

AFFIDAVIT OF POSTING

ORDINANCE CB-0-54-86


STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 30th day of April, 1986, I caused to be posted copies of the attached Ordinance CB-0-54-86, an Ordinance Amending Chapter 11 of the Wilsonville Code, Establishing New Land Use and Development Application Fees, in the following four public and conspicuous places of the city, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 5th day of May, 1986.


VERA A. ROJAS, City Recorder

Subscribed and sworn to before
me this 5th day of May, 1986.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: 8-23-89

CITY COUNCIL

ORDINANCE NO. 293

**AN ORDINANCE AMENDING CHAPTER 11 OF THE
WILSONVILLE CODE, ESTABLISHING NEW LAND
USE AND DEVELOPMENT APPLICATION FEES.**

WHEREAS, the City Council of the City of Wilsonville finds it necessary and reasonable to establish fees for the purpose of defraying costs for Land Use and Development Plan Review Services, and

WHEREAS, the City's Planning staff has conducted an analysis of minimum, typical or average costs of reviewing plans for Land Use and Development Permits, attached hereto as Exhibit 1, and

WHEREAS, the Wilsonville Planning Commission on July 8, 1985, reviewed the findings and recommendations of the Planning staff, and further, on August 12, 1985, held a public hearing and adopted Resolution No. 85PC13, attached hereto as Exhibit No. 2, recommending to the City Council adoption of the revised Fee Schedule proposed by staff, and

WHEREAS, the Mayor's Ad Hoc Revenue Source Evaluation Committee reviewed the fee change proposal and made recommendation to the City Council on March 17, 1986. Their proposal is attached hereto as Exhibit 4.

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WHEREAS, the City Council duly considered the matter and adopting Ordinance, at its regularly scheduled meeting on April 21, 1986, and continued for a public hearing and second reading of the Ordinance to its regularly scheduled meeting on May 5, 1986, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the City of Wilsonville ordains as follows:

Section 1. Section 11.000 Fee-Boundary Charge (1) is hereby amended to read as follows:

(1) Definition of terms:

(a) "Application" includes a petition or any other form of initiatory action for an amendment to the City's Urban Growth Boundary (UGB), an annexation of land to the incorporated city limits, or a Land Use or Site Development Permit.

(b) "Annexation" means a major or minor change to the incorporated city limits as regulated by the procedures set forth in ORS 199.460 to 199.540.

- (c) "Boundary Commission" refers to the local boundary commission created by ORS 199.425 and known as the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC).
- (d) "Boundary Commission Fee" refers to fees charged by PMALGBC as prescribed by their Administrative Rules Chapter 193, Division 10, Service Charges.
- (e) "Urban Growth Boundary Amendment" means any change to the Urban Growth Boundary of the City of Wilsonville as adopted by the Metropolitan Service District (METRO) pursuant to ORS 268.390 and 197.005 to 197.430.
- (f) "Metro UGB Amendment Fee" refers to service charges set by the Metropolitan Service District Council for processing applications.

Section 2. Section 11.000(2) is hereby amended to read as follows:

- (2) Any applicant or group of applicants for an

Urban Growth Boundary amendment or an annexation to the City, shall assume and pay or cause to be paid the City's actual costs of the boundary change or annexation procedures, including though not exclusively, the costs of title reports, maps, aerial photos, engineering studies and surveys if required by the Council, filing fees assessed by the Boundary Commission, or Metro publication costs for required notices, attorney fees and legal expenses, and all costs of special elections if called by a referendum of the voters of the City.

Section 3. Section 11.000(3) is hereby amended to read as follows:

(3) Each applicant or group of applicants for an annexation shall pay to the City with the filing of the application, a non-refundable fee, including the zone change fee as set forth in Section 8(3)(b) herein, the Boundary Commission fee plus the following:

- (a) less than 10 property owners \$ 350.00
- (b) 10 or more property owners \$ 700.00

Section 4. Section 11.000(4) is hereby amended to read as follows:

(4) Each applicant or group of applicants for an Urban Growth Boundary Amendment shall pay to the City, with the filing of the application, a non-refundable fee as follows:

(a) Less than 50 acres (locational adjustment) - \$500.00, plus the fee as set by the Metropolitan Service District.

(b) 50 acres or more (major amendment) - \$1,000.00, plus the fee as set by the Metropolitan Service District.

Section 5. Section 11.000(5) is hereby amended to read as follows:

(5) Such fees as set forth in Section (3) and (4) herein shall apply on the City's costs of processing to the effective date of the Final Order of the Boundary Commission. The unpaid balance, if any, of such costs shall be paid to the City in full and prior to issuance of any permits by the City for development of such property or any portion of such property. The fee to be paid shall be without interest if paid within 60 days after the date of the Metro or Boundary Commission order, and if not so paid shall accrue interest on deferred balances at the rate of ten (10) percent per annum from the date of such Order, and

continuing until the fee and accrued interest is fully paid.

Section 6. Section 11.000 is hereby amended by adding Subsection (6) as follows:

- (6) The City's costs for annexation and/or boundary changes shall be assumed and paid by the applicant, notwithstanding the fact that the application is withdrawn by the applicant, denied by Metro or the Boundary Commission or opposed by the City Council.

Section 7. Section 11.000 is hereby amended by adding Subsection (7) as follows:

- (7) The provisions of this Section shall not apply to annexations or boundary changes initiated by Metro, the Boundary Commission or on the City Council's own motion. However, the Council may by Resolution establish a surcharge, to be paid upon application for zoning, to recover the City's costs of processing such changes.

Section 8. Section 11.030 Fees - Miscellaneous is hereby amended to read as follows:

- (1) 11.030 Land Use and Site Development Fees
 - (1) Fees are for the purpose of defraying costs and, except in cases of withdrawal of an application within one week of the

applicable submittal deadline, all fees are NON-REFUNDABLE. In cases of withdrawal within one week of the submittal deadline, the application fee less 15% administration costs shall be refunded.

(2) Zoning Violations - For applications submitted to correct a violation of the applicable regulations, the fee(s) shall be doubled and shall not be refundable.

(3) Staff Consulting - When considerable staff time is required to provide detailed/or special information to professional consultants, staff time and materials will be charged at actual cost. Procedures for these fees shall be established by the Planning Director and City Administrator.

(4) Fees payable at the time of application shall be as follows:

Fee

(a) Basic Procedure (for applications not specified in b through d below)

1. Class I - When considerable Staff time for file and Code checks are required. (Administrative Review as defined by

Section 4.009(1)a of this Code).

This fee will not apply to actions where the Director simply signs off approval for Building Permits.

\$ 50

-Final Plat Review (in addition to base fee)

\$ 50+
surveying costs

2. Class II (Administrative review with Notice as defined by Section 4.009(1)b of this Code). \$ 100
3. Class III (Public Hearing as defined by Section 4.009(2) and (3) of this Code). \$ 250
4. Temporary Use Permit
Class I - 15 Days or less - \$ 25
Class II - Up to 60 days \$ 50
Class III - Over 60 days \$100
5. Non-conforming Use \$ 250
6. Survey Plat check fees are set by Resolution 372, attached hereto as Exhibit No. 3, or as subsequently amended by Council Resolution.

(b) Zone Change and/or Master Planning
(Stage I)

1. 2 acres or less \$ 250
2. More than 2, but less than 10 acres \$ 350
3. 10 acres or more, but less than 50 acres \$ 500
4. More than 50 acres \$ 750
5. All parcels greater than 2 acres require a Planned Development and a Master Plan. The given fees include both procedures, including amendments to adopted Stage I Master Plans

(c) Preliminary Subdivision Plat or Final Development Review (Stage II)

Basic procedure fee (as in 'a' above) plus the following:

1. Subdivision \$ 20/lot
2. Planned Development \$ 25/acre

(d) Design Review

1. Final Site and Architectural Plans \$ 250
2. Signs \$ 25+
\$1/sq.ft.

(e) Legislative Review by City Council

1. Zone Change - see (b) above
2. Comprehensive Plan Amendment - Zone Change fee plus the following:
 - a. 2 acres or less \$ 500
 - b. More than 2, but less than 10 acres \$ 700
 - c. 10 acres or more, but less than 50 acres \$1000
 - d. More than 50 acres \$1500

3. Annexation - Zone Change fee and Boundary Commission fee plus the following:
 - a. Less than 10 property owners \$ 350
 - b. 10 or more property owners \$ 700
4. Boundary Amendment
 - a. Less than 50 acres \$ 500
 - b. 50 acres or more \$1000
5. Street Vacations \$ 300
deposit and actual cost to City
6. Plat Vacations \$ 500
7. Appeals, for each appeal action \$ 250+
transcript fee

Transcript - the fee shall be the cost of the transcript to the City up to \$500 plus one-half the cost to the City over \$500, as prescribed by ORS 227.180(c).

(f) Land Use Planning Documents and Reports

1. Fees for the sale of planning documents and reports prepared by the Planning Department shall be set by the Planning Director, at a reasonable rate to cover the costs of preparation and publication. The fees shall be posted on the cover of document.

- (g) Special public meeting requested by applicant and accepted by the hearing body \$ 500

Section 9. Waiver of Fees: Upon request by the applicant the City Council at its discretion, may for good cause waive or adjust fees as set forth

herein and may further authorize reimbursements
of fee paid.

Submitted to the Council and read the first time at a regular
meeting thereof on the 21st day of April, 1986, and
scheduled for second reading at a regular meeting of the Council
on the 5th day of May, 1986, commencing at the hour
of 7:30 o'clock p.m. at the Wilsonville City Hall.

Vera A. Rojas
Vera A. Rojas, City Recorder

ENACTED by the Council on the 5th day of May,
1986, by the following votes: YEAS 5 NAYS 0

Vera A. Rojas
Vera A. Rojas, City Recorder

DATED and signed by the Mayor this 7th day of May,
1986.

A. G. Meyer
A. G. Meyer, Mayor