



RESOLUTION NO. 7223

A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NO. 7120 (A RESOLUTION SETTING FEES AND CHARGES FOR DEVELOPMENT CODE PROVISIONS AND REPEALING RESOLUTION NUMBER 6996)

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

WHEREAS, in December 2000, the 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, inflationary adjustments were last made in 2022; and

WHEREAS, the April CPI-W national index in 2022 was 284.575 and the April CPI-W national index in 2023 was 297.730, representing a 4.62 percent increase.

NOW, THEREFORE, BE IT RESOLVED 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, 2023, and shall be applied to all applications received after June 30, 2023; 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BE IT FURTHER RESOLVED that Resolution No. 7120 is repealed as of the effective date of the revised fees.

DATED THIS 14TH DAY OF JUNE 2023.

Mayor

ATTEST:

City Clerk

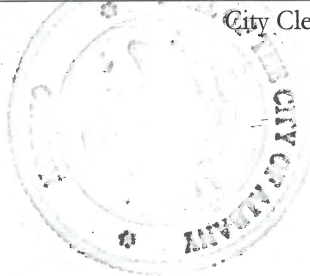


EXHIBIT A
PLANNING DIVISION FEES TO ADMINISTER THE ALBANY DEVELOPMENT CODE
 Effective July 1, 2023

TYPE OF APPLICATION	JUSTME	CURRENT FEES	PROPOSED FEES
Adjustment (Type III)			
First, or individual adjustment to a code section (Type III)	1.0462	\$1,039	\$1,087
Each additional concurrent adjustment to a code section	1.0462	\$694	\$726
Annexations – (set by separate resolution)			
Appeals			
Appeal to City Council (Type III)	1.0462	\$1,039	\$1,087
Appeal to PC only (Type I-L that had a neighborhood meeting)	1.0462	\$346	\$362
Appeal to Hearings Officer or Referee – Expedited Land Division	1.0462	\$300 dep./max \$500 (b)	\$300 dep./max \$500 (b)
Building Permit Planning Review Fee			
		(f)	(i)
Comprehensive Plan Amendment (Type IV)			
Map Amendment – Without Concurrent Zoning Map Amendment	1.0462	\$4,332	\$4,532
Map Amendment – Concurrent with Zoning Map Amendment	1.0462	\$6,067	\$6,347
Text Amendment	1.0462	\$4,853	\$5,077
Conditional Uses			
New Construction (Type III)	1.0462	\$3,468 plus (c)	\$3,628 plus (c)
New Construction (Type II)	1.0462	\$2,251 plus (c)	\$2,355 plus (c)
Existing Building – Expand or Modify (Type III)	1.0462	\$2,251	\$2,355
Existing Building – Expand or Modify (Type II)	1.0462	\$1,274	\$1,333
Existing Parking Lot – Expand or Modify (Type II & III)	1.0462	\$1,274	\$1,333
Home Businesses requiring Conditional Use Approval	1.0462	\$644	\$674
Additional fee if Design Standards apply (Type II & III)	1.0462	\$379	\$397
Additional fee if Traffic Report required (Type II & III)	1.0462	\$865	\$905
Development Code Amendment (Type IV)			
Text Amendment	1.0462	\$4,824	\$5,047
Floodplain Development Permit			
New Construction (Type I)		(h)	(h)
Placing an RV over 180 days (Type I)	1.0462	\$95	\$99
Fencing and freestanding walls (Type I)	1.0462	\$95	\$99
Site Plan Improvement in the Floodplain (Type I)	1.0462	\$95	\$99
Development in the Floodway (Type I-L)	1.0462	\$189 plus (f)	\$197 plus (f)
Grading, Excavation, Fill, Paving, Mining, and Drilling (Type I-L)	1.0462	\$286 plus (g)	\$299 plus (g)
Continuous Storage Operation (Type I-L)	1.0462	\$189 plus (f)	\$197 plus (f)
Land Divisions of 19 Lots or Less (Type I-L)	1.0462	\$286 plus (g)	\$299 plus (g)
Alteration of a watercourse (Type II)	1.0462	\$947 plus (g)	\$991 plus (g)
Land Divisions of 20 or more lots, Cluster Developments, Planned Developments, and Manufactured Home Parks (Type III)	1.0462	\$947 plus (f)	\$991 plus (f)
Historic Review			
Exterior Alteration; Designation of Landmark (Type I & Type I-L)	1.0462	\$52	\$54
New Construction; Substitute Materials (Type I & Type I-L)	1.0462	\$52	\$54
Demolition/Moving (Type III)	1.0462	\$865	\$905
Interpretation of the Code			
Quasi-Judicial (Type II)	1.0462	\$865	\$905
Legislative (Type IV)	1.0462	\$1,731	\$1,811
Land Divisions			
Partition (2 or 3 parcels)			
Tentative Plat – (Type I-L, Expedited)	1.0462	\$2,784	\$2,913
Tentative Plat – (Type III)	1.0462	\$3,986	\$4,170
Final Plat – (Type I-L) [not applicable to replats]	1.0462	\$700	\$732
Subdivision (4 or more lots)			
Tentative Plat – (Type I-L, Expedited)	1.0462	\$3,121 + \$50 per lot	\$3,265 + \$50 per lot
Tentative Plat – (Type III)	1.0462	\$4,331 + \$50 per lot	\$4,531 + \$50 per lot
Additional fee if Traffic Report required	1.0462	\$865	\$905
Final Plat (Type I-L) [not applicable to replats]	1.0462	\$873	\$913
	1.0462	\$74	\$77
Land Use Status Letter (Type I)			
Manufactured Home Park (Type I-L)	1.0462	\$3,121 + \$20 per space	\$3,265 + \$20 per space
Additional fee if in Floodplain (Type III)	1.0462	\$1,214	\$1,270
Additional fee if Traffic Report required	1.0462	\$865	\$905

Natural Resource Impact Review			
Natural Resource Impact review (Concurrent with another development application)	1.0462	\$189-	\$198
Natural Resource Impact Review for Residential Development (Not concurrent with another development application)	1.0462	\$95-	\$99
Natural Resource Impact review for other development (Not concurrent with another development application)	1.0462	\$189-	\$198
Natural Resource boundary corrections and refinements	1.0462	\$95-	\$99
Nonconforming Situations (Type II)			
New Construction	1.0462	\$1,039 plus (e)	\$1,087 plus (c)
No New Construction	1.0462	\$520-	\$544
Planned Development – 2-Step Process			
Preliminary (Type III)	1.0462	\$4,853-	\$5,077
Final (Type I)	1.0462	\$865-	\$905
Additional fee if Traffic Report required	1.0462	\$865-	\$905
Property Line Adjustment (Type I)	1.0462	\$346-	\$362
Replat (Type I-L – Only for moving or removing existing subdivision or partition property lines)***	1.0462	\$346-	\$362
Request for Public Hearing of a Type II Application	1.0462	\$324 (e)	\$336 (e)
Residential Accessory Buildings (Type I-L and Type CUII)	1.0462	\$520-	\$544
Revision to Application in Process	1.0462	\$345-	\$361
Additional fee if re-notification required	1.0462	\$172-	\$180
Revised Decision			
Staff Decision (Type I, II, or I-L)	1.0462	\$520-	\$544
PC or CC Decision (Type III or IV)	1.0462	\$1,214-	\$1,270
Site Plan Review (d)			
New construction (Type I-L)	1.0462	\$3,295 plus (e)	\$3,447 plus (c)
Modify existing development or development with minimal impact (Type I-L)	1.0462	\$2,261-	\$2,355
Change of use and/or minor development (Type I)	1.0462	\$172-	\$180
New parking areas or existing parking areas expansion (Type I-L)	1.0462	\$1,274-	\$1,333
Special Requests –Temporary Uses (Type I)	1.0462	\$172-	\$180
Tree Felling – 5 or more			
Concurrent with a development proposal (Type I-L)	1.0462	\$520-	\$544
Not concurrent with a development proposal (Type I-L)	1.0462	\$1,385-	\$1,449
Urban Growth Boundary Amendment	1.0462	\$8,142-	\$8,518
Vacation (Type IV)			
Public Street or Alley	1.0462	\$2,772-	\$2,900
Public Easements	1.0462	\$2,426-	\$2,538
Variance, Minor (Type I-L)	1.0462	\$86-	\$90
Variance, Major (Type II)			
First, or individual variance to a code section (Type II)	1.0462	\$1,039-	\$1,087
Each additional concurrent variance to a code section	1.0462	\$694-	\$726
Willamette Greenway (Type II)	1.0462	\$1,559-	\$1,631
Zoning Map Amendment (Type IV)	1.0462	\$4,332-	\$4,532
Additional Fees			
Additional fee if Traffic Report required	1.0462	\$865-	\$905
Additional fee if Design Standards apply	1.0462	\$379-	\$397
Additional fee if Mitigation is required	1.0462	\$189-	\$198
Additional fee if Hillside Development	1.0462	\$1,212-	\$1,268

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.
- (i) **25% of building plan review fee.**