



WASHINGTON COUNTY OREGON

May 7, 2010

To: Citizen Participation Organizations and Interested Parties

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

Subject: **PROPOSED ORDINANCE NO. 734**

Enclosed for your information is a copy of proposed Ordinance No. 734. 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 No. 734 grants a 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. 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 preliminary land use approvals and final approvals of subdivisions, partitions, and property line adjustments that are about to expire.

What Land is Affected

Parcels and tax lots with current preliminary land use approvals and final approvals of subdivisions, partitions, and property line adjustments.

Key Provisions

Ordinance No. 734 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 16, 2010

Board of County Commissioners
10:00 am
July 6, 2010

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

On July 6, 2010, 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 5, 2010.

**Community
Development Code
Standards Amended**

➤ None

**How to Submit
Comments**

Submit oral or written testimony to the Planning Commission and/or the Board at one of the public hearings. Written testimony may be mailed or faxed to the Planning Commission or Board 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

Staff Contact

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**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/LUT/Divisions/LongRangePlanning/land-use-ordinances.cfm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-821-1128 for a directory of CPOs.

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing
Land Use & Transportation; County Counsel (All CPOs)

Agenda Title: PROPOSED ORDINANCE NO. 734 – 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

Presented by: Brent Curtis, Planning Manager; Dan Olsen, County Counsel

SUMMARY:

Ordinance No. 734 would grant 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 date. The purpose of this ordinance is to address the continued downturn in the real estate market and the credit crisis. If the ordinance is adopted by your Board on July 6th, the effective time period would be August 5, 2010 to August 5, 2011.

On June 16, 2010, the Planning Commission conducted a public hearing for this ordinance. The Planning Commission voted 6-1 to recommend that the Board adopt Ordinance No. 734.

This agenda has been prepared in advance of the staff report for the July 6th hearing. The staff report will be provided to the Board and the Board's clerk prior to the hearing date. Proposed Ordinance No. 734 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2010-land-use-ordinances.cfm>

Consistent with Board policy about public testimony, testimony about the ordinance is limited to three minutes for individuals and twelve minutes for a representative of a group.

DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 734 by title only and conduct the first public hearing. At the conclusion of the hearing, adopt Ordinance No. 734.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No. 4.b.

Date: 7-6-10

APR 27 2010

Washington County
County Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 734

An Ordinance Granting a Second 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, even with the automatic one-year extensions granted by and through the adoption of Ordinance 716 on July 7, 2009, are struggling to move forward with approved preliminary and final approvals given the continued, 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 second one-year period to provide additional time for builders to respond to market constraints.

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

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

7 SECTION 2

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

13 SECTION 3

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

16 SECTION 4

17 If any section, clause, phrase, or word of this Ordinance or its application shall for any
18 reason be determined invalid or unenforceable by a body of competent jurisdiction, the validity of
19 the remainder or its application and all portions not so stricken shall not be affected thereby and
20 remain in full force and effect, and any provision of a prior ordinance amended or repealed by the
21 stricken portion of this Ordinance shall be revived and again be considered in full force and effect.

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1 SECTION 5

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

5 SECTION 6

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

7 ENACTED this 6 day of July, 2010, being the
8 first reading and first public hearing before the Board of County Commissioners of
9 Washington County, Oregon.

10 BOARD OF COUNTY COMMISSIONERS
11 FOR WASHINGTON COUNTY, OREGON

12 **ADOPTED**

13 Roy R. Rosa
CHAIRMAN

14 Barbara Hejtmanek
RECORDING SECRETARY

15 READING

16 First July 6, 2010
17 Second _____
18 Third _____
19 Fourth _____
20 Fifth _____
21 Sixth _____

PUBLIC HEARING

First July 6, 2010
Second _____
Third _____
Fourth _____
Fifth _____
Sixth _____

22 VOTE: Aye: Rogers, Duyck, Schouten

Nay: _____

Recording Secretary: Barbara Hejtmanek Date: July 6, 2010