

## House Bill 2047

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Rural Communities)

### 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

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

#### Be It Enacted by the People of the State of Oregon:

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

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

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

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

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

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

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

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

(E) The portion of Northwest West Union Road and its right of way from the intersection of the road with the west boundary of Area 8C to the intersection of the road with the west boundary of the right of way of Northwest Bendemeer Road on Metro’s map denominated as the “Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)”;

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

(G) *The real property that is more particularly described as tax lots 900 and 901 in section 15 of township 1 north 2 west, Willamette Meridian.*

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

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

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

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

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

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

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

**Commented [pr1]:**

Proposed amendment to HB 2047 adding new language to HB 2047 pertaining to 2 parcels that are identified as “undesigned” in HB 4078 (’13), and bounded directly to the east and south by the recently expanded Brookwood/US Hwy 26 Intersection and directly to the west and north by properties designated Rural Reserves by HB 4078 as described below in subsections 1(2)(d) of HB 2047.

**Commented [pr2]:**

Corresponding proposed amendment to HB 2047 removing tax lots 900 and 901 from this subsection which identifies tax lots acquired for the expansion of the Brookwood/US Hwy 26 Interchange as “undesigned” land.

**Commented [pr3]:**

This subsection 1(2)(d) designates properties immediately west and north of tax lots 900 and 901 as Rural Reserves, thus, assuring no urban use of these Rural Reserves properties for the next 50 years.

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

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

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

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

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

**Commented [pr4]:** This subsection 1(3)(d) designates the land adjacent to and beyond the Rural Reserves land referenced in subsection 1(2)(d), above, also as Rural Reserves, thus, assuring no urban use of these areas for the next 50 years

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

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

- (A) Is employment land of state significance; and
- (B) Must be planned and zoned for employment use.

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

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