

RESOLUTION NO. 5278

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 5162.

WHEREAS, fees related to Development Code provisions were last revised in June, 2005 by Resolution No. 5162; and

WHEREAS, the City Council established by Resolution 4367 that in order to continue to address costs related to wages, 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 2005 to April 2006 to be 3.7 percent; and

WHEREAS, a fee needs to be established to cover the costs associated with an application to amend the Urban Growth Boundary; and

WHEREAS, a fee needs to be established to recover staff time preparing a land use status letter on property in the City; and

WHEREAS, the final plat fee for partitions and subdivisions needs to be reduced by \$120 to reflect a clarification in State law related to notice requirements on final plats; and

WHEREAS, the amount of staff time devoted to reviewing subdivision applications necessitates an increase in the per-lot fee.

NOW, THEREFORE, BE IT RESOLVED that the Development Code Fees be increased on July 1, 2006, by 3.7 percent based on the April CPI-W national index as reflected in attached Exhibit A; and

BE IT FURTHER RESOLVED that a fee of \$5,505 is established for an application to amend the Urban Growth Boundary; and

BE IT FURTHER RESOLVED that a fee of \$50 is established for preparing land use status letters; and

BE IT FURTHER RESOLVED that the final plat application fee for partitions and subdivisions is reduced by \$120; and


BE IT FURTHER RESOLVED that the per-lot fee for tentative subdivision plat applications be increased from \$40 to \$50 per lot; and

BE IT FURTHER RESOLVED that the fees will become effective for applications received beginning July 1, 2006; 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BE IT FURTHER RESOLVED that Resolution No. 5162 is hereby repealed.

DATED THIS 14 DAY OF JUNE, 2006.



Mayor

ATTEST:



City Clerk

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EXHIBIT A
ALBANY DEVELOPMENT CODE - PLANNING FEES (a)

Type of Application	Current Fees (7/1/2005 to 6/30/2006)	Proposed Fees* (7/1/2006 to 6/30/2007)
Adjustment (Type I)	\$57	\$59
Annexations	Varies	Varies
Appeal		
Appeal to City Council (Type III)	\$677	\$702
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$226	\$234
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 Amend.	\$2,825	\$2,930
Map Amendment - Concurrent with Zoning Map Amend.	\$3,955	\$4,101
Text Amendment	\$3,164	\$3,281
Conditional Use (Type III)		
New Construction	\$2,261 plus (c)	\$2,345 plus (c)
Existing Building	\$1,468 plus (c)	\$1,522 plus (c)
Parking Lot Modification	\$830	\$861
Additional fee if traffic report required	\$565	\$586
Additional fee if Design Standards apply	\$248	\$257
Development Code Text Amendment (Type IV)	\$3,064	\$3,177
Historic Review		
Exterior Alteration; Designation of Landmark (Types I, I-L)	\$34	\$35
New Construction; Substitute Materials (Types I, I-L)	\$34	\$35
Demolition / Moving (Type III)	\$565	\$586
Interpretation of the Code		
Quasi-Judicial (Type II)	\$565	\$586
Legislative (Type IV)	\$1,129	\$1,171
Land Divisions		
Partition (2 or 3 parcels)		
Tentative Plat - (Type I-L; Expedited)	\$1,807	\$1,874
Tentative Plat - (Type III)	\$2,600	\$2,696
Replat (Type I-L)	\$226	\$234
Final Plat (Type I-L)	\$572	\$473
Subdivision (4 or more lots)		
Tentative Plat - (Type I-L; Expedited)	\$2,034 + \$40 per lot	\$2,109 + \$50 per lot
Tentative Plat - (Type III)	\$2,825 + \$40 per lot	\$2,930 + \$50 per lot
Additional fee if traffic report required	\$565	\$586
Replat (Type I-L)	\$226	\$234
Final Plat (Type I-L)	\$685	\$590
Land Use Status Letter	\$0	\$50
Manufactured Home Park (Type I-L)	\$2,034 + \$20 per space	\$2,109 + \$20 per space
Additional fee if in floodplain (Type III)	\$791	\$820
Additional fee if traffic report required	\$565	\$586
Nonconforming Situations (Type II)		
New Construction	\$677 plus (c)	\$702 plus (c)
No new construction	\$339	\$352
Planned Development-3 Step Process		
Preliminary (Type I)	\$1,243	\$1,289
Interim (Type III)	\$3,164	\$3,281
Final (Type I)	\$565	\$586
Additional fee if traffic study required	\$565	\$586
Property Line Adjustment (Type I)	\$226	\$234
Revision to Application In Progress	\$225	\$233
Additional fee if renotification required	\$112	\$116
Revised Decision		
Staff Decision (Type I or I-L)	\$339	\$352
PC or CC Decision (Type III or IV)	\$791	\$820
Site Plan Review (d)		
Option A (new construction) (Type I-L)	\$2,148 plus (c)	\$2,227 plus (c)
Option B (modify existing development) (Type I-L)	\$1,468 plus (c)	\$1,522 plus (c)
Option C (change of use-existing development) (Type I)	\$0	\$0
Parking Lot Modification (Type I-L, Option B)	\$630	\$661
Accessory Buildings requiring site plan review (Type I-L)	\$339	\$352
Additional fee if traffic report required	\$565	\$586
Additional fee if Design Standards apply	\$248	\$257
Special Requests-Temporary Uses (Type I)		
Medical Hardship, Temporary Uses; Temporary Residence	\$112	\$116
Tree Felling - 5 or more		
Diseased or Dangerous (Type I)	\$34	\$35
Concurrent with a development proposal (Type I-L)	\$339	\$352
Not concurrent with a development proposal (Type I-L)	\$904	\$937
Vacation (Type IV)		
Public Street or Alley	\$1,807	\$1,874
Public Easements	\$1,582	\$1,641
Urban Growth Boundary Amendment		
Varilance (Type II)	\$677	\$702
Willamette Greenway (Type II)	\$1,017	\$1,055
Zoning Map Amendment (Type IV)	\$2,825	\$2,930

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 3.7 percent based on CPI-W National Index for the period of April 2005 - April 2006.
- (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.