



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: ~~XXXXXX~~ March 6, 2015

Jurisdiction: City of Happy Valley

Local file no.: CPA-15-14/LDC-15-14/

DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/24/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us

DLCD FORM 2



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

LAND CONSERVATION
LAND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Happy Valley

Local file no.: CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14

Date of adoption: 2/24/2015

Date sent: 2/27/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): YES

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Steve Koper, Associate Planner

Phone: 503 783-3845

E-mail: stevek@happyvalleyor.gov

Street address: 16000 SE Misty Dr

City: Happy Valley

Zip: 97086-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from MUR-M2 to MUR-S 4.78 acres. A goal exception was required for this change.

Change from R-5 to MUR-S 1.61 acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from MUR-MR	to MUR-S	Acres: 4.78
Change from R-5	to MUR-S	Acres: 1.61
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Metro

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

None

Mayor
Honorable Lori DeRemer



City Manager
Jason A. Tuck

March 3, 2015

File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14
("Pine View Meadows")

NOTICE OF DECISION

This is official notice of action taken by the City of Happy Planning Commission at a public hearing held on February 24, 2015, with regard to an application by the Holt Group, Inc, for a 42-lot Subdivision, Comprehensive Plan Map/Zoning Map Amendment and Environmental Review Permits (File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14) on three legal lots of record. The subject properties are located west of 172nd Avenue and north of Hemrick Road, and are further described as Clackamas County Assessor Map Nos. 13E 30C: Tax Lots 2000, 2002 and 2003.

At the public hearing, the Planning Commission voted to approve "Pine View Meadows" based upon submitted information, public testimony, and deliberations of the Commission. Copies of the original Staff Report for File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14 are available upon request.

Persons with standing may appeal this decision to the Oregon Land Use Board of Appeals ("LUBA") not later than 21 days after the city mails this Notice of Decision. The date appearing on the envelope of this notice establishes the date of mailing. All appeals must comply with ORS 197.830 and LUBA's rules at OAR Chapter 660, division 10. An appeal filed later than 21 days within the mailing of this Notice of Decision is subject to dismissal.

Steve Koper, AICP
Associate Planner

cc: The Holt Group, Inc.
Monty Hurley, AKS Engineering
Chris Goodell, AKS Engineering
Participants of Record

16000 SE Misty Drive, Happy Valley, Oregon 97086-4288
Telephone: (503) 783-3800 Fax: (503) 658-5174
happyvalleyor.gov

Preserving and enhancing the safety, livability and character of our community

Final Conditions of Approval for “Pine View Meadows”

File Number: CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14

Administration

1. That the City shall amend its Comprehensive Plan Map/Zoning Map to indicate that the development site is subject to a Medium Density Single Family Residential plan designation and an MUR-S zoning designation.
2. That the property owner shall file a final plat pursuant to ORS 92.050 and shall conform to all provisions contained therein. The recorded plat shall be in substantial conformance with the approved preliminary plat and bear the signature of the City’s Economic and Community Development Director. Two recorded copies of the Plat shall be submitted to the City as verification of recordation prior to the issuance of any building permit (with the exception of a building permit for a model home).
3. That this approval will expire two years from the issuance of the Notice of Decision. The applicant may apply for a maximum of three, one year time extensions, pursuant to Section 16.63.040.D of the most current revision of the City’s LDC.
4. That prior to final plat approval, area computations in square feet for all building lots must be prepared and submitted by an engineer or surveyor registered in the State of Oregon.

Happy Valley Engineering Division

General Items

5. That all submitted project construction plans shall conform to the City’s “Engineering Design and Standard Details Manual” (Design Manual) for design and drafting requirements.
6. That the project is subject to the City’s latest “Public Improvement Guarantee” form which requires a financial security based upon the engineer’s estimate and a 25% two (2) year maintenance bond upon completion and acceptance of the improvements.
7. That construction plans shall show all adjacent subdivision names, lot lines and tax lot lines with the tax map and tax lot number noted on each.
8. That construction plan review is subject to these conditions of approval.
9. That prior to the scheduling of the Pre-Construction meeting, issuance of a Notice to Proceed, or beginning any site work, the applicant shall submit all applicable bonds, have paid all applicable fees, and have service provider letters for both Stormwater and Sanitary Sewer services from Water Environment Services (Clackamas County) and the Sunrise Water Authority.
10. That full time inspection by the developer’s engineer is required for all street and storm drainage construction.
11. That a sign shall be posted conspicuously at the job site entrance prior to site construction, and shall be maintained throughout construction. Use 2-inch high black letters on an orange background. The sign shall read as follows:

“SITE CONSTRUCTION SHALL BE LIMITED TO 7:00 AM TO 6:00 PM ON WEEKDAYS, AND 8:00 AM TO 5:00 PM ON SATURDAYS AND SUNDAYS.

HOWEVER, SITE CLEARING, EARTH MOVING, INSTALLATION OR CONSTRUCTION OF UNDERGROUND UTILITIES, PAVING OF STREETS AND SIDEWALKS, FOUNDATION FRAMING AND POURING, AND STRUCTURAL FRAMING SHALL BE ENTIRELY PROHIBITED ON SUNDAYS.

TO REPORT VIOLATIONS CALL 503-783-3800.”

The City Manager shall have the authority to waive these requirements in the event of emergency or in the City Manager’s opinion, justifiable cause.

Grading and Erosion Sediment Control

12. That the developer’s engineer is required to provide a site specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control (ESC) measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control collection, routing, and treatment of storm water runoff and ground water. No site construction will be allowed to take place if the storm drainage system and ESC measures are not installed per plan and functioning properly.
13. That the developer’s engineer shall provide plans and documentation, including specific design and construction recommendations from the geotechnical engineer, for the review and approval of the City Engineer demonstrating compliance with the Geotechnical Report dated October 30, 2014 from GeoPacific, Inc.
14. That the total disturbed area for this project exceeds one acre, therefore an NPDES 1200-C permit from DEQ will be required. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C permit submittals. A copy of the approved and signed permit shall be provided to the City prior to holding a pre-construction meeting or commencing any construction activity.
15. That vegetative cover shall be maintained on slopes or established through new plantings for stability and erosion control purposes. Vegetation shall not be stripped from any steeply sloped area except for construction of utilities, streets, pedestrian facilities, and retaining walls.
16. That the Erosion Sediment Control Plan shall include a plan to implement and maintain wet weather measures within 14 days of the final grading and between the dates of October 1st and April 30th.
17. That all grading activity shall be per the current City of Happy Valley Municipal Code. The developer shall submit a completed Site Development Permit and Engineering Erosion Control Permit to the City prior to beginning any grading work on site.
18. That lot grading and tree preservation shall be in accordance with Municipal Code Section 16.42.050.E.2.

19. That geotechnical inspection will be required throughout the lot grading and construction of the public improvements. The construction plans shall show the areas where the Very Highly Expansive soils are located and shall provide the geotechnical engineer's recommendations for removal and/or remediation within the public right-of-way and in foundation areas. The construction plans shall be reviewed and approved by the geotechnical engineer prior to construction plan approval. The applicant shall implement the recommendations of the approved geotechnical study and to allow all inspections to be conducted.
20. That the grading limits around protected trees shall be fenced using the standard four-foot orange plastic construction fencing in addition to the required erosion sediment control fences. All fencing, ESC measures and construction gravel entrances shall be installed and maintained by the developer and inspected by the City of Happy Valley prior to beginning work on the site.
21. That for retaining walls not included with the submitted application, a separate design review application shall be required and that for all retaining walls greater than four feet, a professional engineer or geotechnical engineer registered in the State of Oregon shall provide stamped design calculations and detail drawings required for the retaining wall construction. The retaining wall detail drawings shall include at a minimum; wall profile, wall cross section at highest point of wall, wall reinforcing geotextile requirements, wall drainage system, and wall backfill requirements.
22. That all construction trucks shall perform transfer of trailers on-site. Surrounding public streets shall not be used as a staging area for dump trucks with transfer trailers.

Street/Pedestrian System

23. That street design plans shall conform to the requirements delineated in the City's "Engineering Design and Standard Details Manual" (Design Manual), current revision, and the City's Transportation System Plan (TSP), current revision. The referenced documents are available on the City's website.
24. That vertical street alignments within the subdivision will be in accordance with the City's Design Manual.
25. That all required public improvements shall be constructed, inspected, and accepted in accordance with Section 16.63.080.B.2 of the LDC prior to final plat approval.
26. That no building permits shall be submitted to the City for review until the plat has been recorded, the City, County, and Water District have accepted all improvements, individual 8 ½ x 11 "as-built" record drawings for each lot showing storm and sanitary lateral locations with two distance ties to their ends for future locations are received and approved by all applicable agencies, and the performance/maintenance bonds for each jurisdiction is in place, the City has accepted the project as complete and a Building Permit Release Letter has been issued.
27. That all current ADA requirements for streets and intersections shall be met.
28. That proposed stub streets shall be constructed to the development property lines. Easements shall be obtained from adjacent property owners as necessary to complete the street construction, unless the applicant provides the City with a written statement by the adjacent

owner(s) refusing said easement(s), in which case the street construction shall be extended as far as practical without encroaching on adjacent properties.”

29. That the applicant shall provide CFD#1 approval of the proposed emergency turnaround on Tax Lot 2001 and that the applicant shall provide the City with a copy of the temporary construction easement and permanent access from the owners of TL 2001.
30. That the reconstructed portion of the driveway to TL 2001 shall be paved in accordance with the Design Manual.
31. That pedestrian trails shall be designed and built in accordance with the Design Manual and shall be paved or concrete.
32. That minimum AASHTO sight distance requirements shall be met at all street intersections and driveways. AASHTO requires sight distance to be measured at a point 14.4 feet from the edge of the traveled way with a driver's eye height of 3.5 feet and an object height of 3.5 feet.
33. That all stubbed streets shall end as shown in City Standard Drawing No. 310 and/or No. 315.
34. That the applicant shall provide a signing and striping plan as part of the construction plan set, prepared by a registered engineer. The applicant shall be responsible for the installation of all signing and striping as indicated on the plans.

Miscellaneous

35. That demolition permits from the Building Division will be required for the removal of any structures.
36. That plumbing permits from the Building Division will be required for private utilities installed in private access easements.
37. That the Developer shall provide a signed copy of the U.S. Postal Services “*Mode of Delivery Agreement*”. Submittal of this agreement shall be required prior to a pre-construction meeting taking place.
38. That dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
39. That noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working on the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
40. That all construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through the use of proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a “Stop Work” order until deficiencies have been corrected to the satisfaction of the City.
41. That the applicant shall submit to the City all required performance bonds, insurance certificates, engineer's agreements, set-aside account letters and/or sureties prior to

establishing a pre-construction meeting date. Review and acceptance by the City Recorder of these instruments shall be required prior to establishing a pre-construction meeting date.

42. That a construction plan deposit shall be paid with the first submittal of the construction plans for each phase of the project. The deposit amount is based upon the number of lots and the Engineering Division Fee Schedule can be found on the City website. All remaining engineering plan review and inspection fees, right-of-way permit fees (if any) and tree cutting permit fees (if any), shall be paid at the time of the pre-construction meeting.

DKS Associates (Traffic Engineer)

43. That minimum AASHTO sight distance requirements shall be met at the site access 172nd Avenue. Minimum AASHTO sight distance requirements shall be met at all site intersections and driveways. The proposed Rhododendron Street intersection at 172nd Avenue shall be constructed to provide a minimum of 500 feet of intersection sight distance based on a posted driver speed of 45 mile per hour on 172nd Avenue. Vegetation shall be cut back, as required to provide adequate sight distance.
44. That sight distances on the internal Local Facilities shall be approved by the City engineer prior to final site plan approval.
45. That frontage (one-half street) improvements to 172nd Avenue shall be constructed to meet Clackamas County standards, consistent with the 172nd/190th Corridor Plan adopted by both the County and City. The frontage improvement requirements shall include pavement, sidewalk, landscape strip, drainage and curb consistent with City of Happy Valley and Clackamas County standards and the 172nd Avenue/190th Drive Corridor Management Plan.
46. That the proposed Rhododendron Street site access at 172nd Avenue shall be allowed temporary full access. Once a public roadway extension is constructed connecting Pine View Meadows and a nearby Collector Facility, the site access at 172nd Avenue shall be restricted to right-in/right-out movements in coordination with Clackamas County.
47. That the internal streets (Rhododendron Street and Deer Fern Street) shall be constructed to meet City of Happy Valley standards for a Local Facility with parking on one side of the street (49 foot right of way; 28 foot paved width). The internal streets shall include pavement, sidewalk, landscape strip, drainage and curb. The parking restriction on one side of the street shall be clearly designated with street signs and marked.
48. That a left turn lane shall be constructed with a minimum of 100 feet in length on 172nd Avenue, on the north bound approach of the site access (at Rhododendron Street). The turn lane shall be constructed to be consistent with Clackamas County Roadway Standards.
49. That the internal streets shall be constructed with stubs to provide future connections to the west (via Rhododendron Street), north and south (via Deer Fern Street). A temporary emergency vehicle turnaround shall be constructed through an offsite easement at the west terminus of Rhododendron Street.
50. That signing shall be placed at all Local Facility stubs to communicate the planned future extension of the roadways to adjacent developments and/or roadways, in accordance with City of Happy Valley standards.

Clackamas County DTD (172nd Avenue)

51. That all frontage improvements in, or adjacent to Clackamas County right-of-way (172nd Avenue), shall be in compliance with *Clackamas County Roadway Standards*.
52. That applicant shall dedicate approximately 22.5 feet of additional right-of-way along the entire north and south portions of the site frontage of SE 172nd Avenue as necessary to accommodate the public improvements and shall verify by survey that there is a 52.5-foot wide one-half right-of-way width.
53. That the applicant shall grant an 8-foot wide public utility easement adjacent to the public right-of-way along the entire site frontage of SE 172nd Avenue.
54. That the applicant shall design and construct improvements along the entire site frontage of SE 172nd Avenue in accordance with *Clackamas County Roadway Standards*. These improvements shall consist of:
 - Up to a 36.5-foot wide half-street improvement for a Major Arterial Facility. Structural section for SE 172nd Avenue improvements shall consist of 7.5 inches of asphalt concrete per Clackamas County Roadway Standards Standard Drawing C100.
 - Standard curb, or curb and gutter if curblane slope is less than one percent, and pavement with the face of the new curb located approximately 36.5 feet from right-of-way centerline.
 - A left turn lane shall be constructed on SE 172nd Avenue for the new public road (Rhododendron Street). The left turn storage queue and design shall be provided as recommended by the City's Traffic Engineer, consistent with Section 250.8.8 of the Clackamas County Roadway Standards. Inbound and outbound tapers shall be provided per Section 250.6.4 of the Clackamas County Roadway Standards.
 - A striping plan shall be provided for an interim 3 lane section with 11 to 12-foot wide travel lanes and 12 to 14-foot wide turn lane.
 - Adjacent to any lane transitions on the east or west side of SE 172nd Avenue a minimum 4-foot wide shoulder shall be provided. Where curb is proposed, the shoulder shall be paved between the curb and travel lane.
 - A minimum 7-foot wide unobstructed setback sidewalk, with an 8-foot landscape strip, including street trees shall be constructed along the entire site frontage. The applicant shall relocate mailboxes, fire hydrants, utility poles, etc., when they are located within the limits of the sidewalk or construct an eyebrow so that the full width of the sidewalk is provided around the obstruction. Additional easement, as necessary, shall be granted to provide for any sidewalk eyebrows.
 - If the sidewalk does not connect to sidewalk on adjacent property, the end of the sidewalk shall require the construction of a temporary asphalt ramp, adjacent to the end of the sidewalk, providing a transition from the new sidewalk to the edge of the pavement. The ramp shall meet ADA guidelines and shall be a minimum of two inches in thickness.
 - Curb ramps shall be constructed per Standard Drawing S910.

- Drainage facilities in conformance Water Environment Services regulations and Clackamas County Roadway Standards, Chapter 4.
55. Adequate intersection sight distance, per Section 240 of the Clackamas County Roadway Standards shall be provided at the new public road intersection with SE 172nd Avenue. A minimum of 555 feet of sight distance shall be provided.
 56. Any surface water runoff from the site to the SE 172nd Avenue right-of-way shall be detained outside of the right-of-way in conformance with *Clackamas Roadway Standards*.
 57. The applicant shall submit an Engineer's cost estimate to be approved by Clackamas County Engineering for the asphalt concrete, aggregates, and any other required public improvement in the SE 172nd Avenue right-of-way.
 58. Prior to commencement of site work and recording of the plat the applicant shall obtain a Development Permit from the Clackamas County Engineering Division for design and construction of required improvements to SE 172nd Avenue. To obtain the Permit, the applicant shall submit plans prepared and stamped by an Engineer registered in the State of Oregon, provide a Performance Guarantee, and pay an Inspection Fee. The Performance Guarantee is 125% of the approved Engineer's cost estimate for the required improvements.
 59. Prior to commencement of utility work within the right-of-way a Utility Placement Permit shall be obtained from the Clackamas County Engineering Division.
 60. Prior to commencement of any work, including grading, and prior to issuance of the Development and Utility Placement permits, the contractor shall provide a traffic control plan for review and approval from Clackamas County's Engineering Office. Provide a certificate of liability insurance, naming the County as additionally insured. Obtain separate "Street Opening Permits" for utility installations within the County right-of-way. The applicant shall obtain these permits from the Engineering office prior to the issuance of the Development Permit.

CCSD#1/WES (Sanitary/Storm Sewer)

Sanitary Sewer

61. That this development has not annexed to Clackamas County Service District #1 (DISTRICT) and is required to annex to the District prior to connection to the sanitary sewer system. Annexation forms can be found at <http://www.clackamas.us/wes/annexation.html>. This development is within the Clackamas County Service District #1 (DISTRICT) boundary. This site is subject to the DISTRICT Sanitary Sewer and Stormwater Standards revised July, 2013.
62. That plan review fees are due with the first submittal for plan review. This development is subject to a plan review fee for sanitary sewer based upon the cost of construction. The developer is required to install sanitary sewer facilities to the limits of their property in order to allow for continuity in the sanitary conveyance systems. The applicant is required to construct offsite sanitary sewer in order for this development to proceed. The construction of a 12-inch (oversize) sanitary pipe within SE 172nd Avenue to SE Hemrick Road is required for this development. The payment for upsizing the sanitary pipe is required to be agreed upon prior to the approval of construction plans.

63. That the developer must provide minimum 15-foot wide sanitary sewer easements where necessary as determined by the DISTRICT. Easements for storm and sanitary in a combined area are a minimum of 20-foot wide.
64. That the applicant/developer shall submit complete civil-engineered plans for sanitary sewer design, stamped by a licensed Civil Engineer, to the DISTRICT for review and approval.
65. That building permits shall not be approved by Water Environment Services until the sanitary sewer system is complete in all respects and accepted by the District.

Storm water

66. That surface Water plan review fees are due with the first submittal for plan review. This development is subject to a plan review fee for storm drainage facilities based upon the cost of construction. Onsite detention facilities shall be designed to reduce the 2-year storm to $\frac{1}{2}$ of the 2-year storm (see Appendix E of the DISTRICT Standard Specifications). Water quality treatment and infiltration facilities are required. The applicant is required to complete an upstream and downstream stormwater analysis for current and future conditions. The proposed storm pipe conveyance system shall be sized and installed to meet the future upstream and downstream developed stormwater flows. The applicant is required to install the storm pipe so that storm water can be conveyed safely to an acceptable downstream location. The developer is required to install storm drainage facilities to the limits of their property in order to allow for continuity in the sanitary conveyance systems. Downstream analysis is required and shall demonstrate adequate conveyance capacity to the distance where the project site contributes less than 15% of the upstream drainage area OR 1500 feet downstream of the project, whichever is greater. Offsite storm drainage improvements required to serve this area will be the financial responsibility of the developer.
67. That a site specific civil plan shall be submitted to the DISTRICT that incorporates the requirements of the land use conditions of approval. The plans must be stamped by an Oregon State licensed civil engineer. The civil engineering plans shall be designed according to the DISTRICT Surface Water Management Rules and Regulations and Standard Specifications and as directed by the DISTRICT during the plan review process. Deviation from the approved construction plans must have prior approval of the District. The following statement must be added to the Restrictions on the subdivision plat.

"Clackamas County Service District #1 (DISTRICT), its Successors or Assigns is hereby granted the right to lay down, construct, reconstruct, replace, operate, inspect and perpetually maintain sewers, wastewater, storm drainage or surface water pipelines, and all related facilities. No permanent structure shall be erected upon said easement without the written consent of the DISTRICT. Grantors agree to undertake no activity that would harm or impair the proper functioning of the sanitary and storm sewer system."

68. That the following plat restriction must be shown on all subdivision plats that agree to the detention pond maintenance agreement within the DISTRICT:

"SUBJECT TO CCSD #1 RULES AND REGULATIONS AND STORM WATER FACILITY MAINTENANCE AGREEMENT UNDER FEE NO. _____, CLACKAMAS COUNTY DEED RECORDS".

69. That before the proposed development can be connected to the storm sewer system or sanitary sewer line, permits shall be obtained and applicable fees paid to Clackamas County Service District No. 1.
70. That final as-builts showing the storm and sanitary shall be submitted prior to acceptance of the storm and sanitary construction.
71. That prior to final plat approval, the DISTRICT shall review and approve the plans and final plat for the sanitary and storm sewer systems. Building permits shall not be approved by Water Environment Services until the storm sewer system is complete in all respects and accepted by the District.

SWA (Domestic Water)

72. That all water system construction must be in accordance with the rules, regulations, policies, guidelines and standards of SWA. Cost of the improvements and construction shall be borne entirely by the developer, unless other arrangements are made between the developer and SWA. Exact improvements to the water system will be determined during design review by the Water Authority.

CFD#1 (Fire Protection)

Fire Department Apparatus Access

73. That the applicant shall provide address numbering that is clearly visible from the street.
74. That access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet.
75. That fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to a fire hydrant) and an unobstructed vertical clearance of 13 feet 6 inches.
76. That "No Parking Fire Lane" signs shall be placed throughout designated hammerhead turnaround or red painted curbs and throughout development on one side; that the hammerhead shall meet minimum standard dimensions as approved by CFD #1.
77. That the applicant shall provide "No Parking Fire Lane" to one side of 28 foot access road.

Water Supply

78. That the minimum fire flow for a single family dwelling is 1,000 GPM. If the structure is larger than 3,600 sq. ft., the required fire flow shall be determined according to OFC Appendix B.
79. That the minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Table C105.1.
80. That the applicant shall provide a fire hydrant at entrance to new development, then measure as needed to meet minimum fire hydrant spacing requirements.

81. That the applicant shall indicate on plans “Clackamas Fire District #1 to witness fire line flush of new fire hydrants” Hydrants to be “In-Service” prior to combustible construction.

CCSD#5 (Street Lighting)

82. That street lighting shall be required on the following frontages: 172nd Avenue, Rhododendron Street, Deer Fern Street. New “Westbrook” style lights on new poles will be required on Rhododendron Street and Deer Fern Street, but will require Cobra style lights on 172nd Avenue.
83. That the property owner shall submit a request in writing for the formation of an assessment area, which will include any new tax lots created by this partition, to help pay for the operation and maintenance of lighting.

Utilities

84. That the applicant shall provide utility easements where required and shall be responsible for coordinating construction with all utility and service providers and facilitating cooperation among all providers and agencies.
85. That all existing and proposed utilities along the project’s 172nd Avenue frontage and within the site, including electrical power, telephone, cable TV, gas and others shall be underground. Pre-wiring of the project site for street lighting must be approved by CCSD #5.

Design

86. That this development shall utilize the following development standards for the MUR-S development district:

20 feet front
20 feet rear
3-5 feet side based on lot dimension analysis
10 feet street side
65 percent lot coverage

However, in no case shall a garage be located less than 20-feet from a public right-of-way. Prior to final plat approval, area computations in square feet for all building lots must be prepared and submitted by an engineer or surveyor registered in the State of Oregon. Setbacks are measured from the foundation to the property line.

The Planning Official or designee is authorized by the Planning Commission to permit reductions or increases to these standards as may be necessary to provide for the retention of trees greater than six inches in diameter measured at breast height (4.5 feet). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject lot that illustrates the relationship between the proposed structure and significant tree retention.

87. That a final landscape plan shall be submitted to the Planning Official or designee for approval prior to construction plan approval. The final landscape plan shall be in substantial conformance with the preliminary landscape plan and shall detail the method of irrigation for all landscaped areas. A street tree planting plan shall also be included as part of the final landscape plan.

88. That the applicant or Homeowner's Association is responsible for the continual maintenance of all hardscaped, landscaped and natural areas located on the site.
89. That the applicant shall provide a minimum of two off street parking spaces per residence and shall also provide driveways in accordance with Sections 16.41.030.B and 16.44.010.A.3 of the LDC.
90. That the applicant shall not develop more than 30 percent of the onsite transition slope area.
91. That per Section 16.63.020(F) of the LDC, the maximum density for the subject site is forty-nine (49) units, based on the proposed MUR-S zoning designation.
92. That the applicant shall obtain and provide copies to the City of all necessary State and Federal permits to facilitate the proposed development.
93. That the applicant shall install a continuous fence consistent with one option in Table 16.42.060-1, along the subject site's 172nd Avenue frontage (Tract "A" and Lot 1).

Natural Resource Area:

94. That the applicant shall submit Sensitive Area Certification Form, a delineated survey of the intermittent drainageway showing the 25 foot required buffer and copies of buffer CEs and map of fencing and signage to WES/CCSD#1, at the Planning Division, Clackamas County
95. That the stream buffers must be placed in Conservation Easements dedicated to the City of Happy Valley and that the buffers require demarcation per Happy Valley regulations with fencing and signage.
96. That when development occurs and if encroachment into the stream buffers result, a buffer variance is required. Forms available at Clackamas County Planning Division. Contact Linda Preisz, 503-742-4528.
97. That the applicant shall submit a final mitigation plan consistent with Section 16.34.075(D)(2)(f). Natural resource boundaries (based on delineation work) shall be located in the field prior to site work. Protective measures, including erosion control shall be in place prior to site work. No stockpiling or fill shall occur in resource areas to be preserved, and resource plantings shall be native and as approved by the City.

TY OF HAPPY VALLEY
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Plan Amendment Specialist – Angela Houck
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LAND CONSERVATION
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