

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF GRANTING	)	RESOLUTION NO. 87-764
BENJFRAN DEVELOPMENT COMPANY AN	)	
EXTENSION OF ITS DEADLINE FOR	)	Introduced by the
FILING A PETITION FOR MAJOR	)	Executive Officer
AMENDMENT OF THE URBAN GROWTH	)	
BOUNDARY	)	

WHEREAS, Ordinance No. 85-189 as amended by Ordinance No. 86-204 sets twice-yearly deadlines for the filing of petitions for major amendments of the Urban Growth Boundary; and

WHEREAS, Section 4(b) of that Ordinance allows the Council of the Metropolitan Service District to waive that deadline "if warranted by unusual circumstances"; and

WHEREAS, BenjFran Development Company requested a waiver of the April 1, 1987, deadline to allow it to prepare a petition for major Urban Growth Boundary amendment in a timely fashion following a March 20, 1987, decision by the Land Use Board of Appeals on the Metropolitan Service District's denial of its earlier petition; and

WHEREAS, On March 26, 1987, the Council of the Metropolitan Service District approved BenjFran's request and extended the deadline to June 1, 1987; and

WHEREAS, BenjFran appeared before the Council of the Metropolitan Service District on May 14, 1987, to request a further extension to July 15, 1987; and

WHEREAS, This additional extension is consistent with providing the time needed to prepare a major amendment petition begun March 21, 1987; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby extends its waiver of the provision of Section 4(a) of Ordinance No. 85-189 as amended by Ordinance No. 86-204 to allow BenjFran Development Company until July 15, 1987, to submit a petition for major amendment of the Urban Growth Boundary.

ADOPTED by the Council of the Metropolitan Service District this 28th day of May, 1987.

  
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Richard Waker, Presiding Officer

JH/gl  
7145C/506  
05/18/87

STAFF REPORT

Agenda Item No. 6.4

Meeting Date May 28, 1987

CONSIDERATION OF RESOLUTION NO. 87-764 FOR THE  
PURPOSE OF GRANTING BENJFRAN DEVELOPMENT COMPANY  
AN EXTENSION OF ITS DEADLINE FOR FILING A  
PETITION FOR MAJOR AMENDMENT OF THE URBAN GROWTH  
BOUNDARY (ACTION REQUESTED: APPROVAL OF MOTION)

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Date: May 18, 1987

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 85-189, as amended by Ordinance No. 86-204, sets temporary procedures for hearing petitions for major amendments of the Urban Growth Boundary. Section 4(a) of this Ordinance establishes October 1 and April 1 as filing deadlines. Section 4(b) allows the Council to waive the deadline "if warranted by unusual circumstances."

On March 26, 1987, the Council voted to extend the April 1 deadline to June 1 for petitioner BenjFran Development Company. On May 14, representatives for BenjFran appeared before the Council to request a further extension to July 15, 1987, in order to provide sufficient time to complete its petition. Council asked staff to prepare a resolution for this purpose.

The original extension was granted in order to allow the petitioner time to prepare a case following the Land Use Board of Appeal's March 20, 1987, decision on their earlier case. The additional time requested is within an appropriate time frame for allowing an adequate response to that decision.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 87-764.

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7145C/496-4  
05/18/87