



RESOLUTION NO. 7338

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 7223 (A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NUMBER 7120)

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 Albany Development Code fees are to be adjusted on July 1 of each year based on the April CPI-W national index; and

WHEREAS, inflationary adjustments were last made in 2023; and

WHEREAS, the April CPI-W national index in 2023 was 297.730 and the April CPI-W national index in 2024 was 307.811, representing a 3.39 percent 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" shall become effective on July 1, 2024, and shall be applied to all applications received after June 30, 2024; 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BE IT FURTHER RESOLVED that Resolution No. 7223 is repealed as of the effective date of the revised fees.

DATED THIS 12th DAY OF JUNE 2024.

Mayor

ATTEST:

City Clerk

City Clerk



EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE
 Effective July 1, 2024

TYPE OF APPLICATION	ADJUSTMENT	CURRENT FEES	PROPOSED FEES
Adjustment (Type III)			
First, or individual adjustment to a code section (Type III)	1.0339	\$1,087	\$1,124
Each additional concurrent adjustment to a code section	1.0339	\$726	\$751
Annexations – (set by separate resolution)			
Appeals			
Appeal to City Council (Type III)	1.0339	\$1,087	\$1,124
Appeal to PC only (Type I-L that had a neighborhood meeting)	1.0339	\$362	\$374
Appeal to Hearings Officer or Referee – Expedited Land Division	1.0339	\$300 dep./max \$500 (b)	\$300 dep./max \$500 (b)
Building Permit Planning Review Fee			
		(h)	(i)
Comprehensive Plan Amendment (Type IV)			
Map Amendment – Without Concurrent Zoning Map Amendment	1.0339	\$4,532	\$4,686
Map Amendment – Concurrent with Zoning Map Amendment	1.0339	\$6,347	\$6,562
Text Amendment	1.0339	\$5,077	\$5,249
Conditional Uses			
New Construction (Type III)	1.0339	\$3,628 plus (c)	\$3,751 plus (c)
New Construction (Type II)	1.0339	\$2,355 plus (c)	\$2,435 plus (c)
Existing Building – Expand or Modify (Type III)	1.0339	\$2,355	\$2,435
Existing Building – Expand or Modify (Type II)	1.0339	\$1,333	\$1,378
Existing Parking Lot – Expand or Modify (Type II & III)	1.0339	\$1,333	\$1,378
Home Businesses requiring Conditional Use Approval	1.0339	\$674	\$697
Additional fee if Design Standards apply (Type II & III)	1.0339	\$397	\$410
Additional fee if Traffic Report required (Type II & III)	1.0339	\$905	\$936
Development Code Amendment (Type IV)			
Text Amendment	1.0339	\$5,047	\$5,218
Floodplain Development Permit			
New Construction, Additions, or Alterations (Type I)		(h)	(h)
Repairs or Equipment Replacement (Type I)			(j)
Placing an RV over 180 days (Type I)	1.0339	\$99	\$102
Fencing and freestanding walls (Type I)	1.0339	\$99	\$102
Site Plan Improvement in the Floodplain (Type I)	1.0339	\$99	\$102
Development in the Floodway (Type I-L)	1.0339	\$197 plus (f)	\$204 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	1.0339	\$299 plus (g)	\$309 plus (g)
Continuous Storage Operation (Type I-L)	1.0339	\$197 plus (f)	\$204 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)	1.0339	\$299 plus (g)	\$309 plus (g)
Alteration of a watercourse (Type II)	1.0339	\$991 plus (g)	1,025 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	1.0339	\$991 plus (f)	\$1,025 plus (f)
Historic Review			
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	1.0339	\$54	\$56
New Construction; Substitute Materials (Type I & Type I-L)	1.0339	\$54	\$56
Demolition/Moving (Type III)	1.0339	\$905	\$936
Interpretation of the Code			
Quasi-Judicial (Type II)	1.0339	\$905	\$936
Legislative (Type IV)	1.0339	\$1,811	\$1,872
Land Divisions			
Partition (2 or 3 parcels)			
Tentative Plat – (Type I-L, Expedited)	1.0339	\$2,913	\$3,012
Tentative Plat – (Type III)	1.0339	\$4,170	\$4,311
Final Plat – (Type I-L) [not applicable to replats]	1.0339	\$732	\$757
Subdivision (4 or more lots)			
Tentative Plat – (Type I-L, Expedited)	1.0339	\$3,265 + \$50 per lot	\$3,376 + \$50 per lot
Tentative Plat – (Type III)	1.0339	\$4,531 + \$50 per lot	\$4,685 + \$50 per lot
Additional fee if Traffic Report required	1.0339	\$905	\$936
Final Plat (Type I-L) [not applicable to replats]	1.0339	\$913	\$944
Land Use Status Letter (Type I)			
	1.0339	\$77	\$80
Manufactured Home Park (Type I-L)			
Additional fee if in Floodplain (Type III)	1.0339	\$3,265 + \$20 per space	\$3,376 + \$20 per space
Additional fee if Traffic Report required	1.0339	\$1,270	\$1,313
	1.0339	\$905	\$936

Natural Resource Impact Review			
Natural Resource Impact review (Concurrent with another development application)	1.0339	\$198-	\$205
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	1.0339	\$99-	\$102
Natural Resource Impact review for other development (Not concurrent with another development application)	1.0339	\$198-	\$205
Natural Resource boundary corrections and refinements	1.0339	\$99-	\$102
Nonconforming Situations (Type II)			
New Construction	1.0339	\$1,087 plus (c)	\$1,124 plus (c)
No New Construction	1.0339	\$544-	\$562
Planned Development – 2-Step Process			
Preliminary (Type III)	1.0339	\$5,077-	\$5,249
Final (Type I)	1.0339	\$905-	\$936
Additional fee if Traffic Report required	1.0339	\$905-	\$936
Property Line Adjustment (Type I)			
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)***	1.0339	\$362-	\$374
Request for Public Hearing of a Type II Application			
Residential Accessory Buildings (Type I-L and Type CUII)	1.0339	\$336-(e)	\$347 (e)
Revision to Application in Process			
Additional fee if re-notification required	1.0339	\$544-	\$562
Revised Decision			
Staff Decision (Type I, II, or I-L)	1.0339	\$544-	\$562
PC or CC Decision (Type III or IV)	1.0339	\$1,270-	\$1,313
Site Plan Review (d)			
New construction (Type I-L)	1.0339	\$3,447 plus (e)	\$3,564 plus (c)
Modify existing development or development with minimal impact (Type I-L)	1.0339	\$2,355-	\$2,435
Change of use and/or minor development (Type I)	1.0339	\$180-	\$186
New parking areas or existing parking areas expansion (Type I-L)	1.0339	\$1,333-	\$1,378
Special Requests – Temporary Uses (Type I)			
Tree Felling – 5 or more			
Concurrent with a development proposal (Type I-L)	1.0339	\$544-	\$562
Not concurrent with a development proposal (Type I-L)	1.0339	\$1,449-	\$1,498
Urban Growth Boundary Amendment			
Vacation (Type IV)			
Public Street or Alley	1.0339	\$8,518-	\$8,807
Public Easements	1.0339	\$2,900-	\$2,998
Variance, Minor (Type I-L)			
Variance, Major (Type II)			
First, or individual variance to a code section (Type II)	1.0339	\$2,538-	\$2,624
Each additional concurrent variance to a code section	1.0339	\$90-	\$93
Willamette Greenway (Type II)			
Zoning Map Amendment (Type IV)			
Additional Fees			
Additional fee if Traffic Report required	1.0339	\$1,631-	\$1,686
Additional fee if Design Standards apply	1.0339	\$4,532-	\$4,686
Additional fee if Mitigation is required	1.0339	\$905-	\$936
Additional fee if Hillside Development	1.0339	\$397-	\$410
Building Permit Land Use Inspection			
Code Compliance Investigation Fee			
			\$198-
			\$205
			\$102
			\$102
			\$1,124 plus (c)
			\$562
			\$5,249
			\$936
			\$936
			\$374
			\$374
			\$347 (e)
			\$562
			\$373
			\$186
			\$562
			\$1,313
			\$3,564 plus (c)
			\$2,435
			\$186
			\$1,378
			\$186
			\$562
			\$1,498
			\$8,807
			\$2,998
			\$2,624
			\$93
			\$1,124
			\$751
			\$1,686
			\$4,686
			\$936
			\$410
			\$205
			\$1,311
			\$50 per inspection
			\$100/hr (\$225 minimum)

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. **Any refunds granted under this policy shall be subject to a \$50 refund administrative charge in addition to the percentages retained.**

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 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) 25% of building plan review fee is applied to building permit when the project is within a flood hazard zone (\$50 minimum).
- (i) 25% of building plan review fee (\$50 minimum)
- (j) 10% of building permit fee is applied to building permit when the project is within a flood hazard zone (\$50 minimum)