

City of Sherwood, Oregon

RESOLUTION NO. 91-496

SANITARY SEWER SYSTEM DEVELOPMENT CHARGE

Section 1. Authorization.

The Sanitary Sewer System Development Charge (SSDC) is adopted pursuant to City Ordinance No. 91-927.

Section 2. Purpose.

The SSDC shall be reserved and used exclusively for the acquisition, expansion, extension, and capital development or redevelopment of the City's public sanitary sewer system designed to provide extra system capacity, and as designated in the City Sanitary Sewer Plan Update, on the City Sewer Service Master Plan Map, as listed in the Sewer section of the City's Long Range Capital Improvement Program list, all attached hereto as Appendix "A", and as included in Chapter 7 of the Sherwood Community Development Plan, incorporated herein by reference. The SSDC may also be utilized for expenditures relating to repayment of debt for such improvements. The SSDC may not be used for sanitary sewer system preservation improvements or for routine sanitary sewer system maintenance and operations.

Section 3. Methodology.

Methodology used to establish the SSDC is in conformity with ORS 223.304 and is included in the "City System Development Charge Study", prepared for the City by ECO Northwest, and approved by the City Council as part of this Resolution on June 26, 1991, and incorporated herein and attached hereto as Appendix "B". The methodology described in the Study was used to establish unit charges for different kinds of development. The methodology used to establish reimbursement charges is that described as "Method 1" in the Study. No legal challenge to the methodology used in establishing the SSDC may be filed after sixty (60) days following the adoption of this Resolution.

Section 4. Schedule of Charges.

In addition to the charges established by the Unified Sewerage Agency and adopted by the City as per Resolution No. 91-499, SSDC's shall be assessed against all new residential, commercial, industrial, institutional, and other development in the City to

support extra capacity sanitary sewer system improvements. The SSDC shall be:

(a) Reimbursement Charge:

\$0.051 per each gallon of sewerage flow per day. For single and two-family residences, and manufactured homes on individual lots, the sewerage flow shall be assumed to be 535 gallons per day per dwelling unit. For manufactured home parks, multi-family residential, commercial, industrial, and institutional uses, gallons per day of sewerage flow shall be based on engineer's estimates provided at the time of development or redevelopment of the use, as verified by the City.

(b) Improvement Charge:

\$0.16 per each gallon of sewerage flow per day. For single and two-family residences, and manufactured homes on individual lots, the sewerage flow shall be assumed to be 535 gallons per day per dwelling unit. For manufactured home parks, multi-family residential, commercial, industrial, and institutional uses, gallons per day of sewerage flow shall be based on engineer's estimates provided at the time of development or redevelopment of the use, as verified by the City.

Section 5. Credits.

Credits issued against the SSDC for qualified public improvements shall be governed by City Ordinance No. 91-927, Section 10, with the following exceptions and additions:

- (a) The qualified public improvement must be listed in the System Development Charge Study referenced in Section 3 of this Resolution, and the Sanitary Sewer Plan Update and Plan Map referenced in Section 2 of this Resolution.
- (b) For qualified public improvements, whether located on, contiguous to, or off-site of the parcel or parcels subject to development, credit shall generally be given for the full value of the improvements made. Credits shall include the costs of rights-of-way, easements, or other land necessary for the construction of such improvements, provided such land is acquired exclusively for sanitary sewer system purposes.
- (c) Any credits for qualified public improvements shall be reduced to the extent that other agreements or provision exist that compensate a development for the same

improvements. For the SSDC such provisions include, but are not limited to, City "payback" agreements. If the value of the qualified public improvement exceeds the maximum credit available, "payback" agreements or similar provisions may be allowed for the difference.

- (d) The qualified public improvement otherwise conforms to Ordinance No. 91-927, Section 10.

Section 6. "Grandfathered" Applications.

Notwithstanding City Ordinance No. 91-927, Section 15, developments for which applications have been accepted by June 30, 1991 for final subdivision plat, as per Zoning and Community Development Code Section 7.301, for planned unit development final development plan, as per Code Section 2.202.03, or for final improvement plans, as per Code Section 6.201, shall be subject to the City system development charges in effect on that date, if so requested in writing by the applicant, subject to the following conditions:

- (a) Such applications must receive final City approval by September 1, 1991, and
- (b) All building permits associated with such applications must be issued by September 30, 1993.

For all developments otherwise subject to this section, plans approved and building permits issued after the dates specified in subsections (a) and (b) of this section shall be subject to Ordinance No. 91-927, Section 15.

Section 7. Appeals.

All appeals against application or expenditure of the SSDC shall be governed by Ordinance No. 91-927, Section 12. The appeal fee shall be \$450.00.

Section 8. Effective Date. This Resolution shall become effective July 1, 1991.

Duly passed by the City Council _____.

Rick A. Hohnbaum, Mayor

Attest:

Polly Blankenbaker, Recorder