

# House Bill 2458

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Land Conservation and Development)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes adjustments to reserve boundaries in comprehensive planning maps adopted by Metro and previously adjusted by Legislative Assembly.

## A BILL FOR AN ACT

1  
2 Relating to adjustments to reserve boundaries established in Washington County by the Legislative  
3 Assembly; amending section 3, chapter 92, Oregon Laws 2014.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 3, chapter 92, Oregon Laws 2014, is amended to read:

6 **Sec. 3.** (1) For purposes of land use planning in Oregon, the Legislative Assembly designates the  
7 land in Washington County that was designated as rural reserve in Metro Resolution No. 11-4245,  
8 adopted on March 15, 2011, as the acknowledged rural reserve in Washington County, except that:

9 (a) The real property in Area 5C on Metro's map denominated as the "Urban and Rural Reserves  
10 in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
11 DRAFT)," that is more particularly described as tax lots 1500 and 1501, section 1 of township 2  
12 south, range 2 west, Willamette Meridian, is not designated as a reserve area.

13 (b) The Legislative Assembly designates as acknowledged urban reserve the real property that  
14 is part of the original plat of Bendemeer, Washington County, Oregon, more particularly described  
15 as:

16 (A) All of lots 1 through 18, inclusive;

17 (B) The parts of lots 64, 65 and 66 that are situated between the east boundary of the right of  
18 way of **Northwest** West Union Road and the [*west*] **east** boundary of the right of way of **Northwest**  
19 Cornelius Pass Road; [*and*]

20 (C) The real property that is more particularly described as: Beginning at a point of origin that  
21 is the south bank of Holcomb Creek and the [*east*] **west** boundary of the right of way of **Northwest**  
22 Cornelius Pass Road; thence easterly along the south bank of Holcomb Creek, continuing along the  
23 south bank of Holcomb Lake to its intersection with the west boundary of Area 8C; thence southerly  
24 along the west boundary of Area 8C to its intersection with the north boundary of the right of way  
25 of **Northwest** West Union Road; thence westerly along the right of way to its intersection with the  
26 [*east*] **west** boundary of the right of way of **Northwest** Cornelius Pass Road; thence northerly along  
27 the right of way to the point of origin[.];

28 **(D) The real property that is more particularly described as tax lot 4050 in section 14A**  
29 **of township 1 north, range 2 west, Willamette Meridian;**

30 **(E) The portion of Northwest West Union Road and its right of way from the intersection**  
31 **of the road with the west boundary of Area 8C to the intersection of the road with the west**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **boundary of the right of way of Northwest Bendemeer Road on Metro’s map denominated**  
 2 **as the “Urban and Rural Reserves in Washington County, Attachment A to Staff Report for**  
 3 **Resolution No. 11-4245 (03/17/11 DRAFT)”;** and

4 **(F) The real property that is more particularly described as tax lot 400 in section 14D of**  
 5 **township 1 north, range 2 west, Willamette Meridian.**

6 (2) For purposes of land use planning in Oregon, the Legislative Assembly designates the land  
 7 in Washington County that was designated as urban reserve in Metro Resolution No. 11-4245,  
 8 adopted on March 15, 2011, as the acknowledged urban reserve in Washington County, except that:

9 (a) The real property in Area 8A on Metro’s map denominated as the “Urban and Rural Re-  
 10 serves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 11 DRAFT),” east of the east boundary of the right of way of **Northwest** Jackson School Road and east  
 12 of the east bank of Storey Creek and the east bank of Waibel Creek is included within the ac-  
 13 knowledged urban growth boundary.

14 (b) The real property in Area 8A on Metro’s map denominated as the “Urban and Rural Re-  
 15 serves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 16 DRAFT),” that is south of the south boundary of the right of way of Highway 26 and west of the  
 17 real property described in paragraph (a) of this subsection is designated as acknowledged rural re-  
 18 serve.

19 (c) The real property in Area 8B on Metro’s map denominated as the “Urban and Rural Reserves  
 20 in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 21 DRAFT),” that is more particularly described as **tax lot 100 in section 21AA of township 1 north,**  
 22 **range 2 west, Willamette Meridian, and** tax lots [100,] 900, 901, 1100, 1200, 1300 and 1400 in sec-  
 23 tion 15 of township 1 north, range 2 west, Willamette Meridian, is not designated as a reserve area.

24 (d) The real property in Area 8B on Metro’s map denominated as the “Urban and Rural Reserves  
 25 in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 26 DRAFT),” that is not described in paragraph (c) of this subsection is designated as acknowledged  
 27 rural reserve.

28 (e) The real property in Area 7B on Metro’s map denominated as the “Urban and Rural Reserves  
 29 in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 30 DRAFT),” that is north of the south bank of Council Creek is designated as acknowledged rural  
 31 reserve.

32 (f) The real property in Area 7B on Metro’s map denominated as the “Urban and Rural Reserves  
 33 in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11  
 34 DRAFT),” that is south of the south bank of Council Creek is included within the acknowledged  
 35 urban growth boundary.

36 (3) For purposes of land use planning in Oregon, in relation to the following real property in  
 37 Washington County that is not reserved by designation in Metro Resolution No. 11-4245, adopted  
 38 on March 15, 2011, the Legislative Assembly designates:

39 (a) As acknowledged rural reserve the real property that is situated south of the City of North  
 40 Plains on Metro’s map denominated as the “Urban and Rural Reserves in Washington County, At-  
 41 tachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT),” more particularly de-  
 42 scribed as tax lots 100, 101, 200 and 201 in section 11 of township 1 north, range 3 west, Willamette  
 43 Meridian, [and] tax lots 1800 and 2000 and that portion of tax lot 3900 that is north of the south line  
 44 of the Dobbins Donation Land Claim No. 47 in section 12 of township 1 north, range 3 west,  
 45 Willamette Meridian[.], **and the portion of Northwest Gordon Road and its right of way from**

1 **the south boundary of the right of way of Northwest Beach Road to the south boundary of**  
 2 **tax lot 200 in section 11 of township 1 north, range 3 west, Willamette Meridian.**

3 (b) As acknowledged rural reserve the real property that is situated north of the City of  
 4 Cornelius on Metro’s map denominated as the “Urban and Rural Reserves in Washington County,  
 5 Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT),” and that is north of the  
 6 south bank of Council Creek, east of the east right of way of **Northwest** Cornelius-Schefflin Road  
 7 and west of the west bank of Dairy Creek.

8 (c) As acknowledged rural reserve the real property that is north of the City of Forest Grove  
 9 on Metro’s map denominated as the “Urban and Rural Reserves in Washington County, Attachment  
 10 A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT),” more particularly described as east  
 11 of Area 7B, west of the east right of way of Highway 47 and south of the [*south*] **north** right of way  
 12 of Northwest Purdin Road.

13 (d) As acknowledged rural reserve the real property that is situated west of Area 8B on Metro’s  
 14 map denominated as the “Urban and Rural Reserves in Washington County, Attachment A to Staff  
 15 Report for Resolution No. 11-4245 (03/17/11 DRAFT).”

16 (4) Land in a county in Metro that is planned and zoned for farm, forest or mixed farm and  
 17 forest use and that is not designated as urban reserve may not be included within the urban growth  
 18 boundary of Metro before at least 75 percent of the land in the county that was designated urban  
 19 reserve in this section has been included within the urban growth boundary and planned and zoned  
 20 for urban uses.

21 (5)(a) The real property described in subsection (2)(a) of this section:

22 (A) Is employment land of state significance; and

23 (B) Must be planned and zoned for employment use.

24 (b) In its first legislative review of the urban growth boundary on or after [*the effective date of*  
 25 *this 2014 Act*] **April 1, 2014**, Metro shall not count the employment capacity of the real property  
 26 described in subsection (2)(a) of this section in determining the employment capacity of the land  
 27 within Metro.

28 (6) If the real property described in subsection (2)(f) of this section or section 4 (1) to (3),  
 29 **chapter 92, Oregon Laws 2014**, [*of this 2014 Act*] is planned and zoned for employment use, in its  
 30 first legislative review of the urban growth boundary on or after [*the effective date of this 2014 Act*]  
 31 **April 1, 2014**, Metro shall not count the employment capacity of the real property described in  
 32 subsection (2)(f) of this section or in section 4 (1) to (3), **chapter 92, Oregon Laws 2014**, [*of this*  
 33 *2014 Act*] in determining the employment capacity of the land within Metro.

34