



METRO

EXECUTIVE ORDER NO: 75

EFFECTIVE DATE: August 17, 2000

SUBJECT: Administrative Interpretation of the Urban Growth
Boundary South of Forest Grove

AUTHORITY: Metro Code Section 3.07.075

Findings of Fact

This administrative interpretation relates to the location of the urban growth boundary (UGB) on Washington County Tax Assessor Lots 1S3 6D 1100 and 1S3 7 800.

1. The UGB in this area of Forest Grove (Exhibit A) was established at the time the UGB was first adopted in 1979.
2. The original UGB in this area is described as following the southern lines of tax lots 1S3 6D 1100 and 1S3 7 800 southwest to the approximate location of the Washington County 1974 floodplain boundary, then north along said floodplain boundary to the north line of tax lot 1S3 6D 1100, then west to the northeast corner of tax lot 1S3 7 100 (Exhibit B).
3. Metro's UGB map series for Washington County includes the following notation:

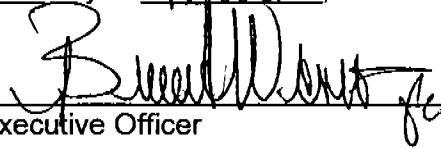
"Where the UGB is defined by floodplain boundaries as shown on Washington County 1974 floodplain maps, the precise location of the UGB shall be determined by field survey based upon floodplain elevations in 1974 as defined by the Washington County Director of Public Works, following the procedures provided in Section 135-1.1 of the Washington County Zoning Code."

4. The applicant, Joe Chamberlain, has submitted maps indicating the 100-year floodplain has been established by a field survey for tax lot 1S3 6D 1100 (Exhibit C) and by 1974 City of Forest Grove aerial photo for tax lot 1S3 7 800 (Exhibit D). The location of the floodplain boundary shown in Exhibit C varies from about 66 feet NGVD at the northwest corner to 63 feet at the southwest corner of tax lot 1100. The location of the floodplain boundary on Exhibit D has been interpreted to occur at about 63 feet NGVD for tax lot 800.

Conclusion and Order

The UGB in this area is hereby interpreted to follow the elevation of the 100-year floodplain as established by field survey for tax lot 1100 and by aerial photo for tax lot 800, as shown on Exhibit E.

ORDERED by the Executive Officer this 17th day of August, 2000


Executive Officer

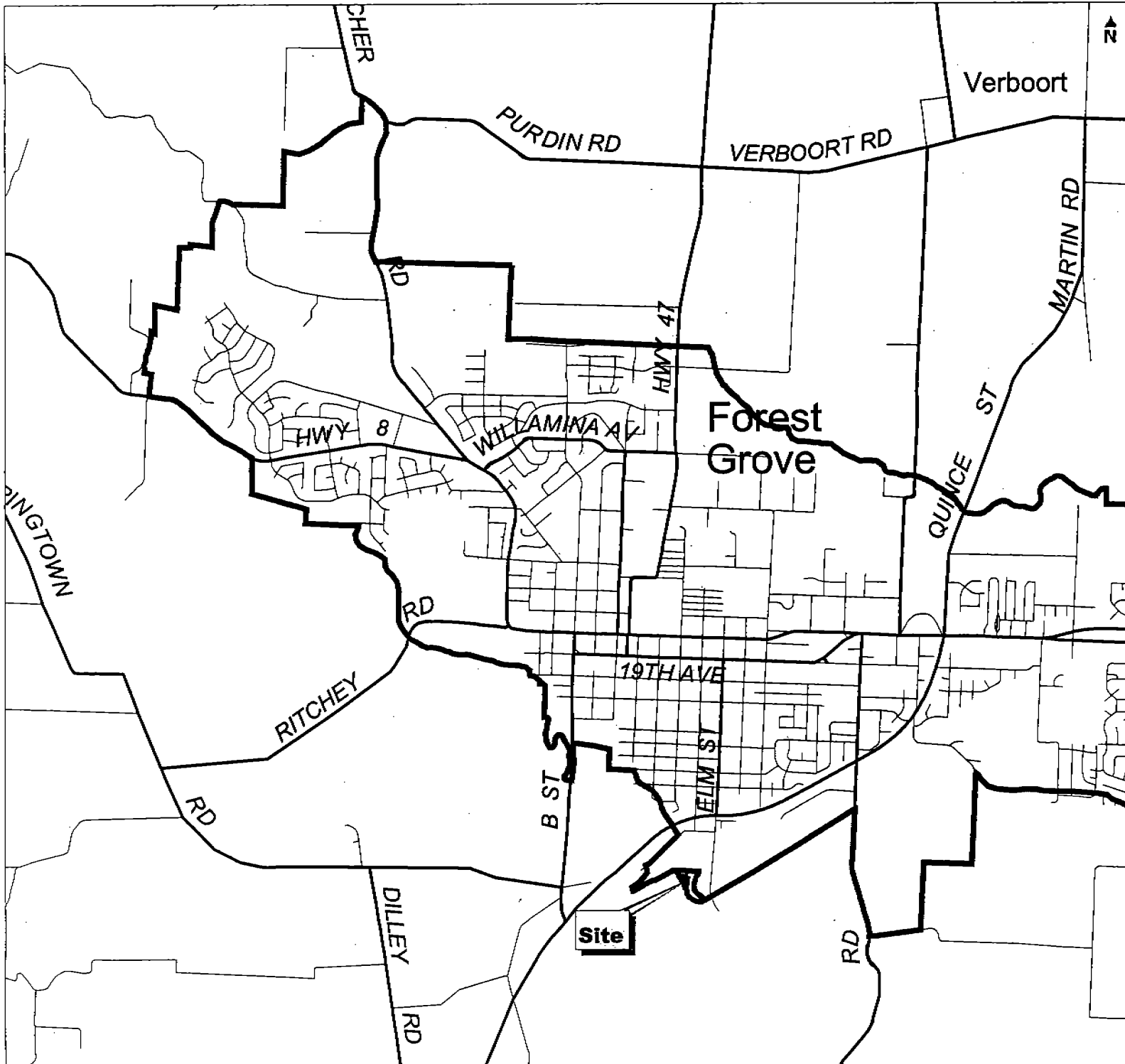
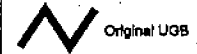
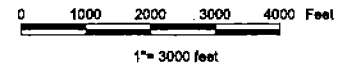


Exhibit A Area Map

Executive Order No. 75
August 17, 2000



The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the severity of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.



METRO

600 NE Grand Ave.
Portland, OR 97232-2736
503 797-1742 FAX 503 797-1909
Email: drc@metro.or.us



Exhibit B: Original UGB

Executive Order No. 75
August 17, 2000



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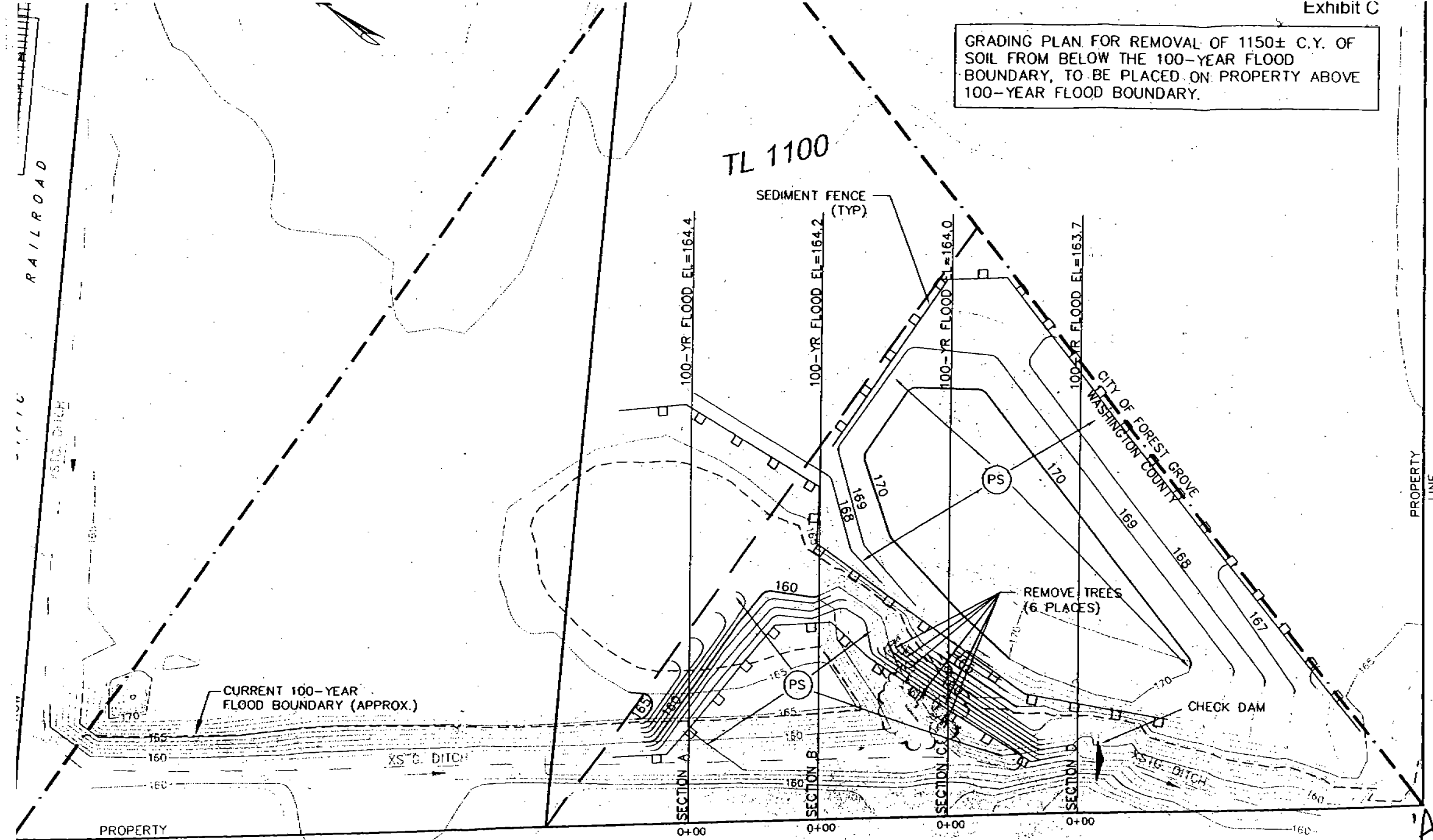
1" = 400 feet



METRO

600 NE Grand Ave.
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GRADING PLAN FOR REMOVAL OF 1150± C.Y. OF SOIL FROM BELOW THE 100-YEAR FLOOD BOUNDARY, TO BE PLACED ON PROPERTY ABOVE 100-YEAR FLOOD BOUNDARY.



GRADING & EROSION CONTROL PLAN

SCALE: 1" = 40'

8

A



160

x161.3

x172.6

x173.2

x173.3



R L I S

REGIONAL LAND INFORMATION SYSTEM

Exhibit E New UGB

Executive Order No. 75
August 17, 2000

New UGB

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1" = 400 feet

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METRO

August 17, 2000

Mr. Joseph Chamberlain
15770 Eilers Road
Aurora, OR 97002

Dear Mr. Chamberlain:

Re: *Urban Growth Boundary Interpretation for Tax Lots 1S3 6D 1100 and 1S3 7 800*

This letter concerns your request for identifying the precise location of the urban growth boundary (UGB) line on your property south of Forest Grove. Your request is based on the floodplain note language on Metro's UGB maps for Washington County. The note refers to a method for precisely locating the UGB when it is defined by floodplain boundaries. My staff has been working with your representative, Bob Browning, to resolve this issue.

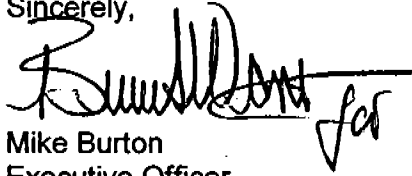
My letter of October 23, 1997, indicated that Metro determined that the UGB line follows the delineated floodplain elevation of 165.9 feet NGVD on your property (Attachment A). The delineation of the floodplain was conducted for you by Chase, Jones & Associates and accepted by Washington County Engineering Services. A previous memo from Rick Raetz of Engineering Services stated that the fill area shown on your surveyed topographic plan appeared to not be in compliance with the County's Floodplain Ordinance. Metro deferred to the County regarding any violation of this ordinance and corrective action needed. Based on subsequent information provided to us by Mr. Browning, my staff has concluded that you have completed all necessary work required by the County for this area.

The most recent surveyed topographic information used for your County Grading and Erosion Control Plan and accepted by the County indicates that the 100-year floodplain elevation along the western portion of your property runs between 163 feet and 166 feet NGVD. Based on this information and the submittals from Bob Browning, dated May 2 and August 2, we conclude that you have provided us with all the information needed to interpret the UGB line. The UGB line is hereby determined by Executive Order No. 75 (Attachment B) to follow the 100-year flood boundary as delineated by HBH Consulting Engineers (Drawing No. 97044-01) and the 1974 City of Forest Grove aerial photograph. The new location runs along the west side of tax lots 1S3 6D 1100 and 1S3 7 800 between the Southern Pacific Railroad right-of-way on the north and the Bonneville Power Administration easement on the south. The UGB line was created by our Data Resource Center using the digitized version of the delineation. The new line location will be sent to Washington County and the City of Forest Grove planning departments.

As an eligible party to the case, you may appeal the decision to the Metro Council if you disagree with the Executive Officer's interpretation of the UGB line. Any appeal must be made within 20 calendar days of receiving this notice.

Thank you for your patience in this matter. If you have any questions about this letter, please contact Ray Valone at 797-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton" with a stylized flourish at the end.

Mike Burton
Executive Officer

I:\GM\CommDev\Projects\UGB\Case97-2,Chamberlain\UGB interpretation.doc

Enclosures

cc: Robert Browning
Ava, Peter and Roger Zurcher
Jon Holan, City of Forest Grove
Genny Stone, Washington County
Rick Raetz, Washington County
Dan Cooper
Alan Holsted
Ray Valone



WASHINGTON COUNTY
OREGON

Date: October 16, 1997

To: Glen Bolen, Associate Planner, Metro

From: Rick Raetz, Senior Engineer, LUT *RR*

Subject: **Interpretation of Flood Plain and Urban Growth Boundary
UGB Locational Adjustment Case 97-2**

I have reviewed the surveyed topographic plan with flood plain delineation provided by Joseph Chamberlain and prepared by Chase, Jones & Associates, Inc.

The flood plain elevation used for this delineation is 165.9 ft NGVD is acceptable and appears on the plan to be plotted accurately.

However, Washington County's Community Development Code (CDC) requires that any fill placed in the flood plain after 1974 meet CDC requirements and be reviewed and approved through a Type II Land Use process. The Corps Flood Plain Work Maps dated 1977 clearly show the log pond and flood plain on the western half of the site.

It appears that the fill area shown is not in compliance with the County's local land use ordinance, specifically the Flood Plain Ordinance. If fill area was within City of Forest Grove Boundary, County ordinance would not apply.

Please provide additional information which demonstrates compliance with the County's Flood Plain Ordinance or fill was within Forest Grove jurisdiction.

If you have any questions, please call me at 693-4816.

c: Terry Lawler, Land Dev. Services
Jim Tice, Planning

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RBR:hs



METRO

August 17, 2000

Jon Holan
Community Development Director
City of Forest Grove
P.O. Box 326
Forest Grove, OR 97116

Dear Mr. Holan:

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, each city or county whose municipal or planning area boundaries include the area affected and owners of property in the area affected shall be provided with written notice and explanation of the executive officer's decision. The City may appeal the decision to the Metro Council within 20 calendar days of receiving this interpretation of the boundary location.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton". The signature is stylized and includes a long horizontal flourish extending to the right.

Mike Burton
Executive Officer

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Enclosures

cc: Ray Valone



METRO

August 17, 2000

Brent Curtis
Planning Manager
Washington County DLUT
155 N First Avenue, Suite 350-14
Hillsboro, OR 97124

Dear Mr. Curtis: *BRENT*

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City of Forest Grove. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, each city or county whose municipal or planning area boundaries include the area affected and owners of property in the area affected shall be provided with written notice and explanation of the executive officer's decision. The County may appeal the decision to the Metro Council within 20 calendar days of receiving this interpretation of the boundary location.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,

Mike Burton
Executive Officer

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Enclosures

cc: Genny Stone
Ray Valone



METRO

August 17, 2000

Ava, Peter and Roger Zurcher
3412 17th Avenue
Forest Grove, OR 97116

Dear Ava, Peter and Roger:

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City of Forest Grove. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The UGB line was also moved on property listed under your ownership, tax lot 1S3 7 800. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, each city or county whose municipal or planning area boundaries include the area affected and owners of property in the area affected shall be provided with written notice and explanation of the executive officer's decision. As an affected property owner, you may appeal the decision to the Metro Council within 20 calendar days of receiving this interpretation of the boundary location.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton". The signature is written in a cursive, flowing style.

Mike Burton
Executive Officer

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Enclosures

cc: Ray Valone



METRO

August 17, 2000

Robert Davis, Fire Chief
Forest Grove Rural Fire District
1919 Ash Street
Forest Grove, OR 97113

Dear Mr. Davis:

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City of Forest Grove. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, a city, county or special district whose municipal or planning area boundary includes the affected property(ies) may appeal the executive officer's decision to the Metro Council within 20 calendar days of receiving the interpretation of the boundary location. As an eligible special district party to this decision, the fire district may appeal the decision.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton". The signature is written in a cursive, somewhat stylized font.

Mike Burton
Executive Officer

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Enclosures

cc: Ray Valone

**METRO**

August 17, 2000

Bill Gaffi, General Manager
Unified Sewerage Agency
155 North First Avenue, Suite 270
Hillsboro, OR 97124

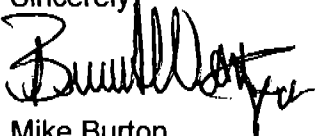
Dear Mr. Gaffi: 

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City of Forest Grove. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, a city, county or special district whose municipal or planning area boundary includes the affected property(ies) may appeal the executive officer's decision to the Metro Council within 20 calendar days of receiving the interpretation of the boundary location. As an eligible special district party to this decision, the school district may appeal the decision.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,



Mike Burton
Executive Officer

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Enclosures

cc: Ray Valone



METRO

August 17, 2000

Jack Musser, Superintendent
Forest Grove School District
1728 Main Street
Forest Grove, OR 97116

Dear Mr. Musser:

This letter is to notify you that I have made an urban growth boundary (UGB) line interpretation on two tax lots in the Taylor Industrial Park along the south edge of the City of Forest Grove. At the request of the owner of Washington County Tax Assessor lot 1S3 6D 1100, the UGB has been moved slightly to conform to the latest information on the location of the 100-year floodplain boundary. The enclosed letter and executive order gives the detailed information and maps related to this action.

Under Metro Code 3.01.075, a city, county or special district whose municipal or planning area boundary includes the affected property(ies) may appeal the executive officer's decision to the Metro Council within 20 calendar days of receiving the interpretation of the boundary location. As an eligible special district party to this decision, the school district may appeal the decision.

If you have any questions about this letter or decision, please contact Ray Valone at 797-1808.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton". The signature is stylized and written over a horizontal line.

Mike Burton
Executive Officer

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Enclosures

cc: Ray Valone