

RESOLUTION NO. 4982

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 4845.

WHEREAS, fees related to Development Code provisions were last effective July 2003 by Resolution No. 4845; and

WHEREAS, the City Council established by Resolution 4367 that in order to continue to recover costs related to wages, the Planning Division fees are to be adjusted on July 1 of each year based on the April CPI-W national index; and

WHEREAS, the US Department of Labor, Bureau of Labor Statistics has established the rate of change of the CPI-W national index from April 2003 to April 2004 to be +2.1 percent; and

WHEREAS, a fee to recover costs to hold public hearings for Cluster Developments and subdivisions with 20 or more lots is needed; and

WHEREAS, it is appropriate to establish a separate, lower fee for projects that only involve parking lot modifications.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the Development Code Fees be increased on July 1, 2004 based on the 2.1 percent April CPI-W national index as reflected in Exhibit A (attached); and

BE IT FURTHER RESOLVED that an amount of \$763.00 be added to the application fee for Cluster Developments and subdivisions with 20 or more lots to recover the additional costs associated with public hearings; and

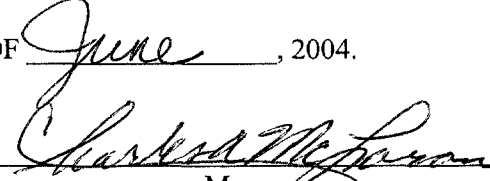
BE IT FURTHER RESOLVED that a separate, lower fee be established for projects that only involve parking lot modifications; and

BE IT FURTHER RESOLVED that these fees will become effective for applications received after June 30, 2004; and

BE IT FURTHER RESOLVED that the fees and charges shown on 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BE IT FURTHER RESOLVED that Resolution No. 4845 is hereby repealed.

DATED AND EFFECTIVE THIS 11 DAY OF June, 2004.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

**EXHIBIT A  
ALBANY DEVELOPMENT CODE - PLANNING FEES (a)**

Type of Application	Current Fees (7/1/2003 to 6/30/2004)	Proposed Fees* (7/1/2004 to 6/30/2005)
<b>Adjustment (Type I)</b>	\$54	\$55
<b>Appeal</b>		
Appeal to City Council (Type III)	\$640	\$653
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$214	\$218
Appeal to Hearings Officer -Expedited Land Div.	\$300 dep /max \$500 (b)	\$300 dep./max \$500 (b)
<b>Comprehensive Plan Amendment (Type IV)</b>		
Map Amendment - Without Concurrent Zoning Map Amend	\$2,668	\$2,724
Map Amendment - Concurrent with Zoning Map Amend	\$3,736	\$3,814
Text Amendment	\$2,988	\$3,051
<b>Conditional Use (Type III)</b>		
New Construction	\$2,135 plus (c)	\$2,180 plus (c)
Existing Building	\$1,387 plus (c)	\$1,416 plus (c)
Parking Lot Modification	N/A	\$800
Additional fee if traffic report required	\$534	\$545
<b>Development Code Text Amendment (Type IV)</b>	\$2,988	\$3,051
<b>Historic Review</b>		
Exterior Alteration (Type I and Type I-L)	\$32	\$33
New Construction (Type I and Type I-L)	\$32	\$33
Demolition / Moving (Type III)	\$534	\$545
<b>Interpretation of the Code</b>		
Quasi-Judicial (Type II)	\$534	\$545
Legislative (Type IV)	\$1,067	\$1,089
<b>Land Division</b>		
<i>Partition (up to 3 parcels)</i>		
Tentative Plat - (Type I-L)	\$1,707	\$1,743
Tentative Plat - Expedited Process	\$1,707	\$1,743
Tentative Plat - (Type III)	\$2,455	\$2,507
Tentative Replat (Type I-L)	\$214	\$218
Final Plat (Type I)	\$427	\$436
<i>Subdivision (4 or more lots)</i>		
Tentative Plat - (Type I-L)	\$1,921 + \$20 per lot	\$1,961 + \$20 per lot
Tentative Plat - Expedited Process	\$1,921 + \$20 per lot	\$1,961 + \$20 per lot
Tentative Plat - (Type III)	\$2,668 + \$20 per lot	\$2,724 + \$20 per lot
Additional fee if traffic report required	\$534	\$545
Tentative Replat (Type I-L)	\$214	\$218
Final Plat (Type I)	\$534	\$545
<b>Manufactured Home Park (Type I-L)</b>	\$1,921 + \$20 per space	\$1,961 + \$20 per space
Additional fee if in floodplain (Type III)	\$747	\$763
Additional fee if traffic report required	\$534	\$545
<b>Nonconforming Situations (Type II)</b>		
New Construction	\$640 plus (c)	\$653 plus (c)
No new construction	\$320	\$327
<b>Planned Development-3 Step Process</b>		
Preliminary (Type I)	\$1,174	\$1,199
Interim (Type III)	\$2,988	\$3,051
Final (Type I)	\$534	\$545
Additional fee if traffic report required	\$534	\$545
<b>Property Line Adjustment (Type I)</b>	\$214	\$218
<b>Revised application in process - Renotification</b>	\$106	\$108
<b>Revised Decision</b>		
Staff Decision (Type I or I-L)	\$320	\$327
PC or CC Decision (Type III or IV)	\$747	\$763
<b>Site Plan Review (d)</b>		
Option A (new construction) (Type I-L)	\$2,028 plus (c)	\$2,071 plus (c)
Option B (modify existing development) (Type I-L)	\$1,387 plus (c)	\$1,416 plus (c)
Option C (change of use-existing development) (Type I)	\$0	\$0
Parking Lot Modification (Type I-L, Option B)	N/A	\$800
Accessory Buildings requiring site plan review (Type I-L)	\$320	\$327
Additional fee if traffic report required	\$534	\$545
<b>Special Requests-Temporary Uses (Type I)</b>		
Medical Hardship (housing)	\$106	\$108
Temp. On-site Residence	\$106	\$108
Temporary Uses (30 days)	\$106	\$108
<b>Tree Felling - 5 or more</b>		
Diseased or Dangerous (Type I)	\$32	\$33
Concurrent with a development proposal (Type I-L)	\$320	\$327
Not concurrent with a development proposal (Type I-L)	\$854	\$872
<b>Vacation (Type IV)</b>		
Public Street or Alley	\$1,707	\$1,743
Public Easements	\$1,495	\$1,526
<b>Variance (Type II)</b>	\$640	\$653
<b>Willamette Greenway (Type II)</b>	\$961	\$981
<b>Zoning Map Amendment (Type IV)</b>	\$2,668	\$2,724

**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 it is 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. No refund will be provided for applications on which work on a staff report has begun. *Exception:* Refund policy of an appeal of an expedited land division shall follow ORS 197 375 regulations.

**Notes:**

- \* Increase of 2.1% based on CPI-W National Index for the period of April 2003 - April 2004
- (a) No fee for land use applications initiated by City of Albany General Fund departments
- (b) Per ORS 197 375
- (c) Plus 0.1% of construction value over \$150,000, with a maximum fee of \$5,000
- (d) Same fees apply to Modification of an Approved Site Plan