

RESOLUTION NO. 5162

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 4982.

WHEREAS, fees related to Development Code provisions were last revised in June 2004 by Resolution No. 4982; 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 2004 to April 2005 to be 3.7 percent; and

WHEREAS, the final plat fee for partitions and subdivisions needs to be increased to recover costs to provide public notice of final plat applications; and

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

WHEREAS, an application revision fee is needed to recover staff costs, and an additional fee is needed to recover the added cost of staff time associated with applications where design standards apply.

NOW, THEREFORE, BE IT RESOLVED that the Development Code Fees be increased on July 1, 2005 by 3.7 percent based on the April CPI-W national index as reflected in attached Exhibit A; and

BE IT FURTHER RESOLVED that the final plat application fee for partitions and subdivisions be increased by an additional \$120 in order to recover the costs associated with public notice; and

BE IT FURTHER RESOLVED that the per-lot fee for tentative subdivision plat applications be increased from \$20 to \$40 per lot; and

BE IT FURTHER RESOLVED that a fee of \$225 be established when application revisions trigger additional routing and staff review; and

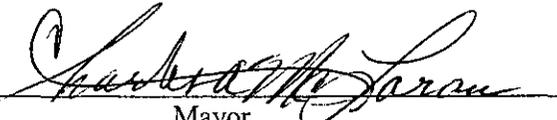
BE IT FURTHER RESOLVED that an additional fee of \$248 be established for applications that are subject to design standards; and

BE IT FURTHER RESOLVED that the fees will become effective for applications received beginning July 1, 2005; 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BE IT FURTHER RESOLVED that Resolution No. 4982 is hereby repealed.

DATED AND EFFECTIVE THIS 22nd DAY OF JUNE , 2005.

  
Mayor

ATTEST:

  
City Clerk

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**EXHIBIT A**  
**ALBANY DEVELOPMENT CODE - PLANNING FEES (a)**

Type of Application	Current Fees (7/1/2004 to 6/30/2005)	Proposed Fees* (7/1/2005 to 6/30/2006)
Adjustment (Type I)	\$55	\$57
Appeal		
Appeal to City Council (Type III)	\$653	\$677
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$218	\$226
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.	\$2,724	\$2,825
Map Amendment - Concurrent with Zoning Map Amend.	\$3,814	\$3,955
Text Amendment	\$3,051	\$3,164
Conditional Use (Type III)		
New Construction	\$2,180 plus (c)	\$2,261 plus (c)
Existing Building	\$1,416 plus (c)	\$1,468 plus (c)
Parking Lot Modification	\$800	\$830
Additional fee if traffic report required	\$545	\$565
Additional fee if Design Standards apply	\$0	\$248
Development Code Text Amendment (Type IV)	\$3,051	\$3,064
Historic Review		
Exterior Alteration; Designation of Landmark (Types I, I-L)	\$33	\$34
New Construction; Substitute Materials (Types I, I-L)	\$33	\$34
Demolition / Moving (Type III)	\$545	\$565
Interpretation of the Code		
Quasi-Judicial (Type II)	\$545	\$565
Legislative (Type IV)	\$1,089	\$1,129
Land Divisions		
<u>Partition (2 or 3 parcels)</u>		
Tentative Plat - (Type I-L; Expedited)	\$1,743	\$1,807
Tentative Plat - (Type III)	\$2,507	\$2,600
Replat (Type I-L)	\$218	\$226
Final Plat (Type I-L)	\$436	\$572
<u>Subdivision (4 or more lots)</u>		
Tentative Plat - (Type I-L; Expedited)	\$1,961 + \$20 per lot	\$2,034 + \$40 per lot
Tentative Plat - (Type III)	\$2,724 + \$20 per lot	\$2,825 + \$40 per lot
Additional fee if traffic report required	\$545	\$565
Replat (Type I-L)	\$218	\$226
Final Plat (Type I-L)	\$545	\$685
Manufactured Home Park (Type I-L)	\$1,961 + \$20 per space	\$2,034 + \$20 per space
Additional fee if in floodplain (Type III)	\$763	\$791
Additional fee if traffic report required	\$545	\$565
Nonconforming Situations (Type II)		
New Construction	\$653 plus (c)	\$677 plus (c)
No new construction	\$327	\$339
Planned Development-3 Step Process		
Preliminary (Type I)	\$1,199	\$1,243
Interim (Type III)	\$3,051	\$3,164
Final (Type I)	\$545	\$565
Additional fee if traffic study required	\$545	\$565
Property Line Adjustment (Type I)	\$218	\$226
Revision to Application in Process	\$0	\$225
Additional fee if renotification required	\$108	\$112
Revised Decision		
Staff Decision (Type I or I-L)	\$327	\$339
PC or CC Decision (Type III or IV)	\$763	\$791
Site Plan Review (d)		
Option A (new construction) (Type I-L)	\$2,071 plus (c)	\$2,148 plus (c)
Option B (modify existing development) (Type I-L)	\$1,416 plus (c)	\$1,468 plus (c)
Option C (change of use-existing development) (Type I)	\$0	\$0
Parking Lot Modification (Type I-L, Option B)	\$800	\$830
Accessory Buildings requiring site plan review (Type I-L)	\$327	\$339
Additional fee if traffic report required	\$545	\$565
Additional fee if Design Standards apply	\$0	\$248
Special Requests-Temporary Uses (Type I)		
Medical Hardship; Temporary Uses; Temporary Residence	\$108	\$112
Tree Felling - 5 or more		
Diseased or Dangerous (Type I)	\$33	\$34
Concurrent with a development proposal (Type I-L)	\$327	\$339
Not concurrent with a development proposal (Type I-L)	\$872	\$904
Vacation (Type IV)		
Public Street or Alley	\$1,743	\$1,807
Public Easements	\$1,526	\$1,582
Variance (Type II)	\$653	\$677
Willamette Greenway (Type II)	\$981	\$1,017
Zoning Map Amendment (Type IV)	\$2,724	\$2,825

**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 2004 - April 2005.
- (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.