

Senate Bill 186

Sponsored by Senator JOHNSON (Presession filed.)

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**.

Validates land use designations adopted by Metro and counties within Metro, with exceptions. Designates certain lands in Washington County as urban reserve land.

A BILL FOR AN ACT

1
2 Relating to land use designations; creating new provisions; and amending ORS 195.144.

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

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

5 195.144. (1) For purposes of land use planning in Oregon, the Legislative Assembly designates
6 the land in Washington County that was designated as rural reserve in Metro Resolution No.
7 11-4245, adopted on March 15, 2011, as the acknowledged rural reserve in Washington County, ex-
8 cept 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 east boundary of the right of way of Northwest
19 Cornelius Pass Road;

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 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 west boundary of the right of way of Northwest Cornelius Pass Road; thence northerly along the
27 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 of
29 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 of the
31 road with the west boundary of Area 8C to the intersection of the road with the west boundary of

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

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

6 **(c) The Legislative Assembly designates as urban reserve the real property that is more**
7 **particularly described as tax lots 1000, 1100 and 1201 in section 13 of township 1 north, range**
8 **2 west, Willamette Meridian.**

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

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

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

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

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

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

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

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

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

1 Meridian, tax lots 1800 and 2000 and that portion of tax lot 3900 that is north of the south line of
 2 the Dobbins Donation Land Claim No. 47 in section 12 of township 1 north, range 3 west, Willamette
 3 Meridian, and the portion of Northwest Gordon Road and its right of way from the south boundary
 4 of the right of way of Northwest Beach Road to the south boundary of tax lot 200 in section 11 of
 5 township 1 north, range 3 west, Willamette Meridian.

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

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

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

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

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

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

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

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

30 (6) If the real property described in subsection (2)(f) of this section or section 4 (1) to (3), chapter
 31 92, Oregon Laws 2014, is planned and zoned for employment use, in its first legislative review of the
 32 urban growth boundary on or after April 1, 2014, Metro shall not count the employment capacity
 33 of the real property described in subsection (2)(f) of this section or in section 4 (1) to (3), chapter
 34 92, Oregon Laws 2014, in determining the employment capacity of the land within Metro.

35 **SECTION 2. For purposes of land use planning in Oregon, the Legislative Assembly:**

36 (1) **Designates the land in Clackamas County that was designated as rural reserve on**
 37 **Metro’s map denominated as “Exhibit A of Metro Ordinance No. 16-1368,” adopted on Feb-**
 38 **ruary 4, 2016, as acknowledged rural reserve in Clackamas County.**

39 (2) **Designates the land in Clackamas County that was designated as urban reserve on**
 40 **Metro’s map denominated as “Exhibit A of Metro Ordinance No. 16-1368,” adopted on Feb-**
 41 **ruary 4, 2016, as acknowledged urban reserve in Clackamas County.**

42 (3) **Designates as acknowledged rural industrial land under the acknowledged Clackamas**
 43 **County Comprehensive Plan, the land in Clackamas County that was designated rural reserve**
 44 **in a tract of land in the Jesse V. Boone Donation Land Claim in township 3 south, range 1**
 45 **west of the Willamette Meridian, said tract being also in section 26, said township and range,**

1 described as follows: Beginning at a point on the east donation land claim line 22.83 chains
2 north of the southeast corner of said claim, which point is the northeasterly corner of the
3 tract described in the deed recorded February 2, 1960, in deed book 566, page 0716; thence
4 north 70 degrees west 603.9 feet to the northwesterly corner of said tract and a point in the
5 east line of the tract described in the deed recorded November 4, 1927, in deed book 190, page
6 0495; thence north on the east line of said tract 1159.18 feet, more or less, to the southerly
7 line of the tract conveyed to Harry A. Ross, et ux., by the deed recorded September 22, 1965,
8 in deed book 663, page 0311; thence north 61 degrees 45 east on the southerly line of said Ross
9 tract to the east line of said donation land claim; thence south along said donation land claim
10 line to the point of beginning. Excepting therefrom that portion conveyed to the State of
11 Oregon, by and through its State Highway Commission by the deed recorded July 30, 1969,
12 as fee no. 69014321.

13 **SECTION 3.** For purposes of land use planning in Oregon, the Legislative Assembly:

14 (1) Designates the land in Multnomah County that was designated as rural reserve in
15 Multnomah County Ordinance No. 2010-1161, adopted on May 13, 2010, as acknowledged rural
16 reserve in Multnomah County.

17 (2) Designates the land in Multnomah County that was designated as urban reserve in
18 Metro Ordinance No. 11-1255, adopted on April 21, 2011, as acknowledged urban reserve in
19 Multnomah County, except that the Legislative Assembly designates as rural reserve the
20 land in Multnomah County known as the East Bethany Urban Reserve, located at the
21 southwest and northwest one-quarters and a portion of the northeast and southeast one-
22 quarter of section 16, township 1 north, range 1 west of the Willamette Meridian, more par-
23 ticularly described as follows: Beginning at the northwest corner of said section 16, being
24 the northwest corner of tax lot 500 in section 16B of township 1 north, range 1 west; thence
25 along the north line of said section 16, being the northerly line of tax lots 500, 300, 200 and
26 100 in section 16B of township 1 north, range 1 west, easterly, 2,632.82 feet, more or less, to
27 the north one-quarter corner of said section 16; thence leaving said north section line, along
28 the north/south center section line being the easterly line of said tax lot 100 in section 16B
29 of township 1 north, range 1 west and the westerly line of tax lots 500 and 600 in section 16A
30 of township 1 north, range 1 west, southerly, 1,323.84 feet, more or less, to the northwest
31 corner of tax lot 700 in section 16A of township 1 north, range 1 west, being the southeast
32 corner of tax lot 100 in section 16B of township 1 north, range 1 west and the southwest
33 corner of tax lot 600 in section 16A of township 1 north, range 1 west; thence along the
34 northerly line of said tax lot 700 being the southerly line of said tax lot 600 in section 16A
35 of township 1 north, range 1 west and the southerly line of tax lots 400 and 300 in section
36 16A of township 1 north, range 1 west, easterly, 1,306 feet, more or less, to the northeast
37 corner of said tax lot 700 in section 16A of township 1 north, range 1 west, being the south-
38 east corner of tax lot 300 in section 16A of township 1 north, range 1 west, the southwest
39 corner of tax lot 100 in section 16A of township 1 north, range 1 west and the northwest
40 corner of tax lot 900 in section 16A of township 1 north, range 1 west; thence leaving said
41 northerly line along the easterly line of said tax lot 700 in section 16A of township 1 north,
42 range 1 west and the easterly line of tax lot 800 in section 16A of township 1 north, range 1
43 west, being the westerly line of tax lot 900 in section 16A of township 1 north, range 1 west,
44 southerly, 1,318 feet, more or less, to the southeast corner of said tax lot 800 in section 16A
45 of township 1 north, range 1 west, being the southwest corner of said tax lot 900 in section

1 16A of township 1 north, range 1 west, also being on the northerly line of tax lot 2100 in
2 section 16D of township 1 north, range 1 west and being the east/west center of section line;
3 thence along said east/west center of section line, being the northerly line of said tax lot 2100
4 in section 16D of township 1 north, range 1 west, easterly, 20.00 feet, more or less, to the
5 northeast corner of tax lot 2100 in section 16D of township 1 north, range 1 west, being the
6 northernmost northwest corner of tax lot 1601 in section 16D of township 1 north, range 1
7 west; thence leaving said east/west center of section line along the easterly line of said tax
8 lot 2100 in section 16D of township 1 north, range 1 west, being the northernmost westerly
9 line of said tax lot 1601 in section 16D of township 1 north, range 1 west, southerly, 425.00
10 feet, more or less, to the southeast corner of said tax lot 2100 in section 16D of township 1
11 north, range 1 west, being the westerly re-entrant corner of tax lot 1601 in section 16D of
12 township 1 north, range 1 west and the northeast corner of the Jacob R. French Donation
13 Land Claim No. 51; thence along the southerly line of said tax lot 2100 in section 16D of
14 township 1 north, range 1 west, being the northerly line of tax lots 1601 and 1602 in section
15 16D of township 1 north, range 1 west and the northerly line of said Jacob R. French Do-
16 nation Land Claim No. 51, westerly, 413.82 feet, more or less, to the northwest corner of tax
17 lot 1602, being the northeast corner of tax lot 2000 in section 16D of township 1 north, range
18 1 west; thence along the easterly line of said tax lot 2000 in section 16D of township 1 north,
19 range 1 west, a portion of which being the westerly line of tract "A," plat of "Cheerio,"
20 Multnomah County plat records, southerly, 499.36 feet, more or less, to the southeast corner
21 of said tax lot 2000 in section 16D of township 1 north, range 1 west, being on the northerly
22 right-of-way line of northwest Springville Road; thence along said northerly right-of-way line
23 of Northwest Springville Road, being the southerly line of said tax lot 2000 in section 16D of
24 township 1 north, range 1 west and tax lot 2200 in section 16D of township 1 north, range 1
25 west to a point of intersection on said northerly right-of-way line of Northwest Springville
26 Road with the northerly extension of the westerly line of tax lot 2300 in section 16D of
27 township 1 north, range 1 west; thence leaving said northerly right-of-way line of Northwest
28 Springville Road (at a point on the southerly line of said tax lot 2200 in section 16D of
29 township 1 north, range 1 west, southerly, across the right-of-way of said Northwest
30 Springville Road), along the westerly line of said tax lot 2300 in section 16D of township 1
31 north, range 1 west and the westerly line of tax lot 2500 in section 16D of township 1 north,
32 range 1 west being the easterly line of tax lots 1000 and 1300 in section 16C of township 1
33 north, range 1 west, southerly, 769.20 feet, more or less, to a point on the northerly right-
34 of-way line of Northwest Springville Lane being the southeast corner of tax lot 1300 in sec-
35 tion 16C of township 1 north, range 1 west and the southwest corner of said tax lot 2500 in
36 section 16D of township 1 north, range 1 west; thence leaving said northerly right-of-way line
37 of Northwest Springville Lane, southerly along the northerly extension of tax lot 1400 in
38 section 16C of township 1 north, range 1 west, 60.00 feet, more or less, to a point on the
39 southerly right-of-way line of said Northwest Springville Lane and the northeast corner of
40 said tax lot 1400 in section 16C of township 1 north, range 1 west, being the northwest corner
41 of tax lot 3300 in section 16D of township 1 north, range 1 west; thence along the easterly line
42 of said tax lot 1400 in section 16C of township 1 north, range 1 west, being the westerly line
43 of said tax lot 3300 in section 16D of township 1 north, range 1 west and the westerly line
44 of tax lot 3400 in section 16D of township 1 north, range 1 west, southerly, 894.47 feet, more
45 or less, to the southeast corner of tax lot 1400 in section 16C of township 1 north, range 1

1 west, also being the southwest corner of said tax lot 3400 in section 16D of township 1 north,
2 range 1 west and being on the south line of said section 16, also being the division line be-
3 tween Multnomah and Washington Counties; thence along the south line of said section 16
4 along the southerly line of said tax lot 1400 in section 16C of township 1 north, range 1 west,
5 westerly, 75.00 feet, more or less, to the south one-quarter corner of section 16; thence along
6 the southerly line of said section 16, being the southerly line of said tax lot 1400 in section
7 16C of township 1 north, range 1 west and the southerly line of tax lots 1500, 1600, 2200 and
8 2301 in section 16C of township 1 north, range 1 west, westerly, 2,562.58 feet to the southwest
9 corner of said tax lot 2301 in section 16C of township 1 north, range 1 west, being the
10 southwest corner of section 16; thence along the west line of said section 16, being the divi-
11 sion line between Multnomah and Washington Counties, north one degree, 22 minutes, 19
12 seconds east, 2,640.05 feet, more or less, to the east one-quarter corner of sections 16 and
13 17; thence continuing along the west line of said section 16, being the division line between
14 Multnomah and Washington Counties, north one degree, four minutes, eight seconds east,
15 2,640.05 feet, more or less, to the point of beginning.

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