

RESOLUTION NO. 6516

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 6345

WHEREAS, it is appropriate that the City recover at least a portion of the 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, fees related to Development Code provisions were last revised on June 25, 2014, and took effect on July 1, 2014, by Resolution No. 6345; and

WHEREAS, there has been no change in the U.S. Bureau of Labor Statistics April CPI-W national index from 2014 to 2016.

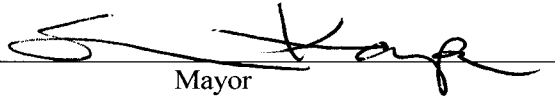
NOW, THEREFORE, BE IT RESOLVED that fees established for the Planning Division to administer the Development Code shall not be increased, as reflected on the attached "Exhibit A"; and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges shown in "Exhibit A" will become effective for all applications received after June 30, 2016; 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BE IT FURTHER RESOLVED that Resolution No. 6345 is hereby repealed.

DATED AND EFFECTIVE THIS 8th DAY OF June, 2016.



Mayor

ATTEST:



City Clerk

EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE (a)
 Effective July 1, 2014 to June 30, 2015 July 1, 2016

TYPE OF APPLICATION (a)(b)	CURRENT FEES	PROPOSED FEES (+0%)
Adjustment (Type I)	\$67	\$67
Annexations – (set by separate resolution)	Varies	Varies
Appeals		
Appeal to City Council (Type III)	\$808	\$808
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$269	\$269
Appeal to Hearings Officer – Expedited Land Division	\$300 dep./max \$500 (c)	\$300 dep./max \$500 (c)
Comprehensive Plan Amendment (Type IV)		
Map Amendment – Without Concurrent Zoning Map Amendment	\$3,367	\$3,367
Map Amendment – Concurrent with Zoning Map Amendment	\$4,715	\$4,715
Text Amendment	\$3,771	\$3,771
Conditional Uses		
New Construction (Type III)	\$2,696 plus (d)	\$2,696 plus (d)
New Construction (Type II)	\$1,750 plus (d)	\$1,750 plus (d)
Existing Building – Expand or Modify (Type III)	\$1,750	\$1,750
Existing Building – Expand or Modify (Type II)	\$990	\$990
Existing Parking Lot – Expand or Modify (Type II & III)	\$990	\$990
Home Businesses requiring Conditional Use Approval	\$500	\$500
Additional fee if Design Standards apply (Type II & III)	\$295	\$295
Additional fee if Traffic Report required (Type II & III)	\$673	\$673
Development Code Amendment (Type IV)		
Text Amendment	\$3,750	\$3,750
Floodplain Development Permit		
New Construction (Type I)	-	(h)
Placing an RV over 180 days (Type I)	\$73	\$73
Fencing and freestanding walls (Type I)	\$73	\$73
Site Plan Review Improvement in the Floodplain (Type I)	\$73	\$73
Development in the Floodway (Type I-L)	\$147 plus (f)	\$147 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	\$221 plus (g)	\$221 plus (g)
Continuous Storage Operation (Type I-L)	\$147 plus (f)	\$147 plus (f)
Alteration of a watercourse (Type II)	\$736 plus (g)	\$736 plus (g)
Land Divisions and Manufactured Home Parks (Type III)	\$736 plus (f)	\$736 plus (f)
Historic Review		
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	\$41	\$41
New Construction; Substitute Materials (Type I & Type I-L)	\$41	\$41
Demolition/Moving (Type III)	\$673	\$673
Interpretation of the Code		
Quasi-Judicial (Type II)	\$673	\$673
Legislative (Type IV)	\$1,345	\$1,345
Land Divisions		
<i>Partition (2 or 3 parcels)</i>		
Tentative Plat – (Type I-L, Expedited)	\$2,155	\$2,155
Tentative Plat – (Type III)	\$3,099	\$3,099
Final Plat – (Type I-L) [not applicable to replats]	\$544	\$544
<i>Subdivision (4 or more lots)</i>		
Tentative Plat – (Type I-L, Expedited)	\$2,426 + \$50 per lot	\$2,426 + \$50 per lot
Tentative Plat – (Type III)	\$3,367 + \$50 per lot	\$3,367 + \$50 per lot
Additional fee if Traffic Report required	\$673	\$673
Final Plat (Type I-L) [not applicable to replats]	\$678	\$678
Land Use Status Letter (Type I)	\$57	\$57
Manufactured Home Park (Type I-L)	\$2,426 + \$20 per space	\$2,426 + \$20 per space
Additional fee if in the Floodplain (Type III)	\$944	\$944
Additional fee if Traffic Report required	\$673	\$673
Natural Resource Impact Review		
Natural Resource Impact review (Concurrent with another development application)	\$147	\$147
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	\$73	\$73
Natural Resource Impact review for other development (Not concurrent with another development application)	\$147	\$147
Natural Resource Boundary corrections and refinements	\$73	\$73

Nonconforming Situations (Type II)		
New Construction	\$808 plus (d)	\$808 plus (d)
No New Construction	\$404	\$404
Planned Development – 2-Step Process		
Preliminary (Type-I) (Type III)	\$3,771	\$3,771
Interim (Type III)		
Final (Type I)	\$673	\$673
Additional fee if Traffic Report required	\$673	\$673
Property Line Adjustment (Type I)	\$269	\$269
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines) ***	269 (i)	269 (i)
Request for Public Hearing of a Type II Application	\$250 (e)	\$250 (e)
Residential Accessory Buildings (Type I-L and Type CUII)	\$404	\$404
Revision to Application in Process	\$268	\$268
Additional fee if re-notification required	\$133	\$133
Revised Decision		
Staff Decision (Type I, II, or I-L)	\$404	\$404
PC or CC Decision (Type III or IV)	\$944	\$944
Site Plan Review		
New construction (Type I-L)	\$2,561 plus (d)	\$2,561 plus (d)
Modify existing development or development with minimal impact (Type I-L)	\$1,750	\$1,750
Change of use and/or minor development (Type I)	\$133	\$133
New parking areas or existing parking areas expansion (Type I-L)	\$990	\$990
Special Requests – Temporary Uses (Type I)	\$133	\$133
Tree Felling – 5 or more		
Concurrent with a development proposal (Type I-L)	\$404	\$404
Not concurrent with a development proposal (Type I-L)	\$1,077	\$1,077
Urban Growth Boundary Amendment	\$6,329	\$6,329
Vacation (Type IV)		
Public Street or Alley	\$2,155	\$2,155
Public Easements	\$1,886	\$1,886
Variance (Type II)		
First, or individual variance to a code section (Type II)	\$808	\$808
Each additional concurrent variance to a code section	\$539	\$539
Willamette Greenway (Type II)	\$1,212	\$1,212
Zoning Map Amendment (Type IV)	\$3,367	\$3,367
Additional Fees		
Additional fee if Traffic Report required	\$673	\$673
Additional fee if Design Standards apply	\$295	\$295
Additional fee if Mitigation is required	\$147	\$147
Additional fee if Hillside Development (Type III)	\$942	\$942

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:**
- Fees in the current fee column took effect on July 1, 2014. There is no change to fees shown in the proposed fee column because there was no change in the April CPI-W index between 2014 and 2016.**
- *** 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) Unless determined otherwise by the CD Director, the fee to modify or revise an approved project shall be the same as a new application.
 - (c) Per ORS 197.375(6)
 - (d) 0.15 percent of the development's construction value over \$150,000 (construction value excludes the cost of the land).
 - (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) No Final Plat review fee for "replats" to move or remove existing subdivision or partition property lines.