

RESOLUTION NO. 34-2009

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
SETTING FEES FOR SERVICES.**

WHEREAS, affected City departments review the City of Milwaukie fee schedule on an annual basis and recommend changes to City Council based on labor costs and industry standards; and

WHEREAS, the City Council last revised the City of Milwaukie fee schedule in June 2008; and

WHEREAS, the proposed fee schedule changes implement the recently adopted code amendments to Titles 17 and 19 of the Milwaukie Municipal Code and are not meant to replace the City-wide annual review of the City of Milwaukie fee schedule; and

WHEREAS, the proposed fee schedule changes also clarify existing policy and fees with regard to appeals initiated by Neighborhood District Associations and land use applications for sign review; and

WHEREAS, the proposed fee schedule changes are meant to cover the costs of providing services to the public for which fees are charged and are not meant to generate excess income for the City above the cost of providing the requested service; and

WHEREAS, fees are set by City Council resolution;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Milwaukie, Oregon determines that the fees, herewith attached as "Fees & Charges," are effective June 4, 2009, and:

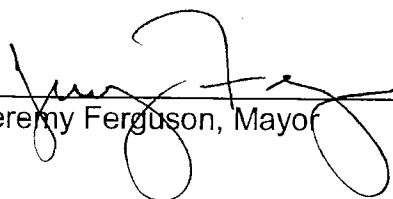
Section 1. City of Milwaukie fees and charges are revised as shown in Exhibit A (strikeout version) and adopted as shown in Exhibit B (clean version) as part of the official fee schedule of the City of Milwaukie.

Section 2. The fees imposed by this Resolution are not taxes subject to the property limitations of Article XI, Section 11(b) of the Oregon Constitution.

Section 3. All fees and charges not revised as shown in Exhibit A shall remain at their present amounts.

Introduced and adopted by the City Council on June 2, 2009.


This resolution is effective on July ¹⁶~~2~~, 2009.



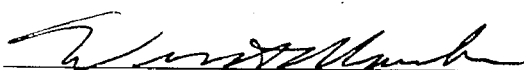
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC



Pat DuVal, City Recorder



City Attorney

Document3 (Last revised 09/18/07)

ATTACHMENT 3 Exhibit A Strikeout = Deletions Underline = Additions

Chapter 19.900 Amendments

CPA Comprehensive Plan/Map Amendment.....	\$3,210
ZA Zoning Ordinance Amendment.....	\$3,210
ZC Zoning Map Amendment (aka "Zone Change")	\$3,210
Ballot Measure 56 Notice (for Zone Amendment or Zone Change).....Actual Cost (\$1 per affected property, \$35 minimum)	
Reserve deposit	\$500

Chapter 19.1000 Administrative Provisions

AP Appeal to City Planning Commission/City Council.....	\$505
<i>(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)</i>	
DI Planning Director Interpretation	\$100

Chapter 19.1400 Transportation Planning, Design Standards, and Procedures

TPR Transportation Plan Review (Type I review).....	\$150 **
TPR Transportation Plan Review (Type II review).....	\$750 **
TPR TFR Transportation Plan <u>Facilities</u> Review (Minor Quasi-Judicial review)	\$750 **
Additional reserve deposit.....	\$750 **

Chapter 19.1500 Boundary Changes (Annexations)

A Annexation (Expedited).....	\$100
A Annexation (Nonexpedited with no Zone Change or Comp Plan Amendment).....	\$100
A Annexation (Nonexpedited: Zone Change only).....	\$100
A Annexation (Nonexpedited: Zone Change and Comp Plan Amendment).....	\$3,210

Title 17 Land Division

DD Director's Determination of Legal Lot Status	\$50
ELD Expedited Land Division.....	\$4,125
FP Minor Land Partition (Final Plat)	\$150
FP Subdivision (Final Plat)	\$150
LC Lot Consolidation	\$250
Additional reserve deposit.....	\$250
MLP Minor Land Partition	\$750 <u>\$1,125</u>
Additional reserve deposit.....	\$1,000
PLA Property Line Adjustment	\$640
R Partition Replat.....	\$500 <u>\$875</u>
Additional reserve deposit.....	\$500
R Subdivision Replat	\$500 <u>\$875</u>
Additional reserve deposit.....	\$1,000
S Subdivision (Preliminary Plat)	\$2,630 <u>\$3,005</u>
SV Street or Plat Vacation	\$1,905
Extension of Planning Commission Approval.....	\$40

Title 14 Signs

Adjustment SR Sign Review (Land Use Application):

- Adjustment (Type II review) (up to 25% variance from standard) \$800
- Adjustment (Minor Quasi-Judicial review (over 25% variance from standard)).....\$1,500
- Community Service or Conditional Use Sign Review (Minor Quasi-Judicial review)Actual Cost *

Sign Permit Review (Building Permit Application):

- See **Reviews, Inspections, and Preapplication Conferences** below

Other fees

M-37 Property Value Reduction Claims (pertaining to Ballot Measures 37 or 49)	\$1,515
(Fee will be refunded if applicant prevails. If claim is denied, additional money may be required to cover contract-attorney or appraiser costs, as determined by City Manager.)	
TP Tree Permit (major pruning or removal of trees in the public right-of-way)	\$35
Tree Removal Appeal Hearing	\$505
Technical Report Review (Traffic, Wetlands, Geotechnical, Hydrology, etc):	
• Scope of Work Preparation	Actual Cost *
Additional reserve deposit	\$1,000
• Review of Technical Report	Actual Cost *
Reserve deposit:	
• Traffic	\$2,500
• Water Quality Resources	\$1,500
• All others	\$1,000
Variance from Clear Vision Standards	\$1,500
Zoning Confirmation Letter	\$50

Discounts for Land Use Applications

Two or more applications	No discount for most expensive application—50% discount for all others ***
Senior citizens and low income citizens25% discount (50% for appeals) ****
NDA-sponsored land use applications related to parks	Fees waived

Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual costs are covered. Deposits used for consultant review of technical reports will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. Deposits collected as part of Type II land division applications (such as Minor Land Partitions, Lot Consolidations, and Replats) are refunded if the application is not elevated to the level of Minor Quasi-Judicial review. This applies only to reserve deposits—base fees are nonrefundable.

Notes

- * Actual cost to be determined by Planning Director or Engineering Director by estimating the cost of City staff time and resources dedicated to the project.
- ** Water Quality Resource and Transportation Plan Review applications may also require additional Technical Report Review.
- *** Applies to applications which relate to the same parcel of land and which will be considered at the same Planning Commission meeting.
- **** Seniors must be at least 62 years of age. Low-income citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.

Reviews, Inspections, and Preapplication Conferences

Building Permit Review (Short).....	\$25
Building Permit Review (Minor).....	\$95
Building Permit Review (Major).....	\$130
Planning Inspection Fee	\$50
Preapplication Conference	\$125
Preapplication Conference with Transportation Review	\$200
Sign Permit Review	\$95/sign type
Sign Permit Review (Daily Display or "sandwich board" sign).....	\$50

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