



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

191736

Ordinance

Amend Code to create Portland Permitting & Development and amend Administration of Public Works Permitting Code to transfer certain public infrastructure permitting duties (replace Code Chapter 3.30 and amend Code Chapter 17.06)

Passed

The City of Portland ordains:

Section 1. The Council finds:

- Multiple audits conducted between 1997 and 2021 found that a lack of permitting timeliness and inter-bureau coordination hampered the City's development needs.
- The current development review system can require as many as 17 different City review groups spread across seven bureaus to be involved in reviewing permit applications for compliance with the specific regulations that each review group administers, and each review group's approval is needed before a permit can be approved to issue.
- Under the current system, there is no entity with both the responsibility and the authority to manage the City's development review and permitting services and to define and cultivate a shared vision and team culture of continuous process improvement.
- To respond better to the City's housing emergency and support its economic development goals, Portland needs a cohesive system; consistent processes, policies, services, staff expectations and accountability; coordinated inter-disciplinary review of permits in partnership with customers; and timely, predictable, supportive services.
- In May 2022 the Permit Improvement Task Force made recommendations to bring speed, efficiency, and a renewed focus on customer experience to the City's permitting system.
- In July 2023, the Council held a work session focused on housing production, which emphasized the urgency to align, accelerate and invest in an improved system with customers at the center.
- On August 30, 2023, the Council unanimously adopted Resolution No. 37628 directing the Chief Administrative Officer, with the cooperation of City bureaus, to unify permitting functions to improve City delivery of development review and permitting services by July 1, 2024. The

Introduced by

[Mayor Ted Wheeler;](#)

[Commissioner Carmen Rubio](#)

Bureau

[Management and Finance](#)

Contact

Terri Theisen

Permitting Improvement
Strategy Manager

✉ terri.theisen@portlandoregon.gov

📞 [503-865-6840](tel:503-865-6840)

📞 [711](#) Oregon Relay Service

Mieke Keenan

Permit Improvement Project
Manager

✉ mieke.keenan@portlandoregon.gov

Michael Jordan

Chief Administrative Officer

✉ michael.jordan@portlandoregon.gov

📞 [503-823-5288](tel:503-823-5288)

Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

May 29, 2024

Changes City Code

- resolution established that the director of that entity should be granted the authority to resolve conflicts, make decisions regarding development review and permitting services to the community, and make personnel decisions.
8. Along with development permitting functions of the Bureau of Development Services, the land use and development review functions of the Bureaus of Environmental Services, Parks, Transportation, and the Portland Water Bureau play an integral role in balancing the facilitation of timely and effective permit review for private development with protection of critical public infrastructure systems and assets.
 9. The Bureaus of Environmental Services, Parks, Transportation, and the Portland Water Bureau will each remain individually responsible for the coordinated development of programs, policies and standards with respect to their bureaus' mission and duties; ensure ongoing compliance with applicable statutes, codes and rules; and conduct the planning, design and development of capital projects, while also retaining oversight for the long-term ownership and maintenance of the City's critical public infrastructure systems and assets.
 10. Sewer and water ratepayer funds may not be used to fund Portland Permitting & Development except to the extent that Portland Permitting & Development operates as a service provider to the Bureau of Environmental Services or the Portland Water Bureau.
 11. The City Code and administrative rules have developed over the course of many years and reflect a permitting and inspection relationship built around specific bureau disciplines. The creation of Portland Permitting & Development will fundamentally change this relationship by redefining roles and responsibilities. This will require a longer-term work plan to amend and restructure systematically the Code and rules to reflect this new relationship and to improve transparency in the decision-making process.
 12. There is and will continue to be a variety of permits that may be required for development proposals within public rights-of-way and public easements as described in City code. Obtaining additional permits will continue to be needed from other City bureaus or agencies outside of the City.
 13. Ongoing training, collaboration, process improvement and implementation is essential for efficient and effective public infrastructure permit review and issuance. Inter-agency agreements between bureaus are needed for service delivery and timeliness, communication mechanisms for multilateral policy development and regulatory implementation feedback, and processes to clarify and standardize public infrastructure decision-making hierarchies and authority.

NOW, THEREFORE, the Council directs:

- A. Portland Permitting & Development is created as the City's unified development permit and land use review bureau.
- B. All functions, staff, and resources of the Bureau of Development

Services are assigned to Portland Permitting & Development.

- C. In accordance with this ordinance and City Code Section 1.01.035 C., the Bureau of Planning and Sustainability will replace all references to the Bureau of Development Services or BDS in City Code Title 33 with references to Portland Permitting & Development or PP&D. The Auditor will perform the same replacements in all other City Code titles, as will the bureaus in their administrative rules. In the interim, all instances of "Bureau of Development Services," "Development Services," and "BDS" in City Code and administrative rules mean "Portland Permitting & Development." The requirements of City Code Chapters 33.835 and 33.740 are waived for purposes of this ordinance.
- D. The Directors of the Bureaus of Environmental Services, Parks, Transportation, and the Portland Water Bureau will assign to Portland Permitting & Development the necessary staff and resources to conduct development permit and land use review functions that were previously provided through memoranda of understanding.
- E. Portland Permitting & Development may approve applications that meet City standards and designs by the City Engineer, Chief Engineers, and City Forester.
- F. The Directors and Chief Engineers of the Bureaus of Environmental Services, Transportation, and the Portland Water Bureau and the City Forester will retain their applicable signatory approval authority for deviations from or waivers of City standards and designs. The Directors, Chief Engineers, and City Forester may delegate approval authority for specific deviations or waivers to Portland Permitting & Development as allowed by the Charter and state and federal law.
- G. Portland Permitting & Development in consultation with the City Engineer and Chief Engineers of the Bureau of Environmental Services and the Portland Water Bureau, will establish and maintain a list of the specific types of permits that it issues.
- H. The Deputy City Administrator of the Community and Economic Development Service Area, with the cooperation of the Public Works and Vibrant Communities Service Areas, will continue implementation of the Portland Permitting & Development workplan. This includes creating and implementing a regulatory workplan to bring the City Code and administrative rules into alignment with the new roles and responsibilities of Portland Permitting & Development; the Bureaus of Environmental Services, Parks, and Transportation; and the Portland Water Bureau. This work also includes analysis of existing permitting process to identify and implement targeted and strategic efficiencies and, where necessary and appropriate, incorporate changes into policies and agreements.
- I. Fees and funds:
1. All proceeds from fees or charges adopted in the City sewer or water rate ordinances will be deposited in the sewer or water

funds, as appropriate, regardless of which bureau collects the fees.


2. All proceeds from adopted sewer or water permit review fees when such permits are reviewed by the Bureau of Environmental Services or the Portland Water Bureau will be deposited in the sewer or water funds, as appropriate.
3. All proceeds from adopted permit review fees when such permits are reviewed by Portland Permitting & Development will be deposited in a fund separate from the sewer or water funds.


J. City Code Chapter 3.30 is replaced as shown in Exhibit A, notwithstanding anything to the contrary in City Code.

K. City Code Chapter 17.06 is amended as shown in Exhibit B.

Section 2. This ordinance shall be in full force and effect on July 1, 2024.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-chapter-3.30.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-chapter-3.30.pdf) 169.39 KB

 [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-chapter-17.06.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-chapter-17.06.pdf) 136.53 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
May 29, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The proposed ordinance enacts [Resolution 37628](https://www.portland.gov/council/documents/resolution/adopted/37628), (<https://www.portland.gov/council/documents/resolution/adopted/37628>) which directs the unification of permitting functions into a single entity. The proposed ordinance establishes this new entity as directed.

This bureau, named Portland Permitting and Development (PP&D), will amalgamate the development review and permitting staff from various departments. These include the Bureau of Development Services, Portland Parks and Recreation, the Bureau of Environmental Services, the Portland Water Bureau, and the Portland Bureau of Transportation. The new bureau will oversee the development review and permitting of work on property and associated improvements in the right-of-way.

The intended impact of this action is to improve service delivery for permit applicants by establishing a cohesive system with consistent processes, policies, services, staff expectations, and accountability. Creating an interdisciplinary bureau is foundational to delivering these objectives.

In addition to the changes to Title 3, staff is proposing a small set of conforming amendments to Title 17.06. These amendments will allow the PP&D to administer a portion of Title 17 that currently limits oversight to the Portland Bureau of Transportation. Additionally, the amendment removes existing code provisions that are out of alignment with current practices.

Project staff incorporated public infrastructure bureau feedback into the proposed Ordinance. Additionally, project staff briefed the Development Review Advisory Committee (DRAC) on February 18th. No objections to the proposal were received.

Financial and Budgetary Impacts

This ordinance changes City policies regarding permit review and issuance authority. Notably, this ordinance transfers some responsibilities related to issuing permits in the right-of-way from the Portland Bureau of Transportation, Bureau of Environmental Services, Portland Parks & Recreation, and the Portland Water Bureau to the newly formed Portland Permitting and Development. Additionally, PP&D will be responsible for portions of Title 17, Title 21, and Title 11 when a land use review, or building permit is required.

The Permit Improvement project team, at the direction of the Chief Administrative Officer, submitted a staffing assessment and proposal for additional positions needed for Portland Permitting & Development to support service delivery. The request was made as part of the regular Fiscal Year 2024-25 budget process.

Resolution 37628 provides funding for existing staff from the five bureaus named above, and it will follow employees as they are moved organizationally to the new PP&D.

Community Impacts and Community Involvement

Addressing our disjointed permitting system is critical to Portlanders when we face interconnected crises, including homelessness, an affordable housing shortage, the need for more excellent community safety, the loss of small businesses and investment in development projects, and a damaged national image. With any service-oriented organization, it is critical to pair both the responsibility for providing the services and the authority to manage the organization together in one entity so there can be accountability for service delivery. The city's external customers will benefit from knowing and experiencing that there is one place to go to for their permit needs and that these critical community services are provided in a cohesive, coordinated manner with a single, accountable decision-maker leading the organization.

100% Renewable Goal

Not Applicable.

Budget Office Financial Impact Analysis

The proposed ordinance consolidates permitting functions into a single entity named Portland Permitting and Development and combines the development review and permitting staff of 352 FTEs from BDS, Parks, BES, Water, and PBOT. The funding for these positions follows the transferred positions through interagency agreements as part of the FY2024-25 budget process. These IAs include \$6.7 million from BES, \$1.75 million from Parks, \$1.72 million from Water, and \$8 million from Parks. Additionally, the approved budget FY2024-25 allocates \$1.87 million in one-time general funds to support the BTS billable hours to facilitate the creation of PP&D.

Document History

Item 422 Time Certain in [May 22, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/5/22)
(<https://www.portland.gov/council/agenda/2024/5/22>)

City Council

Passed to second reading

Passed to second reading May 29, 2024 at 9:30 a.m.

Item 442 Regular Agenda in [May 29-30, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/5/29)
(<https://www.portland.gov/council/agenda/2024/5/29>)

City Council

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Nay

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea