

Order 196-15/16

Motion to amend by adding in Section 6-17 (a) (1) & (3) after “March 8, 2016”, “and has applied for a building permit on or before September 30, 2016”

Proposed amendment amended to strike “March 8, 2016” in Section 6-17 (a) (1) & (3) and replace it with “March 31, 2016”: 6-2 (Hinck, Strimling opposed, Thibodeau absent) on 3/21/2016

Passage of amendment as amended by adding in Section 6-17 (a) (1) & (3), after striking “March 8, 2016”, “March 31, 2016 and has applied for a building permit on or before September 30, 2016”: 7-1 (Hinck opposed, Thibodeau absent)

Passage as Amended as an Emergency: 7-1 (Hinck opposed, Thibodeau absent) on 3/21/2016

Effective 3/21/2016

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

AMENDMENT TO PORTLAND CITY CODE

**Re: NEW DEPARTMENT OF PERMITTING AND INSPECTIONS AMENDMENTS
REFERRED TO THE PLANNING BOARD**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. That Section 6-17 is hereby amended to read as follows:

Sec. 6-17. Fee Schedule.

The applicant shall submit the cost of work in order to determine the permit fee. If the construction cost submitted is less than that as indicated by national standards such as BOCA International or the R.S. Means Company, Inc., the City of Portland reserves the right to reevaluate the proposed project cost based on the referenced national standard and assess the larger of the fees. All building permit applications shall be accompanied by the appropriate fee as established below. For building permit fees for eligible affordable housing developments, however, see Section 14-486:

(a) Construction work:

(1) Cost of work fees:

Up to \$1,000.00 \$25.00

\$1,000.00 or more \$25.00 + \$15.00 per
\$1,000.00 above \$1,000.00, except that the cost of work fees for a project that has completed Level I, II, or III Site Plan review, or received Administrative Authorization approval, pursuant to the applicable Chapter 14, Division V, on or before March 31, 2016 and has applied for a building permit on or before September 30, 2016 shall be:

Up to \$1,000.00.....\$25.00
\$1,000 or more.....\$25.00 + \$11.00 per
\$1,000 above \$1,000.

(2) Belated fees:

Below \$25.00 permit fee . . \$50.00 additional
Above \$25.00 permit fee . . \$100.00 additional

(3) Amendments to application:

Up to \$1,000.00 \$25.00
\$1,000.00 or more \$25.00 + \$15.00 per
\$1,000.00 above \$1,000.00, except that Amendments to application fees for a project that has completed Level I, II, or III Site Plan review, or received Administrative Authorization approval pursuant to the applicable Chapter 14, Division V, on or before March 31, 2016 and has applied for a building permit on or before September 30, 2016 shall be:

Up to \$1,000.00.....\$25.00
\$1,000.00 or more.....\$25.00 + \$11.00 per
\$1,000.00 above \$1,000.00.

8. That Sections 14-485 and 14-486 are hereby amended to read as follows:

Sec. 14-485. Definitions.

Eligible project means a development project:

- (a) That is permissible under the provisions of this chapter in the zone in which it is proposed;

- (b) That will be a multi-family dwelling ,as defined in section 14-47, and will not be located in an R-1 or R-2 zone;
- (c) ~~Reserved~~ That creates new dwelling units, among which is at least one low-income housing unit for rent or workforce housing for sale, through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.
- (d) Projects shall not be considered "eligible projects" solely because they are subject to Section 14-487 ("Ensuring Workforce Housing").~~That creates new dwelling units, among which is at least one affordable housing unit for rent or sale, through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project.~~

Sec. 14-486. Reduction of fees.

Notwithstanding any other provision of this chapter or chapter 6 to the contrary, development fees shall be reduced by the city for an eligible project in the manner described in the following table:

Percentage of new units that are low-income or workforce units	Percentage discount of development fees	<u>Cost of Work (Building Permit) Fees in lieu of Section 617 (a) 1 & 3</u>
5% up to but not including 10%	5% reduction	<u>\$10.50 per \$1,000</u>
10% up to but not including 15%	10% reduction	<u>\$9.90 per \$1,000</u>
15% up to but not including 20%	15% reduction	<u>\$9.35 per \$1,000</u>

20% up to but not including 25%	20% reduction	<u>\$8.80 per \$1,000</u>
25% or more	25% reduction	<u>\$8.25 per \$1,000</u>

...

BE IT FURTHER ORDAINED that these amendments are enacted as an Emergency, pursuant to Article II, Section 11 of the Portland City Charter.