

CITY OF NEWPORT  
RESOLUTION NO. 3616

RESOLUTION SETTING FEES FOR  
PREPARATION OF TRIP ASSESSMENT AND TRIP VESTING LETTERS,  
AND FOR THE REVIEW OF TRANSPORTATION IMPACT ANALYSIS

Findings:

1. Chapter 14.43 of the Newport Municipal Code (NMC) sets criteria for preparation of Trip Assessment and Vesting Letters. Criteria for preparation and review of Traffic Impact Analysis (TIA) reports are addressed in NMC Chapter 14.45. Applicants may, but are not required to have the City prepare a trip assessment letter. City must prepare vesting letters, and review and approve TIA reports. These City services are performed by the Community Development Department.
2. Trip Assessment and Vesting Letters can be setup as templates using a trip generation formula from the Institute of Transportation Engineers Manual. Issuance of the letters is a ministerial action, unless the proposal seeks trips from the Trip Reserve Fund, in which case a hearing is required before the City of Newport Planning Commission with notice to surrounding property owners.
3. TIA reports are technical documents that require detailed review, preparation of a land use decision, and notice to surrounding land owners. It is anticipated that TIA reports will often be submitted with other required land use actions thus reducing costs to the City; however, there are circumstances where the TIA report is the only land use action required for development of a property.
4. Preparation of these letters and the review of these requests place demands on City planning services that result in costs to the City that should be offset as authorized by NMC Chapter 14.51.
5. Per Resolution No. 3486, the fee must also cover 50% of the City's internal planning review costs. Such internal review costs are anticipated to be lower for the preparation of Trip Assessment and Vesting Letters that are ministerial actions. Ministerial actions do not involve preparation of a land use decision, a hearing, or public notice. The direct unit cost in terms of planning staff time is anticipated to be comparable to that of a Land Use Compatibility Statement (LUCS), which is also a ministerial action. A 2009 City of Newport User Fee Study authored by FCS Group documented the direct unit cost of a LUCS Review. Fifty percent (50%) of the direct cost of a LUCS review is \$40 and this same fee should be set for the preparation of Trip Assessment and Vesting Letters that are ministerial actions.
6. A request for the City to allocate trips out of the Trip Reserve Fund requires the preparation of a land use decision, hearing before the Newport Planning Commission and notice to surrounding property owners. The direct unit cost in terms of planning staff time is anticipated to be comparable to that of a Conditional Use Permit that requires a public hearing. A 2009 City of Newport User Fee Study authored by FCS Group documented the direct unit cost for this type of permit. Fifty percent (50%) of the direct cost of Conditional

Use Permit that requires a public hearing is \$611 and this same fee should be set for an application to utilize trips out of the Trip Reserve Fund.

7. For TIA reports submitted independent of another land use action, the City must prepare a land use decision and provide public notice to surrounding property owners. The direct unit cost in terms of planning staff time is anticipated to be comparable to that of a Conditional Use Permit that can be reviewed and issued by staff without a public hearing. A 2009 City of Newport User Fee Study authored by FCS Group documented the direct unit cost for this type of permit. Fifty percent (50%) of the direct cost of a staff level Conditional Use Permit is \$487 and this same fee should be set for a TIA report submitted independent of another land use action.
8. Costs incurred by the City in responding to these requests are subject to inflation and should be adjusted annually using the Bureau of Labor Statistics Consumer Price Index for Urban Consumers (CPI-U).
9. This fee resolution is desired to go into effect on December 5, 2012, the effective date of Ordinance No. 2045, establishing the Trip Assessment Letter, Vesting Letter, and TIA requirements.

Based on these findings,

NOW, THEREFORE, THE CITY OF NEWPORT RESOLVES AS FOLLOWS:

Section 1. Application Fee for Trip Assessment and Vesting Letters. The application fee for a Trip Assessment or Vesting Letter that is a ministerial action shall be \$40. City shall collect an application fee of \$611 for proposals that seek to utilize trips from the Trip Reserve Fund.

Section 2. Application Fee for Traffic Impact Analysis. The application fee for City review of a TIA report that is independent of another land use action shall be \$487. No fee shall be charged for the review of a TIA report that is submitted in conjunction with another required land use action.

Section 3. Annual Fee Adjustments. Pursuant to NMC Chapter 14.51, the planning fees established herein shall be reviewed annually and adjusted as needed on January 1<sup>st</sup> of each year to account for inflation using the Bureau of Labor Statistics Consumer Price Index for Urban Consumers (CPI-U).

Section 4. Effective Date. The effective date of this resolution is December 5, 2012.



Mark McConnell, Mayor

ATTEST:



Margaret M. Hawker, City Recorder