EXHIBIT I

CLACKAMAS COUNTY - CITY OF PORTLAND

DUAL INTEREST AREA AGREEMENT

Clackamas County and the City of Portland enter into this agreement in order to satisfy the statutory requirements for coordination and for the orderly conversion of potential urban land to urban uses.

WHEREAS, Clackamas County and the City of Portland have a mutual interest in coordinated comprehensive plans, compatible land uses and coordinated planning of urban facilities;

WHEREAS, the successful coordination of land use decisions within the urbanizable area of the County can best be accomplished through the exchange of relevant information on land use issues before binding decisions can be made;

WHEREAS, information exchanges should concentrate on issues that may have a significant impact on each party and should not entail cumbersome procedural requirements that may increase the time necessary to expedite decision making; and

WHEREAS, in order to reach these objectives, it is necessary to identify a site-specific Dual Interest Area within which both the County and the City may formally review and comment on each other's land use actions, and a process by which land use conflicts in these areas may be resolved.

NOW, THEREFORE, the parties hereto agree as follows:

1. The Dual Interest Area of the City of Portland shall be defined to include the area designated on Exhibit "A" of this agreement. The provisions of this agreement will include those unincorporated lands within this boundary. Dual Interest Area boundaries may be amended at any time by consent of both parties.

2. The Dual Interest Area of Clackamas County shall be defined to include the area designated on Exhibit "B" of this agreement. The provisions of this agreement will include those incorporated lands within this boundary. Dual Interest Area boundaries may be amended at any time by consent of both parties.

3. The County will provide full notification to the City at least 35 days in advance of the first public hearing on all land use actions, proposed legislative changes to the County Comprehensive Plan or its implementation ordinances, and any quasi-judicial or administrative decisions pursuant to the Comprehensive Plan that may substantially affect the City. The County will provide a reasonable response time and include any responses within the record of the action. Lack of response within 30 days to any proposal submitted for review shall be considered "no objection" to the proposal.

4. The City will provide full notification to the County of any proposed annexation, capital improvement plans or major extra-territorial service extensions into the County and of any land use action in the City for the area shown on Exhibit "B". The City will provide a reasonable response time and include any responses within the record of the action. Lack of response within 30 days to any proposal submitted for review shall be considered "no objection" to the proposal.

5. Both the County and the City will extend a good faith effort to reconcile any differences that may emerge from the above notification and coordination process. Where any difference involves compliance with LCDC statewide goals or Metro goals, objectives or plans, both the City and County will seek resolution of said differences through the appropriate agency.

6. The City accepts the County's land use designations within the Urban Planning Area, subject to the following conditions:

   a. At the time of annexation, the City will retain the right to assign any one of its land use designations within the category of land use assigned by the County. These categories shall be defined as Single-Family Residential, Multiple-Family Residential, Commercial, Industrial, Open Space, and Farm and Forest.

   b. The City reserves the right to amend the Plan and/or rezone land to a different category after annexation through established procedures involving due process, full public notification and supported by legally sufficient reasons.

   c. Areas annexed to the City prior to LCDC acknowledgment of the County's Comprehensive Plan will not be included as part of the County Plan. Land use designations for these areas will be included in the City's Comprehensive Plan.

7. Specific land use or policy conflicts may be identified by the City during the remaining development of its Comprehensive Plan.

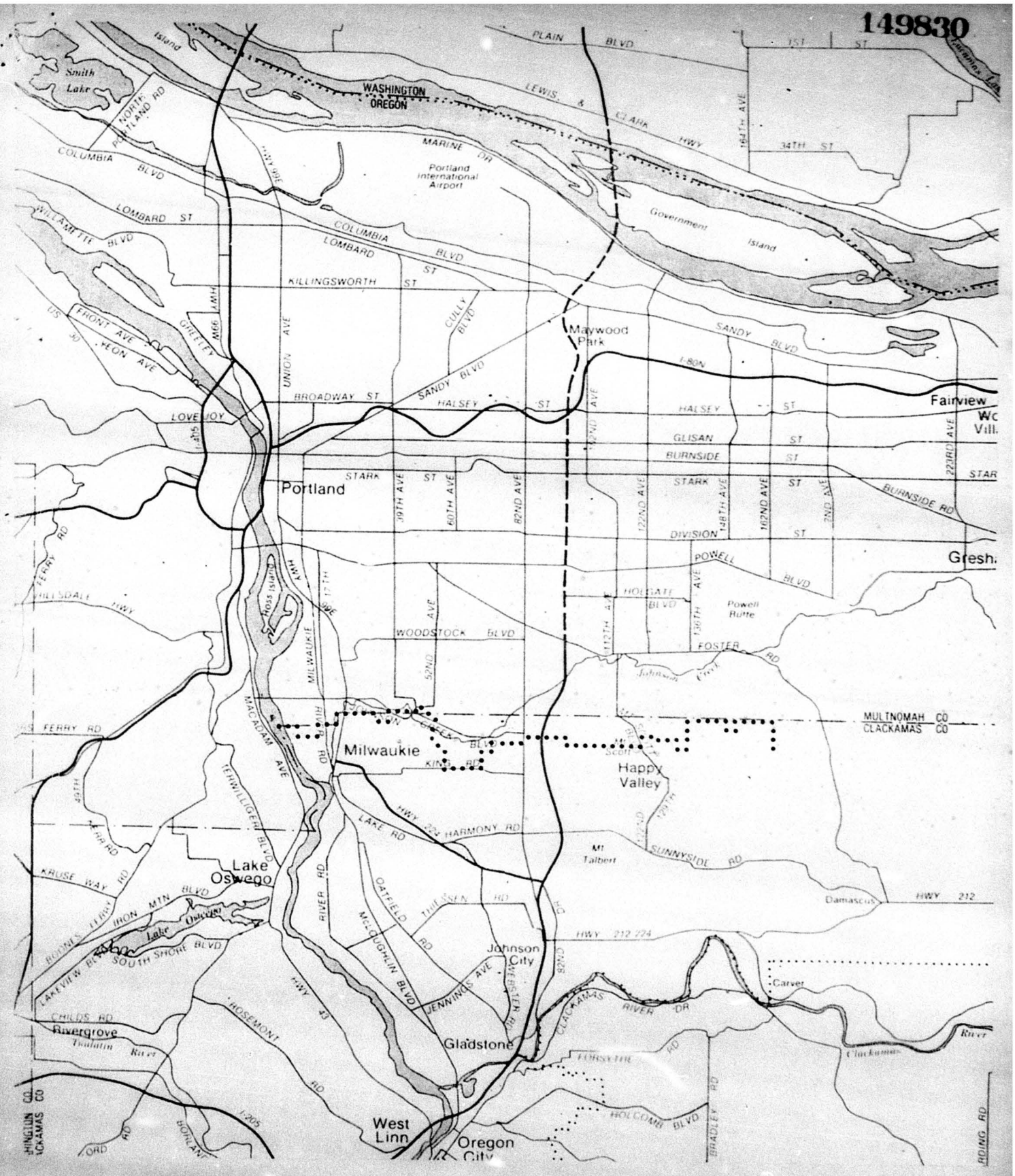
8. The City and County agree to determine the boundary of a service area suitable and appropriate for provision of future City services and eventual annexation to the City. Within this boundary, specific agreements, including standards and coordination of service provision, shall be negotiated between affected jurisdictions. If the parties cannot agree, both parties will seek resolution of said differences through the appropriate agencies.

9. Terms of Agreement: It is hereby understood that this agreement may be amended in writing by the concurrence of both signatory jurisdictions, that either party may terminate this agreement at any time after 90 days written notice to the other party, and that the term of this agreement shall be five years unless extended by mutual consent.

This agreement is effective as of _____ and may be amended anytime by the consent of both parties.

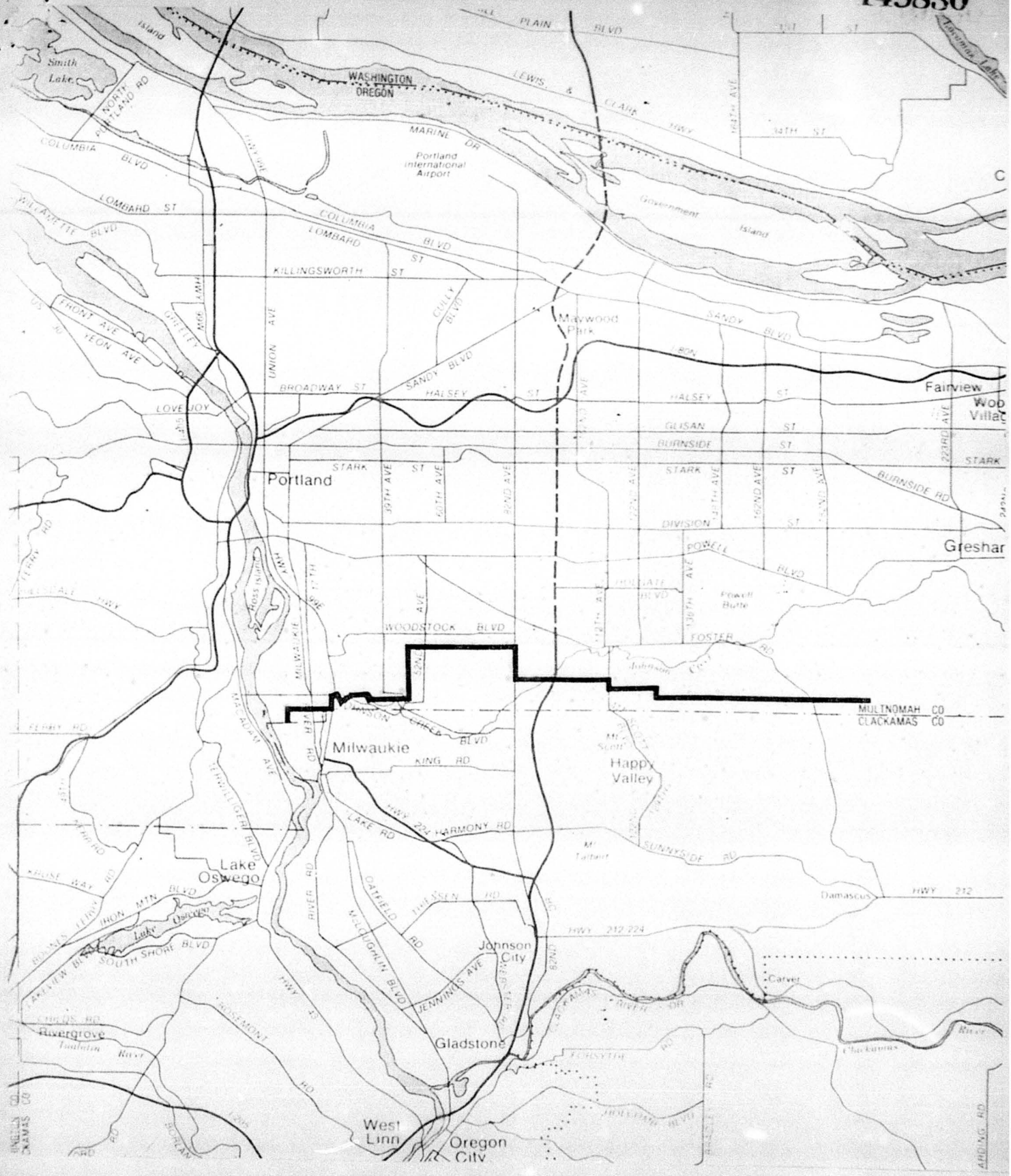
For the City of Portland	For Clackamas County
_____	_____
Mayor	Chairman
_____	_____
Auditor	Commissioner
	_____
	Commissioner

149830



CITY OF PORTLAND DUAL INTEREST AREA BOUNDARY, 1980
EXHIBIT A

149830



CLACKAMAS COUNTY DUAL INTEREST AREA BOUNDARY, 1980

EXHIBIT B

ORDINANCE NO. 149830

An Ordinance authorizing the City of Portland to enter into an agreement with the County of Clackamas, in which the parties agree to identify a dual interest area for the City of Portland, and to exchange pertinent information, in conformance with the statutory requirements of the Oregon Land Conservation and Development Commission, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland and Clackamas County have a mutual interest in coordinated comprehensive plans, compatible land uses and coordinated planning or urban facilities.

2. Coordination of land use decisions within the urbanizable area of unincorporated Clackamas County is necessary in order to satisfy the Statewide Planning Goals for coordination and for the orderly conversion of urbanizable land to urban uses.

3. The Oregon Land Conservation and Development Commission "Acknowledgment of Compliance Rule" (O.A.R. 660-03-010 (2)(f) requires each jurisdiction requesting Acknowledgment of Compliance to submit a statement setting the means by which a plan for management of the unincorporated area within the regional Urban Growth Boundary will be implemented.

4. The successful coordination of land use decisions within the urbanizable area of unincorporated Clackamas County can best be accomplished through the exchange of relevant information on land use issues before binding decisions are made.

5. In order to reach these objectives, it is necessary to identify a site-specific Urban Planning Area within which both the County and the City may formally review and comment on each other's land use actions, and a process by which land use conflicts in this area may be resolved.

NOW, THEREFORE, the Council directs:

a. The Mayor and City Auditor are hereby authorized to enter into a "Dual Interest Area Agreement" with the County of Clackamas.

ORDINANCE No.

b. The "Dual Interest Area Agreement" shall be that attached hereto as "Exhibit I".

Section 2. The Council declares an emergency exists so identification of possible areas of dual interest can be implemented; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 25 1980

Mayor Connie McCready
FF/JT:ad
June 17, 1980

Auditor of the City of Portland

as amended

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	✓	
Jordan	✓	
Lindberg	✓	
Schwab	✓	
McCready	✓	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Calendar No. 2244

ORDINANCE No. 149830

Title

Ordinance authorizing the City of Portland to enter into an agreement with the County of Clackamas, in which the parties agree to identify a dual interest area for the City of Portland, and to exchange pertinent information, in conformance with the statutory requirements of the Oregon Land Conservation and Development Commission, and declaring an emergency.

Filed JUN 19 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Gordon Goell
Deputy

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL	
Bureau: Bureau of Planning	
Prepared By:	Date:
James Teasdale	6/18/80
Budget Impact Review:	
☐ Completed	☒ Not required
Bureau Head: Frank Frost	

NOTED BY
City Attorney
City Auditor
City Engineer

080001