

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXTENDING)	RESOLUTION NO. 82-314
THE JULY 1 DEADLINE FOR PETITIONS)	
FOR LOCATIONAL ADJUSTMENTS OF)	Introduced by the Regional
METRO'S URBAN GROWTH BOUNDARY)	Development Committee

WHEREAS, The Council adopted Ordinance No. 81-105, for the Purpose of Establishing Procedures for Locational Adjustments to Metro's Urban Growth Boundary; and

WHEREAS, Section 4(a) of Ordinance No. 81-105 states that: "Except as provided in subsection (b) of this section, petitions for locational adjustment shall be considered by the District at one time each year beginning July 1 and petitions filed after July 1 of each year shall not be considered until July of the next calendar year."; and

WHEREAS, Section 4(b) of Ordinance No. 81-105 states that: "Upon request by a Councilor or the Executive Officer, the Council may, by majority vote, waive the July 1 filing deadline for a particular petition or petitions and hear such petition or petitions at any time."; and

WHEREAS, The Council will be reviewing the standards, procedures, and fees for hearing petitions for locational adjustment and amending Ordinance No. 81-105, Rule No. 79-3 and Resolution No. 81-260; and

WHEREAS, Any such needed amendments will not be adopted until at least May 27, 1982; and

WHEREAS, Section 9 of Ordinance No. 81-105 requires at least 90 days notice of the filing deadline and a period of at least

90 days is generally needed to prepare a petition for locational adjustment; now therefore;

BE IT RESOLVED,

1. That for the calendar year 1982, petitions for locational adjustment will be accepted for hearing through October 1, 1982;

2. That the Executive Officer may, at his discretion, schedule hearings prior to October 1, 1982, for petitions received prior to that date but following action on amendment of Ordinance No. 81-105.

ADOPTED by the Council of the Metropolitan Service District this 1st day of April, 1982.



Presiding Officer

JH/srb
5359B/107
03/11/82

A G E N D A M A N A G E M E N T S U M M A R Y

TO: Metro Council
FROM: Executive Officer
SUBJECT: Extending the July 1, 1982 Deadline for Petitions for
Locational Adjustment of the Urban Growth Boundary (UGB)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Council adoption of Resolution No. 82-314, extending the July 1, 1982 deadline for petitions for locational adjustment of the UGB.
- B. POLICY IMPACT: None. The July 1 deadline for future years is not affected by this action.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: In order to improve Metro's process for hearing petitions for locational adjustment staff is currently evaluating changes needed to Ordinance No. 81-105, Establishing Procedures for Locational Adjustment of Metro's UGB; Resolution No. 81-260, Providing for Waivers of the July 1 Deadline for Petitions for Locational Adjustments of Metro's UGB; and Rule 79-3, Establishing Rules of Procedure for Contested Cases. A memo on changes being considered and a schedule for Council action were presented to the Regional Development Committee for discussion at its March 8 meeting.

Section 4(a) of Ordinance No. 81-105 provides for an annual July 1 deadline for receipt of petitions, unless waived by the Council as provided in Section 4(b).

In order to allow potential petitioners to respond to any changes in the standards, procedures or fees for locational adjustments, following Council action on recommended changes in May or June, an extension of the deadline until October 1 is recommended. If the deadline is going to be extended, it should be done prior to April 1, at which time 90-day notice of the July 1 deadline would otherwise need to be published. The Development Committee recommended adoption of the attached Resolution at its March 8 meeting.

- B. ALTERNATIVES CONSIDERED: The alternative of maintaining the July 1 deadline while proceeding with changes in the process would make it more difficult for potential applicants to prepare their petitions and for local governments to review them consistent with any revisions.

C. CONCLUSION: Extending the deadline to October 1 allows the Council an opportunity to review and revise the locational adjustment process in an orderly and effective way without jeopardizing the rights and interests of potential petitioners.

JH/srb
5395B/107
03/12/82