

RESOLUTION NO. 24-2011

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

WHEREAS, the City of Milwaukie fee schedule is reviewed on an annual basis and changes are recommended to City Council based on labor costs and industry standards; and

WHEREAS, the City Council last revised the City of Milwaukie fee schedule in December 2010; and

WHEREAS, the proposed fee schedule changes would implement code amendments to Title 19 of the Milwaukie Municipal Code (Land Use File ZA-10-02) but would not replace the City-wide annual review of the City of Milwaukie fee schedule; and

WHEREAS, the proposed fee schedule changes would cover some 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 60 days from the date of adoption, and:

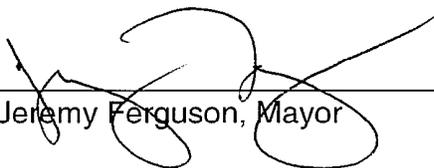
Section 1. City of Milwaukie fees and charges are revised as shown in Exhibit A (strikeout version) and adopted as shown in Exhibit B (clean version) as part of the official fee schedule of the City of Milwaukie.

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 3/1/11.

This resolution is effective on the same day as the ordinance that was read for the first time on March 1, 2011 and that is scheduled for a second reading on March 15, 2011 adopting amendments to the Milwaukie Municipal Code (Land Use File ZA-10-02).



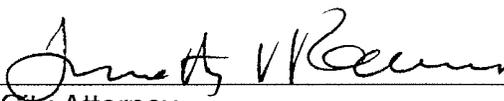
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Schrader Ramis PC



Pat DuVal, City Recorder



City Attorney

Document3 (Last revised 09/18/07)

EXHIBIT A

PLANNING

Land Use Application Fees

Standard Applications

The following standard fees apply to all land use applications¹ not listed below. Some applications may require additional fees as described below under Additional Application Fees:

Type I <u>Administrative</u> Review	\$150
Type II <u>Administrative</u> Review	\$900
Additional fee collected if decision is elevated to Minor Quasi-Judicial Review	\$800
Minor <u>Type III</u> Quasi-Judicial Review	\$1,700
Major <u>Type IV</u> Quasi-Judicial Review	\$3,500
Type V <u>Legislative</u> Review	\$3,500

Other Applications

Community Service Use—Minor Modification (Type I).....	\$25
Historic Resource Designation (Major Quasi-Judicial Type IV)	\$150
Minor Land Partition (Type II)	\$2000
Planned Development—Preliminary Plan Review (Minor Quasi-Judicial Type III).....	\$4400
Planned Development—Final Plan Review (Major Quasi-Judicial Type IV)	\$5700
Property Line Adjustment (Type I).....	\$650
Subdivision—Preliminary Plat Review (Minor Quasi-Judicial Type III).....	\$4400 + \$100 per lot over 4 lots
Temporary Structure (Type I)	\$50

Annexations

Annexation (Expedited).....	\$150
Annexation (Nonexpedited: No Zone Change or Comp Plan Amendment).....	\$150
Annexation (Nonexpedited: Zone Change only).....	\$500
Annexation (Nonexpedited: Zone Change and Comp Plan Amendment).....	\$3500

Appeals

Appeal to Planning Commission	\$500
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	
Appeal to City Council	\$1000
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	
Tree Removal Appeal Hearing	\$500

Additional Application Fees

The following fees apply in addition to Land Use Application fees:

Measure 56 Notice (for <u>Zoneing Map or Text</u> Amendment or <u>Zone Change</u>) Actual Cost (\$1 per affected property, \$35 minimum)	
Reserve deposit	\$500
Technical Report Review:	
• Scope of Work Preparation	Actual Cost ²
Reserve deposit	\$1,000
• Review of Technical Report	Actual Cost ³
Reserve deposit:	
• Traffic	\$2,500
• Water Quality Resources	\$1,500
• All others	\$1,000

¹ For a complete list of land use application types, see *City of Milwaukie Land Use Applications* handout Milwaukie Municipal Code Table 19.901.

² 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. See more information under Deposit Information.

³ 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. See more information under Deposit Information.

Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

Discounts for Land Use Applications

Two or more applications	No discount for most expensive application, 25% discount for all others. (This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.)
Senior citizens	10% discount (Seniors must be at least 65 years of age, and must be the property owner.)
Low income citizens	25% discount (Low-income citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.)
NDA-sponsored land use applications related to parks	Fees waived

Other Planning Fees

Early Assistance

Preapplication Meeting	\$100 (\$50 applied to subsequent land use application fee) (Applies to optional meetings attended by a maximum of 2 City staff. No written notes provided.)
Preapplication Conference	\$200 (\$100 applied to subsequent land use application fee) (Applies to required or optional meetings that require 3 or more City staff. Written summary notes provided 2 weeks after meeting.)
Preapplication Conference—Transportation Facilities Review	\$100 (Additional meeting required to discuss TIS <u>Transportation Impact Study</u> .)
Design Review Consultation with Design and Landmarks Committee	\$800

Special Requests

Planning Commission Approval for Bee Colonies	\$500
Property Value Reduction Claims (pertaining to 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.)
Resubmittal or Significant Revision <u>Modification</u> of Complete Land Use Application	\$500
Reschedule of Public Hearing at Applicant's Request (when re-notification required)	\$500
Temporary Occupancy Request	\$100
Time Extension of Previously Granted Land Use Approval (<u>Title 17 only</u>)	\$50
Zoning Confirmation (General)	\$50
Zoning Confirmation (DMV Permit, LUCS)	\$25

Permit Review and Inspections

Building Permit Review and Inspections (<u>Minor</u> ; e.g., Demolition, Erosion Control, etc.)	\$25
Building Permit Review and Inspections (<u>Major-Single Family Residential</u>)	\$200
Building Permit Review and Inspections (<u>Commercial, Industrial, Institutional</u>)	\$350
Additional Planning Inspection Fee	\$50
Revisions-Modifications to Building Permit after <u>during</u> Review	\$100 (Fee applies to site plan revisions generated by applicant, not those required by staff during review process.)
Sign Permit Review (per sign)	\$100
Sign Permit Review (Daily Display or "sandwich board" sign)	\$150
Tree Permit (major pruning or removal of trees in the public right-of-way)	\$80

Materials

Many materials are available online for free at www.ci.milwaukie.or.us/departments/planning/planning.html. Contact Planning staff for additional information.

Zoning Ordinance.....	\$25
Comprehensive Plan.....	\$15

Comprehensive Plan or Zoning Ordinance Map:

- 11x17 handout (Black & White/Color) No charge/\$2
- GIS maps (e.g., Zoning Map) Full sheet \$45; see Engineering fees for other sizes

Comprehensive Plan ancillary documents: (most not available online)

• Ardenwald Park Master Plan	\$2
• Downtown and Riverfront Land Use Framework Plan.....	\$25
• Elk Rock Island Natural Area Management Plan.....	\$8
• Furnberg Park Master Plan.....	\$5
• Homewood Park Master Plan.....	\$1
• Johnson Creek Resources Management Plan.....	\$15
• Lake Road Multimodal Plan.....	\$8
• Lewelling Community Park Master Plan.....	\$1
• North Clackamas PFP.....	\$25
• Town Center Master Plan.....	\$15
• Scott Park Master Plan.....	\$2
• Spring Park Master Plan.....	\$5
• Springwater Corridor Master Plan.....	\$8
• Transportation System Plan	
• Full Document.....	49
• Executive Summary.....	\$15
• CD.....	\$3.50
• Water Tower Park Master Plan	\$2
• Wichita Park Master Plan	\$2
• Vision Statement (one page).....	No charge

Sign Ordinance.....	\$5
Land Division Ordinance	\$5
Downtown Design Guidelines (Black & White/Color).....	\$10/\$35
Downtown and Riverfront Public Area Requirements	\$15
Other informational handouts (10 pages or less).....	No charge
Other informational handouts (over 10 pages).....	At cost

Penalties⁴ (each day that a violation exists is a separate offense)

Violation of Sign Ordinance (Title 14) (Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993).....	up to \$100
Unpermitted tree cutting in the public right-of-way (Title 16) (Ord. #1836, adopted 1998).....	\$150 to 500
Violation of Land Division Ordinance (Title 17) (Ord. #1907, adopted 2002).....	\$200
Violation of Zoning Ordinance (Title 19) (Ord. #4742-XXXX, adopted 4994 2011).....	up to \$200

⁴ All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the **Code Enforcement** section for complete information.

EXHIBIT B

PLANNING

Land Use Application Fees

Standard Applications

The following standard fees apply to all land use applications¹ not listed below. Some applications may require additional fees as described below under Additional Application Fees:

Type I Administrative Review	\$150
Type II Administrative Review	\$900
Type III Quasi-Judicial Review	\$1,700
Type IV Quasi-Judicial Review	\$3,500
Type V Legislative Review	\$3,500

Other Applications

Community Service Use—Minor Modification (Type I)	\$25
Historic Resource Designation (Type IV)	\$150
Minor Land Partition (Type II)	\$2000
Planned Development—Preliminary Plan Review (Type III)	\$4400
Planned Development—Final Plan Review (Type IV)	\$5700
Property Line Adjustment (Type I)	\$650
Subdivision—Preliminary Plat Review (Type III)	\$4400 + \$100 per lot over 4 lots
Temporary Structure (Type I)	\$50

Annexations

Annexation (Expedited)	\$150
Annexation (Nonexpedited: No Zone Change or Comp Plan Amendment)	\$150
Annexation (Nonexpedited: Zone Change only)	\$500
Annexation (Nonexpedited: Zone Change and Comp Plan Amendment)	\$3500

Appeals

Appeal to Planning Commission	\$500
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	
Appeal to City Council	\$1000
(Fees waived for NDA-sponsored appeals, pursuant to Resolution #26-1999)	
Tree Removal Appeal Hearing	\$500

Additional Application Fees

The following fees apply in addition to Land Use Application fees:

Measure 56 Notice (for Zoning Map or Text Amendment)	Actual Cost (\$1 per affected property, \$35 minimum)
Reserve deposit	\$500
Technical Report Review:	
• Scope of Work Preparation	Actual Cost ²
Reserve deposit	\$1,000
• Review of Technical Report	Actual Cost ³
Reserve deposit:	
• Traffic	\$2,500
• Water Quality Resources	\$1,500
• All others	\$1,000

¹ For a complete list of land use application types, see Milwaukie Municipal Code Table 19.901.

² 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. See more information under Deposit Information.

³ 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. See more information under Deposit Information.

Deposit Information

In some cases, reserve deposits are collected to ensure that the City's actual expenses are covered. Deposits will be refunded relative to actual costs, and additional money may be required if actual costs exceed the deposit amount. This applies only to reserve deposits—base fees are nonrefundable.

Discounts for Land Use Applications

- Two or more applications No discount for most expensive application, 25% discount for all others.
 (This discount applies to applications which relate to the same unit of land and which will be reviewed and decided concurrently.)
- Senior citizens 10% discount
 (Seniors must be at least 65 years of age, and must be the property owner.)
- Low income citizens 25% discount
 (Low-income citizens may qualify for reduced fees by filing the same application used to apply for reduced sewer and water rates.)
- NDA-sponsored land use applications related to parks Fees waived

Other Planning Fees

Early Assistance

- Preapplication Meeting \$100 (\$50 applied to subsequent land use application fee)
 (Applies to optional meetings attended by a maximum of 2 City staff. No written notes provided.)
- Preapplication Conference \$200 (\$100 applied to subsequent land use application fee)
 (Applies to required or optional meetings that require 3 or more City staff. Written summary notes provided 2 weeks after meeting.)
- Preapplication Conference—Transportation Facilities Review \$100
 (Additional meeting required to discuss Transportation Impact Study.)
- Design Review Consultation with Design and Landmarks Committee \$800

Special Requests

- Planning Commission Approval for Bee Colonies \$500
- Property Value Reduction Claims (pertaining to 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.)
- Significant Modification of Complete Land Use Application \$500
- Reschedule of Public Hearing at Applicant's Request (when re-notification required) \$500
- Temporary Occupancy Request \$100
- Time Extension of Previously Granted Land Use Approval (Title 17 only) \$50
- Zoning Confirmation (General) \$50
- Zoning Confirmation (DMV Permit, LUCS) \$25

Permit Review and Inspections

- Building Permit Review and Inspections (Minor; e.g., Demolition, Erosion Control, etc.) \$25
- Building Permit Review and Inspections (Major) \$200
- Additional Planning Inspection Fee \$50
- Modifications to Building Permit during Review \$100
 (Fee applies to site plan revisions generated by applicant, not those required by staff during review process.)
- Sign Permit Review (per sign) \$100
- Sign Permit Review (Daily Display or "sandwich board" sign) \$150
- Tree Permit (major pruning or removal of trees in the public right-of-way) \$80

Materials

Many materials are available online for free at www.ci.milwaukie.or.us/departments/planning/planning.html.
 Contact Planning staff for additional information.

Zoning Ordinance.....	\$25
Comprehensive Plan.....	\$15

Comprehensive Plan or Zoning Ordinance Map:

- 11x17 handout (Black & White/Color)No charge/\$2
- GIS maps (e.g., Zoning Map) Full sheet \$45; see Engineering fees for other sizes

Comprehensive Plan ancillary documents: (most not available online)

- Ardenwald Park Master Plan \$2
- Downtown and Riverfront Land Use Framework Plan..... \$25
- Elk Rock Island Natural Area Management Plan..... \$8
- Furnberg Park Master Plan..... \$5
- Homewood Park Master Plan..... \$1
- Johnson Creek Resources Management Plan \$15
- Lake Road Multimodal Plan..... \$8
- Lewelling Community Park Master Plan \$1
- North Clackamas PFP \$25
- Town Center Master Plan \$15
- Scott Park Master Plan \$2
- Spring Park Master Plan..... \$5
- Springwater Corridor Master Plan..... \$8
- Transportation System Plan
 - Full Document..... 49
 - Executive Summary..... \$15
 - CD..... \$3.50
- Water Tower Park Master Plan \$2
- Wichita Park Master Plan \$2
- Vision Statement (one page)No charge

Sign Ordinance.....	\$5
Land Division Ordinance.....	\$5
Downtown Design Guidelines (Black & White/Color).....	\$10/\$35
Downtown and Riverfront Public Area Requirements.....	\$15
Other informational handouts (10 pages or less).....	No charge
Other informational handouts (over 10 pages).....	At cost

Penalties⁴ (each day that a violation exists is a separate offense)

Violation of Sign Ordinance (Title 14) (Ord. #1965, adopted 2006, and Ord. #1733, adopted 1993).....	up to \$100
Unpermitted tree cutting in the public right-of-way (Title 16) (Ord. #1836, adopted 1998).....	\$150 to 500
Violation of Land Division Ordinance (Title 17) (Ord. #1907, adopted 2002).....	\$200
Violation of Zoning Ordinance (Title 19) (Ord. #XXXX, adopted 2011).....	up to \$200

⁴ All violations of the Municipal Code are additionally subject to the Code Enforcement abatement fee and the general penalty for third or subsequent violations. See the **Code Enforcement** section for complete information.