

Expiration Date Extension Project

PSC Potential Amendments – May 26, 2020

Amendment #1 – “Three Years Prior” Typo

Replace "...[INSERT EFFECTIVE DATE OF THIS ORDINANCE]..."
with "[INSERT THREE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE]..."
in the following sections:

- 33.730.130.B.1.b (land use approvals)
- 33.730.130.B.4.b (multiple developments)
- 33.730.130.B.6.b (preliminary plans)
- 33.730.130.B.8.b (large industrial sites)
- 33.730.130.B.9.a(2) (staged final plats)
- 33.730.130.B.10.c (in conjunctions with land divisions)
- 33.730.130.B.11.c (in conjunctions with PUDs and PDs)

Amendment #2 – List of Terms Typo

Amend Chapter 33.900 List of Terms as follows:

- Add "Courtyard" and delete "Exterior Courtyard"
- Add "Fourplex" under Residential Structure Types
- Add "Local Service Street" under Street Types

Potential Amendment #3 – Exclude projects submitted prior to the inclusionary housing regulations going into effect on Feb 2, 2017.

33.730 Quasi-Judicial Procedures

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33.730.130 Expiration of an Approval

A. [No change]

B. When approved decisions expire.

1. Land use approvals, except as otherwise specified in this section, expire if:
 - a. Generally.
 - (1) Within 3 years of the date of the final decision a City permit has not been issued for approved development; or
 - (2) Within 3 years of the date of the final decision the approved activity has not commenced.
 - b. Exception. Final decisions that became effective between ~~May 27, 2006~~ [INSERT DATE THREE YEARS BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~ January 1, 2021 or ~~between May 16, 2009 and June 30, 2011~~ expire if a City permit has not been issued for approved development or the approved activity has not commenced by ~~June 30, 2014~~ January 1, 2024. **This exception does not apply to the final decision for any design review that was deemed complete prior to February 1, 2017.**
2. Zoning map and Comprehensive Plan map amendments do not expire.
3. Conditional Use Master Plans, Impact Mitigation Plans, and Transportation Impact Reviews expire as specified in Chapters 33.820, 33.848, and 33.852, or in the plans themselves.
4. Multiple developments.
 - a. Generally. Where a site has received approval for multiple developments, and a City permit is not issued for all development within 3 years of the date of the final decision, the approval does not expire but no additional development may occur without another review. All conditions of approval continue to apply. Examples of multiple developments include phased development and multi-building proposals.
 - b. Exception. On sites where the final decisions became effective between ~~May 27, 2006~~ [INSERT DATE THREE YEARS BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE] and ~~December 31, 2008~~ January 1, 2021 or ~~between May 16, 2009 and June 30, 2011~~ and a City permit is not issued for all development by ~~June 30, 2014~~ January 1, 2024, the approval does not expire but no additional development may occur without another review. All conditions of approval continue to apply. **This exception does not apply to the final decision for any design review that was deemed complete prior to February 1, 2017.**

Potential Amendment #4 – Expiration Dates of Pre-Apps for Master Plans

33.730.050 Pre-Application Conference

A.-F. [No change]

- G. Time limit.** A pre-application conference is valid for one two years. If more than one two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

(I am assuming that we can drop the extension in this case—it was giving some pre-apps 2 years, but I don't think we need it if we give them all 2 years.)

OR

33.730.050 Pre-Application Conference

A.-F. [No change]

G. Time limit.

1. Generally. A pre-application conference is valid for one year. If more than one year has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.
2. Exception. Pre-application conferences for Master Plans are valid for two years. In addition, pre-application conferences held between March 13, 2019 and January 1, 2021 are valid for two years from the date of the pre-application conference. If more than two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.