



CITY OF BEAVERTON

CITY ORDINANCES

ORDINANCE 3686

AN ORDINANCE IMPOSING A SYSTEMS DEVELOPMENT CHARGE FOR STORM DRAINAGE AND AMENDING THE BEAVERTON CODE BY ADDING NEW PROVISIONS.

NUMBER OF PAGES

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CODE BY ADDING NEW PROVISIONS.

WHEREAS, the City is authorized under the Oregon Constitution and statutes and its own Charter to construct, acquire, operate and maintain within and without the City, a system of storm water drainageways, facilities and equipment such as may be necessary or desirable to further the public health, safety and welfare; and

WHEREAS, the Council finds that the development of real property within the City creates a need for additional capacity in the existing system for storm water drainage; and

WHEREAS, the Council finds that a rational relation between the scope of new development and a systems development charge for storm drainage lies in the ratio of impervious surface area in new development compared with the average impervious surface of property occupied by a single dwelling unit, now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The following new provisions are added to Chapter 4 of the Beaverton Code:

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"4.07.010 Definitions. The following definitions apply to Sections 4.07.010 through 4.07.070 of this Code:

"(a) Dwelling Unit (DU), Multiple Dwelling Unit (MDU), Equivalent Dwelling Unit (EDU), Commercial Unit, Impervious Surface and Property have the meanings assigned to those terms in Section 4.06.010 of this Code (added by Ordinance No. _____).

"(b) Building Permit - any permit issued by the City under auspices of Chapter 8 of this Code.

"(c) Development - the first use of property by occupancy with a structure or the placing of pavement or other impervious surface on property not already occupied by a structure.

"(d) Redevelopment - an intensified use of property resulting in a greater impervious surface area on the property than existed prior to such redevelopment.

"4.07.020 Systems Development Charge Imposed. There is imposed on all property that undergoes development or redevelopment in the City a systems development charge for storm drainage, due and payable at the time of application for a building permit for that property.

"4.07.030 Method of Computation. The Council finds that a charge of \$250 for a single dwelling unit and \$250 for each equivalent dwelling unit, the latter to be measured and the charge pro-rated to the nearest one-tenth increment, represents a fair and reasonable proportion of the cost of capital improvements projected as necessary additional capacity in the City's storm drainage system.

"4.07.050 Lien for Unpaid Charges. There hereby is imposed a lien upon all property within the City for which the charges for storm drainage imposed by this ordinance, as amended from time to time, are not paid when due. Nothing in this section is intended to limit or deny any and all other remedies that may be available to the City for collection of those charges.

"4.07.060 Credit for Qualified Public Improvement. On application from a person subject to the systems development charge imposed by this Ordinance, the Council shall allow a credit against the charge for the construction of a qualified public

improvement. For purposes of this section, a "qualified public improvement" means one that is required as a condition of residential development approval, identified in the City's capital improvement plan for storm drainage, and not located on or contiguous to property that is the subject of residential development approval.

"4.07.070 Exempt Property. The systems development charge imposed by this Ordinance shall not apply to property owned by the City, nor to other improved property to the extent of the impervious surface area of same for which a building permit has been issued and which exists on or before the effective date of this Ordinance."

Section 2. This Ordinance shall take effect on September 1, 1989.

First Reading this 10th day of July, 1989.
Passed by the Council this 17th day of July, 1989.
Approved by the Mayor this 20th day of July, 1989.

ATTEST:

APPROVED:

Ann L. Johnson
ANN L. JOHNSON, City Recorder

Larry D. Cole, Jr.
LARRY D. COLE, MAYOR