



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



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

Date: June 24, 2016
Jurisdiction: Clackamas County
Local file no.: ZDO-256
DLCD file no.: 002-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/23/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

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



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

FOR DLCD USE

File No.: 002-16 {24437}

Received: 6/23/2016

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: Clackamas County

Local file no.: **ZDO-256**

Date of adoption: 6/23/16

Date sent: 6/23/2016

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): 6/6/16

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:

N/A

Local contact (name and title): Martha Fritzie

Phone: 503-742-4529

E-mail: mfritzie@clackamas.us

Street address: 150 Beaver Creek Rd

City: Oregon City

Zip: 97045-

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:

Appendix A, Goals 5, 6 and 7

For a change to a comprehensive plan map:

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

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

Location of affected property (T, R, Sec., TL and address): Entire original city of Damascus

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	to	Acres:
Change from	to	Acres:
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): Entire original city of Damascus

List affected state or federal agencies, local governments and special districts: City of Damascus, City of Happy Valley, 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.

GIS data for the Plan and zone changes was provided previously.

ORDINANCE NO. ZDO-256

An Ordinance Amending Map 4-6, Map 4-7 and Appendix A of the Clackamas County Comprehensive Plan and Zoning Maps 1-7, 1-8, 2-6, 2-7 and 2-8 of the Clackamas County Zoning and Development Ordinance

WHEREAS, on November 2, 2004, the City of Damascus was incorporated; and

WHEREAS, on January 17, 2005, the City of Damascus adopted the Clackamas County Comprehensive Plan and the Clackamas County Zoning and Development Ordinance as the Comprehensive Plan and implementing regulations for the city; and

WHEREAS, certain property formerly in the City of Damascus has de-annexed from the city and is now unincorporated; and

WHEREAS, additional land may de-annex from the City of Damascus or the city may disincorporate; and

WHEREAS, Oregon Revised Statutes 215.130(3) provides, "An area within the jurisdiction of city land use planning and regulatory provisions that is withdrawn from the city shall remain subject to such plans and regulations which shall be administered by the county until the county provides otherwise."; and

WHEREAS, Clackamas County has substantially amended its Comprehensive Plan and Zoning and Development Ordinance since January 17, 2005, the date the City of Damascus adopted those documents, but the city has not made corresponding amendments, meaning that land in city zoning districts that correspond to county zoning districts is now subject to different regulations; and

WHEREAS, it is necessary to bring unincorporated property previously in the City of Damascus under Clackamas County's land use regulations for ease of administration and for consistency with similarly planned and zoned land elsewhere in the county; and

WHEREAS, in order to bring unincorporated property previously in the City of Damascus under Clackamas County's land use regulations, it is necessary to change the land use plan designation and zoning district that apply to such land from city designations/zones to the corresponding county designations/zones, and to adopt or change overlay zoning districts as applicable; and

WHEREAS, after a duly-noticed public hearing, the Clackamas County Planning Commission recommended approval of amendments to the Comprehensive Plan and Zoning and Development Ordinance on June 13, 2016; and

WHEREAS, after a duly-noticed public hearing, the Clackamas County Board of County Commissioners orally approved the Planning Commission's recommendation on June 22, 2016; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:

- Section 1:** Maps 4-6 and 4-7 of the Clackamas County Comprehensive Plan are hereby amended to apply land use plan designations and Resource Protection Open Space as shown in Exhibit A, hereto attached.
- Section 2:** Zoning maps 1-7, 1-8, 2-6, 2-7 and 2-8 of the Clackamas County Zoning and Development Ordinance are hereby amended to apply base zoning districts and the Historic Landmark overlay zoning district as shown in Exhibit B, hereto attached.
- Section 3:** Nature in Neighborhoods/Title 13 maps are adopted by reference in Appendix A of the Clackamas County Comprehensive Plan as Habitat Conservation Area maps, as shown in Exhibit C, hereto attached.
- Section 4:** The Habitat Conservation Area overlay zoning district is applied to all parcels containing a Habitat Conservation Area (HCA) identified in Exhibit C, hereto attached, and to any area that is less than 100 feet outside the boundary of an HCA even if the area is not located on the same parcel as the HCA. However, the HCA overlay zoning district is not applied to land that is outside both the Metropolitan Service District Boundary and the Portland Metropolitan Urban Growth Boundary.
- Section 5:** The Potential Title 3 Water Quality Resource Areas map is adopted by reference in Appendix A of the Clackamas County Comprehensive Plan as a Water Quality Resource Area map, as shown in Exhibit D, hereto attached.
- Section 6:** The Floodplain Management overlay zoning district is applied to the special flood hazard area identified by the Federal Insurance Administration in a scientific and engineering report entitled, "The Flood Insurance Study for Clackamas County, Oregon & Incorporated Areas," dated June 17, 2008, with accompanying Flood Insurance Rate Maps.
- Section 7:** The River and Stream Conservation Area overlay zoning district is applied to land that is outside both the Metropolitan Service District Boundary and the Portland Metropolitan Urban Growth Boundary and is in one of the following categories:
- Within 100 feet of the mean high water line of large Type F streams identified on Water Protection Rule Classification Maps compiled pursuant to Oregon Administrative Rules Chapter 629, Division 635; dated September, 1994; and on file in the offices of the Planning and Zoning Division (hereinafter referred to as the WPRC maps)

- Within 70 feet of the mean high water line of medium Type F streams identified on the WPRC maps
- Within 50 feet of the mean high water line of small Type F streams identified on the WPRC maps

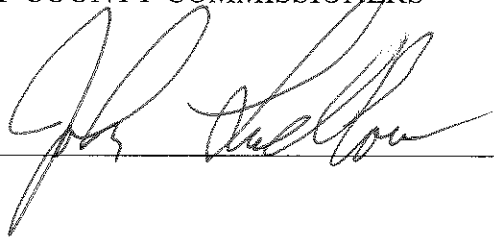
Section 8: Emergency Clause

The Board of Commissioners hereby finds and declares that an emergency exists inasmuch as the imminent effect of this Ordinance is necessary for the peace, health and welfare of the residents of the County. Accordingly, Sections 3 and 5 of this ordinance shall be effective on July 18, 2016. Sections 1, 2, 4, 6 and 7 shall be effective as to unincorporated land under the jurisdiction of Clackamas County on July 18, 2016. For land still in the City of Damascus on July 18, 2016, Sections 1, 2, 4, 6 and 7 shall be effective on the effective date of de-annexation or disincorporation of that land.

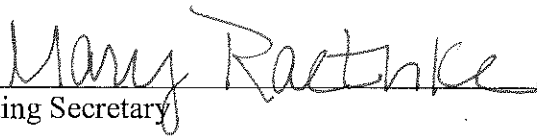
ADOPTED this 23rd day of JUNE, 2016

BOARD OF COUNTY COMMISSIONERS





Chair













Recording Secretary

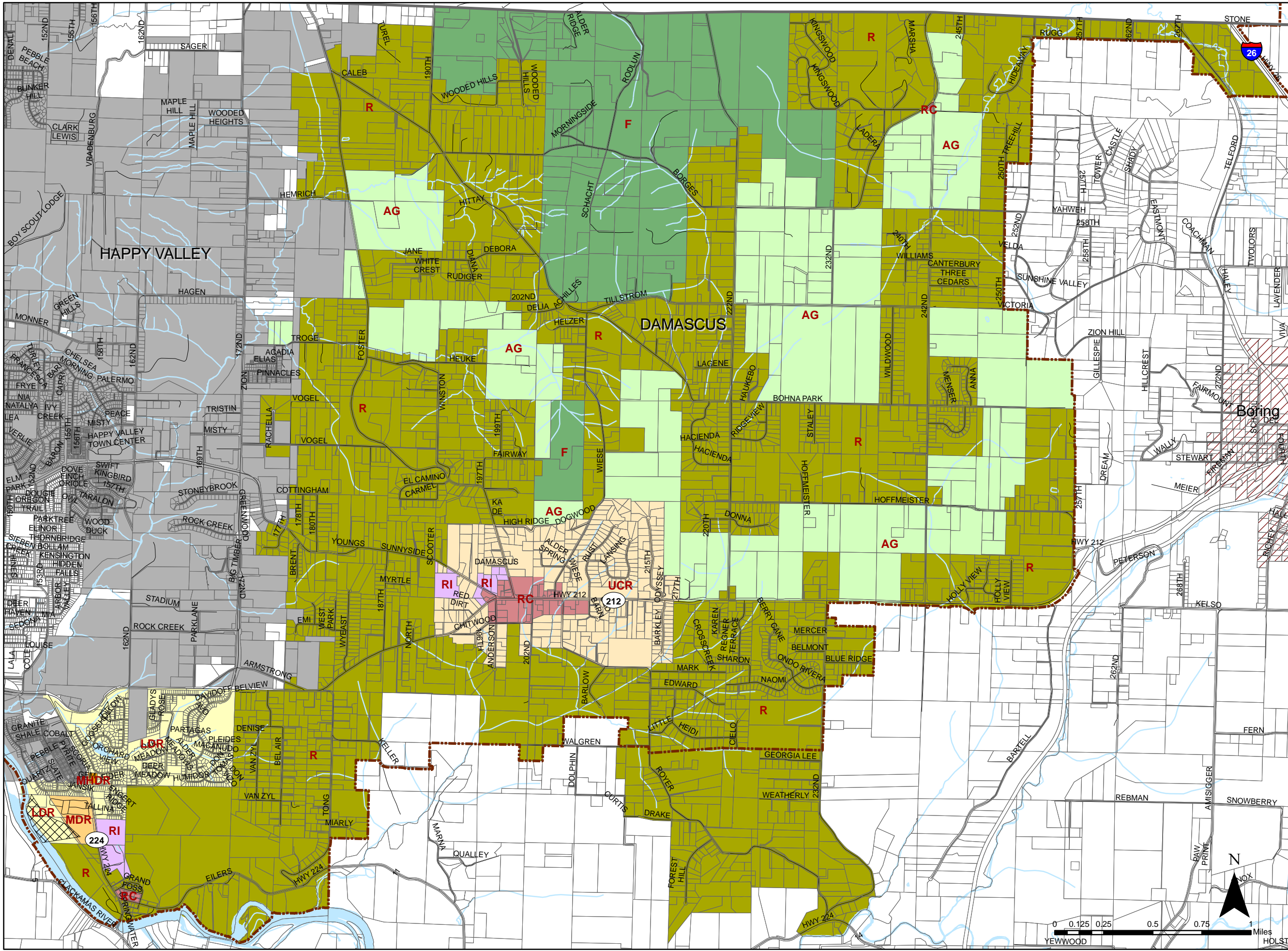


Amendments to Comprehensive Plan Map 4-7

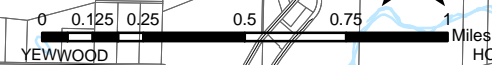
-  County line
-  Urban growth boundary (UGB)
-  Taxlots
-  Happy Valley city limits

Comprehensive Plan Land Use Designation

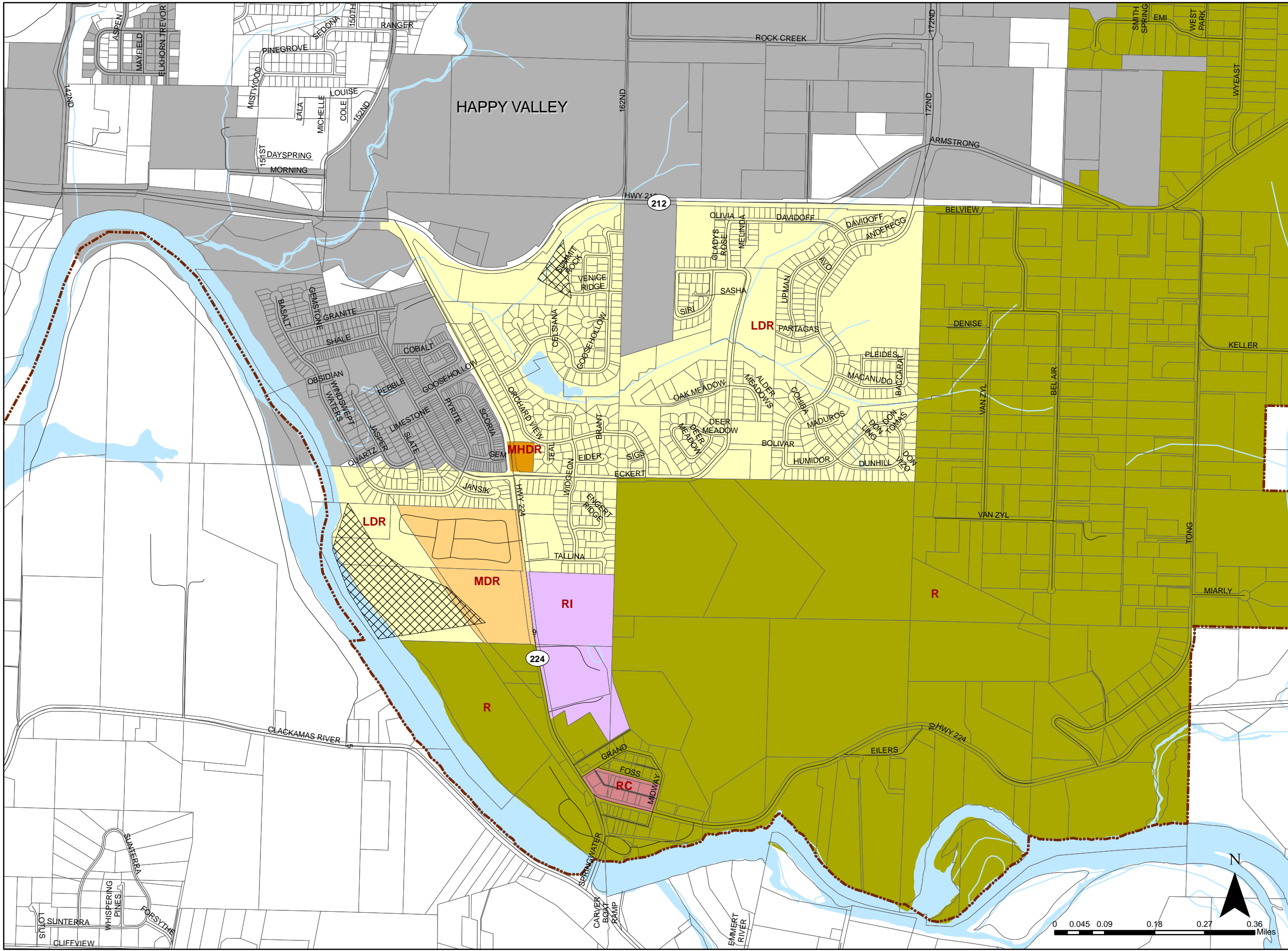
-  Forest (F)
-  Agriculture (AG)
-  Rural (R)
-  Unincorporated Community Residential (UCR)
-  Low Density Residential (LDR)
-  Medium Density Residential (MDR)
-  Medium High Density Residential (MHDR)
-  Rural Commercial (RC)
-  Rural Industrial (RI)
-  Resource Protection Open Space



The information provided was derived from digital databases from Clackamas County's GIS. Although we strive to provide the best data we can, we sometimes use data developed by jurisdictions outside Clackamas County. Therefore, Clackamas County cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Surveys may have been used in the creation of this product, in no way does this product represent or constitute a Land Survey. Users are strongly cautioned to verify all information before making any decisions.



Amendments to Comprehensive Plan Map 4-6



- County line
 - Urban growth boundary (UGB)
 - Taxlots
 - Happy Valley city limits
- Comprehensive Plan Land Use Designation**
- Rural (R)
 - Low Density Residential (LDR)
 - Medium Density Residential (MDR)
 - Medium High Density Residential (MHDR)
 - Rural Commercial (RC)
 - Rural Industrial (RI)
- Resource Protection Open Space



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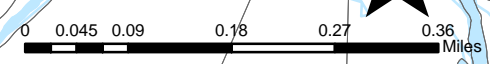





















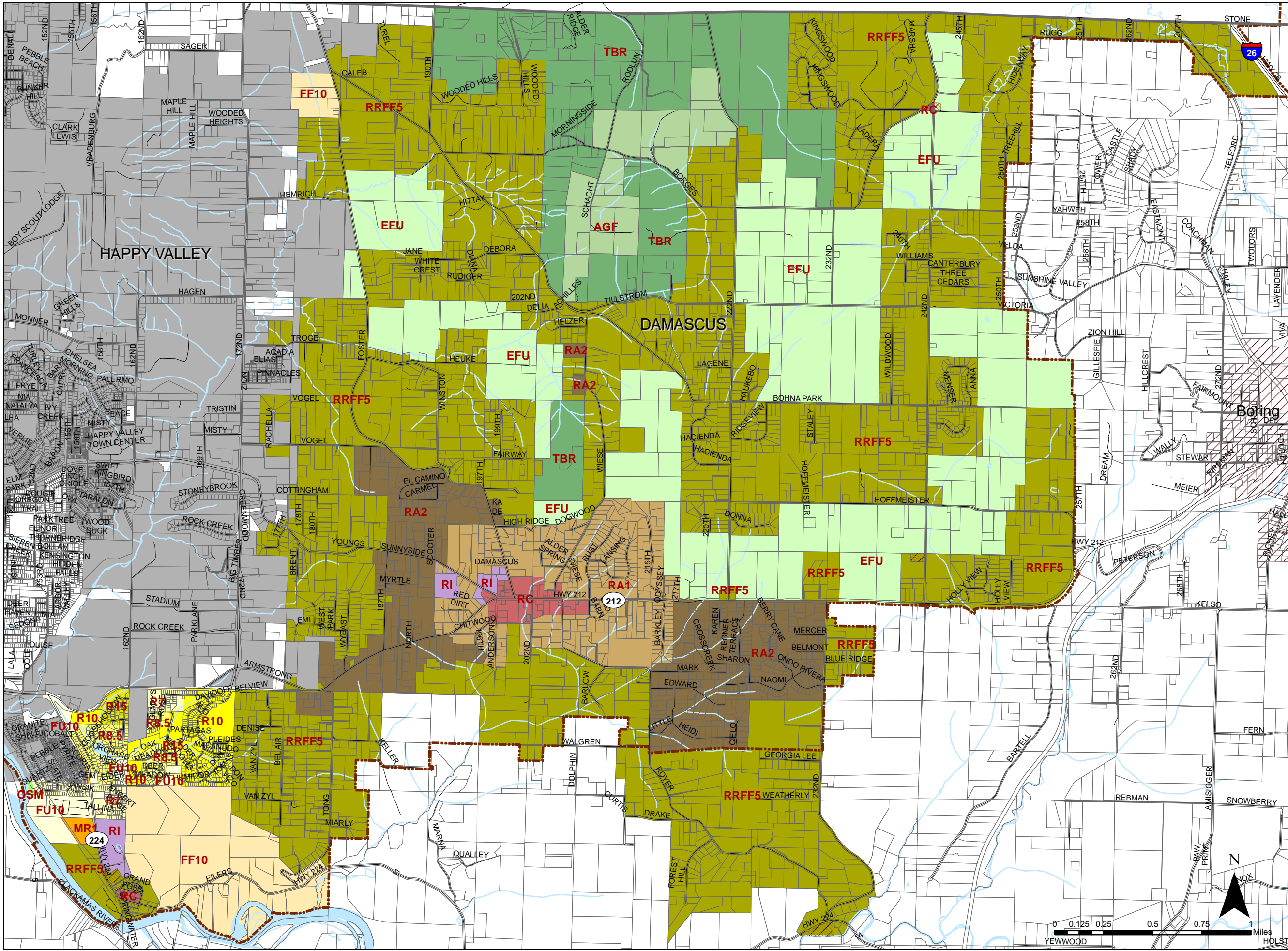


EXHIBIT A

Amendments to Official County Zoning Maps


















-  County line
 -  Urban growth boundary (UGB)
 -  Taxlots
 -  Happy Valley city limits
- Zoning District**
-  Timber (TBR)
 -  Ag/Forest (AGF)
 -  Exclusive Farm Use (EFU)
 -  Farm Forest 10-Acre (FF10)
 -  Future Urban 10-Acre (FU10)
 -  Rural Residential Farm Forest 5-Acre (RRFF5)
 -  Rural Area Residential 2-Acre (RA2)
 -  Rural Area Residential 1-Acre (RA1)
 -  Urban Low Density Residential (R7)
 -  Urban Low Density Residential (R8.5)
 -  Urban Low Density Residential (R10)
 -  Urban Low Density Residential (R15)
 -  Medium Density Residential (MR1)
 -  Rural Commercial (RC)
 -  Rural Industrial (RI)
 -  Open Space Management (OSM)
 -  Historic Landmark Overlay (HL)

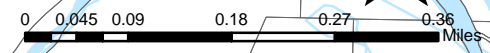
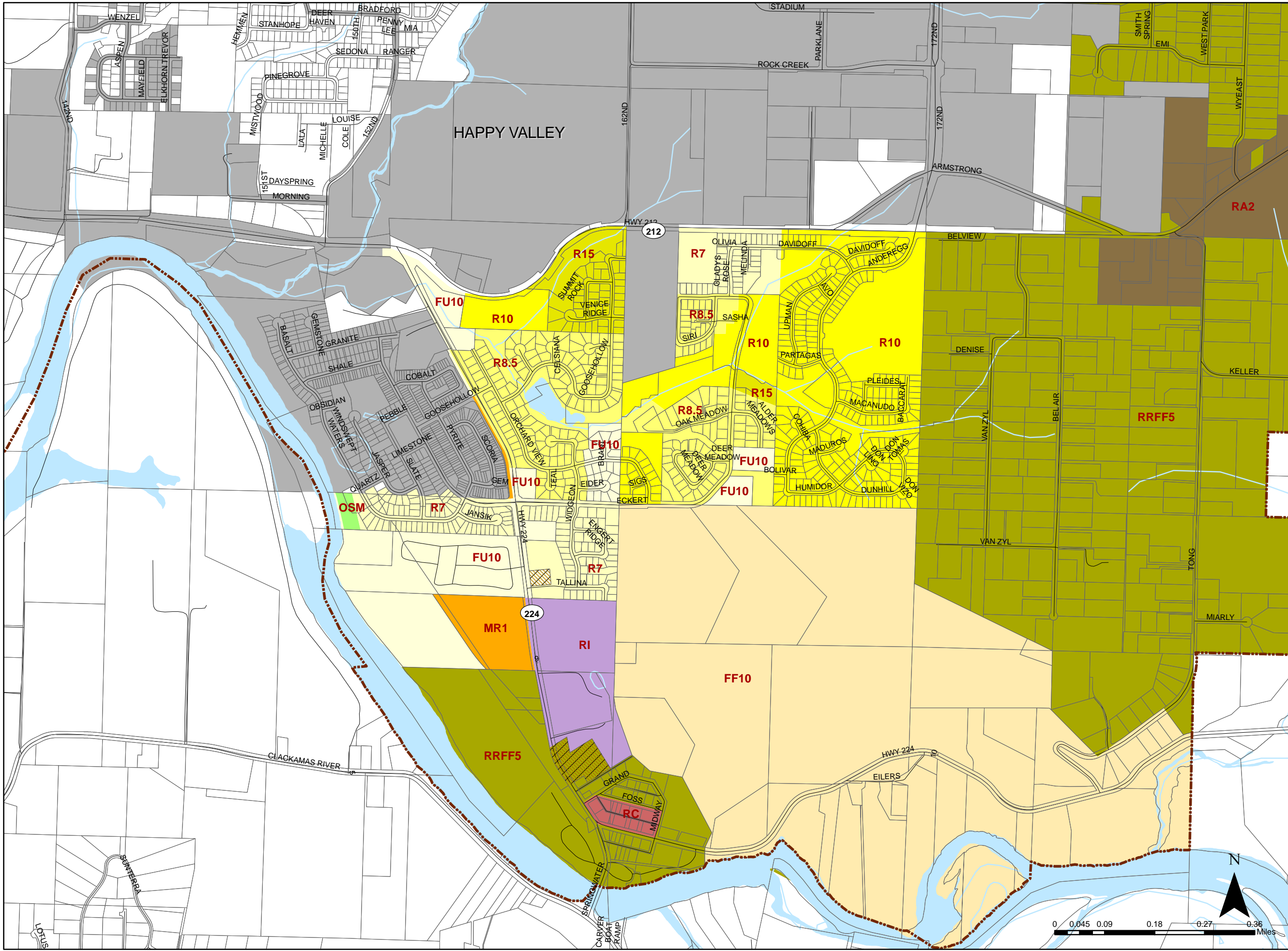


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EXHIBIT B

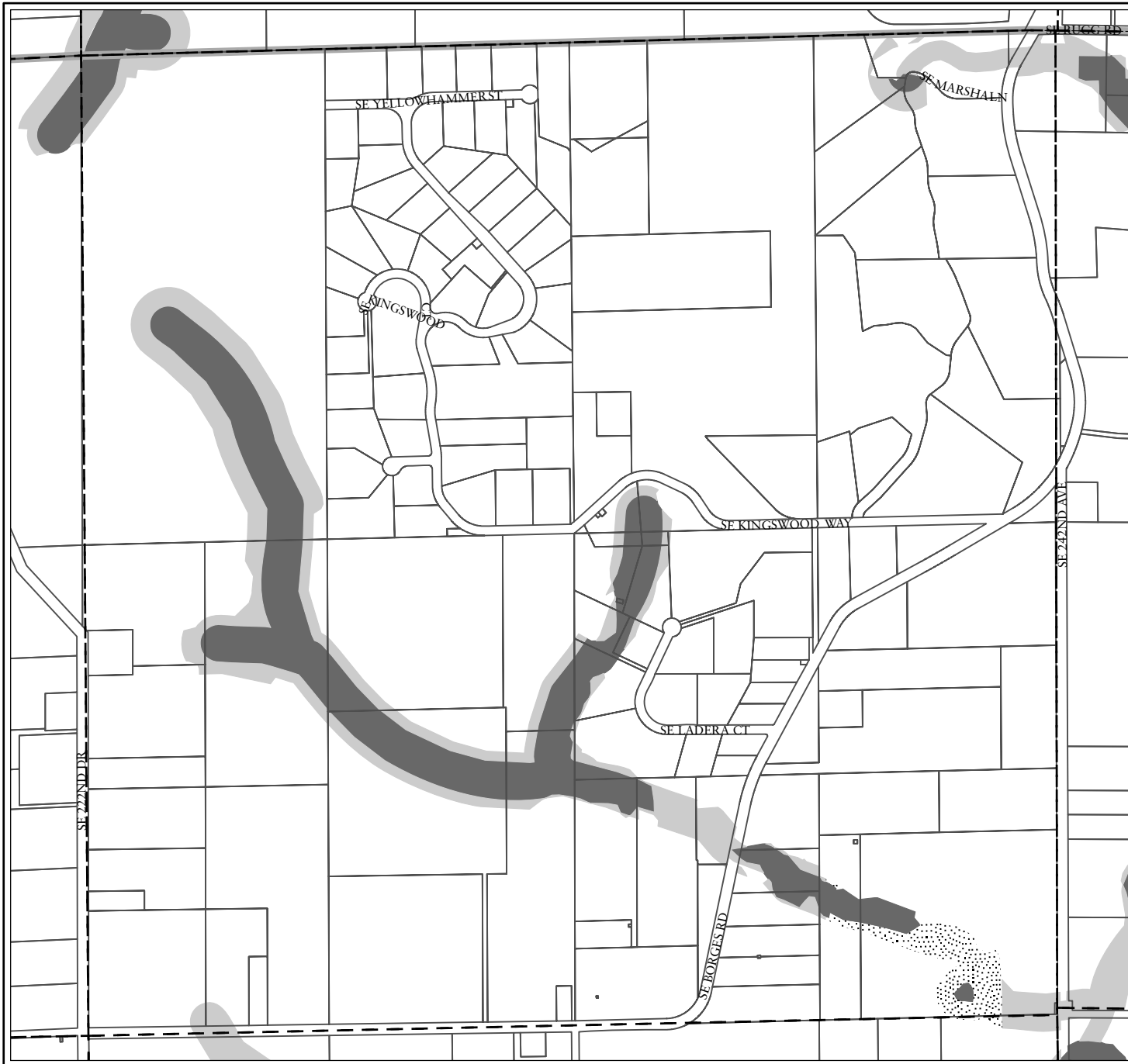
Amendments to Official County Zoning Maps

-  County line
 -  Urban growth boundary (UGB)
 -  Taxlots
 -  Happy Valley city limits
- Zoning District**
-  Farm Forest 10-Acre (FF10)
 -  Future Urban 10-Acre (FU10)
 -  Rural Residential Farm Forest 5-Acre (RRFF5)
 -  Rural Area Residential 2-Acre (RA2)
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




EXHIBIT B



Nature in Neighborhoods

Title 13

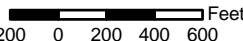
Section: 1s3e27

-  Section
-  Taxlot
- HCA Category**
-  High
-  Moderate
-  Low

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1 inch equals 800 feet




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




EXHIBIT C



Nature in Neighborhoods

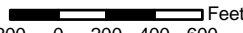
Title 13

Section: 1s3e28

-  Section
-  Taxlot
- HCA Category**
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-  Moderate
-  Low

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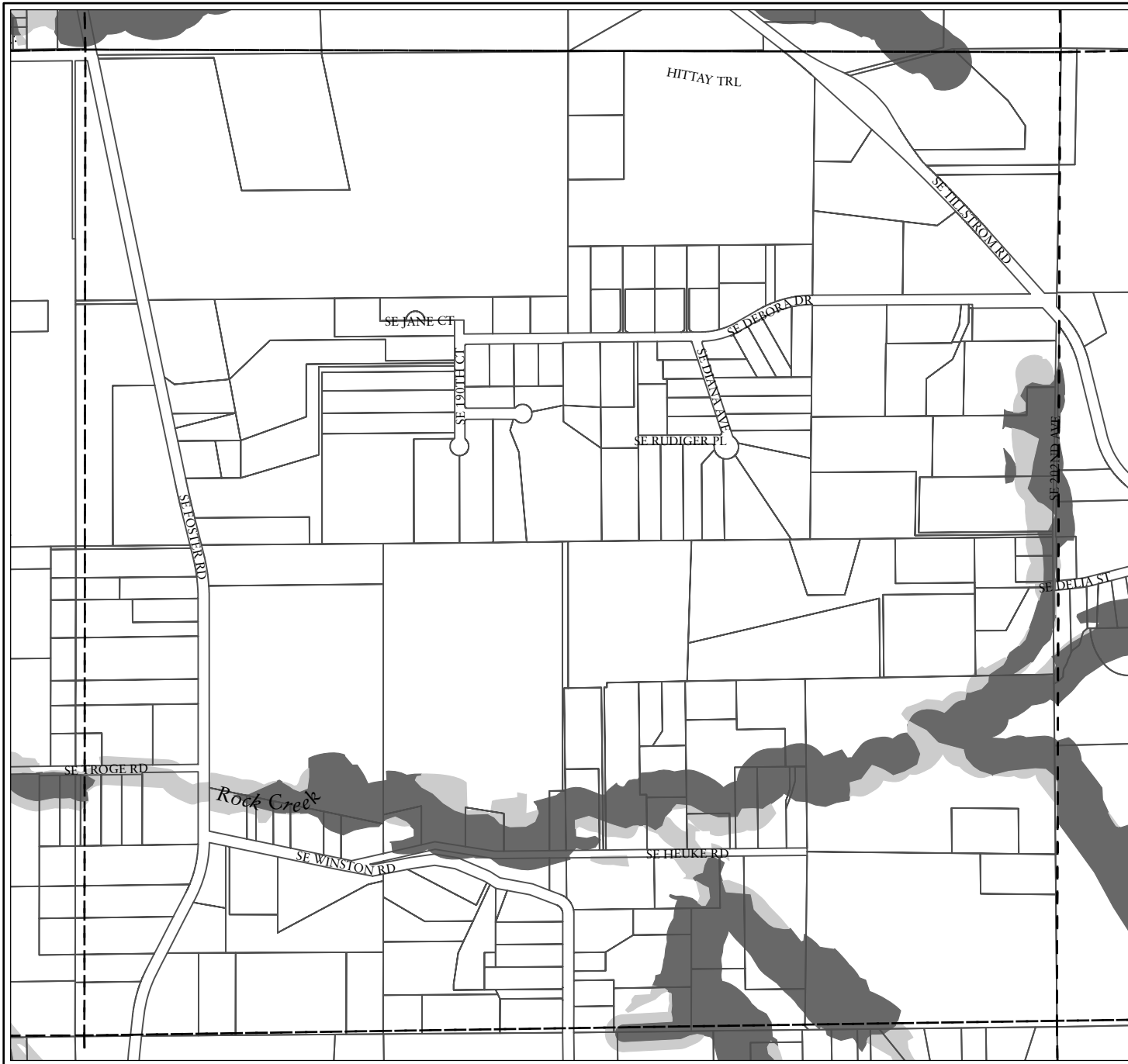
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EXHIBIT C



Nature in Neighborhoods

Title 13

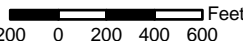
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-  Section
-  Taxlot
- HCA Category**
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-  Moderate
-  Low

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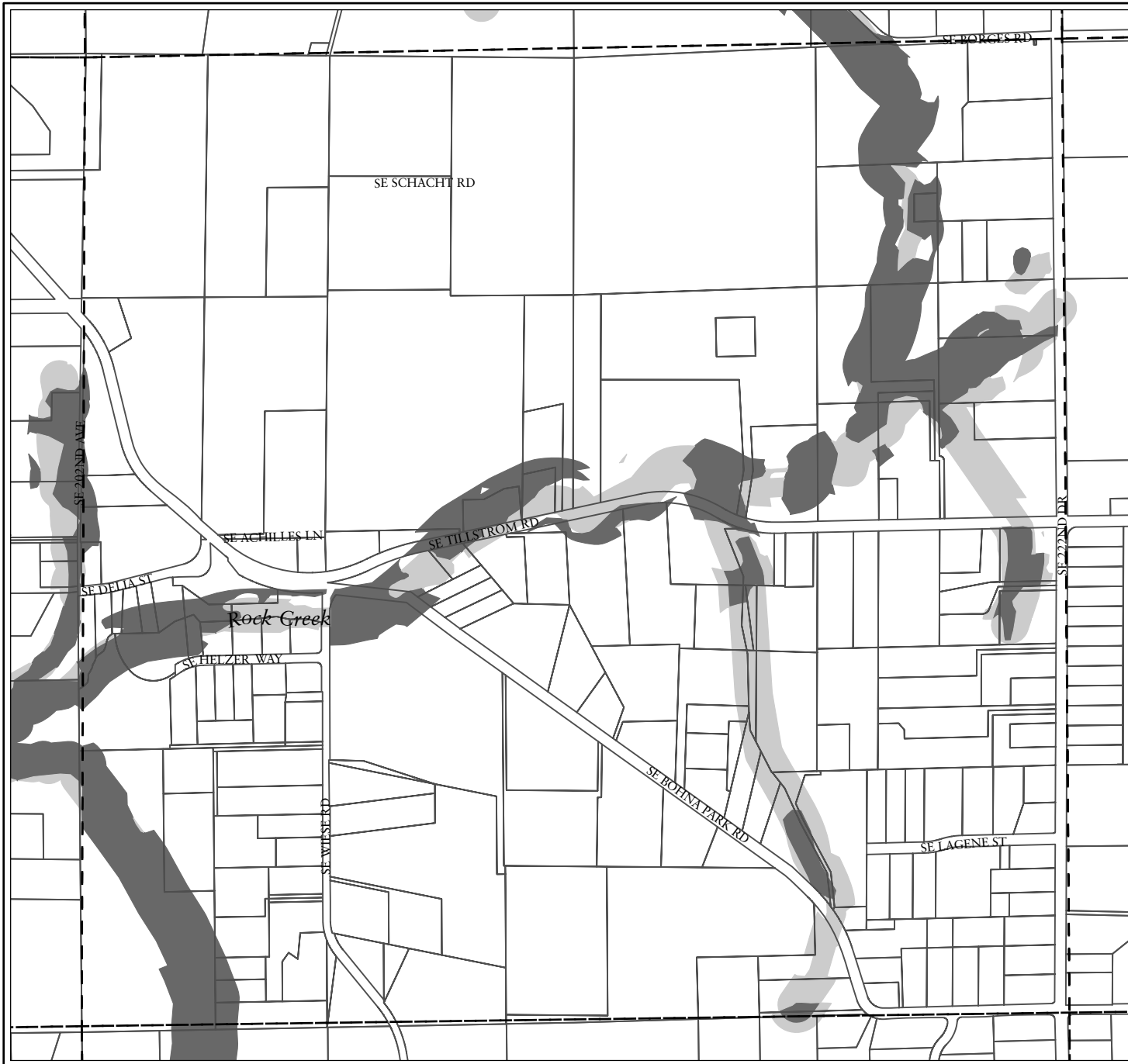
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EXHIBIT C



Nature in Neighborhoods

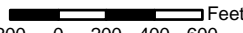
Title 13

Section: 1s3e33

-  Section
-  Taxlot
- HCA Category**
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-  Moderate
-  Low

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EXHIBIT C



Nature in Neighborhoods

Title 13

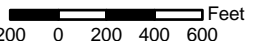
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-  Section
-  Taxlot
- HCA Category**
-  High
-  Moderate
-  Low

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




EXHIBIT C



Nature in Neighborhoods

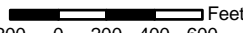
Title 13

Section: 2s3e03

-  Section
-  Taxlot
- HCA Category**
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-  Moderate
-  Low

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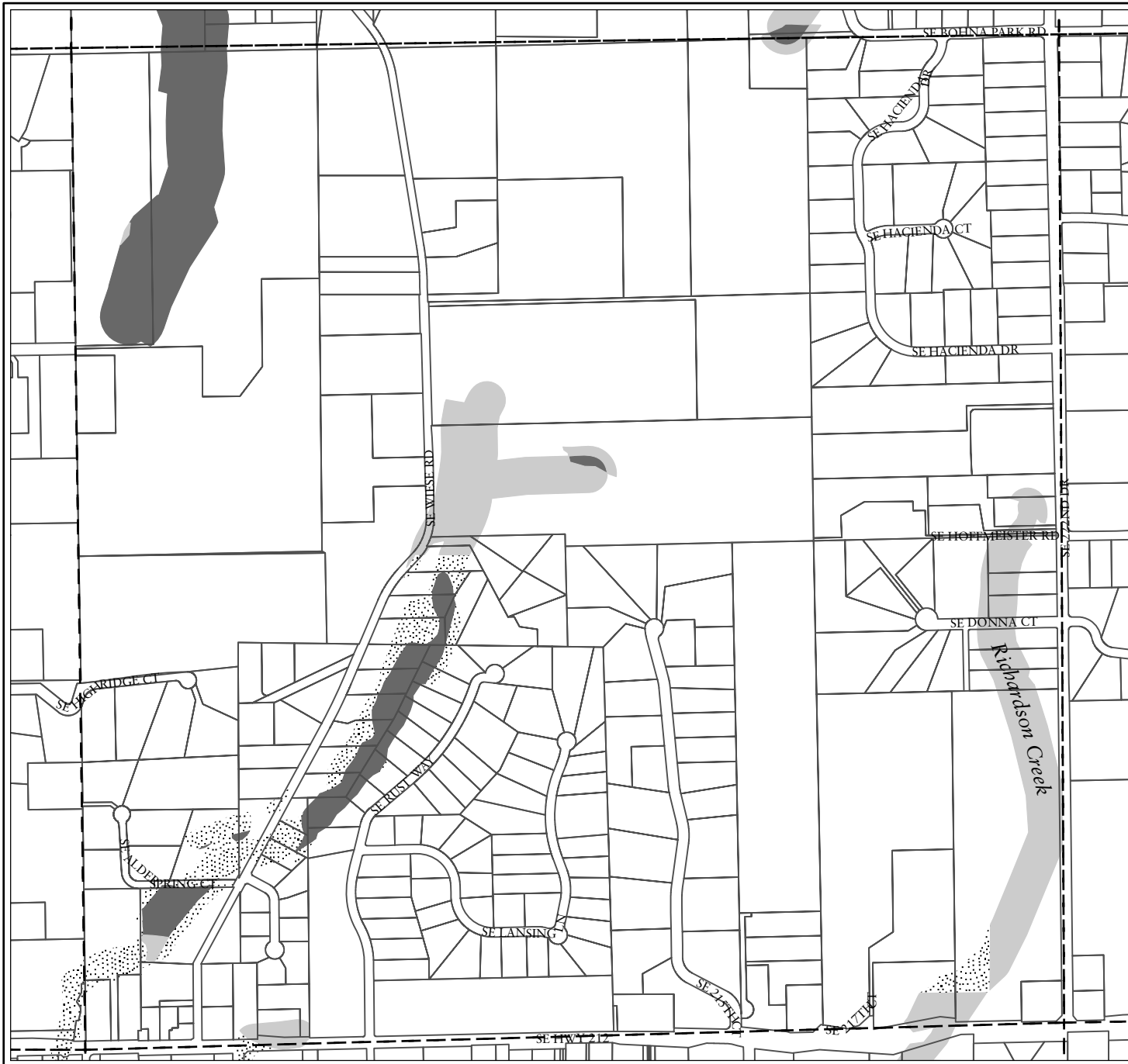
1 inch equals 800 feet

 200 0 200 400 600 Feet



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




EXHIBIT C



Nature in Neighborhoods

Title 13

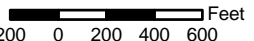
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- HCA Category**
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-  Moderate
-  Low

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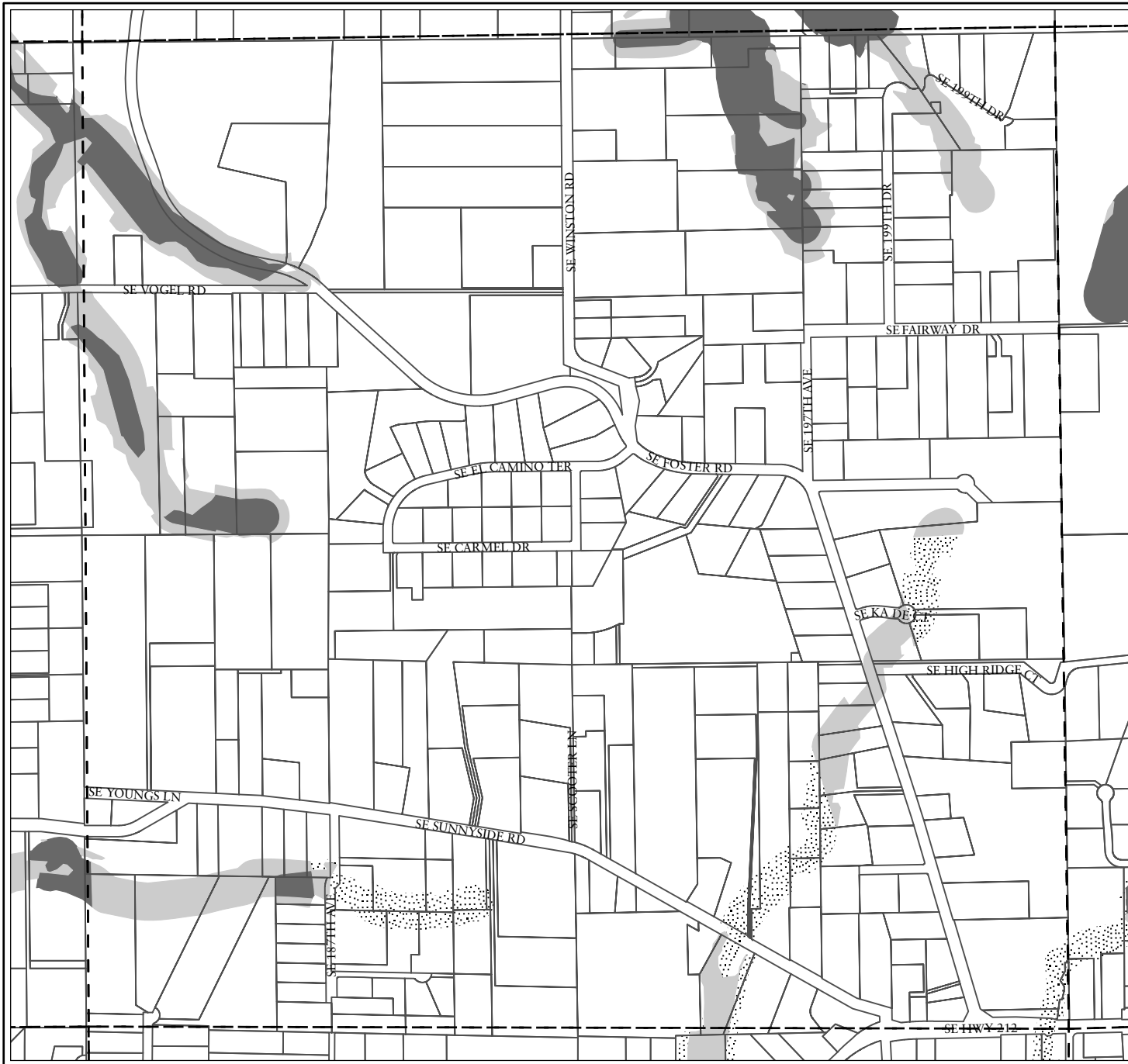
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EXHIBIT C



Nature in Neighborhoods

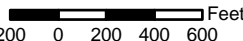
Title 13

Section: 2s3e05

-  Section
-  Taxlot
- HCA Category**
-  High
-  Moderate
-  Low

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 will be appreciated.



1 inch equals 800 feet
 Feet

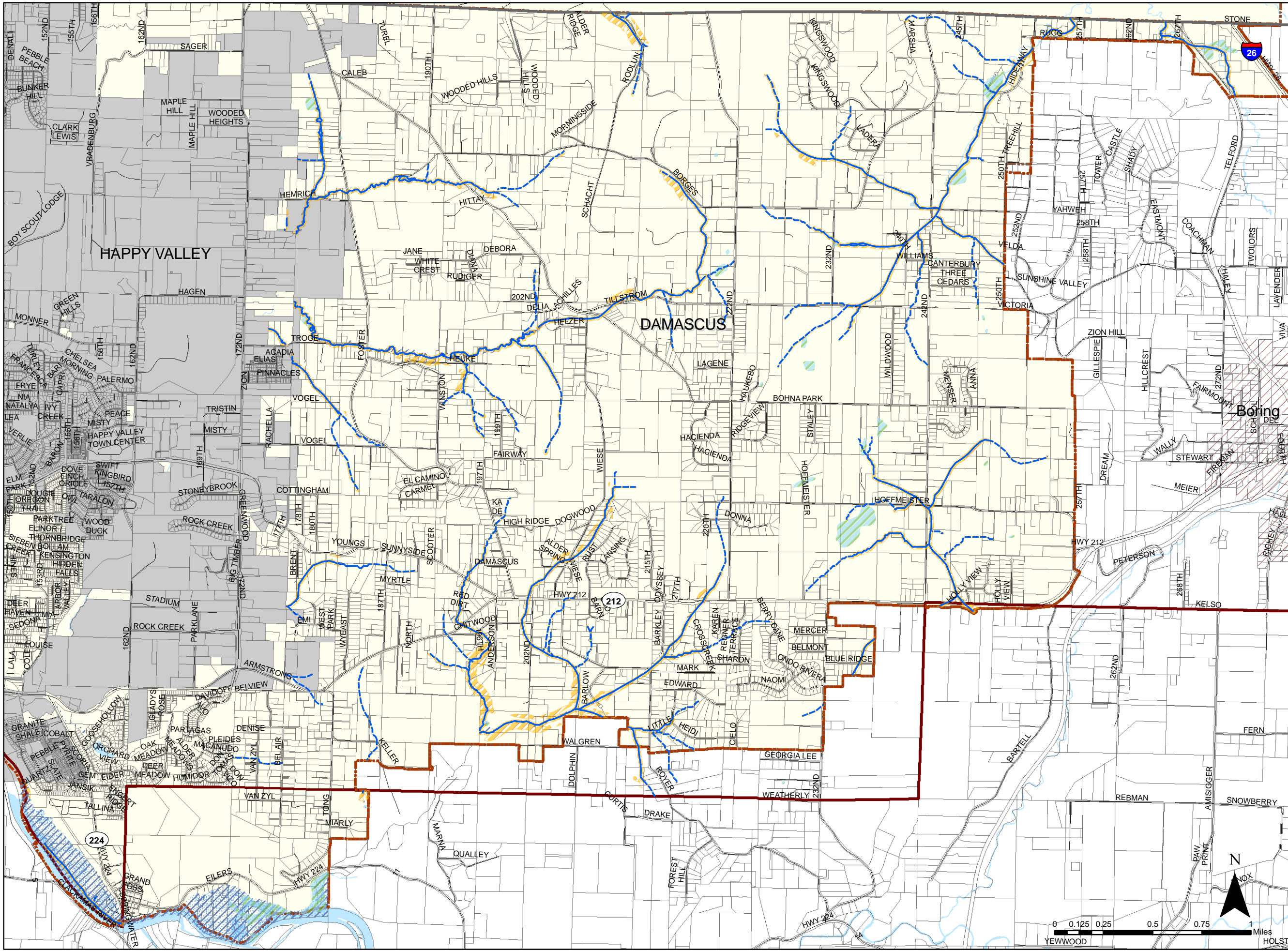


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EXHIBIT C

Water Quality and Flood Management Area Map



- County line
- Metro service area boundary
- Urban growth boundary (UGB)
- Taxlots
- Happy Valley city limits

Water Quality Resource Area

- Riparian area
- Wetland area
- Primary protected water feature
- Secondary protected water feature

Flood Management Area

- Regulatory floodplain
- February 1996 flood (approximate inundated area)



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EXHIBIT D