



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

12/12/2013

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 015-13

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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, December 26, 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

☐ In person ☐ electronic ☐ mailed

DATE
STAMP

DEPT OF
DEC 06 2013
LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Happy Valley**

Local file number:

ANN0513/CPA1513/LDC1713Date of Adoption: **12/3/2013**Date Mailed: **12/3/2013**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 8/15/2013☐ Comprehensive Plan Text Amendment☒ Comprehensive Plan Map Amendment☐ Land Use Regulation Amendment☒ Zoning Map Amendment☐ New Land Use Regulation☒ Other: **Annexation**

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

Approved annexation of (4) properties, totaling 2.23 acres, and converted the existing Clackamas County comprehensive plan designations/zoning districts to "equivalent" City of Happy Valley comprehensive plan designations/zoning districts.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **Clack. Co. LDR & Village Res.** to: **City R-5 & R-8.5**Zone Map Changed from: **Clack. Co. R8.5, VR4/5 & VR5/7** to: **City R-5 & R-8.5**Location: **Varies, See attached maps.**Acres Involved: **2.23**Specify Density: Previous: **Varies**New: **Varies**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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. _____

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

Clackamas Co. & 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

DATE: December 5, 2013

File No. ANN-05-13/LDC-17-13/CPA-15-13

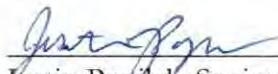
NOTICE OF EXPEDITED DECISION

This is official notice of action taken by the Happy Valley City Council pursuant to Metro Code 3.09.045 with regard to an application for annexation to the City of Happy Valley. The subject properties are described as Clackamas County Assessor Map Numbers:

22E12BB02900, 22E01CA02300, 22E02D 00705, 22E02D 00703

On December 3, 2013 the City Council formally approved the subject application/petitions based upon findings included within the Staff Report dated December 5, 2013, and deliberations of the City Council.

Per Metro Code 3.09.045 decisions made pursuant to an expedited process are not subject to appeal by a necessary party pursuant to Section 3.09.070.


Justin Popilek, Senior Planner

cc: Petitioner
Necessary Parties
File

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

ORDINANCE NO. 444
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AMENDING OFFICIAL
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT
ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORS 222.170 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-05-13/LDC-17-13/CPA-15-13); and

WHEREAS, the proposed annexation territory consists of four tax lots, totaling 2.23 acres of land, located near the City's existing boundary; and

WHEREAS, the specific tax lots to be annexed include:

22E01CA02300, 22E02D 00703, 22E02D 00705, 22E12BB02900; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.61.040 of the City's Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.67.070 of the City's Development Code, the tax lots proposed for annexation will be re-designated and re-zoned from their existing Clackamas County plan designations/zones to equivalent city plan designations/zones; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on December 3, 2013; and

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A, and depicted in Exhibit B is annexed to Happy Valley effective December 3, 2013.

Section 2. The City of Happy Valley declares that the following city Comprehensive Plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the City's Development Code:

22E01CA02300 – Medium Density Residential (R-5)
22E02D 00703 – Medium Density Residential (R-5)
22E02D 00705 – Medium Density Residential (R-5)
22E12BB02900 – Low Density Residential (R-8.5)

Section 3. Any future home construction that occurs within the subdivision that was approved by Clackamas County on Tax Lots 703 and 705, known as “Hunter’s Run”, shall utilize the following minimum setback standards:

Front: 10 feet (20 feet to garage)	Interior Side: 3 feet
Rear: 15 feet	Street Side: 8 feet

Section 4. The City Council adopts the subject annexation application (ANN-05-13/LDC-17-13/CPA-15-13) and the associated Staff Report to the City Council dated December 3, 2013.

Section 5. The territory described in Exhibit A, and depicted in Exhibit B is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective December 3, 2013.

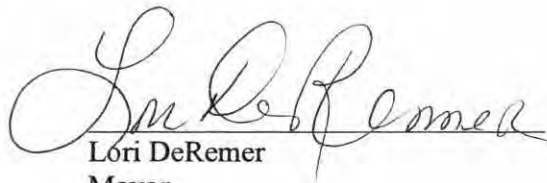
Section 6. As a condition for the annexation of each property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of 10 years from the effective date of the annexation.

Section 7. The City Recorder is directed to:


1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 8. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on December 3, 2013.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [December 3, 2013]


Lori DeRemer
Mayor

Adoption and date attested by:


Marylee Walden
City Recorder

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OREGON 97086
PH. 503.783.3800
FAX 503.658.5174

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley City Council will hold a public hearing to consider the annexation of territories pursuant to the Expedited Decision process of Metro Code Chapter 3.09.045 (unless a necessary party gives written notice of its object to the annexation) and a Comprehensive Plan Map/Zoning Map Amendment (rezoning the subject properties from the existing Clackamas County plan designations/zoning districts to equivalent City of Happy Valley plan designations/zoning districts) to the affected properties pursuant to Section 16.67.070 of the City's Municipal Code in the City Hall Council Chambers, 16000 SE Misty Drive, Happy Valley, Oregon on **Tuesday, December 3, 2013, at 7:00 p.m.**

DOCKET NUMBER

ANN-05-13/LDC-17-13/CPA-15-13

The affected areas total approximately 2.23 acres of real property and includes the following properties as listed by Clackamas County Assessor Map Number:

22E12BB02900, 22E01CA02300, 22E02D 00705 and 22E02D 00703.

The City Council intends to decide on the application for annexation and rezoning of the above properties at the public hearing. The Council may approve or deny an application for annexation and the associated comprehensive plan map/zone map amendments in accordance with the applicable criteria of the City of Happy Valley Comprehensive Plan, and Section 16.67.070 of the City of Happy Valley Municipal Code, METRO code 3.09, and ORS 222.111, 222.125 and 222.170.

The decision will be made in accordance with the said criteria, and may be appealed to the Land Use Board of Appeals.

The decision-making criteria, application, and records concerning this matter are available at the City of Happy Valley City Hall at the above address during working hours (8:00 a.m. to 5:00 p.m. weekdays), please call for an appointment. For additional information, contact Justin Popilek, Associate Planner at the above address and phone number.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting Marylee Walden, City Recorder at the above phone number.



Justin Popilek
Senior Planner

Mayor
Honorable Lori DeRemer



City Manager
Jason A. Tuck

CITY OF HAPPY VALLEY
STAFF REPORT TO THE CITY COUNCIL

December 3, 2013

ANNEXATION APPLICATION (File Number: ANN-05-13/LDC-17-13/CPA-15-13)

Four Properties Totaling 2.23 Acres

I. GENERAL INFORMATION

PROPOSAL:

The City seeks approval of the annexation of four properties, with a cumulative area of approximately 2.23 acres, and the amending of the City's Comprehensive Plan Map/Zoning Map to convert the existing Clackamas County Comprehensive Plan designations/zoning districts for the subject properties to equivalent Happy Valley plan designations/zoning districts, as set forth in Section 16.67.070 of the City's Land Development Code (LDC). Staff has determined that the proposed annexation/zoning conversion complies with the applicable requirements of the Statewide Planning Goals, Oregon Revised Statutes (ORS), Metro Code, and the City's Comprehensive Plan and LDC. **Therefore, staff recommends the City Council APPROVE the proposed annexation subject to the findings and conclusions in this report.**

APPLICANT:

City of Happy Valley
16000 SE Misty Drive
Happy Valley, OR 97086

PROPERTY OWNERS:

See Attached List – Exhibit B

EXHIBITS:

Exhibit A - Annexation Area Map
Exhibit B - Property Data/Owner List
Exhibit C - Annexation Petitions

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

APPLICABLE CRITERIA:

Applicable Statewide Planning Goals; ORS 222.111 and 222.125; Metro Code 3.09.045; and applicable policies and sections of the City of Happy Valley Comprehensive Plan and Municipal Code, Title 16 (Land Development Code) - including Section 16.67.070 (Annexations).

BACKGROUND:

The City of Happy Valley makes available petitions for annexation to area property owners and received signed petitions requesting annexation from the owners of the subject properties (Exhibit C).

GENERAL DISCUSSION:

The proposed annexation was initiated by petitions signed by the owners of 100 percent of the property owners that represent 100 percent of the assessed value, and that represent at least 50 percent of the electors within the area being annexed. The proposal meets the requirements of Metro Ordinance Number 98-791, Chapter 3.09.045, and ORS 222.125.

The properties proposed to be annexed are located in several areas that are adjacent to the existing city limits, as noted on Exhibit A. The legal descriptions for the areas proposed for annexation are included as exhibits to the ordinance accompanying this file (Ordinance Number 444) and the annexation application data forms for the areas to be annexed are attached as Exhibit B.

The proposed annexation incorporates four properties consisting of 2.23 acres located adjacent (which includes "reachable" by annexation via public right-of-way) to the existing boundary of the City of Happy Valley. The desire of the property owners to obtain city services/permit review and/or land use regulations for the subject properties have prompted the proposed annexation request.

This staff report outlines the subject properties as to their specific configuration, existing land use, population, assessed value and other criteria for approval of boundary changes. See attached Exhibits A, B and C.

The proposed annexation boundaries have been drawn up to include only the properties represented by the property owners or their representatives who signed the annexation petitions and applicable public right-of-way.

Two of the properties proposed for annexation (Tax Lots 703 and 705) are Lots of Record that currently have a Clackamas County plan designation/zone of "Village Standard Lot Residential" (VR-5/7), which would convert to a City plan designation/zone of "Medium Density Residential" (R-5) with the approval of this file. Tax Lots 703 and 705 total approximately 1.99 acres in size and currently are the location of one single-family detached residence. The current property owner received concurrent land use approval from Clackamas County for a zone change, from "Future Urbanization-10-Acre District" (FU-10) to VR-5/7, and a 10-lot subdivision known as "Hunter's Run".

Tax Lots 703 and 705 are under common ownership and it is the desire of the property owner to annex into the City to process future construction documents and building permits through the City's Economic and Community Development Department. As the setback standards associated with the County's approval of "Hunter's Run" differ from those associated with the City's R-5 zone, staff recommends that the adoption ordinance (Ordinance Number 444) include provisions for setbacks specific to the annexed lots. Specifically, minimum 10-foot front yard setbacks (20-foot minimum setback to the garage), minimum 15-foot rear yard setbacks, minimum three-foot interior yard setbacks and minimum eight-foot street side yard setbacks.

One of the properties proposed for annexation is a lot located within "Wenzel Park", a PUD approved by Clackamas County in 2004 and reapproved in 2011. This lot currently has a Clackamas County Comprehensive Plan designation/land use zone of "Urban Low Density Residential" (R-8.5). With the approval of the proposed annexation, the affected "Wenzel Park" property will receive a City plan designation/zone of "Low Density Residential" (R-8.5).

The final property proposed for annexation is a lot located within "Ashley Village", a PUD approved by Clackamas County in 1995. This lot currently is the location of a single-family detached residence and has a County plan designation/zone of "Village Small Lot Residential" (VR-4/5). With the approval of the proposed annexation the affected "Ashley Village" property will receive a City plan designation/zone of "Medium Density Residential" (R-5).

This proposed annexation complies with the present agreements the City has with various urban service providers. All of the subject properties are currently located within Clackamas County Service District #1 (CCSD #1), which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. All of the subject properties are provided water service by Sunrise Water Authority (SWA), one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the owners of the subject properties will continue to be provided street lighting services by Clackamas County Service District #5 (CCSD #5). The subject properties are also currently within the North Clackamas Parks and Recreation District (NCPRD) and would continue to be with the approval of this annexation proposal. The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within Clackamas Fire District #1 (CFD #1). CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation.

The Metro Regional Framework Plan contains standards and criteria guiding the management and expansion of the Urban Growth Boundary (UGB), but most are not directly applicable to this annexation application. The Framework Plan does address the issues of annexation of properties to cities as appropriate to ensure adequate government jurisdiction and public facilities review and approvals.

The Metro Urban Growth Management Functional Plan (UGMFP) contains population and household growth figures for each jurisdiction in the region, including the City of Happy Valley. These figures should be accommodated over the next 20 years. The approval of this annexation request will work to provide housing and employment opportunities to current and future residents of the City as specified in the functional plan.

II. FINDINGS OF FACT

STATEWIDE PLANNING GOALS (DLCD)

“Goal 1: Citizen Involvement (660-015-0000(1))

Goal 1 specifies that each city adopt a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land-use planning process. This program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Response:

The City of Happy Valley provided notice to all interested parties, necessary parties and land owners within 300 feet. The notice stated that the process would be expedited. This criterion has been satisfied.

Goal2: Land Use Planning (660-015-0000(2))

Goal 2 specifies the need to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response:

The City's LDC establishes provisions for the expedited annexation process and county to city zoning conversion. This staff report and findings demonstrate compliance with applicable policies and regulations of all local, regional and state regulations. This criterion has been satisfied.

Goal 10: Housing (660-015-0000(10))

Goal 10 specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Response:

The subject properties are located within an area that has already been comprehensively planned for by Clackamas County. The proposed annexation will provide additional lots for residential construction within the City that would be located near areas that are currently utilized for residential purposes and public parks. The annexation is compliant with the City's Comprehensive Plan goals and policies pertaining to Goal 10 and the UGMFP (see Compliance with Regional Goals) and therefore, this criterion has been satisfied.

Goal 11: Public Facilities and Services ((660-015-0000(11))

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that the public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

Response:

Metro Code (3.09.045.d) requires that boundary change proposals meet minimum criteria that include addressing the capacity for urban services. Boundary changes must be consistent with ORS 195.065 and regional and statewide land use goals, including Goal 11.

Clackamas County has provided the comprehensive planning for public services in the area of the subject properties. Prior to the installation of infrastructure related to public services such as sanitary sewer, stormwater management, potable water, and transportation systems Clackamas County and their service providers provided analysis as to how the subject properties (along with other adjacent properties) would best be served by public services.

If the proposed annexation is approved, the subject properties will continue to be provided public services by many of the same agencies that currently serve the annexation area. The subject properties will continue to be provided sanitary sewer and stormwater management services by CCSD #1. Fire protection will continue to be provided to the subject properties by CFD #1. Also, CCSD #5 will continue to administer street lighting to the subject properties.

All of the subject properties are provided water service by SWA, one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. Therefore, this criterion is satisfied.

Goal 12: Transportation ((660-015-0000(12))

Goal 12 calls for the provision of "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

Response:

The Happy Valley Transportation System Plan (TSP) has been updated to include the areas proposed for annexation. The TSP was adopted in December 1998; and amended in 2001, 2006, 2009 and 2010. The TSP includes an inventory of the existing transportation system, addresses current problem areas, and evaluates future needs for both motorized and non-motorized transportation options. The TSP is consistent with the Transportation Planning Rule (TPR), the Metro Regional Transportation Plan (RTP), the Clackamas County Comprehensive Plan and Pedestrian and Bicycle Master Plan, and the Oregon Department of Transportation Oregon Transportation Plan (OTP). This criterion has been satisfied.

Goal 14: Urbanization ((660-015-0000(14))

Goal 14 requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses."

Response:

The Happy Valley Comprehensive Plan (1984) and East Happy Valley Comprehensive Plan Update (2009) established a UGB based on the seven criteria outlined in Goal 14. UGB expansions are also regulated regionally through the Metro Regional Framework Plan and

UGMFP. The Regional Framework Plan stipulates that cities plan for growth and utilize available land in a manner that is consistent with the regional goals contained in the plan. The City is proposing to apply city zoning designations to the subject properties that are equivalent to the existing Clackamas County zoning designation, to be consistent with the existing Clackamas County Comprehensive Plan. The Clackamas County Comprehensive Plan was established in compliance with Goal 14. Therefore, this criterion is satisfied.

Oregon Revised Statutes (ORS)

“ORS 222.111 – [...] (2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

Response:

This annexation was the result of petitions filed by the property owners or their representatives who own properties that are contiguous to the City Limits of Happy Valley. The criterion has been satisfied.

ORS 222.125 - Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.”

Response:

The application was initiated by petitions from owners of 100 percent of the land in the territory to be annexed and 50 percent of the electors in the territory to be annexed. The criterion has been satisfied.

REGIONAL LAND USE REQUIREMENT

“Metro Code 3.09.045 – Expedited Decisions

(a) The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

Response:

The City of Happy Valley established an expedited decision process through the adoption of Resolution Number 05-13. The City has received written consent in the form of petitions from

100 percent of the property owners and 50 percent the electors within the affected territory. The criterion has been satisfied.

(b) The expedited process must provide for a minimum of 20 days' notice prior to the date set for decision to all necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process unless a necessary party gives written notice of its objection to the boundary change.

Response:

The City of Happy Valley provided notice to all interested parties, necessary parties and land owners within 300 feet of the subject properties. The notice stated that the process would be expedited. This criterion has been satisfied.

(c) At least seven days prior to the date of decision the city or Metro shall make available to the public a report that includes the following information:

- (1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;***
- (2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and***
- (3) The proposed effective date of the boundary change.***

Response:

A brief report, addressing the applicable criteria in Section 3.09.045 was available to the public on Monday, November 25, 2013, this criterion has been satisfied.

(d) To approve a boundary change through an expedited process, the city shall:

- (1) Find that the change is consistent with expressly applicable provisions in:***
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.065;***

Response:

The proposed annexation is consistent with ORS 195.065. As stated above, the subject properties would generally remain within service districts already serving the annexation areas. All of the subject properties are currently located within CCSD #1, which provides sanitary sewer and stormwater management services to the City and other urbanized areas of Clackamas County. All of the subject properties are provided water service by SWA, one of the City's service providers of potable water. SWA will continue to provide water services to these properties subsequent to the approval of this annexation. The subject properties are also currently within NCPRD and would continue to be with the approval of this annexation proposal. The subject properties will need to be removed from the Clackamas County Enhanced Law Enforcement District and will be provided law enforcement services by the Happy Valley Police Department. Also, the subject properties are within CFD #1. CFD #1 provides the subject properties with fire protection and will continue to provide this service following the approval of this annexation. This criterion has been satisfied.

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

Response:

An applicable annexation plan adopted pursuant to ORS 195.205 does not exist. Therefore, this criterion does not apply.

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

Response:

An applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) does not exist. Therefore, this criterion does not apply.

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in areas where urban services have already been installed. This criterion has been satisfied.

(E) Any applicable comprehensive plan; and

Although a specific Comprehensive Plan does not exist for the subject properties outside of the current Clackamas County Comprehensive Plan, if annexed, the subject properties will be subject to the City's overall Comprehensive Plan, including all relevant policies. Therefore, this criterion is satisfied.

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

(B) Affect the quality and quantity of urban services; and

(C) Eliminate or avoid unnecessary duplication of facilities or services.

Response:

The proposed annexation would not interfere with the provision, quality, or quantity of public facilities and services. The subject properties are located in an area where urban services have already been installed. The criterion has been satisfied.

(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. Neither a city nor a district may extend water or sewer services from inside a UGB to territory that lies outside the UGB."

Response:

The subject properties having petitioned for annexation are within the existing Metro UGB. The criterion has been satisfied.

CITY OF HAPPY VALLEY COMPREHENSIVE PLAN

Comprehensive Plan Policies

“Policy 4: To insure orderly development in the City of Happy Valley through formulation of growth management policies and guidelines which will determine that development can occur only when adequate levels of services and facilities are or will be available.

Response:

The subject properties are located where urban services are currently available. In fact, the subject properties currently are served by all Level 1 services. Therefore, this criterion is satisfied.

Policy 5: To encourage controlled development while maintaining and enhancing the physical resources which make Happy Valley a desirable place to live.

Response:

The subject properties are located within an area that has been comprehensively planned for by Clackamas County. This plan was created with preservation and enhancement of physical resources as a goal. Therefore, this criterion is satisfied.

Policy 7: To coordinate with the Metropolitan Service District (Metro) on any proposed changes or adjustments of the Urban Growth Boundary in the immediate vicinity of the City.”

Response:

There are no proposed changes or adjustments to the UGB associated with this annexation application. This criterion is not applicable.

CITY OF HAPPY VALLEY MUNICIPAL CODE

Happy Valley Land Development Code

“16.67 Comprehensive Plan Map, Specific Area Plans, Land Use District Map and Text Amendments

[...]

16.67.070 Annexations.

A. Except as provided in subsection B of this section, when a property or area is annexed to the City from unincorporated Clackamas County with an accompanying Clackamas County Comprehensive Plan designation and zone, the action by the City Council to annex the property or area shall include an ordinance to amend the City’s Comprehensive Plan

map/zoning map to reflect the conversion from the County designation/zone to a corresponding City designation/zone, as shown in Table 16.67.070-1 below.

Table 16.67.070-1 Land Designation Conversion Table

Clackamas County Zone	City of Happy Valley Zone
Urban/Rural Residential	
<i>R-2.5</i>	<i>SFA</i>
<i>R-5</i>	<i>R-5</i>
<i>R-7</i>	<i>R-7</i>
<i>R-8.5</i>	<i>R-8.5</i>
<i>R-10</i>	<i>R-10</i>
<i>R-15</i>	<i>R-15</i>
<i>R-20</i>	<i>R-20</i>
<i>MR-1</i>	<i>MUR-M1</i>
<i>MR-2</i>	<i>MUR-M2</i>
<i>HDR</i>	<i>MUR-M3</i>
<i>RA-2</i>	<i>R-15</i>
<i>FU-10</i>	<i>*</i>
Natural Resources	
<i>EFU</i>	<i>*</i>
Commercial	
<i>NC</i>	<i>MUE</i>
<i>C-2</i>	<i>MCC</i>
<i>C-3</i>	<i>MCC</i>
<i>RCC</i>	<i>MCC</i>
<i>RCO</i>	<i>MUC</i>
<i>OC</i>	<i>CCC</i>
<i>RCHD</i>	<i>MUR-M2</i>
<i>OA</i>	<i>MUC</i>
<i>PMU-6</i>	<i>RCMU</i>
Industrial	
<i>I-2</i>	<i>IC</i>
<i>I-3</i>	<i>IC</i>
<i>BP</i>	<i>EC</i>
Special Districts	
<i>OSM</i>	<i>IPU</i>
Sunnyside Village	
<i>VR-4/5</i>	<i>R-5</i>
<i>VR-5/7</i>	<i>R-5</i>
<i>VCS</i>	<i>IPU</i>
<i>VA</i>	<i>MUR-M1</i>
<i>VO</i>	<i>VO</i>
<i>VTH</i>	<i>VTH</i>
<i>*Annexation of these zoning districts would require the creation of a new Comprehensive Plan designation/zoning district within the City that would be determined by the Planning Official based on surrounding Comprehensive Plan</i>	

designations/zoning districts and a Transportation Planning Rule-compliant Traffic Impact Analysis.

B. When an unincorporated property within the East Happy Valley Comprehensive Plan area, Aldridge Road Comprehensive Plan area, or the Rock Creek Mixed Employment Comprehensive Plan area is annexed to the City, the property shall be rezoned to the applicable zoning designation in the Comprehensive Plan pursuant to the applicable requirements of the Land Development Code.

C. For any proposed annexation to the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form, the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council. The City may utilize any lawful annexation process under state, regional or local law, including the expedited annexation process established in the Metro Code. An expedited annexation process shall be sent directly to the City Council for review. Expedited annexations shall be processed as an ordinance pursuant to the City of Happy Valley Charter.

D. For any proposed deannexation from the City, application shall be made directly to the City of Happy Valley on the appropriate forms and accompanied with the required fee. Upon receipt of a copy of the form the City shall schedule a public hearing before the Planning Commission, which shall make a recommendation to the City Council.”

Response:



Pursuant to Subsection “B” above, the properties associated with this annexation proposal will receive an equivalent city zoning designation per the city’s “conversion matrix”. As a result, if the proposed annexation is approved, an ordinance (Ordinance Number 444) to amend the City’s Comprehensive Plan Map/Zoning Map will be passed that reflects the zoning conversion of the subject properties from their current Clackamas County designations/zones to City of Happy Valley designations/zones. These criteria have been satisfied.

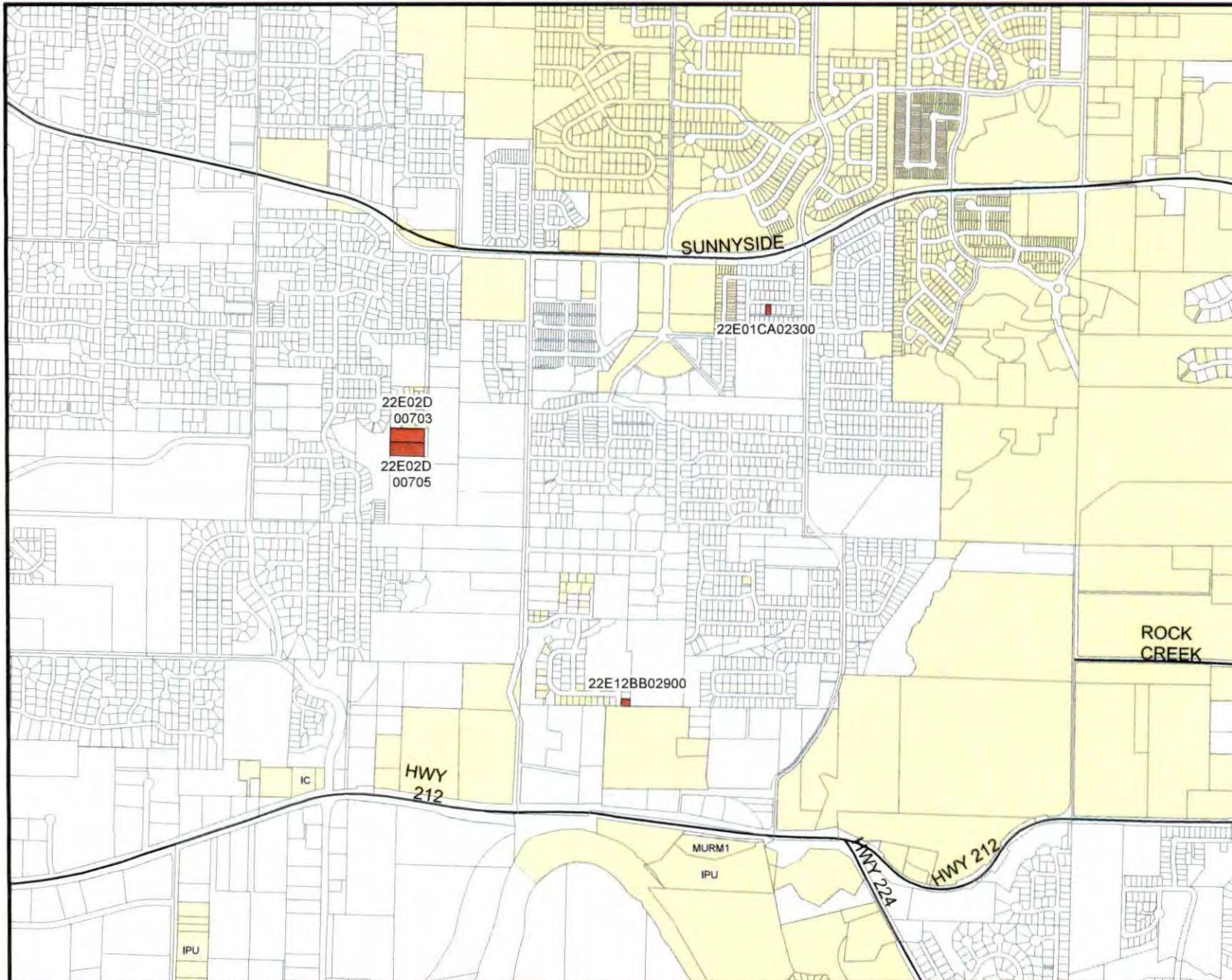
III. CONCLUSION AND RECOMMENDATION:

Staff has determined that the above findings demonstrate that the proposed annexation and zoning conversion of the subject properties satisfy the requirements of the Statewide Planning Goals, ORS, Metro Code 3.09, and City of Happy Valley Comprehensive Plan and LDC. **Staff, therefore, recommends that the City Council approve application ANN-05-13/LDC-17-13/CPA-15-13.**

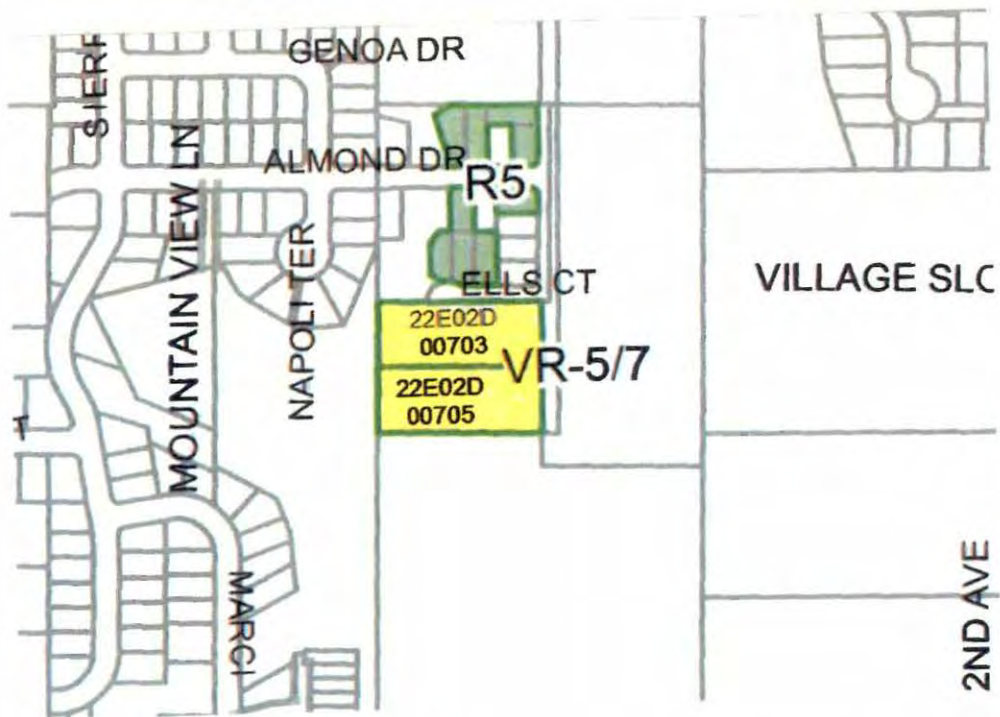
City of Happy Valley

Taxlots of Interest

-  Taxlots of Interest
-  City Limits



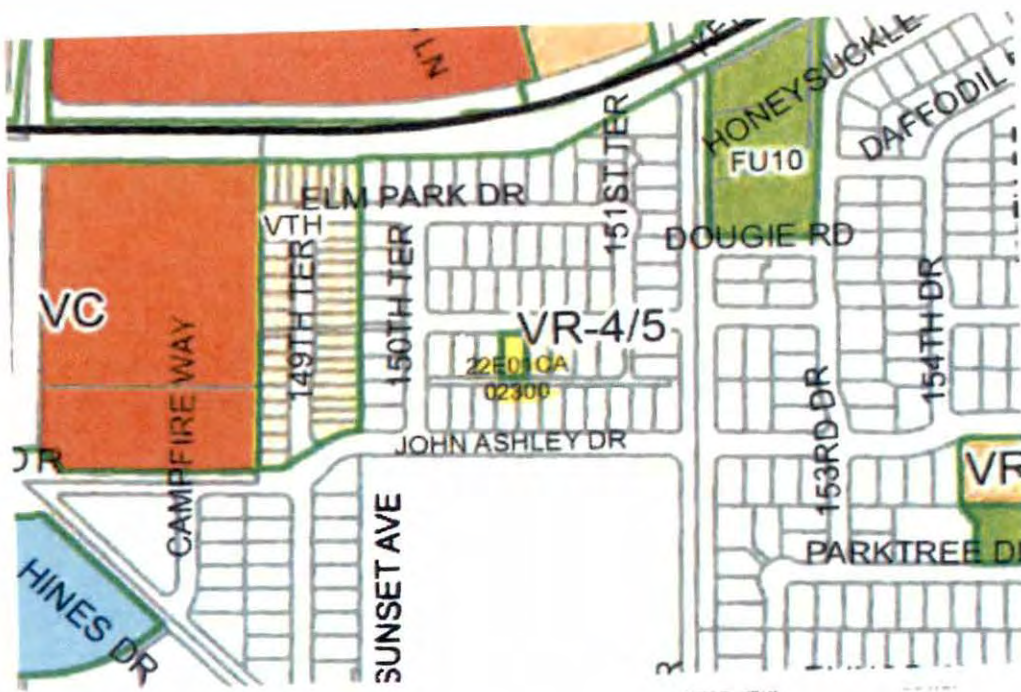
Source: Data from Clatsop County GIS (2011)
The information on this map was derived from the Clatsop County GIS database. It is not a warranty, nor a representation of the accuracy of the information. The City of Happy Valley is not responsible for any errors or omissions. The information is provided for informational purposes only. The City of Happy Valley is not responsible for any errors or omissions. The information is provided for informational purposes only.



Existing Zoning - VR-5/7



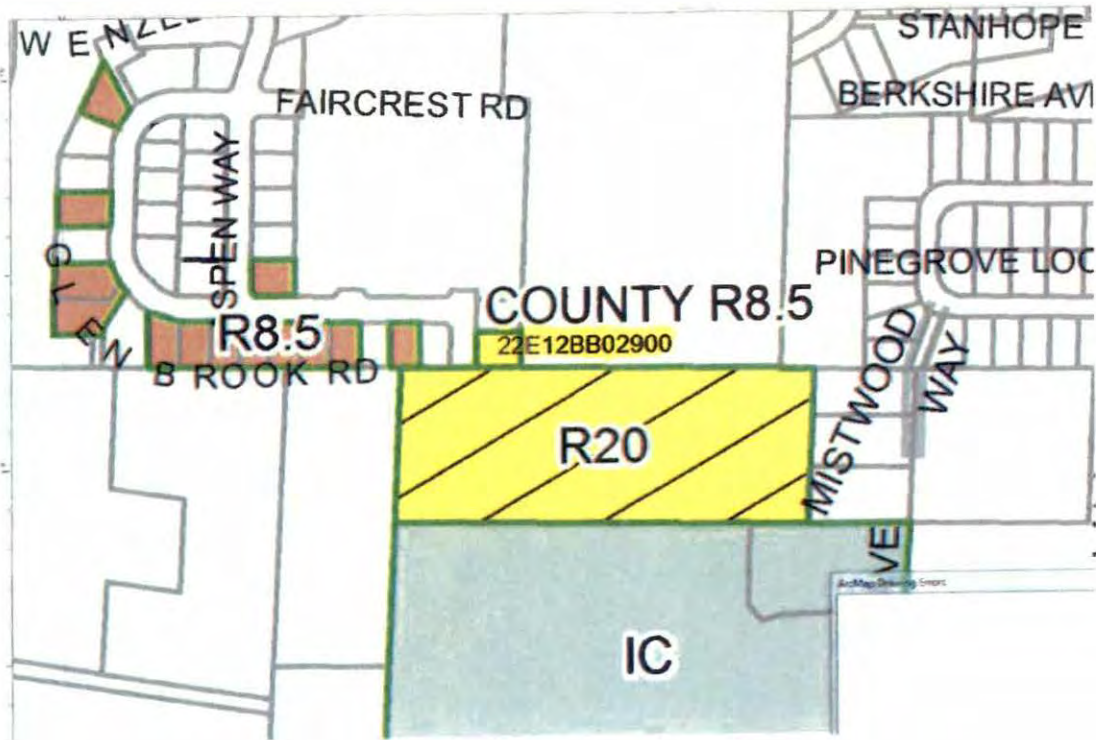
Proposed Zoning - R-5



Existing Zoning - VR-4/5



Proposed Zoning - R-5



Existing Zoning - County R-8.5



Proposed Zoning - R8.5

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	ANN-05-13	ANN-05-13											
2	PROPERTY OWNER	TAX MAP/LOT	SITE ADDRESS	CITY	MAILING ADDR	STATE	ZIP	ACRES	ASSESED VALUE	# DU	# PEOPLE	EXISTING ZONING	PROPOSED ZONE
3	WILLIAMS CRAIG A	22E12BB02900	15112 SE ELKHORN RD	Clackamas	Same	OR	97015	0.13	320,696.00		5	R-8.5	R-8.5
4	SIRKIN STEPHEN H & DIANA W	22E01CA02300	15056 SE JOHN ASHLEY DR	Clackamas	Same	OR	97015	0.11	199,852.00		2	VR4/5	R-5
5	HEIMDAHL ROBERT B & LINDA J	22E02D 00705	14225 SE 139TH AVE	Clackamas	Same	OR	97015	1	227,110.00		2	VR5/7	R-5
6	HEIMDAHL ROBERT B & LINDA J	22E02D 00703	No Situs					0.99	11,941.00		0	VR5/7	R-5
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CITY OF HAPPY VALLEY

16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

To the City Council of the
City of Happy Valley, Oregon

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

15056 JOHN ASHLEY DRIVE; CLACKAMAS OR 97015
Street Address of Property (if address has been assigned)

ASHLEY VILLAGE LOT 19
Legal Description (Subdivision Name, Lot number(s))

22E01CA0230
Tax Map and Tax Lot Number

CODE AREA 012-073 ACCOUNT #
01655097

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

Stephen J. Surkin
Signature

SSA
Owner Initial

Voter Initial

8/26/13
Date

Diana W. Surkin
Signature

DWS
Owner Initial

Voter Initial

8/26/13
Date

Other Authorized Signature

Owner Initial

Voter Initial

Date

15056 SE JOHN ASHLEY DR
Street Address

503-454-0610

Home Phone

503-680-7006

Work Phone

Mailing Address

CLACKAMAS OR 97015
City, State and Zip Code

A legal description and a copy of the
assessor's map of the property must be
submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

☒ Indefinitely, or until

Stephen J. Surkin 8/26/13
Signature Date

Diana W. Surkin 8/26/13
Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1

Types of housing units:

☒ Single family ☐ Multi-family ☐ Mobile home or trailer

Number of people occupying these units: 2



To the City Council of the
City of Happy Valley, Oregon

CITY OF HAPPY VALLEY

16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

15112 SE Elkhorn Rd, Clackamas, OR 97015
Street Address of Property (if address has been assigned)
Wenzel Park Estates Lot # 29
Legal Description (Subdivision Name, Lot number(s))

Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>Charles Williams</u> Signature	<u>cdw</u> Owner Initial	<u>cdw</u> Voter Initial	<u>08/07/13</u> Date
<u>Craig Williams</u> Signature	<u>CAW</u> Owner Initial	<u>CAW</u> Voter Initial	<u>8/7/13</u> Date

Other Authorized Signature

Owner Initial Voter Initial Date

15112 SE Elkhorn Rd
Street Address

15112 SE Elkhorn Rd
Mailing Address

Clackamas, OR 97015
City, State and Zip Code

503-558-8530
Home Phone

503-341-5412
Work Phone

A legal description and a copy of the assessor's map of the property must be submitted with this petition.

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

☒ Indefinitely, or until

Craig Williams 8/7/13
Signature Date

Charles Williams 8/7/13
Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1

Types of housing units:

☒ Single family ☐ Multi-family ☐ Mobile home or trailer

Number of people occupying these units: 5



To the City Council of the
City of Happy Valley, Oregon

CITY OF HAPPY VALLEY

16000 SE Misty Drive
Happy Valley, OR 97086
Phone: 503-783-3800 Fax: 503-658-5174

PETITION TO ANNEX

I (we), the undersigned owner(s) of the property described below and/or elector(s) residing at the location below described, hereby petition and give consent to, annexation of said property to the City of Happy Valley.

The consent for annexation is for the following described property:

14225 SE 139th Avenue, Clackamas, OR 97015
Street Address of Property (if address has been assigned)

Legal Description (Subdivision Name, Lot number(s))

22E02D 703 & 705
Tax Map and Tax Lot Number

SIGNATURE(S) OF LEGAL OWNER(S) AND/OR REGISTERED VOTER(S)

<u>[Signature]</u> Signature	<u>[Initials]</u> Owner Initial	<u>[Initials]</u> Voter Initial	<u>5.17.13</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

Street Address

Home Phone

Work Phone

15350 SE Monner Road

Mailing Address

Happy Valley, OR 97086

City, State and Zip Code

**A legal description and a copy of the
assessor's map of the property must be
submitted with this petition.**

We, the owner(s) of the property described above and/or elector(s) residing on said property understand the annexation process can take more than a year. Therefore, we agree to waive the one-year time limitation on this consent established by ORS 222.173, and further agree that this contract shall be effective

☒ Indefinitely, or until _____

[Signature] 5.17.13
Signature Date

Signature Date

The Population Research Center at Portland State University compiles population estimates which they report to the State of Oregon on an annual basis. The State of Oregon then uses these estimates to determine the City's Fair Share of state funds. Please help us with this effort by indicating below the number of housing units on the above indicated tax lots and the number of people residing in these housing units. THANK YOU!

Number of housing unit on above lot: 1

Types of housing units: ☒ Single family _____ Multi-family _____ Mobile home or trailer

Number of people occupying these units: _____

ORDINANCE NO. 444
CITY OF HAPPY VALLEY

AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF HAPPY VALLEY,
OREGON, WITHDRAWING SAID TERRITORY FROM THE CLACKAMAS
COUNTY ENHANCED LAW ENFORCEMENT DISTRICT, AMENDING OFFICIAL
MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT
ORDINANCE NO. 97, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORS 222.125 the City of Happy Valley received petitions signed by 100 percent of the owners of 100 percent of the properties with 100 percent of the assessed value of territory requesting annexation (ANN-05-13/LDC-17-13/CPA-15-13); and

WHEREAS, the proposed annexation territory consists of four tax lots, totaling 2.23 acres of land, located near the City's existing boundary; and

WHEREAS, the specific tax lots to be annexed include:

22E01CA02300, 22E02D 00703, 22E02D 00705, 22E12BB02900; and

WHEREAS, the City provided notice that the City Council would consider the annexation petitions, consistent with the applicable notice requirements of (1) Section 16.61.040 of the City's Development Code, (2) applicable provisions of Metro Code Chapter 3.09, and (3) applicable state law requirements; and

WHEREAS, the City has adopted an expedited decision process for annexations consistent with Metro Code Chapter 3.09.045; and

WHEREAS, pursuant to Section 16.67.070 of the City's Development Code, the tax lots proposed for annexation will be re-designated and re-zoned from their existing Clackamas County plan designations/zones to equivalent city plan designations/zones; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on December 3, 2013; and

Now, therefore, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares the territory described in Exhibit A, and depicted in Exhibit B is annexed to Happy Valley effective December 3, 2013.

Section 2. The City of Happy Valley declares that the following city Comprehensive Plan designations and zoning districts shall apply to the tax lots proposed for annexation, as pursuant to Section 16.67.070 of the City's Development Code:

22E01CA02300 – Medium Density Residential (R-5)
22E02D 00703 – Medium Density Residential (R-5)
22E02D 00705 – Medium Density Residential (R-5)
22E12BB02900 – Low Density Residential (R-8.5)

Section 3. Any future home construction that occurs within the subdivision that was approved by Clackamas County on Tax Lots 703 and 705, known as “Hunter’s Run”, shall utilize the following minimum setback standards:

Front: 10 feet (20 feet to garage)	Interior Side: 3 feet
Rear: 15 feet	Street Side: 8 feet

Section 4. The City Council adopts the subject annexation application (ANN-05-13/LDC-17-13/CPA-15-13) and the associated Staff Report to the City Council dated December 3, 2013.

Section 5. The territory described in Exhibit A, and depicted in Exhibit B is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective December 3, 2013.

Section 6. As a condition for the annexation of each property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District created consistent with ORS Chapter 223 and/or Happy Valley Municipal Code Chapter 3.12 for a period of 10 years from the effective date of the annexation.

Section 7. The City Recorder is directed to:

1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this ordinance to Clackamas County and any other necessary parties consistent with Metro Code Chapter 3.09.030(e).

Section 8. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on December 3, 2013.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [December 3, 2013]

Lori DeRemer
Mayor

Adoption and date attested by:

Marylee Walden
City Recorder

**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE
SURVEYING**

Offices Located In:
SHERWOOD, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job No. 2582

EXHIBIT A

A tract of land located in the Southeast One-Quarter of Section 2, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon being more particularly described as follows:

Beginning at the southwest corner of Tract 'A' of "Pfeifer Ridge", said point also being the northwest corner of Document Number 2013-019524; thence along the west line of said Document South 00°03'16" West 265.00 feet to the southwest corner of said Document, said point also being the northwest corner of Parcel 1 of Partition Plat No. 2002-091; thence along the south line of said Document and the north line of said Parcel 1 South 89°43'51" East 364.34 feet to the easterly right-of-way line of SE 139th Avenue (35.00 feet from centerline); thence along said right-of-way line North 00°03'23" East 265.00 feet to the easterly extension of the north line of Document Number 2013-019524 and the City of Happy Valley city limits; thence along said easterly extension and north line and along said city limits North 89°43'51" West 364.35 feet the Point of Beginning.

The above described tract of land contains 2.22 acres, more or less.

10/3/2013



**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE
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AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job No. 2582

EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Southwest and Southeast One-Quarter of Section 1, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the southeast corner of Lot 19 of the plat of "Ashley Village"; thence along the south line of said Lot 19 North 89°20'11" West 49.50 feet to the southeast corner of Lot 18; thence along the east line of said Lot 18 and the northerly extension thereof North 00°39'49" East 138.00 feet to a point on the northerly right-of-way line of SE John Ashley Drive (21.50 feet from centerline); thence along said right-of-way line South 89°20'11" East 296.95 feet to a point; thence along a curve to the left with a Radius of 78.50 feet, a Delta of 14°03'14", a Length of 19.26 feet, and a Chord of North 83°38'12" East 19.21 feet to a point; thence along a curve to the right with a Radius of 121.50 feet, a Delta of 13°16'04", a Length of 28.14 feet, and a Chord of North 83°14'37" East 28.07 feet to a point; thence North 89°52'39" East 7.65 feet to a point; thence along a curve to the left with a Radius of 10.00 feet, a Delta of 90°00'00", a Length of 15.71 feet, and a Chord of North 44°52'39" East 14.14 feet to a point on the westerly right-of-way of SE 152nd Avenue (35.00 feet from centerline); thence along said right-of-way line North 00°07'21" West 438.23 feet to a point; thence along a curve to the left with a Radius of 24.00 feet, a Delta of 119°29'52", a Length of 50.06 feet, and a Chord of North 59°52'17" West 41.46 feet to a point on the southerly right-of-way of SE Sunnyside Road (variable width from centerline) and the City of Happy Valley city limits line; thence along said right-of-way line and City of Happy Valley city limits line North 60°22'48" East 107.44 feet to a point; thence along City of Happy Valley city limits line Southerly 569 feet, more or less, to a point on the easterly extension of the southerly right-of-way line of SE John Ashley Drive (21.50 feet from centerline); thence along said right-of-way line and easterly extension thereof South 89°52'39" West 88.48 feet to a point; thence along a curve to the left with a Radius of 78.50 feet, a Delta of 13°16'04", a Length of 18.18 feet, and a Chord of South 83°14'37" West 18.14 feet to a point; thence along a curve to the right with a Radius of 121.50 feet, a Delta of 14°03'14", a Length of 29.80 feet, and a Chord of South 83°38'12" West 29.73 feet to a point; thence North 89°20'11" West 247.45 feet to the northwest corner of Lot 20 of said plat; thence along the west line of said Lot 20 South 00°39'49" West 95.00 feet to the Point of Beginning.

The above described tract of land contains 1.31 acres, more or less.

10/3/2013



**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE
SURVEYING**

AKS Group of Companies:
SHERWOOD, OREGON
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job No. 2582

EXHIBIT A

Legal Description
Annexation Parcel

Lot 29 of the plat "Wenzel Park Estates" located in the Northwest One-Quarter of Section 12, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Lot 29 of the plat of "Wenzel Park Estates", also being a point on the City of Happy Valley city limits line; thence along the northerly line of said Lot 29 North 88°38'29" East 87.44 feet to northeasterly corner of said Lot 29; thence along the easterly line of said Lot 29 South 00°03'37" East 67.42 feet to the southeasterly corner of said Lot 29; thence along the southerly line of said Lot 29 South 88°10'56" West 71.81 feet to the easterly right-of-way line of Elkhorn Road (variable width from centerline) and the City of Happy Valley city limits line; thence along said right-of-way line and City of Happy Valley city limits line along a curve to the right with a Radius of 14.00 feet, a Delta of 90°27'33", a Length of 22.10 feet, and a Chord of North 46°35'17" West 19.88 feet to a point on the easterly right-of-way line of Elkhorn Road (25.00 feet from centerline); thence continuing along said right-of-way line and City of Happy Valley city limits line North 01°21'31" West 53.98 feet to the Point of Beginning.

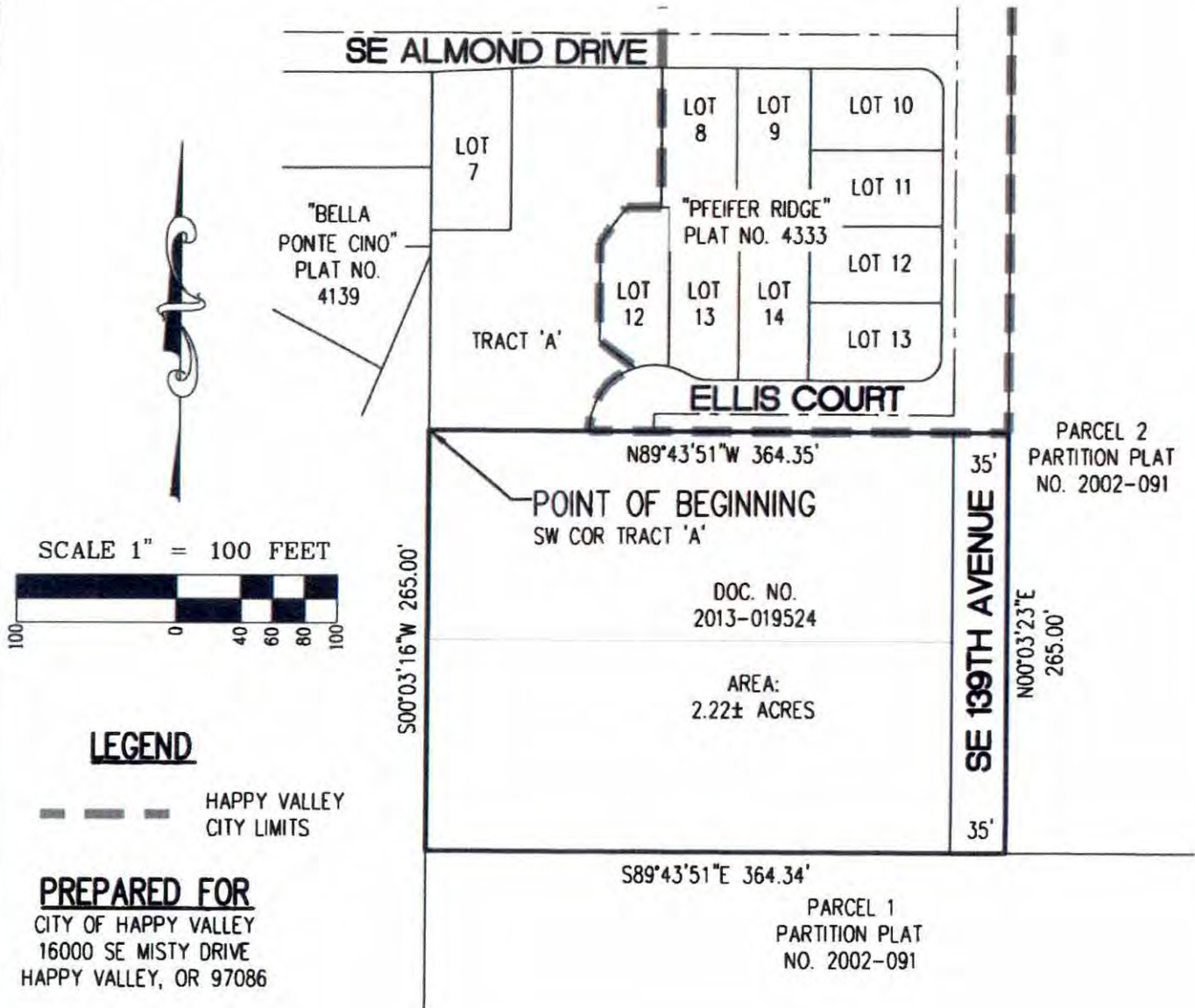
The above described tract of land contains 5,829 square feet, more or less.

10/3/2013



EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 2,
TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON



SCALE 1" = 100 FEET



LEGEND

--- HAPPY VALLEY CITY LIMITS

PREPARED FOR

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

10/3/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEW: 6/30/14

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: MEB

CHECKED BY: NSW

DWG NO.: ANN-05-13-TL703

AKS ENGINEERING AND FORESTRY, LLC
13910 SW GALBREATH DR
SUITE 100
SHERWOOD, OR 97140
PHONE: 503.925.8799
FAX: 503.925.8969

AKS

ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SOUTHWEST AND SOUTHEAST 1/4
OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY, OREGON

PREPARED FOR

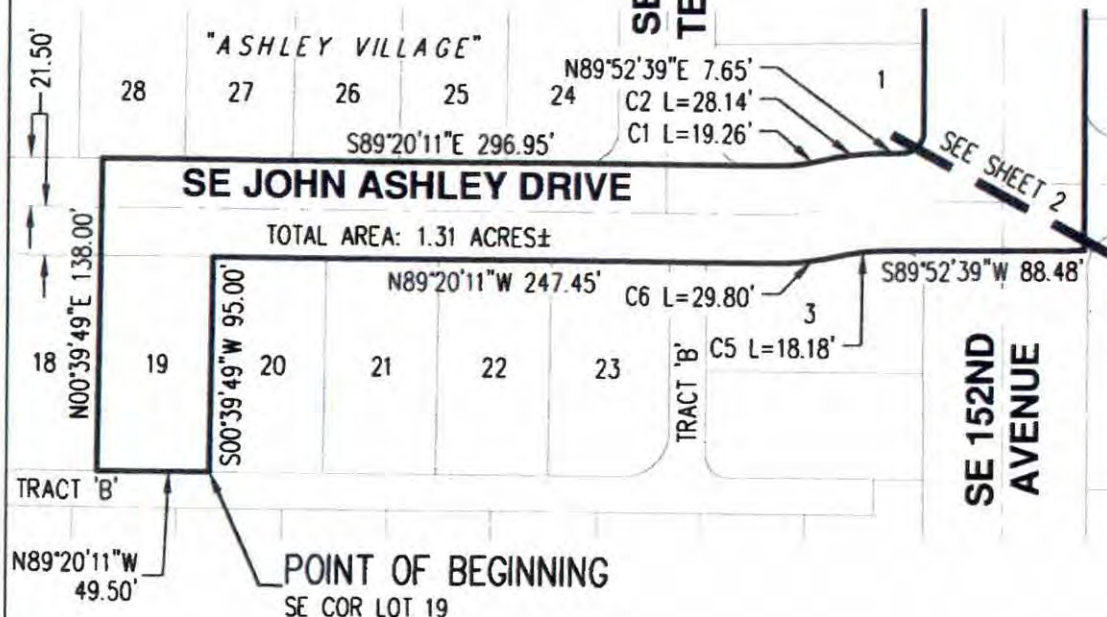
CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

DOC. NO.
2002-094487

SE JOHN
ASHLEY DRIVE

SE 152ND
AVENUE

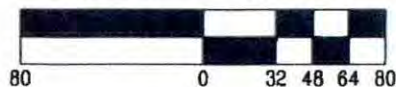
SE 151ST
TERRACE



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	78.50'	14°03'14"	19.26'	N83°38'12"E 19.21'
C2	121.50'	13°16'04"	28.14'	N83°14'37"E 28.07'
C5	78.50'	13°16'04"	18.18'	S83°14'37"W 18.14'
C6	121.50'	14°03'14"	29.80'	S83°38'12"W 29.73'

SCALE 1" = 80 FEET



10/3/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: ANN-05-13-TL2300

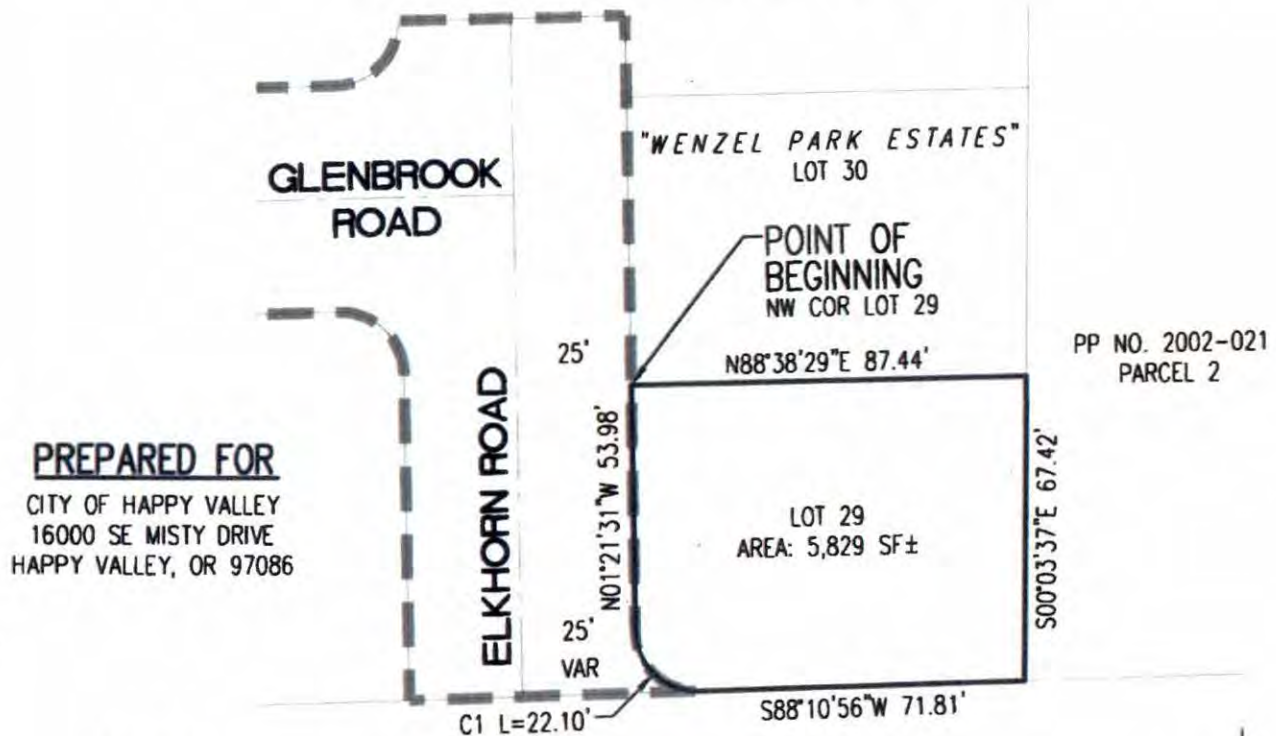
AKS ENGINEERING AND FORESTRY, LLC
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EXHIBIT B

LOT 29 OF THE PLAT "WENZEL PARK ESTATES" IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



PREPARED FOR

CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OR 97086

LEGEND

— — — — —	HAPPY VALLEY CITY LIMITS
DOC. NO.	DOCUMENT NUMBER
PP NO.	PARTITION PLAT NUMBER

DOC. NO. 98-79440

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C11	14.00'	90°27'33"	22.10'	N46°35'17"W 19.88'

SCALE 1" = 40 FEET



10/3/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

JOB NAME: COHV ANNEX

JOB NUMBER: 2582

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: ANN-05-13-TL2900

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CITY OF HAPPY VALLEY
16000 SE MISTY DRIVE
HAPPY VALLEY, OREGON 97086



PORTLAND, OR 972 2
FRI 06 DEC 2013

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

DEPT OF
DEC 06 2013
LAND CONSERVATION
AND DEVELOPMENT