

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 12-~~XXXXXXX~~
13-_____

A RESOLUTION TO AMEND THE CITYWIDE MASTER FEES AND CHARGES SCHEDULE AS ADOPTED BY RESOLUTION NO. 12-22 TO INSTITUTE NEW AND REVISED FEES NECESSARY TO IMPLEMENT THE URBAN FORESTRY CODE REVISIONS PROJECT.

WHEREAS, Tigard Municipal Code Chapter 3.32 authorizes City Council to review and adopt by resolution rates and fees for charges reasonably related to the City's cost of service; and

WHEREAS, the City of Tigard has a Master Fees and Charges Schedule that was last reviewed and adopted by Resolution 12-22; and

WHEREAS, City staff has proposed new and amended fees and charges to recover administrative and material costs in administering the code changes proposed through the Urban Forestry Code Revisions Project; and

WHEREAS, on November 27, 2012, the Tigard City Council adopted amendments to the Tigard Comprehensive Plan (CPA2011-00004; ORD 12-XX), the Community Development Code (DCA2011-00002; ORD 12-XX) and the Tigard Municipal Code (ORD 12-XX) to implement the Urban Forestry Code Revisions Project; and

WHEREAS, the proposed new and amended fees and charges, which are further described in Exhibit A, were prepared by city staff in consultation with a Citizen Advisory Committee, a Technical Advisory Committee, and median cost estimates published by the Pacific Northwest Chapter of the International Society of Arboriculture (PNWISA); and

WHEREAS, three existing land use review fees (Tree Removal, Landscaping Adjustments for Existing and New Street Trees, and Tree Removal Adjustments) are proposed to be eliminated because the corresponding land use reviews are proposed to be eliminated by DCA2011-00002; and

WHEREAS, the existing Tree Replacement Fee is proposed to be eliminated because the corresponding in lieu of tree mitigation fee is proposed to be eliminated by DCA2011-00002; and

WHEREAS, a failure to update the Master Fees and Charges Schedule would create regulatory and economic uncertainty and inhibit the orderly implementation of the City of Tigard's land use regulations and urban forestry program; and

WHEREAS, Tigard City Council finds it necessary to delay implementation of the Urban Forestry Code Revisions until March 1, 2013, to ensure an orderly administrative transition to the new urban forestry regulations.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The new and amended fees and charges are enumerated and set as shown in "**EXHIBIT B**".

SECTION 2: The description of the new and amended fees and charges in **EXHIBIT A**, are adopted as legislative intent.

SECTION 3: This resolution shall be effective March 1, 2013.

PASSED: By _____ vote of all Council members present after being read by number and title only, this _____ day of _____, ~~2012~~ 2013

Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, ~~2012~~ 2013

~~Craig Dirksen, Mayor~~
John L. Cook, Mayor

Approved as to form:

City Attorney

Date

Non Land Use Fees

Hazard Tree Dispute Resolution Fee

\$165 per tree plus \$55 for each additional tree*

*The Hazard Tree Dispute Resolution Fee is based upon cost estimates provided by local International Society of Arboriculture (ISA) certified arborists, with an additional 10% to cover contingency and administrative costs incurred by City of Tigard staff.

In Lieu of Planting Fees (Planting and 3 Years of Early Establishment)

\$537 per 1.5 inch caliper street tree*

\$537 per 1.5 inch caliper open grown tree*

\$383 per 0.5 inch caliper stand grown tree**

*The In Lieu of Planting Fees for 1.5 inch caliper street trees and other open grown trees is based on a formula that combines 50% of the published PNWISA wholesale median tree cost estimate to purchase and install a three inch diameter tree, with the average historical cost for City of Tigard staff to perform three years of maintenance on a 1.5 inch caliper tree.

**The In Lieu of Planting Fee for a tree of two feet in height or one gallon container size (estimated 0.5 inch caliper) for stand grown trees is based on a formula that combines 16.6% of the published PNWISA wholesale median tree cost estimate to purchase and install a three inch diameter tree, with the average historical cost for City of Tigard staff to perform three years of maintenance on a 0.5 inch caliper tree.

Tree Permit Fees

City Board or Committee Tree Permit* - \$307 per tree up to and including 10 trees. If over 10 trees, the applicant submits a deposit of \$307 for each tree over 10 trees up to a maximum of \$5000. The applicant is charged actual staff time to process the permit and will be refunded the balance of the deposit if any remains after the review is complete. The applicant is charged actual staff time to process the permit and will be refunded the balance of the deposit if any remains after the review is complete

City Manager Tree Permit** - No charge

*The City Board or Committee Tree Permit Fee matches the existing fee structure for tree removal permits and is comparable to fees charged by an adjacent jurisdiction for a similar review for tree removal.

** The Urban Forestry Code Revisions Citizen Advisory Committee recommended no fee be charged for City Manager Tree Permits because it is a relatively simple review and the city does not currently charge for similar reviews.

Land Use Fees

Tree Canopy Fee

\$2.95 per square foot of tree canopy*

*The Tree Canopy Fee was developed by converting the most recent wholesale median cost of a three inch diameter deciduous tree in the Willamette Valley, as determined by the PNWISA, divided by an average canopy size of 59 square feet for a three inch diameter deciduous tree as determined through the Krajicek methodology and local field samples. See the Tree Canopy Fee memo in Urban Forestry Code Revisions Volume V for a more detailed description of the methodology used to develop the Tree Canopy Fee.

Urban Forestry Inventory Fees

\$137 per open grown tree*

\$181 per stand of trees*

*The Urban Forestry Inventory Fees are based upon cost estimates provided by local ISA certified arborists increased by 10% for contingency and to cover administrative costs incurred by City of Tigard staff.

Tree Establishment Bond (Planting and Early Establishment)

\$489 per 1.5 inch caliper open grown tree for subdivisions and minor land partitions*

\$441 per 1.5 inch caliper open grown tree for land use review types other than subdivisions and minor land partitions**

\$367 per 0.5 inch caliper stand grown tree for subdivisions and minor land partitions***

\$351 per 0.5 inch caliper stand grown tree for land use review types other than subdivisions and minor land partitions ****

*The Tree Establishment Bond for the planting and maintenance of a 1.5 inch caliper tree for the required two years in subdivisions and minor land partitions is based on a formula that combines 50% of the published PNWISA wholesale median tree cost estimate to purchase and install a 3 inch diameter tree, with the average historical cost for City of Tigard staff to perform two years of maintenance on a 1.5 inch caliper tree.

**The Tree Establishment Bond for the planting and maintenance of a 1.5 inch caliper tree for the required one year in land use review types other than subdivisions and minor land partitions is based on a formula that combines 50% of the published PNWISA wholesale median tree cost estimate to purchase and install a 3 inch diameter tree, with the average historical cost for City of Tigard staff to perform one year of maintenance on a 1.5 inch caliper tree.

***The Tree Establishment Bond for the planting and maintenance of a tree two feet in height or one gallon container size (estimated 0.5 inch caliper) for the required two years in subdivisions and minor land partitions is based on a formula that combines 16.6% of the published PNWISA cost estimate to purchase and install a 3 inch caliper tree, with the average historical cost for City of Tigard staff to perform two years of maintenance on a 0.5 inch caliper tree.

****The Tree Establishment Bond for the planting and maintenance of a tree two feet in height or one gallon container size (estimated 0.5 inch caliper) for the required one year in land use review types other than subdivisions and minor land partitions is based on a formula that combines 16.6% of the published PNWISA cost estimate to purchase and install a 3 inch caliper tree, with the average historical cost for City of Tigard staff to perform one year of maintenance on a 0.5 inch caliper tree.

Urban Forestry Plan Review Fees*

\$627 for a Type I Modification to the Urban Forestry Plan Component of an Approved Land Use Permit**

\$392 for a Type III Discretionary Urban Forestry Plan Review Permit concurrent with another Type III hearing***

\$2,418 for a Type III Discretionary Urban Forestry Plan Review permit without a concurrent Type III hearing****

*A Long Range Planning surcharge of 14.76% has been added to all land use review fees pursuant to City Council resolution No. 04-99, passed and effective on December 28, 2004

**The fee to process a Type I Modification to the Urban Forestry Plan Component of an Approved Land Use Permit is based upon the fee to process a Minor Modification to an Approved Land Use Permit due to the administrative similarity of the two processes.

***The fee to process a Type III Discretionary Urban Forestry Plan Review Permit concurrent with another Type III hearing is equivalent to a comparable fee for a concurrent Detailed Plan Review due to the administrative similarity of the two processes.

****The fee to process a Type III Discretionary Urban Forestry Plan Review permit without a concurrent Type III hearing is equivalent to a comparable fee for a non concurrent Detailed Plan Review due to the administrative similarity of the two processes

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - DEVELOPMENT SERVICES PLANNING			
	<u>Accessory Residential Units</u>	\$307.00	7/1/2012
	<u>Annexation</u> (As of July 1, 2006 a moratorium on this fee was in effect, per Resolution 11-08, through February 2012)	\$2,875.00	7/1/2012
	<u>Appeal</u>		
	Director's Decision (Type II) to Hearings Officer	\$300.00	7/1/2012
	Expedited Review (Deposit)	\$360.00	7/1/2012
	Hearings Referee	\$600.00	7/1/2012
	Planning Commission/Hearing's Officer to City Council	\$2,890.00	7/1/2012
	<u>Approval Extension</u>	\$307.00	7/1/2012
	<u>Colocation (of Wireless Communication Facilities)</u>	\$52.00	7/1/2011
	<u>Conditional Use</u>		
	Initial	\$5,722.00	7/1/2012
	Major Modification	\$5,722.00	7/1/2012
	Minor Modification	\$627.00	7/1/2012
	<u>Design Evaluation Team (DET) Recommendation (deposit)</u>	\$1,598.00	7/1/2012
	<u>Development Code Provision Review</u>		
	Single-Family Building Plan	\$77.00	7/1/2012
	Commercial/Industrial/Institution	\$307.00	7/1/2012
	Commercial/Industrial/Institution- Tenant Improvements in Existing Development		
	Project Valuation up to \$4,999	\$0.00	7/1/2010
	Project Valuation \$5,000 - \$74,999	\$77.00	7/1/2012
	Project Valuation \$75,000 - \$149,999	\$192.00	7/1/2012
	Project Valuation \$150,000 and more	\$307.00	7/1/2012
	<u>Downtown Review</u>		
	Downtown Review Compliance Letter	\$627.00	7/1/2012
	Downtown Design Administrative Review		
	Under \$1,000,000.00	\$1,464.00	+ 0.004 x project valuation 7/1/2012
	\$1,000,000.00 and over (max fee \$25,000.00)	\$5,645.00	+0.002 x project valuation 7/1/2012
	Downtown Design Review - Design Review Board	\$2,971.00	+ applicable Type II fee 7/1/2012
	<u>Hearing Postponement</u>	\$349.00	7/1/2012
	<u>Historic Overlay/Review District</u>		
	Historic Overlay Designation	\$4,475.00	7/1/2012
	Removal Historic Overlay Designation	\$4,475.00	7/1/2012
	Exterior Alteration in Historic Overlay District	\$670.00	7/1/2012
	New Construction in Historic Overlay District	\$670.00	7/1/2012
	Demolition in Historic Overlay District	\$670.00	7/1/2012
	<u>Home Occupation Permit</u>		
	Type I	\$106.00	7/1/2012
	Type II	\$627.00	7/1/2012
	<u>Interpretation of the Community Development Code</u>		
	Director's Interpretation	\$627.00	7/1/2012
	Appeal to City Council	\$2,890.00	7/1/2012

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - DEVELOPMENT SERVICES PLANNING			
<u>Land Partition</u>			
	Residential and Non-Residential (3 Lots)	\$4,141.00	7/1/2012
	Residential and Non-Residential (2 Lots)	\$3,444.00	7/1/2012
	Expedited	\$4,832.00	7/1/2012
	Final Plat	\$962.00	7/1/2012
<u>Lot Line Adjustment</u>			
		\$627.00	7/1/2012
<u>Minor Modification to an Approved Plan</u>			
		\$627.00	7/1/2012
<u>Non-Conforming Use Confirmation</u>			
		\$627.00	7/1/2012
<u>Planned Development</u>			
	Conceptual Plan Review	\$8,103.00	7/1/2012
	Detailed Plan Review (Concurrent Hearing)	Applicable SDR Fee or Subdivision Fee + \$392.00	7/1/2012
	Detailed Plan Review (Separate Hearing)	Applicable SDR Fee or Subdivision Fee + \$2,418.00	7/1/2012
<u>Pre-Application Conference</u>			
		\$627.00	7/1/2012
<u>Sensitive Lands Review</u>			
	With Excessive Slopes/Within Drainage Ways/ Within 100-Year Floodplain (Type I)	\$627.00	7/1/2012
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands (Type II)	\$2,748.00	7/1/2012
	With Excessive Slopes/Within Drainage Ways/ Within Wetlands/Within the 100-Year Floodplain (Type III)	\$2,970.00	7/1/2012
<u>Sign Permit</u>			
	Existing and Modification to an Existing Sign (No Size Differential)	\$171.00	7/1/2012
	Temporary Sign (Per Sign)	\$54.00	7/1/2012
<u>Site Development Review & Major Modification</u>			
	Under \$1,000,000.00	\$4,856.00	7/1/2012
	\$1,000,000.00/Over	\$6,307.00	7/1/2012
		(+\$6.00/per each \$10,000.00 over \$1,000,000.00)	
	Minor Modification	\$627.00	7/1/2012
<u>Subdivision</u>			
	Preliminary Plat without Planned Development	\$5,606.00 /+ \$93.00 per lot	7/1/2012
	Preliminary Plat with Planned Development	\$7,758.00	7/1/2012
	Expedited Preliminary Plat without Planned Development	\$6,427.00 /+ \$93.00 per lot	7/1/2012
	Expedited Preliminary Plat with Planned Development	\$7,758.00	7/1/2012
	Final Plat	\$1,938.00	7/1/2012
	Plat Name Change	\$350.00	7/1/2012
<u>Temporary Use</u>			
	Director's Decision	\$307.00	7/1/2012
	Special Exemption/Non-Profit	\$0.00	7/1/2003
	Special Mixed Use-Central Business District Zone Rate		
	1st Temporary Use in a Calendar Year	\$307.00	7/1/2012
	2nd Through 5th Temporary Use With Substantially the Same Site Plan Within A Calendar Year	\$54.00	7/1/2012

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - DEVELOPMENT SERVICES PLANNING			
	Tree Removal	\$307.00	7/1/2012
	Urban Forestry		
	Type I Modification to the Urban Forestry Plan Component of an Approved Land Use Permit	\$627.00	3/1/2013
	Type III Discretionary Urban Forestry Plan Review Permit with concurrent Type III review	\$392.00	3/1/2013
	Type III Discretionary Urban Forestry Plan Review Permit without concurrent Type III review	\$2,418.00	3/1/2013
	Variance/Adjustment		
	Administrative Variance	\$670.00	7/1/2012
	Development Adjustment	\$307.00	7/1/2012
	Special Adjustments		
	Adjustment to a Subdivision	\$307.00	7/1/2012
	Reduction of Minimum Residential Density	\$307.00	7/1/2012
	Access/Egress Standards Adjustment	\$670.00	7/1/2012
	Landscaping Adjustments —Existing/New Street Trees	\$307.00	7/1/2012
	Parking Adjustments		
	Reduction in Minimum or Increase In Maximum Parking Ratio	\$670.00	7/1/2012
	Reduction in New or Existing Development/Transit Imprvmt	\$670.00	7/1/2012
	Reduction in Bicycle Parking	\$670.00	7/1/2012
	Alternative Parking Garage Layout	\$670.00	7/1/2012
	Reduction in Stacking Lane Length	\$307.00	7/1/2012
	Sign Code Adjustment	\$670.00	7/1/2012
	Street Improvement Adjustment	\$670.00	7/1/2012
	Free Removal Adjustment	\$307.00	7/1/2012
	Wireless Communication Facility Adjustments		
	Setback from Nearby Residence	\$670.00	7/1/2012
	Distance from Another Tower	\$307.00	7/1/2012
	Zoning Map/Text Amendment		
	Legislative - Comprehensive Plan	\$9,611.00	7/1/2012
	Legislative - Community Development Code	\$3,924.00	7/1/2012
	Quasi-Judicial	\$3,616.00	7/1/2012
	Zoning Analysis (Detailed)	\$627.00	7/1/2012
	Zoning Inquiry Letter (Simple)	\$92.00	7/1/2012
	**Planning Fees include 14.76% Long Range Planning Surcharge per Ord 04-99		12/28/2004

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - DEVELOPMENT SERVICES PLANNING			
COMMUNITY DEVELOPMENT - MISCELLANEOUS FEES & CHARGES			
	<u>Plan Copies</u>	\$2.50	7/1/2007
	<u>Community Development Code</u>		
	CD Rom	\$10.00	
	<u>Tigard Comprehensive Plan</u>	\$75.00	7/1/2011
	<u>GIS Maps*</u>		
	8-1/2" x 11"		
	Non Aerial	\$2.50	7/1/2011
	Aerial	\$4.00	7/1/2011
	11" x 17"		
	Non Aerial	\$5.00	7/1/2011
	Aerial	\$7.00	7/1/2011
	17" x 22"		
	Non Aerial	\$11.00	7/1/2011
	Aerial	\$15.00	7/1/2011
	34" x 44"		
	Non Aerial	\$25.00	7/1/2011
	Aerial	\$30.00	7/1/2011
	Custom Maps	Staff Hourly Rate	
	<u>Information Processing & Archiving (IPA) Fee</u>		
	Temporary Sign	\$5.00	7/1/2010
	Type I Review	\$18.00	7/1/2010
	Type II Review	\$175.00	7/1/2010
	Type III Review	\$200.00	7/1/2010
	Type IV Review	\$200.00	7/1/2010
	<u>Neighborhood Meeting Signs (Land Use)</u>	\$2.00	1997
	<u>Oversize Load Permit</u>	\$200.00	7/1/2005
	<u>Planimetric Maps</u>		
	Blueline print - quarter section	\$5.00	
	Mylar - quarter section	\$150.00	/+ reproduction cost
	<u>Retrieval of Materials Confiscated in ROW</u>		
	Lawn and A-board signs	\$40.00	/sign 7/1/2010
	Other signs and materials (based on size and value)		City Manager's Discretion 7/1/2010 (per TMC 7.61.035 Ord 10-06)
	<u>Tigard Transportation System Plan</u>	\$75.00	7/1/2011
	<u>Washington Square Regional Center</u>		1999
	Task Force Recommendations	\$10.00	
	Master Plan Map (Zoning/Plan)	\$2.50	

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - MISCELLANEOUS DEVELOPMENT			
	<u>Blasting Permit*</u>	\$325.00	7/1/2012
	<u>Fee in Lieu of Sewer (Commercial Only)</u>	Based on actual cost of sewer connection, if sewer was available	1998
	<u>Fee in Lieu of Shared Open Space (MU-CBD zone only)</u>	Fee in lieu is determined by multiplying the current Washington County Assessor-determined real market value of the land (not improvements) by 10%.	7/1/2011
	<u>Sanitary Sewer Connection Fee</u> (This fee is determined by Cleanwater Services. The City of Tigard receives 3.99% of fees collected.)	\$4,665.00 /dwelling unit	7/1/2012
	<u>Tree Replacement Fee</u>	\$125.00 /caliber inch	9/1/2001
	<u>Water Quality Facility Fee (Fee set by Clean Water Services)</u> (City receives 100% of fees collected)		6/6/2000
	Residential Single Family	\$225.00 /unit	
	Commercial & Multi-family	\$225.00 /2,640 sq. ft of additional impervious surface	
	<u>Water Quantity Facility Fee (Fee set by Clean Water Services)</u> (City receives 100% of fees collected)		6/6/2000
	Residential Single Family	\$275.00 /unit	
	Commercial & Multi-family	\$275.00 /2,640 sq. ft of additional impervious surface	
	<u>Metro Construction Excise Tax</u> (City will retain 4% for administrative expenses) (Tax set by Metro, but collected by cities)	12% of building permits for projects with a total valuation of \$100,001 or more; not to exceed \$12,000.	7/1/2006
	<u>School District Construction Excise Tax</u> (City will retain 4% for administrative expenses) (Tax set by school districts, but collected by cities)		10/1/2009
	Beaverton School District	\$1.07 /sq. ft. residential construction \$0.54 /sq. ft. commercial construction	
	Tigard-Tualatin School District	\$1.07 /sq. ft. residential construction \$0.54 /sq. ft. commercial construction	

Department	Revenue Source	Fee or Charge	Effective Date
COMMUNITY DEVELOPMENT - MISCELLANEOUS DEVELOPMENT			
<u>Urban Forestry</u>			
	<u>Hazard Tree Dispute Resolution Fee</u>	<u>\$165.00</u>	<u>+ \$55.00 each additional tree</u>
	<u>In Lieu of Planting Fees (Planting & 3 Year Maintenance)</u>		
	<u>Street Tree</u>	<u>\$537.00</u>	<u>per 1.5" caliper tree</u>
	<u>Open Grown Tree</u>	<u>\$537.00</u>	<u>per 1.5" caliper tree</u>
	<u>Stand Grown Tree</u>	<u>\$383.00</u>	<u>per tree 2' in height or 1 gallon container</u>
	<u>Tree Permit Fees</u>		
	<u>City Board or Committee</u>	<u>\$307.00**</u>	
	<u>City Manager</u>	<u>No Charge</u>	
	<u>Tree Canopy Fee</u>	<u>\$2.95</u>	<u>per square foot of tree canopy</u>
	<u>Urban Forest Inventory Fees</u>		
	<u>Open Grown Tree</u>	<u>\$137.00</u>	<u>+ \$28.00 each additional tree</u>
	<u>Stand of Trees</u>	<u>\$181.00</u>	<u>+ \$44.00 each additional stand</u>
	<u>Tree Establishment Bond (Planting & Early Establishment)</u>		
	<u>1.5" Caliper Minimum Street or Open Grown Tree in Subdivisions or Minor Land Partitions</u>	<u>\$489.00</u>	<u>per tree</u>
	<u>1.5" Caliper Minimum Street or Open Grown Tree in Land Use Review Types other than Subdivisions or Minor Land Partitions</u>	<u>\$441.00</u>	<u>per tree</u>
	<u>2' in Height or 1 Gallon Container Minimum Stand Grown Tree in Subdivisions or Minor Land Partitions</u>	<u>\$367.00</u>	<u>per tree</u>
	<u>2' in Height or 1 Gallon Container Minimum Stand Grown Tree in Land Use Review Types other than Subdivisions or Minor Land Partitions</u>	<u>\$351.00</u>	<u>per tree</u>
	<u>Vacation (Streets and Public Access)</u>	<u>\$2,319.00</u>	<u>/deposit + actual costs</u>

* Per Ord 03-59, fee is adjusted yearly based on the Construction Cost Index for the City of Seattle as published in the April issue of Engineering News Record and per Ord 04-99 includes the 14.76% Long Range Planning Surcharge.

**\$307.00 per tree up to and including 10 trees. If over 10 trees, the applicant submits a deposit of \$307.00 for each tree over 10 trees up to a maximum of \$5000.00. The applicant is charged actual staff time to process the permit and will be refunded the balance of the deposit if any remains after the review is complete