



AGENDA

MOLALLA CITY COUNCIL WORK SESSION

April 22, 2020

6:30 PM

City Hall via Conference Call

117 N. Molalla Ave, Molalla, OR 97038

Mayor Keith Swigart

Council President Leota Childress

Councilor Elizabeth Klein

Councilor DeLise Palumbo

Councilor Terry Shankle

Councilor Jody Newland

Councilor Crystal Robles

MEETING NOTICE: Due to health concerns of COVID-19, this City Council Meeting will be held via conference call. Only City staff will be permitted in the Conference Room. The meeting will be live-streamed via Facebook "Molalla City Council Meetings – LIVE".

Public Comments: The public is strongly encouraged to relay concerns and comments to Council in one of the following ways:

- *Email at any time up to 12pm the day of the meeting to recorder@cityofmolalla.com*
- *Phone call (Monday – Friday, 8am-5pm) to 503-759-0285, all messages will be relayed during the meeting.*
- *Mail to City of Molalla, Attn: City Recorder, PO Box 248, Molalla, OR 97038*

1. CALL TO ORDER AND ROLL CALL

2. DISCUSSION ITEMS

- A. Planning Fee Update

3. ADJOURN

Christie Desantis

From: Alice Cannon
Sent: Wednesday, April 22, 2020 1:25 PM
To: Christie Desantis
Subject: FW: Re: Questions about the work session materials

Hi,

I should have copied you on this. Dan Huff forwarded Councilor Newland's questions after reviewing tonight's Work Session materials. This is my response.

Alice

From: Alice Cannon
Sent: Wednesday, April 22, 2020 1:24 PM
To: 'jnewland@cityofmolalla.com' <jnewland@cityofmolalla.com>
Cc: Dan Zinder <dzinder@cityofmolalla.com>; Dan Huff <dhuff@cityofmolalla.com>
Subject: Re: Questions about the work session materials

Good afternoon Councilor Newland:

- 1) **Your Tree Permit Fee Question: Do we have a code that requires property owners to get a permit to cut down a tree on their property? I so, why? I am seeing a proposed \$50 fee.**

Answer: Yes, the City has a tree code, adopted by the City Council in 2010. It is a very strangely-written code and one that is difficult for staff to interpret or enforce. We currently don't have a tree permit fee, though the tree code requires staff to charge a fee (see highlighted and underlined language below). Staff thought we would take this opportunity to add a small fee to cover our costs.

If Council has concerns about the ordinance and the fee, I would actually prefer to simply remove the current tree code from Molalla's regulations. Since the code language is so difficult to interpret, it is almost a foregone conclusion that staff will approve all tree permits. This could be an example of government getting out of the way of property owners who wish to control the use of their property.

If Council agrees with this idea, then it wouldn't make much sense for staff to add a tree fee at this time. We can simply remove that proposed fee following our discussion tonight and then come back at a future meeting to remove the current tree regulations from the Municipal Code. See the existing tree code below. You will notice that I highlighted some other "squishy language" that seasoned planning professionals would never include in a code, because it is open to way too much interpretation. For instance, how does one define a "group of trees?" How does a Planning Director determine that an "adequate" number of trees remain on the property?:

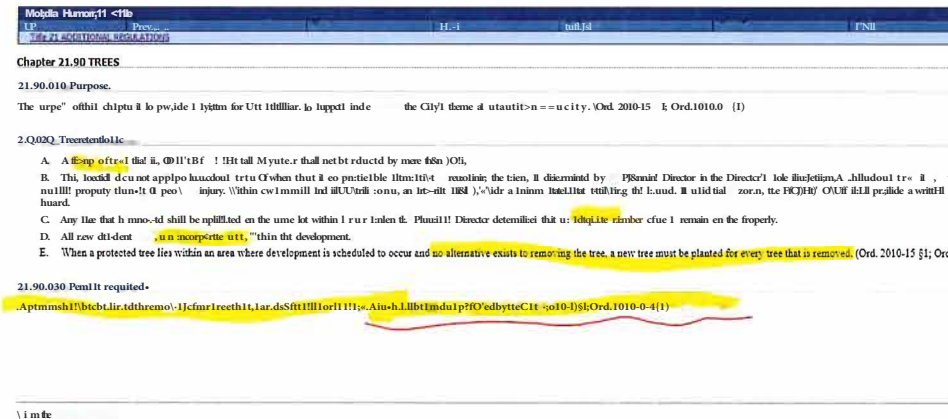
Alice Cannon

From: Jody Newland <jnewland@cityofmolalla.com>
Sent: Wednesday, April 22, 2020 12:36 AM
To: Dan Huff <dhuff@cityofmolalla.com>
Subject: Questions about the work session materials

Hi Dan,

I have a couple more questions. This time about the work session materials.

Do we have a code that requires property owners to get a permit to cut down a tree on their property? I so, why? I am seeing a proposed \$50 fee.



Thanks,

Jody

Molalla Proposed Planning Fees

17-Apr-20

Building Permit Plan Reviews

Application Type	Proposed Fee
Residential	
Single Family Residence or Accessory Dwelling Unit	\$400.00
Duplex	\$500.00
Multifamily	\$575 + \$75 per unit up to 20 units; \$15 per unit over 20 units.
Accessory Buildings, Non-Living Space	\$100.00
Non-Exempt Remodels Not Increasing Square Footage	\$200.00
Residential Additions	\$200.00
Non-Residential	
0-5,000 Square Feet	\$400.00
5,001-10,000 Square Feet	\$500.00
10,001-50,000 Square Feet	\$750.00
50,001-100,000 Square Feet	\$850.00
More than 100,000 Square Feet	\$1,000.00
Parking Lot/Paving/Landscaping	\$350.00
Tenant Improvements and Remodels Not Increasing Square Footage	\$400.00
Demolitions	\$100.00

Land Use Applications

Application Type	Proposed Fee
Adjustment	\$500.00
Annexation	<p>Base Fee: \$3500 Plus \$3,000 deposit if election required Plus \$7,000 deposit for State review</p>

Appeal	Type II: \$250 Type III: \$1,000
Code Interpretation Application	Type I: \$500 Type II: \$1,000 Type IV: \$3,000
Comprehensive Plan Amendment	\$3,500.00
Conditional Use	\$2,500.00
Historic Designation or Removal	\$2,000.00
Master Plan	Concept Plan - \$3000 Detailed Development Plan - \$1500 Site Design Review - \$1500
Modification	Type I: \$200 Type II: \$750 Type IV: \$3,000
Nonconforming Use	\$1,500.00
Partition (Type II)	Preliminary Plat: \$1500 Final Plat: \$300
Property Line Adjustment	\$500.00
Site Design Review	Type II: \$1,500 Type III: \$3,000
Subdivision -- Final Plat	\$500.00
Subdivision -- Preliminary Plat	\$3,000.00
Temporary Use	\$400.00
Variance	\$2,500.00
Zone Change	\$3,000.00

Miscellaneous	
Application Type	Proposed Fee
Addressing	\$50.00

LUCS Review for State Permit	\$200.00
Pre-Application Meeting	Type II: \$400 Type III: \$750
Sign	\$75.00
Tree Removal	\$50.00

Molalla Proposed Planning Fees

17-Apr-20

Application Type	Molalla -- Current	Molalla -- Proposed
Addressing	No Fee	\$50.00
Adjustment	Type I: \$350 Type II: \$700	\$500.00
Annexation	\$2,100.00	Base Fee: \$3500 - Plus \$3,000 deposit if election required - Plus \$7,000 for State review
Appeal	\$100 - \$1,350	Type II: \$250 Type III: \$1,000
Building Permit Plan Reviews	Mixed with design review fees; is confusing for applicants	Residential: - SFR or ADU: \$400 - Duplex: \$500 - Multifamily: 500 + \$75/unit up to 20 units. \$15 per unit over 20 units. - Accessory Buildings, non-living space: \$100 - Remodels w/o new SF (non-exempt) - \$200 - Residential Additions - \$200 Non-Residential: - 0 to 5,000 square feet \$400 - 5,001 to 10,000 square feet \$500 - 10,001 to 50,000 square feet \$750 - 50,001 to 100,000 square feet \$850 - 100,001 square feet and up \$1,000 - TIs and Remodels not increasing SF - \$400 - Parking lot/paving/landscaping: \$350 Demolition - \$100
Code Interpretation Application	No Fee	Type I: \$500 Type II: \$1,000 Type IV: \$3,000
Comprehensive Plan Amendment	\$2,600.00	\$3,500.00
Conditional Use	\$1,700.00	\$2,500.00
Historic Designation or Removal	No Fee	\$2,000.00
LUCS Review for State Permit	No Fee	\$200.00

Application Type	Molalla -- Current	Molalla -- Proposed
Master Plan	\$1,000.00	Concept Plan - \$3000 Detailed Development Plan - \$1500
Modification	No Fee	Type I: \$200 Type II: \$750 Type III: \$3,000
Nonconforming Use	\$800.00	\$1,500.00
Partition (Type II)	\$1,000.00	Preliminary Plat: \$1500 Final Plat: \$300
Pre-Application Meeting	5% of filing fee for proposed app	Type II: \$400 Type III: \$750
Property Line Adjustment	\$200.00	\$500.00
Sign	\$50.00	\$75.00
Site Design Review	Current fee is based on project values. Is very confusing for customers and the fees are very low.	Type II: \$1500 Type III: \$3,000
Subdivision -- Final Plat	\$300.00	\$500.00
Subdivision -- Preliminary Plat	\$1,700 + \$50 per lot	\$3,000.00
Temporary Use	\$250.00	\$400.00
Tree Removal	No Fee	\$50.00
Variance	\$300.00	\$2,500.00
Zone Change	\$1,700.00	\$3,000.00

Molalla Proposed Planning Fees

17-Apr-20

Application Type	Molalla -- Current	Molalla -- Proposed	Canby	Estacada	Oregon City	Sandy	Silverton	Woodburn	Clackamas County
Addressing	No Fee	\$50.00				\$41 + \$5 per lot for new development, 206 + \$5 per lot for readdressing			
Adjustment	Type I: \$350 Type II: \$700	\$500.00	Not listed	Not listed	\$1490, \$349 in processed with another Type II or III application	Type 1: \$329, Type II: \$442, Type III: \$442	Major: \$550, Minor: \$400		25% of current fee, minimum of \$235
Annexation	\$2,100.00	Base Fee: \$3500 - Plus \$3,000 deposit if election required - Plus \$7,000 for State review	\$1,980 + additional per acre rates varying over how many acres are annexed	\$1,800.00	\$4,813 base fee + \$3,468 deposit for election, if required + \$1,130 fee for Oregon Dept. of Revenue review of legal description	\$2194-\$6033 depending on type	\$2750, + \$55/acre for every acre over five acres + \$2750 deposit if election required	\$3,418 for annexations exceeding one acre. \$2,659 for annexations less than one acre.	No fee -- no annexations occur in counties
Appeal	\$100 - \$1,350	Type II: \$250 Type III: \$1,000	Type I or II: \$250, Type 3: \$1980	\$375.00	\$250, \$1541 for a PC appeal	\$123 for Type I, \$329 for Type II, \$770 for Type III	\$500.00	Based on application fee for Type III, \$250 for Type II	\$240.00
Building Permit Plan Reviews	Included in design review fees	Residential: - SFR or ADU: \$400 - Duplex: \$500 - Multifamily: 500 + \$75 per unit up to 20 units. \$15 per unit past 20 units. - Accessory Buildings, non-living space: \$100 - Remodels not increasing SF (non-exempt) - \$200 - Residential Additions - \$200 Non-Residential: - 0 to 5,000 square feet \$400 - 5,001 to 10,000 square feet \$500 - 10,001 to 50,000 square feet \$750 - 50,001 to 100,000 square feet \$850 - 100,001 square feet and up \$1,000 - TIs and Remodels not increasing SF - \$400 - Parking lot/paving/landscaping: 350	SFR: \$150, Duplex: \$175, Non-living space: \$95, Living Space (Expansions or ADU): \$125, Multi-family: additional \$60 per unit up to 20 units, then \$12 per unit, 6 or fewer unit condos: \$285, TIs and Remodels not increasing SF: \$30, Existing Wireless... Modification: %50, Commercial and industrial: \$150 - \$1000 depending on square footage, parking lot/paving: \$310	Not listed	Between \$84-\$3836 depending on proposed building type and value	ADU: \$221,	not listed	not listed	not listed
Code Interpretation Application	No Fee	Type I: \$500 Type II: \$1,000 Type IV: \$3,000	They do zoning letters - \$30 for a basic one and \$125 for conformance research, \$550 for "interpretation"	\$350.00	\$1162 for code interpretations/similar use, compatibility review for communication facilities: \$349, General Research: \$87/hr, \$134 for a letter	\$103 for zoning letter, Type II Director: \$329, Type III Quasi Judicial: \$657, Type IV Legislative: \$657	\$100.00	Interpretation of uses: \$615, of zoning district boundaries \$1578, of WDO: \$1759	\$1660 for hearing, \$730 for administrative
Comprehensive Plan Amendment	\$2,600.00	\$3,500.00	Legislative text: \$6000, Legislative Map: \$4000, Quasi Judicial: \$2000	\$950.00	\$4,888.00	Map: \$3184, Text: \$2963	\$2,750.00	\$3133 for properties less than 1 acre, \$3481 if greater than 1 acre	\$4,000.00
Conditional Use	\$1,700.00	\$2,500.00	\$2,080.00	\$950.00	\$4,203.00	Minor: \$442, Major \$878, Type II: \$878, Type III: \$1648	\$1,100.00	\$3591, for telcomm	\$3,945.00
Demolition	\$100.00	\$100.00	Residential: \$30, Commercial or Industrial: \$50			not listed	\$70.00	not listed	not listed
Historic Designation or Removal	No Fee	\$2,000.00	not listed			not listed	\$514.00	\$50.00	"Specific conditional use for a historically significant site." \$1148 no fee
LUCS Review for State Permit	No Fee	\$200.00	not listed	Not listed	\$77.00	\$123.00	not listed	not listed	

Application Type	Molalla – Current	Molalla – Proposed	Canby	Estacada	Oregon City	Sandy	Silverton	Woodburn	Clackamas County
Master Plan	\$1,000.00	Concept Plan: \$3000 Detailed Development Plan: \$1500 Site Design Review: \$1500	\$1,600.00		\$7639, additional costs for an amendment depending on review type	\$4390 for conceptual + \$657 + subdivision fees for development plan. \$411 for modifications.	Without Traffic Analysis: \$2750, With Traffic Analysis: \$3500 + 27.50 per lot + cost of traffic engineer review	Preliminary fee: \$2985, final \$2585	
Modification	No Fee	Type II: \$200 Type II: \$750 Type III: \$3,000							
Nonconforming Use	\$800.00	\$1,500.00	\$530.00	\$725.00	Type I: \$154, Type 2: \$917	\$493.00	not listed	not listed	\$700.00
Partition (Type II)	\$1,000.00	Preliminary Plat: \$1500 Final Plat: \$300	Major: \$1390, Minor: \$1310	\$725.00	\$4,285.00	Minor: \$657, Major \$988 + \$32 per lot, Minor Revised Plat: \$988 + \$32 per lot, Type III: \$1099 + \$32 per lot, Major Replat: \$1099 + \$32 per lot	Major: \$825, Minor: \$550	Preliminary fee: \$2478, final \$1081	\$2,600.00
Pre-Application Meeting	5% of filing fee for proposed app	Type II: \$400 Type III: \$750 Type IV or multiple applications: \$1,000	Type II: \$310, Type III: \$720	\$500-\$1000 - can be credited to application	Minor: \$610, Major: \$1184	Type I: \$103, Type II: \$308, Type III: \$514	\$300.00	\$508.00	not listed
Property Line Adjustment	\$200.00	\$500.00	\$530.00	\$295.00	\$1,284.00	\$390.00	\$550.00	\$599.00	\$455 for Type I, \$315 for Type II
Sign	\$50.00	\$75.00	\$75.00	Not listed	\$194 + 5% of construction cost, \$56 for temporary signs	Not listed	Not listed	Type I (Signs): \$85	\$530 with design review, \$135 without
Site Design Review	Current fee is based on project values. Is very confusing for customers and the fees are very low.	Type II: \$1500 Type III: \$3,000	Type II: \$1000-\$5000 depending on size Type III: \$1600-\$5600 depending on size	Between \$275 and \$5450 depending on project value	Minor Type 1 Items: \$83 for up to two, \$166 for 2+ Building alterations: 277, Minor Type I New Construction: \$524, Minor Type II: \$917, Master Planning - up to \$60,927 depending on project cost	\$205-\$7682 depending on project value	New Construction \$825, Addition: \$550, Public Hearing Required: \$1100, Parking Lot: \$550, Traffic Analysis: \$350 plus traffic analysis cost, Extension: \$300, Historic Design Review Application: \$50	\$2177-\$14397 depending on project size	0.384% of construction cost, between \$650-\$36835, minor changes: \$135
Subdivision -- Final Plat	\$300.00	\$500.00	\$250.00	not listed	not listed	not listed	\$660.00	\$2585, Manufactured Dwelling Park: \$1081	
Subdivision -- Preliminary Plat	\$1,700 + \$50 per lot	\$3,000.00	\$1735 for a 4 lot subdivision + \$115 per additional lot	\$2500 + \$50/lot	\$4584 + \$381/lot	Type II 4-10 lots: \$2634 + \$75/lot, Type II 11+ lots: \$2855 + \$75/lot, Type III 4-10 lots: \$3081 + \$75/lot, Type III 11+ lots: \$3297 + \$86/lot,	Without Traffic Analysis: \$2750, With Traffic Analysis: \$3500 + 27.50 per lot + cost of traffic engineer review	\$3775 + \$40 per lot, Manufactured Dwelling Park: \$3137	11+ Lots: \$5090 + \$45/lot, 4-10 lots \$2600
Temporary Use	\$250.00	\$400.00	\$100, \$50 renewal - half for non-profits	\$250.00	not listed	Type I Structure: \$123, Type II Structure: \$164, Use permit: \$103	\$100 - same fee for use or structure	\$157.00	\$125 during construction, \$504 dwelling for care, \$520 for other
Tree Removal	No Fee	\$50.00			\$342.00	\$103-442 depending on type		\$145.00	
Variance	\$300.00	\$2,500.00	Major: \$2150, Minor setback: \$530, Sign: \$120	\$850.00	Administrative - \$1490, Hearing - \$2767, Signs - \$1406	Type II: \$657, Type III: \$1099, Type III Design Variation: \$442	\$725.00	\$2,432.00	\$900.00
Zone Change	\$1,700.00	\$3,000.00	\$2,750.00	\$875.00	\$3,101.00	\$2,413.00	\$2,750.00	\$3074, \$1042 for a zoning adjustment	Hearings review officer: \$4110, Hearings review officer filed with another application: \$3560, filed with com plan amendment: \$2510