

EXHIBIT A – PW PERMIT FEES

SUMMARY STATEMENT

The Public Works (PW) permit fee code has been suspended since 2009 (Ordinances 183419 (12/17/09), 183911 (6/16/10), 184600 (5/18/11) and 185470 (6/27/12)). Public Works Permitting has been charged with establishing a predictable fee for PW projects. This proposal is for the fees for the design phase of the PW project. Permit cost for the construction phase is separate and is based on cost recovery. This document will note the types of PW permits, the criteria, and the fees associated with each permit type. The methodology for generating the fee is also included, as well as the process for how fees will be charged or refunded if the project does not complete the entirety of the review process.

PERMIT TYPES

Following is a list of the proposed PW permit types and their associated descriptions:

1. PW Permit
2. PW Residential Infill
3. PW Complex
4. BES Access
5. BES Simplified
6. BES Basic Sewer Extension
7. PBOT Limited

1. PW Permit

This permit includes all PW permits unless the permit meets the criteria of the PBOT Limited, BES Access, BES Simplified, PW Residential Infill, or BES Basic Extension PW permits; or the PW Complex Permit, which may be simpler or more complex respectively. This is for either a joint BES and PBOT permit or stand alone permits.

BES sewer permits will be included in this permit type if any ONE these items apply:

1. More than one design sheet (plan & profile)
2. More than one sewer
3. Unimproved ROW
4. New easement required (not part of a plat)
5. Larger than 8" sanitary or 12" storm or combination sewer
6. Less than 6' deep or more than 18' deep
7. Non-standard pipe material
8. In downtown area
9. Requires a stormwater outfall
10. More than 300' in length

2. PW Residential Infill Permit

This permit type was established by Ordinance 185470 (6/27/12) for the construction of street improvements and stormwater facilities for infill development. This permit type can be either PBOT only or PBOT and BES joint.

Criteria:

1. Identified in the TSP as local residential
2. Less than 150 feet in length of frontage
3. Existing paved street
4. No traffic operational change
5. No alternative design
6. Not within a special street design district
7. Requires 2 or less stormwater treatment facilities
8. Approved nearby stormwater disposal point
9. No storm or sanitary sewer extension
10. No major utility conflict

3. PW Complex Permit

This permit type is for projects for which a number of factors necessitate review that cannot be captured within the fee methodology provided. Not all projects that meet one or more of the below may need to be a complex permit. Final authority for determination that a project falls into this category lies with the affected Bureau(s).

Criteria:

1. Alternative design for project scope (alternative needs approval in writing)
2. Special materials
3. No established point of stormwater disposal
4. 'Large' project
5. Major utility conflict
6. Special structural review required (i.e. bridge)
7. Interbureau or interagency agreements required
8. Permits required from other jurisdictions (i.e. ODOT, Corp of Engineers)
9. Encroachment permits required
10. Work to be permitted and constructed out of sequence

4. BES Access Permit

This BES only permit type will allow private parties, and sometimes other agencies, to access the BES storm, sanitary, or combination sewer system to collect samples or other data, conduct closed circuit television or other inspections, or perform activities such as sewer cleaning.

Criteria:

Type 1 access: Entering the system, but no cleaning, no equipment installation, no modification to the BES system.

Type 2 access: All other entries that will not modify the BES system. This includes cleaning and temporary equipment installation that does not cause

permanent modification to the system (ex: temporary autosampler installation); it also includes annual permits for emergency response agencies (ex: Coast Guard) that allows multiple entries.

5. BES Simplified Permit (SP)

This BES permit type is for short sanitary sewer extensions of less than 100 feet.

Criteria:

Simplified Permit will NOT be allowed for.....

- Construction of a manhole 12ft deep or greater
- Construction in arterial streets or requiring extensive traffic control
- Crossing major utilities
- Extensions from brick manholes
- Extensions from City storm sewers, interceptor lines, or combination sewers where the proposed pipe size will need to be engineered
- Extensions of brick or clay sewers
- Conflict with standard proximity rules pertaining to utilities
- Excavations at or near structures and/or retaining walls
- Excavation close to water bodies or involving groundwater areas
- Outside public right-of-ways
- Sewer main proposed is greater than 18 feet deep, or
- Requires a design variance from the standards of the City *Sewer and Drainage Facilities Design Manual*

6. BES Basic Sewer Extension

This permit type will include all BES separate sewer permits that do not meet the BES Simplified Permit criteria, but meet additional criteria below.

Criteria:

1. One design sheet (plan & profile)
2. One sewer
3. Existing improved ROW
4. Existing easement or to be platted
5. 8" sanitary or 12" storm or combination sewer
6. $\geq 6'$ deep and $\leq 18'$ deep
7. Standard pipe material
8. Not in downtown area
9. No outfalls
10. No scope changes
11. $\leq 300'$ in length
12. No concept phase required

7. PBOT Limited Permit

This permit type is established for sidewalk and driveway improvements that require a higher level of review than that of an over-the-counter permit. Over-the-counter permits are limited in scope (usually less than 50 lineal feet) and

technical review. Improvements of sidewalk corners with ADA ramps may be allowed under this permit at the discretion of the Permit Engineer Manager.

Criteria:

- There is existing curb or some other type of improvement that allows the grade and alignment of the sidewalk to be set without a proper survey. This may be an edge of pavement.
- No change in street grade or drainage pattern.
- Have an established stormwater conveyance and disposal system. This is typically a stormwater inlet or swale.

See Appendix A for a more detailed description of what types of improvement are allowed under a Limited Permit.

PERMIT FEE STRUCTURE

This methodology will replace the currently established process of the Not-To-Exceed fee from previous ordinances. Project fees will be cost recovery on a program level and not project by project. All fees will be evaluated on an annual basis.

The general proposal for permit fees is as follows:

1. The PW permit fee (majority of the PW permits) will be established by a base fee plus additional fees based on lineal feet of improvements or additional type of work.

The PBOT portion the PW permit fee will be divided into 2 categories, commercial and residential. Each will have a base cost plus a lineal foot cost for each foot of curb or sidewalk improvements. For residential, the base will be equivalent to the cost that was established for residential infill. There will also be additional added fees if there are other transportation elements involved in the improvements, such as street lights, traffic signals, or traffic.

The BES portion of the PW permit fee is established by a base cost plus added costs for factors due to additional items of work.

2. The PW Complex permit will be cost recovery with an estimate for costs provided to the applicant at concept approval for the public works improvements.
3. BES Access, BES Simplified, Infill, BES Basic Sewer Extension and PBOT Limited PW permits will have set fees.
4. Consultation review fee for PWB will be per PWB fee structure as listed in the Annual water rate ordinance for the Portland Water Bureau.

5. The affected PW bureaus will have the final determination as to which permit type will apply to a project.

1. PW Permit

PBOT will have 2 categories of permits: residential and commercial. Although the criteria are similar for both residential and commercial, the base rate and additional cost per lineal feet will be different. Each of the other transportation elements (street lighting, signals, traffic, parking, & structures) will have their own methodology, as follows:

PBOT (Street Lighting):

Option C lighting will be on a per each block face basis. The following are the three fee types:

- South Waterfront
- CBD, Pearl and Lloyd Districts
- Residential subdivisions.

Option B will be on per each light basis. These are typically stand alone luminaires on wood poles.

PBOT (Signals):

There will be 2 fees to review and evaluate either a new signal system or a modification. The will be on "a per each" basis. The fee for each type of review will have a different fee amount.

PBOT (Traffic)

Residential and commercial will use the same methodology of base rate plus a cost for each lineal foot of curb. Residential is for improvements on streets that are classified as local service with predominately single-family residences.

PBOT (Parking)

The review is only for areas where parking is controlled. This is typically in commercial areas such as the CBD, Pearl, South Waterfront, and Lloyd Districts. Other streets located in commercial districts may also require a traffic parking review.

PBOT (Structures)

As most structures that are constructed through an encroachment permit, the review costs are captured in that process, so no separate fee will be necessary as part of the public works fees.

All PBOT fees discussed above are established by the PBOT annual rate ordinance.

BES fees for this permit type will be established by a base cost plus additional costs for the project manager and construction manager due to items or work or complexity beyond the minimum requirements. These costs were developed using PW projects completed under the established review process with the

concept, design, and final plan phases. See Appendix B for the fee methodology and Appendix C for the fee criteria.

For this permit type, the applicant will be provided the fee amount (determined by the City bureaus) at the concept approval stage. The fee will be revised if there is a scope change for the project.

The methodology for calculating the PW Permit fee will be published on the public works website and will be available for the public to use. The methodology can be used to provide an estimated fee; the actual fee will be determined by the affected bureaus upon approval of the concept phase. The affected bureaus will have the final determination on which permit type applies and the actual fee amount.

2. PW Residential Infill Permit

The PW Residential Infill Permit Fee for PW review is established by the BES annual rate ordinance and the PBOT annual rate ordinance.

3. PW Complex Permit

PW Complex Permits will have an agreed project schedule and review timelines between the applicant and the affected bureaus. A review/project plan will be established during the concept phase (which may include on-going meetings). A PW permit fee estimate will be provided at the completion of the concept phase and will be based on the proposed review/project plan for the design review phase. This permit type will be full cost recovery as established under existing Title 17 fee provisions.

4. BES Access Permit

The BES Access Permit fee is established by the BES annual rate ordinance.

5. BES Simplified Permit (SP)

The BES SP fee is established by the BES annual rate ordinance.

6. BES Basic Sewer Extension

The BES Basic Sewer Extension fee is established by the BES annual rate ordinance. The PWB Consultation Fee will be in addition to this fee.

7. PBOT Limited Permit

The PBOT Limited Permit Fee is established by the PBOT annual rate ordinance.

8. Additional Fees

Additional fees associated with PW permits may include but are not limited to:

- a. PWB Consultation fee as established by the Annual water rate ordinance for the Portland Water Bureau;
- b. Reveg Inspection/Warranty Fee for inspection during warranty phase as established by the BES annual rate ordinance;
- c. Construction Warranty Fee as established by the BES annual rate ordinance.

Additional permits that need to be obtained from other City bureaus or agencies outside of the City are not covered underneath this ordinance.

PERMIT FEE COLLECTION PROCESS

1. PW Permit

An initial submittal fee will be provided with concept plans. **This deposit will be non-refundable.**

At the time the concept is approved, the City will provide the full permit review fee amount. Review fee will be valid for one year from date it is given to the applicant.

The remainder of the permit fee will be due at time of design review submittal. The permit fee will be non-refundable once the permit submittal has been deemed complete and ready for review. If the applicant elects not to pursue a permit, the applicant must submit a request in writing to Public Works Permitting within 10 business days from acceptance of submittal that they no longer wish to continue. The applicant is only eligible for a refund of 50% of the fee submitted at design review. The forfeited portion of the fee is to recover staff time spent to process, manage, and review the submitted materials.

2. PW Complex Permit

An initial submittal fee will be provided with the concept plans. **This submittal fee will be non-refundable.**

An estimate will be provided by the affected bureaus at a following review meeting. At this time, the affected bureaus and applicant will establish a mutually agreed-upon schedule for review and for fee submittals.

If the project is cancelled, the applicant will be responsible for actual costs to date. Final settlement of costs will take a minimum of 60 days. Any excess funds will be refunded to the financially responsible party or any outstanding balance owed will be billed to the same.

3. All other PW permit types

Initial submittal fee will be equal to the full amount of the established fee for that permit type. If it is later determined that the project meets the criteria of a different permit type, additional fees may be owed or refunded as required.

PERMIT CANCELLATION/REACTIVATION PROCESS

The permit may be cancelled either by applicant request or by review inactivity of one year. If a permit is cancelled, all fees received to date will be nonrefundable unless it meets the terms above.

A new fee will be applied if a permit is reactivated due to cancellation or expiration. A reactivation fee will be required to review the permit for update of the fees and determine the stage to proceed with the review. This fee is

established by the BES annual rate ordinance and the PBOT annual rate ordinance.

APPENDIX A – PUBLIC WORKS PERMIT MATRIX

APPENDIX B – BES PW PERMIT METHODOLOGY

APPENDIX C – BES PW PERMIT CRITERIA