83-162 is hereby amended to delete the bracketed language and add the underlined language as shown on pp. 13-27 of the Hearings Officer Report, which is attached hereto as Exhibit A.
3. This Ordinance is final Order in Contested Case No. 81-2C. Parties to Contested Case No. 81-2C may appeal this Ordinance under Metro Code Section 2.05.050 and ORS Chapter 197.

ADOPTED by the Council of the Metropolitan Service District this 25th day of September, 1986.

  
Richard Waker, Presiding Officer

ATTEST:

  
Clerk of the Council

JH/gl  
6140C/472-4  
09/04/86

BEFORE THE METROPOLITAN SERVICE DISTRICT

|                                     |                           |
|-------------------------------------|---------------------------|
| In the Matter of the Application )  | Contested Case No. 81-2C  |
| of Vancouver Federal Savings Bank ) |                           |
| for an Amendment to Ordinance )     | REPORT and RECOMMENDATION |
| No. 83-162 )                        | OF HEARINGS OFFICER       |

I. Nature of the Case

This is an application by Vancouver Federal Savings Bank (Bank) for an amendment to Ordinance No. 83-162. Ordinance No. 83-162 amended the Urban Growth Boundary (UGB) by including land not previously included and by excluding land previously included. In other words, the ordinance approved a "trade" of land. The land included was 191 acres east of Oregon City, in an area known as Waldow Estates. The land excluded was 182 acres south of Oregon City, in an area known as Canemah. Ordinance No. 83-162 contained four conditions regarding the inclusion of Waldow Estates. The conditions were:

- "A. That Waldow Estates is developed as a mobile home subdivision providing at least 700 units, available predominantly to households with heads 50 years of age or older;
- "B. The Waldow Estates property is annexed to the Tri-Cities Service District; and
- "C. The developer of Waldow Estates property enters into an agreement with Tri-Met to provide for adequate transit service to the site.

1 "D. That the subdivision approved for Waldow  
2 Estates does not include any lots  
3 smaller than five acres on the land  
4 designated as 'reduced density area' on  
5 Exhibit A-3 of Resolution No. 82-293."

6 The Bank initially asked that Metro delete  
7 conditions A, B, and D. (Condition C already has been  
8 met.) In the alternative, the Bank asked that Metro  
9 delete condition B and amend conditions A and D to read  
10 as follows:

11 "A. That Waldow Estates is developed as a  
12 mobile home park or subdivision  
13 providing a maximum of 600 housing  
14 units;

15 "...

16 "D. That the development approved for Waldow Estates  
17 does not include any lots smaller than five acres  
18 on the land designated as 'reduced density area'  
19 on Exhibit A-3 of Resolution No. 82-293."

20 At the hearing, the Bank clarified that it was not asking for  
21 deletion of condition D, but only amendment as set out above. The  
22 Bank also is asking for appropriate amendments to the Findings,  
23 Conclusions and Recommendations on which Ordinance No. 83-162 was  
24 based.

25 Clackamas County has recommended that Metro delete conditions  
26 A and C of Ordinance No. 83-162, through its Interlocutory Order



1 No. 86-560. The Interlocutory Order also implicitly endorses the  
2 broadening of condition D so that the applicant is not limited to  
3 putting a subdivision on the property.  
4

## 5 II. Proceedings and Record

6 On July 10, 1986, following the publication and mailing of  
7 notice to 50 property owners who the Bank or the hearings officer  
8 identified as living within 250 feet of the subject property, the  
9 hearings officer held a hearing on the application at Metro's  
10 office. The Bank's attorneys, Mark P. O'Donnell and Kenneth H.  
11 Fox, testified in support of the application, as did the Bank's  
12 consultant, Thomas L. Tye. Those exhibits described below that  
13 were prepared by witnesses or their firms are treated as testimony  
14 of those witnesses. Jim Garvison, Esther M. Ott, and Edsel Evans  
15 either testified in opposition to the application or raised  
16 questions about it. In addition, Don Morris wrote a letter to the  
17 hearings officer expressing some concerns about the application.  
18 Following the testimony, the hearings officer closed the hearing  
19 subject to his receiving a copy of a videotape used during Tye's  
20 testimony.

21 The following documents were introduced during the course of  
22 the hearing, appeared in Metro's public file in this matter, or  
23 were correspondence received by the hearings officer and made part  
24 of the record. Together with the testimony, they constitute the  
25 record upon which this report and recommendation are based.

26 Applicant's Exhibit 1 - Transportation Impact Analysis

Applicant's Exhibit 1A - Slide Presentation Booklet

- 1 Applicant's Exhibit 1B - Videotape of Slide Presentation
- 2 Applicant's Exhibit 2 - Memorandum on School Population Levels
- 3 Applicant's Exhibit 3 - Memorandum on Fire Protection Services
- 4 Applicant's Exhibit 4 - Memorandum on Property Density
- 5 Calculations
- 6 Applicant's Exhibit 5 - Letter on Density Changes
- 7 Applicant's Exhibit 6 - Memorandum on Senior Housing Surplus
- 8 Applicant's Exhibit 7 - Memorandum on Need for Mobile Home Space
- 9 Applicant's Exhibit 8 - Memorandum on Metro's Authority to
- 10 Impose Conditions
- 11 Applicant's Exhibit 9 - Memorandum on Legality of Age
- 12 Restriction
- 13 Applicant's Exhibit 10 - Memorandum on Bona Fide Purchaser
- 14 Status
- 15 Applicant's Exhibit 11 - Ordinance No. 83-162
- 16 Applicant's Exhibit 12 - Report of Regional Development
- 17 Committee
- 18 Applicant's Exhibit 13 - Resolution Regarding Mobile Home
- 19 Task Force
- 20 Applicant's Exhibit 14 - Tri-Met Letter
- 21 Applicant's Exhibit 15 - Interlocutory Order No. 86-560
- 22 Applicant's Exhibit 16 - Proposed Amended Findings,
- 23 Conclusions, and Recommendations
- 24 Applicant's Exhibit 17 - Environmental, Social, Economic and
- 25 Energy Analysis
- 26 Applicant's Exhibit 18 - County Staff Report

1 Applicant's Exhibit 19 - Public Schools Letter

2 Applicant's Exhibit 20 - April 16, 1986 Letter from Mark P.

3 O'Donnell

4 Applicant's Exhibit 21 - June 17, 1986 Letter from Kenneth H. Fox

5 Applicant's Exhibit 22 - June 25, 1986 Letter from Kenneth H. Fox

6 Applicant's Exhibit 23 - June 27, 1986 Letter from Kenneth H. Fox

7 Witness's Exhibit 1 - July 7, 1986 letter from Don Morris

8 Staff Exhibit 1 - Memorandum on Contested Case No. 81-2C

9 Staff Exhibit 2 - 44 Certified Mail Addressee Receipts and

10 6 Letters Marked "Unclaimed" or "Returned to

11 Sender"

12 III. Case History and Definition of Issue

13 In August 1983, through Resolution No. 81-269, the Metro  
14 Council made certain findings and expressed its intent to approve  
15 the addition of Waldow Estates within the UGB if the addition was  
16 requested as part of a trade consistent with the standards in  
17 Metro Ordinance No. 81-105. Clackamas County thereafter applied  
18 for a trade of Waldow Estates acreage for Canemah acreage.  
19 Metro's Regional Development Committee considered the application  
20 and prepared Findings, Conclusions and Recommendations for  
21 consideration by the Metro Council. In Ordinance No. 83-162,  
22 adopted October 6, 1983, the Metro Council adopted the Findings,  
23 Conclusions and Recommendations and approved the trade. The  
24 approval included the conditions set out in Part I of this report.

25 In Spring of 1986, the Bank, which had become owner of a  
26 beneficial interest in the Waldow Estates acreage, applied for

1 elimination or modification of some of the conditions. Condition  
2 A had required that Waldo Estates be developed as a large mobile  
3 home subdivision for the elderly. Condition C had required the  
4 developer to enter into an agreement with Tri-Met to provide  
5 transit service to the site. In seeking a change, the Bank has  
6 asserted that there is not a foreseen need for housing for the  
7 elderly and that development should not be limited to a mobile  
8 home subdivision, but also at least should allow a mobile home  
9 park. The Bank also has asserted that there is not a need for  
10 transit service to the site.

11 As stated above, the Waldow's Estates acreage already has  
12 been brought within the UGB, by Ordinance No. 83-162. There is no  
13 proposal before Metro to remove Waldow Estates from the UGB.  
14 Neither is there a proposal before Metro to reverse the Waldow  
15 Estates/Camemah trade. Thus there are only two possible outcomes  
16 to this proceeding: (1) The Waldow Estates acreage will remain  
17 within the UGB and will be subject to the existing conditions; or  
18 (2) The Waldow Estates acreage will remain within the UGB and the  
19 conditions will be deleted or amended.

20 Metro already has finally determined that based on the record  
21 made earlier, the Waldow Estates/Canemah trade, with conditions,  
22 was proper. In order to delete or modify the conditions, the  
23 record, as supplemented by the recent hearing, must show that the  
24 Waldow Estates/Canemah trade, with deleted or amended conditions,  
25 would be proper. Thus, that is the issue to be considered in this  
26 proceeding.

1 In determining whether the Waldow Estates/Canemah trade, with  
2 conditions deleted or amended, would be proper, there is a  
3 subissue that must be addressed. The standards for reviewing  
4 proposed trades in effect at the time of original approval of the  
5 trade were slightly more stringent than the present standards.  
6 There is a strong and logical argument that the standards that  
7 Metro should use in evaluating the present application are the  
8 present, less stringent standards. Nevertheless, for purposes of  
9 this report only and without deciding which standards are  
10 applicable, the hearings officer will apply the more stringent  
11 earlier standards.

#### 12 IV. Removal of Canemah

13 The Metro Council, in Ordinance No. 83-162, adopted the  
14 findings regarding the Canemah acreage set out below. These  
15 findings are not affected by the evidence provided at the recent  
16 hearing and therefore stand as originally adopted.

17 Summary: The proposed withdrawal area is currently  
18 designated Low Density Residential, Resource Protection, Major  
19 Hazards and Public and Community Use Open Space in Clackamas  
20 County's comprehensive plan.

21 The proposed withdrawal area is located on the southwest side  
22 of Oregon City bounded on the northwest by Highway 99 and on the  
23 southeast by Canemah Rim. The area is vacant, and 185 acres in  
24 size consisting of ten lots. Virtually the entire area has been  
25 identified as land movement area and is designated Major Hazards  
26 Open Space. Slopes vary from 0 to 50 percent and in site specific

1 areas are nearly vertical. Most of the site is 10-20 percent and  
2 20-35 percent slope.

3 The area consists of a series of fairly flat benches  
4 interrupted by steep slopes. The area is heavily forested with  
5 Douglas Fir, Western Red Cedar, Red Alder and Oregon Ash being the  
6 predominant tree species. Small drainage courses run from the top  
7 of Canemah Rim westerly toward Highway 99.

8 Oregon City abuts the area on the southeast. This area is  
9 developed with detached single family residential uses. South of  
10 the city limits, lots are generally one to five acres, developed  
11 with single family residences. The existing UGB abuts to the  
12 south of the proposal area. Lot sizes vary from five to 90 acres.  
13 Comprehensive Plan designations are Rural and Forest.

14 Northeast of the proposed withdrawal area to the city limits  
15 is Urban Low Density Residential undeveloped land. The four lots  
16 are 1, 4, 30 and 30 acres in size. Existing commercial uses  
17 fronting on Highway 99, abut the west side. Uses include a  
18 marina, mobile home court, motel, concrete figurine sales,  
19 warehousing and one vacant lot. The Willamette River lies to the  
20 west paralleled by Highway 99 and the railroad tracks.

21 The property northeast is designated Low Density Residential  
22 with a partial Resource Protection Open Space overlay. Oregon  
23 City has designated land within the city limits Low Density  
24 Residential and Historic District. The developed area east of  
25 Canemah Rim is designated Low Density Residential.

26 The parcels lying between the proposed withdrawal area and

1 the city limits to the north are vacant as is the parcel lying  
2 immediately south of the proposed area. Vacant lands are  
3 interspersed with large lot single family development south of the  
4 city limits east of the Canemah Rim.

5 Existing access to the area is through Oregon City (Fourth  
6 and Fifth Streets) and from Highway 99. The proposed withdrawal  
7 area has no public roads within the site. Access is precluded on  
8 the northern portion fronting Highway 99 due to a vertical basalt  
9 cliff approximately 25 feet in height.

10 South End Road is designated a minor arterial. Highway 99 is  
11 designated a major arterial and scenic roadway. Fourth and Fifth  
12 Streets are designated as local streets by Oregon City. City  
13 staff have indicated Fourth and Fifth Streets cannot be widened  
14 due to steep slopes and existing homes which were constructed  
15 within platted rights-of-way.

16 Standards for Approval (Section 8(c), Ordinance No. 81-105):

17 c(1): The land removed from the UGB meets the conditions for  
18 removal in Subsection (b) of this Section.

19 b(1): Consideration of the factors in Subsection (a) of this  
20 Section demonstrate that it is appropriate that the  
21 land be excluded from the UGB.

22 a(1): Orderly and economic provision of public  
23 facilities and services. A locational  
24 adjustment shall result in a net improvement  
25 in the efficiency of public facilities and  
26 services, including but not limited to water,  
sewerage, storm drainage, transportation, fire  
protection and schools in the adjoining area  
within the UGB; any area to be added must be  
capable of being served in an orderly and  
economical fashion.

1 Sanitary sewers do not exist and the area is not within the  
2 Tri-Cities Service District Boundary, although the area is part of  
3 the Tri-Cities ultimate service area. The proposed withdrawal  
4 area is not currently served by and is not within an existing  
5 water district. Provision of services to the site will be  
6 extremely difficult and quite expensive. Slopes vary from 0 to 50  
7 percent and, in site specific areas, are nearly vertical.  
8 Virtually the entire area has been identified as a land movement  
9 area. Road construction, sewers, waterlines and other public  
10 facilities will be extremely difficult to construct on this site.  
11 Aggravating this situation is the fact that very few units can be  
12 provided on the site. The result is that a tremendous expenditure  
13 for public facilities and services would be necessary to provide a  
14 limited housing supply. And, that supply would be provided at  
15 very high cost per unit. Removal of this property will not impair  
16 the efficiency of services in the adjoining urban area in any way  
17 and will, instead, improve overall service system efficiencies by  
18 eliminating an area that is costly to serve and difficult to  
19 develop.

20 a(2): Maximum efficiency of land uses. Consideration  
21 shall include existing development densities on  
22 the area included within the amendment, and  
23 whether the amendment would facilitate needed  
24 development on adjacent existing urban land.

25 Steep slopes, land movement and flooding create development  
26 hazards in this area. Much of the land has, in consequence, been  
designated "major hazard" in the County's plan. The property  
cannot, as a result, be developed efficiently at urban densities.



1           The area is Douglas Fir Forest Site Class II and III and is  
2 currently forested. The County proposes a Transitional Timber  
3 District designation which would help conserve and enhance this  
4 timber resource.

5           The property is almost entirely vacant; the level of  
6 development, therefore, neither promotes nor inhibits  
7 urbanization.

8           No evidence has been submitted to indicate that retention of  
9 this area within the UGB would facilitate development of adjacent  
10 urban lands in any way.

11           a(3): Environmental, energy, economic and social  
12 consequences. Any impact on regional transit  
13 corridor development must be positive, and any  
14 limitations imposed by the presence of hazards  
or resource lands must be addressed.

15           Highway 99E, which runs along the north of the property, is a  
16 regional transit corridor. However, a 25-foot vertical basalt  
17 cliff precludes direct access to the highway from the site. In a  
18 addition, the area is currently planned for low density  
19 residential development, and the presence of hazards would further  
20 limit the density of development possible. Therefore, retention  
21 of an urban designation would provide little to enhance transit  
22 corridor development and its removal will have no negative impact.

23           Hazards in the area, discussed above, preclude urban  
24 development of most of the area; a non-urban designation is  
25 consistent with protecting development from these hazards.

26           The timber resources in the area are best protected by a  
non-urban designation.

1 No other energy, economic, environmental or social  
2 consequences have been identified.

3 a(4): Retention of agricultural land. When a petition  
4 includes land with Class I through IV Soils,  
5 that is not irrevocably committed to nonfarm  
6 use, the petition shall not be approved unless  
7 the existing location of the UGB is found to  
8 have severe negative impacts on service or land  
9 use efficiency in the adjacent urban area, and  
10 it is found to be impractical to ameliorate those  
11 negative impacts except by means of the  
12 particular adjustment requested.

13 Since the area is currently urban, this standard does not  
14 apply.

15 a(5): Compatibility of proposed urban uses with nearby  
16 agricultural activities. When a proposed  
17 adjustment would allow an urban use in proximity  
18 to existing agricultural activities, the  
19 justification in terms of factors (1) through  
20 (4) of this subsection must clearly outweigh the  
21 adverse impact of any incompatibility.

22 Since the petition would allow currently urban land to be  
23 designated for resource use, this standard does not apply.

24 b(2): The land is not needed to avoid short-term land  
25 shortages for the district or for the county in  
26 which the affected area is located and any  
27 long-term shortage that may result can  
28 reasonably be expected to be alleviated through  
29 addition of land in an appropriate location  
30 elsewhere in the region.

31 Sewering of the Canemah area, if it remained in the UGB,  
32 would occur in the second phase of Tri-Cities Service District  
33 System Construction. It is not, therefore, available for  
34 development in the short-term and so its removal will not affect  
35 the short-term land supply. Any long-term shortages that may  
36 result will be alleviated by the inclusion of the Waldo View  
37 Estates property which will provide more housing density than can

1 be accommodated on the Canemah site.

2 b(3): Removals should not be granted if existing or  
3 planned capacity of major facilities such as  
4 sewerage, water and arterial streets will  
5 thereby be significantly underutilized.

6 No water or sewer lines or new roads have been constructed to  
7 serve the site. The area is not within an existing water  
8 district. The area is not within current Tri-Cities Service  
9 District boundaries but is part of the Tri-Cities Service area.  
10 However, Service District plans can easily be modified to exclude  
11 sewer service for this area, without creating any inefficiencies  
12 for the remaining areas to be served. The planned Willamette  
13 trunk line would have served only this area and can be eliminated  
14 without revising plans for serving the remaining urban area.

15 b(4): No petition shall remove more than 50 acres of  
16 land.

17 This standard does not apply to land removed as part of a  
18 trade.

#### 19 V. Addition of Waldow Estates

20 The Metro Council, in Ordinance No. 83-162, adopted findings  
21 regarding the Waldo Estates acreage. Some of these findings must  
22 be amended based on the recent hearing. The original findings, as  
23 they should be altered, are set out below.

24 A. Summary. The area is located approximately one mile east  
25 of Oregon City lying north of Maple Lane and east of Holly Lane.  
26 The property is vacant with the exception of the Waldow residence  
on Tax Lot 600 and buildings, roadways, landscaping, and utility  
connections located in the area immediately north of Maple Lane.

1 The property is 195 acres consisting of five lots. The southerly  
2 half is flat (0-10 percent slope), lacking significant vegetation  
3 with the exception of a ravine of 20-35 percent slope on the  
4 western edge. The central third of the site consists of 0-10 and  
5 10-20 percent slope. This portion has been identified by DOGAMI  
6 as a land movement area. The northern portion of the site varies  
7 from 0-10 to 35-50 percent slope. A bench separates the middle  
8 and northern portions. A tributary to the main stem of Abernethy  
9 Creek flows north along the eastern edge of the property.

10 Areas by slope category for the property are:

|                  |             |               |             |
|------------------|-------------|---------------|-------------|
| 11 0-10 percent  | 87.98 acres | 20-35 percent | 28.50 acres |
| 12 10-20 percent | 51.72 acres | 35-50 percent | 26.50 acres |

13 Significant vegetation is scattered in groves, associated  
14 with steeper slopes, ravines and watercourses. Principal tree  
15 species are Douglas Fir, Western Red Cedar and Red Alder.

16 Four electrical transmission easements cross the site.

17 In proximity are many small homesites and property owned by  
18 the Oregon City School District. There is a mobile home park  
19 one-fourth mile to the south and east, south of Maple Lane.  
20 Adjacent to the property on the east is McLoughlin Substation  
21 operated by Portland General Electric. Abernethy Creek flows  
22 westerly north of the site.

23 The areas to the north and east of the site are vacant.  
24 Smaller lots immediately adjacent to Waldow Road are developed  
25 with single family residential uses.

26 Site access is via Maple Lane. Maple Lane and Holly Lane are

1 both designated minor arterials. Waldo Road to the east is a  
2 designated local street. The Oregon City Bypass is designated  
3 freeway/expressway and scenic road. [Right-of-way acquisition is  
4 in progress. Construction funds have not been released.]  
5 Construction of the Bypass is underway.

6 All land surrounding the site is designated Rural except for  
7 a small part of the southwest corner. Newell Creek Canyon, which  
8 lies between the site and the UGB to the west, is designated  
9 Forest. This designation extends from the Oregon City UGB east to  
10 the upper slopes of Newell Creek Canyon near Holly Lane.

11 An off-site sewer trunk line presently is under construction  
12 to connect with and serve the Waldow Estates acreage. The trunk  
13 line will connect with the Tri-Cities Sewer District sewage  
14 treatment plant, which is to be completed soon. The plant will  
15 have excess capacity for sewage from the Waldow Estates acreage.  
16 [The area is currently not served by sanitary sewers; however, the  
17 Board of Commissioners has recommended to the Portland  
18 Metropolitan Area Local Government Boundary Commission the area be  
19 included in the Tri-Cities Sewer District.]

20 Standards for Approval (Section 8(c) of Ordinance  
21 No. 81-105):

22 c(2): Consideration of the factors in Subsection (A) of this  
23 section demonstrate that it is appropriate that the land to  
24 be added should be included within the UGB.

25 a(1): Orderly and Economic Provision of Public Facilities  
26 and Services. A locational adjustment shall result  
in a net improvement in the efficiency of public  
facilities and services, including but not limited  
to water, sewerage, storm drainage, transportation,  
fire protection and schools in the adjoining area

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15 - REPORT AND RECOMMENDATION OF HEARINGS OFFICER

**Christopher P. Thomas**  
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1                   within the UGB; any area to be added must be capable  
2                   of being served in an orderly and economical  
3                   fashion.

4           Water: The property can be provided with water in an orderly  
5           and economic fashion. A water system for this project has been  
6           designed to connect with the Clairmont Water District. The  
7           District has capacity to provide water service to the project  
8           area. Moreover, inclusion of this area will provide for  
9           construction of a water pump station at Molalla Avenue which will  
10           improve water service to the urban areas along Molalla Avenue and  
11           South End Avenue. Urban development of Waldow Estates site will  
12           improve the efficiency of water facilities and services.

13           Sewerage: Waldow Estates can be provided with sewer service  
14           in an orderly and economic fashion. A sewer collection system has  
15           already been designed for the Waldow site. The off-site portion  
16           of the sewer line is presently under construction under County  
17           Assessment District 84-1 and will provide excess capacity beyond  
18           that needed to handle sewage from the site. Inclusion of the  
19           Waldow area will facilitate early construction of the Tri-Cities  
20           Sewage Treatment Plant by making at least \$700,000 in prepaid  
21           sewer construction fees available to help fund system  
22           implementation. The Plant will have sufficient capacity to handle  
23           the site. Urban development of the Waldo Estates site will  
24           improve the efficiency of sewerage facilities and services.

25           Fire Protection: Waldow Estates can be provided with fire  
26           protection services in an orderly and economic fashion. Fire  
27           protection can be provided to the site by placing fire hydrants

1 every 250 feet along all roads in the development. Urban  
2 development of the Waldow Estates site would have no significant  
3 impact on the efficiency of fire protection facilities or  
4 services.

5 Schools: The likely development on the Waldow Estates site  
6 is a 600 unit mobile or modular home development. The development  
7 would be likely to have 360 school age children. Oregon City  
8 Public Schools, which serve the area, have 399 less students today  
9 than they did in 1980. Even at this reduced student population  
10 level, however, the elementary schools have only a small excess  
11 capacity; the junior high schools are at or slightly over  
12 capacity; and there are expected to be for several years about 100  
13 more students than the high school capacity. One reason for the  
14 tight school situation is that school district budgetary  
15 constraints have prevented the district from engaging in needed  
16 construction and remodeling activities.

17 The development of the Waldow Estates site thus will put  
18 increased pressure on the school system. The exact extent of the  
19 pressure is impossible to determine, since not all of the 360  
20 school age children will be new entrants to the school district.  
21 Many may be children relocating from other mobile home  
22 developments that are closing.

23 The development of the Waldow Estates site, on the other  
24 hand, will generate approximately \$423,000 in property tax  
25 revenues for the School District. This will relieve the burden on  
26 other property owners in the District and thus may enhance the

1 possibility of obtaining voter approval of funding for needed  
2 construction and remodeling. This benefit will be especially  
3 great with a mobile home development, since a conventional 600  
4 unit housing development would be likely to have 720 school age  
5 children rather than the 360 for a mobile home development.

6 It is likely that the high school overcrowding will continue  
7 for 3 or 4 more years, after which the situation will improve. At  
8 the same time, the build out and occupancy of a development at  
9 Waldow Estates will take 3 to 5 years. Thus the pressure on  
10 school capacity created by Waldow Estates is not likely to be  
11 severe even in the short run, and over the long run school  
12 services can be provided in an orderly and economic fashion.  
13 Furthermore, in the long run, due to the high tax revenues from  
14 the development relative to the likely number of children, there  
15 is likely to be some net gain in the efficiency of school  
16 services.

17 Transportation: Making reasonable assumptions about traffic  
18 improvements that will be undertaken over the next twenty years,  
19 by the year 2005, without development of the Waldow Estates site,  
20 there are two nearby intersections that under a worst case  
21 analysis are likely to have excessive traffic levels. These are  
22 the intersection of the Oregon City Bypass with Beaver Creek Road  
23 and the intersection of Beaver Creek Road with Maple Lane.  
24 Regardless of site development, it thus will be necessary if the  
25 worst case occurs to carry out improvements at those  
26 intersections.



1           Although development of the Waldow Estates site will add  
2 traffic to the area, the additional traffic will be minor and will  
3 not cause any additional intersections to have excessive traffic.  
4 Furthermore, the improvements at the two intersections that will  
5 have to be done to handle excessive traffic under the worst case  
6 circumstance will be sufficient to absorb the additional traffic  
7 from the site.

8           Clackamas County, in approving development of the site with a  
9 600 unit mobile home development, has required that any  
10 development beyond approximately 300 units include a \$40,000  
11 contribution by the developer for improvements at either or both  
12 of the Oregon City Bypass/Beavercreek Road and Beavercreek  
13 Road/Maple Lane intersections.

14           Based on these factors, Waldow Estates can be provided with  
15 transportation services in an orderly and economic fashion.  
16 Furthermore, there will be a net gain in efficiency of the  
17 existing transportation system and of any future improved system  
18 if the development occurs.

19           Other: There is no evidence that the development of the  
20 Waldow Estates site would have a net impact on storm drainage or  
21 any other public facilities and services.

22           Conclusion: Overall, the Waldow Estates site can be served  
23 by public facilities in an orderly and economic fashion.  
24 Development of the site would provide a substantial net  
25 improvement in the efficiency of public facilities and services to  
26 the adjoining area.

1 [The Council has already found that the property can be  
2 provided with urban services in an orderly and efficient manner  
3 (August 6 Findings No. 26 and No. 27, pg. 9), assuming sewerage  
4 service is provided by the Tri-Cities Service District and transit  
5 service is provided by private shuttle or other arrangement  
6 satisfactory to Tri-Met. Approval of the County's petition  
7 should, therefore, be conditioned to assure that these two  
8 assumptions are realized. Inclusion of this area will facilitate  
9 early construction of the Tri-Cities Sewage Treatment Plant by  
10 making at least \$700,000 in prepaid sewer construction fees  
11 available to help fund system implementation. Inclusion of this  
12 area will also provide for construction of a water pump station at  
13 Molalla Avenue which will improve water service to the urban areas  
14 along Molalla Avenue and South End Avenue. Waldo Estates can be  
15 provided with sewer service more efficiently than Canemah.  
16 Approval of this addition in trade for the Canemah area thus  
17 eliminates the inefficiency of providing sewer service to the  
18 Canemah area while adding an area that can be sewered more easily.  
19 The addition would not create any reduction in the efficiency of  
20 other services; approval would, therefore, result in a net  
21 increase in service efficiencies in the adjoining urban area.]

22 a(2): Maximum Efficiency of Land Uses. Consideration  
23 shall include existing development densities on  
24 the area included within the amendment, and  
25 whether the amendment would facilitate needed  
26 development on adjacent existing urban land.

[The Council already has found that development of the  
property as proposed promotes maximum land use efficiency (August

1 6 Findings Nos. 30 and 31, pp. 10-12). The property is vacant  
2 except for one house; the level of existing development thus  
3 neither promotes nor inhibits urbanization.]

4 The Waldow Estates site is capable of full development within  
5 any constraints imposed by applicable zoning and comprehensive  
6 plan regulations. Since the property is vacant except for one  
7 house and development-related facilities, the level of existing  
8 development will not impair development of the site to its maximum  
9 potential. [Approval of the addition] Furthermore, development  
10 of the site would support nearby commercial development along  
11 Mollala Avenue.

12 1a(3): Environmental, Energy, Economic and Social  
13 Consequences. Any impact on regional transit  
14 corridor development must be positive, and any  
15 limitations imposed by the presence of hazards  
16 or resource lands must be addressed.

17 [Highway 99E is the regional transit corridor that would  
18 serve both this area and the area proposed for removal. Because  
19 this area can be more efficiently developed, and so can  
20 accommodate more people, and because the project proposed for this  
21 area is designed for elderly residents, who have a higher  
22 proportion of transit ridership than the population as whole, the  
23 impact of this amendment on transit in this corridor, if any,  
24 would positive.]

25 Transit Corridor Development: Highway 99E is the regional  
26 transit corridor that serves the Waldow Estates area. There is no  
27 evidence of any impact on transit corridor development.

28 Economic and Social Consequences: There currently are 4,930

1 mobile home park spaces in Clackamas County. Of these spaces, 522  
2 are on land zoned for commercial or industrial use; 564 are near  
3 or adjacent to commercial or industrial land; and 864 are along  
4 significant highway corridors. The vacancy rate is low.

5 According to County staff, over the next 20 years the County  
6 may experience a shortage of commercially zoned land, and may need  
7 to bring an additional 2500 acres under commercial zoning. The  
8 County also may need additional industrial land. Thus pressures  
9 for commercial and industrial uses may jeopardize the continued  
10 use of those mobile home spaces that are land that is zoned or is  
11 reasonably likely to be zoned for commercial or industrial use.  
12 In fact, some mobile home parks already have closed in order to  
13 convert to commercial or industrial use. The total number of  
14 mobile home spaces presently susceptible to this pressure is  
15 1,950, or about 40 percent of all mobile home spaces in the  
16 County. Thus over the long term, there is likely to be a  
17 significant need for new mobile or modular home developments in  
18 the County. The Waldow Estates site can be efficiently developed  
19 to meet this need.

20 Environmental Consequences: About 55 acres of the Waldow  
21 Estates site is sloped 20 percent or more, and some of the slopes  
22 may be subject to steep land movement. [However, the area  
23 affected by hazards is substantially less than in the Canemah  
24 area, and so the environmental consequences of developing this  
25 area instead of Canemah are positive. Inclusion of this area  
26 within the UGB would allow for development of a large mobile home

1 subdivision for seniors, with a variety of community amenities.  
2 Provision of moderate cost retirement housing for seniors in a  
3 community of their peers has clear and important positive social  
4 consequences.] Notwithstanding this, however, there are adequate  
5 local land use procedures available to allow efficient development  
6 of the site. Development of the site will mean the loss of  
7 substantial amounts of attractive open space. The loss of this  
8 space will be partially ameliorated, however, by application of  
9 the Clackamas County Design Review and Open Space Assessment  
10 procedures, which will help assure an aesthetic use of the site  
11 that preserves some of its environmental attractiveness.

12 Waldow Estates contains no resource lands and is surrounded  
13 by non-resource land on all sides, with the exception of some  
14 lands which abut the property to the northeast [,for which the  
15 County's rural designation has been successfully contested on the  
16 grounds that the County has not demonstrated that these lands are  
17 irrevocably committed to non-resource use.] Unless and until the  
18 County demonstrates that it is impossible to protect these lands  
19 for resource use, they must be considered a farm or forest  
20 resource protected by LCDC Goal #3 or #4, or both. [Approval of  
21 the proposed addition] Inclusion of the Waldow Estates site  
22 within the UGB would have negative environmental consequences on  
23 this resource only if the urban development so allowed would cause  
24 conflicts with farm or forest use on these adjoining lands. [The  
25 applicant has expressed his willingness to design the proposed  
26 subdivision in such a way that all lands east of the section line

1 (see Exhibit A-3) are] The development on the site, however, is  
2 proposed in such a way that all lands abutting the resource lands  
3 would be developed at a density not to exceed one unit on every  
4 five acres, so as to provide an effective buffer between urban and  
5 resource use that would eliminate any potential conflicts. If the  
6 development is designed and approved accordingly, there will be no  
7 negative environmental consequences for adjacent farm or forest  
8 use, nor can this amendment be considered to interfere with farm  
9 or forest use in any way.

10 a(4): Retention of Agricultural Lands. When a  
11 petition includes land with Class I through IV  
12 Soils, that is not irrevocably committed to  
13 nonfarm use, the petition shall not be approved  
14 unless the existing location of the UGB is found  
15 to have severe negative impacts on service or  
land use efficiency in the adjacent urban area,  
16 and it is found to be impractical to ameliorate  
17 those negative impacts except by means of the  
18 particular adjustment requested.

19 Metro previously, in Ordinance No. 83-162, reviewed and  
20 accepted the applicant's findings entitled "Waldow View Estates:  
21 Proposed Findings Re: Commitment to Non-Farm Uses," which is  
22 attachment 1 to Exhibit C to Ordinance No. 83-162. Based on this,  
23 Metro found that Waldow Estates is irrevocably committed to  
24 non-farm use and that this standard, therefore, does not apply.

25 a(5): Compatibility of Proposed Urban Uses with Nearby  
26 Agricultural Activities. When a proposed  
adjustment would allow an urban use in proximity  
to existing agricultural activities, the  
justification in terms of factors (1) through  
(4) of this subsection must clearly outweigh the  
adverse impact of any incompatibility.

Metro previously found, in Ordinance No. 83-162, that this

Page standard does not apply, as there are no nearby agricultural

1 activities.

2 c(3): If, in considering factor 1 of Subsection (A) the  
3 petitioner fails to demonstrate that existing or planned  
4 public services or facilities can adequately serve the  
5 property to be added to the UGB without upgrading or  
6 expanding the capacity of those facilities or services, the  
7 petition shall not be approved absent a showing of unusual  
8 circumstances.

9 [Development of the area proposed for addition would require  
10 upgrading of the Claremount Water District's facilities in order  
11 to provide an adequate water supply to the site. However, some  
12 improvements to the system would be needed in any case and this  
13 addition would allow needed improvements to be made most  
14 effectively. Furthermore, approval of this addition as part of  
15 the trade proposed allows for more efficient provision of sewer  
16 service than would be possible if the Canemah area were sewerred  
17 instead. Finally, the benefits to the region of allowing  
18 development of the proposed senior community are strong enough to  
19 justify any negative consequences resulting from modification of  
20 service plans. Metro finds, accordingly, that these unusal  
21 circumstances warrant approval even though some facilities will  
22 need to be upgraded in consequence, provided that approval is  
23 conditioned to ensure that the land to be added is used for the  
24 purposes proposed.]

25 All public services and facilities needed to serve the Waldow  
26 estates site are either in existence, under construction, or  
27 planned for construction. In addition, the need for mobile home  
28 space, discussed above, is an unusual circumstance that justifies  
29 the inclusion of this site within the UGB. Furthermore, the

1 inclusion of the Waldow Estate sites will alleviate the unusual  
2 circumstance of the Canemah trade site being within the UGB but  
3 largely undevelopable.

4 VI. Overall Evaluation of Proposed Trade

5 c(4): Any amount of land may be added or removed as a result of a  
6 petition under this Subsection but the net amount of vacant  
7 land added or removed as a result of a petition shall not  
8 exceed ten (10) acres. Any area in addition to a ten (10)  
9 acre net addition must be identified and justified under  
10 the standards for an addition under Subsection (d) of this  
11 section.

12 The net amount of vacant land to be added pursuant to the  
13 trade does not exceed 10 acres.

14 c(5): The larger the total area involved, the greater must be the  
15 difference between the relative suitability of the land to  
16 be added and the land to be removed based on consideration  
17 of the factors in Subsection (a).

18 The Canemah area proposed for removal is almost entirely  
19 constrained by steep slopes and land movement, while less than a  
20 third of the Waldow Estates property is subject to these hazards.  
21 furthermore, because the Waldow Estates property is in one  
22 ownership that includes both buildable and unbuildable lands,  
23 density can be transferred from hazardous areas to achieve a  
24 higher density than is normally possible in the County's low  
25 density residential areas, while the hazard areas can be  
26 integrated into the project to provide open space and recreational  
opportunities.

The Canemah area is not only less suited topographically for  
urbanization, but is suitable for resource protection under the  
County's Transitional Timber District. [The Waldow Estates

Page property would be used to provide a unique and desirable senior



1 community for which the Canemah area is neither suitable nor  
2 available.] Furthermore, urban development of the Canemah site  
3 would be highly uneconomic and inefficient in terms of public  
4 services and facilities, whereas urban development of the Waldow  
5 Estates site would be both economic and efficient.

6 [The] In conclusion, the differences between the suitability  
7 of the two sites for urban development are sufficiently great to  
8 warrant an adjustment of this size.

9 VII. Handling of Ordinance No. 83-162 Conditions

10 Based on the discussion set out above, the trade of the  
11 Waldow Estates acreage for the Canemah acreage meets the  
12 requirements of Ordinance No. 81-105 without the inclusion of  
13 conditions A and C contained in Ordinance No. 83-162. This is  
14 particularly true in light of evidence submitted which establishes  
15 that there is not a present need for housing for the elderly in  
16 the region. For this reason, the two conditions should be  
17 deleted. In addition, condition D should be amended so that  
18 development on the site is not limited to subdivisions.

19 Although the elimination of condition A means that Metro's  
20 approval of the UGB amendment will not be contingent on  
21 development of Waldow Estates as a mobile home park or  
22 subdivision, it is more appropriate that the imposition of  
23 development conditions be left to the local land use regulatory  
24 body, in this case Clackamas County. Metro's job, within UGB  
25 adjustment proceedings, more appropriately is to determine whether  
26 land should be urbanizable or not urbanizable. Once a

1 determination is made that land should be urbanizable,  
2 determination of what type of urbanization should occur is more  
3 appropriately left to the local land use regulatory body.  
4

5 VIII. Conclusion and Recommendation

6 For the foregoing reasons, the Bank's application should be  
7 approved. The conditions adopted by Ordinance No. 83-162 should  
8 be deleted and replaced by the following conditions:

- 9 A. The Waldow Estates property is annexed to the Tri-Cities  
10 Service District.  
11 B. The development approved for Waldow Estates does not  
12 include any lots smaller than five acres on the land  
13 designated as "reduced density area" on Exhibit A-3 of  
14 Resolution No. 82-293.

15 Dated: Aug. 11, 1986

16 Respectfully submitted,

17 

18 Christopher P. Thomas  
19 Hearings Officer  
20  
21  
22  
23  
24  
25  
26

CONSIDERATION OF ORDINANCE NO. 86-209 AMENDING  
ORDINANCE NO. 85-162 TO ELIMINATE CONDITIONS  
IMPOSED ON THE URBAN GROWTH BOUNDARY AMENDMENT  
ADOPTED FOR CONTESTED CASE NO. 81-2: WALDO  
PROPERTY (FIRST READING)

---

Date: August 29, 1986

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

On October 6, 1983, the Council of the Metropolitan Service District (Metro) adopted Ordinance No. 83-162, which approved an adjustment of the regional Urban Growth Boundary (UGB) that included the addition of an area called Waldo Estates, representing some two hundred (200) acres of land north of the intersection of Holly Lane and Maple Lane Road in Clackamas County, in "trade" for 200 acres in the Canemah area south of Oregon City. The developer requested approval in order to construct a mobile home subdivision for senior citizens. The Council relied upon the developer's proposal in several respects when it found that all applicable standards had been met. In consequence, it identified several specific conditions upon which its approval was contingent. The first of these was:

"that Waldo Estates is developed as a mobile home subdivision providing at least 700 units, available predominately to households with heads 50 years of age or older" (p. 19, Findings, Conclusions and Recommendations of the Regional Development Committee in the Matter of Contested Case No. 81-2.)

An additional condition required an agreement with Tri-Met on providing transit service. Since that time, the property has passed from the developer's hands to the Vancouver Federal Savings Bank which petitioned Metro to remove these two conditions. If this request were approved, the language of a third condition would require revision for consistency but would not be modified in substance. A fourth condition, regarding annexation to the Tri-Cities Service District, has already been met and would be unaffected by the proposed changes. In reviewing this request, the Clackamas County Board of Commissioners recommended approval based upon certain alternative conditions, including a maximum development level of 600 units.

Metro Hearings Officer Chris Thomas held a hearing on this request on July 10, 1986. Representatives for the petitioner spoke in favor; three neighbors appeared in opposition.

Based upon the information and argument presented at the hearing, the Hearings Officer finds that the applicable standards can be met without reliance on the conditions at issue.

He recommends, accordingly, that the conditions be deleted or revised as requested. His Report is attached as Exhibit A. No exceptions to it were filed.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer forwards the Hearings Officer's Report to the Council. The Executive Officer only comments on a Hearings Officer's recommendation, or any exceptions to it, when the issues involve errors of fact or law or major regional policy issues. Neither of these conditions are applicable in this case.

JH/sm  
6140C/472-4  
09/04/86

CONSIDERATION OF ORDINANCE NO. 86-209 AMENDING  
ORDINANCE NO. 85-162 TO ELIMINATE CONDITIONS  
IMPOSED ON THE URBAN GROWTH BOUNDARY AMENDMENT  
ADOPTED FOR CONTESTED CASE NO. 81-2: WALDO  
PROPERTY (SECOND READING)

---

Date: September 12, 1986

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

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J<sup>W</sup>/sm  
6140C/472-5  
09/12/86



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BE IT RESOLVED,

1. That the Council declares its intent to amend the UGB to include the property known as Waldo Estates in order to allow development of large-scale mobile home subdivision with a full range of amenities and support services for senior citizens 50 years of age and older.
2. That the Council intends such amendment to occur following annexation of the subject property to Metro and in conjunction with Council approval of the removal of a comparable amount of land from elsewhere within the UGB at a location to be requested by the applicant consistent with the standards and procedures for trades in Ordinance No. 81-105.
3. That this Resolution shall be effective for twelve (12) months following the date on which it is adopted.

ADOPTED by the Council of the Metropolitan Service District  
this 6th day of August, 1981.

  
\_\_\_\_\_  
Presiding Officer

EB/JH/srb  
3760B/252  
07/17/81

64



1 REGIONAL DEVELOPMENT COMMITTEE PROPOSED

2 FINDINGS FOR CLACKAMAS COUNTY'S

3 REQUEST FOR UGB AMENDMENT

4 July 20, 1981

5 SUMMARY AND CONCLUSIONS

6  
7 The Council recognizes that mobile home subdivisions provide an  
8 attractive lower cost housing alternative to both traditional  
9 subdivisions and mobile home parks. The Council also recognizes  
10 that a mobile home subdivision of 800 to 1,000 units with the array  
11 of amenities and support services proposed for the subject property  
12 would provide a unique and desired living environment for the  
13 region's senior citizens. Accordingly, the Council resolves to  
14 approve an Urban Growth Boundary (UGB) to accommodate the proposed  
15 development.

16  
17 However, the Council does not find that the evident demand for--and  
18 desirability of--a project of this type constitutes a special public  
19 need sufficient to meet State Goal requirements and Metro's own  
20 commitment to effective and responsible urban growth management, nor  
21 is the Council compelled to conclude that a development of the type  
22 proposed could not be constructed within the existing UGB. In  
23 particular, the Council finds that the costs of the project are such  
24 that it will not be affordable for low and moderate income senior  
25 citizens and that approval of the requested amendment on the basis  
26 of a special need for affordable housing has not, therefore, been

1 justified. Accordingly, the Council finds it can approve a UGB  
2 amendment to accommodate the proposed project only if and when it is  
3 proposed as part of a trade consistent with Metro Ordinance  
4 No. 81-105, Establishing Procedures for Locational Adjustments.

5  
6  
7 FINDINGS

8  
9 The following findings are based on the standards for Urban Growth  
10 Boundary (UGB) amendment endorsed by the Regional Development  
11 Committee on May 27, 1981. At that time, the Committee found these  
12 standards an adequate and appropriate application of all applicable  
13 State Goals, in particular, LCDC Goals Nos. 2, 3 and 14.

14  
15 Standard A.1 and 2(A): Findings that there is insufficient land  
16 inside the UGB to meet projected needs for housing, employment  
17 opportunities and semi-public land requirement...

- 18  
19 1. The UGB Findings adopted in November, 1979, found the UGB  
20 adequate to meet anticipated growth needs through the year 2000.  
21  
22 2. These Findings estimated that 26,068 acres of land for  
23 residential use are needed in the region for housing needs  
24 through the year 2000. Over 41,000 acres of vacant,  
25 residentially zoned, land in tracks 10 acres or larger are now  
26 included within the UGB--some 14,000 acres more than are likely

1 to be needed.

2

3 3. When acknowledging Metro's UGB as adopted, LCDC found that  
4 Metro had, in fact, included more land within the UGB than was  
5 justified to meet regional growth needs and found that this  
6 "surplus" land was justified instead on the basis of locational  
7 factors that committed the the land to urban development.

8

9 4. Notwithstanding the Findings of Metro and LCDC that the UGB  
10 contained at least enough land to accommodate urban development  
11 through the year 2000, both Metro and LCDC committed to allow  
12 Clackamas County to seek a UGB amendment from Metro to equalize  
13 the disproportionate distribution of urban land among the three  
14 counties and to ensure that Clackamas County had enough urban  
15 land to meet its own projected growth needs through the year  
16 2000.

17

18 5. As a result, in April, 1980, Metro added almost 1,000 acres to  
19 the UGB in response to the County's request. Metro found this  
20 addition adequate to meet the County's projected growth needs  
21 through the year 2000.

22

23 6. The record includes an analysis of County growth needs by the  
24 Home Builders Association of Metropolitan Portland that was  
25 considered and rejected by Metro and by Clackamas County at the  
26 time the UGB was amended. No additional factual evidence has

1        been submitted to question any of the assumptions and  
2        calculations in Metro's UGB Findings and findings and support  
3        of Clackamas County's amendment to the UGB relating to  
4        population projection, household size, housing vacancy rates,  
5        housing mix, housing density, the amount of existing vacant  
6        land and size of boundary, in-fill and redevelopment potential  
7        and a determination of anticipated growth in rural population  
8        to or to otherwise substantiate a finding that there is  
9        insufficient land to meet general urban needs within the UGB.

10

11 7. Metro finds, therefore, that there is no general need for more  
12 urban land in the region as a whole or in Clackamas County and  
13 that Standard A.1 and 2(a) has not been met.

14

15 A.1 and 2(b): Findings that the particular use proposed is needed...

16

17 8. The applicant has argued that the development proposed would  
18 provide 10 percent low cost and 90 percent moderate cost  
19 housing for senior citizens 50 and older in a mobile home  
20 subdivision of 800 to 1,000 units with certain specified  
21 support services and amenities.

22

23 9. "Low income" is defined in the applicant's record as 50 percent  
24 of median income; "moderate income" as 80 percent of median.

25

26 10. In 1978, median income in the Standard Metropolitan Statistical



1 Area was \$16,900.00; moderate income for a one-person household  
2 was defined as \$9,450.00; for a two-person household as  
3 \$10,800.00.

4  
5 11. The applicant assumes a 2.5 income to value ratio. Using this  
6 ratio, a moderate income, two-person household could afford a  
7 housing unit costing \$26,000.00.

8  
9 12. In 1978, the average cost of a mobile home, including land  
10 costs, was \$39,300.00.<sup>a</sup>

11  
12 13. The average mobile home, therefore, does not meet the needs for  
13 moderate income housing as defined by the applicant and would  
14 have been affordable only to households with a higher than  
15 median income.

16  
17 14. There may, nonetheless, be a public policy objective in  
18 providing housing outside the moderate income range in order to  
19 make home ownership possible for those who have a higher than  
20 median income or who choose to spend more than 25 percent of  
21 their income on housing but who would otherwise not be able to  
22 have this option.

23  
24 15. Although detailed housing statistics countywide are not  
25 available in the record, a 1978 outreach survey for the city of  
26 Milwaukie provides some general indication of the housing needs

1 of the elderly population in Clackamas County. 87 percent of  
2 those interviewed for this survey owned or were buying their  
3 own homes.

4  
5 16. Seventy percent of the elderly surveyed paid no rent or  
6 mortgage payment at all, a figure that presumably reflects  
7 mostly those who have retired the mortgages on their property.  
8 96 percent paid \$250.00 a month or less for rent or mortgage  
9 payment.

10  
11 17. Average monthly cost for the proposed project would be at least  
12 \$600.00 a month.<sup>b</sup> In other words, the housing in a proposed  
13 project would cost more than twice as much as 96 percent of the  
14 elderly community were paying for housing in 1978. A household  
15 paying 25 percent of its income for rent would require an  
16 income of \$29,000 to afford \$600 a month.

17  
18 18. The ammenities proposed for the project would add about \$2,000  
19 to the housing costs of the project.<sup>c</sup>

20  
21 19. 62 percent of the elderly surveyed by the city of Milwaukie  
22 said they did not plan on moving; only five percent expressed  
23 an interest in moving to a retirement community or a facility,  
24 the remaining 33 percent planned on moving to another house,  
25 moving to an apartment, moving in with family or relatives or  
26 had no definite plans.

1 20. Many seniors may, nonetheless, desire to live in a community of  
2 the type proposed. Indeed, there was compelling public  
3 testimony to this effect.

4  
5 21. Metro is eager to accommodate these desires in order to provide  
6 everyone with an opportunity to live in the housing environment  
7 they would prefer, and for this reason Metro is committed to  
8 approve a UGB amendment to accommodate the project if it can be  
9 done without a net cost to the region's public policy  
10 objectives.

11  
12 22. In considering whether to approve a UGB amendment based on  
13 findings that the proposed use is a needed one, the Committee's  
14 standards provide that the Council should take into  
15 consideration LCDC's findings acknowledging the existing UGB,  
16 including its findings that "Metro has drawn a boundary with  
17 28,000 acres of surplus land with the understanding that this  
18 boundary would not be substantially enlarged for 20 years." In  
19 other words, the need for the proposed amendment must be so  
20 compelling as to justify adding more land to an UGB already  
21 found to be more than adequate to meet projected needs for the  
22 next 20 years.

23  
24 23. Metro does not find that the desires of many elderly to live in  
25 a project of this type constitutes a special need which alone  
26 compels the UGB amendment. The proposed project would not meet

1 the clear and compelling need for low and moderate income  
2 housing for elderly, and so does not serve a public policy  
3 objective strong enough to outweigh the costs to the public  
4 policy objectives served by maintaining a fixed or constrained  
5 supply of urban land, in particular, the objectives of  
6 discouraging speculation on and conversion of more resource  
7 lands and of promoting more compact development that increases  
8 service, land-use and energy efficiencies.

9

10 24. Metro finds, therefore, that the proposed project does not  
11 serve public policy objectives to provide low and moderate cost  
12 housing for seniors and that the housing demands and  
13 preferences served by the proposed project do not constitute a  
14 need adequate to justify amendments under these standards.

15

16 25. Metro does, nonetheless, find the project to be one of merit  
17 which will provide a desirable housing alternative which may  
18 not otherwise be available to seniors in the County and the  
19 region. Accordingly, Metro finds the project of sufficient  
20 importance to commit to amend the UGB to accommodate it if and  
21 when such an amendment can be made in conjunction with a trade  
22 removing a comparable amount of land elsewhere in the UGB,  
23 pursuant to the standards and procedures adopted in Metro  
24 Ordinance No. 81-105.

25

26 /////



1 A.3: Orderly and economic provision for public facilities and  
2 services.

3

4 26. The Council has reviewed the applicant's proposed findings  
5 addressing this standard (3.A through I pages 19 to 23) and  
6 concurs with the findings of fact contained therein, with the  
7 exception that the sentence under schools beginning "as the  
8 proposed project will not have any residents under 18,..."  
9 should be modified to read "will have few residents under  
10 18,..." as some households with heads 50 and over may have  
11 school-aged children.

12

13 27. Accordingly, the Council finds that the area added is capable  
14 of being provided with water, sewerage, storm drainage, traffic  
15 circulation, fire protection, and schools, in an orderly and  
16 economical fashion and that those public facilities and  
17 services can be made available at that location; and that the  
18 traffic circulation and other public facility systems of nearby  
19 jurisdictions within the UGB can accommodate the proposed  
20 expansion.

21

22 28. Since, however, these findings are based upon the provision of  
23 services to be provided by the Oregon City Bypass and the  
24 Tri-Cities sewerage treatment plant, future approval of a UGB  
25 amendment to accomodate the proposed project should include  
26 requirements that the land be annexed to Tri-Cities and that,

1 until the Bypass is completed, the project should be phased in  
2 such a way that no more than 200 units are available for  
3 occupancy each year.

4  
5 29. Tri-Met has testified that transit service cannot be  
6 efficiently provided to the site. The applicants propose to  
7 provide transit by means of a shuttle service. This approach  
8 and/or an agreement to subsidize a portion of Tri-Met service  
9 to the site, would be adequate to provide adequate transit  
10 service if there is a written agreement with Tri-Met relative  
11 to the service to be provided signed prior to Metro adoption of  
12 an ordinance approving the amendment as part of a trade.

13  
14 B.4: Maximum efficiency of land use within and on the fringe of the  
15 existing area.

16  
17 30. The Council has reviewed and concurs with this following  
18 findings of the applicant addressing this standard:

19  
20 - "There are 160 buildable acres on the project site.  
21 Assuming 20 percent of the growth's buildable acres are  
22 used for streets, easements, etc., that leaves 128 net  
23 buildable acres. Thus the density of development of the  
24 site under the proposed project is between 6.25 to 7.8  
25 units per net buildable acre (for 800 and 1,000 unit  
26 developments, respectively). This exceeds the base

1 density Clackamas County has planned for its low density  
2 designated areas (4.87 units/acres) by 28 to 60 percent.  
3 It is also very close to Metro's overall standard for  
4 Clackamas County of 8 units per acres."

5  
6 - "The efficiency of land use is supported by the proximity  
7 of the development to commercial activity and the  
8 Community College. The design of the project also  
9 contributes to its efficient use of land by including many  
10 leisure activities and other services on site."

11  
12 - "North of the site...parcelization and development of  
13 usable land fronting on Holly Lane has isolated the bulk  
14 of this land from the Holly Lane/Maple Lane area. Natural  
15 features effectively preclude any intensive use of this  
16 area. The steep topography north of the site effectively  
17 isolates it from the Redland Road area. Similarly, a  
18 ravine between the site and the aforementioned rural  
19 residential area on Holly Lane separates the area from the  
20 site. East of the site, the substation and power line act  
21 as a physical barrier for areas further east. Therefore,  
22 the only adjacent area not physically separated from the  
23 site is the existing rural residential area fronting on  
24 Maple Lane to the south."

25  
26 31. Accordingly, the Council finds that the land to be included can

1 be efficiently developed for urban use, at an appropriate urban  
2 intensity, and that urbanization of the area is compatible with  
3 orderly and efficient use of adjacent urban lands and lands on  
4 the urban fringe.

5  
6 A.5: Environmental, energy, economic and social consequences.

7  
8 32. The Council has reviewed and concurs with the applicant's  
9 findings on environmental consequences (5.A, page 27).

10  
11 33. The Council finds no significant positive or negative energy  
12 consequences of the proposal.

13  
14 34. The property is committed to non-farm use (see Finding #38) and  
15 the applicant has submitted the report of a timber appraiser  
16 finding that the property is not well suited for timber  
17 management (Applicant's Record, pp. 226-228).

18  
19 35. Testimony from the local chapter of the AFL-CIO suggests that  
20 there are positive economic consequences of approving the  
21 amendment, as it would provide substantial construction  
22 activity during a period when activity in the housing market  
23 has been sluggish.

24  
25 36. The project would have the positive social consequences of  
26 allowing seniors an opportunity to live in the type of



1 integrated retirement community many seniors desire.

2

3 37. Metro finds, therefore, that there are no significant negative  
4 environmental, energy, economic, or social consequences and  
5 that the project would have positive economic and social  
6 consequences.

7

8 A.6: Retention of agricultural land.

9

10 38. The Council has reviewed the applicant's finding on this  
11 standard (pages 28 to 30) and the report by the agricultural  
12 consultant on which these findings are based (applicant's  
13 record, pages 200 to 225) and concurs with the applicant  
14 finding that the site is irrevocably committed to non-farm use.

15

16 A.7: Compatibility of the proposed urban uses with nearby  
17 agricultural activity.

18

19 39. There are no existing nearby agricultural activities.

20

21 A.8: No suitable alternative exists within the UGB where use with  
22 the characteristics identified as needed can be provided...

23

24 40. There are ample opportunities within the UGB, including within  
25 the cities and unincorporated areas of Clackamas County, for  
26 the construction of affordable small-scale mobile home

1 subdivision with limited on-site amenities.

2

3 41. Mobile homes cannot compete with other residential uses in  
4 zones where other uses are allowed more units per acre than  
5 mobile homes. In zones where mobile homes are allowed the same  
6 number of units per acre as other residential uses, there is no  
7 evidence in the record that mobile homes cannot compete with  
8 other residential uses. In Clackamas County, mobile home  
9 subdivisions are allowed the same number of units per acre as  
10 other residential uses allowed in the same zone.

11

12 42. There are alternatives available to local jurisdictions to  
13 ensure that the need for a mobile home subdivisions is met  
14 within the UGB, e.g., to provide a density bonus for mobile  
15 home subdivision suspensions to overcome any economic  
16 disadvantage relative to stick built homes.

17

18 43. At a minimum, the following alternatives appear both suitable  
19 and available for a project of the type proposed:

20

21

CLACKAMAS COUNTY

22

Site A: Although this site is noted as "not available" by  
23 the applicant, no owner contact is listed. There are no  
24 findings by the applicant "demonstrating why level of  
25 parcelization makes land assembly unfeasible," as required  
26 by Committee standard A.8.(d).

1 MULTNOMAH COUNTY

2 Site MC.1: In the applicant's record, page 109, this site  
3 is identified as the County Farm, in Troutdale. It is  
4 rejected by the applicant "because of potential for  
5 intensive use and unknown intent for the site by the  
6 County." Public sewer and water are available, it is  
7 located proximate to adequate support activities and has  
8 no major topographic constraints. Although Committee  
9 standards A.8.(c) provides that a site may be rejected if  
10 "valued for a substantially more intensive use," the  
11 applicant's data do not demonstrate this to be the case.  
12

13 WASHINGTON COUNTY

14 Site C: Rejected by applicant because "annexation  
15 required but not feasible in near future; owned by  
16 prospective developer." Where annexation is required  
17 because of a City/County agreement not to extend sewers  
18 without annexation, there should be findings to show why  
19 this agreement could not be amended, as it has been for  
20 the subject site, in order to meet standard A.8.(b). The  
21 fact the current owner would like to develop the property  
22 himself does not make the site either unsuitable or  
23 unavailable for the proposed use.  
24

25 Site M: Rejected by the applicant on the grounds that  
26 "annexation is required for development, which is not

1 feasible in foreseeable future" and that it is "partially  
2 zoned industrial." See findings on Site C, above,  
3 regarding annexation requirements. See comments on MC-1  
4 regarding zoning.

5  
6 Site N and O: There are no findings as to why the fact  
7 that these sites are planned and zoned for industrial use  
8 make them unsuitable.

9  
10 Site P: When comparing a site within the UGB that is  
11 "difficult to sewer" with one now outside the UGB that  
12 requires a major sewer extension, there should, at a  
13 minimum, be findings showing that extending sewers to the  
14 subject site would nonetheless promote more efficient sewer  
15 provisions than development of the alternative site.  
16 There are no facts or reasons in the record adequate to  
17 support such a finding.

18  
19 44. The Council finds, therefore, the evidence that suitable  
20 locations within UGB are not available where the proposed use  
21 could be accommodated is not compelling. Including additional  
22 land within the UGB when alternatives for the proposed use are  
23 available creates an unneeded surplus of urban land  
24 inconsistent with State Goal requirements, LCDC's  
25 acknowledgment order, and with Metro's commitment to  
26 accommodate the region's growth in an orderly, efficient and



1 economic manner.

2

3 45. If a comparable amount of land were removed from the UGB, no  
4 such surplus would be created and an UGB amendment could be  
5 approved without further consideration of alternative sites  
6 within the UGB.

7

8 A.9: The proposed location is the most suitable alternative outside  
9 the UGB to accommodate the needed use...

10

11 46. Since the need for a UGB amendment to accommodate the proposed  
12 use has not been substantiated under standards A.1 and 2 and  
13 A.8 alternative locations for a UGB amendment need not and have  
14 not been evaluated.

15

16 E. Based upon consideration of the above factors, any major  
17 amendments of the UGB shall be supported by findings that  
18 demonstrate with compelling reasons and facts: (1) why the proposed  
19 use should be provided for; (2) what alternative locations within  
20 the region could be used for the proposed land use..

21

22 47. Although the project would be a desirable addition to the  
23 region's range of housing choices, the Council is not compelled  
24 to conclude that a mobile home subdivision of the scale  
25 proposed with all the amenities proposed must be provided for.  
26 Nor is the Council compelled to conclude that there are no

1 suitable alternatives within the UGB that could accommodate the  
2 use as proposed.

3

4 C. Before approving any UGB amendment, the Council shall consider  
5 and accommodate as much as possible relevant comprehensive plan  
6 provisions and applicable intergovernmental agreements...

7

8 48. Both Clackamas County and Oregon City have supported the  
9 proposed project and the UGB amendment necessary to accommodate  
10 it.

11

12 49. An amendment to accommodate the proposed use would be  
13 consistent with relevant comprehensive plan provisions and  
14 applicable intergovernmental agreements as discussed in the  
15 Applicant's Findings on this standard (p. 36).

16

17 CONCLUSION AND RECOMMENDATION

18

19 The requested UGB amendment at issue in this case is one that would  
20 permit a desirable development with obvious merit. The Committee  
21 approves of developments such as the one proposed. However, the  
22 Committee concludes that under the applicable standards for  
23 approving an amendment to an acknowledged UGB, the requested  
24 amendment could only be approved as a trade under the standards and  
25 procedures adopted in Metro Ordinance No. 81-105.

26

FOOTNOTES

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a. -An average mobile home in 1978 cost: \$22,000  
-Delivery and set up charges equal  
approximately 15 percent of sale price, or: 3,300  
-An average improved lot in 1979 was \$21,000,  
up 400 percent from 1973. Assuming an  
average increase of 67 percent a year, a  
lot in 1978 would cost: 14,000  
Total Cost: \$39,300

b. The Applicant estimates that an installed double wide mobile  
home unit would cost \$25,900 and that each lot in the proposed  
project would cost approximately \$21,000, totaling  
approximately \$47,000. In a letter to Mark Greenfield from  
Jonathan Moore, monthly payments for a 90 percent or \$45,000  
sale at 13 percent would be \$526. A \$47,000 sales price would  
add approximately \$25 a month to monthly payments. As an  
estimate of monthly costs, this figure is likely to be an  
underestimate since: (1) mobile home costs cited are not  
current 1981 figures and so do not reflect inflation; (2) lot  
costs cited do not appear to include developer profit; and (3)  
13 percent loans may not be available in the near future. The  
Applicant estimates monthly homeowner association fees at \$15 a  
month, although 1000 Friends has submitted evidence that  
average fees in Eugene run \$70 a month.

|   |   |                |
|---|---|----------------|
| 1 | c. -Applicant estimates the golf course | \$ 450,000     |
| 2 | -The recreation center                  | 1,100,000      |
| 3 | -The community center                   | <u>600,000</u> |
| 4 |   | \$2,150,000    |

5 -Divided among 800 to 1,000 units

8 JH/gl  
9 3729B/255

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66



Jill Hinckley, Land Use Coordinator, explained the Council had previously adopted Resolution No. 86-651 which adopted the Hearings Officer's findings for placing the land within the Urban Growth Boundary. By adoption of this Ordinance, the Boundary would be changed.

Motion: Councilor Kelley moved the Ordinance be adopted and Councilor Gardner seconded the motion.

Presiding Officer Waker opened the public hearing on the Ordinance. Being no testimony, the public hearing was closed. He announced a second reading of the Ordinance would occur on September 25, 1986.

6.3 Consideration of Ordinance No. 86-209, Amending Ordinance No. 83-162 to Eliminate Conditions Imposed on the Urban Growth Boundary Amendment Adopted for Contested Case No. 81-2: Waldo Estates (First Reading and Public Hearing)

Ms. Hinckley reviewed information contained in the written staff report. A discussion followed regarding why the original decision had been made to include the property within the UGB. Councilor Van Bergen questioned why the Council had made a decision based on land use factors. Councilor Oleson, present on the Council when the original decision was made, explained the uniqueness of the project had provided momentum for the Council's action. He agreed the case needed revisiting.

Motion: Councilor DeJardin moved the Ordinance be adopted and Councilor Kelley seconded the motion.

Presiding Officer Waker opened the public hearing explaining only parties who had participated in the original Contested Case hearing could testify.

Mark O'Donnell of Vancouver Federal Savings Bank testified his firm had not filed formal objections but he would answer questions of the Council. There were no questions.

There were no questions of Mr. O'Donnell and no further testimony was presented. The Presiding Officer Waker closed the public hearing.

In response to Councilor Hansen's question, Ms. Hinckley said the Council had indicated when they heard testimony on the Earle May and city of Wilsonville contested case, they would not consider Boundary adjustments based on conditional land uses. She acknowledged, although she thought it unlikely, the Land Use Board of Appeals could disagree with the Council.

The Presiding Officer announced the second reading of the Ordinance would occur on September 25, 1986.

6.4 Consideration of Ordinance No. 86-210, for the Purpose of Authorizing a Temporary Reduction in Disposal Rates for Source Separated Yard Debris at the St. Johns Landfill (First Reading and Public Hearing)

The Clerk read the Ordinance by title only for the first time.

Norm Wietting, Solid Waste Operations Manager, presented staff's report as printed in the agenda materials.

Presiding Officer Waker asked how the source separated yard debris would eventually be used. Mr. Wietting said the material would be processed for use as landfill top soil which had previously been purchased by Metro from other sources.

Responding to Councilor Hansen's question, Mr. Wietting said the landfill operator's contract provided for control of rodents in the area.

Motion: Councilor Kelley moved the Ordinance be adopted and Councilor Frewing seconded the motion.

Presiding Officer Waker opened the public hearing on the Ordinance.

Estle Harlan, 2202 Lake Road, Milwaukie, Oregon, a consultant for the Oregon Sanitary Service Institute, testified her main concern with the Ordinance was a new definition had been given for "source separated yard debris." She was concerned that Metro-imposed collection requirements could dictate the use of separate trucks for yard debris collection. This, she said, would require considerable capital outlay for haulers. She pointed out that if a market system were in place, the collection industry would have a collection system in place.

Ron Hohnstein, 11505 S.W. Jody Street, Beaverton, was concerned a temporary proposal would become an unfair, permanent policy.

There being no further testimony, Presiding Officer Waker closed the public hearing on the Ordinance.

Councilor Van Bergen was concerned about whether loads would be adequately screened to ensure the material was yard debris. The Presiding Officer said the Ordinance provided for the landfill operator to screen material and he thought most of the public would dispose the type of material allowed.



Motion: Councilor Kafoury moved to adopt Resolution No. 86-688 and Councilor Kelley seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Gardner, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Kirkpatrick and Oleson

The Motion carried and Resolution No. 86-688 was adopted.

7.1 Consideration of Ordinance No. 86-208, Adopting a Final Order and Amending the Urban Growth Boundary for Contested Case No. 85-9: Riviera Motors Property (Second Reading)

The Clerk read the Ordinance by title only a second time.

Motion: A motion to adopt the Ordinance was made by Councilors Kelley and Gardner on September 11, 1986.

There was no discussion on the Ordinance.

Vote: A vote on the motion resulted in:

Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker

Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The Motion carried and Ordinance No. 86-208 was adopted.

7.2 Consideration of Ordinance No. 86-209, Amending Ordinance No. 83-162 to Eliminate Conditions Imposed on the Urban Growth Boundary Amendment Adopted for Contested Case No. 81-2: Waldo Estates (Second Reading)

The Clerk read the Ordinance a second time by title only.

Motion: A motion to adopt the Ordinance was made by Councilors DeJardin and Kelley on September 11, 1986.

Councilor Kafoury recalled the circumstances under which the UGB was originally changed in the Waldo Estates case. She hoped the lessons learned as a result of that decision would serve the Council for some time to come.

Councilor Van Bergen said although he would support the Ordinance, he hoped a policy could be established to prohibit the Council from making a UGB-related decision based on land use conditions. The Council, he said, had no ability to enforce those kinds of decisions.

- Vote: A vote on the motion resulted in:
- Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker
- Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson

The Motion carried and Ordinance No. 86-209 was adopted.

9.2 Consideration of a Contract with SCS Engineers, Inc. for a Solid Waste Characterization Study

Doug Drennen, Solid Waste Engineering/Analysis Manager, presented staff's report as published in the agenda materials. He explained although the project had been included in the FY 1986-87 budget, additional funds would have to be transferred from contingency to fund the total contract. Responding to the Presiding Officer's question, he said the project was an element in the Solid Waste Reduction Program previously adopted by the Council.

At Councilor Frewing's request, Mr. Drennen reviewed the proposed schedule for key seasonal waste characterization samplings: November to January 1; January 20 to February; and the first part of May.

Councilor Van Bergen said because the completed waste characterization study would have a major impact on most solid waste projects, he thought staff should spend the time and extra funds to ensure the project was completed as thoroughly as possible. Mr. Drennen responded that staff would keep careful track of demographic aspects of samples collected as a prelude to future, in-depth demographic studies.

- Motion: Councilor Van Bergen moved to approve the contract and Councilor Kafoury seconded the motion.
- Vote: A vote on the motion resulted in:
- Ayes: Councilors Cooper, Frewing, Hansen, Kafoury, Kelley, Van Bergen and Waker
- Absent: Councilors Collier, DeJardin, Gardner, Kirkpatrick and Oleson





# METRO

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

September 29, 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 files maintained by your county.

Ordinance No. 86-207, for the Purpose of Defining a Planning Procedure for Designating Areas and Activities for which a Functional Plan May Be Adopted

Ordinance No. 86-208, Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 85-9: Riviera Motors

Ordinance No. 86-209, Amending Ordinance No. 83-162 to Eliminate Conditions Imposed on the Urban Growth Boundary Amendment Adopted for Contested Case No. 81-2: Waldo Estates

Ordinance No. 86-210, Authorizing a Temporary Reduction in Disposal Rates for Source Separated Yard Debris at the St. Johns Landfill

Sincerely,

A. Marie Nelson  
Clerk of the Council

amn

Enclosures (4)

**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

John Frewing  
District 8

Tanya Collier  
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

September 29, 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 files maintained by your county.

**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

John Frewing  
District 8

Tanya Collier  
District 9

Larry Cooper  
District 10

Marge Kafoury  
District 11

Gary Hansen  
District 12

Executive Officer  
Rick Gustafson

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Ordinance No. 86-210, Authorizing a Temporary Reduction in Disposal Rates for Source Separated Yard Debris at the St. Johns Landfill

Sincerely,

A. Marie Nelson  
Clerk of the Council

amn

Enclosures (4)



# METRO

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

September 29, 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 ordinances in the Metro files maintained by your county.

**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

John Frewing  
District 8

Tanya Collier  
District 9

Larry Cooper  
District 10

Marge Kafoury  
District 11

Gary Hansen  
District 12

Executive Officer  
Rick Gustafson

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Sincerely,

A. Marie Nelson  
Clerk of the Council

amn

Enclosures (4)