

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
THE TITLE 14 MAP OF THE URBAN)
GROWTH MANAGEMENT FUNCTIONAL)
PLAN TO CONFORM WITH CHANGES)
ENACTED BY THE OREGON)
LEGISLATURE IN HOUSE BILL 2047)
ORDINANCE NO. 17-1407
Introduced by Martha J. Bennett, Chief
Operating Officer, with the concurrence of
Tom Hughes, Council President

WHEREAS, in 2010 and 2011 Metro, Washington County, Multnomah County and Clackamas County entered into agreements regarding the designation of urban reserves and rural reserves in the Metro region pursuant to ORS 195.141, and those reserve areas were formally adopted and mapped on April 21, 2011 via Metro Ordinance No. 11-1255; and

WHEREAS, the Land Conservation and Development Commission (LCDC) reviewed the urban and rural reserve designations and voted to approve those designations in 2011; and

WHEREAS, relying on LCDC's vote of approval regarding the urban reserve areas, Metro proceeded with its 2011 growth management decision and expanded the Urban Growth Boundary (UGB) to include four areas in Washington County on October 20, 2011 via Ordinance No. 11-1264B; and

WHEREAS, LCDC issued its written decision approving the urban and rural reserve designations on August 14, 2012 via Order No. 12-ACK-001819, and issued its written decision approving the UGB expansion on December 21, 2012 via Order No. 12-UGB-001826; and

WHEREAS the LCDC order approving the urban and rural reserve designations was reversed and remanded by the Oregon Court of Appeals on February 20, 2014; and

WHEREAS, in response to the decision issued by the Court of Appeals, the Oregon Legislative Assembly enacted House Bill 4078 on April 1, 2014, which: (a) legislatively enacted Metro's 2011 UGB expansion, (b) added approximately 1,178 acres of land formerly designated as urban reserve to the UGB in Washington County, (c) made changes in the designation of certain urban and rural reserve areas in Washington County, and (d) identified certain land being brought into the UGB as being specifically designated for employment and industrial purposes; and

WHEREAS, in order to reflect the map amendments enacted by House Bill 4078, Metro revised its maps under Title 4 and 14 of the Urban Growth Management Functional Plan through the adoption of Ordinance 14-1336 on July 31, 2014; and

WHEREAS, it was later discovered that House Bill 4078 contained mapping errors related to urban and rural reserve designations in Washington County; and

WHEREAS, in order to correct those mapping errors, the 2015 Oregon Legislative Assembly enacted House Bill 2047; and

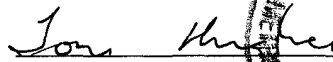
WHEREAS, the map revisions enacted by House Bill 2047 became effective on January 1, 2016 and create discrepancies with the map adopted by Metro in 2014; and

WHEREAS, Metro is obligated to revise its map under Title 14 of the Urban Growth Management Functional Plan in order to make the corrected urban and rural reserve locations correspond with the locations adopted by the legislature; now therefore

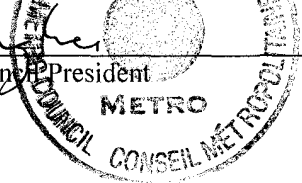
THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro Title 14 map of the UGB and urban and rural reserves is hereby amended, as indicated in Exhibit A, attached and incorporated into this Ordinance, to revise the location of urban and rural reserves as required by House Bill 2047.


ADOPTED by the Metro Council this 10 day of August 2017.



Tom Hughes, Council President



Attest:

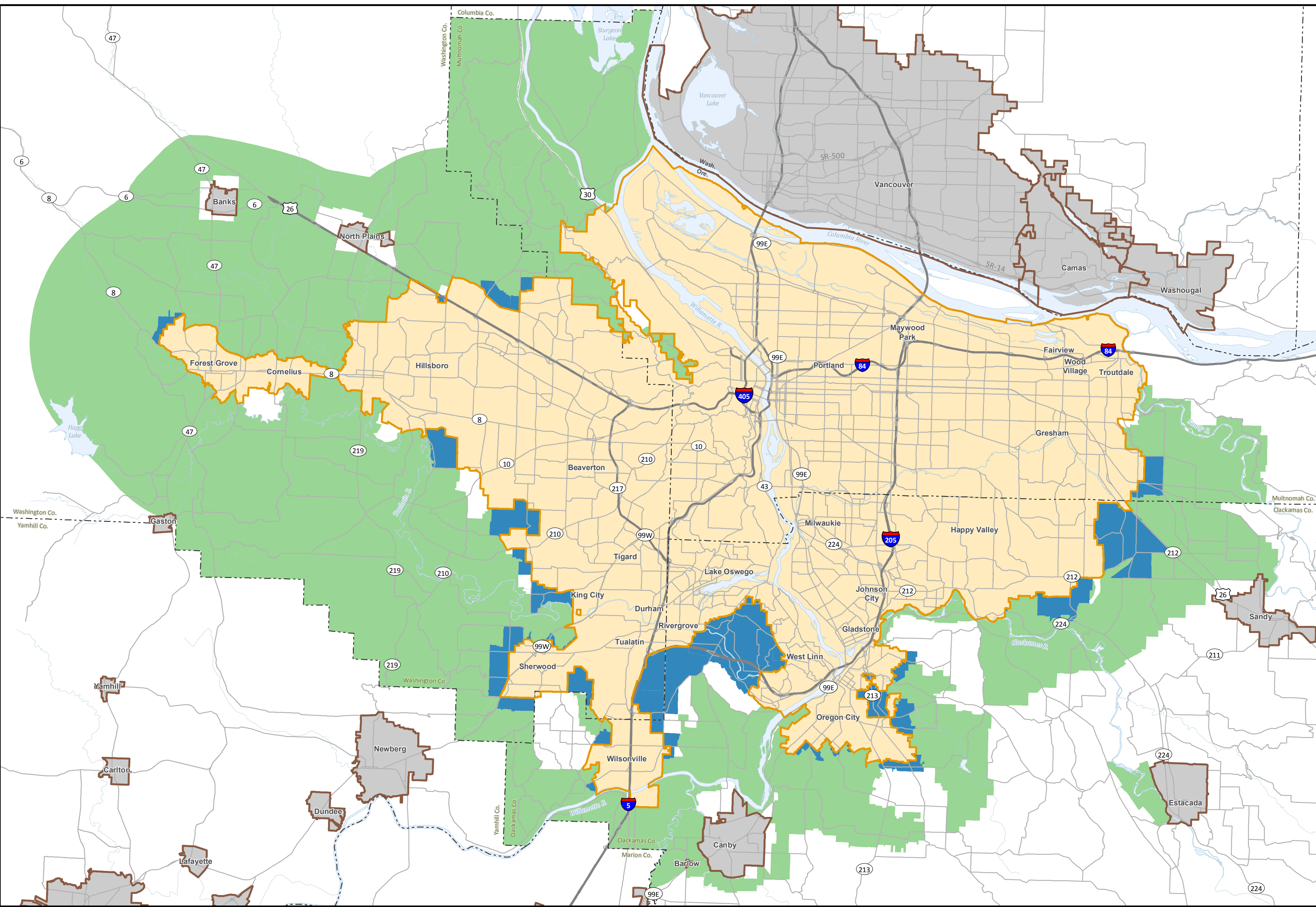


Nellie Papsdorf, Recording Secretary

Approved as to Form:



Alison R. Kean, Metro Attorney

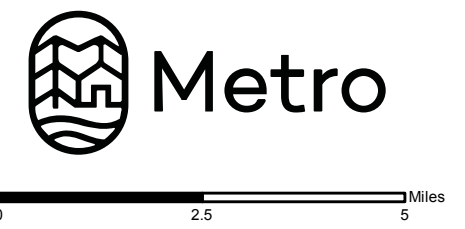


Title 14, Urban Growth Boundary

Exhibit A

August 2017

- Metropolitan Portland Urban Growth Boundary
- Rural Reserves
- Urban Reserves
- Other Urban Growth Boundary
- County Boundaries



The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors are appreciated.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 17-1407, FOR THE PURPOSE OF AMENDING THE TITLE 14 MAP OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN TO CONFORM WITH CHANGES ENACTED BY THE OREGON LEGISLATURE IN HOUSE BILL 2047

Date: July 12, 2017

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

After the Oregon Legislature enacted House Bill 4078 (the land use “Grand Bargain”) in 2014, it was discovered that there were a handful of errors in the technical legal descriptions of some of the properties being described as urban or rural reserves. Those errors were corrected in the 2015 legislative session by House Bill 2047, and the corrections became effective in 2016. The purpose of this ordinance is to conform Metro’s official map of urban and rural reserves with the technical fixes that were enacted by House Bill 2047.

PROPOSAL

Urban Growth Management Functional Plan (Functional Plan) Title 14: Urban Growth Boundary contains Metro’s code requirements related to expansion of the UGB. The Urban Growth Boundary and Urban and Rural Reserves Map contained in Title 14 is the official depiction of the UGB and the urban and rural reserves in the Metro region. Thus, the Title 14 map needs to be amended to reflect the changes to the urban and rural reserves as a result of the technical fixes made by House Bill 2047. A summary of the changes is outlined in the table below and represented on Attachments 1-4. Attachment 5 represents these changes on the Title 14 Map. The 2040 Growth Concept Map will be updated to reflect the changes adopted on the Title 14 Map on the effective date of this ordinance.

Amendments to the Urban and Rural Reserves	
Undesignated to Rural Reserve	Attachment
Highway 47/NW Purdin Road Intersection right-of-way	1
NW Gordon Road right-of-way	2
Urban Reserve to Undesignated	
Highway 26/NW Helvatia Road Interchange right-of-way parcel	3
Rural Reserve to Urban Reserve	
NW Cornelius Pass Road right-of-way	4
Tax lot IN214A004050	4
Tax lot (partial) 1N214D0000400	4
Undesignated to Urban Reserve	
NW West Union Road right-of-way	4

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

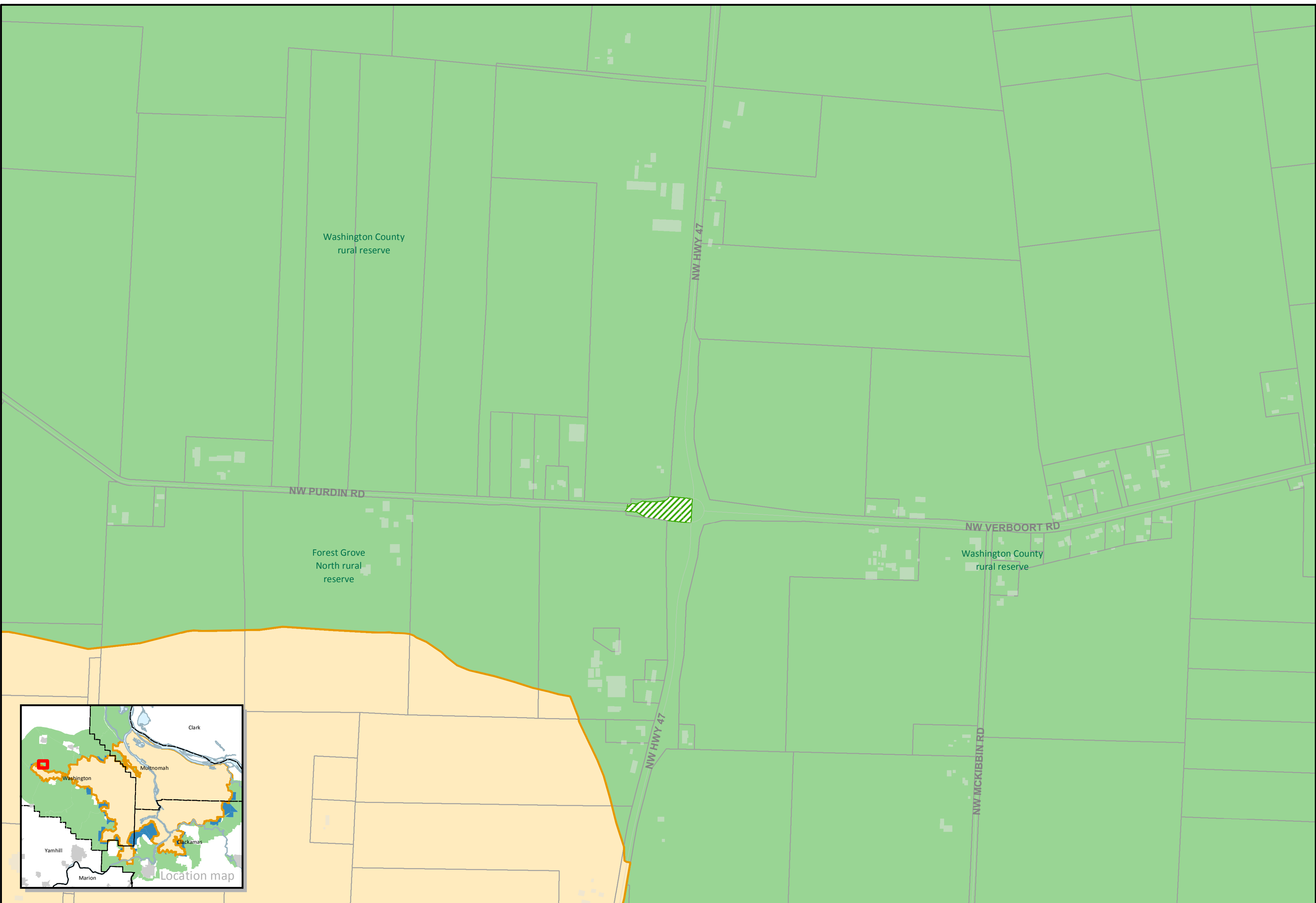
Legal Antecedents: Oregon Revised Statute (ORS) 197.298 and 197.299 and Metro Code Section 3.07.1400 provide evaluation and amendment requirements for an amendment to the urban growth boundary.

Anticipated Effects: Adoption of Ordinance No. 17-1407 will amend the urban and rural reserves in Washington County on the Title 14 Map consistent with the provisions of House Bill 2047.

Budget Impacts: There is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 17-1407.



HB2047 Urban and Rural Reserves Washington County Area - Attachment 1

August 2017

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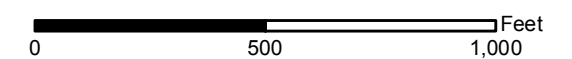
Existing Reserves

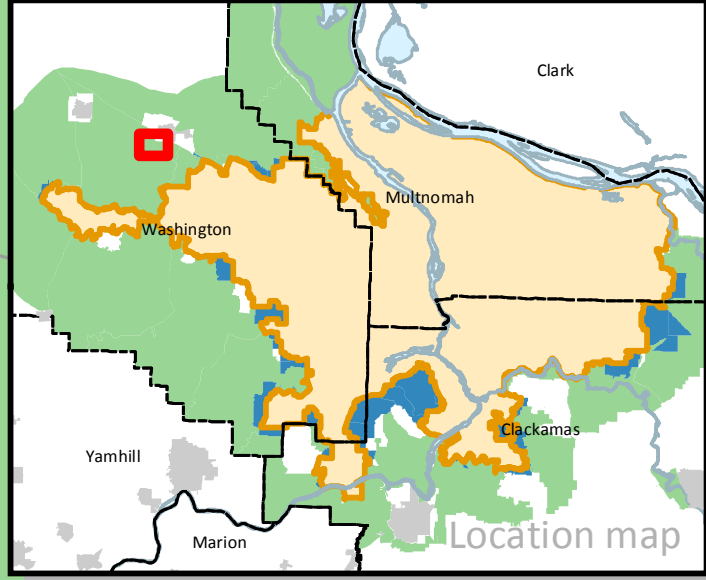
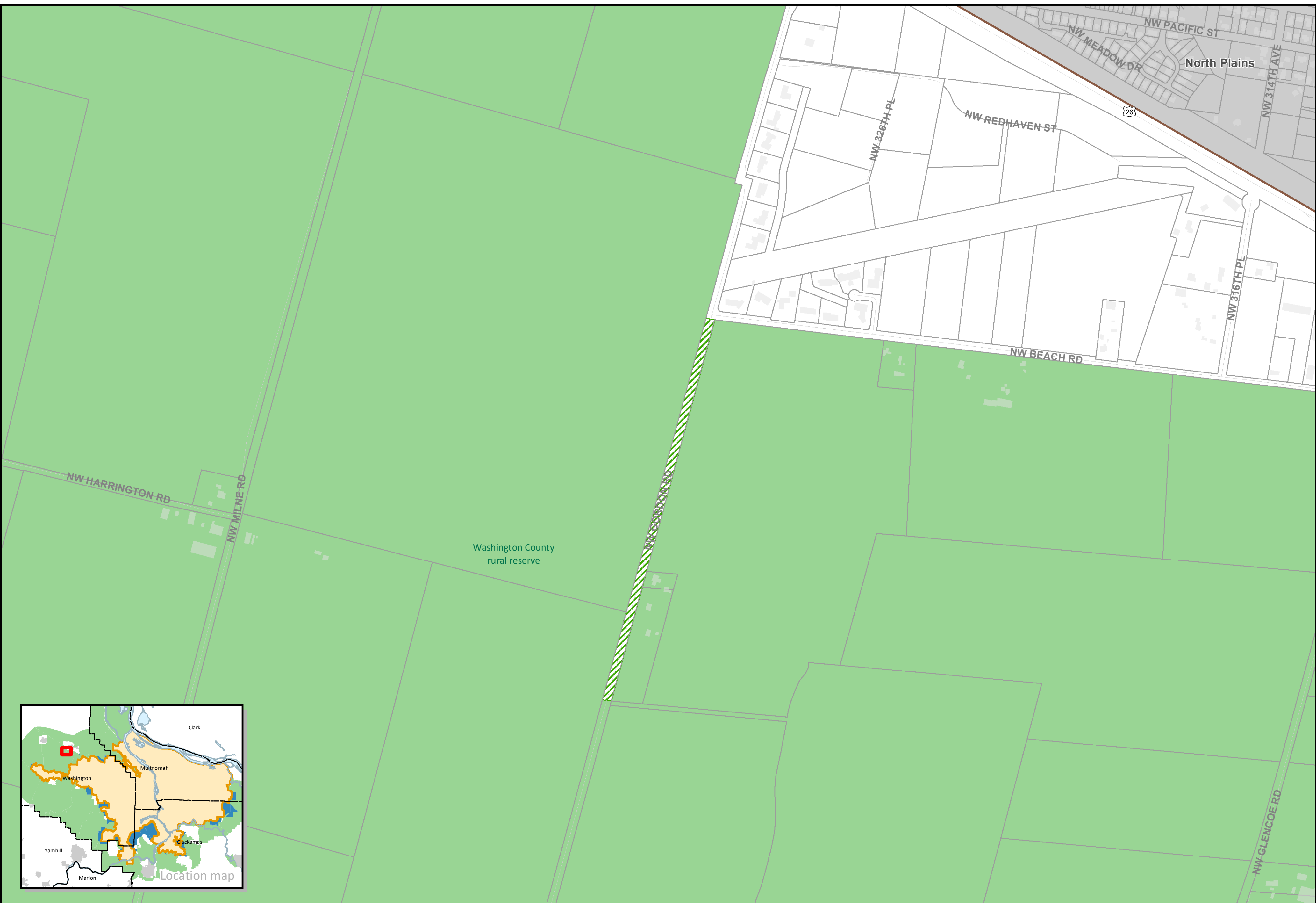
- Rural Reserve
- Urban Reserve

Reserve Changes

- Rural to Urban
- Undesignated to Urban
- Undesignated to Rural
- Urban to Undesignated

- Metropolitan Portland Urban Growth Boundary
- Taxlots







HB2047 Urban and Rural Reserves
Washington County Area - Attachment 2
 August 2017




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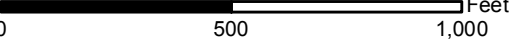
Existing Reserves

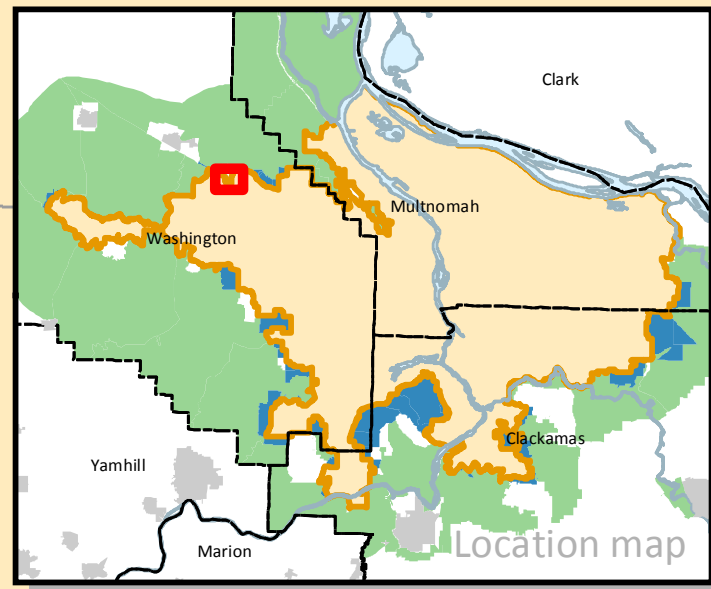
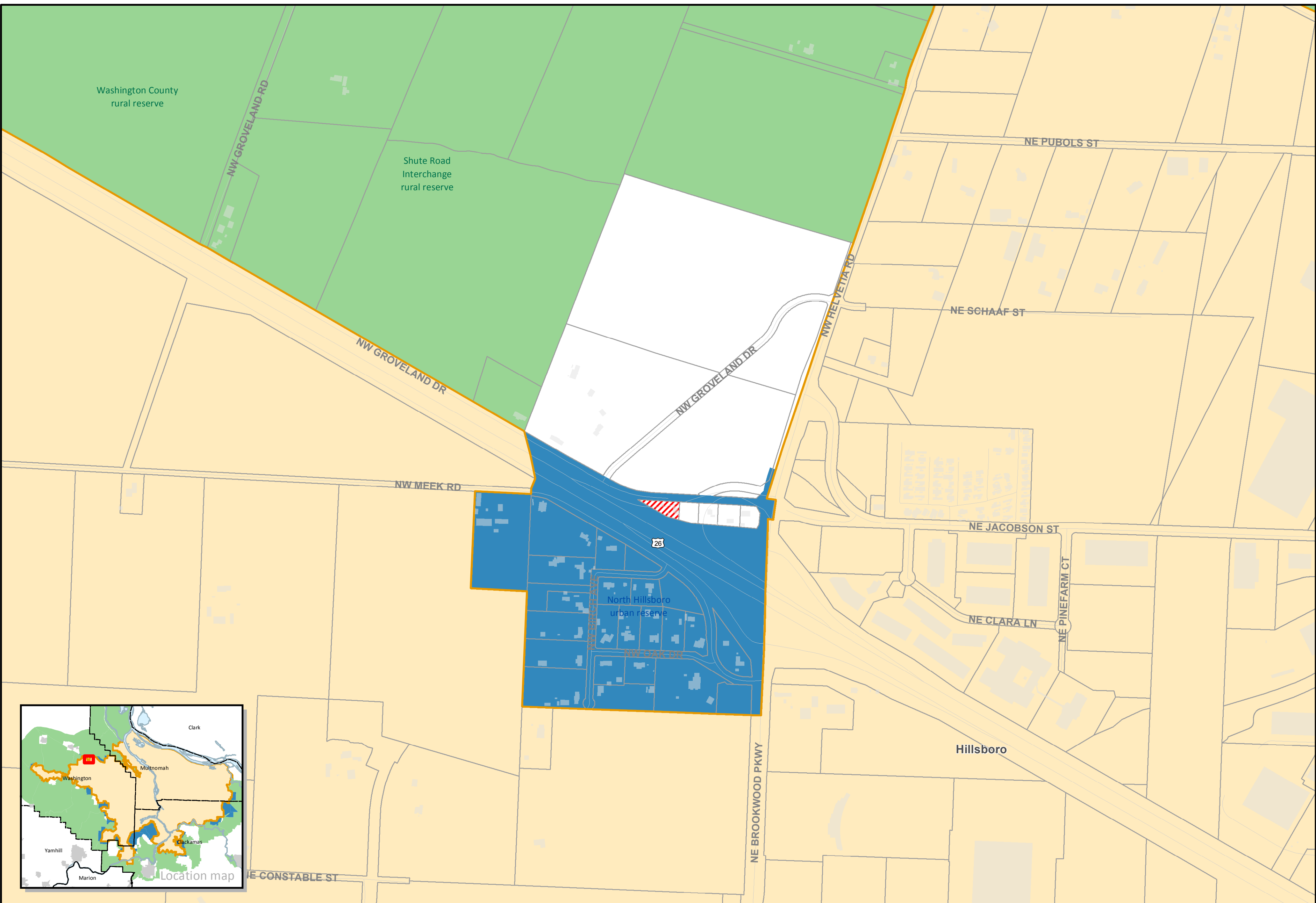
-  Rural Reserve
-  Urban Reserve

Reserve Changes

-  Rural to Urban
-  Undesignated to Urban
-  Undesignated to Rural
-  Urban to Undesignated

-  Metropolitan Portland Urban Growth Boundary
-  Other Urban Growth Boundary
-  Taxlots





HB2047 Urban and Rural Reserves
Washington County Area - Attachment 3
 August 2017

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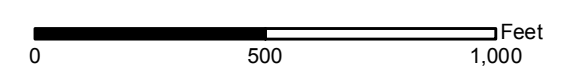
Existing Reserves

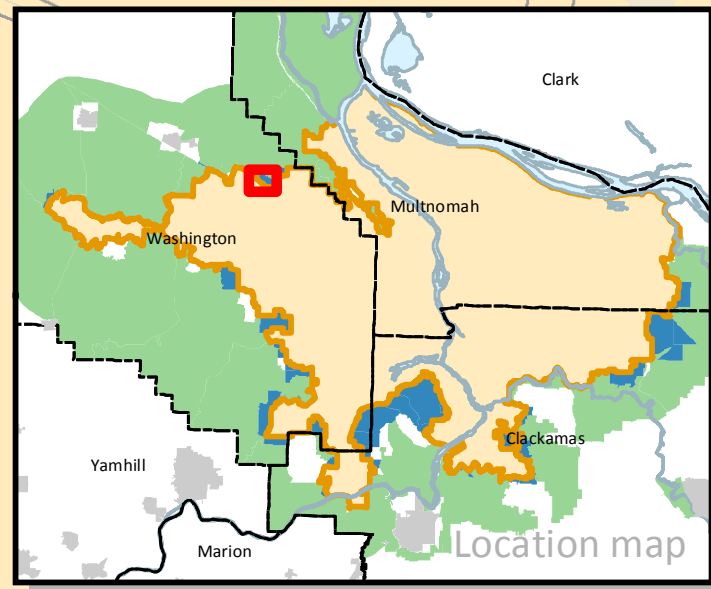
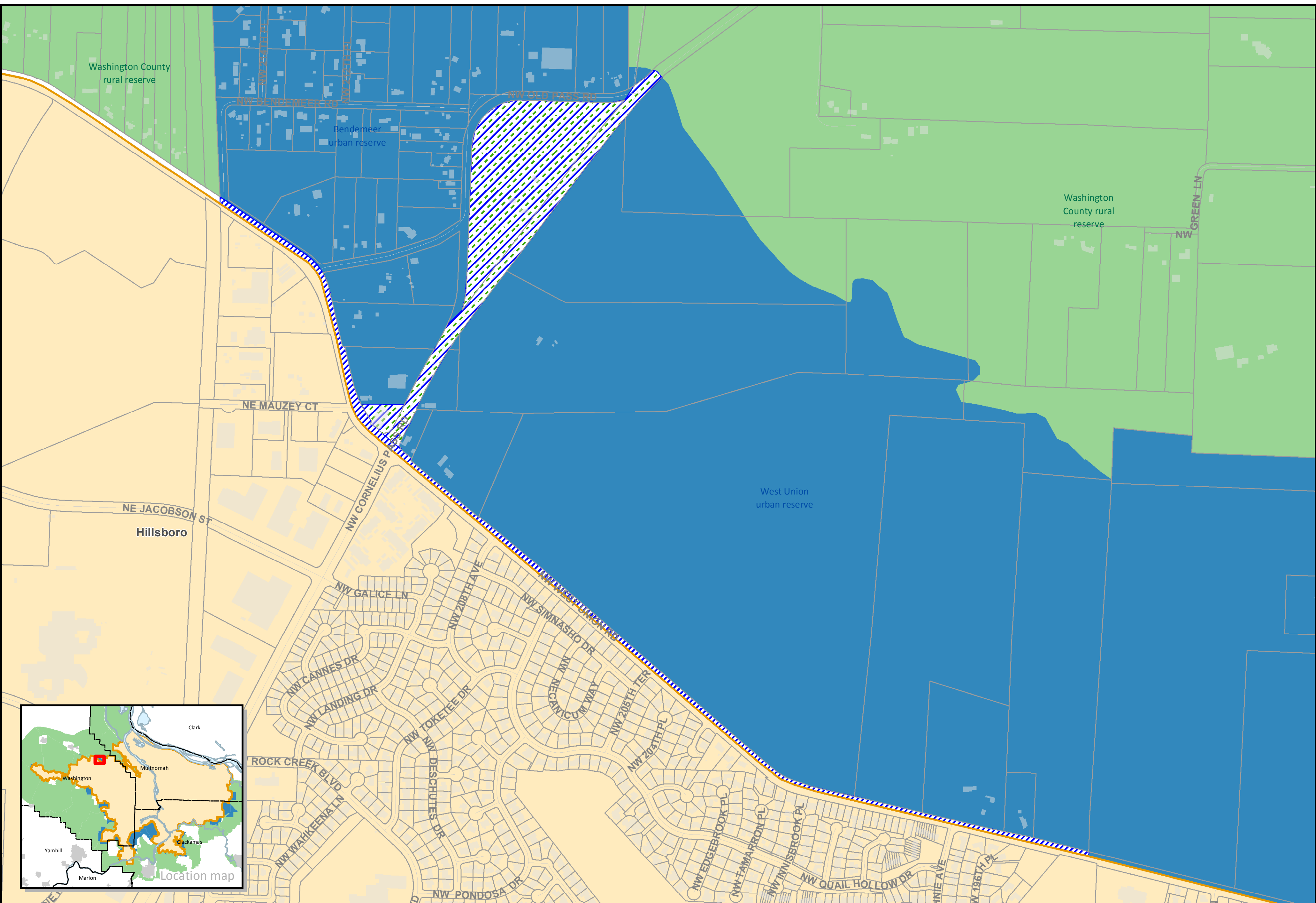
- Rural Reserve
- Urban Reserve

Reserve Changes

- Rural to Urban
- Undesignated to Urban
- Undesignated to Rural
- Urban to Undesignated

- Metropolitan Portland Urban Growth Boundary
- Taxlots





HB2047 Urban and Rural Reserves
Washington County Area - Attachment 4
 August 2017

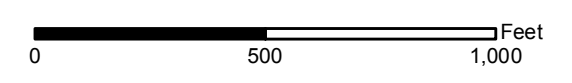
Existing Reserves

- Rural Reserve
- Urban Reserve

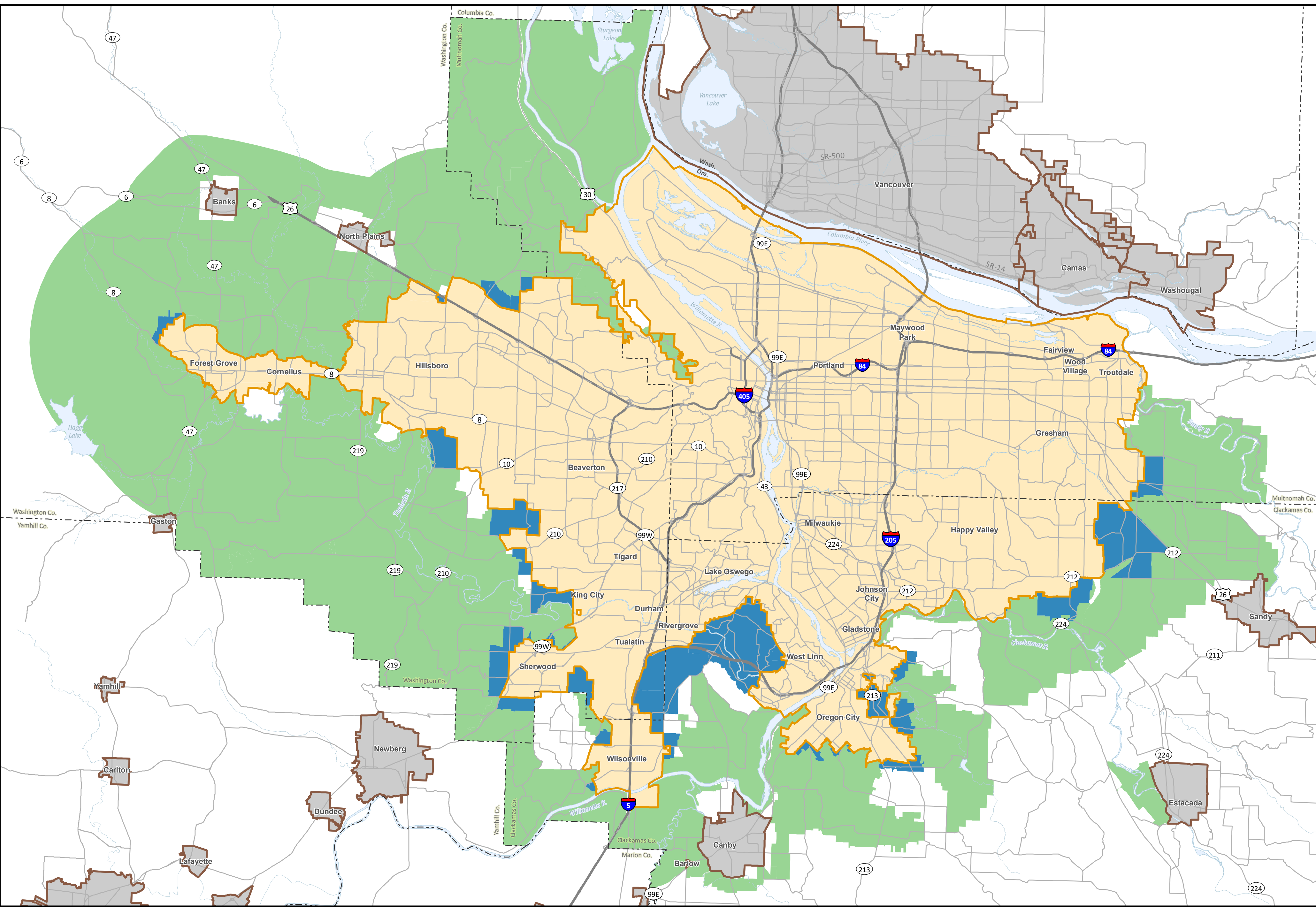
Reserve Changes

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- Metropolitan Portland Urban Growth Boundary
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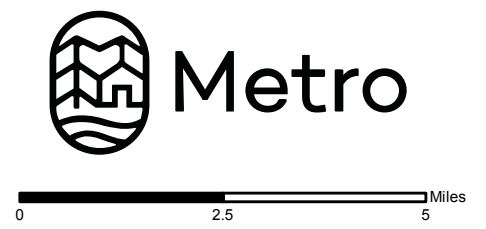


Title 14, Urban Growth Boundary

Attachment 5

August 2017

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