



RESOLUTION NO. 6947

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NUMBERS 6850 AND 6813

WHEREAS, fees related to Albany Development Code (ADC) provisions were last revised on January 8, 2020, by Resolution No. 6850, and took effect January 9, 2020; and

WHEREAS, Resolution No. 6850 amended Resolution No. 6813; and

WHEREAS, on October 14, 2020, the City Council adopted ADC Amendments that created new review procedures and modified terminology for some existing procedures, to be effective January 1, 2021; and

WHEREAS, it is important to maintain consistency in terminology and identify appropriate fees and charges to support all review procedures; and

WHEREAS, it is appropriate that the City recover 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, in 2019, in lieu of a 1.93 percent CPI-W increase (April CPI-W national index in 2019 was 249.332), fees and charges were raised by 7.58 percent to reflect actual cost increases in processing applications (Resolution No. 6813); and

WHEREAS, Council chose to not make inflationary adjustments to fees and charges for development code provisions in 2020; and

WHEREAS, the Albany Planning Division is a general-fund supported program and all related permit/application fee revenue goes to the general fund; and

WHEREAS, Exhibit A provides the proposed schedule of fees and charges for Development Code provisions and highlights modifications from those adopted in Resolution Numbers 6813 and 6850; and

WHEREAS, for the purpose of future inflationary adjustments based on changes in the April CPI-W national index, the fees and charges in Exhibit A should be considered indexed to the April 2019 CPI-W national index of 249.332; and

WHEREAS, the city council held a public hearing and deliberated on the proposed fees on December 2, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the fees and charges shown in Exhibit A are hereby adopted and effective January 1, 2021; and

BE IT FURTHER RESOLVED by the Albany City Council that Resolution Numbers 6813 and 6850 are hereby repealed upon the effective date of the fees and charges shown in Exhibit A.

DATED AND EFFECTIVE THIS 2ND DAY OF DECEMBER 2020.

Mayor

ATTEST:

Deputy City Clerk



**EXHIBIT A**  
**PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE**  
*Effective January 1, 2021*

TYPE OF APPLICATION	FEES
<b>Adjustment (Type III)</b>	
<b>First, or individual adjustment to a code section (Type III)</b>	<b>\$910</b>
<b>Each additional concurrent adjustment to a code section</b>	<b>\$608</b>
<b>Annexations – (set by separate resolution)</b>	Varies
<b>Appeals</b>	
Appeal to City Council (Type III)	\$910
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$303
Appeal to Hearings Officer or Referee – Expedited Land Division	\$300 dep./max \$500 (b)
<b>Building Permit Planning Review Fee</b>	(i)
<b>Comprehensive Plan Amendment (Type IV)</b>	
Map Amendment – Without Concurrent Zoning Map Amendment	\$3,796
Map Amendment – Concurrent with Zoning Map Amendment	\$5,316
Text Amendment	\$4,252
<b>Conditional Uses</b>	
New Construction (Type III)	\$3,039 plus (c)
New Construction (Type II)	\$1,972 plus (c)
Existing Building – Expand or Modify (Type III)	\$1,972
Existing Building – Expand or Modify (Type II)	\$1,116
Existing Parking Lot – Expand or Modify (Type II & III)	\$1,116
Home Businesses requiring Conditional Use Approval	\$564
Additional fee if Design Standards apply (Type II & III)	\$332
Additional fee if Traffic Report required (Type II & III)	\$758
<b>Development Code Amendment (Type IV)</b>	
Text Amendment	\$4,227
<b>Floodplain Development Permit</b>	
New Construction (Type I)	(h)
Placing an RV over 180 days (Type I)	\$83
Fencing and freestanding walls (Type I)	\$83
Site Plan Improvement in the Floodplain (Type I)	\$83
Development in the Floodway (Type I-L)	\$166 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	\$250 plus (g)
Continuous Storage Operation (Type I-L)	\$166 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)	\$250 plus (g)
Alteration of a watercourse (Type II)	\$829 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	\$829 plus (f)
<b>Historic Review</b>	
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	\$46
New Construction; Substitute Materials (Type I & Type I-L)	\$46
Demolition/Moving (Type III)	\$758
<b>Interpretation of the Code</b>	
Quasi-Judicial (Type II)	\$758
Legislative (Type IV)	\$1,517
<b>Land Divisions</b>	
Partition (2 or 3 parcels)	
Tentative Plat – (Type I-L, Expedited)	\$2,439
Tentative Plat – (Type III)	\$3,493
Final Plat – (Type I-L) [not applicable to replats]	\$613
Subdivision (4 or more lots)	
Tentative Plat – (Type I-L, Expedited)	\$2,735 + \$50 per lot
Tentative Plat – (Type III)	\$3,795 + \$50 per lot
Additional fee if Traffic Report required	\$758
Final Plat (Type I-L) [not applicable to replats]	\$765
<b>Land Use Status Letter (Type I)</b>	\$65
<b>Manufactured Home Park (Type I-L)</b>	\$2,735 + \$20 per space
Additional fee if in Floodplain (Type III)	\$1,064
Additional fee if Traffic Report required	\$758

<b>Natural Resource Impact Review</b>	
Natural Resource Impact review (Concurrent with another development application)	\$166
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	\$83
Natural Resource Impact review for other development (Not concurrent with another development application)	\$166
Natural Resource boundary corrections and refinements	\$83
<b>Nonconforming Situations (Type II)</b>	
New Construction	\$910 plus (c)
No New Construction	\$456
<b>Planned Development – 2-Step Process</b>	
Preliminary (Type III)	\$4,252
Final (Type I)	\$758
Additional fee if Traffic Report required	\$758
<b>Property Line Adjustment (Type I)</b>	
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)***	\$303
<b>Request for Public Hearing of a Type II Application</b>	
	\$282 (e)
<b>Residential Accessory Buildings (Type I-L and Type CUII)</b>	
	\$456
<b>Revision to Application in Process</b>	
Additional fee if re-notification required	\$302
	\$151
<b>Revised Decision</b>	
Staff Decision (Type I, II, or I-L)	\$456
PC or CC Decision (Type III or IV)	\$1,064
<b>Site Plan Review (d)</b>	
New construction (Type I-L)	\$2,887 plus (c)
Modify existing development or development with minimal impact (Type I-L)	\$1,972
Change of use and/or minor development (Type I)	\$151
New parking areas or existing parking areas expansion (Type I-L)	\$1,116
<b>Special Requests – Temporary Uses (Type I)</b>	
	\$151
<b>Tree Felling – 5 or more</b>	
Concurrent with a development proposal (Type I-L)	\$456
Not concurrent with a development proposal (Type I-L)	\$1,214
<b>Urban Growth Boundary Amendment</b>	
	\$7,134
<b>Vacation (Type IV)</b>	
Public Street or Alley	\$2,429
Public Easements	\$2,126
<b>Variance, Major (Type II)</b>	
First, or individual variance to a code section (Type II)	\$910
Each additional concurrent variance to a code section	\$608
<b>Variance, Minor (Type I-L)</b>	
	<b>\$75</b>
<b>Willamette Greenway (Type II)</b>	
	\$1,366
<b>Zoning Map Amendment (Type IV)</b>	
	\$3,796
<b>Additional Fees</b>	
Additional fee if Traffic Report required	\$758
Additional fee if Design Standards apply	\$332
Additional fee if Mitigation is required	\$166
Additional fee if Hillside Development	\$1,062
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	
<b>Notes:</b>	
*** 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 application.	
(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.	
(i) 15% of building plan review fee.	