

ORDINANCE NO. 706

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 17., "LAND USE AND DEVELOPMENT," CHAPTER 17.12, "DEVELOPMENT APPROVAL PROCEDURE," SECTION 17.12.330, "APPLICATION PROCEDURE;" and SECTION 17.12.340, "MULTIPLE APPLICATIONS."

WHEREAS, Stayton Municipal Code Title 17., "Land Use and Development," regulates use and development of land within the city limits of the City of Stayton and the Stayton urban growth boundary; and

WHEREAS, the City of Stayton charges application fees for Comprehensive Plan/Zoning Map amendments, conditional use permits, variances, annexations, major and minor partitions, subdivisions, planned unit developments, manufactured housing parks, site plan reviews, and appeals; and

WHEREAS, it is the intent of the City that the charges imposed are to recover the cost in personnel time and materials to process the applications; and

WHEREAS, the Stayton City Council has already established, in Resolution No. 478, that application fees and charges imposed by Title 17. are not a tax as defined by Article XI., section 11-b, of the constitution of the State of Oregon; and

WHEREAS, the Stayton City Council wishes to amend certain sections of Title 17.;

NOW, THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: Stayton Municipal Code Section 17.12.330, "Application Procedure," is hereby amended to read:

17.12.330 APPLICATION PROCEDURE

Any application for a land use or development approval action authorized in this title shall be filed in the following manner.

1. FORMS: The application shall be in writing on forms provided by the city planner, with supplementary maps and material as set forth herein.
2. FILING LOCATION: Unless stated otherwise, the application shall be filed with the city planner at city hall.
3. PROPERTY OWNER AUTHORIZATION: The application shall be accompanied by a notarized statement certifying the authority of anyone representing the owner(s) of property involved in the application, if the owner(s) are not the applicants. The application shall be signed by the property owner or authorized representative.
4. SUPPLEMENTAL INFORMATION: All documentation and information specified in those portions of this title governing the approval or action being requested shall accompany the application. The

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Amending Stayton Municipal Code Sections Related to Development Approval Procedures

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applicant shall be responsible for providing any and all information required to bring about an acceptable application.

5. FEES

- a. **Basic Application Fees:** Basic application fees are intended to defray expenses incurred by the city staff to review and process the application.
- b. **Engineering Deposit:** An applicant for an annexation, comprehensive plan amendment, zoning map amendment, subdivision, planned unit development, mobile home subdivision and mobile home park shall pay a \$500.00 deposit to the City to cover the cost of an engineering review of the application and improvement plans.
- c. **Additional Fees:** If the fee paid by the applicant is not sufficient to cover the amount of excess expenses incurred by the city in processing the application, then the city may, at the discretion of the council, determine with the applicant an agreement for assessment of additional fees to the applicant for the actual costs incurred.
- d. **Waiver of Fees:** The council may, at its discretion, waive some or all fees for the processing of applications determined by the council to be in the public interest.

6. **FEE SCHEDULE:** Specific applications shall be subject to the following fees, to be submitted with the application and not refunded once the application is accepted by the city planner:

<u>TYPE OF APPLICATION</u>	<u>FEES</u>
Annexation	\$ 500
	plus \$20 per gross acre
Annexation (in conjunction with another application)	\$ 500
Comprehensive Plan Amendment (text or map)	\$ 500
	plus \$20 per gross acre
Zoning Ordinance Amendment (text or map)	\$ 500
	plus \$20 per gross acre
Conditional Use Permit (residential zone)	\$ 100
Conditional Use Permit (other zones)	\$ 200
Variance	\$ 200
Variance (in conjunction with another application)	\$ 50
Major or Minor Partition	\$ 100
Subdivision (including manufactured housing subdivision)	\$ 500
	plus \$20 per lot
Planned Unit Development	\$ 500
	plus \$20 per lot/unit
Manufactured Home Park	\$ 500
	plus \$20 per lot
Site Plan Review	No fee
Appeals	\$ 100
Engineering Review (Public Works construction plans)	\$ 25/manhour

SECTION 2: Stayton Municipal Code Section 17.12.340 is hereby amended to read:

17.12.340 MULTIPLE APPLICATIONS

1. PROCESSING: Combined or multiple requests by the same applicant(s) for approvals of different land use and development permits which are governed by the provisions of this chapter and which affect the same property or properties, shall be considered concurrently by the city. In the case of different applications requiring planning commission final action for one and council final action for another, the council may act upon both together.
2. FEES FOR MULTIPLE APPLICATIONS: Multiple applications shall be assessed fees as provided in Section 17.12.330 for each individual application which is part of a multiple application. The city administrator shall be empowered to waive all but the highest fee for multiple applications except for multiple applications containing variances, in which case an extra \$50 fee shall be charged for the variance application; and multiple applications containing annexations, in which case an additional \$500 fee shall be charged for the annexation application.

ADOPTED BY THE STAYTON CITY COUNCIL this 17th day of August, 1992.

Date: 8-18-92

By: *Willmer Van Vleet*  
WILLMER VAN VLEET, Mayor

ATTEST

Date: Aug 18, 1992

By: *David W. Kinney*  
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: AUG 5 1992

By: *David A. Rhoten*  
DAVID A. RHOTEN, City Attorney

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