

RESOLUTION NO. 2008-09

A RESOLUTION ESTABLISHING FEES, DEPOSITS AND POLICIES FOR LAND USE APPLICATIONS, BUILDING PERMITS AND DEVELOPMENT AGREEMENTS.

WHEREAS, ORS 227.175 provides for a city to charge its actual costs of processing permits, to include discretionary approval of a proposed development of land under city ordinance or regulation;

WHEREAS, Garibaldi Municipal Code 18.210.080 authorizes the City Council to adopt by resolution fees for review of an application for a permit, including application for development approval, zone change, comprehensive plan map amendment, subdivision and planned unit development, and other land use applications for development approval; NOW THEREFORE

THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

Section 1. The fee for review of an application under GMC 18.210.080 shall be an amount to cover the City's actual and reasonable cost of reviewing the application including pre-application meetings, determined as follows:

- A. The base fee for review of an application is established as follows as the average cost of such review:

TYPE OF CHARGE	RES. OR ORD. NO.	DATE	CURRENT \$ AMOUNT	NEW \$ AMOUNT
SITE PLAN/LAND USE FEES (ADMINISTRATIVE REVIEW)				
SITE PLAN REVIEWS				
Building permits	[SET BY	COUNTY]	7% of permit &	same
plus state BCD surcharge	[SET BY	STATE]	plan fees	same
New stick built single family	2006-09	20-Mar-06	200	210
New manufactured home	2006-09	20-Mar-06	175	185
New stick built duplex	2006-09	20-Mar-06	250	265
New multifamily (3 to 5 units)	2006-09	20-Mar-06	300	315
New multifamily (6 to 11 units)	2006-09	20-Mar-06	500	525
New multifamily (12 and up)	2006-09	20-Mar-06	500 + 20.00/unit	525 + 21.00/unit
Additions (expansion to property line & height increase. Includes garages, carports, & pole buildings)	2006-09	20-Mar-06	85	90
Church	2006-09	20-Mar-06	200	210
New commercial	2006-09	20-Mar-06	350	370
Exterior remodel (accessory structure placement, decks, storage sheds)	2006-09	20-Mar-06	75	80
Geological Hazard, overlay zones	2006-09	20-Mar-06	250	265
Public Works (PW) basic charge	2006-09	20-Mar-06	50	55
in Hillside Overlay Zone	2006-09	20-Mar-06	100	105
PW basic charge new connection	2006-09	20-Mar-06	100	105
in Hillside Overlay Zone	2006-09	20-Mar-06	200	210
LAND USE FEES				
lot combination	18.210.080	---	---	100
lot line adjustment	2006-09	20-Mar-06	200	120
sign permit	2006-09	20-Mar-06	50	55
right of way permits	2006-09	20-Mar-06	150	160

Change of use	2006-09	20-Mar-06	50	55
LAND USE APPLICATION FEES (PLANNING COMMISSION)				
variance	2006-09	20-Mar-06	500	525
interpretation	18.210.080	---	---	300
conditional use (residential)	2006-09	20-Mar-06	400	420
conditional use (commercial)	2006-09	20-Mar-06	500	525
partition (minor)	2006-09	20-Mar-06	450	475
expedited (additional cost)	2006-09	20-Mar-06	1050	1105
partition (major)	2006-09	20-Mar-06	600	630
expedited (additional cost)	2006-09	20-Mar-06	1400	1470
subdivision/planned unit development	2006-09	20-Mar-06	1000	1050
plus, per lot	2006-09	20-Mar-06	25	26
expedited (additional cost)	2006-09	20-Mar-06	2000	2100
LAND USE APPLICATION FEES (PLANNING COMMISSION AND CITY COUNCIL)				
zoning change/amendment	2006-09	20-Mar-06	600	630
comprehensive plan map amendment	2006-09	20-Mar-06	600	630
urban growth boundary amendment	2006-09	20-Mar-06	600	630
LAND USE APPLICATION FEES (CITY COUNCIL)				
appeal	2006-09	20-Mar-06	same	same
interpretation	18.210.080	---	---	400
street vacation	2006-09	20-Mar-06	900	945
annexation	2006-09	20-Mar-06	900	945
development agreement	18.210.080	---	---	3000

- B. If the City's cost of processing an application exceeds the base fee, the fee shall include the cost for such work, including but not limited to services provided by staff including but not limited to planning, public works, engineering, and administrative staff at the employee's applicable hourly rate, and including all direct costs for contracted work in the amount billed to City for professional services, including but not limited to services provided by a surveyor, appraiser, attorney, land use planner, engineer, building inspector, traffic consultant, arborist or wetlands specialist.
- C. If the City Administrator determines the City's actual cost of processing an application is likely to either exceed or be less than the base fee by a margin of more than 20%, the fee for processing the application shall include the actual costs.
- D. Where actual costs are expected to exceed the base fee, the base fee shall be treated as a minimum and the fee shall include the actual costs, which shall be charged to the applicant as established in (B) and (C) above and payable as the fee within the time provided by law for the application to be deemed complete. Any additional costs accruing after the completion date shall be charged to the applicant and payable as part of the City's fee for continuing to review and process the application.
- E. Where actual costs are less than fees paid, upon completion of a final decision by either staff, Planning Commission or City Council, the City shall refund the difference to the applicant. If the application is withdrawn before a final decision is issued, the City shall refund the fee paid by the applicant less any costs of review charged under this Section for review work performed as of the date the application is deemed withdrawn.
- F. Reviewing and processing an application includes items required to complete conditions of approval or requested by the applicant, including property transactions such as easements,

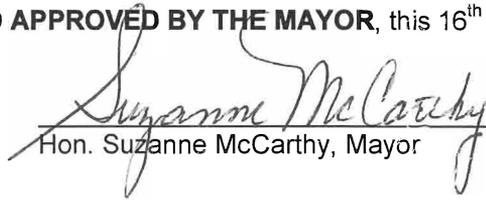
agreements including development agreements and other negotiated instruments; and participation in meetings. The City shall inform the applicant of its intent to be reimbursed for additional pre-application meetings.

Section 2. Staff may include in any appropriate list of city fees the base fee provided in Section 1 of this resolution, along with a note referring to this resolution for authority and for information on other fees that may apply as provided herein.

Section 3. Resolution 2008-07 or subsequent resolutions shall be used for determining staff rates. In addition, estimates for postage, recording fees, copies and other costs related to reviewing and/or processing an application will be based upon the most recent data available.

Section 4. This resolution takes effect on the date of its adoption.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR, this 16th day of June, 2008.



Hon. Suzanne McCarthy, Mayor

ATTEST:



Kevin M. Greenwood, Administrator