



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

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www.oregon.gov/LCD



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

Date: July 15, 2015
Jurisdiction: City of Happy Valley
Local file no.: CPA-05-15/LDC-06-15
DLCD file no.: 008-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 07/13/2015. 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 less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

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

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

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

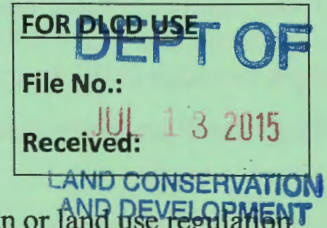
DLCD Contact

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

DLCD FORM 2



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



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

Jurisdiction: City of Happy Valley

Local file no.: CPA-05-15/LDC-06-15

Date of adoption: 7-7-15

Date sent: 7/9/2015

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 5-6-15

No

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

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

NO

Local contact (name and title): Justin Popilek, Senior Planner

Phone: 503 783-3810

E-mail: justinp@happyvalleyor.gov

Street address: 16000 SE Misty Drive

City: Happy Valley

Zip: 97086

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

Change from	Varies	to	Varies	117 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): Various

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 Varies	to Varies	Acres: 117
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): Various, please see attachment

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

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.

Mayor
Honorable Lori DeRemer

City Manager
Jason Tuck



DATE: July 10, 2015

File No. CPA-05-15/LDC-06-15

NOTICE OF DECISION

This is official notice of action taken by the Happy Valley City Council pursuant to Section 16.67.070 of the City's Land Development Code with regard to an application for annexation to the City of Happy Valley. The subject properties are described as Clackamas County Assessor Map Numbers:

12E25A 00301, 12E25A 00900, 12E25A 01000, 12E25A 01900, 12E25BA01200, 12E25D 00500
12E25D 00600, 12E25D 00700, 12E25D 00800, 12E28DB02200, 12E36CA00101, 12E36CA00600
12E36CA00700, 12E36CA00800, 12E36CA01000, 12E36CA01100, 12E36CA01200,
12E36CA01600, 12E36CA01700, 12E36CC00300, 12E36CC00404, 12E36DA00400,
12E36DA00500, 12E36DA00800, 12E36DA00900, 12E36DA01201, 12E36DB01100,
12E36DB01400, 12E36DB01500, 12E36DB01700, 12E36DB02700, 12E36DB02800,
12E36DB02900, 12E36DD00900, 13E30C 00201, 13E30C 00203, 13E30C 00500, 13E30C 00601,
13E30C 00602, 13E30C 00604, 13E30C 00800, 13E30C 00900, 13E30C 01000, 13E30C 01200,
13E30C 01900, 13E30C 02500, 13E30C 02600, 13E30C 02700, 13E30D 02601, 13E31A 00700,
13E31C 00400, 13E31C 00900, 13E31C 01000, 13E31C 01700, 13E31C 02000, 13E31C 02500,
13E31C 02600, 13E31C 03700, 13E31C 05600, 23E06B 01500, 23E06BA00200, 23E06BB01000,
23E06C 00200, 23E06C 00300, 23E06C 00400, 23E06C 00500, 23E06C 00600, 23E06C 00700,
23E06C 00800, 23E06C 00900, 23E06C 01000, 23E06C 01200, 23E06C 01300, 23E06C 01400,
23E06C 01500, 23E06C 01700, 23E06C 01800, 23E06C 02100, 23E06C 02400, 23E06C 02500,
23E06C 02600, 23E06C 02700, 23E06C 02800, 23E06C 02900, 23E06C 03100, 23E06C 03200,
23E06C 03300, 23E06C 03400, 23E06C 03500, 23E06C 03600, 23E06C 03700, 23E06C 04400,
23E06C 04500, 23E06C 04600, 23E06C 04700, 23E06C 04800, 23E06C 04900, 23E06C 05000,
23E06C 05100, 23E06C 05200, 23E06C 05300, 23E06C 05400, 23E06C 05500, 23E06C 05600,
23E06C 05700, 23E06C 05800, 23E06C 05900, 23E06C 06000, 23E06C 06200, 23E06C 06300,

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

23E06C 06400, 23E06C 06500, 23E06C 06600, 23E06C 07601, 23E06C 07602, 23E06DB01900,
23E07B 00403, 23E07B 00405

On July 7, 2015 the City Council formally approved the subject application/petition based upon findings included within the Staff Report dated July 7, 2015, and deliberations of the City Council.

Persons with standing may appeal this decision to the Oregon Land Use Board of Appeals ("LUBA"). All appeals must comply with ORS 197.830 and LUBA's rules at OAR Chapter 660, division 10 and be filed no later than 21 days of the mailing of this Notice of Decision.



Justin Popilek
Senior Planner

cc: Petitioner
Participants of Record
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. 477
CITY OF HAPPY VALLEY

AN ORDINANCE AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97, IN REGARD TO THE COMPREHENSIVE PLAN/ZONING MAP AMENDMENT OF 119 PROPERTIES THAT WERE RECENTLY ANNEXED INTO THE CITY.

WHEREAS, the City of Happy Valley initiated an annexation of territory (which included the subject properties) surrounded by the corporate boundaries of the City pursuant to ORS 222.110, 222.120 and 222.750 (File No. ANN-04-11/LDC-07-11/CPA-09-11), which was approved by the City Council on February 7, 2012; and,

WHEREAS, the subject properties include 119 tax lots totaling 117.13 acres and, pursuant to ORS 222.750, the annexation of said properties was delayed for three years, becoming effective on March 7, 2015; and,

WHEREAS, with the annexation of the subject properties, the existing Clackamas County Comprehensive Plan Designations/Land Use Zones were left in place and the proposed Comprehensive Plan Map/Zoning Map Amendments are to apply Happy Valley plan designations/zones to the subject properties, as established through the City's Comprehensive Plan; and

WHEREAS, the City provided legal notice that the City's Planning Commission and City Council would consider the proposed Comprehensive Plan Map/Zoning Map Amendments; and

WHEREAS, the City Council considered the proposed Comprehensive Plan Map/Zoning Map Amendments at their regularly scheduled meeting on July 7, 2015; and,

Now, therefore, based on the foregoing,

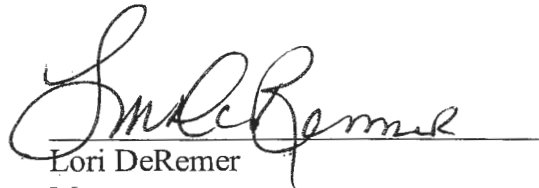
THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. The City Council declares that the following city comprehensive plan designations/zoning districts shall apply to subject properties as listed by Clackamas County Assessor Map Numbers:

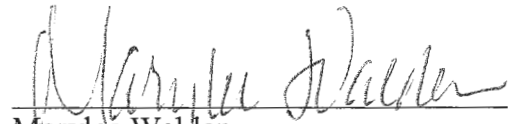
12E25A 00301	Low Density Residential	R-10
12E25A 00900	Low Density Residential	R-10
12E25A 01000	Low Density Residential	R-10
12E25A 01900	Low Density Residential	R-10
12E25BA01200	Low Density Residential	R-10
12E25D 00500	Very Low Density Residential	R-15
12E25D 00600	Very Low Density Residential	R-15
12E25D 00700	Very Low Density Residential	R-15
12E25D 00800	Very Low Density Residential	R-15
12E28DB02200	Very Low Density Residential	R-15

13E30D 02601	High Density Attached Residential	SFA
13E31A 00700	Medium Density Single-Family Residential	R-5
13E31C 00400	Medium Density Single-Family Residential	R-5
13E31C 00900	Medium Density Single-Family Residential	R-5
13E31C 01000	Medium Density Single-Family Residential	R-5
13E31C 01700	Medium Density Single-Family Residential	R-5
13E31C 02000	Medium Density Single-Family Residential	R-5
13E31C 02500	Medium Density Single-Family Residential	R-5
13E31C 02600	Medium Density Single-Family Residential	R-5
13E31C 03700	Medium Density Single-Family Residential	R-5
13E31C 05600	Medium Density Single-Family Residential	R-5
23E06B 01500	Mixed Use Residential - Multifamily	MUR-M2
23E06BA00200	Medium Density Single-Family Residential	R-5
23E06BB01000	High Density Residential - Attached	MUR-A
23E06C 00200	Low Density Residential	R-10
23E06C 00300	Low Density Residential	R-10
23E06C 00400	Low Density Residential	R-10
23E06C 00500	Low Density Residential	R-10
23E06C 00600	Low Density Residential	R-10
23E06C 00700	Low Density Residential	R-10
23E06C 00800	Low Density Residential	R-10
23E06C 00900	Low Density Residential	R-10
23E06C 01000	Low Density Residential	R-10
23E06C 01200	Low Density Residential	R-10
23E06C 01300	Low Density Residential	R-10
23E06C 01400	Low Density Residential	R-10
23E06C 01500	Low Density Residential	R-10
23E06C 01700	Low Density Residential	R-10
23E06C 01800	Low Density Residential	R-10
23E06C 02100	Low Density Residential	R-10
23E06C 02400	Low Density Residential	R-10
23E06C 02500	Low Density Residential	R-10
23E06C 02600	Low Density Residential	R-10
23E06C 02700	Low Density Residential	R-10
23E06C 02800	Low Density Residential	R-10
23E06C 02900	Low Density Residential	R-10
23E06C 03100	Low Density Residential	R-10
23E06C 03200	Low Density Residential	R-10
23E06C 03300	Low Density Residential	R-10
23E06C 03400	Low Density Residential	R-10
23E06C 03500	Low Density Residential	R-10

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING:
[July 7, 2015]


Lori DeRemer
Mayor

Adoption and date attested by:


Marylee Walden
City Recorder

Mayor
Honorable Lori DeRemer

City Manager
Jason A. Tuck



CITY OF HAPPY VALLEY

STAFF REPORT TO THE CITY COUNCIL

July 7, 2015

**CITY INITIATED LEGISLATIVE
COMPREHENSIVE PLAN MAP/ZONING MAP AMENDMENTS
(FILE NO. CPA-05-15/LDC-06-15)**

**AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN MAP/ZONING MAP FOR
THE PURPOSE OF CONVERTING THE EXISTING COUNTY ZONES TO CITY ZONES
FOR 119 PROPERTIES THAT WERE PREVIOUSLY ANNEXED INTO THE CITY**

I. GENERAL INFORMATION:

APPLICABLE CRITERIA:

Applicable Statewide Planning Goals; OAR 660-012-0060 of the Oregon Administrative Rules; applicable Goals and Policies from the City of Happy Valley Comprehensive Plan; and applicable Sections of Title 16 (Development Code) of the City of Happy Valley Municipal Code, including 16.67.015, 16.67.020, and 16.67.060.

EXHIBITS:

- A. Staff Report and Findings of Fact
- B. Map of Affected Properties
- C. Property Information Spreadsheet (including the existing/proposed Comprehensive Plan Designations/Land Use Zoning Districts)
- D. Published Notice
- E. Measure 56 Notice

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

BACKGROUND:

- In April of 2012, the City Council approved a form of annexation (File No. ANN-04-11) where the City can incorporate properties into its boundaries that are surrounded by the City Limits (while meeting certain criteria found within ORS 222.750) without the consent of the affected property owners, a process referred to as an “island annexation”. The tax lots that are subject to the proposed Comprehensive Plan Map/Zoning Map Amendments (properties listed within Exhibit C) were included within File No. ANN-04-11 and became annexed into Happy Valley on March 7, 2015.

OBSERVATIONS:

PROPOSED COMPREHENSIVE PLAN MAP/ZONING MAP AMENDMENTS:

- The City proposes to amend its Comprehensive Plan Map/Zoning Map to change the existing plan designations/zoning districts of the subject properties from their existing Clackamas County plan designations/zones to City plan designations/zones as set-forth in the City’s Overall Comprehensive Plan and East Happy Valley Comprehensive Plan. The locations of the subject properties are depicted within Exhibit A and the existing county land use districts, along with the proposed City plan designations/land use zoning districts, are shown within Exhibit C.

II. FINDINGS OF FACT

1. The following Statewide Planning Goals are applicable to the subject request:

“GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Staff Response:

The City, through the City of Happy Valley Land Development Code, has created proper procedures to ensure citizens the opportunity to have input in any proposed map amendments. Opportunities for public input will be available in the hearings process prior to action on this proposal. Notifications of this proposal and hearing are detailed in Exhibits D and E, above. The City has therefore met its obligation of providing for citizen involvement under Statewide Planning Goal 1, as defined through the City’s adopted procedures.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Staff Response:

The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The City of Happy Valley's Overall Comprehensive Plan and East Happy Valley Comprehensive Plan were adopted by the City and acknowledged by the Land Conservation and Development Commission (LCDC) as being in compliance with the statewide goals, state statutes and state administrative rules, in 1981 and 2009 (respectively).

The proposed amendments to the Comprehensive Plan Map/Zoning Map represent minor changes, which will result in the "application" of Happy Valley plan designations/zoning districts to the subject properties that have been established through the adoption of the City's various Comprehensive Plans. The proposed city designations/zones are being applied per the applicable city Comprehensive Plan and will not result in intensified uses or residential densities to occur on the subject properties that has not already been "envisioned" for through the comprehensive planning process. The proposed amendments are consistent with existing City plan policies and are consistent with Statewide Planning Goal 2.

GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

To conserve open space and protect natural and scenic resources.

Staff Response:

Applicability of Goal 5 to post-acknowledgment plan amendments is governed by OAR 660-023-0250. The proposed map amendments do not modify the acknowledged Goal 5 resource list, or that portion of the Happy Valley Development Code adopted to protect a significant Goal 5 resource, or a policy that addresses specific requirements of Goal 5. The proposed amendments do not allow uses that would conflict with a particular Goal 5 resource site on an acknowledged resource list.

Most of the subject properties do not contain Goal 5 lands. However, any development that shall occur on the subject properties containing Goal 5 lands will be required to meet the conditions of Chapter 16.32 (Steep Slopes Development Overlay Zone), Chapter 16.34 (Natural Resource Overlay Zone), Chapter 16.33 (Historic Properties Overlay Zone) or any other section of the Happy Valley Land Development Code. The proposed map amendments are therefore consistent with Statewide Planning Goal 5.

GOAL 6 - AIR, WATER AND LAND RESOURCES QUALITY:

To maintain and improve the air, water and land resources of the state.

Staff Response:

The proposed map amendments do not affect policies associated with Goal 6 established by the Happy Valley Comprehensive Plan. As reported in the previous findings for Goal 5, the proposed map amendments will continue to preserve environmentally sensitive lands. Also, approval of the proposed amendments will not eliminate the requirement for future development to meet the conditions of Chapter 16.34 (Natural Resources Overlay Zone) or, Chapter 16.51 (Surface Water Management) or any other section of the Happy Valley Land Development Code. Oregon Department of Environmental Quality (DEQ) regulates air, water and land with Clean Water Act (CWA) Section 401 Water Quality, Water Quality Certificate, State 303(d) listed waters, Hazardous Wastes, Clean Air Act (CAA), and Section 402 NPDES Construction and Stormwater Permits.

The Oregon Department of State Lands and the U.S. Army Corps of Engineers regulate jurisdictional wetlands and CWA Section 404 water of the state and the country respectively. Clackamas County Water Environment Services (WES) coordinates storm water management, water quality and stream enhancement projects throughout the city. Future development will still need to comply with these state, national and regional regulations and protections for air, water and land resources quality. The proposed map amendments are therefore consistent with Statewide Planning Goal 6.

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

Staff Response:

The proposed map amendments do not affect policies associated with Goal 7 established by the City of Happy Valley Comprehensive Plan. Approval of the proposed amendments will not eliminate the requirement for future development to meet the conditions of Chapter 16.32 (Steep Slopes Development Overlay Zone) or Chapter 16.35 (Flood Management Overlay Zone) or any other section of the Happy Valley Land Development Code. The proposed map amendments are therefore consistent with Statewide Planning Goal 7.

GOAL 9: ECONOMIC DEVELOPMENT

Goal 9 specifies that each city throughout the state must provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Staff Response:

The proposed amendments would work to provide additional land for commercial/industrial development within the City. The annexation is compliant with the City's Comprehensive Plan goals and policies pertaining to Goal 10 and therefore, this criterion has been satisfied.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Staff Response:

The proposed amendments would apply residential plan designations/zones to many of the subject properties per the various iterations of the City's Comprehensive Plan. Most of the subject properties have previously been developed with single-family attached and detached residences. The approval of the proposed map amendments would provide the potential for additional housing units to meet the need of Happy Valley residents and the region. The proposed map amendments are therefore consistent with Statewide Planning Goal 10.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Staff Response:

Water service is provided by the Sunrise Water Authority. WES coordinates stormwater management, water quality and stream enhancement projects. Coordination with these agencies regarding public facilities and services for the subject properties was addressed through the adoption of various iterations of the City's Comprehensive Plan. With regard to the underdeveloped/undeveloped properties affected by this proposal, since the allowable density within the proposed zoning districts is the same or similar to that of the existing districts, no additional demand for utility infrastructure and services beyond what was anticipated with the City's Comprehensive Plan will be created. As addressed below under Goal 12, the proposed amendments are expected to generate a minimal increase in traffic, but the planned transportation system in the area can absorb the additional traffic with no need for additional improvements beyond those identified in the City's adopted Transportation System Plan (TSP). No amendments to the public facilities plans are necessary in order to accommodate the proposed map amendments. The proposed map amendments are therefore consistent with Statewide Planning Goal 11.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system."

Staff Response:

See the finding under OAR 660-012-0060, below. As described below, the proposed amendments are consistent with Statewide Planning Goal 12.

2. The following Oregon Administrative Rules (OAR) are applicable to the subject request:

***"OAR Chapter 660, Division 12 (Transportation Planning)
660-012-0060***

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) Change standards implementing a functional classification system; or*
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
 - (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written

notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

- (i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or*
- (ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.*
- (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).*
- (5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.*
- (6) In determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2), local governments shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)-(d) below;*
 - (a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10% fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10% reduction allowed for by this section shall be available only if uses which rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;*
 - (b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10% reduction required in subsection (a) above;*
 - (c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with OAR 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that assure compliance with these rule requirements at the time of development approval; and*
 - (d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments which accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a) above. The Commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances which provide for the calculation or*

assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.

(7) Amendments to acknowledged comprehensive plans and land use regulations which meet all of the criteria listed in subsections (a)-(c) below shall include an amendment to the comprehensive plan, transportation system plan the adoption of a local street plan, access management plan, future street plan or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):

(a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;

(b) The local government has not adopted a TSP or local street plan which complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban Growth Management Functional Plan; and

(c) The proposed amendment would significantly affect a transportation facility as provided in section (1).

(8) A "mixed-use, pedestrian-friendly center or neighborhood" for the purposes of this rule, means:

(a) Any one of the following:

(A) An existing central business district or downtown;

(B) An area designated as a central city, regional center, town center or main street in the Portland Metro 2040 Regional Growth Concept;

(C) An area designated in an acknowledged comprehensive plan as a transit oriented development or a pedestrian district; or

(D) An area designated as a special transportation area as provided for in the Oregon Highway Plan.

(b) An area other than those listed in subsection (a) above which includes or is planned to include the following characteristics:

(A) A concentration of a variety of land uses in a well-defined area, including the following:

(i) Medium to high density residential development (12 or more units per acre);

(ii) Offices or office buildings;

(iii) Retail stores and services;

(iv) Restaurants; and

(v) Public open space or private open space which is available for public use, such as a park or plaza.

(B) Generally include civic or cultural uses;

(C) A core commercial area where multi-story buildings are permitted;

(D) Buildings and building entrances oriented to streets;

(E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;

(F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;

(G) One or more transit stops (in urban areas with fixed route transit service); and

(H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.

(a) A proposed amendment qualifies for this section if it:

(A) is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and

(B) is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.

(b) For the purpose of this rule, "multimodal mixed-use area" or "MMA" means an area:

(A) with a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged;

(B) entirely within an urban growth boundary;

(C) with adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule;

(D) with land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking); and

(E) located in one or more of the categories below:

(i) at least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;

(ii) within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or

(iii) within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section.

(c) When a mainline facility provider reviews an MMA designation as provided in subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in paragraph (A) of this subsection.

(A) The potential for operational or safety effects to the interchange area and the mainline highway, specifically considering:

- (i) whether the interchange area has a crash rate that is higher than the statewide crash rate for similar facilities;
- (ii) whether the interchange area is in the top ten percent of locations identified by the safety priority index system (SPIS) developed by ODOT; and
- (iii) whether existing or potential future traffic queues on the interchange exit ramps extend onto the mainline highway or the portion of the ramp needed to safely accommodate deceleration.

(B) If there are operational or safety effects as described in paragraph (A) of this subsection, the effects may be addressed by an agreement between the local government and the facility provider regarding traffic management plans favoring traffic movements away from the interchange, particularly those facilitating clearing traffic queues on the interchange exit ramps.

(d) A local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple existing zones, an urban renewal area, other existing boundary, or establishing a new boundary. The designation must be accompanied by findings showing how the area meets the definition of an MMA. Designation of an MMA is not subject to the requirements in sections (1) and (2) of this rule.

(e) A local government may designate an MMA on an area where comprehensive plan map designations or land use regulations do not meet the definition, if all of the other elements meet the definition, by concurrently adopting comprehensive plan or land use regulation amendments necessary to meet the definition. Such amendments are not subject to performance standards related to motor vehicle traffic congestion, delay or travel time.

(11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

(a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph (D) of this subsection.

(A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

(B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

(C) For the purpose of this section:

(i) "industrial" means employment activities generating income from the production, handling or distribution of goods including, but not limited to, manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment and research and development.

(ii) "traded-sector" means industries in which member firms sell their goods or services into markets for which national or international competition exists.

(D) Notwithstanding paragraphs (A) and (B) of this subsection, an amendment complies with subsection (a) if all of the following conditions are met:

(i) The amendment is within a city with a population less than 10,000 and outside of a Metropolitan Planning Organization.

(ii) The amendment would provide land for "Other Employment Use" or "Prime Industrial Land" as those terms are defined in OAR 660-009-0005.

(iii) The amendment is located outside of the Willamette Valley as defined in ORS 215.010.

(E) The provisions of paragraph (D) of this subsection are repealed on January 1, 2017.

(b) A local government may accept partial mitigation only if the local government determines that the benefits outweigh the negative effects on local transportation facilities and

the local government receives from the provider of any transportation facility that would be significantly affected written concurrence that the benefits outweigh the negative effects on their transportation facilities. If the amendment significantly affects a state highway, then ODOT must coordinate with the Oregon Business Development Department regarding the economic and job creation benefits of the proposed amendment as defined in subsection (a) of this section. The requirement to obtain concurrence from a provider is satisfied if the local government provides notice as required by subsection (c) of this section and the provider does not respond in writing (either concurring or non-concurring) within forty-five days.

(c) A local government that proposes to use this section must coordinate with Oregon Business Development Department, Department of Land Conservation and Development, area commission on transportation, metropolitan planning organization, and transportation providers and local governments directly impacted by the proposal to allow opportunities for comments on whether the proposed amendment meets the definition of economic development, how it would affect transportation facilities and the adequacy of proposed mitigation. Informal consultation is encouraged throughout the process starting with pre-application meetings. Coordination has the meaning given in ORS 197.015 and Goal 2 and must include notice at least 45 days before the first evidentiary hearing. Notice must include the following:

(A) Proposed amendment.

(B) Proposed mitigating actions from section (2) of this rule.

(C) Analysis and projections of the extent to which the proposed amendment in combination with proposed mitigating actions would fall short of being consistent with the function, capacity, and performance standards of transportation facilities.

(D) Findings showing how the proposed amendment meets the requirements of subsection (a) of this section.

(E) Findings showing that the benefits of the proposed amendment outweigh the negative effects on transportation facilities”

Staff Response:

The proposed map amendments will not affect the functional classification of the existing or planned transportation facilities in the area, nor will they affect the standards implementing the functional classification system, as the map amendments are consistent with that envisioned within the City’s various comprehensive plans.

The proposed land use amendments will have a minimal effect on the level of development and the amount of traffic projected to be generated within the area relative to that assumed by the existing Happy Valley TSP, which is consistent with the Metro Regional Transportation Plan traffic modeling assumptions for growth. As a result, the proposed map amendments will not significantly affect the planned transportation facilities in the area and are therefore consistent with Statewide Planning Goal 12 and the Transportation Planning Rule.

3. The following Land Use Policies from the City’s general Comprehensive Plan Policies are applicable to this request:

“General Policies

Policy 10: Limit development in identified natural drainage-ways, floodplains, wetlands, steep slopes and landslide hazard areas. Housing development, and any other development intended for human occupancy, shall occur, to the greatest extent possible, on lands designated for development that are free from flood hazard, slope limitations, or other hazards.

[...]

Staff Response:

The proposed set of Comprehensive Plan Map/Zoning Map amendments apply city zoning to lands that are relatively free from environmental constraints and are well suited for future housing. The proposed amendments do not affect the city's existing protections for steep slopes, stream corridors, flood areas, or other natural features. The proposed map amendments are therefore consistent with the above plan policy.

Housing Element Policies

Policy 42: To increase the supply of housing to allow for population growth and to provide for the housing needs of a variety of citizens of Happy Valley.

Policy 43: To develop housing in areas that reinforce and facilitate orderly and compatible community development.

Policy 44: To provide a variety of lot sizes, a diversity of housing types including single family attached (townhouses) duplexes, senior housing and multiple family and range of prices to attract a variety of household sizes and incomes to Happy Valley.

[...]

Policy 46: The City shall provide a range of housing that includes land use districts that allow senior housing, assisted living and a range of multi-family housing products. This range improves housing choice for the elderly, young professionals, single households, families with children, and other household types.

Staff Response:

As described within the previous response to Statewide Planning Goal 10, the proposed amendments do not change any land designated for housing in the Comprehensive Plan, as the proposal is to convert the subject properties from their existing county designations/zones to city designations/zones, as set-forth in the various iterations of the City's Comprehensive Plan. Most of the subject properties have previously been developed with single-family attached and detached residences. The further development of the subject properties that have been identified within Exhibit C as having a proposed residential zone would provide the potential for additional housing units, of various types, which would work to meet the need of Happy Valley residents and the region. The proposed map amendments are therefore consistent with the above plan policies.

Land Use Element Policies

Policy 51B: Low Density Residential Districts (R-10, R-8.5, R-7) – These districts provide for a variety of single family lot sizes and building types in neighborhood settings. They also allow attached housing as part of Planned Unit Developments. They provide transition between Low Density Residential Districts and High Density Districts.

These districts are applied throughout the City generally on slopes less than 15%. They should be located to promote compatibility and transition from higher to lower density within neighborhoods.

[...]

Policy 51D: High Density Residential Attached (SFA, MUR-A, VTH, MUR-M and X). These districts provide for a variety of attached housing and neighborhood commercial uses. They are intended to make efficient use of land and public services, accommodate a range of housing needs, provide for compatible design at neighborhood scale, reduce reliance on the automobile for neighborhood travel, provide for walking, bicycling and transit use, and provide direct and convenient access to schools, parks and neighborhood services. These districts may be applied near (generally within ¼ mile) of mixed use centers and districts, along collector and arterial streets, and within a block of streets planned for transit. They may also be part of master planned developments, where greater flexibility in their location may be considered.”

Staff Response:

If approved, the proposed map amendments provided additional lands designated for residential use. This will provide the opportunity for these areas to develop as a variety of single-family and multi-family housing types, which work to satisfy the housing needs of the City and surrounding areas, an action that is consistent with the above plan policies.

4. The following Sections from Title 16 of the City’s Municipal Code (Development Code) are applicable to this request:

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

16.67.015 Initiation of a plan amendment.

A. Any change in the text, map or implementing ordinances of adopted Happy Valley land use regulations may be initiated by the city, any resident of the city, property owners or authorized agent.... The City may, for the purposes of revising or updating plans to comply with statewide goals, legal guidelines or other necessary criteria, initiate a change in the map or text of any plan and this Land Development Code at any time.

Staff Response:

The City is initiating the proposed Comprehensive Plan Map/Zoning Map Amendments for the purpose of converting 119 properties from their existing county plan designations/zoning districts to city plan designations/zoning districts. The proposal designations/zones that would apply to the subject properties (if the subject application is approved) would be per the applicable comprehensive plan and would work to implement the policies and envisioned zones that were established via the Comprehensive Planning process. Furthermore, the proposed amendments will work to eliminate the difficulties of the City administering the existing County zones, because utilization of the County’s ZDO refers one to many other code sections within the ZDO. To simplify the matter, the City’s own Land Development Code contains all applicable land use regulations and policies associated with development or re-development within these areas, and is the necessary code to reference in regard to any action within the subject area. This criterion has been satisfied.

16.67.020 Legislative Amendments

Legislative amendments are policy decisions made by City Council. Except in the case of expedited annexation, they are reviewed using the Type IV procedure in Section 16.61.050 and shall conform to the Transportation Planning Rule provisions in Section 16.67.060, as applicable.

[...]

Staff Response:

The proposed amendments are legislative in nature. They will be reviewed using the Type IV procedure and will be considered by the City Council. Compliance with the Transportation Planning Rule is addressed below. This criterion has been satisfied.

16.67.060 Transportation Planning Rule Compliance

A. Review of Applications for Effect on Transportation Facilities. When a development application includes a proposed Comprehensive Plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – TPR) and the traffic impact study provisions of Section 16.61.090. “Significant” means the proposal would:

- 1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the City’s Transportation System Plan (“TSP”); or*
- 2. Change the standards implementing a functional classification system; or*
- 3. As measured at the end of the Transportation System Plan (TSP) period, allow types or levels of land use would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility; or*
- 4. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standards identified in the TSP; or*
- 5. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standards identified in the TSP.”*

Staff Response:

Compliance with Statewide Planning Goal 12 (Transportation) and Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule – TPR) is addressed in Section 2 of these findings.

III. CONCLUSION AND RECOMMENDATION:

Staff has determined that the above findings demonstrate that the proposed amendments to the City’s Comprehensive Plan Map/Zoning Map satisfy the requirements of the Statewide Planning Goals, the Transportation Planning Rule, City of Happy Valley Comprehensive Plan Policies and the City’s Land Development Code. Therefore, based on the findings of fact, the conclusionary findings and the supporting materials found within this report, staff recommends that the City Council **approve** File No. CPA-05-15/LDC-06-15.

ITY OF HAPPY VALLEY

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HAPPY VALLEY, OREGON 97086
(503) 783.3800
FAX: (503) 658.5174

NOTICE

NOTICE IS HEREBY GIVEN that the Happy Valley Planning Commission and City Council will hold public hearings at the City of Happy Valley City Hall, 16000 SE Misty Drive, in the City of Happy Valley, Oregon, on the following dates and times in regard to the below matter: **Planning Commission: Tuesday, June 9, 2015 at 7 p.m. and City Council: Tuesday, July 7, 2015 at 7 p.m.**

DOCKET NUMBER: CPA-05-15/LDC-06-15 CITY INITIATED ZONE CHANGE APPLICATION

The City of Happy Valley, applicant, is requesting a Comprehensive Plan Map Amendment/Zone Change for 119 tax lots, totaling 117 acres in area, located in various areas of the City. The purpose of the proposed Comprehensive Plan Map Amendment/Zone Change is to apply City plan designation/zones to the subject properties. The subject properties were annexed into the City Limits of Happy Valley in March of 2015 and the subject proposal would "rezone" these properties from their existing Clackamas County plan designations/zones to City of Happy Valley plan designations/zones as set-fourth in the City's Comprehensive Plan and East Happy Valley Comprehensive Plan. The attached exhibits provide the location of the subject properties (properties colored in blue on the map) and existing/proposed zoning for the subject properties.

The Planning Commission will make a recommendation to the City Council to approve, approve with conditions or deny the subject application. Subsequently, the City Council will make the final decision to approve, approve with conditions or deny the subject application in accordance with the applicable Statewide Planning Goals; applicable sections of OAR Chapter 660, Division 12; applicable City of Happy Valley Comprehensive Plan Policies; and applicable sections of the City of Happy Valley Municipal Code; Title 16-Land Development Code, including Chapter 16.67. Interested parties are invited to attend this hearing or to submit comments in writing prior to the meeting time. All written comments must be received by the City of Happy Valley by 5:00 p.m. on **Friday, May 29, 2015** to be included in the Planning Commission packet – verbal or written testimony may also be entered into the record at the public hearing. Those wishing to present verbal testimony, either pro, con, or to raise questions, will be asked to speak after presentation of the staff report. Testimony should pertain to the applicable criteria.

The recommendation by the Planning Commission and the decision by the City Council on the applicant's proposal will be made in accordance with the applicable criteria, and may be appealed per the provisions of the City's Municipal Code. Failure to raise an issue in person, or by letter at the hearing, or failure to provide statements or evidence sufficient to afford the hearings bodies an opportunity to respond to the issue, means that an appeal based on that issue cannot be filed with the State Land Use Board of Appeals. The applicant and any person who submits written comments shall receive notice of the decision.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City Council to respond to the issue precludes an action for damages in circuit court.

The decision-making criteria, application and all materials submitted by the applicant 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. The City's staff report, findings of fact and staff recommendation are generally available seven days prior to the public hearing date. For additional information, contact Justin Popilek, Senior Planner at the above address and phone number.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 72 hours in advance by contacting Marylee Walden, City Recorder at the above phone number.

Notice to mortgagee, lien holder, vendor, or seller: The City of City of Happy Valley Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.

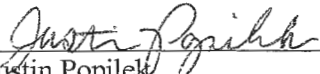

Justin Popilek
Senior Planner

EXHIBIT #

A

13E30C 00602	Harvey	David & Linda	16922 SE Wooded Heights Dr	16922 SE Wooded Heights Dr.	Happy Valley	OR	97086	1.35	302-005	RRFF-5	R-7
13E30C 00604	Woods	Terry & Rebecca	17000 SE Wooded Heights Dr	17000 SE Wooded Heights Dr.	Happy Valley	OR	97086	1.35	302-005	RRFF-5	RRFF-5
13E30C 00800	Lamorille	Billy & Kathleen	16859 SE Maple Hill Ln	16859 SE Maple Hill Ln	Happy Valley	OR	97086	5.05	302-005	FF-10	R-20
13E30C 00900	Melberg	Jeffrey & Laurie	16851 SE Maple Hill Ln	16851 SE Maple Hill Ln	Happy Valley	OR	97086	4.87	302-005	FF-10	R-20
13E30C 01000	Kelly	Timothy & Trisha	16700 SE Maple Hill Ln	16700 SE Maple Hill Ln	Happy Valley	OR	97086	5	302-005	FF-10	R-20
13E30C 01200	Ward	Richard	16240 SE Maple Hill Ln	16240 SE Maple Hill Ln	Happy Valley	OR	97086	5.02	302-005	R-20	R-20
13E30C 01900	Butler	Kendell & Emma Lee	10389 SE 172nd	10389 SE 172nd Ave.	Happy Valley	OR	97086	10.95	302-005	RRFF-5	R-5/SFA
13E30C 02500	Tiao	Kouypou	10335 SE 172nd	18032 SE Madison Way	Portland	OR	97233	0.89	302-005	R-20	R-20
13E30C 02600	Karam	Ibrahim & Barbara	10443 SE 172nd	10473 SE 172nd Ave.	Happy Valley	OR	97086	2.4	302-005	RRFF-5	SFA
13E30C 02700	Karam	Ibrahim & Barbara	10473 SE 172nd	10473 SE 172nd Ave.	Portland	OR	97266	2	302-005	RRFF-5	SFA
13E30D 02601	Shaw	Patrick & Cynthia	9910 SE 172nd	9910 SE 172nd Ave.	Happy Valley	OR	97089	2.02	302-005	RRFF-5	SFA
13E31A 00700	McCallister	Steve	10848 SE 172nd	10848 SE 172nd Ave.	Happy Valley	OR	97089	0.75	012-151	RRFF-5	R-5
13E31C 00400	Willis, Everett D. Trustee		11905 SE 172nd	11905 SE 172nd Ave.	Happy Valley	OR	97086	0.38	012-150	RRFF-5	R-5
13E31C 00900	Ashby	Jeffrey	11791 SE 172nd	11791 SE 172nd Ave.	Happy Valley	OR	97086	0.37	012-150	RRFF-5	R-5
13E31C 01000	Trujillo	Guillermo & Brenda	11725 SE 172nd	11725 SE 172nd Ave.	Happy Valley	OR	97086	0.38	012-150	RRFF-5	R-5
13E31C 01700	Liebich	Wayne	17100 SE Hagen	17100 SE Hagen Rd.	Happy Valley	OR	97086	0.4	012-150	RRFF-5	R-5
13E31C 02000	Beall	George	17020 SE Hagen	5250 SW Landing Square, #13	Portland	OR	97239	0.4	012-150	RRFF-5	R-5
13E31C 02500	Danowski	Edward & Brenda	16808 SE Hagen	16808 SE Hagen Rd.	Happy Valley	OR	97086	0.4	012-150	RRFF-5	R-5
13E31C 02600	Humble, Jeffery L. Trustee		16764 SE Hagen	16764 SE Hagen Rd.	Happy Valley	OR	97086	0.4	012-150	RRFF-5	R-5
13E31C 03700	Gardner	Lance & Nicole	16380 SE Hagen	16380 SE Hagen Rd.	Happy Valley	OR	97086	0.46	012-150	RRFF-5	R-5
13E31C 05600	Peng	Myron & Molly Francis	12250 SE 162nd	12250 SE 162nd Ave.	Happy Valley	OR	97086	0.42	012-150	RRFF-5	R-5
23E06B 01500	Rock Creek Comm. Club		13301 SE 172nd	P.O. Box 162	Gresham	OR	97030	0.28	012-206	RRFF-5	MUR-M2
23E06BA00200	Welch	Hope	12631 SE 172nd	12631 SE 172nd Ave.	Happy Valley	OR	97086	0.52	012-224	RRFF-5	R-5
23E06BB01000	Creswell, Beverly R. Co-Trustee		16501 SE Sunnyside	16501 SE Sunnyside Rd.	Clackamas	OR	97015	2.94	012-152	RRFF-5	MUR-A
23E06C 00200	McPherson	Kirby & Sherri	17190 SE ROCK CREEK CT	17190 SE ROCK CREEK CT	Clackamas	OR	97015	0.21	012-206		
23E06C 00300	Wolfe	Leo & Diana	17180 SE ROCK CREEK CT	17180 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00400	Fehrs	Daniel & Ellen	17150 SE ROCK CREEK CT	17150 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00500	Roskam	John	17100 SE ROCK CREEK CT	17100 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00600	Staehle, Elizabeth E. Trustee		17070 SE ROCK CREEK CT	17070 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00700	Komolofske	Sadie Mary	17030 SE ROCK CREEK CT	17030 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00800	Borowski	Deborah	17000 SE ROCK CREEK CT	17000 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 00900	Kargman	Michele & Thomas	16950 SE ROCK CREEK CT	16950 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 01000	Begert	Cecilia & William	16900 SE ROCK CREEK CT	16900 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 01200	South Union Conf Assn 7-Day Adventists		16830 SE ROCK CREEK CT	3978 Memorial Dr.	Decatur	GA	30032	0.3	012-206	RRFF-5	R-10
23E06C 01300	Mittelstead	Michael	16800 SE ROCK CREEK CT	16800 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 01400	Serrano	Carrie	16770 SE ROCK CREEK CT	16770 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 01500	Brower	James & Sheryl	16730 SE ROCK CREEK CT	16730 SE ROCK CREEK CT	Clackamas	OR	97015	0.28	012-206	RRFF-5	R-10
23E06C 01700	Brown	Gary & Joann Maras	16640 SE ROCK CREEK CT	16640 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10

Tax Lot	Last Name	First Name(s)	Address	Mail Address	City	State	Zip Code	Acres	Current Tax Code	Existing Zoning	Proposed Zoning
12E25A 00301	Hearrell	Roger	15546 SE Clatsop	9701 SE Johnson Creek	Happy Valley	OR	97086	0.45	302-011	FF-10	R-10
12E25A 00900	Veal	Alan	8654 SE 155th	8654 SE 155th Ave.	Happy Valley	OR	97086	0.32	302-011	FF-10	R-10
12E25A 01000	Pilkington	Robert	8712 SE 155th	8712 SE 155th Ave.	Happy Valley	OR	97086	0.24	302-011	FF-10	R-10
12E25A 01900	Morales	Humberto	15404 SE Clatsop	15404 SE Clatsop Ave.	Happy Valley	OR	97086	0.88	302-011	FF-10	R-10
12E25BA01200	Handlin	Ron & Lynn	8725 SE 152nd	8725 SE 152nd Ave.	Happy Valley	OR	97086	0.54	012-150	FF-10	R-10
12E25D 00500	Sanford	Timothy & Claudia	10080 SE Vradenburg	10080 SE Vradenburg	Happy Valley	OR	97086	0.8	302-011	FF-10	R-15
12E25D 00600	Cosmer	Gary & Tracy	10180 SE Vradenburg	10180 SE Vradenburg Rd.	Happy Valley	OR	97086	0.85	302-011	FF-10	R-15
12E25D 00700	Ceciliani	Carl	10280 SE Vradenburg	10280 SE Vradenburg Rd.	Happy Valley	OR	97086	0.88	302-011	FF-10	R-15
12E25D 00800	One West Bank		10380 SE Vradenburg	2900 Esperanza Xing	Austin	TX	78758	1.02	302-011	FF-10	R-15
12E28DB02200	Butler	Eileen	9523 SE Idleman Rd	9523 SE Idleman Rd	Happy Valley	OR	97086	0.33	012-073	R-15	R-15
12E36CA00101	Caicco	Steven & Jody	15000 SE Monner	15000 SE Monner Ave.	Happy Valley	OR	97086	3.1	012-184	RRFF-5	R-10/R-20
12E36CA00600	Talbott	Annette	11590 SE 147th	11590 SE 147th Ave.	Happy Valley	OR	97086	0.66	012-150	RRFF-5	R-10/R-20
12E36CA00700	Bell	Walter & Kathleen	11650 SE 147th	11650 SE 147th Ave.	Happy Valley	OR	97086	0.7	012-150	RRFF-5	R-10/R-20
12E36CA00800	Etzel, Evelyn M Trustee		11690 SE 147th	11690 SE 147th Ave.	Happy Valley	OR	97086	0.85	012-150	RRFF-5	R-10/R-20
12E36CA01000	Cotenescu	Dana	14805 SE Monner	14805 SE Monner Ave.	Happy Valley	OR	97086	0.73	012-150	RRFF-5	R-10/R-20
12E36CA01100	Middleton	Virginia	14845 SE Monner	14845 SE Monner Ave.	Happy Valley	OR	97086	0.69	012-150	RRFF-5	R-10/R-20
12E36CA01200	Fulwider	Tommie	14875 SE Monner	14875 SE Monner Ave.	Happy Valley	OR	97086	0.69	012-150	RRFF-5	R-10/R-20
12E36CA01600	Heinson	Timothy & Janet	14810 SE Monner	14810 SE Monner Rd.	Happy Valley	OR	97086	0.46	012-184	RRFF-5	R-10
12E36CA01700	Kay, Harold Edward Trustee		14770 SE Monner	14770 SE Monner Rd.	Happy Valley	OR	97086	0.5	012-184	RRFF-5	R-10
12E36CC00300	Murer	Forrest & Michelle	14611 SE Aldridge	14611 SE Aldridge	Happy Valley	OR	97086	0.88	012-184	RA-2	R-15
12E36CC00404	Hegar	Christopher & Kristine	14301 SE Aldridge	14301 SE Aldridge	Happy Valley	OR	97086	2.01	012-184	RA-2	R-15
12E36DA00400	Cooper	Steven	15915 SE Monner	3715 SE Jackson St.	Milwaukie	OR	97222	1.01	012-150	RRFF-5	R-20
12E36DA00500	Johnson	Ronald & Sandra	15909 SE Monner	15909 SE Monner Rd.	Happy Valley	OR	97086	0.95	012-150	RRFF-5	R-20
12E36DA00800	Osterholm	Gary & Debbi	15801 SE Monner	P.O. Box 66259	Portland	OR	97290	1.27	012-150	RRFF-5	R-20
12E36DA00900	Osterholm	Jeremy	15811 SE Monner	15811 SE Monner Rd.	Happy Valley	OR	97086	0.92	012-150	RRFF-5	R-20
12E36DA01201	Nordstom	Mark & Kelly	16061 SE Monner	16061 SE Monner Rd.	Happy Valley	OR	97086	3	012-150	RRFF-5	R-10/R-20
12E36DB01100	Bennett	Douglas & Inga	11698 SE 154th	11698 SE 154th	Happy Valley	OR	97086	0.53	012-150	RRFF-5	R-10/R-20
12E36DB01400	Smith	Robert & Jeannine	15561 SE Green Hills Ct	15561 SE Green Hills Ct	Happy Valley	OR	97086	0.51	012-150	RRFF-5	R-10/R-20
12E36DB01500	Clarizio	Michael & Dolly	15583 SE Green Hills Ct	15583 SE Green Hills Ct	Happy Valley	OR	97086	0.55	012-150	RRFF-5	R-20
12E36DB01700	Taylor	Steven & Jean	15546 SE Green Hills Ct	15546 SE Green Hills Ct	Happy Valley	OR	97086	0.8	012-150	RRFF-5	R-20
12E36DB02700	Abe	Yoshio & Marilyn	15100 SE Monner	15100 SE Monner Rd.	Happy Valley	OR	97086	0.74	012-150	RRFF-5	R-10/R-20
12E36DB02800	Madsen	John & Rita	15050 SE Monner	15050 SE Monner Rd.	Happy Valley	OR	97086	0.88	012-150	RRFF-5	R-10/R-20
12E36DB02900	Tse, Samuel Kwokwa Trustee		15032 SE Monner	15032 SE Monner Rd.	Happy Valley	OR	97086	0.91	012-184	RRFF-5	R-10/R-20
12E36DD00900	DeWhitt	Gregory & Melanie	15974 SE Monner	15974 SE Monner Rd.	Happy Valley	OR	97086	0.46	012-184	RRFF-5	R-20
13E30C 00201	Koetje	David & Lynn	17020 SE Maple Hill Ln	17020 SE Maple Hill Ln	Happy Valley	OR	97086	1.46	302-005	RRFF-5	R-5
13E30C 00203	Mahaffy	John	16800 Se Maple Hill Ln	1000 NE 122nd Ave.	Portland	OR	97230	1.27	302-005	RRFF-5	R-5
13E30C 00500	Decker	H. Jerome	9757 SE 172nd	9757 SE 172nd Ave.	Happy Valley	OR	97086	6.71	302-005	RRFF-5	R-5/MUR-M2
13E30C 00601	Hybl	James & Susan	16888 SE Wooded Heights Dr	16888 SE Wooded Heights Dr.	Happy Valley	OR	97086	1.3	302-005	RRFF-5	R-7



23E06C 01800	Stroh, William L Trustee		16600 SE ROCK CREEK CT	2404 NW Norman Ave.	Gresham	OR	97030	0.27	012-206	RRFF-5	R-10
23E06C 02100	Uhrig	Robert & Beverly	16581 SE ROCK CREEK CT	16581 SE ROCK CREEK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 02400	Reid	Ernestine	16701 SE ROCK CREEK CT	16701 SE ROCK CREEK CT	Clackamas	OR	97015	0.24	012-206	RRFF-5	R-10
23E06C 02500	Bell	Eric	16721 SE ROCK CREEK CT	16721 SE ROCK CREEK CT	Clackamas	OR	97015	0.24	012-206	RRFF-5	R-10
23E06C 02600	Weber	Donald & Pamela	16761 SE ROCK CREEK CT	16761 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 02700	Giesseman	Loralei	16791 SE ROCK CREEK CT	16791 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 02800	Theander	Bruce & Ann	16811 SE ROCK CREEK CT	16811 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 02900	Newberry, John R Trustee		16841 SE ROCK CREEK CT	16841 SE ROCK CREEK CT	Clackamas	OR	97015	0.25	012-206	RRFF-5	R-10
23E06C 03100	Emery	Peter & Janet	16921 SE ROCK CREEK CT	16921 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 03200	Hoshal, Patricia A Trustee		16971 SE ROCK CREEK CT	16971 SE ROCK CREEK CT	Clackamas	OR	97015	0.26	012-206	RRFF-5	R-10
23E06C 03300	Duchemin	Timothy & Jeanne	17011 SE ROCK CREEK CT	17011 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10
23E06C 03400	Walliker	Lillian	17051 SE ROCK CREEK CT	17051 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10
23E06C 03500	Belanger	Raymond & Geraldine	17101 SE ROCK CREEK CT	17101 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10
23E06C 03600	Morris	Thomas & Virginia	17151 SE ROCK CREEK CT	17151 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10
23E06C 03700	Battaglia	Theo & Victoria	17181 SE ROCK CREEK CT	17181 SE ROCK CREEK CT	Clackamas	OR	97015	0.27	012-206	RRFF-5	R-10
23E06C 04400	Deyoung	Arlene	17170 SE STONEYBROOK C	17170 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 04500	Close, Raymond M Trustee		17150 SE STONEYBROOK C	17150 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 04600	Kirtland	Frederic & Gwendolyn	17130 SE STONEYBROOK C	17130 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 04700	Ferland	John & Sandra	17100 SE STONEYBROOK C	17100 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 04800	Parker, James R Co-Trustee		16980 SE STONEYBROOK C	16980 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 04900	Poppert	Mitch	16920 SE STONEYBROOK C	16920 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 05000	Weisz	Terri	16900 SE STONEYBROOK C	16900 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 05100	Gardner	Robert & Lucille	16860 SE STONEYBROOK C	16860 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 05200	Sleasman	William	16830 SE STONEYBROOK C	16830 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
23E06C 05300	Brady	Bert	16800 SE STONEYBROOK C	16800 SE STONEYBROOK CT	Clackamas	OR	97015	0.3	012-206	RRFF-5	R-10
			As above	As above	Clackamas	OR	97015				
23E06C 05400	Bisson	James & Sharon	16760 SE STONEYBROOK C	P.O. Box 1780	Clackamas	OR	97015	0.3	012-210	RRFF-5	R-10
23E06C 05500	Magill	Pauline	16730 SE STONEYBROOK C	16730 SE STONEYBROOK CT	Clackamas	OR	97015	0.34	012-206	RRFF-5	R-10
23E06C 05600	Cranston	Montgomery & Kelli	16700 SE STONEYBROOK C	16700 SE STONEYBROOK CT	Clackamas	OR	97015	0.37	012-206	RRFF-5	R-10
23E06C 05700	Miller, Jeanette L Trustee		16660 SE STONEYBROOK C	16660 SE STONEYBROOK CT	Clackamas	OR	97015	0.35	012-206	RRFF-5	R-10
23E06C 05800	Miller	Howard & Madelene	16630 SE STONEYBROOK C	16630 SE STONEYBROOK CT	Clackamas	OR	97015	0.34	012-206	RRFF-5	R-10
23E06C 05900	Clayton	Douglas & Sheryl	16600 SE STONEYBROOK C	16600 SE STONEYBROOK CT	Clackamas	OR	97015	0.32	012-206	RRFF-5	R-10
23E06C 06000	Daniels	Gary & Marcy	16580 SE STONEYBROOK C	16580 SE STONEYBROOK CT	Clackamas	OR	97015	0.33	012-224	RRFF-5	R-10
23E06C 06200	Babb	Ronald & Stephanie	16540 SE STONEYBROOK C	16540 SE STONEYBROOK CT	Clackamas	OR	97015	0.38	012-206	RRFF-5	R-10
23E06C 06300	Poyner	Douglas & Marlene	16581 SE STONEYBROOK C	16581 SE STONEYBROOK CT	Clackamas	OR	97015	0.33	012-206	RRFF-5	R-10
23E06C 06400	Artemenko	Sandra	16611 SE STONEYBROOK C	16611 SE STONEYBROOK CT	Clackamas	OR	97015	0.48	012-206	RRFF-5	R-10
23E06C 06500	Cullen	Patrick	16651 SE STONEYBROOK C	16651 SE STONEYBROOK CT	Clackamas	OR	97015	0.44	012-206	RRFF-5	R-10

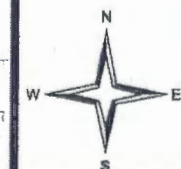
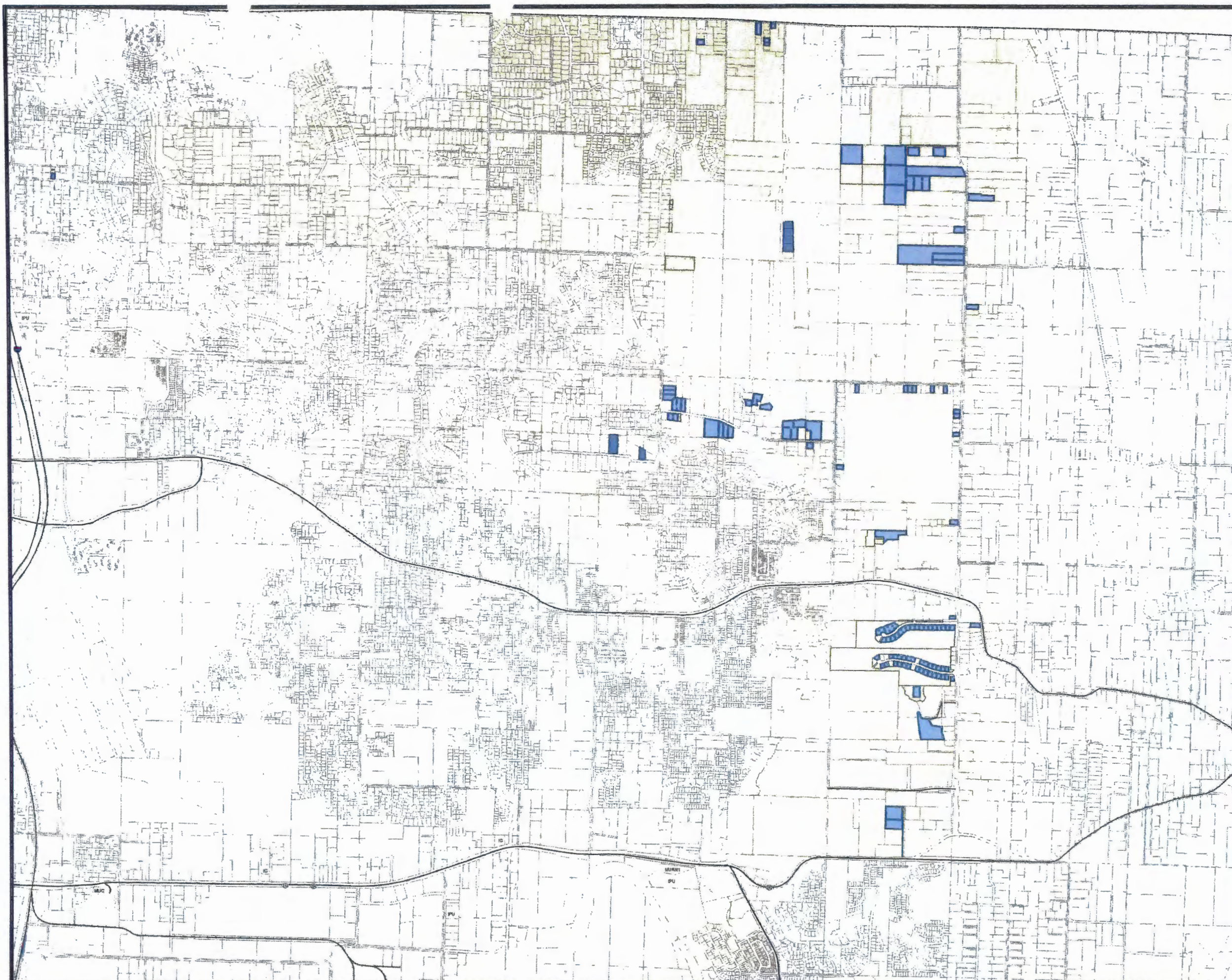
23E06C 06600	Carlson	Kenneth & Pamela	16701 SE STONEYBROOK C	16701 SE STONEYBROOK CT	Clackamas	OR	97015	0.35	012-206	RRFF-5	R-10
23E06C 07601	Wood	William & Barbara Ward	14231 SE BIG TIMBER CT	14231 SE BIG TIMBER CT	Clackamas	OR	97015	1	012-115	RRFF-5	R-7
23E06C 07602	Liebert	Charles & Gay	14251 SE BIG TIMBER CT	14251 SE BIG TIMBER CT	Clackamas		97015	5.4	012-115	RRFF-5	MUE
23E06DB01900	Middleton	Anne	17400 SE Sunnyside	17400 SE Sunnyside	Damascus	OR	97089	0.56	012-116	RRFF-5	R-10
23E07B 00403	Zapletal	Edwinn & Hildegard	16743 SE Hwy 212	16743 SE Hwy 212	Damascus	OR	97089	2.71	012-115	RRFF-5	IC
23E07B 00405	Ottenbacher, Dale Glenn Trustee		16725 SE Hwy 212	15910 SW Division St.	Sherwood	OR	97140	2.31	012-115	RRFF-5	IC
								117.13			
				Assessed Value divided by \$1000.00							
				Happy Valley City Tax .6710 per \$1000.00							



City of Happy Valley Island Annexation Map

Taxlots with Habitable Structures

 Taxlots with Habitable Structures
 City Limits



Source: Data from Clatsop County GIS (2011)
The information on this map was derived from digital data provided to the City of Happy Valley. The City of Happy Valley cannot be held responsible for any errors, omissions, or inaccuracies in the data. The City of Happy Valley is not responsible for any errors, omissions, or inaccuracies in the data. The City of Happy Valley is not responsible for any errors, omissions, or inaccuracies in the data. The City of Happy Valley is not responsible for any errors, omissions, or inaccuracies in the data.

NOTICE OF PUBLIC HEARING
City of Happy Valley Planning Commission & City Council

Notice is hereby given that the City of Happy Valley Planning Commission and City Council will hold public hearings on the following dates in regard to the application described herein:

- Date & Time:** Planning Commission – June 9, 2015 at 7:00 p.m.
City Council – July 7, 2015 at 7:00 p.m.
- Hearing Location:** City Hall, 16000 SE Misty Drive, Happy Valley, OR 97086;
- File & Subject:** File No. CPA-05-15/LDC-06-15 – City Initiated Zone Change Application;
- Proposal:** The City of Happy Valley, applicant, is requesting a Comprehensive Plan Map Amendment/Zone Change for 119 tax lots, totaling 117 acres in area, located in various areas of the City. The purpose of the proposed Comprehensive Plan Map Amendment/Zone Change is to apply City plan designation/zones to the subject properties. The subject properties were annexed into the City Limits of Happy Valley in March of 2015 and the subject proposal would “rezone” these properties from their existing Clackamas County plan designations/zones to City of Happy Valley plan designations/zones as set-fourth in the City’s Comprehensive Plan and East Happy Valley Comprehensive Plan;
- Location:** Various areas of the City (contact the City’s Planning Division for a complete property list);
- Applicant:** City of Happy Valley;
- Applicable Criteria:** Applicable Statewide Planning Goals; applicable City of Happy Valley Comprehensive Plan Policies; and applicable sections of the City of Happy Valley Municipal Code; Title 16-Land Development Code, including Chapter 16.67; and
- Staff Contact:** Justin Popilek - Senior Planner, 503-783-3810.

Interested parties are invited to attend the hearings or to submit comments in writing prior to the meeting time. Written testimony may be submitted in advance or in person at the hearing. Those wishing to present verbal testimony, either pro, con, or to raise questions, will be asked to speak after presentation of the report.

Testimony should pertain to the applicable criteria. The approval of the City Council will be made in accordance with said criteria. Failure to raise an issue in writing prior to or before the close of the written comment period, Friday, May 29, 2015 by 5:00 p.m. or failure to provide sufficient specificity at the public hearing to afford the City Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based upon that issue. The applicant and any person who submits written comments shall receive notice of the decision.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

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, Senior Planner, at the above address and phone number.

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 72 hours in advance by contacting Marylee Walden, City Recorder at 503 783-3826.

NOTICE OF PUBLIC HEARING

CITY OF HAPPY VALLEY PLANNING COMMISSION AND CITY COUNCIL

THIS IS TO NOTIFY YOU THAT THE CITY OF HAPPY VALLEY SEEKS TO IMPLEMENT A PLAN AND/OR LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTIES.

This notice is provided in order to comply with Ballot Measure 56 - approved by Oregon voters on November 3, 1998. Ballot Measure 56 requires the City to print the following sentence: "The City has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property."

Notice is hereby given that the

HAPPY VALLEY PLANNING COMMISSION will hold a **PUBLIC HEARING** on **TUESDAY, JUNE 9, 2015** and the **HAPPY VALLEY CITY COUNCIL** will hold a subsequent **PUBLIC HEARING** on **TUESDAY, JULY 7, 2015** both hearings are to commence at **7:00 p.m.**

The hearings will be held at the Happy Valley City Hall
16000 SE Misty Drive,
Happy Valley, OR, 97086

The purpose of these hearings is to consider public testimony on:

AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN MAP/ZONING MAP REGARDING 119 PROPERTIES BEING "REZONED" FROM THEIR EXISTING CLACKAMAS COUNTY PLAN DESIGNATIONS/ZONES TO CITY OF HAPPY VALLEY PLAN DESIGNATIONS/ZONES AS SET-FORTH IN THE CITY'S OVERALL AND EAST HAPPY VALLEY COMPREHENSIVE PLANS.

On June 9, 2015 and July 7, 2015, the City of Happy Valley will hold public hearings regarding proposed amendments to the City's Comprehensive Plan Map/Zoning Map (Local File No. CPA-05-15/LDC-06-15). Please see the attached materials. *The City of Happy Valley has determined that adoption of this plan may affect the permissible uses of your properties and may change the value of your property.* The file is available for inspection at the City of Happy Valley City Hall located at 16000 SE Misty Drive, Happy Valley, OR 97086. A copy of the entire file may be obtained electronically for the cost of electronic transfer to a writable CD, or copying costs for paper copies. All written comments must be received by Friday, May 29, 2015 at the above address. For additional information concerning the file, please contact Justin Popilek, Senior Planner at 503-783-3810, or write to justinp@happyvalleyor.gov. The Planning Commission holds a first evidentiary public hearing in regard to the proposed map amendments, followed by a recommendation to the City Council. The City Council is the final local review authority and will consider the map amendments and an Ordinance at the subsequent public hearing. Applicable criteria for this review are generally set forth in:

- Happy Valley Comprehensive Plan Policies;
- Happy Valley Development Code
- Metro Urban Growth Management Functional Plan; and,
- Oregon Statewide Planning Goals and Statutes.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if requested at least 72 hours prior to the meeting. To obtain such services, please contact Marylee Walden, City Recorder, at 503.783.3800

OPY VALLEY
ISTY DRIVE
OREGON 97086



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 002.300
0000017232 JUL 10 2015
MAILED FROM ZIP CODE 97086

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

DEPT OF

JUL 13 2015

LAND CONSERVATION
AND DEVELOPMENT