

W. T. B. I.

AGENDA COVER MEMO

DATE: September 26, 2005

TO: Lane County Board of Commissioners

DEPARTMENT: Public Works

PRESENTED BY: Frank Simas
Right-of-Way Manager

AGENDA ITEM TITLE: In the Matter of Amending Chapter 60 of Lane Manual to Revise Amenity Permit and Appeal Fees and to Establish Fees for Facility Permits, Deviation Requests, and Appeals (LM 60.851).

I. MOTION

THAT THE ORDER BE APPROVED AMENDING LANE MANUAL BY REVISING THE FEES FOR AMENITY PERMITS AND AMENITY APPEALS AND ESTABLISHING FEES TO BE CHARGED BY THE DEPARTMENT OF PUBLIC WORKS FOR THE ISSUANCE OF CERTAIN OTHER FACILITY PERMITS.

II. ISSUE OR PROBLEM

Shall Lane County revise the current fees for Amenity Permits and Amenity Appeals and establish fees for certain other Facility Permits issued by the Department of Public Works?

III. DISCUSSION

A. Background

Except for permits for Amenities as defined by Lane Code 15.205(7)(b), Facility Permits are currently issued by the Engineering Division of the Public Works Department at no charge to the applicants and recipients. The cost of issuing and administering these permits is about \$423,000 per year, which is currently paid from the Road Fund.

The largest component of the costs of administering these Facility Permits is for those allowing utility installation and relocations, and pursuant to ORS 758.010, providers of water, gas, electric and telecommunications services have the right and privilege to construct, operate and maintain facilities along the public roads in Oregon free of charge. The cost of issuing these Utility Permits amounts to about \$275,000 per year.

The balance of the costs, amounting to about \$148,000, is associated with issuance of permits to allow road and driveway connections, special events, logging, road construction and "other." (vegetation removal, drainage, etc.) Consequently, Road Funds that could otherwise be used for operations, maintenance and preservation (OMP), as well as for capital improvements, are spent for the administration and issuance of permits which typically are for the benefit of a particular property or owner.

Lane Code Chapter 15.205 through 15.210 govern the issuance of Facility Permits. Per LC 15.200, the overriding purpose of the program is "to ensure the safety and convenience of the traveling public, and to effectively and efficiently manage and maintain the public investment in the road system . . ." Section 15.210(3) permits the collection of fees in connection with the issuance of Facility Permits "as allowed by law or as established by the Board."

This proposal would allow Public Works to begin charging fees for all non-public utility facility permits and to recover the costs of their administration.

B. Analysis

All Facility Permits are currently issued and administered through the use of Road Funds. In 2001, the Oregon Attorney General's Office issued an opinion regarding what activities constituted eligible uses of State Highway funds. Because 35–40% of the County's Road Fund revenues come from the State Highway Fund transfer, Legal Counsel's opinion was that the guidelines as set forth in the AG's opinion would generally apply to expenditures from the Lane County Road Fund. Lane County Legal Counsel reviewed an analysis prepared by ODOT based on the AG's opinion as to what Lane County activities (including Facility Permit issuance) may or may not be eligible uses for gasoline tax revenue from the State Highway fund transfer. The criterion used by the Attorney General was whether the activity directly facilitates motor vehicle travel over publicly maintained roads.

Legal Counsel's opinion is that administration and issuance of permits for driveway and road connections, as well as the facilitation of utility relocations for both County-initiated and utility-initiated projects are the only eligible uses of County Road funds. The remaining categories of permits, then, are likely not eligible uses, including logging and vegetation removal, drainage to benefit private property, special events (including those sponsored by non-profit and charitable organizations) and roadside amenities.

The use of Road Funds to administer permits for driveway and road connections, which is deemed an eligible use of Road Funds due to the fact that these facilities do contribute to vehicular travel by improving connectivity to the road system. This raises an issue of equity, in that their installation also involves substantial direct benefit to a specific property or owner.

Issuance of permits free of charge to the applicant/permittee is also not consistent with the adopted Lane County Strategic Plan, which includes identifying and recovering user fees and charges as a core strategy consistent with the premise that "those who benefit should pay and those who pay should benefit."

On July 19, 2001, Public Works staff met with the Policy and Procedures Standing Committee to discuss road-related topics, including local access roads and Facility Permit

fees. At that meeting, direction was given to Public Works to address several issues before implementing a fee program:

1. Change Lane Code to be consistent with ORS regarding the definition of a public road;
2. Cease issuing Facility Permits on LARs (Local Access Roads that are public roads which have not been formally dedicated and/or accepted as County roads and are not maintained by the County) and;
3. Provision of emergency service access in the absence of Facility Permit issuance for new development accessing from LARs through the building permit process.

The discussion also indicated general interest in ensuring full cost recovery from the Facility Permit program.

As part of the Lane County Transportation System Plan (TSP) update, Lane Code Chapter 15 was revised to address the three issues raised at the Policy and Procedures Committee July 2001 meeting. The TSP adoption materials became effective June 4, 2004.

In September 2001, Public Works staff met with the Roads Advisory Committee, which expressed consensus that a fee system and full cost recovery for Facility Permits is warranted.

In subsequent meetings with the Finance and Audit Committee on October 30, 2001, and January, 2002, a fee program achieving full cost recovery was affirmed, and direction was given to incorporate a mechanism in the fee schedule to subsidize the fees charged for certain community events. Based on subsequent analysis in light of the Attorney General's opinion, it was the opinion of Legal Counsel that issuance and administration of these permits was not an eligible use of Road Funds.

Staff investigated alternate sources of funding for these and concluded that there was no alternate source of funds for this purpose, and that any subsidy of these permits would have to come from the County General Fund. Funding issuance of these permits through an increase in the costs of other permits was concluded to not be equitable as it would require the applicants for other permits to pay in excess of the actual costs for their permits in order to subsidize the community events which do not benefit all road users.

To develop a fee proposal, staff evaluated the types of Facility Permits issued, the required processing steps, actual cost of administration, and other fee models. The objectives desired in implementing the fee program are: (a) cost recovery; (b) equity and (c) compliance.

It became clear in reviewing these objectives that implementation of a fee structure will allow (a) and (b) above to be achieved, while other changes to the Facility Permit program are necessary to achieve (c).

Therefore, the fee structure as shown on Attachment "A" is proposed to achieve cost recovery. To improve performance in Facility Permit activities and compliance, staff intends to implement mechanisms already provided for in Lane Manual Chapter 15.855, that is, applicants may be required to execute a performance agreement at the discretion of

Public Works as provided for in LM 15.855. Because most applicants currently complete required work properly under the current, no fee policy, it is hoped that this approach will reduce costs of compliance over time, thereby allowing a reduction in fees for all permits or the forestalling of fee increases in the future. Public Works intends to initially implement the performance agreement in cases when an applicant has previously not completed the permitted work in accordance with permit conditions. Staff will evaluate whether this approach is effective, and make any necessary adjustments after a reasonable trial period.

In addition, Public Works Engineering Division staff is working with Legal Counsel and the Land Management Division to clarify whether an Occupancy Permit can be withheld until facility permit conditions relating to driveway approach construction have been met. If this can be implemented, it is expected that it would result in decreased expenditures for compliance efforts, likewise reducing costs for all driveway permit applicants.

Recommendations as shown on Attachment "A" will achieve full cost recovery for the costs of administering and issuing those permits for which counties are not prohibited by law from charging fees, and will achieve equity in that applicants will not be required to pay more than the actual costs associated with the particular type of permit they are applying for.

Applicants would be charged a permit fee as shown in column (A) at the time of application. Fees listed in column (A) are based upon a cost analysis completed for the eight-month period from October 1, 2004 through May 31, 2005.

Deviation requests and appeals allowed under LC Chapter 15.210(12), and LC 15.709(2) would be charged the fees shown in columns B, C, and D. The provisions for deviations were recently adopted (effective June, 2004), and appeals are historically rare, so these proposed fees are based upon estimated processing time, rather than historical data. These fees will be evaluated over the next 2 years to ascertain whether they are equitable and achieve full cost recovery.

Community-sponsored, free events would be charged a Facility Permit fee. Although the Finance and Audit Committee gave direction to staff otherwise, this is not an eligible expenditure of Road Funds, and consistent with the Attorney General's opinion, the County's administrative cost of \$350/event would have to come from sources other than the Road Fund, if these permits were to be issued at no cost.

Donated amenities placed in the right-of-way are currently charged \$130 for facility permit processing. To achieve full cost recovery, it is recommended this fee be increased to the same as all "Other" activities as shown below in the last row (Drainage, Vegetation, and Other activities).

C. Alternatives/Options

1. Approve the Order.
2. Do not approve the Order.

D. Recommendations

Recommend Option 1.

E. Timing

Staff recommends the new fee system become effective January 1, 2006.

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval, Engineering staff will coordinate with Land Management Division to provide notice to potentially affected parties such as builders and developers and Building permit applicants who may have permits in process when the fees take effect. In addition, staff will work with the Public Information Officer in preparing news releases for local media. Previous applicants for Special Event Permits within the past two years will be notified via a mailing. Staff will evaluate the fee program upon implementation for at least two years, and may request changes to the fees or fee structure after that time if necessary to achieve equity, cost recovery and compliance.

V. ATTACHMENTS

Order with attachment:

Lane Manual 60.851

Lane Manual 60.851- Legislative Format

Attachment "A"- Proposed Facility Permit Fees

ATTACHMENT "A"
PROPOSED FACILITY PERMIT FEES

	(A) Permit Fee*	(B) Deviation Requests	(C) Director Appeal	(D) Appeal to Board
		<i>[See LC Chapter 15.210(12) & 15.709]</i>		
Commercial Driveway	\$300	\$300	\$ 500	\$1,300
Residential Driveway	\$ 250	\$300	\$ 500	\$1,300
Special Events	\$350	\$300	\$500	\$1,300
Road Construction	\$350	\$300	\$ 500	\$1,300
Drainage, Vegetation, or Other activities	\$300	\$300	\$ 500	\$1,300
<p>* Includes normal permit administration, two inspections and an additional form inspection in the case of a concrete driveway apron. Refunds of \$100 would be allowed for Facility Permits that are cancelled before issuance. This would usually cover costs associated with initial intake and preliminary research.</p>				

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF
THE LANE MANUAL TO REVISE AMENITY PERMIT
AND APPEAL FEES AND TO ESTABLISH FEES
FOR FACILITY PERMITS, DEVIATION REQUESTS,
AND APPEALS (LM 60.851)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 60 is hereby amended by removing, substituting, and adding the following section:

DELETE THIS SECTION

60.851 (4)
as located on page 60-85
(a total of 1 page)

None

INSERT THIS SECTION

60.851 (4)
as located on page 60-85
(a total of 1 page)

60.851 (15)
as located on pages 60-87 through 60-88
(a total of 2 pages)

Said sections are attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to revise amenity permit and appeals fees, and to establish fees for facility permits, deviation requests, and appeals (LM 60.851).

Adopted this _____ day of _____ 2005.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 9-13-05 Lane County



OFFICE OF LEGAL COUNSEL

60.851 Land Management Division/Public Works Department - Planning.

This section establishes fees for County services as listed.

For the purposes of this subsection:

BCC means the Board of Commissioners.

HO means the Hearings Officer.

PC means the Planning Commission.

PD means the Planning Director.

BO means the Building Official.

(1) Reproductions.

LC Chapter 10 (Zoning).....	\$ 70.00
LC Chapter 13 (Land Divisions).....	\$ 33.00
LC Chapter 14 (Procedure).....	\$ 33.00
LC Chapter 15 (Roads).....	\$ 70.00
LC Chapter 16 (Development).....	\$ 70.00
Rural Plan Policies.....	\$ 33.00
Individual Copies.....	LM 60.830
Draft Transcribing Fee.....	LM 60.834
Request for Information.....	LM 60.838
.....	LM 60.850(1)
RCP Maps Hard Copy.....	\$ 120.00
RCP Maps Microfiche.....	\$ 60.00

(2) Chapter 13 - Land Division.

Legal Lot Verification base fee	
0 to 5 deeds.....	\$ 425.00
6 – 10 deeds.....	\$ 800.00
11 or more deeds.....	\$1,100.00
When multiple legal lots are discovered in a single application, the fee is half the applicable base fee for each additional legal lot	
Legal Lot Verification (notice only).....	\$ 230.00
Preliminary Plat-Subdivision.....	\$1,130.00
	\$ 150.00/lot
Plat Final.....	\$ 625.00
Partitions Preliminary Approval.....	\$ 750.00
Partitions Final.....	\$ 500.00

(3) Chapter 14 - Appeals:

Appeals	
Planning Director decision to Hearings Official (De Novo).....	\$ 290.00
Planning Director decision to Hearings Official (on the record).....	\$1,740.00
Hearings Official decision to Board of County Commissioners (elect to hear) ¹	\$1,160.00
Hearings Official decision to Board of County Commissioners (on the record).....	\$1,740.00
Applicant Requested Actions	
Modify Planning Director Decision (other than timeline).....	\$ 500.00
Modify/Reconsider Hearing Official Decision	

¹ If BCC elects not to hear, \$150 shall be refundable.

	(other than timeline).....	\$ 900.00
	Continuation of Planning Director Hearing.....	\$ 500.00
	Continuation of Hearing Official Hearing.....	\$ 900.00
	Reconsideration of Application remanded by LUBA, Oregon Court of Appeals or Oregon Supreme Court.....	\$ 900.00
(4)	<u>Chapter 15 - Roads.</u>	
	Variance	\$ 940.00
	Road Dedication.....	\$1,505.00
	Addressing (15.335).....	\$ 75.00
(5)	<u>Chapter 10 - Zoning:</u>	
	Zoning or Rezoning.....	\$1,875.00
	Planning or Zoning Intergovernmental Agreements Requiring Board Approval	\$1,245.00
	Conditional Use Permit by HO	\$1,875.00
	Subdivision sign permit.....	\$ 130.00
	Shoreland Boundary Preliminary Investigation	\$ 250.00
	Hazards Checklist.....	\$ 250.00
	Site Investigation Report.....	\$1,000.00
	Special Use Review by PD.....	\$1,000.00
	Special Use Review by PD (with hearing).....	\$1,875.00
	Special Use Review by HO	\$2,500.00
	Sand and Gravel Plan Review	\$2,500.00
	Field Investigation/Verification For Conditions of a Permit or Special Use Permit.....	\$ 185.00
	Application for Verification of Compliance with Conditions for a Special Use Permit.....	\$ 310.00
	Temporary Hardship Mobile Home Initial Review (LC Chapter 11).....	\$ 75.00
	Renewal.....	\$ 50.00
(6)	<u>Chapter 16 - Development Code: The terms of HO Use Approval and Director Use Approval are equivalent to Special Use Approvals HO and Special Use Approval PD.</u>	
	Plan Amendments Conformity Determination Amendment (RCP Goal 2, Policy 27)	\$1,075.00
	Major Amendment.....	\$10,750.00 ACS ²
	Minor Amendment/No exception.....	\$2,500.00
	Minor Amendment with exception.....	\$4,500.00
	Zoning or Rezoning.....	\$2,500.00
	Special Use Approval (HO)	\$2,500.00
	Special Use Approval (PD).....	\$1,000.00

² Initial deposit for actual cost of services. Fees shall be based on the actual costs incurred including hourly costs for planner, engineering, attorney time and publication costs, plus 25% for administrative fees. The County will return to the developer/person(s) making the deposit any portion of the deposit remaining after finalization of the land use action. If there is additional money owed, the developer/person(s) requesting the land use action shall pay the same to the County immediately upon receipt of a bill therefore and prior to final County action.

In Forest Zones (F1 and F2)	\$2,090.00
Nonconforming Use (PD)	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Vested Rights	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Verification of Lawfully Existing Use (16.290/ 16.291/16.292) Without Notice	\$ 520.00
Verification of Lawfully Existing Use (16.290/ 16.291/16.292) With Notice	\$1,030.00
Home Occupation Renewal.....	\$ 190.00
In Forest Zones (F1 and F2)	\$ 390.00
Shoreland Boundary Preliminary Investigation	\$ 250.00
In Forest Zones (F1 and F2)	\$ 520.00
Hazards Checklist.....	\$ 250.00
In Forest Zones (F1 and F2)	\$ 520.00
Site Investigation Report.....	\$ 500.00
In Forest Zones (F1 and F2)	\$1,050.00
Floodplain Management RCP 16.244	
(a) Fill, removal 50 to 500 c.u.	\$ 150.00
In Forest Zones (F1 and F2).....	\$ 310.00
(b) Fill, removal 501 to 3,000 c.u.	\$ 210.00
In Forest Zones (F1 and F2).....	\$ 430.00
(c) Fill, removal 3,001 to 30,000 c.u.	\$ 345.00
In Forest Zones (F1 and F2).....	\$ 720.00
(d) Fill, removal 30,001 up.....	\$ 690.00
In Forest Zones (F1 and F2).....	\$1,435.00
(e) Step-Backwater Analysis.....	\$1,650.00
In Forest Zones (F1 and F2).....	\$3,450.00
(f) Floodplain Field Verification.....	\$ 250.00
In Forest Zones (F1 and F2).....	\$ 520.00
(g) Floodplain Office Verification.....	\$ 65.00
In Forest Zones (F1 and F2).....	\$ 130.00
Riparian Setback Preliminary Investigation.....	\$ 485.00
In Forest Zones (F1 and F2)	\$1,000.00
Riparian Setback Modification.....	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Riparian Setback Development Plan.....	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Riparian Setback Enhancement Plan.....	\$ 275.00
In Forest Zones (F1 and F2)	\$ 575.00
Riparian Setback Restoration Plan.....	\$1,650.00
In Forest Zones (F1 and F2)	\$3,450.00
Wetland Management ORS 215.418.....	
(a) Wetland Office Verification	\$ 70.00
(b) Wetland Notice to D.S.L.....	\$ 30.00
EFU Farm Dwelling Review	\$1,000.00
Temporary Hardship Mobile Home	
(a) Initial Review.....	\$ 75.00
(b) Renewal	\$ 50.00
Sand and Gravel Plan Review	\$2,500.00
Field Investigation/Verification For Conditions of a	

	Permit or Special Use Permit.....	\$ 180.00
	In Forest Zones (F1 and F2)	\$ 400.00
	Application for Verification of Compliance with Conditions for a Special Use Permit.....	\$ 310.00
	In Forest Zones (F1 and F2)	\$ 650.00
(7)	<u>Chapter 12 - Comprehensive Plan:</u>	
	Plan Amendments (for Chapter 10)	
	Without an exception	\$2,500.00
	With an exception.....	\$4,495.00
	Eugene/Springfield Metro Plan Amendments	
	Nonrefundable Classification Fee	\$ 275.00
	Minor Amendment	\$4,495.00
	Major Amendment	\$10,750.00 ACS ³
(8)	<u>Renotification Fee for Failure to Comply With LM 10.035,</u> or applicant requested rescheduling of hearing date after effectuation of legal notification.	\$ 250.00
(9)	<u>Preapplication Conference.</u>	\$ 190.00
(10)	<u>Planning and Setback Clearance for:</u>	
	Major Chapter 11 permits.....	\$ 230.00+ ⁴
	Access Review.....	\$ 60.00
	Airport Safety Combining Zone	\$ 60.00
	Coastal Combining Zones.....	\$ 60.00
	Greenway Development Permit.....	\$ 60.00
	Legal Lot Determination.....	\$ 60.00
	Minor Chapter 11 permits.....	\$ 75.00
(11)	<u>Review of Lot Line Adjustments</u>	\$ 250.00
(12)	<u>Land Use Compatibility Statements</u>	
	Complex.....	\$ 310.00
	Simple.....	\$ 34.00
(13)	<u>Requests for Board Interpretation of LC Chapter 16</u>	
	Pursuant to LC 16.008	\$1,030.00
(14)	<u>Annual Subscription For Requested Notice</u> (not subject to LM 60.850(6), (8) or (9))	
	Requested LC 14.160(1)(b) Notice.....	\$ 130.00
	Requested Notice of Application Acceptance	\$ 300.00
(15)	<u>Chapter 15 – Roads:</u>	
	Facility Permits:	
	Driveways:	
	Commercial Driveway.....	\$ 300.00 ⁵
	Residential Driveway.....	\$ 250.00 ⁶

³ Initial deposit for actual cost of services. Fees shall be based on the actual costs incurred including hourly costs for planner, engineering, attorney time and publication costs, plus 25% for administrative fees. The County will return to the developer/person(s) making the deposit any portion of the deposit remaining after finalization of the land use action. If there is additional money owed, the developer/person(s) requesting the land use action shall pay the same to the County immediately upon receipt of a bill therefore and prior to final County action.

⁴ \$230 base fee + \$60 for each additional review component

⁵ Includes two inspections for asphalt driveway aprons and an additional form inspection for concrete driveway aprons.

⁶ See #5.

Special Events.....	\$ 350.00
Road Construction	\$ 350.00
Donated Amenities	\$ 300.00
Drainage, Vegetation and Other Activities.....	\$ 300.00
(Refunds of \$100.00 are allowed for Facility Permit applications canceled prior to issuance of Permit)	
Deviation Requests.....	\$ 300.00
Appeals:	
To Public Works Director.....	\$ 500.00
To Board of County Commissioners	\$1,300.00

(Revised by Order No. 01-4-4-6, Effective 7.1.01; 03-4-16-3, 7.1.03; 03-10-15-11, 10.15.03; 03-12-17-14, 12.17.03; 04-2-18-1, 7.1.04; 04-12-1-13, 12.1.04; 05-2-2-7, 7.1.05; 05-7-13-3, 7.13.05)

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60.851

60.851 Land Management Division/Public Works Department - Planning.

This section establishes fees for County services as listed.

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(2) Chapter 13 - Land Division.

Legal Lot Verification base fee

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6 – 10 deeds..... \$ 800.00

11 or more deeds..... \$1,100.00

When multiple legal lots are discovered in a single application, the fee is half the applicable base fee for each additional legal lot

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Preliminary Plat-Subdivision..... \$1,130.00

\$ 150.00/lot

Plat Final..... \$ 625.00

Partitions Preliminary Approval..... \$ 750.00

Partitions Final..... \$ 500.00

(3) Chapter 14 - Appeals:

Appeals

Planning Director decision to Hearings Official

(De Novo)..... \$ 290.00

Planning Director decision to Hearings Official

(on the record)..... \$1,740.00

Hearings Official decision to Board of County

Commissioners (elect to hear)¹..... \$1,160.00

Hearings Official decision to Board of County

Commissioners (on the record)..... \$1,740.00

Applicant Requested Actions

Modify Planning Director Decision

(other than timeline)..... \$ 500.00

Modify/Reconsider Hearing Official Decision

¹ If BCC elects not to hear, \$150 shall be refundable.

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60.851 Lane Manual 60.851

	(other than timeline).....	\$ 900.00
	Continuation of Planning Director Hearing.....	\$ 500.00
	Continuation of Hearing Official Hearing.....	\$ 900.00
	Reconsideration of Application remanded by LUBA, Oregon Court of Appeals or Oregon Supreme Court.....	\$ 900.00
(4)	<u>Chapter 15 - Roads.</u>	
	Variance	\$ 940.00
	Road Dedication.....	\$1,505.00
	Addressing (15.335).....	\$ 75.00
	Amenity Permit Fee.....	\$ 130.00
	Amenity Appeal Fee.....	\$ 130.00
(5)	<u>Chapter 10 - Zoning:</u>	
	Zoning or Rezoning.....	\$1,875.00
	Planning or Zoning Intergovernmental Agreements Requiring Board Approval	\$1,245.00
	Conditional Use Permit by HO	\$1,875.00
	Subdivision sign permit.....	\$ 130.00
	Shoreland Boundary Preliminary Investigation	\$ 250.00
	Hazards Checklist.....	\$ 250.00
	Site Investigation Report.....	\$1,000.00
	Special Use Review by PD.....	\$1,000.00
	Special Use Review by PD (with hearing).....	\$1,875.00
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	Field Investigation/Verification For Conditions of a Permit or Special Use Permit.....	\$ 185.00
	Application for Verification of Compliance with Conditions for a Special Use Permit.....	\$ 310.00
	Temporary Hardship Mobile Home Initial Review (LC Chapter 11)	\$ 75.00
	Renewal	\$ 50.00
(6)	<u>Chapter 16 - Development Code:</u> The terms of HO Use Approval and Director Use Approval are equivalent to Special Use Approvals HO and Special Use Approval PD.	
	Plan Amendments Conformity Determination Amendment (RCP Goal 2, Policy 27)	\$1,075.00
	Major Amendment.....	\$10,750.00 ACS ²
	Minor Amendment/No exception	\$2,500.00
	Minor Amendment with exception.....	\$4,500.00
	Zoning or Rezoning.....	\$2,500.00
	Special Use Approval (HO)	\$2,500.00

² Initial deposit for actual cost of services. Fees shall be based on the actual costs incurred including hourly costs for planner, engineering, attorney time and publication costs, plus 25% for administrative fees. The County will return to the developer/person(s) making the deposit any portion of the deposit remaining after finalization of the land use action. If there is additional money owed, the developer/person(s) requesting the land use action shall pay the same to the County immediately upon receipt of a bill therefore and prior to final County action.

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60.851

Lane Manual

60.851

Special Use Approval (PD).....	\$1,000.00
In Forest Zones (F1 and F2)	\$2,090.00
Nonconforming Use (PD)	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Vested Rights	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
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Verification of Lawfully Existing Use (16.290/ 16.291/16.292) With Notice	\$1,030.00
Home Occupation Renewal.....	\$ 190.00
In Forest Zones (F1 and F2)	\$ 390.00
Shoreland Boundary Preliminary Investigation	\$ 250.00
In Forest Zones (F1 and F2)	\$ 520.00
Hazards Checklist.....	\$ 250.00
In Forest Zones (F1 and F2)	\$ 520.00
Site Investigation Report.....	\$ 500.00
In Forest Zones (F1 and F2)	\$1,050.00
Floodplain Management RCP 16.244	
(a) Fill, removal 50 to 500 c.u.	\$ 150.00
In Forest Zones (F1 and F2).....	\$ 310.00
(b) Fill, removal 501 to 3,000 c.u.	\$ 210.00
In Forest Zones (F1 and F2).....	\$ 430.00
(c) Fill, removal 3,001 to 30,000 c.u.	\$ 345.00
In Forest Zones (F1 and F2).....	\$ 720.00
(d) Fill, removal 30,001 up.....	\$ 690.00
In Forest Zones (F1 and F2).....	\$1,435.00
(e) Step-Backwater Analysis.....	\$1,650.00
In Forest Zones (F1 and F2).....	\$3,450.00
(f) Floodplain Field Verification.....	\$ 250.00
In Forest Zones (F1 and F2).....	\$ 520.00
(g) Floodplain Office Verification.....	\$ 65.00
In Forest Zones (F1 and F2).....	\$ 130.00
Riparian Setback Preliminary Investigation.....	\$ 485.00
In Forest Zones (F1 and F2)	\$1,000.00
Riparian Setback Modification.....	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Riparian Setback Development Plan.....	\$1,030.00
In Forest Zones (F1 and F2)	\$2,150.00
Riparian Setback Enhancement Plan.....	\$ 275.00
In Forest Zones (F1 and F2)	\$ 575.00
Riparian Setback Restoration Plan.....	\$1,650.00
In Forest Zones (F1 and F2)	\$3,450.00
Wetland Management ORS 215.418.....	
(a) Wetland Office Verification	\$ 70.00
(b) Wetland Notice to D.S.L.....	\$ 30.00
EFU Farm Dwelling Review.....	\$1,000.00
Temporary Hardship Mobile Home	
(a) Initial Review.....	\$ 75.00
(b) Renewal	\$ 50.00
Sand and Gravel Plan Review	\$2,500.00

	Field Investigation/Verification For Conditions of a	
	Permit or Special Use Permit.....	\$ 180.00
	In Forest Zones (F1 and F2)	\$ 400.00
	Application for Verification of Compliance with	
	Conditions for a Special Use Permit.....	\$ 310.00
	In Forest Zones (F1 and F2)	\$ 650.00
(7)	<u>Chapter 12 - Comprehensive Plan:</u>	
	Plan Amendments (for Chapter 10)	
	Without an exception	\$2,500.00
	With an exception.....	\$4,495.00
	Eugene/Springfield Metro Plan Amendments	
	Nonrefundable Classification Fee	\$ 275.00
	Minor Amendment	\$4,495.00
	Major Amendment	\$10,750.00 ACS ³
(8)	<u>Renotification Fee for Failure to Comply With LM 10.035,</u>	
	or applicant requested rescheduling of hearing date after	
	effectuation of legal notification.	\$ 250.00
(9)	<u>Preapplication Conference.</u>	\$ 190.00
(10)	<u>Planning and Setback Clearance for:</u>	
	Major Chapter 11 permits.....	\$ 230.00 ⁴
	Access Review	\$ 60.00
	Airport Safety Combining Zone	\$ 60.00
	Coastal Combining Zones.....	\$ 60.00
	Greenway Development Permit.....	\$ 60.00
	Legal Lot Determination.....	\$ 60.00
	Minor Chapter 11 permits.....	\$ 75.00
(11)	<u>Review of Lot Line Adjustments</u>	\$ 250.00
(12)	<u>Land Use Compatibility Statements</u>	
	Complex.....	\$ 310.00
	Simple.....	\$ 34.00
(13)	<u>Requests for Board Interpretation of LC Chapter 16</u>	
	Pursuant to LC 16.008	\$1,030.00
(14)	<u>Annual Subscription For Requested Notice (not subject to LM 60.850(6),</u>	
(8) or (9))	Requested LC 14.160(1)(b) Notice.....	\$ 130.00
	Requested Notice of Application Acceptance	\$ 300.00
(15)	<u>Chapter 15 – Roads:</u>	
	<u>Facility Permits:</u>	
	<u>Driveways:</u>	
	Commercial Driveway	\$ 300.00 ⁵
	Residential Driveway.....	\$ 250.00 ⁶

³ Initial deposit for actual cost of services. Fees shall be based on the actual costs incurred including hourly costs for planner, engineering, attorney time and publication costs, plus 25% for administrative fees. The County will return to the developer/person(s) making the deposit any portion of the deposit remaining after finalization of the land use action. If there is additional money owed, the developer/person(s) requesting the land use action shall pay the same to the County immediately upon receipt of a bill therefore and prior to final County action.

⁴ \$230 base fee + \$60 for each additional review component

⁵ Includes two inspections for asphalt driveway aprons and an additional form inspection for concrete driveway aprons.

⁶ See #5.

[At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

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Special Events.....	\$ 350.00
Road Construction	\$ 350.00
Donated Amenities	\$ 300.00
Drainage, Vegetation and Other Activities.....	\$ 300.00
<i>(Refunds of \$100.00 are allowed for Facility Permit applications canceled prior to issuance of Permit)</i>	
Deviation Requests.....	\$ 300.00
Appeals:	
To Public Works Director.....	\$ 500.00
To Board of County Commissioners	\$1,300.00

(Revised by Order No. 01-4-4-6, Effective 7.1.01; 03-4-16-3, 7.1.03; 03-10-15-11, 10.15.03; 03-12-17-14, 12.17.03; 04-2-18-1, 7.1.04; 04-12-1-13, 12.1.04; 05-2-2-7, 7.1.05; 05-7-13-3, 7.13.05)