

**ORDINANCE NO. 1589
WEST LINN, OREGON**

AN ORDINANCE CREATING A PROCEDURE TO ALLOW TWO-YEAR EXTENSIONS TO APPROVED LAND USE DECISIONS

WHEREAS, applicants must complete the improvements required by the original land use approval within three years of the approval date or the approval is voided; and

WHEREAS, the past 18 months have seen the collapse of the housing market, the unwillingness of lending institutions to provide loans to construct improvements such as roads and utilities necessary for final platting land divisions; and

WHEREAS, many cities in the Metro area allow extensions for land use approvals under specific circumstances; and

WHEREAS, in November, 2008 the City Council directed that staff process a review of the Community Development Code to determine if allowing for extension for local land use approvals was of value to the City; and

WHEREAS, by allowing extensions for land use approvals the City can maintain an inventory of approvals that can be activated early during the upturn of the economy rather than require staff and the local approval authorities to duplicate their effort by performing a repeat review of applications; and

WHEREAS, the City can require review of that those approvals for which an extension is requested to determine if there are errors, omissions or facts which were misinterpreted during the initial review of the application or where regulations have been adopted by the City since the initial approval vested, and require errors, omissions, and misrepresentations to be corrected and new regulations to be applied; and

WHEREAS, the City of West Linn provided legislative notice pursuant to Community Development Code Chapter 98; and

WHEREAS, the West Linn Planning Commission held a public hearing on May 20, 2009 and a meeting on October 7, 2009 and recommended approval of the amendments to allow a two-year extension subject to specific criterion; and

WHEREAS, the City Council held public hearings on December 14, 2009 and January 11, 2010, and determined that allowing for extension for local land use approvals retroactive to August 1, 2009 is of value to the City, and subsequently adopted findings of fact and conclusions justifying its decision.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

Section 1: The West Linn Community Development Code is hereby amended to read as identified in Exhibit A (attached hereto).

PASSED AND APPROVED THIS 11th DAY OF JANUARY 2010.

PATTY GALLE, MAYOR

ATTEST:

TINA LYNCH, CITY RECORDER

APPROVED AS TO FORM:

City Attorney