

House Bill 2914

Sponsored by Representative SOLLMAN

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**.

Removes requirement that certain Metro lands be zoned for employment land of state significance. Allows redesignation of those lands by local government.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to acknowledged urban reserves in Washington County; creating new provisions; amending
3 ORS 195.144; and declaring an emergency.

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

5 **SECTION 1.** ORS 195.144 is amended to read:

6 195.144. (1) For purposes of land use planning in Oregon, the Legislative Assembly designates
7 the land in Washington County that was designated as rural reserve in Metro Resolution No.
8 11-4245, adopted on March 15, 2011, as the acknowledged rural reserve in Washington County, ex-
9 cept that:

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

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

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

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

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

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

31 (E) The portion of Northwest West Union Road and its right of way from the intersection of the

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 road with the west boundary of Area 8C to the intersection of the road with the west boundary of
2 the right of way of Northwest Bendemeer Road on Metro's map denominated as the "Urban and
3 Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245
4 (03/17/11 DRAFT)"; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 *[(5)(a) The real property described in subsection (2)(a) of this section.]*

23 *[(A) Is employment land of state significance; and]*

24 *[(B) Must be planned and zoned for employment use.]*

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

28 *[(6)]* (5) If the real property described in subsection (2)(f) of this section or section 4 (1) to (3),
 29 chapter 92, Oregon Laws 2014, is planned and zoned for employment use, in its first legislative re-
 30 view of the urban growth boundary on or after April 1, 2014, Metro shall not count the employment
 31 capacity of the real property described in subsection (2)(f) of this section or in section 4 (1) to (3),
 32 chapter 92, Oregon Laws 2014, in determining the employment capacity of the land within Metro.

33 **SECTION 2. (1) The amendments to ORS 195.144 by section 1 of this 2019 Act allow a local**
 34 **government the discretion to plan and zone the land consistent with state land use law and**
 35 **local land use regulations for property within an urban growth boundary that are effective**
 36 **on or after the effective date of this 2019 Act.**

37 **(2) In its first legislative review of the urban growth boundary on or after the effective**
 38 **date of this 2019 Act, Metro is not required to consider any change in employment capacity**
 39 **of the real property described in ORS 195.144 (2)(a) based on the amendments to ORS 195.144**
 40 **by section 1 of this 2019 Act.**

41 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**
 42 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
 43 **on its passage.**