Chapter 16.32 - Steep Slopes Development Overlay

Chapter 16.32 of the City of Happy Valley Land Use code

Original Version
Effective until June 2, 2015

Chapter 16.32 STEEP SLOPES DEVELOPMENT OVERLAY ZONE

16.32.010 Purpose.

Slope constrained lands are regulated by the steep slopes development overlay (SSDO). The purpose of the SSDO is to:

A. Contribute to compliance with Statewide Planning Goal 7 (Areas Subject to Natural Disasters and Hazards). For Goal 7, the SSDO specifically minimizes seismic and landslide hazards and soil erosion associated with development on steep or unstable slopes.

B. Regulate development and provide special protection on lands within "conservation slope areas" and "transition slope areas" as follows:

1. Except as exempted pursuant to Section 16.32.045, development activities on conservation slope areas are prohibited. Except as allowed by Section 16.32.040(D)(1), conservation slope areas include:

a. Slopes twenty-five (25) percent and greater (for designation as conservation slope area, the minimum contiguous extent for slopes twenty-five (25) percent and greater shall be one thousand (1,000) square feet);

b. Potentially Hazardous Analysis Areas (lands within twenty-five (25) feet of the top or toe of slopes twenty-five (25) percent and greater);

c. Areas containing potentially rapidly moving landslide hazard areas mapped by the Oregon Department of Geology and Mineral Industries (DOGAMI).

2. Within transition slope areas, conservation and development are balanced. Except as allowed by Section 16.32.040(D)(2), transition slope areas include: Slopes 15 to 24.99 percent (for designation as transition slope area, the minimum contiguous extent for slopes 15 to 24.99 percent shall be one thousand (1,000) square feet and the land must not be otherwise designated as a conservation slope area).

C. Limit the potential residential density and facilitate transfer of development away from slope constrained lands. Within conservation slope areas and transition slope areas, a maximum density of two dwelling units per acre applies.

D. Slope constrained lands in Happy Valley require special protection because they:

1. Are generally more difficult and expensive to serve with urban infrastructure as compared to less steep lands;

2. Provide wildlife habitat, tree canopy, and other environmental benefits;

3. Are located at the headwaters of watersheds that provide clean drinking water to downstream users, including Happy Valley residents;

4. Contribute to the scenic landscape of Happy Valley which is a strong part of the City's identity and livability;

5. Are often adjacent to regulated natural resource areas and/or public green spaces; and

6. Can, if developed, cause harm to persons and/or structures via stormwater runoff, landslide, mudslide, tree windthrow and other natural actions that may pose a hazard to the public health, safety and welfare.

(Ord. 389 § 1(Exh. A), 2009)

16.32.020 Applicability.

The regulations of the steep slopes development overlay shall apply to any existing lot of record with slopes greater than fifteen (15) percent (with a minimum contiguous extent greater than one thousand (1,000) square feet), potentially hazardous analysis areas, and/or DOGAMI landslide hazard areas except as allowed by Section 16.32.040(D). This section shall apply only to activities and uses that require a building, grading, tree removal and/or land use permit and per ORS 92.040, shall not apply to parcels or lots created within ten (10) years of April 21, 2009 but shall apply to all existing lots of record and parcels or lots created more than ten (10) years prior to April 21, 2009.

The steep slopes development overlay will be overlaid on any and all applicable parcels within the City limits at the time of development application and, upon being overlaid, will take precedence in density calculations over the base zoning district illustrated on the City's Comprehensive Plan map/zoning map, and actual site specific conditions shall take precedence over any aerial topography mapping or other non-survey specific datum. (Ord. 427 § 1, 2012; Ord. 389 § 1(Exh. A), 2009)

16.32.030 General provisions.

No person shall develop property in areas within the steep slopes development overlay without first demonstrating compliance with this section.

A. As a condition of permit issuance or land use approval, the applicant shall agree to implement the recommendations of approved studies and to allow all inspections to be conducted.

B. Where a bond, letter of credit, or other guarantee is required, the permit shall not be issued until the bond or guarantee has been obtained and approved. (Ord. 389 § 1(Exh. A), 2009)

16.32.040 Designation of buildable lands.

A. For the purposes of the SSDO, buildable lands include:

1. Lands not designated conservation slope area or transition slope area; and

2. Buildable portions of transition slope areas according to the sliding scale as described in Section 16.32.040(D), below.

B. In addition to the Happy Valley Steep Slopes and Natural Resources Overlay Zone Map, the text provisions of this section shall be used to determine whether applications may be approved within the SSDO. The following maps and documents may also be used as references for identifying areas subject to the requirements of this section:

1. Locally adopted studies or maps;

2. City of Happy Valley slope analysis maps;

3. Mapped DOGAMI potentially rapidly moving landslide hazard areas.

C. Sliding Scale. Transition slope areas are intended to provide for limited development in balance with slope protection measures, therefore, the amount of development within transition slope areas shall be based on a sliding scale of impact intended to allow limited development within those parcels that are more encumbered with sloped lands. The sliding scale determines the amount of buildable and unbuildable transition slope area for a given site as follows:

1. If a parcel has fifty (50) percent or more of its total site area in transition slope area and conservation slope area, a maximum of fifty (50) percent of the transition slope area is designated buildable and may be developed;

2. If a parcel has 20—49.99 percent of its total site area in transition slope area and conservation slope area, a maximum of forty (40) percent of the transition slope area is designated buildable and may be developed;

3. If a parcel has 0—19.99 percent of its total site area in transition slope area and conservation slope area, a maximum of thirty (30) percent of the transition slope area is designated buildable and may be developed.

D. Designation of Isolated Conservation Slope or Transition Slope Areas as Buildable. Through a Type II Environmental Review, an isolated pocket of conservation slope or transition slope Area on a property may be designated as buildable land. The applicant must demonstrate the following:

1. For Conservation Slope Areas or for areas with a combination of Conservation Slope Area and Transition Slope Area:

a. The contiguous extent of the area is three thousand (3,000) square feet or less;

b. There are no other conservation slope areas or transition slope areas within fifty (50) feet; and

c. The required special studies and reports have been prepared in accordance with Section 16.32.080, evaluating the site conditions and determining that the conservation slope area can be safely developed.

2. For transition slope areas:

a. The contiguous extent of the area is six thousand (6,000) square feet or less;

b. There are no other conservation slope areas or transition slope areas within fifty (50) feet; and

c. The required special studies and reports have been prepared in accordance with Section 16.32.080, evaluating the site conditions and determining that the transition slope area can be safely developed.

(Ord. 389 § 1(Exh. A), 2009)

16.32.045 Exceptions.

A. An activity that avoids conservation slope areas and transition slope areas.

B. The following activities, regardless of location:

1. An excavation that is less than three feet in depth, or which involves the removal of a total of less than fifty (50) cubic yards of volume;

2. A fill that does not exceed three feet in depth or a total of fifty (50) cubic yards of fill material;

3. New construction or expansion of a structure resulting in a net increase in ground floor area of less than one thousand (1,000) square feet that does not involve grading;

4. Emergency actions required to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property, as determined by the public works director;

5. Any land use or activity that does not require a building permit or grading permit, or land use approval; or

C. An activity that is determined by the planning official to be reasonably similar to the exceptions listed in this section. (Ord. 389 § 1(Exh. A), 2009)

16.32.050 Permitted uses.

A. Permitted uses within conservation slope areas and unbuildable transition slope areas are limited to the following:

1. Open space and trails constructed consistent with the provisions of Title 16 of the Engineering Design and Standard Details Manual;

2. Removal of refuse and permitted fill;

3. Planting of native vegetation and removal of non-native/invasive species, dead or dying trees or vegetation that is hazardous to the public;

4. Construction, re-construction or expansion of public utilities and infrastructure (including both public roads and private streets) that is necessary to support permitted development;

5. Construction, re-construction or expansion of a single-family residence on a legal lot of record under the following prescribed conditions:

a. The applicant must demonstrate that the lot has received prior planning approval from either the City of Happy Valley, or if annexed, from Clackamas County, and that there is insufficient buildable land on the same lot to allow the proposed construction or expansion;

b. The engineering, building permit, erosion control, water quality, and re-vegetation standards of this title have been fully satisfied;

c. The residence or addition has been sited so as to minimize excavation and disturbance to native vegetation within the steep slopes development overlay area;

d. The maximum impervious surface coverage from development shall be three thousand five hundred (3,500) square feet. This standard may be exceeded to allow a private driveway design and location that reduces adverse impacts to protected areas if the applicant demonstrates that a longer driveway will facilitate driveway construction that will either more closely follow hillside contours, and thereby reduce overall cut and fill area by at least twenty (20) percent; or avoid tree clusters and thereby reduce by at least twenty (20) percent the number of trees (six-inch caliper at breast height or greater) that must be removed; and

6. Development shall not result in cuts or fills in excess of three feet except for basement construction unless specifically approved by the Building Official and City Engineer, and

7. Repair or stabilization of unstable slopes.

B. Permitted uses within the buildable lands, as defined by this title are limited to the following:

1. All uses within conservation slope areas; and

2. Uses permitted in the base zone in approved buildable areas.

(Ord. 389 § 1(Exh. A), 2009)

16.32.060 Platting of new parcels or lots.

No new parcel or lot shall be platted or approved for development exclusively within conservation slope areas. (Ord. 389 § 1(Exh. A), 2009)

16.32.070 Minimum buildable site size.

The minimum buildable site size shall be equal to ten thousand (10,000) square feet. (Ord. 389 § 1(Exh. A), 2009)

16.32.080 Required maps, studies, and reports.

A. Maps. To determine the location of potentially slope constrained areas, the applicant shall submit a scaled topographic map at two-foot contour intervals for the subject property (site) for lands less than fifteen (15) percent in slope, and at five-foot contours for lands fifteen (15) percent and greater in slope and for land within one hundred fifty (150) feet of the site perimeter. This map shall be prepared by a licensed, professional engineer or land surveyor and shall show:

1. Slopes of twenty-five (25) percent and greater;
2. Potentially hazardous analysis areas, including the analysis area parallel to and within twenty-five (25) feet of the top of the twenty-five (25) percent slope break and the analysis area parallel to and within twenty-five (25) feet of the toe of the slope;
3. Mapped DOGAMI potentially rapidly moving landslide hazard areas;
4. Transition slope areas; and
5. The area (in square feet) for each category listed above for the subject property.

B. Studies and Special Reports. The City Engineer may require, when known or perceived site or area circumstances indicate such particular need, the submittal of one or more of the following studies and/or special reports for any permit or development located within the SSDO. The requirement for such studies will be in writing and will be tied to specific code standards, criteria and/or requirements:

1. Studies.

   a. Geological Assessments. Geological assessments are prepared and stamped by a Certified Engineering Geologist and describe the surface and subsurface conditions of a site, delineate areas of a property that may be subject to specific geologic hazards, and assess the suitability of the site for development. Geological assessments shall be conducted and prepared according to the requirements and recommendations of the Oregon State Board of Geologist Examiners, and shall make recommendations as to whether further studies are required, and may be incorporated into or included as an appendix to the geotechnical report;

   b. Engineering Geology Reports. Engineering geology reports are prepared and stamped by a Certified Engineering Geologist and provide detailed descriptions of the geology of the site, professional conclusions and recommendations regarding the effect of geological conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. Engineering geology reports shall be

prepared in accordance with the requirements of the Guidelines for Preparing Engineering Geology Reports in Oregon adopted by the Oregon State Board of Geologist Examiners and may be incorporated into or included as an appendix to the geotechnical report; and

c. Geotechnical Reports. Geotechnical reports are prepared and stamped by a Geotechnical Engineer, evaluate site conditions, and recommend design measures necessary to reduce the development risks and facilitate safe and stable development. Geotechnical reports shall be conducted and prepared according to the requirements and recommendations of the Oregon State Board of Geologist Examiners, and may be incorporated into or included as an appendix to the Engineering Geology Report.

2. Special Reports.

a. Hydrology and Soils Report. This report shall include information on the hydrological conditions on the site, the effect of hydrologic conditions on the proposed development, the proposed development's impact on surface and groundwater flows to wetlands and streams, and any hydrological or erosion hazards. This report shall also include soils characteristics of the site, their suitability for development, carrying capacity, and erosion or slumping characteristics that might present a hazard to life and property, or adversely affect the use or stability of a public facility or utility. Finally, this report shall include information on the nature, distribution and strength of existing soils; the adequacy of the site for development purposes; and an assessment of grading procedures required to impose the minimum disturbance to the natural state. A licensed, professional engineer registered in Oregon shall prepare the hydrology and soils report;

b. Grading Plan. The grading plan shall be specific to a proposed physical structure or use and shall include information on terrain (two-foot intervals of property), drainage, direction of drainage flow, location of proposed structures and existing structures which may be affected by the proposed grading operations, water quality facilities, finished contours or elevations, including all cut and fill slopes and proposed drainage channels. Project designs, including but not limited to, locations of surface and subsurface devices, walls, dams, sediment basins, storage reservoirs, and other protective devices, shall form part of the submission. The grading plan shall also include: (i) construction phase erosion control plan consistent with the provisions of Title 15 of the City's Municipal Code; and (ii) schedule of operations. A licensed, professional engineer registered in Oregon shall prepare the grading and erosion control plan; and

c. Native Vegetation Report. This report shall consist of a survey of existing vegetative cover, whether it is native or introduced, and how it will be altered by the proposed development. Measures for re-vegetation with native plant species will be clearly stated, as well as methods for immediate and long-term stabilization of slopes and control of soil erosion. A landscape architect, landscape designer, botanist or arborist with specific knowledge of native plant species, planting and maintenance methods, survival rates, and their ability to control erosion and sedimentation shall prepare the vegetation report. The applicant shall be responsible for replacing any native plant species that do not survive the first two years after planting, and for ensuring the survival of any replacement plants for an additional two years after their replacement.

C. Compliance with Study Conclusions and Recommendations.

1. Professional Standards. The City Engineer shall determine whether Geological Assessments, Engineering Geology Reports, or Geotechnical Reports have been prepared in accordance with this title. The City Engineer may require additional information or analysis necessary to meet study requirements.

2. Peer Review. The City Engineer may require peer review of any required report, in which case regulated activities and uses shall be reviewed and accepted through the peer review process before any regulated activity will be allowed. The cost of such peer review shall be borne by the applicant. If peer review is required, the City Engineer shall provide the applicant, in writing, the reasons for the peer review.

a. A professional or professional firm of the City's choice that meets the qualifications listed in this chapter shall perform the review.

b. The review shall be at the applicant's expense.

c. Review of report submittals shall determine whether required elements are completed, geologic report procedures and assumptions are accepted, and all conclusions and recommendations are supported and reasonable.

3. Review Criteria. The approval authority shall rely on the conclusions and recommendations of the required reports, as modified by peer review, as well as any rebuttal material supplied by the applicant, to determine compliance with this section.

4. Conditions of Approval. After review of the peer review report(s) and any rebuttal materials submitted by the applicant, conclusions and recommendations stated in approved reports shall be directly incorporated as permit conditions or provide the basis for conditions of approval for the regulated activity or use.

5. Expiration. Where an approved assessment or report as defined by this chapter has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, that report may be utilized and a new report is not required. Should environmental conditions associated with the site or surrounding the site change, or if the proposed land use activity or development has materially changed, the applicant shall

submit an amendment to the required assessment or report, which may be reviewed and approved through the peer review process.

(Ord. 389 § 1(Exh. A), 2009)

16.32.090 Environmental review permit.

Development proposals that are subject to the provisions of Chapter 16.32 require an environmental review permit application. Environmental Review Permits will be reviewed through a Type II procedure, pursuant to Section 16.61.030. (Ord. 389 § 1(Exh. A), 2009)

16.32.100 Density and density transfers.

Within conservation slope areas and transition slope areas, a maximum density of two dwelling units per acre applies. Except as exempted pursuant to Section 16.32.045, development activities on conservation slope areas are prohibited. Density calculations shall be made pursuant to Section 16.63.020(F). Density may be transferred from conservation slope areas and unbuildable transition slope areas to buildable

portions of the parcel in accordance with the requirements of Section 16.63.020(F). (Ord. 389 § 1(Exh. A), 2009)

16.32.110 Site design criteria.

Development within the SSDO shall comply with the following site design criteria:

A. Development is sited on lands less than fifteen (15) percent slope lands within the same parcel or on other parcels which are a part of the application, to the greatest degree practicable;

B. Significant trees and other resources are protected and/or incorporated into the site design;

C. Lands that remain undeveloped are coordinated with open space in adjacent parcels and natural resource areas, so that such areas, in combination, form as continuous an open space system as is practicable;

D. Opportunities for linking wildlife corridors and pedestrian trails are implemented;

E. Provision of access and internal circulation routes are as short as possible and designed to work with the natural topography, maintain minimum grades and require minimum cut and fill;

F. Creation of open space tracts between proposed developments and existing developed parcels or open space tracts shall be coordinated so that such areas, in combination, will form as continuous an open space system as is practicable; and

G. Opportunities for shared access are utilized wherever practicable, and if possible may be required by the City Engineer pursuant to Section 16.41.030, Vehicular access and circulation. A variance to vehicular access and circulation standards may be granted pursuant to Section 16.71.040, Class B variances. (Ord. 389 § 1(Exh. A), 2009)

Chapter 16.32 - Steep Slopes Development Overlay

Chapter 16.32 of the City of Happy Valley Land Use code

Amended Version
Effective as-of June 2, 2015

[10] Medical marijuana distribution facilities are subject to the following conditions:

a. Shall be registered as a business or have filed a pending application to register as a business with the Office of the Secretary of State;

b. Shall not be located within one thousand (1,000) feet of the real property comprising a public or private elementary, secondary or career school attended primarily by minors;

c. Shall not be located within one thousand (1,000) feet of another medical marijuana facility; and

d. Shall install a security system, including a video surveillance system, alarm system and safe; and

e. Shall test for pesticides, mold and mildew and the processes by which usable marijuana and immature marijuana plants that test positive for pesticides, mold or mildew must be returned to the registry identification cardholder, the cardholder's designated primary caregiver or the cardholder's registered grower.

[11] Subject to applicable FAA rules and regulations.

[12] **Pursuant to Section 16.69.030.**

Chapter 16.32 STEEP SLOPES DEVELOPMENT OVERLAY ZONE

16.32.010 Purpose.

Slope constrained lands are regulated by the steep slopes development overlay (SSDO). The purpose of the SSDO is to:

A. Contribute to compliance with Statewide Planning Goal 7 (Areas Subject to Natural Disasters and Hazards). For Goal 7, **with exceptions,** the SSDO specifically minimizes seismic and landslide hazards and soil erosion associated with development on steep or unstable slopes.

B. Regulate development and provide special protection on lands within "conservation slope areas" and "transition slope areas" as follows:

1. Except as exempted pursuant to Section 16.32.045, development activities on conservation slope areas are prohibited. Except as allowed by Section 16.32.040(D)(1), conservation slope areas include:

a. Slopes twenty-five (25) percent and greater (for designation as conservation slope area, the minimum contiguous extent for slopes twenty-five (25) percent and greater shall be one thousand (1,000) square feet);

b. Potentially Hazardous Analysis Areas (lands within twenty-five (25) feet of the top or toe of slopes twenty-five (25) percent and greater);

c. Areas containing potentially rapidly moving landslide hazard areas mapped by the Oregon Department of Geology and Mineral Industries (DOGAMI).

2. Within transition slope areas, conservation and development are balanced. Except as allowed by Section 16.32.040(D)(2), transition slope areas include:

a.__Slopes 15 to 24.99 percent (for designation as transition slope area, the minimum contiguous extent for slopes 15 to 24.99 percent shall be one thousand (1,000) square feet and the land must not be otherwise designated as a conservation slope area);

C. Limit the potential residential density and facilitate transfer of development away from slope constrained lands. Within conservation slope areas and transition slope areas, a maximum density of two dwelling units per acre applies.

D. Slope constrained lands in Happy Valley require special protection because they:

1. Are generally more difficult and expensive to serve with urban infrastructure as compared to less steep lands;

2. Provide wildlife habitat, tree canopy, and other environmental benefits;

3. Are located at the headwaters of watersheds that provide clean drinking water to downstream users, including Happy Valley residents;
4. Contribute to the scenic landscape of Happy Valley which is a strong part of the City's identity and livability;
5. Are often adjacent to regulated natural resource areas and/or public green spaces; and
6. Can, if developed, cause harm to persons and/or structures via stormwater runoff, landslide, mudslide, tree windthrow and other natural actions that may pose a hazard to the public health, safety and welfare.

16.32.020 Applicability.

Unless excepted by the provisions of Section 16.32.045 of this title, t~~T~~he he regulations of the steep slopes development overlay shall apply to any existing lot of record with slopes greater than fifteen (15) percent (with a minimum contiguous extent greater than one thousand (1,000) square feet), potentially hazardous analysis areas, and/or DOGAMI landslide hazard areas except as allowed by Section 16.32.040(D). This section shall apply only to activities and uses that require a building, grading, tree removal and/or land use permit and per ORS 92.040, shall not apply to parcels or lots created within ten (10) years of April 21, 2009~~ but shall apply to all existing lots of record and parcels or lots created more than ten (10) years prior to April 21, 2009~~.

The steep slopes development overlay will be overlaid on any and all applicable parcels within the City limits at the time of development application and, upon being overlaid, will take precedence in density calculations over the base zoning district illustrated on the City's Comprehensive Plan map/zoning map, and actual site specific conditions shall take precedence over any aerial topography mapping or other non-survey specific datum.

16.32.030 General provisions.

No person shall develop property in areas within the steep slopes development overlay without first demonstrating compliance with this section.

A. As a condition of permit issuance or land use approval, the applicant shall agree to implement the recommendations of approved studies and to allow all inspections to be conducted.
B. Where a bond, letter of credit, or other guarantee is required, the permit shall not be issued until the bond or guarantee has been obtained and approved.

16.32.040 Designation of buildable lands.

A. For the purposes of the SSDO, buildable lands include:
   1. Lands not designated conservation slope area or transition slope area;~~ and~~
   2. Buildable portions of transition slope areas according to the sliding scale as described in Section 16.32.040(~~D~~**C**);~~, below.~~
   3. Isolated Conservation Slope or Transition Slope Areas as described in Section 16.32.040(D), below.

B. In addition to the Happy Valley Steep Slopes and Natural Resources Overlay Zone Map, the text provisions of this section shall be used to determine whether applications may be approved within the SSDO. The following maps and documents may also be used as references for identifying areas subject to the requirements of this section:
   1. Locally adopted studies or maps;
   2. City of Happy Valley slope analysis maps;
   3. Mapped DOGAMI potentially rapidly moving landslide hazard areas.

C. Sliding Scale. Transition slope areas are intended to provide for limited development in balance with slope protection measures, therefore, the amount of development within transition slope areas shall be based on a sliding scale of impact intended to allow limited development within those parcels that are more encumbered with sloped lands. The sliding scale determines the amount of buildable and unbuildable transition slope area for a given site as follows:

1. If a parcel has fifty (50) percent or more of its total site area in transition slope area and conservation slope area, a maximum of fifty (50) percent of the transition slope area is designated buildable and may be developed;

2. If a parcel has 20—49.99 percent of its total site area in transition slope area and conservation slope area, a maximum of forty (40) percent of the transition slope area is designated buildable and may be developed;

3. If a parcel has 0—19.99 percent of its total site area in transition slope area and conservation slope area, a maximum of thirty (30) percent of the transition slope area is designated buildable and may be developed.

D. Designation of Isolated Conservation Slope or Transition Slope Areas as Buildable. Through a Type II Environmental Review, an isolated pocket of conservation slope or transition slope Area on a property may be designated as buildable land. The applicant must demonstrate the following:

1. For Conservation Slope Areas ~~or for areas with a combination of Conservation Slope Area and Transition Slope Area~~:

a. The contiguous extent of the area is three thousand (3,000) square feet or less;

b. There are no other conservation slope areas or transition slope areas within fifty (50) feet; and

c. The required special studies and reports have been prepared in accordance with Section 16.32.080, evaluating the site conditions and determining that the conservation slope area can be safely developed.

2. For transition slope areas **or for areas with a combination of Conservation Slope Area and Transition Slope Area**:

a. The contiguous extent of the area is six thousand (6,000) square feet or less **and less than 50 percent of the area is within a conservation slope area**;

b. There are no other conservation slope areas or transition slope areas within fifty (50) feet; and

c. The required special studies and reports have been prepared in accordance with Section 16.32.080, evaluating the site conditions and determining that the transition slope area can be safely developed.

16.32.045 Exceptions.

A. An activity that avoids conservation slope areas and transition slope areas.

B. The following activities, regardless of location:

1. An excavation that is less than three feet in depth, or which involves the removal of a total of less than fifty (50) cubic yards of volume;

2. A fill that does not exceed three feet in depth or a total of fifty (50) cubic yards of fill material;

3. New construction or expansion of a structure resulting in a net increase in ground floor area of less than one thousand (1,000) square feet that does not involve grading;

4. Emergency actions required to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property, as determined by the public works director;

5. Any land use or activity that does not require a building permit or grading permit, or land use approval; or

C. Development of employment, industrial or commercial uses on Employment, Industrial or Commercial designated lands that are not otherwise encumbered by the City's Natural Resource Overlay Zone (NROZ) and that abut an existing or planned Collector or Arterial roadway as illustrated within the City's Transportation System Plan (TSP).

D. Transition or conservation slope areas that are "man-made" or caused by past soil fill/removal and grading activities so long as required special studies and reports have been prepared in accordance with Section 16.32.080, evaluating the site conditions and determining that the slope area can be safely developed.

~~C~~**E**. An activity that is determined by the planning official to be reasonably similar to the exceptions listed in this section.

16.32.050 Permitted uses.

A. **Unless excepted or exempt, p**~~P~~ermitted uses within ~~conservation slope areas and~~ unbuildable ~~transition~~ slope areas are limited to the following:

1. Open space and trails constructed consistent with the provisions of Title 16 of the Engineering Design and Standard Details Manual;
2. Removal of refuse and permitted fill;
3. Planting of native vegetation and removal of non-native/invasive species, dead or dying trees or vegetation that is hazardous to the public;
4. Construction, re-construction or expansion of public utilities and infrastructure (including both public roads and private streets) that is necessary to support permitted development;
5. Construction, re-construction or expansion of a single-family residence on a legal lot of record under the following prescribed conditions:
   a. The applicant must demonstrate that the lot has received prior planning approval from either the City of Happy Valley, or if annexed, from Clackamas County, and that there is insufficient buildable land on the same lot to allow the proposed construction or expansion;
   b. The engineering, building permit, erosion control, water quality, and re-vegetation standards of this title have been fully satisfied;
   c. The residence or addition has been sited so as to minimize excavation and disturbance to native vegetation within the steep slopes development overlay area;
   d. The maximum impervious surface coverage from development shall be three thousand five hundred (3,500) square feet. This standard may be exceeded to allow a private driveway design and location that reduces adverse impacts to protected areas if the applicant demonstrates that a longer driveway will facilitate driveway construction that will either more closely follow hillside contours, and thereby reduce overall cut and fill area by at least twenty (20) percent; or avoid tree clusters and thereby reduce by at least twenty (20) percent the number of trees (six-inch caliper at breast height or greater) that must be removed; and
6. Development shall not result in cuts or fills in excess of three feet except for basement construction unless specifically approved by the Building Official and City Engineer, and
7. Repair or stabilization of unstable slopes.

B. Permitted uses within the buildable lands, as defined by this title are limited to the following:

1. All uses **listed in subsection A** above ~~within conservation slope areas~~; and
2. Uses permitted in the base zone in approved buildable areas.

16.32.060 Platting of new parcels or lots.

Unless exempted in Section 16.32.045, no ~~No~~ new parcel or lot shall be platted or approved for development exclusively within conservation slope areas.

16.32.070 ~~**Minimum buildable site size.**~~

~~The minimum buildable site size shall be equal to ten thousand (10,000) square feet.~~

~~16.32.080~~ Required maps, studies, and reports.

A. Maps. To determine the location of potentially slope constrained areas, the applicant shall submit a scaled topographic map at two-foot contour intervals for the subject property (site) for lands less than fifteen (15) percent in slope, and at five-foot contours for lands fifteen (15) percent and greater in slope and for land within one hundred fifty (150) feet of the site perimeter. This map shall be prepared by a licensed, professional engineer or land surveyor and shall show:

1. Slopes of twenty-five (25) percent and greater;
2. Potentially hazardous analysis areas, including the analysis area parallel to and within twenty-five (25) feet of the top of the twenty-five (25) percent slope break and the analysis area parallel to and within twenty-five (25) feet of the toe of the slope;
3. Mapped DOGAMI potentially rapidly moving landslide hazard areas;
4. Transition slope areas; and
5. The area (in square feet) for each category listed above for the subject property.

B. Studies and Special Reports. The City Engineer may require, when known or perceived site or area circumstances indicate such particular need, the submittal of one or more of the following studies and/or special reports for any permit or development located within the SSDO. The requirement for such studies will be in writing and will be tied to specific code standards, criteria and/or requirements:

1. Studies.
   a. Geological Assessments. Geological assessments are prepared and stamped by a Certified Engineering Geologist and describe the surface and subsurface conditions of a site, delineate areas of a property that may be subject to specific geologic hazards, and assess the suitability of the site for development. Geological assessments shall be conducted and prepared according to the requirements and recommendations of the Oregon State Board of Geologist Examiners, and shall make recommendations as to whether further studies are required, and may be incorporated into or included as an appendix to the geotechnical report;
   b. Engineering Geology Reports. Engineering geology reports are prepared and stamped by a Certified Engineering Geologist and provide detailed descriptions of the geology of the site, professional conclusions and recommendations regarding the effect of geological conditions on the proposed development, and opinions and recommendations covering the adequacy of the site to be developed. Engineering geology reports shall be prepared in accordance with the requirements of the Guidelines for Preparing Engineering Geology Reports in Oregon adopted by the Oregon State Board of Geologist Examiners and may be incorporated into or included as an appendix to the geotechnical report; and
   c. Geotechnical Reports. Geotechnical reports are prepared and stamped by a Geotechnical Engineer, evaluate site conditions, and recommend design measures necessary to reduce the development risks and facilitate safe and stable development. Geotechnical reports shall be conducted and prepared according to the requirements and recommendations of the Oregon State Board of Geologist Examiners, and may be incorporated into or included as an appendix to the Engineering Geology Report.
2. Special Reports.
   a. Hydrology and Soils Report. This report shall include information on the hydrological conditions on the site, the effect of hydrologic conditions on the proposed development, the proposed development's impact on surface and groundwater flows to wetlands and streams, and any hydrological or erosion hazards. This report shall also include soils characteristics of the site, their suitability for development, carrying capacity, and erosion or slumping characteristics that might present a hazard to life and property, or adversely affect the use or stability of a public facility or utility. Finally, this report shall include information on the nature, distribution and strength of existing soils; the adequacy of the site for development purposes; and an assessment of grading

procedures required to impose the minimum disturbance to the natural state. A licensed, professional engineer registered in Oregon shall prepare the hydrology and soils report;

b. Grading Plan. The grading plan shall be specific to a proposed physical structure or use and shall include information on terrain (two-foot intervals of property), drainage, direction of drainage flow, location of proposed structures and existing structures which may be affected by the proposed grading operations, water quality facilities, finished contours or elevations, including all cut and fill slopes and proposed drainage channels. Project designs, including but not limited to, locations of surface and subsurface devices, walls, dams, sediment basins, storage reservoirs, and other protective devices, shall form part of the submission. The grading plan shall also include: (i) construction phase erosion control plan consistent with the provisions of Title 15 of the City's Municipal Code; and (ii) schedule of operations. A licensed, professional engineer registered in Oregon shall prepare the grading and erosion control plan; and

c. Native Vegetation Report. This report shall consist of a survey of existing vegetative cover, whether it is native or introduced, and how it will be altered by the proposed development. Measures for re-vegetation with native plant species will be clearly stated, as well as methods for immediate and long-term stabilization of slopes and control of soil erosion. A landscape architect, landscape designer, botanist or arborist with specific knowledge of native plant species, planting and maintenance methods, survival rates, and their ability to control erosion and sedimentation shall prepare the vegetation report. The applicant shall be responsible for replacing any native plant species that do not survive the first two years after planting, and for ensuring the survival of any replacement plants for an additional two years after their replacement.

C. Compliance with Study Conclusions and Recommendations.

1. Professional Standards. The City Engineer shall determine whether Geological Assessments, Engineering Geology Reports, or Geotechnical Reports have been prepared in accordance with this title. The City Engineer may require additional information or analysis necessary to meet study requirements.

2. Peer Review. The City Engineer may require peer review of any required report, in which case regulated activities and uses shall be reviewed and accepted through the peer review process before any regulated activity will be allowed. The cost of such peer review shall be borne by the applicant. If peer review is required, the City Engineer shall provide the applicant, in writing, the reasons for the peer review.

a. A professional or professional firm of the City's choice that meets the qualifications listed in this chapter shall perform the review.

b. The review shall be at the applicant's expense.

c. Review of report submittals shall determine whether required elements are completed, geologic report procedures and assumptions are accepted, and all conclusions and recommendations are supported and reasonable.

3. Review Criteria. The approval authority shall rely on the conclusions and recommendations of the required reports, as modified by peer review, as well as any rebuttal material supplied by the applicant, to determine compliance with this section.

4. Conditions of Approval. After review of the peer review report(s) and any rebuttal materials submitted by the applicant, conclusions and recommendations stated in approved reports shall be directly incorporated as permit conditions or provide the basis for conditions of approval for the regulated activity or use.

5. Expiration. Where an approved assessment or report as defined by this chapter has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, that report may be utilized and a new report is not required. Should environmental conditions associated with the site or surrounding the site change, or if the proposed land use activity or development has materially changed, the applicant shall submit an amendment to the

required assessment or report, which may be reviewed and approved through the peer review process.

16.32.0890 Environmental review permit.
Development proposals that are subject to the provisions of Chapter 16.32 require an environmental review permit application. Environmental Review Permits will be reviewed through a Type II procedure, pursuant to Section 16.61.030.

16.32.090~~100~~ Density and density transfers.
Within conservation slope areas and transition slope areas, a maximum density of two dwelling units per acre applies. Except as exempted pursuant to Section 16.32.045, development activities on conservation slope areas are prohibited. Density calculations shall be made pursuant to Section 16.63.020(F). Density may be transferred from conservation slope areas and unbuildable transition slope areas to buildable portions of the parcel in accordance with the requirements of Section 16.63.020(F).

16.32.1~~1~~00 Site design criteria.
Development within the SSDO shall comply with the following site design criteria:

A. Development is sited on lands less than fifteen (15) percent slope lands within the same parcel or on other parcels which are a part of the application, to the greatest degree practicable;
B. Significant trees and other resources are protected and/or incorporated into the site design;
C. Lands that remain undeveloped are coordinated with open space in adjacent parcels and natural resource areas, so that such areas, in combination, form as continuous an open space system as is practicable;
D. Opportunities for linking wildlife corridors and pedestrian trails are implemented;
E. Provision of access and internal circulation routes are as short as possible and designed to work with the natural topography, maintain minimum grades and require minimum cut and fill;
F. Creation of open space tracts between proposed developments and existing developed parcels or open space tracts shall be coordinated so that such areas, in combination, will form as continuous an open space system as is practicable; and
G. Opportunities for shared access are utilized wherever practicable, and if possible may be required by the City Engineer pursuant to Section 16.41.030, Vehicular access and circulation. A variance to vehicular access and circulation standards may be granted pursuant to Section 16.71.040, Class B variances.

[...]

16.42.030 Landscaping standards.

A. General Requirements for Landscaping.

1. Where landscaping is required by this code, a detailed landscape design plan in accordance with Section 16.42.030(C) shall be submitted for review with development applications. No development may commence until the Planning Official or Planning Commission has determined the plans comply with the specific standards of this section. All required landscaping and related improvements shall be completed or financially guaranteed prior to the issuance of a certificate of occupancy.
2. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the joint and several right and responsibility of the property owner, tenant, and their agent, if any, unless otherwise provided by the lease agreement, or City ordinances specify otherwise for general public and safety reasons. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind within four months. Landscaping shall be maintained in a condition which presents a healthy, neat, and orderly appearance and shall be kept free of refuse and debris.

Example #1

Showing violations when SSDO is applied - includes map showing conservative and transitional slopes

(page 177 of Planning Commission packet of 02/24/2015)

16.32.060 Platting of new parcels or lots.
No new parcel or lot shall be platted or approved for development exclusively within conservation slope areas.

Lot 41 is 100% within conservative slopes. Several other lots are very close to being 100% within the conservative slope area.

NOTE: The first page shows the entire lot. The other pages are a poster-sized printout of the same map to allow you to see the details from the map.

- WATER QUALITY RESOURCE AREA (WQRA) = 59,085 SF
- CONSERVATION SLOPE AREA = 55,226 SF
- TRANSITION SLOPE AREA = 8,154 SF

NOTE: NO HCA EXISTS ONSITE

SLOPE LEGEND

MIN SLOPE	MAX SLOPE	COLOR
0%	15%	
15%	25%	
25%	OVER 25%	

TOTAL GROSS SITE AREA (TGSA) = 591,109 SF

(WQRA) ÷ (TGSA) = (59,085) ÷ (591,109) = 0.099 = 9.9%

9.9% < 10% SITE CAN BE DEVELOPED AS A SUBDIVISION.

SCALE 1" = 50 FEET

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE: 503.563.6151
FAX: 503.563.6152
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GRAND VIEW MEADOWS

HAPPY VALLEY OREGON

TAX LOT 700 (ADJUSTED) CLACKAMAS COUNTY TAX MAP 1 3E 30C

DENSITY CALCULATION AREAS PLAN

DESIGNED BY	JMM
DRAWN BY	AZV
CHECKED BY	MBH
SCALE	AS NOTED

DATE: 11-03-2014

REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY NOT FOR CONSTRUCTION
OREGON
JANUARY 8, 1987
RENEWAL DATE: 6/30/15

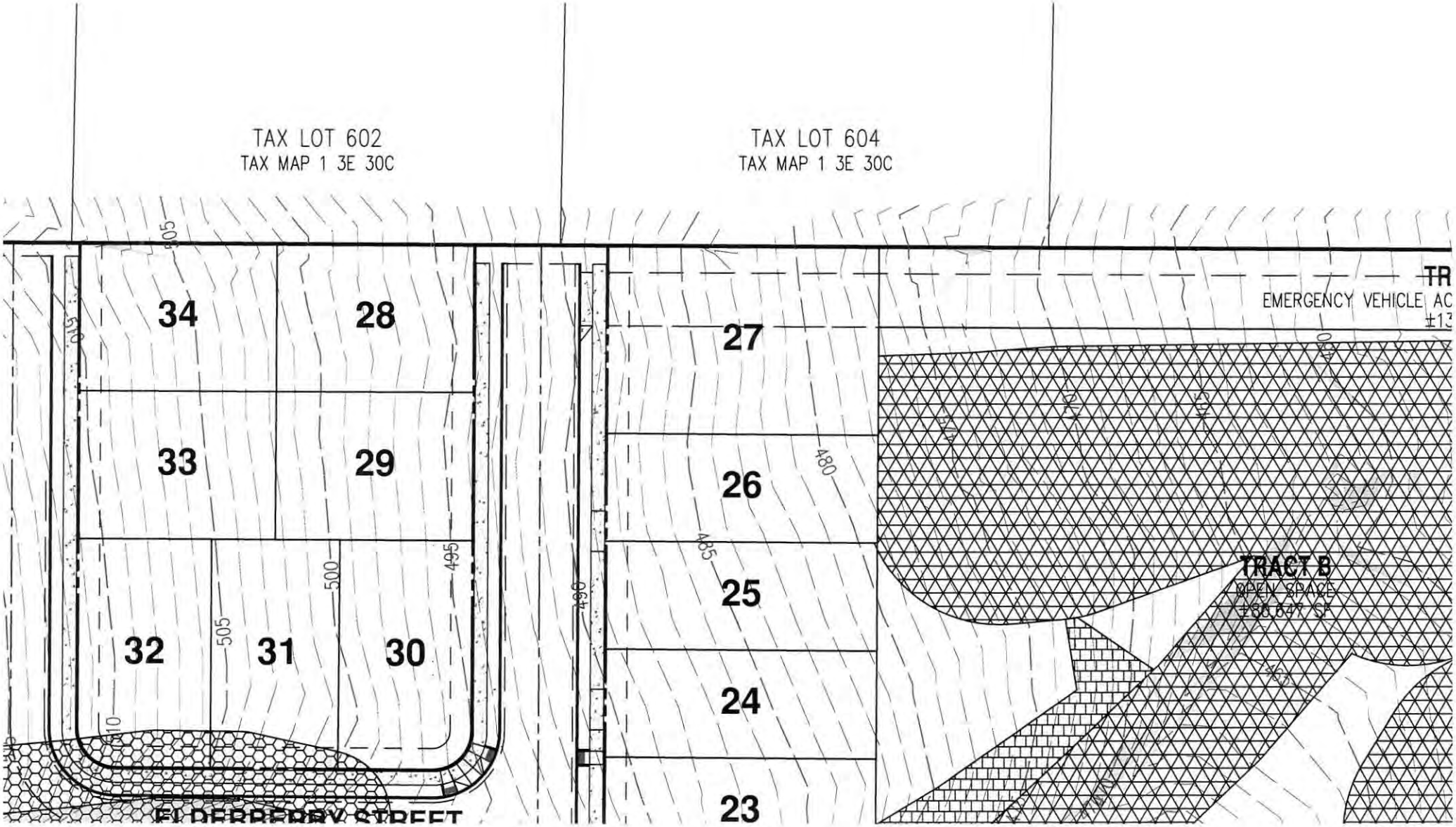
REVISIONS

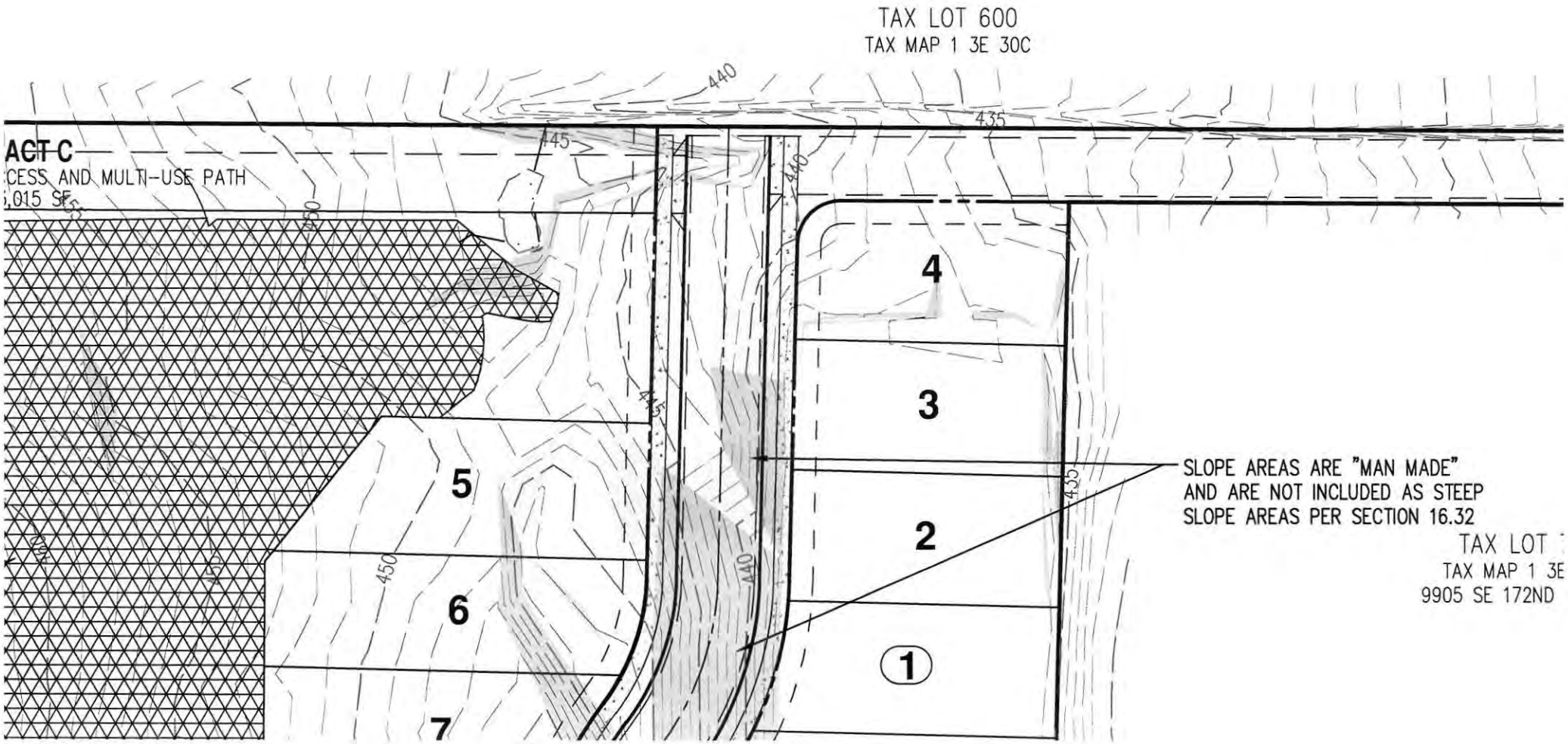
JOB NUMBER
4004

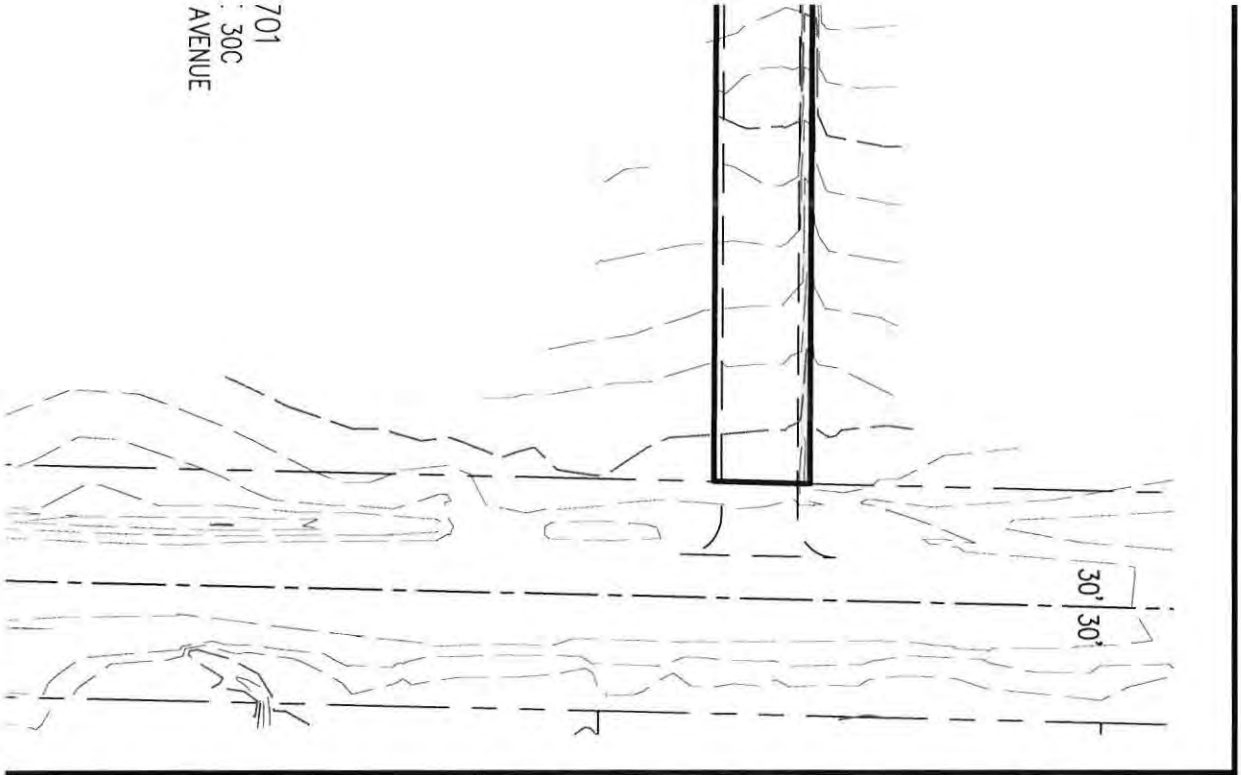
SHEET
D1

AKS DRAWING DEV: 4004 SLOPE AREAS FOR DENSITY DWG, LAYOUT: D1

TAX LOT 601
TAX MAP 1 3E 30C
35
36
37
38
39
520
525
515
520
525
RE COLLECTOR
TAX LOT 800
TAX MAP 1 3E 30C


TAX LOT 602
TAX MAP 1 3E 30C
TAX LOT 604
TAX MAP 1 3E 30C
34
28
27
33
29
26
32
31
30
25
24
23
TRACT B
OPEN SPACE
EMERGENCY VEHICLE AC
505
510
500
495
490
485
480


TAX LOT 600
TAX MAP 1 3E 30C
ACT C
CESS AND MULTI-USE PATH
,015 SF
440
435
445
450
4
3
2
1
5
6
7
SLOPE AREAS ARE "MAN MADE"
AND ARE NOT INCLUDED AS STEEP
SLOPE AREAS PER SECTION 16.32
TAX LOT
TAX MAP 1 3E
9905 SE 172ND



MEADOWS

OREGON

CLACKAMAS COUNTY TAX MAP 1 3E 30C

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
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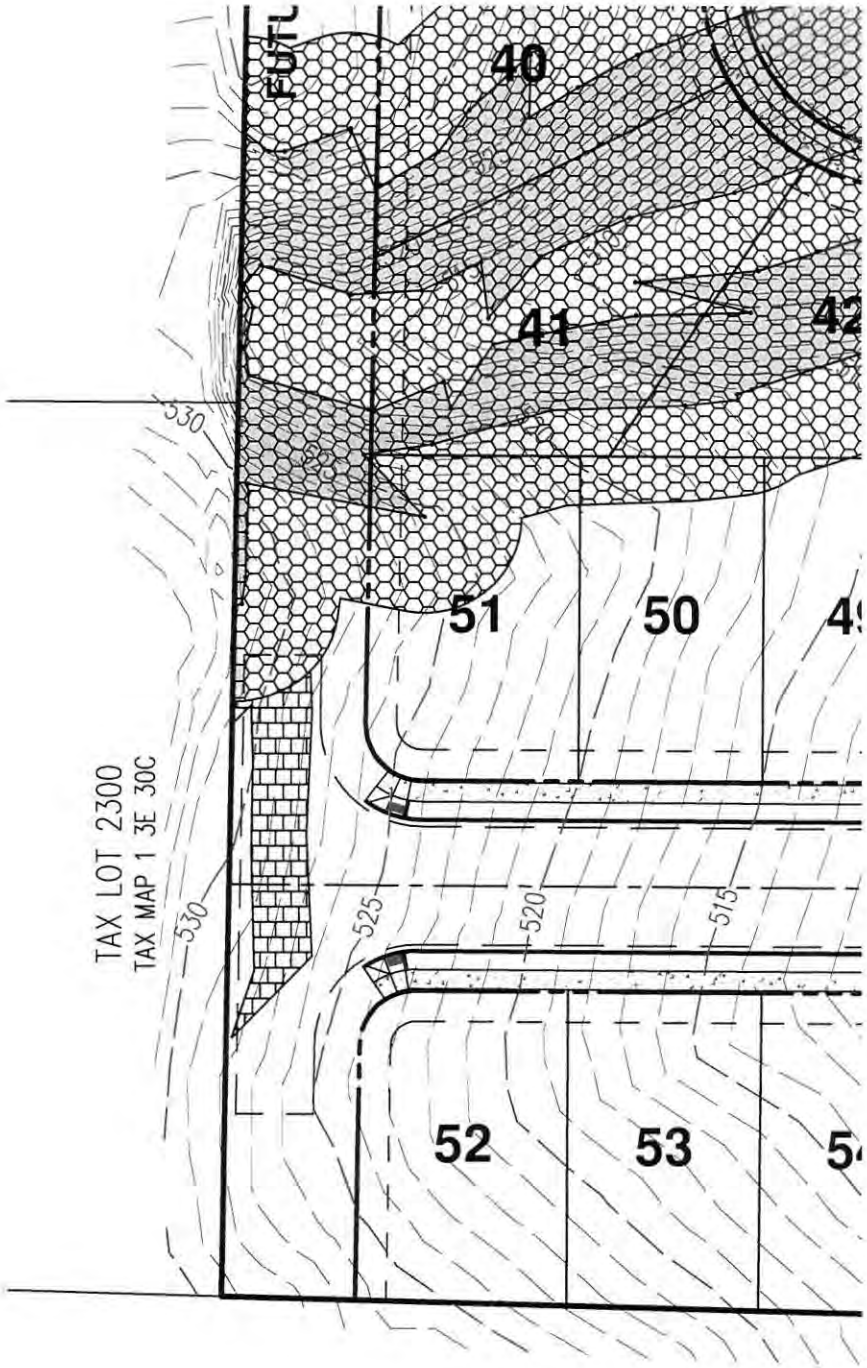
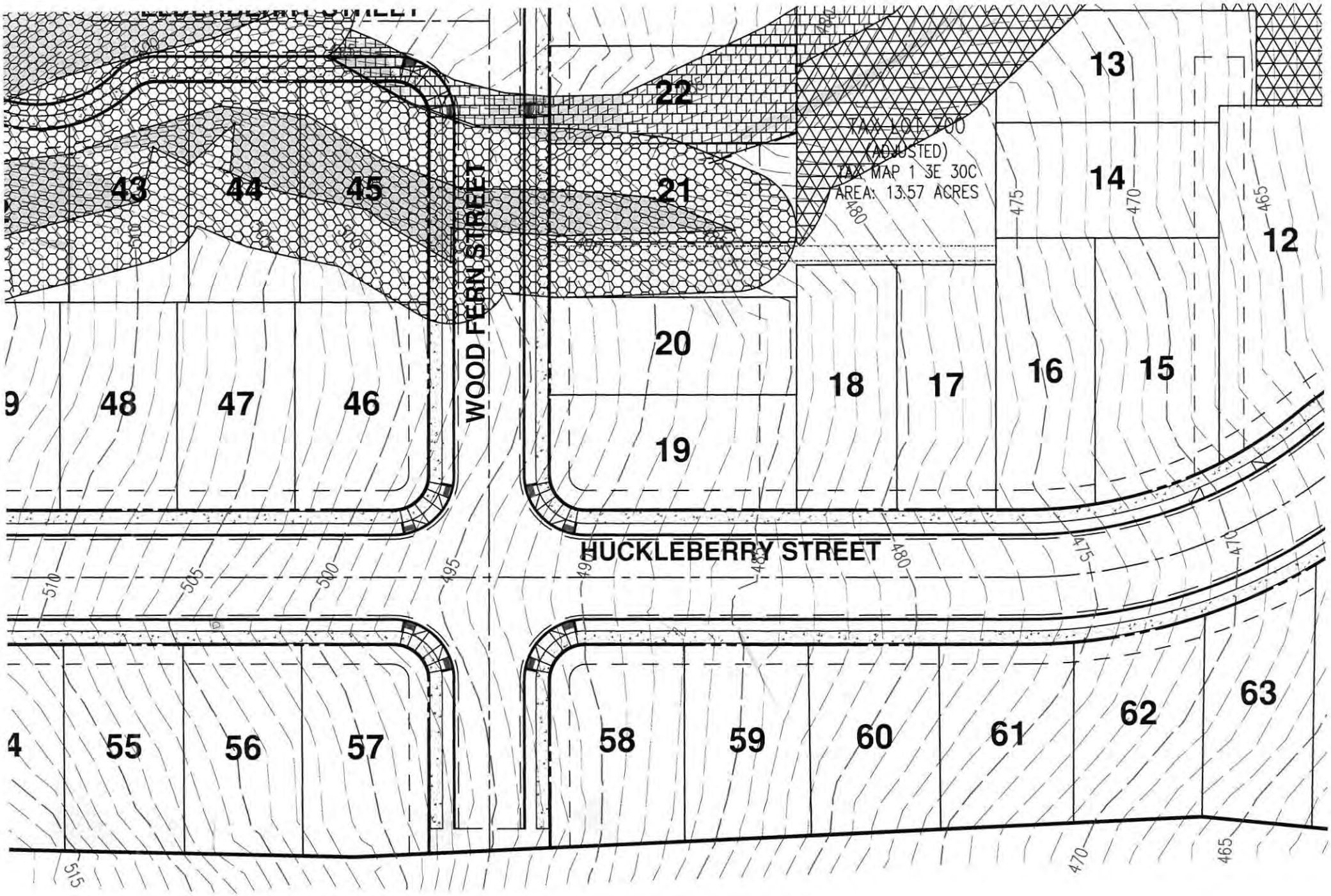
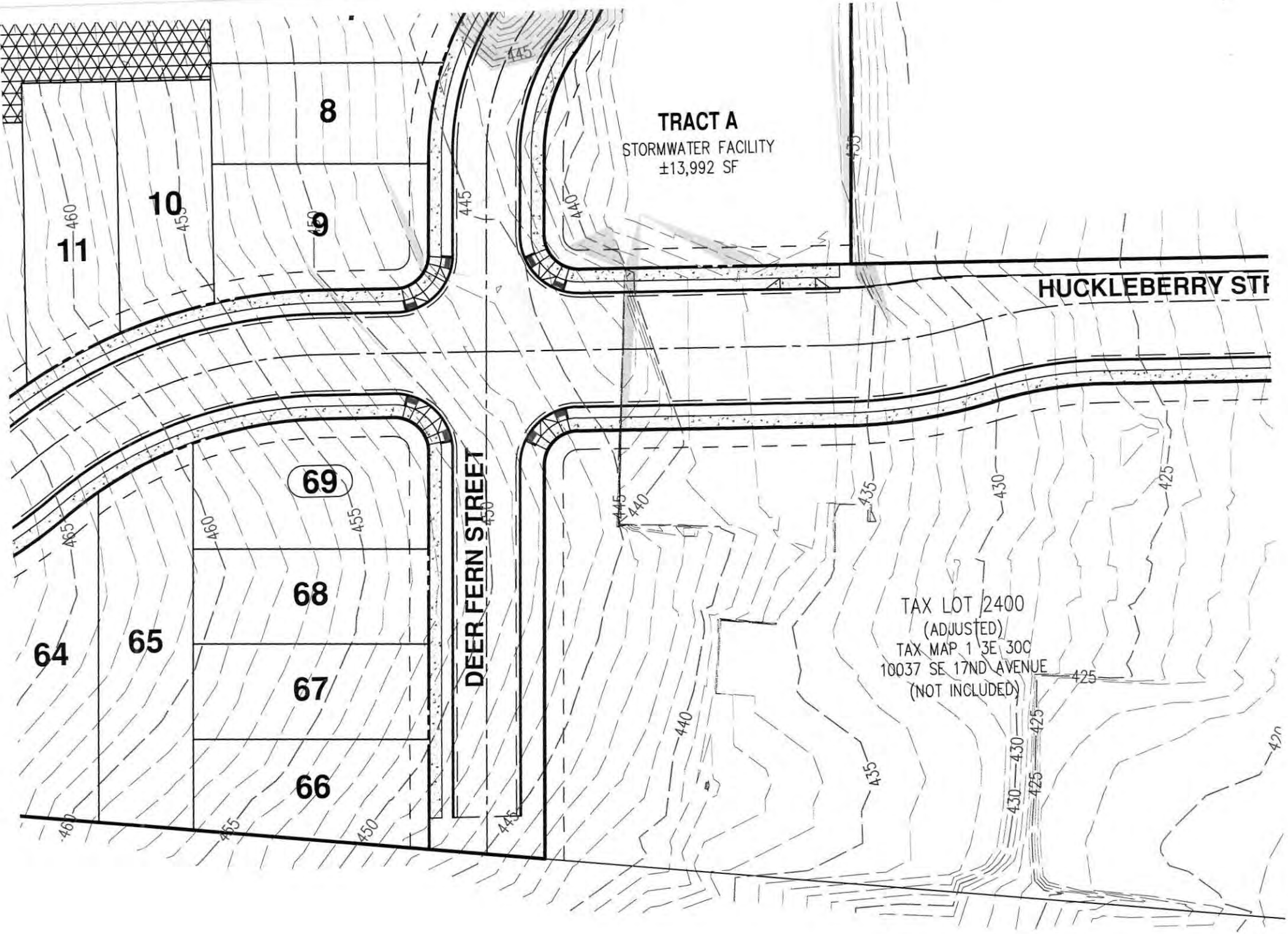
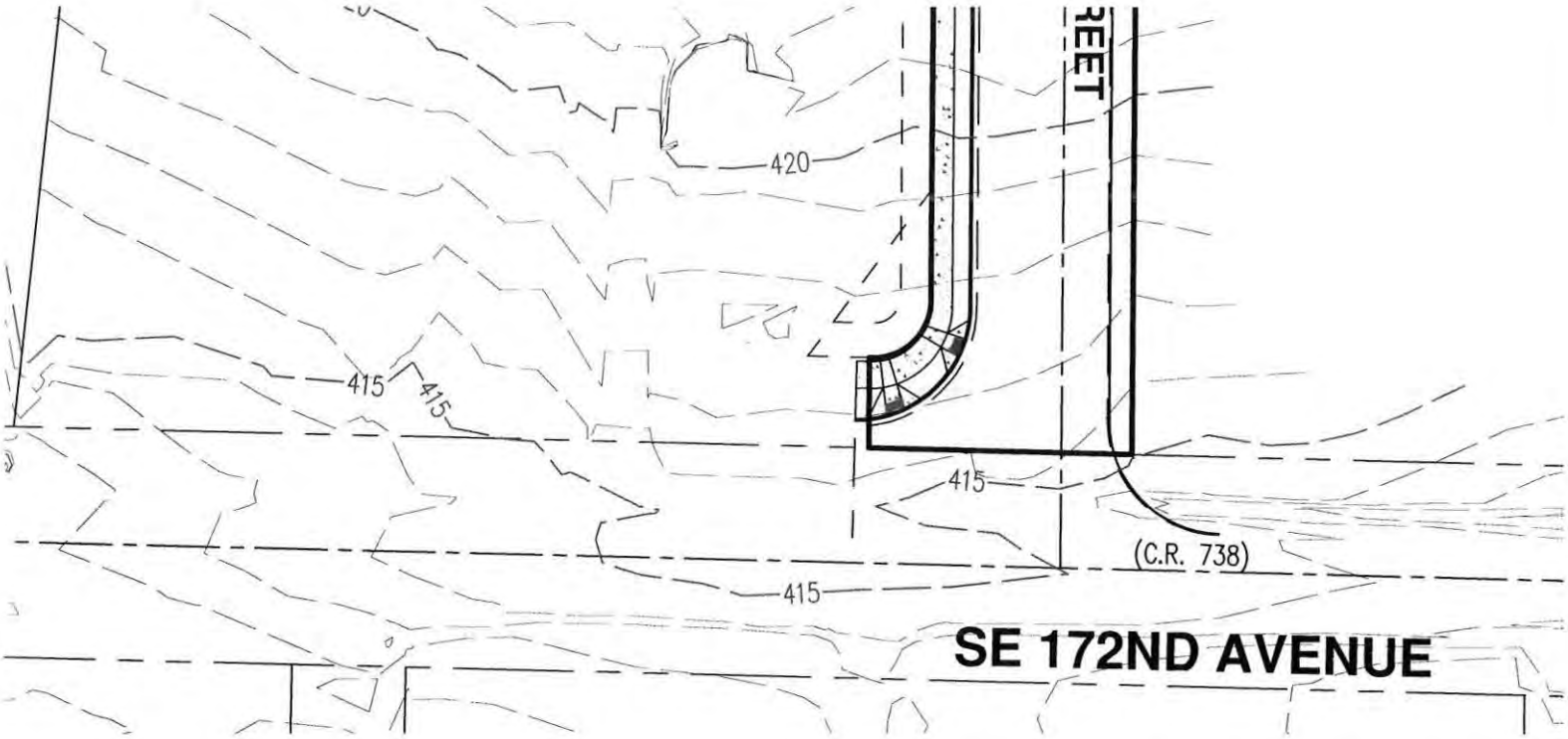

EUTL
40
41
42
51
50
49
52
53
54
530
525
520
515
TAX LOT 2300
TAX MAP 1 3E 30C


WOOD FERN STREET
HUCKLEBERRY STREET
TAX LOT 700
(ADJUSTED)
TAX MAP 1 3E 30C
AREA: 13.57 ACRES
9
48
47
46
43
44
45
22
21
20
19
18
17
16
15
14
13
12
4
55
56
57
58
59
60
61
62
63
510
505
500
495
490
485
480
475
470
465
515

TAX LOT 2200


TRACT A
STORMWATER FACILITY
±13,992 SF
HUCKLEBERRY STR
DEER FERN STREET
TAX LOT 2400
(ADJUSTED)
TAX MAP 1 3E 30C
10037 SE 17ND AVENUE
(NOT INCLUDED)
8
9
10
11
64
65
66
67
68
69



NSITY CALCULATION AREAS PLAN

GRAND VIEW M

HAPPY VALLEY

TAX LOT 700 (ADJUSTED)

AKS DRAWING FILE: 4004 SLOPE AREAS FOR DENSITY.DWG | LAYOUT: D1

TAX MAP 1 3E 30C
10157 SE 172ND AVENUE

Example #2

Showing violations when SSDO is applied - includes map showing size of lots.

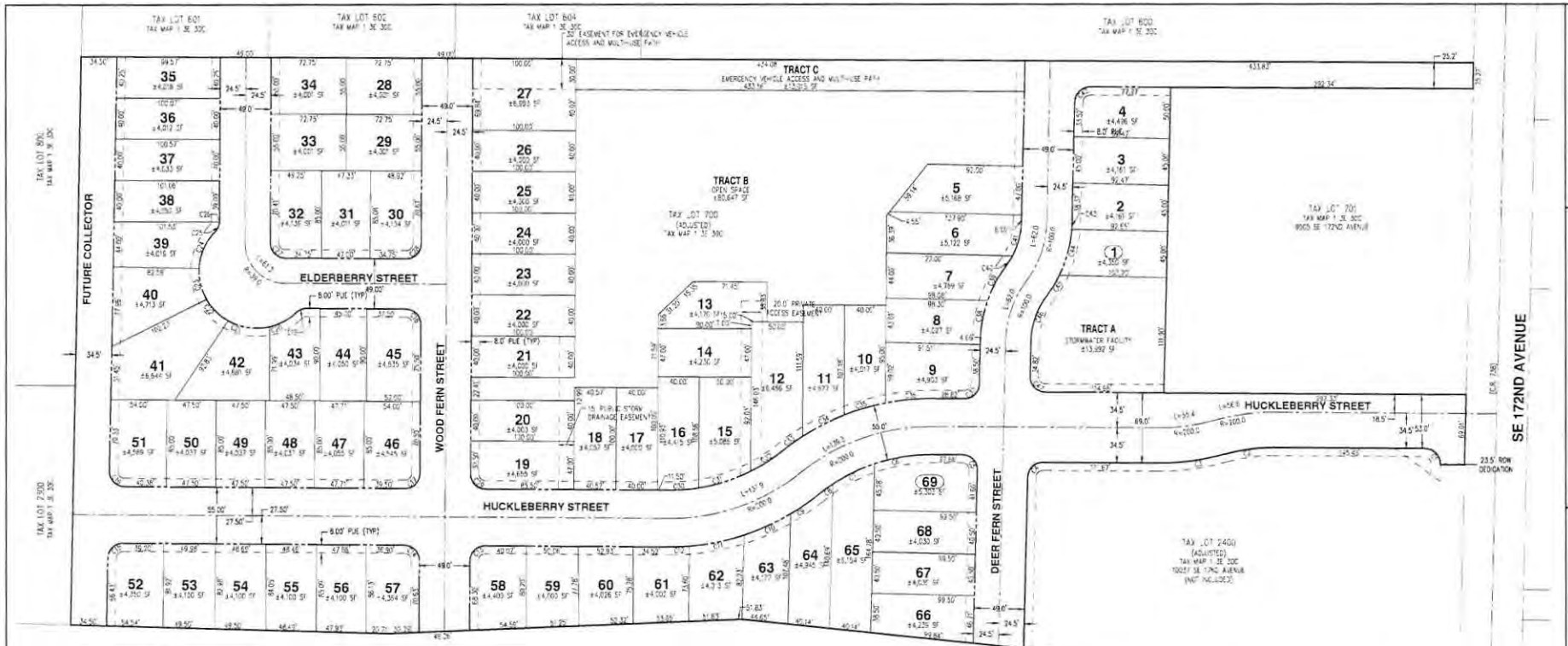
(page 161 of Planning Commission packet of 02/24/2015)

16.32.070 Minimum buildable site size.
The minimum buildable site size shall be equal to ten thousand (10,000) square feet.

Every lot is well under 10,000 square feet..

NOTE: This section of the code was removed by the amendments made on June 2, 2015. However, it was in full effect when this development was approved on February 24, 2015.

As the attorney pointed out in their letter, the code that is in effect at the time of the land use decision must be used. This shows that the code was ignored.



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	15.00'	90°58'13"	23.82'	S44°05'22"W 21.40'
C2	171.50'	16°19'45"	48.88'	S82°11'17"W 48.71'
C3	228.50'	16°15'37"	64.85'	N82°16'13"E 64.63'
C4	14.50'	89°03'47"	22.53'	S49°53'38"W 20.33'
C5	14.50'	90°58'13"	23.03'	N44°05'22"W 20.68'
C6	172.50'	18°33'51"	55.89'	S80°43'26"W 55.65'
C7	172.50'	15°00'57"	45.21'	S63°55'41"W 45.08'
C8	172.50'	3°33'13"	10.67'	S53°39'07"W 10.66'
C9	227.50'	8°25'25"	33.37'	N55°04'42"E 33.28'
C10	227.50'	12°38'00"	49.58'	N65°30'30"E 49.48'
C11	227.50'	13°37'54"	54.13'	N76°34'12"E 54.00'
C12	227.50'	9°00'52"	19.91'	N87°52'35"E 19.90'
C13	14.50'	90°00'00"	22.78'	S45°24'53"W 20.51'
C14	14.50'	90°00'00"	22.78'	S44°35'58"E 20.51'
C15	14.50'	89°11'19"	22.60'	N45°45'22"E 20.38'
C16	14.50'	90°48'41"	22.96'	S44°14'38"E 20.63'
C17	14.50'	90°00'00"	22.78'	N45°24'09"E 20.51'
C18	14.50'	90°00'00"	22.78'	N44°35'58"W 20.51'
C19	14.50'	43°55'07"	11.11'	S88°26'28"W 10.84'
C20	55.50'	30°17'30"	29.34'	N61°37'38"E 28.99'
C21	55.50'	42°53'45"	41.55'	S61°46'43"E 40.56'
C22	55.50'	30°50'31"	29.88'	S44°54'25"E 29.52'
C23	55.50'	37°25'02"	36.40'	S23°16'29"E 35.98'
C24	55.50'	41°23'06"	40.09'	S23°37'36"W 39.22'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C25	14.50'	40°18'36"	10.20'	N24°09'49"E 9.99'
C26	14.50'	3°36'28"	0.91'	N37°27'6"E 0.91'
C27	14.50'	90°00'00"	22.78'	S44°35'58"E 20.51'
C28	14.50'	90°00'00"	22.78'	N45°24'02"E 20.51'
C29	14.50'	90°00'00"	22.78'	S44°35'58"E 20.51'
C30	172.50'	9°50'32"	29.63'	N85°38'46"E 29.60'
C31	172.50'	17°33'35"	52.87'	N72°08'42"E 52.66'
C32	172.50'	12°28'55"	37.48'	N55°36'26"E 37.40'
C33	227.50'	8°50'41"	33.34'	S53°49'21"W 33.33'
C34	227.50'	11°25'15"	45.35'	S62°28'18"W 45.27'
C35	227.50'	10°32'46"	41.87'	S73°27'19"W 41.82'
C36	227.50'	12°37'51"	47.94'	S84°45'08"W 47.79'
C37	14.50'	88°58'45"	22.52'	N45°32'37"E 20.33'
C38	124.50'	17°50'03"	38.97'	S10°21'15"W 38.81'
C39	124.50'	17°39'07"	38.23'	S28°07'27"W 38.10'
C40	75.50'	8°51'01"	11.66'	N32°29'53"E 11.65'
C41	75.50'	26°41'09"	35.16'	N14°43'48"E 34.85'
C42	15.00'	88°54'32"	23.28'	S45°50'30"W 21.01'
C43	124.50'	3°04'38"	6.69'	N25°33'32"E 6.69'
C44	124.50'	2°27'02"	4.78'	N15°11'31"E 4.78'
C45	124.50'	11°50'33"	23.92'	N31°26'06"E 23.89'
C46	75.50'	35°32'10"	46.83'	S19°09'16"W 46.08'
C47	14.50'	90°59'08"	23.03'	S44°08'20"E 20.68'

PRELIMINARY SUBDIVISION PLAT NOTE:

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT A FINAL PLAT AND IS NOT TO BE USED FOR SURVEYING PURPOSES.

PUE = PUBLIC UTILITY EASEMENT

SCALE 1" = 50 FEET

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GRAND VIEW MEADOWS

HAPPY VALLEY OREGON
TAX LOT 700 (ADJUSTED) CLACKAMAS COUNTY TAX MAP 1 3E 30C

PRELIMINARY SUBDIVISION PLAT

DESIGNED BY	JMM
DRAWN BY	AZV
CHECKED BY	MBH
SCALE	AS NOTED
DATE: 11-03-2014	

REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY
NOT FOR CONSTRUCTION
OREGON
JEFFREY B. HUNTER
RENEWAL DATE: 6/30/15

REVISIONS

JOB NUMBER
4004

SHEET
09

- WATER QUALITY RESOURCE AREA (WQRA) = 59,085 SF

- CONSERVATION SLOPE AREA = 55,226 SF

- TRANSITION SLOPE AREA = 8,154 SF

NOTE: NO HCA EXISTS ONSITE.

SLOPE LEGEND

MIN SLOPE	MAX SLOPE	COLOR
0%	15%	
15%	25%	
25%	OVER 25%	

TOTAL GROSS SITE AREA (TGSA) = 591,109 SF

(WQRA) ÷ (TSGA) = (59,085) ÷ (591,109) = 0.099 = 9.9%

9.9% < 10% ∴ SITE CAN BE DEVELOPED AS A SUBDIVISION.

SCALE 1" = 50 FEET

50 0 20 30 40 50

DE

DESIGNED BY:	JMM
DRAWN BY:	AZV
CHECKED BY:	MBH
SCALE:	AS NOTED

DATE: 11-03-2014

REGISTERED PROFESSIONAL ENGINEER
MONTGOMERY B. HURLEY
OREGON
JULY 9, 2002

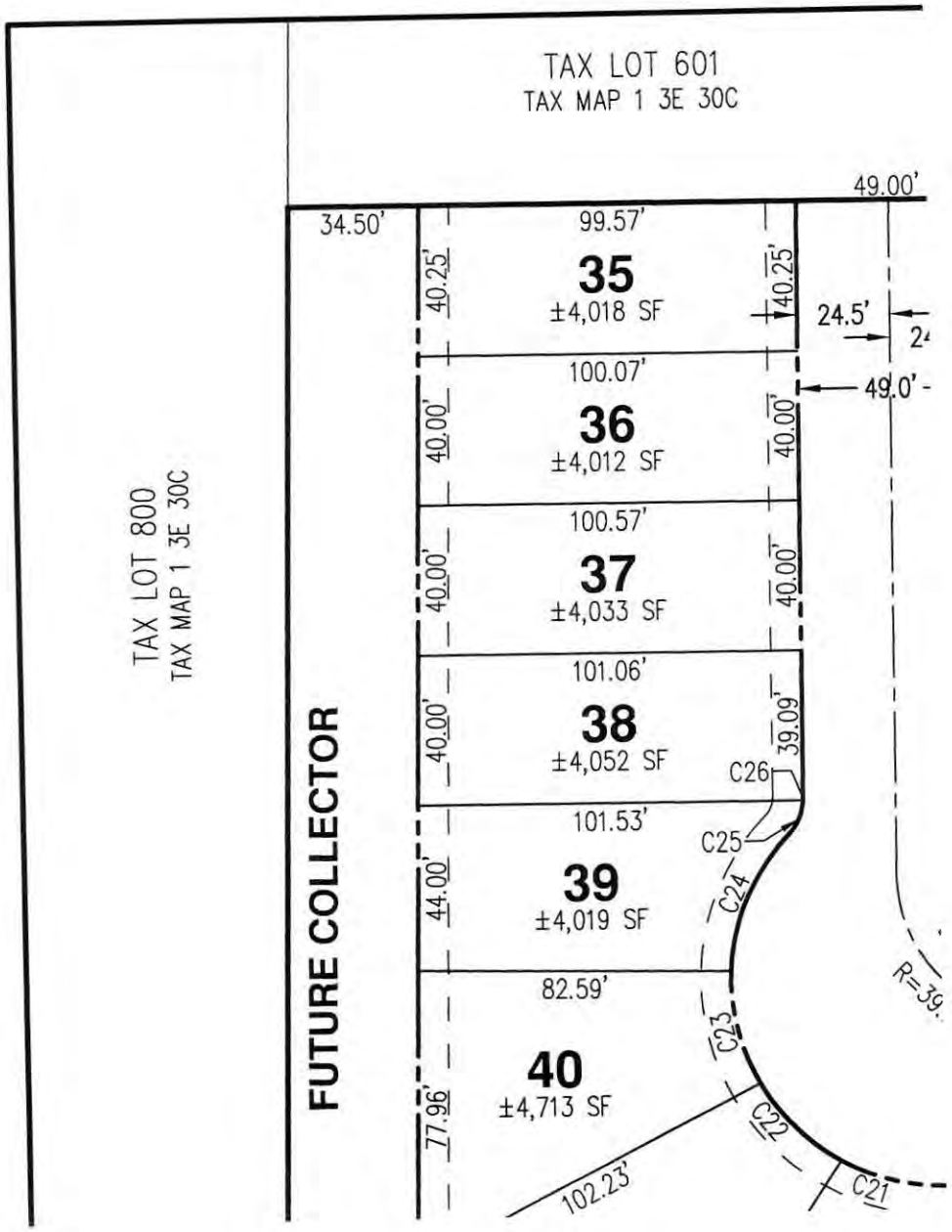
PRELIMINARY
NOT FOR CONSTRUCTION

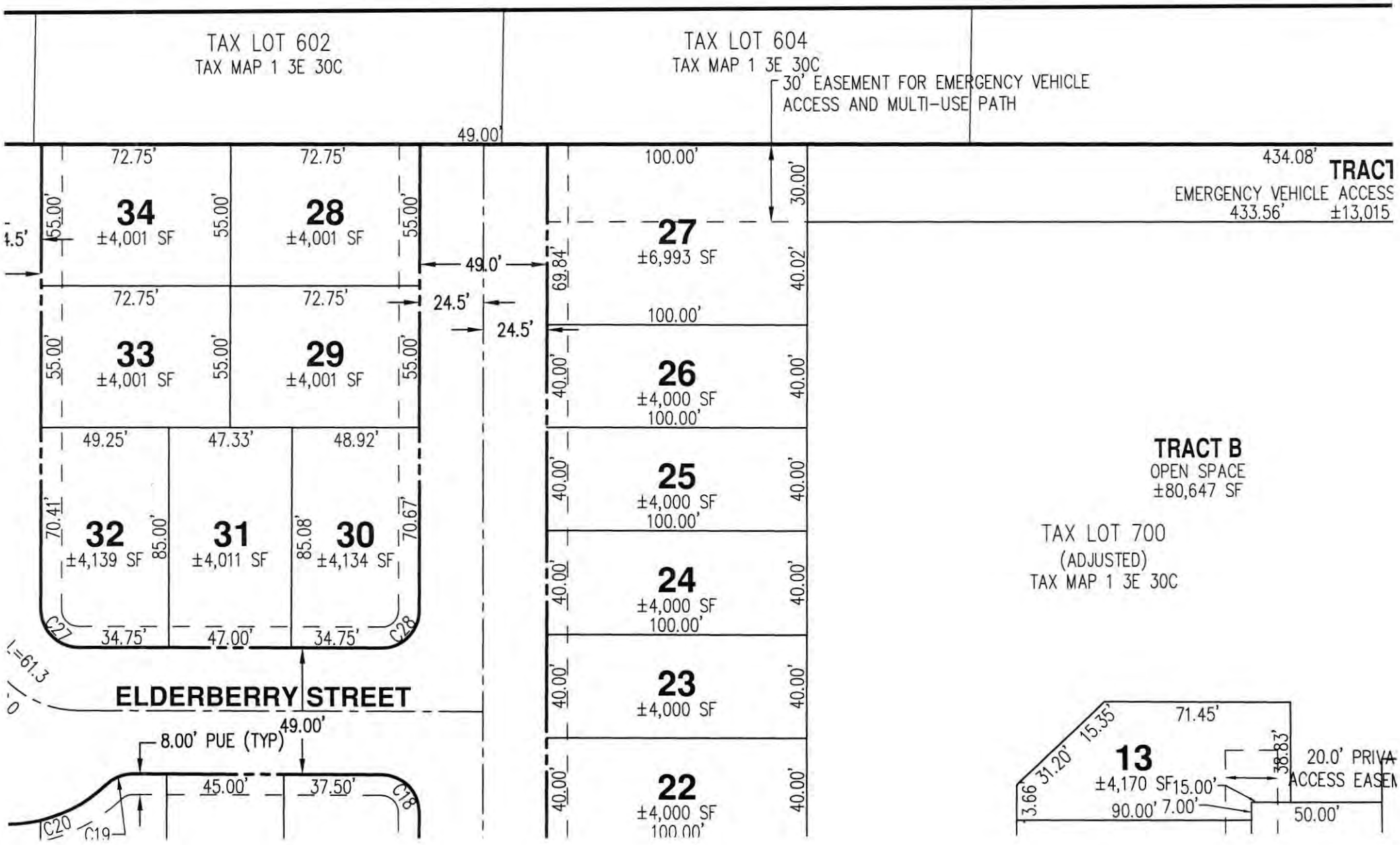
RENEWAL DATE: 6/30/15

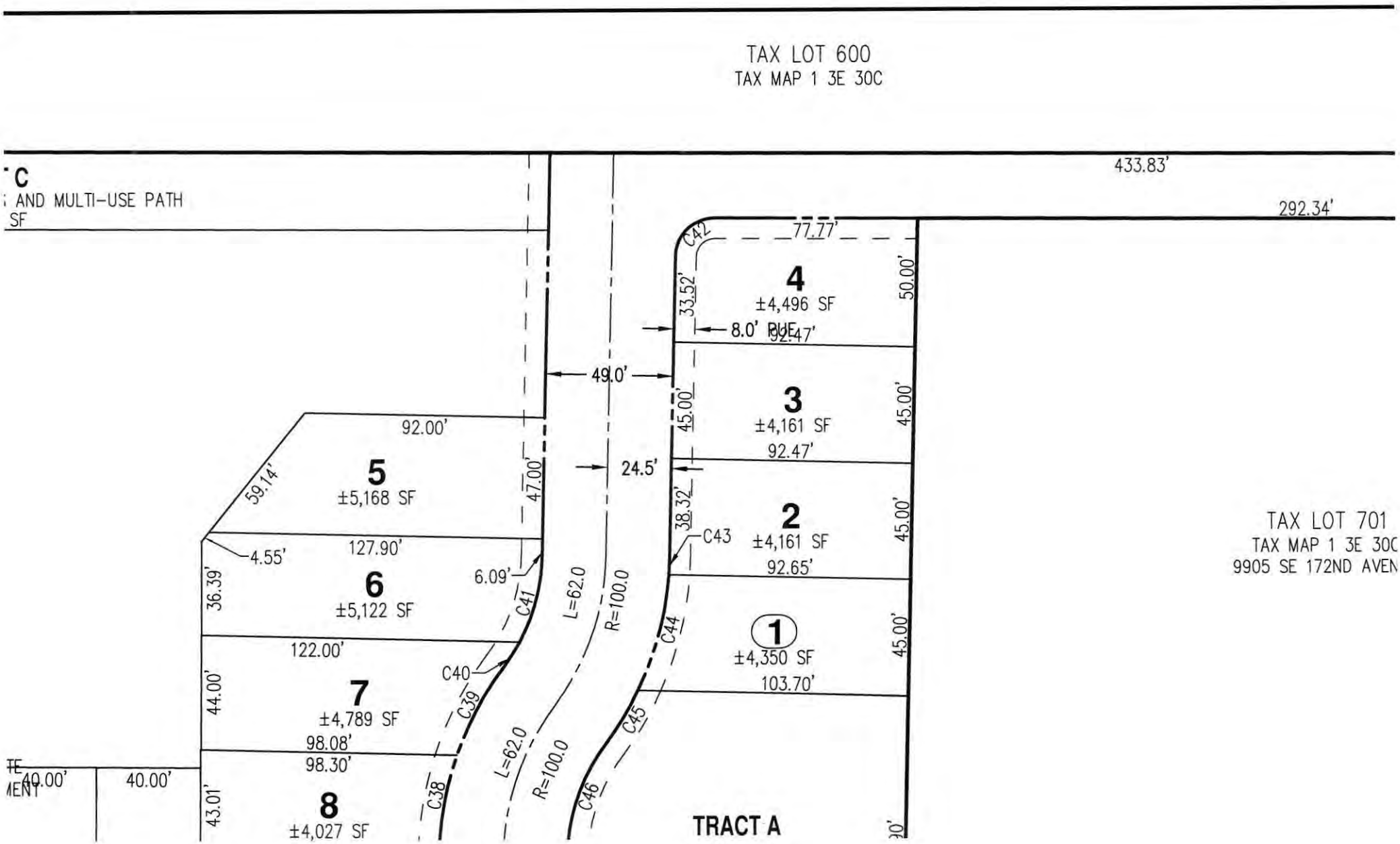
REVISIONS

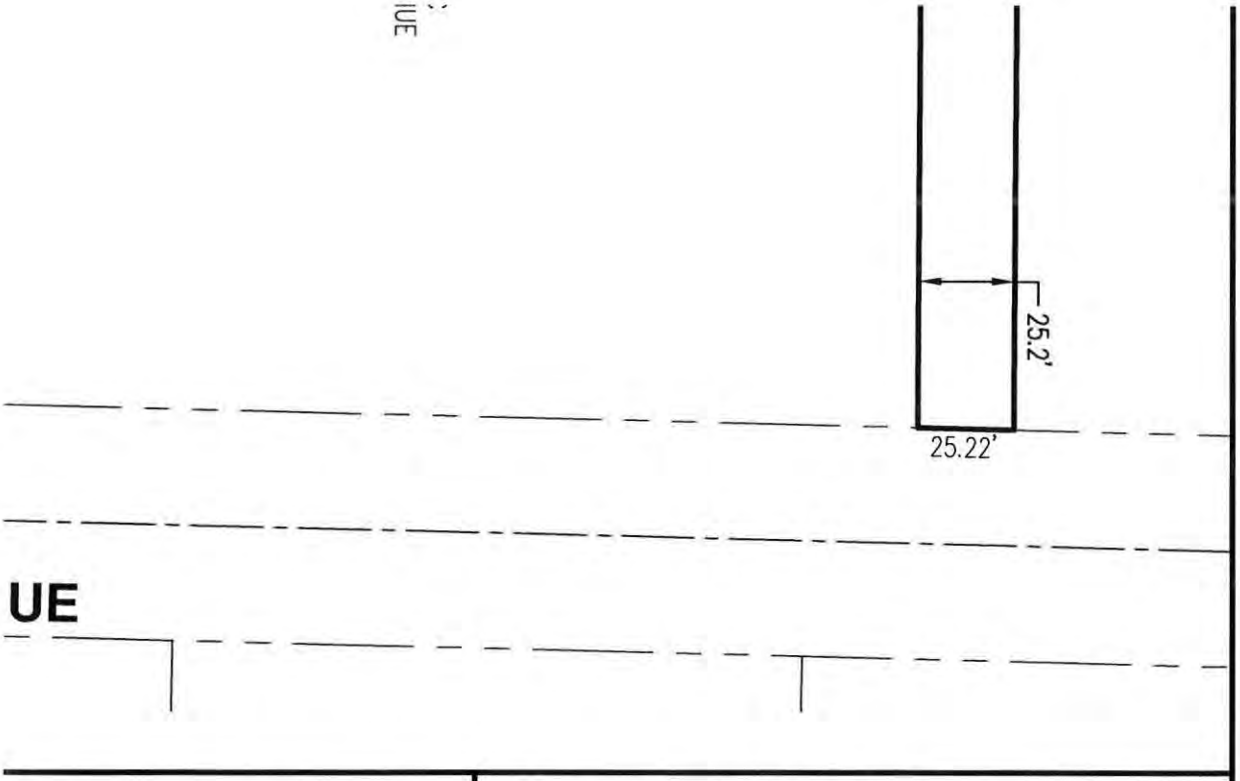
JOB NUMBER
4004

SHEET
D1


TAX LOT 601
TAX MAP 1 3E 30C
TAX LOT 800
TAX MAP 1 3E 30C
FUTURE COLLECTOR
34.50'
49.00'
99.57'
35
±4,018 SF
40.25'
40.25'
24.5'
100.07'
36
±4,012 SF
40.00'
40.00'
49.0'
100.57'
37
±4,033 SF
40.00'
40.00'
101.06'
38
±4,052 SF
40.00'
39.09'
C26
101.53'
39
±4,019 SF
44.00'
C25
C24
82.59'
40
±4,713 SF
77.96'
C23
C22
C21
102.23'
R=39.


TAX LOT 602
TAX MAP 1 3E 30C
TAX LOT 604
TAX MAP 1 3E 30C
30' EASEMENT FOR EMERGENCY VEHICLE ACCESS AND MULTI-USE PATH
49.00'
434.08'
TRACT
EMERGENCY VEHICLE ACCESS
433.56'
±13,015
72.75'
34
±4,001 SF
28
±4,001 SF
33
±4,001 SF
29
±4,001 SF
55.00'
49.0'
24.5'
49.25'
47.33'
48.92'
32
±4,139 SF
31
±4,011 SF
30
±4,134 SF
70.41'
85.00'
85.08'
70.67'
34.75'
47.00'
C27
C28
ELDERBERRY STREET
49.00'
8.00' PUE (TYP)
45.00'
37.50'
C18
C19
C20
100.00'
30.00'
27
±6,993 SF
69.84'
40.02'
26
±4,000 SF
40.00'
25
±4,000 SF
24
±4,000 SF
23
±4,000 SF
22
±4,000 SF
TRACT B
OPEN SPACE
±80,647 SF
TAX LOT 700
(ADJUSTED)
TAX MAP 1 3E 30C
13
±4,170 SF
71.45'
15.35'
31.20'
13.66'
15.00'
90.00'
7.00'
38.83'
50.00'
20.0' PRIVA
ACCESS EASEM


TAX LOT 600
TAX MAP 1 3E 30C
433.83'
292.34'
AND MULTI-USE PATH
SF
77.77'
C42
4
±4,496 SF
50.00'
33.52'
8.0' PUE
92.47'
49.0'
3
±4,161 SF
45.00'
45.00'
92.47'
92.00'
5
±5,168 SF
59.14'
47.00'
24.5'
38.32'
2
±4,161 SF
45.00'
C43
92.65'
4.55'
127.90'
6
±5,122 SF
36.39'
6.09'
C41
L=62.0
R=100.0
C44
1
±4,350 SF
45.00'
103.70'
122.00'
C40
7
±4,789 SF
44.00'
C39
98.08'
98.30'
40.00'
40.00'
43.01'
8
±4,027 SF
C38
L=62.0
R=100.0
C45
C46
TRACT A
TAX LOT 701
TAX MAP 1 3E 30C
9905 SE 172ND AVEN



MEADOWS

OREGON

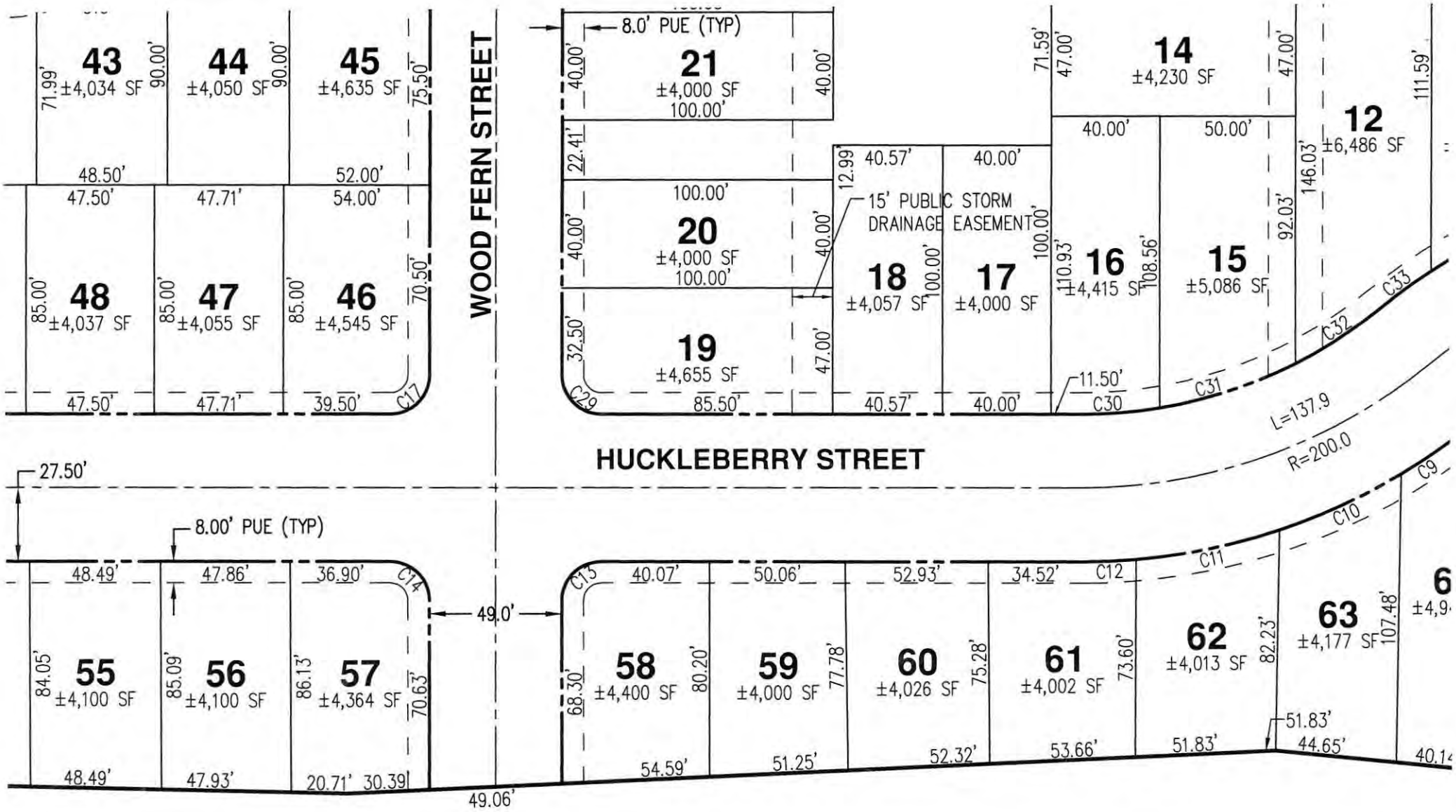
CLACKAMAS COUNTY TAX MAP 1 3E 30C

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE: 503.563.6151
FAX: 503.563.6152
www.aks-eng.com

AKS

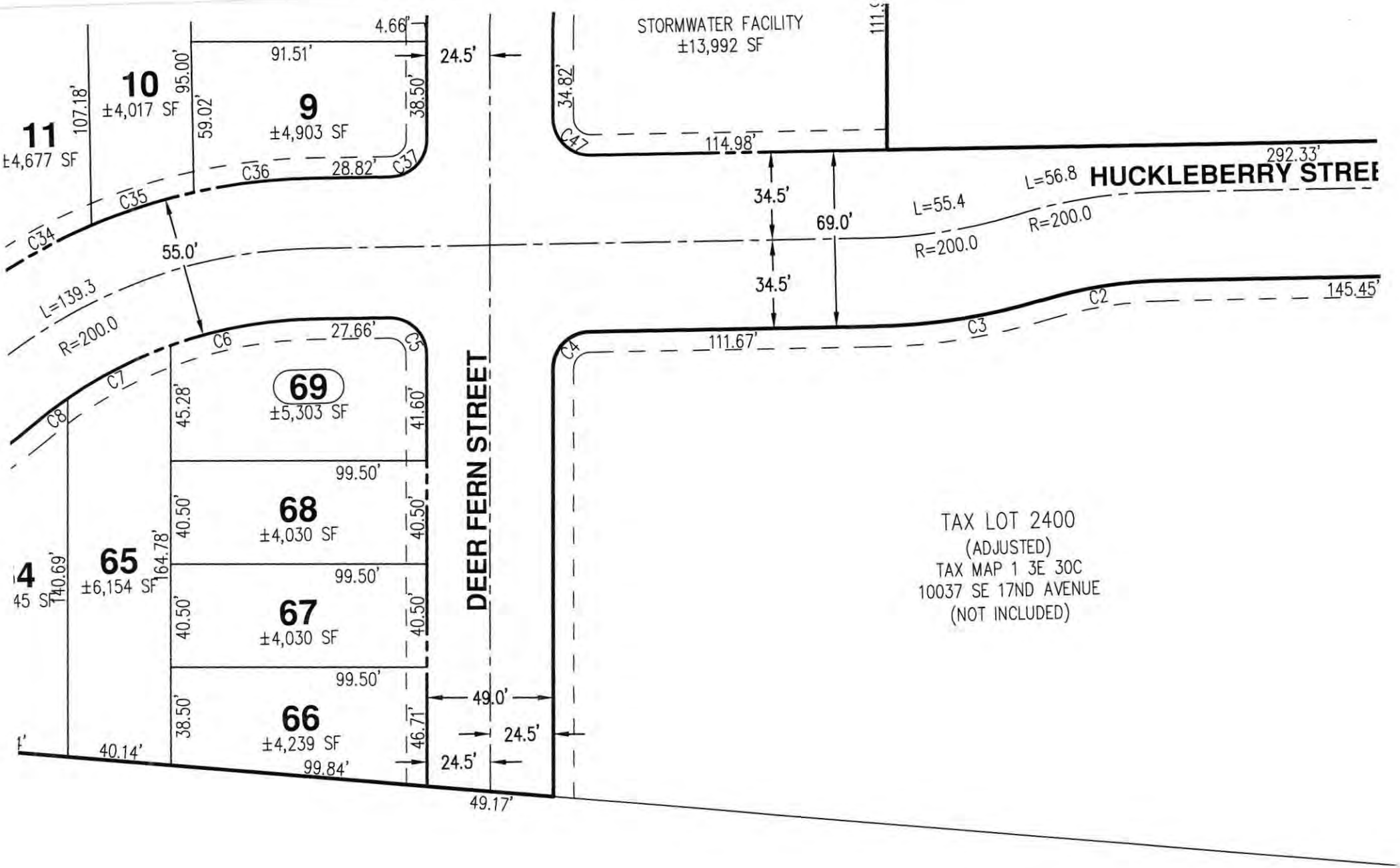
ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE

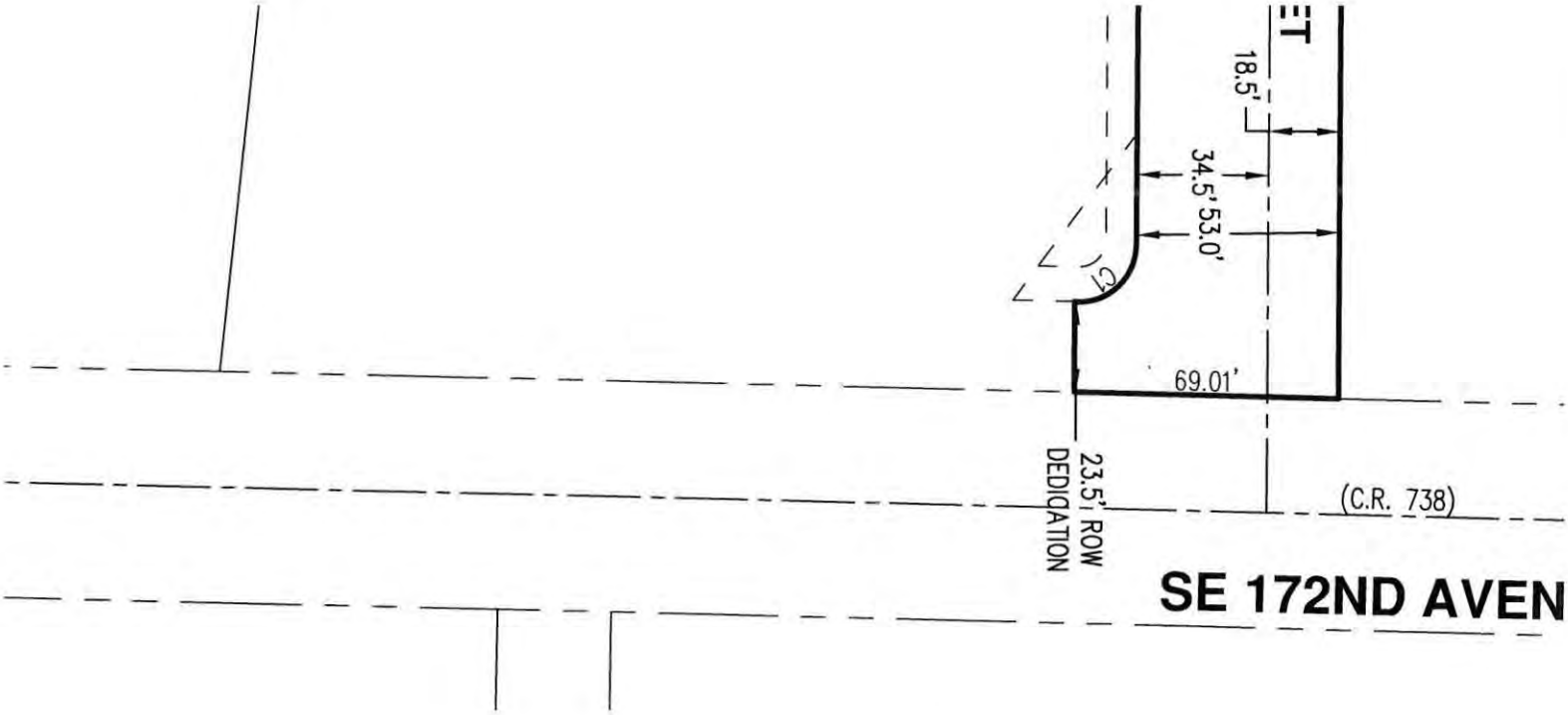
CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	15.00'	90°59'13"	23.82'	N44°06'22"W 21.
C2	171.50'	16°19'43"	48.88'	S82°18'17"W 48.
C3	228.50'	16°15'37"	64.85'	N82°16'13"E 64.
C4	14.50'	89°00'47"	22.53'	S45°53'38"W 20.



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C25	14.50'	40°18'39"	10.20'	N24°09'49"E 9.99'
C26	14.50'	3°36'28"	0.91'	N2°12'16"E 0.91'
C27	14.50'	90°00'00"	22.78'	S44°35'58"E 20.51'
C28	14.50'	90°00'00"	22.78'	N45°24'02"E 20.51'

TAX LOT 2200
TAX MAP 1 3E 30C
10157 SE 172ND AVENUE


STORMWATER FACILITY
±13,992 SF
HUCKLEBERRY STREE
DEER FERN STREET
TAX LOT 2400
(ADJUSTED)
TAX MAP 1 3E 30C
10037 SE 17ND AVENUE
(NOT INCLUDED)
11
±4,677 SF
10
±4,017 SF
9
±4,903 SF
69
±5,303 SF
68
±4,030 SF
67
±4,030 SF
66
±4,239 SF
65
±6,154 SF
4
45 SF
91.51'
4.66'
24.5'
95.00'
107.18'
59.02'
38.50'
28.82'
C36
C37
C35
C34
55.0'
L=139.3
R=200.0
C6
C7
C8
C5
27.66'
45.28'
41.60'
99.50'
40.50'
164.78'
140.69'
38.50'
46.71'
40.14'
99.84'
49.17'
49.0'
34.82'
C47
114.98'
292.33'
34.5'
69.0'
L=55.4
R=200.0
L=56.8
R=200.0
C2
C3
C4
111.67'
145.45'



LIMINARY SUBDIVISION PLAT

GRAND VIEW M

HAPPY VALLEY

TAX LOT 700 (ADJUSTED)

C5	14.50'	90°59'13"	23.03'	N44°06'22"W 20.
C6	172.50'	18°33'51"	55.89'	S80°43'05"W 55.
C7	172.50'	15°00'57"	45.21'	S63°55'41"W 45.
C8	172.50'	5°32'12"	16.67'	S53°39'07"W 16.
C9	227.50'	8°23'25"	33.31'	N55°04'43"E 33.
C10	227.50'	12°28'50"	49.56'	N65°30'50"E 49.
C11	227.50'	13°37'54"	54.13'	N78°34'12"E 54.
C12	227.50'	5°00'52"	19.91'	N87°53'35"E 19.
C13	14.50'	90°00'00"	22.78'	S45°24'03"W 20.
C14	14.50'	90°00'00"	22.78'	S44°35'58"E 20.
C15	14.50'	89°17'19"	22.60'	N45°45'22"E 20.
C16	14.50'	90°42'41"	22.96'	S44°14'38"E 20.
C17	14.50'	90°00'00"	22.78'	N45°24'02"E 20.
C18	14.50'	90°00'00"	22.78'	N44°35'58"W 20.
C19	14.50'	43°55'07"	11.11'	S68°26'28"W 10.
C20	55.50'	30°17'30"	29.34'	N61°37'39"E 29.
C21	55.50'	42°53'45"	41.55'	S81°46'43"E 40.
C22	55.50'	30°50'51"	29.88'	S44°54'25"E 29.
C23	55.50'	32°25'02"	31.40'	S13°16'29"E 30.
C24	55.50'	41°23'06"	40.09'	S23°37'36"W 39.

AKS DRAWING FILE: 4004 P1-09 PLAT.DWG | LAYOUT: 09

.68'
65'
08'
66'
28'
46'
00'
90'
51'
51'
38'
63'
51'
.51'
84'
00'
59'
52'
98'
22'

C29	14.50'	90°00'00"	22.78'	S44°35'58"E 20.51'
C30	172.50'	9°30'32"	28.63'	N85°38'46"E 28.60'
C31	172.50'	17°33'35"	52.87'	N72°06'42"E 52.66'
C32	172.50'	12°26'55"	37.48'	N57°06'28"E 37.40'
C33	227.50'	5°52'41"	23.34'	S53°49'21"W 23.33'
C34	227.50'	11°25'15"	45.35'	S62°28'18"W 45.27'
C35	227.50'	10°32'46"	41.87'	S73°27'19"W 41.82'
C36	227.50'	12°02'51"	47.84'	S84°45'08"W 47.75'
C37	14.50'	88°58'45"	22.52'	N45°52'37"E 20.32'
C38	124.50'	17°56'03"	38.97'	S10°21'15"W 38.81'
C39	124.50'	17°36'07"	38.25'	S28°07'21"W 38.10'
C40	75.50'	8°51'01"	11.66'	N32°29'53"E 11.65'
C41	75.50'	26°41'09"	35.16'	N14°43'48"E 34.85'
C42	15.00'	88°54'32"	23.28'	S45°50'30"W 21.01'
C43	124.50'	3°04'38"	6.69'	N2°55'32"E 6.69'
C44	124.50'	21°27'00"	46.61'	N15°11'21"E 46.34'
C45	124.50'	11°00'33"	23.92'	N31°25'08"E 23.89'
C46	75.50'	35°32'10"	46.83'	S19°09'19"W 46.08'
C47	14.50'	90°59'08"	23.03'	S44°06'20"E 20.68'

PRELIMINARY SUBDIVISION PLAT NOTE:

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT A FINAL PLAT AND IS NOT TO BE USED FOR SURVEYING PURPOSES.

PUE = PUBLIC UTILITY EASEMENT

PREL

DESIGNED BY:	JMM
DRAWN BY:	AZV
CHECKED BY:	MBH
SCALE:	AS NOTED

DATE: 11-03-2014

REGISTERED PROFESSIONAL ENGINEER
14425PE
OREGON
JULY 9, 2002
MONTGOMERY B. HURLEY

PRELIMINARY NOT FOR CONSTRUCTION

RENEWAL DATE: 6/30/15

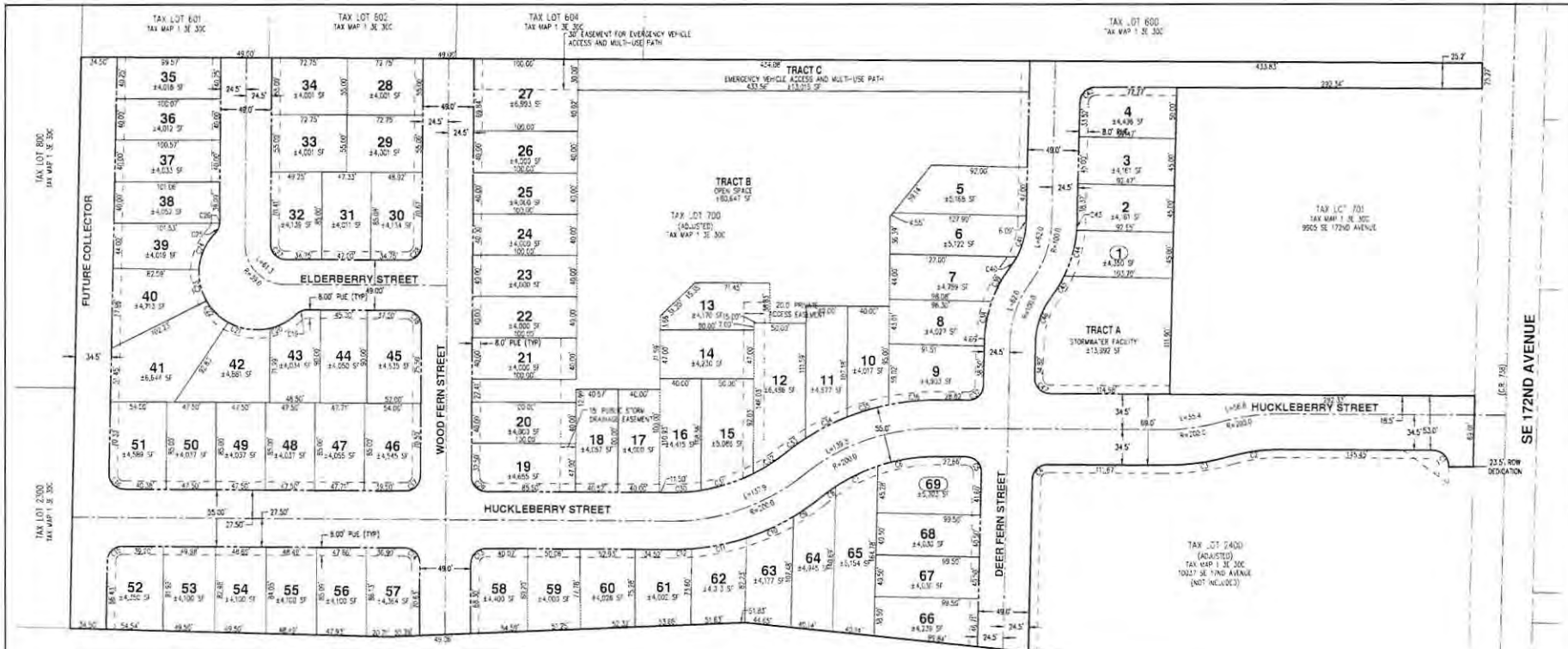
REVISIONS

JOB NUMBER
4004

SHEET
09

SCALE 1" = 50 FEET

50 0 20 30 40 50



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	15.00'	90°56'13"	23.82'	N44°06'22"W 21.40'
C2	171.50'	16°19'43"	48.88'	S82°51'17"W 48.71'
C3	226.50'	16°15'37"	64.85'	N82°16'15"E 64.63'
C4	14.50'	89°03'47"	22.53'	S45°35'38"W 20.33'
C5	14.50'	90°56'13"	23.03'	N44°06'22"W 20.68'
C6	172.50'	18°33'51"	55.89'	S60°43'05"W 55.63'
C7	172.50'	15°00'53"	45.21'	S63°55'41"W 45.08'
C8	172.50'	5°32'12"	16.67'	S53°39'07"W 16.66'
C9	227.50'	8°23'25"	33.31'	N55°04'43"E 33.28'
C10	227.50'	12°28'50"	49.56'	N65°32'50"E 49.46'
C11	227.50'	13°27'54"	54.13'	N78°34'12"E 54.00'
C12	227.50'	5°00'52"	19.91'	N87°53'25"E 19.90'
C13	14.50'	90°03'00"	22.78'	S45°24'03"W 20.51'
C14	14.50'	90°03'00"	22.78'	S44°35'56"E 20.51'
C15	14.50'	89°17'19"	23.63'	N45°45'22"E 20.38'
C16	14.50'	90°42'41"	22.96'	S44°14'38"E 20.63'
C17	14.50'	90°03'00"	22.78'	N45°24'03"E 20.51'
C18	14.50'	90°03'00"	22.78'	N44°35'56"W 20.51'
C19	14.50'	43°55'07"	11.11'	S68°26'26"W 10.84'
C20	55.50'	30°17'30"	29.34'	N61°37'39"E 29.00'
C21	55.50'	42°53'45"	41.56'	S81°46'43"E 40.59'
C22	55.50'	30°56'31"	29.88'	S44°54'25"E 29.52'
C23	55.50'	32°25'02"	31.40'	S13°16'29"E 30.98'
C24	55.50'	41°23'06"	40.09'	S23°37'36"W 39.22'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C25	14.50'	40°18'39"	10.20'	N24°09'49"E 9.99'
C26	14.50'	3°36'28"	0.91'	N2°21'67"E 0.91'
C27	14.50'	90°00'00"	22.78'	S44°35'56"E 20.51'
C28	14.50'	90°00'00"	22.78'	N45°24'03"E 20.51'
C29	14.50'	90°00'00"	22.78'	S44°35'56"E 20.51'
C30	172.50'	9°53'39"	28.63'	N85°36'46"E 28.60'
C31	172.50'	17°33'35"	52.87'	N72°06'42"E 52.66'
C32	172.50'	12°28'35"	37.48'	N57°06'28"E 37.40'
C33	227.50'	5°52'41"	23.34'	S53°49'21"W 23.33'
C34	227.50'	11°25'15"	45.35'	S62°28'18"W 45.27'
C35	227.50'	10°32'49"	41.87'	S73°27'19"W 41.82'
C36	227.50'	12°02'51"	47.84'	S84°45'08"W 47.75'
C37	14.50'	88°58'45"	22.52'	N45°52'37"E 20.33'
C38	124.50'	17°58'03"	38.97'	S10°21'15"W 38.8'
C39	124.50'	17°36'07"	38.25'	S28°07'21"W 38.10'
C40	75.50'	8°51'31"	11.66'	N32°29'53"E 11.65'
C41	75.50'	26°41'09"	35.16'	N14°43'45"E 34.85'
C42	15.00'	88°54'32"	23.28'	S45°56'30"W 21.01'
C43	124.50'	3°04'38"	6.69'	N25°32'32"E 6.69'
C44	124.50'	2°27'00"	46.61'	N15°12'12"E 46.34'
C45	124.50'	11°09'33"	23.92'	N31°25'08"E 23.89'
C46	75.50'	35°32'10"	46.83'	S19°09'18"W 46.08'
C47	14.50'	90°58'36"	23.03'	S44°06'20"E 20.68'

PRELIMINARY SUBDIVISION PLAT NOTE:

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT A FINAL PLAT AND IS NOT TO BE USED FOR SURVEYING PURPOSES.

PUE = PUBLIC UTILITY EASEMENT

SCALE 1" = 50 FEET

50 0 25 35 45 50

AKS ENGINEERING AND FORESTRY, LLC
12965 SW HERMAN RD
SUITE 100
TUALATIN, OR 97062
PHONE: 503.563.6151
FAX: 503.563.6152
WWW.AKS-ENGINEERING.COM

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GRAND VIEW MEADOWS

HAPPY VALLEY OREGON

CLACKAMAS COUNTY TAX MAP 1 3E 30C
TAX LOT 700 (ADJUSTED)

PRELIMINARY SUBDIVISION PLAT

DESIGNED BY JMM
DRAWN BY AZV
CHECKED BY MBH
SCALE AS NOTED
DATE 11-03-2014

REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY NOT FOR CONSTRUCTION
GEOFFREY B. HURLY
RENEWAL DATE: 6/30/15

REVISIONS

JOB NUMBER
4004

SHEET
09

UGMA

Urban Growth Management Agreement between Happy Valley and Clackamas County

This is the Urban Growth Management Agreement between the city of Happy Valley and Clackamas County.

Page two lists the objectives of the agreement. The city has failed on a number of these items, including the following:

- **Providing a smooth transition when lands are annexed.** The land from McDonalds was annexed in 2009, but was not properly zoned at that time, when residential was converted to commercial with no notice.
- **Providing consistent policies and standards for development.** The only consistency concerning the SSDO is that the policies are not enforced.
- **Protecting neighborhood character and livability through a coordinated City and County planning program.** No such program exists.
- **Ensuring high standards of urban design compatible with the character and desires of the surrounding community.** The city planners enforce building standards, but completely ignore the desires of the surrounding community.
- **Protecting and enhancing natural resources.** The city planners go out of their way to prevent the application of the SSDO. As a result, the Walgreen development destroyed acres of natural habitat
- **Promoting cooperation between all parties involved in land use planning and service delivery.** Attempting to block information requests, stopping postings on the Happy Valley website, changing the order of meetings, "losing" audio recordings of public meetings

2201-3908

URBAN GROWTH MANAGEMENT AGREEMENT
For the City of Happy Valley and Clackamas County

This Agreement is entered into this 19th day of June, 2001, between the City of Happy Valley ("City"), a municipal corporation of the State of Oregon, and Clackamas County (County), a political subdivision of the State of Oregon.

WHEREAS, ors 190.003 TO 190.030 allows units of local government to enter into agreement for performance of any or all functions and activities which such units have authority to perform; and

WHEREAS, it is a mutual goal of the City and the County to work together to plan and implement adequate urban services and facilities for existing and future residents; and

WHEREAS, the City and the County desire to accomplish this goal in the most effective and efficient manner; and

WHEREAS, the City and the County desire to provide excellent public service to their citizens; and

WHEREAS, Statewide Planning Goal 2, Land Use Planning, requires that City, County, State, Federal agency and special district plans and actions shall be consistent with the comprehensive plans of the cites and counties and regional plans adopted under ORS Chapter 197; and, and anticipated urban growth and development in the neighboring cities will affect jurisdictions within Metro's boundaries; and

WHEREAS, the Oregon Land Conservation and Development Commission (LCDC) requires each jurisdiction requesting acknowledgement of compliance to submit an agreement setting forth the means by which comprehensive planning coordination within the Portland Metropolitan Area Urban Growth Boundary will be implemented; and

WHEREAS, OAR 660-11-015 requires the responsibility for the preparation, adoption and amendment of the public facility plan to be specified within an urban growth management agreement; and

WHEREAS, the City and County have a mutual interest in coordinated land use planning, compatible comprehensive plans, and coordinated planning and provision of urban services and facilities; and

WHEREAS, the City and the County, to insure coordination and consistent comprehensive plans, consider it mutually advantageous to establish a Dual Interest Area within the Portland Metropolitan Area Urban Growth Boundary (UGB), within which both the City and County maintain an interest in comprehensive planning and development; and

WHEREAS, the City and the County, share common land use planning objectives within the Dual Interest Area. These objectives include:

- Providing a smooth transition when lands are annexed;
- Providing consistent policies and standards for development;
- Protecting neighborhood character and livability through a coordinated City and County planning program;
- Ensuring high standards of urban design compatible with the character and desires of the surrounding community;
- Protecting and enhancing natural resources;
- Ensuring the provision of public facilities and services is consistent with the City of Happy Valley's public facility plans;
- Delineating the responsibility for the City, County, special districts, and franchise holders in providing services and managing growth within the Dual Interest Area and Happy Valley Area of Interest;
- Promoting cooperation between all parties involved in land use planning and service delivery;
- Promoting timely decisions pertaining to land use and service delivery issues; and
- Achieving fair and equitable financing for public facilities and services.

Whereas, this agreement supercedes the 1992 UGMA between Happy Valley and Clackamas County.

NOW THEREFORE, the City and County agree as follows:

Definitions:

Concurrency The integrated management of growth and infrastructure to ensure that the two are compatible.

Happy Valley Area of Interest (As shown in Exhibit A)

Dual Interest Area of Happy Valley and Clackamas County (As shown in Exhibit A)

Eagle Landing Area (As shown in Exhibit A)

Happy Valley/Clackamas County Joint Transportation Capital Improvement Plan (Exhibit B)

Job Producing Land Land that is planned and zoned for uses providing employment. Examples of such zones include (but are not limited to) the I-2 (Light Industrial), I-3 (General Industrial), Business Park and Office Commercial zones in the County. Plan designations and zones designed to allow primarily retail or service commercial uses, such as the County's C-2 (Community Commercial), C-3 (General Commercial) and RTL (Retail Commercial) zones, are not defined as "job-producing" for the purposes of this agreement.

Joint CIP The Happy Valley/ Clackamas County Joint Transportation Capital Improvement Plan

Land Use Policies The whole or any part of any comprehensive plan, subarea comprehensive plan, refinement plan, public facility plan developed under OAR Chapter 660, Division 11, land use regulation as defined by ORS 197.015(12), or any other generally applicable policy regulating the use or development of land. As applied to Metro, "Land Use Policies" include Planning Goals and Objectives, Regional Urban Growth Goals and Objectives, Functional Plans, and Regional Framework Plans.

Parties Refers to the City of Happy Valley and Clackamas County.

1. Eagle Landing Area

The City and the County agree that annexation of the property to the City is a desirable goal provided County approval and the conditions of that approval are implemented.

The following process will carry out this goal:

a) Implementation of the development plan will occur under County jurisdiction. Clackamas County will issue all permits. The City and County role for property that is annexed to the City prior to development will be defined in an intergovernmental agreement. Should portions or all of the property be annexed into the City prior to development, permitting activities shall occur as prescribed in the IGA. The County, with the use of the proceeds to be defined in the intergovernmental agreement will collect all fees and charges.

b) The City shall be responsible for satisfying the notification requirements as established by state and local laws relating to property owners, residents and other interested parties regarding the process to carry out the act of annexation. The County will have no role in that process.

c) The City will determine the effective date(s) for the annexation(s).

d) The City and County will enter into agreement(s) necessary to define the details of the process to be followed to carry out the goal herein stated.

2. Dual Interest Area including the Eagle Landing Area of Happy Valley and Clackamas County

In the Dual Interest Area, including the Eagle Landing Area, a site-specific area adjacent to the City where future development is expected, or future annexation to City may occur, the City and the County will insure coordination by requiring special notification requirements as follows:'

a) Notification: The County shall provide notification to the City at least thirty-five (35) days prior to the first scheduled public hearing on all quasi-judicial actions and proposed legislative changes to the County Comprehensive Plan or its implementing ordinances affecting land within the Dual Interest Area.

b) The County shall provide notification to the City at least fifteen (15) days prior to staff decision on applications for administrative actions as provided for in the County's Zoning and Development Ordinance for applications within the Dual Interest Area.

c) The County shall invite the City to participate in pre-application meetings on significant development proposals or Design Review Committee meetings on development proposals within unincorporated areas of the Dual Interest Area. The County shall set these meetings at a mutually agreeable meeting time. All meetings shall occur within thirty (30) days from the date that the City is contacted unless agreed otherwise.

d) The City shall provide notification to the County and the County's local community planning organization (CPO) adjacent to the city, at least thirty five (35) days prior to the first public hearing on all legislative and quasi-judicial land use actions, proposed annexations, capital improvement plans, or extraterritorial service extensions into unincorporated areas for properties located within 500 feet of the affected CPO.

e) The City shall provide notification to the County, and an opportunity to participate, review and comment, at least thirty five (35) days prior to the first public hearing on all land use actions, proposed legislative changes to the City Comprehensive Plan or quasi-judicial actions adjacent to, or in close proximity to, unincorporated areas.

f) The County shall enter all written comments of the City into the public record and shall consider the same in the exercise of its planning and plan implementation responsibilities. The City shall enter all written comments of the County into the public record and shall consider the same in its exercise of its planning and plan implementation responsibilities.

3. Happy Valley Area of Interest

a) Except as provided in Section 3. b., the County will not change its comprehensive plan or zone designations in a manner that will allow urban development.

b) The County and the City agree that lands appropriate for job production should be zoned and developed for that purpose. The City and the County agree to work together to insure that lands appropriate for job production be identified through a planning process and zoned and developed for that use.

When land is brought into the Urban Growth Boundary, property identified as job producing land may be Comprehensive Plan designated and zoned by the County only if an annexation vote of the City fails. The City must conduct an annexation vote within nine months upon request by the County and the property owner.

If an annexation vote fails, the County may adopt Comprehensive Plan designations and zoning for job producing land within unincorporated Clackamas County provided that the property owner (s) enters into a delayed annexation agreement or executes a statement of non-remonstrance for annexation should the City initiate an annexation request in the future.

c) The City may undertake annexations in the manner otherwise provided for by law. The City annexation proposals shall include adjacent road right-of-way to properties proposed for annexation. The County shall not oppose such annexations.

d) County local access, collector and local County roads will be transferred to the jurisdiction of the City upon annexation to the City.

e) County major arterials and minor arterials will be transferred to the City at the discretion of the County. When transferred, the County shall be required to upgrade the road to a Pavement Quality Index (PQI) standard of '8' or provide equivalent payment.

4. <u>Happy Valley/Clackamas County Joint Transportation Capital Improvement Plan</u> (Exhibit B)

a) The City and the County agree to jointly plan and finance transportation infrastructure improvements in the Happy Valley/Clackamas County Joint Capital Transportation Improvement Plan.

b) The City and the County agree to plan for "concurrency"; to insure that needed transportation infrastructure is planned and built at the time new development is approved. The Joint CIP will be the vehicle to jointly prioritize needed transportation projects to promote concurrency.

6. <u>Amendments to the Urban Growth Management Agreement</u>

The terms of this Agreement may be amended or supplemented by mutual agreement of the parties. Any amendments or supplements shall be in writing, shall refer specifically to this Agreement, and shall be executed by the parties. The parties shall review this Agreement at each periodic review of their comprehensive plans and make any necessary amendments.

The parties agree to consider amendments to this agreement if a petition to incorporate a new city in the Damascus area is filed pursuant to ORS 221.031.

7. Time of Performance

The services set forth herein shall commence upon execution of this contract and shall continue until June 30, 2004. If either party desires to terminate this agreement on June 30, 2004, the party must give ninety (90) days prior notice of intent to terminate.

IN WITNESS THEREOF, the respective parties have cause to be signed in their behalf to make and enter into this Agreement this 28 day of June 2001.

City of Happy Valley

By Gene Grant, Mayor

ATTEST:

By: Wanda M. Tyson
City Recorder

CLACKAMAS COUNTY

Chairperson, Clackamas County
Board of Commissioners

ATTEST:

By: Millicent Morrison
Recording Secretary

Notice of Decision for Food Cart Development

Envelope and first page of the Notice of Decision for a Food Cart development.

Note the dates.

- Letter dated March 3, 2015
- Envelope dated March 19, 2015

16000 SE MISTY DRIVE
PY VALLEY, OREGON 97086

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 000.90⁰
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James Phillips
11800 SE Timber Valley
Clackamas, OR 97086

Mayor
Honorable Lori DeRemer

City Manager
Jason A. Tuck

HAPPY VALLEY, OR
EST. 1965

March 3, 2015 File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14 ("Pine View Meadows")

NOTICE OF DECISION

This is official notice of action taken by the City of Happy Planning Commission at a public hearing held on February 24, 2015, with regard to an application by the Holt Group, Inc, for a 42-lot Subdivision, Comprehensive Plan Map/Zoning Map Amendment and Environmental Review Permits (File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14) on three legal lots of record. The subject properties are located west of 172nd Avenue and north of Hemrick Road, and are further described as Clackamas County Assessor Map Nos. 13E 30C: Tax Lots 2000, 2002 and 2003.

At the public hearing, the Planning Commission voted to approve "Pine View Meadows" based upon submitted information, public testimony, and deliberations of the Commission. Copies of the original Staff Report for File No. CPA-15-14/LDC-15-14/SUB-02-14/ERP-09-14/ERP-14-14 are available upon request.

Persons with standing may appeal this decision to the Oregon Land Use Board of Appeals ("LUBA") not later than 21 days after the city mails this Notice of Decision. The date appearing on the envelope of this notice establishes the date of mailing. All appeals must comply with ORS 197.830 and LUBA's rules at OAR Chapter 660, division 10. An appeal filed later than 21 days within the mailing of this Notice of Decision is subject to dismissal.

Steve Koper, AICP
Associate Planner

cc: The Holt Group, Inc.
Monty Hurley, AKS Engineering
Chris Goodell, AKS Engineering
Participants of Record

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