

BEFORE THE METRO COUNCIL

TO WAIVE THE METRO URBAN GROWTH) RESOLUTION NO. 01-3063
BOUNDARY ANNUAL FILING DEADLINE)
FOR THE KEITH TAYLOR AND JEAN)
TAYLOR MAJOR AMENDMENT PETITION)
IN WASHINGTON AND CLACKAMAS) Introduced by Councilor Carl Hosticka,
COUNTIES)

WHEREAS, Keith Taylor and Jean Taylor filed a major amendment petition prior to the annual deadline, March 15, 2001, to amend the Urban Growth Boundary (UGB) for 345 acres in Washington and Clackamas Counties; and

WHEREAS, The petition was found to be incomplete as of March 22, 2001, absent six items including a statement by the Clackamas County Board of Commissioners regarding the petition as required by the Metro Code; and

WHEREAS, The petitioners were able to complete four of the six items by the April 5, 2001, review deadline allowed by the Metro Code; and

WHEREAS, The petitioners were unable to obtain a formal statement from the Clackamas County Board of Commissioners and the required County Tax Assessor maps by the April 5, 2001, review deadline allowed by the Metro Code; and

WHEREAS, The petitioners have requested in writing that the Metro Council withhold action on their petition until Clackamas County is able to review the proposal and issue a statement regarding the petition, now, therefore,

BE IT RESOLVED,

1. A waiver for filing the proposed major amendment petition for Keith Taylor and

Jean Taylor is hereby granted.

2. The new deadline for completion of this petition is hereby established as one week after the Clackamas County Board of Commissioners render a decision on the petition or until July 1, 2001, whichever is first.
3. If the petition is not completed by the deadline as specified in 2 above, then it shall be considered inactive and withdrawn.

ADOPTED by the Metro Council this 26th day of April, 2001.





David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:



Recording Secretary



Daniel B. Cooper, General Counsel

STAFF REPORT

*IN CONSIDERATION OF RESOLUTION 01-3063; TO WAIVE THE METRO
URBAN GROWTH BOUNDARY ANNUAL FILING DEADLINE FOR THE KEITH
TAYLOR AND JEAN TAYLOR MAJOR AMENDMENT PETITION IN
WASHINGTON AND CLACKAMAS COUNTIES*

Date: April 9, 2001

Presented by: Councilor Carl Hosticka

Proposed Action

Resolution No. 01-3063 waives the filing deadline for a major amendment to the Urban Growth Boundary for Keith Taylor and Jean Taylor (petitioners). This action would allow the petitioners additional time to submit a written statement from the governing body of Clackamas County, as required by the Metro Code for major amendments, and County Tax Assessor maps thus completing their petition.

Factual Background and Analysis

The petitioner submitted a major amendment petition by the deadline date of March 15, 2001, for land within Washington and Clackamas Counties. The petition is for 345 acres located northwest of the City of Wilsonville's city limits, including the Coffee Creek Correctional Facility that occupies approximately 110 acres of the subject site. The majority of the site is former Urban Reserve 42. The outstanding items necessary to complete this petition consist of a written statement from the governing body of Clackamas County recommending approval, denial or no preference on the petition, and County Tax Assessor maps indicating the subject property and all land within 500 feet of the subject property.

The petitioners could not obtain Clackamas County's formal written statement by the April 5, 2001 deadline for remedying incomplete applications. The petitioner was late in submitting their request to Clackamas County. Clackamas County staff has indicated that the Clackamas County Board of Commissioners will take formal action on the request in the near future. The petitioners have requested a waiver of the filing deadline through a letter to the Metro Presiding Officer (Attachment A).

Washington County staff has indicated that the Washington County Board of Commissioners has a long-standing policy not to comment on an application request for a major amendment to the UGB.

Budget Analysis

There is no budget impact.

Recommendation

Grant a time extension to one week after the Clackamas County Board of Commissioners render a decision on the petition or July 1, 2001, whichever is first, for submittal of all materials necessary to complete Keith Taylor and Jean Taylor's petition for a major amendment.

William C. Cox attorney at law

Land Use and Development Consultation

*Gary P. Shepherd
Of Counsel
(503) 233-1985*

April 5, 2001

David Bragdon, Councilor
Metro
600 NE Grand Avenue
Portland, Oregon 97232

RE: Taylor Petition for Major UGB Amendment
Waiver Request - Metro Code Section 3.01.033

Dear Councilor Bragdon:

This office represents Keith and Jean Taylor. A petition for a UGB Major Amendment has been filed with Metro.

On March 22, 2001, Tim O'Brien issued a letter stating the Taylor's application was incomplete. Specifically, the petition lacked a written statement from the Washington County Board of Commissioners concerning their position on the major amendment request as required by Metro Code Section 3.01.033(i)(3). Exhibit A. The letter stated a statement was required by April 5, 2001.

At this time, we are unable to obtain a written statement from the Washington County and Clackamas County Board of Commissioners concerning the petition request. We are presently in the process of obtaining a written statement from the respective Board of Commissioners.

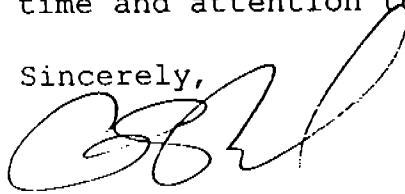
Prior to filing the petition with Metro this office inquired as to the County comment requirement, Metro Code Section 3.01.033(i)(3). At the time, we were told a statement from the Planning Director may be sufficient. As such, the statements were solicited and obtained. See Exhibit B. This office was later informed that a written statement from the Board of County Commissioners was required. This office then requested written statements from Washington and Clackamas County Board of Commissioners. Exhibit C. Clackamas County has scheduled the matter to be discussed by the Board of Commissioners on April

24, 2001. It is anticipated the Board will take formal action on the request on May 3, 2001. Exhibit D. Although efforts were made, Washington County was unable to provide a written statement at this time. It should be noted that Washington County has a long-standing policy not to comment on Major UGB Amendment application requests. Exhibit E.

Applicant intends to comply with this requirement but is unable to do so in the time frame given. As such, pursuant to Metro Code Section 3.01.033(d), this office, on behalf of Keith and Jean Taylor, respectfully requests a waiver of the deadline to obtain a written statement from the Washington County and Clackamas County Board of Commissioners. When written statements from the Board of Commissioners are obtained, they will immediately be forwarded.

If you have any questions or concerns, please call Mr. Cox or myself. I thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. P. Shepherd', written in a cursive style.

Gary P. Shepherd

CC: client

Enclosures