



RESOLUTION NO. 6813

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 6710 (A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 6609)

WHEREAS, it is appropriate that the City of Albany recover costs associated with processing land use applications; and

WHEREAS, in December 2000, the Albany City Council passed Resolution No. 4367 establishing that Albany 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 13, 2018, and took effect on July 1, 2018, by Resolution No. 6710; and

WHEREAS, the April CPI-W national index in 2018 was 244.607 and the April CPI-W national index in 2019 was 249.332, representing a 1.93% increase; and

WHEREAS, the actual cost of processing land use applications is expected to increase 7.58% from Fiscal Year 2018-19 to Fiscal Year 2019-20; and

WHEREAS, at this time, the city council finds it more appropriate to raise fees consistent with the expected increased cost to provide the service, rather than the CPI-W; and

WHEREAS, for purposes of calculating future adjustments to these fees, these fees are considered indexed to the April 2019 CPI-W national index of 249.332.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council 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, 2019, and shall be applied to all applications received after June 30, 2019; and

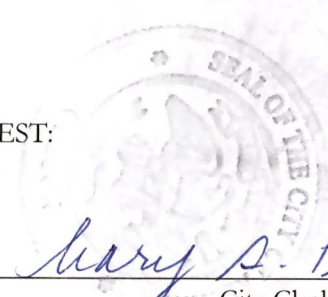
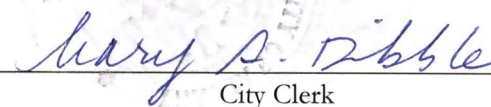
BE IT FURTHER RESOLVED that the fees and charges shown in "Exhibit A" are not subject to the limits of Section 11b, Article XI, of the Oregon Constitution; and

BE IT FURTHER RESOLVED that Resolution No. 6710 is hereby repealed as of the effective date of the revised fees.

DATED AND EFFECTIVE THIS 12TH DAY OF JUNE 2019.


Mayor

ATTEST:



City Clerk

Natural Resource Impact Review	
Natural Resource Impact review (Concurrent with another development application)	\$154-\$166
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	\$77-\$83
Natural Resource Impact review for other development (Not concurrent with another development application)	\$154-\$166
Natural Resource boundary corrections and refinements	\$77-\$83
Nonconforming Situations (Type II)	
New Construction	\$846 plus (e) \$927 plus (c)
No New Construction	\$424-\$456
Planned Development – 2-Step Process	
Preliminary (Type III)	\$3,952-\$4,252
Final (Type I)	\$705-\$758
Additional fee if Traffic Report required	\$705-\$758
Property Line Adjustment (Type I)	
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)***	\$282-\$303
Request for Public Hearing of a Type II Application	\$262 (e) \$287 (e)
Residential Accessory Buildings (Type I-L and Type CUII)	\$424-\$456
Revision to Application in Process	\$281-\$302
Additional fee if re-notification required	\$140-\$151
Revised Decision	
Staff Decision (Type I, II, or I-L)	\$424-\$456
PC or CC Decision (Type III or IV)	\$989-\$1,064
Site Plan Review (d)	
New construction (Type I-L)	\$2,684 plus (e) \$2,943 plus (c)
Modify existing development or development with minimal impact (Type I-L)	\$1,833-\$1,972
Change of use and/or minor development (Type I)	\$140-\$151
New parking areas or existing parking areas expansion (Type I-L)	\$1,037-\$1,116
Special Requests –Temporary Uses (Type I)	
Tree Felling – 5 or more	\$140-\$151
Concurrent with a development proposal (Type I-L)	\$424-\$456
Not concurrent with a development proposal (Type I-L)	\$1,128-\$1,214
Urban Growth Boundary Amendment	
Vacation (Type IV)	\$6,631-\$7,134
Public Street or Alley	\$2,258-\$2,429
Public Easements	\$1,976-\$2,126
Variance (Type II)	
First, or individual variance to a code section (Type II)	\$846-\$910
Each additional concurrent variance to a code section	\$665-\$608
Willamette Greenway (Type II)	\$1,270-\$1,366
Zoning Map Amendment (Type IV)	\$3,528-\$3,796
Additional Fees	
Additional fee if Traffic Report required	\$705-\$758
Additional fee if Design Standards apply	\$309-\$332
Additional fee if Mitigation is required	\$154-\$166
Additional fee if Hillside Development	\$987-\$1,062
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.	

EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE

Effective July 1, 2019

TYPE OF APPLICATION	FEES (7.58% Increase)
Adjustment (Type I-L)	\$70-\$75
Annexations – (set by separate resolution)	Varies
Appeals	
Appeal to City Council (Type III)	\$846-\$910
Appeal to PC only (Type I-L that had a neighborhood meeting)	\$282-\$303
Appeal to Hearings Officer or Referee – Expedited Land Division	\$300 dep./max \$500 (b) \$300 dep./max \$500 (b)
Comprehensive Plan Amendment (Type IV)	
Map Amendment – Without Concurrent Zoning Map Amendment	\$3,528-\$3,796
Map Amendment – Concurrent with Zoning Map Amendment	\$4,941-\$5,316
Text Amendment	\$3,952-\$4,252
Conditional Uses	
New Construction (Type III)	\$2,825-\$3,098 plus (c)
New Construction (Type II)	\$1,833-\$2,010 plus (c)
Existing Building – Expand or Modify (Type III)	\$1,833-\$1,972
Existing Building – Expand or Modify (Type II)	\$1,037-\$1,116
Existing Parking Lot – Expand or Modify (Type II & III)	\$1,037-\$1,116
Home Businesses requiring Conditional Use Approval	\$524-\$564
Additional fee if Design Standards apply (Type II & III)	\$309-\$332
Additional fee if Traffic Report required (Type II & III)	\$705-\$758
Development Code Amendment (Type IV)	
Text Amendment	\$3,929-\$4,227
Floodplain Development Permit	
New Construction (Type I)	(h)
Placing an RV over 180 days (Type I)	\$77-\$83
Fencing and freestanding walls (Type I)	\$77-\$83
Site Plan Improvement in the Floodplain (Type I)	\$77-\$83
Development in the Floodway (Type I-L)	\$154 plus (f) \$169 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	\$232 plus (g) \$254 plus (g)
Continuous Storage Operation (Type I-L)	\$154 plus (f) \$169 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)	\$232 plus (f) \$254 plus (g)
Alteration of a watercourse (Type II)	\$771 plus (g) \$846 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	\$771 plus (f) \$846 plus (g)
Historic Review	
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	\$43-\$46
New Construction; Substitute Materials (Type I & Type I-L)	\$43-\$46
Demolition/Moving (Type III)	\$705-\$758
Interpretation of the Code	
Quasi-Judicial (Type II)	\$705-\$758
Legislative (Type IV)	\$1,410-\$1,517
Land Divisions	
Partition (2 or 3 parcels)	
Tentative Plat – (Type I-L, Expedited)	\$2,258-\$2,429
Tentative Plat – (Type III)	\$3,247-\$3,493
Final Plat – (Type I-L) [not applicable to replats]	\$570-\$613
Subdivision (4 or more lots)	
Tentative Plat – (Type I-L, Expedited)	\$2,542 + \$50 per lot \$2,787 + \$50 per lot
Tentative Plat – (Type III)	\$3,528 + \$50 per lot \$3,869 + \$50 per lot
Additional fee if Traffic Report required	\$705-\$758
Final Plat (Type I-L) [not applicable to replats]	\$711-\$765
Land Use Status Letter (Type I)	\$60-\$65
Manufactured Home Park (Type I-L)	\$2,542 + \$20 per space \$2,787 + \$20 per space
Additional fee if in Floodplain (Type III)	\$989-\$1,064
Additional fee if Traffic Report required	\$705-\$758