



[Home](#) / [Browse Council Documents](#)

37577

Resolution

Align effective dates of development-related City Code and fee changes

Adopted

WHEREAS, bureaus propose amendments to the development-related City Code provisions they administer individually and sometimes in quick succession; and

WHEREAS, for the purposes of this Resolution, Council encourages bureaus to define “development-related City Code changes and fee changes” as changes associated with Land Use Reviews, Public Works Permits, Building Permits or Trade Permits; and

WHEREAS, the City has multiple development-related fee schedules that are subject to change at different times; and

WHEREAS, the unpredictability creates challenges for developers, the community and City staff; and

WHEREAS, customers find it difficult to track and apply fees and regulations to projects they are designing and permitting; and

WHEREAS, sporadic timing of new fees and Code provisions impacts City staff and makes it difficult to provide adequate staffing capacity for customer service; and

WHEREAS, sporadic timing of Code and fee adoption makes it difficult to do outreach and provide training to the public; and

WHEREAS, beginning in 2016 BPS and BDS have set March 1st and October 1st as effective dates for BPS and BDS legislative projects. For other development-related Code provisions, there is no current goal or standard of limiting the number of effective dates per year; and

WHEREAS, consolidating the effective dates of Code and fee changes will minimize the disruption and delays currently being experienced by some customers; and

Introduced by

[Commissioner Dan Ryan](#);
[Commissioner Mingus Mapps](#)

Bureau

[Development Services \(BDS\)](#);
[Planning and Sustainability](#)

Contact

Terri Theisen

Permitting Improvement
Strategy Manager

✉ terri.theisen@portlandoregon.gov

📞 [503-865-6840](tel:503-865-6840)

🗉 [711](#) Oregon Relay Service

Requested Agenda Type

Regular

WHEREAS, since April 2022, the Permit Improvement Task Force has led a process which included all development-related bureaus and development community members to develop and endorse this resolution: and

WHEREAS, to streamline the Code changes and fee schedules, the Permit Improvement Task Force recommends a consolidated adoption schedule; and

WHEREAS, compliance with federal, state, or other local laws may necessitate other effective dates; and

WHEREAS, emergency situations may also compel the Council to adopt more immediate effective dates to respond to the development and housing community.

NOW, THEREFORE, BE IT RESOLVED that the initial effective dates of development-related City Code changes should be March 1 and October 1 and, for development-related fee changes, July 1. Bureaus are encouraged to adopt these dates for development-related administrative rule changes when possible. Bureaus may still submit Code or fee changes to the City Council at any time. Bureaus may request effective dates outside those stated above and should generally do so under the following circumstances:

1. Code or fee changes necessitated by a City-declared emergency.
2. Code or fee changes required for compliance with or proposed in accordance with state, federal, regional or other local requirements or legislation, including but not limited to those of the following entities: Environmental Protection Agency, Federal Communications Commission, Federal Aviation Administration, Federal Emergency Management Administration, National Oceanic and Atmospheric Administration, US Army Corps of Engineers, Tribal Governments, Oregon Department of Environmental Quality, Oregon Department of Land Conservation and Development, Oregon State Historic Preservation Office, Oregon Department of Transportation, Oregon Building Codes Division, Oregon State Fire Marshal, and County entities.
3. Code or fee changes required for compliance with the Portland City Charter, another City Code provision or fee change, or to support costs associated with the implementation of a code change.
4. Compliance with or in response to litigation, anticipated litigation, or court orders.
5. Code improvements and code changes with minimal customer and community impact and that are technical in nature.

Impact Statement

Purpose of Proposed Legislation and Background Information

Timing of Code Amendments and Fee Changes - Code amendments and fee changes can happen at any time and sometimes in quick succession. This presents a significant challenge to customers to keep track of which regulations apply to projects they are designing and permitting. Additionally, it creates problems for staff capacity in relationship to unpredictable changes in workflow. Proposed legislation consolidates effective dates of development-related code changes to twice a year (one date in the Spring and one in the Fall) and development-related fee changes to once a year (fiscal year), except for declared emergencies or to meet deadlines imposed by external entities outside of the City's control.

Financial and Budgetary Impacts

Does not amend or change the City's budget. Action is expected to ease impact of code and fee changes on development bureaus and customers, therefore reducing delays for customers.

Community Impacts and Community Involvement

More consistent, predictable and streamlined development processes likely to result in reduced time and resource outlay to complete development projects, both for customers and development bureaus.

Supports Permit Improvement Task Force goal of improving customer service and customer experience.

100% Renewable Goal

N/A

Agenda Items

410 Regular Agenda in [May 18-19, 2022 Council Agenda](#)

Adopted

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea