

ORDINANCE NO. 03-1014

AN ORDINANCE ADOPTING A NEW OREGON CITY COMPREHENSIVE PLAN, COMPREHENSIVE PLAN MAP, AND ZONING MAP; ADOPTING AMENDMENTS TO THE OREGON CITY ZONING CODE; AND ADOPTING NEW WATER AND SANITARY SEWER MASTER PLANS AS ANCILLARY DOCUMENTS TO THE OREGON CITY COMPREHENSIVE PLAN

WHEREAS, the city has worked with Oregon City residents and public groups to develop the overall vision, policies and goals for the future growth and development of Oregon City through the revisions to the City's Comprehensive Plan and implementing ordinances; and

WHEREAS, the Comprehensive Plan and Map is intended to guide the management of the City's assets, to support natural, recreational, and economic benefits for the community of Oregon City, and to provide a framework for implementation of identified goals and policies; and

WHEREAS, the Comprehensive Plan and Map complies and is consistent with Statewide Planning Goals, Downtown Community Plan, Water Front Master Plan, and the Metro Regional Framework Plan; and

WHEREAS, the amended Zoning Code and Map complies and is consistent with Statewide Planning Goals, the amended Oregon City Comprehensive Plan, the Downtown Community Plan, the Metro Regional Framework Plan, the Oregon City Transportation System Plan, and the Oregon City Park and Recreation Master Plan; and

WHEREAS, notice was mailed to all Oregon City property owners in conformance with Measure 56 requirements and notice was published in the local newspaper. Public meetings and workshops were held where the objectives and concepts in the Comprehensive Plan, Comprehensive Plan Map, Zoning Code, Zoning Map, Water Master Plan and Sanitary Sewer Master Plan were presented and discussed; and

WHEREAS, the Planning Commission and the City Commission both held publicly noticed work sessions on the proposed amendments; and

WHEREAS, the Planning Commission held two public hearings on the proposed amendments; and

WHEREAS, the Planning Commission, based on the oral and written testimony they received at the public hearings, adopted minor revisions to the amendments and unanimously recommended it be adopted; and

WHEREAS, in a project of this size and scope, additional editing and refinement will inevitably be necessary after adoption of the Comprehensive Plan and Map and Zoning Code and Map; and

WHEREAS, adopting the Comprehensive Plan, Comprehensive Plan Map, Zoning Code, Zoning Map, Water Master Plan and Sanitary Sewer Master Plan is in the best interest of Oregon City to ensure that the goals and policies of the City can be realized,

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. The Oregon City Comprehensive Plan, attached as Exhibit 1, is hereby adopted based on the findings contained in the Staff Report.

Section 2. The Oregon City Comprehensive Plan Map, attached as Exhibit 2, is hereby adopted based on the findings contained in the Staff Report.

Section 3. The Oregon City Zoning Code is amended, as provided in Exhibit 3, based on the findings contained in the Staff Report.

Section 4. The Oregon City Zoning Map, attached as Exhibit 4, is hereby adopted based on the findings contained in the Staff Report.

Section 5. The Oregon City Water Master Plan, attached as Exhibit 5, is hereby adopted as an Ancillary Document to the Oregon City Comprehensive Plan based on the findings contained in the Staff Report.

Section 6. The Oregon City Sanitary Sewer Master Plan, attached as Exhibit 6, is hereby adopted as an Ancillary Document to the Oregon City Comprehensive Plan based on the findings contained in the Staff Report.

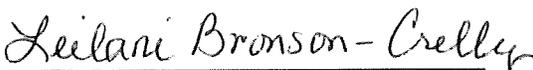
Section 7. The Oregon City Planning Commission shall hold a hearing on Monday August 23rd, 2004, to take testimony and evidence on the Comprehensive Plan and Plan Map, as well as the Zoning Code and Zoning Map and possible revisions or refinements to the documents adopted in this ordinance.

Read for the first and second time at a regular meeting of the City Commission held on the 19th day of May 2004; and the foregoing ordinance was finally enacted by the City Commission on this 19th day of May 2004.



ALICE NORRIS, Mayor

ATTESTED to this 19th day of May 2004



LEILANI BRONSON-CRELLY City Recorder

ORDINANCE NO. 03-1014
Effective Date: June 18, 2004

1. Any hearing continuance or other process delay requested by the applicant shall be deemed an extension or waiver, as appropriate, of the one-hundred-twenty-day period.
 2. Any delay in the decision-making process necessitated because the applicant provided an incomplete set of mailing labels for the record property owners within three hundred feet of the subject property shall extend the one-hundred-twenty-day period for the amount of time required to correct the notice defect.
 3. The one-hundred-twenty-day period does not apply to any application for a permit that is not wholly within the city's authority and control.
 4. The one-hundred-twenty-day period does not apply to any application for an amendment to the city's comprehensive plan or land use regulations nor to any application for a permit, the approval of which depends upon a plan amendment.
- D. The 120-calendar daytime line specified in Section 17.50.070.C may be extended at the written request of the applicant. The total of all extensions may not exceed 240 calendar days from the date the application was deemed complete.
- E. The approval standards that control the city's review and decision on a complete application are those which were in effect on the date the application was first submitted. (Ord. 98-1008 §1(part), 1998)

17.50.290 – Fees

The city may adopt by resolution, and revise from time to time, a schedule of fees for applications and appeals. Fees shall be based upon the city's actual or average cost of processing the application or conducting the appeal process. The only exception shall be the appeal fee for a Type II decision, which shall be limited by ORS 227.175(10)(b). The requirements of this section shall govern the payment, refund and reimbursement of fees.

- A. Payment. All fees shall be due and payable at the time the application or appeal is submitted. No application or appeal shall be accepted without the proper fee being paid.
- B. Refunds. Fees will only be refunded as provided in this subsection:
1. When a fee is paid for an application which is later found to not be required, the city shall refund the fee.
 2. Errors. When an error is made in calculating a fee, overpayment will be refunded.
 3. Refund upon Withdrawal of an Application. In the event an applicant withdraws an application, the planning department shall refund the unused portion of the fee. In this case, the planning department will deduct from the fee the city's actual costs incurred in processing the application prior to withdrawal.
- C. Fee Waivers. The planning division may waive all or any portion of an application fee if, in the opinion of the director, a particular application must be resubmitted because of an error made by the city. Appeal fees may be waived, wholly or in part, by the city commission, if the city commission finds that, considering fairness to the applicant and to opposing parties, a full or partial waiver of the appeal fee is warranted. Appeal fees shall not be charged for an appeal filed by a city-recognized neighborhood association, so long as the appeal has been officially approved by the general membership or board of the neighborhood association at a duly announced meeting. (Ord. 98-1008 §1(part), 1998)
- D. Major Projects. The fees for a Major Project shall be the City's actual costs, which shall include, but not be limited to, the actual costs for staff time, as well as any consultants, including contract planners, attorneys and engineers. The costs of Major Projects will not be included in any average used to establish other fees under this section. For purposes of this subsection only, a "Major Project" is defined to include any Combined Plan and Zone Change and any project with an estimated construction cost over \$1,000,000.

RESOLUTION NO. 04-01

A RESOLUTION MODIFYING PLANNING AND ENGINEERING FEES FOR VARIOUS DEVELOPMENT APPLICATIONS AND REPEALING RESOLUTION NO. 01-02.

WHEREAS, the City of Oregon City adopted Resolution No. 01-02 setting Planning and Engineering Fees for development applications; and

WHEREAS, Oregon City exercises land use planning and permitting authority pursuant to the State-wide Planning Goals, ORS Chapters 197 and 227 and the City's acknowledged Comprehensive Land Use Plan and land use regulations; and

WHEREAS, ORS 227.175 authorizes the City to set fees for processing land use applications and limited use applications based on the actual or average cost of providing those services; and

WHEREAS, ORS 197.380 authorizes the City to set fees for processing expedited land divisions calculated to recover the estimated full cost of processing an application, including the cost of appeals to the referee under ORS 197.375, based on the estimated average cost of such applications; and

WHEREAS, staff has analyzed past applications and computed average efforts for applications; and

WHEREAS, staff has applied actual salaries of staff personnel including all fringe benefits, and two types of overhead (includes departmental and administrative) that cover costs such as utilities, facility upkeep and maintenance, and non-revenue producing project work; and

WHEREAS, staff relies on revenue from these development fees to fund in-house and consultant efforts to produce such City projects as the Comprehensive Plan update, the Downtown Community Plan, and the Metro Functional Plan, among others, and

WHEREAS, staff costs for those applications should include adjusting the factor every year due to various reasons such as inflation, utility costs etc, and

WHEREAS, the City Commission concludes, in light of its statutory authorization that the City should recover, to the extent practicable, the actual cost of processing land use or limited land use decisions or expedited land divisions.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that:

The City hereby adopts Exhibit "A" to become effective February 1, 2004 as the fee schedule to modify planning and engineering fees for various development applications, establishes an annual adjustment for these fees, rounded to the nearest dollar, based on the CPI-W for Portland, Oregon effective each January 1st, and repeals Resolution No. 01-02.

Adopted, signed and approved this 21st day of January 2004.



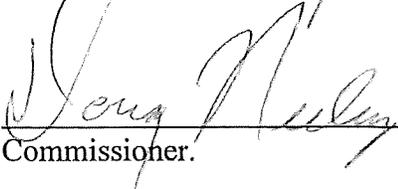
Mayor



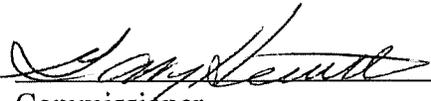
Commissioner



Commissioner



Commissioner.



Commissioner

Comprising the City Commission
of Oregon City, Oregon

RESOLUTION NO. 04-01

Effective Date: January 21, 2004, upon approval of the City Commission of Oregon City

NEW FEE SCHEDULE

Category of Application	Current Fee*	Proposed Fee
Appeals – Planning Commission Decision	\$2,530	\$2,530 plus actual city attorney fees
Annexation	\$2,500	\$3,150
Code Interpretation/Similar Use	\$288/\$575	\$760
Comprehensive Plan Amendment	\$4,532	\$3,200
Conditional Use	\$1,771	\$2,750
Expedited Land Division	\$2,635 plus \$111 per lot	\$3,000 plus \$300 per lot
Extension (Land Use Permit)	\$346	\$490
Geo-Technical Review	\$432 plus \$63 per hour	\$432
Grading Permit	\$201 plus 2.5% of grading cost for plan review	\$201 plus 2.5% of grading cost for plan review
Historic Review		
Remodel	\$50 plus 0.05 x construction value (Max \$791)	\$50
Demolition	\$300	< 1000sf \$200 > 1000sf \$500
New Construction	New	\$50 plus 2.5% x C.V. Max \$1,000
Home Occupation Review	\$75	\$75
Lot of Record	\$288	\$695
Lot Line Adjustments	\$311	\$840
Metro Mapping/Acre	< 1 = \$150; 1-5 = \$250; 5-40 = \$300; > 40 = \$400	< 1 = \$150; 1-5 = \$250; 5-40 = \$300; > 40 = \$400
Modification	\$1,166	50% of current original fee being modified
Partitions	\$2,846	\$2,870
Pre-Applications – Minor	\$200	\$400
Pre-Applications – Major	\$503	\$775
Planned Unit Developments	\$5,270 plus \$126 per unit	\$5,000 plus \$200 per unit
ROW and Sewer Permit	\$115	\$115
Re-inspect ROW / Sewer / Storm / Water	New	50% of original ROW/Sewer/Storm/Water
Sign Permit	\$58 plus 0.05 of sign construction cost	\$145 plus 0.05 of sign construction cost
Sign Variance	\$316	\$920
Site Plan and Design Review – Minor	New	\$600
Site Plan and Design Review Up to \$500,000 \$500,000 to \$3,000,000 Over \$3,000,000	\$1,186 plus 0.005 x project cost (max. of \$15,810)	\$1,500 plus 0.007 x project cost \$2,500 plus 0.005 x project cost \$8,500 plus 0.003 x project cost Maximum \$40,000
Street Vacation	\$766	\$766
Subdivisions	\$2,108 plus \$84 per lot	\$3,000 plus \$250 per lot
Technical Plan Check & Inspection	0.05 x Construction Cost	0.05 x Construction Cost
Unstable Slope Review	\$662 plus \$59 per hour	\$630
Variances – Administrative	\$928	\$975
Variances – Hearing	\$928	\$1,810
Willamette Greenway	\$575	\$1,110
Zone Change	\$1,201	\$2,030

* Original fee amount from Resolution No. 01-02 adjusted for CPI

**COMMISSION REPORT: CITY OF OREGON CITY
TO THE HONORABLE MAYOR AND COMMISSIONERS**

320 Warner Milne Road----(503) 657-0891

 INCORPORATED 1844	Agenda Item No.: 5.5	Topic: Proposed Resolution 04-01 Setting Revised Fees for Community Development Applications and Repealing Resolution 01-02
	Report No.: 04-006	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: January 21, 2004	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: Bob Cullison	Reviewed By: Dan Drentlaw	Approved By: L. Patterson

RECOMMENDATION:

Adopt proposed Resolution 04-01 (Attachment 1) to set revised fees for Community Development applications as depicted in Exhibit "A" to Attachment 1 and repealing the previous fees set in Resolution 01-02.

REASON FOR RECOMMENDATION:

Appropriate fund accounts should be reimbursed for City Staff time used to process said development applications. These adjusted fees reflect the current cost for staff to process these applications.

BACKGROUND:

City Planning and Engineering Divisions accept various development applications and currently use fees effective in January 2001 with annual CPI adjustments. Community Development fees for quasi-judicial and administrative land use applications provide the revenue for a majority of the department's Planning and Engineering expenses for personnel and related services/goods. The Planning and Engineering Division budgets have been in the red for the past two years. Increased PERS and health insurance costs and the varying nature of projects results in staff revenue not equaling expenses using current fees. As a result of the existing budget deficit, department staff has reviewed the existing fee structure for applications to determine if current fees cover the costs of actual hours/expenses needed to complete said applications. Previous use of TimeTrax, a job/hour tracking system, has proven unreliable for the past three years of data due to inconsistent use. Staff analyzed each application type and estimated hours needed for an average application and created spreadsheets to reflect the category of staff member working on each project for each type of development application.

The average cost of each type of application was computed using the actual salary and fringe expenses for each staff person and two types of overhead – Department and Administrative – for costs such as utilities, facility upkeep and maintenance, and non-revenue producing project work (see Attachments 2 & 3). Staff recommends annual adjustments based on the CPI-W for Portland, Oregon on January 1st of subsequent years. The number of applications submitted in any one year is an unknown variable, but based on the past two years, Staff estimates an additional 35% to 55% increase in revenue.

BUDGET IMPACT: FY(s): _____ **Funding Source:** _____

Attachments:

1. Proposed Resolution No. 04-01 w/Exhibit "A"
2. Time Estimates for Development Review
3. Computation of Hourly Billing Rates

*Approved
5:0*

RESOLUTION NO. 04-01

A RESOLUTION MODIFYING PLANNING AND ENGINEERING FEES FOR VARIOUS DEVELOPMENT APPLICATIONS AND REPEALING RESOLUTION NO. 01-02.

WHEREAS, the City of Oregon City adopted Resolution No. 01-02 setting Planning and Engineering Fees for development applications; and

WHEREAS, Oregon City exercises land use planning and permitting authority pursuant to the State-wide Planning Goals, ORS Chapters 197 and 227 and the City's acknowledged Comprehensive Land Use Plan and land use regulations; and

WHEREAS, ORS 227.175 authorizes the City to set fees for processing land use applications and limited use applications based on the actual or average cost of providing those services; and

WHEREAS, ORS 197.380 authorizes the City to set fees for processing expedited land divisions calculated to recover the estimated full cost of processing an application, including the cost of appeals to the referee under ORS 197.375, based on the estimated average cost of such applications; and

WHEREAS, staff has analyzed past applications and computed average efforts for applications; and

WHEREAS, staff has applied actual salaries of staff personnel including all fringe benefits, and two types of overhead (includes departmental and administrative) that cover costs such as utilities, facility upkeep and maintenance, and non-revenue producing project work; and

WHEREAS, staff relies on revenue from these development fees to fund in-house and consultant efforts to produce such City projects as the Comprehensive Plan update, the Downtown Community Plan, and the Metro Functional Plan, among others, and

WHEREAS, staff costs for those applications should include adjusting the factor every year due to various reasons such as inflation, utility costs etc, and

WHEREAS, the City Commission concludes, in light of its statutory authorization that the City should recover, to the extent practicable, the actual cost of processing land use or limited land use decisions or expedited land divisions.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Oregon City that:

The City hereby adopts Exhibit "A" to become effective February 1, 2004 as the fee schedule to modify planning and engineering fees for various development applications, establishes an annual adjustment for these fees, rounded to the nearest dollar, based on the CPI-W for Portland, Oregon effective each January 1st, and repeals Resolution No. 01-02.

Adopted, signed and approved this 21st day of January 2004.

Mayor

Commissioner

Commissioner

Commissioner.

Commissioner

Comprising the City Commission
of Oregon City, Oregon

RESOLUTION NO. 04-01

Effective Date: January 21, 2004, upon approval of the City Commission of Oregon City

NEW FEE SCHEDULE

Category of Application	Current Fee*	Proposed Fee
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New Construction	New	\$50 plus 2.5% x C.V. Max \$1,000
Home Occupation Review	\$75	\$75
Lot of Record	\$288	\$695
Lot Line Adjustments	\$311	\$840
Metro Mapping/Acre	< 1 = \$150; 1-5 = \$250; 5-40 = \$300; > 40 = \$400	< 1 = \$150; 1-5 = \$250; 5-40 = \$300; > 40 = \$400
Modification	\$1,166	50% of current original fee being modified
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Variances – Hearing	\$928	\$1,810
Willamette Greenway	\$575	\$1,110
Zone Change	\$1,201	\$2,030

* Original fee amount from Resolution No. 01-02 adjusted for CPI

CITY OF OREGON CITY

Development Review Fees

Time Estimates for Development Review, By Case Type - Hours Worked

Case Type												Permit	Actual	Current	Proposed
	CD Dir	Sr Plnr	Assoc Plnr	Eng Mgr	Sr Eng	Assoc Eng	Eng Tech	City Eng	GIS Coord	GIS Spec	Tech/ Clerical	Total Hours	Avg Cost	Fee	Fee
* Appeal - Administrative	2	0	23	2	2	0	0.5	1	0	0	0.5	31	\$1,873	\$250	\$250
Appeal - PC Decision	5	0	27	3	3	0	0.5	3	0	0	0.5	42	\$2,519	\$2,530	\$2530 + Attny fees
Annexation	4	0	1	25	1.5	0	0.5	0	0	3	10	45	\$3,156	\$2,500	\$3,150
Amendment to Comp Plan	5	0	40	2	1	0	0.5	2	0	2	0.5	53	\$3,199	\$4,532	\$3,200
Code Interpretation/Similar Use	1	0	10	1	0	0	0	0	0	0	0.5	12.5	\$752	\$288	\$760
Conditional Use	1	0	35	6	1	0	0.5	0	0	0	0.5	44	\$2,750	\$1,771	\$2,750
Expedited Land Division	2	0	33	3	40	0	0.5	0	0	0	0.5	79	\$4,489	\$2635 + 111/lot	\$3000 + 300/lot
Extension (Land Use Permit)	1	0	5	0.25	1	0	0.5	0	0	0	0.5	8.25	\$489	\$346	\$490
Geo-Technical Review	0	0	0	0.5	4	0	0	2	0	0	0.5	7	\$413	\$432	\$432
Historic Review/Remodel	0	0	13	0	0	0	0	0	0	0	0.5	13.5	\$802	\$50 + .05 X CV	\$50 + .05 X CV
Historic Review/New Construction	0	0	13	0	0	0	0	0	0	0	0.5	13.5	\$802	New	\$800
Historic Review (Demolition)	0	0	15	0	0	0	0	0	0	0	0.5	15.5	\$922	\$300	\$400
Home Occupation Review	0	0	0.5	0	0	0	0	0	0	0	0	0.5	\$30	\$75	\$75
- Lot of Record	0	0	8	0.5	2	0	0.5	0	0	0	0.5	11.5	\$695	\$288	\$695
Lot Line Adjustment	0	0	8	0.5	3	0	1.5	0	0	0	0.5	13.5	\$837	\$311	\$840
Modifications	1	0	15	2	4	0	0.5	0	0	0	0.5	23	\$1,388	\$1,166	50% of orig fee
Partition	1	0	24	1	18	0	3	1	0	0	0.5	48.5	\$2,870	\$2,846	\$2,870
* Planned Development	5	0	100	3	30	0	4.5	3	0	0	0.5	146	\$8,653	\$5270 + 126/unit	\$5000 + \$200/unit
Pre-Application Conf. - Minor	0	0	4	0.5	3	0	1	0	0	0	0.5	9	\$554	\$200	\$400
Pre-Application Conf. - Major	0	0	5	0.75	4	0	2	0	0	0	0.5	12.25	\$775	\$503	\$775
Sign Permit	0	0	1.5	0	0	0	0.5	0	0	0	0.5	2.5	\$161	\$58	\$160
Sign Variance	0	0	15	0	0	0	0	0	0	0	0.5	15.5	\$922	\$316	\$920
Minor Site Plan & Dsn Rvw	0	0	8	0	2	0	0	0	0	0	0.5	10.5	\$610	New	\$600
Site Plan & Design Review	1	0	29	2	16	0	1.5	0	0	0	0.5	50	\$2,944	\$1186 + .005*CV	\$1500 + .007*CV
Subdivision	2	0	33	2	30	0	3.5	2	0	0	0.5	73	\$4,279	\$2108 + 84/lot	\$3000 + \$250/lot
Unstable Slope Review	0	0	0	0.5	6	0	0.5	3	0	0	0.5	10.5	\$629	\$662	\$630
Variance (Administrative)	0.5	0	12.5	1	1	0	0.5	0	0	0	0.5	16	\$975	\$928	\$975
Variance (Hearing)	1	0	25	1	1	0	0.5	1	0	0	0.5	30	\$1,810	\$928	\$1,810
Willamette Greenway	0	0	15	0.5	2	0	0.5	0	0	0	0.5	18.5	\$1,112	\$575	\$1,110
Zone Change	1	0	27	1	2	0	0.5	0	2	0	0.5	34	\$2,031	\$1,201	\$2,030

**Community Development
Computation of Hourly Billing Rates**

	Comm Dev Dir	City Engineer	Eng Manager	Building Official	Senior Engineer	Plans Examiner	Senior Planner
Salary	\$46.99	\$46.99	\$40.19	\$37.59	\$34.21	\$32.56	\$29.97
Fringe	\$25.03	\$25.03	\$22.36	\$21.34	\$19.96	\$19.21	\$20.00
Dept OH	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23
Admin OH	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55
Hourly Total	\$88.80	\$88.80	\$79.33	\$75.71	\$70.95	\$68.55	\$66.75

	Assoc Engineer	GIS Coord	Assoc Planner	Eng Tech	GIS Spec	Permit Tech	Office Spec II
Salary	\$30.67	\$30.54	\$26.09	\$24.55	\$22.27	\$21.40	\$16.59
Fringe	\$18.57	\$18.18	\$16.77	\$16.17	\$14.91	\$14.58	\$13.26
Dept OH	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23	\$11.23
Admin OH	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55	\$5.55
Hourly Total	\$66.02	\$65.50	\$59.64	\$57.50	\$53.96	\$52.76	\$46.63

RESOLUTION NO. 16-23

A RESOLUTION MODIFYING THE PLANNING FEE SCHEDULE TO ADD FEES FOR TYPE I SITE PLAN AND DESIGN REVIEW.

WHEREAS, Oregon City Municipal Code Section 17.50.290 authorizes the City to adopt by resolution, and revise from time to time, a schedule of fees for applications; and

WHEREAS, the City added a streamlined review process for minor alterations to commercial, industrial and institutional properties known as Type I Site Plan and Design Review; and

WHEREAS, the City proposes to adjust fees as described in Exhibit 1 to reflect the streamlined process; and

WHEREAS, the revised fee schedule is provided in Exhibit 2; and

WHEREAS, staff relies on revenue from these fees to fund review and administration of applications; and

WHEREAS, staff costs should include annual adjustment of the fees based on the consumer price index every year to account for inflation; and

WHEREAS, the City Commission concludes that the City should recover, to the extent practicable, the actual cost of reviewing the applications.

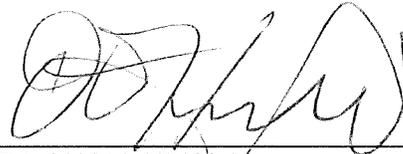
NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1: The City hereby amends the Planning Fee Schedule adopted in Resolution 16-23 to become effective September 16, 2016 and included as part of the Planning Fee Schedule.

Section 2: Beginning on January 1, 2016, the amended fees identified in Exhibit 1 and included in the Planning Fee Schedule shall be adjusted, along with all other fees identified on the Planning Fee Schedule, annually on January 1st based on the CPI-W for Portland, Oregon. Adjusted fees will be rounded to the nearest dollar.

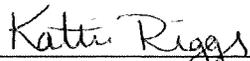
Section 4. Effectiveness. This Ordinance shall take effect 30 days from the date of adoption.

Read for the first time at a regular meeting of the City Commission held on the 3rd day of August, and the City Commission finally enacted the foregoing Ordinance this 17th day of August, 2016.



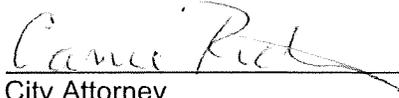
DAN HOLLADAY, Mayor

Attested to this 17th day of August 2016:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



Carrie Reed
City Attorney

Exhibits:

- Exhibit A – Amended Chapter 17.62.035
- Exhibit B – Amended Chapter 17.50.030
- Exhibit C – Staff Report and Recommendation



Exhibit 1: Fee Explanation

Over-the-Counter Type I Site Plan and Design Review

Permit Name: Over the Counter Type I Site Plan and Design Review

Amount: \$75 for Up to Two Review Items, \$150 for Three or More Review Items (adjusted annually for inflation)

Rationale: Based on the actual cost to review such applications, staff anticipates that the Planning Division would spend an average of 45 minutes administering and reviewing these permit applications as well as 20 minutes of administrative support processing the associated payment. The proposed fee of \$75 is equivalent to the fee associated with the Planning Division review for new or alterations to single-family homes. The fee doubles if the proposal includes three or more review items.

When Utilized: The over the counter Type I Site Plan and Design Review fee is applicable for projects, as described in Chapter 17.62.035, that encompass up to two of the following actions.

- Addition to or alteration of a legal nonconforming single or two-family dwelling.
- Repaving of previously approved parking lots with no change to striping.
- Replacement of exterior building materials.
- New or changes to an existing shared parking agreements.
- New or changes to existing bicycle parking.
- New or changes to existing landscaping that do not require stormwater treatment.
- New or changes to existing pedestrian accessways, walkways or plazas.
- New or changes to existing exterior mechanical equipment.
- New or changes to existing ADA accessibility elements.
- New or changes to an existing fence, hedge, or wall at least 20 feet away from a public right-of-way.
- New or changes to outdoor lighting.
- Addition or alteration to transparency, including but not limited to windows and doors.
- Addition or alteration of parapets or rooflines.
- Removal, replacement or addition of awnings, or architectural projections to existing structures.
- Modification of building entrances.
- Addition, modification, or relocation of refuse enclosure.

Extended Review Type I Site Plan and Design Review

Permit Name: Extended Review Type I Site Plan and Design Review

Amount: \$250 for Each Item Reviewed (adjusted annually for inflation)

Rationale: Based on the actual cost to review such applications, staff anticipates that the Planning Division would spend an average of 3 hours administering and reviewing each of the permit applications, the Development Services Department would spend approximately 20 minutes reviewing each of the applications, and 40 minutes of administrative support transmitting the

application and processing the associated payment. The proposed fee is similar to the Type I Natural Resource Overlay District review fee of \$208, with an additional charge included for review by the Development Services Department and associated administrative costs. The fee is based on each item reviewed.

When Utilized: The Extended Review Type I Site Plan and Design Review fee is applicable for projects, as described in Chapter 17.62.035, that involve any of the following actions, alone or in combination:

- Addition or removal of up to 200 square feet to a commercial, institutional, or multifamily structure in which no increases are required to off-street parking. This includes a new ancillary structure, addition to an existing structure, or new interior space (excluding new drive thru). Increases of more than 200 square feet in a 12-month period shall be processed as Type II.
- Addition or removal of up to 1,000 square feet to an industrial use in which no increases are required to off-street parking. This includes a new ancillary structure, addition to an existing structure, or new interior space (excluding ancillary retail and office). Increases of more than 1000 square feet in a 12-month period shall be processed as Type II.
- Change to parking lot circulation or layout, excluding driveway modifications.
- Removal or relocation of vehicle parking stalls provided total parking remains between approved minimum and maximum with no new reductions other than through the downtown parking district.

These fees will be added to the Planning Fee Schedule on September 16, 2016 and will be adjusted annually beginning on January 1, 2017, based on the CPI-W for Portland, Oregon. Adjusted fees will be rounded to the nearest dollar.



2016 PLANNING FEE SCHEDULE

(Effective January 1, 2016)

All fees are subject to change by Resolution of the City Commission.

The applicant is responsible for paying the application fee in effect at the time the **formal application** is submitted.

APPLICATION TYPE	FILING FEE
Appeal - Administrative (includes SDC appeal)	\$250
Appeal - Historic Review Board	\$50
Appeal - PC Decision	\$3,446 plus actual City Attorney fees
Annexation Application	\$4,290
Annexation Metro Mapping (UOM is Acre)	< 1 = \$150 1 - 5 = \$250 5.1 - 40 = \$300 > 40 = \$400
Election Deposit	\$3,091
Amendment to Comp Plan	\$4,357
Code Interpretation / Similar Use	\$1,035
Conditional Use	\$3,746
Expedited Land Division	\$4,086 plus \$409 per lot
Extension (Land Use Permit)	\$667
Floodplain (Flood Mngmt Overlay Dist) Review (Type II)	no charge
Geologic Hazards Review	\$858
Geotechnical Review - High Water Table	\$588
Historic Review - Remodel	\$50
Historic Review - New Construction	\$50 plus 2.5% of construction cost max = \$1,000
Historic Review - Demolition	< 1,000 sf = \$273 > 1,000 sf = \$680
Lot Line Adjustment	\$1,145
Mailing Labels	\$15
Master Plan / Concept Plan	\$6,809
Master Plan / Concept Plan (Amendment)	Type I = \$680 Type II = \$2,043 Type III = \$3,404
Modifications	50% of current app. fee for app. being modified
Minor Partition	\$3,909
Non-Conforming Use (Type I)	See Public Records Request Form
Non-Conforming Use/Compatibility Review (Type II)	\$817
Parking Adjustment (Type III)	\$938
Pre-Application Conference	minor = \$544 major = \$1,055
Public Improvement Modification	\$350
Plan Review of Building Permit - Residential	\$75
Plan Review of Building Permit - Commercial	.1% bldg. permit value min = \$137 max = \$3,419
Sign Permit	\$173 plus 5% of sign construction cost
Temporary Banner Permit	\$50
Annual Right-of-Way Permit for Signage	\$172 or \$86 if submitted after June 30th
A-Frame Sign Permit within the Right-of-Way	\$50
Cross Street Banner within Right-of-Way Permit	\$65 Hwy 99E / Pedestrian Bridge \$210 Molalla Avenue at Beverly Drive
Street Light Banner within the Right-of-Way Permit	\$20 per banner
Sign Variance	\$1,253
Site Plan & Design Review (Minor Type I Over the Counter)	\$75 ≤ 2 reviews \$150 ≥ 3 reviews
Site Plan & Design Review (Minor Type I Extended Review)	\$250 each review
Site Plan & Design Review - Minor	\$817
Site Plan & Design Review / Detailed Master Plan - less than \$500,000 - \$500,000 to \$3,000,000 - over \$3,000,000	\$2,043 plus 0.007 X project cost \$3,404 plus 0.005 X project cost \$11,578 plus 0.003 X project cost max fee = \$54,308
Subdivision	\$4,086 plus \$340 per lot
Transportation Analysis Letter	\$464
Tree Replacement/Mitigation Fee	\$305 per tree
Variance (Administrative)	\$1,328
Variance (Hearing)	\$2,467
Natural Resource Review - Type I for Single/Two Family Lot - Type I for Non-Single/Two Family Lot - Type II or III for Single/Two Family Lot - Type II or III for Non-Single/Two Family Lot	\$208 \$416 \$967 \$1,936
Willamette Greenway (Type II)	no charge
Willamette Greenway (Type III)	\$1,510
Zone Change / Text Amendment	\$2,764

**2015 TRAFFIC IMPACT ANALYSIS (TIA) AND TRANSPORTATION ANALYSIS LETTER (TAL)
FEE STRUCTURE**

Land Use	Base Fee ¹	Large Study Area or Location near or Along Key Corridor ²	Conditional Use, Zone Change, or Master Plan ³	Meetings ⁴ Cost/Hr
Residential				
0-50 units	\$1,079	\$674	\$2,021	\$130
50+ units	\$1,349			
Non-residential				
<50K ft ²	\$2,696	\$674	\$2,021	\$130
50 to 100K ft ²	\$3,370			
>100K ft ²	\$4,044			
Transportation Analysis Letter (TAL): \$464				
<p>Notes:</p> <ol style="list-style-type: none"> 1. Covers initial review. Each time supplemental information is submitted for review in association with a particular land use application, a supplemental review fee will be assessed at 50 percent of the base fee. 2. Applies to study areas including more than three intersections/accesses and/or development located near or along congested corridors. 3. Applies to developments involving a conditional use or zone change, or master plan. 4. Charged on a time and material basis including travel and attendance time for pre-application meetings, site visits, planning commission meetings, and other meetings called by applicant or City staff to review issues associated with the development. 				