

## RESOLUTION NO. 09-02

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### **A RESOLUTION REPEALING RESOLUTION 97-56, ADOPTING A METHODOLOGY, PROJECT LISTS, AND AMOUNTS FOR THE CITY'S TRANSPORTATION SYSTEM DEVELOPMENT CHARGE AND ESTABLISHING EFFECTIVE DATES**

**WHEREAS**, state law (ORS 223) authorizes the City to charge new development for full new growth impact costs to infrastructure;

**WHEREAS**, City code, Chapter 13.20 (System Development Charge (SDC) 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 amount of the charges and the methodology upon which such charges are based; and

**WHEREAS**, the City's Transportation SDC (TSDC) was last amended in 1997 through Resolution No. 97-56; and

**WHEREAS**, the costs estimated to accommodate the impacts of new development on the Oregon City transportation system in 2009 exceed the funding potential derived from the previous TSDC calculation; and

**WHEREAS**, the City has updated Transportation System Plan Capital Improvement Plan (TSP CIP) roadway and bicycle/pedestrian project lists for use in calculating the updated TSDC; and

**WHEREAS**, the City has updated the TSDC methodology and calculated a new amount in accordance with Oregon Revised Statutes 223.297-315 and Oregon City Municipal Code 13.20; and

**WHEREAS**, the results of the updated TSP CIP project lists, TSDC methodology, and calculated amount are documented in the attached March 2009 report prepared by FCS Group, Exhibit 1, adopted and incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission that:

#### Section 1 – Action

- A. Resolution 97-56, enacted on November 19, 1997, is hereby repealed in its entirety and its directions are replaced by this Resolution No. 09-02.
- B. A new TSDC methodology and charge per pm peak hour trip and charge per bike/ped trip are adopted based on the transportation system improvements, trip projections, calculations, and conclusions presented in the FCS Group report (Exhibit 1).

#### Section 2 – TSDC Details

- A. The new TSDC has two components and is hereby adopted and made applicable to all new development within the city limits of Oregon City.

Component 1: Roadway Improvements Project List = \$7,000 per peak hour trip. For outright uses within the Mixed Use Downtown zone and along the 7<sup>th</sup> Street and Molalla Avenue Corridor, a ten percent reduction will be used for residential development and the lesser of the Shopping Center trip generation rate or the non-residential development's estimated trip generation rate will be used.


Component 2: Bicycle/Pedestrian Improvements Project List = \$202.51 per bike/ped trip


- B. Each cost component for individual developments will be calculated based on peak hour trip generation (Roadway Improvements Project List) and trip generation groups (Bike/Ped Improvements Project List) for the land use and the development size. See Exhibit 1 for these trip generation factors for representative land uses.
- C. The City Engineer may use alternative data when, in the City Engineer's opinion, the alternative data are more reliable and realistic for a particular development than are the trip factors set forth in Exhibit 1.

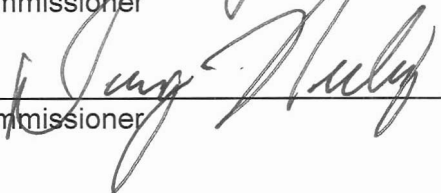
### Section 3 – Effective Dates and Annual Adjustment

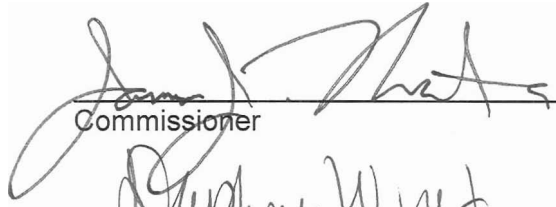
- A. Component 1 for the Roadway Improvements Project List described in Section 2 above applies to future development and building permit applications and shall be implemented in two equal increments as follows:  
Effective 30 days after Resolution No. 09-02 adoption: \$3500 per peak hour trip.  
Effective February 1, 2011: \$7,000 per peak hour trip (plus annual adjustment as described in Section 3E below).
- B. Component 2 for the Bike/Ped Improvements Project List described in Section 2 above applies to future development and building permit applications and shall become effective 30 days after Resolution No. 09-02 adoption.
- C. For lots or parcels lawfully created prior to adoption of this resolution and situated in a residential zone, the former TSDC defined by Resolution No. 97-56 shall increase by a factor of 1.15 effective 30 days after Resolution No. 09-02 adoption. Component 1 with appropriate annual adjustment shall become effective on February 1, 2011.
- D. For lots or parcels in a residential zone approved by a land use or limited land use decision prior to adoption of this resolution, the former TSDC defined by Resolution No. 97-56 shall increase by a factor of 1.15 effective 30 days after Resolution No. 09-02 adoption. Component 1 shall become effective February 1, 2013. Anytime after February 1, 2011, the City Commission may review the status of the construction market and consider an earlier Component 1 effective date.
- E. All TSDCs described above shall be annually adjusted on January 1 based on the Seattle Engineering News Record (ENR) Construction Cost Index (CCI).

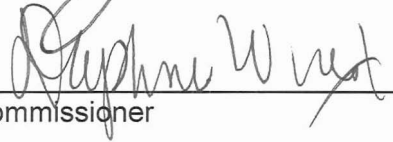
Adopted, signed and approved this 1st day of April 2009.

  
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Mayor

  
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Commissioner

  
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Commissioner

Comprising the City Commission of Oregon  
City, Oregon