



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

5/26/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Corvallis Plan Amendment
DLCD File Number 003-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, June 10, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

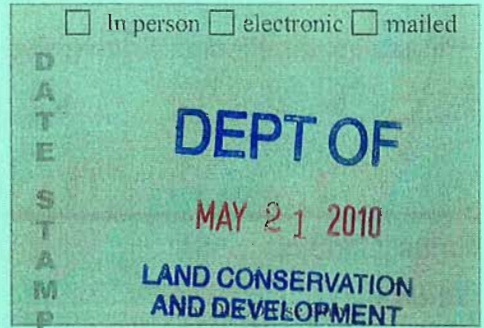
*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Kevin Young, City of Corvallis
Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: *City of Corvallis*
Date of Adoption: *May 17, 2010*

Local file number: *M1510-00016*
Date Mailed: *May 20, 2010*

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one**Date:

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: *Special Ordinance*

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
The adopted ordinance extends the effective period (active life) of all non-expired land use approvals (partitions, subdivisions, planned developments, etc.) by a period of one additional year. This is a one-time ordinance and is not a change to the Land Development Code.

Does the Adoption differ from proposal? Please select one
no

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment... *yes*

- 45-days prior to first evidentiary hearing? Yes No
- If no, do the statewide planning goals apply? Yes No
- If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 003-10 (18240) [16140]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

None

Local Contact: *Kevin Young*
Address: *P.O. Box 1083*
City: *Corvallis*

Phone: *(541) 766-6908* Extension:
Fax Number: *541-754-1792*
Zip: *97339-1083* E-mail Address: *kevin.young@ci.corvallis.or.us*

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:
ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE 2010- 12

**AN ORDINANCE RELATING TO APPROVED LAND USE DECISIONS,
AND DECLARING AN EMERGENCY**

Whereas, the Planning Commission, after reviewing the proposed special ordinance on April 21, 2010, has forwarded its recommendation to the City Council concerning a proposal for a special ordinance extending the effective date of approved land use decisions by one additional year; and

Whereas, after proper legal notice, a public hearing before the City Council, concerning the proposed special ordinance was held on May 17, 2010, and interested persons and the general public were given an opportunity to be heard, and the recommendations of the Planning Commission and staff were reviewed by Council; and

Whereas, the recent economic downturn has made it difficult to secure financing for construction and created a disruption in local and national real estate markets that has significantly slowed the development of approved land development projects in the City of Corvallis; and

Whereas, City resources and a great deal of time have been spent by decision-makers and City staff in the process of approving a variety of land use applications that appear likely to expire due to the economic downturn; and

Whereas, a one-year extension to the effective period of the subject land use approvals is not anticipated to preserve the approvals beyond a reasonable period of time; and

Whereas, the findings of fact contained in the portions of the April 16, 2010, Staff Report to the Planning Commission that demonstrate support for the proposed special ordinance extending the effective dates of approved land use decisions that would otherwise expire prior to December 31, 2011 by one calendar year, are by this reference incorporated herein, and are hereby adopted as findings by the City Council.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Purpose.

Land Use decisions within the City of Corvallis may expire if the Land Development Code sets out a particular "effective period" from the date of approval of a development project.

Due to the current unforeseen and unprecedented economic and financial disruptions, financing for many approved development projects within the City limits is difficult to obtain. This Ordinance is intended to extend the time that an approved land use decision remains effective, before actions otherwise required by the Land Development Code for the developer to complete the development are complete.

Section 2. Definitions.

For purposes of this ordinance only, the following definitions apply:

- (a) "Land Development Code" means the City of Corvallis Land Development Code.
- (b) "Approved Land Use Decision" means any decision made under the authority of the Land Development Code, by any appropriate level of decision maker, which has not expired or otherwise terminated prior to the effective date of this ordinance.
- (c) "Effective period" means any period of time established in the Land Development Code after which an approve land use decision could expire, regardless of the language describing the period of time in the Land Development Code.

Section 3. Extension of Effective period.

- (a) The effective period of any Approved Land Use Decision is extended by one additional calendar year.
- (b) This extension is in addition to, and not in place of, any other extension allowed by the text of the Land Development Code, so long as the extension is also consistent with subsection (d), below.
- (c) This extension does not apply to projects approved after the effective date of this ordinance.
- (d) This extension applies only to those Approved Land Use Decisions which would otherwise expire prior to December 31, 2011, but which have not expired as of the effective date of this ordinance.

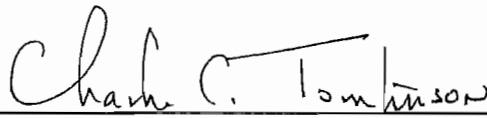
Section 4. Emergency.

The general welfare of the public will be promoted if this ordinance takes effect immediately. Therefore, an emergency is declared and this ordinance shall take effect immediately upon its passage by the City Council and its approval by the Mayor.

PASSED by the City Council this 17th day of May, 2010.


APPROVED by the Mayor this 17th day of May, 2010.

EFFECTIVE this 17th day of May, 2010.



 Mayor

ATTEST:



 City Recorder

ORDINANCE 2010- 12

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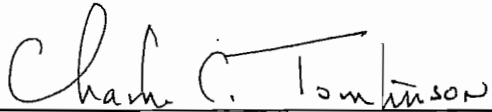
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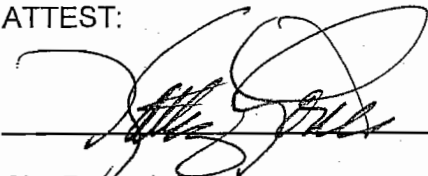
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EFFECTIVE this 17th day of May, 2010.



 Mayor

ATTEST:


 City Recorder



Community Development
Planning Division
501 SW Madison
P.O. Box 1083
Corvallis, OR 97339-1083

PRESORTED
FIRST CLASS



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05/20/2010

Mailed From 97331
US POSTAGE

Attention: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capital Street NE, Suite 150
Salem, OR 97301-2540

C-GDPM1 97301

