

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. 889

4 An Ordinance amending fees for action proceedings and administrative actions under
5 MCC 9.40, 11.05, 11.15 and 11.45.
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7 Language in ~~strikeout text~~ is to be deleted; underscored text is new.

8 Multnomah County ordains as follows:

9 SECTION I. PURPOSES

10 (A) To update the fee schedule for land use actions to reflect cost increases which have
11 occurred since its 1994~~5~~ revision;

12 (B) To establish fees which reflect the cost of labor, supplies, and support services necessary
13 to process land use applications; and
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15 (C) To establish fees that require the applicants for land use actions to assume the ~~major share~~
16 ~~of the~~ full costs associated with their applications.

17 SECTION II. FINDINGS

18 (A) Multnomah County Code contains the Multnomah County Planning Commission
19 regulations (11.05), the county land development regulations relating to zoning (11.15), and the
20 county land division regulations (11.45). Administration of those regulations requires the efforts
21 of ~~ten~~ seven County employees, all of them on a full-time basis. It requires that the procedures
22 outlined therein be followed to process applications and to provide information and notice to the
23 public and to other governmental approval authorities. It requires maintenance of files and
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1 records to enable enforcement and execution of the regulations. All of these requirements
2 currently result in the County General Fund assuming 63% the costs of administration of the land
3 development regulations.

4 (B) ORS 215.110(4) authorizes the County to require payment of fees necessary and
5 convenient for carrying out the purposes of planning and land development ordinances.

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7 (C) Since 1966, the County has required applicants seeking approval of land development
8 applications to assume a significant portion of the costs related to any land use proposal for which
9 approval is sought. In 1977, the Board of County Commissioners adopted Ordinance No. 111,
10 which substantially raised the fees charged pursuant to the Zoning Ordinance. Those fees were
11 amended in 1980 by Ordinance 254, and in 1991 by Ordinance 688, and in 1995 by Ordinance
12 821. The fee schedules for Planning Commission (MCC 11.05) and Land Division (MCC 11.45)
13 applications were revised in 1976 and 1981, respectively, [and] again in 1991 by Ordinance 688,
14 and again in 1995 by Ordinance 821. Ordinance 688 required an applicant to pay 100% of the
15 direct costs and 20% of the indirect costs associated with application processing.

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17 (D) A 1994 study by David M. Griffith and Associates found that the current land
18 development fee schedules recover only 37% of the total cost of application processing. That
19 study recommended fees be increased to recover 60% to 100% of full processing costs. The
20 adjustments enacted by this ordinance return an 80% overall cost recovery.

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22 (E) The Ordinance 821 ~~proposed~~ fee revisions reflected the majority of the 80%
23 recommendations of the David M. Griffith and Associates report. The Ordinance 821 ~~Such an~~
24 ~~increases~~ would reduced the annual General Fund subsidy for applicant generated land use
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1 application processing from 63% to approximately 22%. These proposed fee revisions would
2 reduce the annual General Fund subsidy for applicant generated land use application processing
3 from 22% to 0%.

4 (F) The current fee structure in MCC 11.05, 11.15, and 11.45 are specific set fees. This
5 method is being changed to an Application Deposit approach, with actual cost being determined
6 at the completion of the staff work on an application. This ordinance adjusts the former
7 Application fee to an estimated average 1996 cost and establishes the adjusted fee as the
8 "Application Deposit" fee. The actual final application fee is determined by computing the actual
9 costs required to process the application which includes the hourly cost of employee time,
10 overhead, and other related costs. Those costs may increase over time, as salaries and other
11 related costs increase.

12 SECTION III. AMENDMENTS

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

14 11.05.410 Fees.

15 (A) The following Application Deposit fees shall be paid by the applicant at the time of
16 filing under subsection (B) of MCC 11.05.140:

17 (1) Legislative plan revision	1,990.00	<u>\$2,010.00</u>
18 (2) Legislative zoning map amendment	1,990.00	<u>\$2,010.00</u>
19 (3) Quasi judicial plan revision:	1,990.00	<u>\$2,010.00</u>
20 (4) Quasi judicial plan revision in conjunction with other action as defined under		
21 MCC 11.15.8205.	1,000.00	<u>\$1,060.00</u>

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

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

(B) A fee of ~~\$500.00~~ 530.00 shall be charged for the filing of a Notice of Review unless the action is in conjunction with another action under MCC II. 15.8205 in which case the fee shall be that set out in MCC 11.15.9020(B). The person filing the notice shall pay for the cost of a transcript of the commission hearing under subsections (D) and (E) of MCC 11.05.330 at a rate of ~~\$3.50~~ 3.70 per minute of hearing time.

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

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

11.15.9005 Payment.

All Application Deposit fees are payable at the time of application. The difference between the actual costs and the deposit will be paid prior to the issuance of a Land Use permit(s) and/or Land Use decision(s), or will be refunded to the applicant.

11.15.9010 Action Proceedings.

(A)	Change of zone classification	1,460.00	<u>\$1,550.00</u>
(B)	Planned Developments	1,760.00	<u>\$1,865.00</u>
(C)	Community Service		
(1)	Regional Sanitary Landfill	see MCC .7060(B)	
(2)	All others	1,460.00	<u>\$1,550.00</u>

1	(D)	Conditional Use	1,460.00	<u>\$1,550.00</u>
2	(E)	Appeal of administrative decision by Planning Director		\$ 100.00
3		<u>(Refundable if appellant prevails at initial or subsequent appeal hearing)</u>		
4	(F)	Variance	480.00	<u>\$ 510.00</u>
5	(G)	Modification of conditions on a prior contested case		
6		requiring a rehearing	Full fee for action	
8	(H)	Lots of Exception	680.00	<u>\$ 740.00</u>
9	(I)	Other contested cases	500.00	<u>\$ 530.00</u>
10	(J)	Zoning code interpretation by the Planning		
11		Commission	400.00	<u>\$ 425.00</u>
12	(K)	Columbia River Gorge National Scenic Area Site		
13		Review	1460.00	<u>\$1,550.00</u>
15	11.15.9015 Administrative Actions.			
16	(A)	Health hardship permit	150.00	<u>\$ 160.00</u>
17		Health hardship permit renewal	75.00	<u>\$ 80.00</u>
18	(B)	Land Use permit	75.00	<u>\$ 80.00</u>
19	(C)	Non-hearing variance	220.00	<u>\$ 235.00</u>
20	(D)	Use Under Prescribed Conditions	220.00	<u>\$ 235.00</u>
21	(E)	Exceptions <u>and Lot of Exception</u>	100.00	<u>\$ 110.00</u>
22	(F)	Administrative decision by Planning Director	220.00	<u>\$ 235.00</u>
23	(G)	Willamette River Greenway Permit	540.00	<u>\$ 585.00</u>
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25				
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(H)	Significant Environmental Concern Permit	540.00	\$ 585.00
(I)	Administrative modification of conditions established in prior contested cases	150.00	\$ 160.00
(J)	Hillside Development Permit	400.00	\$ 425.00
(K)	Grading and Erosion Control Permit	300.00	\$ 320.00
(L)	Columbia River Gorge National Scenic Area Site Review	300.00	\$ 320.00
(M)	Temporary Permit	150.00	\$ 160.00

The fee for multiple concurrent administrative actions, including Design Review, shall be the highest fee of the individual applications, plus 1/2 the fee of each additional application.

11.15.9020 Miscellaneous Charges.

(A)	Notice Sign	5.00	\$ 8.00
(B)	Notice of Review	500.00	\$ 530.00
	Transcript cost per minute of hearing time	3.50	\$ 3.70
(C)	Records and reports (per page)		\$ 0.30
(D)	Pre-Initiation Conference	270.00	\$ 285.00
(E)	Flood Plain Review (one and two family dwellings)		\$ 25.00
(F)	Flood Plain Review (all other uses)	50.00	\$ 55.00

11.15.9025 Design Review.

(A)	Project Value		
	\$0 -\$49,999	150.00	\$ 160.00

1 (F) Property Line Adjustment 160.00 \$ 170.00

2 (G) Variance 480.00 \$ 510.00

3 (H) Notice Sign 5.00 \$ 8.00

4 (I) Time Limit Extension 75.00 \$ 80.00

5 (J) Appeals

6 (1) From administrative decisions \$ 100.00

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

8 (2) From decisions of the Hearings Officer or

9 Planning Commission \$ 500.00 \$ 530.00

10 Plus transcript cost per minute of hearing time 3.50 \$ 3.70

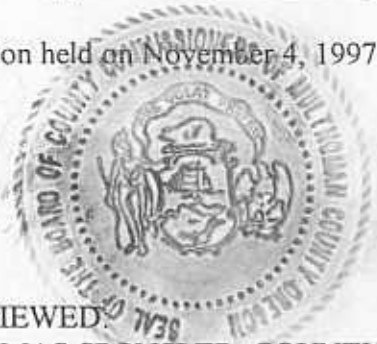
11 (K) Records and Reports, per page \$ 0.30

12 (L) Rescheduled Hearing 200.00 \$ 210.00

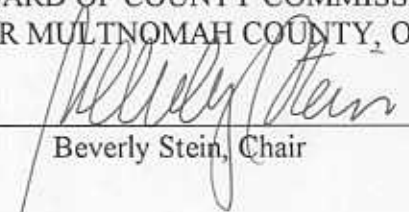
13 (M) The fees required under MCC 11.45.810 shall apply to all actions specified in this

14 Chapter, regardless of applicant.

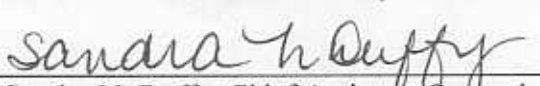
15 Approved this 12th day of November, 1997, pursuant to voter approval at an
16 election held on November 4, 1997.



17 BOARD OF COUNTY COMMISSIONERS
18 FOR MULTNOMAH COUNTY, OREGON

19 
20 Beverly Stein, Chair

21 REVIEWED:
22 THOMAS SPONSLER, COUNTY COUNSEL
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24 By 
25 Sandra N. Duffy, Chief Assistant Counsel