



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/20/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Happy Valley Plan Amendment
DLCD File Number 010-13

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. This amendment was submitted without a signed ordinance.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, October 03, 2013

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Justin Popilek, City of Happy Valley
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

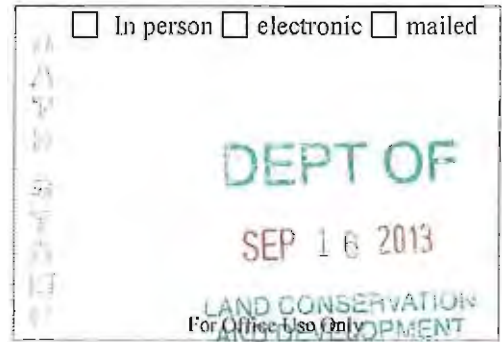
<paa> YA



FORM 2

DLCD

Notice of Adoption



This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Happy Valley**

Local file number: **CPA-09-13/LDC-11-13**

Date of Adoption: **9/10/2013**

Date Mailed: **9/12/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/6/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Approved amendments to the City's overall Comprehensive Plan Map/Zoning Map and the Rock Creek Comprehensive Plan Land Use Map for property described as Clackamas County Assessor Map Numbers 22E01CB: Tax Lots 4400 and 4401 from Village Office (VO) to Village Commercial (VC).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **Village Office**

to: **Village Commercial**

Zone Map Changed from: **Village Office**

to: **Village Commercial**

Location: **13551 SE Sunnyside Rd.**

Acres Involved: **1.15**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 010-13 (19957) [17612]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Clackamas County, Metro

Local Contact: **Justin Popilek, Senior Planner**

Phone: (503) 783-3810 Extension:

Address: **16000 SE Misty Drive**

Fax Number: **503-658-5174**

City: **Happy Valley**

Zip: **97086-**

E-mail Address: **justinp@happyvalleyor.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

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

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Mayor
Honorable Lori DeRemer



City Manager
Jason Tuck

September 12, 2013

File No. CPA-09-13/LDC-11-13
(DTF, LLC Properties – 145th Ave. and Sunnyside Rd.)

NOTICE OF DECISION

This is official notice of action taken by the City of Happy Valley Planning Commission at a public hearing on September 10, 2013, with regard to an application by DFT, LLC for two Comprehensive Plan Map/Zoning Map Amendments (File No. CPA-09-13/LDC-11-13) to change the plan designation/zone within the City's overall Comprehensive Plan Map/Zoning Map and the Rock Creek Comprehensive Plan Land Use Map for two properties located at the southwest quadrant of the intersection of SE Sunnyside Road and SE 145th Avenue from "Village Office" (VO) to "Village Commercial" (VC). The subject properties are described as Clackamas County Assessor Map Nos. 22E01CB: Tax Lots 4400 and 4401.

At the public hearing, the Planning Commission voted to approve CPA-09-13/LDC-11-13 based upon submitted information, public testimony, and deliberations of the Planning Commission. Copies of the original Staff Report for CPA-09-13/LDC-11-12 are available upon request.

This action of the Planning Commission is subject to an appeal to the City Council per the provisions of Section 16.61.040 of Title 16 (Land Development Code) of the City of Happy Valley Municipal Code. An appeal of this decision must be filed within 14 days of the mailing of this Notice of Decision. Staff from the City's Planning Division (503-783-3800) can provide information regarding forms, fees, and the appeal process. Issues which may provide the basis for an appeal to the City Council shall be submitted in writing, accompanied by a filing fee of \$1,000 plus attorney's fees (\$2,500 deposit required), prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the Community Development Director or designee to respond to the issue. If no appeal is filed by **Thursday, September 26, 2013, at 5:00 p.m.**, this decision shall be deemed final.

Justin Popilek
Senior Planner

cc: Chris Goodell, AKS Engineering and Forestry
Monty Hurley, AKS Engineering and Forestry
Participants of Record

16000 SE Misty Drive
Happy Valley, Oregon 97086
Telephone: (503) 783-3800 Fax: (503) 658-5174
Website: www.ci.happy-valley.or.us

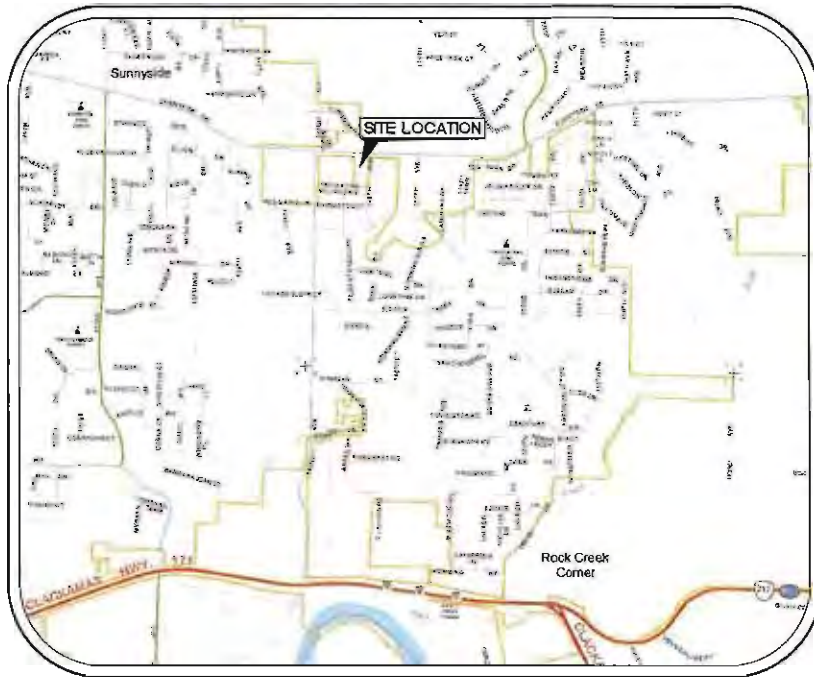
Final Conditions of Approval for CPA-09-13/LDC-11-13

Amended language indicated by bold and ~~strikethrough~~ text.

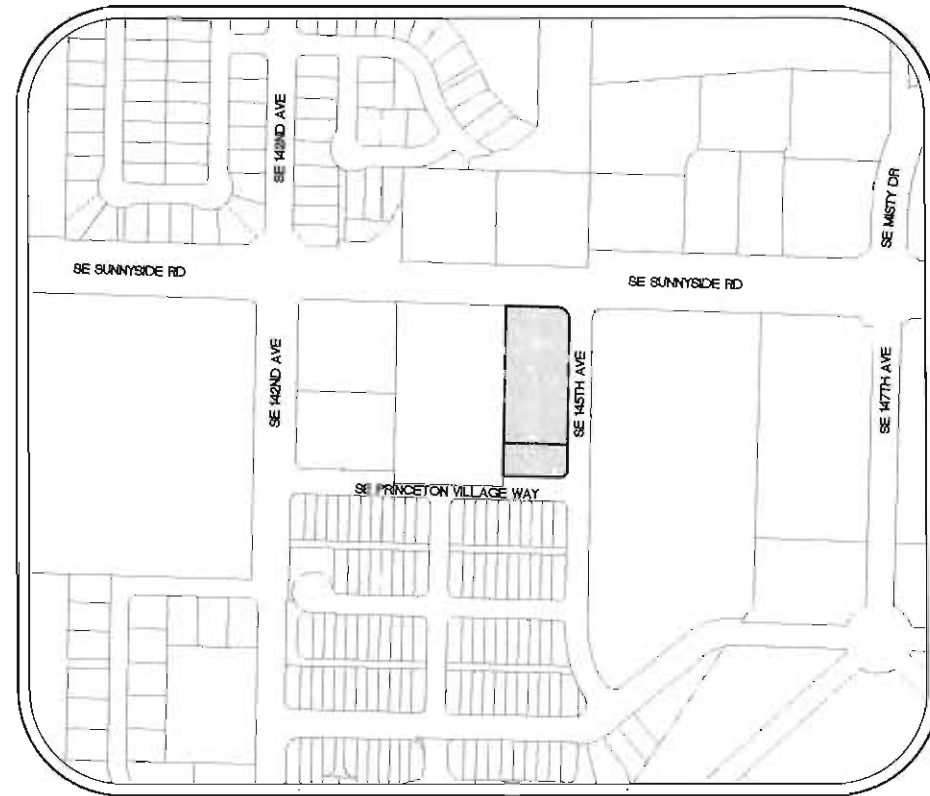
1. The City shall amend the Rock Creek Comprehensive Plan Map and the City's overall Comprehensive Plan Map/Zoning Map to reflect the subject site (Tax Lots 4400 and 4401) as having a plan designation/zone of VC.
2. A use proposed through any future development application on the subject site shall not be allowed to incorporate a drive-through facility.
3. Any future land use applications (Design Review, Conditional Use Permit, etc.) regarding the development of the subject site shall be in conformance with the City's development standards related to the provision of public utilities and vehicular/pedestrian access.
4. **That full turning movements to Princeton Village Way shall not be allowed (left out only) prior to full build out of the Princeton Village Way public right-of-way along the property frontage of the adjacent property to the west (Clackamas County Assessor Map No. 22E-01CB-04600).**

13551 SE 145th AVENUE

ZONE CHANGE PLANS



VICINITY MAP
NOT TO SCALE



SITE MAP
1 INCH = 200 FEET

OWNER/APPLICANT
DTF, LLC
15350 SE CHELSEA MORNING DR.
HAPPY VALLEY, OR 97086

LAND USE PLANNING / CIVIL ENGINEERING / SURVEYING FIRM

TINA D'AMBROSIO
17925 SE MONNER ROAD
HAPPY VALLEY, OR 97086

AKS ENGINEERING & FORESTRY, LLC.
CONTACT: MONTY HURLEY
13910 SW GALBREATH DRIVE, SUITE 100
SHERWOOD, OR 97140
PH: 503-925-8799
FAX: 503-925-8969

PROPERTY DESCRIPTION: TAX LOT 4400 AND 4401, CLACKAMAS COUNTY TAX MAP NUMBER 2 2E 1 CB, LOCATED IN THE NORTHWEST 1/4 OF THE SW 1/4 OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF HAPPY VALLEY, CLACKAMAS COUNTY, OREGON.

PROJECT LOCATION: SW CORNER OF SE 145TH AVENUE AND SE SUNNYSIDE ROAD INTERSECTION.

SITE LOCATION: 13551 SE 145TH AVENUE
HAPPY VALLEY, OR

EXISTING CITY ZONING DISTRICT: VILLAGE OFFICE (VO) DISTRICT

EXISTING LAND USE: VACANT

PROPOSAL: COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE FROM VILLAGE OFFICE (VO) DISTRICT TO VILLAGE COMMERCIAL (VC) DISTRICT.

EXISTING		EXISTING	
DECIDUOUS TREE	⊙	STORM SEWER CLEAN OUT	○
CONIFEROUS TREE	⊛	STORM SEWER CATCH-BASIN	⊙
FIRE HYDRANT	⊞	STORM SEWER MANHOLE	⊕
WATER BLOWOFF	⊟	GAS METER	⊟
WATER METER	⊠	GAS VALVE	⊠
WATER VALVE	⊡	GUY WIRE ANCHOR	⊢
DOUBLE CHECK VALVE	⊣	POWER POLE	⊣
AIR RELEASE VALVE	⊥	POWER VAULT	⊣
SANITARY SEWER CLEAN OUT	⊙	POWER JUNCTION BOX	⊣
SANITARY SEWER MANHOLE	⊕	POWER PEDESTAL	⊣
SIGN	⊞	COMMUNICATIONS VAULT	⊣
STREET LIGHT	⊟	COMMUNICATIONS JUNCTION BOX	⊣
MAILBOX	⊠	COMMUNICATIONS RISER	⊣

EXISTING	
RIGHT-OF-WAY LINE	- - - - -
BOUNDARY LINE	_____
PROPERTY LINE	_____
CENTERLINE	_____
DITCH	⎯⎯⎯
CURB	_____
EDGE OF PAVEMENT	- - - - -
EASEMENT	_____
FENCE LINE	_____
GRAVEL EDGE	_____
POWER LINE	_____
OVERHEAD WIRE	- - - - -
COMMUNICATIONS LINE	- - - - -
FIBER OPTIC LINE	- - - - -
GAS LINE	- - - - - GAS - - - - - GAS
STORM SEWER LINE	- - - - - SSW - - - - - SSW
SANITARY SEWER LINE	- - - - - SAN - - - - - SAN
WATER LINE	- - - - - WAT - - - - - WAT

SHEET INDEX

- COVER SHEET WITH VICINITY AND SITE MAP
- CITY LAND USE ZONING MAP
- AERIAL PHOTO AND CONTOUR PLAN
- CONCEPT PLAN

COVER SHEET WITH VICINITY AND SITE MAP

13551 SE 145TH AVE
HAPPY VALLEY
TAX LOT 4400 & 4401
OREGON
CLACKAMAS COUNTY TAX MAP 2 2E 1CB



ENGINEERING • PLANNING
SURVEYING • FORESTRY
13910 SW GALBREATH DR.,
SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

DESIGNED BY: MSH
DRAWN BY: CL
CHECKED BY: MSH
DRAWING NO.: 3396-ZC
SCALE: AS NOTED

PREPARED FOR:
DTF, LLC
15669 SE CHELSEA MORNING DR
HAPPY VALLEY, OR 97086

DATE: 7/11/2013

JOB NUMBER
3396

SHEET
1



CITY LAND USE
ZONING MAP

13551 SE 145TH AVE
HAPPY VALLEY
TAX LOT 4400 & 4401

AKS
ENGINEERING · PLANNING
SURVEYING · FORESTRY
13310 SW CALLEBACH DR.,
SUITE 100, OR 97140
HAPPY VALLEY, OR 97143
PH: (503) 935-3799
FAX: (503) 932-6668

DESIGNED BY: MRH
DRAWN BY: CL
CHECKED BY: MRH
DRAWING NO: 3396-ZC
SCALE: AS NOTED
PREPARED FOR:
DTF, LLC
15669 SE CALLEBACH DR
HAPPY VALLEY, OR 97143
DATE: 7/11/2013

JOB NUMBER
3396
SHEET
2



TAX LOT DATA FROM METRO GIS DATA.



**AERIAL PHOTO AND
CONTOUR PLAN**

13551 SE 145TH AVE

HAPPY VALLEY

OREGON

CLATSOP COUNTY TAX MAP 2 ZE 1CB



ENGINEERING • PLANNING
SURVEYING • FORESTRY
13910 SW CALBREATH DR.
SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8999

DESIGNED BY: MRH
DRAWN BY: CL
CHECKED BY: MRH
DRAWING NO.: 3396-ZC

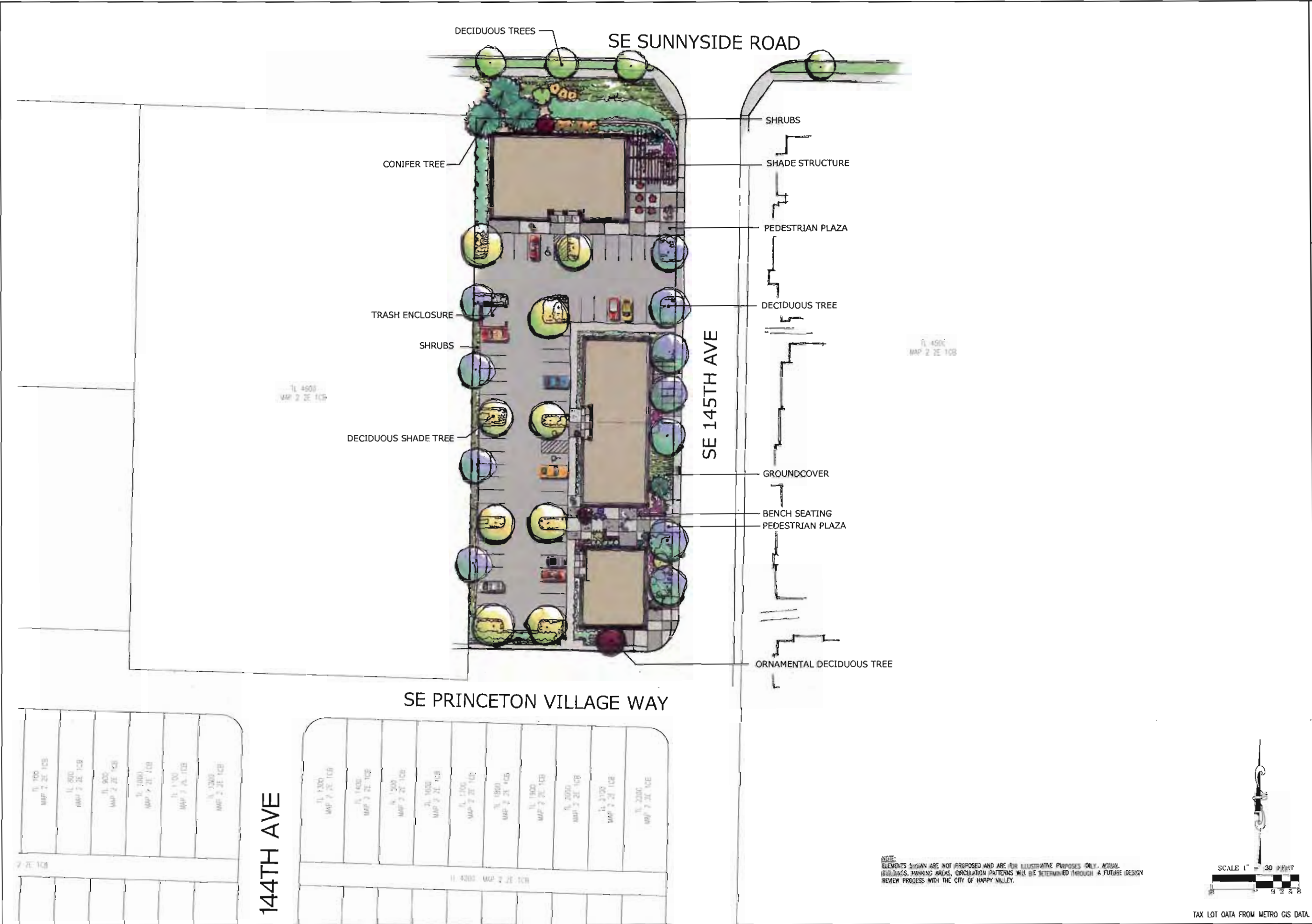
SCALE: AS NOTED
PREPARED FOR:
DTE, LLC
15808 SE CHELSEA MORNING DR
HAPPY VALLEY, OR 97085

DATE: 7/11/2013

JOB NUMBER:
3396

SHEET
3

TAX LOT AND CONTOUR DATA FROM METRO ICB DATA
AERIAL PHOTO FROM CRODGE MAPS



CONCEPT PLAN

13551 SE 145TH AVE
 HAPPY VALLEY OREGON
 TAX LOT 4400 & 4401
 CLATSOP COUNTY TAX MAP 2 ZE 10B

AKS
 ENGINEERING • PLANNING
 SURVEYING • FORESTRY
 13810 SW GAUREATH DR.
 SUITE 100
 SHERWOOD, OR 97140
 PHONE: (503) 922-8799
 FAX: (503) 922-8869

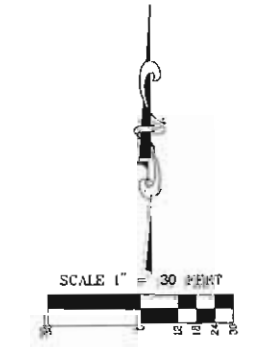
DESIGNED BY: MBH
 DRAWN BY: CL
 CHECKED BY: MBH
 DRAWING NO.: 3396 SITE
 SCALE: AS NOTED
 PREPARED FOR:
 DTF, LLC
 15669 SE CHELSEA MORNING DR
 HAPPY VALLEY, OR 97086

DATE: 7/11/2013
 JOB NUMBER
 3396
 SHEET
 4

Tl. 700 MAP 2 ZE 10B
Tl. 800 MAP 2 ZE 10B
Tl. 900 MAP 2 ZE 10B
Tl. 1000 MAP 2 ZE 10B
Tl. 1100 MAP 2 ZE 10B
Tl. 1200 MAP 2 ZE 10B

Tl. 1300 MAP 2 ZE 10B
Tl. 1400 MAP 2 ZE 10B
Tl. 1500 MAP 2 ZE 10B
Tl. 1600 MAP 2 ZE 10B
Tl. 1700 MAP 2 ZE 10B
Tl. 1800 MAP 2 ZE 10B
Tl. 1900 MAP 2 ZE 10B
Tl. 2000 MAP 2 ZE 10B
Tl. 2100 MAP 2 ZE 10B
Tl. 2200 MAP 2 ZE 10B

NOTE:
 ELEMENTS SHOWN ARE NOT PROPOSED AND ARE FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL
 BUILDINGS, PARKING AREAS, CIRCULATION PATTERNS WILL BE DETERMINED THROUGH A FUTURE DESIGN
 REVIEW PROCESS WITH THE CITY OF HAPPY VALLEY.



TAX LOT DATA FROM METRO GIS DATA

OF HAPPY VALLEY
00 SE MISTY DRIVE
VALLEY, OREGON 97086

Plan Amendment Specialist – Angeia Houck
Dept. of Land Conservation & Development
635 Capital Street NE, Suite 150
Salem, OR 97301-2540

SH