

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXTENDING THE) RESOLUTION NO. 88-961
LOCATIONAL ADJUSTMENT FILING DEAD)
LINE TO SEPTEMBER 2, 1988, FOR A) Introduced by Rena Cusma,
PETITION FROM SIX CORNERS LAND) Executive Officer
INVESTMENTS, LTD.)

WHEREAS, Section 3.01.020(a) of the Code of the Metropolitan Service District establishes July 1 as an annual deadline for the filing of petitions for locational adjustment of the Urban Growth Boundary; and

WHEREAS, Section 3.01.020(b) of the Code allows for a waiver of that deadline by a majority vote of the Council; and

WHEREAS, Mr. Gregory J. Frank, an attorney representing Six Corners Land Investments, Ltd., has requested for his client an extension of the deadline until September 2, 1988, for the reasons stated in the letter attached hereto as Exhibit A; now, therefore,

BE IT RESOLVED:

That the July 1 deadline shall be extended until September 2, 1988, for a petition for locational adjustment from Six Corners Land Investment, Ltd.

ADOPTED by the Council of the Metropolitan Service District
this 28th day of July, 1988.



Mike Ragsdale, Presiding Officer

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07/18/88

GREGORY J. FRANK

ATTORNEY AT LAW

525 Morgan Building
720 S.W. Washington
Portland, Oregon 97205
(503) 295-2425

JUL 06 1988

Member of Oregon State Bar
and Washington State Bar

July 1, 1988

Ms. Jill Hinckley
Land Use Coordinator
Metropolitan Service District
2000 S.W. First Avenue
Portland, Oregon 97201-5398

Re: Locational Adjustment to METRO Urban Growth Boundary
Property Owner: Six Corners Land Investments, Ltd
Property Location: Sherwood Area

Dear Ms. Hinckley:

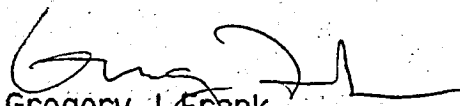
This letter shall serve as a formal written request, on behalf of my client Six Corners Land Investments, Ltd., to extend the deadline for completing the Petition requirements for a locational adjustment to the METRO urban growth boundary. Specifically, the locational adjustment sought is a "trade" of approximately 5.1 acres of land now contained in the METRO urban growth boundary (which is either severely sloping land or "bottom - onion flat" land) for approximately 4.75 acres of land immediately north of the city limits of Sherwood on the western boundary of Pacific Highway (Highway 99 W).

In discussing the matter with you and Kevin Martin of the Washington County Planning Department an issue arose which we, as a group, were not confident we could adequately address under the current METRO locational adjustment criteria. The issue relates to METRO's Locational Adjustment Standard 3.01.040 (a) (4). In my mind this is an unnecessarily restrictive standard in a case such as mine where despite the fact that the subject property is designated by Washington County as EFU and does contain Class I-IV soils, the property has been committed to a non agricultural use for many years -- an aggregate and topsoil quarry.

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FRANK/HINCKLEY
REQUEST FOR EXTENSION

In view of the above described problem, I would ask that for an extension of time to file a completed petition to Friday, September 2, 1988. It is my hope that in the interim the METRO staff and/or Council can address the problem I have described above. I wish to thank you in advance for your professional courtesies in this matter. I await the Council's decision regarding my requested extension.

very truly yours,



Gregory J. Frank

GJF/jg
cc. clients
Keven J. Martin
enclosure (map showing proposed "trade")

STAFF REPORT

Agenda Item No. 6.3

Meeting Date July 28, 1988

CONSIDERATION OF RESOLUTION NO. 88-961, FOR THE
PURPOSE OF EXTENDING THE LOCATIONAL ADJUSTMENT
FILING DEADLINE TO SEPTEMBER 2, 1988, FOR A
PETITION FROM SIX CORNERS LAND INVESTMENT, LTD.

Date: July 18, 1988

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

Chapter 3.01 of the Metro Code establishes a July 1 annual deadline for submittal of petitions for locational adjustment of Metro's Urban Growth Boundary (UGB). Metro Code section 3.01.020(b) allows for Council waiver of this deadline at its discretion.

Three locational adjustments were filed this year by the July 1 deadline, each requesting addition of less than 20 acres. On July 6, 1988, a letter was received from Mr. Gregory Frank, an attorney representing Six Corners Land Investments, Ltd., requesting an extension until September 2, 1988, for his client's petition. Mr. Frank's letter is attached.

The circumstances involved in the Six Corners petition, together with those in one of the petitions already received, have drawn staff's attention to a problem with current Code provisions regarding the definition of prime farm land. Staff is in the process of evaluating the options available for clarifying Code standards and procedures on the subject, and expects to bring an ordinance amending Code language as appropriate to Council for a first reading and referral at its August 11 meeting.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer makes no recommendation.

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because of a desire to reduce the workload of Councilors. The resolution would reduce the size of some committees, would eliminate the Planning & Development Committee, and would reassign Councilors to the committees. The resolution also established a subcommittee of the Intergovernmental Relations Committee. He reported the Internal Relations Committee had reviewed the resolution at its meeting of July 28 and had unanimously recommended its adoption.

Motion: Councilor Van Bergen moved, seconded by Councilor DeJardin, to adopt the resolution with the understanding the Urban Growth Boundary Subcommittee of the Intergovernmental Relations Committee would submit to the Council a written statement of the subcommittee's purpose.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilors Coleman and Gardner were absent.

The motion carried and the resolution was unanimously adopted.

4. EXECUTIVE OFFICER COMMUNICATIONS

None.

6. CONSENT AGENDA

Motion: Councilor Kirkpatrick moved to approve the items listed on the Consent Agenda. Councilor DeJardin seconded the motion.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilor Coleman and Gardner were absent.

The motion carried and the following items were approved:

6.1 Minutes of July 7 and June 23, 1988

6.2 Resolution No. 88-952, for the Purpose of Allocating Federal-Aid Urban Regional Reserve Funds

6.3 Resolution No. 88-961, Extending the Locational Adjustment Filing Deadline to September 2, 1988, for a Petition from Six Corners Land Investment, LTD.

7. ORDINANCES, FIRST READING

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

July 28, 1988

Councilors Present: Mike Ragsdale (Chair), Corky Kirkpatrick (V. Chair), Tanya Collier, Larry Cooper, Tom DeJardin, Gary Hansen, Sharron Kelley, David Knowles, George Van Bergen and Richard Waker

Councilors Absent: Elsa Coleman and Jim Gardner

Others Present: Dan Cooper, General Counsel

Presiding Officer Ragsdale called the meeting to order at 5:30 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Councilor Van Bergen said he had received a letter from the Housing Authority of the County of Clackamas dated July 21, 1988, concerning proposed solid waste rate increase which would be considered by the Council on August 11. He submitted the letter to the Clerk for the record.

3. COUNCILOR COMMUNICATIONS

Notice of a Review of Metropolitan Exposition-Recreation Resolution No. 8 Concerning Personnel Rules

The Presiding Officer announced the Executive Officer had requested Council review of the resolution recently adopted by the Commission which had established Personnel Rules for the Commission. He said he would place the matter on the August 11 Council agenda and at that meeting he would request the Council confirm the appointment of a task force, comprised of the Council Convention Center Committee, to review the matter and make a recommendation to the Council.

3.1 Consideration of Resolution No. 88-964, for the Purposze of Reorganizing Council Standing Committees

The Presiding Officer announced he had introduced the resolution because of the recent appointment of Councilor Coleman, because the work of the Planning & Development Committee was complete, and