

CITY OF HAPPY VALLEY
ORDINANCE NO. 388

AN ORDINANCE APPROVING LOCAL FILE NO. CPA-01-09, WHICH INCLUDES THE ADOPTION OF THE "EAST HAPPY VALLEY COMPREHENSIVE PLAN" (EHVCP); RELATED AND ANCILLARY COMPREHENSIVE PLAN TEXT AMENDMENTS; A TRANSPORTATION SYSTEM PLAN (TSP) UPDATE AS AN ANCILLARY DOCUMENT TO THE CITY'S COMPREHENSIVE PLAN; A STEEP SLOPES AND NATURAL RESOURCE OVERLAY ZONE MAP AS AN ANCILLARY DOCUMENT TO THE CITY'S COMPREHENSIVE PLAN; AND, AMENDING OFFICIAL MAP EXHIBIT 11 OF THE CITY OF HAPPY VALLEY LAND DEVELOPMENT ORDINANCE NO. 97, AS AMENDED – COMPREHENSIVE PLAN MAP AMENDMENT/ZONE CHANGE FROM CLACKAMAS COUNTY EXLUSIVE FARM USE (EFU); CLACKAMAS COUNTY RRFF-5; CLACKAMAS COUNTY FF-10 TO THE CITY COMPREHENSIVE PLAN DESIGNATIONS/ZONING DISTRICTS ILLUSTRATED WITHIN THE EHVCP FOR PROPERTIES CURRENTLY ANNEXED WITHIN THE EXISTING CITY LIMITS, AND DECLARING AN EMERGENCY.

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

WHEREAS, Application CPA-01-09 was initiated by the City of Happy Valley to adopt the "East Happy Valley Comprehensive Plan" (EHVCP); amend and augment existing Comprehensive Plan text; adopt a Transporatation System Plan (TSP) Update; adopt a Steep Slopes and Natural Resource Overlay Zone Map; and, amend the Development District Map (Official Map Exhibit 11 of Ordinance 97) by applying City comprehensive plan designations/zoning districts to all properties located within the EHVCP area and currently annexed within the existing city limits, as illustrated within Exhibit "A"; and,

WHEREAS a public hearing was held before the City of Happy Valley Planning Commission on January 27, 2009; and,

WHEREAS, the Planning Commission unanimously recommended that said EHVCP; Comprehensive Plan Text Amendments; TSP Update; Steep Slopes and Natural Resource Overlay Map be adopted based on the submitted materials; and that the Development District Map be amended as recommended in the Staff Report to the Planning Commission dated January 27, 2009; and,

WHEREAS, the City has timely forwarded a copy of the proposed products and amendments to the Department of Land Conservation and Development of the State of Oregon and Metro; and,

WHEREAS, the City Council of the City of Happy Valley, Oregon, has determined that it is reasonable, necessary and in the public interest to adopt the EHVCP; the proposed Comprehensive Plan text amendments; the TSP Update; and, the Steep Slopes and Natural Resource Overlay Zone Map and further, to revise the Development District Map, and upholds the Planning Commission's recommendation pursuant to the findings within the Staff Report to the Planning Commission dated January 27, 2009.

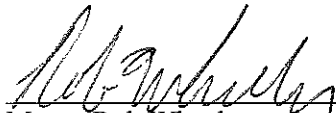
NOW, THEREFORE, based on the foregoing,

THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

- Section 1. The City of Happy Valley declares that the East Happy Valley Comprehensive Plan (EHVCP) is adopted and that the comprehensive plan designations/zoning districts be applied to the properties illustrated in the EHVCP (Exhibit "A") that are currently annexed within the existing city limits.
- Section 2. The City of Happy Valley declares that the proposed Comprehensive Plan text amendments as described within the Staff Report to the Planning Commission dated January 27, 2009 be added to the City's Comprehensive Plan in conjunction with this Ordinance;
- Section 3. The City of Happy Valley declares that the Transportation System Plan Update dated December 2008 located within the Staff Report to the Planning Commission dated January 27, 2009 is hereby adopted as an ancillary document to the City's Comprehensive Plan in conjunction with this Ordinance.
- Section 4. The City of Happy Valley declares that the Steep Slopes and Natural Resource Overlay Map located within the Staff Report to the Planning Commission dated January 27, 2009 is hereby adopted as an ancillary document to the City's Comprehensive Plan in conjunction with this Ordinance.
- Section 5. The City of Happy Valley declares that the Findings of Fact included within the Staff Report to the Planning Commission dated January 27, 2009 are hereby adopted in conjunction with this Ordinance.
- Section 6. The City of Happy Valley declares that because the EHVCP, the Comprehensive Plan text amendments, TSP Update, and Steep Slopes and Natural Resource Overlay Zone Map are implemented through the amendments to Title 16 of the Happy Valley Municipal Ordinance described in Local File No. LDO-01-09 (Ordinance No. 389), this Ordinance No. 388 shall not become operative until Ordinance No. 389 is adopted and all appeals, if any, are resolved.
- Section 7. An emergency is declared to exist and as provided by Section 32 of the Happy Valley City Charter this Ordinance takes effect on April 21, 2009.

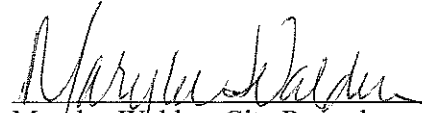
READ for the first time at the regular meeting of the City Council of the City of Happy Valley, Oregon, on April 21, 2009 and read for the second time on April 21, 2009, and adopted by a unanimous vote of the members of the City Council of the City of Happy Valley, Oregon.

CITY OF HAPPY VALLEY



Mayor Rob Wheeler

ATTEST:



Marylee Walden, City Recorder