

RESOLUTION NO. 21-35

A RESOLUTION REPEALING RESOLUTION NO. 04-47 AND ADOPTING A METHODOLOGY, PROJECT LIST, AND AMOUNTS FOR THE CITY'S STORMWATER SYSTEM DEVELOPMENT CHARGES AND ESTABLISHING EFFECTIVE DATES

WHEREAS, Oregon Revised Statutes (ORS) Chapter 223, authorizes Oregon City to charge System Development Charges (SDCs) for cost of existing and planned facility improvements that provide capacity to serve future growth; and

WHEREAS, ORS 223.304 established requirements for determination of the amounts of SDCs; and

WHEREAS, Oregon City Municipal Code (OCMC) 13.20 System Development Charge for Capital Improvements, implements the statutory authority to impose SDCs on new development, and specifically authorizes the City Commission to adopt and modify the amount of the charges and the methodology upon which such charges are based; and

WHEREAS, the City's Stormwater System Development Charge was last amended in 2004 through Resolution No. 04-47; and

WHEREAS, the City Commission adopted the Stormwater Master Plan through the execution of Ordinance No. 19-1014 which became effective April 17, 2020 that resulted in an updated list of capital improvements to be funded with stormwater SDCs; and

WHEREAS, the City is modifying the stormwater SDC methodology and calculated new stormwater SDC amount in accordance with ORS 223.297 through 223.314 and OCMC 13.20 to support the updated list of capital improvements; and

WHEREAS, the modified Stormwater SDC Methodology and calculated amount are documented in the attached May 2021 Report, prepared by FCS Group, identified as Exhibit 1; and

WHEREAS, the City has met the procedural requirements of ORS 223.304 to adopt this resolution.

NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:

Section 1. Repeal of Previous Resolution. Oregon City Resolution No 04-47, enacted on December 15, 2004, that previously established stormwater SDC methodology and amounts, is hereby repealed.

Section 2. Methodology.

- A. The May 2021 FCS Group Stormwater System Development Charge Methodology Report (Report) is adopted and incorporated herein by reference as though set forth in its entirety (Exhibit 1).

- B. The methodology for establishing revised reimbursement and/or improvement SDCs for funding the Oregon City stormwater system capital improvements, as presented in the Report, is hereby adopted by this resolution to determine the stormwater SDC.

Section 3. Amount of Stormwater System Development Charge.

- A. The calculations for determining the amounts of the stormwater SDC are set forth in the Report.
- B. Based on the calculations in the Report, the following schedule for stormwater SDCs is adopted:

Total Stormwater SDC	
Reimbursement Fee	\$533
Improvement Fee	\$536
TOTAL SDC	\$1,070

Section 4. Implementation of Stormwater System Development Charge and Effective Dates

- A. This resolution shall take effect immediately upon its adoption by the City Commission.
- B. This schedule shall be effective January 1, 2022.

Section 5. Annual Adjustment

Effective January 1, 2023, and annually thereafter, the system development charges included herein shall be adjusted based on the change in the Seattle Engineering News Record (ENR) Construction Cost Index (CCI).

Approved and adopted at a regular meeting of the City Commission held on the 7th day of July 2021.



RACHEL LYLES SMITH
Mayor

Attested to this 7th day of July 2021:



Kattie Riggs, City Recorder

Approved as to legal sufficiency:



City Attorney