

City of Sherwood, Oregon

RESOLUTION NO. 93-561

MINOR COLLECTOR STREET SYSTEM DEVELOPMENT CHARGE

Section 1. Authorization.

The Minor Collector Street System Development Charge (MCSDC) was initially adopted in 1992 pursuant to City Ordinance No. 91-927, and City Resolution No. 92-518, and requires revision due to changes in the City's Capital Improvement Program and completion of capital projects in the interim.

Section 2. Purpose.

The MCSDC shall be reserved and used exclusively for the acquisition, expansion, extension, and capital development or redevelopment of the City's public minor collector streets and rights-of-way designed to provide extra system capacity, and as designated in the Transportation Plan Update, and on the Transportation Plan Map, as listed in the Street section of the City's Long Range Capital Improvement Program list, all attached hereto as Appendix "A", and as included in Chapter 6 of the Sherwood Community Development Plan, incorporated herein by reference. The MCSDC may also be utilized for expenditures relating to repayment of debt for such improvements. The MCSDC may not be used for street system preservation improvements or for routine street system maintenance and operations.

Section 3. Methodology.

The methodology used to establish the MCSDC is in conformity with ORS 223.304 and is included in the Appendix to the "City System Development Charge Study", prepared for the City by Ray Bartlett, as approved by the City Council as part of this Resolution on March 11, 1992, and incorporated herein and attached hereto as Appendix "B", and an October 1993 Update prepared by Ray Bartlett, and incorporated herein and attached hereto as Appendix "C". The methodology described in the Study and Update was used to establish unit charges for different kinds of development. No legal challenge to the methodology used in establishing the MCSDC may be filed after sixty (60) days following the adoption of this Resolution.

Section 4. Schedule of Charges.

MCSDCs shall be assessed against new residential, commercial, industrial, institutional, and other development in the City, to support extra capacity minor collector street system improvements. The MCSDC includes an administrative services charge calculated as per Exhibit "C". The MCSDC shall be:

- (a) Reimbursement Charge: None
- (b) Improvement Charge: \$15.22 x Weekday Average Trips
x Units*

*Weekday Average Trips and Units or Unit Equivalents as per Appendix "A" of Washington County Code Chapter 3.17.

Section 5. Credits.

Credits issued against the MCSDC 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 Transportation 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 minor collector street improvements made. Credits shall include the cost of rights-of-way, easements, or other land necessary for the construction of such improvements, provided such land is acquired exclusively for minor collector street system purposes.
- (c) Any credits for qualified public improvements shall be reduced to the extent that other agreements or provisions exist that compensate a development for the same land or facilities. For the MCSDC, 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.
- (e) The qualified public improvements otherwise conform to Ordinance No.91-927, Section 10.

Section 6. Appeals. All appeals against application or expenditure of the MCSDC shall be governed by Ordinance No. 91-927, Section 12. The appeal fee shall be \$500.00.

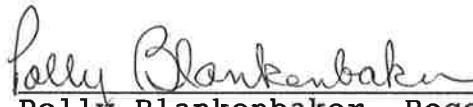
Section 7. Effective Date. This Resolution shall become effective November 3, 1993.

Duly passed by the City Council November 3, 1993.



Walter Hitchcock, Mayor

Attest:



Polly Blankenbaker, Recorder