

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING )	RESOLUTION NO. 99-2768
AN APPEAL OF THE DECISION OF THE )	
LAND USE BOARD OF APPEALS )	Introduced by the Growth Management
REGARDING THE METRO )	Committee
DESIGNATION OF URBAN RESERVES )	

WHEREAS, Metro adopted Ordinance No. 96-655E, designating Urban Reserves for the Metro Region; and

WHEREAS, the adoption of the Ordinance was appealed to the Land Use Board of Appeals (LUBA); and

WHEREAS, LUBA rendered a decision on February 25, 1999, remanding the Ordinance to the Council; and

WHEREAS, the LUBA decision interpreted the Urban Reserve Rule for the first time; and

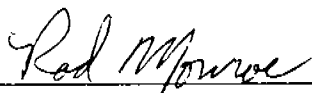
WHEREAS, it is appropriate for the Oregon Court of Appeals to resolve outstanding issues raised by the decision, including questions regarding the status of Metro's adopted and acknowledged 2040 Growth Concept, the interpretation to be given to the Urban Reserve Rule and the level of findings needed to adopt any Urban Reserve decision.

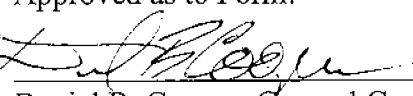
NOW THEREFORE,

The Metro Council resolves as follows:

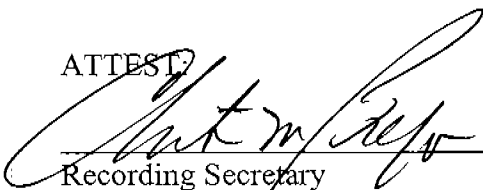
The Office of General Counsel is authorized to appeal the LUBA decision regarding Ordinance No. 96-655E to the Oregon Court of Appeals.

ADOPTED by the Metro Council this 11<sup>th</sup> day of MARCH, 1999.

  
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 Rod Monroe, Presiding Officer

Approved as to Form:  
  
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 Daniel B. Cooper, General Counsel

ATTEST

  
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 Recording Secretary