

**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR MULTNOMAH
COUNTY, OREGON
RESOLUTION NO. _____**

Resolution Establishing Land Use Services Fees and Repealing Resolution 2017-058.

The Multnomah County Board of Commissioners Finds:

- a. On April 13, 2000, the Board adopted Ordinance No. 944 establishing that land use services fees would be set by resolution.
- b. Multnomah County has entered into intergovernmental agreements (“IGAs”) with the cities of Portland and Troutdale to provide land use planning services for areas outside those city limits and within the urban growth boundaries.
- c. The Board Resolutions adopting land use fees set (1) the fees charged directly by the Multnomah County Land Use Planning Division (“County Fees”), and (2) the fees charged by Portland (“Portland Fees”) and Troutdale for land use planning services provided under the IGAs.
- d. On April 4, 2013, the Board adopted Resolution 2013-033 establishing the County Fees for fiscal year 2014 through fiscal year 2017. At the time, a fee study showed that the Land Use Planning Division was recovering significantly less than 100% of the direct costs of service through revenue from the County Fees. The Board concluded that County Fees should be increased incrementally to recover 100% of the direct costs of service. As part of that effort, the County Fee schedule adopted in Resolution 2013-033 increased the County Fees incrementally each year during the four-year period covered in the Resolution and stated that fee amounts would be analyzed again after four years.
- e. Although the Board has never changed its intent to escalate the County Fees pursuant to the four-year fee schedule adopted in Resolution 2013-033, subsequent resolutions have, at times, inadvertently included an incorrect fee table for the County Fees. See Resolutions 2013-079, 2014-009, 2014-074, 2015-015, 2016-065, and 2017-058.
- f. Clarification of the record and reaffirmation of the Board’s intent through readoption and retroactive application of the County Fee schedule for fiscal years 2014 through 2017 will further the public interest.
- g. Consistent with Resolution 2013-033, for fiscal year 2018-2019, the Land Use Planning Division conducted a study analyzing County Fee amounts to determine the extent to which those fees are recovering the direct costs of providing land use services.

- h. Based on the fee study, the Multnomah County Land Use Planning Division has proposed an increase of County Fees for fiscal year 2018-2019, consistent with the incremental increases in past years, to continue the effort to more fully recover the direct costs of providing land use services. The County Fee increase will allow the County to recover approximately 40% of the direct costs of service.
- i. The Land Use Planning Division should conduct another fee analysis in four years to continue to evaluate the goal of recovering revenue equal to the direct costs of service.
- j. Portland has also approved changes to its land use services fees. Pursuant to the IGA, the County adopts those changes to facilitate Portland's cost recovery for services provided on behalf of Multnomah County.
- k. The changes to the Portland Fees in this Resolution reflect an increase in land use review fees due to the inclusion of charges for services that are currently being provided without recovering costs, including services provided by the Portland Water Bureau, Bureau of Environmental Services, and Portland Bureau of Transportation. In addition, the Portland Fee schedule reflects the addition of several land use reviews, as well as a split out of River Review and River Review Violation from Environmental Review and Environmental Violation Review.

The Multnomah County Board of Commissioners Resolves:

1. For fiscal year 2014 through fiscal year 2018, Land Use Planning Division fees for MCC Chapters 11.05, 11.15, 11.45, 37 and 38, excluding planning services provided under IGAs, are reapproved and retroactively set as set forth in Exhibit A.
2. Beginning July 1, 2018, Land Use Planning Division fees for MCC Chapters 11.05, 11.15, 11.45, 37 and 38, excluding planning services provided under the Portland and Troutdale IGAs, are set as set forth in Exhibit B, and shall remain in effect until amended by the Board.
3. Fees for planning services provided by the City of Troutdale under the IGA are as set by the City of Troutdale.
4. Fees for planning services provided by the City of Portland under IGA are set out in the attached Exhibit C.

5. This Resolution takes effect on July 1, 2018 and Resolution 2017-058 is repealed.

ADOPTED this _____ day of June, 2018.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY FOR MULTNOMAH COUNTY, OREGON

By _____
Katherine Thomas, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services

EXHIBIT A

Fees for Multnomah County Land Use Planning Services Fiscal Years 2014 - FY 2018				
LUP Fee Service	Fiscal Yr 2013-14 Fee	Fiscal Yr 2014-15 Fee	Fiscal Yr 2015-16 Fee	Fiscal Yr 2016-17 2017-18 Fee
Accessory Use Determination - Type 2	\$ 806	\$ 927	\$ 945	\$ 945
Administrative Decision by Planning Director- Type 2	\$ 958	\$ 1,102	\$ 1,267	\$ 1,457
Adjustment- Type 2	\$ 321	\$ 369	\$ 424	\$ 488
Administrative Modification of Conditions- Type 2	\$ 677	\$ 779	\$ 896	\$ 1,030
Address Assignment, Reassignment- Type 1	\$ 146	\$ 168	\$ 193	\$ 219
Agricultural Building Review- Type 1*	\$ 32	\$ 37	\$ 43	\$ 49
Alteration of Non-Conforming Use- Type 2	\$ 1,093	\$ 1,256	\$ 1,445	\$ 1,662
Building Permit Plan Check- Type 1	\$ 61	\$ 70	\$ 81	\$ 93
Community Service- Type 3	\$ 2,107	\$ 2,423	\$ 2,601	\$ 2,601
Conditional Use- Type 3	\$ 2,107	\$ 2,423	\$ 2,601	\$ 2,601
Design Review- Type 2	\$ 814	\$ 936	\$ 1,077	\$ 1,238
Exception to CFU Setback/Safety Zone- Type 2	\$ 150	\$ 172	\$ 198	\$ 227
Floating Home Relocation Permit- Type 1	\$ 104	\$ 104	\$ 104	\$ 104
Floodplain Development- Type 1	\$ 403	\$ 409	\$ 409	\$ 409
Floodplain Development - 1 & 2 Family- Type 1	\$ 98	\$ 112	\$ 129	\$ 149
Forest Development Standards Type 2*	\$ 249	\$ 287	\$ 330	\$ 379
Grading and Erosion Control- Type 1	\$ 258	\$ 296	\$ 341	\$ 392
Health Hardship Permit Type 2	\$ 657	\$ 755	\$ 868	\$ 999
Health Hardship Permit Renewal- Type 2	\$ 109	\$ 126	\$ 144	\$ 166
Hillside Development- Type 2	\$ 637	\$ 733	\$ 843	\$ 969
Home Occupation Type B* - Type 2	\$ 256	\$ 294	\$ 338	\$ 389
Home Occupation Type C - Conditional Use- Type 3	\$ 980	\$ 1,127	\$ 1,296	\$ 1,490
Home Occupation Renewal - Type 2*	\$ 169	\$ 194	\$ 223	\$ 257
Land Division Category 1 up to 20 lots- Type 3 deposit	\$ 2,107	\$ 2,423	\$ 2,786	\$ 3,204
Land Division Category 3- Type 2	\$ 631	\$ 726	\$ 835	\$ 960
Land Division Category 4- Type 2	\$ 286	\$ 329	\$ 379	\$ 436
Land Use Compatibility Sign-off- Type 1	\$ 49	\$ 57	\$ 65	\$ 75
Lot Consolidation/Legalization- Type 1	\$ 170	\$ 196	\$ 225	\$ 259
Lot of Exception - Type 2	\$ 150	\$ 172	\$ 198	\$ 227
Lot of Record Type 2	\$ 715	\$ 823	\$ 946	\$ 1,088
Lot of Record- Type 1* - per hour charge (research fee)	\$ 47	\$ 54	\$ 62	\$ 72
Modification of Conditions of Hearing Officer -fee for original action				
New Forest Dwelling - Type 2	\$ 1,697	\$ 1,952	\$ 2,245	\$ 2,582
National Scenic Area Conditional Use- Type 3 deposit	\$ 2,107	\$ 2,423	\$ 2,786	\$ 3,204
National Scenic Area Review - Expedited- Type 2	\$ 115	\$ 132	\$ 152	\$ 175

Fees for Multnomah County Land Use Planning Services Fiscal Years 2014 - FY 2018

LUP Fee Service	Fiscal Yr 2013-14 Fee	Fiscal Yr 2014-15 Fee	Fiscal Yr 2015-16 Fee	Fiscal Yr 2016-17 2017-18 Fee
National Scenic Area Minor Variance - Type 2*	\$ 723	\$ 831	\$ 956	\$ 1,099
Other Hearing Case- Type 3 deposit	\$ 2,107	\$ 2,423	\$ 2,786	\$ 3,204
Planned Development- Type 3 deposit	\$ 2,107	\$ 2,423	\$ 2,786	\$ 3,204
Property Line Adjustment - Type 2	\$ 702	\$ 807	\$ 928	\$ 1,067
Property Line Adjustment/Land Division Final- Type 1*	\$ 78	\$ 90	\$ 104	\$ 119
Regional Sanitary Landfill - Type 3 deposit	\$ 2,107	\$ 2,423	\$ 2,786	\$ 3,204
Replat- Type 2	\$ 286	\$ 329	\$ 379	\$ 436
Road Rules Variance - Type 2*	\$ 428	\$ 492	\$ 565	\$ 650
Sign Permit- Type 1	\$ 35	\$ 40	\$ 46	\$ 52
Significant Environmental Concern (Type 1)*	\$ 191	\$ 219	\$ 252	\$ 290
Significant Environmental Concern- Type 2	\$ 815	\$ 938	\$ 1,078	\$ 1,240
Time Extension EFU- Type 1	\$ 417	\$ 456	\$ 456	\$ 456
Time Extension- Type 2	\$ 417	\$ 480	\$ 552	\$ 574
Temporary Permit- Type 2	\$ 217	\$ 250	\$ 287	\$ 331
Type 2 and Type 3 Notice*	\$ 105	\$ 121	\$ 139	\$ 159
Type 2 Decision Appeal	\$ 250	\$ 250	\$ 250	\$ 250
Type 3 Hearing Re-notice*	\$ 45	\$ 52	\$ 60	\$ 69
Type 4 Action -deposit	\$ 2,107	\$ 2,423	\$ 2,787	\$ 3,204
Variance Type 2 Non-hearing	\$ 321	\$ 369	\$ 424	\$ 488
Variance Type 3 Hearing	\$ 693	\$ 797	\$ 917	\$ 1,055
Willamette River Greenway- Type 2	\$ 796	\$ 915	\$ 1,052	\$ 1,210
Wrecker License Renewal- Type 1	\$ 221	\$ 254	\$ 292	\$ 336
Zoning Code Interpretation- Type 2	\$ 958	\$ 1,102	\$ 1,267	\$ 1,457
Miscellaneous Charges				
Aerial Photograph (2006 fee \$6.40)	\$ 6	\$ 6	\$ 6	\$ 6
Inspection - Erosion Control incl MIP, HD, GEC- Type 1	\$ 82	\$ 82	\$ 82	\$ 82
Notice of Hearing Sign	\$ 12	\$ 13	\$ 15	\$ 17
Photocopies \$.30 per page	\$ 0.30	\$ 0.30	\$ 0.30	\$ 0.30
Pre-Application Conference	\$ 496	\$ 570	\$ 655	\$ 754
Pre-Application Conference Type C Home Occupation	\$ 193	\$ 222	\$ 256	\$ 294
Pre-Filing Conference*	\$ 167	\$ 192	\$ 221	\$ 254
Recording of Hearing - \$30	\$ 30	\$ 30	\$ 30	\$ 30
Research/Records Request - per hour charge	\$ 47	\$ 54	\$ 62	\$ 72
Transportation Impact Analysis*	\$ 32	\$ 37	\$ 43	\$ 49
Withdrawal of Application before status letter is written	Full Refund	Full Refund	Full Refund	Full Refund
Withdrawal of Application after status letter written	\$ 189	\$ 217	\$ 249	\$ 287

Fees for Multnomah County Land Use Planning Services Fiscal Years 2014 - FY 2018

LUP Fee Service	Fiscal Yr 2013-14 Fee	Fiscal Yr 2014-15 Fee	Fiscal Yr 2015-16 Fee	Fiscal Yr 2016-17 2017-18 Fee
Withdrawal of Application after hearing notice is mailed	No Refund	No Refund	No Refund	No Refund
Withdrawal of Appeal after hearing notice mailed	No Refund	No Refund	No Refund	No Refund

Notes

Fees with an asterisk* are proposed as new for FY 2014.

Fee for actions processed under a deposit are calculated using the current hourly rate.

EXHIBIT B

Fees for Multnomah County Land Use Planning Services: Effective July 1, 2018		
Type	Action	Fee
Type I	Address Assignment, Reassignment	\$219
	Agricultural Building Review	\$50
	Building Permit Plan Check (includes Demo permit)	\$94
	Floating Structure Placement Permit	\$104
	Floodplain Development Permit – all uses	\$409
	Grading and Erosion Control Permit (add inspection fee)	\$392
	Land Use Compatibility Sign-off (includes Type A Home Occupation)	\$94
	Lot Consolidation/Legalization	\$316
	Marijuana Business	\$350
	Property Line Adjustment/Land Division Final	\$119
	Sign Permit	\$52
	Significant Environmental Concern	\$290
	Time Extension of Decisions in EFU/CFU	\$456
	Wrecker License Renewal	\$357
Type II (Requires Notice Fee)	Accessory Use Determination	\$945
	Adjustment	\$698
	Administrative Decision by Planning Director	\$1,636
	Administrative Modification of Conditions	\$1,030
	Alteration of Non-Conforming Use	\$1,662
	Appeal of Administrative Decision	\$250
	Land Division (Category 3 & 4)	\$1,524
	Design Review	\$1,238
	Exceptions to CFU Safety Zone	\$227
	Forest Development Standards	\$580
	Health Hardship Permit	\$603
	Health Hardship Renewal	\$180
	Hillside Development	\$969
	Home Occupation Type B	\$1,062
	Home Occupation Renewal – Type 2 (B & C)	\$257
	Lot of Exception	\$227
	Lot of Record	\$1,088
	National Scenic Area Expedited Review	\$300
	National Scenic Area Site Review	\$1,545
	National Scenic Area Minor Variance (No Hearing)	\$698
	National Scenic Area Major Variance	\$1,099
	New Forest Dwelling	\$2,582
	Property Line Adjustment	\$1,067
Road Rules Variance	\$650	
Significant Environmental Concern	\$1,371	
Temporary Permit	\$331	

Fees for Multnomah County Land Use Planning Services: Effective July 1, 2018			
Type	Action	Fee	
Type II (Requires Notice Fee)	Time Extension for Decisions Not in EFU/CFU	\$574	
	Willamette River Greenway	\$1,636	
Type III (Requires Notice Fee)	Land Division (Category 1 & 2) – deposit**	\$3,204	
	Conditional Use (Including Community Service Use)	\$3,054	
	Conditional Use Type C Home Occupation	\$1,490	
	National Scenic Area Conditional Use – deposit**	\$3,204	
	Other Hearing Case – deposit**	\$3,204	
	Planned Development – deposit**	\$3,204	
	Regional Sanitary Landfill – deposit**	\$3,204	
	Variance – Hearing	\$1,207	
Type IV (Requires Notice Fee)	Legislative or Quasi-Judicial Plan Revision – deposit**	\$5,000	
	Legislative or Quasi-Judicial Zone Change – deposit**	\$5,000	
Miscellaneous	Aerial photograph or CD-Rom	\$6 each	
	Inspection Fee, including MIP, HD, GEC Type I	\$82	
	Notice Fee* – Type II and III	\$159	
	Notice Fee – Type III Hearing re-notice	\$69	
	Notice of Hearing Sign	\$17 each	
	Photocopies	\$0.30 per page	
	Pre-application Conference	\$754	
	Pre-application Conference – Type C Home Occupation	\$294	
	Pre-filing Conference	\$294	
	Research/Records Request	\$72 per hour	
	Transportation Planning Review	\$49	
	Withdrawal of Application	<ul style="list-style-type: none"> • Before application status letter is written • After status letter is written • After hearing notice is mailed 	<ul style="list-style-type: none"> • Full refund • \$287 refund • No refund
	Withdrawal of Appeal	<ul style="list-style-type: none"> • Before hearing notice is mailed • After hearing notice is mailed 	<ul style="list-style-type: none"> • Refund of appeal fee • No refund
*Notice fees are charged per “T” case number (except where specified)			
**Fee for applications processed under a deposit are calculated using the current hourly rate			