

RESOLUTION NO. 5450

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 5278.

WHEREAS, fees related to Development Code provisions were last revised in June 2006, by Resolution No. 5278; 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 2006 to April 2007 to be 2.5 percent; and

WHEREAS, the City needs to recover the costs associated with processing land use applications; and

WHEREAS, in order to more closely recover costs associated with new projects, the existing \$5,000 cap on the supplemental fee based on a percentage of a development's construction value needs to be repealed, the percentage applied to the construction value needs to be increased from 0.1 percent to 0.15 percent, and apply this supplemental fee only to certain land use applications.

NOW, THEREFORE, BE IT RESOLVED that the Development Code Fees shall be increased on July 1, 2007, by 2.5 percent based on the April CPI-W national index as reflected in attached Exhibit A; and

BE IT FURTHER RESOLVED that the existing \$5,000 cap on the supplemental fee that is based on a percentage of a development's construction value shall be repealed; and

BE IT FURTHER RESOLVED that the percentage applied to the supplemental fee that is based on a development's construction value is increased to 0.15 percent, and this fee is applicable only to Site Plan Review-Option A and Conditional Use-Type III land use applications; and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges will become effective for applications received after June 30, 2007; and

BE IT FURTHER RESOLVED that the fees and charges shown on attached 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BE IT FURTHER RESOLVED that Resolution No. 5278 is hereby repealed.

DATED THIS 27 DAY OF JUNE, 2007.


Council President

ATTEST:


City Clerk

**EXHIBIT A
ALBANY DEVELOPMENT CODE - PLANNING DIVISION FEES**

Type of Application	Planning Fees (a), (d) (Effective 7/1/2007 to 6/30/2008)
Adjustment (Type I)	\$60
Annexations - (set by separate resolution)	Varies
Appeals	
Appeal to City Council (Type III)	\$720
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$240
Appeal to Hearings Officer -Expedited Land Div.	\$300 deposit/max \$500 (b)
Comprehensive Plan Amendment (Type IV)	
Map Amendment - Without Concurrent Zoning Map Amend.	\$3,003
Map Amendment - Concurrent with Zoning Map Amend.	\$4,204
Text Amendment	\$3,363
Conditional Use (Type III)	
New Construction	\$2,404 plus (c)
Existing Building	\$1,560
Parking Lot Modification	\$883
Additional fee if traffic report required	\$601
Additional fee if Design Standards apply	\$263
Development Code Text Amendment (Type IV)	\$3,256
Historic Review	
Exterior Alteration; Designation of Landmark (Types I, I-L)	\$36
New Construction; Substitute Materials (Types I, I-L)	\$36
Demolition / Moving (Type III)	\$601
Interpretation of the Code	
Quasi-Judicial (Type II)	\$601
Legislative (Type IV)	\$1,200
Land Divisions	
<u>Partition (2 or 3 parcels)</u>	
Tentative Plat - (Type I-L, Expedited)	\$1,921
Tentative Plat - (Type III)	\$2,763
Replat (Type I-L)	\$240
Final Plat (Type I-L)	\$485
<u>Subdivision (4 or more lots)</u>	
Tentative Plat - (Type I-L, Expedited)	\$2,162 + \$50 per lot
Tentative Plat - (Type III)	\$3,003 + \$50 per lot
Additional fee if traffic report required	\$601
Replat (Type I-L)	\$240
Final Plat (Type I-L)	\$605
Land Use Status Letter (Type I)	\$51
Manufactured Home Park (Type I-L)	\$2,162 + \$20 per space
Additional fee if in floodplain (Type III)	\$841
Additional fee if traffic report required	\$601
Nonconforming Situations (Type II)	
New Construction	\$720
No new construction	\$361
Planned Development-3 Step Process	
Preliminary (Type I)	\$1,321
Interim (Type III)	\$3,363
Final (Type I)	\$601
Additional fee if traffic study required	\$601
Additional fee if traffic report required	\$240
Property Line Adjustment (Type I)	\$239
Revision to Application in Process	\$119
Additional fee if renotification required	
Revised Decision	
Staff Decision (Type I, II or I-L)	\$361
PC or CC Decision (Type III or IV)	\$841
Site Plan Review	
Option A (new construction) (Type I-L)	\$2,283 plus (c)
Option B (modify existing development) (Type I-L)	\$1,560
Option C (change of use-existing development) (Type I)	\$0
Parking Lot Modification (Type I-L)	\$883
Residential Accessory Buildings (Type I-L)	\$361
Additional fee if traffic report required	\$601
Additional fee if Design Standards apply	\$263
Special Requests-Temporary Uses (Type I)	
Medical Hardship; Temporary Uses; Temporary Residence	\$119
Tree Felling - 5 or more	
Diseased or Dangerous (Type I)	\$36
Concurrent with a development proposal (Type I-L)	\$361
Not concurrent with a development proposal (Type I-L)	\$960
Vacation (Type IV)	
Public Street or Alley	\$1,921
Public Easements	\$1,682
Urban Growth Boundary Amendment	\$5,643
Variance (Type II)	\$720
Willamette Greenway (Type II)	\$1,081
Zoning Map Amendment (Type IV)	\$3,003

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. *Excepted* Refund policy of an appeal of an expedited land division shall follow ORS 197.375 regulations.

Notes:

- (a) No fee for land use applications initiated by City of Albany General Fund departments.
- (b) Per ORS 197.375(6)
- (c) 0.15% of a development's construction value over \$150,000. Construction value excludes cost of the land.
- (d) The same fees apply to a modification of an approved project.