

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

A RESOLUTION AUTHORIZING APPEAL OF )	RESOLUTION NO. 82-355
DENIAL OF WILDWOOD LANDFILL )	
PROPOSAL TO MULTNOMAH COUNTY )	Introduced by Councilors
COMMISSION )	Banzer, Burton and Oleson

WHEREAS, The Metro staff was authorized by Resolution No. 81-252 to seek approval of the Wildwood Landfill proposal from Multnomah County; and

WHEREAS, Said proposal was denied by the County Hearings Officer on September 13, 1982 based upon findings of insufficient evidence and inconsistency with the Multnomah County zoning ordinance and comprehensive plan; and

WHEREAS, It is the position of the Council that the decision and opinion of the County Hearings Officer are incorrect and should be reviewed by the Multnomah County Commission; and

WHEREAS, Appeal from a hearings officer's decision must be filed within ten (10) days of such decision and, to meet that time limit, the Executive Officer has appropriately filed such an appeal; now, therefore,

BE IT RESOLVED,

That the Council hereby authorizes and ratifies the Executive Officer's appeal of the denial of the Wildwood Landfill proposal to the Multnomah County Board of County Commissioners.

ADOPTED by the Council of the Metropolitan Service District this 23rd day of September, 1982.

  
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Presiding Officer

STAFF REPORT

COUNCIL

Agenda Item No. 7.2

Meeting Date 9/23/82

APPROVAL OF RESOLUTION NO. 82-355 AUTHORIZING  
APPEAL OF THE DENIAL OF THE WILDWOOD LANDFILL  
PROPOSAL TO THE MULTNOMAH COUNTY COMMISSION

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Date: September 15, 1982

Presented by: Andy Jordan

FACTUAL BACKGROUND AND ANALYSIS

Metro's request to Multnomah County for approval of a permit for the Wildwood Landfill was denied on September 13 by the County's Hearings Officer. Generally, the reasons for denial involved insufficient evidence and inconsistency with the County plan and zoning ordinance. The Hearings Officer's decision would be final unless appealed to the County Commission within ten (10) days of the decision (September 23, 1982).

It is the opinion of the staff that the Hearings Officer applied the County planning and zoning criteria incorrectly and that sufficient evidence does exist to approve the proposal. As a result, Metro should appeal.

Since the September 23 Council meeting occurs after the deadline for filing an appeal, and since the staff had previously been authorized to seek County approval of the landfill, the staff will file the appeal on or before September 23. The action requested of the Council, therefore, is to ratify the appeal which will already have been filed. If the Council wishes not to appeal, the staff can be directed to withdraw the appeal.

EXECUTIVE OFFICER'S RECOMMENDATION

Approval of Resolution No. 82-355 authorizing and ratifying the appeal.

COMMITTEE CONSIDERATION AND RECOMMENDATION

None. The Regional Services Committee does not meet until September 27.

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