

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ADOPTING A FINAL) ORDINANCE NO. 87-219
ORDER AND AMENDING THE METRO URBAN)
GROWTH BOUNDARY FOR CONTESTED CASE)
NO. 86-2: WEST COAST AUTO SALVAGE)

WHEREAS, On February 12, 1987, the Council of the Metropolitan Service District (Metro) adopted Resolution No. 87-733, for the purpose of accepting the Hearings Officer's Report on Contested Case No. 86-2 (West Coast Auto Salvage) and expressing Council intent to amend the Urban Growth Boundary; and

WHEREAS, Exhibit B of Resolution No. 87-733 is the Findings of Fact, and Conclusions of Law that justify amendment of the Urban Growth Boundary (UGB) as petitioned; and

WHEREAS, Resolution No. 87-733 expressed the Council's intent to so amend the UGB once the subject property was annexed to Metro; and

WHEREAS, On March 12, 1987, the Portland Metropolitan Area Local Government Boundary Commission approved annexation of the subject property to the city of Sherwood and, with it, to Metro; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The Metro Urban Growth Boundary, as adopted by Ordinance No. 79-77, is hereby amended as shown in Exhibit "A" of this Ordinance which is incorporated by this reference.

Section 2. Parties to Contested Case No. 86-2 may appeal this Ordinance under Metro Code Section 2.05.050 and ORS ch. 197.

ADOPTED by the Council of the Metropolitan Service District
this 26th day of March, 1987.



Jim Gardner,
Deputy Presiding Officer

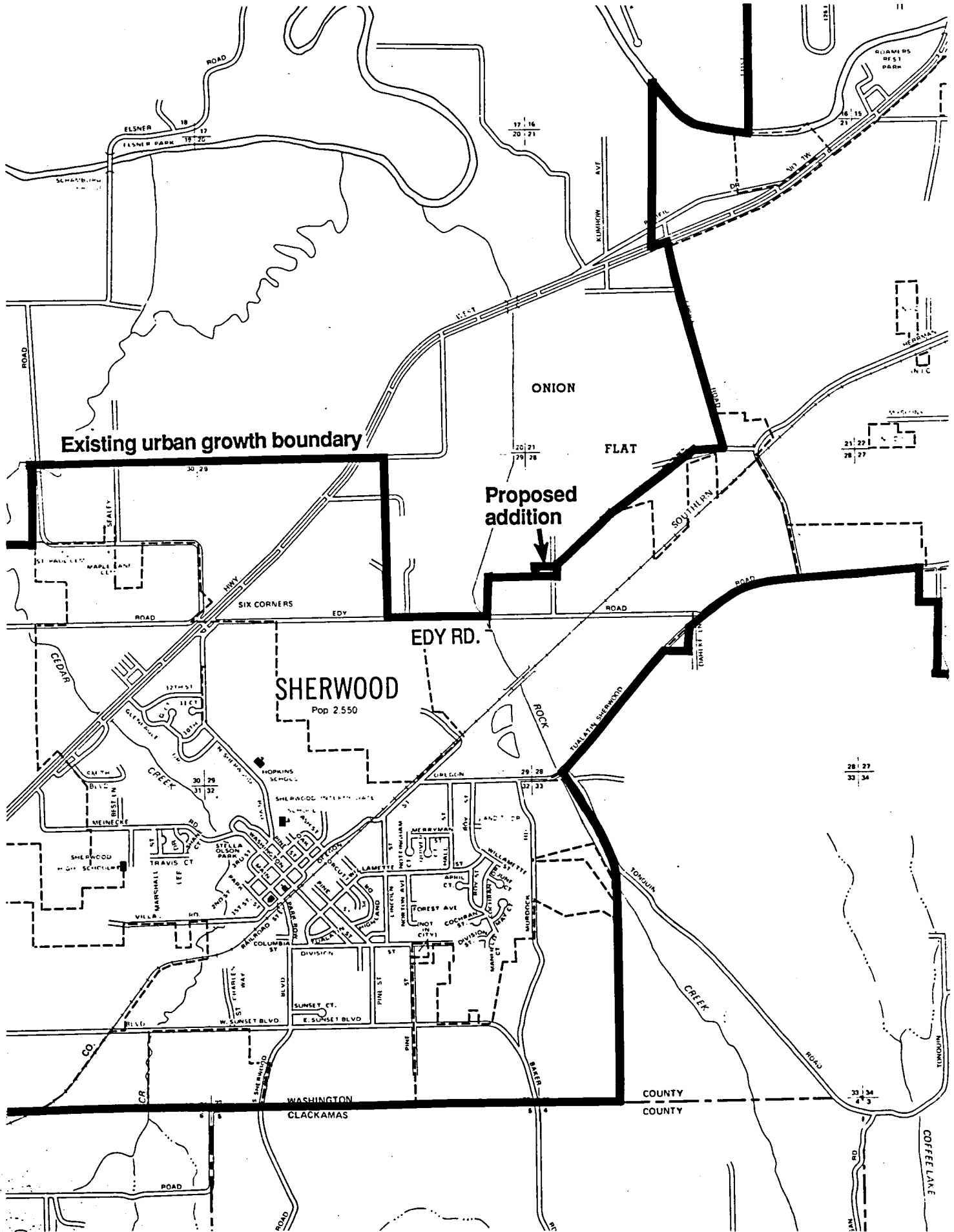
ATTEST:



Clerk of the Council

JH/sm
6888C/491-2
01/30/87

Exhibit A Contested Case 86-2



Existing urban growth boundary

Proposed addition

STAFF REPORT

Agenda Item No. 8.1

Meeting Date March 26, 1987

CONSIDERATION OF ORDINANCE NO. 87-219, AMENDING
THE URBAN GROWTH BOUNDARY FOR CONTESTED CASE
NO. 86-2: WEST COAST AUTO SALVAGE PROPERTY
(SECOND READING)

Date: March 16, 1987

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

This ordinance is the companion to and implementation of Resolution No. 87-733, adopted by the Council on February 12, 1987, for the purpose of accepting the proposed findings in Contested Case No. 86-2 (West Coast Auto Salvage Property) and expressing Council intent to amend the Urban Growth Boundary. Rather than holding the first and second readings of the ordinance after the property was annexed to Metro, a first reading of Ordinance No. 87-219 was held on the same date, in order to expedite the approval process. The property was annexed to Metro on March 12, 1987.

The contested case hearing on this matter was held on February 12. A public hearing on this ordinance, limited to the issue of whether the affected property has annexed to Metro, should be held at the time of the second reading.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 87-219.

JH/sm
6888C/491-2
03/16/87

STAFF REPORT

Agenda Item No. 7

Meeting Date Feb. 12, 1987

CONSIDERATION OF ORDINANCE NO. 87-219, AMENDING
THE URBAN GROWTH BOUNDARY FOR CONTESTED CASE
NO. 86-2 (WEST COAST AUTO SALVAGE PROPERTY)

Date: February 2, 1987

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

This ordinance is the companion to and implementation of Resolution No. 87-733. If the Council adopts Resolution No. 87-733, staff recommends a first reading of Ordinance No. 87-219 immediately following, in order to expedite the approval process.

A public hearing on this ordinance, limited to the issue of whether the affected property has annexed to Metro, will be held at the time of its second reading, which will occur following such annexation.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 87-219.

JH/sm
6888C/491-2
01/30/87

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ACCEPTING)	RESOLUTION NO. 87-733
THE PROPOSED FINDINGS IN)	
CONTESTED CASE NO. 86-2 (WEST)	Introduced by the
COAST AUTO SALVAGE) AND)	Executive Officer
EXPRESSING COUNCIL INTENT TO)	
AMEND THE URBAN GROWTH BOUNDARY)	

WHEREAS, Contested Case No. 86-2 is a petition from West Coast Auto Salvage to the Metropolitan Service District (Metro) for an amendment of the regional Urban Growth Boundary (UGB) to include the property shown as the "proposed addition" in Exhibit A (hereafter called "the property"); and

WHEREAS, On December 11, 1986, the Metro Council adopted Resolution No. 86-708, waiving assignment of this case to a Hearings Officer; and

WHEREAS, Hearing on this petition was held before the Metro Council on February 12, 1987; and

WHEREAS, The staff has prepared a report on this case (Exhibit B), which finds that all applicable requirements have been met and recommends that the petition be approved; and

WHEREAS, No parties have testified in opposition to the proposed findings; and

WHEREAS, The property lies outside but is contiguous to Metro's boundaries; and

WHEREAS, Section 2 of Ordinance No. 85-189 provides that action to approve a petition including land outside the District shall be by resolution expressing intent to amend the UGB when the property is annexed to the Metropolitan Service District; now, therefore,

BE IT RESOLVED,

1. That the Council hereby accepts and adopts as the Final Order in Contested Case No. 86-2 the proposed findings in Exhibit B of this Resolution, which is incorporated by this reference.

2. That the Council of the Metropolitan Service District expresses its intent to adopt an ordinance amending the Urban Growth Boundary as shown in Exhibit A within thirty (30) days of receiving notification that the property has been annexed to the Metropolitan Service District, provided such notification is received within six (6) months of the date on which this resolution is adopted.

ADOPTED by the Council of the Metropolitan Service District
this 12th day of February, 1987.


Richard Waker, Presiding Officer

JH/sm
6888C/491-3
01/30/87

Exhibit A Contested Case 86-2

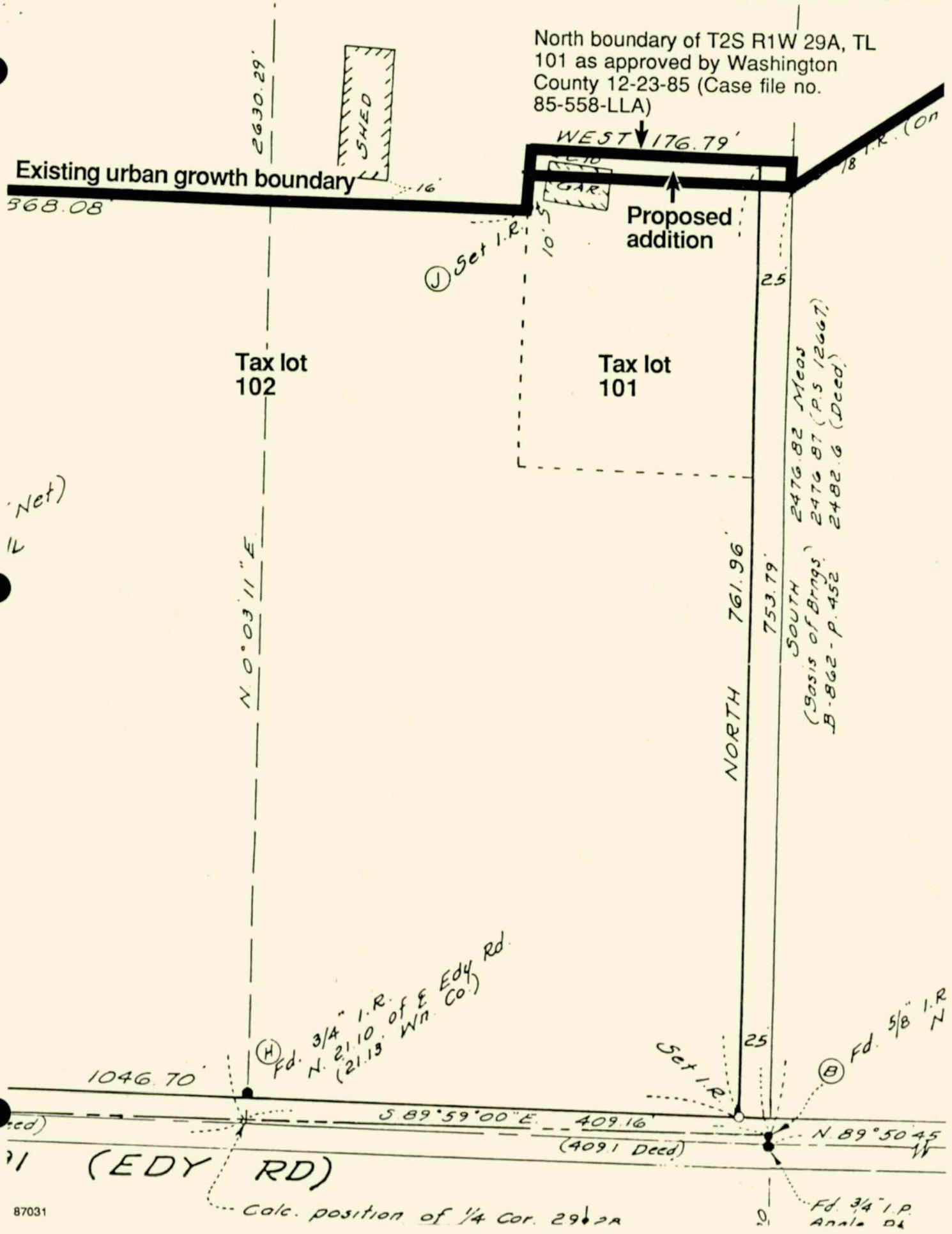
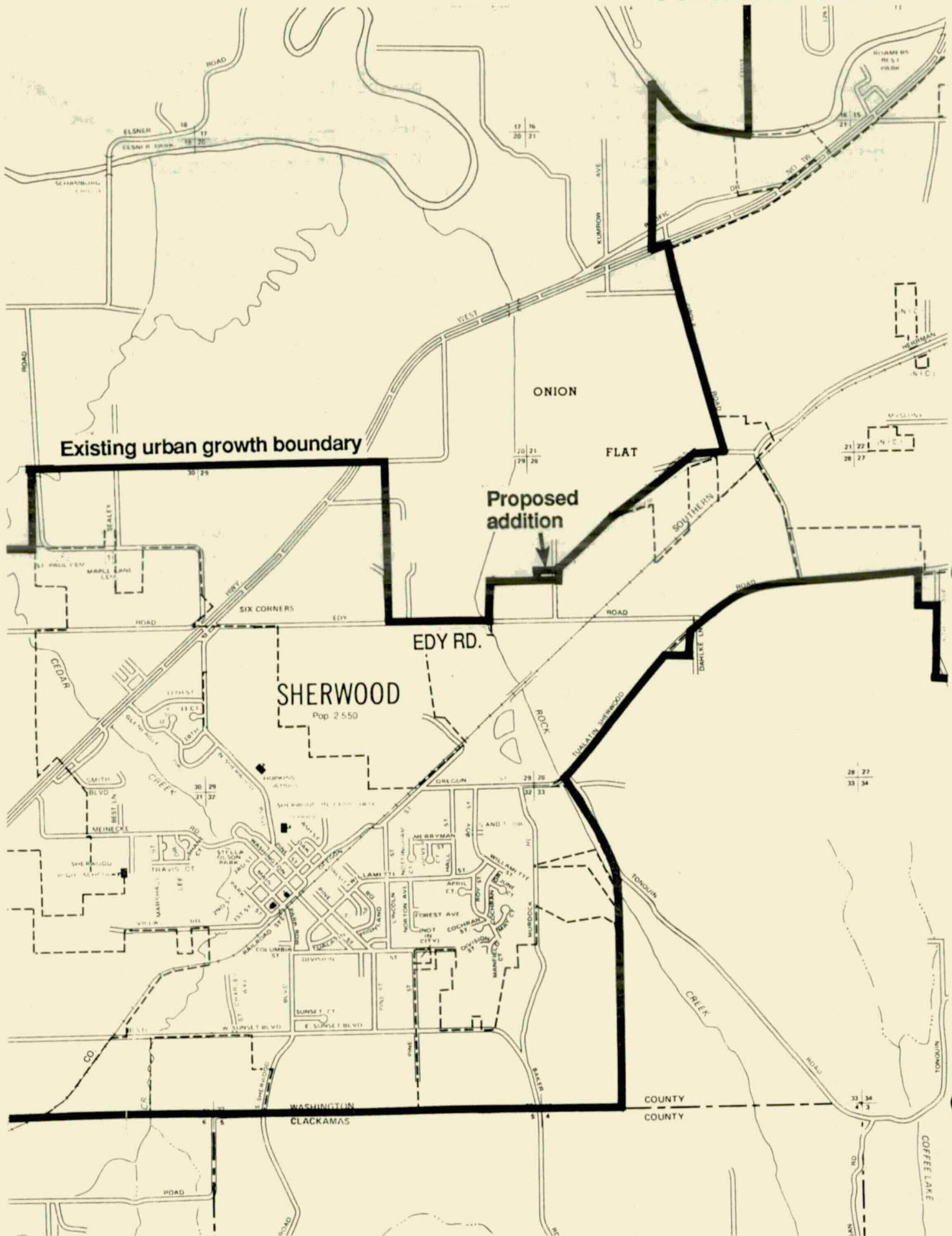


Exhibit A Contested Case 86-2



IN THE MATTER OF THE PROPOSED)
LOCATIONAL ADJUSTMENT OF THE URBAN)
GROWTH BOUNDARY REQUESTED BY WEST)
COAST AUTO SALVAGE)

Contested Case No. 86-2

Proposed Findings

I. PETITIONER'S SUBMITTAL

This request is for a locational adjustment necessitated by a surveying error undetected at the time of the original adjustment. At the present time, the UGB, which is coterminous with the original north lot line of tax lot 101 bisects a garage on the property rather than go around it as was intended.

Exhibit 1 shows the configuration of the property in question and the ~~UGB~~^{UG-B} prior to consideration of case no. 81-8. When that case was considered, it was thought that the garage was entirely on tax lot 101. This is stated in the Hearings Officer's Findings of Fact A 9. See exhibit 2. This fact was also mentioned several times in report prepared by Bankendorf and Associates which was made part of the Findings and incorporated therein.

Exhibit 3 shows the ~~UGB~~^{UG-B} as it existed after the approval case 81-8.

In 1985, the property was sold to West Coast Auto Salvage Auction. That firm has, with the appropriate approvals from the City of Sherwood, developed the property in accordance with the existing City zoning.

It was discovered during the survey following the sale that the garage, thought to be entirely on tax lot 101, was actually divided by the northerly lot line. This has presented several problems relating to the use of the site particularly since the rural land uses governing the north portion of the garage do not allow for land uses permitted in the south half of the garage which are urban and industrial.

After the survey was completed and the sale of the property finalized, the owners of the property submitted a lot line adjustment request to Washington County to reflect the purchased property and the new survey. A copy of the County's decision is attached as exhibit 4 (case no. 85-558-LLA). The new survey has been duly recorded and is so indicated on current County Assessor's maps. A copy of a portion of the 1987 map showing the subject property is attached as exhibit 5.

This request for a locational adjustment would move the ~~UGB~~^{UG-B} northerly 21.2' to the new north line of tax lot 101. The old and new lines of this lot are indicated on exhibit 5. The total property involved is 21.2' by 171.79'.

Approval of this request would clear the way to annex the property to Sherwood and apply for the zoning designation consistent with the remainder of the site.

CMC-3-01-04(a))

Compliance with METRO Criteria- Section 8 of Metro Ordinance No. 81-105 1 contains five criteria to be addressed and considered for any location adjustment to the Regional Urban Growth Boundary. Each criteria is addressed individually as follows:

1. Orderly and Economic Provisions of Public Facilities and Services:

Water- There is a 12" water main in Edy Rd. The applicant has extended a water line into the site and installed a hydrant near the office and garage. The placement and size of these has been done according to specifications of the local Fire District.

Sewer- There is an 8" sanitary sewer line in Edy Rd.

Storm Drainage- the applicant has submitted to the City of Sherwood and their City Engineer has approve, a drainage plan for the development of this site.

Fire Protection- Fire protection will be provided to the site by the Tualatin Fire District. That agency has been involved in the development of the site with respect to hydrant location, layout, placement of gates and other pertinent factors.

Police Protection- Technically speaking, the Washington County Sheriff's department is responsible for providing protection to the north part of the garage. To get there they would be required to go through the major portion of the applicant's development which lies in the City of Sherwood.

2. Maximum Efficiency of Land Uses:

The existing ~~UGB~~^{UGB} bisects the garage that is on the site making for a difficult situation in utilizing the structure for a permitted land use as there are different land use classifications on either side of the ~~UGB~~^{UGB}.

Shifting the UGB 21.2 feet to the north would rectify this situation and provide for a more efficient use of the building.

3. Consequences:

Environmental-The site is not in an identified open space or wildlife area habitat and the inclusion within the UGB will not create any negative environmental consequences. Any potential impact on Rock Creek to the west has been lessened by the applicant by the placement of a monitoring test hole at the westerly end of the site. All run-off generated on the site is periodically checked to ensure that no pollutants are discharged into the creek.

Energy- The proximity of the site to existing transportation facilities and all urban services and public utilities will promote the energy conscious use and development of the site within the Regional UGB. No negative impact will result from the Locational Adjustment proposed in this request.

Economic- The proposed locational adjustment will create a more efficient use of the property and the structures on it. The fact the two different land use classifications are in effect for the garage creates a inefficient situation.

Approval of the proposed adjustment will result a more desirable economic benefit for not only the property owner but also the City of Sherwood. There are no negative economic consequences resulting from the proposed Locational Adjustment.

4.Retention of Agricultural Land- The area in question is not used for agricultural purposes. The site contains a garage once used in conjunction with a single family house that was on tax lot 101. That house has been converted to office use.

Approval of the Lacational Adjustment will not adversely impact agricultural use or potential of the adjoining properties. The efficiency of land use and services in the area will be improved as a result of the Locational Adjustment without negatively impacting the retention of agricultural lands.

Compatibility of Proposed Urban Uses with Nearby Agricultural Uses--

The only agrigultural activity near the site is to the north. The existing onion fields to the north will not be adversely impacted by the proposed Locational Adjustment. The garage and associated office (formerly a single family dwelling) were not in farm use prior to the initial change in the UGB.

There is sufficient open space between the onion fields and the industrial development on the subject property so that no adverse impacts will occur.

~~Section 8 Item d.1 - The site in question is under 2 acres in size and therefore may be considered without regards to adjacent properties.~~

Summary

A. Findings of Fact

1. The site under consideration is 21.2' by 171.79' or 3641.9 sq.ft.
2. The site contains part of a garage located on tax lot 101.

3. Tax Lot 101 was included in the UGB by Metro Ordinance 82-145
4. It was the intent of that Ordinance that all of the garage be included within the UGB
5. That portion of the site currently within the UGB is designated and developed industrially as designated on Sherwoods Community Development Plan.
6. The site has ready accessibility to required urban services and public utilities.
7. Existing UGB placement creates an awkward and inefficient situation by separating the garage into two distinct development standards.
8. All findings of Ordinance 82-145 are applicable in this case.

Conclusions :

1. Modification of the ~~UGB~~^{UGB} to be coterminous with the redrawn north lot line of tax lot 101 will promote a properly defined parcel of property and will include all structures on the lot. This was the original intent.
2. The Locational Adjustment will have no adverse impacts on the environment, social or urban services, energy provision or use and the economic development of the area.
3. There will be no adverse impact on agricultural uses.
4. The flood plain will not be adversely effected.
5. The proposed Locational Adjustment meets the criteria set forth in Metro Ordinance No.81-105

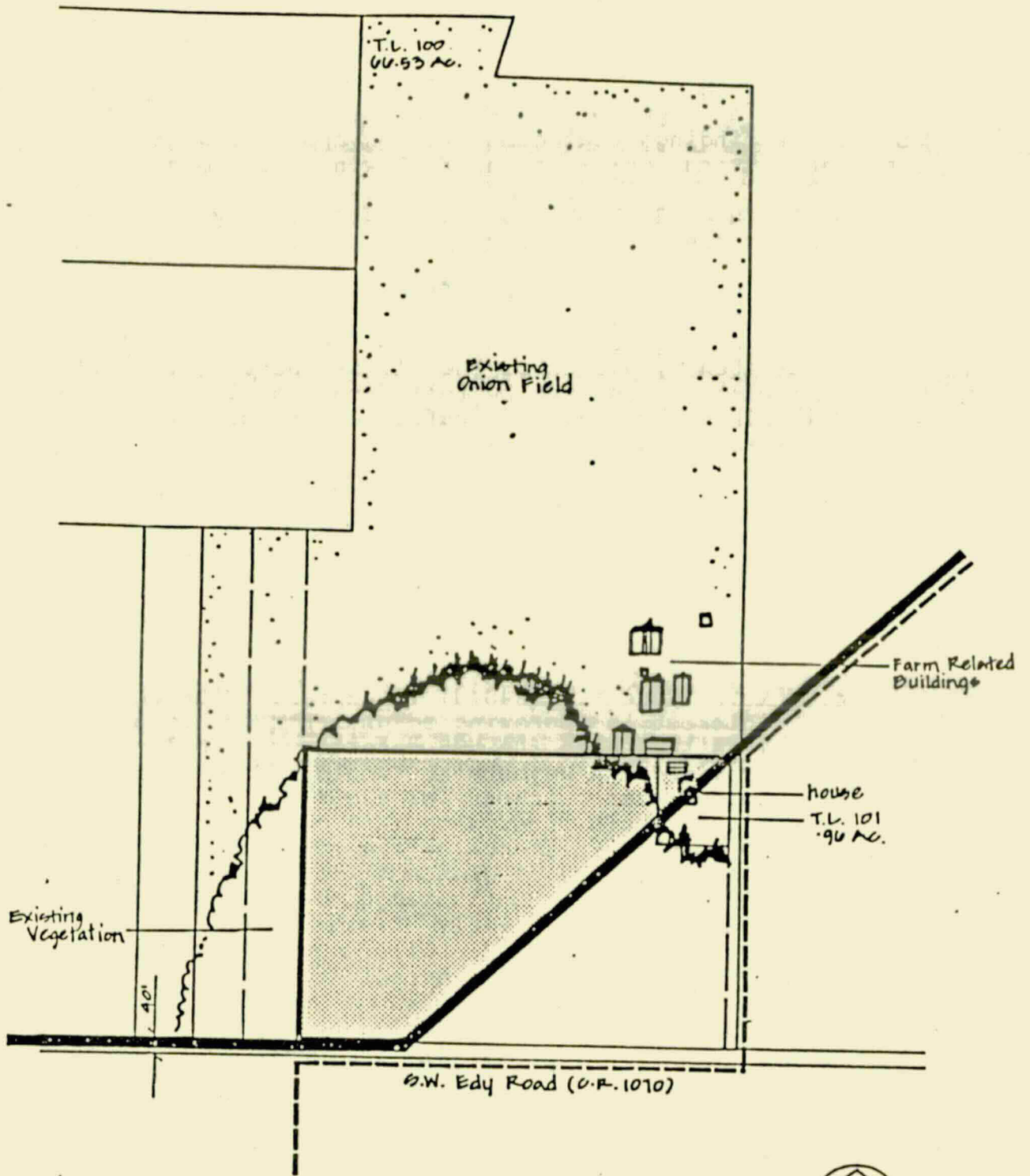
II. STAFF REPORT AND RECOMMENDATION

Section I of this report, the petitioner's submittal, provides an adequate and appropriate summary of the facts in this case and set of findings that demonstrates approval with the applicable standards; with the following additions:


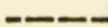

1. On February 3, 1987, the Washington County Board of Commissioners voted to support approval of this request.
2. The only increase in the efficiency with which public facilities and services can be provided to adjacent urban lands (as required by Metro Code Section 3.01.040(a)(1)) is created by virtue of the slight increase in utilization that will be achieved by full urban use of the garage. This minimal increase is sufficient to comply with the requirement in this case because:
 - a. The adjustment would significantly increase land use efficiency on existing urban land (as required by Metro Code 3.01.040(a)(2)) by allowing full use of the garage.
 - b. The adjustment is so small (less than 1/10 of an acre) as to have virtually no negative impacts.
 - c. Metro Code 3.01.040(d)(1) expresses the Council's interest in approving adjustments of two acres or less that make the UGB coterminus with lot lines provided the adjustment "would not be clearly inconsistent with any of the factors in subsection (a)." Staff interprets this provision to refer only to lots in existence at the time the UGB in the area was set. Thus it does not actually apply to these circumstances. But an adjustment to avoid splitting a structure is clearly of same character as an adjustment to avoid splitting a lot and should be considered in a similar spirit.
3. In addition to the petitioner's findings regarding agricultural land (p. 3, #4), it should be noted that the retention of the subject property in agricultural use would "preclude urbanization of an adjacent area already inside the UGB" (as required by Metro Code 3.01.040(a)(4) -- namely, the full urban use of that portion of the garage now inside the UGB).

For the reasons stated, staff concludes that the proposed adjustment is superior to the existing UGB in terms of the applicable standards and should be approved.

JH/sm
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Legend

-  site boundary
-  city limits
-  Regional Urban Growth Boundary



North

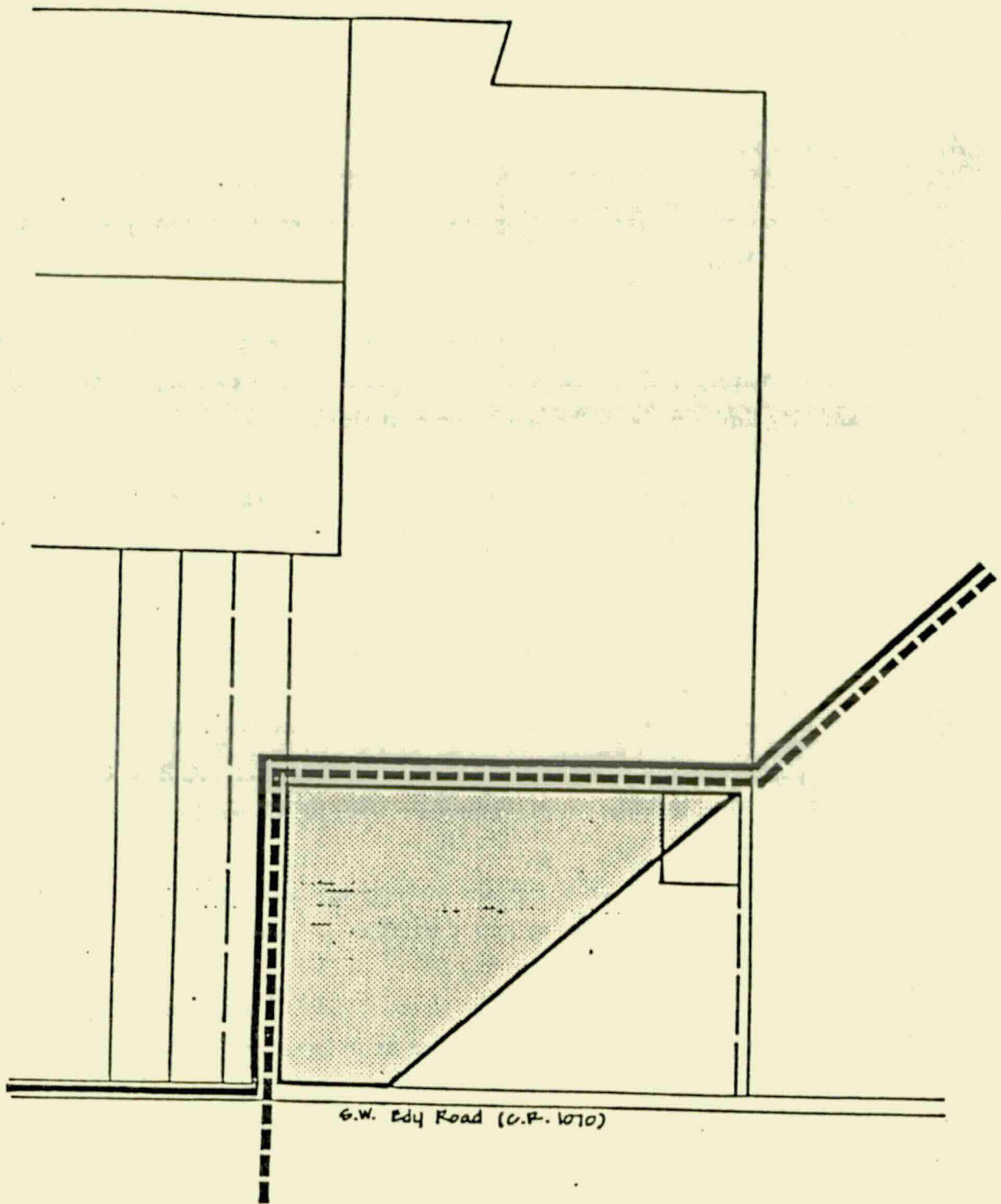
0 100 400
SCALE: 1"=400'

Site Area
Exhibit # 1

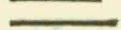


IV. SUMMARY

A. Findings of Fact

1. A portion of the site approximately seven acres, is currently within the Regional U.G.B.
2. The entire site, including the area within the Regional U.G.B. will be approximately 18.3 acres, and is contiguous to the existing local U.G.B. and city limits on both the south and east sides.
3. The site is programmed for sanitary sewer and water services, both of which will be provided in 1981.
4. The site has access to Edy Road (C.R. 1070) and the total site area, when combined with the area already within the Regional U.G.B., will have 1,070 feet of frontage on Edy Road.
5. The portion of the site currently within the Regional U.G.B. is designated on Sherwood's Community Development Plan for General Industrial use.
6. The entire site can be easily and effectively provided with all forms of urban services and necessary public utilities.
7. Existing Metropolitan Service District (METRO) and Unified Sewerage Agency (USA) boundaries are the same as the existing Regional U.G.B.
8. Existing Regional U.G.B., METRO and USA boundary placement creates an awkward and inefficient site which does not promote practical and rational land use and development.
- 9. The existing structures on the site are a single family dwelling and a garage.



Legend

-  Site Boundary
-  Sherwood Urban Growth Boundary & Sherwood City Limits
-  Unified Sewerage Agency Boundary & Metro Boundary



0 100 400
SCALE: 1" = 400'

12 Proposed Adjusted
Boundaries
Exhibit 3



WASHINGTON COUNTY
 DEPARTMENT OF LAND USE
 AND TRANSPORTATION
 LAND DEVELOPMENT SERVICES DIVISION
 150 NORTH FIRST
 HILLSBORO, OREGON 97124 648-6761

CASE FILE NO: 85-558-LLA

APPLICANT:
Spencer Vail
4505 NE 24th
Portland, OR 97211

OWNER:
Gerda Gereghino et al
14345 SW Edy Road
Sherwood, OR 97140

STAFF REPORT & NOTICE OF DECISION

PROCEDURE TYPE: II
 COMMUNITY PLAN: Rural/Natural Resource
 PO: 5

LAND USE DISTRICT(S): EFU - Exclusive Farm Use

PROPERTY DESCRIPTION:
 ASSESSOR MAP NO: 2S1 29 A
 TAX LOT NO(S): 100, 101
 SITE SIZE: 67.00 acres
 ADDRESS: 14345 SW Edy Road
 LOCATION: On the north side of SW Edy Road, approximately 4100' east of its intersection with Pacific Highway West.

PROPOSED DEVELOPMENT ACTION: A Lot Line Adjustment between Tax Lots 100 and 101. The applicants intend to add approximately 15.6 acres of Tax Lot 100 to Tax Lot 101, making Tax Lot 101 approximately 17.34 acres in size and reducing Tax Lot 100 from 66.53 acres to approximately 49.19 acres.

December 23, 1985

I. APPLICABLE REGULATIONS:

- A. 1983 Washington County Comprehensive Framework Plan Policies (Rural/Natural Resource Plan Element):
- B. 1983 Washington County Community Development Code:
 - 1. Article II Procedures:
 - Section 202-2 (Type II Procedure)
 - 2. Article III, Land Use Districts:
 - Section 340 (EFU District Standards)
 - 3. Article VI, Land Divisions:
 - Section 610-1 (Lot Line Adjustments)

II. AFFECTED JURISDICTIONS:

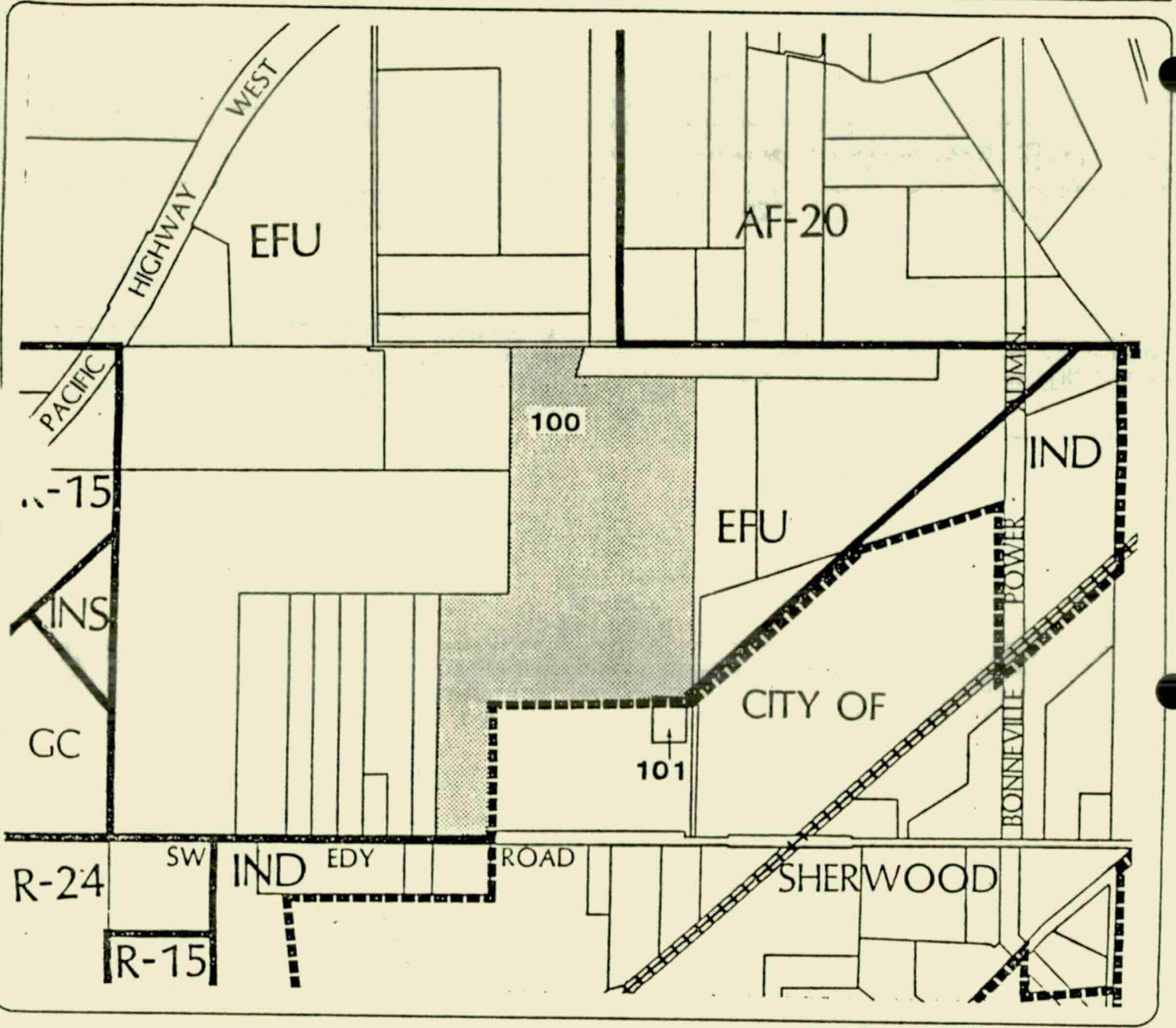
None

III. FINDINGS:

A. General:

- 1. The Urban Growth Boundary bisects Tax Lot 100. Approximately 50 acres of Tax Lot 100 are outside the UGB and designated EFU. Approximately 15.6 acres are inside the UGB and inside the City of Sherwood. This adjustment will allow Tax Lot 100 to be entirely within the EFU District.

EX 4



LEGEND: AREA OF CONSIDERATION
 SHERWOOD CITY BOUNDARY

SCALE: 1" to 800'



- APPLICABLE LAND USE DISTRICTS:**
- R-15 'DISTRICT (RESIDENTIAL 15 UNITS PER ACRE)
 - R-24 DISTRICT (RESIDENTIAL 24 UNITS PER ACRE)
 - AF-20 DISTRICT (AGRICULTURE AND FOREST)
 - EFU DISTRICT (EXCLUSIVE FARM USE)
 - IND INDUSTRIAL DISTRICT
 - INS INSTITUTIONAL DISTRICT
 - GC GENERAL COMMERCIAL DISTRICT

APPLICABLE REVIEW STANDARDS:

2. Tax Lot 101 is also split zoned. The UGB runs through a portion of the garage. While the land inside the City of Sherwood is zoned Industrial, the portion outside the UGB is in the EFU District. This portion of the garage can only be used for uses allowed in the EFU District.

B. 1985 Comprehensive Framework Plan (Rural/Natural Resource Plan Element):

It will be demonstrated in this report that the proposed Lot Line Adjustment complies with all of the applicable policies of the Plan. Therefore, it is not necessary to address specific policies of the Comprehensive Framework Plan.

C. 1985 Washington County Community Development code:

1. Article II, Procedure:

Section 202-2 Type II

§202-2.1 Type II land use actions generally involve uses or development for which review criteria are reasonably objective, requiring only limited discretion. Impacts on nearby properties may be associated with these uses which may necessitate imposition of specific conditions of approval to minimize those impacts or ensure compliance with this Code.

2. Article III, Land Use Districts:

Section 340, EFU District Standards

340-3.3 Lot Line Adjustment:

A. Notwithstanding any other provision of this Code, a lot line adjustment shall be approved through a Type II Procedure when the following are met:

- (1) The resulting configuration is found to be at least as appropriate for the continuation of the existing commercial agricultural enterprise within the area as compared to the original configuration after considering the impact of the lot line adjustment on the ability of the parcels to meet the requirements for a permitted use pursuant to the land use district;

- (2) The resulting configuration meets the provisions of the district, other than 340-6, or is no less conforming to said provisions than existed in the original configuration.

STAFF: This adjustment will not impact commercial farming. The 15.6 acres which are to be added to Tax Lot 101 are inside the UGB and the City of Sherwood. This land is zoned for Industrial uses.

- B. When finally approved, the configuration shall be deemed to meet the minimum lot size provisions of this district for purposes of ORS 92.010(8).

STAFF: The resulting configuration complies with this requirement.

3. Article VI, Land Divisions:

Section 610-1 Lot Line Adjustments

610-1.3 Filing and Recording:

Within two (2) years of final approval all lot line adjustments shall be filed and recorded with the Department of Records and Elections. After two (2) years the final approval shall expire unless the lot line adjustment has been filed and recorded or an extension has been requested and granted.

IV. CONCLUSION:

The proposed lot line adjustment conforms to the applicable review standards outlined in Section III of this report. The land outside the UGB on Tax Lot 101 can only be used for uses allowed in the EFU District.

V. RECOMMENDATION:

Based upon the conclusion above, the request is hereby granted, subject to the following conditions:

1. Within two (2) years of final approval all lot line adjustments shall be filed and recorded with the Department of Records and Elections. After two (2) years the final approval shall expire unless the lot line adjustment has been filed and recorded or an extension has been requested and granted.

2. The land outside the UGB on Tax Lot 101 can only be used for uses allowed in the EFU District.

VI. ACTION:

Approval _____ Approval with Conditions Denial _____

Signature John E. Rosenberger Date 12-23-85
John E. Rosenberger, Land Development Manager

Note: Appeal information is attached to this report as Attachment "A".

jjt:emc



WASHINGTON COUNTY
 DEPARTMENT OF LAND USE
 AND TRANSPORTATION
 LAND DEVELOPMENT SERVICES DIVISION
 150 NORTH FIRST
 HILLSBORO, OREGON 97124 648-8761

ATTACHMENT "A"
 CASEFILE #: 85-558-LIA

TYPES II & III
**APPEAL
 INFORMATION**

APPEAL PERIOD:

12/23/85 TO 5 pm 1/6/85
 Mailed Date Appeal Due Date

Attached is a copy of the Land Use and Transportation Department Director's decision on your request for a Development Action.

This decision, or a portion thereof (i.e. condition(s)) may be appealed and a public hearing held by filing a petition for review (appeal) within 14 calendar days of the date written notice of the decision is provided. Only those persons who made an appearance of record are entitled to file a petition for review (appeal) of the decision. A motion for Reconsideration also may be filed (Article II, Section 208) but does not stop the appeal period from running and is available only as an extraordinary remedy for when a mistake of law or fact has occurred.

This decision will be final if no appeal is filed by the due date, and a motion for reconsideration is not granted by the Director of the Department of Land Use and Transportation.

The Complete file is available at the County Department of Land Use and Transportation for review.

A petition for review (appeal) must contain the following:

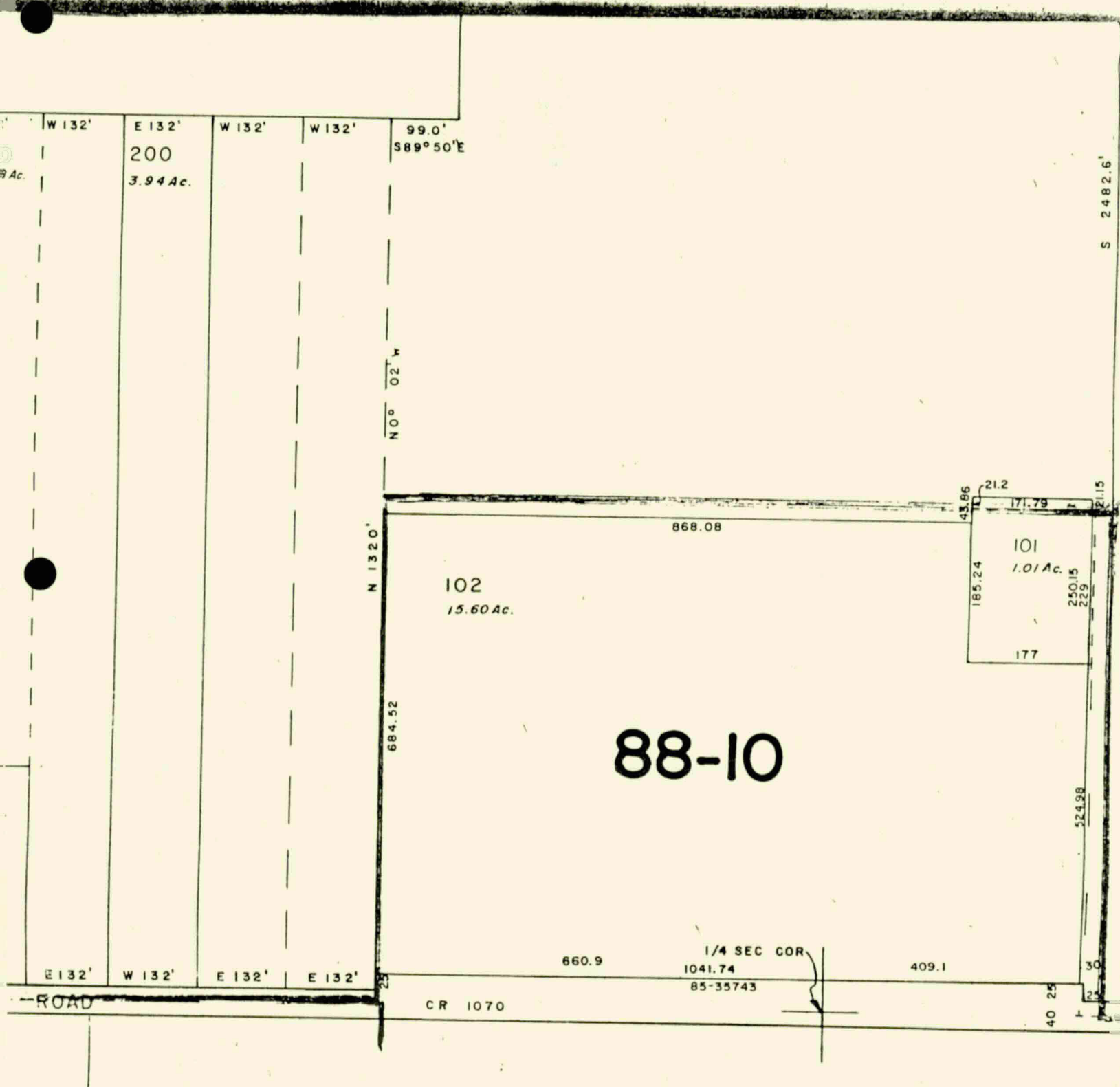
1. The name of the applicant and the County case file number;
2. The name of the petitioner filing the petition for review (appeal);
3. A statement of the interest of the petitioner;
4. The date the notice of decision was sent as specified in the notice;
5. The nature of the decision and the specific grounds for appeal (the appeal is limited to the specific issues raised in the petition for review); and
6. The fee of \$225.00 for Type II Actions, or
 The fee of \$265.00 for Type III Actions plus the cost of the completed transcript.

In Type III applications, all appeals are based on the record unless partial or full de novo hearing is requested in the petition for review.

For further information contact APPEAL SECRETARY at the Washington County Department of Land Use and Transportation, Phone 648-8761.

APPROVED AS TO FORM

Sam R. Olsen
 Assistant County Counsel
 for Washington County, Oregon

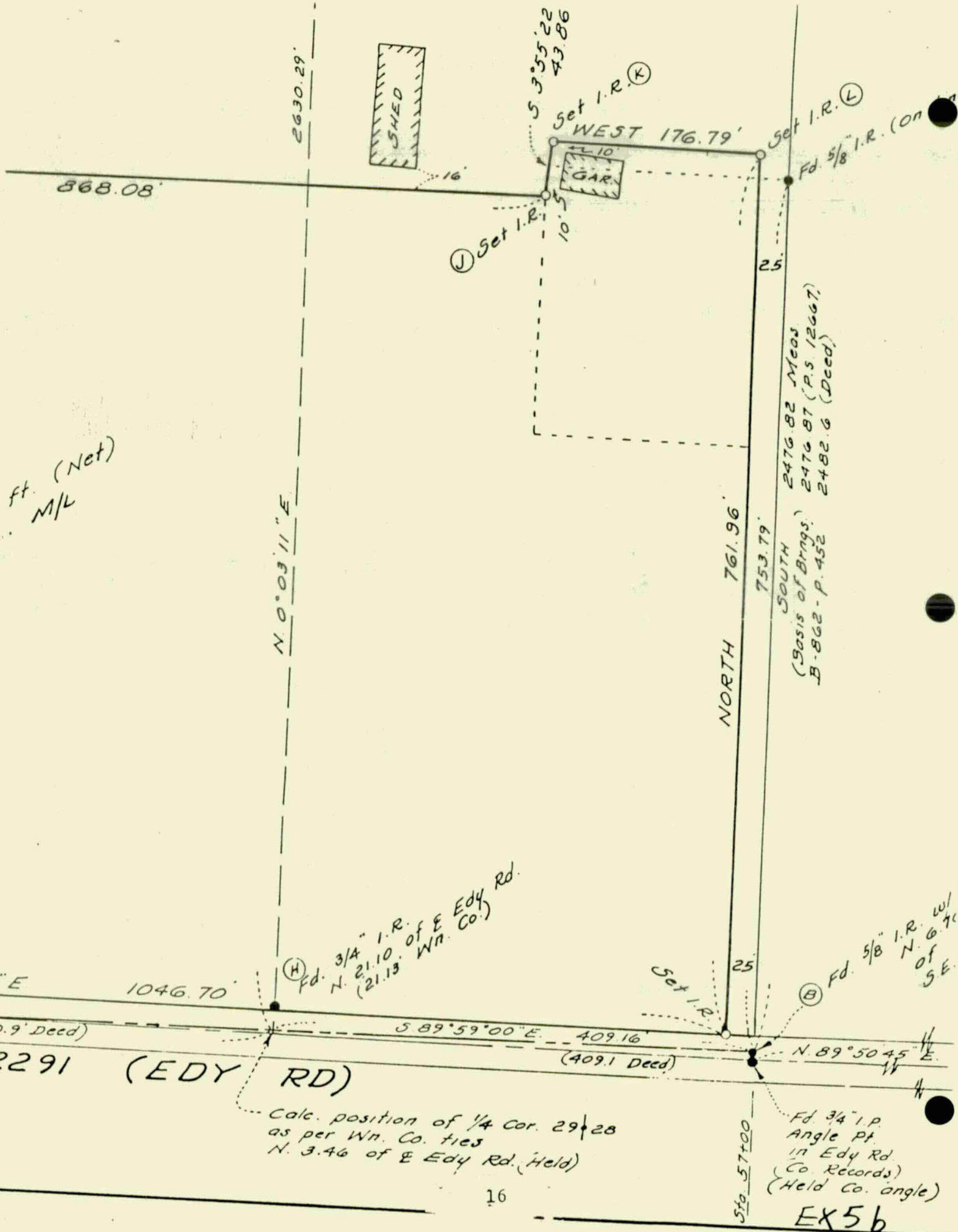


88-10

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

SHERWOOD
2S 1 29A

EX 5A



CONSIDERATION OF RESOLUTION NO. 87-733, FOR THE PURPOSE OF ACCEPTING THE PROPOSED FINDINGS IN CONTESTED CASE NO. 86-2 (WEST COAST AUTO SALVAGE PROPERTY) AND EXPRESSING COUNCIL INTENT TO AMEND THE URBAN GROWTH BOUNDARY

Date: February 2, 1987

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

Four years ago, the Council of the Metropolitan Service District (Metro) approved a locational adjustment of the Urban Growth Boundary (UGB) north of Edy Road in Sherwood. The current property owner is seeking a further, very minor adjustment to correct a surveying error undetected at the time of the original adjustment: the lot line, and the UGB which is coterminous with that line, have been discovered to bisect a garage on the property, rather than skirt it. The adjustment now sought would add only a few thousand feet to the urban area.

Because of the minor nature of the requested change, the Council, on December 11, 1986, adopted Resolution No. 86-708, initiating consideration of a locational adjustment for the affected area and waiving assignment to a Hearings Officer.

Staff has reviewed the material submitted by the petitioner's representative, Spencer Vail, and recommends petition approval. Findings demonstrating compliance with the applicable standards are attached as Exhibit B.

The property is not within Metro's jurisdiction. Metro Code Section 2.01.070(c) requires that the action to adopt the proposed findings be by resolution of intent to amend the UGB once the property is annexed to Metro. Normally in such cases, the ordinance that actually amends the UGB is not introduced until after the property has annexed to Metro. In this case, however, because of its very minor nature, the Council has expressed its intent to keep its procedures as simple and expeditious as possible. Accordingly, staff has attached the implementing ordinance for first reading immediately following action on the resolution.

The public hearing on Resolution No. 87-733 is a contested case hearing subject to the provisions of Metro Code Chapter 2.05. If any parties appear to speak in opposition to the proposed findings, Council action should be deferred until they have an opportunity to file written exceptions.

The public hearing on Ordinance No. 87-219 will be limited to the question of whether the resolution has been properly implemented through annexation to Metro and will, in the circumstances, occur at the second reading of the ordinance in March.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 87-733.

JH/sm
6888C/491-3
01/30/87

Vote: A vote on the motion resulted in all ten Councilors presenting voting aye. Councilors Kirkpatrick and Waker were absent.

The motion carried.

Consideration of Ordinance No. 86-219, for the Purpose of Amending the Urban Growth Boundary for Contested Case No. 86-2 (West Coast Auto Salvage) (First Reading)

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

Deputy Presiding Officer Gardner explained the second reading and public hearing of the ordinance was scheduled for March 26, 1987, and testimony would be limited to the issue of whether the affected property should be annexed into the UGB.

Presiding Officer Waker returned to the Council Chamber.

CONSIDERATION OF A REGIONAL COMPACT TO FORM THE OREGON TOURISM ALLIANCE

Councilor Ragsdale distributed copies of the Regional Compact document and requested the Council formally endorse the Compact. He explained the Compact established the Oregon Tourism Alliance which would identify regional tourism needs and opportunities, and would promote and develop programs related to tourism. He thought it important the Council be the first group to ratify the document.

Motion: Councilor Gardner moved, seconded by Councilor Bonner, to ratify the Regional Compact to form the Oregon Tourism Alliance.

Councilor Kelley asked how the proposed tourism programs would be funded. Councilor Ragsdale explained no direct appropriations had been made to the Alliance's efforts. However, the convention center marketing budget had funds available for tourism efforts.

Councilor Gardner said he was bothered that mass transit priorities had not been considered in the Compact's list of efforts to promote tourism.

Councilor Ragsdale agreed mass transit was a major consideration but explained the Compact addressed a larger geographical area and the greater Portland area would be the only area to benefit from mass transit.



METRO

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

April 6, 1987

County Clerk
Clackamas County Courthouse
8th and Main
Oregon City, Oregon 97045

Dear Clerk:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro files maintained by your County.

Ordinance No. 87-219, Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 86-2: West Coast Auto Salvage

Ordinance No. 87-215, Establishing a One Percent for Art Program for the New Construction or Major Alteration of Major District Facilities.

Sincerely,

A. Marie Nelson
Clerk of the Council

amn
Enclosures (2)

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Mike Ragsdale
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma



METRO

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

April 6, 1987

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

Ordinance No. 87-219, Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 86-2: West Coast Auto Salvage

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Sincerely,

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District 12

Executive Officer
Rena Cusma



METRO

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

April 6, 1987

Ms. Jane McGarvin
Clerk of the Board
Multnomah County Courthouse, Room 606
1021 S.W. Fourth Avenue
Portland, Oregon 97204

Dear Jane:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro files maintained by your County.

Ordinance No. 87-219, Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 86-2: West Coast Auto Salvage

Ordinance No. 87-215, Establishing a One Percent for Art Program for the New Construction or Major Alteration of Major District Facilities.

Sincerely,

A. Marie Nelson
Clerk of the Council

amn
Enclosures (2)

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