

RESOLUTION NO. 6232

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTIONS NO. 6001, 6062 and 6063.

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

WHEREAS, to continue to address wage inflation, in December 2000, the City Council passed Resolution 4367 establishing that the Planning Division fees are to be adjusted on July 1 each year based on the April CPI-W national index; and

WHEREAS, fees related to Development Code provisions were last revised on July 1, 2011, by Resolution No. 6001; and December 7, 2011, by Resolutions No. 6062 and 6063.

WHEREAS, the U.S. Bureau of Labor Statistics has established the rate of change in the CPI-W national index from April 2011 to April 2013 as a 3.2 percent increase; and

WHEREAS, the Planning Division fees are to reflect this annual change in the CPI-W.

NOW, THEREFORE, BE IT RESOLVED that fees established for the Planning Division to administer the Development Code shall be increased by 3.2 percent for Fiscal Year 2013-2014 as is reflected on the attached Exhibit A; and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges will become effective for all applications received after June 30, 2013; 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

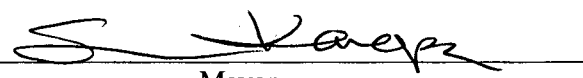
BE IT FURTHER RESOLVED that Resolutions No. 6001, 6062 and 6063 are hereby repealed.

DATED AND EFFECTIVE THIS 12th DAY OF JUNE, 2013.

ATTEST:



City Clerk



Mayor

EXHIBIT "A" - Option 2
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE (a)
Effective July 1, 2013 to June 30, 2014

| TYPE OF APPLICATION | CURRENT FEES ** | PROPOSED FEES (+3.2%) |
|--|--------------------------|--------------------------|
| Adjustment (Type I) | \$64 | \$66 |
| Annexations – (set by separate resolution) | Varies | Varies |
| Appeals | | |
| Appeal to City Council (Type III) | \$767 | \$792 |
| Appeal to PC only (Type I-L that had a neighborhood meeting) | \$256 | \$264 |
| 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 Amendment | \$3,199 | \$3,301 |
| Map Amendment – Concurrent with Zoning Map Amendment | \$4,480 | \$4,623 |
| Text Amendment | \$3,582 | \$3,697 |
| Conditional Uses | | |
| New construction (Type III) | \$2,561 plus (c) | \$2,643 plus (c) |
| New construction (Type II) | \$1,663 plus (c) | \$1,716 plus (c) |
| Existing building – Expand or modify (Type III) | \$1,663 | \$1,716 |
| Existing building – Expand or modify (Type II) | \$941 | \$971 |
| Existing parking lot – Expand or modify (Type II and III) | \$941 | \$971 |
| Additional fee if Design Standards apply (Type II and III) | \$280 | \$289 |
| Additional fee if traffic report required (Type II and III) | \$640 | \$660 |
| Floodplain Development Permit | | |
| New construction (Type I) | - | - |
| Placing an RV over 180 days (Type I) | \$70 | \$72 |
| Fencing and freestanding walls (Type I) | \$70 | \$72 |
| Site plan review in floodplain (Type I) | \$70 | \$72 |
| Development in the floodway (Type I-L) | \$140 plus (f) | \$144 plus (f) |
| Grading, excavation, fill, paving, mining, and drilling (Type I-L) | \$210 plus (g) | \$217 plus (g) |
| Continuous storage operation (Type I-L) | \$140 plus (f) | \$144 plus (f) |
| Alteration of a watercourse (Type II) | \$700 plus (g) | \$722 plus (g) |
| Land Divisions and Manufactured Home Parks (Type III) | \$700 plus (f) | \$722 plus (f) |
| Historic Review | | |
| Exterior Alteration; Designation of Landmark (Type I and Type I-L) | \$39 | \$40 |
| New Construction; Substitute Materials (Type I and Type I-L) | \$39 | \$40 |
| Demolition/Moving (Type III) | \$640 | \$660 |
| Interpretation of the Code | | |
| Quasi-Judicial (Type II) | \$640 | \$660 |
| Legislative (Type IV) | \$1,278 | \$1,319 |
| Land Divisions | | |
| Partition (2 or 3 parcels) | | |
| Tentative Plat – (Type I-L, Expedited) | \$2,047 | \$2,113 |
| Tentative Plat – (Type III) | \$2,944 | \$3,038 |
| Final Plat – (Type I-L) [not applicable to replats] | \$516 | \$533 |
| Subdivision (4 or more lots) | | |
| Tentative Plat – (Type I-L, Expedited) | \$2,304 + \$50 per lot | \$2,378 + \$50 per lot |
| Tentative Plat – (Type III) | \$3,199 + \$50 per lot | \$3,301 + \$50 per lot |
| Additional fee if traffic report required | \$640 | \$660 |
| Final Plat (Type I-L) [not applicable to replats] | \$644 | \$665 |
| Land Use Status Letter (Type I) | \$54 | \$56 |
| Manufactured Home Park (Type I-L) | \$2,304 + \$20 per space | \$2,378 + \$20 per space |
| Additional fee if in floodplain (Type III) | \$896 | \$925 |
| Additional fee if traffic report required | \$640 | \$660 |
| Nonconforming Situations (Type II) | | |
| New Construction | \$767 plus (c) | \$792 plus (c) |
| No New Construction | \$384 | \$396 |
| Planned Development – 3-Step Process | | |
| Preliminary (Type I) | \$1,407 | \$1,452 |
| Interim (Type III) | \$3,582 | \$3,697 |
| Final (Type I) | \$640 | \$660 |
| Additional fee if traffic report required | \$640 | \$660 |
| Property Line Adjustment (Type I) | \$256 | \$264 |
| Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)*** | \$256 | \$264 |
| Request for Public Hearing of a Type II application | \$250 (e) | \$250 (e) |
| Residential Accessory Buildings (Type I-L and Type CUII) | \$384 | \$396 |

| | | |
|---|------------------|------------------|
| Revision to Application in Process | \$255 | \$263 |
| Additional fee if re-notification required | \$126 | \$130 |
| Revised Decision | | |
| Staff Decision (Type I, II or I-L) | \$384 | \$396 |
| PC or CC Decision (Type III or IV) | \$896 | \$925 |
| Site Plan Review (d) | | |
| New construction (Type I-L) | \$2,433 plus (c) | \$2,511 plus (c) |
| Modify existing development or development with minimal impact (Type I-L) | \$1,663 | \$1,716 |
| Change of use and/or minor development (Type I) | \$126 | \$130 |
| New parking areas or existing parking areas expansion (Type I-L) | \$941 | \$971 |
| Natural Resource Impact Review | | |
| Natural Resource Impact review (Concurrent with another development application) | \$140 | \$144 |
| Natural Resource Impact review for Residential Development (Not concurrent with another) | \$70 | \$72 |
| Natural Resource Impact review for other development (Not concurrent with another development application) | \$140 | \$144 |
| Natural Resource boundary corrections and refinements | \$70 | \$72 |
| Special Requests-Temporary Uses (Type I) | \$126 | \$130 |
| Tree Felling – 5 or more | | |
| Concurrent with a development proposal (Type I-L) | \$384 | \$396 |
| Not concurrent with a development proposal (Type I-L) | \$1,023 | \$1,056 |
| Urban Growth Boundary Amendment | \$6,013 | \$6,205 |
| Vacation (Type IV) | | |
| Public Street or Alley | \$2,047 | \$2,113 |
| Public Easements | \$1,792 | \$1,849 |
| Variance (Type II) | | |
| First, or individual variance to a code section (Type II) | \$767 | \$792 |
| Each additional concurrent variance to a code section | \$512 | \$528 |
| Willamette Greenway (Type II) | \$1,151 | \$1,188 |
| Zoning Map Amendment (Type IV) | \$3,199 | \$3,301 |
| Additional Fees | | |
| Additional fee if traffic report required | \$640 | \$660 |
| Additional fee if Design Standards apply | \$280 | \$289 |
| Additional fee if Mitigation is required | \$140 | \$144 |
| Additional fee if Hillside development (Type III) | \$895 | \$924 |
| 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. Refund of an appeal of an expedited land division shall follow ORS 197.375 regulations. | | |
| Notes: | | |
| ** Increase from 2011-2012 fees by 2.3%, plus increase from 2012-2013 fees by 0.9% (based on change in CPI-W from April 2011 - April 2013). | | |
| *** 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) 0.0015 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); Any subsequent hearings are "appeals." | | |