



DEPT OF

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LAND CONSERVATION  
AND DEVELOPMENT

January 26, 2012

Plan Amendment Specialist  
Department of Land Conservation and Development

**SUBJECT: Extension of Approved Land Use Decisions and Repeal of Ordinance 2010-12**

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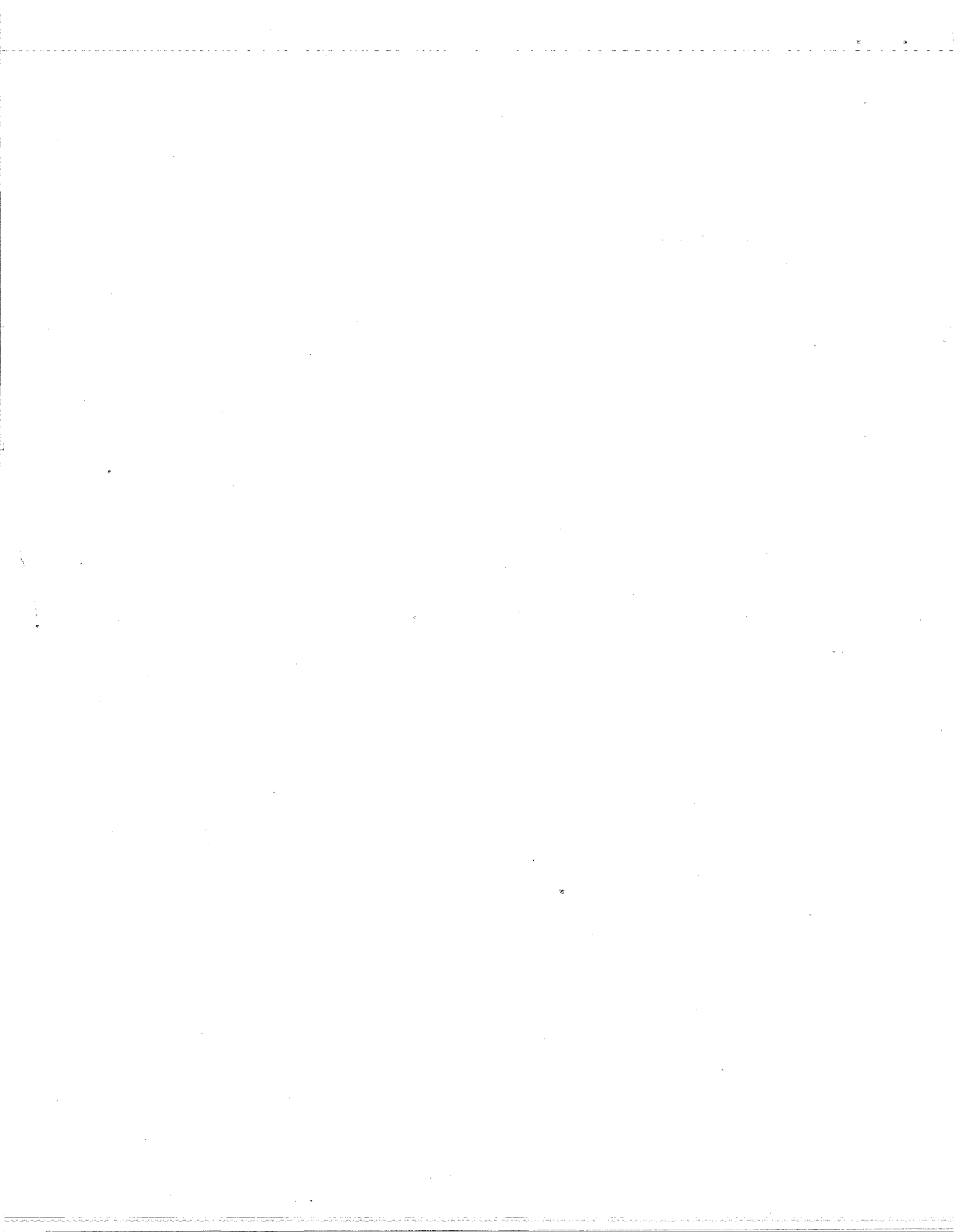
On May 17, 2010, the Corvallis City Council adopted City Ordinance 2010-12, which extended the effective period of certain approved land use applications for a period of one year. Post Acknowledgment Plan Amendment (PAPA) notice was provided to you both before and after adoption. In November, 2011, the City Council further extended the effective period of certain approved land use applications, for a period of two years, or until January 1, 2014, whichever comes first. Because no concerns were communicated regarding the initial extension ordinance, and because the practical effect of the latest extension would be identical to the initial extension, thereby having no further impact on the state land use goals identified in our initial PAPA notice, we have determined, per ORS 197.610(2), that PAPA notice is not required. However, we are providing you with an attached copy of the adopted ordinance, Ordinance 2011-16, which further extends the effective period of land use approvals and repeals Ordinance 2010-12.

Please feel free to contact me if you have any questions about this matter. I can be reached at (541) 766-6572.

Sincerely,

Kevin Young  
Planning Division Manager  
City of Corvallis

Attachment: Ordinance 2011-16



**ORDINANCE 2011- 16**

**AN ORDINANCE RELATING TO EXTENSION OF APPROVED LAND USE DECISIONS,  
AND REPEALING ORDINANCE 2010-12**

Whereas, on May 17, 2010, the City Council approved Ordinance 2010-12, which extended the effective period of approved land use decisions by one additional year due to worsened economic conditions; and

Whereas, economic conditions have not significantly improved since that time, and Community Development staff have been approached by several parties that hold land use approvals that are in danger of expiration regarding options for preserving the approvals; and

Whereas, the Planning Commission, after reviewing the need for a time extension for approved land use decisions on October 5, 2011, has forwarded its unanimous recommendation to the City Council concerning a proposal for an ordinance extending the effective date of approved land use decisions; and

Whereas, a public comment opportunity before the City Council was provided on November 7, 2011, concerning the proposed ordinance, 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 continued 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, approval of an extension for land use approvals for a period of two years, or until January 1, 2014, whichever comes first, is not anticipated to preserve the approvals beyond a reasonable period of time;

Whereas, the terms of Ordinance 2010-12, extending the effective period of an approved land use decision could conflict or cause confusion about the effective period of approved land use decisions subject to the terms of both ordinances, repeal of Ordinance 2010-12 is in the public interest; and

Whereas, the findings of fact contained in the portions of the November 1, 2011, Memorandum from the Community Development Director to the Mayor and City Council that demonstrate support for the proposed ordinance extending the effective dates of approved land use decisions, 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 applicable Land Development Code after which an approved land use decision could expire, supplemented by the effects of this ordinance, regardless of the language describing the period of time in the applicable Land Development Code.

Section 3. Extension of Effective period.

- (a) The effective period of any Approved Land Use Decision is extended by two years, or until January 1, 2014, whichever comes first.
- (b) Approved Land Use Decisions with an effective period that extends beyond two years and beyond January 1, 2014, will not be affected by this ordinance, but will run their normal term, as provided in the applicable Land Development Code.
- (c) This extension is in addition to, and not in place of, any other extension allowed by the text of the applicable Land Development Code.
- (d) This extension does not apply to projects approved after the effective date of this ordinance.
- (e) The effective period of all approved land use decisions which have not expired under the terms of Ordinance 2010-12 by the effective date of this Ordinance shall be further extended under the terms of this ordinance.

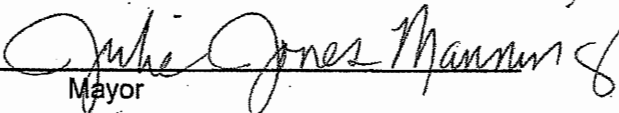
Section 4. Repeal of Ordinance 2010-12

- (a) Ordinance 2010-12 is repealed.

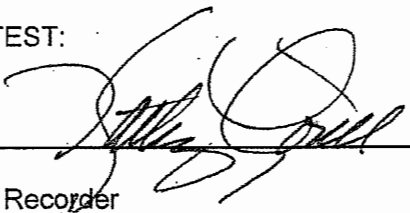
PASSED by the City Council this 7th day of November, 2011.

APPROVED by the Mayor this 7th day of November, 2011.

EFFECTIVE this 17th day of November, 2011.

  
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Mayor

ATTEST:

  
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City Recorder

