

RESOLUTION NO. 5613

A RESOLUTION REVISING FEES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NOS. 5450 and 5478.

WHEREAS, fees related to Development Code provisions were last revised in June 2007, by Resolution No. 5450, and in September 2007, by Resolution No 5478; and

WHEREAS, the City Council established in December 2000, 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 2007 to April 2008 to be an increase of 0.042 percent (4.2%) ; and

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

WHEREAS, a fee is needed to recover staff costs associated with processing each concurrent request to vary from a standard of the Development Code; and

NOW, THEREFORE, BE IT RESOLVED that all of the existing fees established for the Planning Division to administer the Development Code shall be increased on July 1, 2008, by 0.042 percent (4.2%) based on the April CPI-W national index, as is reflected on the attached Exhibit A; and

BE IT FURTHER RESOLVED that the Planning Division's schedule of fees shall include a new fee of \$500.00 for each additional concurrent variance request from a Development Code standard; and

BE IT FURTHER RESOLVED that the Planning Division's fees and charges will become effective for applications received after June 30, 2008; and

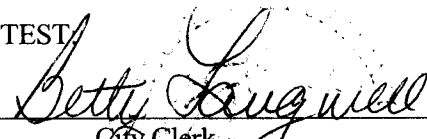
BE IT FURTHER RESOLVED that the fees and charges shown on attached Exhibit A are not subject to the limits of Section 11b, Article XI, of the Oregon Constitution, and

BE IT FURTHER RESOLVED that Resolution Nos. 5450 and 5478 are hereby repealed.

DATED AND EFFECTIVE THIS 11th DAY OF June 2008.



Mayor

ATTEST


City Clerk

EXHIBIT A

PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE (a)

Type of Application	Current Fees (7/1/2007 to 6/30/2008)	Proposed Fees** (7/1/2008 to 6/30/2009)
Adjustment (Type I)	\$60	\$63
Annexations - (set by separate resolution)	Varies	Varies
Appeals		
Appeal to City Council (Type III)	\$720	\$750
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$240	\$250
Appeal to Hearings Officer -Expedited Land Div.	\$300 deposit/max \$500 (b)	\$300 deposit/max \$500 (b)
Comprehensive Plan Amendment (Type IV)		
Map Amendment - Without Concurrent Zoning Map Amend.	\$3,003	\$3,129
Map Amendment - Concurrent with Zoning Map Amend.	\$4,204	\$4,381
Text Amendment	\$3,363	\$3,504
Conditional Uses		
New construction (Type III)	\$2,404 plus (c)	\$2,505 plus (c)
New construction (Type II)	\$1,560 plus (c)	\$1,626 plus (c)
Existing building - Expand or modify (Type III)	\$1,560	\$1,626
Existing building - Expand or modify (Type II)	\$883	\$920
Existing parking lot - Expand or modify (Type II and III)	\$883	\$920
Additional fee if Design Standards apply (Type II and III)	\$263	\$274
Additional fee if traffic report required (Type II and III)	\$601	\$626
Development Code Text Amendment (Type IV)	\$3,256	\$3,393
Historic Review		
Exterior Alteration; Designation of Landmark (Types I, I-L)	\$36	\$38
New Construction; Substitute Materials (Types I, I-L)	\$36	\$38
Demolition / Moving (Type III)	\$601	\$626
Interpretation of the Code		
Quasi-Judicial (Type II)	\$601	\$626
Legislative (Type IV)	\$1,200	\$1,250
Land Divisions		
Partition (2 or 3 parcels)		
Tentative Plat - (Type I-L, Expedited)	\$1,921	\$2,002
Tentative Plat - (Type III)	\$2,763	\$2,879
Replat (Type I-L)	\$240	\$250
Final Plat (Type I-L) [not applicable to replats]	\$485	\$505
Subdivision (4 or more lots)		
Tentative Plat - (Type I-L, Expedited)	\$2,162 + \$50 per lot	\$2,253 + \$50 per lot
Tentative Plat - (Type III)	\$3,003 + \$50 per lot	\$3,129 + \$50 per lot
Additional fee if traffic report required	\$601	\$626
Replat (Type I-L)	\$240	\$250
Final Plat (Type I-L) [not applicable to replats]	\$605	\$630
Land Use Status Letter (Type I)	\$51	\$53
Manufactured Home Park (Type I-L)	\$2,162 + \$20 per space	\$2,253 + \$20 per space
Additional fee if in floodplain (Type III)	\$841	\$876
Additional fee if traffic report required	\$601	\$626
Nonconforming Situations (Type II)		
New Construction	\$720 plus (c)	\$750 plus (c)
No new construction	\$361	\$376
Planned Development-3 Step Process		
Preliminary (Type I)	\$1,321	\$1,376
Interim (Type III)	\$3,363	\$3,504
Final (Type I)	\$601	\$626
Additional fee if traffic study required	\$601	\$626
Property Line Adjustment (Type I)	\$240	\$250
Request for Public Hearing of a Type II application	\$720 (e)	\$750 (e)
Residential Accessory Buildings (Type I-L and Type CUII)	\$361	\$376
Revision to Application in Process	\$239	\$249
Additional fee if renotification required	\$119	\$124
Revised Decision		
Staff Decision (Type I, II or I-L)	\$361	\$376
PC or CC Decision (Type III or IV)	\$841	\$876
Site Plan Review (d)		
Option A (new construction) (Type I-L)	\$2,283 plus (c)	\$2,379 plus (c)
Option B (modify existing development) (Type I-L)	\$1,560	\$1,626
Option C (change of use-existing development) (Type I)	\$0	\$0
Parking Lot Modification (Type I-L)	\$883	\$920
Additional fee if traffic report required	\$601	\$626
Additional fee if Design Standards apply	\$263	\$274
Special Requests-Temporary Uses (Type I)		
Medical Hardship; Temporary Uses; Temporary Residence	\$119	\$124
Tree Felling - 5 or more		
Diseased or Dangerous (Type I)	\$36	\$38
Concurrent with a development proposal	\$361	\$376
Not concurrent with a development proposal (Type I-L)	\$960	\$1,000
Vacation (Type IV)		
Public Street or Alley	\$1,921	\$2,002
Public Easements	\$1,682	\$1,753
Urban Growth Boundary Amendment	\$5,643	\$5,880
Variance - First, or individual, variance to a code section (Type II)	\$720	\$750
Each additional concurrent variance to a code section		\$500 (new)
Willamette Greenway (Type II)	\$1,081	\$1,126
Zoning Map Amendment (Type IV)	\$3,003	\$3,129

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 of 4.2 percent based on CPI-W National Index for the period of April 2007 - April 2008.
- (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) Same fees apply to modification or revision of an approved project.
- (e) Public hearing fee related to a Type II application shall be paid by the project applicant, not the person requesting the hearing