

RESOLUTION NO. 790

A RESOLUTION REVISING THE LAND USE AND PUBLIC WORKS APPLICATION FEE,
CHARGES AND DEPOSITS SCHEDULE

WHEREAS, the Stayton City Council has adopted Ordinance No. 894 "An Ordinance Repealing and Restating Title 17 of the Stayton Municipal Code (SMC) 'Land Use And Development'";

WHEREAS, SMC Section 17.12.030.5 requires a fee be paid anticipating the City's costs for processing land use applications and requires the deposit be made by land use applicants at the initiation of the application process;

WHEREAS, SMC Section 17.12.030.6 requires that fees, charges and/or deposits be established by resolution;

WHEREAS, the fee and deposit schedule has not been revised since 1998 while the City's costs for processing and reviewing applications has been increased and the revised fee/deposit schedule as set forth in Attachment A is reasonable, reflecting current costs; and

WHEREAS, it is the intent of the City Council to establish a fee, charges and deposit schedule that will allow the City to be reimbursed for its expenses in processing and reviewing applications but not to be a source of revenue.

NOW THEREFORE, BE IT RESOLVED that the City of Stayton hereby adopts the attached fees, charges and deposit schedule (Attachment A) to become effective on February 1, 2007.

APPROVED BY THE STAYTON CITY COUNCIL this 22nd day of January 2007.

Date: 01-24 2007

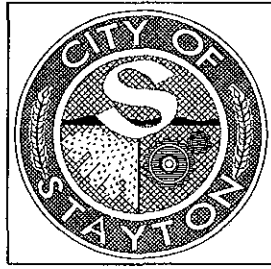
By: Virginia L. Honeywell
Virginia L. Honeywell, Mayor

Date: Jan. 25, 2007

Attest: Chris Childs
Chris Childs, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney



City of Stayton

Land Use Application Fees

Land Use Application Fees are designed to offset the costs to the City of processing and reviewing land use applications. The City faces costs of publishing and mailing notices of hearings, reviewing plans, preparing staff reports, and distributing notices of decisions. The fees have been calculated based on an analysis of the City's recent past costs and reflect an average cost of reviewing a "typical" application, considering the number of hearings that must be held and other costs.

If the cost to the City does not reach the amount of the fee paid, the excess fee will be refunded to the applicant after the file is closed. If during the processing of the application, the costs to the City exceed 75% of the fee paid, the applicant will be required to pay an additional 50% of the fee amount, to assure that there are adequate funds to continue to process the application.

Some land use applications may involve multiple steps, such as the review of a preliminary plan, construction plans, and final plat for a subdivision. A subsequent phase of the process will not commence unless all balances due from a previous review phase have been paid in full. Approval of building permits will not be authorized if there is an outstanding balance.

❖ Pre-Application Meeting

- First meeting Free
- Subsequent meetings within one year of the first meeting\$300

❖ Applications that require only Staff Review.....\$500

- Administrative Site Plan Reviews
- Minor Modifications
- Final Plat for Partitions and Subdivisions

❖ Applications that require only a Planning Commission Hearing.....\$1,300

- Site Plan Review
- Partitions
- Subdivisions
- Preliminary Master Planned Development
- Final Master Planned Development
- Conditional Uses
- Variances
- Major Modifications

- ❖ Applications that require both a Planning Commission and City Council Hearing
 - Comprehensive Plan Map Amendment and Zone Change\$1,550
 - Subdivision, Master Planned Development, Site Plan Review that include an Annexation\$1,800
- ❖ Other Planning Department Applications\$25*
 - Sign Permits
 - Change of Use Permits
- ❖ Appeals
 - Of decisions made by Staff without a public hearing\$250**
 - Of decisions made by the Planning Commission.....\$650
- ❖ Vacation of Streets and Alleys\$500
- ❖ Review of Construction Plans.....\$600
- ❖ Inspections
 - Minor Public Improvements\$300
 - Subdivisions, Master Planned Developments.....\$4,500

Minor Public Improvements are projects that do not include the construction a street or the extension of a city utility facility, such as construction of driveways and utility connections.

In the event the application is withdrawn before City action, the applicant shall be responsible to pay for the costs incurred up to the time of its withdrawal.

The Council may, at its discretion, waive some or all charges for the processing of applications determined by the Council to be in the public interest.

* The complete fee is non refundable and no additional reimbursement shall be required, regardless of the staff time required.

** Oregon Revised Statutes 227.175 indicates that, “The maximum fee for an initial hearing shall be the cost to the local government of preparing for and conducting the appeal, or \$250, whichever is less. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded.”