

POLICIES & PROCEDURES



**City of Wilsonville
Building Division**
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| Project Validation | Adopted: June 2021 |
| BPP 114 | Last Reviewed: Future Date |
| | Next Review: Future Date |

Summary

Establishes when building permit applications are “validated” for purposes of locking-in particular versions of the applicable codes or fee increases that apply to building permit applications.

Background

The Wilsonville City Council periodically approves revisions to the adopted Wilsonville Code (WC) to include land use, building code, and other regulations as they pertain to building construction. These revisions typically make changes to the zoning requirements or the construction standards that are applicable in Wilsonville.

In addition, fee changes are approved by Council in order to support services, or to fund Capital Projects. From the developers’ perspective, the effective date of regulatory changes or fee increases is important in order to plan projects and complete due diligence to determine project viability and to secure financing.

When a building permit application is submitted there must be a minimum level of information (plans, calculations, etc.) submitted with the application in order for a plan review to be conducted by staff. It is the intent to review project plans with the goal of issuing a building permit. Staff are not able to review and approve project applications that are incomplete. Therefore a complete application is required.

Staff must “validate” whether or not the application is complete. To be validated means that the building permit application is deemed complete and will be vested. This provides a reasonable level of certainty that the project will be subject to the code provisions and fees that are in place at the time of complete permit application.

Discussion

1. **Building Permits** - Applications submitted *prior to* the effective date of the revised Wilsonville Code or proposed fee schedules:
 - a. Applications validated and accepted as “complete” by the Building Division for Building Permits shall be processed under those WC provisions in effect at the time of application based on the following:

- i. For new structures, the minimum allowable level of construction proposed in the project scope is for a Foundation Only permit. At a minimum this will also include demolition, grading, erosion control, tree preservation, and any other pre-foundation permits;
 - ii. The minimum level of application for a permit to be reviewed shall be a complete permit application for the particular scope of work, and payment of the associated fees;
 - iii. A “complete application” means all minimum required information is provided by the applicant for the intended scope of work, and a comprehensive plan review is able to be conducted. In addition, all fees that are due at the time of permit application must be paid. Examples of minimum required information include (and are not limited to) a completed permit application, checklist, plans, specifications, engineering calculations, and fees;
 - iv. Any associated land use applications must be submitted prior to or concurrent with the building permit application; however it is generally a good idea to submit land use applications well ahead of time as land use processes often have noticing or other requirements that make processing time much longer than building permits, and to ensure that it is even a use that could be approved;
 - v. If the building permit application is accepted and validated by staff as “complete”, the applicant shall be allowed to construct the project consistent with that permit upon permit issuance;
 - vi. Applications submitted following the effective date of the revised Wilsonville Code for any additional building footprint area, or any other change to approved building permits, shall be reviewed under the standards in the newly revised code and subject to the newly revised fee schedules. In other words, the scope of work that gets submitted and validated as complete, is what gets vested.
 - vii. EXCEPTION – This policy does not apply to fees that are referenced in a developer’s agreement, council resolution or ordinance, and that have hard effective dates for increases (Ex: Frog Pond Supplemental Fee).
- b. Once a Certificate of Occupancy is issued and/or the project is finalized, the project is then deemed complete.
 - c. All building permit applications submitted after the effective date of the revised Wilsonville Code shall be reviewed under the standards of that code. Exception: Phased Development Projects.
 - d. Permit applications submitted and accepted as complete *before* the effective date of the revised code, shall not be granted permit application extensions *after* the effective date of the revised code. The intention is the project must be real, and not simply submitted with minimal

information in order to delay the application of newly adopted codes or fees beyond what is reasonable and allowed under the adopted codes.

Policy

As outlined in the Discussion section above, to be “validated” means that the application is complete and deemed to be vested. Therefore, except as noted above, the application will be subject to the code provisions and fee schedules in place at the time of application. See also BPP 115 for Acceptance of Building Permit Applications.

Exception: The above noted policy applies except as otherwise specifically directed by City Council or state law.