

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| AN ORDINANCE AMENDING THE        | ) | ORDINANCE NO. 88-244  |
| METRO URBAN GROWTH BOUNDARY FOR  | ) |                       |
| CONTESTED CASE NO. 85-7: THE     | ) | Introduced by         |
| EDY ROAD, HIGHWAY 99W, MIDDLETON | ) | the Executive Officer |
| AND SUBSTATION SITES             | ) |                       |

WHEREAS, On November 24, 1987, the Council of the Metropolitan Service District adopted Resolution No. 87-822, for the purpose of initiating annexation to Metropolitan Service District and expressing Council intent to amend the Urban Growth Boundary for Edy Road, Highway 99W, Middleton and Substation sites in Contested Case No. 87-1; and

WHEREAS, The Findings of Fact, and Conclusions of Law that justify amendment of the Urban Growth Boundary as petitioned were adopted as Exhibit B of Ordinance No. 87-234, adopting a final order and amending the Metropolitan Service District Urban Growth Boundary for Contested Case No. 87-1: Bull Mountain, Chicken Creek and Harborton sites; and

WHEREAS, On January 14, 1988, the Portland Metropolitan Area Local Government Boundary Commission approved Annexation Proposals Nos. 2457 and 2461, annexing the subject property to the Metropolitan Service District; and

WHEREAS, Boundary Commission staff has notified the Metropolitan Service District that approval of Proposals Nos. 2457 and 2461 became effective on February 28, 1988; and

WHEREAS, Sections III(a) and V(5) of the findings of the Council of the Metropolitan Service District adopted as Exhibit B of Ordinance No. 87-234 demonstrate that the Edy Road site, now used for exclusive farm use, is irrevocably committed to non-farm use; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:


Section 1. The Council of the Metropolitan Service District hereby accepts the Hearings Officer's Report and Recommendations in Contested Case No. 87-1 attached as Exhibit B of this Ordinance, which is incorporated by this reference.

Section 2. The District Urban Growth Boundary, as adopted by Ordinance No. 79-77, is hereby amended to remove the area referred to as the Substation site and add the areas referred to as the Edy Road, Highway 99W and Middleton Road sites, as shown in Exhibit A and described in Exhibit C of this Ordinance, which are incorporated by this reference.

Section 3. An exception to Goal 3 (Agricultural Land) is hereby adopted for the Edy Road site shown on Exhibit A, Map 1-A.

Section 4. This Ordinance is the Final Order in Contested Case No. 87-1 for the Edy Road, Highway 99W, Middleton Road and Substation sites.

ADOPTED by the Council of the Metropolitan Service District this 24th day of March, 1988.

  
Mike Ragsdale, Presiding Officer

ATTEST:

  
Clerk of the Council

JH/sm  
9091C/531  
03/01/88

I certify this ordinance was not vetoed by the Executive Officer.

By:   
Clerk of the Council

Date: 6/9/89

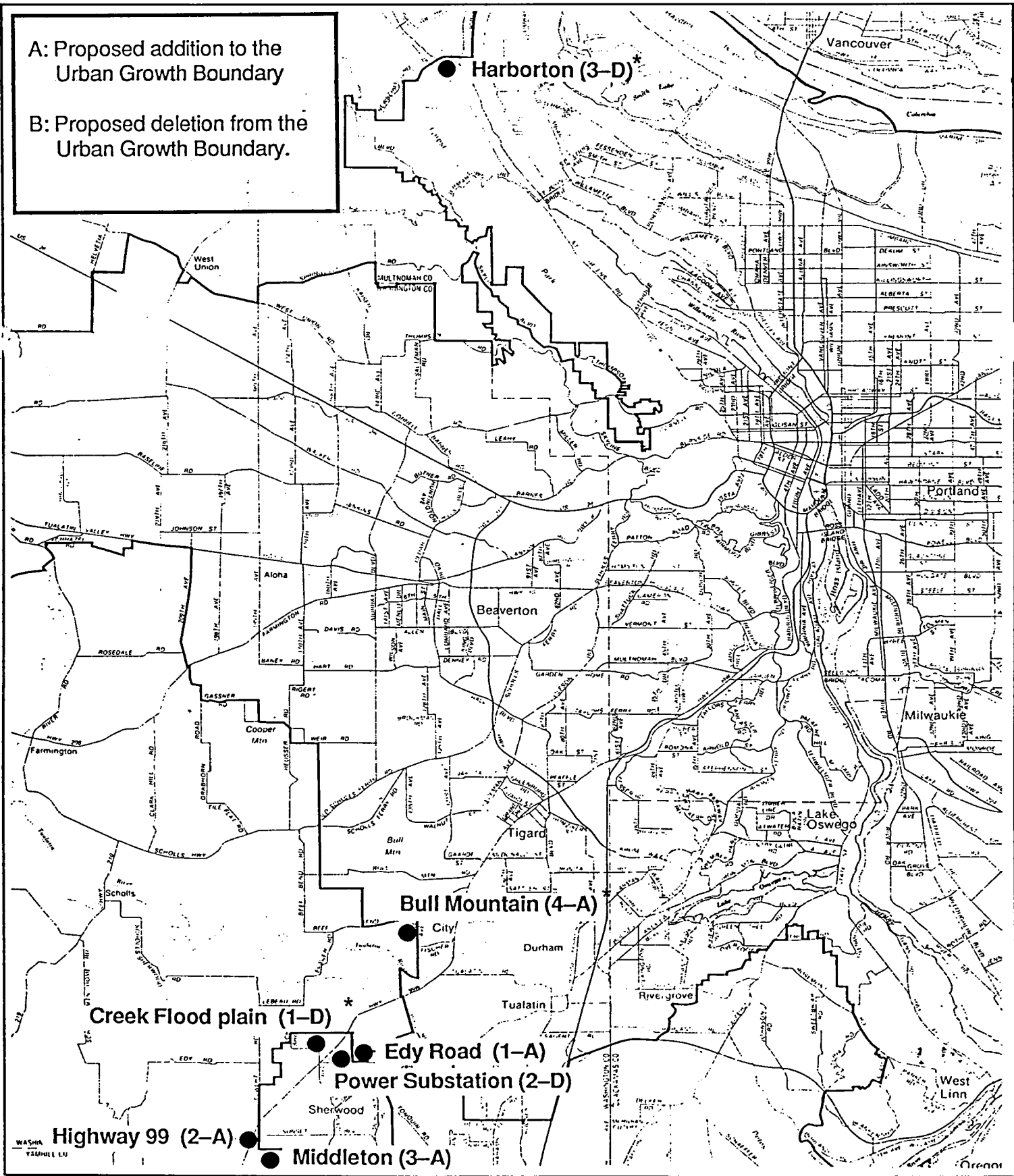


# Vicinity Map

Urban Growth Boundary  
Contested Case  
87-1: Exhibit A

A: Proposed addition to the Urban Growth Boundary

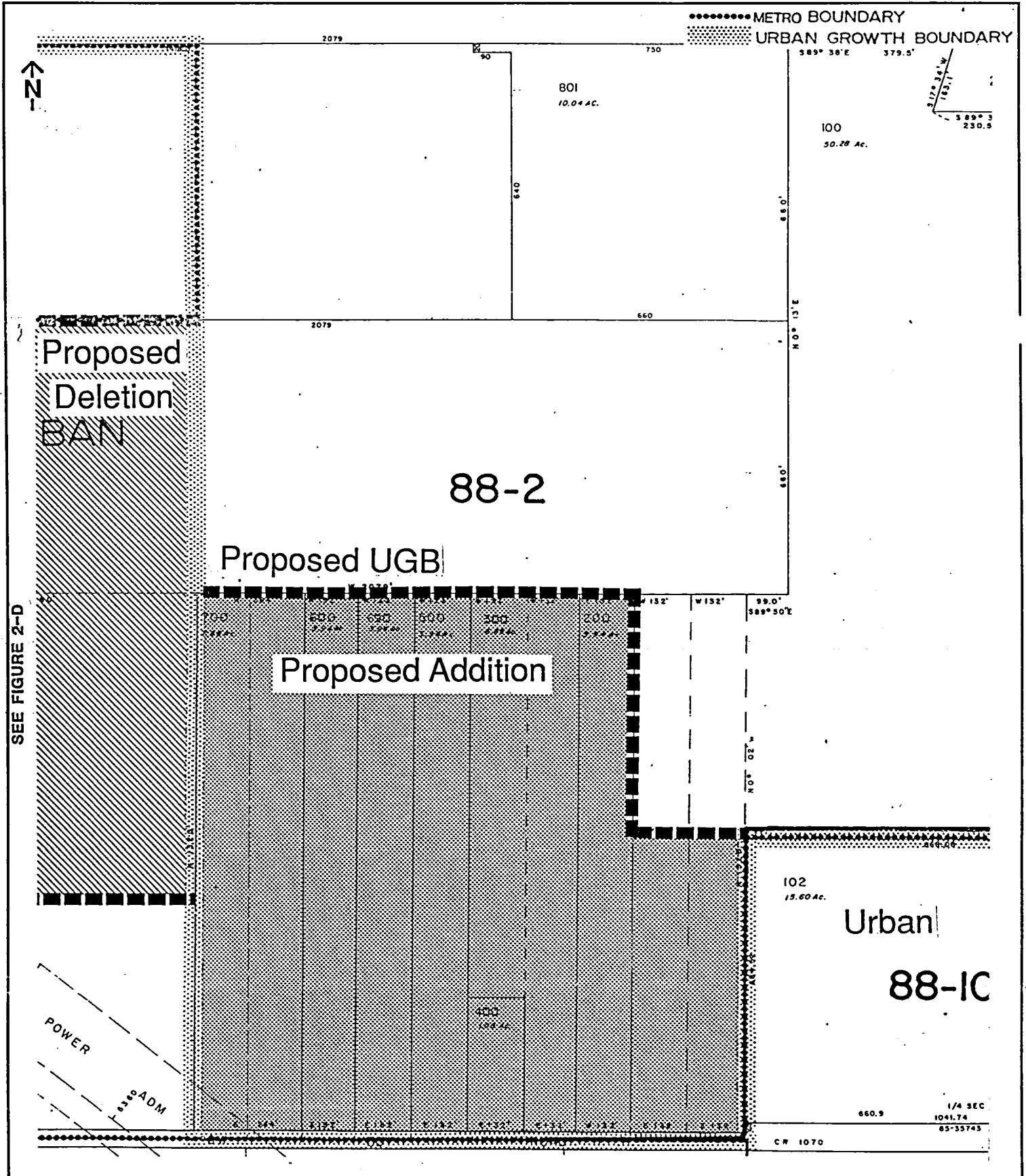
B: Proposed deletion from the Urban Growth Boundary.



\* amendments already approved by Ordinance 84-234

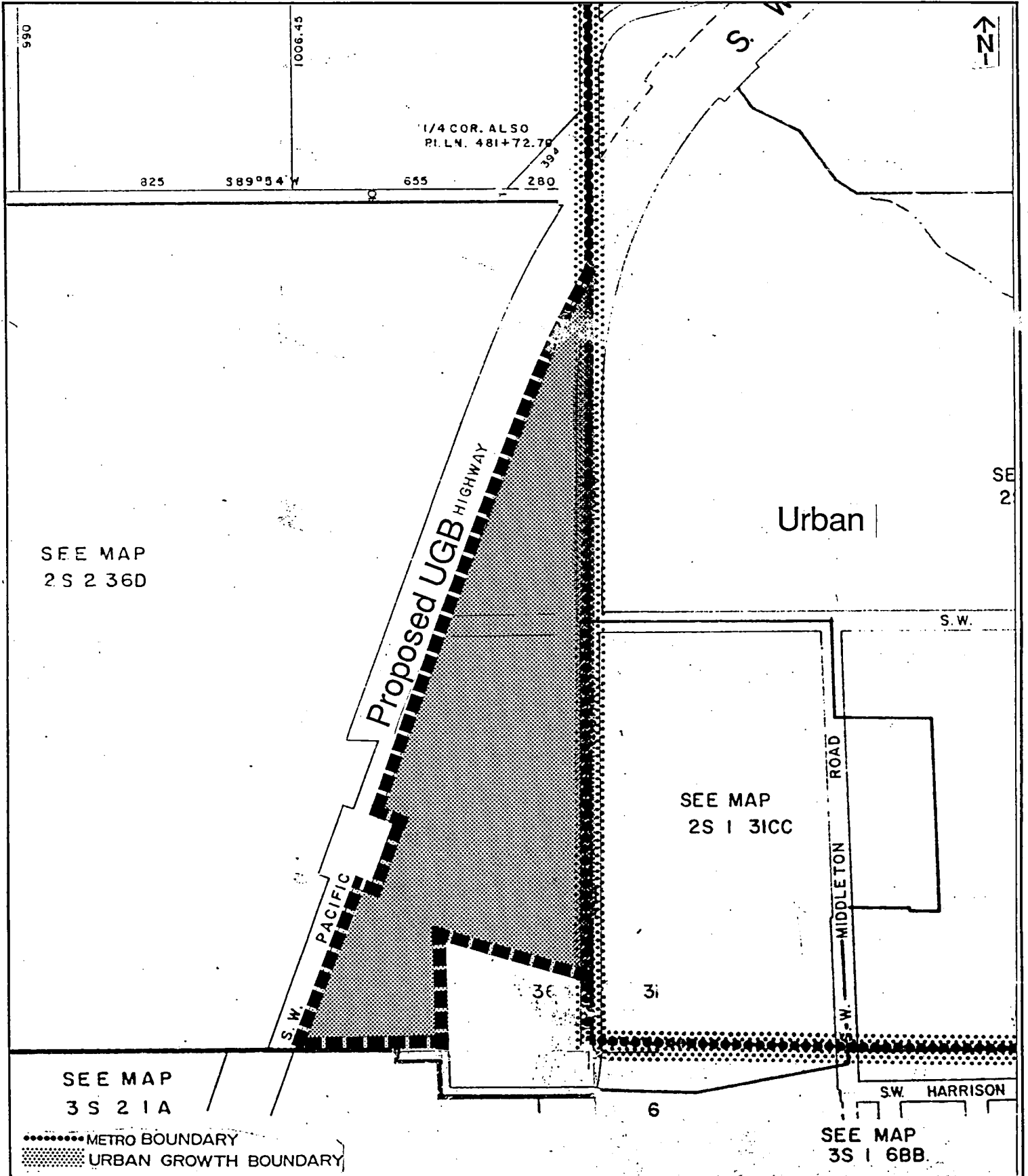
# Edy Road (1-A)

Urban Growth Boundary  
Contested Case  
87 - 1: Exhibit A



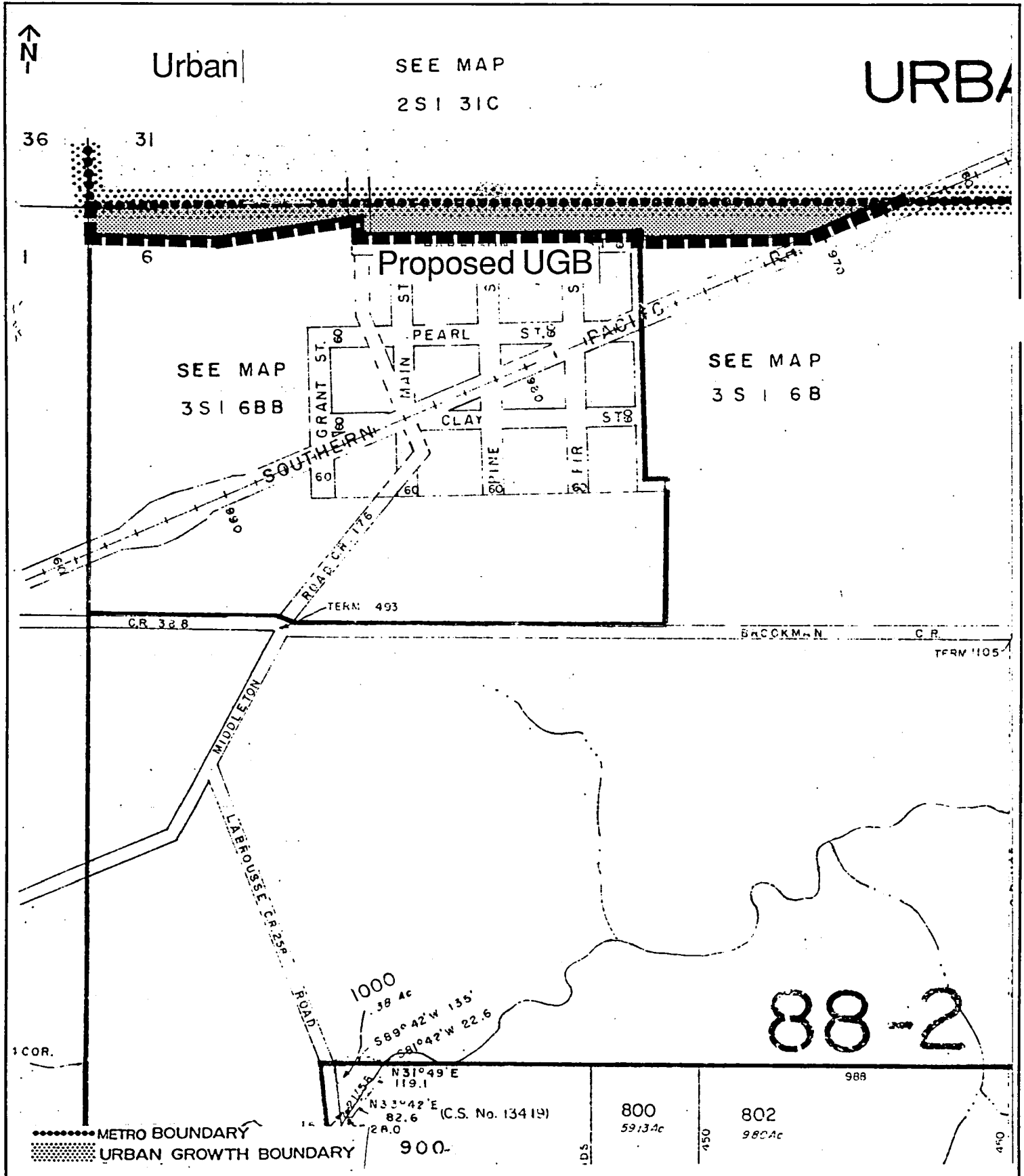
# Highway 99 (2-A)

Urban Growth Boundary  
Contested Case  
87-1: Exhibit A



# Middleton (3-A)

Urban Growth Boundary  
Contested Case  
87-1: Exhibit A

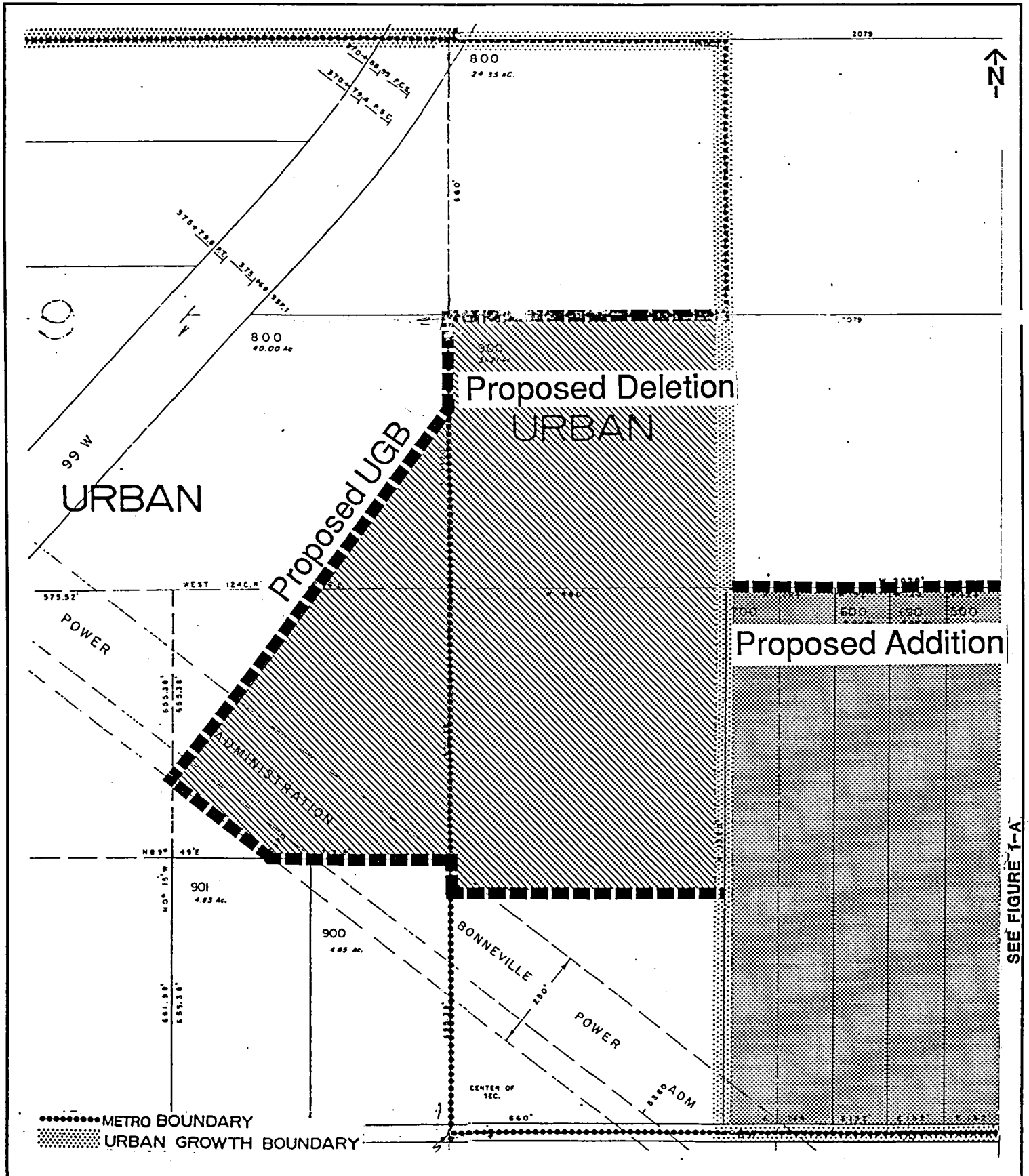


# Power Substation ( 2-D)

Urban Growth Boundary

Contested Case

87 - 1: Exhibit A



SEE FIGURE 1-A

EXHIBIT C

PARCEL DESCRIPTIONS

PARCEL 1-A:

A parcel of land situated in the northeast one-quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the center of said Section 29, said point being on the centerline of SW Edy Road (County Road 1070); thence East 660 feet to the TRUE POINT OF BEGINNING; thence leaving the said centerline North 1,320 feet to a point; thence East 1,056 feet to a point; thence South 565 feet, more or less, to a point; thence East 264 feet, to a point; thence South 755 feet, more or less, to a point on the said centerline of SW Edy Road; thence West along the said centerline 1,320 feet to the TRUE POINT OF BEGINNING.

Containing 36.6 acres, more or less.

PARCEL 2-A:

Tax Lots 200, 1600, 1700, 1701, and 1800, 2S2-36D.

Containing 22.5 acres, more or less.

PERCEL 3-A:

Tax Lot 300, 2S1-31C, and Tax Lots 400, 800, and 900 2S1-31CC.

Containing 5.2 acres, more or less.

PARCEL 2-D:

A parcel of land situated in the north half (N1/2) of Section 29, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

BEGINNING AT a point that bears South 660.0 feet from the north quarter corner of said Section 29; THENCE East 660.0 feet; THENCE South, 660.0 feet to the northwest corner of that tract of land conveyed to Richard Cereghino, by deed recorded, December 9, 1947, in Book 281, Page 85, Deed Records; THENCE South, 760.0 feet; THENCE West 662.4 feet to a point on the North-South centerline of said Section 29; THENCE N. 0 degrees 15'W., 105.38 feet along said North-South centerline to a point on the North-South centerline of said Section 29 that bears N. 0 degrees 15'W., 655.38 feet from the center quarter corner (center 1/4 corner) of said Section 29; THENCE S. 89 degrees 49'W., 440.0 feet to the southwest line of a 250.0-foot-wide right-of-way granted to the Bonneville Power Administration; THENCE N. 50 degrees 34'W., 398.0 feet along said right-of-way line to a point on the southwesterly extension of the



northwest chain-link fence line of the enclosure fence of PGE Company's Sherwood Substation; THENCE N. 38 degrees E., 535.0 feet along said extension to the most westerly corner of said enclosure fence; THENCE continuing, N. 38 degrees E., 683.6 feet along said northwest fence line and its northeasterly extension to said North-South centerline of Section 29; THENCE North 112.9 feet to the point of beginning.

Containing 33.4 acres, more or less.

9091C/531  
03/02/88

STAFF REPORT

Agenda Item No. 7.1

Meeting Date March 24, 1988

CONSIDERATION OF ORDINANCE NO. 88-244, AMENDING  
THE METRO URBAN GROWTH BOUNDARY IN CONTESTED CASE  
NO. 87-1: THE EDY ROAD, HIGHWAY 99W, MIDDLETON  
AND SUBSTATION SITES

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Date: February 29, 1988

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

On November 24, 1987, the Metro Council adopted Ordinance No. 87-234 and Resolution No. 87-822 in Contested Case No. 87-1, a petition from Portland General Electric, the city of Sherwood and others to add land to the Urban Growth Boundary (UGB) in four locations and remove land in three. Ordinance No. 87-234 adopted the Hearings Officer's Report and Recommendations on all seven sites, and amended the UGB for the three sites then within Metro. Resolution No. 87-822 expressed the Council's intent to amend the UGB for the remaining four sites once they annexed to Metro. The annexation of the Edy Road, Highway 99W, Middleton and Substation sites to Metro became final on February 28, 1988. Ordinance No. 88-244 amends the UGB accordingly.

In addition, the Edy Road site requires adoption of an exception to Goal 3 (Agricultural Lands). The findings in support of this exception, which demonstrate why it is so developed as to be no longer practical for farming appear on pages 6-11 and 37-40 of the Hearings Officer's Report.

JH/sm  
9091C/531  
03/01/88

CONTESTED CASE NO. 87-1:  
REPORT AND RECOMMENDATION OF THE HEARINGS OFFICER

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ATTACHMENT A: PARCEL DESCRIPTIONS

BEFORE THE METROPOLITAN SERVICE DISTRICT

In the Matter of the Application )  
of COLUMBIA-WILLAMETTE DEVELOPMENT )  
COMPANY, agent for PORTLAND GENERAL )  
ELECTRIC, TIGARD SCHOOL DISTRICT, )  
HILLMAN PROPERTIES NORTHWEST, and )  
THE CITY OF SHERWOOD for an Amend- )  
ment to the District Urban Growth )  
Boundary )

Contested Case No. 87-1

REPORT AND RECOMMENDATION  
OF HEARINGS OFFICER

I. Nature of Case

This is an application by three property owners and The City of Sherwood for approval of a trade under which certain land would be brought within the regional urban growth boundary and other land would be moved outside the regional urban growth boundary. The trade involves seven parcels.

The parcels are as follows:

PROPOSED UGB ADDITIONS ("A" PARCELS)

- Parcel 1-A: This parcel is on the north side of Edy Road along the northern edge of the City of Sherwood's UGB. The parcel is approximately 2/3 of a mile east of the "Six Corners" intersection where Edy Road meets Highway 99W.
- Parcel 2-A: This parcel in the Sherwood vicinity is between Highway 99W and Old Highway 99W approximately 1-1/2 miles southwest of the "Six Corners" intersection. The parcel is immediately west of the terminus of SW Wilsonville Road at Old Highway 99W.

Parcel 3-A: This parcel is at the southern edge of the Sherwood UGB immediately north of the Southern Pacific Railroad tracks and Harrison Street, an unimproved road.

Parcel 4-A: This parcel is near King City south of SW Beef Bend Road and west of SW 131st Avenue.

PROPOSED UGB DELETIONS ("D" PARCELS)

Parcel 1-D: This parcel in the Sherwood area is northwest of Highway 99W and approximately 1/4 mile north of the "Six Corners" intersection. The southern boundary of the parcel is the southern edge of a Bonneville Power Administration right-of-way.

Parcel 2-D: This parcel in the Sherwood area is east of Highway 99W and north of Edy Road.

Parcel 3-D: This parcel in the City of Portland is bounded to the north and east by the Willamette Slough and the Willamette River, and to the south by Portland General Electric's Harborton Plant.

The parcel legal descriptions are attached hereto as Attachment A.

The total acreage and the amount of vacant and unimproved acreage for each parcel is as follows:

PROPOSED UGB ADDITIONS

| <u>Parcel</u>   | <u>Total Acreage</u> | <u>Vacant/Unimproved Acreage</u> |
|-----------------|----------------------|----------------------------------|
| 1-A (Edy Rd.)   | 36.6                 | 30.7                             |
| 2-A (99W)       | 22.5                 | 16.5                             |
| 3-A (Middleton) | 5.2                  | 5.2                              |
| 4-A (Bull Mtn.) | <u>52.9</u>          | <u>52.6</u>                      |
| Subtotal        | 117.2                | 105.0                            |

PROPOSED UGB DELETIONS

| <u>Parcel</u>    | <u>Total Acreage</u> | <u>Vacant/Unimproved Acreage</u> |
|------------------|----------------------|----------------------------------|
| 1-D (Floodplain) | 45.7                 | 45.7                             |
| 2-D (Substation) | 33.4                 | 24.5                             |
| 3-D (Harborton)  | <u>36.6</u>          | <u>24.9</u>                      |
| Subtotal         | 115.7                | 95.1                             |
| Net Change       | +1.5                 | +9.9                             |

The applicant's ownership interests in the parcels are as follows:

| <u>Parcel</u> | <u>Name</u>   | <u>Ownership (Acres)</u> |
|---------------|---|--------------------------|
| 4-A           | Columbia-Willamette Development Company, as agent for Portland General Electric | 25.3                     |
|               | Tigard School District  | 18.4                     |
|               | Hillman Properties Northwest  | 7.9                      |
| 2-D           | Columbia-Willamette   | 33.4                     |
| 3-D           | Columbia-Willamette   | 33.1                     |

The City of Sherwood is acting as the petitioner for parcels 1-A, 2-A, 3-A, and 1-D and has recommended approval of the proposed UGB amendment.

Six of the parcels (1-A, 2-A, 3-A, 4-A, 1-D, and 2-D) are in unincorporated Washington County. The seventh parcel (3-D) is in the City of Portland. Washington County has recommended approval of the proposed UGB amendment. The City of Portland has chosen to express no opinion on the proposed amendment.

## II. Proceedings and Record

On July 20, 1987, following publication and notice to property owners who were identified by applicants or the hearings officer as living within 250 feet of the seven parcels, the hearings officer held a hearing on the application at Metro's office. City Manager James Rapp of the City of Sherwood and planning consultant Mary Dorman testified on behalf of applicants. Mayor Jean K. Young of King City, Beverly Froude, representing C.P.O. No. 4-Bull Mountain, Phyllis Etling,

representing Rivermead Community Club, and Helen Henderson testified regarding parcel 4-A (Bull Mountain). Alexander E. Frederick testified regarding parcel 3-D (Harborton).

After the hearing, the record was left open for 7 days pending site visits, submittal by applicants of certain site descriptions, and submittal by applicants, at the request of Metro staff, of a petition by Parcel 1-D property owners to deannex the parcel from the Unified Sewerage Agency if the parcel is moved outside the UGB. Following the hearing, the hearings officer conducted site visits. In addition, Metro staff withdrew its request for a deannexation petition.

Also following the hearing, the applicants discovered certain insubstantial variations between the acreages and parcel descriptions contained in their application and other materials and the true acreages and parcel descriptions. The hearings officer therefore reopened the hearing to receive corrected acreages and site descriptions, on two separate occasions. On the first occasion, the hearings officer notified persons who had appeared at the hearing of the revisions and provided them with an opportunity to comment. No one submitted comments. On the second occasion, due to the insubstantial nature of the revisions, the hearings officer elected not to provide an opportunity for further comment. The acreages and site descriptions set out in part I, above, are the final acreages and descriptions covered by applicants' request.

The following documents were either introduced during the course of the hearing or appeared in Metro's file in this matter. Together with the oral testimony at the hearing, they constitute the record upon which this report and recommendation is based:

- Exhibit 2 - - Report, UGB Amendment (Trade), prepared by Benkendorf Associates
- Exhibit 3 - - Letter from City of Sherwood, dated May 13, 1987
- Exhibit 4 - - Request for Exception to State Land Use Goals
- Exhibit 5 - - Notice of Public Hearing
- Exhibit 6 - - Letter from City of Sherwood, dated May 14, 1987
- Exhibit 7 - - UGB Amendment (Trade) signature sheet
- Exhibit 8 - - City of Sherwood Comment
- Exhibit 9 - - Sherwood Police Department Comment
- Exhibit 10 - Washington County letter, dated June 4, 1987
- Exhibit 11 - Tigard Water District Comment
- Exhibit 12 - Benkendorf Associates letter, dated June 9, 1987
- Exhibit 13 - Portland Fire Bureau Comment
- Exhibit 14 - Sherwood School District Comment
- Exhibit 15 - Portland Planning Bureau Report
- Exhibit 16 - Tigard School District Comment
- Exhibit 17 - Portland Environmental Services Bureau Comment
- Exhibit 18 - City of Sherwood Application for Annexation
- Exhibit 19 - Notice of Public Hearing
- Exhibit 20 - City of Portland Resolution No. 34312
- Exhibit 21 - Metro Memorandum, dated July 13, 1987



- Exhibit 22 - Metro Memorandum, dated July 14, 1987
- Exhibit 23 - Notice of Proposed Action
- Exhibit 24 - Beverly Froude letter, dated July 20, 1987
- Exhibit 25 - Legislative History of Metro Locational Adjustment Procedures
- Exhibit 26 - Legal Description Maps
- Exhibit 27 - Metro Memorandum, dated July 21, 1987
- Exhibit 28 - Notice to Interested Parties
- Exhibit 29 - Benkendorf Associates letter, dated August 11, 1987
- Exhibit 30 - Legal Descriptions
- Exhibit 31 - Benkendorf Associates letter, dated September 2, 1987

### III. The Parcels and the Surrounding Areas

Sherwood Parcels. Three of the parcels proposed to be brought within and two of the parcels proposed to be moved outside the UGB are in the vicinity of the City of Sherwood.

(a) Parcel 1-A. This parcel is located on the north side of SW Edy Road and is bounded on three sides (east, south, west) by the UGB and on two sides (east, south) by the City of Sherwood. The area is approximately two-thirds of a mile to the east of the "Six Corners" intersection of Edy Road and State Highway 99W.

The area is parceled out into eight tax lots in seven separate ownerships. The area is zoned Exclusive Farm Use (EFU) in the Washington County Comprehensive Plan. The land slopes downward at an average grade of seven percent from west and southwest to northeast towards Rock Creek. Rock Creek flows

northward along the eastern edge of the area into the "Onion Flats" floodplain and agricultural area, and eventually into the Tualatin River.

The eight tax lots generally are 1320 feet deep and vary from 132 feet to 264 feet in width. One of the lots is only 330 feet deep. Of the easternmost tax lot, only the southern part is proposed for inclusion within the UGB. Since two of the tax lots are under a common ownership, there are seven separate ownerships. Each ownership area has a single family house except for the easternmost tax lot, most of which is within the Rock Creek floodplain. All homes are close to Edy Road except that the westernmost home is set back from the roadway.

The balance of the eight tax lots is either vacant, used for random storage of personal vehicles and household goods, used for gardening or low intensity "home" farming, or, in the case of the two westernmost lots, occupied by a filbert orchard. The easternmost lot contains riparian vegetation and a stand of Douglas fir. No active commercial farming, with the possible exception of the older filbert orchard, is now underway or has been undertaken in the recent past. Land ownership, parcel size and shape, and use patterns strongly work against any significant active commercial farming now or in the future.

The parcel's 1320 feet of Edy Road frontage is the only section of Edy Road, out of a total of 15,600 front feet (both sides of road), that is not within the UGB. Soils and topography

are substantially identical to those in properties within the UGB to the west, south, and east.

Property to the east of the parcel is zoned General Industrial (GI) under the Sherwood Zoning Code. Property due south is zoned Light Industrial (LI). Property to the west and southwest is zoned either General Commercial (GC) or in one of two classifications of higher density residential.

The areas to the south, and east of the parcel contain substantial development. To the northwest is a PGE power substation (proposed for removal from the UGB as parcel 2-D), and to the west and south is a BPA power transmission line and 250 foot power right-of-way. The area not occupied by the substations is under cultivation or vacant. To the immediate east is a 15.6 acre automobile auction yard, with open storage of several hundred vehicles. To the southeast is a large automobile repair building and yard, an 85 employee manufacturing plant, and a 20 employee frozen food distribution facility. Two residential homes are immediately south of the parcel.

Further to the east on SW Edy Road are a wood products manufacturer, a trucking company, and an industrial office building under construction. Further to the west are five single family homes and the Sherwood Plaza Shopping Center.

Edy Road presently is a two-lane facility. Edy Road carries substantial volumes of local traffic between the Sherwood area and Interstate Highway 5 (I-5), which is five miles to the east. Edy Road and Tualatin-Sherwood Road also form a major regional

through route for truck traffic moving between State Highway 99W and I-5. SW Edy Road is designated a Major Arterial in both the Washington County and City of Sherwood Comprehensive Plans. In 1985, Average Daily Traffic (ADT) counts, and PM peak hour counts were:

Westbound - 3957 (ADT)/496 (PM)  
Eastbound - 3626 (ADT)/247 (PM)

SW Edy Road is scheduled for reconstruction to 3-5 lanes by 1989-90. Washington County has committed \$4.1 million to this project. The reconstruction will require approximately 25 feet of widening off the frontage of each lot within the subject area. This may require the moving of some residences farther back onto their lots.

The Metro Regional Transportation Plan projects year 2000 PM peak hour traffic counts as:

Westbound - 1239 (PM)  
Eastbound - 1054 (PM)

The parcel currently is not served by water or sanitary sewer service, but they are available at the parcel's borders. A 15-inch sewer trunk line, built in 1981, traverses the easternmost portion of the parcel within the general drainage course of Rock Creek. The parcel easily could be served by a lateral sewer extending west from this trunk line. A 12-inch City of Sherwood waterline is presently constructed along the SW Edy Road right-of-way from the east, up to Rock Creek, coincident with the southeast corner of the parcel. A 10-inch waterline is located approximately 1900 feet west of the parcel and will be extended

to the east as property develops. The City of Sherwood has an existing water supply that is sufficient to supply the parcel for the foreseeable future.

The parcel is within the Tualatin Rural Fire Protection District. The Washington County Sheriff has primary police protection responsibility for the area and for patrolling SW Edy Road. The City of Sherwood Police Department also routinely patrols Edy Road.

The area presently is served by PGE for electrical power and GTE for telephone.

Sherwood School District 88J serves the area. The District operates three schools:

| <u>School</u> | <u>1987 Enrollment</u> | <u>School Capacity</u> |
|---------------|------------------------|------------------------|
| Elementary    | 578                    | 600                    |
| Junior High   | 328                    | 400                    |
| High School   | 416                    | 500                    |

The District plans to add new modular classrooms as needed.

To the north of the parcel is a large resource area known as the "Onion Flats", an active onion farming area. The Onion Flats floodplain is drained by Rock Creek. Within the parcel, the Rock Creek floodplain is relatively narrow and contained primarily within the westernmost tax lot. As Rock Creek flows north, the floodplain fans out to form the Onion Flats. The rear portions of the tax lots within the parcel gradually slope down toward, but are not within, the broad Onion Flats floodplain. Portions

of the Rock Creek floodplain are included in the parcel but are not a substantial part of the parcel (4.3 acres).

The broadening of Rock Creek into the Onion Flats floodplain forms a distinct transition from, and natural boundary to, urban development in the Sherwood area. Parcel 1-A is on the Sherwood side of this natural boundary.

The assessed improvement values for buildings on the parcel range from \$18,300 to \$67,600. Washington County, in approving its Exceptions Statement Document in its 1983 Comprehensive Plan Update, identified \$5,000 in improvement value as a threshold by which to distinguish developed land.

(b) Parcel 2-A. This parcel, consisting of five tax lots, is a triangular shaped parcel located between Highway 99W and Old Highway 99W, west of the intersection of Wilsonville Road and Old Highway 99W.

The northern 8.4 acres of the parcel slopes slightly to the south and east at an average slope of approximately 2.6 percent. The southern 14.1 acres slope toward Goose Creek which crosses the site in a southeasterly direction and feeds Cedar Creek. The southwestern corner of the site forms a level shelf that overlooks Goose Creek.

The parcel is occupied by seven structures. One lot includes two houses and a stockman's supply store. A second lot is occupied by a storage building, with the southern portion of the lot traversed by Goose Creek. A house and garage occupy a third lot. A second hand merchandise dealer occupies a structure

on the fourth lot with a portion of the lot remaining vacant. The fifth lot, at the northern end of the parcel, is vacant except for a grove of deciduous trees.

Property to the east of the parcel is within the UGB. The portion north of Wilsonville Road is designated for low density residential development and is currently vacant except for one single family residence. The portion south of SW Wilsonville Road is a filbert orchard occupying land which is planned for industrial use. To the south of the site is the Middleton Pioneer Cemetery and Goose Creek. To the southeast is a single family residence and vacant land. Across Highway 99W to the north and west of the site are two single family houses and a grove of fir trees.

The parcel is covered by a variety of vegetation. The area along Goose Creek supports Douglas Fir. The hillside that drains toward the creek is covered by raspberry bushes and scrub brush. The extreme northern portion of the site is occupied by a grove of deciduous trees.

The northern portion of the parcel drains to the east toward Old Highway 99W and SW Wilsonville Road. The remainder of the parcel drains toward Goose Creek to the southeast. Goose Creek drains into Cedar Creek which flows north through the City of Sherwood to the Tualatin River. No portion of the parcel is located in a designated floodplain.

The parcel has excellent highway access and abuts State Highway 99W on the west and Old Highway 99W on the east. The

County Comprehensive Plan designates 99W as a Principal Arterial and Old Highway 99W as a Major Collector. SW Wilsonville Road extends up to the eastern boundary of the parcel. SW Wilsonville Road is designated as a Major Collector on the County Plan and as a Minor Arterial on the City of Sherwood Comprehensive Plan. Year 2000 PM peak hour projections for the roads in the vicinity of the parcel are as follows:

State Highway 99W

|           |                        |
|-----------|------------------------|
| Westbound | 2355 vehicles per hour |
| Eastbound | 1181 vehicles per hour |

Old Highway 99W

|           |                       |
|-----------|-----------------------|
| Westbound | 251 vehicles per hour |
| Eastbound | 261 vehicles per hour |

SW Wilsonville Road

|            |                       |
|------------|-----------------------|
| Northbound | 284 vehicles per hour |
| Southbound | 369 vehicles per hour |

Sanitary sewers currently do not serve Parcel 2-A. The parcel is outside the boundaries of the Unified Sewerage Agency and will need to be annexed to be served by sewer. Because of topography, the northern portion of the parcel can be served by gravity flow to a proposed sewer line that eventually will extend through a drainage swale to the north of SW Wilsonville Road. This line will extend from an existing 8-inch sewer main which currently ends at Cedar Creek near railroad tracks to the east of the parcel. The southern portion of the parcel drains to the southeast into Goose Creek which flows into Cedar Creek. To



serve this area with sewer, either a pump station will need to be installed or a new line will need to be extended from a main line that is planned for southern Cedar Creek.

The parcel currently is not served by water service, but can be served by an existing 12-inch water main located within the SW Wilsonville Road right-of-way. Although the line currently ends at the Southern Pacific Railroad Line to the east, the City of Sherwood plans to extend the line to the west towards the parcel as property develops along the SW Wilsonville Road.

The Tualatin Fire District currently serves the parcel and also protects the City of Sherwood and the surrounding area. The District maintains a station at 655 N. Oregon St., in Sherwood. Parcel 2-A is located approximately 1-3/4 miles west of the station.

The Washington County Department of Public Safety has primary responsibility to serve the parcel and the surrounding unincorporated area. The Oregon State Police patrol Highway 99W which is adjacent to the parcel. City of Sherwood Police also serve the area.

The area is within Sherwood School District 88J.

The entire parcel is zoned AF-5. Washington County's Rural Natural Resource Plan states that all property that is zoned AF-5 has been granted an exception to LCDC Goals 3 and 4 and thus can be converted to non-resource uses.

(c) Parcel 3-A. This parcel consists of a narrow strip of land containing parts of four tax lots that presently are

bisected by the UGB. The northern, substantially large, portion of each tax lot is inside the UGB. The southern portion is outside the UGB. The parcel is a narrow strip of land located at the southern edge of the Sherwood UGB immediately north and west of Southern Pacific Railroad tracks and immediately north of Harrison Street, which is an unimproved road.

The eastern portion of the parcel generally is level with a slight grade to the south and east. The surrounding property gently slopes to the south toward Cedar Creek. The western portion of the parcel slopes to the southwest toward Goose Creek.

The parcel consists of yard, pasture, and wooded land.

To the north and northeast of the parcel is farmland located inside the current UGB. Cropland is north of the eastern portion of the parcel to the west of SW Middleton Road. Pasture land is located to the north and south. The western boundary of the parcel is formed by Old Highway 99W. Harrison Street forms the southern boundary. To the south, between Harrison Street and the Southern Pacific Railroad tracks, are four single family residences.

The parcel drains to the south toward Cedar Creek and to the southwest toward Goose Creek. Goose Creek is a tributary of Cedar Creek. Cedar Creek flows east and north through the City of Sherwood to the Tualatin River. No portion of the parcel is within a floodplain.

SW Middleton Road bisects the parcel, running north to south. The parcel abuts Old Highway 99W to the west and Harrison

Street to the south. Both SW Middleton Road and Harrison Street are designated local streets. Middleton is improved with an asphalt surface and connects the Middleton area with SW Wilsonville Road, which leads to Sherwood. Harrison is unimproved and serves as a driveway to two houses. Because it is under the same ownership, the partial tax lot in the eastern portion of Parcel 3-A most likely will develop at the same time that the 54-acre industrial portion of the same tax lot (which is within the UGB) develops. With this assumption, access to this portion of Parcel 3-A will be through the 54 acre parcel from SW Wilsonville Road.

Parcel 3-A is located outside and adjacent to the current boundaries of the Unified Sewerage Agency. The parcel will need to be annexed to be served by sewer. The parcel drains to the southeast and southwest and will be served by a proposed sewer line that will follow the Cedar Creek drainage to the south of SW Wilsonville Road. Most likely the parcel will be served along with the 54-acre industrial property to the north.

Parcel 3-A currently is not served by water service. An existing 12-inch water main is located within the SW Wilsonville Road right-of-way and ends at the Southern Pacific Railroad line. The main would need to be extended south to the parcel for water service.

The Tualatin Fire District serves the parcel and also protects the City of Sherwood and the surrounding area. The

Sherwood station is located immediately to the east of downtown Sherwood approximately one mile northeast of the parcel.

The Washington County Department of Public Safety has primary responsibility to serve the parcel and the surrounding unincorporated area. The Oregon State Police patrol Highway 99W and will respond if called for assistance by the County Sheriff. City of Sherwood Police also patrol the area.

The parcel is within Sherwood School District 88J.

The parcel is zoned in part as a Special Industrial District (SID) and in part as R-6. The area immediately north of the parcel is zoned as an SID and as an Area of Special Concern. Both SID and R-6 zones are urban development type zones.

(d) Parcel 1-D. This parcel consists of the northern portions of four tax lots. The parcel currently is within the Sherwood UGB and will be deleted with the requested amendment. The parcel is located to the northwest of Highway 99W and approximately 1/4 mile north of Six Corners. The southern boundary of the site is the southern edge of the Bonneville Power Administration power line right-of-way.

The parcel generally is level floodplain (approximately 77 percent) except for the southern portion within the BPA right-of-way which is primarily a steep bluff cut by three ravines. The site drains to the north into Chicken Creek which flows into the Tualatin River. Immediately south of the site on the bluff, the elevation is 200 feet MSL (USGS Sherwood Quadrangle). The floodplain area is 120 feet MSL which represents a drop in

elevation of 80 feet. The slope along the bluff varies from an average of 8.5 percent to 40 percent. Along the bluff there is visual evidence of soil instability and slumping.

Except for the steeply sloped area within the BPA right-of-way, the parcel is used for farming. Transmission lines cross the parcel within the BPA right-of-way. The ravine areas are wooded.

The parcel is surrounded by farmland. To the north is floodplain used as farmland. To the east, south, and west are cropland. Single family houses are located on three of the tax lots to the south of the parcel.

Vegetation on the parcel is varied. The floodplain area is planted in crops. The steeply sloped areas are covered in wild raspberries and scrub brush. The ravines include groves of trees including deciduous trees and some cedars.

Access to the parcel is difficult. The bluff along the southern portion of the site effectively cuts it off from Highway 99W and Scholls-Sherwood Road. The only feasible way to access the parcel is from the north through the floodplain.

Sanitary sewers are not currently available to the parcel although it is located within the Unified Sewerage Agency. The closest sewer line is at Six Corners, 1500 feet to the south. To serve the parcel, sewerage would need to be pumped from the low lying floodplain area to the Six Corners area.

An 8-inch water line currently is located in the Scholls-Sherwood Road right-of-way approximately 1000 feet to the

southwest of the parcel. The line would need to be extended to serve the parcel.

The Tualatin Fire District serves the parcel.

The Washington County Department of Public Safety has primary responsibility to serve the parcel and the surrounding unincorporated area.

The area is within Sherwood School District 88J.

The parcel is located inside the Sherwood UGB but outside the current city limits. On the Washington County Community Plan, two of the tax lots are designated R-9. The Community Plan addresses the following natural resources factors: (1) the floodplain area is identified as a "Water Area and Wetland & Fish and Wildlife Habitat"; (2) the ravines are identified as "Wildlife Habitat"; and (3) the power line right-of-way is identified as "Open Space". The parcel also is subject to District B overlay requirements regarding impacts from quarry operations.

On the Sherwood Comprehensive Plan, the parcel is designated for Low Density Residential use (LDR) which, in Sherwood, equates to a proposed density of three to five dwelling units per acre.

(e) Parcel 2-D. This parcel consists of portions of two tax lots under common ownership. A PGE substation is located on the parcel. The parcel currently is within the Sherwood UGB and will be deleted with the requested amendment. The parcel is located to the east of Highway 99W and north of Edy Road. The eastern boundary of the parcel is the eastern edge of the Sherwood Urban

Growth Boundary. A portion of the eastern boundary also abuts a portion of the western boundary of Parcel 1-A.

The parcel generally is level farmland except for the northeastern portion which slopes to the north and east toward Onion Flats at a grade of approximately 6%. The elevation of the parcel ranges from 195 feet MSL in the southwest to approximately 160 feet MSL in the northeast (USGS Sherwood Quadrangle).

The electrical power substation occupies the central portion of the parcel. The substation is surrounded by farmland that is being cultivated. PGE leases unused portions of its property to adjacent farmers for agricultural production. Power lines cross the southwest and northeast portions of the site.

The parcel is surrounded by farmland, except that to the east of the southerly portion of the parcel is the divided ownership area included in Parcel 1-A. To the south of Parcel 2-D is cropland which is crossed by power lines. West of the parcel is additional farmland and a row of pine trees which serve to buffer the substation from Highway 99W. Cropland is located north of the parcel and east of the northerly portion of the parcel.

The parcel drains to the northeast toward Rock Creek. No portion of the parcel is within the 100 year floodplain.

Access to the parcel is provided by a gravel road that extends north from Edy Road. The gravel road is used by PGE employees to service the power substation. A second access road

extends east from Highway 99W to the substation. No direct access is available without crossing neighboring parcels.

Sanitary sewers are not available to the parcel. The closest sewer line is at Six Corners, 2000 feet to the southeast. The parcel is outside the Unified Sewerage Agency.

There is no city water available in the immediate vicinity of the parcel. The closest existing service is a 10-inch line within the Edy Road right-of-way which terminates approximately 1,500 feet southwest of the parcel. The parcel is outside the City of Sherwood, and the City does not extend water service outside its limits.

The parcel is located within the boundaries of the Tualatin Fire District. The parcel is served by the Washington County Department of Public Safety.

The area is within Sherwood School District 88J.

The parcel is located inside the Sherwood UGB but outside the current city limits. Only the western portion of the site is included on the Washington County Community Plan for the Sherwood area. The Community Plan designates the substation area as Institutional and the area under the power lines as General Commercial. The actual zoning for the parcel is Exclusive Farm Use (EFU), with a District B overlay regarding impacts from quarry operations.

The parcel is identified on the Sherwood Comprehensive Plan as follows: (1) the substation is designated Institutional/Public; (2) the southwest corner of the site under the power



lines is designated General Commercial; and (3) the remainder of the site to the north and south of the substation is designated Medium-High Density Residential (8-11 dwelling units per acre).

Bull Mountain Parcel. One of the parcels proposed to be brought within the UGB, Parcel 4-A, is in the Bull Mountain/King City vicinity. Most of this parcel was the subject of Contested Case No. 84-2, in which Metro declined to bring the parcel within the UGB as a "stand alone" addition. Metro found that the UGB with the parcel added would be an improvement over the current UGB, but that under Metro Code Section 3.01.040(d), the extent of the improvement was not sufficient to justify a boundary adjustment. Metro suggested in that proceeding that the petitioners attempt to assemble a trade, which is what they have done here.

This parcel is located in southeastern Washington County at the southern base of Bull Mountain. King City adjoins the southeast corner of the parcel and downtown Portland is approximately 12 miles to the northeast. The parcel consists of four full tax lots and portions of two additional tax lots, and has four different owners.

The two partial tax lots, covering the western portion of the parcel, are owned by Portland General Electric. Large power transmission lines run the full length of one of these lots. For the past few years, the area adjacent to the power lines has been leased by PGE to Bischoff Farms of Sherwood. The land has been

used to raise grains and red clover. The lack of drain tile has limited the types of crops grown on this site.

One of the tax lots, at the northeast corner of the parcel, is owned by Tigard Public Schools and is undeveloped. The Tigard School District purchased this 18 acre lot in 1957 for an elementary school site. Because King City originally developed as a senior community, the school district thought the need for an elementary school at this particular location had been eliminated. However, the District now believes that there will be a need for a new elementary school to serve residential growth in the Bull Mountain area. The lot therefore is under consideration as a potential school site, but it must be included within the UGB to be developed. A stand of Douglas fir extends along the southern and western boundaries of this lot.

Two of the tax lots, at the southeast corner of the parcel, are owned by Hillman Properties Northwest. These tax lots were platted several years ago into a 13-lot Subdivision (Dickson Subdivision). A single family dwelling is located on Lot 12, adjacent to 131st Avenue. The balance of the subdivision is vacant and a road which appears on the plat never has been improved.

In recent years, the character of the Bull Mountain area has been evolving from a farming community to a residential community. Residential development in the unincorporated area of Bull Mountain has occurred in the form of subdivisions as well as on individual large lots. Multiple family residential

development and mobile homes are concentrated south of Fischer Road, while single family detached dwellings are concentrated along the summit and upper west slopes of Bull Mountain.

Parcel 4-A abuts the existing UGB on the north at Beef Bend Road and on the east at SW 131st Avenue. On the west, the parcel abuts Bonneville Power Administration power transmission lines. On the south, the westerly half of the parcel abuts the portions of PGE's tax lots that are not included in the petition and the easterly half abuts an area that is divided into a number of relatively small lots.

Access to the parcel is by SW Beef Bend Road on the north, which runs from Highway 99W to Scholls Ferry Road; by SW 131st Avenue on the east, which runs from SW Beef Bend Road to the Tualatin River to the south, and which connects to Highway 99W by SW Fischer Road; and by SW 137th Avenue on the west, which runs from SW Beef Bend Road to the Tualatin River.

The abutting area north of the parcel is zoned R-6 with rural residential development. Most of the abutting area east of the parcel is zoned R-15. One area abutting east of the property, at the southeast corner of Beef Bend Road and 131st, is zoned neighborhood commercial, although development of that nature is unlikely. The areas abutting south and west of the parcel are zoned RR-5, with the west area developed with residences and the southeast area partially developed with residences. The parcel itself is zoned RR-5. These zonings are consistent with the County Comprehensive Plan. The existing RR-5

zoning ordinarily permits a minimum 5 acre lot size but this probably could be reduced as to applicants' parcel to a minimum 1 acre lot size due to specific conditions. The minimum density for property inside the UGB would be 2 to 6 residential units per acre. The parcel is part of a 349 acre area designated as Exception Subarea No. 101, which has been recognized as physically developed or irrevocably committed to non-farm uses. The 300 acres outside the applicant's property is divided among 112 lots with an average lot size under 3 acres per lot. Thus Parcel 4-A is a middle area bounded on the north and east by existing or planned urban level development and on the south and west by mid-density rural residential development.

The parcel is located within the Tigard Water District, as is the area within the UGB to the east and to the north and as is some of the area to the south. The District's present average daily demand is 3.2 million gallons per day, with peak demand being 7.5 mgd. The District relies for its water supply on the following sources:

- (i) City of Lake Oswego: The District receives 85 percent of its water from the City of Lake Oswego. The District has 6 years remaining on a 10 year contract with an option to renew for 10 years.
- (ii) City of Portland: The District receives 10% of its water from the City of Portland. The District has 20 years remaining on a 25 year contract.

- (iii) Wells: The District receives water to meet peak demand and emergencies from 4 wells that it owns.
- (iv) City of Beaverton: The District also has the capability to receive water from the Upper Tualatin River delivered by the City of Beaverton.

The District's supply is sufficient to accommodate foreseeable development for the next 20 to 40 years.

The District has three reservoirs with a combined storage of 2.3 million gallons located within the Bull Mountain area. It also has 12-inch distribution mains coming from the east in Beef Bend Road ending at SW 128th and in SW Fischer Road ending at SW 131st. These storage and distribution facilities are sufficient to meet foreseeable consumption and need for fire flow until the year 2000.

The mains in SW Beef Bend Road and SW Fischer Road can be extended to serve the parcel.

The parcel is within the Unified Sewerage Agency's service area. Since the parcel is outside the UGB, however, it cannot connect to the USA system unless there is a declaration of a health hazard due to septic tanks.

The USA's collection and treatment system is designed to accommodate the expansion of sewer service into the Bull Mountain area. Treatment would be provided by the Durham Treatment Plant, which discharges into the Tualatin River.

The Bull Mountain area's past method for handling sewage has been the use of septic tanks. Some soils in the area are not

suitable for septic tanks. This has limited development in some areas within the UGB to lower densities than authorized.

Sanitary sewers thus have been needed to support densities for which the area is zoned. Soil in Parcel 4-A is marginal for use of septic tanks.

To meet the need for sanitary sewers, a South Bull Mountain Local Improvement District was formed. As part of the LID, the USA constructed a sewer trunkline running from Fischer Road north along SW 131st, then along the southern boundary of the proposed new UGB, then north along the PGE transmission lines on the western border of its property, then west along SW Beef Bend Road. The trunk serves 343 acres within the UGB, containing 2,134 equivalent dwelling units.

Because the sewer trunkline crosses the parcel on the south, the parcel easily can be served by sanitary sewer. The parcel generally drains towards the line allowing service by gravity flow. The southern boundary of the parcel was drawn to allow one row of residential lots to the south of the sewer line.

The parcel slopes gently from north to south toward the Tualatin River floodplain. Elevations range from approximately 250 feet MSL adjacent to Beef Bend Road on the north to 190 feet MSL adjacent to the proposed UGB on the south. This represents an overall average slope of approximately 2.4 percent. The parcel is outside of the 100 year floodplain. Storm water runoff from southerly Bull Mountain, to the north of the parcel, drains into the Tualatin River, to the south of the parcel. The parcel

thus may need drainage improvements to handle drainage from Bull Mountain. Any development on the parcel would be subject to County storm water retention standards, which are imposed on a case by case basis as developments are proposed.

There is transportation access to the parcel from two roads designated Major Collectors by Washington County plans, SW Beef Bend Road on the north and SW 131st Avenue on the east. The County standard for Major Collectors is a 70 foot right-of-way, with a 40 to 46 foot paved roadway of 2 to 3 lanes. A fully improved Major Collector accommodates 12,000 to 13,000 average daily trips.

SW Beef Bend Road runs from Highway 99W on the east past the parcel to SW Scholls Ferry Road on the west. It presently has a 60 foot right-of-way, with two paved traffic lanes, totaling 40 feet in width, and in 1984 carried 2400 average daily trips east of 131st and 1300 west of 131st. It carries little truck traffic. It has no shoulders, and is winding in some places. Fire trucks have slid off Beef Bend Road in bad weather.

SW 131st connects SW Fischer Road to SW Beef Bend Road. Fischer, in turn, connects to Highway 99W. SW 131st has a 40 foot right-of-way with two paved lanes and presently carries 50 average daily trips.

The County plans for SW Beef Bend Road by the year 2000 to handle 7000 average daily trips east of SW 131st and 4000 west of SW 131st. To accommodate the traffic volume generated by planned development within the present UGB, it will be necessary for the

County fully to develop SW Beef Bend Road and SW 131st to Major Collector standards. Otherwise, transportation in the area will not be adequate.

If the proposed UGB amendment is approved, then development on Parcel 4-A, assuming a density of 6 dwelling units per acre, will generate approximately 3000 average daily trips. SW Beef Bend Road and SW 131st, fully developed to Major Collector standards, will be adequate to handle this and other foreseeable UGB traffic.

Washington County's Department of Public Safety has primary responsibility for police protection in the Bull Mountain community. The Oregon State Police patrol state owned highways in the area and will respond if called upon for assistance by the County Sheriff. Periodic patrols cover the area, and assistance is available for specific purposes on a call basis.

The parcel is served by the Tualatin Rural Fire Protection District. The District's station on Highway 99W south of Fischer Road is half a mile from the property. The station has an engine and a rescue vehicle. The response time is 3 minutes. The District, as backup, has two engines and a truck at its Commercial Street Station in Tigard. The District also has a mutual aid agreement with Washington County Fire District No. 1, whose Reusser Street Station can provide an engine as additional backup.

The parcel is within the Tigard School District. Students from the area presently attend James Templeton Elementary School,



Fowler Intermediate School, and Tigard High School. Templeton had 535 students for the 1985-86 school year, with a capacity of 588. Durham Elementary School, also in the area, had 128 students for 1985-86 with a capacity of 147.

The School District is anticipating growth in its enrollment and expects to have to construct new school facilities to accommodate the growth. The northeast corner of the parcel is a possible school site.

Harborton Parcel. One of the parcels proposed to be moved outside the UGB, Parcel 3-D, is in the vicinity of PGE's Harborton plant in Northwest Portland. This parcel consists of two tax lots and a portion of the Willamette Slough. The parcel is bounded to the north and east by the Willamette Slough and the Willamette River, to the south by the Harborton plant, and to the west by farm and forest land. The parcel is bounded by the UGB and the Portland city limits on the north (in the center of the Willamette Slough) and by the Portland city limits on the west.

The parcel consists of a low wetland area and slough. Portions of the parcel often are inundated with water from the Willamette Slough. The parcel is vacant and is within the floodplain.

The parcel represents a logical separation between urban industrial uses, which predominate to the south and east of the site, and farm and forest uses, which predominate to the north and west of the site. A variety of heavy industrial uses, including PGE's Harborton plant, Linnton Lumber Mill, and oil and

gas tank farms, are located in the area between St. Helens Road and the Willamette River to the south and east of the parcel. The Port of Portland's Terminal 4 is located east of the parcel on the opposite side of the Willamette River.

The eastern edge of Sauvie Island, a productive agricultural and habitat area, is located directly across the Willamette Slough from the parcel. Sauvie Island lies outside the Regional UGB and is zoned for Exclusive Farm Use.

A small marina is located on the Willamette Slough to the west of the parcel. Forest Park, a large wilderness park, extends down to St. Helens Road to the south and west of the parcel.

Vegetation on the parcel consists of scrub trees and grasses characteristic of wetland areas. Soils consist of poorly drained soil that is typical of the broad floodplains of the Columbia River.

The parcel is identified as a high value habitat area (95 points) in the City of Portland's recently completed wildlife habitat inventory. The site is targeted for acquisition in the February 27, 1987 draft of the Willamette Greenway Update to ensure the preservation of this area as a wildlife refuge. The intent of the Greenway acquisition policy is to acquire land within the Greenway which has significant value in terms of scenic quality, wildlife habitat, or recreational use, and which would be better protected, conserved, enhanced, or maintained by being in public ownership.

The parcel has significant scenic value because of its location at the junction of the Willamette River and the Willamette Slough. Development of the parcel could not occur without extensive fill and associated degradation of the natural and habitat values of the site. Fill of this wetland area could not occur without an Army Corps of Engineers permit. To gain a permit, an applicant must prove "need" for use of the site. Given the availability of other sites along the river, it would be improbable that "need" could be proved.

The parcel is accessible to transportation via NW Marina Way, a City of Portland street which terminates a short distance west of the parcel. The parcel is separated from St. Helens Road, a 4-lane state highway, by tracks of the Burlington Northern Railroad.

There is no sanitary sewer available to the parcel. A City of Portland 8-inch combined storm/sanitary sewer line is located adjacent to St. Helens Road and extends north only to NW 112th Avenue. There are two shortcomings to this service. First, the line terminates approximately one (1) mile southeast of the parcel. Second, the existing line is a combined system. Combined storm/sanitary sewer lines are not an efficient system for urban development.

An 8-inch water line extends along NW Marina Way, just south of the parcel.

The Portland Fire Bureau's Engine Company 22, located in St.

Johns, serves the parcel. A response time to an emergency at this location would be approximately four (4) minutes.

The parcel is within the North Portland Police Precinct. Response time for a high-priority call would be approximately 5-6 minutes from dispatch to arrival. Other calls would have a response time of approximately 15 minutes.

The site is within Portland School District 1-J.

#### IV. Standards

The standards applicable to this UGB adjustment request are set out in Chapter 3.01 of the Metro Code. The standards are as follows:

1. Net Change. Requests for trades of land cannot result in a net change of more than 10 acres of vacant land added to or 50 acres of vacant land removed from the UGB. MC Sections 3.01.020(e), 3.01.040(c)(2).
2. Local Action. Each city or county with jurisdiction over areas included in the request must take a written action recommending approval or denial of the request or declining to express an opinion. MC Section 3.01.025(a).
3. Applicants. A request must be filed by a group of more than 50 percent of the property owners who own more than 50 percent of the land area in each area included in the petition (Parcels 4-A, 2-D, and 3-D). MC Section 3.01.035(a).

4. Annexation. A request to extend the UGB to include land outside the Metro District must be accompanied by (1) a copy of a petition for annexation to the District to be submitted to the Portland Metropolitan Area Local Government Boundary Commission, and (2) a statement of intent to file the petition within 90 days of Metro action approving the request for UGB amendment. MC Section 3.01.035(b).
5. Non-Farm Use. The parcels proposed to be brought within the UGB must be irrevocably committed to non farm use. MC Section 3.01.040(c)(1).
6. Suitability. The land proposed to be brought within the UGB must be more suitable for urbanization than the land proposed to be removed, based on consideration of the following factors (MC Section 3.01.040(c)(3)):
  - (a) Public Facilities and Services. The trade must result in a net improvement in the efficiency of public improvements and services, including without limitation water, sewerage, storm drainage, transportation, fire protection, and schools in the adjoining areas within the UGB. Any parcel to be added must be capable of being served in an orderly and economical fashion. MC Section 3.01.040(a)(1).
  - (b) Land Use Efficiency. The trade should promote land use efficiency, taking into consideration

existing development densities on the trade parcels and whether the trade will facilitate development consistent with the local comprehensive or regional plans for adjacent urban land. MC Section 3.01.040(a)(2).

(c) Impact Consequences. Any impact on regional transit corridor development must be positive. Any limitations imposed by the presence of hazard or resource lands must be addressed. MC Section 3.01.040(a)(3).

(d). Nearby Agricultural Uses. The justification under (a) through (c), above, must clearly outweigh any adverse impact on nearby agricultural activities. MC Section 3.01.040(a)(5).

#### V. Application of Standards

1. Net Change. As stated in Part I, above, the net change in vacant land from the proposed trade is an addition of 9.9 acres. This is within the maximum permissible limit of 10 acres. Therefore the requirement of MC Sections 3.01.020(e) and 3.01.040(c)(2) is satisfied.

In calculating amounts of vacant land, it was necessary to decide how to treat tax lots that are partly developed and partly vacant. Metro Code Section 3.01.010(j) defines vacant land, but only addresses the question of how to treat partly developed lots in terms of residential property. The section states that:

- (1) A lot of one acre or less with a dwelling unit contains no vacant land;
- (2) A lot of one acre or less with no dwelling unit contains entirely vacant land;
- (3) A lot in excess of one acre with dwelling units contains vacant acreage equal to the lot size less one acre for each dwelling unit.

The section does not address the question of how to treat partly developed lots where the development is non-residential. Reading the language of Section 3.01.010(j) literally, all non-residential land is vacant. Clearly, this does not make sense. Rather, the intention appears to be that if less than one acre of a parcel is developed, then the parcel should be treated as having one developed acre; and if more than one acre is developed, then the parcel should be treated as being developed to the extent of the actual developed acreage. The 9.9 acre calculation is based on this interpretation.

In calculating amounts of vacant land, it also was necessary to determine whether water areas should be treated as vacant. At the time of adoption of Metro Code Chapter 3.01, the Metro (then CRAG) staff compiled an inventory of land in 14 land use categories. These categories separated water areas from vacant land. See Exhibit 25. Thus the intention of the Metro Code appears to be that water land not be treated as vacant land. The 9.9 acre calculation is based on this interpretation.

2. Local Action. As stated in Part I, the City of Sherwood is one of the petitioners in this proceeding and has recommended approval of the proposed UGB amendment. Washington County has recommended approval. The City of Portland has chosen to express no opinion. Each jurisdiction's action was in writing. These are the only cities and county with jurisdiction over the trade parcels. Therefore the requirement of MC Section 3.01.025(a) is satisfied.

3. Applicants. For parcels 4-A, 2-D, and 3-D, the petitioners included more than 50 percent of the property owners owning more than 50 percent of the land area. For parcels 1-A, 2-A, 3-A, and 1-D, the petitioners included a city with a planning area that includes or is contiguous to the land area. Therefore the requirement of MC Section 3.01.035(a) is satisfied.

4. Annexation. The request to amend the UGB in this case included a copy of a petition to the Boundary Commission to annex parcels 2-A and 3-A to the Metro District, and the City of Sherwood has stated its intention to file the petition within 90 days of Metro action approving the request for UGB amendment. Therefore, the requirement of MC Section 3.01.035(b) is satisfied.

5. Non-Farm Use. Metro Code Section 3.01.010(1) defines land "irrevocably committed to non-farm use," in the case of land covered by a plan acknowledged by LCDC, which is the case here, as "any land for which a Goal No. 3 exception has been approved by LCDC." If a plan has not yet been acknowledged by LCDC, there



must be a determination that it "is not possible to preserve [the land] for farm use, within the meaning of Goal No. 2, Part II."

Other than Parcel 1-A, all land proposed for addition to the UGB is irrevocably committed to non-farm use based on a Goal No. 3 exception approved by LCDC. Parcel 1-A, at Edy Road, is part of a larger area designated for Exclusive Farm Use.

The ordinary process to have Parcel 1-A declared "irrevocably committed to non-farm use" would be for the applicants to seek a plan amendment from Washington County and a subsequent acknowledgement from LCDC. Washington County, however, has a case overload and is declining to entertain such requests. Due to this administrative bottleneck, Metro staff, the Department of Land Conservation and Development (DLCD), Washington County, and 1000 Friends of Oregon reached the following agreement:

- (1) Metro would issue a 45-day notice to DLCD on the proposed determination of irrevocable commitment to non-farm use, citing Washington County's hearing on the matter as well as Metro's;
- (2) Washington County would send notices to property owners within 250 feet of Parcel 1-A, and Washington County staff would comment on proposed findings regarding commitment to non-farm use;
- (3) The Washington County Commission would adopt a position on the adequacy of the proposed findings; and
- (4) Metro would take the final action on the findings.

Steps (1) through (3) have been taken. See Exhibits 4, 5, 10, and 23. Part of Metro's function in this proceeding is to make the final determination on whether the standards have been met for a determination that Parcel 1-A is irrevocably committed to non-farm use.

Oregon Administrative Rule 660-04-028 sets out the standards that must be met. In general, a determination that land is irrevocably committed to non-farm use must be based on a determination that "existing adjacent uses and other relevant factors make [farm] uses...impracticable." The determination must address the following factors:

- (a) Existing adjacent uses;
- (b) Public facilities and services;
- (c) Parcel size and ownership patterns of the irrevocably committed area and adjacent lands;
- (d) Neighborhood and regional characteristics;
- (e) Natural boundaries or other buffers separating the area from the adjacent resource land;
- (f) Existing physical development that is inconsistent with farm use;
- (g) Other relevant factors.

Based on the findings set out in Parts I and III above regarding Parcel 1-A, it is apparent that:

- (a) There is significant development on three sides of Parcel 1-A and there will be in the future significant further urban development on two sides of the parcel;

- (b) Urban services either are or will be available to Parcel 1-A as the surrounding area develops;
- (c) Parcel size and ownership patterns of Parcel 1-A are incompatible with significant commercial farming activity;
- (d) Based on neighborhood and regional characteristics, the most compatible development of Parcel 1-A will be as urban land;
- (e) There is a natural boundary that separates Parcel 1-A from the principal abutting farmland and that makes Parcel 1-A more logically a part of the abutting urbanizable land; and
- (f) Existing improvements are of sufficient value and density to be inconsistent with farm use.

Based on all of these factors, Parcel 1-A is irrevocably committed to non-farm use. In addition, under OAR 660-04-025, Parcel 1-A is physically developed to the extent it no longer is available for farm use. Therefore, the requirement of MC Section 3.01.035(b) is satisfied.

6. Suitability.

(a). Public Facilities and Services.

(i) Water. Parcels 1-A, 2-A, 3-A, and 4-A all could be served with water by the extension of existing water lines. The City of Sherwood presently has a sufficient water supply and facilities to serve Parcels 1-A, 2-A, and 3-A for the foreseeable future. The same is true for the Tigard Water District as to

Parcel 4-A. These parcels thus can be served in an orderly and economical fashion, and their addition to the UGB will result in an improvement in the efficiency of public water facilities.

Parcels 1-D and 3-D could be served with water by the extension of existing water lines. Parcel 2-D, outside the Sherwood City limits, could not. Since none of these parcels is likely to develop significantly, their deletion from the UGB will not result in a decrease in the efficiency of public water facilities.

Overall, the proposed trade will result in a net improvement in the efficiency of public water facilities.

(ii) Sewerage. Parcels 1-A, 2-A, and 3-A all could be served with sewerage service by the extension of existing lines. Parcels 2-A and 3-A will need to annex to the Unified Sewerage Agency. Parcel 4-A actually has a line on site but cannot receive service because it is outside the UGB. The USA has sufficient treatment facilities to serve Parcel 4-A. There is no indication in the record as to facilities to serve the other parcels, although the USA has not expressed any concern about serving the parcels. All parcels can be served by gravity flow except possibly a portion of Parcel 2-A. These parcels thus can be served in an orderly and economical fashion, and their addition to the UGB will result in some improvement in the efficiency of public sewerage facilities.

Parcels 1-D, 2-D, and 3-D all could be served with line extensions. Parcel 1-D, however, would require pumping. Parcel

3-D would be served by a combined storm and sanitary sewer, which is not desirable for urban development. Parcel 2-D would need to annex to the USA. Since none of these parcels is likely to develop significantly, their deletion from the UGB will not result in a decrease in the efficiency of public sewerage facilities.

Overall, the proposed trade will result in a net improvement in the efficiency of public sewerage facilities.

(iii) Storm Drainage. None of Parcels 1-A, 2-A, 3-A, and 4-A will require public storm drainage facilities. Onsite drainage facilities to accompany development will not be unusual. These parcels therefore can handle storm drainage in an orderly and economical fashion.

Parcels 1-D and 3-D both raise drainage concerns, Parcel 1-D being within the floodplain and Parcel 3-D being frequently inundated. This is one of the main reasons why these sites are largely undevelopable.

The proposed trade will not affect the efficiency of public storm drainage facilities.

(iv) Transportation. Parcels 1-A, 2-A, 3-A, and 4-A all have good road access. In addition, Edy Road at Parcel 1-A is scheduled for widening and SW 131st and Beef Bend Road at Parcel 4-A will need to be developed to Major Collector standards regardless of whether Parcel 4-A is developed. These parcels thus will be able to receive transportation service in an orderly and economic fashion. Furthermore, it appears that the

development of these parcels can be accommodated either by existing or already planned or needed transportation facilities, so that their addition to the UGB will result in a net improvement in the efficiency of public transportation facilities.

Witnesses who testified regarding Parcel 4-A (Bull Mountain) expressed concerns about the present condition of Beef Bend Road and the question whether Beef Bend Road really will be improved to Major Collector standards and when. In considering UGB amendments, however, the important consideration is planned public facilities and services that will serve the area rather than the existing level of services. Whether the timing of development should wait for the construction of planned facilities is a matter to be determined by city or county regulations as part of the zoning and building regulation process.

Transportation access to Parcels 1-D and 2-D is poor. Since these parcels and Parcel 3-D are unlikely to develop significantly, their deletion from the UGB will not result in a decrease in the efficiency of public transportation facilities.

Overall, the proposed trade will result in a net improvement in the efficiency of public transportation facilities.

(v) Fire and Police Protection. Parcels 1-A, 2-A, 3-A, and 4-A all will be able to receive fire and police protection in an orderly and economic fashion, from existing facilities.

Since these parcels are more likely to develop than are Parcels 1-D, 2-D, and 3-D, the proposed trade will result in a small improvement in the efficiency of public fire and police facilities.

(vi) Schools. The Sherwood School District has some excess capacity to serve Parcels 1-A, 2-A, and 3-A but probably will have to build modular classrooms to accommodate enrollment growth in the future. The Tigard School District will need to construct new school facilities to accommodate growth regardless of the development of Parcel 4-A and, in fact, a portion of Parcel 4-A is a possible site for a new school. It will be possible for the Districts to provide school services to these parcels in an orderly and economic fashion. In addition, since there is a slight excess present capacity, the addition of these parcels to the UGB may result in a slight improvement in the efficiency of public school facilities and services.

Since Parcels 1-D, 2-D, and 3-D are unlikely to develop significantly, their deletion from the UGB will not result in a decrease in the efficiency of public school facilities and services.

Overall, the proposed trade may result in a slight improvement in the efficiency of public school facilities and services.

(vii) Summary. Based on the above analysis, the parcels to be brought inside the UGB under the proposed trade will be able to be served with public services in an orderly and

economic fashion. Furthermore, the proposed trade will result in a net improvement in the efficiency of public facilities and services. Therefore the requirement of MC Section 3.01.040(a)(1) is satisfied.

(b) Land Use Efficiency. Parcels 1-A, 2-A, and 3-A already are partially developed sites, and their urbanization would be consistent with and supportive of development of adjacent urbanized land. There is virtually no development on Parcel 4-A so that if brought within the UGB, it would be possible to make the most efficient possible use of the land.

Parcels 1-D, 2-D, and 3-D, although within the UGB, are not likely to have significant development.

Overall, the trade, by bringing partially developed or highly developable land within the UGB while removing undevelopable land, will promote land use efficiency and will facilitate development consistent with plans for adjacent urban land. Therefore the requirement of MC Section 3.01.040(a)(2) is satisfied.

(c) Impact Consequences. There will be no impact on regional transit corridor development. There will be no limitations imposed by the presence of hazard or resource lands. Therefore the requirement of MC Section 3.01.040(a)(3) is satisfied.

(d) Nearby Agricultural Uses. There will be no adverse impact on nearby agricultural activities. Therefore the requirement of MC Section 3.01.040(a)(5) is satisfied.



(e) Conclusion. For the reasons stated above, the land proposed to be brought within the UGB is more suitable for urbanization than the land proposed to be removed. Therefore the requirement of MC Section 3.01.040(c)(3) is satisfied.

VI. Recommendation

For the foregoing reasons, the petition satisfies the requirements of Metro Code Chapter 3.01 and should be approved. Parts I and III of this report and recommendation should be treated as findings of fact, and Part V should be treated as conclusions.

Dated: September 28, 1987

Respectfully submitted,



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Christopher P. Thomas  
Hearings Officer

ATTACHMENT A

PARCEL DESCRIPTIONS

PARCEL 1-A:

A parcel of land situated in the northeast one-quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the center of said Section 29, said point being on the centerline of SW Edy Road (County Road 1070); thence East 660 feet to the TRUE POINT OF BEGINNING; thence leaving the said centerline North 1320 feet to a point; thence East 1056 feet to a point; thence South 565 feet, more or less, to a point; thence East 264 feet, to a point; thence South 755 feet, more or less, to a point on the said centerline of SW Edy Road; thence West along the said centerline 1320 feet to the TRUE POINT OF BEGINNING.

Containing 36.6 acres, more or less.

PARCEL 2-A:

Tax Lots 200, 1600, 1700, 1701, and 1800, 2S2-36D.

Containing 22.5 acres, more or less.

PARCEL 3-A:

Tax Lot 300, 2S1-31C, and Tax Lots 400, 800, and 900, 2S1-31CC.

Containing 5.2 acres, more or less.

PARCEL 4-A:

A parcel of land situated in the north half of Section 16, Township 2 South, Range 1 West, of the Willamette Meridian, County of Washington, State of Oregon, more particularly described as follows:

BEGINNING AT the point of intersection of the south right-of-way line of SW BEEF BEND ROAD, a 50-foot-wide public road, and the west right-of-way line of SW 131st AVENUE, a variable-width public road; THENCE, South, along the right-of-way of said SW 131st AVENUE, 1,502 feet, more or less, to the southeast corner of "DICKSON", a duly recorded plat in said county; THENCE, West, 805.05 feet to the southwest corner thereof; THENCE South 101.39 feet; THENCE, West, 786.68 feet to the easterly line of the Bonneville Power Administration 100-foot-wide right-of-way;

THENCE, N. 0 degrees 06'W., along said easterly line, 1,394.46 feet to the southerly line of said SW BEEF BEND ROAD; THENCE, N. 82 degrees 32'E., along said southerly line, 1,607.8 feet to the point of beginning.

Containing 52.9 acres, more or less.

PARCEL 1-D:

A parcel of land situated in the northwest one-quarter of Section 29, and the Northeast one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the northwest corner of said Section 29; thence East along the north line of said Section 29, 1320 feet, more or less, to a point; thence South 1275 feet, more or less, to a point on the southerly line of the Bonneville Power Administration, Oregon City - Keeler Section transmission easement (being 250 feet in width); thence North 52 degrees West 410 feet, more or less, to an angle point on the said southerly line; thence North 86 degrees West 1010 feet, more or less, to a point on the west line of said Section 29; thence continuing along the said southerly line of said easement North 86 degrees West 125 feet, more or less, to an angle point; thence North 53 degrees West 1480 feet, more or less, to the intersection of the said southerly line of said easement with the westerly line of that tract of land described by Deed, recorded in Book 1102, page 643, Washington County Deed Records; thence North along said westerly line 40 feet, more or less, to a point on the north line of said Section 30; thence East 1320 feet, more or less, to the northeast corner of said Section 30 and the said northwest corner of Section 29, said point being the Point of Beginning.

Containing 45.7 acres, more or less.

PARCEL 2-D:

A parcel of land situated in the north half (N1/2) of Section 29, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

BEGINNING AT a point that bears South 660.0 feet from the north quarter corner of said Section 29; THENCE, East 660.0 feet; THENCE South, 660.0 feet to the northwest corner of that tract of land conveyed to Richard Cereghino, by deed recorded, December 9, 1947, in Book 281, Page 85, Deed Records; THENCE, South, 760.0 feet; THENCE, West 662.4 feet to a point on the North-South centerline of said Section 29; THENCE, N. 0 degrees 15'W., 105.38 feet along said North-South centerline to a point on the North-South centerline of said Section 29 that bears N. 0 degrees 15'W., 655.38 feet from the center quarter corner (center 1/4

corner) of said Section 29; THENCE, S. 89 degrees 49'W., 440.0 feet to the southwest line of a 250.0-foot-wide right-of-way granted to the Bonneville Power Administration; THENCE, N. 50 degrees 34'W., 398.0 feet along said right-of-way line to a point on the southwesterly extension of the northwest chain-link fence line of the enclosure fence of PGE Company's Sherwood Substation; THENCE, N. 38 degrees E., 535.0 feet along said extension to the most westerly corner of said enclosure fence; THENCE, continuing, N. 38 degrees E., 683.6 feet along said northwest fence line and its northeasterly extension to said North-South centerline of Section 29; THENCE, North 112.9 feet to the point of beginning.

Containing 33.4 acres, more or less.

PARCEL 3-D:

A parcel of land situated in the northwest quarter of Section 34, Township 2 North, Range 1 West, Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

BEGINNING AT the intersection of the west line of the Jacob Sanders D.L.C. by compromise and the northeast right-of-way line of Marina Way; THENCE, S. 47 degrees 13' 15"E., 437.04 feet along said right-of-way line; THENCE, N. 40 degrees 37' 32"E., 1,839.86 feet to the easterly extension of the centerline of the Willamette Slough; THENCE, N. 62 degrees 00' W., 474.27 feet along said easterly extension to the centerline of the Willamette Slough; THENCE, N. 83 degrees 57'W., 800.00 feet along said centerline; THENCE, N. 76 degrees 27'W., 230.00 feet along said centerline to the northerly extension of said compromise line; THENCE, S. 0 degrees 03'W., 1,468.89 feet along said compromise line and its northerly extension to the point of beginning.

Containing 36.6 acres, more or less.

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 1987, I served a true copy of the foregoing Report and Recommendation of Hearings Officer on each of the persons listed below by depositing an envelope containing the copies in the U.S. Mail at Portland, Oregon, with first class postage prepaid thereon, addressed, respectively, as follows:

Mrs. Beverly Froude  
12200 S.W. Bull Mountain Rd.  
Tigard, OR 97224

Mr. Alexander F. Fredrick  
12800 N.W. Marina Way  
Portland, OR 97231

Ms. Jean K. Young  
15300 S.W. 116th  
King City, OR 97224

Mr. James Rapp  
City of Sherwood  
90 N.W. Park Street  
Sherwood, OR 97140

Ms. Phyllis Erling  
13970 S.W. Beef Bend Rd.  
Tigard, OR 97224

Ms. Helen Henderson  
13750 S.W. Beef Bend Road  
Tigard, OR 97224

Ms. Mary Dorman  
Benkendorf Associates  
Suite 1406  
522 S.W. Fifth Avenue  
Portland, OR 97204

Dated this 29th day of September, 1987.

Darlene Badrick

Darlene Badrick  
Administrative Assistant  
Research & Development

Ayes: Councilors Bonner, Collier, DeJardin, Gardner,  
Kirkpatrick and Knowles

Nays: Councilors Cooper, Hansen, Kelley, Ragsdale,  
Van Bergen and Waker

The motion carried. Order No. 88-17 was adopted and the applicant's petition to amend the UGB was denied.

Councilor DeJardin reported he had voted to support the Hearings Officer's recommendation -- a change from his previous thinking -- because the findings prepared by Metro's General Counsel had not persuaded him to go against the Hearings Officer's recommendation.

## 8. ORDINANCES

### 8.1 Consideration of Ordinance No. 88-244, Amending the Metro Urban Growth Boundary in Contested Case No. 87-1: the Edy Road, Highway 99W, Middleton and Substation Sites (First Reading and Public Hearing)

The Clerk read the ordinance by titly only a first time.

Motion: Councilor Waker moved, seconded by Councilor Bonner, to adopt the ordinance.

Jill Hinckley, Land Use Coordinator, briefly reviewed staff's written report. Presiding Officer Ragsdale opened the public hearing. There was no testimony and the hearing was closed. He announced a second reading was scheduled for March 24, 1988.

### 8.2 Consideration of Ordinance No. 88-240A, Adopting an Updated Solid Waste Management Plan (Second Reading)

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

Councilor Hansen, Chair of the Solid Waste Committee, reported the ordinance amended the Management Plan to exclude reference of the formerly designated Wildwood landfill. After conducting a public hearing, the Committee unanimously recommended adoption of the ordinance.

Motion: Councilor Hansen moved, seconded by Councilor Kelley, to adopt the ordinance.

Vote: A roll call vote on the motion resulted in all twelve Councilors present voting aye.

The motion carried and the ordinance was adopted.

9. RESOLUTIONS

9.1 Consideration of Resolution No. 88-873, for the Purpose of Naming the Zoo African Aviary in Honor of Howard Vollum

Councilor Kelley, Chair of the Zoo Committee, reported the Committee recommended adoption of the resolution due to the generous contribution of the Vollum family for the exhibit and because the proposal met the Council's adopted criteria for naming exhibits and facilities in honor of individuals.

Motion: Councilor Kelley moved to adopt the resolution. Councilor Kirkpatrick seconded the motion.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and the resolution was adopted.

9.2 Consideration of Resolution No. 88-881, for the Purpose of Authorizing Solicitation of Bids for Oregon Convention Center Bid Package 1: Steel Fabrication and Erection

Convention Center Committee Chair Councilor Cooper reported the Committee recommended adoption of the resolution. The bid represented the first major component of the convention center project construction.

Motion: Councilor Cooper moved, seconded by Councilor Waker, to adopt the resolution.

Vote: A vote on the motion resulted in all twelve Councilors voting aye.

The motion carried and the resolution was adopted.

10. COMMITTEE REPORTS

Intergovernmental Relations Committee. Councilor Waker reported the Committee would be evaluating nominations for Boundary Commissioners. Councilors had received information about the nomination process. He requested applications be returned to Council staff as soon as possible.

Solid Waste Committee. In response to Councilor Knowles' question, Councilor Hansen reviewed the Committee's schedule for considering disposal options. The Committee would most likely conclude its deliberations on March 15.



# METRO

2000 SW First Avenue  
Portland, OR 97201-5398  
(503) 221-1646  
Fax 241-7417

March 28, 1988

Mr. Charles D. Cameron  
County Administrator  
Washington County Courthouse  
150 North First Avenue  
Hillsboro, OR 97213

Dear Mr. Cameron:

Enclosed is a true copy of the following Ordinance adopted by the Metro Council. Please file this Ordinance in the Metro file maintained by your county.

Ordinance No. 88-244, An Ordinance Amending the Metro Urban Growth Boundary for Contested Case No. 85-7: The Edy Road, Highway 99W, Middleton and Substation Sites.

Sincerely,

A handwritten signature in cursive script that reads "A. Marie Nelson".

A. Marie Nelson  
Clerk of the Council

AMN:pa

Enclosure

Executive Officer  
Rena Cusma

Metro Council

Mike Ragsdale  
Presiding Officer  
District 1

Corky Kirkpatrick  
Deputy Presiding  
Officer  
District 4

Richard Waker  
District 2

Jim Gardner  
District 3

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





# METRO

2000 SW First Avenue  
Portland, OR 97201-5398  
(503) 221-1646  
Fax 241-7417

March 28, 1988

Mr. John Kauffman  
County Clerk  
Clackamas County Courthouse  
8th and Main  
Oregon City, OR 97045

Dear Mr. Kauffman:

Enclosed is a true copy of the following Ordinance adopted by the Metro Council. Please file this Ordinance in the Metro file maintained by your county.

Ordinance No. 88-244, An Ordinance Amending the Metro Urban Growth Boundary for Contested Case No. 85-7: The Edy Road, Highway 99W, Middleton and Substation Sites.

Sincerely,

A. Marie Nelson  
Clerk of the Council

AMN:pa

Enclosure

Executive Officer  
Rena Cusma

Metro Council

Mike Ragsdale  
Presiding Officer  
District 1

Corky Kirkpatrick  
Deputy Presiding  
Officer  
District 4

Richard Waker  
District 2

Jim Gardner  
District 3

Tom DeJardin  
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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



# METRO

2000 SW First Avenue  
Portland, OR 97201-5398  
(503) 221-1646  
Fax 241-7417

March 28, 1988

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

Dear Jane:

Enclosed is a true copy of the following Ordinance adopted by the Metro Council. Please file this Ordinance in the Metro file maintained by your county.

Ordinance No. 88-244, An Ordinance Amending the Metro Urban Growth Boundary for Contested Case No. 85-7: The Edy Road, Highway 99W, Middleton and Substation Sites.

Sincerely,

A. Marie Nelson  
Clerk of the Council

AMN:pa

Enclosure

Executive Officer  
Rena Cusma

Metro Council

Mike Ragsdale  
Presiding Officer  
District 1

Corky Kirkpatrick  
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