



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

## NOTICE OF ADOPTED AMENDMENT

March 3, 2006

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment  
DLCD File Number 016-05A



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: March 20, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Eric Jacobson, DLCD Transportation Planner  
Mark Darienzo, DLCD Flood Map Modernization Program Coordinator  
Michael Walter, City of Happy Valley

<paa> ya/



# FORM 2

## DLCD NOTICE OF ADOPTION DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision  
per ORS 197.610, OAR Chapter 660 - Division 18

FEB 28 2006

(See reverse side for submittal requirements)

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: City of Happy Valley Local File No.: LDO-11-05  
(If no number, use none)

Date of Adoption: February 21, 2006 Date Mailed: February 27, 2006  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD:  
8/26/05

Comprehensive Plan Text Amendment       Comprehensive Plan Map Amendment  
 Land Use Regulation Amendment       Zoning Map Amendment  
 New Land Use Regulation       Other: \_\_\_\_\_  
(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.≡  
amend transportation connections within the Rock Creek Comprehensive  
Plan

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write  
ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡  
minor language changes (see attached Exhibit A)

Amended alignment or roadways illustration attached

Plan Map Changed from : \_\_\_\_\_ to \_\_\_\_\_

Zone Map Changed from: \_\_\_\_\_ to \_\_\_\_\_

Location: City wide Acres Involved: \_\_\_\_\_

Specify Density: Previous: n/a New: n/a

Applicable Statewide Planning Goals: 9, 10, 11, 12, 14

Was an Exception Adopted? Yes: \_\_\_\_\_ No: xx

DLCD File No.: 016-05 A (14628)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment

**FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:  If no, do the  
Statewide Planning Goals apply. Yes:  No:

If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:

Affected State or Federal Agencies, Local Governments or Special Districts: \_\_\_\_\_  
METRO,

Local Contact: Michael Walter, Planning Svcs. Manager Area Code + Phone Number: 503-7560-3325

Address: 12915 SE King Rd City: Happy Valley

Zip Code+4: 97236-6298 Email Address: michaelw@ci.happy-valley.or.us

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**

per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption≡ is sent to DLCD.
6. In addition to sending the ANotice of Adoption≡ to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

Mayor  
HON. EUGENE GRANT



*City of Happy Valley*

City Councilors  
CHUCK DALICH  
LORI DEREMER  
JONATHAN EDWARDS  
ROB WHEELER

12915 SE KING ROAD, HAPPY VALLEY, OREGON 97236-6298  
Telephone (503) 760-3325 ~ Fax (503) 760-9397  
Web Site: [www.ci.happy-valley.or.us](http://www.ci.happy-valley.or.us)

DATE : February 27, 2006

File No.LDO-11-05

### **NOTICE OF DECISION**

This is official notice of action taken by the Happy Valley City Council at a public hearing on February 21, 2006, with regard to an application by the City of Happy Valley, for an amendment to the Rock Creek Comprehensive Plan.

At the public hearing, the City Council formally approved the subject application based upon findings included within the Staff Report dated February 21, 2006, public testimony and deliberations of the City Council.

Copies of the Staff Report and findings from February 21, 2006, are available upon request.

This action of the City Council is subject to appeal to the State of Oregon Land Use Board of Appeals. An appeal of this decision must be filed within 21 days of the mailing of this Notice of Decision. City Planning Department staff (503-760-3325) can provide information regarding forms, fees, and the appeal process. Issues, which may provide the basis for an appeal to the Oregon Land Use Board of Appeals, shall be submitted in writing, accompanied by appropriate filing fees, prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the Oregon Land Use Board of Appeals to respond to the issue. If no appeal is filed by **March 20, 2006, at 4:00 p.m.**, this decision shall be deemed final.

A handwritten signature in black ink, appearing to read "Michael D. Walter", with a long horizontal flourish extending to the right.

Michael D. Walter, AICP  
Planning Services Manager

cc: Applicant  
Applicant's Rep  
Interested Persons  
File No. LDO-11-05

## Exhibit "A"

### Proposed Text and Figure Amendments to the Rock Creek Comprehensive Plan

Per direction provided by the City Council on Tuesday, February 21, 2006 – the following text changes, as well as implementation of the hand-drawn alterations have been adopted by the City of Happy Valley, effective March 23, 2006.

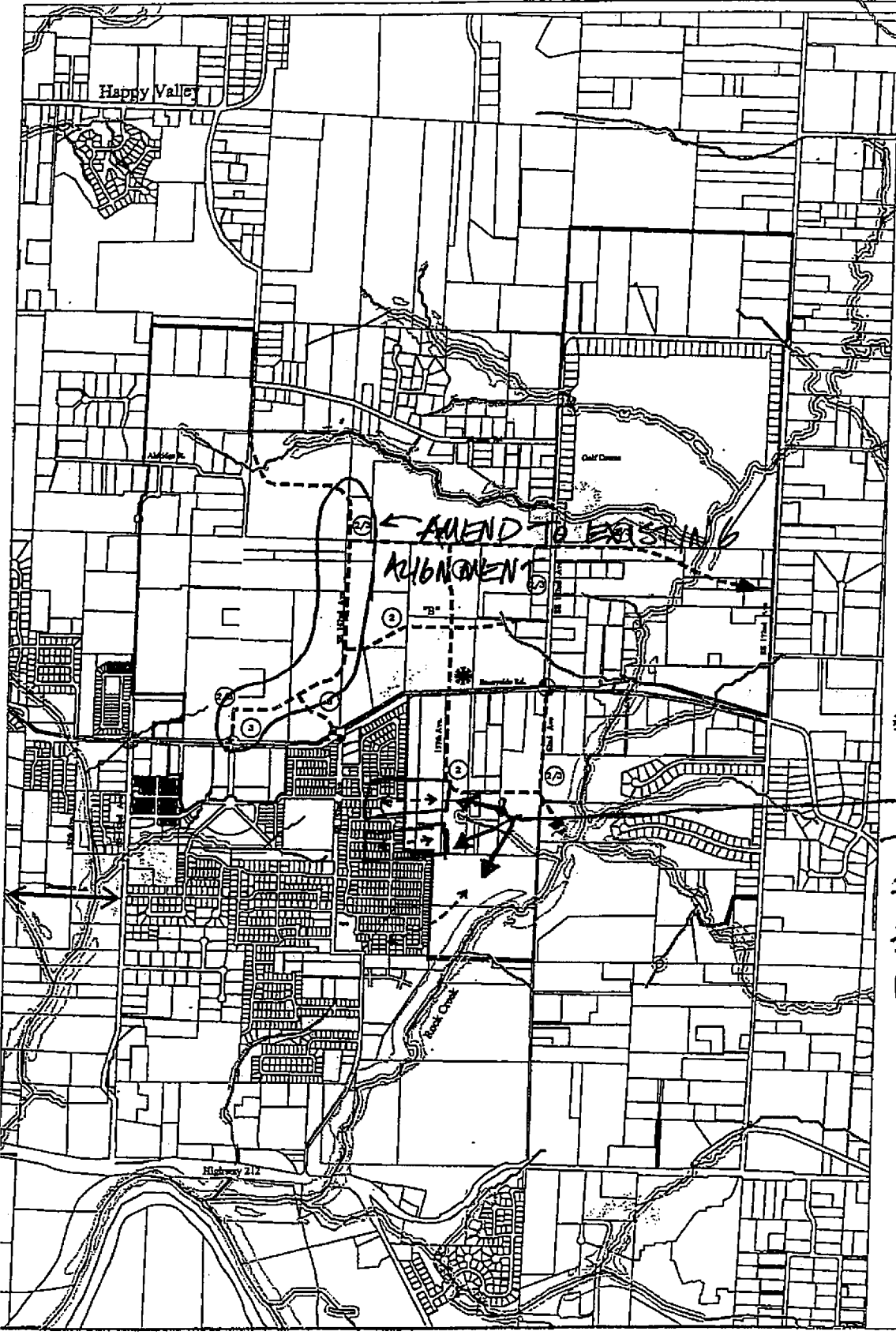
(NOTE: removed text is noted in ~~striketthrough~~, new text is noted in **bold underline**)

Page 17      Local Streets (changed to read)

“It is not the purpose of this Comprehensive Plan to design the local street network, but instead to establish the parameters under which these streets should be provided. Local streets are to be provided at a minimum spacing of 10 to 16 streets per mile (every 330 to 530 feet) in order to support neighborhood connectivity.

~~A minimum of three local street connections to SE 152<sup>nd</sup> Avenue south of Sunnyside Road is essential to connect the residential neighborhoods with civic and commercial activities planned for the Rock Creek area. These connections are needed to provide internal access without requiring added trips onto Sunnyside Road. The connection should be made from SE 157<sup>th</sup> and/or SE 162<sup>nd</sup> Avenues. These streets will be planned concurrent with the specific development proposals in the Rock Creek Area.~~

**Topographic and environmental conditions limit the level of connectivity in several areas of Happy Valley south of Sunnyside Road between Rock Creek and 152<sup>nd</sup> Avenue and are recognized as being particularly problematic, and may require exceptional treatment to avoid overloading of narrow local streets.**”



- Legend**
- Major Arterial
  - Minor Arterial
  - Collector
  - Planned Collector (CIP)
  - Proposed Collector
  - Local Street Connection
  - Traffic Signals
    - Existing Traffic Signal
    - Proposed Traffic Signal
  - Number of Lanes
    - 2/3 indicates 2 lanes with a turn lane at intersections
  - Study Area Boundary

REMOVE DUE TO LOCATION OF PUBLIC PARK & SIGNIFICANT WETLANDS/ FIR STAND

Rock Creek Area

Functional Classification

CITY OF HAPPY VALLEY  
ORDINANCE NO. 330

AN ORDINANCE AMENDING THE ROCK CREEK COMPREHENSIVE PLAN OF THE CITY OF HAPPY VALLEY – OREGON TRAIL DRIVE/ELINOR STREET CONNECTIONS

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

WHEREAS, Application LDO-11-05 was a staff initiated request to amend the Rock Creek Comprehensive Plan as detailed within Attachment "A"; and

WHEREAS a hearing was held before the City of Happy Valley Planning Commission on October 11, 2005; and

WHEREAS, the Planning Commission unanimously recommended the changes to the Rock Creek Comprehensive Plan as detailed in the Staff Report dated October 11, 2005; and

WHEREAS, the City has forwarded a copy of the proposed amendments to the Oregon Department of Land Conservation and Development (DLCD) in a timely manner; and

WHEREAS, the City Council of the City of Happy Valley, Oregon, has determined that it is reasonable, necessary and in the public interest to amend the Rock Creek Comprehensive Plan pursuant to the findings within Attachment "A" at the regular meeting of the City Council on February 21, 2006.

NOW, THEREFORE, it is hereby declared by the City Council of Happy Valley, Oregon, that the City's Rock Creek Comprehensive Plan be amended as set forth as part of Attachment "A"; as amended by the City Council on February 21, 2006; and, is fully incorporated herein.

BE IT FURTHER declared that this Ordinance shall become effective thirty (30) days after approval by the City Council.

READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on February 21, 2006 and read for the second time on February 21, 2006, and adopted by unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

  
\_\_\_\_\_  
Eugene Grant, Mayor

ATTEST:

  
\_\_\_\_\_  
Catherin L. Daw, City Manager