



November 13, 2015

Permit and Land Use Fee Waiver Consideration Criteria

Background

The Bureau of Development Services charges fees for land use, permit review and inspection, special programs, and code enforcement. The Commissioner-in-Charge and the City Council have the authority to waive these fees. Generally, large fee waivers are done at the Council level. However, the Commissioner-in-Charge has delegated authority to waive smaller fees to the Bureau Director in accordance with the policy below.

The City Council has mandated the bureau support its inspection, plan review, and land use review services with fees and charges. When fees are waived or reduced, the bureau still provides the service, even though it does not receive full financial compensation for the work performed.

The bureau supports projects that directly benefit the community-at-large, low-income customers who need assistance, and non-profit organizations that directly serve low-income individuals. The following consideration criteria have been made a part of the bureau's policies and procedures to serve the needs of our customers.

The Bureau of Development Services Director will consider each Permit and Land Use fee waiver based upon the Waiver Consideration Criteria contained herein and the Bureau's goal to recover costs incurred in the review and inspection of projects under its purview. Within this document is the table that outlines the Director's other factors and circumstances that will be considered when reviewing permit and land use fee waiver requests.

Processing Requests

1. Permit Fee Waivers will be monitored per fiscal year and reviewed along with Bureau operations, staffing, and revenue status. The Bureau relies upon permit fees for cost recovery. Consideration is given to the impacts of taking on pro-bono work to ensure no delay is caused in meeting internal goals for timely plan review/inspections.
2. An applicant for a fee waiver based upon financial hardship/low-income will be required to certify gross annual income and household size. The bureau will use the annual Department of Housing and Urban Development (HUD) area Median Family Income table to determine eligibility. *Current low-income eligibility is set at 80% area Median Family Income.
3. A maximum amount of up to \$5,000 maybe waived for each requestor per fiscal year (July 1 through June 30)

4. The Director shall have the discretion and authority to waive a portion of the bureau-related permit fees for projects that meet this criteria up to \$5,000. Fee waivers over \$5,000 shall require the approval of the Commissioner-In-Charge.

The consideration of BDS Permit and Land Use Fee Waivers maybe suspended at anytime with approval by the Commissioner-in-Charge and Bureau Director. **Waiver Consideration Criteria**

10%	25%	50%	Other
Non-profit using volunteer labor	Non-profit using volunteer labor on a project that has undeniable benefit to the public at large	Non-profit using volunteer labor on a project that provide/develop housing for low-income groups (including emergency shelters)	
Project that has undeniable benefit to the public at large	Non-profit project that has undeniable benefit to the public at large	Non-profit project that provides direct services to low-income individuals that are consistent with and further the goals and policies of the City.	
*Low-income family or individual and property is owner occupied	*Low-income and disabled or elderly individual or family, and property is owner occupied	*Low-income individual or family falling below 50% of area median income	
Land Use Adjustment to Avoid Environmental Impacts in single dwelling residential zones where; 1. The purpose of the adjustment is to avoid impacts on a natural resource protected by an environmental zone 2. The adjustment is applied for concurrently with an environmental review for the site; and 3. Opposite setback requirements are increased by the same dimension as the requested setback reduction.			

Procedure

Fee waiver requests shall be made in writing to the Director of the Bureau of Development Services. Financial and other supporting documentation should be included with the request (i.e. current tax forms, bank statements, IRS 501c3, etc.). Financial information provided by the applicant will remain confidential to the extent permitted under Oregon public records law.

An estimate of the permit and or land use fees must be completed for the Director's consideration. Since many building projects are contingent upon the outcome of land use action, land use fees will be considered first and permit fees upon completion of the land use action.

The BDS Director will determine if applicants meet eligibility requirements for fee waivers and notify them in writing as to whether their request has been granted in part, in full or denied, including the reason for the decision.