



RESOLUTION NO. 7120

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 6996 (A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NUMBER 6947)

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 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 2021; and

WHEREAS, the April CPI-W national index in 2021 was 261.237 and the April CPI-W national index in 2022 was 284.575, representing an 8.93 percent increase.

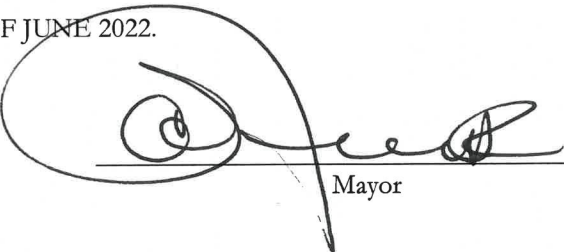
NOW, THEREFORE, BE IT RESOLVED that fees established for the Planning Division to administer the development code shall be as shown in the attached "Exhibit A," and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges shown in "Exhibit A" shall become effective on July 1, 2022, and shall be applied to all applications received after June 30, 2022; 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BE IT FURTHER RESOLVED that Resolution No. 6996 is repealed as of the effective date of the revised fees.

DATED AND EFFECTIVE THIS 22nd DAY OF JUNE 2022.



Mayor

ATTEST:





City Clerk

EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE
Effective July 1, 2022

TYPE OF APPLICATION	CURRENT FEES	PROPOSED FEES
Adjustment (Type III)		
First, or individual adjustment to a code section (Type III)	\$953	\$1,039
Each additional concurrent adjustment to a code section	\$637	\$694
Annexations – (set by separate resolution)	Varies	Varies
Appeals		
Appeal to City Council (Type III)	\$953	\$1,039
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$347	\$346
Appeal to Hearings Officer or Referee – Expedited Land Division	\$300 dep./max \$600 (b)	\$300 dep./max \$500 (b)
Building Permit Planning Review Fee	(f)	(i)
Comprehensive Plan Amendment (Type IV)		
Map Amendment – Without Concurrent Zoning Map Amendment	\$3,977	\$4,332
Map Amendment – Concurrent with Zoning Map Amendment	\$5,670	\$6,067
Text Amendment	\$4,455	\$4,853
Conditional Uses		
New Construction (Type III)	\$3,184 plus (e)	\$3,468 plus (c)
New Construction (Type II)	\$2,066 plus (e)	\$2,251 plus (c)
Existing Building – Expand or Modify (Type III)	\$2,066	\$2,251
Existing Building – Expand or Modify (Type II)	\$1,169	\$1,274
Existing Parking Lot – Expand or Modify (Type II & III)	\$1,169	\$1,274
Home Businesses requiring Conditional Use Approval	\$694	\$644
Additional fee if Design Standards apply (Type II & III)	\$348	\$379
Additional fee if Traffic Report required (Type II & III)	\$794	\$865
Development Code Amendment (Type IV)		
Text Amendment	\$4,429	\$4,824
Floodplain Development Permit		
New Construction (Type I)	(h)	(h)
Placing an RV over 180 days (Type I)	\$87	\$95
Fencing and freestanding walls (Type I)	\$87	\$95
Site Plan Improvement in the Floodplain (Type I)	\$87	\$95
Development in the Floodway (Type I-L)	\$174 plus (f)	\$189 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	\$262 plus (g)	\$286 plus (g)
Continuous Storage Operation (Type I-L)	\$174 plus (f)	\$189 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)	\$262 plus (g)	\$286 plus (g)
Alteration of a watercourse (Type II)	\$860 plus (g)	\$947 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	\$860 plus (f)	\$947 plus (f)
Historic Review		
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	\$48	\$52
New Construction; Substitute Materials (Type I & Type I-L)	\$48	\$52
Demolition/Moving (Type III)	\$794	\$865
Interpretation of the Code		
Quasi-Judicial (Type II)	\$794	\$865
Legislative (Type IV)	\$1,589	\$1,731
Land Divisions		
<i>Partition (2 or 3 parcels)</i>		
Tentative Plat – (Type I-L, Expedited)	\$2,555	\$2,784
Tentative Plat – (Type III)	\$3,660	\$3,986
Final Plat – (Type I-L) [not applicable to replats]	\$642	\$700
<i>Subdivision (4 or more lots)</i>		
Tentative Plat – (Type I-L, Expedited)	\$2,865 + \$50 per lot	\$3,121 + \$50 per lot
Tentative Plat – (Type III)	\$3,976 + \$50 per lot	\$4,331 + \$50 per lot
Additional fee if Traffic Report required	\$794	\$865
Final Plat (Type I-L) [not applicable to replats]	\$804	\$873
	\$68	\$74
Land Use Status Letter (Type I)		
Manufactured Home Park (Type I-L)	\$2,865 + \$20 per space	\$3,121 + \$20 per space
Additional fee if in Floodplain (Type III)	\$1,115	\$1,214
Additional fee if Traffic Report required	\$794	\$865
Natural Resource Impact Review		
Natural Resource Impact review (Concurrent with another development application)	\$174	\$189
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	\$87	\$95
Natural Resource Impact review for other development (Not concurrent with another development application)	\$174	\$189
Natural Resource boundary corrections and refinements	\$87	\$95
Nonconforming Situations (Type II)		
New Construction	\$953 plus (e)	\$1,039 plus (c)
No New Construction	\$478	\$520
Planned Development – 2-Step Process		
Preliminary (Type III)	\$4,455	\$4,853

Final (Type I)	\$794	\$865
Additional fee if Traffic Report required	\$794	\$865
Property Line Adjustment (Type I)	\$347	\$346
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)***	\$347	\$346
Request for Public Hearing of a Type II Application	\$295 (e)	\$321 (e)
Residential Accessory Buildings (Type I-L and Type CUII)	\$478	\$520
Revision to Application in Process	\$346	\$345
Additional fee if re-notification required	\$468	\$172
Revised Decision		
Staff Decision (Type I, II, or I-L)	\$478	\$520
PC or CC Decision (Type III or IV)	\$1,146	\$1,214
Site Plan Review (d)		
New construction (Type I-L)	\$3,026 plus (e)	\$3,295 plus (c)
Modify existing development or development with minimal impact (Type I-L)	\$2,066	\$2,251
Change of use and/or minor development (Type I)	\$468	\$172
New parking areas or existing parking areas expansion (Type I-L)	\$1,169	\$1,274
Special Requests –Temporary Uses (Type I)	\$468	\$172
Tree Felling – 5 or more		
Concurrent with a development proposal (Type I-L)	\$478	\$520
Not concurrent with a development proposal (Type I-L)	\$1,272	\$1,385
Urban Growth Boundary Amendment	\$7,474	\$8,142
Vacation (Type IV)		
Public Street or Alley	\$2,646	\$2,772
Public Easements	\$2,227	\$2,426
Variance, Minor (Type I-L)	\$79	\$86
Variance, Major (Type II)		
First, or individual variance to a code section (Type II)	\$963	\$1,039
Each additional concurrent variance to a code section	\$637	\$694
Willamette Greenway (Type II)	\$1,434	\$1,559
Zoning Map Amendment (Type IV)	\$3,977	\$4,332
Additional Fees		
Additional fee if Traffic Report required	\$794	\$865
Additional fee if Design Standards apply	\$348	\$379
Additional fee if Mitigation is required	\$474	\$189
Additional fee if Hillside Development	\$1,143	\$1,212

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

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) 5% of building permit fee is applied to building permit when the project is within a flood hazard zone.
- (i) 15% of building plan review fee.