

CITY OF HAPPY VALLEY

MEASURE 3-16

BALLOT TITLE

MEASURE ADOPTING STANDARDS FOR PLANNED MIXED USE AND COMMERCIAL DISTRICTS

QUESTION: Shall the City's Land Development Ordinance be amended to add standards for Planned Mixed Use and Commercial Districts?

SUMMARY: This measure would amend the City's Land Development Ordinance ("LDO") to adopt standards for Planned Mixed Use and Commercial zoning districts, and a Master Plan procedure, and would replace Article IX of the LDO with a new Design Review process. The measure would not change the current zoning of any existing land within or without the City. The purpose of the Commercial districts is to permit future commercial uses as the City expands. The Commercial zoning districts would not apply within the current City limits, but would be available for application to areas annexed to the City in the future. The purpose of the Planned Mixed Use district is to permit a variety of land uses to be planned and developed. Planned Mixed Use developments over five acres would be required to follow the Master Plan process. The purpose of the Master Plan process is to provide commercial retail and office employment opportunities, and compact residential neighborhoods close to the commercial services within the City as it expands beyond its current boundaries.

EXPLANATORY STATEMENT

The citizens of Happy Valley, by referendum petition, have placed this Ballot Measure before the voters of the City. The effect of the citizens action was to place on the ballot Ordinance No. 179, passed by the City Council on April 6, 1998, for a city wide vote.

Ordinance No. 179 was approved by the Council by a vote of 4-1. It will amend the Land Development Ordinance (No. 97) if approved by the voters. The Ordinance, as approved, is intended to provide the necessary tools within the Land Development Ordinance to regulate Commercial, Multi-family and Mixed Use development in the event additional lands are annexed to the City.

Extensive and detailed provisions were included in this ordinance to regulate site specific designs of all development with the exception of single family detached homes, which are addressed in the existing Land Development Ordinance. Specific language was included in the Ordinance expressing the intent to apply the Commercial, Multi-family and Mixed use standards only outside the current City boundaries. Ordinance No. 179 would not cause, nor permit, any changes in land use or zoning within the current City limits.

Urban levels of development continue to be planned and constructed within the bowl of the valley adjacent to the existing City boundaries. The City Council and Planning Commission determined that it was in the best interest of the City of Happy Valley to be in a position to regulate that development. The Metro Code requires, with certain exceptions, that Urban Reserve Areas be annexed to a City prior to urban levels of development. The Happy Valley City Council adopted Ordinance No. 179 to provide the City with means to plan and regulate these areas, should they be annexed to the City. Without Ordinance No. 179, the City will be relegated to an advisory role in the intense development that will occur in the Urban Reserve Areas and other lands adjacent to the City.

If voters favor the inclusion of Development Review regulations and Commercial, Multi-family, and Mixed Use development standards into the City's Land Development Ordinance, they should vote in favor of this measure. An affirmative vote on this Measure will automatically amend the Land Development Ordinance.

Submitted by:
Jim Crumley, Community Development Director
City of Happy Valley

ARGUMENT IN OPPOSITION

We urge you to vote NO on measure 3-16. A NO vote will override Ordinance 179, which allows for commercial, multi-family, and office building development in Happy Valley.

Ordinance 179 states, "the commercial districts outlined in this section (Section 4.05) are not intended to apply within the existing city limits and current Urban Growth Area." BEWARE, the city council only "intend," they do not guarantee. Also beware, because in Section 4.06 Planned Mixed Use District, Section 4.062 Mixed Use

Commercial, and Section 4.063 Mixed Use Residential there are no restrictions to the existing city limits, "intended" or guaranteed.

Ordinance 179 was passed by the city council on April 6, 1998 against the protests of almost two hundred citizens of Happy Valley in attendance at the meeting. Citizens of Happy Valley then circulated a referendum petition demanding for a vote of the people on Ordinance 179.

If Ordinance 179 is defeated, then Happy Valley Land Use Ordinance 97 will remain in force. Ordinance 97 allows residential zoning only unless an applicant goes through a lengthy process called a "comprehensive land use plan amendment." Since adopted in 1985, no applicant has attempted to override Happy Valley's "residential only" zoning map by this process. Ordinance 97 was approved by Metro and by State of Oregon LCDC officials as having complied fully with state law.

In a letter to Mayor Randy Nicolay, dated February 19, 1998 from Mike Burton, Executive Director of Metro, Mr. Burton states, "Metro recognizes that the City of Happy Valley is largely characterized as a residential community. NO areas of Happy Valley are designated on the 2040 Growth Concept for employment or industrial uses. Therefore, the provisions of Title 4 of the Functional Plan (Retail in Employment and Industrial Areas) are not applicable in Happy Valley."

If our city council won't save Happy Valley from commercial development, YOU CAN!! Their vision is to turn Happy Valley into "a major urban center." Tell them NO! with this vote. Keep Happy Valley RESIDENTIAL ONLY!

Submitted by:
Christine Aanderud,
Citizens for Happy Valley

NO ARGUMENT IN FAVOR OF THIS MEASURE WAS FILED.

The printing of this argument does not constitute an endorsement by Clackamas County, nor does the county warrant the accuracy or truth of any statement made in the argument.

CLACKAMAS COUNTY



VOTERS' PAMPHLET

SPECIAL ELECTION Clackamas County, Oregon

SEPTEMBER 15, 1998

BALLOTS MUST BE RETURNED TO:
CLACKAMAS COUNTY ELECTIONS
825 PORTLAND AVENUE
GLADSTONE, OR 97027-2195
BY 8:00 P.M., SEPTEMBER 15, 1998

JOHN KAUFFMAN
County Clerk

601

VOTER INFORMATION

YOU MAY REGISTER TO VOTE IF:

1. You are a citizen of the United States
2. You will be 18 or older on election day and
3. You are a resident of Oregon.

YOU MUST UPDATE YOUR REGISTRATION IF:

1. Your residence or mailing address changes
2. Your name changes or
3. You wish to change political affiliation.

To be eligible to vote you must be registered by the close of business on the 21st day before an election. If you have any questions on registration or updating your registration, contact the Elections Division at 655-8510.

DROP SITE LOCATIONS

LEDDING LIBRARY OF MILWAUKIE 10660 S.E. 21st Ave. Milwaukie 12-9 pm, Mon.-Thurs. 12:5-3:30 pm, Fri. & Sat. 1-5 pm, Sun. 12-8 pm, Election Day	CLACKAMAS CORNER 11750 S.E. 82nd Ave. Suite D, Portland 10-9 pm, Tues.-Thurs. 12-5 pm, Fri.-Sat. 12-5 pm, Sun. (Closed Monday) 10-8 pm, Election Day
--	--

OAK LODGE LIBRARY (COUNTY) 16201 S.E. McLoughlin Blvd. Oak Grove 10-9 pm, Tues.-Thurs. 10-5 pm, Fri. & Sat. 12-5 pm, Sun. (Closed Monday) 10-8 pm, Election Day	CLACKAMAS COUNTY ELECTIONS 825 Portland Ave. Gladstone 24 Hours Every Day, Until 8 pm, Election Day! Front door drop slot during hours closed.
---	---

Your voted ballot must be received in the Elections Office, 825 Portland Ave., Gladstone, OR, by 8:00 p.m. on September 15, 1996 to be counted. Postmark does not count. If you prefer, instead of mailing your ballot, you may take it to one of the Drop Site Locations listed above.

CITY OF HAPPY VALLEY MEASURE 3-15 BALLOT TITLE

MEASURE PROHIBITING ANNEXATIONS WITHOUT VOTER APPROVAL

QUESTION: Shall the City Charter be amended to prohibit most annexations unless approved by a majority of city electors?

SUMMARY: The City Charter currently permits the city council to approve certain annexations without an election, in accordance with state law. This measure would amend the city charter to prohibit all annexations, except for failing septic systems, health hazards or those required by state law, unless approved at an election by a majority of the participating city electors. This prohibition would apply to all annexations outside the city's current Urban Growth Management Area, including delayed annexations.

The City Elections Officer has determined that the initiative measure meets the single subject requirements of section 1 (2)(d), Article IV of the Oregon Constitution.

EXPLANATORY STATEMENT

This measure was placed on the ballot by initiative petition. It would amend the City Charter to prohibit most annexations of territory to the City of Happy Valley without prior voter approval. The exceptions to the voter approval requirement would be failing septic systems, health hazards, and annexations mandated by state law. The prohibition on annexations without voter approval would apply to all annexations outside the City's current Urban Growth Management Area. Currently, the City Charter does not require voter approval of all annexations to the City.

The measure would not affect the urban growth boundary, and would not prohibit or otherwise stop growth or development in surrounding, unannexed areas adjacent to the City located within the urban growth boundary. It would mean that, unless an election was held and an annexation was approved by the city electorate, such growth or development adjacent to the city would occur in unincorporated Clackamas County, subject to the County's, and not the City's, land use regulations.

Submitted by:
Tracy Reeve, City Attorney
City of Happy Valley

ARGUMENT IN FAVOR

On behalf of Citizens for Happy Valley, we would like to ask for your YES vote on Measure 3-15, the city charter amendment to require voter approval of annexations outside the city's Urban Growth Management Area. This charter change will let you, the voter, decide if the city shall expand.

There are those who preach a "doom and gloom" attitude toward voter approved annexations. They charge that the city will go broke without the added revenue from annexations. This charter change will not affect taxes and it will not force the city "to go broke." It simply gives the voters the right to decide if the city is to expand.

The question of expanding the city to increase tax revenue can ultimately lead to a "black hole" in costs associated with growth and managing it. The solution to the city's long term financial stability lies not in simply expanding, but in enacting an appropriate tax base, with voter approval, to meet the needs of city residents. An appropriate tax base will not create new taxes, but will give the city a larger portion of the property taxes already paid.

This measure does not undermine the city's ability to function and plan. It does however, require the city to work with the voters. The future of Happy Valley is up to all of us.

Many cities throughout Oregon have enacted similar laws, most recently in West Linn and Canby. The purpose is simple - give the voters of Happy Valley the right to shape the boundaries of our city and determine if we want to pay for extending municipal services to acreage outside the current Happy Valley Growth Boundary.

The basic question is: Who has the right to decide the future boundaries of the City of Happy Valley? YOU DO! It is your right and duty to vote on the future of Happy Valley.

We urge you to vote YES on Happy Valley Measure 3-15 voter approval of annexations.

Submitted by:
Linda Fox,
Citizens for Happy Valley

NO ARGUMENT IN OPPOSITION TO THIS MEASURE WAS FILED.

The printing of this argument does not constitute an endorsement by Clackamas County, nor does the county warrant the accuracy or truth of any statement made in the argument.

Continued on other side.



CLACKAMAS COUNTY



VOTERS' PAMPHLET

**SPECIAL ELECTION
Clackamas County,
Oregon**

SEPTEMBER 15, 1998

BALLOTS MUST BE RETURNED TO:
**CLACKAMAS COUNTY ELECTIONS
825 PORTLAND AVENUE
GLADSTONE, OR 97027-2195
BY 8:00 P.M., SEPTEMBER 15, 1998**

**JOHN KAUFFMAN
County Clerk**

602

VOTER INFORMATION

YOU MAY REGISTER TO VOTE IF:

1. You are a citizen of the United States
2. You will be 18 or older on election day and
3. You are a resident of Oregon.

YOU MUST UPDATE YOUR REGISTRATION IF:

1. Your residence or mailing address changes
2. Your name changes or
3. You wish to change political affiliation.

To be eligible to vote you must be registered by the close of business on the 21st day before an election. If you have any questions on registration or updating your registration, contact the Elections Division at 655-8510.

DROP SITE LOCATIONS

LEDGING LIBRARY OF MILWAUKIE	CLACKAMAS CORNER
10660 S.E. 21st Ave. Milwaukie	11750 S.E. 82nd Ave. Suite D, Portland
12-9 pm, Mon.-Thurs.	10-9 pm, Tues.-Thurs.
12-5:30 pm, Fri. & Sat.	10-5 pm, Fri.-Sat.
1-5 pm, Sun.	12-5 pm, Sun.
12-8 pm, Election Day	(Closed Monday) 10-8 pm, Election Day
OAK LODGE LIBRARY (COUNTY)	CLACKAMAS COUNTY ELECTIONS
16201 S.E. McLoughlin Blvd. Oak Grove	825 Portland Ave. Gladstone
10-9 pm, Tues.-Thurs.	24 Hours Every Day,
10-5 pm, Fri. & Sat.	Until 8 pm, Election Day!
12-5 pm, Sun. (Closed Monday)	Front door drop slot during hours closed.
10-8 pm, Election Day	

Your voted ballot must be received in the Elections Office, 825 Portland Ave., Gladstone, OR, by 8:00 p.m. on September 15, 1998 to be counted. Postmark does not count. If you prefer, instead of mailing your ballot, you may take it to one of the Drop Site Locations listed above.

CITY OF MILWAUKIE COUNCILOR, POSITION 1

LARRY LANCASTER

OCCUPATION: Loss Prevention Consultant.

OCCUPATIONAL BACKGROUND: Safety Foreman; Safety Director; Loss Control Consultant/Return to Work Specialist; Loss Prevention Consultant. (Have been in the field of Risk Management for the past 18+ years.)

EDUCATIONAL BACKGROUND: B.S. in Psychology, Oregon State University; Some Post Graduate Work, Portland State University; First Aid/CPR Instructor-trainer; Professional Tennis Umpire (retired); Certification in Human Resource Management; Certification in OSHA Compliance; 300+ hours of Professional Seminars/Training Courses.

PRIOR GOVERNMENTAL EXPERIENCE: Currently interim City Councilor Position #1; Currently Advisory Committee and Site Council for North Clackamas School District #12.

This candidate did not purchase space for a picture and statement.