

RESOLUTION NO. 5944

A RESOLUTION ADOPTING FLOODPLAIN DEVELOPMENT PERMIT FEES TO SUPPORT COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM REQUIREMENTS.

WHEREAS, the State of Oregon has delegated the responsibility to local government units to adopt regulations designed to promote public health, safety, and the general welfare of its citizenry; and

WHEREAS, the City of Albany is a member in good standing of the National Flood Insurance Program (NFIP), which enables the community to be eligible for flood insurance through NFIP; and

WHEREAS, the City of Albany must adopt floodplain management measures that meet or exceed the minimum NFIP requirements, by September 29, 2010 to avoid suspension from the NFIP; and

WHEREAS, the current Albany Development Code does not meet the minimum Floodplain Development Permit requirements of the NFIP; and

WHEREAS, the City needs to recover the costs associated with processing applications for permits in the floodplain; and

WHEREAS, Oregon Revised Statutes (ORS) 227.175 states that the governing body shall establish fees charged for processing permits at the amount no more than the actual or average costs of providing that service; and

WHEREAS, the proposed fee schedule is a conservative estimate of the actual or average costs of providing that service; and

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the Floodplain Development permit fees described in attached Exhibit "A" are hereby adopted, and

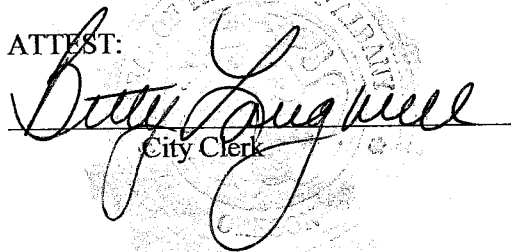
BE IT FURTHER RESOLVED that the Floodplain Development permit fees will become effective for applications received after September 29, 2010; and

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.

DATED AND EFFECTIVE THIS ⁽³⁰⁾29⁽³⁰⁾th DAY OF SEPTEMBER 2010.


Mayor

ATTEST:


City Clerk

Floodplain Development Permit Schedule**Type I**

- New construction and substantial improvements: Already captured via 5% floodplain plan review surcharge in Building
- Placing an RV over 180 days: Minor review, one inspection = \$70 permit
- Fencing and freestanding walls: Minor review, one inspection = \$70 permit
- Site plan review in floodplain: Minor review, one inspection = \$70 permit

Type I-L

- Development in the floodway: Add \$140 floodplain review surcharge to Opt A or B Site Plan Review fee; plus pass-through cost for third-party review, if needed
- Grading, excavation, fill, and paving: Add \$210 floodplain review charge, including a P.E. analysis; plus the pass-through cost for the third-party review, if needed
- Continuous storage operation: Add \$140 floodplain review surcharge to Opt A or B Site Plan Review fee

Type II

- Alteration of a watercourse: \$700 floodplain review surcharge; plus pass-through cost for third-party review

Type III

- Land Divisions and Manufactured Home Parks: Add \$700 floodplain review surcharge to relevant land use application; plus pass-through cost for third-party review, if needed

Minor review: Based on 1 hour of staff time @ \$70/hr

Other reviews: Based on estimated number of staff hours @ \$70/hr

Pass-through cost: Some projects will require third-party engineering review by a specialist in hydrologic and hydraulic analyses. Each project will vary in scope and complexity. A few recent examples include:

- A fill permit application to construct a bridge over the berm at the west end of West Thornton Lakes. Public Works-Engineering retained a third-party engineering firm to review the work of the applicant's engineer. The cost was \$6,600 to review their work and the subsequent submittals or changes that resulted from the initial review.
- A land use application to subdivide the Packard property on Quarry Road. Subdivision construction would have required a substantial amount of fill in the floodplain and was a serious point of discussion from the public. Public Works-Engineering retained a third-party engineering firm to review the work of the applicant's engineer. The cost was \$5,200 to review the application and the subsequent submittals or changes that resulted from the initial review.