

**AGENDA BILL 2009-12-14B**

**Subject:** *Ordinance No. 1589* - Proposed Community Development Code Amendments to allow two-year extensions to a variety of land use approvals.

**For Council:** December 14, 2009

**Land Use Case Number:** CDC-09-04

**Public Hearing:** Yes

**City Manager's Initials:** \_\_\_\_\_

**Attachments:**

- |   |  |
|---|--|
| 1. Staff Memorandum to City Manager         | 5. Exhibit C: "De Novo emphasis on Errors and Omissions" |
| 2. Proposed Ordinance                       | 6. Exhibit D: "De Novo"                                  |
| 3. Exhibit A: Leave "As Is"                 | 7. Recent Correspondence Received                        |
| 4. Exhibit B: "Planning Commission Version" |  |

**Initiated by:**

- City of West Linn

**Budget Impact:**

- None

**Sustainability Considerations:**

- None

**Policy Questions for Council Consideration:**

- Does the proposed language ensure that new regulations will be met?

**Summary:**

- Most land use approvals expire after three years. The current economic crisis has tightened the availability of money for both minor and major projects to the extent that numerous land use approvals are expected to lapse this year, including the City's proposed Marylhurst Park.
- At the November 16, 2009 work session, City Council asked that four versions be prepared that would address extensions of land use approvals. The versions include a full "de novo" hearing process with review of all aspects of the original application. Another would be "de novo" but limited to new regulations that apply to the application and whether or not errors or omissions in the original application and review might be addressed or corrected. The other versions were to leave the code "as is" and the final alternative was recommended by the Planning Commission.

**Recommended Action:**

The Planning Commission recommended approval of the extension amendments contained in Exhibit B. Staff recommends Exhibit C: "de novo" with an emphasis on review of errors and omissions.

**Council Action Taken:**

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Continued |
| <input type="checkbox"/> Denied   |                                    |