

# LAND DIVISION

## PERMIT APPLICATION PACKET

GETTING  
STARTED

APPLICATION  
OVERVIEW

PROJECT  
WORKSHEET

APPLICATION  
REQUIREMENTS

ENGINEERING  
PLAN REVIEW



*Find your happy place*



# City of Happy Valley Land Division Application Packet

The Happy Valley Economic and Community Development Department is committed to making sure Happy Valley is a place people want to live, work, and play. The Department is responsible for implementing the City's Comprehensive Plan and Land Development Code and reviewing land use applications to ensure compliance with these documents.

The City is also committed to providing applicants with the necessary information to make the land use review process as smooth as possible. This packet is your guide to completing a land division in the City of Happy Valley. A land division can be as simple as dividing one lot into two or as complex as a large, multiple lot subdivision.

**Regardless of the size of your land division project, this packet is designed to help you through the process and answer questions such as:**

- **What information is required for a land division application?** See the [land use submittal overview](#) and application checklist.
- **How much will the process cost?** See the [project worksheet](#) to fill out and estimate your costs.
- **After I submit my application, what happens?** See the [land use process diagrams](#).
- **When can I construct improvements and sell lots?** See the [platting and engineering review process diagram](#).
- **How long will the process take?** See the [land use process diagrams](#) for time frames associated with land use review. Timelines associated with the platting and engineering plan review are less predictable and depend on the complexity of the project. See the [platting and engineering review diagram](#) for an outline of the process.

## Let's Get Started

To ensure a cost-effective and timely process, it's imperative to follow all of the instructions included in this packet. **The introductory pages of this packet are to help you in this process and are not required in your final submittal.**

➤ **All pages after the "Required Application Forms" divider page are required as a part of your submittal.**

It is the policy of the Planning Division to review all applications at the time of submittal. If all of the required attachments listed below are not included with the application, the application will not be accepted for processing. Please use the checklist to verify that all required items are submitted with your application.

Upon acceptance of the application, a completeness review will be issued within 30 days.

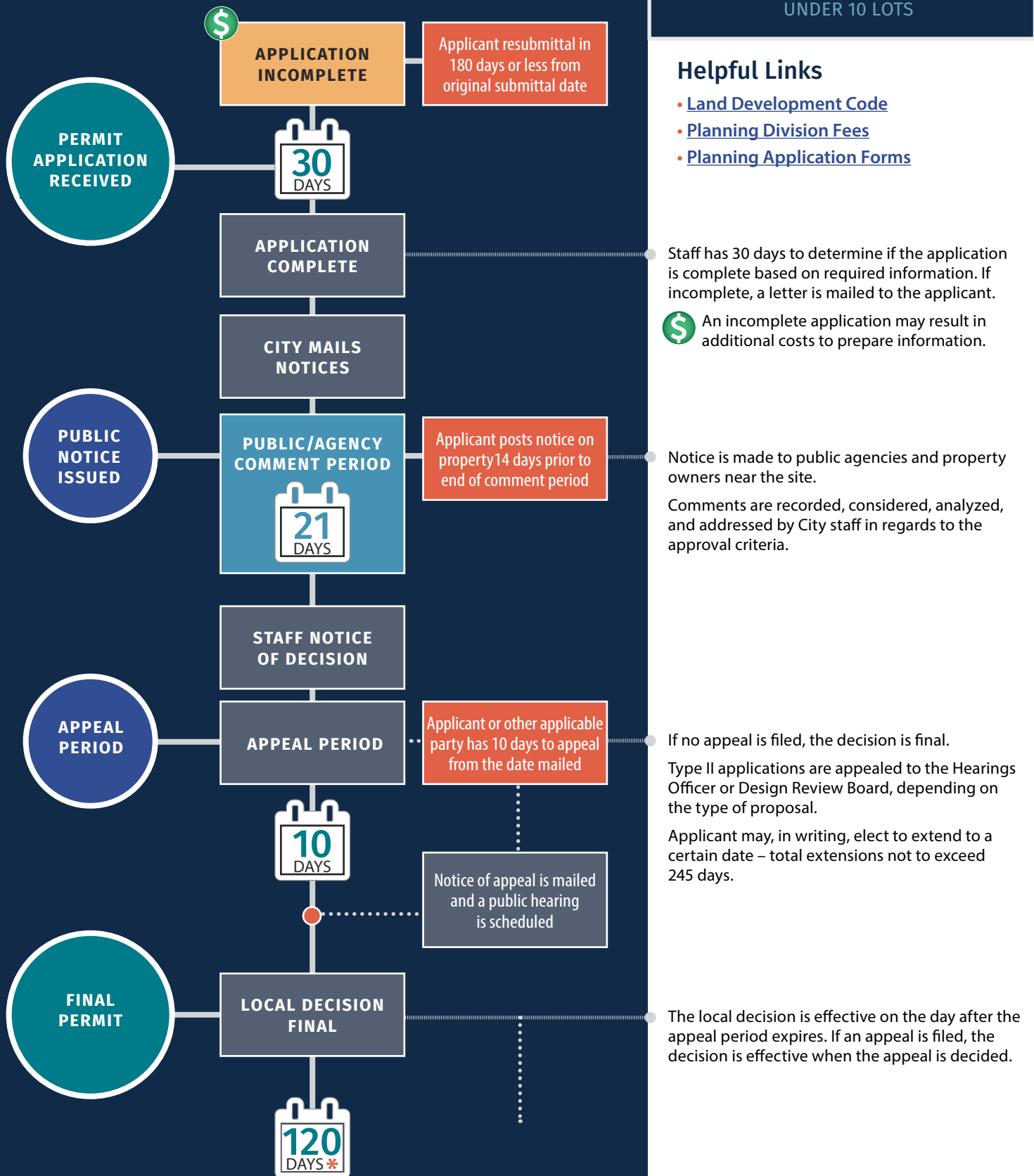
### Land Division Packet Contents

- **Land Use Process Diagrams** – flow charts identifying the land use review process and timeline for land divisions based on the number of lots proposed.
  - Type II process – nine or fewer lots
  - Type III – Hearing Officer process – 10 to 49 lots
  - Type III – Planning Commission process – 50 or more lots
- **Land Use Submittal Overview** – a brief overview of the information required for any land division application.
- **Project Worksheet** – a helpful tool for applicants to estimate project costs.
- **Land Use Application Requirements** – information required to be submitted with your land use application.
- **Platting Process and Engineering Review** – an overview of the process following land use approval, which is required before you can construct improvements and sell lots.

Information included in this packet is intended to help applicants through the land division process and does not replace any requirements included in the Land Development Code. Land Divisions are addressed in [Chapter 16.63](#).

# LAND USE PROCESS | TYPE II

UNDER 10 LOTS



## Helpful Links

- [Land Development Code](#)
- [Planning Division Fees](#)
- [Planning Application Forms](#)

Staff has 30 days to determine if the application is complete based on required information. If incomplete, a letter is mailed to the applicant.

**\$** An incomplete application may result in additional costs to prepare information.

Notice is made to public agencies and property owners near the site.

Comments are recorded, considered, analyzed, and addressed by City staff in regards to the approval criteria.

If no appeal is filed, the decision is final.

Type II applications are appealed to the Hearings Officer or Design Review Board, depending on the type of proposal.

Applicant may, in writing, elect to extend to a certain date – total extensions not to exceed 245 days.

The local decision is effective on the day after the appeal period expires. If an appeal is filed, the decision is effective when the appeal is decided.

\* Diagram reflects City of Happy Valley code requirements. Oregon State law requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or to waive the 120 Day Rule.

**Requires Applicant Action**

# LAND USE PROCESS | TYPE III

HEARING OFFICER PROCESS: 10-49 LOTS

## Helpful Links

- [Land Development Code](#)
- [Planning Division Fees](#)
- [Planning Application Forms](#)

Staff has 30 days to determine if the application is complete based on required information. If incomplete, a letter is mailed to the applicant.

**\$** An incomplete application may result in additional costs to prepare information.

The City publishes newspaper notice 14 days prior to hearing and notice is made to public agencies and property owners near the site.

Comments are recorded, considered, analyzed, and addressed by City staff in regards to the approval criteria.

A hearing may be continued or left open to obtain more information or further review the current information received.

Written decision issued 14 days after close of hearing/record. Notice of decision mailed by City within 10 business days.

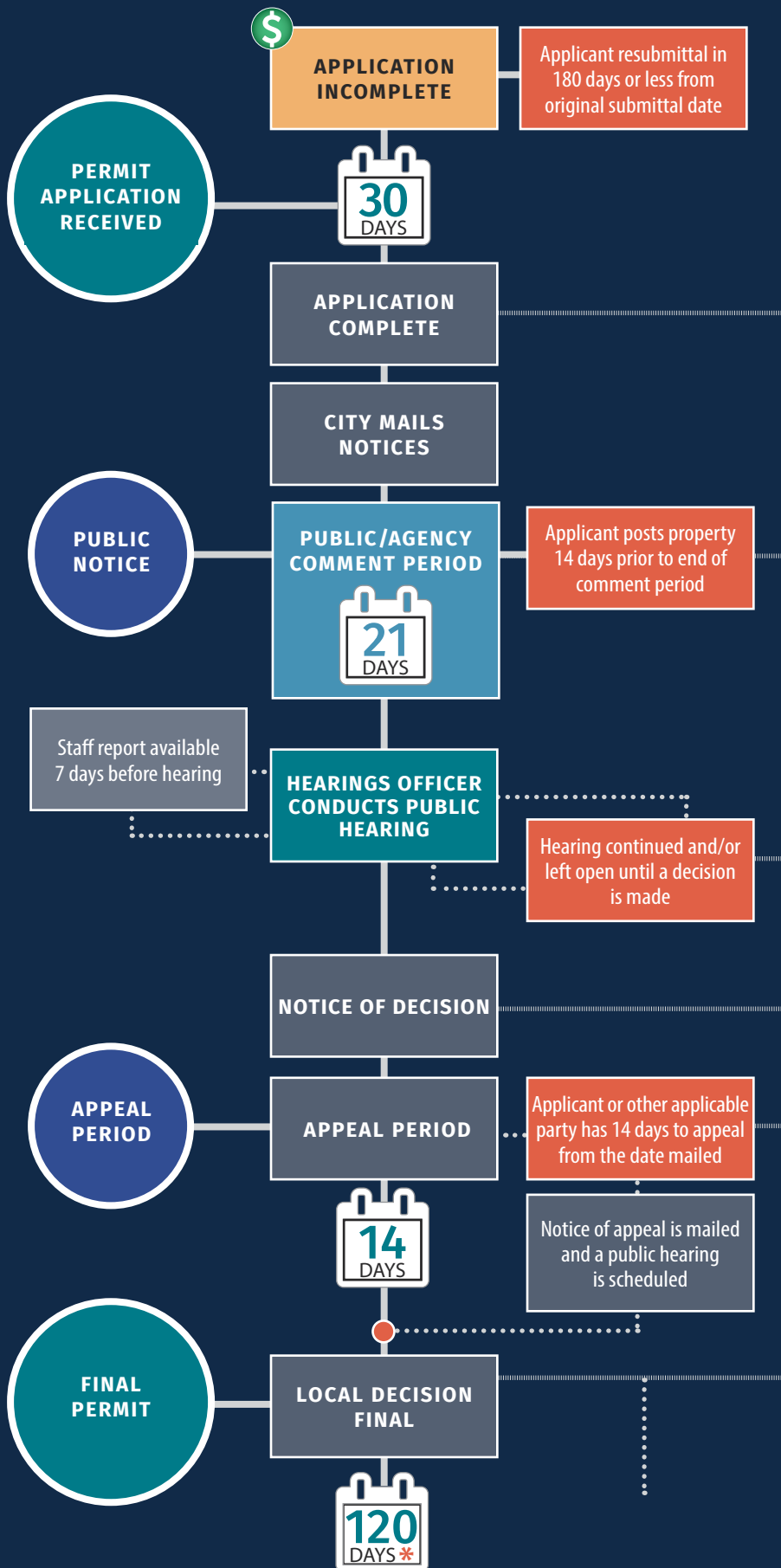
14-day appeal period from date mailed. If no appeal is filed, the decision is final.

Type III applications are appealed to the City Council.

Applicant may, in writing, elect to extend to a certain date – total extensions not to exceed 245 days.

The local decision is effective on the day after the appeal period expires. If an appeal is filed, the decision is effective when the appeal is decided.

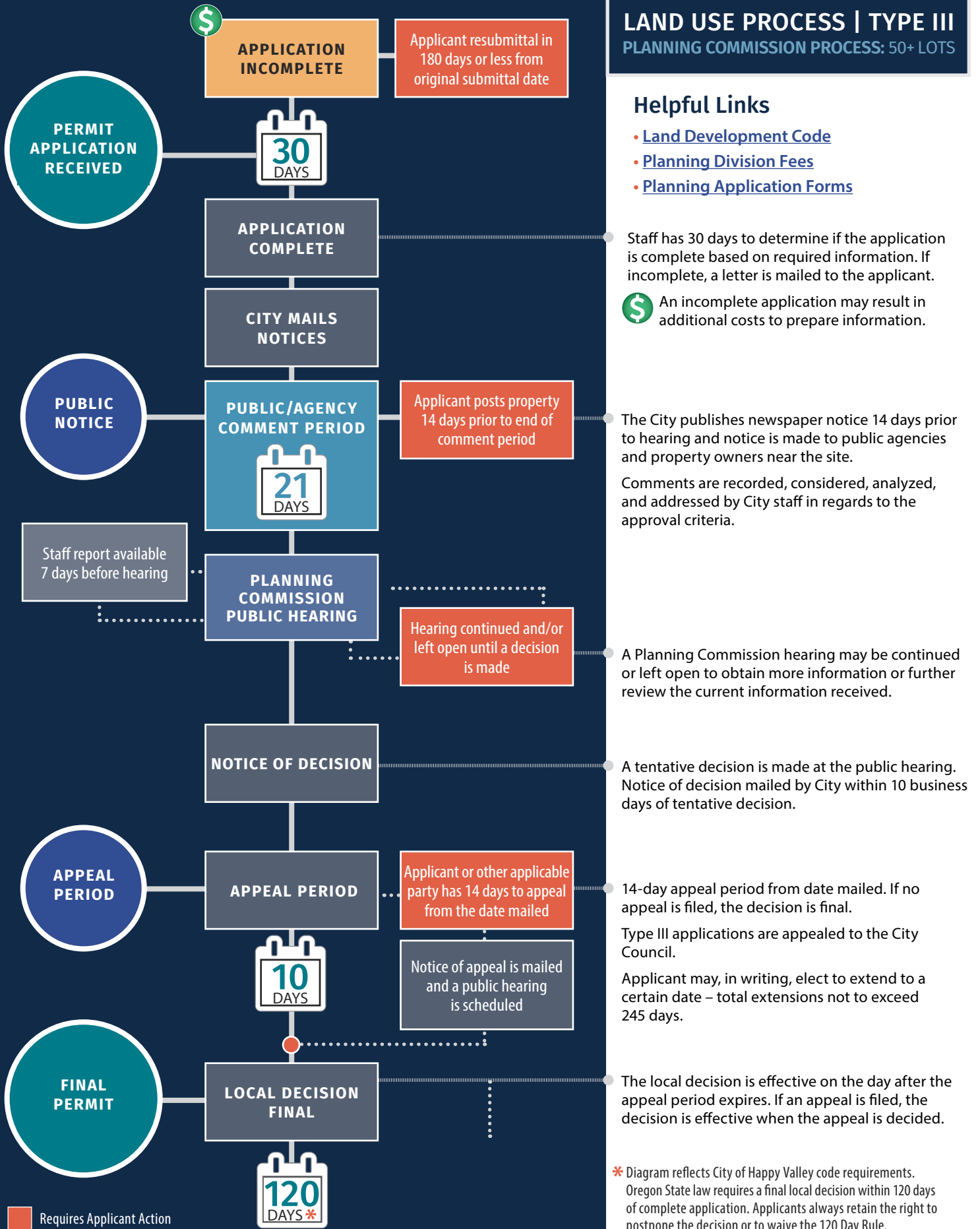
\* Diagram reflects City of Happy Valley code requirements. Oregon State law requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or to waive the 120 Day Rule.



**Requires Applicant Action**

# LAND USE PROCESS | TYPE III

## PLANNING COMMISSION PROCESS: 50+ LOTS



### Helpful Links

- [Land Development Code](#)
- [Planning Division Fees](#)
- [Planning Application Forms](#)

Staff has 30 days to determine if the application is complete based on required information. If incomplete, a letter is mailed to the applicant.

**\$** An incomplete application may result in additional costs to prepare information.

The City publishes newspaper notice 14 days prior to hearing and notice is made to public agencies and property owners near the site.

Comments are recorded, considered, analyzed, and addressed by City staff in regards to the approval criteria.

A Planning Commission hearing may be continued or left open to obtain more information or further review the current information received.

A tentative decision is made at the public hearing. Notice of decision mailed by City within 10 business days of tentative decision.

14-day appeal period from date mailed. If no appeal is filed, the decision is final.

Type III applications are appealed to the City Council.

Applicant may, in writing, elect to extend to a certain date – total extensions not to exceed 245 days.

The local decision is effective on the day after the appeal period expires. If an appeal is filed, the decision is effective when the appeal is decided.

\* Diagram reflects City of Happy Valley code requirements. Oregon State law requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or to waive the 120 Day Rule.

# What information must I provide and how much will it cost?

Each land division is unique in its requirements and costs. However, the following information is required for any land division application.

Specific application requirements are identified on the application checklist included in the Land Use Application Requirements section of this packet. General requirements that apply to all land divisions are identified below.

### **Pre-Application Conference**

Prior to submitting a land division application, a pre-application conference with the City is required for all land divisions, regardless of the number of lots included in the proposal. Pre-application conferences will provide you with an opportunity to discuss with a City planner the specific requirements associated with your project. Requirements and procedures for a pre-application conference are described in Section 16.61.060 of the Happy Valley Land Development Code.

### **Application Form**

A complete application form and statement of disclosure is required for all land division applications. The application form and statement of disclosure are included in the Land Use Application Requirements section of this packet.

### **Application Checklist**

The application checklist should be used to verify that all required items are submitted.

### **Application Fee**

All land divisions require payment of an application fee. The amount of the fee depends on the complexity of the application. Fees are identified on the City's fee schedule.

### **Application Material Preparation**

All land divisions require the applicant to prepare information, such as a site plan and written project narrative. The costs associated with preparing these materials will depend on the complexity of the application. The project worksheet on the following page is provided to help you estimate the cost of preparing these materials for your specific application. This worksheet is not a required submittal item.

**Please note that the above requirements are general guidelines and each permit process is unique.**

If you have any questions about specific information to include with your application, [Happy Valley staff](#) can assist you.

# PROJECT WORKSHEET

The project worksheet is not required as part of your submittal to the City and is only provided to help you identify the costs associated with preparing an application for a land division.

Submittal requirements are identified in the left column and the cost column is left blank for you to fill in with the cost estimate associated with your specific application. To determine the cost estimates, you will likely need to coordinate with your project consultants and/or the technical experts you have retained to help you prepare the required information.

<b>Submittal Requirements</b> (some items listed may not be applicable to your specific application)	<b>Cost</b>
<b>Project Narrative</b>	
<b>Project Plans</b>	
Existing Conditions Plan	
Preliminary Site Plan/Plat	
Preliminary Grading/Erosion Control Plan	
Preliminary Landscape Plan	
Tree Inventory and Removal Plan	
Public Utilities Plan	
Street/Profile Plan	
Neighborhood Circulation Plan	
Slope Analysis/Density Calculations	
Open Space and Recreational Plan	
<b>Traffic Impact Analysis Preparation</b>	
<b>Geotechnical Analysis</b>	
<b>Stormwater Analysis</b>	
<b>Wetland Delineation/Report/Natural Resources Assessment</b>	
<b>Notification Mailing Labels</b>	
<b>Public Facilities and Services Impact Study</b>	
<b>Preliminary Conditions, Covenants, and Restrictions</b>	
<b>Total</b>	





# APPLICATION REQUIREMENTS

LAND DIVISION

*Find your happy place*





# LAND USE APPLICATION

City of Happy Valley  
16000 SE Misty Drive  
Happy Valley, Oregon 97086  
happyvalleyor.gov  
Phone: 503-783-3800 Fax: 503-658-5174



File No: \_\_\_\_\_  
Date Rec'd: \_\_\_\_\_  
Fee: \$ \_\_\_\_\_ Receipt No: \_\_\_\_\_  
Staff: \_\_\_\_\_

## Please mark the applicable application type

- |   |                                      |
|---|--------------------------------------|
| Accessory Dwelling Unit (ADU) Application             | Master Plan                          |
| Comprehensive Plan/Zone Change Application            | Model Home                           |
| Conditional Use                                       | Natural Resource Overlay Zone        |
| Design Review - Minor                                 | Planned Unit Development             |
| Design Review - Major                                 | Property Line Adjustment             |
| Flood Management Overlay Zone                         | Steep Slope Development Overlay Zone |
| Habitat Conservation Area Map Verification - Basic    | Street Vacation                      |
| Habitat Conservation Area Map Verification - Detailed | Subdivision                          |
| Land Partition  | Temporary Use                        |
| Land Development Time Extension                       | Variance                             |
|   | Other                                |

## APPLICANT INFORMATION

Proposed change: \_\_\_\_\_  
\_\_\_\_\_

NAME OF APPLICANT: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_  
Last Name First Name

Applicant is:  Legal Owner  Agent  
Phone Number of Applicant: Work \_\_\_\_\_ Home \_\_\_\_\_

Name of Contact Person, (if other than applicant) \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City: \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_  
Phone Number of Contact Person: work \_\_\_\_\_ Home \_\_\_\_\_

Site Address: \_\_\_\_\_  
Legal Description T \_\_\_ R \_\_\_ Section \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_  
Present use of property: \_\_\_\_\_  
Method of Sewage Disposal: \_\_\_\_\_  
Water Supply: \_\_\_\_\_  
 Required Attachments (see attached listing)

*I hereby certify the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.*

\_\_\_\_\_  
Property Owner's Signature Applicant's Signature  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

The **Applicant's Statement of Disclosure of Interest** must be completed and included with any application for Comprehensive Plan, Zoning Map Amendments, Variances, Conditional Use Permits, Partitions, Subdivisions, Planned Unit Developments and all Appeals.

**APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS FOR LAND USE APPLICATION, AMENDMENTS AND PERMITS**

The City of Happy Valley's Land Development Code requires that the following information must be disclosed on any application for comprehensive plan map amendments/zone changes, variances, conditional use permits, partitions, subdivisions, planned unit developments, master plans and for appeals.

A. List the names of all persons having a financial interest in the application:

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

List the names of all persons having any ownership interest in the property involved:

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

B. If any persons identified pursuant to (A) above is a corporation or a partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

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

C. If any person identified pursuant to (A) above is a non-profit organization or trust, list the names of any person serving as director of the non-profit organization or as a trustee or beneficiary or trustor of the trust.

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

**NOTE:** The definition section of the Land Development Code defines "Person" as "Any individual, firm, co-partnership, joint venture, association, syndicate, this and any other country, City and County, municipality, district or other political subdivision or any other group or combination acting as a unit.

Applicant(s) hereby authorize the city staff, planning commission or city council members access and entrance to the subject site for the purposes of information gathering prior to the public hearing.

YES                       NO

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

**IF THERE IS MORE THAN ONE OWNER LISTED IN ANY OF THE ABOVE AREAS, PLEASE ATTACH ADDITIONAL FORMS WITH EACH OWNER'S SIGNATURE.**

# CITY OF HAPPY VALLEY REQUIRED ATTACHMENTS FOR LAND USE DEVELOPMENT APPLICATIONS

It is the policy of the Planning Department to review all applications at the time of submittal. If all of the required attachments (as applicable) and as discussed at a pre-application conference are not included with the application, the application may not be accepted for processing.

Please check the below list prior to submitting your application.  
Upon acceptance of the application, a completeness review will be completed within 30 days.

## PARTITIONS

*FOR AN ELECTRONIC COPY OF THESE CRITERIA,  
SEE THE CITY'S WEBSITE AT [happyvalleyor.gov](http://happyvalleyor.gov)*

1. **PLAN SET, INCLUDING VICINITY MAP:**

- 3 COPIES (FULL SIZE)
- 1 COPY (8.5" X 11")
- 20 COPIES (11"X17"), PLUS ONE COPY FOR EACH PROPERTY WITHIN THE NOTICE AREA (300-FOOT RADIUS)

**PLAN SETS FOR A PARTITION APPLICATION INCLUDE:**

- Existing Conditions
- Preliminary Site Plan
- Public Utility & Street Lighting Plan
- Preliminary Grading/Erosion Control Plan
- Preliminary Street Tree & Landscape Plan (If Applicable)
- Tree Inventory & Removal Plan
- Neighborhood Circulation Plan

2. **NARRATIVE:**

**3 COPIES  
1 ELECTRONIC COPY**

Addressing applicable Comprehensive Plan Policies as well as review criteria in Section 16.63.060

When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060.)

3. **TRAFFICE IMPACT ANALYSIS:** **3 COPIES**
4. **GEOTECHNICAL ANALYSIS:** **3 COPIES**
5. **STORMWATER ANALYSIS:** **3 COPIES**
6. **WETLAND DELINEATION/REPORT:** **3 COPIES**  
*(if applicable)*
7. **NEIGHBORHOOD CIRCULATION PLAN – SECTION 16.63.050.A.1.f**
8. **NOTIFICATION ENVELOPES:** **2 SETS**  
*(Pre stamped and Pre addressed)*  
Property owners within a 300' radius from subject site, 500 feet if outside Urban Growth Boundary.
9. **SITE PLAN MAPPING REQUIREMENTS:**
  1. **General information:**
    - a. Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in Clackamas County (please check with County Surveyor);
    - b. Date, north arrow, and scale of drawing;
    - c. Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site;
    - d. A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the designer, and engineer and surveyor if any, and the date of the survey if submitted; and
    - e. Identification of the drawing as a "preliminary plat".
  2. **Site analysis:**
    - a. Streets: Location, name, present width of all streets, alleys and rights-of-way on and abutting the site;
    - b. Easements: Width, location and purpose of all existing easements of record on and abutting the site;
    - c. Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;

- d. Topographic survey data shown by contour lines at 5-foot vertical intervals for ground slopes 15 percent and greater, and at 2-foot intervals for ground slopes of less than 15 percent or as required by the City. Survey data must be provided for the subject property and the surrounding area up to a distance of 200 feet from the property lines. Survey data shall be related to some established benchmark or other datum approved by the County Surveyor. This requirement may be waived for partitions when grades, on average, are less than six percent;
- e. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);
- f. Potential natural hazard areas, including any flood plains, areas subject to high water table, landslide areas, and areas having a high erosion potential;
- g. Natural resource areas, including wetland areas, streams, wildlife habitat, and other areas identified by the City or natural resource regulatory agencies as requiring protection. (See also, Article 16.3 and relevant portions of the Comprehensive Plan.);
- h. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainageways, canals and ditches;
- i. Designated historic and cultural resources on the site and adjacent parcels or lots;
- j. The location, size and species of trees having a caliper (diameter) of six inches or greater at four feet above grade in conformance with Chapter 16.42;
- k. North arrow and scale;
- l. Name and address of project designer, if applicable; and
- m. Other information, as deemed appropriate by the Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.

3. **Proposed improvements:**

- a. Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;
- b. Easements: location, width and purpose of all proposed easements;
- c. Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;

- d. Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;
- e. Proposed improvements, as required by Article 16.4 (Community Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);
- f. Preliminary location of development showing those future buildings can meet sitting and dimensional standards of the district.
- g. The proposed source of domestic water;
- h. The proposed method of sewage disposal;
- i. Proposed method of surface water drainage and treatment if required;
- j. The approximate location and identity of other utilities, including the locations of street lighting fixtures;
- k. Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with the affected railroad and the Oregon Department of Transportation Rail Division regarding proposed railroad crossing(s);
- l. Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;
- m. Identification of the base flood elevation for development of more than two lots or ½ acre, whichever is less. Written evidence of initiation of a Federal Emergency Management Agency (FEMA) flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. FEMA approval of the amendment shall be a condition of City land use approval;
- n. Evidence of contact with from the road authority for any development requiring access to its facility(ies); and
- o. Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands and other sensitive lands (see Article 16.3).
- p. Upon the discretion of the Planning Official or designee, the applicant may be required to provide a building footprint analysis, demonstrating that proposed lots may accommodate a typical building footprint common to the Happy Valley area, that conforms with the underlying lot setbacks.

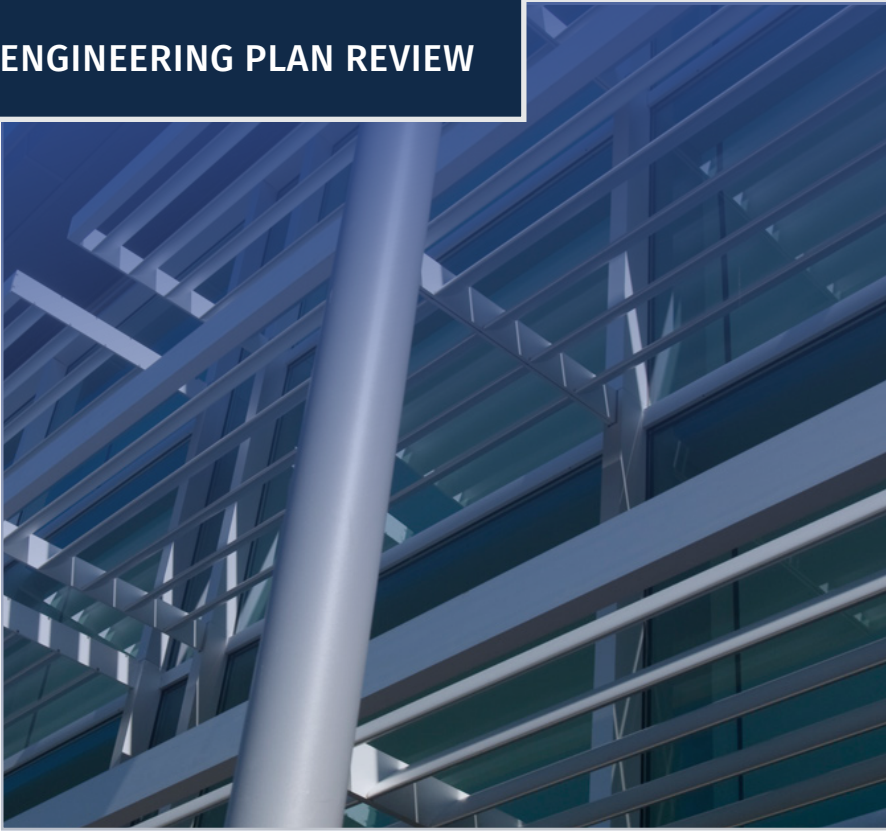


# ENGINEERING PLAN REVIEW

LAND DIVISION

*Find your happy place*



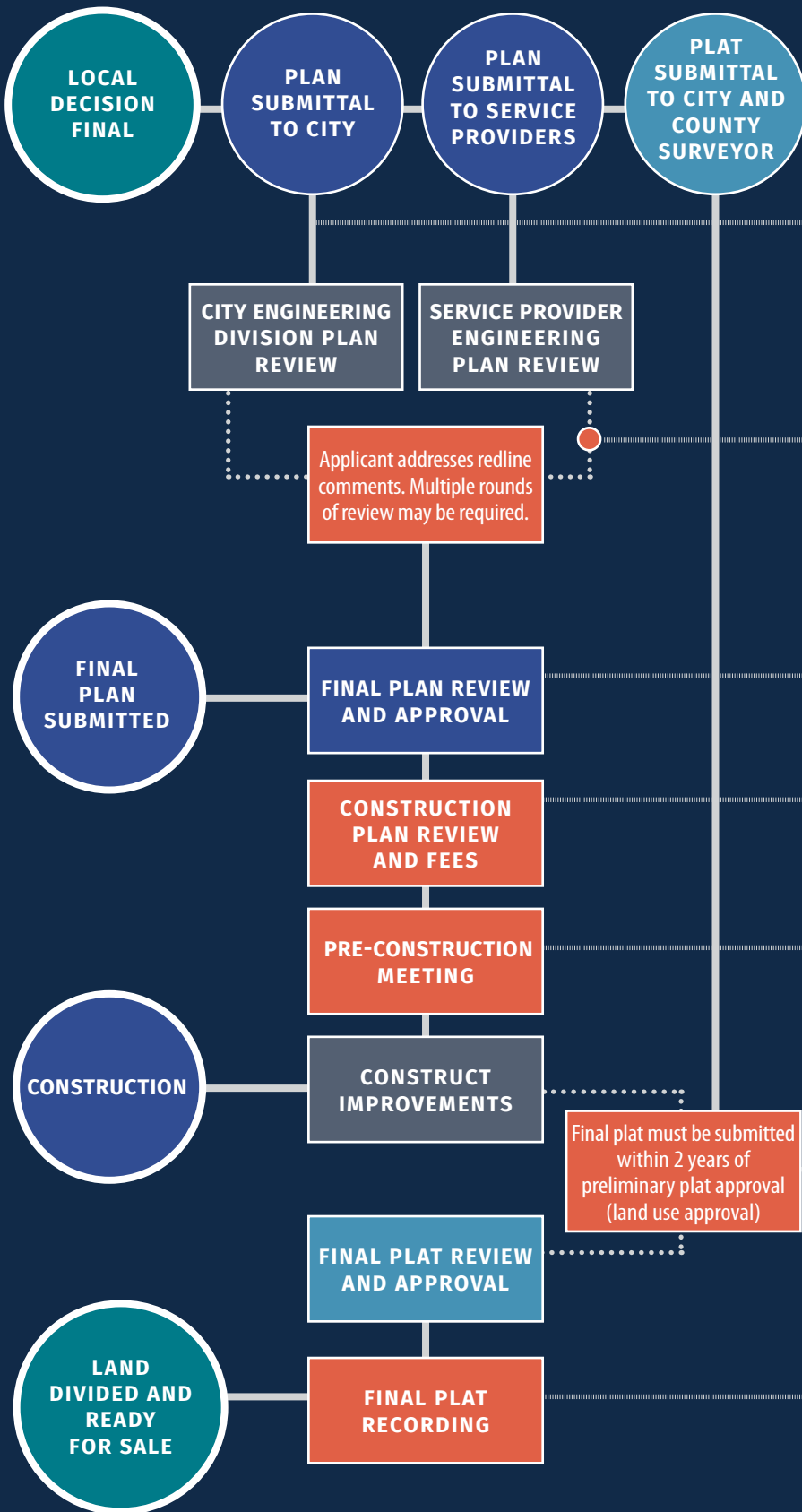


## Engineering Plan Review and Final Plat

After you have obtained your land use approval for your preliminary plat, you are ready to prepare engineering drawings for the required improvements (roads, utilities, etc.) and complete the engineering plan review process.

The chart on the following page outlines the process to complete engineering/construction plan review, construct the required improvements, and file and record the final plat. Additional details are provided in the engineering plan review application packet, and Engineering Division staff are available to answer questions.

# ENGINEERING PLAN REVIEW PROCESS



## Helpful Links

- [Engineering Plan Review Process and Application Packet](#)

Design Engineer simultaneously submits plans for approval to the Building Division and the City's service providers.

The Engineering Division and service providers will review the plans independently and provide redlines to the applicant to revise accordingly.

The applicant submits final revised drawings for approval after all redlines have been addressed and permits obtained from service providers.

Prior to approval, the developer submits the Construction Plan Review and inspection fees. The developer must also submit a financial guarantee for the improvements as required in Section 16.50.080 of the City's Municipal Code.

The developer's design Engineer is responsible for arranging the pre-construction meeting between principal representatives of the engineer, contractor, developer, City, and WES at the City offices.

Construction plans are approved at the pre-construction meeting.

Final plat can be submitted and reviewed by the City and County surveyor concurrent with engineering plan review. However, it cannot be recorded until improvements are constructed or 80% complete and 20% bonded.

The developer submits final plat to Clackamas County Surveyor for recording.

■ Requires Applicant Action