



WASHINGTON COUNTY OREGON

May 18, 2009

To: Citizen Participation Organizations and Interested Parties

From: Brent Curtis, Planning Manager *BC*
Department of Land Use & Transportation

Subject: **PROPOSED ORDINANCE NO. 716**

Enclosed for your information is a copy of proposed Ordinance No. 716. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Long Range Planning Division.

Ordinance Purpose and Summary

Ordinance 716 grants a one-year extension of all preliminary and final land use approvals that are set to expire between the effective date of this ordinance and one year from that date. The purpose of this ordinance is to address the unprecedented downturn in the real estate market and the credit crisis.

Who Is Affected

Applicants and developers with existing preliminary and final land use approvals that are about to expire.

What Land is Affected

Parcels and tax lots with current preliminary and final land use approvals.

Key Provisions

Ordinance 716 grants an automatic one-year extension of all preliminary land use approvals and all final approvals of subdivisions, partitions, and property line adjustments that are set to expire between the effective date of this ordinance and one year from that effective date.

Initial Public Hearings Time and Place

Planning Commission
7:30 pm
June 17, 2009

Board of County Commissioners
10:00 am
July 7, 2009

Hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 North 1st Avenue, Hillsboro, Oregon.

Department of Land Use & Transportation • Long Range Planning Division

155 N. First Avenue, Suite 350-14, Hillsboro, OR 97124-3072

phone: (503) 846-3519 • fax: (503) 846-4412

On July 7, 2009, the Board of County Commissioners (Board) may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted, it would become effective on August 6, 2009.

**Community
Development Code
Standards Amended**

➤ None

**How to Submit
Comments**

Submit oral or written testimony to the Board and/or the Planning Commission at one of the public hearings. Written testimony may be mailed or faxed to the Board or Planning Commission in advance of the public hearings in care of the Long Range Planning Division. **We are unable to accept e-mail as public testimony.**

Washington County, Long Range Planning Division
155 N. 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Fax: 503-846-4412

Failure to submit oral or written testimony before the Board or Planning Commission may preclude appeal of a decision by the Board to adopt an ordinance as filed or amended.

Staff Contact

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155 North 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Telephone: 503-846-3873 Fax: 503-846-4412
e-mail: joy_chang@co.washington.or.us

**Proposed Ordinance is
available at the
following locations:**

- Washington County Department of Land Use & Transportation
Long Range Planning Division, 155 North 1st Ave.
Hillsboro, OR 97124-3072 Telephone: 503-846-3519
- www.co.washington.or.us/deptmts/lut/planning/ordhome.htm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-725-2124 for a directory of CPOs.

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MAY 14 2009

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 716

An Ordinance Granting a One-Year Extension of All Preliminary and Final Land Use Approvals that Are Set to Expire Between the Effective Date of this Ordinance and One Year from that Date

The Board of County Commissioners of Washington County, Oregon, ordains as follows:

SECTION 1.

A. The Board of County Commissioners ("Board") finds that builders in Washington County are currently struggling to move forward with approved preliminary and final approvals given the unprecedented downturn in the real estate market and the credit crisis.

B. The Board finds that to avoid expiration of existing approvals it is appropriate to grant automatic extensions for a one-year period to provide additional time for builders to respond to market constraints.

C. The Board finds that the current market conditions and credit crisis are emergency circumstances that require submittal of this proposed change to the Director of the Department of Land Conservation and Development (DLCD) in less than 45 days consistent with ORS 197.610(2).

D. Under the provisions of Washington County Charter Chapter X, the Department of Land Use and Transportation has carried out its responsibilities, including preparation of notices, and the County Planning Commission has conducted one or more public hearings on the proposed amendments and has submitted its recommendations to the Board. The Board finds

1 that this Ordinance is based on that recommendation and any modifications made by the Board,
2 as a result of the public hearings process.

3 E. The Board finds and takes public notice that it is in receipt of all matters and
4 information necessary to consider this Ordinance in an adequate manner, and finds that this
5 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan
6 adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington
7 County Charter, the Washington County Community Development Code, and the Washington
8 County Comprehensive Plan.

9 SECTION 2

10 Notwithstanding any existing provision under the Community Development Code, this
11 ordinance shall grant an automatic one-year extension of all preliminary land use approvals and all
12 final approvals of subdivisions, partitions, and property line adjustments that are set to expire
13 between the effective date of this ordinance and one year from that effective date. No additional
14 process, application or fee is required for any of these automatic one-year extensions.

15 SECTION 3

16 All other Comprehensive Plan provisions that have been adopted by prior ordinance, that are
17 not expressly amended or repealed herein, shall remain in full force and effect.

18 SECTION 4

19 If any section, clause, phrase, or word of this Ordinance or its application shall for any
20 reason be determined invalid or unenforceable by a body of competent jurisdiction, the validity of
21 the remainder or its application and all portions not so stricken shall not be affected thereby and

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1 remain in full force and effect, and any provision of a prior ordinance amended or repealed by the
2 stricken portion of this Ordinance shall be revived and again be considered in full force and effect.

3 SECTION 5

4 The Department of Land Use and Transportation is authorized to take such steps as are
5 necessary to inform applicants of the automatic extension and to track the modified expiration date
6 to assure compliance with Section 2 above.

7 SECTION 6

8 This Ordinance shall take effect thirty (30) days after adoption.

9 ENACTED this 7th day of JULY, 2009, being the
10 1st reading and 1st public hearing before the Board of County Commissioners of
11 Washington County, Oregon.

12 BOARD OF COUNTY COMMISSIONERS
13 FOR WASHINGTON COUNTY, OREGON

14 **ADOPTED**

15 Tom Brui
CHAIRMAN

16 Barbara Hejtmanek
RECORDING SECRETARY

17 READING

17 PUBLIC HEARING

18 First July 7, 2009

18 First July 7, 2009

19 Second _____

19 Second _____

20 Third _____

20 Third _____

21 Fourth _____

21 Fourth _____

22 Fifth _____

22 Fifth _____

Sixth _____

Sixth _____

23 VOTE: Aye: Brian, Duyck, Rogers,
Strader, Schouten

Nay: _____

24 Recording Secretary: Barbara Hejtmanek Date: July 7, 2009