

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON

3 Ordinance No. 821

4 An Ordinance amending fees for action proceedings and administrative actions under
5 MCC 11.15

6
7 Language in brackets [] is to be deleted; underlined language is new.

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9 Multnomah County ordains as follows:

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11 SECTION I. PURPOSES

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13 (A) To update the fee schedule for land use actions to reflect cost increases which
14 have occurred since its 1991 revision;

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16 (B) To establish fees which reflect the cost of labor, supplies, and support services
17 necessary to process land use applications; and

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19 (C) To establish fees that require the applicants for land use actions to assume the
20 major share of the full costs associated with their applications.

21
22 SECTION II. FINDINGS

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24 (A) Multnomah County Code contains the Multnomah County Planning Commission reg-
25 ulations (11.05), the county land development regulations relating to zoning (11.15),
26 and the county land division regulations (11.45). Administration of those regulations

1 requires the efforts of ten County employees, all of them on a full-time basis. It
2 requires that the procedures outlined therein be followed to process applications and
3 to provide information and notice to the public and to other governmental approval
4 authorities. It requires maintenance of files and records to enable enforcement and
5 execution of the regulations. All of these requirements currently result in the County
6 General Fund assuming 63% the costs of administration of the land development reg-
7 ulations.

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9 (B) ORS 215.110(4) authorizes the County to require payment of fees necessary and con-
10 venient for carrying out the purposes of planning and land development ordinances.

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12 (C) Since 1966, the County has required applicants seeking approval of land development
13 applications to assume a significant portion of the costs related to any land use pro-
14 posal for which approval is sought. In 1977, the Board of County Commissioners
15 adopted Ordinance No. 111, which substantially raised the fees charged pursuant to
16 the Zoning Ordinance. Those fees were amended in 1980 by Ordinance 254, and in
17 1991 by Ordinance 688. The fee schedules for Planning Commission (MCC 11.05)
18 and Land Division (MCC 11.45) applications were revised in 1976 and 1981, respec-
19 tively, and again in 1991 by Ordinance 688. Ordinance 688 required an applicant to
20 pay 100% of the direct costs and 20% of the indirect costs associated with application
21 processing.

22
23 (D) A 1994 study by David M. Griffith and Associates found that the current land devel-
24 opment fee schedules recover only 37% of the total cost of application processing.
25 That study recommended fees be increased to recover 60% to 100% of full process-
26 ing costs.

1 (E) The proposed fee revisions reflect the majority of the 80% recommendations of the
2 David M. Griffith and Associates report. Such an increase would reduce the annual
3 General Fund subsidy for applicant generated land use application processing from
4 63% to approximately 22%.

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6 SECTION III. AMENDMENTS

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8 (A) Multnomah County Code Chapter 11.05 is amended to read as follows:

9 11.05.410 Fees.

10 (A) The following fees shall be paid by the applicant at the time of filing under subsection
11 (B) of MCC 11.05.140:

12 (1) Legislative plan revision \$[1,000.00] 1,990.00

13 (2) Legislative zoning map amendment [1,000.00] 1,990.00

14 (3) Quasijudicial plan revision: 1,990.00

15 [(a) One acre or less 1,000.00

16 (b) Each additional acre or portion thereof (maximum \$1,500) \$50]

17 (4) Quasijudicial plan revision in conjunction with other action as defined under

18 MCC 11.15.8205 [500.00] 1,000.00

19 (a) The fee for an action, as defined under MCC 11.15.8205, shall be as required
20 under MCC 11.15.9005 to 11.15.9040.

21 (b) The fee for a subdivision application shall be as required under MCC
22 11.45.810.

23 (B) A fee of \$[300.00] 500.00 shall be charged for the filing of a Notice of Review unless
24 the action is in conjunction with another action under MCC 11.15.8205 in which case
25 the fee shall be that set out in MCC 11.15.9020(B). The person filing the notice shall
26 pay for the cost of a transcript of the commission hearing under subsections (D) and

1 (E) of MCC 11.05.330 at a rate of \$3.50 per minute of hearing time.

2 (C) A fee of 30 cents per page shall be charged for staff reports.

3 * * * * *

4 (B) Multnomah County Code Chapter 11.15 is amended to read as follows:

5 11.15.9005 Payment

6 All fees are payable at the time of application.

7 11.15.9010 Action Proceedings

8 (A) Change of zone classification 1,460.00

9 [(1) Rural, Urban Future and Urban Low and Medium Density Residential:

10 One acre or less \$500.00

11 Each additional acre 50.00

12 (2) Apartment Residential and Urban High Density Residential:

13 One acre or less 1,000.00

14 Each additional acre 50.00

15 (3) Commercial or Industrial 1,000.00]

16 (B) Planned Developments 1,760.00

17 [One acre or less 500.00

18 Each additional acre 40.00

19 Maximum charge 2500.00]

20 (C) Community Service

21 [(1) Minor alternative uses in public school buildings 250.00

22 (2) Alternative uses in public school buildings 400.00

23 (3) New Use 800.00

24 (4) Use of an existing building 400.00]

25 ([5] 1) Regional Sanitary Landfill see MCC .7060(B)

26 (2) All others 1,460.00

1	(D) Conditional Use		<u>1,460.00</u>
2	[(1) New Use	800.00	
3	(2) Use of an existing building	400.00]	
4	(E) Appeal of administrative decision by Planning Director	[300.00]	<u>100.00</u>
5	<u>(Refundable if appellant prevails at initial or subsequent appeal hearing)</u>		
6	(F) Variance	[400.00]	<u>480.00</u>
7	(G) Modification of conditions on a prior contested case		
8	requiring a rehearing		Full fee for action
9	(H) Lots of Exception	[400.00]	<u>680.00</u>
10	[(I) Conditional Uses		
11	permitted under MCC 2012(B)(3); .2052(C); and .2172(D)	250.00]	
12	[(J) D] Other contested cases	500.00	
13	[(K) J] Zoning code interpretation by the Planning Commission	400.00	
14	11.15.9015 Administrative Actions		
15	(A) Health hardship permit	[\$125.00]	<u>150.00</u>
16	Health hardship permit renewal	75.00	
17	(B) Land Use permit	75.00	
18	(C) Non-hearing variance	[150.00]	<u>220.00</u>
19	(D) Use Under Prescribed Conditions	[100.00]	<u>220.00</u>
20	(E) Exceptions	100.00	
21	(F) Administrative decision by Planning Director	[100.00]	<u>220.00</u>
22	(G) Willamette River Greenway Permit	[125.00]	<u>540.00</u>
23	(H) Significant Environmental Concern Permit	[125.00]	<u>540.00</u>
24	(I) Administrative modification of conditions		
25	established in prior contested cases	150.00	
26	(J) Hillside Development Permit	[150.00]	<u>400.00</u>

1	(K) Grading and Erosion Control Permit	[150.00]	<u>300.00</u>
2	<u>(L) Columbia River Gorge National Scenic Area Site Review</u>		<u>300.00</u>
3	<u>(M) Temporary Permit</u>		<u>150.00</u>

4 The fee for multiple concurrent administrative actions, including Design Review, shall be
5 the highest fee of the individual applications, plus ½ the fee of each additional application.

6 11.15.9020 Miscellaneous Charges

7	(A) Notice Sign	5.00	
8	(B) Notice of Review	[300.00]	<u>500.00</u>
9	Transcript cost per minute of hearing time	3.50	
10	(C) Records and reports (per page)	.30	
11	(D) Pre-Initiation Conference	[50.00]	<u>270.00</u>
12	(E) Flood Plain Review (one and two family dwellings)	25.00	
13	(F) Flood Plain Review (all other uses)	50.00	

14 11.15.9025 Design Review

15	(A) Project Value		
16	\$0 – \$4,999	150.00	
17	\$50,000 <u>and greater</u> [– \$1,000,000	0.003 of the project value	
18	Over \$1,000,000	\$3,000 + 0.001 of the project value]	
19			<u>1,570.00</u>

20 Project value shall be determined in accordance with the Uniform Building
21 Code or as otherwise determined by the Director.

22 (B) Staff time required for Design Review revisions submitted after a permit is
23 issued shall be \$80.00/hour. Minimum charge – one[-half] hour.

24 (C) For Design Review of on-premise advertising signs:

25	Single Sign Area:	25.00
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1 [11.15.9027 Transit Zones Development Standards Review Process

2 (A) Project Value	Fee
3 \$0 - \$ 4,999	50.00
4 \$ 5,000 - \$24,999	75.00
5 \$25,000 - \$1,000,000	0.003 of the project value
6 Over \$1,000,000	\$3,000+0.001 of the project value

7 Project value shall be determined in accordance with the Uniform Building
8 Code, or as otherwise determined by the Director.

9 (B) Staff time required for Development Review revisions submitted after a permit is
10 issued shall be \$40.00/hr minimum charge - one half hour.

11 (C) For Development Review of on-premise advertising signs.

12 Single Sign Area: 25.00]

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15 (C) Multnomah County Code Chapter 11.45 is amended to read as follows:

16 11.45.810 Fee Schedule

17 (A) Pre-filing Conference \$270.00

18 (1) Type 1 or Type 2 Land Division \$50.00

19 (2) Type 3 and 4 Land Division. \$50.00]

20 (B) Type 1 Tentative Plan.

21 (1) 20 lots or less [\$800.00] \$1,290.00

22 (2) More than 20 lots [\$800.00] \$1,290.00

23 plus \$25.00 for each lot over 20.

24 (3) A land division which is classified as Type 1 according to the criteria in
25 MCC 11.45.080(D) which would otherwise be designated a Type 2, Type 3, or
26 Type 4 Land Division shall be assessed the lesser respective fee.

1	(C) Type 2 Tentative Plan	[\$450.00]	<u>\$680.00</u>
2	(D) Type 3 Tentative Plan	[\$250.00]	<u>\$440.00</u>
3	(E) Type 4 Tentative Plan	[\$125.00]	<u>\$200.00</u>
4	(F) Property Line Adjustment	[\$75.00]	<u>\$160.00</u>

5 [(G) Final Plat Survey Check.

6 (1) For subdivision as follows:

7 (a) The fee to be paid by the applicant to the County Surveyor for checking sub-
8 division plats having all boundary and lot corner monuments in place on the
9 subdivision site at the time of inspection by the County Surveyor, shall be
10 \$500 plus \$25 for each lot contained in the subdivision.

11 (b) The fee to be paid by the applicant to the County Surveyor for checking sub-
12 division plats having all boundary angle points and all points of intersection
13 of parcel lines with the boundary marked by monuments at the time of inspec-
14 tion by the County Surveyor, but with the interior parcel and roadway monu-
15 ments to be delayed in accordance with ORS 92.060(5), shall be \$650 plus
16 \$35 for each lot contained within the subdivision.

17 (2) For partitions, the fee to be paid by the applicant to the County Surveyor for
18 checking partition plats as required by ORS 92.100(3) shall be \$300.00

19 (3) In addition to the above fees the applicant shall pay to the County Surveyor for
20 repeated calculations and review due to necessary data changes or erroneous data,
21 and necessary repeated field inspections due to omitted, erroneously placed, dis-
22 turbed or destroyed monuments, an amount equal to the actual cost to the Depart-
23 ment of Environmental Services

24 (4) The fees to be paid by the applicant for the services of the County Surveyor
25 described in subsections (1) and (2) are payable to the County Surveyor in
26 advance of inspections, at the time the final subdivision plat and/or survey map is

1 submitted to the office of County Surveyor. Any fees necessarily assessed for ser-
2 vices of the County Surveyor described in subsection (3) shall be payable prior to
3 approval of the subject plat.

4 (5) As used in this section, *lot* means a unit of land that is created by a subdivision of
5 land, and a *tract* will be considered a lot, except for street plugs.]

6 (G) Variance [MCC 11.45.760] [\$400.00] \$480.00

7 (H) Notice Sign [MCC 11.15.9020(A)] \$5.00

8 (I) Time Limit Extension [MCC 11.45.420] \$75.00

9 (J) Appeals

10 (1) From administrative decisions [under MCC 11.45.320(C), 11.45.380(C)]..\$100.00

11 (Refundable if appellant prevails at initial or subsequent appeal hearing)

12 (2) From decisions of the Hearings Officer or Planning Commission [under

13 MCC 11.45.770] [\$300.00] \$500.00

14 Plus transcript cost per minute of hearing time \$3.50

15 (K) Records and Reports, per page \$0.30

16 (L) Rescheduled Hearing \$200.00

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1 (M) The fees required under MCC 11.45.810 shall apply to all actions specified in this Chapter,
2 regardless of applicant.

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4 ADOPTED this 8th day of June, 1995, being the date of its second reading before the
5 Board of County Commissioners.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein

Beverly Stein, Chair

13 REVIEWED:

14 LAURENCE KRESSEL, COUNTY COUNSEL
15 MULTNOMAH COUNTY, OREGON

16 *Laurence Kressel*
17 _____
Laurence Kressel