

RESOLUTION NO. 2573

A RESOLUTION AMENDING SECTION 3, COMMUNITY DEVELOPMENT, OF THE FEES AND CHARGES SCHEDULE ADDING MIDDLE HOUSING APPLICATION PROCESSING FEES.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the City has jurisdiction and exercises regulatory management authority over land use regulations pursuant to its Charter, the Oregon Constitution and statutes consistent with applicable state and federal law to establish uniform development standards providing reasonable safeguards for health, safety, and general welfare, guide the future growth and development of the City, and promote social and economic stability.
2. That House Bill 2001 was passed in 2019 by the Oregon State Legislature in an effort to allow for greater opportunities and streamlined standards to encourage the development of middle housing typologies, particularly in areas of cities that have historically been dedicated for detached single-family residential dwellings.
3. That the City recently adopted revisions to the Troutdale Development Code rather than suffer a further diminishment of local control through the imposition of the State model code for middle housing requirements.
4. That Senate Bill 458 was adopted by the Oregon Legislature in 2021 as a companion bill to House Bill 2001 that allows middle housing lots to be sold or owned individually.
5. That where the City performs the administration of land use development planning reviews which are project driven, and benefit a specific party, those costs are most reasonably borne by the recipient, as opposed to paying for said services from general City funds.
6. That the City Council believes it is appropriate, fiscally responsible, and necessary to establish and maintain fees for the purpose of defraying a portion of the City costs of administration of land use development planning reviews.
7. That the Troutdale Municipal Code (TMC), Chapter 3.04 City Fees and Charges, authorizes certain administrative fees and charges to be established by Resolution of the City Council.

8. That an adopted fee schedule provides the community with transparency, which assures the fair and impartial administration of fees imposed, which were adopted June 24, 2008 by Resolution No. 1954 and subsequently amended by Resolution Nos. 2476, 2528, 2529 and 2559.

9. That at present there are no fees established for middle housing land use applications, which results in an inappropriate disadvantage to traditional land use types such as detached single-family residential dwellings.

10. That amending the adopted fee schedule establishing reasonable and appropriate fees for middle housing land use applications will fulfill Oregon Revised Statutes (ORS) 197.380 requirement, and serve a valuable, necessary and authorized public purpose, and that doing so is in the best interest of the City.

11. That the City has met the requirements of ORS 294.160(1) by providing an opportunity for public comment prior to the adoption of this fee resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The Community Development-Planning Section 3.c. Land Division of the City of Troutdale Fees and Charges Schedule is hereby amended to add:

- *“Middle Housing Land Division Preliminary Review \$1,200.00 + \$100 / lot”*
- *“Middle Housing Land Division Final Review \$400.00”*

Section 2. The Community Development-Planning Section of the City of Troutdale Fees and Charges Schedule as amended is as shown in Attachment A.

Section 3. That pursuant to the Troutdale Municipal Code (TMC), Chapter 3.04.040C, the City Recorder shall update and maintain the amended Community Development-Planning Section of the City of Troutdale Fees and Charges Schedule.

Section 4. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this Resolution and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 5. Upon adoption this Resolution shall be effective July 1, 2022.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Randy Lauer, Mayor
Date: August 25, 2022



Sarah Skroch, City Recorder
Adopted: August 23, 2022

SECTION 3 – COMMUNITY DEVELOPMENT – PLANNING

3.a.	<u>Amendments – fees shall be as listed herein:</u>	
	Annexation	\$3,200.00
	Map Amendment – Comprehensive Land Use Plan Map	\$1,600.00
	Map Amendment – Zoning District Map	\$1,600.00
	Text Amendment – Code or Comprehensive Land Use Plan	\$3,200.00
3.b.	<u>Appeals – fees shall be as listed herein:</u>	
	Appeal to City Council of a Type III Decision	\$1,600.00
	Appeal to Planning Commission of a Type I or II Decision	\$250.00
3.c.	<u>Land Division – fees shall be as listed herein:</u>	
	Lot Line Adjustment	\$200.00
	Middle Housing Land Division Preliminary Review	\$1,200.00 + \$100 / lot
	Middle Housing Land Division Final Review	\$400.00
	Partition (2 or 3 lots) – Preliminary Review	\$800.00
	Partition (2 or 3 lots) – Final Review	\$400.00
	Subdivision (4 or more lots) – Preliminary Review	\$1,600.00 + \$100 / lot
	Subdivision (4 or more lots) – Final Review	\$800.00
	Vacation of Right-of-Way	\$3,200.00
3.d.	<u>Non-Conformities – fees shall be as listed herein:</u>	
	Expansion of Non-Conforming Use – Minor	\$400.00
	Expansion of Non-Conforming Use – Major	\$800.00
	Planned Unit Development	\$1,600.00
3.e.	<u>Overlays – fees shall be as listed herein:</u>	
	Aggregate Resource	\$1,600.00
	Historic Landmarks Designation	\$200.00
	Historic Landmarks – All Other Actions	\$800.00
	Planned Unit Development	\$1,600.00
3.f.	<u>Permits – fees shall be as listed herein:</u>	
	Chicken Permit (two-year)	\$20.00
	Conditional Use Permit	\$800.00
	Flood Hazard Permit – Type I	\$200.00
	Flood Hazard Permit – Type II	\$400.00
	Flood Hazard Permit – Type III	\$800.00
	Overnight Parking Permit	\$25.00
	Sign Permit – Permanent Signs	\$100.00
	Sign Permit – Temporary Sign (One Time)	\$50.00
	Sign Permit – Temporary Sign (Annual)	\$100.00

3.g.	<u>Reviews – fees shall be as listed herein:</u>	
	Compliance Review	\$100.00
	Site Development Review – Type I	\$200.00
	Site Development Review – Type II	\$400.00 + 0.1 percent of valuation
	Temporary Structure – New	\$200.00
	Temporary Structure – Renewal	\$400.00

3.h.	<u>Variances – fees shall be as listed herein:</u>	
	Variance – Type I	\$100.00
	Variance – Type II	\$400.00
	Variance – Type III	\$800.00

3.i. **Staff Actions – fees shall be as listed herein:**

3.i.1. City of Troutdale Residents

Applicants shall provide proof of residency at the time when request is sent

Director’s Interpretation	no fee
Zoning Verification – Custom	no fee
Zoning Verification – Standard	no fee

3.i.2. Non-Residents

Director’s Interpretation	\$400.00
Zoning Verification – Custom	\$200.00
Zoning Verification – Standard	\$100.00

3.j. **Other Actions – fees shall be as listed herein:**

Pre-Application Meeting	\$400.00
Type I Review – Unlisted Applications	\$200.00
Type II Review – Unlisted Applications	\$400.00
Type III Review – Unlisted Applications	\$800.00
Type IV Review – Unlisted Applications	\$1,600.00
Street Tree Installation (per tree)	\$200.00