

City of Sherwood, Oregon

RESOLUTION NO. 93-564

STORM WATER SYSTEM DEVELOPMENT CHARGE

Section 1. Authorization.

The Storm Water System Development Charge (SWSDC) is adopted pursuant to City Ordinance No. 91-927.

Section 2. Purpose.

The SWSDC shall be reserved and used exclusively for the acquisition, expansion, extension, and capital development or redevelopment of the City's public storm water management system designed to provide extra system capacity, and as designated in the City Storm Water Master Plan, and on the Storm Water Master Plan Map, as listed in the Storm Water 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 SWSDC may also be utilized for expenditures relating to repayment of debt for such improvements. The SWSDC may not be used for water system preservation improvements or for routine storm water system maintenance and operations.

Section 3. Methodology.

The methodology used to establish the SWSDC is in conformity with ORS 223.304 and is included in the "1993 Update of Systems Development Charges with Administrative Costs" report, prepared for the City by Ray Bartlett, as approved by the City Council as part of this Resolution on November 3, 1993, and incorporated herein and attached hereto as Appendix "B". The methodology described in the Report was used to establish unit charges for different kinds of development. No legal challenge to the methodology used in establishing the SWSDC may be filed after sixty (60) days following the adoption of this Resolution.

Section 4. Schedule of Charges.

SWSDCs shall be assessed against all new residential, commercial, industrial, institutional, and other development in the City, to support extra capacity storm water management system improvements. The SWSDC includes an administrative charge calculated as per Exhibit "B". The SWSDC shall be:

- (a) Reimbursement Charge: None
- (b) Improvement Charge: \$.031 per square foot of impermeable surface

Section 5. Credits.

Credits issued against the SWSDC 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 Storm Water 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 cost of rights-of-way, easements, or other land necessary for the construction of such improvements, provided such land is acquired exclusively for storm water 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 public improvements. For the SWSDC, 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 SWSDC 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