

AGENDA BILL 2010-01-11G

Subject: Proposed Community Development Code (CDC) amendments to allow two-year extensions to a variety of land use approvals.

For Council: January 11, 2010

Land Use Case Number: CDC-09-04

Public Hearing: Yes

City Manager's Initials: _____

Attachments:

- | | |
|-------------------------------------|---|
| 1. Staff Memorandum to City Manager | 4. Exhibit B: Planning Commission Version |
| 2. Proposed Ordinance | 5. Recent Correspondence Received |
| 3. Exhibit A: Proposed amendment | |

Initiated by:

- City of West Linn

Budget Impact:

- None

Sustainability Considerations:

- None

Policy Questions for Council Consideration:

- Should extensions of land use approvals be allowed?

Summary: Most land use approvals expire after three years. The current recession has made it extremely difficult for owners of approved projects to pay for and complete the required improvements. Numerous land use approvals are expected to lapse this year, including the City’s proposed Marylhurst Park. Unlike many cities, West Linn currently allows no extensions.

At the December 21, 2009 City Council work session, the majority of the Council in attendance favored allowing extensions of land use approvals if:

1. the application is in conformance with applicable CDC provisions and approval criteria enacted since the application was initially approved; and
2. there are no material misrepresentations, errors, omissions, or changes in relevant facts; or
3. the applicant modifies the approved plans to conform with all original and current approval criteria, remedy any errors or omissions and address changes in pertinent facts.

The Council asked that options regarding the duration and approval authority for extensions be incorporated in the draft amendments for their consideration (see Exhibit A, page 7). They also want to consider only allowing extensions for public projects (see Exhibit A, page 8).

Recommended Action:

The Planning Commission recommended approval of the extension amendments contained in Exhibit B. Staff recommends the version based on City Council discussion -Exhibit A.

Council Action Taken:

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

