



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

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



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

Date: December 21, 2015  
Jurisdiction: City of Happy Valley  
Local file no.: CPA-11-15/IDC-12-15/  
DLCD file no.: 013-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 12/16/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 39 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.

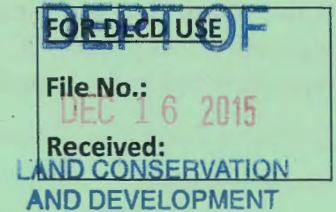
### DLCD Contact

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 Valley

Local file no.: CPA-11-15:DC-12-15/LP-02-15/ERP-10-15

Date of adoption: 12/11/2015

Date sent: 12/14/2015

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:

Local contact (name and title): Keith Leonard, Associate Planner

Phone: 503-783-3810

E-mail: keithl@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 RRF5-5	to R-40	2 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): 12E35D: Tax Lot 1300

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 RRFF-5	to R-40	Acres: 2
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:

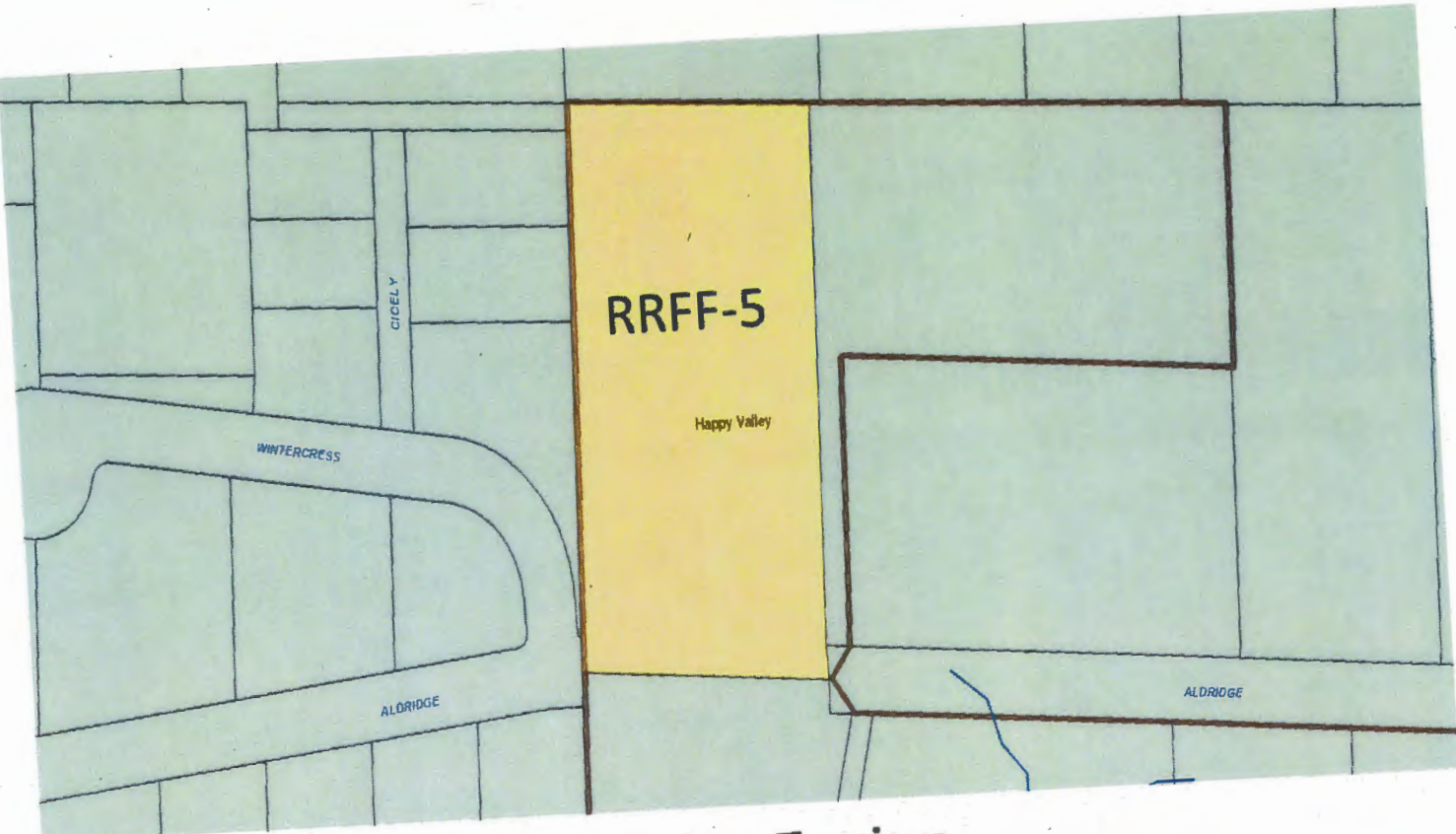
Overlay zone designation:	Acres added:	Acres removed:
---------------------------	--------------	----------------

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

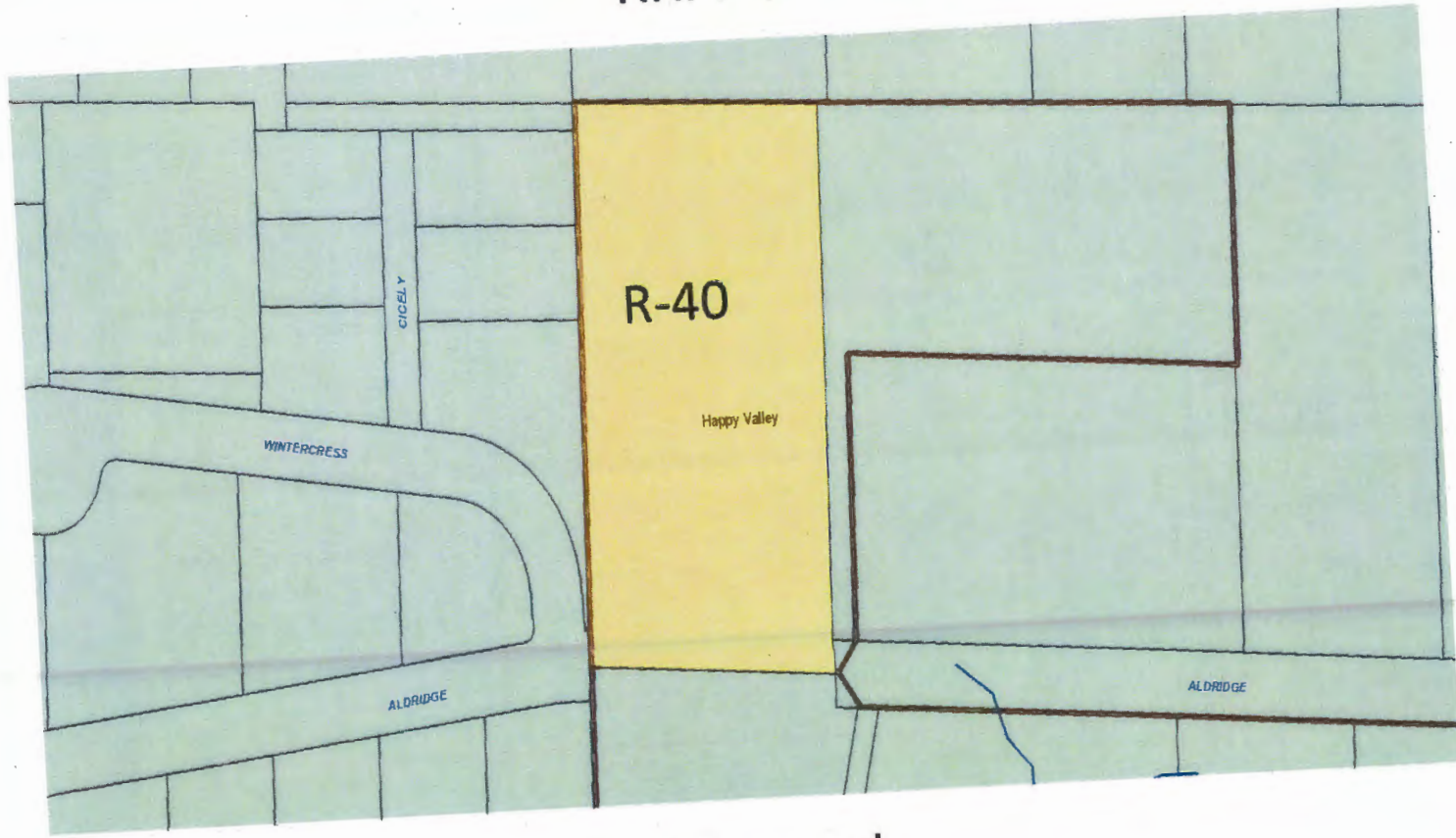
---

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.



Existing Zoning  
RRFF-5



Proposed  
Zoning RRFF-5

Mayor  
Honorable Lori DeRemer

City Manager  
Jason A. Tuck



December 11, 2015

File Nos. CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15  
("Manougian Partition")

### NOTICE OF DECISION

This is official notice of action taken by the City of Happy Valley Planning Commission at a public hearing held on December 8, 2015, with regard to an application by Lori Manougian for a Comprehensive Plan and Land Development Code Amendment, Two-Parcel Partition and Environmental Review Permit (File Nos. CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15) on a single legal lot of record. The subject property is located north of Aldridge Road, west of Eastbourne Lane and east of Wintercress Court and is further described as Clackamas County Assessor Map No. 12E35D: Tax Lot 1300.

At the public hearing, the Planning Commission voted to approve the "Manougian Partition" based upon submitted information, public testimony, and deliberations of the Planning Commission. Copies of the original Staff Report for File Nos. CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15 are available upon request.

This action of the Planning Commission is subject to an appeal to the City Council per the provisions of Section 16.61.040 of Title 16 (Land Development Code) of the City of Happy Valley Municipal Code. An appeal of this decision must be filed within 14 days of the mailing of this Notice of Decision. Staff from the City's Planning Division (503-783-3800) can provide information regarding forms, fees, and the appeal process. Issues which may provide the basis for an appeal to the City Council shall be submitted in writing, accompanied by a filing fee of \$1,000 plus attorney's fees (\$2,500 deposit required), prior to the expiration of the appeal period. Issues shall be raised with sufficient specificity to enable the Community Development Director or designee to respond to the issue. If no appeal is filed by **Tuesday, December 29, 2015, at 5:00 p.m.**, this decision shall be deemed final.

A handwritten signature in blue ink, appearing to read 'Keith Leonard', is positioned above the printed name.

Keith Leonard, AICP  
Associate Planner

cc: Lori Manougian (Applicant)  
Andrew Tull (Consultant)  
Participants of Record

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

**BEFORE THE PLANNING COMMISSION  
FOR THE CITY OF HAPPY VALLEY, OREGON**

<b>“Manougian Partition”</b>	)	<b>Planning Commission</b>
<b>Two-Parcel Partition</b>	)	<b>Approval of a Comprehensive Plan Amendment</b>
	)	<b>Zoning Map Amendment</b>
	)	<b>Partition and Environmental Review Permit</b>
	)	
<b>Applicant:</b>	)	<b>CPA-11-15/LDC-12-15</b>
<b>Lori Manougian</b>	)	<b>LP-02-15/ERP-10-15</b>

Pursuant to Happy Valley Land Development Code §16.61.040 the City provided notice of a public hearing before the Planning Commission. An affidavit of the notice of hearing is a part of the record. The staff report was prepared and available to the public seven (7) days prior to the public hearing as required by state law.

After providing notice and a staff report, the Planning Commission conducted an evidentiary hearing providing an opportunity to submit oral testimony and written evidence. The approval criteria for the applications for a Comprehensive Map Amendment/Zoning Map Amendment / Partition / Environmental Review Permit are provided in the 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 Chapters 16.22 (Residential Land Use Districts); 16.32 (Steep Slopes Development Overlay Zone); 16.41 (Access and Circulation); 16.42 (Landscaping, Street Trees, Fences, and Walls); 16.43 (Parking and Loading); 16.50 (Public Facilities); 16.61 (Types of Review Procedures); 16.63 (Land Divisions and Property Line Adjustments); and 16.67 (Comprehensive Plan Map, Specific Area Plans, Land Use District Map and Text Amendments).

After discussion and deliberation, the Planning Commission voted to approve the “Manougian Partition” two-Parcel Partition (Comprehensive Plan Amendment/Zoning Map Amendment / Partition / Environmental Review Permit).

### **I. DESCRIPTION OF THE APPLICATION**

Lori Manougian, submitted an application requesting a two-Parcel Partition (Comprehensive Plan Amendment/Zoning Map Amendment / Partition / Environmental Review Permit), in order to change the zoning designation of the subject property from Clackamas County Rural Residential Farm Forest – 5 Acre (RRFF-5) to City Very Low Density Residential – 40,000 Square-Foot (R-40), partition the subject property into two parcels for building lots for detached single-family residences, and for a minor impact to on-site steep slopes, as allowed by the City’s Land Development Code (LDC).

The subject site consists of one lot of record totaling approximately 2.08 acres in size. The subject property is located north of Aldridge Road, west of Eastbourne Lane and east of Wintercress Court, and is further described as Clackamas County Assessor Map No. 12E35D: Tax Lot 1300.

The City provided notice of the proposed application to all affected governmental entities, and has crafted specific conditions of approval detailing the requirements and conformance with regulations provided by said entities.

### **II. ADOPTION OF FINDINGS**

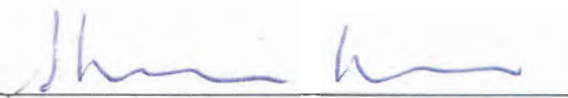
The Planning Commission specifically adopts the findings within the December 8, 2015 staff report in support of this order approving the “Manougian Partition” two-Parcel Partition (Comprehensive Plan Amendment/Zoning Map Amendment / Partition / Environmental Review Permit – File Nos. CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15).

### III. ORDER

The Planning Commission hereby approves the “Manougian Partition” Comprehensive Plan Amendment/Zoning Map Amendment / Partition / Environmental Review Permit (File Nos. CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15), based on the findings provided herein and specifically adopted under Section II. This order requires compliance with the conditions set out in the Conditions of Approval from the Staff Report to the Planning Commission dated December 8, 2015, including any amended language.

ORDER OF THE PLANNING COMMISSION dated this 8<sup>th</sup> day of December, 2015.

PLANNING COMMISSION, CITY OF HAPPY VALLEY

By:   
Shanin Prusia, Planning Commission Chair



**Conditions of Approval for  
CPA-11-15/LDC-12-15/LP-02-15/ERP-10-15**

**Administration**

1. That the City shall amend its Comprehensive Plan Map/Zoning Map to indicate that Clackamas County Assessor Map No. 12E35D: Tax Lot 1300 is subject to a Very Low Density Residential plan designation and R-40 zoning designation.
2. That the property owner shall file a final plat pursuant to ORS 92.050 and shall conform to all provisions contained therein. The recorded plat shall be in substantial conformance with the approved preliminary plat and bear the signature of the City's Economic and Community Development Director. Two recorded copies of the Plat shall be submitted to the City as verification of recordation prior to the issuance of any building permit.
3. That the approval for the proposed Partition shall expire two years from the issuance of the Notice of Decision. The applicant may apply for a maximum of three, one year time extensions, pursuant to Section 16.63.040.D of the most current revision of the City's LDC.
4. That prior to final plat approval, area computations in square feet for all building lots must be prepared and submitted by an engineer or surveyor registered in the State of Oregon.

**Happy Valley Engineering Division**

**General Items**

5. That all submitted project construction plans shall conform to the City's "Engineering Design and Standard Details Manual" (Engineering Design Manual) for design and drafting requirements.
6. That the project is subject to the City's latest "Public Improvement Guarantee" form which requires a financial security based upon the engineer's estimate and a 25 percent, two year maintenance bond upon completion and acceptance of the public improvements.
7. That construction plans shall show all adjacent subdivision names, lot lines and tax lot lines with the tax map and tax lot number noted on each.
8. That construction plan review is subject to these conditions of approval.
9. That prior to the scheduling of the Pre-Construction meeting, issuance of a Notice to Proceed, or beginning any site work, the applicant shall submit all applicable bonds, have paid all applicable fees, and have service provider letters for both Stormwater and Sanitary Sewer services from Water Environment Services (Clackamas County) and the Sunrise Water Authority.
10. That a sign shall be posted conspicuously at the job site entrance prior to site construction, and shall be maintained throughout construction. Use 2-inch high black letters on an orange background. The sign shall read as follows:

*“SITE CONSTRUCTION SHALL BE LIMITED TO 7:00 AM TO 6:00 PM ON WEEKDAYS, AND 8:00 AM TO 5:00 PM ON SATURDAYS AND SUNDAYS.*

*HOWEVER, SITE CLEARING, EARTH MOVING, INSTALLAION OR CONSTRUCTION OF UNDERGROUND UTILITIES, PAVING OF STREETS AND SIDEWALKS, FOUNDATION FRAMING AND POURING, AND STRUCTURAL FRAMING SHALL BE ENTIRELY PROHIBITED ON SUNDAYS.*

*TO REPORT VIOLATIONS CALL 503-783-3800.”*

The City Manager shall have the authority to waive these requirements in the event of emergency or in the City Manager’s opinion, justifiable cause.

#### Grading and Erosion Sediment Control

11. That the developer’s engineer is required to provide a site specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control (ESC) measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control collection, routing, and treatment of storm water runoff and ground water. No site construction will be allowed to take place if the storm drainage system and ESC measures are not installed per plan and functioning properly.
12. That if the total disturbed area for this project exceeds one acre, an NPDES 1200-C permit from DEQ will be required. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C permit submittals. A copy of the approved and signed permit shall be provided to the City prior to holding a pre-construction meeting or commencing any construction activity.
13. That vegetative cover shall be maintained on slopes or established through new plantings for stability and erosion control purposes. Vegetation shall not be stripped from any steeply sloped area except for construction of utilities, streets, pedestrian facilities, and retaining walls.
14. That the Erosion Sediment Control Plan shall include a plan to implement and maintain wet weather measures within 14 days of the final grading and between the dates of October 1st and April 30th.
15. That all grading activity shall be per the current City of Happy Valley Municipal Code and the project geotechnical engineer’s report from GeoPacific Engineering, Inc. dated April 3, 2015. The developer shall submit a completed Site Development Permit and Engineering Erosion Control Permit to the City prior to beginning any grading work on site.
16. That for retaining walls greater than four feet in height, a professional engineer or geotechnical engineer registered in the State of Oregon shall provide stamped design calculations and detail drawings required for the retaining wall construction. The retaining wall detail drawings shall include at a minimum; wall profile, wall cross section at highest point of wall, wall reinforcing geotextile requirements, wall drainage system, and wall backfill requirements.

### Street/Pedestrian System

17. That the project shall dedicate 24.5 feet of public right-of-way and an eight-foot wide public utility easement (PUE) along the south property line for the future extension of Aldridge Road, which is classified as a local street.
18. That prior to final plat approval, an eight-foot wide soft surface path shall be constructed in the Aldridge Road right-of-way in accordance with the City's Engineering Design Manual and Drawing No. 400.
19. That the developer shall provide end of street markers on the south side of the intersection of Aldridge Road and Wintercress Court, adjacent to the proposed shared driveway in accordance with Drawing No. 315.
20. That the proposed shared driveway shall have a minimum 12-foot paved width in accordance with Drawing No. 120. The applicant shall establish a minimum 20-foot wide reciprocal access easement and maintenance agreement between Parcel 1 and Parcel 2 for the proposed shared drive.
21. That frontage improvements on Aldridge Road will not be required as part of this development, but the property owner shall sign and record a Non-Remonstrance Agreement for future frontage improvements on Aldridge Road prior to final plat approval.
22. That all required public improvements shall be constructed, inspected, and accepted in accordance with Section 16.63.080.B.2 of the LDC prior to final plat approval.

### Miscellaneous

23. That the Developer shall provide a signed copy of the U.S. Postal Services "Mode of Delivery Agreement". Submittal of this agreement shall be required prior to a pre-construction meeting taking place.
24. That dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
25. That noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working on the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
26. That all construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through the use of proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.
27. That submittal to the City of all required performance bonds, insurance certificates, engineer's agreements, set-aside account letters and/or sureties shall occur prior to establishing a pre-construction meeting date. Review and acceptance by the City Recorder of these instruments shall be required prior to establishing a pre-construction meeting date.

28. That a construction plan deposit shall be paid with the first submittal of the construction plans for the project. The deposit amount is based upon the number of lots and the Engineering Division Fee Schedule can be found on the City website. All remaining engineering plan review and inspection fees, right-of-way permit fees (if any) and tree cutting permit fees (if any), shall be paid at the time of the pre-construction meeting.

**Clackamas County Service District #1/Water Environment Services**

Sanitary Sewer

29. That this development shall be required to annex to CCSD#1 prior to connection to the sanitary sewer system. Annexation forms can be found at <http://www.clackamas.us/wes/annexation.html>.
30. That this site is subject to the CCSD#1 Sanitary Sewer and Stormwater Standards revised July, 2013.
31. That plan review fees are due with the first submittal for plan review. This development is subject to a plan review fee for sanitary sewer based upon the cost of construction. All connection and/or plan review fees are required to be paid prior to issuing plat approval.
32. That the developer must provide minimum 10-foot wide sanitary sewer easements where necessary as determined by CCSD#1.
33. That the applicant/developer shall submit complete civil-engineered plans for sanitary sewer design, stamped by a licensed Civil Engineer, to CCSD#1 for review and approval.
34. That building permits shall not be approved by WES until the sanitary sewer system is complete in all respects and accepted by CCSD#1.

Storm water

35. That surface water plan review fees are due with the first submittal for plan review. This development is subject to a plan review fee for storm drainage facilities based upon the cost of construction.
36. That onsite detention facilities shall be provided. Onsite detention facilities shall be designed to reduce the two-year storm to one-half of the two-year storm (see CCSD#1 2013 stormwater standards)
37. That water quality treatment and infiltration facilities are required.
38. That a downstream analysis is required and shall demonstrate adequate conveyance capacity to the distance where the project site contributes less than 15percent of the upstream drainage area or 1,500 feet downstream of the project, whichever is greater. Offsite storm drainage improvements required to serve this area will be the financial responsibility of the developer.

39. That a site specific civil plan shall be submitted to CCSD#1 that incorporates the requirements of the land use conditions of approval. The plans must be stamped by an Oregon State licensed civil engineer. The civil engineering plans shall be designed according to CCSD#1 Surface Water Management Rules and Regulations and Standard Specifications and as directed by CCSD#1 during the plan review process. Deviation from the approved construction plans must have prior approval of CCSD#1.
40. That prior to recording the plat, a maintenance plan agreement is required to be in place. The applicant may submit a private storm water maintenance agreement or agree to a detention pond maintenance agreement with CCSD#1. CCSD#1 access requirements and standards are more restrictive than private requirements.
41. That before the proposed development can be connected to the storm sewer system or sanitary sewer line, permits shall be obtained and applicable fees paid to CCSD#1.
42. That final as-built drawings showing the storm and sanitary sewer systems shall be submitted prior to acceptance of the storm and sanitary system construction.
43. That prior to final plat approval, CCSD#1 shall review and approve the plans for the sanitary and storm sewer systems.
44. That building permits shall not be approved by WES until the storm sewer system is complete in all respects and accepted by CCSD#1.

#### **Sunrise Water Authority**

45. That all water system construction must be in accordance with the rules, regulations, policies, guidelines and standards of SWA. Cost of the improvements and construction shall be borne entirely by the developer, unless other arrangements are made between the developer and SWA.
46. That SWA has adequate potable water supplies available in sufficient quantities to provide normal domestic and fire protection needs for this proposal, as required by the Oregon Health Division. Exact improvements to the water system will be determined during design review by SWA.

#### **Clackamas Fire District #1**

##### **Fire Department Apparatus Access**

47. Provide address numbering that is clearly visible from the street.
  - a. Also at entrance to private drive from Aldridge Road.
48. That access roads shall be within 150 feet of all portions of the exterior wall of the first story of a building as measured by an approved route around the exterior of the building.

49. That "No Parking Fire Lane" signs shall be placed on one or both sides of the roadway and in turnaround as needed. Roads 26 feet wide or less shall have signs placed on both sides. Roads 26 to 32 feet wide shall have signs placed on one side posting as a fire lane. Red painted curbs can be in lieu of signage.
50. That the applicant shall provide "No Parking" signage throughout the Fire Department turnaround.
51. That access roads between 12 and 15 percent grade will only be approved if fire sprinklers are installed in all new structures served by the road. Access roads in excess of 15 percent grade will not be accepted, unless an exception is approved by CFD#1 and the City Engineer.
52. That the applicant shall provide a Fire District approved turnaround for dead end access roads exceeding 150 feet in length.

#### Water Supply

50. That where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structures, on-site fire hydrants and mains shall be provided.
51. That the minimum available fire flow for single family dwellings served by a municipal water supply shall be 1,000 gallons per minute @ 20 psi.
  - a. That structures over 3,600 sq.ft. shall meet the minimum fire flow requirements in Appendix B of the Oregon Fire Code. If unable to meet the minimum fire flow, an alternative water supply can be discussed.

#### Clackamas County Service District #5 (Street Lighting)

52. That the property owner shall submit a request in writing for the formation of an assessment area, which will include any new tax lots created by this partition, to help pay for the operation and maintenance of lighting. The current rate of assessment for street lighting shall apply.

#### Utilities

53. That the applicant shall provide utility easements where required and shall be responsible for coordinating construction with all utility and service providers and facilitating cooperation among all providers and agencies.
54. That all utilities, including electrical power, telephone, cable TV, gas and others shall be underground. Pre-wiring of the project site for street lighting must be approved by CCSD #5.

#### Design

55. That this development shall utilize the following building setback development standards for the R-40 development district:

*22 feet front*  
*22 feet rear*  
*15 feet side*  
*15 feet street side*  
*20 percent lot coverage*

However, in no case shall a garage be located less than 22 feet from a public right-of-way. Prior to final plat approval, area computations in square feet for all building lots must be prepared and submitted by an engineer or surveyor registered in the State of Oregon. Setbacks are measured from the foundation to the property line.

56. The Planning Official or designee is authorized by the Planning Commission to permit reductions or increases to these standards as may be necessary to provide for the retention of trees greater than six inches in diameter measured at breast height (4.5 feet). A request to adjust the setbacks for these lots shall be accompanied by a building plan for the subject lot that illustrates the relationship between the proposed structure and significant tree retention.
57. That the property owners or Homeowner's Association are responsible for the continual maintenance of all hardscaped and landscaped areas on site.
58. That the applicant shall provide a minimum of two off street parking spaces per residence and shall also provide driveways in accordance with Sections 16.41.030.B and 16.44.010.A.3 of the LDC.
59. That the applicant shall obtain and provide copies to the City of all necessary State and Federal permits to facilitate the proposed development.
60. That tree removal shall be in accordance with Section 16.42.050.E.3 of the City's LDC.

**Steep Slopes:**

61. Development shall be limited on "transition slope areas" pursuant to LDC Section 16.32.040, except as exempted pursuant to LDC Sections 16.32.040(D)(1) and 16.32.045. Building and development shall not exceed fifty (50) percent of the transition slope area and/or isolated conservation slope or transition slope areas.
62. Development on the subject property shall be consistent with the conclusions and recommendations contained in December 31, 2014 geotechnical report by Benjamin L. Cook, R.G., L.G., Senior Geologist and James D. Imbrie, G.E., G.E.G., Principal Geotechnical Engineer for GeoPacific Engineering, Inc. Further site specific geotechnical analysis may be required on individual building lots at the time of their development.
63. Development shall be limited to the permitted uses of LDC 16.32.050, unless otherwise exempted. Development on limited pockets (less than 3,000 contiguous square feet) of "conservation slope areas" or "transition slope areas" shall be permitted consistent with February 4, 2014 geotechnical report.

TY OF HAPPY VALLEY  
6000 SE MISTY DRIVE  
Y VALLEY, OREGON 97086



\$ 001.50  
DEC 14 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  
DEC 16 2015  
LAND CONSERVATION  
AND DEVELOPMENT