

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A FILING
FEE FOR MINOR ADJUSTMENTS TO THE
URBAN GROWTH BOUNDARY

) RESOLUTION NO. 02-3152
)
)
) Introduced by Mike Burton,
) Executive Officer

WHEREAS, the Metro Council has the authority to establish filing fees under Metro Code Section 3.01.045(a) for minor adjustments to the Urban Growth Boundary; and

WHEREAS, the Metro Council finds it necessary to collect a filing fee to offset the cost of processing applications to amend the Urban Growth Boundary; and

WHEREAS, filing fees were initially set in 1981 and updated in 1999 to reflect Metro recovering actual costs for processing quasi-judicial and administrative amendments to the Urban Growth Boundary; and

WHEREAS, the Metro Council created a new minor adjustments category of Urban Growth Boundary amendments to replace the locational adjustment category; and

WHEREAS, the Metro Council limited the scope of applications for minor adjustments to the Urban Growth Boundary, now therefore,

BE IT RESOLVED,

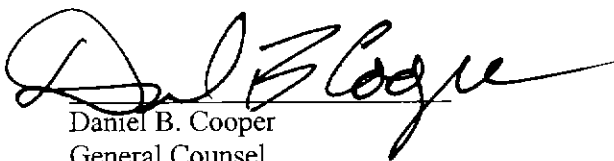
That all minor adjustment applications filed pursuant to Metro Code Section 3.01.045 be subject to a filing fee as outlined in Exhibit A.

ADOPTED by the Metro Council this 14th day of February, 2002.



Carl Hosticka
Presiding Officer

Approved as to Form:



Daniel B. Cooper
General Counsel

**EXHIBIT A
RESOLUTION NO. 02-3152**

Filing Fee for Minor Adjustments to the Urban Growth Boundary

**Metro Code Section 3.01.045(a)
January 2002**

**Minor Adjustment Application
Metro Code Section 3.01.035**

\$1,000 Filing Fee

The recoverable costs for a minor adjustment application are staff time including Data Resource Center staff, overhead costs, notices, and postage.

COMMUNITY PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 02-3152, FOR THE PURPOSE OF ADOPTING A FILING FEE FOR MINOR ADJUSTMENTS TO THE URBAN GROWTH BOUNDARY

Date: February 14, 2002

Presented by: Councilor McLain

Committee Action: At its February 5, 2002 meeting, the Community Planning Committee voted unanimously to recommend Council adoption of Resolution 02-3152. Voting in favor: Councilors Atherton, Bragdon, Burkholder, Hosticka, McLain, Monroe and Park.

Background Tim O'Brien, Associate Regional Planner in the Community Planning Department made the staff presentation. Metro has revised its code regarding application for non-legislative amendment to the urban growth boundary. Metro policy is to establish filing fees for these quasi-judicial applications, and that the fees shall cover the actual costs of processing the application.

The category of "minor adjustment" was established via ordinance 01-929A, and this resolution establishes the fee at \$1,000. If the entire amount is not used, the remainder will be returned to the applicant.

- Existing Law: Consistent with Resolutions 81-228 and 99-2758 establishing and updating ugb filing fees.
- Budget Impact: Provides sufficient revenue to cover staff costs to process locational adjustment applications.

Committee Issues/Discussion: The committee asked if this amount was sufficient to cover most applications. Staff responded that given the narrowed scope for locational adjustments, this amount should be adequate.

STAFF REPORT

FOR THE PURPOSE OF ADOPTING A FILING FEE FOR MINOR ADJUSTMENTS TO THE URBAN GROWTH BOUNDARY

Date: January 11, 2002

Presented by: Mary Weber
Prepared by: Tim O'Brien

PROPOSED ACTION

Adoption of Resolution 02-3152 adopting filing fees for minor adjustments to the urban growth boundary (UGB).

BACKGROUND AND ANALYSIS

Metro Code Section 3.01.045(a) states that each application submitted by a property owner or group of property owners pursuant to this chapter shall be accompanied by a filing fee in an amount to be established by resolution of the Council. Such fees shall not exceed the actual costs of the district to process an application. The filing fee shall include administrative costs and hearings officer/public notice costs. Metro Code Section 3.01.045(e) states that the unexpended portion of an applicant's deposit, if any, shall be returned to the applicant at the time of a final disposition of the application.

The Metro Council adopted Resolution No. 81-228 that established filing fees for UGB quasi-judicial applications. The adoption of Resolution No. 99-2758 updated the filing fee schedule for quasi-judicial and administrative amendments to the UGB to cover Metro's actual cost of processing applications.

The Metro Council's recent adoption of Ordinance 01-929A created a new minor adjustment category of UGB amendments to replace the deleted locational adjustment category. Minor adjustment applications are limited in scope to the siting of public facility lines and roads, land trades, and to make the UGB coterminous with nearby property lines or natural or built features and are processed administratively. This new limited scope for minor adjustment applications requires a new filing fee consistent with the expected staff work necessary to process a minor adjustment application. To ensure that Metro receives a deposit that will cover the actual costs of processing a minor adjustment application, staff recommends setting the filing fee for minor adjustments at \$1,000. The recoverable costs for these applications are staff time including Data Resource Center staff time for recording the UGB change, overhead costs, notices, and postage. If the entire deposit is not used the remainder is returned to the applicant. If final costs exceed this fee, the additional amount will be required prior to final approval of the UGB adjustment.

BUDGET IMPACT

Adoption of this Resolution with a filing fee consistent with the scope of action required by Metro staff to process an application for a minor adjustment would provide sufficient revenue to cover the cost of processing applications.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of the recommended filing fee for minor adjustments to the UGB as outlined in Resolution No. 02-3152.