

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SETTING FEES ) RESOLUTION NO. 82-342  
PETITIONS FOR ADJUSTMENTS TO THE )  
METRO URBAN GROWTH BOUNDARY (UGB) ) Introduced by the Regional  
Development Committee

WHEREAS, Metro has established procedures for locational adjustments to the Metro Urban Growth Boundary (UGB); and

WHEREAS, The Council finds that filing fees should substantially offset the cost of processing and hearing petitions for adjustments to the Metro UGB; and

WHEREAS, The Council finds that the fee schedule established by Resolution No. 81-228 does not cover the full costs of processing and hearing petitions for adjustments to the Metro UGB; and

WHEREAS, Metro's present fiscal situation severely limits its ability to subsidize the UGB adjustment process from its general revenues; now, therefore,

BE IT RESOLVED,

1. That all petitions for amendments or locational adjustments to the UGB shall be accompanied by a filing fee as follows:

- a. a base fee of \$25 for each petition; and
- b. a fee of \$10 per acre for each acre in excess of 10 acres proposed to be added, but not to exceed \$5,000; and
- c. a deposit of \$1,500 for Hearings Officer's costs, the unexpended portion of this deposit,

if any, to be returned to the petitioner at the time of a final disposition of the petition.

2. If Hearings Officer costs exceed the amount of the deposit (not to exceed a total of \$2,500), the petitioner shall be required to pay to Metro an amount equal to the costs in excess of the deposit, prior to the release of the Hearings Officer's report. Metro's per-hour charge to applicants for Hearings Officer time shall be uniform in all cases.

3. The Council may, by resolution, reduce, refund or waive the base fee, per acre fee or deposit, or portion thereof, if it finds that such fees would create an undue hardship for the applicant.

4. Resolution No. 81-228 is hereby repealed.

ADOPTED by the Council of the Metropolitan Service District this 22nd day of July, 1982.

  
\_\_\_\_\_  
Presiding Officer

JC/sh  
6155B/252  
07/23/82

LOCATIONAL ADJUSTMENT FEE  
AND HEARINGS OFFICER DEPOSIT

FEE -	Gross Acres Proposed to be Added	_____	(1)
	Gross Acres Proposed to be Removed	_____	(2)
	Net Acres Proposed to be Added (line 1 less line 2)	_____	(3)
	Subtract Ten Acres (line 3 less line 4)	_____ -10	(4)
		_____	(5)
	Net Addition in Excess of Ten Acres	_____	(6)
	If amount on line 5 is less than zero go to line 9. If amount on line 5 is larger than zero multiply line 5 by \$10.00.	x \$10.00	
	TOTAL ACREAGE FEE	\$ _____	(7)
	BASE FEE	_____ \$25.00	(8)
	TOTAL FEE - Line 7 + Line 8	\$ _____	(9)
DEPOSIT -	\$1,500.00 for Hearings Officer Costs. (If Hearings Officer costs are less than \$1,500.00, the balance will be refunded to you. If the Hearings Officer costs exceed \$1,500.00 a supplement deposit, not to exceed \$1,000.00 will be required prior to the release of the Hearings Officer's Report.)	_____ \$1,500.00	(10)
AMOUNT TENDERED	(line 9 plus line 10)	\$ _____	(11)

JC/srb  
2383B/223  
09/14/82

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METROPOLITAN SERVICE DISTRICT

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METRO URBAN GROWTH BOUNDARY (UGB) )  
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RESOLUTION NO. 82-342

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WHEREAS, The Council finds that filing fees should substantially offset the cost of processing and hearing petitions for adjustments to the Metro UGB; and

WHEREAS, The Council finds that the fee schedule established by Resolution No. 81-228 does not cover the full costs of processing and hearing petitions for adjustments to the Metro UGB; and

WHEREAS, Metro's present fiscal situation severely limits its ability to subsidize the UGB adjustment process from its general revenues; now, therefore,

BE IT RESOLVED,

1. That all petitions for amendments or locational adjustments to the UGB shall include a filing fee as follows:
  - a. a base fee of \$25 for each petition; and
  - b. a fee of \$10 per acre for each acre in excess of 10 acres proposed to be added; and
  - c. a deposit of \$1,500 for Hearings Officer's costs, the unexpended portion of this deposit, if any, to be returned to the petitioner at the time of a final disposition of the petition.

2. If Hearings Officer costs exceed the amount of the deposit, the petitioner shall be required to pay to Metro an amount equal to the costs in excess of the deposit, prior to the release of the Hearings Officer's report.

3. The Council may, by resolution, reduce, refund or waive the base fee, per acre fee or deposit, or portion thereof, if it finds that such fees would create an undue hardship for the applicant.

4. Resolution No. 81-228 is hereby repealed.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

\_\_\_\_\_  
Presiding Officer

JC/gl  
6155B/252  
06/25/82

A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Executive Officer  
SUBJECT: Setting Fees Petitions for Adjustments to the Metro Urban Growth Boundary (UGB)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approval of the attached Resolution setting fees for petitions to amend the Urban Growth Boundary (UGB).
- B. POLICY IMPACT: The fee structure contained in the attached Resolution would recover a substantial portion of Metro's costs for processing UGB locational adjustments. This is consistent with Council policy that fees "shall be generally sufficient to defray the actual cost to the District of processing such petitions." (Ordinance No. 81-105, Section 10)
- C. BUDGET IMPACT: This fee structure will minimize the cost of reviewing locational adjustment petitions.

II. ANALYSIS:

- A. BACKGROUND: Staff studied Metro's fee structure and concluded that the existing structure did not recoup all of Metro's costs. Accordingly, staff devised a new fee structure, in which the applicant pays a deposit to cover the cost of a Hearings Officer. The Hearings Officer is charged with performing most of the legal and administrative functions required to process cases. Staff role and staff costs will be limited to preparing a staff report in appropriate cases.
- B. ALTERNATIVES CONSIDERED: Continuing the existing fee structure would result in a substantial loss to Metro, and a diversion of staff time from other budgeted activities. Higher fees would be seriously out of line with fees charged for similar services by cities and counties.
- C. CONCLUSION: The attached Resolution substantially covers Metro's costs of processing UGB locational adjustment petitions, and represents a reasonable set of charges for petitioners.

JC/gl  
6155B/252  
6/25/82

PROPOSED AMENDMENT TO RESOLUTION 82-342

- 1) In paragraph 1, strike the word "include" and insert the words "be accompanied by."
- 2) In paragraph 1, section b. before the semicolon following the word "added," insert a comma and the words: "but not to exceed \$5000."
- 3) In paragraph 2, following the comma after the word "deposit" insert the words "not to exceed a total of \$2500."
- 4) In paragraph 2, following the first sentence, add a second sentence, as follows:  
"Metro's per hour charge to applicants for hearings officer time shall be uniform in all cases."