

RESOLUTION NO. 6609

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 6516

WHEREAS, it is appropriate that the City recover at least a portion of the costs associated with processing land use applications; and

WHEREAS, in December 2000, the City Council passed Resolution No. 4367 establishing that Development Code fees are to be adjusted on July 1 of each year based on the April CPI-W national index; and

WHEREAS, fees related to Development Code provisions were last revised on June 25, 2014, and took effect on July 1, 2014, by Resolution No. 6345; and

WHEREAS, fees were not evaluated in 2015 and the City Council decided not to revise fees in 2016 because there was essentially no change in the U.S. Bureau of Labor Statistics April CPI-W national index from 2014 to 2016; and

WHEREAS, the April CPI-W national index in 2016 was 233.43 and the April CPI-W national index in 2017 was 238.43, representing a 2.14% increase.

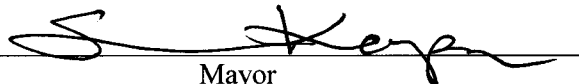
NOW, THEREFORE, BE IT RESOLVED that fees established for the Planning Division to administer the Development Code shall be as shown in the attached "Exhibit A"; and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges shown in "Exhibit A" will become effective for all applications received after June 30, 2017; and

BE IT FURTHER RESOLVED that the fees and charges shown in "Exhibit A" are not subject to the limits of Section 11b, Article XI, of the Oregon Constitution; and

BE IT FURTHER RESOLVED that Resolution No. 6516 is hereby repealed.

DATED AND EFFECTIVE THIS 14th DAY OF June, 2017.


Mayor

ATTEST:

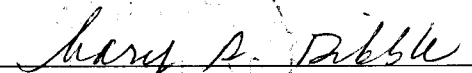

City Clerk

EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE
 Effective July 1, 2017

TYPE OF APPLICATION	FEES	PROPOSED FEES
Adjustment (Type I-L)	\$67-	\$68
Annexations – (set by separate resolution)	Varies	Varies
Appeals		
Appeal to City Council (Type III)	\$808-	\$825
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$269-	\$275
Appeal to Hearings Officer – Expedited Land Div.	\$300 dep./max \$500-(b)	\$300 dep./max \$500 (b)
Comprehensive Plan Amendment (Type IV)		
Map Amendment – Without Concurrent Zoning Map Amendment	\$3,367-	\$3,439
Map Amendment – Concurrent with Zoning Map Amendment	\$4,715-	\$4,816
Text Amendment	\$3,771-	\$3,852
Conditional Uses		
New Construction (Type III)	\$2,696 plus (e)	\$2,754 plus (c)
New Construction (Type II)	\$1,750 plus (e)-	\$1,787 plus (c)
Existing Building – Expand or Modify (Type III)	\$1,750-	\$1,787
Existing Building – Expand or Modify (Type II)	\$990-	\$1,011
Existing Parking Lot – Expand or Modify (Type II & III)	\$990-	\$1,011
Home Businesses requiring Conditional Use Approval	\$500-	\$511
Additional fee if Design Standards apply (Type II & III)	\$295-	\$301
Additional fee if Traffic Report required (Type II & III)	\$673-	\$687
Development Code Amendment (Type IV)		
Text Amendment	\$3,750-	\$3,830
Floodplain Development Permit		
New Construction (Type I)	(h)	(h)
Placing an RV over 180 days (Type I)	\$73-	\$75
Fencing and freestanding walls (Type I)	\$73-	\$75
Site Plan Improvement in the Floodplain (Type I)	\$73-	\$75
Development in the Floodway (Type I-L)	\$147 plus (f)	\$150 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	\$221 plus (g)	\$226 plus (g)
Continuous Storage Operation (Type I-L)	\$147 plus (f)	\$150 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)		\$226 plus (f)
Alteration of a watercourse (Type II)	\$736 plus (g)	\$752 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	\$736 plus (f)	\$752 plus (f)
Historic Review		
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	\$41-	\$42
New Construction; Substitute Materials (Type I & Type I-L)	\$41-	\$42
Demolition/Moving (Type III)	\$673-	\$687
Interpretation of the Code		
Quasi-Judicial (Type II)	\$673-	\$687
Legislative (Type IV)	\$1,345-	\$1,374
Land Divisions		
Partition (2 or 3 parcels)		
Tentative Plat – (Type I-L, Expedited)	\$2,155-	\$2,201
Tentative Plat – (Type III)	\$3,099-	\$3,165
Final Plat – (Type I-L) [not applicable to replats]	\$544-	\$556
Subdivision (4 or more lots)		
Tentative Plat – (Type I-L, Expedited)	\$2,426 + \$50 per lot	\$2,478 + \$50 per lot
Tentative Plat – (Type III)	\$3,367 + \$50 per lot	\$3,439 + \$50 per lot
Additional fee if Traffic Report required	\$673-	\$687
Final Plat (Type I-L) [not applicable to replats]	\$678-	\$693
Land Use Status Letter (Type I)	\$57-	\$58
Manufactured Home Park (Type I-L)	\$2,426 + \$20 per space	\$2,478 + \$20 per space
Additional fee if in Floodplain (Type III)	\$944-	\$964
Additional fee if Traffic Report required	\$673-	\$687
Natural Resource Impact Review		
Natural Resource Impact review (Concurrent with another development application)	\$147-	\$150
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	\$73-	\$75
Natural Resource Impact review for other development (Not concurrent with another development application)	\$147-	\$150
Natural Resource boundary corrections and refinements	\$73-	\$75

Nonconforming Situations (Type II)		
New Construction	\$808 plus (e)	\$825 plus (c)
No New Construction	\$404	\$413
Planned Development – 2-Step Process		
Preliminary (Type III)	\$3,771	\$3,852
Final (Type I)	\$673	\$687
Additional fee if Traffic Report required	\$673	\$687
Property Line Adjustment (Type I)	\$269	\$275
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)*	\$269	\$275
Request for Public Hearing of a Type II Application	\$250 (e)	\$255 (e)
Residential Accessory Buildings (Type I-L and Type CUll)	\$404	\$413
Revision to Application in Process	\$268	\$274
Additional fee if re-notification required	\$133	\$136
Revised Decision		
Staff Decision (Type I, II, or I-L)	\$404	\$413
PC or CC Decision (Type III or IV)	\$944	\$964
Site Plan Review (d)		
New construction (Type I-L)	\$2,561 plus (e)	\$2,616 plus (c)
Modify existing development or development with minimal impact (Type I-L)	\$1,750	\$1,787
Change of use and/or minor development (Type I)	\$133	\$136
New parking areas or existing parking areas expansion (Type I-L)	\$990	\$1,011
Special Requests –Temporary Uses (Type I)	\$133	\$136
Tree Felling – 5 or more		
Concurrent with a development proposal (Type I-L)	\$404	\$413
Not concurrent with a development proposal (Type I-L)	\$1,077	\$1,100
Urban Growth Boundary Amendment	\$6,329	\$6,464
Vacation (Type IV)		
Public Street or Alley	\$2,155	\$2,201
Public Easements	\$1,886	\$1,926
Variance (Type II)		
First, or individual variance to a code section (Type II)	\$808	\$825
Each additional concurrent variance to a code section	\$539	\$551
Willamette Greenway (Type II)	\$1,212	\$1,238
Zoning Map Amendment (Type IV)	\$3,367	\$3,439
Additional Fees		
Additional fee if Traffic Report required	\$673	\$687
Additional fee if Design Standards apply	\$295	\$301
Additional fee if Mitigation is required	\$147	\$150
Additional fee if Hillside Development (Type III)	\$942	\$962

REFUND POLICY: In cases of withdrawal of an application, refund of fees may be applicable, less costs incurred, as determined by the Director. Generally, refunds of 80% will be made for a withdrawn application if made in writing prior to the City sending out the Notice of Filing or Notice of Public Hearing and preparation of the staff report has not begun. If the notice has been sent but the staff report is not being prepared, then 50% of the application fee will be refunded. Exception: Refund policy of an appeal of an expedited land division shall follow ORS 197.375 regulations.

Notes:

*No Final Plat review fee for "replats" to move or remove existing subdivision or partition property lines

(a) No fee for land use applications initiated by City of Albany General Fund departments.

(b) Per ORS 197.375(6)

(c) 0.15 percent of the development's construction value over \$150,000 (construction value excludes the cost of the land)

(d) Unless determined otherwise by the CD Director, the fee to modify or revise an approved project shall be the same as a new applic

(e) Fee to be paid by the project applicant, not the person requesting the hearing; initial hearing fee set by ORS 227.175(10)(b);

(f) Fee is in addition to the relevant land use application; plus pass-through cost for third-party review.

(g) Plus pass-through cost for third-party review.

(h) 5% of building permit fee is applied to building permit when the project is within a flood hazard zone.

July 1, 2017