

# ORDINANCE No. 189395

Amend fee schedules for Land Use Services (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of Development Services (BDS) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. In 1988-89, the Development Services Operating Fund was established with a policy that construction-related programs in the fund would be fully self-supporting. Since that time, BDS has kept these programs self-supporting by providing efficient, effective services and applying periodic, moderate fee increases that allow the bureau to respond to increasing costs and to be innovative and proactive in meeting changing customer needs.
3. BDS collects fees under various fee schedules, including building, land use, neighborhood inspections, plumbing, signs, site development, and others. These fees are used by BDS to fund inspections, plan review, permit issuance, land use review, code enforcement, customer assistance and other functions.
4. Oregon Administrative Rule dictates how certain fees may be spent. For instance, fees charged for services delegated from the State Building Codes Division (BCD) must be used to cover the costs of administering and enforcing the State Building Code only, and may not be used to cover the costs of administering and enforcing local codes, such as the Portland Zoning Code. Fees charged by BDS should cover the costs of providing those services.
5. Fees associated with the Portland Zoning Code, Sign Code and Tree Code are found in the Land Use Services Fee Schedule. Land Use Services fees have not been raised since FY 2013-14 while program costs have increased significantly due to Cost of Living Adjustments, merit and step pay increases, PERS contribution increases, and a substantial pay increase associated with the new PTE 17 contract.
6. The Development Review Advisory Committee, composed of representatives from industry, neighborhood, and community groups, met with BDS staff and endorsed the fee changes referenced in this ordinance.
7. BDS has been proactive in informing bureau customers and stakeholders regarding the need and rationale for the proposed fee changes. The bureau has published information about the proposed changes on its website and in the Plans Examiner newsletter.

8. BDS is proposing the following fee schedule changes:

Land Use Services Fee Schedule

- Proposed fee changes resulting in approximately 5% overall increase; however, some fees are increased more substantially while others are remaining changed.

Site Development Fee Schedule for Land Use Reviews

- Proposed 5% increase to most site development land use review fees.

Life Safety Review Fee on Land Use Cases

- Removal of Environmental Review, Environmental Review Protection Zone, and River Review fees.

NOW, THEREFORE, the Council directs:

- a. The Fee Schedules listed in Exhibits A through C to this ordinance shall be effective April 1, 2019.
- b. This ordinance is binding City policy.

Passed by the Council: FEB 27 2019

Mayor Ted Wheeler

Prepared by: Elshad Hajiyeve, BDS

Date Prepared: February 20, 2019

Mary Hull Caballero  
Auditor of the City of Portland

By



Deputy

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b>	CLERK USE: DATE FILED <u><b>FEB 12 2019</b></u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance & Administration - Wheeler <i>MP</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy
<b>BUREAU APPROVAL</b> Bureau of Development Services Bureau Head: <i>Rebecca Esau</i> Rebecca Esau, Director  Prepared by: Leanne Torgerson Date Prepared: February 6, 2019  Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>  Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  <b>City Auditor Office Approval:</b> required for Code Ordinances  <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter  Council Meeting Date <b>February 20, 2019, 10:20 TC</b>	<b>ACTION TAKEN:</b>  <b>FEB 20 2019 PASSED TO SECOND READING FEB 27 2019 9:30 AM</b>

<b>AGENDA</b>  <b>TIME CERTAIN</b> <input checked="" type="checkbox"/> <b>Start time: 10:20</b>  <b>Total amount of time needed: 20 minutes</b> (for presentation, testimony and discussion)  <b>CONSENT</b> <input type="checkbox"/>  <b>REGULAR</b> <input type="checkbox"/>  <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 30%;">YEAS</th> <th style="width: 30%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td>3. Hardesty <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz <input checked="" type="checkbox"/>		2. Fish	2. Fish <input checked="" type="checkbox"/>		3. Hardesty	3. Hardesty <input checked="" type="checkbox"/>		4. Eudaly	4. Eudaly <input checked="" type="checkbox"/>		Wheeler	Wheeler <input checked="" type="checkbox"/>	
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