

Public Works Permitting Appeals Process



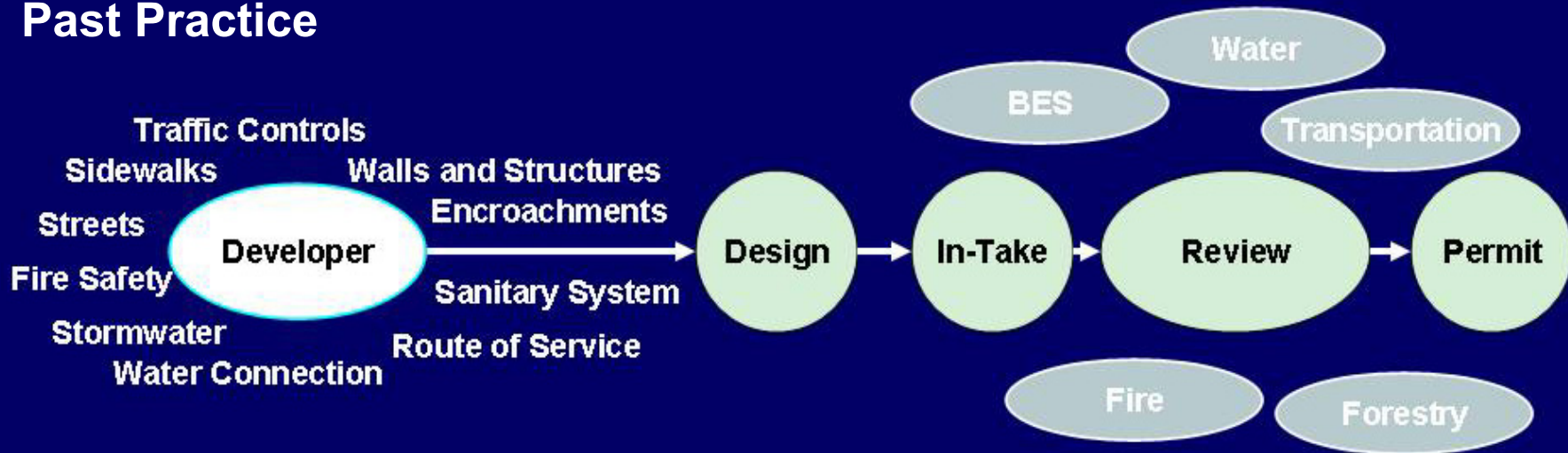
Portland, Oregon
Public Works and Development Bureaus
January 13, 2010

Process Improvements

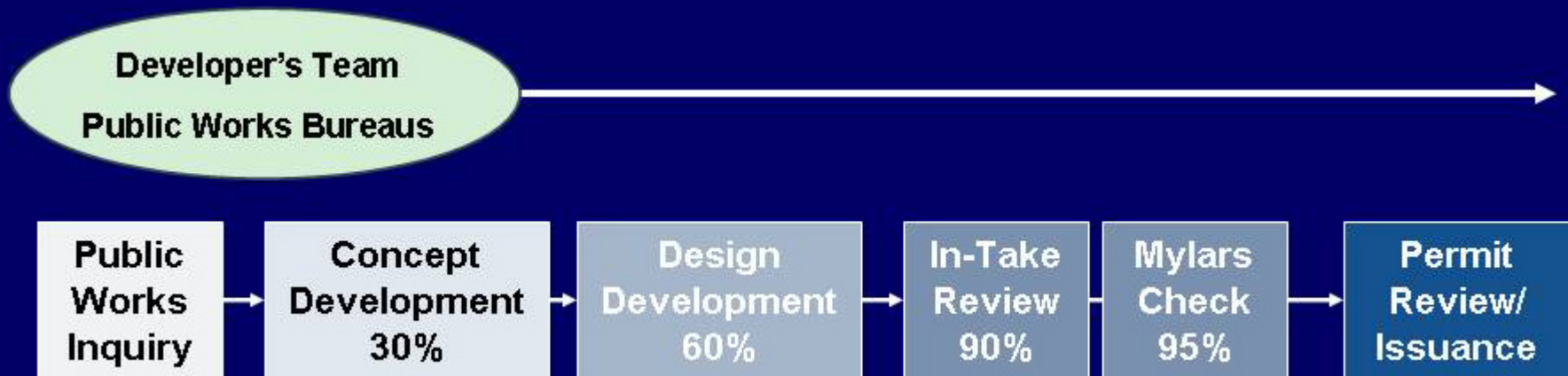
- Integrated, coordinated and uniform appeals procedures replaces four separate appeals processes, administered by the bureaus of Environmental Services, Transportation, Water and Parks' Forestry Division.
- Transparent appeal process posts decisions for review by development and neighborhood stakeholders, and provides regular performance reports to DRAC and Council.
- Development interests are considered at the earliest step in the appeals process.
- Citywide policy issues are captured and referred to an annual process of policy review and improvement.
- Fixed Fee of \$200 and established turnaround times provide predictability to appellants.
- Records of written appeal requests and decisions provides a basis of learning to ensure fair and consistent administration of public works policies, rules, standards and specifications.

Public Works Permit Process

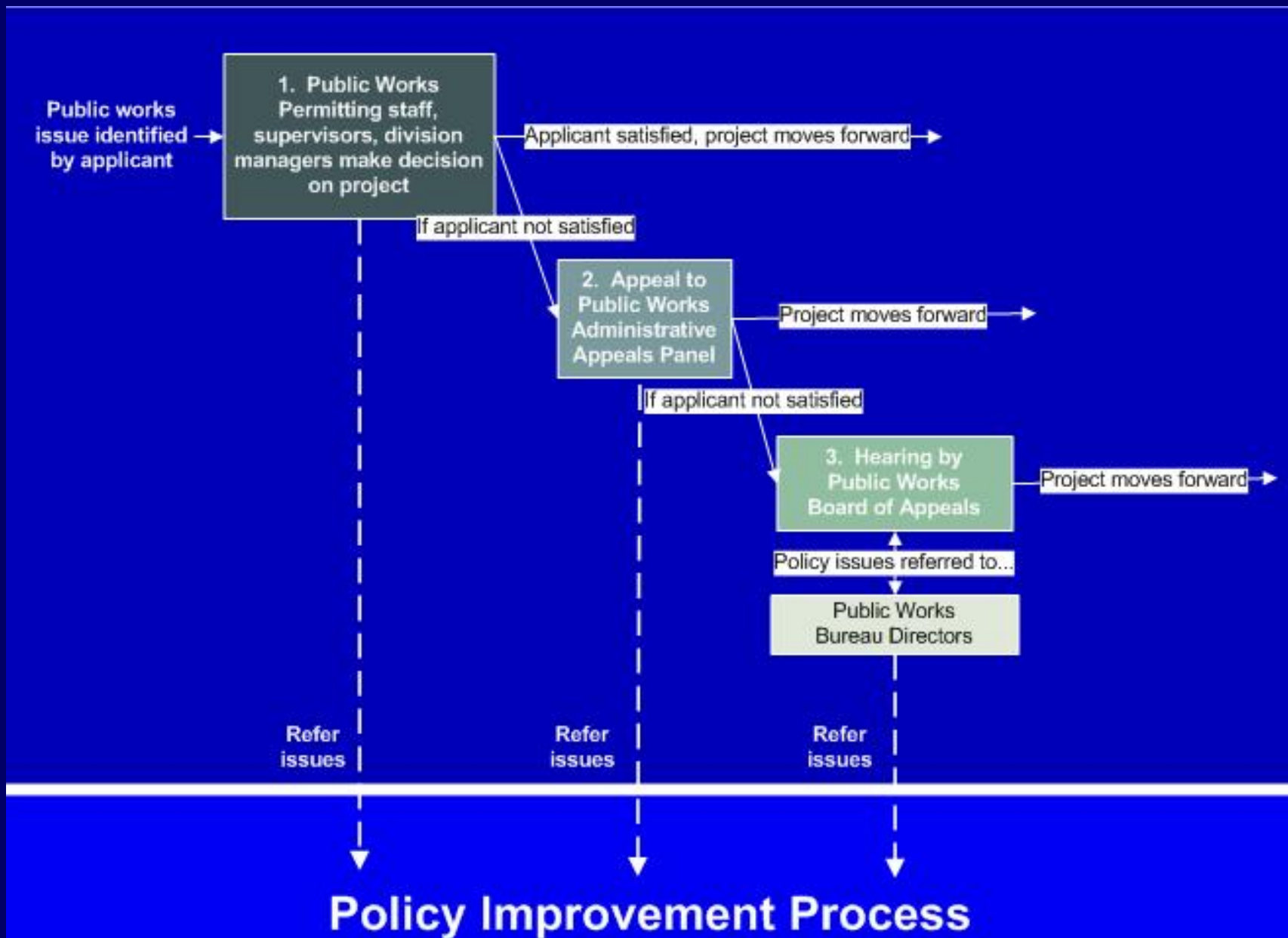
Past Practice



Adopted Process



Public Works Permitting - Appeal Process



Appeal Review and Hearing Bodies

Administrative Appeal Panel (PWAAP)

- 5 members – 3 city members and 2 mayoral appointees. Alternates are designated to ensure full participation. Appointees serve 2-year terms.
- City bureau representatives include the Development Division Managers from the Bureaus of Environmental Services, Transportation and Water.
- A Forestry or Fire Manager is called upon when appeals relate.
- Mayoral appointees include a representative from the Development Review Advisory Committee, and a citizen with a strong interest or background in neighborhood land use and development activities.
- Mayor may solicit nominations for the Citizen appointee and alternate from chairpersons of City neighborhood association land use committees, or a neighborhood association chairperson if no land use committee exists.

Public Works Board of Appeals (PWBA)

- Chief Engineers of the bureaus of Environmental Services, Transportation and Water... or their designees.

Appeal Criteria

Criteria for Appeal

- Decisions, requirements or conditions are inconsistent with or contrary to City Code, rules, standards or policy.
- The City has misapplied or misinterpreted City Code, rules, standards or policy.

Excluded from Appeal Process

- City approval or denial of requests for design exceptions.
- Decisions based on previously established City standards and specifications.
- Decisions related to the assessment of system development charges.
- Matters that are subject to the authority of any other City appeal body.
- Matters which may be appealed through City or state land use processes.
- Additional exceptions may be added as new permitting procedures are implemented.

Appeal Timetable

