



# 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

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



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

Date: March 27, 2015  
Jurisdiction: City of Happy Valley  
Local file no.: ANN-08-14/CPA-13-14/LDC-  
11-14  
DLCD file no.: 013-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 03/23/2015. 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.

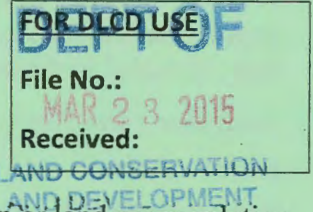
### DLCD Contact

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

Local file no.: **ANN-08-14/CPA-13-14/LDC-11-14**

Date of adoption: 3-17-15

Date sent: 3/19/2015

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

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

No

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

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

No

Local contact (name and title): Justin Popilek

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

**For a change to a zoning map:**

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

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

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

Overlay zone designation:	Acres added: 159	Acres removed:
---------------------------	------------------	----------------

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

---

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: March 19, 2015

File No. ANN-08-14/LDC-11-14/CPA-13-14

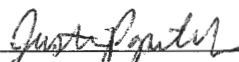
**NOTICE OF DECISION**

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:

13E31A 00100, 13E31A 00101, 13E32B 00200, 13E32B 00300, 23E06A 00502, 23E06A 00505, 13E31D 02100, 13E31D 02500, 13E31A 00300, 13E31D 00400, 23E07CB04900, 13E30A 00401 13E30A 00602, 13E30A 00601, 13E30A 00600, 13E30A 00700, 13E29B 01300, 23E07A 00400

On March 17, 2015 the City Council formally approved the subject application/petitions based upon findings included within the Staff Report dated March 17, 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  
Necessary Parties  
Participants of Record  
File

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

**ORDINANCE NO. 471**  
**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 a petition 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-08-14/LDC-11-14/CPA-13-14); and

WHEREAS, the proposed annexation territory consists of eighteen tax lots, totaling 157 acres of land, located near the City's existing boundary; and

WHEREAS, the specific tax lot to be annexed includes:

13E31A 00100; 13E31A 00101; 13E32B 00200; 13E32B00300; 23E06A 00502;  
23E06A 00505; 13E31D 02100; 13E31D 02500; 13E31A 00300; 13E31D 00400;  
23E07CB04900; 13E30A 00401; 13E30A 00602; 13E30A 00601; 13E30A 00600;  
13E30A 00700; 13E29B 01300; 23E07A 00400 (Partial); and

WHEREAS, the City provided notice that the City Council would consider the annexation petition, 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 existing plan designations/land use zones for the subject tax lots will remain as they currently are subsequent to the adoption of this ordinance; and

WHEREAS, the City Council considered the proposed annexation at its regularly scheduled City Council meeting on March 17, 2015; 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 March 17, 2015.

Section 2. The City Council adopts the subject annexation application (ANN-08-14/LDC-11-14/CPA-13-14) and the associated Staff Report to the City Council dated March 17, 2015.

Section 3. The territory described in Exhibit A, and depicted in Exhibit B is hereby withdrawn from the Clackamas County Enhanced Law Enforcement District effective March 17, 2015.

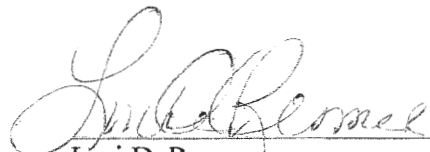
Section 4. As a condition for the annexation of the property in the territory described in Exhibit A and depicted in Exhibit B, the property owners, on behalf of themselves, their heirs, successors and assigns, waive their right(s) of remonstrance against the creation of any Local Improvement District 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 5. The City Recorder is directed to:

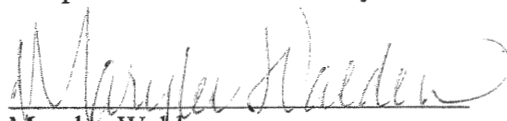
1. File a copy of this ordinance and the statements of consent to annexation consistent with ORS 222.180 with the Secretary of State and Department of Revenue;
2. Mail a copy of this ordinance to Metro including the required fee consistent with Metro Code Chapter 3.09.030(e); and
3. Mail a copy of this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

Section 6. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this ordinance takes effect on March 17, 2015.

COUNCIL APPROVAL AND UNANIMOUS ADOPTION AT ONE MEETING: [March 17, 2015]

  
Lori DeRemer  
Mayor

Adoption and date attested by:

  
Marylee Walden  
City Recorder



AKS ENGINEERING & FORESTRY, LLC  
12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
P: (503) 563-6151 F: (503) 563-6152

AKS Job #2582

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM, OR

## EXHIBIT A

### Legal Description

A tract of land located in the Northeast One-Quarter and Southeast One-Quarter of Section 31, and the Northwest One-Quarter of Section 32, Township 1 South, Range 3 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Parcel 1 of Partition Plat 1993-117; thence along the easterly line of Parcel 1 of Document Number 98-087611, also being the easterly line of Section 31 South 1300.00 feet to the southeasterly corner of said Parcel 1; thence along the southerly line of said Parcel 1 West 1142.60 feet to the northeasterly corner of Document Number 2001-025154; thence along the easterly line of said Document Number and an extension thereof South 1242.00 feet to a point on the southerly right-of-way line of SE Troge Road (20.00 feet from centerline); thence along said right-of-way line West 111.54 feet to a point; thence continuing along said right-of-way line along a curve to the left with a Radius of 266.49 feet, a Delta of  $15^{\circ}09'13''$ , a Length of 70.48 feet, and a Chord of South  $82^{\circ}25'23''$  West 70.28 feet to the northwesterly corner of Document Number 2002-040263; thence along the southerly extension of the westerly line of Document Number 2001-025154, Parcel 1 of Document Number 98-087611, and Document Number 82-195, also being portions of the City of Happy Valley city limits line North 2959.68 feet to the northeasterly corner of Document Number 2008-003074; thence along the northerly line of said Document Number, also being the City of Happy Valley city limits line West 82.50 feet to a point; thence North 49.50 feet to a point; thence West 423.38 feet to the southeasterly corner of Document Number 97-041421; thence leaving said City of Happy Valley city limits line along the easterly line of said Document Number North 53.82 feet to the southwest corner of Document Number 2014-043624; thence along the southerly line so said Document Number East 254.94 feet to the southeasterly corner of said Document Number; thence along the easterly line of said Document Number and Document Number 91-52820 North 776.50 feet to a point on the southerly right-of-way line of SE Hemrich Road (30.00 feet from centerline); thence along said right-of-way line East 278.20 feet to a point; thence North  $76^{\circ}30'00''$  East 221.76 feet to a point on the northerly line of Document Number 82-195; thence along said northerly line and the northerly line of Parcel 1 of Document Number 98-087611 East 591.89 feet to a point on the southerly right-of-way line of SE Hemrich Road (30.00 feet from centerline); thence along said right-of-way line South  $75^{\circ}00'00''$  East 115.91 feet to a point; thence East 362.33 feet to a point; thence leaving said right-of-way line South 960.00 feet to a point; thence East 16.50 feet to a point on the easterly line of Section 31; thence along said easterly line North 960.00 feet to the southerly right-of-way line of SE Hemrich Road (30.00 feet from centerline); thence along said right-of-way line East 60.39 feet to the westerly right-of-way line of SE Foster Road (30.00 feet from centerline); thence along said right-of-way line South  $11^{\circ}46'02''$  East 1338.12 feet to the northeasterly corner of Parcel 1 of Partition Plat 1993-117; thence along the northerly line of said Parcel 1 West 333.28 feet to the Point of Beginning.

The above described tract of land contains 95.73 acres, more or less.

3/3/2015

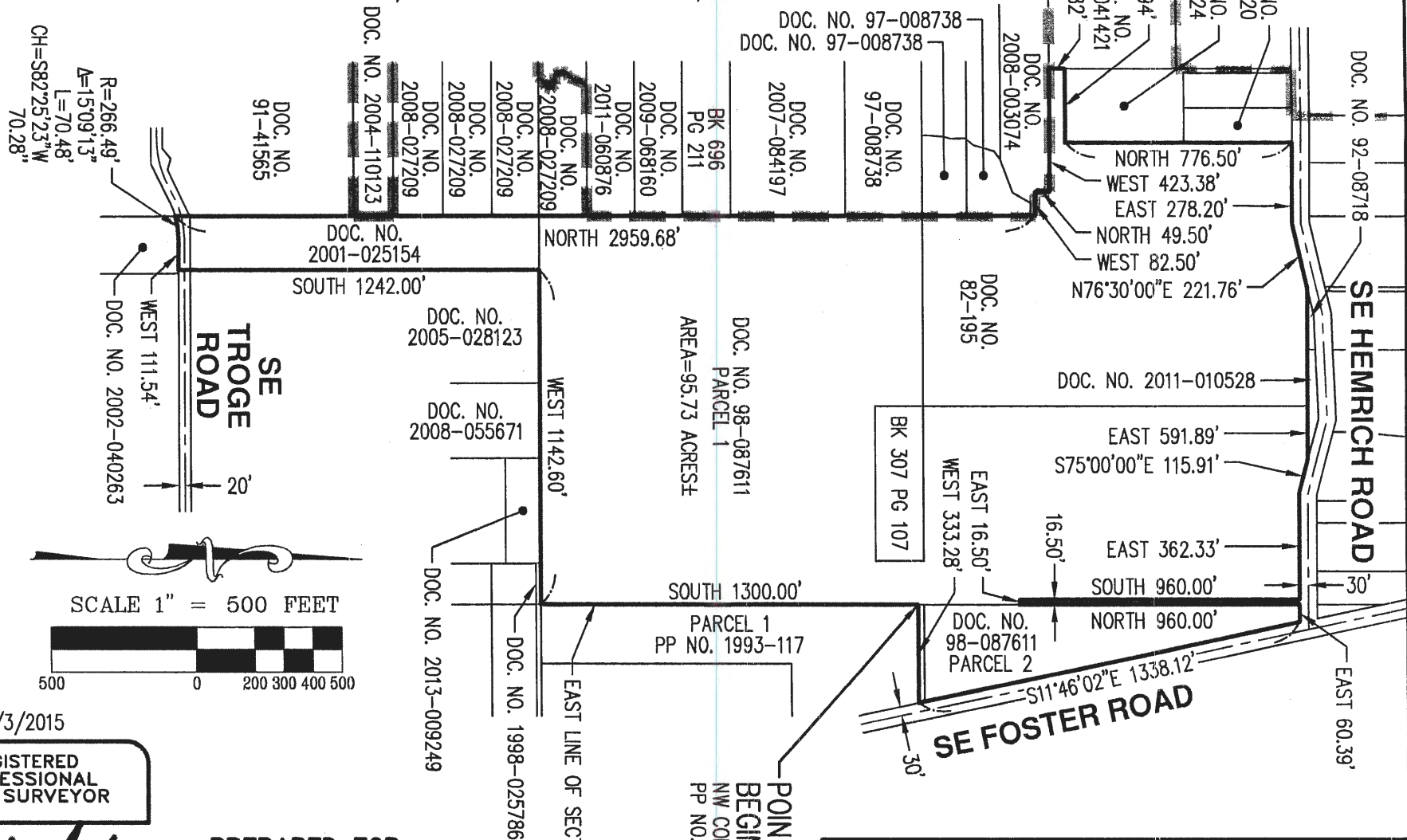
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/16

# EXHIBIT B

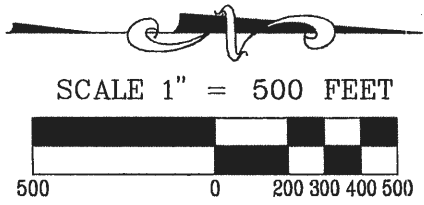
A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 31 AND THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON



R=266.49'  
 A=15°09'13"  
 L=70.48'  
 CH=S82°25'23"W  
 70.28"

POINT OF BEGINNING  
 NW COR PARCEL 1  
 PP NO. 1993-117

**LEGEND**  
 HAPPY VALLEY CITY LIMITS



3/3/2015

REGISTERED PROFESSIONAL LAND SURVEYOR

*Nick White*  
 OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/16

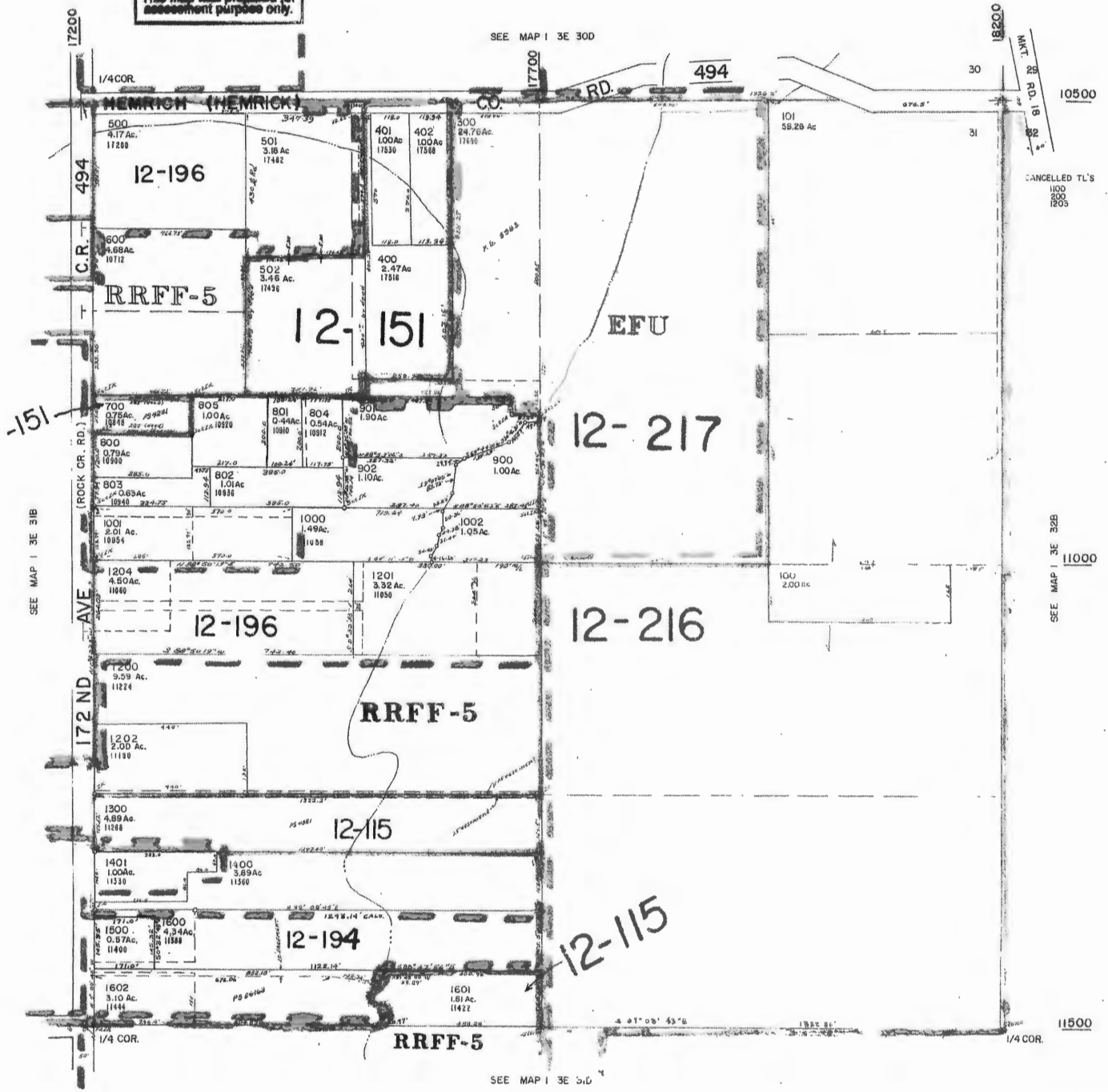
**PREPARED FOR**  
 CITY OF HAPPY VALLEY  
 16000 SE MISTY DRIVE  
 HAPPY VALLEY, OR 97086

CITY OF HAPPY VALLEY ANNEXATIONS			
DRAWN BY: WCB	CHECKED BY: NSW	DWG: 2582 20150303 EXB	JOB: 2582
AKS ENGINEERING & FORESTRY, LLC			
12965 SW HERMAN RD	SUITE 100		
TUALATIN, OR 97062	www.aks-eng.com		
PHONE: 503.563.6151	FAX: 503.563.6152		



This map was prepared for assessment purposes only.

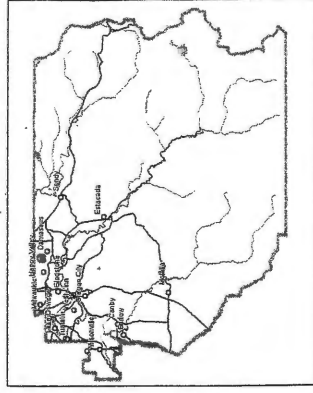
SEE MAP 1 3E 30D



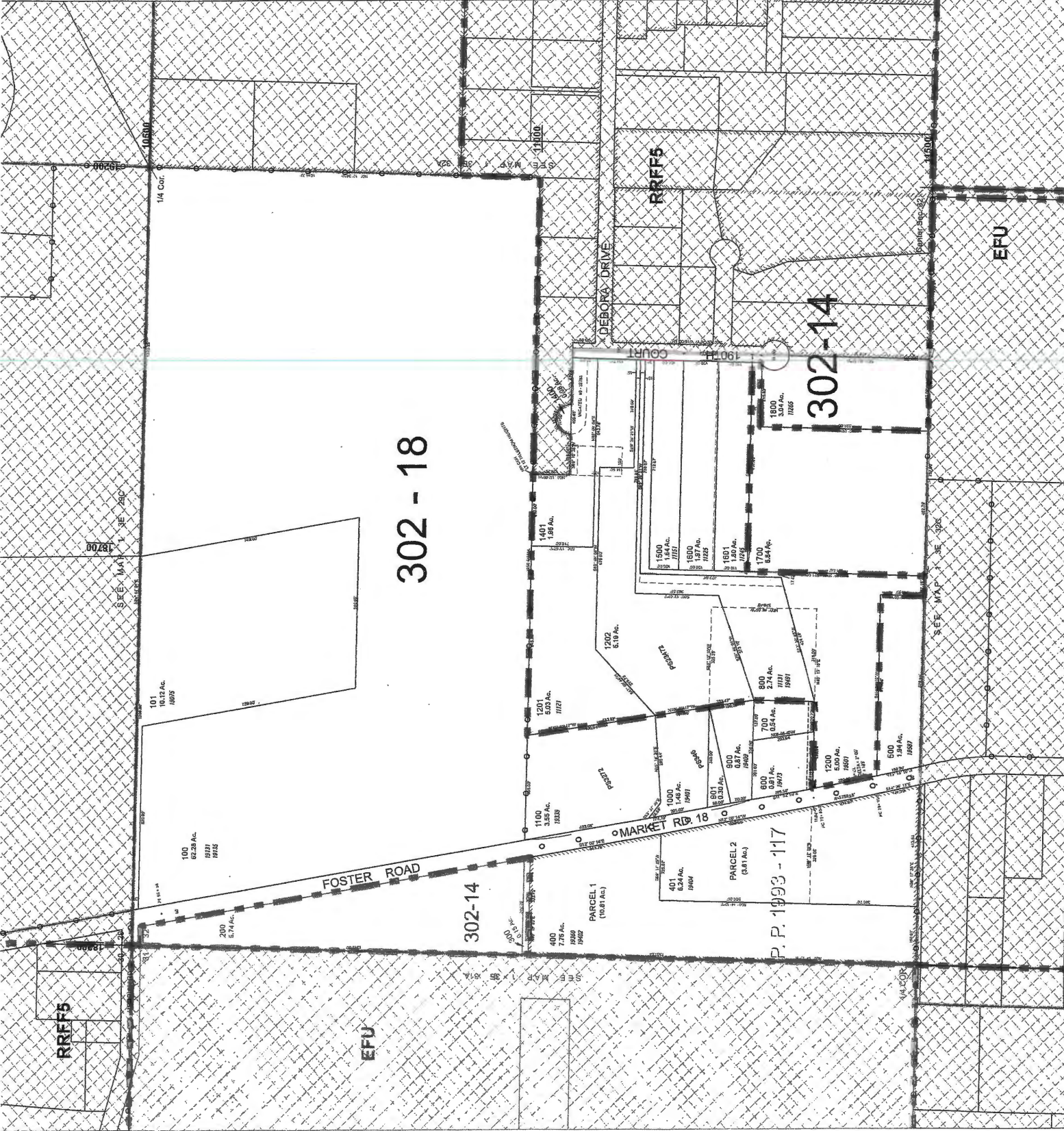
N.W. 1/4 SEC. 32 T. 1S. R. 3E. W.M.  
CLACKAMAS COUNTY  
1" = 200'

Cancelled Taxlots  
1300

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centrline
- TaxCodelines
- Map Index
- WaterLines
- Land Use Zoning
- Flats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- D.C. Line
- Meander Line
- PLSS Section Line
- Historic Corridor 4D'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY



302 - 18

302-14

P. P. 1993 - 117

RRFF5

EFU

DEBORA DRIVE

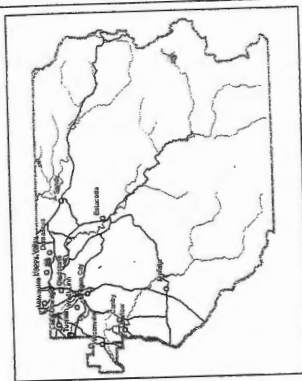
MARKET RD 18

EFU

SEE MAP SE 30K

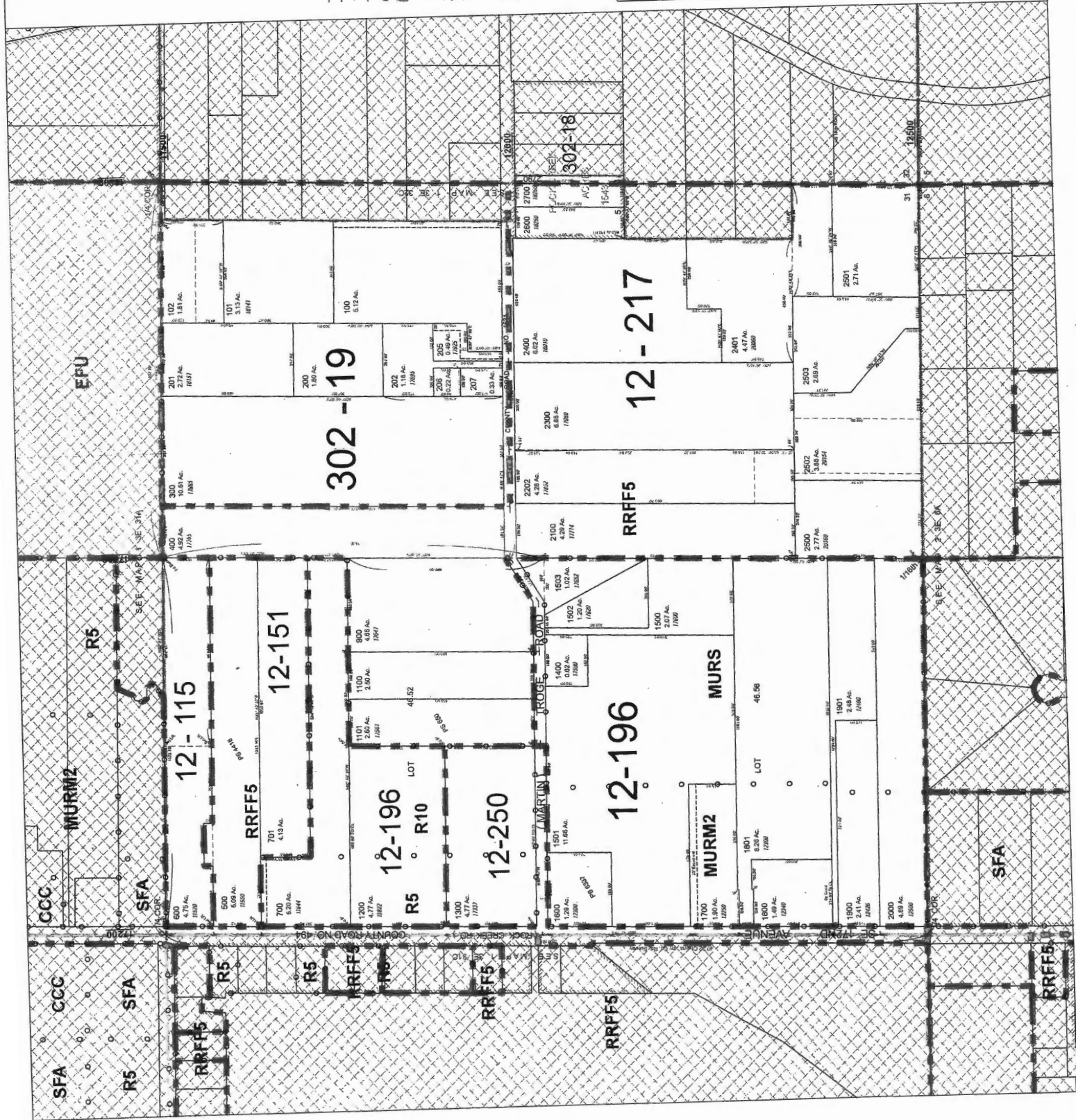
Canceled Tracts  
204  
205  
206  
207  
208  
209  
210  
211

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centrline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/4th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

10/22/2013

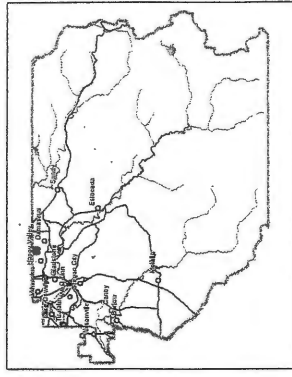


13 E 30D

S.E. 1/4 SEC. 30 T.1S. R.3E. W.M.  
CLACKAMAS COUNTY  
1" = 200'

Cancelled Taxlots  
1700  
300  
2005  
2004

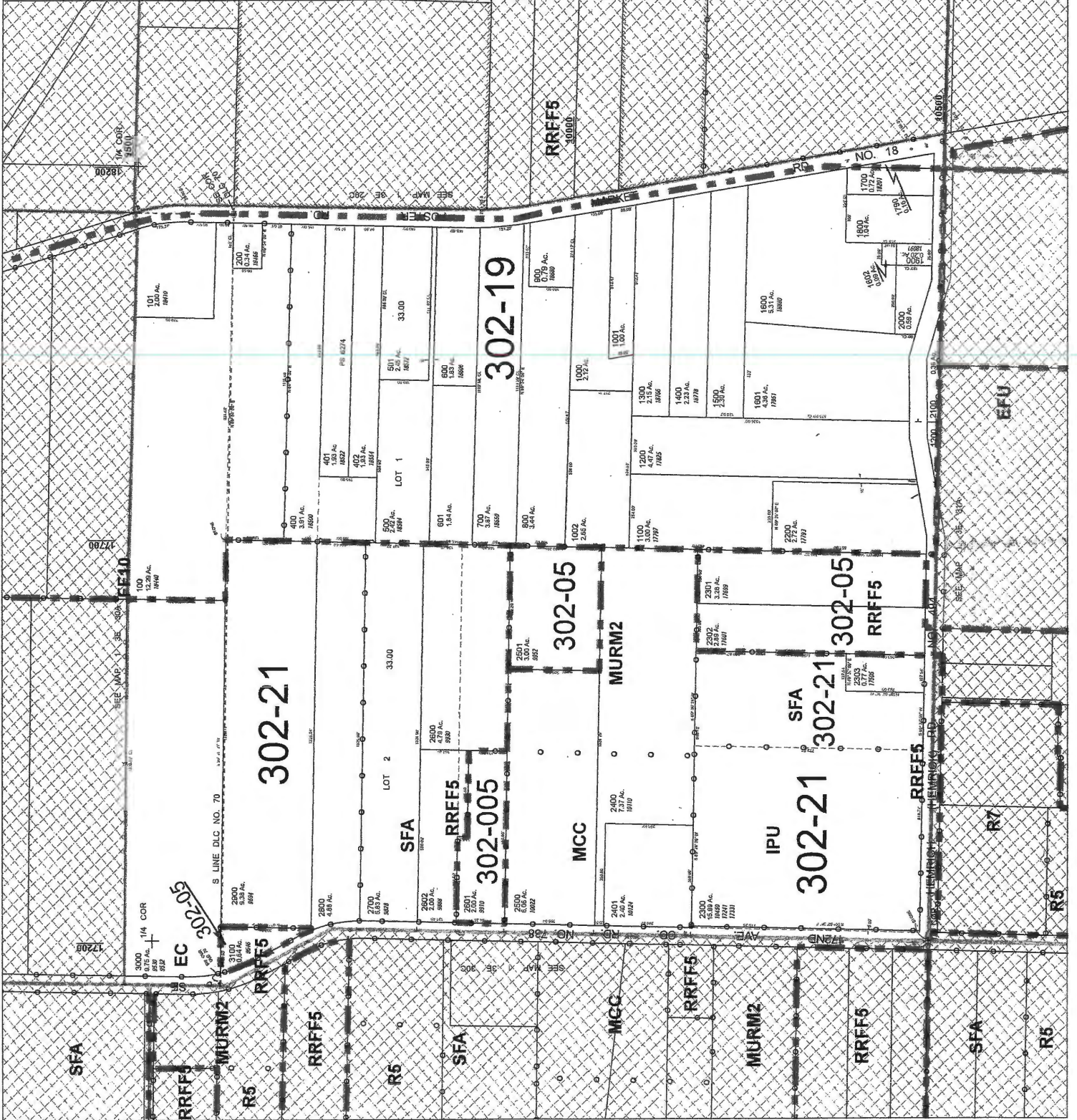
- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 176th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

9-10-01

13 E 30D



Mayor  
Honorable Lori DeRemer

City Manager  
Jason A. Tuck



**CITY OF HAPPY VALLEY**

**STAFF REPORT TO THE CITY COUNCIL**

**March 17, 2015**

ANNEXATION APPLICATION (File Number: ANN-08-14/LDC-11-14/CPA-13-14)

18 Tax Lots Totaling 157 Acres

**I. GENERAL INFORMATION**

**PROPOSAL:**

The applicant seeks approval of the annexation of 18 properties, with a cumulative area of approximately 157 acres, and the amending of the City's Comprehensive Plan Map/Zoning Map to include the subject properties within the city limits of the City of Happy Valley. Staff has determined that the proposed annexation 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.**

**APPLICANTS/PROPERTY OWNERS:**

Cozzetto Family, LLC  
10025 SE 97<sup>th</sup> Avenue  
Happy Valley, OR 97086

Jeffrey Olson  
17750 SE Vogel Road  
Damascus, OR 97089

Henry and Valerie Brown  
17701 SE Cottingham Lane  
Damascus, OR 97089

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

Jerry and Kimberly Schofield  
17714 SE Troge Road  
Damascus, OR 97086

Michael Desousa  
20160 SE Foster Road  
Damascus, OR 97089

Marilyn Brundidge  
17690 SE Hemrich Road  
Damascus, OR 97089

Emilia Vacariuioan  
17765 SE Troge Road  
Damascus, OR 97089

Fred Siri  
16410 SE Hwy 212  
Damascus, OR 97089

Donald Hanna  
10001 SE Sunnyside Road  
Clackamas, OR 97015

Alfred Wetzel  
17955 SE Emi Street  
Damascus, OR 97089

**EXHIBITS:**

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

**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:**

With the passage of Senate Bill 4029, select property owners located within the City of Damascus have the option to de-annex from Damascus. The applicants for the subject annexation have "opted" to exercise the provision of Senate Bill 4029 and have de-annexed from the City of Damascus. The City of Happy Valley received signed annexation petitions from the applicants requesting annexation of the subject properties (Exhibit C). The City has evaluated these annexation petitions and have determined that they are in compliance with Senate Bill 4029 and have commenced with the processing of said petitions.

## **GENERAL DISCUSSION:**

The proposed annexations are initiated by petitions signed by parties that represent 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 an Exhibit to the Ordinance accompanying this file (Ordinance Number 471) and the annexation application data form for the areas to be annexed is attached as Exhibit B.

The proposed annexation incorporates 18 properties consisting of approximately 157 acres of land located adjacent to the existing boundary of the City of Happy Valley. The desire of the owners of the subject properties to obtain city services and land use regulations has prompted the proposed annexation requests.

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

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.

The subject properties consists of 18 tax lots, located just to the east of the current city limits of the City of Happy Valley. The properties currently have Clackamas County Comprehensive Plan designations/land use zones of "Rural Residential Farm Forest – 5 acre minimum" (RRFF-5) (see Exhibit B), and are either vacant or contain single-family detached residences. With the approval of the proposed annexation, the current zoning for the subject properties would remain in place.

This proposed annexation complies with the present agreements the City has with various urban service providers. All but one of the subject properties are outside of the district boundaries of Clackamas County Service District #1 (CCSD #1), which provides sanitary sewer and stormwater management services to Happy Valley and other urbanized areas of Clackamas County (the exception is Tax Lot 4900). Eight 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 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 Dedicated Law Enforcement Service Levy. 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 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. 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 annexation process and county to city zoning conversion (though not applicable in this circumstance, as no Comprehensive Plan exists for the subject properties). 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 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.

The comprehensive planning for public services in the area of the subject properties has not been started, due to the fact that the envisioned land use designations for the subject properties have not been established via the adoption of a Comprehensive Plan. Subsequent to the approval of this annexation and prior to any development occurring on the subject properties, the City of Happy Valley intends to work with affected governmental entities and utility service providers to analyze how the subject properties (along with other adjacent properties) would best be served by public services such as sanitary sewer, stormwater management, potable water, and transportation systems.

If the proposed annexation is approved, the subject property will continue to be provided public services by many of the same agencies that currently serve the annexation area. All but one of the subject properties are currently not located within CCSD#1, which provides sanitary sewer and stormwater management services to Happy Valley and other urbanized areas of Clackamas County (the exception is Tax Lot 4900). Eight 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 this property subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the subject properties will continue to be provided street lighting services by CCSD#5. The subject properties are also currently within NCPD 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 Dedicated Police Service Levy. 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. 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:**

Similar to the public services that were addressed in the previous staff response, the comprehensive planning for transportation services in the area of the subject properties has not been finalized at this point. Subsequent to the approval of this annexation and prior to any development occurring on the subject properties, the City of Happy Valley intends to work with affected governmental entities (Oregon Department of Transportation, Clackamas County Department of Transportation and development, City of Damascus, etc.) to analyze how the transportation system in the vicinity of the subject properties would need to be improved to best serve the area. 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 Comprehensive Plans in the existing/expanded 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 allow the existing Clackamas County land use plan designations and zones for the subject properties to remain “in place”. Prior to the development of the subject properties, the City of Happy Valley will work Metro and the State of Oregon Department of Land Conservation and Development to adopt an acknowledged Comprehensive Plan/Post Acknowledgment Plan Amendment (PAPA) for the area including that of the subject properties. Therefore, this criterion is satisfied.

***Oregon Revised Statutes (ORS)***

***“ 195.020 Special district planning responsibilities; agreements with local governments and metropolitan service district. (1) Special districts shall exercise their planning duties, powers and responsibilities and take actions that are authorized by law with respect to programs affecting land use, including a city or special district boundary change as defined in ORS 197.175 (1), in accordance with goals approved pursuant to ORS chapters 195, 196 and 197.***

***(2) A county assigned coordinative functions under ORS 195.025 (1), or the metropolitan service district, which is assigned coordinative functions for Multnomah, Washington and Clackamas counties by ORS 195.025 (1), shall enter into a cooperative agreement with each special district that provides an urban service within the boundaries of the county or the metropolitan district. A county or the metropolitan service district may enter into a cooperative agreement with any other special district operating within the boundaries of the county or the metropolitan district.***

***(3) The appropriate city and county and, if within the boundaries of the metropolitan service district, the metropolitan service district, shall enter into a cooperative agreement with each special district that provides an urban service within an urban growth boundary. The appropriate city and county, and the metropolitan service district, may enter into a cooperative agreement with any other special district operating within an urban growth boundary.***

***(4) The agreements described in subsection (2) of this section shall conform to the requirements of paragraphs (a) to (d), (f) and (g) of this subsection. The agreements described in subsection (3) of this section shall:***

***(a) Describe how the city or county will involve the special district in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations;***

***(b) Describe the responsibilities of the special district in comprehensive planning, including plan amendments, periodic review and amendments to land use regulations regarding provision of urban services;***

***(c) Establish the role and responsibilities of each party to the agreement with respect to city or county approval of new development;***

***(d) Establish the role and responsibilities of the city or county with respect to district interests including, where applicable, water sources, capital facilities and real property, including rights of way and easements;***

*(e) Specify the units of local government which shall be parties to an urban service agreement under ORS 195.065;*

*(f) If a metropolitan service district is a party to the agreement, describe how the metropolitan service district will involve the special district in the exercise of the metropolitan service district's regional planning responsibilities; and*

*(g) Contain such other provisions as the Land Conservation and Development Commission may require by rule.*

*(5) Agreements required under subsections (2) and (3) of this section are subject to review by the commission. The commission may provide by rule for periodic submission and review of cooperative agreements to insure that they are consistent with acknowledged comprehensive plans.*

[...]

**195.085 Compliance deadlines.** *(1) No later than the first periodic review that begins after November 4, 1993, local governments and special districts shall demonstrate compliance with ORS 195.020 and 195.065.*

*(2) The Land Conservation and Development Commission may adjust the deadline for compliance under this section when cities and counties that are parties to an agreement under ORS 195.020 and 195.065 are scheduled for periodic review at different times.*

*(3) Local governments and special districts that are parties to an agreement in effect on November 4, 1993, which provides for the future provision of an urban service shall demonstrate compliance with ORS 195.065 no later than the date such agreement expires or the second periodic review that begins after November 4, 1993, whichever comes first.*

**Response:**

Per the provisions of RES-15-06 to be adopted by the Happy Valley City Council on March 17, 2015 and mirrored by the City of Damascus, the Settlement Agreement between the City of Happy Valley and City of Damascus is to be amended so as not to be an "Urban Service Agreement". Therefore, the proposed annexation is consistent with ORS 195.065. As stated above, the subject property would generally remain within service districts already serving the annexation area. All but one of the subject properties are currently not located within CCSD#1, which provides sanitary sewer and stormwater management services to Happy Valley and other urbanized areas of Clackamas County (the exception is Tax Lot 4900). Eight 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 this property subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the subject properties will continue to be provided street lighting services by CCSD#5. The subject properties are also currently within the 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 Dedicated Police Service Levy. 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.

***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 property that is contiguous to the City Limits of Happy Valley. Therefore, this 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. Therefore, this 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 property. 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:**

This staff report and associated materials, addressing the applicable criteria in Section 3.09.045 was available to the public seven days prior to the anticipated City Council decision. Therefore, 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:**

Per the provisions of RES-15-06 to be adopted by the Happy Valley City Council on March 17, 2015 and mirrored by the City of Damascus, the Settlement Agreement between the City of Happy Valley and City of Damascus is to be amended so as not to be an "Urban Service Agreement". Therefore, the proposed annexation is consistent with ORS 195.065. As stated above, the subject property would generally remain within service districts already serving the annexation area. All but one of the subject properties are currently not located within CCSD#1, which provides sanitary sewer and stormwater management services to Happy Valley and other urbanized areas of Clackamas County (the exception is Tax Lot 4900). Eight 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 this property subsequent to the approval of this annexation. Also subsequent to the approval of this annexation, the subject properties will continue to be provided street lighting services by CCSD#5. The subject properties are also currently within the 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 Dedicated Police Service Levy. 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. If the subject properties were to develop subsequent to the approval of this annexation, the City will be required to establish a Comprehensive Plan for the area that would include provisions to ensure the timely and orderly extension of public services. This criterion has been satisfied.

***(E) Any applicable comprehensive plan; and***

Although a specific Comprehensive Plan does not exist for the subject property outside of the current Clackamas County Comprehensive Plan, if annexed, the subject property 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, as the subject properties are only being annexed at this time. If the subject properties were to develop subsequent to annexation, the City will be required to have an established Comprehensive Plan for the area that would include provision to ensure the timely and orderly extension of public services. 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. However, the City’s Comprehensive Plan presently limits development to areas of the City that have or can be provided timely extension of Level 1 services and facilities. This restriction will apply to the subject properties, as well. 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**

<b>Clackamas County Zone</b>	<b>City of Happy Valley Zone</b>
<b>Urban/Rural Residential</b>	
R-2.5	SFA
R-5	R-5
R-7	R-7
R-8.5	R-8.5
R-10	R-10
R-15	R-15
R-20	R-20
MR-1	MUR-M1
MR-2	MUR-M2
HDR	MUR-M3
RA-2	R-15
FU-10	*
<b>Natural Resources</b>	
EFU	*
<b>Commercial</b>	
NC	MUE
C-2	MCC
C-3	MCC
RCC	MCC
RCO	MUC
OC	CCC
RCHD	MUR-M2
OA	MUC
PMU-6	RCMU
<b>Industrial</b>	
I-2	IC
I-3	IC
BP	EC
<b>Special Districts</b>	
OSM	IPU
<b>Sunnyside Village</b>	
VR-4/5	R-5
VR-5/7	R-5
VCS	IPU
VA	MUR-M1
VO	VO



VTH	VTH
<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 designations/zoning districts and a Transportation Planning Rule-compliant Traffic Impact Analysis.</i>	

***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.***

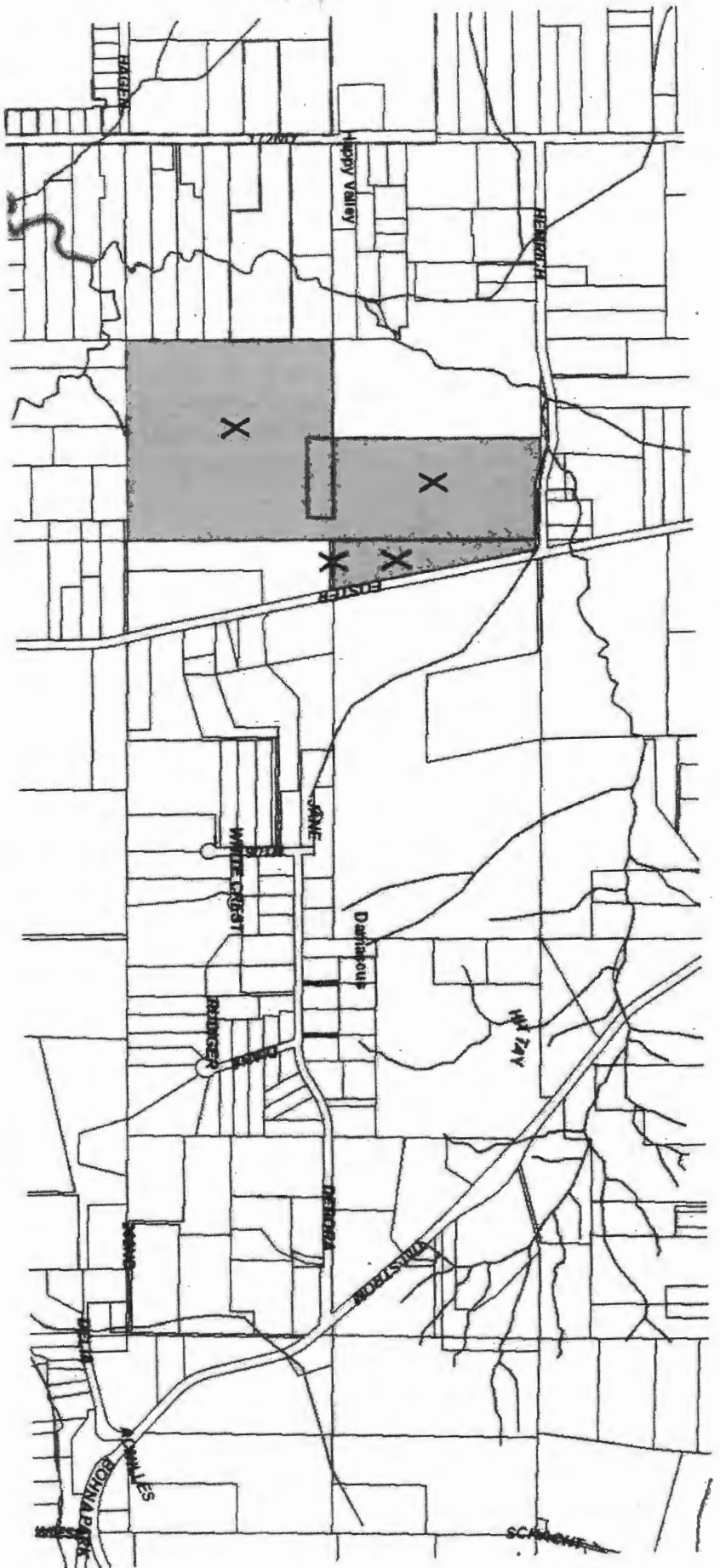
***[...]***

**Response:**

As discussed above, the subject properties are located east of the existing East Happy Valley Comprehensive Plan area. As such, the properties will retain their existing Clackamas County zoning until such time as the City adopts an acknowledged Comprehensive Plan for these lands. Therefore, these criterion are not currently applicable.

**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-08-14/LDC-11-14/CPA-13-14.**

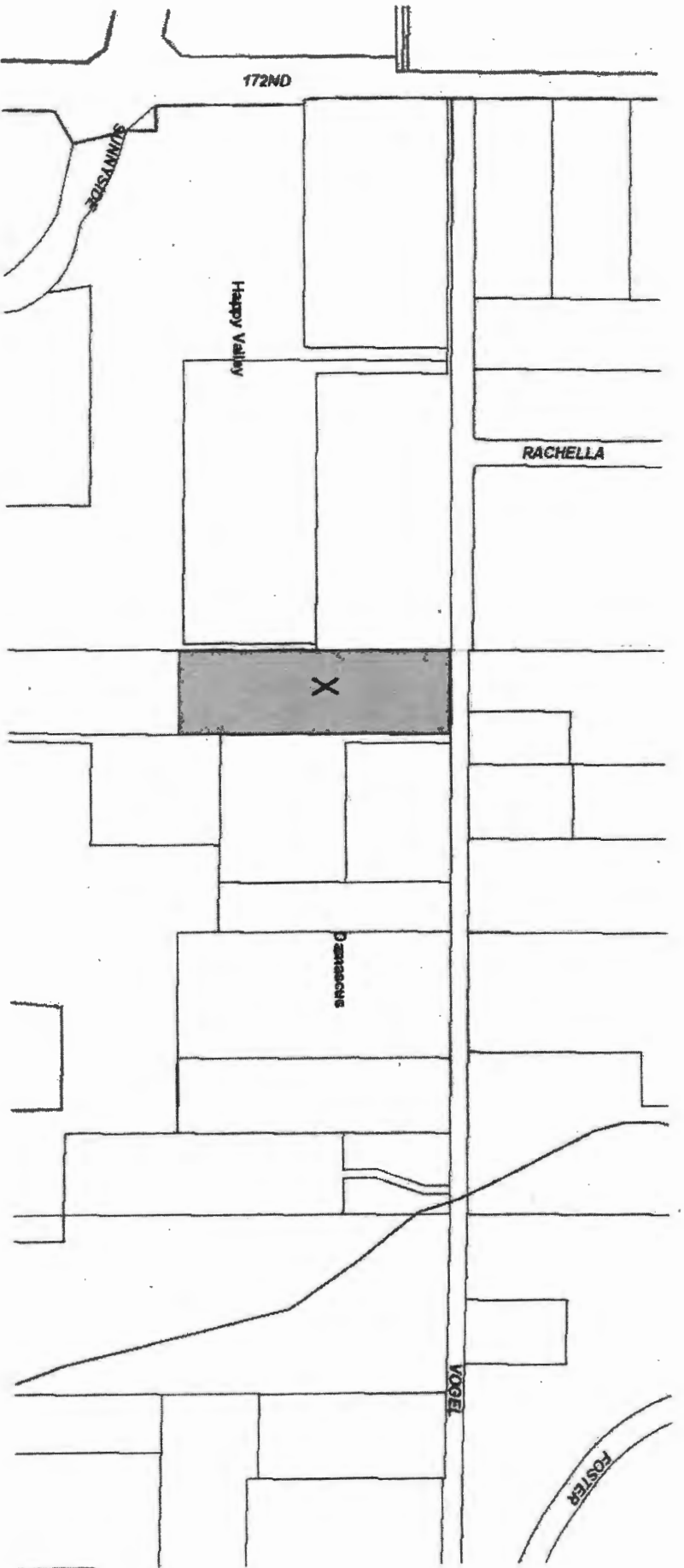


ANN-08-14

Cozzetto Family LLC

Tax #13E31A 00100 & 00101

Tax#13E32B 00200 & 00300



ANN-08-14

Jeffrey Olson

Tax#23E06A 00502

SUNNYSIDE

Happy Valley

7TH

X

COTTINGHAM

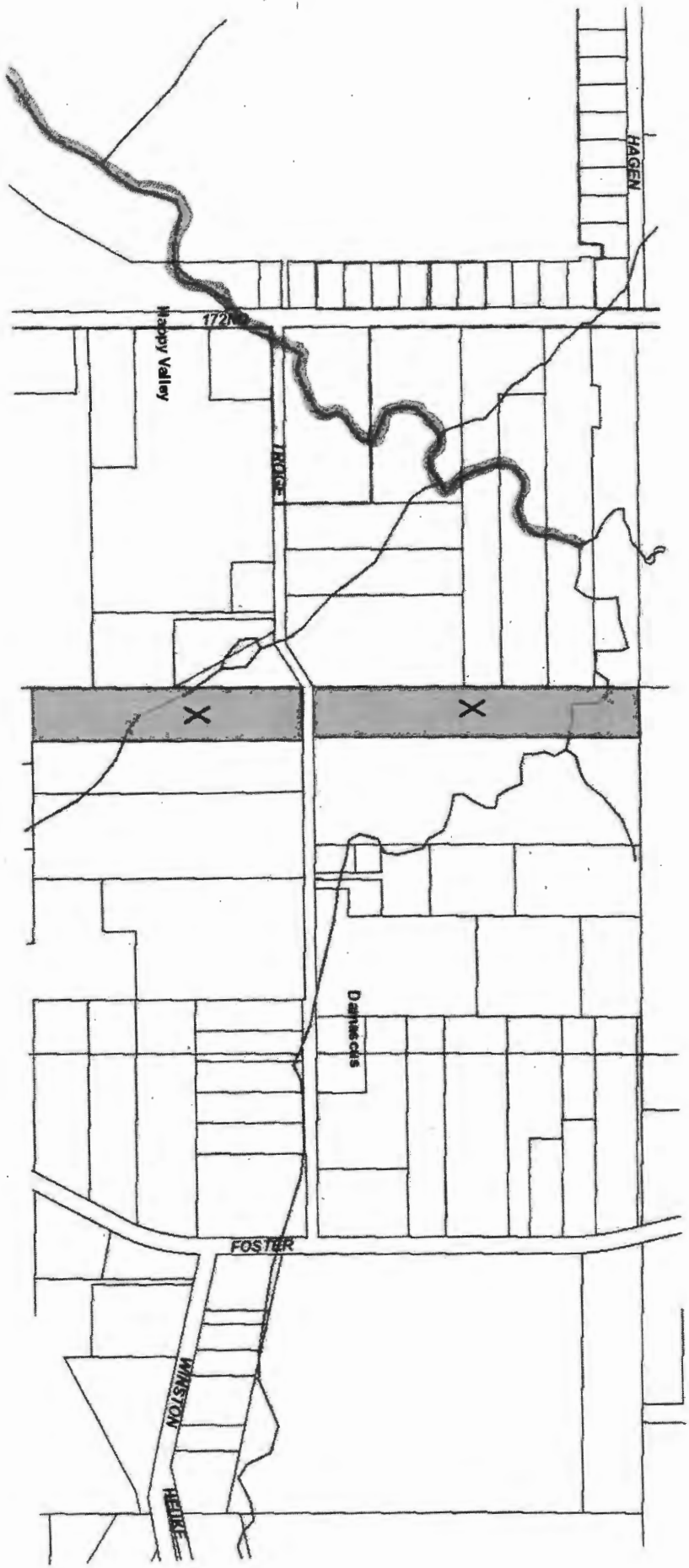
Damaschs

1807

ANN-08-14

Henry Brown

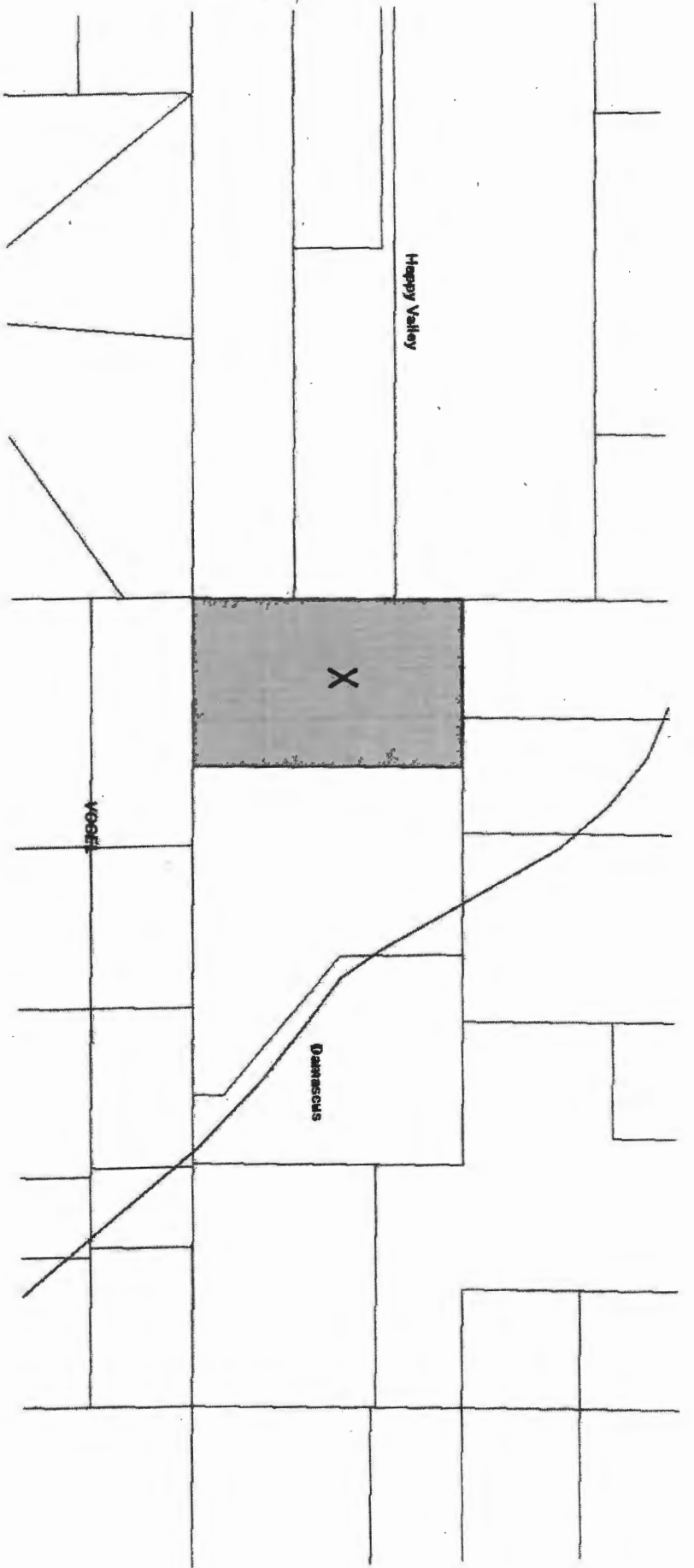
Tax#23E06A 0505



ANN-08-14

Jerry Schofield Tax#13E31D 02100

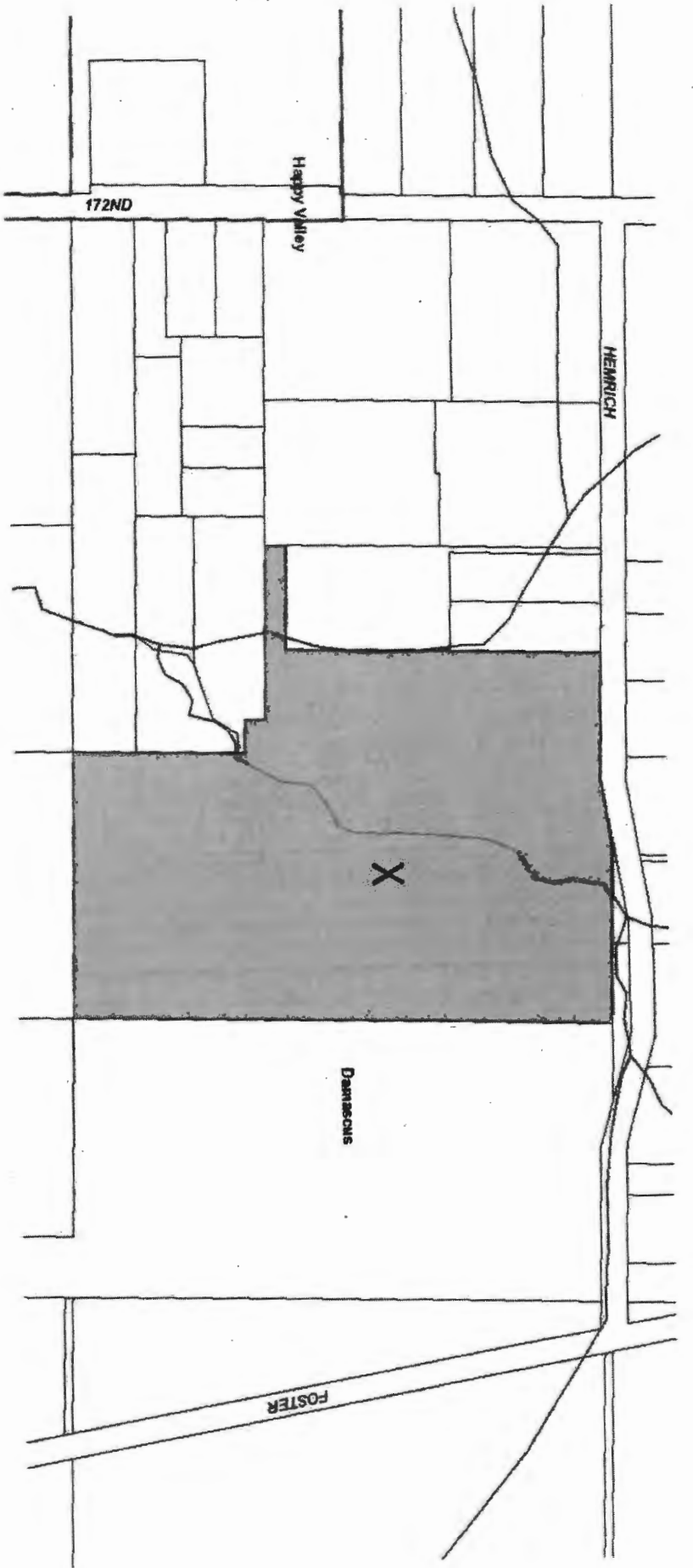
Emilia Vacariuioan Tax#13E31D 00400



ANN-08-14

Michael DeSousa

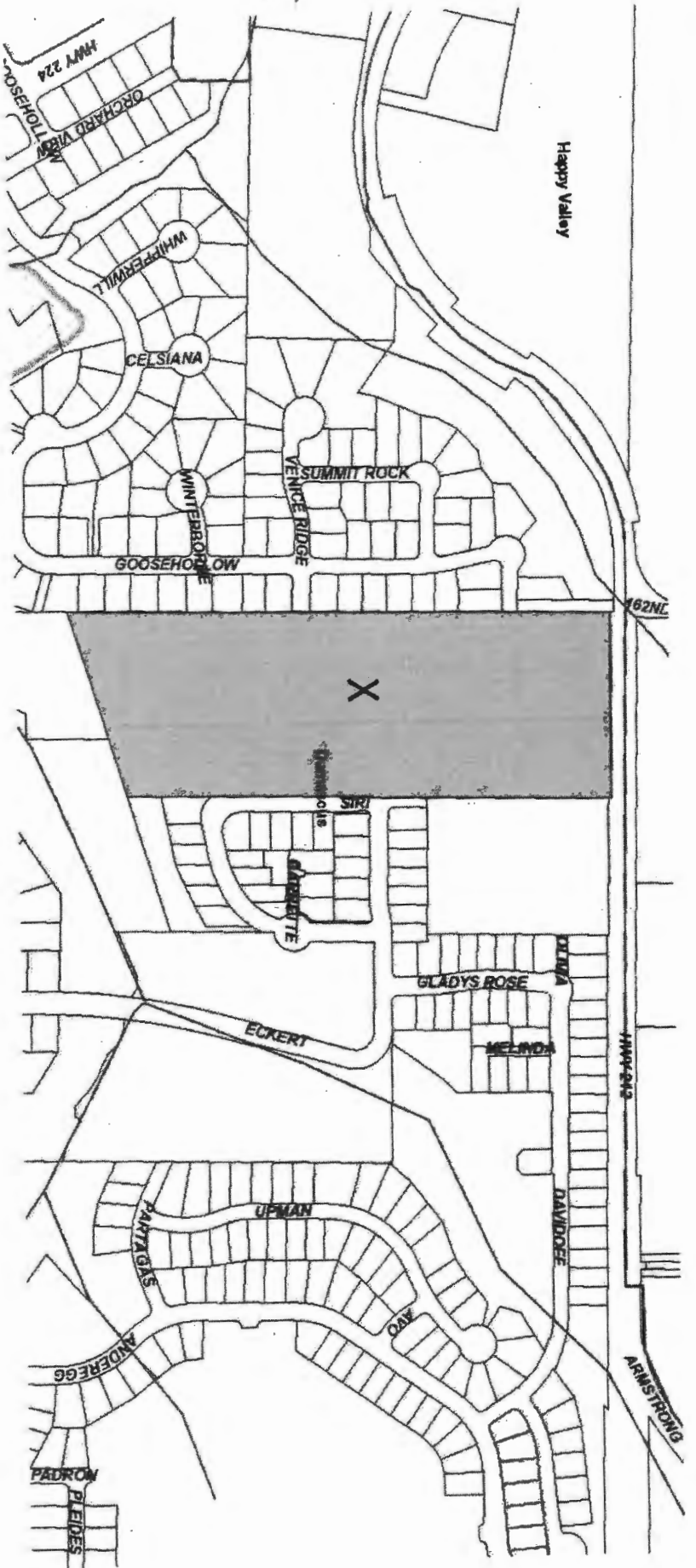
Tax#13E31D 02500



ANN-08-14

Marilyn Brundidge

Tax#13E31A 00300

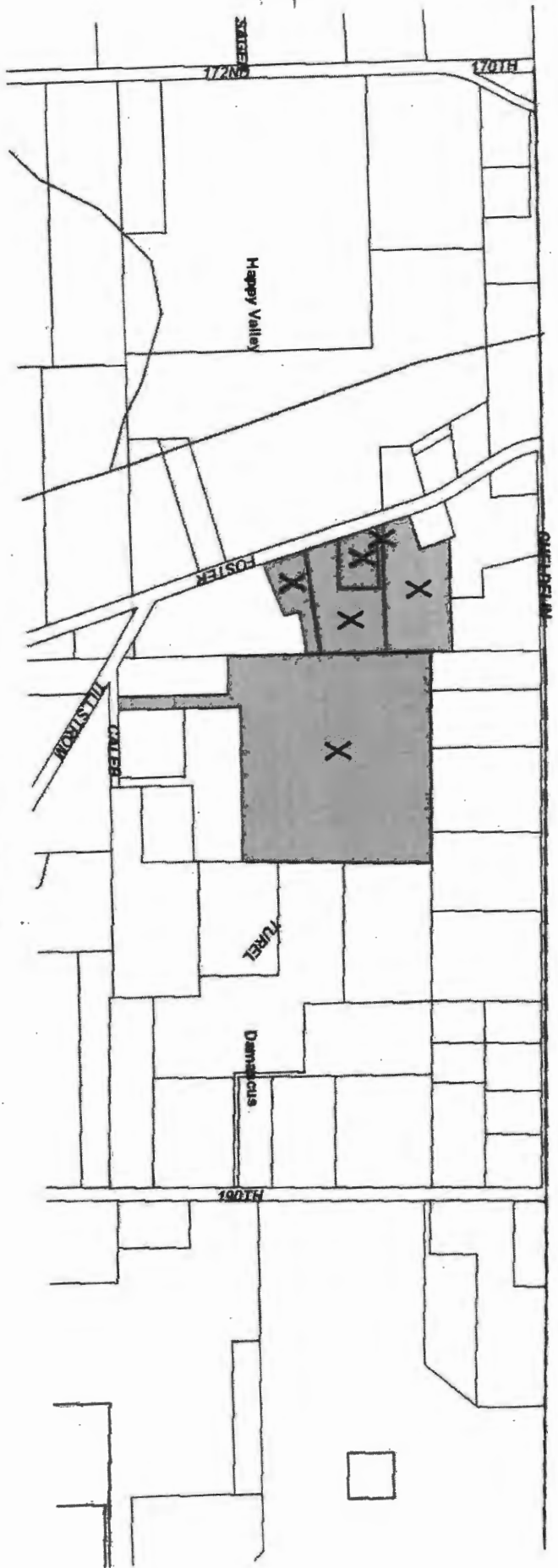


ANN-08-14

Fred Siri

Tax#23E07CB04900





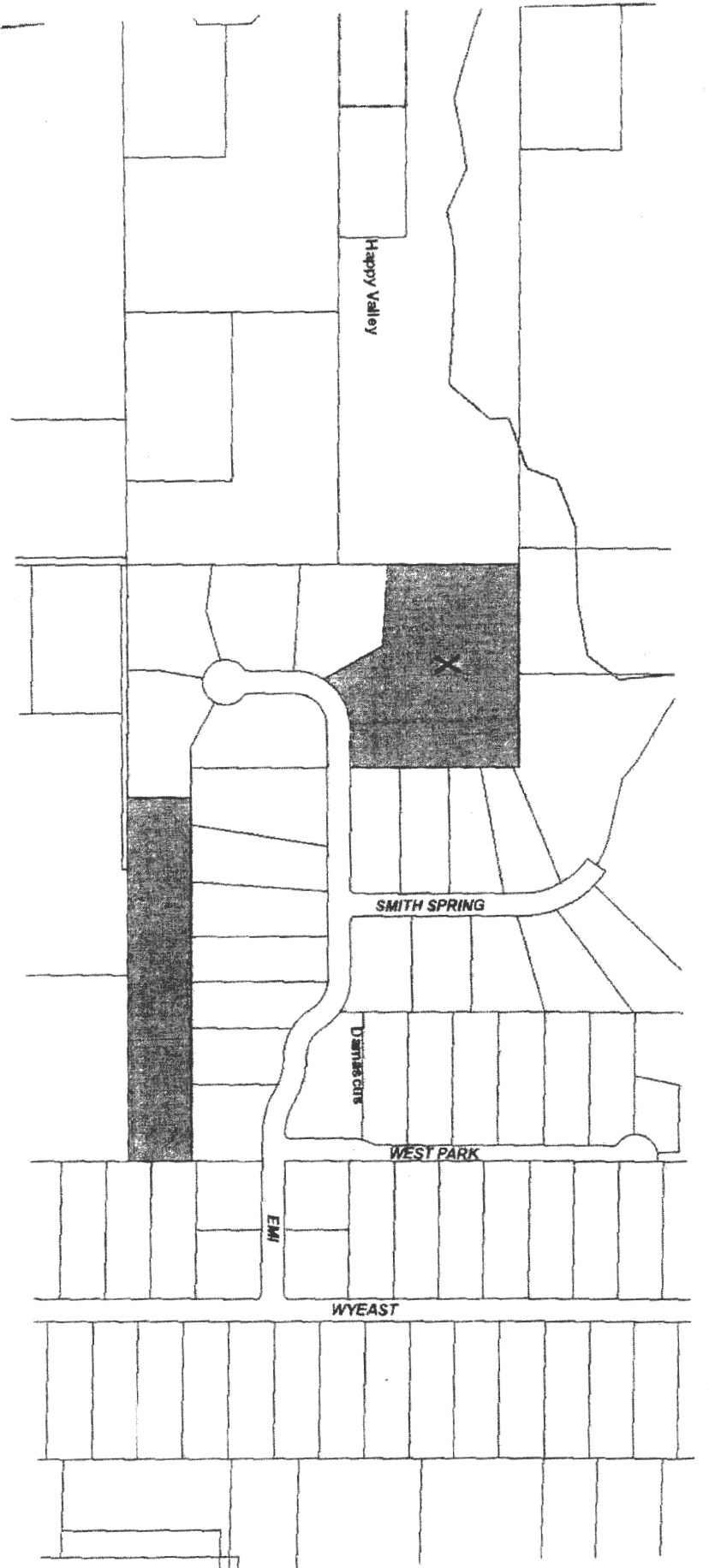
ANN-08-14

Donald Hanna

Tax #13E30A 00401, 00600, 00601,

00602 & 00700

Tax#13E29B 01300



ANN-08-14

Alfred Wetzel

Tax#23E07A 00400



**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:**

NO STREET ADDRESS  
 Street Address of Property (if address has been assigned)

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

\_\_\_\_\_  
 Tax Map and Tax Lot Number

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

KAYSER FAMILY LLC  
Bruce D. Kayser  
 Signature BRUCE D. KAYSER MGR Owner Initial \_\_\_\_\_ Voter Initial \_\_\_\_\_ Date 9/11/14

Signature COZZETTO FAMI. LLC Owner Initial \_\_\_\_\_ Voter Initial \_\_\_\_\_ Date \_\_\_\_\_

Pamela Bryan mgr  
 Other Authorized Signature PAMALA BRYAN, MGR Owner Initial \_\_\_\_\_ Voter Initial \_\_\_\_\_ Date 9-12-14

BRUCE D. KAYSER  
10025 SE 97<sup>th</sup> AVE  
 Street Address \_\_\_\_\_ Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_  
HAPPY VALLEY, OR 97086

\_\_\_\_\_  
 Mailing Address

\_\_\_\_\_  
 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 \_\_\_\_\_

x Pamela Bryan, mgr Signature \_\_\_\_\_ Date 9-12-14  
x Bruce D. Kayser, mgr Signature \_\_\_\_\_ Date 9/11/14

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: 0  
 Types of housing units:  Single family  Multi-family  Mobile home or trailer  
 Number of people occupying these units: 0



**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:

17750 SE Vogel Rd.  
 Street Address of Property (if address has been assigned)  
25 SE OGA Lot 502  
 Legal Description (Subdivision Name, Lot number(s))  
Lot-502  
 Tax Map and Tax Lot Number

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

<u>Jeffrey Wilson</u> Signature	<u>JW</u> Owner Initial	<u></u> Voter Initial	<u>7-14-14</u> Date
<u>Michelle Wilson</u> Signature	<u>MW</u> Owner Initial	<u></u> Voter Initial	<u>7-14-14</u> Date

Other Authorized Signature: \_\_\_\_\_ Owner Initial: \_\_\_\_\_ Voter Initial: \_\_\_\_\_ Date: \_\_\_\_\_

17750 SE Vogel Rd. 503-658-5439 503-312-1637  
 Street Address Home Phone Work Phone

\_\_\_\_\_  
 Mailing Address  
Damascus OR 97089  
 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 \_\_\_\_\_

<u>Jeffrey Wilson</u> Signature	<u>7-14-14</u> Date	<u>Michelle Wilson</u> Signature	<u>7-14-14</u> 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



**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: 97089

17701 S.E. Cottingham Ln, Damascus, OR  
Street Address of Property (if address has been assigned)

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

23E-06A-00505  
Tax Map and Tax Lot Number

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

<u>[Signature]</u> Signature	<u>HS</u> Owner Initial	<u>HS</u> Voter Initial	<u>7-11-2014</u> Date
<u>[Signature]</u> Signature	<u>VB</u> Owner Initial	<u>VB</u> Voter Initial	<u>7-11-2014</u> Date

Other Authorized Signature	Owner Initial	Voter Initial	Date
----------------------------	---------------	---------------	------

<u>1</u> Street Address	<u>503 558-8418</u> Home Phone	<u>503 577-8010</u> Work Phone
----------------------------	-----------------------------------	-----------------------------------

Mailing Address

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

<u>[Signature]</u> Signature	<u>7-11-2014</u> Date	<u>[Signature]</u> Signature	<u>7-11-2014</u> 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: 1 Single family \_\_\_ Multi-family \_\_\_ Mobile home or trailer

Number of people occupying these units: \_\_\_\_\_



**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:

17714 SE Troge Rd  
Street Address of Property (if address has been assigned)  
Section 31 TOWNSHIP 15 RANGE 3E D 2100  
Legal Description (Subdivision Name, Lot number(s))  
13E31D 02100  
Tax Map and Tax Lot Number

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

<u>Jerry Schofield</u> Signature	<u>JS</u> Owner Initial	<u>JS</u> Voter Initial	<u>7/25/14</u> Date
<u>Jerry Schofield</u> Signature	<u>JS</u> Owner Initial	<u>JS</u> Voter Initial	<u>7/25/14</u> Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

Street Address Home Phone Work Phone

17714 SE Troge Rd  
Mailing Address  
DAMASCUS OR 97089  
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 \_\_\_\_\_ 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: 3



**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:**

20160 SE ~~18000~~ FOSTER ROAD  
 Street Address of Property (if address has been assigned)

Legal Description (Subdivision Name, Lot number(s))  
(SEE ATTACHED) 2.77 ACRES

Tax Map and Tax Lot Number

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

M. Solon                      MSD                      9/18/14  
 Signature                      Owner Initial                      Voter Initial                      Date

\_\_\_\_\_  
 Signature                      Owner Initial                      Voter Initial                      Date

\_\_\_\_\_  
 Other Authorized Signature                      Owner Initial                      Voter Initial                      Date

20160 SE FOSTER RD                      971-271-0636  
 Street Address                      Home Phone                      Work Phone

DAMASCUS, OR 97089  
 Mailing Address

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

\_\_\_\_\_  
 City, State and Zip Code

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                      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: \_\_\_\_\_  
 Types of housing units:    \_\_\_ Single family    \_\_\_ Multi-family    \_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_



**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:

17690 SE HEMRICH RD.

Street Address of Property (if address has been assigned)

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

SECTION 31, T15, R3E

TAX LOT 300

Tax Map and Tax Lot Number

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

Marilyn Brundidge  
Signature

MB  
Owner Initial

MB  
Voter Initial

09-19-14  
Date

Signature

Owner Initial

Voter Initial

Date

Other Authorized Signature

Owner Initial

Voter Initial

Date

17690 SE Hemrich

Street Address

DAMASCUS, OR 97089

Mailing Address

Home Phone

Work Phone

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

City, State and Zip Code

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 \_\_\_\_\_

Marilyn Brundidge 09-19-14  
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: \_\_\_\_\_





**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:

17765 SE TROGE RD

Street Address of Property (if address has been assigned)

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

(SEE ATTACHED)

Tax Map and Tax Lot Number

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

[Signature]  
 Signature  
[Signature]  
 Signature

<u>J.V.</u>	<u>J.V.</u>	<u>9-19-14</u>
Owner Initial	Voter Initial	Date
<u>E.V.</u>	<u>E.V.</u>	<u>9-19-14</u>
Owner Initial	Voter Initial	Date

Other Authorized Signature

Owner Initial Voter Initial Date

17765 SE TROGE  
 Street Address

503-314-1933

DAMASCUS, OR 97089  
 Mailing Address

Home Phone Work Phone

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

<u>[Signature]</u>	<u>9-19-14</u>	<u>[Signature]</u>	<u>9-19-14</u>
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: \_\_\_\_\_  
 Types of housing units: \_\_\_ Single family \_\_\_ Multi-family \_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_



**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:

16410 SE Hwy 212

Street Address of Property (if address has been assigned)

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

(SEE ATTACHED)

Tax Map and Tax Lot Number

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

Fred Sivi  
Signature

F.S. Sivi  
Owner Initial

R.S.  
Voter Initial

9/19/14  
Date

Rachel Sivi  
Signature

R.S.  
Owner Initial

R.S.  
Voter Initial

9/19/14  
Date

Other Authorized Signature

Owner Initial

Voter Initial

Date

16410 SE Hwy 212

Street Address

Home Phone

Work Phone

DAMASCUS, OR 97089

Mailing Address

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

City, State and Zip Code

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

Fred Sivi 9/19/14  
Signature Date

Rachel Sivi 9/19/14  
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: \_\_\_\_\_

Types of housing units: \_\_\_\_\_ Single family \_\_\_\_\_ Multi-family \_\_\_\_\_ Mobile home or trailer

Number of people occupying these units: \_\_\_\_\_



**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:**

17925, 17959, 17981 SE Foster Rd. 18201 SE Caleb Ln and 2 unaddressed parcels

Street Address of Property (if address has been assigned)

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

Section 30, T1S, R3E TL no. 700, 600, 601, 602, 401 and Section 29 T1S, R3E TL no. 1300

Tax Map and Tax Lot Number

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

[Signature]  
Signature

DA  
Owner Initial

JA  
Voter Initial

8/19/14  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Owner Initial

\_\_\_\_\_  
Voter Initial

\_\_\_\_\_  
Date

\_\_\_\_\_  
Other Authorized Signature

\_\_\_\_\_  
Owner Initial  
503-667-4145

\_\_\_\_\_  
Voter Initial

\_\_\_\_\_  
Date  
503-774-8893

\_\_\_\_\_  
Street Address  
17981 SE Foster Rd

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Work Phone

\_\_\_\_\_  
Mailing Address  
Damascus, OR 97089

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

\_\_\_\_\_  
City, State and Zip Code

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] 8/19/14  
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: \_\_\_\_\_  
Types of housing units: \_\_\_\_\_ Single family \_\_\_\_\_ Multi-family \_\_\_\_\_ Mobile home or trailer  
Number of people occupying these units: \_\_\_\_\_



**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:

17955 SE EMI CT  
 Street Address of Property (if address has been assigned)

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

Tax Map and Tax Lot Number

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

<u>Alfred N. Wetzel</u> Signature	<u>A.N</u> Owner Initial	<u>A.N</u> Voter Initial	<u>09/19/14</u> Date
_____ Signature	_____ Owner Initial	_____ Voter Initial	_____ Date
_____ Other Authorized Signature	_____ Owner Initial	_____ Voter Initial	_____ Date

17955 SE EMI CT  
 Street Address

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

DAMASCUS, OR 97089  
 Mailing Address

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

Alfred N. Wetzel 09/19/14  
 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: \_\_\_\_\_  
 Types of housing units: \_\_\_ Single family \_\_\_ Multi-family \_\_\_ Mobile home or trailer  
 Number of people occupying these units: \_\_\_\_\_

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	ANN-08-14	ANN-08-14												1	
2	PROPERTY OWNER	TAX MAP/LOT	SITE ADDRESS	CITY	MAILING ADDR	MAILING CITY	STATE	ZIP	ACRES	ASSESED VALUE	# DU	# PEOPLE	EXISTING ZONING	2	PROPOSED ZONING
3														3	
4	COZZETTO FAMILY LLC	13E31A 00100	NO SITUS		10025 SE 97TH A	Happy Valley	OR	97086	2	17,628.00		0	EFU	4	Stays the Same
5	COZZETTO FAMILY LLC	13E31A 00101	NO SITUS		10025 SE 97TH A	Happy Valley	OR	97086	58.07	44,365.00		0	EFU	5	Stays the Same
6	COZZETTO FAMILY LLC	13E32B 00200	NO SITUS		10025 SE 97TH A	Happy Valley	OR	97086	5.74	4,385.00		0	EFU	6	Stays the Same
7	COZZETTO FAMILY LLC	13E32B00300	NO SITUS		10025 SE 97TH A	Happy Valley	OR	97086	0.15	6,129.00		0	EFU	7	Stays the Same
8	OLSON JEFFREY	23E06A 00502	17750 SE Vogel Rd	Damascus	Same			97089	3	278,618.00	1	2	RRFF-5	8	Stays the Same
9	BROWN HENRY & VALERIE	23E06A 00505	17701 SE Cottingham Ln	Damascus	Same			97089	2	372,341.00	1	2	RRFF-5	9	Stays the Same
10	SCHOFIELD JERRY & KIMBERLY	13E31D 02100	17714 SE Troge Rd	Damascus	Same			97089	4	267,282.00	1	3	RRFF-5	10	Stays the Same
11	DESOUSA MICHAEL	13E31D 02500	20160 SE Foster Rd	Damascus	Same			97089	3	274,447.00	1		RRFF-5	11	Stays the Same
12	BRUNDIDGE MARILYN	13E31A 00300	17690 SE Hemrich Rd	Damascus	Same			97089	25	611,943.00	1	1	EFU	12	Stays the Same
13	VACARIUOAN EMILIA	13E31D 00400	17765 SE Troge Rd	Damascus	Same			97089	5	32,788.00	1	2	RRFF-5	13	Stays the Same
14	SIRI FRED	23E07CB04900	16410 SE Hwy 212	Damascus	Same			97089	16	387,768.00	1	2	FU-10	14	Stays the Same
15	HANNA DONALD	13E30A 00401	17925 SE Foster Rd	Damascus	10001 SE Sunnys	Clackamas	OR	97015	4	307,638.00	1		RRFF-5	15	Stays the Same
16	HANNA DONALD	13E30A 00602	No Situs	Damascus	10001 SE Sunnys	Clackamas	OR	97015	0.16	4,509.00	1		RRFF-5	16	Stays the Same
17	HANNA DONALD	13E30A 00601	No Situs	Damascus	10001 SE Sunnys	Clackamas	OR	97015	3	12,977.00	1		RRFF-5	17	Stays the Same
18	HANNA DONALD	13E30A 00600	17959 SE Foster Rd	Damascus	10001 SE Sunnys	Clackamas	OR	97015	1	181,088.00	1		RRFF-5	18	Stays the Same
19	HANNA DONALD	13E30A 00700	17981 SE Foster Rd	Damascus	Same	Damascus	OR	97015	1	280,148.00	1		RRFF-5	19	Stays the Same
20	HANNA DONALD	13E29B 01300	18201 SE Caleb Ln	Damascus	10001 SE Sunnys	Clackamas	OR	97015	20	143,862.00	1		RRFF-5	20	Stays the Same
21	WETZEL ALFRED	23E07A 00400 (Partial)	17955 SE Emi St	Damascus	Same			97089	3.58	61,081.00	1		RRFF-5	21	Stays the Same
22									156.7	3,288,997.00		9		22	

RY VALLEY  
STY DRIVE  
OREGON 97086



DEPT OF

MAR 23 2015

LAND CONSERVATION  
AND DEVELOPMENT

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