

ORDINANCE NO. 1044

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

WHEREAS, Stayton Municipal Code (SMC), Section 17.12.120.7 establishes certain deadlines for construction to start, after which an approval granted under the Land Use and Development Code shall expire;

WHEREAS, SMC Section 17.12.120.8 allows for a one-time one-year extension of those deadlines;

WHEREAS, the COVID-19 worldwide pandemic has resulted in economic disruption and Declarations of Emergency by federal, state and local officials, including the City of Stayton;

WHEREAS, there are a number of development projects within the City of Stayton that have received land use approval from the Stayton Planning Commission, and have also received the one-time one-year extension;

WHEREAS, expiration of the land use approvals for these projects would result in unnecessary costs and further delays from having to resubmit applications for approval; and

WHEREAS, it is appropriate that an emergency be declared as to the enactment of this Ordinance as it is necessary for the immediate preservation of the public peace, health and safety, and due to the pending expiration of certain land use approvals, this Ordinance shall take effect on its passage so that it is in full force and effect immediately from and after its enactment by the Stayton City Council.

NOW THEREFORE, the City of Stayton ordains:

Section 1. Purpose. Land Use decisions within the City of Stayton may expire as the Land Use and Development Code sets out a particular "effective period" from the date of approval of the development project. Due to the current unforeseen and unprecedented economic and financial disruptions resulting from the worldwide pandemic, 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 Use and 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 Use and Development Code" means Title 17 of the Stayton Municipal Code.
- b) "Approved Land Use Decision" means any decision made under the authority of the Land Use and 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 Use and Development Code after which an approved land use decision could expire, regardless of the language describing the period of time in the Land Use and 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 Use and 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.

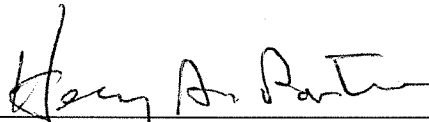
d) This extension applies only to those Approved Land Use Decisions which would otherwise expire prior to January 1, 2021, but which have not expired as of the effective date of this ordinance

Section 4. This ordinance shall take effect immediately upon its passage by the City Council and its approval by the Mayor.

ADOPTED BY THE CITY COUNCIL this 18th day of May, 2020.

CITY OF STAYTON

Signed: 5/19, 2020

BY: 
Henry A. Porter, Mayor

Signed: 6/19, 2020

ATTEST: 
Keith D. Campbell, City Manager