

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 378

An Ordinance relating to fees; amending MCC 5.10.225.

Multnomah County ordains as follows:

SECTION 1. FINDINGS. MCC 5.10.265; ORD 311; MCC 11.15.9005 through .9040, and MCC 11.45.810 through MCC 11.45.830.

The Board of County Commissioners finds that the adopted comprehensive plan, zoning, land divisions and other ordinances adopted under ORS 215.050 are in need of fee adjustments necessary and convenient for carrying out the purpose of the ordinances.

SECTION 2. MCC 5.10.225 is amended as follows:

5.10.225 Zone review and zoning inspection fees. For conducting any zone review prior to the issuance of a building or mobile home permit, the department shall charge a fee of [~~\$15~~] \$20 or [~~10~~] 15 percent of the permit fee, whichever is greater; provided that the fee for review of applications for permits to construct one or two family dwellings shall not exceed [~~\$15~~] \$20. Zoning review fees are payable upon permit application. For conducting any zoning inspection during construction or after completion of construction, the department shall charge a fee equal to the greater of [~~\$15~~] \$20 or [~~20~~] 35 percent of the building permit fee, to be collected at the time the permit is issued, provided, however, that no fee [for inspections shall be assessed in the case of one or two family dwellings] for zoning inspection of one and two family dwellings shall exceed \$20. Zoning inspection fees are payable upon permit issuance.

SECTION 3. MCC 5.10.265 is amended as follows:

5.10.265 Fee for filing and indexing map of survey. Each filing of a map of a survey shall be accompanied by a fee of [~~eleven (\$11)~~] fifteen (\$15) Dollars.

SECTION 4. Amending Ordinance 311 (not yet codified).

(A) Before the declaration, plat and floor plans for a condominium, or an amendment thereto may be recorded, it must be approved by the County Surveyor that it complies with ORS 92.080, and ORS 94.042.

(B) The fee for the review and approval of the plat and floor plans for a condominium shall be [~~\$100~~] \$150 plus [~~\$5.00 per unit~~] \$25.00 per building.

An amendment to MCC 11.05.410.

11.05.410 (A) [(4) Quasi-judicial plan revision in conjunction with other action as defined in subsection 12.21 of Ordinance No. 100 as amended 200

(a) The fee for an action, as defined in subsection 12.21 of Ordinance No. 100 as amended shall be as required by subsections 13.00 to 13.05 of Ordinance No. 100 as amended.

(b) The fee for a subdivision application shall be as required by subsection 11.0 of the Multnomah County Subdivision Regulations.]

(4) Quasi-judicial plan revision in conjunction with other action as defined under MCC 11.15.8205. . . . 200

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

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

[(B) A fee of \$50 shall be charged for the filing of a notice of review. 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.]

(B) A fee of \$150 shall be charged for the filing of a notice of review unless the action is in conjunction with another action under MCC 11.15.8205 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 \$1.75 per minute of hearing time.

(C) A fee of [25] 30 cents per page shall be charged for staff reports.

SECTION 5. MCC 11.15.9005 through 11.15.9055 is amended as follows:

11.15.9005 Payment

All fees are payable at the time of application.

11.15.9010

Action Proceedings (MCC .8205)

(A) Change of zone classification (MCC .8205(A)).

- (1) Rural, Urban Future and Urban Low and Medium Density Residential (MCC .2002 through MCC .2888):

One acre or less	\$ 250.00
Each additional acre	30.00

- (2) Apartment Residential and Urban High Density Residential (MCC .2892 through MCC .2920):

One acre or less	275.00
Each additional acre	30.00

- (3) Commercial or Industrial (MCC .2932 through MCC .5565):

One acre or less	500.00
Each additional acre	30.00

- (4) Planned Developments (MCC .6255 through MCC .6320):

One acre or less	[250.00]	500.00
Each additional acre	[30.00]	<u>40.00</u>
[Maximum charge	2500.00]	

- (B) Community Service (MCC .7005 through MCC .7030):

(1) New Use	[300.00]	400.00
(2) Use of an existing building		<u>200.00</u>

- (C) Conditional Use, except as provided in subsection (I). MCC .2012; .2052; .2132; .2172; .2212; .2252; .2390; .2410; .2510; .2530; .2550; .2570; .2590; .2610; .2630; .2750; .2770; .2790; .2810; .2942; .4112; .4160; .4212; .4262; .4312; .5130; .5230; .5330; .6070 and .7105 through .7640

(1) New Use	[300.00]	400.00
(2) Use of an existing building		<u>200.00</u>

- (D) Appeal of administrative decision by Planning Director (MCC .8290; .2370 and .2490)

[75.00]	<u>150.00</u>
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- (E) Variance (MCC .8505)

[125.00]	<u>175.00</u>
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(F)	Annual temporary health hardship permit (MCC .8705)	[125.00]	<u>175.00</u>
(G)	Modification of conditions on a prior contested case requiring a rehearing (MCC .8240(E))	[40.00]	
	<u>the lesser of one half the original application fee or \$300.00</u>		
(H)	Lots of exception (MCC .2098; .2140; .2180; .2220; .2260 and .2360)	[300.00]	<u>\$350.00</u>
(I)	Conditional use permitted under (MCC .2012(B) (3); .2052 and .2172)	[200.00]	<u>\$250.00</u>
(J)	Other contested cases (MCC .2288; .2836; .2846; .2856; .2866; .2876; .2886; .2896; .2918; .6315(A); .6595; .6690; .7705; .8635 and .8805)	300.00	
(K)	<u>Zoning code interpretation by the Planning Commission required under MCC .2938; .4108; .4156; .4208; .4258; .4308; .4652; .4702; .4752; .5120; .5220; .5475; .5525 and .5575.</u>		<u>200.00</u>

11.15.9015 Administrative Actions.

(A)	Health hardship permit renewal (MCC .8710(C))	40.00	
(B)	Land use permit	[30.00]	<u>40.00</u>
(C)	Non-hearing variance (MCC .8515; .8525)	[75.00]	<u>100.00</u>
(D)	Use under prescribed conditions (MCC .2010; .2250; .2388(B-E); .2408(B-E); .2588(F); .2608(F); .2628(E); .2748(E); .2768(E); .2788(E,F); .2940(A-C); .4110(A-D); .4158(A-D); .4210(A-D); .4260(A-F); .4310(A-D); .5125(A-G); .5225(A-D) and .5325(A-D)	[30.00]	<u>40.00</u>
(E)	Exceptions (MCC .2480(B); .2592(F) (3); .2616(H) (2,4); .2634(H) (2,4); .2692; .2792(L); .2954(B); .4164(B); .4216(B); .4266(B); .4318(B); .5140(B); .6135(B); .6220; .6855 and .7860)	[30.00]	<u>40.00</u>

(F)	Administrative decision by Planning Director (MCC .2060; .2140(D); .2180; .2220(D); .2260(D); .2814; .6140(C); .6150(D); .6160; .6260(D); .6315(B); .6590; .6685; .6850; .7030; .6410; .7135(B); .8630(D) and .8705)	[30.00]	<u>40.00</u>
(G)	Willamette River Greenway Permit (MCC .6565)	[30.00]	<u>75.00</u>
(H)	Significant environmental concern permit (MCC .6665)	[30.00]	<u>75.00</u>
(I)	<u>Administrative modification of conditions established in prior contested cases (MCC .8240)</u>		<u>50.00</u>

11.15.9020 Miscellaneous Charges.

(A)	Notice sign (MCC .8220(E)	\$	4.00
(B)	Notice of review (MCC .8260)	[60.00]	<u>150.00</u>
	Transcript cost per minute of hearing time	[1.25]	<u>1.75</u>
(C)	Records and reports, per page	.30	
(D)	Pre-application conference (MCC .8215)	[30.00]	<u>35.00</u>
(E)	<u>Flood Plain Review one and two family dwellings</u>		<u>25.00</u>
(F)	<u>Flood Plain Review all other uses</u>		<u>50.00</u>

11.15.9025 Design Review.

[(A) Preliminary design review; \$75.00 for each \$100,000 or fraction thereof of the estimated value of all proposed improvements, as calculated under the Uniform Building Code. In no event shall the fee for a preliminary design review plan approval exceed \$500.00.]

(A) Project Value

\$0 - \$ 4,999	50.00
\$ 5,000 - \$24,999	<u>75.00</u>
\$25,000 - \$1,000,000	0.003 of the project value
Over \$1,000,000	<u>\$3,000+0.001 of the project value</u>

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

[(B) The value to be used in computing a preliminary design review plan fee shall be the total estimated value of all work for which design review plan approval is required.]

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

[(C) A change in content on an existing on-premise sign shall be reviewed pursuant to the design review process. No fee shall be charged for this review, provided that the sign structure and its lighting are not changed.]

(C) For design review of on-premise advertising signs.

Single Sign Area (one face)

0 to 6 sq. ft.	15.00
6 sq. ft. to 59 sq. ft.	30.00
60 sq. ft. to 100 sq. ft.	0.50/sq. ft.
100 sq. ft. and over	0.60/sq. ft.

The second or additional face of display surface of a double-faced or V-shaped sign shall be subject to a fee of \$10 per square foot when constructed under permit with the first face.

Painted wall sign areas in excess of 6 sq. ft. 30.00
Additional sign areas shall be assessed at
one half the above rates.

11.15.9030 Rescheduling of Hearing

In the case of any hearing required under this Ordinance which must be rescheduled at the request of or due to the neglect of the applicant, a fee of \$100.00 shall be assessed against the applicant. Said fee may be waived in whole or in part by the Director of the Department of Environmental Services if the Director determines that the necessity for the requested rescheduling was unavoidable or that the applicant proceeded with all possible diligence to give adequate advance notice of the request for rescheduling.

11.15.9035 Fractions of an Acre

For fees based upon acreage calculations, any fraction of an acre up to and including one-half, shall be disregarded; fractions over one-half shall be rounded to the next highest acre.

11.15.9040 Application of Fee Schedule

Fees provided in MCC 11.15.9005 to 11.15.9030 shall apply to all actions specified herein, regardless of applicant, unless waived by the Board of County Commissioners or the Planning Commission.

INTERPRETATIONS: SAVINGS CLAUSE: PRIOR PERMITS

11.15.9045 Planning Commission Duty

It shall be the duty of the Planning Commission to interpret the Zoning Ordinance. These interpretations shall be in writing and shall be established as policy of the Planning Commission.

11.15.9050 Effect of Prior Permits

A building or structure for which a permit was issued prior to the effective date of this Chapter shall be permitted to be constructed or erected in accordance with such permit.

11.15.9055 Savings Clause

If the article, section, subsection, subdivision, phrase, clause, sentence or work in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of this ordinance, but shall be confined to the article, section, subsection, subdivision, clause, sentence or work held invalid or unconstitutional.

SECTION 6. MCC 11.45.810 through 11.45.820 is amended as follows:

11.45.810 Fee Schedule.

(A) Pre-filing conference.

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|--|----------------------|
| (1) Type I or Type II Land Division | [25.00] <u>35.00</u> |
| (2) Type III <u>and IV</u> Land Division | No charge |

(B) Type I Tentative Plan

- | | |
|-----------------------|--|
| (1) 20 lots or less | [250.00] <u>400.00</u> |
| (2) More than 20 lots | [\$50] <u>\$400</u> plus [\$10] <u>\$15</u>
per lot |

[(3) Future street plan No Charge]

(3) A land division which is classified as Type I according to the criteria in MCC 11.45.080(D) which would otherwise be designated a Type II, Type III, or Type IV land division shall be assessed the lesser respective fee.

(C) Type II Tentative Plan [125.00] 240.00

(D) Type III Tentative Plan [50.00] 115.00

(E) Type IV Tentative Plan \$30.00

(F) [(E)] Final Plat or Map Survey Check.

(1) For subdivision as follows:

(a) The fee to be paid by the applicant to the County Surveyor for checking subdivision plats having all boundary and lot corner monuments in place on the subdivision site at the time of inspection by the County Surveyor, shall be [\$100] \$150 plus [\$8.50] \$12.00 for each lot contained in the subdivision.

(b) The fee to be paid by the applicant to the County Surveyor for checking subdivision plats having all boundary angle points and all points of intersection of parcel lines with the boundary marked by monuments at the time of inspection by the County Surveyor, but with the interior parcel and roadway monuments to be delayed in accordance with ORS 92.060(5), shall be [\$150] \$250 plus [\$10] \$15 for each lot contained within the subdivision.

(2) For partition MCC 11.45.730(C)(1) [40.00] 60.00

(3) In addition to the above fees, the applicant shall pay to the County Surveyor for repeated calculations and review due to necessary data changes or erroneous data, and necessary disturbed or destroyed monuments, an amount equal to the actual cost to the Department of Environmental Services determined at the hourly rate as follows:

(a) Office checking and calculation [22.00] 30.00 hourly

(b) Field checking and inspection [82.00] 100.00 hourly

11.45.820

(4) The fees to be paid by the applicant for the services of the County Surveyor described in (1) and (2) hereinabove are payable to the County Surveyor in advance of inspections at the time the final subdivision plat and/or survey map is submitted to the office of the County Surveyor. Any fees necessarily assessed for services of the County Surveyor described in (3) hereinabove, shall be payable prior to approval of the subject plat.

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


[(F)]	<u>(G)</u>	Variance MCC 11.45.760	[100.00]	<u>175.00</u>
[(G)]	<u>(H)</u>	Notice Sign (Sec 12.23.4, Ord. No. 100)	[3.00]	<u>4.00</u>
[(H)]	<u>(I)</u>	Time Limit Extension MCC 11.45.420	[25.00]	<u>30.00</u>
[(I)]	<u>(J)</u>	Appeals:		
		(1) From administrative decisions under MCC 11.45.320(C), 11.45.380(C), and 11.45.740	[50.00]	<u>150.00</u>
		(2) From decisions of the Hearings Council or Planning Commission under MCC 11.45.770	[50.00]	<u>150.00</u>
		plus transcript cost per minute of hearing time	[1.00]	<u>1.75</u>
[(J)]	<u>(K)</u>	Records and reports, per page	[.25]	<u>.30</u>
[(K)]	<u>(L)</u>	Rescheduled hearing		100.00
[(L)]	<u>(M)</u>	The fees required under MCC 11.45.810 shall apply to all actions specified in this Chapter, regardless of applicant. (Ord 174 s. 1.650 (1977); Ord 278 s. 8 (1981))		

ADOPTION

ADOPTED this 28th day of April, 1983, being the date of its second reading before the Board of County Commissioners of Multnomah County.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By 
Presiding Officer

Authenticated by the County Executive this 2nd day of May, 1983.


County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY
County Counsel for
Multnomah County, Oregon

By 