

## IMPACT STATEMENT

**Legislation title:** Authorize changes to City Code to revise definitions of “decision or determination” and “administrative act” for purposes of administrative appeals (Ordinance; amend Code Subsections 3.130.010 A. and 22.10.010 B.)

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**Presenter name:** Mary Hull Caballero, City Auditor

### **Purpose of proposed legislation and background information:**

This legislation proposes housekeeping amendments to definitions set forth in Code Subsections 3.130.010.A and 22.10.010.B to clarify that Chapters 3.130 and 22.10 apply to certain administrative appeals involving standards set forth in the Zoning Code (Title 33).

For example, the Bureau of Development Services (BDS) may issue a stop work order if development violates a zoning requirement set forth in Title 33. The property owner may ask the BDS Director to review the stop work order and may appeal the Director’s decision to the Hearings Office “in accordance with Portland City Code Chapter 22.10.”<sup>1</sup> However, as Subsection 22.10.010 B. is currently written, because the Director’s decision “applies” Title 33, it does not fall within the definition of a “decision or determination” to which Chapter 22.10 applies. The Director’s decision likewise does not fall within the definition of an “Administrative Act” to which the notice requirements set forth in Section 3.130.020 apply. The proposed legislation therefore makes minor changes to the definitions in Subsections 3.130.010.A and 22.10.010.B to address these issues.

NOTE: The proposed legislation does not add or change requirements for cases that are subject to review under Title 33 (Planning and Zoning) or Title 16.30 (Towing & Disposition of Vehicles).

### **Financial and budgetary impacts:**

No impact.

### **Community impacts and community involvement:**

None.

### **100% Renewable Goal:**

No impact.

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<sup>1</sup> Code § 3.30.080 H.

### Budgetary Impact Worksheet

Does this action change appropriations?

YES: Please complete the information below.

NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount