

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS
Staff Presentation Worksheet

Presentation Date: **October 5, 2010** Time: **1:30 P.M.** Length: **30 minutes**

Presentation Title: **Partition and Subdivision Approval Periods and Time Extensions**

Department: **Transportation and Development – Land Use and Zoning**

Presenters: **Cam Gilmour and Mike McCallister**

POLICY QUESTION

As challenging economic times continue, Land Use and Zoning staff are working diligently to provide the best possible support for applicants to help their development plans achieve success. In 2011, we would like to review approval periods and time extensions for all types of development applications, and recommend appropriate ordinance amendments.

ISSUE & BACKGROUND

Current timelines and fees for partition and subdivision development applications are as follows:

- Partition (up to three lots) approvals are valid for two years. A single, one-year time extension may be approved.
 - Application cost: \$2,380.
 - Time Extension application cost: \$595 (25% of original fee)
- Short subdivisions (4-10 lots) are valid for two years. Up to three, one-year extensions may be approved.
 - Application cost: \$2,380
 - Time Extension application cost: \$595 (25% of original fee)
- Long subdivisions (11 or more lots) are valid for two years. Up to three, one-year extensions may be approved.
 - Application cost: \$4,700 plus \$42 per lot.
 - Time Extension application cost: 25% of original application fee

If the final plat for a partition or subdivision is not recorded within the approval period authorized in the original application or through a time extension, the approval automatically becomes void. Building permits for homes do not have to be issued within the approval period; they can be issued at any time once the final plat is recorded.

As a matter of practice, time extensions are routinely approved unless there have been significant changes in the development code that affect the property. When a partition or subdivision approval expires, a new application (including a new fee) is required.

The Planning Director does have the authority to waive or reduce fees for land use applications with just cause. In the last 12 -18 months, we have reduced fees by 50% when requested by applicants whose partitions or subdivisions, and time extensions, have expired. We believe the fee reduction is warranted because of the current economic environment and because the new application is usually so similar to the one that just expired that it requires less staff work to be processed.

Currently, development permit approval periods range from one to 10 years. Some types of permits have no expiration dates; some have optional time extensions.

In early 2011, we plan to review the approval periods and time extensions for all development applications and recommend appropriate revisions. The proposed ordinance amendment will provide an opportunity to review and standardize, to the extent possible, approval periods and time extensions for all types of development permits.

QUESTION PRESENTED FOR CONSIDERATION

- 1) Should Land Use and Zoning pursue its plans to propose an ordinance amendment in 2011 based on a review of approval periods and time extensions for all development applications?
- 2) Should consideration be given to waiving fees for partition and subdivision approvals whose approvals have expired? Currently, we are waiving a portion of this cost, generally 50%.

OPTIONS AVAILABLE

1. Support the staff plan, as described above.
2. Ask for additional reviews.
3. Ask that the review not take place.
4. Support continuing waiving a portion of the application fee when an approval has expired.

RECOMMENDATION

We recommend that Land Use and Zoning pursue its plans to propose an ordinance amendment in 2011 based on a review of approval periods and time extensions for all development applications. We recommend continuation of the waiver practice through next year.

SUBMITTED BY:

Division Director/Head Approval MTM
Department Director/Head Approval [Signature]
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Mike McCallister@ 503-742-4522.