

BEFORE THE METRO COUNCIL

TO WAIVE THE METRO URBAN GROWTH) RESOLUTION NO. 96-2317
BOUNDARY PETITION ANNUAL FILING)
DEADLINE FOR CLACKAMAS COUNTY FOR)
THE PROPOSED MAJOR AMENDMENT AT) Introduced by Mike Burton,
147TH AVENUE AND SUNNYSIDE ROAD) Executive Officer

WHEREAS, Clackamas County filed a petition on March 15, 1996, to amend the Urban Growth Boundary (UGB) for 150 acres in the vicinity of 147th Avenue and Sunnyside Road in Clackamas County; and

WHEREAS, The petition was found to be incomplete and lacking key evidence to meet the major amendment criteria in the Metro Code demonstrating a need for more land inside the UGB; and

WHEREAS, The County acknowledged the petition to be incomplete and submitted a written request of the Executive Officer to initiate a waiver of the filing deadline; and

WHEREAS, The County wishes to wait and submit the petition after the Metro Council makes a decision related to UGB land need and Urban Reserves designation; and

WHEREAS, The Metro Council is scheduled to designate Urban Reserves this summer as well as consider this year the issue of UGB land need in relation to the forecast population growth for the next 20 years; now, therefore,

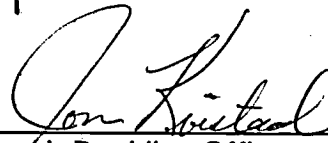
BE IT RESOLVED,

1. A waiver for a major UGB amendment petition at 147th Avenue and Sunnyside Road is hereby granted Clackamas County; and

2. The deadline for this petition to be complete is hereby established at ninety (90) days after the Metro Council has: 1) designated the Urban Reserves, and 2) made a determination of whether there is need for new land inside the UGB; and

3. The petition may be submitted to Metro by Clackamas County for action at any time up to the deadline described above.

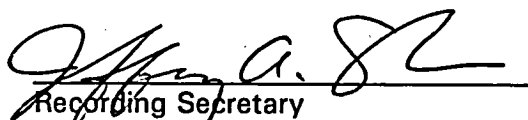
ADOPTED by the Metro Council this 9th day of May, 1996.



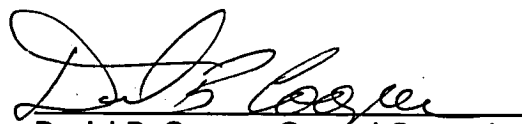
Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:



Recording Secretary



Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 96-2317 TO WAIVE THE METRO URBAN GROWTH BOUNDARY PETITION ANNUAL FILING DEADLINE FOR CLACKAMAS COUNTY FOR THE PROPOSED MAJOR AMENDMENT AT 147TH AVENUE AND SUNNYSIDE ROAD

Date: April 4, 1996

Presented by: Stuart Todd,
Growth Management Services

BACKGROUND INFORMATION

Clackamas County filed a major amendment on March 15, 1996, to add 150 acres north of Sunnyside Road in the vicinity of 147th Avenue to the Urban Growth Boundary (UGB). This petition was accompanied by a letter from the Board of County Commissioners asking the Executive Officer for a waiver of the filing deadline (see Attachment A). The Board acknowledged that the petition was incomplete. The petition lacked one crucial piece of evidence for a major amendment - the demonstration of need for urban land inside the UGB.

Clackamas County would like to use the Metro Council's land use reports and decisions as the basis for presenting credible evidence to address urban land need and major amendment location criteria. In essence, Clackamas County wants the option to file for this UGB amendment after the urban reserves have been decided and a conclusion has been reached about UGB expansion.

ACTION REQUESTED

This resolution would provide the County an opportunity to re-file the major amendment later this year. They would not be restricted to the annual filing deadline - the next opportunity being March 15, 1997.

The Metro Code makes a provision for waiving the filing deadline (3.01.33(d)). A Metro Councilor or the Executive Officer may request the waiver, and it can be approved by a two-thirds vote of the Metro Council.

The resolution sets the filing deadline, as the County requested, at ninety (90) days after: 1) the Urban Reserves designation decision, and 2) a decision on the UGB expansion need. Because the UGB need decision may not be definitive this year, the resolution makes a provision to allow the County to file the petition at any time up to the deadline. This clause will allow the County to proceed with the petition earlier if they deem they have sufficient evidence from the Metro Council deliberations to support the amendment.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 96-2317.



CLACKAMAS COUNTY

Board of Commissioners

March 15, 1996

DARLENE HOOLEY
CHAIR

ED LINDQUIST
COMMISSIONER

JUDIE HAMMERSTAD
COMMISSIONER

Mike Burton, Executive Officer
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mike:

Clackamas County, in submitting the petition to expand the urban growth boundary in the vicinity of 147th Avenue and Sunnyside Road, recognizes that some portions of the petition are incomplete.

The petition requires that a determination be made that there is not sufficient or adequate land within the present UGB for development and that, therefore, land needs to be added to the UGB. The region has been analyzing this issue over the past several years and it is anticipated that Metro will make determinations about urban reserves and the need to expand the UGB soon. These determinations are critical factors that have not been addressed in Clackamas County's petition.

This letter is a request that Metro Council approve a time extension for Clackamas County to complete its petition until 90 days after Metro makes its determination about urban reserves and the need for expansion of the UGB. Approval of this time extension will provide the County the opportunity to complete the petition in a manner that is consistent with Metro's 2040 vision and goals, as well to provide timely information.

Thank you for your support of this request.

Sincerely,

Chair, Darlene Hooley

Commissioner, Ed Lindquist

Commissioner, Judie Hammerstad