

CITY OF COLUMBIA CITY

AGREEMENT TO MEET COSTS OF DEVELOPMENT
REVIEW
AND APPROVAL COMPLIANCE

This Agreement to Meet Costs of Development Review and Approval Compliance ("Agreement") is entered into on the last signed date indicated below by and between the City of Columbia City, Oregon (hereinafter the "City") and _____ (hereinafter the "Developer") in connection with Developer's land use application for approval of _____ as part of Columbia City Planning File No. _____ (collectively hereinafter "Application").

RECITALS

WHEREAS, DEVELOPER has submitted to CITY a land use or limited land use Application under the Columbia City Zoning and/or Subdivision Ordinance; and

WHEREAS, CITY is obligated under ORS Chapters 92, 197 and 227 to review DEVELOPER'S Application and determine whether it complies with the mandatory approval criteria and standards of state law and CITY'S adopted ordinances and development standards; and

WHEREAS, CITY desires to not use general fund monies to subsidize the processing and review of land use applications and the CITY has no means for paying the costs of the City land use planner, engineer, attorney, and City staff time to review DEVELOPER'S Application; and

WHEREAS, ORS 92.046 and 227.175 authorizes CITY to charge DEVELOPER for the actual cost of processing DEVELOPER'S Application.

NOW, THEREFORE, the premises being generally stated in the foregoing Recitals, DEVELOPER agrees as follows:

1. DEVELOPER agrees to pay CITY the actual costs incurred by CITY in reviewing DEVELOPER'S Application for compliance with the applicable approval criteria, development and design standards. Such costs shall include the actual cost of CITY'S land use planner, engineer, attorney, and City staff incurred in processing and reviewing DEVELOPER'S Application and any post-approval plans or drawings and the actual cost of the CITY making any inspections required by CITY'S approval of DEVELOPER'S Application, based upon the hourly rate schedule contained in the CITY'S current fee schedule.

2. DEVELOPER agrees to pay CITY the actual costs incurred by CITY in inspecting, investigating, and verifying DEVELOPER'S compliance with any representations made in DEVELOPER'S Application and with any requirements of CITY'S development and design standards and any conditions set forth in CITY'S approval of DEVELOPER'S Application.

3. Upon submittal of any land use application, DEVELOPER shall pay the application fee deposit, according to the CITY'S current fee schedule. In addition, DEVELOPER shall pay all additional costs in full to CITY within 30 days after having been billed by CITY. Any billing by CITY shall include verification of CITY'S actual cost. All unpaid balances after 30 days shall bear interest at the rate of one and one-half percent (1-1/2%) per annum from date of billing.

IT IS SO AGREED.

By: _____ Date: _____
Name:
Title:

STATE OF OREGON)
)
County of _____) ss.

On this _____ day of _____, 200____, the above-signed personally appeared before me and acknowledged that this is a free act and deed, for the uses and purposes stated in the above document.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 200____.

Notary Public for Oregon
My Commission Expires: _____